

# City of Boyne City



## Guide to Development

City of Boyne City  
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Depending on the nature and complexity of a development there may be several different types of permits and/or review processes that are required. This development guide is designed to explain the different types of permits and reviews, the boards or commissions that may be involved and the processes and timelines that can be expected. We understand that many people are unfamiliar with the review processes required for approval of a project and we encourage anyone contemplating a project to contact the Boyne City Planning Department early on to help navigate the process and ensure a positive outcome.

## **Zoning Permit Applications and Plan Review Processes**

### Zoning Permits.

Prior to beginning the construction, addition, alteration or repair of any building or structure a zoning permit must be obtained from the Planning Director or Zoning Administrator. To obtain a zoning permit an application form may be submitted by the property owner or by a duly authorized agent acting on the owner's behalf. Required information on the application form includes owner contact information, parcel information, including parcel number and dimensions, proposed use, and contractor contact information (if applicable). The application form also requires a plot plan drawing be submitted with the application that shows parcel lines and dimensions of the lots to be used, location of all existing and proposed structures on the parcel and any streets or right of ways bordering the property.

Any structure for which a zoning permit is required shall be compatible in design and appearance with the characteristics of the neighborhood and community. The Planning Director shall review plans for compatibility in design and appearance with the existing characteristics of the neighborhood and the community. In determining compatibility with community aesthetic standards the exterior vertical and horizontal dimensions, building shapes and sizes, roof design, exterior siding materials, texture and finishes, foundation appearance and window and door appearances may be considered. In the event of disapproval thereof by the Planning Director, the applicant has the right to appeal the decision to the Zoning Board of Appeals. The Zoning Board of Appeals has the authority to overrule or concur with the decision of the Planning Director.

Exempted from the zoning permit requirements are facial alterations, structures of one hundred (100) square feet or less, installation of siding, windows, doors, shingles, and replacements of existing or deteriorated materials and ordinary maintenance repairs made on all dwellings and their related outbuildings. This exemption does not eliminate the necessity for compliance with other county, state, or federal permitting requirements.

When developing a new dwelling or connecting to utilities a written approval from the Charlevoix County Health Department or the Boyne City Water and Sewer Department shall accompany the zoning permit. Zoning permits cannot be issued for lots or parcels with frontage on undeveloped major, local or private streets. If construction on an unimproved street is proposed it is the responsibility of the developer to bring the unimproved street up to the City construction standards prior to commencing construction.

For residential uses access to a parcel shall consist of either a single two-way or a pair of one-way hard surfaced driveways. For commercial uses access drives and parking areas must be shown on a development plan and be approved by the Planning Commission. Prior to construction of a driveway a right of way use permit must be obtained from the Boyne City Street Department.

### Development Plan Reviews

Prior to the erection of any building or structure in any zoning district for any principal permitted use or conditional use, other than single-family residences and accessory buildings, a Development Plan approved by the Planning Commission is required. Depending on the location of the property a review by the Main Street Design Committee or the EDC\LDFA may also be required.

Depending on the nature and complexity of the application, Development Plan reviews may require a full plan review which is completed by the Planning Commission or a Sketch Plan review that is completed by the Planning Director. A Sketch Plan, rather than a complete Development Plan, may be submitted for minor modifications to a legally existing and conforming use for alterations to a building or site that do not result in expansion or substantially affect the character or intensity of the use. Refer to City of Boyne City Zoning Ordinance Article 19 for Development Plan application requirements and review processes. The complete City of Boyne City Zoning Ordinance is available at: <https://library.municode.com/index>

### Conditional Uses

Within each zoning district it is recognized that there are uses, because of their unique characteristics which cannot be properly classified in any particular district or districts without consideration in each case of the impact of such uses upon neighboring land. Accordingly, conditional uses are not permitted without prior consideration of relevant restrictions or conditions which would address their unique characteristics.

