

**AIRPORT ZONING ACT (EXCERPT)**  
**Act 23 of 1950 (Ex. Sess.)**

**259.454 Airport zoning regulations; variance.**

Sec. 24. (1) A person desiring to erect a structure, or increase the height of a structure, or permit the growth of a tree, or otherwise use property in violation of the airport zoning regulations adopted under this act, may apply to the board of appeals, for a variance from the zoning regulations in question. The board of appeals shall allow a variance if a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest, but would do substantial justice and be in accordance with the spirit of the regulations. However, a variance may be granted subject to any reasonable condition or condition subsequent that the board of appeals considers necessary to effectuate the purposes of this act. A variance shall not conflict with a general zoning ordinance or regulation of a political subdivision. However, a variance may conflict with a zoning ordinance or regulation adopted exclusively for airport zoning purposes.

(2) A variance from an airport zoning regulation may be applied for and granted pursuant to section 4 of the uniform condemnation procedures act, 1980 PA 87, MCL 213.54, and this act.

**History:** 1950, Ex. Sess., Act 23, Imd. Eff. June 7, 1950;—Am. 2000, Act 16, Imd. Eff. Mar. 8, 2000.