

FINAL
CHARTER TOWNSHIP OF COMMERCE
ZONING BOARD OF APPEALS MEETING
Thursday, November 20, 2025
2009 Township Drive
Commerce Township, Michigan 48390

A. CALL TO ORDER: Chairperson Rosman called the meeting to order at 7:00pm.

ROLL CALL:
Present: Rusty Rosman, Chairperson
Robert Mistele, Secretary
Rick Sovel
Clarence Mills, Vice Chairperson
Caitlin Bearer
Absent: Sarah Grever, ZBA Alternate Member
Also Present: Paula Lankford, Senior Planner
Beth Miller, Clerical Administrator

Chairperson Rosman introduced the Members of the Board to those present, as well as Paula Lankford and Beth Miller. She reviewed the requirements for receiving a variance from the Zoning Board of Appeals, including the fact that all standards are to be met by the applicant. She assured the applicants present that the site(s) of the proposed variance(s) have been visited by the members of the Zoning Board. She also explained that if a petitioner's variance request is granted, they will receive their letter of approval by mail. It is imperative that the letter be presented when applying for a building permit. A variance is valid for 365 days from the date of the approval letter. If the variance is used, it runs with the land; however, if it is not used, it expires.

B. APPROVAL OF MEETING AGENDA

MOTION by Sovel, supported by Mistele, to approve the Zoning Board of Appeals Regular Meeting Agenda for November 20, 2025, as presented.

ROLL CALL VOTE:

AYES: Sovel, Mistele, Mills, Rosman, Bearer
NAYS: None
ABSENT: None

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MEETING MINUTES:

MOTION by Mistele, supported by Mills, to approve the Zoning Board of Appeals Regular Meeting minutes of May 15, 2025, as written.

ROLL CALL VOTE:

AYES: Mistele, Mills, Rosman, Sovel, Bearer
NAYS: None
ABSENT: None

MOTION CARRIED UNANIMOUSLY

D. PUBLIC DISCUSSION (on matters for which there is no public hearing scheduled)

None.

E. UPDATE OF ACTIVITIES IN COMMERCE TOWNSHIP:

Chairperson Rosman – What’s going on that’s exciting and new?

Rick Sovel – Township Board

- Not a lot.
- The last couple of months, we have basically been working on the budget. We pretty much have everything wrapped up to be approved at our December meeting.

Caitlin Bearer – Planning Commission

- At our last meeting, we had two issues.
- We approved a change in the noise ordinance to reset our decibel levels to match surrounding areas.
- And then we had a site plan approval for The Enclave at Stillwater, which is the middle of the three gravel pits.
- We also had a nice couple come in for a precursor to get feedback on creating a nature-based preschool on a property located next to Zoner’s Greenhouse. That was well-received.

Chairperson Rosman – Paula, anything to tell us from the Planning Department?

Paula Lankford –

- We’ve had interest in some vacant properties.
- The northeast corner of S. Commerce and Oakley Park; it is owned by the Vanderpool family. It has been vacant I think forever. They are proposing 25 homes I believe.
- We’ve also had interest in the United Artist parcel.
- That’s about it. We are keeping busy.

F. OLD BUSINESS:

None.

G. NEW BUSINESS:

ITEM G1. PA25-03 – DUSTIN KING (DECK KING) – PUBLIC HEARING

Dustin King of Deck King representing homeowner Joshua Jones of Commerce MI is requesting a variance from Article 6 of the Zoning Ordinance to construct an attached deck that would encroach into the minimum required rear yard setback for the home located at 3671 Stallion Way. PIN# 17-19-252-006

Chairperson Rosman opened the public hearing.

Dustin King – I’m the owner of Deck King Enterprises. I also live in Commerce Township. I’m here on behalf of Josh and Carli Jones about their deck. What we’re proposing is the 12-foot distance from the house, as you guys have all seen, and the 20-foot length along the house, which would be inclusive of the staircase as well. I’m available to answer any questions you may have.

Chairperson Rosman – How far back are you going to be from the setback?

Dustin King – It is 24.96.

Chairperson Rosman – Thank you. Carli, would you like to say anything?

Carli Jones – Sure. We bought this house as a spec home. My husband is former military. He just got out of the Navy. We bought this house when he got orders. I bought it sight unseen. He came and saw it twice. We were not aware of the setback variance, and the house was built with a 10-foot slider door. We have four little boys that go in and out of the house quite a bit. It has been difficult not having something there with them going in and out to the backyard. We would really love it if we were be able to put this there so that they could access the backyard easily, and we could be able to have our barbecue grill right behind the kitchen, instead of wheeling it out of the garage every time we use it in the summer, which is quite a bit. Thank you.

Jeff Rogers, 2931 Colt Court, Commerce Township – A couple of you came to my house, because I needed the same or similar variance. The property line where the variance is being requested; I'm on the other side of it, 100% of the variance. I'm the property line, and I just wanted to voice my support for her variance. I think she should have a deck like I was able to get a deck. All the houses in the neighborhood have a deck. And an elevated slider door 8-feet off the ground is of no use. So, let her have her deck.

Chairperson Rosman – I'm going to read two letters we have here into the record, including one letter from you, Jeff.

Jeff Rogers – That's me.

