



# Zoning & Planning Services Development Guide

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### Zoning

The Village of Marcellus has a variety of zoning districts, and each zone has different requirements for lot area, lot width, and building setbacks. The zoning map can be found [here](#) where you can determine what the property is zoned. Once the zoning district has been determined, the zoning requirements may be reviewed in the zoning ordinance [here](#).

The zoning administrator reviews all permit applications such as new dwellings, additions, accessory buildings, fences, and signs. The zoning administrator processes applications for variances, appeals, land divisions and is liaison to the **Zoning Board of Appeals, Marcellus Village Council**. The Village [Zoning Administrator](#) facilitates site-plan reviews for any commercial, office or multifamily development and acts as the staff liaison to the [Planning Commission](#).

### Step 1 – Conceptual Site Plan Review

For all project types, the Village offers conceptual site plan review opportunities prior to the permit submission or pre-application conference. This conceptual site plan review aims to help identify potential issues as early in the process as possible and avoid unnecessary delays during the formal review process. This review also helps to identify what permits or requirements might apply to your project. At any point prior to the submission of an application, you can request a meeting with our [Zoning Administrator](#) to discuss your project. There is no cost for this service. While a final plan is not necessary for a conceptual site plan review, it is recommended to have the following information. This will allow the Zoning Administrator to provide more meaningful feedback and guidance.

- Project location
- Existing land use and zoning
- Intended development (residential, office, retail, commercial, etc.)
- Preliminary sketches (hand-drawn are acceptable)
- Surrounding land uses
- Any other additional project information available



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### Step 2 – Site Plan Review

This generally begins with a pre-application conference with the Zoning Administrator, Village Staff and consultants. This meeting allows the Village to learn more about the project, provide feedback about the proposed site plan, and identify any issues that need to be resolved prior to public hearings or final approval. Once the plan has been revised based on this feedback, the site plan will be introduced to the Planning Commission for their review and feedback. From here, public hearings will be scheduled with the Planning Commission and Village Council for final approval. Once the site plan is approved through the appropriate process, a building permit may be applied for to begin construction.

All development projects in the Village require some form of site plan review. Simple residential projects, such as a single-family home or a duplex, or a building addition, may only require a basic site plan review from the zoning administrator for approval. Larger commercial/multifamily housing projects or Planned Unit Developments may require site plan review and approval from the Planning Commission and Village Council. These include all commercial uses, residential uses with more than two dwelling units, Planned Unit Developments and development involving a special land use. [Section 20.01 of the Village's zoning ordinance](#) lists all the requirements for this process. The application may be found [here](#).

### Step 3 – Other Zoning Processes

Some projects may require additional approvals and review before moving to the site plan approval or building permit phase. If required, any additional approvals need to be granted before a site plan can be approved. The following subsections describe when these might be necessary and the approval process for each.

#### Zoning Variances

If a project you are planning does not meet zoning requirements, you may apply for a variance, or exception from the rules. Historically, variances have been granted only when there are unique circumstances or practical difficulties regarding the property or structure, and when the granting a variance would not be a detriment to neighboring properties. Variances are not granted solely as a means to avoid compliance with the Village's regulations. A public hearing before the Zoning Board of Appeals (ZBA) is required for all variances.

The time period from variance application to public hearing is usually six to eight weeks. The following is a general guide for what to expect when seeking a variance.



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- A [zoning variance application](#) must be submitted along with the non-refundable application fee, a site plan showing all required information, and a brief narrative explaining the request and how it meets the required variance approval criteria.
- The Zoning Administrator will review the application and schedule a date for a public hearing for the request.
- At least 15 days prior to the public hearing, the Zoning Administrator will advertise the public hearing in the press and send notices to all residents within 300' of the request.
- At the public hearing, the ZBA (Village Council acts as the ZBA) will hear the request. The applicants will be required to attend to speak on their request. Public comment will also be held to get the views of interested residents.
- After hearing the request, the ZBA will vote to either approve the request, approve the request with conditions, deny the request, or reschedule for further information or consideration.
- Approved variances are valid for one year. Variances not acted upon after that time automatically become null and void.

We suggest that you contact the [zoning administrator](#) to better understand the zoning variance process, determine the best course of action, and to confirm the deadlines for application.

### Special Land Uses

Special land uses are generally consistent with the purpose of the zoning district in which they are permitted but, due to unique operational characteristics, may not be desirable or compatible in all locations. Therefore, special land uses require Village Planning Commission approval to ensure the use does not create detrimental impact on its surroundings. These uses are also subject to additional standards and requirements to mitigate their potential negative impacts.

To receive a Special Use Permit, applicants should first review the Schedule of Uses for Residential and Commercial zones in the [Zoning Ordinance](#) to determine if the use is allowable. Special land uses also require a site plan per Article 9.

