

**ROYAL OAK ZONING BOARD OF APPEALS  
CITY OF ROYAL OAK, MICHIGAN**

**Regular Meeting  
Thursday, May 12, 2022  
7:00 P.M.**

Royal Oak City Hall  
203 S. Troy St.  
City Commission Chambers, Room 121  
Royal Oak MI 48067

**Agenda**

**A. Call to Order & Roll Call**

**B. Approval of Minutes for April 14, 2022**

**C. Old / Unfinished Business**

**D. New Business**

1. Case No. 22-05-16 – public hearing on the appeal of Lafontaine Imports of Birmingham LLC, petitioner & Van John Vanderpool Trust, owner, for the following variance:  
(a) waive 11 of the minimum required 18 off-street parking spaces to establish an electric vehicle dealership at **30533 Woodward Ave.** (25-08-151-014).
2. Case No. F-22-05-01 – public hearing on the appeal of Jason M Shoemaker, petitioner & owner, for the following variance to the city's Fence Ordinance:  
(a) waive 2 ft. of the maximum permitted 4 ft. fence height within a front yard setback along S. Alexander Ave.  
to allow a 6 ft. sight obscuring wood fence within a front yard setback as defined in the Zoning Ordinance at **828 E. 3<sup>rd</sup> St.** (25-22-132-017).

**E. Other Business**

**F. General Public Comment**

**G. Adjournment**

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**Call to Order**

The regular meeting was called to order at 7:01 p.m. by Chairperson Offak. He informed the audience that the board does not write the zoning ordinance but does have the authority to grant relief from it where practical difficulty or unnecessary hardship would result. He stated the board will vote on each agenda item following a public hearing. Use variance requests require a minimum of 6 affirmative votes in order to grant the requested variances. Non-use variance requests require a minimum of 5 affirmative votes in order to grant the variances. Petitioners were directed to limit their presentations to 10 minutes and that each participant in a public hearing limit their comments to 3 minutes. He further pointed out to petitioners the absence of a full board at tonight's meeting and their opportunity to request that their agenda item be postponed until the next regular meeting due to the circumstances.

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**Roll Call**

**Present**

Robert Gavin, Vice Chairperson  
Maggie George  
Jeff Klatt  
Trevis Moore  
Anthony Offak, Chairperson  
Arvind Reddy  
Nancy Robinson  
Deborah Zukin

**Absent**

Samantha Grant

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**Approval of Minutes for April 14, 2022**

Moved by: Mr. Moore  
Supported by: Mr. Klatt

Moved, that the minutes of the April 14, 2022 regular meeting be approved as presented.

Motion adopted unanimously.

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**Unfinished Business**

None.

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**New Business**

**1. Case No. 22-05-16 – 30533 Woodward Ave. (25-08-151-014)**

Moved by: Mr. Gavin  
Supported by: Ms. George

Moved that the appeal of Lafontaine Imports of Birmingham LLC, petitioner & Van John Vanderpool Trust, owner, for the following variance:  
(a) waive 11 of the minimum required 18 off-street parking spaces to establish an electric vehicle dealership at 30533 Woodward Ave. (25-08-151-014), be granted.

Motion adopted unanimously.

Granting the variance is based upon the following:

1. Strict compliance with the zoning ordinance provisions will unreasonably prevent the petitioner from use and enjoyment of the property for a permitted purpose, or would render conformity with such provisions unnecessarily burdensome.
2. Granting the variances will do substantial justice to the petitioner and will not prove detrimental to other property owners in the area, and is the least relief required in order to afford substantial justice to the petitioner or be more consistent with justice to nearby property owners.
3. There are circumstances or conditions inherently unique to the property that necessitates granting the variances.

4. There is evidence of practical difficulty that has not been created by the petitioner and/or property owner but instead results from the inherently unique circumstances or conditions of the property that requires granting the variances.

It is further the finding of the board that the spirit of the zoning ordinance will be observed, public safety secured, and substantial justice rendered by granting the variance.

2. **Case No. F-22-05-01 – 828 E. 3<sup>rd</sup> St.** (25-22-132-017)

Moved by: Mr. Klatt  
Supported by: Ms. George

Moved that the appeal of Jason M Shoemaker, petitioner & owner, for the following variance to the city's Fence Ordinance:

(a) waive 2 ft. of the maximum permitted 4 ft. fence height within a front yard setback along S. Alexander Ave.

to allow a 6 ft. sight obscuring wood fence within a front yard setback as defined in the Zoning Ordinance at 828 E. 3<sup>rd</sup> St. (25-22-132-017), be granted.

Motion adopted fails 3 - 5.

Yes: Mr. Klatt, Ms. George, Mr. Moore

No: Mr. Gavin, Chairperson Offak, Mr. Reddy, Ms. Robinson, Ms. Zukin

Moved by: Mr. Gavin  
Supported by: Mr. Klatt

Moved that the appeal of Jason M Shoemaker, petitioner & owner, for the following variance to the city's Fence Ordinance:

(a) waive 2 ft. of the maximum permitted 4 ft. fence height within a front yard setback along S. Alexander Ave.

to allow a 6 ft. sight obscuring wood fence within a front yard setback as defined in the Zoning Ordinance at 828 E. 3<sup>rd</sup> St. (25-22-132-017), be postponed.

Motion adopted 7 – 1 (Ms. Zukin).

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**Other Business**

None.

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**General Public Comment**

None.

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**Adjournment**

Moved by: Mr. Gavin  
Supported by: Ms. George

Moved, that the meeting adjourned at 7:35 p.m.

Motion adopted unanimously.

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Anthony Offak, Chairperson



Joseph M. Murphy, Director of Planning