

VILLAGE OF VANDERBILT
Ordinance No. 4 of 2011

AN ORDINANCE TO AMEND THE VILLAGE OF VANDERBILT ZONING
ORDINANCE CONCERNING ZONING PERMITS AND ZONING PERMIT
PROCEDURES

THE VILLAGE OF VANDERBILT ORDAINS:

Section 1. Amendment of Section 3.2.

Section 3.2 of the Village of Vanderbilt Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 3.2. Zoning Permits.

1. No building or structure subject to the provisions of this Ordinance shall be erected, substantially altered, reconstructed, used, or moved, nor shall any excavation of land commenced until a zoning permit application has been filed with the Zoning Administrator, or other official designated by the Village Council, and a zoning permit has been issued by the Zoning Administrator, or other official designated by the Village Council. Except upon a variance being granted by the Zoning Board of Appeals, no zoning permit shall be issued for the use of any land or for any building or structure where the use, construction, addition, or alteration thereof would be in violation of any provision of this Ordinance. No zoning permit shall be required for any lawful use of any land, building or structure in existence on the effective date the zoning ordinance or any applicable amendment.
2. A zoning permit issued pursuant to this section shall expire one (1) year following issuance, unless substantial construction has begun pursuant to the permit, or prior to the expiration of the permit the property owner applies for and receives an extension of the zoning permit for no more than one (1) year from the Zoning Administrator upon a showing of good cause and that the zoning regulations applicable to the use authorized by the zoning permit have not substantially changed since the issuance of the original permit or the most recent extension of the permit. Upon commencing substantial construction of a building pursuant to a zoning permit issued under this Ordinance, the exterior of the building shall be fully completed within one (1) year, unless prior to the expiration of this time period the property owner applies for and receives an extension for completing the exterior construction of the building from the Zoning Administrator upon a showing of good cause.
- (3) All zoning permits issued pursuant to this Ordinance shall be displayed face out within twenty-four (24) hours of its issuance by placing the permit in a

conspicuous location on the property facing the nearest street. The zoning permit shall be continuously displayed as required in this subsection until all work authorized by the zoning permit is completed.

Section 2. Amendment of Section 3.3.

Section 3.3 of the Village of Vanderbilt Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 3.3. Zoning Permit Application Requirements.

An application for a zoning permit shall be filed in writing with the Zoning Administrator, or other official designated by the Village Council, and signed by the owner of the property or the owner's designated agent. When an agent of the property owner is applying for the zoning permit, the zoning permit application shall be accompanied by a written letter from the property owner giving authorization to the agent to secure the zoning permit. The applicant for a zoning permit shall certify in writing that all provisions of this Ordinance and other applicable laws and requirements are to be complied with. An application for a zoning permit shall be accompanied by the applicable fee established pursuant to Section 3.6 of this Ordinance and by either a site plan as required pursuant to Article X of this Ordinance or a plot plan drawn to scale showing all of the following, unless waived by the Zoning Administrator upon a showing that the required information is not necessary for determining compliance with this Ordinance:

1. The existing and intended use of the property, building, or structure.
2. The dimensions of the property boundaries on which the proposed land use will be located.
3. The location on the property of all existing and proposed buildings and structures and any streets bordering the property.
4. Evidence of ownership of all property affected by the proposed zoning permit (deed or land contract).
5. Other information deemed reasonably necessary by the Zoning Administrator to determine compliance with the requirements of this Ordinance.

Section 3. Repeal of Section 3.4.

Section 3.4 of the Village of Vanderbilt Zoning Ordinance is hereby repealed in its entirety and reserved for future use.

Section 4. Amendment of Section 3.5.

Section 4. Amendment of Section 3.5.

Section 3.5 of the Village of Vanderbilt Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 3.5 Inspection

No zoning permit shall be issued by the Zoning Administrator, or other official designated by the Village Council, without that official first conducting a site inspection. The applicant for the zoning permit shall mark all property lines and propose building or structure sites on the ground and shall notify the Zoning Administrator, or other official designated by the Village Council, when such markings have occurred.

Section 5. Severability.

If any clause, sentence, paragraph, section or part of this Ordinance be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, sub-sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Section 6. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Village.

VILLAGE OF VANDERBILT

By: Edward D. Posgate
Edward D. Posgate, President

By: Shirley A. Hawn
Shirley A. Hawn, Clerk

ORDINANCE CERTIFICATION

At a regular meeting of the Vanderbilt Village Council, Otsego County, held in the Vanderbilt Village Hall, located in Vanderbilt, Michigan, on October 3, 2011, at 7 p.m.

PRESENT: Boone, Bush, Hawley, Heintz, Kenny, Musall, Posgate

ABSENT: None

It as moved by Bush and supported by Heintz that the following Ordinance be adopted.

ORDINANCE 4 of 2011

(See attached VILLAGE OF VANDERBILT ORDINANCE)

YES: Bush, Heintz, Hawley, Kenny, Boone, Musall, Posgate

NO: None

ORDINANCE DECLARED ADOPTED.

VILLAGE OF VANDERBILT

By: Edward D. Posgate
Edward D. Posgate, President

I, the undersigned, the Clerk of the Village of Vanderbilt, Otsego County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Vanderbilt Village Council of said County at its regular meeting held on October 3, 2011 2010, relative to adoption of the ordinance therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act; this ordinance was published in the Our Home Town on October 26, 2011

Dated: 10/5/11

Shirley Hawn
Shirley Hawn, Clerk

Note: The Ordinance and this Ordinance Certification should be placed in the Village Ordinance Book.