

A Regular Meeting of the Troy Board of Appeals was held Tuesday, October 15, 1968 in the Troy City Offices. The meeting was called to order by Chairman, Stanley Gondek at 8:00 p.m.

PRESENT: Chairman  
Stanley Gondek

Isaac W. Robertson  
Robert Elliott  
Marvin Reinhardt  
Arthur Molinar  
Kenneth Henning  
Joseph Socha

ABSENT: None

MINUTES - REGULAR MEETING - September 17, 1968

Motion by Robertson  
Support by Henning

MOVED, that the Minutes of the Regular Meeting of the Board of Appeals held September 17, 1968 be approved with the following change:

ITEM #5. "for relief of double front yard setback."

yeas: All - 7  
nays: none  
absent: none

ITEM #1. TABLED - J.C. Sweeney, relief of minimum front yard setback of 50' to 25' from Wheaton and 26' from Piedmont.

Inspector Wright stated that Mr. Sweeney had not submitted any further information.

Mr. Sweeney was present and showed a sketch with a new parking layout.

Motion by Henning  
Support by Robertson

MOVED, that J. C. Sweeney be granted a variance of 25' in the front, where 50' is required, from Wheaton and 24' in the front, where 50' is required, from Piedmont, this being a double frontage lot; as there is no adverse affect on the surrounding area; and that the truckwells shall be enclosed within the confines of the building to insure adequate loading and unloading space.

yeas: 5  
nays: 2 - Socha, Elliott  
absent: none

ITEM #2. Sign - Troy Auto Village

Inspector Wright showed a sketch of the size and location of the proposed sign. Inspector Wright stated that the zoning in that area is now M1, except for the lot in question, which will be up for rezoning November 11, 1968.

Mr. Audette was present and stated that in May, 1968 he was granted a variance for this sign subject to approval of size and location by the Board. He indicated the sign was approximately 26' high and 8' wide, with the names of three of the auto dealers in the Troy Auto Village.

No comments from the audience.

Motion by Molinar  
Support by Henning

MOVED, that the petition of Audette Pontiac to erect a sign at the north west corner of Maplelawn and Crooks be approved for one year as the approval has already been given to erect the sign by this Board on May 21, 1968 subject to the size and location. This Board approves the size of 26' high with three nameplates 3' in height and 8' in width, and the location of 25' from the property line, and to maintain the corner clearance as stated in Article 15, Section 5.164; subject to the removal of an existing non-conforming sign on the southwest corner of Maplelawn and Crooks.

yeas: All - 7  
nays: none  
absent: none

ITEM #3. PUBLIC HEARING - A. J. Damman, 2260 Stephenson Hwy., relief of parking area requirement from 26 spaces to 23 spaces.

Inspector Wright showed a sketch of the parking area, and stated that with the proposed addition, he would have room for only 23 spaces, where 26 spaces are required by the ordinance.

Mr. Damman was present with Mr. Grayson, Plant Manager. Mr. Damman stated that machinery and the storage area would take up most of the space in the building. He indicated there would be approximately 10 employees and he felt that the 23 spaces would be adequate.

The Chairman opened the Public Hearing.

No comments from the audience.

No correspondence in the file.

Motion by Henning  
Support by Elliott

MOVED, that A. J. Damman, 2260 Stephenson Hwy., be granted relief of parking area requirements from 26 to 23 spaces as this would be more than adequate for this operation.

yeas: All - 7  
nays: none  
absent: none



ITEM #4. PUBLIC HEARING - Jerry W. Lankford, 4440 Forsythe, relief of minimum side yard setback of 10'0" to 4'9" to construct an attached garage.

Inspector Wright showed a sketch of the property and stated that Mr. Lankford presently had a side yard of 24'9". With the addition of a 20' garage, he would only have 4.9' in the side yard, where 10' is required.

Mr. Lankford was present and stated he felt he needed a large garage. He wanted to build it on this side of the house as the driveway was already in.

The Chairman opened the Public Hearing.

Mr. Lankford's neighbor was present and stated he was 38' from the adjoining lot line, and he felt the variance should be approved.

No correspondence in the file.

Motion by Rainhardt  
Support by Socha

MOVED, that Jerry W. Lankford, 4440 Forsythe, be granted relief to build an attached garage within 4.9' of the property line for the following reasons:

1. To place the garage elsewhere would damage the aesthetic value of his home.
2. The driveway is already in to accommodate the garage at this location.
3. The immediate neighbor abutting the property line at the garage location approves. His residence being 38' from the side property line.

yeas: All - 7  
nays: none  
absent: none

ITEM #5. PUBLIC HEARING - E. J. Palicke, Rochester Road, Section 22, relief of front yard encroachment from 3'0" to 4'0" to erect a canopy.

Inspector Wright showed a sketch of the property and stated the petitioner is requesting relief of a 1' encroachment into the front yard to erect an attached canopy to his building.

