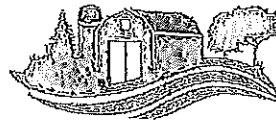


RAISIN  
CHARTER  
TOWNSHIP  
SINCE 1926



RAISIN CHARTER TOWNSHIP ZONING BOARD OF APPEALS

AUGUST 10, 2026 , at 4:00 PM

RAISIN COMMUNITY CENTER

AGENDA

RAISIN CHARTER  
TOWNSHIP  
ZONING BOARD OF  
APPEALS

CHAIRMAN  
Michael McArin

VICE CHAIR  
Mike Bartolo

SECRETARY  
John Smalec

MEMBERS  
Blaine McDonald

Jacob Wright

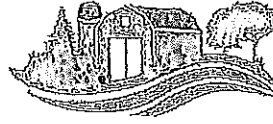
ALTERNATE  
Jim Colburn

1. Call to Order:
2. Roll Call:
3. Pledge of Allegiance:
4. Communications:
  - a. None
5. Approval of the Agenda:
6. Approval of the Minutes: May 4, 2026
7. New Business:
  - a. Zoning Board of Appeals Bylaws – Section 2 Meetings
    - A. Regular Meetings, “When a regular meeting falls... upon a day resulting in a conflict...shall select a suitable alternate meeting date...”
  - b. Discussion concerning adherence to the Michigan Zoning Enabling Act adopted July 1, 2006. Section 125. 3604 Zoning Board of Appeals; procedures – Section 604. (2) “The body or officer from whom the appeal is taken shall immediately transmit to the Zoning Board of Appeals all of the papers constituting the record upon which the action appealed from was taken.”

Meeting agenda posted on the bulletin board of Raisin Charter Township office, and the Raisin Charter Township website @ [www.raisinchartertownship.com](http://www.raisinchartertownship.com)

Americans with Disabilities Act (ADA) Notice This notice is posted in compliance with Public Act 267 of 1976, as amended, the Open Meetings Act, MCL 41.72a, and the Americans with Disabilities Act. The Raisin Charter Township will provide necessary reasonable aids and services to individuals with disabilities at the meeting upon seven (7) days' notice to the Raisin Township Board by writing or calling: Raisin Charter Township, 5525 Occidental Hwy., Tecumseh, MI 49286. Telephone: 517-423-3162

RAISIN  
CHARTER  
TOWNSHIP  
SINCE 1928



RAISIN CHARTER  
TOWNSHIP  
ZONING BOARD OF  
APPEALS

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Mike Bartolo

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Jacob Wright

ALTERNATE  
Jim Colburn

8. Old Business:
  - a. The Raisin Charter Township Zoning Board's response to the request from the Raisin Charter Township Zoning Board of Appeals request for a Comprehensive Review of the Raisin Charter Township's Zoning Ordinance.
  - b. The Raisin Charter Township Zoning Board's response to the request of the property owner appealing from or reviewing any administrative order, requirement, decision, or determination made by an administrative official or body must contain a survey of the property based on the location of the property stakes.
  - c. The Raisin Charter Township Zoning Board's response to Township Attorney David Lacasse's concern that the Raisin Charter Township Zoning Board has not taken up the issue of reviewing the present ordinance last reviewed before 2022.
9. Public Comment:
10. Adjourn Meeting:

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RAISIN CHARTER TOWNSHIP ZONING BOARD OF APPEALS

MAY 4, 2026 at 4:00 P.M.

