



No. _____

**Application for Special Use Permit
Village of Paw Paw, Van Buren County, Michigan**

1. Legal description of subject property (Plat and Lot, or Metes and Bounds description): _____

2. Zoning Classification:

3. Size and location of subject property (acreage, dimensions, street, street number or nearest landmarks, etc):

4. Present improvements on the property (buildings or other structures, etc):

5. Applicant=s interest in the property (title holder-owner, land contract, purchaser, tenants, lessee, etc):

6. If applicant=s interest is other than title holder, does the title holder know of this application and consent to its submittal? ____ YES ____ NO

7. Indicate any restrictions which encumber the property (plat restrictions, etc.) If none, state none:

8. State present use of property:

9. Describe proposed use of property (number of units, occupants, employees, customers, and user): _____

10. Does a site plan accompany the application? ____ YES ____ NO

❖ **Special Use Permit**

- ❖ The following guidelines have been compiled to assist residents who need a special use permit. Special use permits are required for activities that are compatible with other uses in a zoning district and have characteristics which require individual review. The purpose of the review is to ensure consistency with surrounding uses, public services and facilities, and conformance with the Village Zoning Ordinance, Section 42, Article IV Supplemental Regulations, page CD 42:55
 - ❖ Special use permit applications can be obtained at Village Hall. The fee for a special use permit is \$175.00 plus Village Planning Consultant time to review.
 - You will need the following information to complete the application:
 - Legal description (Can be obtained at Village Hall)
 - Zoning classification
 - Include a lot diagram specifying dimensions, street names, existing structures or proposed structures.
 - Indicate if you are owner, land contract purchaser, tenant, or lessee
 - Indicate if there are any restrictions on property
 - State present use of property
 - Describe proposed use of property
 - Site plan is **required** in accordance with Section 42, Article V Development Regulations, of Village Zoning Ordinance
 - Sign, address, date and include telephone number
 - 2. After you have filled out the application, please return it to Village Hall. The application will be considered at the next **Planning Commission** meeting, providing that the publication requirements listed below have been met. Planning Commission meetings are the 4th Wednesday of the month.
 - ◆ **NOTE:** Special use applications must be published in the newspaper, not less than 5 days or more than 15 days prior to the meeting. To ensure that your application will be considered, please turn the application in at least 20 days prior to the meeting. If you have any questions on time limit, please phone Village Hall.
 - 3. The Planning Commission will review the application and may approve, approve with conditions, deny or table the permit based on the standards of the special use as set forth in the zoning ordinance.
- ❖ If you have any questions, please feel free to phone the **Village Hall at (269) 657-3148.**

Name of Applicant (print or typed): _____

Address: _____

Telephone: (work) _____ (cell) _____ (Home) _____

Signature of Applicant: _____

Sec. 42-366. Special use permit.

(a) *When required.* Special use permits are required for proposed activities which are essentially compatible with other uses, signs or activities permitted in a zoning district, but which possess characteristics or location qualities which require individual review. The purpose of this individual review is to ensure compatibility with the character of the surrounding area, with public services and facilities, with adjacent properties, and to ensure conformance with the standards set forth in this chapter. A site plan in accordance with section 42-402 is required for submission and approval of all special use permit applications. Only those uses, signs, or activities specifically identified in the use districts of this chapter require special use permits.

(b) *Procedures.* The following steps shall be taken when considering a proposed special use.

(1) *Filing of application; contents.* A special use permit application shall be filed by the applicant with the village along with the required site plan, fee, statement with supporting evidence to which the proposed activity meets the criteria and any other pertinent information upon which the applicant intends to rely for approval.

(2) *Review.* The village manager or his designee shall review the application for completeness and forward the application, with his recommendation, to the planning commission for their review and consideration.

(3) *Notice; contents.* The planning commission shall give public notice as required by Section 502 of Public Act No. 110 of 2006 (MCL 125.3502).

(4) *Review; decision.* After review of the application and public hearing or written comments, if any, the planning commission shall approve with conditions, or deny the permit based upon the standards of the special use as set forth in the appropriate use district. The decision on a special use permit application shall be incorporated in a statement of conclusion relative to the special use under consideration. The decision shall specify the basis for the decision and any conditions imposed.

(Ord. No. 394, § 13.6, 7-14-2003)

State law references: Special land uses MCL 125.3502 et seq.

Sec. 42-367. Site design standards and regulations for special uses and certain new uses.

