

AGENDA

BOARD OF ZONING APPEALS CITY COUNCIL CHAMBERS

TUESDAY, JUNE 20, 2000
7:30 P.M.

CALL TO ORDER

ROLL CALL

ITEM #1 – APPROVAL OF MINUTES, MEETING OF MAY 16, 2000

RENEWALS

ITEM #2 - RENEWAL REQUESTED – THE LUTHERAN CHURCH OF THE MASTER, 3333 COOLIDGE for relief to maintain a berm along the west side of off-street parking, in lieu of the required 4'6" high masonry screening wall.

ITEM #3 - RENEWAL REQUESTED – G.J. SLAGON & ASSOCIATES, 1000 JOHN R., for relief of the 6' high masonry screening wall required along the east and south property lines.

ITEM #4 - RENEWAL REQUESTED – TROY SCHOOL DISTRICT, 4777 NORTHFIELD PARKWAY, for relief of the 4'6" high masonry screening wall required along the west side of off-street parking.

ITEM #5 - RENEWAL REQUESTED – MR. DAN SMITH, REPRESENTING OLD KENT BANK, 2220 W. BIG BEAVER, for relief of the 6' high screening wall required between office and property that is zoned residential.

TABLED ITEMS

ITEM #6 - 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.

PUBLIC HEARINGS

ITEM #7 - VARIANCE REQUESTED – OFFICE PROPERTIES, L.L.C., 1555 E. BIG BEAVER (PROPOSED ADDRESS), for relief of the Zoning Ordinance to exceed allowable gross building area.

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- ITEM #8 - **VARIANCE REQUESTED – AL & PRISCILLA KING, ATLAS VENEER FIREPLACES, 2212 LIVERNOIS**, for relief of the 4'6" high masonry screening-wall required along the east property line.
- ITEM #9 - **VARIANCE REQUESTED – THE A.M.E. GROUP, INC., REPRESENTING WILLIAM E. FULLER TRUST, 1835 MAPLELAWN**, for relief of the front yard setback, required 10' greenbelt, and required landscape area.
- ITEM #10 - **VARIANCE REQUESTED – JERRY ELLENICH AND DAWN VILK, 5110 DANIELS**, for relief to expand a legal non-conforming setback and relief of the required front yard setback.
- ITEM #11 - **VARIANCE REQUESTED – MR. EDWARD KENDZIUK, REPRESENTING K MART CORPORATION, 3100 W. BIG BEAVER**, for relief of the Zoning Ordinance to re-stripe an existing parking lot with 9' wide parking spaces.
- ITEM #12 - **VARIANCE REQUESTED – MRS. BARBARA SHOEMAKER, 5691 LIVERNOIS**, for relief of the Zoning Ordinance of the rear yard setback.
- ITEM #13 - **VARIANCE REQUESTED – MR. PATRICK PISCOPO, 1369 E. WATTLES**, for relief of the Zoning Ordinance regarding minimum lot width.
- ITEM #14 - **VARIANCE REQUESTED – MR. AND MRS. CHALMERS SANDERS, 1300 ROTHWELL**, for relief of the rear yard setback.

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2. The Lutheran Church of the Master, 3333 Coolidge. Petitioner is requesting renewal of a variance granted, by this Board, for relief of the 4'6" high masonry-screening wall required along the west property line. In 1976 permanent relief was granted to allow a landscaped berm along approximately 80' of the property line as an obscuring element. In 1981 parking was increased and the Board allowed this berm to be extended. Relief of the berm extension had been granted on a yearly basis until 1997, at which time this Board granted a three-year variance, which is now up for renewal. Conditions remain the same and we have no objections or complaints on file.
3. G.J. Slagon & Associates, 1000 John R. Petitioner is requesting renewal of a variance granted, by this Board for relief of the 6' high masonry-screening wall required along the east and south property lines. The walls are required where this non-residentially zoned property abuts residential zoned property. This relief was originally granted in 1981, primarily due to the fact that the easterly portion of the property line has a retention pond adjacent to it and the south property line abuts the parking lot for the senior citizen complex. In 1997, this Board granted a renewal of three years for this variance. Conditions remain the same, and we have no objections or complaints on file.
4. Troy School District, 4777 Northfield Parkway. Petitioner is requesting renewal of a variance granted, by this Board , for relief of the 4'6" high masonry-screening wall along the west property line of the site, which abuts residential zoning. This relief was originally granted in July of 1988 based on the fact that this does not cause an adverse effect on properties in the immediate vicinity. This Board granted a three-year renewal of this variance in 1997. Conditions remain the same and we have no objections or complaints on file.
5. Mr. Dan Smith, representing Old Kent Bank, 2220 W. Big Beaver. Petitioner is requesting relief of the Ordinance to expand the parking area by 24 spaces onto the Detroit Edison Substation site. The Zoning Ordinance requires a 6' high screening wall between office and residential sites. In 1999 this Board granted a renewal of this variance for one year. Conditions remain the same and we have no objections or complaints on file. In October 1999, this Board also granted a three-year variance to Jack D. Christenson on the adjacent property at 2282 W. Big Beaver. Staff suggests that if this variance renewal is granted, that the renewal would be until October of 2002 so that the two variances would be heard together.

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6. Ken Ruona, Clark Refining & Marketing, Inc., 3400 Rochester Road. Petitioner is requesting relief granted by this Board 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. 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 variance 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. This item first appeared before the Board at the May 16, 2000 meeting and was tabled to allow the petitioner the opportunity to be present. Conditions remain the same and we have no complaints or objections on file.
7. Office Properties, L.L.C., 1555 E. Big Beaver (proposed address). Petitioner is requesting relief of the Zoning Ordinance to construct a new office building. The site plan submitted indicates that the proposed office building, located on a 3.373-acre site, would be 57,162 square feet. Section 24.70.01 limits the gross building area to 15,000 square feet per acre of land in the O-1 Office District. The proposed building would result in 16,947 square feet of building per acre of land.
8. Mr. and Mrs. Al King, Atlas Veneer Fireplace, 2212 Livernois. Petitioner is requesting relief of the Zoning Ordinance to maintain a metal fence in lieu of the 6' high masonry-screening wall required along the east property line where this commercial property abuts residentially zoned property. This Board originally granted this relief in 1983, primarily due to the fact that the petitioner owns the property to the east, which is undeveloped. In September and October 1999, this item appeared before the Board. This renewal was denied in October 1999, primarily due to the fact that the petitioner did not appear before the Board to represent the item. The petitioners have now filed a new application for variance.
9. The A.M.E. Group, representing the William E. Fuller, Trust, 1835 Maplawn. Petitioner is requesting relief of the Zoning Ordinance to construction an addition onto an existing building and to construct a new building at 1835 Maplawn. In 1983 this property was granted a variance to display (park) vehicles 25' from the front property line where Paragraph L of Section 31.30.00 requires parking 50' from the front property line. The parking lot in front of this building has since been illegally expanded to within 4' of the front property line. The petitioners are requesting relief to keep this illegal parking area. In addition, the petitioners are asking to be permitted to expand the parking area on the southern portion of their site at this 4' setback line. This will require a total of three variances. First, to be permitted to have a parking area within 4' of the front property line where 50' is required by Paragraph L of Section 31.30.00. Second, to be permitted a 4' greenbelt along a public street where a 10' greenbelt is required by Section 39.70.02. And finally, to have 6,390 square feet of landscaping on a site where Section 39.70.04 would require 10,625 square feet for a site this size.

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10. Jerry Ellenich and Dawn Vilk, 5110 Daniels. Petitioners are requesting relief of the Zoning Ordinance to construct additions onto an existing single family residence. The site plan submitted indicates that the existing structure has a 20.8' front yard setback. Section 30.10.02 requires a 40' minimum front setback in the R-1B Zoning District. The structure is therefore a legal non-conforming structure. The proposed second floor addition would continue this 20.8' front yard setback and a proposed first floor addition has only a 26' front yard setback. Section 40.50.04 of the Zoning Ordinance prohibits expansions of non-conforming structures.

11. Mr. Edward Kendziuk, representing Kmart Corporation, 3100 W. Big Beaver. Petitioner is requesting relief of the Zoning Ordinance to alter an existing parking lot. The site plan submitted indicates that the parking lot will be re-stripped utilizing 9'-0" wide parking spaces. Section 40.25.03 of the Zoning Ordinance requires parking spaces to be at least 9'-6" wide.

12. Barbara Shoemaker, 5691 Livernois. Petitioner is requesting relief of the Zoning Ordinance to split an existing single family homesite and construct a new single family residence on the resultant vacant parcel. The site plan submitted indicates that the resultant vacant lot would be only 11,500 square feet. Section 30.10.02 requires a minimum lot size of 15,000 square feet in the R-1B Zoning District. Also, the site plan submitted indicates that the proposed new residence would have a rear yard setback of 32'-8". The Zoning Ordinance requires a minimum 45' rear yard setback.

13. Mr. Patrick Piscopo, 1369 E. Wattles. Petitioner is requesting relief of the Zoning Ordinance to split an existing parcel of land and to construct a new home on the resulting vacant land. The site plan submitted indicates that the proposed lot split would result in a 78' wide lot for the existing house. Section 30.10.04 requires an 85' minimum lot width in the R-1C Zoning District.

14. Mr. and Mrs. Chalmers Sanders, 1300 Rothwell. Petitioners are requesting relief of the Zoning Ordinance to construct a sun room addition at the rear of an existing residence. The site plan submitted indicates a 34.4' rear yard setback to the proposed addition. Section 30.10.02 requires a 45' minimum rear yard setback in the R-1B Zoning District.