

# TOWNSHIP OF LONG LAKE

## GRAND TRAVERSE COUNTY STATE OF MICHIGAN

### RULES AND POLICIES GOVERNING THE ACTIVITIES OF

#### THE ZONING BOARD OF APPEALS

1. Procedures for initiating 1) appeals from decisions of the Township Planning Commission. 2) appeals from decisions of the Zoning Administrator or 3) petitions for variance(s) from the Township Zoning Ordinance. 4) petition(s) for variance(s) from the Township Land Division Ordinance #34 or decisions of the Land Division Committee.
  - a) Appeals or Petitions must be submitted to the Township Zoning Administrator located at the Township Hall, 8870 North Long Lake Road, at least forty-five (45) days before the scheduled meeting. For a Regular Meeting, the **non-refundable fee** is \$350.00. The **non-refundable fee** for a Special Meeting is \$750.00.
  - b) Appeals must be submitted within forty-five (45) days of the order or decision being appealed from, or on the next business day after said 45<sup>th</sup> day falls on a Saturday, Sunday or Legal Holiday. A copy of the appeal must also be submitted to the officer or chairman of the board or commission from whom or which the appeal is being taken.
  - c) All appeals shall state the grounds therefore.
  - d) Property owners within three hundred (300) feet of the property involved in the appeal or petition will be sent a notice, **by the Township**, indicating the nature of the appeal or variance and the date, time and place of the hearing. Said notice **shall** be sent not less than 15 days but not more than thirty (30) days prior to the hearing thereon.
  - e) All appeals or petitions **shall** be accompanied with a list of names and addresses of all property owners within three hundred (300) feet of the property which is the subject of the appeal or petition. **The Township Zoning Administrator may, at his option, provide such list from the Township property cards.** (The township does provide this list)
  - f) One insertion of an advertisement in the local daily newspaper indicating the nature of the appeal or petition and the date, time and place of the public hearing will be placed, by the Township, not more than thirty (30) days but nor less than fifteen (15) days prior to the public hearing.

- g) All previous appeals or petitions involving this property should be noted on the application.
2. The regular monthly meeting of the Zoning Board of Appeals shall be the **first** Tuesday of each month at **7:00 p.m.** at the Long Lake Township Hall located at 8870 North Long Lake Road, **unless otherwise noticed**. Special meetings will be arranged with approval of the Chairman of the Zoning Board of Appeals, or in his absence the Vice Chairman, subject to a quorum of the Board being present. Appellant or petitioner will be notified at least one (1) week in advance of the meeting at which the hearing on the appeal or petition will be heard.
3. A quorum for conducting business before the Board of Appeals **shall** consist of three (3) members. An affirmative vote of a simple majority of the **total membership of the Board** is required for any approval of Board action. All members, including the Chairman **shall** vote on a matter before the Board. If a member has a reasonable reason for abstention of voting on a matter, it shall be stated and noted. In the event of a tie vote, the matter shall be postponed until a next meeting on the matter where the Chairman **shall not** vote except to break a tie. Alternate members may be called to sit as regular members of the Zoning Board of Appeals in the absence of a regular member if a regular member is absent from or unable to attend one (1) or more consecutive meetings of the Zoning Board of Appeals. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Zoning Board of Appeals.
4. A building permit and/or a land use permit must be obtained within twelve (12) months from the date of the granting of the appeal or petition.
5. Site plans required in submission of an appeal or petition:
- a) A drawing **shall** be submitted reflecting accurate dimensions of the property, locations on the property of structures and locations of buildings on adjacent properties. Where pertinent, the Board **may** request a survey, with the above information, performed by a registered land surveyor.
- b) Drawings in general **shall** provide a clear picture of those factors important to the appeal or petition so the Board can make a factual determination.
- c) The applicant **shall** provide **appropriate staking** on sites where yard variances are desired. The stakes **shall** be flagged and placed to identify

the proposed edge of structures involved in the proposed variance. Appropriate yard line stakes **shall** also be placed for the yard line from which the variance is desired.

6. Reserved for future revision of by-laws. (amended, July 1996)
7. The appellant or petitioner himself, his authorized agent or attorney, **must be present**, at the public hearing to properly answer questions concerning the appeal or petition. **If one of the above is not present, the appeal or petition will be tabled for the next scheduled meeting.**
8. The Board of Zoning Appeals **will not** reconsider any appeal on which a negative decision has been rendered **within one (1) year** from the date of the appeal or petition unless it can be shown by the appellant or petitioner that new facts affecting the appeal or petition, which were not presented to the Board at the previous hearing(s) are now available and could affect the original decision rendered.
9. The Chairman of the Board has the authority to call a **SPECIAL MEETING** and the Board may vary or modify these rules when in its option, conditions are such that the public interest will thus be best served.
10. These rules and policies are subject to change by the Board of Appeals upon affirmative action at the following meeting after which a proposed change had been submitted.
11. "Criteria for Approval" refer to ARTICLE 23 – Zoning Board of Appeals, Section 23.4, 3 a, 1 through 6, of the Long Lake Township Zoning Ordinance #60, as amended.

Long Lake Township  
8870 North Long Lake Road  
Traverse City, MI 49684

Phone: (231) 946-2249 – Fax (231) 946-4573 – E-mail, [zoning@longlaketownship.com](mailto:zoning@longlaketownship.com)

Approved: July 22, 1980, amended June 18, 1985; July 18, 1998; May 4, 1993; July 1, 1993; July 16, 1996 and December 13, 2000.

Revised 05/19/04 – Revised August 1, 2006, per the Michigan Zoning Enabling Act – Act No. 110, Public Acts of 2006.