

A meeting of the Board of Zoning Appeals was called to order at 7:30 p.m. on Tuesday, October 21, 1986 by the Chairman James Giachino.

PRESENT: James Giachino
John Pappageorge
John Wilson
Carmelo Milia
John Lovio

ABSENT: Thomas Ethier

ITEM #1 Approval of Minutes - September 16, 1986 and
September 30, 1986

Motion by Wilson
Supported by Milia

MOVED, to approve the September 16, 1986 and September 30, 1986 minutes as written.

Ayes: 5
Nays: 0
Absent: 1 - Ethier

MOTION TO APPROVE CARRIED

ITEM #2 RENEWAL REQUESTED: Yarmouth Enterprises, 2301 W. Big Beaver Road, for relief of the required number of parking spaces.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, in October of 1985 for a reduction in required parking spaces from 2,123 to 1,712. This relief was granted based on the fact that it would be a yearly renewal variance and because of the dual use functions on the site of office/hotel/health spa; it was felt that this amount of cars would not be required. Conditions at the site are such that we have had several complaints on inadequate parking. This is caused, in part, due to the construction of the new office building that prompted this variance. However, it should be noted that we have had at least three calls regarding problems finding places to park on the site. It may be noted that when this variance was granted, the petitioner had indicated that if there was a parking problem, they could increase their parking deck an additional story to compensate for any future parking problems.

Mike Prochaska, Vice President of Development was present. Mr. Prochaska stated that with the new office construction, construction of the parking deck, remodeling at the Somerset Inn, reconstruction of areas of the parking lot, a more than expected membership at Vic Tanny have all created parking problems. Mr. Prochaska stated that the parking lot and deck will be completed and ready for use by November 15, 1986. They feel with the completion of this construction and given the opportunity for things to settle down; if given a renewal of the variance for one year, by October of 1987 they will be able to show whether or not additional parking is needed. The deck has been constructed so that another story could be added if additional parking area is needed.

Motion by Lovio
Supported by Pappageorge

MOVED, to table the request of Yarmouth Enterprises, 2301 W. Big Beaver Road 60 days to give the petitioner the opportunity to show what the parking conditions will be after November 15, 1986 and to show that there will be no inconvenience to customers.

Ayes: 5
Nays: 0
Absent: 1 - Ethier

MOTION TO TABLE 60 DAYS (December Meeting) CARRIED

2-1

October 21, 1986

- #3 RENEWAL REQUESTED: Ring Screw Works, 1849 Ring Road, for relief of the required number of parking spaces.
-

Mr. VandenBussche explained that the petitioner is requesting renewal of a variance granted, by this board, to maintain a parking lot for 19 cars. The Zoning Ordinance requires space for 43 cars for a building of this size and use. This request was originally approved in 1979 based on the fact that the petitioner did not need the additional parking and he would be required to appear before the board on a yearly basis in case the status of the building were to change and the parking would be required. Conditions remain the same and we have no objections or complaints in our file regarding this request. Since the last renewal, the petitioner has filed a document that would require him to make a new purchaser of the site aware of the variance and the conditions of the variance that exist regarding the parking. Mr. VandenBusche further explained that although there is an addition under construction, it appears that there is no problem with parking.

William Avallone, the plant manager was present. Mr. Avallone stated that the addition is strictly for storage and additional parking will not be required. They have a total of 7 employees - 4 on days and 3 on nights.

Motion by Mila
Supported by Wilson

MOVED, to grant Ring Screw Works, 1849 Ring Road, renewal of their variance for relief of the required number of parking spaces - 19 spaces whereas 43 spaces are required.

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

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED

- ITEM #4 RENEWAL REQUESTED: John L. Barker, 1985 Butterfield, for relief of the 6 foot high masonry screening wall required at the east and west property lines.
-

Mr. VandenBussche explained that the petitioner is requesting renewal of relief granted by this board, regarding the 6 foot masonry screening wall required along the east and west property lines of this site. This site is zoned office and the property lines abut residential zoning on the east and west. This relief was originally granted in 1981 because the Master Land Use Plan indicated that the adjacent land may, at some future date, become non-residential. Conditions remain the same and we have no objections or complaints on file regarding this request.

