

CITY OF BIRMINGHAM
MEETING OF THE BOARD OF ZONING APPEALS
TUESDAY, August 8, 2023
7:30 PM

The meeting will be held in the City Commission Room at City Hall, 151 Martin St. Birmingham, MI 48009. Should you have any statement regarding any appeals, you are invited to attend the meeting in person or virtually through ZOOM:

[https://zoom.us/j/963 4319 8370](https://zoom.us/j/96343198370) or dial: **877-853-5247 Toll-Free,**
Meeting Code: 963 4319 8370

You may also provide a written statement to the Board of Zoning Appeals, City of Birmingham, 151 Martin Street,
P.O. Box 3001, Birmingham MI, 48012-3001 prior to the hearing

1. CALL TO ORDER

2. ROLL CALL

3. ANNOUNCEMENTS

4. APPROVAL OF THE MINUTES

a) July 11, 2023

5. APPEALS

	Address	Petitioner	Appeal	Type/Reason
1)	440 LAKESIDE	AMY FOLBE	23-21	DIMENSIONAL
2)	307 WESTCHESTER WAY	ALEXANDER SIMPSON	23-22	DIMENSIONAL
3)	1002 PILGRIM	JEFFREY CATLIN	23-23	DIMENSIONAL
4)	2649 YORKSHIRE	ZACK OSTROFF	23-24	DIMENSIONAL
5)	508 W LINCOLN	RICHARD SCHECK	23-25	DIMENSIONAL
6)	1115 CHAPIN	FRANK COLASONTI	23-26	DIMENSIONAL
7)				

6. CORRESPONDENCE

7. GENERAL BUSINESS

8. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

9. ADJOURNMENT

Title VI

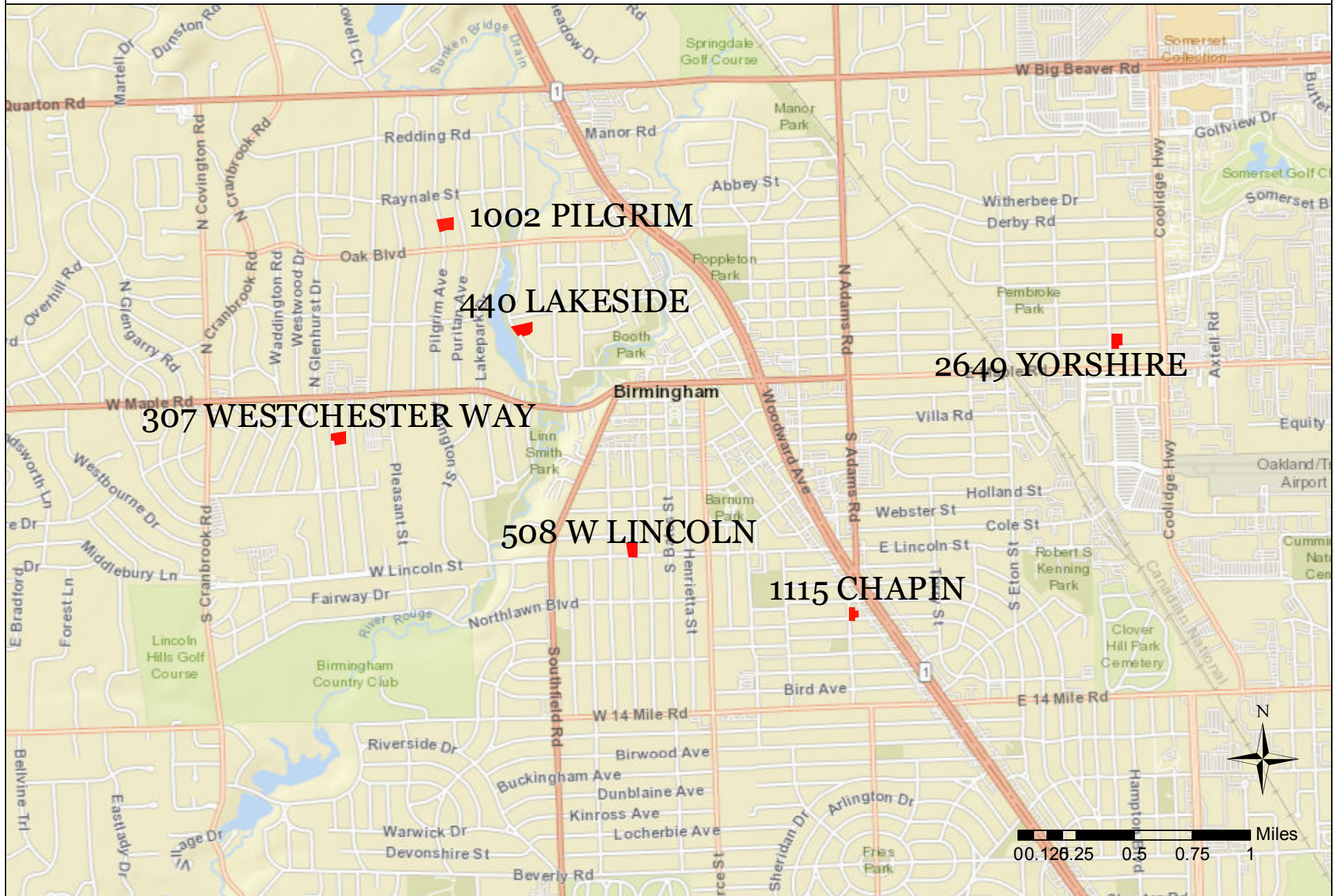
Persons with disabilities that may require assistance for effective participation in this public meeting should contact the City Clerk's Office at the number (248) 530-1880, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing, or other assistance.

Las personas con incapacidad que requieren algún tipo de ayuda para la participación en esta sesión pública deben ponerse en contacto con la oficina del escribano de la ciudad en el número (248) 530-1800 o al (248) 644-5115 (para las personas con incapacidad auditiva) por lo menos un día antes de la reunión para solicitar ayuda a la movilidad, visual, auditiva, o de otras asistencias. (Title VI of the Civil Rights Act of 1964).

The public entrance during non-business hours is through the police department at the Pierce Street entrance only. Individuals requiring assistance entering the building should request aid via the intercom system at the parking lot entrance gate on Henrietta Street.

La entrada pública durante horas no hábiles es a través del Departamento de policía en la entrada de la calle Pierce solamente. Las personas que requieren asistencia entrando al edificio debe solicitar ayudan a través del sistema de intercomunicación en la puerta de entrada de estacionamiento en la calle de Henrietta.

AUGUST BZA MAP



Birmingham Board Of Zoning Appeals Proceedings
Tuesday, July 11, 2023
City Commission Room
151 Martin Street, Birmingham, Michigan

1. Call To Order

Minutes of the regular meeting of the City of Birmingham Board of Zoning Appeals ("BZA") held on Tuesday, July 11, 2023. Chair Morganroth convened the meeting at 7:30 p.m.

2. Rollcall

Present: Chair Erik Morganroth; Board Members Kevin Hart, Richard Lilley, Pierre Yaldo

Absent: Vice Chair Jason Canvasser; Board Members John Miller, Ron Reddy; Alternate Board Member Carl Kona

Staff: Building Official Johnson; City Transcriptionist Eichenhorn, Assistant Building Official Zielke

Chair Morganroth welcomed those present and reviewed the meeting's procedures. He noted that the members of the Board of Zoning Appeals are appointed by the City Commission and are volunteers who serve staggered three-year terms. They are a quasi-judicial board and sit at the pleasure of the City Commission to hear appeals from petitioners who are seeking variances from the City's Zoning Ordinance. Under Michigan law, a dimensional variance requires four affirmative votes from this board, and the petitioner must show a practical difficulty. A land use variance requires five affirmative votes and the petitioner has to show a hardship. He pointed out that this board does not make up the criteria for practical difficulty or hardship. That has been established by statute and case law. Appeals are heard by the board as far as interpretations or rulings. In that type of appeal the appellant must show that the official or board demonstrated an abuse of discretion or acted in an arbitrary or capricious manner. Four affirmative votes are required to reverse an interpretation or ruling.

Chair Morganroth took rollcall of the petitioners. BO Johnson explained that since less than six BZA members were present, the appellant for Appeal 23-21 elected to postpone their appeal to the August 2023 meeting.

3. Announcements

Announcements can be found in the evening's agenda packet.

4. Approval Of The Minutes Of The BZA Meetings Of June 13, 2023

T# 07-30-23

Motion by Mr. Hart

Seconded by Mr. Yaldo to approve the minutes of the BZA meeting of June 13, 2023 as submitted.

Motion carried, 4-0.

VOICE VOTE

Yeas: Hart, Lilley, Morganroth, Yaldo

Nays: None

- 5. Appeals**
- 6. Correspondence**
- 7. Open To The Public For Matters Not On The Agenda**
- 8. Adjournment**

No further business being evident, the Board motioned to adjourn at 7:33 p.m.



Bruce R. Johnson, Building Official

Laura Eichenhorn, City Transcriptionist

CASE DESCRIPTION

440 LAKESIDE (23-21)

Hearing date: August 8, 2023

Appeal No. 23-21: The owner of the property known **440 Lakeside**, requests the following variance to construct a new single family home:

A. Chapter 126, Article 4, Section 4.74(C) of the Zoning Ordinance requires that the minimum distance between principal residential buildings on adjacent lots of 14.00 feet or 25% of total lot width, whichever is larger. The required is 23.75 feet on the north side. The proposed is 14.63 feet. Therefore, a variance of 9.12 feet is being requested.

Staff Notes: This applicant is looking to construct a new home on the irregular shaped lot.

This property is zoned R1 – Single family residential.

Jeff Zielke, NCIDQ, LEED AP
Assistant Building Official

440 LAKESIDE MAP



CITY OF BIRMINGHAM
Community Development - Building Department
151 Martin Street, Birmingham, MI 48009
Community Development: 248-530-1850
Fax: 248-530-1290 / www.bhamgov.org

APPLICATION FOR THE BOARD OF ZONING APPEALS

Received Date: 6/12/23

Hearing Date: 7/11/23

Received By: SP

Appeal #: 23-21

Type of Variance:	☐ Interpretation	☒ Dimensional	☐ Land Use	☐ Sign	☐ Admin Review
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I. PROPERTY INFORMATION:

Address: 440 Lakeside Drive	Lot Number: 168 and Part of lot 169	Sidwell Number:
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II. OWNER INFORMATION:

Name: Amy B. Folbe Trust Agreement			
Address: 290 Lake Park Drive	City: Birmingham	State: MI	Zip code: 48009
Email: afolbe@honigman.com		Phone: 248 882 1634	

III. PETITIONER INFORMATION:

Name: Amy B. Folbe	Firm/Company Name:		
Address: 290 Lake Park Drive	City: Birmingham	State: MI	Zip code: 48009
Email: afolbe@honigman.com		Phone: 248 882 1634	

IV. GENERAL INFORMATION:

The Board of Zoning Appeals typically meets the second Tuesday of each month. COMPLETE digital applications along with supporting documents must be submitted on or before the 12th day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted.

Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

Variance Chart Example

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

V. REQUIRED INFORMATION CHECKLIST:

Please provide the following in your electronic submission:

- ☐ Completed and signed application
- ☐ Signed letter of practical difficulty and/or hardship
- ☐ Certified survey
- ☐ Building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, provide a copy of the minutes from any previous Planning, HDC, or DRB board meeting

VI. APPLICANT SIGNATURE

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: Amy Folbe

Digitally signed by: Amy Folbe
DN: CN = Amy Folbe email = afolbe@honigman.com C = US
Date: 2023.06.08 20:01:01 -0400

Date: June 8, 2023

Signature of Petitioner: Amy Folbe

Digitally signed by: Amy Folbe
DN: CN = Amy Folbe email = afolbe@honigman.com C = US
Date: 2023.06.08 20:02:01 -0400

Date: June 8, 2023

**CITY OF BIRMINGHAM
BOARD OF ZONING APPEALS
RULES OF PROCEDURE**

ARTICLE I - Appeals

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
 2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
 3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
- B. Procedures of the Board of Zoning Appeals (BZA) are as follows:
1. Regular BZA meetings, which are open to the public, shall be held on the second Tuesday of the month at 7:30 P.M. provided there are pending appeals. There will be a maximum of seven appeals heard at the regular meeting which are taken in the order received. If an appeal is received on time after the initial seven appeals have been scheduled, it will be scheduled to the next regular meeting.
 2. All applications for appeal shall be submitted to the Community Development Department on or before the 12th day of the month preceding the next regular meeting. If the 12th falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
 3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
 4. See the application form for specific requirements. If the application is incomplete, the BZA may refuse to hear the appeal. The Building Official or City Planner may require the applicant to provide additional information as is deemed essential to fully advise the Board in reference to the appeal. Refusal or failure to comply shall be grounds for dismissal of the appeal at the discretion of the Board.
 5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.

6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
 7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
 8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
 9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).
- C. The order of hearings shall be:
1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
 2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
 3. Interested parties' comments and view on the appeal.
 4. Rebuttal by applicant.
 5. The BZA may make a decision on the matter or request additional information.
- D. Motions and Voting
1. A motion is made to either grant or deny a petitioner's request
 - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
 - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
 - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.
 2. When a motion made is to approve or deny a petitioner's request and if there is a tie vote, then the vote results in no action by the board and the petitioner shall be given an opportunity to have his or her request heard the next regularly scheduled meeting when all the members are present.
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3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
4. When there are less than six (6) members present for a meeting, then all petitioners shall be given an opportunity at the beginning of the meeting to elect to have the request heard at the next regularly scheduled meeting.

