

## **VARIANCE REVIEW STANDARDS ZONING ORDINANCE SECTION 15.04 (E) (2)**

Dimensional or other non-use variances shall not be granted by the Zoning Board of Appeals unless it can be determined that all of the following facts and conditions exist:

- a) Exceptional characteristics of property for which the variance is sought make compliance with dimensional requirements substantially more difficult than would be the case for the great majority of properties in the same zoning district. Characteristics of property which shall be considered include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation and other similar characteristics.
- b) The characteristics which make compliance with dimensional requirements difficult must be related to the premises for which the variance is sought, not some other location.
- c) The characteristics which make compliance with the dimensional requirements shall not be of a personal nature.
- d) The characteristics which make compliance with dimensional requirements difficult must not have been created by the current or a previous owner.
- e) The proposed variance will not be harmful or alter the essential character of the area in which the property is located, will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property value within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City.

## 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.



# ZONING BOARD OF APPEALS

## MEETING AGENDA

### REGULAR MEETING

500 W. Big Beaver  
Troy, MI 48084  
(248) 524-3364  
[www.troymi.gov](http://www.troymi.gov)  
[planning@troymi.gov](mailto:planning@troymi.gov)

David Lambert, Chair, and Michael Bartnik, Vice Chair  
Glenn Clark, Kenneth Courtney, William Fisher  
A. Allen Kneale, Thomas Strat

---

May 17, 2011

7:30 P.M.

Council Chamber

---

1. ROLL CALL
2. APPROVAL OF MINUTES – April 19, 2011
3. POSTPONED ITEMS
  - A. **VARIANCE REQUEST, MONSIGNOR ZOUHAIR TOMA KAJBOU, 2442 E. BIG BEAVER ROAD, ST. JOSEPH CHALDEAN CATHOLIC CHURCH** – In order to construct an addition to the church and a new driveway: 1) An 8 foot variance from the requirement that the addition be set back 50 feet from the west property line, 2) a 43 foot variance from the requirement that the proposed driveway be set back at least 50 feet from the west property line, and 3) a variance from the requirement that a landscaped berm be provided between the proposed driveway and the west property line.  
  
**SECTION: 10.30.04 (B), (E), (F)**
  - B. **VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS** – In order to split the subject parcel into 3 separate parcels, a 15 foot variance to the required 100 foot lot width requirement for 2 of the proposed parcels.  
  
**SECTION: 30.10.02**

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto: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.

4. COMMUNICATIONS
5. PUBLIC COMMENT
6. MISCELLANEOUS BUSINESS - **ELECTION OF OFFICERS**
7. ADJOURNMENT

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto: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.

4. COMMUNICATIONS
5. PUBLIC COMMENT
6. MISCELLANEOUS BUSINESS - **ELECTION OF OFFICERS**
7. ADJOURNMENT

**NOTICE:** People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at [clerk@troymi.gov](mailto: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.

The Board of Zoning Appeals meeting was called to order by Chair Lambert at 7:30 p.m. on April 19, 2011, in the Council Chamber of the Troy City Hall.

1. ROLL CALL

Present

- Michael Bartnik, Vice Chair
- Glenn Clark
- Kenneth Courtney
- William Fisher
- A. Allen Kneale
- David Lambert, Chair
- Thomas Strat

Also Present

- Paul Evans, Zoning and Compliance Specialist
- Susan Lancaster, Assistant City Attorney
- Stuart Filler, Recording Secretary

Chair Lambert reviewed the meeting procedure and introduced the Board members and staff. Mr. Strat is the Board liaison to the Planning Commission. Chair Lambert said that a new Zoning Ordinance was adopted last night and will soon go into effect.

2. APPROVAL OF MINUTES

**Resolution #BZA 2011-04-18**

- Moved by Bartnik
- Seconded by Strat

**MOVED**, To approve the March 15, 2011, regular meeting minutes with the following corrections:

- p. 3 - after "Ordinance Section 39.10.03" and the sentence on the City staff presentation: delete the following paragraph and the part of the third paragraph before "appellant Harry Kwon;
- p. 3 - insert a period after "and to Sunoco, to all concerned," and delete the remainder of the sentence; resume at "The wood portion is removable";
- p. 4 - replace "Mr. Bartnik said the wall" with "A Board member said the wall";
- p. 4 - replace "too small for a condo" with "too small for a site condo."

Yes: All present (7)

**MOTION CARRIED**



**Resolution #BZA 2011-04-19**

Moved by Courtney

Seconded by Clark

**MOVED,** To postpone resumption of the hearing on 4820 Livernois (Agenda item 3C) to May 17, 2011, as the petitioner has requested.

Chair Lambert asked who was present for that item, and an individual present for that item chose to come back next month rather than comment tonight on the motion on the floor.

Vote on the motion on the floor.

Yes: All present (7)

**MOTION CARRIED.**

3. POSTPONED ITEMS

- A. **VARIANCE REQUEST, HARRY KWON, 38921 DEQUINDRE** - A variance from the requirement that the required obscuring wall along the west property line be constructed of common or face brick, or of poured or precast masonry or decorative block, in order to maintain the existing wood fence

**ORDINANCE SECTION: 39.10.03**

Mr. Evans summarized the facts and history of the case. This continues the hearing that the Board adjourned on March 15, 2011, so that the applicant could provide more documentation. The new Zoning Ordinance, however, which the City adopted yesterday, gives the applicant an alternative. Instead of masonry screening, the ordinance requires screening by means of plantings. Plantings of the required type and distances apart could be administratively approved and would satisfy the ordinance without the need for a variance. The appellant could replace the wood portion with masonry under the old zoning ordinance, or with plantings under the new ordinance. Mr. Evans pointed out on the City GIS map where the Sunoco pipeline appears to be located in the area.

Appellant Harry Kwon said the easement documents prohibit any "permanent structure." Sunoco Pipeline L.P. holds that this excludes any masonry wall across the easement but that it permits wooden fencing. Of the 125 foot rear property line, Mr. Kwon said the wood fence portion is about 20 feet or the approximate width of the easement.

Mr. Bartnik referred to a November 25, 2005 City Legal Department opinion, and Mr. Evans confirmed that is part of the public record of this hearing.

PUBLIC HEARING OPENED.

No one was present to speak. Chair Lambert cited one letter on file that opposes the request.

PUBLIC HEARING CLOSED.

Assistant City Attorney Lancaster and Board members reviewed documents pertaining to the case. Assistant City Attorney Lancaster said that all the practical questions cannot be answered definitively because they involve actions or inactions by another party or parties as well as factual issues. It appears, however, that the documents pertaining to the private easement, at least as understood by the easement holder, prohibit a "structure: in the easement, and that they hold that a concrete wall is a "structure."

**Resolution #BZA 2011-04-20**

Moved by Bartnik

Seconded by Kneale

**MOVED,** To grant a permanent variance to allow the appellant to keep an existing portion of 6 foot tall wood fencing in lieu the required masonry wall;

*Preliminary Findings:* That this variance:

- Relates only to the property in question;
- Would not be contrary to the public interest;
- Would not permit the establishment of a prohibited use;
- Would not cause an adverse effect on properties in the vicinity or zoning district; and
- That the appellant has demonstrated a practical difficulty, in that it would be unnecessarily burdensome to conform by means of masonry construction that would violate a recorded private easements;

*Special Finding:*

- That the practical difficulty results from an unusual characteristic of the property, which consists of the 1913 and 1942 Sunoco Pipeline L.P. easement.

**Discussion of the motion on the floor.**

Chair Lambert said that trees or shrubs, as permitted and mandated by the new Zoning Ordinance would look better than the existing wooden fencing, which some communications to the Board call an eyesore.

Mr. Clark agreed that the neighbors would prefer an alternative to the existing wood fence and said that the Board cannot guarantee that the fence, which is in good condition, would never deteriorate, even if the Board made maintenance a condition and even though the ordinances require maintenance.

Mr. Kneale said that the best option for uniformity of appearance would be to complete the concrete wall, but that he would support the motion rather than impose the additional costs of the owner's removing the fence and planting shrubbery.

Vote on the motion on the floor.

Yes: Bartnik, Fisher, Kneale  
No: Clark, Courtney, Lambert, Strat

**MOTION FAILED 3-4.**

Mr. Evans said Mr. Kwon should contact the Planning Department, since the previous variance has expired.

Assistant City Attorney Lancaster said that Mr. Kwon should contact the easement holder to see whether they will approve the screen wall due to the denial of a variance tonight.

Mr. Kwon asked whether he is allowed to replace the entire existing masonry wall with shrubs, and requested a City letter citing the ordinance that he can show to the easement holder. Mr. Evans agreed to assist.

- 
- B. **VARIANCE REQUEST, MONSIGNOR ZOUHAIR TOMA KAJBOU, 2442 E. BIG BEAVER ROAD, ST. JOSEPH CHALDEAN CATHOLIC CHURCH** - In order to construct an addition to the church and a new driveway: 1) An 8 foot variance from the requirement that the addition be set back 50 feet from the west property line; 2) a 43 foot variance from the requirement that the proposed driveway be set back at least 50 feet from the west property line; and 3) a variance from the requirement that a landscaped berm be provided between the proposed driveway and the west property line.

**ORDINANCE SECTIONS: 10.30.04 (B), (E), (F)**

Mr. Evans summarized the facts and the history of the case. This matter has not yet been heard by the Board as it was postponed from March 15, 2011 at the request of the applicant.

Mr. Evans advised the Planning Commission took no action at special use approval and site plan review held January 11, 2011, pending the petitioner's seeking appropriate variances.

Mr. Evans confirmed that the apparently vacant land to the south of the property is City owned.

Ghassan Abdelnour, of G.A.V & Associates, Inc., Architects, 31471 Northwestern Highway, Farmington Hills, said that the improvements are part of a growing church community's effort to deal with traffic and circulation issues. The effort has included rescheduling the interval between services and construction of a second church in Sterling Heights. The issue is traffic accumulating on Big Beaver. The property has two vehicle exits but only one vehicle entrance.

Its 321 parking spaces exceed the requirement, which is 267, but they take too long to fill. The requirement is one space for every three building occupants; building capacity is 800.

They have met with Planning, Building, and Police Departments, the Planning Commission and the neighbors about the need for a second entrance drive on the west side, about the landscaped area to the south, and about traffic circulation, and are still working on these three things.

Architect Abdelnour continued. Fr. Kajbou withdrew the plan for a second drop-off area on the west side that would have eliminated a bottleneck where a line forms at the main entrance. That was in response to community concerns. The vestibule is now a minor feature to add a cover over an existing doorway. Also in response to concerns, Msgr. Kajbou had them add a curve in the driveway as a safeguard against headlight glare, even though most masses are in the daytime. More trees have been added to the landscape site plan for the south end to provide more screening from traffic lanes. They can add still more trees. Another suggestion that was implemented is for photoelectric sensors at the concrete separation wall to guarantee that lights go out in accord with City Code. The dialogue with the City and the neighbors continues.

Appellant Msgr. Zouhair Kajbou, Pastor of St. Joseph Chaldean Catholic Church, 2442 East Big Beaver Road, said that they have improved the spacing of the services, have added more services to reduce human congestion, and have added three churches in five years. But the traffic congestion entering from Big Beaver causes hardship to the neighbors as well as church members.

He discussed reasons contributing to a full parking lot, possible alternatives involving modifying the existing parking lot, and the Church's efforts to communicate with Wexford Condominium residents,

Mr. Bartnik asked about changes in the proposal that occurred after the January 12 Planning Commission hearing. Architect Abdelnour said that a drop-off area at the back of the west side of the building is gone, along with a few minor revisions.

Mr. Bartnik said that the several homes to the west are so close that one can see why the homeowners would be very concerned about a driveway there.

Mr. Bartnik asked about a new west entrance with the driveway and drop-off/vestibule on the north side instead of the west side of the building. The appellant advised that substantial changes, including revising the worship area, would have to be made to the church interior. Architect Abdelnour said that most of the parking is south of the building, so that it would be difficult for people to walk from the south parking to a north entrance. In addition, there is no parking lot outlet to the west, cars would face a dead end and maneuvering would be difficult.

Mr. Clark acknowledged the effort to reduce impact on the condos on major holidays, including using shuttle buses, and asked about other alternatives. The appellant said the shuttle buses come from the Lowes around the corner, where they have an agreement for major holiday parking. New churches or new Chaldean services are offered at 3 other off site area locations, with another pending. There are more volunteer parking guides. Together with these steps, the site improvements should eliminate 75% of the problem.

The applicant noted that the Church contributes towards paying for Troy Police support on major holidays.

Mr. Kneale asked if second drive entrance connecting the north to the south parking between the church and the rectory building has been explored. The appellant advised there is a storm sewer easement between the buildings, that creating the drive would result in a loss of existing parking spaces, and that a new proposed west entrance would eliminate the need for such a drive. .

Mr. Fisher asked whether passengers would be dropped off at the new west entranceway. The appellant said no. They do proposed to expand the existing double door on the east side to facilitate additional drop offs.

Mr. Courtney asked about enlarging the existing northeast exit and converting the central two-lanes from entrance and exit into a two-lane entrance with no exit. The appellant advised they believe two exits allow cars to leave the site faster, clearing the way for other cars to enter rather than being delayed on the road.

Chair Lambert noted that Troy Police Department Lieutenant. Dave Livingston is here at the request of the appellant. Lt. Livingston said that his main role is to let the Board know that the parish is doing all it can to reduce holiday and special event backup onto Big Beaver, which sometimes extends all the way to John R. The parish pays for five officers or more, who help with this public safety concern.

Officers have helped with the high volume traffic for eight years to his knowledge, and he agrees that having a single entrance drive slows access., He believes removing the proposed drop-off point on the proposed new driveway, will help eastbound Big Beaver traffic enter the site faster.

He believes other causes of congestion include: the existing drop-off point just north of the handicapped area; and people waiting around after services to fellowship with friends arriving for the next service. The overflow vacant lot to the south is sometimes soft and thus cannot always be used. The church has staggered the schedule and has arranged for extra off-site parking. He discussed additional traffic control measures utilized for Church events.

In response to a question by Mr. Strat, he opined is that a traffic light that would force westbound traffic to wait would not be cost justified.

He believes another entranceway would help. Chair Lambert asked whether there could be a new entranceway without a new driveway along the west property line. Lieutenant. Livingston said that there could, but it might increase the rate of entry by 33% rather than 100%. The problem is getting traffic to the south parking area without a bottleneck.

#### PUBLIC HEARING OPENED

Chair Lambert opened the public hearing.

Supporting, Beth C. Turner, 2924 and 2926 Roundtree Drive. , Opposed, Shannon Duke, 2930 Roundtree, with concerns that people will use the proposed west building entrance.

Opposing, Ed Piché, 2615 Parasol Drive, secretary of the Morel East Homeowners Association, questioned what is next step if proposed measures are ineffectiv

Opposed, Charles Pelzer, 2878 Roundtree Drive, believes some drivers will use a driveway to drop off passengers despite their intent, driveway as proposed is too close to condo residences

Opposed, Stanley Pilchowski, 2993 Roundtree, spoke in detail to the effect that a second driveway does nothing to shorten overlong service times and does nothing to stop the church from overcrowding, which he believes are the causes of the congestion.

Supporting, Susan Kattula, 5310 Dickson, Sterling Heights, said that she is a 24-year parish council member speaking as a church member and volunteer about adjustments that the church has made to minimize traffic and congestion. This includes an increase in parish membership from 30 families to 30,000 persons, adding masses on weekends and evenings, volunteer parking guides and hiring

the Police Department, and relocating its 800-participant catechism program to rental space off site.

Mr. Bartnik asked the Appellant how the City could approve a driveway that carries ten, or fifty or more cars, perhaps several times weekly, that would be so close to several private homes. A person standing by the 4 foot wall can almost look into the residences. This is an imposition on their privacy.

The appellant said that there have been no incidents and that the proposed driveway would be for vehicular traffic that does not stop, only. The 4 foot wall screens people seated in cars, and enhanced landscaping and shrubs, as shown in the landscape site plan will designed to screen out both glare and sightlines.

Mr. Bartnik said it is doubtful whether any plantings can protect nearby homes from traffic noise, etc., as well as a 50 foot setback. The appellant said there are four houses that are newly affected. The others are already alongside the parking lot, exposed to hundreds of cars moving and slamming doors. Relieving traffic congestion has costs, and the appellants are willing to pay but would not encroach on the neighbors' privacy or comfort.

In response to a question, the appellant repeated that the south half of the church is really a separate building that cannot become a primary entrance, because it would require demolishing several walls and the resulting hallway would be too long.

Opposing, Sam Daya, 2541 Marcus Drive, offered technical reasons why the proposed entrance drive would not solve the traffic problems and suggested widening the existing entranceway.

Opposing, Samuel Mitchell, 2914 Roundtree Drive, said that he performs the Wexford condo maintenance and observed that there is very little traffic in the condo driveway along the separation wall, He is concerned that a driveway could drive down the property values and that 4 feet is too narrow a space for trees a driveway and the existing wall.

Chair Lambert noted one letter of support and three letters in opposition on file.

#### PUBLIC HEARING CLOSED

Responding to Chair Lambert's question, the appellant said that building another church could afford some relief through reduced church membership but that the need remains to reduce the vehicle backup onto Big Beaver, even though it happens only a few times per year.

**Resolution #BZA 2011-04-21**

Moved by Bartnik  
Seconded by Kneale

**MOVED**, To deny the request, because the proposed driveway along the western edge would cause an adverse effect on the properties in the immediate vicinity, based on the testimony and exhibits.

**MOTION SUPERSEDED** by postponement Resolution #BZA 2011-04-22.

---

**Resolution #BZA 2011-04-22**

Moved by Courtney  
Seconded by Clark

**MOVED**, To postpone the item to May 17, 2011, to enable the appellant to consult for further traffic engineering advice.

Discussion of the motion on the floor.

Mr. Evans suggested if one month was insufficient time for the Applicant, the Board, at the May 17, 2011 meeting, could extend the postponement further.

Vote on the motion on the floor.

Yes: Clark, Courtney, Fisher, Lambert, Strat  
No: Bartnik, Kneale

**MOTION CARRIED 5-2.**

---

- C. **VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS** - In order to split the subject parcel into 3 separate parcels, a 15 foot variance to the required 100 foot lot width requirement for 2 of the proposed parcels. (Hearing adjourned March 15, 2011, to enable the appellants to research the viability of alternatives.)

**ORDINANCE SECTION: 39.10.02**

**ADJOURNED TO MAY 17, 2011**, per Resolution #BZA 2011-04-18, above at page 2.

---

4. HEARING OF NEW CASES

- A. **PERMISSION REQUEST, TIMOTHY J. LeROY, SUBURBAN MOTORS COMPANY, INC. 1810 MAPLELAWN** — Permission to place a temporary sales trailer on the site while the permanent building is undergoing renovations.

**SECTION: 43.80.00 (C)**

Mr. Evans summarized the facts of the case

Applicant Sam Gendler, Suburban Collection, 1795 Maplelawn, said that he and Timothy LeRoy coordinated on the temporary sales trailer. It would be smaller than the permanent sales area but large enough to accommodate one porter and seven sales people. The trailer has two pairs of offices on either side of a central open area; it has drinkable water, bathroom facilities, and utilities and data lines. It will be situated about 50 feet from the permanent building, in the area of the current used car inventory.

Assistant City Attorney Lancaster said that a temporary permission has a lesser standard than the practical difficulty standard that applies to variances.

The applicant said that February 2012 is the estimated time for the completion of these major renovations and the retirement of the trailer.

**PUBLIC HEARING OPENED**

No one was present to speak. Chair Lambert noted that the Board received one letter, which is in support of the application.

**PUBLIC HEARING CLOSED**

**Resolution #BZA 2011-04-23**

Moved by Clark

Seconded by Fisher

**MOVED**, To approve the request for up to two years.

**Discussion on the motion on the floor.**

Assistant City Attorney Lancaster advised that a permission grant motion does not necessarily have to include a set of findings.

**Vote on the motion on the floor.**

Yes: All present (7)

**MOTION CARRIED**

- B. **VARIANCE REQUEST, ALEJANDRO M. NOGOY for A. M. NOGOY CONSTRUCTION, 4951 SOMERTON DRIVE** — In order to remove the existing deck and build an addition to the home in the same location, a 5 foot variance to the required 40 foot rear yard setback.

**SECTION: 30.10.04**

Mr. Evans summarized the facts of the case. Mr. Bartnik established that the required public hearing notices went out, including to the Troy Swim Club immediately to the west, and they did not comment.

Appellant Alejandro Nogoy, Nogoy Construction, 3232 Helena Drive, said that the property owners hired him to do the improvements per the specifications and drawings, as well as the explanatory essay submitted with the application.

**PUBLIC HEARING OPENED**

No one was present to speak. Chair Lambert noted that the two letters received both support a variance.

**PUBLIC HEARING CLOSED**

**Resolution #BZA 2011-04-24**

Moved by Bartnik

Seconded by Courtney

**MOVED,** To grant the proposed variance.

*Preliminary Findings:* That this variance:

- Would not be contrary to the public interest;
- Would not permit the establishment of a prohibited use;
- Would not cause any adverse effect on properties in the immediate vicinity or zoning district; and
- Relates only to the property described in the application;

*Special Finding:*

- That the public health, safety and welfare will not be negatively affected;

Vote on the motion on the floor.

Yes: All present (7)

**MOTION CARRIED**

---

5. COMMUNICATIONS

There were no communications.

6. PUBLIC COMMENT

Appellant Ashish Manek thanked the Board for deferring Item 3C to May.

7. MISCELLANEOUS BUSINESS

Chair Lambert said that Board officers are elected next month.

Mr. Bartnik asked for a workshop on the newly adopted Zoning Ordinance about to go into effect. Mr. Evans agreed to provide some information and suggested a study session for the Board an hour before the May 17, 2011, meeting.

Mr. Strat suggested on-line update information.

Chair Lambert welcomed Assistant City Attorney Lancaster.

8. ADJOURNMENT

The Board of Zoning Appeals meeting adjourned at 11:31 p.m.

Respectfully submitted,

---

David Lambert, Chair



---

Stuart Filler, Recording Secretary

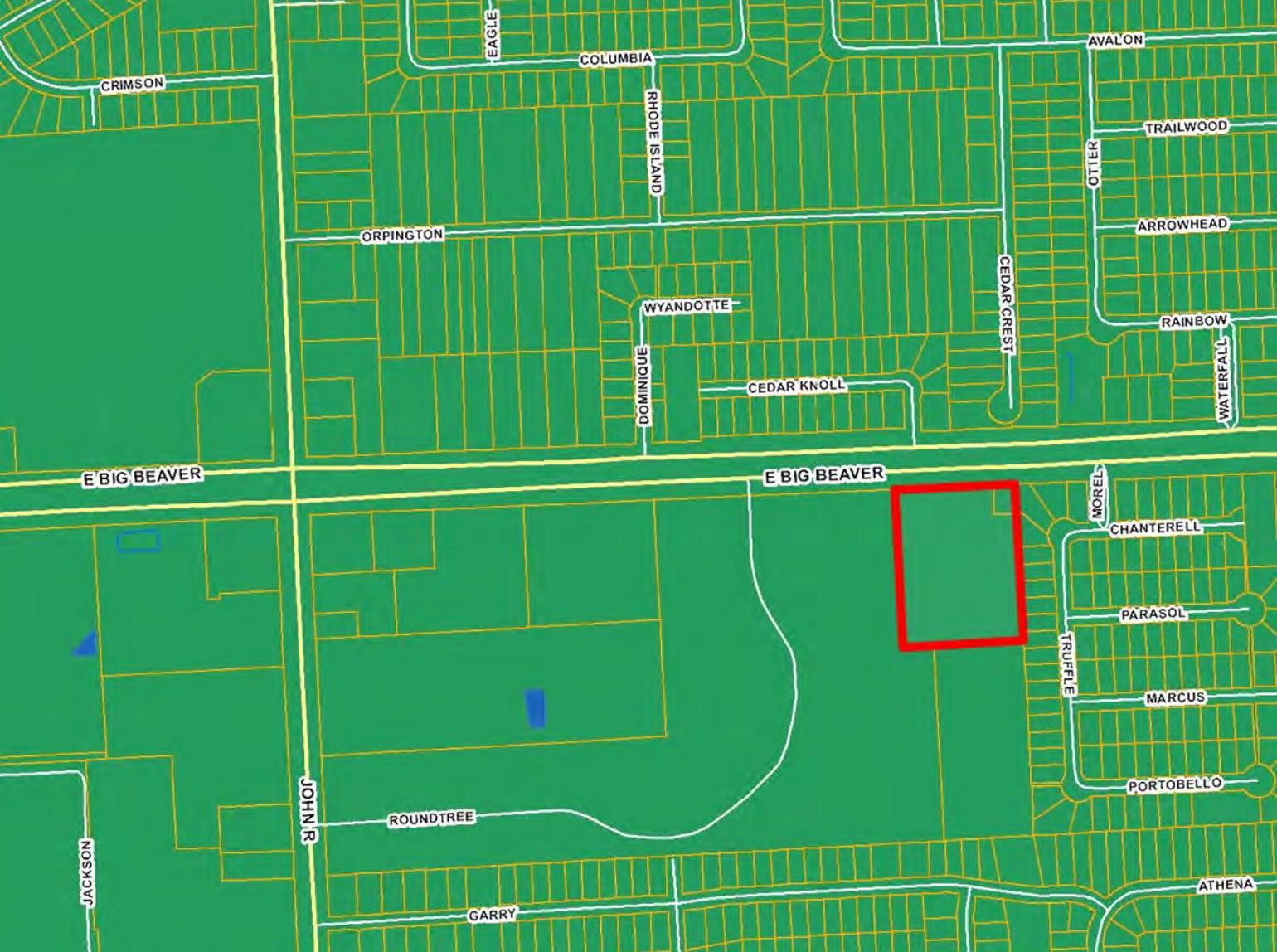
/sf 4-28

3. POSTPONED ITEMS

A. VARIANCE REQUEST, MONSIGNOR ZOUHAIR TOMA KAJBOU, 2442 E. BIG BEAVER ROAD, ST. JOSEPH CHALDEAN CATHOLIC CHURCH

– In order to construct an addition to the church and a new driveway: 1) An 8 foot variance from the requirement that the addition be set back 50 feet from the west property line, 2) a 43 foot variance from the requirement that the proposed driveway be set back at least 50 feet from the west property line, and 3) a variance from the requirement that a landscaped berm be provided between the proposed driveway and the west property line.