Bob Welkman was present to represent the petitioner and stated that he was with a group who has purchased the surrounding properties in the area and they plan to develop the area as non-residential. In the meantime, Mr. Barker would like to continue the variance.

Motion by Pappageorge
Supported by Lovio

MOVED, to grant John L. Barker, 1985 Butterfield, renewal of his variance for relief of the 6 foot masonry screening wall required at the east and west property lines.

ITEM #4.

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

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED

ITEM #5. RENEWAL REQUESTED: R.E.B. Properties, 130 Town Center, for relief of the 4'6" masonry screening wall required at the north property line and relief to maintain a wood fence, in lieu of a 4'6" masonry screening wall, at the east property line.

Mr. VandenBussche explained that the petitioner is requesting renewal of relief granted, by this board, for the 4'6" masonry screening wall required at the north and a portion of their east property lines. This relief was originally granted in 1984 based on the fact it was not detrimental to the area and the property adjacent to the site was undeveloped. There was also a possibility of non-residential zoning occurring along these property lines in the future. At the time of the last renewal in October of 1985, in response to complaints by adjacent neighbors, the board requested that a 6 foot obscuring fence be placed along the east property line. This has been done and the petitioner has complied. Therefore, the rest of the conditions remain the same and we have no additional objections regarding this request.

Carol Camiener was present to represent R.E.B. Properties and had nothing to add to Mr. VandenBussche's explanation.

Motion by Lovio
Supported by Milia

MOVED, to grant R.E.B. Properties, 130 Town Center, renewal of their variance for relief of the 4'6" masonry screening wall required at the north property line and relief to maintain a 6 foot screening fence along the portion of the east property line where a 4'6" masonry screening wall would be required.

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

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED

ITEM #6 RENEWAL REQUESTED: Main Landscape and Tree Service, Lot #487 - Alger and Chopin, for relief to park landscaping trucks within the required front setback of Alger.

The petitioner was not present.

Motion by Milia
Supported by Wilson

October 21, 1986

ITEM #6

MOVED, to table the request of Main Landscape and Tree Service, N.E. corner of Alger and Chopin (lot #487) until the end of the agenda (Item #21) to allow the petitioner the opportunity to be present.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO TABLE (Item #21) UNTIL END OF AGENDA CARRIED.

ITEM #7 RENEWAL REQUESTED: Evanswood Church of God, 2601 E. Square Lake Road, for relief of the 4'6" masonry screening wall required at the west property line.

The petitioner was not present.

Motion by Lovio
Supported by Wilson

MOVED, to table the request of Evanwood Church of God until the end of the agenda (Item #22) to allow the petitioner the opportunity to be present.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO TABLE (Item #22) UNTIL END OF AGENDA CARRIED.

ITEM #8 RENEWAL REQUESTED: Troy Masonic Temple, 1032 Hartland, for relief of the 4'6" masonry screening wall required at the off-street parking.

Mr. VandenBussche explained that the petitioner is requesting renewal of relief granted, by this board, for a 4'6" masonry screening wall required at the off-street parking adjacent to residential zoning. This relief has been granted on a yearly basis since 1970 primarily due to the fact that the adjacent property owners do not object. Conditions remain the same and we have never had any complaints or objections regarding this variance.

George Curtis was present to represent the Troy Masonic Temple and stated that there have been no changes and asked the board consider a favorable action.

Motion by Pappageorge
Supported by Lovio

MOVED, to grant Troy Masonic Temple, 1032 Hartland, renewal of their variance, for relief of the 4'6" masonry screening wall required at the off-street parking.

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

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

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ITEM #9 RENEWAL REQUESTED: Eric Pearson, 5565 John R., for relief to keep less than 10 dogs for hobby and training.

Mr. VandenBussche explained that the petitioner is requesting renewal relief granted, by this board, to maintain less than 10 dogs on a residential premise for his personal use. That use being for hobby and training purposes. This relief has been granted on a yearly basis since 1965 and the conditions remain the same. We have no objections or complaints on file regarding this request.

Eric Pearson was present and had nothing to add.

Motion by Lovio
Supported by Milia

MOVED, to grant Eric Pearson, 5565 John R. renewal of his variance for relief to keep less than 10 dogs for hobby and training.

