

**Village of Beverly Hills
Zoning Board of Appeals Meeting
Monday, March 8, 2021**

**Municipal Building
18500 W. 13 Mile Rd.
7:30 p.m.**

Virtual Meeting Link: <https://us02web.zoom.us/j/89352397983>

Meeting ID: 893 5239 7983

Dial In: 1-646-876-9923

AGENDA

1. Roll Call.
2. Review and consider approval of minutes from a regular Zoning Board of Appeals meeting held January 11, 2021.
3. Public comments on items not on the published agenda.
4. Case No. 1384

Petitioner: Brendan Quinn
Property: 17234 Beechwood Avenue

Village Ordinance:

Section 22.30.040 (a) Nonconforming Structures. Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, open space or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such structure may be enlarged or altered unless the proposed enlargement or alteration conforms to the provisions of this Ordinance.

Section 22.24.010 (a) Front Open Space. Where a front open space of greater or less depth than forty feet (40') exists in front of a single family residence or residences presently on one side of a street in any block and within two hundred feet (200') of the lot or parcel, the depth of the front open space of any building subsequently erected or remodeled on that side of the street in that block shall not be less than the average depths of the front open space of such existing residences.

Deviation Requested: The petitioner seeks to be allowed to construct a second floor addition on a nonconforming structure and to alter the existing nonconforming entryway from 27ft to 31ft from the front lot line where a setback of 40ft is required.

5. Public comments.

6. Liaison comments.
7. Administration comments.
8. Zoning Board comments.

There must be a minimum of five votes in favor for a **non-use** variance to prevail, and a minimum of six votes in favor for a **use** variance to prevail. If there are fewer than nine voting Board members, the petitioner may request the Board postpone decision on the case to a subsequent meeting date prior to a vote.

The Village of Beverly Hills will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities attending the meeting upon three working days' notice to the Village. Individuals with disabilities requiring auxiliary aids or services should contact the Village Clerk by writing 18500 W. Thirteen Mile, Beverly Hills, MI 48025 or calling (248) 646-6404.

Present: Chairperson Tillman; Vice-Chairperson Crossen; Members: Bugenski, Crawford, Gatowski, Jawad, Maxwell, Mitchell, and Oen; Alternates: Gennari and Keller
All Board members participated remotely via Zoom from Beverly Hills, Michigan.

Absent: None

Also Present: Planning and Zoning Administrator, LaPere
Village Clerk/Assistant Manager, Rutkowski

Tillman called the regular Zoning Board of Appeals meeting to order at 7:30 p.m. remotely via Zoom due to the ongoing COVID-19 pandemic.

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR ZONING BOARD MEETING HELD NOVEMBER 9, 2020

Motion by Oen, second by Crossen, the minutes of a regular Zoning Board of Appeals meeting held November 9, 2020 are approved as submitted.

Roll Call Vote:
Motion passed (9-0)

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

CASE NO. 1382

Petitioner: Brendan and Erin Smith

Property: 32477 Westlady Dr

Village Ordinance:

Section 22.24.010 (a) Front Open Space. Where a front open space of greater or less depth than forty feet (40') exists in front of a single family residence or residences presently on one side of a street in any block and within two hundred feet (200') of the lot or parcel, the depth of the front open space of any building subsequently erected or remodeled on that side of the street in that block shall not be less than the average depths of the front open space of such existing residences.

Deviation Requested:

The petitioner seeks to construct a new residence that will be 80.9 feet from the front property line where the average front open space required is 101.8 feet.

LaPere provided an overview of the request. The petitioners, Brendan and Erin Smith, 32477 Westlady Dr, are requesting a variance from Chapter 22, Zoning Ordinance, Section 22.24.010 (a) Front Open Space to construct a new residence that will encroach into the required front open space. The property is zoned R-A, Single Family Residential. Section 22.24.010 (a) Front Open Space states:

Where a front open space of greater or less depth than forty feet (40') exists in front of a single family residence or residences presently on one side of a street in any block and within two hundred feet (200') of the lot or parcel, the depth of the front open space of any building subsequently erected or remodeled on that side of the street in that block shall not be less than the average depths of the front open space of such existing residences.

The petitioners are seeking to demolish the existing home and construct a new home on their property. The existing home is 90.6 feet from the front property line. The proposed new home will be 80.9 feet from the front property line. On their petition, they note the existing property is bisected by overhead powerlines and related easement which they contend limits their ability to comply with the front open space requirement and necessitates the requested variance. The petitioners have also supplied the survey of the property detailing the existing home and proposed new home, along with the construction drawings, including the proposed elevations and floorplans. A copy of the petition form and all supplemental materials from the petitioner was provided to the Board.

The Village received communication from two neighboring property owners, one in support (Mark & Barbara Whalen, 32411 Westlady) and one in opposition (Andrew Agbay, 32280 Westlady) to the requested variance. Copies of the correspondences were provided to the Board.

Brendan and Erin Smith, 32477 Westlady, were in attendance and expressed their concerns regarding the proximity of the proposed patio to the powerlines.

Paul Mooney, the project's building contractor from PRM Custom Builders, Bloomfield Hills, was in attendance and stated the clearance for the powerlines impacts the use of the property. He also stated that the intention is to preserve trees on the property.

The Board discussed trees being cut down on the property. They also discussed the distance from the back of the house to the powerlines. The sense of the Board was that there was not a practical difficulty that would allow for a setback of 80.9 feet.

Smith amended the petition to request a setback of 90.6 feet, which would maintain the existing nonconformity of the property.

Tillman opened the floor for public comment. She referred to the two aforementioned correspondences that the Board received prior to the meeting.

William Wegert, 32420 Westlady, commented on drainage issues in the neighborhood. He suggested burying the powerlines as an option.

Mark Whalen, 32411 Westlady, commented on long-term drainage issues. He was unhappy that a large maple tree on the property was removed. Overall, he was in support of the variance.

Steve Hyde, 32360 Westlady, expressed concern that builders are raising lots and that trees are being lost due to drainage issues. He supported the existing nonconforming set back request.

Mike Bronczyk, 32484 Westlady, was not in support of moving the setback forward on the property and was concerned about tree removal.

Motion by Crossen, second by Crawford, the Zoning Board of Appeals grants a variance from Chapter 22, Zoning Ordinance, Section 22.24 a. Front Open Space to construct a new home at 32477 Westlady Drive that will be the proposed 90.6 feet, but no greater than the existing nonconforming setback, from the front property line due to the practical difficulties of minimizing the exception to the Ordinance and maintaining the current setback upon finding that this situation is unique to the subject property, applying the strict letter of zoning restrictions would unreasonably prevent the landowner from using their property for a permitted purpose, conformity with the zoning regulations is unnecessarily burdensome, approval of the variance would not negatively impact adjacent property owners or land within the district, and the circumstances requiring the variance were not self-created.

Roll call vote:

Motion passed (9-0)

CASE NO. 1383

Petitioner: Grant Jeffries, Five-Eighths Architecture

Property: 31211 Pierce Street

Village Ordinance:

Section 22.24 Area, Height, Bulk, and Placement Regulations. In R-2A Single Family Zone District the rear setback for the principal building is thirty feet.

Section 22.08.070 Every corner lot in any residential Zone District which has on its side street an abutting interior residential lot, shall have a minimum setback from the side street equal to the minimum front setback for the Zone District in which such building is located; provided that this requirement shall not reduce the buildable width of any lot to less than thirty feet (30').

Section 22.30.040 Nonconforming Structures, a. No such structure may be enlarged or altered unless the proposed enlargement or alteration conforms to the provisions of this Ordinance.

Deviation Requested:

The petitioner seeks to construct an addition onto an existing nonconforming structure that will continue the existing encroachment along the street side setback and attach the existing detached garage that is 8.1 feet from the rear property line.

LaPere provided an overview of the request. The petitioner, Grant Jeffries, Five-Eighths Architecture, for property owners at 31211 Pierce St, is requesting a variance from Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations, and Chapter 22, Section 22.08.070 Corner Lot Setback on the Side Street in Residential Zone Districts. The property is zoned R-2A, Single Family Residential. For this Zone District, Section 22.24 requires rear setback of 30 feet for the principal building and Section 22.08.070 states:

Every corner lot in any residential Zone District which has on its side street an abutting interior residential lot, shall have a minimum setback from the side street equal to the minimum front setback for the Zone District in which such building is located; provided that this requirement shall not reduce the buildable width of any lot to less than thirty feet (30').

Existing Conditions

The existing house was constructed in 1954 and pre-dates the Village Zoning Ordinances. The building is 14.8 feet from the street side lot line at the closest point. This is an existing non-conforming condition as Section 22.08.070 would require a street side setback of 30 feet. It meets the rear setback requirement for this Zone District.

The existing garage is detached and, as a detached accessory building, is subject to the setback regulations of Section 22.08.100 Accessory Buildings, Structures, and Uses in Residential Zone Districts. Those regulations require a minimum setback of 5 feet from any property line. The existing garage meets those setback requirements.

Proposed Addition

The petitioners are seeking to construct an addition to the existing house and garage. The purpose of the proposed addition is to create additional living space, attach the existing detached garage, and expand the existing garage space. As an attached accessory building, the proposed garage will be subject to the setbacks of principal building. Further, per Section 22.30.040 any expansion or alteration to an existing non-conforming structure must be in conformance with the current zoning regulations.

The existing garage is 8.1 feet from the rear property line where the setback requirement is 30 feet and a variance for the 21.9 foot encroachment would be required. Additionally, the proposal details the addition would be in line with the existing sunroom which is 17.8 feet from the street side lot line. This would require a variance as the setback for the street side is 30 feet.

On the submittal documents, the petitioner notes the existing residence is non-conforming and the proposal will not modify the existing location of the garage. Additionally, they note an existing sewer manhole to the north of the garage which limits their ability to expand the garage northward. The petitioner has also supplied a topographic survey of the property detailing the existing home, along with the proposed site plan. A copy of the petition form and all supplemental materials from the petitioner was provided to the Board.

The Village has received communication from one neighboring property owner (Dave Bushbaker, 31227 Pierce) who initially opposed the requested variance, but after further review of the plans, later rescinded his opposition.

Oen stated that he knew the petitioner socially. The Board did not express concern with Oen voting on this matter.

Luke Litwinowicz and Annie Dennis, 31211 Pierce, were in attendance and gave an overview of the proposed 4-seasons room.

Grant Jeffries, Five-Eighths Architecture, discussed a recent survey and existing nonconformities. He stated the addition would not negatively impact neighbors. He noted the location of a sewer access which prevents construction to occur to the north. He stated that the proposed addition was the least impactful option on neighbors and would require the least number of variances.

Crossen asked about the roof line of the proposed addition and access to the backyard.

Tillman opened the floor for public comment.

Matthew Morris, 16924 Elizabeth, is in support of the addition, but would like to see a drawing.

Motion by Crossen, second by Oen, the Zoning Board of Appeals grants a variance from Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations, and Chapter 22, Section 22.08.070 Corner Lot Setback on the Side Street in Residential Zone Districts to construct an addition onto the existing non-conforming home and attach the existing garage at 31211 Pierce St that will be 8.1 feet from the rear property line and 17.8 feet from the street side property line due to the practical difficulties of the existing non-conformity on a house that was built before the existence of the current Ordinance upon finding that this situation is unique to the subject property given that it is located on a corner, applying the strict letter of zoning restrictions would unreasonably prevent the landowner from using their property for a permitted purpose, conformity with the zoning regulations is unnecessarily burdensome, approval of the variance would not negatively impact adjacent property owners or land within the district, and the circumstances requiring the variance were not self-created.

Roll call vote:
Motion passed (9-0)

PUBLIC COMMENTS

None.

LIAISON COMMENTS

None.

ADMINISTRATION COMMENTS

LaPere announced that she accepted a new position and will be departing from the Village of Beverly Hills. She congratulated Jawad for his work at the Road Commission.

ZONING BOARD COMMENTS

The Board members congratulated LaPere on her new role and wished her well.

Motion by Crossen, second by Oen, to adjourn the meeting at 9:09 p.m.

Roll call vote:
Motion passed (9-0)

Michele Tillman
Chairperson

Kristin Rutkowski
Village Clerk



To: Michele Tillman, Chairperson; Zoning Board of Appeals Members

From: Chris Wilson, Village Manager

Date: March 1, 2021

Re: Case #1384

The petitioner, Brendan Quinn, 17234 Beechwood Ave, is requesting a variance from Chapter 22, Zoning Ordinance, Section 22.30.040 (a) Nonconforming Structures and Section 22.24.010 (a) Front Open Space to build a second floor addition on a nonconforming structure and to alter an existing nonconforming entryway from 27 feet to 31 feet from the front lot line.

Section 22.30.040 (a) Nonconforming Structures states:

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, open space or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. No such structure may be enlarged or altered unless the proposed enlargement or alteration conforms to the provisions of this Ordinance.

Section 22.24.010 (a) Front Open Space states:

Where a front open space of greater or less depth than forty feet (40') exists in front of a single family residence or residences presently on one side of a street in any block and within two hundred feet (200') of the lot or parcel, the depth of the front open space of any building subsequently erected or remodeled on that side of the street in that block shall not be less than the average depths of the front open space of such existing residences.

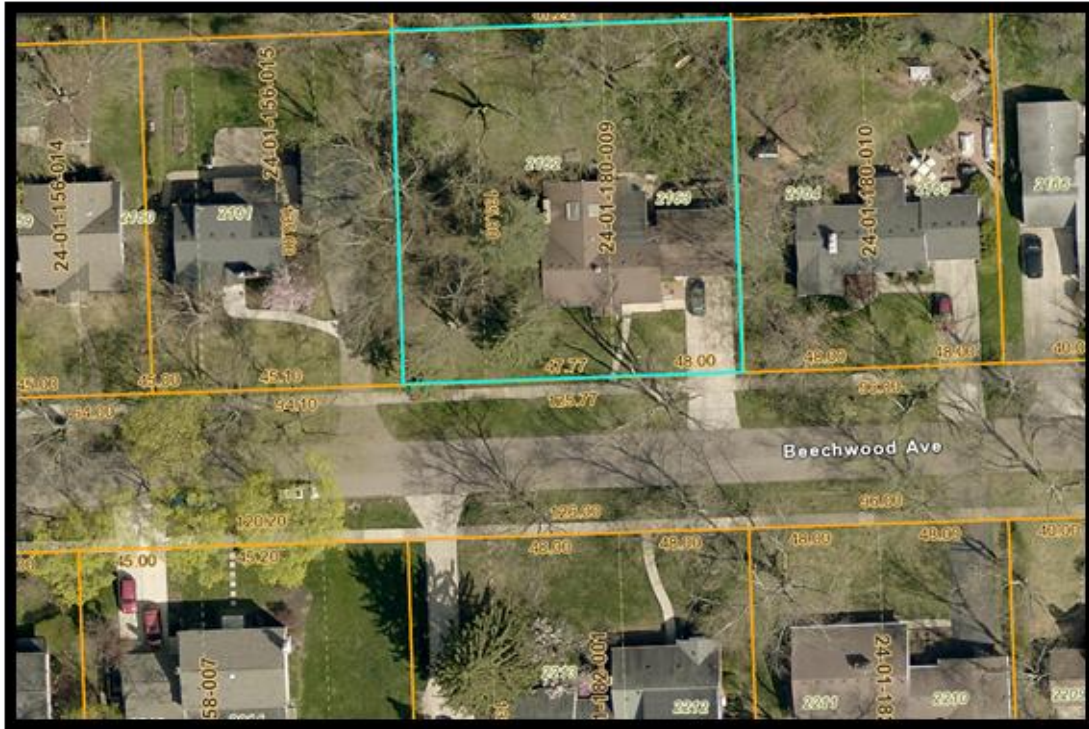


Figure 1 – 17234 Beechwood (existing)

The property at 17234 Beechwood is zoned R-2A, Single Family Residential. The petitioner wishes to construct a 1,878 sqft second floor addition on the current nonconforming structure and alter the current entryway with a covered stoop. The Zoning Ordinance Section 22.24 Area, Height, Bulk and Placement Regulations state that the zoning district R-2A has a 40ft minimum front open space. The petitioner has a front open space of 27ft. There are several nonconforming homes within 200 sqft of the home. And the average front open space per Section 22.24 (a) is 33 feet.

Please note, in November 2015 the petitioner applied for and was granted a variance to construct a second floor addition 31ft from the front lot line. Attached is a copy of the current petition, a portion of the minutes from the November 9, 2015 Regular Zoning Board of Appeals Meeting addressing the petitioners case (case number 1290) and all supplemental material from the petitioner.

Resolutions for Consideration

The Zoning Board of Appeals grants a variance from Chapter 22, Zoning Ordinance, Section 22.30.040 (a) Nonconforming Structures and Section 22.24.010 (a) Front Open Space to be allowed to construct a second floor addition on a nonconforming structure and to alter the existing nonconforming entryway from 27ft to 31ft from the front lot line due to the practical difficulty/ies of _____ upon finding that:

- this situation is unique to the subject property,
- applying the strict letter of zoning restrictions would unreasonably prevent the landowner from using their property for a permitted purpose,
- conformity with the zoning regulations is unnecessarily burdensome,
- approval of the variance would not negatively impact adjacent property owners or land within the district, and
- the circumstances requiring the variance were not self-created.

The Zoning Board of Appeals denies a variance from Chapter 22, Zoning Ordinance, Section 22.30.040 (a) Nonconforming Structures and Section 22.24.010 (a) Front Open Space to be allowed to construct a second floor addition on a nonconforming structure and to alter the existing nonconforming entryway from 27ft to 31ft from the front lot line due to the lack of practical difficulties found and upon finding that:

- the circumstances are not unique to this property,
- the landowner can reasonably use their property without the variance,
- maintaining conformity with the zoning regulations is not unnecessarily burdensome,
- approval of the variance would negatively impact adjacent property owners or land within the district, and/or
- the circumstances requiring the variance were self-created.

Village of Beverly Hills
Building & Planning
18500 W 13 Mile Rd
Beverly Hills, MI 48025
Phone: (248) 646-6404 Fax: (248) 646-3703
www.villagebeverlyhills.com

****Staff Use Only****

Date Received: 2/11/2021
Case Number: 1384
Hearing Date: 3-8-2021

Petition to the Zoning Board of Appeals	
Property Address & Parcel I.D. Number(s)	Address: <u>17234 Beechwood Ave.</u>
	Parcel ID(s):
Type of Variance	<input checked="" type="checkbox"/> Dimensional (practical difficulty) <input type="checkbox"/> Land Use (hardship) <input type="checkbox"/> Interpretation (text or map)
Applicant (must have legal interest in property)	Name: <u>Brandon Quinn</u>
	Business:
	Address: <u>17234 Beechwood Ave.</u>
	City: <u>Beverly Hills</u> State: <u>MI</u> Zip: <u>48025</u>
	Phone: [REDACTED] Email: [REDACTED]
	Legal Interest: <input checked="" type="checkbox"/> Own Property <input type="checkbox"/> Lease Property <input type="checkbox"/> Offer to Purchase (please attach) <input type="checkbox"/> Other (e.g. attorney, architect, contractor, etc.):
Primary Contact <input checked="" type="checkbox"/> Same as Applicant	Name:
	Business:
	Address:
	City: State: Zip:
	Phone: Email:
	Relationship to Applicant (e.g. architect, attorney, contractor, etc.):
Property Owner <input checked="" type="checkbox"/> Same as Applicant	Name:
	Business:
	Address:
	City: State: Zip:
	Phone: Email:
	Property Owner Signature (if other than applicant):
Briefly describe appeal (attach additional pages if necessary)	<u>Request for Variance to build an enclosed second floor addition over the existing noncompliant structure behind the 31ft. Setback and to replace an existing noncompliant entryway from 27ft. setback to the 31ft. setback with a covered stoop.</u>
Applicant Signature	X: <u>Brandon Quinn</u> <u>2/11/21</u>

In order to be considered at an upcoming meeting, this application and all required documents and materials must be submitted by the established deadline date for the next regular meeting of the Council, Planning Commission, and/or Zoning Board of Appeals. Submittal by deadline does not guarantee placement on the agenda. Incomplete submittals will not be considered. The applicant or a representative must be present at ALL meetings.

****Zoning Board Use Only****

Decision: Approved Denied - Chairperson: _____ Date: _____

Conditions of Approval or Reason for Denial: _____

BUILDING PERMIT APPLICATION

VILLAGE OF BEVERLY HILLS

BUILDING AND PLANNING
18500 W 13 MILE RD
BEVERLY HILLS, MICHIGAN 48025
P: 248-646-6404 F: 248-646-3703
www.villagebeverlyhills.com

BUILDING

Date: 2/11/21

Project Information

Job Address: 17234 Beechwood Ave. Suite # _____

Lot: _____ Subdivision: _____ Sidwell # _____

Scope of Work: 2nd story addition over existing house and attached garage

Building Type

Office Commercial
 Residential Duplex Condo Multiple Other _____

Request for Building Permit To:

Construct Complete Add to Alter Repair Demolish Other _____

New Building Existing Structure Tenant Space
 Garage/Accessory Building Deck Patio Pool Spa Other _____

Additional Information on location of Construction (Floor/area of bldg.): 1,817 sq. ft.

Size of Bldg./Addition/Tenant Space/Garage/Deck/etc.: 1,878 sq. ft. addition

ZONING: R-2A USE GROUP: Residential CONST. TYPE: timber (Type V)

ESTIMATED COST OF CONSTRUCTION \$ _____ \$ _____

By Contractor

By Department

Applicant Information

Company Name: Brandon Quinn Phone: _____

Address: 17234 Beechwood Ave. City: Beverly Hills State: MI Zip: 48025

License # _____ Federal ID # _____ MESC # _____ Comp. Carrier _____

Email: _____ Preferred Contact Name _____

Preferred Contact Number _____

Owner Information

Name: Brandon Quinn Phone: _____

Address: 17234 Beechwood Ave. City: Beverly Hills State: MI Zip: 48025

PLOT PLANS SHALL BE Submitted on Separate Sheets and shall show all easements and measurements (must be correct and in detail). Show all streets abutting lot, indicate front of lot, show all buildings, existing and proposed distances to lot lines.

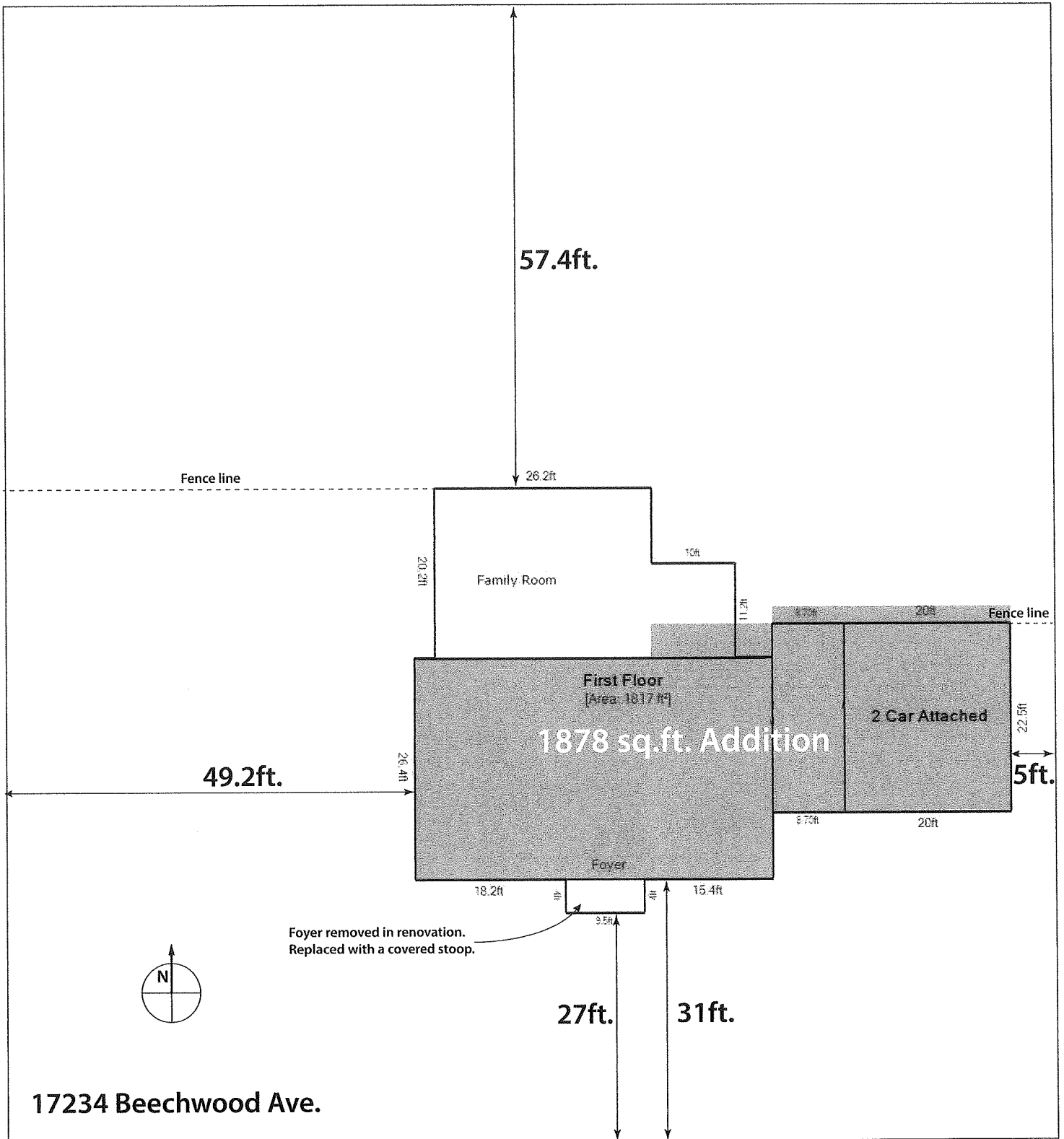
I, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT AND THAT I HAVE REVIEWED ALL DEED RESTRICTIONS WHICH MAY APPLY TO THIS CONSTRUCTION AND AM AWARE OF MY RESPONSIBILITY THEREUNDER.

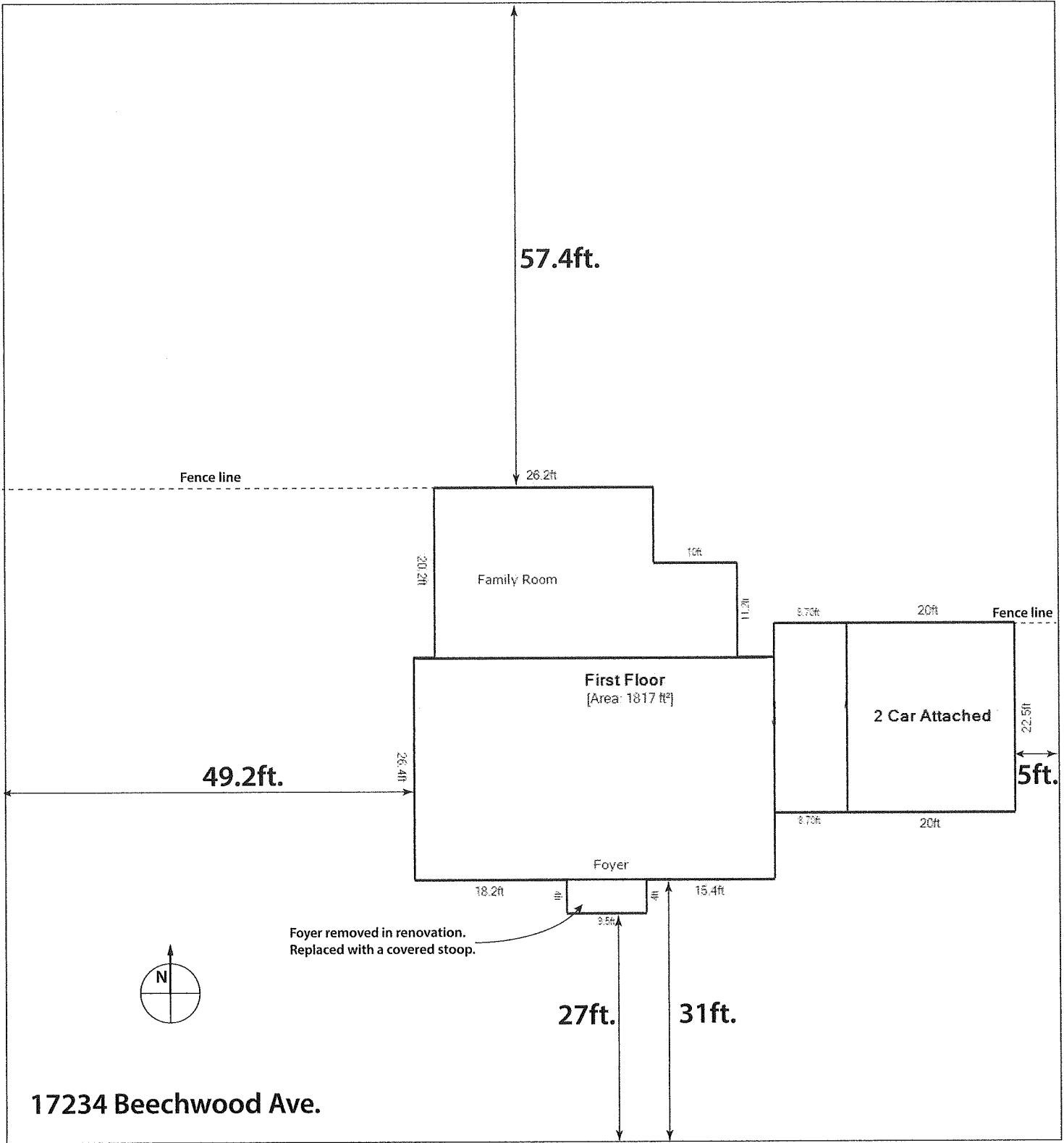
Homeowner Affidavit

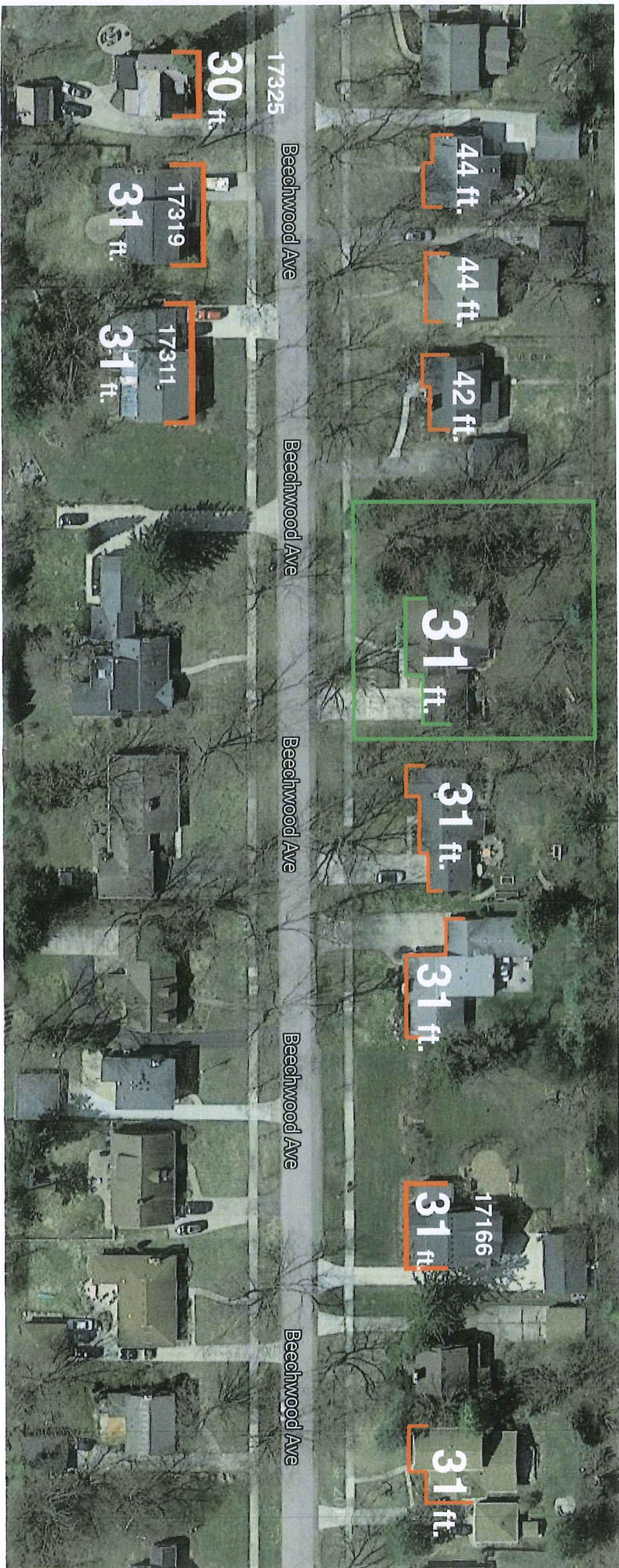
I hereby certify that the work described on this permit application shall be installed **by myself in my own home** in which I am living or about to occupy. All work shall be installed in accordance with the State of Michigan Building Code and shall not be enclosed, covered up or occupied until it has been **inspected** and **approved**. I will cooperate with the Building Inspector and assume all responsibility to arrange for necessary inspections.

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

Signature & Print Name: Brandon Quinn Date: 2/11/21
(Owner's signature indicates compliance with homeowner's affidavit)







44 ft.

44 ft.

42 ft.

31 ft.

31 ft.

31 ft.

31 ft.

31 ft.

30 ft.

17319
31 ft.

17311
31 ft.

17166

17325

Beechwood Ave

Beechwood Ave

Beechwood Ave

Beechwood Ave

Beechwood Ave

Wilson asked if the fence was properly oriented. Wilks indicated it was not and that the finished side of the fence should face out.

Petitioner Christ indicated she has a young child and a large dog and that for those reasons the fence is needed. She added that the cost of removing the fence would be an undue burden to her.

John Simpson, Kirkshire, indicated that the petitioner is her neighbor and that he does not object to the fence.

Mary Von Bargen, Kirkshire, also spoke in support of the petitioner's request. She asked if realtors can be compelled to inform potential buyers of non-conformity issues.

Tillman indicated a home inspection prior to purchase should reveal any non-conformity issues and that it is not the responsibility of the realtor. Maxwell agreed with Tillman's assessment.

Raeder asked the petitioner if her neighbor to the rear supported her request. Christ read from an email from the neighbor to the Board which indicated support. A copy of the email was circulated to Board members.

Motion by Raeder, second by Crossen, to approve a variance from the 48-inch height above grade, and 35% openness requirements of Village Ordinance 22.08.150 to allow petitioner to keep a solid, 6-foot fence along rear lot line due to practical difficulties for a period not to exceed seven years, or to be removed when the house is sold.

Roll Call Vote:

Crossen	yes
Donnelly	yes
Maxwell	yes
Mitchell	yes
Raeder	yes
Rass	yes
Tillman	yes
Verdi-Hus	no

Motion passed (7 - 1).

CASE NO. 1290

Petitioner: Brendan Quinn

Property: 17234 Beechwood

Village Ordinance: 22.24 Area, Height Bulk and Placement Regulations

Zoning District R2-A has a stated 40-foot minimum front open space, and

- a. Front Open Space. Where a front open space of greater or less depth than forty feet (40') exists in front of a single family residence of residences presently on one side of a street in

any block and within two hundred feet (200') of the lot or parcel, the depth of the front open space of any building subsequently erected or remodeled on that side of the street in that block shall not be less than the average depths of the front open space of such existing residences.

Deviation Requested: The petitioner seeks to build a second story addition to the existing nonconforming house which currently has a front open space of 27 feet; the average front open space per Section 22.24 (a) is 33 feet. The petitioner is proposing the addition to be placed 31 feet from the front lot line.

Wilks noted that the front yard open space requirement is 40 feet in zoning district R2-A. In addition, the average front open space as referenced in Section 22.24 (a) Front Open Space is 33 feet. The petitioner's house is the closest to the street within that 200ft area and there are other existing nonconforming homes on the street.

Mitchell asked how big the addition would be in terms of square footage. Petitioner Quinn said the addition would be about 1,200 square feet and bring the home up to a total of about 3,000 square feet. Quinn added that his home would not be the largest in square footage in the neighborhood.

Motion by Rass, second by Raeder, to approve a variance from front open space requirements of Village Ordinance 22.24 to allow the petitioner to build a second story addition on the existing home which would be no closer than 31 feet from front lot line due to practical difficulties of existing nonconforming lot.

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

CASE NO. 1291

Petitioner: Debbie & Eric Blumbergs

Property: 22323 Metamora

Village Ordinance: 22.24 Area, Height Bulk and Placement Regulations
Zoning District R2-B requires 40 feet of rear open space.

Deviation Requested: The petitioner seeks to build an addition on the rear of the existing nonconforming house which has a rear open space of 34 feet.

Wilks explained the petitioner is seeking to add square footage and renovate an existing addition. The proposed remodel would maintain the existing encroachment of 6 feet into rear open space since the additional square footage would be extending towards the front corner of the lot. The lot is irregular in shape and the home sits at a slight angle on the lot. She added that the home is an existing nonconforming structure and the additional square footage would be added to the conforming side.