



RICHLAND TOWNSHIP

Kalamazoo County

ZONING APPLICATION FEES & ESCROW POLICY

The Richland Township Board is authorized by state statute and Township Zoning Ordinance to establish fees for the processing of various types of zoning applications. In order to properly place the cost of processing these applications primarily upon the applicant instead of the public at large, the Richland Township Board has by resolution adopted the following fees and escrow policy.

1. The following Basic Application Fees are established:

	APPLICATION FEE	ESCROW
ZONING BOARD OF APPEALS		
Variance	\$350	\$500
Interpretation	\$480	\$1,000
Waiver	\$100	\$0
Special Meeting	\$550	\$500
PLANNING COMMISSION		
Site Plan	\$750	\$750
Site Plan Amendment	\$500	\$1,000
Rezone / Text Amendment	\$1,000	\$1,000
Special Exception Use	\$700	\$700
Special Exception Use (Accessory Building)	\$400	\$500
Special Exception Use (Home Occupation)	\$400	\$ 500
Plat / Site Condo	\$1,300	\$1,800
PUD Special Exception	\$1,000	\$1,000
Special Meeting	Request +\$250	

2. For those matters for which no escrow requirement is indicated, the basic application fee shall cover the entire cost of the proceeding. The basic application fee shall be increased as indicated* if the applicant requests that a special meeting be called for consideration of the application.
3. For those above matters for which an escrow requirement is indicated, the basic application fee shall cover the following:
 - A. Applicant’s appearances at Township meetings at which the application is considered.
 - B. Mailing and legal notices required for a public hearing at a regularly scheduled meeting.

All other expenses directly incurred by the Township in executing and processing the application shall be paid by the applicant from an escrow account established with the Township. These expenses include but are not limited to:

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- A. Review and ordinance drafting by Township Attorney.
- B. Review by Township Planning Consultant.
- C. Review by Township Engineer.
- D. Any additional public hearings, required mailing and legal notice.

4. The escrow fee deposit will be established in an initial amount as determined by the Township Board based on the type of application. The initial escrow deposit along with the Basic Application Fee shall be paid to the Township Treasurer at the time of application. The applicant shall also at the time of application review this policy and sign an Escrow Policy Affidavit in the form attached to this policy. The application will not be processed without the escrow deposit and the signing of the Escrow Policy Affidavit. The Township Board shall maintain records and authorize disbursement of escrow funds. At no time prior to the Township's completion of review and process and the application shall the escrow balance fall below 20% of the initial escrow deposit. If an Escrow Account balance drops below 20% of the initial escrow deposit, the Township's Zoning Administrator shall notify the applicant. An additional deposit of \$500 minimum shall be required to continue the review. Additional amounts above \$500 may be required by the Township Supervisor and upon recommendation of the Township Planning Consultant, Township Engineer and/or Township Attorney that such additional funds shall reasonably be required in order to complete the Township's review and action on the application.

5. In its discretion, the Township Board may, from time to time, amend or otherwise revise the fees schedule.

6. Any additional deposits into the escrow fee account required by the Zoning Administrator must be deposited properly to the Township in order to continue processing the application. Failure of the applicant to maintain an escrow balance as specified above shall be cause for the application to be removed from further Township consideration until the shortfall is eliminated. The Township Planning

7. Commission or Zoning Board of Appeals may stop processing the application if the applicant is more than thirty (30) days in arrears. The arrears owed to the Township will accrue interest at 3% per month until the same is paid in full to the Township. No further review or processing of the application shall occur until the escrow fee account has been re-established to the appropriate level as determined by the Zoning Administrator.

8. Within 45 days after final Township action on the application or withdrawal of the application by the applicant, the Township shall refund to the applicant any excess escrow funds without interest.

9. No final approval, building permit, certificate of use and occupancy permit, or other similar approvals shall be issued or final Township zoning approval be deemed granted until the escrow funds are paid in full.

10. Should the applicant withdraw its application or otherwise fail to complete all actions necessary for the Township to issue a final building permit or final zoning approval, the Township may seek reimbursement for its costs incurred in responding to the application. The Township shall be permitted to take any legal action to collect such costs and shall be permitted to assess all costs and legal fees incurred in the collection process.

11. In the event an applicant objects to the reasonableness or the amount of an escrow fee, the amount of additional deposits required, or how the Township Zoning Administrator has applied the funds from the escrow fee account, the aggrieved applicant may appeal the Zoning Administrator's

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determination regarding the matter to the Township Board. All such appeals shall be in writing and shall be made not later than thirty (30) days after receipt of the disputed escrow fee filing or of the decision of the Zoning Administrator. The Township Board shall establish a date and time to hear the appeal and shall permit the applicant or the applicant’s agent to appear before the Township Board at a regularly scheduled Board meeting to object and to appeal the decision of the Zoning Administrator. The Township Board may affirm, modify, or reverse the decision of the Zoning Administrator. This provision applies only to a determination as to the reasonableness of the escrow fees and not to any other appeal from the Zoning Administrator’s decision, which shall be processed by the Zoning Board of Appeals in accordance with the Zoning Ordinance and the Zoning Enabling Act.

Ordinance No. 266 Effective July 7, 2017

Part 300.2500 “Violations and Sanctions” of the Richland Township Code of Ordinances is hereby amended by adding Section 25 “E” (300.2505) “Escrow Reimbursements” to read as follows:

12. Escrow Reimbursements. Any application in which the applicant has filed an affidavit related to reimbursement of an escrow account, shall be deemed to be in violation of this ordinance if, when notified by the Township, that they have exceeded the balance of the escrow account and have not provided reimbursement within 30 days of receipt of notification. Failure to meet such reimbursement requirement will suspend processing of the application and be subject to fines established under Section “c:” 300.2502 Municipal Civil Infraction, above.

I have read the Richland Township Zoning Application and Fees Policy and agree to abide by the same. I understand that the payment of the prescribed application and escrow fees is intended to cover the Township’s cost associated with the processing and / or review of my zoning application and should not in any manner be construed as suggesting any particular outcome for the application. I agree that I shall be obligated to pay the fees prescribed under the policy regardless of whether my application is approved, denied, modified or withdrawn.

Name _____
Please print

Signature _____

Person / Company responsible for account (Billing Purposes)

Name _____
Please print

Mailing Address _____
Complete address including City, State, & Zip

Email _____

Phone _____ fax _____