

Standards for Non-Use Variances

1. Special or unique conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures or buildings in the same district.
2. A literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance; and that the variance is the minimum necessary.
3. The special conditions and circumstances do not result from the actions of the applicant.
4. The granting of the variance will be in harmony with the general purpose and intent of this ordinance.
5. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.
6. The spirit of this ordinance shall be observed, public safety secured and substantial justice done.

RECOMMENDED FORM FOR MOTIONS GRANTING
OR DENYING REQUESTS FOR DIMENSIONAL VARIANCES

MOVE TO GRANT THE VARIANCE REQUESTED:

- I. PRELIMINARY FINDINGS: The variance would:
- A. Not be contrary to public interest; and
 - B. Does not permit the establishment of a prohibited use within a zoning district; and
 - C. Does not cause an adverse effect to properties in the immediate vicinity or zoning district; and
 - D. Relates only to property described in the application for variance.

II. SPECIAL FINDINGS:

- A. The petitioner has any of the following practical difficulties:
- 1. No reasonable use can be made of the property; or
 - 2. Public health, safety and welfare would be negatively affected; or
 - 3. Conforming is unnecessarily burdensome. Variance is not excessive.

AND

- B. These practical difficulties result from the following unusual characteristics of the property:
- 1. (size – e.g.)
 - 2. (location – e.g.)
 - 3. (configuration – e.g.)

ALTERNATIVE TO A AND B

- C. The following significant natural features or resources would be destroyed:
- 1.
 - 2.
 - 3.

*This is a two stage motion. The first stage is to make all the findings under I. If you cannot make all the findings under I, you must deny the variance and state why

If all the preliminary findings are met under I, then you must make special findings under II. This requires that the petitioner demonstrate A(1) or A(2) or A(3) and B. If the purpose of the variance is to preserve natural features, only C applies under II. Therefore to grant a variance you need:

I (A) (B) (C) (D) + II (A) (B)

Or

I (A) (B) (C) (D) + II (C)

MOVE TO DENY VARIANCE REQUESTED

I. PRELIMINARY FINDINGS

- A. It would be contrary to public interest; or
- B. It would permit the establishment of a prohibited use as the principal use within a zoning district; or
- C. It causes an adverse effect to properties in the immediate vicinity; or
- D. Relates to property not described in the application for the variance.

(If any of the above, you must state the facts for the finding.)

OR

II. SPECIAL FINDINGS

- A. The petitioner has not demonstrated any practical difficulty; or
- B. The petitioner's problem or practical difficulties do not result from any unusual characteristics of the property because:
 - 1. They are the result of the proposed use and not the property – e.g.
 - 2. They are economic alone – e.g.
 - 3.

OR

- C. No significant natural features or resources are negatively affected.

RECOMMENDED FORM FOR MOTIONS GRANTING OR
DENYING REQUESTS TO EXPAND NONCONFORMING USES

MOVE TO GRANT EXPANSION OF NONCONFORMING USE:

I. PRELIMINARY FINDINGS: Expansion would

- A. Not be contrary to public interest; and
- B. Does not cause an adverse effect to properties in the immediate vicinity or zoning district; and
- C. Relates only to property described in the application for variance.

II. SPECIAL FINDINGS:

A. The petitioner has a hardship due to the following exceptional conditions applying to the property:

- 1. Expansion is necessary to implement the spirit of the ordinance because (state facts).

OR

- 2. Expansion is necessary to insure public safety because (state facts).

OR

- 3. Expansion is necessary to accomplish substantial justice because

AND

- B. Expansion is necessary for the preservation and enjoyment of substantial property rights possessed by the subject property because (state facts).

III. CONDITIONS:

Expansion is conditioned upon petitioner complying with all requirements of the City Code applicable to the subject use as if the use was in the proper zoning district.

MOVE TO DENY EXPANSION OF A NONCONFORMING USE:

I. PRELIMINARY FINDINGS:

- A. It would be contrary to the public interest because (state facts) or
- B. It would cause an adverse effect to properties in the immediate vicinity because (state facts) or
- C. Relates to property not described in the application for expansion.

OR

II. SPECIAL FINDINGS:

- A. The petitioner has not demonstrated a hardship;

OR

- B. The petitioner's problem or hardship does not result from exceptional conditions applying to the property because:
 - 1. The problem is the result of the proposed use – e.g.
 - 2. The problem is economic alone – e.g.

OR

- C. Expansion is not necessary for the preservation and enjoyment of substantial property rights possessed by the subject property because: (state facts).

ZONING ORDINANCE 43.73.00 EXPANSION OF NONCONFORMING USES OR STRUCTURES:

The intent of the Zoning Ordinance is to permit legal nonconforming structures or uses to continue until they are removed but not to encourage their survival. However, where literal enforcement causes unnecessary hardship, the Board may permit the expansion of nonconforming uses or structures if it makes specific findings that expansion is necessary to implement the spirit of the Ordinance, to insure public safety or accomplish substantial justice.

The Board may only grant the minimum variance necessary to relieve the hardship. A hardship justifying a variance under this section exists if:

- A. There are exceptional conditions applying to the property, and
- B. A variance is necessary for the preservation and enjoyment of substantial property rights possessed by the subject property, and it is not detrimental to the preservation and enjoyment of substantial property rights possessed by other properties in the vicinity or Zoning District.

The provisions of this Section do not apply, and the expansion of nonconforming uses is expressly prohibited if the uses on all abutting properties are within a use category different than that of the subject use. For the purpose of this Section, use categories are Residential/Special, Commercial, Office and Industrial.

If the Board grants an expansion of a nonconforming use or structure, it shall require to the fullest reasonable extent that all requirements of the City Code applicable

BOARD OF ZONING APPEALS

The Board of Zoning Appeals is a group of seven of your neighbors or peers appointed by City Council to pass judgment on requests for variances and other matters that are brought before them. A variance is a relaxation of the literal provisions of the Zoning Ordinance. Petitioners must indicate a hardship or practical difficulty running with the land that would warrant the granting of the variance.

PROCEDURE

The Board will hear the items in the order that they appear on the agenda. When an item is called, the Chairman will verify that the petitioner is present. Then the City Administration will summarize the facts of the case. The petitioner will then be given an opportunity to address the Board to explain the justification for the action requested.

After the petitioner makes their presentation, and answers any questions that the Board may have, the Chairman will open the Public Hearing. Any person wishing to speak on the request should raise their hand and when recognized by the Chairman, come up to the podium and sign in on the sheet provided. The speaker should identify themselves with name and address, indicate their relationship to the property in question (i.e. next door neighbor, live behind the property, etc.) and state whether they are in favor of or against the variance request and give reasons for their opinion. Comments must be directed through the Chairman. Comments should be kept as brief as possible and closely pertain to the matter under consideration. Only one person will be recognized by the Chairman to speak at one time.

At the conclusion of public comments the Chairman will close the Public Hearing. Once the Public Hearing is closed, no other public comment will be taken unless in response to a specific question by a member of the Board. The Board will then make a motion to approve, deny, or table (delay action) the request. In order for the request to pass a minimum of four votes for approval are needed. If the request is not granted, the applicant has the right to appeal the Board's decision to Oakland County Circuit Court.

INTRODUCTIONS

Chairman introduces staff and Board members. Suggest starting with Recording Secretary and go counterclockwise.



BOARD OF ZONING APPEALS
MEETING AGENDA
REGULAR MEETING

500 W. Big Beaver
Troy, MI 48084
(248) 524-3364
www.troymi.gov
planning@troymi.gov

David Lambert, Chair, and Michael Bartnik, Vice Chair
Glenn Clark, Kenneth Courtney, Donald L. Edmunds
William Fisher, A. Allen Kneale

January 18, 2011

7:30 P.M.

Council Chamber

1. ROLL CALL – Excuse Absent Members if necessary
2. APPROVAL OF MINUTES – December 21, 2010
3. POSTPONED ITEM
 - A. **VARIANCE REQUEST, CAMELIA SANDULACHE, 405 E. MAPLE** – In order to enlarge the existing building proposed to be used as a dental office: 1) A 16 foot variance from the required 20 foot side yard (east yard) setback, 2) An 11 foot variance from the required 30 foot yard front yard (west yard) setback, and 3) A 10 foot variance from the requirement that the proposed handicapped ramp be set back 20 feet from the west property line.
SECTIONS: 1) and 2) 30.20.01, 3) 41.45.00
4. HEARING OF CASES
 - A. **VARIANCE REQUEST, DAN IVANOVIC CONSTRUCTION, 5188 SERENA DRIVE** – In order to enlarge the attached garage, a 5 foot variance to the required 40 foot front yard setback.
SECTION: 30.10.01
 - B. **VARIANCE REQUEST, LOUIS PAULL, 1396 COUNTRY DRIVE** – In order to construct an uncovered patio structure, an 8 foot variance from the required 30 foot setback adjacent to Pine Way Road.
SECTIONS: 30.10.02 AND 41.45.00

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@troymi.gov or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

5. COMMUNICATIONS

6. PUBLIC COMMENT

7. MISCELLANEOUS BUSINESS

A. POLICY ON EXCUSING ABSENT MEMBERS – Postponed from December 21,
2010 Meeting

8. ADJOURNMENT

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The Board of Zoning Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on December 21, 2010, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present:

Michael Bartnik
Glenn Clark
Kenneth Courtney
Donald L. Edmunds
William Fisher
A. Allen Kneale
David Lambert

Also Present:

Paul Evans, Zoning and Compliance Specialist
Christopher Forsyth, Assistant City Attorney
Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF MINUTES

Resolution # BZA 2010-12-056

Moved by Clark
Seconded by Fisher

MOVED, To approve the November 16, 2010 Regular meeting minutes as printed.

Yes: All present (7)

MOTION CARRIED

3. HEARING OF CASES

A. **VARIANCE REQUEST, CAMELIA SANDULACHE, 405 E. MAPLE** – In order to enlarge the existing building proposed to be used as a dental office: 1) A 16 foot variance from the required 20 foot side yard (east yard) setback, 2) An 11 foot variance from the required 30 foot yard front yard (west yard) setback, and 3) A 10 foot variance from the requirement that the proposed handicapped ramp be set back 20 feet from the west property line.

ORDINANCE SECTIONS: 1) and 2) 30.20.01, 3) 41.45.00

Mr. Evans addressed the three setback variances individually with respect to location and zoning of adjacent properties. Mr. Evans said the item went before the Planning Commission at their November meeting, at which time no action was taken because the item required variances. Mr. Evans displayed the renderings provided by the applicant.

Arthur Kalajian, project architect, of 1871 Austin Drive, Troy, was present to represent the petitioner. Mr. Kalajian addressed the following:

- Nature, position and configuration of the site.
- Existing building square footage, grade level and dual frontage of corner lot.
- Building renovation and floor layout.
- ADA regulated ramp and access.
- Lighting.
- Zoning Ordinance requirements relating to parking, landscaping and stormwater.

Mr. Kalajian addressed concerns expressed by the neighboring property located at 415 E. Maple, relating to parking, traffic and trash removal. Mr. Kalajian said there would be minimal impact on the neighboring property with respect to parking. He said there is no shared parking agreement with the neighbor. Mr. Kalajian proposes to place a demountable precast curb in the parking area to impede cars from crossing onto the neighboring property. Mr. Kalajian said trash would be placed in a covered container behind a gate and removed on a weekly basis for curb pickup.

Petitioner Camelia Sandulache of 36669 Waltham Drive, Sterling Heights, was present. Dr. Sandulache said there would be four employees. She estimated the total number of people in the facility at any given time would be eight, four employees and four patients.

Mr. Bartnik complimented the architect on the aesthetics and location of the barrier free ramp.

Mr. Forsyth said the Board can consider the potential parking concern as far as practical difficulty is concerned and the impact it might have on the adjoining property.

PUBLIC HEARING OPENED

Richard Taubman of 32255 Northwestern Highway, Farmington Hills, was present to represent Dr. Sklar, the neighboring property located at 415 E. Maple. He addressed the size of the property in relation to its proposed use, the rectangular shape and non-uniqueness of the property, and the existing site and no variances sought at the time Dr. Sklar's facility was constructed. Mr. Taubman said the increase in traffic and overflow parking would impact his client. Mr. Taubman referred to Section 43.73.00 of the Zoning Ordinance that addresses expansion of nonconforming uses or structures. He asked that the Board deny the variance request, and to the extent that should a variance be granted, that the Board grant the minimum variance necessary to relieve the hardship, as stipulated in Section 43.73.00.

A short discussion followed on:

- Nonconforming structures.
- Rear property line in relation to 415 E. Maple.
- Lack of landscaping to screen parking lot view from 415 E. Maple.
- Parking lot design.

Mr. Forsyth stated the Board should make its decision based on the presentations provided tonight by both the petitioner and the adjacent neighbor at 415 E. Maple.

Alexandru Derecichei of Century 21 Realtors, 4820 Rochester Road, Troy, was present. Mr. Derecichei asked the Board to grant the request because the proposed use would positively impact the neighborhood and the City.

Chair Lambert noted there is no written correspondence on file.

PUBLIC HEARING CLOSED

Discussion followed on:

- Proposed parking; the proposal meets Zoning Ordinance requirements.
- Planning Consultant report; Site Access and Circulation – “The site will be accessed from two proposed entrances; one on Kirkton Avenue and a second, which will access the existing parking area for the adjacent office property to the east and north. This configuration is acceptable and provides adequate access to the small parking area in a challenging space.” The Board noted the current proposal would not provide for access to the adjacent office property without modifications to the adjacent office property’s sidewalk.

Resolution # BZA 2010-12-057

Moved by Bartnik

Seconded by Kneale

MOVED, To grant requested variances.

Preliminary Findings:

- The variances are not contrary to public interest.
- The variances do not permit the establishment of a prohibited use within a zoning district.
- The variances do not cause an adverse effect to properties in the immediate vicinity or zoning district.
- The variances relate only to property described in the application for variance.

Special Findings:

- Conforming is unnecessarily burdensome. Variances are not excessive.
- The practical difficulties result from the unusual characteristics of the property including (1) size; (2) location and (3) configuration. The 60’ x 122’ corner lot of a standard rectangular configuration is difficult or impossible for the petitioner to make any reasonable use of the premises.

Discussion on the motion on the floor.

Chair Lambert expressed concern to support the motion because the one variance relates to the potential impact on the neighboring property located at 415 E. Maple.

Mr. Courtney expressed concern with the proposed parking and the extension of a nonconforming building. He would prefer to table the item.

Mr. Clark expressed concern with the extension of a nonconforming building and the potential impacts on 415 E. Maple and residential characteristics of the neighborhood. He would prefer to table the item.

Mr. Bartnik expounded on the reasons to grant the variances. He addressed the surrounding zoning and uses and practical difficulties in relation to the configuration of the property. Mr. Bartnik stated the construction of any commercial building on this site would require approval of variances. He believes there would be minimal impact on the doctor’s property.

Discussion continued on:

- Site design.
- Floor design in relation to barrier free ramp.
- Landscaping.
- Parking layout/design.

Resolution # BZA 2010-12-058

Moved by Bartnik

Seconded by Clark

MOVED, To postpone the item to the January 18, 2011 Regular Meeting to provide the petitioner an opportunity to meet with the neighbor and come back to the Board with amenable revisions.

Yes: All present (7)

MOTION CARRIED

It was requested of the petitioner to address the proposed demountable precast curb in the parking lot area with the Planning Department and to research whether a cross access easement currently exists on the site.

5. COMMUNICATIONS

None.

6. PUBLIC COMMENT

There was no one present who wished to speak.

7. MISCELLANEOUS BUSINESS

A. **APPROVAL OF PROPOSED 2011 BOARD OF ZONING APPEALS MEETING SCHEDULE**

The 2011 Board of Zoning Appeals meeting schedule was reviewed and acknowledged by Board.

B. **POLICY ON EXCUSING ABSENT MEMBERS**

Mr. Evans introduced the item. He said there appears to be no legal requirement that absent members must be excused from attendance of a meeting, and asked the Board to consider removing that item from future agendas.

After a short discussion, it was the consensus of the Board to postpone this matter to the next meeting.

Chair Lambert asked that the item be placed on the January 18, 2011 agenda under Miscellaneous Business.

8. ADJOURNMENT

The Board of Zoning Appeals meeting adjourned at 8:56 p.m.

Respectfully submitted,

David Lambert, Chair

Kathy L. Czarnecki, Recording Secretary

3. POSTPONED ITEM

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SECTIONS: 1) and 2) 30.20.01, 3) 41.45.00

ZONING ORDINANCE 43.73.00 EXPANSION OF NONCONFORMING USES OR STRUCTURES:

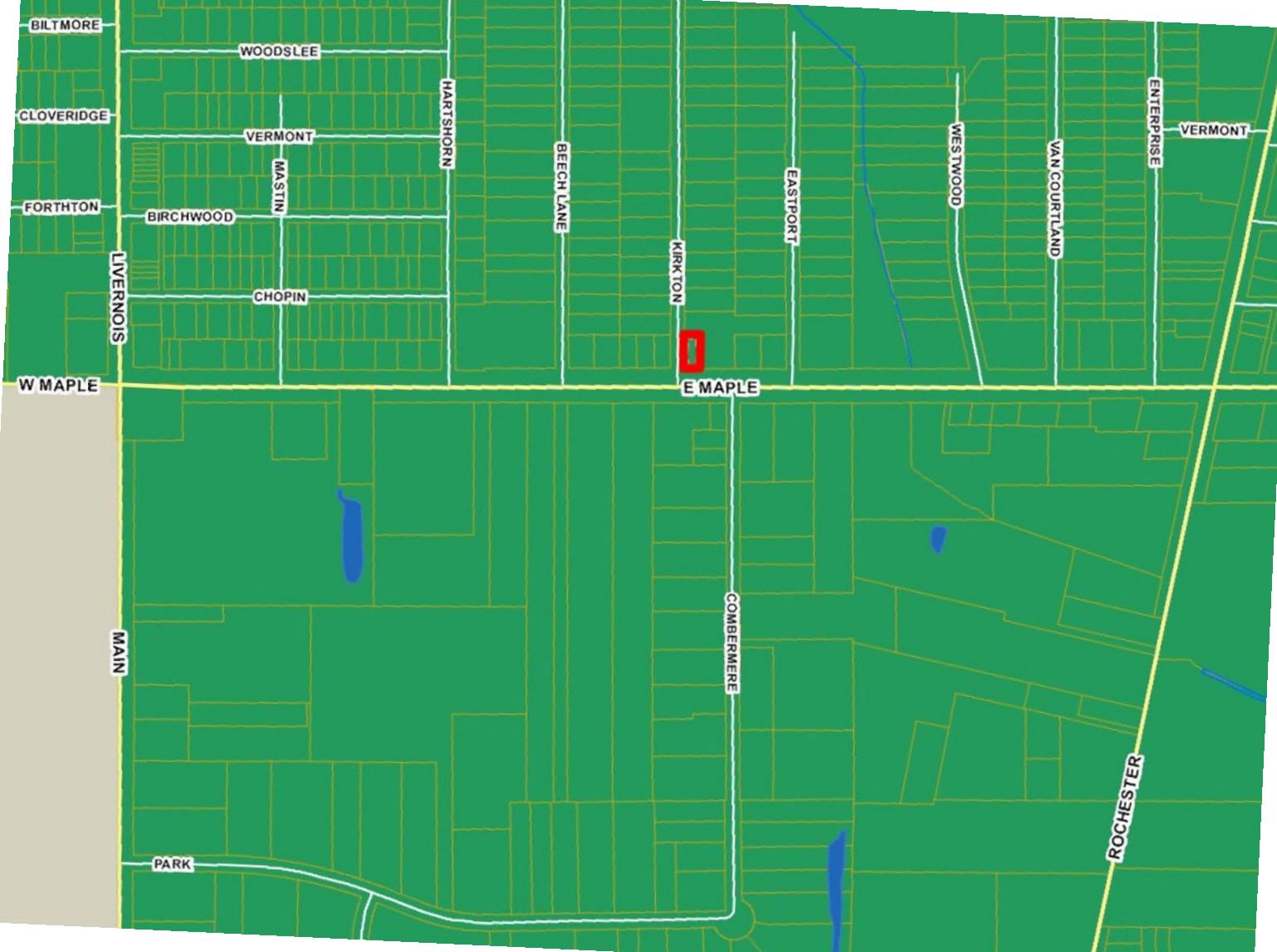
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BILTMORE

WOODSLEE

CLOVERIDGE

VERMONT

FORTHTON

BIRCHWOOD

MASTIN

CHOPIN

LIVERNOIS

W MAPLE

MAIN

PARK

HARTSHORN

BEECH LANE

KIRKTON

E MAPLE

COMBERMERE

EASTPORT

WESTWOOD

VAN COURTLAND

ENTERPRISE

VERMONT

ROCHESTER



1664

1653

1661

16

1633

343

369

395

415

405

435

455

E MAPLE

386

430

COMBERMERE

440

510

KIRKTON

EASTPORT



1664

(R-1E)

1653

1661

16

1633

415

EASTPORT

343

(O-1)

369

395

405

435

455

KIRKTON

E MAPLE

(M-1)

430

COMBERNE

386

440

510

CITY OF TROY

BOARD OF ZONING APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248- 524-3364
FAX: 248-524-3382
E-MAIL: planning@troymi.gov
<http://www.troymi.gov/Planning>



FILE NUMBER _____
LOCATION _____
REGULAR MEETING FEE (\$150.00) _____
VARIANCE RENEWAL (\$35.00) _____
SPECIAL MEETING (\$750.00) _____

NOTICE TO THE APPLICANT

REGULAR MEETINGS OF THE CITY BOARD OF ZONING APPEALS ARE HELD ON THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL.** PLEASE FILE A COMPLETE APPLICATION, WITH THE APPROPRIATE FEE, AT LEAST **TWENTY-SEVEN (27) DAYS BEFORE THE MEETING DATE.**

A COMPLETE APPLICATION THAT MEETS ZONING ORDINANCE REQUIREMENTS IS PLACED ON THE NEXT AVAILABLE AGENDA OF THE BOARD OF ZONING APPEALS.

1. ADDRESS OF THE SUBJECT PROPERTY: 405 E. MAPLE ROAD
LOT NO. 3 SUBDIVISION COUNCIL HEIGHTS
LOCATED ON THE NORTH SIDE OF (ROAD) MAPLE RD
BETWEEN ROCHESTER RD. AND LIVERNOIS RD.
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 88-20-27-378-018
3. ZONING ORDINANCE SECTIONS THAT ARE APPLICABLE TO THIS APPEAL: SECTION 30.20.00
MIN. YARD SETBACKS
4. REASONS FOR APPEAL: *On a separate sheet, please describe the reasons justifying the requested action.*
5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: UNKNOWN

6. APPLICANT INFORMATION:

NAME CAMELIA Sandulache
COMPANY All Macomb Dentistry
ADDRESS 15760 19 Mile Rd suite A
CITY Clinton Twp STATE MI ZIP 48038
TELEPHONE 1 586 412 1144
E-MAIL info @ Allmacombdentistry.com

7. RELATIONSHIP OF APPLICANT TO THE OWNER OF THE SUBJECT PROPERTY:

PENDING OWNER

8. OWNER OF SUBJECT PROPERTY:

NAME RONALD ROBOVITSKY
COMPANY _____
ADDRESS 2561 JUDAH RD.
CITY ORION STATE MI ZIP 48359
TELEPHONE 248-736-4116
E-MAIL _____

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto

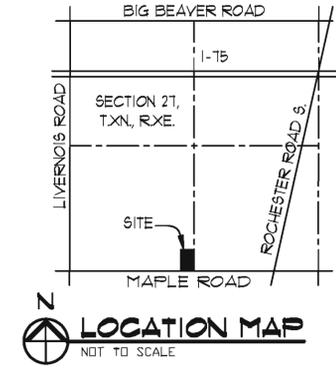
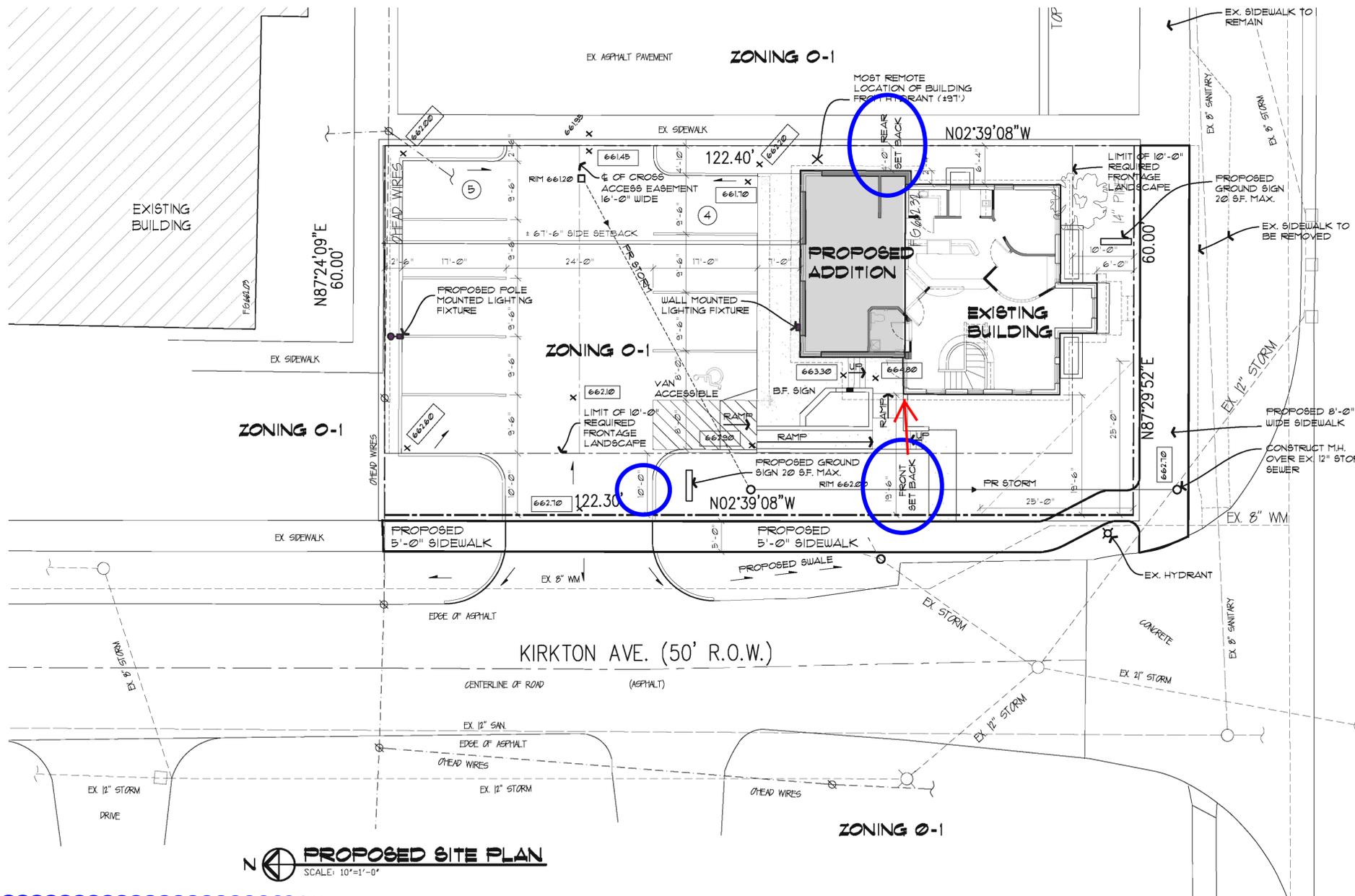
I, RONALD ROBOVITSKY (PROPERTY OWNER) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS.

SIGNATURE OF APPLICANT Camelia DATE 10-11-2010

PRINT NAME: Camelia Sandulache

SIGNATURE OF PROPERTY OWNER Ronald J. Robovitsky DATE 10-11-2010

PRINT NAME: RONALD J. ROBOVITSKY



LEGAL DESCRIPTION

LAND SITUATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN LOT, 3, SUPERVISOR'S PLAT OF LOTS 1 TO 8, 91 TO 95, 69 TO 14 AND 111 TO 128, ALL INCLUSIVE, COUNCIL HEIGHTS, AS RECORDED IN LIBER 92, PAGE 15 OF PLATS, OAKLAND COUNTY RECORDS.
 COMMONLY KNOWN AS : 405 E. MAPLE ROAD, MI 48063
 TAX I. D. 20-21-318-018

LEGAL DESCRIPTION

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 COMMONLY KNOWN AS : 405 E. MAPLE ROAD, MI 48063
 TAX I. D. 20-21-318-018

PROPOSED SITE PLAN
 SCALE: 10'-1"=0'

VARIANCES:
 EAST YARD SETBACK (BUILDING)
 REQUIRED: 20 FEET
 PROPOSED: 4 FEET
 VARIANCE: 16 FEET
 WEST YARD SETBACK (BUILDING)
 REQUIRED: 30 FEET
 PROPOSED: 19' (19'6" actual)
 VARIANCE : 11 FEET
 WEST YARD SETBACK (HANDICAP RAMP)
 REQUIRED: 20 FEET
 PROPOSED: 10 FEET
 VARIANCE: 10 FEET

GENERAL INFORMATION

MAX. BLDG. HT. ALLOWED 3 STORIES, 36' HIGH
 PROPOSED 1 STORY, 14'-6" AVG. HT.
 ZONING DISTRICT 0-1
 CONSTRUCTION TYPE Y B
SETBACKS
 FRONT
 REQ'D. 30'-0"
 PROVIDED: SOUTH SIDE (EXISTING) = 6'-0"
 WEST SIDE (EXISTING AND PROPOSED ADDITION) = 19'-6",
 REAR
 REQUIRED 20'-0"
 PROVIDED 6'-0" (EXISTING)
 4'-0" (PROPOSED ADDITION EAST SIDE
SIDES
 REQUIRED 20'-0"
 PROVIDED NORTH SIDE = ± 67'-6"

BUILDING AREA:

EXISTING BUILDING 1st FLOOR 915 G.S.F.
 EXISTING BUILDING BASEMENT 915 G.S.F.
 PROPOSED BUILDING 522 G.S.F.
 TOTAL BUILDING AREA 2,352 G.S.F.
 NON USABLE 1ST FLOOR AREA 600 G.S.F.
 NON USABLE BASEMENT AREA 915 G.S.F.
 TOTAL NET USABLE 1ST FLOOR AREA (EXCLUDING BASEMENT AREA AND FIRST FLOOR EXTERIOR WALLS, CORRIDOR, MECHANICAL AND RESTRM. AREAS). SEE SHEET A-1 817 G.S.F.

PARKING REQUIREMENTS:

BASEMENT IS NOT AN ADDITIONAL OCCUPIED AREA, USED EXCLUSIVELY FOR STORAGE, MECHANICAL & STAFF PERSONAL OCCUPYING THE UPPER LEVELS.
 1ST FLOOR NET AREA = 817 SF / 100 = 8 CARS
 PROVIDED = 9 CARS (INCLUDING (1) B.F. ACCESSIBLE SPACE)

VARIANCES REQUIRED

- EAST SIDE YARD SETBACK OF 4'-0" REQUIRED 16'-0" VARIANCE.
- PROPOSED ADDITION STARTS AT 2'-2 1/2" EAST OF EXISTING BUILDING.
- WEST SIDE SET BACK OF 19'-6" REQUIRED 10'-6" VARIANCE (DUE TO CORNER LOT STREET FRONTAGE (MATCHING EXISTING BUILDING)).

LANDSCAPE AREA

TOTAL REQUIRED 10% OF SITE NET AREA = 561.7 = 562 SF.
 TOTAL PROVIDED = 676 SF. (SEE SHEET L-1 FOR MORE INFO.)

GENERAL SITE ENGINEERING NOTES

- STORM WATER DETENTION**
 PAVEMENT AREA TO HAVE CATCH BASINS AND DETENTION PER CITY OF TROY ENGINEERING STANDARDS. DETENTION TO BE DETAINED WITHIN THE PROPOSED PAVEMENT AREA AND WITH UNDERGROUND PIPING AS REQUIRED.
- SANITARY SYSTEM**
 TO BE INSTALLED PER CITY OF TROY ENGINEERING STANDARDS.
- WATER MAIN**
 MAX. DISTANCE OF CLOSEST HYDRANT TO MOST REMOTE AREA OF BUILDING IS 97'.
- UTILIZE EXISTING WATER MAIN TAP ALONG R.O.W. AND PROVIDE SHUT OFF VALVE AS REQUIRED.
- ALL UTILITY LINES TO BE INSTALLED CLEAR OF ANY EXISTING OR PROPOSED TREES OR SHRUBS THAT ARE TO REMAIN. SEE LANDSCAPE DUG.
- SOIL EROSION AND SEDIMENTATION CONTROL MEASURES ARE TO BE PROVIDED DURING CONSTRUCTION.
- A SOIL EROSION PERMIT FROM THE CITY OF TROY & ENGINEERING DEPARTMENT IS REQUIRED.

ARTHUR E. KALAJIAN & ASSOC. INC. ARCHITECTS
 1871 AUSTIN DRIVE TROY MICHIGAN 48063
 OFFICE: 248-824-3618
 FAX: 248-824-0217
 aekalajian@aboglobal.net

PROPOSED DENTAL CLINIC TO EXISTING BUILDING

OWNER AND CONTACT PERSON

CAMILIA SANDULACHE
 586-412-1144
 586-873-0455

ALPHA DENTAL CENTER
 405 E MAPLE
 TROY MI 48063

DESCRIPTION:
 SITE PLAN AND PRELIMINARY ENGINEERING

JOB NO. ADC-1010

SEAL:

DATE	SCALE	DESIGN	DRAWN
10-20-10	1/4" = 1'-0"	AKK	MA

SHEET NO.

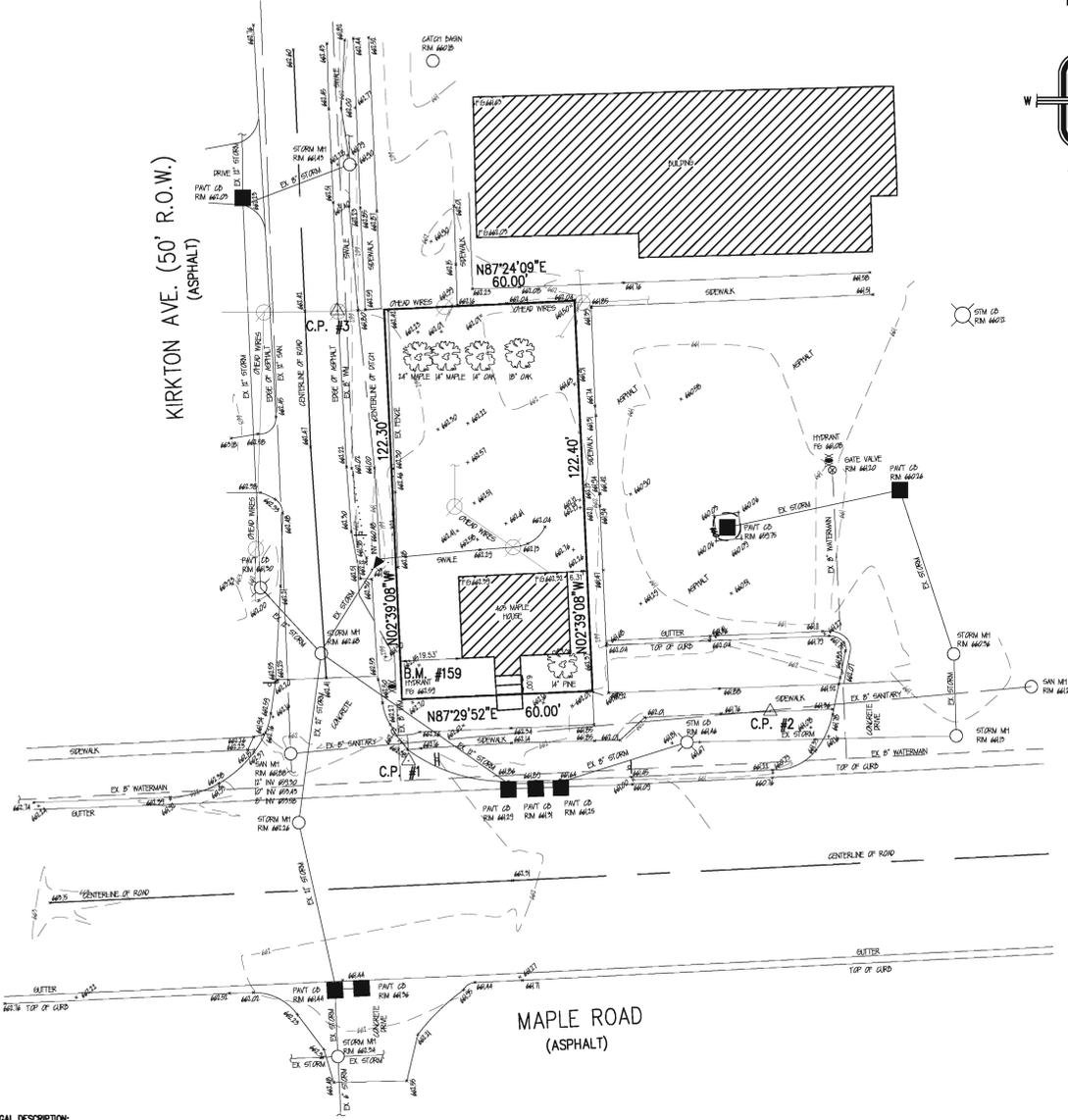
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"ALPHA DENTAL CENTER"

PART OF THE SW 1/4 OF SECTION 27,
T. 2N., R. 11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN.



JJ ASSOCIATES, INC.
Civil Engineering and Surveying
44444 Mound Road - Suite 100, Sterling Heights, MI 48314
Telephone: (586) 726-9111 Fax: (586) 726-9112
Website: www.jjassociates.net



- LEGEND**
- △ CONTROL POINT
 - XX FIRE HYDRANT
 - GATE VALVE
 - MANHOLE - AS INDICATED
 - CATCH BASIN
 - PAVEMENT CATCH BASIN
 - ↑ SIGN
 - TOP OF BANK
 - OF DRAIN
 - EXISTING WATERMAIN
 - EXISTING SANITARY SEWER
 - EXISTING STORM SEWER
 - TREE
 - EXISTING PAVEMENT

811 Know what's below. Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXISTENCE AND EXACT LOCATION OF ALL EXISTING UTILITIES (WHETHER SHOWN OR NOT SHOWN ON THIS DRAWING) BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

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PRIMARY BENCHMARK
ARROW ON TOP OF HYDRANT LOCATED AT THE NORTHEAST CORNER OF MAPLE ROAD AND KIRKTON AVE. ELEVATION 664.65

BENCHMARKS:

NUMBER	NORTHING	EASTING	ELEVATION
159	384573	13454040.73	664.65

CONTROL POINTS: △

NUMBER	NORTHING	EASTING	ELEVATION
1	384549.79	13454044.59	661.86
2	384565.27	13454158.41	661.55
3	384690.90	13454040.73	664.65

LEGAL DESCRIPTION:
Part of the SW 1/4 of Section 27, City of Troy (T.2N., R.11E.), Oakland County, Michigan, described as follows:
Lot 3, "Supervisors Re-Plat of Lots 1 to 8, 51 to 55, 69 to 74, and 117 to 128, all inclusive, Council Heights" as recorded in L52, P-15 of Plats, Oakland County Records.

"ALPHA DENTAL CENTER"
PART OF THE SW 1/4 OF SECTION 27,
T. 2N., R. 11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN.
TOPOGRAPHIC SURVEY

SCALE
1" = 20'
CITY #
DRAWING
C-1
1 of 1

DATE	REV. DATE	DESCRIPTION
09/15/2010		

DRAWN BY: J.J.J.
CHECKED BY: J.J.J.

Symbol	Label	Qty	Catalog Number	Description	Lamp	Fils	Lumens	LLF	Watts
WB	WB	1	LITHONIA #WST 175W WT	ARCHITECTURAL SCONCE WITH WIDE THROW DISTRIBUTION WITH CLEAR, FLAT GLASS LENS, CLEAR LAMP.	ONE 175-WATT CLEAR ED-17 METAL HALIDE, HORIZONTAL POSITION.	LTL11070.LEB	12000	0.78	219
HB	HB	1	LITHONIA #KAD 175W SRASC (SINGLE - 20' POLE HTG)	AREA LIGHT WITH HIGH PERFORMANCE SRASC OPTICS, CLEAR FLAT GLASS.	ONE 175-WATT CLEAR BT-28 METAL HALIDE, HORIZONTAL POSITION.	BS0462.lse	12000	0.78	219

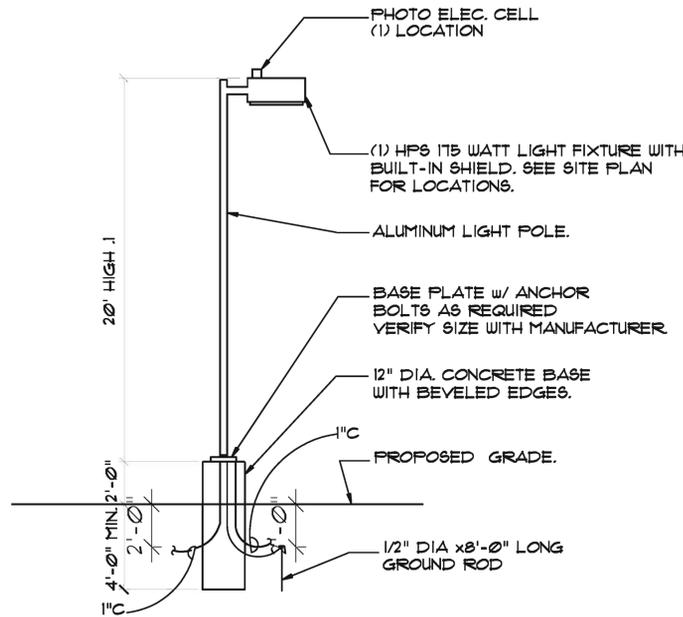
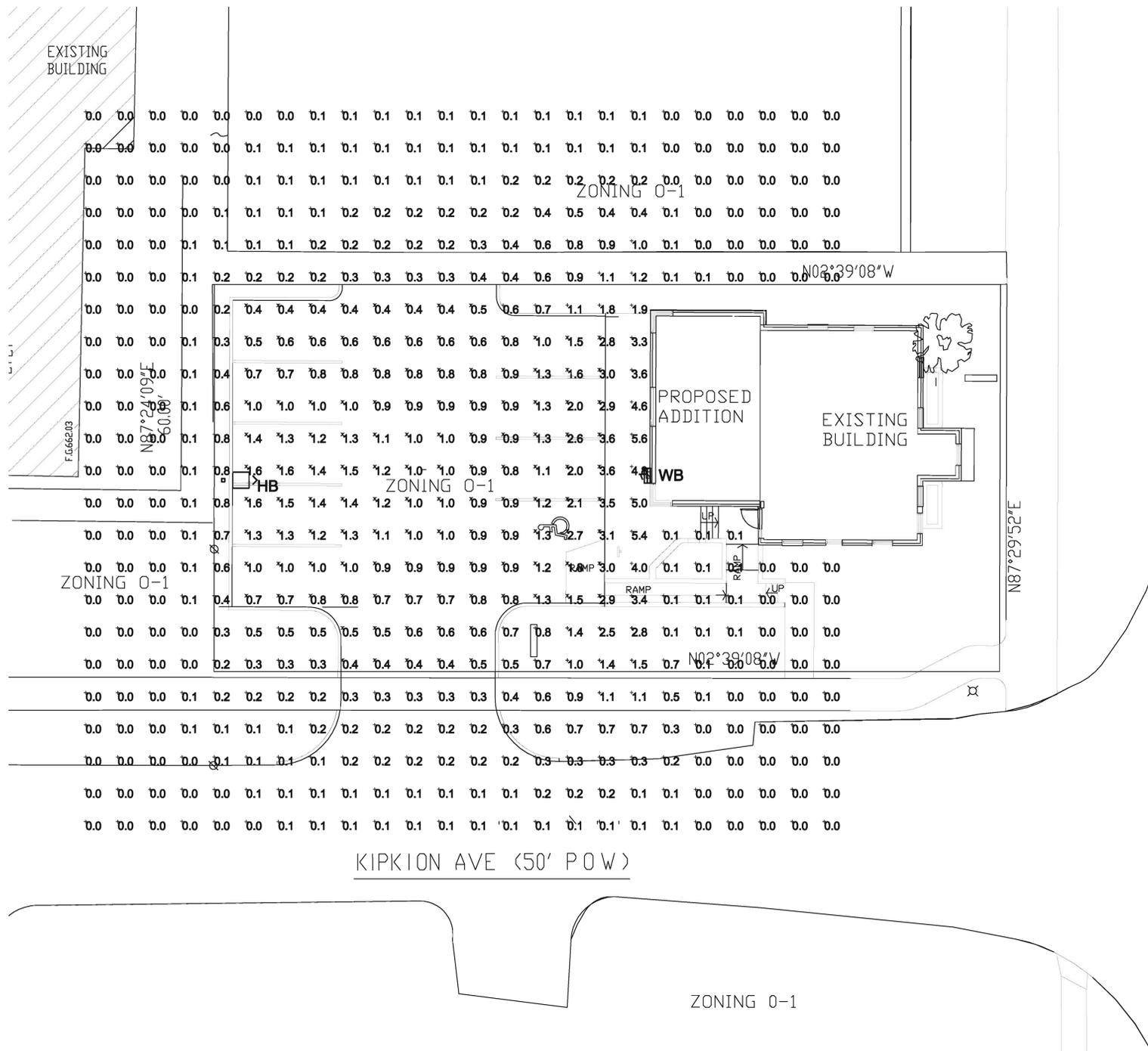
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
PARKING & DRIVE AREA - VALUES AT GRADE	X	1.1 fc	3.8 fc	0.4 fc	9.0:1	2.8:1
SITE VALUES AT GRADE	+	0.5 fc	5.0 fc	0.0 fc	N/A	N/A

No.	Label	X	Location Y	Z	MH	Orientation	TR
1	WB	-79.0	1823.9	15.0	15.0	270.0	0.0
2	HB	-145.1	1823.2	22.0	20.0	90.0	0.0

NOTES

- SEE MH COLUMN OF LUMINAIRE LOCATIONS FOR MOUNTING HEIGHTS.
- SEE LUMINAIRE SCHEDULE FOR LIGHT LOSS FACTORS.
- CALCULATIONS ARE SHOWN IN FOOTCANDLES AT GRADE SURFACE.

THE ENGINEER AND/OR ARCHITECT MUST DETERMINE APPLICABILITY OF THE LAYOUT TO EXISTING / FUTURE FIELD CONDITIONS. THIS LIGHTING LAYOUT REPRESENTS ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS. ACTUAL PERFORMANCE OF ANY MANUFACTURER'S LUMINAIRE MAY VARY DUE TO VARIATION IN ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER VARIABLE FIELD CONDITIONS. MOUNTING HEIGHTS INDICATED ARE FROM GRADE AND/OR FLOOR UP. GSA DOES NOT ACT AS THE CIVIL OR STRUCTURAL ENGINEER AND DOES NOT DETERMINE BASE REQUIREMENTS. POLES SPECIFICATIONS ARE NOT INCLUDED WITH EXTERIOR LIGHTING PHOTOMETRIC ANALYSIS. THESE LIGHTING CALCULATIONS ARE NOT A SUBSTITUTE FOR INDEPENDENT ENGINEERING ANALYSIS OF LIGHTING SYSTEM SUITABILITY AND SAFETY. THE ENGINEER AND/OR ARCHITECT IS RESPONSIBLE TO REVIEW FOR MICHIGAN ENERGY CODE AND LIGHTING QUALITY COMPLIANCE.

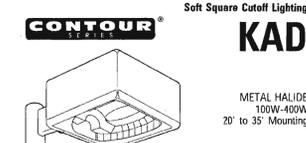


TYPICAL PARKING LOT LUMINAIRE DETAIL
SCALE: NOT TO SCALE



Specifications
Length: 16.25 (41.2)
Depth: 9.13 (23.2)
Overall Height: 7.25 (18.4)
Max. Weight: 30 lbs (13.3 kg)

LIGHT FIXTURE TYPE-WB
NOT TO SCALE



Standard Dimensions
EPA: 1.2x1.7
Weight: 41 lbs (18.6 kg)
Length: 17-1/2" (44.5 cm)
Width: 17-1/2" (44.5 cm)
Depth: 7-1/8" (18.1 cm)

LIGHT FIXTURE TYPE-HB
NOT TO SCALE

PHOTOMETRIC SITE PLAN
SCALE: 10"=1'-0"

SITE PARKING LOT LTG VALUES AT GRADE
PREPARED FOR:
ARTHUR E. KALAJIAN & ASSOCIATES
GASSER BUSH ASSOCIATES
Designer LAK/JAB Date OCT 06 2010
Drawing No. GBA10-24171-V1

ARTHUR E. KALAJIAN & ASSOC. INC. ARCHITECTS
1871 AUSTIN DRIVE TROY MICHIGAN 48063
OFFICE: 248-624-3616
FAX: 248-624-0217
akalajian@saboglobal.net

PROPOSED DENTAL CLINIC
RENOVATION AND ADDITION TO EXISTING BUILDING

OWNER AND CONTACT PERSON
CAMILIA SANDULACHE
586-412-1144
586-873-0455

ALPHA DENTAL CENTER
405 E MAPLE
TROY MI 48063

DESCRIPTION:
PHOTOMETRIC SITE PLAN

JOB NO.
ADC-1010

SEAL:

DATE	ISSUE	DESIGN	DRAWN
10-09-10	RVLL	AEK	MA

SHEET NO.
SP-2

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Arthur E. Kalajian & assoc. inc, architects 1871 AUSTIN ST., TROY, MI.
48083

248-524- 3616 (FAX) 248-524- 0217 (E MAIL) aekalajian@sbcglobal.net

November 24, 2010

City of Troy
500 W. Big Beaver Rd.
Troy, Mi.48084

Attn: Zoning Board of Appeals

Re: Proposed Dental Office , “Alpha Dental Center”, 405 E. Maple Rd. Troy, Mi.

Applicant : Alpha Dental Center, Camelia Sandulache

Project Architect : Arthur kalajian

**Subject : Proposed Addition & Renovation To Existing Building
Parcel ID# 20-27-378-018**

The following outline is an explanation of our request and the impact to the neighboring area:

- A. Our proposal meets all of the site plan requirements including parking and landscaping, other than the proposed building addition with the exterior ramp, front and side setbacks.
- The proposed addition will match the existing building west setback of 19.5', and requires a 10.5' setback variance.

The proposed addition also requires a 16' variance on the east side, which will project approximately 2'-4" beyond the existing building east side. This east side building setback encroachment backs up towards the adjacent property off street parking lot and facility which is of similar use.

The existing building front setback is proposed to be cut back from 0' to 6' back from the property line.

The exterior barrier free accessible ramp is integral with the adjacent barrier free accessible space and stairs and needs to be approximately 24' long in order to provide handicap accessibility into the existing and proposed building addition. The ramp will have a curb and railing above grade and incorporate an exterior landscape planter and seat as a decorative feature. Placing the ramp 10' further into the site is not feasible due to the required parking area width and sidewalk clearance.

The overall appearance will enhance and dramatize the new entrance yet not be obtrusive to the site.

If the ramp is considered part of the porch structure per section 41.45.00, then a 10' variance in the front setback would be required.

- The site is only 60.0' in width and being a corner site has (2) front, 30' wide setbacks and 20' side setback. When applying all the required setbacks, there is only a 10' wide building possible which this makes any addition functional and economical impractical.

- Without any significant addition, the project would not be feasible because of its size of only 915 gsf. and requires variances to the building setbacks to make it more viable. The intended Dental use requires a minimum of (4) treatment rooms to be functional.

The following outline, are reasons justifying the request for the setback variances and expansion to a non-conforming existing building setback:

- A. The proposal is not contrary to the public interest
- The proposed building is similar in height to the existing and is designed architecturally to enhance the existing residential building and transform the site to a more appropriate office type development that will enhance the property.
 - The site directly to the north and east is a O-1 medical office building. The site across the street to the west is a residential type building also a O-1 office.
- B. The project is not a prohibited use within the zoning of the site.
- This proposal is a dental medical facility which is within the allowed O-1 zoning use.
 - The Applicant desires to be relocated within the City of Troy.
- C. This proposal should not cause substantial adverse effects to the properties in the immediate vicinity and zoning district.
- The proposed building addition and the renovation of the existing building will complement each other and enhance the surrounding area and add a positive influence to the neighborhood area by improving the tired, rundown deteriorating structure.
 - There are no significant natural features or resources on the site. The 4 existing trees along the rear will be replaced with 5 trees which are to be planted along the front landscaped greenbelt. The proposed landscaping will more effectively enhance the property and its surroundings.
 - This project will have minimal impact to the area and will be a positive use to the property which is severely restrictive in its current state.

Sincerely,

Arthur E. Kalajian R.A, NCARB.

PRELIMINARY SITE PLAN REVIEW

6. PRELIMINARY SITE PLAN REVIEW (File Number SP 965) – Proposed Alpha Dental Center, 405 E. Maple Road, Northeast Corner of Maple and Kirkton, Section 27, Currently Zoned O-1 (Office Building) District

Mr. Branigan presented a summary of the proposed Preliminary Site Plan application for Alpha Dental Center. He addressed the variances relating to the nonconforming setbacks that the petitioner is required to obtain prior to Preliminary Site Plan approval. Mr. Branigan noted the photometric plan appears to exceed the minimum lighting limitation. He indicated the concern could be addressed prior to Final Site Plan approval, or the petitioner might address it prior to coming back before the Planning Commission.

Mr. Branigan expressed support for the proposed project. He recommended the Planning Commission take no action on the site plan this evening, to allow the applicant to pursue the required setback variances.

There was a brief discussion on the building design and parking layout with respect to the existing trees on site. Mr. Branigan said the design layout is the best possible, given the small property size. Mr. Branigan confirmed there would be no berm on the north side.

It was noted that the landscape plan appeared to have a label error on the types of trees provided.

The petitioner, Dr. Carmelia Sandulache, was present.

Chair Hutson stated the item would be scheduled on a Board of Zoning Appeals agenda.



CARLISLE/WORTMAN ASSOCIATES, INC.
Community Planners /Landscape Architects

605 S. Main, Suite 1
Ann Arbor, MI 48104
734-662-2200
fax 734-662-1935

6401 Citation Drive, Suite E
Clarkston, MI 48346
248-625-8480
fax 248-625-8455

Date: November 4, 2010

Preliminary Site Plan Review For City of Troy, Michigan

Applicant: Camelia Sandulache
Project Name: Alpha Dental Center
Plan Date: October 10, 2010
Location: 405 East Maple Road
Zoning: O-1, Office Building District
Action Requested: Preliminary Site Plan Approval
Required Information: Deficiencies noted

PROJECT AND SITE DESCRIPTION

We are in receipt of a preliminary site plan which includes a site plan, landscaping plan, topographic survey, lot survey, photometric plan, perspective drawing, proposed floor plan, and exterior elevations.

Location of Subject Property:

The property is located on the north side of Maple Road between Rochester Road and Livernois Road, on the corner of Maple Road and Kirkton Avenue.

Size of Subject Property:

The parcel is 0.17 acres in size.

Proposed Uses of Subject Parcel:

The applicant proposes to build an addition to an existing building for the purpose of housing a new dental office with its own parking lot. The building is currently 915 square feet, and the proposed addition would add 522 square feet.

Current Use of Subject Property:

The subject property is currently an existing single family home.

Current Zoning:

The property is currently zoned O-1, Low Rise Office.

Zoning Classification of Adjacent Parcels and Current Land Use:

North: O-1, Low Rise Office; office building

South: (across Maple Road) M-1, Light Industrial District; single family home, industrial building (former U.S. Computer Exchange)

East: O-1, Low Rise Office; office building

West: O-1, Low Rise Office; office building

BUILDING LOCATION AND SITE ARRANGEMENT

The existing building is located at the corner of the site near the street, with a typical residential rear yard behind. The proposed layout adds square footage to the rear (north) side of the building, and a parking area in what is currently the rear yard. This rear yard parking area would have access to Kirkton Avenue and cross access to the existing office building complex that wraps around the property on the north and east sides. The preservation of the existing building necessitates this design, which effectively uses the small area available on this site.

Items to be Addressed: *None.*

AREA, WIDTH, HEIGHT, SETBACKS

Required and Provided Dimensions:

Section 30.20.00 requires the following setbacks and height limits:

For this project, there are two front yards, on Kirkton Avenue and Maple Road, both of which require a front yard setback. Given that this single family home was rezoned for office use, there are legal existing nonconformities with regard to setbacks. The front yard setback on Maple Road is unaffected, given that no improvements are proposed along that frontage. However, the Kirkton Avenue front yard and the side yard along the east property boundary will be affected by the proposed addition. Consequently, all the setback requirements are not met. The applicant must obtain variances for the new addition, which encroaches into the front yard setback on the west side and the side yard setback on the east side.

	<u>Required:</u>	<u>Provided:</u>
Front (to Maple Road R.O. W)	30 Feet	6 feet (previously existing legal nonconformity)
Front (existing building) (to Kirkton Drive R.O.W)	30 Feet	19 Feet, 6 inches 6 feet (previously existing legal nonconformity)
Front (addition) (to Kirkton Drive R.O.W)	30 Feet	25 Feet, 6 inches
Rear (to north property line)	20 Feet	67 Feet, 6 inches
Side (to east property line)	20 Feet	4 Feet
Building Height	Maximum of 3 stories or 36 feet.	1 story; 14 feet, 6 inches

Items to be Addressed: Obtain variances for nonconforming setbacks.

PARKING

Proposed Parking:

The site plan shows 9 parking spaces, including a barrier free space.

Parking Calculations:

The parking calculations provided by the applicant are as follows.

<u>Required</u>	<u>Provided</u>
One (1) space per 100 S.F. of Usable Area $817/100=8$ spaces	8 spaces plus (1) Barrier Free space= 9 spaces

The applicant has provided an extra parking space. The proposed plan meets minimum parking requirements.

Items to be Addressed: None.

SITE ACCESS AND CIRCULATION

Proposed Circulation:

The site will be accessed from two proposed entrances; one on Kirkton Avenue and a second, which will access the existing parking area for the adjacent office property to the east and north. This configuration is acceptable and provides adequate access to the small parking area in a challenging space.

Sidewalks:

The applicant is proposing two sidewalks around the west (Kirkton Avenue) and south (Maple Road) frontages. The south sidewalk is 8 feet in width, as required, and the west sidewalk is 5 feet, also as required. These sidewalks continue existing sidewalks in the vicinity and provide sufficient pedestrian access across the site. The site plan also includes new paved area and a walkway connecting the main entrance of the office to the parking area and the Kirkton Avenue sidewalk.

Items to be Addressed: None.

NATURAL RESOURCES

The site is an existing single family home with typical residential landscaping. The rear yard does have four existing trees that would be removed in order to allow for the installation of the parking lot. The landscape plan includes the installation of 5 new trees to meet minimum landscaping requirements. The proposed plan would not impact any protected natural features.

Items to be Addressed: None.

LANDSCAPING

A landscape plan has been provided identifying how Ordinance requirements are being met in accordance to the City of Troy Landscape Design and Tree Preservation Standards.

Article 39.20.02 states “All land use buffers, landscaping, screening and open space areas required under the terms of this Chapter shall be reviewed by the Planning Department as to compliance with the intent of this Chapter, and by the Department of Parks and Recreation as to compliance with the Landscape Design and Tree Preservation Standards.”

Trees:

The landscape plan appears to show 5 existing trees, one of which is along Maple and does not appear to be proposed for removal, although it is not identified on the “existing tree schedule” on sheet L-1. There are 4 existing trees that will be removed for the new parking area, but 5 new trees will be installed to meet minimum landscaping requirements for the street frontage requirements for Kirkton Avenue and Maple Road. The 5 proposed trees, paired with the single existing tree to be preserved (mentioned above) meet the minimum frontage tree requirements.

Greenbelt:

A ten (10) foot wide greenbelt has been provided along the public street frontages.

Minimum landscaped area:

The proposed landscape plan provides 810 total square feet of landscaped area, and 562 square feet are required. The plan exceeds Ordinance requirements.

Items to be Addressed: None.

LIGHTING

The applicant has provided a photometric plan and detail of proposed lighting and indicated the proposed location for parking lot luminaires on site plan. Lighting is sufficient for the site as shown in the preliminary plan, although we are concerned that some light levels appearing on the photometric plan which encroach into the adjacent property to the north and east may be excessive. This encroachment would need to be eliminated prior to final site plan review to comply with Section 40.25.11, which states:

All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed only onto the parking area and the property which it serves. Parking structures shall be designed so that all architectural and vehicular lighting is shielded or screened from view from adjacent properties. No lighting shall be so located or visible as to be a hazard to traffic safety.

Items to be Addressed: Eliminate lighting encroachment prior to final site plan approval.

ELEVATION

Proposed floor plans and elevations have been provided by the applicant. Building materials include brick veneer, typical residential shingles, and E.I.F.S. or saddle siding for a small detail over entrances. Materials are suitable to this type of building.

Items to be Addressed: None.

SUBMITTAL REQUIREMENTS

Section 3.43.01 establishes the requirements for preliminary site plan approval. Required elements and detail sufficient to review the preliminary site plan have been provided.

Items to be Addressed: None.

RECOMMENDATIONS

We support the proposed project, however there are two variances required to permit the project to proceed as designed. We recommend the Planning Commission take no action on the site plan as submitted to allow the applicant to pursue these variances and resubmit a site plan addressing our comments noted above.

Alpha Dental, November 4, 2010

A handwritten signature in black ink, appearing to read "Zachary Branigan", with a horizontal line extending to the right from the end of the signature.

CARLISLE/WORTMAN ASSOCIATES, INC.
Zachary G. Branigan, LEED AP, AICP
Associate

#225-02-10125



Arthur E. Kalajian & assoc. inc, architects 1871 AUSTIN ST., TROY, MI.
48083
248-524- 3616 (FAX) 248-524- 0217 (E MAIL) aekalajian@sbcglobal.net

January 14, 2011

City of Troy
500 W. Big Beaver Rd.
Troy, Mi.48084

Attn: Zoning Board of Appeals

Re: Proposed Dental Office , “Alpha Dental Center”, 405 E. Maple Rd. Troy, Mi.

