

**village of
Benzonia**

Development Guide

OCTOBER 2023

Last Amended _____



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Guide to Development

Overview & Purpose

The Village of Benzonia presents this Guide to Development to assist residents, developers, and businesses in understanding the Village's goals, and time lines to have a clear view of the community's expectations regarding physical growth and development. This guide is to be used as a tool for the planning of activity and structural growth within the village. It is an outline of the review process and expectations when planning new construction or operation. It provides a general overview of the development approval processes. Contact information, website links, and related documents will be indicated throughout the document for further information. The Village of Benzonia is here to help you and is looking forward to your development.

This document is not intended for the use of Village Ordinances and Codes nor is it a replacement for city, county, state, or federal laws and ordinances. Consultation with staff and/or outside professionals is recommended for most projects. The document does not include additional jurisdiction guidelines needed per certain areas. Developers and businesses should contact the appropriate staff with additional questions.

“We will provide guidance as best as possible for new developments and also encourage responsible redevelopments. We will encourage projects that will help to revitalize our historic “top-of-the-hill” and enhance our commercial areas while keeping our small town charm. We want to strengthen our neighborhoods, provide for a healthy environment and protect our natural resources.” - excerpt from the Master Plan Vision Statement

Key Contact Information

VILLAGE OF BENZONIA:

PO Box 223
1276 Michigan Ave.
Benzonia, MI 49616
Phone: 231-882-9981
Email: benzonia9981@att.net

Office Hours:
Thursday, 10 am - 3 pm
Saturday, 9 am - 12 pm
or call for an appointment.

Clerk: Maridee Cutler

villageofbenzonia.clerk@gmail.com

Treasurer: Toni Flynn

benzonia9981@att.net

Superintendent: Chris Pritchard (Hours of Operation: 6:00 am - 2:30 pm)

Ph. 231-871-0204

Zoning Administrator: Sara Kirk (By Appointment)

zoning.villageofbenzonia@gmail.com

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OTHER KEY CONTACTS:

Benzonia Township: The Village is located in Benzonia Township. Property Assessing and Land Division is processed through the Township.

Benzonia Township Hall
P.O. Box 224
1020 Michigan Avenue (US-31)
Benzonia, MI 49616
Ph. 231-882-4411

Township Assessor: Jill Brown

ph. (231) 881-4000
townshipassessing@gmail.com

Benzie County:

Building Department Code & Safety

448 Court Place
Beulah, MI 49617
Phone: 231-882-9673

Equalization Department

Phone: 231-882-0013

Benzie-Leelanau Health Department

Phone: 231- 882-4409

Benzie County Road Commission

11318 Main Street, PO Box 68, Honor MI 49640
Phone: 231-325-3051
Fax 231-325-2767
Email: bccrclerk@Benzieroad.net

Benzie Conservation District

280 S. Benzie Blvd, Beulah, MI 49617
PO Box 408, Beulah, MI 49617
Phone: 231-882-4391
Email: info@benziecd.org

State of Michigan:

EGLE (Department of Environment, Great Lakes, and Energy)

Phone: 800-662-9278

Email: EGLE-Assist@Michigan.gov

LARA (Licensing and Regulatory Affairs)

Ottawa Building

611 W. Ottawa

P.O. Box 30004

Lansing, MI 48909

Refer to Website to direct inquiries to appropriate agencies (Professional Licenses, Child Care, Liquor Licenses, etc.)

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Partner Organizations

Community Organizations:

Benzie County Chamber of Commerce

826 Michigan Ave.
Benzonia, MI 49616
(231) 882-5801 Fax: 231-882-9249

MSU Extension - Benzie Office

Government Center
448 Court Place
Beulah, MI 49617
Phone: 231-882-0025
Email: msue.benzie@county.msu.edu

Grow Benzie

5885 Frankfort Highway, Benzonia, MI 49616
Phone: 231-882-9510
Email: info@growbenzie.org

Other Neighboring Communities:

Village of Beulah

Beulah Village Hall
7228 Commercial Street
Beulah, MI 49617
Phone: 231-882-4451
Email: clerk@villageofbeulah.net

Utility Providers

Consumers Energy (electric)

Phone: 800-805-0490 (Business)
800-477-5050 (Residential)

DTE (natural gas)

Phone: 855.383.4249 (Business)
800.477.4747 (Residential)

Village Structure

Development Review Bodies

Village Council: The Village Council is the legislative and policy-making body for the Village government. The Village President and other Council roles are elected positions. The Village Council also serves as the Zoning Board of Appeals for the Village.

