

**ROYAL OAK ZONING BOARD OF APPEALS
CITY OF ROYAL OAK, MICHIGAN**

**Regular Meeting
Thursday, August 10, 2023
7:00 P.M.**

Present

Trevis Moore
Jeff Klatt
Robert Gavin, Vice Chairperson
Arvind Reddy
Deborah Zukin
Nancy Robinson
Aaron Kurilik,

Absent

Anthony Offak, Chairperson
Samantha Grant

Joseph M. Murphy, Director of Planning
Alexander J. Bahorski, Planner II
Ryan Kaluzny, Assistant City Attorney

Agenda

A. Call to Order & Roll Call

B. Approval of Minutes for July 13, 2023

C. Unfinished Business

1. **Case No. 23-07-14 – public hearing on the appeal of Nathan Zaher, petitioner & Sylvan Drive LLC, owner, for the following variance:**
 - (a) **Use Variance**
 - (b) **Waive 1,932.25 sq. ft. of the minimum required 9,000 sq. ft. of lot area**
 - (c) **Waive 2 of the minimum required 4 off-street parking spaces to allow an existing single-family dwelling to be converted into a two-family dwelling at 3041 Sylvan Dr. (25-09-204-012).**

D. New Business

1. **Case No. 23-08-16 – public hearing on the appeal of Martini Samartino Design Group, petitioner & Michael Campbell, owner, for the following variances:**
 - (a) **Waive 983 sq. ft. from the maximum permitted usable floor area of 3,500 sq. ft. for a single-family dwelling**
 - (b) **Waive 485 sq. ft. from the maximum allowable 800 sq. ft. of floor area for attached garages / accessory buildings**
 - (c) **Waive 1.4 ft. of the maximum allowable height of 15 ft. for an accessory structure to permit construction of a new two-story single-family dwelling with attached garages / accessory buildings at 304 Lexington Blvd. (25-04-429-019).**

E. Other Business

F. General Public Comment

G. Adjournment

Call to Order

The regular meeting was called to order at 7:00 p.m. by Vice Chairperson Gavin. He informed the audience that the board does not write the zoning ordinance but does have the authority to grant relief

from it where practical difficulty or unnecessary hardship would result. He stated the board will vote on each agenda item following a public hearing. Use variance requests require a minimum of 6 affirmative votes in order to grant the requested variances. Non-use variance requests require a minimum of 5 affirmative votes in order to grant the variances. Petitioners were directed to limit their presentations to 10 minutes and that each participant in a public hearing limit their comments to 3 minutes. He further pointed out to petitioners that the absence of a full board at tonight's meeting and their opportunity to request that their agenda item be postponed until the next regular meeting due to the circumstances.

Roll Call

Present

Trevis Moore
Jeff Klatt
Robert Gavin, Vice Chairperson
Arvind Reddy
Deborah Zukin
Nancy Robinson
Aaron Kurilik

Absent

Anthony Offak, Chairperson
Samantha Grant

Approval of Minutes for July 13, 2023

Moved by: Ms. Zukin
Supported by: Mr. Moore

Moved, that the minutes of the July 13, 2023, regular meeting be approved as presented.

Motion adopted unanimously.

Unfinished Business

1. Case No. 23-07-14 – 3041 Sylvan Dr. (25-09-204-012)

Moved by: Mr. Moore
Supported by: Mr. Reddy

Moved, that the appeal of Nathan Zaher, petitioner & Sylvan Drive LLC, owner, for the following variance:

- (a) Use Variance
- (b) Waive 1,932.25 sq. ft. of the minimum required 9,000 sq. ft. of lot area
- (c) Waive 2 of the minimum required 4 off-street parking spaces
to allow an existing single-family dwelling to be converted into a two-family dwelling at 3041 Sylvan Dr. (25-09-204-012), be postponed.

Motion adopted unanimously.

New Business

1. Case No. 23-08-16 – 304 Lexington Blvd. (25-04-429-019)

Vice Chairperson Gavin opened the public hearing. After everybody spoke, Vice Chairperson Gavin closed the public hearing.

Moved by: Mr. Klatt

Supported by: Ms. Robinson

Moved, that the appeal of Martini Samartino Design Group, petitioner & Michael Campbell, owner, for the following variances:

- (a) Waive 983 sq. ft. from the maximum permitted usable floor area of 3,500 sq. ft. for a single-family dwelling
- (b) Waive 485 sq. ft. from the maximum allowable 800 sq. ft. of floor area for attached garages / accessory buildings
- (c) Waive 1.4 ft. of the maximum allowable height of 15 ft. for an accessory structure to permit construction of a new single-family dwelling with attached garages / accessory buildings at 304 Lexington Blvd. (25-04-429-019), be approved.

Motion fails (3-4).

Yes: Vice Chairperson Gavin, Mr. Klatt, Ms. Robinson

No: Mr. Reddy, Mr. Moore, Ms. Zukin, Mr. Kurilik

Non-use variances require 5 affirmative votes for approval. The petitioner failed to obtain the minimum number of affirmative votes to approve the variance request.

Moved by: Mr. Moore

Supported by: Mr. Klatt

Moved, that the appeal of Martini Samartino Design Group, petitioner & Michael Campbell, owner, for the following variances:

- (a) Waive 983 sq. ft. from the maximum permitted usable floor area of 3,500 sq. ft. for a single-family dwelling
- (c) Waive 1.4 ft. of the maximum allowable height of 15 ft. for an accessory structure to permit construction of a new single-family dwelling with attached garages / accessory buildings at 304 Lexington Blvd. (25-04-429-019), be approved.

Motion fails (4-3).

Yes: Vice Chairperson Gavin, Mr. Klatt, Ms. Robinson, Mr. Moore

No: Mr. Reddy, Ms. Zukin, Mr. Kurilik

Non-use variances require 5 affirmative votes for approval. The petitioner failed to obtain the minimum number of affirmative votes to approve the variance request.

Moved by: Mr. Moore

Supported by: Mr. Klatt

Moved, that the appeal of Martini Samartino Design Group, petitioner & Michael Campbell, owner, for the following variances:

- (a) Waive 983 sq. ft. from the maximum permitted usable floor area of 3,500 sq. ft. for a single-family dwelling to permit construction of a new single-family dwelling with attached garages / accessory buildings at 304 Lexington Blvd. (25-04-429-019), be approved.

Motion fails (4-3).

Yes: Vice Chairperson Gavin, Mr. Klatt, Ms. Robinson, Mr. Moore

No: Mr. Reddy, Ms. Zukin, Mr. Kurilik

Non-use variances require 5 affirmative votes for approval. The petitioner failed to obtain the minimum number of affirmative votes to approve the variance request.

Other Business

None.

Public Comment

Vice Chairperson Gavin opened public comment. After everybody spoke, Vice Chairperson Gavin closed the public comment.

Adjournment

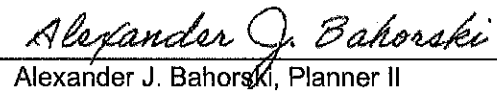
Moved by: Ms. Zukin
Supported by: Mr. Reddy

Moved, that the meeting adjourned at 7:56 p.m.

Motion adopted unanimously.



Anthony Offak, Chairperson



Alexander J. Bahorski, Planner II