

AGENDA

**BOARD OF ZONING APPEALS
AUGUST 20, 2002**

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

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES – MEETING OF JULY 16, 2002

RENEWAL ITEMS

ITEM #2 – RENEWAL REQUESTED. MG ACQUISITIONS, 2555 CROOKS ROAD, for relief of the 6' high masonry screening-wall required along the west property line.

ITEM #3 – RENEWAL REQUESTED. CROOKS OFFICE L.L.C., 2585 CROOKS ROAD, for relief of the 6' high masonry screening-wall required along the west property line.

ITEM #4 – RENEWAL REQUESTED. OAK MANOR, INC., 2316 JOHN R., for relief of the 4'-6" high masonry screening-wall required along the east and south sides of off-street parking.

ITEM #5 – RENEWAL REQUESTED. VILLAGE GREEN MANAGEMENT CO. 2330-2488 JOHN R., VILLAGE GREEN OF TROY – EAST, for relief of the 4'-6" high masonry screening-wall required along the north property line and the northern 300' of the east property line.

ITEM #6 – RENEWAL REQUESTED. MICK BLUNDEN, DETROIT EDISON, 3080 JOHN R., for relief of the landscaped berm required along the north, west and east property lines.

ITEM #7 – RENEWAL REQUESTED. PSI HOLDINGS, INC., 2525 CROOKS, for relief of the 6' high masonry screening-wall required along the property lines adjacent to residential zoned property.

UNFINISHED BUSINESS

ITEM #8 – VARIANCE REQUESTED. MR. KENT MELLEBRAND, 1065 HARTLAND, for relief to construct a 576 square foot detached garage that would result in 896 square feet of accessory building where 600 square feet are permitted.

POSTPONED HEARINGS

ITEM #9 – VARIANCE REQUESTED. MAPLEWOOD COURT L.L.C., 440 E. MAPLE (PROPOSED ADDRESS), for relief to construct an 11,928 square foot multi-tenant light industrial building with parking in the front setback where a 50' landscaped front yard is required by Paragraph L of Section 31.30.00.

PUBLIC HEARINGS

ITEM #10 – VARIANCE REQUESTED. BENJAMIN TEPES, 2024 HARNED, for relief to construct an attached garage to a non-conforming structure.

ITEM #11 – VARIANCE REQUESTED. KIMBERLY TEKIP, 1183 HARTLAND, for relief to split a parcel of land into two lots in the R-1E Zoning District.

ITEM #12 – VARIANCE REQUESTED. FERNLEIGH DEVELOPMENT LLC, 3668 FERNLEIGH, 3682 FERNLEIGH, 3696 FERNLEIGH (PROPOSED ADDRESSES), for relief to construct three (3) single family homes on two existing 80' wide lots and one lot which is 82.92' wide.

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ACTION ON RENEWALS

RESOLVED, that Items #2 through #7 are hereby approved in accordance with the suggested resolutions printed in the Agenda Explanation.

Motion by

Supported by

2. MG Acquisitions, 2555 Crooks Road. 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 1999 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.

3. Crooks Office L.L.C., 2585 Crooks Road. 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 was existing and 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 1999 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.

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4. 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 September 1999 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.

5. Village Green Management, 2330-2488 John R. Petitioner is requesting renewal of relief granted by this Board to maintain a 5' high berm in lieu of a wall along the north property line and their northern 300' of the east property line where off-street parking abuts residential. The Zoning Ordinance requires a 4'-6" high masonry screening-wall at this location. This Board has granted this relief since 1990. This item last appeared before this Board in August 1999 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 Village Green Management, 2330-2488 John R., a three (3) year renewal for relief to maintain a 5' high berm in lieu of a wall along the north property line and their northern 300' of the east property line where off-street parking abuts residential.

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

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6. Mick Blunden, 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 September 1999 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 (Vehicular Parking) zoning classification, and is proposed to be used 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 the request of Mick Blunden, 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.

7. PSI Holdings, Inc., 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 September 1999 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.

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PUBLIC HEARINGS

8. Kent Mellebrand, 1065 Hartland. Petitioner is requesting relief to construct a 576 square foot detached garage that would result in 896 square feet of accessory building where 600 feet are permitted. This item first appeared before this Board at the meeting of June 18, 2002 and was postponed to allow the petitioner to explore the possibility of attaching this proposed garage to his home.

This item last appeared before this Board at the meeting of July 16, 2002. At that meeting no successful resolution was passed. As such it appears on this agenda as unfinished business for final action.

9. Maplewood Court L.L.C., 440 E. Maple (proposed address). Petitioner is requesting relief to construct an 11,928 square foot multi-tenant light industrial building with parking in the front setback where a 50' landscaped front yard is required by Paragraph L of Section 31.30.00.

This item first appeared before this Board at the meeting of July 16, 2002 and was postponed to allow the petitioner the opportunity of a full Board, and also to allow the petitioner to present the Board with an alternative plan concerning the north driveway. A revised plan showing a smaller building with a revised driveway location has been submitted and is included in your packet.

10. Benjamin Tepes, 2024 Harned. Petitioner is requesting relief to construct an attached garage. The site plan submitted indicates that the existing house has a 1.8' rear yard setback and 1.7' side yard setback. Section 30.10.05 requires a 40' rear yard setback, an 8' minimum side yard setback and a minimum 20' total for both side yard setbacks. The existing house is classified as a legal non-conforming structure. The proposed attached garage would expand the non-conformity with a 22' rear yard setback, a 6' side yard setback and a 7.7' total for both side yards. The expansions of the non-conforming structure are prohibited by Section 40.50.04.

In June 2002 a variance was granted to construct a detached garage in a side yard where a rear yard location is required. A new plan has been submitted revising the construction to make this an attached garage.

11. Kimberly Tekip, 1183 Hartland. Petitioner is requesting relief to split a parcel of land in the R-1E Zoning District. Section 30.10.06 of the Ordinance requires a minimum lot area of 7,500 square feet. The proposed lot split would result in two lots, each with an area of only 6,600 square feet.

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12. American Vintage Homes, 3668, 3682 & 3696 Fernleigh (proposed addresses). Petitioner is requesting relief to construct three (3) single-family homes on two existing 80' wide lots and a third lot which is 82.92' wide (as measured at the front setback line). These parcels are located in an R-1C Zoning District. Section 30.10.04 of the Zoning Ordinance requires an 85' minimum lot width in the R-1C Zoning District. In December of 2001 a split request was submitted and approved by the City Assessor's Office to split the property into the parcels currently shown. However the lots fail to meet the minimum lot width requirement. The petitioner is now applying for building permits for the three homes and those permits have been denied because of the width deficiency.