

A MEETING OF THE ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:30 PM, MONDAY, JANUARY 9, 2017 AT CITY HALL BY CHAIRPERSON EVANS.

PRESENT: Ryan Gesund Susan McAlpine Paul Evans
 Dean Smith Mike Kerby Greg Butts
 Scott Emmons

ABSENT: None.

ALSO PRESENT:

Angela and Marco Cucco, 1862 Robina
David York, 1876 Robina Alan Kideckel, Council Liaison
Rachel Piacentini, 1726 Oxford Miles Uhlar, ZBA Alternate
Barbara Morris, 1714 Wiltshire Steve Allen, ZBA Alternate
Dennis Hennen, 2411 Earlmont Amy Vansen, City Planner

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

**It was moved by Mr. Gesund to approve the minutes of December 9, 2016 amended to show that Mr. Kerby was not present.
Supported by Mr. Smith.
AYES: Smith, Kerby, Gesund, McAlpine, Emmons, Butts, Evans
NAYS: None
Motion Carried.**

**It was moved by Ms. McAlpine to approve the minutes of December 12, 2016 amended as follows:
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ALSO PRESENT:

Rachel Piacentini, 1726 Oxford Dennis Hennen, 2411 Earlmont
Tom Kalas, 27799 Woodward Robert Robinette, 1021 Oxford
Barbara Morris, 1714 Wiltshire Jason Silver, 1363 Wiltshire

Jim Phillips, 1936 Beverly
Melanie Stevens, 1083 Oxford
Elyse Ciaravino, 1036 Oxford
Scott and Tricia Losey, 3083 Thomas
Jill Doemer, 1827 Buckingham
John and Pat DuLong, 959 Oxford
~~Dennis Honnen, 2411 Earlmont~~
Gabrielle Sweda, 1047 Eaton
Kamal and Maisoon Tato, 1060 Oxford

Brian Alimoff, 2380 Franklin
Jack Guirey, 1009 Oxford
Luann Linker, 2206 Dorothea
Joann Stenquist, 1343 Wiltshire
Alan Kideckel, Council Liaison
Miles Uhlar, ZBA Alternate
Steve Allen, ZBA Alternate
Amy Vansen, City Planner

Supported by Mr. Kerby.

AYES: Smith, Kerby, Gesund, McAlpine, Emmons, Butts, Evans

NAYS: None

Motion Carried.

1. **Application Number BA-01-17** Angela & Marco Cucco, 1862 Robina Ave, Lot 3 of the Berry's Subdivision, Parcel ID #25-18-478-003, east side of Robina, between Eleven Mile and Columbia, is requesting a variance of *Berkley City Code*, Chapter 138 *Zoning*, Division 17 *Schedule of Regulations*, Section 138-526 *Schedule of Regulations*. In the R-1D District, the smallest side yard setback shall not be less than 5 feet; both side yards shall total 15 feet; and Section 138-527 *Notes to schedule of regulations*, (d) There shall be a distance of at least 15 feet between dwellings. The applicant is requesting this variance in order to construct a second story addition on a nonconforming house. The house is 10.13 feet from the house to the north and approximately 2.35 feet from the north property line.

The applicant, Angela Cucco, was present. She advised that the existing house is very small—800 square feet. The second story would provide a 1600 square foot house and ample space.

There was discussion regarding the case and any alternatives available to the applicant. The applicant advised that while a rear addition would add a bedroom, the kitchen would remain too small. The Board was impressed with the building plans.

Chairperson Evans opened the public hearing at 7:47 PM.

David York, 1876 Robina, is immediately north of the property in question. He had no objections to the proposed addition.

Hearing no further comments, Chairperson Evans closed the public hearing at 7:50 PM.

It was moved by Ms. McAlpine to approve BA-01-17 citing that a practical difficulty had been proven to build a second story addition on the house where the addition is also 10.3 feet from the house to the north and 2.3 feet from the north lot line.

Supported by Mr. Butts.

AYES: Smith, Kerby, Gesund, McAlpine, Butts, Evans

NAYS: Emmons

Motion Carried.

2. **DISCUSSION:** Discussion regarding past variance cases for single family dwellings and current ordinances.

Per Mr. Kerby's request at the December meeting, a report was provided to the Board showing variance activity since 2001. The material included approval rates, types of variances requested, as well as how many houses have demolished and built in the City during that same time period.

The Board found the information helpful. No action was taken regarding the information presented.

Mr. Smith advised that he would bring the issue back to the Planning Commission as well.

OTHER BUSINESS

There was discussion regarding the City Attorney's opinion on ZBA alternates offering public comments. The Board wanted additional clarification from the City Attorney.

Chairperson Evans polled the Board members on the question of in-house training. The Board was interested. Ms. Vansen will follow up on the matter.

LIAISON REPORTS

Councilmember Kideckel thanked the Board and Administration for their hard work. There is a City Council meeting on January 23, 2017.

PUBLIC COMMENTS

The following people spoke during public comments:

Rachel Piacentini, 1726 Oxford.

There being no further business, Chairperson Evans adjourned the meeting at 8:38 PM.