

**Township of Orange
County of Ionia**

Resolution No. 2008-4

**Amended 4-8-08
Updated 12-10-19**

A RESOLUTION REGARDING ZONING APPLICATION FEES AND ESTABLISHING AN ESCROW FUND REQUIREMENT FOR CERTAIN ZONING APPLICATIONS AND DEVELOPMENTS.

WHEREAS, the Orange Township Board (“Township Board”) desires to establish certain fixed application fees for zoning reviews and approvals pursuant to the Orange Township Zoning Ordinance (“Zoning Ordinance”) and state law; and

WHEREAS, There are certain developments, zoning applications and projects which require the Orange Township (“Township”) to incur additional and at times extraordinary out-of-pocket costs and expenses above and beyond what is associated with typical or average zoning reviews for minor projects; and

WHEREAS, the Township intends that the zoning review and escrow fees be in addition to the fixed application fees and also be reasonably related and proportionate to the cost incurred by the township or the particular application or zoning process involved, and that such fees and reimbursements be used to defray the cost of administering and enforcing the zoning ordinance as permitted in the Michigan State Zoning Enabling Act (Acct 110of 2006): and

WHEREAS; the Township Board intends to establish this Zoning Application Fee Schedule and Escrow Policy to accomplish the above goals.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS;

1. The fixed basic zoning applications, inspections and related fees are as follows;

Zoning Board of Appeals

(a) Variance	\$450.00
(b) Interpretations	\$450.00
(c) Other	\$450.00
(d) Special Meetings	\$450.00

Special Uses;

(a) Commercial Use	\$450.00
(b) Industrial Use	\$450.00
(c) Residential Use	\$450.00
(d) Mineral Extractions	\$1200.00
(e) Solar Farm, leased inside fence, per each acre	\$25.00

(f) Residential Solar Panels	\$50.00
(g) Miscellaneous	\$450.00
Annual Permit	\$120.00
<u>Private Roads</u>	
(a) Three to five lots	\$525.00
(b) Six lots or more	\$825.00
<u>Site Condominiums;</u>	
(a) Residential	\$750.00
(b) Commercial	\$1200.00
(c) Industrial	\$1200.00
<u>Planned Unit Developments;</u>	
(a) Residential	\$750.00
(b) Commercial	\$1200.00
(c) Industrial	\$1200.00
(d) Mineral Extraction	\$1200.00
(e) Other	\$750.00
<u>Rezoning;</u>	
Rezoning (other than a PUD)	\$600.00
<u>Zoning Permits;</u>	
(a) Zoning Permits (once approval has been obtained)	\$75.00
(b) Minor Projects by right (deck, porch, etc)	\$50.00
(c) Renewal	\$50.00
<u>Land Division; – need to obtain paperwork work from Township Assessor</u>	
(a) Non-commercial	\$100.00
(b) Commercial/Industrial	\$250.00
<u>Plats;</u>	
(a) Residential Plat	\$750.00
(b) Other Plats	\$750.00
<u>Manufactured Home Developments’;</u>	\$750.00
<u>Planning Commission;</u>	
(a) Special Meetings	\$350.00
(b) Site Plan Review for Commercial/Industrial	\$350.00
(c) Site Plan Review by Zoning Administrator or Staff	\$250.00
<u>Signs;</u>	

- (a) Billboards \$200.00
- (b) Other signs requiring a permit \$100.00

Zoning Ordinance Book; \$30.00

Wireless Communications Towers and Antennas;

- (a) Administrative Review \$200.00
- (b) Township Board Review \$450.00
- (c) Equipment update review \$200.00

The fixed basic zoning application fees specified in section1 above shall hereafter cover costs associated with the following;

(a) Applicant’s appearance at regular Planning Commission , Zoning Board of Appeals, and/or Township Board meetings

(b) Mailings and legal notices requirements for public hearings

(c) Involvement by Township Board members and employees (excluding outside contractors or professionals such as Township engineering, planning, legal counsel and other services).

