

AGENDA

BOARD OF ZONING APPEALS CITY COUNCIL CHAMBERS

TUESDAY, MAY 16, 2000
7:30 P.M.

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES, MEETING OF APRIL 18, 2000

RENEWALS

ITEM #2 – RENEWAL REQUESTED - SAN MARINO SOCIAL CLUB, 1685 E. BIG BEAVER, for relief of the 6' high masonry screening wall required along the north property line.

ITEM #3 - RENEWAL REQUESTED - BIG BEAVER UNITED METHODIST CHURCH, 3753 JOHN R., for relief to maintain a 4'6" high masonry wall along the north, east and west sides of off-street parking.

ITEM #4 - RENEWAL REQUESTED - BETHESDA ROMANIAN CHURCH, 2075 E. LONG LAKE, for relief of the 4'6" high masonry screening wall required along the east side of off-street parking.

ITEM #5 - RENEWAL REQUESTED - KEN RUONA, CLARK REFINING & MARKETING, INC., 3400 ROCHESTER ROAD, for relief to maintain a 6' high fence in place of the 6' high masonry screening wall required along the east and a portion of the north property line.

ITEM #6 - RENEWAL REQUESTED - FIRST UNITED METHODIST CHURCH, 6363 LIVERNOIS, for relief of the 4'6" high masonry screening wall required along the north, south and west property lines.

TABLED ITEMS

ITEM #7 - RENEWAL REQUESTED, PPG INDUSTRIES, 5875 NEW KING, for relief to maintain a berm in lieu of the 6' high masonry screening wall required along the west property line.

ITEM #8 - VARIANCE REQUEST, MR. MICHAEL BAILEY, 6806 DONALDSON, for relief of the Zoning Ordinance to have a total area of 1450 square feet of accessory buildings where 600 square feet is required.

ITEM #9 - VARIANCE REQUEST, JAMES & LINDA COULTER, 2161 HARNED, for relief of the Zoning Ordinance for the required lot width in the R-1D Zoning District.

PUBLIC HEARINGS

ITEM #10 - VARIANCE REQUEST, BRADLEY KLINTWORTH, LIBERTY PROPERTY TRUST, 2600 AND 2710 BELLINGHAM, for relief of the Zoning Ordinance to construct two new industrial buildings.

ITEM #11 - VARIANCE REQUEST, ROBERT CLAUSER, 2668 RENSHAW, for relief of the rear yard setback.

ITEM #12 - VARIANCE REQUEST, TCL GROUP, REPRESENTING MR. & MRS. KUNINMATSU, 926 BROOKLAWN, for relief of the sideyard setback.

ITEM #13 - VARIANCE REQUEST, JANICE KAY AUSTIN, 2540 MARCUS DR., for relief of the rear yard setback.

ITEM #14 - VARIANCE REQUEST, MR. AND MRS. JAMES NOHL, 1110 REDDING DR., for relief of the rear yard setback.

ITEM #15 - VARIANCE REQUEST, BEAUMONT SERVICES CO., L.L.C., 44201 DEQUINDRE, for relief of the Zoning Ordinance regarding setbacks.

ITEM #16 - VARIANCE REQUEST, HELEN KOPRINCE, 1610 CHARLEVOIS, for relief of the rear yard setback.

ITEM #17 - VARIANCE REQUEST, MARSHA BUTKOVICH, JEFFERY SCOTT ARCHITECTS, REPRESENTING ARBY'S, 1150 LIVERNOIS, for relief of the Zoning Ordinance to construct a drive-up service facility.

ITEM #18 - VARIANCE REQUEST, MICHAEL D. SCHIRA, REPRESENTING OMNIPOINT INVESTMENT, 3001 W. BIG BEAVER, for relief of the Zoning Ordinance to install nine (9) antennas on top of an existing building.

ITEM #19 - VARIANCE REQUEST, STEFAN PASCU, ON BEHALF OF ST. NICHOLAS ROMANIAN CHURCH, 5353 LIVERNOIS, for relief of the Zoning Ordinance to use a tent as a temporary building.

OTHER BUSINESS - Election of Officers for the year 2000-2001

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2. San Marino Social Club, 1685 E. Big Beaver. Petitioner is requesting renewal of a variance granted by this Board, for relief of the 6' high masonry-screening wall required adjacent to the residential zoned district to the north. This relief has been granted on a yearly basis since 1976, primarily due to the fact that the adjacent residential property is undeveloped and owned by the petitioner. In 1997, this Board granted a three-year renewal of this variance. Conditions remain the same, and we have no objections or complaints on file.
3. Big Beaver United Methodist Church, 3753 John R. Petitioner is requesting renewal of a variance granted by this Board in 1994 for relief of the 4'6" high masonry wall required along the north, east and west sides of off-street parking areas. Relief has been granted based on the fact that the wooded areas provide a natural screening and a variance would not cause an adverse effect to the properties in the immediate vicinity. In 1997, this Board granted a three-year renewal of this variance. Conditions remain the same, and we have no objections or complaints on file.
4. Bethesda Romanian Church, 2075 E. Long Lake. Petitioner is requesting renewal of a variance granted by this Board in May, 1998 for relief of the 4'6" high masonry wall required where parking abuts residential zoning on the east side of the property. That relief was granted based on the fact that the petitioner would put in a 4'6" high berm along the northern part of the east property line and provide sufficient plantings to screen the neighbors property. This Board granted a one-year renewal of this variance in 1999. Conditions remain the same, and we have no objections or complaints on file.
5. Ken Ruona, Clark Refining & Marketing, Inc., 3400 Rochester Road. Petitioner is requesting relief granted by this Board to main a 6' high fence in place of the 6' high masonry screening wall required along the east and a portion of the north property line. This variance has been granted on a yearly basis since 1985, based on the preference of the adjacent owners to have the wood fence and landscaping in lieu of the masonry wall. In 1993 this was again renewed for a three-year period. In 1996 and 1997 a one-year renewal was granted and in 1998, this Board granted a two-year renewal. Conditions remain the same and there are no new complaints or objections on file.
6. First United Methodist Church, 6363 Livernois. Petitioner is requesting relief granted by this Board in 1989 for relief of the 4'6" high masonry wall required along the north, south and west property lines. This request was originally approved based on the fact that the area had substantial screening to the south and to the west and no useful purpose would be served by strict enforcement of the ordinance. In 1997, this Board granted a three-year renewal of this variance. Conditions remain the same and we have no objections or complaints on file.

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7. PPG Industries, 5875 New King. 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 that abuts residential zoning. This relief was originally granted in 1988 based on the fact that the petitioner installed a berm in place of the wall and the adjacent property owners approved of the alternate screening. In April 1997, this Board granted a three-year renewal of this variance. Conditions remain the same and we have no objections or complaints on file. This item was tabled from our April 18, 2000 meeting to allow the petitioner the opportunity to be present.

8. Mr. Michael Bailey, 6806 Donaldson. Petitioner is requesting relief of the Zoning Ordinance to construct a detached garage at an existing residence. The site plan submitted indicates that the proposed construction would result in a total area of 1,450 square feet of accessory buildings. Section 40.57.04 limits the total area of all accessory building on a site to one half the ground floor area of the main building, or 600 square feet, whichever is greater. With a ground floor area of the main building of only 1187 square feet, the size of accessory buildings is limited to 600 square feet.

This item was tabled at our meeting of April 18, 2000 to allow the petitioner the opportunity to present an alternative plan to his neighbor to the south and to present a request for a smaller variance.

9. James & Linda Coulter, 2161 Harned. Petitioner is requesting relief of the Zoning Ordinance for the required lot width in the R-1D Zoning District. They are proposing to demolish a portion of an existing home and split the lot into 2 parcels. The site plan submitted indicates the split would result in a 90.65' wide lot and a 73' wide lot. Section 30.10.05 of the Zoning Ordinance requires lots have a 75' minimum width. In July 1998, petitioner had presented this item to the Board of Zoning Appeals, requesting a lot split that would have resulted in one lot being 63.95' wide. This request was denied. Petitioners have submitted a new application asking for relief for this larger (yet still deficient) lot width.

This item was originally brought to the Board in February 2000. This request was tabled for ninety (90) days to allow the petitioner and neighbor to meet with the Lake Association to determine alternatives for maintenance of the property.

10. Bradley Klintworth, Liberty Property Trust, 2600 and 2710 Bellingham. Petitioner is requesting relief of the Zoning Ordinance to construct two (2) new industrial buildings in an M-1(light industrial) Zoning District. The property located immediately east of this property is zoned R-M1 (multiple family residential). Section 39.10.01 of the Troy Zoning Ordinance requires a 6' high decorative masonry screening wall along the property line between an M-1 developed property and any adjacent residentially zoned property. The site plan submitted indicates a 6' high berm in lieu of this required wall.

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11. Robert Clauser, 2668 Renshaw Drive. Petitioner is requesting relief of the rear yard setback to construct an addition to an existing residence. The site plan submitted indicates a 32'-10" rear yard setback to the proposed addition. Section 30.10.04 requires a 40' minimum rear yard setback.

12. TCL Group, representing Mr. & Mrs. Kuninmatsu, 926 Brooklawn. Petitioner is requesting relief of the sideyard setback to remove the existing carport and construct a new garage on the front of their residence. The site plan submitted indicates a 6'-6" sideyard setback to the proposed garage addition. Section 30.10.04 of the Zoning Ordinance requires a 10' minimum sideyard setback.

13. Janice Kaye Austin, 2540 Marcus. Petitioner is requesting relief of the rear yard setback to construct a covered wood deck on the rear of an existing residence. The site plan indicates that the covered deck will result in a 30.5' setback to the rear property line. Section 30.10.06 of the Zoning Ordinance requires a 35' rear yard setback in the R-1E Zoning District.

14. James and Karen Nohl, 1110 Redding Dr. Petitioner is requesting relief of the Zoning Ordinance to construct an attached deck and gazebo at the rear of an existing residence. Section 30.10.02 of the Zoning Ordinance requires a 45' minimum rear yard setback to a covered or enclosed deck and a 30' setback to an uncovered deck in the R-1B Zoning District. The site plan submitted indicates a 28'-6" rear setback to the proposed gazebo.

15. Beaumont Services Co., LLC, 44201 Dequindre. Petitioner is requesting relief of the Zoning Ordinance to construct a six-(6) story parking structure addition, with the potential for an additional three-(3) stories in the future. The site plan submitted indicates that the proposed parking structure addition will be only 141.4' from the south property line. Section 18.25.02 (D) of the Zoning Ordinance requires that a six-story structure on this site be at least 280' from a perimeter property line and a nine-story structure must be 340' from a perimeter property line.

16. Helen Koprince, 1610 Charlevois. Petitioner is requesting relief of the Zoning Ordinance to construct a lattice wood roof over an existing deck. The site plan submitted indicates that the proposed construction would result in a 26.66' rear yard setback to the proposed deck arbor. Section 30.10.04 requires a 40' minimum rear yard setback to a covered or enclosed deck in the R-1C Zoning District.

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17. Marsha Butkovich, of Jeffery Scott Architects, representing Arby's restaurant, 1150 Livernois. Petitioner is requesting relief to construct a drive up service facility at an existing location. The site plan submitted indicates that this property is only .69 acres in size. Paragraph B of Section 21.30.02 of the Zoning Ordinance requires that restaurant sites with drive-up windows have a minimum site area of one acre.

This item was brought in front of the Board of Zoning Appeals in November 1988 but was withdrawn by the petitioner at that time due to the fact that they were going to try and purchase additional property.

18. Michael D. Schira, representing Omnipoint Investment, Inc., 3001 W. Big Beaver. Petitioner is requesting relief of the Zoning Ordinance to install a total of nine(9) new antennas on top of an existing building. This installation, along with other existing and potential antennas, would bring the total number of antennas to forty-eight (48). Section 40.57.08 limits the number of antennas that can be on a building to two (2) antennas for the first 20,000 square feet of gross building area with one antenna permitted for each additional 20,000 square feet of gross building area. Based on the square footage of the building, a total of seventeen (17) antennas are permitted.

This item was originally proposed to bring before the Board at the April 2000 meeting, however, the administration had withdrawn the request, due to a change in the request with respect to other antennas that the owner had lease agreements on. Our Department has now received the revised plans as well as a letter from the owner of the property, indicating approval of this revised plan.

19. Stefan Pascu, on behalf of St. Nicholas Romanian Orthodox Church, 5353 Livernois. Petitioner is requesting relief of the Zoning Ordinance to utilize a tent as a temporary building until May 1, 2001. A fire occurred at the existing church building on April 15, 2000 making it uninhabitable and the church addition, currently under construction, is not completed to the point where it may be occupied. Paragraph C, of Section 43.80.00 of the Zoning Ordinance allows the Board of Zoning Appeals to approve temporary buildings for permitted uses for periods not to exceed two years.