1. The conditions remain the same.
2. There are no complaints or objections on file.
3. Mr. Pearson does a very good job with his dogs.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

ITEM #10 RENEWAL REQUESTED: Royal Monarch, 2924 E. Maple Road, for relief to maintain a 6 foot wood fence, in lieu of the 6 foot masonry screening wall required at the west property line.

The petitioner was not present.

Motion by Pappageorge
Supported by Wilson

MOVED, to table the request of Royal Monarch until the end of the agenda (Item #23) to allow the petitioner the opportunity to be present.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO TABLE (Item #23) UNTIL THE END OF AGENDA CARRIED

ITEM #11 RENEWAL REQUESTED: Elerious King, 2212 Livernois, for relief to maintain a 6 foot wood fence, in lieu of the 6 foot masonry screening wall required at the east property line.

Mr. VandenBussche explained that the petitioner is requesting renewal of relief granted, by this board, to maintain a 6 foot wood fence, in lieu of the 6 foot masonry screening wall required at the residential zoning district line to the east. This relief was originally granted in 1983, primarily because the petitioner owns the land to the east and it is basically undeveloped. Conditions remain the same and we have no objections or complaints on file. This item was tabled at the last regular meeting to allow the petitioner the opportunity to be present.

Mrs. King was present and had nothing to add.

ITEM #11

Motion by Lovio
Supported by Pappageorge

MOVED, to grant Elerious King, 2212 Livernois, renewal of his variance for relief to maintain a 6 foot wood fence, in lieu of the 6 foot high masonry screening wall required at the east property line.

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

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED>

ITEM #12 RENEWAL REQUESTED: Zion Evangelistic Temple, 3668 Livernois
for relief to maintain a berm, in lieu of the 4'6" masonry
screening wall required at the south property line.

Mr. VandenBussche explained that the petitioner is requesting renewal of a relief granted, by this board, to maintain a berm, in lieu of the 4'6" masonry screening wall required along their south property line. At our last regular meeting, the petitioner had indicated, by letter, that they would be desirous of either installing a 4'6" masonry wall or using some other type of screening. The board, at that time, tabled the item for thirty days to allow the petitioner an opportunity to submit something of a more positive nature regarding this berm. Either construction of the 4'6" masonry wall or providing an alternate means of screening that they have referred to. The Building Department contacted the architect for the site and he indicated that someone would be at the meeting to represent the church and bring the board up to date as to their plans for maintaining the berm or alternate plans to provide the necessary screening.

Arthur Kalajian, the architect, was present. Mr. Kalajian stated that the berm is starting to take shape, the grass is becoming more dense. Based on this, they would like to continue their variance for the present time so see how it works out. Because of the pitch of the berm it has been very difficult to maintain. As a last resort, they would erect the wall, if they cannot make the berm work.

Motion by Pappageorge
Supported by Milia

MOVED, to grant Zion Evangelistic Temple, 3668 Livernois, renewal of their variance, for relief to maintain a berm, in lieu of the 4'6" masonry wall required at the south property line.

1. The condition of the berm is becoming better - most of the problems have been corrected.
2. There are no complaints, in the file, from the neighbor to the south, who is the only one directly affected.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE CARRIED.

ITEM #13 VARIANCE REQUESTED: Bostick Real Estate, 1805 - 1757
Larchwood, for relief to enlarge/expand a nonconforming
building.

Mr. VandenBussche explained that the petitioner is requesting a permit to maintain a connection between two existing buildings. One building is nonconforming in that it has a 40 foot setback from Larchwood and a 15 foot setback from Bellingham. The Zoning Ordinance requires a 50 foot setback from these two street rights-of-way. The proposed addition would constitute the enlargement or expansion of a nonconforming building. The Zoning Ordinance does not allow nonconformities to be expanded or extended in any manner. This construction was done without a permit and the petitioner was advised to remove the connection. He is now appealing our order of removal.

Jeff Hudson, Attorney for Bostick Real Estate, was present. Mr. Hudson stated that Bostick owns both buildings and the connection was constructed to allow them employee access and hi-lo access between the buildings. They store inventory in the building and must go between the buildings anywhere from 30 to 50 times a day to transfer their product. The enclosure was constructed to save energy, provide security, and protect employees from weather conditions. He does not feel that they have created any drain problems by going over the drain. They feel that they do not dramatically burden the spirit and intent of the ordinance - they feel that they have not enlarged the building nor extended the life of a nonconforming building. The building remains the same with or without enclosure. If the enclosure were removed, they would have to go outside and around the building to transfer their product. If they had to remove the structure, they feel that they would utilize the concrete pad between the buildings. Mr. Hudson stated that their hardship is the inconvenience, the expense and loss of energy.

Chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There are 2 letters of objection on file: Kirco Realty & Development, owner of 2040 Austin and Stasys Maziliauskas, owner of 1813, 1815 and 1817 Larchwood.

Motion by Lovio
Supported by Wilson

MOVED, to deny the request of Bostick Real Estate, 1805 and 1757
Larchwood, for relief to enlarge/expand a nonconforming building.

1. Insufficient hardship or practical difficulties.
2. There are complaints, from neighboring properties, on file regarding the variance request.

Ayes: 4
Nays: 1-Giachino
Absent: 1-Ethier

MOTION TO DENY REQUEST CARRIED.

October 21, 1986

ITEM #14 VARIANCE REQUESTED: William J. and Cathy B. Clinard, 1433 Fountain, for relief to locate an accessory structure (inground pool) in the side yard.

Mr. VandenBussche explained that the petitioner is requesting a permit to locate an inground swimming pool in the side yard of their residence. The Zoning Ordinance requires that all accessory structures or uses shall be located in a rear yard. The site plan indicates that their rear yard has a 40 foot wide gas easement across it. Therefore, the petitioner is requesting a variance to allow the location in the side yard.

Cathy Clinard was present and stated because of the 40 foot easement across their rear yard the only way they could construct a pool would be to place it in the rear part of the side yard. Mrs. Clinard stated that her neighbor, who would be most affected, was at the meeting with her to show her support.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were 6 letters of approval on file: Rosemary and Paul Pabin, 4266 Gaylord - Howard Tobin, 1401 Fountain - Virginia L. Warnick, 4217 Gaylord - Warren Hruska, 1395 Fountain - John P. Richardson, 4265 Gaylord - Shirley Van Elslander, 1417 Fountain

Motion by Pappageorge
Supported by Milia

MOVED, to grant William J. and Cathy B. Clinard, 1433 Fountain, a variance, as requested, for relief to construct an inground swimming pool in the side yard.

1. The 40 foot gas line easement across the rear yard creates a unusual and burdensome hardship on the petitioner.
2. The variance does not cause an adverse effect to the adjacent properties or zoning district.
3. There are 6 approvals and no objections on file.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO APPROVE CARRIED

ITEM #15 VARIANCE REQUESTED: Michael & Janice Johanson, 2303 Oak River Ct., for relief of the rear yard setback.

Mr. VandenBussche explained that the petitioner is requesting permission to maintain an accessory building (play house) that is located 21 inches from the rear property line. The Zoning Ordinance requires a minimum setback of 6 foot to a rear or side property line for any accessory building or detached structure of any type.

Michael Johanson was present and stated that he selected the location because of the trees which, he feels, very adequately screens the play house from the neighboring property. He stated that it would be very difficult to relocate the structure and if he moves it forward it would be in his landscaped area. Mr. Johanson stated that he feels that the location poses no problems to the neighbors.

The chairman opened the public hearing.

There were no comments from the audience.

ITEM #15.

The chairman closed the public hearing.

There were 4 letters of approval on file: Floyd and Etta McAfee, 2304 Oak River Ct. - Linda and Brent Garbach, 2285 Oak River Ct. Alton J. DeClaire, 2286 Oak River Ct. and the owner of 2321 Oak River Ct.

There were 5 letters of objection on file: Frank Bronzetti, 2283 Deer Path Ct. - William Sadovsky, 4950 Oak River - Michael Schmidt, 2320 Oak River Ct - John Paglino, 2302 Deer Path Ct.

Motion by Milia
Supported by Wilson

MOVED, to deny the request of Michael and Janice Johanson, 2303 Oak River Ct., for relief to maintain an accessory structure (play house) which is located 21 inches from the rear yard whereas the ordinance requires a 6 foot setback.

1. Insufficient hardship or practical difficulty.
2. It is possible for the building to be placed, at a point on the property where it could meet the code requirements.
3. Although it is an innocent and humble request and would do no real harm, the 5 neighbors, who object, would have to pay the price of the variance.

Ayes: 4
Nays: 1-Lovio
Absent: 1-Ethier

MOTION TO DENY REQUEST CARRIED.

ITEM #16 VARIANCE REQUESTED: David and Sue Halsema, 1699 Poplar, for relief of the rear yard setback.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a deck to the rear of an existing residence that will have a 24 foot setback from the rear property line. The Zoning Ordinance requires a minimum 35 foot rear yard setback to an open deck in this residential zoned district.

Sue Halsema was present and stated that the deck in question is more of a ground level deck, it is approximately 6 inches above the grade level. If they were to meet the setback requirements, they would only have an 11 foot deck, which is not really large enough when you consider placing patio furniture on it. Because the second deck or the deck in question is at ground level there is minimal visual intrusion. Also if it were a patio, constructed of patio block, brick or on a slab, it would be allowed.

Peter Johnson, the builder, was present and stated that in addition to what Mrs. Halsema had stated, the usable deck area is further reduced by approximately 3 feet at each doorwall opening.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were 5 letters of approval on file: Kevin & Mary Kay Dunn, 1723 Poplar - William Allen, Van-Allen Development, 1601 Elm - Paul T. Meisnitzer, 1715 Poplar - Douglas O. & Deeann Bauer, 6718 Mountain - Patrick Kelly, 1718 Poplar.

There was 1 letter of objection on file: Thomas & Mariam Weiss, 1664 Poplar.

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ITEM #16

Motion by Pappageorge
Supported by Wilson

MOVED, to grant David and Sue Halsema, 1699 Poplar, a variance, as requested, for relief of the rear yard setback - to construct a patio which results in a 24 foot rear yard setback where 35 feet is required.

1. The deck extension is essentially a patio as opposed to a full deck and a patio would be allowed by the ordinance.
2. There is a problem with the door walls and without the extension the deck would not be very useable.
3. The configuration of the lot is such that the deck would not cause an adverse effect to any of the neighbors.
4. There are 4 approvals and only 1 objection on file.

Ayes: 4
Nays: 1-Milia
Absent: 1-Ethier

MOTION TO APPROVE REQUEST CARRIED.

The board recessed at 9:00 p.m and reconvened at 9:10 p.m.

ITEM #17 VARIANCE REQUESTED: Jon and Nancy Verbiscus, 6055 Niles,
for relief of the rear yard setback.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct an open deck that would result in a rear yard setback of 29 feet. The Zoning Ordinance requires a minimum rear yard setback of 35 feet in this residential zoned district.

Jon Verbiscus was present and stated that he and his wife purchased the home with the idea of constructing a deck. They felt that a deck was ideal because the two doorwalls in the rear are approximately 18 inches above the ground level. Because Mrs. Verbiscus has arthritis and he has a bad knee they felt a deck at the same level as the door wall would be ideal also because of their conditions they have purchased a hot tub to be placed on the deck. Their lot is shallow in comparison to abutting lots and to meet the requirements of the ordinance, they could only construct a 10 foot deck. A 10 foot deck is not a useable size when you consider placing patio furniture and the hot tub on it.

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: MaryAnn and Robert Irvine, 6076 Blackwall - Robert and Ann Watson, 6113 Niles - Ron and Debbie Barczyk, 6091 Niles - Richard and Florence Sydney, 6041 Niles - Jerome Derowski, 6050 Blackwall - James & Gilda Nicosia, 6126 Blackwall - Hai Shih Liu, 6084 Blackwall - John Barnard, 6075 Blackwall

There was 1 letter of objection on file: Gordon A. Henry, 6169 Niles

Motion by Lovio
Supported by Pappageorge

MOVED, to grant Jon and Nancy Verbiscus, 6055 Niles, a variance, as requested, for relief of the rear yard setback - 29 feet where 35 feet is required.

