

**CHARTER TOWNSHIP OF COMMERCE  
ZONING BOARD OF APPEALS  
\*\*SPECIAL EDUCATIONAL MEETING\*\*  
Thursday, September 24, 2015  
2009 Township Drive  
Commerce Township, Michigan 48390**

**CALL TO ORDER:** Rusty Rosman, Chairperson called the meeting to order at 5:30pm.

**ROLL CALL:** Present: Rusty Rosman, Chairperson  
Jorge Pacheco, Secretary  
Clarence Mills  
Bill McKeever  
Absent: Rick Sovel (excused)  
Also Present: Amy Neary, Planning Consultant, McKenna Assoc.  
Hans Rentrop, Township Attorney

**SPECIAL EDUCATIONAL MEETING**

Amy Neary explained that the purpose of the special meeting was to update and educate the Zoning Board of Appeals Members.

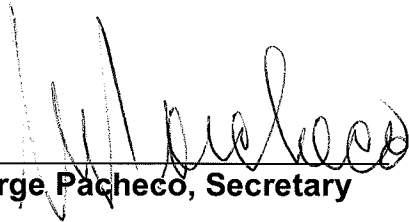
Hans Rentrop handed out revised considerations for dimensional variances and reviewed in detail items 1 through 6. These all need to be considered where applicable, and the relevant items must be cited within the motions to provide the reasoning for the decision, whether it be to approve or to deny. This additional detail will assist in litigation and could help to prevent having the Oakland County Circuit Court send a decision back for clarification when reviewing an appeal. In turn, this could also reduce the legal fees associated when that is encountered. The Circuit Court relies upon the ZBA to provide the facts as the court is unable to request additional evidence or call upon witnesses. They are only able to uphold, overturn or send the decision back for clarification.

Discussions ensued regarding recent litigation and how these factors would have applied to that particular case initially. Other types of variances, scenarios and considerations were addressed, along with the various responsibilities of the ZBA members. Attorney Rentrop stressed that decisions must be made based upon the facts. The Board also discussed having alternate members, reasons for recusal and potential conflicts.

**ADJOURNMENT**

**MOTION** by Mills, supported by Pacheco, to adjourn the meeting at 6:41pm.

**MOTION CARRIED UNANIMOUSLY**

  
\_\_\_\_\_  
Jorge Pacheco, Secretary