

**MINUTES OF THE CLAY TOWNSHIP ZONING BOARD OF APPEALS HELD ON THURSDAY, JANUARY 19, 2006 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, Marianne Diss, Anthony Antkowiak.

Excused: John Makuch.

2. APPROVAL/AMENDMENTS TO AGENDA

**Moved by Diss, supported by Antkowiak to approve the agenda as presented.**

**AYES: All. NAYES: None. MOTION CARRIED. Excused: Makuch.**

3. APPROVAL OF MINUTES OF DECEMBER 29, 2005

Corrections: Shirkey, p.3 typo – should be – balcony should not be considered a roof for surfaces below. Antkowiak, p.4 restate motion – **Motion by Antkowiak, support by Makuch, to postpone until next meeting when Mr. Wiggle is present.** Antkowiak, p.9 change name – should be Nelson instead of Mc Namee.

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

**AYES: All. NAYES: None. MOTION CARRIED. Excused: Makuch.**

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, four 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

2006-001

Denise Astemborski

8763 Anchor Bay Dr.

Appellate is requesting to replace on old shed that was removed and use the foundation to erect an 8' x 8' shed to be used for storage. Appellate has no basement or garage.

Nelson: Is the new shed in the area of the boat? Appellate: Near that area.

Nelson: 40' x 103' lot size.

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**Request for variance from Ordinance #123, to place an accessory structure 4.5' from main structure; ordinance requires 10' between main building and detached accessory structure. This requires a 5.5' variance. The application was denied because Ordinance #123, Article III, section 3.01 (3).**

Antkowiak: Is existing foundation 8' x 8'? Appellate: Yes.

Letters in favor: Judith Ann White, 8757 Anchor Bay Dr.; Irene Siefert, 8771 Anchor Bay Dr.

Public Participation:

In favor: No comment.

Opposed: No comment.

Close Public Participation.

**Motion by Shirkey, supported by Diss, to grant appellate to replace the old shed with practical difficulty being small lot size and consideration of lot coverage.**

**AYES: All. NAYES: None. MOTION CARRIED. Excused: Makuch.**

6. Member Comments

Antkowiak regarding by-laws: He has a sample and is willing to make up a rough draft. Discussion followed.

Antkowiak regarding prior appeal for ice cream bar (2005-028), ZBA granted an extra 5', (granted 5'); 10' was requested. Antkowiak: Before making a motion, the board should summarize the facts so that errors may be reconsidered.

Antkowiak: There is an advanced ZBA workshop, March 21, 2006, at the Southfield Westin Hotel.

7. Public Comment

None.

8. Adjournment

**Moved by Shirkey, supported by Antkowiak, to adjourn at 7:58 p.m.**

**AYES: All. NAYES: None. MOTION CARRIED. Excused: Makuch.**

Respectfully submitted,

Dolores M. Nelson  
Recording Secretary