



CITY OF BERKLEY
COMMUNITY DEVELOPMENT
3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appeals (ZBA) meets the second Monday of the month. The meetings are held in the Council Chambers at City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

The ZBA shall hear requests for use and dimensional variances, appeals of administrative decisions, interpretation of zoning map and text, and interpretations of commercial message for proposed murals.

****Please be advised:** The ZBA may grant a variance where undue hardship or practical difficulty for the property exist. A want or desire (bigger structure, more profit, etc.) is not sufficient grounds for a variance. The ZBA does not have the power to legislate or create new regulations. The Board's purpose is to provide some relief from the Zoning Ordinance depending on the unique circumstances of the property.

APPLICANT INFORMATION

Name: James Jones Phone: [REDACTED]
Address: 4236 Gardner, Berkley, MI 48072
Email: [REDACTED]
Relationship to Property (current tenant, representative, future tenant, current owner, future owner):

PROPERTY OWNER INFORMATION (if different from Applicant)

Name: _____ Phone: _____
Address: _____
Email: _____

PROPERTY DESCRIPTION

Address: 4236 Gardner
Parcel #: 04-25-07-403-004 Zoning Classification: RICD
Current Use of Property: _____

NATURE OF REQUEST

Check which applies:

- Variance from Zoning Ordinance (Section I)
- Interpretation of Zoning Ordinance (Section II)
- Administrative Review / Appeal of Decision (Section III)
- Determination of Commercial Message of Mural / Work of Art (Section IV)

Description of Request:

Filing Variance because of denied permit for addition.

Has the City denied a permit related to the proposed work? Yes No

Please fill out ONLY the section below that applies to your request.

I. VARIANCE FROM ZONING ORDINANCE

Please provide a written response to each question below that relates to the variance that is being requested. **DO NOT COMPLETE BOTH SECTIONS.**

A. Use Variance

The Zoning Board of Appeals may grant a **use variance** (i.e. use of the land not permitted in a particular district) upon finding that an undue hardship exists.

Current Use of Property: _____

Requested Use of Property: _____

1. Explain how the building or land cannot be reasonably used for any of the uses permitted by right or by special land use permit in the current zoning district.

2. Explain how the need for the variance is due to unique circumstances or physical conditions of the property.

3. Explain how the proposed use will not alter the essential character of the neighborhood.

4. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

B. Dimensional Variance (Non-Use Variance)

The Zoning Board of Appeals may grant a **dimensional variance** (i.e. height, setback, lot coverage, etc) upon finding that undue hardship or practical difficulty exists.

1. Explain how the need for the variance is due to unique circumstances of physical conditions of the property.

It can't be built to conform to current restrictions, and meet building codes. I want to build directly above existing load bearing walls, not encroaching further to properties in any direction. Existing walls met building codes when originally built

2. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

The Home was built in Compliance with set back requirements at the time. Setback requirements have since changed.

3. Explain how 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.

From a Practical standpoint the Addition should be built above existing load bearing walls. Denial of variance would effectively restrict the owner's ability to improve and utilize the property in a reasonable and customary manner. Granting would not adversely affect neighboring Properties, Public Safety, or Character of the area

4. Explain how the requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.

Variance is being requested to build directly over load bearing walls that currently exist, and will not further encroach on any surrounding property.

5. Explain how the requested variance will not adversely impact the surrounding properties.

Addition will be built directly above first floor exterior walls that already exist. Will not further encroach in any direction

II. INTERPRETATION OF ZONING ORDINANCE

Provide Section numbers of Zoning Ordinance to be interpreted: _____

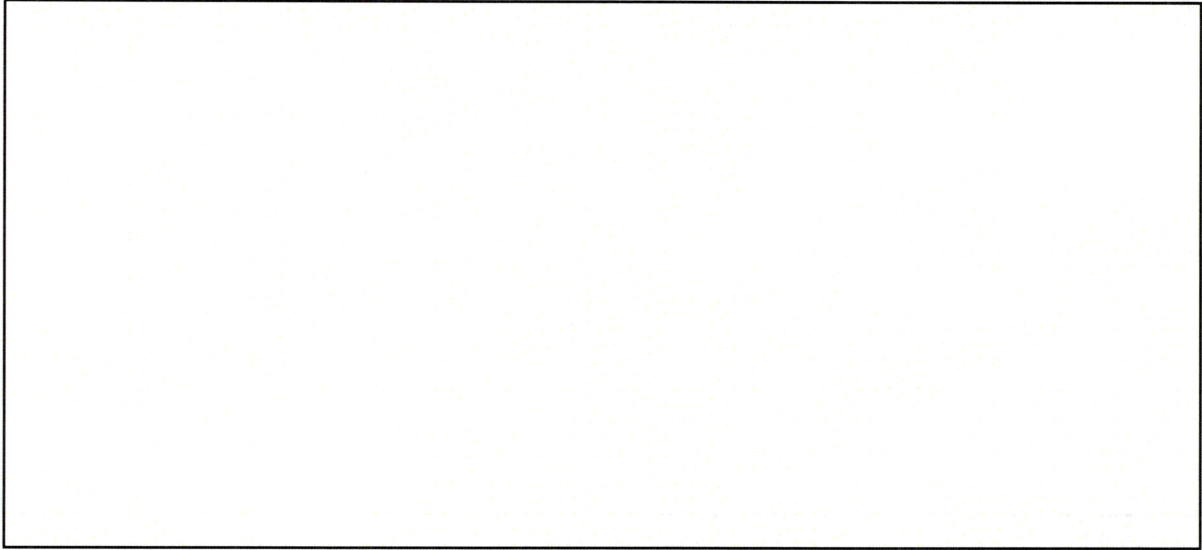
Please describe the request and what needs to be clarified or interpreted by the ZBA.

III. ADMINISTRATIVE REVIEW / APPEAL OF DECISION

Describe the circumstances of each case and provide the minutes of the public meeting noting the denial to be appealed.

IV. DETERMINATION OF COMMERCIAL MESSAGE (MURAL/WORK OF ART)

Describe the proposed mural/work of art. Applicant should include renderings of the proposed design. The ZBA shall determine if the proposed work contains a commercial message.



** Applicant and artist must provide signed *Mural Installation and Maintenance Agreement* prior to the public meeting.

SUBMIT THE FOLLOWING:

A PDF file of the application and one 11" x 17" copy of the supporting documents must be submitted at the time of application, including; a copy of survey, plot plan or site plan with this application that shows the subject property complete with boundary lines and dimensions, existing building locations, all proposed buildings, easements, utilities, and any site improvements/changes. Setbacks, height of structures, lot coverage, etc. should also be included, if applicable.

PLEASE NOTE: The applicant, or a designated representative, is **encouraged** to be present at the meeting in which the case is being reviewed or the request may be postponed due to lack of representation.

We encourage applicants to make a presentation of the proposed request to the Zoning Board of Appeals, if applicable. To assist this effort, we have available for your use a projector, laptop computer and screen. ZBA meetings are recorded and televised.

PROPERTY OWNER'S APPROVAL (Initial each line)

JJ I hereby authorize and give permission for the City of Berkley to install one or more temporary signs on my property, in order to notify the public of the required public hearing related to the above request(s) before the ZBA.

APPLICANT'S ENDORSEMENT: (Initial each line)

JJ All information contained herein is true and accurate to the best of my knowledge.

JJ I acknowledge that the ZBA will not review my request unless all information in the application has been submitted to the satisfaction of the Zoning Administrator.

JJ I acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing or review of this application.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

<u>James T Jones III</u>	<u>James T. Jones III</u>	<u>6-18-26</u>
Applicant Name (print)	Applicant Signature	Date

Applicant Name (print)	Applicant Signature	Date
------------------------	---------------------	------

<u>James T. Jones III</u>	<u>James T. Jones III</u>	<u>6-18-26</u>
Property Owner Name (print)	Property Owner Signature	Date

Office Use Only

Received 6-5-26 Receipt # _____ Meeting Date 7-13-26 Case # PBA-05-26

Fee:	Residential	\$400
	Commercial	\$600
	Mural	\$300

JONES ADDITION

4236 GARDNER
BERKLEY, MI. 48072

MARCH 9TH, 2026 OUT FOR PERMIT

SHEET LIST

- S-1.....SITE PLAN
- A-1.....ELEVATIONS
- A-2.....PLANS
- A-3.....BUILDING SECTIONS

PROPERTY DESCRIPTION

4236 GARDNER
BERKLEY, MICHIGAN
48072

(SINGLE FAMILY RESIDENCE BUILT 1947)
OCCUPIED LOT PARCEL NUMBER: 04-25-01-403-004

ZONING AND SETBACK

NOTE:
THIS PROPERTY IS ZONED AS EXISTING (R-1CD) SINGLE FAMILY
RESIDENTIAL SMALL LOT DISTRICT

MINIMUM LOT AREA IN SIZE PER UNIT 4,400 SQFT.
MINIMUM LOT WIDTH 40 FEET
MINIMUM FLOOR AREA PER DWELLING UNIT 800 SQFT.
IN STORES (2)
IN FEET (30 FEET)
MINIMUM DISTANCE BETWEEN ADJACENT DWELLINGS 15'-0"

SET BACKS:
FRONT.....(25.0')
SIDE YARDS:
LEAST.....(5.0' MIN) (10.0' MIN)
TOTAL.....(15.0')
REAR.....(20.0')

NOTE:
SETBACK AND ZONING INFORMATION WAS OBTAINED FROM
THE MUNICIPALITY CLIENT MUST VERIFY ALL INFORMATION,
BEFORE CONSTRUCTION.

RESIDENTIAL SQUARE FOOTAGE

(OCCUPIED LOT)
1.5 STORY BUNGALOW WOOD FRAMED VINYL SIDING
RESIDENCE PROPOSED SECOND STORY ADDITION ZONED
R-1CD 4236 GARDNER BERKLEY, MI. 48072,

EXISTING HOUSE 1ST FLOOR ONLY + EXISTING DETACHED
GARAGE = TOTAL HOUSE / GARAGE SQFT BUILDING
COVERAGE
812.60 SQFT + 364.18 SQFT = 1176.78 SQFT.

HOUSE & GARAGE SQFT 1ST FLOOR ONLY + EXIST.
ACCESSORY STRUCTURE SQFT. = TOTAL BUILDING
COVERAGE

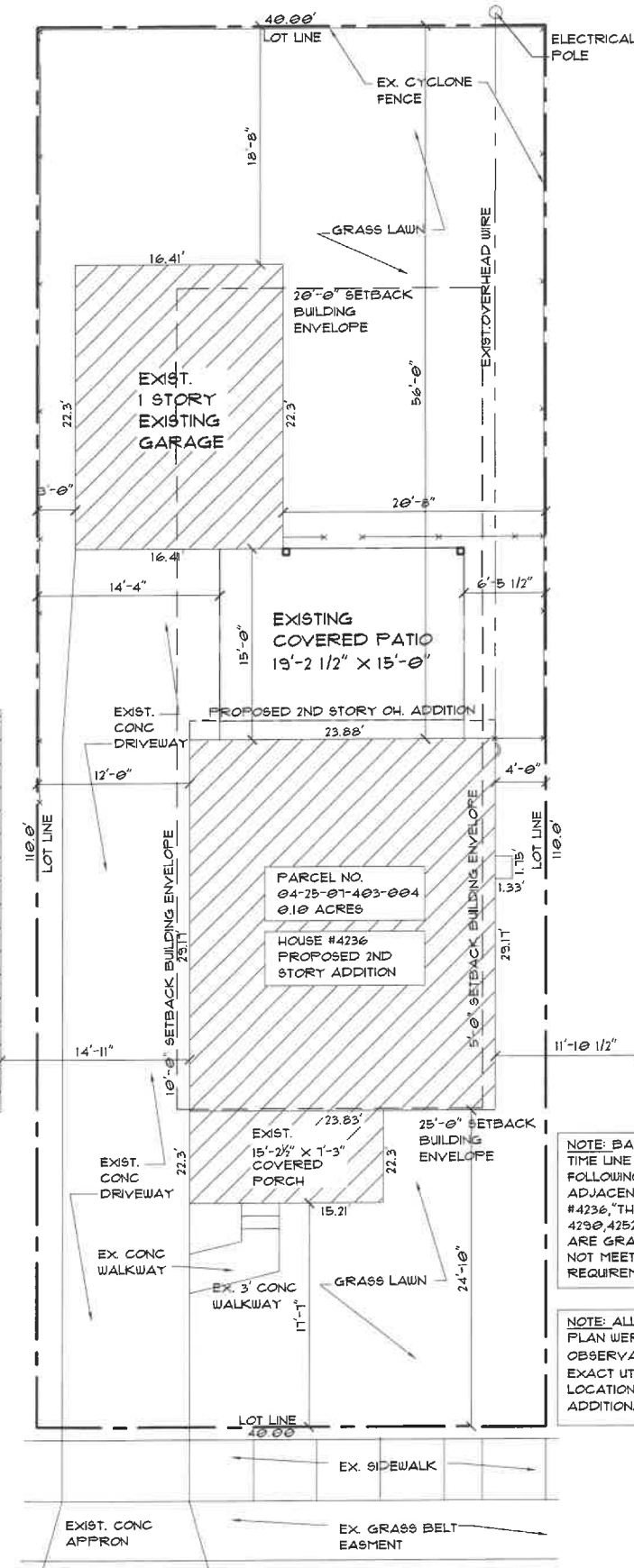
EX. HOUSE/EX. GARAGE + EX. COVERED PORCH =
1176.78 SQFT. + 288.13 SQFT. =

TOTAL BUILDING COVERAGE IS1,465.51 SQFT.

LOT COVERAGE

LOT COVERAGE 4,400.00 SQFT
NEW RESIDENTIAL COVERAGE = 1,465.51 SQFT
TOTAL RESIDENTIAL COVERAGE OVER LOT = 33%
MAXIMUM PERCENTAGE OF LOT AREA
COVERED BY ALL BUILDINGS: (35%)

NOTE:
UTILITY INFORMATION WAS OBTAINED FROM THE
MUNICIPALITY NO GUARANTEE CAN BE MADE TO THE
COMPLETENESS OR EXACTNESS OF THOSE RECORDS,
CONTRACTOR MUST VERIFY ALL FIELD LOCATIONS, SIZE AND
ALL LEADS OF MAINS BEFORE CONSTRUCTION.

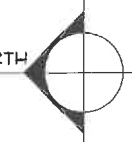


GARDNER ROAD
50'-0" W.D. RIGHT OF WAY
CONCRETE STREET

SITE PLAN

SCALE = 1" = 20'-0"

NORTH



**prantzos
design LLC.**

architecture • planning
design • solutions

19653 tanglewood Cir.
clinton township, mi. 48038

e • dprantzos@hotmail.com
p • 586-413-7187

prantzos design LLC.
is the sole property and retains
the ownership of this document
as a one time use. any
reproduction, copying, reusing
or distribution of these
documents is strictly prohibited
without prior written consent of
prantzos design LLC.

project:
JONES III ADDITION
4236 GARDNER,
BERKLEY, MI. 48072
(248)-571-8405

client:
JAMES JONES III
4236 GARDNER,
BERKLEY, MI. 48072
(248)-571-8405

sheet title
**PRELIMINARY
SITE PLAN**

issue:

- preliminary
- bids
- record
- construction

date issued

OWNER REVIEW 03/04/26

OWNER REVIEW 03/06/26

date: 03/04/26

drawn by: D.P

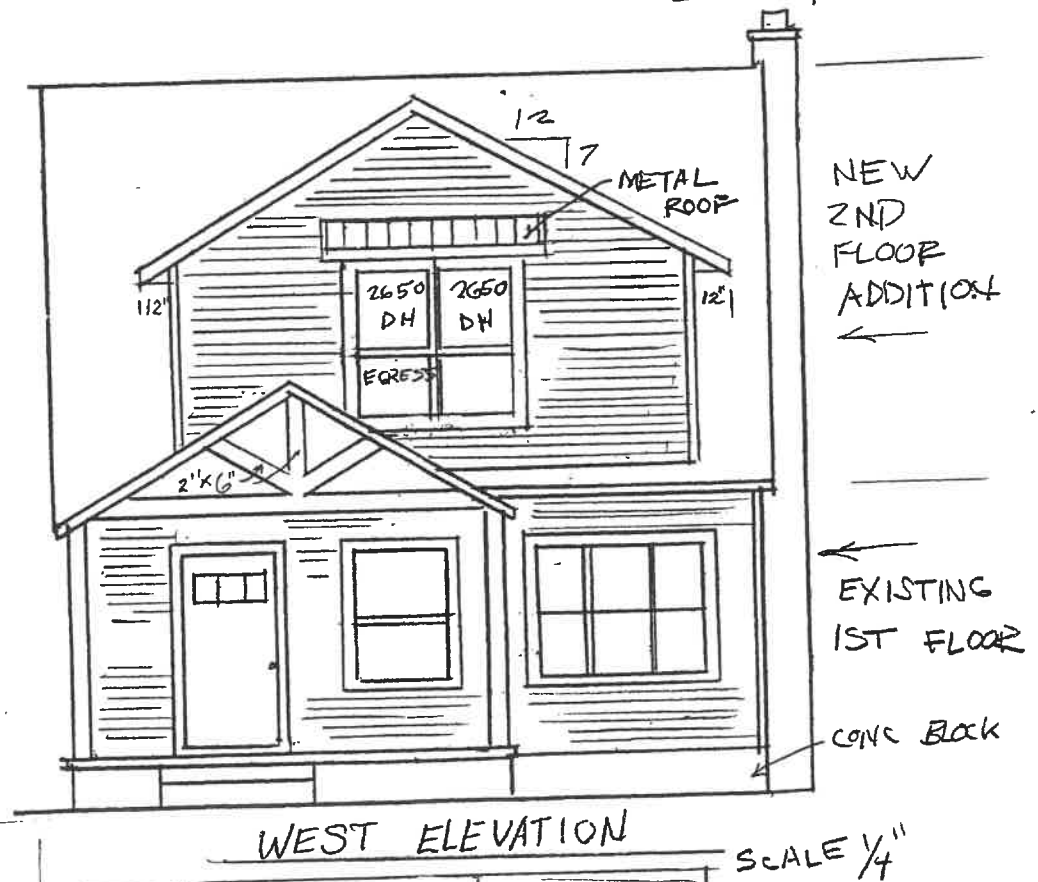
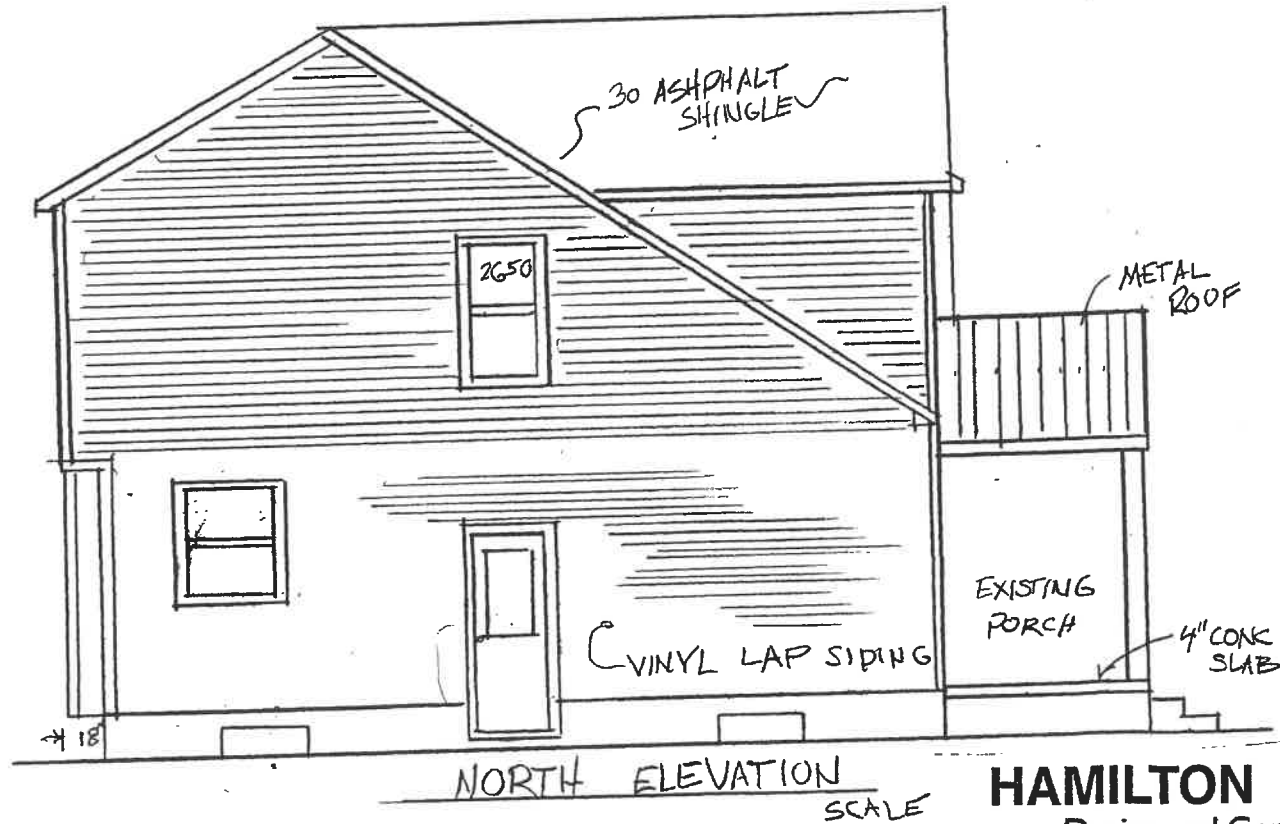
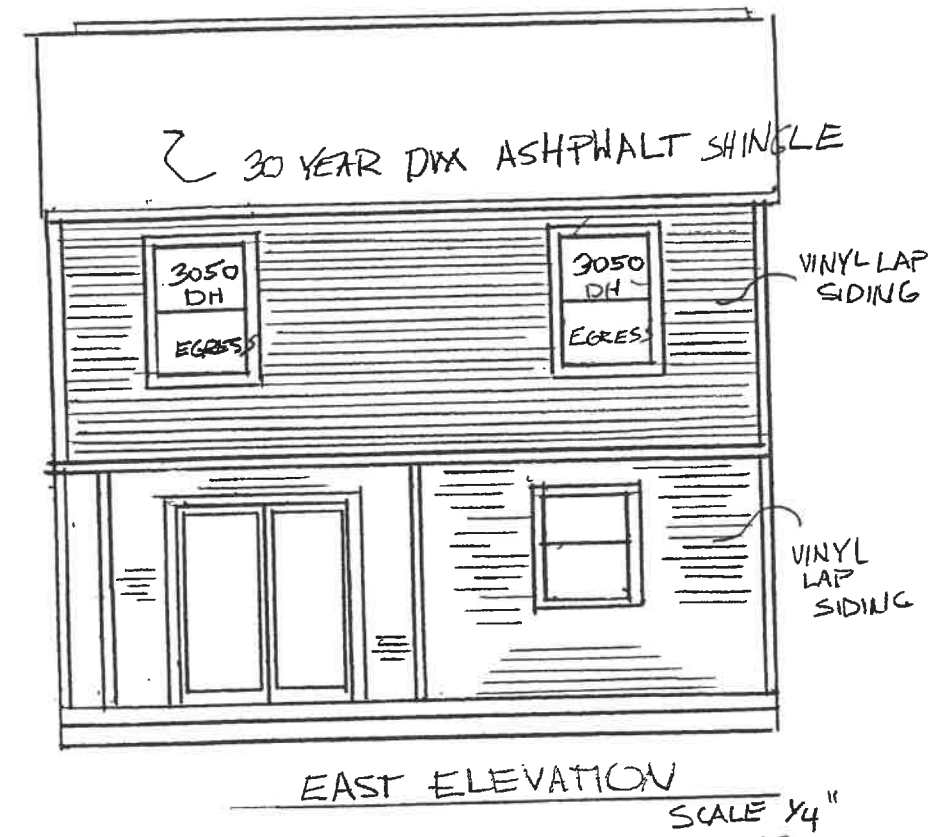
checked by: D.P

job #: 26003

sheet #

S-1

of 1 sheets



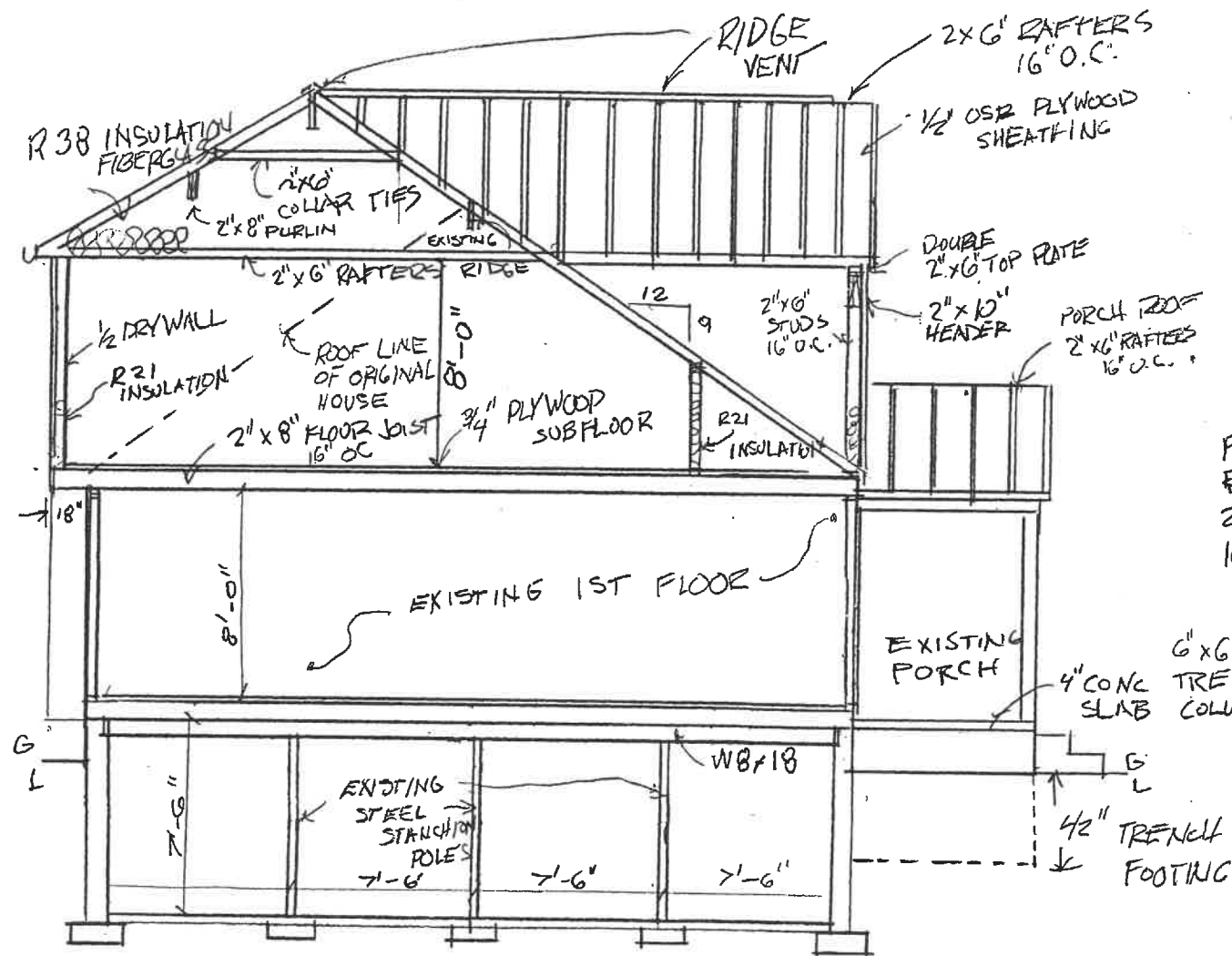
HAMILTON
Design and Contracting

Brett Walters
248.854.9520

3102 Garden
Royal Oak, MI 48073

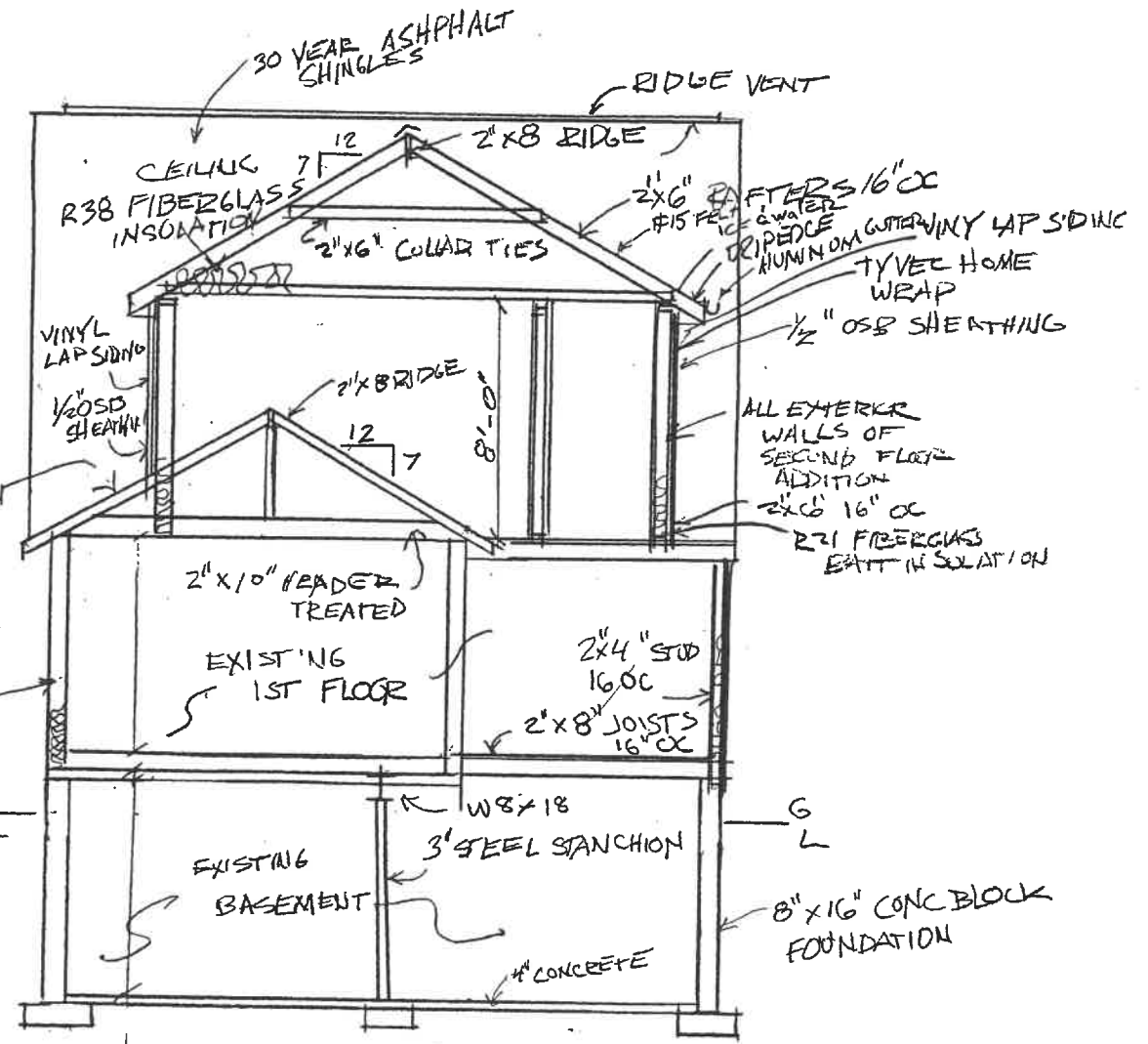
JIM & IDA JONES
3236 GARDNER
BERKLEY MI 48072
DATE: 1-27-26

2ND FLOOR
ADDITION.
DRAW BY
BRETT WALTERS



NORTH STRUCTURAL SECTION

SCALE 1/4" = 1'-0"



WEST STRUCTURAL SECTION

SCALE 1/4" = 1'-0"

HAMILTON
Design and Contracting

Brett Walters
248.854.9520

3102 Garden
Royal Oak, MI 48073

JIM & IDA JONES
3236 GARDNER
BERKLEY MI 48072
DATE: 1-27-26

2ND FLOOR
ADDITION,
DRAW BY
BRETT WALTERS

25-07-403-004

or navigate to and click on the property of interest

4236 GARDNER AVE

PIN: 25-07-403-004

CITY OF BERKLEY

Available Reports:

[Map Atlas](#) \$4.00

Plat map & property dimensions

[Residential Property Profile](#) \$0

Property profile of a specific parcel

Also Available at this Location:

[Display Property Photo](#)

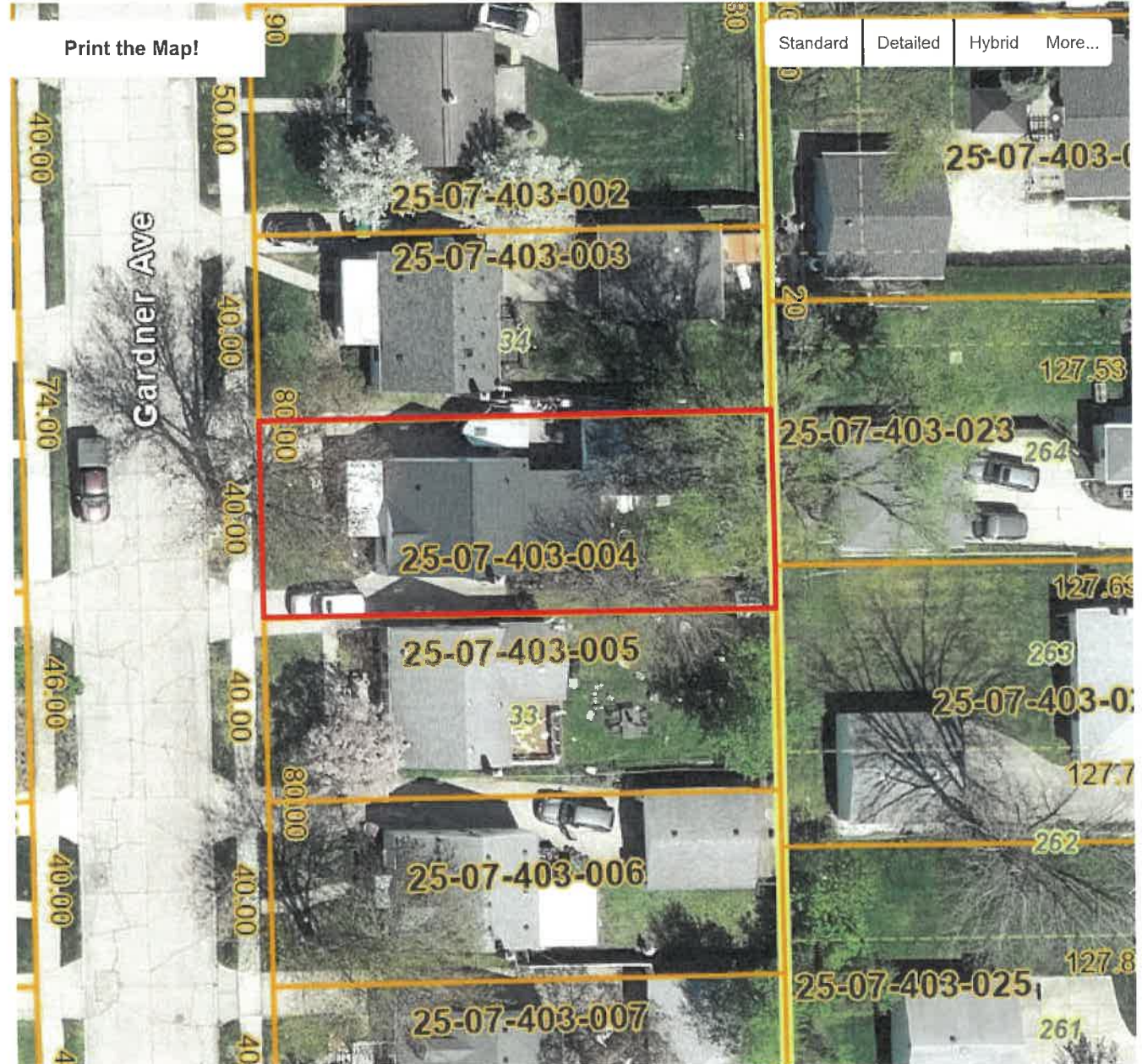
[Display Property Sketch](#)

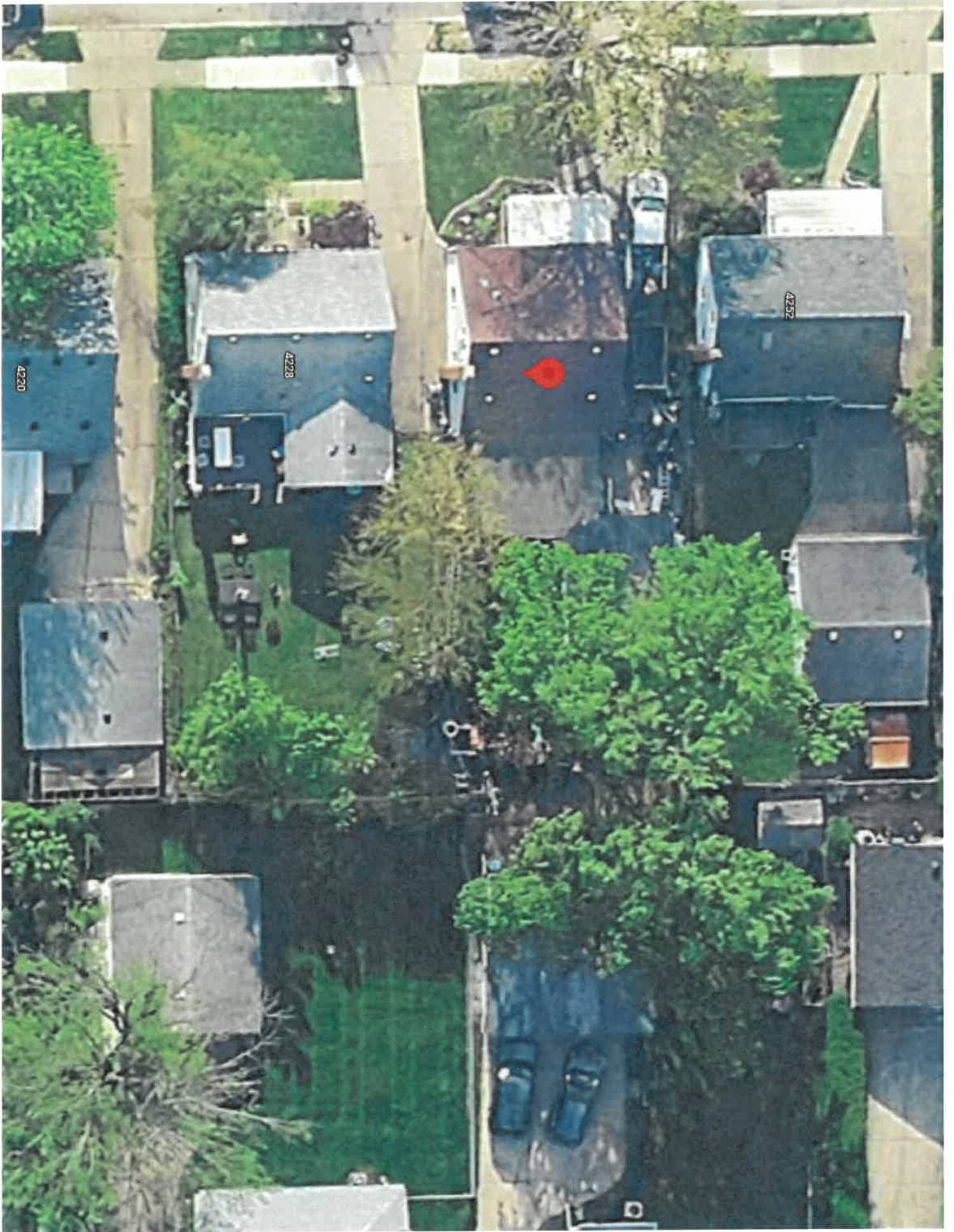
Files are updated annually. Sketch updates vary by community and may not reflect the square footage in the file.

