

Charter Township of Oscoda

Zoning Board of Appeals

Minutes

Regular Scheduled Meeting

June 21, 2022 6PM

Robert J. Parks Public Library

6010 Skeel Ave

Oscoda, MI 48750

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- 1) **Call to Order** - Mr. Biggar called the meeting to order on June 21, 2022 at 6:00 PM.
 - 2) **Pledge of Allegiance**
 - 3) **Member Roll Call** -
Present- Mr. Schulz, Mr. Rush, Mr. Hume, Ms. Schwedler, Mr. Biggar
Absent- N/A
Quorum- Mr. Biggar declared a quorum present.
 - 3) **Approval of Meeting Minutes:**
 - i. Regular meeting minutes- April 14, 2022- Mr. Schulz made a motion to approve the minutes with a correction. Supported by Mr. Hume. Roll call vote. All in favor.
 - 4) **Agenda** -No Additions or Corrections
 - 5) **Public Comment (Non-scheduled agenda items)** -
 - i. No public comment.
 - 6) **Public Hearing** – N/A
 - 7) **Old Business** - N/A
 - 8) **New Business** –
 - a. **By-Law Review**
 - i. Mr. Biggar stated that the annual By-Law Review is usually conducted at the June meeting every year and asked if the board had any comments or corrections.
 - ii. Ms. Schwedler asked if it was possible for the applicant to leave the room during board deliberation. Mr. Biggar stated that because of the Open Meetings Act, discussion has to happen in a way that it

remains public for everyone and advised against two board members speaking about the case before the meeting. Everything discussed about a case should be done in a Public Hearing. Ms. Vallette went over ex-parte communication as well.

- iii. Mr. Biggar stated that in Section 2(G) #4, he would like to see it changed to ask if anyone wants to comment in favor first and then comment on opposition next.
 - iv. Mr. Biggar had a question about Section 3 (C). He asked what other duties the Township Board would assign to the ZBA. He asked what the Township Board would ask from the ZBA that would be outside of the scope of what the ZBA is intended for (Variances, Interpretations and Appeals). That section will remain in the By-Laws due to other Ordinances referring to the ZBA.
 - v. Mr. Biggar pointed out that in Section 4, it needs to be changed to the Township Board approving members, not as approved by the ZBA.
 - vi. Ms. Vallette went over the other revisions. She clarified changing the alternate language, the intention of an alternate needed to be clearer. Ms. Vallette also put information into the By-Laws about Ex-parte communication.
 - vii. Mr. Biggar asked before he opens the Public Hearing if he should ask all board members if they have visited the site and if they have a conflict of interest so that it is on record. Ms. Vallette stated she didn't think it would hurt to for him to ask that. Members are not to be asked to leave the room if they have a conflict.
 - viii. The additional revisions will be made by Ms. Vallette and bring them back to the next ZBA meeting for final approval.
- b. Application Revisions
- i. Ms. Vallette stated that she added language to the application to let the applicant know that during a member's site visit to their property, the board member could not speak to the applicant until the Public Hearing and changed the six questions on the application to reflect what is in the Ordinance.
 - ii. The board went over Dimensional and Use variances. Use variances are not heard by our ZBA.
- ii. Mr. Biggar stated that in the application paperwork, Page 2 Section 8.3.3 Variances, the questions listed there are not the same as what Ms. Vallette changed the other questions to. Ms. Vallette will make that correction.
 - iii. Ms. Vallette went over what a permitted use is and how it is not the same as a Use Variance. Permitted use could mean in residential district, residents are allowed use their property to build a home and accessory structure, but it is possible they do not have room to follow setback requirements and that is when an applicant would apply for a Dimensional (Non-Use) Variance.
- c. Selection of Chair, Vice-Chair and Secretary
- i. Ms. Schwedler made a motion to appoint Jim Biggar as the Chairperson. Supported by Mr. Schulz. Mr. Biggar accepted the nomination. Roll call vote. All in favor.
 - ii. Ms. Schwedler made a motion to appoint Greg Schulz as the Vice-Chairperson. Supported by Mr. Hume. Mr. Schulz accepted the

- nomination. Roll call vote. All in favor.
- iii. Mr. Biggar made a motion to appoint Jeff Rush as the Secretary. Supported by Ms. Schwedler. Mr. Rush accepted the nomination. Roll call vote. All in favor.

9) Zoning Board of Appeals Member Comments – No comments

10) Report of Planning Commission Representative - Mr. Schulz stated that the Planning Commission did the final Holiday Inn Site Plan review, it was approved. The Planning Commission did the first read on the new Planned Development Ordinance. Jeff Linderman is the new Chairperson and Robert Tasior is the new Vice-Chairperson.

11) Report of Planning and Zoning Director- Ms. Vallette talked about a resolution the Planning Commission is going to adopt regarding Community Planning Principals through MAP. Ms. Vallette reminded everyone about the Planning & Zoning Essentials Workshop being held the following day at Warrior Pavilion. Ms. Vallette reminded the board that they are required 6 hours of training a year.

After declaring no further business, the meeting was adjourned at 7:02PM by Mr. Biggar, Chair.



James Biggar – Chair

10/26/22

Date



Nichole Vallette – Planning and Zoning Director