



Guide to Development

City of Madison Heights



Updated December 2025

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Please note that this Guide to Development is solely intended to act as a concise guide document, and it should not be substituted for ordinance or policy requirements. If you have questions regarding requirements, please refer to the ordinances listed within this document or contact city staff.

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About this Guide to Development

This document is intended to provide an overview of the various development processes administered by the City of Madison Heights. A development may require one, two, or more of these processes before construction can begin, a residence can be occupied, or a business can open. This guide includes hyperlinks to web pages throughout to provide quick access to the most up-to-date information on the development processes most relevant to your project, as well as resources as where to start and whom to contact.

Please keep in mind that this guide does not include all of the requirements of city ordinances or regulations, nor should it serve as a replacement for the Zoning Ordinance or other building, engineering, or life-safety codes. Applicants should use this guide as a way to get acclimated to our development processes and then review specific ordinances relevant to their project. Consultations and pre-application meetings are highly recommended for most projects.

Development Contacts

The table on the following page lists key contacts related to developments in the City of Madison Heights. All other contacts can be found on the city website, www.madison-heights.org.

Development review primarily involves staff from the following city departments:

Community and Economic Development (CED) Department – City Hall

300 W. 13 Mile Road

Madison Heights, MI 48071

Monday – Friday, 8 AM – 4:30 PM (closed for lunch between 11:30 and 12:30)

(248) 583-0831

Website: <https://www.madison-heights.org/188/Community-Economic-Development>

Department of Public Services (DPS) – Facility and Offices

801 Ajax Drive

Madison Heights, MI 48071

Monday – Friday, 8 AM – 4:30 PM (closed for lunch between 11:30 and 12:30)

(248) 589-2679

Website: <https://www.madison-heights.org/267/Department-of-Public-Services>

Fire Department – Headquarters – Fire Station #1

31313 Brush Street

Madison Heights, MI

Monday – Friday, 8 AM – 4:30PM

(248) 588-3605

Website: <https://www.madison-heights.org/158/Fire>

Quick Contact Guide

Key Contact	Title	Dept.	Phone Number	Email	Primary Responsibilities
Giles Tucker	Director	CED	(248) 837-2650	gilestucker@madison-heights.org	Commercial development, site selection, business retention/expansion, economic development, downtown development
Matt Lonnerstater	City Planner	CED	(248) 837-2649	mattlonnerstater@madison-heights.org	Zoning Ordinance administration, development review, pre-application meetings, PC and ZBA liaison.
Vincent Simpson (SAFE BUILT)	Building Official	CED	(248) 837-2661	buildingofficial@madison-heights.org	Development, construction and building plan review related to Michigan Building and Residential Codes. Building permits and inspections.
CED Administrative Staff	--	CED	(248) 583-0831	--	First contact for building permits, trade permits, inspection scheduling, certificates of occupancy.
Nate Figueroa	Fire Marshal	Fire	(248) 837-2871	natefigueroa@madison-heights.org	Development and construction review and inspections relating to Fire Code.
Brad Brickel (Nowak + Fraus)	Engineering Consultant	--	Contact CED main line	Contact CED	Stormwater management, underground utilities, site plan review, traffic management.
Chris Woodward	Public Works Supervisor	DPS	(248) 589-2294	chriswoodward@madison-heights.org	Public utilities, sewers, stormwater, water mains, public tree planting
Justin Kowalski	Streets and Facilities Coordinator	DPS	(248) 589-2294	justinkowalski@madison-heights.org	Public street improvements
Sean Ballantine	Director	DPS	(248) 589-2294	seanballantine@madison-heights.org	Department of Public Services supervisor
City Clerk	--	Clerk	(248) 583-0826	--	Business licensing

Boards and Commissions

The City of Madison Heights has a number of volunteer boards and commissions to serve our community. Volunteers are appointed by the Mayor and confirmed by City Council. The following Boards and Commissions are most involved in the development process:

City Council

City Council serves as the elected legislative body in the City of Madison Heights. City Council considers recommendations from the Planning Commission and Brownfield Redevelopment Authority (BRA) pertaining to Special Land Uses, rezonings, zoning text amendments, Planned Unit Developments (PUDs), Tax Increment Financing, etc.

Meeting Dates and Location: 2nd and 4th Mondays of each month at 6:30 p.m. in Council Chambers.

Staff Liaison: City Clerk

Planning Commission (PC)

The Planning Commission is tasked with promoting the health, safety, and general welfare of the City through land use and transportation policy recommendations, ordinance amendments, and development approval. The Planning Commission generally serves in an advisory capacity to City Council with regards to the Master Plan, Zoning Ordinance, Zoning Map, and Special Land Uses. However, in certain cases, the Planning Commission may be tasked with direct site plan and development approval.

Meeting Dates and Location: 3rd Tuesday of each month at 5:30 p.m. in Council Chambers.

Staff Liaison: City Planner

Zoning Board of Appeals (ZBA)

The Zoning Board of Appeals is a quasi-judicial board that reviews and decides requests pertaining to the Zoning Ordinance including non-use (dimensional) variances, interpretations, and appeals from administrative decisions.

Meeting Dates and Location: 1st Thursday of each month at 5:30 p.m. in Council Chambers.

