

Present: Members: Crossen, Donnelly, Maxwell, Mitchell, Raeder, Verdi-Hus; Alternates: Gatowski, Hynes

Absent: Chairperson Eifrid; Vice-Chairperson Tillman; Member Lepidi

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

Zoning Board Member Raeder 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 JUNE 13, 2016.

Motion by Donnelly, second by Maxwell, that the minutes of the regular Zoning Board of Appeals meeting held June 13, 2016 be approved as submitted.

Motion passed.

ELECTION OF OFFICERS

Raeder opened the floor to nominations for Chairperson of the Zoning Board of Appeals. Donnelly nominated Tillman as the Zoning Board of Appeals Chairperson. There were no further nominations. Tillman was elected chairperson by acclamation.

Mitchell nominated Raeder as the Vice-Chairperson of the Zoning Board of Appeals. There were no further nominations. Raeder was elected vice-chairperson by acclamation.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

CASE NO. 1304

Petitioner: Michael Bellware

Property: 30673 Pebblestone Court

Village Ordinance: 22.24 Schedule of Regulations.

Zoning District R-1 requires side open space of 15ft side one and 20ft on side other.

Deviation Requested: To replace an addition that will be 11ft, 8-3/4in from south side lot line.

Wilks explained that petitioner Michael Bellware is seeking a variance from side open space requirements of Section 22.24 to build an addition onto the rear of his existing home. The property is zoned R-1, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24 Schedule of Regulations requires side open space of 15 feet on side one, and 20 feet on side

other. The proposal is to demolish an existing addition and build a new addition with a basement using the same side setback because the existing addition sits on a crawl space, and to build a new covered deck. The property was granted a variance on April 10, 2000, Case No. 990, for the existing addition. At that meeting, the Zoning Board of Appeals noted this is an oddly shaped lot, combined with the position of the existing home limits the options for expansion.

This project requires a separate variance because they are demolishing the existing addition and expanding the overall addition 3 feet farther into the rear yard. The encroachment into the side yard is the same as the previous request/existing addition and follows the line of the existing house. The project is otherwise compliant with Village Ordinance.

Petitioner Bellware explained that he and his wife are looking to update their home for their growing family.

Crossen inquired about the types of building materials that would be used. Alyssa Gillad, designer, explained that brick and lap siding are already in use and the proposal includes the same materials. Gatowski questioned if the new variance will be consistent with previous request, and was told that it is.

Motion by Crossen, second by Maxwell, that the Zoning Board grant approval of a variance from the side open space requirement of section 22.24 to allow the petitioner to build an addition onto their existing home that would be no closer than 11 feet, 8-3/4 inches from the south side lot line due to practical difficulties of irregular lot shape, and previous variance.

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

CASE NO. 1305

Petitioner: Deborah & David Smidt

Property: 31945 Crossbow Ct

Village Ordinance: 22.24 Schedule of Regulations Zoning District R-1 requires front open space of 40ft, and **22.24.010 (a) Front Open Space** requires the depth of the front open space of any building subsequently erected or remodeled shall not be less than the average depths of the front open space of existing residences where a front open space of greater or less depth than forty feet.

Deviation Requested: To build an attached garage that will have front open space of 20ft, 6in at closest point.

Wilks explained that petitioner Deborah and David Smidt are seeking a variance from front open space requirements of Section 22.24 and 22.24 (a) to build an attached garage onto the side of their existing home. The property is zoned R-1, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24 Schedule of Regulations requires front open space of 40 feet, and

Section 22.24.010 (a) requires front open space to not be less than the average depths of the front open space of existing residences within 200ft on the same side of the street. The front open space average calculated per Section 22.24.010 (a) is 39ft.

The petitioner is proposing to build an addition onto the front of the home that will be used as garage space and mechanical storage for existing pool equipment. This addition will follow the front set back of the existing house which is 20ft, 6-1/2in from front lot line at the closest point. The house is a corner lot on a cul-de-sac and the front lot line follows the curve of the road. The petitioner is seeking a variance of 18ft, 5-1/2in to build this addition. The project is otherwise compliant with Village Ordinance. Wilks suggested that the petitioner research any possible deed restrictions in relationship to the front entry garage. There is a 40ft set back with a covered porch, so there is no rear set back variance requested.

Mike Gordon, architect for the petitioner, explained that a variance was received 15 years ago for a rear addition, and presented a letter of consent signed by the four surrounding neighbors. He presented plans that showed the plan for the garage and direction it would face.

Raeder pointed out that a three car garage seemed overbearing on the site, and suggested they could build a structure to house pool equipment elsewhere. Raeder also expressed concern about the view presented to the neighbors across the street. Gordon explained that this is not encroaching any farther out than the current home, and because they live on a cul-de-sac, no one looks directly at the house.

Raeder read a letter from the Klima residence, 31771 Robinhood, who oppose the variance requested, and does not want to see the Village open the door to large footprint homes and change the aesthetic of the Village.

Gatowski verified that the current front variance is the original design and placement of the home.

Motion by Mitchell, second by Maxwell, that the Zoning Board of Appeals approves a variance from the front open space requirement of section 22.24 and 22.24.010 (a) to allow the petitioner to build an addition onto the front of the existing home that would be no closer than 20 feet, 6-1/2 inches from the front lot line due to practical difficulties of the unusual shape of the lot and being a corner lot.