[Display FEMA - DFIRM Map](#)

▪ [DFIRM Disclaimer](#)

▪ [DFIRM Overview](#)





THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

**Notice of Public Hearing
Meeting of the Berkley
Zoning Board of Appeals**

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, July 13, 2026 at 7:00 p.m. or as near thereto as the matter may be reached.

Application Number PBA-05-26

James Jones III, 4236 Gardner Ave, Parcel # 04-25-07-403-004, East side of Gardner Ave., between Morrison Ave. and W. Webster Rd. is requesting three (3) dimensional variances to construct a Second Story Addition on a Non-Conforming Structure. 1) The addition to the non-conforming single-family dwelling is proposed to be 4 ft. from the South property line. 2) The addition to the non-conforming single-family dwelling is proposed to be 14.917 ft from adjacent dwelling to the North and 11.875 ft. from the adjacent dwelling to the South. 3) The addition to the non-conforming single-family dwelling is proposed to be 24.833 ft. from the front property line.

Berkley City Code

Berkley City Code, Chapter 138 *Zoning*, Article 16, Section 16.04.B Nonconforming Structures: A building may be added to or enlarged if such addition conforms to the regulations of the applicable zoning district. Such addition or enlargement must be treated as a separate building in determining conformity to all the requirements of this Chapter. Article 5, Section 5.02: R-1CD Single Family Residential Small Lot District, 5.02.D Dimensional Requirements Table 5.02.

1. R-1CD Single Family Residential Small Lot District, 5.02.D, Dimensional requirements Table 5.02 Minimum side yard setback per side 5'. The applicant is requesting a 1 ft. South side yard setback variance for the proposed addition.
2. R-1CD Single Family Residential Small Lot District, 5.02.D, Dimensional requirements Table 5.02 Minimum distance between dwellings 15'. The applicant is requesting a 1 in. (.083') distance for the proposed addition to the adjacent dwelling to the North, and a 3 ft. 1.5 in. (3.125') distance for the proposed addition to the adjacent dwelling to the South.
3. R-1CD Single Family Residential Small Lot District, 5.02.D, Dimensional requirements Table 5.02 Minimum front yard setback 25 ft. *or equal to the average setback of the six adjacent buildings on the same block, whichever is greater per *5.09.B Supplemental Dimensional Regulations Applicable To All Use Based Districts. The applicant is requesting a 2 in (.0167') front yard variance for the proposed addition.

Complete application information is available for review at www.berkleymi.gov/community-development/development-projects.

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be submitted to the Berkley Community Development Department or email to planning@berkleymi.gov before 4:00 p.m. on the date of the Public Hearing.

KIM ANDERSON
ZONING ADMINISTRATOR

Publish Once:

Oakland Press
Friday, June 26, 2026

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

**Notice of Public Hearing
Meeting of the Berkley
Zoning Board of Appeals**

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, July 13, 2026 at 7:00 p.m. or as near thereto as the matter may be reached.

Application Number PBA-05-26

James Jones III, 4236 Gardner Ave, Parcel # 04-25-07-403-004, East side of Gardner Ave., between Morrison Ave. and W. Webster Rd. is requesting three (3) dimensional variances to construct a Second Story Addition on a Non-Conforming Structure. 1) The addition to the non-conforming single-family dwelling is proposed to be 4 ft. from the South property line. 2) The addition to the non-conforming single-family dwelling is proposed to be 14.917 ft from adjacent dwelling to the North and 11.875 ft. from the adjacent dwelling to the South. 3) The addition to the non-conforming single-family dwelling is proposed to be 24.833 ft. from the front property line.

Berkley City Code

Berkley City Code, Chapter 138 *Zoning*, Article 16, Section 16.04.B Nonconforming Structures: A building may be added to or enlarged if such addition conforms to the regulations of the applicable zoning district. Such addition or enlargement must be treated as a separate building in determining conformity to all the requirements of this Chapter. Article 5, Section 5.02: R-1CD Single Family Residential Small Lot District, 5.02.D Dimensional Requirements Table 5.02.

1. R-1CD Single Family Residential Small Lot District, 5.02.D, Dimensional requirements Table 5.02 Minimum side yard setback per side 5'. The applicant is requesting a 1 ft. South side yard setback variance for the proposed addition.
2. R-1CD Single Family Residential Small Lot District, 5.02.D, Dimensional requirements Table 5.02 Minimum distance between dwellings 15'. The applicant is requesting a 1 in. (.083') distance for the proposed addition to the adjacent dwelling to the North, and a 3 ft. 1.5 in. (3.125') distance for the proposed addition to the adjacent dwelling to the South.
3. R-1CD Single Family Residential Small Lot District, 5.02.D, Dimensional requirements Table 5.02 Minimum front yard setback 25 ft. *or equal to the average setback of the six adjacent buildings on the same block, whichever is greater per *5.09.B Supplemental Dimensional Regulations Applicable To All Use Based Districts. The applicant is requesting a 2 in (.0167') front yard variance for the proposed addition.

Complete application information is available for review at www.berkleymi.gov/community-development/development-projects.

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be submitted to the Berkley Community Development Department or email to planning@berkleymi.gov before 4:00 p.m. on the date of the Public Hearing.

KIM ANDERSON
ZONING ADMINISTRATOR