

AGENDA

BOARD OF ZONING APPEALS
FEBRUARY 18, 2003

COUNCIL CHAMBERS
7:30 P.M.

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES MEETING OF JANUARY 21, 2003

RENEWAL ITEMS

ITEM #2 – APPROVAL OF ITEMS #3 AND #4

ITEM #3 – RENEWAL REQUESTED. JOSEPH SCHWARTZ, AMERICAN HOUSE HOLDINGS, 2300 GRAND HAVEN, for relief of the 4'-6" high masonry wall required along the north and east side of off-street parking where it is adjacent to residentially zoned land.

SUGGESTED RESOLUTION. To grant Joseph Schwartz, American House Holdings, 2300 Grand Haven, a three (3) year renewal of relief of the 4'-6" high masonry wall required along the north and east side of off-street parking where it is adjacent to residentially zoned land.

ITEM #4 – RENEWAL REQUESTED. ST. GEORGE ORTHODOX CHURCH, 2160 E. MAPLE, for relief to maintain a 5' high landscaped berm along the south and east property lines in place of the 4'-6" high masonry screening wall; and relief of the 4'-6" high masonry wall required along the west side of off-street parking where it is adjacent to residentially zoned land.

SUGGESTED RESOLUTION. To grant St. George Orthodox Church, 2150 E. Maple, a three (3) year renewal of relief to maintain a 5' high landscaped berm along the south and east property lines in place of the 4'-6" high masonry screening wall; and relief of the 4'-6" high masonry wall required along the west side of off-street parking where it is adjacent to residentially zoned land.

POSTPONED ITEMS

ITEM #5 – VARIANCE REQUESTED. MR. JACK FIELDS, REPRESENTING NINO SALVAGGIO MARKETPLACE, 6835 ROCHESTER, relief of the front yard setback to add a 30' deep by 170.5' wide outdoor storage and display area on the east side of the existing facility.

PUBLIC HEARINGS

ITEM #6 – VARIANCE REQUESTED. COVENANT BAPTIST CHURCH, 38505 DEQUINDRE, for relief of the 4-6” high masonry wall required adjacent to the north, south and west sides of off-street parking where it is adjacent to residentially zoned land.

ITEM #7 – VARIANCE REQUESTED. THE BHARATIYA TEMPLE, 6850 ADAMS, for relief to maintain a berm in lieu of the 4'-6” high masonry screening wall required where off-street parking abuts residential property and relief of the minimum number of trees required along South Boulevard.

ITEM #8 – VARIANCE REQUESTED. GOOD DEVELOPMENT LLC, 4755 ROCHESTER, for relief to construct an addition to an existing non-conforming industrial building and to have 31,953 square feet of landscaping where 49650 square feet are required.

ITEM #9 – VARIANCE REQUESTED. ST. MARK COPTIC ORTHODOX CHURCH, 3603-3615 LIVERNOIS ROAD, for relief to modify their previously approved site plan to eliminate a berm for the west 210' of the parking lot where the lot is adjacent to residential land.

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2. RESOLVED, that Items #3 and #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. Joseph Schwartz, 2300 Grand Haven. Petitioner is requesting renewal of a variance granted by this Board in 1997 for relief of the 4'-6" high masonry wall required along the north and east sides of the off-street parking area where it is adjacent to residentially zoned land. This variance was originally approved, based on the fact that there is more than adequate room between the parking area and drives and the adjacent residential property. This item last appeared before this Board at the meeting of February 2000 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 Joseph Schwartz, 2300 Grand Haven, a three (3) year renewal of relief of the 4'-6" high masonry wall required along the north and east sides of the off-street parking area where it is adjacent to residentially zoned land.

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

4. St. George Orthodox Church, 2160 E. Maple. Petitioner is requesting renewal of a variance granted by this Board since February 1993, which allowed for the construction of a 5' high landscaped berm, in lieu of the 4'-6" high masonry wall, along the south and east property lines, and relief of the 4'-6" high masonry wall required along the west property line. The relief was originally granted based on the fact that the property to the west is a non-residential use under the terms of a consent judgment and the neighbors to the south and east preferred a berm in lieu of a wall. This item last appeared before this Board at the meeting of March 2000 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. George Orthodox Church, 2160 E. Maple, a three (3) year renewal of relief to maintain a 5' high landscaped berm, in lieu of the 4'-6" high masonry wall, along the south and east property lines, and relief of the 4'-6" high masonry wall required along the west property line where the parking lot is adjacent to residentially zoned land.

- Property to the west is a non-residential use under the terms of a consent judgment.
- Neighbors on the east and the south prefer a berm in lieu of a wall.

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5. Mr. Jack Fields, Nino Salvaggio Marketplace, 6835 Rochester. Petitioner is requesting relief of the Zoning Ordinance to add a 30' deep by 170.5' wide outdoor storage and display area on the east side of the existing facility. This property is located in the B-2 (Community Business) zoning district. Section 21.30.04 of the Troy Zoning Ordinance requires that these types of display areas be setback from the property line equal to that required for buildings in the district. Section 30.20.05 of the Troy zoning ordinance requires a 75' front yard setback in the B-2 Zoning District. This facility was granted a variance in 1995 to have a 45' front yard setback to the property line along Rochester Road where a 75' setback was required. The site plan submitted indicates that this setback would be reduced to 15' with the new outdoor display area. This item last appeared before this Board at the meeting of January 21, 2003 and was postponed at the request of the petitioner.

6. Covenant Baptist Church, 38505 Dequindre. Petitioner is requesting relief of the 4'-6" high masonry wall required adjacent to the north, south and west sides of off-street parking. This Board on a yearly basis has granted this variance since December 1976 due to the fact that the adjacent land was undeveloped and the petitioner could install landscaping to screen the parking area. New residential subdivisions have now been constructed north and south of the site. This item appeared before this Board at the meeting of January 2000 and was granted a three (3) year renewal. In January 2003, a motion was made by this Board to hold a Public Hearing in order that this relief may be considered for a permanent variance.

7. The Bharatiya Temple, 6850 Adams Road. Petitioner is requesting relief to maintain a berm in lieu of the 4'-6" high masonry screening wall required where off-street parking abuts residential and relief of the minimum number of trees required along South Boulevard. This variance has been granted by this Board on a yearly basis since December 1990 mainly due to the fact that the location is far enough away from South Boulevard and already protected by a wooded area and pond. This item last appeared before this Board at the meeting of January 2000 and was granted a three (3) year renewal. In January 2003, a motion was made by this Board to hold a Public Hearing in order that this relief may be considered for a permanent variance.

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8. Good Development LLC, 4755 Rochester. Petitioner is requesting relief to construct an addition to the existing industrial building. The existing building has a side yard setback down to 0 feet on the south side of the building. Section 30.20.09 of the Ordinance requires a minimum side yard setback of 10' in the M-1 (Light Industrial) Zoning District. This building is classified as a legal non-conforming structure. Section 40.50.04 prohibits the expansion of a non-conforming structure.

In addition, Section 39.70.04 of the Troy Zoning Ordinance requires that at least 49,650 square feet of landscaping be provided for a site this size. The site plan submitted indicates that only 31,953 square feet of landscaping will be provided with the proposed addition.

9. St. Mark Coptic Church, 3603-3615 Livernois. Petitioner is requesting to modify their previously approved site plan. In accordance with action originally taken by the Board of Zoning Appeals in April of 1998, a berm was to be installed between the entire length of the parking lot and residentially zoned property to the south in lieu of a 4'-6" high masonry wall. The revised plan submitted eliminates the berm for the west 210' of the parking lot where the lot is adjacent to residential land that is a city park. The petitioners are asking for approval of this plan modification.