

SECTION 26. ZONING PERMITS, ADMINISTRATIVE SPECIAL USE PERMITS, AND LAND ALTERATION PERMITS

SUBDIVISION 1. ZONING ADMINISTRATOR AND ASSISTANT ZONING ADMINISTRATOR

The Office of the County Planning and Zoning Administrator, for which the Board of County Commissioners shall appoint such employee or employees as deemed necessary, has the authority to administer, enforce and interpret this Ordinance through the proper legal channels, issue zoning permits and maintain records thereof, and provide a public information bureau relative to this Ordinance.

SUBDIVISION 2. ZONING PERMITS

- A. No person shall erect, alter, or move any structures or part thereof without first securing a Zoning Permit, including but not limited to, all structures, structure additions, manufactured homes, towers, basements, footings, liquid manure storage area, authorized signs, sewer systems, and repair of sewer systems. Structures less than one hundred (100) square feet do not require a zoning permit, but shall be constructed according to the appropriate setbacks and standards of this Ordinance.
- B. Application for a Zoning Permit shall be made to the Department on forms to be furnished by the County and must be signed by the landowner or an agent of the landowner. Each application for a permit to construct or alter a structure shall be accompanied by a site plan to include, but not limited to the following:
 - 1. Property lines, lot dimensions, road right-of-way, proposed structure location and size, existing structures, septic and well locations, road right-of-way setbacks, property line setbacks, access location and size, waterbody and if located in a Shoreland or Flood Plain Overlay District, impervious surface calculations.
- C. Applications for a Zoning Permit shall contain such other information as may be deemed necessary for the proper enforcement of this Ordinance.
- D. The Department shall issue the Zoning Permit only after determining that the building plans, together with any other required information comply with the planning of future road construction, which information shall be furnished by the County Engineer. If needed, a variance from setback requirements must be obtained prior to the issuance of a zoning permit.
- E. Hereafter, any person who shall erect, alter or move any structure or its part without first securing a Zoning Permit shall pay an after-the-fact fee set by the Board of Commissioners fee schedule.

- F. Approved and unpermitted Zoning Permits shall expire one (1) year from the date of approval. After expiration, all documents shall be returned to the applicant.
- G. Any Zoning Permit is void if the permitted activity is not completed within one (1) year from the date the permit was issued.

SUBDIVISION 3. ADMINISTRATIVE SPECIAL USE PERMIT

- A. No person shall engage in any activity listed as an Administrative Special Use, in any zoning district, without first securing an Administrative Special Use Permit. These uses include, but are not limited to, the transfer of development rights, driveway construction prior to the issuance of a zoning permit, temporary uses by governmental agencies on private property, occasional special events, etc.
- B. Applications for an Administrative Special Use Permit shall be made to the Department on forms to be furnished by the County and must be signed by the landowner or an agent of the landowner. Each application for a permit shall be accompanied by the following:
 - 1. Comments from the appropriate official as designated by the Township.
 - 2. Documentation from the applicable road authority granting an access permit or approval.
 - 3. Written description of the proposed special use. The description shall include all necessary information pertaining to the proposed use. Examples include, but are not limited to, waste management, restroom facilities, parking accommodations, hours of operation, driveway specifications, expected number of daily trips created by the proposed use, etc.
 - 4. Plans and/or application are approved by the Department. Review by the Soil and Water Conservation District may be required by the Department to address ground/surface water related factors. The Department shall issue a permit only if the relevant criteria listed are sufficiently satisfied. If non-compliance is determined, the applicant shall be notified in writing of the reasons for denial.
- C. The Department has the authority to require plans prepared by a registered professional engineer, hired by the applicant, for any site deemed to be environmentally sensitive. Plans may be subject to review by the SWCD and/or the County Engineer.
- D. The Department may require a performance surety and shall require liability insurance certificate for projects having a significant restoration component or the potential for unusual public health, safety and welfare risks. For the purposes of this section, restoration/risk shall be those activities that: include a public improvement; are open and accessible to the general public; and/or would involve land reclamation or disposal costs that could be incurred by the public. The decision regarding sureties and insurance would be subsequent to consultation with the other County Departments and/or State Agencies.

- E. The permit shall clearly state the conditions, if any, upon which it is issued. A copy of the permit may be recorded against the property if deemed necessary and appropriate by the Department.
- F. Any permit issued under this subdivision is issued to the applicant for the parcel named in the permit only and is not transferable to another parcel of property or to another owner of the parcel for which the permit was issued. The Department has the authority to revoke and/or enforce the permit.
- G. Approved and unpermitted Administrative Special Use Permits shall expire one (1) year from the date of approval. After expiration, all documents shall be returned to the applicant.
- H. An Administrative Special Use Permit is void if the permitted activity is not completed and established within one (1) year from the date the permit was issued.

SUBDIVISION 4. LAND ALTERATION PERMIT

- A. No person shall alter any land or part thereof without first securing a Land Alteration Permit, for activities including but not limited to, farm and wildlife ponds, earth excavations, grading and filling, retaining walls, rip rap, vegetation alterations, rain gardens, and impervious surface.
- B. Application for a Land Alteration Permit shall be made to the Department on forms to be furnished by the County and must be signed by the applicant and/or landowner. Each application for a permit shall be accompanied by a site plan, to include, but not limited to the following:
 - 1. Project description, property lines, lot dimensions, road right-of-way, existing structures, septic and well locations, road right-of-way setbacks, property line setbacks, access location and size, waterbody, and if located in a Shoreland or Flood Plain Overlay District, impervious surface calculations.
- C. Applications for a Land Alteration Permit shall contain such other information as may be deemed necessary for the proper enforcement of this Ordinance.
- D. The Department shall issue the Land Alteration Permit only after determining that the land alteration plans, together with any other required information comply with the planning of future road construction, which information shall be furnished by the County Engineer. If needed, a variance from setback requirements must be obtained prior to the issuance of a Land Alteration Permit.
- E. Approved and unpermitted Land Alteration Permits shall expire one (1) year from the date of approval. After expiration, all documents shall be returned to the applicant
- F. Any Land Alteration Permit is void if the permitted activity is not completed within one (1) year from the date the permit was issued.

SUBDIVISION 5. FEES

Permit fees and other fees as may be established by resolution of the Board of County Commissioners shall be collected by the Department for deposit with the County and credited to a fund as directed by the Board of County Commissioners. Permits are not valid until the required fee is paid.