

ORDINANCE #76 AN ORDINANCE TO AMEND THE MANCHESTER TOWNSHIP ZONING ORDINANCE AS FOLLOWS.

SECTION 20.09 - APPEALS TO THE BOARD OF APPEALS

The following provisions shall apply:

- A. APPEALS, HOW TAKEN** - Appeals concerning administrative review may be made within such time as prescribed by the Board of Appeals by general rule, by filing with the Zoning Administrator and the Board of Appeals a notice of appeal specifying the grounds thereof. The Zoning Administrator shall transmit to the Board of Appeals copies of all papers constituting the record upon which the action appealed from was taken, within seven (7) days of the filing date. The appellant shall submit a clear description of the order, requirement, decision, or determination for which appeal is made, and may be required by the Board of Appeals to submit additional information to clarify the appeal.
- B. WHO MAY APPEAL:** Appeals to the Board of Appeals may be taken by any person aggrieved or by any officer, department, board, agency, or bureau of the Township, County, or State.
- C. FEE FOR APPEAL:** A fee, as determined by resolution of the Township Board, shall be paid at the time of filing the appeal.
- D. EFFECT OF APPEAL; RESTRAINING ORDER:** An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Township Board of Appeals, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by the Circuit Court, on application, on notice to the officer from whom the appeal is taken and on due cause shown.
- E. HEARING BY THE BOARD OF APPEALS; REQUEST; NOTICE; PUBLIC HEARING:** When a request for appeal has been filed in proper form the Township Clerk shall place the said request for appeal upon the calendar for public hearing, and cause notice, stating the time, place, date, and object of the public hearing to be served personally or by registered return receipt mail no less than fifteen (15) days before the public hearing, upon the party or parties making the request for appeal or the application for variance. If the request for an interpretation or appeal of an administrative decision involves a specific parcel, written notice stating the nature of the interpretation requests and the time, dated, and place of the public hearing on the interpretation request shall be sent by first-class mail or personal delivery to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question and to all occupants of all structures within three hundred (300) feet of the boundary of the property in question. If a tenant's name is not known, the term "occupant" may be used. All notice by regular mail shall be deemed to have been given when deposited in the United States Post Office, addressed to the respective property owners of record to the address shown on the last assessment roll of the Township.

In addition, a notice stating the time, date, and place of the public hearing shall be published in a newspaper of general circulation within the Township and shall be sent to the person requesting

an interpretation of the Zoning Ordinance not less than fifteen (15) days before the public hearing.

In accordance with Section 19.03 D. of this Ordinance, the applicant(s) seeking a variance shall be responsible for posting a sign, if applicable, announcing the public hearing for the proposed variance. Each sign shall state, "PROPERTY PROPOSED FOR A VARIANCE TO THE MANCHESTER TOWNSHIP ZONING ORDINANCE."

- F. REPRESENTATION AT HEARING:** Upon the hearing, any party or parties may appear in person or by agent or by attorney.
- G. DECISIONS OF THE BOARD OF APPEALS AND APPEALS TO THE CIRCUIT COURT:** The Board of Appeals shall decide upon all matters appealed from within a reasonable time and may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and shall make such order, requirement, decision or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the Zoning Administrator or Township Board from whom the appeal is taken. The Board of Appeals' decision of such appeals shall be in the form of a resolution containing a full record of the findings and determination of the Board of Appeals in each particular case. Any party aggrieved by such resolution shall have the right to appeal to the Circuit Court on question of law and fact.

I, Ann M. Bechtel, Clerk of Manchester Township, Washtenaw County, Michigan, hereby certify as follows:

1. The preceding ordinance was adopted by the Manchester Township Board of Trustees at a Special meeting held on February 27, 2008, and that members Bechtel, Macomber, Schmitt, Huber and Widmayer voted in favor of adoption, none voted against. Absent: Mann & Kolon. CARRIED
2. A summary of the ordinance was published in the *Manchester Enterprise* on March 6, 2008.
3. The effective date of the ordinance is March 13, 2008.

