

A special meeting of the Board of Zoning Appeals was called to order at 7:30 p.m. on Tuesday, November 22, 1994 by the Chairman, Carmelo Milia.

PRESENT: Michael Alaimo
Gary Chamberlain
Chrisopher Fejes
John Lovio
Carmelo Milia
Sherwood Shaver
Jerald Sosnowski

ITEM #1 VARIANCE REQUESTED: Irvin F. Swider, 885 Rochester Road (Future Products), for relief to add to an existing legal non-conforming building.

Mr. Shripka explained that the petitioner is requesting relief of the Zoning Ordinance to construct a 35'x44.6' addition to the north side of an existing legal non-conforming building. The building is non-conforming because it has a 7 foot setback from Elmwood. The Zoning Ordinance requires a 50 foot setback and does not permit additions to or expansions of non-conforming buildings.

Irvin Swider was present and stated they have the Troy and a Cadillac Michigan shop, however, sales and administration are conducted at their Troy site. The addition is needed because of increased paper work and needed space for records storage and personnel. There is no other place to provide the needed office space; their shop area is at capacity so offices could not be built in that area. When their building was constructed it met ordinance requirements, but through changes to the Zoning Ordinance, they became legal non-conforming. Mr. Swider further stated that because the proposed addition is to the north side of their building, it will not increase the existing non-conforming south setback from Elmwood.

The chairman opened the public hearing. There were no comments from the audience and the public hearing was closed.

Mr. Shripka stated that the proposed addition would not increase any non-conformity and the building would not exceed the 40% lot coverage requirement or encroach into the side or rear yard setbacks.

There were 3 approvals on file.

Mr. Lovio and Mr. Chamberlain commented that they do not feel sufficient hardship has been presented.

Motion by Shaver
Supported by Alaimo

MOVED, to grant Irvin F. Swider, 885 Rochester Road (Future Products), a variance, as requested, for relief to construct a 35'x44.6' addition to the north side of an existing legal non-conforming building;

1. The variance is not contrary to public interest.
2. The variance does not establish a prohibited use.
3. The variance does not create an adverse effect to properties in the immediate vicinity or zoning district.
4. The variance relates only to the property described in the application.

Yeas: Alaimo, Milia, Sosnowski, Fejes, Shaver
Nays: Chamberlain, Lovio

MOTION TO APPROVE CARRIED.

The Board of Zoning Appeals adjourned at 7:50 p.m.

GAS/ddb

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