Planning Commission: The Planning Commission is largely responsible for the Village master plan, zoning ordinance and reviewing special land use development projects. Members are appointed by the Village president to 3 year terms. The Planning Commission also has administrative role. This means that they are permitted or required by statute or ordinance to conduct formal reviews and issue administrative decisions. These decisions are then sent to the Village Council as official recommendations.

Committees: Advisory Committees may be occasionally formed and are made up of Village residents, business owners and/or other Community leaders to help guide the planning commission on various projects and help implement identified tasks from the master plan. The Village is actively seeking volunteers for this role. Typically, advisory committees would have a work agenda in place for a calendar year during which it undertakes a few projects of their choosing - as influenced by tasks identified in the master plan. The Advisory Committee(s) make recommendation or report to the Planning Commission.

The Village Council is responsible for making the final decisions on most issues or topics, but it will look to these groups for advice, background information, and analysis. As the elected body, the Village Council has discretion to accept advice in full, in part, or not at all.

Meeting Schedules

Village Council: The first Monday of the Month (the next Monday if it falls on a holiday) at 6pm.

Planning Commission: The third Thursday of the Month at 6:30pm. (or as posted)

All meeting are held at the Village Office at 1276 Michigan Avenue.

When a large public meeting is expected the Village typically will hold the meeting at the Benzonia Township Hall or the Benzonia Public Library. The public meeting announcement are to be noted accordingly.

Special Meetings

Special meetings are scheduled as required. To request a meeting of the ZBA or Planning Commission, a completed application and fee are required. Requested meetings must comply with local and state laws regarding public notices. Special meetings are posted as required in the paper, on the Village website or at the Village Office.

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Development Resources

Zoning Ordinance and Map

The Village of Benzonia Zoning Ordinance regulates the development and usage of properties and buildings within Village limits. Regulations may apply to the entire village or to specific, designated zoning districts, which may be found on the zoning map. To view the full zoning ordinance, please see the **Zoning Ordinance** on the Village's website. Please consult the Village's Zoning Administrator with any questions.

Master Plan

The Village's Master Plan summarizes the community vision for the Village of Benzonia's future and guides local policy regarding development and redevelopment. In addition to compiling demographics and characteristics, as well as identifying opportunities and goals for the community, the Master Plan provides a Future Land Use map, that serves as the basis for rezoning properties to align development with the community's interests. The **2020 Master Plan** is available on the Village's website and is updated once every five years.

Capital Improvement Plan

The Village's Capital Improvement Plan is under development and once approved will also be made available on the Village website (continue to check the website for updates).

Fee Schedule

The **Fee Schedule**, available on the Village's website, provides the fees and other costs associated with applications and other development processes. The fee schedule is generally updated in December of each year by the Village Council and runs through the next calendar year.

Application and Forms

The Village provides **development applications and forms** online and at the Village Offices. For information or clarification on any of the following applications, please contact the Zoning Administrator. The current list of available zoning forms:

- Land Use (LU) Permit Application (New Construction, Accessory Structures (garages, pools, decks), Signs, Fences, etc)
- Special Land Use (SLU) Permit Application
- Planned Unit Development (PUD) Permit Application
- Appeals Application (for zoning appeals and variance requests)
- Zoning Amendment Application (for requested changes to the zoning text or rezoning)
- Short Term Rental Permit Application
- Tree Removal Permit
- Tree removal in the Right-of-Way Request
- Mobile Food Vendor Application
- Ordinance Complaint Form (for zoning related complaints)

Other Permits

Developers are able to seek other building permits once they have obtained the necessary land use (zoning) permits from the Village.

Benzie County Building Department Code & Safety

The Building Department is responsible for administration and enforcement of the state code or codes, in Benzie County and Springdale Township in Manistee County, with regards to inspections pertaining to new construction, existing buildings, accessory structures, remodels, electrical, mechanical, plumbing, demolition and maintenance of existing buildings.

