

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.

MOTION TEMPLATE GRANT VARIANCE

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

MOTION TEMPLATE DENY

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

MOTION TEMPLATE POSTPONE

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

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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. 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.



500 West Big Beaver
Troy, MI 48084
troymi.gov

248.524.3364
planning@troymi.gov

ZONING BOARD OF APPEALS MEETING AGENDA

Michael Bossenbroek, Chair, David Eisenbacher, Vice Chair
Thomas Desmond, Aaron Green, Mahendra Kenkre, Jim McCauley,
Sadek Rahman, Barbara Chambers, Alternate, Jeffrey Forster, Alternate

FEBRUARY 15, 2022

7:30 P.M.

COUNCIL CHAMBERS

1. ROLL CALL
2. PROCEDURE
3. APPROVAL OF MINUTES – SEPTEMBER 21, 2021
4. APPROVAL OF AGENDA
5. HEARING OF CASES:
 - A. VARIANCE REQUEST, SARAH & JIM ROLL, 4721 STODDARD- A variance request to construct a home addition setback 34.5 feet from the rear property line, where the Zoning Ordinance requires the addition to be setback at least 40 feet from the rear property.

ZONING ORDINANCE SECTION: 4.06 C, R1-C Zoning District
6. COMMUNICATIONS
7. MISCELLANEOUS BUSINESS
8. PUBLIC COMMENT
9. ADJOURNMENT

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at 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.

On September 21, 2021 at 7:30 p.m., Chair Bossenbroek, called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Michael Bossenbroek
Thomas Desmond
David Eisenbacher
Aaron Green
Mahendra Kenkre
James McCauley
Sadek Rahman

Also Present:

Paul Evans, Zoning and Compliance Specialist
Allan Motzny, Assistant City Attorney

2. PROCEDURE- read by Vice Chair Eisenbacher

3. APPROVAL OF MINUTES –

Minutes of August 17, 2021

Moved by McCauley
Seconded by Eisenbacher

RESOLVED, to approve the August 17, 2021 meeting minutes.

Yes: All

MOTION PASSED

4. APPROVAL OF AGENDA – no changes

5. HEARING OF CASE:

VARIANCE REQUEST, EUGENE AND DARIYA MALYARENKO, 5282 LUDSTONE- A variance request to construct a deck setback 18 feet from the rear property line, where the Zoning Ordinance requires the deck to be setback at least 25 feet from the rear property line.

Moved by Eisenbacher
Second by McCauley

RESOLVED, to grant the variance

Yes: ALL

MOTION PASSED

6. COMMUNICATIONS – None

7. MISCELLANEOUS BUSINESS –None

8. PUBLIC COMMENT –None

9. ADJOURNMENT –The Zoning Board of Appeals meeting ADJOURNED at 8:08pm.

Respectfully submitted,

Michael Bossenbroek, Chair

Paul Evans, Zoning and Compliance Specialist

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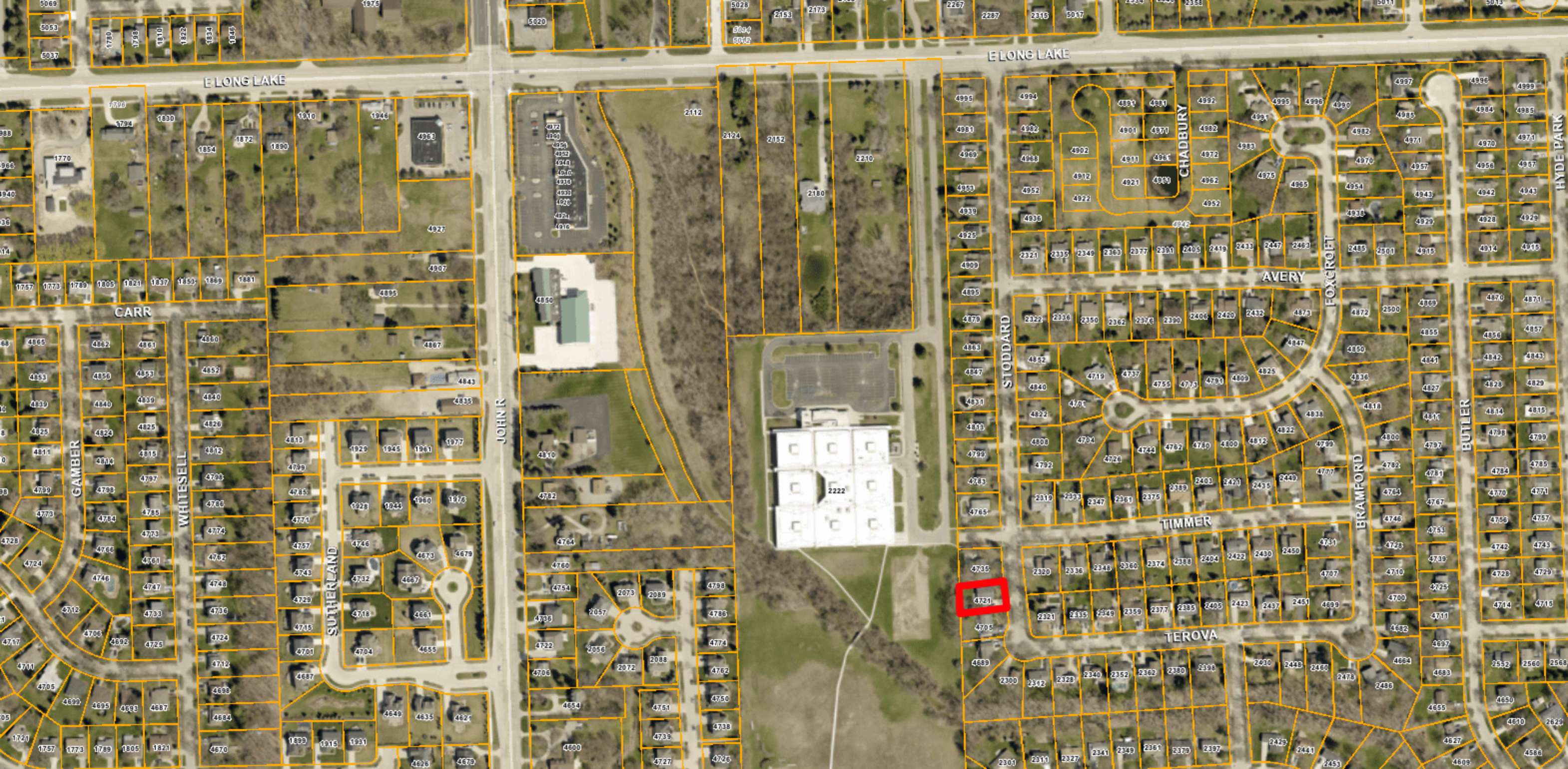
- A. VARIANCE REQUEST, SARAH & JIM ROLL, 4721 STODDARD- A variance request to construct a home addition setback 34.5 feet from the rear property line, where the Zoning Ordinance requires the addition to be setback at least 40 feet from the rear property.

