
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bills 459 through 462 (as introduced 4-24-97)
Senate Bill 463 (Substitute S-1)
Sponsor: Senator Mat J. Dunaskiss (S.B. 459 & S.B. 461)
Senator Leon Stille (S.B. 460)
Senator Bill Schuette (S.B. 462)
Senator Loren Bennett (S.B. 463)
Committee: Local, Urban and State Affairs

Date Completed: 10-29-97

CONTENT

The bills would amend the Natural Resources and Environmental Protection Act (NREPA) and various zoning Acts to permit a condemning agency, when acquiring a portion of a parcel of property under the Uniform Condemnation Procedures Act, to seek a variance from certain zoning regulations.

(Under the Uniform Condemnation Procedures Act, "agency" means a public or private agency. "Private agency" means a person, partnership, association, corporation, or entity, other than a public agency, authorized by law to condemn property. "Public agency" means a governmental unit, officer, or subdivision authorized by law to condemn property.)

Specifically, Senate Bill 459 would amend the NREPA to permit a local unit of government, a landowner, or an agency, acting under the Uniform Condemnations Procedures Act, to apply for a change in boundaries or permitted uses.

Currently, a local government must conform to the Township Zoning Act or the County Zoning Act as well as NREPA requirements when establishing a zoning ordinance. Under the bill, a local government also would have to conform to the variance requirements of those zoning Acts.

Senate Bills 460, 461, and 462 would amend the County Zoning Act, the Township Zoning Act, and the City and Village Zoning Act, respectively, to permit an agency to seek a variance from a county board of zoning appeals, a township zoning board of appeals, or a city or village board of appeals under the Uniform Condemnation Procedures Act.

Senate Bill 463 (S-1) would amend the Airport Zoning Act to permit an agency acting under the Uniform Condemnation Procedures Act to apply to the board of appeals for a variance from the zoning regulations adopted under the Airport Zoning Act.

MCL 324.30510 & 324.30512 (S.B. 459)
MCL 125.220 (S.B. 460)
MCL 125.290 (S.B. 461)
MCL 125.585 (S.B. 462)
MCL 259.454 (S.B. 463)

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bills would have no fiscal impact on State or local government.

Fiscal Analyst: R. Ross
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.