



Oakland County's One Stop Ready program provides communities with ways to continuously improve processes that will help them achieve their economic development goals.

BEST PRACTICE

Periodic Review of Zoning Board of Appeals (ZBA) Actions



If property owners and developers are routinely receiving variances from the ZBA in order to build, that is an indication that the zoning standards should be evaluated.

See if your ZBA is experiencing a relatively high number of variance requests related to specific zoning ordinance standards and if the ZBA is routinely granting variances for those requests.

The ZBA should consider unique situations that may warrant variance consideration. However, when the ZBA becomes a routine stop for development approval, there is a problem with the community's zoning ordinance standards — which should then be evaluated by the Planning Commission for possible amendment.

Of course, the process must be public and conform with the Zoning Enabling Act for any amendments that result from the review. A typical process would be:

1. Staff / consultants evaluate the type and number of ZBA variance requests received, the approval rate, and any subsequent issues or problems resulting from the variances.
2. Staff reports its findings to the ZBA and Planning Commission for initial discussion of the applicable zoning ordinance standards that staff, consultants, the ZBA or the Planning Commission wish to discuss for possible evaluation and amendment. (Public Meeting)
3. Planning Commission provides direction to staff / consultants to report back on standards they wish to evaluate and consider for amendment. (Public Meeting)
4. Staff / consultants provide report to Planning Commission with draft amendment language for consideration. (Public Meeting)
5. Planning Commission determines amendments they wish to recommend to legislative body. (Public Meeting)
6. Planning Commission public hearing and recommendation to legislative body. (Public Hearing)
7. Legislative body consideration of proposed amendments. (Public meeting and Public Hearing)
8. If adopted, amendments become law on effective date.

Questions? Contact:

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