

HAYES TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
July 31, 2013

The Zoning Board of Appeals hearing was called to order by Chair Joni Hosler at 7:30 p.m. at the Hayes Township Hall, 09195 Old US 31 N., Charlevoix.

Members present were Rich Burnett, Joni Hosler and Scott Parker. Jim Rudolph and Bill Henne were absent. Also present were Jonathan Scheel, ZA and Marlene Golovich, Secretary.

The Zoning Board of Appeals members reviewed the minutes from June 12, 2013. Rich Burnett made a motion, supported by ~~Jim Rudolph~~ **Scott Parker** to approve the minutes as corrected. Motion carried unanimously.

Zoning Administrator, Jonathan Scheel reviewed some of the rolls and duties of the Zoning Board of Appeals.

The ~~role~~ **role** of the Zoning Administrator and the Secretary is administrative. They are the people you go to for more information or records pertaining to zoning.

It is important that the ZBA work as a team. That does not mean they have to agree on everything. They need to do their due diligence and come to the meetings prepared.

Site visits are key to being prepared. They can be conducted in two ways. The ZBA can schedule a time to go together but must post a meeting notice 18 hours prior to the visit to comply with the open meetings act. They can also go individually but must remember not to engage the property owner in discussion about the variance application.

Every variance request is treated individually based on the hardships presented on the property and the inability to comply with the zoning ordinance because of those hardships. Aesthetics or personal needs are not a reason for a variance. Very rarely is past precedence or fear of setting precedence a consideration.

You must determine whether the requested variance is the minimum necessary to have reasonable use of the property.

When reviewing the criteria for a variance the answers need a reason, not just a yes or no. In order to defend a variance approval or denial in court you must be able to prove clear and rational decision making.

The public is always given a chance to speak during the public comment period. When that period is closed the board has the opportunity to discuss the requested variance amongst themselves and ask questions of the audience. When the board feels it has all the information regarding the variance they begin the process of reviewing the criteria outlined in the zoning ordinance for granting or denying a variance.

There should be no side discussions among the board members or the audience.

Great meetings are led by a great chairperson and board members committed to the process and the Township.

Scott Parker made a motion, supported by Rich Burnett to adjourn this meeting at 9:10 p.m. Motion carried unanimously.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Marlene Golovich". The signature is fluid and cursive, with the first name "Marlene" written in a larger, more prominent script than the last name "Golovich".

Marlene Golovich, Clerk
Hayes Township

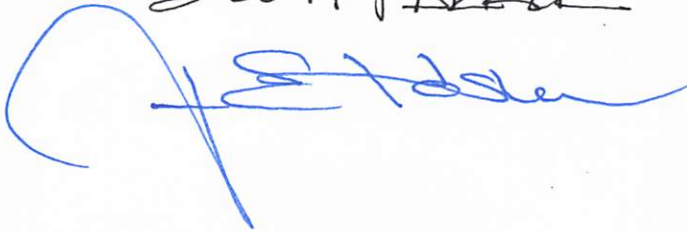
Minutes approved as corrected January 15, 2014

7/31/13

HAYES TOWNSHIP
PLANNING COMMISSION - ZBA
MEMBERS ATTENDANCE

Rich Buntt

SCOTT PARKER



Moh Ch

Samuel Schell