Applicant : Alpha Dental Center, Camelia Sandulache
Project Architect : Arthur kalajian

Subject : Alternate Proposed Addition & Renovation To Existing Building

The following outline is an explanation of and alternate and modified design considering the Zoning Board and the adjacent neighbor’s opinions

After having several discussions with the adjacent neighbor, they submitted a list of 6 items of concern which they felt must be met in order to obtain their consent to our proposal. Several options were explored from which we derived the enclosed alternate floor plan site plan and landscape plans for consideration which address most of their concerns.

Also enclosed is the adjacent neighbors e-mails (dated 12-22-10 & 1-4-11) stating their 6 items of concern and their firm stance to them, for the Boards record.

The following outline is our comments to these 6 items and how we have addressed them within this alternate floor plan and site plan scenario.

Item 1. The neighbors request for parking space reduction as an option to our current proposal is not possible under the present Zoning Request because any modification of the parking dimensions from the City standards would require an additional variance which not permissible under the current petition and a new petition and application with fees would have to be implemented.

Any screening of the parking lot will need to be performed by the neighbor on their property that can occur along the north side of their sidewalk where there is ample space to plant scrubs. There is no required screening to abutting O-1 zoned properties therefore this item should not be an issue or even entertained.

Item 2. Our alternate building plan shows the proposed addition reduced by 2'-21/2” on the east side and matches the existing building location. The east setback variance request will also reduced by this amount.

Item 3. Any proposed on grade air condensing units will have evergreen shrubs screening them from the adjacent property.

Item 4. We are not planning on having any other structures along the eastern side of the property. The location of any electrical transformers will be up to the Utility Company.

Item 5. The proposed total number of treatment rooms remains as (4), which should not be an issue since the required parking is met. The request by the adjacent neighbor for the reduction of a treatment room is not warranted and is not acceptable by the Petitioner. The intended Dental use requires a minimum of (4) treatment rooms to be functional and economically viable.

Item 6. A trash enclosure has been added along the west side of the building screened from view with gates.

Our proposal meets all of the site plan requirements including parking and landscaping other than the proposed building addition required front and side setbacks.

This modified proposed addition will not extend beyond the existing building setbacks along west and the east sides and are within the confines of the present structure.

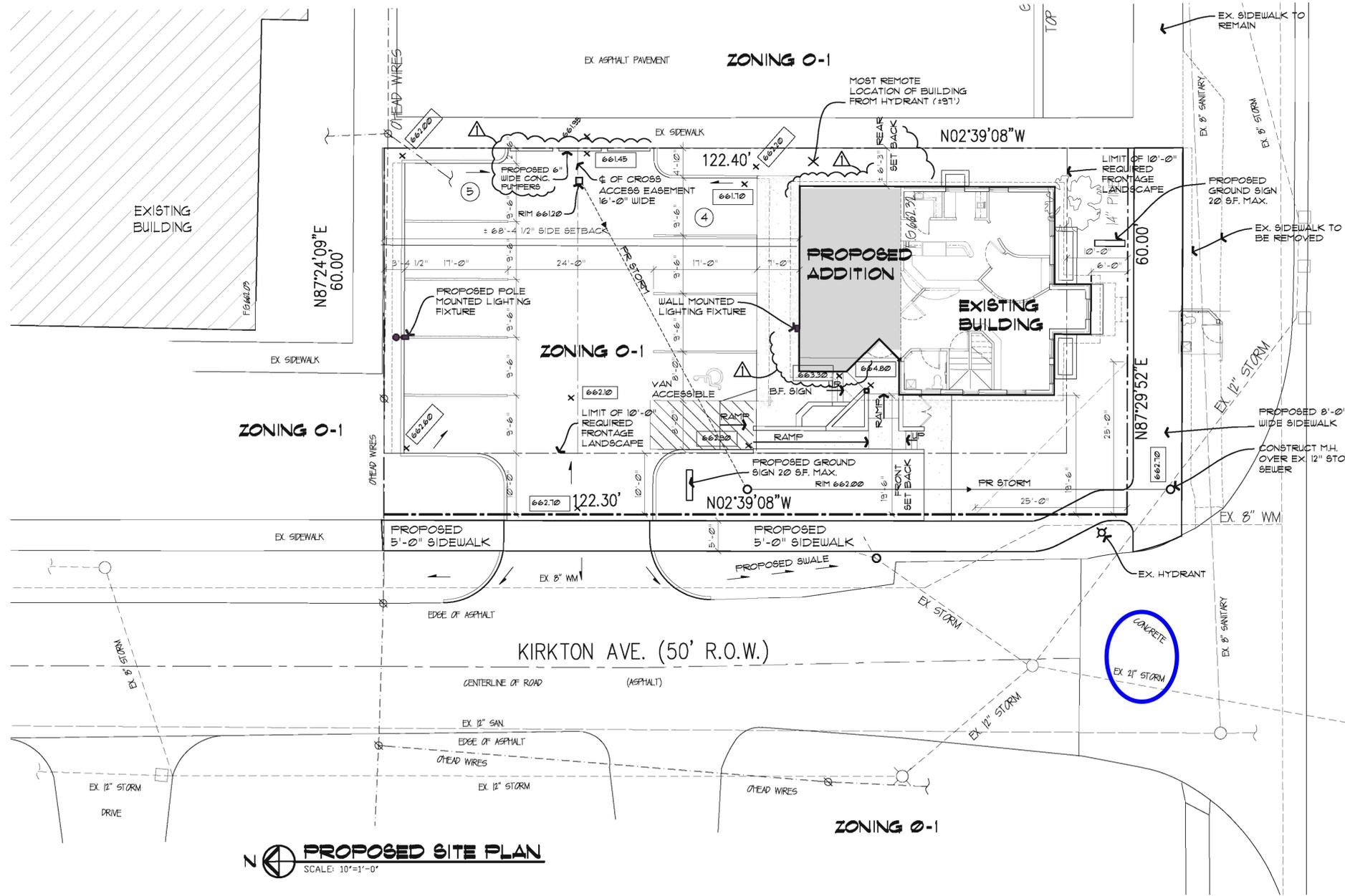
We also added pre-fab 6" concrete bumpers at the end of the parking aisle along the east property line to ensure no cross trafficking between the adjacent parking lots.

The new proposal meets the legitimate concerns of the adjacent neighbor and should not cause substantial adverse effects to their property and therefore the building setback variances which are the only issues that are being requested, should be granted.

Sincerely,

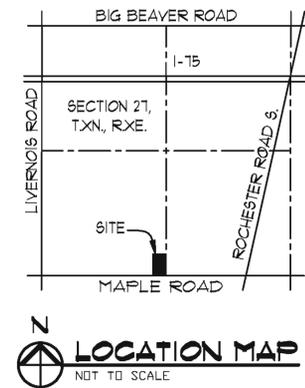
Arthur E. Kalajian R.A, NCARB.

Cc: Camelia Sandulache



LEGAL DISCRPTION

LAND SITUATED IN THE CITY OF TROY, COUNTY OF OAKLAND, STATE OF MICHIGAN LOT 3, SUPERVISOR'S PLAT OF LOTS 1 TO 8, 91 TO 95, 99 TO 104 AND 111 TO 128, ALL INCLUSIVE, COUNCIL HEIGHTS, AS RECORDED IN LIBER 92, PAGE 15 OF PLATS, OAKLAND COUNTY RECORDS.
COMMONLY KNOWN AS : 405 E. MAPLE ROAD, MI 48063
TAX I. D. 20-21-318-018



PROPOSED SITE PLAN
SCALE: 10"=1'-0"

GENERAL INFORMATION
MAX. BLDG. HT. ALLOWED 3 STORIES, 36" HIGH
PROPOSED 1 STORY, 14'-6" AVG. HT.
ZONING DISTRICT O-1
CONSTRUCTION TYPE V-B
SETBACKS
FRONT
REQ'D. 30'-0"
PROVIDED: SOUTH SIDE (EXISTING) = 6'-0"
WEST SIDE (EXISTING AND PROPOSED ADDITION) = 19'-6"
REAR
REQUIRED 20'-0"
PROVIDED 6'-0" (EXISTING), 4'-0" (PROPOSED ADDITION EAST SIDE)
SIDES
REQUIRED 20'-0"
PROVIDED NORTH SIDE = 67'-6"

BUILDING AREA:
EXISTING BUILDING 1st FLOOR 915 G.S.F.
EXISTING BUILDING BASEMENT 915 G.S.F.
PROPOSED ADDITION 470 G.S.F.
TOTAL BUILDING AREA 2300 G.S.F.
NON USABLE 1ST FLOOR AREA 560 G.S.F.
NON USABLE BASEMENT AREA 915 G.S.F.
TOTAL NET USABLE FLOOR AREA (EXCLUDING BASEMENT AREA AND FIRST FLOOR EXTERIOR WALLS, CORRIDOR, MECHANICAL AND RESTRM. AREAS): SEE SHEET A-1
PARKING REQUIREMENTS:
1ST FLOOR NET AREA = 811 SF / 100 = 8 CARS
PROVIDED = 9 CARS (INCLUDING (1) B.F. ACCESSIBLE SPACE)
BASEMENT IS NOT AN ADDITIONAL OCCUPIED AREA, USED EXCLUSIVELY FOR STORAGE, MECHANICAL & STAFF PERSONAL OCCUPYING THE UPPER LEVELS.

VARIANCES REQUIRED
• EAST SIDE YARD SETBACK OF 4'-0" REQUIRED 10'-0" VARIANCE.
PROPOSED ADDITION STARTS AT 2'-2 1/2" EAST OF EXISTING BUILDING.
• WEST SIDE SET BACK OF 19'-6" REQUIRED 10'-6" VARIANCE (DUE TO CORNER LOT STREET FRONTAGE (MATCHING EXISTING BUILDING)).
LANDSCAPE AREA
TOTAL REQUIRED 10% OF SITE NET AREA = 561.7 = 562 SF.
TOTAL PROVIDED = 676 SF. (SEE SHEET L-1 FOR MORE INFO.)

GENERAL SITE ENGINEERING NOTES

- STORM WATER DETENTION**
PAVEMENT AREA TO HAVE CATCH BASINS AND DETENTION PER CITY OF TROY ENGINEERING STANDARDS. DETENTION TO BE DETAINED WITHIN THE PROPOSED PAVEMENT AREA AND WITH UNDERGROUND PIPING AS REQUIRED.
- SANITARY SYSTEM**
TO BE INSTALLED PER CITY OF TROY ENGINEERING STANDARDS.
- WATER MAIN**
MAX. DISTANCE OF CLOSEST HYDRANT TO MOST REMOTE AREA OF BUILDING IS 91'.
- UTILIZE EXISTING WATER MAIN TAP ALONG ROW AND PROVIDE SHUT OFF VALVE AS REQUIRED.
- ALL UTILITY LINES TO BE INSTALLED CLEAR OF ANY EXISTING OR PROPOSED TREES OR SHRUBS THAT ARE TO REMAIN. SEE LANDSCAPE DIAG.
- SOIL EROSION AND SEDIMENTATION CONTROL MEASURES ARE TO BE PROVIDED DURING CONSTRUCTION.
- A SOIL EROSION PERMIT FROM THE CITY OF TROY & ENGINEERING DEPARTMENT IS REQUIRED.

ARTHUR E. KALAJIAN & ASSOC. INC. ARCHITECTS
1871 AUSTIN DRIVE TROY MICHIGAN 48063
OFFICE: 248-824-8818
FAX: 248-824-0217
akalajian@bigjobs.net

PROPOSED DENTAL CLINIC TO EXISTING BUILDING

OWNER AND CONTACT PERSON
CAMILIA SANDULACHE
586-412-1144
586-873-0455

ALPHA DENTAL CENTER
405 E MAPLE
TROY MI 48063

DESCRIPTION:
SITE PLAN AND PRELIMINARY ENGINEERING

JOB NO.
ADC-1010

SEAL:

DATE	SCALE	DESIGN	DRAWN
01-25-10	REV	AEK	MA
01-11-10	Δ	AEK	MA

SHEET NO.

SP-1

CDPYPRIHT © 2010
THIS DOCUMENT & SUBJECT MATTER CONTAINED THEREIN IS PROPRIETARY AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY FOR WHICH IT WAS PREPARED AND IS NOT TO BE USED OR REPRODUCED WITHOUT THE WRITTEN PERMISSION OF ARTHUR E. KALAJIAN & ASSOCIATES INC.

From: raseyeguy@aol.com
Sent: Wednesday, December 22, 2010 11:21 PM
To: aekalajian@sbcglobal.net
Cc: Taubman, Richard
Subject: 405 E. Maple

Hi Mr. Kalajian,

We are sorry to have surprised you and Dr. Sandaluche last night at the ZBA meeting. Our meeting this past Sunday (at our request) was primarily to learn more about the project. We had not been contacted by Dr. Sandaluche prior to our requesting a meeting.

Our main concern with the project is we feel it is simply too large for the parcel of land. We purchased our property with the belief that zoning laws would keep the property similar to what it currently is, without structures and parking lots right on top of us. We also did not intend, or want other businesses using our parking lot.

We feel we could agree to Dr. Sandaluch's plans expanding the structure if the following conditions are met:

1. The parking spaces need to be reduced one foot in length, adding two feet to the North green belt area. With this added space, we would ask that tall shrubs or small shade trees be planted.
2. The addition must be in line with the current structure on the Eastern side.
3. The air conditioning units need to be surrounded by shrubs.
4. There can be no other structures located in the East green belt area, including, but not limited to garbage collection units and power transformers.
5. The total number of treatment rooms must be reduced to three. With the additional space made available by eliminating one treatment room, a staff lounge or doctor's private office should be incorporated. There can not be space made for a future fourth patient/treatment room. We want an assurance that there will be no more than three treatment/patient rooms.
6. There shall be a trash enclosure located on the Western side of the building.

If the following terms are satisfactory to both you and Dr. Sandaluche, we will support the project.

Thank you,

Robert Sklar and Brenda Moskovitz
415 E. Maple, Troy, MI

From: Macomb Dentistry [amdentistry@yahoo.com]
Sent: Saturday, January 08, 2011 6:07 PM
To: aekalajian; camelia lucian
Subject: Fw: appointment on 1/9/2011 about the property on 405 Maple Rd.

----- Forwarded Message -----

From: "raseyeguy@aol.com" <raseyeguy@aol.com>
To: Macomb Dentistry <amdentistry@yahoo.com>
Sent: Sat, January 8, 2011 1:10:00 PM
Subject: Re: appointment on 1/9/2011 about the property on 405 Maple Rd.

Dear Dr. Sandulache,

Unfortunately, we will be out of town this weekend and will be unable to meet. As you know, we have been in contact with your architect concerning your project. As we stated to him, we would be happy to support the project provided all our conditions stated in the letter were met. We feel that these conditions are most reasonable given the size of the property, and from the description of your practice, these changes should leave you with a great building that you will enjoy.

Respectfully,

Dr. Sklar and Dr. Moskowitz

-----Original Message-----

From: Macomb Dentistry
To: RAS
Subject: appointment on 1/9/2011 about the property on 405 Maple Rd.
Sent: Jan 7, 2011 5:58 PM

Hello, Dr. Sklar

As we discussed on Dec 21,2010 we should have an appointment with you on 1/9/2011 to discuss any other concerns that you have about our office.

Please let us know what time is good for you; for us 2:30pm is a good time.

Please e-mail at (amdentistry@yahoo.com) or call me to confirm the appointment.

Thank You,

Dr. Sandulache



CARLISLE/WORTMAN ASSOCIATES, INC.
Community Planners /Landscape Architects

605 S. Main, Suite 1
Ann Arbor, MI 48104
734-662-2200
fax 734-662-1935

6401 Citation Drive, Suite E
Clarkston, MI 48346
248-625-8480
fax 248-625-8455

Date: January 17, 2011

Preliminary Site Plan Review For City of Troy, Michigan

Applicant: Camilia Sandaluche
Project Name: Alpha Dental Center
Plan Date: January 11, 2011
Location: 405 East Maple Road
Zoning: O-1, Office Building District
Action Requested: Preliminary Site Plan Approval
Required Information: Deficiencies noted

PROJECT AND SITE DESCRIPTION

We are in receipt of a revised preliminary site plan which includes a site plan, landscaping plan, and floor plan. Although the building and site plan have been revised, we have not received a revised topographic survey, lot survey, photometric plan, perspective drawings, or exterior elevations, though these were included in the past. Therefore, we reserve the right to make additional comment upon submission of these revised items. It is our understanding, however, that these items have not been revised at this time given that the applicant is still seeking only the variances required to allow the project to move forward. If the variances are granted and the project moves forward, a full preliminary site plan application, fully updated, will be required.

Location of Subject Property:

The property is located on the north side of Maple Road between Rochester Road and Livernois Road, on the corner of Maple Road and Kirkton Avenue.

Size of Subject Property:

The parcel is 0.17 acres in size.

Proposed Uses of Subject Parcel:

The applicant proposes to build an addition to an existing building for the purpose of housing a new dental office with its own parking lot. The building is currently 915 square feet, and the proposed addition would add 470 square feet.

Current Use of Subject Property:

The subject property is currently an existing single family home.

Current Zoning:

The property is currently zoned O-1, Low Rise Office.

Zoning Classification of Adjacent Parcels and Current Land Use:

North: O-1, Low Rise Office; office building

South: (across Maple Road) M-1, Light Industrial District; single family home, industrial building (former U.S. Computer Exchange)

East: O-1, Low Rise Office; office building

West: O-1, Low Rise Office; office building

BUILDING LOCATION AND SITE ARRANGEMENT

The existing building is located at the corner of the site near the street, with a typical residential rear yard behind. The proposed layout adds square footage to the rear (north) side of the building, and a parking area in what is currently the rear yard. This rear yard parking area would have access to Kirkton Avenue and would provide a stub drive and cross access to the existing office building complex that wraps around the property on the north and east sides; however, access from the existing adjacent project is not proposed at this time and would not be connected. The connection on the adjacent parcel, off the project site, is not required at this time. The preservation of the existing building necessitates this design, which effectively uses the small area available on this site.

Items to be Addressed: *None.*

AREA, WIDTH, HEIGHT, SETBACKS

Required and Provided Dimensions:

Section 30.20.00 requires the following setbacks and height limits:

For this project, there are two front yards, on Kirkton Avenue and Maple Road, both of which require a front yard setback. Given that this single family home was rezoned for office use, there are legal existing nonconformities with regard to setbacks. The front yard setback on Maple Road is unaffected, given that no improvements are proposed along that frontage. However, the Kirkton Avenue front yard and the side yard along the east property boundary will be affected by the proposed addition. Consequently, all the setback requirements are not met. The applicant

must obtain variances for the new addition, which encroaches into the front yard setback on the west side and the side yard setback on the east side.

	<u>Required:</u>	<u>Provided:</u>
Front (to Maple Road R.O. W)	30 Feet	6 feet (previously existing legal nonconformity)
Front (to Kirkton Drive R.O.W)	30 Feet	19 Feet, 6 inches
Rear (to north property line)	20 Feet	68 Feet, 4.5 inches
Side (to east property line)	20 Feet	6 Feet, 3 inches
Building Height	Maximum of 3 stories or 36 feet.	1 story; 14 feet, 6 inches

Items to be Addressed: Obtain variances for nonconforming setbacks.

PARKING

Proposed Parking:

The site plan shows 9 parking spaces, including a barrier free space.

Parking Calculations:

The parking calculations provided by the applicant are as follows.

<u>Required</u>	<u>Provided</u>
One (1) space per 100 S.F. of Usable Area $817/100=8$ spaces	8 spaces plus (1) Barrier Free space= 9 spaces

The applicant has provided an extra parking space. The proposed plan meets minimum parking requirements.

Items to be Addressed: None.

SITE ACCESS AND CIRCULATION

Proposed Circulation:

The site will be accessed from one proposed entrances on Kirkton Avenue and a second potential future access by way of cross access to the adjacent office property to the east and north. This configuration is acceptable and provides adequate access to the small parking area in a challenging space.

Sidewalks:

The applicant is proposing two sidewalks around the west (Kirkton Avenue) and south (Maple Road) frontages. The south sidewalk is 8 feet in width, as required, and the west sidewalk is 5 feet, also as required. These sidewalks continue existing sidewalks in the vicinity and provide sufficient pedestrian access across the site. The site plan also includes new ramp and paved area and a walkway connecting the main entrance of the office to the parking area and the Kirkton Avenue sidewalk.

Items to be Addressed: None.

NATURAL RESOURCES

The site is an existing single family home with typical residential landscaping. The rear yard does have four existing trees that would be removed in order to allow for the installation of the parking lot. The landscape plan includes the installation of 5 new trees and the retention of one existing tree to meet minimum landscaping requirements. The proposed plan would not impact any protected natural features.

Items to be Addressed: None.