1. From Country Hills HOA – It says, *Carli, the board supports. Happy Building. Hilary*
2. From Jeff Rogers, in support of the variance request.

There were -0- returns and -2- letters.

Chairperson Rosman closed the public hearing as there were no additional questions or comments.

Board Comments:

Sovel – When you bought the house, did the builder say anything about a deck, whether you could or couldn't, or was it discussed at all?

Carli Jones – No. We tried to negotiate that they put the deck in prior, and they were absolutely not willing to budget whatsoever, and that was the only discussion about a deck at all. We had no idea that there was an issue with the setback, or that there was an ordinance about that at all until Jeff was trying to get his deck put in.

Jeff Rogers – I bought my home from the same builder about two months prior to Carli, and there was no discussion at closing, or prior to closing, about any issues.

Sovel – Even though the current wording of our ordinance does not allow for it, I support it.

Chairperson Rosman – Thank you. I have no problem with it, understanding that the builder set the house so far back that he strapped you as to what you could do. It is not self-created.

Mills – Just a couple things I wanted to say. You did a good job of marking where you wanted the deck and where the stairs were going to come down. I think that was excellent for me to have that visual. Overall, I don't see a problem at all with what you're asking for.

Mistele – I think the natural features of the land, the giant slope, really helps to hide the deck. It's not going to be extremely obvious. And obviously the builder did a disservice by setting the house back, and I realize he had different constraints to deal with. I'm fine with the deck.

Bearer – I have no questions.

Chairperson Rosman – Anything you want to add, Paula?

Paula Lankford – No.

MOTION by Mills, seconded by Bearer, to approve Item PA25-03, the request by Dustin King of Deck King, representing homeowners Joshua and Carli Jones of Commerce Township MI for a variance from Article 6 of the Zoning Ordinance to construct an attached deck that would encroach into the minimum required rear yard setback for the home located at 3671 Stallion Way. PIN# 17-19-252-006

Move to approve the variance for Item PA25-03, requesting a dimensional variance of 10.04 feet relative to the minimum rear yard setback required by the dimensional standards of Sec. 6.01 of the Zoning Ordinance for the proposed construction of a deck onto a recently constructed home at 3671 Stallion Way for the following reasons:

1. We don't see any problems with what is being requested; and,
2. Due to circumstances beyond their control, the need for the variance is understood; and,
3. The need for the variance was not self-created; and,
4. Adjacent property owners have also had the same issues.

ROLL CALL VOTE:

AYES: Mills, Bearer, Sovel, Rosman, Mistele

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

Chairperson Rosman – Done, you did it. Now you can go home. Thank you very much. You were wonderful to help explain everything and you did a wonderful job. And, Jeff Rogers, your deck looks beautiful.

Jeff Rogers – Thank you. It turned out nice.

Carli Jones – It does. I have to compete now.

Dustin King – That’s my job.

Chairperson Rosman – You guys have a nice barbecue. Thank you for coming.

ITEM G2. ZBA MEETING SCHEDULE FOR 2026

Chairperson Rosman – As Paula pointed out, two meetings were moved due to holidays. Is there any discussion about the schedule?

MOTION by Mistele, supported by Mills, to approve the ZBA Meeting Schedule for 2026, with one edit, to move the May meeting back to the fourth Thursday of the month, which would be Thursday, May 28th.

Discussion –

The May meeting date was discussed and corrected.

ROLL CALL VOTE:

AYES: Mistele, Mills, Bearer, Sovel, Rosman

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

H. OTHER MATTERS:

Chairperson Rosman – A long time ago, at least six months, I read or heard that the Commerce grocery store on Glengary wanted to expand and take the property on the corner. Is that correct?

Paula Lankford – He was not taking the property on the corner. He actually owns the house on Benstein, just north of that corner. He wanted to demo and build a new party store, wrap it around to Benstein and add two gas pumps.

Chairperson Rosman – And what happened to that?

Paula Lankford – It stalled because there are too many privately owned water wells in the area that would be too close to the underground storage tanks. So, he is working on that process right now with the State of Michigan to either get a variance, or he has to do something with the tank. So, it's still moving, it's just slow.

Chairperson Rosman – Okay, thank you.

Sovel – I reached out to Hans, our Township Attorney. We have not received any revised wording yet, but it is being worked on.

Chairperson Rosman – What’s being worked on?

Paula Lankford – Your criteria.

Sovel – For this type of situation.

Paula Lankford – He is revising the criteria or working on it.

Sovel – It got lost in the shuffle.

I. CORRESPONDENCE:

None.

J. PLANNING DIRECTOR'S REPORT:

The report was included in the agenda packet.

K. ADJOURNMENT:

- **NEXT REGULAR MEETING DATE: TENTATIVELY THURSDAY, JANUARY 22, 2026, AT 7:00PM.** *(Pending Township Board approval on December 9, 2025, of the ZBA's proposed 2026 meeting calendar)*

MOTION by Rosman, seconded by Mills, to adjourn the meeting at 7:23pm.

ROLL CALL VOTE:

AYES: Rosman, Mills, Bearer, Sovel, Mistele

NAYS: None

ABSENT: None

MOTION CARRIED UNANIMOUSLY

Robert Mistele, Secretary