

TOWNSHIP OF FOREST
ZONING ORDINANCE

ARTICLE 3: ADMINISTRATION

Section 3.01 - Zoning Administrator

The provisions of this Ordinance shall be administered by a Zoning Administrator. The Zoning Administrator is appointed by the Township Board. The Township Board may also appoint Deputy Zoning Administrators as needed. The Zoning Administrator and Deputy Zoning Administrator's pay and terms of employment shall be set by the Township Board. The Zoning Administrator's responsibilities are:

- A. Examine, record and file applications and other documents.
- B. Conduct inspections related to zoning permits and site plans.
- C. Issue zoning permits
- D. Receive, investigate and process all complaints.
- E. Make recommendations regarding fee schedule.
- F. Provide staff support to township Planning Commission, Zoning Board of Appeals and Board on zoning matters.
- G. Provide formal reports to Township Board.
- H. Issue site plan and CUP approvals when authorized by the zoning ordinance.

Section 3.02 - Planning Commission

Establishment of the Planning Commission is authorized by PA 168 of 1959, the Township Planning Act. The Planning Commission members are appointed by the Township Board. The Planning Commission's responsibilities under this zoning ordinance are:

- A. Review and approve site plans.
- B. Hear and decide requests for conditional uses.
- C. Hear and make recommendations of zoning ordinance amendments.
- D. Prepare and adopt the township land use plans
- E. Make recommendations to the Township Board on appointment of Zoning Administrator.
- F. Initiate amendments to the zoning ordinance.
- G. Classify a use not specifically listed in Article 4 – Zoning Districts.

Section 3.03 - Zoning Board of Appeals

Establishment of the Zoning Board of Appeals is authorized by PA 110 of 2006, the Michigan Zoning Enabling Act. Details on the Zoning Board of Appeals are in Article 10. The Zoning Board of Appeals' responsibilities under this zoning ordinance are:

- A. Consider approval of requests for non-use variances. The Zoning Board of Appeals may not grant a use variance.
- B. Hear appeals of administrative decisions.
- C. Hear appeals of Planning Commission decisions on Conditional Use Permit applications.
- D. Interpret the zoning ordinance text when there is a question concerning its meaning.
- E. Interpret the zoning ordinance map if there is a question concerning the location of zoning district boundaries.

Section 3.04 - Township Board

The Township Board's responsibilities under this zoning ordinance are:

- A. Appoint members of the Zoning Board of Appeals.
- B. Hire the Zoning Administrator.

- C. Adopt the zoning ordinance and any amendments.
- D. Initiate amendments to the zoning ordinance.

Section 3.05 - Township Clerk

The Township Clerk's responsibilities under this zoning ordinance are:

- A. Receive request from any utility, railroad or airport that wishes notice of zoning amendments.
- B. Receive request from property owner to address proposed zoning ordinance amendments.
- C. Maintain file of zoning ordinance and all amendments.
- D. Receive petition to rescind zoning ordinance and determine the adequacy of petition.
- E. Handle any performance guarantees deposited with the township.
- F. Maintain records of Zoning Board of Appeals meetings.
- G. Accepting all applications for zoning permits, rezoning requests, site plans and similar applications.
- H. Handle posting and mailing all notices.

Section 3.06 - Zoning Permits

A zoning permit shall be acquired from the Zoning Administrator before any construction is undertaken, any structure is moved, or any change, in the use of any land or structure is undertaken within the Township. No structure shall be moved upon any premises in the Township until a zoning compliance permit shall have been secured. Any such structure shall fully conform to all the provisions of this Ordinance in the same manner as a new structure. No structure shall be moved to any site within the Township until the owner has posted a certificate of deposit, letter of credit, performance bond, or cash deposit in an amount specified by the Township Board, guaranteeing full compliance with the Township ordinances. The site from which a building or structure has been moved shall be graded level and all debris shall be cleared away. A zoning permit is not required if the property owner is only clearing land, interior remodeling that does not change the outer dimensions of the building or demolition of a structure.

A. Application

A zoning permit shall be applied for in writing on an application form provided by the Township.

B. Permit Issuance

A zoning permit shall be issued by the Zoning Administrator whenever the proposed use complies with the provisions of this Ordinance and any necessary Planning Commission, Board of Appeals, or Township Board approvals have been obtained.

C. Expiration

A zoning permit shall expire one year after the date of issuance unless the applicant has been issued a building permit. For zoning permits that do not involve construction such as a permit approving the change in the use of a building, the permit shall expire in one year unless the proposed use has been commenced within that year.

D. Current Zoning Permits

Any zoning permits issued prior to the effective date of this Ordinance shall be valid as issued and subject to the ordinance(s) in effect at that time, provided construction is commenced within ninety (90) days after the effective date of the issuance of this permit and is completed within one (1) year of the date of issuance of the building permit. Any building or zoning permit issued after the effective date of this ordinance that allows a non-conforming use or structure due to a zoning amendment adopted after issuance of the building or zoning permit shall remain valid provided construction is commenced within ninety (90) days of the effective date of the amendment and is completed within one (1) year of the date of issuance of the building or zoning permit.

E. Void Permits

Any zoning compliance permit issued in error or pursuant to an application containing any false statements shall be void.

F. Private Restrictions

The Zoning Administrator may not refuse to issue a zoning permit due to violations of private covenants, agreements, or deed restrictions.

Section 3.07 - Fees

The Township Board shall set all fees for permits and reviews required under this ordinance. The fees will be set by resolution. The Township Board may revise the fees from time to time as they determine necessary. The Township Board may also establish procedures for establishing escrow fees to cover the cost of review of applications.

Section 3.08 - Violations

A. Penalty

Any person, firm, corporation, or anyone acting on behalf of any person, firm, or corporation, who shall violate any of the provisions of this Ordinance, or who shall fail to comply with any of the required conditions of the Zoning Board Of Appeals or the Planning Commission be guilty of a municipal civil infraction as described in Township Ordinance No. 65. For the purposes of Ordinance No. 65, the zoning administrator shall be an authorized official. Each day such violation continues shall be deemed a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of this Ordinance.

B. Nuisance Per Se

Any building or structure which is used, erected, altered, razed, or converted or any use of any premises which is begun or changed and in violation of any provision of this Ordinance, is hereby declared to be a nuisance per se.