Mr. Palicke was present and stated that he felt that the 4' overhang would give a much better appearance to the building.

The Chairman opened the public hearing.

No comments from the audience.

Motion by Henning  
Support by Elliott

MOVED, that E. J. Palicke, Rochester Road, Section 22, be granted relief from the encroachment into the front yard from 3' to 4', a variance of 1', to erect a self-supporting canopy, as it creates no adverse affect to the surrounding area.

yeas: All - 7  
nays: none  
absent: none

ITEM #6. PUBLIC HEARING - Thunderbird Homes, Inc., for relief of 40' minimum front yard setback to 30'; rear yard 35' to 28' at 5080 Abington.

Inspector Wright showed a sketch of the property and stated that because this is a corner lot, it would require two front setbacks, one on Abington and one on Babbit. The petitioner shows only a 30' setback on Babbit, and requests a 28' setback at the rear, where 35' is required.

Mr. LaVere was present representing Thunderbird Homes, Inc. He stated this house would have 1750 sq. ft. and is compatible with the other homes in the subdivision.

The Chairman opened the Public Hearing.

No comments from the audience.

No correspondence in the file.

Motion by Robertson  
Support by Molinar

MOVED, that the request of Thunderbird Homes, Inc. for relief at 5080 Abington of a 40' minimum front setback to 30' on Babbit and a rear yard setback from 35' to 28' be approved as this is a corner lot and poses an unusual setback problem, and would not be detrimental to the surrounding neighborhood.

yeas: All - 7  
nays: none  
absent: none



ITEM #7. PUBLIC HEARING - Len Home Builders, Vermont Street, for relief of minimum lot width of 60' to 54' and minimum lot square footage of 7500' to 6480'. (Lot #277 and W. 27' of Lot 278, Stumpf's Beech Grove.)

Inspector Wright showed a plat of the five lots in question. The structures that are proposed for these lots would meet all setbacks, but the minimum lot width of 60' and the minimum lot square footage of 7500 sq. ft. would not be met.

Mr. Domineck, representing Mrs. McGregor, owner of the five lots in question, stated that Mrs. McGregor has owned these lots for twenty-five years and would like to sell them now, if the Board grants approval.

The Chairman opened the Public Hearing.

Mr. William Brown, 1086 Arthur, stated that last year the neighbors in the subdivision were opposed to this. They are still opposed to building on any lot under 60'.

Mr. Victor Parson, 1064 Arthur, stated he owned three 40' lots and he was opposed to building on a lot under 60'.

Motion by Molinar  
Support by Elliott

MOVED, that Len Home Builders, be granted relief of minimum lot width of 60' to 54' and minimum lot square footage from 7500' to 6480' on Lot 277 and W. 27' of Lot 278, Stumpf's Beech Grove Subdivision, as it is within reason of the zoning requirement and not detrimental to the surrounding neighborhood or adjacent lots; that the front, side, and rear yard requirements will be met in accordance to the zoning ordinance and off-street parking is provided.

yeas: All - 7  
nays: none  
absent: none

ITEM #8. PUBLIC HEARING - Len Home Builders, Vermont Street, for relief of minimum lot width requirement of 60' to 53' and minimum lot square footage of 7500' to 6360'. (Lot 276 and W. 13' of Lot 277, Stumpf's Beech Grove Sub.)

Same Explanantion as #7.

Motion by Socha  
Support by Molinar

MOVED, that Len Home Builders, be granted relief of minimum lot width of 60' to 53' and minimum lot square footage of 7500' to 6360' on Lot 276 and W. 13' of Lot 277, Stumpf's Beech Grove Subdivision, as it is within reason of the zoning requirements and not detrimental to the surrounding neighborhood or adjacent lots; that the front, side, and rear yard requirements will be met in accordance to the zoning ordinance and off-street parking is provided.

yeas: All - 7  
nays: none  
absent: none

ITEM #9. PUBLIC HEARING - Len Home Builders, Woodslee Street, for relief of minimum lot width of 60' to 40' and minimum lot square footage from 7500' to 4800'. (Lot 287, Stumpf's Beech Grove.)

Same explanation as #7.

One letter of disapproval in the file from Mr. R. F. Mackinder, 1074 Woodslee.

Motion by Henning  
Support by Robertson

MOVED, that Len Home Builders be denied relief of minimum lot width requirement of 60' to 40' and minimum lot square footage of 7500' to 4800' on Lot 287, Stumpf's Beech Grove Subdivision, as this is a major variance and would be detrimental to the surrounding neighborhood; that there is additional land available from the adjoining Lot #286, which has been and is now owned by the same party; and no hardship has been shown.

yeas: All - 7  
nays: none  
absent: none



ITEM #10. PUBLIC HEARING - Len Home Builders, Vermont Street, for relief of minimum lot width requirement of 60' to 53' and minimum lot square footage of 7500' to 6360'. (Lot 279 and E. 13' of Lot 278, Stumpf's Beech Grove.)

Same explanation as #7.

No correspondence in the file.

Motion by Socha  
Support by Molinar

MOVED, that Len Home Builders, be granted relief of minimum lot width requirement of 60' to 53' and minimum lot square footage of 7500' to 6360' on Lot 279 and E. 13' of Lot 278, Stumpf's Beech Grove Subdivision, as it is within reason of the zoning requirements and not detrimental to the surrounding neighborhood or adjacent lots; that the front, side, and rear yard requirements will be met in accordance to the zoning ordinance and off-street parking is provided.

yeas: All - 7  
nays: none  
absent: none

ITEM #11. PUBLIC HEARING - Len Home Builders, Woodslee Street, for relief of minimum lot width requirements of 60' to 40' and minimum lot square footage of 7500' to 4800'. (Lot #286, Stumpf's Beech Grove).

Same explanation as Item #7.

One letter of disapproval in the file from Mr. R. F. Mackinder, 1074 Woodslee.

Motion by Robertson  
Support by Henning

MOVED, that Len Home Builder's request for relief of minimum lot width requirements of 60' to 40' and minimum lot square footage of 7500' to 4800' on Lot 286, Stumpf's Beech Grove Subdivision, be denied as this is a major variance and would be detrimental to the surrounding neighborhood; that there is additional land available from the adjoining Lot #287, which has been and is now owned by the same party; and no hardship has been shown.

yeas: All - 7  
nays: none  
absent: none



ITEM #12. PUBLIC HEARING - Ziebart Processing Corporation, Maple Road and Thorncroft for relief of building setback requirement of 50' from Maple Road to 45'; off-street parking requirement of 50' from Thorncroft to 20'.

Inspector Wright showed a sketch of the property involved, and stated the petitioner is proposing a building with a 45' setback from Maple, where 50' is required and a 20' setback from Thorncroft, where 50' is required. He further stated that additional industrial development is expected on Thorncroft north of Maple.

The Chairman reviewed the application for variance and letter dated October 1, 1968 from petitioner setting forth the reason why a hardship would be created if this variance was not granted.

Mr. Porter was present representing Ziebart Processing Corporation, and stated they had changed their request since appearing before the Board in August, 1968; and they feel that this is the only way the building can be situated on the lot. They feel that if the Board does not approve this request, they will not be able to build in Troy. Mr. Porter further acknowledged that there was going to be a parking problem with the large trucks being serviced due to the shortage of parking area. He also stated that the trucks would be run through the building, out onto Maple and around back onto Thorncroft, where they would be parked within the parking space available.

Inspector Wright pointed out that the logical route of egress from the parking lot was onto Maple Road, but that this was an extremely narrow area, as shown on the plan and it would be difficult to drive vehicles through such an egress route.

The Chairman opened the Public Hearing.

No comments from the audience.

One letter of disapproval in the file from S. Erdodi, 3600 N. Adams.

Motion by Elliott  
Support by Molinar

MOVED, that the Ziebart Processing Corporation, Maple Road and Thorncroft be:

1. granted relief from the building setback requirement on Maple Road from 50' to 45' for the reason that this would not be detrimental to the surrounding area and would not interfere with traffic visibility or cause traffic congestion onto Maple Road or unreasonably impair or diminish property values in the area since it was consistent with Maple Road setbacks.
2. denied a variance from 50' to 20' on Thorncroft. Thorncroft is not yet fully developed and to permit such an extensive variance would be detrimental to the further development of Thorncroft with a proper setback. The petitioner stated that they will service approximately 24 cars and large trucks daily, and this is going to cause a problem of traffic congestion, maneuvering of large vehicles and inadequate parking for this type of operation. Their letter to the Board indicated servicing

October 15, 1968

of trucks and buses with wheel bases up to 224 inches and this would be too large for the designated parking area. Traffic congestion is further indicated by their testimony that to use the parking area, vehicles will have to exit onto Maple Road and use Thorncroft as an auxiliary drive to obtain access to the parking area. This proposed operation is too large for the property available and the evidence indicates that the congestion in public streets will be increased, the visibility onto public streets will be reduced due to the large concentration of vehicles in a small parking area and to permit such overbuilding of this property for the proposed use, will diminish the value of other properties in the area required to meet this setback. Petitioner further admitted at its earlier hearing that this building is to serve as a training site for prospective employees or franchisees. It is found this will further add to parking problems and traffic congestion in this area.

yeas: 6  
nays: 1 - Henning  
absent: none

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Motion by Socha  
Support by Henning

MOVED, that the Meeting of the Board of Appeals be adjourned.

yeas: All - 7  
nays: none  
absent: none

ADJOURN: 11:20 p.m.