

AGENDA

**BOARD OF ZONING APPEALS
SEPTEMBER 20, 2005**

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

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES – MEETING OF AUGUST 16, 2005

RENEWAL ITEMS

ITEM #2 – APPROVAL OF ITEMS #3 THROUGH ITEM #5

ITEM #3 – RENEWAL REQUESTED. HANDLEMAN REAL ESTATE LLC, 500 KIRTS, for renewal of relief of the 6' high masonry-screening wall required along the west 606' of the northern property line where it abuts residential zoned property.

SUGGESTED RESOLUTION. MOVED, to grant Handleman Real Estate LLC, 500 Kirts, a three (3)-year renewal of relief of the 6' high masonry-screening wall required along the west 606' of the northern property line where it abuts residentially zoned property.

ITEM #4 – RENEWAL REQUESTED. F & R INVESTMENTS, 6050-6054 LIVERNOIS, for renewal of relief of the 6' high masonry-screen wall required along the north and east property lines where they abut residential zoned property.

SUGGESTED RESOLUTION. MOVED, to grant F & R Investments, 6050-6054 Livernois, a three (3)-year renewal of relief to have a 6' high wood fence in lieu of the 6' high masonry-screen wall required along the north property lines and relief of the 6' high wall along the east property line where the site abuts residential zoned property.

ITEM #5 – RENEWAL REQUESTED. ST. NICHOLAS GREEK ORTHODOX CHURCH, 760 W. WATTLES, for relief to provide a 4'-6" high landscaped berm in lieu of the 4'-6" high masonry screen wall required where the parking area abut residential zoned property.

SUGGESTED RESOLUTION. MOVED, to grant St. Nicholas Greek Orthodox Church, 760 W. Wattles, a three (3)-year renewal of relief to provide a 4'-6" high landscaped berm in lieu of the 4'-6" high masonry screen wall required where the parking area abut residential zoned property.

POSTPONED ITEMS

ITEM #6 – VARIANCE 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 the parking lot where this property abuts residential zoned property.

ITEM #7 – 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 #8 – VARIANCE REQUESTED. KRIS HULLIBERGER, 1289 BEATTIE, for relief of the Ordinance to construct an addition that will result in lot coverage of 30.71%, where Section 30.10.04 of the Zoning Ordinance limits the total lot area covered by buildings to 30%.

ITEM #9 – VARIANCE REQUESTED. MR. & MRS. RICHARD RESS, 2608 DEVONWOOD, for relief of the Ordinance to construct an addition and raised patio that will result in a 13.5' side yard setback to the proposed addition and a 10' side yard setback to the raise masonry patio. Section 30.10.01 requires a minimum 15' side yard setback in R-1A Zoning Districts.

ITEM #10 – VARIANCE REQUESTED. KIM CONNIFF, 2131 GULLIVER, for relief of the Ordinance to add a cantilevered bay off the rear of a house addition that is under construction, which will result in a 38.3' rear yard setback. Section 30.10.05 of the Zoning Ordinance requires a 40' rear yard setback in R-1D Zoning Districts.

AGENDA EXPLANATION

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2. RESOLVED, that Items #3 through #5 (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. Handleman Real Estate, 500 Kirts. Petitioner is requesting renewal of relief, granted by this Board, of the required 6' high masonry-screening wall along their northern property line where it abuts residentially zoned land. This relief was originally granted in 1984, based on the fact that the petitioner would be installing a berm with evergreen and deciduous plantings to screen the residential sites. A portion of the property to the north has been rezoned to the C-F zoning classification and therefore the renewal of relief is only required for the west 606 feet. This item last appeared before this Board in September 2002 and was granted a three (3) year renewal at that time. Other than the change of adjacent zoning the conditions remain the same and there are no complaints or objections on file.

SUGGESTED RESOLUTION. MOVED, to grant the request of Handleman Company, 500 Kirts, a three (3) year renewal of their variance for relief of the 6' high masonry-screening wall required along the west 606 feet of their northern property line where it abuts residentially zoned land.

- A berm with landscape is provided along the property line.
- Conditions remain the same.
- There are no objections or complaints on file.

4. F & R Investments, 6050-6054 Livernois. Petitioner is requesting renewal of relief granted by Board to have a 6' high wood fence in lieu of the 6' high masonry-screen wall required along the north property line and relief of the 6' high masonry screen wall along the east where the site abuts residentially zoned land. The Board originally granted this relief in 1989 when the second building was constructed. This item last appeared before this Board in September 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 F & R Investments, 6050-6054 Livernois, a three (3) year renewal of relief to have a 6' high wood fence in lieu of the 6' high masonry-screen wall required along the north property line and relief of the 6' high masonry screen wall along the east where the site abuts residentially zoned land.

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ITEM #4 – con't.

- There is existing vegetation along the east property line.
- Conditions remain the same.
- There are no objections or complaints on file.

5. St. Nicholas Greek Orthodox Church, 760 W. Wattles. Petitioner is requesting renewal of relief granted by this Board to provide a 4'-6" high landscaped berm in lieu of the 4'-6" high masonry-screen wall required along their parking areas which abut residential zoned property. This relief was originally granted in 1990 based on the fact that one side abuts a cemetery and the petitioner would install 4'-6" high landscaped berms. This item last appeared before this Board at the meeting of September 2002 and was granted a three (3)-year renewal at that time. Conditions remain the same and we have no complaints or objections on file.

SUGGESTED RESOLUTION. MOVED, to grant St. Nicholas Greek Orthodox Church, 760 W. Wattles, a three (3)- year renewal of relief to provide a 4'-6" high landscaped berm in lieu of the 4'-6" high masonry-screen wall required along their parking areas which abut residential zoned property.

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

6. Oak Manor, Inc., 2316 John R. Petitioner is requesting relief 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 2005 and was postponed in order for the Building Department to publish a Public Hearing to consider making this a permanent variance.

7. Lisa High, CDPA 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.

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ITEM #7 – con't.

This item last appeared before this Board at the meeting of August 17, 2005 and was postponed to allow the petitioner the opportunity to explore the possibility of an alternative plan indicating how much landscaping would be provided if the building were to be moved back 15'; or to show a revised plan displaying 11,867 square feet of landscaping with the E-P Zoned Section of the of property not taken into the landscape requirement. New plans have been submitted increasing the amount of landscaping to 12,499 square feet.

8. Kris Hulliberger, 1289 Beattie. Petitioner is requesting relief of the Ordinance to construct an addition to his home. The proposed addition would result in a 2,580 square foot structure on an 8,400 square foot lot. This calculates out to a building area covering 30.71% of the lot area. Section 30.10.04 of the Zoning Ordinance limits the total lot area covered by buildings to 30%.

9. Mr. & Mrs. Richard Ress, 2608 Devonwood. Petitioners are requesting relief of the Ordinance to construct an addition and raised patio on the rear of their home. Section 30.10.01 requires a 15' minimum side yard setback in R-1A Zoning Districts. The site plan submitted indicates a 13.5' side yard setback to the proposed addition and a 10' side yard setback to the raised masonry patio.

10. Kim Conniff, 2131 Gulliver. Petitioner is requesting relief of the Ordinance to construct a cantilevered bay to an existing residence. The site plan submitted indicates adding a cantilevered bay off of the rear of the house addition that is under construction, which will result in a 38.3' rear yard setback. Section 30.10.05 of the Zoning Ordinance requires a 40' rear yard setback in R-1D Zoning Districts.