



Charter Township of Orion

Planning & Zoning Department
2525 Joslyn Rd., Lake Orion MI 48360
P: (248) 391-0304 ext. 5001; Fax (248) 391-1454

Charter Township of Orion Zoning Board of Appeals Checklist for Open Air Business Permit Application

Section 30.11 F.1.b: The Zoning Board of Appeals shall have the authority to review and approve an Open-Air Business *involving seasonal display of goods such as Christmas trees, pumpkins, fireworks, etc.* This shall exclude lumber yards, outdoor garden shops, or other outdoor sales normally allowed within permitted zoning districts.

Applications must be submitted no later than 30 days prior to a scheduled meeting. Meetings are held the second and fourth Monday of every month, unless otherwise specified.

The petitioner (or a representative, with written permission from the property owner) must be present at the meeting.

The following must accompany your completed application; incomplete submittals will not be accepted.

- Completed application, including original ink signatures of property owner (or agent of owner) and applicant.
 - In addition, if the applicant is not the property owner, then written authorization from the property owner must be included.
 - If you are not the owner you must provide a copy of your lease agreement.
- Proof of ownership. Acceptable forms of documentation include: Warranty Deed, Quit Claim Deed, Land Contract, or Option to Purchase with a Copy of the Warranty Deed.
- Application fee of \$500.00, cash or check payable to Orion Township
- Eight copies of a sketch plan and floor plan drawn to scale showing:
 - The road right-of-way
 - Setback from the road right-of-way
 - Measurement from display to the nearest building or structure
 - Measurement from display to the nearest parking lot
 - Measurement from display to all entrances and exits
 - Measurement between displays
 - Placement of fire extinguishers
 - Storage areas
 - Pedestrian traffic flow
 - Parking areas
 - Vehicular traffic flow
 - Placement of materials:
 - When located adjacent to vehicular traffic the temporary sales area shall be fenced or provided with appropriate barriers to ensure pedestrian safety and pedestrian passage with a minimum of five feet of clearance.
 - Shall be displayed no closer than ten feet from building entrance doors.
 - Flammable products shall be located far enough away from permanent structures to prevent a fire hazard and are subject to Fire Department inspection.
 - Shall adhere to all setback requirements

The following information is needed before a permit can be issued and is helpful if submitted with the ZBA application.

- Detailed information on the materials and wind load capability of the tent(s) or stand(s) to be erected on the site. Applicable Building, Fire and Electrical Codes are listed on the last page of this application.

The Zoning Board of Appeals and or the Building Department shall require a \$1,000 performance bond, letter of credit or other security to insure compliance with the conditions of a temporary use permit for Open Air Businesses upon approval.

The Zoning Board of Appeals may require a registered, staked survey to verify the location of property lines. If not required by the ZBA, the Building Inspector may require one prior to approving the initial inspection. Inspections are not performed on Saturdays, Sundays, holidays.

If you have any questions, please call the PC/ZBA Coordinator at (248) 391-0304 ext.5001



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Case # AB
 Meeting Date: _____

Charter Township of Orion Zoning Board of Appeals Application for Open Air Business Permit

NOTICE TO APPLICANT:

The following application must be completed and filed with the Township at least thirty days prior to a scheduled ZBA meeting in order to initiate an appeal. There is a non-refundable fee of \$500.00 for a temporary use permit application.

Regular meetings of the ZBA are held on the second and fourth Mondays of each month at 7:00 p.m. at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan 48360. A minimum of three cases are required in order to hold a meeting with a maximum of five. The petitioner or a representative with written permission from the property owner must be present at the meeting.

PROOF OF OWNERSHIP MUST BE INCLUDED WITH THIS APPLICATION. Acceptable forms of documentation include: Warranty Deed, Quit Claim Deed, Land Contract, or Option to Purchase with a Copy of the Warranty Deed. If the applicant is not the property owner, then written authorization from the property owner must be included.

