

Present: Chairperson Drummond; Vice-Chairperson Westerlund; Members: Copeland, Grinnan, Ostrowski, Ruprich, and Wilensky

Absent: Members: Borowski and Stempien

Also Present: Planning and Zoning Administrator, LaPere  
Planning Consultant, Borden  
Council Member, George

Chairperson Drummond called the regular Planning Commission meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

**AMENDMENTS TO AGENDA/APPROVE AGENDA**

Motion by Westerlund, second by Ostrowski, to approve the agenda as published.

Motion passed.

**REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD OCTOBER 23, 2019**

Motion by Ostrowski, second by Westerlund, to approve minutes of a regular Planning Commission meeting held October 23, 2019.

Motion passed.

**PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**PUBLIC HEARING ON PROPOSED LANGUAGE AMENDMENTS TO CHAPTER 22, SECTION 22.10 PP – PUBLIC PROPERTY DISTRICT, SECTION 22.14 R-A, R-1, R-1A, R-2, R-2A, R-2B AND R-3 SINGLE FAMILY RESIDENTIAL DISTRICTS, SECTION 22.16 R-M MULTIPLE FAMILY RESIDENTIAL DISTRICT, SECTION 22.18 P – PARKING DISTRICT, SECTION 22.20 O – 1 OFFICE DISTRICT, SECTION 22.22 B – BUSINESS DISTRICT, AND SECTION 22.40 AMENDMENTS**

Drummond opened the public hearing at 7:32 p.m.

No one wished to be heard therefore, the public hearing was closed at 7:33 p.m.

**REVIEW AND CONSIDER RECOMMENDATION TO COUNCIL ON PROPOSED LANGUAGE AMENDMENTS TO CHAPTER 22, SECTION 22.10 PP – PUBLIC PROPERTY DISTRICT, SECTION 22.14 R-A, R-1, R-1A, R-2, R-2A, R-2B AND R-3 SINGLE FAMILY RESIDENTIAL DISTRICTS, SECTION 22.16 R-M MULTIPLE FAMILY RESIDENTIAL DISTRICT, SECTION 22.18 P – PARKING DISTRICT, SECTION 22.20 O – 1 OFFICE DISTRICT, SECTION 22.22 B – BUSINESS DISTRICT, AND SECTION 22.40 AMENDMENTS**

Pursuant to the direction of Council following the joint meeting in February, the subcommittee and administration have been working on updates to the language for amendments to the Zoning

Ordinance, Section 22.40 Amendments, and uses of Sections 22.10, 22.14, 22.16, 22.18, 22.20, and 22.22.

**Section 22.40 Amendments** The proposed modifications to the language in this section are to clarify procedures, add submittal requirements, add standards for review of rezoning requests, and add standards for conditional rezoning agreements.

**Sections 22.10, 22.14, 22.16, 22.18, 22.20, and 22.22** The proposed modifications to the language in the Zone Districts are to add the new/modernized uses, as well as to address consistency in formatting and statutory updates including the land use provisions of RLUIPA.

In addition to the updates, the formatting was updated to a user-friendly table. Ostrowski asked about guidelines for the environmental assessment and impact statement in 22.40.040 (e). Borden explained that Administration can draft a checklist that outlines what must be included and be part of the application process.

Motion by Westerlund, second by Ostrowski, that the Planning Commission recommends Village Council adopt the proposed amendments to the Village Zoning Ordinance, Chapter 22, Section 22.40 Amendments, Section 22.10 PP – Public Property District, Section 22.14 R-A, R-1, R-1A, R-2, R-2A, R-2B and R-3 Single Family Residential Districts, Section 22.16 R-M Multiple Family Residential District, Section 22.18 P – Parking District, Section 22.20 O – Office District, and Section 22.22 B – Business District. The environmental assessment and impact statement in 22.40.040 (e) be further described in the application process.

Roll call vote:  
Motion passed (6-0).

**REVIEW AND CONSIDER APPROVAL OF A REQUEST FROM CHAD HOOKS, 230 VIRGINIA, ROYAL OAK, 48067, FOR PROPERTY AT 30801 STELLAMAR, TO INSTALL A SIX (6) FOOT CEDAR FENCE IN THE REAR YARD**

The Village of Beverly Hills has received an application for a six (6) foot high, solid cedar fence to be installed within a portion of the rear yard at 30801 Stellamar. Per Section 22.08.150, the applicant is seeking approval from the Planning Commission to mitigate an essential safety or privacy concern and the applicant has noted the site has an unconventional aspect due to being an irregularly shaped corner lot with multiple parcels along the rear lot line. The abutting property owners were notified of the request and hearing date per requirements of Village Ordinance.

The proposal is to install 150-200 feet of treated cedar, picture frame-style fencing that will be six feet above grade with the finished side facing outwards. On the west side, the fence will be located approximately 65 feet from the property line behind the rear corner of the home and the fencing will enclose only a portion of the rear yard. The fencing will be located on the interior side of the existing landscaping to the north, approximately 30 feet from the property line and will not extend beyond the sides of the existing home. The applicant has noted that there is a small break in the existing landscaping at the east corner of the rear yard that will render only

15-20 feet of the fencing visible to the public. Otherwise, the fencing will be entirely surrounded by the existing landscaping.

The lot is a corner lot, and irregularly-shaped at the intersection of Stellamar and Marimoor. There are two parcels which abut the lot on the north. The applicant must provide to the Commission the essential safety or privacy concern that will be mitigated by the proposed fencing and demonstrate that the size, location, height, design, and materials of the fence are aesthetically in harmony with the property on which it is located. Further, the applicant must ensure that any proposed removal of vegetation and trees and disturbance to natural terrain has been minimized.

Hooks explained that in addition to a new baby and his mother-in-law living with them, he has two large dogs that would be able to jump a smaller fence. There is approximately 23 feet from the tree line to the north property line, and the fence would not be visible to any other neighboring properties.

Copeland asked Hooks to clarify how he intends to maintain the space outside of the fence line. Hooks intends to install a gate that will allow for the lawnmower to be used in that area. He also intends to plant arborvitae along the fence line. Most of the rear property line vegetation will be left as is.

Drummond reminded the Commission that by approving this fence, they are potentially allowing other properties, with the limits of the ordinance, to have grounds for a permit to be granted.

Motion by Ostrowski, second by Ruprich, that the Planning Commission approves a permit to install six (6) foot high, cedar, picture-frame style fencing to be installed at 30801 Stellamar due to the unconventional lot and essential public safety and privacy concerns, provided the applicant complies with all applicable requirements of Chapter 22, Section 22.08.150 and minimizes removal of existing landscape as much as possible.

Roll call vote:

Motion passed (6-0)

**REVIEW AND CONSIDER REQUEST FROM DIANE WOLF, 15766 BUCKINGHAM, TO ADD ONTO AN EXISTING ATTACHED GARAGE THAT REQUIRES PLANNING COMMISSION APPROVAL PER SECTION 22.08.100, i**

Petitioner Diane Wolfe, 15766 Buckingham Ave, is seeking approval as required by Section 22.08.100 (i), which stipulates that accessory buildings be designed so that no exterior wall is greater than two-times the length of another exterior wall unless the Planning Commission grants approval upon finding no adverse impact to the surrounding neighborhood.

The property is zoned R-2A, Single Family Residential. The existing house and garage were originally constructed in 1952 and there is an enclosed breezeway attaching the two which makes the garage subject to the same setback requirements as the principal building. The proposed expansion is off the rear of the existing attached garage. The applicant has noted the

decision to construct in this location and with this design is due to setback restrictions on the side and the desire to retain an existing concrete patio.

The proposed addition will result in a garage that has the longest exterior wall at 56 feet and the shortest exterior wall at 9 feet 6 inches. The additional building space will be used for vehicle storage and a “work shop” that will be accessible through an interior door from the garage and through an exterior pedestrian door. The project also entails interior renovations to the existing laundry room that are not subject to Planning Commission approval.

The most immediate impact of this proposal will be to the property owners to the east; they have submitted written support for this project. Additionally, the petitioner is showing three windows along that wall and has committed to landscaping the area to minimize the visual impact. The existing lot is one of the largest in the neighborhood and subsequently the building is also one of the largest but the proposal does not exceed lot coverage requirements of the Zone District. The lot coverage calculations on the plans indicate an incorrect garage addition of 268 sq ft (it is correctly noted as 368 sq ft elsewhere on the plans); however, that error does not alter the compliance with the lot coverage as the proposal is under the allowable percentage.

Procedurally, the petitioner must obtain Planning Commission approval for the design of the garage before any permits can be issued. The proposed modifications otherwise meet Zoning Ordinance requirements of Section 22.24 and Section 22.08.100. The petitioner will also be required to submit a grade plan to the Village Engineer for approval before building permits can be issued.

Wolfe explained that she and her husband are recently married and in the combining of their households need additional space for him to pursue his hobbies. This design will preserve the front appearance of the home, creates minimal impediment on the yard, and is well within the rear set back requirements. The intention is to use windows and greenery to break up the length of wall.

Wilensky arrived at 8:20 p.m.

Based on Commissioners inquires and discussion, Wolfe agreed to adding reverse gables and box-out the windows with vinyl shaker siding to further break up the expanse of wall.

Ruprich inquired about the existing fencing that runs to the back of the yard. The applicant explained that the long-term plan is to replace the fence.

Motion by Westerlund, second by Grinnan, that the Planning Commission grants approval per the requirements of Section 22.08.100 (i) to allow the petitioner to expand an existing garage at 15766 Buckingham Ave that will be no greater than 56 feet in length upon finding no adverse impact to the surrounding neighborhood, with the requirement that the east façade includes architectural improvements of an 8 foot wide box-out with reverse gables and the use of vinyl shake material around the proposed windows.

Roll call vote:

Motion passed (7-0)

**REVIEW AND CONSIDER APPROVAL OF A REQUEST FOR A TEMPORARY BANNER SIGN AT DETROIT COUNTRY DAY SCHOOL, 22305 W 13 MILE ROAD**

Borden reviewed the application from Detroit Country Day requesting the use of temporary signage during their January 2020 Open House. The proposal has been reviewed for compliance with the requirements of the Village Zoning Ordinance. If the sign is approved by the Commission, the applicant must obtain a permit prior to installation. The proposed temporary signage complies with the applicable provisions of the Village Zoning Ordinance.

Motion by Westerlund, second by Wilensky, to approve temporary banner sign request for Detroit Country Day School, 22305 West Thirteen Mile, as submitted.

Roll Call vote:

Motion passed (7-0).

**SUBCOMMITTEE UPDATES**

**A. PLANNED UNIT DEVELOPMENT (PUD) AND CLUSTER DEVELOPMENT**

The subcommittee submitted a revised draft to the Commission. Ostrowski pointed out the open space requirement is 40% which would be 2 acres out of 5 acres. Ostrowski anticipated the PUD would be broader, and include more than residential developments. Borden explained that the Commission does have the right to review and waive the acre requirements. Further, this document is drafted with a mind towards residential development given the existing VCOD. Westerlund pointed out there are limited areas of the Village that could be developed as mixed use. There was discussion as to the process to apply to use the PUD and requirements for rezoning. Administration will work with the subcommittee to prepare a draft that incorporates mixed use application of PUD.

**B. OFFSTREET PARKING REGULATIONS**

Updates will be provided at an upcoming meeting upon approval of the revised use tables.

**PUBLIC COMMENTS**

None.

**LIAISON COMMENTS**

George continues to encourage Council to reengage some of the ordinances that have come before them but not passed. He also reported the Council denied the application for development by the Robertson Brothers.

**ADMINISTRATION COMMENTS**

LaPere reported the Zoning Board will meet in December. Allure Medical Spa has moved out and is being replaced by a cardiologist office. Sidewalk and lighted crosswalk signs are being installed at 13 Mile and Embassy.

**COMMISSIONERS COMMENTS**

Westerlund asked that Administration follow up with the pharmacy about their dumpsters during construction.

Motion by Westerlund, second by Ostrowski, to adjourn the meeting at 9:15 p.m.

Motion passed.

Andrew Drummond  
Planning Commission  
Chairperson

Kristin Rutkowski  
Village Clerk

Elizabeth M. Lyons  
Recording Secretary