



## AGENDA

ZONING BOARD OF APPEALS MEETING  
CHARTER TOWNSHIP OF WEST BLOOMFIELD  
TOWNSHIP BOARD ROOM  
4550 WALNUT LAKE RD.

Thursday, September 7, 2017 - 5:30 P.M.

### BOARD MEMBERS

David Robertson, Chairman  
Cherie Van Vliet, Vice Chair  
Rhett Gronewelt, Secretary  
Don Jackson  
Robert Sher  
George Asker (Alternate)  
Dan Redstone (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. **RISIUS (CASE #17-020) WITH ALTERNATE REDSTONE (*postponed from July 18, 2017*)**  
**Request:** A variance *1.)* to permit a pool fence within the front yard and front yard setback (lakeside) to surround an in-ground pool. (*Section 26-5.13.5.B*)  
**Parcel:** 5857 Upper Straits Blvd.; Lot 28 of the Upper Straits Beach Subdivision; located on the south side of Upper Straits Blvd. east of Northwood Dr.; Sidwell #: 18-17-251-030  
**Applicant:** Colleen Nichols – LUXE Homes Design & Build on behalf of Jeffrey and Amy Risius  
**Zoning District:** R-15, One-Family Residential
2. **NAMY (CASE #V17-030) WITH ALTERNATE REDSTONE (*postponed from July 18, 2017*)**  
**Request:** A variance *1.)* to permit a 'powered pool cover' in lieu of a 4 ft. fence for an in-ground pool on a lakefront property. (*Section 26-4.1.6*)  
**Parcel:** 2676 Lari Ct.; Lot 53 of the Cass Lake Woods Subdivision; located on west side of Lari Ct. between Westcombe Ln. and Kitson Ln.; Sidwell #: 18-09-226-032  
**Applicant:** Brian McAndrews on behalf of Sam Namy  
**Zoning District:** R-10, One-Family Residential

#### E. NEW BUSINESS

1. **RISIUS (CASE #V17-046)**  
**Request:** A variance *1.)* to permit a 'powered pool cover' in lieu of a 4 ft. fence for a lakefront in-ground pool (*Section 26-4.1.6*)  
**Parcel:** 5857 Upper Straits Blvd.; Lot 28 of the Upper Straits Beach Subdivision; located on the south side of Upper Straits Blvd. east of Northwood Dr. Sidwell#: 18-17-251-030  
**Applicant:** Jeffrey and Amy Risius c/o Jeffrey Leib  
**Zoning District:** R-15, One-Family Residential
2. **NIEMIEC (CASE #V17-028) (*postponement request*)**



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**Request:** A variance 1.) to permit a guardrail/fence and pillars within the sightline setback and deck sightline setback of a lakefront property to surround an elevated patio. (Section 26-5.13.5.B) (Section 26-3.5.2.N.i.b); and 2.) to encroach into the required front yard setback on a lakefront property to permit retaining walls and applicable guardrail/fence in order to provide access to the lower/basement level. (26-5.13.5.B) (Section 26-3.5.2.N.i.a)  
**Parcel:** 7952 Flagstaff Dr.; Lot 42 of the of the Peninsular Park Subdivision; located on the north side of Flagstaff Dr. between Seaforth St. and Alpha Dr.; Sidwell#: 18-06-152-003

**Applicant:** Mary & Scott Niemiec  
**Zoning District:** R-10, One-Family Residential

3. **BUSSELL/PEVOS (CASE #V17-040)**

**Request:** A variance 1.) to encroach into the required rear yard (street side) setback to construct a new residence and attached garage on an existing nonconforming lakefront site. (Section 26-3.1.3.D)(Section 26-7.1.2.A)

**Parcel:** 6638 and 6636 Leytonstone; Lots 12,13,14, & 15 of the Pleasant Lake Highlands Subdivision; located on the north side of Leytonstone Blvd. between Loyalty St. and Linton Ter.; Sidwell#: 18-29-126-008 & 18-29-126-009

**Applicant:** Jeffrey Bussell / Debra Pevos  
**Zoning District:** R-12.5, One-Family Residential

4. **VIEDER (CASE #V17-042)**

**Request:** A variance 1.) to encroach into the required 35 ft. rear yard setback of a Planned Subdivision Option (PSO) lot to construct a covered deck and fireplace on an existing nonconforming residence (Section 26-3.12.4.D); 2.) to encroach into the required 35 ft. side yard (street side) setback of a Planned Subdivision Option (PSO) lot to construct a covered deck and fireplace on an existing non-conforming residence. (Section 26-3.12.4.D)

**Parcel:** 6530 Bristol; lot 1 of the Stonebridge Subdivision; located on the southwest corner of Bristol and Stone Bridge W; Sidwell#: 18-33-202-001

**Applicant:** Sanford Vieder  
**Zoning District:** R-15, One-Family Residential

F. **MINUTES**

1. Zoning Board of Appeals Regular Meeting of June 20, 2017
2. Zoning Board of Appeals Regular Meeting of July 18, 2017
3. Zoning Board of Appeals Regular Meeting of August 1, 2017
4. Zoning Board of Appeals Regular Meeting of August 15, 2017

G. **CORRESPONDENCE/OTHER**

H. **ADJOURNMENT**



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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

