

**BOARD OF ZONING APPEALS
JUNE 21, 2005**

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

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES – MEETING OF MAY 17, 2005

RENEWAL ITEMS

ITEM #2 – APPROVAL OF ITEM #3 AND ITEM #4

ITEM #3 – RENEWAL REQUESTED. ZION CHRISTIAN CHURCH, 3668 LIVERNOIS, for relief of the 4'-6" high screening wall required along the south side of off-street parking.

SUGGESTED RESOLUTION. MOVED, to grant Zion Christian Church, 3668 Livernois, a three (3)-year renewal of relief of the 4-6" high screening wall required along the south side of off-street parking.

ITEM #4 – RENEWAL REQUESTED. FIRST PRESBYTERIAN CHURCH, 4328 LIVERNOIS, for relief of the 4'-6" high screening wall required along the south, east and north sides of off-street parking.

SUGGESTED RESOLUTION. MOVED, to grant First Presbyterian Church, 4328 Livernois, a three (3)-year renewal of relief of the 4'-6" high screening wall required along the south, east and north sides of off-street parking.

PUBLIC HEARINGS

ITEM #5 – VARIANCE REQUEST. SANKARAN BALAKRISHNAN, 1602 LIVERNOIS, to reconstruct a gasoline station service building that will result in a front yard setback of 11'-8" from Livernois and setback of only 30'-3" from the residential property to the northeast where Section 30.20.07 requires a 40' front yard setback and a 75' setback from residential zoned property. In addition, the site plan submitted indicates only 384 square feet of landscaping where Section 39.70.04 requires at least 1,674 square feet of countable landscaping for a site this size.

ITEM #6 – VARIANCE REQUEST. GARY ABITHEIRA, HIDDEN CREEK SITE CONDOMINIUM DEVELOPMENT, for relief of the height requirement to construct a new home. The proposed house has a building height of 27' when calculated in accordance with Section 04.20.23. Section 30.10.06 limits houses in R-1E Zoning Districts to 25' maximum building height.

ITEM #7 – VARIANCE REQUEST. DENVER ASSOCIATES, LLC, 1010 NAUGHTON, for relief of the Ordinance to expand an existing parking lot that will result in front setbacks of 14' to Acacia and 23'-7" of Naughton. 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 #8 – VARIANCE REQUEST. GEORGE FERRARO OF METCO SERVICES, 6850 ADAMS, for relief of the Ordinance to construct an addition on an existing religious facility. Paragraph B of Section 10.30.04 requires front, side and rear yards of churches to be at least 50'. Paragraph E of Section 10.30.04 requires that these yards be landscaped and kept free of parking when they are adjacent to public streets or adjacent to other residentially zoned sites. The site plan submitted indicates a driveway within 33.9' of Adams and within 26.3' of the south property line where it abuts single family zoned property.

AGENDA EXPLANATION

BOARD OF ZONING APPEALS

JUNE 21, 2005

2. RESOLVED, that Item #3 and Item #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. Zion Christian Church, 3668 Livernois. Petitioner is requesting renewal of relief granted by this Board for a 4'-6" high screening wall required along the south property line adjacent to their off-street parking. This relief has been granted on a yearly basis since 1985. The property to the south is owned by the City of Troy at this time and is undeveloped. This item last appeared before this Board in June 2002 and was granted a three (3) year renewal. Conditions remain the same, and we have no objections or complaints on file. The property immediately to the south of this parcel has been purchased by the City of Troy, with the potential of becoming a park.

SUGGESTED RESOLUTION. MOVED, to grant Zion Christian Church, 3668 Livernois a three (3) year renewal of relief for the 4'-6" high screening wall required along the south property line adjacent to the off-street parking.

- The City's purchase of the adjacent property for park development only further justifies the need for the variance.
- Variance is not contrary to public interest.
- Conditions remain the same, and there are no complaints on file.
- Variance does not have an adverse effect on surrounding property.

4. First Presbyterian Church of Troy, 4328 Livernois. Petitioner is requesting renewal of relief granted by this Board of the 4'-6" high wall required along the southeast and north sides of the property adjacent to the off-street parking. The original request was granted based on the fact that the adjacent property was either undeveloped or screened by dense woods. This relief has been granted on a yearly basis since 1988. This item last appeared before this Board in June 2002 and was granted a three (3) year renewal at that time. Conditions remain the same and we have no objections or complaints on file.

SUGGESTED RESOLUTION. MOVED, to grant First Presbyterian Church of Troy, 4328 Livernois a three (3) year renewal of relief of the 4'-6" high wall required along the southeast and north sides of the property adjacent to the off-street parking.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect on surrounding property.
- Conditions remain the same, and there are no complaints on file.
- The adjacent property is either undeveloped or screened by dense woods.

AGENDA EXPLANATION

BOARD OF ZONING APPEALS

JUNE 21, 2005

5. Sankaran Balakrishnan, 1602 Livernois. Petitioner is requesting relief of the Ordinance to reconstruct a gasoline station service building. Section 30.20.07 requires a 40' front yard setback and a 75' setback from residential zoned property for development in the H-S (Highway Service) Zoning District. The site plans submitted indicate a front yard setback of 11'-8" from Livernois to the proposed new building and a setback of only 30'-3" from the R-1E (Residential One-Family) Zoned property to the northeast.

In addition, Section 39.70.04 requires at least 1,674 square feet of countable landscaping for a site this size. The plans submitted indicate that only 384 square feet of countable landscaping will be provided.

6. Gary Abitheira, Hidden Creek Site Condominium. Petitioner is requesting relief of the Zoning Ordinance to construct a new house that will exceed the height requirements of Section 30.10.06. The construction plans submitted indicate that the proposed house has a building height of 27' when calculated in accordance with Section 04.20.23. Section 30.10.06 limits houses in R-1E Zoning Districts to 25' maximum building height.

7. Denver Associates, LLC, 1010 Naughton. Petitioner is requesting relief of the Zoning Ordinance to expand an existing 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.

8. George Ferraro of METCO Services, 6850 Adams. Petitioner is requesting relief of the Zoning Ordinance to construct an addition on to an existing religious facility. Paragraph B of Section 10.30.04 requires that these yards be landscaped and kept free of parking when they are adjacent to public streets or adjacent to other residentially zoned property. The plans submitted indicate a parallel driveway within 33.9' of Adams Road and within 26.3' of the south property line where this site abuts single family zoned property to the south.