

Present: Chairperson Makar, Vice-Chairperson Rott, Members: Barron, Beach, Caputo, Miller, Russaw, Stroker, Tomich

Absent: None

Also Present: Planning and Economic Development Director, Stec  
Village Attorney, Kolb  
Council Member (Liaison), Drummond

### **ROLL CALL/CALL TO ORDER**

Chairperson Makar called the regular Zoning Board of Appeals meeting to order at 7:00 p.m. in the Village Council Chambers located at 18500 W. Thirteen Mile Road, Beverly Hills, MI 48025.

### **APPROVAL OF AGENDA**

Motion by Russaw, second by Caputo, to approve the agenda as published.

Motion passed.

### **APPROVAL OF MINUTES**

Motion by Russaw, second by Stroker, to approve the minutes of the March 9, 2026, Zoning Board of Appeals meeting.

Motion passed.

### **PUBLIC COMMENTS ON ITEMS NOT ON PUBLISHED AGENDA**

None

### **OLD BUSINESS**

A. ZBA CASE: ZBA Case 1440  
LOCATION: 31671 E. Bellvine Trail  
PARCEL ID: TH-24-03-327-019  
ZONING: R-A, Single Family Residential  
PETITIONER: Alexander V. Bogaerts – Alexander V. Bogaerts and Associates, P.C.  
OWNER: Scott & Joann Schofding  
REQUEST: Seeking a dimensional/ non-use variance from Section 46-167 (Corner lot setback) on the side street which requires a minimum setback from the street equal to the minimum front setback for the Zone District in which such building is located.

Stec presented the revised variance request by Scott and Joann Schofding for 31671 East Bellvine Trail. The request, previously tabled in March, was revised from a 22-foot setback to a 25-foot setback where 40 feet is required. The proposed addition is a single-story master suite on the south side of the home.

Bogaerts, the applicant's architect, stated the revised setback represented the minimum needed for a functional layout and argued that the hardship was caused by the home's original placement on

the lot. He explained that additional reductions to the setback would compromise functionality of the bedroom and interior spaces. The applicants acknowledged that an addition could physically be constructed elsewhere on the property without a variance request but stated that alternative locations would not function well with the existing layout of the home and proximity to the neighboring properties.

Board members discussed whether the request represented the least relief necessary and whether sufficient practical difficulty existed to justify the variance. Concerns were raised regarding the inclusion of a sitting room within the addition and the availability of alternative locations on the property that would not require zoning relief.

Motion by Beach, second by Russaw, 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 findings 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 the house can continue to be used as a single-family home. In addition, there are other available options for the proposed expansion that would not have required bringing this matter before the Zoning Board.
2. The requested variance for the 25-foot setback was not the minimum relief necessary because it included a sitting room, which appears to be an additional preference or convenience rather than the necessity claimed by the petitioner. Furthermore, there is substantial space in the backyard that would allow for the proposed expansion and renovation without the need for a variance request before the Zoning Board.
3. The situation is not unique to the subject property and is not related to the general conditions of the area. There is no significant decline or elevation in the backyard that would prevent the renovation from being constructed there. The proposed renovation could be located in the rear yard area; however, the petitioner instead seeks to place it on the side of the house, which creates the setback issue.
4. The circumstances requiring the variance are self-created and therefore do not satisfy the requirements of this board.

Roll Call Vote:

Stroker	Yes
Caputo	Yes
Russaw	Yes
Makar	Yes
Rott	Yes
Miller	Yes
Tomich	Yes
Barron	No

Beach            Yes

Motion passed. (8-1)

**B.     ZBA Bylaws\_v4**

Stec summarized revisions to Version 4 of the proposed Zoning Board of Appeals Bylaws, including added membership and training provisions, and noted that a proposed attendance policy was excluded because it exceeded Village Council standards.

Discussion focused on training expectations, attendance requirements, and a technical correction to Article 6, Section D regarding hearing procedures when no applicant is present. Kolb, the Village Attorney, also clarified that the Michigan Zoning Enabling Act requires the Board to elect a Secretary to certify minutes and sign official correspondence. The Board agreed to place the election of a Secretary on a future agenda.

Motion by Beach, second by Rott, to adopt the proposed Village of Beverly Hills Zoning Board of Appeals Bylaws as drafted, with the correction to Article 6, Section D to reflect agenda items 4, 5, and 9 in place of items 5, 6, and 8 when no applicant is present.

Motion passed.

**PUBLIC COMMENTS**

None

**LIAISON COMMENTS**

Council Liaison, Drummond congratulated the Board on adopting bylaws and noted their importance for continuity as membership changes. He also reported that sidewalk construction is underway throughout the village, with all schools- including Seaholm and Groves High School- expected to be connected by sidewalk by year's end.

**STAFF COMMENTS**

Stec announced that JSS was awarded the contract for the Beverly Park playground replacement, with installation of the new ADA-accessible playground expected to begin after Memorial Day and take approximately two months to complete. Informational signage with project renderings will be posted at the park.

Stec also reported that Giffels Webster was selected to complete the Villages' master plan update and zoning ordinance rewrite. Both processes will occur concurrently over an estimated two-year period, with Board members included in ongoing discussions.

Stec provided an update on Detroit Country Day School's athletic complex improvements. She explained that the proposed scoreboard relocation is now expected to be reviewed by the Planning Commission, primarily due to traffic visibility concerns, with the item scheduled for the May 27, 2026, Planning Commission meeting.

**COMMISSIONER COMMENTS**

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

Makar reminded members that reappointment applications are due by May 29, 2026, and encouraged those seeking another term to apply promptly.

Makar also thanked the Board for its thoughtful deliberations and encouraged members to continue clearly stating their reasoning on the record for future meetings.

**CORRESPONDENCE**

None

**ADJOURNMENT**

Motion by Tomich, second by Barron, to adjourn the meeting at 8:08 p.m.

Motion passed.

**Timothy Makar**  
Chairperson

**Carissa Brown**  
Village Clerk

**Lydia Williams**  
Recording Secretary