

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

**Absent:** Members: Donnelly and Lepidi

**Also Present:** Planning and Zoning Administrator, Saur  
Council Liaison, Rock Abboud

Zoning Board 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 JULY 9, 2018**

Motion by Mitchell, second by Tillman, that the minutes of a regular Zoning Board of Appeals meeting held July 9, 2018 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. 1349**

**Petitioner:** Steve Ramaekers, Main Street Design Build, 555 S Old Woodward Ave  
Birmingham, MI 48009

**Property:** 16257 Birwood Ave

**Village Ordinance: 22.24.010 (a) Front Open Space** All Residential Zone Districts require front open space to be not less than the average front open space of existing homes within 200 feet on the same side of the street.

**Deviation Requested:** To build a bay window on the first story of an existing home that will be 40.83 feet from the front lot line where the average front open space is 43.83 feet.

Saur explained that Steve Ramaekers, Main Street Design Build, 555 S Old Woodward Ave, Birmingham, MI 48009 for Brian and Rita Dates, 16257 Birwood Ave, is seeking a variance from requirements of Chapter 22, Section 22.24.010 (a) to build a bay window addition on the first story of an existing home.

The property is zoned R-3, Single Family Residential. Village Ordinance, Chapter 22, Section 22.24.010 (a) Front Open Space requires front open space to be not less than the average front

open space of existing homes within 200 feet on the same side of the street. The petitioner is proposing to add a bay window that will be 40.83 feet from the front lot line where the average open space is calculated at 43.83 feet.

The petitioner is proposing to utilize this bay window to add usable floor space to the existing living room area. The existing home technically does not meet the ordinance requirements by approximately 7 inches for front open space averaging at 43.2 feet from the front lot line. The neighboring homes both have a front setback of 40.42 feet from the front lot line and the proposed bay window will have a slightly larger front setback than the two adjacent properties. The front open space on every lot in this area is variable with a range of 40.42 feet to 50 feet.

The proposed bay window addition otherwise meets Zoning Ordinance requirements. A copy of the petition form, letter from petitioner, site plan, front averaging data, and elevations was provided for review by the Board.

Raeder confirmed that the porch and awning extending around the sides of the home do not require a variance.

Ramaekers explained that building off the rear of the home was considered but due to the slope of the rear property and existing easement it was cost prohibitive. The new window will meet side setback of 5 feet. The window will create what is called a “walkout” space, meaning there will be useable floor space created with the installation of the window.

Motion by Crossen, second by Tillman, that the Zoning Board of Appeals grants a variance from the requirements of Section 22.24.010 (a) to allow the petitioners to build a bay window addition on the first floor to an existing home that will be no closer than 40.83 feet from front lot line due to practical difficulties of the narrowness of the lot, current set back regulations making alternative options impractical, and the slope to the rear lot making it unusable for expansion.

Roll Call Vote:  
Motion passed (9-0).

## **PUBLIC COMMENTS**

None.

## **LIAISON COMMENTS**

Abboud announced the Michigan Municipal League Conference will be in held in September in Grand Rapids. The Planning Commission re-elected George Ostrowski as their Chairperson, Patrick Westerlund as their Vice-Chairperson, and Andrew Drummond as their Secretary. The Commission approved the wall sign for Blue Bar Sushi.

## **ADMINISTRATION COMMENTS**

Saur welcomed new alternate member Ahmad Jawad. There will be a training session for all Board members following the September meeting. The intention is to move the meeting start time to 6:00 pm and follow it with training. CORE Partners presented their findings to the Planning commission

and Village Council on the Southfield Corridor Overlay District.

**ZONING BOARD COMMENTS**

None.

Motion by Mitchell, second by Crawford, to adjourn the meeting at 7:56 pm.

Motion passed.

**Charles Raeder**  
Chairperson

**Chris Wilson**  
Village Clerk

**Elizabeth Lyons**  
Recording Secretary