

A Regular Meeting of the Zoning Board of Appeals was held on Tuesday, May 21, 1963, being called to order by Chairman Gondek at 8:20 P.M.

PRESENT:

S. Gondek
Wayne Clark
Alphonse Bajgier

ABSENT:

John Davis (arrived at 8:25)
T.D. Bennett (arrived at 10:00)
Ben Moore
C. Sutermeister

Motion by Bajgier
Supported by Clark

Moved, minutes of April 16, 1963, be approved as printed.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 1. Request of Carl Schocke:
To build a garage and make home improvements at 934 Elmsford. Zoned M-1.

DECISION: Motion by Mr. Davis
Supported by Mr. Clark

Moved, to approve request to build a garage per plan submitted, subject to approval of Building Inspector.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 2. Request of Melvin Shook:
Mr. Shook appeared in behalf of his request to operate a plumbing business and maintain a sign at 6791 Livernois Road.

DECISION: Motion by Mr. Bennett
Supported by Mr. Clark

Moved, that request of Melvin Shook for renewal of variance permit to operate plumbing business and maintain a sign at 6791 Livernois Road be granted for one (1) year.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 3. Request of Jim Robbins Company:
Mr. Hughes appeared on behalf of Jim Robbins Company to request renewal of variance permit to operate a concrete crusher at 130 N. Stephenson Hwy, Troy.

DECISION: Motion by Mr. Clark
Supported by Mr. Bennett

Moved, that the request of Jim Robbins Company for renewal of variance permit to operate a concrete crusher at 130 N. Stephenson Hwy, Troy be granted for one (1) year.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 4. Request of John Steward:
Mr. Steward appeared in behalf of his request for renewal of variance permit to operate a gunsmith shop at 2855 Crooks Road.

DECISION: Motion by Mr. Davis
Supported by Mr. Bennett

Moved, that the request of John Steward for renewal of a variance permit to operate a gunsmith shop from 2855 Crooks Road be granted for one (1) year.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 5. Harry McDonald, 2119 Isabell:

DECISION: No renewal required - trailer no longer located at above address, per Mr. Baker. No action required.

Item 6, Request of Casimer Kowaleski:
Renewal of variance permit to use property at 3009 John R Road for general car repair.

DECISION: Motion by Mr. Davis
Supported by Mr. Bennett

Moved, to table until June 18th, pending clarification of use and opinion of City Attorney, if aircraft repair is covered by the variance permit.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 7. Request of Birmingham Rambler:
Mr. D. McCallister appeared in behalf of request to renew variance permit to operate bump and paint shop at 47 E. Maple Road.

DECISION: Motion by Mr. Bajgier
Supported by Mr. Bennett

Moved, variance permit to operate bump and paint shop at 47 E. Maple Road be renewed for one (1) year.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 8. Frank Clowes, 1121 Birchwood:
Variance permit at above address to operate a gunsmith shop expires May, 1963.

DECISION: Motion by Mr. Davis
Supported by Mr. Clark

Moved, to table until June 18th meeting for lack of appearance.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 9. Request of Arsene Aubuchon:
Arsene Aubuchon was present to request renewal of variance permit for a pony ride concession at 2180 E. Big Beaver Road.

DECISION: Motion by Mr. Clark
Supported by Mr. Davis

Moved, the variance permit to operate a pony ride concession at 2180 E. Big Beaver Road be renewed for one (1) year.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 10.

Request of Graham F. Nielsen

Mr. Graham F. Nielsen appeared in behalf of his request to build a garage at 1340 Key West Drive on a 24" rat wall, within 18' of the house. (The Ordinance requires that a garage built 20' or closer to the house must be erected on a 42" foundation).

DECISION: Motion by Mr. Davis
Supported by Mr. Clerk

Moved, permission be granted to build a garage at 1340 Key West Drive using 24" rat wall.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 11.

Request of Robert McComb Construction Company

Mr. McComb appeared in behalf of the request to build a manufacturing building on south side of Elmsford approximately 550 ft east of Rochester Road, nearer front lot line than permitted by Ordinance #23.

