

## ARTICLE 25

### PERMITS & APPROVALS

#### § 25.05 - INTENT & PURPOSE

The intent and purpose of this Article is to:

- (A) Establish the process for the issuance of permits and certificates of zoning compliance;
- (B) Provide a consistent and uniform method of review for permits and certificates of zoning compliance; and
- (C) Ensure full compliance with the standards and provisions of this Ordinance, other Township ordinances, and state and federal laws.

#### § 25.05 - AUTHORITY

Authority to approve, approve with conditions, or deny zoning permits and certificates of zoning compliance shall be with the Director of Planning and Zoning.

#### § 25.10 - PERMITS REQUIRED

Permits and/or certificates of zoning compliance are required for various structures, uses, and activities, as outlined below.

*Table 25.10 Permits Required*

Structure, use, or activity <sup>A</sup>	Permit Required <sup>B</sup>	Plan Required
(A) Accessory building, such as detached sheds, garages, pole barns, or gazebos	Major zoning permit	Plot plan, site plan, or administrative site plan
(B) Building addition	Major zoning permit	Plot plan, site plan, or administrative site plan
(C) Deck, porch, patio	Major zoning permit	?
(D) Driveway or sidewalk in Lake Residential (LR) Zoning District	Major zoning permit	Plot plan
(E) Exterior remodeling that does not increase the building coverage, such as reroofing, siding, windows, and doors	Minor zoning permit	Description of work
(F) Fence or retaining wall	Fence permit	Plot plan
(G) Group day care home or group foster care home	Minor zoning permit	Administrative site plan

(H) Generator	Minor zoning permit	Plot plan or administrative site plan
(I) Home occupation	Minor zoning permit	?
(J) Interior remodeling that does not increase the lot coverage	Minor zoning permit	Building plans
(K) Mechanical improvements, such as electrical, plumbing, furnace	No permit <sup>C</sup>	
(L) New building	Major zoning permit	Plot plan, site plan, or administrative site plan
(M) New commercial use	Major zoning permit	Plot plan, site plan, or administrative site plan
(N) Propane tank	Minor zoning permit	Plot plan
(O) Roadside stand	Temporary zoning permit	Plot Plan
(P) Satellite dish, antenna, ham radio	No permit <sup>C</sup>	
(Q) Sign	Sign permit	Plot plan, site plan, or administrative site plan
(R) Special event	Temporary zoning permit	?
(S) Temporary structure	Temporary zoning permit	?
(T) Temporary use	Temporary zoning permit	?
(U) ETC		

(A) **Interpretation:** For specific structures, uses, or activities that are not listed, the Director of Planning and Zoning shall determine if that structure, use, or activity is substantially similar in character and impact to any of the structures, uses, or activities listed in Table 25.10 Permits Required.

(1) **Similar Structure, Use, or Activity:** If a specific structure, use, or activity that is not listed is determined to be substantially similar in character and impact to a structure, use, or activity in Table 25.10 Permits Required, it shall then be subject to the same permit and plan standards as that similar, listed structure, use, or activity.

(2) **No Similar Structure, Use, or Activity:** If a specific structure, use, or activity that is not listed is determined to not be substantially similar in character and impact to any of the structures, uses, or activities in Table 25.10 Permits Required, it shall...

(B) **Permits Required:** Additional permits may be required from different entities, including, but not limited to, building permits, well permits, septic permits, and natural river permits.

(C) **Standards Still Apply:** Even though a zoning permit is not required, the structure, use, or activity shall still comply with the applicable standards and provisions of this Ordinance.

## § 25.15 - GENERAL PROVISIONS

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The following general provisions shall apply to all permits and approvals.

- (A) **Zoning Permit Required:** Excavation shall not be initiated, structures shall not be erected, altered, or moved, and commercial uses shall not be established or changed unless a zoning permit has been issued. Issuance of a zoning permit signifies that the proposed structure or use complies with all provisions of this Ordinance.
- (B) **Building Permit Required:** Excavation shall not be initiated and structures shall not be erected, altered, or moved unless a building permit, when required by Building Code, has been issued by the Building Official.
- (C) **Conditions:** Conditions and safeguards may be placed on permit and certificate of zoning compliance approvals, as outlined in **SECTION**.
- (D) **Certificate of Zoning Compliance:** Structures shall not be occupied or used without receiving a certificate of zoning compliance. Uses requiring a permit or certificate of zoning compliance shall not start or continue without receiving a certificate of zoning compliance.
- (E) **Certificate of Occupancy:** Structures requiring a certificate of occupancy from the Building Official shall not be occupied or used without receiving a certificate of occupancy. The issuance of a certificate of occupancy shall not be construed as waiving any provision of this Ordinance.
- (F) **Applicant Responsibilities:** The applicant shall be responsible for the following:
- (1) **Accuracy:** Ensuring the application and associated supporting materials are complete and accurate;
  - (2) **Display Permit:** Displaying the approved permit in a manner that is clearly visible from the street right-of-way until a certificate of zoning compliance has been issued;
  - (3) **Inspections:** Contacting the Township for all necessary inspections; and
  - (4) **Marking:** Marking the location of proposed additions and lot lines, as requested.
- (G) **Right to Enter Property:** Submission of a permit application shall constitute permission for the Township to access the property to complete onsite investigations for the purpose of administering this Ordinance.

