

ZONING BOARD OF APPEALS
Meeting Minutes
WEDNESDAY, MAY 23, 2018

CALL TO ORDER: Chairman Lampl called the meeting to order at 7:00pm

ROLL CALL

PRESENT: Vice Chairman Scott Balutowicz, Board Members David Emerling and Phil Trzos and Alternate Board Member Marilyn Svaluto

ABSENT: Board Member Stephen Bernstein and Alternate Board Member John Fletcher

Motion to excuse Board Member John Fletcher and Stephen Bernstein by Board Member Phil Trzos; seconded by Vice Chairman Scott Balutowicz

AYES: 5

MOTION CARRIED

Motion to move Alternate Board Member Marilyn Svaluto to Board Member for May 23, 2018 meeting by Board Member David Emerling; seconded by Board Member Phil Trzos

AYES: 5

MOTION CARRIED

STAFF PRESENT: City Planner Jason Smith and Deputy Clerk Lori Gilman

REVIEW OF THE AGENDA

Motion to move Approval of Meeting Minutes before Meeting Open to the Floor by Board Member David Emerling; seconded by Vice Chairman Scott Balutowicz

AYES: 5

MOTION CARRIED

APPROVAL OF MEETING MINUTES

January 24, 2018

April 25, 2018

Motion to approve January 24, 2018 Meeting Minutes by Board Member David Emerling; seconded by Vice Chairman Scott Balutowicz

AYES: 5

MOTION CARRIED

Motion to approve April 25, 2018 Meeting Minutes, with the date change by Vice Chairman Scott Balutowicz; seconded by Board Member David Emerling

AYES: 5

MOTION CARRIED

PUBLIC COMMENT:

City Planner Smith provided a Dimensional Non-Use Variance Standards Worksheet. This worksheet will be included in each agenda packet and should be used by ZBA Board Members at each meeting. This worksheet will aid in making motions and can be used for note taking.

Closed to Public Comment

NEW BUSINESS

3195 Orchard Lake Road ZBA 18-002 – Creative Brick

Motion to excuse Vice Chairman Scott Balutowicz by Chairman Brian Lampl;
seconded by Board Member David Emerling

AYES: 5

MOTION CARRIED

John and Steven, from Creative Brick, indicated Creative Brick is a beautiful building with no rear space. They indicated there is no room in the back for the additional structure. The structure can be sold and holds items that are also for sales. Therefore, the Board Members determined this is an accessory building.

Planner Smith read his memo which stated, Section 15.13(c) the applicant proposes to install a detached accessory building in the front yard within the General Business (C-2) District which will include a wooden pavilion/patio cover that is 12 feet in height. The proposed variance is to allow the installation of a detached accessory building in the front yard.

SECTION 15.13 – Accessory Buildings

(c) No accessory building shall be permitted in any front yard.

When using the Dimensional Non-Use Variance Standards, it is determined that the applicant does not meet standard (d) or (e).

Motion to deny the dimensional (non-use) variance request for ZBA-18-002, 3195 Orchard Lake Road for Section 15.13(c) to allow a detached accessory building in the front yard within the General Business (C-2) District which will include a wooden pavilion/patio cover that is 12 feet as the request does not meet the specific standards for practical difficulty from Section 17.03(c) of the Zoning Ordinance.

by Chairman Brian Lampl; seconded by Board Member Phil Trzos

AYES: 4

MOTION CARRIED

Change of Bylaws for “3-minute time limit for public comment”


Motion to remove Change of Bylaws from agenda by Board Member David Emerling; seconded by Board Member Phil Trzos

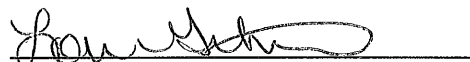
AYES: 5

MOTION CARRIED

ADJOURNMENT

Chairman Brian Lampl adjourned the meeting at 8:40pm


Brian Lampl
ZBA Chairman


Lori Gilman
Deputy Clerk