

## 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](http://www.troymi.gov)  
[planning@troymi.gov](mailto:planning@troymi.gov)

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

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**May 21, 2013**

**7:30 P.M.**

**Council Chamber**

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1. ROLL CALL
2. APPROVAL OF MINUTES – April 16, 2013
3. APPROVAL OF AGENDA
4. HEARING OF CASES
  - A. VARIANCE REQUEST, GEORGE BOGAERT FOR TUFF SHED INC., 4585 BUTLER – In order to build a new shed, a portion of which is proposed to be in the front yard adjacent to London Drive, a variance from the requirement that sheds be placed only in the rear yard.  
  
**ZONING ORDINANCE SECTION: 7.03 B 2 (a)**
  - B. VARIANCE REQUEST, KEN AND AMANDA CRUM, 1643 ROCKFIELD – In order to split the existing parcel into two parcels, a variance to allow the existing house to be set back 8.29 feet from the proposed new side lot line. The Zoning Ordinance requires the house to be at least 10 feet from the proposed new side lot line.  
  
**ZONING ORDINANCE SECTION: 4.06 (C) R1-C Zoning District**
  - C. VARIANCE REQUEST, JEFFREY AND KRISTA FALK, 4197 RAVENWOOD COURT – In order to enlarge the garage, a 3 foot variance to the required 40 foot front yard setback.  
  
**ZONING ORDINANCE SECTION: 4.06 (C) R1-B Zoning District**

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto: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.

5. COMMUNICATIONS
6. MISCELLANEOUS BUSINESS – Elect Chair and Vice Chair
7. PUBLIC COMMENT
8. ADJOURNMENT

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On April 16, 2013, at 7:30 p.m., in the Council Chambers of Troy City Hall, Vice Chair Clark called the Zoning Board of Appeals meeting to order.

1. ROLL CALL

Present:

Bruce Bloomingdale  
Glenn Clark  
Kenneth Courtney  
Orestis Kaltsounis  
Thomas Krent  
David Lambert

Absent:

Allen Kneale  
David Eisenbacher

Also Present:

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

2. APPROVAL OF MINUTES – January 15, 2013

RESOLVED, To approve the January 15, 2013 meeting minutes.

Moved by Bloomingdale  
Seconded by Courtney

Yes: All

MOTION PASSED

3. APPROVAL OF AGENDA – No changes

4. HEARING OF CASES

A. **Variance Request, John Wernis, United Ventures II LLC, Vacant property on Birchwood between 1825 and 1871 Birchwood, Tax Parcel Identification Number 20-26-478-033** – In order to operate a contractor’s yard/outdoor storage facility, a variance from the requirement that a building must be on the site.

Moved by Krent  
Seconded by Bloomingdale

RESOLVED, To grant the request.

Yes: Bloomingdale, Clark, Kaltsounis, Krent  
No: Courtney, Lambert

MOTION PASSED

5. COMMUNICATIONS – Elections for ZBA Chair and Vice Chair will be held in May. Each position is a 1 year term.
  
6. MISCELLANEOUS BUSINESS – Mr. Evans summarized changes to the ZBA application form to more clearly direct applicants to explicitly state their practical difficulty. The Board was in general agreement with the changes.
  
7. PUBLIC COMMENT – None
  
8. ADJOURNMENT – The Zoning Board of Appeals meeting ADJOURNED at 8:30 p.m.

Respectfully submitted,

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Glenn Clark, Vice Chair

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Paul Evans, Zoning and Compliance Specialist

4. HEARING OF CASES

- A. **VARIANCE REQUEST, GEORGE BOGAERT FOR TUFF SHED INC., 4585 BUTLER** – In order to build a new shed, a portion of which is proposed to be in the front yard adjacent to London Drive, a variance from the requirement that sheds be placed only in the rear yard.

**ZONING ORDINANCE SECTION: 7.03 B 2 (a)**







# 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](mailto:evanspm@troymi.gov)  
<http://www.troymi.gov/CodeEnforcement/#>



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: 4585 Butler Dr.
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-13-253-004
3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: \_\_\_\_\_
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: \_\_\_\_\_
6. APPLICANT INFORMATION:  
NAME George Bogaert  
COMPANY Tuff Shed Inc.  
ADDRESS 11603 N. Main St.  
CITY Royal Oak STATE MI ZIP 48067  
TELEPHONE 248-399-1870  
E-MAIL gbogaert@tuffshed.com

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

8. OWNER OF SUBJECT PROPERTY:

NAME Jim & Kathie Reinhart

COMPANY \_\_\_\_\_

ADDRESS 4585 Butler Dr.

CITY Troy STATE MI ZIP 48085

TELEPHONE 248-740-2288

E-MAIL \_\_\_\_\_

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

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

I, Jim Reinhart (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  DATE 03/24/13

PRINT NAME: George Bogaert

SIGNATURE OF PROPERTY OWNER Jim Reinhart DATE 3-24-2013

PRINT NAME: Jim Reinhart

Tuff Shed, Inc.  
1603 N Main St  
Royal Oak, MI 48067  
Ph: (248) 399-1870  
Fax: (248) 547-3719

Re: Zoning Variance Request for 4585 Butler Dr.

This letter is to indicate a request for a zoning variance at 4585 Butler Dr for Jim and Kathie Reinhart. They are requesting a front yard setback of 13'. The owner would like to construct a 10'x20'x 11' wooden storage building with a concrete slab and rat wall on their property for the storage of lawn equipment, Christmas decorations, etc... The property is a corner lot where they are considered to have two front yards. Current zoning does not allow construction in a front yard. The rear yard is impossible to build in due to large utility easements. The Reinharts have only a small attached two car garage and no basement. They would like to start to park in the garage they are finding the winters are getting more difficult for them to clear there cars as they are getting up there in age. They have chosen the placement of the shed based on the door of the shed would be inline of the entry door of the garage for easy access. The shed cannot be pushed more to the north towards the patio because the air conditioner and electric service would be blocked and the view for security from the house would be obstructed looking into the south part of the yard.

Respectfully,

George Bogaert

Tuff Shed, Inc.

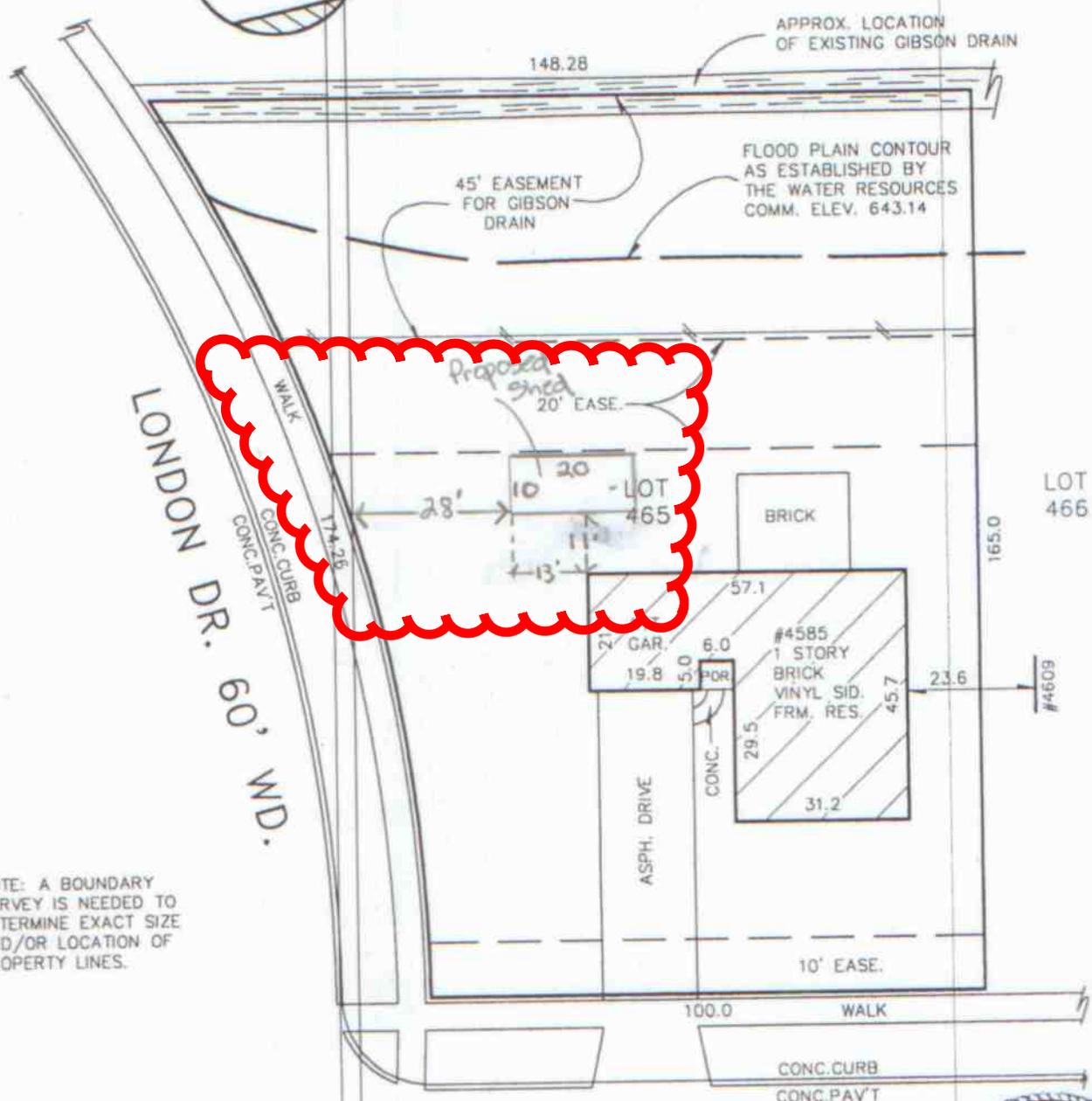
# MORTGAGE SURVEY

Certified to: JIM AND KATHIE REINHART

Applicant: JIM AND KATHIE REINHART

Property Description:

Lot 465; WINDMILL POINTE SUB. NO. 2, part of the North 1/2 of Section 13, T.2 N., R.11 E., City of Troy, Oakland County, Michigan, as recorded in Liber 129 of Plats, Pages 36 through 40, both inclusive, of Oakland County Records.

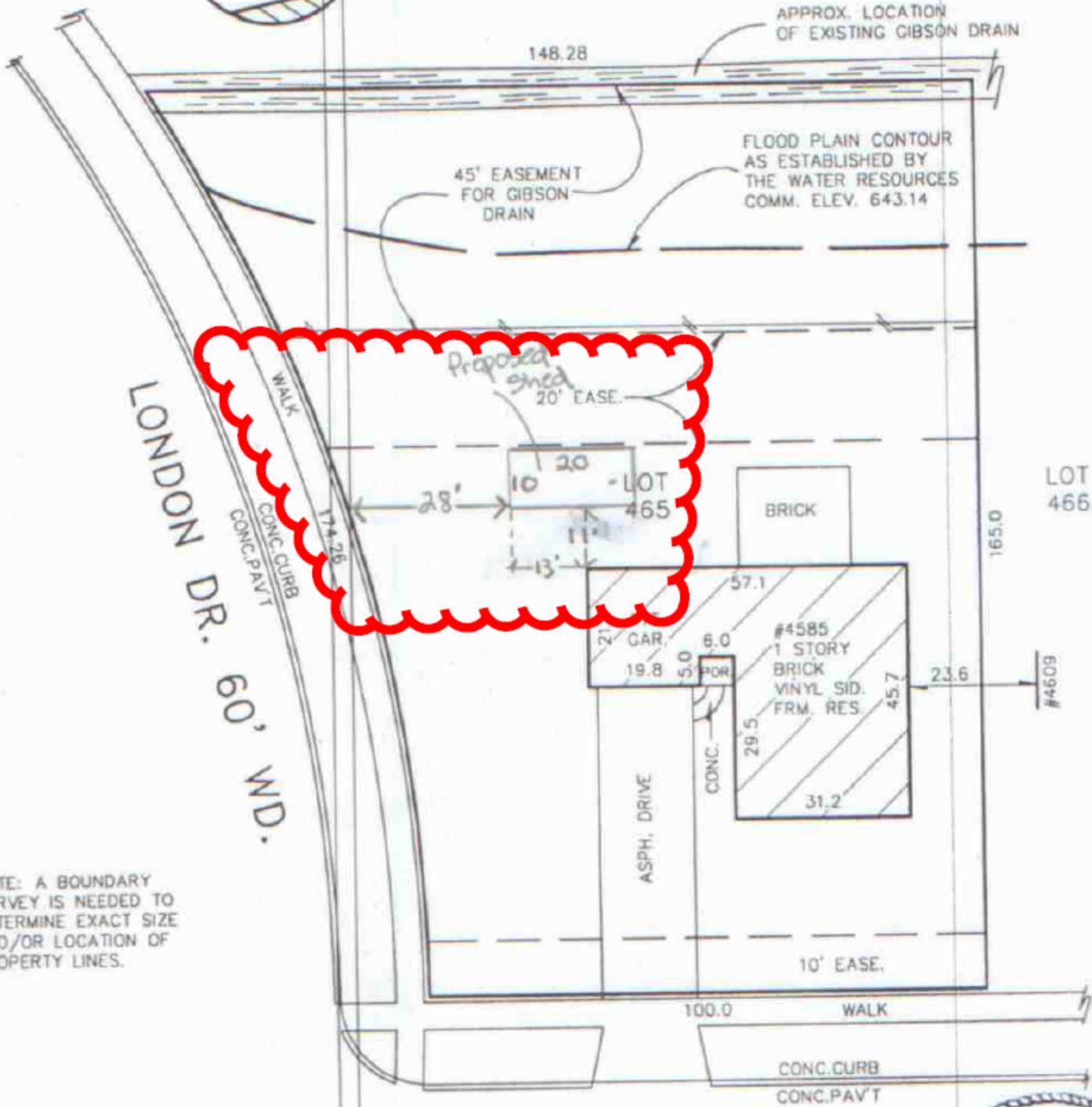


NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES.



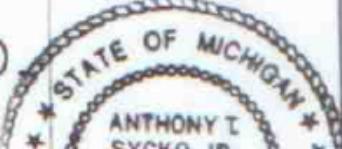
CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for

MORTGAG



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES.

BUTLER DR. 60' WD

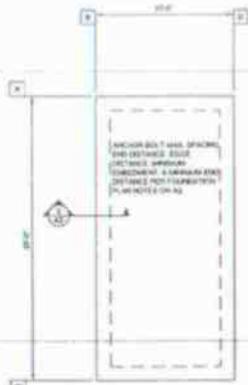


CERTIFICATE: We hereby certify that we have surveyed the above-



NAILING SCHEDULE		SHEAR WALL SCHEDULE		SHEAR WALL SCHEDULE	
GIRD SPICE NAILING: 8 - 18# NAILS EACH SIDE OF SPICE. TRUSS BLOCKING (4) - 18# (TODENALS) FRAMING NAILING: STUD TO TOP PLATE: 2-18# END NAIL. STUD TO 3RD PLATE: 2-18# END NAIL OR 4-8# TODENAL. DEL. HEADER 18# @ 12" OC ALONG EACH EDGE. HEADER TO KING STUD 4-8# TODENAL OR 6-18# END NAIL. DOUBLE TOP PLATES: 18# @ 12" FACE NAIL.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 15'-0" LONG TOTAL, 9" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 20'-0" LONG TOTAL, 20" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.	
UNLESS SPECIFIED HEREIN, ALL NAILING SHALL BE PER 2012 IRC TABLE N103.3(1).		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 15'-0" LONG TOTAL, 10" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 20'-0" LONG TOTAL, 20" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.	
LIFT/TRANSFER: PROVIDE SIMPSON HELD AT EACH END OF TRUSSES.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 15'-0" LONG TOTAL, 10" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 20'-0" LONG TOTAL, 20" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.	
PROVIDE 2x4 SOLID BLOCKING ON ALL UNSUPPORTED EDGES OF PLYWOOD OR SHEATH WALLS.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 15'-0" LONG TOTAL, 10" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 20'-0" LONG TOTAL, 20" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.	
UNBLOCKED ROOF DAMPING ROOF SHEATHING NAILING: BORDER: 8# COMMON @ 6" OC EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 15'-0" LONG TOTAL, 10" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.		2x4 FRAMING, SHEATH EXTERIOR WITH 3/8" SMARTSIDE WITH FOL. BACKING. 20'-0" LONG TOTAL, 20" USED FOR SHEAR. NAILING: EDGE: 8# COMMON @ 6" OC FIELD: 8# COMMON @ 12" OC NO HOLDOWNS REQUIRED.	
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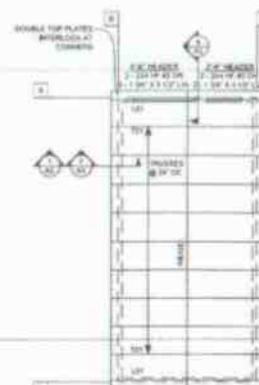
WHEN PERFORATED SHEAR WALL DESIGN IS DESIGNATED, AREAS ABOVE AND BELOW OPENINGS ARE USED IN SHEAR CALCULATIONS. REFERENCE 2012 IRC TABLE 2303.3.2



