CITY OF WALLED LAKE
ZONING BOARD OF APPEALS
MONDAY, SEPTEMBER 28, 2026

The Meeting was called to order at 7:30 p.m.

ROLL CALL: Johnson, Maltese, Scrivens

ABSENT: Easter, City Attorney Vanerian

OTHERS PRESENT: Building Official Wright

REQUESTS FOR AGENDA CHANGES: None

ZBA 09-01-26 MOTION TO EXCUSE CHAIRMAN EASTER FROM TONIGHT'S MEETING

Motion by Johnson, seconded by Maltese: CARRIED UNANIMOUSLY: To excuse Chairman Easter from tonight's meeting.

APPROVAL OF MINUTES:

ZBA 09-02-26 APPROVAL OF AUGUST 31, 2026 ZONING BOARD OF APPEALS MEETING MINUTES

Motion by Scrivens, seconded Maltese: CARRIED UNANIMOUSLY: To approve August 31, 2026 Zoning Board of Appeals meeting minutes.

COMMUNICATION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. **Nomination of Vice Chairman**

ZBA 09-03-26 MOTION TO NOMINATE BOARD MEMBER JOREY SCRIVENS AS VICE-CHAIRMAN

Motion by Maltese, seconded Johnson: CARRIED UNANIMOUSLY: To nominate Board Member Jorey Scrivens as Vice-Chairman.

Board Member Scrivens accepted nomination.

2. Case: 2026-03
Applicant: Kevin Jones
Location: 1404 S. Commerce Rd., Parcel ID# 17-26-307-012
Request: Non-use Variance

This matter relates to the above referenced property. Applicant proposes constructing a 40 ft. (40') x 40 ft. (40') 1,600 sq. ft. accessory shed in the rear yard of Applicant's above referenced single family property which would require a dimensional variance from the following section of the Zoning Ordinance:

- Section 51-21.10(3) limits total square footage of all accessory structures on a single-family lot to not more than 1,000 sq. ft. Applicant proposes constructing a 40 ft. (40') x 40 ft. (40') 1,600 sq. ft. accessory shed in the rear yard of Applicant's above referenced single family property that would increase total square footage of all accessory structures on applicant's lot to 1,600 sq. ft. which requires a variance allowing accessory structure lot coverage of 600 sq. ft. above the 1,000 sq. ft. maximum.

Open Public Hearing 7:34 p.m.

Applicant Kevin Jones explained he has several vehicles, a small motor home, two utility trailers, outdoor furniture, a smaller shed full of tools and work benches. He said he wants to build this accessory structure to have one place to put all things and work on his equipment, when necessary, get in and around vehicles when necessary. He said he has not been able to place vehicles in shelter since the day he moved in 45 years ago. He said he wants to protect what he has, protect vehicles from weather, this structure is necessary.

Vice Chairman Scrivens asked for clarification on site plan of accessory structures, what is currently existing.

Mr. Jones said what is there is an existing utility shed and if approved his new accessory structure.

Vice Chairman Scrivens explained if structure were to be attached to his home, then a variance would not be required and asked if Mr. Jones considered this option.

Building Official Wright explained if the proposed structure were to be attached to the home, specifically to the foundation, then the setback requirements for the residential home would apply.

Mr. Jones said he has plans for the breezeway but into the future.

Discussion was held on design of breezeway and requirements.

Mr. Jones said he can arrange to do both, he had intended to do both just not at same time.

Board Member Maltese explained if Mr. Jones pursued breezeway attached to the house foundation with garage attached, a variance is not required.

Building Official Wright explained Mr. Jones can submit revised plans to include breezeway and garage.

Mr. Jones agreed to revise plans to include breezeway with attached garage. Board did not make motion on ZBA Case 2026-03 as applicant agreed to revise plans to avoid variance.

Resident at 1140 Annjo expressed her concerns about location of Mr. Jones new garage and blocking her view. She said she is not opposed to Mr. Jones building a garage but does not want her view blocked or wildlife diminished.

A resident to the south of Mr. Jones expressed full support of Mr. Jones new accessory structure. She said he has a lot of property; this structure will not impact the deer and wildlife. She said she sees the deer everyday.

Close Public Hearing 7:50 p.m.

