



The Township of Freedom,
County of Washtenaw, State of Michigan
11508 Pleasant Lake Rd
Manchester, MI 48158
(734) 428-7545

Dear Applicant:

Please submit 10 copies of the application and all supporting documents to the clerk along with the fee.

The Zoning Board of Appeals Chairperson will contact you with the date of the hearing.

Thank you very much in advance for your cooperation!

Valisa Bristle
Freedom Township Clerk

**Freedom Township
Zoning Board of Appeals Application
Freedom Township Ordinance 14.0**

A. Applicant's Name: _____
Address: _____
Telephone Number: _____

B. Names and Addresses of all record owners, interest, type of ownership:

C. The applicant's interest in the property, and if the applicant is not the owner of record then a signed authorization from the owner: _____

D. Legal Description, include number of acres and major crossroads: _____

Address of Property: _____
Tax Parcel Number of the Property: _____
Present Use of Property: _____

E. A scaled and accurate survey drawing, correlating with the legal description, and showing all existing buildings, drives and other improvements shall be attached

F. A detailed description of the proposed use: _____

Section of the Zoning Ordinance which lists that use as permitted with conditions use:

Article Number: _____ Section Number _____ Page Number _____

G. A Site Plan, meeting the requirements of a site plan, as set forth in Section 14.0 of the Freedom Township Zoning Ordinance shall be attached.

Date Received _____

Received By _____

Fee Amount Paid _____

Printed Name _____

Applicant Signature _____

Date Received by Freedom Township Zoning Board of Appeals: _____

NOTICE OF PUBLIC HEARING was published on (month) _____ (day) _____ (year) _____

Notice to be advertised not less than 15 days preceding the day of the Public Hearing in the Township Newspaper of Record. Name of Newspaper: _____

THE FREEDOM TOWNSHIP ZONING BOARD OF APPEALS has reviewed the particular circumstances of the above proposed use relative to all applicable Sections of the Freedom Township Zoning Ordinance, on the following dates of all meeting held relative to this matter: _____

And (approve) (disapprove) same on (date) _____ 20 _____

The Conditions imposed on a conditional use approval or denial herein are set forth in, and any Breach of such conditions by the applicant shall automatically invalidate this permit: _____

Zoning Board of Appeals Chair

Zoning Board of Appeals Secretary

Freedom Township

11508 PLEASANT LAKE ROAD
MANCHESTER, MICHIGAN, 48158

NOTICE TO ALL PETITIONERS AND APPLICANTS

FILING APPLICATIONS OR PETITIONS

You must call and schedule an appointment with the Township Clerk in order to file a petition or application. This includes conditional use petitions, rezoning petitions, site plan review application, etc. Applications or petitions can not be filed or accepted without an appointment.

COMPLETENESS OF APPLICATION

You are hereby advised that it is your responsibility as a petitioner to review all applicable sections of the Freedom Township Zoning Ordinance and the Growth Management Plan. It is also the responsibility of the petitioner to supply all information required by the applicable Ordinance sections.

Your comprehensive understanding of the Ordinance and the Growth Management Plan, and your submission of all required information, will help expedite review of your application or petition.

The Planning Commission or Zoning Board of Appeals can not take action on incomplete submission.

SITE VISITS

Filing a petition or application gives implied consent for Township officials and/or consultants to visit the subject site.

APPLICATION FEES

Fees are applied to the Township's costs for publication of legal notices, professional reviews, etc., and are non-refundable. The Freedom Township Fee Schedule lists the fees required for each application/petition. Petitions and applications that require professional reviews shall be billed for additional hours as outlined in the Fee Schedule.

NONPAYMENT OF FEES

Nonpayment of fees for review hours, nonpayment of detailed engineering review fees etc., is cause for denial of building permits and/or certificates of occupancy, or such sums may become a lien against the property.

PETITIONER'S ACKNOWLEDGEMENT

I hereby acknowledge that I have read the above, and that I have been given a copy of this notice and a copy of the appropriate fee schedule.

Signature

Date

To: Freedom Township

Date:

- A building permit _____ **has** or _____ **has not** been obtained or applied for regarding the parcel.
- An application for division of the parcel _____ **has** or _____ **has not** been denied by the Township within 366 days of the date of the filing of the current application.

Signed _____

FREEDOM TOWNSHIP FEE SCHEDULE

Amended January 12, 2010

<u>Conditional use permits:</u>	<u>Fee</u>	<u>Escrow Deposit</u>
▪ Pre-application conference *	\$500	
▪ Application Fee	\$500	\$1000
▪ Preliminary site plan	\$500	
<u>Rezoning:</u>		
▪ Pre-application conference *	\$500	
▪ Application Fee	\$750	\$1000
<u>Site Plan Review:</u>		
▪ Pre-application conference *	\$500	
▪ Application fee	\$500	
▪ Preliminary site plan	\$500	\$1000
▪ Final site plan	\$500	
▪ Revised site plan *	\$500	
<u>Planned Unit Development:</u>		
▪ Pre-application conference *	\$500	
▪ Application fee	\$1000	\$1000
<u>Private Road:</u>		
▪ Application fee *	\$1000	\$1000
<u>Site Condominium:</u>		
▪ Pre-application conference *	\$500	
▪ Application fee	\$1000	\$1000
<u>Subdivision Review:</u>		
▪ Pre-application conference *	\$500	
▪ Application fee	\$1000	\$1000
<u>Tele communication:</u>		
▪ Pre-application conference *	\$500	
▪ Application Fee	\$1000	\$5000
▪ Performance Guarantee **	\$5000	
▪ Annual per foot/per line fee	\$0.25	