RAISIN COMMUNITY CENTER

RAISIN CHARTER  
TOWNSHIP  
ZONING BOARD OF  
APPEALS

CHAIRMAN  
Michael McAran

VICE CHAIR  
Mike Bartolo

SECRETARY  
John Smalec

MEMBERS  
Blaine McDonald

Jacob Wright

ALTERNATE  
Jim Colburn

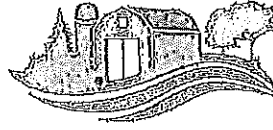
1. CALL TO ORDER: Meeting called to order at 4:00 by Chairman Mike McAran
2. MEMBERS PRESENT: Jim Colburn, John Smalec, Mike Bartolo, and Mike McAran. MEMBERS ABSENT: Blaine McDonald and Jacob Wright
3. COMMUNICATIONS: Chair read letter from Township Attorney David Lacasse expressing his concern that it has been before 2022 that the Zoning Ordinance has been completely reviewed and rewritten. The letter included a list of recommended changes to the Charter Township of Raisin's Official Zoning Ordinance THAT ARE NEEDED TO COMPLY WITH THE ZONING ENABLING ACT and the PLANNING ENABLING ACT as recommended by Attorney Phillip Schaedler.
4. APPROVAL OF AGENDA: Motion Smalec, support Bartolo, to support agenda. Motion carried-all
5. APPROVAL MINUTES: Motion Bartoto, support Colburn, to approve minutes of March 2, 2026 meeting.
6. NEW BUSINESS: Discussion of CORRECTIONS NEEDED AND POSSIBLE CHANGES to the Zoning Ordinance. No action taken.

Discussion regarding accessibility of the Raisin Community Center as only chair of the Zoning Board of Appeals has a key. The discussion was based on a past incident when the Zoning Board was to meet and no one had a key to open the Raisin

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RAISIN  
CHARTER  
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Community Center. Representatives Colburn and Bartolo suggested the Charter Township of Raisin install a lockbox containing a building key that allows those members access to various buildings or give access to the Raisin Township police department to unlock buildings as needed.

RAISIN CHARTER  
TOWNSHIP  
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Jacob Wright

ALTERNATE  
Jim Colburn

7. OLD BUSINESS: None

8. PUBLIC COMMENT: Township resident, Ed Stroessel, acknowledged that he had a question that was not relevant to the Zoning Board of Appeals. His statement was, "Will citizens have a chance to vote on a data center in Raisin Township and will there be a moratorium allowed to look at the issue?"

Representative Bartolo explained, "The process is the Planning Commission might be legally obligated to approve such proposals, however it would be up to the Raisin Township Board for final approval."

Mr. Stoessel also commented, "The (Raisin) township's face book page has not been updated since 2025."

9. ADJOURN MEETING: Meeting adjourned at 4:50 PM

\_\_\_\_\_  
Michael McAran, Chair

\_\_\_\_\_  
John Smalec, Secretary

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# Michigan State University Extension – Michigan Statute

Amended: December 17, 2013 (P.A. 189 of 2013, (Eff. March 13, 2014) (SB 0038, 2013): Cities can refuse to issue a zoning permit to someone delinquent in paying fines, etc. to a city administrative hearing bureau.

Amended: January 15, 2015 (P.A. 556 of 2014, (Eff. January 15, 2015) (SB 0493, 2013): Prohibit local zoning from restricting amateur radio short wave antennas to any height less than 90 feet and zoning must conform to federal regulations.

Amended: December 12, 2018 (P.A. 366 of 2019) (Eff. March 12, 2019) (SB 894, 2018): Make wireless communications infrastructure subject to wireless communications infrastructure deployment act

Amended: December 28, 2018 (P.A. 506 of 2018 (Eff. March 28, 2019) (HB 6063, 2018): Prohibit local zoning from regulating or prohibiting a sign that is located on or within a building and that commemorates any of the following who die in the line of duty: police officers, firefighters, medical first responders.

Amended: December 28, 2018, (P.A. 513 of 2019) (Eff. March 28, 2019) (HB 6400, 2018): Exempt certain adult care facilities from special or conditional use permits.

This is a fact sheet developed by experts on the topic(s) covered within MSU Extension. Its intent and use is to assist Michigan communities making public policy decisions on these issues. This work refers to university-based peer reviewed research, when available and conclusive, and based on the parameters of the law as it relates to the topic(s) in Michigan. This document is written for use in Michigan and is based only on Michigan law and statute. One should not assume the concepts and rules for zoning or other regulation by Michigan municipalities and counties apply in other states. In most cases they do not. This is not original research or a study proposing new findings or conclusions.

