

**CLEARWATER TOWNSHIP
ZONING BOARD OF APPEALS**

**REGULAR MEETING
JANUARY 11, 2010**

DRAFT MINUTES

Call to Order, Pledge of Allegiance:

Jim Adams called the meeting to order at 7:01 pm in the absence of Acting Chairman, Al McShane, and opened the meeting with the Pledge of Allegiance.

Roll Call of Members and Recognition of Visitors:

Board members present: Adams, Gerlach, Margo, Fields

Board members absent: McShane

Township Officials: Gray, Recording Secretary

Visitors: Bruce Belanger, Tim Lund

Approval of Minutes:

Moved by Gerlach, seconded by Fields to approve the minutes from the meeting of October 12, 2009. Motion carried.

Approval of Agenda:

Moved by Gerlach, seconded by Margo to approve the agenda as presented. Motion carried.

Public Comment: Adams questioned the reason and need for holding quarterly meetings of the Zoning Board of Appeals if there were no significant issues to be considered. He feels the township could save of money if meetings were only called when necessary to hear an appeal.

Report of Zoning Administrator: None

Election of Officers:

Moved by Fields, seconded by Margo to nominate Al McShane as Chairperson for the upcoming year. McShane was absent, but had indicated in writing he would accept the position if nominated. Roll call vote: Fields, yes; Margo, yes; Gerlach, yes; Adams, yes. Motion carried.

Moved by Margo, seconded by Fields to nominate Jim Adams as Vice Chairperson for the upcoming year. Adams accepted the nomination. Roll call vote: Margo, yes; Fields, yes; Gerlach, yes; Adams, yes. Motion carried.

Moved by Margo, seconded by Fields to nominate Lucy Gerlach as Secretary for the upcoming year. Gerlach accepted the nomination on the condition that the Township

provides a recording secretary to take minutes at the meetings. Roll call vote: Margo, yes; Fields, yes; Gerlach, yes; Adams, yes. Motion carried.

Meeting dates for the New Year:

April 12, 2010; July 12, 2010; October 11, 2010; and January 10, 2011. Moved by Gerlach, seconded by Fields to accept the dates as presented. Motion carried.

Discuss proposed changes to Article XXVI of the Clearwater Township Zoning Ordinance

Proposed changes to Ordinance #9, Article XXVI were presented by Gerlach and Margo at the previous board meeting so board members would have a chance to review them. The primary change is deleting section 26.11 and replacing with a new 26.11 titled STANDARDS FOR REVIEW OF A NON-USE (DIMENSIONAL) VARIANCE APPLICATION. The current Standards for Review are confusing and they apply to a Use• variance as well as a Dimensional variance. Board members agreed that the proposed changes to the article were acceptable and well written. Moved by Margo and seconded by Adams to accept the proposed changes and recommend them to the Planning Commission. Motion carried.

A copy of the proposed changes is included in these minutes.

Fields stated that the Planning Commission would take under advisement the suggestion that a new section titled PROCEDURES FOR REVIEW be included in changes to the Zoning Ordinance.

Review Zoning Board of Appeals By Laws:

Gerlach suggested that the proposed, revised section on Standards should be included in the ZBA By Laws, as well as the Zoning Ordinance. She also recommended changes to the Procedures for Public Hearings (G) in the by laws, stating that #12-14 could be incorporated with new language. After further discussion, it was moved by Margo and seconded by Fields to put Review of Procedures in the ZBA By Laws on the agenda for the next meeting. Motion carried.

New Business:

Discussion of ZBA budget expense for the new year. Moved by Fields, seconded by Margo to recommend that the ZBA budget line item remain the same as last year.

Moved by Gerlach, seconded by Fields to adjourn at 8:02 p.m. Motion carried.

Respectfully,

Pat Gray, Recording Secretary

Jim Adams, ZBA Secretary