



**CITY OF WALLED LAKE
ZONING BOARD OF APPEALS
MONDAY, JUNE 30, 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: None

APPROVAL OF MINUTES:

**ZBA 06-01-25 APPROVAL OF THE JUNE 24, 2024 ZONING BOARD OF
APPEALS MEETING MINUTES**

Motion by Gunther, seconded O'Rourke: MOTION CARRIED: To approve June 24,
2024 Zoning Board of Appeals meeting minutes.

COMMUNICATION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

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.

Open Public Hearing 7:33pm

Chairman Easter asked if property is land locked it looks like the lot backs up to woods, what is behind the applicant's lot.

Mr. Anderson explained there are woods behind him and beyond the woods he believed there was a church. He said he does not see anybody back there it is quiet.

Chairman Easter asked if neighbors mentioned anything to Mr. Anderson about his request to house chickens. Did anyone complain to him.

Mr. Anderson said no he had spoken with neighbors they had no issue with it.

Chairman Easter asked how many chickens Mr. Anderson wished to house the application did not say.

Mr. Anderson said about 10-15 chickens, and he will also be utilizing the byproducts as fertilizer for his gardens.

Chairman Easter asked about the coop size, what fencing exists, where will the chickens roam, will there be a rat wall nothing is noted on application

Mr. Anderson said he has a chicken run built around the coop which is approximately 15' x 10'.

Chairman Easter said vermin is a concern, his own neighbors have spotted foxes where he lives.

Mr. Anderson said he has chicken wire and predator wire around the coop.

Chairman Easter asked if there is a rat wall around the coop, 6-8 inches in depth so there is no digging to get underneath.

Mr. Anderson said yes.

Board Member O'Rourke said even with the discussions he is trying to visualize what the chicken coop looks. There was not a drawing provided in the packet.

Chairman Easter explained the board may permit chickens but not roosters.

Mr. Anderson said he would not have any roosters.

Planning Commission Liaison Wolfson explained that the board in prior approvals granted a maximum of six chickens.

Vice Chairman Gunther asked if the fencing surrounding the coop outside is also on top of the coop.

Mr. Anderson said yes.

Audience Participation

John Ryan, 1474 N Pontiac Trail – said he lives next door to applicant and his biggest concern is the quantity of chickens in the area. He said not permitting roosters would be beneficial. Mr. Ryan asked if site is not managed how compliance issues would be addressed.

City Attorney Vanerian explained when there is a zoning or compliance issue the city's Zoning/Code Enforcement Officer will address. If determined there is violation the Code Enforcement Officer will determine the remediation measures.

Mr. Ryan said chickens will bring chicken hawks and more vermin to the area.

Vice Chairman Gunther explained the last case the board heard also had conditions imposed that they keep the chickens in doors at night.

Board Member O'Rourke explained this is not first example of requests for chicken coops. It is common. Board Member O'Rourke said he is concerned right now with what the coop looks like, and he would like to see some pictures especially with the request to house 10 to 15 chickens. Board Member O'Rourke said this amount is a lot compared to what the board has addressed in the past for these types of requests. He said he is also concerned about predators. Board Member O'Rourke said he thinks it is reasonable at least to have applicant come back with some pictures and show the board what the coop looks like, make sure the rat wall is in place, fencing, what the run looks like, and ensure the coop has appropriate property line setbacks.

Board Member Arnold explained he went through this process as well, not as a zoning board member, but as an applicant to house chickens. He said a drawing of the location from the setbacks should be expected to be provided. He explained similarly the board should put a cap on the number of chickens and stipulate no roosters. Board Member Arnold explained he would be in support of applicants requests as long as the board is consistent.

Vice Chairman Gunther said if any approvals granted they need to also be contingent upon keeping the coop clean every night.

Jean Clark, 1497 Dover Hill N - said she is on the other side of the fence between the two properties, and she is concerned with the proximity of the chicken coop to the condominium property line as she lives there, behind the applicant.

Close Public Hearing 7:45 p.m.

Chairman Easter said the board would like to see pictures with dimension of the chicken coop and dimensions from the property line. He said the board would not approve roosters and no more than six chickens.

ZBA 06-02-25 MOTION TO TABLE ZBA CASE 2025-01 SPECIAL ACCESSORY USE APPROVAL UNTIL NEXT MONTH FOR APPLICANT TO PROVIDE PICTURES OF THE PROPERTY, THE CHICKEN COOP, COVERING, SETBACKS FROM PROPERTY LINE, AND RAT WALL LAYOUT.

Motion by O'Rourke, seconded by Gunther: MOTION CARRIED: To table ZBA Case 2025-01 special accessory use approval until next month for applicant to provide pictures of the property, the chicken coop, covering, setbacks from property line, and rat wall layout.

