

ARTICLE: 8.0-SITE CONDOMINIUM REVIEW

ARTICLE 8.0
SITE CONDOMINIUM REVIEW**Section 8.01 - Approval Required**

Pursuant to authority conferred by Section 141 of the Condominium Act, preliminary and final site plans for all site condominiums shall be approved by the Planning Commission.

Section 8.02 - General Requirements

- A. No permits for erosion control, building construction, grading, or installation of public water or sanitary sewerage facilities shall be issued for property in a site condominium development until a final site plan has been approved by the Township Planning Commission and is in effect. However, the Planning Commission may, at its discretion, and with appropriate conditions attached, authorize the Zoning Administrator to issue permits for grading and foundation work on the basis of the approved preliminary site plan. This requirement shall include contractible, conversion, and expandable condominiums.
- B. If a building, structure, or use to be placed on a condominium lot requires site plan approval under Section 5.02, herein, a site plan for that building, structure, or use shall be approved in accordance with Article 5, herein, before a certificate of zoning compliance may be issued.
- C. The Planning Commission shall have the authority to review and approve or deny preliminary and final site plans for site condominiums.
- D. Preliminary and final site plans shall be submitted, reviewed, and approved or denied in accordance with Article 5, herein, provided however, that preliminary and final site plans shall not be combined for site condominiums. A dimensionally stable copy of the as-built drawings shall be submitted to the Township Clerk and a second dimensionally stable copy shall be recorded with the Washtenaw County Register of Deeds.
- E. Each condominium unit shall be located within a zoning district that permits the proposed use.
- F. For the purposes of this Ordinance, each condominium unit shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which located. In the case of a site condominium containing single-family detached dwelling units, not more than one dwelling unit shall be located on a condominium lot, nor shall a dwelling unit be located on a condominium lot with any other principal structure or use except in a PUD district. Required yards shall be measured from the boundaries of a condominium lot. Lot coverage and floor area ratio shall be calculated using the land area of the condominium lot.
- G. Each condominium unit shall be connected to the Township's water and sanitary sewer facilities where available, or shall have a well, septic tank, and drainfield approved by the County Health Department where Township water and sanitary sewer services are not available. The well, septic tank and drainfield serving a condominium unit shall be located within that unit, as described in the master deed, except in a Residential Cluster Development, in which case this requirement may be waived by the Township Board as a part of its approval of the Residential Cluster Development option.
- H. Relocation of boundaries between adjoining condominium units, if permitted in the condominium documents, as provided in Section 48 of the Condominium Act, shall comply with all regulations of the zoning district in which located and shall be approved by the Zoning Administrator. These requirements shall be made a part of the bylaws and recorded as part of the master deed.
- I. Each condominium lot that results from a subdivision of another condominium lot, if such subdivision is permitted by the condominium documents, as provided in Section 49 of the Condominium Act, shall comply with all regulations of the zoning district in which located, and shall be approved by the Zoning Administrator. These requirements shall be made a part of the condominium bylaws and recorded as part of the master deed.

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- J. All information required by this Ordinance shall be updated and furnished to the Zoning Administrator until applicable certificates of zoning compliance have been issued, as provided in Section 5.09, herein.

Section 8.03 - Preliminary Site Plan Requirements

- A. A preliminary site plan shall be filed for approval at the time the notice of proposed action is filed with the Township.
- B. The preliminary site plan shall include all land that the developer intends to include in the site condominium project.
- C. The preliminary site plan shall include all information required in Section 5.03, herein, except that, in the case of a development that consists only of condominium lots and not buildings or other structures at the time of plan review, the location and dimensions of the condominium lots rather than individual buildings or other structures, and required yards shall be shown on the preliminary site plan.

Section 8.04 - Final Site Plan Requirements

- A. A final site plan shall be filed for review for each phase of development shown on the approved preliminary site plan.
- B. A final site plan for any phase of development shall not be filed for review by the Planning Commission unless a preliminary site plan has been approved by the Planning Commission and is in effect.
- C. A final site plan shall include all information required by Section 66 of the Condominium Act, and the master deed and bylaws. The final site plan shall also include all information required in Section 5.04, herein, except in the case of a development that consists only of condominium lots rather than buildings or other structures at the time of plan review, the location and dimensions of condominium lots rather than individual buildings or other structures and required yards, shall be shown on the site plan.
- D. The applicant shall provide proof of approvals by all County and State agencies having jurisdiction over improvements in the site condominium development, including but not limited to the County Road Commission, County Drain Commissioner, County Health Department, and the Michigan Department of Natural Resources. The Planning Commission shall not approve a final site plan until each County or State agency, having such jurisdiction has approved that portion of the final site plan that is subject to its jurisdiction.

Section 8.05 - Revision of Condominium Subdivision Plan

If the condominium subdivision plan is revised, the final site plan shall be revised accordingly and submitted for review and approval or denial by the Planning Commission before any building permit may be issued, where such permit is required.

Section 8.06 - Amendment of Master Deed or Bylaws

Any amendment to a master deed or bylaws that affects the approved preliminary or final site plan, or any conditions of approval of a preliminary or final site plan, shall be reviewed and approved by the Planning Commission before any building permit may be issued, where such permit is required. The Planning Commission may require its review of an amended site plan if, in its opinion, such changes in the master deed or bylaws require corresponding changes in the approved site plan.

Section 8.07 - Relation to Subdivision Ordinance

The provisions of Articles 4 and 5 of the Township's Subdivision Ordinance shall apply to site condominiums and are incorporated herein by reference. In applying the design and development standards of Article 4 and the improvement

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requirements of Article 5 of the Subdivision Ordinance, the standards and requirements that are intended to apply to lots in a subdivision shall apply instead to condominium lots. Nothing in this Section shall be construed as requiring a site condominium to obtain plat approval under the Subdivision Ordinance or the Subdivision Control Act.

Section 8.08 - Development Agreement

The Planning Commission may require, as a condition of approval, that the applicant enter into a development agreement with the Planning Commission and the Township, incorporating therein the terms and conditions of final site plan approval, and record the same in the office of the Register of Deeds for Washtenaw County.

Section 8.09 - Building Permit

Any application for a building permit for construction to be located in a general common element shall include written authorization for the application by the Condominium Association.

Section 8.10 - Monuments

Monuments shall be set at all boundary corners and deflection points and at all road right of way intersection corners and deflection points. Lot irons shall be set at all condominium lot corners and deflection points of condominium lot lines.

The Township may grant a delay in the setting of required monuments or irons for a reasonable time, but not to exceed one year, on condition that the developer deposit with the Township Clerk cash, a certified check, or an irrevocable bank letter of credit running to the Township, whichever the developer selects, in an amount as determined from time to time by resolution of the Township Board. Such deposit shall be returned to the developer upon receipt of a certificate by a surveyor registered in the State of Michigan that the monuments and irons have been set as required, within the time specified. If the developer defaults, the Township Board shall promptly require a registered surveyor to set the monuments and irons in the ground as shown on the condominium site plans, at a cost not to exceed the amount of the security deposit.

Section 8.11 - Road Rights-of-Way

Road rights of way shall be described separately from individual condominium lots, and shall be accurately delineated by bearings and distances on the condominium subdivision plan and the final site plan. The right of way shall be for roadway purposes and for the purposes of locating, installing, maintaining, and replacing of public utilities. The developer shall dedicate easements to the Township for all public water and sanitary sewer lines and appurtenances.

Section 8.11 - Improvements

All improvements in a site condominium shall comply with the design specifications as adopted by the Township Board and any amendments thereto.