

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. Dimensional or other non-use variances shall not be granted by the Zoning Board of Appeals unless it can be determined that all of the following facts and conditions exist:

- 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 <u>granted</u> 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.
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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.
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- i) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.
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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 <u>postponed</u> for the following reason(s):
Vacas
Yeas: Nays:
MOTION CARRIED / FAILED

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

ZONING BOARD OF APPEALS – OPENING STATEMENT

The Zoning Board of Appeals is a group of seven of your neighbors appointed by the Troy 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. Applicants 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 approved agenda. When an item is called, the Chairperson will verify that the applicant is present. Then the City Administration will summarize the facts of the case. If there is less than a full board (7 members) present at a meeting, an applicant may request a postponement so his or her request can be heard by a full board. If there is no request for a postponement, the applicant will then be given an opportunity to address the Board to explain the justification for the action requested.

After the applicant makes their presentation, and answers any questions that the Board may have, the Chairperson will open the Public Hearing. Any person wishing to speak on the request should raise their hand and when recognized by the Chairperson, 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 Chairperson. Comments should be kept as brief as possible and closely pertain to the matter under consideration. Only one person will be recognized by the Chairperson to speak at one time.

At the conclusion of public comments, the Chairperson 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.



ZONING BOARD OF APPEALS MEETING AGENDA

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

November 15, 2022

7:30 P.M.

COUNCIL CHAMBERS

- 1. ROLL CALL
- 2. PROCEDURE
- 3. <u>APPROVAL OF MINUTES</u> October 18, 2022
- 4. APPROVAL OF AGENDA
- 5. HEARING OF CASES:
 - A. <u>2227 RADCLIFFE</u>, <u>SWAMINATHAN PALANIAPPAN</u> A variance request to construct a proposed addition 28 feet from the rear property line where the Zoning Ordinance requires the proposed addition be setback 40 feet from the rear property line
 - ZONING ORDINANCE SECTION: 4.06, R-1C Zoning District
 - B. <u>1429 BOYD</u>, <u>DAVID JACKSON</u> A variance request to construct a proposed addition 6.7 feet from the east property line where the Zoning Ordinance requires the proposed addition be setback 9.8 feet from the east property line.
 - ZONING ORDINANCE SECTION: 4.06, R-1E Zoning District, total of two side yard setbacks
- 6. <u>COMMUNICATIONS</u> -
- 7. <u>MISCELLANEOUS BUSINESS</u> 2023 Meeting Schedule
- 8. PUBLIC COMMENT
- 9. ADJOURNMENT

On October 18, 2022 at 7:30 p.m., Chairperson Bossenbroek called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Michael Bossenbroek Thomas Desmond David Eisenbacher Jeffrey Forster Jayalakshmi Malalahalli

Also Present:

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

- 2. PROCEDURE- read by Vice Chairperson Eisenbacher
- 3. APPROVAL OF MINUTES -

RESOLVED, to approve the September 20, 2022 draft minutes.

Yes: All

MOTION PASSED

- 4. <u>APPROVAL OF AGENDA</u> No changes
- 5. HEARING OF CASES:
 - A. <u>2725 PINE HILL, GRAHAM AND CHERYLN FIELD</u> A variance request to allow a proposed addition be setback 25 feet 2 inches from the front property line where the Zoning Ordinance requires the addition to be setback 40 feet from the front property line.

Moved by Eisenbacher Seconded by Desmond

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

B. 1939 BUCKTHORN, KIRK RASCH & MIKE SCORZO FOR AUTO GLASS OF MICHIGAN dba GLASS DOCTOR OF MI.- A variance request to allow a proposed addition be setback 34 feet 2 inches from the rear property line where the Zoning Ordinance requires the addition to be setback 45 feet from the front property line.

Moved by Eisenbacher Seconded by Desmond

RESOLVED, to grant the request.

Yes: All

MOTION PASSED

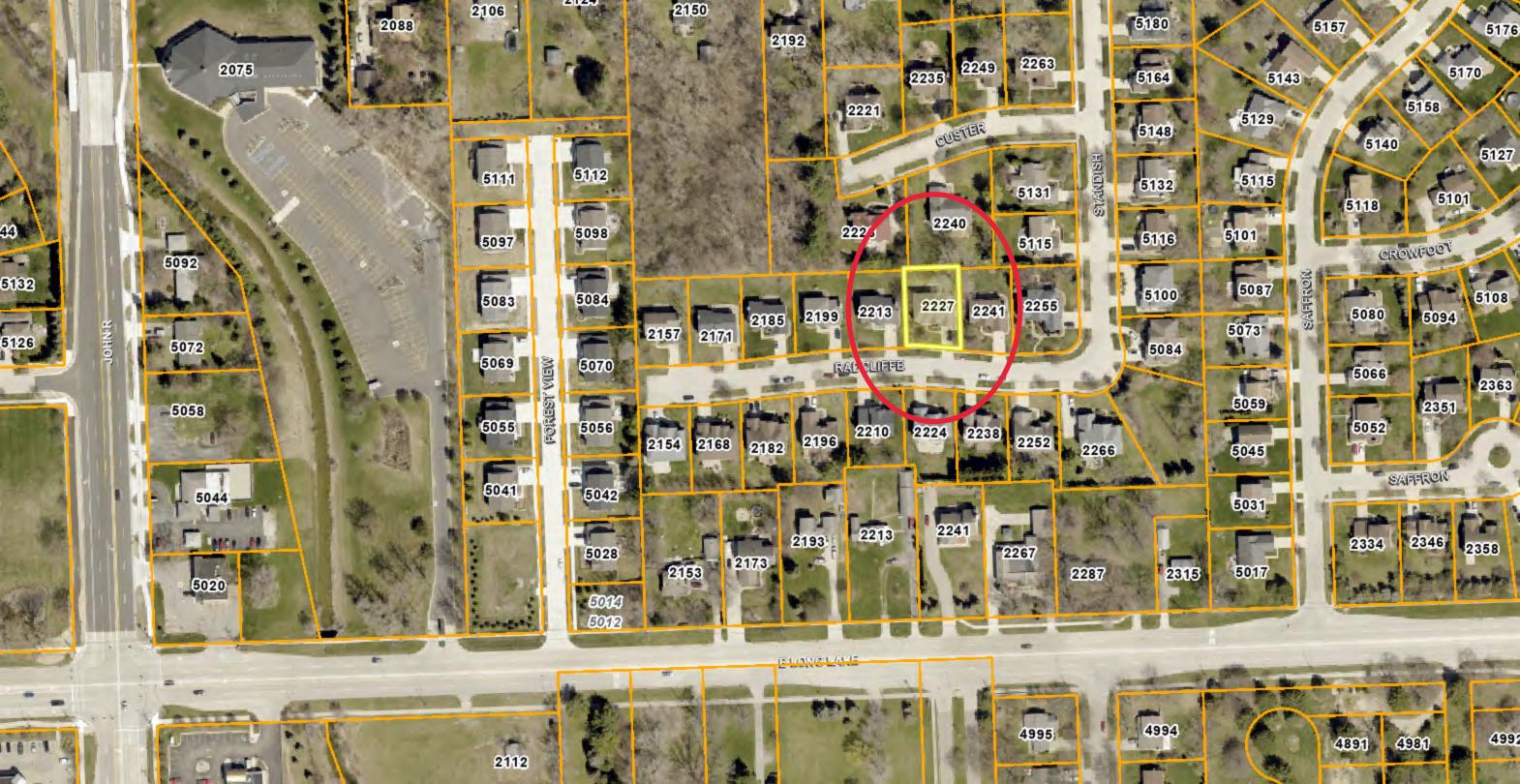
- 6. <u>COMMUNICATIONS</u> Board acknowledged receipt of Rules of Procedure
- 7. MISCELLANEOUS BUSINESS none
- 8. PUBLIC COMMENT -None
- 9. ADJOURNMENT -The Zoning Board of Appeals meeting ADJOURNED at 8:23 pm.

Michael Bossenbroek, Chairperson

Paul Evans, Zoning and Compliance Specialist

A. <u>2227 RADCLIFFE</u>, <u>SWAMINATHAN PALANIAPPAN</u> - A variance request to construct a proposed addition 28 feet from the rear property line where the Zoning Ordinance requires the proposed addition be setback 40 feet from the rear property line

ZONING ORDINANCE SECTION: 4.06, R-1C Zoning District







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:
2.	PROPERTY TAX IDENTIFICATION NUMBER(S):
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
	COMPANY
	ADDRESS
	CITY STATE ZIP
	PHONE
	E-MAIL_
	AEEII IATION TO THE DROBERTY OWNED.





6. PROPERTY OWNER:		
NAME		
COMPANY		
ADDRESS		
CITY	STATE	ZIP
TELEPHONE		
E-MAIL		
The undersigned hereby declares under peof my (our) knowledge, information and be		f this application are true to the best
		dimensions contained within this
The applicant accepts all responsibility application, attachments and/or plans, and consultants from any responsibility or liab	I the applicant releases the City of T	
consultants from any responsibility or hab	mity with respect thereto.	
I,	APPLICANT) HEREBY DEPOSE A	ND SAY THAT ALL THE ABOVE
FOR THE BOARD MEMBERS AND CITY STA		
APPLICANT SIGNATURE		DATE
PRINT NAME:		
		
PROPERTY OWNER SIGNATURE		DATE
PRINT NAME:		
Failure of the applicant or their authorized for denial or dismissal of the case with no		

hearing by mail. If the person appearing before the Board is not the applicant or property owner, signed permission

Approved variances are good for a one year period.

must be presented to the Board.



STATEMENT OF PRACTICAL DIFFICULTY

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ZONING BOARD OF APPEALS APPLICATION CHECKLIST

Please provide the following in digital format. You may e-mail them to planning@troymi.gov or submit them on media such as a CD or jump drive:

- ✓ Completed application
- ✓ Statement of practical difficulty see page 3
- ✓ Plot plan or survey showing property lines, existing and proposed buildings, their dimensions and locations (height, length, width, as applicable)
- ✓ Setbacks from property lines
- ✓ Elevation drawings
- ✓ Photos as necessary to accurately describe the request, including existing and proposed property conditions
- ✓ Any other information that explains the request
- ✓ Incomplete applications cannot be accepted

Statement of Practical difficulty

September 15th, 2022

City of Troy Board of Zoning Appeals

Subject – 2227 Radcliffe Dr, Troy, MI - residential R-1C Setback (Article 4)

I am looking to put a 12 ft by 22 ft sunroom in the backward for the property on 2227 Radcliffe Dr, Troy, MI 48085. Building Permit Application that was submitted by D&W Windows and Sunrooms on my behave was rejected since my house is 40ft from the rear of the property line and the residential R-1C Setback (Article 4) states that need 40ft to the rear property line. If adding the sunroom as proposed will add 12 ft from the end of my house which will encroach within that setback.

Practical difficulty for a dimensional variance request - physical characteristics of the land:

Request for variance is because of my back yard neighbor's backyard is big and together with my backward it is more than 120 ft between our two houses. If the sunroom is built it still will have more than 100 ft between the two structures of the house which is more than the 80 ft required. Also confirmed with my neighbors and they have no issue with this proposal. It has no impact on a neighboring property owner because neighbor house is far away from the proposed addition.

Variance request - Hardship

Backyard has five Eastern Cottonwood trees each about 200 ft tall. Three of the five trees are in my neighbor's yard bordering mine so cutting it down is not an option. In Spring and summer these causes pollen allergies - symptoms include sneezing, nasal congestion, runny nose, and watery eyes. These allergies are present for both of my children and grandmother. They are taking medicine for the allergies and I have early stages of asthma. Because of these we are not able to go to the backward.

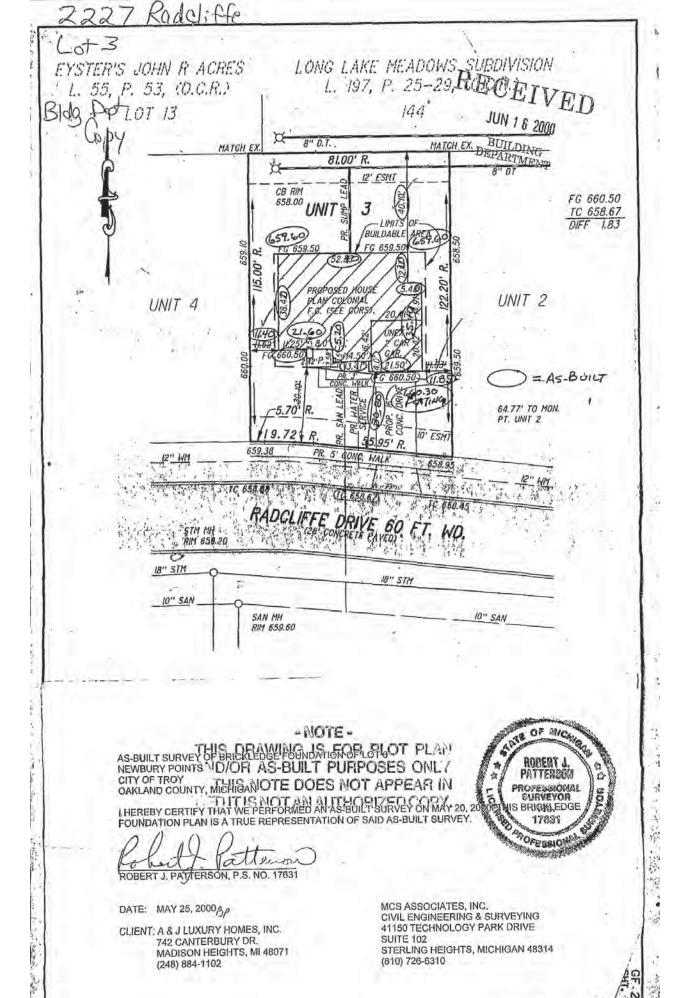
Variance if approved has no safety issues, or obstruction it is visually attractive. I respectfully request that back of the house setback variance be approved.

Sincerely,

Swami Palaniappan 2227 Radcliffe Dr, Troy, MI 48085 586-303-6254

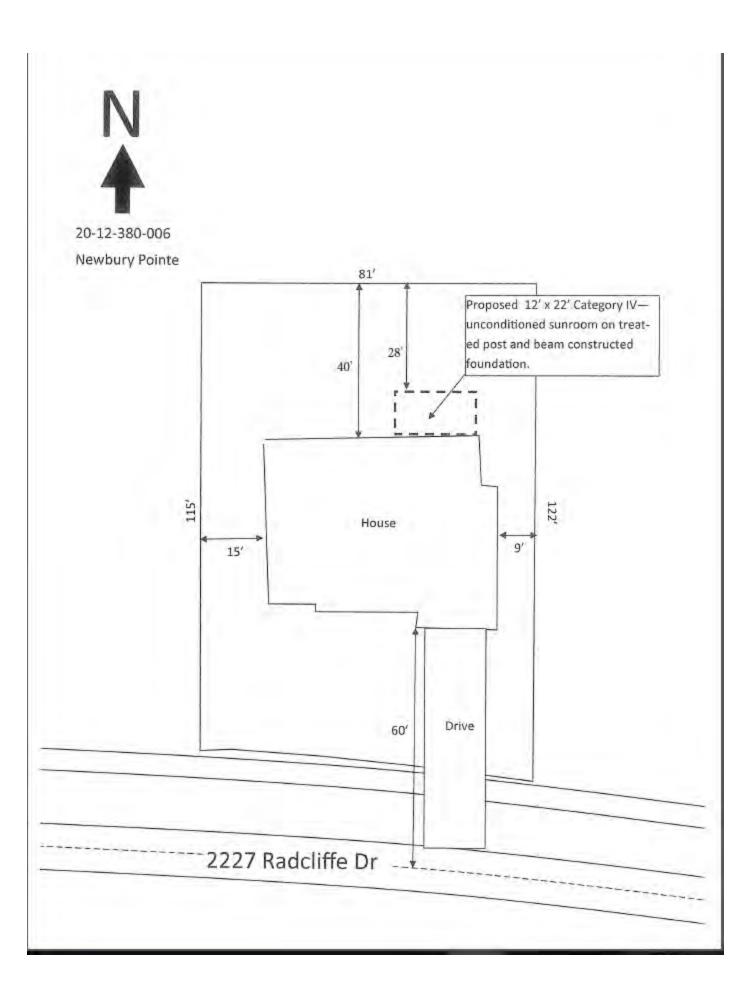
Plenty of area between my home and the home behind mine. More than 120 ft between houses.