Roll Call Vote

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

2. Case No.: 2025-02
Applicant: Connie and Steve Barrell
Location: 1405 Nolta, Walled Lake
Parcel ID# 92-17-26-404-013
Request: Non-use Variance

This matter relates to the above referenced property. Applicant proposes building a fifteen ft. (15') x twelve ft. (12') addition to the existing single-family dwelling located on the above referenced property that would require variances from the following sections of the Zoning Ordinance:

- Section 51-17-01 requires a thirty ft. (30') minimum front yard setback for single family structures. Applicant proposes building an addition to the existing single-family dwelling located on Applicants' single-family property with a front yard setback of 19.6 ft. (19.6') from the Payson Rd. right of way which requires a 10.4 ft. (10.4') variance from the thirty ft. (30') front yard setback requirement for structures located in a single-family zoning district.

Open Public Hearing 7:50 p.m.

Mr. Barrell said they have inheritance funds they would like to use to add a room to their existing home. Mr. Barrell explained they recently had their roof replaced and there was severe damage to the entire roof, it all had to be replaced, and they cannot go up in height to add. Mr. Barrell said the home never really had a front door. With the proposed addition they will create a new front door entrance and be able to add a bedroom for their son to move back in.

Board Member O'Rourke said he does not see anything wrong with the request; he drove by the applicant's home and the home does sit at different position. He said what is being proposed does not look like it would interfere at all with any of the neighbors.

Vice Chairman Gunther said the proposed drawing does not interfere with neighbors.

Chairman Easter said he drove the site as well; multiple corner lots and they all encroach in the 30-foot setback. Possibly the builders design back then before ordinances. He explained there are a variety of homes with different setbacks. He said he did not see any reason to deny request.

Board Member O'Rourke asked if applicant spoke with his neighbors are they aware of this.

Mrs. Barrell said yes and one of the neighbors is a retired police officer of Walled Lake, Mr. Paul Schneider and he did not have any concerns with build.

Close Public Hearing 8:05 p.m.

**ZBA 06-03-25 MOTION TO APPROVE RESOLUTION 2025-01 A
RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE
CITY OF WALLED LAKE GRANTING APPLICANT'S REQUEST
FOR A VARIANCE FROM THE THIRTY FT. (30') MINIMUM
FRONT SETBACK REQUIREMENT UNDER SECTION 51-17.01
OF THE ZONING ORDINANCE FOR THE REASON THAT
APPLICANT DEMONSTRATED A PRACTICAL DIFFICULTY**

Motion by Gunther, seconded by O'Rourke: MOTION CARRIED: To approve resolution 2025-01 a resolution of the Zoning Board of Appeals of the City of Walled Lake granting applicant's request for a variance from the thirty ft. (30') minimum front setback requirement under Section 51-17.01 of the zoning ordinance for the reason that the applicant demonstrated a practical difficulty.

Roll Call Vote

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

3. 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.

Open Public Hearing 8:08 p.m.

Mr. Virga said thank you to recording secretary Stuart for all her help and the board for their consideration. Mr. Virga explained his family has been living in the house since 2002 and they are now a family of five. There are multiple vehicles since some are now driving. Mr. Virga explained he has to lay on his back when working on cars in the gravel driveway almost every week, and when it's snowing and raining it makes it really hard. Mr. Virga explained his home is one of the original cabin-style homes and when he did first repairs to the home, he found that there was a stone pocket foundation made of a field stone. Mr. Virga said the home has been added to probably four (4) times with different additions and that is why it sits in the position it does. Mr. Virga said he cannot place the proposed accessory structure next to my house due to a large drainage ditch. Mr. Virga explained he has a lot of water that comes down behind his lot that is why they placed a ditch in its location to redirect everything around to the side of the property. Mr. Virga said when they did their addition there is really no room with the house sitting so far back and with a side setback. Mr. Virga explained that even if he were to go smaller in size to place next to the house, there's a drainage ditch that's really needed there. He said he entertain any questions to board may have.

Chairman Easter explained there is opportunity to redirect the drainage ditch, there's opportunity to pipe and angle it to run along the side of the property.

Mr. Virga explained the ditches on the side of the house runs from the back of the lot from behind his home right down the side, over to the edge of the property and then you see it come out by the road there to the main ditch. Mr. Virga said this design keeps the water from running downhill into his neighbors backyard.

Vice Chairman Gunther said the proposed building is a 30' x 30' structure water may go in directions applicant was not expecting.

Mr. Virga explained that he wanted to run the water along the fence line right out to the road. The water would still be coming around the backyard the same way, but it would go around the structure along its west side.

Board Member Orourke asked about the back right corner location on the other side of the permanent garage. Would the proposed carport not fit there.

