

Present: Chairperson Verdi-Hus; Members: Fahlen, Freedman, Needham, Oen, Pagnucco and Schafer

Absent: Johnson and Kamp

Also Present: Building Official, Byrwa

Chairperson Verdi-Hus presided and called the meeting to order at 7:30 p.m. in the Village municipal building at 18500 W. Thirteen Mile Road.

APPROVAL OF MINUTES

Motion by Pagnucco to approve the minutes of a regular Zoning Board of Appeals meeting held on Monday, December 10, 2001 as submitted.

Motion passed unanimously.

CASE NO. 1030

Petitioner/Property: Mike and Meredith Kulka
32218 Auburn Drive
Lots 454 and part of 455, Beverly Hills #1
TH24-01-279-002

Petition: Petitioner requests a side yard deviation from the required 12.5' open space to 5.6' side yard open space for a one-story rear addition.

Michele Sergeant from JSN Design was present representing the petitioners Mike and Meredith Kulka. She described the proposal for a master bedroom addition to the rear of the house. It is currently a two-bedroom house.

The side yard setback is 6'- 4" at the front of the house and 4'- 8" at the rear of the current home. The addition will step in from the existing line of the house so that the side setback from the rear addition will be 5'- 6".

Questions from the Board on the proposal were addressed by the petitioners. It was noted that the addition does not encroach into the rear yard setback. The lot is 75' across the front and only 54' across the rear lot line.

Decision: Motion by Fahlen that the deviation be granted because the placement of the house on this lot creates a peculiar and exceptional situation with respect to extending the line of the house.

Roll Call Vote:
Motion passed unanimously.

CASE NO. 1031

Petitioner: Robert W. Stine, Architect
200 Elm, Birmingham, MI 48009

Property: 18555 Devonshire
Lot 1953 and part 1954 of Beverly Hills #4 Subdivision
TH24-02-280-003

Petition: Petitioner requests a side yard deviation from the required 15' open space to 7.8' side yard open space for a two-story rear addition in order to continue with the existing line of the house.

Robert Stine was present representing property owner Maureen Kelly. The proposal is to build an addition on the house for a family room and add to the dining room and kitchen. The second

floor addition will be a master bedroom and bath. The addition will continue with the existing line of the house.

Stine answered questions from the board and Byrwa about the addition. It was indicated that the house was built prior to the adoption of the Village Zoning Ordinance.

Patrick Westerlund of 18540 Devonshire supported the request for a variance. He stated that the Kellys are great neighbors, and people make the neighborhood. The homes are older in this area, and renovations are needed in order to make them livable. Westerlund would hate to see people move out of Beverly Hills because their living space is inadequate.

Decision: Motion by Pagnucco to grant the variance on the basis there is an exceptional or undue hardship with constructing an addition because the house was built prior to the adoption of the Zoning Ordinance. The addition continues the existing line of the house.

Roll Call Vote:
Motion passed unanimously.

ZONING BOARD COMMENTS

Fahlen requested that board members receive meeting minutes of the Pathway Advisory Committee and Birmingham Area Cable Board.

BUILDING OFFICIAL COMMENTS

Byrwa updated the board on renovations proposed for the McDonald's restaurant at 31655 Southfield Road. A site plan was presented to the Planning Board for review at its January 9 meeting. Due to inaccuracies in the drawing, site plan review was tabled until a revised plan is submitted by the applicant.

Since that Planning Board meeting, McDonald's has decided to reduce the size of the ground sign to meet Ordinance requirements. Byrwa outlined the proposed parking lot modifications. McDonald's Corporation representatives will be coming before the Zoning Board of Appeals with a request for variance from the required 113 parking spaces to 104 or 105 spaces.

Freedman recalled comments from McDonald's representatives relative to parking issues at the time the Village was conducting site plan review for the Bed Bath & Beyond property. She asked Byrwa to provide the Zoning Board with a copy of meeting minutes that include that discussion.

Byrwa informed board members that the Village Council will hold a public hearing on the 14 Mile Road Corridor Plan at its regular meeting on Tuesday, January 22, 2002.

Motion by Fahlen to adjourn the meeting at 8:02 p.m.

Motion passed unanimously.

MaryAnn Verdi-Hus, Chairperson
Zoning Board of Appeals

Ellen E. Marshall
Village Clerk

Susan Bernard
Recording Secretary