

# Bowne Township

## Schedule of Fees Escrow Account

Bowne Township

Kent County

Resolution No 10-2022

A RESOLUTION TO UPDATE ZONING AND OTHER APPLICATION FEES AND ESTABLISHING AN ESCROW FUND REQUIREMENT FOR CERTAIN ZONING AND OTHER APPLICATIONS AND DEVELOPMENT.

WHEREAS, the township board for Bowne Township (“Township Board”) desires to update certain fixed application fees for zoning and other reviews and approvals pursuant to the Bowne Township Zoning Ordinance, as amended (“Zoning Ordinance”), other township and state law; and

WHEREAS, there are certain developments, zoning or other applications, and projects which require Bowne Township (the “Township”) to incur additional and at times extraordinary out-of-pocket costs and expenses above and beyond what is associated with typical or average zoning or other reviews for minor projects or uses; and

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

WHEREAS, The Township intends that the zoning and other review fees be in addition to the fixed application fees and also be reasonably related and proportionate to the costs incurred by the township for the particular application or zoning or other review process involved (as well as inspections and necessary follow-up) and that such fees and reimbursements be used to defray the costs of administering and enforcing the Zoning Ordinance, The Michigan Zoning Enabling Act, as Amended (MCL 125.3101 et. Seq.), and other township ordinances; and

WHEREAS, the Township Board intends to update the Zoning and other Applications Fee Schedule and Escrow policy from Resolution No. 3-11, adopted to accomplish the above goals.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The fixed basic zoning application and other fees are as follows:
  - a. Zoning Permit
    - i. Single-family residential use – (one lot) \$40
    - ii. Commercial or Industrial Use \$70
    - iii. Other \$40
  - b. Zoning Board of Appeals
    - i. Use Variance \$500
    - ii. Nonuse Variance \$400
    - iii. Interpretations \$400
    - iv. Other \$400
    - v. Special Meeting Fee (this is an addition to other applicable fees) \$400
  - c. Planning Commission
    - i. Special land use permit fees
      1. For a single resident lot \$300
      2. Commercial or industrial special use \$500
      3. Other special Uses \$500
    - ii. Rezoning –
      1. Proposed text amendment or property zoning \$1,000
      2. PUD Zoning \$1,000
      3. Other \$1,000
      4. Mineral Removal \$1,000
      5. Private Road (application fee) \$880
        - a. Inspection fee \$300
      6. Site Plan Review \$500  
(Plus \$10.00 per lot, parcel, or site condominium unit)
      7. Site plan amendments (in addition to other fees) \$500  
(Plus \$10.00 per lot, parcel, or site condominium unit)
      8. Special Meeting (in addition to other fees) \$500
      9. Other \$500
  - d. Plats:
    - i. Residential plat \$1,000
    - ii. Other Plat \$1,000
    - iii. Site Condominium \$1,000
  - e. Appeals to the Township Board \$500
  - f. Administrative Costs \$50/Hourly
  - g. Zoning Inspections \$50/Hourly
  - h. Mobile Home Parks (these fees are in addition to other zoning approval fees): \$1,000
    - i. (Plus \$20 per mobile home unit or site, up to 30 sites)
  - i. Campgrounds (these fees are in addition to other zoning approval fees): \$1,000
    - i. (Plus \$10 per mobile home unit or site, up to 30 sites)

- j. Land Divisions:
    - i. Single Family Residential \$120
      - 1. (Plus \$40 per parcel over one)
    - ii. Commercial or Industrial \$200
      - 1. (Plus \$50 per parcel proposed over one)
  - k. Lot Combining: \$50
  - l. Demolition Permit: \$225
  - m. Rear Lot Line Exception: \$100
  - n. Private Road Construction Permit: \$1.00 per foot
    - i. A new private road up to 1,000 feet plus \$.50 per foot thereafter
  - o. Earth Moving Permit: \$60
  - p. Animal and Fowl Permit: \$60
  - q. Sign and billboard Permit: \$100
  - r. Copy of the Zoning Ordinance, Zoning Ordinance, Master Plan:
    - i. Please email [deputyclerk@bownetwp.org](mailto:deputyclerk@bownetwp.org)
2. The fixed basic zoning and other 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, employees, outside contractors or professional such as township engineering, planning, legal counsel and other services.
3. In addition to fixed zoning fees, all other expenses and costs incurred by the Township which are directly associated with reviewing and processing a zoning or other applications (and for any inspections or similar work) for uses specified in Section 4 hereof shall be paid (or reimbursed to the Township) from the funds in an Escrow account established with the Township Clerk by the applicant as provided herein. The Township may, at its discretion, waive the escrow account requirement (or reduce amounts required) for good cause shown. The Township may draw funds from an applicant as provided herein. The Township may, at its discretion, waive the escrow account requirement (or reduce amounts required) for a good cause shown. 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 (as well as inspections and other follow-up). Such reimbursable expenses include, expenses related to the following:
- i. Mailing, legal notices and commission member compensation for special Planning Commission meetings and Planning Commission subcommittee meetings.
  - ii. Mailing legal notices, and Township Board member compensation for special Township Board meetings and Township Board subcommittee meetings.
  - iii. Mailing legal notices, and Zoning Board of Appeals member compensation for special Zoning of Appeals meetings.