Staff Liaison: City Planner

Downtown Development Authority (DDA)

The Madison Heights Downtown Development Authority (DDA) was created in 1997 to support downtown businesses by eliminating blight, facade improvement and streetscape projects and encouraging development. The Downtown District of Madison Heights is located along John R Rd from Gardenia Ave to 10 Mile and along 11 Mile Road from I-75 to Lorenz St. The DDA is committed to creating a more welcoming, pedestrian friendly, vibrant downtown district. Downtown Madison Heights is an affiliate level member of Main Street Oakland County

Meeting Dates and Location: Quarterly – January, April, August and November (check city website or with City Clerk for meeting date, time, and location).

Staff Liaison: CED Director

Brownfield Redevelopment Authority (BRA)

The Brownfield Redevelopment Authority assists property owners and businesses redevelop sites that have environmental contamination or are considered blighted or obsolete with the use of Tax Increment Financing. Members of the BRA also serve as members on the DDA.

Meeting Dates and Location: Check the city website or with the City Clerk to verify meeting date, time, and location.

Staff Liaison: CED Director

Technical Review Committee (TRC)

The Technical Review Committee consists of staff representatives from the Community and Economic Development Department, Department of Public Services, and Fire Department, as well as the City Engineer, City Manager, and other city departments. The TRC reviews land use applications and provides a recommendation to the approving body. In certain cases, the TRC has the ability to approve or deny site plan applications. At the request of an applicant, pre-application meetings may be held at the TRC.

Meeting Dates and Location: Wednesday mornings at 8:15 AM. Online meeting.

Staff Liaison: City Planner

Table of Approval Authorities

While the application and approval process will be discussed which each applicant either at a pre-application meeting or upon submittal, the following table outlines which boards and/or commissions will be involved in the application review and decision-making processes.

	City Planner	TRC	PC	City Council	ZBA
Minor Site Plan	✓				
Major Site Plan		✓(a)	✓(a)		
Special Land Use		✓ Recommendation	✓ (Public Hearing) Recommendation	✓ Approval	
Rezoning		✓ Recommendation	✓ (Public Hearing) Recommendation	✓ Approval	
PUD		✓ Recommendation	✓ (Public Hearing) Recommendation	✓ (Public Hearing) Approval	
Variance or Appeal					✓ (Public Hearing)

(a) Certain Major Site Plans proceed to the Planning Commission for final approval. Those that don't proceed to PC are reviewed/approved by TRC. Refer to the **Site Plans section** below.

Planning and Zoning Basics

Master Plan

The City of Madison Heights Master Plan serves as a long-range vision for the city and helps guide City Council, the Planning Commission, other boards and commissions, and city staff on land use and economic development. The Master Plan serves as the basis for the city's Zoning Ordinance and other land use regulations and leads decision makers in their deliberations on zoning, capital improvements, and other matters relating to land use and development.

The most recent Master Plan can be accessed on the [Community and Economic Development web page](#). Hard copies are also available at City Hall.

Master Plan vs. Zoning Ordinance

Although a Master Plan represents the city's long-term vision and goals for land use and development, it is not a regulatory document and does not, by itself, explicitly regulate development. Instead, the Master Plan is implemented by regulatory tools...most notably, the Zoning Ordinance. While the Master Plan lays out the vision and policies of the City of Madison Heights, it is primarily the Zoning Ordinance and the related Zoning Map which implement those policies. Zoning is the law, regulating the activities and types of development allowed on each parcel of land.

Zoning Ordinance and Map

The Zoning Ordinance regulates the development and use of properties within the City of Madison Heights. Regulations can apply city-wide or be specific to designated zoning districts. Zoning districts regulate specific uses, site design requirements, and other design elements pertinent for development within the city. The zoning districts set forth in the Zoning Ordinance are guided by the Master Plan.

The Zoning Ordinance is comprised of text and the zoning map, both of which can be found on the [Planning Services web page](#). Hard copies are also available at City Hall.

The City also offers an [interactive zoning map](#) to help navigate zoning for particular projects.

Zoning Permitted Use Table

A key component of the Zoning Ordinance is the Permitted Use Table found in Article 3. The Permitted Use Table lists the generalized land uses that may be established within the City's various zoning districts. Uses may be noted with a "P" which means that the use is permitted by right, "S" which means that the use requires Special Land Use Approval, "A" which means that the use is only permitted as an accessory (secondary) use, or a blank space which means that the use is prohibited from being established in that district.

[Zoning Permitted Use Table](#)

Public Hearings and Notifications

Depending on the nature of the development proposal or request, a public hearing and public notice may be required. In such instances, city staff will publish a notice in a newspaper of general circulation before the public hearing. Additionally, for requests that involve a particular property (such as Special Land Uses, rezonings, or variances), property owners and tenants within 300 feet of the boundaries of the subject property will receive written notice of the public hearing.

A portion of each meeting is open to public comment regarding agenda items. Each request that requires a public hearing will also have a window of time that is open for comments regarding that specific request.

Applications and Procedures

PRE-APPLICATION MEETINGS

While not required, successful developments often begin with a pre-application meeting. Pre-application meetings serve to communicate clear expectations for application submittals, informing the developer or key representative of specific regulations they need to meet. With expectations transparent and predictable, developers and applicants can save valuable time and money in creating an application submittal that is complete and ready for review. Pre-application meetings also offer an opportunity to ask questions on matters such as infrastructure needs, incentives, or administrative waivers that may be available. Pre-Application meetings may be held in person with city staff or at a Technical Review Committee (TRC) meeting for a nominal fee. To the extent permitted by the Freedom of Information Act, these conversations will be kept confidential until the owner is ready to submit formal documents.

To schedule a Pre-Application meeting, call the Community and Economic Development Department.

