

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

Absent: Members: Barron, Beach

Also Present: Planning and Economic Development Director, Stec  
Village Attorney, Kolb  
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.

Motion by Rott, second by Miller, to excuse Members: Barron and Beach, as they provided notice of their absence.

Motion passed.

### **APPROVAL OF AGENDA**

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

Motion passed.

### **APPROVAL OF MINUTES**

Rott made comments regarding the minutes that were drafted for the December 8, 2025, Zoning Board of Appeals meeting regarding misspellings.

Motion by Russaw, second by Caputo, to approve the minutes of the December 8, 2025, Zoning Board of Appeals meeting minutes with the noted revisions.

Motion passed.

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

None

### **OLD BUSINESS**

#### **A. ZBA Bylaws**

The Board discussed the draft Zoning Board of Appeals (ZBA) Bylaws, previously introduced in December as a best practice through the Redevelopment Ready Communities program.

Russaw asked for clarification regarding language on page five (5), subsection D, where the draft referenced eliminating agenda items “E, F, and H.” Stec confirmed this was a typographical error and that the reference should instead correspond to numerical agenda items 5, 6, and 8, which will be corrected in the next revision.

Makar asked for clarification regarding quorum and voting requirements outlined in Article VI, paragraph A, noting that a quorum consists of a majority of the entire board membership and that

approval of a motion requires a concurring vote of a majority of the entire board. Stec confirmed that if only five (5) members were present, constituting a quorum, all five (5) members would need to vote in favor for a motion to pass.

Tomich questioned the provision requiring a unanimous vote of the board to determine whether a member with a perceived conflict must recuse themselves from discussion and voting. Kolb explained that this is standard practice for elected and appointed bodies and is intended to ensure members fulfill their duty to vote unless a direct conflict, typically financial in nature, exists. Kolb also clarified that conflicts must be disclosed publicly at the meeting when the matter arises, and if the board does not have sufficient members present to achieve a unanimous determination, the item would need to be postponed.

Motioned by Tomich, second by Miller, to table consideration of the ZBA bylaws for one month to allow members additional time to review the revised draft.

Motion passed.

#### **NEW BUSINESS**

**A.** PC 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 provided an overview of the request, explaining that the applicants were seeking relief from the corner lot side street setback requirement to construct a one-story master suite addition to the south side of their home. Because the property is a corner lot with an adjacent interior lot, a 40ft setback from Bellvine Court is required. The proposed addition would encroach approximately 18ft into the required setback, resulting in a 22ft setback. Staff noted that the home currently complies with all setback requirements and that the addition would include a bedroom, bathroom, closets, and a sitting room intended to create a first-floor master suite.

Bogaerts, the applicant’s architect, explained that the homeowners wish to add a first-floor master suite so they can remain in their home long-term. Several alternative locations were explored, but the proposed location best fits the home’s layout and minimizes impacts to neighbors. The homeowners also stated they had spoken with nearby neighbors, who did not object to the proposal.

Board members asked several questions regarding the size and layout of the proposed addition, alternative design options, and whether the encroachment could be reduced. Bogaerts explained that the proposed design represents the smallest configuration that would reasonably accommodate the intended spaces and maintain a functional interior layout.

Makar opened the item for public hearing at 7:45 p.m.

Makar closed the public hearing at 7:46 p.m. with no comments received.

Board members acknowledged the applicant's desire for a first-floor bedroom but some expressed concern about the extent of the requested variance. Members discussed whether the design could be modified to reduce the encroachment.

Bogaerts explained that several alternative designs had been considered, including locating the addition at the rear or north side of the home, but these options created impractical interior layout or other design issues. He also noted that the home's placement far to the south on the lot limited available building area.

Following questions and discussion regarding the size of the addition and possible design modifications to reduce the encroachment, the applicants agreed to revisit the design.

Motion by Tomich, second by Stroker, to table ZBA case 1440 to the next Zoning Board of Appeals meeting.

Motion passed.

#### **B. 2025 ZBA Annual Report**

Stec presented the 2025 Zoning Board of Appeals Annual Report, noting that it summarizes the Board's activity over the past year and is considered a best practice through the Redevelopment Ready Communities program. Stec reported that the Board held eight (8) meetings in 2025 and reviewed fourteen (14) variance requests, the majority of which were approved, with three (3) denied and one (1) withdrawn. Most requests involved accessory structures and setback issues.

Stec also noted that the Planning Commission is aware of the frequency of setback-related variances and will review these standards as part of the upcoming Zoning Ordinance update. In addition, staff expressed interest in incorporating annual training opportunities for Board members and documenting those efforts in future reports.

Motion by Stroker, second by Rott, to accept the 2025 Zoning Board of Appeals Annual Report and forward it to the Village Council for review and acceptance.

Motion passed.

#### **PUBLIC COMMENTS**

Rebecca Mennen from E Lincolnshire asked about the difference between the ZBA and the Village Council and what body oversees rental properties.

Kolb explained that the Village Council is an elected body responsible for the overall legislative and policy functions of the community, while the ZBA is an appointed body focused solely on zoning matters, including granting variances and interpreting the zoning ordinance.

Kolb also confirmed that rental property questions fall under the Council’s jurisdiction.

**LIAISON COMMENTS**

None

**STAFF COMMENTS**

Stec discussed the ongoing Request for Proposals (RFP) for a Master Plan update and Zoning Ordinance overhaul, expected to begin in late April and continue for approximately two years.

Stec provided an update for ZBA Case 1438 located at 31555 Kennoway Court. The Boards decision has been appealed.

Stec stated that she is expecting information from Detroit Country Day school regarding a large scoreboard as part of their athletic complex improvements. The item was removed from the Planning Commission application to be reviewed separately after additional details on sound, size, and lighting are provided and will not be discussed at the Village Council meeting on March 17, 2026.

Stec provided an update on ZBA training, noting that two members will complete basic training by the end of the month, and efforts continue to coordinate advanced training with MAP and former trainers.

**COMMISSIONER COMMENTS**

None

**CORRESPONDENCE**

None

**ADJOURNMENT**

Motion by Tomich, second by Miller, to adjourn the meeting at 8:25 p.m.

Motion passed.

**Timothy Makar**  
**Chairperson**

**Carissa Brown**  
**Village Clerk**

**Lydia Williams**  
**Recording Secretary**