

Present: Chairperson Eifrid; Vice-Chairperson Tillman; Members: Donnelly, Raeder, Rass, Verdi-Hus; and Alternate: Wilensky

Absent: Members Crossen, Maxwell and Mitchell; Alternate: Lepidi

Also Present: Planning and Zoning Administrator, Wilks
Council Liaison, Abboud

Chairperson Eifrid 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 DECEMBER 14, 2015

A correction was made to the date listed in the header of the minutes. A correction was made on page 1, removing Rass from the present list. He was absent from the meeting.

Motion by Raeder, second by Tillman, that the minutes of the regular Zoning Board of Appeals meeting held December 14, 2015 be approved as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None

CASE NO. 1295

Petitioner: Viadisiav Kulesh

Property: 16252 Kirkshire

Village Ordinance: 22.24 Area, Height Bulk and Placement Regulations
Zoning District R-3 has a stated 5 ft. open space requirement for both sides.

22.08.130 Minimum Separation

No principle structure shall be erected, altered, or enlarged in zone districts R-2A, R-2B, or R-3 within fifteen feet (15') of any structure on an abutting parcel within the same zone district classification.

Deviation Requested: To build a new home replacing the existing home which is 2 ft from side lot line, and 12 ft. from the principal buildings on the lots to the east and west.

Wilks explained that the structure is an existing non-conforming home. The petitioner needs two variances; one to keep the existing two foot side lot line set back, and one for the separation of the principal buildings to the east and west. The new home would not increase the current non-conformities.

Wilks clarified that the current foundation will be used to build the new home. The house as constructed will have more room on the side yard. There are currently 12 feet on one side and 13 feet on the other side between the current home and neighboring houses. Measurements are from the foundation, not the overhangs (bump outs).

Robert Vance Patrick, hired builder and owner of RV Patrick Construction, spoke on behalf of the property owner. Patrick stated they intend to use the home's current foundation. He would enlarge the home to the rear. All of the overhangs will be removed and the house will be more narrow. Raeder verified that there would be no expansion beyond the existing basement line. Verdi-Hus asked to verify the square footage of the current house. Patrick stated it is currently 759 square feet.

Motion by Tillman, second by Rass, to approve the variance of three feet on the east and three feet on the west from minimum separation requirements of Section 22.08.130, and a variance of three feet from the side open space requirement of section 22.24 due to practical difficulties of the size and placement of the existing structure and the building envelope of the property. The variance prohibits bump outs on the remodeled home.

Roll Call Vote:

Motion passed (9 - 0)

PUBLIC COMMENTS

None

LIAISON COMMENTS

Abhoud reported that the Planning Commission continues to review the recently updated Master Plan. He believes additional graphics in the Master Plan will make it more user-friendly. The fence ordinance will be discussed at the Joint Council and Planning Commission meeting Wednesday, February 10, 2016.

ADMINISTRATION COMMENTS

Wilks reported that the Planning Commission has reviewed and approved the Master Plan. She encouraged members to attend the County Training Session for all planning and zoning members which is scheduled for March 12, 2016 at the county building. Wilks welcomed new Recording Secretary Elizabeth Lyons.

BOARD COMMENTS

In reviewing the previous meeting minutes, Raeder wished to clarify that the Zoning Board has not taken a position on the Fence Ordinance, and there is currently no motion to review said Ordinance.

Motion by Eifrid, second by Tillman, to adjourn the meeting at 7:47 p.m.

Motion passed.

David Eifrid
Chairperson

Ellen Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary