

AGENDA

**BOARD OF ZONING APPEALS
NOVEMBER 19, 2002**

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

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES, MEETING OF OCTOBER 15, 2002

RENEWAL ITEMS

ITEM #2 – APPROVAL OF ITEMS #3 THROUGH #6

ITEM #3 – RENEWAL REQUESTED. BLOOMFIELD MANAGEMENT COMPANY, 1100-1170 E. BIG BEAVER, for relief to permit parking in the front yard setback of an industrial site.

SUGGESTED RESOLUTION. To grant Bloomfield Management Company, 1100-1170 E. Big Beaver, a three-year (3) renewal of relief to permit parking in the front yard setback of an industrial site.

ITEM #4 – RENEWAL REQUESTED. COLEMAN'S WRECKING SERVICE, 1871 BIRCHWOOD, for relief to maintain a 7' high obscuring fence in lieu of the 6' high masonry-screening wall along Birchwood.

SUGGESTED RESOLUTION. To grant Coleman's Wrecking Service, 1871 Birchwood, a three (3) year renewal for relief to maintain a 7' high obscuring fence in lieu of the 6' high masonry screen wall along Birchwood.

ITEM #5 – RENEWAL REQUESTED. SCHENCK-PEGASUS, 2890 JOHN R., for relief of the 6' high masonry-screening wall required along the east and a portion of the north property line.

SUGGESTED RESOLUTION. To grant Schenck-Pegasus, 2890 John R., a three (3) year renewal of relief of the 6' high masonry-screening wall required along the east and a portion of the north property line.

ITEM #6 – RENEWAL REQUESTED. WILLIAM D. WELCH, HOLLYWOOD MARKETS, 2670 W. MAPLE, for relief of the 6' high masonry-screening wall required along the north property line where it abuts residential zoning.

ITEM #6 – con't.

SUGGESTED RESOLUTION. To grant William D. Welch, Hollywood Markets, 2670 W. Maple, a three (3) year renewal of relief of the 6' high masonry-screening wall required along the north property line where it abuts residential zoning.

PUBLIC HEARINGS

ITEM #7 – VARIANCE REQUESTED. ANTHONY TISLER, 854 BROOKLAWN, for relief of the side yard setback to remove and replace an existing carport with a larger attached garage having a 3.5' side yard where 10' is required.

ITEM #8 – VARIANCE REQUESTED. BRYAN MONAGHAN, SCHNELZ, WELLS, MONAGHAN & WELLS, REPRESENTING NEXTEL WEST CORPORATION, 6966 CROOKS ROAD, for relief of the Zoning Ordinance to construct a 100' tall monopole tower with a 100' setback to residential property where a 500' setback to residential property is required for a 100' tower.

ITEM #9 – VARIANCE REQUESTED. BOYS AND GIRLS CLUB OF TROY, 3670 JOHN R. (PROPOSED ADDRESS), for relief to the Zoning Ordinance to construct a new community recreation facility with parking located at the rear property line where the ordinance requires a 50' setback of the parking lot from adjacent residentially zoned property. They are also asking for relief of the required 4'-6" high masonry screen wall required along the east property line between the parking lot and the adjacent residentially zoned property.

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ITEM #2 – APPROVAL OF ITEMS #3 THROUGH #6

3. Bloomfield Management Company, 1100-1170 E. Big Beaver. Petitioner is requesting renewal of a variance granted by this Board to locate parking within the front yard setback of an M-1 Zoned site. This variance was originally granted in 1973 because of the large open drain that runs through the back of the site, preventing the installation of parking in the usual rear yard location. This item last appeared before this Board in 1999 and was granted a three (3) year renewal. Conditions remain the same and we have no objections or complaints on file.

SUGGESTED RESOLUTION. MOVED, to grant Bloomfield Management Company, 1100-1170 E. Big Beaver, a three-year (3) renewal of relief to permit parking in the front yard setback of an industrial site.

- The large drain on the site creates a practical difficulty in that it does not permit parking in the usual rear yard location.
- Conditions remain the same.
- We have no objections or complaints on file.

4. Coleman's Wrecking Service, 1871 Birchwood. Petitioner is requesting renewal of relief granted by this Board to screen an outdoor storage area with a 7' high obscuring fence in lieu of the normally required 6' high masonry screen wall. This Board has granted this variance on a yearly basis since 1986. This item last appeared before this Board in November 1999 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 Coleman's Wrecking Service, 1871 Birchwood, a three (3) year renewal for relief to maintain a 7' high obscuring fence in lieu of the 6' high masonry screen wall along Birchwood.

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

5. Schenck-Pegasus, 2890 John R. Petitioners are requesting relief granted by this Board of the 6' high masonry screen wall required along the east property line and a portion of the north property line where their site abuts residential zoning. This relief has been granted on a yearly basis since 1969 primarily due to the fact that the residential land at the east end of their site is undeveloped and owned by the petitioner as well as the fact that the land to the north, although residentially zoned, is controlled by consent judgment and is in fact a portion is developed as an office development. This item last appeared before this Board at the meeting of November 1999 and was granted a three (3) year renewal at that time. Conditions remain the same and we have no complaints or objections on file.

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ITEM #5 – con't.

SUGGESTED RESOLUTION. MOVED, to grant Schenck-Pegasus, 2890 John R., a three (3) year renewal of relief of the 6' high masonry-screening wall required along the east and a portion of the north property line.

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

6. William D. Welch, Hollywood Markets, 2670 W. Maple. Petitioner is requesting relief of the 6' high masonry-screening wall required along the north property line where it abuts residential zoning. This relief has been granted, by this Board, on a yearly basis since 1976 primarily due to the fact that the property to the north is a Michigan Bell telephone utility site, which is permitted use in a residential zoning district. This item last appeared before this Board at the meeting of November 1999 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 William D. Welch, Hollywood Markets, 2670 W. Maple, a three (3) year renewal of relief of the 6' high masonry-screening wall required along the north property line where it abuts residential zoning.

- Conditions remain the same.
- We have no complaints or objections on file.

7. Anthony Tisler, 854 Brooklawn. Petitioner is requesting relief of the Zoning Ordinance to remove and replace a carport with an attached garage. The site plan submitted indicates a 3.5' legal non-conforming side yard setback to the existing house and carport. Section 30.10.04 requires a 10' minimum side yard setback in the R-1C Zoning District. The application submitted proposes replacing the 16' wide carport with a 28' wide garage, continuing the 3.5' side yard setback an additional 12'. Section 40.50.04 prohibits expansions to legal non-conforming structures in a way that increases its non-conformity.

8. Bryan Monaghan, 6966 Crooks Road. Petitioner is requesting relief of the Zoning Ordinance to construct a 100' tall monopole tower. The adjacent property to the east is located in the R-1B (One Family Residential) Zoning District and the property located 208' south of this site is in the REC (Residential Elder Care) Zoning District. Paragraph E of Section 24.30.05 of the Troy Zoning Ordinance requires that freestanding communication towers be located no less than a distance five times their height from residentially zoned property. In the case of a 100' tower this would require a 500' setback. This tower is proposed to be located 100' from the east property line and 310' from the residential property to the south.

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9. Boys & Girls Club of Troy, 3670 John R. (proposed address). Petitioner is requesting relief of the Zoning Ordinance to construct a new community recreation facility at 3670 John R. (proposed address). This property is located in the R-1C Zoning District. Paragraph C of Section 10.30.07 requires that a 50-foot wide landscape area be maintained in any yard adjacent to residential districts. The plans submitted indicate parking in the rear yard adjacent to the residential property (Barnard Elementary School) to the east. In addition, Paragraph E of Section 10.30.07 requires a 4'-6" high masonry screen wall be provided along parking areas adjacent to residential land. No such wall is shown along the east property line where the parking lot is adjacent to the residential land (Barnard Elementary School).