ARTICLE II - Results of an Appeal

- A. The Board may reverse, affirm, vary or modify any order, requirement, decision or determination as in its opinion should be made, and to that end, shall have all the powers of the officer from whom the appeal has been taken.
- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
- C. Whenever any variation or modification of the Zoning Ordinance is authorized by resolution of the BZA, a Certificate of Survey must be submitted to the Community Development Department with the building permit application. A building permit must be obtained within one year of the approval date.
- D. Failure of the appellant, or his representative, to appear for his appeal hearing will result in the appeal being adjourned to the next regular meeting. If, after notice, the appellant fails to appear for the second time, it will result in an automatic withdrawal of the appeal. The appellant may reapply to the BZA.
- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
- F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and the conditions upon which the resolution was based are maintained.

ARTICLE III - Rehearings

- A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.
-

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.

Amy Folbe

Digitally signed by: Amy Folbe
DN: CN = Amy Folbe email = afolbe@honigman.com C
= US
Date: 2023.06.08 20:02:49 -04'00'

Signature of Applicant

AZD

associates, inc.

6905 telegraph rd, suite 230, bloomfield hills, mi 48301

architects

June 12, 2023

Board Zoning of Appeals
City of Birmingham
151 Martin St
Birmingham, MI

RE: 440 Lakeside rd variance

Distance Between Neighbors (Northwest):

Chapter 126, Article 4.74(C) of the Zoning Ordinance requires that the minimum distance between principal residential buildings on adjacent lots of 14.00 feet or 25% of the total lot width whichever is larger. The required is 23.75 feet. The proposed is 14.62 feet. Therefore, a variance of 9.13 feet on northwest is requested.

Because of the non-conforming condition of our neighbor's house on the northwest at #470 and the minimum side yard setback on the house on southeast. This non-compliance directly impacts the Northwest setback of our client's property.

By approving this variance, we can achieve a balanced solution that meets our needs without unduly impacting the neighborhood. We kindly request your consideration and support in granting this variance.

Best Regards,


Kevin Akey
AZD Associates Inc.
kevin@azdarch.com
248-540-6009



ph. (248) 540 . 6009
www.azdarch.com

NO.	DESCRIPTION	DATE

AZD HAS ONLY BEEN CONTRACTED FOR THE CONTENT OF THESE ARCHITECTURAL DRAWINGS. AZD ARCHITECTS IS NOT LIABLE OR RESPONSIBLE FOR CONTRACTORS' CONSTRUCTION DETAILS, QUALITY OF CONSTRUCTION, SPECIFICATIONS AND CONSTRUCTION TECHNIQUES THAT ARE NOT SHOWN ON THESE SPECIFIC DRAWINGS. THIS DISCLAIMER INCLUDES BUT IS NOT LIMITED TO: WATERPROOFING, VENTILATING, FLASHING, SOIL CAPACITY, INSULATION, STRUCTURAL CONNECTIONS, MECHANICAL, ELECTRICAL OR PLUMBING SYSTEMS, QUALITY OF MATERIALS, QUALITY OF CONSTRUCTION OR OTHER CONSTRUCTION SPECIFICATIONS. AZD ARCHITECTS IS ONLY RESPONSIBLE FOR CONSTRUCTION DETAILS AND SPECIFICATIONS SHOWN ON THESE DRAWINGS IF CONTRACTOR IS UNSURE OR UNCLEAR ON ANY TYPE OF CONSTRUCTION TECHNIQUE OR DETAIL. AZD ARCHITECTS IS TO BE CONTACTED FOR IMMEDIATE CLARIFICATION.

REQUESTED VARIANCE:
NORTH WEST DISTANCE BETWEEN NEIGHBORS/ SIDEYARD SETBACK

ZONING SUMMARY :

ZONING:
R-1 SINGLE FAMILY RESIDENTIAL

MIN. LOT AREA:

REQUIRED:
9,000 S.F.

PROVIDED:
+/- 16,635 S.F.

VARIANCE:
--

SETBACKS:

• FRONT:

• REAR:

• SIDES:

REQUIRED:
62.30' (MIN.)

30.00' (MIN.)

5.00' (MIN.)

25% SITE WIDTH (TOTAL)

94.75' x 30% = 23.75' (TOTAL)

PROPOSED:
63.30'

30.75'

15.50' (SOUTHEAST)

9.75' (NORTHWEST)

25.25' (TOTAL)

DISTANCE BETWEEN
NEIGHBORS:

25% SITE WIDTH

94.75' x 30% = 23.75'

14.62' (NW SIDE)

9.13' (NORTHWEST NEIGHBOR)

MAX. BUILDING HEIGHT:

ALLOWED:

30'-0" TO MIDPOINT

24'-0" TO EAVE

PROPOSED:
30'-0"

24'-0"

MAX. LOT COVERAGE:

ALLOWED:

30%

+/- 16,635 S.F. (LOT SIZE) x 30% = 4,991 S.F.

PROPOSED:
24%

3,986 S.F.

MIN. OPEN SPACE:

REQUIRED:

40%

+/- 16,635 S.F. (LOT SIZE) X 40% = 6, 654 S.F.

PROPOSED:
57%

9,549 S.F.

MAX. FRONT IMPERVIOUS AREA:

ALLOWED:

35%

+/- 6,321 S.F. (FRONT OPEN SPACE) X 35% = 2,212 S.F.

PROPOSED:
22%

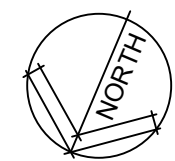
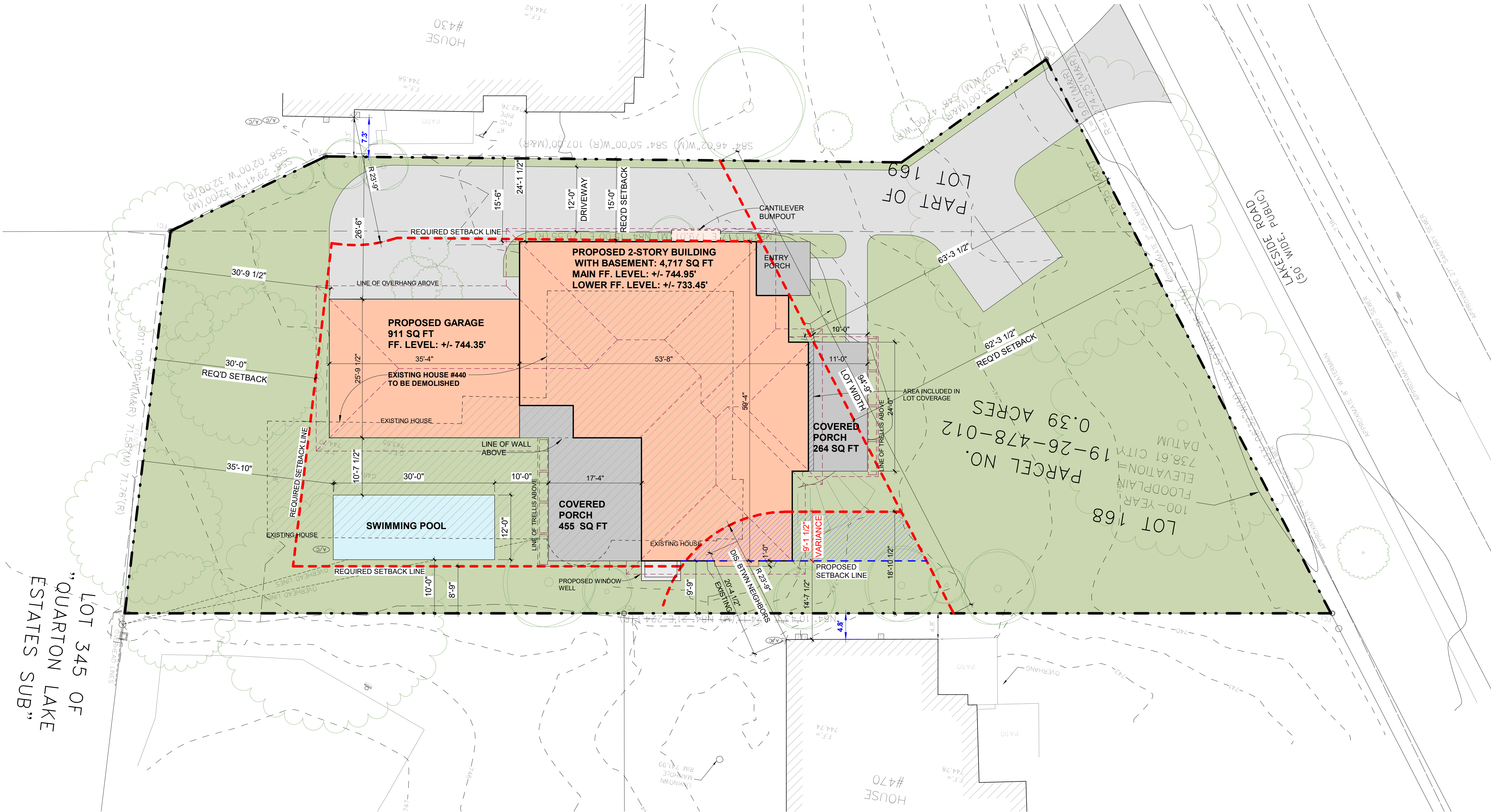
1,400 S.F.

LEGEND:

- PROPOSED BUILDING
- REQUIRED SETBACK LINE
- PROPOSED SETBACK LINE
- EXISTING HOUSE TO BE DEMOLISHED
- REQUESTED VARIANCE

AVERAGE FRONT SETBACK CALCULATION:
 $68.2' + 64.6' + 61.4' + 71.1' + 70.9' + 37.4' = 373.6' / 6 = 62.3'$

2 AVERAGE FRONT SETBACK
SCALE : 1" = 50'-0"



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



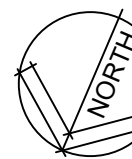
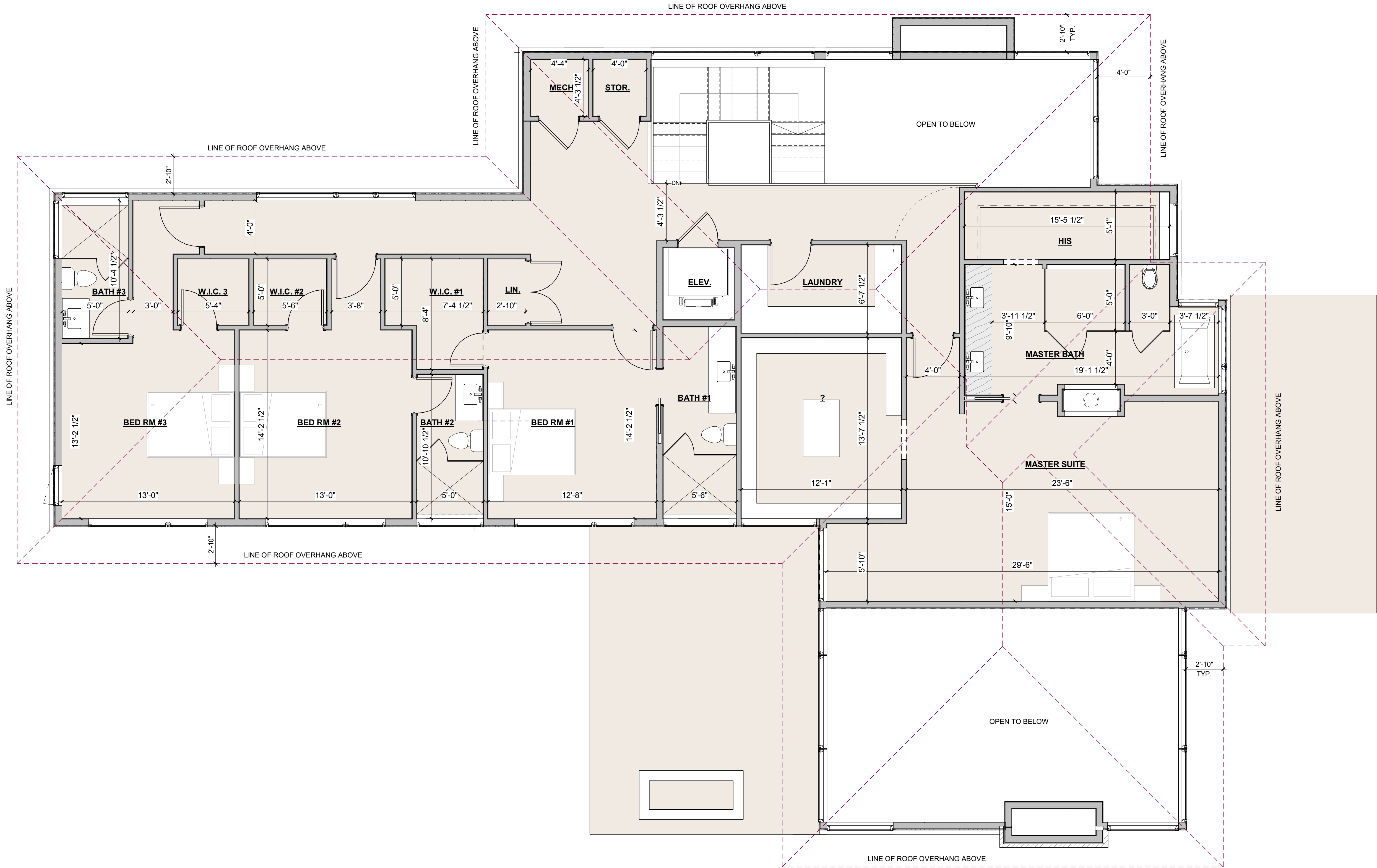
MAIN LEVEL	2245 SF
UPPER LEVEL	2472 SF
	4717 SF

LOWER LEVEL	2469 SF
GARAGE	849 SF
COVER'D PORCH	658 SF

GROSS SQUARE FOOTAGE IS MEASURED TO THE OUTER FACE OF EXTERIOR FOUNDATION WALLS - WHICH ALIGN WITH THE FACE OF SHEATHING OR FACE OF FULL VENER MASONRY ABOVE. VOIDS IN FLOORS ARE NOT COUNTED IN SQUARE FOOTAGE. STRUCTURES LIKE STAIRS ARE INCLUDED IN CALCULATION FOR ALL FLOORS EXCEPT THE VERY TOP FLOOR (TYPICALLY UPPER LEVEL).

NO.	DESCRIPTION	DATE

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

CASE DESCRIPTION

307 Westchester way (23-22)

Hearing date: August 8, 2023

Appeal No. 23-22: The owner of the property known **307 Westchester way**, requests the following variance to construct a new detached garage:

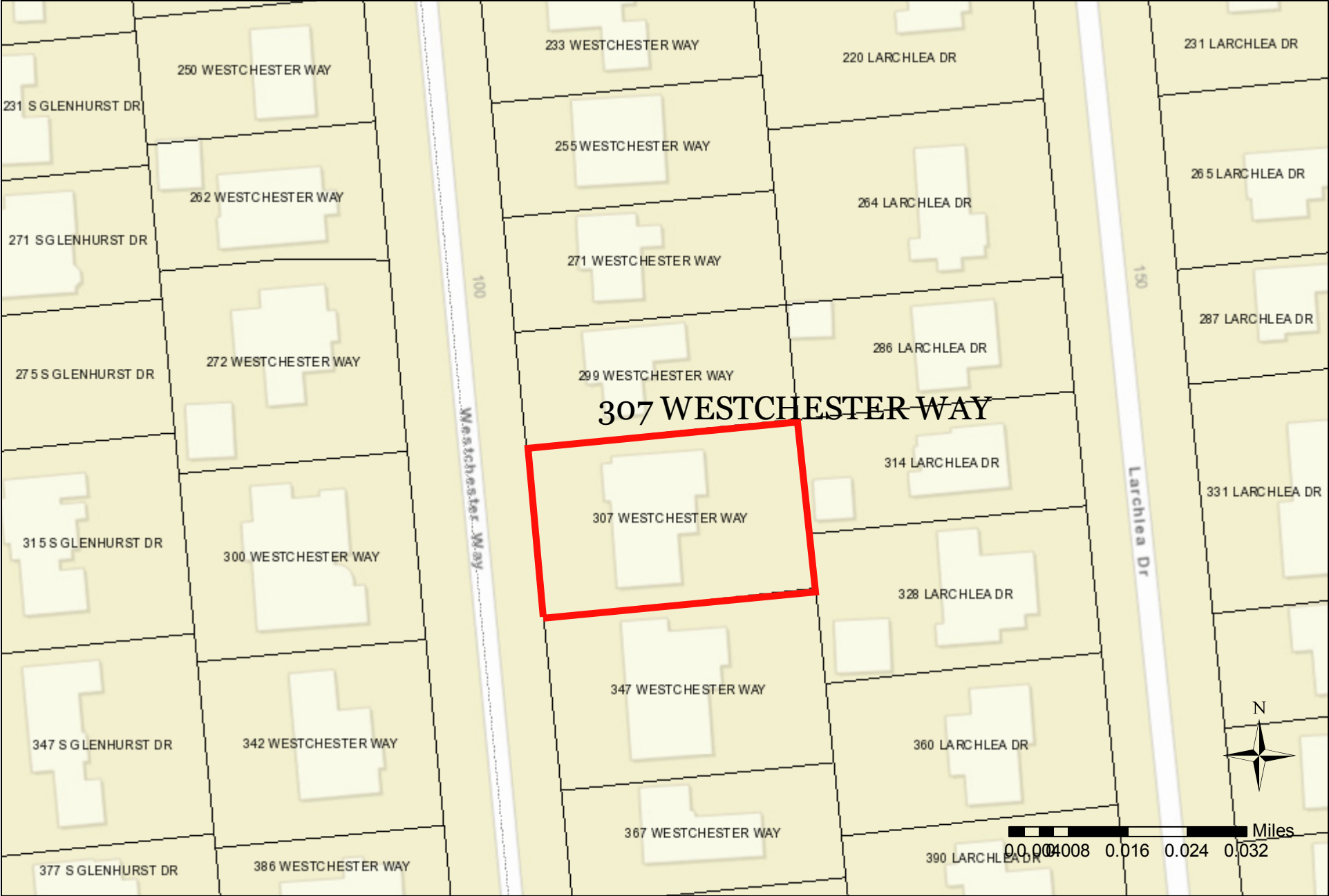
A. Chapter 126, Article 4, Section 4.03(B) of the Zoning Ordinance requires the distance between an accessory building is not permitted closer to a principal residential buildings on an adjoining lot than the sum of the minimum required side setbacks of 14.00 feet or 25% of total lot width, whichever is larger. The required is 22.50 feet. The proposed is 18.00 feet. Therefore, a variance of 4.50 feet is being requested.

Staff Notes: This applicant is looking to construct a new detached garage.

This property is zoned R1 – Single family residential.

Jeff Zielke, NCIDQ, LEED AP
Assistant Building Official

307 WESTCHESTER WAY MAP



CITY OF BIRMINGHAM
Community Development - Building Department
151 Martin Street, Birmingham, MI 48009
Community Development: 248-530-1850
Fax: 248-530-1290 / www.bhamgov.org

APPLICATION FOR THE BOARD OF ZONING APPEALS

Received Date: 06/22/2023

Hearing Date: 08/08/2023

Received By: JZ

Appeal #: 23-22

Type of Variance:	☐ Interpretation	☒ Dimensional	☐ Land Use	☐ Sign	☐ Admin Review
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I. PROPERTY INFORMATION:

Address: <u>307 Westchester Way</u>	Lot Number: <u>20 21</u>	Sidwell Number: <u>08-19-35-129-010</u>
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II. OWNER INFORMATION:

Name: <u>Alex Simpson</u>			
Address: <u>307 Westchester Way</u>	City: <u>Birmingham</u>	State: <u>MI</u>	Zip code: <u>48009</u>
Email: *		Phone: <u>313-999-4866</u>	

III. PETITIONER INFORMATION:

Name: <u>Robert Naegert</u>	Firm/Company Name: <u>LUNAR Garages Modernization, Inc.</u>		
Address: <u>13491 E. 8th. Rd</u>	City: <u>Warren</u>	State: <u>MI</u>	Zip code: <u>48089</u>
Email: <u>lunarconstruction@sbcglobal.net</u>		Phone: <u>586-729-4700</u>	

IV. GENERAL INFORMATION:

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To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted.

Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

Variance Chart Example

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

V. REQUIRED INFORMATION CHECKLIST:

Please provide the following in your electronic submission:

- ☐ Completed and signed application
- ☐ Signed letter of practical difficulty and/or hardship
- ☐ Certified survey
- ☐ Building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, provide a copy of the minutes from any previous Planning, HDC, or DRB board meeting

VI. APPLICANT SIGNATURE

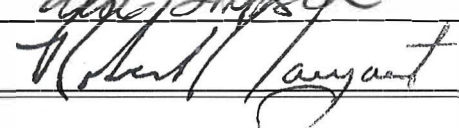
Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: 

Date: 6/22/2023

Signature of Petitioner: 

Date: 6/22/2023

CITY OF BIRMINGHAM
BOARD OF ZONING APPEALS
RULES OF PROCEDURE

ARTICLE I - Appeals

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
 2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
 3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
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 2. All applications for appeal shall be submitted to the Community Development Department on or before the 12th day of the month preceding the next regular meeting. If the 12th falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
 3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
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 5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.

