
CHARTER TOWNSHIP OF WATERFORD
ZONING BOARD OF APPEALS REGULAR MEETING

Zoning Board of Appeals Meeting - 4:00

Chairman Zuehlke called the meeting to order at **4:00pm**.

I. Roll Call

- II. Present: Dave Zuehlke, Chairman
Stan Moore, Vice Chairman
Todd Bonnivier, Secretary
Marie Hauswirth, Board Member
Todd Hoffman, Board Member
Rick Schneider, Board Member
Art Frasca, Board Member

Also Present: Janine Tremonti, Admin. Assistant

Public: 1

- III. Approve the Minutes of the July 19, 2022 regular meeting of the Zoning Board of Appeals as printed.

MOTION AND VOTE

*Moved by **MOORE***

*Supported by **HOFFMAN**; RESOLVED to **APPROVE** the Minutes of the July 19, 2022 Zoning Board of Appeals Meeting as Printed.*

MOTION CARRIED UNANIMOUSLY

(7-0)

- IV. Approve the Agenda of the August 16, 2022 regular meeting of the Zoning Board of Appeals as printed.

MOTION AND VOTE

*Moved by **MOORE***

*Supported by **FRASCA**; RESOLVED to **APPROVE** the Agenda of the August 16, 2022 Zoning Board of Appeals Meeting as Printed.*

MOTION CARRIED UNANIMOUSLY

(7-0)

V. Old Business

VI. New Business

Case No. PZBA22-041

Sidwell No. 13-35-453-007, Section 35, NWLY ½ of Lot 454 & All of Lot 455, “Venice of the Lakes No 1”, T3N, R9E, Waterford Township, Oakland County, Michigan

Requesting

1. A 0.8 ft. variance from Section 3-900 to allow the proposed accessory structure to be located 4.2 from the northwest side property line. (5 ft. minimum required)
2. A 1.5 ft. variance from Section 3-900 to allow the proposed covered patio to be located 3.5 ft. from the northwest side property line. (5 ft. minimum required)

Property Location: 1274 Brambles Dr
Property Zoned: R-1C, Single-Family Residential
Applicant: Jeff Jozwick

Applicant or representative present: Jeff Jozwick

Jeff Jozwick thanked the Board for hearing him again and stated he is asking for the same variances as what was previously approved before they expired.

During the public portion of the meeting, no one spoke regarding the request.

MOTION AND VOTE

Moved by FRASCA

*Supported by BONNIVIER; to find that practical difficulties exist and to **APPROVE** the variances requested in ZBA Case No. PZBA22-041 based upon the information presented by the applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.*

**MOTION CARRIED UNANIMOUSLY
(7-0)**

VII. Discussions

VIII. All Else

IX. Public Comment

X. Meeting adjourned at **4:05 pm.**

Members of the public will only be able to speak during any public hearing that is held at the meeting and during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Zoning Board of Appeals to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Stacy St. James, Environmental and Housing Rehab Coordinator
Charter Township of Waterford
5200 Civic Center Drive, Waterford, Michigan 48329
Email: [sstjames@waterfordmi.gov](mailto:ssstjames@waterfordmi.gov)
Phone: (248) 674-6240

Case No. PZBA22-041

Property: 1274 Brambles Dr
Applicant: Jeff Jozwick
Zoning: R-1C, Single-Family Residential
Site Use: Single Family Residential
Proposal: Proposed covered patio with fireplace

Analysis

This request was previous approved at the March 16, 2021 ZBA meeting. The variances have expired and the applicant is back before the Board with the same request (see original staff review below):

The applicant is proposing to construct a new covered patio and fireplace at the subject property. The proposed covered patio appears to be located in the same area as the existing brick paver patio. The applicant is requesting a variance to allow the roof of the patio to be located 3.5 ft. from the side property line, where a minimum setback of 5 ft. is required. Additionally, the information submitted also shows an outdoor fireplace. The fireplace is proposed to be located 4.2 ft. from the side property line, where a minimum setback of 5 ft. is required. All other ordinance requirements are shown to be met.

The applicant has provided information addressing the standards listed below on the "Supplemental Information" sheet. These standards and the information provided by the applicant addressing these standards shall be used by the Zoning Board to determine whether the requested variance shall be granted.

DRAFT MOTION FOR APPROVAL

If the Zoning Board of Appeals chooses to approve the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

MOTION to find that practical difficulties exist and to approve the variance(s) requested in ZBA Case No. PZBA22-041 based upon the information presented by the Applicant and for this hearing demonstrating each of the review standards in Section 6-100.5 of the Zoning Ordinance have been met.

(Evidence provided: _____)

DRAFT MOTION FOR DENIAL

If the Zoning Board of Appeals chooses to deny the applicant's request, the following is a draft motion that could be used to make that decision. Adding a summary of the evidence relied on at the end of the motion is encouraged. The Worksheet is intended to assist in doing that.

Motion to find that practical difficulties do not exist and to deny the variance(s) requested in ZBA Case No. PZBA22-041 based upon the applicant's failure to demonstrate that the following review standard(s) in Section 6-100.5 of the Zoning Ordinance have been met:

**** (ONLY list standard(s) the Applicant DID NOT demonstrate and exclude those that do not apply) ****

- *Strict compliance with the ordinance provisions being varied is unnecessarily burdensome.*
- *The variance will do substantial justice to the applicant and other property owners.*
- *A lesser variance than requested would not give substantial relief to the applicant and/or be consistent with justice to other property owners*
- *The variance is needed due to unique circumstances of the property.*
- *The problem and resulting need for the variance was not self-created by the applicant or the applicant's predecessors.*
- *The variance observes the spirit of the Zoning Ordinance, will not adversely affect public safety and welfare, and will do substantial justice.*

(Evidence provided: _____)