

The Zoning Board of Appeals Study Session was called to order by Chair Lambert at 6:38 p.m. on May 17, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Kenneth Courtney
Thomas Strat
A. Allen Kneale
David Lambert

Also Present:

Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney
Aileen Bittner, Administrative Aide

Absent:

Glenn Clark
William Fisher

2. SUMMARY OF NEWLY ADOPTED ZONING ORDINANCE

Mr. Evans and Mrs. Lancaster summarized changes to the Zoning Ordinance as they relate to the Zoning Board of Appeals, and answered Board Member questions.

3. REVISIONS TO RULES OF PROCEDURE

Mr. Evans and Mrs. Lancaster advised Zoning Ordinance changes would necessitate changes to the Rules of Procedure. It was agreed by everyone present that this would be a good time to address any other desired changes to the rules. Mr. Evans will forward an electronic copy of the rules to the Board members and they can propose suggested changes for Staff to incorporate in a future draft.

4. PUBLIC COMMENT

There was no one present who wished to speak.

5. ADJOURNMENT

Due to time constraints, the Board and Staff agreed to continue the Study Session under Public Comment for the Zoning Board of Appeals Regular Meeting immediately following. The Zoning Board of Appeals Study Session **POSTPONED** at 7:26 p.m.

Respectfully submitted,

David Lambert, Chair

M. Aileen Bittner, Administrative Aide

The Zoning Board of Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on May 17, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Glenn Clark
Kenneth Courtney
Thomas Strat
A. Allen Kneale
David Lambert

Also Present:

Paul Evans, Zoning and Compliance Specialist
Susan Lancaster, Assistant City Attorney
Aileen Bittner, City Clerk’s Office Administrative Aide

Absent:

William Fisher

2. APPROVAL OF MINUTES

Moved by Clark
Seconded by Courtney

RESOLVED, To approve the April 19, 2011 Regular meeting minutes as corrected.

Yes: All present (6)
Absent: Fisher

MOTION PASSED

3. HEARING OF CASES

B. VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS

Motion to Postpone Variance Request from Minal Gada and Ashish Manek, 4820 Livernois

Moved by Courtney
Seconded by Clark

RESOLVED, That the City of Troy Zoning Board of Appeals hereby **POSTPONES** to the June 21, 2011, Regular Meeting the Variance Request from Minal Gada and Ashish Manek, 4820 Livernois.

Yes: All Present (6)
No: None
Absent: Fisher

MOTION PASSED

A. VARIANCE REQUEST, MONSIGNOR ZOUHAIR TOMA KAJBOU, 2442 E. BIG BEAVER ROAD, ST. JOSEPH CHALDEAN CATHOLIC CHURCH

Motion to Postpone *Variance Request, Monsignor Zouhair Toma Kajbou, 2442 E. Big Beaver Road, St. Joseph Chaldean Catholic Church*

Moved by Clark
Seconded by Courtney

RESOLVED, That the City of Troy Zoning Board of Appeals hereby **POSTPONES** to the June 21, 2011, Regular Meeting the *Variance Request, Monsignor Zouhair Toma Kajbou, 2442 E. Big Beaver Road, St. Joseph Chaldean Catholic Church*

Yes: Lambert Bartnik, Courtney
No: Kneale, Strat, Clark
Absent: Fisher

MOTION FAILED

Chair Lambert **OPENED** the Public Hearing at 7:53 p.m.

Public Comment was **RECEIVED** from:
Mr. Philip Sanzica
Mr. Ed Piche

Chair Lambert **CLOSED** the Public Hearing at 8:00 p.m.

Vote on Main Motion *Variance Request, Monsignor Zouhair Toma Kajbou, 2442 E. Big Beaver Road, St. Joseph Chaldean Catholic Church*

Moved by Bartnik
Seconded by Kneale

WHEREAS, In order to construct an addition to the church and a new driveway: 1) An 8 foot variance from the requirement that the addition be set back 50 feet from the west property line; 2) a 43 foot variance from the requirement that the proposed driveway be set back at least 50 feet from the west property line; and 3) a variance from the requirement that a landscaped berm be provided between the proposed driveway and the west property line.

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy Zoning Board of Appeals hereby **DENIES** the Variance Request from Monsignor Zouhair Toma Kajbou, 2442 E. Big Beaver Road, St. Joseph Chaldean Catholic Church.

Yes: All Present (6)
No: None
Absent: Fisher

MOTION PASSED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

There was no Public Comment.

6. MISCELLANEOUS BUSINESS

A. ELECTION OF OFFICERS

Mr. Lambert was nominated for Chair, and Mr. Bartnik was nominated for Vice Chair.

MOTION FOR DIVISION OF THE QUESTION FOR THE ELECTION OF OFFICERS

Moved by Bartnik
Seconded by Strat

RESOLVED, That the City of Troy Zoning Board of Appeals hereby **BIFORCATES** the election of Chair and Vice Chair.

Yes: Strat, Bartnik, Kneale, Lambert
No: Clark, Courtney
Absent: Fisher

MOTION PASSED

Mr. Lambert and Mr. Bartnik were nominated for Chairman

MOTION TO CLOSE NOMINATIONS FOR CHAIRMAN

Moved by Clark
Seconded by Lambert

Yes: All
Absent: Fisher

VOTE ON THE ELECTION OF CHAIR

Name	Lambert	Bartnik
Mr. Clark	X	
Mr. Courtney	X	
Mr. Fisher	Absent	Absent
Mr. Kneale		X
Mr. Lambert	X	
Mr. Strat		X
Mr. Bartnik		X

MOTION FAILED

Mr. Lambert and Mr. Bartnik nominated for position of chair.

