

Present: Chairperson Schafer; Members: Brady, Fahlen, Farris, Francis, Mercer, Needham, Tillman and Verdi-Hus

Absent: None

Also Present: Building Official, Byrwa  
Council Liaison, Peddie  
Council member, Oen

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

**APPROVE MINUTES OF A REGULAR ZONING BOARD OF APPEALS MEETING HELD ON MONDAY, JANUARY 8, 2007**

Motion by Tillman, second by Brady, that the minutes of a regular Zoning Board of Appeals meeting held on January 8, 2007 be approved as submitted.

Motion passed (9 – 0).

**CASE NO. 1182**

**Petitioner & Property:** Kent M. Polkinghorne  
16034 Marguerite  
Lots 524 and 525 of Beverly Manor #1  
TH24-01-408-011

**Petition:** Petitioner requests a side yard deviation from the minimum requirement of 12.5 feet to 9.5 feet for a rear yard addition in order to continue with the existing line of the house.

Byrwa noted that the petitioner's home was built in 1947. The petitioner is proposing to build a rear yard addition on the northeast side of the house that would continue with the existing line of the structure. Byrwa displayed photographs of the house and property noting that a number of homes on Marguerite have additions that equal or exceed the size of the structure requested. The homes of the adjacent neighbors to the east and west have additions that project further into the rear yard than the proposed structure. The addition will not encroach into the 40' rear yard open space.

The petitioner Kent Polkinghorne and his fiancé explained plans to expand the living area of the home to accommodate two adults and three children. The addition is proposed to be a master bedroom suite. The house currently has two bedrooms and one bathroom and no basement. Questions from Board members regarding existing square footage, the addition, exterior building materials, and the garage were answered by the petitioner. Polkinghorne indicated that constructing the addition to comply with side setback requirements would either result in an addition too narrow to serve as a bedroom or result in extending the structure towards the family room and covering a door wall.

**Decision:** Motion by Fahlen, second by Mercer, that, based on the size of the lot and the location of the house built prior to the adoption of the Village Zoning Ordinance, the variance be granted to construct the addition as shown on drawing dated 4/5/91 contingent on the structure being built without encroaching into the rear yard setback.

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

### **ZONING BOARD COMMENTS**

Tillman reported that there will be a joint meeting of the Planning Board and Council on Wednesday, February 14. One of the issues that will be discussed is potential zoning district changes that have been proposed as a result of the Planning Board's review of nonconforming lots and dwellings in the northeast section of the Village. The goal of the work program was to reduce the number of nonconforming situations and decrease the number of Zoning Board of Appeals cases for properties in that area. Tillman will take any input from Zoning Board members on this topic to the joint meeting. Schafer stated that comments from Zoning Board members on this subject were forwarded to the previous Council.

Mercer referred to tonight's case before the Board to describe his concern, which was to make sure that setback regulations are fairly applied.

Fahlen referred to page 3 of the January 8, 2007 meeting minutes when Mercer questioned the availability of a list of nonconforming fences prepared by a petitioner who presented a case at the November meeting. Byrwa indicated that the petitioner did not leave the document with the Village as part of the record.

### **BUILDING OFFICIAL COMMENTS**

None

Motion by Brady, second by Fahlen, to adjourn the meeting at 8:05 p.m.

Motion passed (9 – 0).

**Todd Schafer, Chairperson**  
**Zoning Board of Appeals**

**Ellen E. Marshall**  
**Village Clerk**

**Susan Bernard**  
**Recording Secretary**