Name of Open Air Business: _____

APPLICANT

Name: _____ Business Name: _____

Address: _____ City/State/Zip: _____

Phone: _____ Cell: _____ Fax: _____

Email: _____

PROPERTY OWNER(S)

Name (s): _____

Address: _____ City/State/Zip: _____

Phone: _____ Cell: _____ Fax: _____

Email: _____

CONTACT PERSON FOR THIS REQUEST

Name: _____ Phone: _____ Fax: _____

Email: _____

SUBJECT PROPERTY

Address: _____

Sidwell Number: _____ Total Acreage: _____

Length of Ownership by Current Property Owner: _____ Years, _____ Months

Is the driveway paved? _____

Case # _____

OPEN AIR BUSINESS

1. What is the nature of this request? _____

2. The business will operate from: _____ / _____ / _____ to: _____ / _____ / _____

3. The business hours will be: _____

4. The products are/are not compatible with the permitted uses of the respective zoning district in which the site is located, explain:

5. What are the plans for the storage of display items during both open and closed hours? _____

6. Indicate the size of any tents or canopies will be added to the site: _____

7. Will restroom facilities be available? _____

8. How will electrical equipment/lighting be powered? _____

9. The temporary use permit will/will not be materially detrimental to the public health, safety and welfare, or to other properties or improvements in the Township:

10. Explain why the need for said variance(s) were/were not self-created:

11. Do you own or have control over any properties adjoining the site you are requesting a variance(s) on? _____

12. Have you ever applied for a variance on this property? If so, when? _____

Case #: _____

I/We, the undersigned, do hereby request action by the ZBA on the variance or specified matter above, in accordance with Sections 30.06, 30.07, 30.09, 30.10, and 30.11 of the Zoning Ordinance. In support of this request the above facts are provided.

Signature of Applicant: _____ **Date:** _____

Signature of Property Owner: _____ **Date:** _____

Must be original ink signatures

OFFICE USE ONLY

Zoning Classification of property: _____ Adjacent Zoning: N. S. E. W.

Distance to a similar Open-Air Business: _____

Date Filed: _____ Fee Paid: _____ Receipt Number: _____



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Project Name _____

ZBA# _____ Parcel#(s) _____

Please select an option below:

Permission to Post on Web Site

By signing below as applicant and on behalf of my consultants, we agree to allow the plans for the above-named project, in which approval is being sought by the Zoning Board of Appeals, to be posted on the Township website.

Signature of Applicant

Date

Printed Name of Applicant

Regulations for Tents, Special Amusement Structures or Temporary Structures

Temporary Structures that will be erected for 180 days or less must comply with:

1. The Michigan Building Code 2009
 - Chapter 1, Section 108
 - Chapter 31, Section 3103
2. The International Fire Code 2009
 - Chapter 24 - Before the Fire Department will grant occupancy you must satisfy the requirements of this chapter.

Special Amusement Buildings must comply with:

1. The Michigan Building Code 2009
 - Chapter 4, Section 411 & 410.4.1
 - Chapter 31, Sections 3102, 3103, & 3104
2. The International Fire Code 2009
 - Chapter 24 - Before the Fire Department will grant occupancy you must satisfy the requirements of this chapter.

Tents, Canopies, or membranes that will be erected for 180 days or less must comply with:

1. The Michigan Building Code 2009
 - Chapter 31, Section 3103
2. The International Fire Code 2009
 - Chapter 24 - Before the Fire Department will grant occupancy you must satisfy the requirements of this chapter.

Some or all of the above structures may be required to meet the following conditions before the Fire Department will be able to give approval.

1. Flame-resistant treatment
2. Anchorage requirements
3. Exit lighting and emergency lighting
4. Means of exiting
5. Standby power
6. Fire protection systems such as portable fire extinguishers and/or fire suppression
7. Occupant load factors
8. Fire warning systems such as horn/strobe lights that automatically activate when an emergency situation is detected

This list is only to be used as a guideline with the understanding that each request must be reviewed by the Fire Department to determine if special circumstances will require additional safety precautions.