Approval of Conditional Uses may be granted by the Planning Commission after a public hearing is held. Any application for Conditional Use shall be filed simultaneously with an application for Development Plan review. Refer to City of Boyne City Zoning Ordinance Article 2 for complete Conditional Use application requirements and review processes. The complete City of Boyne City Zoning Ordinance is available at: <https://library.municode.com/index>

### Zoning Amendments (Rezoning)

The regulations and provisions stated in the Zoning Ordinance or boundaries of zoning districts shown on the zoning map may be amended, supplemented or changed by the City Commission. Proposals for changes may be initiated by the City Commission, the Planning Commission, or by a property owner.

After a public hearing is held the Planning Commission reviews proposals in terms of compatibility with the City's Comprehensive Plan and the possible effects of the proposal on the community's physical development. Following review, the Planning Commission shall submit their recommendation to the City Commission. The City Commission will act upon the request by granting approval, disapproval, or referral back to the Planning Commission for additional study. Refer to City of Boyne City Zoning Ordinance Article 2 for complete Zoning Amendment application requirements and review processes. The complete City of Boyne City Zoning Ordinance is available at: <https://library.municode.com/index>

### Variances

The Zoning Board of Appeals may authorize a variance from the strict application of any provision of this Zoning Ordinance where, by reason of exceptional irregularity, narrowness, shallowness, shape, or area of a specific <sup>3</sup> piece of property at the time of enactment of this Ordinance, or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of this Zoning Ordinance would result in peculiar or exceptional practical difficulties upon the owner of such property. Refer to

City of Boyne City Zoning Ordinance Article 27 for complete Zoning Amendment application requirements and review processes. The complete City of Boyne City Zoning Ordinance is available at: <https://library.municode.com/index>

## **Boyne City Commissions and Boards**

The City of Boyne City has numerous boards and commissions that serve a wide variety of functions. In the development plan review process an application may be reviewed by one or more of the following boards or commissions depending on the nature of the request.

### City Commission

The Boyne City Commission is made up of five elected officials, Mayor, Mayor Pro-tem and three Commissioners. Members of the Commission are elected by its' citizens during the November elections for a term of four years. The commission is the legislative and governing body of the City. Applications for rezoning or ordinance amendments must be approved by the City Commission. Regular meetings of the Commission are held each month on the second Tuesday at 7pm, and the fourth Tuesday at noon. Special Meetings may be scheduled by the Commission as deemed necessary to further the business of the City.

### Planning Commission

The Planning Commission is responsible for administration of the zoning ordinance. The Planning Commission makes determinations on Development Plans and Conditional Uses applications and makes recommendations on proposed rezoning and ordinance amendments. The Commission is made up of nine commission members that are appointed by the Mayor and confirmed by the City Commission. Regular meetings of the Planning Commission are held monthly on the third Monday at 5pm. Special meetings may be called by the Chair, by any two members of the Planning Commission or by any non member of the Planning Commission, upon payment of a non-refundable fee to cover costs of the special meeting.

### Zoning Board of Appeals

The Zoning Board of Appeals reviews requests for variances from the current regulations in the Boyne City zoning ordinance. The Board has the authority to approve or deny requests based on criteria set by Michigan State law. This board also hears appeals of zoning ordinance decisions and interprets the zoning ordinance. Regular meetings of the Zoning Board of Appeals are scheduled on the first Tuesday of each month at 5pm. A special meeting may be called by two members of the Zoning Board of Appeals upon written request to the Chairperson or City Planning Department. A special meeting may also be requested by the City Commission.

### Main Street Board / Downtown District Authority

The Main Street Board works to develop a diverse, stable business environment in the downtown district. This includes contributing to the city planning process by reviewing and making recommendations on ordinances or developments located in or that could affect the DDA district. Regular meetings of the Main Street Board are on the First Thursday at 8:30am. Special Meetings may be scheduled by the Main Street Board as deemed necessary to further the business of the Board.