SITE PLANS [MINOR AND MAJOR]

Site Plan review requirements can be found in **Section 15.04** of the Zoning Ordinance. **There are two types of site plans.** Depending on the size or intensity of the development, a site plan can either fall under a **Minor Site Plan** review or a **Major Site Plan** review.

MINOR SITE PLANS

[Link to Application](#)

Refer to **Section 15.04** of the Zoning Ordinance for project types that require the submittal and approval of a Minor Site Plan application. Projects eligible for Minor Site Plan review include, but are not limited to:

- Addition/expansion of an existing structure that does not increase the gross interior or leasable floor area by more than 2,000 sq. ft. and does not increase the total by more than 20% of the existing gross floor area, and does not impact site grading, circulation, or utilities.
- Individual multiplex and townhome developments (3-4 units).
- Addition, modification, or relocation of non-residential accessory structures or structures such as dumpster enclosures.
- Minor changes to a building or site to accommodate barrier-free regulations.

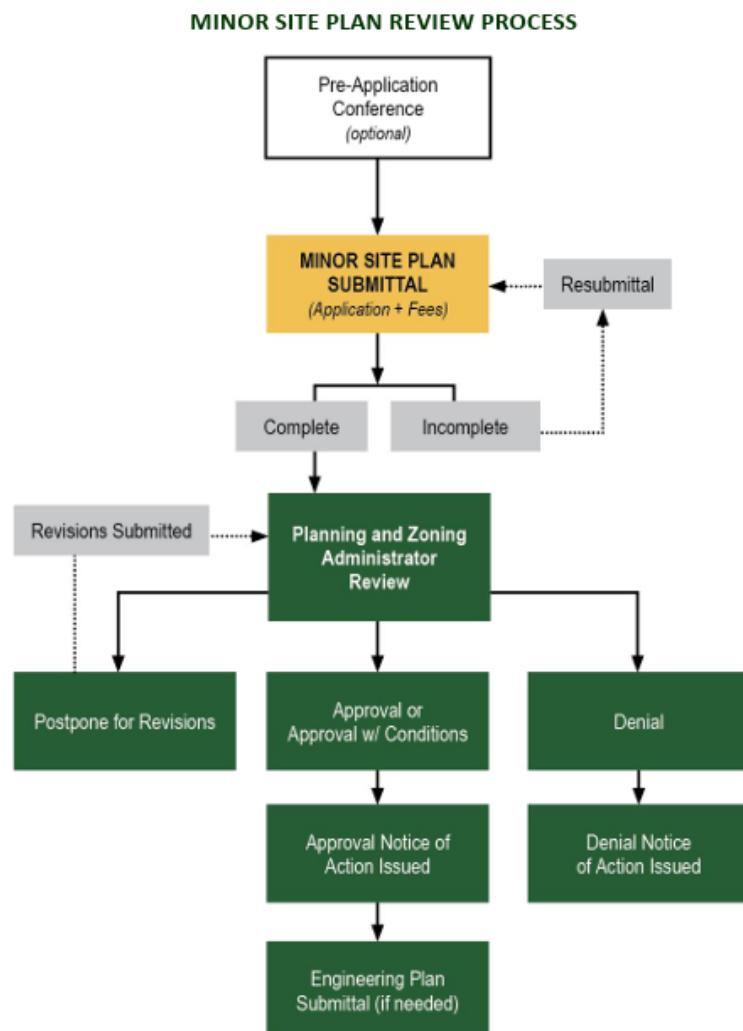
- Additions, modifications, or substitutions of approved or existing landscaping or site lighting.
- Internal rearrangement of a parking lot that does not significantly change site circulation, create new parking spaces, or require the installation of new pavement or re-grading.

Submittal Requirements: Submit a complete application to Community and Economic Development Department

- One (1) copy of the completed Minor Site Plan Application.
- Two (2) 11" x 17" copies of the site plan containing all of the information contained in Section 15.04 of the Zoning Ordinance.
- One (1) copy of the site plan in digital (PDF) format.
- All applicable fees as established by City Council

Approval Body: City Planner

Public Hearing Required?: No



Estimated Time Frame from Application Submittal to Final Action: 2-3 weeks

MAJOR SITE PLANS

Link to Application

Refer to **Section 15.04** of the Zoning Ordinance for project types that require the submittal and approval of a Major Site Plan application.

Projects eligible for Major Site Plan review include, but are not limited to:

- All new construction, structural alterations, or substantial changes in use that do not qualify for Minor Site Plan review.
- Remodeling or altering an existing structure that increases the building footprint or gross floor area by more than twenty percent (20%) or 2,000 square feet.
- Any use, or change of use, that requires a change in traffic circulation patterns that impacts ingress/egress, parking layout, or pedestrian circulation.
- Outdoor storage areas, unless otherwise determined by the Planning and Zoning Administrator.
- The improvement, expansion, extension, or abandonment of any public or private overhead or underground utility, utility lines, or easements.
- The establishment, addition, or modification of a building or use which results in the need for additional parking.

Submittal Requirements: Submit a complete application to Community and Economic Development Department.

- (a) One copy of the completed Major Site Plan application form.
- (b) One 24" x 36" copy of the site plan containing all of the information set forth in Section 15.04(4) of the Zoning Ordinance.
- (c) Two 11" x 17" copies of the site plan containing all of the information set forth in Section 15.04(4) of the Zoning Ordinance.
- (d) One copy of the "Hazardous Substance Reporting Form" and "EGLE Permit Information" checklist.
- (e) One copy of the site plan in digital (PDF) format.
- (f) All applicable fees as established by City Council.