LANDSCAPING

A landscape plan has been provided identifying how Ordinance requirements are being met in accordance to the City of Troy Landscape Design and Tree Preservation Standards.

Article 39.20.02 states “*All land use buffers, landscaping, screening and open space areas required under the terms of this Chapter shall be reviewed by the Planning Department as to compliance with the intent of this Chapter, and by the Department of Parks and Recreation as to compliance with the Landscape Design and Tree Preservation Standards.*”

Trees:

The landscape plan shows 5 exiting trees, one of which is along Maple and does not appear to be proposed for removal, although it is still not identified on the “existing tree schedule” on sheet L-1. There are 4 existing trees that will be removed for the new parking area, but 5 new trees will be installed to meet minimum landscaping requirements for the street frontage requirements for Kirkton Avenue and Maple Road. The 5 proposed trees, paired with the single existing tree to be preserved (mentioned above) meet the minimum frontage tree requirements.

Greenbelt:

A ten (10) foot wide greenbelt has been provided along the public street frontages.

Minimum landscaped area:

The proposed landscape plan provides 850 total square feet of landscaped area, and 562 square feet are required. The plan exceeds Ordinance requirements.

Items to be Addressed: None.

SUBMITTAL REQUIREMENTS

Section 3.43.01 establishes the requirements for preliminary site plan approval. Required elements and detail sufficient to review the preliminary site plan have been provided, although not all materials were updated for this review, as noted previously.

Items to be Addressed: None.

RECOMMENDATIONS

We support the proposed project, however there are two variances required to permit the project to proceed as designed. We recommend the applicant pursue these variances and resubmit a site plan addressing our comments noted above.



CARLISLE/WORTMAN ASSOCIATES, INC.
Zachary G. Branigan, LEED AP, AICP
Associate

#225-02-10125

4. HEARING OF CASES

- A. VARIANCE REQUEST, DAN IVANOVIC CONSTRUCTION, 5188 SERENA DRIVE – In order to enlarge the attached garage, a 5 foot variance to the required 40 foot front yard setback.

SECTION: 30.10.01



2951 2923 2903 2891 2875 2857 2845 2823 2795 2783 2769 2657 2641 2625 2609

2972 2950 2928 2906 2884 2862 2840 5232 5210

VINEYARDS 5188 5166 2817 5173 2786 2774 2762 2750

5296 2949 2905 2883 2861 2839 2798 2779 2751

VINEYARDS CT 5235 5236 5175 5151 5144 2810 2801 2779 2763 2751

5219 5220 5164 5152 5137 5122 2810 2813 2801 2779 2763 2751

5211 5210 5118 5153 5140 5121 2810 2813 2801 2779 2763 2751

5193 5162 5141 5129 5117 2810 2813 2801 2779 2763 2751

5175 5157 5139 5121 5117 2810 2813 2801 2779 2763 2751

5080 5081 5089 5097 5097 5097

HIGHMOUNT 2858 2870 2837 2825 2813 2801 2779 2763 2751

5129 5117 2859 2847 5073 5065 5073 5065 5073 5065

5117 2871 5057 5049 5078 5090 5098 5098

5080 5081 5089 5097 5097 5097

2966 2918 2895 2907 5033 5041 5078 5090 5098 5098

2978 2954 2930 2925 5025 5041 5078 5090 5098 5098

2979 2942 2930 2925 5025 5041 5078 5090 5098 5098

RIVER VALLEY 2906 2883 5049 5041 5078 5090 5098 5098

2969 2955 2947 2939 2931 2923 2911 5009 5078 5090 5098 5098

W. LONG LAKE 2700 2690

ADAMS 2700 2690

SERENA 2700 2690

CREEK BEND 2700 2690

LONGVIEW 2700 2690

BIG OAK 2700 2690

5232

5210

5188

5166

5173

2817

VINEYARDS

SERENA

0700



5232

5210

5188

5166

2817

5173

VINEYARDS

SERENA

(R-1A)



CITY OF TROY

BOARD OF ZONING APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248- 524-3364
FAX: 248-524-3382
E-MAIL: planning@troymi.gov
<http://www.troymi.gov/Planning>



FILE NUMBER _____
LOCATION _____
REGULAR MEETING FEE (\$150.00) _____
VARIANCE RENEWAL (\$35.00) _____
SPECIAL MEETING (\$650.00) _____

NOTICE TO THE APPLICANT

REGULAR MEETINGS OF THE CITY BOARD OF ZONING APPEALS ARE HELD ON THE **THIRD TUESDAY OF EACH MONTH AT 7:30 P.M. AT CITY HALL.** PLEASE FILE A COMPLETE APPLICATION, WITH THE APPROPRIATE FEE, AT LEAST **TWENTY-SEVEN (27) DAYS BEFORE THE MEETING DATE.**

A COMPLETE APPLICATION THAT MEETS ZONING ORDINANCE REQUIREMENTS IS PLACED ON THE NEXT AVAILABLE AGENDA OF THE BOARD OF ZONING APPEALS.

- ADDRESS OF THE SUBJECT PROPERTY: 5188 SERENA DR.
 LOT NO. 10 SUBDIVISION BAILEYS VINEYARDS SUBDIVISION
 LOCATED ON THE EAST SIDE OF (ROAD) ADAMS
 BETWEEN LONG LAKE AND SOUTH BLVD.
 ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
- PROPERTY TAX IDENTIFICATION NUMBER(S): 88 - 20 - 07 - 305 - 009
- ZONING ORDINANCE SECTIONS THAT ARE APPLICABLE TO THIS APPEAL: _____
- REASONS FOR APPEAL: *On a separate sheet, please describe the reasons justifying the requested action.*
- HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: NO

6. APPLICANT INFORMATION:

NAME DAN IVANOVIC
COMPANY IVANOVIC CONSTRUCTION INC.
ADDRESS 54245 QUEENSBOROUGH DR.
CITY SHILBY TOWNSHIP STATE MI ZIP 48317
TELEPHONE (586) 530-0573
E-MAIL ICI@IVANOVICDESIGNBUILD.COM

7. RELATIONSHIP OF APPLICANT TO THE OWNER OF THE SUBJECT PROPERTY:

CONTRACTOR

8. OWNER OF SUBJECT PROPERTY:

NAME EVAN AND NICKOLE BLACK
COMPANY _____
ADDRESS 5188 SERENA DR.
CITY TROY STATE MI ZIP 48098
TELEPHONE (586) 781-9061
E-MAIL _____

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto

I, [Signature] (PROPERTY OWNER) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS.

SIGNATURE OF APPLICANT [Signature] DATE 10/27/2010

PRINT NAME: DAN IVANOVIC

SIGNATURE OF PROPERTY OWNER [Signature] DATE 10/25/2010

PRINT NAME: EVAN H. BLACK

12211 Hiawatha
Shelby Township, MI 48315

December 14, 2010

Mr. Paul Evans
Zoning & Compliance Specialist
Planning Department
City of Troy
500 W. Big Beaver
Troy, MI 48084

Dear Mr. Evans:

This letter will confirm our discussion concerning Dr. Evan Black, my son-in-law, who is petitioning for approval to expand from a three-car to a four-car garage.

Mr. Dan Ivanovic, the builder erred in the "Reason for Appeal". The four-car garage is required for doctors who come from Europe and other parts of the U.S. for eye surgery training *provided by Dr. Black at the Detroit Eye Institute*. When in training, these doctors stay at Dr. Black's residence from one day to as long as two weeks. The addition to the garage would alleviate vehicle congestion while the doctors are in training especially in the winter months.

I have contacted the neighbors about the expansion and they have no objections.

You may contact to discuss this request at (586) 781-9061.

Sincerely,

Mikulas (Nick) Kuzdak

Cc: Dr. Evan Black, Dan Ivanovic

Note: Paul Evans: evanspm@troymi.gov

PR. 832.70



8" DRAIN TILE

172.87'

12' EASEMENT

SUB BOUNDARY

LOT 10

PR. RIM 830.80

8" DRAIN

PR. 838.80

LOT 9

220.00'

WALK-OUT PR. FIN. GR. 834.30

PR. 832.00

PR. FIN. GR. 839.30

PR. HOUSE PLAN: 99-2048 PR. FIN. GR. AS SHOWN

LOT

19.77

15'11" 9'10" 6'6" 40'8" 13'0" 23'10" 26'9" CHIM.

148.76'

PR. 842.50

4'10"

28'5"

13'3"

PR. FIN. GR. 840.50

PR. 838.00

19'5"

37'7"

19'5"

14'3" 2'7" 2'7" 10'3" 15'3" 19'56" CHIM.

EXTEND FRONT OF GARAGE 7' TOWARD THE STREET.

EXIST. NEW 33.00' 40.00'

PR. FIN. GR. 843.30

PR. 3 CONC.

PR. 16' CONC. DRIVE

PR. X 842.80

PR. X 839.50

17'0" 20' 7'10" 16'2"

10' EASEMENT

18" STORM

PR. 843.90

10.94'

92.45'

PR. 5' CONC. WALK

PR. 840.59

8" WATERMAIN

19'

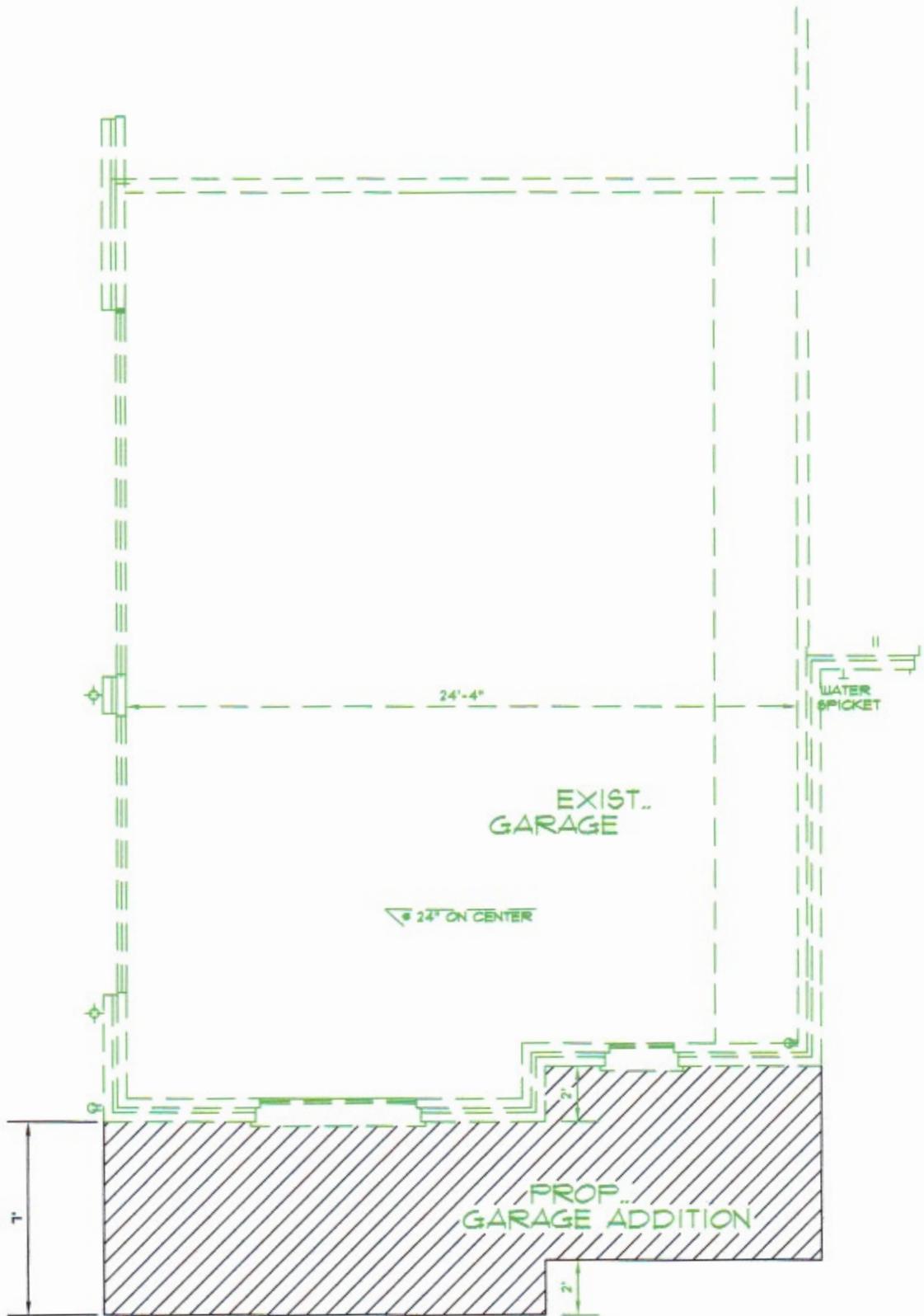
PR. TC. 842.14

SERENA DR. 60' WD.

8" SANITARY

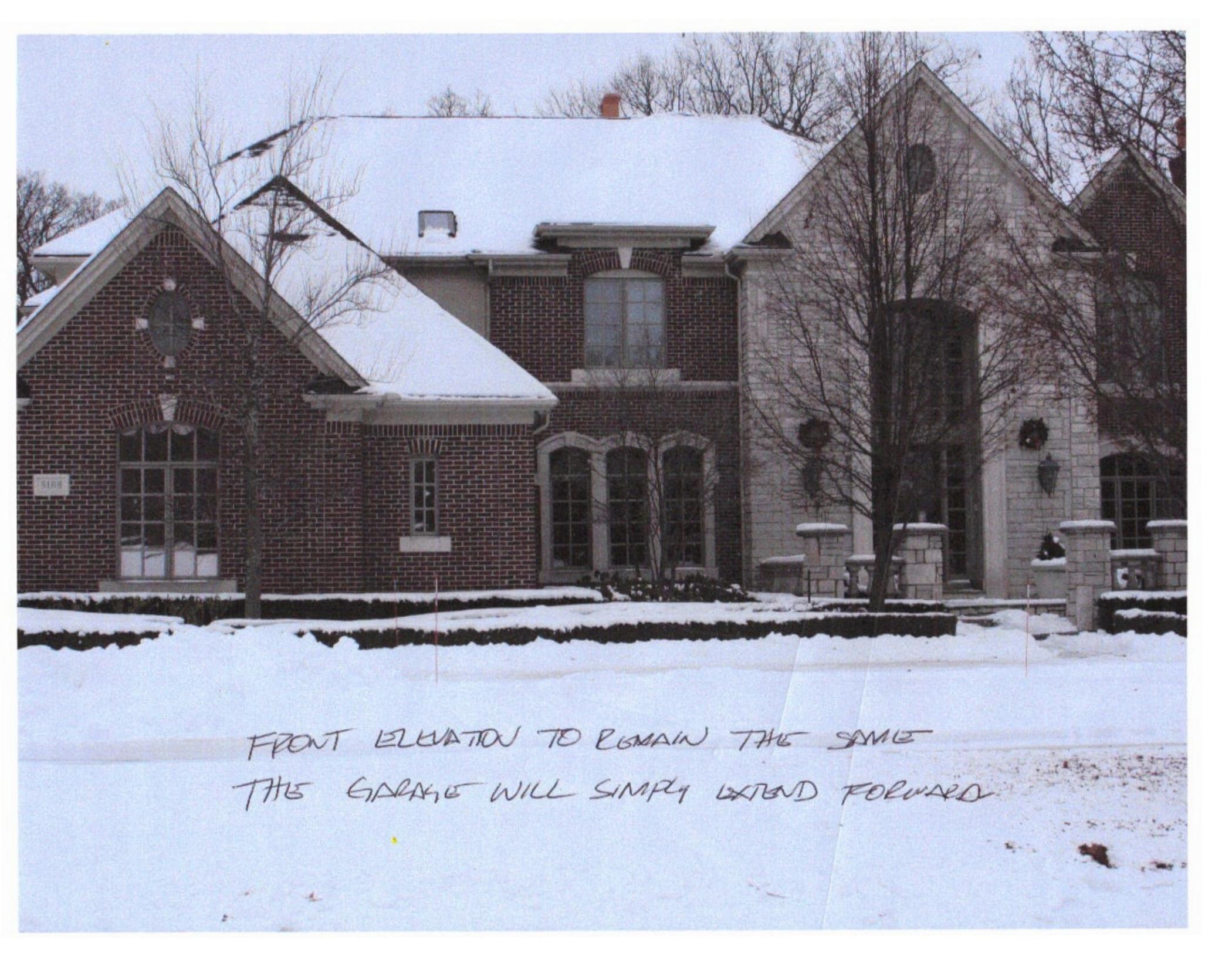
8" SANITARY

REVISIONS
4-20-99 ADJUST PR GRADES.
PER CITY.



PROP. GARAGE ADDITION





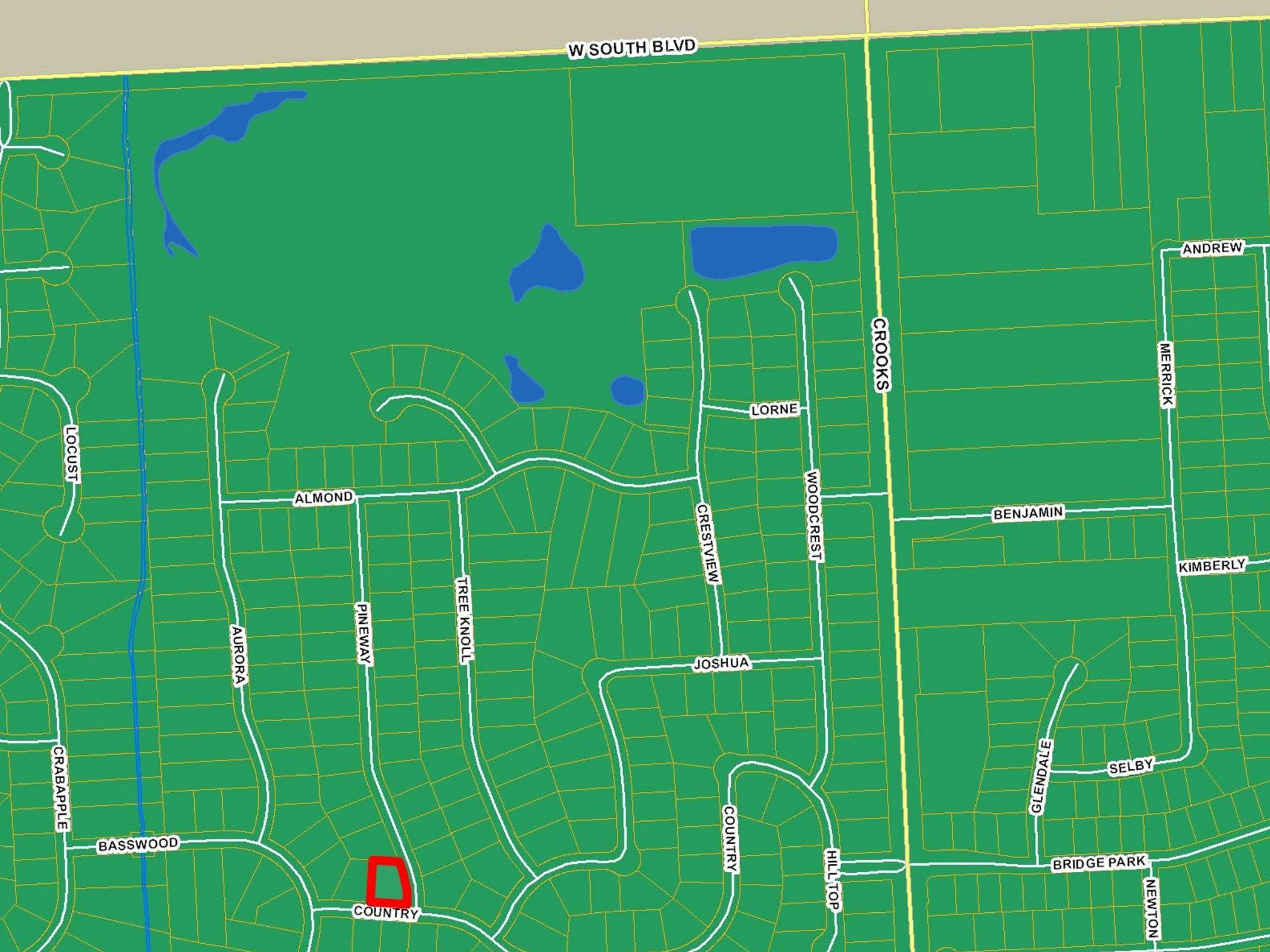
FRONT ELEVATION TO REMAIN THE SAME
THE GARAGE WILL SIMPLY EXTEND FORWARD

4. HEARING OF CASES

- B. VARIANCE REQUEST, LOUIS PAULL, 1396 COUNTRY DRIVE – In order to construct an uncovered patio structure, an 8 foot variance from the required 30 foot setback adjacent to Pine Way Road.

