

**ZONING BOARD OF APPEALS
MEETING MINUTES
August 22, 2012
CITY COUNCIL CHAMBER
7:00 P.M.**

1. CALL TO ORDER

The meeting was called to order at 7:06 p.m.

II. ROLL CALL

Present: J. Bailey, M. Shecket, G. Udoji, R. Johnson, T. Roach, A. Bedogne

Staff: T. Gillotti, City Planner II
B. Wessler, City Planner I
N. Schuette, Executive Secretary

Chairman Bailey welcomed new board member, Tom Roach, as well as Anthony Bedogne who has been nominated but not yet appointed.

III. APPROVAL OF MINUTES – June 27, 2012

Commissioner Johnson moved to approve the minutes of June 27, 2012 as read (Support: M. Shecket) and the motion carried unanimously.

VI. PURPOSE OF MEETING

Commissioner Bailey stated that the purpose of the meeting is to conduct a training session.

VII. OLD BUSINESS

None

VIII. NEW BUSINESS

1. Training

Ms. Gillotti stated that this is a good opportunity to hold a training session since we have three new members. It is also helpful to current board members as a refresher of the zoning laws. She introduced Amy Neary, Senior Principal Planner for McKenna Associates, who was in attendance to provide a training session. Training materials were distributed, which included zoning maps and a copy of the Zoning Ordinance.

Ms. Neary gave a short background on her experience as well as some information on McKenna Associates noting that the company had 30 years of service to 200+ communities in Michigan as well as Indiana and Ohio. She reviewed the agenda, which consisted of Basics of Zoning Overview, Roles and Responsibilities, Powers, Membership & Voting, Conformities and then time at the end for questions and answers.

The statutory powers of the Zoning Board of Appeals come from the Michigan Zoning Enabling Act PA 110 of 2006 amended by PA 12 of 2008 (MZEA) identifying membership requirements. The other item that provides guidance for the Zoning Board of Appeals is Michigan Planning Enabling Act PA 33 of 2008. Zoning as a public policy protects property values and natural resources, prevents nuisances, and promotes compatibility and infrastructure and appropriate development. It helps develop the economy, prevents over-use of land and implements vision for the future.

The Master Plan is the basis for zoning and is a policy document, not required to be approved by council.

The zoning functional responsibilities includes three functions provided for by the MZEA – Legislative (City Council) which adopts laws, Administrative – which consists of Planning and Building officials and the Planning Commission and lastly, members of the ZBA. Ms. Neary detailed the roles and responsibilities of each function.

The presentation included ordinance interpretation, appeal of decision, variances, hardship tests, membership and voting, and conflicts of interest. She reviewed the application process, site visits, context of decisions and findings of fact and motion, which should be specific to the case giving illustrations of fact guidelines.

Non-conforming buildings were covered in detail, providing various case studies and solutions.

At the end of the presentation, Ms. Neary responded to questions by members.

IX. ADJOURNMENT

Since there was no further business, Commissioner Shecket moved to adjourn the meeting (Support: T. Roach) and the motion carried unanimously. The meeting adjourned at 9:16 p.m.