

MINUTES OF THE SPECIAL MEETING OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, MAY 23, 2002 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

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

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

3. 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 appellate 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.

4. APPEALS

2002-0023

Charles Schwab

6507 Dyke Rd.

Appellate requesting to construct a 24x26 ft. accessory building (placement of new detached garage). There is commercial property next door. Colony Association approves. There is 47 ft. from curb to lot line. Needs 3 ft. variance.

Request for variance from Ordinance #89, to construct accessory building 24x26 ft. requiring a variance of 22 ft. east front yard setback. The application was denied because Ordinance #89, section 303 (A) and section 800 (F) requires 25 ft. front yard setback.

Kirkpatrick: The Colony Tower is across the street.

Michel: How close are you to lot line? Appellate: 4 ft.

Nelson: How far from the north lot line? Appellate: 30 ft.

Kirkpatrick: Is there a wood shed. Appellate: Yes, tore one down.

Diss: What is height of garage? Kras: OK.

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Kirkpatrick: There is 22 ft. on east side.

Public Participation:

In favor: No comment.

Opposed: No comment.

Close Public Participation.

Nelson: Too close to the lot line to turn to the north.

Michel: OK to turn to drive off concrete drive.

Diss: 30 ft. away from Colony Marine. Appellate: He needs room for toys for kids.

Michel: What is measurement from garage to pad? Appellate: Concrete pad to be demolished.

Kras: Some property belongs to Colony Association.

Nelson: Lot size is 64x110 ft.

Diss: Access to garage is on Colony property.

Michel: Do you own other building across the street? Appellate: No.

Kirkpatrick: What kind of siding will you have? Appellate: Cedar siding to match house.

Motion by Kirkpatrick, supported by Michel, to grant as requested due to hardship of unique lot shape

AYES: Kirkpatrick, Diss, Michel. NAYES: Nelson. MOTION CARRIED. Excused: Shirkey.

Nelson: Do have a sealed copy from Colony Association? Appellate: Yes.

8. Adjournment

Moved by Kirkpatrick, supported by Michel, to adjourn at 8:03 p.m.

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

Respectfully submitted,

Dolores M. Nelson
Recording Secretary