### Local Development Finance Authority (EDC/LDFA)

The EDC/LDFA shares jurisdiction and appointees manages funds created by the Business Park's tax district, assists in property acquisition and also manages infrastructure, signage and lights within the Business Park and works to retain and recruit businesses to the Boyne City

Business Park through marketing. The Boards review and make recommendation on development plans proposed in Air Industrial Park phases I and II. Regular meetings of the EDC/LDFA are held quarterly on the First Monday at noon. Special Meetings may be scheduled by the EDC/LDFA as deemed necessary to further the business of the Board.

### Public Hearing Procedures

Most applications require public hearings during the review and decision making process. A public hearing can be held by the City Commission, the Planning Commission and the Zoning Board of Appeals, and often are a legal requirement mandated by the City Charter, Local Ordinance or State Law.

While each Board or Commission has their own set of bylaws and specific procedures, all meetings of public bodies in Boyne City are governed by *Roberts Rules of Order* and are subject to the requirements of the Open Meetings Act. In general a public hearing proceeds in the following manner:

- Call to Order, the presiding officer calls the meeting to order.
  - The presiding officer will open the public hearing and announce subject of hearing.
  - Review of subject from Staff.
  - Comments and explanations from applicant.
  - Open public hearing to the floor:
    - . All comments are addressed to the Chair.
    - . Every person will be given an opportunity to be heard.
    - . Remarks must be limited to the merits of the subject immediately under discussion.
    - . A time limit of five (5) minutes per speaker may be imposed.
  - Public Hearing closed.
- Board Deliberations
  - All board discussions should be held before the entire assembly.
  - Board members shall not enter into debate with members of the audience, but shall always address comments or questions to the applicant/public through the Chair.
  - Remarks must be limited to the merits of the subject immediately under discussion.
  - Board motion and vote.

### **Building Permits**

Building Code for the City of Boyne City is administered and enforced by the Charlevoix County Department of Public Safety, (231) 547-7236, <https://www.charlevoixcounty.org>. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.(MRC R105.1). If a zoning permit is required, the zoning permit must be obtained prior to submitting an application for building permit.

## Application Processes and Time Lines

|  | 0-14 Days                                       | 14-30 Days  | 30-60 Days  | 60-90 Days   | 120-150 Days                     | 150-180 Days  |
|--|---|---|---|--|----------------------------------|---|
| <b>Development Plan<br/>Sketch Plan Review</b> | Preapplication Meeting with Planning Director   | Plans submitted and distributed to Departments for review.  | Department reviews submitted to Planning Director. Application approved, denied or referred to Planning Commission.         | Planning Commission reviews and votes on plan if referred  |                                  |   |
| <b>Development Plan<br/>Full Plan Review</b>   | Preapplication Meeting with Planning Commission | Plans submitted and distributed to Departments for review.  | Department reviews submitted to Planning Director and application placed on Planning Commission Agenda                      | Planning Commission reviews and votes on plan.   |                                  |   |
| <b>Development Plan<br/>DDA District</b>       | Preapplication Meeting with Planning Commission | Plans submitted and distributed to Departments and referred to Main Street Design Committee for review. | Department and Design Committee reviews submitted to Planning Director and application placed on Planning Commission Agenda | Planning Commission reviews and votes on plan.   |                                  |   |
| <b>Development Plan<br/>Industrial Park</b>    | Preapplication Meeting with Planning Commission | Plans submitted and distributed to Departments and referred to EDC\LDFA for review.                     | Department and EDC\LDFA reviews submitted to Planning Director and application placed on Planning Commission Agenda         | Planning Commission reviews and votes on plan.   |                                  |   |
| <b>Conditional Use</b>                         | Preapplication Meeting with Planning Commission | Plans submitted and distributed to Departments for review.  | Public Hearing Scheduled and 300' public notice mailed.   | Planning Commission reviews and votes on conditional use. (Review of Development Plan can be done concurrently.) |                                  |   |
| <b>Rezoning</b>                                | Preapplication Meeting with Planning Director   | Application submitted and distributed to Departments for review.  | Public Hearing Scheduled. Hearing published and 300' notice mailed 15 days prior to hearing.                                | Planning Commission reviews and makes recommendation to City Commission  | First reading by City Commission | Second Reading by City Commission. Rezoning effective 15 days after publication if approved |

**Contact Information**

City of Boyne City Department Heads

**Michael Cain** .....582-0377  
 CITY MANAGER  
 mcain@boynecity.com

**Jeff Gaithers**.....582-0353  
 POLICE CHIEF  
 jgaithers@boynecity.com

**Cindy Grice** .....582-0334  
 CITY CLERK/TREASURER  
 cgrice@boynecity.com

**Dan Meads**.....582-6656  
 WATER/WASTEWATER SUPERINTENDENT  
 dmeads@twin-valley.net

**Andy Kovolski** .....582-0375  
 DIRECTOR OF MAINTENANCE AND SAFETY  
 maintenance@boynecity.com

**Scott McPherson**.....582-0343  
 PLANNER/ZONING ADMINISTRATOR  
 smcpherson@boynecity.com

**Dennis Amesbury**.....582-6597  
 FIRE CHIEF  
 boynefire@boynecity.com

**Lori Meeder**.....582-9009  
 Main Street Manager  
 mainstreet@boynecity.com

Regular office hours are Monday - Friday from 8 a.m. to 5 p.m.

| COUNTY OFFICES           | PHONE    |
|--------------------------|----------|
| Building Inspector       | 547-7236 |
| County Clerk             | 547-7200 |
| Equalization             | 547-7230 |
| Health Dept.             | 547-6523 |
| Planning                 | 547-7234 |
| Register of Deeds        | 547-7204 |
| Sheriff's Dept.          | 547-1911 |
| Treasurer                | 547-7202 |
| Humane Society           | 582-6774 |
| Road Commission          | 582-7330 |
| Soil Conservation (SECD) | 582-6193 |
| Transit                  | 582-6900 |

| MISCELLANEOUS                    | PHONE        |
|----------------------------------|--------------|
| Northern Lakes Economic Alliance | 582-6482     |
| MSU Cooperative Ext. (4-H)       | 582-6232     |
| Airport                          | 582-9920     |
| Boyne City Housing               | 582-6203     |
| Char-Em Housing Coalition        | 547-5166     |
| Boyne Gazette                    | 582-2799     |
| Petoskey News Review             | 347-2544     |
| DNR station (Gaylord)            | 989-732-3541 |
| Waste Management                 | 800-796-9696 |
| Boyne City Post Office           | 582-9941     |
| Great Lakes Energy               | 582-6521     |
| Consumers Energy                 | 800-477-5050 |
| DTE                              | 347-8902     |

