

**LaGrange Township  
Cass County, Michigan**

**Ordinance #5-2011**

**AN ORDINANCE TO AMEND SECTION 23 OF THE LAGRANGE TOWNSHIP ZONING ORDINANCE.**

**Section I – The Township of LaGrange, Cass County, Michigan Ordains:**

Section 23, SUBSECTIONS 23.01, 23.05(C), 23.06(C) and 23.07(C) of the LaGrange Township Zoning Ordinance are hereby amended as follows.

**Section 23.01 is revised to read as follows:**

Pursuant to the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, there is hereby created the LaGrange Township Zoning Board of Appeals. The Zoning Board of Appeals (ZBA) shall be constituted and appointed as provided by the Michigan Zoning Enabling Act, PA 110 of 2006, as amended and shall be comprised of five (5) members.

**Section 23.05(C) is revised to read as follows:**

C. Hearing. Prior to rendering any decision on an interpretation request, the ZBA shall schedule and hold a public hearing on the interpretation request, as required by the Michigan Zoning Enabling Act, PA 110 of 2006, as amended. Notice for such public hearing shall be provided per the Michigan Zoning Enabling Act, as amended. The ZBA shall consider the application in regard to the standards set forth in Section 23.05(D) below. The ZBA may request advice from the Zoning Administrator, the Planning Commission, the Township Board, consultants for the Township, and any other party whose knowledge or expertise may assist the ZBA with making an informed decision.

**Section 23.06(C) is revised, in part, to read as follows:**

C. ZBA Review. Once the Secretary of the ZBA is in receipt of the complete application and the complete record on which the decision was made, the Secretary shall advise the ZBA chairperson of such. Thereafter, the ZBA chairperson shall schedule and hold a ZBA meeting, which meeting shall include a public hearing on the appeal request, as required by the Michigan Zoning Enabling Act, PA 110 of 2006, as amended.

1. The ZBA shall provide notice of the public hearing as required by the Michigan Zoning Enabling Act, PA 110 of 2006, as amended.

The remainder of Section 23.06(C) is unchanged.

**Section 23.07(C) is revised, in part, to read as follows:**

C. Notice of Public Hearing. Once the Secretary of the ZBA is in receipt of the complete application, the Secretary shall advise the ZBA chairperson of such. Thereafter, the ZBA chairperson shall schedule and provide notice of a ZBA meeting, which meeting shall include a public hearing on the variance request, as required by the Michigan Zoning Enabling Act, PA 110 of 2006, as amended. Notice of the variance request and public hearing on same shall be provided as required by the Michigan Zoning Enabling Act, PA 110 of 2006, as amended.

The remainder of Section 23.07(C) is unchanged.

**Section II – Severability and Repeal of Conflicting Ordinances**

This Ordinance and the various parts, sections, subsections, provisions, sentences and clauses are severable. If any part of this Ordinance is found to be unconstitutional or invalid it is declared that the remainder of this Ordinance shall not be affected thereby. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**Section III --- Publication and Effective Date**

This ordinance shall take effect eight days after publication following adoption.

**Motion By: Trustee Paul File Support by: Treasurer Naomi Criswell**

**Roll Call Vote:**

Supervisor Wright	<u>  Y  </u>
Treasurer Criswell	<u>  Y  </u>
Clerk Juroff	<u>  Y  </u>
Trustee File	<u>  Y  </u>
Trustee Brackensick	<u>  Y  </u>

Ordinance adopted:   5   Yes,   0   No

**Certification**

I hereby certify that the foregoing is a true and accurate copy of an ordinance adopted by LaGrange Township at a meeting held the 18th of October, 2011 at the LaGrange Township Hall and that notice of said meeting was made and given in accordance with the provisions of the Michigan Open Meetings Act.

*Amy Juroff*  
Amy J Juroff, LaGrange Township Clerk

October 18, 2011  
Date Adopted

October 26, 2011  
Date Published / Newspaper

November 3, 2011  
Date Effective

October 22, 2011  
Date Sent to County Clerk