

## **AGENDA**

### **BOARD OF ZONING APPEALS SEPTEMBER 19, 2006**

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

#### **CALL TO ORDER**

#### **ROLL CALL**

#### **ITEM #1 – APPROVAL OF MINUTES – MEETING OF AUGUST 15, 2006**

#### **POSTPONED ITEMS**

**ITEM #2 - 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 #3 – VARIANCE REQUEST. MARSHA BUTKOVICK OF JEFFREY A. SCOTT ARCHITECTS, P.C., 3339 ROCHESTER**, (proposed address), for relief of the Ordinance to construct a restaurant with a drive-up facility on a parcel of land that is only .96 acres in size where Section 21.30.02 requires at least one acre; and also to have a 43' front setback to the east property line where Section 30.20.05 requires a 75' front yard setback.

**ITEM #4 – VARIANCE REQUEST. JAE DUK CHO, OF ADA ARCHITECTS, 1304 E. MAPLE**, for relief of the Ordinance to alter an existing industrial building, that will result with a parking lot on the north side of the building to within 10' of the north property line and 21'-8" to the east property line where Section 30.20.09 requires a 50' front setback and Paragraph L of Section 31.30.00 requires that the front yard remain free of parking and maneuvering lanes.

**ITEM #5 – VARIANCE REQUEST. TED WAHL, 1659 ROCHESTER ROAD**, for relief of the Ordinance to alter an existing industrial building resulting in a 5' wide landscaped open space with a 3' to 6' high screen wall between a new parking lot and the west property line along Enterprise Drive where Section 30.20.09 of the Zoning Ordinance requires a 50' front yard, free of parking or maneuvering lanes. Also to have only 2,125 square feet of countable landscape where Section 39.70.04 requires 4,466 square feet of landscape for a site this size.

In addition, to have a 22'-6" wide driveway where Section 40.25.03 requires that a two-way driveway adjacent to parking be a minimum of 24' in width.

**ITEM #6 – VARIANCE REQUEST. DANNA SIGNS, D.B.A. ISSI EAST COAST, 2155 W. BIG BEAVER,** for relief of the Ordinance to install a canopy structure over an automated teller machine resulting in a 17' setback to the east property line, where Section 30.20.03 of the Zoning Ordinance requires a minimum 30' side yard setback line.

**ITEM #7 – VARIANCE REQUEST. JOE & MONICA GERHARDSTEIN, 2261 KRISTIN,** for relief of the Ordinance to construct an addition to their existing home that will result in a 41' rear yard setback where Section 30.10.02 requires a 45' minimum rear yard setback in the R-1B Zoning District.

**ITEM #8 – VARIANCE REQUEST. YEN CHEN, 4679 JOHN R.,** for relief of the Ordinance to construct an addition at the rear of his home that would result in a 26' rear yard setback, where Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District.

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2. 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 August 15, 2006 and was postponed to allow the petitioner the opportunity to be present.

3. Marsha Butkovich, 3339 Rochester (proposed address). Petitioner is requesting relief of the Ordinance to construct a new Dunkin Doughnuts restaurant with a drive-up facility at the southwest corner of Rochester and Vanderpool. This property is in the B-2 (Community Business) Zoning Classification. Section 21.30.02 requires sites for restaurants with drive-up facilities in B-2 Districts to be at least once acre in size. The site plan submitted indicates that the site is only .96 acres.

In addition, Section 30.20.05 requires a 75' front yard setback in B-2 Districts. The site plans indicate a front setback of only 43' to the east property line.

4. Jae Duk Cho, of ADA Architects, 1304 E. Maple. Petitioner is requesting relief of the Ordinance to alter an existing industrial building.

The site plan submitted indicates the removal of the existing office portion of an industrial building and the expansion of the parking lot on the north side of the building to within 10' of the north property line along Maple Road and within 21'-8" of the east property line along Allen Drive. Section 30.20.09 of the Zoning Ordinance requires a 50' front setback in the M-1 (Light Industrial) Zoning District and Paragraph L of Section 31.30.00 requires that this front yard remain free of parking or maneuvering lanes. The parking lot along the east property line farther south on the lot is currently located 21'-8" from the front property line along Allen Drive based upon a variance granted in 1992.

5. Ted Wahl, 1659 Rochester Road. Petitioner is requesting relief of the Ordinance to alter an existing industrial building.

The petitioner is proposing to alter an existing single tenant industrial building into a multi-tenant industrial building. This building was originally constructed in 1952 and has very little developed parking lot on the site. As part of the current plan, the petitioner is proposing to install the required parking on the north and west side of the building. The plans submitted indicate a 5' wide landscaped open space with a 3' to 6' high screen wall between a new parking lot and the west property line along Enterprise Drive where

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Section 30.20.09 and Paragraph L of Section 31.30.00 of the Zoning Ordinance requires a 50' front yard, free of parking or maneuvering lanes.

The plans further indicate only 2,125 square feet of countable landscape will be on the site where Section 39.70.04 requires 4,466 square feet of landscape for a site this size.

In addition, plans show the width of the driveway on the north side of the building to be only 22'-6" wide where Section 40.25.03 requires that a two-way driveway adjacent to parking be a minimum of 24' in width.

6. Danna Signs, 2155 W. Big Beaver. Petitioner is requesting relief of the Ordinance to install a canopy structure over an automated teller machine (ATM) in the side yard of the existing Chase Bank. Section 30.20.03 of the Zoning Ordinance requires a minimum 30' side yard setback. The site plan submitted indicates a 17' setback from the canopy structure to the east property line. There is an existing ATM in this area that is in compliance with the ordinance. It is the installation of the canopy structure over the new proposed machine that causes the encroachment into the setback.

7. Joe & Monica Gerhardstein, 2261 Kristin. Petitioners are requesting relief of the Ordinance to construct an addition to their existing home. The site plan submitted indicates a rear great room addition with a proposed 41' rear yard setback. Section 30.10.02 requires a 45' minimum rear yard setback in the R-1B Zoning District.

8. Yen Chen, 4679 John R. Petitioner is requesting relief of the Ordinance to construct an addition at the rear of his existing home. The site plan submitted indicates the proposed three-season enclosure will result in a 26' rear yard setback. Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District.