The following are specific regulations and design standards for uses listed in this article, and shall be the minimum governing requirements for the protection of the public health, safety, and general welfare of the community. The following site facility and design standards with respect to certain new uses, herein specified, shall control:

(1) *Antennas including satellite (dish) receiving stations.* Accessory antennas, including satellite receiving stations except as otherwise permitted in this chapter, shall be subject to the following regulations:

a. Accessory antennas shall be permitted in all districts as accessory uses provided they are not used for commercial or profit-making activities.

b. Where the accessory antenna is structurally attached to a main building, it shall be subject to and must conform to all regulations of this chapter applicable to main or principal buildings.

c. An accessory antenna may be erected in any required yard except a front yard, shall not project forward of the rear building line, and shall not be closer than five feet to any side or rear lot line. Movable antennas shall not revolve closer than three feet to any side or rear lot line.

d. An accessory antenna shall not exceed one story of 15 feet in height. The total yard area devoted to an accessory antenna use shall not exceed 100 square feet of yard area.

e. A corner lot, the side yard of which is substantially a continuation of the front lot line of the lot to its rear, shall be regarded as having two front yards. When an antenna is located on this type of lot, it shall not project beyond the continued front lot line of the rear lot.

f. In the case of double frontage lots, accessory antennas shall observe front yard requirements on both street frontages whenever there are any principal buildings fronting on said streets in the same block or adjacent blocks.

g. In all cases, an accessory antenna shall be anchored or fastened securely to the building or surface to which it is attached or upon which it rests.

(2) *Automobile disposal and junkyards.* For this use, the following more restrictive provisions shall take precedent above all other provisions which may relate to setbacks, screening, etc. All uses shall be established and maintained in accordance with all applicable state statutes. If any of the requirements of this subsection are less restrictive than those in applicable state statutes, the state requirements shall prevail.

a. The site shall be a minimum of three acres in size.

- b. There shall be a required yard setback of at least 100 feet from any public street and any lot line. The front yard setback shall be planted with trees, grass and shrubs to minimize the appearance of the installation. Nothing shall be piled, stored or accumulated in any required yard area.
- c. A solid fence or wall at least eight feet in height shall be provided along the setback lines of the entire site in order to screen said site from surrounding property. Such fence or wall shall be of sound construction, painted, or otherwise finished neatly and inconspicuously.
- d. All activities shall be confined within the fenced-in area. There shall be no stocking of material above the height of the fence or wall, except that movable equipment used on the site may exceed the wall or fence height. No equipment, material, signs or lighting shall be used or stored outside the fenced-in area.
- e. No open burning shall be permitted and all industrial processes involving the use of equipment for cutting, compressing or packaging shall be conducted within a completely enclosed building.
- f. Wherever a side or rear lot line of such use abuts a residential use or a residential zoning district, the required yard shall be doubled and shall contain plant material, grass, and structural screens to effectively minimize the appearance of the installation.

(3) Bed and breakfast facilities.

- a. The minimum lot size shall be 10,000 square feet with a minimum frontage of 66 feet on a public street.
- b. A residence shall not have or be converted to more rental rooms than the number of bedrooms which existed when the application is made.
- c. The minimum size of a rental room shall be 125 square feet.
- d. The minimum size for manager/owner living quarters shall be 450 square feet.
- e. A common room or area for guest relaxation is required.
- f. For those facilities which are not owner occupied, a manager must reside on the premises and have an equity interest in the facility.
- g. One off-street parking space shall be provided for each rental room in addition to the two off-street spaces required for single-family dwellings. Parking shall be adequately screened from adjacent residentially developed or zoned property.
- h. Bathrooms must be furnished for guestrooms at a ratio of not less than one bathroom per two rental rooms.
- i. The premises (including corner lots) may be permitted one advertising sign not exceeding six square feet in area.
- j. Approval by the building inspector is required prior to occupancy of the facility. Thereafter, the building inspector shall conduct an annual compliance inspection.
- k. Approval by the county health department is required if other than a continental breakfast is served.
- l. The maximum stay at a bed and breakfast facility shall be 30 continuous days.
- m. A site plan shall be submitted in accordance with section 42-402.
- n. The use of the facility shall not, in the judgment of the village planning commission and the village council, be detrimental to adjacent land uses and the immediate neighborhood.

(4) Bowling alley, indoor skating and similar uses.

