

**CITY OF ESCANABA**  
**ZONING BOARD OF APPEALS**  
**Official Minutes – Tuesday, January 16, 2024**

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**CALL TO ORDER**

A meeting of the Escanaba Zoning Board of Appeals was held on Tuesday, January 16, 2024 at 6:00pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

*Secretary Anthony called the meeting to order at 6:00 PM.*

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**ROLL CALL**

Mbr. (Vacant), Chair .....	n/a	Mbr. Don Curran.....	Present
Mbr. Jon Liss, Vice-Chair.....	Absent	Mbr. Brian Thorsen.....	Present
Mbr. Christopher Renner.....	Absent	Mbr. Richard Clark .....	Present

With three in attendance, a quorum of the Zoning Board of Appeals was not present.

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**ALSO PRESENT**

**City Administration:**

- Tyler Anthony, Planning & Zoning Admin
- Brianna Ecklid, Confidential Secretary

**Others:**

No other unnamed individuals were present.

As a quorum was not present at the time, Anthony asked for a 15-minute recess to wait for Renner.

**Curran moved to recess the meeting for 15 minutes. Thorsen seconded.**

**A voice vote was taken. MOTION PASSED.**

*Secretary Anthony recessed the meeting at 6:01 PM.*

*Secretary Anthony reconvened the meeting at 6:10 PM and asked for another roll call.*

Mbr. (Vacant), Chair .....	n/a	Mbr. Don Curran.....	Present
Mbr. Jon Liss, Vice-Chair.....	Absent	Mbr. Brian Thorsen.....	Present
Mbr. Christopher Renner.....	Present	Mbr. Richard Clark .....	Present

With four in attendance, a quorum of the Zoning Board of Appeals was present.

Anthony reported that Chair Hannemann resigned from the ZBA in December. Because Vice-Chair Liss was absent from the meeting, a Chair Pro-Tem needed to be elected. [Note: This was in keeping with RONR (11<sup>th</sup> ed.), p.453, ll. 3-16, as Anthony ex-officio held the position of Secretary.]

**Thorsen moved to declare the chair vacant and proceed to elect a chair pro-tem.**

**Clark seconded.**

**A voice vote was taken. MOTION PASSED.**

*Secretary Anthony called for nominations to the office of Chair Pro-Tem.*

Clark asked Anthony to clarify the chair pro-tem position. Anthony explained that this person would only preside over the rest of this meeting.

**Clark nominated Thorsen for Chair Pro-Tem.**

*No further nominations were made.*

**A voice election was held. THORSEN WAS ELECTED AS CHAIR PRO-TEM.**

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**AGENDA**

**Curran moved to approve the meeting agenda as proposed. Clark seconded.**

**A voice vote was taken. MOTION PASSED.**

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**CONFLICT OF INTEREST DECLARATIONS**

None.

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**PUBLIC HEARINGS**

None.

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**PUBLIC COMMENT ON AGENDA ITEMS**

None.

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**HOUSEKEEPING BUSINESS**

**HK1: Approval/Correction to Minutes**

**Clark moved to approve the October 3, 2023 regular meeting minutes as proposed. Renner seconded.**

**A voice vote was taken. MOTION PASSED.**

**HK2: Election of Officers**

Thorsen acknowledged that Chair Hannemann had resigned from the ZBA, and that Vice Chair Liss no longer wished to hold his office, though he intended to stay on as a regular member.

*Chair Pro-Tem Thorsen called for nominations to the office of Chair.*

**Clark nominated Thorsen for Chair.**

*No further nominations were made.*

**A voice election was held. THORSEN WAS ELECTED AS CHAIR.**

*Chair Pro-Tem Thorsen called for nominations to the office of Vice-Chair.*

Clark asked if any of the ZBA's members who were not present would be a good fit. Thorsen reminded Clark that the only member absent was Vice-Chair Liss, who had already expressed no further interest in the position.

**Clark nominated Renner for Vice-Chair.**

*No further nominations were made.*

**A voice election was held. RENNER WAS ELECTED AS VICE-CHAIR.**

Members and staff discussed when the next election would take place, with that planned to take place at their regular meeting in July.

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**UNFINISHED BUSINESS**

None.

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**NEW BUSINESS****NB1: Discussion - Zoning Policy**

Anthony reported that he had a few ideas on stabilizing the ZBA's membership. He and Members discussed these at length; Anthony's main suggestion was based on a rewrite of the Zoning Ordinance's language related to ZBA members. Another option posed by Anthony was that a member of the Planning Commission could also be appointed to the ZBA, which was provided for in the MZEA (Michigan Zoning Enabling Act, MCL 125.3101 et seq.).

