

A regular meeting of the Board of Zoning Appeals was called to order at 7:30 p.m. on May 16, 1989 by the Chairman, Carmelo Milia.

PRESENT: Peter Dungjen
John Lovio
Carmelo Milia
Sherwood Shaver
James Starr
J. Charles Swindell

ABSENT: James Giachino

ITEM #1. Approval of April 18, 1989 Minutes.

Motion by Shaver
Supported by Starr

MOVED, to approve the April 18, 1989 minutes as written.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO APPROVE CARRIED.

ITEM #2. RENEWAL REQUESTED: Jack Christenson, Inc. Realtors, 2280 W. Big Beaver Road, for relief of the 6 foot high masonry screening wall required along the north property line.

Mr. VandenBussche explained that the petitioner is requesting renewal of relief for a 6 foot high masonry screening wall required along the north property line of the site adjacent to residential zoning. This relief was originally granted in the 1970's, primarily due to the fact that the adjacent residential land to the north contained a large retention pond. Conditions remain the same and we have no objections or complaints in the file regarding this request.

Jack Christenson was present and had nothing to add.

Motion by Lovio
Supported by Swindell

MOVED, to renew the variance request of Jack Christenson, 2280 W. Big Beaver Road, for relief of the 6 foot high masonry screening wall required along the north property line, based on the following:

1. Conditions remain the same.
2. There are no complaints or objections on file.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

ITEM #3. RENEWAL REQUESTED: Troy Christian Chapel, 400 E. Long Lake Road, for relief of the 4'6" masonry screening wall required along the west property line.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, in regard to a 4'6" masonry screening required along a portion of their west property line. The original relief was granted, based on the fact that the petitioner would install a berm and landscaping in lieu of this wall. The church has completed this berm and landscaping and it complies with the requirements set forth by the board in the original approval. We have no objections or complaints in our file regarding this request.

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ITEM #3.

Jacob Sternman, Associate Pastor, was present and had nothing further to add.

Motion by Shaver
Supported by Dungjen

MOVED, to grant Troy Christian Chapel, 400 E. long Lake, renewal of their variance for relief of the 4'6" masonry screening wall required along the west property line, based on the following:

1. There are no objections on file.
2. Conditions remain the same.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

ITEM #4. RENEWAL REQUESTED: Clark Oil and Refining Corporation, 3400 Rochester Road, for relief of the 6 foot high masonry screening wall required along the east and a portion of the north property lines.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, to maintain a 6 foot wood fence in lieu of a 6 foot masonry wall required at their east and a portion of their north property line at this site. The site is located at the northeast corner of Rochester and Charrington and the original variance was granted in 1985, based on the preference of the adjacent owners to have the wood fence and landscaping in lieu of the masonry wall. Conditions remain the same and we have no objections or complaints in our file.

Max Kennedy, Construction Supervisor for Clark Oil was present and had nothing to add.

Motion by Dungjen
Supported by Lovio

MOVED, to grant Clark Oil and Refining Corporation, 3400 Rochester Road, renewal of their variance for relief to maintain a 6 foot high fence, in lieu of a 6 foot high masonry screening wall, along their east and a portion of their north property line, based on the following:

1. There are no objections or complaints on file.
2. The variance is not contrary to public interest.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

ITEM #5. RENEWAL REQUESTED: 19 John R. Company, 5895 John R., for relief of the 6 foot high masonry screening wall required along the south and west property lines.

ITEM #5.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, for a 6 foot high masonry screening wall required along the south and west property lines. This variance has been granted on a yearly basis since 1982, primarily based on the fact that the abutting property to the south is owned by the petitioner and there is a natural screening of trees along the two residential property lines. Conditions remain the same to the west, but a child care (nursery school) is under construction to the south.

The necessity of a wall along the south property line was discussed. Mr. Leske indicated that he feels that a wall abutting the fence of the nursery school or fence adjacent to another fence serves no purpose. The Board also discussed not issuing a certificate of occupancy to the child day care center until there was some type of resolution on the screening wall.

Motion by Lovio
Supported by Dungjen

MOVED, to grant 19-John R. Company, 5895 John R. renewal of their variance for relief of the masonry screening wall required along the west property line and deny the variance renewal for relief of the masonry wall required along the south property line, based on the following:

1. The conditions remain the same along the west property line.
2. The conditions to the south have changed.

Yeas: 5
Nays: 1- Shaver
Absent: 1- Giachino

MOTION TO RENEW VARIANCE ON WEST PROPERTY LINE FOR ONE YEAR CARRIED.

MOTION TO DENY VARIANCE RENEWAL FOR SOUTH PROPERTY LINE CARRIED.

ITEM #6. RENEWAL REQUESTED: Schenck Pegasus, 2890 John R., for relief of the 6 foot high masonry screening wall required along the north and east property lines.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, in regard to a 6 foot high masonry screening wall required along the east property line and a portion of the north property line of their site that abuts residential zoning. This relief has been granted on a yearly basis since 1969, primarily due to the fact that the residential land is undeveloped and mostly owned by the petitioner. Conditions remain the same and we have no objections or complaints on file regarding this request.

Joel Vogel was present and had nothing to add.

Motion by Swindell
Supported by Starr

MOVED, to grant Schenck Pegasus, 2890 John R. renewal of their variance for relief of the 6 foot high masonry screening wall required along the north and east property lines, based on the following:

1. Conditions remain the same.
2. There are no objections or complaints on file.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

- ITEM #7. RENEWAL REQUESTED: Atina Construction, 1841 Birchwood, for relief to maintain an outdoor storage area screened by a fence in lieu of a masonry screening wall and at a 25 foot setback where 50 feet is required.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, to maintain an outdoor storage area setback 25 feet from the Vermont Street Right-Of-Way and also be allowed to screen this outdoor storage area with a fence. This relief was originally granted in May of 1984, primarily because the Vermont frontage is not a developed street and the lots were shallow. Therefore, causing the petitioner not to be able to provide reasonable use of the land if the required setback were adhered to. Vermont Street is designed to be vacated and the request was deemed to be reasonable at the time. Conditions remain the same and we have no objections or complaints in file regarding this site.

Frank Vella was present and had nothing to add.

Motion by Shaver
Supported by Dungjen

MOVED, to grant Atina Construction, 1841 Birchwood, renewal of the variance granted for relief to maintain an outdoor storage area screened by a fence in lieu of a masonry screening wall and relief to maintain a 25 foot setback where 50 feet is required, based on the following:

1. The conditions remain the same.
2. There are no objections or complaints on file.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

- ITEM #8. RENEWAL REQUESTED: Fellowship United Methodist Church, 4050 Coolidge, for relief of the 4'6" masonry screening wall required along the north property line.

Mr. VandenBussche explained that the petitioner has obtained a variance on a yearly basis in regard to a 4'6" masonry screening wall required along the north and east property line of their site. A subdivision is now being developed on the land that surrounds this church site and the required wall is now under construction. Therefore, action on this request is not required since compliance is eminent.

No action taken.

- ITEM #9. RENEWAL REQUESTED: North Metro Free Methodist Church, 1349 W. Wattles, for relief of the requirement to hard surface the parking lot and access drive.

Mr. VandenBussche explained that the petitioner requesting renewal of a relief granted, by this board, to maintain a temporary gravel parking lot and access drive to the church. The Zoning Ordinance requires that all off-street parking areas and access drives be surfaced with either concrete or asphalt. This variance was originally granted to a different petitioner as they had plans to construct a second phase of the church, at which time they would install hard surface parking. Three years ago the church changed hands and the new owner wishes to continue the variance since their plans are similar to the previous church and they would be expanding also. We have had no objections or complaints on file regarding this request for renewal. At the time of the renewal in 1988 a condition of the renewal would be that dust control be provided for these parking and drive areas.

ITEM #9.

Ed Fauth was present and had nothing to add. The board questioned dust control and Mr. Fauth stated that they would provide dust control again this year. The board inquired as to a plan for expansion and Mr. Fauth stated that they did not have definite plans at this time, financially they can not expand at this time because of their growth rate.

