

MINUTES OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, JULY 26, 2001 AT 7:30 P.M. IN THE CLAY TOWNSHIP BOARD ROOM, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP, MI 48001

Chairman Nelson called meeting to order at 7:30 p.m.

1. Roll call

Present: Ron Nelson, Cindy Kirkpatrick, Marianne Diss, Chuck Michel.

Excused: Joanne Shirkey.

2. APPROVAL/AMENDMENTS TO AGENDA

Nelson: Addition to agenda to include: Minutes of 6/28/01 and 7/19/01.

Moved by Kirkpatrick, supported by Michel to approve the agenda as amended.

AYES: All. NAYES: None. MOTION CARRIED. Excused: Joanne Shirkey

3. APPROVAL OF MINUTES OF JUNE 28, 2001

Moved by Michel, supported by Kirkpatrick, to approve the minutes as presented.

AYES: All. NAYES: None. MOTION CARRIED. Excused: Joanne Shirkey.

APPROVAL OF MINUTES OF JULY 19, 2001

Moved by Kirkpatrick, supported by Michel, to postpone approval of the minutes to have the secretary review.

AYES: All. NAYES: None. MOTION CARRIED. Excused: Joanne Shirkey.

4. ZONING BOARD OF APPEALS PREFACE

Chairman: The ZBA addresses mainly hardship based on lot size, location and/or shape or contour and location of existing buildings. We are guided by Section 1304 of Ordinance #89. There are five members on the ZBA, four of whom are present tonight. Three (3) members must vote the same way for a motion to be granted for a variance. Three (3) members constitute a quorum. You may speak when so directed. Everyone will have a chance to speak. If a particular point gets belabored, the chairman has the right to limit debate. If you should not like the board's decision, whether you are the appellant or the public, you have the right to take it to the Circuit Court. You have twenty-one (21) days to file with the Circuit Court. When the appeal you're involved with has finished, you are welcome to leave or stay, whatever you wish.

5. APPEALS

2001-052

Addison B. Getman

9305 North River

Mark Getman, agent, representing

7230 Bluebill

Mark Getman: Appellate is requesting a variance in Ordinance #89, section 1304 (A) to change from non-conforming Class B to non-conforming Class A. Property is used for residence and has boat houses and accessory building. Old home will be demolished and replaced with similar residence.

Request for variance from Ordinance #89, to change from non-conforming Class B to non-conforming Class A. Appellate is requesting Class A designation to allow his current non-conforming resident and detached garage on Commercial Zoned property to be replaced with another similar non-conforming use. The application was denied because Ordinance #89, section 813 (B&C).

**CLAY TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF JULY 26,2001
PAGE TWO (2)**

Continue: 2001-053

Diss: Can we discuss other issues?

Nelson: No, we are addressing Class A non-conforming.

Public Participation: In
favor: No comment.
Opposed: No comment.
Close Public Participation.

Nelson: No problem.

Michel: No problem.

**Motion by Michel, supported by Kirkpatrick to allow change from Class B to Class A non-conforming.
AYES: All. NAYES: None. MOTION CARRIED. Excused: Joanne Shirkey.**

2001-053	Jerry Gordon	8335 Morrow Road	
	Brian Treppa, builder, representing		5227 Pte. Tremble

Brian Treppa: Appellate requesting to construct a pole barn, 40 ft. x 70 ft. (larger than square footage of house) and start construction approximately one/two months before beginning house. Pole barn is approximately 2800 sq. ft. It will be used for normal storage and no dump trucks.

Request for variance from Ordinance #89, to construct a pole barn prior to the construction of the main structure and a variance to allow the size 40 ft x 70 ft of pole barn that will exceed the square footage of the future main structure. The application was denied because Ordinance #89, section 800 (D&L).

Kirkpatrick: What is the square footage? Treppa: 1600 sq. ft. to 2400 sq. ft.

Nelson: Have you been here before? Brian Treppa: Yes, time has lapsed on old appeal.

Diss: What was the original size? Brian Treppa: 42 ft. x 72 ft. Now size is 40 ft. x 70 ft.

Diss: What is the height of the pole barn? Brian Treppa: 14ft. or 16 ft.

Nelson to Treppa: 4/12 pitch roof?

Diss: It is going to be closer to road.

Nelson: It will be used for residential only, no commercial trucks etc.

Public Participation:
In favor: Steve Mahac: 6493-6495 Benoit.
Opposed: No comment.
Close Public Participation.

**CLAY TOWNSHIP ZONING
BOARD OF APPEALS MINUTES
OF JULY 26,2001
PAGE THREE (3)**

Continue: 2001-053

Diss: What is the hardship? Why so big as to exceed square footage of house?
Nelson: Size is 40 ft. x 70 ft. and will be used for storage.

Jerry Gordon: We are beginning construction of the

house after the barn. Nelson: Pole barn is for

residential use only.

Motion by Michel, supported by Diss to grant request for pole barn but not until all permits are issued for the house. A letter of credit or cash for \$10,000.00 will be posted. Barn will be used for residential use only. AYES: All. NAYES: None. MOTION CARRIED. Excused: Joanne Shirkey.

Brian Treppa: What is \$10,000.00 letter of credit? Kirkpatrick:

Contact your bank. Michel: You have one year to show progress.

Kirkpatrick: Letter of credit keeps from building the pole barn and never constructs home.
Township uses the money to tear down the pole barn (if home is never constructed) if necessary.

6. Member Comments

Kirkpatrick: Did all the members receive copies of ZBA seminar?

7. Public Comment

Jerry Gordon, 8335 Morrow, Does letter of credit effect loan of the house. Kirkpatrick: Yes.

8. Adjournment

**Moved by Kirkpatrick, supported by Michel to adjourn at 8:50 p.m.
AYES: All. NAYES: None. MOTION CARRIED. Excused: Joanne Shirkey.**

Respectfully submitted,

Dolores M. Nelson
Recording Secretary