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1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
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D. Motions and Voting

1. A motion is made to either grant or deny a petitioner's request
 - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
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 - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.
 2. When a motion made is to approve or deny a petitioner's request and if there is a tie vote, then the vote results in no action by the board and the petitioner shall be given an opportunity to have his or her request heard the next regularly scheduled meeting when all the members are present.
-

3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
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ARTICLE II - Results of an Appeal

- A. The Board may reverse, affirm, vary or modify any order, requirement, decision or determination as in its opinion should be made, and to that end, shall have all the powers of the officer from whom the appeal has been taken.
- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
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- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
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ARTICLE III - Rehearings

- A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.
-

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.


Signature of Applicant

LUNAR

Home Improvement

June 22, 2023

Robert Naeyaert
Lunar Home Improvement Inc.
13491 E. 8 Mile Rd
Warren, MI 48089
(586) 779-4700

Alex Simpson
307 Westchester Way
Birmingham, MI 48009
(313) 999-4866

City of Birmingham
Community Development – Building Department
151 Martin St.
Birmingham, MI 48009
(248) 530-1850

To Whom This May Concern;

We are proposing to construct a 24x24 detached garage 3ft off the side property line. According to Section 4.74 (C) the detached garage will have to be 9ft 2inches off side property line which will give us 22.5 ft to the principle building of the adjoining lot (25% of the lot width).

The hardship we are proposing is the size and shape of this particular lot. We are asking for a variance to place the garage 3 ft off the side property line which will bring the garage approx. 18ft from principle building of the adjoining lot (4.5ft variance). The reason for having to be 3ft off the side property line is that it will make it easier getting 2 cars in and out of the garage to the existing driveway. Another reason is that it keeps the garage further away from the edge of the pool. See attached survey.

Thank you for considering our variance. Please place us on the next available Zoning Board of Appeals meeting. If you have any questions, please contact BOB from Lunar Home Improvement at (810) 560-0743.

Sincerely,


Robert Naeyaert
Owner
Lunar Home Improvement Inc.



"A Company Above The Rest"

13491 E. Eight Mile Road • Warren, Michigan 48089 • 586/779•4700 • FAX 586/779•0275

307 WESTCHESTER WAY
PART OF THE N.W. 1/4 OF SECTION 35,
TOWN 2 NORTH, RANGE 10 EAST,
CITY OF BIRMINGHAM,
OAKLAND COUNTY, MICHIGAN



REQUESTED VARIANCE	REQUIRED	EXISTING	PROPOSED	VARIANCE AMOUNT
VARIANCE A, REAR OPEN SPACE LIMITATIONS	22.50 FEET	NONE	18.00 FEET	4.50 FEET

PROPERTY DESCRIPTION:
LOT 20 AND THE NORTH 1/2 OF LOT 21, OF TALIAFERRO ESTATES, A SUB'N
OF PART OF THE N.W. 1/4 OF SECTION 35, T. 2 N., R. 10 E., CITY OF
BIRMINGHAM, OAKLAND COUNTY, MICHIGAN. PLAT RECORDED IN LIBER 43,
PAGE 26, OAKLAND COUNTY RECORDS. SUBJECT TO EASEMENTS AND
RESTRICTIONS OF RECORD.

NO TITLE WORK HAS BEEN PROVIDED, PROPERTY DESCRIPTION AND EASEMENTS
SHOWN ARE ACCORDING TO ASSESSOR'S RECORDS AND RECORDED PLAT. ALL
INFORMATION SHOULD BE FIELD VERIFIED BEFORE AND DURING CONSTRUCTION.
CONTRACTOR IS ADVISED TO BE AWARE OF EXISTING CONDITIONS WITH
PARTICULAR RESPECT TO RUNOFF TO AND FROM ADJACENT PROPERTIES AND
SHOULD SET GRADES OF ANYTHING PROPOSED SO AS NOT TO INTERFERE WITH
EXISTING DRAINAGE PATHS. REPRESENTATIONS OF COMPLIANCES WITH BUILDING
CODES ARE CONTRACTOR'S OPINION SUPPLIED TO OUR OFFICE AND SUBJECT TO
MUNICIPALITY REVIEW.

- NOTES PER POOL CONTRACTOR:
- GRAB RAIL & LADDER BOTH BONDED.
 - ALL DOORS ENTERING POOL AREA WILL HAVE DOOR ALARMS MEETING
CODE UL 2017 HORN IS 85 dB @ 10 FEET.
 - EXISTING FENCE MEETS CODE AG105.2 2015 MICHIGAN BUILDING CODE ICC.
(BY OWNER)
 - EXISTING SELF CLOSING/SELF LATCHING GATE MEETS CODE AG105.2
MICHIGAN 2015 BUILDING CODE AND OPENS AWAY FROM POOL. (BY
OWNER)

BENCHMARK:
CITY BENCHMARK #20-DISK
ELEVATION: 758.84

HYDRANT S.E. FLANGE BOLT @
MAPLE & WESTCHESTER WAY
ELEVATION: 758.72

LEGEND:

