

**ROYAL OAK ZONING BOARD OF APPEALS
CITY OF ROYAL OAK, MICHIGAN**

**Regular Meeting
Thursday, April 10, 2025
7:00 P.M.**

Present

Anthony Offak, Chairperson
Issac Wolf, Vice Chairperson
Trevis Moore
Corey Christensen
Michael Leinweber
Arvind Reddy
Nancy Robinson
Jeff Klatt
Paul Bastian

Alexander J. Bahorski, Planner II
Ryan Kaluzny, Assistant City Attorney

Absent

Agenda

- 1. Call to Order & Roll Call**
- 2. Approval of Minutes**
 - a. Approval of Minutes for February 13, 2025 Meeting**
- 3. Unfinished Business**
 - a) Case No. 25-03-04 - public hearing on the appeal of Tom Tresnak, petitioner & owner, for the following variances:**
 - (a) Waive 388 sq. ft. of the maximum allowable accessory ground floor area of 800 sq. ft.**
 - (b) Waive 1 of the maximum allowable number of accessory buildings per residential property to permit construction of a separate detached pool house / accessory building at 1620 Northwood Blvd. (25-16-156-014).**
- 4. New Business**
 - a) Case No. 25-04-08 - public hearing on the appeal of GETA Design, LLC, petitioner & Penei Sewell & Isabelle Ford, owners, for the following variances:**
 - (a) Alter/expand a non-conforming structure**
 - (b) Waive 12.5 ft. from the minimum required 25 ft. front yard setback**
 - (c) Waive an additional 449 sq. ft. from the maximum permitted 3,500 sq. ft. of usable floor area to permit construction of a second story addition along the southern portion of an existing non-conforming 4,382 sq. ft. single-family dwelling at 2209 Vinsetta Blvd. (25-09-331-001).**
 - b) Case No. 25-04-09 - public hearing on the appeal of Michael VanOverbeke, petitioner & owner, for the following variance:**
 - (a) Waive 2.2% of the maximum allowable total lot coverage of 30% to permit a 190 sq. ft. rear covered, unenclosed porch at the southwest corner of the dwelling at 4433 Berkshire Rd. (25-06-102-006).**

- c) **Case No. 25-04-10** – public hearing on the appeal of Aaron A. Stadler, petitioner & owner, for the following variances:
- (a) **Alter/expand a non-conforming structure**
 - (b) **Waive 1 story of the maximum allowable porch height of 1 story**
 - (c) **Waive 4 ft. of the maximum allowable 7 ft. extension of an unenclosed front porch and steps into the minimum required front yard setback to allow construction of a second story balcony along the east front façade of the dwelling at 2511 Marais Ave. (25-09-327-026).**

5. Other Business

6. General Public Comment

7. Adjournment

Call to Order

The regular meeting was called to order at 7:00 p.m. by Chairperson Offak. He informed the audience that the board does not write the zoning ordinance but does have the authority to grant relief from it where practical difficulty or unnecessary hardship would result. He stated the board will vote on each agenda item following a public hearing. Use variance requests require a minimum of 6 affirmative votes in order to grant the requested variances. Non-use variance requests require a minimum of 5 affirmative votes in order to grant the variances. Petitioners were directed to limit their presentations to 10 minutes and that each participant in a public hearing limit their comments to 3 minutes. He mentioned that any action taken by the board shall be valid for a period of 1-year.

Roll Call

Present

Anthony Offak, Chairperson
Isaac Wolf, Vice Chairperson
Trevis Moore
Corey Christensen
Michael Leinweber
Arvind Reddy
Nancy Robinson
Jeff Klatt
Paul Bastian

Absent

Approval of Minutes for March 13, 2025

Moved by: Mr. Leinweber
Supported by: Mr. Reddy

Moved, that the minutes of the March 13th, 2025, regular meeting be approved as presented.

Motion adopted unanimously.

Unfinished Business

- a) **Case No. 25-03-04 – 1620 Northwood Blvd. (25-16-156-014)**

Chairperson Offak opened the public hearing. Nobody spoke, Chairperson Offak closed the public hearing.

Moved by: Mr. Wolf
Supported by: Ms. Robinson

Moved, that the appeal of the appeal of Tom Tresnak, petitioner & owner, for the following variances:

- (a) Waive 388 sq. ft. of the maximum allowable accessory ground floor area of 800 sq. ft.
- (b) Waive 1 of the maximum allowable number of accessory buildings per residential property to permit construction of a separate detached pool house / accessory building at 1620 Northwood Blvd. (25-16-156-014), be approved.

Motion adopted 7-2 (Mr. Reddy, Chairperson Offak).

Granting the non-use variances is based upon the following:

1. Strict compliance with the zoning ordinance provisions will unreasonably prevent the petitioner from use and enjoyment of the property for a permitted purpose, or would render conformity with such provisions unnecessarily burdensome.
2. Granting the variances will do substantial justice to the petitioner and will not prove detrimental to other property owners in the area, and is the least relief required in order to afford substantial justice to the petitioner or be more consistent with justice to nearby property owners.
3. There are circumstances or conditions inherently unique to the property that necessitates granting the variances.
4. There is evidence of practical difficulty that has not been created by the petitioner and/or property owner but instead results from the inherently unique circumstances or conditions of the property that requires granting the variances.

