

**CITY OF IRON RIVER
ZONING BOARD OF APPEALS
REGULAR MEETING
Wednesday, February 22, 2018
1 PM
Minutes**

Mayor Terry Tarsi called the meeting to order at 1 p.m., in the Council Chambers of the Iron River City Hall.

Roll Call: Rodney Dood, Jere Fritsche, Tricia Mercier, Dennis Powell and Tarsi.

Absent: None.

Also present: Attorney Mark Tousignant, Manager David Thayer, and Clerk Rachel Andreski.

Public in attendance: Victoria Powell.

Thayer stated according to State Statute, the Zoning Board of Appeals (ZBA) must meet at a minimum of once per year. According to the MEDC's RRC Program, the ZBA must meet at a minimum of once per year to receive training. Thayer explained the ZBA is acting in a judicial capacity to review what's on the record along with the public's testimony during the hearing including the parties involved.

Thayer highlighted items from Public Act 110 of 2006 such as:

- Members shouldn't perform site visits as they are to review the record, not the site.
- Members are not to conduct business outside of meetings unless a majority of the regular members of the ZBA are present.
- The decision of the ZBA shall be final and if the party wishes to appeal the decision, they must do it to the County Circuit Court.

Next, Thayer highlighted areas of the ZBA, including business being conducted in accordance with its adopted bylaws, which will need to be done. Discussions were also held about variances. Thayer stated granting a variance should be unusual, as it is best to amend the Zoning Ordinance.

Fritsche asked if alternates were necessary in the event of an absence of a member. Thayer felt it wasn't necessary as meetings will try to be held so all members can participate.

Thayer then discussed items from the Michigan Citizen Planner from Michigan State University. Thayer re-iterated the importance of the ZBA as a judicial body and must justify their decision in writing. Tousignant followed up with not performing a site visit nor should discussions be held with the party seeking appeal outside of the hearing. This holds true with other members as well.

ADJOURNMENT

Mercier moved to adjourn at 1:43 p.m. Powell seconded. All in favor; Motion carried.



Rachel Andreski, City Clerk