

## ARTICLE 84: PERMITS

### 8401. Land Use Permits

No land shall be occupied or used and no building or structure shall hereafter be erected, altered or relocated under the provisions of this Ordinance until a permit authorizing the same shall be issued by the administrator.

### 8402. Land Use Applications

- A. If a use is listed in a respective land use district as a permitted use, anyone with an interest in a parcel may apply for a zoning permit under this section. Zoning permit applications are made on a form prepared by the administrator and presented to the administrator.
- B. The administrator shall require that the application include the form, copies of plans, specifications and such other information as he may deem necessary. Such other information shall include, but not be limited to:
  1. A site plan, if required by the Village Council.
  2. A copy of a registered survey of the lot, prepared by a Michigan registered land surveyor, is required of the purpose of construction and compliance with this ordinance.  
[Annotation: Section 8402, D-4 added by amendment, adopted May 8, 1997, effective June 1, 1997.]
  3. The legal seating and/or sleeping capacity of all buildings and structures, if applicable.
  4. A concise statement of all operations and uses which will be conducted on the land and buildings.
  5. A concise statement of the services, if any, to be offered to the public, if applicable.
  6. Any other information required by this Ordinance.
  7. A non-refundable fee. The fee shall be established from time to time by the Council.
- C. The application and site plan, if applicable, shall show the proposed use and structures which will be developed in compliance with all aspects of this Ordinance.
- D. Upon receipt of a zoning permit application, the zoning administrator shall review the application to insure it is complete, to coordinate its review with other agencies, if required, and act on the application within ten (10) days:
  1. If the application is not complete, the administrator shall return the application with a letter that specifies the additional material required.
  2. If the application is complete, but is found not to conform with this Ordinance, a permit denial shall be sent to the applicant, in writing, listing the violations of the Ordinance, and what changes would be necessary to obtain a permit, if any changes made would make it possible for a permit to be issued.
  3. If the application is complete and the proposed land use and structures are found to comply with this Ordinance, a zoning permit shall be issued.
- E. A zoning permit issued under this Ordinance shall be considered one of the "other applicable laws and ordinances" referenced in Section 11(1) of P.A. 230 of 1972, as amended, being the State Construction Code Act, MCL 125.1511(1). Thus a zoning permit shall be required prior to the issuance of a Michigan State Construction Code permit, issued pursuant to P.A. 230 of 1972, as amended, being the State Construction Code Act, MCL 125.1501 et. seq.

### 8403. Compliance

No permit shall be issued under this Article for any use which fails to conform to any relevant provision of this Ordinance or which fails to conform to any minimum requirement established for the land use district in which the proposed use is to be located, or which fails to conform to any standard set forth in the definition of the

proposed use, as defined in this Ordinance, or which fails to conform to the general regulations set forth in this Ordinance.

#### 8404. Permit Exemptions

Section 8401 notwithstanding, a zoning permit or fee is not needed under this section for the following uses. Nothing in this section exempts or requires construction permits, other than required by P.A. 230 of 1972, as amended, being the State Construction Code Act, MCL 125.1501 et. seq.

- A. Only exterior or interior repair and improvement which does not structurally alter the premises or change the exterior shape or form of any building in any manner, and the use of the land remains one of those listed as permitted in the respective land use district.
- B. Relocation or replacement of machinery or equipment within a building located in a commercial or industrial zone, conforming to the provisions of this Ordinance and used for commercial or industrial purposes, nor for any modification to such building in connection with said relocation or replacement, unless said modification structurally alters the premises or changes the exterior shape or form in any manner.
- C. The erection, construction, alteration, or maintenance by public utilities or municipal departments or commissions of over ground or underground gas, electrical, water, communication, or sewer systems, for the local distribution and/or collection systems via pipes, drains, sewers, wires, cables, traffic signals, hydrants, towers, pools, electrical substations, gas regulation stations, and similar equipment and accessories in connection therewith reasonably necessary for furnishing adequate service to individual customers/clients, but not including regional, long distance, interstate distribution or collection systems.
- D. Open Space.
- E. Individual recreation uses such as boating, hiking, hunting, fishing and trapping.
- F. Plowing and planting cash crops, row crops, orchards, or use of land as pasture or fallow when part of a permitted agricultural operation on one or more parcels of land.
- G. Harvesting of timber as part of a forest management activity when part of a forest management plan.
- H. Hedges, arbors, trees, gardens, plants, shrubs.
- I. Sidewalks, driveways to dwellings, duplexes, apartment buildings.
- J. Domestic animal shelters.
- K. Accessory structures to dwellings and duplexes which are constructed for minors or children for purposes of play, including, but not limited to, (i.e. swimming pools, playhouses, dollhouses, treehouses, forts, hideouts, etc.) and such structures shall comply with the setback requirements of this Ordinance.

[Annotation: Subsection amended, effective June 14, 2002.]

- L. Personal property sales.

#### 8405. Start Work Deadline

A permit issued under this Article is void if the use is not commenced within one (1) year. A renewal may be granted by the Administrator after a restudy of the permit at no cost to the applicant, and the applicant continues to meet all requirements for a permit.

#### 8406. Void Permits

- A. A violation of any condition or specification in a permit issued under this Article shall void the permit.
- B. Any improper or incorrect information contained in the application for permit issued under this Article shall void the permit until properly corrected upon the permit application; provided that, as corrected, the applicant continues to meet all requirements for a permit.