1. The variance is not detrimental to the properties in the immediate vicinity - it is in keeping with the neighborhood.

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ITEM #17

2. The owner explained and indicated that there are medical problems and without the variance the petitioner would be denied the proper useable space of their rear yard.
3. It is not that large.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO APPROVE REQUEST CARRIED

ITEM #18 VARIANCE REQUESTED: Thomas Fons, 1850 Beech Lane, for relief of the square foot area of an accessory building.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct a 24'x32' garage (768 square feet). The proposed plans indicate that the house is 979 square feet. The Zoning Ordinance does not allow the square foot area of an accessory building to exceed one-half the square foot area of the main house. In this case the petitioner would be allowed approximately 490 square foot of accessory building. He is requesting approximately 278 square feet more than what would be allowed in the Zoning Ordinance.

Thomas Fons was present and stated that the size garage proposed is for needed storage area. He plans to store his firewood, a small boat, lawn equipment and their automobiles in the garage. Mr. Fons also plans to have his workbench in the garage. His home is 65 years old and even though he has a basement, the height is such that it cannot be utilized as a work area. Mr. Fons stated that although the zoning ordinance only recognizes the ground floor area when establishing the permitted size of accessory buildings, he actually has 1500 square feet because it is a two story home.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There were 3 letters of approval on file: Sam Washburn, 1865 Beech Lane - Eloise A. Houston, 1871 Kirkton - D. Bergman, 1865 Eastport

Motion by Wilson
Supported by Millia

MOVED, to grant Thomas Fons, 1850 Beech Lane, a variance, as requested, for relief to erect an accessory building (24'x32' garage) that exceeds the permitted square foot area allowed.

1. The variance is not contrary to public interest.
2. It does not establish a prohibited use within the zoning district.
3. It will not adversely effect the properties in the immediate vicinity or zoning district.
4. There are no complaints or objections on file.
5. There is a practical difficulty to comply with the ordinance due to limitation of the size of his existing home.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO APPROVE REQUEST CARRIED

ITEM #19 VARIANCE REQUESTED: Andrew An and William Chiao, 2800 and 2801 Daley (proposed addresses), for relief of the front setback from I-75 and relief to provide parking and maneuvering lanes within 2 front setbacks.

Mr. VandenBussche explained that the petitioner is requesting a permit to construct two multi-tenant industrial buildings with a 30 foot setback from I-75. The Zoning Ordinance requires a 50 foot setback from any street or freeway right-of-way. The plan also shows parking and maneuvering lanes within the setbacks of both I-75 and Daley Street. The Zoning Ordinance does not allow parking or maneuvering lanes within the 50 foot required setback. The plan shows that Daley enters the site between the two buildings, from the north, and the plan indicates that the Daley Street extension onto the property will be abandoned or vacated. It may be of interest to know that the board has granted similar requests in regard to the setback from I-75 as long as additional landscaping was provided. It is possible that this site could provide landscaping in the same manner, but the board has never granted relief to allow buildings to be located closer than 50 feet to I-75. They indicate a portion of one of the buildings to be located within 30 feet of I-75.

Leon Kohls, the Architect was present. Mr. Kohls cited the fact that the buildings on either side of their site have parking that extends to the property line. They are requesting to construct a multi-tenant building that would allow them to be competitive with the neighboring properties. He feels that the applicant will be severely restricted from developing the property to the extent normally allowed. They have two front setbacks and an irregular shaped lot which prohibits efficient use of the site. Also, the Sturgis drain runs through the site which renders about 20% of the site unusable. The unusable area of the site allows them more landscaping than required by ordinance, (approximately 25%) which is beneficial from an appearance standpoint.

The chairman opened the public hearing.

Rudolph Lukezich, 2852 Daley, was present and objected.

There were no further comments from the audience.

The chairman closed the public hearing.

There was one letter of approval on file: Bill Miller and Ed Puthuff, 2873 Daley.

There were 3 letters of objection on file: Rudolph Lukezich, 2852 Daley - Frank C. Teal Electric Co., 1200 Naughton - William Hart, 2835 Daley.

Motion by Lovio
Supported by Milia

MOVED, to deny the request of Andrew An and William Chiao, 2800 and 2801 Daley (proposed addresses), for relief of the front setback from I-75 and relief to provide parking and maneuvering lanes in the front setbacks of both I-75 and Daley.