Physical Location and Address:
Lower Level of Government Center
Building & Soil Erosion Department
448 Court Place
Beulah, MI 49617

Phone: 231-882-9673
24 Hour inspection request line.: 231-882-9674

Services Offered:

- Issuance of Construction and Demolition, Electrical, Mechanical, and Plumbing permits
- Plan reviews
- Inspections of construction projects (all trades) for compliance with State Codes
- State Code enforcement
- Soil Erosion management

Benzie Leelanau Health Department

The Health Department provides environmental services programs including septic permits and testing, well permits and food related (various serving and inspections) permits/licenses.

Physical Location and Address:
Benzie Office
6051 Frankfort Hwy, Ste 100
Benzonia, MI 49616

Phone: (231) 882-4409
Fax: (231) 882-2204
Environmental Health: (231) 882-2103
BLDHD@BLDHD.org

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Path To Development

The Village Master Plan promotes creative and cohesive architectural design to enhance the visual environment of the Village. Maintaining quality design will have positive impacts on the site being developed and surrounding properties and help to maintain the Village’s character and sense of place. Quality architecture and harmonious aesthetics among sites will help to improve and retain property values, encourage investment for businesses, and maintain a positive image for the Village’s various commercial districts.

It is important to note that the Village includes an overlay district for all parcels that front US-31. The US-31 Corridor Overlay is part of the zoning ordinance and provides special provisions that are unique to the district along US-31, this includes the area of historic structures at the “Top-of-the Hill”.

Pre Application Meeting

Prior to submitting a Zoning Permit Application, Zoning Board of Appeals Application, or any other permit, prospective applicants are encouraged to meet with the Zoning Administrator for a conceptual review of the project. Meetings may be in person, virtual or via phone.

The Zoning Administrator, alone or in conjunction with the Planning Commission Chair, full Planning Commission, and/or Village President, shall have the authority to conduct a pre-application meeting with the applicant/developer to assist them in understanding the site plan review process and other Ordinance requirements and to provide insight as to what portions of their proposed development may be of special concern to the Planning Commission.

These meetings are free of charge and provide an opportunity for an informal consultation of the project with Village staff to identify any barriers and opportunities prior to applicants investing substantial time and resources into a formal site plan draft and review. To schedule a conceptual review meeting, please contact the Zoning Administrator at the Village.

PLOT PLAN VS SITE PLAN

Plot plan

- for uses deemed to be generally in character with the surrounding area and generate less impact to neighboring properties
- reviewed and approved administratively
- require less information to be submitted prior to approval.

Site plan

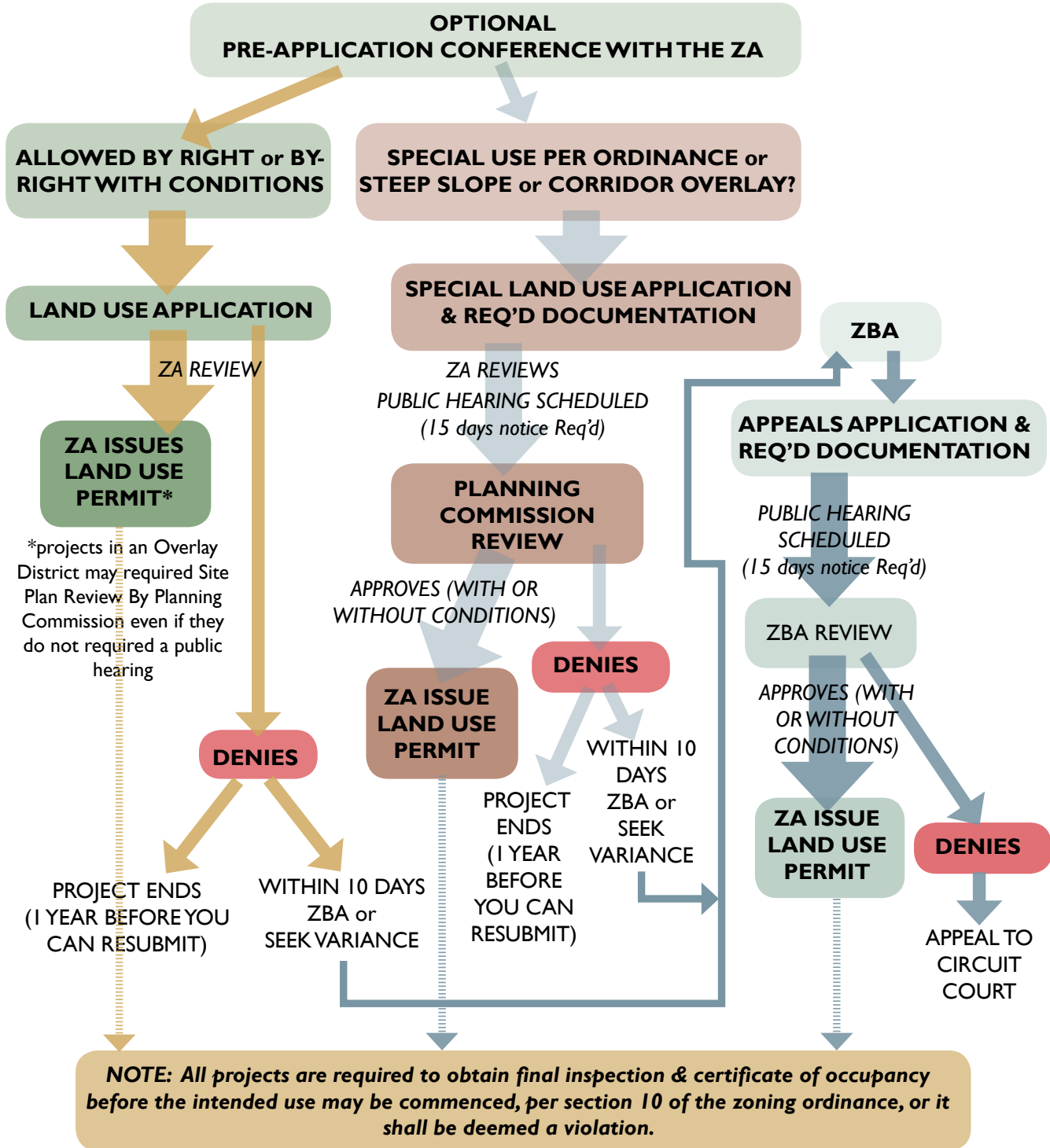
- for uses which have the potential to generate greater off-site impacts to neighboring properties
- require a more detailed plan set than a plot plan
- generally approved by the Planning Commission to solicit public input prior to approval.

Zoning Permits

Developers are required to obtain the proper permits from the Village prior to any construction. Zoning Permit Applications may be obtained at the Village offices or Online. Once a completed application and related fees are received by the Village, the Zoning Administrator will facilitate site plan review.

VILLAGE ZONING PERMIT GUIDE

1. DETERMINE YOUR ZONING DISTRICT
2. WHAT ARE YOU BUILDING? (IS IT ALLOWED BY RIGHT IN YOUR ZONE?)



Guide to Development

The Zoning Administrator may review and approve plot plans or some amendments to site plans without submission to the Planning Commission. After a plot plan has been submitted, the applicable fees have been paid, and the plan is approved by the Zoning Administrator, they will issue a zoning permit

Development Classification

- Permitted (By-Right) Land Use: The proposed project is explicitly permitted by the Zoning Ordinance; approval from Zoning Administrator/Planning Commission.
- Special Land Use: The proposed project is conditionally permitted by the Zoning Ordinance; approval from Planning Commission.
- Variance Request: The proposed project partially aligns with the Zoning Ordinance, but conflicts with certain specifications; approval from ZBA.
- Rezoning/Text Amendment: The Zoning Ordinance does not allow the proposed project; requires Village Council amendment.

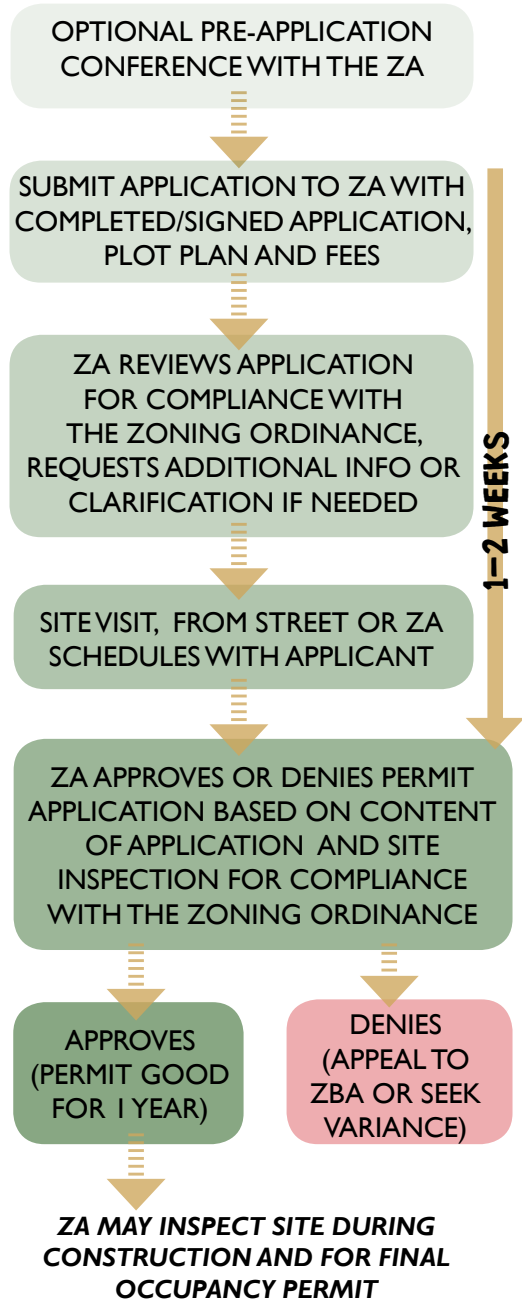
Permitted (By-Right) Development

Permitted (by-right) development projects within the Village of Benzonia are generally subject to plot plan review and may be approved administratively by the Zoning Administrator, Article VI (Site Plan Review) outlines the Site Plan Review Process

To obtain a zoning permit for a by-right project, an applicant must submit a land use application (available from the Village offices or Online). The application must be accompanied by the proper fee and the plot plan. The Zoning Administrator may review and approve plot plans or some amendments to site plans without submission to the Planning Commission. After a plot plan has been submitted, the applicable fees have been paid, and the plan is approved by the Zoning Administrator, they will issue a zoning permit.

The Plot Plan, drawn to scale, shall be submitted with an application form provided by the Village. The Zoning Administrator may waive any of the plot plan requirements when they find those requirements are not applicable or necessary.

BY-RIGHT PERMITTING (TYPICAL PERMIT PROCESS)



Special Land Use Development

A special land use approval is required for development projects which are listed as special land uses in the Zoning Ordinance.

