

Present: Chairperson Tillman; Vice-Chairperson Raeder; Members: Crossen, Donnelly, Eifrid, Lepidi, Mitchell; Alternate: Gatowski

Absent: Members: Maxwell, Verdi-Hus; Alternate: Hynes

Also Present: Planning and Zoning Administrator, Wilks
Council Liaison, Abboud

Zoning Board Chairperson Tillman called the regular Zoning Board of Appeals meeting to order at 7:30 p.m. in the Southfield Township municipal building at 18550 W. Thirteen Mile Road.

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR ZONING BOARD MEETING HELD NOVEMBER 14, 2016

Tillman noted that her first name on the signature line should be spelled “Michele” not “Michelle”.

Motion by Raeder, second by Crossen, that the minutes of the regular Zoning Board of Appeals meeting held November 14, 2016 be approved as amended.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

CASE NO. 1316

Petitioner: Sarah and Joseph Hardig

Property: 18378 Bedford

Village Ordinance: 22.24 Schedule of Regulations. Zoning District R-2B requires side open space of five feet on side one and ten feet on side other.

Deviation Requested: To build a two-story addition and attached garage onto their existing home that will be five feet on the other side

Wilks explained petitioners Sara and Joseph Hardig, 18378 Bedford, are seeking a variance from requirements of Section 22.24 to build a two-story addition and attached garage that is five feet from property line. The property is zoned R-2B, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24 Schedule of Regulations requires side open space of five feet on side one and ten feet on side other. The petitioners are seeking to add onto their existing home.

The project will convert their existing detached garage into an attached garage with second story living space which is permitted as an extension of the existing two-story home. The existing garage is five feet, one inch from the side lot line. The proposal will not encroach farther into that side setback. As a detached garage, the building is allowed to be five feet from the side lot

line. By attaching the garage to the home, the entire building must comply with the setbacks for that zone district. The existing home is six feet from the south side lot line and thirty-three feet from the north side lot line. Therefore, the petitioners will need a variance of five feet from side open space requirements.

Hardig explained that they love their home and neighborhood, but the current layout is not practical; the kitchen is located on the opposite side of the house from the garage and they cannot get a second car into the garage. This redesign will bring value to the home while staying consistent with the neighborhood. He presented boards with design plans showing that due to current placement on the lot there were no other options for the garage design.

Eifrid noted the shape of the lot limited choices for garage placement.

Raeder questioned why the petitioner could not eliminate the current breezeway connect the garage and house, and move the garage five feet closer to the home. Hardig explained that the garage is currently not functional and needs the extra five feet they will gain by expanding into the area where the breezeway is. This rebuild will not change the footprint of the home and garage. He clarified that the redesign included enclosing the breezeway as part of the home.

Motion by Eifrid, second by Mitchell, that the Zoning Board of Appeals approves a variance from the requirements of Section 22.24 to allow the petitioners to build a two-story addition and attached garage onto their existing home that would be no closer than five feet to the north side lot line due to practical difficulties of lot shape and current location of buildings on property.

Roll Call Vote:
Motion carried (7-1)

CASE NO. 1317

Petitioner: Michael & Lindsay Bellware

Property: 30673 Pebblestone Court

Village Ordinance: 22.24 Schedule of Regulations. Zoning District R-1 requires side open space of fifteen feet on side one and twenty feet on side other.

Deviation Requested: To build a second story addition onto their existing home that will be 12 feet on side one.

Wilks explained petitioners Michael and Lindsay Bellware, 30673 Pebblestone Ct, are seeking a variance from requirements of Section 22.24 to build a second-story addition that is twelve feet from property line. The property is zoned R-1, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24 Schedule of Regulations requires side open space of fifteen feet on side one and twenty feet on side other.

The petitioners are seeking to extend the second story of their existing home. The project will add onto their existing home by expanding the second story above the existing attached garage. The existing attached garage is twelve feet from the side lot line. The proposal will not encroach farther into that side setback. The Zoning Board granted a variance for this property on August 8, 2016, Case #1304, for the addition off the rear of the home which also encroaches into the side open space. That proposal was to remove/replace an existing addition and this proposal was not included in the prior request. Additionally, the Village's ordinance 22.30.040 regulating existing non-conforming structures requires that an enlargement or alteration conform to ordinance requirements. Therefore, the petitioners will need a variance of three feet from side open space requirements.

Bellware explained that they will be creating a master suite above the existing garage but will not be changing the footprint of the home. He shared an email from the neighbor supporting the addition.

Motion by Mitchell, second by Raeder, that the Zoning Board of Appeals approves a variance from the requirements of Section 22.24 to allow the petitioners to build a second-story addition only onto their existing attached garage that would be no closer than twelve feet to the side lot line due to practical difficulties of the unusual lot shape and current structure placement.

Roll Call Vote:
Motion passed (8-0)

CASE NO. 1318

Petitioner: Michael Eble

Property: 32375 Beaconsfield

Village Ordinance: 22.24 Schedule of Regulations Zoning District R-2B requires rear open space of 40 feet

Deviation Requested: To build an addition onto existing home that is 31 feet from rear lot line at the closest point.

Wilks explained petitioner Michael Eble, 32375 Beaconsfield, is seeking a variance from requirements of Section 22.24 to build a two-story addition and attached garage that is 31 feet from property line. The property is zoned R-2B, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24 Schedule of Regulations requires rear open space of forty feet.

The petitioner is seeking to add an attached garage onto their existing home. The rear lot line is at an angle due to the irregular shape of the lot and bisects a corner of the proposed addition. The rear open space at the closest point measures thirty-one feet. Therefore, the petitioner will need a variance of nine feet from rear open space requirements.