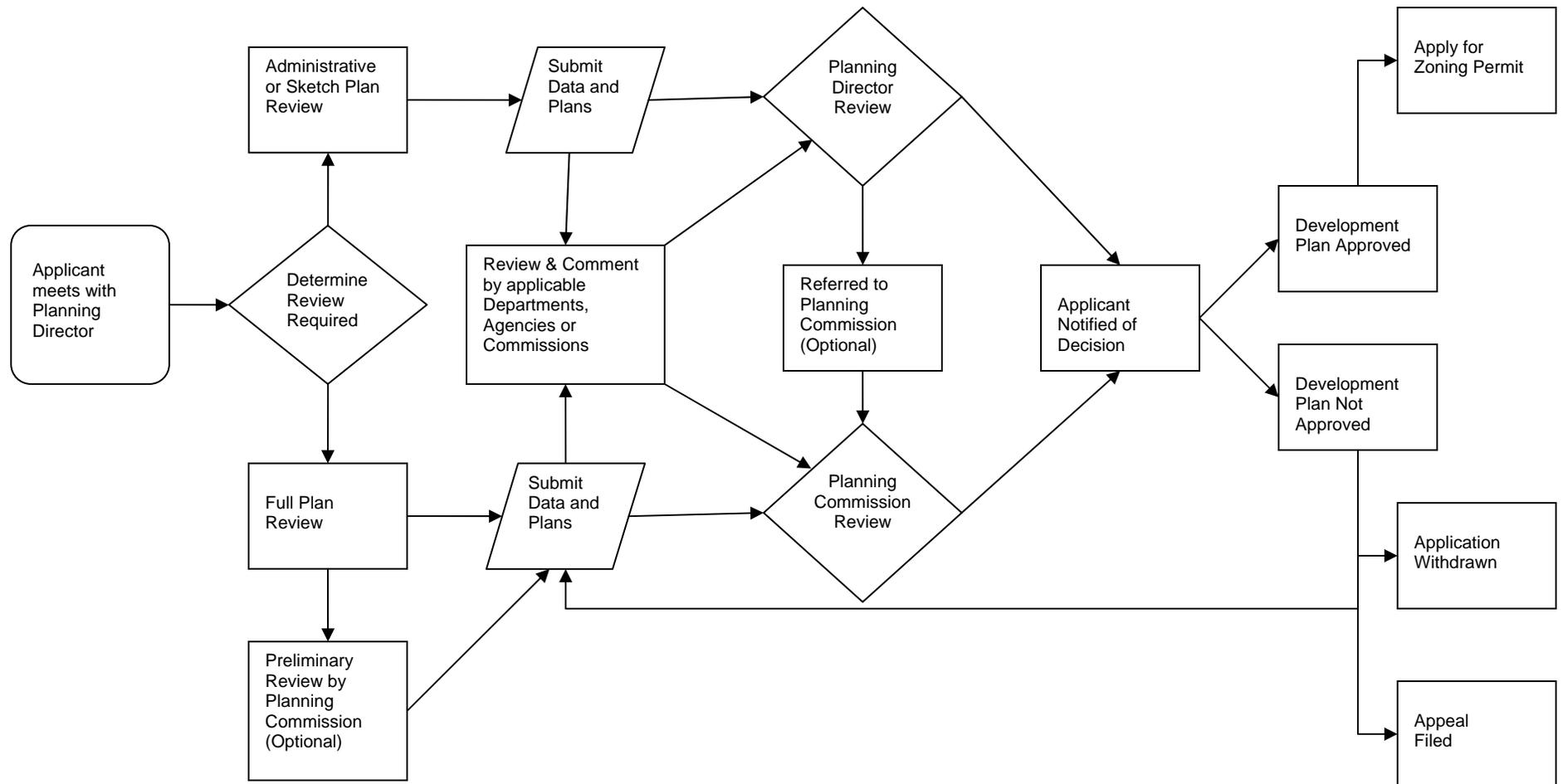
# Applications and Fees

All current applications and fees are also available on the City website at [www.cityofboyncity.com](http://www.cityofboyncity.com).

