



# MINUTES

## REGULAR MEETING OF THE BOARD OF ZONING APPEALS

Thursday, October 3, 2024

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

### 1. Call to Order

The Thursday, October 3, 2024 Regular Meeting of the Lake Orion Board of Zoning Appeals was called to order by Chairperson Mathisen at 6:31 p.m.

### 2. Roll Call and Determination of Quorum

#### PRESENT

Chairperson Brad Mathisen

Vice Chairperson Raymond Putz

Board Member Mary Chayka-Crawford

Board Member Henry Lorant

#### ABSENT

Secretary Brenton Bailo

#### STAFF PRESENT

Village Clerk/Treasurer Sonja Stout

Recording Secretary Danielle Smith

Village Planning and Zoning Coordinator Laura Haw

### 3. Approval of Agenda

Chairperson Mathisen moved, Board Member Chayka-Crawford seconded, to approve the October 3, 2024 Regular Meeting Agenda of the Board of Zoning Appeals, as amended, to move item 7a Public Hearing: A-24-05 (44 E. Flint St.) Variance Request to be included in item 8b A-24-25 (44 E. Flint St.) Variance Request.

**AYES:** Mathisen, Putz, Lorant, Chayka-Crawford

**NAYS:** None

**ABSENT:** Bailo

**MOTION:** Carried

**4. First Hearing of the Public – Public Comment on Non – Agenda Items Only**

None.

**5. Approval of Minutes**

**A. Approval of BZA Minutes – July 11, 2024**

Board Member Chayka-Crawford moved, Board Member Lorant seconded, to approve the July 11, 2024 Special Meeting Minutes of the Board of Zoning Appeals, as presented.

**AYES:** Mathisen, Putz, Lorant, Chayka-Crawford

**NAYS:** None

**ABSENT:** Bailo

**MOTION:** Carried

**6. BZA Preface**

Chairperson Mathisen reviewed the meeting procedures.

**7. Public Hearing**

**A. Public Hearing: A-24-05 (44 E. Flint St.) Variance Request**

*(This item was moved and incorporated into item 8b as referenced in the motion to approve the agenda.)*

**8. New Business**

**A. Election of Officers**

Vice Chairperson Putz nominated Chairperson Mathisen to be Chairperson for the upcoming year. Board Member Chayka-Crawford seconded the nomination. The vote was unanimous to elect Chairperson Mathisen as Chairperson.

Board Member Chayka-Crawford nominated Vice Chairperson Putz to be Vice Chairperson for the upcoming year. Chairperson Mathisen seconded the nomination. The vote was unanimous to elect Vice Chairperson Putz as Vice Chairperson.

Chairperson Mathisen nominated Secretary Bailo to be Secretary for the upcoming year. Board Member Chayka-Crawford seconded the nomination. The vote was unanimous to elect Secretary Bailo as Secretary.

**B. A-24-05 (44 E. Flint St.) Variance Request**

The applicant proposes the construction of a four-story mixed use building. The property is located at the southwest corner of E. Flint and S. Anderson Streets and is zoned Downtown Center (DC) in

the Height Overlay district. To build the proposed mixed use building, the applicant is requesting one (1) variance from the Zoning Ordinance:

ARTICLE 10, HD-HEIGHT OVERLAY DISTRICT, SECTION 10.05 DEVELOPMENT STANDARDS

Fourth Story (North) Setback: 10.0 feet minimum required  
0.0 feet existing/8.25 feet proposed  
1.75-foot variance requested

Laura Haw, representing McKenna, gave a synopsis of the variance request and discussed the review letter from McKenna dated 09/25/2024.

*Public Hearing: A-24-05 (44 E. Flint St.) Variance Request*

Board Member Lorant moved, Chairperson Mathisen seconded, to open the public hearing at 6:46 p.m.

**AYES:** Mathisen, Putz, Lorant, Chayka-Crawford  
**NAYS:** None  
**ABSENT:** Bailo  
**MOTION:** Carried

Jeff Klatt, Krieger Klatt Architects Inc., 400 E. Lincoln Ave. Ste. A, Royal Oak, presented the request and was available to answer any questions of the Board.

Board Member Lorant moved, Chairperson Mathisen seconded, to close the public hearing at 6:54 p.m.

**AYES:** Mathisen, Putz, Lorant, Chayka-Crawford  
**NAYS:** None  
**ABSENT:** Bailo  
**MOTION:** Carried

The Board referenced the letter from Krieger Klatt Architects dated 09/03/2024.

Discussion was had amongst the Board members.

Chairperson Mathisen moved, Board Member Lorant seconded, to approve the requested variance for 44 E. Flint St. based on the following Findings of Fact as listed on page three of the McKenna letter with items one through five:

FINDINGS OF FACT

- 1.Compliance with the ordinance standards would be unnecessarily burdensome given that the proposed building configuration and architectural details achieves the intent of the standard in the zoning ordinance.

2. Substantial justice would be provided to the applicant that has been afforded to other similarly designed developments in the Village.

3. The variance requested is the minimum possible, as compliance with the intent of the standard has been achieved by the setback provided and the design of the building.

4. The property is unique in lot area and depth when compared to other properties in the height overlay district.

5. The need for the variance is partially self-created.

**AYES:** Putz, Mathisen, Lorant, Chayka-Crawford  
**NAYS:** None  
**ABSENT:** Bailo  
**MOTION:** Carried

**9. Unfinished Business**

None.

**10. Second Hearing of the Public – Public Comment on Non-Agenda Items Only**

None.

**11. Board Member Comments**

Board Member Lorant believes the future building at 44 E. Flint St. will look nice.

Chairperson Mathisen agreed with Board Member Lorant that the building will look nice once completed.

**12. Next Regular Meeting – November 7, 2024**

**13. Adjournment**

Board Member Lorant moved, Board Member Chayka-Crawford seconded, to adjourn the meeting at 6:58 p.m.

**AYES:** Mathisen, Putz, Lorant, Chayka-Crawford  
**NAYS:** None  
**ABSENT:** Bailo  
**MOTION:** Carried

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Dr. Brenton Bailo  
Secretary

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Sonja Stout  
Village Clerk/Treasurer

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Danielle Smith  
Recording Secretary

Date Approved: as presented on December 12<sup>th</sup>, 2024.