

MINUTES OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, JUNE 16, 2005 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, John Makuch, Marianne Diss, Anthony Antkowiak.

Also present: Michael Kras, Clay Township Building and Zoning Administrator

2. APPROVAL/AMENDMENTS TO AGENDA

Nelson: 5A, Elections should be conducted in July 2005; ZBA now has a full board.

5B, Mr. McNamee will be at our July 2005 meeting regarding Keene appeal (from several months ago) regarding litigation of the percentage of coverage on Anchor Bay Drive.

Moved by Makuch, supported by Shirkey to approve the agenda as amended.

AYES: All. NAYES: None. MOTION CARRIED.

3. APPROVAL OF MINUTES OF MAY 19, 2005

Page 2, Correct spelling of Jessop, should be Jessup.

Page 2, Antkowiak, what is practical difficulty? Appellate: He has large acreage and there is a need for storing equipment.

Moved by Diss, supported by Antkowiak, to approve the minutes as corrected.

AYES: All. NAYES: None. MOTION CARRIED.

4. ZONING BOARD OF APPEALS PREFACE

Chairman: The ZBA addresses mainly practical difficulty 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

2005-006

Michael Badalamente

7650 S. Channel Drive

Appellate is requesting to replace a temporary sign with a permanent 5' x 4' new sign.

Request for variance from Ordinance #123, to erect a new sign. Request is for a variance of 17' in order to have a front setback of 3' (to front edge of sign) to the right of way, where the required set back is a minimum of ½ the front yard requirements; this would equal 20' this under section 23.02 (4). The application was denied because Ordinance #123, Article XXIII, section 23.02 (4).

Makuch: Will the sign be lit? Appellate: No.

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Antkowiak: What is the practical difficulty? Appellate: To upgrade the temporary sign.

Antkowiak to Appellate: Who owns the property? Appellate: I own only the property in the rear.

Public Participation:

In favor: No comment.

Opposed: No comment.

Close Public Participation.

Motion by Makuch, supported by Diss to grant the request based on practical difficulty grade of land and contour.

AYES: All. NAYES: None. MOTION CARRIED.

5A. Elections

Nelson: Elections should be added to July 2005 ZBA agenda. Makuch as Clay Township trustee can't be elected.

5B. Mr. McNamee

Mr. McNamee would like to attend the July 21, 2005 ZBA meeting to discuss Keene (appeal and litigation) from Anchor Bay Drive, percentage of coverage. MR. MC NAMEE WOULD LIKE TO MEET AT 7:00 P.M.

6. Member Comments

None.

7. Public Comment

None.

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