



**CITY OF WALLED LAKE  
ZONING BOARD OF APPEALS  
MONDAY, AUGUST 25, 2025**

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

**ROLL CALL:** Arnold, Easter, Gunther, O'Rourke

**ABSENT:**

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

**REQUESTS FOR AGENDA CHANGES:**

Recording Secretary Stuart explained applicant for case 2025-01 would be attending via Zoom and was not online yet.

Chairman Easter suggested moving case 2025-03 ahead of 2025-01 until they are logged on.

**APPROVAL OF MINUTES:**

**ZBA 08-01-25 APPROVAL OF THE JUNE 30, 2025 ZONING BOARD OF  
APPEALS MEETING MINUTES**

Motion by O'Rourke, seconded Gunther: MOTION CARRIED: To approve June 30, 2025 Zoning Board of Appeals meeting minutes.

**COMMUNICATION:** None

**UNFINISHED BUSINESS:**

2. Case No.: 2025-03  
Applicant: Adam and Stacey Virga  
Location: 142 Arvida, Walled Lake  
Parcel ID# 92-17-35-352-037  
Request: Non-use Variance

This matter relates to the above referenced property. Applicants propose constructing a thirty ft. (30') x thirty ft. (30') carport in the front yard of Applicants' single-family lot with a six ft. (6') setback from the west side lot line which would require a locational variance from the following section of the Zoning Ordinance:

- Section 51-21.10(c)(1) requires placement of detached accessory structures in the rear yard of single-family residential lots. Applicants propose constructing a thirty ft. (30') x thirty ft. (30') carport in the front yard of Applicants' single-family lot with a six ft. (6') setback from the west side lot line which would require a locational variance from the rear yard placement requirement for detached accessory structures.

Mrs. Virga explained she and her husband met with City Planner Ortega and he helped to clarify the building codes. Mrs. Virga said several different options were discussed such as attaching home, shifting the structure, and removing trees to place in suggested location. Mrs. Virga said the attachment to home is not a viable option. Mrs. Virga said according to building code and ordinances, Article 17 requires a five-foot setback. Mrs. Virga explained there is a 3 ft setback and then it would require a total setback of 17 feet. Mrs. Virga said her home was built so long ago that its location may have been legal at that time. Mrs. Virga explained there is a window well if relocated that would only be 3 feet from corner or the structure to the back of the car port. This would be an intrusion on the area. Mrs. Virga said the current maple tree is seven feet from the suggested relocation and there are several tree roots that come into that corner, it is also not a possible solution.

Chairman Easter said the board was not suggesting the front corner of home but connecting the proposed structure to the front porch.

Mrs. Virga said the third slide shows there is a bedroom window there and it would block the views.

Chairman Easter said moving trees and roots would give applicant 30-feet.

Discussion was held on drawings showing existing land and proposed structure and all possible solutions.

Chairman Easter suggested pursuing attaching structure to front porch corner, the structure then becomes part of the principal structure, and a variance would not be required.

City Planner Ortega said it then becomes a breezeway and the setbacks become different if part of the single-family home. City Planner Ortega said the applicant's building envelope follows the current setback, which is 5 feet, this is a legal non-conforming home. Mr. Ortega explained the dashed line in applicant's picture shows the viable options. He said whether the mass of the structure is attached or detached, it is still in front of the home. Mr. Ortega explained the benefit of this location for the applicant is that it is not self-created. City Planner Ortega explained that right now with the ordinance requirements, there is 112 feet of the front yard not being utilized, the proposed structure is not obtrusive to other neighbors as the other homes are closer than 112 feet.

Vice Chairman Gunther explained when looking at the Established Residential Building Pattern (ERBP) it is not in the ERBP with the other neighbors.

Board Member O'Rourke said the board has not received anything from the neighbors opposing the location of the structure. Recording Secretary Stuart confirmed no.

Mrs. Virga explained her neighbor to the west is setback 42 feet, to the east the neighbor is setback 36 feet. Mrs. Virga said the proposed structure is well over 20 feet from neighbors, trees screen the entire area, the east and west side of the road is also covered, and they will maintain the vegetative screening. Mrs. Virga said that a quarter of the homes in the area with detached garages are in front of the homes, we are not setting up a new precedent, just down the street on Arvida and Bluffton homes have garages in the front as well.