This is a reproduction of a Michigan Statute, as amended. The source text for this is from the Michigan Legislature web site, [http://www.legislature.mi.gov/\(S\(dv2lwtvrtuzhsioiipqpflw\)\)/mileg.aspx?page=home](http://www.legislature.mi.gov/(S(dv2lwtvrtuzhsioiipqpflw))/mileg.aspx?page=home) and is current only to the date indicated. Indentations, are added for purposes of ease of reading and determining how subsections and sub-subsections, etc., are nested. It is not a part of the statute as adopted. A table of contents is also added for ease of reading and finding the sections needed.

## Contents

Michigan Zoning Enabling Act.....	1
MICHIGAN ZONING ENABLING ACT .....	5
ARTICLE I GENERAL PROVISIONS.....	5
125.3101 Short title.....	5
125.3102 Definitions.....	5
125.3103 Notice; publication; mail or personal delivery; requirements.....	7
ARTICLE II ZONING AUTHORIZATION AND INITIATION .....	7



*Michigan State University Extension*  
*Michigan Statute*

## **Michigan Zoning Enabling Act**

*Adopted: July 1, 2006*

*Last amended: December 28, 2018*

P.A. 110 of 2006, as amended, M.C.L. 125.3101 *et seq.*

(Enrolled House Bill No. 4398 (2005))

Approved by the Governor: April 7, 2006

Filed with the Secretary of State: April 10, 2006

EFFECTIVE DATE: July 1, 2006

Amended: December 28, 2007 (P.A. 219 of 2007, Eff. Dec. 28, 2007. ): changes name of "family daycare home" and "group day-care home" to "family child care home" and "group care home."

Amended: February 29, 2008 (P.A. 12 of 2008, Imm. Eff. (Feb. 29, 2008. ) (HB 5032, 2007): A series of corrective amendments.

Amended: December 21, 2010 (P.A. 305 of 2010, Imm. Eff. (Dec. 21, 2010) (HB 5211, 2010): expand purpose of MZEA to include public transportation, consider the same in site plans,

Amended: July 20, 2011 (P.A. 113 of 2011, Imm. Eff. (July 20, 2011) (HB 4746, 2011): limits zoning authority over extraction of natural resources (gravel mining) and requiring "very serious consequences" standard.

Amended: July 24, 2011 (P.A. 97 of 2011, Imm. Eff. (July 24, 2011) (SB 0046, 2011): Ethanol production is a permitted use in any agricultural zoning district.

Amended: May 24, 2012 (P.A. 143 of 2012, Imm. Eff. (May 24, 2012) (SB 1064, 2012): Wireless communications jurisdiction restrictions, deadlines, etc.

Amended: December 27, 2012 (P.A. 389 of 2012, (Eff. March 28, 2013) (SB 912, 2012): Exempts southeast Michigan Regional Transit Authority public transit facilities from local zoning.

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*"Commitment to the rule of law provides a basic assurance  
that people can know what to expect whether  
what they do is popular or unpopular at the time."*

Sandra Day O'Connor

support structure, subsections (4) to (6) apply to the special land use approval process, except that the period for approval or denial under subsection (6) is 90 days.

- (9) A local unit of government may authorize wireless communications equipment as a permitted use of property not subject to a special land use approval.
- (10) This section does not apply to an activity or use that is regulated by the small cell wireless communications facilities deployment act.
- (11) As used in this section:
- (a) "Colocate" means to place or install wireless communications equipment on an existing wireless communications support structure or in an existing equipment compound. "Collocation" has a corresponding meaning.
  - (b) "Equipment compound" means an area surrounding or adjacent to the base of a wireless communications support structure and within which wireless communications equipment is located.
  - (c) "Wireless communications equipment" means the set of equipment and network components used in the provision of wireless communications services, including, but not limited to, antennas, transmitters, receivers, base stations, equipment shelters, cabinets, emergency generators, power supply cables, and coaxial and fiber optic cables, but excluding wireless communications support structures.
  - (d) "Wireless communications support structure" means a structure that is designed to support, or is capable of supporting, wireless communications equipment, including a monopole, self-supporting lattice tower, guyed tower, water tower, utility pole, or building.

History: Add. 2012, Act 143, Imd. Eff. May 24, 2012; -- Am. 2018, Act 366, Eff. Mar. 12, 2019.

## ARTICLE VI ZONING BOARD OF APPEALS

**125.3601 Zoning board of appeals; appointment; procedural rules; membership; composition; alternate member; per diem; expenses; removal; terms of office; vacancies; conduct of meetings; conflict of interest.**

Sec. 601.

- (1) A zoning ordinance shall create a zoning board of appeals. A zoning board of appeals in existence on June 30, 2006 may continue to act as the zoning board of appeals subject to this act. Subject to subsection (2), members of a zoning board of appeals shall be appointed by majority vote of the members of the legislative body serving.
- (2) The legislative body of a city or village may act as a zoning board of appeals and may establish rules to govern its procedure as a zoning board of appeals.
- (3) A zoning board of appeals shall be composed of not fewer than 5 members if the local unit of government has a population of 5,000 or more or not fewer than 3 members if the local unit of government has a population of less than 5,000. The number of members of the zoning board of appeals shall be specified in the zoning ordinance.
- (4) In a county or township, 1 of the regular members of the zoning board of appeals shall be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission. In a city or village, 1 of the regular members of the zoning board of appeals

may be a member of the zoning commission, or of the planning commission if the planning commission is functioning as the zoning commission, unless the legislative body acts as the zoning board of appeals under subsection (2). A decision made by a city or village zoning board of appeals before February 29, 2008 is not invalidated by the failure of the zoning board of appeals to include a member of the city or village zoning commission or planning commission, as was required by this subsection before that date.

- (5) The remaining regular members of a zoning board of appeals, and any alternate members under subsection (7), shall be selected from the electors of the local unit of government residing within the zoning jurisdiction of that local unit of government or, in the case of a county, residing within the county but outside of any city or village. The members selected shall be representative of the population distribution and of the various interests present in the local unit of government.
- (6) Subject to subsection (2), 1 regular or alternate member of a zoning board of appeals may be a member of the legislative body. Such a member shall not serve as chairperson of the zoning board of appeals. An employee or contractor of the legislative body may not serve as a member of the zoning board of appeals.
- (7) The legislative body may appoint to the zoning board of appeals not more than 2 alternate members for the same term as regular members. An alternate member may be called as specified in the zoning ordinance to serve as a member of the zoning board of appeals in the absence of a regular member if the regular member will be unable to attend 1 or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the member has abstained for reasons of conflict of interest. The alternate member appointed shall serve in the case until a final decision is made. An alternate member serving on the zoning board of appeals has the same voting rights as a regular member.
- (8) A member of the zoning board of appeals may be paid a reasonable per diem and reimbursed for expenses actually incurred in the discharge of his or her duties.
- (9) A member of the zoning board of appeals may be removed by the legislative body for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. A member shall disqualify himself or herself from a vote in which the member has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.
- (10) The terms of office for an appointed member of the zoning board of appeals shall be 3 years, except for a member serving because of his or her membership on the zoning commission or legislative body, whose term shall be limited to the time he or she is a member of that body. When members are first appointed, appointments may be for less than 3 years to provide for staggered terms. A successor shall be appointed not more than 1 month after the term of the preceding member has expired.
- (11) A vacancy on the zoning board of appeals shall be filled for the remainder of the unexpired term in the same manner as the original appointment.
- (12) A zoning board of appeals shall not conduct business unless a majority of the regular members of the zoning board of appeals are present.
- (13) A member of the zoning board of appeals who is also a member of the zoning commission, the planning commission, or the legislative body shall not participate in a public hearing on or vote on the same matter that the member voted on as a member of the zoning commission, the planning commission, or the legislative body. However, the member may consider and vote on other unrelated matters involving the same property.

History: 2006, Act 110, Eff. July 1, 2006 ;-- Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008 ;-- Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010

**125.3602 Meetings; call of the chairperson; oaths; attendance of witnesses; record of proceedings.**

Sec. 602.

- (1) Meetings of the zoning board of appeals shall be held at the call of the chairperson and at other times as the zoning board of appeals in its rules of procedure may specify. The chairperson or, in his or her absence, the acting chairperson may administer oaths and compel the attendance of witnesses.
- (2) The zoning board of appeals shall maintain a record of its proceedings which shall be filed in the office of the clerk of the legislative body.

