

SYNOPSIS

THE REGULAR MEETING OF THE BERKLEY CITY ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:00 PM, MONDAY, AUGUST 11, 2025 BY CHAIR MCALPINE

The minutes from this meeting are in summary form capturing the actions taken on each agenda item. To view the meeting discussions in their entirety, this meeting is broadcasted on the city's government access channel, WBRK, every day at 9AM and 9PM. The video can also be seen on-demand on the city's YouTube channel: <http://www.youtube.com/CityofBerkley>.

PRESENT:

Sue McAlpine
Andrew Creal
Joseph Krug
Eric McDonald

Joann Serr
Jason Benedict, Alternate

ABSENT:

Steve Allen
Kevin Wilner
Lorene Branch, Alternate

ALSO, PRESENT:

Kim Anderson, Zoning Administrator
Dennis Hennen, Liaison

CONFIRMATION OF QUORUM MET

APPROVAL OF AGENDA

Motion to approve the agenda as presented by Krug, and supported by Creal.

Voice vote to approve the agenda.

AYES: 6
NAYS: 0
ABSENT: 2

MOTION CARRIED

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APPROVAL OF MINUTES

Motion to approve the minutes of the July 14, 2025 regular meeting by Serr and supported by Krug.

Voice vote to approve minutes

AYES: 6
NAYS: 0
ASBENT: 2

MOTION CARRIED

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OLD BUSINESS

None

NEW BUSINESS

Application Number PBA-06-25

DePorre Building, LLC, representing 3617 Buckingham Ave., Parcel 04-25-07-385-024, West side of Buckingham Ave., between Twelve Mile Rd. and Edwards Ave., is requesting a dimensional variance of 2.2' on the North side of the property.

The applicant is requesting a dimensional variance of 2.2 feet on the North side of the property to allow for a demolition of an existing single-family dwelling and construct a new single-family dwelling not meeting the setback requirement for the minimum distance between dwelling units of 15 feet.

Per Berkley City Code, Zoning Ordinance, Chapter 138 Zoning, Section 5.02.D, Minimum distance between dwelling units: 15 feet.

Zoning Administrator, Kim Anderson provided the Zoning Board of Appeals background on 3617 Buckingham and 3621 Buckingham detailing the side yard setbacks and the proposed distance between dwellings.

APPLICANT PRESENTATION

Applicant John DePorre presented the case to the Zoning Board of Appeals and answered various questions regarding the parcel.

Chair McAlpine opened the floor for the public hearing at 7:08 p.m.

PUBLIC COMMENT

No public correspondence:

Chair McAlpine closed the floor for the public hearing at 7:08 p.m.

Zoning Board of Appeals discussion:

Zoning Board of Appeals members discussed; purchase date, ownership of adjacent property and the five standards to be met.

Motion to approve a dimensional variance of 2.2 feet on the north side on the required distance between dwelling units by Creal and supported by Krug.

Approval

In the matter of PBA-06-25, 3617 Buckingham Ave., parcel # 04-25-07-385-024, motion to approve the requested variance from Berkley City Code, Zoning Ordinance, Chapter 138, Article 5, Sec.5.02.D of the City of Berkey City Codes to grant a variance of 2.2 feet, as required, that does not conform to the applicable City Code regulations, based on the following findings:

1. *The need for the variance is due to unique circumstances or physical conditions of the property.*
2. *The need for the variance is not the result of actions of the property owner or previous property owners.*
3. *Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.*
4. *The requested variance is the minimum variance necessary to do substantial justice to the application as well as other property owners.*
5. *The requested variance will not adversely impact the surrounding properties.*

AYES: Members: Serr, Benedict, Creal and Krug

NAYS: McDonald and Chair McAlpine

ABSENT: Allen and Wilner

MOTION CARRIED

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OTHER BUSINESS

1. Rules of Procedure

Rules of Procedure was presented with edits for review.

Motion to approve the Rules of Procedure as presented by Krug and supported by Serr.

Voice vote to approve

AYES: Serr, Benedict, Creal, Krug, McDonald and Chair McAlpine

NAYS: None

ASBENT: Allen and Wilner

MOTION CARRIED

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STAFF/BOARD MEMBER REPORT

Community Development Monthly Report for June 2025

A copy of the Boards & Commissions Handbook that was recently adopted by City Council was provided to the board.

No meeting for September 2025, no cases applied

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LIAISON REPORT

Dennis Hennen – Informed the Board that the Michigan Association of Planning awarded Berkley the 2025 Planning Excellence Awards on Rebuilding Berkley's Zoning Ordinance for the Outstanding Public Outreach.

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PUBLIC COMMENT

NONE

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With no further business, the meeting was adjourned at 7:28 p.m.

Motion by Serr and support by Krug

Voice vote to adjourn

AYES: 6

NAYS: 0

ABSENT: 2

MOTION CARRIED

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