



Variance Application Zoning Board of Appeals

Case #: ZBA _____ - _____

Date Filed: _____

Hearing Date: _____

THE ZONING ADMINISTRATOR MUST PROCESS ZBA APPLICATIONS
ALL ENTITIES WITH OWNERSHIP INTEREST IN THE SUBJECT PROPERTY MUST SIGN THIS APPLICATION OR PROVIDE PERMISSSION THROUGH ALTERNATE DOCUMENTATION

IMPORTANT FILING INFORMATION

The Zoning Administrator must receive the complete application, review the exhibits, and receipt the fee before the deadline in order to schedule a public hearing for the next available ZBA meeting. There are three principal goals for the application conference:

- A. Ensure timely notice to all properties within 300' of the variance request and publication in a newspaper of general circulation (MCL 125.3103); and
- B. Explain the steps the ZBA takes to establish the practical difficulty is not self-created, the relief requested provides the property substantial justice without allowing special development rights not available to properties that do not have similar practical difficulty, and the granted variance will not negatively impact the immediate area; and
- C. The application is completed, required fees are paid, and petitioner's exhibits to support the variance application help the ZBA effectively and thoroughly decide the case.

Applicant/Owner: _____ Phone: _____

Applicant Address: _____ Email: _____

Address/Location of Subject Property: _____

Tax Parcel #: _____ Zoning District: _____

Proposed Changes That Need a Variance:

WHICH SECTIONS OF ZONING ORDINANCE NEED RELIEF? (COMPLETED BY ZONING ADMINISTRATOR)

Section #: _____ Specific Dimension: _____

Section #: _____ Specific Dimension: _____

Section #: _____ Specific Dimension: _____

EXHIBITS ATTACHED (REQUESTED BY THE ZONING ADMINISTRATOR):

- Plot plan w/legal description(s)
- Aerial photographs
- Photographs of adjacent lots
- Proposed Building Plans
- Proposed lot split with KCRC driveway permit
- Other: _____



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: _____

Zoning Board of Appeals 2023 Meeting Dates
Meeting: 4th Wednesday | 6pm

Meeting Type	MTG Date	Deadline
ZBA Meeting	Jan 25	Dec 28, 2022
ZBA Meeting	Feb 22	Jan 25
ZBA Meeting	Mar 22	Feb 22
ZBA Meeting	Apr 26	Mar 29
ZBA Meeting	May 24	Apr 26
ZBA Meeting	Jun 28	May 31
ZBA Meeting	Jul 26	Jun 28
ZBA Meeting	Aug 23	Jul 26
ZBA Meeting	Sep 27	Aug 30
ZBA Meeting	Oct 25	Sep 27
ZBA Meeting	Nov 15*	Oct 18
ZBA Meeting	Dec 20*	Nov 22
ZBA Meeting	Jan 24, 2024	Dec 27

NOTE: Deadline is 4 weeks prior to meeting.

**Adjusted from normal schedule.*