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DRAWN BY: GAM





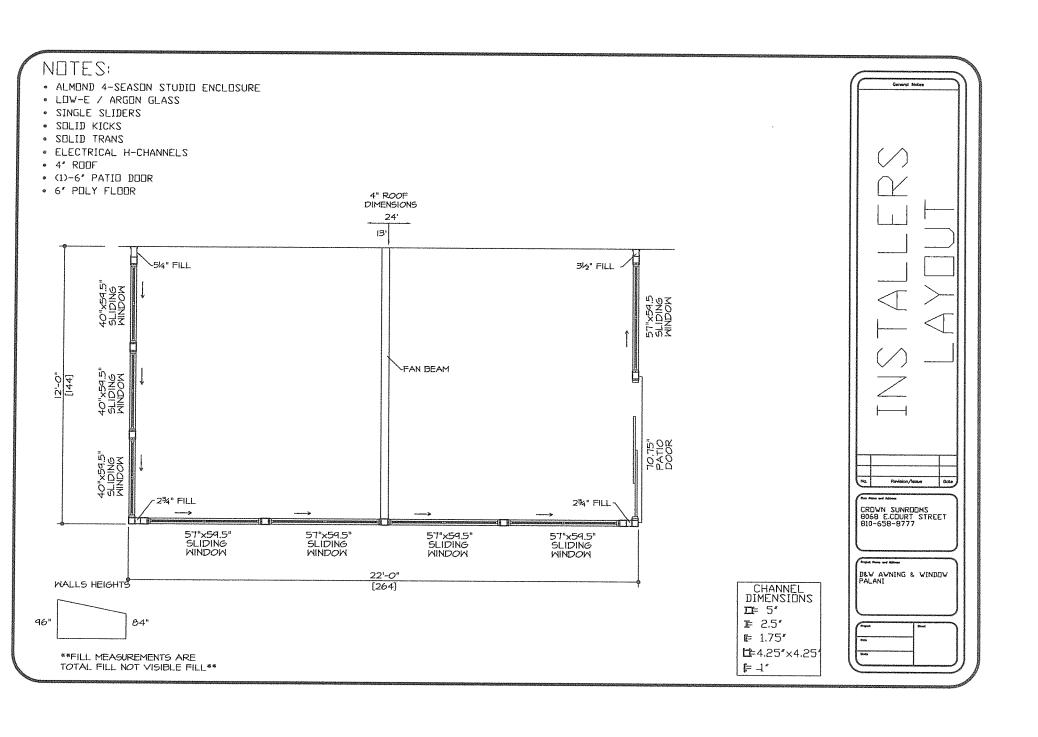


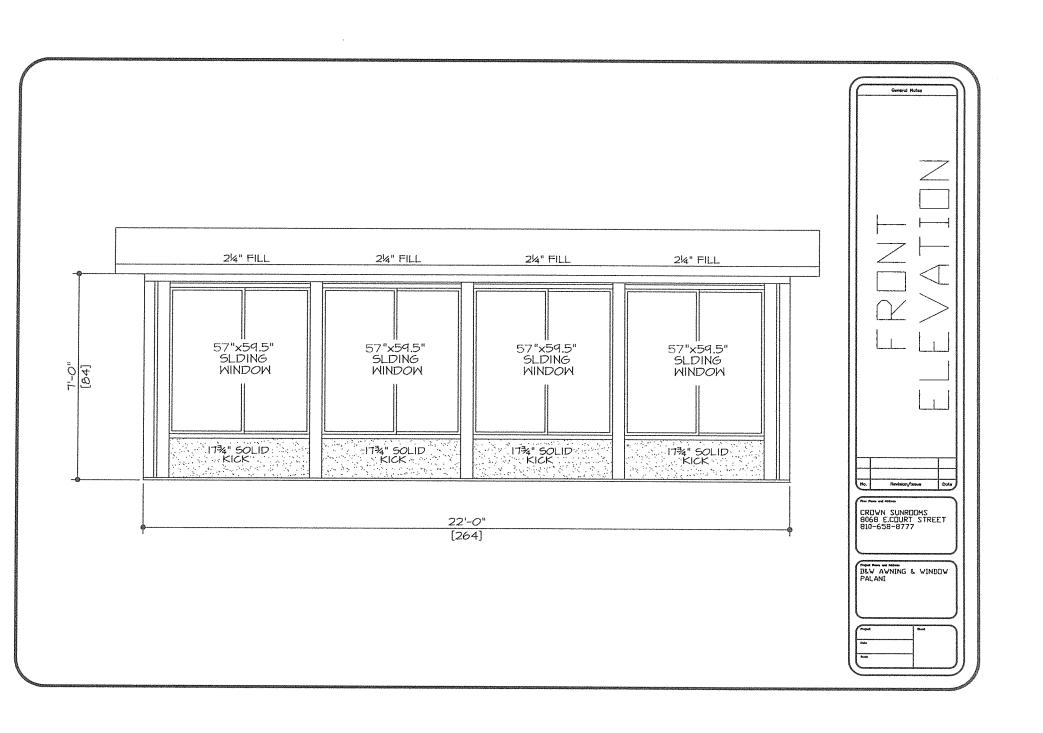
PROJECT FOR:

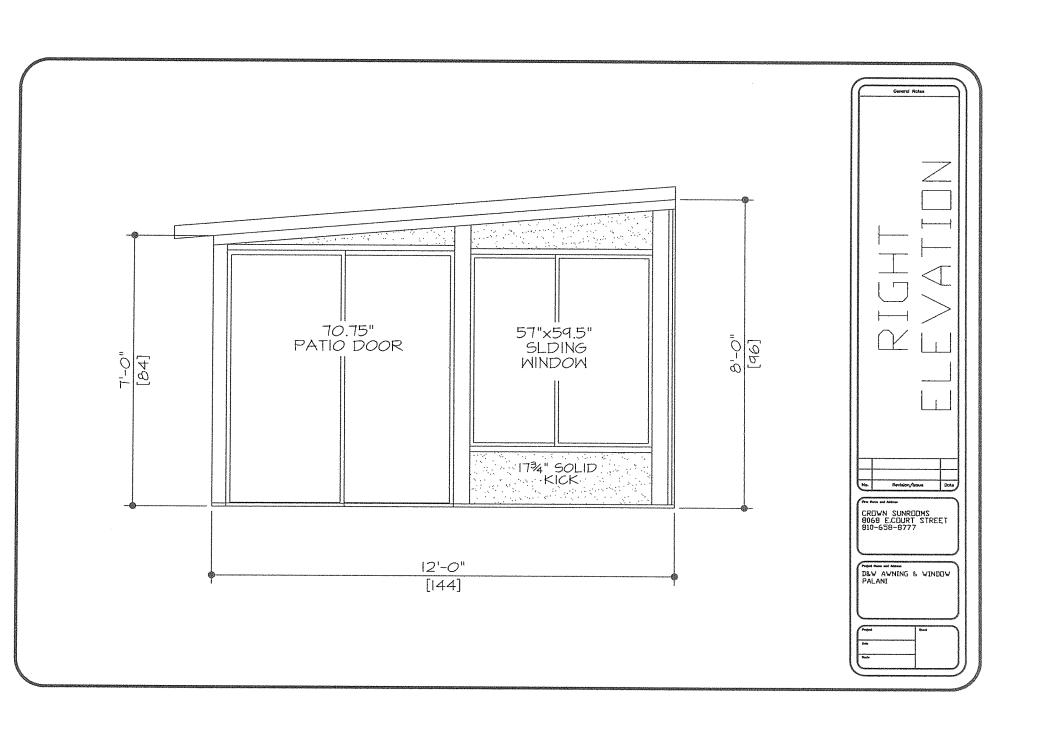
D&W AWNING and WINDOW PALANI - #58301

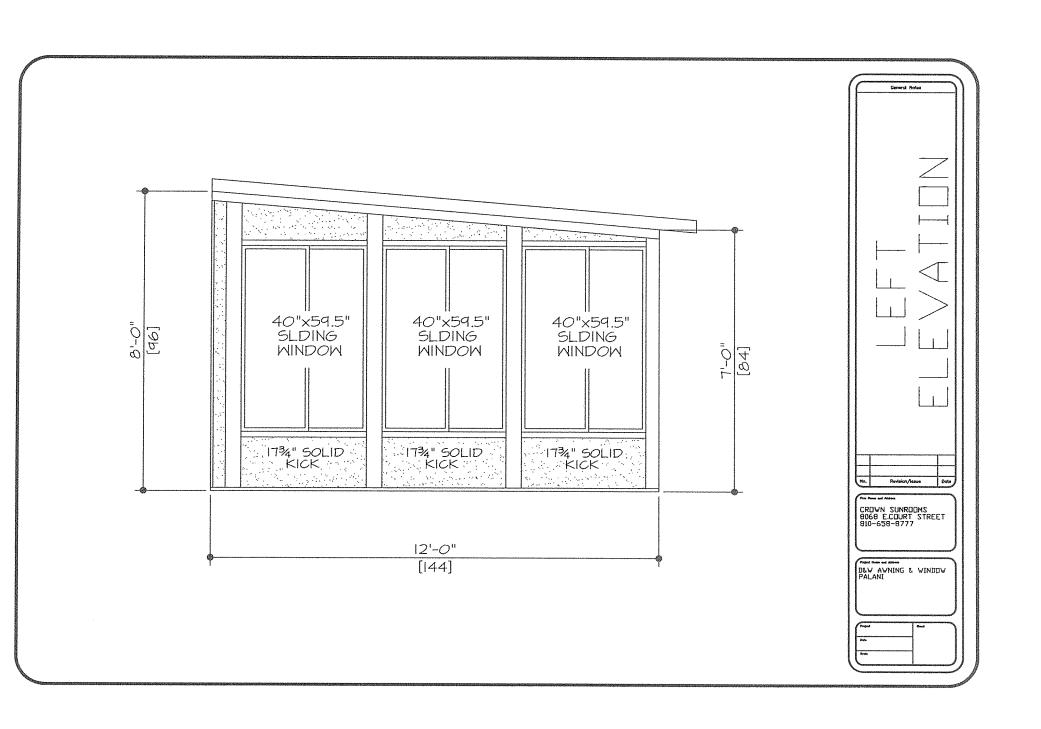
SUNROOM SPECIFICATIONS

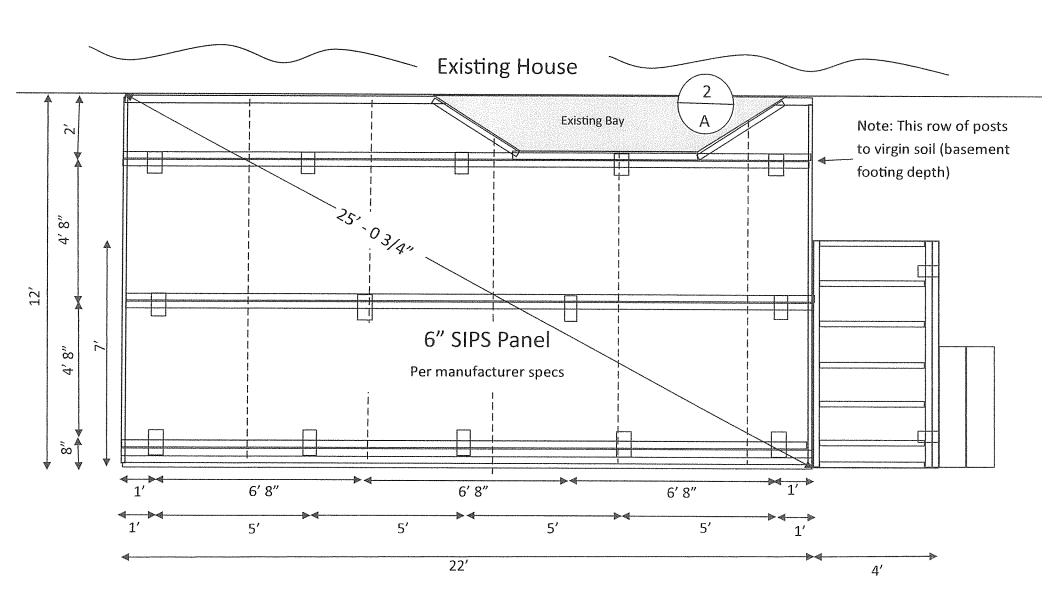
4 SEASON STUDIO ENCLOSURE
COLOR: ALMOND
SIZE: 12'x22'
GLASS TYPE: LOW-E / ARGON WINDOWS: SINGLE SLIDERS



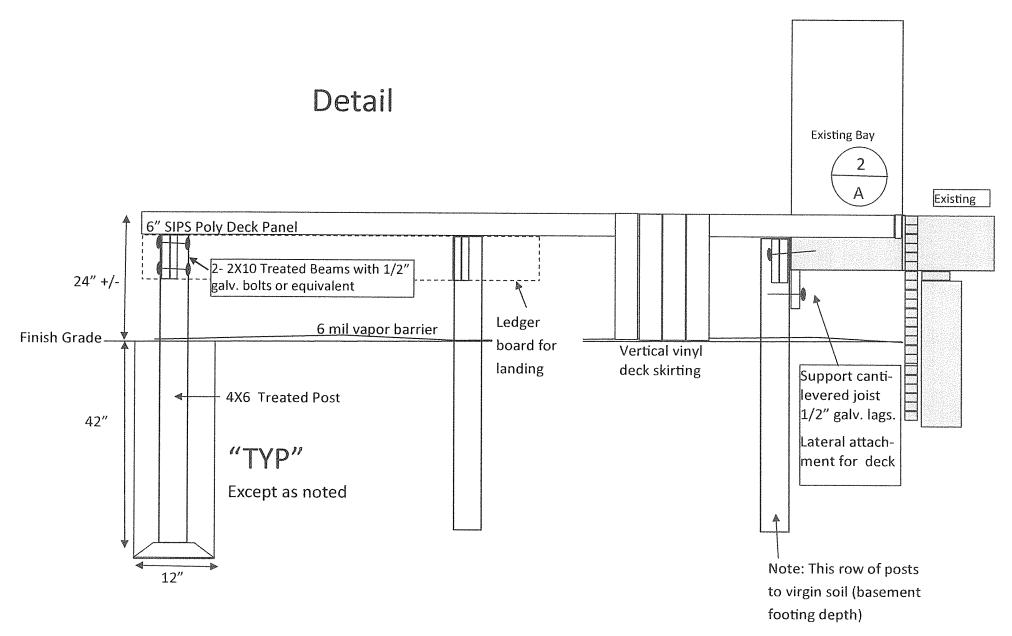








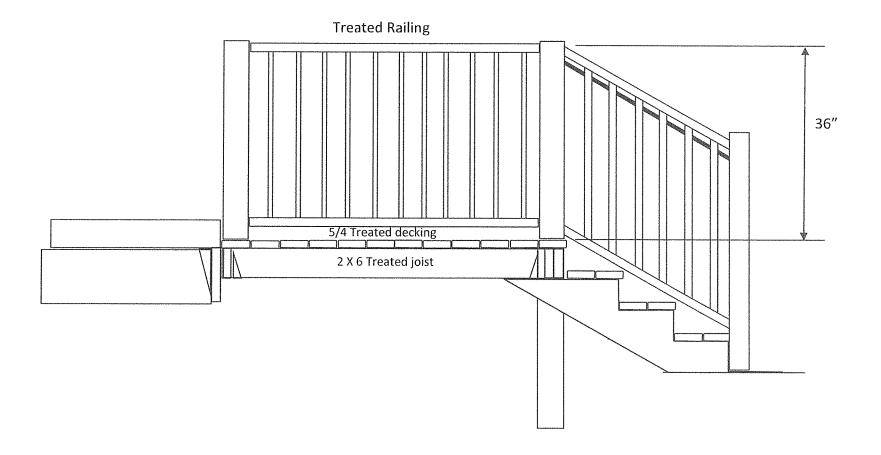
Job Address: 2227 Radcliffe Dr

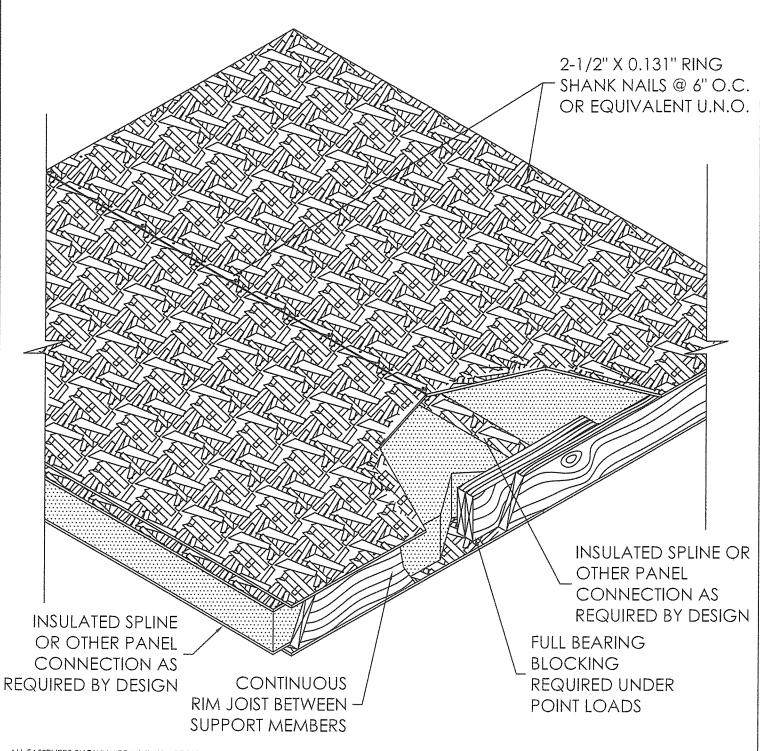


Job Address:

2227 Radcliffe Dr

Landing Detail





ALL FASTENERS SHOWN ARE MINIMUM REQUIREMENTS AND MAY BE CHANGED BY THE ENGINEER OF RECORD TO MEET DESIGN REQUIREMENTS.

CONSTRUCTION DETAILS MAY SHOW ITEMS THAT ARE NOT SUPPLIED BY PORTERCORP. FASTENING OF MATERIALS NOT SUPPLIED BY PORTERCORP IS THE RESPONSIBILITY OF THE INSTALLER. PLEASE CONTACT YOUR SALES REPRESENTATIVE IF YOU HAVE ANY QUESTIONS ABOUT YOUR ORDER.

SIP TAPE IS APPLIED TO THE PREDOMINATLY WARM SIDE OF THE JOINT, INSIDE IN NORTHERN, COLDER CLIMATES; OUTSIDE IN SOUTHERN, WARMER CLIMATES.

UNLESS OTHERWISE NOTED, ANY AND ALL LUMBER AND ENGINEERED LUMBER TO BE PROVIDED BY OTHERS.

SIP INSTALLER IS RESPONSIBLE FOR THE PROPER INSTALLATION OF PANELS.
THIS IS AN ENGINEERED SYSTEM. FAILURE TO FOLLOW ALL CONSTRUCTION DETAILS
AND INFORMATION IN FASTENER SCHEDULE WILL VOID THE PORTERSIP WARRANTY.
PLEASE CONTACT PORTERCORP WITH ANY QUESTIONS.

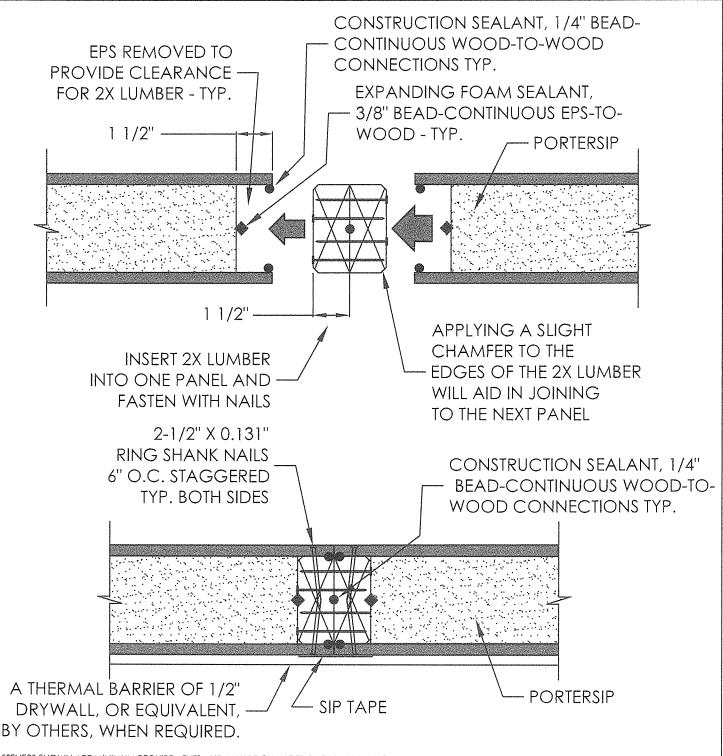
PORTERCORP

Manufacturers of PorterSIPS®

4240 N. 136th Ave Holland, MI 49424 phone. 616.399.1963 fax. 616.928.0076 F-8

FLOOR BLOCKING

CONFIDENTIAL DRAWING INFORMATION CONTAINED HEREIN IS THE PROPERTY OF PORTERCORP. DRAWING IS NOT TO BE COPIED OR DISCLOSED TO OTHERS WITHOUT THE CONSENT OF PORTERCORP.



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RTERCORP

Manufacturers of PorterSIPS®

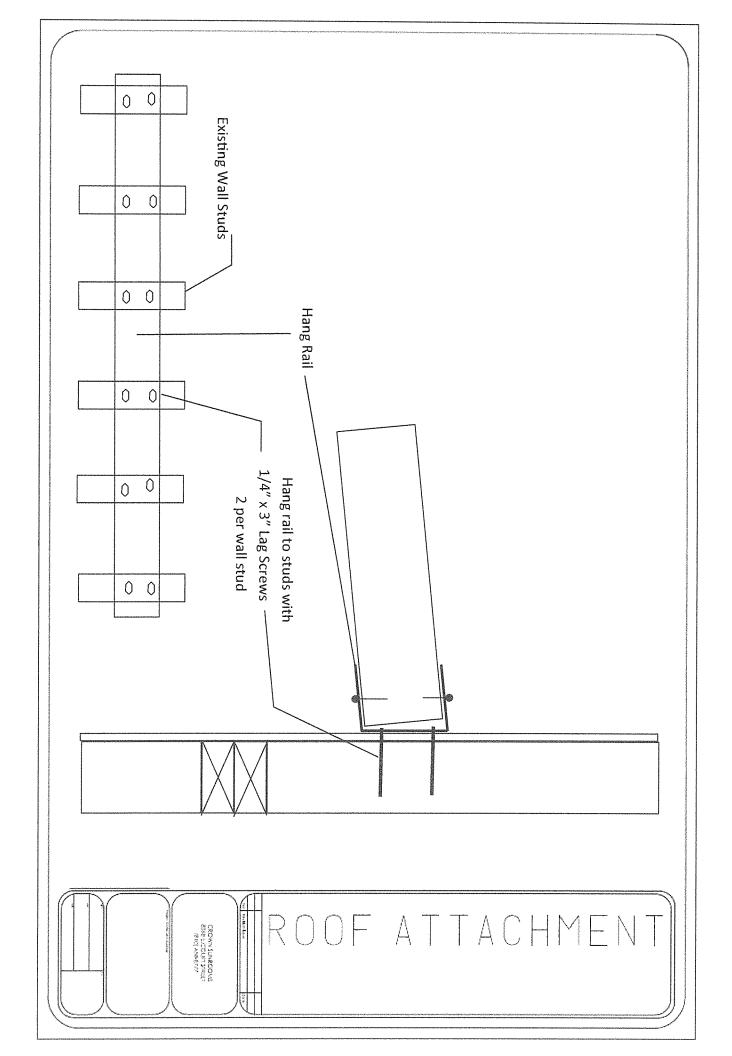
4240 N. 136th Ave Holland, MI 49424

phone, 616,399,1963 fax. 616.928.0076

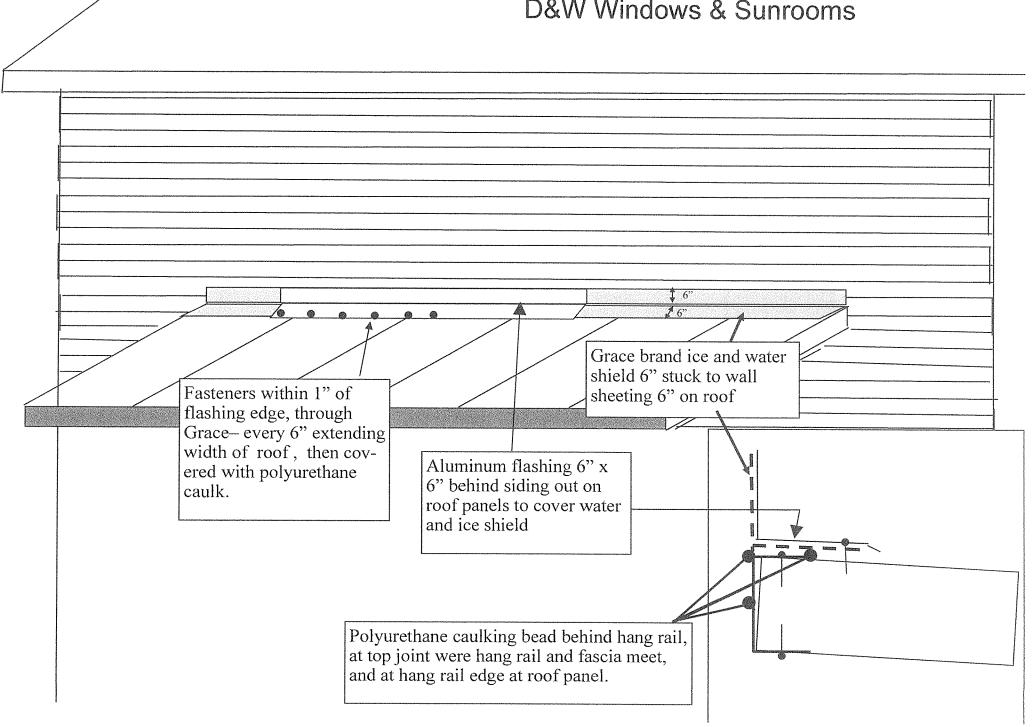
P-5

PANEL-TO-PANEL CONNECTION WITH DOUBLE LUMBER

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D&W Windows & Sunrooms



ROOF PANEL MAXIMUM SPAN TABLE

ROOF PANEL CONFIGURATION NO SHINGLES	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
NOSHINGLES			and the same of th	***************************************				Account to the second s		All Allifor market and a complete control of the
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	10.25FEET
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 FEFT
WITH SHINGLES								an and an angle of the second	Market Str	
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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 FEST
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	10.00FEET
6-INCH OVERALL - 0.032-INCH ALUMINUM - 211 DENSITY EPS FOAM	24.00 FEET	20.00 FEET	18.35 FEET	17.00 FEET	16.00 FEET	1.5.20 FEET	14.40 FEET	13.75 FEET	12.60 FEET	11.75 FEET

Newbury Ponte Condo Association

Property Owner: Swaminathan Palaniappan

Property Address: 2227 Radcliffe Dr, Troy MI 48085

Request: Add sunroom at the back of the house (12 long and 22 wide)

Any work will start only after the approval from Newbury Ponte Association and City of Troy. Construction company is responsible for all permits and meeting all city building codes.

Planned start date: TBD based on the approval from City of Troy

Planned end date: 3 weeks from the start date

Neighbor Approval (Yes/No): Tes

Name: KNOMING LI

Date: 7/6/2022

Address: 224 | Radolthe DR

Neighbor Approval (Yes/No):

Name: Muhammad S Ahmed

Date: 7/6/2022

Address: 2224 Radeleffe Sr.

oxed by NBP Assocition

(i- Treasurer NBP. July 6, 2022

2227 Radcliffe Dr - Backward – only the red part will be sunroom if approved.



Example picture:



Summer Cotton flying and getting in the face, mouth, and nose.



Cotton from the 5 Eastern cottonwood Trees. Three trees are in my neighbor's yard. In the summer these causes pollen allergies - symptoms include Sneezing, Nasal congestion, and Runny nose. These allergies are present for both of my children and grandmother. They are taking medicine for the allergies and I have early stages of asthma.





Plenty of area between my home and the home behind mine. More than 120 ft between houses.



Tommaso Caporuscio

From: Tommaso Caporuscio

Sent: Tuesday, August 2, 2022 2:27 PM

To: garym@dwwindows.com **Subject: Building Permit Application**

Attachments: Residential Setbacks - Article 4.pdf

Dear Mr. Minto,

Your Building Permit Application for the proposed sunroom located at 227 Radcliffe Dr. has been denied. This property is located within the R-1C zoning district; therefore per Article 4 of the City of Troy Zoning Ordinance, a minimum of 40 feet to the rear property line (rear-yard setback) must be maintained for all residential structures or any accessory-type structures in which the covered roofs attach to the main residential structure. Your proposed plans encroach within that setback.

If you wish, you may try to obtain a variance through the Zoning Board of Appeals, which meets once a month.

Sincerely,



Tom Caporuscio Deputy Building Official Commercial Plans Examiner City of Troy

O: 248.524.3374 F: 248.689.3120

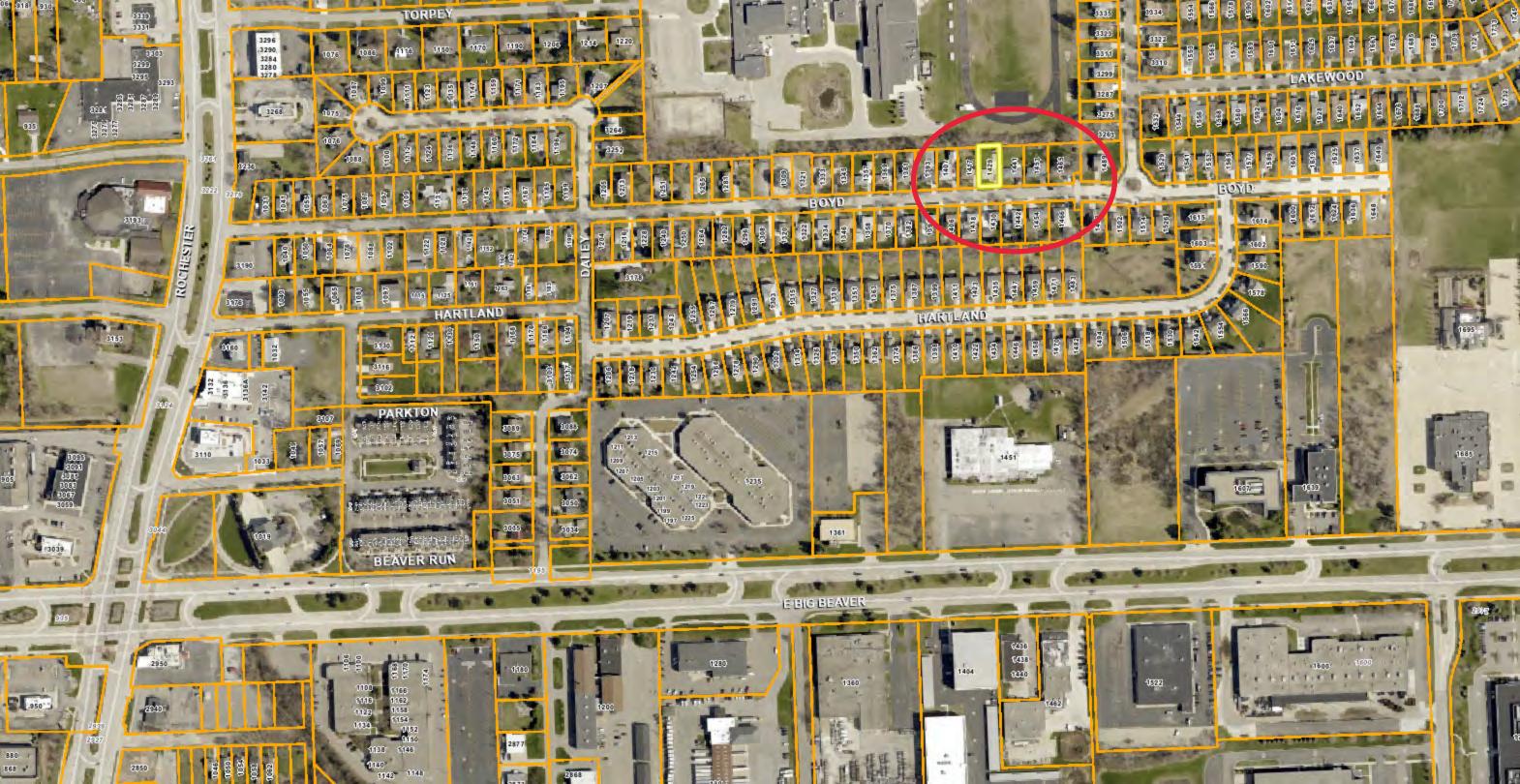






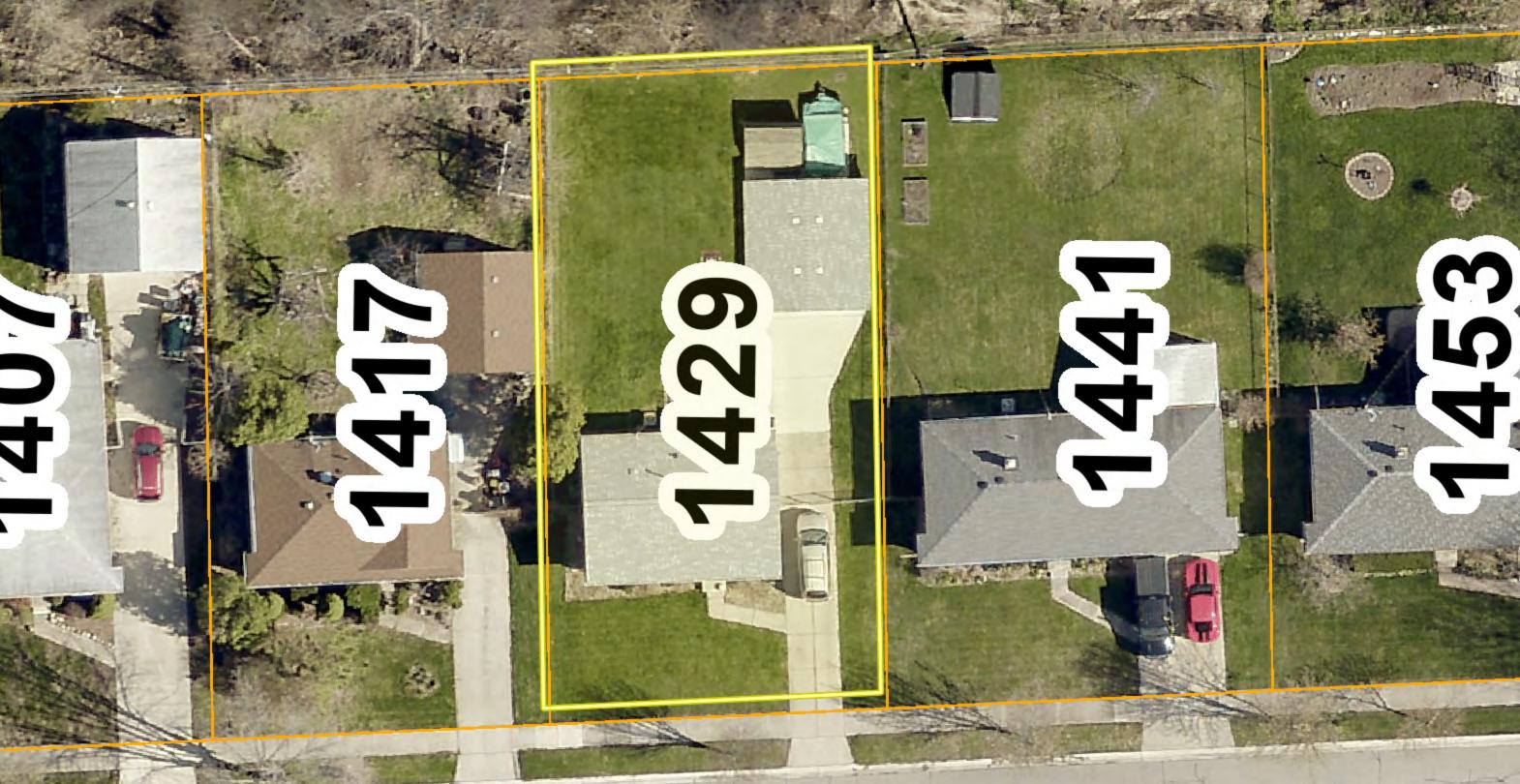
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ZONING ORDINANCE SECTION: 4.06, R-1E Zoning District, total of two side yard setbacks









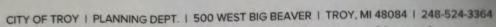


Zoning Board of Appeals Application

planning@troymi.gov | Fee \$150.00

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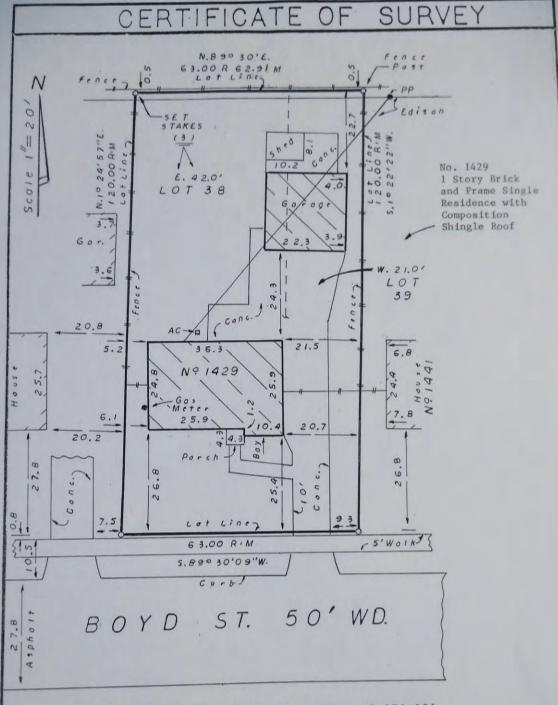
ADDRESS OF T	THE SUBJECT PROPERTY: 1429 Boyd St	
	AX IDENTIFICATION NUMBER(S): 88-20-23-376-031	
	INANCE SECTIONS RELATED TO THE REQUEST: R1-E	
4. HAVE THERE particulars: No	BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and	
5. APPLICANT: NAME David	id Jackson	
COMPANY_	1420 Pavd St	
	1429 Boyd St STATE MI ZIP 48083	
CITY Troy PHONE E-MAII dwj	248-866-1187	
	jackson194@gmail.com	
	ON TO THE PROPERTY OWNER: self	





Zoning Board of Appeals Application

6. PROPERTY OWNER:		
NAME David Jackson		
COMPANY		
ADDRESS 1429 Boyd St		
CITY Troy	STATE MI	ZIP_48083
TELEPHONE 248-866-1187		
E-MAIL dwjackson194@gmail.c	om	
The undersigned hereby declares under per of my (our) knowledge, information and belong the applicant accepts all responsibility application, attachments and/or plans, and consultants from any responsibility or liable. David Jackson STATEMENTS CONTAINED IN THE INFORMATION THE BOARD MEMBERS AND CITY STATEMENTS CONTAINED IN THE INFORMATION THE BOARD MEMBERS AND CITY STATEMENTS CONTAINED IN THE INFORMATION THE BOARD MEMBERS AND CITY STATEMENTS CONTAINED IN THE INFORMATION THE BOARD MEMBERS AND CITY STATEMENTS CONTAINED IN THE INFORMATION THE BOARD MEMBERS AND CITY STATEMENTS CONTAINED IN THE INFORMATION THE BOARD MEMBERS AND CITY STATEMENTS CONTAINED IN THE INFORMATION THE BOARD MEMBERS AND CITY STATEMENTS.	for all of the measurements and direction the applicant releases the City of Troy ility with respect thereto. APPLICANT) HEREBY DEPOSE AND MATION SUBMITTED ARE TRUE AND CONFERTORY TO ASC	mensions contained within this and its employees, officers, and SAY THAT ALL THE ABOVE DRRECT AND GIVE PERMISSION ERTAIN PRESENT CONDITIONS.
	7	
PROPERTY OWNER SIGNATURE		_DATE_9/30/2022
PRINT NAME: David Jack	2500	
Failure of the applicant or their authorized for denial or dismissal of the case with no hearing by mail. If the person appearing be must be presented to the Board. Approved variances are good for a one year.	refund of fees. The applicant will be no fore the Board is not the applicant or pr	otified of the time and date of the



LEGAL DESCRIPTION OF PROPERTY: ID # 88-20-23-376-031

East 42.0 ft. of Lot 38 and West 21.0 ft. of Lot 39, BEAVER RUN SUBDIVISION, part of S.W.1/4 of Section 23 and S.E.1/4 of Section 22, T2N-R11E, Troy Twp., now CITY OF TROY, Oakland County, Michigan. Plat recorded LIBER 46, PAGE 27, O.C.R.

Bearings in relation to N. Line of Subdivision.

I HEREBY CERTIFY that I have surveyed and mapped the property herein described; and that said survey was performed with a relative error of closure of no greater than 1 in 5000 and that all the requirements of P.A. 132, 1970 have been complied with.

Prepared For: David Jackson 248-866-1187



ORDER NO_

192143 DATEPE. 26, 2022 BY:



October 6, 2022

Dear Mr. Jackson,

This Building Permit Application is denied as presented with the following explanation:

Your property is located within the R-1E zoning district which requires side-yard setbacks (distance between the side property lines and the house) to be at a minimum of 5'-0", with a combined total of 15'-0" when considering both sides. The Certificate of Survey which you submitted indicates that the existing westerly side-yard setback is 6'-1" and the opposing existing easterly side-yard setback is 20'-8".

The proposed garage would attach to the house on the easterly side and is designed to be 14'-0" wide. This would encroach the side-yard property line to within 6'-8". Per the setback ordinance, the minimum encroachment is 8'-11" (based on the existing westerly setback at 6'-1"). Therefore "overencroachment" into the required side-yard setback is 2'-3" - this is cause for denial of the Building Permit Application as presented.

Please feel free to contact me if you would like to discuss this further.

Sincerely,



Tom Caporuscio Deputy Building Official Commercial Plans Examiner City of Troy

O: 248.524.3374 F: 248.689.3120









From: <u>David Jackson</u>
To: <u>Paul M Evans</u>

Subject: Fwd: ZBA Practical Difficulty for 1 car attached garage 1429 Boyd.

Date: Wednesday, October 5, 2022 5:42:13 PM

Attachments: Garage Plans-3.pdf

CAUTION: This email did not originate from within the City of Troy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Paul Evans,

Today I have talked to Tom in the building department at the City of Troy and he said that I will require a variance on my lot at 1429 Boyd St, Troy, MI 48083. Tom additionally stated today that he will forward the email to you in regards to his denial. I submitted payment today of \$150.00 for the ZBA process..PRACTICAL DIFFICULTY 1429 Boyd St.

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.

Answer

The width and area of the lot is smaller than the average houses in the R1-D zoning district.

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.

Answer

Not applicable. The proposed addition lot is within 2.5 feet of the required variance limits. The proposed garage addition to the adjacent property line will be less than 7" away and 14.5" from the adjacent structure. Consequently, from a fire safety point of view, this is not a hazard. To make the garage smaller would render it unusable. In addition, the proposed addition is consistent with other houses in the immediate area of the home.

c) The characteristics which make compliance with the dimensional requirements shall not be of apersonal nature.

Answer

This characteristics of this project are not of a personal nature. This is simply a matter of the sizes of the lots for this development..

d) The characteristics which make compliance with dimensional requirements difficult must not

have been created by the current or a previous owner.

The characteristics of the project that makes compliance difficult were created when this development was first approved by the City of Troy and subsequently built.

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.

Answer:

The proposed variance will not be harmful or alter the essential character of the area in which the property is located. It 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.

If this submission is not acceptable, please identify what I would need to do to meet the requirements. Thank you!

DABrazen Designs

Deborah Brazen 586-322-4785

LOT: 7.560sf

SQUARE FOOTAGE: FIRST FLOOR EXISITNG: 840 gsf PROPOSED ATTACHED GARAGE: 350 asf EXISTING GARAGE:440asf

NEW LOT COVERAGE ESTIMATED AT 21.3%

qsf = GROSS SQUARE FOOTAGE *ALL NUMBERS ESTIMATED

CONTRACTOR TO CONTACT MISS DIG 1-800-482-7171, 72 HRS PRIOR TO EXCAVATION

CONTRACTOR MUST INSTALL SOIL EROSION PROTECTION PRIOR TO ISSUANCE OF PERMIT. MAINTAIN DURING CONSTRUCTION.

GENERAL CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL OFF-SITE UTILITY CONNECTIONS AND THEIR LEADS, AND INSTALLING THEM INTO NEW BUILDING. CONTRACTOR TO ATTAIN ALL REQ'D PERMITS TAP FEES. COORDINATE ALL REQ'D SLEEVES AT FOOTINGS OR FOUNDATION WALLS.

GENERAL CONTRACTOR MUST REVIEW SITE PRIOR TO SUBMITTING ESTIMATE TO REVIEW EXISTING SITE CONDITIONS. GENERAL CONTRACTOR MUST PROVIDE 'STAKE OUT' OF FOOTPRINT BY REG. LAND SURVEYOR. GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVAL OR PROTECTION OF ALL TREES AND VEGETATION AT HOUSE AS DIRECTED BY OWNER.

EXACT PLACEMENT (STAKE-OUT) TO BE APPROVED BY OWNER PRIOR TO EXCAVATION.

GENERAL CONTRACTOR MUST 'GRUB' SITE AS REQUIRED AND SAVE ALL TOP SOIL. REMOVE EXCESS DIRT AND SPOILS.

ANY HIDDEN CONDITIONS DISCOVERED DURING CONSTRUCTION INCLUDING BUT NOT LIMITED TO INADEQUATE SOILS IS TO BE REPORTED IMMEDIATELY AND CONSTRUCTION IN THE AFFECTED AREA HALTED.

DEWATERING: PREVENT SURFACE WATER AND SUBSURFACE OR GROUND WATER FROM FLOWING INTO EXCAVATIONS AND FROM FLOODING PROJECT SITE. REMOVE WATER TO PREVENT SOIL CHANGES DETRIMENTAL TO STABILITY OF SUBGRADES AND FOUNDATIONS. PROVIDE AND MAINTAIN PUMPS AND OTHER DEWATERING SYSTEM COMPONENTS NECESSARY TO CONVEY WATER AWAY FROM EXCAVATIONS. DO NOT USE TRENCH EXCAVATIONS AS TEMPORARY DRAINAGE DITCHES.

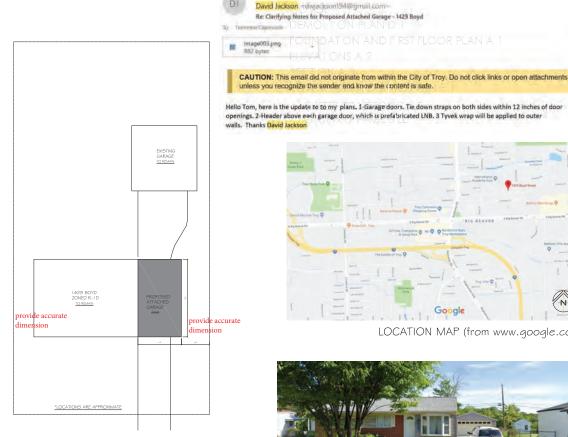
CONTRACTOR SHALL PROVIDE SOIL BORINGS TO VERIFY THE EXACT MAKE-UP AND COMPRESSIVE STRENGTH OF SOILS PRIOR TO ANY FIELD WORK OR EXCAVATIONS

JACKSON RESIDENCE

Reply Reply All Forward

FIT BAZEF20222 JELEN OF DRAWINGS:

1429 BOYD STREET, TROY, MI **GARAGE ADDITION**





LOCATION MAP (from www.google.com)





FRONT ELEVATION

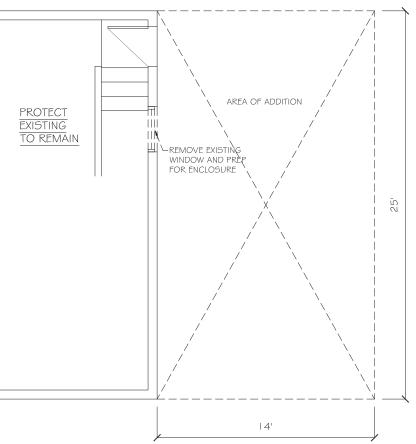
DEMOLITION NOTES:

- I. GENERAL CONTRACTOR MUST VERIFY ALL EXISTING UTILITY LOCATIONS PRIOR TO START OF DEMOLITION AND MUST MAKE EVERY EFFORT TO PROTECT THEM OR RELOCATE AS REQUIRED. DISCONNECT AND RELOCATE/UPGRADE AS REQUIRED.
- 2. GENERAL CONTRACTOR MUST VISIT SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS PRIOR TO SUBMITTING FSTIMATE.
- 3. GENERAL CONTRACTOR MUST OBTAIN ALL REQUIRED PERMITS, BONDING, AND INSURANCES (WORKERS, VEHICLES, GENERAL PROPERTY). PROVIDE VERIFICATION TO OWNER.
- 4. GENERAL CONTRACTOR MUST MAINTAIN A SAFE, CLEAN WORKSITE. MUST KEEP STREET FREE OF DEBRIS AND DISPOSE OF ALL DEBRIS IN A TIMELY, LEGAL MANNER. STAGING OF MATERIALS MUST BE CONTAINED ON SITE. WORKMAN'S PARKING MUST BE DONE IN A LEGAL MANNER AS TO NOT ADVERSELY AFFECT THE FACILITIES OPERATIONS OR THE SURROLUNDING NEIGHBORS.
- 5. GENERAL CONTRACTOR MUST OBTAIN AUTHORIZATION BY OWNER FOR ANY EXTERIOR METER LOCATIONS AND COORDINATE WITH UTILITY COMPANIES. PROVIDE SCREENING AS REQ'D BY LOCAL ORDINANCE.
- 6. ALL WORK MUST CONFORM TO ALL STATUTES OF THE CURRENT LOCAL BUILDING CODE (EDITION IN EFFECT AT THE TIME OF PERMIT), ALL STATE, COUNTY AND LOCAL ORDINANCES AND CURRENT BARRIER FREE REGULATIONS. IF DISCREPANCIES IN DRAWINGS APPEAR, WORK MUST BE PERFORMED PER CODE.
- 7. GENERAL CONTRACTOR IS RESPONSIBLE TO PROVIDE AND MAINTAIN ALL TEMPORARY FACILITIES. ELECTRICAL SERVICE, HEATING UNITS, WEATHER PROTECTION, TOILET UNIT, FIRE EXTINGUISHERS, CRUSHED CONCRETE STAGING DRIVE, SAFETY BARRICADES AND SIGNAGE.
- 8. ALL UTILITIES TO BE CUT, CAPPED, LABELED AND RELOCATED AS REQUIRED.
- 9. VERIFY ALL POINTS OF EXIST. BEARING AND PROVIDE TEMPORARY SUPPORT/
 SHORING AS REQ'D UNTIL ALL EXISTING BEARING CONDITIONS ARE INSTALLED AND TRANSFERRED TO PERMANENT SUPPORT. VERIFY CAPACITY OF EXIST. LOAD CARRYING MEMBERS.

