

AGENDA

BOARD OF ZONING APPEALS NOVEMBER 18, 2003

COUNCIL CHAMBERS 7:30 P.M.

CALL TO ORDER

ROLL CALL

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

POSTPONED ITEMS

ITEM #2 - MR. JOHN POTVIN, 5648 CLEARVIEW DR., for relief of Section 30.10.02 to construct a family room addition, which would result in a 28' rear yard setback where 45' is required.

ITEM #3 - PAUL FLECK, 2805 RANIERI, for relief of Section 30.10.05 to construct a patio enclosure addition, which would result in a 26' rear yard setback where 40' is required.

ITEM #4 - MR. & MRS. DEWITT, 4871 RIVERS EDGE, for relief of Section 30.10.02 and Section 41.50.00 to construct a screened porch addition, which would result in a rear setback of 43'-2" to the wall where 45' is required, and a 42' minimum rear yard setback to the roof overhang where 42' is required.

ITEM #5 - JAMES HARRIS, 2888 BINBROOKE, for relief of Section 30.10.02 to construct a master suite addition on the west side of his home, which would result in a 6'-2" side yard setback where a minimum 10' minimum side yard setback is required.

PUBLIC HEARINGS

ITEM #6 – VARIANCE REQUESTED. FRANK ZIMMER, OF THE HONEY BAKED HAM COMPANY, 1081 E. LONG LAKE ROAD, for approval under Section 43.80.00 of the Zoning Ordinance to place two temporary storage containers outside for a period from December 10, 2003 through December 31, 2003.

ITEM #7 – VARIANCE REQUESTED. MR. & MRS. ROBERT ROOT, 4250 BUTTERNUT HILL, for relief of Section 30.10.01 and Section 40.50.04 to construct an addition to an existing legal non-conforming structure, which will result in a 36' setback where 40' is required.

OTHER BUSINESS

ITEM #8 – REQUEST FOR RECONSIDERATION. HARRY & SUNNIE KWON, 38921 DEQUINDRE, for reconsideration of denial of the variance for the required screen wall for a 35' long portion of the west property line where the property borders residential zoned property.

AGENDA EXPLANATION
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2. John Potvin, 5648 Clearview Dr. Petitioner is requesting relief of the Zoning Ordinance to construct a family room addition. The site plan submitted indicates a family room addition at the rear of the home with a proposed 28' rear yard setback. Section 30.10.02 requires a 45' minimum rear yard setback in R-1B Zoned Districts.

This item first appeared before this Board at the meeting of October 21, 2003 and was postponed to allow the petitioner the benefit of a full board.

3. Paul Fleck, 2805 Ranieri. Petitioner is requesting relief of the Ordinance to construct a patio enclosure addition on the rear of his home. The site plan submitted indicates a 26' rear yard setback to the proposed patio enclosure. Section 30.10.05 requires a 40' minimum rear yard setback in R-1D Zoning Districts.

This item first appeared before this Board at the meeting of October 21, 2003 and was postponed to allow the petitioner the benefit of a full board, as well as for the petitioner to explore the possibility of adding a smaller addition; and to demonstrate to the Board the reasons the addition must be placed in this location.

4. Mr. & Mrs. Robert Dewitt, 4871 Rivers Edge. Petitioners are requesting relief of the Ordinance to construct a screened porch addition at the rear of their home. The site plan submitted indicate a screened porch addition with proposed rear setbacks of 43'-2" to the wall and 40'-8" to the roof overhang. Section 30.10.02 requires a 45' minimum rear setback to the wall and Section 41.50.00 requires a 42' minimum rear yard setback to the roof overhang in the R-1B Zoning District.

This item first appeared before this Board at the meeting of October 21, 2003 and was postponed to allow the petitioner the benefit of a full board.

5. James Harris, 2888 Binbrooke. Petitioner is requesting relief of Section 30.10.02 of the Zoning Ordinance to construct an addition to his home. The site plan submitted indicates a master suite addition on the west side of the home resulting in a 6'-2" side yard setback on the west side and a total of both side yards of 23'-2". Section 30.10.02 requires a 10' minimum side yard setback and a total of both sides of 25' in a R-1B Zoning District.

This item first appeared before this Board at the meeting of October 21, 2003 and was postponed to allow the petitioner the opportunity to be present.

AGENDA EXPLANATION

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6. Frank Zimmer, of the Honey Baked Ham Company, 1081 East Long Lake. Petitioner is requesting approval under the Zoning Ordinance to place two temporary storage containers outside at 1081 E. Long Lake from December 10th through December 31, 2003. Section 43,80.00 of the Zoning Ordinance requires approval from the Board of Zoning Appeals to permit temporary buildings for permitted uses not to exceed two years.

7. Mr. & Mrs. Robert Root, 4250 Butternut Hill. Petitioners are requesting relief of the Ordinance to construct an addition to 4250 Butternut Hill. This lot is a double front corner lot. Therefore, Section 30.10.01 of the Zoning Ordinance requires a 40' front setback along both Butternut Hill and Pine Hill. The existing home has a 32.2' setback from the property line along Pine Hill. Due to the age of this home it would be classified as a legal non-conforming structure. The proposed kitchen/family room addition would continue the non-conformity with a 36' proposed front setback to Pine Hill. Section 40.50.04 prohibits expansions of non-conforming structures in a way that increases the non-conformity.

8. Harry & Sunnie Kwon, 38921 Dequindre. Petitioners are requesting reconsideration of a denial of relief of the required screen wall for a 35' long portion of the west property line where the property borders residential zoned property. The Board at their meeting in September of 2003 originally denied this request. We have included a letter from the petitioner as well as a copy of correspondence from the Assistant City Attorney regarding additional easement documents in this matter. If this item were approved for reconsideration, we would ask that you postpone final action until the meeting of December 16, 2003 so that we may send out new Public Hearing notices.