It is further the finding of the board that the spirit of the zoning ordinance will be observed, public safety secured, and substantial justice rendered by granting the variances

New Business

a) Case No. 25-04-08 – 2209 Vinsetta Blvd. (25-09-331-001)

Chairperson Offak opened the public hearing. After everybody spoke, Chairperson Offak closed the public hearing.

Moved by: Mr. Reddy

Moved, that the appeal of the appeal of GETA Design, LLC, petitioner & Penei Sewell & Isabelle Ford, owners, for the following variance:

- (c) Waive an additional 449 sq. ft. from the maximum permitted 3,500 sq. ft. of usable floor area, be denied.

Motion fails due to lack of support.

Moved by: Mr. Klatt
Supported by: Mr. Wolf

Moved, that the appeal of the appeal of GETA Design, LLC, petitioner & Penei Sewell & Isabelle Ford, owners, for the following variances:

- (a) Alter/expand a non-conforming structure
- (b) Waive 12.5 ft. from the minimum required 25 ft. front yard setback
- (c) Waive an additional 449 sq. ft. from the maximum permitted 3,500 sq. ft. of usable floor area, be approved.

Motion adopted 8-1 (Mr. Reddy).

Granting the non-use variances is based upon the following:

1. Strict compliance with the zoning ordinance provisions will unreasonably prevent the petitioner from use and enjoyment of the property for a permitted purpose, or would render conformity with such provisions unnecessarily burdensome.
2. Granting the variances will do substantial justice to the petitioner and will not prove detrimental to other property owners in the area, and is the least relief required in order to afford substantial justice to the petitioner or be more consistent with justice to nearby property owners.
3. There are circumstances or conditions inherently unique to the property that necessitates granting the variances.
4. There is evidence of practical difficulty that has not been created by the petitioner and/or property owner but instead results from the inherently unique circumstances or conditions of the property that requires granting the variances.

It is further the finding of the board that the spirit of the zoning ordinance will be observed, public safety secured, and substantial justice rendered by granting the variances

b) Case No. 25-04-09 – 4433 Berkshire Rd. (25-06-102-006)

Chairperson Offak opened the public hearing. Nobody spoke, Chairperson Offak closed the public hearing.

Moved by: Mr. Klatt
Supported by: Mr. Bastian

Moved, that the appeal of the appeal of Michael VanOverbeke, petitioner & owner, for the following variance:

- (a) Waive 2.2% of the maximum allowable total lot coverage of 30% to permit a 190 sq. ft. rear covered, unenclosed porch at the southwest corner of the dwelling at 4433 Berkshire Rd. (25-06-102-006), be approved.

Motion adopted 5-4.

(Yes: Mr. Bastian, Mr. Wolf, Mr. Klatt, Ms. Robinson, Mr. Moore)
(No: Mr. Reddy, Mr. Leinweber, Chairperson Offak, Mr. Christensen)

Granting the non-use variance is based upon the following:

1. Strict compliance with the zoning ordinance provisions will unreasonably prevent the petitioner from use and enjoyment of the property for a permitted purpose, or would render conformity with such provisions unnecessarily burdensome.

2. Granting the variances will do substantial justice to the petitioner and will not prove detrimental to other property owners in the area, and is the least relief required in order to afford substantial justice to the petitioner or be more consistent with justice to nearby property owners.
3. There are circumstances or conditions inherently unique to the property that necessitates granting the variances.
4. There is evidence of practical difficulty that has not been created by the petitioner and/or property owner but instead results from the inherently unique circumstances or conditions of the property that requires granting the variances.

It is further the finding of the board that the spirit of the zoning ordinance will be observed, public safety secured, and substantial justice rendered by granting the variances

c) Case No. 25-04-10 – 2511 Marais Ave. (25-09-327-026)

Chairperson Offak opened the public hearing. After everybody spoke, Chairperson Offak closed the public hearing.

Moved by: Mr. Reddy
Supported by: Mr. Klatt

Moved, that the appeal of the appeal of Aaron A. Stadler, petitioner & owner, for the following variances:

- (a) Alter/expand a non-conforming structure
- (b) Waive 1 story of the maximum allowable porch height of 1 story
- (c) Waive 4 ft. of the maximum allowable 7 ft. extension of an unenclosed front porch and steps into the minimum required front yard setback to allow construction of a second story balcony along the east front façade of the dwelling at 2511 Marais Ave. (25-09-327-026), be approved.

Motion adopted unanimously.

Granting the non-use variances is based upon the following:

1. Strict compliance with the zoning ordinance provisions will unreasonably prevent the petitioner from use and enjoyment of the property for a permitted purpose, or would render conformity with such provisions unnecessarily burdensome.
2. Granting the variances will do substantial justice to the petitioner and will not prove detrimental to other property owners in the area, and is the least relief required in order to afford substantial justice to the petitioner or be more consistent with justice to nearby property owners.
3. There are circumstances or conditions inherently unique to the property that necessitates granting the variances.
4. There is evidence of practical difficulty that has not been created by the petitioner and/or property owner but instead results from the inherently unique circumstances or conditions of the property that requires granting the variances.

It is further the finding of the board that the spirit of the zoning ordinance will be observed, public safety secured, and substantial justice rendered by granting the variances

Other Business

Public Comment

Chairperson Offak opened public comment. After everybody spoke, Chairperson Offak closed the public comment.


Adjournment

Moved by: Mr. Wolf
Supported by: Mr. Bastian

Moved, that the meeting adjourned at 8:26 p.m.

Motion adopted unanimously.

Anthony Offak, Chairperson


Alexander J. Bahorski, Planner II