

A MEETING OF THE ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:30 PM, MONDAY, NOVEMBER 14, 2016 AT CITY HALL BY CHAIRPERSON EVANS.

PRESENT: Ryan Gesund Susan McAlpine Paul Evans
 Dean Smith Mike Kerby Miles Uhlar
 Steve Allen

ABSENT: Scott Emmons Greg Butts

ALSO PRESENT:

Rachel Piacentini, 1726 Oxford	Joann Stenquist, 1343 Wiltshire
Wendy Zabramski, 3340 Gardner	Jason and Ellorie Silver, 1363 Wiltshire
Barbara Morris, 1714 Wiltshire	Richard Tschirhart, 1445 Wiltshire
Dennis Hennen, 2411 Earlmont	Alan Kideckel, Council Liaison
Robert Brus, 2135 Dorothea	Amy Vansen, City Planner

APPROVAL OF AGENDA

**It was moved by Mr. Gesund to approve the agenda.
Supported by Ms. McAlpine.
AYES: Smith, Uhlar, Kerby, Allen, Gesund, McAlpine, Evans
NAYS: None
ABSENT: Emmons, Butts
Motion Carried.**

APPROVAL OF MINUTES

**It was moved by Ms. McAlpine to approve the minutes of October 20, 2016.
Supported by Mr. Kerby.
AYES: Smith, Uhlar, Kerby, Allen, Gesund, McAlpine, Evans
NAYS: None
ABSENT: Emmons, Butts
Motion Carried.**

Chairperson Evans reviewed the procedure for hearing cases.

1. **Application Number BA-10-16** Jason Silver, 1363 Wiltshire, Parcel ID #25-17-257-005, south side of Wiltshire, between Cass and Woodward, is requesting a

variance of *Berkley City Code*, Chapter 138 *Zoning*, Article IV *Off-Street Parking and Loading*, Section 138-222 *Parking Lot Location, Design, and Construction*, (1) *Single and Two Family Residential Uses*, (c) *Residential Driveways*, (1) For parcels less than 100 feet wide, no more than one driveway and approach per dwelling unit shall be permitted. The applicant is requesting this variance in order to construct a circular driveway on a 97 foot wide parcel.

The applicant, Jason Silver, was present. He reviewed that drivers on his property are precluded from getting to the rear yard because the driveway width—the distance between the house and the fence—is too narrow. The property on the east side is very low and wet. Brookline dead ends at Wiltshire across from this house so there is no on-street parking near his house. His family has seven cars at the present time although all seven cars are seldom parked at the house at the same time.

Mr. Smith advised that he was inclined to postpone the matter to give the applicant time to explore other options. He did not believe that this proposed solution would solve the problem. The narrowness of the proposed driveway will not allow drivers to exit the driveway without jockeying cars. In addition, the narrowness of the proposed driveway will give the appearance of cars parked directly on the lawn. He suggested that procuring a 3-foot easement from the westerly neighbor would be the most economical solution and provide the applicant access to the rear yard and garage.

Mr. Kerby concurred that there are alternatives that the applicant should explore including perhaps replacing the driveway with one along the east side of the house.

Chairperson Evans agreed that some of the standards for a variance exist, but not all.

Chairperson Evans opened the public hearing at 7:55 PM.

Barbara Morris, 1714 Wiltshire, was opposed to the request.
Richard Tschirhart, 1445 Wiltshire, was in favor of the request
Joann Stenquist, 1343 Wiltshire, was opposed to the request.

Chairperson Evans advised that a letter from a neighbor at 1450 Wiltshire was opposed to the request.

Hearing no further comments, Chairperson Evans closed the public hearing at 8:08 PM

There was discussion regarding easements, the location of trees on the property, and where a new driveway could legally be located.

**It was moved by Mr. Gesund to postpone BA-10-16 to the December 12, 2016 meeting.
Supported by Mr. Smith.**

AYES: Smith, Gesund, McAlpine, Evans
NAYS: Uhlar, Kerby, Allen
ABSENT: Emmons, Butts

OTHER BUSINESS

None

LIAISON REPORTS

Councilmember Kideckel advised that the Robina Plaza experiment had concluded and Robina at Twelve Mile is open again. The Holiday Lights Parade and the Snowman Shuffle are on December 3.

There is a joint meeting between City Council, Planning Commission and the Zoning Board of Appeals scheduled for December 9.

He wished everyone a Happy Thanksgiving.

PUBLIC COMMENTS

None.

There being no further business, Chairperson Evans adjourned the meeting at 8:29 PM.