Mr. Virga explained his lot has a ton of trees on the west side that shade his home, he does not have central air. Mr. Virga explained he has an extensive family garden which feeds his family in this area. Mr. Virga said the ditch starts right there by the back of the house in front of the garden, right by the fire pit and it runs diagonally across the side lot. Mr. Virga explained the there were two lots that he had to combine in order to build his addition, which is why he had to place the ditch where it is now. Mr. Virga said the back area by the permanent garage has several trees, the garden, and ditches are there. Mr. Virga said there is not a good spot to put the proposed carport back there without losing all that stuff. Mr. Virga said he and his family grow all their own vegetables he does not want to lose the garden.

Vice Chairman Gunther asked what the building height is.

Mr. Virga provided elevation drawings to the board. He explained the carport will have a shed roof pitched towards the existing ditch to direct water that way.

Board Member O'Rourke asked if Mr. Virga is building the structure himself or contracting it out.

Mr. Virga said he is a licensed builder and engineer; he will build on his own.

Board Member O'Rourke asked if the applicant would entertain moving the garden up to where they are proposing the new carport and moving the carport back to the corner where the existing garden is because again, the board is looking at a big variance request for what's consistent in the neighborhood and around the community.

Mr. Virga explained the suggested location is probably 8 inches of stone and gravel right now on top of an old driveway so all of that would have to be excavated and removed. The garden is existing, there is a tent, trailer and parking it's all gravel driveway. Mr. Virga said he has lived there since 2002 he has spoken with all his neighbors up and down the street, no one really has a issue with his requested carport location. it. They would rather see that than a tent next door. Mr. Virga opined the carport would make the site better.

Mrs. Virga said if they were to relocate the garden they would have to have a driveway all the way to the back of our lot, so the go have to go through the entire lot to go back to the carport, otherwise we couldn't get our cars back there. She said because they only have one access point to their lot. She said if the garden were to be relocated where the proposed carport is the driveway would have to go all the way to the back of the lot; they would have to drive through the relocated garden.

Mr. Virga explained the kids play in the front yard because they do not have a back yard.

Board Member O'Rourke asked why a 30' x 30' structure is necessary.

Mr. Virga explained he wished to have 3 ports to park in and relocate all his items out of the open yard area to inside the carport. Mr. Virga said they have three teenagers now and they could use the additional space.

Planning Commission Wolfson asked if a fire emergency vehicle, a ladder truck could fit back there.

Mr. Virga said there is room to drive to the back between the home and carport.

Vice Chairman Gunther asked City Planner Ortega to confirm the side setback requirements.

City Planner Ortega they are 15' and 5' feet and because the application is proposing a detached accessory structure, it does allow a 5' foot setback. Applicant is proposing 6 feet that would be in compliance.

Chairman Easter clarified even though applicant request is front yard not side yard.

City Planner Ortega said correct because the variance the applicant is requesting is for that front yard positioning and then for all intents and purposes, complying with the front yard location requirement.

Vice Chairman Gunther asked about the existing structure in the back and its size.

Mr. Virga said 14' x 20'.

Chairman Gunther explained adding 900 sq ft for the carport and the existing detached structure of 20 x 14 over, the applicant is over the 1000 sq ft maximum coverage of accessory structure and asked if this was part of the variance.

Board Member O'Rourke asked what angle with the carport be towards the neighbor.

Mr. Virga said the carport roof will pitch towards the 6' side yard setback where he will have the ditch and all the water running along that side.

Board Member O'Rourke explained to applicant that there cannot be an intrusion of water onto neighbor's property.

Mr. Virga said the existing ditch runs along the side already, water off the structure roof, will be directed to the existing drainage ditch which is why he does not want to mess with ditch, it works where it is located currently.

Chairman Easter asked applicant is he will have a gutter system.

Mr. Virga explained he will have a ditch with gravel in it, corrugated metal drain pipe underneath the gravel.

Further discussion was made about the lot line of existing home and the established residential building pattern (ERP).

Vice Chairman Gunther said he is struggling with the precedent of approving a front yard location for accessory structure.

Chairman Easter said the proposal is large and suggested moving it to side yard or to move to the back corner of the existing addition. Chairman Easter said there is wide open space next to the addition, no trees, applicant can relocate the ditch and relocate proposed accessory structure to the back corner. He said applicant can then attach to the home and it becomes part of the primary structure that gives the applicant ability to have a 30' x 30' without a variance.

Board Member O'Rourke asked if applicant would consider a 25' structure versus a 30' structure.

Chairman Easter asked if applicant would consider even narrowing to 27' and relocating to the front corner of the existing structure where wide open space located, and keeping the garden in place. Chairman Easter said this would eliminate the front yard structure variance request.

Vice Chairman Gunther asked City Planner Ortega if a 27' x 30' breezeway would be permitted.

City Planner Ortega said yes because it would effectively be a part of principal structure and would be fine as long as they provide 5' minimum setback off the west property line.

Chairman Easter said if the applicant chose to create a breezeway and attach to front corner of home, it becomes part of the principal residence. He said the applicant could then provide a revised plan showing a narrower structure down to 27' x 30' or 28' x 30', show a gutter system, and resubmit to ZBA.

Board Member Arnold asked if the applicant decides to pursue breezeway, it is no longer a ZBA case, the applicant fits into zoning ordinance setbacks.

City Attorney Vanerian explained the ZBA would need to see the resubmittal, this concept could potentially erase need for variances.

Board Member Arnold asked if the ZBA board should be tabling or rejecting case 2025-03.

City Attorney Vanerian explained it is up to the applicant what they wish to pursue. He said the ZBA board may postpone taking any action on the application tonight and give the applicant the opportunity to amend request. City Attorney Vanerian explained the applicant has the choice to do something along the lines of what the ZBA board suggested. If applicant decides to do that, he may be able to eliminate the need for any variance or change the design and therefore change the variances needed or he can simply decide no that he wishes to pursue what he has proposed. City Attorney Vanerian explained it is up to the applicant to decide, the ZBA board cannot force applicant to do something different.

Board Member Arnold explained that is his point, if the ZBA board had to enforce today the vote would be no. He said he is fine with tabling it but if the applicant decides something altogether different and does not need ZBA what then.

Vice Chairman Gunther explained the ZBA does not want to reject, if the applicant looks at something different do, which the ZBA board discussed then there is no need for the variance at all. He said he understands the applicants desire to protect people and vehicles from the weather. He said he is in favor of tabling the case until next month giving the applicant time to decide.

Chairman Easter asked City Attorney Vanerian if the ZBA board would be better to table or postpone , what is the technical difference.

City Attorney Vanerian explained there are nuanced technical differences. Oftentimes when tabling is used, it is really just postponing any action until the next meeting. He said if the ZBA board tables an agenda item, they then must make a motion to take it off the table before any further consideration. City Attorney Vanerian said he would recommend the ZBA board to postpone any action on this case tonight until the next meeting. Give the applicant an opportunity to decide what he wants to. Perhaps he will revise his plan along the lines of what you suggested, or he could come back next month and just say you know I've looked at this and I've decided I want to go forward with what I originally proposed and then you would just take action on that.

Vice Chairman Gunther explained he could see people utilizing this case as precedent allowing accessory structures in the front yard to permitting them to build huge structures all along E Walled lake Drive in their front yards.

Chairman Easter explained the ZBA board does not want to set a precent of allowing structures in the front yard.

City Planner Ortega explained he has office hours at the city the first and third Wednesday of each month. He said if applicant would like to come in and go over alternate locations. So therefore, then the applicant's next course of action, if it's in compliance with all the standards, may withdrawal their application for the variance because they would not need one. However, if you choose as the as the attorney said to keep your proposal as is, then applicant would move forward with existing proposal. Additional information would be given to the Clerk to provide to the ZBA board members.

Public Hearing Close 8:45 p.m.

**ZBA 06-04-25 MOTION TO POSTPONE ZBA CASE 2025-03 UNTIL NEXT
MONTH FOR APPLICANT TO HAVE TIME TO DISCUSS
POSSIBLE ALTERNATE LOCATION OF ACCESSORY
STRUCTURE**

Motion by Gunther, seconded by Arnold : MOTION CARRIED: To postpone ZBA Case 2025-03 until next month for applicant to have time to discuss possible alternate location of accessory structure.

Roll Call Vote

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

ADJOURNMENT

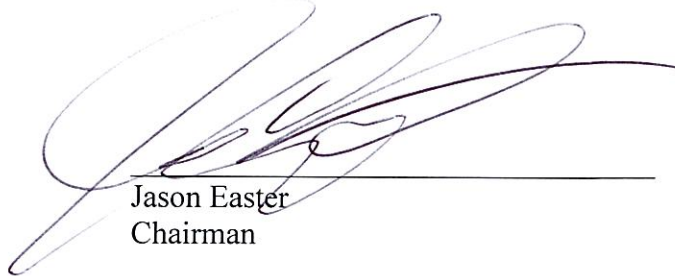
ZBA 06-05-25

MOTION TO ADJOURN

Motion by Gunther seconded by O'Rourke, MOTION CARRIED, to adjourn the meeting at 8:43p.m.



Jennifer Stuart
Recording Secretary
approved 8/25/25



Jason Easter
Chairman