

ZONING BOARD OF APPEALS

The Board of Zoning Appeals is a group of seven of your neighbors or peers appointed by City Council to pass judgment on requests for variances and other matters that are brought before them. A variance is a relaxation of the literal provisions of the Zoning Ordinance. Petitioners must indicate a hardship or practical difficulty running with the land that would warrant the granting of the variance.

PROCEDURE

The Board will hear the items in the order that they appear on the agenda. When an item is called, the Chairman will verify that the petitioner is present. Then the City Administration will summarize the facts of the case. The petitioner will then be given an opportunity to address the Board to explain the justification for the action requested.

After the petitioner makes their presentation, and answers any questions that the Board may have, the Chairman will open the Public Hearing. Any person wishing to speak on the request should raise their hand and when recognized by the Chairman, come up to the podium. The speaker should identify themselves with name and address, indicate their relationship to the property in question (i.e. next door neighbor, live behind the property, etc.), state whether they are in favor of or against the variance request and give reasons for their opinion. Comments must be directed through the Chairman. Comments should be kept as brief as possible and closely pertain to the matter under consideration. Only one person will be recognized by the Chairman to speak at one time.

At the conclusion of public comments the Chairman will close the Public Hearing. Once the Public Hearing is closed, no other public comment will be taken unless in response to a specific question by a member of the Board. The Board will then make a motion to approve, deny, or table (delay action) the request. In order for the request to pass a minimum of four votes for approval are needed. If the request is not granted, the applicant has the right to appeal the Board's decision to Oakland County Circuit Court.

VARIANCE REVIEW STANDARDS ZONING ORDINANCE SECTION 15.04 (E) (2)

Dimensional or other non-use variances shall not be granted by the Zoning Board of Appeals unless it can be determined that all of the following facts and conditions exist:

- a) Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
- b) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.
- c) The characteristics which make compliance with the dimensional requirements shall not be of a personal nature.
- d) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.
- e) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.



ZONING BOARD OF APPEALS MEETING AGENDA

500 W. Big Beaver
Troy, MI 48084
(248) 524-3364
www.troymi.gov
planning@troymi.gov

Allen Kneale, Chair, and Glenn Clark, Vice Chair
Bruce Bloomingdale, Kenneth Courtney
David Eisenbacher, Tom Krent, David Lambert
Orestis Kaltsounis (Alternate), Paul McCown (Alternate)

May 20, 2014

7:30 P.M.

Council Chamber

1. ROLL CALL
2. APPROVAL OF MINUTES – April 15, 2014
3. APPROVAL OF AGENDA
4. HEARING OF CASES

POSTPONED ITEM:

- A. VARIANCE REQUEST, GAIL A. MORO FOR GPRZ REAL ESTATE LLC, 6530, 6550, 6566 COOLIDGE HIGHWAY – In order to split a parcel into four parcels, variances to the required 100 foot minimum lot frontage and width. Three of the proposed parcels are proposed to have 90 feet of frontage and width. The fourth is proposed to be 98.31 feet wide.

ZONING ORDINANCE SECTION: 4.06 R-1B Zoning District

NEW CASES:

- B. VARIANCE REQUEST, EDWARD SHORNAK, 3665 SANDBURG – In order to construct an addition to the home, 1) a 3.5 foot variance from the minimum required 10 foot side yard setback; 2) a 5.1 foot variance from the minimum required 20 foot combined setback for both side yards; and 3) a 6.2 foot variance from the minimum required 40 foot rear yard setback.

ZONING ORDINANCE SECTION: 4.06 (C), R1-C Zoning District

- C. VARIANCE REQUEST, DAN LAPISH, 600 COLEBROOK – In order to continue construction on a tree house, a 4 foot variance from the requirement that detached accessory supplemental buildings not exceed 14 feet in height.

ZONING ORDINANCE SECTION: 7.03 (B) (3) (d)

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

- D. VARIANCE REQUEST, JOHN D. XERRI, JR., 931 BROOKLAWN – In order to construct an addition to the home, a 13.5 foot variance from the minimum required 35 foot rear yard setback.

ZONING ORDINANCE SECTION: 4.06 (C), R1-E Zoning District

5. COMMUNICATIONS
6. MISCELLANEOUS BUSINESS – Election of Officers
7. PUBLIC COMMENT
8. ADJOURNMENT

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymt.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

On April 15, 2014, at 7:30 p.m., in the Council Chambers of Troy City Hall, Chair Kneale called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

- Bruce Bloomingdale
- Kenneth Courtney
- David Eisenbacher
- Thomas Krent
- Allen Kneale
- David Lambert
- Paul McCown

Also Present:

- Paul Evans, Zoning and Compliance Specialist
- Julie Quinlan Dufrane, Assistant City Attorney

2. APPROVAL OF MINUTES – February 18, 2014

Moved by Courtney
Seconded by McCown

RESOLVED, to approve the February 18, 2014 meeting minutes.

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

VARIANCE REQUEST, GAIL A. MORO FOR GPRZ REAL ESTATE LLC, 6530, 6550, 6566 COOLIDGE HIGHWAY– In order to split a parcel into four parcels, variances to the required 100 foot minimum lot frontage and width. Three of the proposed parcels are proposed to have 90 feet of frontage and width. The fourth is proposed to be 98.31 feet wide. Zoning Ordinance Section 4.06 R-1B Zoning District

Moved by McCown
Seconded by Eisenbacher

RESOLVED, to grant the request.

Yes: Eisenbacher, McCown

No: Courtney, Kneale, Krent, Lambert, Bloomingdale

MOTION PASSED

Moved by Courtney
Seconded by Kneale

RESOLVED, to deny the request.

Moved by Lambert
Seconded by Bloomingdale

RESOLVED, to table the request to the May 20, 2014 ZBA meeting.

Yes: All

MOTION PASSED

5. COMMUNICATIONS – None

6. MISCELLANEOUS BUSINESS- Zoning Ordinance recommendations:

Moved by Courtney
Seconded by McCown

RESOLVED, to forward the recommendations contained in the Agenda Packet to the Planning Commission.

Yes: ALL

MOTION PASSED

7. PUBLIC COMMENT – None

8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 9:00 pm.

Respectfully submitted,

Allen Kneale, Chair

Paul Evans, Zoning and Compliance Specialist

POSTPONED ITEM:

- A. VARIANCE REQUEST, GAIL A. MORO FOR GPRZ REAL ESTATE LLC, 6530, 6550, 6566 COOLIDGE HIGHWAY – In order to split a parcel into four parcels, variances to the required 100 foot minimum lot frontage and width. Three of the proposed parcels are proposed to have 90 feet of frontage and width. The fourth is proposed to be 98.31 feet wide.

ZONING ORDINANCE SECTION: 4.06 R-1B Zoning District



W SOUTH BLVD

GRENADIER

DUCHESS CT

PIPPIN CT

JOHNATHON

RUSSET

MCINTOSH

COOLIDGE HWY

ELM PARK

ELM CT

ELM

MOUNTAIN CT

LOCUST

POPLAR

FOREST PARK

MOUNTAIN

PINOAK

APPLE

WHITE BIRCH

REDBUD

CRABAPPLE

TAMARACK

TAMARACK CT

PARK VIEW

SHAGBARK

TANGLEWOOD

RED OAK

BUCKTHORN



(EP)

1698

PINOAK

1735

1714

169

1731

1706

1699

1727

1715

1692

1713

1707

167

1699

1687

6580

(R-1B)

1671

COOLIDGE HWY

6557

655

6550

(R-1A)

6530

(R-1B)

1894

1878

1862

PARK VIEW

6515

6506

1942

1926

1910

1974 1958

TANGLEWOOD

6499

6490

ASPEN

BUCKTHORN



6580

1707

1699

168

COOLIDGE HWY

6550

6530

1942

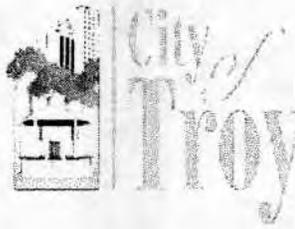
1926

1910

1894

ZONING BOARD OF APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248- 524-3364
E-MAIL:



REGULAR MEETING FEE **\$150.00**
SPECIAL MEETING FEE **\$650.00**

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 **27 DAYS BEFORE** THE MEETING DATE.

1. ADDRESS OF THE SUBJECT PROPERTY: 6530, 6550, 6566 Coolidge Highway, Troy, MI 48098
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-05-151-039
3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: Zoning Ordinance 15.04E, 10.01(A), & 10.01(B)(1)
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: 2/21/2012 - Clarification of Greenhouse Usage
6. APPLICANT INFORMATION:
NAME Gail A. Moro
COMPANY GPRZ Real Estate, LLC
ADDRESS 6550 Coolidge Highway
CITY Troy STATE MI ZIP 48098
TELEPHONE 248-413-7741
E-MAIL gmoro@comcast.net

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

8. OWNER OF SUBJECT PROPERTY:

NAME Gail Moro

COMPANY GPRZ Real Estate, LLC

ADDRESS 6550 Coolidge Highway

CITY Troy STATE MI ZIP 48098

TELEPHONE 248-413-7741

E-MAIL gmoro@comcast.net

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, Gail A. Moro (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 Gail A. Moro DATE 3/19/2014

PRINT NAME: Gail A. Moro

SIGNATURE OF PROPERTY OWNER Gail A. Moro DATE 3/19/2014

PRINT NAME: Gail A. Moro

Zoning Board of Appeals Application – Attachment

Re: 6530, 6550 and 6566 Coolidge Highway, Troy, MI 48098

Property Tax Identification Number: 20-05-151-039

To support the “Reasons for the Appeal” this package contains the following documents:

1. Flood plain survey – Attachment #1
 - This attachment depicts the amount of land on this property that has flood plain issues and it shows the irregular shape of the property.
2. Exhibit A Parcel Split – Existing Parcel – Attachment #2
 - Page one of this attachment depicts what the current property looks like, its boundary, dimensions and the buildings on the property and page two is the current legal description of the property.
3. Exhibit A Parcel Split – Proposed Parcels “A”, “B” and “D” – Attachment #3
 - Petitioner is requesting the property be split into four parcels. This attachment depicts information regarding three of the proposed parcel splits labeled parcels “A”, “B” and “D”.
4. Exhibit A Parcel Split – Proposed Parcel “C” – Attachment #4
 - Petitioner is requesting the property be split into four parcels. This attachment depicts information regarding the proposed parcel split labeled parcel “C”.
5. Exhibit A Parcel Split – Legal Description of the Proposed Parcel Split – Attachment #5
 - If the proposed variance is granted, this attachment provides the legal descriptions (as required by the City of Troy) for the four proposed parcel splits.

To answer question #4 of the Zoning Board of Appeals Application - Reasons for the Appeal.

The reason for this appeal, the Petitioner is proposing the property be split into four parcels and Petitioner is asking for relief on the width of the property because the exceptional characteristics on the property create practical difficulties.

The exceptional characteristics on this property are: its flood plain issues and irregular shape.

Also, Petitioner asks the Board to consider the City of Troy’s zoning ordinance section 10.01 (Average Lot Sizes) as follows:

SECTION 10.01 AVERAGE LOT SIZES

A. **Intent.** The intent of this Section is to permit lot sizes and lot widths to be adjusted to average the minimum lot size as required in the district in which the property is located. This option is permissible in all One-Family Residential Districts.

B. **Standards**

1. In meeting the average minimum lot size, no lot area or width shall be reduced by more than ten (10) percent of that area or width required in the district in which the property is located.
2. The number of residential lots shall be no greater than if the land area to be developed complies with the minimum lot area and width requirements in the district in which the property is located. In this regard, the following maximum gross densities (including roads) shall not be exceeded:
 - R-1A = 1.6 dwelling units per acre
 - R-1B = 2.2 dwelling units per acre
 - R-1C = 3.1 dwelling unit per acre
 - R-1D = 3.8 dwelling units per acre
 - R-1E = 4.2 dwelling units per acre

Re: 6530, 6550 and 6566 Coolidge Highway, Troy, MI 48098
Property Tax Identification Number: 20-05-151-039

Further, Petitioner asks the Board to consider City of Troy's zoning ordinance Section 15.04(E) as follows:

VARIANCE REVIEW STANDARDS ZONING ORDINANCE SECTION 15.04 (E) (2)

Dimensional or other non use variances shall not be granted by the Zoning Board of Appeals unless it can be determined that all of the following facts and conditions exist:

- a) Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
- b) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.
- c) The characteristics which make compliance with the dimensional requirements shall not be of a personal nature.
- d) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.
- e) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

Explanation justifying the Request:

The property is located on Coolidge Highway, it has flood plain issues and the shape of the property is irregular. The City of Troy requires that a parcel have a minimum lot width of 100 feet at the set back and a minimum lot area of 15,000 square feet.

At Coolidge Highway the width of the property is approximately 403 feet, then the property gradually narrows and its shape is irregular (due in large part to the Sprague Branch Drain). If the shape of the property was consistent, because it has a width of 403 feet, the lot width at the set back line would be 100 feet (if split into four equal parts) as required by the City.

But the property has an irregular shape (as depicted in Attachment #1); it narrows and creates a practical difficulty. Because it narrows at the set back line, it doesn't meet the City's lot width requirement of 100 feet if the property were split into four equal parts. Therefore, Petitioner is requesting a variance on the width and asking the Board to consider Zoning Ordinance Section 10.01, it states that the intent of this Section is to permit lot sizes and lot widths to be adjusted, allowing the lot area or width to be reduced by not more than ten (10) percent. If the proposed parcels widths were reduced by 10%, then the required width would be 90 feet and all four proposed parcel splits would meet the 90 foot set back width requirement. As noted in Attachment #3, the width at the set back line for the three proposed parcel splits labeled parcels "A", "B" and "C", are 90 feet wide and in parcel "D" the width at the set back line is 98.31 feet wide.

Petitioner further asks the Board to consider that all the facts and conditions in Section 15.04(E)(2) stated above do exist on this property.

Re: 6530, 6550 and 6566 Coolidge Highway, Troy, MI 48098
Property Tax Identification Number: 20-05-151-039

In addition to the facts and conditions in Section 15.04(E)(2) that exist, and the irregular shape of the property, the property has flood plain issues which also creates an additional practical difficulty (see Attachment #1) limiting and preventing what can be done with the property and how the property can be split.

The City requires an overall lot size of 15,000 square feet. The proposed four lot splits meets the City's overall lot size requirement and it is consistent with lot sizes of homes in the surrounding area.

Note, Attachment #2, depicts the buildings on the property. The property currently is a non-confirming land use. If the variance is granted and the property split into four parcels, Petitioner proposes the greenhouse and residential house on the south side of the property be demolished, so new residential homes can be built on the three proposed lots labeled "A", "B" and "C" in Attachment #3, making all properties a conforming use.

I'd ask the Board to also please consider that in granting this variance it will be in harmony with good planning principals for the community and does not harm the good of the public.

Exhibit A

PARCEL SPLIT - EXISTING PARCEL

NORTHWEST 1/4 CORNER
SECTION 5, T.2N-R.11E
(L.17277, P.617 &
L.24871, P.100)

EAST 1/4 CORNER
SECTION 6, T.2N-R.11E
(L.17211, P.621)

WEST 1/4 CORNER
SECTION 5, T.2N-R.11E
(L.17277, P.621)

EX. HOUSE
TO BE DEMOLISHED

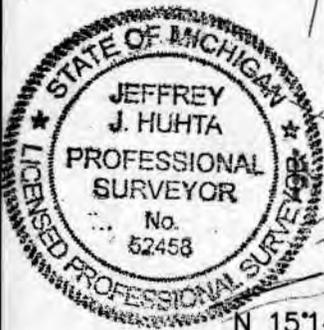
EX. HOUSE
TO REMAIN

PARCEL ID: 20-05-151-039

TOTAL LENGTH 927 FEET (MORE OR LESS)

Q OF SPRAGUE
BRANCH DRAIN
AS SURVEYED BY
NFE ON 03/12/2014

Q OF SPRAGUE
BRANCH DRAIN
PER PLAT OF "FOREST CREEK
SUBDIVISION NO.2"



SURVEYOR'S CERTIFICATE

I, Jeffrey J. Huhta, a Professional Surveyor in the State of Michigan, certify that I have surveyed the parcel(s) of land hereon described; that there are no encroachments except as shown; that the field error of closure is not greater than 1 part in 5,000; and that I have complied with the survey requirements of Public Act 132 of 1992, as amended. The seller of this property is required to record this instrument at the time of sale.

Jeffrey J. Huhta, P.S.

MI. No. 52458



SCALE 1" = 100'



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

46777 WOODWARD AVENUE, PONTIAC, MI 48342-5032
TEL. (248) 332-7931 FAX. (248) 332-8257

DATED 03-17-14 JOB NO. H190 SCALE 1" = 100'
CLIENT GRZ REAL ESTATE, LLC SHEET NO. 1 of 6

Exhibit A

PARCEL SPLIT – EXISTING PARCEL

EXISTING PARCEL (PARCEL ID: 20-05-151-039)

COMMENCING AT THE NORTHWEST $\frac{1}{4}$ CORNER OF SECTION 5, TOWN 2 NORTH, RANGE 11 EAST; THENCE S 00°20'43" E, 2325.87 FEET ALONG THE WEST LINE OF SECTION 5 TO THE POINT OF BEGINNING; THENCE S 00°20'43" E, 404.24 FEET; THENCE S 89°47'09" E, 776.90 FEET ALONG THE NORTH LINE OF "FOREST CREEK SUBDIVISION NO.7" RECORDED IN LIBER 248, PAGES 24-26, TO A POINT ON THE CENTERLINE OF "SPRAGUE BRANCH DRAIN"; THENCE ALONG THE CENTERLINE OF SAID "SPRAGUE BRANCH DRAIN" 927 FEET MORE OR LESS TO SAID WEST SECTION LINE AND THE POINT OF BEGINNING. BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

CONTAINING 209,558 SQUARE FEET OR 4.81 ACRES.



ENGINEERS

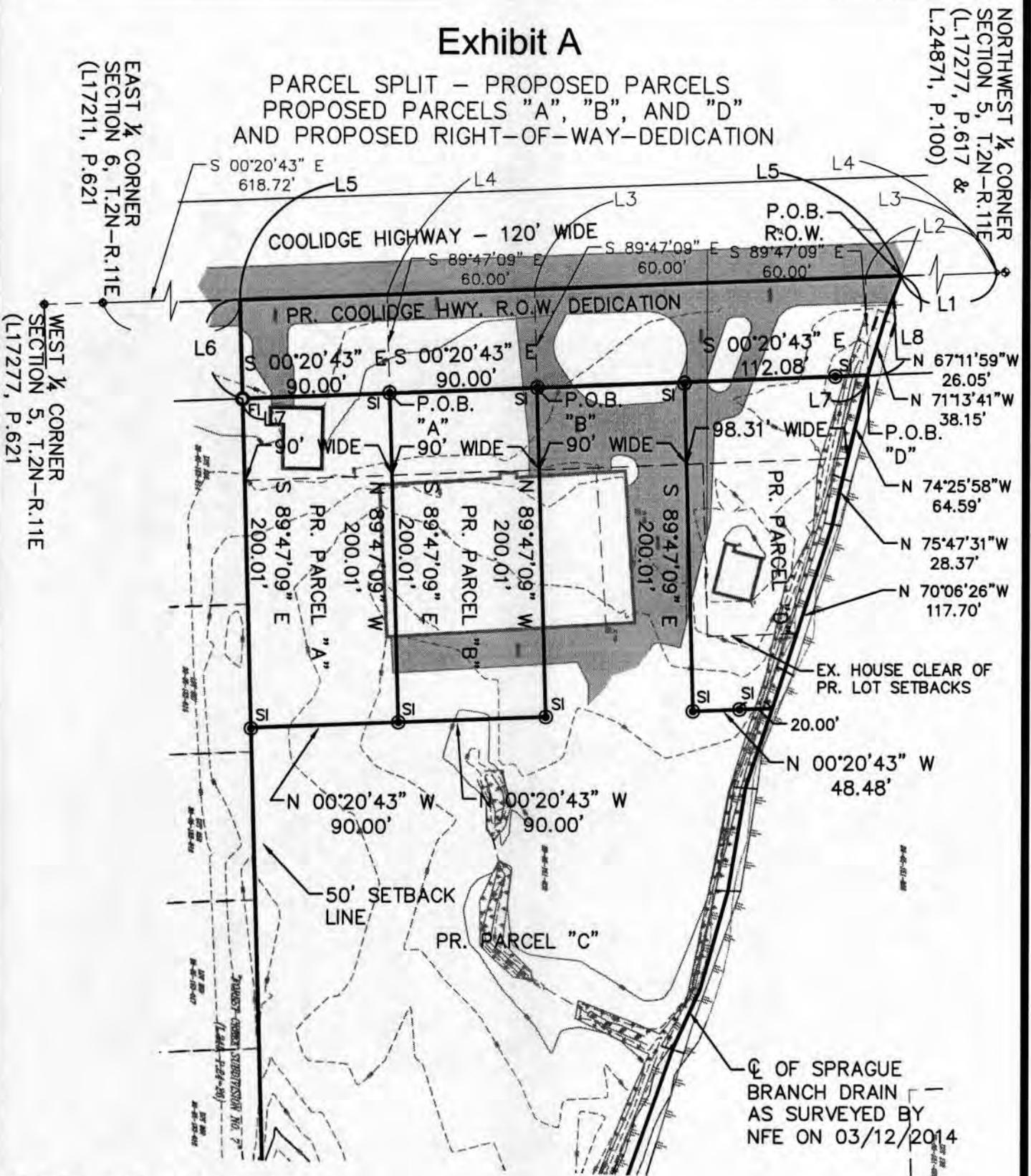
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

46777 WOODWARD AVENUE, PONTIAC, MI 48342-5032
TEL. (248) 332-7931 FAX. (248) 332-8257

DATED 03-17-14 JOB NO. H190 SCALE N/A
CLIENT GPRZ REAL ESTATE, LLC SHEET NO. 2 of 6

Exhibit A

PARCEL SPLIT – PROPOSED PARCELS
 PROPOSED PARCELS "A", "B", AND "D"
 AND PROPOSED RIGHT-OF-WAY-DEDICATION



BEARING AND DISTANCE TABLE

L1	- R.O.W. PARCEL	- S 00°20'43" E,	2325.87 FEET
L2	- PARCEL "D"	- S 00°20'43" E,	2348.02 FEET
L3	- PARCEL "B"	- S 00°20'43" E,	2550.10 FEET
L4	- PARCEL "A"	- S 00°20'43" E,	2640.10 FEET
L5	- R.O.W. PARCEL	- S 00°20'43" E,	404.24 FEET
L6	- R.O.W. PARCEL	- S 89°47'09" E,	60.00 FEET
L7	- R.O.W. PARCEL	- N 00°20'43" W,	382.09 FEET
L8	- R.O.W. PARCEL	- 64 FEET (MORE OR LESS) ALONG	THE CL OF "SPRAGUE BRANCH DRAIN"

LEGEND

- FI ○ = Found Iron
- FMON ○ = Found Monument
- SI ● = Set Iron

PROPOSED LOT AREA TABLE

PARCEL "A"	-	18,001 SQ. FT.
PARCEL "B"	-	18,001 SQ. FT.
PARCEL "C"	-	133,513 SQ. FT.
PARCEL "D"	-	16,487 SQ. FT.
R.O.W. PARCEL	-	23,556 SQ. FT.



