

**MINUTES OF THE CLAY TOWNSHIP PLANNING COMMISSION REGULAR MEETING HELD ON JUNE 8, 2005 AT 7:30 P.M. IN THE CLAY TOWNSHIP MEETING HALL, 4710 PTE. TREMBLE ROAD, CLAY TOWNSHIP, MICHIGAN 48001.**

1. Chairperson Dorothy DeBoyer called the meeting to order at 7:30 p.m.  
In the absence of the Secretary Michael Watson, Vice Chair Anthony Antkowiak will call the roll.
2. **Roll Call:**  
PRESENT: Chairperson DeBoyer, Vice Chair Anthony Antkowiak, Pat Sharrow, George Lyle, Earl Lines, Thomas Krueger, Edward Keller II.  
ABSENT: Michael Watson (excused), Kathi Schweikart (excused).

Also present was Zoning Adm. Timothy Wiggle and Community Planner Peter Britick. Chair DeBoyer extended a welcome to new Planning Commission member Earl Lines.

3. **AMENDMENTS TO AGENDA**

Moved by Antkowiak, supported by Lyle, to amend the agenda with the following additions: following item #6, Item #7. Discussion of the Proposed Zoning Ordinance amendment to Article 18 – Schedule of Regulations, #8. ZBA Report from the P.C. Rep., agenda item numbers will change accordingly on down to #12.

VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: Watson, Schweikart.  
**MOTION CARRIED.**

4. **APPROVAL OF MINUTES:** May 11, 2005

Moved by Sharrow, supported by Lyle to approve the May 11, 2005 Planning Commission Minutes with the omission of 1<sup>st</sup> statement on page 4 by Pat Sharrow re: Lot Split 05-05 as statement does not apply to the question at hand.

VOTE ON THE MOTION:

AYES: ALL. NAYS: NONE. ABSENT: WATSON, SCHWEIKART.

**MOTION CARRIED.**

5. **LOT SPLIT:**

**05-06 LEONARD & ARLENE KASPEROWICZ VAC. STONE ROAD**

Chairperson DeBoyer: Zoned RS-1 Suburban, lot split will create three (3) new parcels.

MOTION BY KRUEGER, SUPPORTED BY SHARROW, TO RECOMMEND APPROVAL OF LOT SPLIT 05-06, LEONARD & ARLENE KASPEROWICZ FOR VACANT PROPERTY ON STONE ROAD AS IT MEETS ALL CONDITIONS OF THE ZONING ORDINANCE.

R/C VOTE: AYES: SHARROW, LINES, LYLE, ANTKOWIAK, KRUEGER, KELLER II. NAYS: NONE. ABSENT: WATSON, SCHWEIKART.

**MOTION CARRIED.**

**PLANNING COMMISSION MINUTES – JUNE 8, 2005**

Page 2

**05-07 MAUREEN BOURY          6880 MIDDLE CHANNEL DRIVE**

Chairperson DeBoyer: Zoned R-1 requesting a split that would create three (3) new parcels.

Discussion:

Pat Sharrow: Parcels do not meet the Zoning Ordinance, could split into two lots.

Chairperson DeBoyer: Depth to width 4-1, cannot be appealed to ZBA due to the State Law.

Applicant: Land meets the 5-1 requirements.

Chairperson DeBoyer: R-1 does not have the requirements of 5-1, State requirements in the Land Division Act is 4-1, cannot appeal State Law, at this point Plng. Comm. and ZBA cannot take any action. Tonight Commission will consider an amendment to our Zoning Ordinance that could be a 5-1 ratio for all residential, after public hearings, publication, could be September before finalized.

MOTION BY SHARROW, SUPPORTED BY LINES CANNOT RECOMMEND LOT SPLIT 05-07 FOR 6880 MIDDLE CHANNEL DRIVE IT DOES NOT FIT THE APPROVAL BASED ON THE DEPTH TO WIDTH RATIO.

AYES: ALL. NAYS: NONE. ABSENT: WATSON, SCHWEIKART.

**MOTION CARRIED.**

**05-08 RONALD SCHWARK          VACANT MANAVEL CT.**

Chairperson DeBoyer: Mr. Schwark sent a letter in his absence; property is zoned R-1 1-family residential wishing to create one (1) new parcel.

Pat Sharrow: Does not fit the Zoning Ordinance of 65' of front footage for both lots.

MOTION BY SHARROW, SUPPORTED BY ANTKOWIAK CANNOT RECOMMEND THE LOT SPLIT APPROVAL FOR 05-08, VACANT MANAVEL CT. AS IT DOES NOT MEET THE FRONT FOOTING REQUIREMENT OR THE DEPTH TO WIDTH RATIO.

R/C VOTE: AYES: SHARROW, LINES, LYLE, ANTKOWIAK, KRUEGER, KELLER, DEBOYER. NAYS: NONE. ABSENT: WATSON, SCHWEIKART.

