

ZONING BOARD OF APPEALS

POSITION: Member of the Zoning Board of Appeals
Alternate Member of the Zoning Board of Appeals

LENGTH OF TERM: 3 years

RESPONSIBLE TO: Bay Township Board of Trustees

TIME COMMITMENT: Approximately 5 hours per scheduled ZBA meeting. Meetings are scheduled upon a hearing request which can be from two (2) to five (5) times or more annually.

ZONING BOARD OF APPEALS MEMBERSHIP

The Zoning Board of Appeals consists of five (5) citizens appointed by the Supervisor and approved by a majority vote of the Township Board of Trustees to serve a three (3) year term. Members of the zoning board of appeals appoint a chair and the Board annually elects a vice-chair and officers from their membership. The ZBA has final agency authority on numerous land use applications.

ALTERNATE MEMBERSHIP

Two alternate members may be appointed by the Supervisor and approved by a majority vote of the Township Board of Trustees to substitute for a regular member of the ZBA in the event that a regular member is unable to participate in matters before the ZBA because of a conflict of interest, illness or other absence.

RESPONSIBILITIES OF THE ZBA:

The general purpose of the Zoning Board of Appeals is to hear and decide any appeal or decision, order or interpretation by the officer whose duty it is to enforce the zoning ordinance, and it shall have the power to reverse any decision of such officer on a concurring vote of the board as provided by statute.

The Zoning Board of Appeals shall also conduct hearings on requests for variances. In particular, the powers of the ZBA are:

- **Interpretation:** To decide any question involving the interpretation of any provision of this chapter, including determination of the exact location of any zoning district boundary or any other determination made in the application and administration of this chapter. Such interpretation shall be considered and rendered by the Board only upon application or appeal following a determination made by the Planning Commission and/or Zoning Administrator.
- **Variances:** Variances may be granted to modify or vary the strict application of any of the requirements of this chapter so that the spirit of this chapter shall be observed, public safety and welfare secured and substantial justice done where strict application would result in a practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved. The unnecessary hardship or practical difficulty must relate to the land, not the applicant, as all variances run with the land. A hardship or difficulty which is merely personal to the current owner of real property will not justify the granting of a variance which runs with the land. Variances granted are subject to site plan review.

- Recognize and avoid or make public any conflict of interest your position may place you in; don't pursue special privileges; maintain confidentiality; and let your behavior contribute to the smooth operation of your board. Much acrimony can be avoided this way.
- Become familiar with the law that covers public open meetings and hearings and review the materials you were given when you were sworn in.
- Complete a minimum of five hours of relevant training within one year from the date of initial appointment to the Zoning Board of Appeals and four hours of relevant training in each subsequent year of membership
- Attend occasional special work sessions and other planning related presentations and field trips.
- Have a willingness and dedication to commit both time and personal energy to the Zoning Board of Appeals.
- Have an interest in comprehensive community planning, zoning and subdivision of land, and the protection of the environment in accordance to the Bay Township Master Plan and Zoning Ordinance, for the purpose of protecting the health, safety and welfare of the residents.
- Have a willingness to encourage and accept input from citizens, organizations and those directly affected by land use related actions made by the Board of Appeals