

**City of Farmington Hills, Planning Office**  
**31555 W. Eleven Mile Road**  
**Farmington Hills, MI 48336-1165**  
**www.fhgov.com**  
**(248) 871-2540**  
**Fax: (248) 871-2521**

## **Application for Medical & Sales Trailers**

I (We) the undersigned, do hereby make application to the Planning Department of the City of Farmington Hills to use the property herein described, and in support of this application the facts below are shown.

### **REQUIREMENTS FOR APPLICATION SUBMITTAL**

**ALL PLANS MUST BE FOLDED 8 1/2 X 11 LETTER SIZE ARCHITECTS SEAL UP.**

**Eight (8) copies of Site Plan**

**PROOF OF OWNERSHIP: Title Insurance; Purchase Agreement;**

**Names of the Principal Owners involved in any Corporation, Partnership, etc.**

**Required Fee – .....Amount: \$300.00**

**Cash Clean-Up Bond – (Set by City Manager) .....Amount: \_\_\_\_\_**

### **SITE CHARACTERISTICS**

**Subject Property Address:** \_\_\_\_\_

**Subdivision and Lot # (if applicable):** \_\_\_\_\_

**Sidwell/Property I.D.: #23-\_\_\_\_\_ Zoning District:** \_\_\_\_\_

**General Location of Site:** \_\_\_\_\_

**Proposed Use of Trailer:** \_\_\_\_\_ **Proposed Number of Employees:** \_\_\_\_\_

**Size of Trailer:** \_\_\_\_\_

**Duration of Time Trailer on Site:** \_\_\_\_\_ **Hours of Operation:** \_\_\_\_\_

### **THE PROPERTY IS OWNED BY:**

**Name:** \_\_\_\_\_ **Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Address:** \_\_\_\_\_

**City/State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **City/State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Owner Signature:** \_\_\_\_\_ **Owner Signature:** \_\_\_\_\_

**e-Mail:** \_\_\_\_\_ **e-Mail:** \_\_\_\_\_

### **Applicant:**

**Name:** \_\_\_\_\_ **Address:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

**City/State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_ **Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Applicants' interest in property (if other than the owner)**

\_\_\_\_\_

**Signature of Applicant:** \_\_\_\_\_

**NO:** \_\_\_\_\_ **DATE:** \_\_\_\_\_ **RECEIVED/CHECKED BY PLANNING:** \_\_\_\_\_

ORDINANCE C-5-2007

CITY OF FARMINGTON HILLS  
OAKLAND COUNTY, MICHIGAN

AN ORDINANCE TO AMEND CHAPTER 34, ZONING, AS FOLLOWS: (1) TO AMEND ARTICLE I, GENERAL, SECTION 34-3, DEFINITIONS, TO ADD NEW DEFINITIONS FOR THE TERMS "TEMPORARY SALES TRAILER" AND "TEMPORARY MEDICAL USE TRAILER"; (2) TO AMEND ARTICLE XXIV, GENERAL EXCEPTIONS, TO ADD A NEW SECTION 34-612, "ACCESSORY TEMPORARY TRAILERS"; AND (3) TO AMEND ARTICLE XXVI, "BOARD OF APPEALS," SECTION 34-666, "JURISDICTION," OF THE CITY CODE OF THE CITY OF FARMINGTON HILLS, AT SUBSECTION 34-666(e), TO AMEND THE REGULATIONS REGARDING JURISDICTION OF THE ZONING BOARD OF APPEALS TO PERMIT ACCESSORY TEMPORARY TRAILERS.

THE CITY OF FARMINGTON HILLS ORDAINS:

Section 1. Ordinance Amendment.

In Chapter 34, Article I, Section 34-3, of the Farmington Hills City Code, the definitions of the terms "temporary sales trailer" and "temporary medical use trailer" are hereby added to read as follows:

"Temporary sales trailer" shall mean and include a mobile trailer that is not permanently attached to the ground and that is used, on a temporary basis, solely for purposes of marketing and/or sales of real estate on a property that is being actively developed and marketed to the public.

