

CHARTER TOWNSHIP OF BROWNSTOWN

WAYNE COUNTY, MICHIGAN

ORDINANCE NO. 141-78

AN ORDINANCE TO AMEND ORDINANCE 141-45, SECTIONS 17.07(a), 17.07(b), 17.07(c), 18.07(a), 18.07(b), 18.07(c), AND 23.04(g) BY REVISING THE TIME REQUIREMENTS INCLUDED IN EACH SECTION

The Charter Township of Brownstown Ordains:

Section 1: Ordinance No. 141-45, "ZONING ORDINANCE", Sections 17.07(a) "Start of Construction"; 17.07(b) "Extensions"; and 17.07(c) "Expiration of Site Plan Approval", shall now provide:

(a) **Start of Construction.** Site plan approval is valid for a period of one (1) year from the date of Planning Commission approval. Building permits must be issued and physical construction as set forth below must commence within the one (1) year period.

(b) **Extensions.** Upon written application prior to expiration, the Planning Commission may authorize a single extension of the time limit of the site plan approval for a period not to exceed one (1) year. The extension shall be based on evidence from the applicant that the development has a likelihood of commencing construction within the extension period. The Planning Commission may require compliance with any amendments to the Zoning Ordinance since the site plan was originally approved.

(c) **Expiration of Site Plan Approval.** In cases where actual physical construction of a substantial nature of the structures authorized by a site plan approval has not commenced within one (1) year of site plan approval, and a written application for extension of the approval has not been filed as provided above, the site plan approval shall automatically become null and void and all rights thereunder shall terminate.

Section 2: Ordinance No. 141-45, "ZONING ORDINANCE", Sections 18.07(a) "Start of Construction"; 18.07(b) "Extensions"; and 18.07(c) "Expiration of Special Land Use Permit", shall now provide:

(a) **Start of Construction.** Special Land Use approval is valid for a period of one (1) year from the date of Planning Commission approval. A building permit must be issued and physical construction on structures must commence within that period.

(b) **Extensions.** Upon written application filed prior to the termination of the one (1) year period as provided above, the Planning Commission may authorize a single extension of the time limit for a further period of not more than one (1) year. Such extension shall be granted only based on evidence from the applicant that the development has a reasonable likelihood of commencing construction within the one (1) year extension. The Planning Commission may require compliance with any amendments to the Zoning Ordinance since the special land use was originally approved.

(c) **Expiration of Special Land Use Permit.** Where actual construction of a substantial nature of structures authorized by a special land use permit has not commenced within one (1) year of issuance, and a written application for extension of the approval has not been filed as provided above, the special land use permit shall become null and void and all rights there under shall terminate.


Section 3: Ordinance No. 141-45, "ZONING ORDINANCE", 23.04(g) "Validity of Variance", shall now provide:

(g) **Validity of Variance.** The order of the ZBA authorizing the erection or alteration of a building shall expire in one (1) year, unless a building permit for such erection or alteration is issued and construction proceeds to completion in accordance with the terms of such permit.

Section 4. Severability. If any article, section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such article, section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 5. Repealer. All ordinances, resolutions or orders, or parts of ordinances in conflict with the provisions of this Ordinance to the extent of such conflict, are hereby repealed.

Section 6. Effective Date; Publication. This Ordinance was approved and adopted by the Township Board of Brownstown Charter Township, Wayne County, Michigan, on March 18, 2024, after introduction and a first reading on February 20, 2024, and publication after first reading as required by Act 359 of the Michigan Public Acts of 1947, as amended. This Ordinance shall be effective seven (7) days after publication of a "Notice of Adoption", in The News Herald, a newspaper having general circulation in the Township.


EDWARD I. SMITH, Supervisor


MAUREEN BRINKER, Clerk

I further certify that the foregoing was published in The News Herald, a newspaper of general circulation in the Charter Township of Brownstown, on the 24th day of March, 2024.


MAUREEN BRINKER, Clerk