SCALE 1" = 80'



CIVIL ENGINEERS
 LAND SURVEYORS
 LAND PLANNERS

46777 WOODWARD AVENUE, PONTIAC, MI 48342-5032
 TEL. (248) 332-7931 FAX. (248) 332-8257

DATED 03-17-14 JOB NO. H190 SCALE 1" = 60'
 CLIENT GPRZ REAL ESTATE, LLC SHEET NO. 3 of 6

Exhibit A

PARCEL SPLIT – PROPOSED PARCELS

PROPOSED PARCEL "A"

COMMENCING AT THE NORTHWEST $\frac{1}{4}$ CORNER OF SECTION 5, TOWN 2 NORTH, RANGE 11 EAST; THENCE S 00°20'43" E, 2640.10 FEET ALONG THE WEST LINE OF SECTION 5; THENCE S 89°47'19" E 60.00 FEET TO THE POINT OF BEGINNING; THENCE S 00°20'43" E, 90.00 FEET TO A POINT ON THE NORTHERLY LINE OF "FOREST CREEK SUBDIVISION NO.2" RECORDED IN L.248, PGS. 24-26; THENCE ALONG SAID LINE S 89°47'09" E, 200.01 FEET; THENCE N 00°20'43" W, 90.00 FEET; THENCE N 89°47'09" W, 200.01 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

CONTAINING 18,001 SQUARE FEET OR 0.413 ACRES.

PROPOSED PARCEL "B"

COMMENCING AT THE NORTHWEST $\frac{1}{4}$ CORNER OF SECTION 5, TOWN 2 NORTH, RANGE 11 EAST; THENCE S 00°20'43" E, 2550.10 FEET ALONG THE WEST LINE OF SECTION 5; THENCE S 89°47'19" E 60.00 FEET TO THE POINT OF BEGINNING; THENCE S 00°20'43" E, 90.00 FEET; THENCE S 89°47'09" E, 200.01 FEET; THENCE N 00°20'43" W, 90.00 FEET; THENCE N 89°47'09" W, 200.01 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

CONTAINING 18,001 SQUARE FEET OR 0.413 ACRES.

PROPOSED PARCEL "C"

COMMENCING AT THE NORTHWEST $\frac{1}{4}$ CORNER OF SECTION 5, TOWN 2 NORTH, RANGE 11 EAST; THENCE S 00°20'43" E, 2460.10 FEET ALONG THE WEST LINE OF SECTION 5; THENCE S 89°47'09" E, 60.00 FEET TO THE POINT OF BEGINNING; THENCE S 00°20'43" E 90.00 FEET; THENCE S 89°47'09" E, 200.01 FEET; THENCE S 00°20'43" E, 180.01 FEET TO A POINT ON THE NORTHERLY LINE OF "FOREST CREEK SUBDIVISION NO.7" RECORDED IN L.248, PGS.24-26; THENCE ALONG SAID LINE S 89°47'09" E, 516.89 FEET TO A POINT ON THE CENTERLINE OF "SPRAGUE BRANCH DRAIN"; THENCE ALONG THE CENTERLINE OF SAID DRAIN 652 FEET MORE OR LESS; THENCE S 00°20'43" E, 48.48 FEET; THENCE N 89°47'09" E, 200.01 FEET TO THE POINT OF BEGINNING. BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

CONTAINING 133,513 SQUARE FEET OR 3.065 ACRES.

PROPOSED PARCEL "D"

COMMENCING AT THE NORTHWEST $\frac{1}{4}$ CORNER OF SECTION 5, TOWN 2 NORTH, RANGE 11 EAST; THENCE S 00°20'43" E, 2348.02 FEET ALONG THE WEST LINE OF SECTION 5; THENCE S 89°47'09" E 60.00 TO A POINT ON THE CENTERLINE OF "SPRAGUE BRANCH DRAIN" AND THE POINT OF BEGINNING; THENCE S 00°20'43" E, 112.08 FEET; THENCE S 89°47'09" E, 200.01 FEET; THENCE N 00°20'43" E, 48.48 FEET TO A POINT ON THE CENTERLINE OF SAID DRAIN; THENCE ALONG SAID CENTERLINE 212 FEET MORE OR LESS TO THE POINT OF BEGINNING. BEING SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

CONTAINING 16,487 SQUARE FEET OR 0.378 ACRES.

PROPOSED COOLIDGE HIGHWAY RIGHT-OF-WAY DEDICATION

COMMENCING AT THE NORTHWEST $\frac{1}{4}$ CORNER OF SECTION 5, TOWN 2 NORTH, RANGE 11 EAST; THENCE S 00°20'43" E, 2325.87 FEET ALONG THE WEST LINE OF SECTION 5 TO THE POINT OF BEGINNING; THENCE S 00°20'43" E, 404.24 FEET; THENCE S 89°47'09" E, 60.00 FEET; THENCE N 00°20'43" W, 382.09 FEET TO A POINT ON THE CENTERLINE OF "SPRAGUE BRANCH DRAIN"; THENCE ALONG SAID CENTERLINE 64 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CONTAINING 23,556 SQUARE FEET OR 0.541 ACRES.



ENGINEERS

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

46777 WOODWARD AVENUE, PONTIAC, MI 48342-5032
TEL. (248) 332-7931 FAX. (248) 332-8257

DATED 03-17-14 JOB NO. H190 SCALE N/A
CLIENT GPRZ REAL ESTATE, LLC SHEET NO. 5 of 6

Exhibit A

PARCEL SPLIT – PROPOSED PARCELS

SECTION CORNER WITNESSES

NORTHWEST 1/4 CORNER OF SECTION 5, T.2N., R.11E. (C-1)

Found Oakland County Remonumentation Brass Cap stamped #25854.

N 80° W – 182.65'	Nail and OCRT #21270 southeast side of power pole.
S 39° W – 63.81'	Chiseled "+" northeast corner of concrete pad signal control box.
N 52° E – 38.94'	Chiseled "+" southeast corner top bolt light pole.
S 75° E – 145.95'	Top nut of fire hydrant.

Per LCRC (Joseph C. Kapelczak) L.24871 P. 100, O.C.R.

EAST 1/4 CORNER OF SECTION 6, T.2N., R.11E. (C-2)

Found brass cap stamped "Oakland County Remonumentation P.S. #25854" in a monument box.

N 11° W – 96.13'	P.K. nail and tag stamped "Oakland County Remonumentation P.S. #25854" in NE side of power pole
S 30° W – 63.39'	P.K. nail and tag stamped "Oakland County Remonumentation P.S. #25854" in E side of power pole
N 12° W – 96.26'	P.K. nail and tag stamped "Oakland County Remonumentation P.S. #25854" in W side of power pole
S 45° E – 81.00'	P.K. nail and tag stamped "Oakland County Remonumentation P.S. #25854" in SW side of twin 8" elm
N 61° E – 96.77'	P.K. nail and tag stamped "Oakland County Remonumentation P.S. #25854" in NW side of box elder
S 47° E – 34.31'	Cut cross NNE Gas Marker Post #80
North – 44.88'	1" iron in monument box

Per LCRC (Randy J. Kolehouse) L.17277 P. 621, O.C.R.



ENGINEERS

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TEL. (248) 332-7931 FAX. (248) 332-8257

DATED 03-17-14 JOB NO. H190 SCALE N/A
CLIENT GPRZ REAL ESTATE, LLC SHEET NO. 6 of 6

From: [TRELLA, MAUREEN](#)
To: [Planning](#)
Subject: 6530, 6550, 6566 Coolidge Highway-Zoning Issue
Date: Tuesday, April 08, 2014 4:40:14 PM

To Whom It May Concern:

We did receive information in the mail about splitting a parcel into four parcels with regards to the variances required (100 foot minimum) for these properties (6530, 6550, and 6566 Coolidge Highway).

We have no concerns regarding this issue; however, many are still concerned about the very back of these Coolidge properties that back up to one neighboring street (Buckthorn Court). Does the City of Troy have any plans in regards to taking care of the "dump" that was allowed by the previous owner, Wilkop? This has been an on-going issue for years and really needs to be addressed.

We look forward to your response and will attend the Public Hearing on Tuesday, April 15th.

Thank you,

Maureen and Raymond Trella
1894 Buckthorn Court
Troy Michigan, 48098

248--515-4738

From: [Paul M Evans](#)
To: [Kathy Czarnecki](#)
Subject: FW: Comments for 15th April 2014 meeting: 6530, 6550, 6566 Coolidge Highway
Date: Tuesday, April 15, 2014 8:12:55 AM

Kathy:

Could you file this in the appropriate ZBA folder and also make copies for the Board and staff for tonight?

Thanks.

Also, Mr. Kaltsounis is subbing for Mr. Clark tonight.

From: Graham and Sarah Bush [mailto:bushstroy@hotmail.com]
Sent: Monday, April 14, 2014 7:49 PM
To: Paul M Evans
Subject: Comments for 15th April 2014 meeting: 6530, 6550, 6566 Coolidge Highway

Hello Paul - here are my comments relating to the following application to be heard tomorrow evening:

Location: 6530, 6550, 6566 Coolidge Highway
Zoning Ordinance Section(s): 4.06 R-1B Zoning District
Applicant / Property Owner: Gail Moro, GPRZ Real Estate LLC

At this meeting the following item will be considered:

In order to split a parcel into four parcels, variances to the required 100 foot minimum lot frontage and width. Three of the proposed parcels are proposed to have 90 feet of frontage and width. The fourth is proposed to be 98.31 feet wide.

Comments from Dr Graham Bush (1699 White Birch Court, Troy, MI 48098); please forward to the zoning board.

The applicant is Gail Moro, the lady who tried to start a landscaping / garden center business on the land. I assume that, since closing down the flower business, Ms Moro / GPRZ Real Estate LLC has been receiving rental from the two houses on the site, whilst trying to sell the central part with the disused Wilcop greenhouses. The plot was advertized as a 'development opportunity' - I assume to create a small cul de sac with several properties.

Obviously this central plot has not sold, probably because a potential buyer would have to clear up the environmental mess and also most of the land is flood plain and so has

limitations on use.

This request seems to be an attempt to increase the split of the property into 4 plots (from 3, the two existing houses and two plots where the greenhouse stands). I assume this is driven by an economic motive - sell two development plots next to the road to recover the original investment, and perhaps no longer try to extend development into the length of the site.

The existing single central plot could easily be developed for one residence; this just doesn't make as much money for the landowner, and may render such a project unprofitable if the cost of greenhouse demolition and land restoration, etc is taken into account.

So the crux of the application is this. Does Troy City allow the applicant to have a variance on their rules (100 ft frontage) just to allow GPRZ Real Estate LLC to make more money? If Troy City does not allow the variance, will the plot remain derelict and unused because it is uneconomic to develop?

I have no opinion either way about the 100ft frontage rule. I assume that this is tied to infrastructure aspects such as water and sewage handling, traffic patterns / road planning, gas and electricity capacities etc. I can only request that the board take into account the technical assessment laid down by those employed to plan these aspects.

The massive amounts of dumped soil and landscaping waste, tarmac roadways , concrete storage silos and other structures that constituted unauthorized abuse of the land by the previous owners (Wilcop) are still present. If the land is developed and 'sold' to new home owners, who will clear up the mess?

I am concerned about the ongoing flooding of the woodlands and the partial blockage of the river / sprague drain by the dumped soil mentioned above. I would estimate 30% of the woodlands to the north of the river have died since the last application was submitted. Most of this was ultimately due to the Ash Borer, but the flooded roots and unstable ground reduced the trees ability to resist this attack.

Thank you for your time, and I wish Ms Moro well in her future endeavors.

Graham Bush

From: [Michael Wiater](#)
To: [Planning](#)
Subject: Public hearing about former Wilcop property on Coolidge Hwy - Zoning
Date: Sunday, April 13, 2014 10:50:27 PM

As a Troy homeowner in the Forest Creek subdivision adjacent to the property in question, I am opposed to the requested zoning variances.

J. Michael Wiater, MD
6772 Locust Drive, Troy, MI
Sent from my iPad

The Zoning Board of Appeals of the City of Troy will hold a Public Hearing [at 7:30 p.m. on Tuesday, April 15, 2014](#) at City Hall, 500 W. Big Beaver, Troy, Michigan.

At this meeting the following item will be considered:

In order to split a parcel into four parcels, variances to the required 100 foot minimum lot frontage and width. Three of the proposed parcels are proposed to have 90 feet of frontage and width. The fourth is proposed to be 98.31 feet wide.

Location: 6530, 6550, 6566 Coolidge Highway
Zoning Ordinance Section(s): 4.06 R-1B Zoning District
Applicant / Property Owner: Gail Moro, GPRZ Real Estate LLC

PRIOR ZONING BOARD MINUTES CLARIFYING
ALLOWED NONCONFORMING USES FOLLOW THIS
PAGE

VARIANCE REQUEST, GAIL MORO, MAEDERS WEST GARDEN CENTER LLC, GPRZ Real Estate LLC, 6530-6550-6566 COOLIDGE HIGHWAY – A variance in order to expand the existing nonconforming use.

Moved by Bartnik
Second by Courtney

RESOLVED, to grant the variance as submitted, with the following conditions:

- That trees and shrubs sold on the property shall not exceed 24 inches in height.
- That the outdoor storage of potting soil bags be allowed in the red area adjacent to and east of the greenhouse and indicated on the attached drawing.
- That City staff verify the location of the “white line” referenced in the attached drawing and make it part of the record.

Yes: All

MOTION PASSED

Attachment #1- Aerial of Property showing locations and sizes of shader/arbors/ pergolas

City of Troy Zoning Board of Appeals Minutes
4-17-2012
Page 3



4.34 ACRES

Field measured 20' from existing building to dashed white line. 04/20/2012. MG

Red area east of greenhouse denotes soil bag storage area

COOLIDGE HIGHWAY Coolidge Hwy

Coolidge Hwy

6600

HOUSE

150'

OFFICE
79'

GREENHOUSE
136'
94'



ARBOR
26'
24'

ARBOR
26'
24'

ARBOR 72'

HOUSE

ARBOR
26'
22'

ARBOR
26'
22'

20'

21.5'

21.5'

CURRENT ASPHALTICEMENT PATHS/ROADS



February 18, 1975
ZBA

Attachment #3, 1975 Zoning Board Interpretation

ITEM #6. Interpretation Requested, George Rohl, 6530-50-66 Coolidge, to verify the fact that the existing retail and wholesale nursery use has a legal nonconforming status.

Inspector VandenBussche explained that the petitioner is requesting an interpretation to verify the fact that the existing retail and wholesale use on his site has a legal nonconforming status. This item was tabled at our last regular meeting for one month for further study.

Mr. Rohl was present and stated that the property has been sold and the new owners will not be changing the operation of the greenhouse in any way.

Motion by Huck
Support by Lashmet

MOVED, that testimony having been taken and exhibits having been presented regarding the existence of a nonconforming use at 6530-50-66 Coolidge Road, Troy, Michigan, and the petitioner having requested a determination of such nonconforming use and the extent and nature of such nonconforming use, it is determined that a nonconforming use does exist at the above address, which nonconforming use is expressly limited and restricted in the following manner:

1. Limited to sale of potted plants and cut and potted flowers to retail and wholesale customers from inside of existing greenhouse building only.
2. No storage or display or sale of any products is permitted outside of the greenhouse buildings.
3. No signs are permitted indicating that any products are for sale at retail on the site, a small sign will be permitted indicating the name of the business on the site and the fact that the business deals in cut and potted flowers and plants.
4. No landscape type materials are to be grown or "heeled in" in mulch, woodchips or other materials on the site.
5. No additional permanent or temporary greenhouses or other structures are permitted on the site which would tend to expand or increase the nonconforming buildings and use in any way.
6. No vehicle or truck in excess of 3/4 ton capacity shall be stored outside of a building on any portion of this site.
7. The temporary greenhouse on the site is not a nonconforming use and is subject to annual renewal request and is subject to having the renewal denied by the Board at any renewal hearing.
8. The attached sketch submitted by the petitioner is submitted as a representation by petitioner of the approximate location of existing buildings and vehicular parking areas and the parking area will not be expanded or increased in any way. Barriers of a permanent substantial material will be erected to prohibit parking on grassy areas.

yeas: All - 6
nays: none
absent: 1

ZBA VARIANCE REQUEST 6530, 6550, 6566
COOLIDGE HIGHWAY

ADDITIONAL DOCUMENTS FILED 5-13-2014 BY
APPLICANT FOLLOW THIS PAGE

ZONING BOARD OF APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248-524-3364
E-MAIL:



REGULAR MEETING FEE \$150.00
SPECIAL MEETING FEE \$650.00

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 **27 DAYS BEFORE THE MEETING DATE**.

1. ADDRESS OF THE SUBJECT PROPERTY: 6530, 6550, 6566 Coolidge Highway, Troy, MI 48098
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-05-151-039
3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: Zoning Ordinance 15.04E, 10.01(A), & 10.01(B)(1)
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: 2/21/2012 - Clarification of Greenhouse Usage
6. APPLICANT INFORMATION
NAME Gail A. Moro
COMPANY GPRZ Real Estate, LLC
ADDRESS 6550 Coolidge Highway
CITY Troy STATE MI ZIP 48098
TELEPHONE 248-413-7741
E-MAIL gmoro@comcast.net

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

8. OWNER OF SUBJECT PROPERTY:

NAME Gail Moro

COMPANY GPRZ Real Estate, LLC

ADDRESS 6550 Coolidge Highway

CITY Troy STATE MI ZIP 48098

TELEPHONE 248-413-7741

E-MAIL gmoro@comcast.net

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, Gail A. Moro (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 *Gail A. Moro* DATE 3/19/2014

PRINT NAME: Gail A. Moro

SIGNATURE OF PROPERTY OWNER *Gail A. Moro* DATE 3/19/2014

PRINT NAME: Gail A. Moro

Zoning Board of Appeals Application – **additional attachments submitted 5/13/2014**

Re: 6530, 6550 and 6566 Coolidge Highway, Troy, Michigan 48098
Property Tax Identification Number: 20-05-151-039

Additional Attachments:

Attachment #6 – depicts the width of the property at Coolidge Highway

Attachment #7 – depicts the width of the property at the 50 foot set back

Attachment #8 – cites Section 10.1 Average Lot Sizes.
100 feet reduced by 10% = 90 feet

Attachment #9 – Mondrian property located on McClure – platted as three lots, subdivided into four lots with property widths of 90 feet

Attachment #10 – depicts the flood plain – the blue represents the flood plain
Also depicts the irregular shape of the property

Attachment #11 – depicts the irregular shape of the property
Also depicts the rectangular shape of parcels to the south of the property – consistent with petitioners lots labeled A & B and consistent with the top portion of lot labeled C.

Attachment #12 – depicts lot C – only one residential home can be built on this property. Our thoughts in designing the splits - possible estate home, with long driveway and house built on the back of the property where the flood plain issue does not exist, still preserving a significant portion of the natural surroundings OR a home at the front of the property with a large backyard, preserving the natural surroundings. Our additional thoughts – the land might be cared for differently by an estate home owner compared to four lots, four owners with long lots!

Attachment #13 – depicts properties 835 feet north of 6566 Coolidge Highway with lot widths of 87 & 88 – this demonstrates that my lots would blend in with the current neighborhood.

Exhibit A

PARCEL SPLIT - EXISTING PARCEL

NORTHWEST 1/4 CORNER
SECTION 5, T.2N-R.11E
(L.17277, P.617 &
L.24871, P.100)

EAST 1/4 CORNER
SECTION 6, T.2N-R.11E
(L.17211, P.621)

WEST 1/4 CORNER
SECTION 5, T.2N-R.11E
(L.17277, P.621)

EX. HOUSE
TO BE DEMOLISHED

404.24 ft.

COOLIDGE HIGHWAY - 120' WIDE

S 00°20'43" E 404.24'

P.O.B.
EX. PARCEL

S 00°20'43" E
2325.87'

PR. EASTERLY RIGHT-OF-WAY

EX. BLDG.
TO BE DEMOLISHED

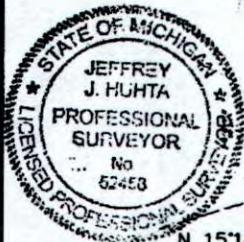
EX. HOUSE
TO REMAIN

PARCEL ID: 20-05-151-039

TOTAL LENGTH 927 FEET (MORE OR LESS)

Q OF SPRAGUE
BRANCH DRAIN
AS SURVEYED BY
NFE ON 03/12/2014

Q OF SPRAGUE
BRANCH DRAIN
PER PLAT OF "FOREST CREEK
SUBDIVISION NO.2"



SURVEYOR'S CERTIFICATE

I, Jeffrey J. Huhta, a Professional Surveyor in the State of Michigan, certify that I have surveyed the parcel(s) of land hereon described; that there are no encroachments except as shown; that the field error of closure is not greater than 1 part in 5,000; and that I have complied with the survey requirements of Public Act 132 of 1992, as amended. The seller of this property is required to record this instrument at the time of sale.

Jeffrey J. Huhta

Jeffrey J. Huhta, P.S.

Mi. No. 52458



SCALE 1" = 100'



CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

4677 WOODWARD AVENUE, PONTIAC, MI 48342-5032
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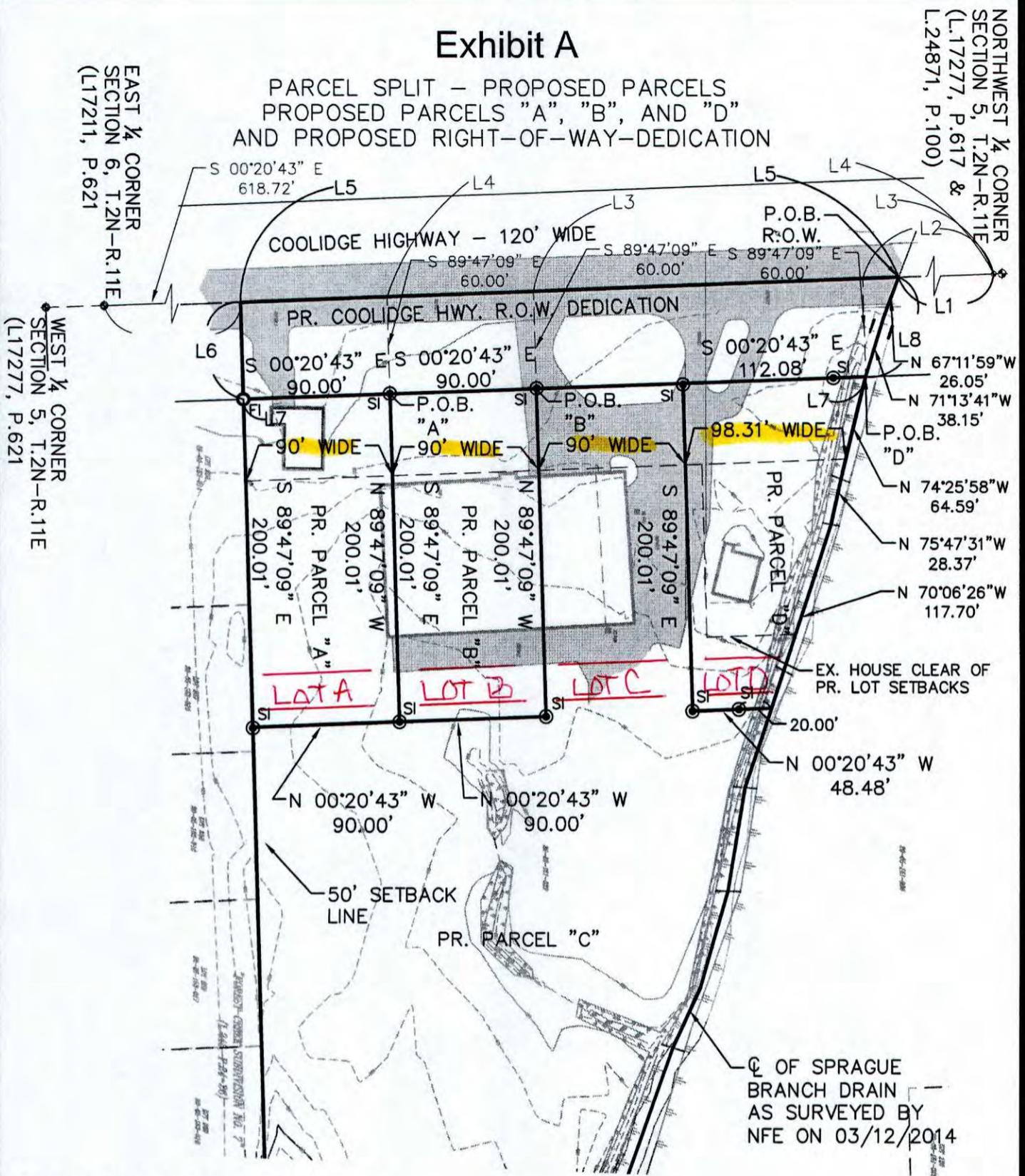
DATED 03-17-14 JOB NO. H190 SCALE 1" = 100'
CLIENT GPRZ REAL ESTATE, LLC SHEET NO. 1 of 6

Attachment #6

*404.24/4 =
101.06
4 lots, each
lot 101.06 ft.*

Exhibit A

PARCEL SPLIT – PROPOSED PARCELS
PROPOSED PARCELS "A", "B", AND "D"
AND PROPOSED RIGHT-OF-WAY-DEDICATION



BEARING AND DISTANCE TABLE

L1	- R.O.W. PARCEL	- S 00°20'43" E,	2325.87 FEET
L2	- PARCEL "D"	- S 00°20'43" E,	2348.02 FEET
L3	- PARCEL "B"	- S 00°20'43" E,	2550.10 FEET
L4	- PARCEL "A"	- S 00°20'43" E,	2640.10 FEET
L5	- R.O.W. PARCEL	- S 00°20'43" E,	404.24 FEET
L6	- R.O.W. PARCEL	- S 89°47'09" E,	60.00 FEET
L7	- R.O.W. PARCEL	- N 00°20'43" W,	382.09 FEET
L8	- R.O.W. PARCEL	- 64 FEET (MORE OR LESS) ALONG THE \hat{C} OF "SPRAGUE BRANCH DRAIN"	



SCALE 1" = 80'

LEGEND	
FI	○ = Found Iron
FMON	○ = Found Monument
SI	● = Set Iron

PROPOSED LOT AREA TABLE

PARCEL "A"	-	18,001 SQ. FT.
PARCEL "B"	-	18,001 SQ. FT.
PARCEL "C"	-	133,513 SQ. FT.
PARCEL "D"	-	16,487 SQ. FT.
R.O.W. PARCEL	-	23,556 SQ. FT.



46777 WOODWARD AVENUE, PONTIAC, MI 48342-5032
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DATED 03-17-14 JOB NO. H190 SCALE 1" = 60'
CLIENT GRZ REAL ESTATE, LLC SHEET NO. 3 of 6

CIVIL ENGINEERS
LAND SURVEYORS
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SECTION 10.01 AVERAGE LOT SIZES

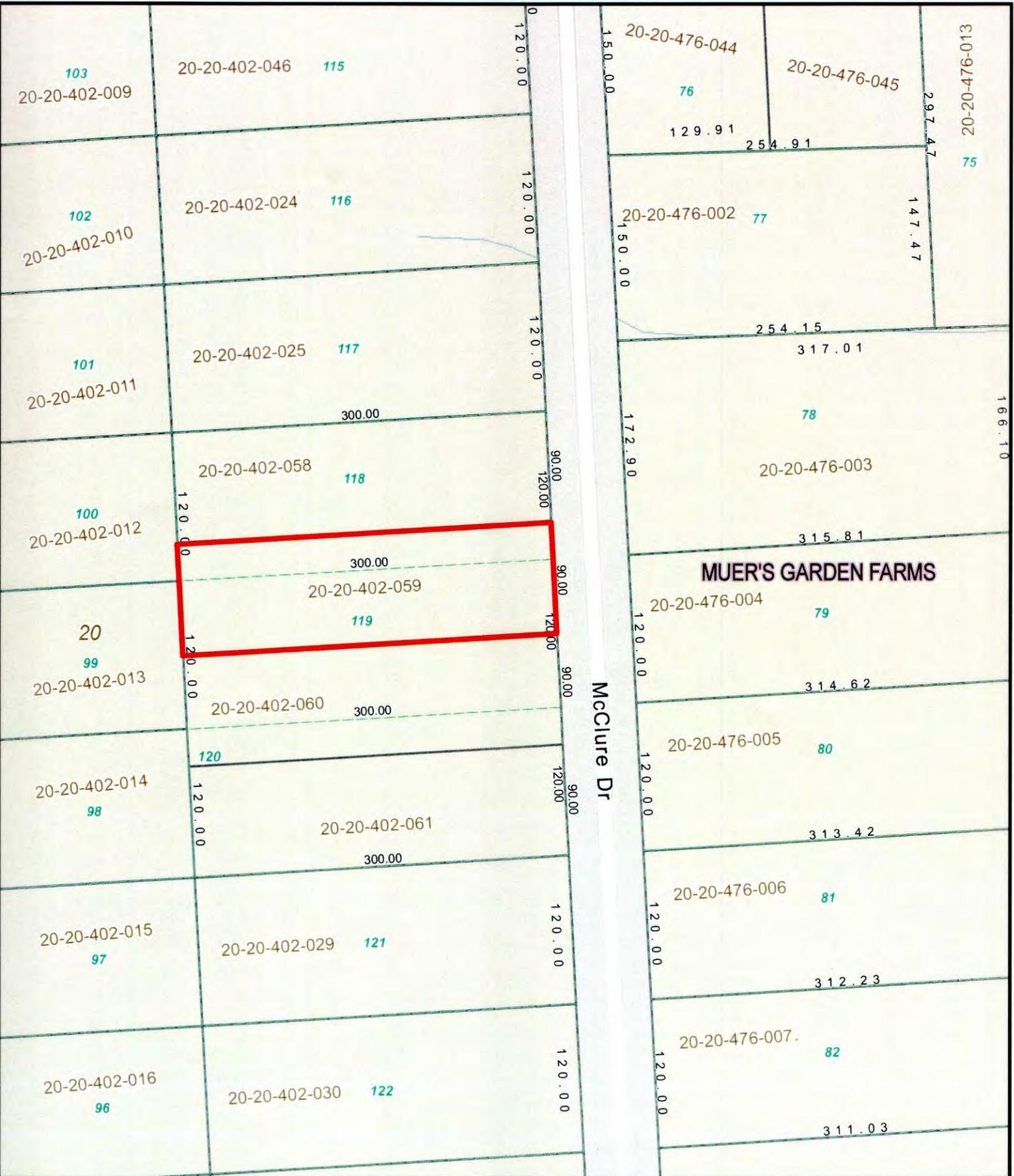
A. **Intent.** The intent of this Section is to permit lot sizes and lot widths to be adjusted to average the minimum lot size as required in the district in which the property is located. This option is permissible in all One-Family Residential Districts.

B. **Standards**

1. In meeting the average minimum lot size, no lot area or width shall be reduced by more than ten (10) percent of that area or width required in the district in which the property is located.
2. The number of residential lots shall be no greater than if the land area to be developed complies with the minimum lot area and width requirements in the district in which the property is located. In this regard, the following maximum gross densities (including roads) shall not be exceeded:
 - R-1A = 1.6 dwelling units per acre
 - R-1B = 2.2 dwelling units per acre
 - R-1C = 3.1 dwelling unit per acre
 - R-1D = 3.8 dwelling units per acre
 - R-1E = 4.2 dwelling units per acre

McClure Lots Mondrian

Attachment #9



-  2 Foot Contours
-  5 Foot Contours
-  FEMA Base Flood Elevations
-  FEMA Cross Sections
-  100 yr - FEMA Floodplain
-  100 yr (detailed) - FEMA Floodplain
-  500 yr - FEMA Floodplain
-  FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.


L. Brooks Patterson
 Oakland County Executive

Date Created: 4/21/2014


NORTH
 1 inch = 100 feet



Flood Hazard Area

City of Troy Planning Department



Legend

- Road Centerline
 - Major Road
 - Industrial Road
 - Local Road
- Ponds and Basins
- Streams and Creeks
- Flood Hazard Area - 2009
 - X (500 Year)
 - A (100 Year)
 - AE (100 Year With Eng)
 - AE (100 Year With Eng Within Floodway)
- Parcels
- Aerial Photos - 2010
 - Red Band_1
 - Green Band_2
 - Blue Band_3

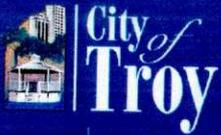
204 0 102 204 Feet

Scale 1: 1,226



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

Printed: 2/3/2012



6550 Coolidge

City of Troy Planning Department



Legend

- Road Centerline
 - Major Road
 - Industrial Road
 - Local Road
- Ponds and Basins
- Streams and Creeks
- Parcels
- Aerial Photos - 2010
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



Scale 1: 1,226



Printed: 2/3/2012

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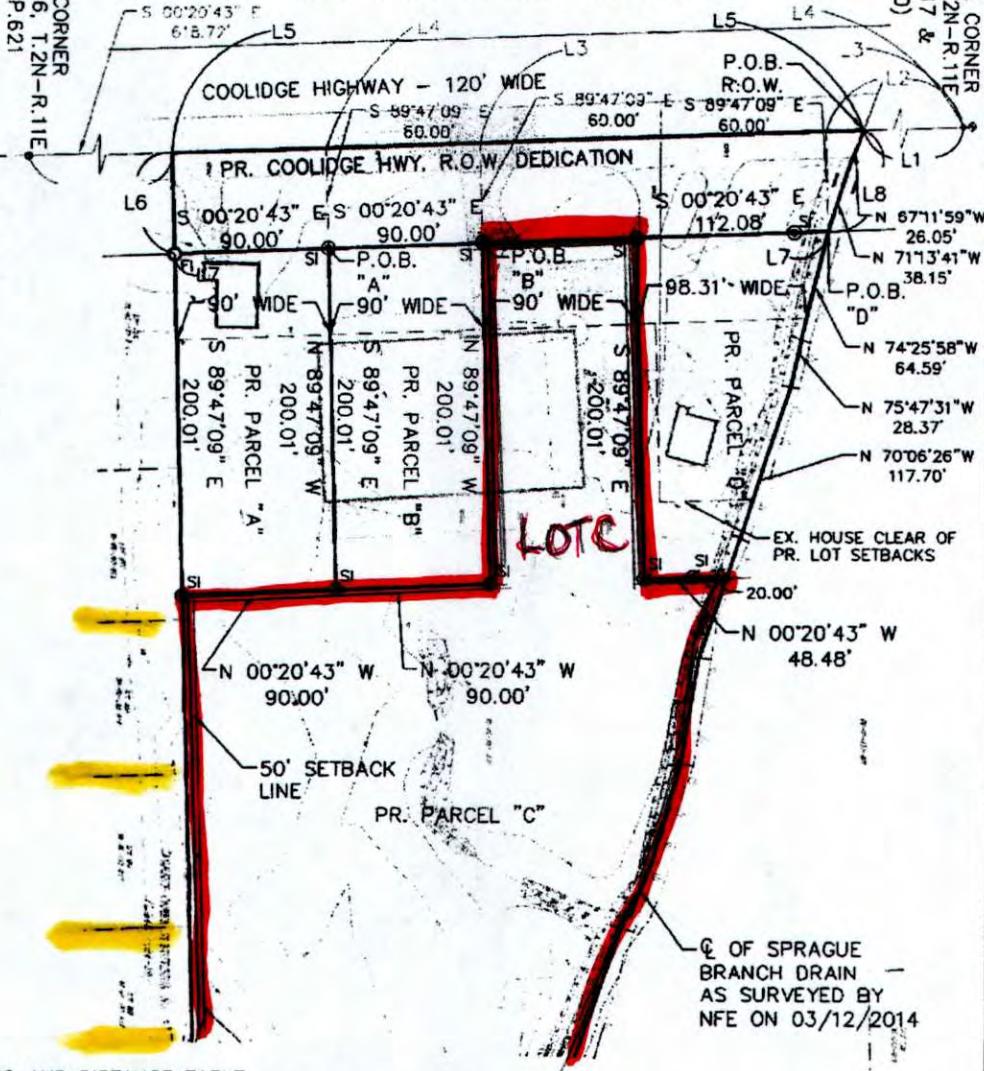
Exhibit A

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 PROPOSED PARCELS "A", "B", AND "D"
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WEST ¼ CORNER
 SECTION 5, T.2N-R.11E
 (L17277, P.621)



BEARING AND DISTANCE TABLE

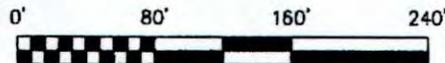
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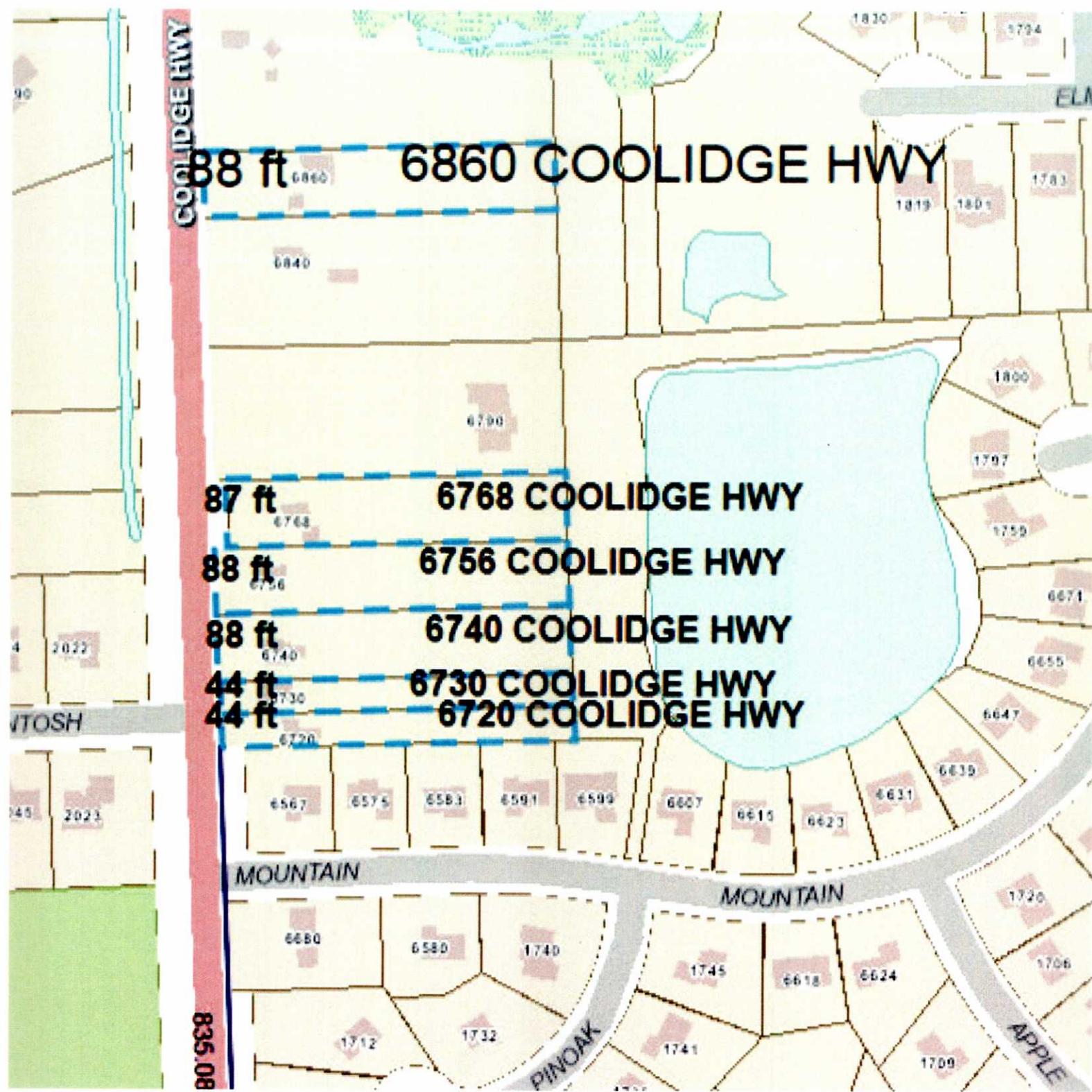
SCALE 1" = 80'



CIVIL ENGINEERS
 LAND SURVEYORS
 LAND PLANNERS

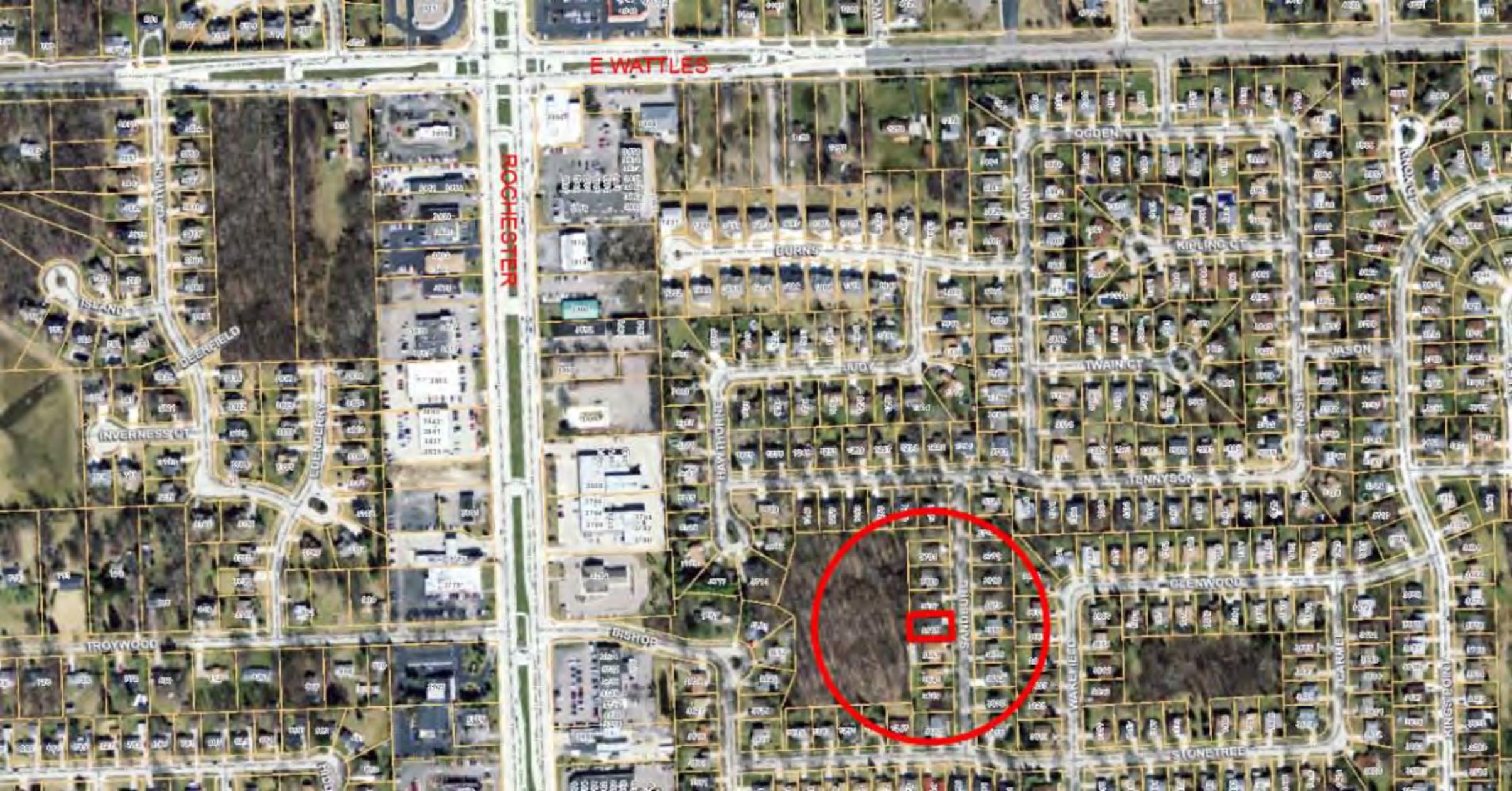
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DATED 03-17-14 JOB NO. H190 SCALE 1" = 80'
 CLIENT OPRZ REAL ESTATE, LLC SHEET NO 3 of 6



- B. VARIANCE REQUEST, EDWARD SHORNAK, 3665 SANDBURG – In order to construct an addition to the home, 1) a 3.5 foot variance from the minimum required 10 foot side yard setback; 2) a 5.1 foot variance from the minimum required 20 foot combined setback for both side yards; and 3) a 6.2 foot variance from the minimum required 40 foot rear yard setback.

ZONING ORDINANCE SECTION: 4.06 (C), R1-C Zoning District



E WATTLES

ROCHESTER

BURNS

HAWTHORNE

SANDBURG

422

OGDEN

KIRKING CT

TWAIN CT

JASON

TENNYSON

GLENWOOD

WAREFIELD

TOCARREL

STONETREE

RINGS POINT

KAY ST

STAVICK

DEERFIELD

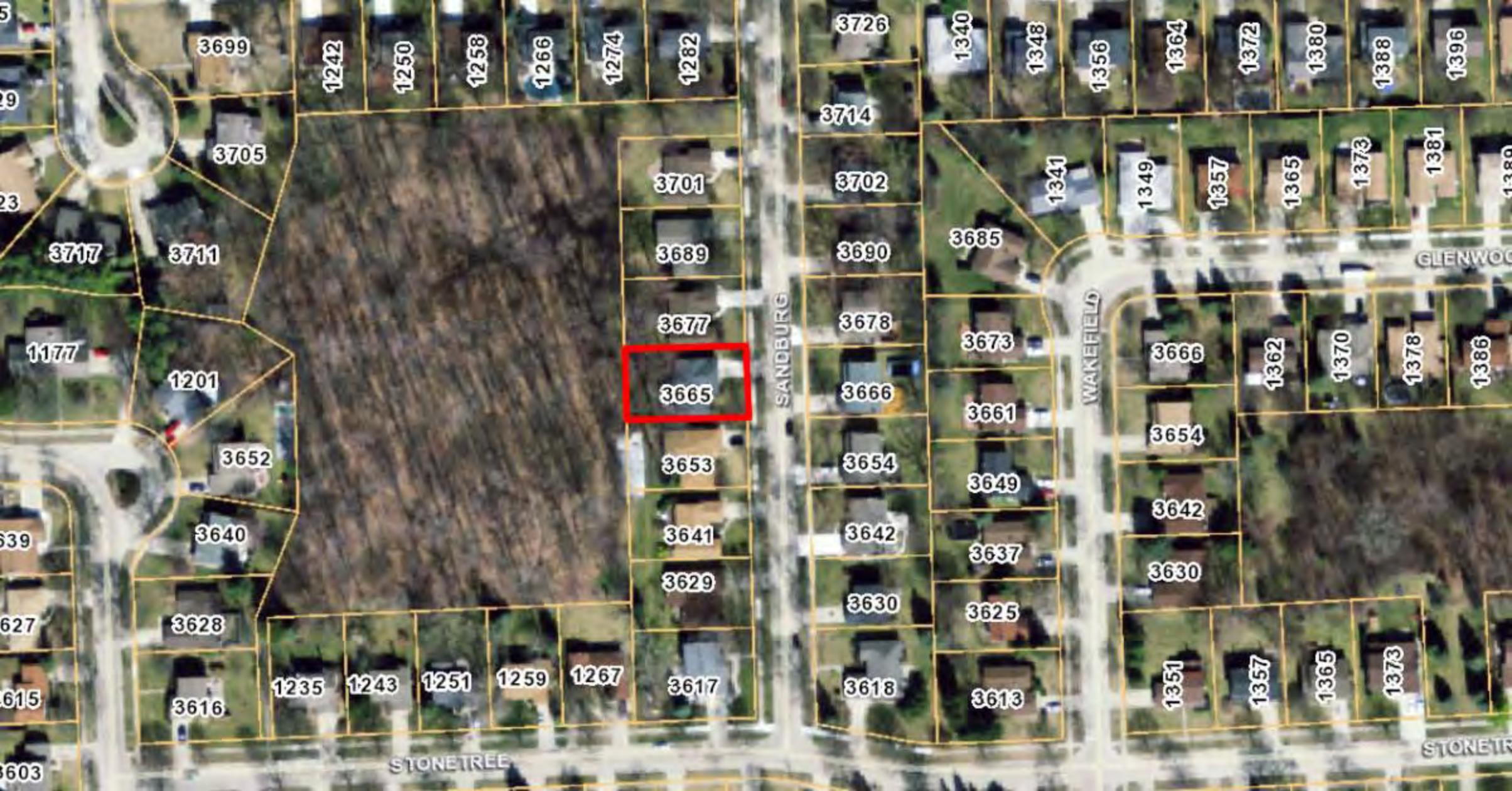
INVERNESS CT

LEONBERY

TROYWOOD

BISHOP

ODD



3699

1242

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1258

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1282

3726

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3701

3714

3702

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1365

1373

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3711

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3685

GLENWOOD

1177

1201

3677

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3678

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615

3616

1235

1243

1251

1259

1267

3617

3618

3613

1351

1357

1365

1373

3603

STONETREE

STONETREE

SANDBURG

WAKEFIELD



3665

ZONING BOARD OF APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248-524-3364
E-MAIL: evanspm@troymi.gov



FEE \$150.00
<http://troymi.gov/Government/Departments/CodeEnforcement.aspx>

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL.** PLEASE FILE A COMPLETE APPLICATION AND FEE, AT LEAST **27 DAYS BEFORE** THE MEETING DATE.

1. ADDRESS OF THE SUBJECT PROPERTY: 3665 SANDBURG
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-23-151-031
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: R-1C
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: No
5. APPLICANT:
NAME EDWARD SHORNAK
COMPANY _____
ADDRESS 3665 SANDBURG
CITY TROY STATE MICH ZIP 48083
PHONE 248-866-3681
E-MAIL SHORCON@aol.com
AFFILIATION TO THE PROPERTY OWNER: _____

6. PROPERTY OWNER:

NAME EDWARD SHORNAK
COMPANY _____
ADDRESS 3665 SANDBURG
CITY TROY STATE MI ZIP 48063
TELEPHONE 248-866-3681
E-MAIL Shorson@aol.com

The undersigned hereby declares 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, EDWARD SHORNAK (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE  DATE 3-12-14

PRINT NAME: EDWARD SHORNAK

PROPERTY OWNER SIGNATURE  DATE 3-12-14

PRINT NAME: EDWARD SHORNAK

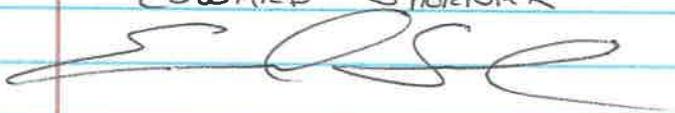
Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

The applicant will be notified of the time and date of the hearing by first class mail.

To Whom It May Concern,

I EDWARD SHORNAK AM WRITING YOU, THE BOARD OF APPEALS. I AM ASK YOU TO APPROVE MY APPLICATION FOR A BUILDING PERMIT. I WAS DENIED ON 1/16/2014 BY MR. PAUL FEATHERSTON DUE TO ZONING DISTRICT R-1C. WHICH STATES "YOU ARE REQUIRED TO HAVE A MINIMUM OF 10 FT ON AT LEAST ONE SIDE OF YOUR HOUSE TO PROPERTY LINE." I ONLY HAVE 8 FT - 4 IN. MY PROPOSED ADDITION DOES NOT EXCEED OUTSIDE OF ANY EXISTING WALLS. THERE ARE SEVERAL HOMES IN THIS AREA THAT HAVE THE LAYOUT THAT I AM TRYING TO DO. I HAVE ATTACHED PICTURES OF MY NEIGHBOR'S HOUSE ON THE SOUTH SIDE OF MY TO SHOW WHAT IT WOULD LOOK LIKE.

Thank you
EDWARD SHORNAK



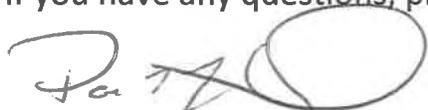
1/16/2014

Re: 3665 Sandburg

Dear Edward Shornak,

Your application for a 165ft addition has been denied. In the zoning district R-1C, you are required to have a minimum of 10ft on at least one side of your home to the property line. The location where the addition is proposed, you have an 8ft-4in side yard setback.

If you have any questions, please call me at 248-524-3348.

A handwritten signature in black ink, appearing to read "Paul N Featherston". The signature is stylized with a large, circular flourish at the end.

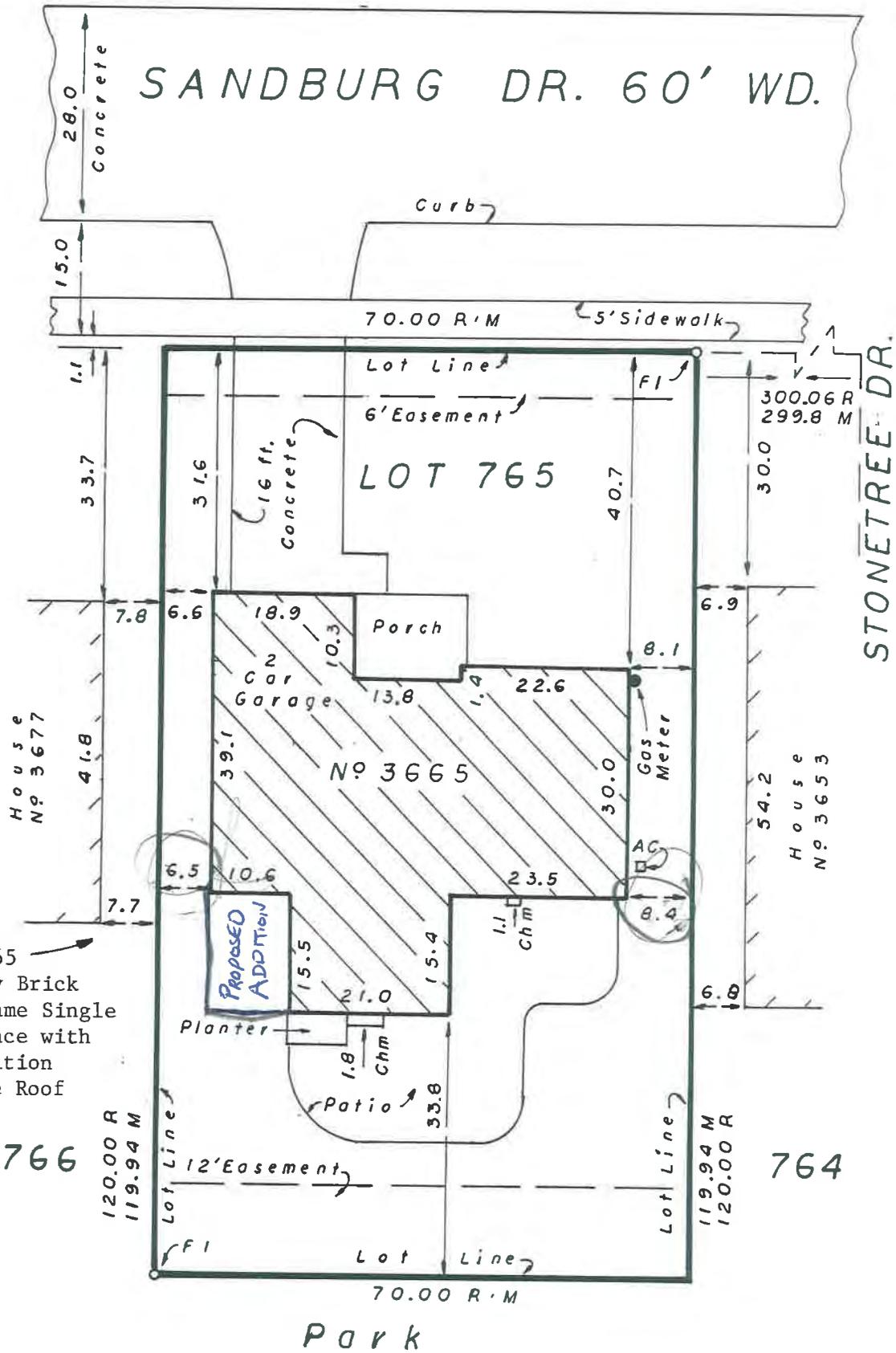
Paul N Featherston

Chief Building Official

City of Troy

SAFEbuilt

RESIDENTIAL PLOT PLAN



No. 3665
1 Story Brick
and Frame Single
Residence with
Composition
Shingle Roof

LEGAL DESCRIPTION OF PROPERTY:

Lot 765, RAINTREE VILLAGE No. 3, part of the N.W.1/4 of Section 23, T2N-R11E, CITY OF TROY, Oakland County, Michigan.
Plat recorded LIBER 143, PAGES 8 to 11, inclusive O.C.R.

Prepared For: Edward Shornak 248-866-3681

WE HEREBY CERTIFY that we have surveyed the property herein described, that there are located entirely thereon as shown, buildings and improvements, photograph of which was taken and of which a print appears attached herelo, and that said building and improvements are within the property lines and that there are no existing encroachments upon the lands and property described whatsoever.

GUARANTY SURVEY CO.
REGISTERED LAND SURVEYORS
1660 ROCHESTER ROAD
TROY, MI 48063
ESTABLISHED 1919

PETER G. PITCHFORD (248) 528-1717
TOM NORTHRUP FAX (248) 528-1746

ORDER No. 190588 DATE Jan. 10, 2014 BY: *[Signature]*

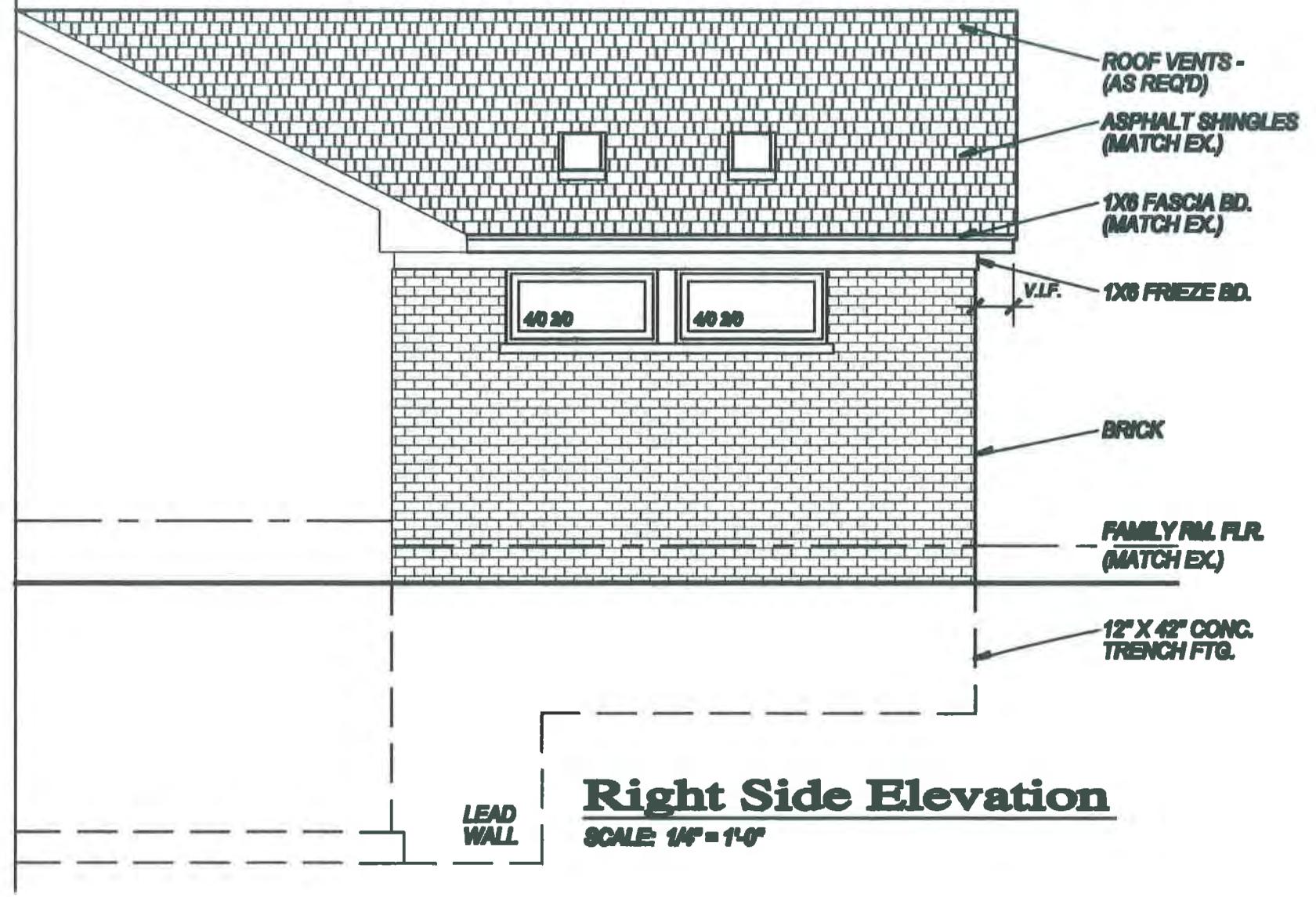
RECEIVED

DEC 20 2013

CITY OF TROY
BUILDING DEPT.

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



Right Side Elevation

SCALE: 1/4" = 1'-0"

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

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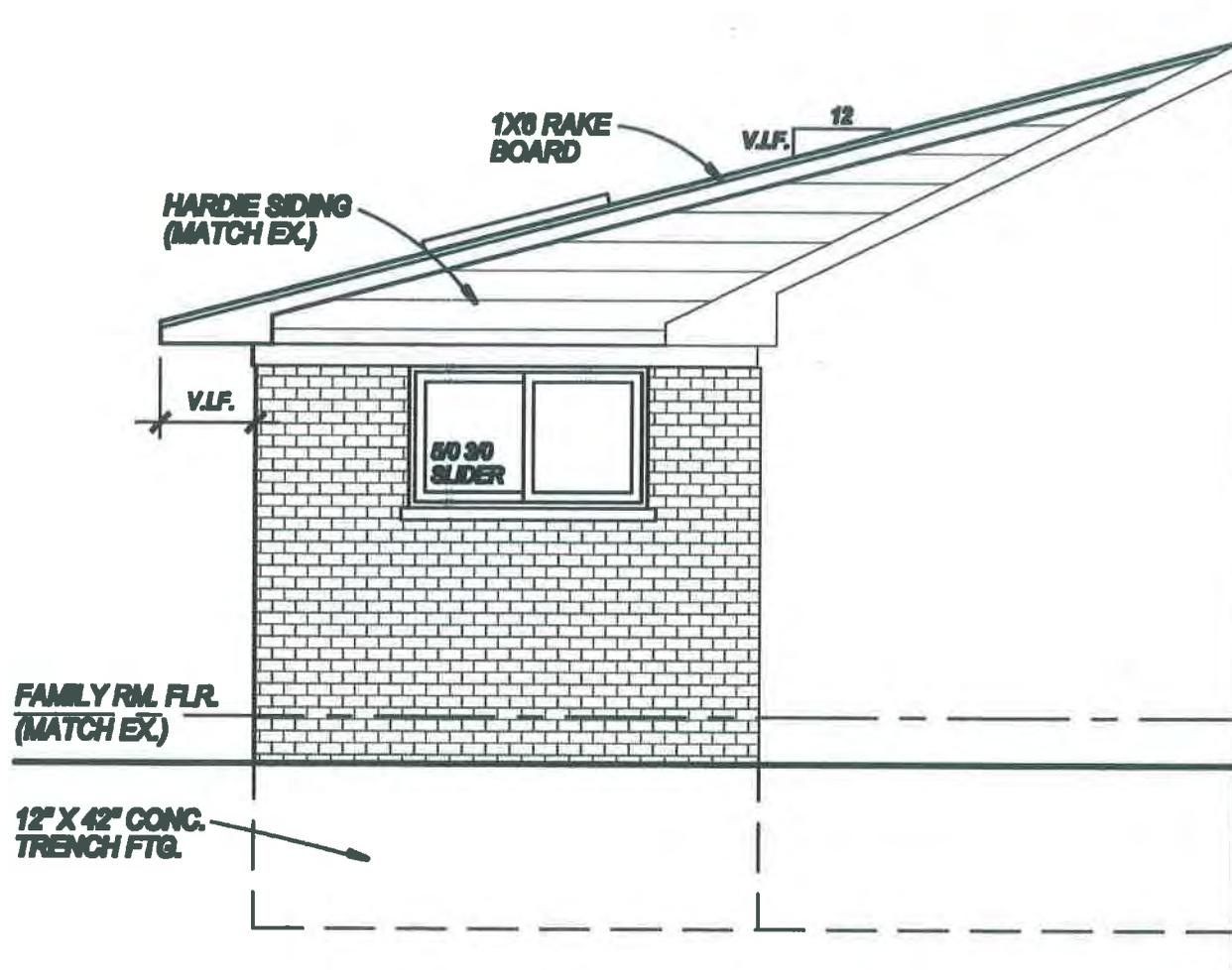
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RECEIVED

DEC 20 2013

CITY OF TROY
BUILDING DEPT.

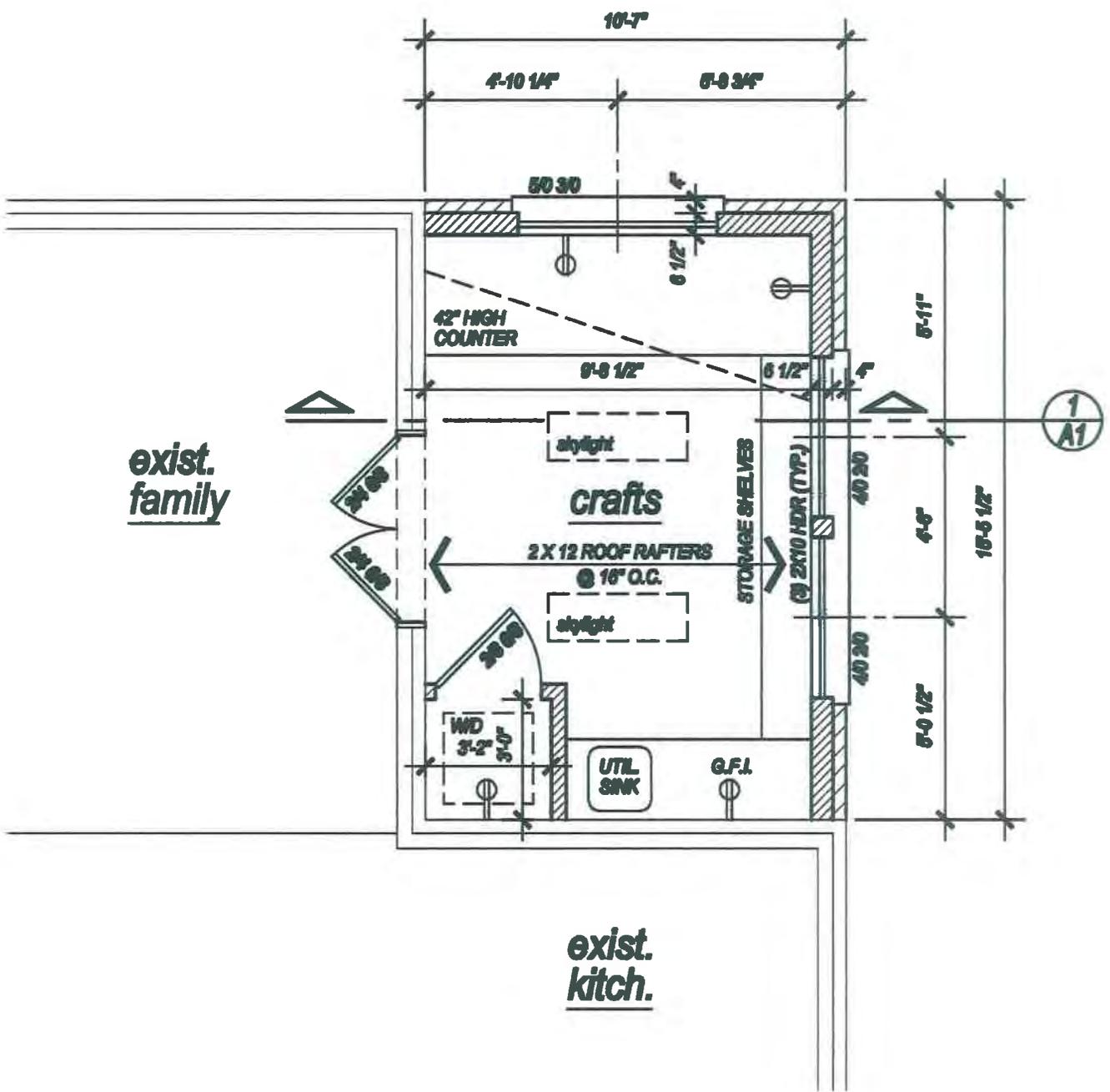
PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



Rear Elevation

SCALE 1/4" = 1'-0"

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



FLOOR PLAN

SCALE: 1/4" = 1'-0"

EXIST. FIRST FLR. AREA: XXXX SF
FIRST FLR. ADDITION AREA: 164 SF

CITY OF TROY
BUILDING DEPT.

DEC 2 0 2013

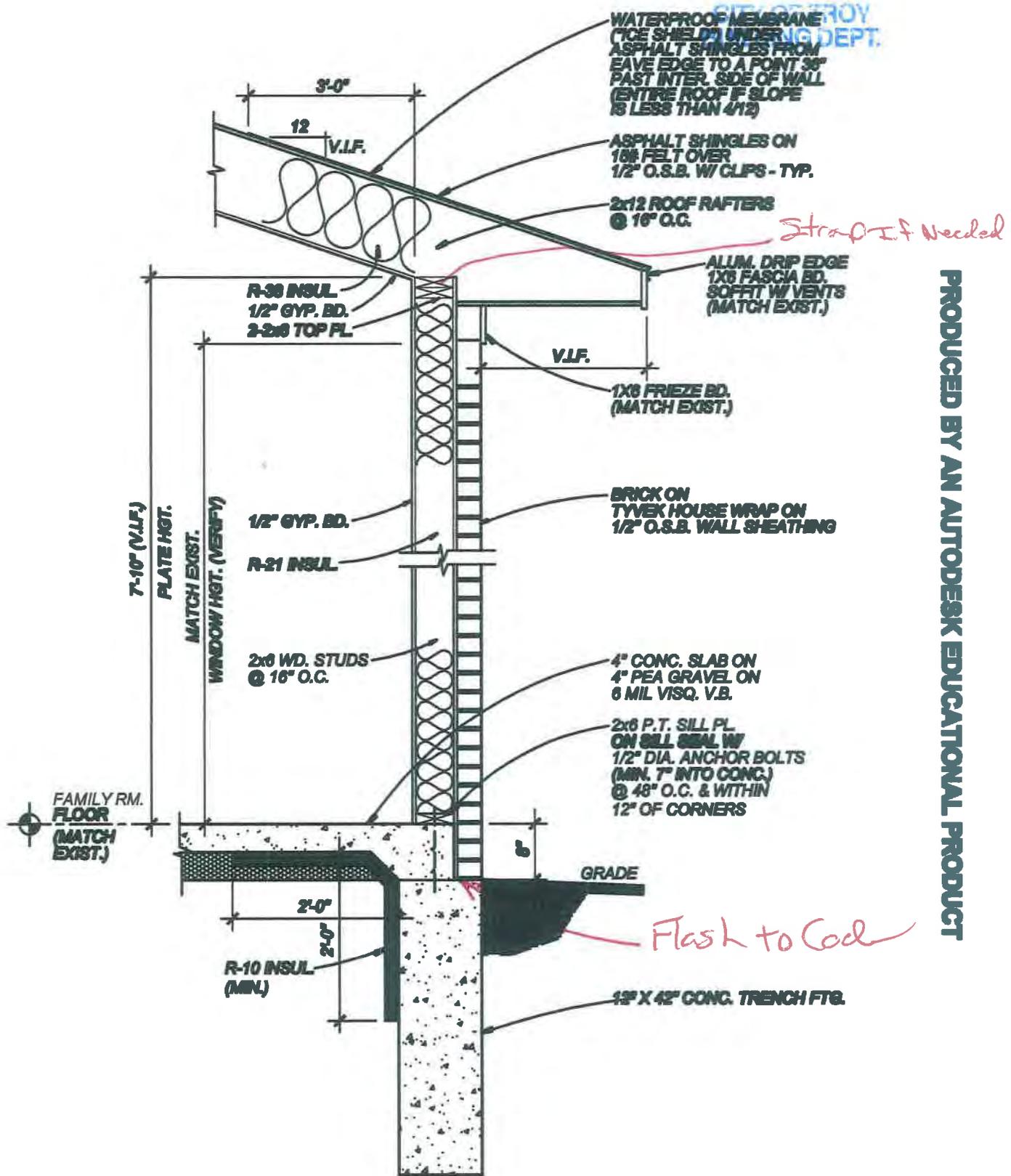
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PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

RECEIVED

DEC 20 2013



PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

A
A1

WALL SECTION

3/4" = 1'-0"

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT



ARIAL View OF WHAT ROOF LINE
WOULD LOOK LIKE



View From The Street - SOUTH SIDE



View From The Street NORTH SIDE



View BETWEEN MY HOUSE &
Neighbor TO THE NORTH OF ME?



My House .

What it looks like now .



Neighbors House:

This is what I would like to do?

get-attachment.aspx (JPEG Image, 1632 x 1224 pixels) - Scaled...

<http://mail.aol.com/38442-111/aol-6/en-us/mail/get-attachment...>



LIBER 6366 PAGE 486 74 72778

SECOND AMENDMENT TO DECLARATION OF RESTRICTIONS

211
1/3/92

Recorded in Liber 6127, Pages 427 to 437, covering RAINTREE VILLAGE SUBDIVISION NO. 1, Part of the East 1/2 of Section 23, T2N., R.11E., City of Troy, Oakland County, Michigan, as recorded in Liber 138, Pages 12 to 15, Oakland County Records

WHEREAS, the Declaration of Restrictions for RAINTREE VILLAGE SUBDIVISION NO. 1, City of Troy, Oakland County, Michigan, contains the following provisions:

Section 14

It is contemplated that the developer will at some future date amend this Declaration of Restrictions by subjecting the lots in proposed RAINTREE VILLAGE SUBDIVISION NO. 2 and proposed RAINTREE VILLAGE SUBDIVISION NO. 3 in addition to the lots in RAINTREE VILLAGE SUBDIVISION NO. 1 to the within Declaration of Restrictions. Anything to the contrary notwithstanding, the developer may amend this Declaration of Restrictions as aforesaid without the lot Owners consent by recording an appropriate instrument signed by the Developer. Said instrument shall comply with the requirements of Section 25 of the Restrictions.

Section 25

It is contemplated that the developer will at some future date amend this Declaration of Restrictions by adding the following Open Space Areas which are part of the proposed RAINTREE VILLAGE SUBDIVISION NO. 2, the legal description of which is contained on Exhibit "A" attached hereto.

- Village Park 2.1 acres (Private Park)
- Raintree Park 1.1 acres (Private Park)

and the following Open Space Area in proposed Raintree Village Subdivision No. 3, the legal description of which is contained on Exhibit "B" attached hereto:

- Forest Park 4.040 acres (Private Park)

and subjecting the lots in said proposed subdivisions in addition to the lots in RAINTREE VILLAGE SUBDIVISION NO. 1 to said Declaration of Restrictions.

Anything to the contrary notwithstanding, the developer may amend this Declaration of Restrictions as aforesaid without the Lot Owners or Lot Owner-Occupants consent by recording an appropriate instrument signed by the developer and said instrument shall provide that all of the parks in each of said Subdivisions shall be for the use and benefit of all residents of all of said RAINTREE VILLAGE SUBDIVISIONS.

AND WHEREAS, the Subdivision Open Space Agreement for RAINTREE VILLAGE SUBDIVISION NO. 1 recorded in Liber 6127, Pages 415 to 426, Oakland County Records contains a similar provision in Section 20 of said Agreement.

LIBER 6366 PAGE 487

AND WHEREAS, Biltmore Homes Company, a Michigan Corporation is the Owner and Developer of the lots in RAINTREE VILLAGE SUBDIVISION NO. 3, described on Exhibit A attached hereto and made a part hereof, and desires to amend said Declaration of Restrictions.

NOW, THEREFORE, in consideration of the mutual promises herein contained the receipt and adequacy of which is hereby acknowledged, it is agreed as follows:

Pursuant to Sections 14 and 25 of the Declaration of Restrictions covering RAINTREE VILLAGE SUBDIVISION NO. 1, as recorded in Liber 6127, Pages 427 to 437, Oakland County Records, said Restrictions are hereby amended to include Lots 587 to 810 inclusive of RAINTREE VILLAGE SUBDIVISION NO. 3, as recorded in Liber 143, Pages 8 to 11, and described on Exhibit A attached hereto.

FURTHER, that said Lots 587 to 810 inclusive are subject to the restriction that no dwelling shall be erected, altered, placed or permitted to remain on any site having a width of less than seventy (70) feet and an area of less than eighty-four hundred square feet (8400), unless a lot as originally platted is less than this prescribed width and area.

No building shall be located on any residential building site with a front yard setback of less than thirty (30) feet.

The minimum side yards between buildings is 7.5 feet per side yard with a total requirement of 15.0 feet for both side yards.

FURTHER, that "Open Space Area" as provided for in Section 18 of said Declaration of Restrictions shall include the following area of land on the recorded plat for RAINTREE VILLAGE SUBDIVISION NO. 3: Forest Park 4.040 acres (Private Park) in addition to Lakeside Park contained in RAINTREE VILLAGE SUBDIVISION No. 1 and Village Park and Raintree Park in Raintree Village Subdivision No. 2 and that all of said "Open Space Areas" shall be equally available for use and enjoyment by the Lot Owner-Occupants in all three Raintree Subdivisions.

6366 488

FURTHER, that the assessment provisions contained in said Declaration of Restrictions applicable to RAINTREE VILLAGE SUBDIVISION NO. 1 and RAINTREE VILLAGE SUBDIVISION NO. 2 shall also apply to RAINTREE VILLAGE SUBDIVISION NO. 3,

FURTHER, that the proprietors herein and all future owners of a lot or lots in said Subdivision are also governed by the terms and conditions of an Agreement entered into with the City of Troy, dated MAY 13, 1974 entitled "Subdivision Open Space Agreement" and recorded in Liber 6366, Pages 477-485 Oakland County Records.

IN ADDITION, that the provisions of said Declaration of Restrictions for RAINTREE VILLAGE SUBDIVISION NO. 1 shall fully apply to RAINTREE VILLAGE SUBDIVISION NO. 3 except as may be modified hereby.

WITNESSETH:

Richard L. Komer
Jane M. Graham
Richard L. Komer
Jane M. Graham

BILTMORE HOMES COMPANY,
A Michigan Corporation

By: Norman J. Cohen
Norman J. Cohen, President

RECORDED
INDEXED
SEP 20 AM 10:39
CLERK OF COUNTY RECORDS
OAKLAND COUNTY, MICHIGAN

STATE OF MICHIGAN }
COUNTY OF OAKLAND } SS

On this TWENTYTH day of SEPTEMBER, 1974 before me personally appeared Norman J. Cohen, to me personally known, being by me duly sworn, did say that he is the President of BILTMORE HOMES COMPANY, the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said Norman J. Cohen acknowledged said instrument to be the free act and deed of said corporation.

My commission expires:
October 13, 1975

Jane M. Graham
Jane M. Graham, Notary Public
Oakland County, Michigan

Drafted by and when recorded return to:
Richard L. Komer
2900 W. Maple Road
Troy, Michigan 48064

LINE 6366 PAGE 489

EXHIBIT "A"

Raintree Village Sub. No. 3

PART OF THE NORTHWEST 1/4 OF SECTION 23, T.2N., R.11E.,
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

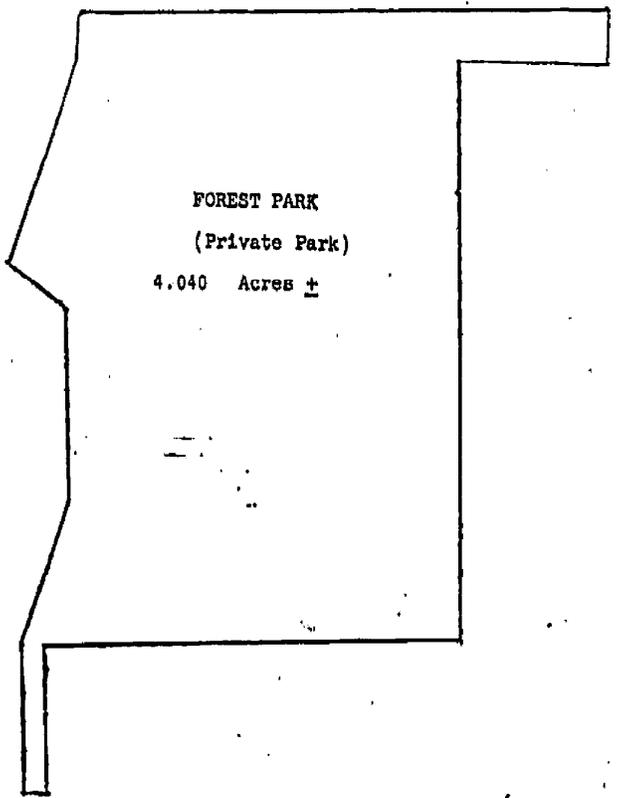
LEGAL DESCRIPTION

Part of the N.W. 1/4 of Section 23, T.2N., R.11E., City of Troy, Oakland County, Michigan, being more particularly described as follows: Beginning at a point which is S 00°12'22" E 1069.20 ft. along the West line of Section 23 and N 89°44'32" E 420.60 ft. from the N.W. corner of Section 23, T.2N., R.11E.; thence N 89°44'32" E 892.40 ft.; thence N 00°13'28" E 1051.52 ft.; thence S 89°29'22" E 1061.28 ft. along the North line of Section 23; thence S 00°05'33" W 1374.54 ft.; thence N 89°57'10" W 973.04 ft.; thence S 00°20'38" W 1398.29 ft.; thence, along the East and West 1/4 line of Section 23, S 89°50'26" W 76.20 ft.; thence, along the East and West 1/4 line of Section 23, being also the North line of "Dean Estates Sub." (Liber 119, Pages 17 and 18, O.C.R.); S 89°27'55" W 892.11 ft.; thence N 00°11'35" W 1093.83 ft.; thence N 71°39'27" W 148.67 ft.; thence Westerly 80.72 ft. along a curve concave to the South (Radius of 245.00 ft., central angle of 18°52'38", long chord bears N 81°05'46" W 80.36 ft.); thence S 89°27'55" W 200.17 ft.; thence, along the West line of Section 23, N 00°12'22" W 60.00 ft. thence N 89°27'55" E 199.83 ft.; thence Easterly 100.49 ft. along a curve concave to the South (Radius of 305.00 ft., central angle of 18°52'38", long chord bears S 81°05'46" E 100.03 ft.); thence S 71°39'27" E 128.55 ft.; thence N 00°11'35" W 58.00 ft.; thence N 89°27'55" E 12.52 ft.; thence N 00°12'22" W 188.54 ft.; thence S 89°44'30" W 12.47 ft.; thence N 00°11'35" W 332.10 ft. to the point of beginning - (3,150,923 Sq. Ft. --- 72.335 Acres).

224 LOTS

LIBER 6366 PAGE 490

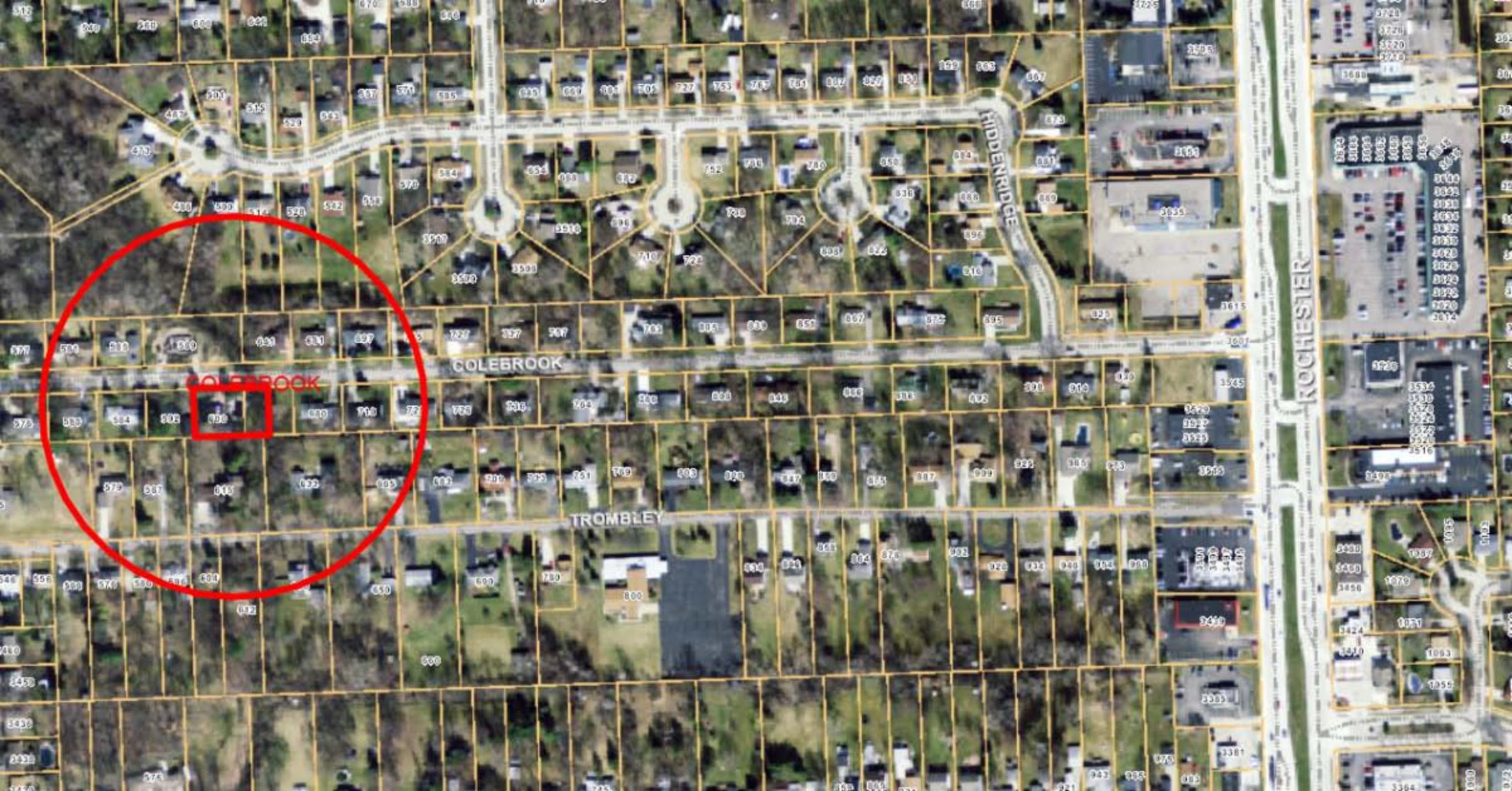
EXHIBIT "B"



Dead trees to be felled.

- C. VARIANCE REQUEST, DAN LAPISH, 600 COLEBROOK – In order to continue construction on a tree house, a 4 foot variance from the requirement that detached accessory supplemental buildings not exceed 14 feet in height.

ZONING ORDINANCE SECTION: 7.03 (B) (3) (d)





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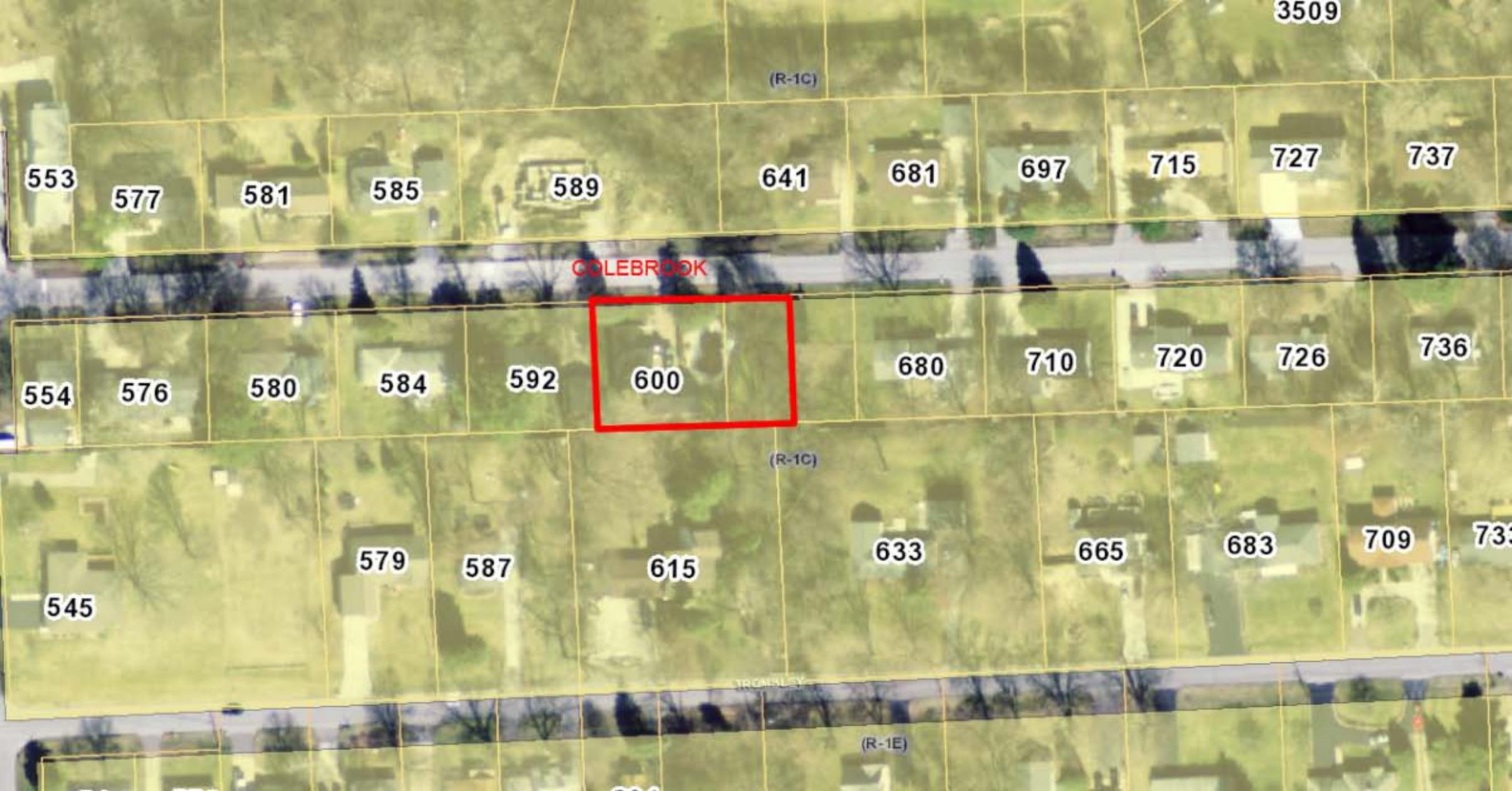
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TROMSLEY



3509

(R-1C)

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COLEBROOK

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726

736

(R-1C)

545

579

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615

633

665

683

709

733

TROMBLEY

(R-1E)

ZONING BOARD OF APPEALS APPLICATION

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



REGULAR MEETING FEE \$150.00
SPECIAL MEETING FEE \$650.00

RECEIVED

APR 14 2014

PLANNING

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 27 DAYS BEFORE THE MEETING DATE.

1. ADDRESS OF THE SUBJECT PROPERTY: 600 COLEBROOK

2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-22-253-006 & 007

3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: HEIGHT VARIANCE

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: AFTER OUR DETACHED GARAGE WAS DESTROYED BY FIRE WE RECEIVED VARIANCE TO BUILD "ATTACHED" GARAGE SEPT/OCT 1999

6. APPLICANT INFORMATION:

NAME DAN LAPISH

COMPANY _____

ADDRESS 600 COLEBROOK

CITY TROY STATE MI ZIP 48083

TELEPHONE 248 854 5093

E-MAIL DAN @ TEAM LAPISH . COM

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

8. OWNER OF SUBJECT PROPERTY:
NAME DAN LAPISH
COMPANY _____
ADDRESS 600 COLEBROOK
CITY TROY STATE MI ZIP 48083
TELEPHONE 248 854 5093
E-MAIL DAN @ TEAM LAPISH . COM

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, DAN LAPISH (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 4-14-14
PRINT NAME: DANIEL J LAPISH

SIGNATURE OF PROPERTY OWNER [Signature] DATE 4-14-14
PRINT NAME: DANIEL J LAPISH



4/28/14

To the City of Troy Zoning Board of Appeals members:

We chose the only trees on our property that were suitable to build a tree house. That being said, we observed the trees for several seasons under different wind and weather conditions then followed the natural curve of the tree limbs to determine the best anchor points to build a safe and stable platform. Unfortunately, when the walls and roof were added, it pushed the height approximately five feet higher than zoning allows. However, lowering the tree house will dramatically change the angle of the 4x4 structural supports, causing instability with the tree house platform. The tree house we are building is a very basic structure that we believe will actually enhance the neighborhood rather than detract and allow our family, friends and neighbors a place to quietly enjoy nature at a unique vantage point and our children to conjure and strategize their imaginary world. We understand that our tree house is out of compliance with the height variance requirements; however we feel that being five feet over the variance is the only way to efficiently and adequately build a functional tree house. Please don't hesitate to call with any questions or feel free to visit for an on sight evaluation.

Thank you for your consideration-

Team Lapish
Dan, Jenyfer, Tully, Pippin and Ryker

Dan Lapish: 248-854-5093
Home: 248-689-3229



Notice of Authorization

Permit Number 13-63-0296-P

Issued: 03/18/2014

Expiration Date: 03/18/2019

The Michigan Department of Environmental Quality, Water Resources Division,
P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and
Environmental Protection Act, 1994 PA 451, as amended, and specifically:

- Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
- Part 301, Inland Lakes and Streams.
- Part 303, Wetlands Protection.
- Part 315, Dam Safety.
- Part 323, Shorelands Protection and Management.
- Part 325, Great Lakes Submerged Lands.
- Part 353, Sand Dunes Protection and Management.

Authorized activity:

This permit authorizes construction of a tree house, constructed on two existing trees, 10 feet 10 inches off the ground at 600 Colebrook, City of Troy, Oakland County and within the 100-year floodplain/floodway of the Sturgis Drain, Drain. No fill is permitted. No work within the Drain or its banks is permitted. All work shall be completed according to submitted plans received by Department of Environmental Quality on November 26, 2013 and February 7, 2014, copy enclosed, and conditions of this permit.

No overnight stay or use is permitted.

To be conducted at property located in: Oakland County, Waterbody:
Section 22 , Town 2N, Range 11E, City of Troy.

Permittee: Dan Lapish
600 Colebrook
Troy, MI 48083

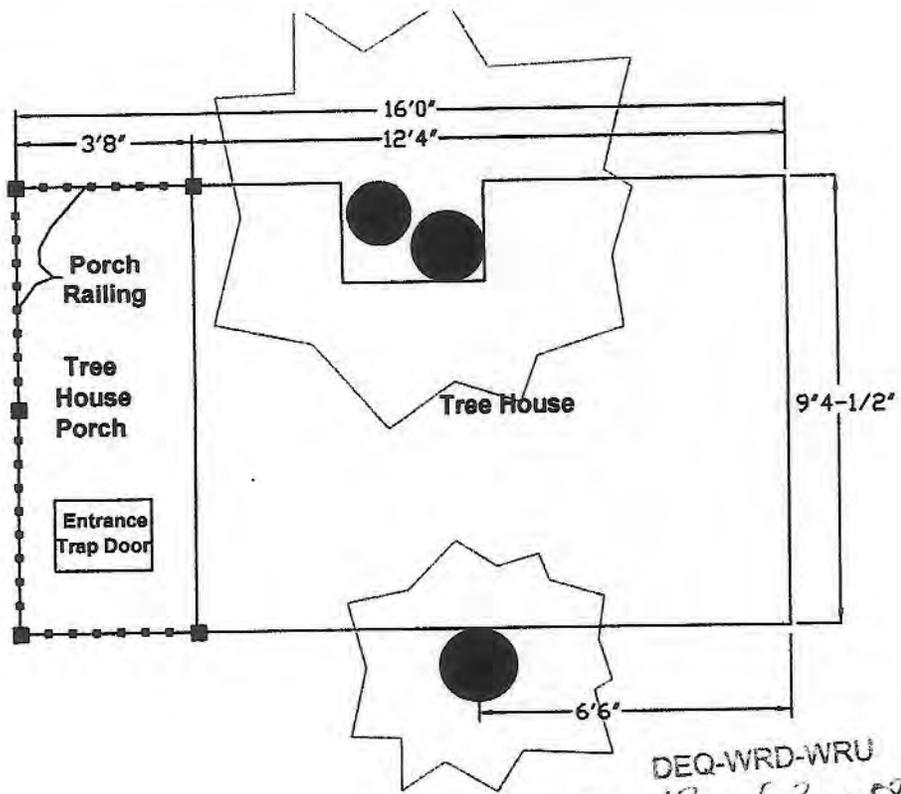
Maria Zingas
Water Resources Division
586-753-3700

*This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.*

Please refer to the above Permit Number with any questions or concerns.

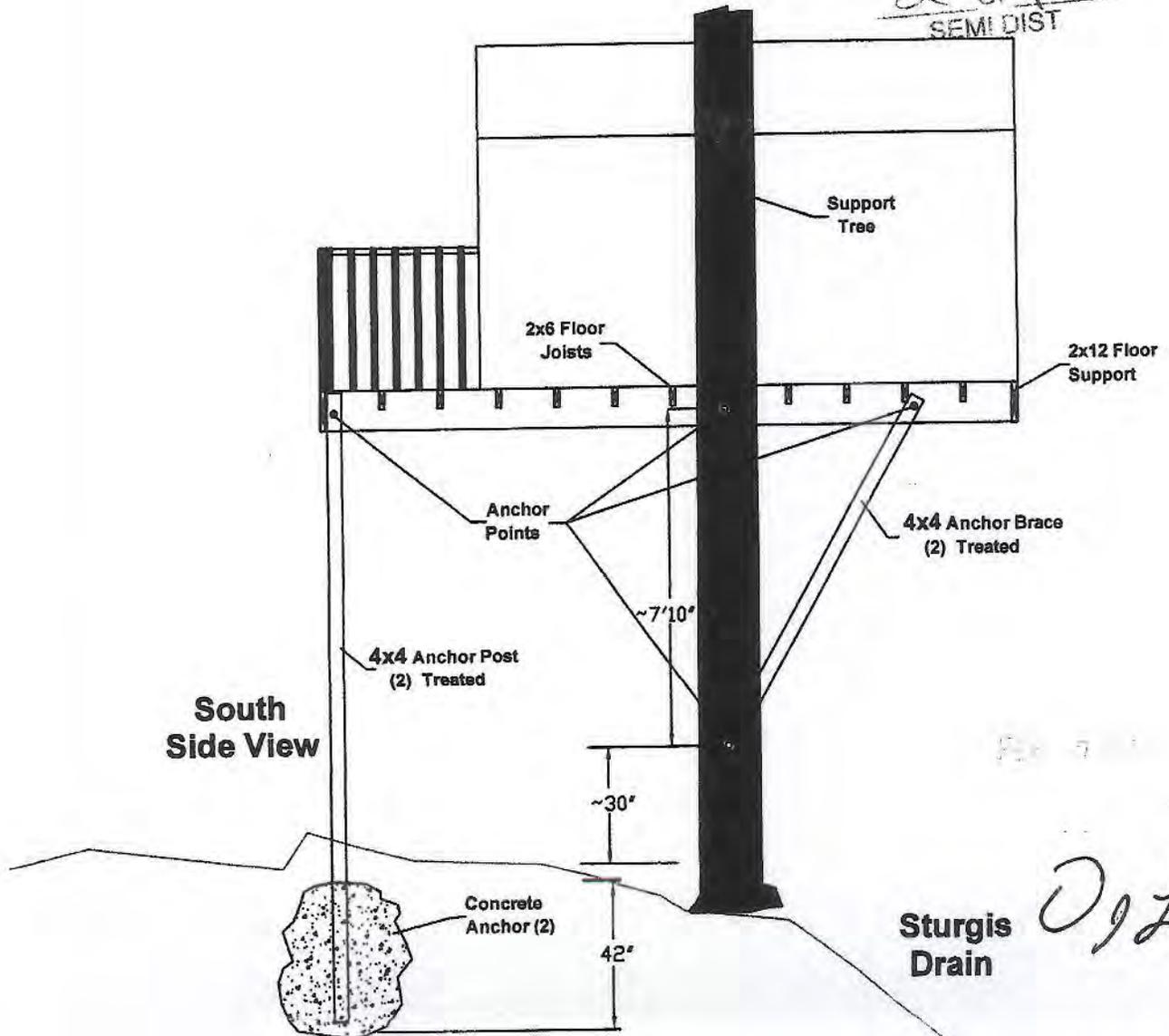
**Floor Plan
600 Colebrook
Tree House**

Scale 1" = 4'



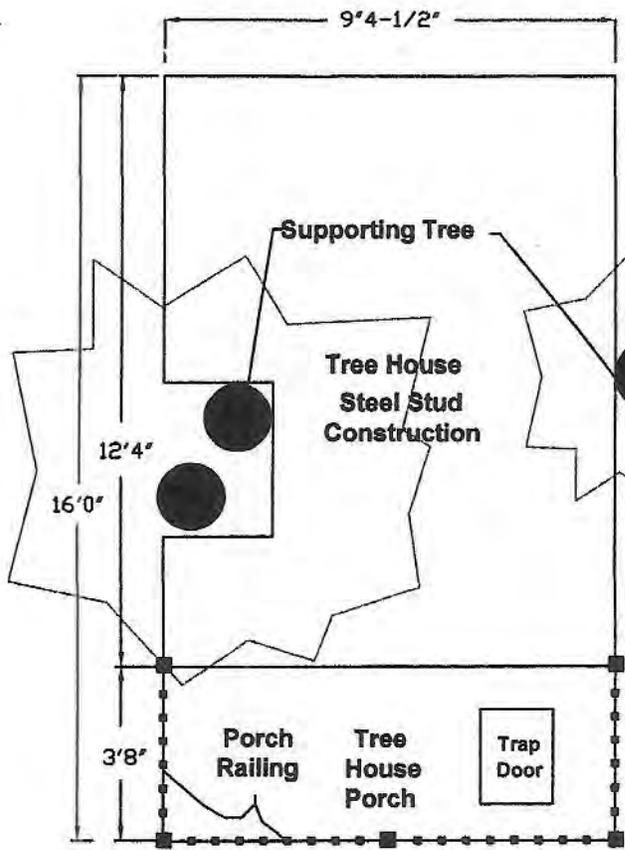
DEQ-WRD-WRU
FILE# 13-63-0296-P
APPROVED PLANS
2 OF 4
SEMI DIST

**South
Side View**



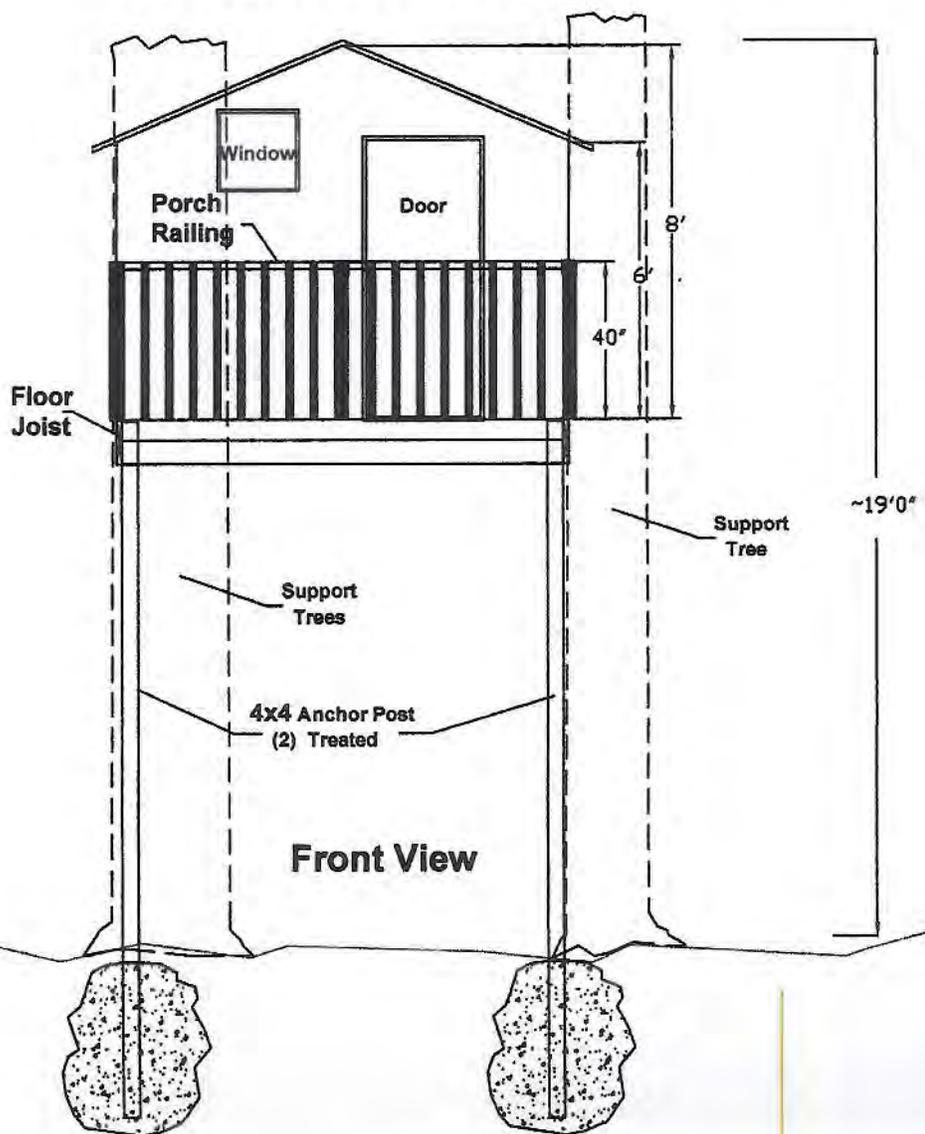
Sturgis
Drain

092



Floor Plan
600 Colebrook
Tree House
 Scale 1" = 4'

OgZ

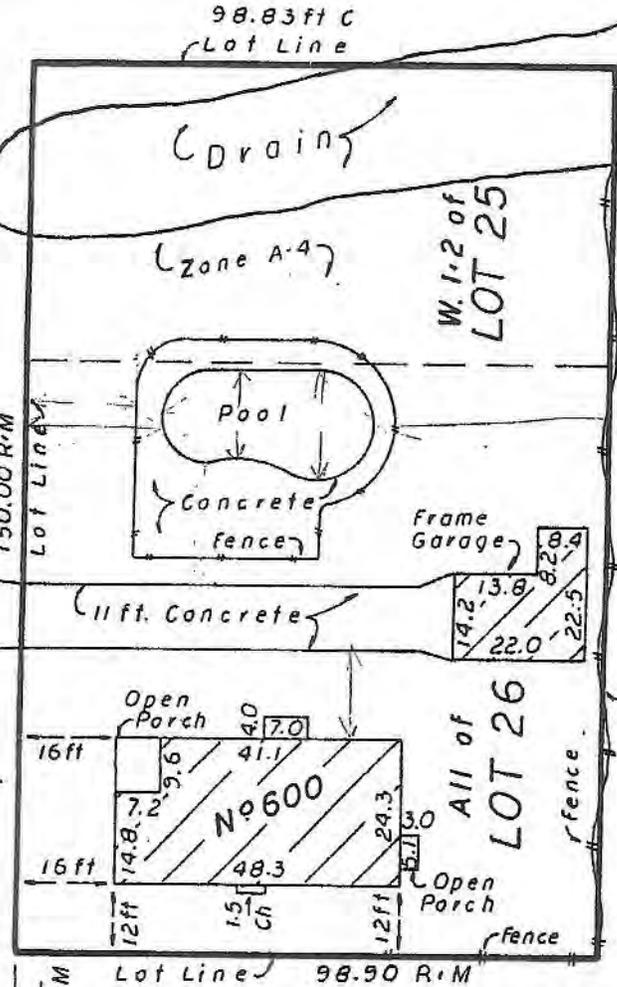


DEQ-WRD-WRU
 FILE# 13-63-0296-P
 APPROVED PLANS
1 OF 4
 SEMI DIST.

Front View

COLEBROOK AVE. 50' WD.

Edge of Asphalt



EIIENBORO AVE.

No. 600
1 1/2 Story
Frame Single
Residence with
Composition
Shingle Roof

LEGAL DESCRIPTION OF PROPERTY: 20-22-253-006 & 007 West 1/2 of Lot 25 and all of Lot 26, CLOVERDALE FARMS, a Sub. of part of the NE 1/4 of Sec. 22, T2N-R11E, Troy Twp., now CITY OF TROY, Oakland County, Michigan. Plat recorded in LIBER 33, PAGE 13, Oakland County Records. SUBJECT to easements and restrictions of record. SAID PROPERTY is in ZONE A-4 of Flood Plain.

DEQ-WRD-VI
FILE # 13-63 0296-P
APPROVED PLANS
3 OF 4
SEMI DIST

092

WE HEREBY CERTIFY that we have surveyed the property herein described, that there are located entirely thereon as shown, buildings and improvements, photograph of which was taken and of which a print appears attached hereto, and that said building and improvements are within the property lines and that there are no existing encroachments upon the lands and property described whatsoever.

GUARANTY SURVEY CO.
REGISTERED LAND SURVEYORS
1028 S. WASHINGTON
ROYAL OAK, MICHIGAN 48067
(313) 545-1717

Locn No. 184161 Date 12/18/98

This survey is for Mortgage Purposes only and should not be used to establish the property line for the construction of improvements or the erection of fences.

BY: _____

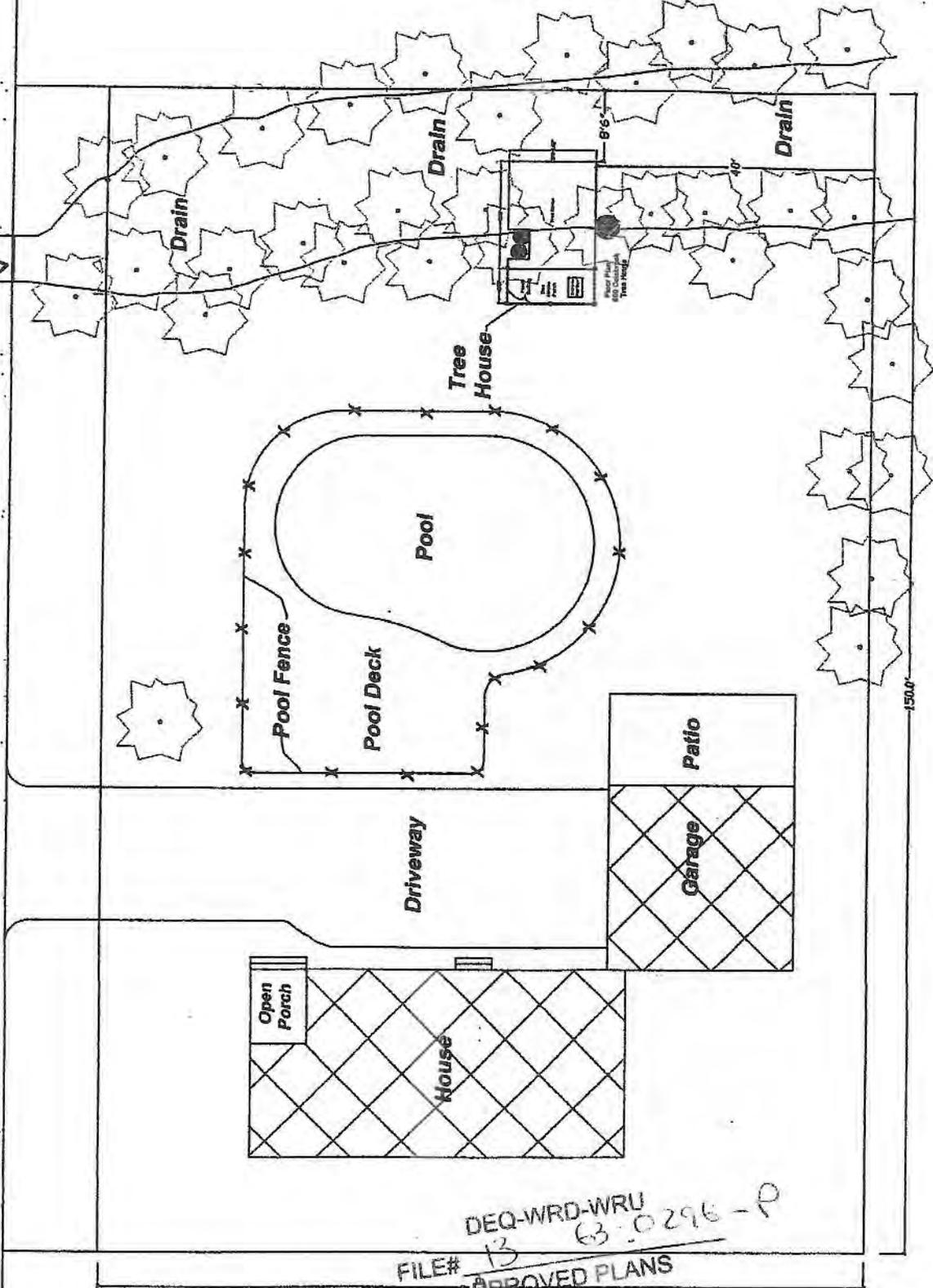
RECEIVED
NOV 26 2013
WRD/WRU
SEMI DIST

OJL

600 Colebrook

Site Plan

Scale 1" = 20'



DEQ-WRD-WRU
FILE# 13 63-0296-P
APPROVED PLANS
1 OF 4
SEMI DIST.

From: [Colosimo, Frank J. CIV USARMY TACOM \(US\)](#)
To: [Planning](#)
Subject: 600 Colebrook structure (UNCLASSIFIED)
Date: Tuesday, May 06, 2014 7:05:25 AM

Classification: UNCLASSIFIED
Caveats: NONE

Attn: Zoning board appeal

I am commenting on the 600 Colebrook structure. Recommend approving the 4-foot variance from the requirement. I'm almost certain this was an oversight from the current owners as they are doing this for their children. I'm thinking about the sake of the children in this case, this is not an overly large, 5 door pole barn or similar structure for an owners toys. I can see this structure from my back yard and I almost do not notice it. Recommend letting them complete this structure in this instance.

Thanks,
Frank Colosimo

Classification: UNCLASSIFIED
Caveats: NONE

From: [John T](#)
To: [Paul M Evans](#)
Subject: Fw: 600 Colebrook Dr. Variance
Date: Wednesday, May 14, 2014 10:04:15 PM

On Wednesday, May 14, 2014 9:59 PM, John T <johnt1024@yahoo.com> wrote:

May 14, 2014

Troy Planning Department

Dear Planning Dept,

My name is John Tyson and my house is directly across from the treehouse at 600 Colebrook Dr. for which a height variance is being requested by Daniel Lapish.

I have a few concerns, mostly related to adversely affecting the resale value of my home in the future.

1. Privacy

This treehouse is pretty much on level with my upstairs bedroom (see attached photo). This concern also applies to the first floor master bedroom, where people may be able to look down into the windows. I will try and get a photo showing the treehouse in relation to these bedrooms. If it can be guaranteed that the treehouse cannot have a window, door or other portal in the back of it, this may suffice.

2. Aesthetics

I would be concerned if it looks bad - painted a wild color, weird exterior, who knows what. It is very difficult to regulate this, so I'm hoping that Mr. Lapish has submitted a final plan - showing exactly what the exterior will look like - that way, everyone would know what to expect and if reasonable, the Planning Board would approve it. Any deviation from this would be in violation and require fixing or removing the treehouse by a set date.

3. Noise/Safety

Since I moved here in 2012, there have been a number of noise violations. I have called Troy PD several times each year and expect the same will happen this Summer and Fall. The music, yelling, screaming and singing starts around 10:30 PM Saturday nights and can go as "late" as 3:30 AM Sunday. Feel free to check with the Troy Police Dept. on these complaints. I am worried that having this treehouse will increase the noise level as kids play around the treehouse late into the night. There may be a safety issue with the children, running from the swimming pool up the treehouse and back, but this may be out of your purview.

I am planning on being at the May 20 public hearing in case you have any questions for me.

Sincerely,
/s/John Tyson









Marlene Tarrance
Valerie Tarrance
545 Trombley
Troy, MI 48083

May 14, 2014

City of Troy
Planning Department
500 W. Big Beaver
Troy, MI 48084

RE: 600 Colebrook, 7.03 (B) (3) (d), Daniel Lapish

To Whom It May Concern:

As one of the Lapish's neighbors we have no problem with them having a tree house on their property. From our view structure wise it seems fine. I'm certain safety is the number one priority for the parents. I'm sure once they are able to finish the project, it will look like a true tree house. You couldn't have a better place to let the kids play then your own yard. We both feel the City of Troy should allow construction to continue so the kids can start enjoying their tree house.

Sincerely,



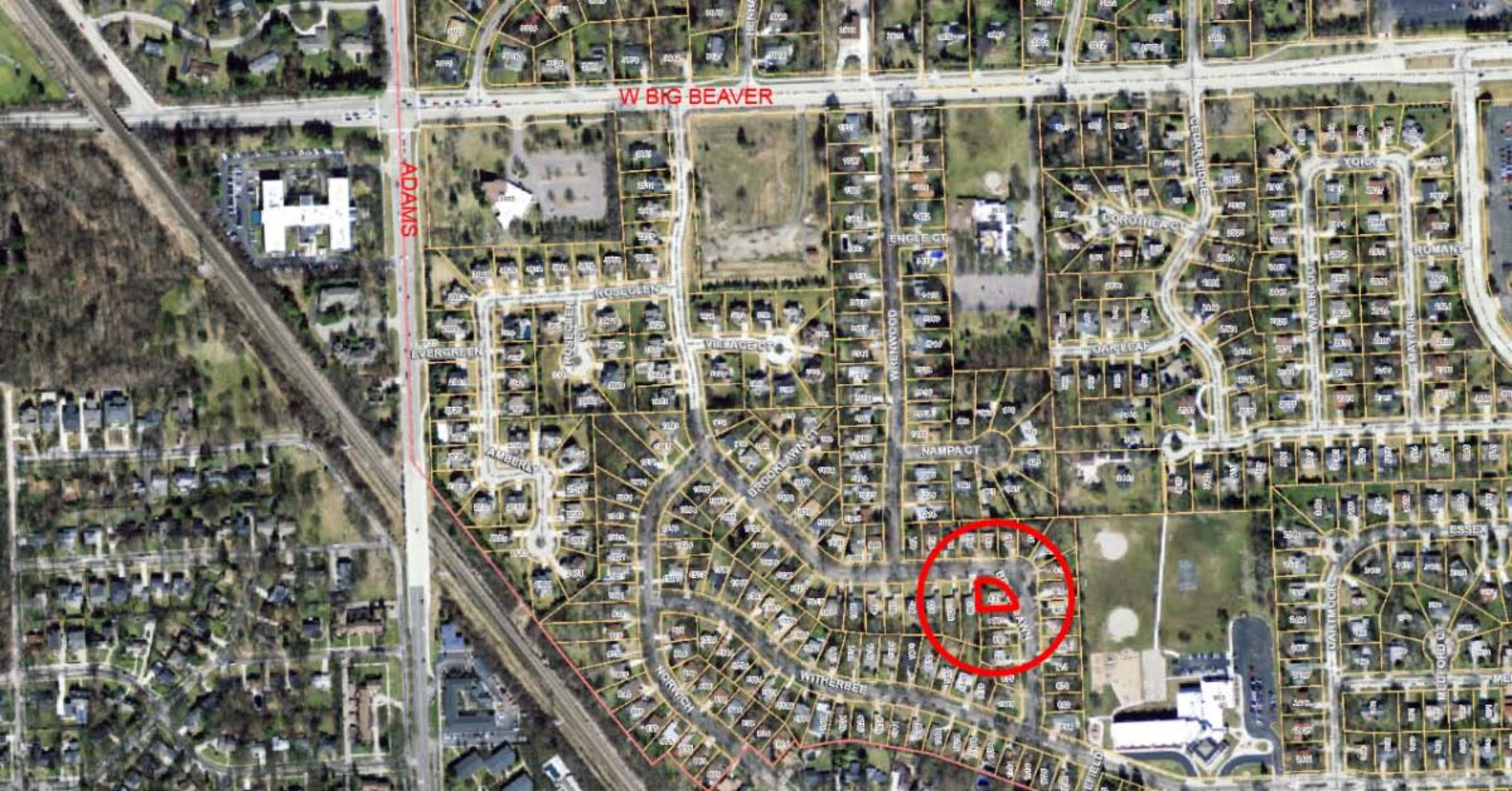
Marlene Tarrance



Valerie Tarrance

- D. VARIANCE REQUEST, JOHN D. XERRI, JR., 931 BROOKLAWN – In order to construct an addition to the home, a 13.5 foot variance from the minimum required 35 foot rear yard setback.

ZONING ORDINANCE SECTION: 4.06 (C), R1-E Zoning District



W BIG BEAVER

ADAMS





1060

1239

981

961

941

3441

342

1050

1227

1228

961

941

1036

1215

1216

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1020

998

982

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958

950

942

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1006

1033

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918

1023

931

910

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1017

1005

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983

975

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961

901

902

1551

1559

1011

894

1565

1611

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1635

1641

1651

1659

1669

891

886

1574

1581

1599

1611

1625

1635

1641

1651

1659

1669

1679

881

878

1574

1584

WITHERS

875

870

BROOKLAWN

1689

862



1060

1239

981

961

941

3441

3435

342

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(R-1E)

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(R-1C)

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1011

1005

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901

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1611

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1641

1651

(R-1E)

967

961

891

886

4

1581

1599

1611

1625

1635

1641

1651

(R-1E)

967

961

881

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4

WITHERBEE

(R-1E)

1574

1584

1659

1669

1679

875

870

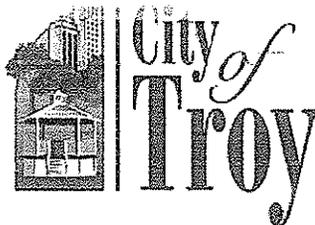
1689

862

Brooklawn

ZONING BOARD OF APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248-524-3364
E-MAIL: evanspm@troymi.gov



FEE \$150.00
<http://troymi.gov/Government/Departments/CodeEnforcement.aspx>

THE ZONING BOARD OF APPEALS MEETS THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL.** PLEASE FILE A COMPLETE APPLICATION AND FEE, AT LEAST **27 DAYS BEFORE THE MEETING DATE.**

1. ADDRESS OF THE SUBJECT PROPERTY: 931 Brooklawn Dr.
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-30-152-018
3. ZONING ORDINANCE SECTIONS RELATED TO THE REQUEST: Rear Property Setback
4. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: Not in my Ownership
5. APPLICANT:
NAME John D Xerri, Jr.
COMPANY Owner
ADDRESS 931 BrookLawn Dr.
CITY Troy STATE MI ZIP 48084
PHONE 248-979-0220
E-MAIL Jdxfirst@gmail.com
AFFILIATION TO THE PROPERTY OWNER: Owner

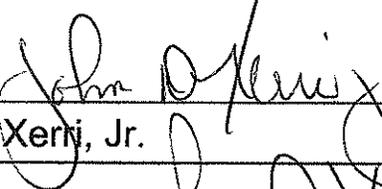
6. PROPERTY OWNER

NAME John D Xerri, Jr.
COMPANY Owner
ADDRESS 931 BrookLawn Dr.
CITY Troy STATE MI ZIP 48084
TELEPHONE 248-979-0220
E-MAIL Jdxfirst@gmail.com

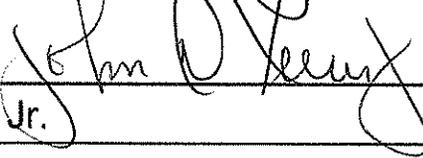
The undersigned hereby declares under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

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, John D Xerri, Jr. (APPLICANT) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO ENTER THE PROPERTY TO ASCERTAIN PRESENT CONDITIONS.

APPLICANT SIGNATURE  DATE 4/22/2014

PRINT NAME: John D. Xerri, Jr.

PROPERTY OWNER SIGNATURE  DATE 4/22/2014

PRINT NAME: John D. Xerri, Jr.

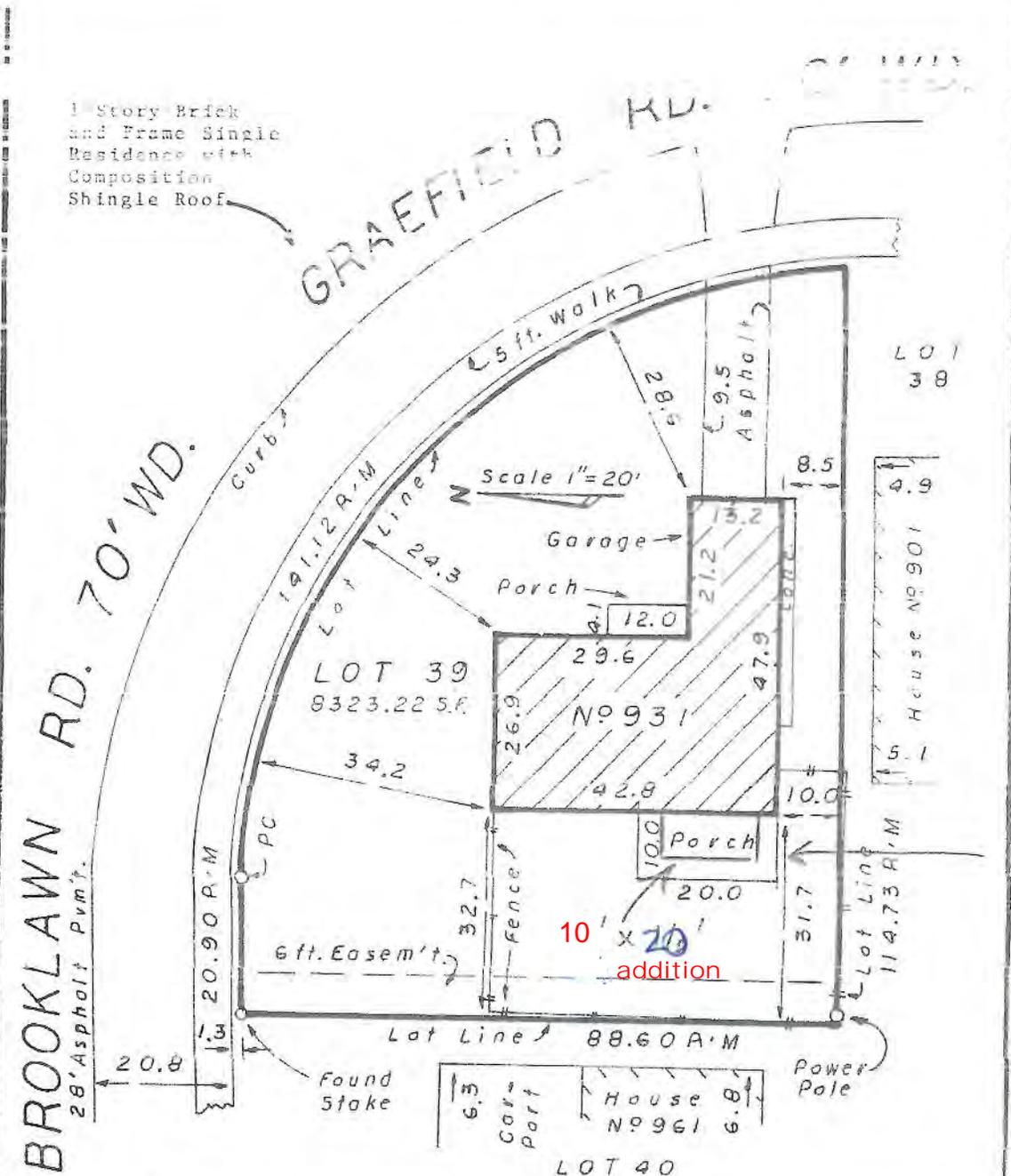
Failure of the applicant or their authorized representative to appear before the Board as scheduled shall be cause for denial or dismissal of the case with no refund of fees. If the person appearing before the Board is not the applicant or property owner, signed permission must be presented to the Board.

The applicant will be notified of the time and date of the hearing by first class mail.

Statement of Practical Difficulty

- A. 931 BrookLawn Dr, Lot #39 Parcel 88-20-30-152-018 has the largest front radius yard in the Troyton Manor Subdivision. This one of a kind irregularity has unique features and also has unique drawback's one being a somewhat small backyard. Due to its irregular shape it currently does not meet the requirements of the current zone R1E requirements of the 35 foot setback for my proposed project. The properties current setback is 31.7 feet which is not standard due to its one off irregular shape.
- B. There are no other properties in the Troyton Manor Subdivision with the same property layout.
- C. Characteristics are not personal in nature.
- D. Characteristics are not created by the current or previous owners, by design from land development from the subdivision layout.
- E. This request if approve is to restore the existing brick & concrete 10'x20' patio that was built with the house, and to add a ~~8'x16'~~ ^{10x20} reverse gable with the same 3/12 pitch of the existing home maintaining the existing character of the home. The proposed reverse gable will not impair light or air to adjacent properties being a corner lot. No congestion to public streets or public safety because construction is in the backyard and our intent is to increase established property value here and within the surrounding area/City.

RESIDENTIAL PLOT PLAN



INSTALL GABLE OR EXISTING PORCH
20' 7" FROM THE REAR LOT
10' FROM THE SIDE LOT

WE HEREBY CERTIFY that we have surveyed the property herein described, that there are located entirely thereon as shown, buildings and improvements photograph of which was taken and of which a print appears attached hereto, and that said building and improvements are within the property lines and that there are no existing encroachments upon the lands and property described whatsoever.

GUARANTY SURVEY CO.
REGISTERED LAND SURVEYORS
1660 ROCHESTER ROAD
TROY, MI 48063
ESTABLISHED 1946

Prepared For: John Xerri

PETER G. PITCHFORD
LOM NORTHROP
12481 516 1717
FAX (248) 376-1196

ORDER No 190601 DATE Feb. 13, 2014 BY: *John M. Northrop*



BUILDING PERMIT APPLICATION

Check # _____

CITY OF TROY
DEPARTMENT OF BUILDING INSPECTIONS
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
248-524-3344

BUILDING

Date: 4 21 14 PB2014-0413

Project Information

Job Address: 931 Brooklawn DR Suite # _____
Lot: 40 Subdivision: Troyton Manor Sidwell # _____

Building Type

Industrial Office Commercial Multiple Other _____
 Residential Duplex Condo

Request For Building Permit To:

Construct Complete Add to Alter Repair Demolish Other _____
 New Building Existing Structure Tenant Space Spa Other _____
 Garage/Accessory Building Deck Patio Pool

Additional Information on location of Construction (Floor/area of bldg.): Replace existing Concrete

Size of Bldg./Addition/Tenant Space/Garage/Deck/etc.: Add Reverse Gable

ZONING: R2E USE GROUP: _____ CONST. TYPE: Wood/Concrete

ESTIMATED COST OF CONSTRUCTION \$ 4000 By Contractor
\$4000 owner By Department

Applicant Information

Name: John Xerrri Phone: 248 979 0220 Fax: _____
Address: 931 Brooklawn DR City: TROY State: MI Zip: 48084
License # _____ Federal ID # _____ MESC # _____ Comp. Carrier _____
Email: JDXFirst@gmail.com Preferred Contact # /Name John

Check if you would like email notification of any violations

Owner Information

Name: John Xerrri Phone: 248 979 0220 Fax: _____
Address: 931 Brooklawn City: Troy State: MI Zip: 48084

PLOT PLANS SHALL BE Submitted on Separate Sheets and shall show all easements and measurements (must be correct and in detail). Show all streets abutting lot, indicate front of lot, show all buildings, existing and proposed distances to lot lines.

I, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT AND THAT I HAVE REVIEWED ALL DEED RESTRICTIONS WHICH MAY APPLY TO THIS CONSTRUCTION AND AM AWARE OF MY RESPONSIBILITY THEREUNDER.

Homeowner Affidavit

I hereby certify that the work described on this permit application shall be installed by myself in my own home in which I am living or about to occupy. All work shall be installed in accordance with the State of Michigan Building Code and shall not be enclosed, covered up or occupied until it has been inspected and approved. I will cooperate with the Building Inspector and assume all responsibility to arrange for necessary inspections.

Section 23a of the state construction code act of 1972, 1972PA 230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Violators of Section 23a are subject to civil fines.

Signature & Print Name: John Xerrri John Xerrri Date: 4 21 14
(owner's signature indicates compliance with homeowner's affidavit)

Subscribed and sworn to before me this _____ day of _____ Notary Public, _____ County, Michigan
Gerald Rice My commission expires _____

A SOIL EROSION PERMIT MAY BE NECESSARY FOR YOUR BUILDING PERMIT TO BE PROCESSED
PLEASE SEE THE ENGINEERING DEPARTMENT

GERALD D. RICE
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES Dec 28, 2016
ACTING IN COUNTY OF Oakland

FOR BUILDING DEPARTMENT USE ONLY

APPROVED BY: Plan Commission Date: _____
 Board of Zoning Appeals Date: _____
 City Council Date: _____

PLAN ANALYST COMMENTS: _____

SPECIAL STIPULATIONS: _____

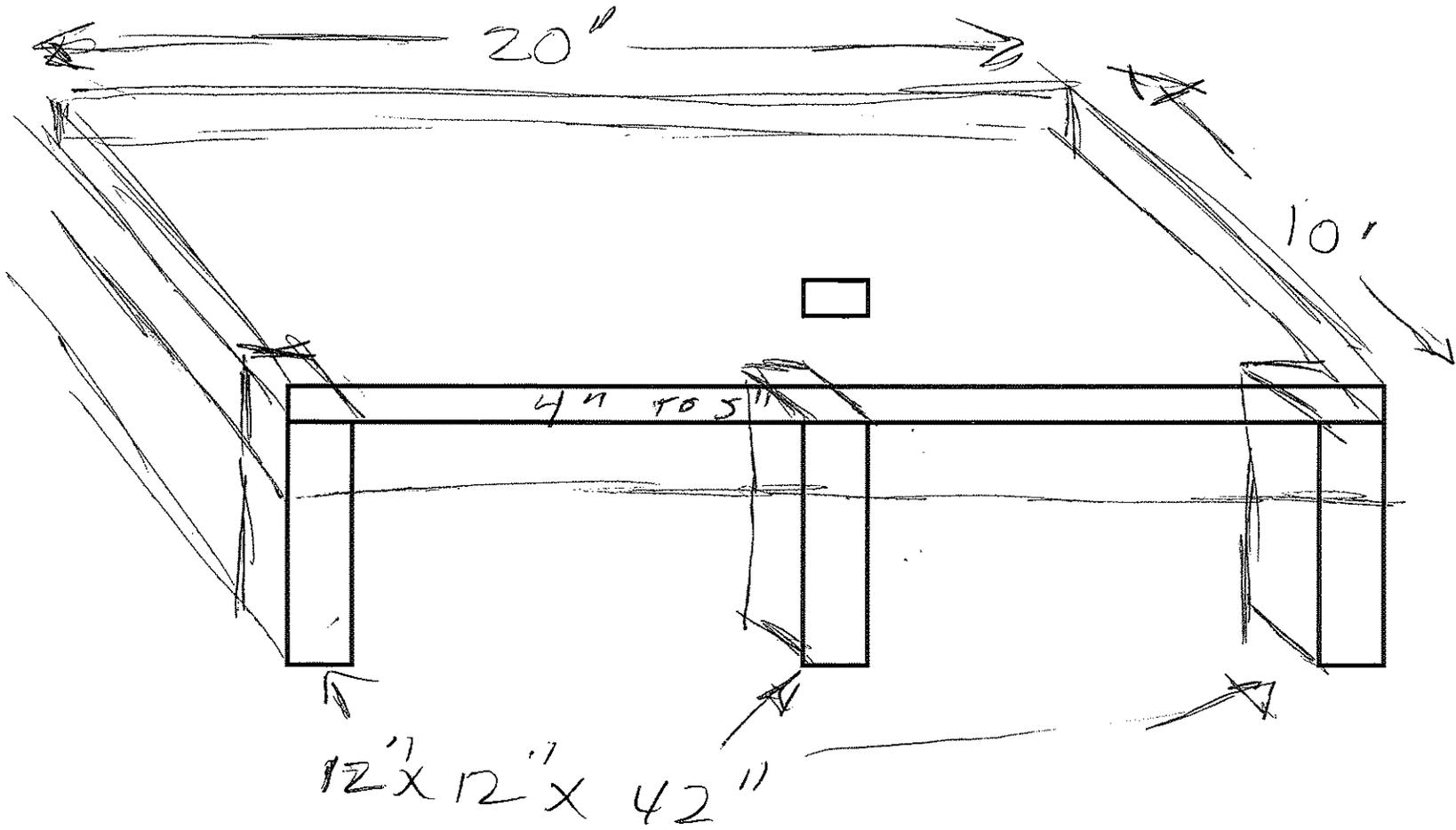
Plan Review Fee Paid \$ _____ Date _____

Soil Erosion _____

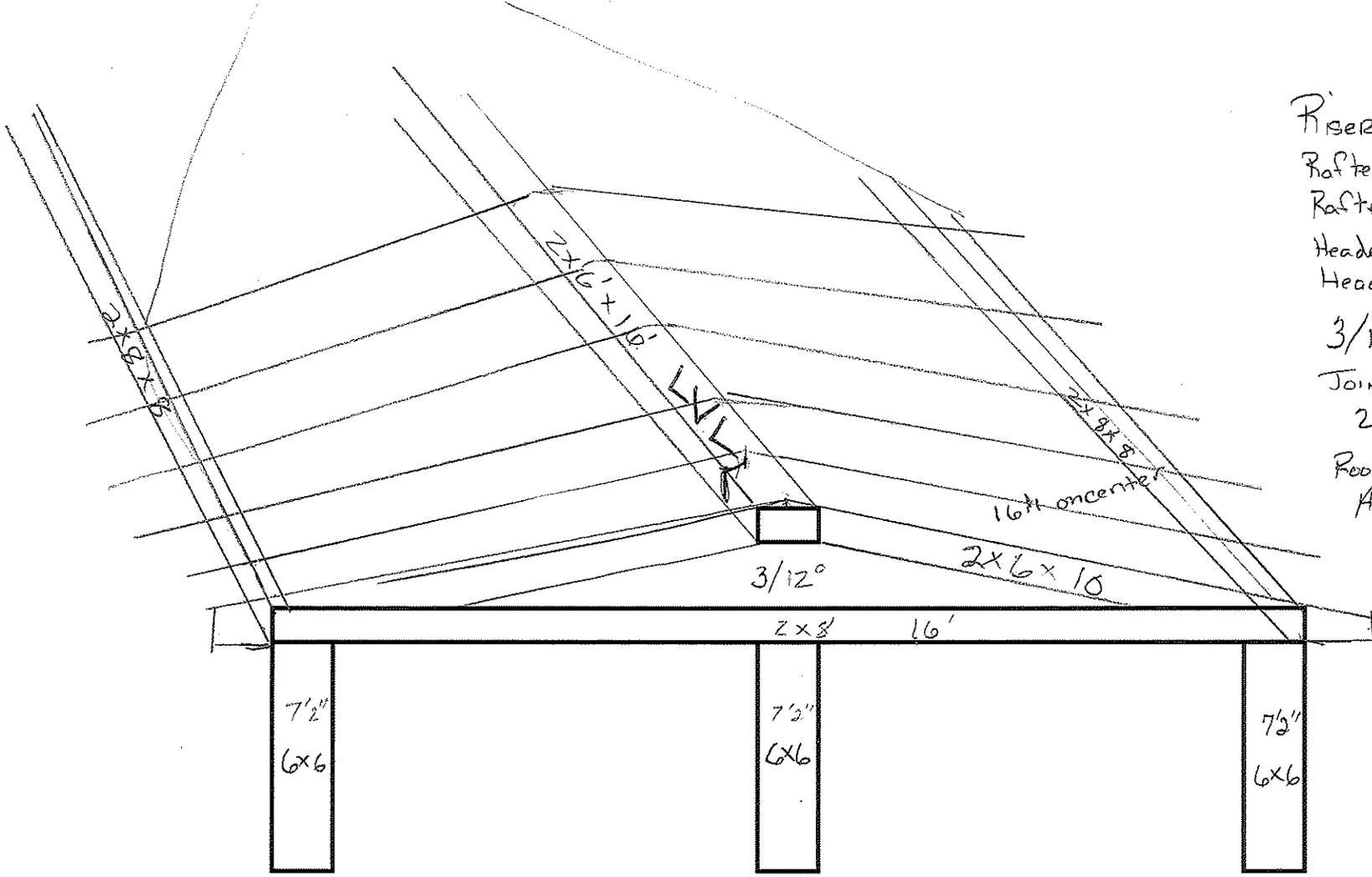
FEES DUE:

Building Permit Fee	\$ _____	Sewer Fee	\$ _____
Certificate of Occupancy	\$ _____	Water Fee Due	\$ _____
Bond (refundable)	\$ _____	Structural Review Fee	\$ _____
Plan Review Fee	\$ _____	Plans [] Rolled	
Add'l Plan Review Fee	\$ _____	[] Folded	
Micro Film Charge	\$ _____	[] Attached	
Grade Inspection	\$ _____		
Street Maintenance Fee	\$ _____		
Tree Deposit	\$ _____		
Residential Bldg Contractor Registration (exp. 5/31)	\$ _____		
TOTAL DUE	\$ _____		

APPROVED BY: _____ DATE: _____



PATIO, CONCRETE
TOP 10' x 20' x 4"
FOOTERS 12" x 12" x 42"
931 BROOK LAWN
TROY MI 48064



- | | QTY |
|------------------|----------|
| Risers 6x6x7.2 | 3 |
| Rafters 2x6x10 | 8 |
| Rafters 2x6x10 | 8 |
| Header 2x8x8 | 4 Double |
| Header 2x8x16 | 2 Double |
| 3/12° PITCH | |
| JOINER RAFTERS | |
| 2x6x10 | 1 |
| Roof 4x8x3/8 | 6 |
| Asphalt Shingles | 4 |

REVERSE Gable 931 BROADWAY DR
48084

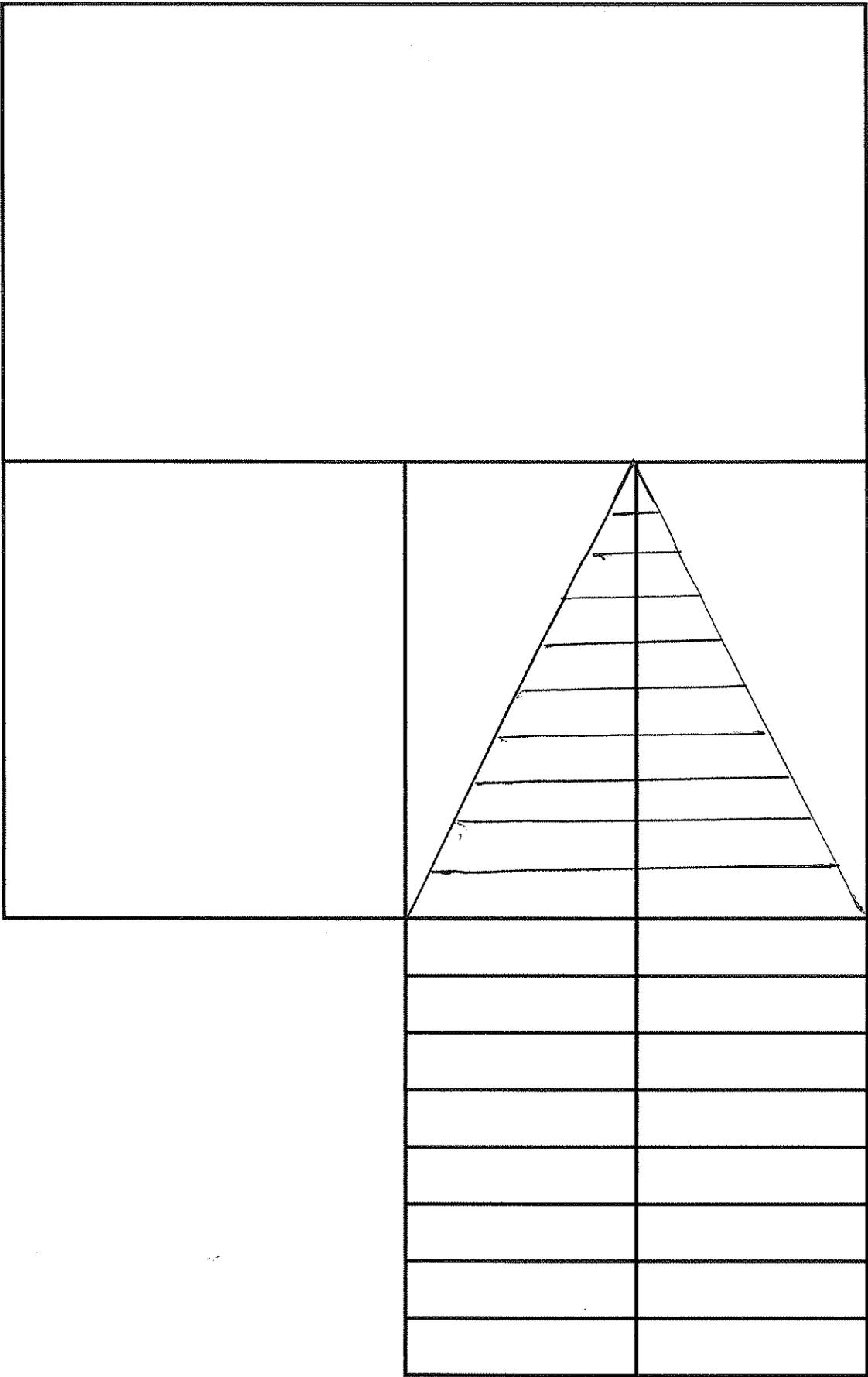
JOHN XERRI
248-979-0220

2x6x10	Rafters	24	\$ 360
2x10x16	Header	1	\$ 50
2x8x10	truss	8	80
6x6x8	stansion	3	150
4x8	Roof	12	180
pek	Shingles	8	160
roll	tarpaper	1	56

\$1036

Patio Replace 10x20
 Add 3 12x12 Footers (42" deep)
 \$2,000.00

2x6x10	Rafters	24
2x10x16	Header	1
2x8x10	truss	8
6x6x8	stansion	3
4x8	Roof	12
pek	Shingles	8
roll	tarpaper	1

























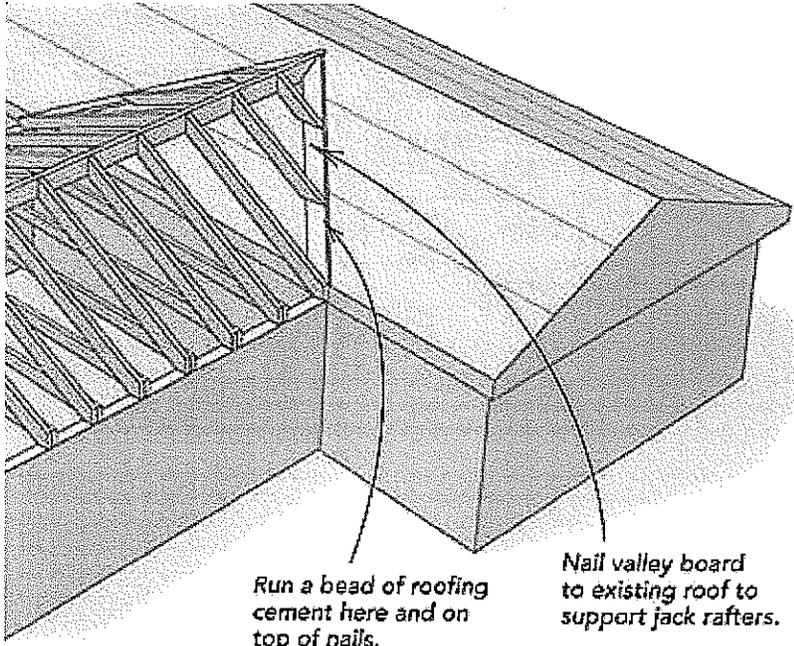


Paul

Attached are examples of ~~Gable~~
Reverse Gable Roofs I would like
To Put over my patio - And the
Plot Plan showing the location
I will drop off the pictures
of my Home before the end of
day

Thanks again
John Kern

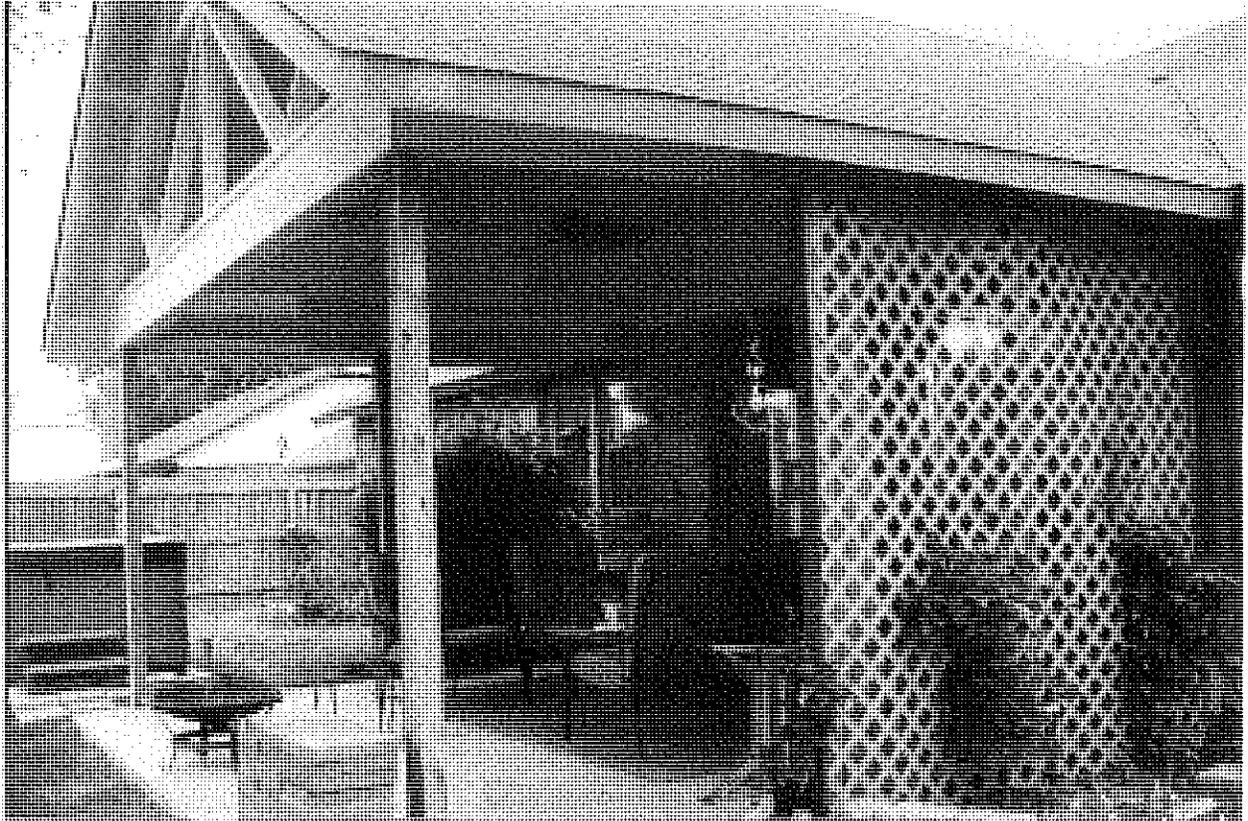
evanspm @ tray mi , gov



Run a bead of roofing cement here and on top of nails.

Nail valley board to existing roof to support jack rafters.





6. MISCELLANEOUS BUSINESS – Election of Officers

ZONING BOARD OF APPEALS
FOR THE CITY OF TROY

RULES OF PROCEDURE

ARTICLE I
ORGANIZATION

1. The Board shall annually, at its regular meeting in the month of May, elect its own Chairperson and Vice-Chairperson to hold office for one year. The Zoning Administrator shall be the Clerk of the Board, provided that the Clerk may appoint other persons to make records of the meetings.
2. The Chairperson shall preside at all meetings of the Board. In the case of the absence of the Chairperson, the Vice-Chairperson shall preside. The presiding officer, subject to these rules, shall decide all points of order or procedure.
3. The Clerk or his or her representative shall keep the minutes of the Board's proceedings, shall have custody of all records of the Board, shall sign all communications of the Board, shall supervise all clerical work of the Board and perform such other duties as may be requested by the Board.

ARTICLE II
MEETINGS

1. All meetings held by the Board shall be open to the public.
2. Board meetings shall be held on the third Tuesday of each month at 7:30 P.M. except when such day falls on a legal holiday, in which event the Board may designate an alternate meeting date.
3. A resolution supported by the majority of the members present may temporarily suspend any rule of procedure or change the date and time of regular meetings.
4. Special meetings of the Zoning Board of Appeals shall be held at the call of the Chairperson. Notice of the Special Meeting shall be given in a manner as required by the Open Meetings Act and the Zoning Administrator or his or her designee shall notify all members of the Zoning Board of Appeals not less than 24 hours in advance of a Special Meeting.
5. Four members of the Board shall constitute a quorum for conducting of its business. The concurring vote of four (4) members shall be necessary to decide upon appeals of administrative decisions, Zoning ordinance or Zoning Map interpretations, dimensional or other non use variances, and other matters upon which the Board is required to pass under the Zoning Ordinance.