Chairman Easter said he researched this as well and explained the other structures, are grandfathered in. Cheriton goes through to Arvida and on Leeds the neighbor built a garage on an empty lot which the board at the time, approved. Chairman Easter said the applicant's lots have been combined to one parcel, which is good because if lots 82 and 83 stood independent as they once did, a detached accessory structure could not be built on a lot that did not have a primary principal use. Chairman Easter asked if the ERBP, as mentioned by Mr. Gunther and the unique location of the home as mentioned by Mr. Ortega, can the board if looking at the aerial, approve under the guide of the ERBP front lot lines of the neighbors.

City Attorney Vanerian explained the proposed carport would still be to the rear of the neighboring properties because the applicant is set back 112 feet. City Attorney Vanerian said there are built in factors that are taken into consideration when a variance is granted such as the uniqueness of the lot itself. City Attorney Vanerian explained the lot is setback much further back on the street compared to any of the houses on this street. City Attorney Vanerian said if the board were inclined to grant the variance, this is a unique circumstance. He said the home is so far back to the rear of adjacent homes. City Attorney Vanerian explained that the resolutions that are prepared are part of the record of approval. This is all part of the record, the applicants submittals, the resolutions, the minutes, the adopted resolution, they all become the basis for the ZBA findings and action. City Attorney Vanerian said the board may articulate this but he believed it has been covered.

Chairman Easter said based on the ERBP, this would meet the criteria to grant using the submitted paperwork.

Vice Chairman Gunther asked Mr. Wolfson for any comment. Mr. Wolfson said this is a very unusual situation compared to the other homes in the area. He said it is unfortunate the applicant's home is so far back, it would be prudent to provide leeway to the applicant.

Board Member Arnold asked for clarification if the applicant is moving closer as requested by the board or pursuing as submitted.

Chairman Easter responded as submitted.

**ZBA 08-02-25      MOTION TO APPROVE RESOLUTION 2025-02 FOR ZBA CASE 2025-03 A RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE CITY OF WALLED LAKE GRANTING APPLICANT'S REQUEST FOR A VARIANCE FROM SECTION 51-21.10(C)(1) OF THE ZONING ORDINANCE REQUIRING PLACEMENT OF DETACHED ACCESSORY STRUCTURES IN THE REAR YARD OF SINGLE-FAMILY RESIDENTIAL LOTS FOR THE REASON THAT APPLICANT DEMONSTRATED A PRACTICAL DIFFICULTY**

Motion by O'Rourke, seconded by Gunther: MOTION CARRIED: To approve resolution 2025-02 for ZBA Case 2025-03 a resolution of the Zoning Board of Appeals of the City of Walled Lake granting applicant's request for a variance from Section 51-21.10(c)(1) of the zoning ordinance requiring placement of detached accessory structures in the rear yard of single-family residential lots for the reason that applicant demonstrated a practical difficulty.

Roll Call Vote

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

1.      Case No.:      2025-01  
         Applicant:      Glen Michael Anderson  
         Location:      1452 N. Pontiac Trail, Walled Lake  
                              Parcel ID# 92-17-26-376-006  
         Request:      Special accessory use approval

This matter relates to the above referenced property. Applicant proposes housing and raising an unspecified number of chickens on applicant's above referenced single family residential property that requires special accessory use approval pursuant to the following section of the Zoning Ordinance:

- Section 51-21.38 prohibits the keeping, raising or breeding of farm and other non-domestic animals except as may permitted by and under conditions of public safety, comfort, convenience and quiet use of property imposed by the zoning board of appeals. Applicant proposes housing and raising an unspecified number of chickens on applicant's above single-family residential property which requires special accessory use approval by the ZBA pursuant to the above referenced provisions of the zoning ordinance.

Recording Secretary said applicant for ZBA case 2025-01, Mr. Anderson is online and available.

Board Member O'Rourke asked about the quantity of chickens.

Mr. Anderson said six chickens and he has neighbors present online that are in support of his chicken coop.

Vice Chairman Gunther asked about amending the ordinance to permit a certain number of chickens by right.

City Attorney Vanerian said yes the council could discuss this and have a spacing requirement per chicken coop.

Board Member Arnold confirmed no roosters would be permitted.

Mr. Anderson said yes, only six chickens, no rooster, and no changes to presented chicken coop and run.

Board Member O'Rourke thanked Mr. Anderson for providing all the additional detail to the board it was helpful.

