

## **AGENDA**

### **BOARD OF ZONING APPEALS MAY 21, 2003**

### **COUNCIL CHAMBERS 7:30 P.M.**

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **ITEM #1 – APPROVAL OF MINUTES – MEETING OF APRIL 15, 2003**

#### **RENEWAL ITEMS**

#### **ITEM #2 – APPROVAL OF ITEMS #3 THROUGH #7**

**ITEM #3 – RENEWAL REQUESTED. LIBERTY PROPERTY TRUST, 2600 AND 2710 BELLINGHAM**, for relief to construct two new industrial buildings with a 6' high berm in lieu of the 6' high masonry-screening wall.

SUGGESTED RESOLUTION. To grant Liberty Property Trust, 2600 and 2710 Bellingham a three-year (3) renewal of relief to maintain a 6' high berm in lieu of the 6' high masonry-screening wall, which is required.

**ITEM #4 – RENEWAL REQUESTED. SAN MARINO SOCIAL CLUB, 1685 E. BIG BEAVER**, for relief of the 6' high masonry-screening wall required along the north property line.

SUGGESTED RESOLUTION. To grant San Marino Social Club, 1685 E. Big Beaver a three-year (3) renewal of relief of the 6' high masonry screening wall required along the north property line.

**ITEM #5 – RENEWAL REQUESTED. REVEREND SIMION TIMBUC, BETHESDA ROMANIAN CHURCH, 2075 E. LONG LAKE**, for relief of the 4'-6" high masonry-screening wall required along the east side of off-street parking.

SUGGESTED RESOLUTION. To grant Reverend Simion Timbuc, Bethesda Romanian Church, 2075 E. Long Lake, a three-year (3) renewal for relief of the 4'-6" high masonry-screening wall required along the east side of off-street parking.

**ITEM #6 – RENEWAL REQUESTED. WANDA WAITE, PPG INDUSTRIES, 5875 NEW KING**, for relief to maintain a berm in lieu of the 6' high masonry-screening wall required along the west property line.

SUGGESTED RESOLUTION. To grant Wanda Waite, PPG Industries, 5875 New King, a three-year (3) renewal of relief to maintain a berm in lieu of the 6' high masonry-screening wall required along the west property line.

**ITEM #7 – RENEWAL REQUESTED. BIG BEAVER UNITED METHODIST CHURCH, 3753 JOHN R.**, for relief of a 4'-6" high masonry wall along the north, east and west sides of off-street parking.

SUGGESTED RESOLUTION. To grant Big Beaver United Methodist Church, 3753 John R, a three-year (3) renewal of relief of a 4'-6" high masonry wall along the north, east and west sides of off-street parking.

### **POSTPONED ITEMS**

**ITEM #8 – VARIANCE REQUESTED. MR. & MRS. GARY SHEREDA, 5231 CROWFOOT**, for relief of the rear yard setback to construct a rear family room addition with a 25.5' rear yard setback where 40' is required by Section 30.10.04.

### **PUBLIC HEARINGS**

**ITEM #9 – VARIANCE REQUESTED. MR. THOMAS DOOLEY, 2872 WATERLOO DR.**, for relief of the rear yard setback to construct a rear family room addition with a 35.1' rear yard setback where Section 30.10.04 requires 40'.

**ITEM #10 – VARIANCE REQUESTED. MR. & MRS. RICK HOWARD, 2051 E. BIG BEAVER**, for relief of the Zoning Ordinance to have a day care center for 145 children with 16,637 square feet of outdoor play space where 21,750 square feet are required by Section 10.30.03.

**ITEM #11 – VARIANCE REQUESTED. MR. & MRS. WALT ROMANO, 5759 GLASGOW**, for relief of the setback requirements to construct an attached garage addition resulting in side yard setbacks totaling 19.6 feet where a total of 25' is required by Section 30.10.02.

**ITEM #12 – VARIANCE REQUESTED. ROBERT J. ROBERTS, OF LRS DEVELOPMENT, 1071 WHEATON**, for relief of the Zoning Ordinance to construct an addition to an existing industrial building with a 26' front yard, a 15' rear yard, and with 1,904 square feet of countable landscaping. Section 30.20.09 requires a 50' front yard and a 20' rear yard and Section 39.70.04 requires at least 1,941 square feet of landscaping.