Motion by Lovio
Supported by Dungjen

MOVED, to grant North Metro Free Methodist Church, 1349 W. Wattles Road, renewal of their variance for relief of the hard surface parking lot and access drive, based on the following:

1. The conditions remain the same.
2. The variance is granted with the stipulation that dust control be provided within the guidelines prescribed by the City.

Yeas: 5
Nays: 1- Starr
Absent: 1- Giachino

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

ITEM #10. RENEWAL REQUESTED: Bellemead of Michigan, 5875 New King,
for relief of the 6 foot high masonry screening wall
required along the west property line.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, in regard to a 6 foot high masonry screening wall required along their west property line that abuts residential zoning. This relief was originally granted in 1988, based on the fact the petitioner had installed a berm in lieu of the wall and the adjacent residential properties approved of this alternate screening. Conditions remain the same and we have no objections or complaints on file. This item was tabled at our last regular meeting to allow the petitioner to be present.

Ken Strobel, Senior Vice President, was present and stated that the berm is just about complete, the trees have been planted, the grading is being done and it should be seeded by the end of the month.

Motion by Shaver
Supported by Swindell

MOVED, to grant Bellemead of Michigan, 5875 New King, renewal of their variance for relief to maintain a landscaped berm, in lieu of a 6 foot high masonry screening wall, along their west property line, based on the following:

1. Conditions remain the same.
2. There are no complaints on file.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

ITEM #11. VARIANCE REQUESTED: David Weaver, 973 Elmsford (proposed
address), for relief of the front yard setback.

ITEM #11

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a light industrial building and the plan indicates that the building will be located 30 feet from the front property line. The Zoning Ordinance requires a minimum 50 foot front setback in this industrial zoned district. This request appeared before the board at a previous meeting this year. At that time the request was denied. The petitioner revised the site plan to setback the building an additional 5 feet and is requesting the board to consider the relief based on this revision. This item was tabled at our last regular meeting to allow the petitioner the benefit of a full board.

Motion by Lovio
Supported by Shaver

MOVED, to re-hear the request.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION CARRIED.

Mr. MacInnis of Oni Development and David Weaver were present. Mr. MacInnis showed the board a aerial photo of the area and stated that there is a hardship developing the lots in that entire area. The area was originally a residential subdivision developed in the 1930's with small lots for small homes. Because the lots range from only 120 feet in depth to 140 feet in depth, which is shallow for industrial lots, there are similar variances granted for the area.

There were 5 letters of approval that were filed since the last meeting. Thomas R. Elwood, 969 Badder - Wilma King, 934 Elmwood - Harry Fowler, 931 Rankin - Edwin Russ, 985 Badder - P. Neilson, owner of 992 Rankin.

Motion by Swindell
Supported by Shaver

MOVED, to grant David Weaver, 973 Elmwood, a variance, as requested, for relief of the front setback - 30 feet where 50 feet is required, based on the following:

1. There is a practical difficulty in developing the lots as industrial because they are shallow as compared to other industrial areas.
2. It would benefit the city to have the area developed.
3. The variance is not contrary to public interest.

Yeas: 5
Nays: 1- Starr
Absent: 1- Giachino

MOTION TO APPROVE REQUEST CARRIED.

ITEM #12. VARIANCE REQUESTED: Tom Christenson, 343 E. Maple Road, for relief of the front and side yard setbacks and relief of the 5 foot wide sidewalk required between the building and driveway.

ITEM #12

Mr. VandenBussche explained that the petitioner is requesting permission to convert a single family home to an office use. The existing home has a front setback of 14.5 feet and side yard setbacks of 10 feet and 16 feet. The Zoning Ordinance requires that in an office district, the building must setback 30 feet from the front and have a minimum 20 foot side yard setback on each side. The plans also shows there will be a 3 foot sidewalk between the building and the vehicular use area to the west. The Zoning Ordinance requires a minimum 5 foot wide sidewalk for this buffer. This item was heard previously, by the board, and at that time the request included a two-way drive at the west side of the building that did not meet the width requirement of the ordinance. The Board denied this request and now the petitioner has revised the site so that this drive is a one-way drive and they are now planning to exit the building onto Kirkton Street, which lies to the east. This item was tabled at the last regular meeting to allow the petitioner the benefit of a full board.

Tom Christenson was present and stated that he purchased the property to convert it to non-residential, citing that it would be an improvement over what is there at present. Mr. Christenson stated that he also purchased the property to the rear to provide a two-way drive, thus eliminating a variance on the drive width. He cited that the setbacks are existing and to build a structure that met setbacks, it would be limited to 11 feet in width. He is proposing a 2 foot variance request in the width of the sidewalk for 40 feet of the building.

Cynthia and Lawrence Wilsher, 369 E. Maple Road, were present and objected to the variance indicating that Mr. Christenson knew that the property could not meet the requirements of the code when he purchased it, thus creating his own hardship. They feel that it was not the intent of the master plan when the property was re-zoned to convert all the small homes into non-residential - that intent was to develop the area in a commercial manner that met the codes and ordinances.

Motion by Dungjen
Supported by Starr

MOVED, to deny the request of Tom Christenson, 343 E. Maple Road, for relief of the front and side yard setbacks and relief of the sidewalk width 3 feet where 5 feet is required, based on the following:

1. The petitioner has not demonstrated a sufficient practical difficulty or hardship.
2. The variance is contrary to public interest.
3. To grant the variance does not follow the intent of the City's Master Plan for commercial zoning.

Mr. Starr added the fact that the development as proposed, creates a negative effect to the health, safety and welfare of the citizens of Troy in traffic congestion, and that cars would try to exit onto Maple Road rather than Kirkton.

Yeas: 5
Nays: 1- Swindell
Absent: 1- Giachino

MOTION TO DENY REQUEST CARRIED.

ITEM #13. VARIANCE REQUESTED: First United Methodist Church, 6363 Livernols, for relief of the 4'6" masonry screening wall required along the north, south and west property lines.

ITEM #13

Mr. VandenBussche explained that the petitioner is requesting to expand an existing church facility. As part of this expansion, the Zoning Ordinance requires a 4'6" masonry screening wall where their parking lot abuts residential on the north, south and west property lines. The plan does not show these masonry screening walls and they are requesting relief of these screening walls required by the ordinance.

William Mercier, Pastor and Robert Carey, representative, of Joel Garrett, petitioner for the church, were present. Mr. Carey stated that the area in question is well screened by trees and to construct a wall, especially along the northern line, would result in removal of trees and possibly causing root damage to others. Mr. Carey stated that they had contacted neighbors on either side and they had no objections to the variance.

The chairman opened the public hearing.

Cordel Craig, 6504 Fredmoor, was present and had no objection, indicating that he preferred the natural screening.

Kevin Wixted, 6484 Fredmoor, was present and questioned the parking lot expansion and neither approved or objected to the variance.

Pastor Mercier stated that any further addition to the parking lot would be more to the front of the property, thus further away from the properties to the west.

There were no further comments from the audience.

The chairman closed the public hearing.

There were 4 approvals on file: Darrel Lemar 110 Aspinwall - Michael and Chris M. Curtis, 6315 Livernois - Susan McMillan, 50 Aspinwall, Daniel P. Lane, 6401 Livernois.

Motion by Lovio
Supported by Shaver

MOVED, to grant First United Methodist Church, 6363 Livernois, a one year renewable variance for relief of the 4'6" masonry screening wall required along the north, south and west property lines, based on the following:

1. The variance will not cause an adverse effect to property owners in the immediate vicinity or zoning district.
2. No useful purpose would be served by strict enforcement of the ordinance.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO APPROVE REQUEST FOR ONE YEAR CARRIED.

ITEM #14. VARIANCE REQUESTED: David Vettese, 6764 Norton, for relief to exceed the square foot area allowed for an accessory building.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a 30'x40' detached garage. The Zoning Ordinance requires that accessory buildings not exceed more than one-half of the ground floor area of the main structure (house) or 600 square foot. The maximum area of accessory buildings for this site would be limited to 600 feet and the petitioner is requesting relief to construct 1200 square feet.

ITEM #14.

David Vettese was present and indicated that he needs the area for storage for his boat, car and other objects. He does plan to add to the home within approximately two years, increasing the ground floor area of the main structure.

The chairman opened the public hearing.

Lydia Vettraino, 6778 Norton, who lives next door and was representing 5 other neighbors, was present and objected to the variance, indicating that he already has construction equipment stored on the property and feels the oversized garage is just to bring in more equipment or to be used as non-residential.

There were no further comments from the audience.

The chairman closed the public hearing.

There were 4 letters of approval on file: Kenneth W. Winkler, 6729 Norton - Edward Hahn, 6730 Norton - Kenneth W. VanFleteren, 595 Lovell Gerry and Georgia Lyon, 6809 Norton.

There were 6 letters of objection on file: Giovanni Vettrino, 667 Lovell - Antonio Melaragni, 6786 Norton - Angela Vettraino, 6746 Norton Domenico Vettraino, 6778 Norton - Antonio Vettraino, 685 Lovell - Antonio Rodi, 6779 Norton.

Motion by Lovio
Supported by Swindell

MOVED, to deny the request of David Vettese, 6764 Norton, for relief to construct a 30'x40' (1200 sq.ft.) detached garage where a 600 sq. ft. garage would be the maximum size allowed, based on the following:

1. The petitioner has not demonstrated a practical difficulty or hardship.
2. The variance would be contrary to public interest.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO DENY REQUEST CARRIED.

The Board recessed at 8:55 p.m. and reconvened at 9:10 p.m.

ITEM #15. VARIANCE REQUESTED: Richard Gallagher, 777 John R. (Troy Ford, for relief of the required landscaping.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a 20,000 square foot body shop onto the site of Troy Ford. The proposed plan indicates that they will have 22,980 square feet of landscaping and the Zoning Ordinance requires a minimum of 52,428 square feet of landscaping for a site of this size.

Richard Gallagher was present to represent Troy Ford and stated that the additional landscaping was required because of a proposed auto body facility being added to the dealership. Mr. Gallagher explained the renovations to the existing facility and how they feel it will get the traffic off John R. and give them room to function more effectively. The board questioned the possibility changing the building plan to allow for more landscaping in the side yard. The petitioner explained why this location was chosen, indicating this was the most practical placement. It was also indicated that Troy Ford lost landscaped area to the widening of John R.

The chairman opened the public hearing.

ITEM #15

There were no comments from the audience.

The chairman closed the public hearing.

Motion by Lovio
Supported by Dungjen

MOVED, to deny the request of Richard Gallagher, 777 John R. for relief to provide 22,980 square feet of landscaping where 52,428 square feet is required, based on the following:

1. The request for almost 30,000 square feet is excessive.
2. The petitioner has adequate room to build.
3. The petitioner has not demonstrated a practical difficulty or hardship.
4. There was a variance granted in 1988 in regard to landscaping.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO DENY REQUEST CARRIED.

ITEM #16. VARIANCE REQUESTED: Daniel J. Coleman, 1147 Joshua, for
relief of the rear yard setback.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct an irregular shaped wood deck onto the rear of their existing residence. The proposed plan shows that the deck would have a 30 foot rear yard setback. The Zoning Ordinance requires a minimum 35 foot rear yard setback in this residential zoned district.

Daniel Coleman was present and stated that his house was setback further on the lot thus causing his rear yard to be shallow for the construction of an average size deck. The deck is an exact duplication of the deck on the model home. If they decrease the size of the deck it would not be as functional and would upset the aesthetics of the structure. Mr. Coleman also cited the fact that the lot to the rear of his is larger than normal and would result in a greater than normal distance between his deck and any construction on that lot. Therefore, he feels the deck would not create any impact on the neighbor to the rear.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were 8 letters of approval on file: Paul Newman, 1163 Joshua - Robert H. Jones, Jr., 1172 Joshua - Christine Wagner, 1156 Joshua - Patrick Thul, 1083 Joshua - Kathleen Ross, 1211 Joshua - William Eccles 1188 Joshua - John Miller, 1067 Joshua - Mark A. Fritz, 1179 Joshua

Motion by Lovio
Supported by Shaver

MOVED, to approve the request of Daniel J. Coleman, 1147 Joshua, for relief of the rear yard setback, 30 feet where 35 feet is required, to construct a wood deck, based on the following:

1. The petitioner has a hardship that runs with the land - irregular shape of the lot and a larger than normal setback.
2. The variance is not detrimental to the surrounding properties.

