

AGENDA

**BOARD OF ZONING APPEALS
MARCH 20, 2001**

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

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES OF MEETING OF FEBRUARY 20, 2001.

RENEWALS

ITEM #2 - RENEWAL REQUESTED. KMART, 100 E. MAPLE, for relief to display and sell flowers and plants in a designated area.

TABLED ITEMS

ITEM #3 – VARIANCE REQUESTED. MR. PETRE GHIRAN, 4155 LIVERNOIS, for relief of the Zoning Ordinance to construct an attached garage in the front setback along Carter and Livernois.

ITEM #4 – VARIANCE REQUESTED. MR. DAVID DONNELLON, DONNELLON SWARTHOUT ASSOICATES, REPRESENTING THE CHOICE GROUP, WEST WATTLES AND FINCH ROAD, for relief of the Zoning Ordinance to construct a residential townhouse development with 33 feet between buildings where 40 feet is required.

PUBLIC HEARINGS

ITEM #5 – VARIANCE REQUESTED. MR. WILLIAM ECKSTEIN, 4264 ALLEGHENY, for relief of the rear yard setback to construct a family room addition.

ITEM #6 – VARIANCE REQUESTED. MR. ADAM PACHANA, 6787 LOCUST, for relief of the Zoning Ordinance to maintain an existing non-conforming addition that is located 7.4' from the side property line.

ITEM #7 – VARIANCE REQUESTED. MS. ELIZABETH MICHEL, 3052 OAKHILL, for relief of the Zoning Ordinance to construct a garage addition.

AGENDA EXPLANATION

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2. K Mart, 100 E. Maple. Petitioner is requesting renewal of a variance granted by this board which allows for outdoor display in front of K-Mart along the north side of the fenced area and a four-foot section of the sidewalk, at the west end of the building, adjacent to the building. The display is used for plants and flowers. This relief has been granted on a yearly basis since 1978 and the variance is valid during the months of April through July. This request has also been subject to the petitioner providing corral type fence to both enclose the area of the display and maintain a safe sidewalk at the same time. Conditions remain the same. We have no objections or complaints on file.

3. Mr. Petre Ghiran, 4155 Livernois. Petitioner is requesting relief of the Zoning Ordinance to construct an attached garage. This lot is a double front corner lot. As such, Section 30.10.02 of the Zoning Ordinance, requires a 40' front yard setback from both Livernois and Carter. The plans submitted indicate replacing an existing one-car garage with a proposed two-car garage resulting in front setbacks of 12' from the property line along Carter and 28' from the future right of way line along Livernois.

This item first appeared before the Board at the meeting of February 20, 2001, and was tabled to allow the petitioner the opportunity to explore other possibilities for the construction of this garage.

4. David Donnellon, representing Choice Development, Southeast corner of Finch Road and West Wattles. Petitioner is requesting relief of the Zoning Ordinance to construct a residential townhouse development at the southeast corner of Finch Road and Wattles Road. Paragraph 'O' of Section 30.30.00 of the Troy Zoning Ordinance requires a minimum distance of 40' between buildings in the R-1T (One-Family Attached Residential) Zoning District. The site plan submitted indicates that the buildings will be as close as 33' apart.

This item first appeared before the Board at the meeting of February 20, 2001 and was tabled to allow the petitioner the opportunity to explore other options in regards to the construction of these units. We have received a letter from the Petitioner stating that they are going to revise their plans to comply with the Ordinance and therefore wish to withdraw their request.

5. Mr. William Eckstein, 4264 Allegheny. Petitioner is requesting relief of the rear yard setback to construct a family room addition. Section 30.10.04 of the Zoning Ordinance requires a 40' minimum rear yard setback in the R-1C Zoning District. The plans submitted indicate a 25'-1" rear yard setback to the proposed addition.

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6. Mr. Adam Pachana, 6787 Locust. Petitioner is requesting relief of the Zoning Ordinance to maintain an existing non-conforming addition that is located 7.4' from the side property line. An addition was constructed on this house in 1998 without first obtaining a building permit. Surveys indicate that this addition is located as close as 7.4' from the east property line. Section 30.10.02 of the Zoning Ordinance requires a side yard setback of 10'. The petitioner is requesting relief in order to keep this addition with the non-conforming setback.

7. Ms. Elizabeth Michel, 3052 Oakhill. Petitioner is requesting relief of the Zoning Ordinance to construct a garage addition. Section 30.10.02 of the Zoning Ordinance requires a 10' minimum side yard setback and a total 25' setback for both side yards in the R-1B Zoning District. The site plan submitted indicates the construction of the proposed garage addition would result in a side yard setback on the west of 7'-6". Because of the existing 14.0' side yard setback on the east, and the requirement for a total of 25' of side yard setback, an 11.0' setback is required on the west side.