



Special Use/Special Land Use Permit Application

115 South Main Street · P.O. Box 389 · Webberville, MI 48892 · Ph: 517-521-3984 · Fax: 517-521-3165

Applicant: _____ Owner: _____
Name: _____ Name: _____
Address: _____ Address: _____

Phone: _____ Phone: _____
Fax: _____ Fax: _____
Email: _____ Email: _____
Parcel Number: _____ Lot Dimensions: _____

Address of Property: _____

Legal Description Attached: _____

Special Use Permit To: _____

Existing Use: _____

Does the proposed special use/special land use comply with the provisions of the Zoning Ordinance? _____

A Site Plan is required unless waived by the Zoning Administrator. A site plan should provide for proper ingress, egress and setbacks.

A Professional Business Plan is required for any special use permit application.

Please provide a statement of all supporting evidence substantiating your request. Please note that this evidence will be used by Village Council to determine whether the general or specific standards for a special use/special land use permit have been met. See Village of Webberville Code Section 153.115 ©.

FOR OFFICE USE ONLY:

Date Submitted: _____

Fee Paid: _____ Check #: _____ Date of Check: _____

Professional Plan Submitted: _____

Site Plan Submitted: _____

Received by and Date: _____

Processed by and Date: _____

Clerk/Treasurer Signature: _____

Date Verified: _____

Public Hearing Set: _____

Approval Date: _____

Denial Date: _____

§ 153.115 GENERAL STANDARDS AND REQUIREMENTS.

(A) *Intent and purpose.* Rather than permitting all of the many and varied land use activities within individual and limited zoning districts, it is the intent of this chapter to provide a set of procedures and standards for specific uses of land or structures that will allow, on one hand, practical latitude for the investor or developer, but that will, at the same time, maintain sound provisions for the protection of the health, safety, convenience, and general welfare of village inhabitants. In order to provide controllable and reasonable flexibility, this subchapter permits detailed review of certain specified types of land use activities which, because of their particular and unique characteristics, require special consideration in relation to the welfare of adjacent properties and to the community as a whole. Land and structure uses possessing these characteristics may be authorized within certain zone districts by the issuance of a special use permit. By such a procedure, the Planning Commission has the opportunity to impose conditions and safeguards upon each use which is deemed necessary for the protection of the public welfare. The following sections, together with previous references in other subchapters, designate specific uses that require a special use permit and, in addition, specify the procedures and standards which must be met before such a permit can be issued.

(B) *Permit procedures.* An application for a special use permit for any land or structure use permitted under this subchapter shall be submitted and processed under the following procedures.

(1) *Submission of application.* Any application shall be submitted through the Village Clerk on a special form for that purpose. Each application shall be accompanied by the payment of a fee as established by the Village Council to cover costs of processing the application. No part of any fee shall be refundable.

(2) *Data required.* Every application shall be accompanied by the following information and data:

(a) The special form supplied by the Village Clerk, filled out in full by the applicant, including a statement of supporting evidence concerning the required findings specified in division (3) below; and

(b) A site plan that conforms with the requirements of § [153.087](#).

(3) *Planning Commission review and hearing.* The application, along with all required data, shall be transmitted to the Planning Commission for review. The Planning Commission may appoint a special committee to review the application and make recommendations relative thereto. After review, the Planning Commission shall hold a public hearing upon every application after at least one publication in a newspaper of general circulation in the village at least 15 days prior to the date of the hearing. The notice shall indicate the place, time, and purpose of the hearing.

(4) *Planning Commission approval or disapproval.* Following the public hearing provided for above, the Planning Commission shall consider the special use permit application. This may occur at the same meeting. The Planning Commission thereupon shall approve or disapprove the application or refer the application elsewhere for further study. No special use permit shall be issued by the Village Clerk unless the same shall have been approved by the Planning Commission.

(5) *Permit expiration.* A special use permit issued under this section shall be valid for a period of one year from the date of the issuance of the permit. If construction has not commenced and proceeded meaningfully toward completion by the end of this one-year period, the Zoning Administrator shall notify the applicant in writing of the expiration or the revocation of the permit.

(6) *Revocation.* The Planning Commission shall have the authority to revoke any special use permit after it has been proved that the holder of the permit has failed to comply with any of the applicable requirements in this subchapter. After a revocation notice has been given, the use for which the permit was granted must cease within 60 days.

(7) *Reapplication.* No application for a special use permit which has been denied wholly or in part by the Planning Commission shall be resubmitted until the expiration of one year or more from the date of the denial, except on the grounds of newly-discovered evidence or proof of changed conditions.

(C) *Basis for determinations.* Before making a recommendation on a special use permit application, the Planning Commission shall establish beyond a reasonable doubt that the following general standards, as well as the specific standards outlined in each applicable section of this subchapter, shall be satisfied.

(1) *General standards.* The Planning Commission shall review each application for the purpose of determining that each proposed use meets the following standards and, in addition, shall find adequate evidence that each use on its proposed location will:

(a) Be harmonious with and in accordance with the general principles and proposals of the Future Land Use Plan of the village.

(b) Be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

(c) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to property in the immediate vicinity and to the community as a whole.

(d) Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities and schools.

(e) Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

(f) Be consistent with the intent and purposes of the zoning district in which it is proposed to locate the use.

(g) Will not involve uses which will adversely and substantially impact the economic viability of the Central Business District as a whole and individual uses and business both present and future located therein.

(2) *Conditions and safeguards.* The Planning Commission may impose the additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the intent and objectives of this chapter will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted.

(3) *Specific requirements.* The general standards and requirements of this section are basic to all uses authorized by special use permit. The specific and detailed requirements set forth in the following sections relate to particular uses and are requirements which must be met by those uses in addition to the foregoing general standards and requirements where applicable.

(Ord. 103, passed 5-5-1986; Ord. 146, passed 3-2-1998; Ord. 163, passed 6-4-2001; Ord. 230, passed 12-9-2014) Penalty, see § [153.999](#)