History: 2006, Act 110, Eff. July 1, 2006

**125.3603 Zoning board of appeals; powers; concurring vote of majority of members.**

Sec. 603.

- (1) The zoning board of appeals shall hear and decide questions that arise in the administration of the zoning ordinance, including the interpretation of the zoning maps, and may adopt rules to govern its procedures sitting as a zoning board of appeals. The zoning board of appeals shall also hear and decide on matters referred to the zoning board of appeals or upon which the zoning board of appeals is required to pass under a zoning ordinance adopted under this act. It shall hear and decide appeals from and review any administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this act. For special land use and planned unit development decisions, an appeal may be taken to the zoning board of appeals only if provided for in the zoning ordinance.
- (2) The concurring vote of a majority of the members of the zoning board of appeals is necessary to reverse an order, requirement, decision, or determination of the administrative official or body, to decide in favor of the applicant on a matter upon which the zoning board of appeals is required to pass under the zoning ordinance, or to grant a variance in the zoning ordinance.

History: 2006, Act 110, Eff. July 1, 2006

**125.3604 Zoning board of appeals; procedures.**

Sec. 604.

- (1) An appeal to the zoning board of appeals may be taken by a person aggrieved or by an officer, department, board, or bureau of this state or the local unit of government. In addition, a variance in the zoning ordinance may be applied for and granted under section 4 of the uniform condemnation procedures act, 1980 PA 87, MCL 213.54, and as provided under this act. The zoning board of appeals shall state the grounds of any determination made by the board.
- (2) An appeal under this section shall be taken within such time as prescribed by the zoning board of appeals by general rule, by filing with the body or officer from whom the appeal is taken and with the zoning board of appeals a notice of appeal specifying the grounds for the appeal. The body or officer from whom the appeal is taken shall immediately transmit to the zoning board of appeals all of the papers constituting the record upon which the action appealed from was taken.
- (3) An appeal to the zoning board of appeals stays all proceedings in furtherance of the action appealed. However, if the body or officer from whom the appeal is taken certifies to the zoning board of appeals

after the notice of appeal is filed that, by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril to life or property, proceedings may be stayed only by a restraining order issued by the zoning board of appeals or a circuit court.

- (4) Following receipt of a written request for a variance, the zoning board of appeals shall fix a reasonable time for the hearing of the request and give notice as provided in section 103.
- (5) If the zoning board of appeals receives a written request seeking an interpretation of the zoning ordinance or an appeal of an administrative decision, the zoning board of appeals shall conduct a public hearing on the request. Notice shall be given as required under section 103. However, if the request does not involve a specific parcel of property, notice need only be published as provided in section 103(1) and given to the person making the request as provided in section 103(3).
- (6) At a hearing under subsection (5), a party may appear personally or by agent or attorney. The zoning board of appeals may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination and may issue or direct the issuance of a permit.
- (7) If there are practical difficulties for nonuse variances as provided in subsection (8) or unnecessary hardship for use variances as provided in subsection (9) in the way of carrying out the strict letter of the zoning ordinance, the zoning board of appeals may grant a variance in accordance with this section, so that the spirit of the zoning ordinance is observed, public safety secured, and substantial justice done. The ordinance shall establish procedures for the review and standards for approval of all types of variances. The zoning board of appeals may impose conditions as otherwise allowed under this act.
- (8) The zoning board of appeals of all local units of government shall have the authority to grant nonuse variances relating to the construction, structural changes, or alteration of buildings or structures related to dimensional requirements of the zoning ordinance or to any other nonuse-related standard in the ordinance.
- (9) The authority to grant variances from uses of land is limited to the following:
  - (a) Cities and villages.
  - (b) Townships and counties that as of February 15, 2006 had an ordinance that uses the phrase "use variance" or "variances from uses of land" to expressly authorize the granting of use variances by the zoning board of appeals.
  - (c) Townships and counties that granted a use variance before February 15, 2006.
- (10) The authority granted under subsection (9) is subject to the zoning ordinance of the local unit of government otherwise being in compliance with subsection (7) and having an ordinance provision that requires a vote of 2/3 of the members of the zoning board of appeals to approve a use variance.
- (11) The authority to grant use variances under subsection (9) is permissive, and this section does not require a local unit of government to adopt ordinance provisions to allow for the granting of use variances.

History: 2006, Act 110, Eff. July 1, 2006 ;-- Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008

### **125.3605 Decision as final; appeal to circuit court.**

Sec. 605.

The decision of the zoning board of appeals shall be final. A party aggrieved by the decision may appeal to the circuit court for the county in which the property is located as provided under section 606.

History: 2006, Act 110, Eff. July 1, 2006

**125.3606 Circuit court; review; duties.**

Sec. 606.

- (1) Any party aggrieved by a decision of the zoning board of appeals may appeal to the circuit court for the county in which the property is located. The circuit court shall review the record and decision to ensure that the decision meets all of the following requirements:
  - (a) Complies with the constitution and laws of the state.
  - (b) Is based upon proper procedure.
  - (c) Is supported by competent, material, and substantial evidence on the record.
  - (d) Represents the reasonable exercise of discretion granted by law to the zoning board of appeals.
- (2) If the court finds the record inadequate to make the review required by this section or finds that additional material evidence exists that with good reason was not presented, the court shall order further proceedings on conditions that the court considers proper. The zoning board of appeals may modify its findings and decision as a result of the new proceedings or may affirm the original decision. The supplementary record and decision shall be filed with the court. The court may affirm, reverse, or modify the decision.
- (3) An appeal from a decision of a zoning board of appeals shall be filed within whichever of the following deadlines comes first:
  - (a) Thirty days after the zoning board of appeals issues its decision in writing signed by the chairperson, if there is a chairperson, or signed by the members of the zoning board of appeals, if there is no chairperson.
  - (b) Twenty-one days after the zoning board of appeals approves the minutes of its decision.
- (4) The court may affirm, reverse, or modify the decision of the zoning board of appeals. The court may make other orders as justice requires.

History: 2006, Act 110, Eff. July 1, 2006 ;-- Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008 ;-- Am. 2010, Act 330, Imd. Eff. Dec. 21, 2010

**125.3607 Party aggrieved by order, determination, or decision; circuit court review; proper party.**

Sec. 607.

- (1) Any party aggrieved by any order, determination, or decision of any officer, agency, board, commission, zoning board of appeals, or legislative body of any local unit of government made under section 208 may obtain a review in the circuit court for the county in which the property is located. The review shall be in accordance with section 606.
- (2) Any person required to be given notice under section 604(4) of the appeal of any order, determination, or decision made under section 208 shall be a proper party to any action for review under this section.

History: 2006, Act 110, Eff. July 1, 2006

## ARTICLE VII STATUTORY COMPLIANCE AND REPEALER

### 125.3701 Compliance with open meetings act; availability of writings to public.

#### Sec. 701.

- (1) All meetings subject to this act shall be conducted in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.
- (2) A writing prepared, owned, used, in the possession of, or retained as required by this act shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

History: 2006, Act 110, Eff. July 1, 2006

### 125.3702 Repeal of MCL 125.581 to 125.600, 125.201 to 125.240, and 125.271 to 125.310; construction of section.

#### Sec. 702.

- (1) (1) The following acts and parts of acts are repealed:
  - (a) The city and village zoning act, 1921 PA 207, MCL 125.581 to 125.600.
  - (b) The county zoning act, 1943 PA 183, MCL 125.201 to 125.240.
  - (c) The township zoning act, 1943 PA 184, MCL 125.271 to 125.310.
- (2) This section does not alter, limit, void, affect, or abate any pending litigation, administrative proceeding, or appeal that existed on June 30, 2006 or any ordinance, order, permit, or decision that was based on the acts repealed under subsection (1). The zoning ordinance need not be readopted but is subject to the requirements of this act, including, but not limited to, the amendment procedures set forth in this act.

History: 2006, Act 110, Eff. July 1, 2006 ;-- Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008

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## Extension experts

To find contact information for MSU Extension experts use this web page:  
<http://msue.anr.msu.edu/experts>.

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