SECTIONS: 30.10.02 AND 41.45.00

W SOUTH BLVD



LOCUST

ALMOND

AURORA

PINEWAY

TREE KNOLL

JOSHUA

COUNTRY

COUNTRY

LORNE

CRESTVIEW

WOODCREST

CROOKS

BENJAMIN

MERRICK

ANDREW

KIMBERLY

GLENDALE

SELBY

BRIDGE PARK

NEWTON

HILL TOP

CRABAPPLE

BASSWOOD

5232

5210

5188

5166

5173

2817

VINEYARDS

SERENA

0700





6586

6611

6584

6573

6574

6593

6566

6566

1412

1396

6558

130

1308

3

559

COUNTRY

545

JOSHUA

29

6530

1419

1403

1387

1371

1355

(R-1B)

1339

CITY OF TROY

BOARD OF ZONING APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT
500 W. BIG BEAVER ROAD
TROY, MICHIGAN 48084
PHONE: 248- 524-3364
FAX: 248-524-3382
E-MAIL: planning@troymi.gov
<http://www.troymi.gov/Planning>



FILE NUMBER _____
LOCATION _____
REGULAR MEETING FEE (\$150.00) _____
VARIANCE RENEWAL (\$35.00) _____
SPECIAL MEETING (\$650.00) _____

NOTICE TO THE APPLICANT

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A COMPLETE APPLICATION THAT MEETS ZONING ORDINANCE REQUIREMENTS IS PLACED ON THE NEXT AVAILABLE AGENDA OF THE BOARD OF ZONING APPEALS.

- ADDRESS OF THE SUBJECT PROPERTY: 1396 COUNTRY DRIVE
 LOT NO. 286 SUBDIVISION CRESCENT RIDGE SUB NO 2
 LOCATED ON THE LEFT SIDE OF (ROAD) PINE WAY DRIVE
 BETWEEN PINE WAY DRIVE AND AURORA DRIVE
 ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
- PROPERTY TAX IDENTIFICATION NUMBER(S): 88-24-05-203-018
- ZONING ORDINANCE SECTIONS THAT ARE APPLICABLE TO THIS APPEAL: 41.45.00
- REASONS FOR APPEAL: *On a separate sheet, please describe the reasons justifying the requested action.*
- HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars: _____

6. APPLICANT INFORMATION:

NAME LOUIS PAULL
COMPANY _____
ADDRESS 1396 COUNTRY DRIVE
CITY TROY STATE MI ZIP 48098-6537
TELEPHONE 248-879-1198
E-MAIL LOUIS PAULL36@COMCAST.NET

7. RELATIONSHIP OF APPLICANT TO THE OWNER OF THE SUBJECT PROPERTY:

OWNER

8. OWNER OF SUBJECT PROPERTY:

NAME LOUIS PAULL
COMPANY _____
ADDRESS 1396 COUNTRY DRIVE
CITY TROY STATE MI ZIP 48098-6537
TELEPHONE 248-879-1198
E-MAIL LOUIS PAULL36@COMCAST.NET

The undersigned hereby declare(s) under penalty of perjury that the contents of this application are true to the best of my (our) knowledge, information and belief.

The applicant accepts all responsibility for all of the measurements and dimensions contained within this application, attachments and/or plans, and the applicant releases the City of Troy and its employees, officers, and consultants from any responsibility or liability with respect thereto

I, LOUIS PAULL (PROPERTY OWNER) HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND STATEMENTS CONTAINED IN THE INFORMATION SUBMITTED ARE TRUE AND CORRECT AND GIVE PERMISSION FOR THE BOARD MEMBERS AND CITY STAFF TO CONDUCT A SITE VISIT TO ASCERTAIN PRESENT CONDITIONS.

SIGNATURE OF APPLICANT Louis Paull DATE 10-05-2010
PRINT NAME: LOUIS PAULL

SIGNATURE OF PROPERTY OWNER Louis Paull DATE 10-05-2010
PRINT NAME: LOUIS PAULL

1396 Country Drive
Troy, MI 48098-6537

October 5, 2010

City of Troy Planning Department

500 W. Big Beaver Road

Troy, Michigan 48084

Dear Sir/Madam,

My wife and I are requesting approval for a variance by your Board of Zoning Appeals to allow the patio to be constructed as designed. We were not aware of the set back constraints when our home was constructed. Thus we need your approval to proceed with construction. Our reasons are outlined below to support our request.

- 1) The location of the door wall presents the only location for access to the proposed patio.
- 2) The patio will be constructed to match the same quality of materials used in constructing our home.

Lastly, my wife and I desire the authorization to build the patio to complete our vision of having the luxury of a patio for outdoor enjoyment.

Sincerely,

A handwritten signature in cursive script that reads "Louis Paull".

Louis Paull

att.

Crescent Ridge/Parc Homeowners Association
Board of Directors

October 13, 2010

Mr. Lou Paull
1396 Country Drive
Troy, Michigan 48098

Re: Request for variance approval

Dear Mr. Paull,

The Crescent Ridge/Parc Homeowners Association Board of Directors has reviewed your plans for construction of a patio adjacent to your home which requires variance approval from the City of Troy. These plans are from Robert W. Summers dated 9/16/2010.

If the Troy Board of Zoning Appeals approves your variance request, and there are no issues or concerns from the neighbors who will be contacted as part of the city approval process, then the Crescent Ridge/Parc Homeowners Association Board would have no additional objections with the construction of the patio as shown.

Please feel free to contact any Board Member if you have any questions.



Crescent Ridge/Parc Homeowners Association, Board of Directors
Jan Towey, President

1396 Country Drive
Troy, MI 48098-6537

November 16, 2010

City of Troy Planning Department

500 W. Big Beaver Road

Troy, Michigan 48084

Dear Sir/Madam,

Preliminary analysis to move the East side patio proposal to the North side of our home entail substantial alteration of the current landscaping and other installation features requiring either removal or relocation. The expense to make those alterations are considerable. Outlined is a listing of factors which need to be addressed.

Install

- Two to three steps from door wall to pathway to patio
- Hand rail/banister for walk down body support to reach pathway to rear patio

Relocate

- Two sprinkler control valve manifolds
- Affected sprinkler lines
- One downspout
 - * Replace gutter based upon relocation of downspout
- Underground downspout discharge lines and in ground emitters
- AC condenser
- Sill cock

Remove

- 15 shrubs
- One columnar maple tree
- One clump maple tree
- All decorative stone and landscape fabric (redistribute stone to other locations on property)
- Edging

Glass blocks

Potential obstruction of daylight entering basement

Security

Grade and rear hall doors must always be locked when using a North side patio.

Sincerely,

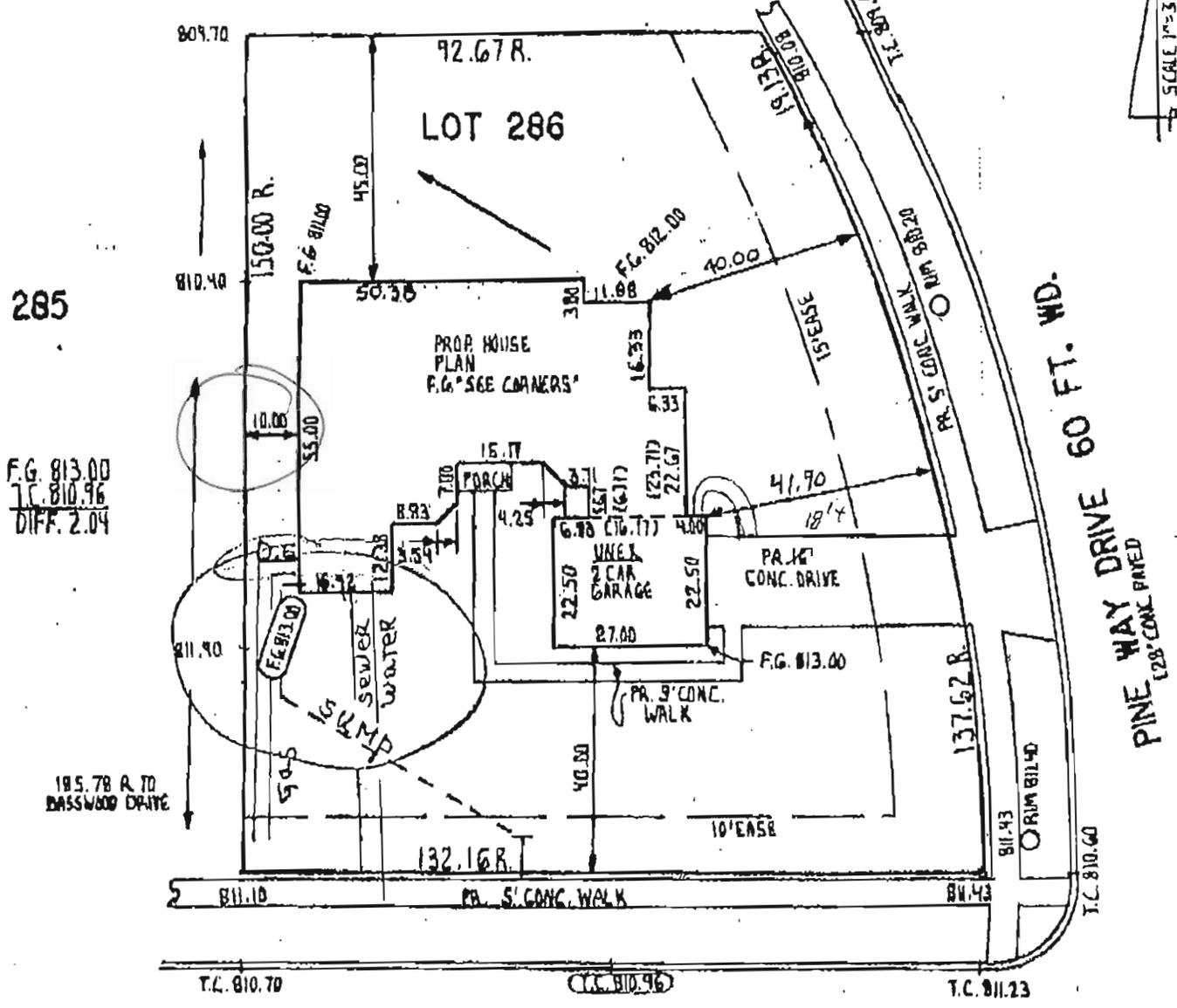
A handwritten signature in cursive script that reads "Louis Paull".

Louis Paull

att.

Mr. Paul 287

403-3671
Lori Paul -248-879-1198



1396 COUNTRY DRIVE 60 FT. WD.
(28' CONC. PAVED)

RIB Front 48 least 1 side = 10
- rear 48 side 25

FINISH GRADE AS SHOWN IS AT ALL CORNERS OF HOUSE. FOR SEWER INFORMATION REFER TO MCS PLAN NO. P-86-423. BEFORE BEGINNING CONSTRUCTION VERIFY HOUSE LEAD LOCATION WITH CITY.

PLOT PLAN OF LOT 286
CRESCENT RIDGE SUB. NO. 2
CITY OF TROY
OAKLAND COUNTY, MICHIGAN

DATE: AUGUST 12, 1993 *op/lt*
CLIENT: ESTATE BUILDERS, INC.
2025 W. LONG LAKE - SUITE 100
TROY, MI 48098
(313) 641-1730

MCS ASSOCIATES, INC.
CIVIL ENGINEERING & SURVEYING
41150 TECHNOLOGY PARK DRIVE
SUITE 102
STERLING HEIGHTS, MI 48314
(313) 700-8810

Louis

From: "Louis" <louispaull36@comcast.net>
Date: Wednesday, December 08, 2010 12:09 PM
To: "Louis" <louispaull36@comcast.net>
Attach: A02a alt. patio plan A 120610.pdf
Subject: Fw: Revised alt A plan

From: [Louis](#)
Sent: Wednesday, December 08, 2010 12:08 PM
To: evanspm@troymi.gov
Subject: Fw: Revised alt A plan

Subject: Fw: Revised alt A plan

Paul,

The attachment represents the best alternative to all the previous patio design proposals. I will now have the disc made which will include all the requested documents. I will call you when completed for an appointment and submission to the ZBA.

Lou

Louis

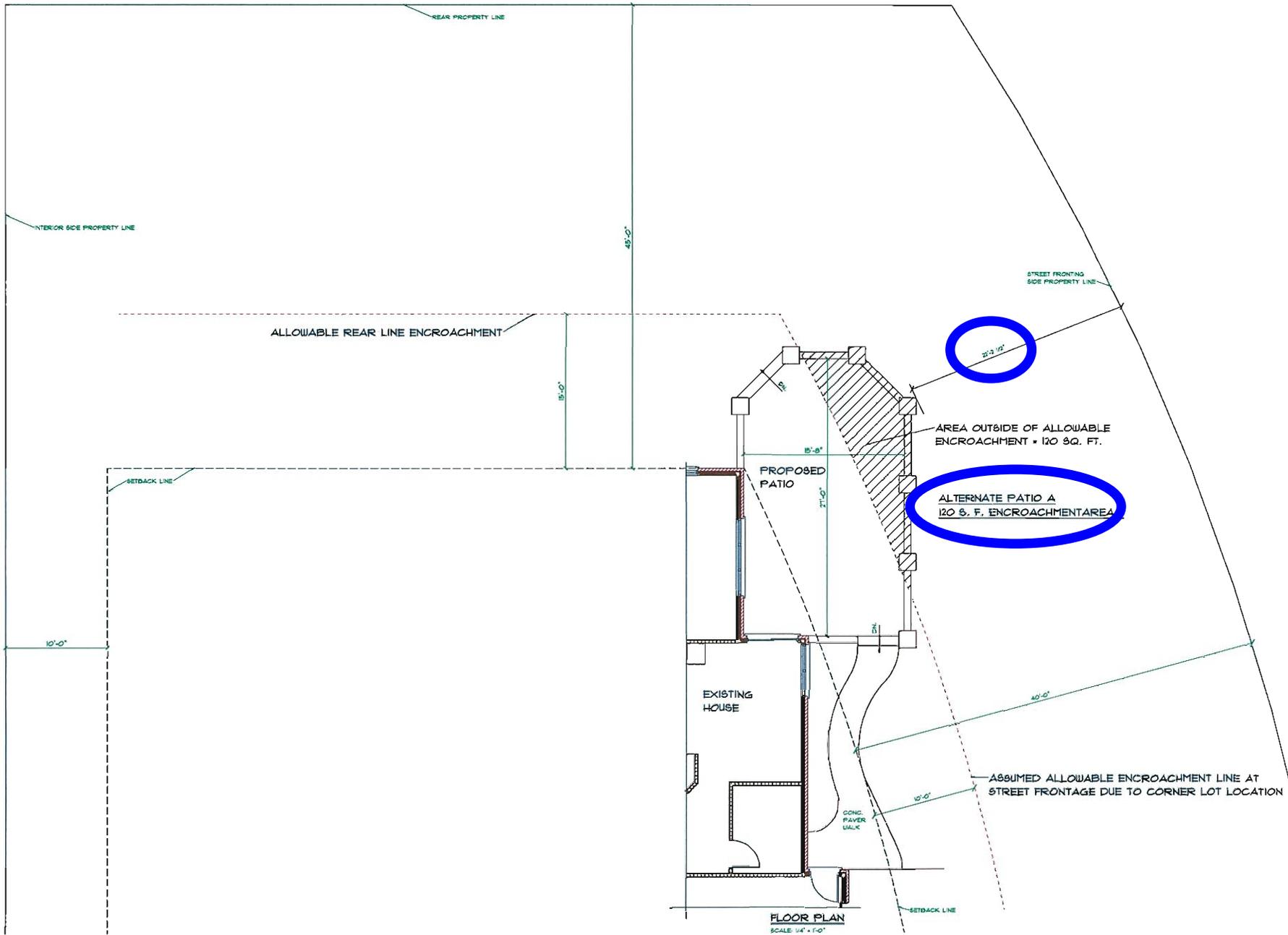
From: "Louis" <louispaull36@comcast.net>
Date: Wednesday, December 08, 2010 11:47 AM
To: <evanspm@troy.mi.gov>
Subject: Fw: Revised patio Designs - Update

Subject: Fw: Revised patio Designs – Update

Paul,

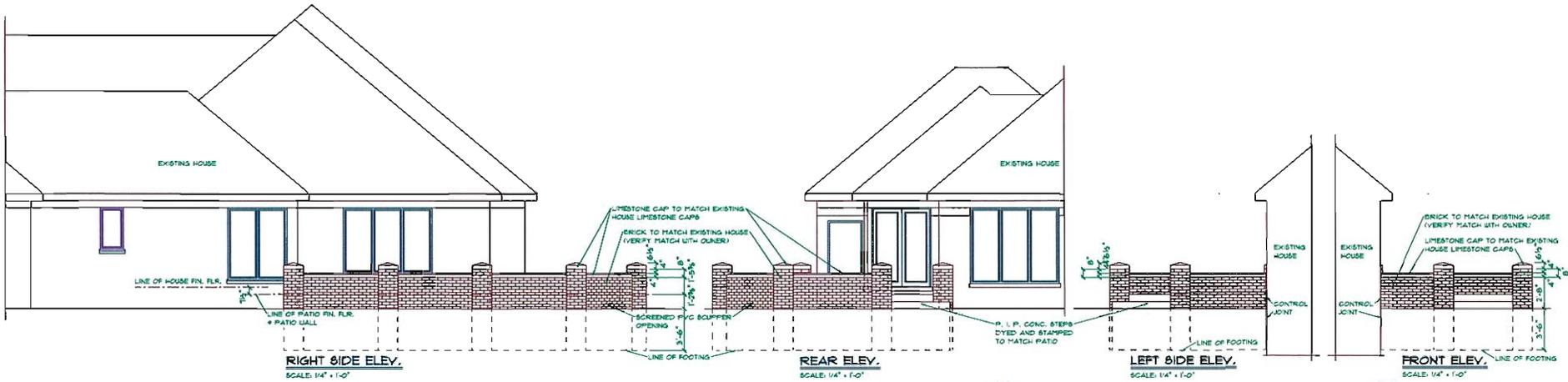
Compared to the original patio layout the attachments I sent before show varied degrees of resizing. The zero encroachment makes the patio not useful. We are not pleased with the 25 or 64 square foot penetration into the allowed 10 foot variance within the set back either. It cuts down on the full utilization of the patio. **Relative to the original 217 square foot proposal, the 120 square foot intrusion, it is the most promising.** If the Zoning Board Appeals Committee agrees, we are also willing to add a third tree between two trees on the East side of the city strip which may help to partially conceal the patio. Lastly, we would also be willing add a hedgerow on the surrounding perimeter of the patio to almost obscure it from either the sidewalk or street. The type of shrubs could be boxwood or other slow growing shrubs. The selection of a specific shrub and subsequent plantings is TBD.

Lou



revised	
11/2/10	
10/26/10	
12/16/10	

date	job
09/16/10	10-005
prelim	const.
shc.	

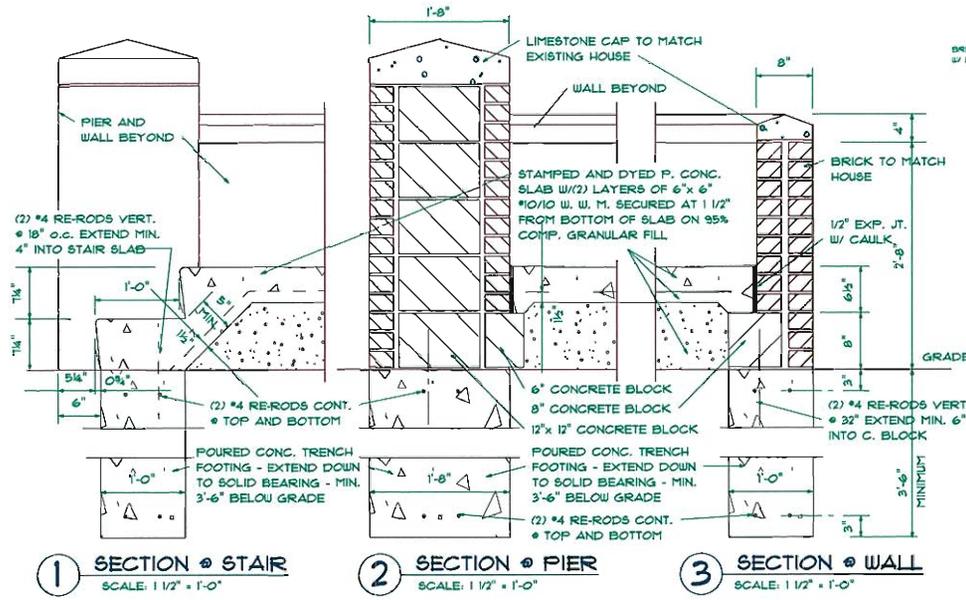


RIGHT SIDE ELEV.
SCALE: 1/4" = 1'-0"

REAR ELEV.
SCALE: 1/4" = 1'-0"

LEFT SIDE ELEV.
SCALE: 1/4" = 1'-0"

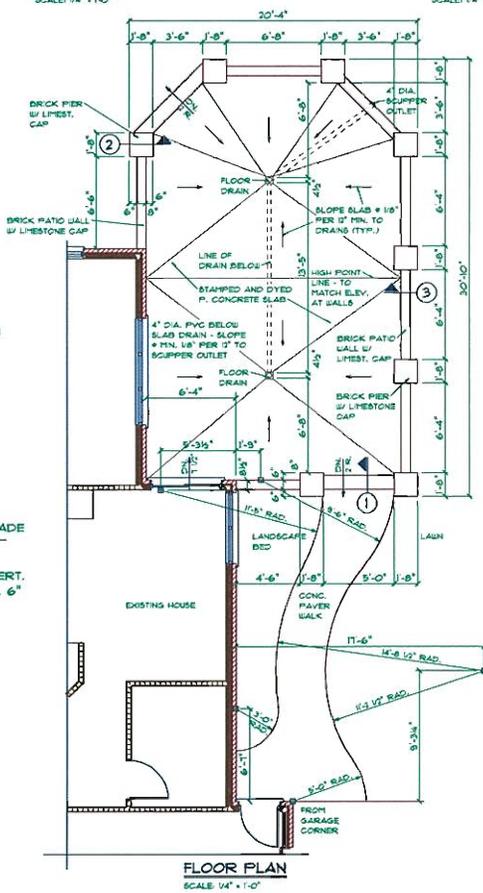
FRONT ELEV.
SCALE: 1/4" = 1'-0"



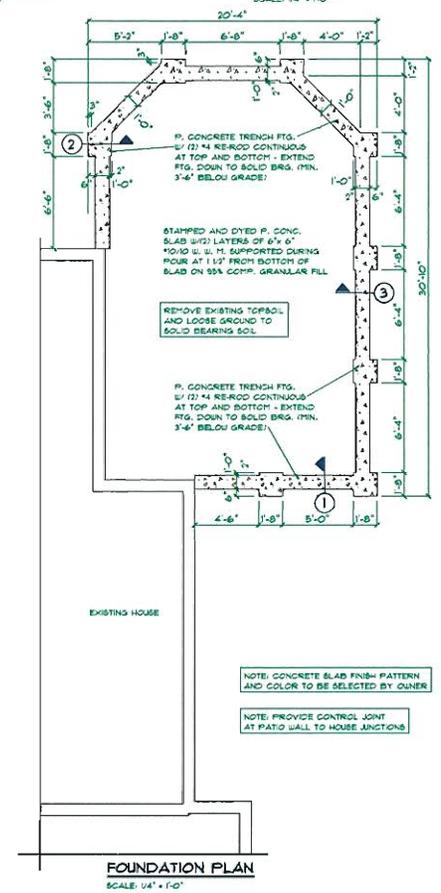
1 SECTION @ STAIR
SCALE: 1 1/2" = 1'-0"

2 SECTION @ PIER
SCALE: 1 1/2" = 1'-0"

3 SECTION @ WALL
SCALE: 1 1/2" = 1'-0"



FLOOR PLAN
SCALE: 1/4" = 1'-0"



FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

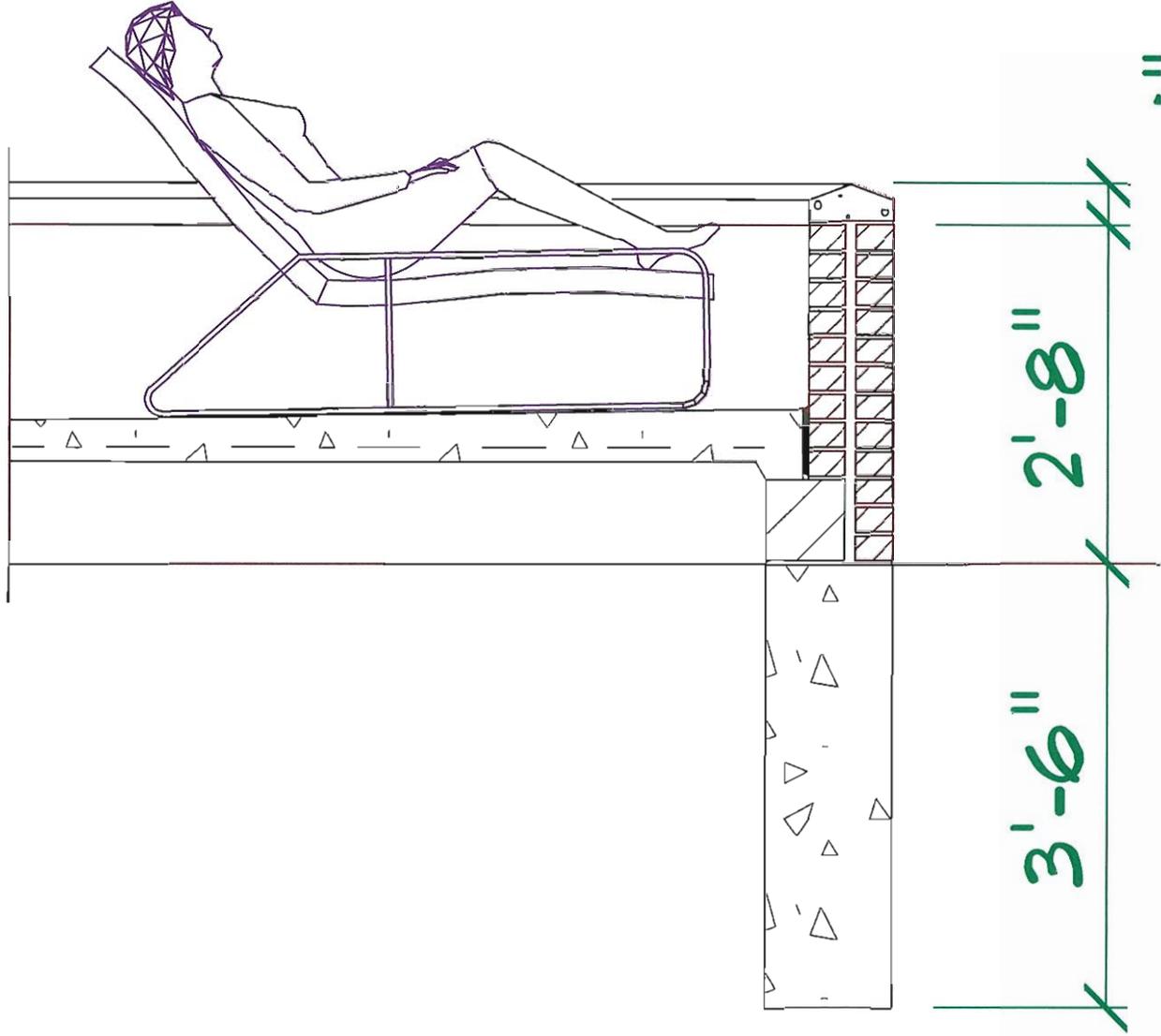
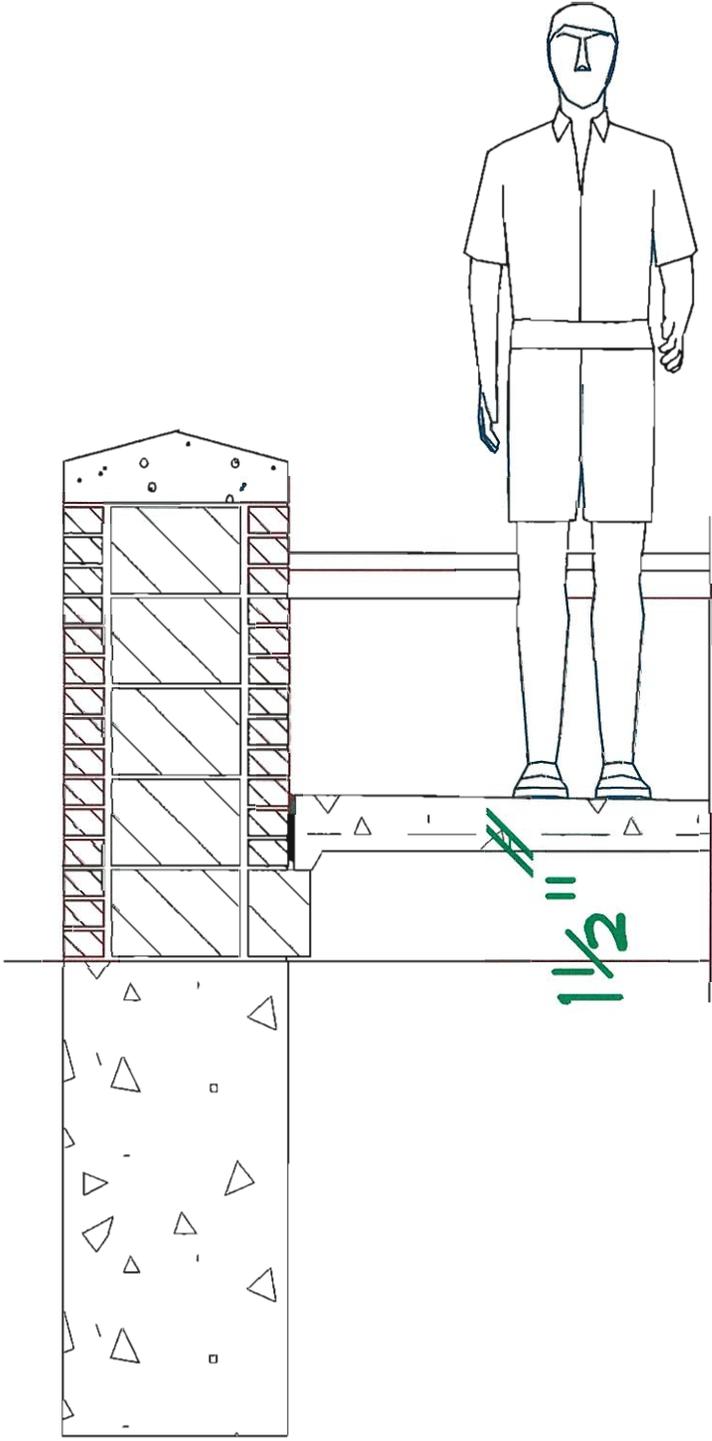
NOTE: CONCRETE SLAB FINISH PATTERN AND COLOR TO BE SELECTED BY OWNER

NOTE: PROVIDE CONTROL JOINT AT PATIO WALL TO HOUSE JUNCTIONS

07340 002-0788
ROBERT W. SUMMERS
 ARCHITECTS
 8178 STOUT GROUVE I.E. # 48138
 PLANNERS
 ARCHITECTS
 CONST.

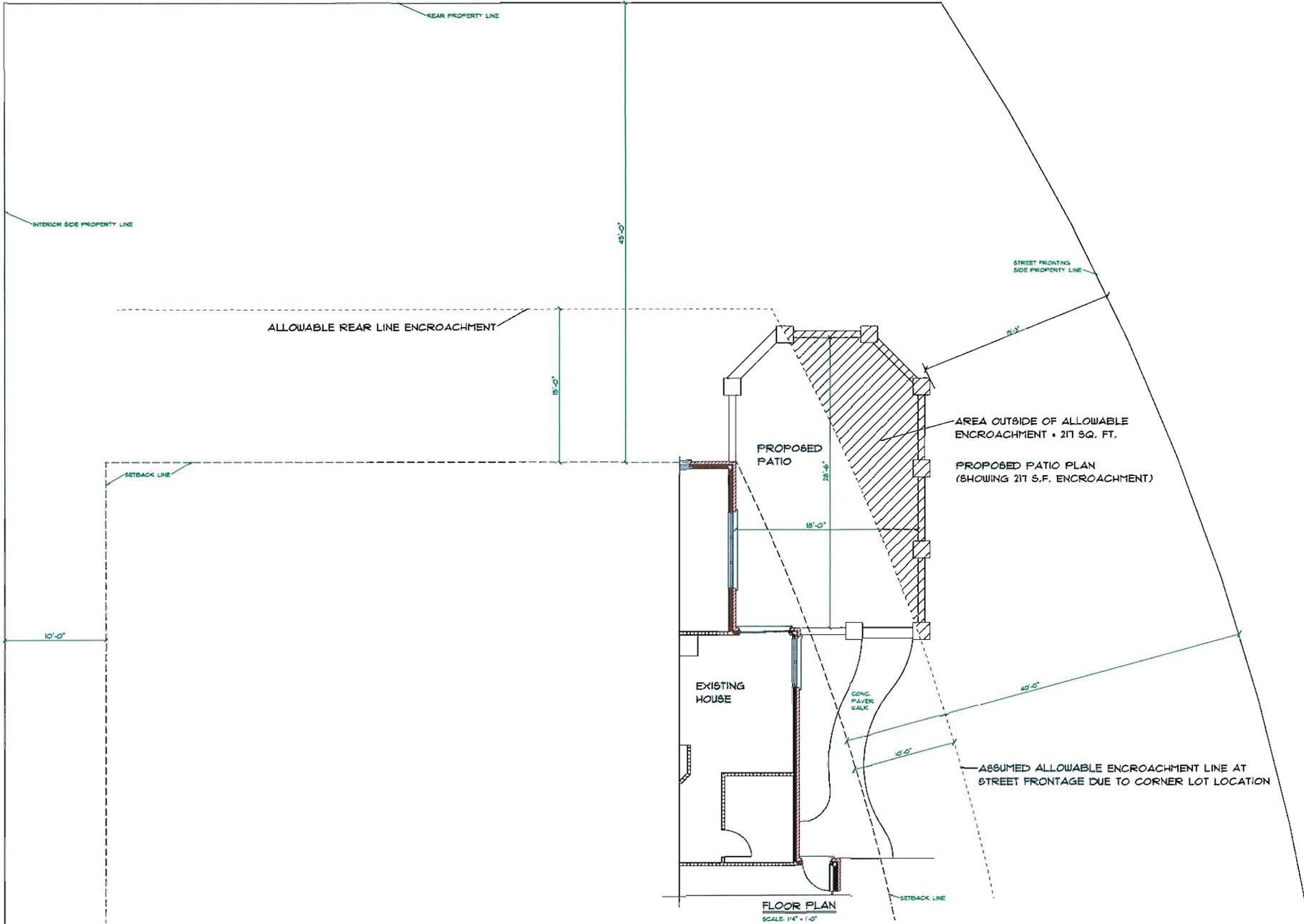
PATIO ADDITION FOR:
LOU PAULL

date	job
09/16/10	10-009
prelim	const.
AOI OF 1	



- ALTERNATE PATIO STRUCTURE PLANS PROVIDED BY THE APPLICANT FOLLOW THIS PAGE.
- THESE ARE ALTERNATIVES THE APPLICANT ADVISED STAFF HE CONSIDERED BUT CHOSE AGAINST.
- THE APPLICANT SHOULD BE WILLING TO TESTIFY TO WHY THESE ALTERNATIVES WERE NOT CHOSEN, IF THE BOARD BELIEVES IT IS NECESSARY.

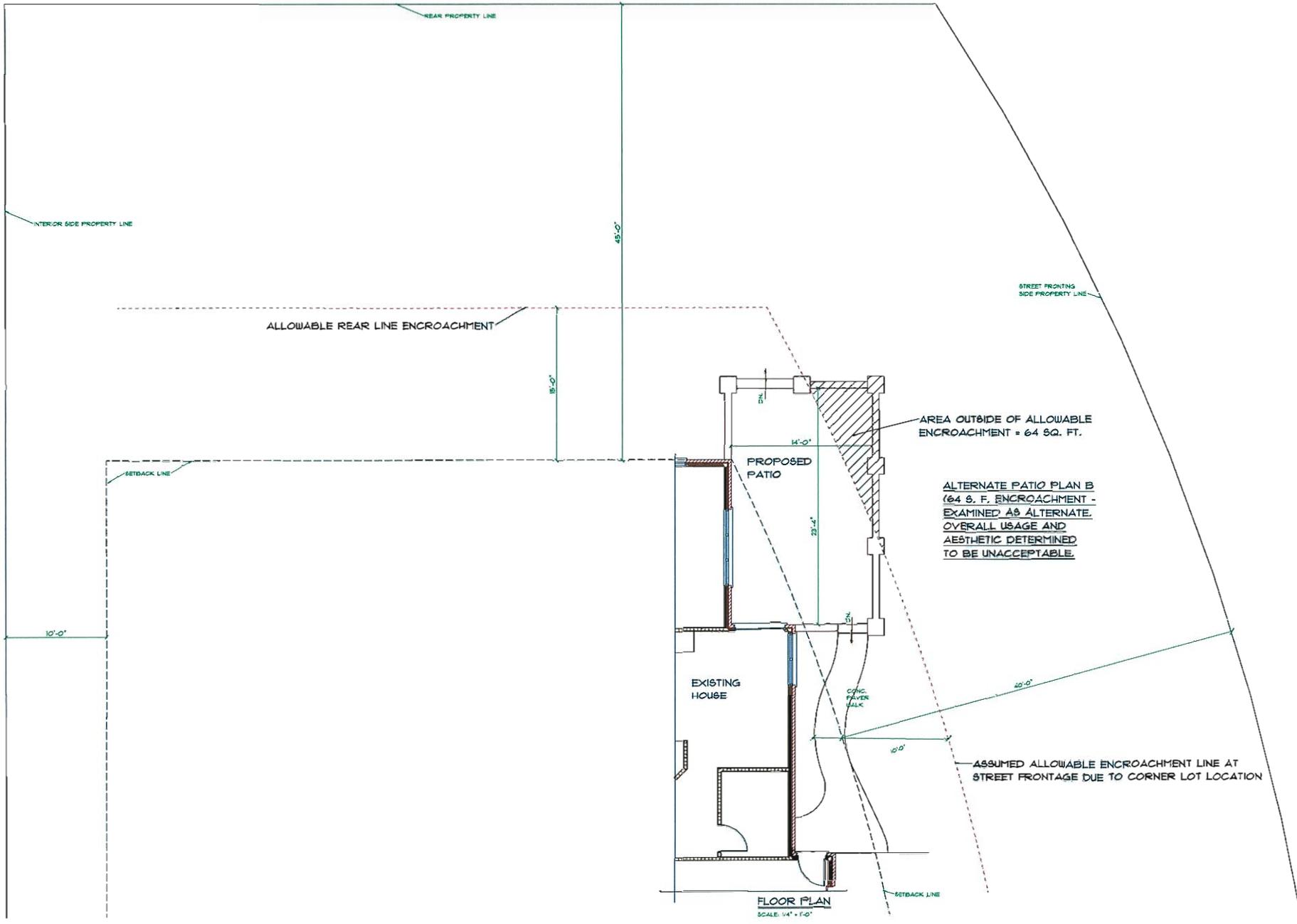
Paul



FLOOR PLAN
SCALE 1/4" = 1'-0"

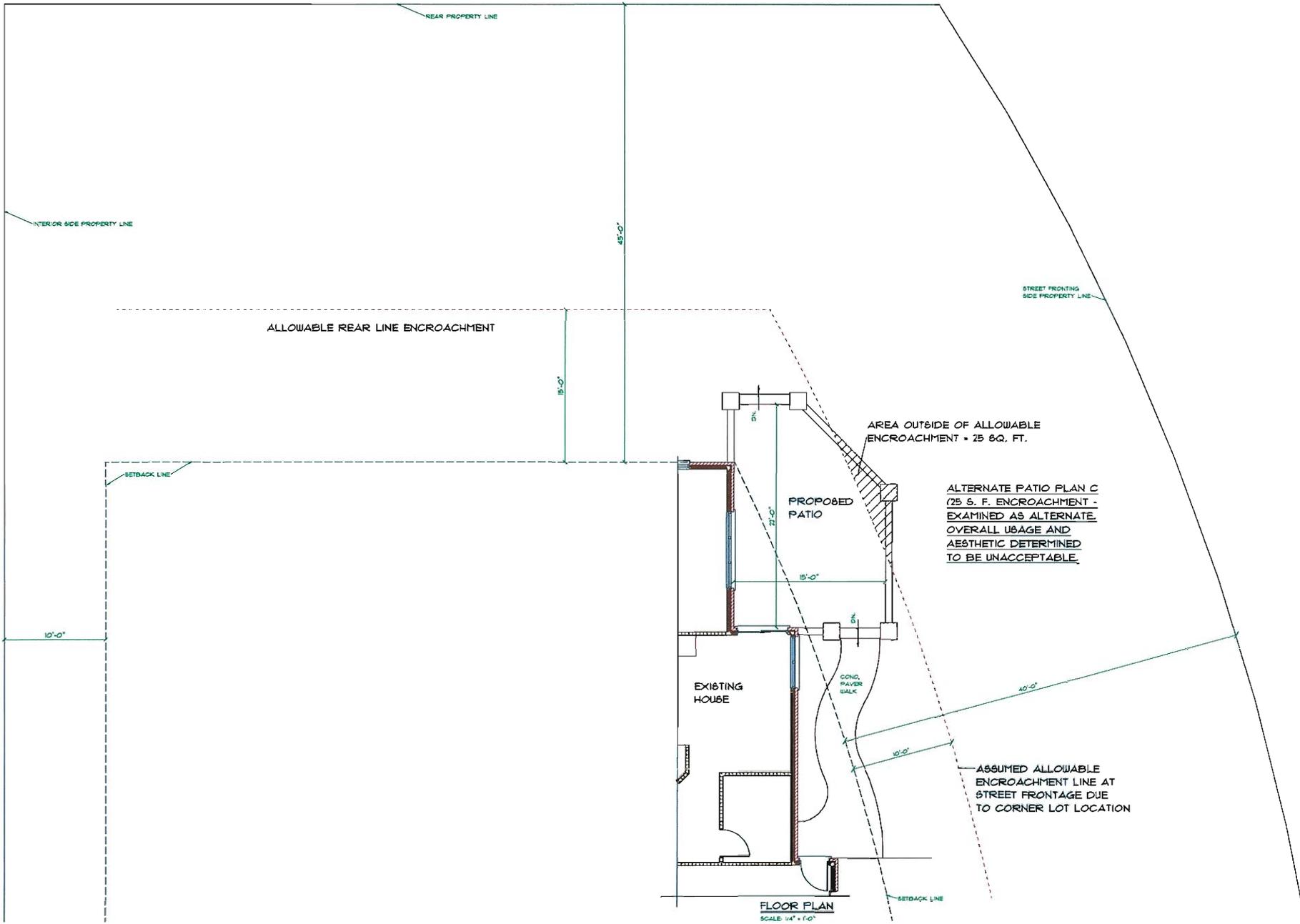
revised	
11/2/10	
10/26/10	
10/26/10	

date	job
05/6/10	10-008
prelim	const.



