

MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION HELD ON MAY 9, 2001 IN THE CLAY TOWNSHIP BOARDROOM, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP.

1. Meeting called to order by Chairperson Mark Getman at 7:30 p.m.
2. Roll Call: Present: Mark Getman, Chairperson, John Makuch, Pat Sharrow, Chuck Michel, Louise Cooper, Sandra O'Conner, Dorothy DeBoyer, Diana Decker, also present was Linda Anderson, Wade-Trim Consultant.
Absent: Don Kent (excused).

3. Communications:

Chairman Getman: Letters regarding the rezoning consideration on Harsens Island, save them for the appropriate time; letter from Downtown Development Authority for you to read at your leisure.

4. Approval of the April 25, 2001 Minutes:

Moved by Michel, supported by Cooper, **MOTION CARRIED**, to approve the April 25, 2001 Planning Commission Minutes as submitted. AYES: All. NAYS: None.
ABSENT: Kent.

5. OLD BUSINESS:

LOT SPLIT #01-07 Paul Burczycki 1205 LaCroix Road

Petitioner is present.

Pat Sharrow: Correction on letter Assessor Barbara Schutt, should state zoning for R-1A District and not RS.

Motion by Sharrow, supported by Makuch, **MOTION CARRIED**, to recommend to the Township Board approval of Lot Split #01-07, 1205 LaCroix for Petitioner Paul Burczycki it meets all Zoning requirements. AYES: All. NAYS: None. ABSENT: Kent.

.LOT SPLIT #01-08 Robert Sampier 9199 Field Road

Chuck Michel: West side of property, two buildings there, could not see where the line is, make sure no accessory building on lot w/o a house.

Petitioner: Building has been demolished, other building left is on Mr. Sutton's property, and area is cleaned up.

Motion by Michel, supported by DeBoyer, **MOTION CARRIED**, to recommend to the Township Board approval of Lot Split #01-08, 9199 Field Road, Robert and Jeanne Sampier. AYES: All. NAYS: None. ABSENT: Kent.

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6. PUBLIC HEARING: RE-ZONING 89-53

DAVE GAGNON & GEORGE CROWN: VACANT LOTS 13, 14, 23, 24 & LOT 80 OF LEMKE SUB DIVISION, SANS SOUCI, HARSENS ISLAND:

Open the public hearing for Re-Zoning 89-53:

Chairman Getman: A number of letters in support of this rezoning, the names and addresses were noted for the record in support of the re-zoning: Richard/Pat Weber, M/M Bumbler, Dr. Baumgarten, M/M Byer, M/M Rogers, M/M Michael Weber, M/M Verslype, Ms. Bates, M/M Jackson. Letter in opposition from Mrs. Judy Hotchkiss,

In favor:

Louise Harvey: In favor

Nancy Bessemer: In favor

Robert Romps: My house runs along the property line, like to see what is proposed of that property before I could make a decision.

Chairman Getman: When the Planning Commission considers a re-zoning have to consider what can be done there, if approved anything allowed within that zoning category can be allowed there, can't tell them what they can do.

John/Midge Fannon: In favor

Richard/Pat Chute: In favor.

Lynn Decker: In favor.

Sandy Angers: Concerned if there will be a buffer on Maple Road to separate the parking lot?

Chairman Getman: Ordinance requires a buffer between residential and commercial.

M/M Salvador: Purchased house directly across the street, where would the entrance be?

Jill Richards: In favor.

Chairman Getman: Anything applicant puts on lot, has to come back for site plan Approval, barriers are required between commercial/ business and residential.

Theresa Kaye: In favor.

Marcie Paige: Noise barrier, who will maintain the parking lot?

Chairman Getman: Not going to be a public parking lot, owners would be responsible for maintaining it.

Bob Baldwin: In favor of re-zoning.

Lee Rogers, member of St. Clair Flats Association: In favor.

Leonard Beard: In favor.

John Matruse: In favor.

Sue Konkel: In favor.

Carol Hogg: Lot 80 & 82, main concern is a buffer between our house and the parking lot, parking lot not elevated at all, would not want it to block us from seeing the river.

Shirley Hallowaty: In favor.

Mr. Bumler: In favor.

Milton Osgood: In favor.

Dougall Hosisin: In favor.

Harold Binding: In favor.

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Mr. Rosenberg: In favor.

In opposition: None.

Close the public hearing.

Applicants presented a drawing of the proposed parking lot and answered the concerns of fellow residents.

Chairman Getman: Not going to add on to their building or do parking lot until there is an approval granted by the Planning Commission, all conditions of the ordinance will have to be met.

MOVED BY MICHEL, SUPPORTED BY MAKUCH, **MOTION CARRIED**, TO RECOMMEND APPROVAL FOR THE ZONING CHANGE FOR VACANT LOT CORNER OF S. CHANNEL AND MAPLE FOR LOTS 13, 14, 23, 24 AND LOT 80 OF LEMKE SUB DIVISION, SANS SOUCI, HARSENS ISLAND FROM PRESENT ZONING OF R1A TO BUSINESS-2 (B-2) ZONING. AYES: All. NAYS: None. ABSENT: Kent.

Chairman called for a recess at 8:15 p.m.

Resume regular meeting at 8:20 p.m.

7. A. SITE PLAN CONSIDERATION/SPECIAL APPROVAL:

BORIS LAZOVSKI - 7223 DYKE ROAD

Applicant Boris Lazovski: Two story building, want to tear it down and building a dental office and a living quarter for daughter on 1 floor.