"Temporary medical use trailer" shall mean and include a mobile trailer that is not permanently attached to the ground and that is used, on a temporary basis, solely for purposes of performing magnetic resonance imaging or other similar imaging, diagnostic, or testing procedures for the patients of an existing and occupied medical facility on the property on which the trailer is located, which medical facility has requested a pending determination by the State of Michigan concerning the need, or lack of need for a permanent facility for such testing and diagnostics at the site.

Section 2. Ordinance Amendment.

The Farmington Hills City Code, Chapter 34, Zoning, Article XXIV, General Exceptions, is hereby amended to add a new Section 34-612 to read as follows:

## ARTICLE XXIV. GENERAL EXCEPTIONS.

\* \* \*

### Sec. 34-612. Accessory Temporary Trailers.

For purposes of this Chapter, temporary sales trailers and temporary medical use trailers may be permitted within an approved development in any district, subject to the following minimum regulations and requirements:

(a) The trailer shall comply with all otherwise applicable laws, codes and ordinance regulations of this Code, including, without limitation, all applicable non-use zoning requirements in this Chapter and the noise, lighting, vibration, odor, and other performance standards set forth in Chapter 17, Article VII of this Code;

(b) The trailer shall be skirted, if it is located on the premises for a period exceeding two (2) months;

(c) A temporary sales trailer shall be used solely for purposes of marketing and/or sales directly related to the development of the property on which it is located, and the trailer shall be permitted for a period not to exceed the shorter of the following: Twelve (12) months from the date of approval, or the issuance of a certificate of occupancy for a model home or building in the development to be used for sales or marketing purposes;

(d) A temporary medical use trailer shall be used solely for purposes of temporarily providing magnetic resonance imaging or other similar imaging, diagnostic, or testing procedures for the patients of an existing medical facility on the property on which it is located, and the trailer shall be permitted for a period not to exceed the shorter of the following: Twenty-four (24) months from the date of approval, or the issuance of a determination by the State of Michigan concerning the need, or lack of need for a permanent MRI testing facility at the site;

(e) The days and hours of installation, removal and operation shall be determined by the City Manager, and the hours of operation shall not exceed 7:00 a.m. to 9:00 p.m.;

(f) Paved public access, or other means of improved means of public access, determined by the Fire Marshal to be satisfactory for purposes of ingress and egress for fire and emergency vehicles, equipment and personnel, shall be provided to and from the trailer;

(g) The exterior design, appearance and color scheme of the trailer shall be such that it blends and is aesthetically harmonious with the dwellings, buildings and other structures located, or to be located, within the development, as well as the

dwellings, buildings and other structures located on adjacent properties within close proximity to the location of the trailer;

(h) There shall be no outside storage and the use shall not require the erection of any capital improvements of a permanent structural nature;

(i) Plans shall be submitted to the City Manager, or his or her designee, showing compliance with all of the above standards and requirements, and such plans shall also include the following: (i) the general layout of the zoning lot on which the trailer is proposed to be located; (ii) identification of all existing structures and improvements on the property; (iii) the location and description of the temporary ingress and egress, parking and landscaping that shall be provided in connection with the trailer; (iv) the location and description of all temporary lighting, electrical, mechanical, plumbing, fire and sanitary facilities related to the trailer; and (v) any other information related to the trailer that may be requested by the city in order to make informed decisions regarding the trailer; and

(j) A cash bond shall be posted with the City, for purposes of ensuring that the temporary trailer and premises on which it is located are maintained in good condition and in accordance with this Section, that the use is discontinued and the trailer removed in a timely manner, and that the property on which the trailer is located is rehabilitated in a manner consistent with the approved site plan for the development, and such bond shall be in a form and an amount reasonably estimated by the City Manager to be sufficient to secure satisfaction of the foregoing purposes; and

(k) Occupancy and use of a temporary trailer is not permitted under this Section until the foregoing plans, bond, and temporary trailer have been reviewed and approved, or conditionally approved, by the City Manager, or his or her designee, as being in compliance with this Section. A nonrefundable review fee, in an amount determined by the City Council, shall be paid at the time plans for the temporary trailer are submitted for approval. Temporary sales trailers and temporary medical use trailers that are permitted and approved pursuant to this section do not require temporary use permission under section 34-666(e).

### Section 3. Ordinance Amendment.

Chapter 34, Article XXVI, Section 34-666, of the Farmington Hills City Code, is hereby amended at subsection 34-666(e) to read as follows:

## **ARTICLE XXVI. BOARD OF APPEALS.**

\* \* \*

### **Sec. 34-666. Jurisdiction.**

(a) – (d) [*Unchanged*].

(e) Temporary uses:

(1) The board of appeals may permit the following temporary uses not otherwise specified in a zoning district, provided such uses do not require the erection of any capital improvements of a permanent structural nature and meet the requirements of subsection (f) below:

a. Carnivals, amusement rides and special events, as specified in Section 5-101 et seq. of this Code, but subject to Section 34-610 of this Chapter.

b. Temporary commercial uses when accessory to existing uses conducted by the applicant, such as, but not limited to, outdoor sales or storage of goods or merchandise.

c. Temporary buildings, structures or uses related to the principal use of the lot may be permitted during construction, reconstruction or repair of a building or structure while a valid permit for such construction, reconstruction or repair exists; provided, however, that any buildings, structures or uses directly accessory to such construction, reconstruction or repair, such as tool trailers and contractor's offices, shall not be subject to this section; and provided further that temporary trailers and uses permitted under Section 34-612 of this Chapter shall not be subject to this Section.

d. Temporary buildings, structures or uses where the duration of the activity of the use will not exceed five (5) days .

(2) The board of appeals, in granting permits for such temporary uses, shall do so under the following conditions:

a. The granting of the temporary use shall be made in writing stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of such temporary permit.

b. All setbacks, land coverage, off-street parking, lighting and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the city shall be made at the discretion of the board of appeals.

c. The use shall be in harmony with the existing general character of the district.

d. The board shall set an appropriate limit for the maximum period of time during which the use will be permitted, but not to exceed twelve (12) months.

(f) In consideration of all appeals and all proposed variations to this chapter, the board of appeals shall, before making any variations from the chapter in a specific case, first determine that the proposed variation will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the city.

(g) Nothing herein contained shall be construed to give or grant to the board the power or authority to alter or change the zoning ordinance or the zoning map, such power and authority being reserved to the council in the manner provided by law.

#### Section 4. Repealer.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the Farmington Hills Ordinance Code shall remain in full force and effect, amended only as specified above.

#### Section 5. Severability.

If any section, clause or provision of this Ordinance shall be declared to be unconstitutional, void, illegal or ineffective by any Court of competent jurisdiction, such section, clause or provision declared to be unconstitutional, void or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

#### Section 6. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

#### Section 7. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

#### Section 8. Enactment.

This ordinance is declared to have been enacted by the City Council of the City of Farmington Hills at a meeting called and held on the 27<sup>th</sup> day of August, 2007, and ordered to be given publication in the manner prescribed by law.

AYES: Barnett, Bates, Brickner, Bruce, Massey and Oliverio  
NAYES: None  
ABSENT: Ellis  
ABSTENTIONS: None

STATE OF MICHIGAN )  
 )ss  
COUNTY OF OAKLAND )

I, the undersigned, the qualified and acting City Clerk of the City of Farmington Hills, Oakland County, Michigan, do certify that the foregoing is a true and complete copy of the ordinance adopted by the City Council of the City of Farmington Hills at a meeting held on the 27<sup>th</sup> day of August, 2007, the original of which is on file in my office.

  
KATHRYN A. DORNAN, City Clerk  
City of Farmington Hills

Introduced: August 13, 2007  
Enacted: August 27, 2007  
Published: September 2, 2007