2. In addition to the fixed zoning fees, all other expenses and costs incurred by the Township which are directly associated with the reviewing and processing a zoning application for uses specified in Section 4 hereof shall be paid (or reimbursed to the Township) from funds in an Escrow Account established by the applicant as provided herein. The Township may draw funds from an applicant’s Escrow Account to reimburse the Township for out-of-pocket expenses incurred by the Township relating to the application. Such reimbursable expenses include, but are not limited to, expenses related to the following;

(a) Mailings, legal notices and commission member compensation for special Planning Commission meetings and Planning/commission subcommittee meetings

(b) Mailings, legal notices and Township Board member compensation for Special Township Board meetings and Township subcommittee meetings

(c) Mailings, legal notices and Zoning Board of Appeals member compensation for special Zoning Board of Appeals meetings

(d) Services of the Township Attorney as related to the application

(e) Services of the Township Engineer directly related to the application

(f) Services of the Township Planner as directly related to the application

(g) Services of any other professionals working for the Township, including the Zoning Administrator which are directly related to the application.

(h) Any additional public hearings, required mailings and legal notice requirements necessitated by the application

3. Applications involving the following shall be subject to this Escrow Fund requirement;

(a) Site Plan Reviews

(b) Planned Unit Development (PUD)

(c) Special Use Permits

(d) Any Rezoning

(e) Plat Approval

(f) Site Condominiums

(g) Private Road Approvals/Permits

(h) Manufactured Home Developments

(i) Variance or interpretation proceedings before the Zoning Board of Appeals where Township officials determine that the scope of the project or application will probably require the assistance of Township professional or involve the additional costs referred in Section 3 hereof

(j) Land division approvals if the Township Board or Zoning Board of Appeals is involved

(k) Wireless Communication Towers and Antennas

4. The escrow fees for each application for uses specified in Section 4 hereof are established at \$750.00 increments commencing with an initial \$1500.00 deposit by the applicant with the Township Clerk. The initial \$1500.00 escrow fee shall be provided by the applicant to the Township Clerk at the time of application. No application shall be processed prior to the required escrow fee having been deposited with the Township Clerk. Any excess funds remaining in the escrow account after the application has been fully processed, reviewed and the final Township decision has been rendered regarding the project will be refunded to the applicant with no interest to be paid on those funds. At no time prior to the Township's final decision on an application shall the balance in the escrow account fall below \$750.00. If the funds in the Escrow Account drop below \$750.00, an additional deposit of \$750.00 from the applicant into the Escrow Account shall occur before the application review process will be continued. Additional amounts above \$1500.00 may be required to be placed in the Escrow Account by the applicant at the discretion of the Township depending on the size and scope of the project. Notwithstanding

the proceeding, the escrow fee deposit for private roads involving only three to five parcels shall be established at an initial \$750.00 deposit with the funds in the Escrow Account being replenished back up to \$750.00 when the funds in the account for such private road serving three to five parcels drop below \$150.00

5. No building permit or final Township approval or permit shall be granted for an application until all outstanding out- of- pocket costs and expenses incurred by the Township as specified above have been reimbursed to the Township from the Escrow Account.

6. The Township Clerk shall maintain records regarding the Escrow Account and shall authorize the disbursement of escrow funds in writing. Such escrow funds ((from one or more applicants) shall be kept in a separate Township bank account.

7. The Township shall collect and apply escrow funds in a reasonable fashion, including requesting professional estimates and timely billings.

8. If an applicant objects to the reasonableness or amount of escrow funds it must deposit with the Township or how the escrow funds have been applied, it can appeal the Townships determination regarding these matters to the Township Board. All such appeals shall be in writing and shall be made not later than thirty (30) days after final Township action regarding the application.

9. Nothing herein shall be construed or interpreted as limiting the authority of the Township to adopt separate fee schedules relative to non zoning matters involving the design, engineering and construction of buildings, improvements and developments within the Township.

10. This resolution shall invalidate and supersede any prior resolution to the extent of any conflict.

Motion by Board Member _____, supported by Board

Member _____, that this Resolution be adopted, the vote being as follows;

YEAS; _____

NAYS; _____

ABSENT _____

RESOLUTION DECLARED ADOPTED;

Orange Township Clerk

Date

CERTIFICATION

I hereby certify the above to be a true copy of a resolution adopted by the Orange Township Board at a meeting held at the Berlin-Orange Fire Department Building (located at 265 W David Hwy) on _____ at a _____pm meeting pursuant to the statutory procedures.

Dated _____

Respectfully Submitted,

By; _____

Orange Township Clerk