



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

248.524.3364  
planning@troymi.gov

## ZONING BOARD OF APPEALS MEETING AGENDA

Glenn Clark, Chairman, Michael Bossenbroek,  
Thomas Desmond, David Eisenbacher, Aaron Green Jim McCauley,  
Orestis Kaltsounis, Alternate Sadek Rahman, Mahendra Kenkre Alternate

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**December 15, 2020**

**7:30 P.M.**

**Remote Meeting**

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***Public Comment may be communicated to the Zoning Board of Appeals via telephone voice mail by calling 248.524.3580 or by sending an email to [ZBAPublicComments@troymi.gov](mailto:ZBAPublicComments@troymi.gov). All comments will be provided to the Zoning Board of Appeals. Public comments must be received by 3 pm the day of the remote meeting. The meeting can be viewed at: [https://troymi.gov/community/government/citycouncil/council\\_meeting\\_webcast.php](https://troymi.gov/community/government/citycouncil/council_meeting_webcast.php).***

1. ROLL CALL
2. PROCEDURE
3. APPROVAL OF MINUTES – November 17, 2020
4. APPROVAL OF AGENDA
5. HEARING OF CASES

- A. VARIANCE REQUEST, OLLIE APAHIDEAN , VACANT-BLACK OAK PARCEL (88-20-11-226-004): A variance to split a property into 3 properties, variance to allow two of the properties to have a lot width and frontage of 30 feet, and the third to have zero lot width and frontage. The Zoning Ordinance requires each property to have 85 foot lot width and frontage.

ZONING ORDINANCE SECTIONS: 4.06 C, R-1C District

- B. VARIANCE REQUEST, 224 WEBB, JOSEPH MANIACI FOR MONDRIAN PROPERTIES LLC: A variance to split a parcel of land into two parcels. One parcel is proposed to be 13,844 square feet. The other proposed parcel is proposed to be 13,571 square feet and have 98.03 feet frontage and width. The Zoning Ordinance requires each proposed parcel to be 15,000 square feet and have 100 feet frontage and width.

ZONING ORDINANCE SECTIONS: 4.06 R-1B

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto:clerk@troymi.gov) or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

- C. VARIANCE REQUEST, 4857 RIVERS EDGE, JOE NOVITSKY FOR JSN ARCHITECTURE:  
A variance request to allow a home addition to be set back 39 feet 3 inches from the rear property line. The Zoning Ordinance requires the addition to be set back 45 feet from the rear property line.

ZONING ORDINANCE SECTION: 4.06 R-1B

- D. VARIANCE REQUEST, 1041 PADDOCK, THOMAS LEININGER FOR ADVANCED BUILDERS: A variance request to allow a home addition to be set back 39.79 feet from the rear property line. The Zoning Ordinance requires the addition to be set back 45 feet from the rear property line.

ZONING ORDINANCE SECTION: 4.06 R-1B

- E. VARIANCE REQUEST, 2975 THALES, THOMAS LEININGER FOR ADVANCED BUILDERS: A variance request to allow a home addition to be set back 36.5 feet from the rear property line. The Zoning Ordinance requires the addition to be set back 50 feet from the rear property line.

ZONING ORDINANCE SECTION: 4.06 D 1

6. COMMUNICATIONS – None
7. MISCELLANEOUS BUSINESS – 2021 ZBA meeting dates
8. PUBLIC COMMENT
9. ADJOURNMENT

## **STATEMENT OF PRACTICAL DIFFICULTY**

In order for a variance to be granted, a practical difficulty, as determined by the Board, must be present. On a separate sheet, please clearly identify and explain the practical difficulty justifying the variance request. The practical difficulty must be clearly related to as many of the 5 standards below as possible:

- a) Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
- b) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.
- c) The characteristics which make compliance with the dimensional requirements shall not be of a personal nature.
- d) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.
- e) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

## ZONING BOARD OF APPEALS – OPENING STATEMENT

Zoning Board of Appeals is a group of seven of your neighbors appointed by City Council to decide on requests for variances and other matters that are brought before them. A variance is a relaxation of the literal provisions of the Zoning Ordinance. Petitioners must indicate a hardship or practical difficulty with the land that would warrant the granting of the variance.

## PROCEDURE

The Board will hear the items in the order that they appear on the agenda. When an item is called, the Chairman will verify that the petitioner is present. Then the City Administration will summarize the facts of the case. The petitioner will then be given an opportunity to address the Board to explain the justification for the action requested. After the petitioner makes their presentation, and answers any questions that the Board may have, the Chairman will open the Public Hearing. Any person wishing to speak on the request should raise their hand and when recognized by the Chairman and come up to the podium. The speaker should identify themselves with name and address, indicate their relationship to the property in question (i.e. next door neighbor, live behind the property, etc.) and state whether they are in favor of or against the variance request and give reasons for their opinion. Comments must be directed through the Chairman. Comments should be kept as brief as possible and closely pertain to the matter under consideration. Only one person will be recognized by the Chairman to speak at one time. At the conclusion of public comments the Chairman will close the Public Hearing. Once the Public Hearing is closed, no other public comment will be taken unless in response to a specific question by a member of the Board. The Board will then make a motion to approve, deny, or postpone the request. In order for the request to pass a minimum of four votes are needed. If the request is not granted, the applicant has the right to appeal the Board's decision to Oakland County Circuit Court.



## **RESOLUTION TEMPLATE**

Moved by:

Seconded by:

That the variance request for [applicant name, address or location], for [request]

*Be granted for the following reasons:*

The applicant has demonstrated that:

- a) Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
- b) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.
- c) The characteristics which make compliance with the dimensional requirements shall not be of a personal nature.
- d) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.
- e) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City

Yeas:

Nays:

**MOTION CARRIED / FAILED**

Moved by:  
Seconded by:

That the variance request for [applicant name, address or location], for [request]

*Be denied for the following reason(s):*

The applicant has not demonstrated that:

- f) Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
- g) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.
- h) The characteristics which make compliance with the dimensional requirements shall not be of a personal nature.
- i) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.
- j) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City

Yeas:  
Nays:

**MOTION CARRIED / FAILED**

Moved by:  
Seconded by:

***RESOLVED***, that the variance request for [applicant name, address or location], for [request]

*Be postponed for the following reason(s):*

Yeas:  
Nays:

**MOTION CARRIED / FAILED**

G:\ZONING BOARD OF APPEALS\Resolution Template Zoning Board of Appeals.doc

On November 17, 2020 at 7:30 p.m., via remote meeting using the GoTo Meeting platform, Chairman Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Glenn Clark  
Aaron Green  
Thomas Desmond  
David Eisenbacher  
James McCauley  
Michael Bossenbroek  
Sadek Rahman

Also Present:

Paul Evans, Zoning and Compliance Specialist  
Allan Motzny, Assistant City Attorney  
Jackie Ferencz, Administrative Assistant, Planning Department  
Bob Laux, Information Technology

2. PROCEDURE

3. MODIFICATION OF ZONING BOARD OF APPEALS RULES OF PROCEDURE

Moved by McCauley  
Seconded by Desmond

RESOLVED, to approve resolution modifying Rules of Procedure.

Yes: All

MOTION PASSED

4. APPROVAL OF MINUTES – March 17, 2020

Moved by Eisenbacher  
Seconded by Green

RESOLVED, to approve the March 17, 2020 meeting minutes.

Yes: All

MOTION PASSED

5. APPROVAL OF AGENDA – Modify variance description for item 6A

Moved by Eisenbacher  
Seconded by Desmond

RESOLVED, to approve the agenda with proposed modification.

Yes: All

MOTION PASSED

6. HEARING OF CASES:

- A. VARIANCE REQUEST, ARTHUR KALAJIAN, 2970 E LONG LAKE: A variance request to 1) to expand a nonconforming building, 2) to construct a building addition 77 feet from the Dequindre property line where the Zoning Ordinance requires a 10 foot “build to” line, and 3) to construct a building addition 13.61 feet from the west property line where the Zoning Ordinance requires a 30 foot setback.

MOTION by Eisenbacher  
Second by Desmond

RESOLVED, to approve the request.

MOTION by Clark  
Second by Eisenbacher

RESOLVED, to amend motion requesting additional screening of shrubbery to further enhance landscaping and create a greenbelt around property with emphasis on the west side of property.

Yes: Clark, Eisenbacher  
No: McCauley, Rahman, Bossenbroek, Green, Desmond

MOTION FAILS

MOTION by Eisenbacher  
Second by Desmond

RESOLVED, to approve the request.

Yes: Rahman, Clark, Desmond, Bossenbroek, Eisenbacher, McCauley  
No: Green

MOTION PASSED

- B. VARIANCE REQUEST, WENDY AND TOM BOIKE, 4895 PARK MANOR: A variance request to construct a deck 3 feet from the rear property line. The Zoning Ordinance requires the deck to be at least 25 feet from the rear property line.

Moved by Green

Second by McCauley

RESOLVED, to deny the request.

Yes: Rahman, Clark, Green, Bossenbroek, McCauley

No: Desmond, Eisenbacher

MOTION PASSED

- C. VARIANCE REQUEST, ELLEN YERKES FOR ANTONELLI LANDSCAPE, 4062 CHATWAL: A variance request to construct a portion of a swimming pool in the front yard. The Zoning Ordinance requires swimming pools to be in the rear yard, behind the front of the principal building.

Moved by Eisenbacher

Second by Green

RESOLVED, to approve the request.

Yes: All

MOTION PASSED

- D. VARIANCE REQUEST, BRIAN VAN HORN, 1086 SHALLOWDALE: A variance request to maintain a recently constructed shed in the front yard. The Zoning Ordinance requires sheds to be in rear yards. The shed was constructed without first receiving the required building permit.

Moved by McCauley

Second by Green

RESOLVED, to deny the request.

Yes: Desmond, Eisenbacher, McCauley, Bossenbroek

No: Green, Rahman, Clark

MOTION PASSED

- E. VARIANCE REQUEST, JOHN L. & LAURA ZAPTYTOWSKI, 2540 KINGSTON: A variance request to replace the sunroom with a new one that will be 36.9 feet from the rear property line. The Zoning Ordinance requires the addition to be at least 40 feet from the rear property line. The proposed replacement structure will be the same size as existing.

Moved by McCauley

Second by Green

RESOLVED, to approve the request.

Yes: ALL

MOTION PASSED

- F. VARIANCE REQUEST, LOUIE AND SHARI MESSINA, 3910 FORGE: A variance request to construct a home addition 27.5 feet from the rear property line. The Zoning Ordinance requires the addition to be at least 40 feet from the rear property line.

Moved by Eisenbacher  
Second by Desmond

RESOLVED, to approve the request.

Yes: Eisenbacher, Desmond  
No: McCauley, Green, Rahman, Clark, Bossenbroek

MOTION DENIED

- G. VARIANCE REQUEST, OLLIE APAHIDEAN, VACANT-BLACK OAK PARCEL (88-20-11-226-004): A variance to split a property into 3 properties, variance to allow two of the properties to have lot width and frontage of 30 feet, and the third to have zero lot width and frontage. The Zoning Ordinance requires each property to have 85 feet lot width and frontage.

Moved by Eisenbacher  
Second by Desmond

RESOLVED, to postpone to December 15, 2020 ZBA meeting.

Yes: ALL

MOTION PASSED

7. ELECT CHAIR AND VICE CHAIR:

Moved by Eisenbacher  
Second by Green

RESOLVED, to nominate Glen Clark Chair and Michael Bossenbroek Vice-Chair.

Yes: ALL

MOTION PASSED

8. PUBLIC COMMENT: None

9. MISCELLANEOUS BUSINESS – Mr. Evans provided an report update on items from March 2020 meeting: annual report, training/case study reviews, and sample motions
10. PUBLIC COMMENT: None
11. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 12:28 a.m.

Respectfully submitted,

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Glenn Clark, Chairman

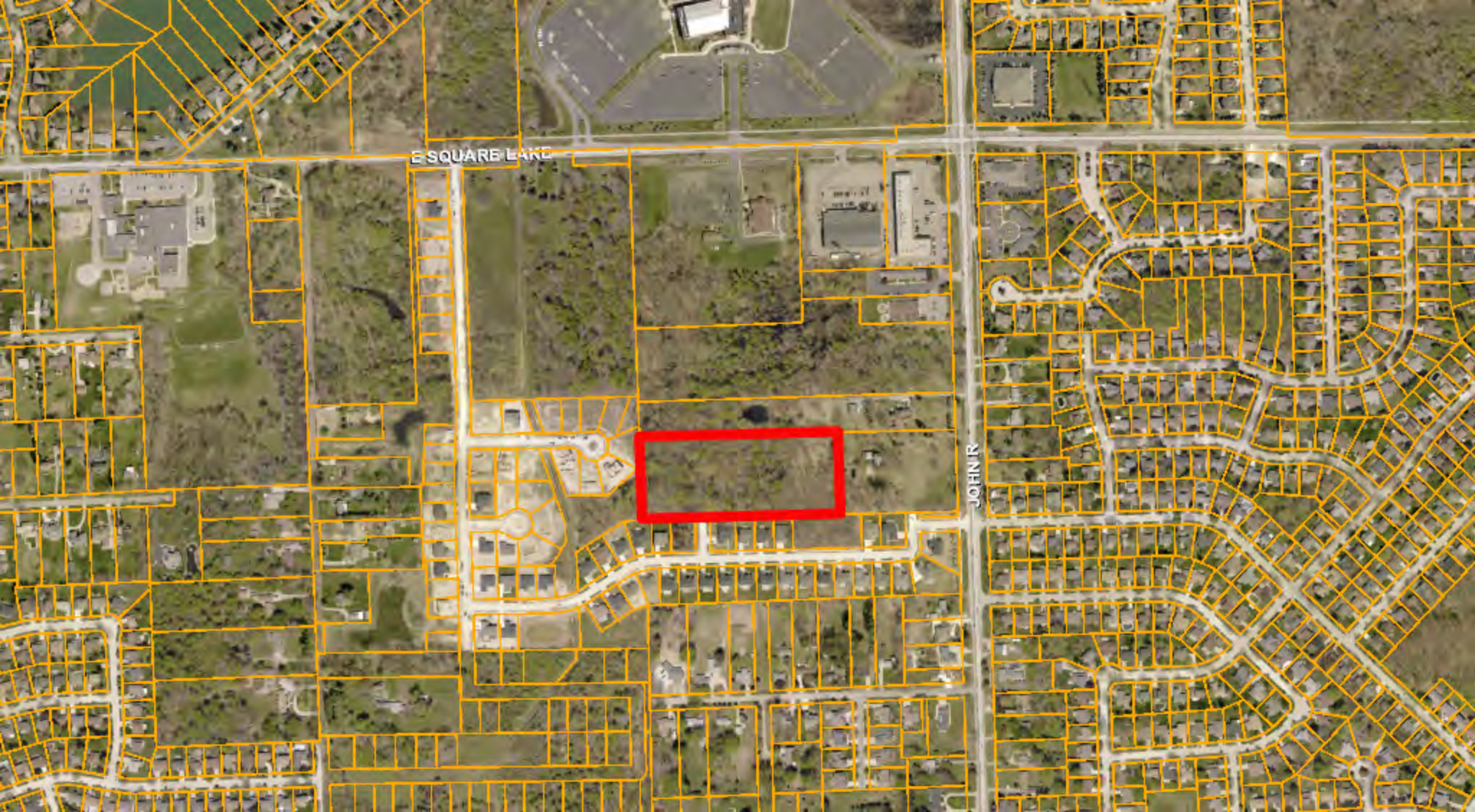
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Paul Evans, Zoning and Compliance Specialist

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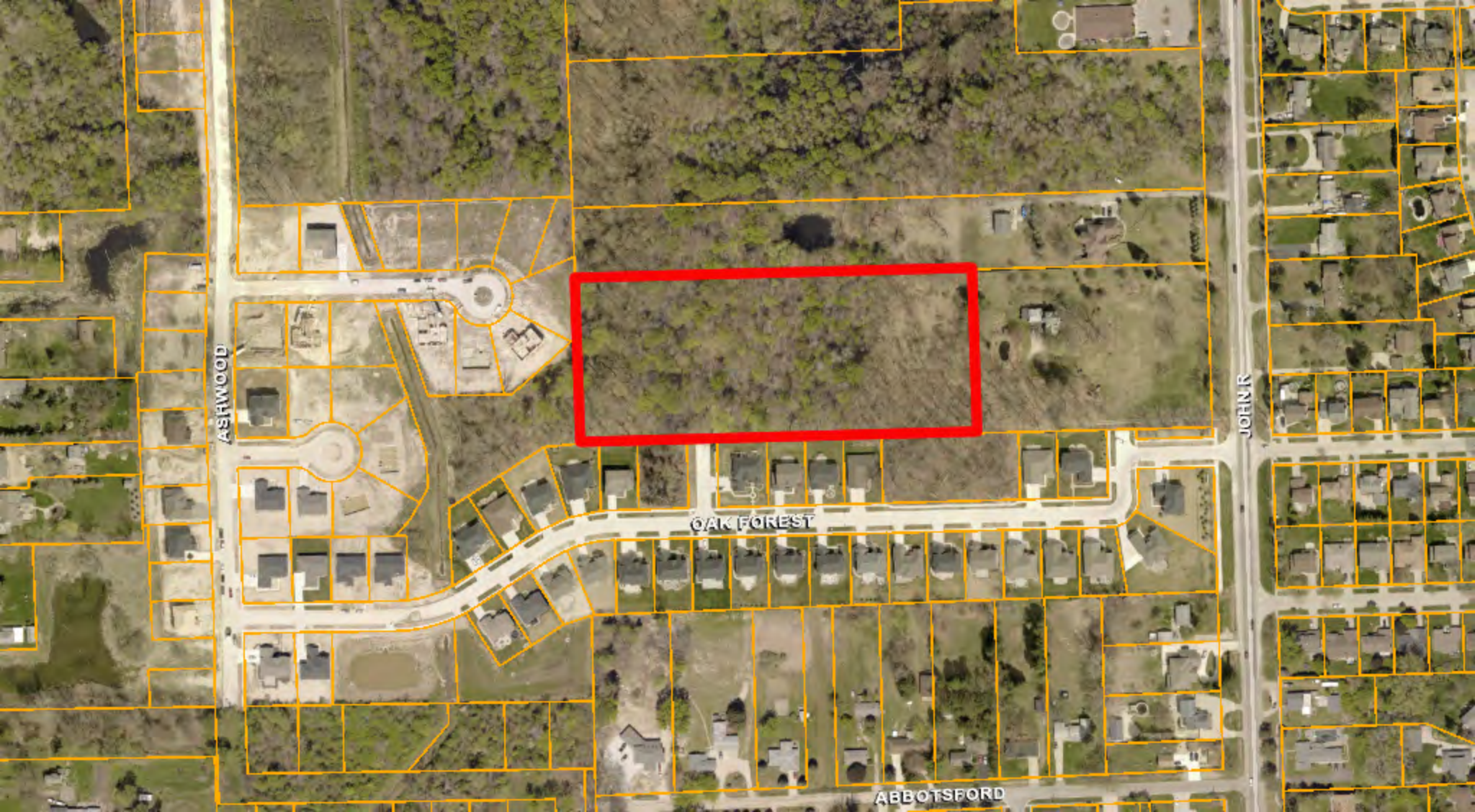
- A. VARIANCE REQUEST, OLLIE APAHIDEAN , VACANT-BLACK OAK PARCEL (88-20-11-226-004): A variance to split a property into 3 properties, variance to allow two of the properties to have a lot width and frontage of 30 feet, and the third to have zero lot width and frontage. The Zoning Ordinance requires each property to have 85 foot lot width and frontage.



E SQUARE LAKE

JOHN R





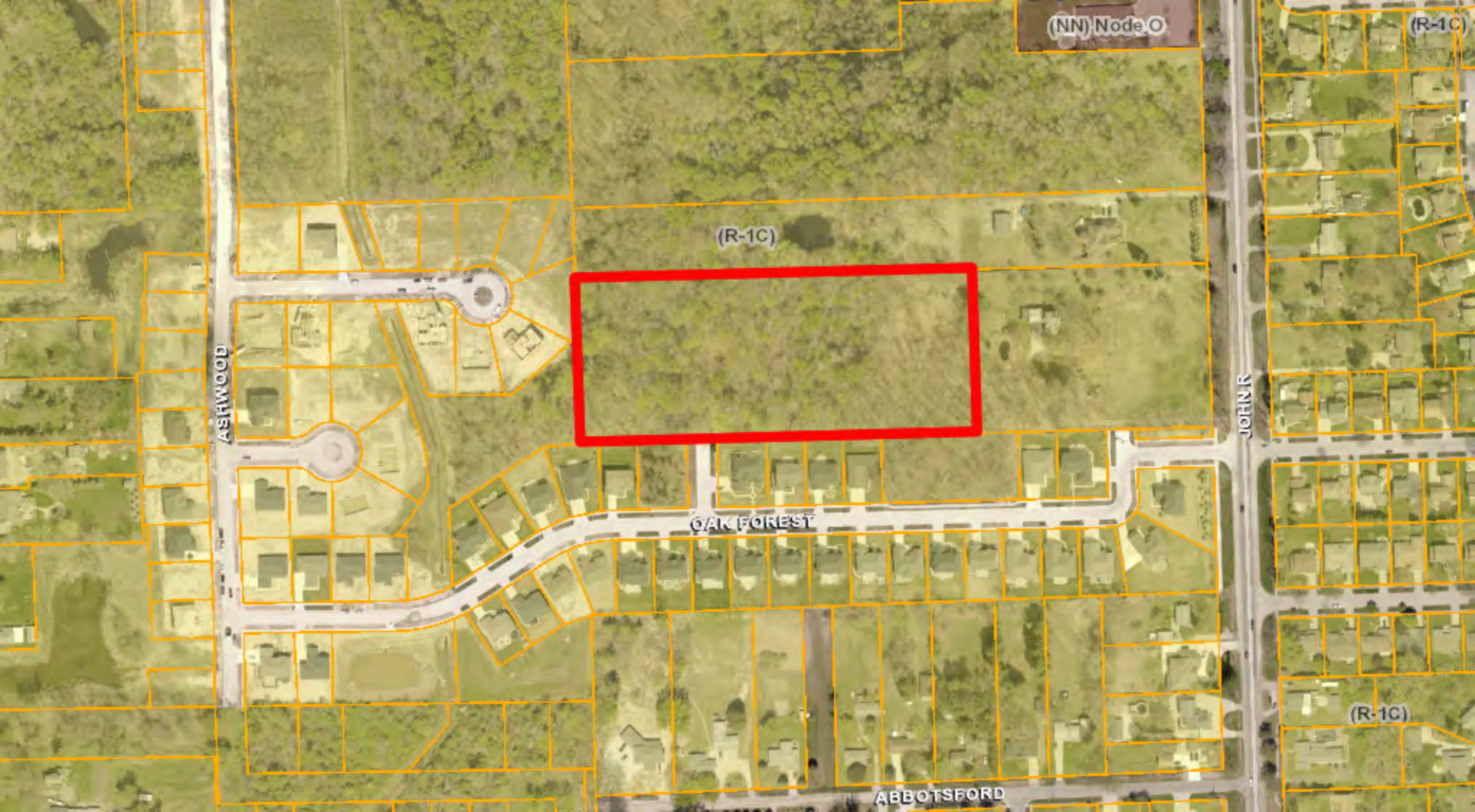
ASHWOOD

JOHN R

OAK FOREST

ABBOTSFORD









1685

1699

1713

1727

MAPLEWOOD

1740

1684

1698

1726

1712

1683

1696

1682

1751

1765

1779

1821

1835

1849

1863

1933

5775

1737

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OAK FOREST

1681

1695

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1906

1920

1934





CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

## Zoning Board of Appeals Application

[planning@troymi.gov](mailto:planning@troymi.gov) | Fee \$150.00

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL**. PLEASE FILE A COMPLETE DIGITAL APPLICATION AND FEE AT LEAST **29 DAYS BEFORE** THE MEETING DATE. PRE APPLICATION MEETING WITH PLANNING DEPARTMENT REQUIRED BEFORE FILING APPLICATION.

1. ADDRESS OF THE SUBJECT PROPERTY: NA
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-11-226-004
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: 4.06(C)
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: NO
5. APPLICANT:  
NAME Ollie Apahidean  
COMPANY \_\_\_\_\_  
ADDRESS 2223 Tucker Dr.  
CITY Troy STATE MI ZIP 48085  
PHONE 586-604-8554  
E-MAIL apahidean@comcast.net  
AFFILIATION TO THE PROPERTY OWNER: N/A



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

## Zoning Board of Appeals Application

6. PROPERTY OWNER:

NAME Kamal Shouhayib

COMPANY Choice Development

ADDRESS 2265 Livernois, Suite 500

CITY Troy STATE MI ZIP 48083

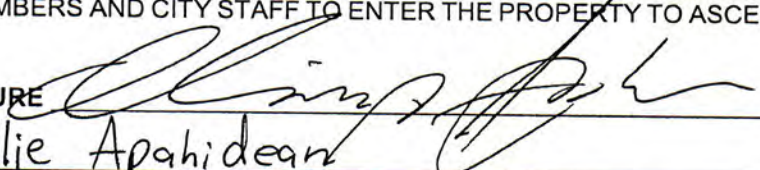
TELEPHONE 248-362-4150

E-MAIL kshouhayib@aol.com

The undersigned hereby declares under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, Ollie Apahidean (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE  DATE 9/19/2020

PRINT NAME: Ollie Apahidean

PROPERTY OWNER SIGNATURE  DATE 9/19/2020

PRINT NAME: Kamal Shouhayib / Choice Development INC

Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. The applicant will be notified of the time and date of the hearing by mail. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

Approved variances are good for a one year period.

Zoning Board of Appeals  
City of Troy Planning Department  
500 W. Big Beaver Rd  
Troy, MI 48084

**RE: STATEMENT OF PRACTICAL DIFFICULTY**

Dear Zoning Board of Appeals:

Please accept the following Statement of Practical Difficulty in support of petitioner's non-use variance request for the property identified as Parcel ID No. 20-11-226-004 (the "subject property" or the "property").

**Introduction**

The subject property is a vacant piece of property zoned as R-1C. The property is 6.0 acres in size (approximately 328 feet by 797 feet). The property is located at the end of Black Oak Drive, on the north side of Oak Forest Drive; west of John R. Road (see Map 1 for exact location). The petitioner is under contract to purchase half (3 acres) of the property from the current owner. The petitioner's intention is to split the 3 acres into two new lots and build two single family homes on these lots (see Drawing 1).

**History**

This vacant piece of property has been owned by the current owner for more than 20 years. At the time this property was purchased by the current owner, it was a landlocked parcel with no direct access to or frontage on a public road. In 2013-2104 the undeveloped property directly to the south of the subject property was developed as Phase 1 of the Oak Forest Site Condominium. As part of this new project, the developer constructed Black Oak Drive as a stub street all the way to the property line of the subject property. This resulted into giving the subject property direct access to a public road. (See Map 2 & Map 3).

**Technical Details**

The basis for the petitioner's variance request relates to the property width requirements under Section 4.06(C) of the Troy Zoning Ordinance. This Section requires that a property zoned R-1C have a minimum road lot frontage width of 85 feet. The petitioner is looking to split the subject property into three new lots as shown in Drawing 1. Lots 1 and 2 will have direct access to Black Oak Dr. Lot 3 will continue being a landlocked parcel until at a future date when the current owner will pursue other possible development options. The proposed lot split line between Lot 1 and Lot 2 will be located directly at the midpoint of the 60' wide right-of way line of Black Oak Drive. This split will give both Lots 1 and 2 equal lot road frontage of 30 feet on Black Oak Dr. This will require a variance of 55 feet for each



lot. The newly proposed Lots 1,2 and 3, will otherwise, not only comply with all the other dimensional requirements of the zoning ordinance but greatly exceed them.

### **I.F.C. Requirement**

The Troy Fire Department follows the standards of the International Fire Code (I.F.C.) pertaining to geometry requirements for a fire apparatus needed on Black Oak Drive. The petitioner has already submitted a drawing of the proposed lot split to the Troy FD for their review and feedback. After a thorough review, Lieutenant Caloia concluded that the existing geometry of Black Oak Drive meets all the standards of the I.F.C. if the variance is granted.

### **Standard**

The standard for granting a non-use variance is more lenient than for a use variance. "To justify the grant of a non-use variance there need only be a showing of practical difficulty. It is not necessary to show unnecessary hardship." *Heritage Hill Association, Inc. v. Grand Rapids*, 48 Mich. App. 765, 769, 211 N.W.2d 77 (1973). When analyzing practical difficulties in the context of a variance request, Michigan courts consider "whether the denial deprives the owner(applicant) of the use of the property, compliance would be unnecessarily burdensome, or granting a variance would do substantial justice to the owner(applicant)." *Norman Corp v East Tawas*, 263 Mich. App. 194, 203, 687 N.W.2d 861 (2004).

The Troy Zoning Ordinance expressly authorizes the Zoning Board of Appeals to grant dimensional variances in circumstances such as these:

Where a literal enforcement of the provisions of this ordinance would involve practical difficulties within the meaning of this Article, the Zoning Board of Appeals shall have the power to authorize such variation of the provisions of this Ordinance with such conditions and safeguards as it may determine as may be in harmony with the spirit of this Article so that the public safety and welfare be secured and substantial justice be done.

Troy, Michigan, Zoning Ordinance 15.04(E)(1).

The ordinance provides guidance as to what constitutes "practical difficulties" and sets forth the following standards for the Zoning Board of Appeals to grant a non-use variance:

- a. Exceptional characteristics of the property for which the variance is sought make compliance with the dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of the property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
- b. The characteristics which make compliance with dimensional requirements difficult must be related to the premise for which the variance is sought, not some other location.
- c. The characteristics which make compliance with the dimensional requirements difficult shall not be of a personal nature.

- d. The characteristics which make compliance with the dimensional requirements difficult must not have been created by the current owner or previous owner.
- e. The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to the adjacent property, or unreasonably increase the congestion in the public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other aspect impair public health, safety, comfort, morals or welfare of the inhabitants of the City.

Troy, Michigan, Zoning Ordinance 15.04 (E)(2).

### **Analysis of Practical Difficulties**

Here, all of the facts and conditions required by the zoning ordinance as presented. A literal interpretation of the dimensional requirements would involve practical difficulties for the petitioner resulting from exceptional characteristics of the subject property, namely the available road frontage for Lots 1 and 2. These characteristics relate directly to the property itself and are not of a personal nature. These characteristics were not created by the current or previous owner. The characteristics were created by the construction of Black Oak drive which provided access and frontage to the subject property.

The subject property is also unique because of the significant areas of irregularly shaped wetlands located throughout Lots 1 and 2. More than 30% of Lots 1 and 2 are considered wetland. This natural vegetation, another exceptional characteristic of the property, must be protected per State regulatory requirements. Compliance with the lot frontage is unnecessarily burdensome. The requested variance provides sufficient frontage on the public road without compromising safe access for both lots.

The proposed variance will not alter the essential character of the surrounding area or otherwise result in any harmful or negative consequences. Quite the contrary, by granting the variance, the protection of the wooded and wetland areas will be maximized by minimizing the footprint of impervious pavement footprint needed to access both lots directly from the end of Black Oak Dr.

The granting of the variance will be in harmony with the general purpose and intent of the ordinance. The proposed variance will not impair the supply of air or light, will not unreasonably increase traffic congestion, will not increase the danger of fire or endanger public safety, and in no way be injurious to the neighborhood or otherwise detrimental to the general welfare. There are no practical considerations that support a literal enforcement of the lot frontage requirement in this instance and granting the petitioner's variance request will serve the interests of justice.

### **Conclusion**

The petitioner will face practical difficulties if the lot frontage requirement is enforced literally, as a result of the exceptional characteristics of this property. By granting the requested variance, the spirit of the ordinance will be observed, the surrounding area will not be negatively impacted, and

substantial justice will be done. For all these reasons, the petitioner respectfully requests that the Zoning Board of Appeals grant his variance request.

Respectfully,

Ollie Apahidean

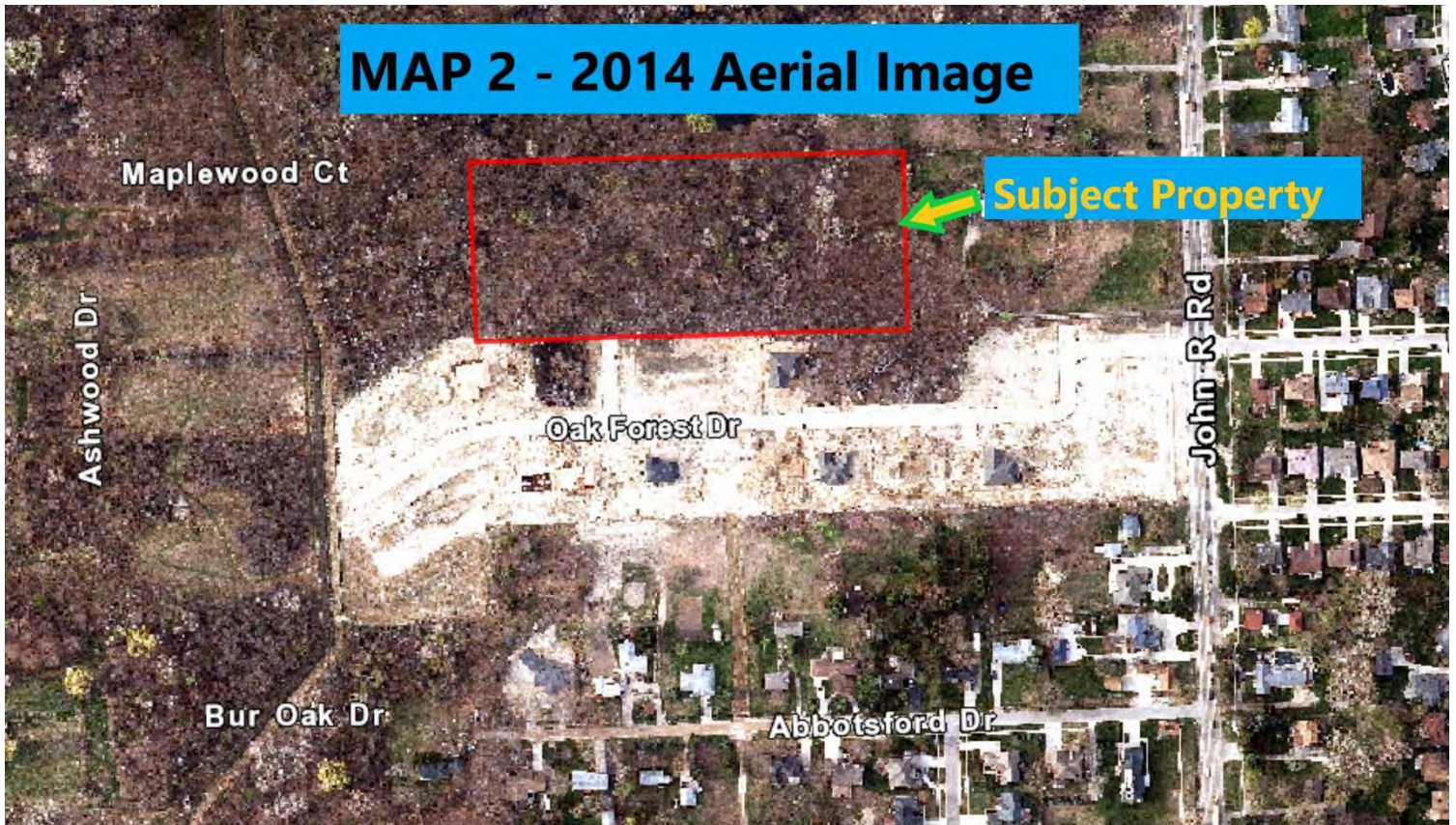
Petitioner

# MAP 1

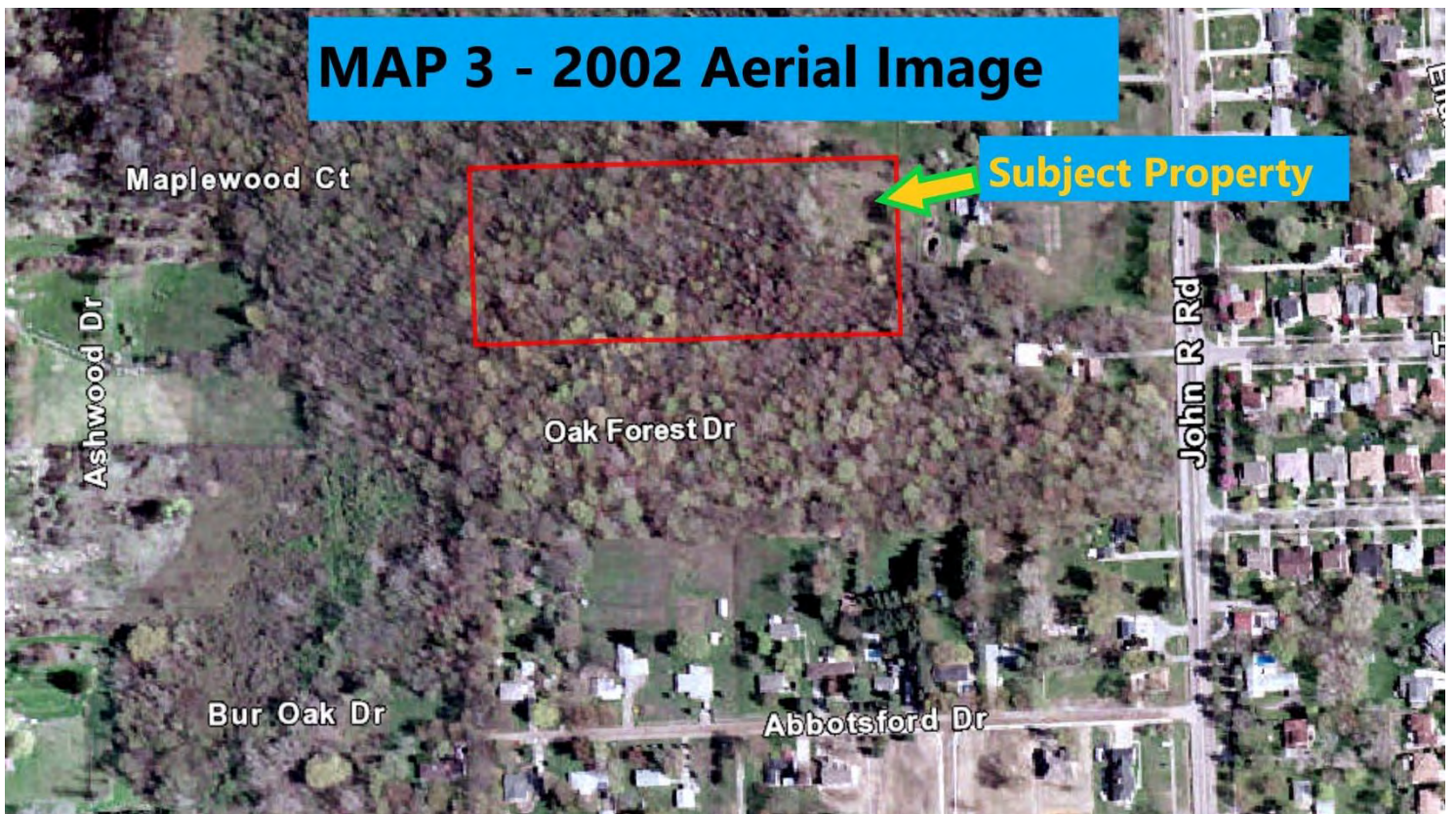




**MAP 2 - 2014 Aerial Image**



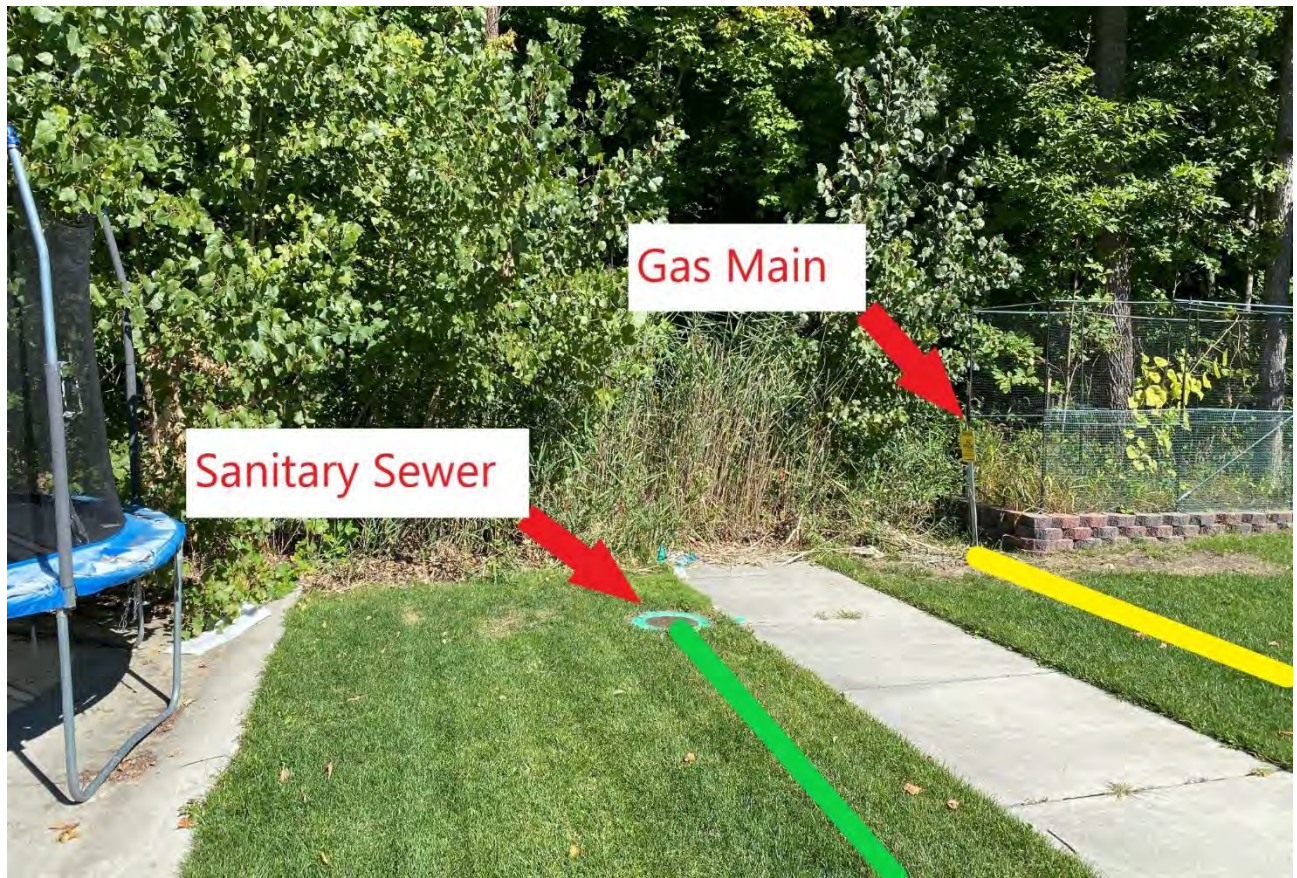
**MAP 3 - 2002 Aerial Image**











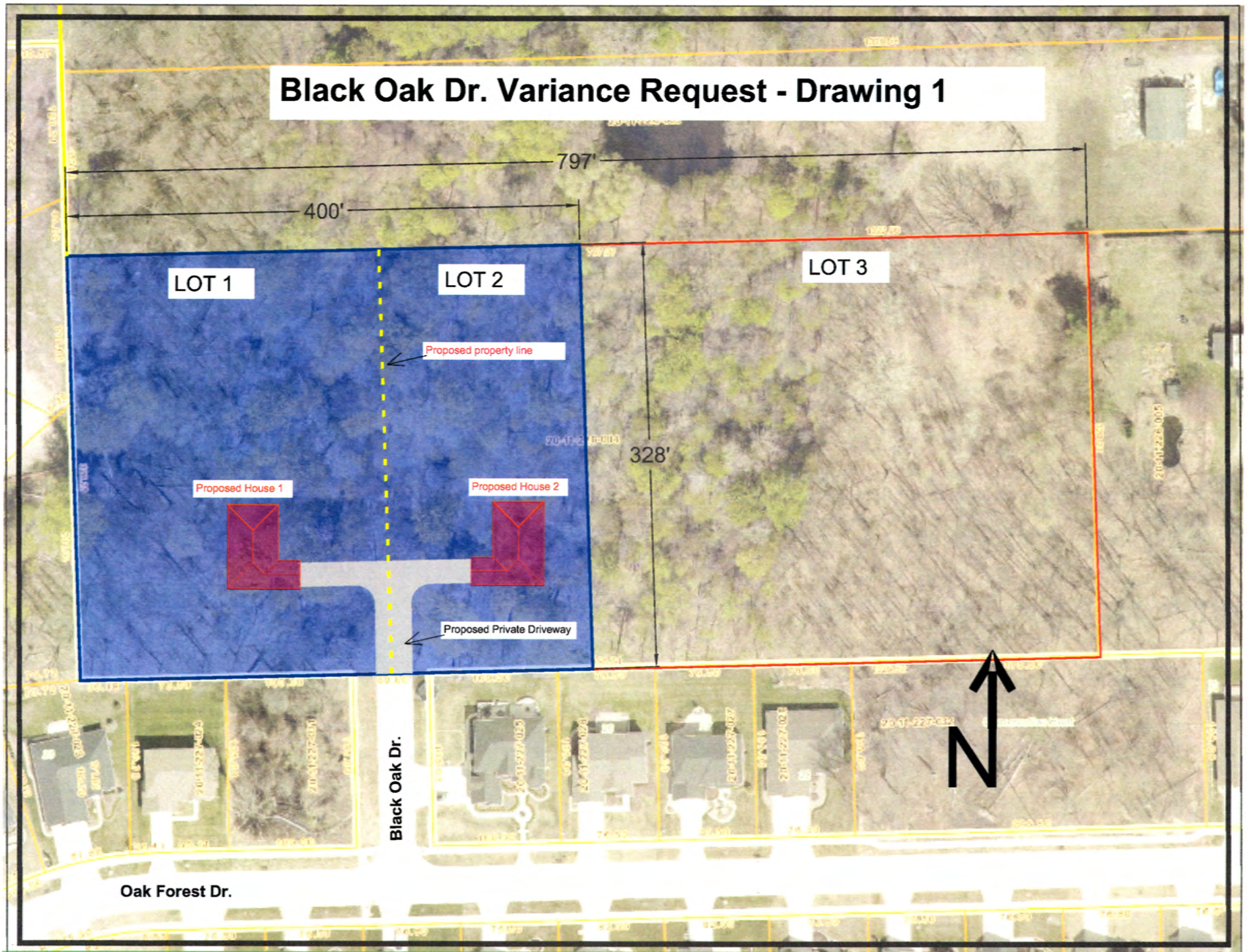


# MAP 1





# Black Oak Dr. Variance Request - Drawing 1









**From:** [Paul M Evans](#)  
**To:** [Paul M Evans](#)  
**Subject:** FW: ZBA variance request please review  
**Date:** Monday, October 05, 2020 10:38:44 AM  
**Attachments:** [image001.png](#)  
[image010.png](#)  
[image011.png](#)  
[image012.png](#)  
[image013.png](#)  
[image014.png](#)  
[image015.png](#)  
[image016.png](#)  
[image017.png](#)  
[image018.png](#)  
[image019.png](#)  
[image020.png](#)  
[image021.png](#)

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**From:** Nino A Licari  
**Sent:** Wednesday, September 30, 2020 12:56 PM  
**To:** Paul M Evans <P.Evans@troymi.gov>  
**Cc:** Kimberly A Harper <HarperKA@troymi.gov>  
**Subject:** RE: ZBA variance request please review

Paul,

Additionally, the piece was owned by the folks to the east with the major road frontage. They split it off for future development, when you used to be able to do that with a driveway easement.



Leger (Nino) Licari MMAO (4)  
City Assessor, City of Troy  
500 W. Big Beaver Troy MI 48084  
O: 248.524-3305



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**From:** Paul M Evans  
**Sent:** Wednesday, September 30, 2020 12:51 PM  
**To:** Nino A Licari <[Nino.Licari@troymi.gov](mailto:Nino.Licari@troymi.gov)>; Kimberly A Harper <[HarperKA@troymi.gov](mailto:HarperKA@troymi.gov)>  
**Subject:** RE: ZBA variance request please review

Nino: Thanks for the response. I expect the Board to ask how the parcel got approved in the first place. Your historical information explains.

Paul Evans  
Zoning & Compliance Specialist  
City of Troy  
500 W. Big Beaver  
Troy, MI 48084



248.524.3359

---

**From:** Nino A Licari

**Sent:** Wednesday, September 30, 2020 12:25 PM

**To:** Paul M Evans <[P.Evans@troymi.gov](mailto:P.Evans@troymi.gov)>; Kimberly A Harper <[HarperKA@troymi.gov](mailto:HarperKA@troymi.gov)>

**Subject:** RE: ZBA variance request please review

Paul,

I am in agreement with what Kim told them up front. It needs 85' of frontage on a dedicated ROW, not side frontage on a stub street. At a minimum, 30' needs to be dedicated from each parcel, and the utilities brought through (north) each parcel 85'.

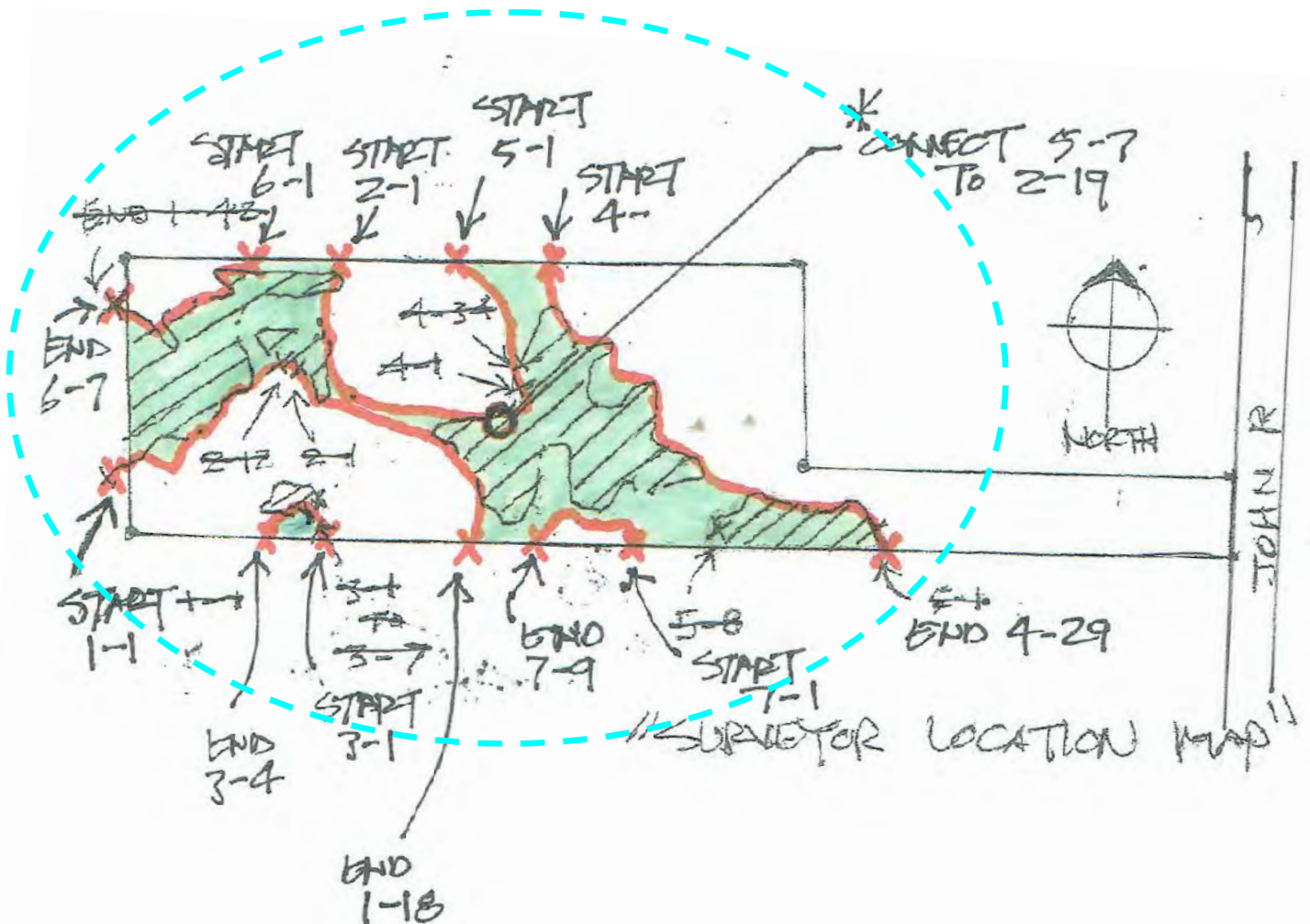
The easterly parcel should not be split off at all until future development allows it. This is a non-conforming parcel that predates the City's incorporation. Leaving a land locked piece to the east does not correct the non-conformity, not separating it corrects the issue, assuming the proper ROW is installed.

Thanks




Leger (Nino) Licari MMAO (4)  
City Assessor, City of Troy  
500 W. Big Beaver Troy MI 48084  
O: 248.524-3305





## Fall 2016 Wetland Flagging Areas

 Wetland Areas as Flagged on 10/12/16

## Area of Study - Surveyors Location Map

### Choice Group 6.0 Acres-John R

Troy, Mi  
Project # 13-001  
January 27, 2017



Natural Resources  
Capital Strategies  
Resilience  
Urbanism

[www.hollowayepi.com](http://www.hollowayepi.com)



# Black Oak Dr. Variance Request - Drawing 2



LOT 1

LOT 2

LOT 3

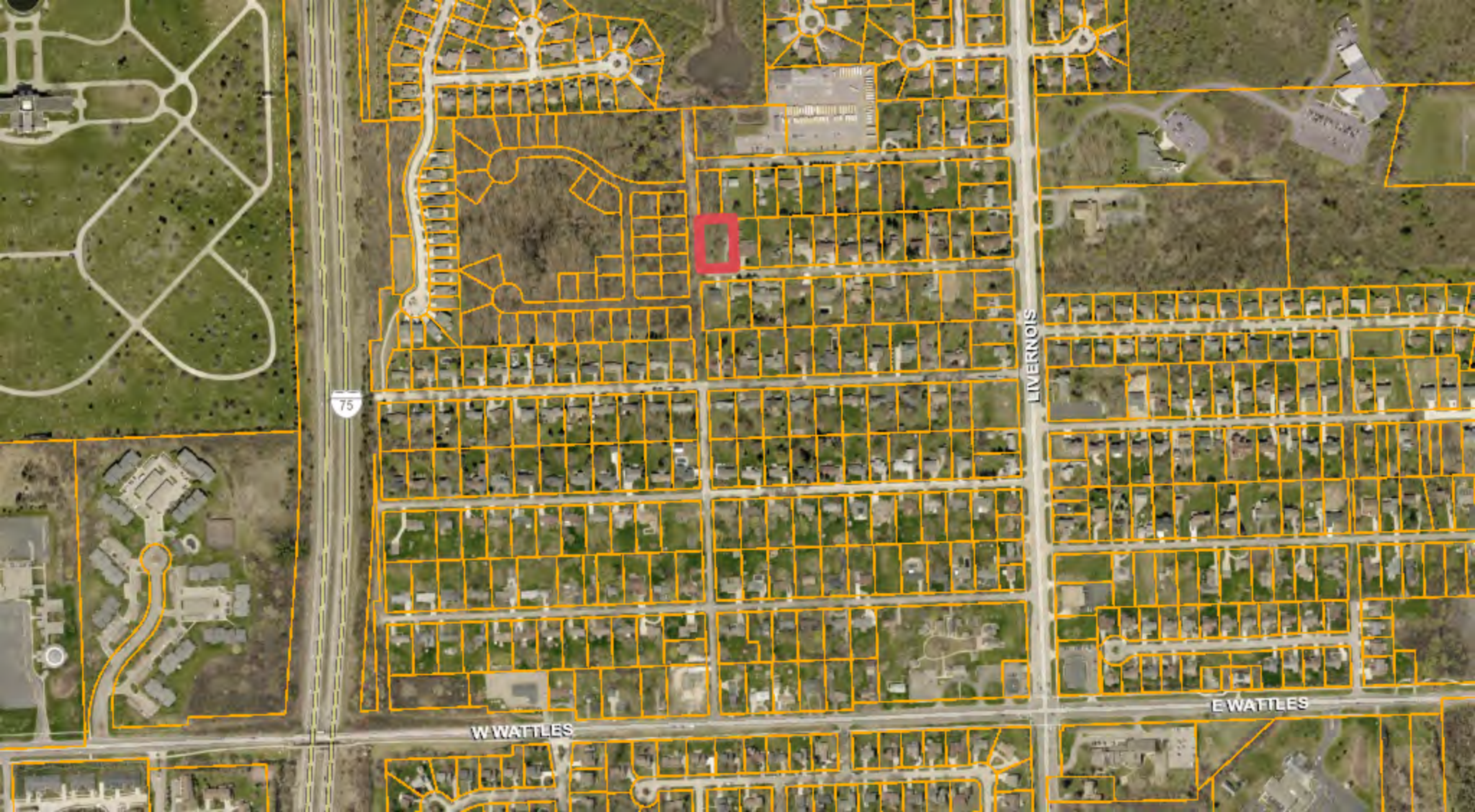
Proposed property line

WETLAND



- A. VARIANCE REQUEST, 224 WEBB, JOSEPH MANIACI FOR MONDRIAN PROPERTIES LLC: A variance to split a parcel of land into two parcels. One parcel is proposed to be 13,844 square feet. The other proposed parcel is proposed to be 13,571 square feet and have 98.03 feet frontage and width. The Zoning Ordinance requires each proposed parcel to be 15,000 square feet and have 100 feet frontage and width.









BLAKELY

357

337

BLAKELY

4396

4395

4380

4381

4372

4373

4357

4358

4359

356

346

4345

4346

4347

AUDLEY

395

385

375

365

355

345

335

325

315

305

VIRGILIA

HART

225

185

169

145

125

11

224

210

180

174

144

130

1

WEBB

227

219

197

173

139

131





78

368

(R-1B)

BLAKELY

357

337

(R-1B)

HARLOW

BLAKELY

4396

4395

4380

4381

4372

4373

4357

4358

4359

356

346

4345

4346

4347

AUDLEY

5

375

365

355

345

335

325

315

305

VIRGILIA

225

185

169

145

125

111

95

(R-1D)

224

210

180

174

144

130

124

86

WEBB

227

219

197

173

(R-139)

131

93





4396

4395

4380

4381

4372

4373

224

210

4357

4358

4359

4345

4346

4347

46

HARLOW

VIRGILIA

WEBB



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

## Zoning Board of Appeals Application

**planning@troymi.gov | Fee \$150.00**

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL**. PLEASE FILE A COMPLETE DIGITAL APPLICATION AND FEE AT LEAST **29 DAYS BEFORE** THE MEETING DATE. PRE APPLICATION MEETING WITH PLANNING DEPARTMENT REQUIRED BEFORE FILING APPLICATION.

1. ADDRESS OF THE SUBJECT PROPERTY: 224 Webb Dr.
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 2016427021
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: \_\_\_\_\_
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: \_\_\_\_\_
5. APPLICANT:  
NAME Joseph Maniaci  
COMPANY Mondrian Properties LLC.  
ADDRESS 50215 Schoenherr Rd.  
CITY Shelby Twp. STATE MI ZIP 48315  
PHONE 586-726-7340  
E-MAIL administration@mondrianproperties.com  
AFFILIATION TO THE PROPERTY OWNER: Purchasing the lot; sale contingent on split



CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

## Zoning Board of Appeals Application

6. PROPERTY OWNER:NAME HAGELSTEIN, ROBERT & DEBRACOMPANY N/AADDRESS 224 Webb Dr.CITY Troy STATE MI ZIP 48315TELEPHONE 586-996-2311E-MAIL debbiehagelstein@yahoo.com

The undersigned hereby declares under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, Joseph Maniaci (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE *Joe Maniaci* DATE 10-20-20PRINT NAME: Joseph ManiaciPROPERTY OWNER SIGNATURE *Debra Hagelstein* DATE 10-20-20PRINT NAME: Robert & Debra Hagelstein

Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. The applicant will be notified of the time and date of the hearing by mail. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

Approved variances are good for a one year period.

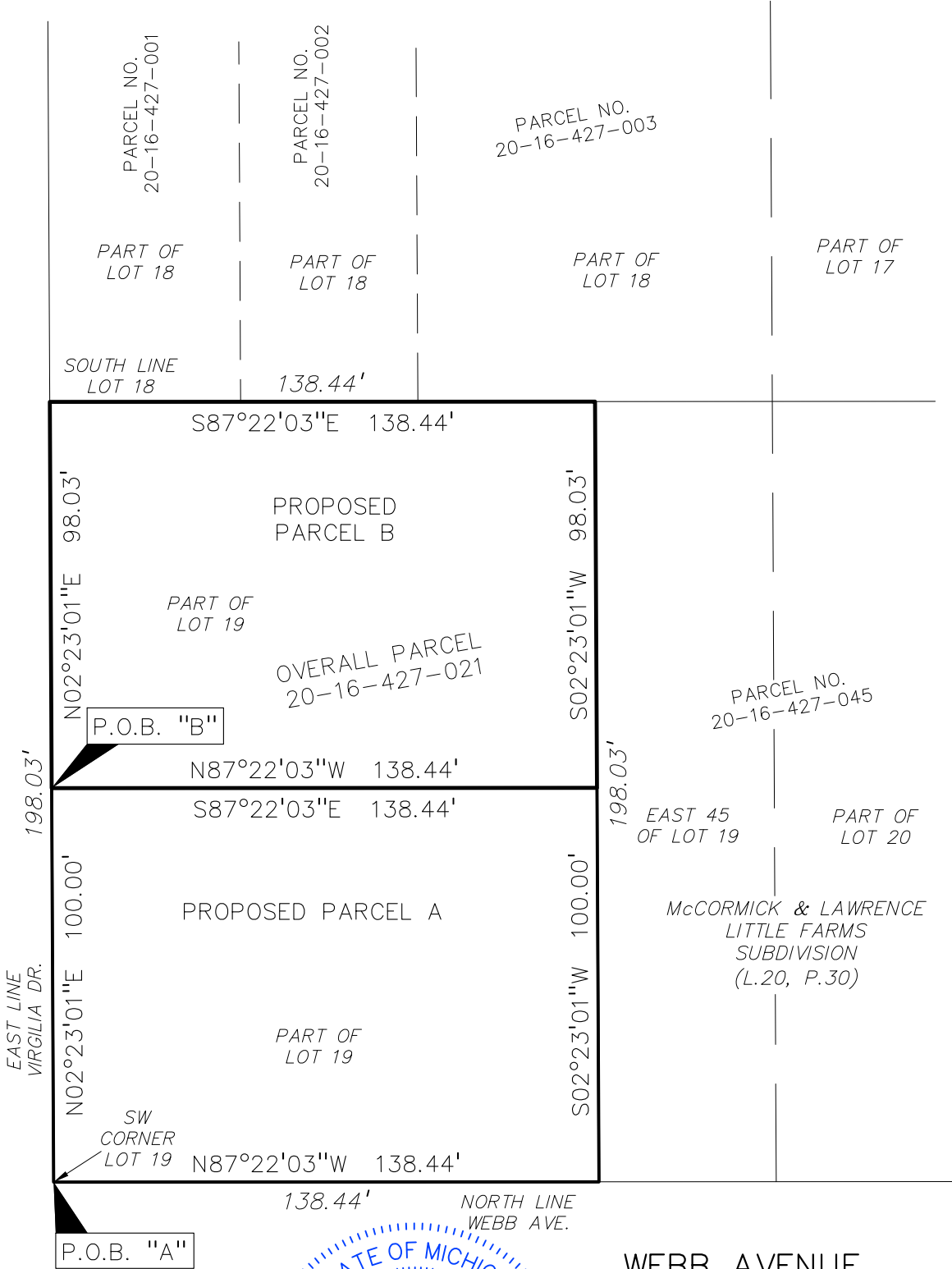


WEST TROY  
MEADOWS



SKETCH OF SPLIT  
PARCEL NO. 20-16-427-021,  
PROPOSED PARCELS "A" & "B"

VIRGILIA DRIVE  
(50' WIDE - PUBLIC)



WEBB AVENUE  
(50' WIDE - PUBLIC)



SCALE: 1" = 40'



*Kevin T. Roach*

CLIENT: <b>MONDRAIN PROPERTIES</b> 50215 SCHOENHERR RD SHELBY TWP, MI 48315	SCALE: 1" = 40'	JOB No: 2018-006
	DATE: 9-30-20	DWG. No: 1 of 2

**PEAGROUP**

t: 844.813.2949  
www.peagroup.com



LEGAL DESCRIPTIONS

LEGAL DESCRIPTIONS  
(PER CITY OF TROY ASSESSING REPORT)

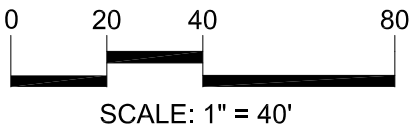
PARCEL NO. 20-16-427-021  
TOWN 2 NORTH, RANGE 11 EAST, SECT 15 & 16, "McCORMICK & LAWRENCE LITTLE FARMS SUBDIVISION" LOT 19 EXCEPT THE EAST 45 FEET.

LEGAL DESCRIPTIONS  
(PER PEA GROUP)

PROPOSED PARCEL "A"  
THE SOUTH 100 FEET, EXCEPT FOR THE EAST 45 FEET, OF LOT 19 OF "McCORMICK & LAWRENCE LITTLE FARMS SUBDIVISION", AS RECORDED IN LIBER 20, PAGE 30, A SUBDIVISION LOCATED IN PART OF THE SOUTHEAST 1/4 OF SECTION 15 & 16, TOWN 2 NORTH, RANGE 11 EAST, BEING MORE PARTICULARLY DESCRIBED AS:  
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 19; THENCE ALONG THE EAST LINE OF VIRGILIA DRIVE (50 FEET WIDE), N02°23'01"E, 100.00 FEET;  
THENCE S87°22'03"E, 138.44 FEET;  
THENCE S02°23'01"W, 100.00 FEET TO THE NORTH LINE OF WEBB AVENUE (50 FEET WIDE);  
THENCE ALONG SAID NORTH LINE, N87°22'03"W, 138.44 FEET TO THE AFOREMENTIONED SOUTHWEST CORNER OF LOT 19 AND THE POINT OF BEGINNING.

LEGAL DESCRIPTIONS  
(PER PEA GROUP)

PROPOSED PARCEL "B"  
LOT 19, EXCEPT THE EAST 45 FEET AND ALSO EXCEPT THE SOUTH 100 FEET, OF "McCORMICK & LAWRENCE LITTLE FARMS SUBDIVISION", AS RECORDED IN LIBER 20, PAGE 30, A SUBDIVISION LOCATED IN PART OF THE SOUTHEAST 1/4 OF SECTION 15 & 16, TOWN 2 NORTH, RANGE 11 EAST, BEING MORE PARTICULARLY DESCRIBED AS:  
  
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 19; THENCE ALONG THE EAST LINE OF VIRGILIA DRIVE (50 FEET WIDE), N02°23'01"E, 100.00 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING N02°23'01"E, 98.03 FEET TO THE SOUTH LINE OF LOT 18;  
THENCE ALONG SAID SOUTH LINE, S87°22'03"E, 138.44 FEET;  
THENCE S02°23'01"W, 98.03 FEET;  
THENCE N87°22'03"W, 138.44 FEET TO THE AFOREMENTIONED EAST LINE OF VIRGILIA DRIVE AND TO THE POINT OF BEGINNING.



CLIENT: MONDRAIN PROPERTIES 50215 SCHOENHERR RD SHELBY TWP, MI 48315	SCALE: 1" = 40'	JOB No: 2018-006
	DATE: 9-30-20	DWG. No: 2 of 2

PEA  
GROUP

t: 844.813.2949  
www.peagroup.com





October 6<sup>th</sup>, 2020

RE: ZBA Variance 224 Webb Drive

Dear City Council Members,

We are looking to split 224 Webb Drive into two separate lots as depicted on the attached drawings. Due to the above property zoned R-1B, we are requesting an approval for the below two variances:

1. Approval for one lot to have less than 100ft of paved road frontage
2. Approval to have less than 15,000 sq. ft. of total area

We would like this approval granted because it will be consistent with the other homes in the subdivision that have smaller lot dimensions and total square footages. The 224 Webb Dr. split is also directly facing our approved West Troy Meadows subdivision, in which, lot sizes are much smaller. The following neighboring addresses match our request:

- 174 Webb Dr. – 91 ft. Frontage
- 219 Webb Dr. – 90 ft. Frontage
- 144 Webb Dr. – 91.96 ft. Frontage
- 130 Webb Dr. – 91 ft. Frontage
- 4359 Virgilia Dr. – 8,276 sq. ft. and 75 ft. Frontage
- 4373 Virgilia Dr. - 8,276 sq. ft. and 75 ft. Frontage
- 240 Paragon Dr. – 10,454 sq. ft. & 53.13 ft. Frontage
- 230 Paragon Dr. - 10,454 sq. ft. & 53.12 ft. Frontage
- 316 Paragon Dr. – 14,810 sq. ft. & 93 ft. Frontage
- 20-16-427-010 – 8,712 sq. ft. & 45 ft. Frontage

The requested variances are not of personal nature and not created by the current or previous owner. They are not harmful, nor do they alter the essential character of the area. They will align with the current neighboring homes.

Sincerely,

Mondrian Properties LLC.



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

**Assessing**  
248-524-3311

October 6, 2020

Anita Khzouz  
Mondrian Properties  
50215 Schoenherr  
Shelby Twp. MI 48315

RE: 224 Webb

Ms. Khzouz:

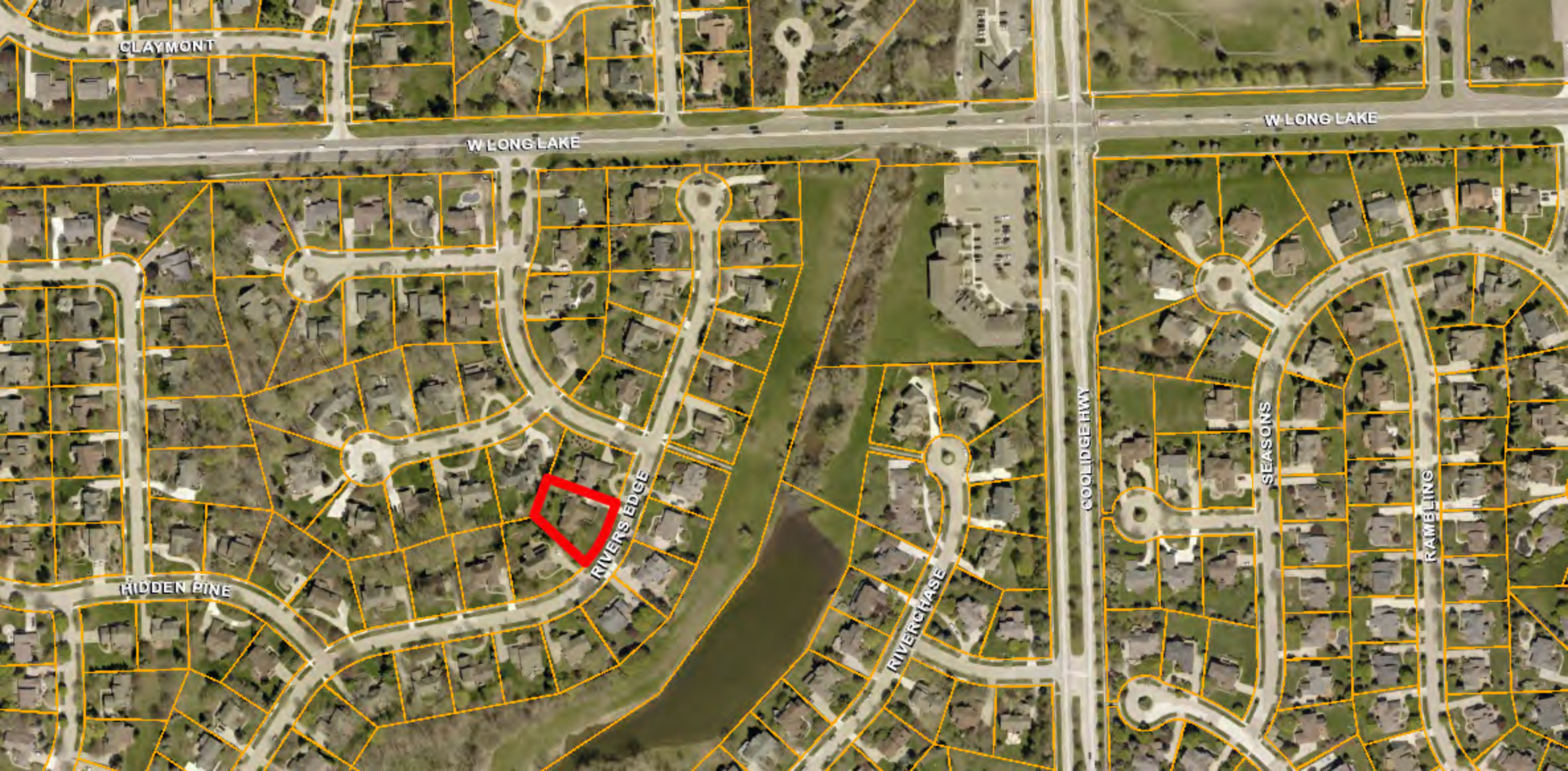
Recently Mondrian Properties applied for a lot split at 224 Webb, Troy MI. This property is zoned R-1B. R-1B zoning requires 100ft of paved road frontage, 15,000sqft of area, and water and sewer brought to the lots ready for tap in.

The proposal does not meet the current requirements plus the lot currently has a home on it which would also need to be removed prior to final approval. A zoning variance may be applied for through our Planning department.

Thank you  
Kimberly A Harper  
248-524-3307

VARIANCE REQUEST, 4857 RIVERS EDGE, JOE NOVITSKY FOR JSN ARCHITECTURE:  
A variance request to allow a home addition to be set back 39 feet 3 inches from the rear property line. The Zoning Ordinance requires the addition to be set back 45 feet from the rear property line.





CLAYMONT

W LONG LAKE

W LONG LAKE

HIDDEN PINE

RIVERS EDGE

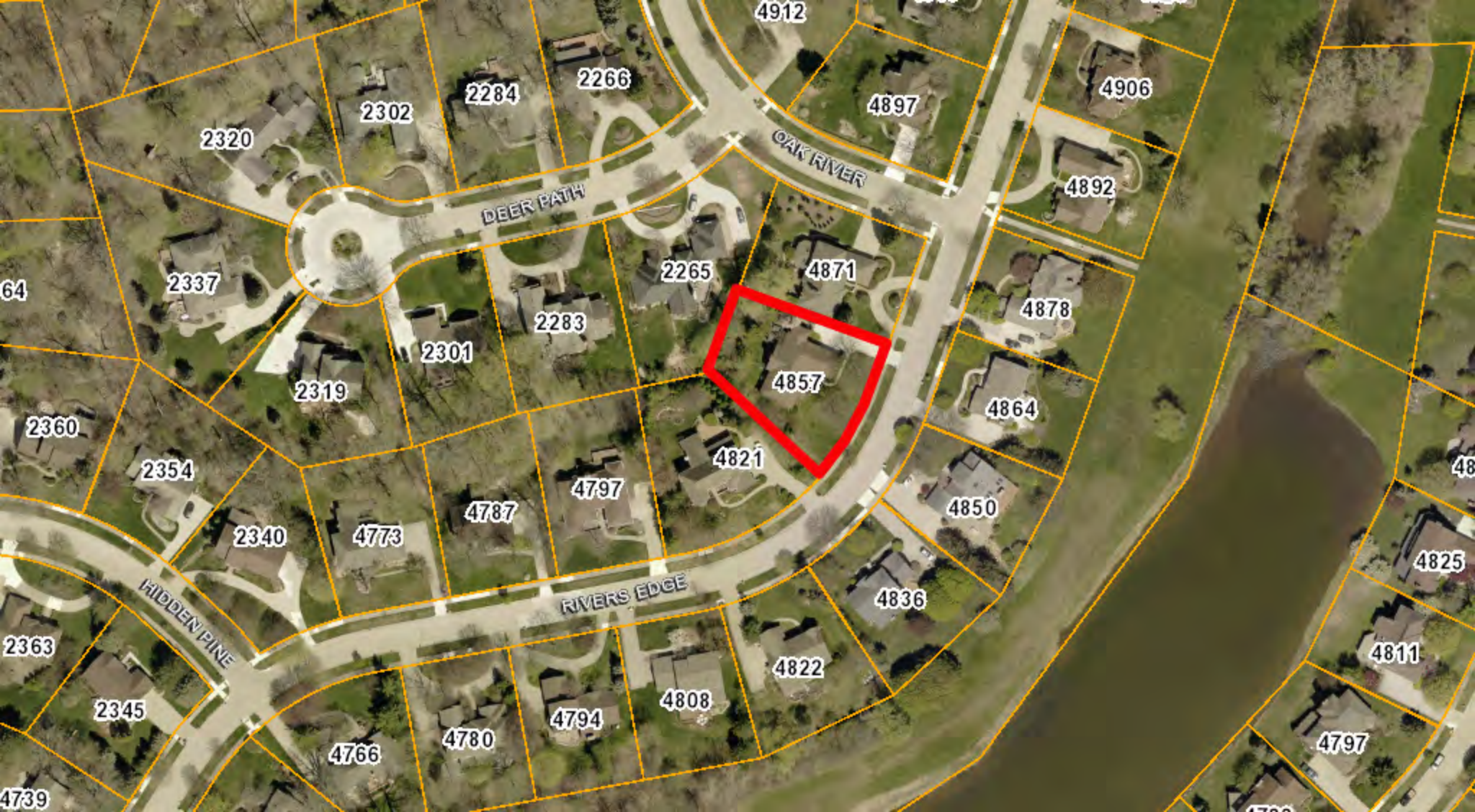
RIVERCHASE

COOLIDGE HWY

SEASONS

RAMBLING









2283

2265

4871

4878

4857

4864

4821





CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

## Zoning Board of Appeals Application

[planning@troymi.gov](mailto:planning@troymi.gov) | Fee \$150.00

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL**. PLEASE FILE A COMPLETE DIGITAL APPLICATION AND FEE AT LEAST **29 DAYS BEFORE** THE MEETING DATE. PRE APPLICATION MEETING WITH PLANNING DEPARTMENT REQUIRED BEFORE FILING APPLICATION.

1. ADDRESS OF THE SUBJECT PROPERTY: 4857 Rivers Edge
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-18-227-003
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: Article 4: 45 ft Rear setback
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: No.
5. APPLICANT:  
NAME Joe Novitsky  
COMPANY JSN Architecture  
ADDRESS 3856 12 Mile  
CITY Berkley STATE MI ZIP 48072  
PHONE 248-433-2020  
E-MAIL joe@jsn-aia.com  
AFFILIATION TO THE PROPERTY OWNER: Architect





## Zoning Board of Appeals Application

6. PROPERTY OWNER:

NAME Tom and Grete  
COMPANY \_\_\_\_\_  
ADDRESS 4857 Rivers Edge  
CITY Troy STATE MI ZIP 48098  
TELEPHONE 248-345-6580  
E-MAIL gretemartin@yahoo.com

The undersigned hereby declares under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, Joseph S. Novitsky (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE \_\_\_\_\_ DATE 10-21-20

PRINT NAME: JOSEPH S. NOVITSKY

PROPERTY OWNER SIGNATURE Thomas Martin DATE 10-21-20

PRINT NAME: THOMAS MARTIN

Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. The applicant will be notified of the time and date of the hearing by mail. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

Approved variances are good for a one year period.



Dear ZBA Members  
City of Troy,  
Troy, Michigan 48084

October 22, 2020

Please allow this to be our Statement of Hardship.

We are petitioning the Troy ZBA for relief from the expansive 45' rear yard setback for a number of reasons. For primarily, health and safety reasons, we are hoping to build a 12' X 15' exercise pool room. The dimensional variance request is 6'-2" at the most aggressive point, and for a length of 12'. The dimension of 6'-2" diminishes as it moves parallel to the rear property line for the 12 feet as the side yard is angled to the rear yard and not perpendicular. We have pared this request down to as small a room as makes sense to safely and efficiently utilize this technology. We have lived in Troy for many years, hope not to move, and age in place.

1. Due to personal injury and rehabilitation efforts, (shoulder, knee and hip replacements), Because of the joint replacements, I am limited to non weight bearing exercise. As such, water rehabilitation and exercise is all I am able to do now as the weight of the water displaces some body weight and allows me to maintain my physicality and slowly rebuild my muscles and structure. I am unable to do this rehabilitation on land and must be in the water to displace the body weight.
2. The therapy pool that I have gone to at Beaumont Hospital no longer offers the independent swim program that I was utilizing due to the Pandemic which means I can no longer continue my exercise routine; prescribed by my doctors and physical therapists. This small addition allows us to place an exercise pool on the property that will serve this purpose well. This is not a fast process of healing nor temporal need. This pool is a necessity to preserve and maintain what mobility I have.
3. There is no where within the current home that will accommodate this facility. The weight of the water, 5' deep= 325 #/ square foot), demands an engineered support system, that exceeds the wood floor and frame capacity of 50 # per square foot, in the current home, per our architect. The exercise pool we are hoping to use will bear directly on the soils safely.
4. The "build-able rear lot- per Ordinance" is currently mostly occupied on this lot. Our one story home serves us well, but is spread out. As we age, the one story living environment is essential.
5. There is no place along the entire home that it would fit except to take out our exterior deck off the kitchen and dining room that we use daily; weather permitting. We also feel this activity doesn't belong adjacent to the dining area and kitchen. It is a very personal and private matter. Nor do we feel it is appropriate, aesthetically, to put a pool room in the front yard that is available. I'm quite certain, our neighbors would not be in agreement with it.
6. Our current neighbors that are directly affected by this decision have reviewed the intent and plans and have signed off on it. You have a copy of that in your package.

In closing we would be very grateful for your support on our request.  
Thank you in advance for helping a neighbor age gracefully in place.

Sincerely,

  
Grete Martin  
4857 Rivers Edge  
Troy, Michigan 48098



GENERAL NOTES MRBC 2015

1. ANY DISCREPANCIES, ERRORS, AND/OR OMISSIONS IN THE DRAWINGS ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/DESIGNER. FAILURE TO DO SO MAY RESULT IN FUTURE CHANGES, THE COST OF WHICH WILL BE BORNE BY THE APPROPRIATE TRADE.
2. DO NOT SCALE DRAWINGS, USE FIGURED DIMENSIONS!
3. PROVIDE TEMPORARY BRACING AS REQUIRED, TO INSURE THE STABILITY OF THE STRUCTURE UNTIL THE PERMANENT FRAMING IS IN PLACE.
4. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE ICC BASIC BUILDING CODE AND ALL THE CITY AND LOCAL ORDINANCES AS ADOPTED BY THE STATE OF MICHIGAN.
5. CONTRACTOR SHALL EXERCISE EXTREME CARE IN SETTING GRADES FOR NEW CONSTRUCTION AS THESE GRADES ARE CRITICAL.
6. FOUNDATIONS SHALL BE CARRIED DOWN (MIN. 3'-6" DEEP) TO NATURAL UNDISTURBED SOILS CAPABLE OF SUPPORTING A 3,000 P.S.F. BEARING CAPACITY, OR ENGINEERED FILL. IF POORLY CONSOLIDATED SOILS ARE ENCOUNTERED AT THE DEPTHS SHOWN, THE ARCHITECT /DESIGNER SHALL BE NOTIFIED AND THE FOUNDATIONS WILL BE MODIFIED ACCORDINGLY.
7. SAND FILL UNDER SLABS SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.
8. CONCRETE SHALL HAVE COMPRESSIVE STRENGTH OF 2,500 P.S.I. FOR FOUNDATION WORK AND FLOOR SLABS WITH 4,000 P.S.I. FOR WALKS AND STEPS. REINFORCING STEEL = 40KSI, ASTM 40.
9. STRUCTURAL STEEL = 36 KSI ASTM GRADE 36.
10. ALL WOOD FLOORS SHALL BE A.P.A. GLUED FLOOR SYSTEMS. FLOOR JOISTS SHALL BE DOUGLAS FIR NO. 1 OR BETTER, OR ENGINEERED FLOOR JOISTS (T.J.I.'S). FRAMING SHALL BE S.P.F. #2 OR BETTER. USE PRESSURE TREATED LUMBER WHEN IN CONTACT WITH MASONARY AND/OR CONCRETE.
11. GLUE LAMINATED TIMBERS Fb = 2,400 P.S.I.
12. THE OWNER IS NOT RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION, NOR FOR THE SAFETY ON THE JOBSITE, AND THAT THESE RESPONSIBILITIES ARE INTENDED TO BE AND TO REMAIN SOLELY THOSE OF THE GENERAL CONTRACTOR.
13. THE INTENT IS TO UTILIZE ALL EXISTING UTILITIES: i.e. PHONE, ELEC, GAS, WATER, AND SEWER.
14. UNLESS NOTED OTHERWISE, CONTRACTOR SHALL PROVIDE & INSTALL THE FOLLOWING. TYPICAL HEADERS FOR OPENINGS AS REQUIRED:
  - (2)- 2x6's = OPENINGS TO 6'-0" W.
  - (2)- 2x8's = OPENINGS TO 8'-0" W.
  - (2)- 2x10's = OPENINGS TO 10'-0" W.
  - (2)- 2x12's = OPENINGS TO 12'-0" W.NOTIFY/ CONSULT ARCHITECT FOR UNSPECIFIED OPENINGS EXCEEDING 12'-0" W.
15. OWNER OR INTERIOR DESIGNER TO SUPPLY ALL FINAL FINISH & FIXTURE SCHEDULES. ALL INTERIOR DETAILS ON THESE PLANS ARE PLACEHOLDERS. IF OWNER DOES NOT HAVE ANY INPUT, THE CONTRACTOR SHALL PROVIDE FINISHES THAT MATCH EXISTING CONDITIONS TO THE BEST OF HIS/HER ABILITY.
16. CONTRACTOR TO SUBMIT SHOP DRAWINGS OF FURNACE PLACEMENT AND NEW DUCT WORK TO OWNER FOR APPROVAL PRIOR TO PERMIT APPLICATION. AND APPROVED DRAWINGS WILL BECOME PART OF THE CONTRACT/PERMIT SET.
17. PROVIDE SHOP DRAWINGS AND ENGINEERING DATA ON ALL STRUCTURAL STEEL AND PREFABRICATED TRUSSES, INCLUDING GIRDER TRUSSES.
  - TOP CHORD @ S.L. = 25 psf (TYF)
  - BOTTOM CHORD @ L.L. = 30 psf

LEGAL DESCRIPTION

T2N, R1E, SEC 18 OAK RIVER SUB NO 1 LOT 25

R-1B ZONING

LOT AREA:  
REQUIRED = 15,000 SQ. FT. (MIN., PER ORDINANCE)  
PROVIDED = 18,495.1 SQ. FT. (EXISTING)

SETBACKS:  
FRONT SETBACK:  
REQUIRED = 40'-0" (MIN.)  
PROVIDED = 41'-0" (EXIST'G. TO REMAIN)  
SIDE YARD(S):  
(1) @ REQUIRED = 10'-0" (MIN.)  
(1) @ PROVIDED = 10'-0" (EXISTING TO REMAIN)  
REQUIRED = (2) @ 25'-0" TOTAL (MIN.)  
PROVIDED = (2) @ 30'-4" TOTAL (EXISTING TO REMAIN)  
(1) @ REQUIRED = 15'-0" (MIN.)  
(1) @ PROVIDED = 16'-3" (PROPOSED)  
REAR SETBACK:  
REQUIRED = 45'-0" (MIN.)  
PROVIDED = 39'-3" (PROPOSED)

LOT AREA CALCULATIONS

LOT SIZE (SINGLE LOT) = 18,495.1 SQ. FT.  
30% MAX. LOT COVERAGE = 5,548.53 SQ. FT. (MAX.)  
LOT COVERAGE (30% MAX.):  
RESIDENCE 3,528.32 SQ. FT.  
ADDITION 180 SQ. FT.  
COVERAGE 3,708.32 SQ. FT. (20.09%)

IMPERVIOUS SURFACE:  
REAR DECK 130.1 SQ. FT.  
COVERAGE 130.1 SQ. FT. (.7%)  
OPEN SPACE:  
OPEN AREA 14,656.08 SQ. FT. (79.21%)  
TOTAL (LOT AREA) 18,495.1 SQ. FT.



PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"



JSN  
AIA

Joseph S. Novitsky  
Architecture  
3856 12 Mile Road  
Berkley, MI 48072  
(248) 433-2030



Revisions:	
DATE	DESCRIPTION
08/18/2020	EXISTING CONDITIONS
10/08/2020	REVIEW
10/21/2020	ZBA REVIEW

Project Name:  
4857 RIVERS EDGE  
TROY, MI 48098

OWNER:  
TOM & GRETE MARTIN  
4857 RIVERS EDGE DR

Sheet Title:  
SITE  
PLAN,  
ZONING  
&GENERAL  
NOTES

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NOT BE REPRODUCED WITHOUT THE EXPLICIT  
WRITTEN CONSENT OF JSN ARCHITECTURE

Date: 08/18/2020  
Drawn by: BJW

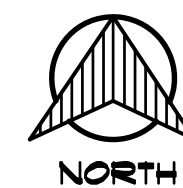
Project Number:  
2020-66

Sheet Number:  
S-1





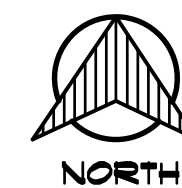
SCALE:  $\frac{1}{8}'' = 1'-0''$



SCALE:  $\frac{1}{4}" = 1'-0"$

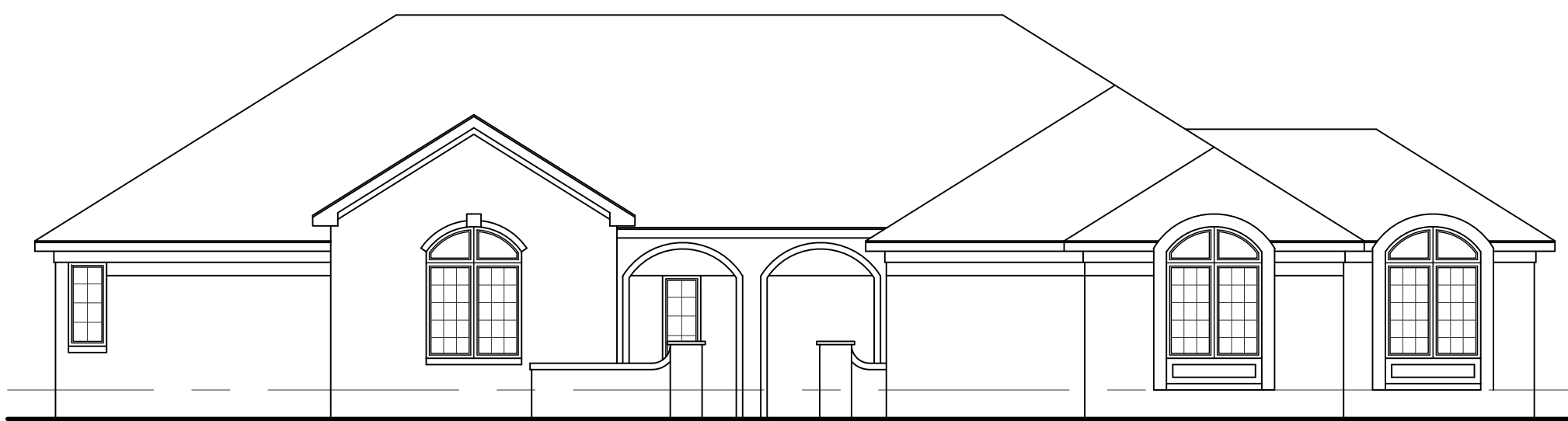


SCALE:  $\frac{1}{8}'' = 1'-0''$



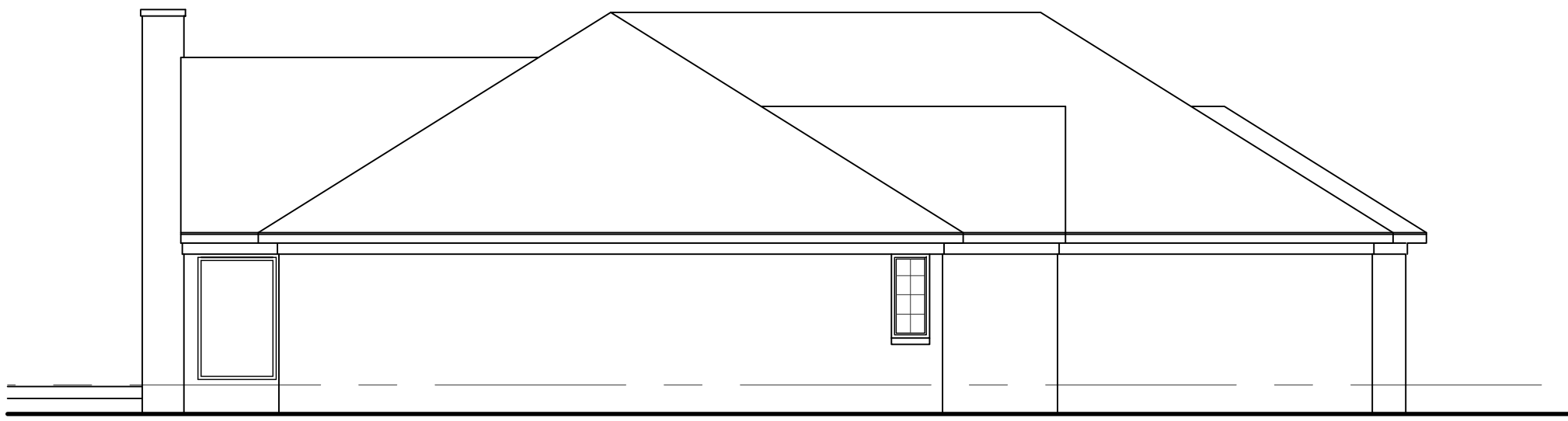
SCALE:  $\frac{1}{4}" = 1'-0"$





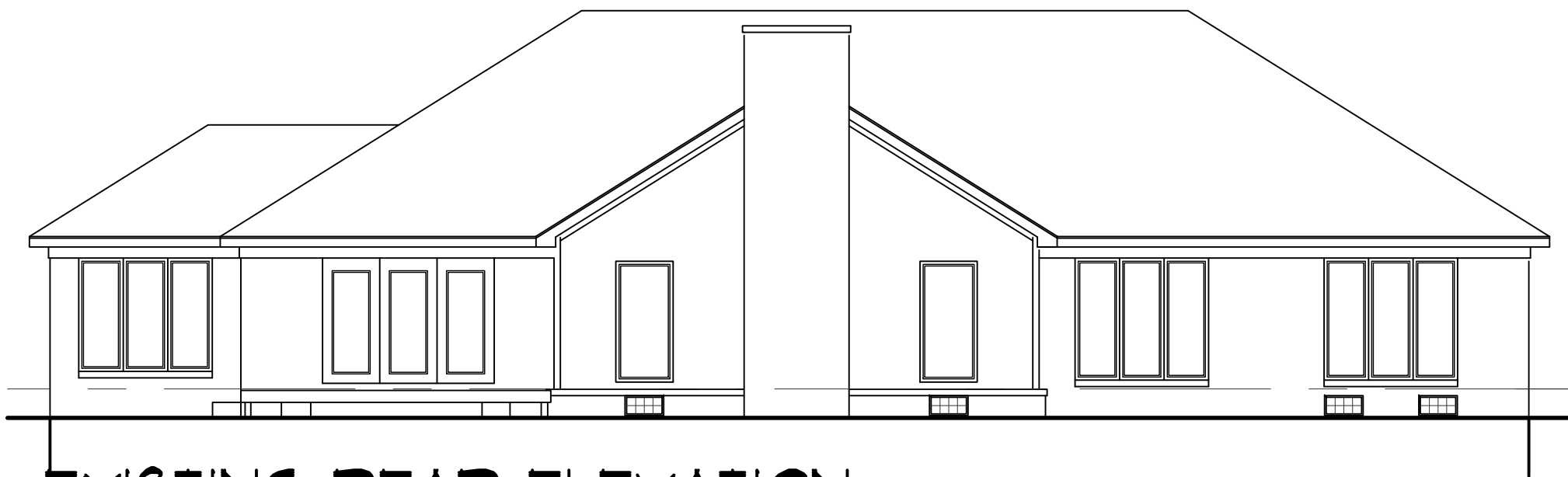
**EXISTING FRONT ELEVATION**

NO CHANGES SCALE: 1/8" = 1'-0"



**EXISTING SIDE ELEVATION**

SCALE: 1/8" = 1'-0"



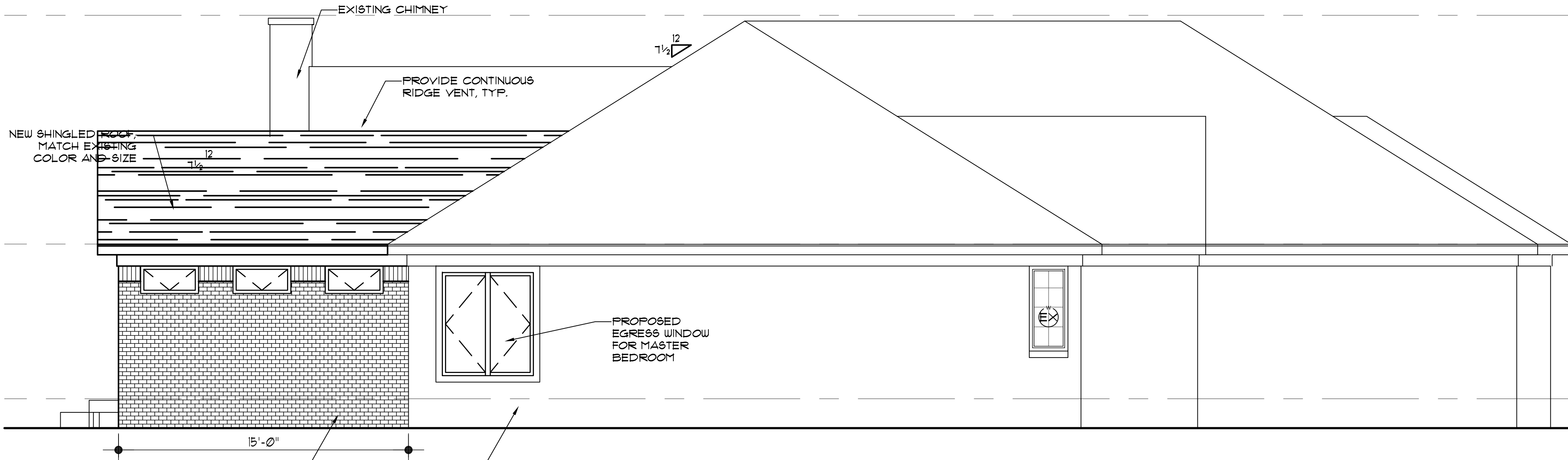
**EXISTING REAR ELEVATION**

SCALE: 1/8" = 1'-0"



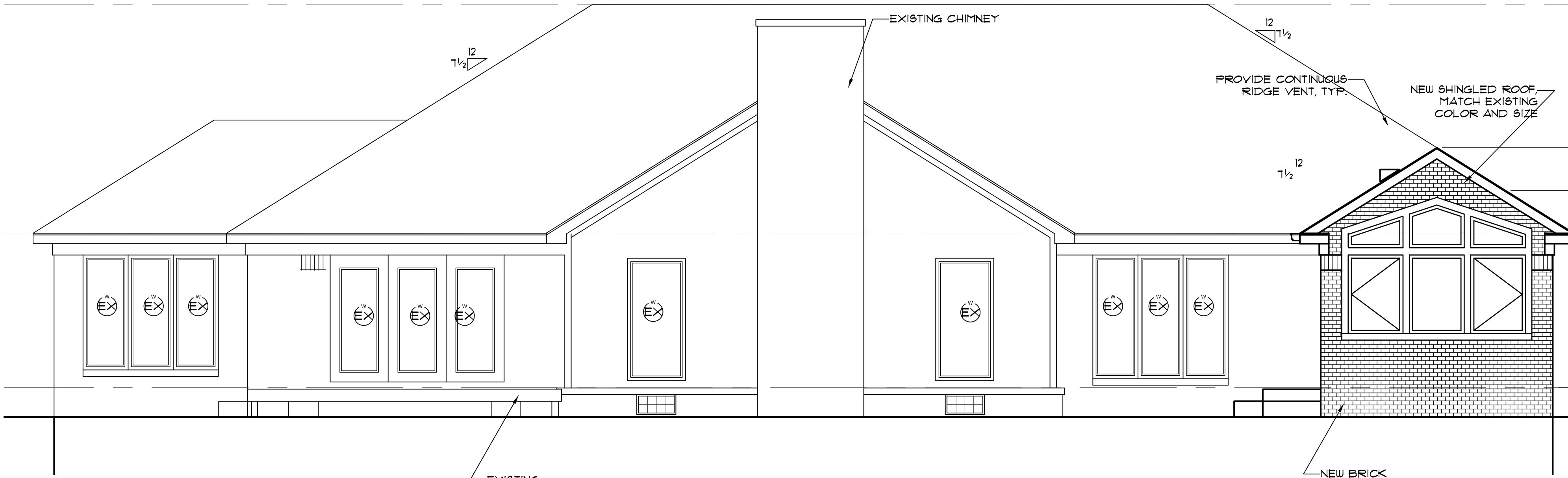
**EXISTING SIDE ELEVATION**

SCALE: 1/8" = 1'-0"



**PROPOSED SIDE ELEVATION**

SCALE: 1/4" = 1'-0"



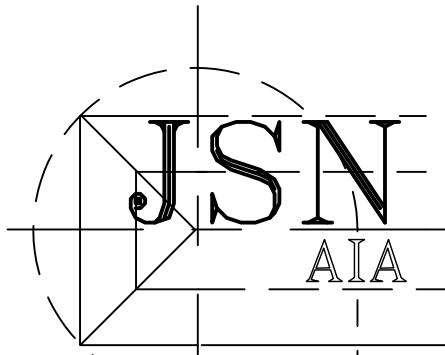
**PROPOSED REAR ELEVATION**

SCALE: 1/4" = 1'-0"



**PROPOSED REAR ELEVATION**

SCALE: 1/4" = 1'-0"



Joseph S. Novitsky  
Architecture  
3856 12 Mile Road  
Berkley, MI 48072  
(248) 433-2030



Revisions:	
DATE	DESCRIPTION
08/18/2020	EXISTING CONDITIONS
10/08/2020	REVIEW
10/21/2020	ZBA REVIEW

Project Name:  
**4857 RIVERS EDGE**  
TROY, MI 48098

OWNER:  
**TOM & GRETE MARTIN**  
4857 RIVERS EDGE DR

Sheet Title:  
**EXISTING  
ELEVATIONS  
& PROPOSED  
ELEVATIONS**

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WRITTEN CONSENT OF JSN ARCHITECTURE

Date: 08/18/2020  
Drawn by: BJW

Project Number:  
**2020-66**

Sheet Number:  
**A-2**



## GENERAL NOTES MRBC 2015

1. ANY DISCREPANCIES, ERRORS, AND/OR OMISSIONS IN THE DRAWINGS ARE TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/DESIGNER. FAILURE TO DO SO MAY RESULT IN FUTURE CHANGES, THE COST OF WHICH WILL BE BORNE BY THE APPROPRIATE TRADE.
2. DO NOT SCALE DRAWINGS, USE FIGURED DIMENSIONS!
3. PROVIDE TEMPORARY BRACING AS REQUIRED TO MAINTAIN THE STABILITY OF THE STRUCTURE UNTIL THE PERMANENT BRACING IS IN PLACE.
4. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE ICC BASIC BUILDING CODE AND ALL THE CITY AND LOCAL ORDINANCES AS ADOPTED BY THE STATE OF MICHIGAN.
5. CONTRACTOR SHALL EXERCISE EXTREME CARE IN SETTING GRADES FOR NEW CONSTRUCTION AS THESE GRADES ARE CRITICAL.
6. FOUNDATIONS SHALL BE CARRIED DOWN (MIN. 3'-6" DEEP) TO NATURAL UNDISTURBED SOILS CAPABLE OF SUPPORTING A 3,000 P.S.F. BEARING CAPACITY, OR ENGINEERED FILL. IF POORLY CONSOLIDATED SOILS ARE ENCOUNTERED AT THE DEPTHS SHOWN, THE ARCHITECT/DESIGNER SHALL BE NOTIFIED AND THE FOUNDATIONS WILL BE MODIFIED ACCORDINGLY.
7. SAND FILL UNDER SLABS SHALL BE COMPACTED TO 95% MODIFIED PROCTOR DENSITY.
8. CONCRETE SHALL HAVE COMPRESSIVE STRENGTH OF 2,800 P.S.I. FOR FOUNDATION WORK, AND FLOOR SLABS WITH 4,000 P.S.I. FOR WALKS AND STEPS. REINFORCING STEEL = 40KSI, ASTM A63.
9. STRUCTURAL STEEL = 36 KSI ASTM GRADE 36.
10. ALL WOOD FLOORS SHALL BE A.P.A. GLUED FLOOR SYSTEMS. FLOOR JOISTS SHALL BE DOUGLAS FIR NO. 1 OR BETTER, OR ENGINEERED FLOOR JOISTS (T.J.L.B.). FRAMING SHALL BE S.P.F. 12 OR BETTER. USE PRESSURE TREATED LUMBER WHEN IN CONTACT WITH MASONRY AND/OR CONCRETE.
11. GLUE LAMINATED TIMBERS NO. 2400 P.S.I.
12. THE OWNER IS NOT RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION, NOR FOR THE SAFETY ON THE JOB SITE, AND THAT THESE RESPONSIBILITIES ARE INTENDED TO BE AND TO REMAIN SOLELY THOSE OF THE GENERAL CONTRACTOR.
13. THE INTENT IS TO UTILIZE ALL EXISTING UTILITIES: 14" PHONE, ELEC, GAS, WATER, AND SEWER.
14. UNLESS NOTED OTHERWISE, CONTRACTOR SHALL PROVIDE & INSTALL THE FOLLOWING TYPICAL HEADERS FOR OPENINGS AS REQUIRED:
  - (1) 2x6" + OPENINGS TO 4'-0" W.
  - (2) 2x8" + OPENINGS TO 6'-0" W.
  - (3) 2x10" + OPENINGS TO 8'-0" W.
  - (4) 2x12" + OPENINGS TO 10'-0" W.
  - (5) 2x14" + OPENINGS TO 12'-0" W.
  - NOTIFY/CONSULT ARCHITECT FOR UNSPECIFIED OPENINGS EXCEEDING 12'-0" W.
15. OWNER OR INTERIOR DESIGNER TO SUPPLY ALL FINAL FINISH & FIXTURE SCHEDULES. ALL INTERIOR DETAILS ON THESE PLANS ARE PLACEHOLDERS. IF OWNER DOES NOT HAVE ANY INPUT, THE CONTRACTOR SHALL PROVIDE FINISHES THAT MATCH EXISTING CONDITIONS TO THE BEST OF HIS/HER ABILITY.
16. CONTRACTOR TO SUBMIT SHOP DRAWINGS OF FURNACE PLACEMENT AND NEW DUCT WORK TO OWNER FOR APPROVAL PRIOR TO PERMIT APPLICATION AND APPROVED DRAWINGS WILL BECOME PART OF THE CONTRACT/PERMIT SET.
17. PROVIDE SHOP DRAWINGS AND ENGINEERING DATA ON ALL STRUCTURAL STEEL AND PREFABRICATED TRUSSES, INCLUDING GUSSET TRUSSES.
  - TOP CHORD = 4" x 12" (TYP.)
  - BOTTOM CHORD = 4" x 12" (TYP.)

## LEGAL DESCRIPTION

T2N, R1E, SEC 18 OAK RIVER SUB NO 1 LOT 25

## R-1B ZONING

LOT AREA:  
REQUIRED = 15,000 SQ. FT. (MIN. PER ORDINANCE)  
PROVIDED = 18,495.1 SQ. FT. (EXISTING)

SETBACKS:  
FRONT SETBACK:  
REQUIRED = 40'-0" (MIN.)  
PROVIDED = 41'-0" (EXISTING TO REMAIN)

SIDE YARD(S):  
(1) = REQUIRED = 10'-0" (MIN.)  
(1) = PROVIDED = 10'-0" (EXISTING TO REMAIN)  
REQUIRED = (2) = 25'-0" TOTAL (MIN.)  
PROVIDED = (2) = 36'-4" TOTAL (EXISTING TO REMAIN)  
(1) = REQUIRED = 15'-0" (MIN.)  
(1) = PROVIDED = 16'-3" (PROPOSED)

REAR SETBACK:  
REQUIRED = 40'-0" (MIN.)  
PROVIDED = 35'-3" (PROPOSED)

## LOT AREA CALCULATIONS

LOT SIZE (SINGLE LOT) = 18,495.1 SQ. FT.

30% MAX LOT COVERAGE = 5,548.53 SQ. FT. (MAX.)

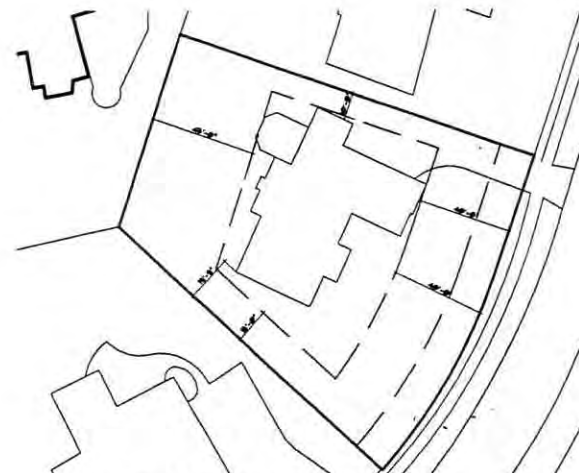
LOT COVERAGE (30% MAX.):

RESIDENCE	3,528.92 SQ. FT.
ADDITION	150 SQ. FT.
COVERAGE	3,678.92 SQ. FT. (20.23%)

IMPERVIOUS SURFACE:

REAR DECK	130.1 SQ. FT.
COVERAGE	130.1 SQ. FT. (.7%)

OPEN SPACE:	
OPEN AREA	14,816.18 SQ. FT. (79.77%)
TOTAL (LOT AREA)	18,495.1 SQ. FT.



EXISTING SITE PLAN

SCALE: 1/32" = 1'-0"



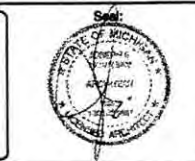
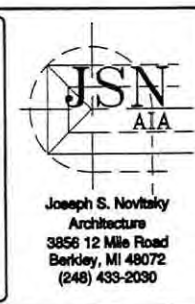
PROPOSED SITE PLAN

SCALE: 1/16" = 1'-0"



LOCATION MAP

NOT TO SCALE



DATE	REVISION
08/18/2020	EXISTING CONDITIONS
10/08/2020	REVIEW

Project Name:  
4857 RIVERS EDGE  
TROY, MI 48068

OWNER:  
TOM & GRETE MARTIN  
4857 RIVERS EDGE DR

Sheet Title:  
SITE  
PLAN,  
ZONING  
& GENERAL  
NOTES

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Date: 08/18/2020  
Drawn by: BJW

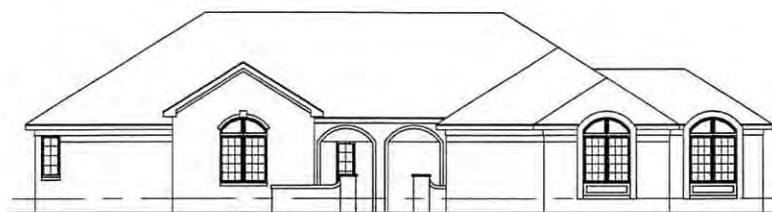
Project Number:  
2020-66

Sheet Number:  
S-1

*Rexella Van Impe*  
4821 Rivers Edge Dr.

*Kathryn Fishburn*  
2265 Deer Path Ct





**EXISTING FRONT ELEVATION**

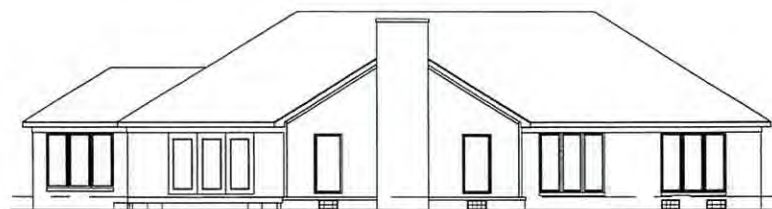
NO CHANGES

SCALE: 1/8" = 1'-0"



**EXISTING SIDE ELEVATION**

SCALE: 1/8" = 1'-0"



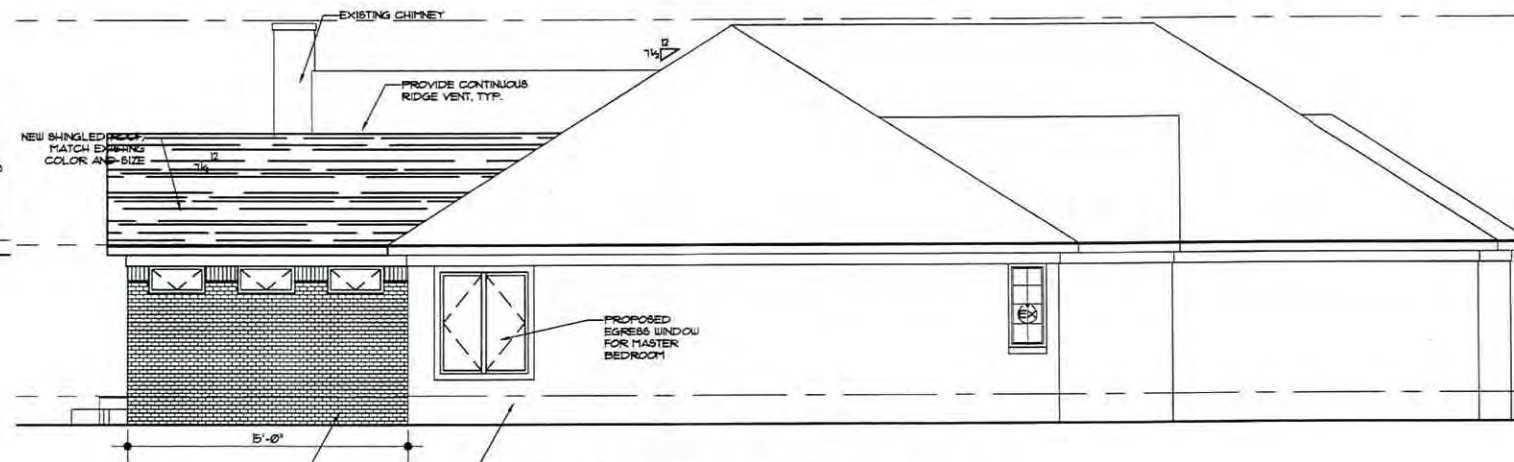
**EXISTING REAR ELEVATION**

SCALE: 1/8" = 1'-0"



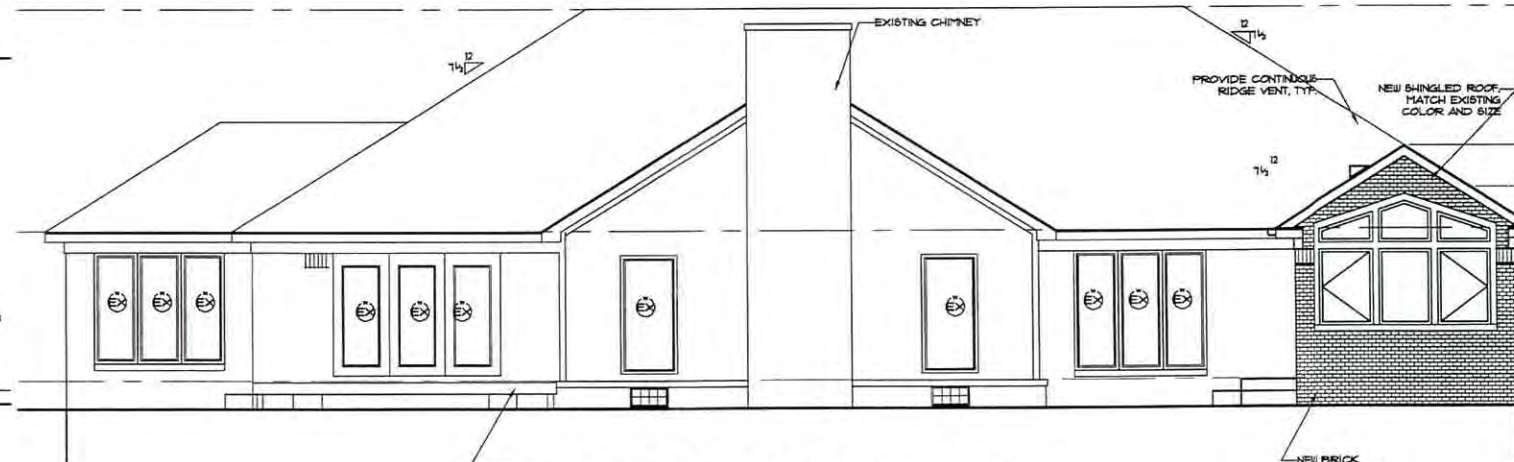
**EXISTING SIDE ELEVATION**

SCALE: 1/8" = 1'-0"



**PROPOSED SIDE ELEVATION**

SCALE: 1/4" = 1'-0"



**PROPOSED REAR ELEVATION**

SCALE: 1/4" = 1'-0"



**PROPOSED REAR ELEVATION**

SCALE: 1/4" = 1'-0"

**JSN**  
AIA

Joseph S. Novitsky  
Architecture  
3856 12 Mile Road  
Berkley, MI 48072  
(248) 433-2030



Revisions:	
DATE	DESCRIPTION
08/18/2020	EXISTING CONDITIONS
08/18/2020	REVIEW

Project Name:  
**4857 RIVERS EDGE**  
TROY, MI 48098

OWNER:  
**TOM & GRETE MARTIN**  
4857 RIVERS EDGE DR

Sheet Title:  
**EXISTING  
ELEVATIONS  
& PROPOSED  
ELEVATIONS**

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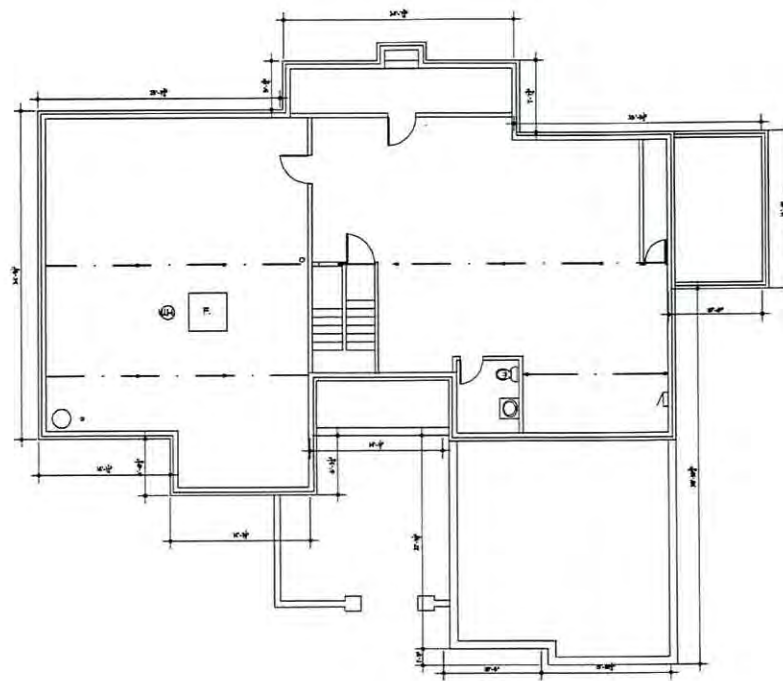
Date: 08/18/2020  
Drawn by: BJW

Project Number:  
**2020-66**

Sheet Number:  
**A-2**

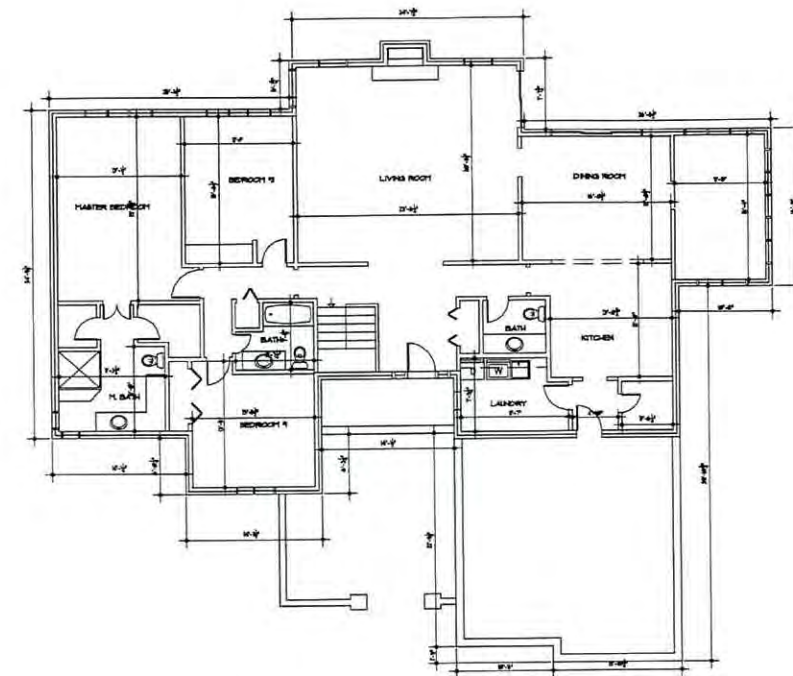
*Revised by Tom Impre*  
*4821 Rivers Edge Dr.*  
*Kathryn Zehbein*  
*2265 Deer Path Ct*





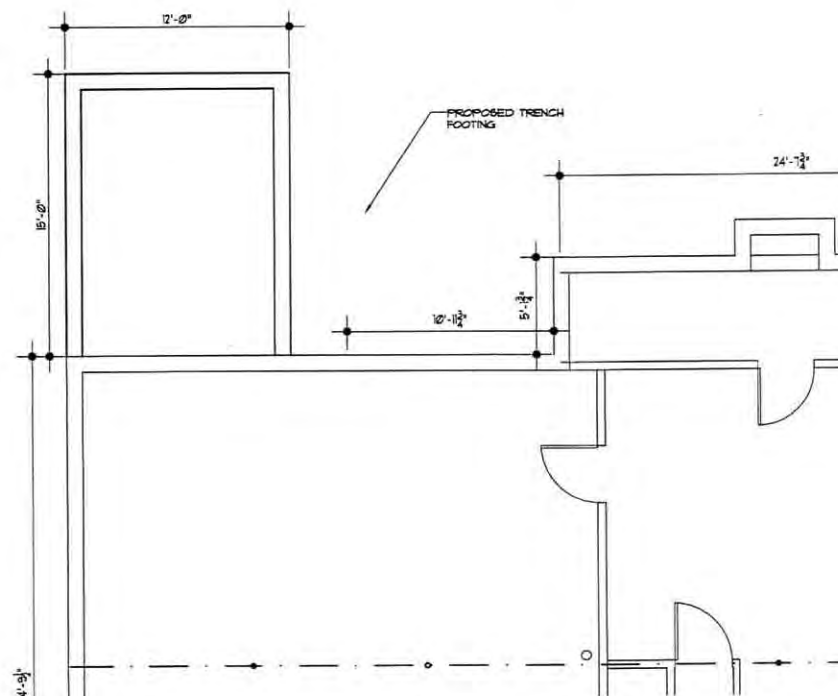
**EXISTING BASEMENT FLOOR PLAN**

SCALE: 1/8" = 1'-0"



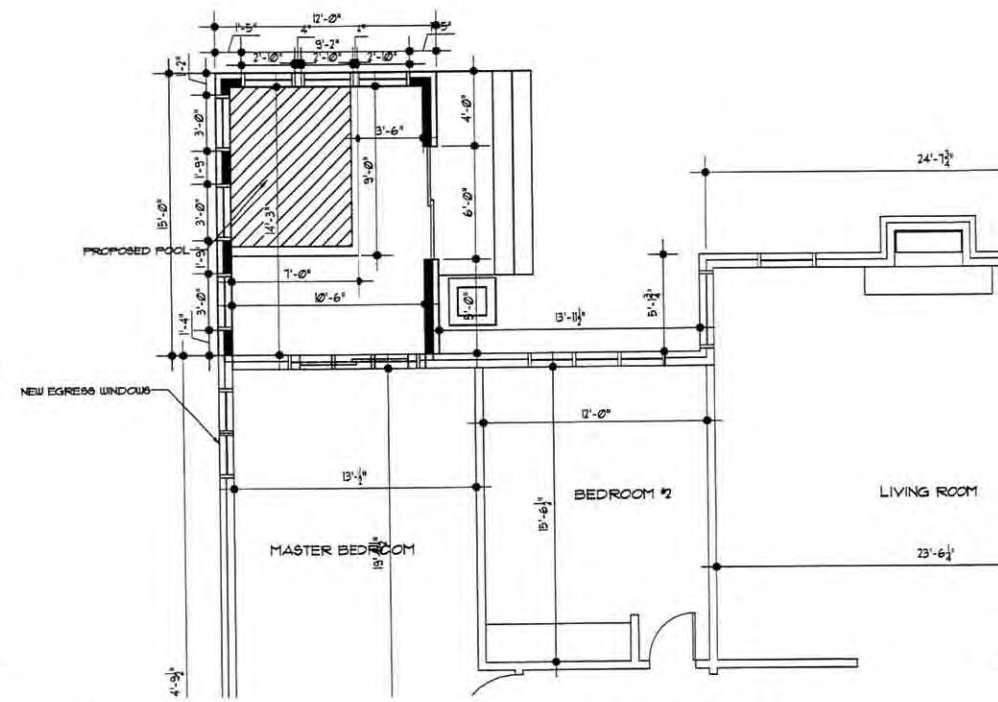
**EXISTING FIRST FLOOR PLAN**

SCALE: 1/8" = 1'-0"



**PROPOSED BASEMENT FLOOR PLAN (ENLARGED)**

SCALE: 1/4" = 1'-0"



**PROPOSED FIRST FLOOR PLAN (ENLARGED)**

SCALE: 1/4" = 1'-0"



Joseph S. Novitsky  
Architecture  
3856 12 Mile Road  
Berkley, MI 48072  
(248) 433-2030



**Revisions:**

DATE	DESCRIPTION
08/18/2020	ISSUING CONDITIONS
08/18/2020	REVIEW

Project Name:  
**4857 RIVERS EDGE**  
TROY, MI 48068

OWNER:  
**TOM & GRETE MARTIN**  
4857 RIVERS EDGE DR

Sheet Title:  
**EXISTING FLOOR PLANS, & PROPOSED FLOOR PLANS**

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Date: 08/18/2020  
Drawn by: BJW

Project Number:  
**2020-66**

Sheet Number:

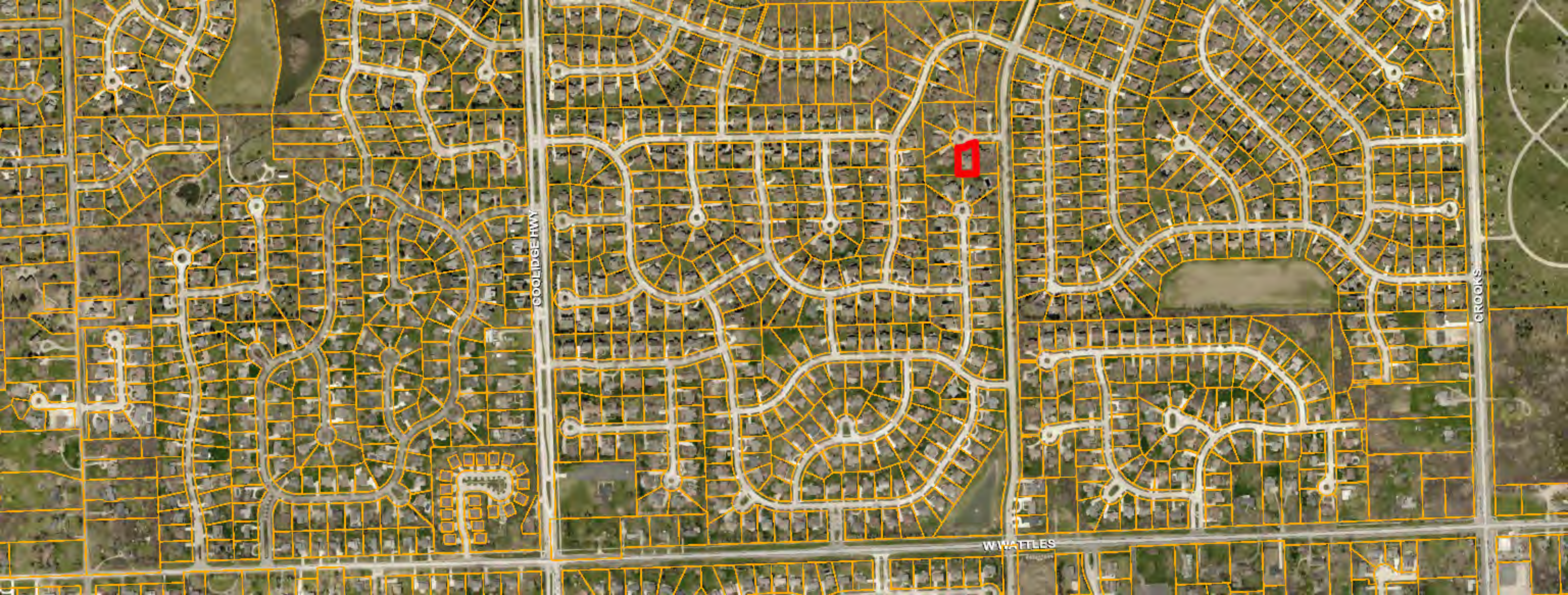
**A-1**

*Russula Van Gorp*  
4821 Rivers Edge Dr

*Kashum Fishbaen*  
2265 Deer Path Ct

VARIANCE REQUEST, 1041 PADDOCK, THOMAS LEININGER FOR ADVANCED BUILDERS: A variance request to allow a home addition to be set back 39.79 feet from the rear property line. The Zoning Ordinance requires the addition to be set back 45 feet from the rear property line.





COOLIDGE HWY

W WATTLES

CROOKS



396

1086

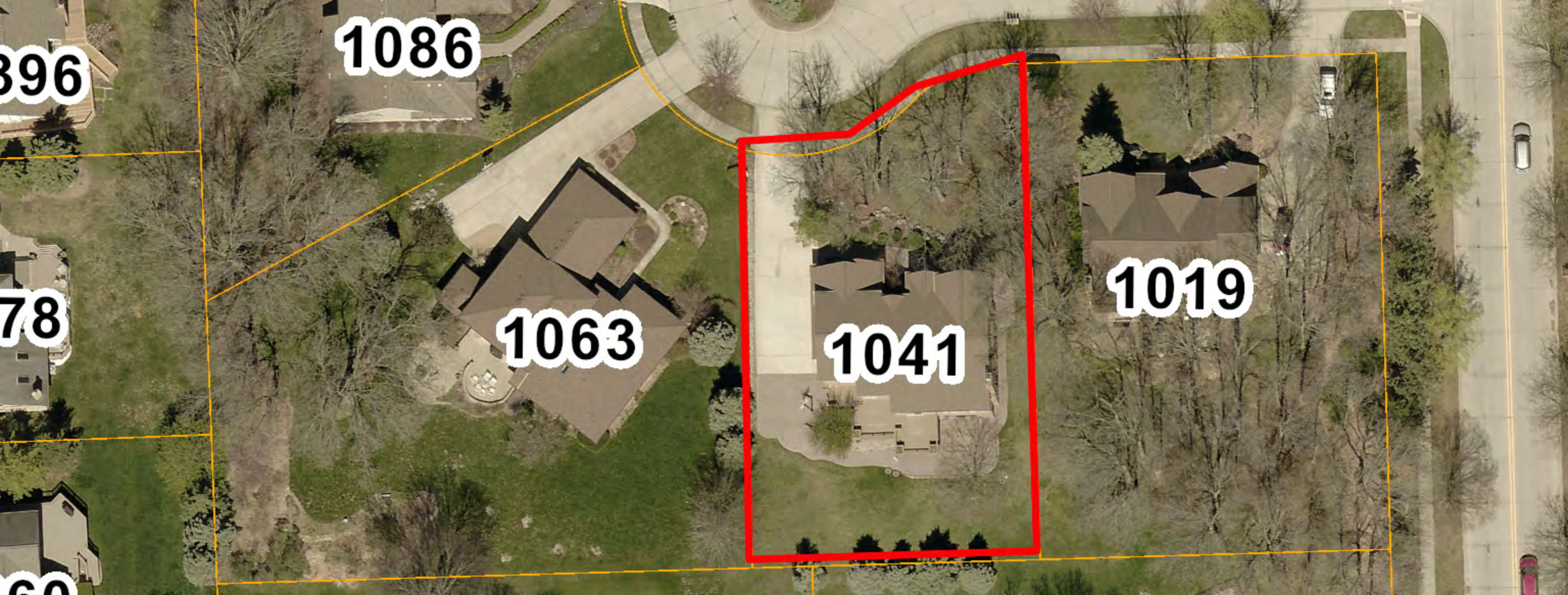
78

1063

1041

1019

60







CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48084 | 248-524-3364

## Zoning Board of Appeals Application

[planning@troymi.gov](mailto:planning@troymi.gov) | Fee \$150.00

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL**. PLEASE FILE A COMPLETE DIGITAL APPLICATION AND FEE AT LEAST **29 DAYS BEFORE** THE MEETING DATE. PRE APPLICATION MEETING WITH PLANNING DEPARTMENT REQUIRED BEFORE FILING APPLICATION.

1. ADDRESS OF THE SUBJECT PROPERTY: 1641 Paddock
2. PROPERTY TAX IDENTIFICATION NUMBER(S): LOT 107
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: REAR YARD SET BACK
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: NO
5. APPLICANT:  
NAME TOM Leiningen  
COMPANY ADVANCED BUILDERS  
ADDRESS 8345 Hall RD  
CITY UTICA STATE MI ZIP 48317  
PHONE 586-254-4466  
E-MAIL TOM@FOUR SEASONS SUN ROOM.COM  
AFFILIATION TO THE PROPERTY OWNER: HIS CONTRACTOR



## Zoning Board of Appeals Application

6. PROPERTY OWNER:

NAME RAJU NURNI

COMPANY \_\_\_\_\_

ADDRESS 1041 PADDOCK

CITY TROY STATE MI ZIP 48098

TELEPHONE 248 631-6138

E-MAIL \_\_\_\_\_

The undersigned hereby declares under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, John H. Seinger (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE John H. Seinger DATE 10-30-2020

PRINT NAME: THOMAS Leisinger

PROPERTY OWNER SIGNATURE Raju Nurni DATE 10-30-2020

PRINT NAME: RAJU NURNI

Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. The applicant will be notified of the time and date of the hearing by mail. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

Approved variances are good for a one year period.



October 30, 2020

Statement of Practical Difficulty

B) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.

Irregular shaped lot one side of the lot is 28' shorter causing the house to be set back farther making the rear set back smaller.

D) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.

The owner didn't build this house or locate it on the property.

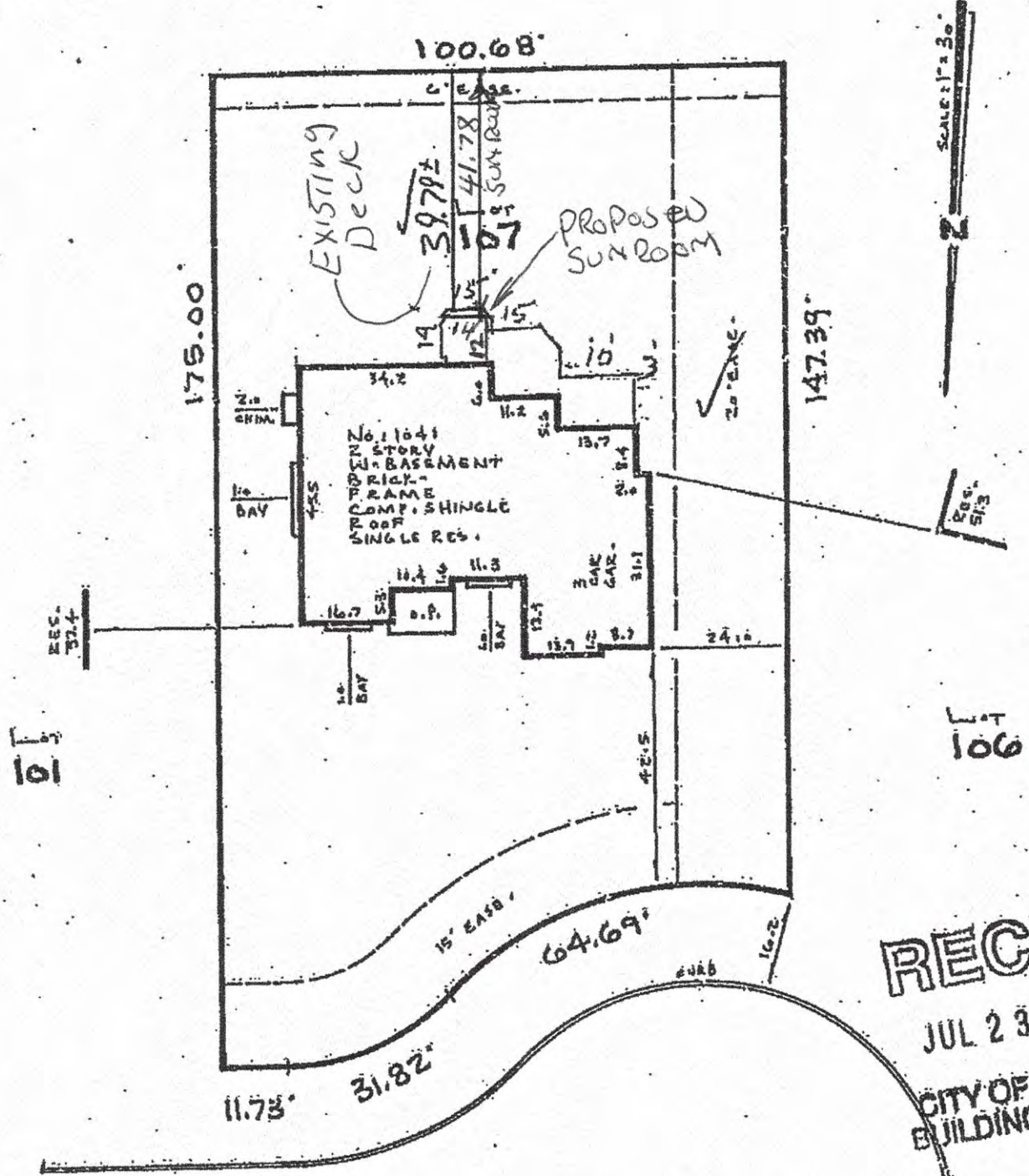
E) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

We only need a 4' variance for the rear set back. The sunroom has 2' less projection into the rear set back than the existing deck has. It does not obstruct any of the neighbor's views.

Sincerely,

Thomas Leining  
Advanced Builders  
8345 Hall Rd.  
Utica Mi. 48317

MORTGAGE REPORT FOR:  
NETWORK MORTGAGE CORPORATION



Paddock Ct. 60' R.O.W.

LEGAL DESCRIPTION: LOT #107, "Somerset place Sub. No. 3", City of Troy, Oakland County, Michigan. Rec'd L. 215, Pages 3 thru 6 Plats, O.C.R.





**ADVANCED BUILDERS**

**RAJU NURNI  
1041 PADDOCK CT.  
TROY MI 48098**

## **SUNROOM SPECIFICATIONS**

MODEL NO. 230 SUN & SHADE GREAT ROOM WITH 4 1/4"  
O.S.B. EXTERIOR AND ALUMINUM INTERIOR ROOF, ROOF  
COLOR SANDTONE INSIDE AND SHINGLES EXTERIOR

ROOM COLOR BRONZE

VERTICAL GLAZING CODE 7-E SUN SMART PLUS  
TEMPERED

### **WORK TO BE DONE BY ADVANCED BUILDERS**

PLANS DRAWN AND PERMITS PULLED

REMOVE EXISTING DECK AND INSTALL NEW 14' X 12'  
INSULATED DECK FOR SUNROOM

SUPPLY AND INSTALL ONE 14' X 12' GREAT ROOM

ELECTRICAL TO CODE PLUS INSTALL CEILING FAN  
SUPPLIED BY RAJU

### **WORK BY OTHERS OR NOT INCLUDED**

PLUMBING OR MECHANICAL

INSTALLATION OF SMOKE OR CO2 DETECTORS

FINISH FLOOR

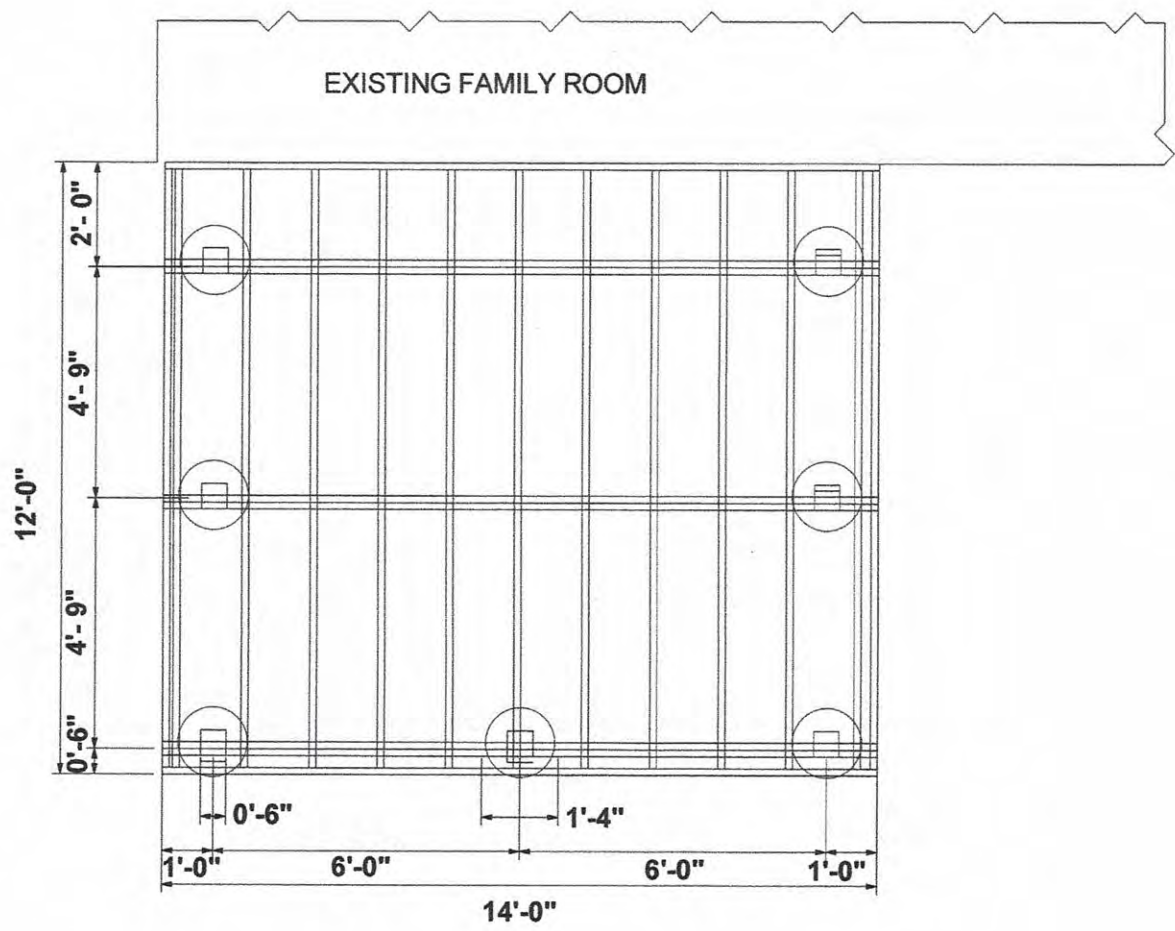
PAINTING OR STAINING

LANDSCAPING


I HAVE REVIEWED AND APPROVED THE BUILDING PLANS

  
\_\_\_\_\_  
HOMEOWNER

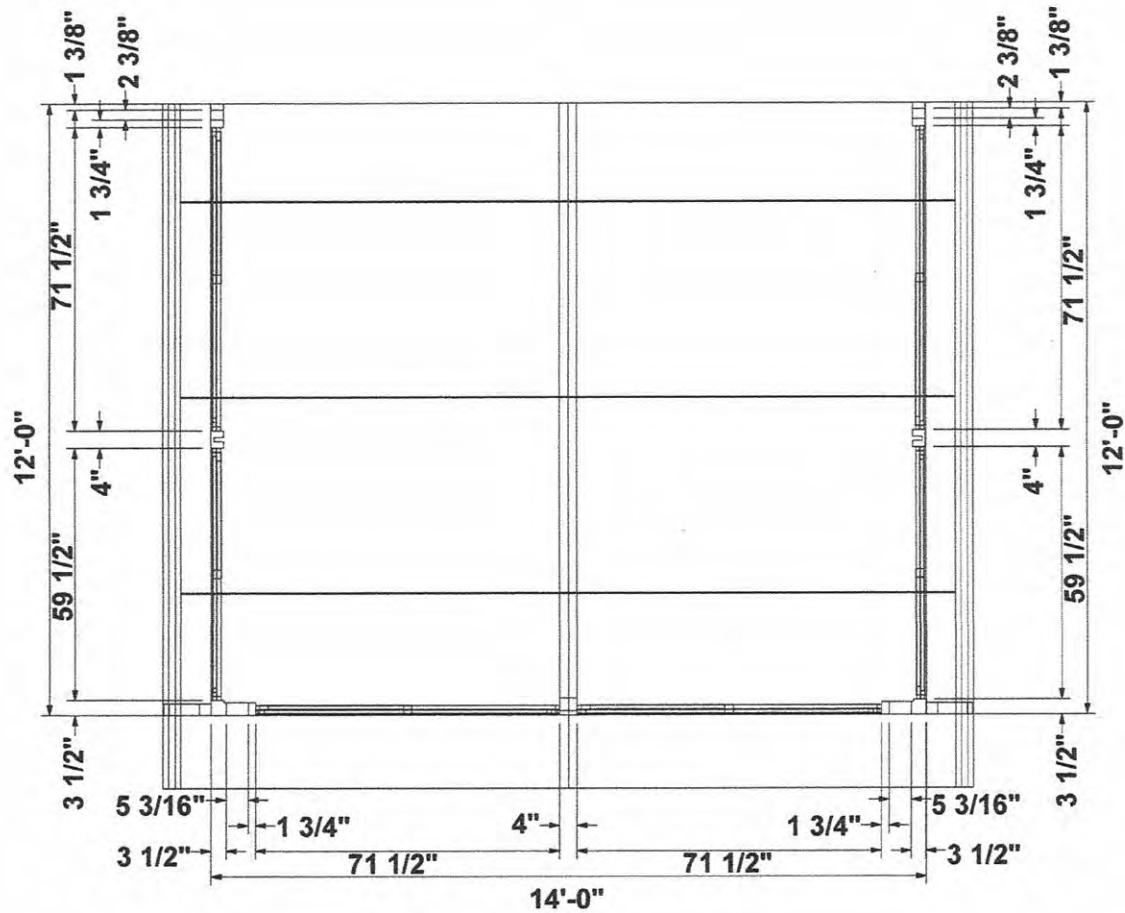
9/1/2020  
\_\_\_\_\_  
DATE



Foundation plan

		<b>Four Seasons Solar Products LLC</b> ADVANCED BUILDERS 8345 HALL RD UTICA MI 48317 586 254-4466 KEN		Customer Name <b>NURNI</b> Customer Address <b>1014 PADDOCK TROY MI 48068</b> Customer Phone # <b>248 631-6138</b>	
Project No.	Revision #	Revision Date	Revision By	File Name	Sheet Number
				NURNI2.plt	1 of 6
Date	Drawn By	Scale	Notes		
7-14-2020	TOM	1/8" = 1'-0"	Note comes here...		





**Floor plan**



**Four Seasons**  
**ADVANCED BUILDERS**  
 8345 HALL RD  
 UTICA MI 48317  
 586 254-4466  
 KEN

**Solar Products LLC**  
 Customer Name **NURNI**  
 Customer Address **1012 PADDOCK**  
**TROY MI 48098**  
 Customer Phone # **248 631-6138**

Project No.	Revision #	Revision Date	Revision By	File Name
Date: 7-14-2020				NURN2.pht
Drawn By: TOM				Sheet Number
Scale: 1/8" = 1'-0"				2 of 6
				Notes
				note comes here...

2" X 8" FLOOR JOIST 16" O.C.

2- 2" X 12" BEAMS NOTCHED IN  
AND THROUGH BOLTED WITH TWO  
1/2" X 7" BOLTS IN 6" X 6" TREATED  
POSTS RESTING ON 6" X 16" CEMENT  
PAD 42" BELOW GRADE

GRADE

## Sunroom Section





EXISTING HOUSE FLOOR 4"  
ABOVE SUNROOM FLOOR

PACK OUT

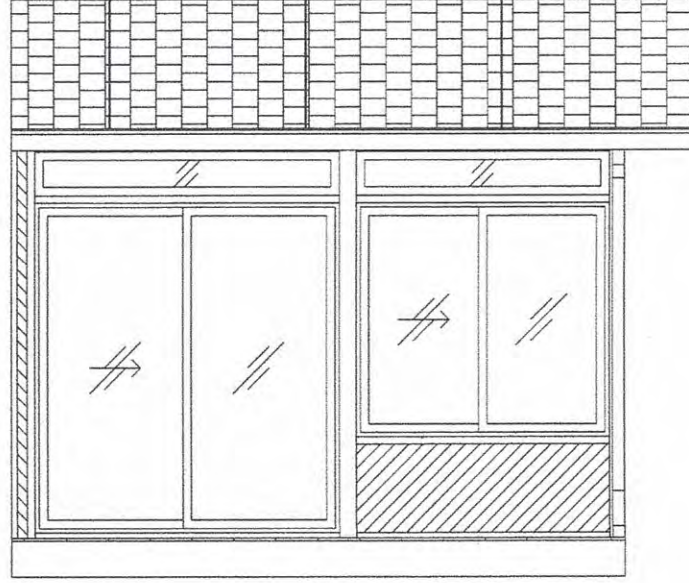
Project No.	Revision #	Revision Date	Revision By	File Name:
				NURN22.pch
Date:				Sheet Number:
7-14-2020				3 of 6
Drawn By:				
TOM				
Scale:				
1/8" = 1'-0"				
Project Name:				Notes:
NURN				note comes here...

Four Seasons Solar Products LLC	Customer Name	NURN
ADVANCED BUILDERS	Customer Address	1014 PADDOCK
8345 HALL RD		TROY MI 48098
UTICA MI 48317	Customer Phone #	248 631-6138
586 254-4466		
KEN		







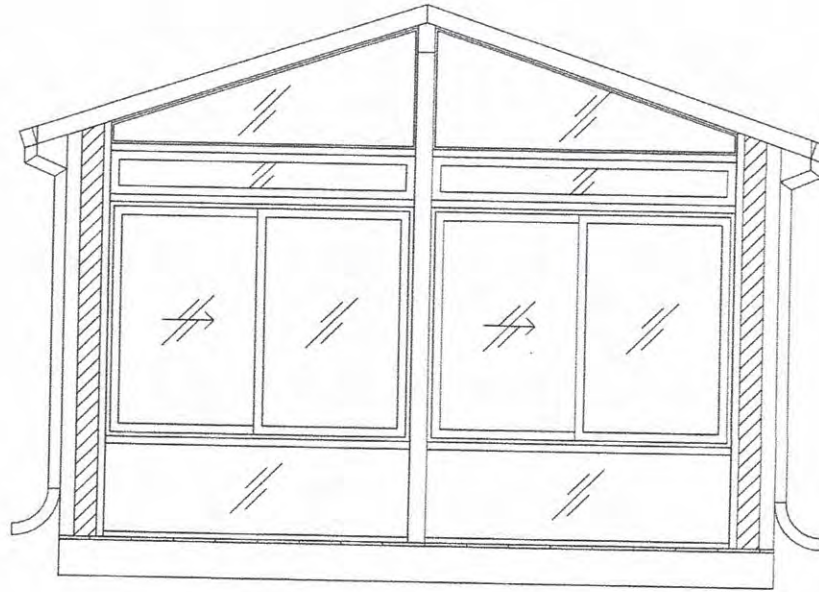
Left Elevation



**Four Seasons Solar Products LLC**  
 ADVANCED BUILDERS  
 8345 HALL RD  
 UTICA MI 48317  
 586 254-4466  
 KEN

Customer Name **NURNI**  
 Customer Address **1014 PADDOCK TROY MI 48098**  
 Customer Phone # **248 631-6138**

Project No.	Revision #	Revision Date	Revision By	File Name: NURNI2.dwg
Date: 7-14-2020				Sheet Number: <b>4 of 6</b>
Drawn By: TOM				
Scale: 1/8" = 1'-0"	Project Name: NURNI	Notes: note comes here...		



**Front Elevation**

		<b>Four Seasons Solar Products LLC</b> ADVANCED BUILDERS 8345 HALL RD UTICA MI 48317 586 254-4466 KEN		Project No. Date: 7-14-2020 Drawn By: TOM Scale: 1/8" = 1'-0"		Revision # Revision Date Revision By		File Name: NURN2.plt Sheet Number: <b>5 of 6</b>	
Customer Name: NURNI Customer Address: 1014 PADDOCK TROY MI 48068 Customer Phone # 248 631-6138				Project Name: NURNI Notes: notes comes here...					



# Right Elevation



**Four Seasons**  
**ADVANCED BUILDERS**  
 8345 HALL RD  
 UTICA MI 48317  
 586 254-4466  
 KEN

**Solar Products LLC**  
 Customer Name **NURNI**  
 Customer Address **1014 PADDOCK**  
**TROY MI 48098**  
 Customer Phone # **248 631-6138**

Project No.	Revision #	Revision Date	Revision By	File Name NURNI2.pht
Date 7-14-2020				Sheet Number <b>6 of 6</b>
Drawn By TOM				
Scale 1/8" = 1' 0"	Project Name NURNI	Notes note comes here...		



500 West Big Beaver  
Troy, MI 48084  
troymi.gov

October 28, 2020

Advanced Builders  
8345 Hall Road  
Utica, MI 48317  
Email: [tom@fourseasonssunroom.com](mailto:tom@fourseasonssunroom.com)

RE: 1041 Paddock – Sunroom

The permit application and drawings have been reviewed and are denied for the following reason:

The sunroom is a covered structure, and the sunroom encroaches into the required 45' rear yard setback required in the R-1B zoning district, per article 4 of the City of Troy Zoning Ordinance.

The homeowner can apply for variance with the Planning and Zoning Department. For information on the variance process, please contact 248-524-3364.

Sincerely,

*Dana V. Self*

DANA V. SELF  
Building Official,  
City of Troy/SAFEbuilt Inc.  
248-524-3348

/bh



VARIANCE REQUEST, 2975 THALES, THOMAS LEININGER FOR ADVANCED BUILDERS: A variance request to allow a home addition to be set back 36.5 feet from the rear property line. The Zoning Ordinance requires the addition to be set back 50 feet from the rear property line.





E LONG LAKE

VERNIER

RENSHAW

THALES

HOLLAND

DEQUINDRE

WINDSOR

BUTLER

HYDE PARK

DANBURY





2790

4795

2782

4781

2919

2933

2947

2961

THALES

HOLLAND

4764

2975

2766

4763

2758

4749

4750

4736

40503

40461

DEQUINDRE



4764

THALES

2975

40503







CITY OF TROY | PLANNING DEPT. | 500 WEST BIG BEAVER | TROY, MI 48064 | 248-524-3364

## Zoning Board of Appeals Application

[planning@troymi.gov](mailto:planning@troymi.gov) | Fee \$150.00

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL**. PLEASE FILE A COMPLETE DIGITAL APPLICATION AND FEE AT LEAST **29 DAYS BEFORE** THE MEETING DATE. PRE APPLICATION MEETING WITH PLANNING DEPARTMENT REQUIRED BEFORE FILING APPLICATION.

1. ADDRESS OF THE SUBJECT PROPERTY: 2975 Thales
2. PROPERTY TAX IDENTIFICATION NUMBER(S): Lot 24
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: REAR YARD SET BACK  
ENCROACH IN SET BACK 14'
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: NO
5. APPLICANT:  
NAME THOMAS LEININGER  
COMPANY ADVANCED BUILDERS  
ADDRESS 8345 Hail RD  
CITY UTICA STATE MI ZIP 48317  
PHONE 586-254-4466  
E-MAIL Tom@FOURSEASONSOUTDOORS.COM  
AFFILIATION TO THE PROPERTY OWNER: CONTRACTOR



## Zoning Board of Appeals Application

6. PROPERTY OWNER:

NAME SIVARAM VENKAT  
COMPANY \_\_\_\_\_  
ADDRESS 2975 Thales  
CITY TROY STATE MI ZIP 48065  
TELEPHONE 248 990-2703  
E-MAIL \_\_\_\_\_

The undersigned hereby declares under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto.

I, John L. Leininger (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE John L. Leininger DATE 10-30-2020

PRINT NAME: THOMAS LEININGER

PROPERTY OWNER SIGNATURE Sivaram Venkat DATE 11-19-2020

PRINT NAME: SIVARAM VENKAT

Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. The applicant will be notified of the time and date of the hearing by mail. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

Approved variances are good for a one year period.





500 West Big Beaver  
Troy, MI 48084  
troymt.gov

October 15, 2020

Advanced Builders  
8345 Hall Road  
Utica, MI 48317

RE: 2975 Thales – Four-Season Sunroom

The permit application and supporting documents have been reviewed and denied for the following reason:

1. The proposed sunroom will encroach into the required rear yard setback of 50' because it abuts a major arterial road (Dequindre), per chapter 39, section 4.6 of the City of Troy Zoning Ordinance.

If you need further clarification, please contact me at 248-524-3348 (office) or 248-918-1261 (cell).

Sincerely,

*Dana V. Self*

DANA V. SELF  
City of Troy Building Official,  
SAFEbuilt, Inc.

October 30, 2020

Statement of Practical Difficulty

Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the zoning district. Characteristics of property which shall be considered included exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.

Irregular shape of lot along with backing up to Dequindre requiring a 50' set back

B) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.

Mr. Venkat didn't build this house or locate on the lot.

D) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.

The lot shape was created by the developer.

E) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

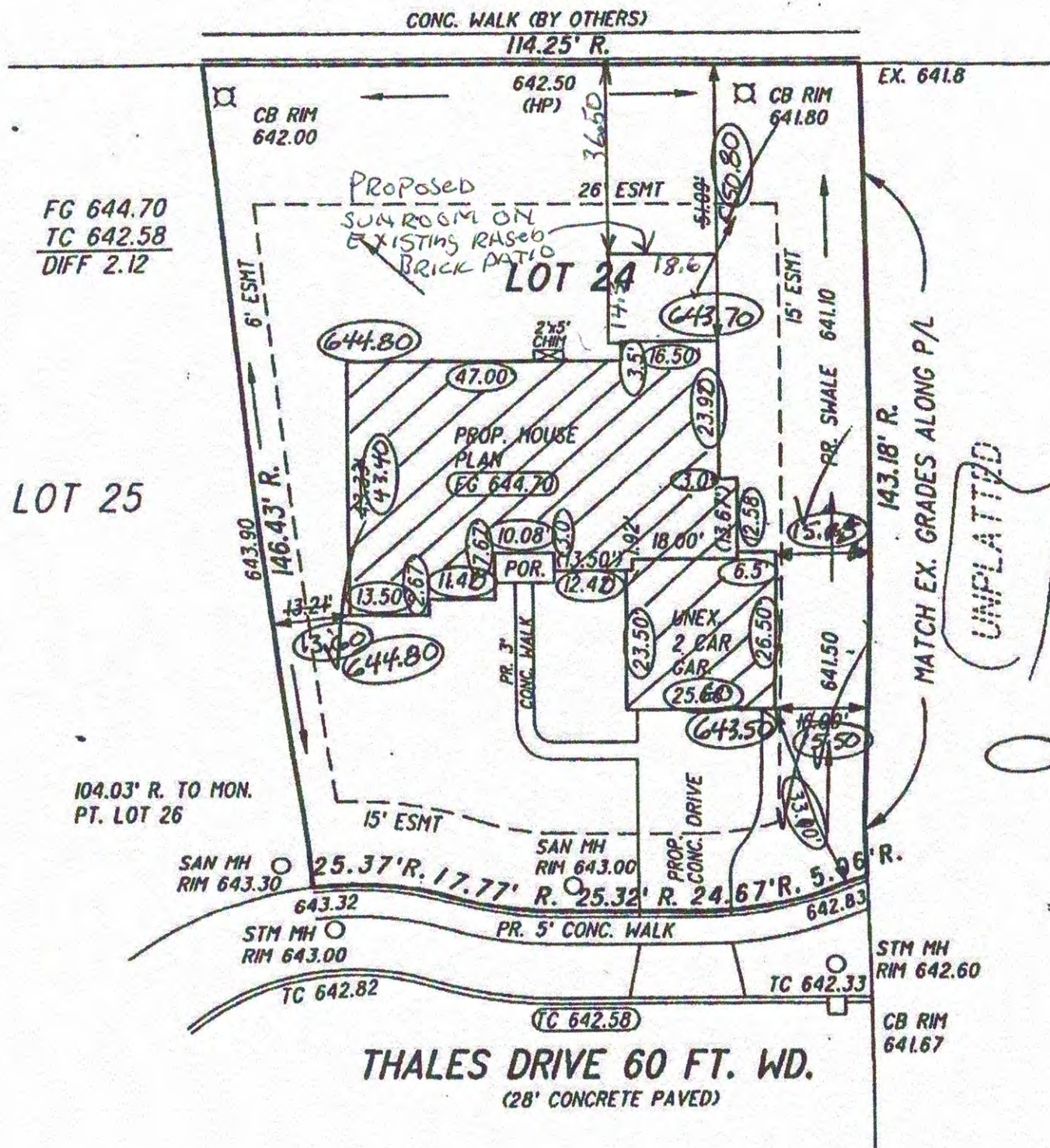
This would project in to any utility easements. The sunroom would not affect any of the neighbor's views.. There are numerous properties along major roads built in the 50' set back.

Sincerely,

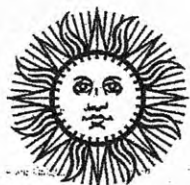
Thomas Leininger  
Advanced Builders  
8345 Hall Rd.  
Utica Mi. 48317



Bldg Dept Copy, 1/2 DEQUINDRE ROAD 60 FT. WD.







**ADVANCED BUILDERS**

**SIVARAM VENKAT  
2975 THALES  
TROY MI 48085**

## **SUNROOM SPECIFICATIONS**

MODEL NO. 230 SUN & SHADE GREAT ROOM WITH 4 1/4"  
O.S.B. EXTERIOR AND ALUMINUM INTERIOR ROOF, COLOR  
WHITE INSIDE AND SHINGLES EXTERIOR

COLOR SANDTONE

VERTICAL GLAZING CODE 7-E SUN SMART PLUS  
EMPERED

### WORK TO BE DONE BY ADVANCED BUILDERS

PLANS DRAWN AND PERMITS PULLED

BUILD ONE 18' X 14' 2" X 6" SLEEPER FLOOR  
SYSTEM WITH 3/4" T&G SUB-FLOOR ON EXISTING  
RAISED PATIO

BUILD STANDARD CONSTRUCTION REVERSE GABLE  
TO LINE UP WITH SUNROOM

SUPPLY AND INSTALL ONE 18' X 14' GREAT ROOM

ADJUST EXISTING BRICK WALL TO FIT SUNROOM

ELECTRICAL TO CODE

### WORK BY OTHERS OR NOT INCLUDED

PLUMBING OR MACHANICAL

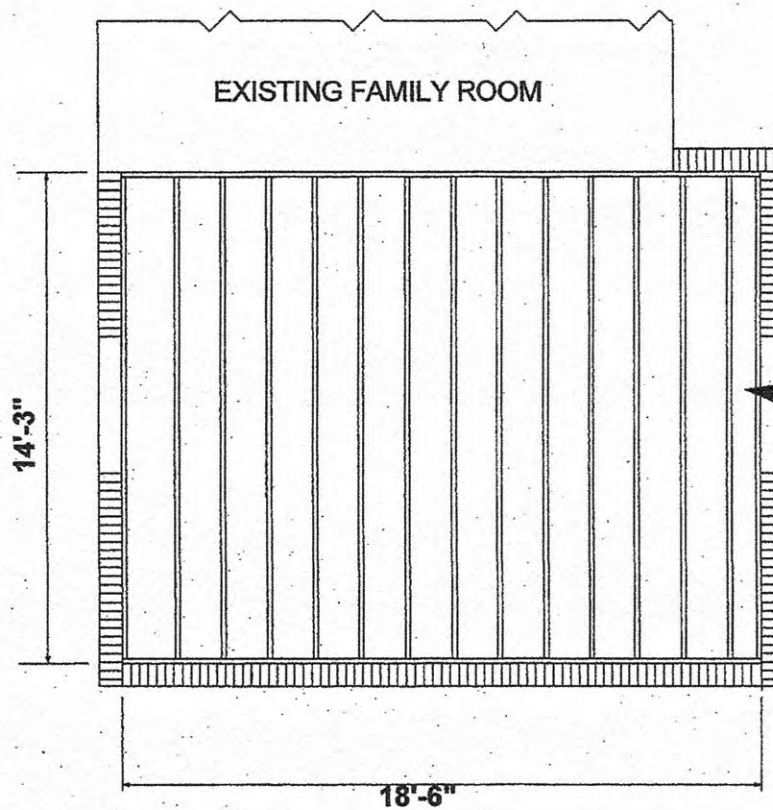
INSTALLATION OF SMOKE OR CO2 DETECTORS

FINISH FLOOR

PAINTING OR STAINING

LANDSCAPING





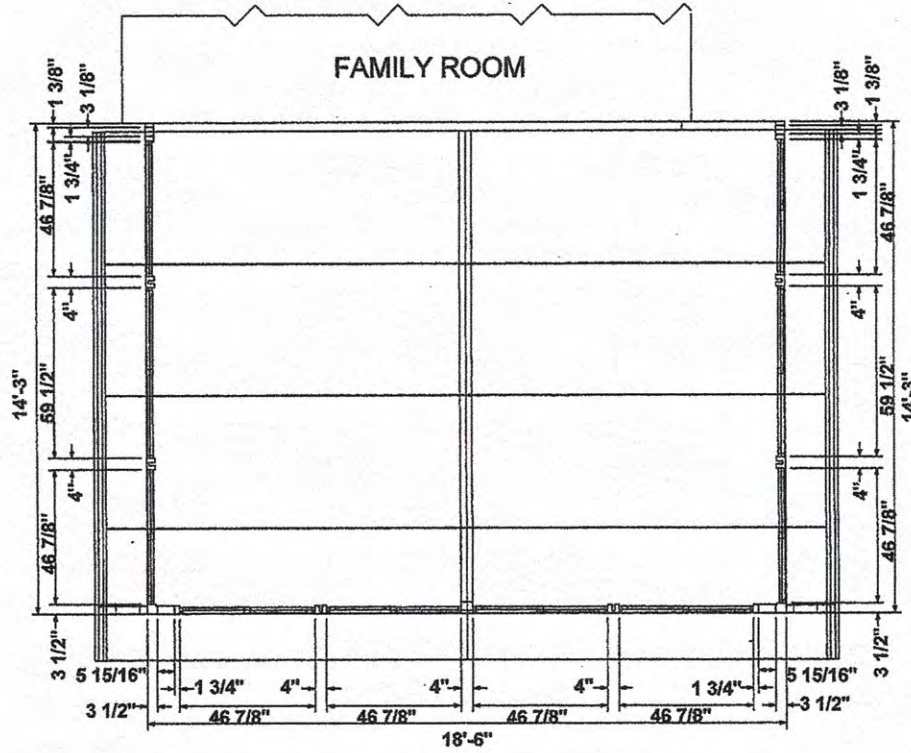
**Foundation plan**

Project No.	Revision #	Revision Date	Revision By	File Name
8-11-2020				SIVARAM.plt
Drawn By:				Sheet Number:
TOM				1 of 7
Scale:				Note:
1/8" = 1'-0"				note comes here...


**Four Seasons Solar Products LLC**  
**ADVANCED BUILDERS**  
 8345 HALL RD  
 UTICA MI 48317  
 586 254-4466  
 JOE

Customer Name **SIVARAM**  
 Customer Address **2975 THALES TROY MI 48065**  
 Customer Phone # **248 990-2703**

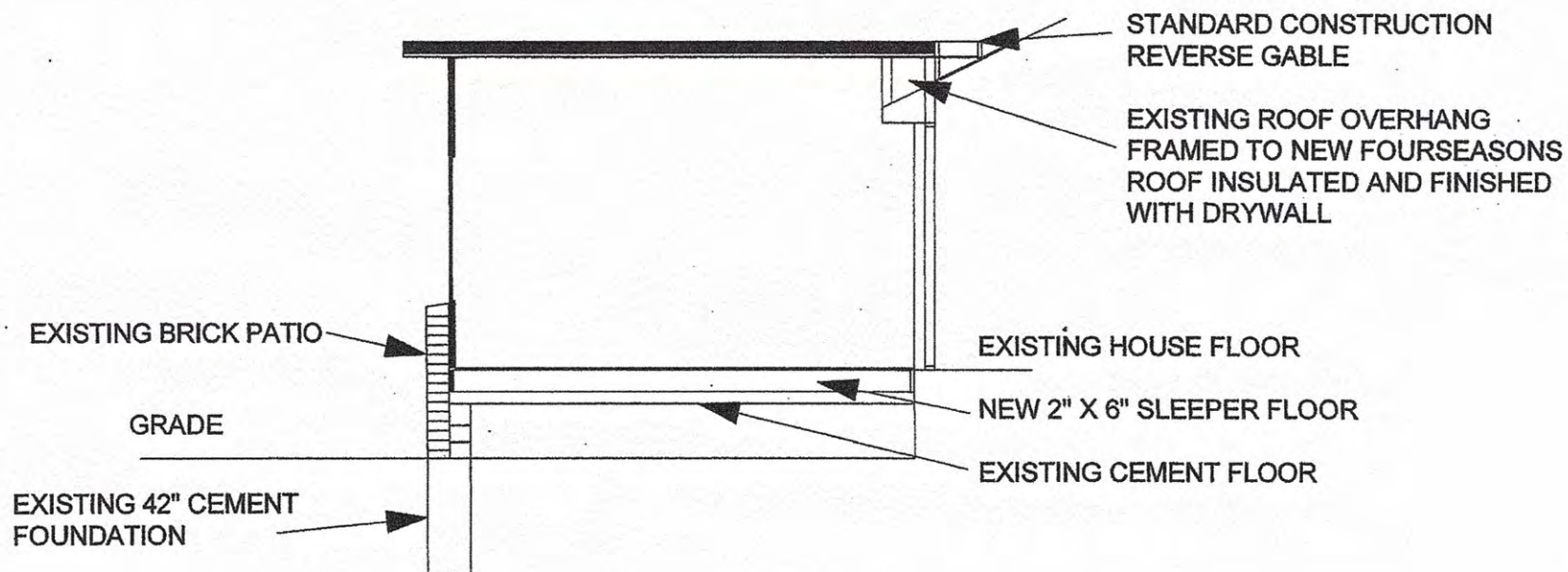




Floor plan

		<b>Four Seasons Solar Products LLC</b> <b>ADVANCED BUILDERS</b> 8345 HALL RD UTICA MI 48317 586 254-4466 JOE		Project No. Date: 8-11-2020 Drawn By: TOM Scale: 1/8" = 1'-0"	Revision # Revision Date Revision By Project Name: SIVARAM	File Name: SIVARAM.pln Sheet Number: 2 of 7 Notes: note enters here...
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# Sunroom Section

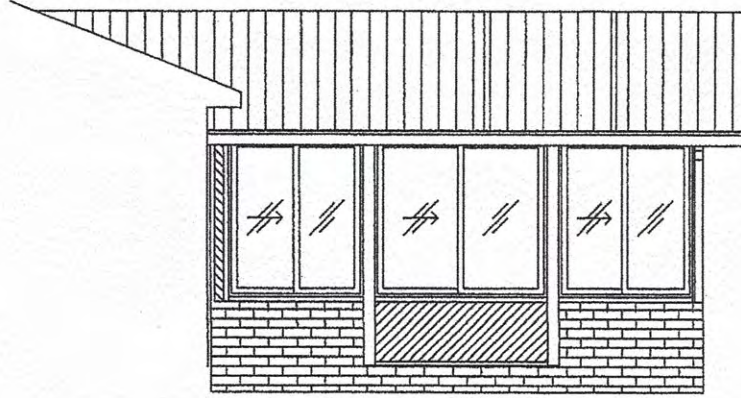
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Drawn By:				Sheet Number:
TOM				3 of 7
Scale:				Notes:
1/8" = 1'-0"				Note comes here...

**Four Seasons Solar Products LLC**  
 ADVANCED BUILDERS  
 8345 HALL RD  
 UTICA MI 48317  
 586 254-4466  
 JOE

Customer Name: SIVARAM  
 Customer Address: 2975 THALES TROY MI 48065  
 Customer Phone # 248 990-2703



# Left Elevation

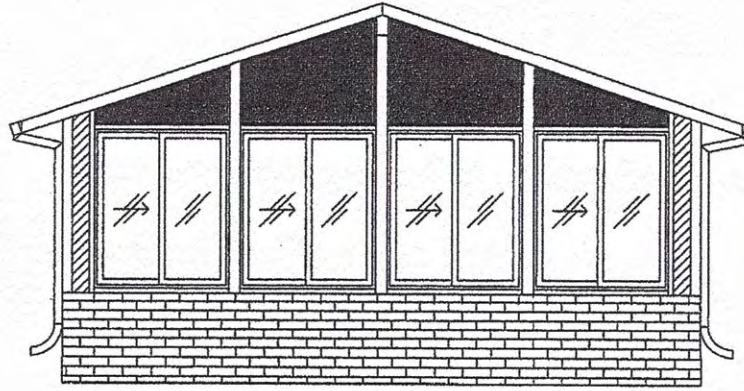


**Four Seasons**  
**ADVANCED BUILDERS**  
 8345 HALL RD  
 UTICA MI 48317  
 586 254-4466  
 JOE



**Solar Products LLC**  
 Customer Name **SIVARAM**  
 Customer Address **2875 THALES TROY MI 48065**  
 Customer Phone # **248 990-2703**

Project No.	Revision #	Revision Date	Revision By	File Name
Date: 8-31-2020				SIVARAM.pln
Drawn By: TOM				Sheet Number
Scale: 1/8" = 1'-0"				4 of 7
Project Name: SIVARAM				Notes: note comes here...



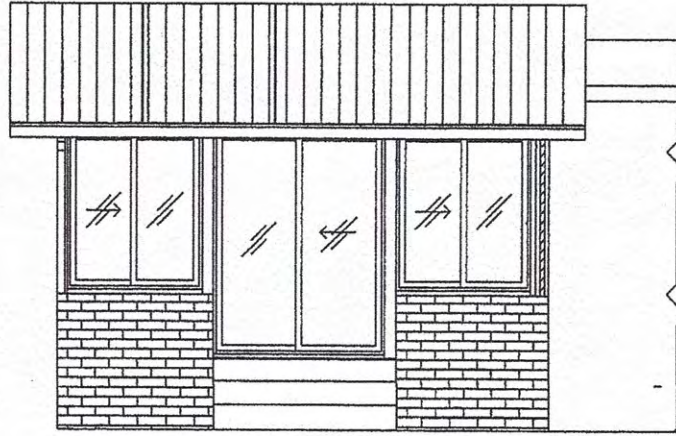



**Front Elevation**

 		<b>Four Seasons Solar Products LLC</b> ADVANCED BUILDERS 8345 HALL RD UTICA MI 48317 586 254-4466 JOE		Customer Name <b>SIVARAM</b> Customer Address <b>2975 THALES TROY MI 48065</b> Customer Phone # <b>248 990-2703</b>	
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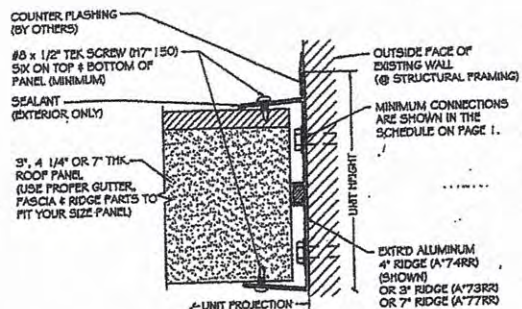
Project No.	Revision #	Revision Date	Revision By:	File Name
01-1-2020				SIVARAM.dgn
01-1-2020				Sheet Number:
TOTAL				5 of 7
Scale: 1/8" = 1'-0"	Project Name: SIVARAM		Notes: note comes here...	

# Right Elevation

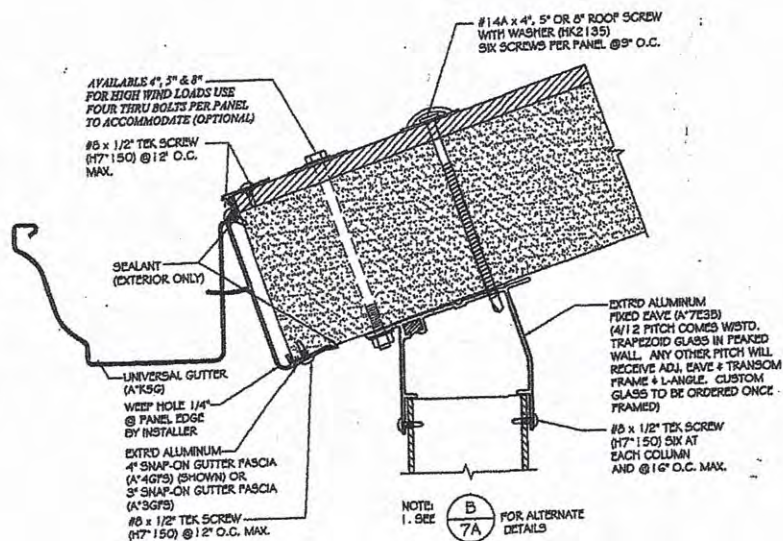


		<b>Four Seasons Solar Products LLC</b> ADVANCED BUILDERS 8345 HALL RD UTICA MI 48317 586 254-4466 JOE		Project Name: SIVARAM	
Customer Name SIVARAM		Customer Address 2975 THALES TROY MI 48065		Customer Phone # 248 990-2703	
Project No. 8-31-0020		Revision # 1		Revision Date 8-31-0020	
Date 8-31-0020		Revision By TOM		Revision Date 8-31-0020	
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Sheet Number 6 of 7					

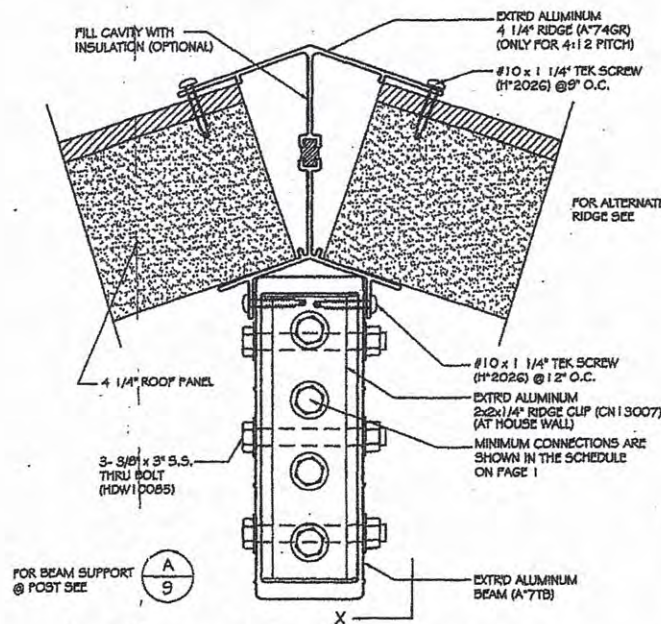




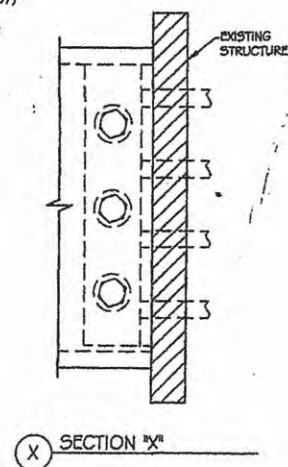
**E**  
7A  
RIDGE DETAIL  
NOT TO SCALE



**A**  
7A  
FRONT EAVE & ROOF CONNECTION  
NOT TO SCALE



**A**  
8A  
7\"/>



**X**  
SECTION X-X

File Name	SIVARAM.dgn
Sheet Number	7 of 7
Revision By:	
Revision Date:	
Revision #	
Project No.	
Date:	8-31-2020
Drawn By:	TOM
Scale:	1/8\"/>

**Four Seasons Solar Products LLC**

**ADVANCED BUILDERS**

8345 HALL RD

UTICA MI 48317

586 254-4466

JOE

Customer Name **SIVARAM**

Customer Address **2975 THALES**

Customer Phone # **248 990-2703**

Notes:  
note comes here...



**CITY OF TROY**  
**MICHIGAN**  
**PUBLIC NOTICE**  
**ZONING BOARD OF APPEALS**

The City of Troy Zoning Board of Appeals will hold meetings on the third Tuesday of each month at 7:30 p.m. by virtual platform, or in the Council Chamber at Troy City Hall, 500 W. Big Beaver Road, Troy, Michigan, 48084, (248) 524-3364, on the following dates:

**2021 ZONING BOARD OF APPEALS MEETING DATES**

January 19	July 20
February 16	August 17
March 16	September 21
April 20	October 19
May 18	November 16
June 15	December 21

All meetings are held at 7:30 p.m. and are open to the public.

This notice is hereby posted as required by Section 4 of the Open Meetings Act, (MCLA 15.261 et seq.).

---

Paul Evans, Zoning and Compliance Specialist

Posted: December 18, 2020

**NOTICE:** *Persons with disabilities needing accommodations for effective participation in this meeting should contact the Planning Department at 248-524-3364 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.*