



MINUTES

SPECIAL MEETING OF THE BOARD OF ZONING APPEALS

Thursday, July 11, 2024

6:30 PM

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

(248) 693-8391 ext. 102

1. Call to Order

The July 11, 2024 Board of Zoning Appeals Special Meeting was called to order at 6:30 PM.

2. Roll Call and Determination of Quorum

PRESENT

Chairperson Bradley Mathisen

Vice Chairperson Raymond Putz

Secretary Brenton Bailo

Board Member/Planning Commission Representative Hank Lorant

ABSENT

Board Member Mary Chayka-Crawford

STAFF PRESENT

Village Planning and Zoning Coordinator Gage Belko

Village Clerk/Treasurer Sonja Stout

3. Designation of Alternate, as necessary

4. Approval of Agenda

MOTION made by Vice Chairperson Putz, Seconded by Secretary Bailo to approve the July 11, 2024 Special Meeting Agenda of Board of Zoning Appeals as presented.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

5. Approval of Minutes

A. Approval of BZA Minutes June 6th, 2024

MOTION made by Secretary Bailo, Seconded by Board Member/Planning Commission Representative Lorant, to approve the June 6th, 2024 Regular meeting minutes of Board of Zoning Appeals as presented.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

6. Public Comments on Non-Agenda Items Only

None.

7. Action Items

A. A-24-04 (638 Buena Vista) Variance Requests

MOTION made by Chairperson Mathisen, Seconded by Vice Chairperson Putz to open the Public Hearing.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

Chairperson Mathisen opened the public hearing at 6:32 PM.

Planner Belko provided a brief synopsis of variance request as stated in McKenna report with noting that item #2 is actually a 3.5 foot variance instead of the stated 4.5 ft variance. Planner Belko presented the recommendation for approving all the proposed variances subject to the property being lawfully rezoned within one (1) year to RL, Lake Single Family Residential, to align with zoning map and future land use map.

Anton Rozhanskiy with Olax, Inc, stated that there is no exterior/interior structure rebuild except for the kitchen as mentioned by the planner. Their plan is to reface the home to grant access to the house from the current garage and currently there is no access to the home from the garage.

The Board asked various questions directed towards Olax, Inc, representatives about their plans for improvement to the current structure and responses were provided.

Anton Rozhanskiy provided Chairperson Mathisen with a document that is attached and incorporated as part of the minutes that included various signatures from neighbors requesting the variance be approved.

Planner Belko went over procedures for approving the variances and his recommendation of attaching the condition to re-zone the property. He also went over the re-zoning procedures and that the property owner must initiate the process, then it must work through the proper

channels such first going to the Planning Commission Board then to Village Council for approvals. He said that construction can begin immediately. Planner Belko had asked if the homeowners, the Ottos, would be open to the re-zoning process before moving forward on a vote.

The Ottos inquired about the cost and process of the re-zoning process and asked various questions to Planner Belko. Planner Belko expressed his concern for the homeowner's hesitancy and possibly tabling the item until he felt the homeowners would have a better understanding of the process being requested.

Caren Otto, requested a short recess to discuss with the representatives from Olax, Inc, and Planner Belko to discuss their options before tabling the item.

MOTION made by Chairperson Mathisen, Seconded by Board Member/Planning Commission Representative Lorant to recess for 15 minutes.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

The Board took a recess at 7:02 PM.

The Board re-convened at 7:17 PM.

Board Member/Planning Commission Representative Lorant asked if the item needed to be tabled and expressed his concern if voted on, the repercussions of not being able to be brought back to the board for another year.

Matt Craig, 146 Bellevue Ave, supports the construction of the property but is unsure of the re-zoning process that is being requested.

MOTION made by Chairperson Mathisen, Seconded by Board Member/Planning Commission Representative Lorant to close the Public Hearing.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

Chairperson Mathisen closed the public hearing at 7:22 PM.

Chairperson Mathisen read an email from Tom and Mary Sakala expressing their support for granting the variance requests. The letter is attached and incorporated as part of the minutes.

The Board had discussion.

MOTION #1 made by Secretary Bailo, Seconded by Board Member/Planning Commission Representative Lorant to approve the requested variance from the minimum required front yard setback for accessory structures, as proposed, subject to the property being lawfully

rezoned within one (1) year to RL, Lake Single Family Residential, therefore conferring approval of a lesser variance of 5.5 feet, based on the findings of the Village Planning Consultant enumerated in a letter dated July 2, 2024.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

MOTION #2 made by Secretary Bailo, Seconded by Board Member/Planning Commission Representative Lorant to approve the requested variance from the minimum required side yard setback, as proposed, subject to the property being lawfully rezoned within one (1) year to RL, Lake Single Family Residential, based on the findings of the facts that is found in the Village Planning Consultant enumerated in a letter dated July 2, 2024.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

MOTION #3 made by Chairperson Mathisen, Seconded by Board Member/Planning Commission Representative Lorant to approve the requested variance from the minimum required accessory structure placement behind the front building line, as proposed, subject to the property being lawfully rezoned within one (1) year to RL, Lake Single Family Residential, based on the findings of the Village Planning Consultant enumerated in a letter dated July 2, 2024.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

B. Monthly Planning and Zoning Report

MOTION made by Chairperson Mathisen, Seconded by Board Member/Planning Commission Representative Lorant to receive and file.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

Board Member/Planning Commission Representative Lorant spoke.

Dr. Brenton Bailo spoke.

Board Member Putz spoke.

8. Next Regular Meeting - August 1st, 2024

9. Adjournment

MOTION made by Board Member/Planning Commission Representative Lorant, Seconded by Secretary Bailo, to adjourn the July 11, 2024 Board of Zoning Appeals Special Meeting.

VOTING YEA: Mathisen, Putz, Bailo, Lorant

VOTING NAY: None

ABSENT: Chayka-Crawford

MOTION: Carried

The July 11th, 2024 Board of Zoning Appeals Special Meeting adjourned at 7:34 PM.

Dr. Brenton Bailo
Secretary

Sonja Stout
Village Clerk/Treasurer

Date Approved: as presented on October 3, 2024.