

AGENDA

BOARD OF ZONING APPEALS SEPTEMBER 17, 2003

COUNCIL CHAMBERS 7:30 P.M.

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES – MEETING OF AUGUST 19, 2003

POSTPONED ITEMS

ITEM #2 – VARIANCE REQUESTED. HARRY & SUNNIE KWON, 38921 DEQUINDRE, for relief of the required screen wall for a 35' long portion of the west property line where the property borders residential zoned property.

ITEM #3 – VARIANCE REQUESTED. DAN VAN HEMM, G.J. SLAGON & ASSOCIATES, 1000 JOHN R., for relief of the 6' high masonry-screening wall required along the east and south property lines.

PUBLIC HEARINGS

ITEM #4 – VARIANCE REQUESTED. MR. & MRS. JOHN MCCURDY, 121 HAMPSHIRE, for relief of the rear yard setback to construct a patio enclosure resulting in a 37' rear yard setback where 45' is required by Section 30.10.02.

ITEM #5 – VARIANCE REQUESTED. MR. & MRS. HELMUT WOELK, 4342 BEACH ROAD, for relief of the Ordinance to split their existing lot which would result in a lot that has 53.37' of frontage where 100' is required by Section 30.10.02.

ITEM #6 – VARIANCE REQUESTED. MR. & MRS. EDWARD MURPHY, 3851 WOODMAN, for relief of the rear yard setback to construct an addition to their home resulting in a 41.67' rear yard setback where 45' is required by Section 30.10.02.

ITEM #7 – VARIANCE REQUESTED. MS. KATHLEEN CASCIARELLI, 2226 PRESCOTT, for approval to maintain a gazebo as required by Section 40.57.10 of the Ordinance and to allow this accessory structure to be within 9'-4" of the main structure where a 10' minimum distance is required by and Section 40.57.05.

OTHER BUSINESS

ITEM #8 - PROPOSED ZONING ORDINANCE TEXT AMENDMENT, HEIGHT LIMITS FOR AMATEUR RADIO ANTENNAS.

AGENDA EXPLANATION

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2. Harry & Sunnie Kwon, 38921 Dequindre. Petitioners are requesting relief of the required screen wall for a 35' long portion of the west property line where the property borders residential zoned property. This portion of the site has an underground pipeline easement, and the holder of the easement has denied permission to place the wall within their easement.

This item first appeared before this Board at the meeting of August 19, 2003 and was postponed to allow the petitioner the opportunity to supply a copy of the easement agreement for the Board to review. A copy of this agreement along with a letter from the Assistant City Attorney has been included in your packets.

3. G.J. Slagon & Associates, 1000 John R. Petitioner is requesting relief of the 6' high masonry-screening wall required along the east and south property lines. This relief has been granted since 1981 due to the fact that the easterly portion of the property line has a retention pond adjacent to it and the south property line abuts the parking lot for the senior citizen complex. This item last appeared before this Board at the meeting of August 2003 and was postponed to allow the petitioner the opportunity to be present. A letter from the petitioner is included in your packet.

4. Mr. & Mrs. John McCurdy, 121 Hampshire. Petitioners are requesting relief of the Ordinance to construct a patio enclosure at the rear of their home. The site plan submitted indicates a rear patio enclosure with a proposed 37' rear yard setback. Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoned Districts.

5. Mr. & Mrs. Helmut Woelk, 4342 Beach Road. Petitioners are requesting relief of the Zoning Ordinance to split their existing lot. Section 30.10.02 of the Zoning Ordinance requires 100 feet of frontage in the R-1B Zoning District. The site plan submitted indicates that one of the proposed two lots created would have not more than 53.57 feet of frontage on Beach Road.

6. Mr. & Mrs. Edward Murphy, 3851 Woodman. Petitioners are request relief of the rear yard setback to construct an addition to their home. The plans submitted indicate an addition across the rear of the home with a proposed 41'-6" rear yard setback. Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoning Districts.

7. Ms. Kathleen Casciarelli, 2226 Prescott. Petitioner is requesting relief of the Ordinance to be allowed to maintain a hot tub enclosure at 2226 Prescott. An inspection of the property indicates a hot tub enclosure has been constructed without first obtaining the required permits in the rear yard, 9'-4" from the back wall of the house. The Troy Zoning Ordinance defines this structure as a gazebo. Section 40.57.10 requires Board of Zoning Appeals approval for placement of gazebos and Section 40.57.05 prohibits placement of any accessory structure within 10' of the main building.

8. Proposed Zoning Ordinance Text Amendment, (ZOTA 180), Height Limits for Amateur Radio Antennas. The Planning Commission has reviewed and proposed changes to the criteria to height limits for amateur radio antennas. Although the Board of Zoning Appeals does not usually review and comment on Zoning Ordinance Text amendments, these changes are specific to the Zoning Board of Appeals criteria for hearing variance for such antennas.

The Planning Commission has asked that the Board of Zoning Appeals review these proposals and provide comments as to the effectiveness of these new proposals. Included in your packet is a copy of the proposed revisions recommended by the Planning Commission for changes to amateur radio antennas height limits.