

# ZONING COMPLIANCE PERMIT



## CHOCOLAY TOWNSHIP

5010 US-41 South  
Marquette, MI 49855  
Phone: 906.249.1448 Fax: 906.249.1313  
chocolay.gov

**PERMIT NUMBER**  
ZC-\_\_\_\_\_-\_\_\_\_\_-

### PROPERTY AUTHORIZATION

Project address \_\_\_\_\_

<b>PROPERTY OWNER</b>
Name _____
Address _____
City / State / Zip _____
Contact number _____
E-mail _____

<b>APPLICANT (if different from property owner)</b>
Name _____
Address _____
City / State / Zip _____
Contact number _____
E-mail _____

If the applicant is not the property owner, the property owner grants permission for the applicant to act on the owner's behalf for this project.

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

### PERMIT NOTES

Please note, this is not a building permit. If a *Zoning Compliance Permit* is granted, you will need to pursue all other applicable permits and, if requested, provide copies to the Township.

You must state in writing the intended use of the building or structure.

You must furnish a sketch or drawing that shows the detail of the project. The sketch or drawing will show the lot shape, dimensions, and indicate the size, shape, and location (distance from all property lines) of all buildings, easements, rights-of-way, significant topographical features, existing and proposed driveways, and landscaping.

All setback measurements are taken to the property line, not to the sidewalk, curb, or center of the street. If the owner and / or builder do not know the exact location of the property lines, a surveyor should be consulted.

A site plan of your own design may be submitted, but the Township has the right to request a survey or an engineered site plan, especially for commercial and industrial applications. Site plans for commercial, industrial and multi-family structures must be drawn and sealed by a licensed architect, engineer or surveyor. Some development must undergo a formal site plan review application process (see Section IX of the Township *Zoning Ordinance*).

No construction or earthwork in any district can begin or any work started that will change the present use of any structure without a signed *Zoning Compliance Permit*.

A *Zoning Compliance Permit* expires twelve months from the date of issuance unless there has been substantial progress on the project that is stated on the Permit or arrangements for an extension are made with the Zoning Administrator.

Completed applications will be accepted at the Township office, via mail or e-mail (permits@chocolay.org).

The Township reserves the right to inspect your property to ensure compliance with the Township *Zoning Ordinance* and conditions of the permit.

**RESIDENTIAL CONSTRUCTION AND ALTERATION**

**Type and Description**

Single family - new

Single Family - alteration or addition

Multi Family - new

Multi Family - alteration, addition or increase in units

Group residential (more than 4 unrelated individuals)

Basement:    below ground    above ground    Crawl space    Slab

Number of floors \_\_\_\_\_ Story height \_\_\_\_\_ feet    Height at peak \_\_\_\_\_ feet

Square footage of proposed structure \_\_\_\_\_ feet

**ACCESSORY STRUCTURE**

**Structure Description**

Deck:    open    enclosed    Porch:    open    enclosed

Garage    Shed    Other \_\_\_\_\_

Pole building:    yes    no    Agriculture use only:    yes    no

Floor plan of structure \_\_\_\_\_ width \_\_\_\_\_ length    Square footage of proposed structure \_\_\_\_\_ feet

Structure height at eaves \_\_\_\_\_ feet    Structure height at peak \_\_\_\_\_ feet

**Accessory Structure Utilities**

Electricity    Sewer    Water    Heat:    electric    gas    wood    other \_\_\_\_\_

**NON-RESIDENTIAL CONSTRUCTION AND ALTERATION**

**Type and Description**

Commercial    Industrial    Public use \_\_\_\_\_

Floor plan of structure \_\_\_\_\_ width \_\_\_\_\_ length    Square footage of proposed structure \_\_\_\_\_ feet

Structure height at eaves \_\_\_\_\_ feet    Structure height at peak \_\_\_\_\_ feet

Pole building:    yes    no

Outside storage (specify square feet of the area, location on lot, storage height, materials to be stored)

\_\_\_\_\_  
\_\_\_\_\_

**Notes** If there are accessory structures (such as sheds) associated with this non-residential use, please complete the *Accessory Structure* section above.

A site plan will be required for all non-residential developments per requirements of Section IX of the *Zoning Ordinance*.

**DESCRIPTION OF PROJECT**

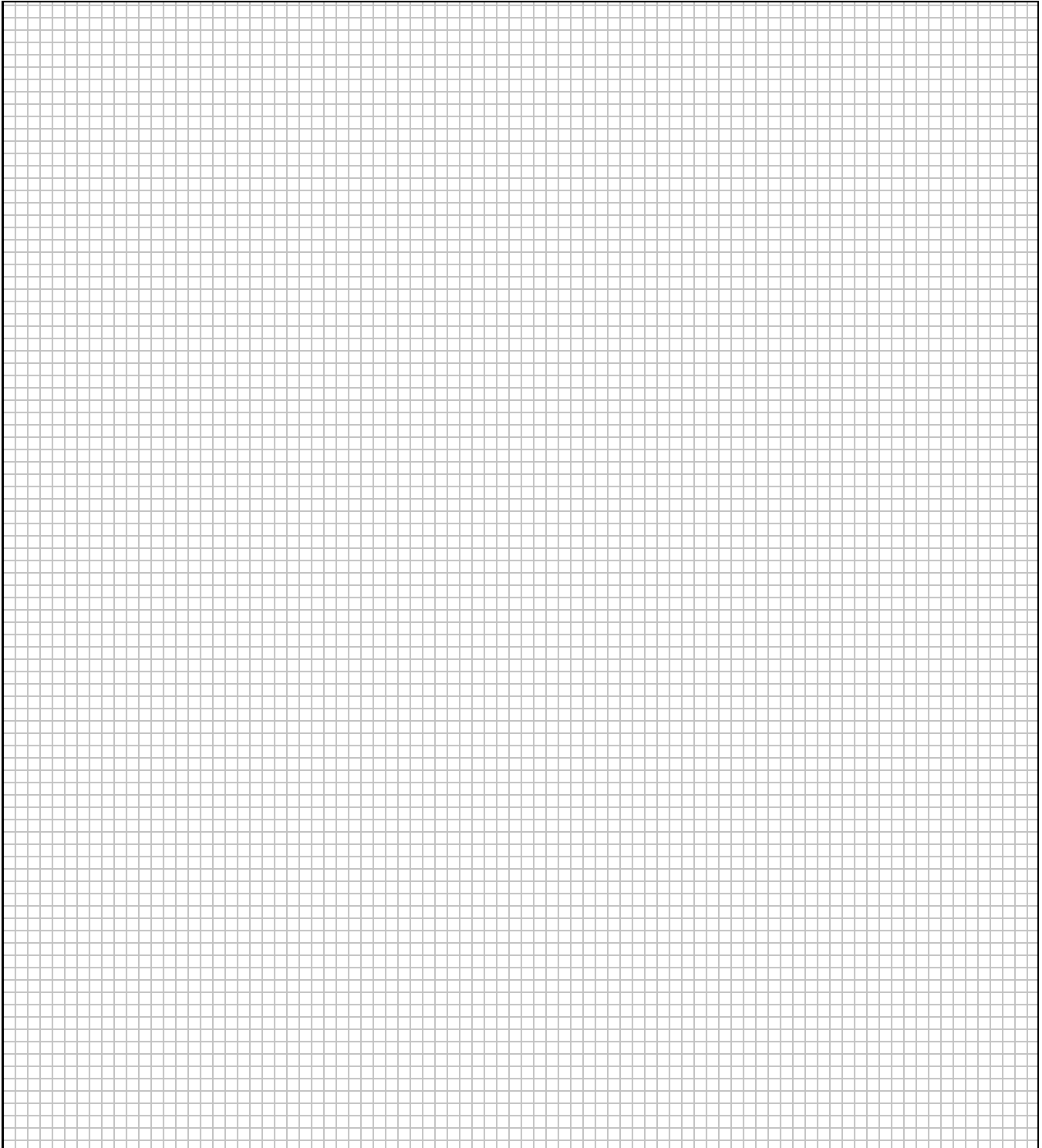
Please describe the proposed use, building style, materials and proposed timelines for the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## SITE PLAN

- Adjoining rights of way locations / dimensions
- All driveway and curb cut locations and dimensions
- All property lines and property dimensions
- All required parking spaces
- Location, dimensions and separation of all existing and proposed structures
- North directional arrow
- Sanitary and well locations
- Significant topographical features
- Structure setbacks from the property lines
- Utility and other easements
- Utility locations
- Water courses and wetlands

See attached for site plan



**PERMIT CONDITIONS**

1. I certify that the proposed work is authorized by the property owner of record, and that I have been authorized to make this application. I further certify that the proposed plans as shown are accurate to the best of my knowledge and contain an accurate description and specifications for all existing and proposed buildings or structures.
2. I understand that this application does not cover all permits required by Marquette County or the State of Michigan, and that other permits may be necessary before the project can begin.
3. I agree that issuance of the *Zoning Compliance Permit* carries with it a condition allowing on-site inspection of the premises, both in review of the site plan and later to confirm compliance with the site plan and conditions of the permit. I authorize these inspections and acknowledge that they are a condition to any approval provided with the application.
4. I understand that any construction which represents a variance from the approved site plan and permit conditions or violates the approved site plan or permit conditions may result in the Zoning Administrator issuing a stop work notice. Upon service of such notification, I and my agents agree to immediately cease work on that portion of the property identified as a violation.
5. I acknowledge review of all applicable requirements in the Township *Zoning Ordinance*.
6. I agree that neither I nor my successor will sell, convey, or otherwise dispose of any land surrounding a structure if such a transaction will result in the structure being left on a lot which fails to meet the minimum requirements set forth in the Township *Zoning Ordinance*.

**Owner / agent signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Name (print)** \_\_\_\_\_

**TOWNSHIP OFFICE**

**Parcel ID** 52-02-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_ **Zoning district** \_\_\_\_\_

**Permit**                      **Approved**                      **Not approved**

APPROVAL REQUIREMENTS		
Required	Condition	Agency or Permit Number
	Flood hazard / wetland	EGLE
	High risk erosion area	EGLE
	Lake coastal project	EGLE
	Lake coastal project	FEMA / USACE
	Soil erosion permit	Marquette County
	Water setback of 100 feet (30 feet of natural buffer)	Township
	Minimum lot size	Township
	Minimum setbacks	Township
	Sewer permit	Township
	Zoning variance	Township _____
	Conditional use	Township _____
	Site plan review	Township _____
	Other	_____

PERMIT CHARGE	
\$10.00	Structure (100 to 200 square feet)
\$20.00	Deck / Porch
\$40.00	Structure (200 square feet or greater)
\$40.00	Addition / alteration

**Date paid** \_\_\_\_\_

**Receipt number** \_\_\_\_\_

**Comments**

\_\_\_\_\_

\_\_\_\_\_

**Zoning Administrator signature** \_\_\_\_\_ **Date** \_\_\_\_\_

# TOWNSHIP ZONING ORDINANCE EXTRACT

## VI. General Provisions

### 6.1 Height and Placement Regulations

(A) Except as otherwise specifically provided in this Ordinance, no structure shall be erected or maintained between any lot line and the pertinent setback distance listed below and no structure shall be erected or maintained which exceeds the height limit specified below. Where there is no rear lot line as otherwise defined herein, the required rear setback distance shall be measured from a line through the point on the lot most distant from any front lot line of the same lot, which line shall be perpendicular to a line from said point to the closest point on any front lot line. If there is more than one such line, the rear setback shall be maintained from any one of them at the option of the owner. Where a lot fronts on two streets within 30 degrees of being parallel, but not of their intersection, no rear setback is required. The side setback requirement applies to a side lot line and also to any lot line which is neither a front, rear, or side lot line. All distances are measured in feet from the drip lines of said structure/s.

**Schedule of Regulations**

District	Front	Side	Rear	Height	Minimum Lot Size	Minimum Lot Width
AF	30	30	30	1	20 acres	None
C	30	5	20	30 <sub>6</sub>	25,000 square feet	125
I	40	5	20	30 <sub>6</sub>	1 acre	150
MFR	30	30	30	30 <sub>6</sub>	20 acres	None
MP	40	20	30	30	None	None
PUD	5	5	5	5	5 acres	300
R-1	30	10 <sub>2</sub>	35	30 <sub>6</sub>	25,000 square feet <sub>4</sub>	125
R-2	25	5	25	30 <sub>6</sub>	10,500 square feet	50
WFR	30	10 <sub>2</sub>	30	30 <sub>6</sub>	25,000 square feet	125

**Note 100' waterfront setback is required in all districts (see Section 6.8 Waterfront Setback)**

#### Footnotes

1. Height at any point on a structure shall not exceed the horizontal distance to any lot line.
2. A detached accessory building not exceeding 14 feet in height and not exceeding 720 square feet may be located within six feet of a side lot line and 20 feet from a rear lot line.  
(#34-19-04)
3. Lot width shall be measured at the location of the front setback line.
4. 18,750 sq. ft. where lot is served by public sewer and/or water supply.
5. Setbacks and height limits are to be determined as required by the original zoning district. Any modifications are subject to the final approval of the Final Development Plan.
6. No detached building shall exceed the permitted height for the zoning district. (#34-21-02)  
(#34-09-17)



- (B) In Districts R-1, R-2, MFR, WFR, and AF, the minimum lot size and lot width regulations do not apply to any nonconforming parcel of land shown as lot in a recorded plat, or described in a deed or land contract executed and delivered prior to the effective date of this Ordinance.
- (C) There shall be a maximum floor area ratio of 25 percent in District MFR and 80 percent in Districts C and I.
- (D) There shall be a maximum ground coverage ratio of 30 percent in District MFR and 40 percent in Districts C and I.
- (E) There shall be a minimum landscaped open space of 30% in District MFR and 10% in Districts C and I. There shall be a minimum of 2.5% landscaped open space within the front yard setback.

**6.2 Zoning District Boundary Setback Regulations**

On lots in Districts C and I, no structure shall be erected or maintained within 30 feet of the boundary line of any R-I, R-2, or MFR Districts. Where a district boundary line divides a lot into two districts, it shall be treated as a lot line for purposes of the setback provisions of this Ordinance.

**6.3 Minimum Floor Area For Dwelling Units**

Every single-family dwelling shall have a minimum floor area of 800 square feet, and every dwelling unit in a multi-family dwelling shall have a minimum floor area of 600 square feet, provided:

- (A) It has a minimum width across any front, side or rear elevation of 20 feet and complies in all respects with the Marquette County Building Code, including minimum heights for habitable rooms. Where a dwelling is required by law to comply with any federal or state standards or regulations for construction and where such standards or regulations for construction are different than those imposed by the Marquette County Building Code, then and in that event such federal or state standards or regulations shall apply.
- (B) It is firmly attached to a permanent foundation constructed on a site in accordance with the Marquette County Building Code and constructed of such material and type as required in the applicable building code for residential dwellings. In the event that the dwelling is a mobile home, as defined herein, such dwelling shall, in addition thereto, be installed pursuant to the manufacturer's setup instructions and shall be secured to the premises by an anchoring system or device complying with the rules and regulations of the Michigan Mobile Home Commission.
- (C) In the event that a dwelling is a mobile home as defined herein, each mobile home shall be installed with the wheels and under carriage removed. Additionally, no dwelling shall have any exposed towing mechanism, under carriage or chassis.
- (D) The dwelling is connected to a public sewer and water supply or to such private facilities approved by the local health department.
- (E) The dwelling complies with all pertinent building and fire codes. In the case of a mobile home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards" as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, and as from time to time such standards may be amended. Additionally, all dwellings shall meet or exceed all applicable roof snow load and strength requirements.
- (F) The fore going shall not apply to mobile homes located in a licensed mobile home park or zoning district R-2 except to the extent required by state and federal laws or otherwise specifically required in the ordinance of the Township pertaining to such parks and zoning districts.

**6.4 Non-Conforming Lots Of Record**

Nonconforming lots, any lot of record may be used for permitted uses even though the lot area and/or dimensions are less than those required for the District in which the lot is located, provided that yard dimensions and other requirements of the District, not involving lot area and width are met. Contiguous parcels under the same ownership are



considered combined as necessary to eliminate or reduce to the maximum extent possible all dimensional nonconformities. The spirit of this provision is to limit density to provide isolation for wells, septic systems, drainage and similar public health consideration. No vested rights arise to the property owner for any parcel created in violation of any preceding Zoning Ordinance.

