



SENATE BILL No. 780

November 30, 1995, Introduced by Senators DUNASKISS and HONIGMAN and referred to the Committee on Local, Urban and State Affairs.

A bill to amend section 24 of Act No. 23 of the Public Acts of the Extra Session of 1950, entitled as amended "Airport zoning act," being section 259.454 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 24 of Act No. 23 of the Public Acts of
2 the Extra Session of 1950, being section 259.454 of the Michigan
3 Compiled Laws, is amended to read as follows:

4 Sec. 24. Any person desiring to erect any structure, or
5 increase the height of any structure, or permit the growth of any
6 tree, or otherwise use ~~his~~ property in violation of the airport
7 zoning regulations adopted under this act, OR AN AGENCY ACTING
8 UNDER SECTION 4 OF THE UNIFORM CONDEMNATION PROCEDURES ACT, ACT
9 NO. 87 OF THE PUBLIC ACTS OF 1980, BEING SECTION 213.54 OF THE
10 MICHIGAN COMPILED LAWS, may apply to the board of appeals, for a

1 variance from the zoning regulations in question. ~~Such~~
2 ~~variances shall be allowed where~~ THE BOARD OF APPEALS SHALL
3 ALLOW A VARIANCE IF a literal application or enforcement of the
4 regulations would result in practical difficulty or unnecessary
5 hardship and the relief granted would not be contrary to the
6 public interest, but would do substantial justice and be in
7 accordance with the spirit of the regulations. ~~of this act:~~
8 ~~Provided, however, That any~~ HOWEVER, A variance may be allowed
9 subject to any reasonable ~~conditions~~ CONDITION or condition
10 subsequent that the board of appeals ~~may deem~~ CONSIDERS neces-
11 sary to effectuate the purposes of this act. ~~Nothing in this~~
12 ~~section authorizes the allowance of any variation which will~~ A
13 VARIANCE SHALL NOT conflict with ~~any~~ A general zoning ordinance
14 or regulation of ~~any~~ A political subdivision, ~~except such as~~
15 ~~is~~ BUT MAY CONFLICT WITH A ZONING ORDINANCE OR REGULATION
16 adopted exclusively for airport zoning purposes.

17 Section 2. This amendatory act shall not take effect unless
18 Senate Bill No. 778
19 of the 88th Legislature is enacted into law.