Approval Body: Technical Review Committee (TRC) or Planning Commission. A Major Site Plan shall be forwarded to the Planning Commission for any of the following activities, uses, or development:

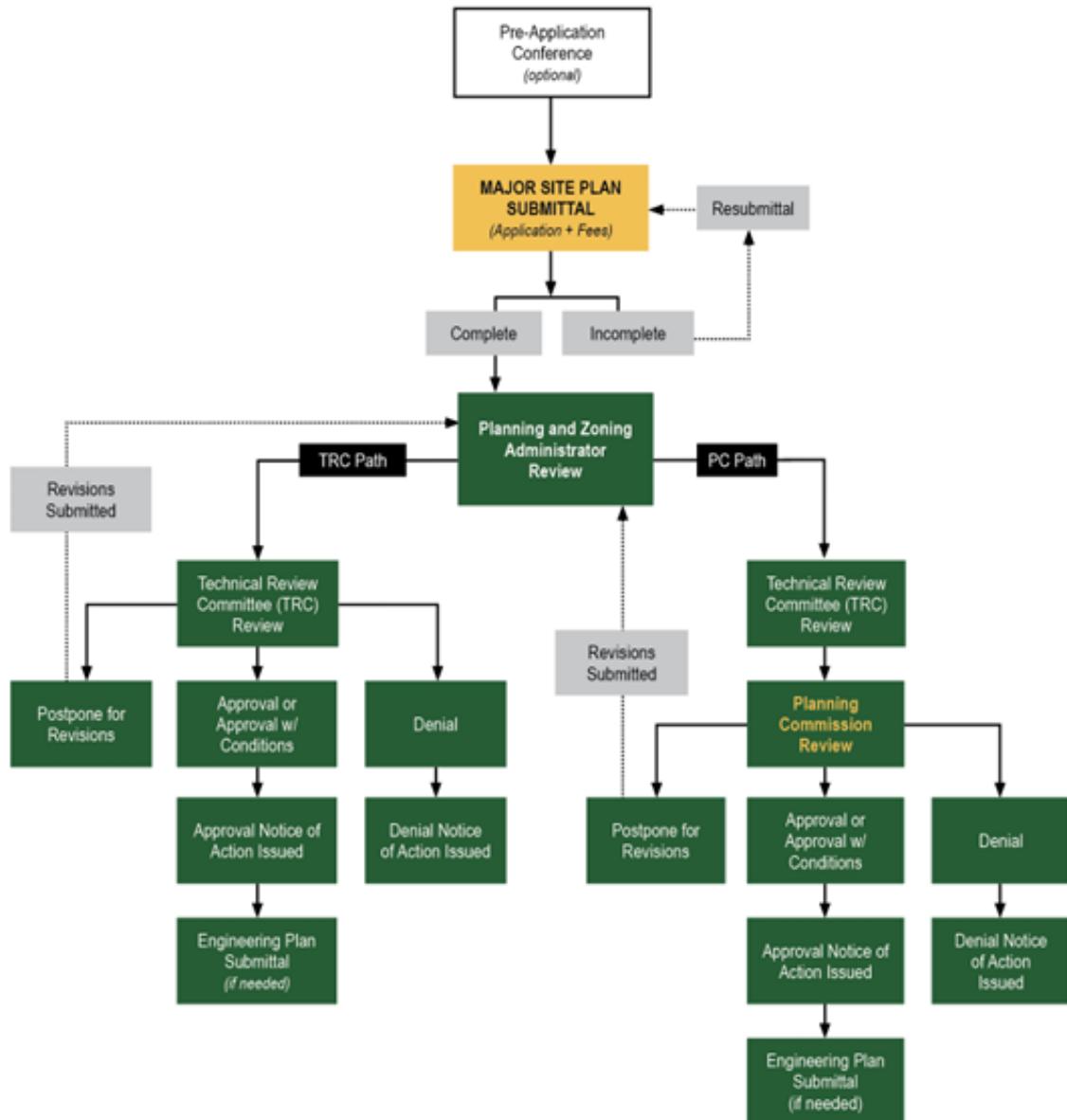
- Site condominium projects.
- Any residential development with more than fifty (50) units.
- Site plans associated with an approved Planned Unit Development (PUD).
- When abutting single-family residential zoned or used property, any non-residential or mixed-use development that involves the construction of a new structure exceeding 7,500 gross square feet of space dedicated to non-residential uses, or expansion of an existing structure by more than 5,000 gross square feet.
- Any site plan forwarded to the Planning Commission by the Planning and Zoning Administrator or Technical Review Committee.

Public Hearing Required?: No

Engineering Plan Review: Unless waived by the Technical Review Committee, all Major Site Plans shall require subsequent engineering approval (separate application). Applicants shall only be eligible to apply for [Engineering Plan approval](#) following site plan approval.

MAJOR SITE PLAN REVIEW PROCESS

REFER TO SECTION 15.04 OF THE ZONING ORDINANCE FOR FULL PROCESS, STANDARDS, AND REQUIREMENTS FOR MAJOR SITE PLAN REVIEW



Estimated Time Frame from Application Submittal to Final Action: 1-2 months

SPECIAL LAND USE

[Link to Application](#)

Refer to [**Section 3.06 \(Permitted Use Table\)**](#) for uses which require Special Land Use review. Refer to **Section 15.05** of the Zoning Ordinance for the full list of requirements for Special Land Use applications.