PUBLIC HEARING: no comment from audience

DECISION: Motion by Mr. Davis
Supported by Mr. Clerk

Moved, permission be granted to Robert McComb Construction Company to build a manufacturing building on south side of Elmsford allowing 30' set back from right-of-way.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 12.

Request of Charles S. Haught

Request to build a house containing 1222 square feet at 5741 Houghten (Ord. requires 1400 sq. ft). Request tabled at the request of Joel Garrett, due to negative perc test.

DECISION: Motion by Mr. Baigler
Supported by Mr. Clark

Moved, request be tabled until such time that a percolation test is completed.

Yeas: All-5
Nays: None

Item 13.

Request of Brown's Creamery

Mr. Brown appeared in behalf of the request to erect a sign at 1590 John R. Road. Sign is non-conforming.

PUBLIC HEARING:

William A. Parsons, lot #14, John R. Garden Sub
approves by letter

Adolph Johnson, 2030 E. Maple Rd. approves by letter

DECISION:

Motion by Davis
Supported by Bennett

Moved, permission be granted to Brown's Creamery to erect a non-conforming sign at 1590 John R Road.

Yeas: Condek, Clark, Davis, Bennett
Nays: Bajgier
Absent: Moore, Sutermeister
Motion lost

Motion by Bajgier
Supported by Condek

Moved, permission be denied Brown's Creamery to erect a non-conforming sign at 1590 John R Road.

Yeas: Bajgier
Nays: Condek, Clark, Davis, Bennett
Absent: Moore, Sutermeister

Motion by Condek
Supported (not given)

Moved, to table to June 18th, requesting an opinion from City Attorney clarifying Board of Appeals legality to rule on non-conforming sign.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 14.

Request of Nelson C. Palms

Mr. Palms appeared on behalf of his request to build a garage at 248 Lyons on a 24" rat wall, 14 1/2 feet from the house. (Ord. #23 requires that any garage built 20' or closer to the house must be erected on a 42" foundation.)

DECISION:

Motion by Davis
Supported by Clark

I move that Nelson C. Palms be granted permission to erect a garage on a 24" rat wall in lieu of a 42" foundation at 248 Lyons Street.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 15.

Request of Alexander Muczynski

Mr. Muczynski appeared on behalf of his request to build a house on south side of Deloy Street, approximately 410 feet west of John R. Road, the side yard would be non-conforming.

Public Hearing:

Mr. M. Sova, 1964 Deloy and R. LaBelle, 1950 Deloy requested that residence be at same elevation as adjoining residence.

DECISION:

Motion by Bennett
Supported by Clark

I move to allow side yard set back of 10' and 11' be permitted per sketch submitted.

Yeas: All-5
Nays: None
Absent: Moore, Sutermeister

Item 16.

Request of James Barton

J. Barton and Bruce Newton appeared on behalf of the request to build a swimming pool at 1316 Key West Drive.

DECISION:

Motion by Bajgier
Supported by Bennett

I move to deny building of a swimming pool at 1316 Key West Drive, since more than 30% of property would be covered with structure.

Yeas: Condek, Bajgier, Bennett
Nays: Clark, Davis
Absent: Moore, Sutermeister
Motion lost

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Item 17.

Request of Mrs. W. Brenneman

Mr. and Mrs. W. Brenneman appeared on behalf of their request to sell household goods from 304 Starr Drive.

PUBLIC HEARING:

Jay D. Teachout, 353 Hickory, disapproves by letter

Stanley Pietrzak, 319 Starr, approves by letter

DECISION:

Motion by Davis

Supported by Gondek

I move to grant variance permit for one (1) year to sell household goods from 304 Starr Drive providing no outside storage is permitted.

Yeas: All-5

Nays: None

Absent: Moore, Sutermeister

Motion by Gondek

Supported by Davis

Meeting to adjourn at 11:28 P.M.

Yeas: All-5

Nays: None

Absent: Moore, Sutermeister