

3. POSTPONED ITEMS

- A. VARIANCE REQUEST, JEFF GLASER, OUR CREDIT UNION, 6693 ROCHESTER – A variance from the requirement that a 6 foot high obscuring wall be provided to the residentially zoned properties north of the subject location.

**SECTION: 39.10.01**



W SOUTH BLVD

NORWAY

EDGEWATER

VENUS

AMBERWOOD

PANT CREEK

SANDALWOOD

ROCHESTER

HARTWIG

E LOVELL

ALAMEDA

6693

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CITY OF TROY

BOARD OF ZONING APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248- 524-3364
FAX: 248-524-3382
E-MAIL: evanspm@troymi.gov
http://www.troymi.gov/CodeEnforcement/#



FILE NUMBER
LOCATION
REGULAR MEETING FEE (\$150.00)
VARIANCE RENEWAL (\$35.00)
SPECIAL MEETING (\$650.00)

NOTICE TO THE APPLICANT

REGULAR MEETINGS OF THE CITY BOARD OF ZONING APPEALS ARE HELD ON THE THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL. PLEASE FILE A COMPLETE APPLICATION, WITH THE APPROPRIATE FEE, AT LEAST TWENTY-SEVEN (27) DAYS BEFORE THE MEETING DATE.

A COMPLETE APPLICATION THAT MEETS ZONING ORDINANCE REQUIREMENTS IS PLACED ON THE NEXT AVAILABLE AGENDA OF THE BOARD OF ZONING APPEALS.

- 1. ADDRESS OF THE SUBJECT PROPERTY: 6693 Rochester Road
LOT NO. 88-20-03-226-104 SUBDIVISION
LOCATED ON THE West SIDE OF (ROAD) Rochester Road
BETWEEN Lovell AND Sandalwood Drive
ACREAGE PROPERTY: Attach legal description if this an acreage parcel
2. PROPERTY TAX IDENTIFICATION NUMBER(S):
3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: 39.10.01
4. REASONS FOR APPEAL: On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist
5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: City of Troy Approvals dated January 18, 2008, February 20, 2009 and May 6, 2010

6. APPLICANT INFORMATION:

NAME Jeff Glaser  
COMPANY Our Credit Union  
ADDRESS 3070 Normandy road  
CITY Royal Oak STATE MI ZIP 48073  
TELEPHONE 248-549-3838 x232  
E-MAIL jglaser@ourcuonline.org

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: Same

8. OWNER OF SUBJECT PROPERTY:

NAME Same  
COMPANY \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE \_\_\_\_\_  
E-MAIL \_\_\_\_\_

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto

I, Jeff Glaser (PROPERTY OWNER) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS.

SIGNATURE OF APPLICANT [Signature] DATE 1/10/11  
PRINT NAME: Jeffrey Glaser - OUR Credit Union

SIGNATURE OF PROPERTY OWNER SAME DATE \_\_\_\_\_  
PRINT NAME: \_\_\_\_\_

## **Reasons For Appeal Our Credit Union Rochester Road Branch**

Regarding constructing a 6' high masonry screen wall between O-1 zoning and the adjacent R-1c zoning

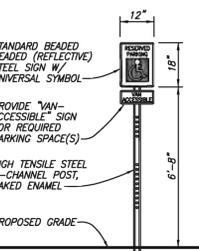
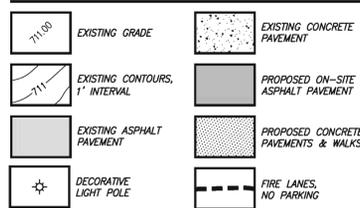
To the west of our property is an open city detention pond, not R-1C residential. This pond provides approximately a six lot buffer (based on lots across the street) between our site and any residential. We have also added numerous trees' to enhance the natural state of the area.

To the North of our property is a natural tree/shrub line that provides excellent screening from any residential areas.

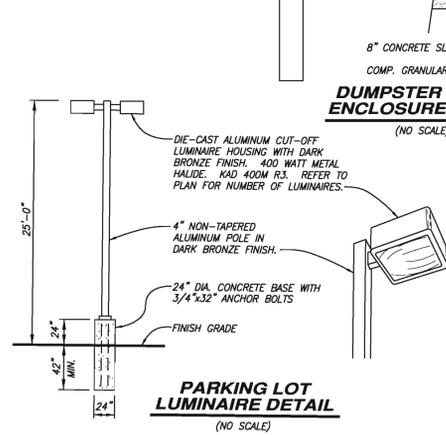
Constructing a screen wall in either of these areas would not provide any additional buffer and would dramatically disrupt the natural beauty of the area. In addition, it would actually cut into the green belt areas that we provided in our landscaping plan.



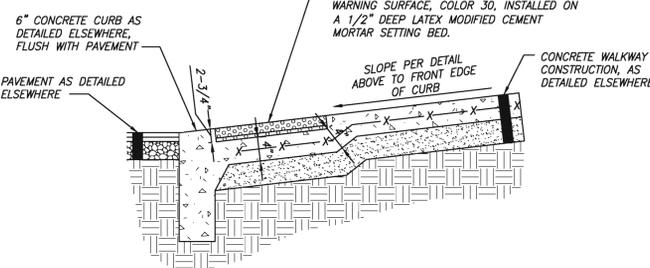
**LEGEND**



**BARRIER-FREE SIGNAGE DETAIL**  
(NO SCALE)



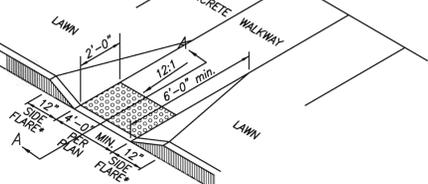
**PARKING LOT LUMINAIRE DETAIL**  
(NO SCALE)



**TYPICAL RAMP SECTION A-A**

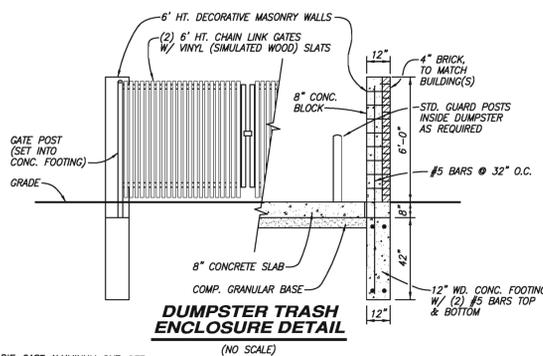
**NOTES:**

1. TEXTURE SHALL BE PROVIDED FOR A MINIMUM LENGTH OF 2 FEET, 6" FROM THE BACK OF CURB. THE WIDTH OF THE TEXTURE SHALL BE THAT OF THE ENTIRE RAMP AND SIDE FLARES, IF USED.
2. PURSUANT TO THE 1/1/04 STANDARDS SET BY THE AMERICANS WITH DISABILITY ACT, RAMP TEXTURING SHALL DIFFER FROM THE SURFACE COLOR BY AT LEAST 70%.

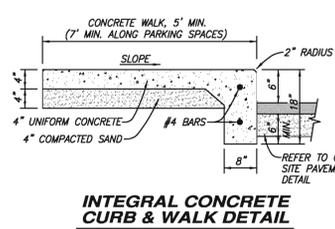


\*NOTE: IF RAMP IS ADJACENT TO WALKWAY INSTEAD OF LAWN AS SHOWN ABOVE, THEN SIDE FLARES SHALL BE 6'-0" IN LIEU OF 12".

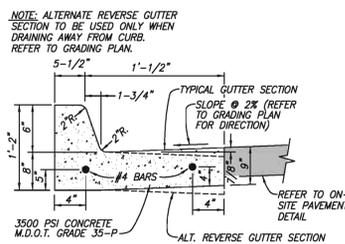
ADA COMPLIANT CURB RAMP



**DUMPSTER TRASH ENCLOSURE DETAIL**  
(NO SCALE)

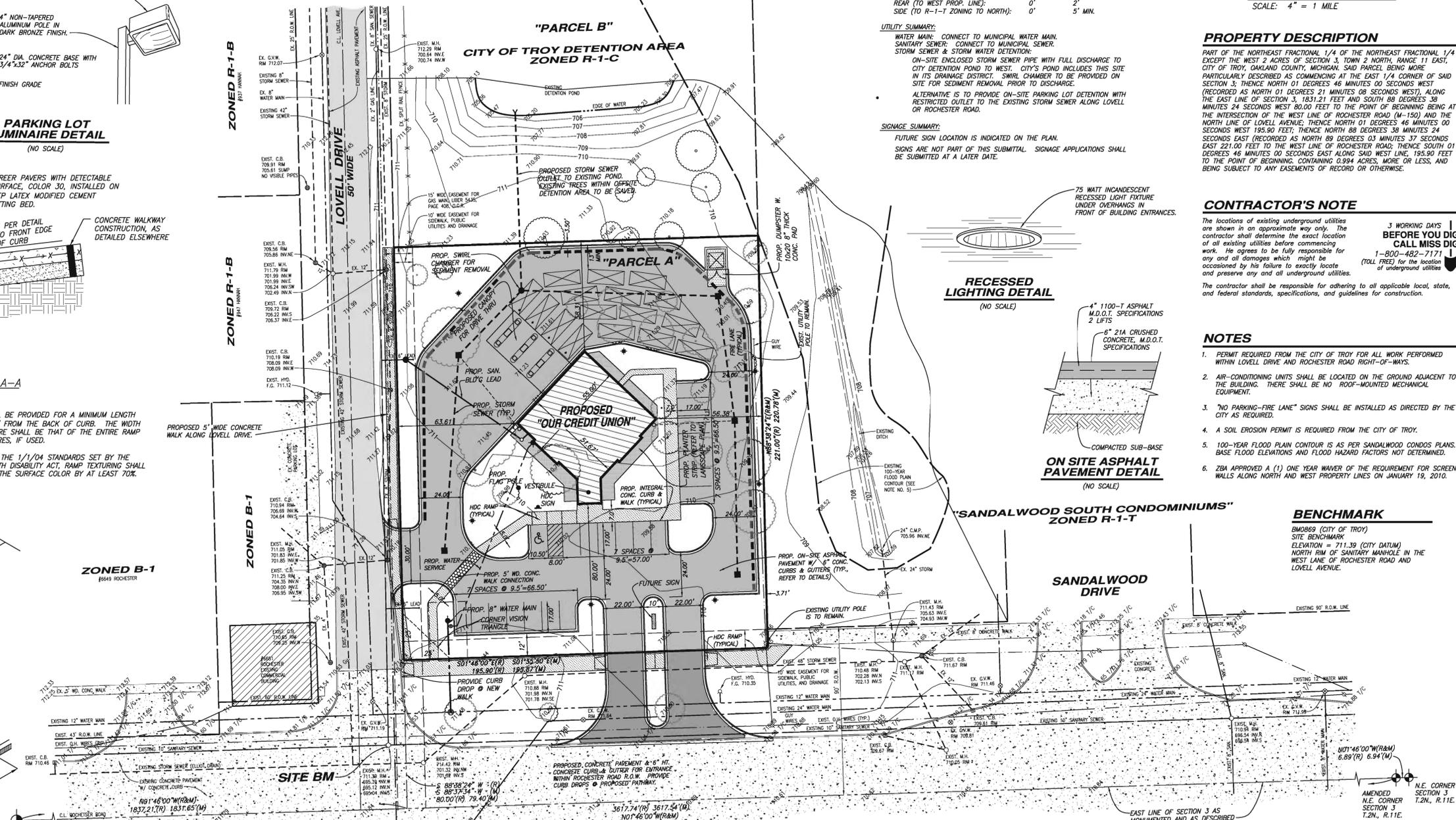


**INTEGRAL CONCRETE CURB & WALK DETAIL**  
(NO SCALE)



**6" ON-SITE CONCRETE CURB & GUTTER DETAIL**  
(NO SCALE)

SCALE: 1"=30' NORTH



**ROCHESTER ROAD WIDTH VARIES**

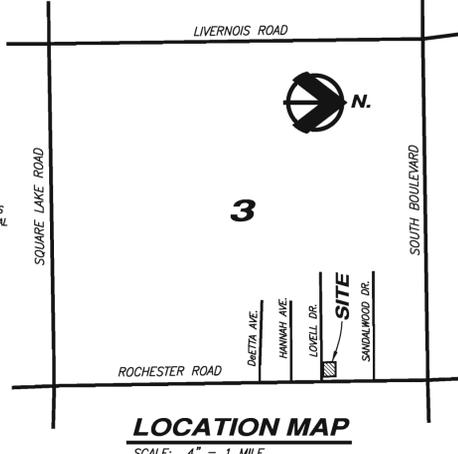
**SITE CRITERIA**

- PARCEL SUMMARY:**
  - PARCEL IDENTIFICATION #: 88-20-03-226-104
  - EXISTING ADDRESS: 6693 ROCHESTER ROAD
  - EXISTING ZONING: 0-1 (LOW RISE OFFICE DISTRICT)
  - ADJACENT ZONINGS: R-1-T, R-1-B, R-1-C, B-1
  - AREA OF SITE: 0.994 ACRES
  - PROPOSED USE: CREDIT UNION W/ DRIVE THRU
- BUILDING SUMMARY:**

BUILDING AREA:	GROSS TOTAL: 3,070 S.F.	TOTAL USABLE: 3,070 S.F.
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- PARKING SUMMARY:**
  - SPACES REQUIRED: ONE (1) SPACE PER 200 S.F. OF USABLE AREA: 3,070 S.F./200 = 16 SPACES
  - ONE (1) SPACE PER WINDOW/PEDESTAL FOR DRIVE THRU PLUS FOUR ADDITIONAL STACKING SPACES
  - TOTAL SPACES PROVIDED: 21 SPACES (INCLUDES ONE (1) BARRIER-FREE VAN ACCESSIBLE SPACE)
  - THREE (3) WINDOWS AND AN ATM = 4 SPACES PLUS 16 STACKING SPACES
- SETBACK SUMMARY:**

BUILDING:	REQUIRED:	PROVIDED:
FRONT (TO ROCHESTER ROAD R.O.W.):	30'	80.00'
FRONT (TO LOVELL DRIVE R.O.W.):	30'	63.61'
REAR (TO WEST PROP. LINE):	20'	58.31'
SIDE (TO R-1-T ZONING TO NORTH):	20'	56.38'
- PARKING:**

BUILDING:	REQUIRED:	PROVIDED:
FRONT (TO ROCHESTER ROAD R.O.W.):	10'	10'
FRONT (TO LOVELL DRIVE R.O.W.):	10'	10'
REAR (TO WEST PROP. LINE):	0'	2'
SIDE (TO R-1-T ZONING TO NORTH):	0'	5' MIN.
- UTILITY SUMMARY:**
  - WATER MAIN: CONNECT TO MUNICIPAL WATER MAIN.
  - SANITARY SEWER: CONNECT TO MUNICIPAL SEWER.
  - STORM SEWER & STORM WATER DETENTION: ON-SITE ENCLOSED STORM SEWER PIPE WITH FULL DISCHARGE TO CITY DETENTION POND TO WEST. CITY'S POND INCLUDES THIS SITE IN ITS DRAINAGE DISTRICT. SWIRL CHAMBER TO BE PROVIDED ON SITE FOR SEDIMENT REMOVAL PRIOR TO DISCHARGE.
  - ALTERNATIVE IS TO PROVIDE ON-SITE PARKING LOT DETENTION WITH RESTRICTED OUTLET TO THE EXISTING STORM SEWER ALONG LOVELL OR ROCHESTER ROAD.
- SIGNAGE SUMMARY:**
  - FUTURE SIGN LOCATION IS INDICATED ON THE PLAN.
  - SIGNS ARE NOT PART OF THIS SUBMITTAL. SIGNAGE APPLICATIONS SHALL BE SUBMITTED AT A LATER DATE.



**LOCATION MAP**  
SCALE: 4" = 1 MILE

**PROPERTY DESCRIPTION**

PART OF THE NORTHEAST FRACTIONAL 1/4 OF THE NORTHEAST FRACTIONAL 1/4 EXCEPT THE WEST 2 ACRES OF SECTION 3, TOWN 2 NORTH, RANGE 11 EAST, CITY OF TROY, OAKLAND COUNTY, MICHIGAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 3; THENCE NORTH 01 DEGREES 46 MINUTES 00 SECONDS WEST (RECORDED AS NORTH 01 DEGREES 21 MINUTES 08 SECONDS WEST), ALONG THE EAST LINE OF SECTION 3, 1831.21 FEET AND SOUTH 88 DEGREES 38 MINUTES 24 SECONDS WEST 80.00 FEET TO THE POINT OF BEGINNING BEING AT THE INTERSECTION OF THE WEST LINE OF ROCHESTER ROAD (M-150) AND THE NORTH LINE OF LOVELL AVENUE; THENCE NORTH 01 DEGREES 46 MINUTES 00 SECONDS WEST 195.90 FEET; THENCE NORTH 88 DEGREES 38 MINUTES 24 SECONDS EAST (RECORDED AS NORTH 89 DEGREES 03 MINUTES 37 SECONDS EAST 221.00 FEET TO THE WEST LINE OF ROCHESTER ROAD; THENCE SOUTH 01 DEGREES 46 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE, 195.90 FEET TO THE POINT OF BEGINNING, CONTAINING 0.994 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS OF RECORD OR OTHERWISE.

**CONTRACTOR'S NOTE**

The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

**NOTES**

1. PERMIT REQUIRED FROM THE CITY OF TROY FOR ALL WORK PERFORMED WITHIN LOVELL DRIVE AND ROCHESTER ROAD RIGHT-OF-WAYS.
2. AIR-CONDITIONING UNITS SHALL BE LOCATED ON THE GROUND ADJACENT TO THE BUILDING. THERE SHALL BE NO ROOF-MOUNTED MECHANICAL EQUIPMENT.
3. NO PARKING-FIRE LANE SIGNS SHALL BE INSTALLED AS DIRECTED BY THE CITY AS REQUIRED.
4. A SOIL EROSION PERMIT IS REQUIRED FROM THE CITY OF TROY.
5. 100-YEAR FLOOD PLAIN CONTOUR IS AS PER SANDALWOOD CONDOS PLANS. BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS NOT DETERMINED.
6. ZBA APPROVED A (1) ONE YEAR WAIVER OF THE REQUIREMENT FOR SCREEN WALLS ALONG NORTH AND WEST PROPERTY LINES ON JANUARY 19, 2010.

**BENCHMARK**

BM0869 (CITY OF TROY)  
SITE BENCHMARK  
ELEVATION = 711.39 (CITY DATUM)  
NORTH RIM OF SANITARY MANHOLE IN THE WEST LANE OF ROCHESTER ROAD AND LOVELL AVENUE.

**CONTRACTOR'S NOTE**

The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

**APEX**  
ENGINEERING & LAND PLANNING CONSULTANTS  
CIVIL ENGINEERING & LAND PLANNING CONSULTANTS  
560 WHIMMS LANE  
ROCHESTER, MICHIGAN 48306  
PHONE: 586-876-3847  
EMAIL: apexengr@gmail.com

**OUR CREDIT UNION, BRANCH OFFICE BUILDING**  
PROJECT:

CLIENT: CARY PERELLI COMPANY  
222 EAST MERRILL SUITE 101  
BIRMINGHAM, MI 35203-1717  
JOB NO: 09-040  
DATE: 10-11-09  
DRAWN BY: S.T.  
CHECKED BY: W.E.M.4

4-30-10 REVISED PER PLANNING COMMISSION  
1-14-10 REVISED PER GREEN WALK WATER  
10-05-09 REVISED PER CITY COMMENTS

**SITE PLAN**  
SHEET  
**2**  
OF 4  
MUNICIPAL REVIEW NUMBERS:  
**TROY SP**



**6693 Rochester Road - West Property Line**



**6693 Rocheser Road - North Property Line**



OUR  
GREAT UNION

**6693 Rochester Road - Main Entrance**

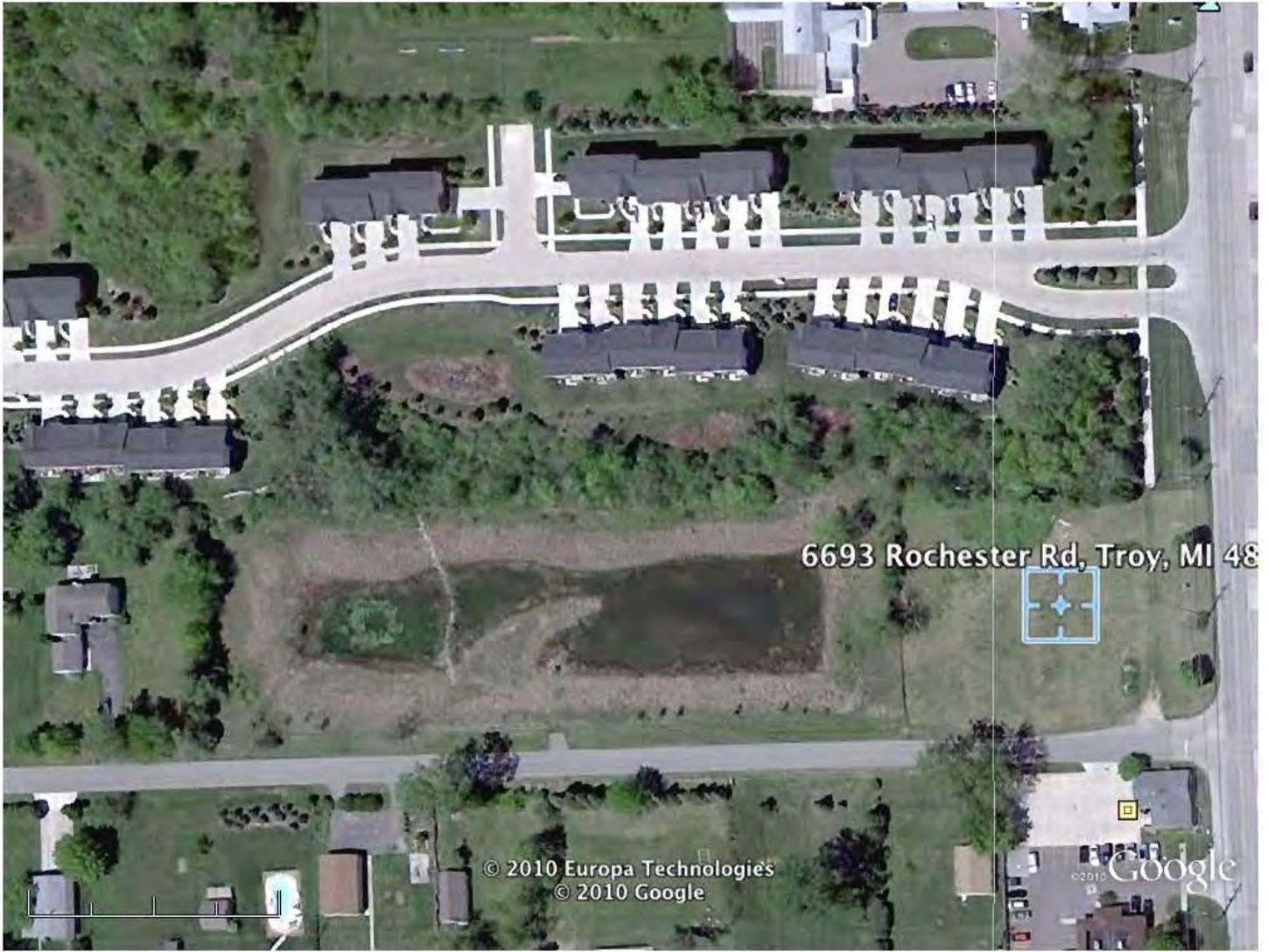


OUR CU-North Lot Line



OUR CU-North Lot Line

10.08.2010



6693 Rochester Rd, Troy, MI 48

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© 2010 Google

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OUR CU - West Lot Line

record that grant approval of all the existing detached accessory buildings on this property. He indicated if the applicant is successful this evening, it would validate all the structures on site.

Mr. Bartnik asked that the record reflect he visited the subject property today and spoke with the petitioner, at which time the property owner stated the buildings were present as of 2001. Mr. Bartnik said the structures appear to be long standing structures and the property can support the structures. He sees no problem with the existing state of affairs and is in favor of granting the petition.

Mr. Kneale suggested to view aerial photography to see what structures existed.

Mr. Evans displayed 1990 and 2002 aerial photographs. It was difficult to determine from the aerial photography which structures existed at that time.

Mr. Strat said he likes the existing environment and is in favor of the request. He addressed legislation of every parcel in the City.

**Resolution # BZA 2011-02-012**

Moved by Courtney

Seconded by Clark

**MOVED**, To approve this variance, as written.

*Preliminary Findings:*

- That the property is large enough to support all the buildings.
- The variance does not have an adverse effect to surrounding properties.
- That the variance is not contrary to public interest.

Yes: All present (7)

**MOTION CARRIED**

**C. VARIANCE REQUEST, JEFF GLASER, OUR CREDIT UNION, 6693 ROCHESTER  
– A variance from the requirement that a 6 foot high obscuring wall be provided to the residentially zoned properties north and west of the subject location.**

**SECTION: 39.10.01**

Mr. Evans addressed the location, surrounding zoning, history of the property and the applicant's request for a permanent variance.

Chair Lambert referenced an email communication from a neighbor residing at 947 Hannah, requesting pine trees to obscure vehicular headlights of bank customers during evening hours.

It was noted that 947 Hannah is south of the credit union. Mr. Evans stated there is no requirement to provide a screen wall to the south because of the street separation between the properties.

Mr. Kneale acknowledged a past business relationship with the applicant. He said he has not seen the applicant for years and is comfortable hearing and acting on the agenda item.

The Board members agreed there was no reason for Mr. Kneale to recuse himself.

Jeff Glaser from Our Credit Union, 6693 Rochester Road, Troy, was present. Mr. Glaser briefly addressed the working relationship with the Planning Commission and the Board of Zoning Appeals with respect to providing a landscaped buffer for residential. Mr. Glaser said they want to be a good neighbor. He addressed various lighting of the building and premises, hours of operation, existing landscape and vegetation. He believes building a wall to the north and west would take away from the beauty of the area. Mr. Glaser addressed the existing vegetation with the changes of seasons.

Mr. Glaser addressed the communication from the resident at 947 Hannah. He indicated that he personally has driven around the drive-through area during evening hours and does not see how headlights could possibly reach residents on Hannah. Mr. Glaser indicated the resident on Hannah approached the construction supervisor during the construction phase with similar concerns. The credit union offered to plant trees on his property and/or along the lot line. Mr. Glaser said he assumed everything was resolved but the resident did not respond to that offer.

Doug Clark, project developer, from The Case Group, 28175 Haggerty, Novi, was present. Mr. Clark addressed the buffer to the west in relation to the building angle and drive-through. He noted the buffer is over six lots wide and vegetation is not yet at full maturity. Mr. Clark addressed the various stages of vegetation with the seasons.

Mr. Glaser stated the credit union has been in operation since December 6, 2010.

Mr. Courtney suggested consideration of a permanent variance would be more appropriate after the credit union has been in operation for three years.

Mr. Forsyth requested a time to research the Zoning Ordinance with respect to the number of years of operation.

#### PUBLIC HEARING OPENED

Marc Himelstein of 754 Sandalwood Drive, Troy, was present to represent the Sandalwood Condominium Association. Mr. Himelstein asked for consideration to construct a six-foot wall as a buffer to the north for at least three years while the business develops. He addressed concerns of Sandalwood homeowners with

respect to noise and safety. Mr. Himelstein said the homeowners have no objections to waiving the wall to the west.

Mr. Courtney informed Mr. Himelstein that the Board would not require the applicant to put up a wall on the pretense of taking it down three years later. He asked if the noise might be coming from Rochester Road instead, and indicated a wall is not a good deterrent for noise.

Mr. Himelstein said the noise complaints are from those residents living in the front of the building, and they fully understand that a wall is not a perfect solution but at least it would provide another barrier for safety.

There was discussion on:

- Location of condominium units in relation to credit union.
- Detention pond in relation to credit union and condominiums.
- Discussion/communication between condominium association and credit union.
- Safety of children; near Rochester Road, detention pond, credit union parking lot.

#### PUBLIC HEARING CLOSED

Mr. Forsyth said it is at the Board's discretion to waive the wall. He cited Section 39.10.04 uses the word "may"; the wall could be permanent or more of a temporary nature as proposed by Mr. Courtney.

Mr. Courtney said the section refers to "after a three year period", and in this instance the variance has been granted for three years even though the variance was granted under different ownership.

#### **Resolution # BZA 2011-02-**

Moved by Courtney

Seconded by Kneale

**MOVED**, To grant the variance for one year, to allow more time to determine whether a wall should be constructed.

#### *Preliminary Findings:*

- The conditions remain the same.
- Allow sufficient time for residents to the north to determine whether a wall is necessary or not.

#### Discussion on the motion on the floor.

Mr. Bartnik expressed concern for residents to the north. He said the building looks completely different from when it was originally reviewed.

Mr. Courtney agreed the building is different from what was originally reviewed.

Mr. Clark said he agrees with a one year renewal. He addressed the concerns of the residents to the north, 24-hour ATM window, vehicular headlights and litter. Mr. Clark suggested in the future that the condominium association forward a formal resolution to the Board stating their concerns.

Mr. Evans suggested postponing the item to a date certain as an alternative solution to granting a variance for one year.

A short discussion followed.

Mr. Courtney said he would like to withdraw the west wall from the Resolution on the floor. His intent is to offer a following Resolution to grant a permanent variance for the required wall on the west.

**Resolution # BZA 2011-02-**

Moved by Courtney

Seconded by Kneale

**MOVED**, To grant a variance for one year for the required wall to the north.

Discussion on the motion on the floor.

Mr. Glaser addressed potential for litter on the property. He said the credit union produces as little paper as possible for security and cost reasons. Mr. Glaser addressed the wall to the north in relation to the elevation of the condominium units, noise, safety and traffic.

Chair Lambert asked if the applicant would prefer to postpone the item to allow time to address the condominium association concerns.

Mr. Glaser said he is amenable to the wishes of the Board. He said he is not sure anything short of a wall would be satisfactory to the residents.

Mr. Himelstein offered an invitation to the applicant to attend their annual board meeting held in the summer.

There was a brief discussion on granting a six month variance or postponing the item for six months.

**Resolution # BZA 2011-02-013**

Moved by Courtney

Seconded by Kneale

**MOVED**, To postpone action on the required wall to the north to the August 16, 2011 Regular meeting.

Discussion on the motion on the floor.

Mr. Evans announced with a postponement that notification to the public is not required.

Chair Lambert stated the motion to postpone takes precedence over the other motions on the floor.

Vote on the motion on the floor.

Yes: All present (7)

**MOTION CARRIED**

**Resolution # BZA 2011-02-014**

Moved by Courtney

Seconded by Fisher

**MOVED**, To grant a permanent variance on the west wall.

Yes: All present (7)

***MOTION CARRIED***

Mr. Kneale asked if it is appropriate to address the communication received from the neighbor to the south.

Mr. Forsyth said it would not be proper to address the communication, the reason being that the variance before the Board this evening dealt strictly with the north and west sides of the property.

5. **COMMUNICATIONS**

Mr. Evans announced that a Public Hearing is scheduled on the March 8, 2011 Planning Commission Regular meeting for the newly drafted Zoning Ordinance.

6. **PUBLIC COMMENT**

There was no one present who wished to speak.

7. **MISCELLANEOUS BUSINESS**

Chair Lambert welcomed Mr. Strat to the Board.

Mr. Bartnik encouraged members to take an active interest in the newly drafted Zoning Ordinance.

8. **ADJOURNMENT**

The Board of Zoning Appeals meeting adjourned at 9:57 p.m.

Respectfully submitted,

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David Lambert, Chair

**From:** [Eaamici@aol.com](mailto:Eaamici@aol.com)  
**To:** [Planning](#)  
**Subject:** VARIANCE OF 6 FT. WALL AT 6693 ROCHESTER  
**Date:** Wednesday, February 09, 2011 9:27:41 AM

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IN CONSIDERING YOUR VARIANCE OF THE 6 FT. WALL. IT WOULD BE NICE TO RECONSIDER SOME PINE TREES ETC. TO OBSCURE THE GLARE OF HEADLIGHTS IN MY FAMILY ROOM WHEN VEHICLES ARE USING THE DRIVE IN WINDOWS AND THE ATM MACHINE IN THE EVENING. IN YOUR APPROVED PLANNING I DONT THINK YOU CONSIDERED THAT ISSUE VERY WELL. PINE TREES WERE PUT ALONG THE RETENTION POND.

SO FAR ALL YOUR VARIANCES FROM RESIDENTIAL TO COMMERCIAL HAVE BEEN A DETREMENT TO OUR HOME VALUE.

ERNEST AMICI  
947 HANNAH

**From:** [Paul M Evans](#)  
**To:** [Kathy Czarnecki](#)  
**Subject:** FW: Public Comment - August 19, 2011 Agenda - Our Credit Union variance request  
**Date:** Tuesday, July 19, 2011 11:22:37 AM

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Kathy:

This is for 6693 Rochester.

They are supposed to be on the August ZBA agenda. Could you please place this message in the appropriate folder for inclusion in the August agenda packet? Thanks.

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**From:** Tricia Llewellyn [mailto:[tnllewellyn@yahoo.com](mailto:tnllewellyn@yahoo.com)]  
**Sent:** Tuesday, July 19, 2011 11:09 AM  
**To:** Paul M Evans  
**Cc:** [cynthia.agar@yahoo.com](mailto:cynthia.agar@yahoo.com); [sandalwoodsouth@gmail.com](mailto:sandalwoodsouth@gmail.com)  
**Subject:** Public Comment - August 19, 2011 Agenda - Our Credit Union variance request

Board of Zoning Appeals Members,

Herein is my request for the Board of Zoning Appeals to deny the waiver request of Our Credit Union to build the required wall barrier between their Rochester Road property and the residential community of Sandalwood South. I am the proud owner of 867 Sandalwood Drive and I appeal to the Board's inherent desire to keep Troy as a city that is not only business friendly, but a city where people want to live and raise their families.

I am a single professional woman, who made a significant personal financial investment in my Troy home, prior to the housing market crash. As you are aware, since the economic recession, housing values have significantly diminished. Despite my own personal financial situation, I maintain the mortgage and tax payments on my Troy home not only because not only to have roof over my head, but also because I love Troy, my neighbors and community. Although our community of Sandalwood South is nestled between Our Own Credit Union and Rexpointe Kennels, we maintain an enjoyable residential atmosphere. Without the mandated 6 ft wall barrier between Sandalwood South and Our Credit Union properties, the life of the busy commercial property will overflow into our small community and negatively affect our quality of life as Troy residents.

As the governing body with the authority and leadership to uphold the standard of living for Troy residents, I implore you to **deny** the waiver requested by Our Own Credit Union. Please feel free to contact me if you should have questions or concerns to share at [tnllewellyn@yahoo.com](mailto:tnllewellyn@yahoo.com).

Respectfully and Sincerely,

Tricia Llewellyn

Proud Troy Resident

**ITEM #6 – con't.**

Motion by Kovacs  
Supported by Clark

MOVED, to amend the original motion to grant Lary Llewellyn, 475 Lovell, approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property for a period of one year.

- Petitioner has met the criteria listed as “B” and “C”.
- Overwhelming number of neighbors have indicated approval of this request.

Mr. Clark stated that he agrees that this vehicle is very well hidden and that this is a reasonable request.

Mr. Kovacs said that based on liberal interpretation it is unreasonable to expect the petitioner to add on to his garage.

Mr. Kempen stated that it is aesthetically pleasing and the truck is well hidden, but is concerned about setting a precedent.

Vote on motion to approve as amended.

Yeas: 6 – Clark, Courtney, Ullmann, Kempen, Kovacs, Lambert  
Nays: 1 – Bartnik

MOTION TO GRANT APPROVAL FOR A PERIOD OF ONE-YEAR CARRIED

**ITEM #7 – VARIANCE REQUESTED. FRANCO MANCINI, 6693 ROCHESTER ROAD, for relief of the Ordinance to construct a new one-story credit union building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.**

Mr. Stimac stated that the petitioner is requesting relief of the Ordinance to construct a new one-story credit union building. The property to the north of this site is in zoned R-1T (One-Family Attached Residential). The property to the west of this site is in zoned R-1C (One-Family Residential). Section 39.10.01 requires a 6' high masonry screen wall between an O-1 (Office Building) zoned development and adjacent residential zoned property. The site plan submitted does not show any screening walls. The board had previously granted approval for relief of the screen walls on this site based upon a different plan to construct an office building on this site.

Mr. Kovacs asked about the history of this request.

Mr. Stimac explained that in 2008 a variance was granted to allow for the development of this parcel and was given a one-year time frame. This was intended to be enough

**ITEM #7 – con't.**

time to allow for the construction of the building and to see if there were any complaints generated by this construction. In 2009 the petitioner asked for an extension of that time frame as he was unable to develop the site in the time frame allowed. At that time the Board granted approval for one more year.

Mr. Stimac went on to say that there is a retention pond adjacent to west side of the site however; there is not a lot of foliage on the retention pond site.

Mr. Bill Mosher was present and stated that they are planning to add more foliage and will provide as much screening as possible to the surrounding residential sites. Mr. Mosher also stated that they are planning to add foliage that will screen this site year round.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There are no objections on file.

Motion by Kovacs  
Supported by Lambert

MOVED, to grant Franco Mancini, 6693 Rochester Road, relief of the Ordinance to construct a new one-story credit union building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01 for a period of one-year.

- One year time frame will allow for the construction of the building.
- One year time frame will allow the neighbors to determine whether or not a screen-wall would be necessary.

Yeas: All – 7

MOTION TO GRANT VARIANCE CARRIED

**ITEM #8 – VARIANCE REQUESTED. BOSTICK ROCHESTER ROAD**

**DEVELOPMENT, 1400 ROCHESTER**, for relief of the Ordinance to construct an addition to an existing industrial building resulting in; a 40'-2' front yard setback where 50' is required; lot coverage of 41.8% where 40% maximum is allowed, 17,863 square feet of countable landscape where 45,184 square feet are required; and 196 parking spaces where enough land is required for 455 parking spaces.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to construct an addition to an existing industrial building. A portion of the proposed addition is within 40'-2" of the front property line along Rochester, where Section 30.20.09 requires a minimum front yard setback of 50' in the M-1 (Light Industrial) Zoning District; Section

**ITEM #6 – RENEWAL REQUESTED. FRANCO MANCINI, 6693 ROCHESTER,** for renewal of relief granted to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.

MOVED, to grant Franco Mancini, 6693 Rochester, a one-year renewal of relief to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.

- One-year time frame will give the Board the opportunity to determine if a screen wall would be more effective.
- One-year time frame will give the Board the opportunity to see the final construction of the building.
- One-year time frame will give residents in the area the chance to determine if the natural vegetation will provide enough screening.

**ITEM #7 – RENEWAL REQUESTED. TROY AMERICAN HOUSE, 2300 GRAND HAVEN,** for renewal of relief of the 4'-6" high masonry wall required along the north and east side of the off-street parking area where it is adjacent to residentially zoned land.

MOVED, to grant Troy American House, 2300 Grand Haven, a three-year renewal of relief of the 4'-6" high masonry wall required along the north and east side of the off-street parking area where it is adjacent to residentially zoned land.

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

Motion by Courtney  
Supported by Ullman

MOVED, to excuse Mr. Kovacs from voting on **Item** #4 as there may be the appearance of a conflict of interest due to the fact that Mr. Kovacs is employed by the petitioner.

Yeas: 5 – Kovacs, Ullman, Bartnik, Courtney, Kempen  
Absent: 2 – Clark, Lambert

MOTION TO EXCUSE MR. KOVACS CARRIED

Mr. Kovacs left the podium.

Motion by Bartnik  
Supported by Kempen

MOVED, to have Mr. Courtney act as Chairman for the presentation of Item #4.

Yeas: 4 – Ullmann, Bartnik, Courtney, Kempen  
Absent: 2 – Clark, Lambert

**ITEM #2 – con't.**

## MOTION TO APPROVE RENEWAL REQUESTS CARRIED

**ITEM #3 – RENEWAL REQUESTED. HARRY & SUNNIE KWON, 38921**

**DEQUINDRE**, for relief to maintain a 6' high wood fence in lieu of a 6' high masonry screen wall required by Section 39.10.01 for a 35' long portion of the west property line where the property borders residential property.

Mr. Stimac explained that the petitioners are requesting renewal of a variance granted by this Board to maintain a 6' high wood fence in lieu of a 6' high masonry screen wall for a 35' long portion of the west property line where the property borders residential zoned property. This item last appeared before this Board at the meeting of January 2005 and was granted a three-year renewal. Conditions remain the same and we have no complaints or objections on file.

MOVED, to grant Harry & Sunnie Kwon, 38921 Dequindre, a three-year renewal of relief to maintain a 6' high wood fence in lieu of a 6' high masonry screen wall as required by Section 39.10.01 for a 35' long portion of the west property line where the property borders residential property.

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

**ITEM #4 – RENEWAL REQUESTED. FRANCO MANCINI, 6693 ROCHESTER ROAD (PROPOSED ADDRESS)**, for relief of the Ordinance to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to construct a new one-story building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01. This item last appeared before this Board at the meeting of January 16, 2007 and was granted approval for one year. This building has not been constructed at this time therefore an approval for one additional year is suggested.

MOVED, to grant Franco Mancini, 6693 Rochester Road a one-year renewal of relief to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.

- One-year time frame will give the Board the opportunity to determine if a screen wall would be more effective.
- One-year time frame will give the Board the opportunity to see the final construction of the building.
- One-year time frame will give residents in the area the chance to determine if the natural vegetation will provide enough screening.

**ITEM #5 – VARIANCE REQUESTED. VARIANCE REQUEST. FRANCO MANCINI, 6693 ROCHESTER ROAD (PROPOSED ADDRESS)**, for relief of the Ordinance to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to construct a new one-story office building. The property to the north of this site is in zoned R-1T (One-Family Attached Residential). The property to the west of this site is in zoned R-1C (One-Family Residential). Section 39.10.01 requires a 6' high masonry screen wall between an O-1 (Office Building) zoned development and residential zoned property. The site plan submitted does not show a screening wall.

Mr. Franco Mancini was present and stated that this parcel was surrounded by heavy vegetation and a lot of natural resources. There is a detention pond to the west of the site and the property to the north has a natural wetland buffer between this site and the condo complex. There is also a lot of natural wild life that is on the site. Mr. Mancini would like to utilize the natural features rather than put up a screen wall as he feels it would have a negative effect on the wetlands.

Mr. Maxwell asked when construction would begin. Mr. Mancini said that he would like to begin by late summer.

Mr. Maxwell opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Courtney asked if the petitioner had thought of putting a berm in on the north side of the property. Mr. Mancini stated that the parking lot would be approximately 20' from the property line to keep the natural vegetation and put in a 5' sidewalk. A berm would require that the natural features be destroyed. The natural vegetation is very thick and Mr. Mancini feels it would be sufficient to work as a buffer. Mr. Courtney asked if there was room for a berm and Mr. Mancini said that he did not believe there was.

Mr. Kovacs said that he did not believe you could grant a temporary variance on this and although traffic on Lovell may want to look at the pond, they may not want to look at a Medical Office building. Mr. Mancini said that they have designed the building to look as close to a residential home as possible.

Mr. Kovacs said that he would still like to give people enough time to decide if they would like to have a screening wall.

Mr. Stimac explained the difference between granting a temporary or permanent variance and said that basically Mr. Mancini's request was for a variance to eliminate the required screening wall. Mr. Stimac also explained that the building is approximately 20' from the north property line, and because of the location of doors on

**ITEM #5 – con't.**

the north side of the building a sidewalk would be required. A 4'-6" high berm would be almost impossible to install in the remaining space.

Along the east property line the parking lot is right up to the edge and if there were a recurring waiver of a berm, the petitioner would lose required parking if he were ever required to install the berm. The petitioner is asking the Board to waive the requirement of a screen wall. If it was decided at a later time that a screen wall would be required, the Board could have him put one up without adversely effecting the development.

Motion by Kovacs  
Supported by Gies

MOVED, to grant Franco Mancini, 6693 Rochester Road (proposed address), relief of the Ordinance to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01 for a period of one-year.

- One-year time frame will give the Board the opportunity to determine if a screen wall would be more effective.
- One-year time frame will give the Board the opportunity to see the final construction of the building.
- One-year time frame will give residents in the area the chance to determine if the natural vegetation will provide enough screening.

Yeas: 6 – Kovacs, Maxwell, Wright, Courtney, Fejes, Gies

MOTION TO GRANT VARIANCE FOR ONE-YEAR CARRIED

The Board of Zoning Appeals meeting adjourned at 7:42 P.M.

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Mark Maxwell, Vice-Chairman

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Pamela Pasternak, Recording Secretary