Special Land Use review and approval is needed for land uses that may be appropriate in certain locations but possess unique characteristics that could potentially affect adjacent neighborhoods, existing uses, and transportation networks. The Special Land Use process is intended to ensure that the proposed use will be designed, operated, maintained, and managed in a way that will be compatible with neighboring properties and will not be detrimental to the City.

The Special Land Use process includes public notice of the proposed use, a public hearing before the Planning Commission, and final action by the City Council. Conditions of approval may be required to mitigate potentially adverse effects of the use.

Review Standards and Criteria: Special Land Use applications are subject to review and approval by both the Planning Commission and City Council. Each body will review the Special Land Use request to determine if it complies with the review standards and criteria contained in Section 15.05 of the Zoning Ordinance

Submittal Requirements: Submit a complete application to Community and Economic Development Department.

- (a) One (1) copy of the completed Special Land Use Application, including the project narrative, the Review Standards Response Form, and all additional required attachments.
- (b) Two (2) 11" x 17" copies of the conceptual site plan containing all of the information contained in Section 15.05 of the Zoning Ordinance.
- (c) One (1) copy of the conceptual site plan in digital (PDF) format.
- (d) All applicable fees as established by City Council

Approval Body:

Planning Commission: Public Hearing and recommendation.

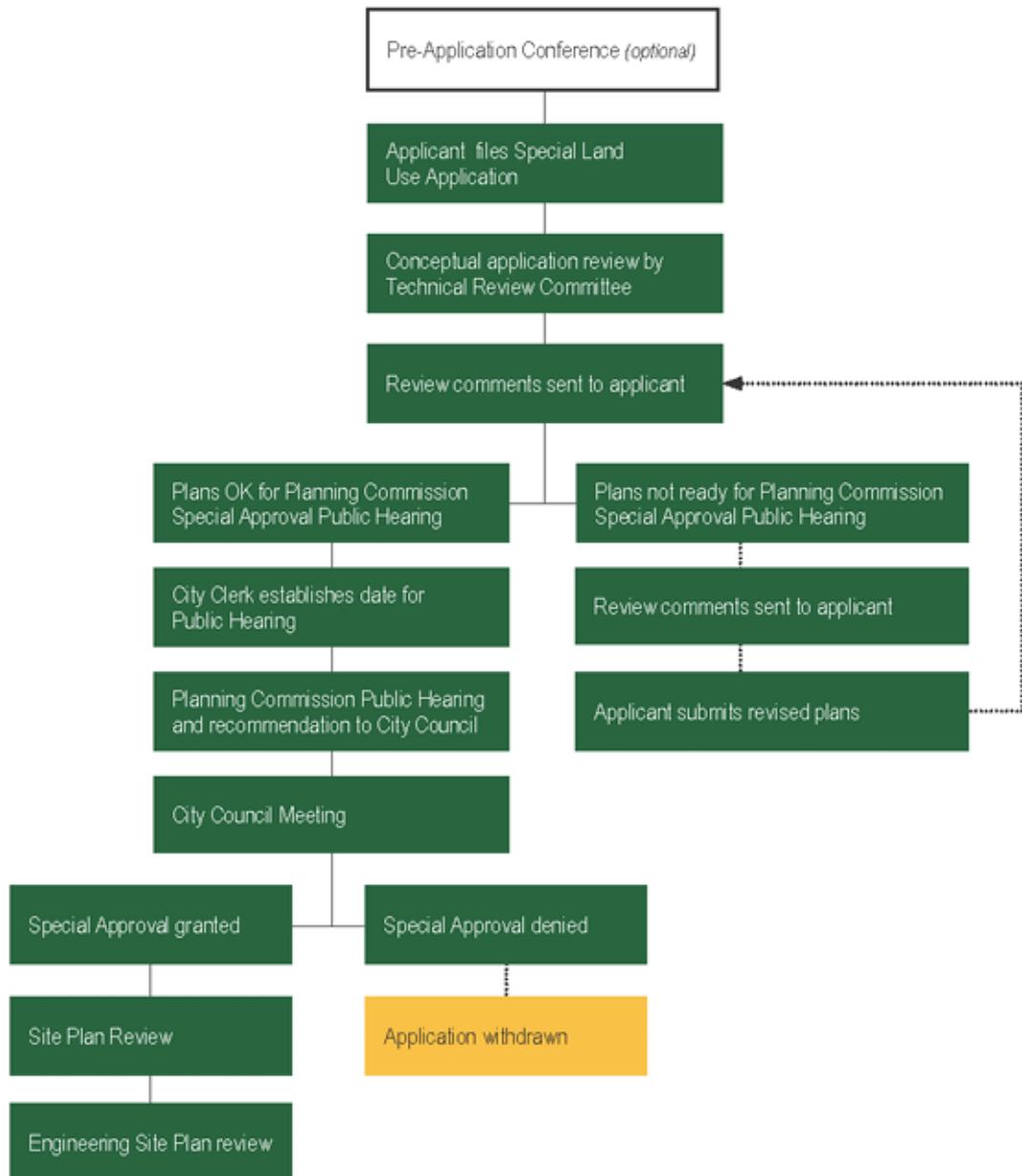
City Council: Final action

Public Hearing Required(?): Yes (Planning Commission)

Special Land Use Validity: Special Land Use Approval is valid for a period of one year. When required, site plan approval and commencement of construction of approved improvements must occur within one year of the city council's Special Land Use Approval or the Special Land Use Approval shall be automatically null and void. The City Council may grant an extension for good cause for a period not to exceed six months from the date of expiration of the original approval provided for extension is made during the period of effectiveness.