- a. Driveway openings to the site shall be located at least 75 feet from any intersection as measured from the intersecting street right-of-way lines to the edge of said driveway.
- b. The main and accessory buildings shall be located a minimum of 100 feet from any residential use.

(5) Car wash establishment.

- a. Minimum lot size shall be 20,000 square feet.
- b. All washing activities must be carried on within a building.
- c. Vacuuming activities may be carried out only in the rear or side yard and at least 50 feet distant from any adjoining residential use.
- d. The entrances and exits of the facility shall be from within the lot and not directly to or from an adjoining street or alley. An alley shall not be used as maneuvering or parking space for vehicles being serviced by the subject facility.
- e. All floor drains from wash areas shall be equipped with sand traps before disposal into the sanitary sewer.

(6) Central dry cleaning plants and laundries.

- a. Minimum lot area shall be one acre.
- b. Underground storage tank installation or removal shall be pursuant to state regulations.
- c. The storage and transport of flammable and combustible liquids shall be in accordance with the state fire safety board.
- d. This use is prohibited within a wellhead delineation area as defined by the wellhead protection plan adopted by the village.

(7) Child care centers.

- a. No dormitory facilities permitted on premises.
- b. For each child cared for, there shall be provided, equipped and maintained, on the premises a minimum of 150 square feet of usable outdoor play area with a minimum total area of 5,000 square feet per facility.
- c. The outdoor play area shall be fenced in or screened by heavily planted greenbelt from any abutting residential uses.

(8) Churches.

- a. Minimum lot width shall be 150 feet.
- b. Minimum lot area shall be two acres.
- c. For every foot of height by which the building, exclusive of spire, exceeds the maximum height limitation for the district, and additional (to the minimum) foot of front, side or rear yard setback shall be provided.
- d. The lot location shall be such that at least one property line abuts a collector street, secondary thoroughfare, or major thoroughfare. All ingress to the lot shall be directly onto said thoroughfare.
- e. Off-street parking shall be prohibited within the required front yard setback area.

(9) Convalescent homes.

- a. Minimum lot size shall be three acres.
- b. The lot location shall be such that at least one property line abuts a collector street, secondary thoroughfare or major thoroughfare. The ingress and egress for all-street parking areas for guests and patients shall be directly from said thoroughfare.
- c. The main and accessory building shall be set back at least 75 feet from all property lines.
- d. The facility shall be designed to provide a minimum of 1,500 square feet of open space for every bed used or intended to be used. This open space shall include landscaping and may include off-street parking areas, driveways, required yard setbacks and accessory uses.

(10) Drive-in restaurant.

- a. The main and accessory buildings shall be set back a minimum of 60 feet from any adjacent right-of-way line or residential property line.
- b. Driveway openings to the site shall be located at least 75 feet from any intersection as measured from the intersecting right-of-way lines to the edge of said driveway.
- c. Screening as required in article V of this chapter shall control where lot lines abut any residential district.
- d. Parking may be located in the front, but not within the required front yard.

(11) Emergency/transitional residences.

- a. Parking shall be provided at a ratio of two spaces plus one space per bedroom/living unit.
- b. Minimum size of a bedroom shall be 125 square feet.
- c. Minimum size of living unit for manager/owner living quarters shall be 450 square feet.
- d. Approval by the building inspector is required prior to occupancy of the facility. Thereafter, the building inspector shall conduct an annual compliance inspection.
- e. The use of the facility shall not, in the judgment of the village planning commission, be detrimental to adjacent land uses and the immediate neighborhood.

(12) Group day care homes.

- a. Must be licensed and registered by the state.
- b. A minimum of 1,800 square feet of usable outdoor play area per facility is required.
- c. The outdoor play area shall be fenced in or screened per section 42-406, subject to planning commission review and approval.
- d. The day care home shall be maintained in a manner visible consistent with the surrounding neighborhood. No signage advertising the day care home is permitted.
- e. If the state has denied, revoked, or refused to renew a license or certificate of registration of a group day care home, it shall be grounds for revocation of village approval of the group day care home.
- f. The day care home shall be principally operated by the resident of the home with not more than one nonresident employee.
- g. The lot or parcel occupied by the group day care home shall not be located closer than a minimum of 500 feet to another lot or parcel occupied by any of the following:
 1. Another licensed group day care home.
 2. An adult foster care, small group home, or large group home.
 3. A facility offering substance abuse treatment and rehabilitation service.
 4. A community correction center, residence home, halfway house, or similar facility administered by the department of corrections.

