

SPECIAL MEETING

A special meeting of the Board of Zoning Appeals was called to order at 7:30 P.M., by the Chairman, Carmelo Milia.

PRESENT: Kenneth Courtney
Mark Maxwell
Lawrence Littman
Carmelo Milia
Michael Hutson
Christopher Fejes

Mark Stimac
Bob Davisson
Pam Pasternak

ABSENT: James Giachino

ITEM #1 – APPROVAL OF MINUTES, MEETING OF MARCH 21, 2000

Motion by Littman
Supported by Courtney

MOVED, to approve the minutes of March 21, 2000 as written.

Yeas: 6 – Courtney, Maxwell, Littman, Milia, Hutson, Fejes
Absent: 1 – Giachino

**ITEM #2 – MR. CHARLES E. FOSSE, WAH YEE ASSOCIATES, REPRESENTING
COMP USA, 637 JOHN R. for relief of the rear yard setback.**

Mr. Stimac explained that petitioner is requesting relief of the Zoning Ordinance to construct an addition to their existing building. The site plan submitted indicates that the proposed addition would result in a rear yard setback of 2.3' to the west property line. Section 30.20.06 of the Zoning ordinance requires a minimum rear yard setback of 30' in the B-3 (general business) Zoning District.

Mr. Douglas Mossman, owner of the property was present and stated that originally the mall property was divided into sections and sold so each store owns its' own property. Three (3) out parcels were kept out to be developed separately. He also stated that the owners have mutual access and parking agreements on the adjacent parcels. The original building was built by the owner of the property and leased to Computer City. Comp USA has since purchased Computer City, and their goal is to expand this building and close the other facility they have in Madison Heights. They believe this area is a much more desirable location, due to the fact that customer access is much more convenient and the store would be larger.

Mr. Milia asked if the screen wall at the rear of the store and the loading dock encroaches into the setback and makes this a non-conforming structure. Mr. Stimac stated that the City encourages loading docks in the rear yard location. Further, screen walls are not prohibited in the rear yard location and neither is in violation of the Zoning Ordinance. Mr. Milia also asked if the landscaping requirement would be compromised

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if this variance was granted. Mr. Stimac indicated that since the area of the proposed addition is located in the rear yard, the landscape currently there is not countable towards meeting the landscape requirement. Mr. Mossman also stated that he has checked with the City and they comply with all landscape requirements on this site.

Mr. Fejes asked what the extra space would be used for. Mr. Worthington, of Comp USA, stated that the plan is to expand the sales floor and use the addition for additional warehouse space.

Jim Tambasco, Regional Operations Manger for Comp USA, stated that the location in Troy is very desirable because of the ingress and egress for customers. This location would be much more convenient for customers to get in and out of. He also stated that none of the employees in Madison Heights would lose their jobs, they would be relocated to this, or other, stores.

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

Motion by Littman
Supported by Fejes

MOVED, to grant Mr. Charles Fosse, Wah Yee Associates, representing COMP USA, 637 John R. relief of the rear yard setback to construct an addition which would result in a rear yard setback of 2.3' to the west property line where 30' is required with the following stipulations.

- The variance will not effect the number of parking spaces provided.
- All City landscape requirements will continue to be met.
- The variance will not cause a concern for public safety.

Yeas: 6 – Littman, Milia, Hutson, Fejes, Courtney, Maxwell
Absent: 1 – Giachino

MOTION TO APPROVE VARIANCE GRANTED.

The special meeting of the Board of Zoning Appeals was adjourned at 8:00 P.M.

MS/pp