SPECIAL LAND USE REVIEW PROCESS

REFER TO SECTION 15.05 OF THE ZONING ORDINANCE FOR FULL PROCESS, STANDARDS, AND REQUIREMENTS FOR SPECIAL LAND USE REVIEW



Estimated Time Frame from Application Submittal to Final Action: 2 months.

REZONING [ZONING MAP AMENDMENTS]

[Link to Application](#)

Refer to **Section 15.07 (Zoning Ordinance Amendments)** for the full list of Zoning Ordinance standards pertaining to map amendments (rezonings).

A Zoning Map Amendment, or Rezoning, is a reclassification of property from one zoning designation to another, resulting in a formal change to the City's official Zoning Map. A rezoning may be requested if an intended use is not permitted under the current zoning designation. A rezoning is a legislative process that requires final approval through City Council after receiving a recommendation from the Planning Commission.

A rezoning application may be initiated by the Planning Commission, Planning and Zoning Administrator, City Council, City staff, property owner, or any interested person or organization.

Rezoning with Conditions: A Rezoning with Conditions is a zoning map amendment where the applicant offers a list of voluntary conditions attached to the request. As part of a Rezoning with Conditions request, the applicant may voluntarily offer in writing, and the City Council may approve, certain use and development restrictions as a condition to approval of the rezoning. Requests for Rezoning with Conditions are subject to Section 15.07.3.C of the Madison Heights Zoning Ordinance and all applicable sections of the Michigan Zoning Enabling Act.

Review Standards and Criteria: Rezoning applications are subject to review and action by both the Planning Commission and City Council. Each body will review the Rezoning request to determine if it complies with the review standards and criteria contained in Section 15.07 of the Zoning Ordinance. Standard Rezoning applications are subject to the review standards contained in section 15.07.3.B and Rezoning with Conditions applications are subject to the review standards contained in Section 15.07.3.C.

Submittal Requirements: Submit a complete application to Community and Economic Development Department.

- (a) One (1) copy of the completed Zoning Map Amendment (Rezoning) application.
- (b) One (1) copy of the Review Standards Response Form (Standard Rezoning form OR Rezoning with Conditions form).
- (c) Two (2) 8" x 11" copies of the plot plan/survey which specifies the boundaries and legal description(s) of the property or properties.
- (d) One (1) copy of the plot plan/survey and legal descriptions in digital (PDF) format
- (e) For Rezoning with Conditions applications: Rezoning with Conditions Agreement and, if proposed, associated conceptual site plan.
- (f) All applicable fees as established by City Council

Approval Body:

Planning Commission: Public Hearing and recommendation.

City Council: Final action

Public Hearing Required(?): Yes (Planning Commission)

REZONING REVIEW PROCESS

REFER TO SECTION 15.07 OF THE ZONING ORDINANCE FOR FULL PROCESS, STANDARDS, AND REQUIREMENTS FOR REZONING REVIEW

1. Pre-Application Conference (optional).
2. Applicant initiates rezoning process by submitting the required application, fees, and documents to the Community and Economic Development Department (see below).
3. **Department Review:** The Community and Economic Development Department processes the request and schedules a public hearing for a Planning Commission meeting.
4. **Technical Review Committee:** The proposed Rezoning will be placed on a Technical Review Committee agenda, with comments forwarded to the Planning Commission.
5. **Planning Commission Public Hearing:** The Planning Commission reviews the proposed Rezoning/Rezoning with Conditions, together with any reports and recommendations from staff, and shall report its findings and make a recommendation of action to City Council.
6. **City Council Action:** The City Council shall make a final determination to approve or deny the Rezoning/Rezoning with Conditions. Two ordinance readings are required at two separate City Council meetings. If necessary, City Council may refer the proposed amendment back to the Planning Commission for further consideration.
7. **Notice of Adoption:** If approved, a notice of map amendment is published in the local newspaper and City zoning maps are updated accordingly.

Estimated Time Frame from Application Submittal to Final Action: 2-3 months.

PLANNED UNIT DEVELOPMENT [PUD]

[Link to Application](#)

Refer to **Section 5.05 (Planned Unit Development)** for the full Zoning Ordinance standards pertaining to PUDs.

A Planned Unit Development (PUD) is a flexible zoning tool designed to offer an alternative to the somewhat rigid provisions of traditional zoning districts. A PUD district is a unique, stand-alone zoning district catering to a distinct project and is intended to encourage innovation in site planning and development and encourage a mix of uses which may not be possible under base zoning districts. While approval of PUD constitutes a rezoning, improvements made under a PUD option are considered an optional means of development and are subject to terms agreeable to the City of Madison Heights. Per the Zoning Ordinance, the primary objectives of PUDs are to:

- (a) Provide flexibility in the regulation of land development.
- (b) Encourage innovation in site planning and development, especially in housing.
- (c) Encourage the mixing of commercial, educational, and recreational facilities conveniently located in relation to housing.
- (d) Conserve natural features and encourage the provision of open space.
- (e) Provide other recognizable benefits beyond those afforded by development which adheres to the minimum requirements of the underlying zoning classification.

PUD Process: The PUD approval process is split into three (3) distinct steps:

STEP I: DETERMINATION OF QUALIFICATION (Technical Review Committee)

STEP II: PUD PLAN SUBMITTAL (Planning Commission and City Council)

STEP III: SITE PLAN SUBMITTAL (Planning Commission)

Refer to the application for a more detailed explanation of each step.