3. Case: 2026-04
Applicant: Patrick Lloyd
Location: 128 Leeds Rd., Parcel ID# 17-35-354-008
Request: Non-use Variance

This matter relates to the above referenced property. Applicant proposes erecting a six ft. (6') high wood privacy fence along the side lot lines of Applicant's above referenced single family property extending one hundred and twenty ft. (120') into the front yard with a sliding gate in the front yard extending across the entire width of Applicant's above referenced single family property which would require a dimensional variance from the following section of the Zoning Ordinance:

- Section 51-21.13(a) prohibits fences located in the front yard of single-family lots that extend closer to the front lot line than any portion of the principal structure. Applicant proposes erecting a six ft. (6') high wood privacy fence along the side lot lines of Applicant's above referenced single family property extending one hundred and twenty ft. (120') into the front yard beyond the principal residential dwelling with a sliding gate in the front yard extending across the entire width of Applicant's above referenced single family property which requires a variance allowing the proposed fence and sliding gate in the front yard of Applicant's single family lot.

Open Public Hearing 7:52 p.m.

Mr. Lloyd said he bought his home a year ago, it was a dilapidated home, not taken care of, trees everywhere. He said he wants his property to look nice. He said he ripped out a bunch of trees, took care of all expenses. He said he did he call the city and said there was no push back to place new fence. Mr. Lloyd explained the fence dimensions. Mr. Lloyd said they just had a newborn and couldn't walk the dog. He said he needs the fence for the dog. He explained on the east side

there is a 30-inch drop into the neighbor's property. He said he reviewed city ordinances and understood anything less than 4 foot tall did not require a permit. He said he then ordered 30 blocks from Ready Block out of Fenton that weigh 1800 pounds each, ripped out all of the dirt, brought in 30 yards or aggregate per manufacturer's recommendation. Mr. Lloyd said he then received a notice from Code Enforcement for Stop Work until proper permits were issued. Mr. Lloyd introduced Mr. Bob Hoffman, his landscaper.

Mr. Hoffman said he is the owner of Hoffman Nursery and Landscaping in Waterford. He said he is also a County Commissioner in District 7 and has served on Highland's ZBA board for 30 years. He said Walled Lake is similar to Highland, White Lake and Waterford in that they were all small cottage communities at one time or another. He said some of the structures were built before modern ordinances. He said this home is unique, it sits way back compared to neighbors on the east and west. Mr. Hoffman said he is here to help applicant; Mr. Lloyd.

Vice Chairman Scrivens asked if there was any correspondence from neighbors.

Mr. Lloyd said his neighbor on the east side was in favor of his fence. He said she said was happy new fence was going in.

Donna Sexton, 124 Leeds, neighbor on the other side said Mr. Lloyd tore up her yard and is worried about water run-off. She said she has lived here for 23 years and has never had a problem with water or her neighbor. She said she is worried about her yard repair. She said Mr. Lloyd will have to access her lot to place the cement blocks, and equipment will tear up her yard. She said she wants something in writing from Mr. Lloyd guaranteeing repair to her yard.

Close Public Hearing 8:39 p.m.

Vice Chairman Scrivens said this is a peculiar situation, there are not a lot of fences in the area, and the ordinance does not allow to placement of a fence in front yard.

Mr. Lloyd said there are fences there in the front yard.

Vice Chairman Scrivens expressed concerns with fence height and gate placement in front yard.

Mr. Lloyd said he will have plenty of landscaping in front of the fence such as arborvitae and tall grass with mulch. He said it has been three months now and this mess is adversely affecting his life.

Board Member Maltese said a 6-foot fence across the front does not meet ordinance.

Mr. Lloyd said he has to move forward with this project he can go down to a 4-foot fence he has a lot of things he wants to do to improve his home.

Mr. Hoffman said if the board would allow a 4-foot fence with gate in the front, keep the six foot in side yards, this would be a good solution.

Building Official Wright explained work was done without permits and property owner was caught. Mr. Wright said the property owner did not contact the city about this work until after Code Enforcement was involved. He said there was a large disturbance to soil, natural flow of water has been altered. Mr. Wright said he has asked Mr. Lloyd and Mr. Hoffman for the retaining wall drawings, and nothing has been submitted. Mr. Wright explained city ordinance would allow a 36-inch fence across front property line.

Mr. Hoffman said he has built retaining walls all over Oakland County. This is a reasonable solution for the property, Mr. Lloyd did not create the hardship, the fence screening will improve views for neighbors and their backyards.

Board Member Maltese said the site plan does not show details, residents have voiced concerns, this drawing does not show landscape screening.

Vice Chairman Scrivens said he is not a fan of the gate in the front yard as proposed; it does not look normal.

Board Member Maltese explained there are subdivisions that do not allow fences unless 3 feet or less and applicants proposed the gate in the front yard makes it a commercial property to him. The plans need to show the retaining wall details. When the plan is revised, it will have to come back before the board for review.

Vice Chairman Scrivens explained the applicants neighbor on either could place a fence without a variance, has the applicant spoken with neighbors to see if they would apply for fence permits.

Mr. Hoffman suggested approvals contingent upon landscaping plan approvals to keep moving forward. He said this is not setting a precedent this is a unique situation.

Vice Chairman Scrivens said landscaping changes occur from owner to owner, the next owner could come in and cut down all the placed landscaping that shields the gate.

Board Member Maltese disagreed with Mr. Hoffman and said this case will set a precedent. Mr. Maltese suggested an electric fence. He asked about a permit for retaining wall.

Building Official Wright said a zoning permit is required for the retaining wall. Applicant will need to submit an engineered plan showing water flow and as built will be required.

Mr. Hoffman suggested approval for a 36-inch fence in front from right to left with landscape plan to be submitted.

Mr. Maltese said it still needs to come before board.

Building Official Wright explained if the applicant can submit a plan that conforms with the ordinance, then a variance for the fence is not required. Ordinance allows 36-inch height in front, 6-foot rear and side yards not to exceed house, that's it. He said the applicant will still need to provide retaining wall information.

Discussion was held on consideration of a 36-inch fence height along the front right to left. Board Member Maltese said he understands applicant's situation and has been in front of boards before, applicant is without proper drawings they do not contain drainage, retaining wall details, elevation, etc.

Building Official Wright explained that the board has a proposal before them, that is what they are reviewing for variance retaining wall is not part of that. If applicant does not want to table and come back, the board has to make decisions on what was proposed.

ZBA 09-04-26 MOTION TO TABLE ZBA CASE 2026-05 128 LEEDS

> Motion by Johnson, seconded Scrivens: CARRIED UNANIMOUSLY: To table ZBA Case 2026-05 128 Leeds.

Mr. Lloyd said he cannot do this any longer, he was told to stop work.

Board Member Johnson said with all due respect, he has been listening intently to this matter, and he will lean towards his fellow commissioner's knowledge. Mr. Johnson said applicant's request is of the highest authority, he asked if there was a possibility of a special meeting.

Mr. Wright explained that the applicant has options, they can comply with ordinance provide plan with 36-inch decorative fence, neighbors apply for a fence permit to go on either side of yard. However, enclosing with gate across the front still needs a variance. The retaining walls fall outside ZBA purview and is a zoning permit.

Board Member Johnson said he is concerned with the water runoff; the site has been torn up. He said he does not want this to drag on either. He asked how the board can allow an opportunity for a new plan and still move the project forward for the applicant.

Mr. Wright explained the retaining wall can move ahead with sealed plan and zoning permit application submittal. Plans must show that the wall does not negatively affect the neighbors.

Vice Chairman Scrivens said he would prefer to table, and applicant can rescind if they do decide to comply with ordinances.

Mr. Lloyd said he is getting resistance to trying to improve his property. He is trying to give neighbors some privacy. He said he will provide engineering for wall.

Board Member Johnson said he sympathizes with Mr. Lloyd, but he has an issue with water runoff. Mr. Johnson said he would prefer to table.

Mr. Lloyd explained the retaining wall has fence posts within its design. The fence must go up.

Mr. Wright suggested working on approval of the retaining wall, putting the six-foot fence in the rear of yard and side along home to front. Then work on a temporary enclosure in front of property to keep dog in. There would be no need for variance.

DISCUSSION None

ADJOURNMENT

ZBA 09-05-26 MOTION TO ADJOURN

Motion by Johnson seconded by Scrivens, CARRIED UNANIMOUSLY, to adjourn the meeting at 8:45 p.m.

Jennifer Stuart
Recording Secretary
approved 10/26/26

Jorey Scrivens
Vice Chairman