

ARTICLE V ~ BOARD OF APPEALS

SECTION 5.1 - ORGANIZATION

A Zoning Board of Appeals is hereby created in accordance with Act 184 of the Public Acts of 1943, as amended. The Board shall consist of five members. The first member of the Board of Appeals shall be the chairman of the Township Zoning Board. The second member shall be a member of the Township Board appointed by the Township Board. The remaining three members shall be selected and appointed by the Township Board from among the electors residing in the unincorporated area of the Township. None of these three members shall be an elected officer of the Township or an employee of the Township Board. The terms of each of these three members shall be for two years, except that of the members first appointed, one shall serve for one year, one for two years and one for three years. A successor shall be appointed not more than one month after the term of the preceding board member has expired, and each member shall serve until his successor is appointed and has qualified. All vacancies for unexpired terms shall be filled in the same manner as is provided for the appointment in the first instance for the remainder of the unexpired term.

SECTION 5.2 - MEETING: POWERS AND DUTIES OF CHAIRMAN: RECORDS

The Board of Appeals shall hold a minimum of one regular meeting annually, at which it shall elect from its members a chairman. The member of the Board of Appeals who is a member of the Township Board shall not serve as chairman of the Board of Appeals. Other meetings of the Board of Appeals shall be held at the call of the chairman at such other times as the Board of Appeals may determine necessary to fulfill its duties. The chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Appeals shall maintain a record of its proceedings which shall be immediately filed in the office of the township clerk and shall be a public record.

SECTION 5.3 - DUTIES

The Board of Appeals act upon all questions as they may arise in the administration of the Zoning Ordinance, including the interpretation of the zoning maps and provisions of this Ordinance. The Board of Appeals may fix rules and regulations to govern its procedures sitting as such a Board of Appeals. It shall hear and decide appeals from and review any order, requirements, decision or determination made by the Zoning Administrator pursuant to the provisions of this Ordinance. It shall also hear and decide all matters referred to it or upon which it is required to pass under the provisions of this Ordinance. The concurring vote of the majority of the members of the Board of Appeals shall be necessary to reverse any order, or to decide in favor of the applicant any matter upon which they are required to pass under this ordinance or to affect any variation from the provisions of the ordinance.

SECTION 5.4 - HEARINGS AND NOTICES

Applications and appeals to the Board of Appeals shall be filed with the Zoning Administrator who shall transmit the same, together with all the plans, specifications and other papers pertaining to the application or appeal, to the Board of Appeals. The Board of Appeals shall fix a reasonable time for the hearing of an application or appeal and shall give at least ten days notice of the time and place of such hearing by insertion in a daily newspaper of general circulation in this township. The Board of Appeals also shall give notice delivered personally or by mail at least five days before the time fixed for such a hearing to the applicant or appellant and to the owners of record of property within three hundred feet of the premises. The Board of Appeals shall make a decision in the case of any application or appeal, and documented reasons for the decision of the Board of Appeals shall be made part of the decision. The Board

of Appeals shall promptly notify the applicant or appellant and the Zoning Administrator of its decision.