(13) Gasoline filling stations (with or without accessory uses).

- a. Minimum lot area shall be 12,000 square feet for an automobile service station and 10,000 square feet for a filling station.

- b. Minimum lot width shall be 100 feet for a public garage or automobile service station and 80 feet for a filling station.
- c. An automobile service station and filling station shall be located not less than 40 feet from any right-of-way line and not less than 25 feet from any side or rear lot line abutting residentially used property.
- d. Ingress and egress drives shall not be more than 30 feet in width.
- e. No more than one curb opening shall be permitted for every 50 feet of frontage (or major fraction thereof) along any street.
- f. No drive or curb opening shall be located nearer than 25 feet to any intersection or adjacent residential property line. No drive shall be located nearer than 30 feet, as measured along the property line, to any other drive on the premises. Curb cuts shall not be permitted where it may produce a safety hazard to adjacent pedestrian or vehicular traffic.
- g. A raised curb of six inches in height shall be constructed along all street frontages at the right-of-way line, except for drive openings.
- h. The entire lot, excluding the area occupied by a building, shall be hard surfaced with concrete or a plant-mixed bituminous material except desirable landscaped areas which shall be separated from all paved areas by a low barrier or curb.
- i. All lubrication equipment, motor vehicle washing equipment, hydraulic hoists and pits shall be enclosed entirely within a building. All gasoline dispensing pumps shall be located not less than 15 feet from any lot line, and shall be arranged so that motor vehicles shall not be supplied with gasoline or serviced while parked upon or overhanging any public sidewalk, street or right-of-way.
- j. When adjoining residentially used or zoned property, a five-foot masonry wall shall be erected and maintained along the connecting interior lot line, or if separated by an alley, then along the alley lot line. All masonry walls shall be protected by a fixed curb or similar barrier to prevent contact by vehicles. Such walls may be eliminated or gradually stepped down in height within 25 feet of any right-of-way line, subject to approval by the village council.
- k. All outside storage areas for trash, used tires, auto parts and similar items shall be enclosed by a five-foot masonry wall and shall comply with requirements for the location of accessory buildings. Outside storage or parking of disabled, wrecked or partially dismantled vehicles for any overnight period shall not exceed more than two vehicles awaiting repairs for each indoor repair stall located within said premises and in no event shall the outdoor storage or parking of any such vehicle be permitted for a period exceeding five days.
- l. The sale or rental of new or used cars, trucks, trailers, and any other vehicles on the premises shall be permitted only by approval of the village council under such terms and conditions as may be imposed by said council to ensure adequate ingress and egress from said property and to ensure adequate traffic safety.
- m. All exterior lighting, including signs, shall be erected and hooded so as to shield the glare of such lights from view by adjacent properties.

(14) Hospitals.

- a. Minimum lot area shall be ten acres.
- b. The lot location shall be such that at least one property line abuts a major thoroughfare. The ingress and egress for off-street parking facilities for guests and patients shall be directly from said major thoroughfare.
- c. Minimum main and accessory building setback shall be 100 feet.
- d. Ambulance entrances, MRI or similar vehicles, helicopter pads and/or emergency entrance areas shall be visually screened from the view of adjacent residential uses by a structure or by a masonry wall of six feet or more in height.
- e. No power plant or laundry exclusively serving the medical facility shall be located nearer than 300 feet to any adjacent residential use.

(15) Hotel or motel.

- a. Public access to the principal business shall be located so as not to conflict with access to adjacent uses or not to adversely affect traffic flow on adjacent streets. No more than two driveway openings from a major thoroughfare shall be permitted.
- b. Where the front yard is used to provide access, a five-foot-wide greenbelt shall be provided within the front yard, except for driveway openings.
- c. Each unit of commercial occupancy shall contain a minimum of 250 square feet of gross floor area.

(16) Housing for the elderly.

- a. Minimum lot size shall be two acres.
- b. Accessory services in common use may include, but are not limited to, the provision of central dining facilities and outdoor recreational facilities, lounges and workshops.

