

**Township of Keene
County of Ionia
Resolution No. 4-9-24
Amended 1-10-06
Amended 8-12-08
Amended 4-9-24**

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

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

WHEREAS, there are certain developments, zoning applications, and projects that require Keene Township ("Township") to incur additional, and at times extraordinary, out-of-pocket costs and expenses above and beyond those associated with typical or average zoning reviews for minor projects; and

WHEREAS, the Township Board believes that it is reasonable and appropriate to place the cost of processing zoning applications and decisions for medium and large-scale developments (or applications involving unusual costs to the Township) on the applicants involved rather than the taxpayers of the Township; and

WHEREAS, the Township Board intends that the zoning review and escrow fees shall be in addition to the fixed application fees and also be reasonably related and proportionate to the cost incurred by the township for the particular application or zoning process involved, and that such fees and reimbursements be used to defray the cost of administration and enforcement of the zoning ordinance in the Michigan Zoning Enabling Act PA 110 of 2006; and

WHEREAS, the Township Board's intent is 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 application, inspection and related fees are as follows:

Zoning Board of Appeals:

(a) Variance	\$300.00
(b) Interpretations	\$300.00
(c) Other	\$300.00
(d) Special Meetings	\$300.00

Special Uses:

(a) Commercial use	\$300.00
(b) Industrial use	\$300.00
(c) Residential use	\$300.00
(d) Mineral Extractions	\$300.00

Annual Permit		\$080.00
(e) Miscellaneous		\$300.00
<u>Private Roads:</u>		
(a) three to five lots		\$400.00
(b) six lots or more		\$500.00
<u>Site Condominiums:</u>		
(a) Residential		\$1,200.00
(b) Commercial		\$1,200.00
(c) Industrial		\$1,200.00
<u>Planned Unit Developments:</u>		
(a) Residential		\$1,200.00
(b) Commercial		\$1,200.00
(c) Industrial		\$1,200.00
(d) Mineral Extractions		\$1,200.00
(e) Other		\$1,200.00
<u>Rezoning:</u>		
Rezoning (other than a PUD)		\$300.00
<u>Zoning Permits:</u>		
Zoning Permits (once approval has been obtained)		\$50.00
Renewal if expired		\$50.00
Permit for a food truck or trailer	One Time	\$25.00
	Whole Year	\$50.00
<u>Plats:</u>		
Residential Plat		\$1,200.00
Other Plats		\$1,200.00
<u>Manufactured Home Developments:</u>		
Residential		\$1,200.00
<u>Planning Commission:</u>		
Special Meetings		\$300.00
<u>Land Divisions:</u>		
Per each resulting parcel		\$50.00
<u>Temporary Structure Permit:</u> (for one year)		\$100.00
<u>Signs:</u>		\$50.00
<u>Zoning Ordinance Book or Master Land Use Plan:</u>		
		\$10.00 (Twp. Resident, Picked Up)
		\$25.00 (Non resident, includes shipping
and handling)		
<u>Other/Miscellaneous:</u>		\$150.00

2. The fixed basic zoning application fees specified in Section 1, 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) Mailing and legal notice 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).
3. In addition to the fixed zoning fees, all other expenses and costs incurred by the Township which are directly associated with reviewing and processing a zoning application for uses specified in Section 4 hereof shall be paid (or reimbursed to the Township) from the 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) Mailing, legal notices and commission member compensation for Special Planning Commission meetings and Planning Commission subcommittee meetings.
 - (b) Mailing, legal notices, and Township Board member compensation for Special Township Board meetings and Township Board sub committee meetings.
 - (c) Mailing, legal notices, and Zoning Board of Appeals member compensation for Special Zoning Board of Appeals meetings.
 - (d) Services of the Township Attorney directly related to the application.
 - (e) Services of the Township Engineer directly related to the application.
 - (f) Services of the Township Planner directly related to the application.
 - (g) Services of 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.
4. Applications involving the following shall be subject to this Escrow Fund requirement and initial deposit amounts listed below:
 - (a) Site Plan reviews (\$2,000.00)
 - (b) Planned unit development (PUD) (\$4,000.00)

- (c) Special use permits (\$2,000.00)
 - (d) Any rezoning (\$1,000.00)
 - (e) Plat approvals (\$4,000.00)
 - (f) Site condominiums (\$4,000.00)
 - (g) Private road approvals/permits (\$2,000.00 3-5 lots; \$3,000.00 6 or more lots)
 - (h) 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 professionals or involve the additional costs referred to in Section 3 hereof. (\$4,000.00)
 - (i) Manufactured home developments (\$4,000.00)
5. The escrow fees for each application for uses specified in Section 4 hereof are established at the above listed amounts for each type by the applicant with the Township Clerk. The initial deposit 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. After the application has been fully reviewed and processed and the final Township decision has been rendered regarding the project, any excess funds remaining in the Escrow Account 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 fifty percent (50 %) of the amounts listed above. If the funds in the Escrow Account drop below fifty percent (50%) of the initial deposit, then a sufficient amount to bring the account back up to the initial deposit shall be deposited with the Township Clerk by the applicant into the Escrow Account. Depending on the size and scope of the project, additional amounts over the above listed escrow initial deposits may be required to be placed in the Escrow Account by the applicant at the discretion of the Township Board.
 6. 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.
 7. The Township Clerk shall maintain all records regarding the Escrow Account and shall authorize the disbursement of escrow funds in writing. Such escrow funds (from one of more applicants) shall be kept in a separate Township bank account.
 8. The Township Board shall collect and apply escrow funds in a reasonable fashion, including requesting professional estimates and timely billings.
 9. If an applicant objects to the reasonableness or amount of escrow funds they must deposit with the Township or how the escrow funds have been applied, they 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 the final Township action regarding the application.

10. Nothing herein shall be construed or interpreted as limiting the authority of the Township Board to adopt separate fee schedules relative to non zoning matters involving the design, engineering, and construction of buildings, improvements and developments within the township.
11. To the extent of any conflict, this resolution shall invalidate and supersede any prior resolutions.

Motion by Board Member Taylor Lewis, supported by Board Member Brett Hulliberger, that this amended Resolution to add a food truck fee be adopted, the vote being as follows:

YEAS: 4

NAYS: 0

ABSENT: 1

RESOLUTION DECLARED ADOPTED.

Tami Hardy
Keene Township Clerk

CERTIFICATION

I hereby certify the above to a true copy of a resolution adopted by the Keene Township Board at a regular meeting held at the Keene Township Hall on April 9, 2024 pursuant to the required statutory procedures.

Dated April 19, 2024

Respectfully submitted,

By Tami Hardy
Tami Hardy
Keene Township Clerk