

**ZONING BOARD OF APPEALS**  
**QUARTERLY MEETING**  
**APRIL 14, 2014**

Meeting called to order by Chairperson Case at 10:35 a.m.

**Board members present:** Chairman Case, Secretary Dennings, member Thorburn, alternate member Stauffer.

**Others Present:** Robert Yaske, Building and Zoning Administrator and Steve Luebke, Zoning Specialist

Motion by Thorburn, seconded by Stauffer: **Carried**  
That the Board approve the January 13, 2014 meeting minutes as presented.

**New Business:**

Proposed Certification Letter:

Gerrish Township Zoning staff presented the Board with a proposed “new” certification letter for review and discussion. Mr. Luebke provided copies of the current certification letter that is presently sent to the appellant advising of the action taken by the ZBA following the formal hearing. He indicated that Section 125.3606, paragraph 3a and 3b of the \_\_\_\_\_ Act and Section 16.8a of the Gerrish Township Zoning Ordinance provides that any party aggrieved by an order, determination or decision of the ZBA may appeal to the Circuit Court within 30 days after the ZBA issues its decision in writing signed by the Chairperson, or within 21 days after the ZBA approves the minutes of its decision. The Board was advised by Mr. Yaske and Mr. Luebke that we were not in compliance with the aforementioned stipulations since the Township Clerk rather than the Chairperson has been issuing the current certification letter.

ZBA members expressed concern with issuance of the letter, as drafted, because it would be issued prior to formal approval of the minutes by the Board. Staff indicated that because of the extended time line between past meetings of the ZBA that such delays were unreasonable from a practical standpoint because once the vote is taken and if the variance is approved a building permit and/or zoning permit may be requested by the appellant within ten days following the ZBA action. After considerable discussion it was determined the ZBA would offer a “redraft” of the proposed certification letter in an effort to resolve and reach a satisfactory solution to the concerns expressed. Both the ZBA and Gerrish Zoning Administration recognize the need to be in compliance with all required zoning provision as referenced above.

ZBA Membership:

Chairman Case advised that a current member of the ZBA has been temporarily suspended by the Gerrish Township Board until court proceedings are concluded. With another member presently undergoing long term physical rehabilitation and possibly unable to return to active status in the foreseeable future, the Chairman indicated he discussed his concern with the Gerrish Township Supervisor and was assured appointment of an alternate would be made to the ZBA, if necessary. While not necessarily a desirable situation, the Board will continue to function with three regular members and Barb Stauffer serving as the only alternate until such time as circumstances change.

MTA - ZBA Workshop:

The Chairman announced The Michigan Township Association is offering a ZBA Workshop in Gaylord on May 7<sup>th</sup> from 5 to 8 p.m. Mr. Yaske indicated there were funds available for any of the Gerrish ZBA members to attend, should they desire. He indicated that anyone interested should contact him prior to the discount rate filing deadline of April 22<sup>nd</sup>. It was suggested those attending could possibly ride together on that evening.

Miscellaneous:

Mr. Thorburn inquired regarding the Shaw court decision and whether any action has been initiated by Mr. Shaw with the deadline approaching as determined by the Circuit Court. Mr. Yaske advised that he was not aware of any activity by Mr. Shaw to date.

Motion to adjourn was made and seconded: **Carried**

Meeting adjourned at 11:35 a.m.

