

MINUTES OF THE ZONING BOARD OF APPEALS MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, AUGUST 13, 2018, IN THE COUNCIL-COURT ROOM OF THE MUNICIPAL BUILDING, 20025 MACK PLAZA, GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:04 p.m. by Mayor Novitke.

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

Also Present: City Administrator Smith
City Attorney Chip Berschback
Treasurer/Comptroller Behrens
City Clerk Hathaway
Director of Public Safety Kosanke
Director of Public Services Schulte
Building Inspector Tutag
Information Technology Capps

THE MEETING WAS THEREUPON OPENED AT 7:04 P.M. FOR A ZONING BOARD OF APPEALS HEARING UNDER THE PROVISIONS OF CHAPTER 50, SECTION 50-181 OF THE 2017 CITY CODE TO HEAR THE APPEAL OF ROBERT ALLAER, 962 LOCHMOOR, GROSSE POINTE WOODS, WHO IS APPEALING THE DENIAL OF THE BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT FOR CONSTRUCTING A 2-CAR ATTACHED GARAGE ON THE WEST SIDE OF HIS HOME. THE REQUEST IS NONCOMPLIANT WITH SECTION 50-209(F) SCHEDULE OF REGULATIONS FOR THE R-1A DISTRICT, AS THE GARAGE WOULD ENCROACH ONTO THE REQUIRED SIDE-YARD AND AGGREGATE SIDE-YARD SETBACKS. VARIANCES ARE THEREFORE REQUIRED.

The Building Official provided an overview of the variance request in accordance with his memo dated August 6, 2018.

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

- A. Letter 06/13/18 – Badrak Design Group, Inc.
- B. Application to the Zoning Board of Appeals
- C. Building Permit application – Zoning Compliance and Plan Review 06/06/18
- D. Memo 08/06/18 – Building Official

- E. Memo 07/18/18 – Director of Public Services
- F. Site Plans 06/06/18 (3)
- G. Affidavit of Property Owners Notified
- H. Affidavit of Legal Publication 07/26/18
- I. Aerial Views (2)

Motion carried by the following vote:

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

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

David Kien
Rahm & Kien Building Co.

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 McMullen, that the public hearing BE CLOSED at 7:12 p.m. PASSED UNANIMOUSLY.

Motion by Granger, seconded by McMullen, regarding Zoning Board of Appeals: Side-Yard Setback and Aggregate Side-Yard, regarding Robert Allaer, 962 Lochmoor, that the City Council grant the variances as presented due to the proposal meeting the variance standard for finding of practical difficulty, as follows:

1. The subject property is unique as the existing side-yard for the property adjacent to this requested variance is approximately 67';
2. The proposal to attach the garage will not alter the character of the neighborhood as it will help it fit in better with the surrounding area. The garage height will be the same as the current gable on the existing garage, so the overall character of the house will remain the same. The petitioner is unable to construct the proposed garage without substantial alterations to the existing house and garage without the requested variance.
3. The proposal is in accordance with the general purposes and intent of the zoning ordinance. The intent of the side yard and aggregate setback requirements is to provide for consistent building lines within a neighborhood and to provide for adequate separation between homes. The proposed

detached garage with a 6'10" side yard will not be noticeable or create an anomaly within the neighborhood.

Motion carried by the following vote:

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

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

Motion carried by the following vote:

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

Motion by Granger, seconded by Bryant, to adjourn tonight's meeting at 7:16 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Lisa Kay Hathaway
City Clerk