

**CITY OF CHARLEVOIX**  
**ZONING BOARD OF APPEALS MINUTES**  
**Wednesday, November 11, 2015 - 6:00 p.m.**  
210 State Street, City Hall, 2<sup>nd</sup> Floor Council Chambers, Charlevoix, MI

**(A) CALL TO ORDER**

The meeting was called to order by Chair Withrow at 6:02 p.m.

**(B) ROLL CALL/PLEDGE OF ALLEGIANCE**

Members Present: Gary Anderson, Greg Bryan, Pat Miller, Greg Withrow

Members Absent: Bob Bergmann, Ann Gorney, Art Nash

Staff Present: Interim City Planner Zach Panoff

Member Miller stated that she wanted to recognize that it was Veteran's Day and how much she appreciates and honors all the efforts that our vets continue to provide us with.

**(C) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST**

None.

**(D) APPROVAL OF AGENDA**

Chair Withrow stated that there was one additional item to be discussed at the end of the meeting related to the handout the members received.

**(E) APPROVAL OF MINUTES**

1. Motion to approve or amend the May 13, 2015 meeting minutes.

Motion by Member Bryan, second by Member Anderson to approve the May 13, 2015 minutes as presented. Motion approved by unanimous voice vote.

**(F) NEW BUSINESS**

1. Public Hearing for Project 2015-04 ZBA. Dimensional variance request from John and Dawne Jordan.

- a. Staff presentation.

Interim Planner Panoff stated that he had nothing to add as everything was spelled out in his staff report..

- b. Applicant presentation (if requested).

Mr. Peter Schwartzfisher, Schwartzfisher Wilbur Construction and property owner agent, stated that he was representing the Jordans and that he had written a letter regarding the request. He commented that in the past the building was used as a multi-dwelling with two rentals. The owners were going to use the home as a single family residence now. Member Anderson questioned that the application stated that the builder was "unable to properly support proposed bay windows without foundation". Mr. Schwartzfisher explained that a remediation contractor was hired because there was some asbestos in the basement and after exposing the framing the floor joists were found to be 2" x 6" and were not adequately sized to allow for a cantilever system to hold the bay windows secure.

- c. Call for public comments.

None.

- d. ZBA determination of findings of fact.

Board members agreed with the findings of fact as presented by staff.

- e. Motion.

Motion by Member Bryan, second by Member Anderson to approve Project 2015-04 ZBA without conditions based on the findings of fact as contained herein.

Yeas: Anderson, Bryan, Miller, Withrow

Nays: None  
Absent: Bergmann, Gorney, Nash

**(G) CALL FOR GENERAL PUBLIC COMMENT**

There were no members of the public present.

Chair Withrow stated that there was a request from the City Clerk because the ZBA meets infrequently. Clerk Golding advised that currently the Board of Review, Compensation Committee, and the Election Commission all follow the practice of meeting minutes being reviewed by the Chair, revised and approved after the meetings in order to provide approved minutes in a timely fashion. Chair Withrow agreed with this recommendation provided the meeting was very simple. If the meeting was complex, similar to the Anderson property issue, he would prefer that all Board members review the minutes. His suggestion was to process the minutes as suggested by the City Clerk, with the exception that at the end of each meeting the Board would determine whether or not they wanted the Board to review the meeting minutes or just have the Chair review the minutes. The Board concurred with the Chair's suggestion.

Motion by Member Miller that the information stated in the note from Joyce Golding regarding their minutes that they accept what the City Clerk says as written. Motion revised to read: Motion by Member Bryan, second by Member Anderson to appoint the Chair to approve the minutes according to *Robert's Rules of Order, Newly Revised 10<sup>th</sup> Edition*, [© 2000, Henry M. Robert, III, p. 456, l.19-21; p. 457, l. 21-32; p. 458, l. 7-9].

Yeas: Anderson, Bryan, Miller, Withrow  
Nays: None  
Absent: Bergmann, Gorney, Nash

**(H) ADJOURNMENT**

Chair Withrow stated that the meeting was adjourned. There were no objections.  
The meeting was adjourned at 6:10 p.m.

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Greg Withrow, Chair

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Joyce M. Golding/fgm, City Clerk