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

CASE NO. 1306

Petitioner: Glen Shilling, Headmaster

Property: 22305 W 13 Mile Road, Detroit Country Day School Middle School building

Village Ordinance: 22.24 Schedule of Regulations. Zoning District R-1 limits building height to 30 feet and 2 stories.

Deviation Requested: To build an addition onto the existing Middle School building that will be 42 feet high and 3 stories.

Wilks explained that petitioner Glen Shilling, Headmaster, is seeking a variance from requirements of Section 22.24 to build an addition onto the existing Middle School building at Detroit Country Day School. The property is zoned R-1, Single Family Residential and is used as a private school as a special land use. Village Ordinance, Chapter 22, Section 22.24 Area, Height, Bulk, and Placement limits buildings in R-1 to 30 feet and 2 stories.

The petitioner is proposing to build an addition onto the existing Middle School building which is 42 feet high and 3 stories. There is significant grade differential where the building is located therefore only a portion of the building is 3 stories and 42 feet in height. The original building and site plan were approved with a variance granted on June 22, 1987, Case No. 660. Given the historical record of the building, Planning Commission and LSL Planning determined a variance for this addition was warranted. The entire site plan is being reviewed by the Planning Commission and recommendation to Village Council has been tabled pending the Zoning Board of Appeals decision. Planning Commission recommended special land use for this addition be approved. The proposed addition will accommodate a 5th grade level and an additional 70-75 students which will bring the total student count to approximately 140 students, and add over 48,000 square feet of space across the three stories (ground square footage is over 16,000 square feet).

Richard Taubman, attorney for Detroit Country Day (DCD) explained that the Board could grant a variance or decide that a variance is unnecessary based on established grade. He explained that DCD faces the practical difficulty of an extreme grade change, and they have a strong desire to accommodate wishes of the residents. He explained that the established grade should be set based on the western most point of the addition at 692 feet. Taubman pointed out that had they extended the building straight, it would be closer to the Georgetown residents, and the plans show the emergency fire access road will have crash gates, making it only available to emergency vehicles. Referencing plans on display, Taubman pointed out that the view from the east shows the roof remaining at the same level, and that the building will be located in the side of a hill, similar to a walk out basement. He pointed out the topography is both a practical difficulty and acts as a shield for the neighborhood.

Raeder asked how the residents of Hillview will be affected by this being a three story building. Shilling explained that Hillview is owned by DCD as a private road, and there is one resident who has an easement.

Peggy Brady, resident, 30603 Pebblestone Ct., inquired what the distance was between the building and the subdivision to the west side. Taubman explained that it was compliant and they have plans to put in greenscaping between the building and the subdivision.

Tyrone Henry, resident 22105 Hillview Lane, is not opposed to DCD, he is just opposed to all of the traffic, it is nothing close to the environment that was there when he bought the property. He expressed a desire to have a rear access option to his property. He expressed frustration with the situation and his feelings of not being heard. It was explained to Henry that the plans will still go before the Village Council for consideration before it is approved.

Raeder pointed out that this is a three story building and he feels it is nearing the capacity of the space available. He suggested that there could have been a two story addition with a 3,000 sqft building.

Maxwell questioned if the third level would be necessary, or if the offices planned for that space could be located elsewhere. Shilling explained that these offices would be for principals and teachers who need to be onsite.

Motion by Maxwell, second by Crossen, that the Zoning Board of Appeals approves a variance from the height requirements of section 22.24 to allow the petitioner to build an addition onto the existing Middle School building which will be no more than 42 feet above grade and 3 stories tall due to practical difficulties of the topography and creating minimal impact on the neighboring subdivision.

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

CASE NO. 1307

Petitioner: Glen Shilling, Headmaster

Property: 22305 W 13 Mile Road, Detroit Country Day School Middle School

Village Ordinance: 22.08.150 Fences, Walls, and Privacy Screens Fences with vertical surface area that is at least 35% open to air and light are permitted subject to the following: c. Rear Yard: A fence in a rear yard shall not exceed 48 inches in height above grade...

Deviation Requested: To extend an existing fence that is 9-10ft above grade and less than 35% open to air and light.

Petitioner Glen Shilling explained that after meeting with the neighbors it has been established that they do not want a fence, but would prefer to work with the school and a landscape architect to create a greenscape that satisfies everyone involved. He requested this be tabled pending site plan approval.

Motion by Crossen, second by Maxwell, to table this appeal.

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

PUBLIC COMMENTS

None.

LIAISON COMMENTS

Abboud commended the Board on their interpretation of the ordinances as they come before them. He shared that LSL Planning is working on reviewing and rewriting zoning ordinances. Abboud welcomed Gatowski and Hynes to the Board.

ADMINISTRATION COMMENTS

Wilks welcomed Gatowski and Hynes to the Zoning Board. She shared that the Village office construction is ongoing and making progress.

ZONING BOARD COMMENTS

Maxwell shared that there is a house on 14 Mile that replaced their existing fence without applying for a variance.

Motion by Crossen, second by Mitchell, to adjourn the meeting at 8:48 pm.

Motion passed.

Charles Raeder
Zoning Board Member

Ellen Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary