

MINUTES OF THE ZONING BOARD OF APPEALS MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, JANUARY 6, 2020, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:11 p.m. by Mayor Novitke.

Roll Call: Mayor Novitke
Council members: Bryant, Gafa, Granger, Koester, McConaghy, McMullen
Absent: None

Also Present: City Administrator Smith
City Attorney Berschback
City Clerk Hathaway
Director of Public Safety Kosanke
Building Official Tutag

Motion by Gafa, seconded by Granger, that all items on tonight's agenda be received, placed on file, and taken in order of appearance.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy, McMullen, Novitke
No: None
Absent: None

THE MEETING WAS THEREUPON OPENED AT 7:12 P.M. FOR A ZONING BOARD OF APPEAL HEARING UNDER THE PROVISIONS OF CHAPTER 50, SECTION 50-181 OF THE 2017 CITY CODE TO HEAR THE APPEAL OF **PAMELA HARTMANN, 509 ROBERT JOHN**, WHO IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT TO INSTALL SOLAR PANELS DUE TO NON COMPLIANCE WITH SEC. 50-539(5) SOLAR ENERGY SYSTEMS, ASSESSIBILITY. A VARIANCE IS THEREFORE REQUIRED.

Motion by Bryant, seconded by Granger, that for purposes of the Zoning Board of Appeal hearing, the following items be received and placed on file:

1. Building Permit Application-Zoning Compliance and Plan Review – 10/28/19
2. Memo 12/04/19 – Building Official
3. Memo 12/19/19 – Director of Public Safety
4. Affidavit of Legal Publication
5. Affidavit of Property Owners Notified
6. Aerial Views (2)

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy, McMullen, Novitke
No: None
Absent: None

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. The following individuals were heard:

Pam Hartmann
509 Robert John

Jeremy Papuga
508 Robert John

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. Nobody wished to be heard.

Motion by Granger, seconded by Bryant, that the public hearing be closed at 7:23 p.m. PASSED UNANIMOUSLY.

Motion by McConaghy, seconded by Bryant, regarding Zoning Board of Appeal regarding Pamela Hartmann, 509 Robert John, who is seeking a variance to install Solar Panels, that the Board of Appeals grant a variance from Sec. 50-539(5) to permit the installation of 17 solar panels on the south roof of 509 Robert John based upon the facts and recommendation as contained in the memos from the Building Official dated December 4, 2019, and the Director of Public Safety dated December 19, 2019, and the comments made at the Public Hearing, as follows:

1. Alternative energy systems are permitted in the zoning district the property is located in. A functional solar array cannot be installed on the roof without relief from the ordinance;
2. No reasonable alternative to the petition installing a solar array on the property exists with the exception of a ground mounted array which is not permitted;
3. The Petitioner's home is a rather small ranch with a number of hips and valleys which would preclude the installation of the solar panels without relief;
4. Neither the orientation of the roof, nor the size of the roof or dwelling were explicitly established by the homeowner;
5. The granting of the proposed variance will not in any way impair health, safety, comfort or morals, or in any other respect be contrary to the intent of this chapter, is in accordance with the intent of the zoning code;
6. That work commence within 90 days and be completed within 6 months;
7. The Board's decision is not precedent setting for future variances and future requests will require a review from the Director of Public Safety based upon the dwelling's architecture and solar panel design plan;
8. That the solar panels not be placed right up to the ridge line of the house leaving space to allow firefighters to position a roof ladder on the north side of the residence; and
9. The Contractor stated the panels will not be placed at the ridge line leaving space to position a roof ladder on the north side; and, he's agreed to submit a modified plan moving the panels as far up as possible in the southwest area of the roof. The contractor will provide training to officers on how to safely disconnect the power and work around the panels.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy, McMullen, Novitke
No: None
Absent: None

Motion by Granger, seconded by Koester, to immediately certify tonight's meeting minutes.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, Koester, McConaghy, McMullen, Novitke
No: None
Absent: None

Motion by Granger, seconded by Bryant, to adjourn tonight's meeting at 7:42 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk