



Council Chamber, 18500 W. 13 Mile Rd, Beverly Hills, MI 48025

ZONING BOARD OF APPEALS MEETING

MONDAY, MARCH 9, 2026 at 7:00 PM

AGENDA

1. **Call meeting to order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Approval of Minutes**
 - A. 2025 12 08 ZBA Minutes
5. **Public comments on items not on the published agenda**
6. **Old Business**
 - A. ZBA Bylaws
7. **New Business**
 - A. Case 1440–31671 E. Bellvine Trail
 - B. 2025 ZBA Annual Report
8. **Public Comments**
9. **Liaison Comments**
10. **Administration Comments**
11. **Zoning Board Member Comments**
12. **Adjournment**

The Village of Beverly Hills will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities attending the meeting upon three working days' notice to the Village. Individuals with disabilities requiring auxiliary aids or services should contact the Village Clerk by writing 18500 W. Thirteen Mile, Beverly Hills, MI 48025 or calling (248) 646-6404.

Access ZBA Meeting Materials:

<https://beverlyhillsmi.portal.civicclerk.com/>

Click here to view the current and previous ZBA agendas, packets, and minutes.

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Present: Chairperson Makar, Vice-Chairperson Ross, Members: Barron, Beach, Miller,
Russaw, Stroker, Tomich, Beslove

Absent: Member: Caputo

Also Present: Planning and Economic Development Director, Stec
Village Attorney, Schultz
Recording Secretary, Williams

ROLL CALL/CALL TO ORDER

Chairperson Makar called the regular Zoning Board of Appeals meeting to order at 7:02 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025.

APPROVAL OF AGENDA

Motion by Beach, second by Miller, to approve the agenda as published.

Motion passed.

APPROVAL OF MINUTES

Motion by Russa, second by Miller to approve the minutes of the October 1, 2025 Zoning Board of Appeals meeting.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON PUBLISHED AGENDA

None

OLD BUSINESS

None

NEW BUSINESS

A. PC CASE: ZBA Case 1438
LOCATION: 31555 Kennoway Court
PARCEL ID: 24-03-451-002
ZONING: R-A Single Family
PETITIONER: Dragica Schwartz
OWNER: Dragica & Howard Schwartz
REQUEST: In order to install 6-foot privacy screens in the front yard, the homeowner is seeking a dimensional/ non-use variance from Chapter 46 Zoning, Section 46-173(2)(a)(1) and 46-173(2)(b)(1).

Stec provided an overview of Case 1438, located at 31555 Kennoway Court. The applicant, who was present, seeks to install ten 6 ft privacy screens within a 5 ft strip of property adjacent to the public right-of-way. The request requires variances from multiple sections of the zoning ordinance related to placement in the front yard, screening opacity, height above grade, and the allowable location for privacy screens.

THESE DRAFT MINUTES ARE NOT OFFICIAL AND HAVE NOT BEEN APPROVED.

Stec explained the property layout, including the unusual shape of the parcel, its RA single-family zoning classification, and its relationship to the Kennoway Court right-of-way and surrounding parcels. Images and measurements were reviewed, noting that originally thirteen panels were installed, with eight removed because they were located within the public right-of-way. Five sets of posts remain on the applicant's 5 ft strip of land pending the Board's decision.

Stec described the applicant's stated need for screening, including concerns about views of neighboring play equipment and elevated lighting from Kennoway Circle. Photographs depicting existing conditions were reviewed for context.

Beslove inquired whether there are any regulations addressing the bright lights coming from the neighboring property that are disturbing the applicant. Stec responded that the lighting standards within the zoning ordinance generally apply to commercial developments, not residential.

Miller asked whether photographs illustrating what Schwartz sees from her home were provided. Stec explained that although photographs were provided, they were unusable due to glare from interior and exterior lighting and therefore could not be included as part of the record.

Tomich asked staff to clarify the right-of-way configuration and where the previously installed privacy panels had been located. Stec reviewed the parcel map, explaining that Kennoway Court includes a natural turnaround area and a 35 ft wide right-of-way. Stec explained that 13 total panels had been installed: eight were located within the right-of-way and therefore were removed, while five were located within the 5 ft privately owned strip of land. Stec noted that although those five remaining panels were technically on private property, they remained within the front yard, which prohibits such structures without a variance.

Beslove questioned whether temporary, movable, or wheeled structures would be treated differently. Stec explained that the zoning ordinance defines a building as any structure, temporary or permanent, and that accessory structures are not permitted in the front yard regardless.

Stec provided history of the right-of-way and stated that historical maps show the area was originally platted in its current configuration and has long remained under village jurisdiction, although the Department of Public Works historically has maintained only utilities, not the roadway surface itself.

Makar questioned whether the variance request should be interpreted as a request for a fence or privacy screen, and which ordinance sections applied. Stec and Schultz clarified that despite the petitioner describing the panels as privacy screens, the structures meet the ordinance's definition of a fence. Therefore, the Board would need to consider both fence and privacy-screen regulations when evaluating the variance. Schultz reiterated that the Board has no authority to permit structures in the right-of-way; any relief could apply only to the five panels located on private property.

Schwartz addressed the Board and described the long history of their property, including maintaining the private driveway for over fifty years. Schwartz explained that substantial vegetation once separated their property from the homes on Ronsdale Drive, but that surrounding property owners have removed trees and greenery between 2019 and 2020. As a result, their previously secluded home became exposed to vehicle headlights, backyard lighting, string lights,

and general backyard activity from Ronsdale Drive properties- which, due to the unusual lot configuration, all face directly into her front yard.

Schwartz explained that she and her husband attempted multiple times between 2020 and 2024 to install natural landscaping as a buffer. They purchased and planted numerous six to seven ft evergreen trees- at significant personal expense- but repeated plantings failed due to heavy shade, compacted soil, and deer damage. Professional landscapers and arborists were also hired without success. Because natural screening proved infeasible, she and her husband explored using decorative privacy panels spaced apart to maintain an airy, garden-like appearance while reducing the impact of headlights and backyard lighting.

Schwartz detailed the impact not having the panels have had on their daily life: headlights shining directly into their living room for extended periods as neighbors warm up their cars, as well as strong LED string lights and other backyard lighting visible for six months of the year when trees are bare. She emphasized that their usable outdoor space is primarily in the front yard because the rear yard falls sharply toward a ravine.

Makar questioned whether Schwartz has installed window treatments as a preventative measure. Schwartz stated that they have drapes in parts of their home but not in these areas so they could enjoy looking out at nature.

Miller asked if Schwartz worked with surrounding neighbors to find a screen that they would like or other preventative measures that they would agree with. Schwartz said that she spoke with one neighbor and didn't expect this to be an issue.

Makar opened the item for public hearing at 7:51 p.m.

Stec began with presentation of written comments. Stec reported that one email had been received, including photos, which were provided in the packet. Stec stated that she spoke with that homeowner and they stand by their comments. Stec also spoke with two other residents who received direct notice; although they did not submit written comments, both expressed opposition to the variance. One resident was specifically concerned about the Shwartz's long-term use of the right-of-way. Stec confirmed that no individuals that contacted were in support of the request.

Jon, Ronsdale Dr. spoke in person at the meeting. Stating that he and h8s household chose to live on that side of the village for the natural setting. He expressed that the proposed screens do not meet the standards of the zoning ordinance and that approval would be based on the applicant's desire rather than applicable criteria. He wared that granting request would set precedent for other corner lots and opposed the request.

Marilyn, Ronsdale Dr. spoke next in opposition. She stated that six-foot privacy screens in a front yard are prohibited because they disrupt openness and neighborhood character. She expressed concern that granting the variance would set a precedent and noted that reasonable alternatives, such as blinds, curtains, shades, exist that do not require a variance and reiterated her opposition.

Makar closed the public hearing at 8:01 p.m.

Schwartz expressed disappointment that neighbors who do not maintain the area or incur expenses on her property are objecting. Schwartz stressed that her privacy had been diminished and that the request was an attempt to address multiple intrusions and views into neighboring front yards.

Beach expressed sympathy for the applicant’s situation and reviewed aerial views to understand headlight trajectories and determined that only one or two homes potentially created light intrusion and that such impacts were typical in neighborhood settings.

Barron referenced their own experience dealing with lighting or privacy challenges without variance relief. Barron emphasized that although the lot is unique, the standards for variance approval still apply, and the request did not satisfy those standards.

Makar inquired whether the applicant could work with neighbors to develop an alternative screening solution. Schwartz expressed doubt that cooperation was possible.

Motion by Barron, seconded by Tomich, to deny the variance request by Dragica and Howard Schwartz, property owners of 31555 Kennoway Court (Parcel #24-03-451-001, ZBA Case 1438) from Chapter 46 Zoning, Section 46-173(2)(a)(1) and Section 46-173(2)(b)(1). This determination is based on the finding that the petitioner has not demonstrated a practical difficulty exists based on the following criteria:

1. Applying the strict letter of zoning restrictions will not unreasonably prevent the landowner from using their property for a permitted purpose and/or conformity with the zoning regulations is not unnecessarily burdensome because there are other options available to the homeowner to address impacts from adjacent properties, including by way of example only, other screening that may be placed on the applicant’s own property or other treatments that may be done to the home.
2. Substantial justice would not be achieved for the applicant and neighboring property owners by granting the variance and approval of the variance would negatively impact adjacent property owners or land within the district because such neighbors have stated both here personally and by letter their disapproval of this. Additionally, this would be the only fence and screening in the area, and as such, would be unusual for the area.
3. The requested variance is not the least relief required because of the other options noted.
4. The situation is not unique to the subject property and not related to the general conditions of the area.
5. The circumstances requiring the variance are self-created.

Roll Call Vote:

Makar	Yes
Rott	Yes
Barron	Yes
Beach	Yes
Miller	Yes

Russaw	Yes
Stroker	Yes
Tomich	Yes
Beslove	No

Motion passed (8-1)

B. 2026 Zoning Board of Appeals Calendar of Meetings

Meetings will continue to begin at 7:00 p.m. and the calendar includes dates through January 2027.

C. ZBA Bylaws

No action taken.

PUBLIC COMMENTS

None

LIAISON COMMENTS

None

STAFF COMMENTS

Stec introduced our new Village Attorney, Tom Schultz who will be present at Zoning Board of Appeals meetings going forward.

Stec will work to schedule advance ZBA training in the beginning of the year.

COMMISSIONER COMMENTS

Barron stated that they were contacted over concern for UMMA parking. Stec stated that Village staff is aware of the issue and is working internally with the property owner and property manager to resolve the issue.

Stec asked that if members are contacted privately by residents about concerns to please have them address her directly to help better resolve the issue.

CORRESPONDENCE

There is no Zoning Board of Appeals meeting scheduled for January.

ADJOURNMENT

Motion by Russaw, second by Beach, to adjourn the meeting at 8:47 p.m.

Motion passed.

Timothy Makar

Carissa Brown

Lydia Williams

Chairperson

Village Clerk

Recording Secretary

THESE DRAFT MINUTES ARE NOT OFFICIAL AND HAVE NOT BEEN APPROVED.



Agenda Item Summary

To: Zoning Board of Appeals
From: Susie Stec, Planning & Economic Development Director
Re: *Old Business - A. ZBA Bylaws*
Date: March 9, 2026 - [Click to View Agenda](#)

Summary:

One of the best practices identified in the Redevelopment Ready Communities (RRC) Program is for each board to have bylaws to ensure that board members understand the scope of their role, meetings are predictable and efficient, and to promote transparency and accountability. The ZBA has not previously had bylaws, and reviewed an initial draft in December.

Recommendation:

Adopt the ZBA Bylaws as presented.

Attachments:

1. 2025 12 11_ZBA Bylaws_v2

VILLAGE OF BEVERLY HILLS

ZONING BOARD OF APPEALS BYLAWS

ARTICLE I – JURISDICTION

The jurisdiction of the Village of Beverly Hills Zoning Board of Appeals (hereinafter: “the Board”) is the review of and decision on questions, appeals, and variance requests arising under the Village of Beverly Hills Zoning Ordinance.

ARTICLE II - PURPOSE

The purpose of the Board is to perform the duties set forth in the following:

- A. The Michigan Zoning Enabling Act, Public Act 110 of 2006, MCL 125.3101 et seq.
- B. Village of Beverly Hills Zoning Ordinance, Chapter 46, Article II, Division 3.

ARTICLE III – CREATION AND DUTIES

- A. Creation. There shall be established and appointed by the Village Council, in accordance with the Michigan Zoning Enabling Act (“MZEA”), Public Act No. 110 of 2006 (MCL 125.3101 et seq.), as amended, a Zoning Board of Appeals consisting of nine members, each to be appointed for a term of three years. One member of the Zoning Board of Appeals may also be a member of the Village Planning Commission.
 - 1. One regular or alternate member of the Zoning Board of Appeals may also be a member of the Village Council. Such a member shall not serve as chairperson of the Zoning Board of Appeals. An employee or contractor of the legislative body may not serve as a member of the Zoning Board of Appeals.
 - 2. A member of the Zoning Board of Appeals who is also a member of the Village Planning Commission or Village Council shall not participate in a

public hearing on or vote on the same matter that the member voted on as a member of the Planning Commission or the Village Council. However, the member may consider and vote on other unrelated matters involving the same property.

3. The Village Council may appoint not more than two alternate members for the same term as regular members to the Zoning Board of Appeals. An alternate member may be called as specified to serve as a member of the Zoning Board of Appeals in the absence of a regular member if the regular member will be unable to attend one or more meetings. An alternate member may also be called to serve as a member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest or due to the fact that the regular member already voted on the same matter as a member of the Planning Commission or Village Council. The alternate member appointed shall serve in the case until a final decision is made. The alternate member has the same voting rights as a regular member of the Zoning Board of Appeals, while serving.

- B. Powers and Duties. The Board shall have the powers enumerated in the Village of Beverly Hills's Zoning Ordinance, Chapter 46, Article II, Division 3.

ARTICLE IV – ORGANIZATION AND OFFICERS

- A. The Board shall elect from its members a chairperson, a vice-chairperson, and a secretary, and establish such committees it considers necessary. The election of officers shall be held annually.
- B. Meetings shall be called subject to the call of the Chairperson.
- C. Duties of Officers:
 1. Chairperson:
 - a. The Chairperson shall preside at all meetings of the Board.
 - b. The Chairperson may designate the Vice-Chairperson to preside in his/her seat at any meeting if he/she desires.
 - c. The Chairperson (or any three members) may issue a call for a Special Meeting by making a written or oral request to the Village Clerk's office.

- d. The Chairperson shall direct the Village staff to establish the agenda for Meetings and the order thereof, including such items of old business and other items that may have been deferred at previous meetings and shall provide this information to the Village Clerk's office.
 - e. Sign such correspondence and documents as maybe necessary
2. Vice-Chairperson:
- a. The Vice-Chairperson shall preside at meetings of the Board in the absence of the Chairperson, or when requested to do so by the Chairperson.
 - b. The Vice-Chairperson shall perform all duties of the Chairperson when the Chairperson is unable to perform his/her duties or when requested by the Chairperson.
3. Secretary
- a. The Secretary shall certify meeting minutes.
 - b. The Secretary shall sign correspondence or documents as maybe necessary.

ARTICLE V - MEETINGS

- A. All meetings shall be conducted in accordance with the Open Meetings Act. No informal meetings or discussions shall be conducted.
- B. A minimum of two (2) regular meetings shall be held annually. Advance notice of Board meetings shall be provided in accordance with the MZEA (MCL 125.3103) and the Village's Zoning Ordinance.
- C. Copies of the draft minutes of the prior meeting or meetings shall be available at Village Hall for public review within 8 days after the meeting at which they were taken and shall accompany the meeting agenda.
- D. A ZBA member shall disclose any possible conflict of interest before any discussion on the respective matter. Failure to disclose a conflict of interest shall constitute malfeasance in office. Once a member discloses a potential conflict of interest regarding a particular matter, he or she may be disqualified from voting on

the matter upon a unanimous vote of the remaining members of the ZBA. A conflict of interest exists if any member has a personal or financial interest in the matter or has an interest such the member cannot be unbiased in the decision-making process. A Board member shall notify the Board of a possible conflict of interest when:

1. A relative or other family member is involved in any request for which the ZBA is asked to make a decision;
 2. The ZBA member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency, or association; or
 3. There is a reasonable appearance of a conflict of interest, as determined by the ZBA member declaring such conflict.
- E. If the Board agrees that the member has a conflict by unanimous vote, the member shall remove him- or herself from the dais for the duration of the discussion and vote on the matter on which the member has a conflict.

ARTICLE VI - RULES

- A. A quorum shall consist of a majority (five) of the entire Board membership. A concurring vote of a majority of members of the Board shall be necessary to approve any motion, resolution or recommendation, except that an affirmative vote of 2/3 of the members of the Board shall be required to approve a use variance.
- B. Meeting procedures and conduct shall be generally consistent with Robert's Rules of Order, unless superseded by The Open Meetings Act (MCL 15.261, et seq.) or these ZBA Bylaws.
- C. If there are several separate items to be heard at one meeting, the same procedures shall be followed for each.
 1. Chairperson states purpose of hearing and rules of procedure as deemed necessary by the Chairperson, including processes for submission of written testimony.
 2. Presentation by staff summarizing the item

3. Questions from Board members to staff
 4. Presentation by applicant
 5. Questions from Board members to applicant
 6. Chairperson opens Public Hearing
 7. Testimony from public
 - a. Presentation of written comments
 - b. Presentation of oral comments
 8. Chairperson closes Public Hearing
 9. Concluding comments from applicant
 10. Concluding comment of staff
 11. Concluding questions or comments from Board members
 12. The Chairperson shall call for a motion.
- D. If the hearing is on an issue proposed by staff and there is no applicant, agenda items (e), (f), and (h) shall be eliminated and the public shall be heard on the issue.
- E. The Chairperson may order any disruptive person from the room. In the event of ongoing disruption, the Chairperson may recess the meeting.

ARTICLE VII - PROCEDURE FOR AMENDING BYLAWS

- A. These bylaws shall take effect upon adoption by the Board.
- B. These bylaws may be amended at any regular meeting by a majority vote of the members provided that proposed changes have been provided to the Board at least three (3) days in advance of the meeting.



To: Zoning Board of Appeals Members
From: Susie Stec, Planning & Zoning Administrator
Subject: ZBA Case 1440 – 31671 E Bellvine Trail (24-03-327-019)
Date: March 2, 2026

Request Summary

In order to construct an addition to the home, the applicants, Scott & Joann Schofding, are seeking a dimensional/non-use variance from Section 46-167 (Corner lot setback) on the side street which requires a minimum setback from the side street equal to the minimum front setback for the Zone District in which such building is located. Section 46-275 (Schedule of Regulations) requires a minimum front yard setback of 40-feet.

Background & Zoning Analysis

The existing 2,2551 square foot, 2-story home was constructed in 1964. The home is situated on corner lot which is 0.662 acres and zoned R-A. The property is located south of 14 Mile Road between Lahser Road and Evergreen Road. The house itself complies with the zoning standards, and aside from the requested variance, all other dimensional standards appear to be in compliance with the zoning standards.

As a corner lot, the property has frontage on two (2) streets – Bellvine Trail and Bellvine Court, both of which are considered front yards. Section 46-275 (Schedule of Regulations) provides the setbacks in the R-A, Single Family District, including a required front open space setback of 40 feet. Additionally, Section 46-167 (Corner lot setback) states: *Every corner lot in any residential zone district which has on its side street an abutting interior residential lot, shall have a minimum setback from the side street equal to the minimum front setback for the Zone District in which such building is located, provided that this requirement shall not reduce the buildable width of any lot to less than 30 feet. Where there is no abutting interior residential lot on said side street, the minimum side street setback shall be 15 feet for the permitted principal building and 20 feet for permitted accessory buildings.* There are abutting interior residential lots on both Bellvine Trail (north and south of the subject property), and Bellvine Court (west of the subject property). As such a result, the required setback is 40-feet on each street frontage.

In order to construct a 752 square foot, one-story master suite addition, the applicants are requesting an 18-foot variance from the required 40-foot setback. This would result in a 22-foot front yard setback on Bellvine Court.

The Dimensional Variance Approval Standards

Proof of a practical difficulty is the key criteria for an applicant to qualify for a non-use/dimensional variance request. When deliberating, the board shall consider whether the applicant has demonstrated a practical difficulty in all of the following standards (tests):

1. Would applying the strict letter of zoning restrictions unreasonably prevent the landowner from using their property for a permitted purpose? Is conformity with the zoning regulations unnecessarily burdensome?
2. Would substantial justice be achieved for the applicant and neighboring property owners by granting the variance? Approval of the variance would not negatively impact adjacent property owners or land within the district.
3. Is the requested variance the least relief required?
4. Is the situation unique to the subject property and not related to other land or structures in the area?
5. Are the circumstances requiring the variance self-created?

The applicants have provided a brief narrative response to address these standards which are included in the application materials.

Public Notice and Comments

Per the requirements of the Michigan Zoning Enabling Act, public notice of the request was provided in the Birmingham-Bloomfield Eagle newspaper on February 11^h, and a direct mailing to all occupants and owners of property within a 300' radius of the subject parcel was also sent, as required. As of the finalization of this report no written comments have been received.

ATTACHMENTS:

- **Sample Motions**
- **Zoning Board of Appeals application & submittal attachments**
- **Newspaper Legal Notice**
- **300' Notice & addresses**

Sample Motions

There are 3 options available to the ZBA – grant in full (with or without conditions), deny in full, or grant/deny in part. Suggested motion language is below. Should the ZBA choose to grant/deny in part, separate motions should be made clearly stating the provision(s) being granted and its findings, and another articulating the provision(s) being denied and its findings.

MOTION TO APPROVE:

I move to grant the variance request by Scott & Joann Schofding, property owners of 31671 E Bellvine Trail (Parcel # 24-03-327-019, ZBA Case 1440) from Chapter 46 Zoning, Section 46-167 (Corner Lot Setback) to encroach into the front yard setback on Bellvine Court by 18-feet, resulting in a setback of 22-feet. This determination is based on the finding that the petitioner has demonstrated a practical difficulty exists based on the following criteria:

1. Applying the strict letter of zoning restrictions will unreasonably prevent the landowner from using their property for a permitted purpose and/or conformity with the zoning regulations is unnecessarily burdensome because...
2. Substantial justice would be achieved for the applicant and neighboring property owners by granting the variance and approval of the variance would not negatively impact adjacent property owners or land within the district because...
3. The requested variance is the least relief required.
4. The situation is unique to the subject property and not related to the general conditions of the area.
5. The circumstances requiring the variance are not self-created

(If the board determines that any conditions are deemed necessary the following may be included in the motion to approve)

Approval of the variance requests is conditioned upon compliance with the following conditions:

-
-

MOTION TO DENY:

I move to deny the variance request by Scott & Joann Schofding, property owners of 31671 E Bellvine Trail (Parcel # 24-03-327-019, ZBA Case 1440) from Chapter 46 Zoning, Section 46-167 (Corner Lot Setback). This determination is based on the finding that the petitioner has not demonstrated a practical difficulty exists based on the following criteria:

1. Applying the strict letter of zoning restrictions will not unreasonably prevent the landowner from using their property for a permitted purpose and/or conformity with the zoning regulations is unnecessarily burdensome because...
2. Substantial justice would not be achieved for the applicant and neighboring property owners by granting the variance and approval of the variance would negatively impact adjacent property owners or land within the district because...
3. The requested variance is not the least relief required.
4. The situation is not unique to the subject property and not related to the general conditions of the area.
5. The circumstances requiring the variance are self-created



DATE: January 12, 2026
TO: Beverly Hills Zoning Board of Approvals
SUBJECT PROPERTY: 31671 Bell Vine Trail
SUBJECT: Narrative for ZBA Request

Board Members,

I. ORDINANCE STANDARDS VARIANCE COMMENTS

1. The situation is unique to the property due to the original home placement immediate to the 40-foot setback line of Bell Vine Court.
2. Strict compliance to the zoning ordinance is unreasonable since alternative solutions are not logical to residential home design and therefore, would unreasonably prevent the landowner from using their property.
3. Conforming with the zoning regulation is unnecessarily burdensome since alternative locations are impractical and not logical to the home design.
4. The requested variance will not negatively impact adjacent properties nor property owners or landowners within the district.

II. NARRATIVE

We are seeking an 18-foot front yard encroachment into the 40-foot required Bell Vine Court front yard setback.

The Schofding's are seeking this variance to provide their home with a first-floor bedroom addition. The attached architectural design drawings include a site plan, first floor plan and front and left side elevation.

Lot size is approximately 28,350 square feet.

The total setback area along Bell Vine Court is approximately 7,600 square feet.

The proposed addition encroachment is only 662 square feet and approximately 8.7 percent of the Bell Vine Court setback area. Approximately 92 percent of the Bell Vine Court setback remains open space.

The lot is of significant size; however, the original home placement was such that any addition towards Bell Vine Court is into the setback.

With the Schofding's, we have explored many alternative locations for the first-floor bedroom addition, and none are as effective as the proposed design.

Other designs simply are not logical to a home plan design. Adding to the right rear causes interior travel through the kitchen, breakfast area, and family room or the alternative would require travel through the garage. A design within the front yard setback would compromise the front door entrance. Finally, a design staying out of the Bell Vine Court setback would compromise the kitchen, breakfast, and family room areas.



ALEXANDER V. BOGAERTS & ASSOCIATES, P.C.

Architecture

Planning

Interior Design

2445 Franklin Rd.
Bloomfield Hills, MI 48302
248-334-5000

We do not believe this to be a self-imposed hardship since the original home placement was not by the Schofding's and attempting to design a first-floor bedroom in the only reasonable location results in the needed variance.

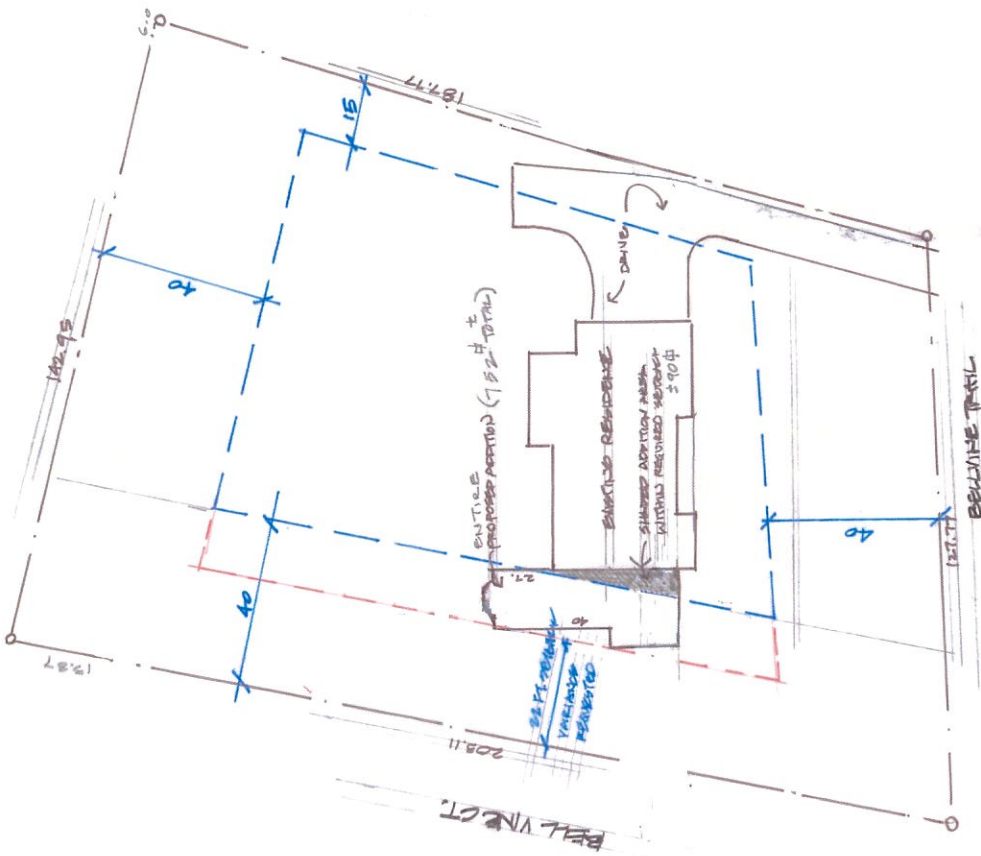
Additionally, the encroachment area is extremely small at 662 square feet and only 8.7 percent of the Bell Vine Court required setback area. Also, the addition is only a one-story structure.

While not a Zoning Board consideration the esthetics of the proposed addition will significantly enhance the home image, neighborhood, and the community at large.

In conclusion, we believe this proposal is a reasonable and logical enhancement of the property, neighborhood, and community, while the hardship of meeting the setback is due to the original home placement.

Thank you for considering this request.

Alexander V. Bogaerts

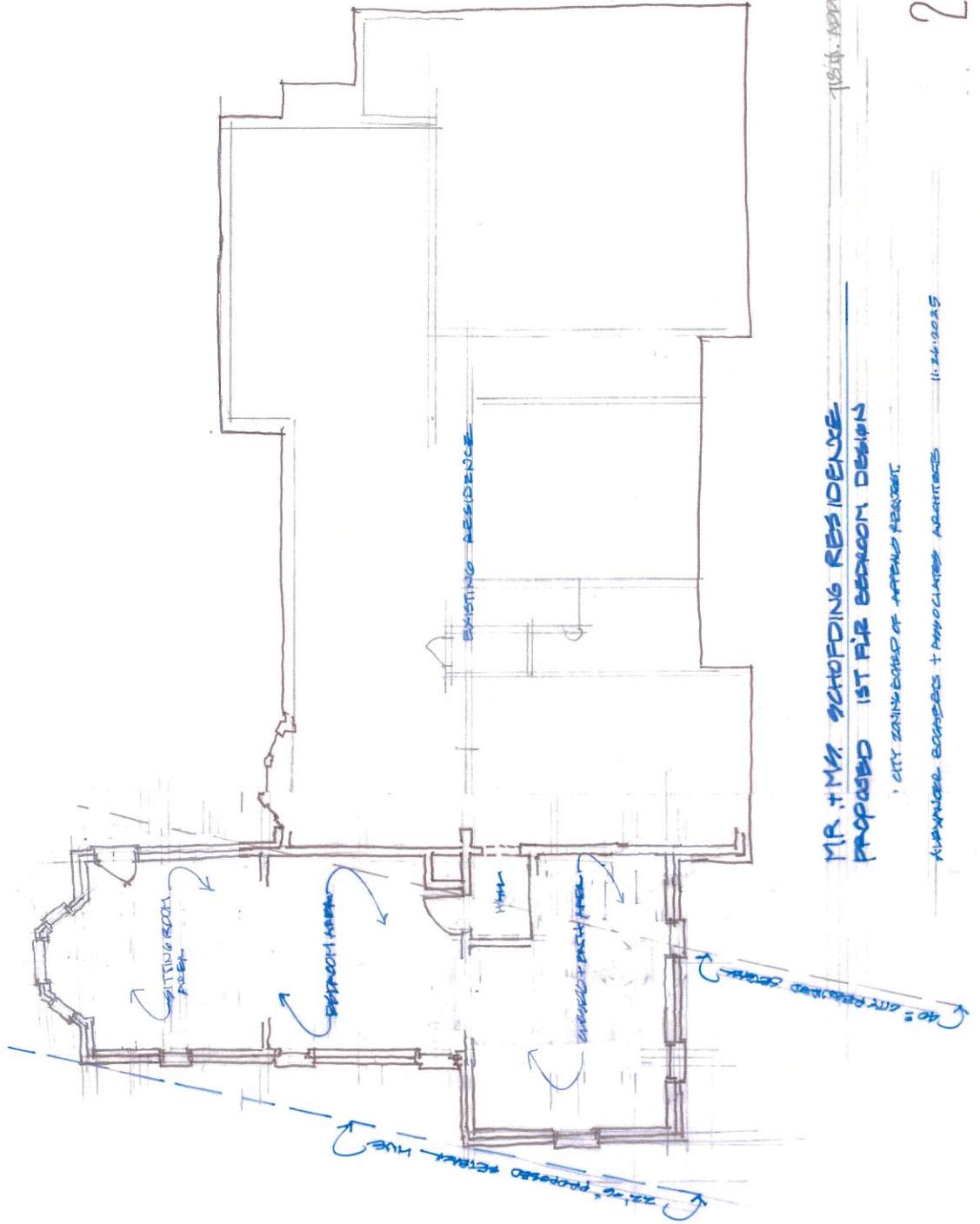


LEGEND

1. 40 FT. REQ'D FRONT YD. SETBACK
22-FT. REQUESTED
2. APPROX. FRONT YD. AREA ALONG
BELLVUE COURT 7600 SQ. FT.
3. APPROX. FRONT YD. ENCROACHMENT AREA
INTO BELLVUE CT. 602 SQ. FT. (NET)
4. PERCENTAGE OF FRONT YD. ENCROACHMENT
PROPOSED ± 2.1%

MR. TIM SCHAFFING RESIDENCE
REQUESTED SETBACK VARIANCE SITE PLAN IMAGE
3107 BELLVUE TRAIL

DEBORAH V. BOGARDUS - MEDIATOR ARCHITECTS 12.16.25



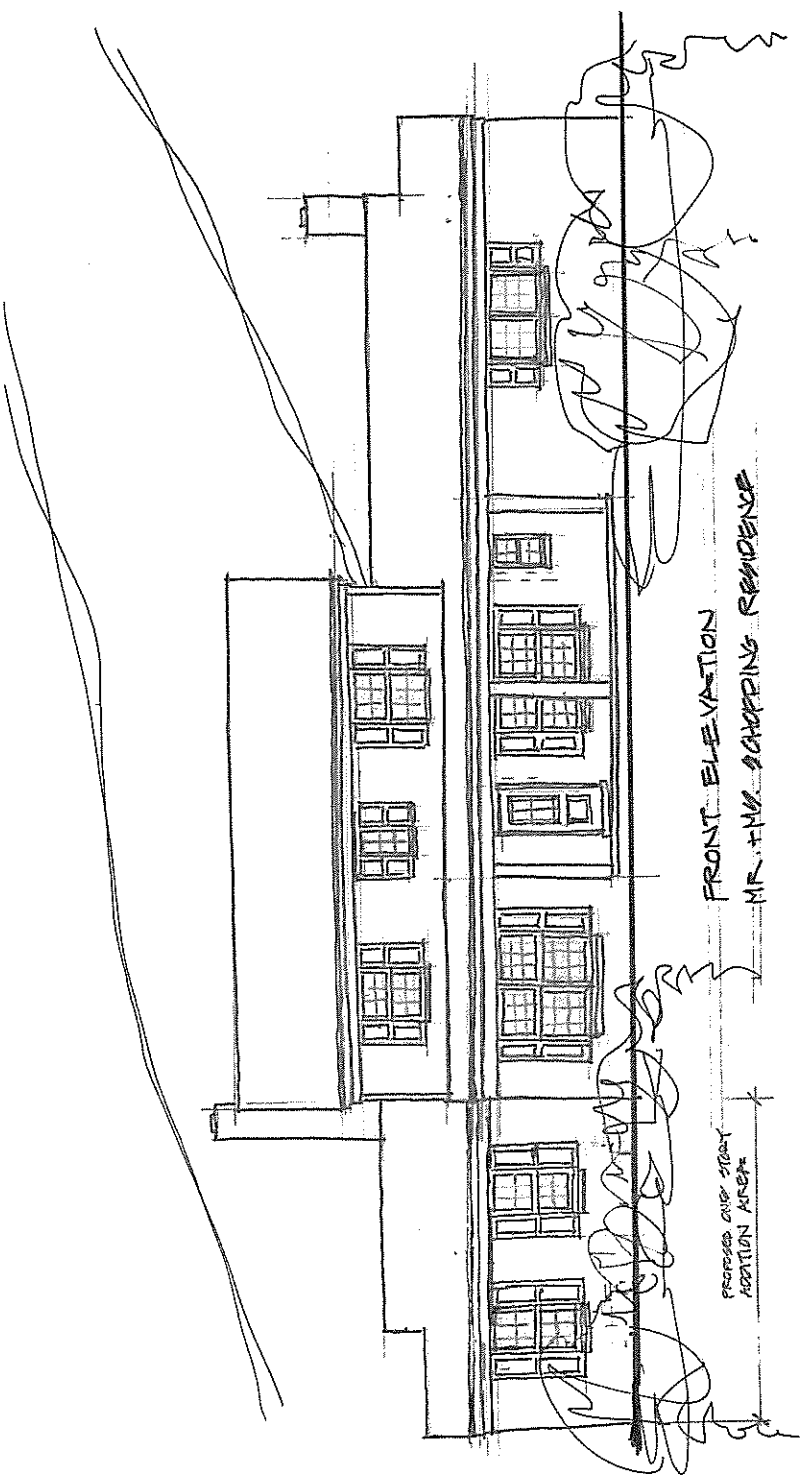
185th AVE. E.

**MR. & MRS. SCHOFDING RESIDENCE
PROPOSED 1ST FLOOR BEDROOM DESIGN**

CITY ZONING BOARD OF APPEALS PRESENT

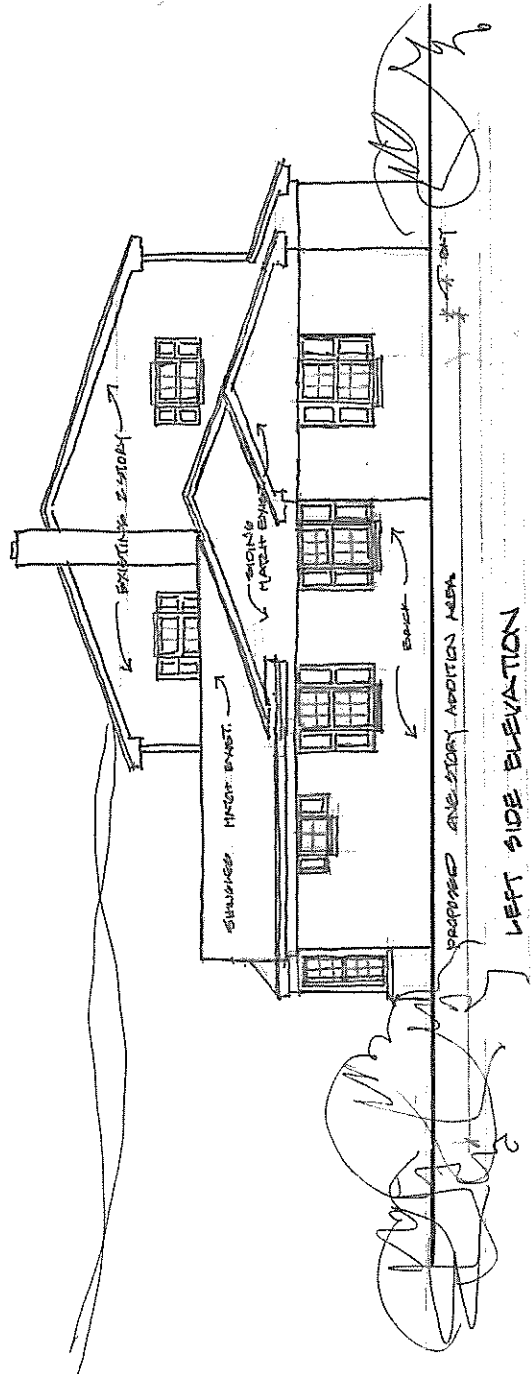
KIMMEL, BOGERS & ASSOCIATES ARCHITECTS 11.24.2025

2.



FRONT ELEVATION
MR. FNU SHOPPING RESIDENCE

PROPOSED ONE STORY
ADDITION AREA



LEFT SIDE ELEVATION

PROPOSED ONE STORY ADDITION AREA

Village of Beverly Hills Zoning Board of Appeals Meeting

Notice is hereby given that the Village of Beverly Hills Zoning Board of Appeals will hold a meeting on Monday, March 9, 2026 at 7:00 pm at the Village of Beverly Hills Offices at 18500 W. 13 Mile Road, Beverly Hills, MI 48025. A public hearing to receive public comment will be held on the following case:

ITEM: ZBA Case 1440

REQUEST: In order to construct an addition to the home, the applicant is seeking a dimensional/non-use variance from Section 46-167 (Corner lot setback) on the side street which requires a minimum setback from the side street equal to the minimum front setback for the Zone District in which such building is located. Section 46-275 (Schedule of Regulations) requires a minimum front yard setback of 40-feet.

LOCATION & ZONING 31671 E. Bellvine Trail (24-03-327-019), R-A Single Family

APPLICANT: Scott & Joann Schofding

Interested parties may comment on the above listed case in-person at the scheduled meeting. Written comments may be submitted in-person or by mail to the Village of Beverly Hills, Zoning Board of Appeals, 18500 W. 13 Mile Road, Beverly Hills, MI 48025. Comments may also be submitted via email to sstec@beverlyhillsmi.gov until 4:00 p.m. on the date of the hearing; please note the case in the subject line. The applications may be reviewed at the Village Hall between 8:00 a.m. and 4:30 p.m., Monday through Friday.

Carissa Brown

Village Clerk

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**PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS**

Notice is hereby given that the Village of Beverly Hills Zoning Board of Appeals will hold a public hearing to receive public comment on **Monday, March 9, 2026 at 7:00 pm** to consider the following request:

ITEM: ZBA Case 1440
REQUEST: In order to construct an addition to the home, the applicant is seeking a dimensional/non-use variance from Section 46-167 (Corner lot setback) on the side street which requires a minimum setback from the side street equal to the minimum front setback for the Zone District in which such building is located. Section 46-275 (Schedule of Regulations) requires a minimum front yard setback of 40-feet.
LOCATION & ZONING 31671 E. Bellvine Trail (24-03-327.019), R-A Single Family
APPLICANT: Scott & Joann Schofding

The public hearing will be held at the Village of Beverly Hills Municipal Offices, 18500 W. 13 Mile Road, Beverly Hills, Michigan 48025. If you have any questions or comments, please contact the Planning & Zoning Department at 248-646-6404 during regular business hours of 8:00 am – 5:00 pm, Monday through Friday, or via email at sstec@beverlyhillsmi.gov by 4:00 p.m. on the date of the hearing or attend the public hearing on the scheduled date.



Publish Date: February 11, 2026, Birmingham-Bloomfield Eagle

The Village of Beverly Hills will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities attending the meeting upon three working days' notice to the Village. Individuals with disabilities requiring auxiliary aids or services should contact the Village by writing or phone, 18500 W. Thirteen Mile Beverly Hills, MI 48025 (248) 646-6404.

2403327024
JEFFREY G HUPP
MARYANN HUPP
31455 E BELL VINE TRL
BEVERLY HILLS MI 48025 3704

2403327019
SCOTT L SCHOFDING
JOANN N SCHOFDING
31671 E BELL VINE TRL
BEVERLY HILLS MI 48025 3708

2403327025
G JOHN CONTI
EDITH CONTI
31491 E BELL VINE TRL
BEVERLY HILLS MI 48025 3704

2403327023
DONALD HERPEL
HELDEGARD HERPEL
31551 E BELL VINE TRL
BEVERLY HILLS MI 48025 3701

2403376014
EDGAR W PUGH JR
SHARON M PUGH
31602 E BELL VINE TRL
BEVERLY HILLS MI 48025 3707

2403376015
WILLIAM R MCCONNELL TRUSTEE
CAROL J MCCONNELL TRUSTEE
31574 E BELL VINE TRL
BEVERLY HILLS MI 48025 3705

2403376016
JORDAN BRACISZEWSKI
JULIE BRACISZEWSKI
31540 E BELL VINE TRL
BEVERLY HILLS MI 48025 3705

2403327004
RUNDELL TRUST KATHRYN L
31744 W BELL VINE TRL
BEVERLY HILLS MI 48025 3715

2403401005
SCOTT M DRUMMOND
SAMANTHA A MILLER
31675 WESTLADY DR
BEVERLY HILLS MI 48025 3744

2403376011
EUGENE A KODLOWSKI
FRANCES I KODLOWSKI
31780 E BELL VINE TRL
BEVERLY HILLS MI 48025 3709

2403376013
CAROL CLARK
MICHAEL KACHMAN III
31678 E BELL VINE TRL
BEVERLY HILLS MI 48025 3707

2403376012
MICHAEL ALLEN
CHRISTINE ALLEN
31698 E BELL VINE TRL
BEVERLY HILLS MI 48025 3707

2403327021
SCOTT FOLTZ
REID BEYERLEIN
31637 BELL VINE CT
BEVERLY HILLS MI 48025 3700

2403327022
REID BEYERLEIN TRUSTEE
31621 BELL VINE CT
BEVERLY HILLS MI 48025 3700

2403327007
MICHAEL R BABCOCK
JAYNE M BABCOCK
31514 W BELL VINE TRL
BEVERLY HILLS MI 48025 3713

2403327020
JOHN B HUBERT
PATRICIA A HUBERT
31655 BELL VINE CT
BEVERLY HILLS MI 48025 3700

2403327006
JOSH TAVEL
MEGGAN TAVEL
31570 W BELL VINE TRL
BEVERLY HILLS MI 48025 3713

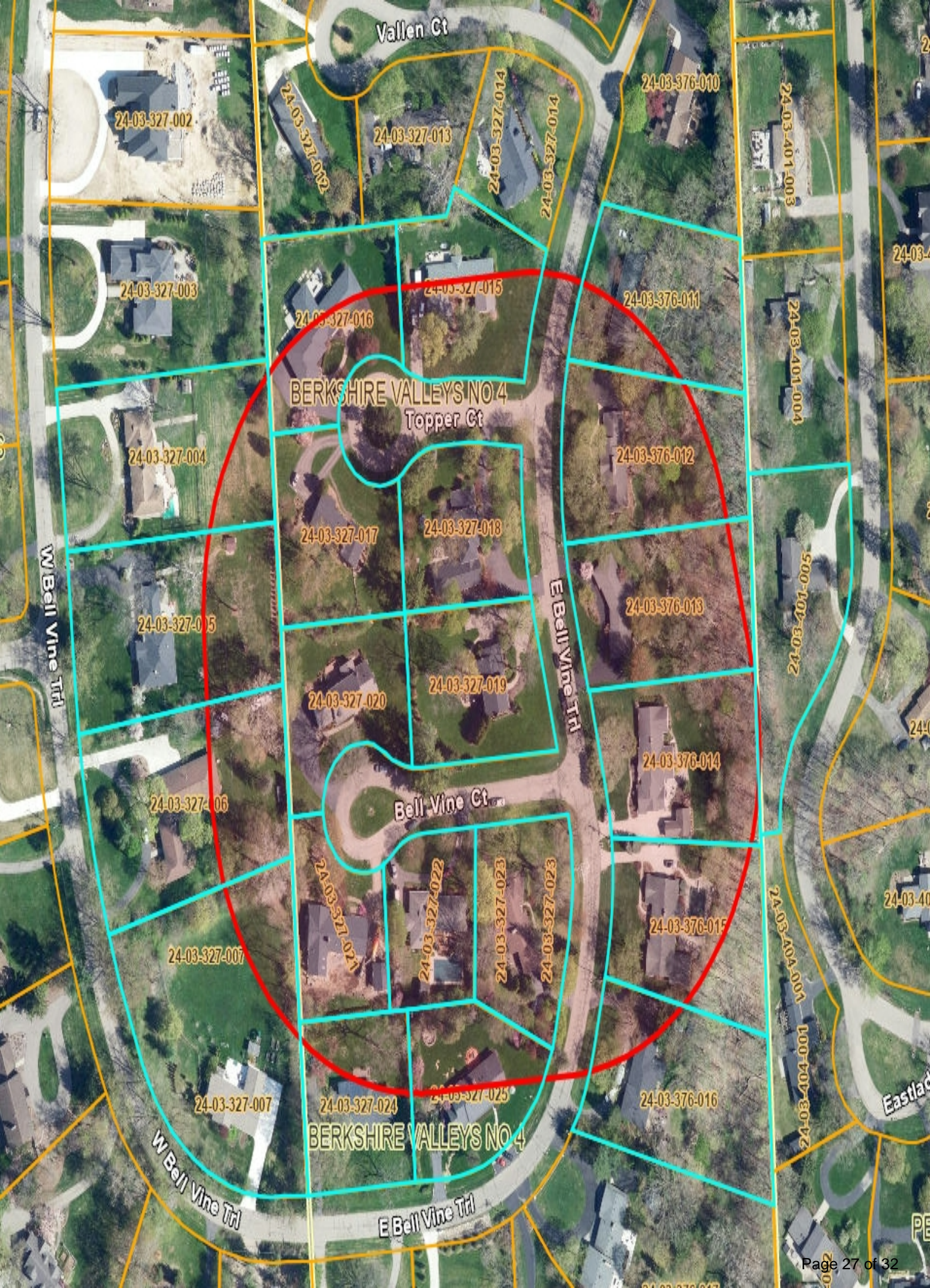
2403327015
THOMAS R DREW
DONNA MCGUIRE
31771 TOPPER CT
BEVERLY HILLS MI 48025 3739

2403327017
DUNCAN R MEIN
NARDINA N MEIN
31725 TOPPER CT
BEVERLY HILLS MI 48025 3739

2403327016
FRANK E FLYNN TRUSTEE
JULIE R FLYNN TRUSTEE
31745 TOPPER CT
BEVERLY HILLS MI 48025 3739

2403327018
PEDRO A VILLABLANCA SPINETTO
BARBARA KART PIWONKA
31705 E BELL VINE TRL
BEVERLY HILLS MI 48025 3710

2403327005
ANDRE STELCZYK
JENNA STELCZYK
31700 W BELL VINE TRL
BEVERLY HILLS MI 48025 3715



Vallen Ct

24-03-327-002

24-03-327-002

24-03-327-013

24-03-327-014

24-03-327-014

24-03-376-010

24-03-401-003

24-03-327-003

24-03-327-016

24-03-327-015

24-03-376-011

24-03-401-004

BERKSHIRE VALLEYS NO 4
Topper Ct

24-03-327-004

24-03-376-012

24-03-327-017

24-03-327-018

24-03-376-013

24-03-401-005

W Bell Vine Trl

24-03-327-015

24-03-327-020

24-03-327-019

E Bell Vine Trl

24-03-376-014

24-03-327-016

Bell Vine Ct

24-03-327-021

24-03-327-022

24-03-327-023

24-03-327-023

24-03-376-015

24-03-327-007

24-03-327-024

24-03-327-025

24-03-376-016

24-03-327-007

BERKSHIRE VALLEYS NO 4

24-03-404-001
100-104-30-12

W Bell Vine Trl

E Bell Vine Trl

Eastland



Agenda Item Summary

To: Zoning Board of Appeals
From: Susie Stec, Planning & Economic Development Director
Re: *New Business - B. 2025 ZBA Annual Report*
Date: March 9, 2026 - [Click to View Agenda](#)

Summary:

Over the past few years, the ZBA has gotten into the practice of compiling an annual report. While not statutorily required, this is a best practice which helps to foster transparency and public trust.

Recommendation:

Accept and forward the 2025 ZBA Annual Report to Village Council.

Attachments:

1. ZBA Annual Report 2025



Zoning Board of Appeals
2025
Annual Report

Summary

Zoning Board of Appeals activity is one indicator of the real-world implications of the community's Zoning Ordinance. Unlike the Planning Commission, which is required to submit a written report to the Village Council annually, the Zoning Board of Appeals (ZBA) has no such requirement. However, providing an overview of the prior year is beneficial to the Council, Planning Commission and Administration in understanding how the zoning ordinance is affecting residents and property owners' ability to use or modify their property and buildings. This report will outline the past year's activity and provide information as to which sections of the zoning ordinance variances are being requested.

Authority of the Board

The Zoning Board of Appeals is granted authority by state statute (Michigan Zoning Enabling Act) and the Village Ordinances which, combined, allow the Board to grant a variance from the dimensional or the use restrictions of the zoning ordinance, hear appeals of administrative decisions, and to interpret the text of the Zoning Ordinance. The majority of the cases before the Board in any given year are for requests of dimensional, or non-use variances.

Board Membership

The Board is comprised of nine regular members and two alternate members with a primary and an alternate council liaison. The ZBA experienced limited turnover in 2025 with the resignation of Susan Robbins and Christopher Michael. Staff support is provided by the Village Planning & Economic Development Director. The current Board members and council liaisons are:

Timothy Makar, Chairperson
Leslie Rott, Vice Chairperson
Mark Barron, Secretary
Scott Beach
Pamela Caputo
Kevin Miller
Derek Russaw

LaToya Stroker
Zana Tomich
Adam Beslove, Alternate
Tarik Sentissi, Alternate

Andrew Drummond, Council Liaison
John George, Alternate Council Liaison

Meetings

The Zoning Board of Appeals meets on the second Monday of each month, except where the meeting dates conflict with a holiday. The ZBA met eight (8) times in 2025.

Summary of Cases

A total of fourteen (14) variance requests were received and considered in 2025. The chart below summarizes the cases and their results.

Case #	Address	Zoning District	Request	Result
1425	30330 Woodhaven Ln	R-A	Construct accessory structure (garage) that exceeds max sf allowed & exceed 50% of UFA	Granted
1426	31515 Lahser Road	R-1	Construct accessory structure (garage) that exceeds max sf allowed & exceed 50% of UFA	Denied
1427	31988 Carlelder Street	R-1	Reduced setbacks: SY (north) 2'2"; RY (east) 3'10", & SY (south) 3'	Granted
1428	16989 W. 14 Mile Rd	R-2A	Setback	Granted
1429	32280 Auburn St.	R-2B	setback	Withdrawn
1430	15701 Birwood Ave	R-2A	Setback	Granted
1431	25 Riverbank	R-A	Accessory Structure in the side open space	Granted
1433	31284 Cline	R-2	Rear setback	Denied
1434	31255 Southfield Rd.	B/VCOD	Sign variance (size)	Granted
1435	19453 Waltham	R-1	Accessory Structure in the side open space	Granted
1436	20711 Kennoway Circle	R-A	Accessory Structure that exceeds 50% of UFA of principle building	Granted
1437	31535 Southfield Rd	B/VCOD	Sign variance (quantity & size)	Granted
1438	31533 Kennoway Ct.	R-A	6-foot fence/privacy screen in the front yard	Denied
1439	31288 Downing Place	R-1A	Rear setback	Granted

Respectfully submitted,

Timothy Makar
ZBA Chairperson