## § 25.20 - ADDITIONAL APPROVALS

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Additional approvals from other entities shall be required for issuance of zoning permits or use of structures, as outlined below.

- (A) **Street Access:** Access to a street shall be required before issuance of a zoning permit.
- (1) **Public Street:** For lots that are to have access from a public street, a driveway permit from the Road Commission shall be required, when a new driveway is being installed or the use of an existing driveway is being intensified.
  - (2) **Shared Driveway:** For lots that have access through a shared driveway, a shared driveway approval from the Township shall be required.
  - (3) **Access Easement:** For lots that have access through an access easement, an access easement approval from the Township and a copy of the recorded access easement shall be required.

- (B) **Wastewater Permit:** When a wastewater system is required by law or proposed by the applicant, that approval shall be required before issuance of a zoning permit.
- (1) *Septic System:* When a public, private, or shared septic system is required or proposed, a report or permit from the Washtenaw County Environmental Health Department certifying approval shall be required.
  - (2) *Wastewater System:* When a connection with a municipal wastewater system is required or proposed, approval from the wastewater system administrator shall be required.
- (C) **Water Supply Approval:** When a water supply is required by law or proposed by an applicant, that approval shall be required before issuance of a zoning permit.
- (1) *Water System:* When a public, private, or shared water supply system is required or proposed, either a report from the Environmental Health Department certifying approval of a water supply system or a written notice of acceptance or hook-up fee receipt from the water supply administrator shall be required.
  - (2) *Private Well:* When a private well is required or proposed, an approval from the Environmental Health Department shall be required.
- (D) **Natural River Permit:** For projects located within the natural river zone, clearing and excavation shall not be initiated and structures shall not be erected, altered, or moved unless a Natural River Program Zoning Permit has been issued by the Department of Natural Resources.
- (E) **Building Permit:** A building permit shall be required, as outlined in the Building Code. A building permit shall not be issued until a zoning permit has been issued for those projects requiring a zoning permit.

## § 25.25 - PERMIT PROCESS

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Zoning permits and certificates of zoning compliance shall be reviewed as described below and in this Article.

- (A) **Application:** A permit application shall include the following:
- (1) **Application Form:** A signed and completed application form;
  - (2) **Application Fee:** An application fee, as outlined in the adopted Fee Schedule. No application fee shall be required if the Township is the applicant;
  - (3) **Plot Plans:** At least three (3) copies of plot plans, when required by **Table 25.10**;
  - (4) **Stormwater Management Plan:** A stormwater management plan, when required by **SECTION**;
  - (5) **Building/Structure Plans:** At least three (3) copies of building plans or structure plans, when required by Table 25.10;
  - (6) **Additional Approvals:** All applicable additional approvals outlined in **§22.20** of this Ordinance.
  - (7) **Additional Materials:** Any additional information determined necessary by the Director of Planning and Zoning.
- (B) **Complete & Accurate:** Submission of an application constitutes a representation that all of the information is complete and accurate.

(C) **Issuance:** Permits and certificates of zoning compliance shall be issued after adequate review whenever the structure and use are consistent with the provisions of this Ordinance. The Director of Planning and Zoning shall not refuse to grant any permit or certificate of zoning compliance that complies with this Ordinance. A permit shall be issued within fourteen (14) business days of receiving a completed application, unless a delay is agreed to, in writing, by the applicant.

(D) **Withholding Permit:** Issuance of any permit may be withheld pending verification that an applicant has received the necessary county, state, and federal permits or to confirm that any conditions of approval placed by the Township Board, Planning Commission, or Zoning Board of Appeals have been satisfied.

(E) **Expiration:** Any permit granted under this Ordinance shall be valid for one (1) year, unless otherwise stated in this Ordinance. If a certificate of zoning compliance has not been issued within this period, the permit shall be null and void. Two (2) extensions of up to six (6) months each may be granted if the applicant has demonstrated a good-faith effort to complete the permit and it is likely that the permit will be completed or a certificate of zoning compliance will be issued within the extension period.

(F) **Revocation:** The Director of Planning and Zoning shall have the authority to revoke or cancel any permit, as outlined below. A stop work order or cease and desist order may be issued pending a decision on revocation, as outlined in **SECTION**.

- (1) **Criteria:** In order to revoke a permit, the Director of Planning and Zoning shall find any one (1) of the following to be true:
  - a. **Error:** The permit was issued in error;
  - b. **Compliance:** The applicant, improvement, or use fails or neglects to comply with any provision of this Ordinance or conditions and safeguards established in connection with permits, special land uses, approved site plans, or variances; or
  - c. **Fraud:** A false statement, misrepresentation, or omission of facts was committed in the application.
- (2) **Notice:** The owner or agent shall be notified of the revocation in writing.
- (3) **Effect:** Upon revocation of a permit, all work shall cease, other than that necessary to correct the violation or secure the site, as authorized by the Director of Planning and Zoning.
- (4) **Nuisance per se:** Failure to terminate construction or the use for which the permit was revoked shall be a nuisance per se and a violation of this Ordinance.

*End of Article 25.*

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