David Jensen, Woodlynne Design, on behalf of the petitioner, explained that in the redesign they are looking to increase functionality of the space by creating a mud room/laundry room, and adding a two story two car garage. Jensen explained there is a triangular piece of property that also belongs to the Ebles, therefore no direct neighbor would be affected. The nearest neighbor owns four parcels of property and has submitted his email of support for this addition.

Motion by Crossen, second by Raeder, that the Zoning Board of Appeals approves a variance from the requirements of Section 22.24 to allow the petitioners to build an attached garage onto their existing home that would be no closer than thirty-one feet to the rear lot line due to practical difficulties of the shape of the lot and position of the neighboring lots 2366 and 2343.

Roll Call Vote:
Motion passed (8-0)

CASE NO. 1319

Petitioner: William Beausoleil

Property: 31660 Glencoe Drive

Village Ordinance: 22.04 Definitions, Privacy Screen: Any unroofed manmade vertical structure intended and used as a visual barrier designed to inhibit observation of an area from off the lot.

Interpretation/Appeal Requested: The structure installed on his property was determined to be a privacy screen by Village administration. The petitioner is appealing the decision and states the structure is artwork.

Wilks explained petitioner William Beausoleil, 31660 Glencoe, is seeking an interpretation/appeal of administrative decision regarding Village Ordinance 22.04 Definitions, Privacy Screen as it pertains to a structure on his property.

The Village was notified the property owner erected the structure without a permit and upon evaluation determined this was a privacy screen as defined in Section 22.04 Definitions, Privacy Screen, and subject to regulations of 22.08.150 Fence, Wall, and Privacy Screen Regulations. The structure is solid wood, tiered height ranges 4-6 feet, and is 12 feet long. The structure is placed perpendicular to the sidewalk on Fairfax, running parallel to his driveway and extends the length of the space between his garage and the sidewalk. Based on the style, material, size, and placement, Administration determined this structure is being used as a visual barrier designed to inhibit observation of his rear yard from the street side of his corner lot.

As a Privacy Screen, this structure would be allowed to be placed no closer than 10 feet from any property line, and be no more than 25% of the length of the rear property line. The structure abuts the sidewalk, and is zero feet from the side property line but is otherwise compliant with regulations for privacy screens. Petitioner was advised to seek a variance from setback

requirements of privacy screen regulations in section 22.08.150. He is appealing the determination that this structure is a privacy screen and is seeking Zoning Board of Appeals interpretation.

The petitioner notified Administration he will be unable to attend this meeting, but submitted a letter explaining the installation is a commissioned piece by an artist and is called “Vertical Garden” and is the base for plant installations, not a privacy fence.

A resident on Glencoe shared that this was an art piece and it was commissioned by Beausoleil, and was a beautiful installation.

Raeder felt that this qualified as an auxiliary structure. Tillman stated that if the petitioner chose to leave the structure in its current placement, a variance would need to be requested to avoid being in violation of the ordinance.

Motion by Raeder, second by Crossen, that the Zoning Board of Appeals defines the structure at 31660 Glencoe a privacy screen as defined in 22.04 Definitions and as regulated in 22.08.150 Fence, Wall, and Privacy Screen Regulations.

Roll Call Vote:
Motion passed (8-0).

CASE NO 1320

Petitioner: Todd Davis, 2185 Joanne Drive, Troy, MI 48084

Property: 17370 Beverly Road

Village Ordinance: 22.08.100 Accessory Buildings, Structures, and Uses in Residential Zone Districts All Residential Zone Districts require detached accessory buildings to be at least 5 feet from any lot line.

Deviation Requested: To build a detached garage that is one foot from the side lot line

Wilks explained petitioner Todd Davis, 2185 Joanne Dr, Troy, MI 48084 for property at 17370 Beverly Rd, is seeking a variance from requirements of Section 22.08.100 to build a detached garage one foot from the property line. The property is zoned R-2B, Single Family Residential. Village Ordinance, Chapter 22, Section 22.08.100 Accessory Buildings, Structures, and Uses in Residential Zone Districts requires detached accessory buildings maintain open space of five feet from any lot line. The petitioner is seeking to build a detached garage on the property. The property does not have a garage presently. The property is for sale, and the owners have received feedback that the lack of garage is a deterrent to potential buyers.

Administration received feedback from the neighbor at 17360 Beverly Road regarding concern over the location of the existing driveway relative to the property line. Given the uncertainty regarding the location of the property line, the Zoning Board may consider requiring a survey to be a condition of any variance granted.

Eifrid asked how far a typical garage would be off the lot line in this area. Wilks explained most are close to the lot line. Tillman asked if the distance would be safe for the use as a two-car garage and Wilks confirmed that it would be.

Davis explained that this was his late parents' home for 52 years, and the feedback received is that without a garage the home remains difficult to sell. If they placed the garage farther onto the property it would be difficult to get two cars in and out of the garage. There are contradicting surveys as to where the lot line is located. Raeder suggested that the petitioner have an engineering survey done to verify the correct lot lines.

Motion by Raeder, second by Crossen, that the Zoning Board of Appeals approves a variance from the requirements of Section 22.08.100 to allow the petitioner to build a detached garage that would be no closer than one foot to the side lot line of a staked and certified survey, and the overhang does not encroach over lot line, due to practical difficulties of narrow lot size.

Roll Call Vote:
Motion passed (8-0).

PUBLIC COMMENTS

None.

LIAISON COMMENTS

Abboud reported that a tree ordinance was being worked on by the Planning Commission. The Village Council Chamber renovation will be completed by the end of 2016.

ADMINISTRATION COMMENTS

None.

ZONING BOARD COMMENTS

None.

Motion by Crossen, second by Raeder, to adjourn the meeting at 8:40 pm.

Motion passed.

Michele Tillman
Chairperson

Ellen Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary