By-Laws of the Zoning Board of Appeals
Charter Township of Orion, Oakland County, Michigan

Article I - Name
The name of this Board shall be the Charter Township of Orion Zoning Board of Appeals
(hereinafter ZBA).

Article II - Purpose
The general purpose of the ZBA shall be to build and promote the efficient and
coordinated development of the Township through interpretation of zoning regulations,
granting variances and substantial justice to petitioners in a manner which will best
promote the health, safety, and general welfare of its people.

Article III - Creation and Duties
Section A. The ZBA was created pursuant to the Township Zoning Ordinance as
adopted by the Charter Township of Orion Board of Trustees on July 5,

Section B. The ZBA shall consist of five (5) members represented by, insofar as it is
possible, different professions and occupations who shall be appointed in the
following manner:
1. A representative of the Charter Township of Orion Planning
   Commission.
2. One member of the Township Board appointed by the Township Board
   for the period of his/her term of office as a member of the Township
   Board. That member shall not serve as Chairperson of the ZBA.
3. Three (3) additional members selected and appointed by the Township
   Board for a period of three (3) years from among the electors residing in
   the unincorporated area of the Township. An additional member shall
   not be an employee of the Township Board.

Section C. The Township Board may appoint two (2) alternate members of the ZBA for
a three (3) year term. An alternate member shall sit as a regular member of
the ZBA when:
1. A regular member is absent from or unable to attend two (2) or more
   consecutive meetings of the ZBA, or
2. A regular member is unable to participate in reaching a decision on a
   particular case because of a conflict of interest.

Article IV – Officers
Section A. The ZBA shall have a Chairperson, Vice Chairperson and Secretary.

Section B. The Chairperson shall preside at all meetings, appoint such committees as
shall from time to time be deemed necessary with the ZBA’s approval, and
perform such duties as may be delegated by the ZBA. He/she shall have a
vote on all resolutions and motions of the ZBA.
Article IV – Officers (continued)

Section C. The Vice Chairperson shall preside in the absence of the Chairperson.

Section D. The Secretary shall keep a record of the minutes of all meetings, a record of all transcripts, records, plans, etc. brought before the ZBA. Such duties may be performed by an employed recording secretary for the ZBA.

Section E. The ZBA may create and fill such other offices or committees as it may deem necessary.

Article V - Meetings

Section A. The regular meetings of the ZBA shall be held on the second (2nd) and fourth (4th) Mondays of each month at 7:00 p.m. provided there are at least three (3) cases on the agenda for such meeting. Each regular meeting shall be limited to no more than five (5) cases unless otherwise approved by the Chairperson of the ZBA.

Section B. Special meetings may be called by the Chairperson or by two (2) or more members of the ZBA at such time and place as deemed necessary with a forty-eight (48) hour prior notification. Such notice shall include the purpose of the special meeting. Special meetings shall be posted at the Township Hall at least eighteen (18) hours prior to the beginning of said meeting.

Section C. As provided by statute, all meetings, regular or special, shall be open to the public. All matters on the agenda shall be considered as scheduled for a public hearing, and any member of the public shall be given an opportunity to be heard on relevant matters concerning the subject of the hearing. The opportunity to present drawings, data, and any other information deemed necessary by the ZBA shall be afforded to anyone seeking to speak on a given agenda item.

Section D. Notice of the meeting/hearing shall be sent to all abutting property owners and property occupants of the property that is on the agenda and subject to action by the ZBA. In addition, notice shall also be sent to property owners and/or occupants within two (2) parcels or lots in both directions along the fronting street or easement.

Section E. Any petitioner or member of the public seeking to speak at a ZBA meeting, whether or not it is an agenda item shall be limited to five (5) minutes unless that time limit is extended by the Chairperson. No member of the public shall speak twice on any subject matter unless authorized by the Chairperson.

Section F. Public comments on non-agenda items shall be taken only at the time cited under Article VII, Section C of these By-Laws.
Article V – Meeting (continued)

Section G. The ZBA shall keep a public record of its resolutions, transactions, findings and determinations in a location within the Township Hall designated by the Township Clerk.