Curran asked if the MZEA was specific in terms of what was required of the ZBA's membership, which was then discussed at length. Renner felt that the ZBA's membership should comply with the MZEA. Anthony felt that a more aggressive push to gain new members was needed, differing from the then-current practice of passively waiting for applications to come in. Curran liked the idea of Members working with other organizations, likening it to how the Salvation Army Board became more diversified by doing just that.

Curran noted that he was unaware that there were alternate member positions on the ZBA. Anthony explained that Joe Klem, the last alternate member, had moved to Washington state without resigning from the ZBA. Without Klem, both alternate memberships were vacant, which left the ZBA in a tenuous position quorum-wise.

Discussion then turned to how people are appointed to City boards and commissions in general. Thorsen felt that, as a quasi-judicial board, it was crucial for the ZBA to get membership questions answered soon. He also worried that people could simply join the ZBA to influence a decision; Renner agreed. Renner then asked if the ZBA simply did not have a process, if the process that the ZBA had was not mandated by State law, or if there was a process which was not being followed. Anthony answered, noting that it was a mix of Renner's second and third scenarios.

**Curran moved to establish an ad-hoc committee. Such a committee was (1) to be constituted by Mbrs. Clark and Renner; (2) to review the appointment processes for City boards and commissions, and (3) to report their findings at the next regular meeting of the ZBA. Renner seconded.**

**A voice vote was taken. MOTION PASSED.**

Moving on, Anthony then suggested that the Zoning Ordinance should be recodified for clarity. This partially stemmed from an audit of the Ordinance done in 2019. Anthony felt that, if it were organized in a more logical format, the Zoning Ordinance could have also been moved out of the City Code of Ordinances' appendices, and into the Code proper.

A tangential discussion related to Form-Based Codes then took place. The Master Plan indicated that the City should move towards that model, and the Planning Commission wished to do so in 2016. Anthony reported that he had opened discussions with the Form-Based Code Institute, and that he was waiting for a Scope of Work from them – a grant opportunity from MSHDA (Michigan State Housing Development Authority) was expected to cover the work's cost.

Thorsen then asked if Zoning Ordinance recodification was intended to make it more user-friendly; he felt that having a good Ordinance meant fewer cases before the ZBA. Renner and

Anthony discussed how the process of recodification was to be carried out. Renner asked if staff experienced problems due to the Zoning Ordinance’s organization; Anthony felt that it did more to confuse people than it did to help them. Renner then posited that, if the Ordinance was hindering development, then it needed to be changed.

**Renner moved to request that the Planning Commission consider recodifying the Zoning Ordinance to reduce development, compliance, and enforcement costs.**

**Clark seconded.**

**A voice vote was taken. MOTION PASSED.**

**PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

None.

**ADJOURNMENT**

**Curran moved to adjourn the meeting. Renner seconded.**

**A voice vote was taken. MOTION PASSED.**

*Chair Pro-Tem Thorsen adjourned the meeting at 7:10 PM.*

*Chair Pro-Tem Thorsen reconvened the meeting at 7:14 PM.*

The Board reconvened to review and approve the regular meeting schedule for 2024. This was neglected in creating this meeting’s agenda and needed to be approved.

**Clark moved to approve 2024 meeting schedule. Curran seconded.**

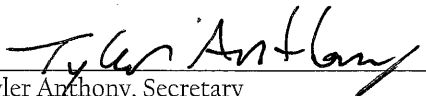
**A voice vote was taken. MOTION PASSED.**

*Chair Pro-Tem Thorsen adjourned the meeting at 7:15 PM.*

**APPROVAL**

I, Tyler Anthony, Secretary of the City of Escanaba Zoning Board of Appeals, hereby certify that the foregoing constitutes the true and complete proposed minutes of a meeting of the Zoning Board of Appeals of the City of Escanaba, County of Delta, State of Michigan, held on 16 January 2024; that I have reviewed said proposed minutes; and that said proposed minutes shall be made publicly available.

REVIEWED:

  
Tyler Anthony, Secretary  
City of Escanaba Zoning Board of Appeals

Draft reviewed on: 17 January 2024

Draft available on: 18 January 2024

I, Brian Thorsen, Chair of the City of Escanaba Zoning Board of Appeals, hereby certify that the foregoing proposed minutes are now approved; that these approved minutes shall be made publicly available; and that all the foregoing was/is made/given/kept in accordance with the Open Meetings Act (MCL 15.261 et seq.), the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), said City’s Code of Ordinances, and said Board’s Rules of Procedure.

APPROVED:

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Brian Thorsen, Chair  
City of Escanaba Zoning Board of Appeals

Final approved on: \_\_\_\_\_

Final available on: \_\_\_\_\_