

Present: Chairperson Raeder; Vice-Chairperson Maxwell; Members: Crawford, Crossen, Gatowski, Mitchell, and Tillman; Alternate: Jawad

Absent: Members: Donnelly and Lepidi; Alternate: Gennari

Also Present: Planning and Zoning Administrator, Erin LaPere
Council Liaison, John George

Chairperson Raeder called the regular Zoning Board of Appeals meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR ZONING BOARD MEETING HELD JANUARY 11, 2019

Crawford suggested edits to the sentence on page 3; “He affirmed that the deck is not necessary to use the residence or provide proper access to the door.” The Board considered changes, however upon discussion the consensus was that no changes would be made.

Motion by Crawford, second by Crossen, that the minutes of a regular Zoning Board of Appeals meeting held January 11, 2019 be approved as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

Raeder explained the responsibilities of the Zoning Board of Appeals and outlined the statutory requirements for demonstrating a practical difficulty for a petitioner to be granted a dimensional variance.

CASE NO. 1361

Petitioner: Lindsay H. Klintworth

Property: 18915 Warwick

Village Ordinance: 22.24 Area, Height, Bulk, and Placement Regulations Residential Zone District R- 2B requires a rear setback of 40 feet.

Deviations Requested: The petitioner seeks to build two additions onto an existing nonconforming house that will be 36 feet 10 inches from rear lot line.

Petitioner is seeking a variance from requirements of Village Ordinance, Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations to build two additions onto the rear of an existing, nonconforming house. The property is zoned R-2B, Single Family Residential. Section 22.24 requires a setback of 40 feet for the rear of the principal building. The petitioner has an existing home that is nonconforming due to an encroachment of the rear and side setback. The house was constructed in 1951 and there are no permit records to indicate the exterior of the house has been modified since the original construction. As an existing, nonconforming structure it is subject to requirements of Village Zoning Ordinance, Section 22.08.040 (a) which states that no such

structure may be enlarged or altered unless the proposed enlargement or alteration conforms to the provisions of this Ordinance. Given that the proposed enlargement will also match the encroachment into the rear setback, a variance is required. The addition will not encroach into the side setback. The proposed addition and interior renovations will result in an additional bedroom, master suite, and modernized floor plan for the petitioner. The proposal otherwise meets the requirements of the Village Zoning Ordinance, and the petitioner will confirm compliance with lot coverage maximums.

Architect Brad Berkshire, Bloomfield, explained there was a fire inside the home in September 2018, and they have been working with the insurance company to resolve the claim. The intention with the addition is to create more useable space with open ceilings and modern design.

Members of the Board were aware of the fire and appreciated that the new design was in keeping with the aesthetics of the neighborhood.

Motion by Crossen, second by Maxwell, that the Zoning Board of Appeals grants a variance from requirements of Village Ordinance, Chapter 22, Section 22.24 Area, Height, Bulk, and Placement Regulations to build two additions onto the rear of the house located at 18915 Warwick Ave that is no closer than 36 feet 10 inches to the rear property line due to practical difficulties of the age of the home, the existing nonconformity, and the size of the lot.

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

PUBLIC COMMENTS

None.

LIAISON COMMENTS

George reported that Council continues to discuss code enforcement, and there is interest to revisit the construction fence ordinance.

ADMINISTRATION COMMENTS

LaPere reported that the new Clerk/Assistant Manager Kristin Rutkowski started February 25. She reported that the residents on White Oaks Trail agreed to remove the deck by May 1, 2019. The Planning Commission drafted, and Council adopted varying maximum coverage percentages by Zone District for Single Family, and the ordinance took effect in the beginning of 2019. Concerns were raised about the extent of redevelopment and this is one part of the effort to ensure Village protected greenspace, especially in the denser Zone Districts. The percentage is the maximum coverage of all buildings within the lot and does not take into account impervious surface coverage, i.e. driveways, patios, landings/porches, etc. She reviewed the land use map located in the Master Plan.

ZONING BOARD COMMENTS

Raeder thanked everyone for their work on the Valvoline sign case and opined that the new sign looks great.

Motion by Crossen, second by Tillman to adjourn the meeting at 8:08 pm.

Motion passed.

Charles Raeder
Chairperson

Kristin Rutkowski
Village Clerk

Elizabeth M. Lyons
Recording Secretary