



**CITY OF WALLED LAKE  
ZONING BOARD OF APPEALS  
MONDAY, JULY 25, 2016**

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

**ROLL CALL:** Ackley, Easter, Gunther, Swett

**ABSENT:** DeCourcy, Stephan

**OTHERS PRESENT:** City Attorney Vanerian, Recording Secretary Joyce

**REQUESTS FOR AGENDA CHANGES:**

**APPROVAL OF MINUTES:**

**ZBA 07-01-16 APPROVAL OF THE MAY 18, 2015 ZONING BOARD OF APPEALS MEETING MINUTES**

Motion by Ackley, seconded Gunther, **CARRIED UNANIMOUSLY:** To approve the May 18, 2015 Zoning Board of Appeals meeting minutes

**COMMUNICATION:** None

**AUDIENCE PARTICIPATION:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**1. Public Hearing**

Open Public Hearing 7:35 p.m.

1. Case # 2016-1  
Applicant: Pontiac Trail Business Center  
Location: 861 N. Pontiac Trail  
Walled Lake, MI 48390  
Request: Non-Use Variance

This matter relates to the property located at 861 N. Pontiac Trail. The applicant is requesting a variance from Article 17 of the Walled Lake Zoning Ordinance to allow the reduction of the required front yard setback from 15 feet to 7 feet, 6 inches for a new building.

Mr. Jim Maher stated that he has rental properties in several locations in the area in which they store equipment. They would like to keep all of their equipment under one roof so they have been working with the Planning Commission for site plan approval for approximately 2 years. They are trying to satisfy all City Boards as well as the local community. At the May, 2015, Zoning Board of Appeals meeting local residents were concerned about the bus stop in the area as well as screening in the rear of the property. Mr. Maher stated that they have met with the local residents in an effort to resolve their issues and concerns. Mr. Maher stated that they will be leaving the screening to the rear of the property as well as the landscaping but due to the ordinance, a 6 foot high block wall will be constructed.

He said initially they had requested a 0 foot lot line along Pontiac Trail and a 0 foot lot line along Spring Park. He said he is proposing a new plan for a new building. He said he reduced the size of building and set it back both along Pontiac Trail and Spring Park. He stated that he personally went door-to-door in an effort to communicate with neighbors in the area what their intent was as well as address their concerns.

He said he and his team has put all recommendations together and gone back for site plan approval. Again he stated he reduced the size of the building, set the building back, set side lot lines back. They have gone back to the Planning Commission their plans based on the Zoning Board of Appeals review.

Board Member Ackley inquired about the storage shed. He said the three storage sheds will be removed once the construction building is completed. He said the Zoning Board has initially approved and extended the approval several times.

The Board asked about traffic flow, Mr. Maher said that the traffic will now be a two way traffic pattern. He said primarily, traffic will come in off of Spring Park and the entrance off of Pontiac Trail will stay where it currently is. It was asked if the Spring Park Road could handle the weight of the equipment. Mr. Maher said they have nothing of special load classification. Their equipment is of Class B loads. He said Spring Park is classified as a Class B road and Pontiac Trail as a Class A.

The Board commended Mr. Maher on the work he has done to meet the requests, complaints and concerns of everyone.

Mr. Maher said they actually set the building back 11'6" from Pontiac Trail and the requirements are actually 15 feet. This enabled them to align all of the buildings along Pontiac Trail. This alleviated the corner even more and gave the bus stop people more room. It also gave more sightline. Bumping the fascia of the front entrance give them an air lock and an architectural feature. They are also asking for a 7'6" variance on the front.

Board Member Easter asked about the loading area. Mr. Maher said loading is to be done in the very back. The intent is to pull in off of Spring Park and do loading and unloading. They do not have a lot of loading and unloading and it would be done indoors. The doors facing the south will accommodate their equipment and trucks.

The drainage issue that concerned some of the residents at the May, 2015 meeting was discussed and they have engineered the storm water prior to site plan approval to about 90%. Boss Engineering is comfortable with what they have propped for storm water retention.

City Attorney Vanerian said that a second variance is actually needed. He said 7'6" foot setback along Pontiac Trail as well as a side yard variance along Spring Park of 13'. Board Member Ackley stated that according to McKenna's letter a Spring Park variance is not required. McKenna's letter of May 10 which was submitted to the Planning Commission states that the zoning is a 2 foot setback along Spring Park. She said a variance would be required for front yard along Spring Park. It was asked if this variance can be approved tonight without it being advertised. Attorney Vanerian stated it could be as the one setback was advertised.

**AUDIENCE PARTICIPATION: None**

**ZBA 07-02-16      MOTION TO APPROVE VARIANCE FOR CASE 2016-1: 861 N. PONTIAC TRAIL MAHER RESTORATIONS FRONT SETBACK OF 7'6" ALONG PONTIAC TRAIL AND SIDE SETBACK OF 13' ALONG SPRING PARK WITH AGREEMENT THAT THE C-CONTAINERS WILL BE REMOVED OFF OF THE PREMISES ONCE THE PROJECT IS COMPLETE**

Motion by Ackley, seconded by Gunther, CARRIED UNANIMOUSLY: To approve variance for Case 2016-1: 861 N. Pontiac Trail Maher Restorations front setback of 7'6" along Pontiac Trail and side setback of 13' along Spring Park with agreement that the C-containers will be removed off of the premises once the project is complete

Roll Call Vote:

Yes: (4)      Gunther, Ackley, Easter, Swett  
No: (0)  
Absent: (2)    DeCourcy, Stephan  
Abstain: (0)

(4-0) MOTION CARRIED

*Close Public Hearing 7:55 p.m.*

Board Member Ackley commented on the good job that Board Member Easter did with conducting the meeting and would like to nominate hm as Chairman of the Zoning Board of Appeals.

**ZBA 07-03-16            MOTION TO APPROVE JASON EASTER AS CHAIRMAN OF  
ZONING BOARD OF APPEALS**

Motion by Ackley, seconded by Gunther, CARRIED UNANIMOUSLY: To approve Jason Easter as Chairman of Zoning Board of Appeals

**PC 07-04-16            ADJOURNMENT**

Motion by Ackley, seconded by Gunther, CARRIED UNANIMOUSLY: To adjourn the meeting at 8:06 p.m.

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Janell Joyce  
Recording Secretary

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Jason Easter  
Chairman