* All Engineering, Legal & Planning consultant costs will be extra if incurred

* * Cost adjusted to engineering review

<u>Zoning Variance: – Board of Appeals</u>	<u>Fee</u>
▪ Variance – Individual	\$500
▪ Variance - Business	\$750

Mineral Extraction Operations

- See Ordinance 32

Land Division:

▪ Land Division (first legal description)	\$150
▪ Additional divisions from same parent parcel on same application	\$50
▪ Combination of parcels	\$100
▪ Boundary adjustments	\$100

Special Meeting Request:

▪ Special Meeting request Board	\$500
▪ Special Meeting request Planning Commission	\$600

Application Fees

The applicant shall pay application fee at the time of submitting an application to Freedom Township. The application fee is intended to defray the fixed costs and expenses incurred by the Freedom Township and include but not limited to telephone expense, copy expense, supplies and equipment, electric/heating expenses, facility expenses such as but not limited to repair, janitorial service, construction costs, postage and publication costs. Application fees are nonrefundable.

Escrow Deposits

Escrow deposit shall be due when the application is submitted. The Township will charge all review and inspection expenses to this deposit, including but not limited to planning, engineering, legal and environmental assessment services. If the entire escrow fee is used, the petitioner will be invoiced for additional cost of consultants. These additional fees must be paid before the project is continued.

Any remaining funds in the escrow account will be released when the project is complete (all permanent measures are installed and functioning, temporary measures are removed, and final inspections have been approved).

Zoning Fees

Zoning Permits (Building permits)	\$75
Address # Assignments	\$50

Other Fees

Copies	\$0.10 per page
Fax copies	\$0.25 per page
Voter list —Hard Copy	\$25
General Ordinance - Hard Copy	\$25
Master Plan — Hard Copy	\$25
Zoning Ordinance — Hard Copy	\$25
Voter list — Electronic	\$15
General Ordinance - Electronic	\$15
Master Plan — Electronic	\$15
Zoning Ordinance — Electronic	\$15
Fire Runs	\$750

- D. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator from whom the appeal is taken certifies to the Board of Appeals after the notice is filed with him that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by restraining order which may be granted by the Board of Appeals or by a court of record on application, on notice to the Zoning Administrator from whom the appeal is taken, and on due cause shown.
- E. The ZBA shall reverse an administrative decision only upon determining that the order, requirement, decision or determination constituted an abuse of discretion; was arbitrary or capricious; or was based upon an erroneous finding of a material fact or an erroneous interpretation of the Zoning Ordinance. After making such a determination, the Board of Appeals may, so long as such action is in conformity with the terms of this Ordinance, reverse or affirm wholly or in part, or may modify the order, requirement, or may impose such conditions, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made. To that end, the Board of Appeals shall have all of the powers of the public official(s) from whom the appeal is taken and may issue or direct the issuance of a permit.

SECTION 14.10 - VARIANCE

- A. **Intent** - The Board of Appeals shall have the power and duty to authorize in specific cases a relaxation of the provisions of this Ordinance through a variance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance would result in unnecessary hardship or practical difficulty.
- B. **Filing** - An application for a variance shall be filed by the owner of the lot in question with the Township Clerk. The application shall consist of a completed application form, fee, and the information required of this Section. The Clerk shall transmit the application and information to each member of the Board of Appeals within three (3) days of the filing date.
- C. **Information Required** - Each application for a variance shall contain the following information:
 - 1. Legal description, address, and tax parcel number, and zoning classification of the subject property.
 - 2. Boundary survey, showing all property lines, dimensions, and bearings or angles, correlated with the legal description; all existing and proposed structures and uses on the premises, and dimensions of such structures and their dimensioned locations; lot area and all calculations necessary to show compliance with regulations of the zoning ordinance.
 - 3. Name and address of applicant, property owner(s), interest of applicant in the property.
 - 4. A statement of the specific reasons for the request for a variance.
- D. **Required Conditions** - A variance shall not be granted by the Board of Appeals unless and until all of the following conditions are met:
 - 1. A written application for a variance is submitted, demonstrating:
 - a. that special conditions and circumstances exist which are unique to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district;

- b. that literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 - c. that the special conditions and circumstances do not result from the actions of the applicant; or
 - d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- 2. Any nonconforming use of neighboring lands, structures or buildings in the same district, any permitted nonconforming uses of lands, structures or buildings in other districts, any nonconforming structures shall not be considered grounds for the issuance of a variance.
- 3. The Board of Appeals shall find that the requirements in Section 14.10 D-1, herein, have been satisfactorily met by the applicant.
- 4. The Board of Appeals shall further find that the reasons set forth in application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building or structure.
- 5. The Board of Appeals shall further find that the granting of the variance will be in harmony with the intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public interest.
- 6. In granting any variance, the Board of Appeals may establish appropriate conditions and safeguards in conformity with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Ordinance, and punishable under Section 13.09 (Violations and Penalties).
- 7. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permitted under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.
- 8. The Board of Appeals may attach conditions to any affirmative decision, provided such conditions are in accordance with the requirements of this ordinance and the Michigan Zoning Enabling Act. Such conditions shall be consistent with procedures, requirements, standards, and policies of the Township, where applicable.
- E. **Motions** - Any motion for action on a variance application shall include specific findings of fact and conclusions made by the Board of Appeals on the request, which shall be incorporated into the written record of the meeting.

SECTION 14.11 - VOIDING OF VARIANCE

Each variance granted under the provisions of this Ordinance shall become null and void unless the construction authorized by such variance has been commenced within one year after the granting of such variance and pursued diligently to completion, or the occupancy of land or buildings authorized by such variance has taken place within one year after the granting of such variance.

SECTION 14.12 - REAPPLICATION FOR VARIANCE