CHARTER TOWNSHIP OF FLUSHING 6524 N. SEYMOUR ROAD ZONING BOARD OF APPEALS

DATE: JANUARY 3, 2006 TIME: 7:30 P.M.

PHONE: 810-659-0800 FAX 810-659-4212 WEB PAGE: http://www.gfn.org/flushing/index. html

MEMBERS:

Edward Henneke, Chair James Sarka Richard Vaughn, Vice Chair Eric Swanson

Ann Fotenakes, Board of Trustees Representative

Jerald W. Fitch, Building Inspector Julia A. Morford, Recording Secretary

I. CHAIR EDWARD HENNEKE opened the meeting at 7:30 p.m. with Roll Call and the Pledge to the American Flag.

ROLL CALL: Henneke, Vaughn, Swanson, Sarka, Fotenakes, Fitch and Morford

MEMBERS ABSENT: None **OTHERS PRESENT:** None

HENNEKE requested an addition to the Agenda be listed under Section V, New Business, number 3, An Amendment to the Agenda for Future Meetings for Public Comments.

- II. APPROVAL OF AGENDA: FOTENAKES MOVED, seconded by Swanson to approve the amended Agenda. MOTION CARRIED.
- **III. APPROVAL OF MINUTES OF MAY 3, 2005: VAUGHN MOVED,** seconded by Fotenakes to approve the minutes of May 3, 2005 as corrected. MOTION CARRIED.
- IV. UNFINISHED BUSINESS:

None

V. NEW BUSINESS:

1. Approval of 2006 Meeting Dates

HENNEKE reviewed the proposed 2006 Zoning Board of Appeals meeting dates: Tuesday, May 9, 2006; Tuesday, September 5, 2006; and January 9, 2007. **FOTENAKES MOVED**, seconded by Swanson to accept the proposed 2006 Zoning Board of Appeals Meeting Dates. MOTION CARRIED.

2. Election of Officers

HENNEKE stated there were three (3) officers: Chair, Vice Chairperson and Recording Secretary. **FOTENAKES MOVED**, seconded by Swanson to keep the two (Ed Henneke and Richard Vaughn) that currently hold the positions. MOTION CARRIED.

FOTENAKES MOVED, seconded by Swanson to have the Clerk continue as Recording Secretary. MOTION CARRIED.

3. Public Comment Session

HENNEKE stated the Zoning Board of Appeals (ZBA) has never opened the meetings for public comment, but it has been highly recommended that ZBA, due to the Open Meetings Act, have a special Section for Public Comments. On the Agenda, "Public Comments" would follow the "Approval of the Agenda." **FOTENAKES MOVED**, seconded by Vaughn to accept "Public Comments" listed after the "Approval of the Agenda." MOTION CARRIED.

FOTENAKES felt there should be a time frame for speaking on a particular topic. SWANSON stated the time frame has to be stated under the Public Comment Section of the Agenda. HENNEKE felt the ZBA should adopt a policy that would incorporate, into the By-Laws, that states that public comments is limited to a particular time; HENNEKE stated the City of Flushing has five (5) minutes. VAUGHN felt three (3) minutes would be a reasonable time frame. HENNEKE stated the time frame could be extended if the issue warranted the extra time. FITCH wanted to know if the time frame was placed on the bottom of the Agenda, would it have to be announced at the start of the meeting. HENNEKE would like the time frame placed under the "Public Comment" Section.

HENNEKE reviewed sections of Rules of Procedure, <u>Public Hearings</u>, 2, (v)(a)(b) - which states:

"The Chairman may allow more than one to speak in favor of a petitioner"

"The Chairman may allow more than one to speak against the petitioner and impose a time limit for the speaker that is five minutes or more per speaker."

Sometimes there are instances where more time is demanded.

FOTENAKES MOVED, seconded by Swanson to adopt a procedure of three (3) minutes for Public Comments other than Public Hearings. MOTION CARRIED.

HENNEKE recommended the amendment to the Public Comments, Regular Minutes, be placed under the Rules of Procedure, Section 4.0 Meetings as 4.1 and be listed as 4.1 A and be stated as:

"All regular meetings of the Zoning Board of Appeals shall be open for Public Comment on any issue and that the Chairperson may limit each speaker to no more than three (3) minutes."

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- 1. **FITCH** passed out new zoning updates for Private Drives and C-1 and C-2.
- 2. **SWANSON** stated that since the Planning Commission has been updating the zoning ordinances, did any member have an issue that **SWANSON**, as a ZBA Member, should take back to the Planning Commission.
- 3. **HENNEKE** suggested that "Board Comments" be brought up at the next ZBA Meeting and be made a part of the Agenda.

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VI. NEXT REGULAR SCHEDULED MEETING will be held on TUESDAY, MAY 9, 2006 AT 7:30 P.M.

VII. ADJOURNMENT: HENNEKE declared the ZBA Meeting adjourned at 8:10 p.m.	
EDWARD HENNEKE, Chair	JULIA A. MORFORD, Recording Secretary
RICHARD VAUGHN, Vice Chair 01/03/06 appeals	Date Approved