**ZBA 08-03-25      MOTION TO RESOLUTION 2025-03 FOR ZBA CASE 2025-01 A  
RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE  
CITY OF WALLED LAKE GRANTING APPLICANT'S REQUEST  
FOR SPECIAL ACCESSORY USE APPROVAL TO HOUSE  
NO MORE THAN SIX CHICKENS, NO KEEPING OF ROOSTERS,  
NO ALTERATIONS TO PRESENTED CHICKEN COOP AND RUN  
FOR THE REASON THAT APPLICANT DEMONSTRATED THE  
PROPOSED USES SATISFIES CONDITIONS OF PUBLIC  
SAFETY, COMFORT, CONVENIENCE AND QUIET USE OF  
PROPERTY**

Motion by O'Rourke, seconded by Gunther: MOTION CARRIED: To approve resolution 2025-03 for ZBA Case 2025-01 a resolution of the Zoning Board of Appeals of the City of Walled Lake granting applicant's request for special accessory use approval to house no more than six chickens, no keeping of roosters, no alterations to presented chicken coop and run for the reason that applicant demonstrated the proposed uses satisfies conditions of public safety, comfort, convenience and quiet use of property.

#### Roll Call Vote

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

## DISCUSSION

Board Member Arnold said he agrees the board is hearing applicants for this request time and time again because this request does not make sense. He said if this is something the community wants, he feels the board needs to adopt what works for the community. He said he personally enjoys this hobby, and he does not think his chickens bother anybody any worse than a dog might. He said he is concerned with distancing and would like to possibly see if these requests can be moved away from a ZBA variance request if the community really wants it.

City Planner Ortega said if the ZBA wished these cases could be presented to the Planning Commission because the Planning Commission would be the body that would consider all the issues, all the alternatives, and then hold the public hearing with notice to surrounding neighbors and eventually propose an amendment to City Council to adopt. City Planner Ortega said as mentioned a variance could go away and just permit the housing of chickens by right.

Further discussion was held on options for an ordinance amendment.

City Attorney Vanerian said he wished to point out the way the ordinance reads, these cases come before the ZBA for a special accessory use approval. The applicant does not need to show they meet the five strict criteria that are normally required to obtain a variance. He explained that it is not required in these situations. He said the ordinance outlines the keeping of chickens is a special accessory request that is required to go before the ZBA for accessory use approval, currently a variance is not required. City Attorney Vanerian explained that the board reviews request makes a finding whether the proposed housing of the chickens satisfies conditions of public safety, comfort, convenience and quiet use of property. That is the only standard that must be met under the current ordinance, to obtain an approval to have chickens, not a variance. He further explained this type of request is like a special land use request before the Planning Commission. He said if the board wishes to push these requests to the Planning Commission chances are it would probably get more expensive and more cumbersome for the applicant's than the way we're currently doing it, he is not in favor of this.

Vice Chairman Gunther said he would like to see a cap on the number of coops next to each other.

Chairman Easter said if under the purview of the Planning Commission, criteria is more stringent.

Board Member O'Rourke asked City Planner Ortega if he had access to other ordinances for reference.

Chairman Easter asked that further information be provided to the board and have a discussion at the next meeting.

Mr. Jorey Scrivens, 138 Coalmont – explained he grew up with chickens and he is well aware of all the challenges associated with them. He said he would caution the board against placing a limit on the distance that they need to be from each other. He did not think it would be fair. If a

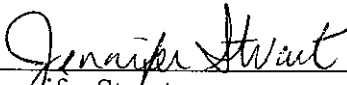
citizen has a neighbor that already has chickens and they want chickens, it is not fair to rule them out. He said he is in favor of having special approval to be allowed to have them in particular to require the proper procedure for the care of them. He said there are a lot of predators and chickens are dirty animals there are downsides associated with owning them. You have to have the correct procedures.

## ADJOURNMENT

**ZBA 08-04-25**

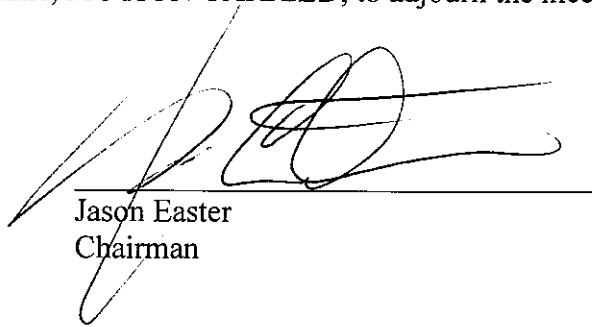
## MOTION TO ADJOURN

Motion by Gunther seconded by O'Rourke, MOTION CARRIED, to adjourn the meeting at 8:29 p.m.



Jennifer Stuart  
Recording Secretary

*Approved 9/29/25*



Jason Easter  
Chairman