FOUNDATION PLAN



FLOOR PLAN



ROOF FRAMING PLAN

PRELIMINARY

STRUCTURAL DRAWINGS BY  
TUFF SHED  
ENGINEERING  
1111 E. BERKELEY STREET  
DENVER, CO 80202

NO. INC. BOSS  
COLUMBIA: JIM REINHART  
UNIVERSITY  
ACCESSORY BUILDING  
1111 E. BERKELEY STREET  
DENVER, CO 80202

THESE DRAWINGS AND THE DESIGN ARE THE PROPERTY OF TUFF SHED. NO PARTS OR REPRODUCTIONS ARE TO BE MADE OR USED IN ANY MANNER WITHOUT THE WRITTEN CONSENT OF TUFF SHED, INC.

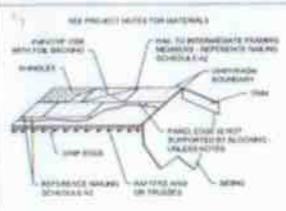
**TUFF SHED**  
Storage Buildings & Carports  
TUFF SHED, INC.  
1111 E. BERKELEY STREET  
DENVER, CO 80202

Drawn By: PK  
Date: 4/21/11  
Checked By:  
Date:  
Revised:  
Revised:

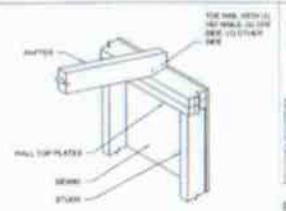
PLATE  
SHEAR WALL SCHED  
NAILING SCHEDULE  
Scale: 1/4" = 1'-0"  
Title:

**A2**

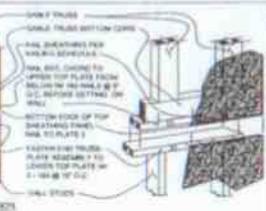
Sheet 7 of 8



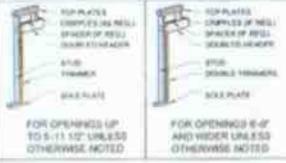
6 ROOFING SHEATHING NAILING DETAIL



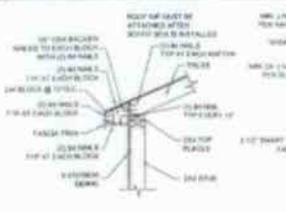
7 SHED RAFTER TOE NAILING DETAIL



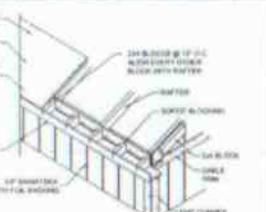
8 ENDWALL ASSEMBLY DETAIL



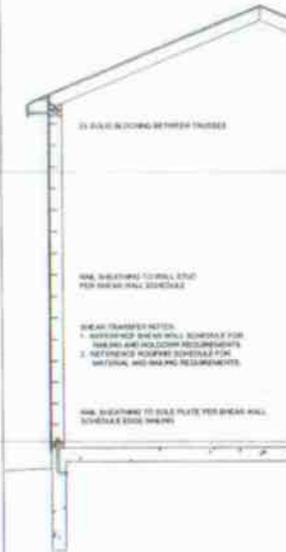
4 HEADER DETAIL



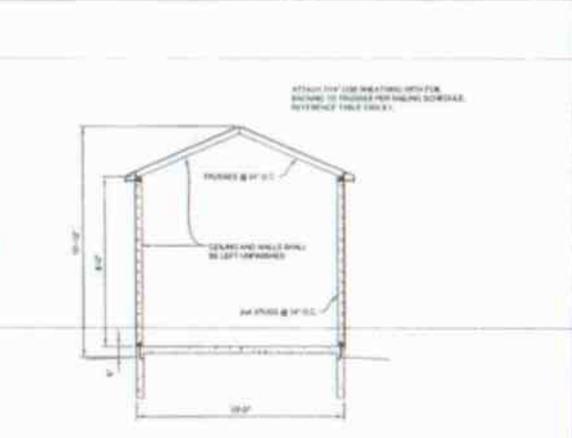
5 MEMBER PRO RANCH SHED OVERHANG DETAIL



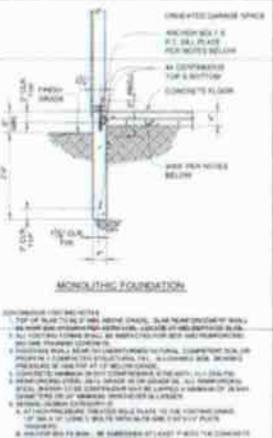
3 FOUNDATION DETAIL



1 SHEAR TRANSFER DETAIL



2 BUILDING SECTION



3 FOUNDATION DETAIL

PRELIMINARY

DESIGNED BY: TUFF SHED  
 DRAWN BY: JIM KEDDUM  
 CHECKED BY: JIM KEDDUM  
 DATE: 11/27/2013

THESE DRAWINGS AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF TUFF SHED INC. NO PART OF THESE DRAWINGS ARE TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF TUFF SHED INC.

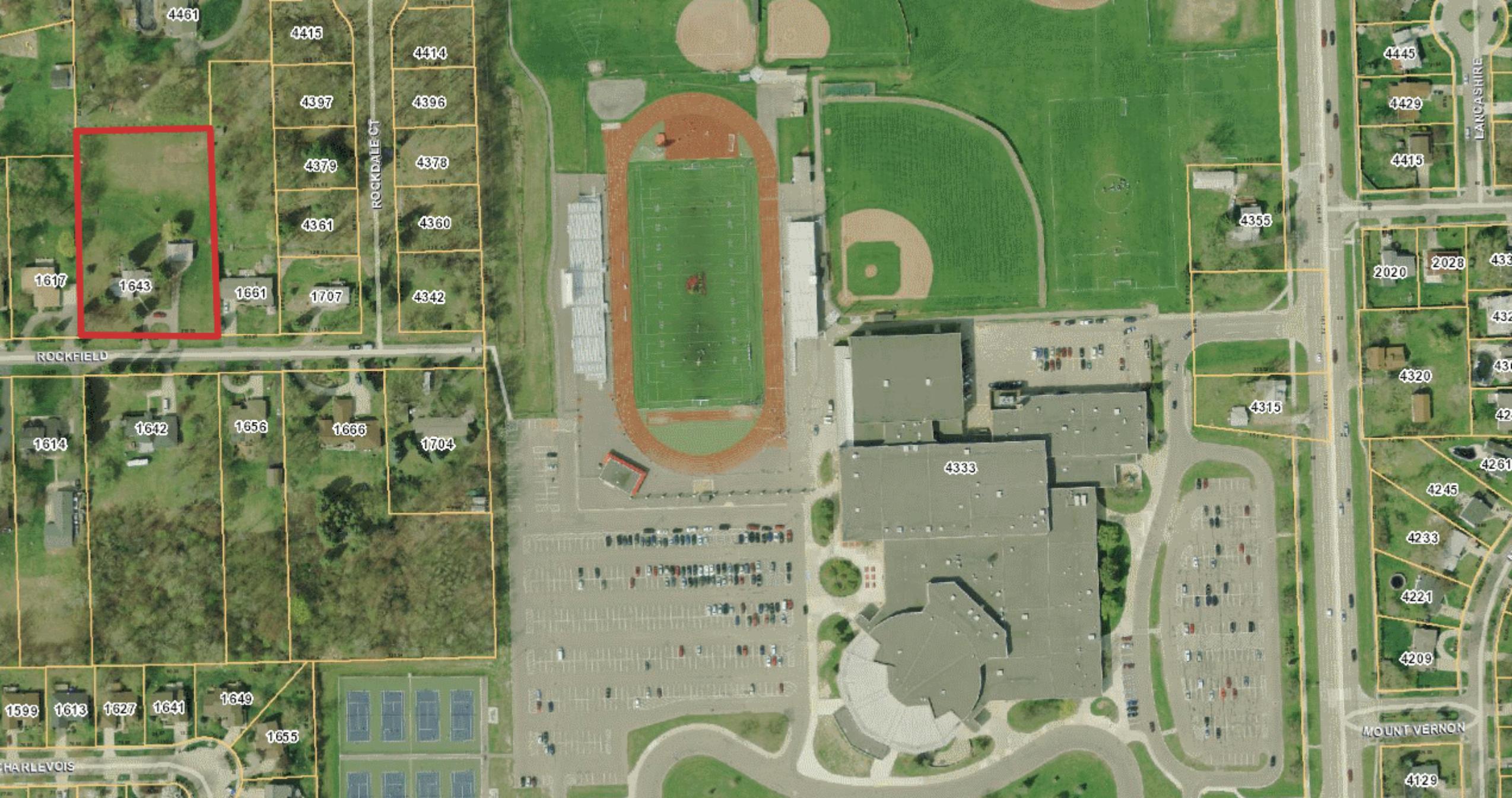
TUFF SHED  
 Storage Buildings & Containers  
 1701 22nd St. SE  
 Olympia, WA 98513  
 (360) 339-2222  
 www.tuffshed.com



4. HEARING OF CASES

- B. VARIANCE REQUEST, KEN AND AMANDA CRUM, 1643 ROCKFIELD –  
In order to split the existing parcel into two parcels, a variance to allow the existing house to be set back 8.29 feet from the proposed new side lot line. The Zoning Ordinance requires the house to be at least 10 feet from the proposed new side lot line.

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



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ROCKFIELD

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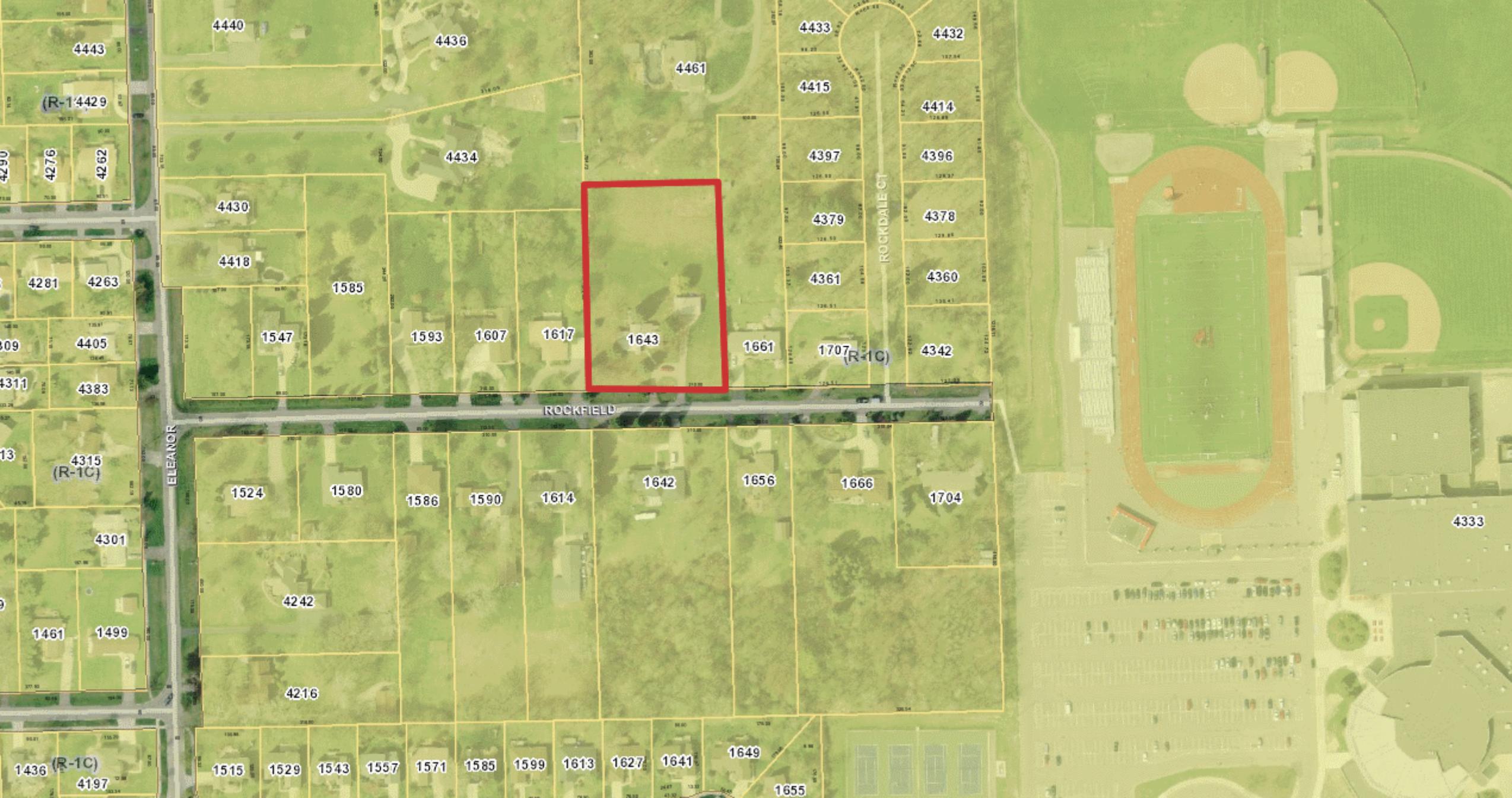
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(R-1C) 4429

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(R-1C)

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ROCKDALE

ROCKFIELD

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# 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](mailto:evanspm@troymi.gov)  
<http://www.troymi.gov/CodeEnforcement/>



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

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2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-14-401-033
3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: 4.06C- minimum side yard setback
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: NO
6. APPLICANT INFORMATION:  
NAME Ken & Amanda Crum  
COMPANY \_\_\_\_\_  
ADDRESS 1642 Rockfield  
CITY Troy STATE MI ZIP 48085  
TELEPHONE (248) 703-8981  
E-MAIL kcrum@wideopenwest.com

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

8. OWNER OF SUBJECT PROPERTY:

NAME Ken & Amanda Crum

COMPANY \_\_\_\_\_

ADDRESS 1642 Rockfield

CITY Troy STATE MI ZIP 48085

TELEPHONE (248) 703-8981

E-MAIL kcrum@wideopenwest.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, Ken & Amanda Crum (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 \_\_\_\_\_ DATE 04-19-2013

