



AGENDA

ZONING BOARD OF APPEALS MEETING
CHARTER TOWNSHIP OF WEST BLOOMFIELD
TOWNSHIP BOARD ROOM
4550 WALNUT LAKE
Tuesday, February 5, 2019 - 5:30 P.M.

BOARD MEMBERS

Cherie VanVliet, Chairperson
Gene Farber, Vice Chairperson
Wendy Acho, Secretary
Robert Sher
Kathy Hagopian
Rhett Gronevelt (Alternate)
Eleanor Squire-Spears (Alternate)

STAFF

Gordon Bowdell, AICP – Zoning Coordinator / Planner

A. CALL TO ORDER

B. APPROVAL OF AGENDA

C. PUBLIC COMMENT (non-related agenda items – 2 minutes per speaker)

D. OLD BUSINESS

1. **MANSOUR (CASE #V18-029) (*Postponed from 9/6/18 with Alternate Eleanor Squire-Spears and Rhett Gronevelt*)**

Request: A variance **1.)** to permit a fence within the front yard and side yard setback of a commercial property (*Section 3.1.22.E.ii*)(*Section 5.13*).

Parcel: 33080, 33084, 33086 Northwestern Hwy.; Part of the W ¼ of the SW ¼ of Section 35; located on the northeast side of Northwestern Hwy. between Orchard Lake Rd. and W 14 Mile Rd.; Sidwell#: 18-35-301-029

Applicant: Jason Mansour

Zoning District: TCD, Township Center District

2. **GEGAJ (CASE #V18-026) (*Postponed from 12/18/18*)**

Request: A variance **1.)** To encroach into the required front yard (sightline) setback to construct a new residence on an existing lakefront lot (*Section 26-3.5.2.N.i.a*); **2.)** to encroach into the required rear yard (street side) setback to construct a new residence on an existing lakefront lot (*Section 26-3.1.1.E*)(*Section 26-3.4.50.3.B*); and **3.)** to exceed the maximum 16 inch roof projection to construct a new residence on an existing lakefront lot (*Section 3.9*).

Parcel: 1879 Windside Dr.; Part of lots 1, 2, and outlot B of the Zox Lakeside Park subdivision and part of lot 89 of the Lagoon Addition to Zox Lakeside Park subdivision; located on the east side of Windside Dr. north of Center Dr./Algonquin Ave.; Sidwell#: 18-03-182-026

Applicant: Gjevalin Gegaj

Zoning District: R-10, One-Family Residential



E. NEW BUSINESS

3. ORCHARD MEWS LLC/TOWN COURT APARTMENTS (CASE #18-045)

Request: A variance **1.)** to exceed the maximum area of a wall sign (Section 3.1.22.I.vi.a.(2)); and **2.)** to permit a wall sign above a sign band (Section 3.1.22.I.vi.a.(1)).

Parcel: 7110 Orchard Lake Rd.; Unit 3 of the Westgate Shopping Center Condominium; located on the west side of Orchard Lake Rd. between W 14 Mile Rd. and Powers Rd.; Sidwell #: 18-34-426-037

Applicant: Orchard Mews, LLC

Zoning District: TCD, Township Center District

4. ABDULNOOR (CASE #V18-047)

Request: A variance **1.)** to encroach into the required deck sightline setback to construct a new deck on an existing nonconforming lakefront residence (Section 3.5.2.N.i.a)(Section 7.1.4).

Parcel: 4705 Wendrick Dr.; Lot 66 of the Walnut Lake Hills Subdivision; located on the southeast side of Wendrick Dr. between Tara Ct. and Maura Ln.; Sidwell #: 18-24-276-024

Applicant: Oudia Abdulnoor

Zoning District: R-15, One-Family Residential

F. MINUTES

1. Zoning Board of Appeals Regular Meeting - Thursday, January 3, 2019
2. Zoning Board of Appeals Regular Meeting - Tuesday, January 15, 2019

G. CORRESPONDENCE/OTHER

H. ADJOURNMENT



Gordon Bowdell, AICP
Zoning Coordinator / Planner



WELCOME TO THE WEST BLOOMFIELD ZONING BOARD OF APPEALS (ZBA)

The ZBA meets at 5:30 p.m. on the first and third Tuesday of each month, as needed (times and dates are subject to change). All meetings are open to the public. The ZBA is a five member body appointed by the township board that is established and regulated by state statute and township ordinance. The ZBA decides:

- All matters referred to it upon which it is required to pass under the zoning ordinance.
- Appeals where it is alleged there is error of law in any order, requirement, decision or determination made by the building inspector in the enforcement of the zoning ordinance.
- Where, owing to special conditions, a literal enforcement of the provisions of the zoning ordinance would involve practical difficulties or cause unnecessary hardship within the meaning of the zoning ordinance, the ZBA shall have power upon appeal in specific cases to authorize such variation or modification of the provisions of the zoning ordinance with such conditions and safeguards as it may determine, as may be in harmony with the spirit of this chapter and so that public safety and welfare be secured and substantial justice done. Variances or modifications of the provisions of the zoning ordinance shall not be granted unless it appears beyond a reasonable doubt that all of the following facts and conditions exist:
 1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties or class of uses in the same district or zone;
 2. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity;
 3. Granting of the variance or modification will not be materially detrimental to the public welfare or materially injurious to the property or improvements in such zone or district in which the property is located;
 4. Granting of the variance will not adversely affect the purpose or objectives of the township's master plan.

MEETING GUIDELINES AND RULES

1. New agenda items may be brought before the ZBA by calling the Community Development Department at 451-4842. Items are only placed on the agenda when they are deemed complete by the Community Development Department.
2. The tentative agenda is established before the meeting and is approved by the ZBA at the start of the meeting.
3. Adhere to the most recently published Roberts Rules of Order. Be recognized by the chair before speaking. Rudeness shall not be tolerated. Speak to agenda issues only.
4. Do not interrupt the public or a commission member when they are speaking. When a public hearing is in process, it is only for the public, commission members shall not speak until after the hearing is closed. Once the hearing is closed, comments from the public shall no longer be accepted.
5. Large groups shall appoint two or three representatives to present their pro or con position to the ZBA during their agenda item.
6. Items shall be reviewed in accordance with the following:
 - a. Each agenda item is introduced by the chairperson.
 - b. Township staff and/or consultants present their reports.
 - c. ZBA members may ask questions of the township staff and consultants.
 - d. Applicant presents the main points of the application.
 - e. ZBA members may ask questions of the applicant, township staff and/or consultants.
 - f. Persons wishing to speak shall come to the microphone and shall state their name and indicate whether they are a resident or non-resident. Speakers are not required to provide their address. Comments are to be limited to current agenda items only and are limited to three minutes in length.
 - g. ZBA members deliberate and arrive at a decision. Once there is a motion on an item, the public will no longer be recognized. After there is a final vote on a motion, no further comments will be taken.
7. Any changes will be at the discretion of the chairperson.

Cell phones must be turned off or set to silent at all meetings

The Township of West Bloomfield will provide necessary, reasonable auxiliary aids and services upon proper notification to the Township Clerk or the Development Services Director at 4550 Walnut Lake Road, Box 250130, West Bloomfield, MI 48325-0130, (248) 451-4800 or TDD (248) 451-4899. Such services provided include:

- Hearing impaired sound system & receivers – provide 1 day advance notice
- Signers for the hearing impaired – provide 2 weeks advance notice

