

AGENDA

**ZONING BOARD OF APPEALS
JULY 18, 2006**

**COUNCIL CHAMBERS
7:30 P.M.**

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES – MEETING OF JUNE 20, 2006

RENEWAL ITEMS

ITEM #2 - APPROVAL OF ITEMS #3 AND ITEM #4

ITEM #3 – RENEWAL REQUESTED. MR. & MRS. RICHARD VARKLE, 54 E. SQUARE LAKE, for relief of the requirement to provide hard surface parking and an access drive.

SUGGESTED RESOLUTION. To grant Richard & Melanie Varkle, 54 E. Square Lake, a three-year (3) renewal of relief of the requirement to provide hard surface parking and an access drive.

ITEM #4 – RENEWAL REQUESTED. KENSINGTON COMMUNITY CHURCH, 1825 E. SQUARE LAKE, for relief of the 4'-6" high masonry screening wall required along the north and west side of off-street parking.

SUGGESTED RESOLUTION. To grant Kensington Community Church, 1825 E. Square Lake, a three-year (3) renewal of relief of the 4'-6" high masonry screening wall required along the north and west side of off-street parking.

POSTPONED ITEMS

ITEM #5 - VARIANCE REQUEST. DENVER ASSOCIATES, 1010 NAUGHTON, for relief of the Ordinance to expand an existing parking lot that will be within 14' of Acacia and within 23'-7" of Naughton where Paragraph L of Section 31.30.00 requires that the 50' front yard setback required by Section 30.20.09 be free of parking.

ITEM #6 – VARIANCE REQUEST. SAIF JAMEEL, 3031 CROOKS ROAD, for relief of the Ordinance to construct a new commercial building with a drive up window accessory to a restaurant use proposed in the building. Section 23.25.01 of the Troy Zoning Ordinance requires a site that is at least one acre in size in order to have a drive-up window facility in the H-S (Highway Service) Zoning District. This site is made up of two separate parcels that total only .53 acres in size.

PUBLIC HEARINGS

ITEM #7 – VARIANCE REQUEST. WILLIAM BEAUMONT HOSPITAL, 44201 DEQUINDRE, for relief of the Ordinance to construct a new parking lot on the south side of the hospital. The site plan submitted indicated that the parking spaces would be only 9' wide, where Section 40.25.03 of the Troy Zoning Ordinance requires that parking spaces be a minimum of 9'-6" wide.

ITEM #8 – VARIANCE REQUEST. MR. & MRS. BERNARD LOURIM, 1850 KRISTIN, for relief of the Ordinance to construct an attached garage addition resulting in a 32.6' front yard setback. Section 30.10.02 requires a 40' minimum front yard setback in R-1B Zoning Districts.

ITEM #9 – VARIANCE REQUEST. WALSH COLLEGE, 3838 LIVERNOIS, for relief of the Ordinance to expand the parking lot on the north side of the college. Section 18.30.06 requires that a 4'-6" high masonry screen wall or as an alternative a 4'-6" landscaped berm be provided between parking lots of colleges and adjacent residentially zoned property. The site plan submitted lacks the required screening on the west side of the new parking lot.

ITEM #10 – VARIANCE REQUEST. MR. & MRS. BOYWER, 93 BELHAVEN, for relief of the Ordinance to maintain a shed constructed without first obtaining a Building Permit, located 4'-11" from the rear property line. Section 40.57.05 requires a 6' minimum setback to any property line for an accessory building.

AGENDA EXPLANATION

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2. RESOLVED, that Items #3 and #4 (with the exception of Item(s) _____) are hereby approved in accordance with the suggested resolutions printed in the Agenda Explanation.

Motion by
Supported by

3. Mr. & Mrs. Richard Varkle, 54 E. Square Lake, for relief of the requirement to provide hard surface parking and an access drive. The Zoning Ordinance requires parking lots and drives to be hard surfaced. This Board originally granted this relief in May 1979 based on the historical significance of the site. A "Sense of Thyme" currently occupies the site. This item last appeared before this Board at the July 2003 meeting and was granted a three-year (3) renewal at that time. Conditions remain the same and we have no objections or complaints on file.

SUGGESTED RESOLUTION. To grant Richard & Melanie Varkle, 54 E. Square Lake, a three-year (3) renewal of relief of the requirement to provide hard surface parking and an access drive.

- Conditions remain the same.
- We have no objections or complaints on file.

4. Kensington Community Church, 1825 E. Square Lake. Petitioner is requesting relief of the 4'-6" high masonry screening wall required along the north and west side of off-street parking. This Board has granted this relief since 1996. Relief was originally granted based on the fact that the wall adjacent to the wetlands could be a problem and that a variance renewal will determine whether natural conditions provide necessary screening. This item last appeared before this Board at the July 2003 meeting and was granted a three-year (3) renewal at that time. Conditions remain the same and we have no objections or complaints on file.

SUGGESTED RESOLUTION. To grant Kensington Community Church, 1825 E. Square Lake, a three-year (3) renewal for relief of the 4'-6" high masonry screening wall required along the north and west side of off-street parking.

- Conditions remain the same.
- We have no objections or complaints on file.

5. Denver Associates, LLC, 1010 Naughton. Petitioner is requesting relief of the Ordinance to expand an existing parking lot. This property is located within the M-1 (Light Industrial) Zoning District. Paragraph L of Section 31.30.00 requires that the 50' front yard setback required by Section 30.20.09 be free of parking. The plans submitted indicate that the parking lot is being expanded to within 14' of Acacia and within 23'-7" of Naughton. This item last appeared before this Board at the meeting of June 20, 2006 and was postponed to allow the petitioner the opportunity to meet with his tenant to determine exactly how this building will be used, and how much parking will be required.

AGENDA EXPLANATION

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6. Saif Jameel, 3031 Crooks (proposed address). Petitioner is requesting relief of the Ordinance to construct a new commercial building. A majority of this property is located within the H-S (Highway Service) Zoning District. The plans submitted indicate that the development will include a drive up window accessory to a restaurant use proposed in the building. Section 23.25.01 of the Troy Zoning Ordinance requires a site that is at least one acre in size in order to have a drive-up window facility in the H-S (Highway Service) Zoning District. This site is made up of two separate parcels that total only .53 acres in size. The Board denied a similar request in April of 2006. This request is different in that the current plan eliminates the connecting drive with the property to the north.

This item last appeared before this Board at the meeting of June 20, 2006 and was postponed to allow the petitioner the opportunity of a full Board.

7. William Beaumont Hospital, 44201 Dequindre. Petitioner is requesting relief of the Ordinance to construct a new parking lot on the south side of the existing hospital. Section 40.25.03 of the Troy Zoning Ordinance requires that parking spaces be a minimum of 9'-6" wide. The site plan submitted indicates that the spaces would be only 9' wide.

8. Mr. & Mrs. Bernard Lourim, 1850 Kristin. Petitioners are requesting relief of the Ordinance to construct an addition to an existing garage. The site plan submitted indicates an addition to the front of an existing attached garage, resulting in a 32.6' front yard setback. Section 30.10.02 requires a 40' minimum front yard setback in R-1B Zoning Districts.

9. Walsh College, 3838 Livernois. Petitioner is requesting relief of the Ordinance to expand the parking lot on the north side of the college. Section 18.30.06 requires that a 4'-6" high masonry screen wall or as an alternative a 4'-6" landscaped berm be provided between parking lots of colleges and adjacent residentially zoned property. The site plan submitted lacks this required screening on the west side of the new parking lot and instead proposes to use a 4'-6" high fence and existing vegetation to provide screening.

10. Mr. & Mrs. Bradley Boyer, 93 Belhaven. Petitioners are requesting relief of the Ordinance to maintain an addition to a shed, constructed without first obtaining a Building Permit. This addition is only 4'-11" from the rear property line. Section 40.57.05 requires a 6' minimum setback to any property line for an accessory building.