Open the Public Hearing regarding the special approval for 7223 Dyke Road under Commercial zoning for a caretakers quarters: In favor: None. Opposed: None.
Close the public hearing.

Planning Commission comments:

Planner Linda Anderson: New building appears will be larger than a caretaker facility, more appropriate to re-zone property to a B-2, would allow a residents, used by anyone and not limited to just a caretakers quarter.

Pat Sharrow: Agree too large for caretakers quarters; new zoning ordinance decision was made to re-zone that land to B-2 allowing the combination of residents, explained the three business districts.

Chairman Getman: Caretakers Quarters is very large, violating the intent of the C-1 zoning ordinance; Planning Commission can on their own can start the re-zoning, under that zoning not a special approval, no conditions could be put on it, won't cost applicant any money.

Continued discussion concerning re-zoning process, legal recourse, etc.

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Motion by Michel, supported by DeBoyer, **MOTION CARRIED**, to postpone the request for Site Plan and Special Approval Land Use for 7223 Dyke Road and direct the Board to set a date for a public hearing for re-zoning of the property from Commercial to Business (B-2). AYES: All. NAYS: None. ABSENT: Kent.

7. B. SITE PLAN CONSIDERATION/SPECIAL APPROVAL:

NORTH CHANNEL BED & BREAKFAST 2703 PTE. TREMBLE ROAD

Applicant Terrance G. Swejkoski: Primary residence want to turn it into a bed & breakfast, seven bedrooms, four would be used for guestrooms. For the record, as of 2:00 p.m. today, purchase agreement signed for the record. Open the public hearing on special approval for 2703 Pte. Tremble Road:

Chairman Getman: In receipt of three letters of support of a special approval land use for 2703 Pte. Tremble Road: Al Wnuk, Mr. Strittmatter, Chris Sproviero.

In favor:

Chris Sproviero, 2701 Pte. Tremble Road: Reassurance property would not be rezoned commercial, has to be sold and maintained as a single-family residence in the future.

Chairman Getman: Anytime it is in use as a bed & breakfast the owners must be in residence.

Al Wnuk: In opposition to a bridge to Harsens Island, new owner will have this view.

Chairman Getman: Not appropriate to the public hearing.

Opposed: None.

Close the public hearing.

Planning Commission comments:

Chuck Michel: Questioned 2nd floor, two bedrooms don't seem to have a bath.

Mr. Swevkoski: Bedroom #3 and #4 bath directly across from #3.

Planner Linda Anderson: Special use review did not have site plan, since issues have been addressed, no problem with the special use review, site plan issues: location and dimensions of the barrier free parking space was going to be moved to one of the end spaces and note it "barrier free".

Pat Sharrow: Cannot add on to this home, applicant mentioned internal remodeling, what will you be doing? All bathrooms already exist in the house?

Mr. Swevkoski: New carpeting, trim work, superficial work; existing bathrooms.

Chuck Michel: Signage.

Linda Anderson: Understanding Mr. Swevkoski will work with Mr. Kras.

Pat Sharrow: Not a commercial sign, a typical family sign.

MOTION BY MAKUCH, SUPPORTED BY MICHEL, TO GRANT SPECIAL APPROVAL LAND USE FOR NORTH CHANNEL BED AND BREAKFAST, 2703 PTE. TREMBLE ROAD.

Discussion: Pat Sharrow: Condition the bed and breakfast can be operated only if the when the family is in residency.

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MOTION AMENDED BY MAKUCH, SUPPORTED BY MICHEL, TO MAKE IT A CONDITION THE BED AND BREAKFAST, 2703 PTE. TREMBLE ROAD THAT IT CAN OPERATE ONLY AS LONG AS THE RESIDENCY IS OCCUPIED BY THE OWNERS.

Original motion discussion: Will this be the home where you will be claiming homestead exemption on property taxes? Applicant: Yes.

VOTE ON THE AMENDED MOTION: AYES: ALL. NAYS: NONE. ABSENT: KENT. **MOTION APPROVED.**

MOTION BY MICHEL, SUPPORTED BY DECKER, TO APPROVE THE SITE PLAN FOR NORTH CHANNEL BED AND BREAKFAST, 2703 POINTE TREMBLE ROAD WITH THE CONDITION THE FIRST PARKING SPACE ON THE SOUTH SIDE BE HANDICAP BARRIER FREE. AYES: ALL. NAYS: NONE. ABSENT: KENT. **MOTION CARRIED.**

Chairman Getman called for a five-minute recess at 8:55 p.m. Meeting reconvened at 9:00 p.m.

8. CHAIRMAN'S REPORT

Reminder to all Planning Commission members a special meeting will be held on May 16, 2001 regarding Turn-Key Building.

9. PLANNING CONSULTANT'S REPORT: None.

10. PLANNING COMMISSION COMMENTS:

Pat Sharrow: Where do we stand with the Zoning Ordinance?

Linda Anderson: All the changes are done, map is done except for a couple of parcels in the middle of the Island, once receive those from Barbara Schutt, will only be a few minutes to update the map.

11. ADJOURNMENT:

Moved by Michel, supported by DeBoyer, **MOTION CARRIED**, to adjourn the meeting at 9:03 p.m. AYES: All. NAYS: None. ABSENT: Kent.

Valerie J. Kulba
Recording Secretary