STORM SEWER
WATER MAIN
COMBINED SEWER
SILT FENCE
SWALE

EXIST. GRADE

PR. GRADE

INLET FILTER

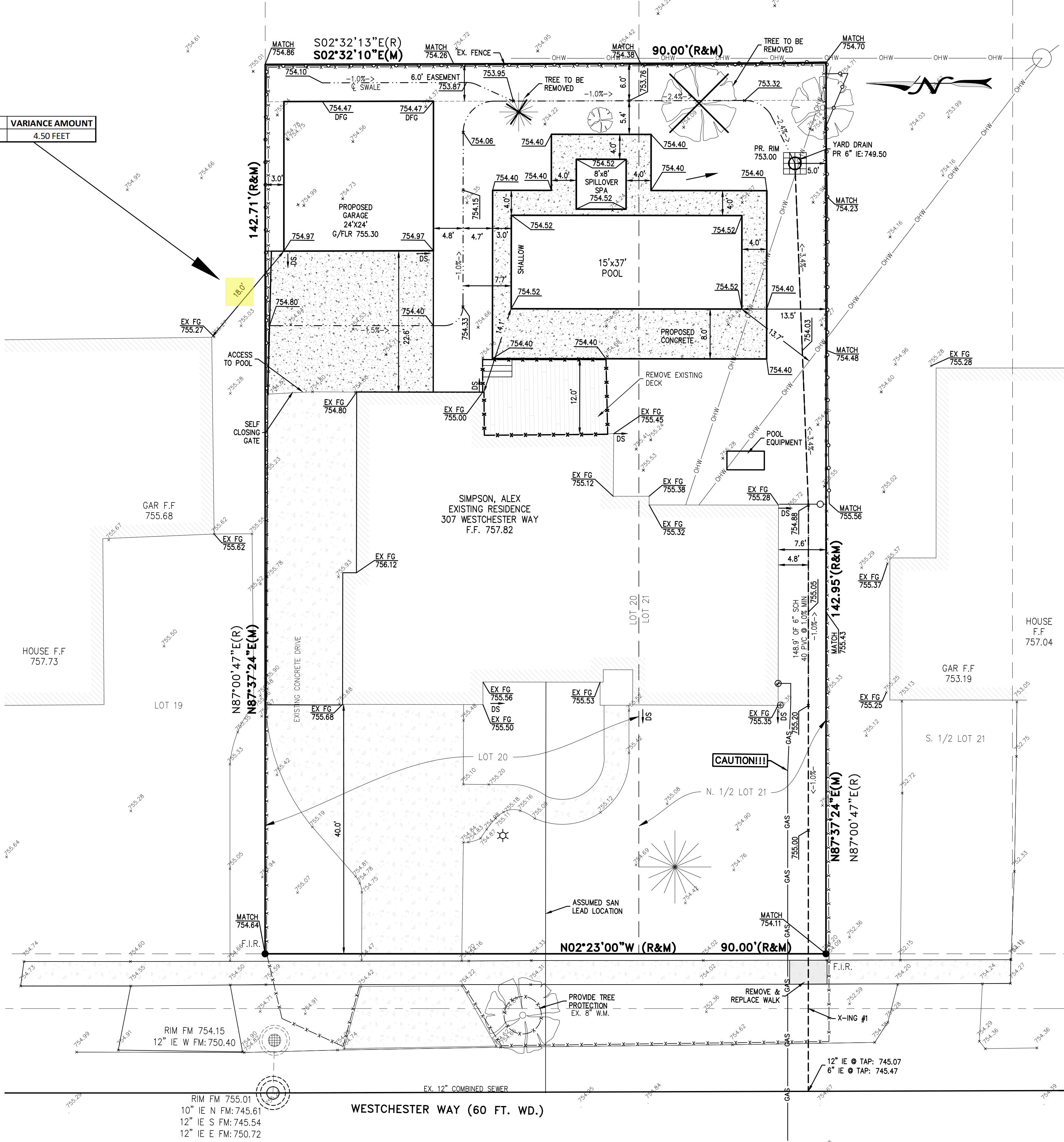
RECORDED

MEASURED

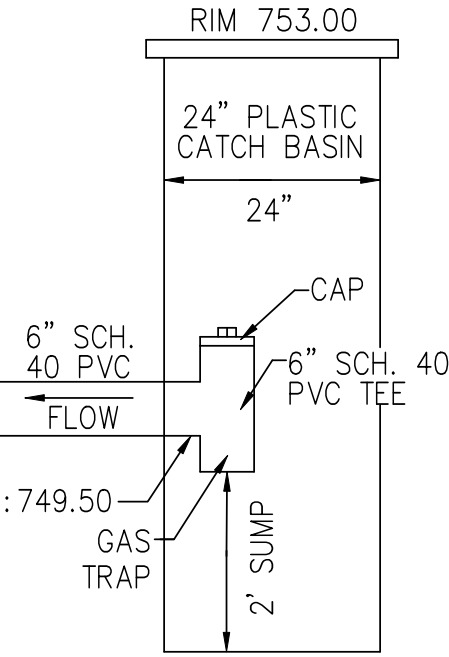
FOUND IRON ROD

000.00

(R)
(M)
F.I.R.



YARD DRAIN DETAIL



SITE DATA:

ZONING: R-1

LOT AREA: 12,855 S.F.

LOT COVERAGE CALCULATIONS:

STRUCTURES:
HOUSE: 2,729 S.F.
POOL: 553 S.F.
GARAGE: 576 S.F.

TOTAL AREA
OF STRUCTURES: 3,860 S.F.
LOT COVERAGE: 30.0%

MIN. OPEN SPACE: 40%
OPEN SPACE CALCULATIONS:
PAVEMENT AREA: 3,239 S.F.
TOTAL IMP. AREA =
STRUCTURES + PAVEMENT =
4,097 + 3,099 = 7,196 S.F.

OPEN SPACE =
LOT AREA - IMP. AREA =
12,855 - 7,196 = 5,659 S.F.

OPEN SPACE AS % OF LOT AREA =
44.0%

MIN. FRONT OPEN SPACE: 65%
FRONT OPEN SPACE CALCULATIONS:
FRONT OPEN SPACE: 3,595 S.F.
PAVEMENT AREA: 1,116 S.F.

FRONT OPEN SPACE =
AREA - IMP. AREA =
3,595 - 1,116 = 2,479 S.F.
FRONT OPEN SPACE PROVIDED:
2,479 / 3,595 = 0.69 = 69%

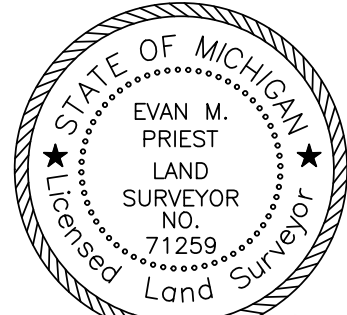
X-ING #1
EX 8" W.M. B/PIPE: 747.75*
PR 6" STM T/PIPE: 746.25

CLEARANCE: 1.5'

*ASSUMED W.M. DEPTH 6.0' BELOW E/PAVE
(EXPOSE TO VERIFY)
E/PAVE: 754.50
8" T/PIPE: 748.50
8" B/PIPE: 747.75

MAINTAIN 1.5' CLEARANCE BETWEEN WATER
MAIN AND STORM PIPE AND MINIMUM OF 3
FEET OF COVER OVER THE STORM PIPE WITH
MINIMUM OF 1% SLOPE.