| <b>ADMINISTRATIVE FEES</b>   |  |                                 |               |                   |
|--|--|---------------------------------|---------------|-------------------|
| <b>1 May 2013- 30 April 2014</b>   |  |                                 |               |                   |
|  | <u>2013 FYE</u>  | <u>2014 FYE</u>                 | <u>Change</u> | <u>% Increase</u> |
| <b>ZONING PERMITS</b>  |  |                                 |               |                   |
| Residential- New Dwelling (Single & Two Family)  | \$100.00   | \$100.00                        | \$0.00        | 0.0%              |
| Residential- Addition  | \$50.00  | \$50.00                         | \$0.00        | 0.0%              |
| Residential- New Accessory Building  | \$50.00  | \$50.00                         | \$0.00        | 0.0%              |
| Residential- Additions & Structures less than 100 Square Feet  | N/C  | N/C                             |               |                   |
| Residential- New Mutli Family  | \$150.00   | \$150.00                        | \$0.00        | 0.0%              |
| Commercial- New Construction   | \$150.00   | \$150.00                        | \$0.00        | 0.0%              |
| Commercial- Addition   | \$100.00   | \$100.00                        | \$0.00        | 0.0%              |
| <i>Permit fees are tripled if the structure is not built as shown on the zoning permit/site plan or if the structure is not placed on the parcel as represented on the approved site plan</i>  |  |                                 |               |                   |
| <b>SIGN PERMITS</b>  |  |                                 |               |                   |
| Temporary Signs (profit organizations)   | \$35.00  | \$35.00                         | \$0.00        | 0.0%              |
| <b>PUBLIC HEARINGS</b>   |  |                                 |               |                   |
| IFEC's   | \$400.00   | \$400.00                        | \$0.00        | 0.0%              |
| Parcel Reconfiguration/Split   | \$250.00   | \$100.00                        | -\$150.00     | -60.0%            |
| Ordinance/Rezoning Amendments  | \$600.00   | \$600.00                        | \$0.00        | 0.0%              |
| <b>Development Plan Review</b>   |  |                                 |               |                   |
| Full Plan Review   | \$500.00   | \$500.00                        | \$0.00        | 0.0%              |
| Sketch Plan Review   | \$200.00   | \$200.00                        | \$0.00        | 0.0%              |
| Administration Review  | \$100.00   | \$100.00                        | \$0.00        | 0.0%              |
| Planning Commission Conditional Use  | \$450.00   | \$450.00                        | \$0.00        | 0.0%              |
| Planning Commission Review of Lit Signs  | \$75.00  | \$75.00                         | \$0.00        | 0.0%              |
| Street or Alley Vacation (plus requestor pays court costs)   | \$500.00   | \$500.00                        | \$0.00        | 0.0%              |
| Zoning Board of Appeals Public Hearing   | \$250.00   | \$250.00                        | \$0.00        | 0.0%              |
| Tentative Preliminary Plat Approval*   | \$500 plus<br>\$5.00 per lot   | \$500 Plus<br>\$5.00 per lot    | \$0.00        | 0.0%              |
| Final Preliminary Plat Approval*   | \$250 plus<br>\$3.00 per lot   | \$250 plus<br>\$3.00 per lot    | \$0.00        | 0.0%              |
| Final Plat Approval*   | \$30 per lot<br>(\$100 minimum)  | \$30 per lot<br>(\$100 minimum) | \$0.00        | 0.0%              |
| *Revision Fee - for each additional written technical review and recommendation provided by the staff or its consultant(s), due to a revision in the plat, there shall be an additional charge of fifty percent (50%) of the original fee, unless the City determines that the revision is of such significance that it warrants a second, full review, in which case the full fee shall be charged. |  |                                 |               |                   |
| <b>GENERAL</b>   |  |                                 |               |                   |
| Commercial Contractor Use Permit   | \$500.00   | \$500.00                        | \$0.00        | 0.0%              |
| City Right-Of-Way Annual Use Permit  | \$10.00  | \$10.00                         | \$0.00        | 0.0%              |
| Home Occupation Permit   | \$35.00  | \$35.00                         | \$0.00        | 0.0%              |
| Historic District Application Fee  | \$35.00  | \$35.00                         | \$0.00        | 0.0%              |
| House Burn   | \$600.00   | \$600.00                        | \$0.00        | 0.0%              |
| Insufficient Fund Check  | \$30.00  | \$30.00                         | \$0.00        | 0.0%              |
| Solemnize a Marriage   | \$25.00  | \$25.00                         | \$0.00        | 0.0%              |
| "FOIA" Research  | Pursuant to Statute: hourly wage of the lowest paid employee capable of retrieving the necessary information |                                 |               |                   |



# Development Plan Review Process



# Permit Process

