

A MEETING OF THE ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:31 PM, FEBRUARY 10, 2014 AT CITY HALL BY CHAIRPERSON BAILEY.

PRESENT: Zachary Massad Dean Smith Mike Kerby
Greg Butts Barbara Morris Linda Rogers
Linda Bailey

ABSENT: None

ALSO PRESENT: Paul Evans
Geoffrey Pulk, 3358 Kipling
Alan Kideckel, Council liaison
Amy Vansen, City Planner

APPROVAL OF AGENDA

It was moved by Ms. Rogers to approve the agenda.

Supported by Mr. Kerby.

AYES: Massad, Butts, Morris, Kerby, Rogers, Smith, Bailey

NAYS: None

Motion Carried.

- 1. Application Number BA-01-14** Geoffrey Pulk, 3358 Kipling, east side of Kipling, between Twelve Mile and Beverly is requesting a variance in order to construct a garage that will be attached and 11 feet from the rear lot line *or* detached and 1.7 feet from the house and 3.1 feet from the rear lot line. *Berkley City Code, Chapter 138 Zoning, Article III General Provisions, Section 138-52 Attached to main building* Where the accessory building is attached to a main building it shall conform to, all regulations of this chapter applicable to the main building; *Sec. 138-55 Setback, from the rear lot line at least 5 feet, from the main building at least 10 feet; Article V District Regulations, Section 138-526 Schedule of Regulations Rear Setback in the R-1D District: 35 feet.*

Mr. Pulk was present. He stated that when he moved to this house it was 1100 square feet. He has since added on 1000 square feet. The garage is unsafe. While repairs could be made, Mr. Pulk did not think this was the best way to correct the safety issues. Demolition and new construction were the best way.

The Board observed that Mr. Pulk had provided two options for a new garage: detached and attached; which did the applicant prefer? Mr. Pulk responded that he preferred the attached version as it would fit nicely in an existing niche at the rear of the house. The Board observed that the attached version would provide for the required utility easement at the rear of the property.

Some Board members questioned whether the garage being 14.2 feet by 20.1 feet was an adequate size. The applicant advised that this size garage seemed to fit the property.

Chairperson Bailey opened the public hearing at 7:43 PM.

Hearing no comments, she closed the public hearing at 7:43 PM.

It was moved by Ms. Rogers to approve BA-01-14 citing that the practical difficulty is the shallow rear yard. This variance will permit the construction of an attached, 14.2 by 20.1 foot, 15 foot tall garage as described in the application.

Supported by Ms. Morris.

AYES: Massad, Butts, Morris, Kerby, Rogers, Smith, Bailey

NAYS: None

Motion Carried.

OTHER BUSINESS

The Board reviewed changes to the City's informational brochure on the ZBA. Changes suggested will be brought back to the next meeting.

Ms. Rogers announced that this would be her last meeting as she is moving out of the City. The Board wished her well.

There being no further business, Chairperson Bailey adjourned the meeting at 7:57 PM.