

MINUTES OF THE ZONING BOARD OF APPEALS MEETING OF THE CITY OF GROSSE POINTE WOODS HELD ON MONDAY, AUGUST 21, 2023, IN THE COUNCIL/COURTROOM OF THE ROBERT E. NOVITKE MUNICIPAL CENTER, 20025 MACK PLAZA DR., GROSSE POINTE WOODS, MICHIGAN.

The meeting was called to order at 7:12 p.m. by Mayor Bryant.

Roll Call: Mayor Bryant
Council members: Gafa, Granger, McConaghy, Vaughn
Absent: Brown, Koester

Also Present: City Administrator Schulte
Treasurer/Comptroller Murphy
City Attorney Walling
City Clerk Antolin
Assistant City Administrator Como
Director of Public Services Kowalski
City Planner Littman

Motion by McConaghy, seconded by Gafa, that Councilmembers Brown and Koester, be excused from tonight's meeting.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Brown, Koester

Motion by Gafa, seconded by McConaghy, that all items on tonight's agenda be received, placed on file, and taken in the order of appearance.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Brown, Koester

THE MEETING WAS THEREUPON OPENED AT 7:13 P.M. FOR A ZONING BOARD OF APPEAL HEARING UNDER THE PROVISIONS OF MICHIGAN ZONING ENABLING ACT PA 110 OF 2006, MCL 125.3101 ET SEQ, TO HEAR THE APPEAL OF AHEE JEWELERS, 20139 MACK AVENUE, WHO IS APPEALING THE OFF-STREET PARKING REQUIREMENTS, DUE TO NONCOMPLIANCE WITH SECTION 50-5.3 OF THE ZONING ORDINANCE. A VARIANCE IS THEREFORE REQUIRED.

Secretary's Note: for purposes of the Zoning Board of Appeal hearing, the following items were presented to, and received by, the Zoning Board of Appeals for consideration:

1. Letter 08/16/23 - City Planner
2. Site Plan Review
3. Memo 07/25/23 - Building Official
4. Memo 07/17/23 - Director of Public Services
5. Email 07/21/23 - Director of Public Safety

6. Fax 06/13/23 - Stuckey Vitale Architects
7. Site Plan Review Application
8. General Information - Drawing Index
9. Certificate of Survey
10. Certified Survey
11. Site Plan - Demolition
12. Site Plan - New Work
13. First Level Floor Plan
14. Exterior Elevations
15. Exterior Renderings
16. Affidavit of Legal Publication
17. Affidavit of Property Owners Notified
18. Parcel Map

City Planner Littman provided an overview of the Petitioner's request in accordance with City Planner Smith's memo dated August 16, 2023.

During discussion, it was stated that most likely there will not be an increase in customers or workers with the proposed changes. There was additional discussion regarding the curb-cut driveway, allocation of parking spaces with surrounding businesses, and protection of pedestrians.

The business parking ordinance regarding the ratio of building/retail space to parking space is currently being discussed in the Planning Commission.

The Chair asked if anyone from the audience wished to speak in favor of the proposed request. No one wished to be heard.

The Chair asked if anyone from the audience wished to speak in opposition to the proposed request. Nobody wished to be heard.

Motion by Granger, seconded by Vaughn, that the public hearing be closed at 7:32 p.m.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, McConaghy, Vaughn
No: None
Absent: Brown, Koester

Motion by McConaghy, seconded by Granger, regarding Zoning Board of Appeal: Ahee Jewelers, 20139 Mack Avenue, Grosse Pointe Woods, MI, that the Zoning Board of Appeals grant a variance from Sec. 50-5.3 to exempt the property, 20139 Mack Avenue, from providing the required off-street parking as the finding of practical difficulty has been shown to the variance standards listed below:

1. That strict compliance with the restrictions governing area, setbacks, frontage, height, bulk, density, and other similar items would unreasonably prevent the petitioner from using the property for a permitted purpose or would render conformity with said restrictions unnecessarily burdensome.

2. That a variance would do substantial justice to the petitioner as well as to other petitioners in the zoning district, or whether a lesser relaxation of the restrictions would give substantial relief to the petitioner and be more consistent with justice to others (i.e., are there other more reasonable alternatives).
3. That the plight of the petitioner is due to unique circumstances of the property.
4. That the petitioner's problem is not self-created.
5. That the spirit of this chapter will be observed, public safety and welfare secured, and substantial justice done.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, McConaghy, Vaughn

No: None

Absent: Brown, Koester

Nobody wished to be heard under New Business/Public Comment.

Motion by Vaughn, seconded by Granger, that tonight's meeting minutes be immediately certified.

Motion carried by the following vote:

Yes: Bryant, Gafa, Granger, McConaghy, Vaughn

No: None

Absent: Brown, Koester

Motion by Granger, seconded by Vaughn, that tonight's meeting be adjourned at 7:33 p.m. PASSED UNANIMOUSLY.

Respectfully submitted,

Paul P. Antolin
City Clerk