

**MINUTES OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, MARCH 20, 2003 AT 7:30 P.M. IN THE CLAY TOWNSHIP BOARD ROOM, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP, MI 48001**

Chuck Michel called meeting to order at 7:30 p.m.

1. Roll Call

Present: Joanne Shirkey, Cindy Kirkpatrick, Chuck Michel.

Absent: Ron Nelson, Excused Marianne Diss, Excused

2. APPROVAL/AMENDMENT TO AGENDA

Michel: Any amendments to the agenda?

None

3. ZONING BOARD OF APPEALS PREFACE

Michael: 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, three 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. APPROVAL OF MINUTES OF FEBRUARY 20, 2003

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

**AYES: All. NAYES: None. ABSENT: Nelson, Diss. MOTION CARRIED**

5. APPEALS

2003-004

Martin & Cheryl Wietecha

7991 Colony Drive

Appellate requesting to remove an existing boathouse/garage and construct a new boathouse/garage. Boathouse will be 30.1' X 41.33'. Garage will be 30.75' X 31.833'.

**Request for a variance from Ordinance #123, section 3.01, par. 5, section 3.01 par. 7D, section 18.03 par. 5 and section 3.01 par. 4 and ordinance #123 section 27.04 to construct a 30.1' X 41.33' Boathouse and a 30.75' X 31.833' Garage. Asking for a building height of 18' 2" where maximum allowed is 15'. To totally enclose the boathouse, ordinance clearly states that the side shall be open for a height of not less**

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**than 8' above the land level and enclosed a distance of not more than 3' down from the top of the top plate. Asking for a front (roadside) setback of 11' where the ordinance requires a minimum of 15' and a total square footage of 2,972, which would exceed the current main building square footage of 2,850.**

Appellate: The design and materials will enhance the neighborhood. I will be living across the street and I don't want to look at an eyesore either. If I can't build I will fix up.

Michel: Is that you boat in the photo? Appellate: No

Michel: What kind of boat do you have? Appellate: 34' Sun dancer Searay.

Michel: Why do you need the height? Appellate: There is a radar arch on the boat.

Michel: Any questions from the Board members?

None

**Public Hearing opened at 7:42 p.m.**

Letters received from:            John & Christine McQuade 7987 Colony (In favor)  
   Bernard & Donna McQuade 8119 Colony (In favor)  
   Paul Bridgman 7985 Colony (Opposed)

In favor: Larry Roger            8121 Colony  
                 Ed Phillips            8467 Colony  
Opposed: Gilbert Wujcik        7890 Colony  
                 Sam Oddo            7297 Audubon  
                 Joyce Oddo            7297 Audubon  
                 Gerald Tilly            7533 Colony  
                 Paul Bridgman        7985 Colony

**Close Public Hearing at 8:00 p.m.**

Michel: Only one open boathouse on Colony Drive, no problem with variance, problem with staircase.

Kirkpatrick: Don't see hardship.

Michel: Disagree, to not allow would mean could not get boat in boathouse.

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Shirkey: Go along with chuck, they have a right to be able to put their boat in their boathouse.

Kirkpatrick: How long until you build? Appellate: This summer.

**Motion by Shirkey, supported by Kirkpatrick to grant variance as stated and attach a \$10,000 cash or Letter of Credit bond and there is to be no permanent staircase.  
AYES: All. NAYES: None. ABSENT: Nelson, Diss. MOTION CARRIED.**

6. Member comments:

Shirkey: Going to a workshop on April 3<sup>rd</sup>.

7. Public comments:

Paul Bridgman

8. Adjournment:

**Moved by Shirkey, supported by Kirkpatrick, to adjourn at 8:15 p.m.  
AYES: All. NAYES: None. ABSENT: Nelson, Diss. MOTION CARRIED**

**Dorothy DeBoyer**