1. The variance is excessive and the property is being overbuilt.

Ayes: 4
Nays: 1-Wilson
Absent: 1-Ethier

MOTION TO DENY REQUEST CARRIED.

ITEM #20 VARIANCE REQUESTED: Troy Assembly of God, 6814 Livernois, for relief of the 4'6" masonry screening wall required at the north, south and a portion of the east property lines.

ITEM #20

Mr. VandenBussche explained that the petitioner is requesting a permit for a new church and the site plans shows that there will be no 4'6" masonry screening wall at the north and south and a portion of the east property line where the off-street parking area abuts single family residential. The Zoning Ordinance requires a 4'6" masonry screening wall where off-street parking is adjacent to single family zoning.

Reverend Robert L. Clark was present stated that they do not feel a wall or other means of screening would be practical, at this time, since the property to the rear (east) is theirs and it would result in dividing their property. Also, the adjacent properties on each side is undeveloped.

The chairman opened the public hearing.

There were no comments from the audience.

The chairman closed the public hearing.

There was 1 letter of objection on file: Frances Jo Curtis, 6898 Livernois

Motion by Lovio
Supported by Pappageorge

MOVED, to grant Troy Assembly of God, 6814 Livernois, a one year renewable variance, for relief of the 4'6" masonry screening wall required at the north, south and a portion of the east property lines.

1. It would be impractical to request the petitioner to screen their own property, the wall would serve no useful purpose.
2. Also, the adjacent land is vacant and it would create a practical difficulty and hardship to request this screening.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO APPROVE FOR ONE YEAR CARRIED.

ITEM #21 (Item #6) RENEWAL REQUESTED: Main Landscape and Tree Service, N.E. Corner of Alger and Chopin (Lot #487), for relief to park landscaping truck within the required front setback of Alger.

The petitioner was not present.

Motion by Lovio
Supported by Wilson

MOVED, to table the request of Main Landscape and Tree Service, N.E. corner of Alger and Chopin (Lot #487) until the next regular meeting (November 18, 1986) to allow the petitioner the opportunity to be present.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO TABLE UNTIL THE NEXT REGULAR MEETING (NOVEMBER 18, 1986)
CARRIED

October 21, 1986

ITEM #22 (ITEM #7) RENEWAL REQUESTED: Evanswood Church of God, 2601 E. Square Lake Road, for relief of the 4'6" masonry screening wall required at the west property line.

The petitioner was not present.

Motion by Milia
Supported by Pappageorge

MOVED, to table the request of Evanswood Church of God, 2601 E. Square Lake Road, until the next regular meeting (November 18, 1986) to allow the petitioner the opportunity to be present.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO TABLE UNTIL THE NEXT REGULAR MEETING (NOVEMBER 18, 1986)
CARRIED.

ITEM #23 (ITEM #10) RENEWAL REQUESTED: Royal Monarch, 2824 E. Maple for relief to maintain a 6 foot wood fence, in lieu of the 6 foot masonry screening wall required at the west property line.

Mr. VandenBussche explained that the petitioner is requesting renewal of relief granted, by this board, to maintain a 6 foot wood fence, in lieu of the required 6 foot masonry screening wall at the zoning district line to the west. This relief has been granted on a yearly basis since 1972 primarily due to the fact that the petitioner has maintained the fence well and we have never had any complaints or objections regarding this request. This item was tabled at the last regular meeting to allow the petitioner to be present.

Betty Murray was present to represent Royal Monarch and had nothing to add.

Motion by Wilson
Supported by Milia

MOVED, to grant Royal Monarch, 2824 E. Maple Road, renewal of their variance to maintain a 6 foot wood fence, in lieu of the 6 foot masonry wall required at the west property line.

1. This is a renewal of a yearly variance since 1972.
2. The fence is well maintained.
3. It does not create an adverse effect to the neighboring properties.
4. It is not contrary to public interest.
5. There are no complaints or objections on file.

Ayes: 5
Nays: 0
Absent: 1-Ethier

MOTION TO RENEW VARIANCE FOR ONE YEAR CARRIED.

The Board of Zoning Appeals Meeting adjourned at 9:55 p.m.

CH