- IO. PROTECT EXISTING FACILITIES ON OWNERS PROPERTY IN A MANNER AS TO NOT ADVERSELY AFFECT THE FACILITIES OPERATIONS AND ADJOINING PROPERTY.
- II. PROVIDE BRACING AND SHORING AS REQUIRED TO MAINTAIN SIDES AND TO PROTECT ADJACENT STRUCTURES. PROVIDE BARRICADES/WARNING LIGHTS AS REQUIRED BY LOCAL AUTHORITIES.
- 12. THE BUILDING DESIGN ENGINEER/ DESIGNER ASSUMES NO RESPONSIBILITY FOR THE DESIGN OR PROPER INSTALLATION OF TEMPORARY BUILDING BRACING OR SHORING REQUIRED TO REMOVE THE DESIGNATED PORTION OF THE PROJECT. THE CONTRACTOR AND HIS ENGINEER ARE RESPONSIBLE FOR THE DESIGN AND PROPER INSTALLATION OF ALL TEMPORARY SHORING/ BRACING REQUIRED FOR A SAFE AND STRUCTURALLY SOUND PROJECT. THE CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGES INCURRED DUE TO IMPROPER SHORING AND BRACING DURING THE CONSTRUCTION PROJECT. ACCEPTANCE OF THE CONSTRUCTION PROJECT BY THE CONTRACTOR IS PROOF OF ACCEPTANCE OF THE ABOVE MENTIONED ITEMS.
- 13. FIELD MODIFICATIONS OR CUTTING OF PRE-ENGINEERED TRUSSES/ STL BAR JOISTS IS STRICTLY PROHIBITED WITHOUT EXPRESSED PRIOR WRITTEN CONSENT AND DETAILS FROM A LICENSED PROFESSIONAL STRUCTURAL ENGINEER EXPERIENCED IN TRUSS/ BAR JOIST DESIGN AND MODIFICATIONS.
- 14. DISPOSE OF EXCESS MATERIALS AND DEBRIS IN A LEGAL MANNER. PROVIDE TEMPORARY SUPPORT/ BRACING AND ENCLOSURE AS REQUIRED.
- 15. IN-ORGANIC MATERIAL SHALL NOT BE LEFT TO BE COVERED WITH NEW BACKFILL.
- I 6. BACKFILL EXCAVATIONS AS PROMPTLY AS WORK PERMITS. USE GRANULAR SOIL MATERIAL. DO NOT BACKFILL AGAINST UNBRACED WALLS. IF BACKFILLING OPERATIONS ARE TO OCCUR PRIOR TO NEW WALL CONSTRUCTION, CONTRACTOR MUST TEMPORARILY SHORE AND BRACE ACCORDINGLY.
- 17. GRADING: UNIFORMLY GRADE AREAS AS INDICATED. GRADE AREAS ADJACENT TO BUILDING LINES TO DRAIN AWAY FROM STRUCTURE AND TO PREVENT PONDING (5% SLOPE MAXIMUM VERIEV. IN FIELD) ALLOW FOR 4" PLACEMENT OF TOPSOIL. PROVIDE NEW SUB-GRADE DRAINAGE AND CATCH BASINS AS REQ'D TO PROVIDE ADEQUATE ON-SITE DRAINAGE.
- I 8. CONTRACTOR TO PATCH, REPAIR AND/OR REPLACE ANY EXISTING CONSTRUCTION DAMAGED DURING OR DUE TO RENOVATION WITH MATERIALS AND FINISHES TO MATCH EXISTING ADJACENT MATERIAL/ FINISH

SCOPE OF DEMOLITION:

PREP AREA ADJACENT TO HOUSE FOR NEW GARAGE ADDITION.



DABrazen Designs

Deborah Brazen 586-322-4785

PROJECT

Jackson Residence

Garage Addition

1429 Boyd Street Troy, MI

SHEET TITLE

DEMOLITION PLANS

DATE

05-20-22 95% OWNER REVIEW 05-26-22 BIDS & PERMITS

DO NOT SCALE DRAWINGS USE FIGURED DIMENSIONS ONLY

SHEETS PRINT TO SCALE ON 11x17 PAGE SIZE

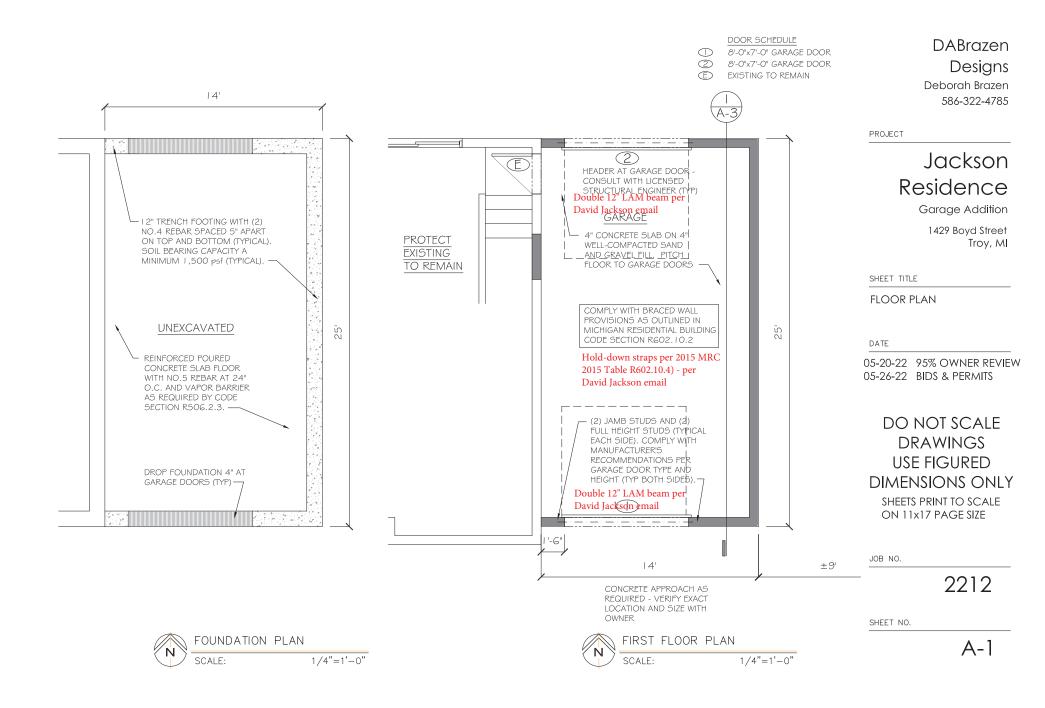
JOB NO.

2212

SHEET NO.



D-1



DABrazen Designs

Deborah Brazen 586-322-4785

SHEET NO.

A-2

PROJECT Jackson INSTALL VENTS AS REQUIRED TO PROVIDE Residence ADEQUATE VENTILATION Water-resistive barrier required under EXISTING ROOF TO REMAIN Garage Addition exterior wall covering (vinyl siding) per ASPHALT SHINGLES OVER 30 LB. 2015 MRC sec R703.2. - per David 1429 Boyd Street BUILDING PAPER OVER 2" EXTERIOR OSB WITH 36" Jackson email. Troy, MI SELF-ADHERING WATERPROOF UNDERLAYMENT AT EAVES AND VALLEYS. MATCH EXISTING STYLE SHEET TITLE AND COLOR. REMOVE ADJACENT SHINGLES AS REQ'D TO **ELEVATIONS** 'FEATHER' IN NEW. DATE 05-20-22 95% OWNER REVIEW DOWNSPOUTS AND TRIM TO MATCH 05-26-22 BIDS & PERMITS EXISTING -SIDING TO MATCH DO NOT SCALE EXISTING -**DRAWINGS** FIRST FLOOR LINE **USE FIGURED** ASSUMED GROUND LINE DIMENSIONS ONLY SHEETS PRINT TO SCALE 12" x 42" TRENCH ON 11x17 PAGE SIZE FOOTING STEP FOOTING JOB NO. DOWN TO EXISTING 2212

REAR ELEVATION

1/4"=1'-0"

SCALE:

SIDE ELEVATION

1/4"=1'-0"

SCALE:

DABrazen Designs

Deborah Brazen 586-322-4785

PROJECT

Jackson Residence

Garage Addition

1429 Boyd Street Troy, MI

SHEET TITLE

SECTION

DATE

05-20-22 95% OWNER REVIEW 05-26-22 BIDS & PERMITS DATE

DO NOT SCALE DRAWINGS USE FIGURED DIMENSIONS ONLY

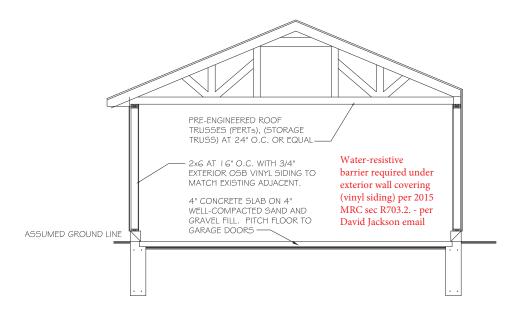
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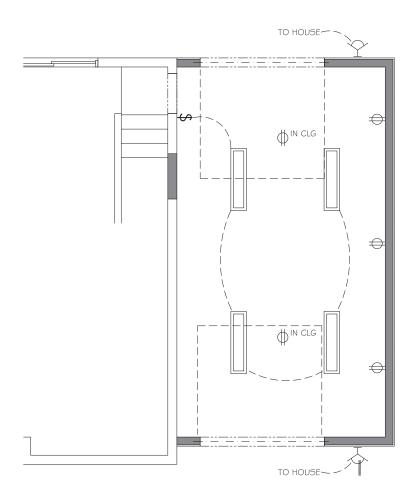
SHEET NO.

A-3



SECTION

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



FIRST FLOOR PLAN

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

POWER/LIGHTING LEGEND

NOTE: VERIFY ALL FIXTURES WITH OWNER PRIOR TO INSTALLATION

WALL-MOUNTED FIXTURE

CEILING FAN WITH INTEGRAL LIGHTING FIXTURE; SWITCH FAN AND LIGHT SEPARATELY

- CEILING-MOUNTED FIXTURE

O RECESSED LIGHTING

DUPLEX OUTLETQUAD OUTLET

→ GFI OUTLET

\$ SWITCH

D ON DIMMER

DABrazen Designs

Deborah Brazen 586-322-4785

PROJECT

Jackson Residence

Garage Addition

1429 Boyd Street Troy, MI

SHEET TITLE

FIRST FLOOR POWER AND ELECTRICAL PLAN

DATE

05-20-22 95% OWNER REVIEW 05-26-22 BIDS & PERMITS

DO NOT SCALE DRAWINGS USE FIGURED DIMENSIONS ONLY

SHEETS PRINT TO SCALE ON 11x17 PAGE SIZE

JOB NO.

2212

SHEET NO.

E-1

CITY OF TROY MICHIGAN PUBLIC NOTICE ZONING BOARD OF APPEALS

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

2023 ZONING BOARD OF APPEALS MEETING DATES

July 18

August 15

March 21 April 18 May 16 June 20	September 19 October 17 November 21 December 19			
All meetings 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.).				
	Doul Evens, Zoning and Compliance Specialist			
	Paul Evans, Zoning and Compliance Specialist			
Posted:				
•				

<u>NOTICE:</u> 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

January 17

February 21