Revised	
8/2/10	
10/06/10	

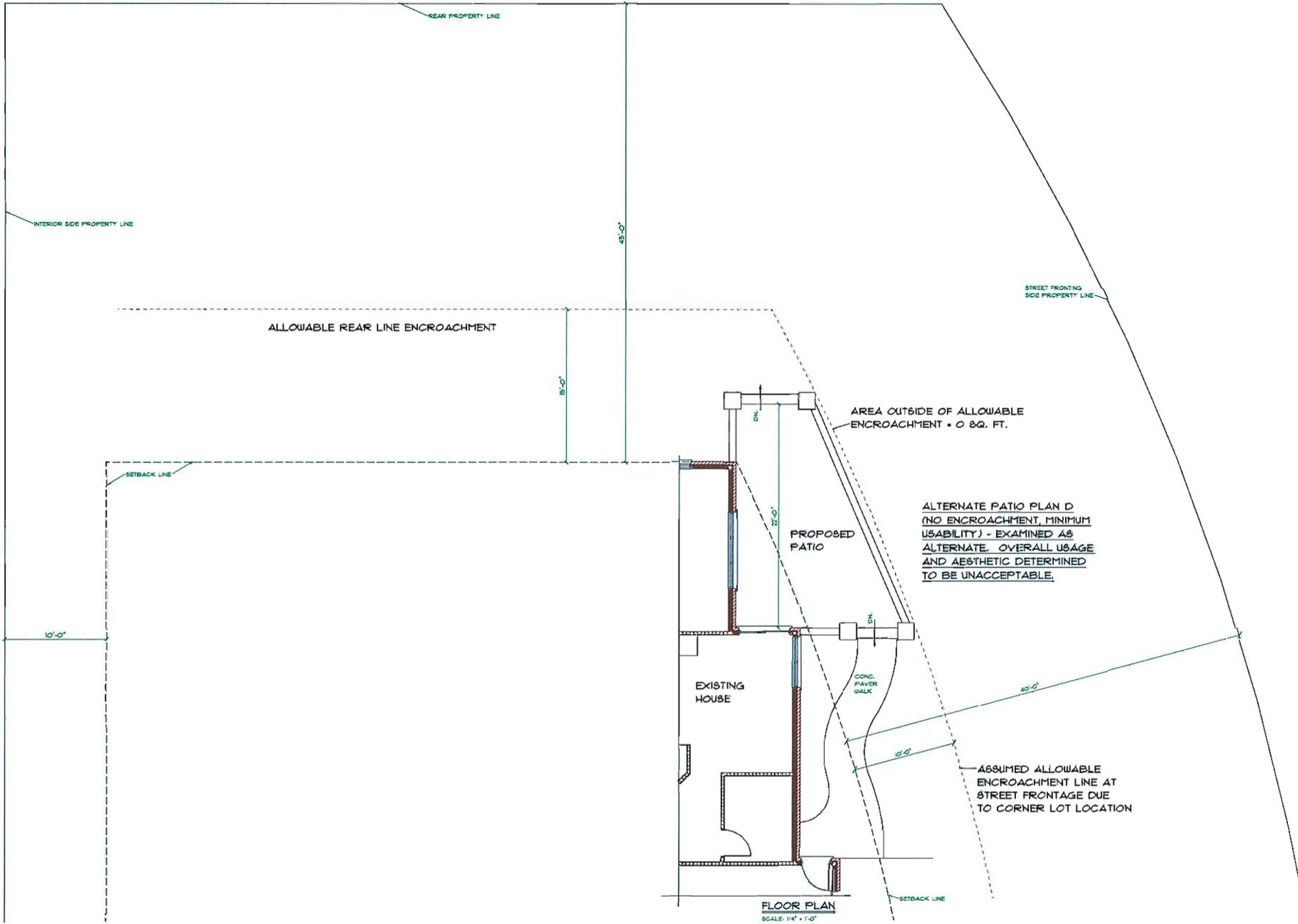
Date	Job
09/16/10	10-006
prelim	const.



revised	
11/2/10	
12/08/10	
12/16/10	

date	job
03/16/10	10-005

prelim	const.
sh:	A02c



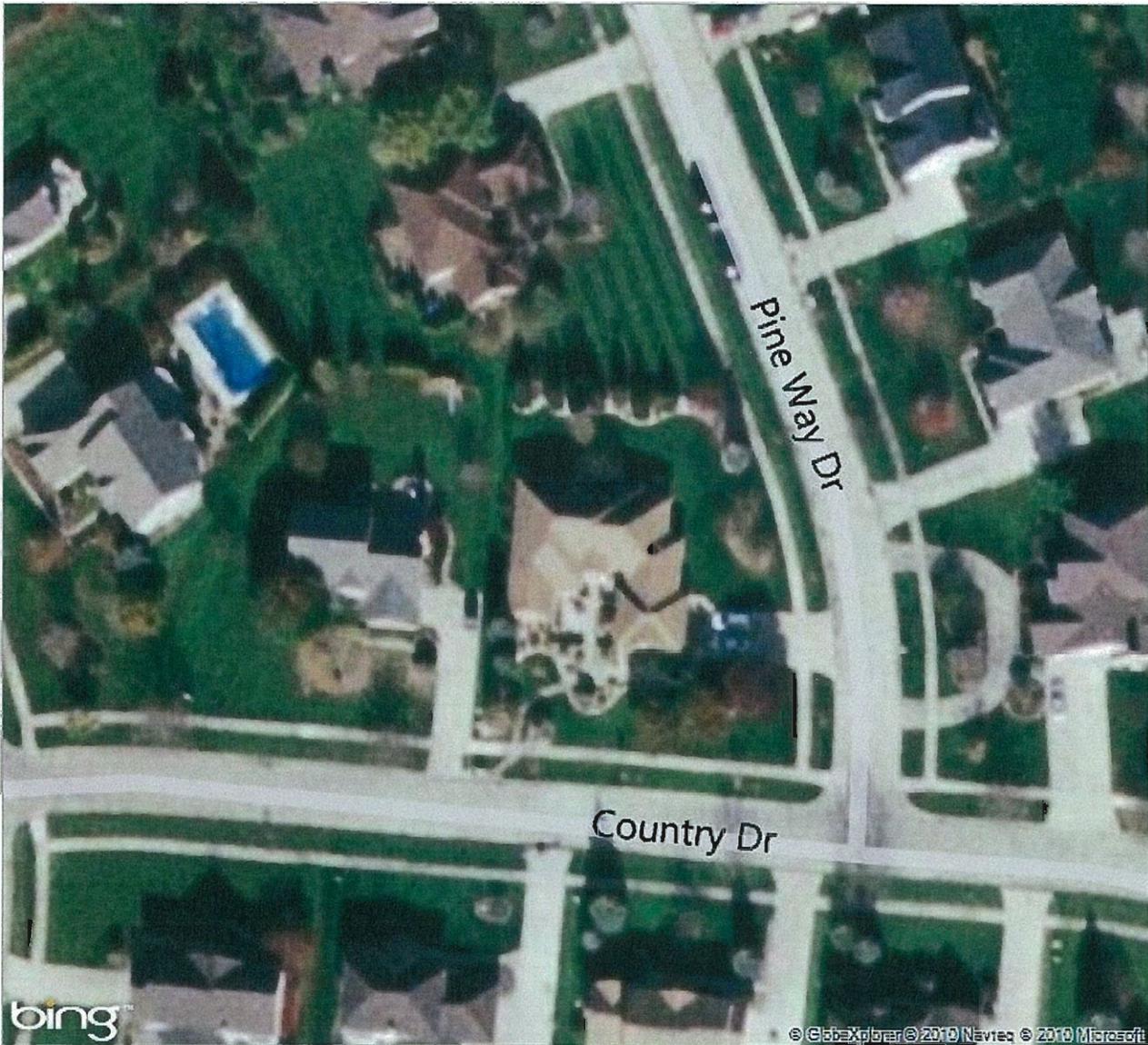
revised	
11/10/10	10/20/10

date	job
05/16/10	10-008
prelim	const.

Bing Maps

My Notes

 **FREE!** Use **Bing 411** to find movies, businesses & more: **800-BING-411**



 Bird's eye view maps can't be printed, so another map view has been substituted.



1396 COUNTRY DRIVE

Address ~~6501 Pine Way Drive~~

~~6501 Pine Way Drive~~
SIDE YARD

Save trees. Go green!

Download Google Maps on your phone at google.com/gmm





1396
Address ~~1308~~ Country Drive
~~Address is approximate~~
FRONT YARD

Save trees. Go green!
Download Google Maps on your phone at google.com/gmm

















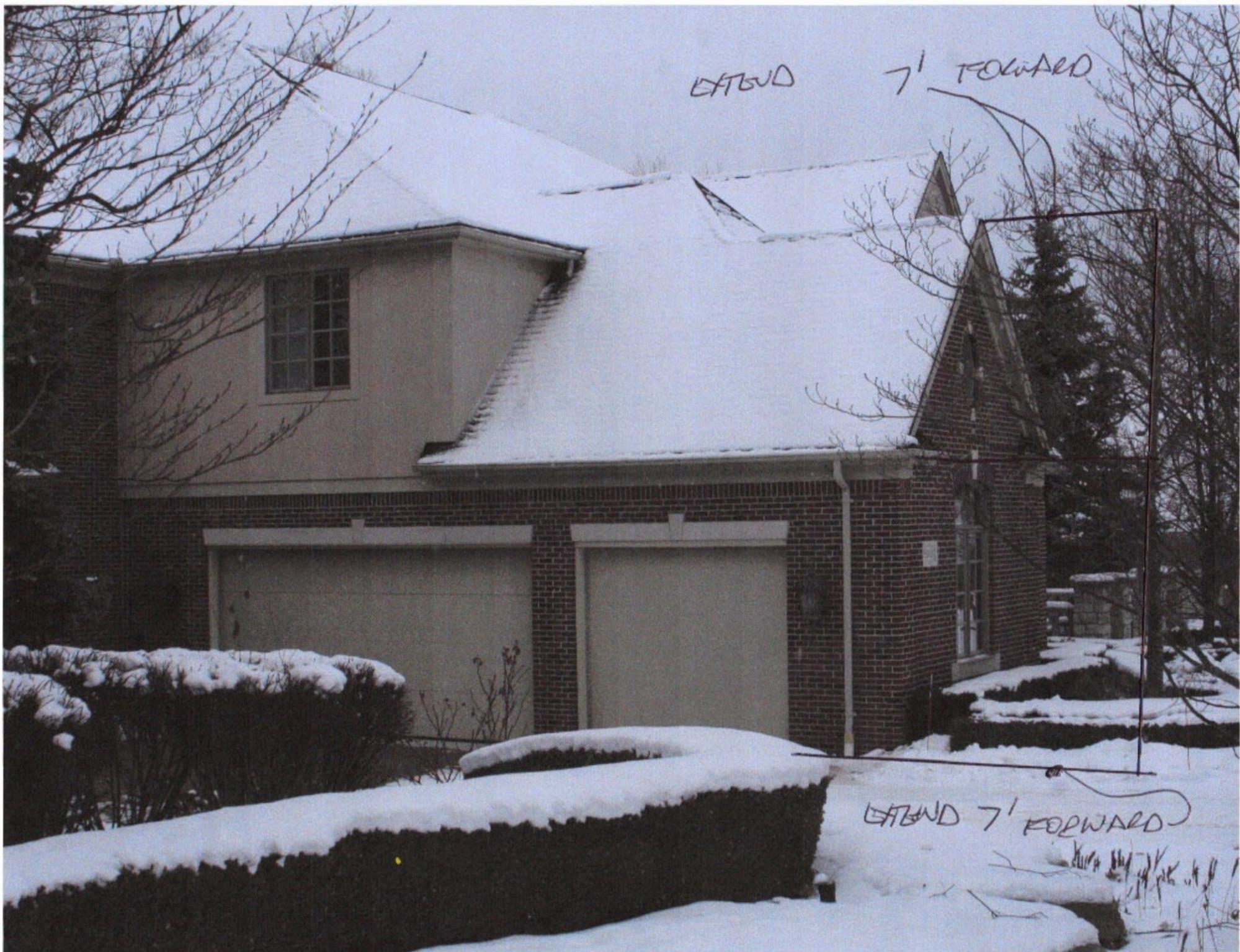


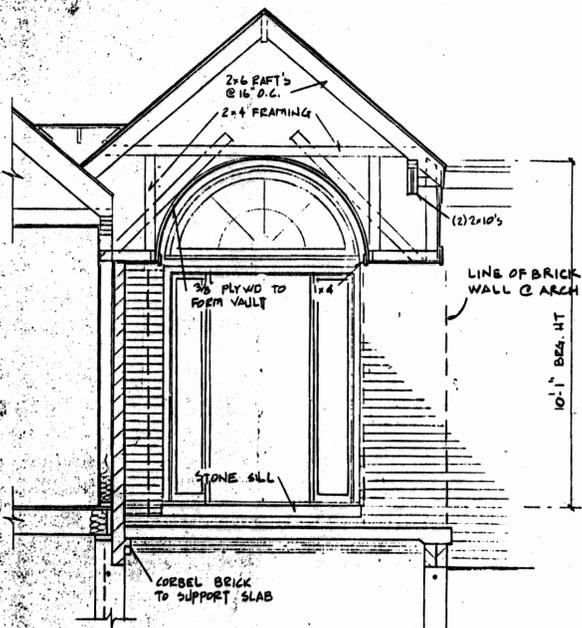


LEFT AND

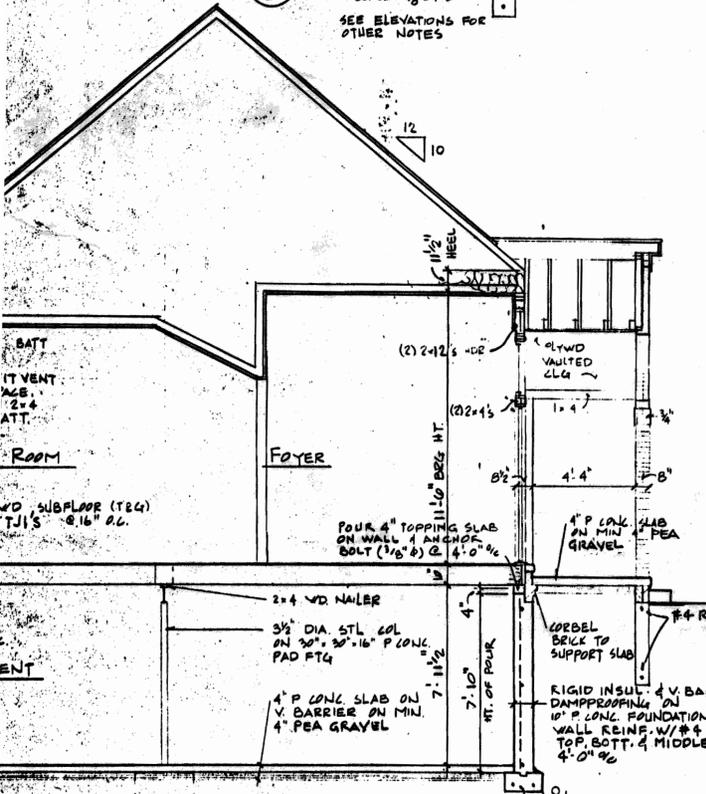
7' FORWARD

LEFT AND 7' FORWARD

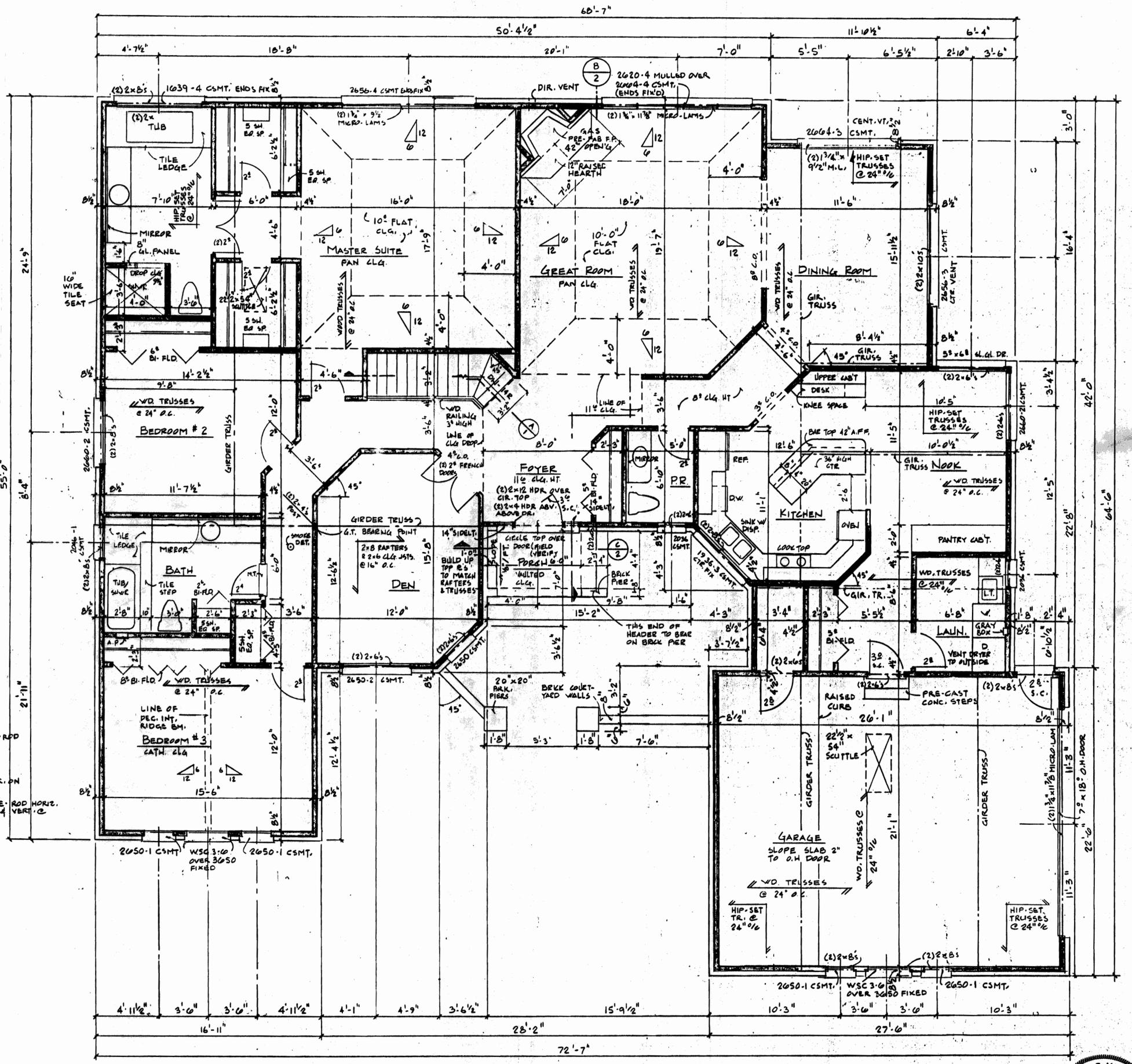




C SECTION PORCH
SCALE: 3/8" = 1'-0"
SEE ELEVATIONS FOR OTHER NOTES



B SECTION
SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

