

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

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

2. APPROVAL/AMENDMENTS TO AGENDA

Nelson: Add 5A after appeal to discuss by-laws.

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

AYES: All. NAYES: None. MOTION CARRIED.

3. APPROVAL OF MINUTES OF JANUARY 19, 2006

Correction: Antkowiak: P.2, should be appeal 2005-029 (Campbell), granted 5', 10' was requested.

Delete next sentence.

Correction 3/16/06: Antkowiak: Regarding prior appeal for ice cream bar (2005-028) ZBA granted an extra 5' (granted 5')10' was requested for green belt. Next sentence deleted, add in place the following: Did not make removal of shed a condition for variance of appeal (2005-029, Campbell).

Moved by Antkowiak, supported by Shirkey, 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

2006-002

Rudy Roodbeen

Vac. Russell Dr., Russell Island

Appellate requests to enclose a boathouse located approximately ½ mile from residence. (Vacant property Russell Island 211, 212, 213, 214, 215, 216). There is too much vandalism and appellate would like to enclose the boathouse. The request for the boathouse is for boat and storage (inside boathouse). There is a lock on the storage area. One section has been torn down.

Nelson: Enclosing boathouse does not eliminate trouble.

CLAY TOWNSHIP ZONING BOARD OF APPEALS

MINUTES OF FEBRUARY 16, 2006

PAGE TWO (2)

Continued: 2006-002

Request for variance from Ordinance #123, to enclose boathouse requiring a variance from requiring all sides open. The application was denied because Ordinance #123, Article III, section 3.01 (7d).

Nelson: How far down is coverage? Appellate: Down to ground, no obstruction.

Shirkey: Are the boathouses covered? Appellate: Yes.

Makuch: Are you going to replace the other boathouses? Appellate: No.

Nelson: What size boats are stored? Appellate: About 26'.

Diss: Are you personally on the property? Appellate: No.

Nelson: What is the height? Appellate: At peak 12-1/2'. There is all water underneath.

Public Participation:

In favor: No comment.

Opposed: No comment.

Close Public Participation.

Motion by Makuch, supported by Shirkey, to approve request as presented, practical difficulty being uniqueness of island, homes are a distance away, already existing boathouse and based on area photographs and security of island.

AYES: All. NAYES: None. MOTION CARRIED.

5A. Discussion of Draft of ZBA By-Laws, presented by Antkowiak.

Discussion of rough draft of the by-laws.

Makuch excused at 8:00 p.m.

6. Member Comments

None.

7. Public Comment

None.

8. Adjournment

Moved by Shirkey, supported by Antkowiak, to adjourn at 8:17 p.m.

AYES: All. NAYES: None. MOTION CARRIED.

Respectfully submitted,

Dolores M. Nelson

Recording Secretary