

**APPROVED MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
ZONING BOARD OF APPEALS (ZBA)
DOUGLAS CITY HALL
June 22, 2010**

1. The Meeting was called to order at 7:00 PM by Chairperson Schumacher.

2. Roll Call: Bill Schumacher, Jeff Greenwood, Ken Kutzel, Tarue Pullen, Alexa Urquhart

3. Approval of Minutes ZBA Meeting of July 28, 2009

Motion by Pullen, second by Urquhart, to approve the Minutes of the July 28, 2009 Meeting of the ZBA as presented

Motion carries by unanimous roll call vote

4. Agenda Changes/Additions/Deletions

Kutzel noted that the date of the meeting needed to be changed from 2009 to 2010

Motion by Urquhart, second by Kutzel, to approve the Agenda for the June 22, 2010 Meeting as corrected

Motion carries by unanimous roll call vote

5. Election of Officers

An annual organizational meeting shall be held. Nominations shall be made from the floor and election of the officers shall follow immediately thereafter. A candidate receiving a majority vote of the entire membership of the Board shall be declared elected, and shall serve for the period of July 28, 2009 until the next election of officers to be held at the first Board Meeting in July, 2010, or until his/her successor shall take office. Officers to be elected shall include: Chairperson, Vice Chairperson, and Secretary.

Motion by Pullen, second by Greenwood, to nominate Bill Schumacher, Chairperson; Tarue Pullen, Vice-Chairperson; and Ken Kutzel, Secretary; of the Douglas Zoning Board of Appeals for a term beginning June 22, 2010

Motion carries by unanimous roll call vote

6. New Business

There were no New Business Items

7. Old Business

There were no Old Business Items

8. Reports of Officers, Members, Committees

There were no reports or comments

9. Public Comment

No community members were in attendance

10. Adjournment

Motion by Urquhart, second by Greenwood, to adjourn the meeting at 7:07 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan McPhail
Recording Secretary

Approved by: _____

Ryan Kilpatrick, Community/Economic
Development Director

**APPROVED MINUTES
THE CITY OF THE VILLAGE OF DOUGLAS
ZONING BOARD OF APPEALS
DOUGLAS CITY HALL
Tuesday, July 27, 2010**

1. The meeting was **called to order** at **7:00 PM** by **Chairperson Schumacher**
2. **Roll Call:** Jeff Greenwood, Ken Kutzel, Tarue Pullen, Bill Schumacher, Alexa Urquhart
Also in attendance: Ryan Kilpatrick, Community/Economic Development Director
3. **Approval of Minutes** of June 22, 2010

Discussion on procedural issues of nomination process

*Motion by Urquhart, second by Pullen, to approve the minutes of the organizational meeting of the ZBA of June 22, 2010 as presented
Motion carries with unanimous roll call vote*

4. Agenda Changes/Additions/Deletions

*Motion by Urquhart, second by Pullen, to approve the agenda for the July 27, 2010 ZBA as presented
Motion carries with unanimous roll call vote*

5. New Business: Request for Review of Zoning Administrator Decision:

- A. Classification of medical Marijuana Caregiver and Grow Facility

Agenda Items related to 5A:

- i. Staff report dated July 22, 2010
- ii. Planning and Zoning News Article dated July 2010
- iii. Michigan Medical Marijuana Act of 2008

Kilpatrick was asked to reiterate the points made in the memo to City Council from July 22, 2010 as a point of reference.

Discussion among the Commissioners related to said memo:

- Greenhouse and Professional Service categories
- Pharmacies
- State law vs. local law
- Parameters
- What is provided?

Chairperson Schumacher asked for comments from the audience at this time.

Tony Ragona, 1237 North Honore, Chicago, Ill offered some answers to questions of profitability, dispensary, and off-shoot business that may also be run from the premises.

Further discussion among the commissioners confirmed the need for ordinance language because of the complexity of the issue and the need to comply with state law.

Motion by Pullen, second by Urquhart, that the Zoning Administrator has made an appropriate decision in denying the proposed application for a Medical Marihuana Caregiver Operation and Grow Facility because the assessment that there is not an appropriate ordinance covering said operation is correct

Motion carries by unanimous roll call vote

Motion by Pullen, second by Urquhart, that the Zoning Board of Appeals recommends to the Planning Commission consideration of amending the Douglas City Ordinance to provide for Marihuana Caregiver and Grow Facility within the city

Motion carries by unanimous roll call vote

6. Old Business

There was none presented

7. Reports of Officers, Members, Committees

There were no reports

8. Public Comment

Bruce Balmer, 75 Fremont, has on-going problems with water on his property

9. Adjournment

Motion by Urquhart, second by Kutzel, to adjourn the meeting at 7:43 PM

Motion carries by unanimous voice vote

Respectfully submitted,

Alan B. McPhail
Recording Secretary

Approved by: _____

Ryan Kilpatrick, Community/Economic
Development Director