### Rezoning

Rezoning requests are an option to change which zoning district a property is located in. Before considering this action, please be aware that rezoning requests are generally reserved for situations where the existing zoning is no longer compatible with current



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development in the area, or for an area that is recommended for rezoning or change in land use in the current [Village Master Plan](#). If you have questions on if your request meets this standard, we recommend speaking to our zoning administrator at 269-729-9244 to determine if this process is right for you.

For all rezoning requests, a [Zoning Amendment/Rezoning Application](#) is required, along with information about your request, including any maps, drawings, and other documentation that help explain the reasoning for the request. All rezoning requests are first heard by the Planning Commission, who will ultimately provide a recommendation to the Village Council for approval or denial. Public hearings before both the Planning Commission and Village Council are required as part of this process. The standards listed in Article 9 of the [zoning ordinance](#) define the standards that are used to evaluate rezoning requests.

### Step 4 – Building Permit

Most new construction in the Village requires the submission of a building permit. The Village has contracted with SAFEbuilt for all building and trade permits. Their contact email is [Contact SAFEbuilt \(Building Permit\)](#) Once all zoning approvals have been provided by the Village, MTS is notified that building and trade permits may issue at their discretion. Not all projects in the Village require zoning approval prior to issuance of building or trade permit, such as interior remodeling.

There are some projects that may not require a building permit. However, these projects may still have zoning restrictions for setbacks and lot coverage that need to be followed. These include the following:

- Single-story accessory buildings under 200 sq ft in area
- Fences under seven feet tall.
- Retaining walls under 4' height
- Prefabricated swimming pools that are less than 24" deep.

### Land Divisions and Other Zoning and Planning Services

Land divisions, including lot line adjustments, require Zoning Administrator approval. Each resulting parcel and the buildings on it must meet the requirements of the zoning district where it is located. The ordinance sets standards requiring the results to be compatible and harmonious with the surrounding area. View or download the [Land Division Application](#).

The Cass County Treasurer's office now requires a tax payment certification before a local municipality can approve a land division or property line adjustment. This approved certification must be submitted with your land division application.



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### Other Zoning and Planning Services

The Zoning Administrator also administers the following:

- [Zoning Permit Application - Fence](#)
- [Sign Permits](#)
- [Accessory Buildings](#)

For more information, or questions about these functions, contact the [Zoning Administrator](#) at 269-729-9244.

### Helpful Links for Property Developers

SAFEbuilt, Inc. 107 S. CAPITAL AVE., P.O. BOX 190, ATHENS, MI 49011  
athensmi@safebuilt.com WEBSITE: [www.cornerstonemi.net](http://www.cornerstonemi.net)

- [Public Participation Plan](#)
- [Site Plan Review](#)
  - [Application](#)
  - [Requirements](#)
- Special Land Use
  - [Application](#)
  - [Requirements \(Article 9 of Zoning Ordinance\)](#)
- [Zoning Department](#)
- [Zoning Amendment/Rezoning Application](#)
- [Fee Schedule](#)
- [Meeting Dates](#)
- [Open Meetings Act](#)

[Zoning - SAFEbuilt](#)



# Development Review Process Flowchart

## Site Plan Review Timeline (Permitted By-Right)

Step	Description	Timing
<b>Conceptual Review Meeting</b>	Meet with <a href="#">Zoning Administrator</a> prior to rezoning request. See ' <a href="#">Conceptual Site Plan Review</a> ' section for additional details.	Prior to application submittal.
<b>Submit Application</b>	Applicants shall turn in the completed Site Plan Review application to the <a href="#">Zoning Administrator</a> . The information required for Site Plan Review is listed on the application form. The applicable filing fee is required at submittal.	Three weeks prior to next scheduled Planning Commission meeting.
<b>Review</b>	The <a href="#">Zoning Administrator</a> will perform a technical review. Materials are forwarded to a joint review committee to determine the applicant's compliance with the <a href="#">Zoning Ordinance</a> and inform the applicant about which next steps are necessary for approval (if applicable).	Upon receipt of the application.
<b>Approval</b>	Once the <a href="#">Zoning Administrator</a> and/or the Planning Commission have evaluated a Site Plan, they will either determine that it conforms or does not conform with the standards of the zoning ordinance. They can choose to approve the permit, approve it with certain conditions, or deny it altogether. However, any conditions placed on an approval must be met before the final permit is granted and building permits can be applied for.	Within one week of Planning Commission decision.
<b>Permit</b>	If the site plan is found to satisfy the requirements of this zoning ordinance a zoning permit will be issued. The zoning permit is valid for 1 year after the date of issuance.	Within one week of final approval.





