

**AGENDA**

**BOARD OF ZONING APPEALS  
AUGUST 16, 2005**

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

**CALL TO ORDER**

**ROLL CALL**

**ITEM #1 – APPROVAL OF MINUTES – MEETING OF JULY 19, 2005**

**RENEWAL ITEMS**

**ITEM #2 – APPROVAL OF ITEMS #3 THROUGH ITEM #8**

**ITEM #3 – RENEWAL REQUESTED. PSI HOLDINGS, 2525 CROOKS**, for relief of the 6' high masonry-screening wall required along the west and south property lines where this property abuts residential zoned property.

SUGGESTED RESOLUTION. MOVED, to grant PSI Holdings a three (3) year renewal of relief granted of the 6' high masonry-screening wall required along the west and south property lines where this property abuts residential zoned property.

**ITEM #4 – RENEWAL REQUESTED. MG ACQUISITIONS, 2555 CROOKS**, for relief of the 6' high masonry-screening wall required along the west property line where this property abuts residential zoned property.

SUGGESTED RESOLUTION. MOVED, to grant MG Acquisitions, 2555 Crooks a three (3) year renewal of relief of the 6' high masonry-screening wall required along the west property line where this property abuts residential zoned property.

**ITEM #5 – RENEWAL REQUESTED. CROOKS OFFICE LLC, 2585 CROOKS**, for relief to maintain a 6' high stockade fence in lieu of the decorative masonry screening-wall required along the west property line of this site where it abuts residential zoned property.

SUGGESTED RESOLUTION. MOVED, to grant Crooks Office LLC, 2585 Crooks, a three (3) year renewal of relief to maintain a 6' high stockade fence in lieu of the decorative masonry screening-wall required along the west property line of this site where it abuts residential zoned property.

**ITEM #6 – RENEWAL REQUESTED. OAK MANOR, INC., 2316 JOHN R.,** for relief of the required 4'-6" high masonry screening-wall along the east and south areas of your parking lot where it abuts residential zoned property.

SUGGESTED RESOLUTION. MOVED, to grant Oak Manor, Inc., 2316 John R. a three (3) year renewal of relief of the required 4'-6" high masonry screening-wall along the east and south areas of the parking lot where it abuts residential zoned property.

**ITEM #7 – RENEWAL REQUESTED. ANDREW MANNING, OF THE DETROIT EDISON COMPANY, 3080 JOHN R.,** for renewal of relief of the landscaped berms required along the north, east and west property lines.

SUGGESTED RESOLUTION. MOVED, to grant Andrew Manning, of the Detroit Edison Company, 3080 John R. a three (3) year renewal of relief of the landscaped berms required along the north, east and west property lines.

**ITEM #8 – RENEWAL REQUESTED. VERSATUBE CORPORATION, 4755 ROCHESTER,** for relief of the 6' high masonry-screening wall required along the north and west property lines where the property abuts residentially zoned property.

SUGGESTED RESOLUTION. MOVED, to grant Versatube Corporation, 4755 Rochester, a three (3) year renewal of relief of the 6' high masonry-screening wall required along the north and west property lines where the property abuts residentially zoned property.

### **POSTPONED ITEMS**

**ITEM #9 – VARIANCE REQUESTED. INDEPENDENT BANK, 5950 ROCHESTER,** for relief of the required 6' high masonry screening wall required along the south and east property lines where this property abuts residentially zoned property.

**ITEM #10 – VARIANCE REQUESTED. OSPREY, LTD, 2701 TROY CENTER,** for relief of the 6' high masonry screening wall required along the north property line where this property abuts residentially zoned property.

**ITEM #11 – VARIANCE REQUESTED. DAVID DONNELLON OF THE CHOICE GROUP, 4254 BEACH,** for relief of the Ordinance to split an existing parcel from its Beach Road frontage.

**ITEM #12 – VARIANCE REQUESTED. LISA HIGH OF CDPA ARCHITECTS, 1639 E. BIG BEAVER (PROPOSED ADDRESS),** for relief of the Ordinance to construct a new building for the Suma Medical Center that will result in only 9,176 square feet of landscaping, where Section 39.70.02 and Section 39.70.04 require 14,738 square feet of landscaping.

## **PUBLIC HEARINGS**

**ITEM #13 – VARIANCE REQUESTED. RUSSELL D. LONG, 1071 NORWICH,** for relief of the Ordinance to remove a carport and construct an attached garage, which would result in a 5' side yard setback where Section 30.10.04 requires a 10' minimum side yard setback and a 26' front yard setback where 30' is required.

**ITEM #14 – VARIANCE REQUESTED. MICHAEL CAMERON, MICHAEL'S CARPENTRY & BUILDING, REPRESENTING DAMON FRISCH, 2910 LANERGAN,** for relief of the Ordinance to construct an addition that will result in a 27.3 front yard setback where 40' is required by Section 30.10.02.

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**2. RESOLVED**, that Items #3 through #8 (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. PSI Holdings, 2525 Crooks. Petitioner is requesting renewal of relief granted by this Board to have a six-foot high wood fence along the west and south property line where it abuts residential zoned property. This relief was originally granted in 1983, primarily because there already was a six-foot high wood fence along the property line and the petitioner would have to remove a number of established trees in order to install the wall. This item last appeared before this Board in August 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 the request of PSI Holdings, Inc. 2525 Crooks Road, a three (3) year renewal of their variance for relief of the 6' high masonry-screening wall required along the west and south property line where it abuts residential zoned property.

- There is an existing 6' high fence at this location.
- Conditions remain the same.
- There are no complaints or objections on file.

4. MG Acquisitions, 2555 Crooks. Petitioner is requesting renewal of a variance granted by this Board for relief of the 6' high masonry screening-wall required along the west property line of their site that abuts residential property. This relief was originally granted in 1984 based on the fact that a wood fence from the Somerset Apartment complex currently screens the property. This item last appeared before this Board in August 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 the request of MG Acquisitions, 2555 Crooks Road, a three (3) year renewal of their variance for relief of the 6' high masonry-screening wall required along the west property line.

- There is an existing 6' high fence at this location.
- Conditions remain the same.
- There are no complaints or objections on file.

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5. Crooks Office, LLC, 2585 Crooks. Petitioner is requesting renewal of a variance granted by this Board to maintain a 6' high stockade fence in lieu of the decorative masonry screening-wall required along the west property line of their site that abuts residential zoned property. This relief was originally granted in 1981 based on the fact that the stockade fence existed and was originally constructed by the Somerset Apartment complex and is in the residential zoning to the west. This item last appeared before this Board in August 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 the request of Crooks Office L.L.C., 2585 Crooks Road, a three (3) year renewal of relief granted by this Board to maintain a 6' high stockade fence in lieu of the decorative masonry screening-wall required along the west property line of their site that abuts residential zoned property.

- There is an existing 6' high fence at this location.
- Conditions remain the same.
- There are no complaints or objections on file.

6. Oak Manor, Inc. 2316 John R. Petitioner is requesting renewal of relief granted by this Board of the requirement for a 4'-6" high masonry screening-wall along the east and south areas of their parking lot where they are adjacent to residential zoned property. This relief was originally granted in September 1985 based on the fact that the wall would serve no useful purpose in this area. The property to the east is an apartment complex and the property to the south is a church. This item last appeared before this Board in August 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 the request of Oak Manor, Inc., 2316 John R., a three (3) year renewal of relief granted by this Board of the requirement for a 4'-6" high masonry screening-wall along the east and south areas of their parking lot where they are adjacent to residential zoned property.

- Adjacent properties are used for non-single family residential uses.
- Conditions remain the same.
- There are no complaints or objections on file.

7. Andrew Manning, Detroit Edison, 3080 John R. Petitioner is requesting renewal of a three (3) year variance for relief of the landscaped berms required along the north, west and east property lines. This variance was originally granted in September 1992, based on the fact that a number of mature established trees that currently provide adequate screening would have to be removed in order to install the berm. This item last appeared before this Board in August 2002 and was granted a three (3) year renewal at that time. The southern portion of the property has now been sold, rezoned to the P-1

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7. Con't. (Vehicular Parking) zoning classification, and is being developed in conjunction with the adjacent day care facility. Other than that, the conditions remain the same and we have no objections or complaints on file.

SUGGESTED RESOLUTION. MOVED, to grant Andrew Manning, Detroit Edison, 3080 John R., a three (3) year renewal for relief of the landscaped berms required along the north, west and east property lines.

- There are several mature trees providing screening.
- Conditions remain the same.
- There are no complaints or objections on file.

8. Versatube Corporation, 4755 Rochester. Petitioner is requesting renewal of relief granted by this Board in regard to a 6' high masonry screening wall required along the north and west property lines of their site that abuts residential zoning. The Zoning Ordinance requires that a 6' high masonry-screening wall be provided at the zoning boundary. This Board has granted this relief since 1985. The Board granted relief allowing the petitioner to install an 8' high steel fence in lieu of the wall based on the fact that the fence suits the needs probably as well as, if not better, than the masonry wall. This item last appeared before this Board in July 2002 and was granted a three-year renewal. The property to the north is now zoned R1-T (One Family Attached) but remains vacant. Other than that, conditions remain the same and we have no complaints or objections on file.

SUGGESTED RESOLUTION. MOVED, to grant Versatube Corporation, 4755 Rochester a three (3) year renewal of relief of the 6' high masonry-screening wall required along the north and west property lines where the property abuts residentially zoned property.

- Conditions remain the same.
- There are no complaints or objections on file.

9. Independent Bank, 5950 Rochester. Petitioner is requesting renewal of relief of the 6' high masonry-screening wall required along the south and east property lines where it abuts residentially zoned property. These property lines abut a multiple-family residential development and relief was originally granted in 1977 based on the fact that a drain surrounded the area and there was a substantial brush growth that adequately screens the abutting residential land. This item last appeared before this Board in July 2005 and was postponed to allow the Building Department the opportunity to publish a Public hearing to consider this a permanent variance. That notice has been completed and the Public hearing has been scheduled for the August 2005 meeting.

10. Osprey LTD, 2701 Troy Center. Petitioner is requesting renewal of relief of the 6' high masonry-screening wall required along the north property line where it abuts residentially zoned property. This variance was originally granted based on the fact that the petitioner would install 280' of decorative metal fencing and landscaping along this

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10. Con't. - north property line that abuts a residential apartment complex. This item last appeared before this Board in July 2005 and was postponed to allow the Building Department the opportunity to publish a Public Hearing to consider this a permanent variance. That notice has been completed and the Public hearing has been scheduled for the August 2005 meeting.

11. David Donnellon, the Choice Group, 4254 Beach. Petitioner is requesting relief of the Ordinance to split an existing parcel from its Beach Road frontage. The site plan submitted indicates a split of this property from its Beach Road frontage and creating access to the property from the western end of the stub street Prestwick. This would result in the only street frontage for this property being the 55 feet at the end of Prestwick Drive. Section 30.10.02 requires that properties in the R-1B Zoning District have a minimum of 100' of frontage on a public street.

This item first appeared before this Board at the meeting of July 19, 2005 and was postponed at the request of the petitioner to allow him the opportunity to discuss other options with his client.

The Building Department has received a request from the petitioner to postpone this item until the meeting of October 18, 2005.

12. Lisa High, CDP Architects, 1639 E. Big Beaver (proposed address). Petitioner is requesting relief of the Ordinance to construct a new building for the Suma Medical Center. Section 39.70.04 requires that ten (10) percent of the net site area be developed as landscaped open space. This landscaping must be located in the front or side yard and must be in addition to the 10' green belt required by Section 39.70.02. The required landscaping for a site this size is 14,738 square feet. The site plan submitted indicates that only 9,176 square feet of landscaping is provided, making the site deficient 5,562 square feet.

This item first appeared before this Board at the meeting of July 19, 2005 and was postponed to allow the petitioner the opportunity of a full Board.

13. Russell D. Long, 1071 Norwich. Petitioner is requesting relief of the Ordinance to demolish an existing carport and construct a new attached garage. Section 30.10.04 requires a 10' minimum side yard setback and a 30' minimum front yard setback for homes in the R-1C Zoning District. The site plan submitted indicates the existing carport has a 5' side yard setback and a 31' front setback. The proposed attached garage would continue the 5' non-conforming side yard setback and is proposed to have a 26' front yard setback.

14. Michael Cameron representing Damon Frisch, 2910 Lanergan. Petitioner is requesting relief of the Ordinance to construct an addition at 2910 Lanergan. This house is a legal non-conforming structure. It has an existing 22.7' front yard setback where 40' is required per Section 30.10.02. The proposed addition on the east side of

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14. Con't. - the home would have only a 27.3' front yard setback. Section 40.50.04 prohibits expansions of non-conforming structures in a way that increases the non-conformity.