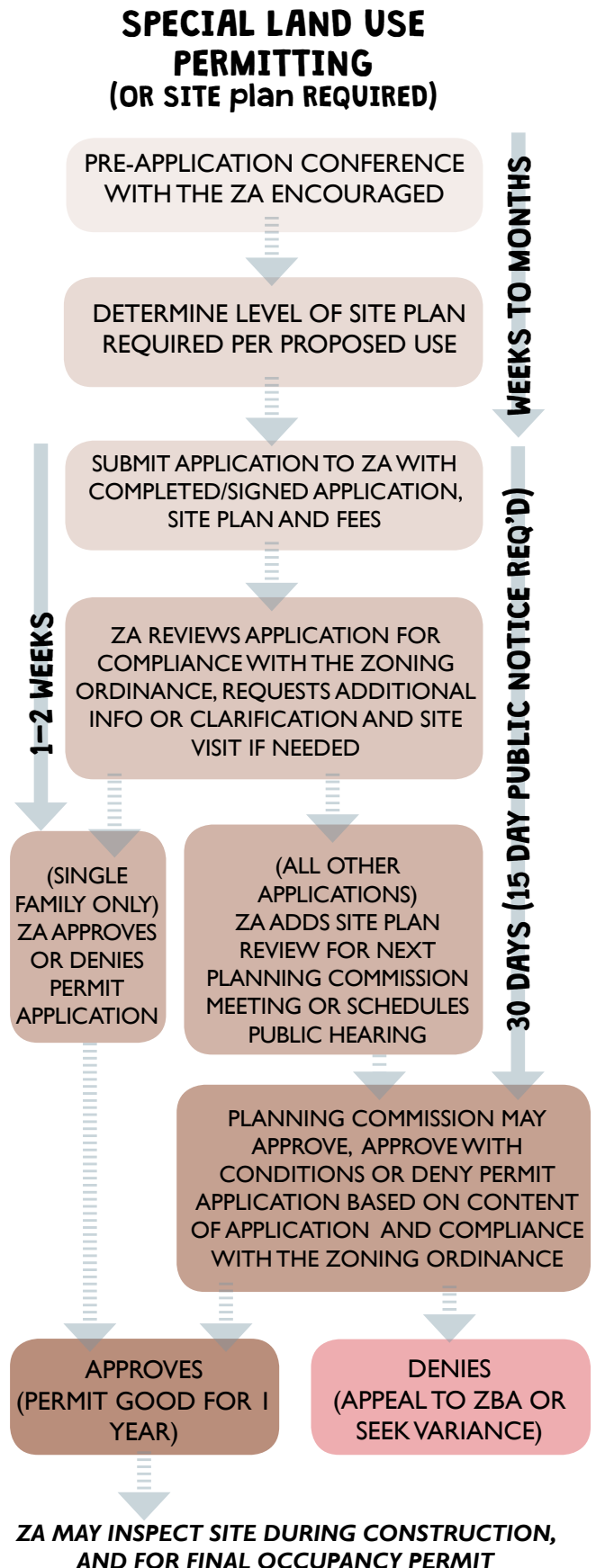
These are uses, permitted within certain Zoning Districts, that is generally compatible with permitted uses but which possesses characteristics that could impact adjacent properties and which requires individual review and public hearing to ensure compatibility with the character of the surrounding area, adjacent properties, and public services and facilities. Special land uses are subject to conditions stated in this Ordinance and to any special conditions imposed by the Planning Commission to protect the use by right of other properties in the Village.

Article VII (Special Land Uses) outlines the Special Land Use Review Process as overseen by the Planning Commission.

To obtain a zoning permit for a special land use project, applicants must fill out a **Special Land Use Application** (available from the Village offices or Online), which will be reviewed by the Zoning Administrator and submitted to the Planning Commission for a site plan review process. These materials shall be reviewed by the Planning Commission at their monthly meeting, where they will schedule a public hearing on the proposed special use project.

After site plan review and a public hearing, the Planning Commission will:

1. Approve and permit the special land use, provided that the use is in compliance with the standards for special land uses as outlined in the Zoning Ordinance.
2. Issue a conditional approval of the project, provided that the use aligns with the standards for special land uses, and subject the project to additional inspection to ensure the conditions placed upon approval are met.



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3. Deny approval for the project and inform the applicant of the decision and reasoning in writing. Applicants may appeal the decision to the Zoning Board of Appeals.

Once a permit is approved, it shall be valid for 1 year after the date of issuance.

