

LAND USE PERMIT APPLICATION INFORMATION

As part of our process, staff looks back at the original site plan and examines the Zoning Ordinance to determine compliance. Staff makes a determination as to what is required to bring the site into compliance with the approved site plan and/or Zoning Ordinance after an onsite inspection is made. There may be items that require the attention of the property owner. Examples of common requirements are improvements to landscaping, restriping of parking lots, replacement of ADA signs, replacement or repair of light fixtures, etc. These are examples only and will be different from site to site. Those items identified in the review must be completed or installed prior to issuance of a land use permit.

The Zoning Ordinance also allows posting of a performance guarantee equal to 150% of the estimated cost of completion. The guarantee would be in the form of a cash deposit or automatically renewable irrevocable letter of credit. Please refer to Zoning Ordinance Section 3.09 for more details about this.

Section 3.05. Land Use Permit. (excerpt from Zoning Ordinance)

- A. No new use or change of use for a building, structure or land may be established unless a Land Use Permit has first been issued. The purpose of the Land Use Permit is to ensure that a proposed use is permissible within the subject Zoning District, that other requirements of the Zoning Ordinance have been met and to ensure that the site conditions comply with any site plan approved by the Planning Commission.
- B. Applications for Land Use Permits for uses other than Class A Farm Markets and single-family dwellings shall be accompanied by a site plan approved by the Planning Commission or by a sketch plan meeting the requirements of Table 5.2, Site Plan and Sketch Plan Submittal Requirements, as appropriate.
- C. Applications for Land Use Permits for Class A Farm Markets and single family homes and accessory structures and uses (including, but not limited to, accessory structures such as sheds, pools, fences and the like) shall be accompanied by a plot plan drawn to scale, providing the following information:
 - 1. The actual shape, location and dimensions of the lot.
 - 2. The shape, size and location of all buildings or other structures to be erected, altered, or moved and of any building or other structures already on the lot.
 - 3. The location of drives, access ways, easements, septic tanks, wells, overhead and underground utilities, and drain fields.
 - 4. The location of water bodies and water courses including the ordinary high water mark and floodplain elevations, where applicable.
 - 5. The existing and intended use of the lot and of all such structures upon it, including in residential areas, the number of dwelling units the building is intended to accommodate. The Zoning Administrator may require floor plans and elevations.
 - 6. The Zoning Administrator may require a field survey to establish locations of property lines and improvements.
 - 7. Such additional information as may be required to review the application for conformance with this ordinance and to determine that the provisions of Article 5, Site Plan Review, are not applicable.
- D. No Land Use Permit shall be issued unless the Zoning Administrator has first determined that the use is allowable within the Zoning District and complies with local, county, state and federal regulations.
- E. No Land Use Permit shall be issued unless the Zoning Administrator has first determined the minimum level of improvements necessary to bring a site into compliance with applicable zoning regulations and with any site plan approved by the Planning Commission.
- F. No sign permits shall be issued until a Land Use permit has first been issued.

Sec. 4.16. Temporary uses in any zoning district.