- c. Each dwelling unit shall contain at least 350 square feet of area, not including kitchen and sanitary facilities.
 - d. Development of site and structures shall be in accordance with U.S. Department of Housing and Urban Development Minimum Property Standards, Multifamily Housing, as it applies to housing for the elderly.
 - e. No housing for the elderly, which includes adult foster care or nursing homes, can be located closer than 500 feet to another known adult foster care, nursing home or housing for the elderly, measured from property line to property line.
- (17) Kennels.
- a. All kennels shall be operated in conformance with all applicable county and state regulations, permits being valid for no longer than one year.
 - b. For dog kennels the minimum lot size shall be two acres for the first three dogs and an additional one acre for each three additional animals.
- (18) Medical or dental clinic.
- a. Minimum lot size shall be 20,000 square feet.
 - b. Maximum building coverage shall be 35 percent.
- (19) Office developments (two or more structures). Site plan approval is required by the planning commission. In order to facilitate innovative and attractive design of office uses, office developments shall be subject to the following:
- a. Exterior walls of opposite or adjacent buildings shall be located no closer than 1.5 times the height of the higher building wall, but in no case closer than 50 feet.
 - b. Buildings shall be so located and arranged that all structures have access to emergency vehicles.
 - c. Maximum lot coverage shall not exceed 60 percent, including accessory uses and structures.
 - d. The ratio of total floor area to lot area shall not exceed 1.0.
- (20) Pet sales store.
- a. All animals and animal products shall be located within a completely enclosed building area.
 - b. All state requirements for the care and sale of live animals shall be met.
 - c. No nuisance shall be created for adjacent land uses.
- (21) Planned industrial parks. In order to facilitate the growth of employment, to ensure a viable tax base for the village and to prevent the conflicts of incompatible industrial uses, planned industrial parks are permitted with site plan approval by the planning commission in the I-1 district. An industrial park is hereby defined as a tract of land laid out in accordance with an overall plan which is designed and equipped to accommodate a cluster of wholesale commercial and industrial activities; providing them with all necessary facilities and services in an attractive, park-like surrounding. Planned industrial parks shall be subject to the following:
- a. In addition to a required site plan, all proposed planned industrial parks (public and private) shall first have an overall plan detailing the development concept, the spatial arrangement of site and structures and phased implementation and development, thereof.
 - b. Exterior walls of adjacent buildings shall be located no closer than 1.5 times the height of the higher building wall, but in no case closer than 50 feet.
 - c. Maximum lot coverage shall not exceed 50 percent, including accessory buildings and structures.
 - d. The ratio of total floor area to lot area shall not exceed 1.0.
- (22) Private clubs and lodges.
- a. The lot shall be located so as to abut a collector street, secondary thoroughfare, or major thoroughfare with at least one property line.
 - b. Retail sales of food and beverages may be permitted to members and guests.
- (23) Private open air business (permanent and temporary).
- a. Minimum lot area shall be one acre.
 - b. A five-foot fence or wall shall be constructed along the rear and sides of the lot capable of keeping trash, paper, and other debris from blowing off the premises, except as provided otherwise in this chapter.
 - c. All open air businesses shall comply with all applicable health department regulations regarding sanitation and general health conditions.
 - d. Unless specifically waived by the approval body or as designated by this chapter, a building of not less than 500 square feet of gross floor area shall be constructed on the premises for office use in connection with the subject open air business.
 - e. The planning commission may, to ensure strict compliance with any regulation contained herein and required as a condition of the issuance of a permit for an open air business use, require the permit tee to furnish a surety bond executed by a reputable surety company authorized as to do business in the state, in the sole discretion of the planning commission, a cash bond in the amount determined by the planning commission to be reasonable and necessary to ensure compliance hereunder. In fixing the amount of such

bond, the planning commission shall take into account the size and scope of the proposed open air business use, current prevailing cost of rehabilitating the premises upon default of the operator of the use, estimated expenses to compel the operator to comply by court decree, and such other factors and conditions, as might be relevant in determining the sum reasonable in the light of all facts and circumstances surrounding each application.

f. In the case of indoor-outdoor garden nurseries:

1. The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the district.
2. All loading activity and parking areas shall be provided on the same premises (off-street).
3. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.

(24) Private streets and roads.

a. All plats and lots not fronting on a public street must be accessible by a private drive. A private drive or street is required to have a minimum driveway right-of-way of 66 feet and must be either owned or established by a driveway easement granted by the adjacent property owners. A minimum paved width of 30 feet is required.

b. The layout of private streets in respect to their location, intersections, culs-de-sac, etc., shall conform to the village's requirements for platted streets.

c. The construction of the roadway shall conform to the village's standards for a local road.

d. Vertical street alignments, street grades, horizontal curves, curb openings at intersection streets, etc., shall conform to the village standards for platted streets.