PRINT NAME: Ken Crum, Amanda Crum

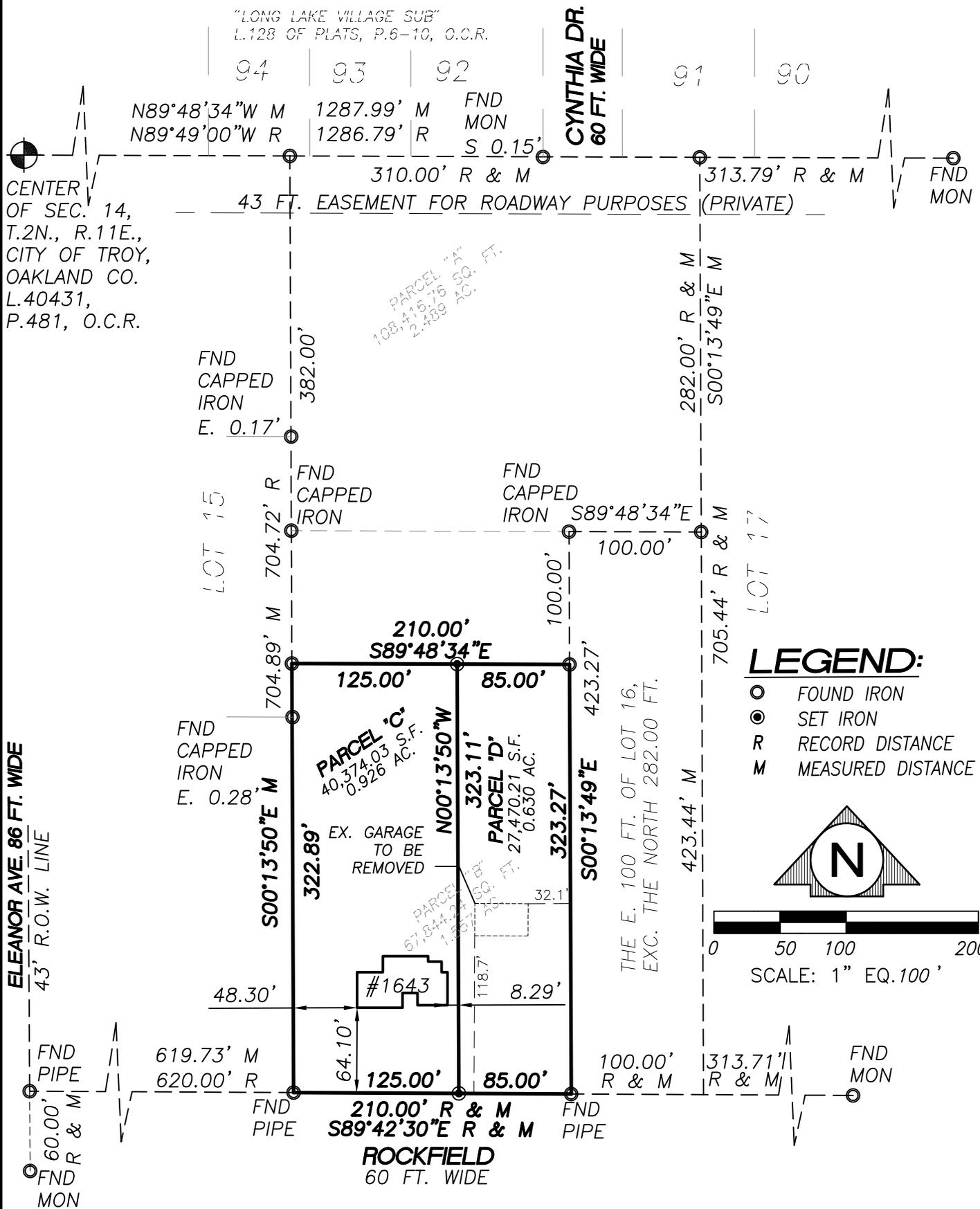
SIGNATURE OF PROPERTY OWNER \_\_\_\_\_ DATE 04-19-2013

PRINT NAME: Ken Crum, Amanda Crum

# CERTIFICATE OF SURVEY

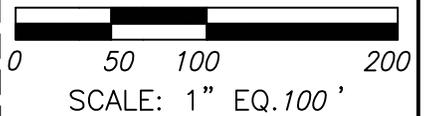
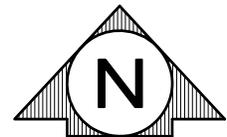
PART OF LOT 16 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUB."  
 PART OF THE S. 1/2 OF SECTION 14, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY,  
 MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS.

"LONG LAKE VILLAGE SUB"  
 L.128 OF PLATS, P.6-10, O.C.R.



### LEGEND:

- FOUND IRON
- SET IRON
- R RECORD DISTANCE
- M MEASURED DISTANCE



I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND DESCRIBED ABOVE ON JULY 11, 2008 AND THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS GREATER THAN 1:10,000 AND THAT ALL OF THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

BASIS OF BEARING: THE SOUTH LINE OF LOT 16 PER PLAT

PREPARED FOR:  
 AMANDA CRUM  
 1642 ROCKFIELD  
 TROY, MI 48085  
 248 835-1460

SHEET: 1 OF 2

GEORGE H. REICHERT P.S. #30099

Scale: 1"=100'	<b>REICHERT SURVEYING INC.</b> 140 FLUMERFELT LANE ROCHESTER, MICH. 48306 P:(248) 651-0592 F:(248) 656-7099 EMAIL:MAIL@REICHERTSURVEYING.COM	Date: 4/2/13	Rev. By: BGR
Date: 7-11-08			
Job No. 08-052			
Drawn: G.H.R.			

# CERTIFICATE OF SURVEY

## LEGAL DESCRIPTIONS:

### PARCEL "C"

THE WEST 125.00 FEET OF LOT 16 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." PART OF THE SOUTH 1/2 OF SECTION 14, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, EXCEPT THE NORTH 382.00 FT. CONTAINING 40,374.03 SQ. FT. OR 0.926 ACRES OF LAND.

### PARCEL "D"

THE EAST 85.00 FT. OF THE WEST 210.00 FT. OF LOT 16 OF "SUPERVISOR'S PLAT OF SQUARE ACRES SUB." PART OF THE SOUTH 1/2 OF SECTION 14, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 14 OF PLATS, PAGE 49, OAKLAND COUNTY RECORDS, EXCEPT THE NORTH 382.00 FT. CONTAINING 27,470.21 SQ. FT. OR 0.630 ACRES OF LAND.

PREPARED FOR:  
AMANDA CRUM  
1642 ROCKFIELD  
TROY, MI 48085  
248 835-1460

SHEET: 2 OF 2

GEORGE H. REICHERT P.S. #30099

Scale: 1"=100'  
Date: 7-11-08  
Job No. 08-052  
Drawn: G.H.R.



REICHERT SURVEYING INC.  
140 FLUMERFELT LANE  
ROCHESTER, MICH. 48306  
P:(248) 651-0592 F:(248) 656-7099  
EMAIL:MAIL@REICHERTSURVEYING.COM



Date:	Rev. By:
4/2/13	BGR

ELEANOR AVE. 86 FT. WIDE

43' R.O.W. LINE

L.O.

704.89' M

S00°13'50"E M

FND  
CAPPED  
IRON  
E. 0.28'

PARCEL 'C'  
40,374.03 S.F.  
0.926 AC.

EX. GARAGE  
TO BE  
REMOVED

210.00'  
S89°48'34"E

125.00'

85.00'

100.00

N00°13'50"W

PARCEL 'D'  
27,470.21 S.F.  
0.630 AC.

323.11'

323.27'

S00°13'49"E

423.27'

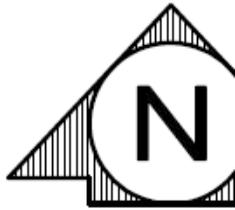
THE E. 100 FT. OF LOT 16,  
EXC. THE NORTH 282.00 FT.

705.44' R

L.O.T

# LEGEND

- FOUND IRON
- SET IRON
- R RECORD
- M MEASURE



SCALE: 1" = 100'

423.44' M

FND  
PIPE

619.73' M  
620.00' R

FND  
PIPE

210.00' R & M  
S89°42'30"E R & M

FND  
PIPE

100.00'  
R & M

313.71'  
R & M

FND  
MC

ROCKFIELD  
60 FT. WIDE

48.30'

64.10'

125.00'

85.00'



8.29'

PARCEL 'B'  
67,844.24 S.F.  
1.557 AC.

32.1'

118.7'

We would like to split the parcel located at 1643 Rockfield, which currently is 210 ft wide by 323 ft deep. The proposed West parcel, labeled "Parcel 'C'" on the survey, will be 125 ft wide by 323 ft deep and requires the variance. We are seeking a variance of 1.71 ft with respect to the side yard setback required in the R-1C zoning district. The ordinance calls for a 10 ft minimum. Unfortunately, the current location of the house is 48.3ft from the West lot line and 8.29ft from the proposed East lot line. We could not move the lot line further East since that proposed parcel, labeled "Parcel 'D'" on the survey, is already at 85 ft, the minimum lot width allowed by the Zoning Ordinance and 323 ft deep.

