

## **AGENDA**

### **BOARD OF ZONING APPEALS APRIL 19, 2005**

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

#### **CALL TO ORDER**

#### **ITEM #1 – APPROVAL OF MINUTES – MEETING OF MARCH 15, 2005**

#### **POSTPONED ITEMS**

**ITEM #2 – INTERPRETATION REQUEST. GEORGE REED, BETTY REED & THOMAS KRENT, 3129 ALPINE**, appealing the issuance of a building permit to construct a garage at 3129 Alpine.

#### **PUBLIC HEARINGS**

**ITEM #3 – VARIANCE REQUEST. MARK NEWSOME, 114 LYONS**, for relief of Zoning Ordinance to maintain a deck with a 0' side yard setback where a 5' setback is required by Section 30.10.05 and to maintain above ground pool with a 3' side yard setback where a 6' side yard setback is required by Section 40.57.05.

**ITEM #4 – VARIANCE REQUEST. GFA DEVELOPMENT, 1064 ARTHUR, EXISTING ADDRESS, 1060 & 1072 ARTHUR (PROPOSED ADDRESSES)**, for relief of the Zoning Ordinance to split an existing parcel of property into two single family home sites that will be 7200 square feet each where Section 30.10.05 requires a minimum of 7,500 square feet for each lot.

**ITEM #5 – VARIANCE REQUEST. GFA DEVELOPMENT, 1045 VERMONT, EXISTING ADDRESS, 1055 & 1071 VERMONT (PROPOSED ADDRESSES)**, for relief of the Zoning Ordinance to combine three (3) platted lots and split them into two (2) single family home sites that are 7,200 square feet each. Section 30.10.05 requires a minimum 7,500 square foot for each lot.

## AGENDA EXPLANATION

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2. George Reed, Betty Reed, Thomas Krent, 3129 Alpine. The petitioners are appealing the issuance of a building permit to construct a garage a 3129 Alpine. In support of that appeal they are requesting interpretation of Sections 1.30.00, 2.30.00, 2.50.02, 4.20.01, 4.20.03, 4.20.65, 4.20.71, 4.20.139, 10.10.00, 3.40.03 and 40.57.02 of the Troy Zoning Ordinance as they apply to that structure. The permit for this structure was issued in 2003 because the structure was found to be in compliance with the requirements of the Troy Zoning Ordinance. This item last appeared before this Board at the meeting of March 15, 2005 and was postponed at the request of the petitioner.

Additional documents, provided by one of the petitioners and their attorney, as well as responses by the Building Department and City Attorney's Office are provided in your agenda packet.

3. Mark Newsome, 114 Lyons. Petitioner is requesting relief of the Ordinance to maintain a deck and above ground pool that were constructed without first obtaining the required Building Permits. The site plan submitted indicates that the deck has been constructed abutting the side property line on the north and the above ground pool installed 3' from the same property line. Section 30.10.06 of the Ordinance requires a 5' minimum side yard setback for the attached deck and Section 40.57.05 requires a 6' minimum side yard setback to the above ground pool.

4. GFA Development, 1064 Arthur, existing address, 1060 & 1072 Arthur, proposed addresses. Petitioner is requesting relief of the Ordinance to split a parcel of property that will result in two (2) lots that are each 7,200 square feet in size. The original parcel consists of three lots that were platted with 40' of width and a depth of 120'. The petitioner proposes to split these into two single-family home sites that would be 60' x 120'. Although this property is in the R-2 (Two-Family Residential) Zoning District, Section 13.20.01 of the Zoning Ordinance allows for the development of the property in accordance with the provisions of the R-1E Zoning Classification. Section 30.10.05 of the Zoning Ordinance requires a minimum of 7,500 square feet for each lot in the R-1E Zoning District.

5. GFA Development, 1045 Vermont, existing address, 1055 & 1071 Vermont, proposed addresses. Petitioner is requesting relief of the Ordinance to split a parcel of property that will result in two (2) lots that are each 7,200 square feet in size. The original parcel consists of three lots that were platted with 40' of width and a depth of 120'. The petitioner proposes to split these into two single-family home sites that would be 60' x 120'. Although this property is in the R-2 (Two-Family Residential) Zoning District, Section 13.20.01 of the Zoning Ordinance allows for the development of the property in accordance with the provisions of the R-1E Zoning Classification. Section 30.10.05 of the Zoning Ordinance requires a minimum of 7,500 square feet for each lot in the R-1E Zoning District.