**SECTION: 10.30.04 (B), (E), (F)**



CRIMSON

EAGLE

COLUMBIA

AVALON

RHODE ISLAND

TRAILWOOD

ORPINGTON

OTIER

ARROWHEAD

WYANDOTTE

CEDAR CREST

RAINBOW

WATERFALL

CEDAR KNOLL

E BIG BEAVER

E BIG BEAVER

MOREL

CHANTERELL

PARASOL

TRUFFLE

MARCUS

PORTOBELLO

JOHN R

ROUNDTREE

JACKSON

GARRY

ATHENA

E BIG BEAVER

2966  
2968 2978  
2962 2970 2976 2982 2992 2994  
2958 2972 2974 2984 2986 2990 2988  
2952 2942 2940 2932 2930 2928  
2950 2944 2934 2922 2926  
2948 2946 2938 2936 2920 2924 2926  
2898 2904 2908 2912 2916 2924 2926  
2900 06 2910 2918

2442  
2444  
2482





REC'D

CITY OF TROY

FEB 11 2011

BOARD OF ZONING APPEALS APPLICATION

PLANNING DEPT

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



FILE NUMBER 2442 BIG BEAVER EAST
LOCATION
REGULAR MEETING FEE (\$150.00)
VARIANCE RENEWAL (\$35.00)
SPECIAL MEETING (\$650.00)

ST JOSEPH CHALDEAN CATHOLIC CHURCH

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: 2442 E. BIG BEAVER ROAD, TROY, MI 48083

LOT NO. SUBDIVISION

LOCATED ON THE SOUTH SIDE OF (ROAD) BIG BEAVER ROAD

BETWEEN DEQUINDRE ROAD AND JOHN R. ROAD

ACREAGE PROPERTY: Attach legal description if this an acreage parcel

2. PROPERTY TAX IDENTIFICATION NUMBER(S): 20-25-126-024

3. ZONING ORDINANCE SECTIONS APPLICABLE TO THIS APPEAL: SECTION 6.21 E AND F

4. REASONS FOR APPEAL: On a separate sheet, please describe the reasons justifying the requested action. See Submittal Checklist

5. HAVE THERE BEEN ANY PREVIOUS APPEALS INVOLVING THIS PROPERTY? If yes, provide date(s) and particulars:

6. APPLICANT INFORMATION:

NAME Monsignor Zouhair Toma Kajbou  
COMPANY St. Joseph Chaldean Catholic Church  
ADDRESS 2442 E. Big Beaver Road  
CITY Troy STATE MI ZIP 48083  
TELEPHONE 248-528-3676  
E-MAIL \_\_\_\_\_

7. APPLICANT'S AFFILIATION TO THE PROPERTY OWNER: \_\_\_\_\_

8. OWNER OF SUBJECT PROPERTY:

NAME Monsignor Zouhair Toma Kajbou  
COMPANY St. Joseph Chaldean Catholic Church  
ADDRESS 2442 E. Big Beaver Road  
CITY Troy STATE MI ZIP 48083  
TELEPHONE 248-528-3676  
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, Monsignor Zouhair Toma Kajbou (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  DATE 2/11/2011

PRINT NAME: Msgn Zouhair Toma

SIGNATURE OF PROPERTY OWNER \_\_\_\_\_ DATE \_\_\_\_\_

PRINT NAME: \_\_\_\_\_



**Residential  
Commercial  
Industrial**

---

*Architects / Engineers / Planners*

February 10, 2011

Mr. Paul Evans  
City of Troy Planning Department  
500 W. Big Beaver Road  
Troy, MI 48084

RE: St. Joseph's Chaldean Catholic Church  
2442 E. Big Beaver Road  
Troy, MI 48083

Mr. Paul Evans,

We are requesting variances for the following items in regards to the Troy Zoning Ordinance Section 6.21, subsections E and F:

1. The proposed vestibule relates to subsection E, which states that there shall be a minimum of a 50'-0" side yard setback. The proposed vestibule area will encroach on the setback by approximately 7'-6", which we are asking for a variance on. This new vestibule area would serve as a covered area for the rear entry door.
2. The proposed drive relates to subsection F, which states that the side yard area abutting a residential district will be maintained as open landscaped area. The proposed new drive will violate this part of the ordinance, which we are asking for a variance on. The new drive will conform to the landscape requirements set forth in the zoning ordinance. This drive will alleviate the congestion and traffic on Big Beaver because it will become a second entrance to the site. The current entrance has a drop off area which tends to create backups onto Big Beaver. The new drive does not have a drop off area and will be a straight access to the parking lot at the rear of the site.

Please feel free to contact me if you have any questions or concerns. (248-985-9101)  
Thank you.

Respectfully submitted,

Dan Swiontoniowski  
Project Manager

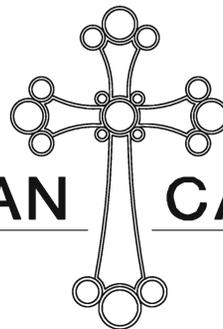
---

31471 Northwestern Highway, Suite 2  
Farmington Hills, Michigan 48334-2575  
Phone 248-985-9101  
Fax 248-985-9105

720 Ann Arbor, Ste. 312  
Flint, Michigan 48502  
Phone: 810-238-9140  
Fax: 810-238-9142

Website: [GAVASSOCIATES.COM](http://GAVASSOCIATES.COM)

# ST. JOSEPH CHALDEAN CATHOLIC CHURCH



2440-44 EAST BIG BEAVER ROAD  
 NW 1/4 OF SEC. 25, T.2N., R.11E.  
 CITY OF TROY, OAKLAND COUNTY, MICHIGAN

JAD JOB NO.:1007

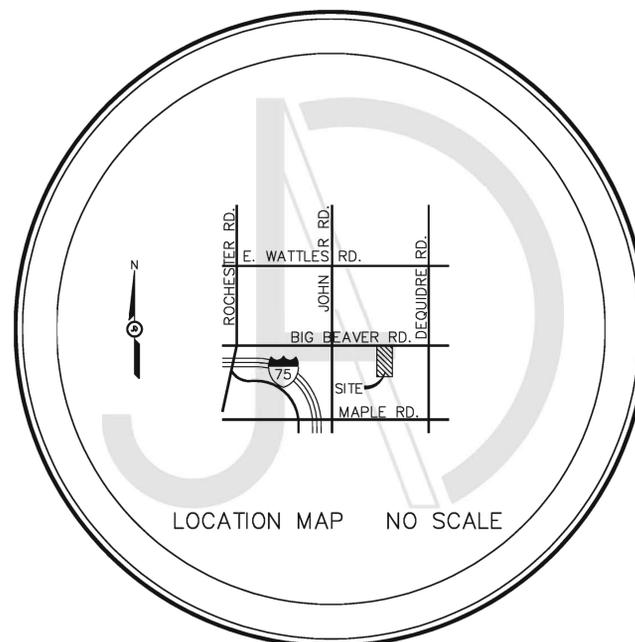
ZONING: R1-E: ONE FAMILY RESIDENTIAL DISTRICT  
**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING PART OF THE NORTHWEST CORNER OF SECTION 25, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:  
 COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION; S.00°24'53"E., 102.01 FEET ALONG THE N.-S. 1/4 LINE TO THE P.O.B.; THENCE CONTINUING ALONG SAID LINE S.00°24'53"E., 565.60 FEET; THENCE S.89°24'08"W., 432.27 FEET; THENCE N.00°14'11"E., 572.10 FEET TO THE SOUTH R.O.W. LINE OF BIG BEAVER ROAD (102.00' 1/2 WD.); THENCE ALONG SAID S. R.O.W. LINE S.89°44'48"E., 437.88 FEET (M.) TO THE P.O.B. CONTAINING 5.712 ACRES OF LAND.  
 SUBJECT TO ANY AND ALL EASEMENTS OF RECORDS, IF ANY.  
 ALSO KNOWN AS PARCEL IDENTIFICATION NUMBER: 20-25-126-024.

**PROJECT DIRECTORIES:**

CITY OF TROY  
 500 WEST BIG BEAVER  
 TROY, MICHIGAN 48084  
 TELEPHONE: 248-524-3300

ROAD COMMISSION FOR OAKLAND COUNTY  
 MR. ED PEET  
 PERMIT SUPERVISOR  
 PERMITS & ENVIRONMENTAL CONCERNS DEPARTMENT  
 2420 PONTIAC LAKE ROAD  
 WATERFORD, MI 48328  
 TELEPHONE: 248-858-4835



LOCATION MAP NO SCALE

**SHEET INDEX:**

- COVER
- PC-1. TOPOGRAPHICAL SURVEY
- PC-2. PRELIMINARY SITE PLAN
- PC-3. PRELIMINARY GRADING PLAN
- PC-4. PRELIMINARY LANDSCAPING PLAN

**TERMS AND CONDITIONS FOR ELECTRONIC DATA:**

This document is provided in electronic format for the referenced project. It is understood and agreed that any use or reuse of original or altered files will be at the user's own risk and legal responsibility. It is also agreed that the electronic files provided by J.A.D. Engineering Services, Inc. (JAD) are being provided for general information purposes only. Neither the electronic files nor any CAD versions are to be relied on for construction layout purposes. The user expressly indemnifies and holds JAD harmless for any and all claims, suits, liability, demands or other costs arising out of or resulting from the unauthorized use of these materials, JAD makes no representation as to the accuracy of the information provided by the electronic media. Data on electronic media can deteriorate or be modified without the knowledge of JAD. Electronic media viruses are increasing in complexity and growth. JAD advises all users to scan any disc received from outside sources with a current anti-virus program. It is understood and agreed that JAD will not be responsible for any damage caused by such a virus. If any virus is detected by your system on any media received from JAD it is your responsibility to contact us immediately.



3 FULL WORKING DAYS  
 BEFORE YOU DIG.  
 CALL MISS DIG  
 1-(800)-482-7171  
 FOR LOCATION OF  
 UNDERGROUND FACILITIES

**UTILITY AND TYPE OF PRODUCT SPECIFIC GROUP IDENTIFYING COLOR**

SAFETY RED	-ELECTRIC POWER DISTRIBUTION AND TRANSMISSION -MUNICIPAL ELECTRIC SYSTEMS
HIGH-VISIBILITY, SAFETY YELLOW	-GAS DISTRIBUTION AND TRANSMISSION. -OIL DISTRIBUTION AND TRANSMISSIONS. DANGEROUS MATERIALS, PRODUCT LINES.
SAFETY-ALERT ORANGE	-TELEPHONE AND TELEGRAPH SYSTEMS. -CABLE TELEVISION. -POLICE AND FIRE COMMUNICATIONS.
SAFETY-PRECAUTION BLUE	-WATER SYSTEMS.
SAFETY-BROWN	-SEWER SYSTEMS.
SAFETY-GREEN	-STORM SYSTEMS.
HIGH-VISIBILITY, SAFETY-PINK	-LAND SURVEY MONUMENTATION.

**NOTES TO CONTRACTORS:**

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN THE LATEST APPROVED PLANS BY THE MUNICIPALITY AND ALL OTHER GOVERNMENTAL AGENCIES, CONSULTANTS WHOSE JURISDICTION APPLY TO THIS PROJECT.  
 THIS SET OF DRAWINGS AND DOCUMENTS IS INTENDED AS A SET OF GUIDELINES FOR THE PROJECT. THEY MUST BE READ TO INCORPORATE ALL APPLICABLE FEDERAL, STATE, AND LOCAL CODES INCLUDING FEDERAL A.D.A. REQUIREMENTS. THIS SET ASSUMES THAT THERE ARE NO UNUSUAL SOIL CONDITIONS. THE FAILURE OF THIS CONDITION MAY REQUIRE SIGNIFICANT CHANGES TO THESE DOCUMENTS. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CONFORM TO ALL APPLICABLE CODES AND TO INFORM THE OWNERS/ENGINEERS OF ANY QUESTIONS OR CLARIFICATIONS WHICH ARE DESIRED. CONTRACTORS SHALL ALSO VISIT THE SITE BEFORE BIDDING. CONTRACTORS ARE REQUIRED TO KNOW ALL OBSERVABLE CONDITIONS AND APPLICABLE CODES.

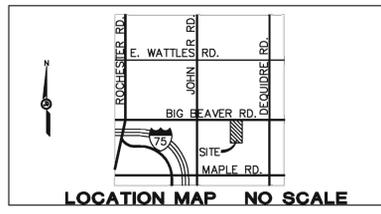
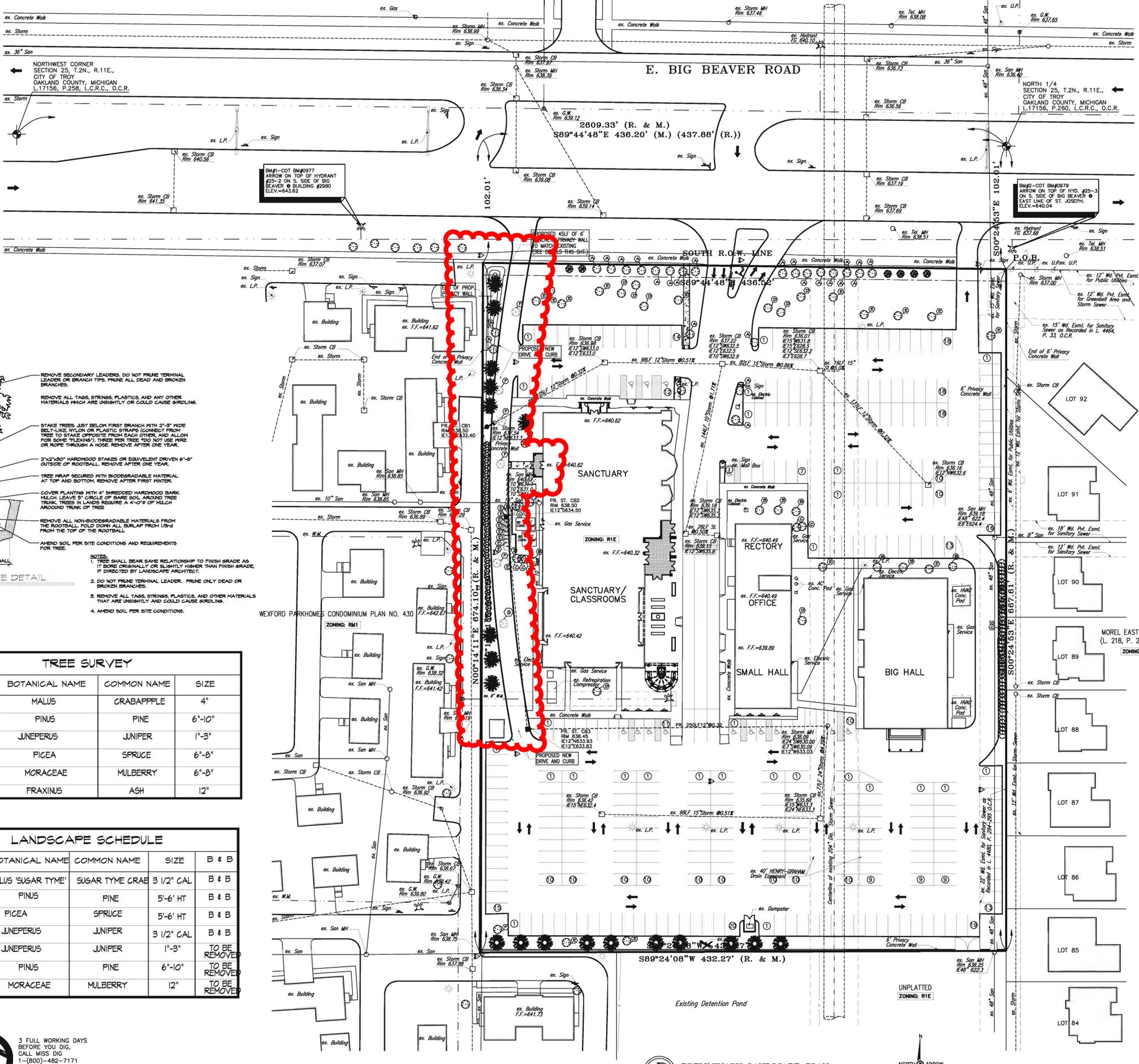
**PROPERTY OWNER**

**ST. JOSEPH CHALDEAN CATHOLIC CHURCH**  
 2442 E. BIG BEAVER ROAD  
 TROY, MICHIGAN 48083  
 CONTACT PERSON:  
**REVEREND MONSIGNOR ZOUHAIR TOMA KAJBOU**  
 TELEPHONE: 248-528-3676  
 FACSIMILE: 248-524-1957

**ARCHITECT**



G.A.V. & ASSOCIATES, INC.  
 31471 NORTHWESTERN HWY., SUITE #2  
 FARMINGTON HILLS, MI. 48334  
 (248) 985-9101  
 FAX (248) 985-9105  
 EMAIL: GAV@GAVASSOCIATES.COM



**LEGAL DESCRIPTION**  
 A PARCEL OF LAND BEING PART OF THE NORTHWEST CORNER OF SECTION 25, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:  
 COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION; S.00°24'53".1", 102.01 FEET ALONG THE N.-S. 1/4 LINE TO THE P.O.B.; THENCE CONTINUING ALONG SAID LINE S.00°24'53".1", 555.50 FEET; THENCE S.89°44'48".8", 432.27 FEET; THENCE N.00°14'11".1", 572.10 FEET TO THE SOUTH R.O.W. LINE OF BIG BEAVER ROAD (102.00' 1/2 WD.); THENCE ALONG SAID S. R.O.W. LINE S.89°44'48".8", 437.88 FEET (M.) TO THE P.O.B. CONTAINING 5.712 ACRES OF LAND, SUBJECT TO ANY AND ALL EASEMENTS OF RECORDS, IF ANY. ALSO KNOWN AS PARCEL IDENTIFICATION NUMBER: 20-25-126-024.

DESCRIPTION	LEGEND	
	EXISTING	PROPOSED
STORM/SEWER	MANHOLE CB	MANHOLE CB
SANITARY/SEWER	MANHOLE	MANHOLE
WATER LINE	GATE VALVE	GATE VALVE
UTILITY POLE/POWER LINE		
UTILITY POLE W/GUY WIRE		
GAS LINE		
CONCRETE PAVEMENT		
SILT FENCE		
FABRIC FILTER FENCE		
LOT IDENTIFICATION NO.	LOT 178	LOT 178
PARCEL IDENTIFICATION NO.	11-30-277-078	11-30-277-078
FIRST FLOOR ELEVATION	FF=987.7	PROP. FF=987.7
BASEMENT FLOOR ELEV.	BF=987.7	PROP. BF=987.7
GARAGE FLOOR ELEVATION	GF=987.7	PROP. GF=987.7
CENTERLINE OF PAVEMENT		
SPOT ELEVATION		
CONTOUR LINE		
BOTT. SWALE ELEV.	SW 987.7	[Symbol]
TOP OF STAIRS ELEV.	987.775	[Symbol]
BOTTOM OF STAIRS ELEV.	987.785	[Symbol]
TOP OF CURB ELEVATION		
EASEMENT		
SURFACE DRAINAGE FLOW		

**FLOOD ZONE DETERMINATION**  
 FIRM CITY OF TROY-OAKLAND COUNTY-MICHIGAN PANEL# 261250-0530 (NORTH PART OF PROPERTY) PANEL# 261250-0510 (SOUTH PART OF PROPERTY) MAP REVISED JANUARY 16-2009  
 PROPERTY DOES LIE WITHIN A MINIMAL OR NO IMPACT FLOOD ZONE.

**BENCH MARK-NAVD88 DATUM**  
 THE BENCHMARK DESCRIPTIONS, ELEVATIONS AND LABELS CONTAINED ON THIS LIST IS SUBJECT TO CHANGE, WITHOUT PRIOR NOTICE AT ANY TIME DUE TO ONGOING CONSTRUCTION AND MAINTENANCE PROJECTS THROUGHOUT THE CITY OF TROY. IT IS STRONGLY ADVISED TO FIELD MEASURE THE ELEVATION DIFFERENCE BETWEEN A MINIMUM OF TWO BENCHMARKS TO VERIFY A BENCHMARK ELEVATION BEFORE USE ON THIS PROJECT.

**LANDSCAPE REQUIREMENTS**  
**ZONING ORDINANCE-SEC. 39.80.02**  
 1. STRIP OF LAND 10' IN WIDTH ADJACENT ANY PUBLIC STREET/FRONTAGE OR R.O.W. LANDSCAPED WITH A MINIMUM OF ONE (1) TREE FOR EACH (20) LINEAR FEET OF PROPERTY ABUTTING SAID R.O.W. TREE REQUIREMENTS IN 10' STRIP ABUTTING R.O.W.: 10' STRIP=38.52'20" TREES=21.83 TREES (USE 22 TREES REQUIRED) (TREES PROVIDED: 15 TREES)

**ZONING ORDINANCE-SEC. 39.80.03**  
 1. ALL PARKING AREAS OCCURRING WITHIN THE DEVELOPMENT AREA SHALL BE PROVIDED WITH A MIN. FIVE (5) FOOT CONCRETE SIDEWALK BETWEEN THE SUBJECT PARKING AREAS AND THE RESIDENTIAL DEVELOPMENT. (PROVIDED)

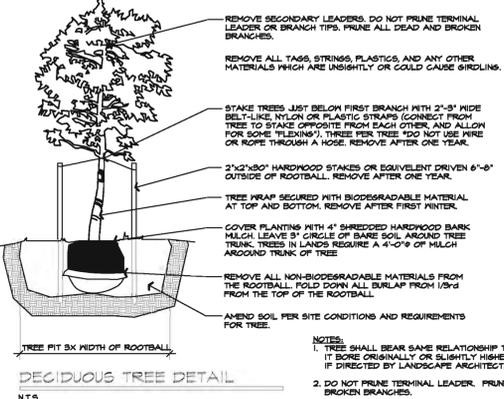
**ZONING ORDINANCE-SEC. 39.80.04**  
 1. CONCRETE SIDEWALK FIVE (5) FEET IN WIDTH, (EIGHT (8) FEET IN WIDTH FOR BIKWAY FACILITIES) SHALL BE CONSTRUCTED ACROSS ALL PUBLIC STREET FRONTAGES. (PROVIDED)

**ZONING ORDINANCE-SEC. 39.80.05**  
 1. IN ADDITION TO ANY LANDSCAPE BUFFER REQUIRED BY SEC. 39.80.02, TEN (10) PERCENT OF THE NET SITE AREA SHALL BE DEVELOPED AS LANDSCAPED OPEN SPACE. SAID LANDSCAPED OPEN SPACE SHALL BE LOCATED ONLY WHEN LOCATED IN THE FRONT OR SIDE YARDS, PEDESTRIAN WALKS, PLANTERS, AND OTHER DECORATIVE ELEMENTS MAY BE INCLUDED IN SUCH LANDSCAPED AREAS, NO MORE THAN TWENTY (20) PERCENT OF THE REQUIRED LANDSCAPED AREA MAY CONSIST OF DURABLE NON-LIVING LANDSCAPED MATERIAL.

**PARKING REQUIREMENTS**  
**ZONING ORDINANCE-SEC. 40.21.21 RELIGIOUS WORSHIP FACILITIES**  
 ONE (1) FOR EACH (3) SEATS OR SIX (6) FEET OF BENCH SEATING IN THE MAIN UNIT OF WORSHIP.  
 EXISTING SEATING CAPACITY IN SANCTUARY = 800 SEATS  
 REQUIRED PARKING SPACES FOR SANCTUARY = 800/3 = 266.7/USE 267 SPACES.

**ZONING ORDINANCE-SEC. 40.21.31 BANQUET ROOM**  
 ONE (1) FOR EACH TWO (2) PERSONS WITH THE SEATING CAPACITY OF THE ESTABLISHMENT, PLUS ONE (1) EMPLOYEE PARKING SPACE FOR EACH TEN (10) SEATS WITHIN THE SEATING CAPACITY ON ONE (1) FOR EACH TWENTY (20) SQUARE FEET OF BANQUET AREA, WHICHEVER IS GREATER.  
 EXISTING SEATING CAPACITY IN BANQUET ROOM = 325 SEATS  
 REQUIRED PARKING SPACES FOR GUESTS = 325/2 = 162.5/USE 163 SPACES  
 REQUIRED PARKING SPACES FOR EMPLOYEES = 325/10 = 32.5/USE 33 SPACES  
 TOTAL REQUIRED PARKING SPACES FOR BANQUET ROOM = 196 SPACES

**ZONING ORDINANCE-SEC. 40.21.71 BUSINESS AND PROF. OFFICES**  
 ONE (1) FOR EACH TWO HUNDRED (200) SQUARE FEET OF USABLE FLOOR AREA, AS INDICATED IN SECTION 04.20.03.  
 REQUIRED PARKING SPACES FOR GUESTS = 1,000/200 = 5 SPACES.  
**ZONING ORDINANCE-SEC. 40.21.12 ONE-FAMILY ATTACHED**  
 TWO (2) FOR EACH DWELLING UNIT.  
 MAXIMUM PARKING REQUIREMENT FOR SINGLE USE = 287 SPACES  
 EXISTING PARKING PROVIDED = 321 SPACES



- TREES SHALL BEAR SAME RELATIONSHIP TO FINISH GRADE AS IT BORE ORIGINALLY OR SLIGHTLY HIGHER THAN FINISH GRADE, IF DIRECTED BY LANDSCAPE ARCHITECT.
- DO NOT PRUNE TERMINAL LEADER, PRUNE ONLY DEAD OR BROKEN BRANCHES.
- REMOVE ALL TAGS, STRINGS, PLASTICS, AND OTHER MATERIALS THAT ARE UNSIGHTLY AND COULD CAUSE GIRDLING.
- AMEND SOIL PER SITE CONDITIONS AND REQUIREMENTS FOR TREE.

KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE
A	22	MALUS	CRABAPPLE	4"
B	9	PINUS	PINE	6'-10"
C	62	JUNEPERUS	JUNIPER	1'-3"
D	8	PICEA	SPRUCE	6'-8"
E	14	MORACEAE	MULBERRY	6'-8"
F	1	FRAXINUS	ASH	12"

KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE	B & B
A	6	MALUS 'SUGAR Tyme'	SUGAR Tyme CRAB	3 1/2' CAL	B & B
B	9	PINUS	PINE	5'-6' HT	B & B
C	10	PICEA	SPRUCE	5'-6' HT	B & B
D	34	JUNEPERUS	JUNIPER	3 1/2' CAL	B & B
E	10	JUNEPERUS	JUNIPER	1'-3"	TO BE REMOVED
F	4	PINUS	PINE	6'-10"	TO BE REMOVED
G	1	MORACEAE	MULBERRY	12"	TO BE REMOVED

3 FULL WORKING DAYS BEFORE YOU DIG. CALL MISS DIG 1-(800)-482-7171 FOR LOCATION OF UNDERGROUND FACILITIES

PRELIMINARY LANDSCAPE PLAN  
 SCALE: 1"=40'



4197 Court Anthony  
 Waterford, MI 48328  
 Telephone: (248) 739-9955  
 JAD222@SBCGLOBAL.NET

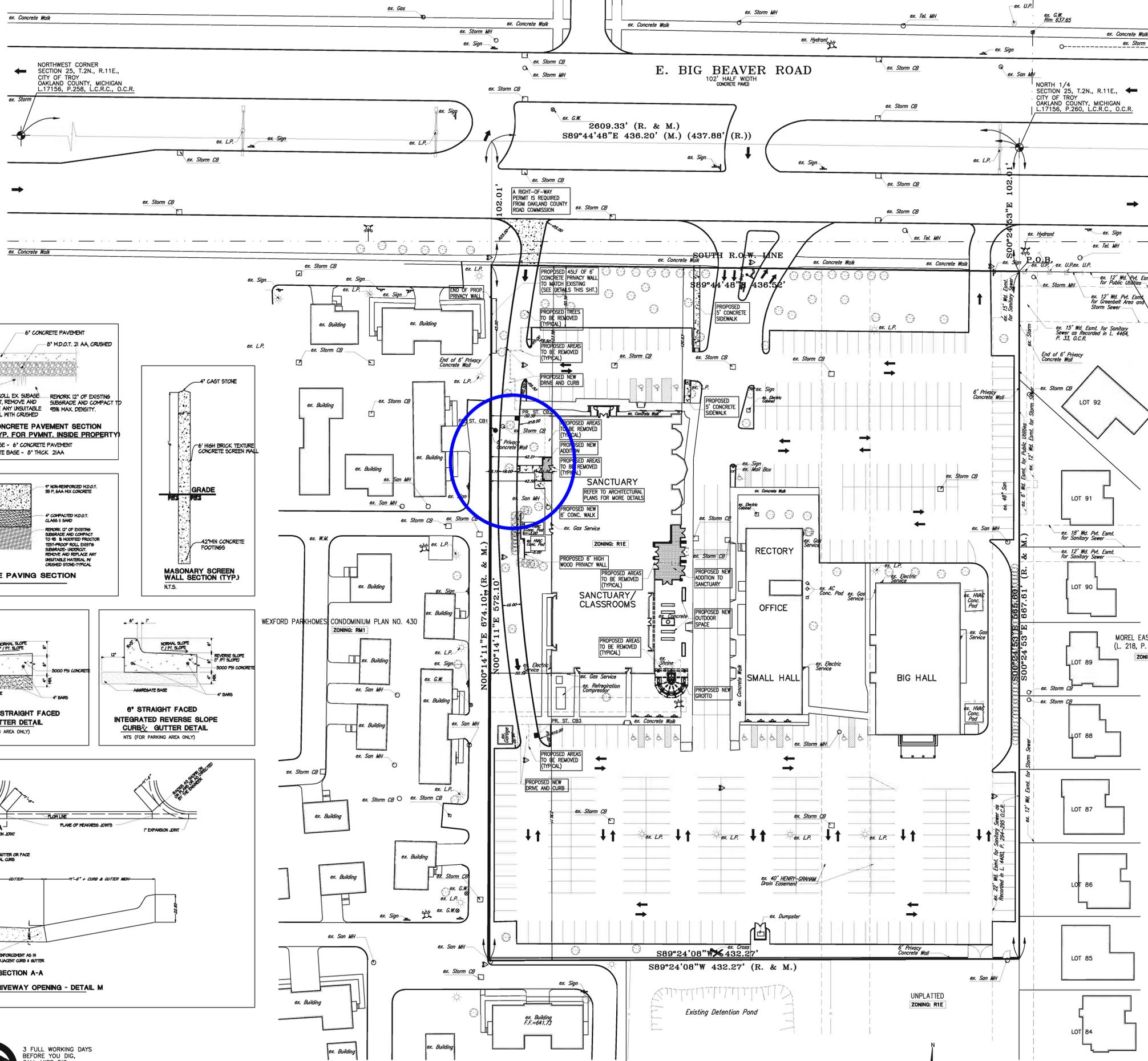
CLIENT:  
**ST. JOSEPH CHALDEAN CATHOLIC CHURCH**  
 2440-44 EAST BIG BEAVER ROAD  
 CITY OF TROY, MICHIGAN  
 TELEPHONE: 248-689-4242  
**REVEREND MONSIGNOR ZOUHAIR TOMA KAJBOU**  
 TELEPHONE: 248-528-3676  
 FACSIMILE: 248-524-1957

SHEET TITLE:  
**PRELIMINARY LANDSCAPE PLAN**  
 PROJECT TITLE:  
**ST. JOSEPH CHALDEAN CATHOLIC CHURCH**  
 2440-44 EAST BIG BEAVER ROAD  
 NW 1/4 OF SEC. 25, T.2N., R.11E.  
 CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PROJECT NO.:  
 1007  
 DRAWN JAD  
 CHECKED JAD  
 APPROVED JAD

ISSUED FOR DATE  
 TOPO SURVEY 10-03-10  
 PRELIM SITE PLAN 11-01-10  
 PRELIM SP-REVI 01-10-11  
 PRELIM SP-TREE 01-26-11  
 BZA 02-09-11

SCALE: 1"=40'  
 SHEET NO:  
**PC-4**



**E. BIG BEAVER ROAD**  
102' HALF WIDTH CONCRETE PARKS

NORTHWEST CORNER SECTION 25, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN L.17158, P.258, L.C.R.C., O.C.R.

NORTH 1/4 SECTION 25, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN L.17158, P.260, L.C.R.C., O.C.R.

2609.33' (R. & M.)  
S89°44'48"E 436.20' (M.) (437.88' (R.))

A RIGHT-OF-WAY PERMIT IS REQUIRED FROM OAKLAND COUNTY ROAD COMMISSION

P.O.B.

SANCTUARY

SANCTUARY/CLASSROOMS

RECTORY

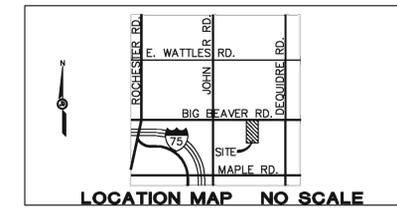
OFFICE

SMALL HALL

BIG HALL

Existing Detention Pond

UNPLATTED ZONING: R1E



ZONING: R1-E: ONE FAMILY RESIDENTIAL DISTRICT  
**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING PART OF THE NORTHWEST CORNER OF SECTION 25, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION; S.00°24'53"E, 102.01 FEET ALONG THE N.-S. 1/4 LINE TO THE P.O.B.; THENCE CONTINUING ALONG SAID LINE S.00°24'53"E, 565.80 FEET; THENCE S.89°24'08"W, 432.27 FEET; THENCE N.00°14'11"E, 572.10 FEET TO THE SOUTH R.O.W. LINE OF BIG BEAVER ROAD (102.00' 1/2 WD.); THENCE ALONG SAID S. R.O.W. LINE S.89°44'48"E, 437.88 FEET (M.) TO THE P.O.B., CONTAINING 5.712 ACRES OF LAND, SUBJECT TO ANY AND ALL EASEMENTS OF RECORD, IF ANY. ALSO KNOWN AS PARCEL IDENTIFICATION NUMBER: 20-225-126-024.

DESCRIPTION	LEGEND	
	EXISTING	PROPOSED
STORM/SEWER	MANHOLE	MANHOLE
SANITARY/SEWER	MANHOLE	MANHOLE
WATER LINE	GATE VALVE	GATE VALVE
UTILITY POLE/POWER LINE	UTILITY POLE W/GUY WIRE	UTILITY POLE W/GUY WIRE
GAS LINE	4" G	4" G
CONCRETE PAVEMENT	CONCRETE PAVEMENT	CONCRETE PAVEMENT
SILT FENCE	SILT FENCE	SILT FENCE
FENCE	FENCE	FENCE
FABRIC FILTER FENCE	FABRIC FILTER FENCE	FABRIC FILTER FENCE
LOT IDENTIFICATION NO.	LOT 178	LOT 178
PARCEL IDENTIFICATION NO.	11-30-277-078	11-30-277-078
FIRST FLOOR ELEVATION	FF=987.7	PROP. FF=987.7
BASEMENT FLOOR ELEV.	BF=987.7	PROP. BF=987.7
GARAGE FLOOR ELEVATION	GF=987.7	PROP. GF=987.7
CENTERLINE OF PAVEMENT	CL	CL
SPOT ELEVATION	482.42	482.42
CONTOUR LINE	SW 987.7	SW 987.7
BOTT. SWALE ELEV.	987.775	987.775
TOP OF STAIRS ELEV.	987.775	987.775
BOTTOM OF STAIRS ELEV.	987.785	987.785
TOP OF CURB ELEVATION	987.875	987.875
EASEMENT	EASEMENT	EASEMENT
SURFACE DRAINAGE FLOW	SURFACE DRAINAGE FLOW	SURFACE DRAINAGE FLOW

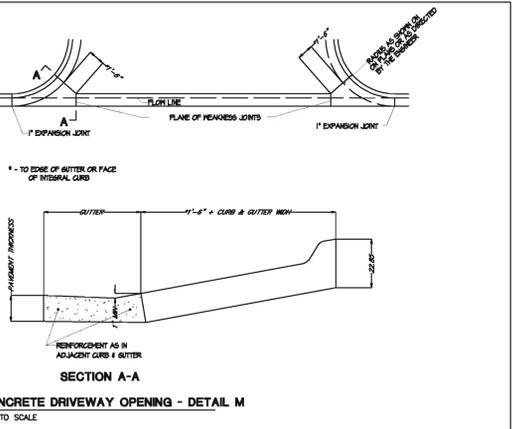
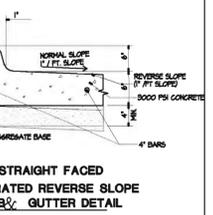
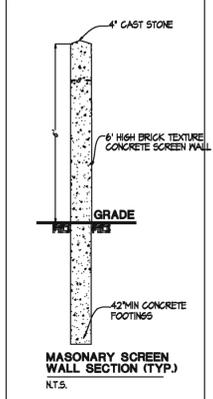
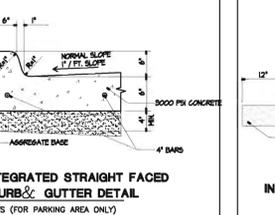
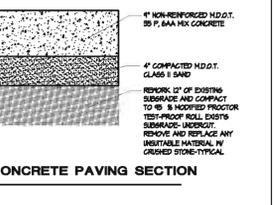
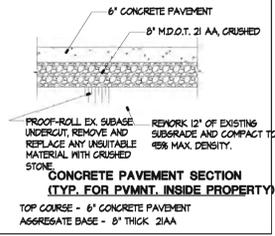
**FLOOD ZONE DETERMINATION**  
F.I.R.M. CITY OF TROY-OAKLAND COUNTY-MICHIGAN PANEL# 281250-05530 (NORTH PART OF PROPERTY) PANEL# 281250-05610 (SOUTH PART OF PROPERTY) MAP REVISED JANUARY 16-2009  
PROPERTY DOES NOT LIE WITHIN A MINIMAL OR NO IMPACT FLOOD ZONE.

**TOPO NOTES**  
THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING WERE DERIVED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS OR EXACTNESS OF LOCATION.

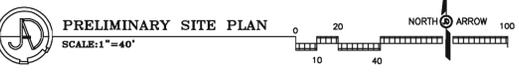
**BENCH MARK-NAVD88 DATUM**  
THE BENCHMARK DESCRIPTIONS, ELEVATIONS, AND LABELS CONTAINED ON THIS LIST IS SUBJECT TO CHANGE, WITHOUT PRIOR NOTICE AT ANY TIME DUE TO ONGOING CONSTRUCTION AND MAINTENANCE PROJECTS THROUGHOUT THE CITY OF TROY. IT IS STRONGLY ADVISED TO FIELD MEASURE THE ELEVATION DIFFERENCE BETWEEN A MINIMUM OF TWO BENCHMARKS TO VERIFY A BENCHMARK ELEVATION BEFORE USE ON THIS PROJECT.

BM#1 (CITY OF TROY BM0977) TOP OF ARROW ON HYDRANT #25-2 LOCATED ON THE SOUTH SIDE OF BIG BEAVER AT EAST LINE OF ST. JOSEPH CHURCH. ELEV=645.621 (DATED 07/09/2005)

BM#2 (CITY OF TROY BM0979) TOP OF ARROW ON HYDRANT #25-3 LOCATED ON THE S. SIDE OF BIG BEAVER AT EAST LINE OF ST. JOSEPH CHURCH. ELEV=646.041 (DATED 07/09/2005)



3 FULL WORKING DAYS BEFORE YOU DIG, CALL MISS DIG 1-(800)-482-7171 FOR LOCATION OF UNDERGROUND FACILITIES



**J.A.D. Engineering Services, Inc.**  
4197 Court Anthony Waterford, MI 48328  
Telephone: (248) 739-9955  
JAD222@SBCGLOBAL.NET

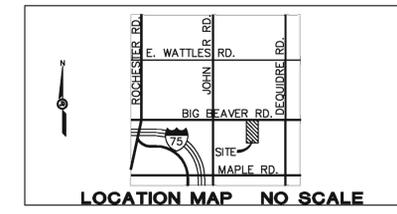
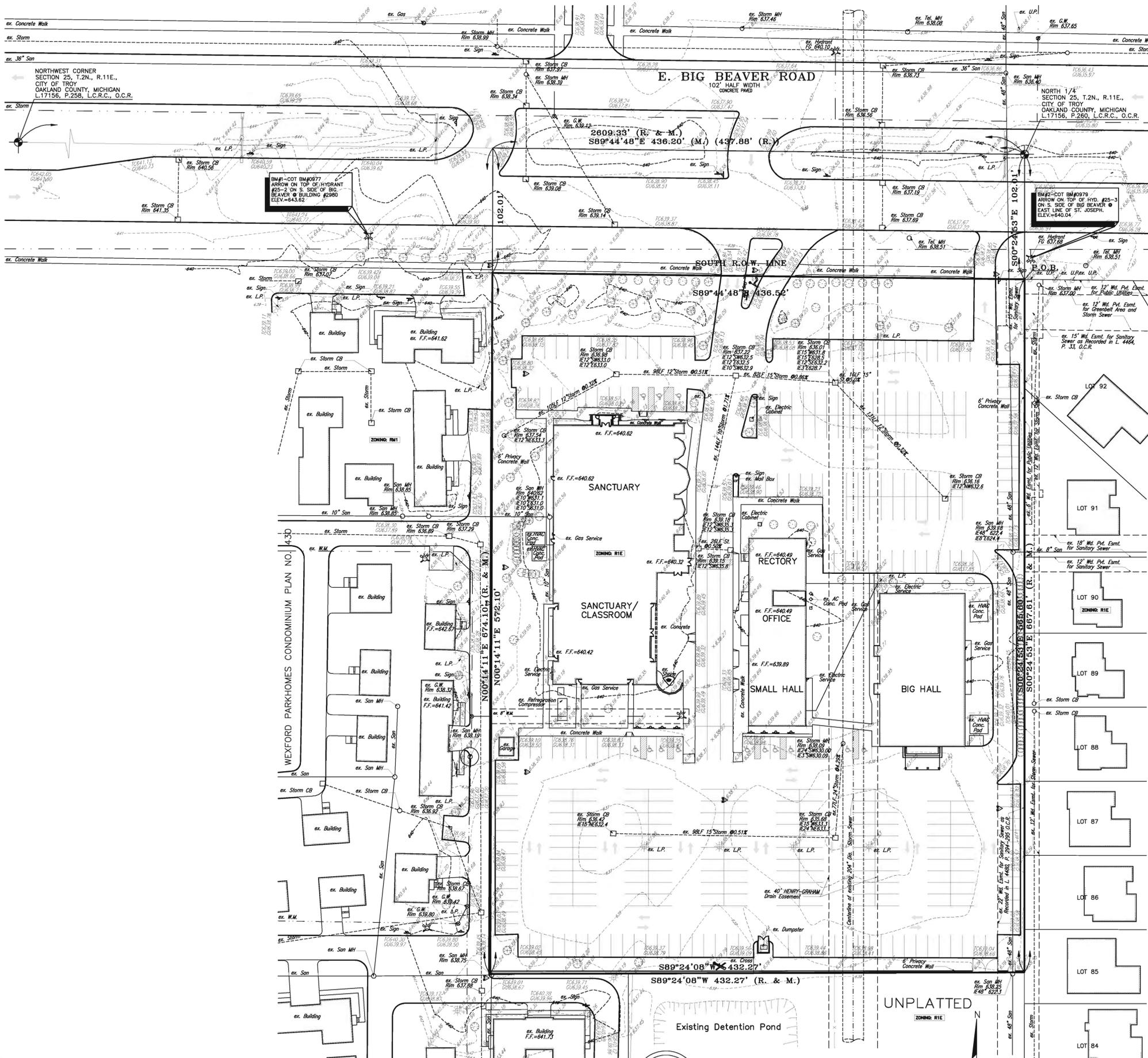
**CLIENT:**  
ST. JOSEPH CHALDEAN CATHOLIC CHURCH  
2440-44 EAST BIG BEAVER ROAD  
CITY OF TROY, MICHIGAN  
TELEPHONE: 248-689-4242  
REVEREND MONSIGNOR ZOUHAIR TOMA KAIBOU  
TELEPHONE: 248-528-3676  
FACSIMILE: 248-524-1957

**SHEET TITLE:**  
PRELIMINARY SITE PLAN  
PROJECT TITLE:  
ST. JOSEPH CHALDEAN CATHOLIC CHURCH  
2440-44 EAST BIG BEAVER ROAD  
NW 1/4 OF SEC. 25, T.2N., R.11E.  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

**PROJECT NO.:** 1007  
**DRAWN:** JAD  
**CHECKED:** JAD  
**APPROVED:** JAD

**ISSUED FOR DATE**  
TOPO SURVEY 10-03-10  
PRELIM SITE PLAN 11-01-10  
PRELIM SP-REV1 01-10-11  
PRELIM SP-REV2 01-14-11  
BZA 02-09-11

**SCALE:** 1"=40'  
**SHEET NO.:** PC-2



ZONING: R1-E: ONE FAMILY RESIDENTIAL DISTRICT

**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING PART OF THE NORTHWEST CORNER OF SECTION 25, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION; S.00°24'53"E., 102.01 FEET ALONG THE N.-S. 1/4 LINE TO THE P.O.B.; THENCE CONTINUING ALONG SAID LINE S.00°24'53"E., 565.60 FEET; THENCE S.89°24'08"W., 432.27 FEET; THENCE N.00°14'11"E., 572.10 FEET TO THE SOUTH R.O.W. LINE OF BIG BEAVER ROAD (102.00' 1/2 WD.); THENCE ALONG SAID S. R.O.W. LINE S.89°44'48"E., 437.88 FEET (M.) TO THE P.O.B., CONTAINING 5.712 ACRES OF LAND, SUBJECT TO ANY AND ALL EASEMENTS OF RECORDS, IF ANY. ALSO KNOWN AS PARCEL IDENTIFICATION NUMBER: 20-225-126-024.

DESCRIPTION	LEGEND	
	EXISTING	PROPOSED
STORM/SEWER		
SANITARY/SEWER		
WATER LINE		
UTILITY POLE/POWER LINE		
UTILITY POLE W/GUY WIRE		
GAS LINE		
CONCRETE PAVEMENT		
FENCE		
FABRIC FILTER FENCE		
LOT IDENTIFICATION NO.	LOT 178	LOT 178
PARCEL IDENTIFICATION NO.	11-30-277-078	11-30-277-078
FIRST FLOOR ELEVATION	FF=987.7	PROP. FF=987.7
BASEMENT FLOOR ELEV.	BF=987.7	PROP. BF=987.7
GARAGE FLOOR ELEVATION	GF=987.7	PROP. GF=987.7
CENTERLINE OF PAVEMENT		
SPOT ELEVATION		
CONTOUR LINE		
BOTT. SWALE ELEV.	987.7	[987.7]
TOP OF STAIRS ELEV.	987.775	[987.775]
BOTTOM OF STAIRS ELEV.	987.785	[987.785]
TOP OF CURB ELEVATION		
EASEMENT		
SURFACE DRAINAGE FLOW		

**FLOOD ZONE DETERMINATION**  
 F.I.R.M. CITY OF TROY-OAKLAND COUNTY-MICHIGAN PANEL# 281250-05530 (NORTH PART OF PROPERTY) PANEL# 281250-05510 (SOUTH PART OF PROPERTY) MAP REVISED JANUARY 16-2009  
 PROPERTY DOES LIE WITHIN A MINIMAL OR NO IMPACT FLOOD ZONE.

**TOPO NOTES**  
 THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING WERE DERIVED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS OR EXACTNESS OF LOCATION.

**BENCH MARK-NAVD88 DATUM**  
 THE BENCHMARK DESCRIPTIONS, ELEVATIONS, AND LABELS CONTAINED ON THIS LIST IS SUBJECT TO CHANGE, WITHOUT PRIOR NOTICE AT ANY TIME DUE TO ONGOING CONSTRUCTION AND MAINTENANCE PROJECTS THROUGHOUT THE CITY OF TROY. IT IS STRONGLY ADVISED TO FIELD MEASURE THE ELEVATION DIFFERENCE BETWEEN A MINIMUM OF TWO BENCHMARKS TO VERIFY A BENCHMARK ELEVATION BEFORE USE ON THIS PROJECT.

BM#2 (CITY OF TROY BM0979) TOP OF ARROW ON HYDRANT #25-2 LOCATED ON THE S. SIDE OF BIG BEAVER AT EAST LINE OF ST. JOSEPH CHURCH. ELEV.=640.04 (DATED 07/09/2005)

BM#2 (CITY OF TROY BM0979) TOP OF ARROW ON HYDRANT #25-3 LOCATED ON THE S. SIDE OF BIG BEAVER AT EAST LINE OF ST. JOSEPH CHURCH. ELEV.=640.04 (DATED 07/09/2005)

MORE EAST SUBDIVISION (L. 218, P. 28-31, O.C.R.)

3 FULL WORKING DAYS BEFORE YOU DIG, CALL MISS DIG 1-(800)-482-7171 FOR LOCATION OF UNDERGROUND FACILITIES



TOPOGRAPHICAL SURVEY  
 SCALE: 1"=40'



1747 Henbert Street  
 West Bloomfield, MI 48324

Telephone: (248) 739-9955  
 Facsimile: (248) 363-4639  
 JAD222@SBCGLOBAL.NET

CLIENT:  
 ST. JOSEPH CHALDEAN CATHOLIC CHURCH  
 2440-44 EAST BIG BEAVER ROAD  
 CITY OF TROY, MICHIGAN  
 REVEREND MONSIGNOR ZOUHAIR TOMA KAIBOU  
 TELEPHONE: 248-689-4242  
 FACSIMILE: 248-524-1957

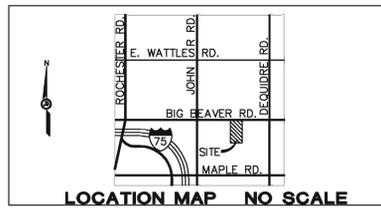
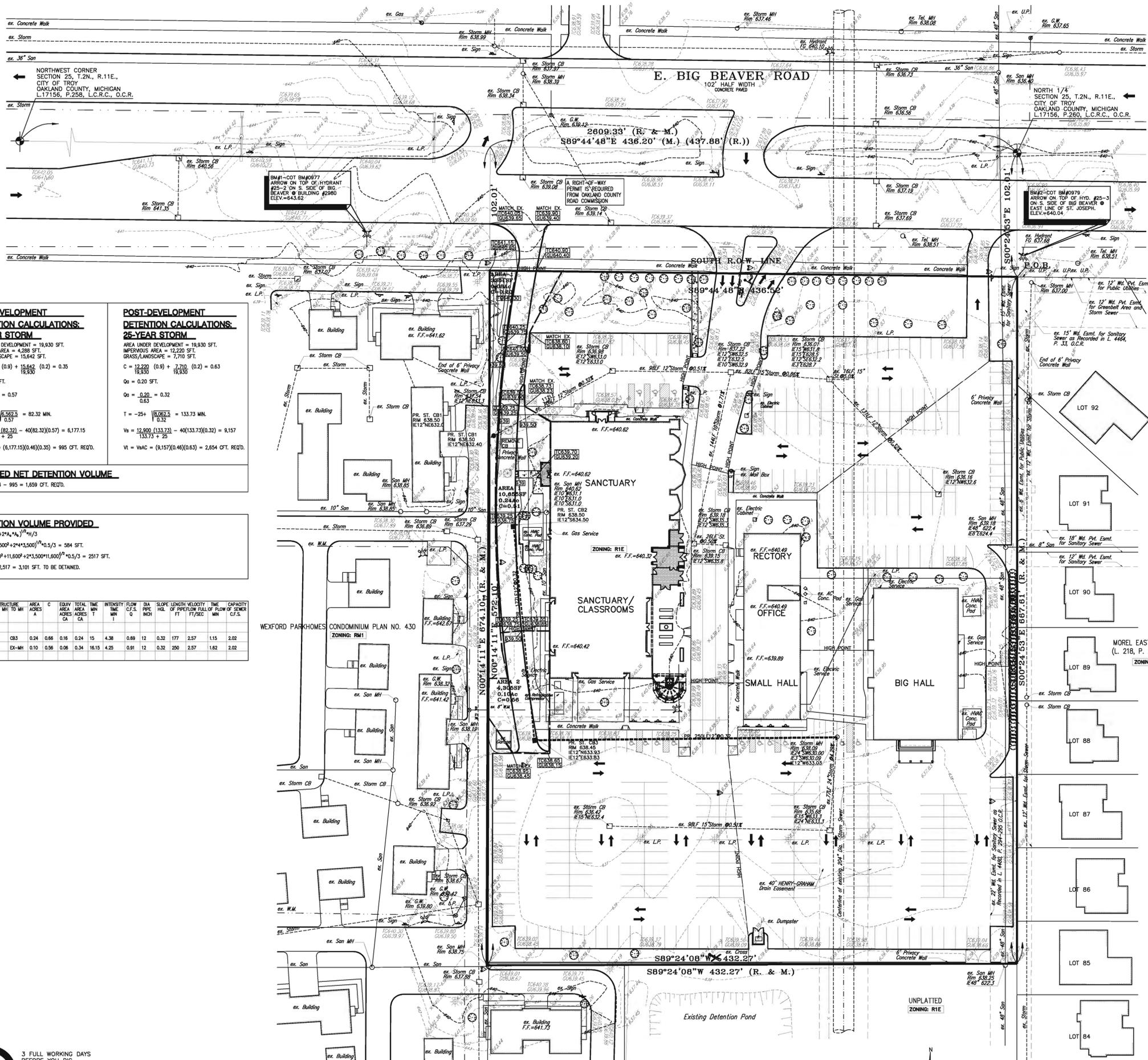
SHEET TITLE:  
 TOPOGRAPHICAL SURVEY  
 PROJECT TITLE:  
 ST. JOSEPH CHALDEAN CHURCH  
 2440-44 EAST BIG BEAVER ROAD  
 NW 1/4 OF SEC. 25, T.2N., R.11E.  
 CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PROJECT NO.: 1007  
 DRAWN JAD  
 CHECKED JAD  
 APPROVED JAD

ISSUED FOR DATE  
 TOPO SURVEY 10-03-10  
 PRELIM SITE PLAN 11-01-10  
 PRELIM SP-REVI 01-10-11  
 PRELIM SP-REV2 01-14-11  
 BZA 02-09-11

SCALE: 1"=40'  
 SHEET NO:

PC-1



ZONING: R1-E: ONE FAMILY RESIDENTIAL DISTRICT

**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING PART OF THE NORTHWEST CORNER OF SECTION 25, T.2N., R.11E., CITY OF TROY, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION; S.00°24'53"E., 102.01 FEET ALONG THE N.-S. 1/4 LINE TO THE P.O.B.; THENCE CONTINUING ALONG SAID LINE S.00°24'53"E., 565.80 FEET; THENCE S.89°24'08"W., 432.27 FEET; THENCE N.00°14'11"E., 572.10 FEET TO THE SOUTH R.O.W. LINE OF BIG BEAVER ROAD (102.00' 1/2 WD.); THENCE ALONG SAID S. R.O.W. LINE S.89°44'48"E., 437.88 FEET (M.) TO THE P.O.B., CONTAINING 5.712 ACRES OF LAND, SUBJECT TO ANY AND ALL EASEMENTS OF RECORDS, IF ANY, ALSO KNOWN AS PARCEL IDENTIFICATION NUMBER: 20-225-126-024.

DESCRIPTION	LEGEND	
	EXISTING	PROPOSED
STORM/SEWER		
SANITARY/SEWER		
WATER LINE		
UTILITY POLE/POWER LINE		
UTILITY POLE W/GUY WIRE		
GAS LINE		
CONCRETE PAVEMENT		
SILT FENCE		
FENCE		
FABRIC FILTER FENCE		
LOT IDENTIFICATION NO.	LOT 178	LOT 178
PARCEL IDENTIFICATION NO.	11-30-277-078	11-30-277-078
FIRST FLOOR ELEVATION	FF=987.7	PROP. FF=987.7
BASEMENT FLOOR ELEV.	BF=987.7	PROP. BF=987.7
GARAGE FLOOR ELEVATION	GF=987.7	PROP. GF=987.7
CENTERLINE OF PAVEMENT		
SPOT ELEVATION		
CONTOUR LINE		
BOTT. SWALE ELEV.	987.7	(987.7)
TOP OF STAIRS ELEV.	987.775	(987.775)
BOTTOM OF STAIRS ELEV.	987.785	(987.785)
TOP OF CURB ELEVATION		
EASEMENT		
SURFACE DRAINAGE FLOW		

FLOOD ZONE DETERMINATION	TOPO NOTES
F.I.R.M. CITY OF TROY-OAKLAND COUNTY-MICHIGAN PANEL# 281250-05530 (NORTH PART OF PROPERTY) PANEL# 281250-05510 (SOUTH PART OF PROPERTY) MAP REVISED JANUARY 16-2009 PROPERTY DOES LIE WITHIN A MINIMAL OR NO IMPACT FLOOD ZONE.	THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ON THIS DRAWING ARE DERIVED FROM MUNICIPAL OFFICIALS AND RECORDS OF UTILITY COMPANIES AND NO GUARANTEE CAN BE MADE TO THE COMPLETENESS OR EXACTNESS OF LOCATION.

BENCH MARK-NAVD88 DATUM	
BM#1 (CITY OF TROY BM0977) TOP OF ARROW ON HYDRANT #25-2 LOCATED ON THE SOUTH SIDE OF BIG BEAVER AT BUILDING #2890 ELEV.=643.62 (DATED 07/09/2005)	BM#2 (CITY OF TROY BM0979) TOP OF ARROW ON HYDRANT #25-3 LOCATED ON THE S. SIDE OF BIG BEAVER AT EAST LINE OF ST. JOSEPH CHURCH ELEV.=640.04 (DATED 07/09/2005)

PRE-DEVELOPMENT DETENTION CALCULATIONS: 10-YEAR STORM	POST-DEVELOPMENT DETENTION CALCULATIONS: 25-YEAR STORM
AREA UNDER DEVELOPMENT = 19,930 SFT. IMPERVIOUS AREA = 4,288 SFT. GRASS/LANDSCAPE = 15,642 SFT. C = 4.288 (0.9) + 15.642 (0.2) = 0.35 19,930	AREA UNDER DEVELOPMENT = 19,930 SFT. IMPERVIOUS AREA = 12,220 SFT. GRASS/LANDSCAPE = 7,710 SFT. C = 12.220 (0.9) + 7.710 (0.2) = 0.63 19,930
Q <sub>0</sub> = 0.20 = 0.57 0.35	Q <sub>0</sub> = 0.20 = 0.32 0.63
T = -25 + $\frac{16,562.5}{0.57}$ = 82.32 MIN.	T = -25 + $\frac{10,062.5}{0.32}$ = 133.73 MIN.
V <sub>0</sub> = $\frac{10,500 (82.32) - 40(82.32)(0.57)}{133.73 + 25}$ = 6,177.15	V <sub>0</sub> = $\frac{12,900 (133.73) - 40(133.73)(0.63)}{133.73 + 25}$ = 9,157
V <sub>1</sub> = V <sub>0</sub> AC = (6,177.15)(0.40)(0.35) = 995 CFT. REQ'D.	V <sub>1</sub> = V <sub>0</sub> AC = (9,157)(0.40)(0.63) = 2,854 CFT. REQ'D.
<b>REQUIRED NET DETENTION VOLUME</b> V <sub>net</sub> = 2,854 - 995 = 1,859 CFT. REQ'D.	

DETENTION VOLUME PROVIDED
$V_d = (A^2 + A^2 + 2A^2 + 1A^2)^{0.5} H^{1/3}$
$V_{d0} = (4^2 + 4^2 + 2*4^2 + 1*4^2)^{0.5} * 0.5/3 = 584$ SFT.
$V_{d1} = (3,500^2 + 11,600^2 + 2*3,500*11,600)^{0.5} * 0.5/3 = 2,517$ SFT.
$V_d = 584 + 2,517 = 3,101$ SFT. TO BE DETAINED.

AREA	STRUCTURE	AREA FROM MH TO MH	AREA A	EQUIV. AREA CA	TOTAL AREA CA	INTENSITY I	TIME MIN	FLOW C.F.S.	DIAM. INCH	SLOPE PERCENT	LENGTH OF PIPE FULL OF FLOW FT	VELOCITY FT/SEC	TIME MIN	CAPACITY C.F.S.
1	CB2	CB3	0.24	0.66	0.16	0.24	15	4.38	0.89	12	0.32	177	2.57	1.15
2	CB3	EX-MH	0.10	0.56	0.06	0.34	16.15	4.25	0.91	12	0.32	250	2.57	1.62



4197 Court Anthony  
Waterford, MI 48328

Telephone: (248) 739-9955  
JAD222@SBCGLOBAL.NET

CLIENT:  
**ST. JOSEPH CHALDEAN CATHOLIC CHURCH**  
2440-44 EAST BIG BEAVER ROAD  
CITY OF TROY, MICHIGAN  
TELEPHONE: 248-689-4242  
**REVEREND MONSIGNOR ZOUHAIR TOMA KAIBOU**  
TELEPHONE: 248-528-3676  
FACSIMILE: 248-524-1957

SHEET TITLE:  
**PRELIMINARY GRADING PLAN**  
PROJECT TITLE:  
**ST. JOSEPH CHALDEAN CATHOLIC CHURCH**  
2440-44 EAST BIG BEAVER ROAD  
NW 1/4 OF SEC. 25, T.2N., R.11E.  
CITY OF TROY, OAKLAND COUNTY, MICHIGAN

PROJECT NO.:  
1007  
DRAWN JAD  
CHECKED JAD  
APPROVED JAD

ISSUED FOR DATE  
TOPO SURVEY 10-03-10  
PRELIM SITE PLAN 11-01-10  
PRELIM SP-REVI 01-10-11  
PRELIM SP-REV2 01-14-11  
BZA 02-09-11

SCALE: 1"=40'  
SHEET NO:

PC-3

3 FULL WORKING DAYS BEFORE YOU DIG, CALL MISS DIG 1-(800)-482-7171 FOR LOCATION OF UNDERGROUND FACILITIES



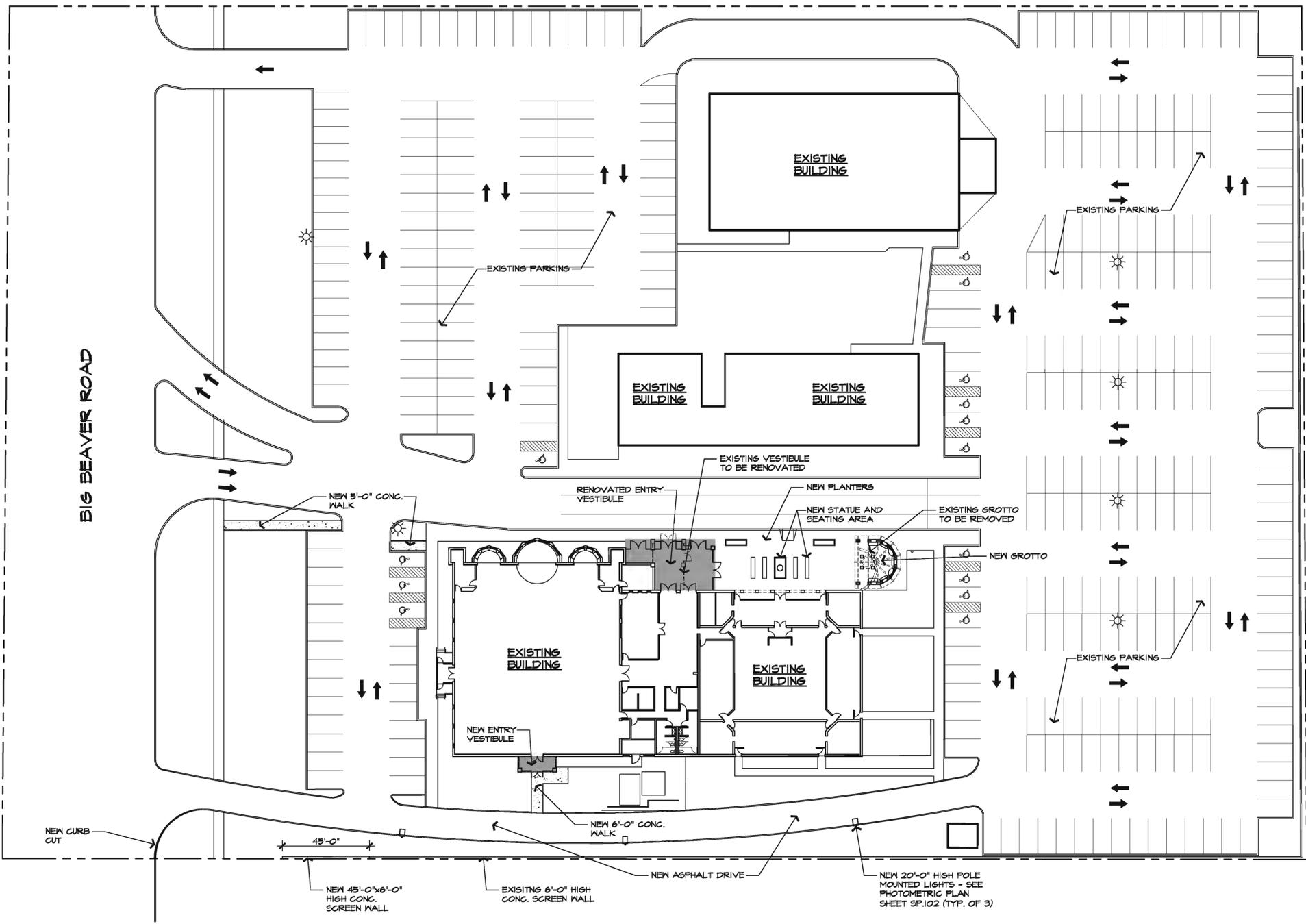
PRELIMINARY GRADING PLAN  
SCALE: 1"=40'

SITE & BUILDING DATA:	
ZONING - "RI-E" ONE FAMILY RESIDENTIAL DISTRICT	
FOR OTHER SITE/BUILDING DATA SEE SHEET C-4	

ISSUED FOR	DATE
REVIEW	8-11-10
PRELIMINARY SPA	12-2-10
PRELIMINARY SPA	1-11-11
BZA	2-4-11



**ARCHITECTURAL DESIGN**  
**RESIDENTIAL COMMERCIAL INDUSTRIAL**  
 G.A.V. & ASSOCIATES, INC.  
 31471 NORTHWESTERN HWY., SUITE #2  
 FARMINGTON HILLS, MI. 48334  
 (248) 985-9101  
 FAX (248) 985-9105  
 EMAIL: GAV@GAVASSOCIATES.COM



**SITE PLAN**  
 SCALE: 1" = 30'-0"

**NOTE:**  
 SEE CIVIL DRAWINGS  
 FOR DIMENSIONS  
 AND LANDSCAPING

**RENOVATIONS AND ADDITIONS TO:**  
**2442 E. BIG BEAVER ROAD**  
**TROY, MICHIGAN**

DRAWN:	DESIGNED:	CHECKED:
DB	GA	GA

SCALE: 1" = 30'-0"

FILE NAME: 10070\_SP.101

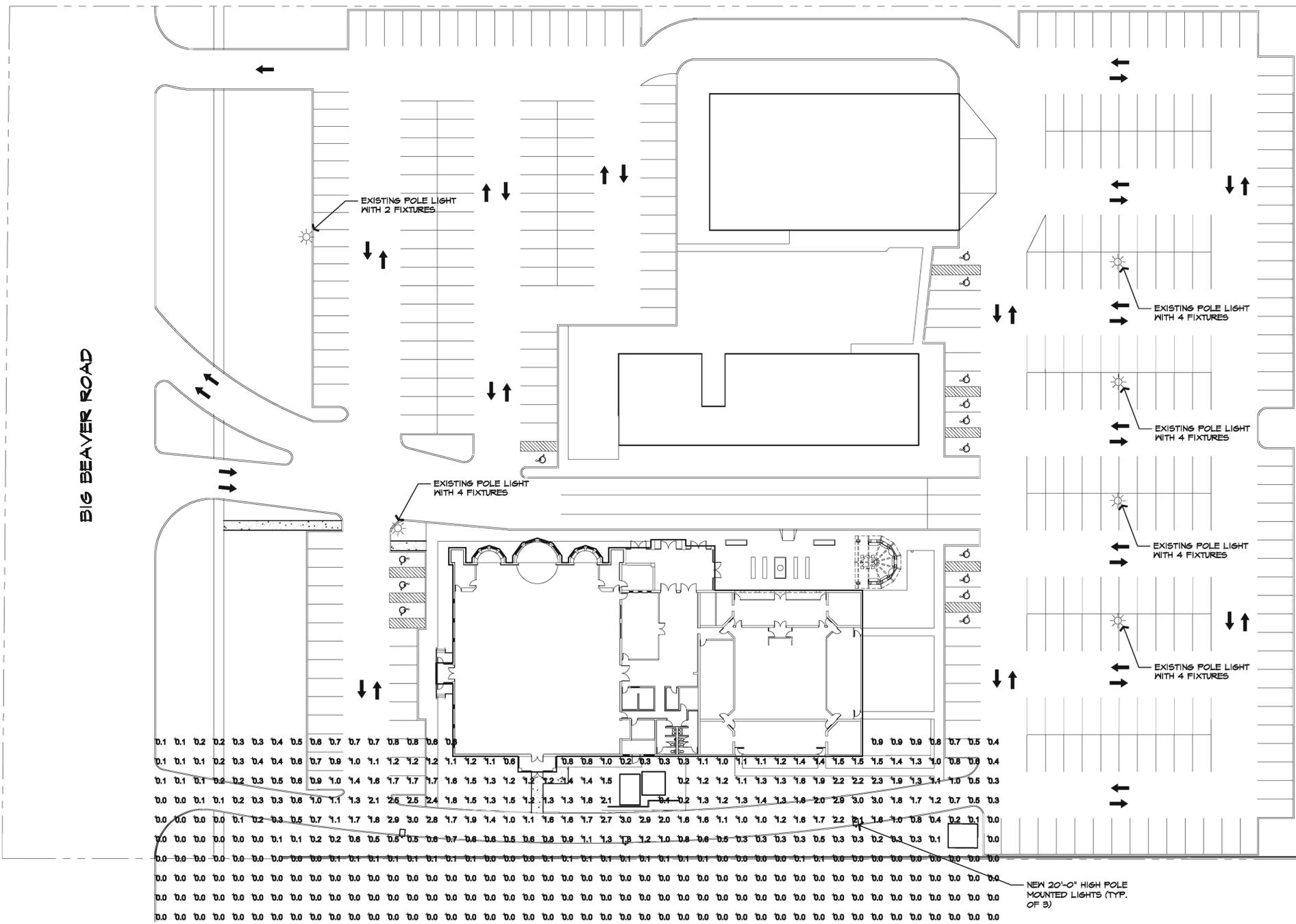
JOB #: 10070

SHEET TITLE  
 SITE PLAN

SHEET #  
**SP.101**

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
☐	A	3	AF3400HPS-E16H9	ARCHETYPE FULL CUTOFF LUMINAIRE DIE CAST ALUM. REFLECTOR SYSTEM WITH HIGH SPECULAR PANELS DIE CAST ALUM. HOUSING AND LENS FRAME CLEAR FLAT GLASS LENS	400 WATT CLEAR, HPS E16 LAMP, HORIZONTAL POSITION, RATED AT 81000 INITIAL LUMENS	ar3-400-ha.lsc	81000	1.00	400

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	0.6 fc	3.0 fc	0.0 fc	N/A	N/A

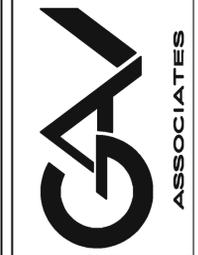


NORTH  
**PHOTOMETRIC PLAN**  
 SCALE: 1" = 30'-0"

ISSUED FOR	DATE
BZA	2-4-11

**ARCHITECTURAL DESIGN**  
 RESIDENTIAL  
 COMMERCIAL  
 INDUSTRIAL

G.A.V. & ASSOCIATES, INC.  
 31471 NORTHWESTERN HWY., SUITE #2  
 FARMINGTON HILLS, MI, 48334  
 (248) 985-9101  
 FAX (248) 985-9105  
 EMAIL: GAV@GAVASSOCIATES.COM



RENOVATIONS AND ADDITIONS TO:  
 2442 E. BIG BEAVER ROAD  
 TROY, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
DB	GA	GA
SCALE: 1" = 30'-0"		
FILE NAME: 10070_SP.102		
JOB #: 10070		
SHEET TITLE PHOTOMETRIC PLAN		
SHEET # <b>SP.102</b>		

**AR**  
The Archetype®  
revision 9/19/08 • ar.pdf

**KIM LIGHTING**  
Type: New Drive Lighting  
Job: St. Joseph's Chaldean Catholic Church  
Catalog number:

1A / AR3 / 400HPS120 / DB / HS

150 to 400 watt  
Mogul Base Lamps  
Maximum Fixture weight (400HPS) = 45 lb

Select pole from Kim Pole Catalog. If pole is provided by others indicate O.D. for arm fitting.

**Specifications**

**Housing:** One-piece die-cast, low copper (<math>\leq 0.6\%</math> Cu) aluminum alloy with integral cooling ribs over the optical chamber and electrical compartment. Solid barrier wall separates optical and electrical compartments. Double-thick wall with gaskets on the support-arm mounting end. Housing forms a half cylinder with 35° front face plane providing a recess to allow a flush single-latch detail. All hardware is stainless steel or electro-zinc plated steel.

**Lens Frame:** One-piece die-cast, low copper (<math>\leq 0.6\%</math> Cu) aluminum alloy lens frame with 1" minimum depth around the gasket flange. Integral hinges with stainless steel pins provide no-tool mounting and removal from housing. Single die-cast aluminum cam-latch provides positive locking and sealing of the optical chamber by a one-piece extruded and vulcanized silicone gasket. Clear 3/8" thick tempered glass lens retained by eight steel clips with full silicone gasketing around the perimeter.

**Reflector Module:** Specular Alzak® optical segments are rigidly mounted within a die-cast aluminum enclosure that attaches to the housing as a one-piece module. Reflector module is field rotatable in 90° increments. HPS and PMH sockets are porcelain 4KV pulse rated mogul base with molded silicone lamp stabilizer. All reflector modules are factory prewired with quick-disconnect plug and include silicone seal at the penetration of the internal barrier in the luminaire housing.

**Electrical Module:** All electrical components are UL and CSA recognized, mounted on a single plate and factory prewired with quick-disconnect plugs. Electrical module attaches to housing with no-tool hinges and latches, accessible by opening the lens frame only. All ballasts are high power factor rated -20°F, starting.

**Support Arm:** One-piece extruded aluminum with internal bolt guides and fully radiused top and bottom. Luminaire-to-pole attachment is by internal draw bolts, and includes a pole reinforcing plate with wire strain relief. Arm is circular cut for specified round pole.

**Optional Wall Mounting:** Fixture mounted to poured concrete walls only. A modified support arm is provided with side access to allow field splices within the arm. A wall embedment bracket is provided to accept draw bolts, and a trim plate covers the wall-embedded junction box. All wall mount components are finished to match the fixture.

**Finish:** Super TGIC thermoset polyester powder coat paint, 2.5 mil nominal thickness, applied over a titanium zirconium conversion coating. 2500 hour salt spray test endurance rating. Standard colors are Black, Dark Bronze, Light Gray, Stealth Gray®, Platinum Silver, or White. Custom colors are available.

**CAUTION:** Fixtures must be grounded in accordance with national, state and/or local electrical codes. Failure to do so may result in serious personal injury.

Listings and Ratings			
UL cUL 1598	CE	IP66 Rated	25C Ambient

Hubbell Lighting Inc. logo and copyright information.

**AR**  
The Archetype®  
revision 9/19/08 • ar.pdf

**KIM LIGHTING**  
Type: New Drive Lighting  
Job: St. Joseph's Chaldean Catholic Church  
Page: 2 of 5

**Standard Features**

**Mounting**  
3Y configuration is available for round poles only.

**Plan View:** EPA: 1.2, 2.4, 2.0, 3.2, 3.2, 3.9, n/a. Cat. No.: 1A, 2B, 2L, 3T, 3Y, 4C, 1W.

**Fixture**  
Cat. No. designates fixture and light distribution. See the Kim SinterRoadway Optical Systems Catalog for detailed information on reflector design and application.

**Electrical Module**  
HPS = High Pressure Sodium  
PMH = Pulse Start Metal Halide

Lamp	Socket	ANSI Ballast
E-23, Clear	Mogul Base	S-55
E-18, Clear	Mogul Base	S-50
E-18, Clear	Mogul Base	S-51

Lamp	Socket	ANSI Ballast
ED-28, Clear	Mogul Base	M-138
BT-28, Clear	Mogul Base	M-132, M154, or M170
BT-28, Clear	Mogul Base	M-131, M171
ED-28, Clear	Mogul Base	M-135

**Finish**  
Super TGIC powder coat paint over a titanium zirconium conversion coating.

Color: Black, Dark Bronze, Light Gray, Stealth Gray®, Platinum Silver, White, Custom Color®  
Cat. No.: BL, DB, LG, SG, PS, WH, CC

NOTE: Due to the Energy Independence and Security Act (EISA) of 2007, Kim Lighting can no longer supply probe start metal halide ballasts with its luminaires, effective January 1, 2009. Contact Kim Lighting for availability of replacement ballasts for warranty service claims. Visit www.kimlighting.com or the Library of Congress website for more details.

**AR**  
The Archetype®  
revision 9/19/08 • ar.pdf

**KIM LIGHTING**  
Type: New Drive Lighting  
Job: St. Joseph's Chaldean Catholic Church  
Page: 3 of 5

**Optional Features**

**Wall Mounting**  
Cat. No. 1W  
 No Option

Select from Mounting on page 2.

**Photocell Receptacle**  
Cat. No. A-25  
 No Option

Fixture supplied with a fully gasketed receptacle above the electrical compartment for NEMA base photocell (by others). For all multiple-fixture pole mountings with two or three fixtures, one fixture has a receptacle to operate the others. Four fixtures (250 watt or less) also require one fixture with a receptacle. Four fixtures (400 watt) require two fixtures with receptacles.

Mounting (see page 2)  
\* = Fixture with Photocell Receptacle  
S = slave units

Allowable wattage per fixture: 150-400W, 150-250W, 400W

**Convex Glass Lens**  
Cat. No. CGL  
 No Option

The 3/8" thick clear convex tempered glass lens replaces the standard flat glass lens. Provides increased lens presence and provides a subtle improvement in uniformity where pole spacing is extreme. Increases effectiveness of houseside shielding.

**Polycarbonate Lens**  
Cat. No. LS  
 No Option

Fixture supplied with a one piece vacuum formed, clear, UV stabilized convex polycarbonate, fully gasketed, replacing the standard tempered glass lens. 250 watt maximum. May be used with 400HPS in outdoor locations where ambient air temperature during fixture operation will not exceed 85°F.

**CAUTION:** Use only when vandalism is anticipated to be high. Useful life is limited by UV discoloration from sunlight and metal halide lamps.

**AR**  
The Archetype®  
revision 9/19/08 • ar.pdf

**KIM LIGHTING**  
Type: New Drive Lighting  
Job: St. Joseph's Chaldean Catholic Church  
Page: 4 of 5

**Optional Features**

**Houseside Shield**  
Cat. No. (See right)  
 No Option

(Types II, III, and IV only) Fixtures with the standard flat glass lens are available with stamped aluminum louvers that pass streetside light and block houseside light, and a blackened panel added to the reflector to reduce houseside reflections. Fixtures with the optional convex glass lens are available with a formed aluminum shield that passes streetside light and blocks houseside light, and a black anodized panel added to the reflector to reduce houseside reflections. Use with clear lamps only, as coated lamps reduce effectiveness.

HS Recommended for use with clear lamps only. Effectiveness is reduced for coated lamps. Not for use with Type V light distributions.

HSC For use with all fixtures with convex glass lens. Not for use with Type V light distributions.

**Neighbor Friendly Shield**  
Cat. No. NFS  
 No Option

(Type IV only) Stamped internal shield and blocking panels are used to direct and redirect lighting into a forward throw distribution. The amount of light directed and redirected toward the back of the luminaire is dramatically reduced to create extremely low glare behind the pole. Only available on the Type IV reflectors.

**Tamper-Resistant Latch**  
Cat. No. TL  
 No Option

Standard die-cast latch is provided with a captive 10-32 stainless steel flat socket-head screw to prevent unauthorized opening.

**NOTE:** Required only for vandal protection in locations where fixtures can be reached by unauthorized persons.

**Horizontal Slipfitter Mount**  
Cat. No. HSF  
 No Option

Replaces standard mounting arm with slipfitter which allows fixture to be mounted to a horizontal pole davit-arm with 2" pipe-size mounting end (2 3/4" O.D.). Cast aluminum slipfitter with set screw anti-rotation lock. Bolts to housing from inside the electrical compartment using mounting holes for the standard support arm. Davit-arm must be field drilled at a set screw location to insure against fixture rotation. Finished to match fixture.

**AR**  
The Archetype®  
revision 9/19/08 • ar.pdf

**KIM LIGHTING**  
Type: New Drive Lighting  
Job: St. Joseph's Chaldean Catholic Church  
Page: 5 of 5

**Optional Features**

**Special Options for Street Lighting**  
Cat. No. (See right)

**Terminal Block:** (for field wire connectors.) 85AMP, 600V box clamp terminal block mounted to the housing inside the electrical compartment. Accepts #14-4 wire. Factory prewired to electrical module quick-disconnect plug.

TB  
 No Option

**Air Filter:** Allows for ventilation through the optical chamber, filtering all air particles above 500 microns. Mounted on solid wall between optical compartment and latch cavity.

AF  
 No Option

**Vertical Slipfitter Mounts**  
Cat. No. includes Mounting  
Cat. No. (See right)  
 No Option

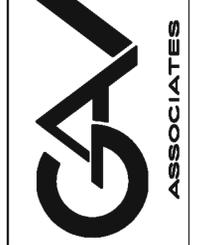
Allows fixture with standard support arm to be mounted to poles having a 2" pipe-size tenon (2 3/4" O.D. x 4 1/2" min. length). All mounting configurations can be used (1A, 2B, 2L, 3T, 3Y, 4C). 4" square or round die-cast aluminum with flush cap, secured by four 3/8" stainless steel set point allen screws, finished to match fixture and arm.

**NOTE:** 3Y only available on round slipfitter.

Cat. No.	Material	Cat. No.	Mounting Configuration
VSF-1A	Round	SVSF-1A	1A - single arm mount
VSF-2B	Round	SVSF-2B	2B - 2 at 180°
VSF-2L	Round	SVSF-2L	2L - 2 at 90°
VSF-3T	Round	SVSF-3T	3T - 3 at 90°
VSF-3Y	Round	SVSF-3Y	3Y - 3 at 120°
VSF-4C	Round	SVSF-4C	4C - 4 at 90°

ISSUED FOR	DATE
BZA	2-4-11

**ARCHITECTURAL DESIGN**  
RESIDENTIAL COMMERCIAL INDUSTRIAL  
G.A.V. & ASSOCIATES, INC.  
31471 NORTHWESTERN HWY., SUITE #72  
FARMINGTON HILLS, MI 48334  
(248) 985-9101  
FAX (248) 985-9105  
EMAIL: GAV@GAVASSOCIATES.COM



RENOVATIONS AND ADDITIONS TO:  
2442 E. BIG BEAVER ROAD  
TROY, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
DS	GA	GA

SCALE : NO SCALE  
FILE NAME : 10070\_SP.103  
JOB # : 10070  
SHEET TITLE  
LIGHTING CUT SHEETS  
SHEET #  
SP.103

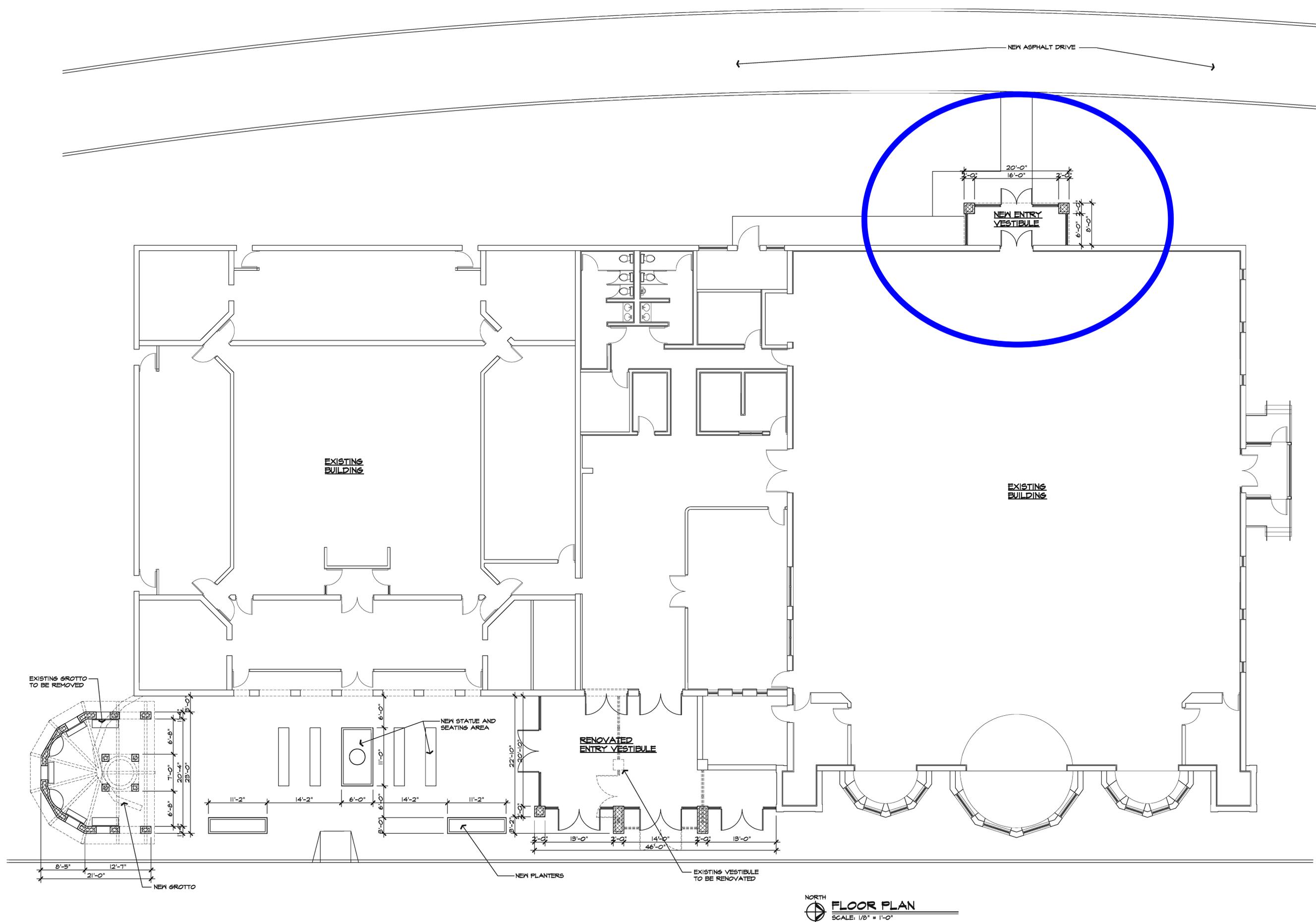
ISSUED FOR	DATE
REVIEW	8-11-10
PRELIMINARY SPA	12-2-10
PRELIMINARY SPA	1-11-11
BZA	2-4-11

**ARCHITECTURAL DESIGN**  
**RESIDENTIAL COMMERCIAL INDUSTRIAL**  
 G.A.V. & ASSOCIATES, INC.  
 31471 NORTHWESTERN HWY., SUITE #2  
 FARMINGTON HILLS, MI. 48334  
 (248) 985-9101  
 FAX (248) 985-9105  
 EMAIL: GAV@GAVASSOCIATES.COM



**RENOVATIONS AND ADDITIONS TO:**  
**2442 E. BIG BEAVER ROAD**  
**TROY, MICHIGAN**

DRAWN:	DESIGNED:	CHECKED:
DB	GA	GA
SCALE: 1/8" = 1'-0"		
FILE NAME: 10070_A.101		
JOB #: 10070		
SHEET TITLE		
FLOOR PLAN		
SHEET #		
A.101		

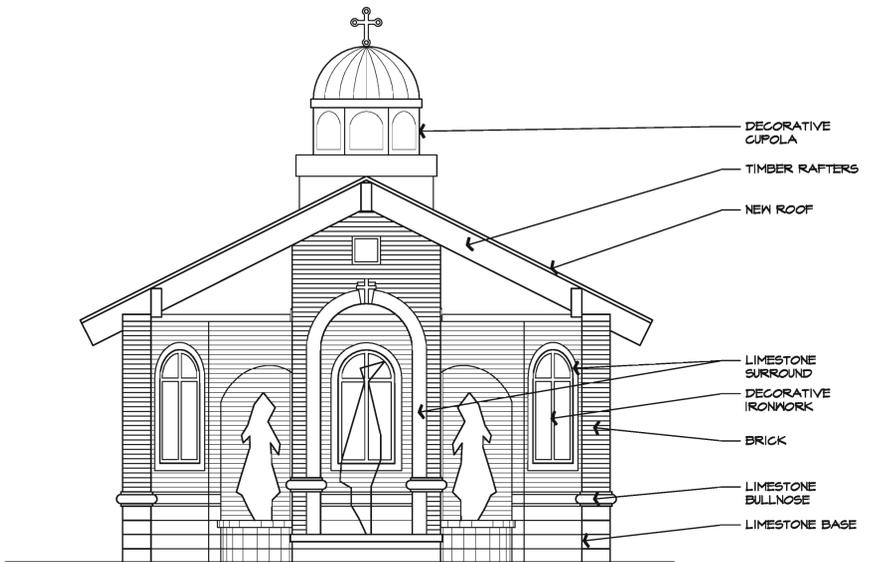


**FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

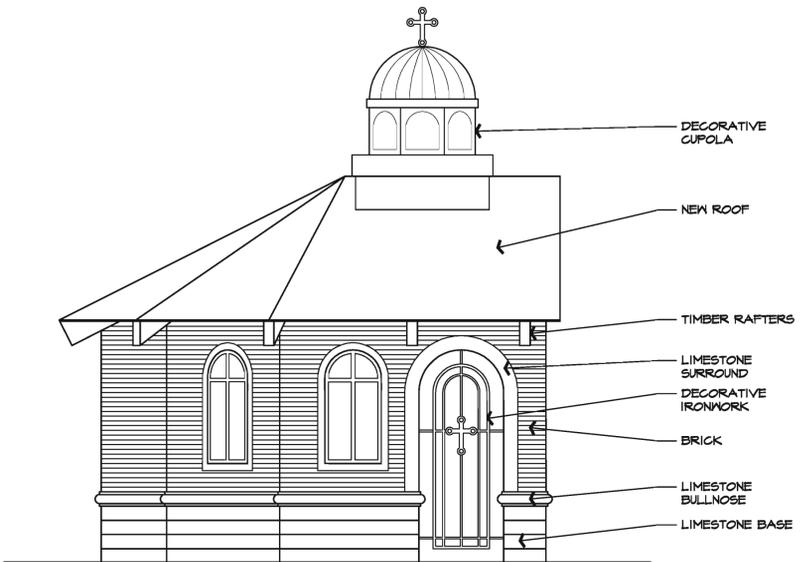
ISSUED FOR	DATE
REVIEW	8-11-10
PRELIMINARY SPA	12-2-10
PRELIMINARY SPA	1-11-11
BZA	2-4-11

**ARCHITECTURAL DESIGN**  
 RESIDENTIAL  
 COMMERCIAL  
 INDUSTRIAL

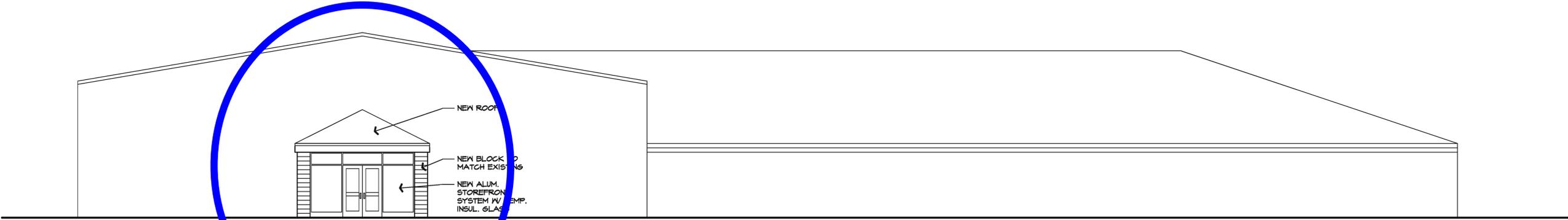
G.A.V. & ASSOCIATES, INC.  
 31471 NORTHWESTERN HWY., SUITE #2  
 FARMINGTON HILLS, MI, 48334  
 (248) 985-9101  
 FAX (248) 985-9105  
 EMAIL: GAV@GAVASSOCIATES.COM



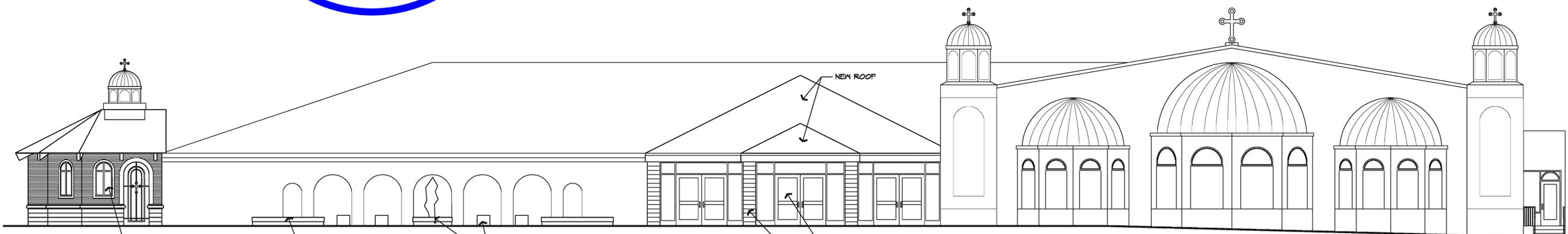
**NORTH ELEVATION**  
 SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**WEST ELEVATION**  
 SCALE: 1/8" = 1'-0"



**EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"

RENOVATIONS AND ADDITIONS TO:  
 2442 E. BIG BEAVER ROAD  
 TROY, MICHIGAN

DRAWN:	DESIGNED:	CHECKED:
DB	GA	GA

SCALE: AS SHOWN

FILE NAME: 10070\_A.102

JOB #: 10070

SHEET TITLE  
 ELEVATIONS

SHEET #  
**A.102**



**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: December 20, 2010

## **Preliminary Site Plan For City of Troy, Michigan**

**Applicant:** Monsignor Zouhair Toma Kajbou

**Project Name:** St. Joseph Chaldean Catholic Church Renovations

**Plan Date:** Submitted to Troy Planning Department December 3, 2010

**Location:** 2442 East Big Beaver Road

**Zoning:** R1-E and RM-1

**Action Requested:** Preliminary Site Plan Approval

**Required Information:** Deficiencies noted

### **PROJECT AND SITE DESCRIPTION**

We are in receipt of a preliminary site plan submittal for the renovation of an existing church property. The project proposes several significant changes, including a new access drive to Big Beaver Road, a new drop-off area and circulation route, two small building additions and renovations, and renovations to an outdoor area with a grotto.

Location of Subject Property:

The property is located on the south side of Big Beaver Road, between John R Road and Dequindre Road.

Size of Subject Property:

The parcel is 5.712 acres.

Proposed Uses of Subject Parcel:

The applicant proposes to continue using the site as a church.

Current Use of Subject Property:

The subject property is currently a church.

Current Zoning:

The property is currently split-zoned. The east portion of the site is zoned R-1E, Single Family Residential District, and the west portion is zoned RM-1, Multiple Family Residential District, Low Rise.

Zoning Classification of Adjacent Parcels and Current Land Use:

North: (across Big Beaver) R-1E, Single Family Residential District; single family homes

West: RM-1, Multiple Family Residential District, Low Rise; single and multiple family residential homes

South: RM-1, Multiple Family Residential District, Low Rise; single and multiple family residential homes; and R-1E, Single Family Residential District; vacant property and a detention basin.

East: R-1E, Single Family Residential District; single family homes

**BUILDING LOCATION AND SITE ARRANGEMENT**

The existing church is located on the west side of the overall site. There are two additional large buildings containing a rectory, office, small hall (central building) and a large hall (east building). The site is accessed via two driveways, one at the center of the lot and another (right-turn only) at the east end of the lot. A central driveway provides access to the majority of parking, which is located south of the buildings, although some parking also exists along Big Beaver, north of the buildings. The primary components of site arrangement are not proposed to be altered, only added to, as we will describe in the site access and circulation section of this review.

**Items to be Addressed:** *None*

**AREA, WIDTH, HEIGHT, SETBACKS**

The conditions for special use approval for a church are established in Section 10.30.04. There are several dimensional requirements that must be considered here. First, the setbacks for all sides of the project are 50 feet, which is a greater setback requirement than most uses in the R1-E and RM-1 Districts. Second, a church requires a minimum of 120 feet of frontage on a major thoroughfare. Third, parking is not permitted in a required yard that is adjacent to a public street, nor is parking permitted adjacent to residentially zoned property.

Several elements of this site do not comply with all these requirements, but this is due to the existing church having been developed prior to the adoption of those requirements. Applicable subsections of Section 10.30.04. state:

*B. Front, side and rear yard setbacks shall be a minimum of fifty (50) feet.*

*E. "Parking shall not be permitted in the required yards adjacent to any public street or adjacent to any land zoned for residential purposes, other than that which is developed or committed for uses other than the construction of residential dwellings. Such yards shall be maintained as landscaped open space. This landscaped yard area requirement related to parking areas adjacent to residentially zoned land shall apply to parking areas for which site plans were approved after July 1, 2000."*

For the purposes of this review, we should note that parking does exist on the east, south, and west sides adjacent residential, within the required 50-foot yards (setbacks). This is a condition which predates the original site plan, however, and it is specifically exempted in the Ordinance requirements (given that it was approved prior to July 1, 2000). Therefore, this is a legal, conforming condition. However, this does not exempt future changes or additions that require site plan review from complying with this requirement.

Consequently, the proposed third access drive and drop-off area, which would cut through the landscaped area along the site's west end that does not have parking currently, would violate the Ordinance as designed. In other words, while the portions of the site that provide parking within the 50-foot setback were approved prior to July 1, 2000 and comply with the Ordinance, any new activity requiring site plan approval may not violate this setback and must comply, including the proposed. Further, while the site plan is not dimensioned, it is clear that the proposed west vestibule entry also violates the setback rule here and is also not permitted without relief from a variance. In order to permit the development of the vestibule, the access drive, and the drop off area, the applicant must appear before the Zoning Board of Appeals and obtain a variance from the minimum 50-foot setback adjacent residentially zoned properties for churches as established by Section 10.30.04.E.

While height data has not been provided by the applicant, we can confirm that, based on observation made during a site visit, that the existing buildings do not exceed maximum requirements.

Required and Provided Dimensions:

Section 30.10.02 and special use provisions for churches require the following setbacks and height limits (all dimensions are estimated, as they were not provided on the plans):

	<u>Required:</u>	<u>Provided:</u>
<b>Setbacks</b>		
<b>Front</b> (north)	50 feet	Approximately 50 feet to parking, 120 feet to building
<b>Side (existing)</b> (west)	50 feet	Approximately 50 feet to building, <b>approximately 3 feet to rear yard parking</b> (conforming as it was approved prior to July 1, 2000)
<b>Side (proposed)</b> (west)	50 feet	<b>Approximately 5 feet to drive, approximately 37 to new vestibule</b>
<b>Side</b> (east)	50 feet	<b>Approximately 8 feet</b> (conforming as it was approved prior to July 1, 2000)
<b>Rear</b> (south)	50 feet	Approximately 232 feet to building, <b>approximately 10.5 feet to rear yard parking</b> (conforming as it was approved prior to July 1, 2000)
<b>Building Height</b>	25 Feet, 2.5 stories	Unknown (although this proposal does not alter/impact maximum height)

*Items to be Addressed: 1.) provide dimensional data. 2.) Obtain variances from dimensional deficiencies noted herein.*

## PARKING

Parking:

The site plan indicates a total of 321 parking spaces which includes 13 barrier free parking spaces.

Parking Calculations:

The parking calculations provided by the applicant are as follows:

<u>Required</u>	<u>Provided</u>
One (1) space per 3 seats or 6 feet of bench seating in the main worship area. This church accommodates 800 seats and requires 267 spaces	321 spaces
Banquet room requires one space for each two persons capacity plus one for each employee for each ten seats. This site's banquet facilities accommodate 325 seats, requiring 163 guest spaces and 34 employee spaces, for 196 total required spaces.	
Office space requires one space for every 200 square feet of usable area. This site has 1,000 square feet of office for 5 required spaces.	
Rectory requires two spaces	
Total required spaces is $267 + 196 + 5 + 2 = 470$ spaces	

The site is technically deficient in parking. However, the uses on the site do not occur concurrently. The banquet hall uses do not take place at the same time as services. The banquet use required 196 spaces, well under the provided 321. The Church itself requires 267 spaces, also under the provided 321. Further, the proposed improvements do not affect the capacity of the site and this is a previously existing nonconformity that functions in its current configuration. Consequently, we have no reservations with regard to parking..

*Items to be Addressed: None.*

## SITE ACCESS AND CIRCULATION

### Proposed Circulation:

The site is accessed via two existing driveways. The plan would add a third at the extreme west end of the property. We do not necessarily oppose the third driveway, and defer to the City engineer in this regard. However, as noted elsewhere in this review the significant drive, vestibule, and drop-ff area in the required landscaped setback along the west side of the building violates the Ordinance and must be removed or a variance must be obtained to allow it to proceed.

### Sidewalks:

The site has an 8-foot wide sidewalk along its Big Beaver Road frontage and sidewalks throughout the site. The site plan should incorporate a sidewalk connection between Big Beaver and the buildings, however.

**Items to be Addressed:** 1.) Remove west driveway and improvements on west side of building or obtain variance to allow development in the setback. 2.) Provide sidewalk connection to the main road sidewalks.

## **NATURAL RESOURCES**

The site is previously developed and contains no significant natural features, although there are mature landscaping elements. The proposed plan would not impact any protected natural features, but would impact a mature landscaped area along the west side of the building. Please see our landscaping and site access and circulation sections of this review for more information in this regard.

**Items to be Addressed:** None.

## **LANDSCAPING**

A landscape plan has been submitted, however it does not provide landscaping that takes into account the status of this project as a project requiring special use approval and does not take into consideration the specific use standards for churches.

While the existing parking does not need to comply, the new improvements (were they authorized by a variance) on the west side would need to follow Ordinance requirements. Whenever the off-street parking is adjacent to land zoned and developed or developable for residential purposes, the parking area shall be screened from that adjacent residential area by the placement of a four feet six inch (4' 6") high landscaped earth berm. The top of the berm shall be landscaped with a minimum of a double row, ten (10) feet apart, of upright coniferous evergreens (pine or spruce species, as acceptable to the Department of Parks and Recreation), five (5) to six (6) feet in height, twenty (20) feet on center, staggered ten (10) feet on center.

Also, developments in the R1-B District that are not single family homes require a greenbelt and greenbelt trees. They also require a minimum of 10% landscaped open space. The project meets these standards.

**Items to be Addressed:** Provide revised landscaping to comply with Ordinance requirements if a variance is obtained.

## **LIGHTING**

The applicant has not provided a photometric plan for this project. Full lighting details will be provided for final site plan approval.

**Items to be Addressed:** None.

## **SPECIAL USE**

In the R1-E District, churches are permitted as a special use. This project would significantly alter the conditions of the original approval of this project and would impact adjacent properties. It contemplates improvements on the site that are within required setbacks adjacent residential properties and changes the plan that was approved for this property. As such, a special use permit must be issued for the revised site plan to allow the project to move forward, in accordance with Section 03.31.00. We understand that the applicant has not submitted for special use approval at this time, but will provide the following brief comments for guidance for the applicant and Planning Commission as the project moves forward. We will provide a full review of the site's compliance with Special Use provisions once the applicant submits an application for special use approval.

For any special use, according to Section 03.31.04, the Planning Commission shall review the request, supplementary materials either in support or opposition thereto, as well as the Planning Department's report, at a Public Hearing established for that purpose, and shall either grant or deny the request, table action on the request, or grant the request subject to specific conditions.

### Use Standards

The applicant should be aware that Section 10.30.04 lists several conditions for churches within the R1-E District (items labeled "not applicable" are not impacted by the application submitted and reviewed). They are as follows:

- A. *Buildings of greater than the maximum height allowed in Article XXX, "Schedule of Regulations", may be allowed provided that the front, side and rear yards are increased one (1) foot for each foot of building height which exceeds the maximum height allowed. (Rev. 07-10-2000) (Not applicable.)*
- B. *Front, side and rear yard setbacks shall be a minimum of fifty (50) feet. (Deficiencies noted in the area, width, height and setbacks section of this review. Variances are required.)*
- C. *The site shall be so located as to have at least one (1) property line abutting a Major Thoroughfare of not less than one hundred twenty (120) feet of right-of-way width, existing or proposed, and all ingress and egress to the site shall be directly onto such major thoroughfare or a marginal access service drive thereof, with the following exceptions: (Criteria met.)*
  1. *The Planning Commission may permit access drives to streets or thoroughfares other than Major Thoroughfares, in those instances where they determine that such access would improve the traffic safety characteristics in the area of the site, while not negatively impacting adjacent residential properties. (Not applicable.)*
- D. *One or more of the following locational criteria may be considered by the Planning Commission as a basis for approval or denial of proposals for church development:*
  1. *Location at the intersection of two (2) Major Thoroughfares, each of which has a right-of-way width of at least one hundred twenty (120) feet (existing or proposed). (Not applicable.)*

2. *Location abutting a Freeway right-of-way. (Not applicable.)*
3. *Location involving a total Major Thoroughfare frontage block (extending between two intersecting local streets). (Not applicable.)*
4. *Location where the site has at least one (1) property line, apart from its Major Thoroughfare frontage, in common with land which is developed, zoned, or otherwise committed for use other than the construction of One-Family Residential dwellings. (Not applicable.)*

*These criteria are intended, in part, to assure that the location of a church will not negatively impact the potential for the logical extension of single-family residential development in the adjacent area.*

E. *Parking shall not be permitted in the required yards adjacent to any public street or adjacent to any land zoned for residential purposes, other than that which is developed or committed for uses other than the construction of residential dwellings. Such yards shall be maintained as landscaped open space. This landscaped yard area requirement related to parking areas adjacent to residentially zoned land shall apply to parking areas for which site plans were approved after July 1, 2000. **(Variance required to permit proposed activities in the side yard.)***

F. *Whenever the off-street parking is adjacent to land zoned and developed or developable for residential purposes, the parking area shall be screened from that adjacent residential area by the placement of a four feet six inch (4' 6") high landscaped earth berm. The top of the berm shall be landscaped with a minimum of a double row, ten (10) feet apart, of upright coniferous evergreens (pine or spruce species, as acceptable to the Department of Parks and Recreation), five (5) to six (6) feet in height, twenty (20) feet on center, staggered ten (10) feet on center.*

*This landscaped berm requirement shall apply to parking areas for which site plans were approved after July 1, 2000. The screening for parking areas established or proposed for construction before that date is permitted to be in the form of a continuous obscuring wall, four feet six inches (4'6") in height, in accordance with the provisions of Article XXXIX, Environmental Provisions. This screenwall shall be provided at or adjacent to those sides of the parking area which lie adjacent to residentially zoned land. Such parking area screenwalls shall also be provided adjacent to residentially zoned land wherein the above-described landscaped berm requirement does not apply. (Not applicable.)*

G. *Whenever facilities such as community halls, fellowship or social halls, recreation facilities and other similar uses are proposed as incidental to the principal church or worship facility use, such secondary facilities shall not be constructed or occupied in advance of the sanctuary or principal worship area of the church complex. (Not applicable.)*

1. *The seating capacity of such incidental use areas shall not exceed that of the sanctuary or principal worship area of the church complex. (Not applicable.)*

2. *Parking shall be provided for such incidental use areas at one-half (½) the rate of that required for the sanctuary or principal worship area, and shall be in addition to the parking required for the principal worship area. (Not applicable.)*
  3. *Such incidental facilities must be used for church, worship, or religious education purposes, in a manner which is consistent with residential zoning and compatible with adjacent residential property. They shall not be used, leased or rented for commercial purposes. (Not applicable.)*
  4. *Active indoor recreation facilities, such as gymnasiums, shall be located at least eighty (80) feet from any residentially zoned land, other than that which is developed or committed for uses other than the construction of residential dwellings. (Not applicable.)*
- H. *All structures, appurtenances, and fixtures related to outdoor recreation purposes shall be located a minimum of one hundred (100) feet from any residentially zoned property, other than that which is developed or committed for uses other than the construction of residential dwellings. (Not applicable.)*

Standards of Approval

Section 03.31.05 states that before approving any requests for Special Use Approval, the Planning Commission, or the City Council, where indicated, shall find that:

1. *The land use or activity being proposed shall be of such location, size and character as to be compatible with the orderly development or use of adjacent land and/or Districts.*
2. *The land use or activity under consideration is within the capacity limitations of the existing or proposed public services and facilities which serve its location.*

These criteria will be evaluated once an application has been submitted.

*Items to be addressed: Submit an application for special use approval.*

**SUBMITTAL REQUIREMENTS**

Section 3.43.01 establishes the requirements for preliminary site plan approval. The only outstanding element required for site plan approval is full dimensions of setbacks.

*Items to be Addressed: Provide dimensions.*

**RECOMMENDATIONS**

This project cannot move forward as designed without relief from the Ordinance. Therefore, we recommend that the Planning Commission postpone action on the applicant's request until such time as they can apply for and potentially obtain a series of variances from the Zoning Board of Appeals and to provide a revised application addressing the other items noted herein, and including a new application for special use approval.

*St. Joseph Church, December 20, 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**

4. PUBLIC COMMENTS – Items not on the Agenda

There was no one present who wished to speak.

**SPECIAL USE REQUEST**

5. PUBLIC HEARING – SPECIAL USE APPROVAL AND PRELIMINARY SITE PLAN REVIEW (File Number SU 385) – Proposed Additions to St. Joseph Chaldean Catholic Church, 2442 E. Big Beaver, South side of Big Beaver, East of John R, Section 25, Currently Zoned R-1E (One Family Residential) and RM-1 (Multiple Family Residential) Districts

Mr. Branigan presented a summary of the proposed Special Use and Preliminary Site Plan application for St. Joseph Chaldean Catholic Church. He specifically addressed the additional access drive on Big Beaver, the drive along the western portion of the property and the building improvements.

Mr. Branigan reported the proposed project could not move forward without relief from the Zoning Ordinance. Therefore, he recommended taking no action on the request to allow the petitioner to seek the appropriate variances from the Board of Zoning Appeals (BZA). Mr. Branigan further indicated a revised application addressing items noted in the review and a new application for Special Use Approval would be required should the BZA grant the variances.

Ghassan Abdelnour, project architect, of G.A.V & Associates, Inc., 31471 Northwestern Highway, Farmington Hills, and Dawad A. Defouni, project engineer, of J.A.D. Engineering Services, 4197 Court Anthony, Waterford, were present to represent the petitioner.

Mr. Abdelnour addressed the intent of the proposed plan to alleviate traffic congestion by providing better circulation and traffic flow. He also addressed the proposed building improvements.

The petitioner, Monsignor Zouhair Toma Kajbou, addressed the traffic congestion that results with church traffic, especially during holidays and special celebrations. He stated the church often uses the Troy Police Department services to assist in directing the traffic. Fr. Kajbou addressed the size and makeup of the congregation and the service schedule.

Discussion followed on:

- Traffic circulation and flow.
- Parking.
- Existing and proposed drop off areas.
- Traffic Engineer review.
- Proof of difficulty of land / hardship required for granting variances.

- Potential for deceleration lane on Big Beaver.
- Services schedule.
- Notification to public of Public Hearing.

### PUBLIC HEARING OPENED

Stanley Pilchowski of 2993 Roundtree, Troy, was present. Mr. Pilchowski spoke in opposition of the proposed project. He voiced concerns relating to the traffic, the proposed driveway and drop off area on the western portion of the property, lighting, noise and the public hearing notification process.

Samuel Mitchell of 2914 Roundtree, Troy, was present. Mr. Mitchell spoke in opposition of the proposed project. He voiced concerns relating to the traffic, property values, lighting and noise.

Charles Pelzer of 2878 Roundtree, Troy, was present. Mr. Pelzer spoke in opposition of the proposed project. He voiced concerns relating to the traffic, noise and lighting. Mr. Pelzer indicated his bedroom window would face the proposed driveway on the western portion of the property and shared a photograph showing the view from his bedroom window.

Sam Daya of 2541 Marcus, Troy, was present. Mr. Daya spoke in opposition of the proposed project. He voiced concerns with traffic and the public hearing notification process.

David Livingston, City of Troy Police Lieutenant/Special Operations section, was present. Lt. Livingston addressed the traffic congestion on Big Beaver Road with respect to the church services, daily activity, holidays and special celebrations. He expressed appreciation for the efforts taken by the church to improve the flow and circulation of traffic. Lt. Livingston said the Police Department would welcome any circulation design that alleviates the congestion. Lt. Livingston briefly addressed the process to erect a traffic light.

Fr. Kajbou addressed the schedule of weekday church activities and Sunday and holiday services. He indicated the church's willingness to go to the expense necessary to alleviate existing traffic problems.

Brian King of 2884 Roundtree, Troy, was present. Mr. King spoke in opposition of the proposed project. He voiced concerns relating to the close proximity of the proposed driveway to the residential homes, lighting and property values.

### PUBLIC HEARING CLOSED

Discussion continued on:

- Potential for deceleration lane.
- Special Use standards applicable to site plan.
- Photometrics plan; impact of vehicular and building lights to adjacent residential.
- Landscaping.
- City owned property to the south.

## **OTHER BUSINESS**

### **6. DISTRIBUTION OF DRAFT CITY OF TROY ZONING ORDINANCE**

A hard copy of the Draft Zoning Ordinance was distributed to each Board member.

Mr. Savidant briefly outlined the schedule to introduce the Draft Zoning Ordinance to other Boards and Commissions and the adoption process by the Planning Commission and the City Council.

It was the consensus of the Board to place the Draft Zoning Ordinance as an agenda item for discussion on the January 25, 2011 Special/Study meeting. Mr. Savidant asked members to submit in writing any suggestions or revisions for discussion at the meeting.

### **7. ELECTION OF OFFICERS FOR THE YEAR 2011**

Chair Hutson asked for nominations from the floor for Chair.

Mr. Schultz nominated Michael Hutson.

Hearing no further nominations, Chair Hutson declared the nominations for the position of Chair closed.

A voice vote was taken; all ayes, no nays.

Mr. Hutson was announced as Chair.

Chair Hutson asked for nominations from the floor for Vice Chair.

Mr. Schultz nominated Mark Maxwell.

Mr. Strat nominated Donald Edmunds.

Mr. Edmunds nominated John Tagle.

Hearing no further nominations, Chair Hutson declared the nominations for the position of Vice Chair closed.

**From:** [ritta hanna](#)  
**To:** [Planning](#)  
**Subject:** Hearing for St Joseph Church  
**Date:** Monday, March 14, 2011 11:57:58 PM

---

Your Honor,

We would like to give you our vote for adding another driveway. We have been attending St. Joseph since it first opened. Year after year our chaldean community in the metro detroit area is growing when we go to church on Sunday at 12:30 for mass leaving and entering is a hassle it about 20 min entering the church and about 30 min leaving, we would like to give our voice all 4 members of the Hanna family. Our address is 2857 Truffle Rd, Troy. We appricate your time.

thank you for listening  
Hanna

family

City of Troy Planning Department  
Public Hearing, March 15, 2011  
Subject: St. Joseph's Chaldean Catholic Church  
Construction of a new addition and new driveway

March 9, 2011

Planning Department:

I am a resident of Wexford Park Homes. Although I do not live across from the church, the issues that we have had with the church affect all of us.

The notice gives a brief description of what the church's intentions are regarding the expansion. To my knowledge, there are at least two other churches located in the area within a ten mile radius with the intent to build another. I realize that the Arab population has settled within all of the areas around Troy. Without knowing the big picture on the request for expansion at St. Joseph's, is there not enough churches located within the surrounding areas to accommodate all of the parishioners?

The church has caused too many traffic issues since it has been there. I cannot see where building a new driveway and adding an addition is going to ease this problem, only increase it. During holidays, the City of Troy has to block our drive off of Big Beaver and the turnarounds are blocked all the way South of John R. This causes issues for us and other drivers who use Big Beaver Rd. I don't notice other churches causing the problems that St. Joseph's does. The taxpayers pay for the time that your people take to block the road. However, I am not sure if we block our own drive or if Troy does it.

Wexford Park Homes driveway had to be blocked because our requests that the parishioners not park in our complex were ignored. The church did not do a good job of notifying their parishioners that they could not park in our complex. We should not have to be inconvenienced, by closing our driveway for co-owners/visitors, every time they have large attendance on holidays, or any other time.

Whether it is a church or business, the City, church or business needs to realize that we in Wexford should be able to come and go without the business or church disrupting our right to have two driveways open for our co-owners/visitors. Also, we have the right to peace and quiet without any disruptive noise, lights glaring all night, high traffic volume or whatever issues may arise from living next to the church.

What I am asking the Planning Department to do is consider the problems that will be created by the church's request. If you deny the request, maybe some of the parishioners will attend the other churches. I know that this is speculation on my part. I do not think they need to expand in this area and cause issues for the co-owners, especially those who live on that end of the complex.

If this is approved, the berm would have to be quite high so that it would be too difficult to climb over. There will always be those people who will find a way to park in our complex and climb the berm. Rather than a berm, I would like to see a 6 foot wall constructed along the whole property line so that there is no foot traffic (there is some foot traffic now) from our complex into the church property. As far as I know, there is no proper entrance to the church from our condo complex. Also, a wall with landscaping would cut down on the noise from the church property, which includes the vehicles using the driveway. The wall would be landscaped on our side to create green space for our co-owners. Also, the lighting would need to be of a type that would not glare onto our property all night long and cause night time issues for those who live next to the church.

I would like to see that the following recommendations be adhered to if approved:

1. All requirements and standards of the Zoning Ordinance, and other City Ordinances can be met.
2. Traffic circulation features within the site, and the location of parking areas, avoid common traffic problems and can promote safety for drivers on Big Beaver Rd.
3. A satisfactory and harmonious relationship will exist between the proposed development and surrounding area.
4. The proposed use will not have an unreasonable, detrimental or injurious effect upon the natural characteristics of the subject parcel, or the adjacent area.
5. Building and parking set back areas will be met.
6. Greenbelts will be provided.
7. Landscape requirements will be met and calculations have been submitted.
8. If installing pole and wall-mounted lighting, it shall be shielded and directed downward. Lamp bulbs and lens shall not extend below the light fixture shields. All light poles are not to be taller than 25 ft. in height. If needed, include making adjustments to any lighting that is already installed on the property to meet same requirements.
9. Any other requirements by the Planning Commission, not mentioned, to be adhered to according to any City Ordinances and Planning Commission requirements.

If the church cannot agree to the reasonable requests of the City and co-owners of Wexford, then the City has an obligation to look out for Wexford co-owners too as homeowners and taxpayers in the City of Troy.

The bottom line . . . I am against the expansion to increase the size of St. Joseph's.

Please put my comments on record.

*Elena Allintore*

**From:** [Brent Savidant](#)  
**To:** [Kathy Czarnecki](#); [Planning](#)  
**Subject:** FW: St. Joseph Chaldean Catholic Church  
**Date:** Monday, March 07, 2011 1:40:33 PM

---

---

**From:** snichols48083@comcast.net [mailto:snichols48083@comcast.net]  
**Sent:** Monday, March 07, 2011 1:40 PM  
**To:** Brent Savidant  
**Subject:** St. Joseph Chaldean Catholic Church

As a co-owner of Wexford Parkhomes located at 2784 Roundtree Drive for the past 32 years, I wish to express my opposition to the proposed West driveway and entrance into the church. The traffic coming in and going out of the church is very difficult to tolerate during any and all of their church services. As you are well aware, the situation on Holy Days is even worse, requiring additional security and closing off our 16 Mile entrance. I feel it is time for St. Joseph to find a large facility for their congregation.

Sandra L. Nichols  
2784 Roundtree Drive  
Troy, MI 48083

**From:** [Paul M Evans](#)  
**To:** ["Edouard Piche"](#)  
**Cc:** [Kathy Czarnecki](#)  
**Subject:** RE: Questions for April 19 Zoning Board of Appeals Hearing  
**Date:** Friday, March 18, 2011 8:27:50 AM

---

Ed:

Thanks for your comments. We will forward these to the Board for consideration at the April 19 meeting.

I recommend if at all possible, you engage the Church with these questions well before the meeting.

I can provide you contact information if desired.

Thanks.

Paul

---

**From:** Edouard Piche [mailto:[dzhrzj@yahoo.com](mailto:dzhrzj@yahoo.com)]  
**Sent:** Thursday, March 17, 2011 6:37 PM  
**To:** Paul M Evans  
**Cc:** [sduke2@hotmail.com](mailto:sduke2@hotmail.com); [jlsep@wideopenwest.com](mailto:jlsep@wideopenwest.com); Gene and Jan Austin; Sam Daya; Sam Daya; Cesar Gustilo; Jim Senska  
**Subject:** Questions for April 19 Zoning Board of Appeals Hearing

Mr. Evans:

As the principal contact for the Zoning Board of Appeals, I would ask that you send the information below to the Zoning Board members.

There were two representatives from the Morel East Homeowners' Association at the March 15 Board of Zoning Appeals hearing regarding the request for a variance by St. Joseph Chaldean Church. Unfortunately, the church was not represented at the hearing, and Mr. Lambert postponed full discussion to the April 19 meeting. In the meantime, he stated that interested parties could submit questions or comments for review at the rescheduled hearing.

On April 19, the Morel East Homeowners' Association would like to hear responses to the questions below.

1. What is the exact problem that an additional driveway is intended to solve?

2. What is the Root Cause of this problem; i.e., what is the one thing that can be changed to solve the problem and make it go away?
  
3. If a second entrance driveway is put in, how will we know this solves the problem? What is the go/no-go test for success?
  
4. If a second entrance driveway does not fix the problem, what are the proposed next steps to solve the problem? I.e., what is the backup plan?
  
5. Will a second entrance driveway cause worse traffic tie-ups on Big Beaver? Will drivers who wish to use the new west driveway use the right hand lane of Big Beaver, and those who wish to use the center entrance use the center lane?
  
6. The report from Carlisle/Wortman Associates, dated December 20, 2010 indicates there are sufficient parking spots for the church based on current occupancy of 800 in the main church. Code requires 267 parking spots minimum, and the church exceeds the minimum with 321 parking spots. Why has the church required the use of the field south of the church for overflow parking at Christmas and Easter? Use of this field has caused additional noise and disruption to the homeowners on Truffle Drive, and future use is a serious concern to the Morel East Homeowners' Association. Affected homeowners can expect to see reduced property values if this continues.

We look forward to hearing the responses to these questions at the April 19 hearing. Thank you for your consideration.

Edouard A. Piché, Secretary  
Morel East Homeowners' Association

3. POSTPONED ITEMS

- B. VARIANCE REQUEST, MINAL GADA AND ASHISH MANEK, 4820 LIVERNOIS – In order to split the subject parcel into 3 separate parcels, a 15 foot variance to the required 100 foot lot width requirement for 2 of the proposed parcels.

**SECTION: 30.10.02**



4820

11 07 405 70 5061 5059 5055 5015 5053

25 125 5029 5011

BERWICK 5112

82 W LONG LAKE

63 139 E LONG LAKE

E LONG LAKE

121 61 73 75 97 81 4973 4975 4977 4979 55

30 102 15 31 93

150 160 176 194 222 252 280 29 129 155 183 215 241 281 3

PARTRIDGE 49 4901 4883 113 114 92 70 48 26 155 156

LIVERNOIS 18 70 4885 4860 4845

BELHAVEN 4890 124 140 180 186 234 258 282 115 157 185 203 229 255 29

BRAEMAR 161 139 117 95 73 41 47 53 160 138 116 94 72 59

47 61 75

WILTON 110 140 170 200 230 280 103 117 131 145 159 173 187 310 186 338

ABERDEEN 132 115 71

GLENSHERE 148 162 171



48

26

18

4860

4885

BRAEMAR

DORSHIRE

4820

4845

WILTON

41

LIVERNOIS

ABERDEEN

47

4781

53

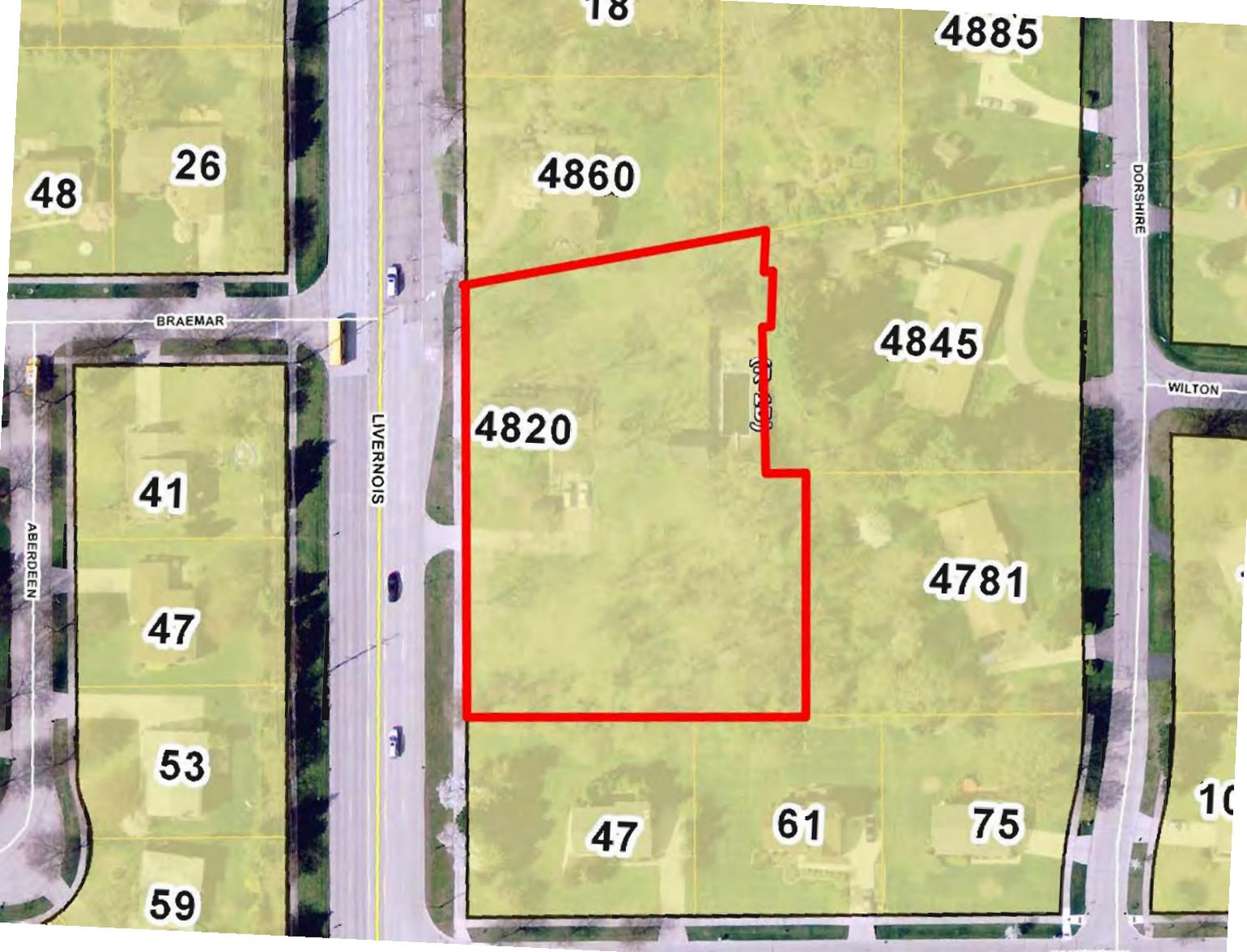
47

61

75

10

59



48

26

4860

4885

BRAEMAR

LIVERNOIS

DORSHIRE

WILTON

41

4820

4845

47

4781

53

47

61

75

59

10

ABERDEN

# CITY OF TROY

## BOARD OF ZONING APPEALS APPLICATION

CITY OF TROY PLANNING DEPARTMENT  
500 W. BIG BEAVER ROAD  
TROY, MICHIGAN 48064  
PHONE: 248-524-3364  
FAX: 248-524-3382  
E-MAIL: [planning@troymi.gov](mailto:planning@troymi.gov)  
<http://www.troymi.gov/Planning>



FILE NUMBER 4820 Livernois  
LOCATION \_\_\_\_\_  
REGULAR MEETING FEE (\$150.00) pd  
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.

1. ADDRESS OF THE SUBJECT PROPERTY: 4820 Livernois Troy MI 48068  
LOT NO. 4820 SUBDIVISION Belzair  
LOCATED ON THE East SIDE OF (ROAD) Livernois Rd  
BETWEEN Glenshaire Dr AND Belhaven dr  
ACREAGE PROPERTY: *Attach legal description if this an acreage parcel*
2. PROPERTY TAX IDENTIFICATION NUMBER(S): 26-13-103-848 20-15-102-010
3. ZONING ORDINANCE SECTIONS THAT ARE APPLICABLE TO THIS APPEAL: R1-B
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 participants:* no

6. APPLICANT INFORMATION:

NAME Minal Gada and Ashish Manek  
COMPANY \_\_\_\_\_  
ADDRESS 4820 livernois  
CITY Troy STATE MI ZIP 48098  
TELEPHONE 248-566-1326, Cell: 614-946-4749  
E-MAIL ashishmanek@yahoo.com

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

\_\_\_\_\_

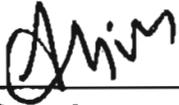
8. OWNER OF SUBJECT PROPERTY:

NAME Minal Gada and Ashish Manek  
COMPANY \_\_\_\_\_  
ADDRESS 4820 livernois  
CITY Troy STATE MI ZIP 48098  
TELEPHONE 248-566-1326, Cell: 614-946-4749  
E-MAIL ashishmanek@yahoo.com

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, Minal Gada & Ashish Manek (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   DATE 02/07/2011  
PRINT NAME: Minal Gada and Ashish Manek

SIGNATURE OF PROPERTY OWNER   DATE 02/07/2011  
PRINT NAME: Minal Gada and Ashish Manek

To,  
Board of Zoning Appeal,  
City of Troy  
Michigan.

Date: February 4<sup>th</sup> 2011

Sub: Application of Variance for Split lots B & C for current Property Location 4820 Livernois

Dear Sir/ Madam,

I, Ashish Manek and my wife Minal Gada ( Current Owners) of property @ 4820 Livernois Rd, Troy, MI 48098. We are proud residents of city of troy for last 6 years and 4 years at current resident. We would like to apply to split the lot as per drawings submitted in this application.

Currently there is one house (Our residence)on this lot. This is a unique lot. Keeping the location of this house in mind, we could develop 3 lots. We don't intend to demolish or move current house.

All 3 lots meet the city of troy acreage requirement, However 2 of this lots don't meet the frontage lot requirement. Hence we are asking for variance. All this lots are unique compare to other surrounding lots as they have more depth. Please find attached document that support the following.

- 1) Average Acreage in surrounding subdivision
- 2) Average depth and width in surrounding subdivision.

As our proposed lots meets acreage requirement and as per our survey this three lots would not cause any kind of adverse effect to properties in immediate vicinity or in the zoning district. Infact they would give more revenue to city of troy in taxes.

We plan to build unique energy efficient house on this lots that meets requirement of City of Troy and State of Michigan.

We request you to approve our application.

Thank you for your cooperation.

Yours sincerely

Minal Gada and Ashish Manek

# PROPOSED SPLITS A

Barn?

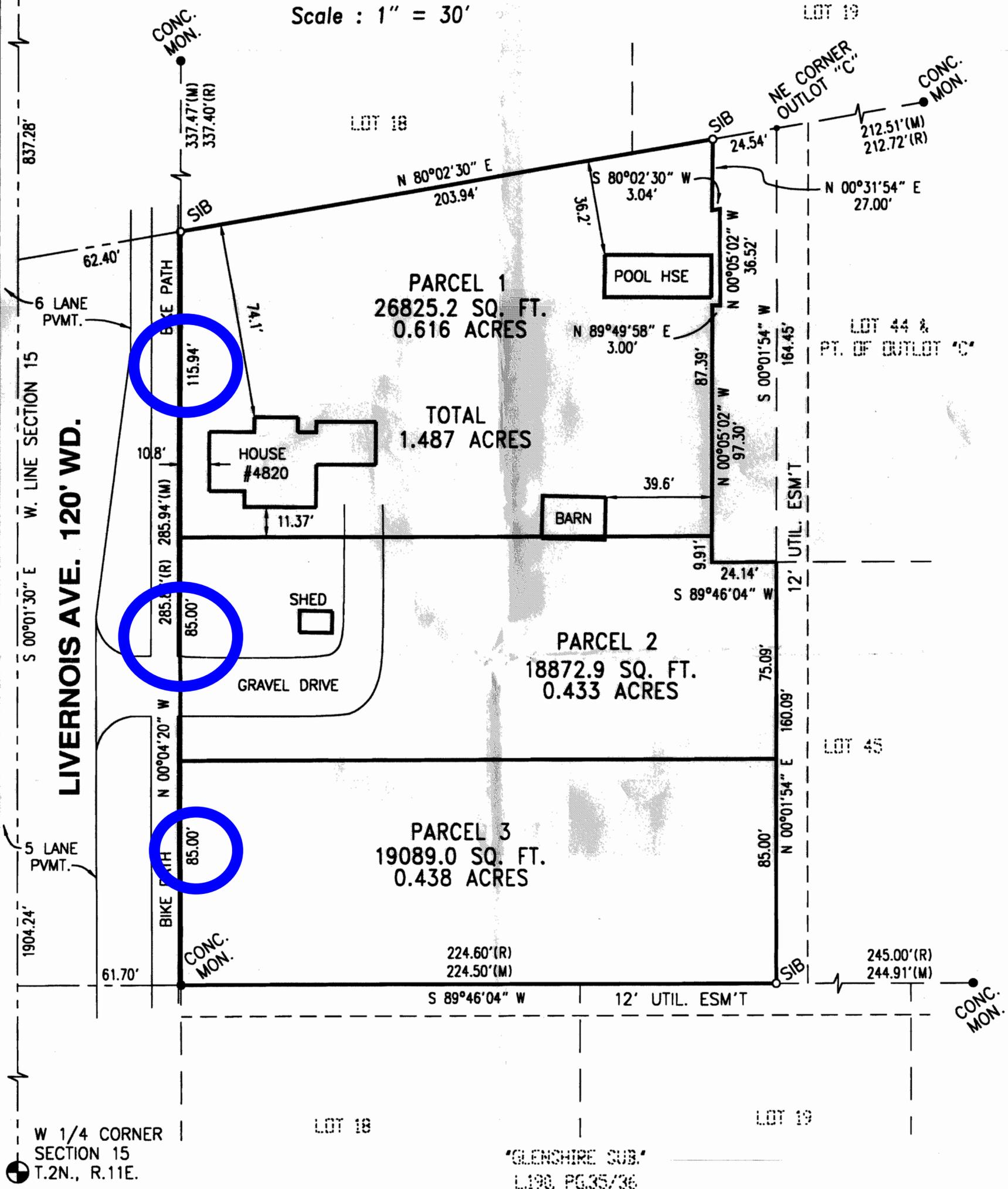
30.10.02 Lot width Proposed 85'  
Required 100'  
VARIANCE 15'

NW CORNER  
SECTION 15  
T.2N., R.11E.



'RE-PLAT OF BELZAIR SUB.'  
L.69, PG.7

Scale : 1" = 30'



**URBAN LAND CONSULTANTS**  
CIVIL ENGINEERS PLANNERS LAND SURVEYORS  
GPS CONSULTANTS  
8800 23 MILE ROAD SHELBY TWP., MI 48316-4516  
PHONE 586 731-8030  
FAX 586 731-2605

**LEGEND**

- FIB = Found Iron Bar ●
- FIP = Found Iron Pipe ●
- SIB = Set Iron Bar/Cap ○
- R = Record Distance
- M = Measured Distance
- C = Calculated

JARRETT L. MILLER  
PROFESSIONAL SURVEYOR  
No. 52454

Date 12-7-10  
Drawn T.M.P.  
Check J.L.M.  
Sheet 1 of 2  
Fld. Bk.  
Job No. 090504-7938

# CERTIFICATE OF SURVEY

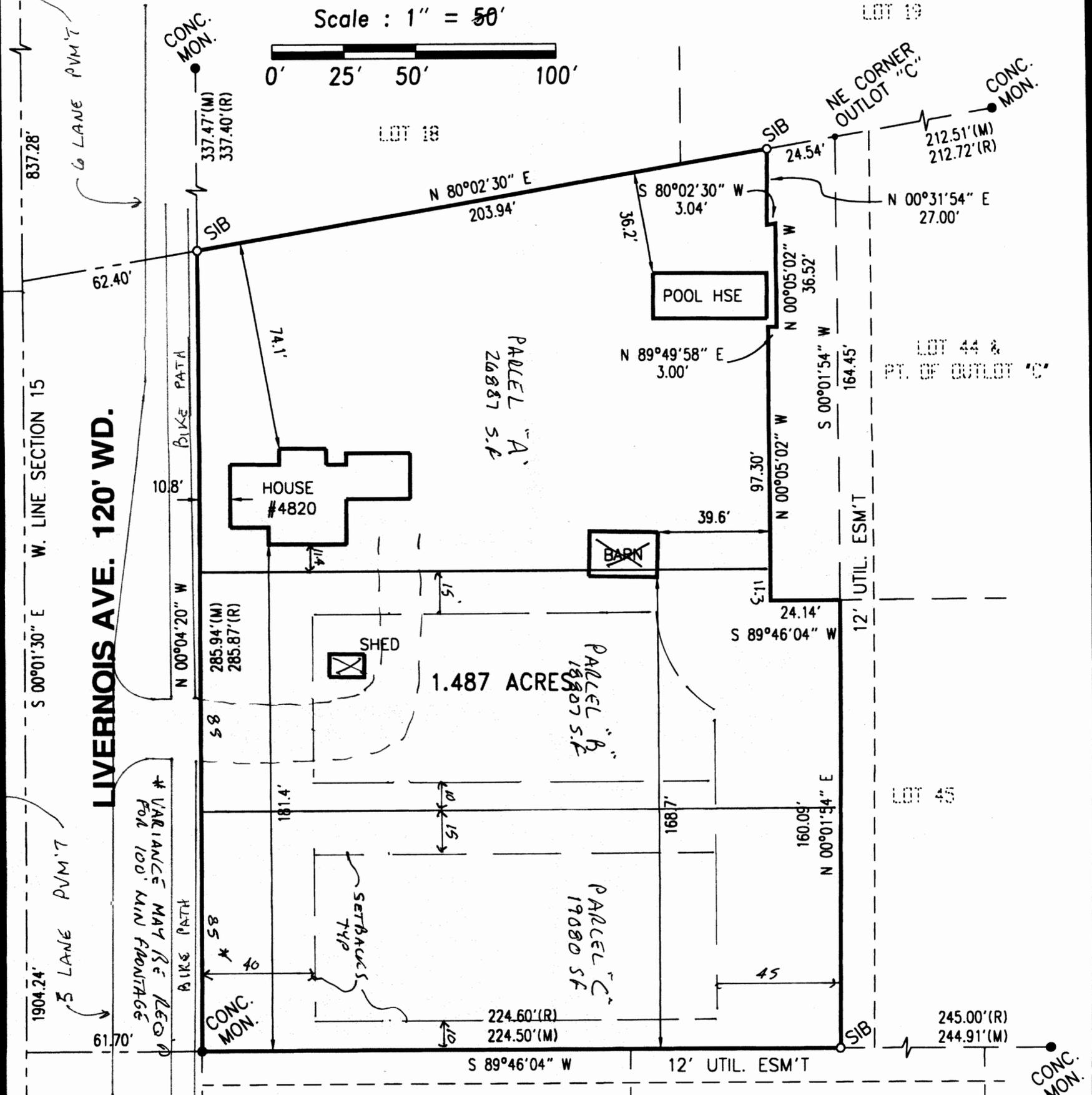
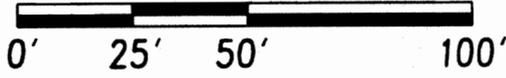
SPLIT PLAN



NW CORNER  
SECTION 15  
T.2N., R.11E.

'RE-PLAT OF BELZAIR SUB.'  
L.69, PG.7

Scale : 1" = 50'



W 1/4 CORNER  
SECTION 15  
T.2N., R.11E.

'GLENCHIRE SUB.'  
L.190, PG.35/36

Surveyor's Certificate

I hereby certify that I have surveyed and mapped the land above platted and/or described on May 21, 2009 and that the ratio of closure on the unadjusted field observations of such survey was 1/50,000.



URBAN  
LAND  
CONSULTANTS ©

CIVIL ENGINEERS PLANNERS LAND SURVEYORS  
GPS CONSULTANTS  
8800 23 MILE ROAD SHELBY TWP., MI 48316-4516

LEGEND

- FIB = Found Iron Bar ●
- FIP = Found Iron Pipe ●
- SIB = Set Iron Bar/Cap ○
- R = Record Distance
- M = Measured Distance
- C = Calculated

JARRETT L. MILLER  
PROFESSIONAL SURVEYOR  
No. 52454

Date 05-27-09  
Drawn J.L.M.  
Check J.L.M.  
Sheet 1 of 2  
Fld. Bk.  
Job No.  
090504-7938

4820 Livernois and Near by property Facts

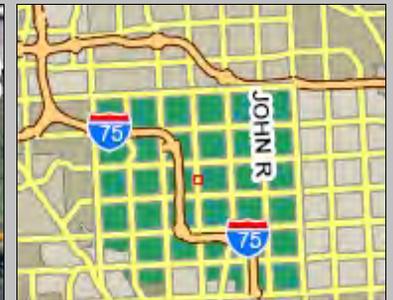
Lot Identification	City Acreage/ Frontage Requirement	Acreage	Actual Frontage	Depth	Subdivision	Construction Year	Address
26	15000/100	17250	115	150	Opposite Subdivision	1990's	Braemar Dr
48	15000/100	13500	90	150	Opposite Subdivision	1990's	Braemar Dr
70	15000/100	13500	90	150	Opposite Subdivision	1990's	Braemar Dr
92	15000/100	13500	90	150	Opposite Subdivision	1990's	Braemar Dr
114	15000/100	17250	115	150	Opposite Subdivision	1990's	Braemar Dr
139	15000/100	13500	90	150	Opposite Subdivision	1990's	Braemar Dr
117	15000/100	13500	90	150	Opposite Subdivision	1990's	Braemar Dr
95	15000/100	13500	90	150	Opposite Subdivision	1990's	Braemar Dr
73	15000/100	17250	115	150	Opposite Subdivision	1990's	Braemar Dr
41	15000/100	16100	115	140	Opposite Subdivision	1990's	Aberdeen Dr
47 Opposite to lot	15000/100	13580	97	140	Opposite Subdivision	1990's	Aberdeen Dr
47 Next to house	15000/100	19932	132	151	Same Subdivision	1980's	Aberdeen Dr
53	15000/100	7910	56.5	140	Opposite Subdivision	1990's	Aberdeen Dr
59	15000/100	7410	57	130	Opposite Subdivision	1990's	Aberdeen Dr
72	15000/100	15400	110	140	Opposite Subdivision	1990's	Aberdeen Dr
94	15000/100	13500	90	150	Opposite Subdivision	1990's	Aberdeen Dr
116	15000/100	13500	90	150	Opposite Subdivision	1990's	Aberdeen Dr
138	15000/100	13500	90	150	Opposite Subdivision	1990's	Aberdeen Dr
65	15000/100	10200	68	150	Opposite Subdivision	1990's	Aberdeen Dr
71	15000/100	8850	59	150	Opposite Subdivision	1990's	Aberdeen Dr
4781	15000/100	29600	160	185	Same Subdivision	1980's	Dorshire Dr
61	15000/100	16500	125	132	Same Subdivision	1980's	Glenshire Dr
75	15000/100	15708	119	132	Same Subdivision	1980's	Glenshire Dr
174	15000/100	13440	64	210	Same Subdivision	1980's	Glenshire Dr
187	15000/100	10132	68	149	Same Subdivision	1980's	Glenshire Dr
173	15000/100		70	132	Same Subdivision	1990's	Glenshire Dr
186	15000/100		56.05	210	Same Subdivision	1990's	Glenshire Dr
72	15000/100	17000	56.01	135.14	200 meters from Property	2004	Whitney Ct
56	15000/100	17000	56.01	158	200 meters from Property	2004	Whitney Ct
40	15000/100	16000	79	149	200 meters from Property	2004	Whitney Ct
<b>Average</b>	<b>15000</b>	<b>15111.56</b>	<b>83.72</b>	<b>136.37</b>	<b>Averages</b>		
Proposed Lot A / Parcel 1	15000	23648.88	115.96	203.94	Unique lot		
Proposed Lot B / Parcel 2	15000	19082.5	85	224.5	Variance Required		
Proposed Lot C / Parcel 3	15000	18807.01	85	221.26	Variance Required		

Plot A

Plot B

Plot C

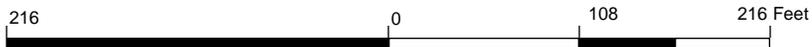




Notes

800 ft from 4820 livernois new construction compared to neighbourhood

Created: 02/10/2011



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

**CITY of TROY  
ASSESSING DEPARTMENT  
APPLICATION FOR DESCRIPTION CHANGE**

Owner's name: Minal Gada & Ashish Manek  
 Signature: \_\_\_\_\_  
 Address: 4860 Livernois Rd  
 City State Zip: Troy, MI, 48098  
 Phone (home): 248-566-1326  
 Phone (work): 616-946-4749  
 (each owner must be listed & sign form, use additional sheets if needed)

Date: 11/11/2010  
 Parcel Number(s): \_\_\_\_\_  
 \_\_\_\_\_  
20-15-102-010  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

This request is for a :

SPLIT: (  )      COMBINATION: (    )      CORRECTION: (    )

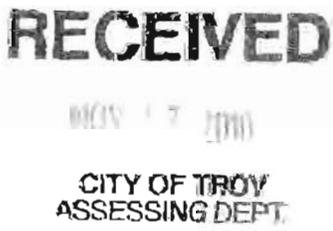
- (    ) Survey and Description(s) of existing parcel(s) attached
- (    ) Survey and Description(s) of each new parcel and remainder parcel(s) attached
- (    ) Survey detailing correction(s) supplied
- (    ) Recorded copy of Transfer document supplied, if necessary.
- (    ) Property Taxes current (Assessing Department to verify)
- (    ) Special Assessments current (Assessing Department to verify)
- (    ) Name, Address, Mailing Address (if different) of each parcel supplied
- (    ) Review and Approval by Planning Department (if necessary), submitted by Assessing Department

**APPROVAL by Assessing Department:**  
 The above referenced description change has been reviewed and approved for processing by the Assessing Department.

**DENIAL by Assessing Department**  
 The above referenced description change has been denied by the the Assessing Department for the following reason(s):

\_\_\_\_\_  
 Signature  
 \_\_\_\_\_  
 Title  
 \_\_\_\_\_  
 Date

- (    ) Does not meet area requirements for zoning
  - (    ) Does not meet setback requirements
  - (  ) Does not meet width requirements
  - (    ) Does not meet depth requirements (24' res.)
  - (    ) Does not meet parking requirements
  - (    ) Does not meet landscape requirements
  - (    ) Does not front on a public roadway
  - (    ) Accessory building only, on land
  - (    ) Allowable site coverage exceeded
- \_\_\_\_\_  
 Signature: Kimberly A. Hester  
 \_\_\_\_\_  
 Title: Deputy Assessor  
 \_\_\_\_\_  
 Date: 11/11/10



City of Troy  
 Assessing Department  
 500 W Big Beaver  
 Troy, MI 48084-5285  
 (248) 524-3311

## **The next 3 exhibits are City-provided.**

The intent of this information is to give the Board a numerical idea of lot layout in the area. The exhibits show the *lot frontage* for selected lots.

The first example comprises of properties within 300 feet of the subject property.

The second example comprises properties within a random “block”

The third example comprises of all properties within the platted subdivision, excluding one lot that does not have a house (appears to be a detention pond)

At the end of each exhibit are calculations showing the average lot frontage and one standard deviation.

Keep in mind:

The information is for *lot frontage*, which is different than *lot width*. Lot frontage is the width of the front lot line. Lot frontage is not regulated by the Zoning Ordinance. Lot width is measured at the front setback line. In this district that is 40 feet back from the front lot line.

By using the map, you can estimate which lots might have a wider or narrower lot width than the frontage.

By calculating a standard deviation, you can further examine (statistically) whether the average frontage skewed by a small number of lots that are either very wide or narrow.

Applying one standard deviation to either side of the average frontage tells us where about 68% of the lots within the sample fall.

From Wikipedia:

“**The Standard deviation** is a widely used measurement of variability or diversity used in [statistics](#) and [probability theory](#). It shows how much variation or “[dispersion](#)” there is from the “average” ([mean](#), or expected/budgeted value). A low standard deviation indicates that the data points tend to be very close to the [mean](#), whereas high standard deviation indicates that the data are spread out over a large range of values.”

For further explanation here is another good source

<http://www.robertniles.com/stats/stdev.shtml>



Address:	Parcel Frontage:
47 ABERDEEN	97

Address:	Parcel Frontage:
4860 LIVERNOIS	137

Address:	Parcel Frontage:
48 BRAEMAR	90

Address:	Parcel Frontage:
41 ABERDEEN	115

Address:	Parcel Frontage:
53 ABERDEEN	100

Address:	Parcel Frontage:
4820 LIVERNOIS	286

Address:	Parcel Frontage:
4781 DORSHIRE	160

Address:	Parcel Frontage:
103 GLENSHIRE	118

Address:	Parcel Frontage:
115 WILTON	197

Address:	Parcel Frontage:
4845 DORSHIRE	196

Address:	Parcel Frontage:
75 GLENSHIRE	125

Address:	Parcel Frontage:
47 GLENSHIRE	150

Address:	Parcel Frontage:
59 ABERDEEN	57

Address:	Parcel Frontage:
64 GLENSHIRE	118

Address:	Parcel Frontage:
90 GLENSHIRE	104

Address:	Parcel Frontage:
50 GLENSHIRE	165

## Summary Parcel Frontage

Number of Parcels Selected	27
<b>Avg (Mean)</b>	<b>130</b>
<b>Standard Deviation (STDEV)</b>	<b>46</b>



# Parcel Variance Report



Address: 61 GLENSHIRE	Parcel Frontage: 125
Address: 18 BELHAVEN	Parcel Frontage: 171
Address: 4885 DORSHIRE	Parcel Frontage: 120
Address: 70 BELHAVEN	Parcel Frontage: 120
Address: 4860 LIVERNOIS	Parcel Frontage: 137
Address: 4820 LIVERNOIS	Parcel Frontage: 286
Address: 4781 DORSHIRE	Parcel Frontage: 160
Address: 4845 DORSHIRE	Parcel Frontage: 196
Address: 75 GLENSHIRE	Parcel Frontage: 125
Address: 47 GLENSHIRE	Parcel Frontage: 150

## Summary Parcel Frontage

Number of Parcels Selected	10
Avg (Mean)	159
Standard Deviation (STDEV)	51



# Parcel Variance Report



Address:	Parcel Frontage:
451 BELDALE	148

Address:	Parcel Frontage:
375 BELHAVEN	132

Address:	Parcel Frontage:
481 BELDALE	320

Address:	Parcel Frontage:
520 BELDALE	115

Address:	Parcel Frontage:
476 BELDALE	130

Address:	Parcel Frontage:
410 BELDALE	130

Address:	Parcel Frontage:
314 BELDALE	148

Address:	Parcel Frontage:
344 BELDALE	148

Address:	Parcel Frontage:
376 BELHAVEN	136

Address:	Parcel Frontage:
255 WILTON	125

Address:	Parcel Frontage:
185 WILTON	135

Address:	Parcel Frontage:
229 WILTON	130

Address:	Parcel Frontage:
203 WILTON	130

Address:	Parcel Frontage:
285 WILTON	150

Address:	Parcel Frontage:
280 WILTON	276

Address:	Parcel Frontage:
307 WILTON	136

Address:	Parcel Frontage:
110 WILTON	138

Address:	Parcel Frontage:
170 WILTON	155

Address:	Parcel Frontage:
140 WILTON	144

Address:	Parcel Frontage:
230 WILTON	158

Address:	Parcel Frontage:
157 WILTON	135

Address:	Parcel Frontage:
4820 LIVERNOIS	286

Address:	Parcel Frontage:
200 WILTON	158

Address:	Parcel Frontage:
4781 DORSHIRE	160

Address:	Parcel Frontage:
386 BELHAVEN	136

Address:	Parcel Frontage:
498 BELDALE	124

Address:	Parcel Frontage:
115 WILTON	197

Address:	Parcel Frontage:
4845 DORSHIRE	196

Address:	Parcel Frontage:
432 BELDALE	130

Address:	Parcel Frontage:
454 BELDALE	130

Address:	Parcel Frontage:
338 WILTON	161

Address:	Parcel Frontage:
396 BELHAVEN	135

Address:	Parcel Frontage:
310 WILTON	161

## Summary Parcel Frontage

Number of Parcels Selected	33
Avg (Mean)	157
Standard Deviation (STDEV)	48



# CERTIFICATE OF SURVEY

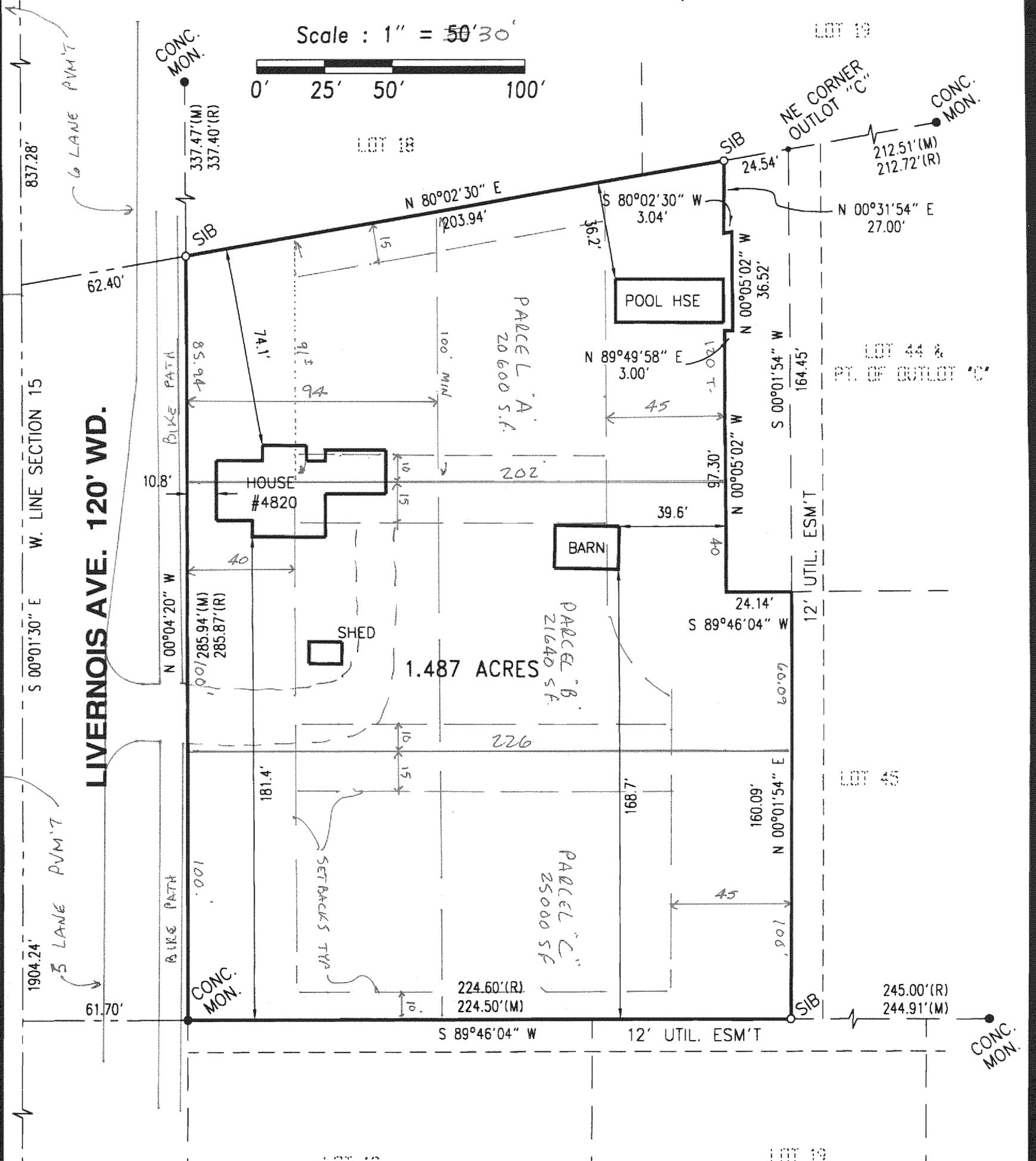
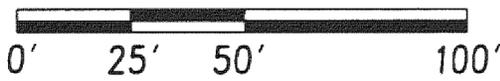
PROPOSED SPLITS



'RE-PLAT OF BELZAIR SUB.'  
L.69, PG.7

NW CORNER  
SECTION 15  
T.2N., R.11E.

Scale : 1" = 50'30"



W. LINE SECTION 15  
S 00°01'30" E

LIVERNOIS AVE. 120' WD.

5 LANE P.V.M.'T  
1904.24'

W 1/4 CORNER  
SECTION 15  
T.2N., R.11E.

'GLENSHIRE SUB.'  
L.198, PG.35/36

CRITERIA:  
ZONING R-LB(w/ SAN SEWER)  
MIN LOT SIZE 15000 S.F.  
MIN LOT WIDTH @ SETBACK 100'  
MIN SIDE 10' TOTAL 25'  
MIN FRONT 40'  
MIN REAR 45'

Surveyor's Certificate

I hereby certify that I have surveyed and mapped the land above platted and/or described on May 21, 2009 and that the ratio of closure on the unadjusted field observations of such survey was 1/50,000.

**URBAN LAND CONSULTANTS**  
 CIVIL ENGINEERS PLANNERS LAND SURVEYORS  
 GPS CONSULTANTS  
 8800 23 MILE ROAD SHELBY TWP., MI 48316-4516  
 PHONE 586 731-8030  
 FAX 586 731-2605

**LEGEND**

- FIB = Found Iron Bar ●
- FIP = Found Iron Pipe ●
- SIB = Set Iron Bar/Cap ○
- R = Record Distance
- M = Measured Distance
- C = Calculated

JARRETT L. MILLER  
 PROFESSIONAL SURVEYOR  
 No. 52454

Date 05-27-09  
 Drawn J.L.M.  
 Check J.L.M.  
 Sheet 1 of 2  
 Fid. Bk.  
 Job No.  
 090504-7938

**From:** [Karol Szymula](#)  
**To:** [Planning](#)  
**Subject:** April 19th zoning board meeting concerning property @ 4820 Livernois  
**Date:** Monday, April 11, 2011 5:04:36 PM

---

To Whom it may concern,

The Belzair Property Owners Association would like to share some concerns about the proposed lot division and talk of site condos on this property. I am attaching deed restrictions and by-laws from our association. Mr. Manek and Ms. Gada are active members of our association, but haven't shown us any of their plans.

As president, I spoke with Mr. Evans and showed him our deed restrictions which he hasn't seen before. He has a copy of the complete restrictions. I was shown the proposed division of 85 ft frontage which doesn't comply with the city of Troy or our deed restrictions.

I have also been told his residence is a historic building and must remain so and maintained. The latter is being called into question. It needs a lot of work.

Any questions feel free to call or email me, Karol Szymula, President, Belzair Property Owner's Association, 248-250-0112.



The following covenants, conditions, restrictions, easements, reservations and agreements are hereby imposed on all lots in:

Re-Plat of Belzair Subdivision, a subdivision of part of the Northwest quarter of Section 15, Town 2 North, Range 11 East, Troy Township, Oakland County, Michigan, according to the Plat thereof as recorded in Liber 69 of Plats, on page 7, Oakland County Records,

and shall constitute a general plan of restrictions imposed on all lots in said Subdivision and shall be binding upon the undersigned and upon their heirs, legal representatives, successors and assigns of the undersigned and upon all grantees, their heirs, legal representatives, successors and assigns.

LAND USE AND BUILDING TYPE.

(a) No lots shall be used except for residential purposes. No structure shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family private dwelling not to exceed one and one-half stories in height, except on lots where the topography would permit a two level house to be constructed, a private garage and only where and to the extent hereinafter provided, a private stable for the keeping of riding horses.

(b) No structure shall be erected, altered, placed or permitted to remain on any building plot containing less than one full lot as presently subdivided, unless additional land is acquired outside the confines of said Subdivision and added to the area of such lot, in which case the total lot area must be not less than 23000 square feet after division and the frontage thereof must be not less than 110 lineal feet.

ARCHITECTURAL CONTROL. ← *No longer in existence*

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the architectural control committee as to quality of workmanship and materials, harmony of external design with existing structures and as to location with respect to topography, finish grade elevation and these restrictions. Any fence to be erected must have approval of the architectural control committee. Approval shall be as hereinafter provided.

RESIDENCE STRUCTURES.

(a) No one-story residence structure shall be erected, altered, placed or permitted to remain on any lot unless such structure shall have a square foot area at first floor level of at least 1000 square feet.

(b) No one and one-half store residence structure shall be erected, altered, placed or permitted to remain on any lot unless such structure shall have a square foot area at first floor level of at least 850 square feet.

(c) "Square foot area" may be computed by including exterior walls, partitions, bay windows if the same reach to the floor. Garages, porches and breezeways shall not be included in computing square foot area.

(d) No old or used structure of any kind may be moved upon any lot. No structure of a temporary character, trailer, tent, shack, garage, barn or other out building shall be constructed or placed prior to the beginning of construction of the main residence structure nor shall it

GARAGES, BREEZERWAYS AND STABLES.

X (a) No garage shall have a floor area of less than 400 square feet. If garage is attached to the residence there may be one other service building on the lot not exceeding 600 square feet; if garage is detached then said garage will constitute the service building and may include space for storage other than an automobile.

(b) Where practicable oil storage tanks shall be placed inside garage or dwelling, but where impracticable to so locate such tanks, so that it is necessary to locate them outside, then proper screening shall be provided to keep such tanks from view.

(c) No private stable shall be erected or maintained on any lot unless approved by the architectural control committee.

X (d) No animals or livestock of any kind shall be raised, bred or kept on any lot, except that not more than 2 horses may be kept. Household pets may be kept on any lot provided they are not kept, bred or maintained for any commercial purpose, or provided they do not become a nuisance. Dog kennel for the use of such household pets shall be built integral with the garage. A sealed box or pit shall be provided for all animal refuse.

BUILDING AND GRADE LINES.

(a) The finish grade line shall be such as shall be established by the Architectural Control Committee giving due consideration to the topography of each lot. No structure shall be erected, altered, placed or permitted to remain on any lot

A front building line less than 60 feet from the front lot line may be established upon lots 10 to 18, inclusive, by the Architectural Control Committee after giving due consideration to the depth and topography of the lot and harmony with the building line of the then existing structures. No residence shall be constructed further than 75 feet from the front lot line.

(c) For the purpose of building line restrictions, eaves, steps and open porches extending not more than five feet beyond the main residence structure shall not be considered as part of a building.

#### NUISANCES

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

#### EASEMENTS

Easements for installation and maintenance of utility and drainage facilities are reserved as shown on the recorded plat.

#### ARCHITECTURAL CONTROL COMMITTEE > *No longer in existence*

(a) The Architectural Control Committee is composed of Maurice W. Haven, Richard J. Belz and Dorothy L. Haven. A majority of the Committee may appoint a designated representative to act for it. In case of death or resignation of any member of the Committee, the remaining members shall have full authority to appoint a successor. Neither the members of the Committee nor its designated representative shall be entitled to compensation for services performed pursuant to this covenant. At any time after five years after the date of recording of this

(b) The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee or its designated representative fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin construction has been commenced prior to completion thereof, approval will not be required and the related covenants shall be deemed to have been complied with, provided said plans and specifications on their face are in accordance with these restrictions.

#### SIGNS

No signs shall be erected or permitted to remain upon any lot in said Subdivision without the consent in writing of the Architectural Control Committee.

#### GENERAL PROVISIONS.

(a) These covenants shall run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty five (35) years from and after the date of recording of this Agreement, after which date said covenants shall be automatically extended for successive periods of ten (10) years each, unless an instrument signed by the owners of record of a majority of the lots in the Subdivision has been recorded changing or modifying said restrictive covenants in whole or in part.

(b) Invalidity of any one of these covenants by judgment or decree shall in no wise affect any of the other provisions hereof which shall remain in full force and effect.

(c) These restrictions are intended to be minimum restrictions and all lots in the Subdivision must be used in full conformity with the zoning ordinances of the Township of Troy, Oakland County, Michigan, or any other applicable zoning ordinances and with the laws of the Township of Troy, County of

IN WITNESS WHEREOF, the owners in fee, of all lots in said Subdivision, Richard J. Belz; a single man, and Dorothy L. Haven, have hereunto set their hands and seals this 13th day of July, A. D. 1953.

In Presence Of:

Norman R. Bernard  
Norman R. Bernard

Richard J. Belz  
Richard J. Belz

Harriet K. Bernard  
Harriet K. Bernard

Dorothy L. Haven  
Dorothy L. Haven

State of Michigan  
County of Oakland ss.

On this 13th day of July, A. D. 1953, before me, a Notary Public in and for said County, personally appeared Richard J. Belz, a single man, and Dorothy L. Haven, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Harriet K. Bernard  
Harriet K. Bernard

Notary Public, Oakland County,  
Michigan  
My commission expires: Dec. 26, 1953.

By Laws for

**"BELZAIR PROPERTY OWNERS' ASSOCIATION"**

**Article I--Name and Area**

**Section 1:**

The name of this association shall be known as the Belzair Property Owners' Association.

**Section 2:**

The area of jurisdiction embraced by the activities of this association shall be all property within Replat of Belzair Subdivision, Belzair Subdivision Number 1 and Belzair Subdivision Number 2, as recorded in Oakland County, Michigan.

**Article II--Purposes**

**Section 1:**

The purpose of this association shall be to promote the best interests of the property owners and residents within the area named and in a broad way to foster, further, advocate and protect the best interests of the area as a residential section; to encourage all propositions that may be deemed helpful to the development of the area; to discourage and oppose all propositions that may be detrimental to residents and property owners of the area.

**Section 2:**

To procure the construction of necessary public improvements and to insure their proper maintenance within said area.

**Section 3:**

To maintain high standards of community and family progress and development.

**Section 4:**

To strengthen the bonds of community relationships between all property owners and residents.

Section 5:

To preserve the best interests of property owners in the subdivision, both singly and collectively, by lending support to the enforcement and maintenance of subdivision restrictions.

Section 6:

To preserve the present natural charm of wooded areas and beautiful landscapes in keeping with the ideals of modern suburban residential communities.

Section 7:

To support accredited campaigns for improved services or initiate community drives for said services, such being as schools; public transportation; mail service; public utilities; etc.

**Article III--Membership**

Section 1:

Each property owner and his/her spouse or joint owner within the geographical area of this association shall be entitled to one membership of this association upon payment of the annual dues of said association, together with any special assessments, approved and collected for the year in which membership is applied for.

Section 2:

The annual dues for each property owner, together with his/her spouse, shall be fifty (\$50.00) dollars. Dues may be raised only by a majority vote of the membership.

Section 3:

During the month of ~~April~~ of each year, the Secretary shall prepare and mail to all members whose names appear upon the roll of membership, an invoice specifying the dues for the current year and requesting payment thereof within twenty (20) days.

**Article IV--Organization and Officers**

Section 1:

The officers of this association shall consist of the following: President, Vice-President, Secretary and a Treasurer. The officers shall be elected by the members at the first meeting and shall serve for a term of one (1) year and thereafter until their successor or successors are elected. The officers thus elected shall constitute the Executive Committee and the President shall be the Chairperson thereof.

Section 2: PRESIDENT

The President shall be selected by, and from the membership of, the association. He/she shall be the chief executive officer of the association. He/she shall preside over all meetings of the board and of the members. He/she shall have general and active management of the business of the association and shall see that all orders and resolutions of the board are carried into effect. He/she shall be exofficio a member of all standing committees and shall have the general powers and duties of supervision and management usually vested in the office of president of an association.

Section 3: VICE-PRESIDENT

He/she shall perform the duties and exercise the powers of the President during the absence or disability of the President. The Vice-President has voting power.

Section 4: SECRETARY

The Secretary shall attend all meetings of the members and of the board of directors, and shall preserve in books of the association true minutes of proceedings of all such meetings. He/she shall give all notices required by stature, by-law, or resolution. He/she shall perform such other duties as may be delegated to him/her by the Board of Directors, or by the executive committee.

Section 5: TREASURER

The Treasurer shall have custody of all association funds and securities and shall keep in books belonging to the association full and accurate accounts of all receipts and disbursements; he/she shall deposit all money, securities and other valuable effects the name of the association in such depositories as may be designated for that purpose by the Board of Directors. He/she shall disburse the funds of the association as may be ordered by the Board, taking proper vouchers for such disbursements, and shall render to the President and Directors at the regular meetings of the Board, and whenever requested by them, an account of all his/her transactions as Treasurer and of the financial conditions of the association. If required by the Board, he/she shall deliver to the President of the association, and shall keep in force, a bond in form amount and with a surety or sureties satisfactory to the Board, conditioned for faithful performance of duties of his/her office, and for restoration to the association in case of his/her death, resignation, retirement or removal from office, of all books papers, vouchers, money and property of whatever kind is his/her possession or under his control belonging to the association.

Section 6: VACANCIES

Should a vacancy occur in any of said offices by death, resignation, or otherwise a successor shall be appointed by the Board of Directors to serve the unexpired term of the office so vacated.

Article V--**Meetings**

Section 1: ANNUAL MEETING OF MEMBERS

After the year 1954 (the year of organization) an annual meeting shall be held in September, the time and location of which will be determined by the Executive Committee.

Section 2: NOTICE OF ANNUAL MEETING OF MEMBERS

At least ten (10) days prior to the date fixed by Section 1 of this article for the holding of the annual meeting of members, written notice of the time and place of such meeting shall be delivered either by mail or by handout as hereinafter provided, to each member entitled to vote at such meeting.

Section 3: DELAYED ANNUAL MEETING

If, for any reason, the annual meeting of the members shall not be held on the day hereinbefore designated, such meeting may be called and held as a special meeting, provided however, that the notice of such meeting shall be the same herein required for the annual meeting, namely, not less than a ten (10) day notice.

Section 4: ORDER OF BUSINESS AT ANNUAL MEETING

The order of business at the annual meeting of the members shall be as follows:

- a) Roll Call
- b) Reading notice and proof of mailing
- c) Reading of minutes of last preceding meeting
- d) report of President
- e) Report of Treasurer
- f) Election of Directors
- g) Transaction of other business mentioned in the notice
- h) Adjournment

Provided that, in the absence of any objection, the presiding officer may vary the order of business at discretion.

Section 5: SPECIAL MEETING OF MEMBERS

A special meeting of the members may be called at any time by the President, or by a majority of the Board of Directors, or by petition to the President, signed by fifteen (15) members who are in good standing with dues fully paid. The method by which such meetings may be called is as follows: Upon receipt of a specification in writing setting forth the day and objects of a said special meeting, signed by the President or by a majority of the Board of Directors, the Secretary or an Assistant Secretary shall prepare, sign and mail the notices requisite to such meeting. Such notice may be signed, stamped, typewritten or printed signature of the Secretary or of an Assistant Secretary.

Section 6: NOTICE OF SPECIAL MEETING OF MEMBERS

At least three (3) days prior to the date fixed for the holding of any special meeting of members, written notice of the time, place and purposes of such meeting shall be delivered by mail or by handout, as hereinafter provided, to each member entitled to vote a such meeting. No business not mentioned in the notice shall be transacted at such meeting.

Section 7: REGULAR MEETINGS OF BOARD

Regular meetings of the Board of Directors shall be held no less frequently than once in every three (3) months at such time and place as the Board of Directors shall from time to time determine. No notice of regular meetings of the Board shall be required.

Section 8: SPECIAL MEETINGS OF BOARD

Special meetings of the Board of Directors may be called by the President at any time by means of written or verbal notice of the time, place and purpose thereof to each Director as the President in his discretion shall deem sufficient, but action taken at any such meeting shall not be invalidated for want of notice if such notice shall be waived as hereinafter provided.

Section 9: NOTICES AND MAILING

All notices required to be given by a provision of these By-Laws shall state the authority pursuant to which they are issued (as, "by order of the President", or "by order of the Board of Directors" as the case may be) and shall bear the written, stamped, typewritten or printed signature of the Secretary or Assistant Secretary. Every notice shall be deemed duly served when the same has been deposited in the United States mail, with postage fully prepaid, plainly addressed to the sendee at this/her last address appearing upon the membership record of this corporation.

Section 10: WAIVER OF NOTICE

Notice of the time, place and purpose of any meeting of the members or of the board of directors, may be waived in writing, either before or after such meeting has been held.

**Article VI--Quorum**

Section 1: QUORUM OF MEMBERS

Presence in person or by proxy of members representing fifteen (15) of the voting rights of this association shall constitute a quorum at meetings of the members.

Section 2: QUORUM OF DIRECTORS

A majority of the directors shall constitute a quorum.

**Article VII--Voting, Elections, and Proxies**

Section 1: PROXIES

No proxy shall be deemed operative unless and until signed by the member and filed with the association. In the absence of limitation to the contrary contained in the proxy, the same shall extend to all meetings of the members and shall remain in force until revoked by written notice to the Secretary.

Section 2: INSPECTORS

Whenever any person entitled to vote at a meeting of the members shall request the appointment of inspectors, the chairperson of the meeting shall appoint not more than three (3) inspectors. The inspectors shall receive and count the votes either upon an election or for the decision of any question and shall determine the result. Their certificate of any vote shall be prime facie evidence thereof.

**Article VIII--Board of Directors**

Section 1: NUMBER AND TERM OF DIRECTORS

The business, property and affairs of this association shall be managed by a board of directors consisting of the President, Secretary, Treasurer and four (4) Directors. The Directors shall be elected at the meeting of the members for a term of two (2) years except at the first meeting two (2) shall be elected for a term of one (1) year and thereafter at each annual meeting two (2) shall be elected.

Section 2: VACANCIES

Vacancies in the Board of Directors shall be filled by appointment made by the remaining Directors. Each person so elected to fill a vacancy shall remain indirector until his/her successor has been elected by the members, who may make such election at their next annual meeting or any special meeting duly called for the purpose and held prior thereto.

Section 3: ACTION BY UNANIMOUS WRITTEN CONSENT

If and when the Directors shall severally or collectively consent in writing to any action to be taken by the association, such action shall be as valid association action as though it had been authorized at a meeting of the Board of Directors.

Section 4: POWER TO APPOINT OTHER OFFICERS AND AGENTS

The Board of Directors shall have the power to appoint such other officers and agents as the Board may deem necessary for transaction of the business of the corporation, together with the right to remove such other officers, or agents, whenever in the judgment of the board the business interest of the association will be served thereby.

Article IX--**Amendments**

Section 1: AMENDMENTS

These By-Laws may be amended at any annual meeting of the members by a majority of those in attendance, or at any special meeting upon submission of such amendment to the Board of Directors and subject to their approval.

February 28, 2011

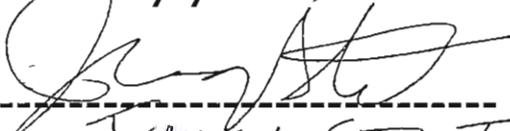
Building Department  
City of Troy  
500 W. Big Beaver Road  
Troy, MI 48084

To whom it may concern;

It was brought to our attention that our neighbor next door Mr. & Mrs. Nurani Chandrasekhar of 4951 Somerton Drive is proposing a room addition in the rear of their residence. The size of the room addition is 23.1 ft. X 12.5 feet that would leave a set back of 35.54 ft. We are aware that the required set back is 40 ft. The proposed room addition is going to be 4.46 ft short of the required set back.

We do not have any objections to this proposal.

Sincerely yours,



(Sign here)

JEREMY STOUT

(Print Name here)

4935  
----- Somerton Drive  
Troy, MI 48098

**From:** [Paul M Evans](#)  
**To:** [Kathy Czarnecki](#)  
**Subject:** FW: 4820 Livernois City of Troy ZBA  
**Date:** Thursday, May 12, 2011 8:25:05 AM

---

Kathy: please include this e-mail in the application file as a .pdf, insert it in the digital meeting agenda packet (last page for the item) and advise when completed.

Thanks!

---

**From:** Ashish [mailto:ashishmanek@yahoo.com]  
**Sent:** Thursday, May 12, 2011 12:17 AM  
**To:** Paul M Evans  
**Subject:** Re: 4820 Livernois City of Troy ZBA

Paul,

I look forward to meet with you tomorrow, and yes we would like to postpone our hearing in front of Board of Zone Appeal.

Also I will talk to Karol the president of Belzaire sub division, This is the first time I saw by laws of our subdivision.

Best Regards

Ashish Manek

--- On **Wed, 5/11/11**, **Paul M Evans** <[P.Evans@troymi.gov](mailto:P.Evans@troymi.gov)> wrote:

**From:** Paul M Evans <[P.Evans@troymi.gov](mailto:P.Evans@troymi.gov)>  
**Subject:** 4820 Livernois City of Troy ZBA  
**To:** "Ashish" <[ashishmanek@yahoo.com](mailto:ashishmanek@yahoo.com)>  
**Date:** Wednesday, May 11, 2011, 10:19 AM

Ashish: we are preparing the agenda packet for next weeks ZBA meeting. The packet will be distributed tomorrow. Any information you would like to be included in this packet should be in my office by 8 am tomorrow. 1 electronic copy and two hardcopies. Thanks.

---

**From:** Paul M Evans  
**Sent:** Thursday, April 14, 2011 4:11 PM  
**To:** 'Ashish'  
**Subject:** RE: 4820 Livernois City of Troy

You left a phone message for Kathy here. Is the matter addressed? If not please let me know your concern. Thanks.

---

From: Paul M Evans  
Sent: Thursday, April 14, 2011 2:05 PM  
To: 'Ashish'  
Cc: Kathy Czarnecki  
Subject: RE: 4820 Livernois City of Troy

Ashish: we will make your request part of your project file and forward this to the Board for you.

---

From: Ashish [mailto:ashishmanek@yahoo.com]  
Sent: Thursday, April 14, 2011 1:16 PM  
To: Paul M Evans  
Subject: Re: 4820 Livernois City of Troy

Hi Paul,

Thank you for your email, Sorry I was not able to get back to you early. If I can request to approve for extension till month of may that would be great.

The engineer we are working with has some health issues that he is going through.

Appreciate your help

Best Regards  
For Quality Design Services

Ashish Manek  
614-946-4749

--- On Tue, 4/12/11, Paul M Evansur o <P.Evans@troymi.gov> wrote:

From: Paul M Evans <P.Evans@troymi.gov>  
Subject: 4820 Livernois City of Troy  
To: "Ashish" <ashishmanek@yahoo.com>  
Date: Tuesday, April 12, 2011, 9:08 AM

Ashish:

I am finalizing the April Board of Appeals Agenda packet. It will be distributed this Thursday. Any items you desire to be included in this distribution should be to me by noon tomorrow.

Please advise if you anticipate filing additional material by then. If not, staff can start finalizing the packet. Thanks.

Paul Evans

Zoning Compliance Specialist

City of Troy

248 524-3359