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TO: Detroit City Council

FROM: David D. Whitaker, Esq. 
Legislative Policy Division Staff

DATE: March 22, 2023

RE: Board of Zoning Appeals Membership

Council Member Mary Waters has made an inquiry about the feasibility of adding two additional members to the Board of Zoning Appeals. Based on our research, the Legislative Policy Division has determined that can be done.

According the Zoning Ordinance, “[t]he Board of Zoning Appeals shall be composed of not fewer than five or more than nine members who, in accordance with Section 601(1) of the Michigan Zoning Enabling Act, being MCL 125.3601(1), are appointed by a majority vote of City Council members serving”.¹ The addition of two members will bring the number of members on the board at nine which is squarely within the parameters of the ordinance. A resolution is required to make a change in the number of members.

Additionally, a budget allocation is necessary to fund the two additional stipends for the board members. This allocation can be addressed during your budget deliberations if this Body’s desire to add the members for the upcoming fiscal year.

¹ Section 50-2-63