

February 21, 2018 - Recommended by the Zoning Rewrite Committee

An Amendment to revise Section 4.3 of the Peninsula Township Zoning Ordinance to provide that the Director of Planning and Zoning Administrator will estimate additional fees to be held in escrow.

Revised to Include **Redline** and ~~Strikeout~~ changes as requested by Twp. Board. 3-7-2018

For Planning Commission Public Hearing March 19, 2018

Amendment No. 196.

Section 4.3 Escrow shall be revised to read as follows:

Section 4.3 Escrow: If the Director of Planning or Zoning Administrator or any Township Commission or Board determines that the basic fees will not cover the costs of the application review or appeal to the Zoning Board of Appeals(ZBA), or if the Director of Planning or Zoning Administrator or any Township Commission or Board determines that review of the application or participation in the review process or ZBA appeal by qualified professional planners, engineers, attorneys, other professionals as necessary, or other **Township direct costs related to the project** ~~related Township out of pocket costs such as publishing, mailing room rental, recording costs~~ then the applicant shall deposit with the Township Treasurer such additional fees in an amount equal to the additional costs as estimated by the Director of Planning or Zoning Administrator.

The additional fees shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than twenty (20%) percent of the initial escrow deposit and review of the application or decision on the appeal is not completed, then the Director of Planning or Zoning Administrator may require the applicant to deposit additional fees into escrow in an amount equal to the costs as estimated by the Director of Planning or Zoning Administrator to complete the review or decide the appeal.

Failure of the applicant to make any escrow deposit required under this Ordinance shall be deemed to make the application incomplete or the appeal procedurally defective, thereby justifying the denial of the application or the dismissal of the appeal.

Any unexpended funds held in escrow shall be returned to the applicant following final action on the application or the final decision on the appeal.

Any costs incurred by the Township in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the issuance of any permit or the release of a final decision on an appeal.