**ITEM #13 – VARIANCE REQUESTED. HOMEWORKS CGO, INC. 601 REDWOOD,** for relief of the Zoning Ordinance to construct a family room addition resulting in 2,529 square feet of lot coverage where 2,394 square feet is permitted by Section 30.10.06.

**ITEM #14 – VARIANCE REQUESTED. YUEN WONG, 3400 EAGLE,** for relief of the rear yard setback to construct an addition with a 29' rear yard setback where 35' is required by Section 34.20.03.

**ITEM #15 – VARIANCE REQUESTED. DOUGLAS CHICK, ON BEHALF OF MR. & MRS. T. CHICK, 2706 TOWNHILL,** for relief of the Ordinance to construct an addition with a 36'-6" rear yard setback where Section 30.10.02 requires a 45' rear yard on to an existing non-conforming structure with a 33'-1" rear yard.

#### **OTHER BUSINESS**

**ITEM #16 - Election of Officers for Board of Zoning Appeals**

## AGENDA EXPLANATION

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**2. RESOLVED**, that Items #3 through #7 (with the exception of Item(s) \_\_\_\_\_) are hereby approved in accordance with the suggested resolutions printed in the Agenda Explanation.

Motion by

Supported by

3. Liberty Property Trust, 2600 & 2710 Bellingham. Petitioner is requesting relief to maintain a 6' high berm in lieu of the 6' high masonry-screening wall required. This Board at the meeting of May 2000 first granted this relief. This item last appeared before this Board at the meeting of May 2001 and was granted a two-year (2) renewal to allow the Board to observe the maintenance of the berm. Conditions remain the same and we have no objections or complaints on file.

**SUGGESTED RESOLUTION.** To grant Liberty Property Trust, 2600 and 2710 Bellingham a three-year (3) renewal of relief to maintain a 6' high berm in lieu of the 6' high masonry-screening wall, which is required.

- Conditions remain the same.
- We have no complaints or objections on file.

4. San Marino Social Club, 1685 E. Big Beaver. Petitioner is requesting relief of the 6' high masonry-screening wall required adjacent to the residential zoned district to the north. This relief has been granted on a yearly basis since 1976, primarily due to the fact that the adjacent residential property is undeveloped and owned by the petitioner. This item last appeared before this Board at the meeting of May 2000 and was granted a three-year (3) renewal at that time.

**SUGGESTED RESOLUTION.** To grant San Marino Social Club, 1685 E. Big Beaver, a three-year (3) renewal of relief of the 6' high masonry-screening wall required adjacent to the residential zoned district to the north.

- Conditions remain the same.
- We have no complaints or objections on file.

5. Revered Simion Timbuc, 2075 E. Long Lake. Petitioner is requesting relief of the 4'-6" high masonry-screening wall required along the east side of off-street parking. This relief has been granted on a yearly basis since May 1998. This item last appeared before this Board at the meeting of May 2002 and was granted a one-year renewal to allow the petitioner the opportunity to replace the dead shrubbery that was present; and also to allow the Church the time needed to work with the City to determine what other types of screening can be provided. Updated correspondence indicating the need to replace some of the plant material that has died is contained in your packet.

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SUGGESTED RESOLUTION. To grant Simion Timbuc, Bethesda Romanian Church, 2075 E. Long Lake, a three-year (3) renewal for relief of the 4'-6" high masonry-screening wall required along the east side of off-street parking.

- Conditions remain the same.
- We have no complaints or objections on file.

6. Wanda Waite, PPG Industries, 5875 New King. Petitioner is requesting renewal of relief to maintain a berm in lieu of the 6' high masonry-screening wall required along the west property line. This Board has granted this relief on a yearly basis since 1988 based on the fact that the petitioner installed a berm in place of the wall and the adjacent property owners approved of the alternate screening. This item last appeared before this Board at the meeting of May 2000 and was granted a three-year (3) renewal at that time. Conditions remain the same and we have no objections or complaints on file.

SUGGESTED RESOLUTION. To grant Wanda Waite, PPG Industries, 5875 New King, a three-year (3) renewal of relief to maintain a berm in lieu of the 6' high masonry-screening wall required along the west property line.

- Conditions remain the same.
- We have no complaints or objections on file.

7. Big Beaver United Methodist Church, 3753 John R. Petitioner is requesting renewal of relief of a 4'-6" high masonry wall required along the north, east and west sides of off-street parking. This Board has granted this relief on a yearly basis since 1994 based on the fact that the wooded areas provide a natural screening and a variance would not cause an adverse effect to the properties in the immediate vicinity. This item last appeared before this Board at the meeting of May 2000 and was granted a three-year (3) renewal at that time. Conditions remain the same and we have no complaints or objections on file.

SUGGESTED RESOLUTION. To grant Big Beaver United Methodist Church, 3753 John R., a three-year (3) renewal of relief to maintain a 4'-6" high masonry wall required along the north, east and west sides of off-street parking.

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

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8. Mr. & Mrs. Gary Shereda, 5231 Crowfoot. Petitioners are requesting relief of the rear yard setback to construct a family room addition. The site plan submitted indicates that the proposed family room addition would result with a 26.55' rear yard setback. Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District. This item last appeared before this Board at the meeting of April 15, 2003 and was postponed to allow the petitioners to explore the possibility of reducing the size of this addition and the opportunity to have a full board.

Included in your packet is a copy of a letter from the homeowners requesting that this item be postponed until the meeting of June 17, 2003.

9. Mr. Thomas Dooley, 2872 Waterloo Dr. Petitioners are requesting relief of the rear yard setback to construct an addition to their family room. The site plan submitted indicates an addition to the family room with a proposed 35.1' rear yard setback. Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District.

10. Mr. & Mrs. Rick Howard, 2051 E. Big Beaver. Petitioners are requesting relief of the Zoning Ordinance to construct additional parking area at the existing day care center at 2051 E. Big Beaver. Section 10.30.03 of the Troy Zoning Ordinance requires that a minimum of 150 square feet of outdoor play area be provided for each child cared for at the center. For the 145-child capacity that is proposed, a minimum of 21,750 square feet of outdoor play space is required. The site plan submitted indicates that only 16,637 of square feet of outdoor play space are proposed.

11. Mr. & Mrs. Walt Romano, 5759 Glasgow. Petitioners are requesting relief of the Zoning Ordinance to construct an attached garage addition. The site plan submitted indicates that the proposed attached garage addition would result in a total of 19.6' for the combined side yard setbacks. Section 30.10.02 requires a 25' minimum for the total of both side yard setbacks in the R-1B Zoning District.

12. Robert J. Roberts, 1071 Wheaton. Petitioner is requesting relief of the Zoning Ordinance to construct an addition to an existing industrial building. The existing building has a 26' front yard setback and a 15' rear yard setback. A variance was granted for the existing building in 1967. The plans that were submitted indicate that these setbacks will be continued with the new addition. Section 30.20.09 of the Troy Zoning Ordinance requires a 50' minimum front yard setback and a 20' minimum rear yard setback for buildings in the M-1 (Light Industrial) Zoning District. In addition, for a site this size Section 39.70.04 requires that a minimum of 1,941 square feet of countable landscaping be provided. Only 1,904 square feet of countable landscaping are provided.

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13. Homeworks cgo, Inc., 601 Redwood. Petitioner is requesting relief of the Zoning Ordinance to construct a family room addition. Section 30.10.06 of the Zoning Ordinance limits the lot coverage of all building to 30 percent of the lot area in the R-1E Zoning District. Since the lot area is 7,980 square feet, the maximum allowable lot coverage area is 2,394 square feet. The site plan submitted indicates that the proposed addition would bring the total lot coverage to 2,529 square feet.

14. Yuen (Daniel) Wong, 3400 Eagle. Petitioner is requesting relief of the Zoning Ordinance to construct an addition to his home. The site plan submitted indicates that the proposed addition would result in a 29' rear yard setback. Section 34.20.03 of the Ordinance requires a 35' rear yard setback in an R-1D zoned district utilizing the open space option. In January 2000, this Board granted a variance to allow Mr. Wong to construct a 16' x 16' living room addition on an existing foundation at the rear of their home that resulted in a 29' rear yard setback. Petitioner is now requesting to extend this addition along the back of their home.

15. Mr. & Mrs. T. Chick, 2706 Townhill. Petitioners are requesting relief of the Zoning Ordinance to construct an addition to their home. Section 30.10.02 of the Zoning Ordinance requires a 45' rear yard setback in R-1B Zoning Districts. The site plan submitted indicates the existing house has a rear yard setback of only 33'-1". Because of the age of the home, this condition makes it a legal non-conforming structure. The proposed addition has a 36'-6" rear yard setback. Section 40.50.04 prohibits expansions of non-conforming structures in a way that increases its non-conformity.

16. Election of Chairman and Vice Chairman for Board of Zoning Appeals.