

INFORMATION AND INSTRUCTIONS
REGARDING OBTAINING A MONTAGUE TOWNSHIP
ZONING PERMIT

1. When a zoning permit is required. According to Section 15.04 of the Montague Township zoning ordinance, a zoning permit is required and shall be obtained prior to the use, construction, enlargement, alteration, conversion or moving of any building or part thereof, except under the following two circumstances:

A. Exception #1: No zoning permit is required for the erection and/or placing of a temporary portable building or structure used during a construction operation, as long as the temporary portable building or structure conforms to the setback and height requirements of the zoning district in which it is located.

B. Exception #2: No zoning permit is required for repairs of a minor nature such as painting and general maintenance and upkeep, which do not change the use, occupancy, or area of a building or structure.

2. Applying For Zoning Permits and Building Permits. Zoning permit applications may be obtained and filed at the law offices of Rose & Rose Attorneys, at 8787 Ferry Street, Montague, MI. That office is open between 8:30 a.m. and 5:00 p.m., Monday through Friday. Building permits may be applied for at the White Lake Area Building Authority, which is located at Montague City Hall, at 8778 Ferry Street, Montague, MI. That office is open between 8:00 a.m. and 5:00 p.m., Monday through Friday. **A zoning permit must be obtained before a building permit is issued.** The White Lake Area Building Authority will not issue a building permit until it has been presented with a zoning permit issued by the Montague Township Zoning Administrator. In some cases agricultural buildings or structures do not require building permits; however, agricultural buildings and structures still require zoning permits (even though a building permit might not be required). Whether a building permit is required or not is determined by the White Lake Area Building Inspector, and not by the Montague Township Zoning Administrator.

3. Other Permits. A zoning permit only confirms that the applicant has complied with the Montague Township zoning ordinance. It does not imply that the applicant will be granted a building permit, or that the applicant has complied with any other provision of law, such as state laws applicable to natural rivers, flood plains, wet lands or soil erosion control; Health Department approval; Drain Commission approval, Muskegon County Road Commission approval, or approval by any other governmental entity under any other law or statute. Further, a zoning permit granted by the Montague Township Zoning Administrator is **not** an approval to split or to divide a parcel of land into two or more parcels, under the Michigan Land Division Act. A separate permit must be obtained for a land division.

4. Filling Out the Application for a Zoning Permit. In order for a zoning permit to be granted, an application must first be obtained. The application must be completed. It has two parts.

A. The applicant must fill out the zoning permit application form. All questions must be answered. The application form must be signed by one of the **owners** of the property for which the zoning application is filled out.

B. The applicant must also prepare a site plan. Instructions for the site plan are attached.

5. Fee. There is a \$25 application fee. Please pay by cash, check or money order made payable to "Montague Township." This fee does not include variances, conditional use permits, or other types of zoning applications.

6. Zoning Permit Approval. The zoning permit cannot be approved until a completed and signed application is submitted, along with the site plan and the \$25 fee. Additionally, once the permit is submitted, the Zoning Administrator may determine that the application cannot be granted without a conditional use permit (submitted to and reviewed/approved by the Planning Commission and then referred to subject to the approval by the Township Board), variance (submitted to and subject to review/approval by the Zoning Board of Appeals), or zoning amendment request (submitted to and subject to review/approval by the Planning Commission and then referred to subject to approval by the Township Board). Additionally, site plan review by the Planning Commission may be required.

7. Site Plan Review. Site plan review is set forth in Article 8 of the Montague Township zoning ordinance. Site plan review is a separate process, and involves review of the applicant's proposed plan by the Planning Commission. It requires that the applicant complete additional forms. Site plan review is intended to allow the Montague Township Planning Commission to have the opportunity to review commercial, industrial and other more intensive land uses within the Township, to ensure compliance with the Township zoning ordinance. Site plan review is required for all zoning permit requests except:

A. Exception #1: Site plan review is not required for a single family dwelling, a duplex dwelling, or any agricultural building.

B. Exception #2: Site plan review is not required for any accessory building, when the accessory building requires no new or additional means of access from the adjoining public right-of-way, and otherwise complies with the Township zoning ordinance requirements.

8. **Common Mistakes. Please avoid these common mistakes:**

A. Be sure that the application is complete and that the site plan map complies with the instructions.

B. Be sure to include \$25 cash, check or money order made payable to "Montague Township".

C. Leave enough time. It may take a day or two to obtain a zoning permit. Moreover, if a conditional use permit, variance, zoning amendment, or site plan review is required; it will take upwards of 60 days, maybe even more in unusual circumstances.

9. Copies of Montague Township Zoning Ordinance Book. Copies of the Montague Township Zoning Ordinance book may be inspected, free of charge, at the offices of Rose & Rose Attorneys, at 8787 Ferry Street in Montague during the hours of 8:30 a.m. to 5:00 p.m., Monday through Friday. Copies may also be inspected at the office of the Muskegon County Clerk's office, in Muskegon. Copies may also be inspected at the Montague Library, at 8778 Ferry Street, during such hours as they are open. Copies may be purchased for \$25, from Rose & Rose Attorneys. Please make your checks or money orders payable to "Montague Township".

10. Appointments With Zoning Administrator. If you would like an appointment with the Township Zoning Administrator, you may call Rose & Rose Attorneys at Law at (231) 894-9088, ext. 0, to set up an appointment.