

MINUTES OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, FEBRUARY 19, 2004 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 Diss, supported by Michel, to approve the agenda as presented.

AYES: All. NAYES: None. MOTION CARRIED.

3. APPROVAL OF MINUTES OF DECEMBER 18, 2003

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

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

2004-001 William McGregor 9313 Field

Appellate requesting to add 336 sq. ft. to his accessory building. There will be no living quarters in the accessory building. Two acres of property.

Request for variance from Ordinance #123, to add 336 sq. ft. to accessory building making a total of 1104 sq. ft. exceeding the total floor area of the main building 812 sq. ft. (exceeding by 292 sq. ft.). The application was denied because Ordinance #123, section 3.01 (4).

Diss: House is non-conforming.

Letter in favor: Paul Megel, 9324 Stone.

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Public Participation:

In favor: Linda Mc Gregor, 9311 Field; Bill Mc Gregor, 9308 Stone.

Opposed: No comment.

Close Public Participation.

Motion by Kirkpatrick, supported by Shirkey, to grant as presented due to hardship of non-conforming house.

Hardship: Non-conforming house.

AYES: All. NAYES: None. MOTION CARRIED.

2004-002

Dr. Chris Truax

5440 Pte. Tremble

Appellate requesting variance of front setback of sign.

Request for variance from Ordinance #123, of 7.07 ft. in order to have a front setback of 12.93 ft, to front edge of the sign. The application was denied because Ordinance #123, section 23.02 (4)

Wiggle: 20 ft. road right of way.

Letter in favor: State of Michigan Department of Transportation, Chuck Bergmann, Traffic Technician, MDOT Port Huron TSC.

Public Participation:

In favor: No comment.

Opposed: No comment.

Close Public Participation.

Motion by Diss, supported by Michel to grant as presented based on other signs in area and letter from MDOT.

AYES: ALL. NAYES: None. MOTION CARRIED.

6. Member Comments

Nelson: Plutter garage appeal is going to court.

Winter Workshop 2/26/04.

Wiggle: Allow a few days to pick up copies of the minutes.

Mr. Mc Namee is working up a ZBA standard hardship/member check-off list.

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7. Public Comment

No comment.

8. Adjournment

Moved by Shirkey, supported by Diss, to adjourn at 7:50 p.m.

AYES: All. NAYES: None. MOTION CARRIED.

Respectfully submitted,

Dolores M. Nelson
Recording Secretary