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## JUDICIAL APPEAL OF COUNTY ZONING DECISIONS

**House Bill 4439**

**Sponsor: Rep. Keith Stallworth**

**Committee: Local Government and  
Urban Policy**

**Complete to 4-12-01**

### **A SUMMARY OF HOUSE BILL 4439 AS INTRODUCED 3-8-01**

House Bill 4439 would amend the County Zoning Act to provide that a contingent sales agreement would not be a sufficient basis for standing in a judicial appeal of a county zoning decision.

Currently, a person has the right to appeal a decision of a county board of zoning appeals to a circuit court, and the law requires the court, upon appeal, to ensure that a zoning decision meets certain requirements, and that a zoning board has not exceeded its lawful discretion. The bill would retain these provisions, but it specifies that an agreement to purchase property contingent on an order, determination, or decision of an officer, agency, board, or commission, the county board of zoning appeals, or the county board of commissioners (whether under this act or under a local ordinance) would not be a basis for standing in a judicial proceeding held to challenge the decision. Further, the bill specifies that an agreement to purchase property contingent on an amendment to an ordinance would not be a basis for standing in a judicial proceeding to challenge an ordinance adopted under this act.

MCL 125.223

House Bill 4439 (4-12-01)

Analyst: J. Hunault

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.