

**TOWNSHIP OF ARCADIA
MANISTEE COUNTY, MICHIGAN**

**MINUTES OF APRIL 30, 2021 ORGANIZATIONAL/EDUCATIONAL MEETING OF
ZONING BOARD OF APPEALS**

Introductory Note: In early 2021 the Township determined the Zoning Board of Appeals had apparently last had need for a meeting in 2014, and the member appointments had therefore lapsed. The Township Board reestablished the regular and alternate members of the Zoning Board of Appeals pursuant to a resolution adopted March 11, 2021. On advice of the Township Attorney, the newly appointed members of the Zoning Board of Appeals held an organizational meeting and educational workshop. This meeting was held as a public meeting pursuant to notice as required by the Open Meetings Act.

The Township Attorney called the meeting to order at the Township Hall shortly after 5:00 p.m.

Members Present: - Michael Matteson, regular member
- Roger Brown, regular member
- Shannon Westgate, regular member, from the Planning Commission (attending the meeting via ZOOM from the East Lansing area)
- Thomas McCraner, alternate member

Alternate member Michael Cederholm was absent.

Also attending the meeting was Craig A. Rolfe, Township Attorney; Katie Mehl, Zoning Administrator; Janice McCraner, Township Supervisor (assisting with the ZOOM connection); and three or four other persons from the community, including Brad Hopwood, Planning Commission Chairperson.

For its first order of business the Zoning Board of Appeals (ZBA) selected its officers, by consensus, as follows

- Chairperson, Michael Matteson
- Vice-Chairperson, Roger Brown
- Secretary, Shannon Westgate

The Township Attorney suggested the members next consider whether to adopt the proposed ZBA Rules of Procedure previously provided by the Township Attorney for their review, either as presented or with changes. Westgate made a motion to adopt the Rules of Procedure as submitted. This motion was supported by Brown, and unanimously approved 3-0.

The ZBA then proceeded with the educational and training presentation by the Township Attorney, which included:

- a review of the general concept of the Township Zoning Ordinance as it relates to the functions of the ZBA
- the types of matters within the limited jurisdiction of the ZBA to consider, by statute and ordinance (interpretation of zoning ordinance/map, appeals from decisions of Zoning Administrator, applications for variance relief from a dimensional/non-use requirement of the Zoning Ordinance)
- the legal standards for ZBA deliberations and decisions on variance applications, with reference to the “practical difficulty” standard in MCL 125.3604(7) and Section 24.04 of the Zoning Ordinance
- the importance of “findings of fact” for each variance application and applying those facts to the applicable legal standards for a decision
- the significance of the “record” of ZBA consideration of any application and ZBA decision
- the authority of the ZBA to impose “conditions” on a variance approval pursuant to Section 24.07 of the Zoning Ordinance
- the purpose of a public hearing and the general format of same pursuant to the Rules of Procedure

During this presentation by the Township Attorney a few questions were covered. At the end of the presentation the Chairperson asked if there were any supplemental comments from the Zoning Administrator and/or questions from ZBA members that were not otherwise covered. There being none, the organizational/educational meeting was adjourned at approximately 5:55 p.m.

DATED: _____

Shannon Westgate, ZBA Secretary