In the following paragraphs we've attempted to address each review standard as specified in the Variance Review Standards Zoning Ordinance Section 15.04 (E) (2):

- a) The exceptional characteristic of this lot is that it is large parcel (125'X323') and is among the largest in the neighborhood. Unfortunately, this split is made difficult given the current location of the existing home which is 48.3' from the West lot line which causes the home to crowd the East lot line. This parcel will meet all other dimensional requirements within the ordinance.
- b) The age, construction and cost make it impractical for us to move the house at 1643 to comply with the side yard setback. It is also unlawful for us to destroy the home as it is the collateral for the current mortgage on the property.
- c) The proposed lot line for the split was established to meet the minimum lot width requirement of 85 ft, which did not allow us to move the proposed lot line further East to accommodate the 10 ft side yard setback. When considering alternatives, we believe the variance for the side yard setback of Parcel "C" to be more beneficial to the neighborhood and community than seeking a variance for the lot width of Parcel "D".
- d) The current home was built in 1953 under a different zoning ordinance and placed in the middle of this large parcel of land making a parcel split difficult. To our knowledge there are no other variances approved for this property or home. The West parcel is large enough at 125 ft wide and 323 ft deep to provide a building envelope that is sufficient for a new home and one that will comply with the current zoning ordinance setbacks.
- e) Due to the small variance request, 1.71ft, we do not believe this will negatively impact the neighbors nor change the essential character or nature of the area or neighborhood. It will not impair an adequate supply of light and air to the adjacent property nor unreasonably increase the congestion in the public streets, nor increase the danger of fire or endanger the public safety, nor unreasonably diminish or impair established property value within the surrounding area, nor in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City. The approval of this variance will actually provide an opportunity to improve the oldest and least desirable home in the neighborhood. Our ultimate goal is to improve the property at 1643 Rockfield by taking down the current residence and constructing a new home at some point in the future.

Additional notes of interest:

We have a Troy resident who wants to stay in Troy lined up to buy the East parcel that is being split. Their intention is to construct a new home this summer on the purchased property.

We see this as a win, win, win situation for all parties involved. The City of Troy would gain another taxable property, a Troy resident desiring a new home would have an opportunity to stay in Troy and we would be able to build the new home we've desired since 2004.

We would ask that you approve this small variance.

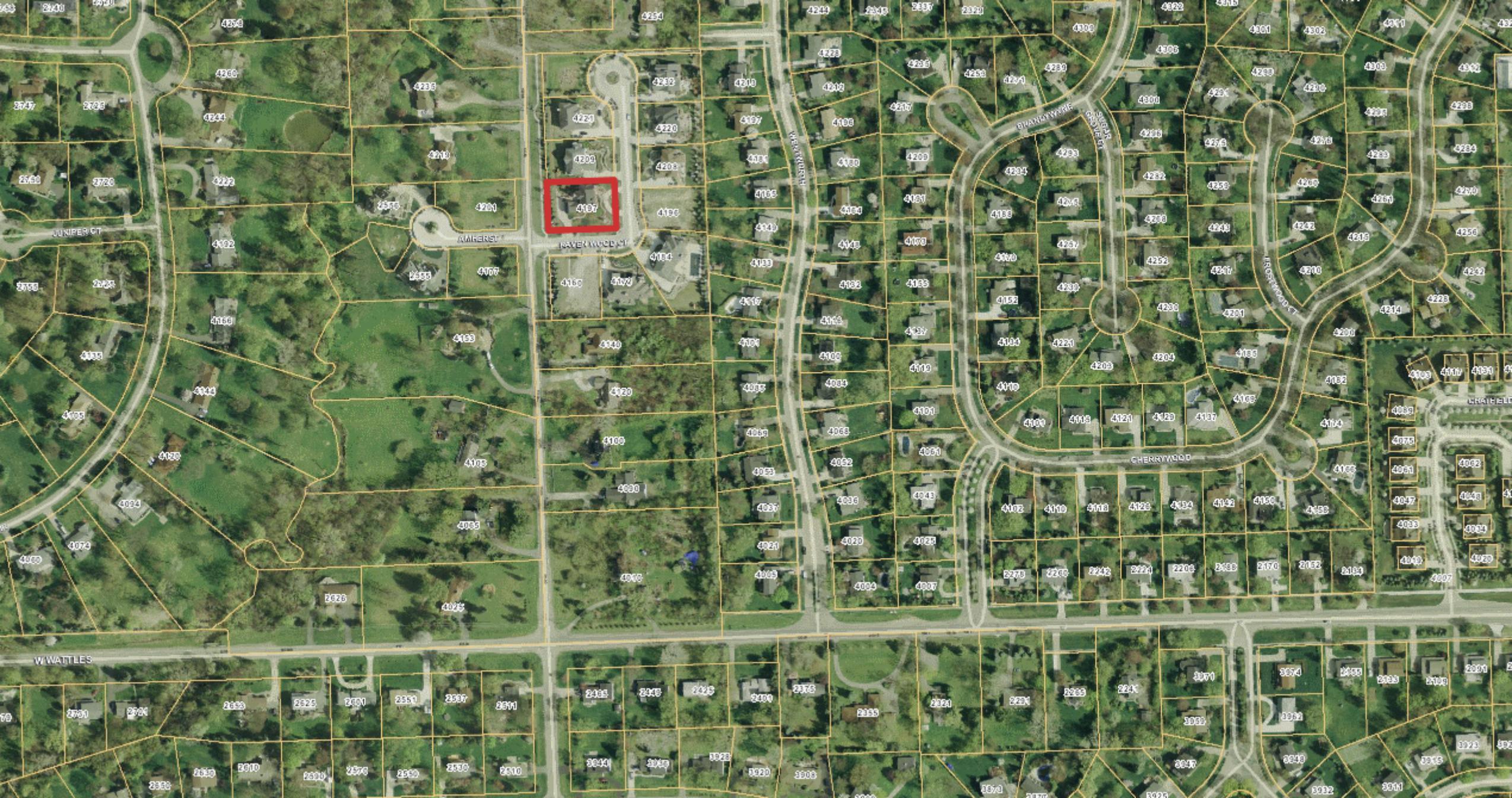


OXFORD

4. HEARING OF CASES

- C. VARIANCE REQUEST, JEFFREY AND KRISTA FALK, 4197 RAVENWOOD COURT – In order to enlarge the garage, a 3 foot variance to the required 40 foot front yard setback.

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





4197

4209

42

4201

4197

41

419

137.88

BEACH

100.00  
100.25

100.25  
100.00

100.00

190.00

117.73

161.82

115.00  
114.75

114.75  
115.00

45.44

15.03

93.73

R = 34.00

WOOD NEVA

127.35

161.82

82.49

R = 70.2

40

AMHERST

161.04

R = 34.00

## 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](mailto:evanspm@troymi.gov)  
<http://www.troymi.gov/CodeEnforcement/#>



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: 4197 Ravenwood Ct; Troy, Mich 48098
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-18-402-045
3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: R1B
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: No
6. APPLICANT INFORMATION:  
NAME Jeffrey and Krista Falk  
COMPANY \_\_\_\_\_  
ADDRESS 4197 Ravenwood Ct  
CITY Troy STATE Mich ZIP 48098  
TELEPHONE 248-731-7375  
E-MAIL jfalk4197@comcast.net

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: I am property owner

8. OWNER OF SUBJECT PROPERTY:  
NAME Jeffrey and Krista Falk  
COMPANY \_\_\_\_\_  
ADDRESS 4197 Ravenwood Ct  
CITY Troy STATE Mich ZIP 48098  
TELEPHONE 248-731-7375  
E-MAIL jfalk4197@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, Jeffrey Falk (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 Jeffrey S. Falk MD DATE 3/16/2013  
PRINT NAME: Jeffrey Falk

SIGNATURE OF PROPERTY OWNER Jeffrey S. Falk MD DATE 3/16/2013  
PRINT NAME: Jeffrey Falk



**ALEXANDER V. BOGAERTS & ASSOCIATES, P.C.**

*Architecture*

*Planning*

*Interior Design*

2445 Franklin Rd.  
Bloomfield Hills, MI 48302  
248/ 334-5000  
fax: 248/ 334-0092

April 19, 2013

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

Attn: Zoning Board of Appeals  
RE: 4197 Raven Wood Court

Members of the Board,

On behalf of our clients Jeff and Krista Falk we are requesting a 3' dimensional variance in the south front yard at 4197 Raven Wood Court. The variance will allow the Falks the opportunity to have a functional 3 car side entry garage similar to all the other homes in this development.

This property has exceptional characteristics, which are unique to this site, that have made it substantially more difficult to achieve a functional 3 car garage design within the Zoning Ordinance Requirements than for other properties of similar size in the R1-B zoning district. There are three main site restrictions which have forced the existing garage to be placed in its current location at the south-west corner of the buildable envelope and now restrict the redesign and placement of the 3<sup>rd</sup> car garage bay addition.

First, the existing topography of the site slopes down toward the north and north-west of the site's buildable envelope depressing this area of the site well below the finished first floor and street level. The addition of a third car bay to the north side of the existing garage facing the rear yard is impractical due to the natural grading and limited access. The current garage is a 2 car, rear yard entry garage which has provided practical difficulties for the Falks. The existing driveway provides a less than adequate turning radius to access the existing rear entry doors. The existing driveway has been limited in size by the existing storm sewer easement along Beach and by the landscape buffer / entry monument landscape along Beach Road.

Secondly, the site is a corner lot and requires 2 front yard setbacks which have greatly reduced the amount of buildable site with grade levels easily accessible to the finished first floor and also at or near the street level.

Finally, the deed/association restrictions for the property dictate the garage entry must not be on the same face of the home as the front door/ main entry, thus the garage was not able to face the east side of Raven Wood Court.

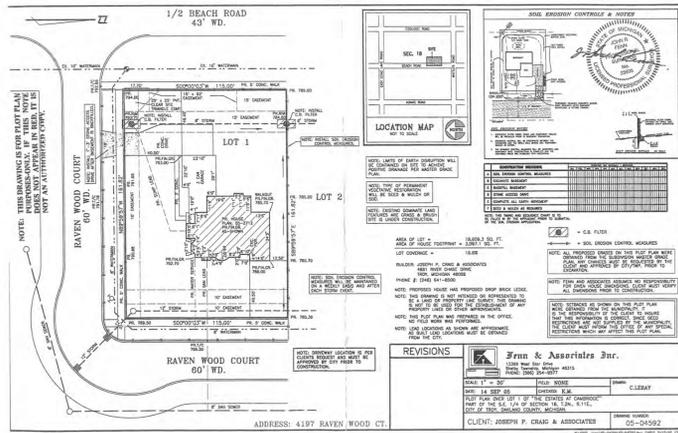
The proposed variance will not be harmful or alter the essential character of this area. We have designed the proposed 3 car garage bay to blend into the existing home as a seamless addition with all new materials to match the existing. The proposed 3' projection has been designed to have a minimal architectural impact in size and scale. This variance will allow the 3<sup>rd</sup> car bay addition to have an interior finished dimension of roughly 20 feet (the typical minimum depth garage). The addition's roof will be a shed type roof that will blend into the existing roof slope and then extend toward the front terminating at a low fascia height. We are proposing a 24" overhang, with wood brackets, at the garage entry to enhance the appearance that the door is held back and is less prominent than the roof. The garage door will be 10'-0" wide x 7'-0" high, painted or stained to match the trim color. A new driveway with less impervious surface area will replace the existing drive at the rear yard. The new driveway will be installed further back (to the east) from the intersection at Beach Road. The new curb cut width at Raven Wood Ct. will match the existing 19' curb cut. The existing landscaping will be moved and replanted in a similar design as to what currently exists.

The proposed variance will not impair an adequate supply of light and air to adjacent properties, 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.

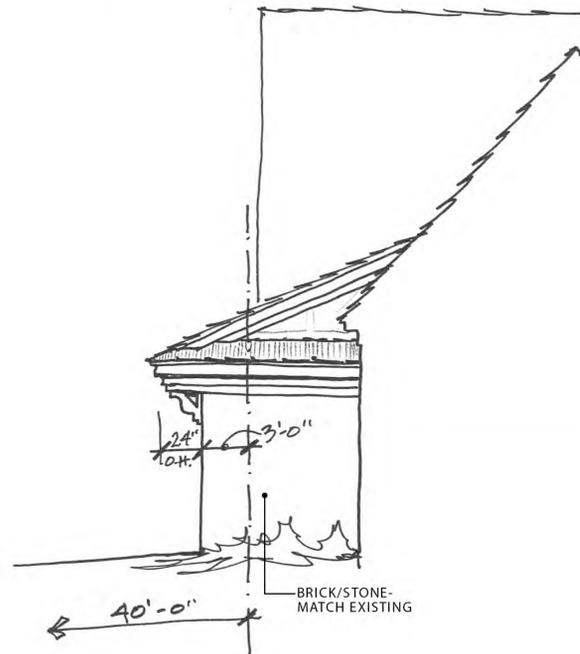
We respectfully ask the Zoning Board of Appeals to consider this dimensional variance. We believe our request meets the spirit and intent of the zoning ordinance and we look forward to presenting our project at your next Board meeting.

Sincerely

Brian Neeper, Architect

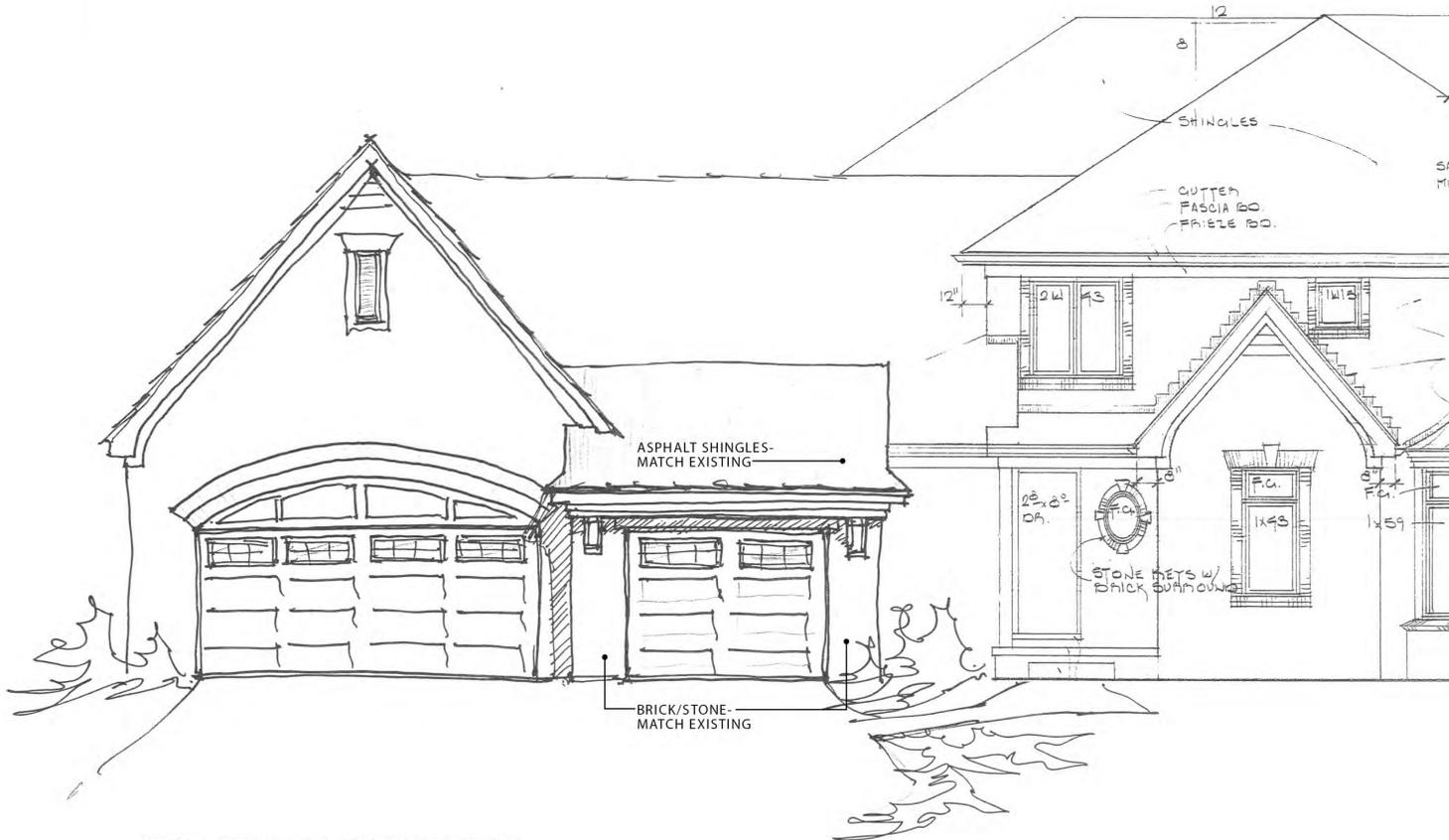


ORIGINAL SITE PLAN



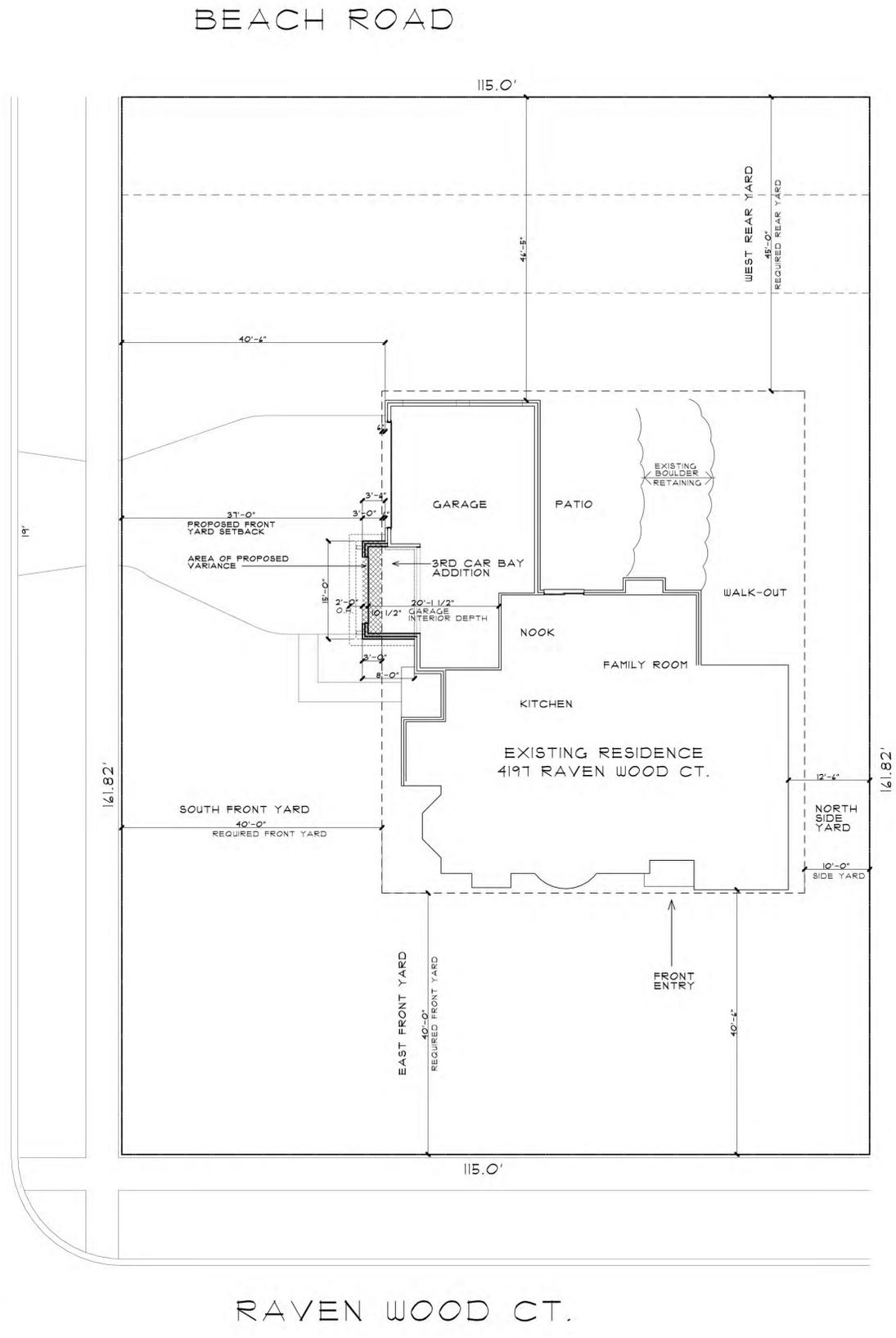
PARTIAL EAST ELEVATION

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



SOUTH ELEVATION

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



RAVEN WOOD CT.

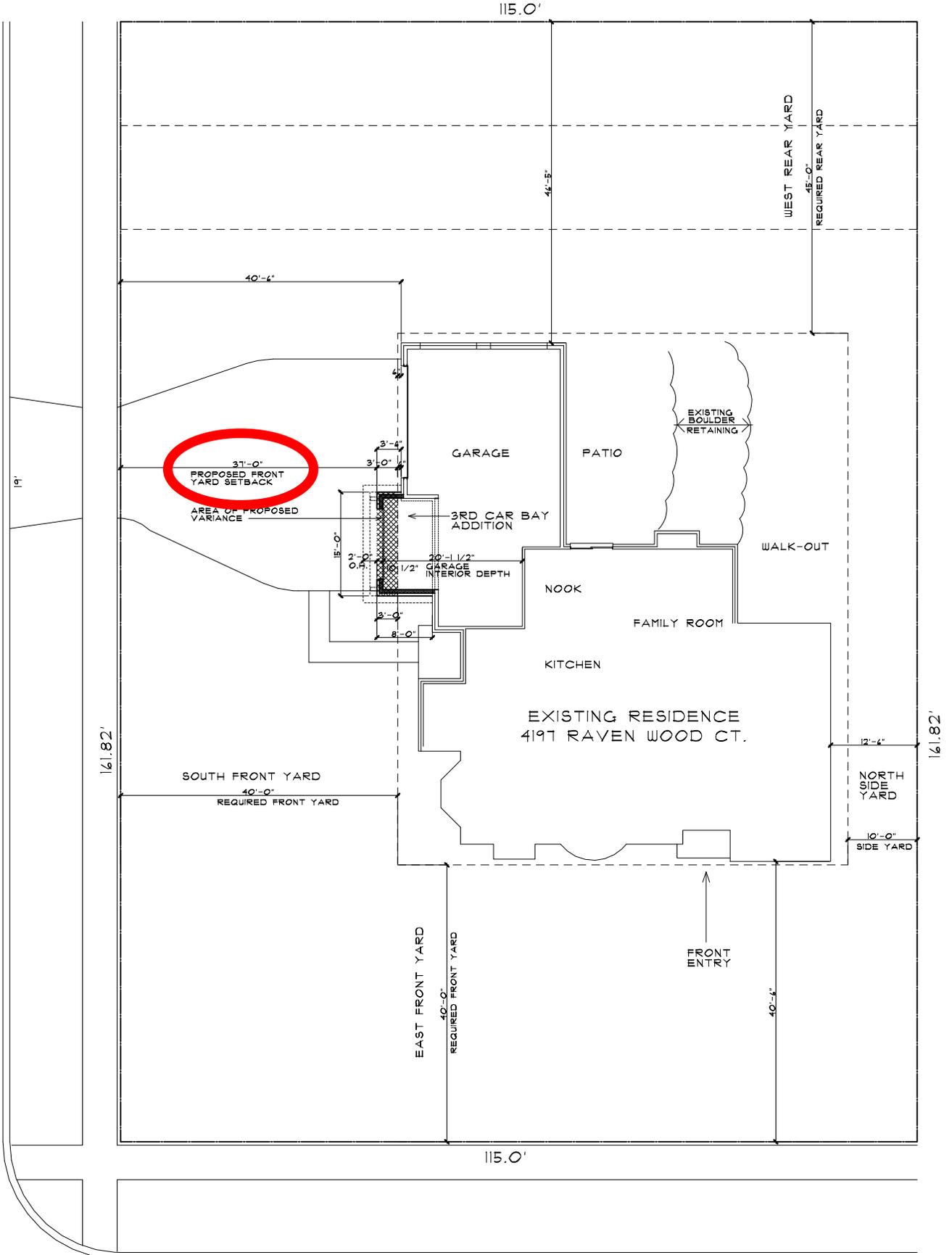
ARCHITECTURAL SITE PLAN

SCALE : 3/32" = 1'-0"



BEACH ROAD

RAVEN WOOD CT.



RAVEN WOOD CT.



EXISTING PHOTOS