Section H. Notice of the regular meetings for the coming year shall be approved by the ZBA at one of the regular December meetings. Such notice shall then be posted in the Township Hall, 2525 Joslyn, Lake Orion, Michigan. In the event a regular meeting falls on a holiday, such meeting shall be scheduled for the next business day.

Section I. Any ZBA member absent from three (3) consecutive regular meetings without a valid excuse shall be reported to the Township Board for possible replacement at the discretion of that Board.

Article VI - Election of Officers

Section A. Election of officers shall be held at the first meeting in January of each year.

Section B. The term of office shall be one (1) year beginning immediately upon election. A member of the ZBA may be elected to the same office for no more than two (2) successive terms unless the ZBA shall so direct by vote of a majority of the members.

Article VII - Rules

Section A. A quorum shall consist of three (3) members, and an affirmative vote by not less than three (3) members shall be necessary to pass any motion.

Section B. Expenditures, if any, shall be approved by a majority of the Board.

Section C. Conduct of a regular meeting shall consist of the following order of business:

1) Open Meeting 6) Public Comment
2) Roll Call 7) Communications
3) Minutes 8) Committee Reports
4) Agenda Review & Approval 9) Members Comments
5) ZBA Cases 10) Adjournment

Section D. During a business meeting, the following rules of procedure shall apply to consideration of any item on the ZBA agenda:

1) The Chairperson will introduce the subject.
2) The applicant will present his/her case.
3) Public comments, if any.
4) Board member questions and comments, if any.
5) Applicant response.
6) Motion made and seconded by ZBA members.
Article VII – Rules (continued)

7) Chairperson restates the motion and allows for discussion by ZBA members.
8) Chairperson may allow added comments by the applicant and/or public.
9) After allowing for comment, the Chair asks, “Are you ready for the question?”
10) The motion may be revised or amended at this point.
11) Any ZBA member may stop the debate by “calling the question” or “moving the previous question”. Once this is done, debate stops, and the Chairperson asks for the roll to be called. A two-thirds (2/3’s) affirmative vote or three (3) votes is required to close debate.
12) Once the ZBA members indicated they are ready for the question, whether by positive response to the Chairperson or voting to close debate, the Chairperson asks for the roll to be called.
13) The Secretary will then poll each ZBA member for their vote on the item under consideration.

Section E. All inquiries, applications or matters requiring official action by the ZBA shall be submitted by noon at least thirteen (13) days prior to the next scheduled ZBA meeting. Such submittals shall be made to the employed secretary of the ZBA.

Section F. All proceedings, decisions, and resolutions of the ZBA shall be initiated by motion, and the vote upon motions and resolutions shall be recorded.

Section G. In the event that the applicant is not present or that sufficient data needed for the ZBA to take action has not been furnished, the ZBA shall table the matter until the applicant can be present or the required information has been submitted. Such time period shall not exceed sixty (60) days from the date the matter was first scheduled on a ZBA agenda. At the end of this time period if applicant has not appeared or the information has not been supplied, the matter shall be removed from the backlog agenda. The employed secretary shall notify the applicant of the pending removal if she has not heard from him after thirty (30) days.

Section H. Robert’s Rules of Order, newly revised, shall govern all ZBA meetings except as noted herein.

Article VIII – Adoption and Amendment

Section A. These By-Laws shall take effect upon adoption by the ZBA.

Section B. These By-Laws may be amended at any regular meeting by a majority vote of the members provided that proposed changes have been read at a preceding regular meeting. Amendments shall take effect upon adoption by the ZBA.
Article VIII – Adoption and Amendment (continued)
Adopted this 28th day of April, 1980
Amended this 23rd day of December, 1985
Amended this 2nd day of March, 1987
Amended this 11th day of May, 1987
Amended this 12th day of January, 1998
Amended this 8th day of April, 2002
Amended this 25th day of November, 2002