

MEETING
GLEN ARBOR TOWNSHIP BOARD OF APPEALS
Wednesday, July 12, 2018 at 1 pm
GLEN ARBOR TOWNSHIP HALL

PRESENT: Denny Becker, Bill Freeman, Pam Lysaght, Don Lewis, Harvey Warburton, Alternate Member Andrew Dotterweich, Zoning Administrator Tim Cypher, Recording Secretary Dana Boomer

ABSENT: None

GUESTS: 0

CALL TO ORDER: Chairman Bill Freeman called the meeting to order at 1:00 p.m. with the Pledge of Allegiance.

APPROVAL OF AGENDA: Dotterweich moved, Becker seconded to approve the agenda as presented. All in favor, motion carried.

CONFLICT OF INTEREST: None

APPROVAL OF MINUTES: Lysaght moved, Dotterweich seconded to approve the minutes of June 11, 2018 as presented. All in favor, motion carried.

PUBLIC COMMENT: None

OTHER BUSINESS:

Bylaws - The draft bylaws had been presented to the board by e-mail, incorporating the comments from the last meeting. The addition of a severability clause and a rewording of the training section were the major changes from last meeting. Warburton joined the meeting at this time (1:05). The ZBA discussed each page of the bylaws, and made additional changes.

Section 2, paragraph 2 was changed to "to reverse or uphold an order, a requirement, a decision, or a determination".

Section 5, changed to: "Any ZBA member who is absent from three consecutive regularly scheduled meetings may be considered delinquent. Delinquency may be grounds for the Glen Arbor Township Board to remove a ZBA member." Section 6, changed to: "The Township Board may remove ZBA members for misfeasance, malfeasance or nonfeasance in office." The Township Board will set their own procedures for dismissal of a member. Cypher will check with Dick Figura on these changes.

Section 9, Training - The board extensively discussed the training section. There was discussion of whether new members should or shall have to have formal training before hearing a case, as the timing on this is not always fortuitous. The requirements for new members were also extensively discussed – new members are appointed by the Township Board, and the Township Board ultimately sets the required qualifications. The section was changed to add "This training requirement may be waived by the Township Board on a case-by-case basis." as the second sentence. The section was changed to add a comma after "Michigan Municipal League". The full bylaws will be checked for Oxford comma use.

Regarding Section 12, the board discussed when an application is considered complete. The board discussed having Cypher make sure that the eight individual findings are listed on the application, and that the applicant either answer each, or note why they are not applicable. Cypher noted that these eight items are part of the Michigan Zoning Enabling Act, but are not part of the Glen Arbor Township Zoning Ordinance. The MZEA requires these eight items, regardless of whether or not they are required by the ZO. It was determined that no changes needed to be made to the bylaws as a result of this discussion. The ZBA recommends that the Township Board amend the variance application form to include the criteria required by the Michigan Zoning Enabling Act.

The above changes will be made to the bylaws and reviewed by Mr. Figura. They will then be distributed to the ZBA prior to the next meeting, to be set in August.

NEW BUSINESS:

Date for Dougal Application Meeting – The board discussed a date for the new application. The meeting was set for Thursday, August 23 at 1 pm.

PUBLIC COMMENT: None.

ZBA/ZA COMMENT: None.

ADJOURNMENT: Warburton moved to adjourn the meeting, Becker seconded. All in favor, motion carried. With no further business, Bill Freeman declared the meeting was adjourned at 2:11 p.m.

Respectfully submitted,

Dana Boomer

Recording Secretary