ZONING ORDINANCE SECTION: 4.06 C, R1-C Zoning District

An aerial photograph of a residential neighborhood. A large property is outlined with a red border and a white dashed line. The property contains a large house with a grey roof and a white garage. A white car is parked in the driveway. The surrounding area includes other houses, trees, and a road with a white dashed line. The number 4721 is overlaid in the center of the property.

4721

23









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 **36 DAYS BEFORE** THE MEETING DATE. PRE APPLICATION MEETING WITH PLANNING DEPARTMENT REQUIRED BEFORE FILING APPLICATION.

1. ADDRESS OF THE SUBJECT PROPERTY: 4721 STODDARD DRIVE
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-13-176-002
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: RIC, CHAPTER 39, ARTICLE 4
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: N/A
5. APPLICANT:
NAME GARY MINTO (BUILDER)
COMPANY D&W WINDOWS + SUNROOMS
ADDRESS 8068 E. COURT
CITY DAVISON STATE MI ZIP 48423
PHONE 810-658-8777 810-412-8538 CELL
E-MAIL GARYM@DWWINDOWS.COM
AFFILIATION TO THE PROPERTY OWNER: BUILDER



Zoning Board of Appeals Application

6. PROPERTY OWNER:

NAME SARAH + JIM ROLL
COMPANY -
ADDRESS 4721 STODDARD DRIVE
CITY TROY STATE MI ZIP 48085
TELEPHONE 248-689-3608
E-MAIL SROLL4721@GMAIL.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, SARAH A. ROLL (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 Sarah A. Roll DATE 1/9/2022

PRINT NAME: SARAH ROLL

PROPERTY OWNER SIGNATURE Sarah A. Roll DATE 1/9/2022

PRINT NAME: SARAH ROLL

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.

Statement of Practical Difficulty

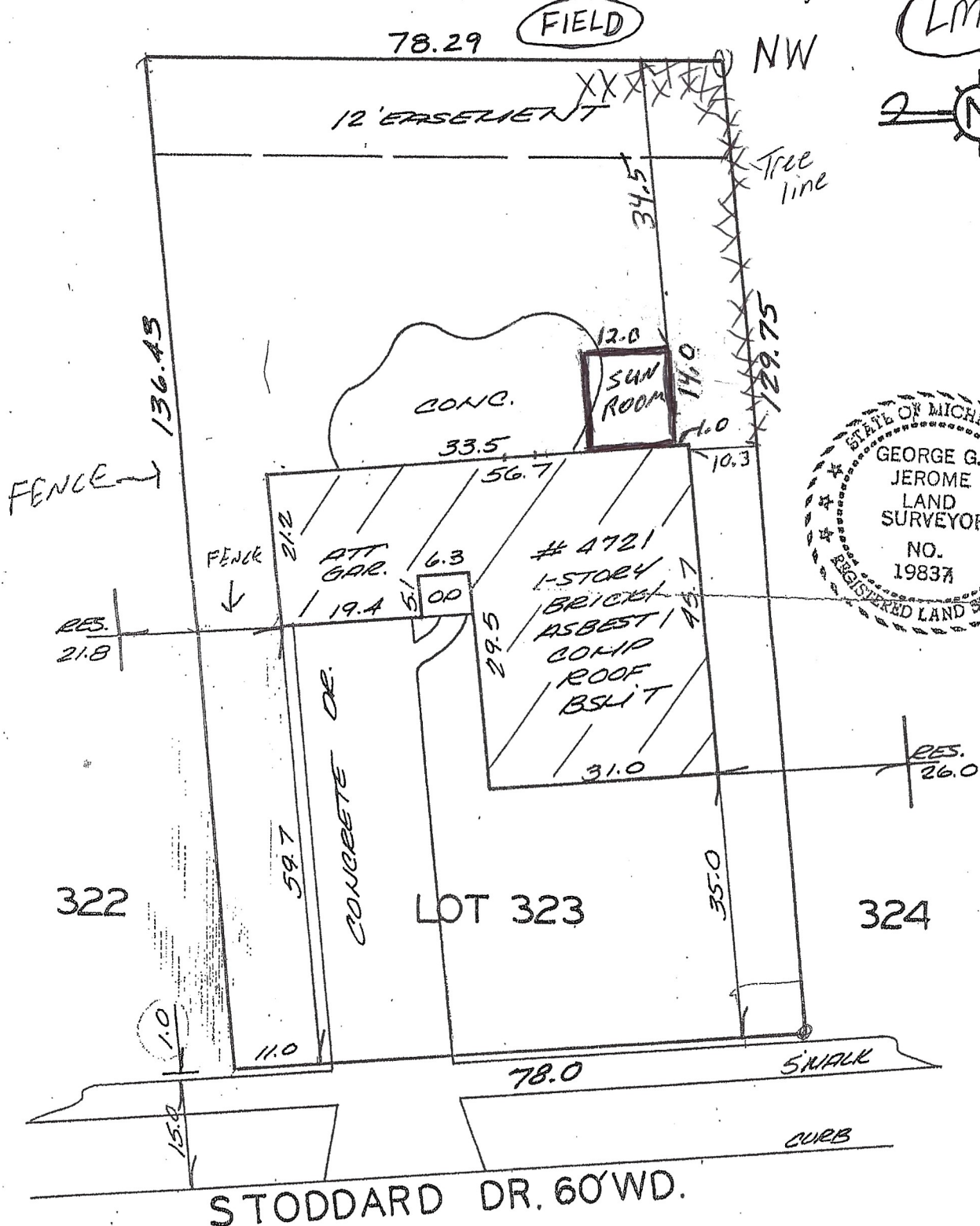
- The rear property line is slanted, which reduces the allowed setback on the NW side of the backyard (the side for the proposed sunroom plan).
- The tree line/foliage in the NW corner of the backyard is situated such that the proposed sunroom plan maximizes privacy and better views when sitting in the proposed sunroom.
- Sunlight throughout the afternoon shines mainly in the middle of the backyard, which would be maximized in the proposed sunroom plan.
- Due to a stroke, one of the homeowners is disabled and uses a wheelchair. Building a sunroom within the current allowed setback does not provide enough room space for wheelchair accessibility and maneuverability.
- The rear property line borders the Larson Middle School field, so there are no homes/neighbors in the back that would be impacted.
- The proposed sunroom plan will not negatively affect any surrounding properties in any way, or in any way impair the public health, safety, comfort, morals, morale, or welfare of the inhabitants of the City. It will however greatly increase the homeowners' comfort and enjoyment of their property and increase their property value.

CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS. 28312 HAYES • ROSEVILLE, MI 48066 • (313) 774-3000

LEGAL DESCRIPTION OF PROPERTY (AS FURNISHED BY CLIENT)

DATE: 9-13-90

Lot 323, "WINDMILL POINTE SUB NO. 2", part of the North 1/2 of Section 13, T.2 N., R.11 E., City of Troy, Oakland County, Michigan. Recorded in Liber 129 of Plats, Pages 36, 37, 38, 39 and 40 of Oakland County Records.



CERTIFICATE: We hereby certify to AMERICOR MORTGAGE, ITS SUCCESSORS AND/OR ITS ASSIGNS that we have surveyed the above-described property in accordance with the description furnished by you for the purpose of a mortgage loan to be made by JAMES F. ROLL AND SARAH A. ROLL



Building Inspection Department

December 13, 2021

D & W Windows and Sunrooms
8068 East Court Street
Davison, MI 48423

RE: 4721 Stoddard – Sunroom Application

To whom it may concern,

The application submitted for proposed sunroom at 4721 Stoddard has been denied for the following reason:

- This property lies within the RIC zoning which requires a 40-foot rear yard setback per chapter 39 article 4 district regulations. The proposed sunroom only has 34.5 feet of rear yard setback.

Sincerely,

A handwritten signature in black ink that reads "Dana V. Self". The signature is fluid and cursive, with a large, stylized "D" and "S".

Dana V. Self
Building Official, SAFEbuilt, Inc.
/mm



PROJECT FOR:

D&W AWNING and WINDOW
ROLL - #54059

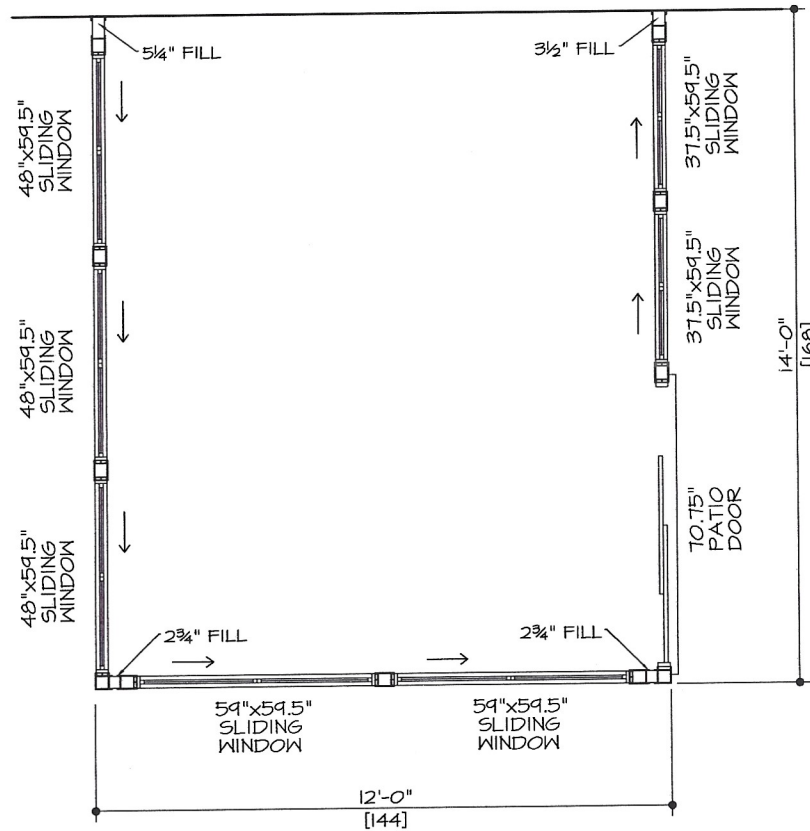
SUNROOM SPECIFICATIONS

4 SEASON GABLE ENCLOSURE
COLOR: WHITE
ROOM SIZE: 12'x14'
GLASS TYPE: LOW-E / ARGON WINDOWS: SINGLE SLIDERS

DATE: 18 AUG 2021

NOTES:

- WHITE 4-SEASON GABLE ENCLOSURE
- LOW-E / ARGON GLASS
- SINGLE SLIDERS
- GLASS KICKS
- SOLID TRANS
- GLASS TRAPS
- ELECTRICAL H-CHANNELS
- (1)-6' PATIO DOOR
- 4" ROOF
- POLY DECK



WALLS HEIGHTS



**FILL MEASUREMENTS ARE
TOTAL FILL NOT VISIBLE FILL**

| CHANNEL DIMENSIONS | |
|-----------------------|-------------|
| IF | 5" |
| IF | 2.5" |
| IF | 1.75" |
| IF | 4.25"x4.25" |
| IF | 1" |

General Notes

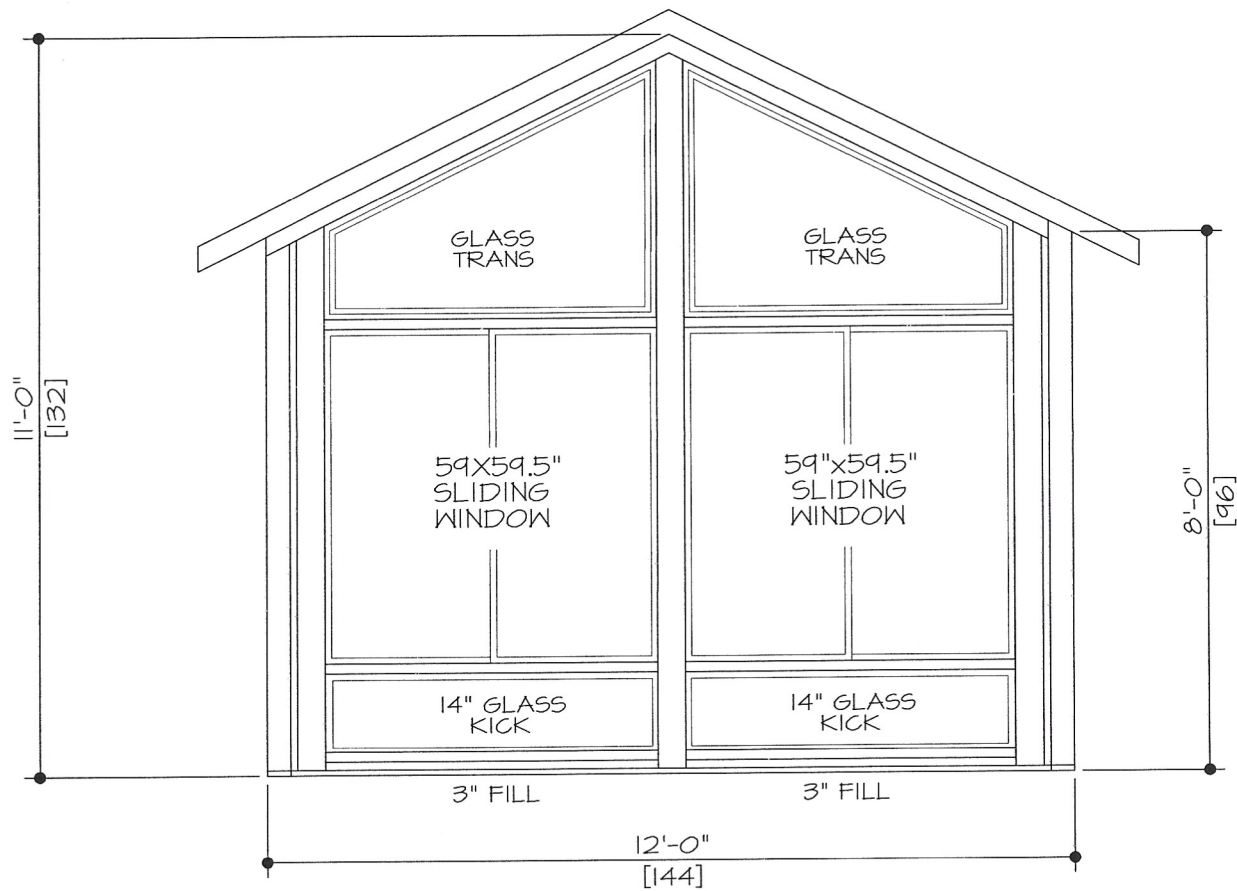
INSTALLERS LAYOUT

| No. | Revision/Issue | Date |
|-----|----------------|------|
| | | |

For Name and Address
CROWN SUNROOMS
8068 E.COURT STREET
810-658-8777

Project Name and Address
D&W AWNING & WINDOW
ROLL

| | |
|---------|-------|
| Project | Sheet |
| Date | |
| Scale | |



General Notes

FRONT ELEVATION

| No. | Revision/Issue | Date |
|-----|----------------|------|
| | | |

Per Name and Address

CROWN SUNROOMS
8068 E.COURT STREET
810-658-8777

Project Name and Address

D&W AWNING & WINDOW
ROLL

Project

Date

Scale

Sheet



General Notes

RIGHT ELEVATION

| No. | Revision/Issue | Date |
|-----|----------------|------|
| | | |

Plot Name and Address

CROWN SUNROOMS
8068 E.COURT STREET
810-658-8777

Project Name and Address

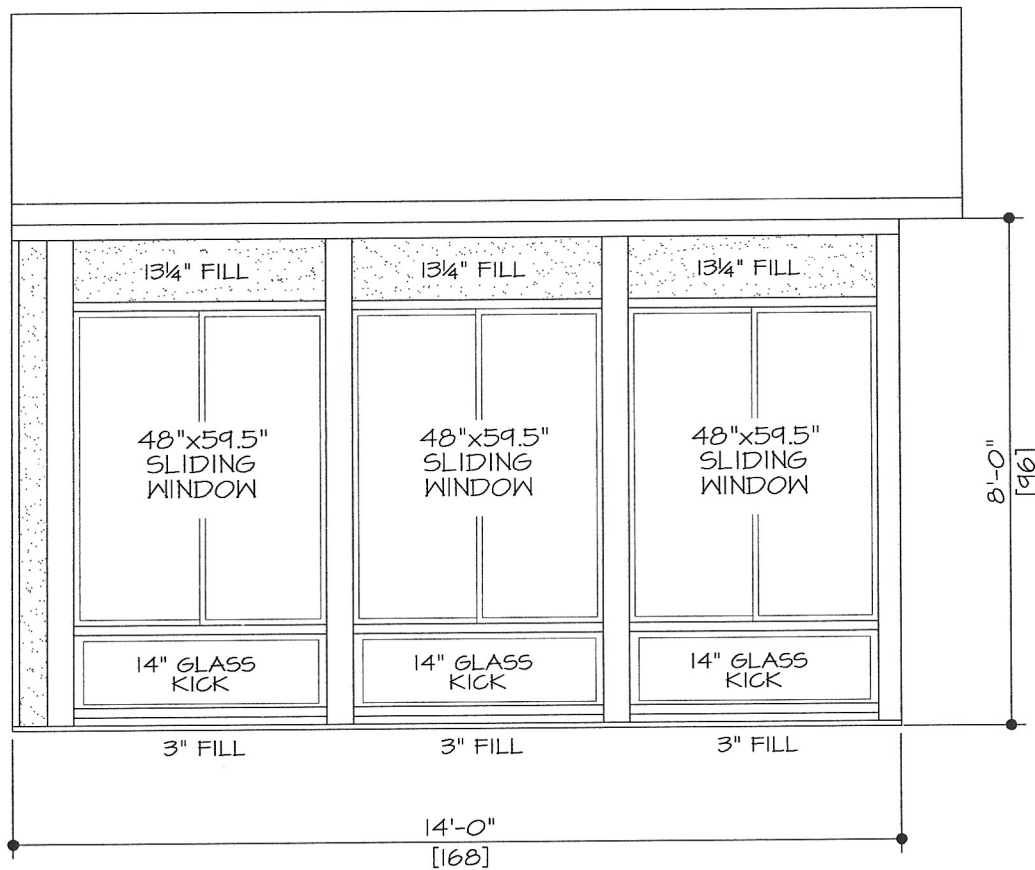
D&W AWNING & WINDOW
ROLL

Project

Date

Scale

Sheet



General Notes

LEFT ELEVATION

| No. | Revision/Issue | Date |
|-----|----------------|------|
| | | |

Per Name and Address

CROWN SUNROOMS
8068 E.COURT STREET
810-658-8777

Project Name and Address

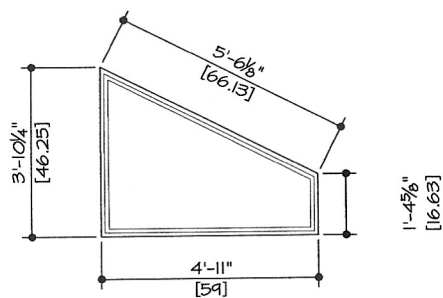
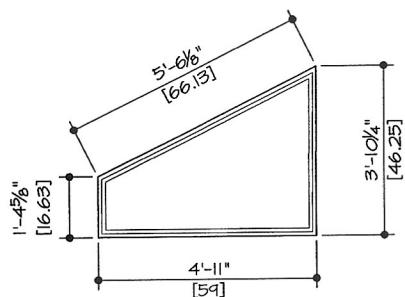
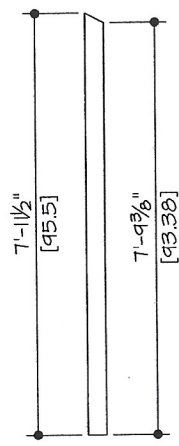
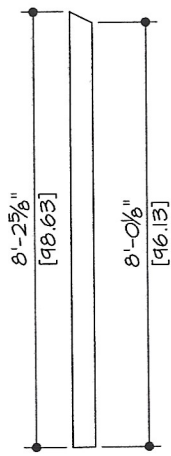
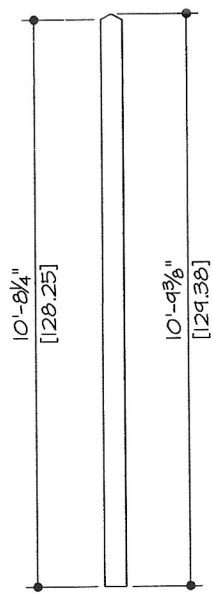
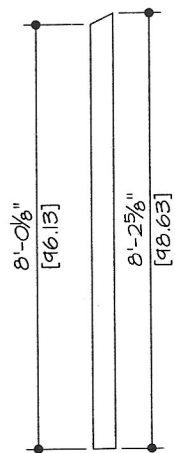
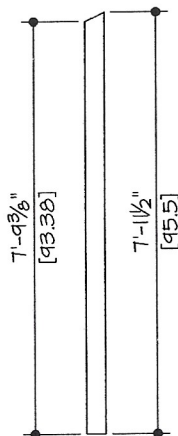
D&W AWNING & WINDOW
ROLL

Project

Date

Scale

Sheet



General Notes

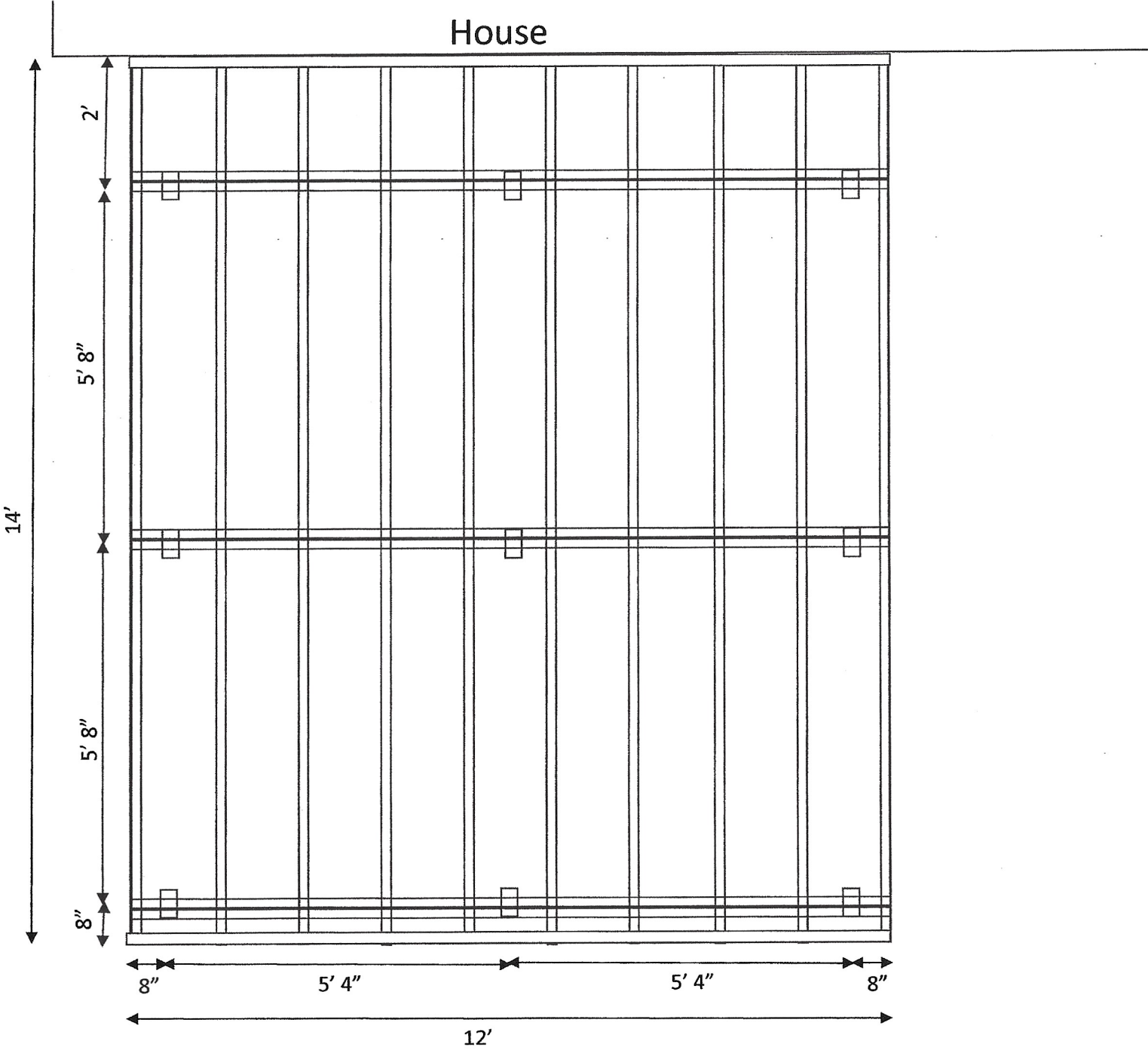
GLASS TRAPEZOIDS

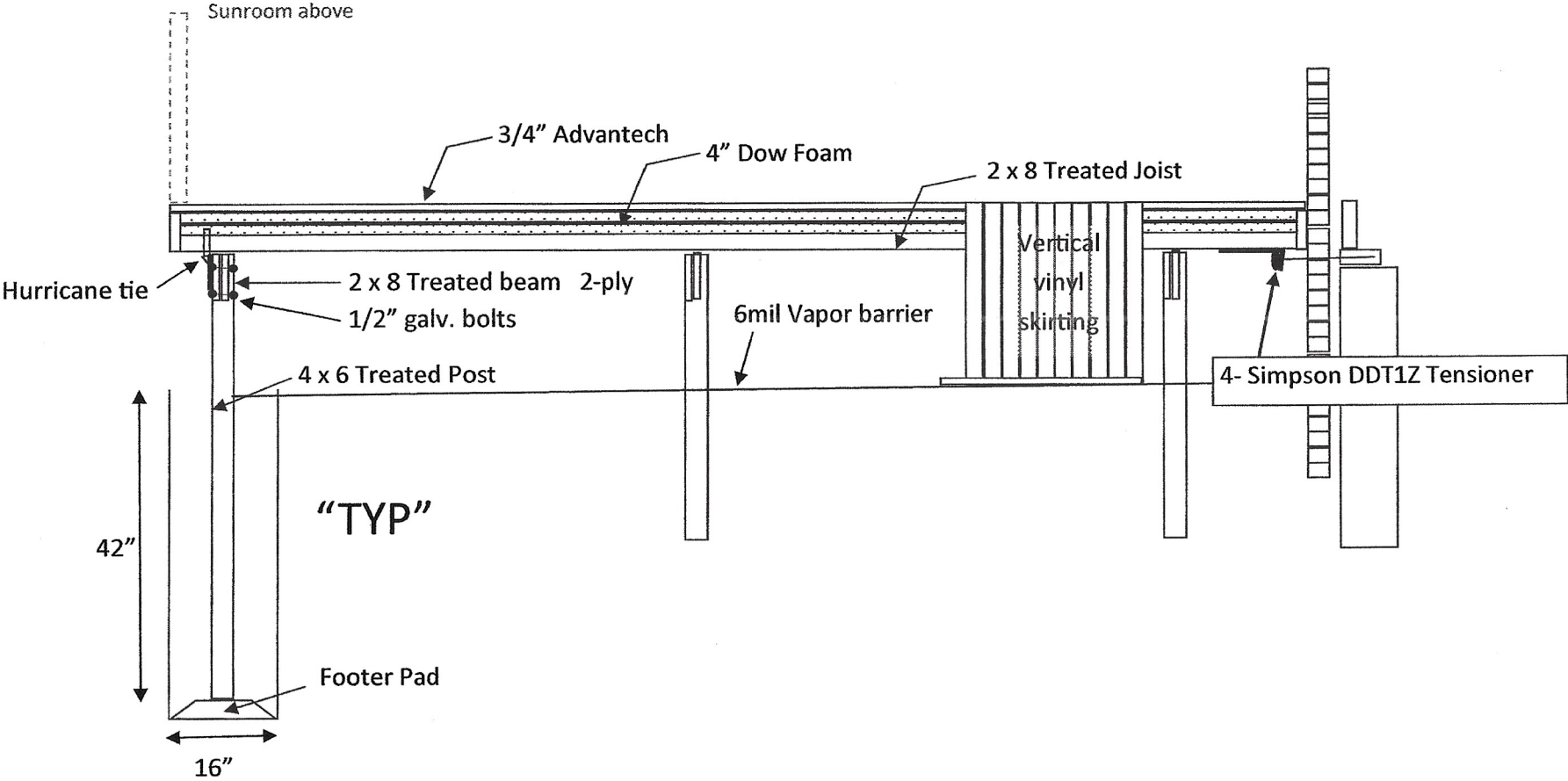
| No. | Revision/Issue | Date |
|-----|----------------|------|
| | | |

First Name and Address
CROWN SUNROOMS
8068 E.COURT STREET
810-658-8777

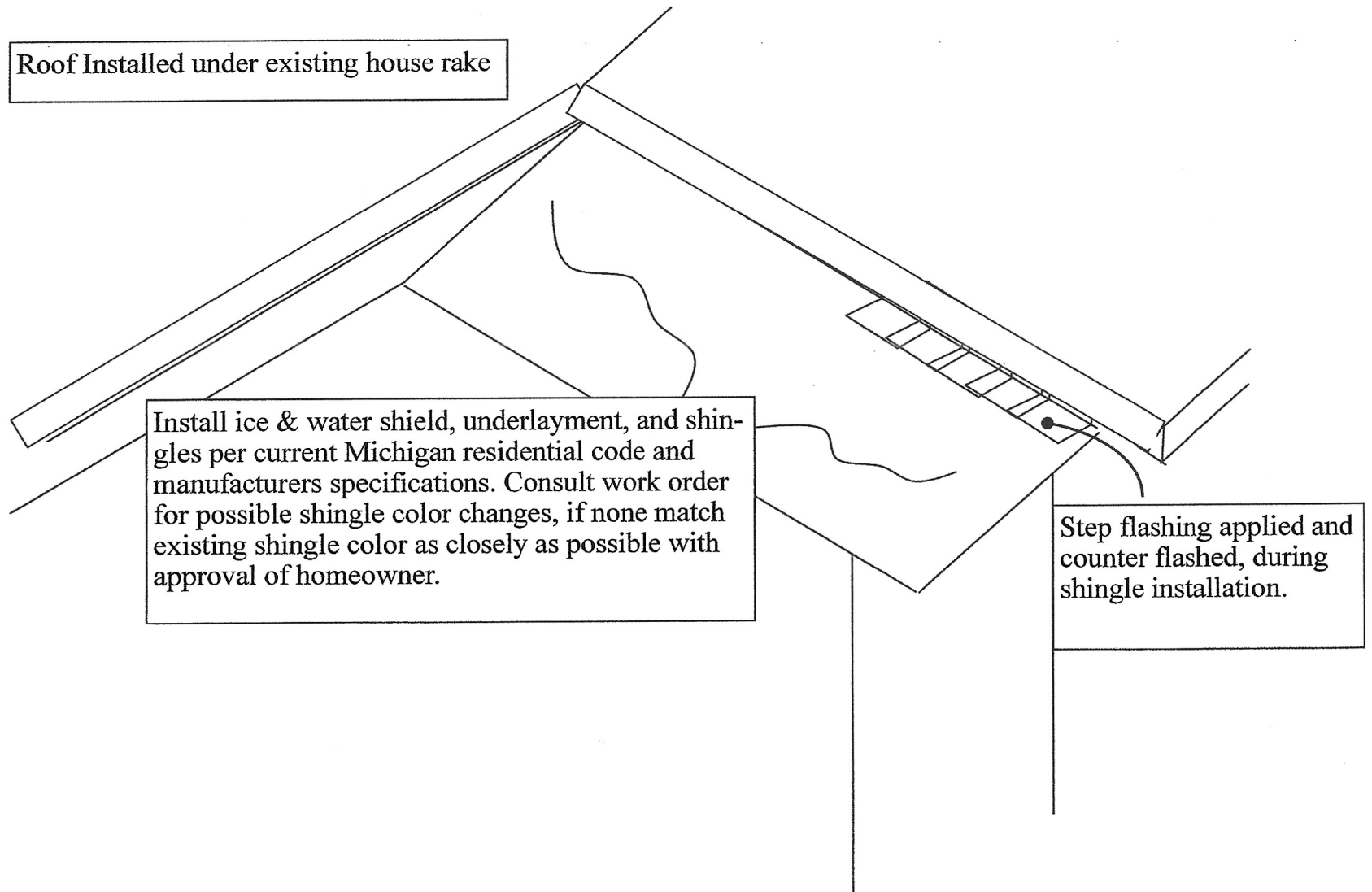
Project Name and Address
D&W AWNING & WINDOW
ROLL

| | |
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| Project | Sheet |
| Date | |
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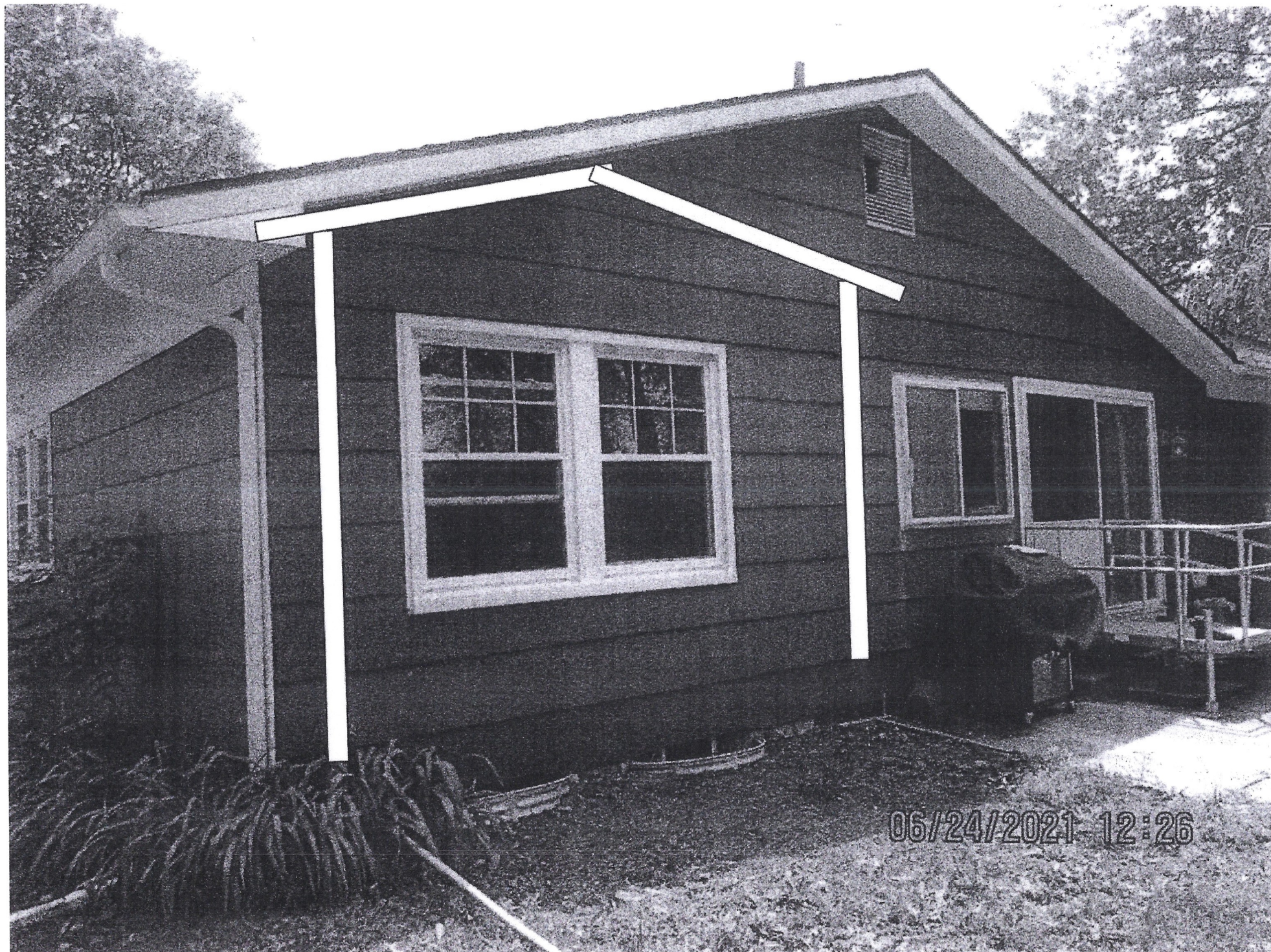


D&W Windows & Sunrooms



ROOF PANEL MAXIMUM SPAN TABLE

| ROOF PANEL CONFIGURATION | 10 POUND SNOW LOAD | 20 POUND SNOW LOAD | 25 POUND SNOW LOAD | 30 POUND SNOW LOAD | 35 POUND SNOW LOAD | 40 POUND SNOW LOAD | 45 POUND SNOW LOAD | 50 POUND SNOW LOAD | 60 POUND SNOW LOAD | 70 POUND SNOW LOAD |
|--|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| NO SHINGLES | | | | | | | | | | |
| 3-INCH OVERALL - 0.032-INCH ALUMINUM - 2# DENSITY EPS FOAM | 17.80 FEET | 15.35 FEET | 13.05 FEET | 12.20 FEET | 11.50 FEET | 10.90 FEET | 10.40 FEET | 10.00 FEET | 9.15 FEET | 8.50 FEET |
| 4.25-INCH OVERALL - 0.032-INCH ALUMINUM - 2# DENSITY EPS FOAM | 22.25 FEET | 17.55 FEET | 16.25 FEET | 15.25 FEET | 14.25 FEET | 13.50 FEET | 12.50 FEET | 12.10 FEET | 11.10 FEET | 10.25 FEET |
| 6-INCH OVERALL - 0.032-INCH ALUMINUM - 2# DENSITY EPS FOAM | 24.00 FEET | 21.65 FEET | 19.67 FEET | 18.00 FEET | 16.75 FEET | 15.75 FEET | 14.85 FEET | 14.15 FEET | 12.95 FEET | 12.00 FEET |
| WITH SHINGLES | | | | | | | | | | |
| 3-INCH OVERALL - 0.032-INCH ALUMINUM - 2# DENSITY EPS FOAM | 15.25 FEET | 12.75 FEET | 12.00 FEET | 11.25 FEET | 10.60 FEET | 10.20 FEET | 9.60 FEET | 9.20 FEET | 8.50 FEET | 8.00 FEET |
| 4.25-INCH OVERALL - 0.032-INCH ALUMINUM - 2# DENSITY EPS FOAM | 19.50 FEET | 16.40 FEET | 15.25 FEET | 14.35 FEET | 13.45 FEET | 12.75 FEET | 12.10 FEET | 11.60 FEET | 10.50 FEET | 10.00 FEET |
| 6-INCH OVERALL - 0.032-INCH ALUMINUM - 2# DENSITY EPS FOAM | 24.00 FEET | 20.00 FEET | 18.35 FEET | 17.00 FEET | 16.00 FEET | 15.20 FEET | 14.40 FEET | 13.75 FEET | 12.60 FEET | 11.75 FEET |



06/24/2021 12:26

4721 Stoddard



Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.



David Coulter
Oakland County Executive

Date Created: 11/19/2021



1 inch = 100 feet