



**CITY OF WALLED LAKE
ZONING BOARD OF APPEALS
(ELECTRONIC MEETING PLATFORM)
MONDAY, JUNE 28, 2021**

The Meeting was called to order at 7:30 p.m.

ROLL CALL: Arnold, Gunther, O'Rourke, Rundell

ABSENT: Easter

OTHERS PRESENT: Consultant City Planner Ortega, Building Official Wright, City Attorney Vanerian, Planning Commission Liaison Neal Wolfson, and Recording Secretary Stuart

REQUESTS FOR AGENDA CHANGES: None

ZBA 6-1-21 MOTION TO EXCUSE MEMBER EASTER FROM TONIGHT'S MEETING

Motion by Gunther, seconded by Arnold: CARRIED: To excuse member Easter from tonight's meeting.

APPROVAL OF MINUTES:

ZBA 6-2-21 APPROVAL OF THE MAY 24, 2021, ZONING BOARD OF APPEALS MEETING MINUTES

Motion by Rundell, seconded Gunther: CARRIED: To approve the May 24, 2021, Zoning Board of Appeals meeting minutes.

COMMUNICATION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Case: 2021-07
Applicant: Neva Heliker
Location: 252. S. Pontiac Trail
Request: Non-use Variance

This matter relates to property at above referenced location. Applicant proposes Per the ordinance an accessory structure is not permitted on a lot unless there is a principle use already lawfully established on the same lot. The applicant is requesting variance from Article 21.00 General Provisions, accessory buildings, structures, and uses as an accessory structure from the Walled Lake Zoning Ordinance for placement of a 3ft decorative fence on waterfront lot.

Applicant Neva Heliker stated she has lived here in Walled Lake for a number of years and has seen an increase and use of her waterfront property along S Pontiac Trail as traffic has increased. Ms. Heliker explained random people will stop to watch sunset, answer phone or whichever the case may be on her waterfront property. Ms. Heliker explained she would like to protect her property and herself from any lawsuits. Ms. Heliker explained her fence would be compatible with the neighboring fences.

Board Member O'Rourke explained that on page 15 of the packet it shows the location of the property but also the split rail fence design. Mr. O'Rourke explained he visited the site, and the split rail fence is in line with applicant's neighbors. Mr. O'Rourke explained he did random witness traffic turning around on the applicant's gravel lot.

City Planner Ortega said the applicant is proposing to delineate their land and that is something most property owners have a right to do and utilization of this type of fence would provide that function. City Planner Ortega explained by not allowing the property owner this use, that would be a practically difficulty a hardship for the property owner to enjoy a right that is enjoyed by other property owners. City Planner Ortega explained this type of variance is consistent with normal standards and the fact this is a practical use.

AUDIENCE PARTICIPATION:

Mr. Henry Madsen, 206 Rosebud Court – said he is a neighbor to applicant and is for the addition of this fence as it would make it look nice all the way down the road and totally supports request.

DISCUSSION: None

ZBA 6-3-21 MOTION TO APPROVE ZBA CASE 2021-07 A VARIANCE FROM ARTICLE 21.00 TO ALLOW AN ACCESSORY STRUCTURE FOR PLACEMENT OF A THREE-FOOT DECORATIVE FENCE ON WATERFRONT LOT

Motion by Arnold, seconded Gunther: CARRIED: To approve ZBA case 2021-07 a variance from Article 21.00 to allow an accessory structure for placement of a three-foot decorative fence on waterfront lot.

Roll Call Vote

Ayes (4) Rundell, O'Rourke, Arnold, Gunther
Nays (0)
Absent (1) Easter
Abstain (0)

ADJOURNMENT

ZBA 6-4-21 MOTION TO ADJOURN

Motion by Rundell seconded by Gunther, CARRIED, to adjourn the meeting at 7:49 p.m.



Jennifer Stuart
Recording Secretary

Dennis O'Rourke
Vice Chairman

approved 10/25/21