

## **AGENDA**

### **BOARD OF ZONING APPEALS COUNCIL CHAMBERS**

**AUGUST 15, 2000  
7:30 P.M.**

#### **CALL TO ORDER**

#### **ROLL CALL**

**ITEM #1 - APPROVAL OF MINUTES, JULY 18, 2000 MEETING**

#### **RENEWALS**

**ITEM #2 - RENEWAL REQUESTED. MI DEV AMERICA, INC. 600 WILSHIRE**, for relief of the 6' high masonry-screening wall required on the property abutting residential zoned property on the west side.

#### **TABLED ITEMS**

**ITEM #3 - VARIANCE REQUESTED. MS. HELEN KOPRINCE, 1610 CHARLEVOIS**, for relief of the rear yard setback for a covered deck.

**ITEM #4 - VARIANCE REQUESTED. MR. THOMAS RICHARDS, 2754 DOWNEY**, for relief of the side yard setback for an accessory structure.

**ITEM #5 - VARIANCE REQUESTED. MR. AFRAM K. YERMIAN, 5818 WILLOW GROVE**, for relief of the Zoning Ordinance to split an existing lot resulting in a non-conforming width.

**ITEM #6 - VARIANCE REQUESTED. MR. STEVE NEEPER, REPRESENTING MJC THE BUILDERS OFFICE, "SANDALWOOD SOUTH" CONDOMINIUM DEVELOPMENT**, for relief of the Zoning Ordinance regarding usable open space required in the front yard.

#### **PUBLIC HEARINGS**

**ITEM #7 - VARIANCE REQUESTED. ST. ELIZABETH ANN SETON CATHOLIC CHURCH, 280 E. SQUARE LAKE**, for relief of the 4'6" high masonry screening wall required where the parking lot abuts residential zoned property.

**ITEM #8 - VARIANCE REQUESTED. MR. RICHARD MEALEY, LOT NO. 6, 1735 EQUITY DRIVE (PROPOSED ADDRESS),** for relief of the 6' high masonry wall required at the front of the outdoor vehicle storage area and relief of the required gates to the vehicle storage area.

**ITEM #9 – VARIANCE REQUESTED. MR. MICHAEL TILLARD, 5761 HOUGHTEN,** for relief of the side yard setback for an attached garage addition.

**ITEM #10 – VARIANCE REQUESTED. MR. AND MRS. COWASJEE BILIMORIA, 4746 BRAMFORD,** for relief of the rear yard setback for an addition onto an existing residence.

**ITEM #11 – VARIANCE REQUESTED. WILLIAM NELSON, FIRE CHIEF CITY OF TROY, 4850 JOHN R. (PROPOSED ADDRESS),** for relief of the Zoning Ordinance regarding building height and a masonry screen wall.

**ITEM #12 – VARIANCE REQUESTED. OFFICE PROPERTIES, L.L.C., 1555 E. BIG BEAVER (PROPOSED ADDRESS),** for relief of the Zoning Ordinance to construct a new office building which would exceed the gross building area allowed per acre.

## AGENDA EXPLANATION

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**2. MI DEV AMERICA, INC. 600 WILSHIRE.** Petitioner is requesting relief of the 6' high masonry-screening wall required on the property abutting residential zoned property on the west side. The site has now been constructed and occupied and landscaping berms along the west property line have been completed. This Board originally granted this variance in 1996 and in August 1999 the variance was granted for one year. Other than that, conditions remain the same and we have no objections or complaints on file.

**3. Ms. 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.

Ms. Koprince first appeared before the Board on May 16, 2000. Her request was tabled for ninety (90) days to allow the petitioner the opportunity to approach her neighbors and work out a viable solution as there were five (5) written objections to her request. This time frame would also allow Ms. Koprince to contact the Homeowner Association for a variance to her deed restrictions.

**4. MR. THOMAS RICHARDS, 2754 DOWNEY.** Petitioner is requesting to allow a deck built without a building permit with a 0' side yard setback. The existing pool, with the newly constructed deck attached to it, are accessory structures by the definitions of the Zoning Ordinance. Section 40.57.05 of the Zoning Ordinance requires a 6' minimum setback from any accessory structure to a side or rear property line. The on-site inspection and permit application indicate the deck was constructed right up to the north property line.

This item originally appeared before the Board at the July 18, 2000 meeting and was tabled for thirty (30) days to allow the petitioner the opportunity to present his request before a full board.

The Building Department has received a written request to table this item until the meeting of September 19, 2000 due to the fact that the petitioner will be out of the country.

**5. Mr. Afram K. Yermian, 5818 Willow Grove.** Petitioner is requesting relief of the Zoning Ordinance to split an existing lot. The site plan submitted indicates that the resultant vacant parcel would have only 75' of frontage on Willow Grove. Section 30.10.04 of the Zoning Ordinance requires that lots in the R-1C Zoning District, not served by City sewer, have at least 120' of frontage.

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#### ITEM #5 (CON'T)

This item appeared before the Board at the July 18, 2000 meeting and was tabled for thirty (30) days to allow the petitioner the benefit of a full board, and to allow the petitioner to bring back to the Board the projected use of this property.

**6. Mr. Steve Neeper, representing MJC The Builders Office, "Sandalwood South" Condominium Development.** Petitioner is requesting relief of the Zoning Ordinance to construct a new condominium development. Section 12.60.02 of the Zoning Ordinance requires that an area equivalent to 70% of a required yard be developed as usable open space and be kept free of all vehicular uses. The proposed site plan indicates that only 60% of the front yard of one of the buildings, containing units 25 through 30, is in open space.

This item first appeared before the Board at the meeting of July 18, 2000 and was tabled for thirty (30) days to allow the petitioner the opportunity to present his request to a full board.

#### **7. ST. ELIZABETH ANN SETON CATHOLIC CHURCH, 280 E. SQUARE LAKE.**

Petitioner is requesting relief of the 4'6" high masonry screening wall required where the parking lot abuts residential zoned property. The site plan submitted indicates that the Church is proposing to provide a landscape block retaining wall for the first 3'0" in height, and leave the existing landscape screening in place along west property line of the northern portion of the parking lot and proposes that no wall be installed along the south property line.

**8. Richard Mealey, Lot No. 6, 1735 Equity Drive (proposed address).** Petitioner is requesting relief of the 6' tall masonry screening wall required at the front of the outdoor vehicle storage area and relief of the required gates at the vehicle storage area. The site plan submitted indicates that petitioner is proposing a landscaped screening wall of 6' tall evergreens in lieu of the 6' tall masonry screening wall and elimination of the gates completely.

**9. Michael Tillard, 5761 Houghten.** Petitioner is requesting relief of the Zoning Ordinance to construct an attached garage addition. The site plan submitted indicates a 5' side yard setback from the proposed garage addition to the north property line. Section 30.10.02 requires a 10' minimum side yard setback in the R-1B Zoning District.

**10. Mr. and Mrs. Cowasjee Bilimoria, 4746 Bramford.** Petitioner is requesting relief of the Zoning Ordinance to construct a dining room addition at the rear of an existing residence. The site plan submitted indicates that the proposed addition will result in a 36.7' rear yard setback. Section 30.10.04 requires a 40' minimum rear yard setback in the R-1C Zoning District.

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**11. William Nelson, Fire Chief, City of Troy, 4850 John R. (proposed address).**

Petitioner is requesting relief to construct a police/fire training facility. Section 30.30.03 of the Zoning Ordinance limits the height of buildings to two (2) stories and 25' in height in the C-F (Community Facilities) Zoning District. The site plan submitted indicates that the training tower portion of the facility is a total of four (4) stories and has a building height of 37'-3".

In addition, Section 39.10.01 of the Zoning Ordinance requires that a 4'6" high masonry screen wall be provided between off-street parking areas and adjacent residentially zoned property. The site plans submitted shows no wall is proposed along the north and east sides of the parking area.

**12. 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 55,124 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 16,343 square feet of building per acre of land.

A similar request resulting in a new building, which would be 16,947 square feet of building per acre of land, was heard and denied by this Board in June 2000.