Qualifying Conditions and Project Design Standards: Proposed PUDs shall satisfy the Qualifying Conditions (Section 5.05(2)) and Project Design Standards (Section 5.05(6)) contained within the Zoning Ordinance. The applicant shall be required to respond to the Qualifying Conditions as part of Step I, the Determination of Qualification application. The applicant will be required to respond to both the Qualifying Conditions and Project Design Standards as part of Step II, the PUD Plan application. PUD Plan applications are subject to review and action by both the Planning Commission and City Council. Each body will review the request to determine if it complies with the Qualifying Conditions and Project Design Standards contained within the Zoning Ordinance.

Public Hearing Required(?): Yes. Two public hearings are required for all PUD Plan applications: One at Planning Commission and one at City Council during Step II of the process.

PUD REVIEW PROCESS OVERVIEW

REFER TO SECTION 5.05 OF THE ZONING ORDINANCE FOR FULL PROCESS, STANDARDS, AND REQUIREMENTS FOR PUD REVIEW

- (1) Pre-Application Conference (mandatory).
- (2) **Step I: Determination of Qualification:** Applicant initiates the PUD process by submitting the Determination of Qualification (Step I) application, fees, and documents (paper and PDF copies) to the Community and Economic Development Department. Refer to the Determination of Qualification (Step I) application.
 - a. **Department Review:** The Community and Economic Development Department processes the Determination of Qualification application and schedules the item for a Technical Review Committee meeting.
 - b. **Technical Review Committee:** The Determination of Qualification request will be placed on a Technical Review Committee agenda, with comments and a recommendation forwarded to the Planning Commission as part of PUD Plan review.
- (3) **Step II: PUD Plan:** MAY ONLY BE SUBMITTED AFTER COMPLETION OF STEP I. Applicant submits the PUD Plan (Step II) application, fees, and documents (paper and PDF copies) to the Community and Economic Development Department. Refer to the PUD Plan (Step II) application.
 - a. **Department Review:** The Community and Economic Development Department processes the PUD Plan application and schedules a public hearing for the next available Planning Commission meeting.
 - b. **Planning Commission Review and Public Hearing:** After the public hearing, the Planning Commission makes a recommendation to City Council.
 - c. **City Council Review and Public Hearing:** City Council holds a first reading on the PUD Plan and schedules a public hearing. After the public hearing, City Council takes action on the PUD Plan.
- (4) **PUD Development Agreement:** Applicant enters into a final PUD Agreement with the City, executed by the City Attorney.
- (5) **Notice of Adoption:** If approved, a notice of PUD adoption is published in the local newspaper and City zoning maps are updated accordingly.
- (6) **Step III: Site Plan Review:** Following City Council approval of the PUD Plan and execution of the Final PUD Agreement, a Final Site Plan shall be submitted for Planning Commission review pursuant to Section 15.04 for each phase(s) of development.

Estimated Time Frame from Application Submittal to Final Action: 3-4 months

VARIANCES AND APPEALS

[Link to Application](#)

Non-Use (Dimensional) Variances: Refer to **Section 15.06** for full Zoning Ordinance standards pertaining to dimensional variances. The variance process is meant to provide limited relief from the requirements of the Zoning Ordinance in order to address extraordinary, exceptional, or unique conditions or circumstances that were not created by the property owner. A non-use, or dimensional, variance is one that permits a building, structure, or site element to be placed on a parcel in a way that does not satisfy minimum Zoning Ordinance requirements. Generally, dimensional variances relate to setbacks, lot area or width, building height, parking or landscaping standards, or design standards. The Madison Heights Zoning Ordinance does not permit use variances (or variances that permits a parcel or building to be used in a way that would not otherwise be allowed in the zoning district).

In order for a dimensional variance to be approved, the applicant must prove, and the ZBA must find, that there is a practical difficulty relating the property. In granting a variance, the ZBA shall find that all of the following requirements have been met by the applicant's petition:

- A. Strict compliance with area, setbacks, frontage, height, bulk, or density would unreasonably prevent the owner from using the property for a permitted purpose, and would thereby render the conformity unnecessarily burdensome for other than financial reasons; and
- B. A variance will provide and preserve a substantial property right similar to that possessed by other properties within the same zoning district and in the neighboring areas, provided that possible increased financial return shall not of itself be deemed sufficient to warrant a variance; and
- C. The plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic or environmental conditions, or any other physical situation on the land, building or structure deemed by the ZBA to be extraordinary; and
- D. The requested variance is the minimum amount necessary to permit reasonable use of the land, building, or structure; and
- E. The authorization of such variances will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of the Zoning Ordinance or the public health, safety, and general welfare of the community; and
- F. The need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

Administrative Appeals: Refer to **Section 15.06** for full Zoning Ordinance standards pertaining to administrative appeals. The ZBA has the power to hear and decide appeals where it is alleged by the applicant that there is an error in any order, requirement, permit, decision, or interpretation made by the Planning and Zoning Administrator, zoning enforcement officer, or any other administrative official, board or commission in carrying out or enforcing any provision of the Zoning Ordinance, except where the Zoning Ordinance prohibits ZBA action (e.g. direct appeal to Circuit Court). An appeal shall be filed with the Planning and Zoning Administrator within **thirty (30) days** from the date listed on the Notice of Action referring to the order, requirement, decision, or determination which is the subject of the appeal.