# Development Review Process Flowchart

## Site Plan Review Timeline (Special Land Use)

Step	Description	Timing
<b>Conceptual Review Meeting</b>	See <a href="#">‘Conceptual Site Plan Review Meeting’</a> section.	Prior to application submittal.
<b>Submit Application</b>	Applicants shall turn in the completed Site Plan Review application to the <a href="#">Zoning Administrator</a> . The information required for Site Plan Review is listed on the application form. The applicable filing fee is required at submittal.	Within three weeks of next scheduled Planning Commission meeting for public hearing to be added to the agenda.
<b>Review</b>	The <a href="#">Zoning Administrator</a> will perform a technical review to determine the applicant’s compliance with the <a href="#">Zoning Ordinance</a> and inform the applicant about which next steps are necessary for approval (if applicable).	Upon receipt of the application.
<b>Public Hearing</b>	Notice shall be given no less than 15 days before the date of the public hearing. All applications for development approval requiring a public hearing shall comply with the <a href="#">Michigan Zoning Enabling Act, PA 110 of 2006</a> and the Village’s <a href="#">Zoning Ordinance</a> with regard to public notification.	Notice to be published in the local newspaper to comply with 15-day notice requirement.
<b>Approval</b>	The Planning Commission will make a recommendation to the Village Council on a Special Use Permit after receiving a staff report and holding a public hearing. They can choose to recommend approval, approval with certain conditions, or deny it altogether. If the Planning Commission requires more information from the applicant to make an informed decision, it can postpone the decision. However, any conditions placed on an approval must be met before the final permit is granted by the Village Council and building permits can be applied for.	After the scheduled Planning Commission meeting.
<b>Permit</b>	If the site plan is found to satisfy the requirements of this zoning ordinance a zoning permit will be issued. The zoning permit is valid for 1 year after the date of issuance.	Within 1 week of Planning Commission decision.





# Development Review Process Flowchart

## Rezoning/Text Amendment Timeline

Step	Description	Timing
<b>Conceptual Review Meeting</b>	Meet with <a href="#">Zoning Administrator</a> to discuss rezoning. See ' <a href="#">Conceptual Site Plan Review Meeting</a> ' section of the Village's <a href="#">Zoning Ordinance</a> .	Prior to application submittal.
<b>Submit Application</b>	Applicants shall turn in the completed Site Plan Review application to the <a href="#">Zoning Administrator</a> . The applicable filing fee is required at submittal.	Within three weeks of next scheduled Planning Commission meeting for public hearing to be added to the agenda.
<b>Review</b>	The <a href="#">Zoning Administrator</a> will perform a technical review. Applicant is informed about which next steps are necessary for approval (if applicable).	Upon receipt of the application.
<b>Public Hearing</b>	Notice shall be given no less than 15 days before the date of the public hearing. All applications for development approval requiring a public hearing shall comply with the <a href="#">Michigan Zoning Enabling Act, PA 110 of 2006</a> and the <a href="#">Village's Zoning Ordinance</a> with regard to public notification.	Notice to be published in the local newspaper to comply with 15-day notice requirement.
<b>Recommendation</b>	The Planning Commission will make a recommendation to the Village Council on the rezoning/text amendment after receiving a Zoning Administration report and holding a public hearing.	After the scheduled Planning Commission Public Hearing.
<b>Approval</b>	The Village Council can choose to approve the permit or deny it altogether. If they feel they need more information from the applicant to decide, they can postpone the decision. However, any conditions placed on an approval must be met before the final rezoning is granted.	After the scheduled Village Council meeting or scheduled Village Council 2 <sup>nd</sup> public hearing (see page 46 of the <a href="#">Village's Zoning Ordinance</a> )
<b>Public Notice</b>	If the rezoning/text amendment is approved a public notice of rezoning will be published.	



# Development Review Process Flowchart

## Variance or Zoning Board of Appeals Request or Appeal Timeline

Step	Description	Timing
<b>Submit Application</b>	File a <a href="#">Variance Application</a> or a <a href="#">Zoning Board of Appeal Application</a> with the Village of Marcellus and pay the required fee.	Within 30 days of an issued denial.
<b>Public Hearing</b>	Notice shall be given no less than 15 days before the date of the public hearing. All applications for development approval requiring a public hearing shall comply with the <a href="#">Michigan Zoning Enabling Act, PA 110 of 2006</a> and the <a href="#">Village's Zoning Ordinance</a> with regard to public notification.	Notice to be published in the local newspaper to comply with 15-day notice requirement.
<b>Approval</b>	The Zoning Board of Appeals can either approve the variance and add special conditions or deny the applicant's request. If anyone is dissatisfied with the ZBA's decision, they can appeal to the Cass County Circuit Court under PA 110 of 2006	Upon conclusion of ZBA deliberation.
<b>Permit</b>	If the site plan is found to satisfy the requirements of the Village's <a href="#">Zoning Ordinance</a> , a zoning permit will be issued. The zoning permit is valid for 1 year after the date of issuance.	As of the date of notice to the applicant (typically within 1 week of ZBA meeting).