



City of Hamtramck Zoning Board of Appeals Meeting

Department of Community and Economic Development
Regularly Scheduled Meeting of Zoning Board of Appeals

September 9, 2020

6:00 P.M.

Zoom

Minutes

1. Call to Order

-the meeting was called to order at 6:10 pm

2. Pledge of Allegiance

3. Roll Call

- Present: Nasr Hussain, Mark Hausner, Hamilton Jordan, Tom Habitz, Eric Anderson, Carrie Beth Lasley, Staff Alex Iseri and Grace Stamper
- Absent- Adam Alharbi

4. Approval of Minutes: Regular Meeting, August 12, 2020

- Lasley mentioned 2 changes- the document needs to say minutes instead of agenda and needs to say ZBA in the footer instead of plan commission.
- Habitz motioned and Hussain seconded to approve the minutes as amended. The motion passes unanimously.

5. Public Comment

-There was no public comment.

6. New Business

-Dimensional Variance

- 2656 Carpenter setback variance
 - Public Hearing
 - Iseri plays 2 video testimonials of community members in support of the variance- Amy Memminger and Jason B.
 - 4 more people speak in support of the variance- Mickey Lyons, Barbara, Peter Herzberg, and Gias Takulder.
 - Staff Presentation
 - Stamper read the staff review letter and mentions the fire department review letter.
 - Applicant Presentation
 - Ian Perrotta speaks for MEEM LLC regarding their request. He mainly addresses his case that his property is under a unique circumstance.
 - Perrotta also shares a petition with 300 names of people in support of the variance, including at least 100 Hamtramck residents.

- Discussion
 - There are questions about why the municipal attorney was involved in this case. Lasley has a list of questions she would like answered. Hausner, Anderson, and Hamilton agree. These are included and will be addressed at the next meeting.
 - Questions are asked about what the pavilion will look like. Perrotta explains it will be open on all 4 sides with a slanted roof.
 - **Habitz motions to approve the variance as presented because it meets all necessary criteria. Anderson seconds. The motion passes unanimously.**

7. **Commission Announcements**

8. **Staff Announcements**

9. **Adjournment**

-The meeting was adjourned at 7:26pm.

Email from Carrie Beth Lasley

Questions from ZBA for follow-up:

- 1) Why is a municipal lawyer interpreting planning law when we pay a planning contractor? If the law contractor is using an appropriate specialist, does using the law contractor to do the planning contractor's work cost the city more or less?
- 2) Is the practice of having the law contractor conduct the planning contractor's work of planning and zoning interpretation typical practice in Hamtramck? About how many hours are billed on planning and zoning by the city law contractor vs. the city planning contractor?
- 3) What did we pay the planning contractor for tonight's item? What did we pay the law contractor for this item?
- 4) When the law contractor is conducting zoning review, does the city pay hourly rate for the law contractor or is the law contractor reimbursed at the rate we would pay our planning contractor?
- 5) Do we pay either our city law contractor or our planning contractor a monthly rate above hourly billing?
- 6) What did the planning contractor and staff do on this item? What was done by the city attorney? What precluded the planning contractor from conducting the work they were contracted to perform?

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7) If I were to look at an invoice, where would the costs borne by the city law contractor be captured in the invoice register?

8) Is there precedent from other communities where the city attorney does the work for the planning contractor? Which cities?

9) Is there precedent for our city attorney conducting the work of other contractors in our city and billing for it?