

ZONING BOARD OF APPEALS



ZONING BOARD OF APPEALS MEMBERS

Russ Rice, Vice Chairman
Rita Baranski, Vice Chairperson
Nancy Bates, Secretary
Joseph Toia, Planning Commission Representative
James Andary, Member

The Shelby Township Zoning Board of Appeals consists of five members who are approved by the Township Board of Trustees. One member of the Planning Commission participates as a member of the Zoning Board of Appeals.

All communities with an adopted zoning ordinance are required to have a Board of Appeals to provide relief for properties that cannot adhere to specific requirements of the zoning ordinance.

The Zoning Board of Appeals has the quasi-judicial function of interpreting the zoning ordinance to ensure that it has or will be properly applied. The basic responsibilities of the Zoning Board of Appeals include the following:

- ❖ **Appeals of administrative decisions.** The Zoning Board of Appeals has the responsibility to hear and decide on any decision or determination of an official or body charged with the administration of the zoning ordinance. The administration of the ordinance typically falls under the jurisdiction of the Planning and Zoning Department, the Planning Commission, or Code Enforcement.
- ❖ **Variance requests.** A variance is official permission to deviate from a requirement of the zoning ordinance. The authority to grant a variance is discretionary. The zoning ordinance contains standards for the Board to consider in evaluating the appropriateness of variance requests. The most common variance is a dimension or non-use variance. These typically pertain to buildings and structures that cannot be constructed in the location required by the ordinance or that certain other requirements cannot be met. Common dimensional variance requests include building setbacks, building height, lot coverage requirements, parking standards, signs and accessory building requirements among others.
- ❖ **Ordinance interpretations.** Requests for ordinance interpretations may result from undefined or ambiguous terms or poorly defined standards, lack of clarity concerning the location of a zoning district boundary or other similar matters. The Zoning Board of Appeals is the only local body authorized to render “official” interpretations of the zoning map text or map.
- ❖ **Temporary uses.** The Zoning Board of Appeals may approve temporary structures for periods not to exceed six months. They may also approve temporary uses not otherwise permitted in any zoning district and which do not require the erection of any capital improvement of a structural nature.