

Madison Charter Township

ZONING DEPARTMENT

FREQUENTLY ASKED QUESTION BY PROPERTY OWNERS AND CONTRACTORS

1-24-2021

Zoning Ordinances: This ordinance is based on Madison Charter Township Comprehensive Plan; “This ordinance shall be known and may be cited as the Zoning Ordinance of Madison Township the Zoning Map”. This ordinance has been established for the purpose of:

- A. Promoting and protecting the public health, safety, and general welfare far:
- B. Protecting the charter and stability of the agricultural, recreational, residential, commercial, and industrial areas, and promoting the orderly and beneficial development of such areas.
- C. Preventing the overcrowding of land and undue concentration of population by regulating the intensity of use of land and the area of open spaces surrounding buildings and structures necessary to provide adequate light, air, and privacy to protect the public health.
- D. Lessening and avoiding congestion on public highways and streets.
- E. Providing for the needs of agriculture, recreation, residence, commerce, and industry in further growth to conform with the most advantageous use of land, resources, and properties, with reasonable consideration of other things, the general and appropriate trend and character of land, building, and population development as studied and recommended by the Planning Commission and the Madison Township Board.
- F. Encouraging the most appropriate use of lands in accordance with their character and adaptability and prohibiting uses which are incompatible with the character of development permitted within specified zoning district.
- G. Conserving the taxable value of land and structures.
- H. Conserving the expenditure of funds for public improvements and services.
- I. Protecting against fire, explosion, noxious fumes and odors, heat, dust, smoke, glare, noise, vibration, radioactivity, and other nuisances and hazards in the interest of the people.
- J. Providing for the completion, restoration, reconstruction, extension, or substitution of non-conforming uses.

FREQUENTLY ASKED QUESTION BY PROPERTY OWNERS AND CONTRACTORS

1. What type of work require the need to obtain a Zoning Permit (such as a new construction, building or enlarging my building or home, Sheds fixed and portable, fences, and pools)?

All zoning permits applications must be accompanied by plans and specification including a plot plan drawn to scale, which shows the shape, locations and dimensions of the lot, property; the shape size and location of all buildings or other structures to be erected alter or moved and of any building or other structure already on the lot, property drawn to scale, the existing and intended use of the lot property and of all such structures upon; and such other information concerning the lot, property or adjoining lots property as may be essential for determining whether the provision of the Zoning Ordinance are being observed.

2. Why do I need to obtain a Zoning Permit what is the benefit to me as a property owner?

Along with being a legal requirement, a Zoning Permit is beneficial for several reasons:

When a Zoning Permit application, and building plans, are submitted to the Zoning Department, they are reviewed to see that it meets established Zoning Ordinances and building codes.

The review and approval process allows problems to be identified and corrected before the work is performed.

The selling of property could be delayed when non-permitted work is discovered.

Work completed without permits and/or inspections is deemed a violation on the property.

3. Can the property owner apply for my own Zoning Permit, or must I have a license?

Property owners can obtain their own Zoning Permits, but it must be understood that that they are assuming all liability for the work performed. The same inspections and rules apply.

4. How much does the Zoning Permit cost?

The cost varies based on the type of Zoning Permit. You can go to Madison Township 3804 South Adrian Hwy. Adrian, MI 49221 Zoning Department or call 517-263-9313

5. When do I pay for a Zoning Permit?

Permit fees must be paid, prior to issuance, or any zoning inspection being requested.

6. How long does it take to get a Zoning Permit?

If everything is correct, a normal project like decks, additions, detached buildings, and tract housing, should be able to get a Zoning Permit within 3 (24 hrs. days, 72 hrs.) working days. Weekends are not included in this time requirement. Larger and more complex projects may take up to 7-30 days.

7. How can I check the progress of a Permit?

To check on the status of a pending Zoning Permit application, please call Madison Township Office 517-263-9313.

8. Can I obtain a Zoning Permit application online?

Yes, you can. You can either apply for a Zoning Permit using our online program or fill out and return the hard copy permit application to Madison Township Office 3804 South Adrian Hwy. Adrian Mi. 49221.

9. Can I start work when I submit a Permit application, or does it first need to be approved?

NO work can begin until the Zoning Permit has been secured.

10. How much time do I have to get work done once a Permit is issued?

Article 2 Section 2.1 Scope. The adoption of this Ordinance shall not limit the construction of any building or structure for which a zoning permit has been obtained prior to the effective date of adoption or amendment of this Ordinance even though such building or structure does not conform to the provision of this Ordinance, provided that work shall commence and be carried on within thirty (30) days of obtaining such permit and be subject thereafter to the provisions of Section 5.7 of this Ordinance. Section 5.6.7 Expiration of Site Plan Certification; the site plan certification shall expire, and be of no effect, three hundred sixty-five (365) days after the date of issuance thereof, unless within such time the Zoning Inspectors has issued a zoning compliance permit for any proposed work authorized under a said Site Plan Certificate.