Submittal Requirements: Submit a complete application to Community and Economic Development Department.

- (a) One (1) copy of the completed Zoning Board of Appeals Application, including the ZBA Review Standards Response Form, and all additional required attachments.
- (b) Two (2) 8.5" x 11" copies and a digital (PDF) copy of the conceptual site plan or plot plan, properly scaled, showing: dimensions from street/property lines, sidewalks, building on site and on adjoining properties, easements, and other facilities, structures, and site conditions pertaining to the variance or alteration request.
- (c) For appeals, a copy of the Notice of Action, meeting minutes, and/or notice of violation for the zoning decision being appealed.
- (d) All applicable fees as established by City Council (e) OPTIONAL: Additional helpful information pertaining to the request, including but not limited to, photographs of the property or structure, letters of support, etc.

Approval Body: Zoning Board of Appeals: Public Hearing and final action

Public Hearing Required(?): Yes (ZBA).

Use Variances Prohibited: The City of Madison Heights does not allow use variances.

Estimated Time Frame from Application Submittal to Final Action: 1-2 months

CERTIFICATE OF OCCUPANCY

[Link to Application](#)

Refer to **Section 15.03** of the Zoning Ordinance for full standards relating to Certificates of Occupancy. A Certificate of Occupancy is required prior to occupying any portion of a building or site to ensure compliance with all applicable zoning, building, and health/safety regulations. Business owners (tenants) are required to have a valid Certificate of Occupancy in their name prior to occupying a building or site. The following situations generally require the submittal and approval of a Certificate of Occupancy application:

- Newly-constructed buildings/sites or additions.
- New businesses.
- Mobile Food Vendors (food trucks).
- Change of name or ownership of an existing business.
- Significant operational change of any business.
- Change of ownership of a commercial or multi-family property.

Existing Certificates of Occupancy expire immediately upon any change in the use, ownership or occupancy of an individual tenant space, structure, or site. A Certificate of Occupancy is not required for the change of ownership or tenancy of an existing residential dwelling unit.

Who Reviews a Certificate of Occupancy Application?: Certificate of Occupancy applications are reviewed by the following members of City staff:

- City Planner/Planning & Zoning Administrator: Zoning and site plan compliance.
- Building Official: Building Code compliance.
- Fire Marshal: Fire Code compliance. Review by additional personnel may be required on a case-by-case basis.

A Certificate of Occupancy shall not be issued until the work covered by a building permit, site plan, special land use or any other City-issued approval has been completed in accordance with the approved plans.

Business License Required: In addition to a Certificate of Occupancy, a Business License shall be required for all businesses within the City, including Mobile Food Vendors. A Business License must be filed with the Clerk's office. The Community & Economic Development Department will forward the Certificate of Occupancy to the Clerk upon issuance. Business Licenses will be issued only after the Clerk approves the Business License application and the Certificate of Occupancy has been issued.

Expiration and Revocation: Existing Certificates of Occupancy expire immediately upon any change in the use, ownership or occupancy of an individual tenant space, structure, or site. The Planning and Zoning Administrator and/or Building Official shall have the ability to revoke any Certificate of Occupancy per Section 15.03.7.

Estimated Time Frame from Application Submittal to Final Action: 1-2 weeks

BUILDING AND TRADE PERMITS

[Link to Applications](#)

Building and trade permits may be obtained in the Community and Economic Development Department or online on the city's website. Building permits are required for a variety of projects, ranging from single-family residential additions to commercial constructions. Additional development permits may also be required depending upon the scope of work. The table below highlights common types of building and trade permits

Permit Type	When is it Required?
Building Permit	New construction of a building, building additions, altering structural elements of a building, accessory buildings over 200 sq. ft.
Electrical Permit	Installing or altering electrical wiring or equipment.
Plumbing Permit	Installing or altering plumbing fixtures, underground pipes.
Mechanical Permit	Installing or altering mechanical, heating, or HVAC fixtures.
Concrete Permit	Pouring concrete.
Right of Way Permit	Any work within City of Madison Heights rights-of-ways (e.g. streets and alleys).

Submittal Requirements: Sealed construction documents are required for most permit application submittals.

Inspections: Inspections will be required at multiple points throughout the project for each permit issued. Inspection scheduling is the responsibility of the developer, property owner, or applicant and should occur when the work is ready for respective inspections. Call the Community and Economic Development Department to schedule inspections.

Estimated Time Frame from Application Submittal to Final Action: 1-2 weeks.

ADDITIONAL REVIEW TYPES

[Link to Applications](#)

The City of Madison Heights has several other development-related permits which may be required for a development project, highlighted below:

Permit Type	When is it Required?
Sign Permit	New freestanding or wall signs or replacement of existing signs. (Refer to Article 12 of Zoning Ordinance)
Engineering Review	Required after Major Site Plan approval; constitutes detailed engineering review for developments. May also be required with right-of-way work or underground utility work.
Temporary Use Permit	Required for special events, seasonal uses, temporary outdoor markets, etc.
Parcel Combination/Division	Required when a property owner proposes to divide an existing parcel into multiple parcels or combine several parcels into one.

Fee Schedule

The Fee Schedule is updated annually and can be [accessed online](#) on the City of Madison Heights website.

Meeting Agendas and Packets

Meeting agendas are typically [posted online](#) several days prior to the scheduled meeting date.

Development Incentives

Contact the Community and Economic Development Department to discuss development incentives and programs offered by the City of Madison Heights, Oakland County, and the State of Michigan.