

MINUTES OF THE SPECIAL MEETING OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, OCTOBER 24, 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: Joanne Shirkey, Ron Nelson, Cindy Kirkpatrick, Marianne Diss, Chuck Michel.
Also present: Tim Wiggle, Zoning, Planning, Code Enforcement Officer.

2. APPROVAL/AMENDMENTS TO AGENDA

Add to agenda 4A old business, 2002-0045, Tom Kaiser, 6041 Pte. Tremble.

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

AYES: All. NAYES: None. MOTION CARRIED.

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, all 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

2002-0048 George Clark 4926 Taft Rd.

Appellate requesting a lot split and exceed 5:1 ratio.

Request for variance from Ordinance #89, to allow in excess of 5:1 ratio. The application was denied because Ordinance #89, section 303 (G) and section 800. The appellate is also requesting a variance of an accessory structure on a vacant lot without a primary structure.

Nelson: Lot split will exceed 5:1 ratio.

Nelson: Are you leaving the garage on the property? Appellate: If not allowed will tear down.

Nelson: ZBA addressing 5:1 ratio and the accessory building with no primary residence.

Letters – Opposed: Wendell and Sandra Coomer, 9561 Folkert Rd.; Arthur and Janet Wanket, 4930 Taft Rd.

Michel: What is the Zoning? Wiggle: RS. Lot A is 120 ft. with house.

Kirkpatrick: Has this appeal gone before the Planning Commission? Nelson: Yes.

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Nelson: Ordinances #89 and #123 addresses “pencil” lots.

Public Participation:

In favor: No comment.

Opposed: No comment.

Close Public Participation.

Nelson: Would like to see garage torn down. Michel: Agree. Appellate: OK.

Motion by Michel, supported by Diss, to approve the lot split request as presented with the garage removed (lot B).

Shirkey: Is there a time frame involved? Suggested 30 day. Appellate: OK for 30 days.

Wiggle: Reminder appellate needs a demolition permit.

AYES: All. NAYES: None. MOTION CARRIED.

4A. OLD BUSINESS

2002-0045

Thomas Kaiser

6041 Pte. Tremble

Nelson: Asked members to look at the both new survey (2002) and survey of 1983.

Wiggle: There is no encroachment and no overhang.

Diss: Current residence is 4’ off lot line.

Nelson: OK with average setback and west side yard.

Motion by Michel, supported by Kirkpatrick, to grant as presented, the river curves, and will not extend into existing average setback.

AYES: All. NAYES: None. MOTION CARRIED.

5. Member Comments

Next regular meeting will be November 21, 2002.

Shirkey, Kirkpatrick and Diss terms expire. No appointments have been made by Township Board.

“Alternate” member discussed. This person would have to attend the ZBA meetings until the appeal is completed. Also discussed the 30-day prior notice.

6. Public Comment

None.

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7. Adjournment

Moved by Shirkey, supported by Michel, to adjourn at 8:07 p.m.
AYES: All. NAYES: None. MOTION CARRIED.

Respectfully submitted,

Dolores M. Nelson
Recording Secretary