Variance Request or Appeals

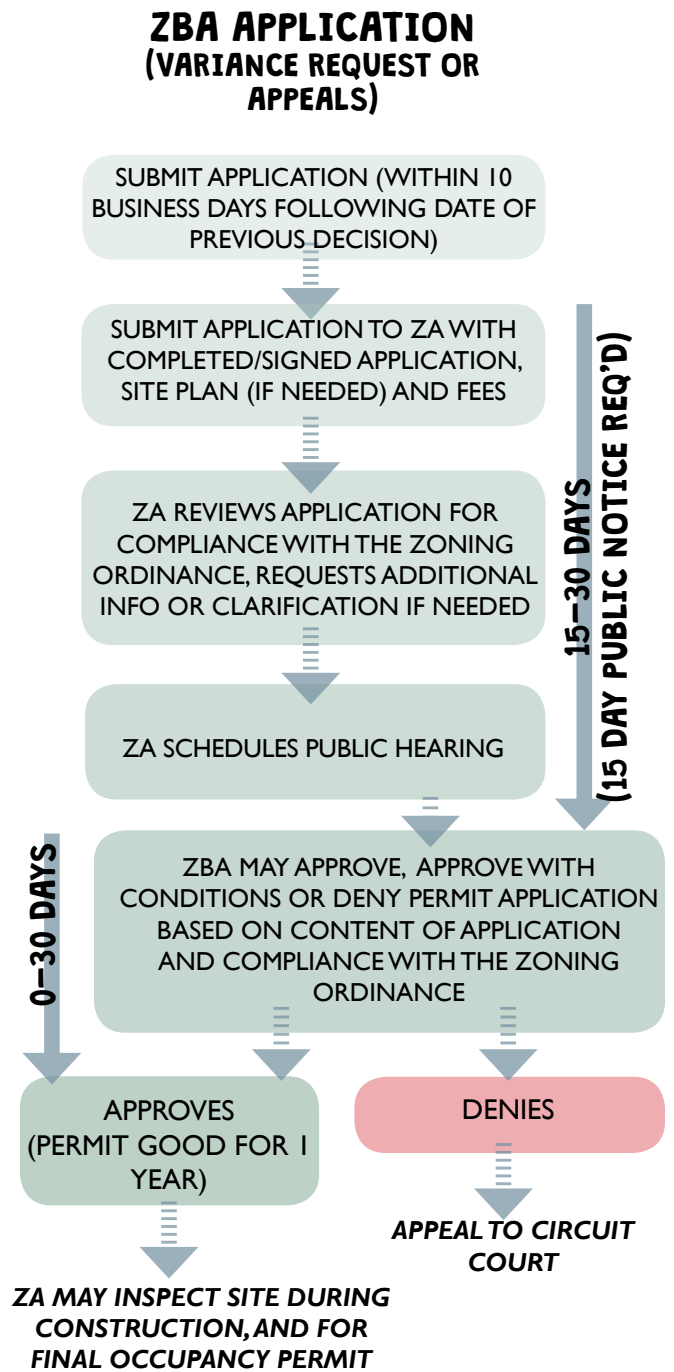
The Zoning Ordinance provides information on requesting a variance or appealing a decision of the Zoning Administrator or the Planning Commission. To formally begin this process, an applicant must file a **Zoning Board of Appeal Application** with the Village and pay the required fee. Applications may be obtained from the Village offices or Online. In appealing for administrative review, an application must be filed within 30 days of a denial issued by the Zoning Administrator or Planning Commission. Once an application and related fees are received by the Village, the ZBA will schedule a hearing to review an appeal (generally within 30 days of application).

Rezoning

Amending the Zoning Ordinance and Zoning Map of the Village is the responsibility of the Village Council, following formal recommendation from the Planning Commission, pursuant to the Zoning Ordinance and the Michigan Planning Enabling Act. Changes to the Zoning Ordinance, including specific property rezoning, may be initiated on petition to the Planning Commission. The **Zoning Ordinance Text Amendment and Rezoning Application** may be obtained Online or from the Village Offices. Once initiated, an amendment to the Zoning Ordinance or Map generally takes 90 - 120 days.

Once the Village receives a completed petition and any applicable fees, the petition will be placed on the Planning Commission's agenda for review during a regular meeting. During their initial review of the request, the Planning Commission will schedule a public hearing for input on the proposed changes to the zoning ordinance.

Per the Michigan Zoning Enabling Act (PA 110 of 2006), scheduling a public hearing requires that the



Village publish notice of that hearing in a newspaper of general circulation not less than 15 days before the date of the hearing. Additionally, notice must be given to all persons to whom real property is assessed within 300 feet of the proposed project property and to the occupants of all structures within 300 feet of the subject property.

Following the Planning Commission’s public hearing, the board will make a formal recommendation to the Village Council to adopt or reject the proposed zoning amendment. Unless the Village Council decides to consult a professional opinion on the proposed change, the zoning petition is generally reviewed during the next regular meeting. Following the first reading, the Council will schedule and hold a public hearing (subject to noticing), and then vote on the proposed changes after the public hearing and second reading.

The Village Council may:

1. Approve the amendment to the Zoning Ordinance. Notice must be published in a paper of general circulation within 15 days of adoption before the change goes into effect.
2. Deny the request; decisions may not be appealed to the ZBA.

Notification Procedures

When certain development actions require a notification procedure compliant with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended), the Village will publish notifications in a newspaper of general circulation (Record Patriot) and mail notification to the subject property and all persons owning property within 300 feet of the boundary of the subject property at least 15 days before the hearing. Notices will describe the nature of the request or application review, identify subject property, state where and how the request or application review is being considered, and will indicate how written responses are being collected for the public hearing.

