

CHAPTER 1278
Special Approval Use Permits

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| 1278.01 Approval; site plan review; financial security. | 1278.02 Parking lots for business uses in residential areas. |
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CROSS REFERENCES

- Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. Sec. 125.581
- Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582
- Regulation of congested areas - see M.C.L.A. Sec. 125.583
- Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. Sec. 125.583a

1278.01 APPROVAL; SITE PLAN REVIEW; FINANCIAL SECURITY.

Before the issuance of a permit for the establishment, erection, reconstruction, structural alteration, enlargement, addition to or moving of any use which, as provided by the district regulations and other regulations in this Zoning Code, shall be permitted in a certain district or districts as a permitted use after special approval, such use shall be approved by the Planning Commission. Site plan review shall be required for all such special approval uses in accordance with Section 1286.43.

The Planning Commission shall have the authority to require adequate financial security to guarantee the construction or completion of construction of the project or any part thereof.

Action of the Planning Commission on any such matter shall be taken only after an application in writing has been filed with the Zoning Administrator and shall be governed by the required procedure for an application pursuant to Act 207 of Public Acts of 1921, as amended, including holding a hearing. Developers of projects which require a special approval use permit and zoning variances shall apply for and be issued a special approval use permit before applying for zoning variances. Developers of projects which require a special approval use permit must begin work on the project within one year of issuance of the permit unless otherwise agreed upon by the Planning Commission.

The issuance of any permit shall not be approved unless the Planning Commission shall find, in each case, that:

- (a) All requirements set forth in this chapter will be complied with.
- (b) The use and any proposed structure to be utilized in connection therewith will not create any threat to the public health, safety and welfare and will not unduly aggravate any traffic problem in the area.
- (c) The proposed use will not be injurious to the surrounding neighborhood.
- (d) The proposed use will not be contrary to the spirit and purpose of this chapter. The Planning Commission may require such conditions as it deems reasonably necessary to promote the spirit and intent of this chapter.
- (e) All proposed structures, equipment or material will be readily accessible for fire and police protection.
- (f) The proposed use will not cause traffic congestion or movement out of proportion to conditions normally prevailing in the particular district.
- (g) The proposed use will provide sufficient space for the off-street parking of all vehicles attracted by its presence and shall abide by the regulations set forth in this chapter for its particular district or use.
- (h) Any proposed building will not be out of harmony with the predominant type of building in the particular district by reason of its size, character, location or intended use.

(Ord. Unno. Passed 12-14-87.)

1278.02 PARKING LOTS FOR BUSINESS USES IN RESIDENTIAL AREAS.

Special approval use permits for parking lots for business uses in residential areas shall expire on a date specified in such permit five years from the date of issuance and may be reissued by the Zoning Administrator for periods of five years, provided the conditions set forth in Chapter 1280 still prevail. If at any time, the stated conditions in Chapter 1280 do not prevail, the Zoning Administrator shall revoke the permit.

(Ord. Unno. Passed 12-14-87.)