



**CITY OF WALLED LAKE
ZONING BOARD OF APPEALS
MONDAY, MARCH 27, 2023**

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

ROLL CALL: Easter, Gunther, Rundell

ABSENT: Arnold

OTHERS PRESENT: City Attorney Vanerian, Planning Commission Liaison Wolfson,
City Planner Ortega

Members attending via electronic means of Zoom from Walled Lake, Michigan.

**ZBA 03-01-23 MOTION TO EXCUSE BOARD MEMBER ARNOLD
FROM TONIGHT'S MEETING**

Motion by Rundell, seconded by Gunther, UNANIMOUSLY CARRIED: To excuse Board Member Arnold from tonight's meeting.

REQUESTS FOR AGENDA CHANGES: None

APPROVAL OF MINUTES:

**ZBA 03-02-23 APPROVAL OF THE FEBRUARY 27, 2023 ZONING BOARD OF
APPEALS MEETING MINUTES**

Motion by Rundell, seconded Easter: CARRIED: To approve the February 27, 2023 Zoning Board of Appeals meeting minutes.

COMMUNICATION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Case: 2023-04
Applicant: LAG Walled Lake, LLC
Location: 1172 N. Pontiac Trail., Parcel ID#: 92-17-26-351-018
Request: Non-use Variance

This matter relates to the above-referenced property. The applicant proposes site improvements to enclose Applicant's commercially zoned vehicle inventory lot with a security fence that would require a locational variance from the following section of the Zoning Ordinance:

- Section 51-21.13(a) prohibits fences in the front yard of the commercially zoned property. The applicant proposes erecting a six ft. (6') high fence across the full width of the front yard of Applicant's commercially zoned vehicle inventory storage lot that would be set back thirty-five ft. (35') from Pontiac Trail which requires a locational variance from the front yard fence prohibition applicable to commercial property.

Open Public Hearing 7:35 p.m.

Rachelle Cress, LAG Walled Lake, LLC representative explained they are wanting to place a perimeter fence around the used car lot. Ms. Cress explained there has been several instances of theft and damage to vehicles.

Vice Chairman Gunther asked City Planner Ortega about the required dedication of 27 feet of both parcels for the N. Pontiac Trail future right-of-way (ROW) to the Road Commission of Oakland County that the Planning Commission required.

Consultant City Planner Ortega explained this dedication should have occurred when the road was placed, and it was never done. Planner Ortega explained the Planning Commission reviews these types of dedications when parcels come before them, to align the sites with the future land use map. Planner Ortega explained the Planning Commission verifies the future ROW is properly dedicated. Planner Ortega explained the parcels next to subject parcel, have already addressed this.

Chairman Easter asked as the road widths and designs change do the right-of-way(s) as well.

Consultant Planner Ortega explained when the city was established, certain widths were created, this request now is to make sure that the ROW is dedicated properly. Planner Ortega explained Pontiac Trail is a county road 120 feet in width and relocating the fence placement would require the applicant to remove pavement and 12 parking spaces. Planner Ortega explained rather than do that the applicant has agreed to if in the future the need presents itself and the county requires the ROW, the applicant has agreed to relocate the fence.

Vice Chairman Gunther asked if all the properties along Pontiac Trail have to dedicate the 27 feet and do they even have 27 feet to dedicate. Vice Chairman Gunther said if Oakland County asks for additional ROW. The applicant would possibly be asked to relocate their fence.

Close Public Hearing 7:41 p.m.

ZBA 03-03-23 MOTION TO ADOPT RESOLUTION 2023-07 A RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE CITY OF WALLED LAKE GRANTING THE APPLICANT'S REQUEST FOR A VARIANCE FROM THE FRONT YARD FENCE

**PROHIBITION UNDER SECTION 51-21.13(A) OF THE ZONING
ORDINANCE FOR THE REASON THAT APPLICANT
DEMONSTRATED A PRACTICAL DIFFICULTY**

Motion by Rundell, seconded by Gunther, CARRIED: To adopt resolution 2023-07 a resolution of the Zoning Board of Appeals of the City of Walled Lake granting applicant's request for a variance from the front yard fence prohibition under Section 51-21.13(a) of the zoning ordinance for the reason that applicant demonstrated a practical difficulty.

Roll Call Vote

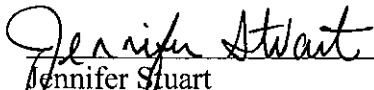
Ayes (3)	Rundell, Gunther, Easter
Nays (0)	
Absent (1)	Arnold
Abstain (0)	

ADJOURNMENT

ZBA 03-04-23

MOTION TO ADJOURN

Motion by Rundell seconded by Gunther, CARRIED, to adjourn the meeting at 7:50 p.m.



Jennifer Stuart
Recording Secretary

Jason Easter
Chairman

approved 9/25/23