



**APPLICATION FOR APPEAL
ZONING BOARD OF APPEALS**

Case #: ZBA _____ - _____

Date Filed: _____

Hearing Date: _____

THE INTENT OF THIS APPLICATION IS TO APPEAL A DECISION MADE BY THE TOWNSHIP ZONING ADMINISTRATOR TO THE ZONING BOARD OF APPEALS.

IMPORTANT FILING INFORMATION

The Zoning Administrator must receive the complete application, review any exhibits, and receipt the fee before the required meeting deadline in order to schedule a public hearing for the next available ZBA meeting.

APPLICANT INFORMATION:

Applicant: _____

Phone: _____ Email: _____

Applicant Address: _____

Applicant's Standing (Interest) in the Appeal:

____ Property Owner ____ Adjacent Property Owner

____ Other Affected Individual. Explain: _____

____ Other. Explain: _____

ACTION REQUESTED (Check One):

____ To interpret a particular section of the Zoning Ordinance, as it is felt the Zoning Administrator is not using the proper interpretation. The Section is: _____

____ To interpret the zoning map, as it is felt the Zoning Administrator is not reading the map correctly. Describe the portion of the zoning map in question (attach details maps if appropriate).

____ To appeal an action of the Zoning Administrator, which is felt was done in error (i.e., issuance or denial of zoning approval or building permit, zoning enforcement, etc.).

STATEMENT OF JUSTIFICATION FOR ACTION REQUESTED (attached additional sheets if necessary):

State specifically the reason for this appeal request:

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RULING SOUGHT (attach additional sheets if necessary):

What is the ruling sought by the Zoning Board of Appeals?:

I hereby certify that the above information is true to the best of my knowledge and belief. Additionally, I grant permission to Zoning Board of Appeals members and any other Township official to enter and inspect the subject property for purposes pertaining to this ZBA application.

In making this application, I (we) acknowledge that the Zoning Board of Appeals will review this application at a public meeting, that I (we) or a representative on my (our) behalf will be expected to attend the public meeting to provide information and answer questions, and that the meeting will be open to all interested persons who desire to attend. I (we) also grant permission to any Texas Township official or representative to enter and inspect the subject property for purposes related to this application, if applicable.

APPLICATION SIGNATURE: _____

DATE: _____



PLANNING / ZONING FEES AND ESCROW AFFIDAVIT

The Charter Township of Texas Board of Trustees is authorized by state statute and the Texas Township Zoning Ordinance to establish fees for the processing of planning, zoning, and development reviews. The Board believes it is reasonable and appropriate to place the cost of processing these applications (or applications involving unusual costs to the Township) onto the applicants involved rather than on the taxpayers of the Township, and as such, has by resolution adopted the following application and escrow fee schedule. The Board intends that planning, zoning, and development review fees and escrow amounts be reasonably proportionate to the costs incurred by the Township for the particular action requested, and that such fees and escrow amounts be used to defray the costs of administering the Charter Township of Texas Code of Ordinances under Michigan law.

Planning Commission Fee Schedule		
Application Type	Application Fee	Escrow Fee
Site Plan Review:		
Nonresidential	\$600 for one structure plus \$50 for each additional structure	\$1,500
Multifamily Residential	\$600 plus \$25 for each residential structure	\$1,500
Site Plan Review Amendment (Planning Commission review)	\$350	\$500
Special Exception Use	\$400	\$500
Planned Unit Development Concept Plan	\$400 (\$800 if concurrent with Step 1 application)	\$500
Plats/Site Condominiums/ Condominium Development/Mixed Use Site Condominium	<ul style="list-style-type: none"> ▪ Step 1: \$600 ▪ Step 2: \$600 ▪ Step 1 & 2 Concurrent: \$1,000 ▪ Step 3: \$600 	<ul style="list-style-type: none"> ▪ Step 1: \$1,500 ▪ Step 2: TBD* ▪ Step 1 & 2: \$1,500+TBD* ▪ Step 3: \$500
Accessory Dwelling Unit Sketch Plan	\$350	\$500
Zoning Ordinance Text Amendment	\$600	\$1,500
Master Plan Amendment	\$600	\$1,500
Rezoning/Zoning Map Amendment	\$600 (\$900 if concurrent with a Master Plan Amendment application)	\$1,500
Request for Special Meeting	\$900	N/A
<i>*Escrow for Plats/Site Condominiums Step 2: The Township Engineer will provide an estimate of construction inspection expenses with their Step 1 project review. The Zoning Administrator will review the estimate and the Planning Commission will condition Step 2 approval on providing the escrow deposit.</i>		

Zoning Board of Appeals Fee Schedule (Only Application Types Requiring Escrow Fee)

Application Type	Application Fee	Escrow Fee
Zoning Ordinance Interpretation Appeal	\$600	\$500

Zoning Administrative Review Fee Schedule (Only Application Types Requiring Escrow Fee)

Application Type	Application Fee	Escrow Fee
Site Plan/Sketch Plan Amendment	\$200	\$500

The Application Fees noted above shall be designated to cover the following costs associated with review of an application:

- Applicant’s appearance at regular Planning Commission, Zoning Board of Appeals, and/or Township Board meetings
- First-class mailing of 300’ public notices as necessitated by the application
- Involvement by Township officers and employees (excluding outside contractors or professionals such as engineers, planners, architects, landscape architects, arborists, legal counsel, etc.)
- **Please note that no part of the Application Fee shall be refundable.**

In addition to the Application Fee set forth above, all other costs incurred by the Township that are directly associated with reviewing and processing an application for certain uses shall be paid (or reimbursed to the Township) from the funds in an Escrow Account established by the applicant as provided herein.

The Escrow Account for uses specified herein are to be established per the fee schedule above, commencing with an initial deposit to the Township Planner at the time of application. No application shall be processed prior to the Application Fee and the initial deposit for the Escrow Account, as set forth above, being deposited with the Township Planner.

At no time prior to the Township’s completion of review and processing of the application shall the Escrow Account balance be allowed to drop below \$250.00. If the Escrow Account balance does drop below \$250.00, the Township Planner or their designee will so notify the applicant. The applicant must then deposit an additional amount of at least \$1000.00 or such amount as determined by the Planner or his or her designee to be reasonably necessary to cover anticipated remaining or future expenses, or both.

No further review and processing of the application shall occur until the Escrow Account has been re-established to the appropriate level as determined by the Planner or his or her designee. The Township Planning Commission may stop processing the application if the applicant is more than thirty (30) days in arrears.

The Township may draw funds from the applicant’s Escrow Account to reimburse the Township for out-of-pocket expenses directly related to review and processing of the application. Expenses eligible for payment via the applicant’s Escrow Account include, but are not limited to, the following:

- *Services of the Township Attorney directly related to the application (including the preparation of development agreements, or review of Master Deeds, if applicable)*
- *Services of consulting civil engineers directly related to the application*
- *Services of consulting traffic engineers and planners directly related to the application*

- *Services of consulting land use planners directly related to the application*
- *Services of other consulting professionals upon request of the Township directly related to the application*
- *Publication of public notices in the Kalamazoo Gazette as necessitated by the application*

The Township Clerk shall maintain records regarding Escrow Accounts and the Township Planner shall authorize the disbursement of Escrow Account funds in writing. Such Escrow Account funds shall be accounted for separately and maintained in a separate bank account or bank account category.

If an applicant objects to the reasonableness or amount of the Escrow Amount funds it must deposit with the Township or how the funds have been applied, the applicant can appeal to the Texas Township Board. All such appeals shall be in writing and shall be made not later than thirty (30) days after receipt of the disputed Escrow Account billing or the decision of the Planner or his or her designee.

Within ninety (90) days after final Township action on the application or withdrawal of the application by the applicant, the Township shall refund to the applicant any excess escrow funds. No interest shall be paid on refunded Escrow Account money.

No final approval, building permit, certificate of use/occupancy permit, or other similar approvals shall be issued, or final Township zoning approval be deemed granted until the escrow funds are paid in full.

Should the applicant withdraw its application or otherwise fail to complete all actions necessary for the Township to issue a final building permit or final zoning approval, the Township may seek reimbursement for its costs incurred in responding to the application. The Township shall be permitted to take any legal action to collect such costs and shall be permitted to assess all costs and legal fees incurred in the collection process.

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(Authorization on Next Page)

I have read the Texas Township Planning & Zoning Application and Fees Policy and agree to abide by the same. I understand that the payment of the prescribed application and escrow fees is intended to cover the Township's cost associated with the processing and/or review of my planning or zoning application and should not in any manner be construed as suggesting any particular outcome for the application. I agree that I shall be obligated to pay the fees prescribed under the policy regardless of whether my application is approved, denied, modified, or withdrawn.

Name: _____
Please Print

Date: _____

Signature: _____

Entity Responsible for Account (Billing Purposes)

Name: _____
Please Print

Mailing Address: _____

City: _____ State: _____ Zip: _____

Email: _____ Phone: _____