1. The Planning Commission may approve uses that do not involve the erection of permanent structures or necessitate significant site improvements on a temporary basis. Uses that are intended to operate at one site more than 180 days per year in a mobile facility are not considered temporary land uses and must seek approval under the appropriate site plan approval process. Such temporary uses shall be subject to the application requirements and review process for sketch plan as provided in Article 5, Site Plan Review: Procedures and Standards.
2. Only uses allowed as Principal Permitted Uses within the zoning district of the subject parcel may be considered as temporary uses under this Ordinance. Proposed uses shall comply with any applicable provisions of Article 10, Supplemental Use Provisions.
3. The Planning Commission may approve the seasonal sales of agricultural products on parcels in the OS, C-1, C-2, and HS Zoning Districts for any defined period(s) between May 1 and December 31 provided the following conditions are met:
 - a) No permanent structures are erected
 - b) All structures, including display stands and signage are removed from the site if sales of product(s) are suspended for five days or more.
 - c) The use satisfies Section 10.13 Supplemental Provisions for Farm Markets, except that the applicant need not prove an ownership interest in the land or as producer under a temporary use permit.
 - d) The application for seasonal sales of agricultural products must clearly indicate the products to be offered for sale and the calendar dates applicable to each product.
4. Outdoor gatherings or assemblies may be approved in any Zoning District subject to Planning Commission review of sketch plans and operations plans, and further subject to the provisions of Chapter 14, Outdoor Gatherings, of the General Code of Ordinances.
5. In considering applications for temporary uses, the Planning Commission shall consider the following:
 - a. Adequacy of screening or buffers to protect nearby residential properties from light trespass, noise, and other nuisances.
 - b. Appropriate setbacks and placement of shelters, parking, display areas and other elements of the use.
 - c. Provisions for clean water, sanitation and refuse handling.
 - d. Traffic circulation patterns and availability of offsite parking.
 - e. Compatibility with neighboring land uses.
6. The Planning Commission may impose conditions upon approval such as, but not limited to hours of operation, limits on outdoor lighting and sound systems, restoration of the site upon discontinuation of the temporary use.
7. Signage must comply with the provisions of Section 14.07G, Temporary Commercial Special Event Signs, although the Planning Commission may extend time periods for such signs to comply with the period of approval for the temporary use.
8. The Zoning Administrator shall document all conditions of approval in a temporary land use permit. The applicant may be required to post a performance guarantee, as provided in Section 3.09B to secure the temporary land use permit and assure final restoration of the site.
9. The permit period for temporary land use shall be specified by the Planning Commission not to exceed 90 consecutive days. The Planning Commission shall also specify conditions upon which additional permit

periods may be approved by the Zoning Administrator. Administrative renewal of a temporary use is subject to the following conditions:

- a. The use shall have a defined start and end date with a maximum activity time frame of ninety (90) consecutive days.
- b. The use shall be specific to the applicant and shall not be transferable.
- c. The use would not expand in size or change location on the property from event to event.
- d. The restoration of the area has been completed upon termination of the temporary use as confirmed by the Zoning Administrator by physical examination of the site within 30 days of the end of the temporary use permit.
- e. No complaints were filed regarding the temporary use that were not resolved to the satisfaction of the Zoning Administrator and Township Supervisor.
- f. The Zoning Administrator may, at her (his) discretion, refer the matter to the Planning Commission for further consideration.

(Ord. No. Z-005, § 2, 3-11-2015)

AFFIDAVIT, ACKNOWLEDGEMENTS, PERMISSIONS:

By signing this application:

- The applicant and owner agree that the statements made in this application packet are true, and if found not to be true then this application and any approval shall be void.
- The applicant and owner grant the right of the Planning Commission members, inspectors, and administrators to conduct a site inspection of the subject property.
- The applicant and owner acknowledge that one or the other or both are responsible for all application and consultant fees that arise out of the review of this request.
- The owner authorizes the township to place a sign on the property, if necessary, to inform the public of the pending matter being requested.

APPLICANT

NAME: _____

MAILING ADDRESS: _____

_____ ZIP: _____

PHONE: _____

EMAIL: _____

SIGNATURE: _____

On the ____ day of _____, _____ before me, a Notary Public, personally appear the above-named person whose signature appears above, and who executed the foregoing instrument, and he/she acknowledged to me that he/she executed the same.

State of Michigan, County of Oakland
Notary Public Signature

Notary Seal and Stamp

PROPERTY OWNER

NAME: _____

MAILING ADDRESS: _____

_____ ZIP: _____

PHONE: _____

EMAIL: _____

SIGNATURE: _____

On the ____ day of _____, _____ before me, a Notary Public, personally appear the above-named person whose signature appears above, and who executed the foregoing instrument, and he/she acknowledged to me that he/she executed the same.

State of Michigan, County of Oakland
Notary Public Signature

Notary Seal and Stamp

- A notarized letter giving the Applicant authorization to represent the Owner is also permitted in lieu of a signature on this application. The applicant will be considered the official designee for the Owner, and all correspondence will be addressed to this person.
- If there are Co-Applicants and/or Co-Owners associated with this property(ies) to be acted upon, please submit a Notarized Co-Applicant's and/or Co-owner's "Interest in Property Certificate" with this application. The person signing this application will be considered the official designee for the group and all correspondence will be addressed to this person.