

**SPECIAL MEETING MINUTES OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS  
HELD ON THURSDAY, SEPTEMBER 29, 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: Tim Wiggle, Clay Township Zoning, Planning, Code Enforcement Officer.

2. APPROVAL/AMENDMENTS TO AGENDA

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

3. 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.

4. APPEALS

2005-020                      Willis Rohn                      5826 Jankow Rd.

Appellate requesting a 5' variance on west side. R1 is 15'.

Nelson: When was the old house destroyed? Appellate: July.

Appellate: There is a new septic tank.

**Request for variance from Ordinance #123, to construct a new single family residential structure to replace the one that was removed due to its poor condition requiring a variance of 10 ft. The application was denied because Ordinance #123, Article XVIII, section 18.02 (P6).**

Makuch: Are you building on old footing? Appellate: No, new footing.

Nelson: There is 71 ft. to the house from the road.

Shirkey: Where is the septic field? Appellate: Approximately behind the house.

**CLAY TOWNSHIP ZONING BOARD OF APPEALS**

**SPECIAL MEETING MINUTES OF SEPTEMBER 29, 2004  
PAGE TWO (2)**

Continued: 2005-020

Diss: Do you only own A? Appellate: No, 1+A + 4.17 ft.

Wiggle: Appellate owns 64.11 ft. + 4.17 ft.

Antkowiak: What is the size of the house: Appellate: 46 ft. x 47 ft.

Antkowiak: Why are you setting to the west side? Appellate: Needs a driveway to back to storage trailer.

Public Participation:

In favor: No comment.

Opposed: No comment.

Close Public Participation.

Makuch: Page 80 of Ordinance #123, lot size creates a hardship.

**Motion by Makuch, supported by Shirkey, to approve request due to width of lot being 64.11 ft, based on depth of lot (acreage), and allowing 5 ft. side yard.  
AYES: All. NAYES: None. MOTION CARRIED.**

5. Member Comments

Nelson: One appellate is coming back.

6. Public Comment

None.

7. Adjournment

**Moved by Makuch, supported by Shirkey, to adjourn at 7:48 p.m.  
AYES: All. NAYES: None. MOTION CARRIED.**

Respectfully submitted,

Dolores M. Nelson  
Recording Secretary