

LAKE TOWNSHIP, HURON COUNTY
4988 W. KINDE RD., CASEVILLE, MI.
SPECIAL BOARD OF TRUSTEES MEETING
APRIL 8, 2019

Meeting was called to order at 1:20 P.M. Pledge of Allegiance was recited.

Those in attendance: Valerie McCallum, Clay Kelterborn, Nicole Collins, Claren Russell. Absent: Dale Hartsell

The purpose of the meeting was to review the Circuit Court decision overturning the decision of the Township's ZBA.

Kelterborn presented the ordinances that were challenged. The ZBA upheld the premise that the planned building alterations would continue to make a non-conforming structure more non-conforming. Due to non-conforming properties being challenged often, Kelterborn was in favor of appealing the court decision to back up the ZBA's interpretation of the ordinance as written.

Additional points brought up included:

- a) the survey should not be a substitute for the site plan although it may be used for supporting documentation;
- b) the Zoning Administrator may call a meeting of the ZBA for interpretation of the ordinance when unclear;
- c) other ZBA decisions regarding non-conformities may be in jeopardy if the Township is unwilling to pursue questionable decisions of the court.

Pursuant to the Board's previous request, McCallum had contacted Township Attorney Cliff Bloom regarding this matter. Due to time constraints, Bloom recommended the township consider working with Attorney Crystal Morgan if the Board wants to file an application to appeal with the Court of Appeals. McCallum spoke with Attorney Morgan who was willing to handle the matter as long as the Township advised her before April 10th since the application would need to be filed by April 18th. Motion made by Kelterborn and supported by Collins to refer this matter to Attorney Morgan to file an application to appeal. All in favor.

Motion to adjourn made by Collins and supported by Kelterborn. All in favor. Meeting adjourned at 2 P.M.

Respectfully submitted,

Claren Russell, Clerk