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**Exeter Township
Zoning Board of Appeals Meeting Minutes
October 10, 2023**

Exeter Township Zoning Board of Appeals chairperson, Robert Strimple, called the meeting to order at 7:07 pm. The meeting opened with the Pledge of Allegiance.

Roll Call: Present: Anthony Bruck, Don Miller, and Robert Strimpel
Absent: Tony Jones
Excused:

Approval of Minutes:

1). The April 11, 2023 Exeter Township Zoning Board of Appeals (ZBA) meeting minutes were presented and read (tabled from previous ZBA meeting). Under Old Business, paragraph 1 B). addition descriptive language should be added. ADD after B). Colf Road Property... (Former church property, located East of Sumpter Road).

❖ **Motion: Don Miller, 2nd: Anthony Bruck;** To approve the April 11, 2023 ZBA meeting minutes with one correction.

Motion carried

2). The July 11, 2023 Exeter Township Zoning Board of Appeals (ZBA) meeting minutes were presented and read. There were no additions or corrections.

❖ **Motion: Anthony Bruck, 2nd Don Miller:** To approve the July 11, 2023 ZBA meeting minutes as presented.

Motion carried

First Public Comment:

None

Old Business:

1). ZBA Chairperson, Robert Strimpel said there were no current cases to be presented to the ZBA committee.

2). Briefly reviewed proper procedure for hearing possible case concerning the use of the former church property located on Colf Road, east of Sumpter Road. Petition to change use should go before the Planning Commission, then the ZBA can hear any (possible) petition to the ZBA.

3). A brief report was given on the status of the proposed Exeter Township Zoning

changes to Solar and Wind Energy Generation ordinance. Comment was offered about propose State of Michigan legislation which would "over-rule" local zoning ordinance review of large scale (commercial) energy generating projects.

New Business:

1). Robert Strimpel gave a report on the recent Michigan Township Association (MTA) educational meeting for local ZBA members held May 15, 2023 in Frankenmuth Michigan. Mr. Strimpel and Roger Bezek attended the meeting in person, Anthony Bruck reviewed the recorded version of the training meeting online.

While Exeter Township ZBA is conducting business mainly as recommended by MTA and in accordance with the State of Michigan statues. Chairperson Strimpel sited some areas of concerns to insure proper meeting procedure and conduct was discussed. These include:

- Meetings must be adjourned when more information is requested to make a determination. Applicant has 30 days to provide requested information.
- Any Changes to a meeting starting time (within 36 hours) must be posted 18 hours before the meeting time change
- Better registration of all visitors attending any ZBA meeting
- Approval vote to adopt agenda and adjourn meeting
- When discussing a Special Land Use appeal, there should be a written reason created for the ZBA committee decision. Such decisions CANNOT be over-ruled by the township board
- In order to insure "fairness" of any ZBA decision, local ZBA should develop and use (suggested page for ZBA use included in MTA training material) an addendum form to detail the "how and why" decision was arrived at. This addendum page should be included the meeting minutes.
- All decisions should be by "majority vote"
- ZBA decisions must be made in writing within 30 days of decision
- ZBA are allowed to place "conditions" on their determinations for Special Land Use reviews, BUT not for re-zoning cases

- Consider "extra-ordinary" vs. 'typical situations" that may apply to any parcel under consideration
- Any construction completed without the proper permit(s) will be considered as a "hardship created by the applicant". Generally this is not considered a valid reason to grant a variance.
- Set-back issues must allow for proper access for emergency equipment
- A request to violate any ordinance is due to the property owner's decision. This is generally not a valid reason to grant a variance.
- A recommended practice is to hold a join meeting (annual) with the Planning Commission
- Variances should be granted ONLY when conditions are NOT covered within the

Un-approved minutes

zoning ordinances. All variance decisions should be reasoned and decided equally.

- ZBA may grant a "use variance" only when all conditions (suggested in training handout material) when ALL condition are met by the applicant and are not a "self-created" hardship
- ZBA may request a written opinion from the township Planning Commission when making a variance decision
- Cited an example of a form which should be used (page 78 from MTA training handout material) which details the reasoning used for ZBA decisions under four broad topics.
- ZBA should set proper timeframes for any conditions required to be completed by applicant
- Use variance case MUST have at least three (3) members hearing the case. Alternate ZBA members should be included when a known absence or conflict of interest may occur in hearing the case

2). Possible upcoming issues were discussed included the creation of By-laws for the Exeter Township Zoning Board of Appeals

Public Comment:

1). The next scheduled meeting of the Exeter Township Zoning Board of Appeals will be held on Tuesday, January 9, 2024 beginning at 7:00 pm at the Exeter Township Hall.

2). It was suggested that a meeting with the Planning Commission be made within the next coming months.

❖ **Motion:** Anthony Bruck, 2nd Roger Bezek: To adjourn the ZBA meeting.

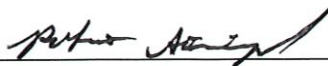
Motion carried

The meeting adjourned at 8:20 PM

Respectfully submitted,



Roger Bezek, Secretary
Exeter Township Zoning Board of Appeals



Robert Strimpel, chairperson
Exeter Township Zoning Board of Appeals