**MOTION CARRIED.**

**6. ARTICLE 18 – SCHEDULE OF REGULATIONS PROPOSED ZONING ORDINANCE AMENDMENT:**

Chairperson DeBoyer: Wording to the amendment would be “no parcel created after the adoption of this Ordinance shall have a depth of more than five (5) times the width”, covering all of our residential areas. Article 18 does cover our commercial and industrial too. Do we want it to cover all zoning or just residential? Comments from Commissioners.

Pat Sharrow: Remarks as to reasons this was done several years ago changing from the 5-1 to the 4-1 ratio, stated pros and cons of changing the depth to width size, Island development, possible future bridge, all have an affect on growth and economic stability, don't know what the answer is, need some time to make a good choice.

## **PLANNING COMMISSION MINUTES – JUNE 8, 2005**

Page 3

Chairperson DeBoyer: Complexion of the community has changed since the 80's, changes even since the DDA was established, one time marinas and waterfront part of the future design.

Pat Sharrow: Concern is what kind of residential development do the people want and where, survey would be of great interest and direction, been several years since one was done. Depth to width ratio can cause the creation of bowling alley lots, stated drawbacks. ZBA grants variances for a 5-1 ratio 99% of the time.

Chairperson DeBoyer: A lot of areas on the mainland that could be affected by the depth to width ratio change. Under the Land Division Act parent parcel can be way out of line and it would be allowed.

Chairperson DeBoyer: Change would cover all zoning.

Pat Sharrow: Do we want it to cover everything?

Chairperson DeBoyer: Now applies only to RS-1 & RS-2.

Pat Sharrow: Like to see a list from Community Planning of the pros and cons as they see them and whether we should definitely make it 5 to 1 for all residential and eliminate commercial and industrial. Not ready to make a decision one way or the other.

Chairperson DeBoyer: Wait for Planner report, consensus Commissioners would need more time to consider the amendment, bring back at the next meeting.

7. **ZONING ADM. REPORT:** No report, welcome Mr. Lines to the Commission.

8. **CHAIRMAN'S REPORT:**

MTA Report – conditional zoning model ordinance available, zoning consolidation moves forward: will be looking at these things sometime in the future.

Letter from Kenneth Montgomery & Associates re: the Cottrellville Twp. Master Plan Amendment copied it for you.

Citizen Planner Seminar scheduled for June 23<sup>rd</sup>, Township Board did not approve the funding, would have to pay on your own if want to attend.

9. **ZBA REPORT BY ANTHONY ANTKOWIAK, REPRESENTATIVE:**

ZBA meeting update: variances due to lot sizes, interpretation of sidewalks in the Township. Lengthy discussion followed re: interpretations by ZBA, requesting interpretations, where are they kept for future references?

## **PLANNING COMMISSION MINUTES: JUNE 8, 2005**

Page 4

Chairperson DeBoyer: Written communication from ZBA to Planning Commission informing the Commissioners of an interpretation; Attorney will be writing a letter re ZBA opinion requiring sidewalks when there is no right of way.

Anthony Antkowiak: Voiced concern as a Planning Commission Representative, what are my limitations re: opinions, remarks, etc.

Discussion followed comments from the Commissioners.  
Community Planner Peter Britick comments.

### **10. PLANNER CONSULTANT REPORT**

Peter Britick: Patrick Meagher is doing extremely well, thank you for cards and many good wishes to him and Staci.

### **11. PLANNING COMMISSION COMMENTS**

Pat Sharrow: Recent Lot Split Harsens Island South Channel near LaCroix, Twp. Board's decision: abandonment of land to the adjoining properties.

Chairperson DeBoyer: Line adjustment not a lot split, not necessary to take these to the Planning Commission, Assessor would handle.

Thomas Krueger: Re: future lot splits, people need to be made aware of their situations before actually coming to the Planning Commission..

### **12. PUBLIC COMMENTS:**

Maureen Boury, 6880 Middle Channel Drive: Questioned her requested lot split this evening, requesting consideration to split into two pieces, Mr. Rusko has property adjoining to the north, north lot on the survey be added to his property, not as a separate lot but enlarging his lot, leaving the other two lots as one lot.

Chairperson DeBoyer: Commission cannot reconsider without you discussing with the Assessor, can only make a determination what we have in front of us.

Maureen Boury: If Mr. Rusko makes one large lot, would the Board consider that?

Pat Sharrow: Legal description of parcel 1 plus his property, line adjustment adding to the two parcels, legal description of 2 & 3 combined.  
Assessor would be able to take care of the matter.

### **12. ADJOURNMENT**

Motion by Krueger, supported by Lyle, **MOTION CARRIED**, to adjourn the meeting at 8:39 p.m. AYES: All. NAYS: None. ABSENT: Watson, Schweikart.