MOTION TO CLOSE NOMINATIONS FOR CHAIR

Moved by Clark
 Second by Strat

Yes: All
 Absent: Fisher

SECOND VOTE ON THE ELECTION OF CHAIR -

Name	Lambert	Bartnik
Mr. Courtney	x	
Mr. Fisher	Absent	Absent
Mr. Kneale		X
Mr. Lambert	x	
Mr. Strat		X
Mr. Bartnik		X
Mr. Clark	x	

MOTION FAILED

Mr. Lambert and Mr. Bartnik nominated for position of chair.

MOTION TO CLOSE NOMINATIONS FOR CHAIR

Moved by Clark
 Second by Neale

Yes: All
 Absent: Fisher

THIRD VOTE ON THE ELECTION OF CHAIR

Name	Lambert	Bartnik
Mr. Lambert	x	
Mr. Strat		X
Mr. Bartnik		X
Mr. Clark	x	
Mr. Courtney	x	
Mr. Fisher	Absent	Absent
Mr. Kneale	x	

MOTION PASSED

Mr. Lambert is hereby **ELECTED** to serve as Chair of the Zoning Board of Appeals.

Mr. Bartnik was nominated for Vice Chair,
 Mr. Bartnik declined his nomination, he believes Officer seats should be rotated annually.
 Mr. Neale was nominated for Vice Chair

MOTION TO CLOSE NOMINATIONS FOR VICE CHAIR

Moved by Clark
 Second by Lambert

Yes: Courtney, Lambert, Strat, Bartnik, Clark
 No: Neale
 Absent: Fisher

MOTION PASSED

Moved by Clark
 Seconded by Lambert

VOTE ON THE ELECTION OF VICE CHAIR -

Name	Kneale	None
Mr. Lambert	x	
Mr. Strat	X	

Mr. Bartnik	X	
Mr. Clark	x	
Mr. Courtney	x	
Mr. Fisher	Absent	Absent
Mr. Kneale	x	

MOTION PASSED

Mr. Kneale is hereby **ELECTED** to serve as Vice Chair of the Zoning Board of Appeals.

Mr. Strat exited the meeting at 8:38 p.m.

B. **CONTINUATION OF 5-17-2011 ZBA STUDY SESSION**

Mr. Evans and Mrs. Lancaster summarized changes to the Zoning Ordinance as they relate to the Zoning Board of Appeals, and answered Board Member questions.

7. **ADJOURNMENT**

The Zoning Board of Appeals meeting **ADJOURNED** at 9:03 p.m.

Respectfully submitted,

David Lambert, Chair

M. Aileen Bittner, City Clerk’s Office Administrative Aide

The Zoning Board of Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on June 21, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Kenneth Courtney
Thomas Strat
Allen Kneale
William Fisher
David Lambert

Also Present:

Paul Evans, Zoning and Compliance Specialist
Allan Motzny, Assistant City Attorney

Absent:

Glenn Clark

2. APPROVAL OF MINUTES – May 17, 2011 Study Session and Regular Meeting

Moved by Lambert
Seconded by Bartnik

RESOLVED, To postpone approval of the May 17, 2011 meeting minutes to July 19, 2011 to allow proposed corrections to be presented to the Board.

Yes: All present (6)

Absent: Clark

MOTION PASSED

3. HEARING OF CASES

A. VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS

Motion to Postpone Variance Request from Minal Gada and Ashish Manek, 4820 Livernois

Moved by Courtney
Seconded by Fisher

RESOLVED, That the City of Troy Zoning Board of Appeals hereby POSTPONES to the July 19, 2011, Regular Meeting the Variance Request from Minal Gada and Ashish Manek, 4820 Livernois.

Yes: Courtney, Fisher, Kneale, Lambert, Bartnik
No: None
Abstain: Strat
Absent: Clark

MOTION PASSED

4. HEARING OF CASES

A. VARIANCE REQUEST, TOM KASZUBSKI, EXECUTIVE DIRECTOR, NORTH WOODWARD COMMUNITY FOUNDATION, 3668 LIVERNOIS

Chair Lambert OPENED the Public Hearing.

No one spoke.

Chair Lambert CLOSED the Public Hearing.

Motion to GRANT the variance as requested.

Moved by Bartnik
Seconded by Strat

RESOLVED, That the City of Troy Zoning Board of Appeals hereby GRANTS the variance for Tom Kaszubski, Executive Director, North Woodward Community Foundation, 3668 Livernois.

Yes: All Present (6)
Absent: Clark

MOTION PASSED

B. VARIANCE REQUEST, RICHARD ADAMS, 926 NORWICH DRIVE

Chair Lambert OPENED the Public Hearing.

No one spoke.

Chair Lambert CLOSED the Public Hearing.

Motion to Grant variance as requested.

Moved by Strat
Seconded by Courtney

RESOLVED, That the City of Troy Zoning Board of Appeals hereby GRANTS the variance for Richard Adams, 926 Norwich Drive.

Yes: All Present (6)

Absent: Clark

MOTION PASSED

5. COMMUNICATIONS

Mr. Evans advised the Board that at the June 28, 2011 Planning Commission Special/Study Session there will be a “Stormwater 101” Presentation by Kelly Sanzica, Director of the Wayne Count Department of the Environment. All Board Members and public are invited to attend.

6. PUBLIC COMMENT – No one was present to speak.

7. MISCELLANEOUS BUSINESS

The Board discussed revising their Rules of Procedure. The Board has received some Member comments and some proposed amendments. The Board agreed to further analyze this information and continue discussion at the next regular meeting.

Mr. Strat advised the Board that the Planning Commission was working on Sustainable Development Options.

8. ADJOURNMENT

The Zoning Board of Appeals meeting ADJOURNED at 8:30 p.m.

Respectfully submitted,

David Lambert, Chair

Paul Evans, Zoning and Compliance Specialist