

Village of Lawton

Zoning Board of Appeals Bylaws

ARTICLE I – AUTHORITY AND PURPOSE

Section 1. Authority

These bylaws are adopted pursuant to the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), and the zoning ordinance of the Village of Lawton. In accordance with state law, the Village Council of the Village of Lawton sits as the Zoning Board of Appeals (ZBA).

Section 2. Purpose

The purpose of the Zoning Board of Appeals is to hear and decide appeals, requests, and interpretations as provided by state law and the Village of Lawton Zoning Ordinance, and to ensure the fair and consistent application of zoning regulations.

ARTICLE II – MEMBERSHIP

Section 1. Composition

The Zoning Board of Appeals shall consist of the members of the Village Council, acting in their capacity as the Zoning Board of Appeals.

Section 2. Chairperson

The Village President shall serve as Chairperson of the Zoning Board of Appeals as provided in the Village Zoning Ordinance.

Section 3. Vice-Chair

The Zoning Board of Appeals shall elect a Vice-Chair from among its members. The Vice-Chair shall preside in the absence of the Chairperson.

Section 4. Secretary

The Village Clerk shall serve as Secretary of the Zoning Board of Appeals and shall be responsible for notices, records, minutes, and official correspondence. The Village Clerk shall serve as Secretary of the Zoning Board of Appeals and shall be responsible for notices, records, minutes, and official correspondence.

ARTICLE III – JURISDICTION AND POWERS

Section 1. Zoning Administrator

The Village Manager is hereby designated as the Zoning Administrator for the Village of Lawton and shall be responsible for the day-to-day administration and enforcement of the Village Zoning Ordinance. The Zoning Administrator shall have the authority and duties provided by the zoning ordinance and applicable state law, including the issuance of zoning permits, interpretation of ordinance provisions, enforcement actions, and the initiation of proceedings before the Zoning Board of Appeals as appropriate.

Section 2. Zoning Board of Appeals Authority

The Zoning Board of Appeals shall exercise all powers granted under the Michigan Zoning Enabling Act and the Village Zoning Ordinance, including but not limited to the authority to:

1. Hear and decide appeals alleging an error in an order, requirement, decision, or determination made by an administrative official charged with enforcement of the zoning ordinance.
2. Hear and decide requests for dimensional variances.
3. Hear and decide requests for use variances, if authorized by the zoning ordinance.
4. Interpret zoning maps, text, and boundary disputes.
5. Grant such relief as may be necessary to do substantial justice and carry out the intent of the zoning ordinance.

ARTICLE IV – MEETINGS

Section 1. Meetings

The Zoning Board of Appeals shall meet as needed to conduct business. ZBA meetings may be held in conjunction with regular or special Village Council meetings or as separately noticed meetings.

Section 2. Open Meetings Act

All meetings of the Zoning Board of Appeals shall be conducted in compliance with the Michigan Open Meetings Act. Meetings shall be open to the public and properly noticed.

Section 3. Location

All Zoning Board of Appeals meetings shall take place at 125 S. Main Street, Lawton, Michigan 49065, unless otherwise posted.

Section 4. Quorum

A quorum shall consist of a majority of the members serving on the Zoning Board of Appeals.

ARTICLE V – APPLICATIONS AND PROCEDURES

Section 1. Filing of Appeals and Requests

Appeals and requests shall be submitted to the Village Clerk on forms provided by the Village, accompanied by any required fees and supporting documentation. Appeals shall be filed within the time period established in the Village Zoning Ordinance.

Section 2. Public Hearings

Public hearings shall be held when required by state law or the zoning ordinance. Notice of hearings shall be provided in accordance with statutory and ordinance requirements.

Section 3. Record of Proceedings

The Zoning Board of Appeals shall keep a record of its proceedings, including applications, minutes, resolutions, findings, and decisions.

ARTICLE VI – STANDARDS FOR DECISIONS

Section 1. Variance Standards

In deciding variance requests, the Zoning Board of Appeals shall apply the standards set forth in the Village Zoning Ordinance and the Michigan Zoning Enabling Act, including but not limited to:

- Practical difficulty for dimensional variances
- Unnecessary hardship for use variances, if applicable
- Whether the condition is unique to the property
- Whether the request is self-created
- Whether granting the variance will be consistent with the spirit and intent of the zoning ordinance

Section 2. Findings

All decisions shall be based on competent, material, and substantial evidence on the record and shall include written findings of fact. Appeals and variance requests shall be evaluated in accordance with the standards and findings required by the Village Zoning Ordinance.

ARTICLE VII – VOTING AND DECISIONS

Section 1. Voting

An affirmative vote of a majority of the members present and voting is required to decide any matter before the Zoning Board of Appeals, unless otherwise required by law.

Section 2. Conflict of Interest

Members shall abstain from voting on any matter in which they have a conflict of interest, in accordance with state law and Village policy.

ARTICLE VIII – APPEALS AND RECONSIDERATION

Section 1. Appeals to Court

Decisions of the Zoning Board of Appeals may be appealed to a court of competent jurisdiction as provided by law.

Section 2. Reconsideration

The Zoning Board of Appeals may reconsider a decision only as allowed by the zoning ordinance or state law.

ARTICLE IX – TRAINING

Members of the Zoning Board of Appeals are encouraged to participate in training related to zoning, planning, and land use to ensure informed and consistent decision-making.

ARTICLE X – AMENDMENTS

These bylaws may be amended by resolution of the Village Council acting as the Zoning Board of Appeals, provided such amendments are consistent with state law and the Village Zoning Ordinance.

ARTICLE XI – ADOPTION

These bylaws shall take effect upon adoption by resolution of the Village Council of the Village of Lawton, acting as the Zoning Board of Appeals.

Adopted this ____ day of _____, 2026.

Joshua Appleby
Village Council President / ZBA Chair

Brittany Rathbun
Village Clerk