ITEM #16

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO APPROVE REQUEST CARRIED.

ITEM #17. VARIANCE REQUESTED: Mr. Ryback, 6321 Elsey, for relief of
the rear yard setback.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a 19'9"x16" addition onto the rear of an existing residence. The proposed addition would result in a 40 foot rear yard setback. The Zoning Ordinance requires a minimum 45 foot rear yard setback in this residential zoned district.

Mike Ryback was present and explained that he needed the additional space and his home is setback further on the lot and that the rear yard is shallow. Mr. Ryback explained that the setbacks in the subdivision vary because of the shape of the lots.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were 7 approvals on file: Barbara and Kenneth Barna, 6333 Elsey Sharon Spragg, 1042 Prosper - George Szaenauer, 1060 Prosper - Robert and Kathleen Boehmer, 111 Barton Way - Grache Schulte, 6357 Elsey - Jand Schwartz, 1081 Barton Way - Mr. & Mrs. George D. Fowler, 1098 Barton Way.

Motion by Starr
Supported by Dungjen

MOVED, to grant Mr. Ryback, 6321 Elsey, a variance, as requested, for relief of the rear yard setback 40 feet where 45 feet is required, based on the following:

1. The petitioner has shown a practical difficulty due to the shape of the lot.
2. The variance is not contrary to public interest.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO APPROVE REQUEST CARRIED.

ITEM #18. VARIANCE REQUESTED: W. R. & Connie S. McAdow, 4162 Cypress,
for relief of the rear yard setback.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a 20'x13' glass/screen-in addition onto the rear of an existing residence. The proposed plan indicates that they would have a rear yard setback of 38 feet to this addition. The Zoning Ordinance requires a minimum 40 foot rear yard setback in this residential zoned district.

Jeff Wesp, the builder and W. R. and Connie McAdow were present.

Mr. Wesp stated the room size was to accommodate a spa which was proposed to be installed for the McAdow's son for medical reasons. A narrower and longer addition would serve no practical use and require moving utilities and making structural changes to the existing house.

ITEM #18:

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were 4 approvals on file: Robert Putnam, 4105 Bristol - Larry Robinson, 4120 Cypress - Ronald Risinger, 4269 Bristol - Ed Korkis, 4218 Bristol.

Motion by Shaver
Supported by Dungjen

MOVED, to grant W. R. & Connie McAdow, 4162 Cypress, a variance, as requested to construct a 20'x30' glass/screen enclosure which would result in a 38 foot rear yard setback where 40 feet is required, based on the following:

1. The variance is not contrary to public interest.
2. The variance will not establish a prohibited use within the zoning district.
3. The variance will not cause an adverse effect to properties in the immediate vicinity or zoning district.
4. The lot has an irregular shape and the encroachment is minimal.

Yeas: 6
Nays: 0
Absent: 1- Giachino

MOTION TO APPROVE REQUEST CARRIED.

OTHER BUSINESS

Election of Officers - 1989-1990

Motion by Lovio
Supported by Milia

MOVED, that Peter Dungjen serve as Chairman - May 1989 through April 1990.

Yeas: 5
Nays: 0
Absent: 1- Giachino

MOTION CARRIED.

Motion by Lovio
Supported by Dungjen

MOVED, that J. Charles Swindell serve as Vice Chairman - May 1989 through April 1990.

Yeas: 5
Nays: 0
Absent: 1- Giachino

MOTION CARRIED

The Board of Zoning Appeals adjourned at 9:50 p.m.

GV/ddb

