

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

1. ROLL CALL

Present:

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

Also Present:

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

Absent:

- William Fisher

2. APPROVAL OF MINUTES

- Moved by Clark
- Seconded by Courtney

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

- Yes: All present (6)
- Absent: Fisher

MOTION PASSED

3. HEARING OF CASES

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

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

- Moved by Courtney
- Seconded by Clark

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

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

MOTION PASSED

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

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

Moved by Clark
Seconded by Courtney

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

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

MOTION FAILED

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

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

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

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

Moved by Bartnik
Seconded by Kneale

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

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

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

MOTION PASSED

4. COMMUNICATIONS

None.

5. PUBLIC COMMENT

There was no Public Comment.

6. MISCELLANEOUS BUSINESS

A. ELECTION OF OFFICERS

MOTION TO NOMINATE MR. LAMBERT FOR CHAIR AND MR. BARTNIK FOR VICE CHAIR

Moved by Courtney
Seconded by Clark

MOTION FOR DIVISION OF THE QUESTION FOR THE ELECTION OF OFFICERS

Moved by Bartnik
Seconded by Strat

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

After extensive discussion among the Board members, the Chair ruled that there would not be a vote on the motion; he would accept nominations and hold an election for the Chair, and then accept nominations and hold an election for the Vice Chair.

Mr. Lambert asked for nominations for Chair.

Mr. Lambert and Mr. Bartnik were nominated for Chair.

MOTION TO CLOSE NOMINATIONS FOR CHAIRMAN

Moved by Clark
 Seconded by Lambert

Yes: All
 Absent: Fisher

VOTE ON THE ELECTION OF CHAIR

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

MOTION FAILED

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

MOTION TO CLOSE NOMINATIONS FOR CHAIR

Moved by Clark
 Second by Strat

Yes: All
 Absent: Fisher

SECOND VOTE ON THE ELECTION OF CHAIR -

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

MOTION FAILED

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

MOTION TO CLOSE NOMINATIONS FOR CHAIR

Moved by Clark
 Second by Neale

Yes: All
 Absent: Fisher

THIRD VOTE ON THE ELECTION OF CHAIR

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

MOTION PASSED

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

Mr. Lambert asked for nominations for Vice Chair.

Mr. Bartnik was nominated for Vice Chair.

Mr. Bartnik declined his nomination, he believes Officer seats should be rotated annually.

Mr. Neale was nominated for Vice Chair

MOTION TO CLOSE NOMINATIONS FOR VICE CHAIR

Moved by Clark
 Second by Lambert

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

MOTION PASSED

Moved by Clark
 Seconded by Lambert

VOTE ON THE ELECTION OF VICE CHAIR -

Name	Kneale	None
Mr. Lambert	x	
Mr. Strat	X	
Mr. Bartnik	X	
Mr. Clark	x	
Mr. Courtney	x	
Mr. Fisher	Absent	Absent
Mr. Kneale	x	

MOTION PASSED

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

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

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

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

7. ADJOURNMENT

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

Respectfully submitted,



David Lambert, Chair



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