### **6.8 Waterfront Setback**

All new structures on lots abutting any body of water, including but not limited to inland lakes, rivers, streams, creeks, impoundments, and Lake Superior, shall maintain a minimum setback of 100 feet as measured from the edge of a river or the edge of a lake's shoreline. Setbacks may be extended beyond the 100 foot minimum, if after site plan review by the Zoning Administrator, the Planning Commission finds that the environment quality, scenic or aesthetic value, water quality, or recreational value of the water resource or use would be endangered or create harm or nuisance to adjacent property.

The part of that setback which lies within 30 feet of the water's edge shall be maintained in its natural condition. Natural conditions may be modified if the Zoning Administrator finds that such modifications will be consistent with management practices which will prevent soil loss, will not increase run-off, and will provide the shoreline with adequate protection without altering the inherent characteristics of the water body. Trees and shrubs in a space 50 feet wide may be trimmed or pruned for a view of the fronting waters and for access thereto. No change shall be made in its natural grade. A lot shall be regarded in its natural condition when there is at least one tree or shrub having a height of at least 15 feet for each 100 square feet of area thereof in wooded areas or sufficient natural ground cover in open areas. All uses shall be subject to this setback except marinas, boat liveries, bathing facilities, fishing piers, commercial fishing docks, and recreational docks.

In areas identified as erosion control districts in this Ordinance, the restrictions and regulations imposed in those districts shall govern if such restrictions or regulations impose higher standards or requirements.

### **6.10 Accessory Housing Unit**

It is the intent of this section to provide standards that will allow extended family living in what have traditionally been detached single-family only zoning districts or neighborhoods. Such provisions will permit the conversion of a single-family dwelling to include an accessory apartment as a means of accommodating an elderly parent(s) or grandparent(s). It is the intent that by providing housing opportunities for the elderly that a vital need can be met without diminishing the quality of the affected neighborhood; this allows independence and yet close contact to younger family members.

**(A)** Accessory Housing Units shall meet the following requirements:

1. Only owner-occupiers are permitted to install and/or maintain accessory housing units.
2. Occupancy of the accessory housing unit is limited to the parent(s) or grandparent(s) of the occupants of the single-family dwelling.
3. Accessory housing units are required to be attached to the single-family dwelling and shall not increase the floor area of the single family dwelling by over 30%, and in no case shall any accessory housing unit exceed 1,000 square feet.
4. There shall be no visible change in the exterior appearance of the dwelling containing the accessory housing unit that will alter the single-family appearance of the dwelling. Exterior elevation drawings, architectural renderings and floor plans of the existing/proposed structure are required to be submitted for review as part of the Conditional Use application.
5. All improvements associated with construction of the accessory housing unit shall meet current applicable codes including approval of the Health Department for any needed improvements to the on-site septic system if applicable. Utilization of the existing septic system, without creating a new/separate system is encouraged and Health Department permits shall be provided to the Township by the applicant.



6. Separate sale or ownership of the accessory housing unit from the primary dwelling on a lot or parcel is prohibited. Upon conditional use approval of any accessory housing unit, the owner(s) shall file an affidavit with the Registrar of Deeds giving notice that the accessory housing unit of the involved parcel is for temporary use by a parent(s) or grandparent(s) related to the owner.
7. Any additional parking as needed or required by this Ordinance shall be provided in off-street space.
8. Conditional Use approval of accessory housing units are valid for a period of five (5) years subject to Planning Commission review of requested five (5) year extensions.
9. Upon the cessation of use of the accessory housing unit by the parent(s) or grandparent(s) of the owner-occupiers of the single-family home, said accessory housing unit shall be removed or converted to remove the individual floor plan elements (such as a separate/duplicate kitchen facilities) that functionally create a separate dwelling unit.
10. The Planning Commission may impose any other reasonable conditions deemed necessary to protect adjoining properties, to retain the residential character of the neighborhood and to protect the public health, safety and welfare.