11. How do I find out if all required inspections have been approved?

You may call the Township office 517-263-9313 and ask for an update.

12. How do I find out if I have any expired Permits on my property?

You can call the Township Office 517-263-9313.

13. What zone is my property in?

Madison Township has a zoning map on our Township website (Madisontownship.com). You can zoom in on an area of interest. In the Madison Township Office lobby there is a large zoning map on the wall you can look at. Major zone categories; AG-1, Primary Agricultural District; R-1 Low Density Single-Family District; R-2 High density Single-Family District; R-3 Two-

Family, Townhouse District; R-4 Multiple- Family District; R-5 Mobile Home Residential District; C-1 Local Neighborhood Commercial District.; C-2 General Highway Commercial District; I-1 Light Industrial District; I-2 General Industrial District.

14. Where is the Madison Township Zoning Department located and what are the hours of operations?

The Madison Township Zoning Department is located at 3804 South Adrian Hwy. Adrian MI. 49221. Phone 517-263-9313. Fax 517-263-4569. Our office hours are 8:00 am to 4:30pm. Inspector days and hours will vary depending on workloads and their schedules.

15. Can I change the Zoning that a parcel/property is listed?

Changing the Zoning of a property is known as a zoning map amendment. It is an involved process, and success is not guaranteed, you must pay a fee to start this process. Please call the township office for current fee schedule. Petitioners must provide documentations that the property is appropriate for rezoning based on the principles of zoning and the township's comprehensive plan. It then requires a public hearing and review through the Planning Commission, and then then a public hearing through Lenawee County Planning Board and finally approval through the Madison Township Board. Both the Planning Commission and the Township Board would have to find that the zoning is appropriate and not likely to cause negative impacts on surrounding existing properties.

16. How do I find the rules for my Zoning District?

Go to Madison Township.com to look at Zoning Ordinance Book dated 2015 to find requirement for the proper zoning classification or call the Zoning Inspector at the Township office 517-263-9313.

17. How do I measure setback?

Setbacks are measured from the actual property lines and not from fences, curbs, sidewalks, or street pavement edges. A property may be necessary to verify the location of property lines prior to construction. From the property lines, setbacks are usually measured to the foundation edge of the structure. All features that exceed a two-foot projection should be included in the setback measurement; this includes overhangs.

18. My proposed structure cannot meet the setback requirements. Are there any options?

Yes. You can fill out the ZBA variance form that is available at Madison Township Office 3804 South Adrian Hwy, Adrian, MI 49221. With that said, every effort should be made to design your structure that meets the required setbacks and other dimensional criteria. Variances are rare. There is a fee and a process, public hearings, neighbors must be allowed to express their opinions on the requested changes. There is no guarantee that the ZBA Committee will approve your request.

19. Is my vacant lot/property buildable?

There are many factors to review. These include:

- Does the lot/property meet current dimensional standards (minimum lot size, road frontage, etc.) for the zoning?
- If it does not meet current dimensional standards, can it qualify as a non-conforming buildable “lot or property of Record”?
- Has the lot/property been divided from another lot/property? This might have created a subdivision requiring township approval.
- The Zoning Inspectors can help you with legal questions. Call 517-263-9313.

20. Can I split my lot/property and create a new buildable lot/property?

There are many factors to review to answer this question.

- Do you have enough road frontage more than one lot / property?
- Do you have enough area for more than one lot/ property?
- Can you meet property lines setbacks to existing structures when you create a new property line?
- Are there any easements across your property to be deducted from your total area?
- Are there any wetlands, slopes greater than 20%, or floodplains on your property?
- If the lot / property split were to create a legal subdivision it would require Planning Commission and Township Board approval.
- The Zoning Inspectors can help you with that legal questions. Call 517-263-9313.

21. Can I operate a business from my house/home?

This is possible depending on the nature of your business. It may qualify as a Home Occupation Section 5.14

- A home occupation shall be clearly incidental and secondary to the use of the dwelling unit for residential purpose.
 - A. Such home occupations shall be carried on within the dwelling or within a building accessory thereto and entirely by the inhabitants thereof.
 - B. No article shall be sold or offered for sale on the premise except such as is produced within the dwelling or accessory building or is provided incidental to the service or profession conducted within the dwelling or accessory building.
 - C. There shall be no exterior storage of materials or equipment.

22. What is an Overlay District Zone?

An Overlay zone is a zoning district which is applied over one or more existing zoning districts, establishing additional or stricter standards and criteria for covered properties, into those of the underlying zoning district.

23. How do I report a potential zoning violation?

To report a zoning violation, you may call Madison Township Offices Phone # 517-263-9313. Be sure to include the location of the property and a description of the alleged violation.

Approved by Inspectors Committee: 2-2-21

Township Board Approval: 2-9-2021