- iv. Services of the Township Attorney directly related to the application.
  - v. Services of the Township Engineer directly related to the application.
  - vi. Services of the Township Planner directly related to the application
  - vii. Services of other professionals working for the Township which are directly related to the application.
  - viii. Any additional public hearings, required mailings and legal notice requirements necessitated by the applications.
4. Applications, inspections and related work involving the following shall be subject to the Escrow Fund requirements:
- i. Site Plan reviews (except for a single-family dwelling)
  - ii. Planned Unit Development (PUD)
  - iii. Any rezoning
  - iv. Plats
  - v. Site Condominiums/Subdivisions
  - vi. Private road approvals/permits (if required by the Township for a particular case)
  - vii. Variances of interpretation proceedings before the Zoning Board of Appeals where the Township officials determine that the scope project or application will probably require the assistance of the Township professional(s) or involve the additional costs referred to in Section 3 hereof.
    1. Land division approvals if the Township Board or Zoning Board of Appeals is involved.
      - a. Land divisions
      - b. Mobile home parks
      - c. Campgrounds
      - d. Demolitions
      - e. Vendors
5. The escrow fees of each application for uses specified in Section 4 hereof are established commencing with an initial \$2,000.00 deposit by the applicant with the Township Clerk. The initial \$2,000.00 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. Any excess funds remaining in the escrow account after the application has been fully processed, reviewed and the final Township decision has been rendered regarding the project or use 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 application shall the balance in the escrow account fall under \$500.00. If the funds in the escrow account drop below \$500.00, an additional deposit of \$1,000.00 by the applicant into the escrow account shall occur before the application review process will be continued. Additional amounts above \$2,000.00 may be required to be placed in the escrow account at any time by the applicant at the discretion of the Township. If insufficient monies or funds are

deposited by the applicant with the Township to cover Township's reasonable costs and expenses (as mentioned above), the applicant or property owner shall fully reimburse the Township for all such reasonable costs and expenses at any time demanded by the Township, whether during the zoning review process or after the process has been completed.

Where this resolution or any Township ordinance requires an additional amount of any escrow fee deposit other than as stated above, the more specific provision of this resolution or other Township ordinance shall govern.

6. No building permit, zoning 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 records regarding the escrow account and shall authorize the disbursement of escrow fundings in writing. Such escrow funds (from one or more applicants) shall be deposited into the Township General Fund account.
8. The Township shall collect and apply escrow funds in a reasonable fashion.
9. If an applicant objects to (a) the reasonableness of an escrow amount required, (b) the amount required to be put in escrow, or (c) how the escrow funds have been applied, the applicant can appeal the Township's 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 final Township action regarding an application. Additionally, an applicant can appeal the amount of a fixed fee under Section 1 hereof to the Township board in the same matter mentioned above for a request to waive or partially reduce a fixed fee for good cause shown.
10. Nothing herein shall be construed or interpreted as limiting the authority of the Township to adopt separate fee schedules relative to non-zoning matters involving the design, engineering, and constructions of buildings, improvements and developments with the Township.
11. This resolution shall invalidate, supersede and replace any prior resolutions to the extent of any conflict.

Motion by Township Board Member Karen Hendrick supported by Township \_\_\_\_\_ that this Resolution be adopted (effective immediately), the vote being as follows:

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT/ABSTAIN \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN )  
 )SS.  
COUNTY OF KENT )

I, the undersigned, the duly qualified Township Clerk of the Township of Bowne, County of Kent, State of Michigan, certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township of Bowne as a regular meeting held on \_\_\_\_\_, the original of which resolution is on file in my office.

IN WITNESS OF WHEREOF, I have set my official signature this  
\_\_\_\_\_.

\_\_\_\_\_  
Karen L. Hendrick, Township Clerk