

MINUTES OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, FEBRUARY 20, 2003 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

**Moved by Michel, supported by Kirkpatrick to approve the agenda as presented.
AYES: All. NAYES: None. MOTION CARRIED.**

3. APPROVAL OF MINUTES OF JANUARY 16, 2003

Correction, page 2, p.#6: Should read ZBA in the past made a decision even regarding with accessory building and bond, that plans and prints have to be approved.

**Moved by Kirkpatrick, supported by Diss, to approve the minutes as corrected.
AYES: All. NAYES: None. MOTION CARRIED.**

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 27.04 of Ordinance #123. 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.

5. APPEALS

2003-003 Henry G. Neumann 6328 Marina Dr.

Appellate requesting to construct an attached garage addition on west side of house. Garage will be 12 ft. x 41 ft. and front porch 18 ft. x 5 ft. and plans to cover.

Request for variance from Ordinance #123, to construct a 12 ft. x 41 ft. garage on west side and a new 18 ft. x 5 ft. porch on front road side of home requiring variance of 4 ft east side yard setback, west side yard setback of 2 ft. and front yard (road side) setback of 21'1". The application was denied because Ordinance #123, section 18.03 and section 3.24 (2).

Nelson: Two feet off lot line is worrisome for emergency reasons.

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Michel: Garage comes to the front of the house? Appellate: Yes, matches roof.

Nelson: Is front yard setback measured from front property line. Appellate: Yes.

Public Participation:

In favor: Patricia Allen, 6330 Marina.

Opposed: No comment.

Close Public Participation.

Shirkey: Could the garage be made smaller? Appellate: Garage would be small.

Diss: Discussion of future appeals.

Kirkpatrick: Hardship is lot size.

Nelson: Could go to 11 ft.; could at least get a fire hose through.

Motion by Michel, supported by Diss to alter and grant request to be 11 ft. wide garage and 3 ft. west side yard.

AYES: All. NAYES: None. MOTION CARRIED.

6. Member Comments

Wiggle: Discussion of side yard setbacks.

7. Public Comment

None.

8. Adjournment

Moved by Michel, supported by Kirkpatrick, to adjourn at 7:53 p.m.

AYES: All. NAYES: None. MOTION CARRIED.

Respectfully submitted,

Dolores M. Nelson
Recording Secretary