(25) Telecommunication towers.

a. *Purpose.* The regulation of commercial wireless communication service towers is necessary to protect the public health, safety and welfare while meeting the communications needs of the public. The intent of this chapter is to minimize adverse visual effects of towers, and avoid damage to adjacent properties while adequately serving the community.

b. *Towers permitted in zoning districts.* Towers are permitted in all industrial districts (I-1 and I-2) and are permitted in the B-2 general business district as a special use if located within 300 feet of the Interstate 94 right-of-way, subject to the following conditions:

1. In order to contain falling ice or debris from tower failure on-site, and to minimize conflict with adjacent properties, the base of a freestanding (monopole) or guy-wired (lattice) tower shall be set back:

- i. From abutting residential districts, streets or public property as measured from the lower base no less than 200 feet or 300 percent of the tower height, whichever is greater.

- ii. From any property line a distance equal to the height of the tower. Guy wire anchors shall be set back 75 feet from all property lines and shall be located on the same parcel as the tower.

2. The tower base shall be enclosed by a security fence consisting of a six-foot tall chainlike fence topped with three strands of barbed wire or an eight-foot tall chainlike fence.

3. A six-foot tall landscaped screen is required to screen around the exterior perimeter of the fenced area, as established under section 42-405, general lighting, screening requirements, and fences.

c. *Lighting.* Towers shall not be illuminated by artificial means and shall not display strobe lights unless specifically required by the Federal Aviation Administration of other federal or state authority for a particular tower.

d. *Signs/color.* The use of any portion of a tower for signs other than warning or equipment information is prohibited. Towers shall be neutral in color.

e. *Application requirements.* Application must be made for a building permit and the following information must be submitted.

1. Site plan of the proposed tower location showing all existing and proposed features of the site.

2. Elevation of the proposed tower height above grade, and any other improvements.

3. Documentation of the purpose of the tower, the number and type of joint users to be served at this site, Federal Aviation Administration approval and an engineer's certification of structural and electrical safety. The village may request that any information submitted be certified by a licensed professional engineer.

f. *Location/separation requirements.* All commercial wireless telecommunication towers erected, constructed or located within the village shall comply with the following requirements:

1. A new commercial wireless telecommunications tower shall not be approved unless the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within a one-mile search radius of the proposed tower, due to structural inadequacies, impact on other communications devices or services, insufficient height or other verifiable reason.

2. Any proposed commercial wireless telecommunications service tower shall be designed to accommodate both the applicant's equipment and that of at least two other users.
3. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to the site plan, of the proposed tower regardless of topographical differences. The separation distances are as follows:

TABLE 1 EXISTING TOWERS--TYPES

TABLE INSET:

	Lattice	Guyed	Monopole 75 Feet In Height or Greater	Monopole Less than 75 Feet In Height
Lattice	5,000	5,000	1,500	750
Guyed	5,000	5,000	1,500	750
Monopole 75 feet in height or greater	1,500	1,500	1,500	750
Monopole less than 75 feet in height	750	750	750	750

g. *Abandoned or unused towers or portions of towers.* Abandoned or unused towers or portions of towers and associated facilities shall be removed within 12 months of the cessation of operations at the site unless a time extension is approved by the village planning commission. A copy of the relevant documents (including the signed lease, deed or land contract restrictions) which requires the applicant to remove the tower and associated facilities upon cessation of the operations shall be submitted at the time of application. If a tower is not removed within 12 months of the cessation of operations at a site, the tower and associated facilities shall be removed by the village and the costs of removal assessed against the real property.

h. *Antennas or towers on property owned, leased or controlled by village.* Antennas or towers located on property owned, leased, or otherwise controlled by the village shall be permitted provided a license or lease authorizing such antenna or tower has been approved by the village.

(26) Veterinary hospitals and clinics.

- a. Minimum main and accessory building setback shall be 100 feet from all lot lines.
- b. All principal use activities shall be conducted within a totally enclosed main building.

(27) Other uses.

- a. No special use shall have an adverse impact upon the public health, safety and welfare.
- b. The planning commission in its discretion may approve as a special use other uses similar to and not more objectionable than the above uses, subject to any requirements established by the planning commission.

(Ord. No. 394, § 13.7, 7-14-2003)

State law references: Site plan, MCL 125.3501.