RIM FM 752.35
12" IE N FM: 742.85
12" IE S FM: 742.55



SITE PLAN

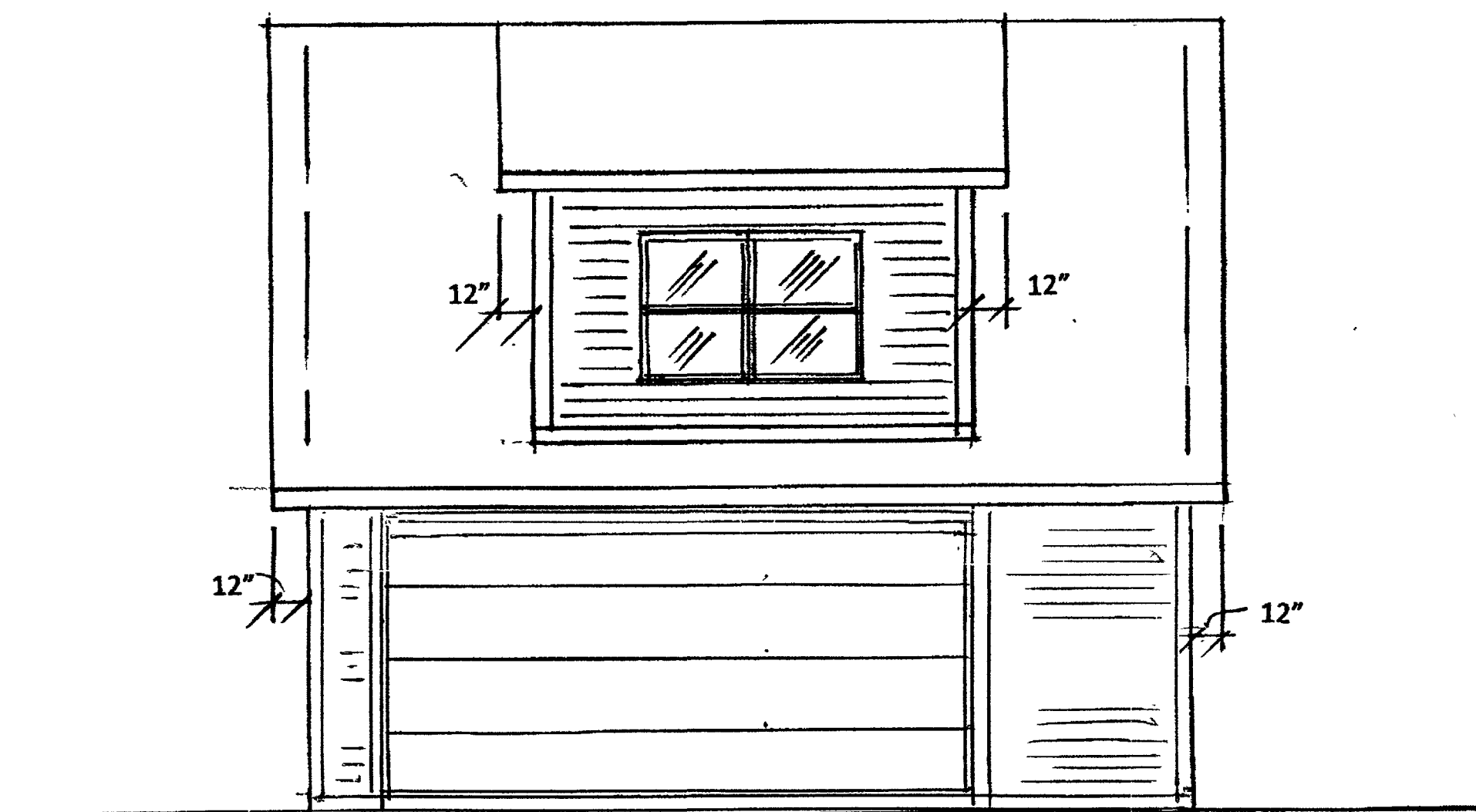
307 WESTCHESTER WAY
PART OF THE N.W. 1/4 OF SECTION 35,
TOWN 2 NORTH, RANGE 10 EAST,
CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

ENGINEERS, SURVEYORS
MLP
AND ASSOCIATES, INC.
Michael L. Priest & Associates, Inc.
40855 Koppemick Road, Canton, MI 48187
phone: (734) 459-8560
fax: (734) 459-2585

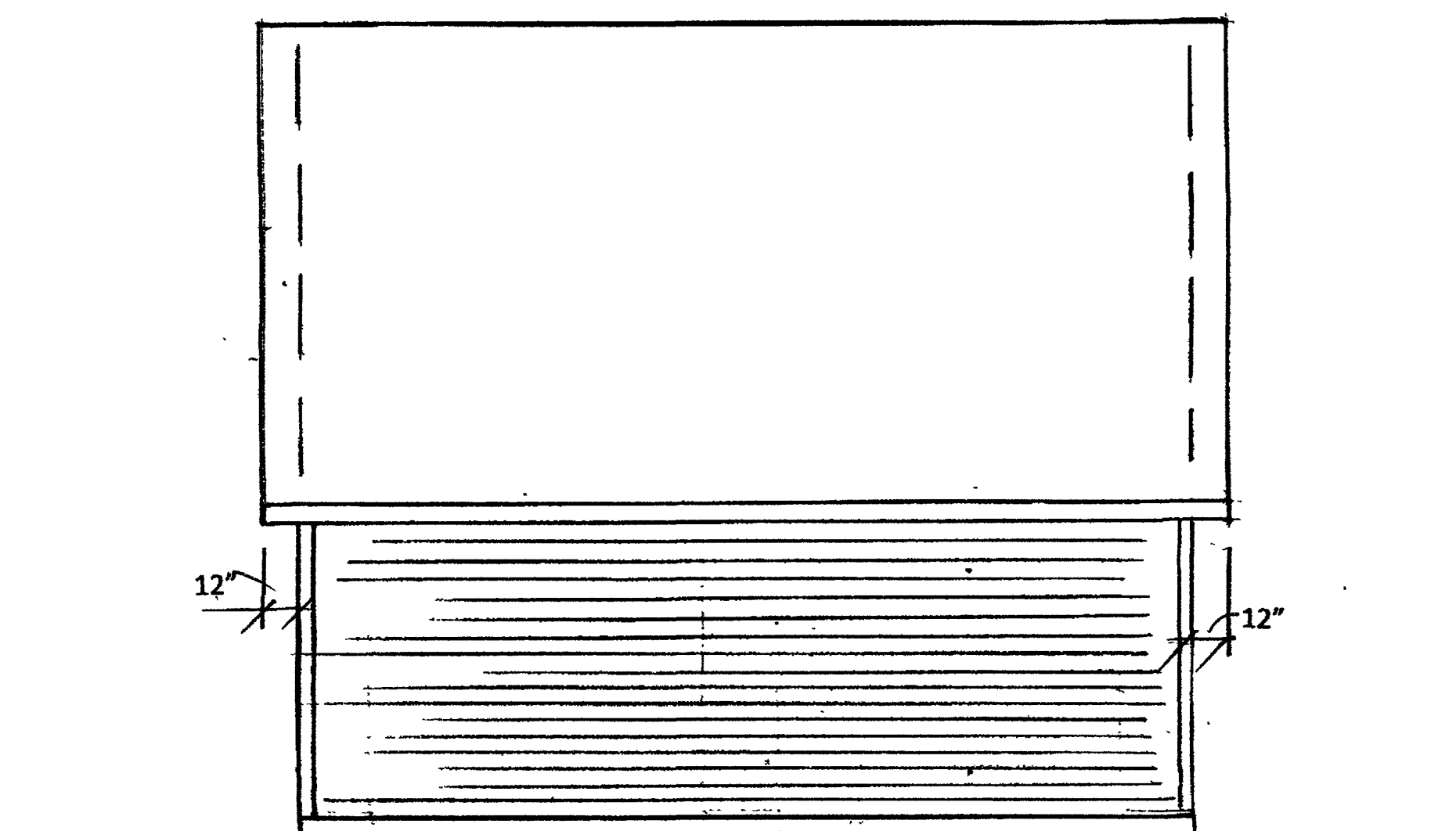
REVISIONS:
#11-23-22 REV PER IRC
#12-08-22 REV PER CITY REVIEW
#02-08-23 REV PER CITY REVIEW
#04-28-23 MOVE GARAGE
#08-21-23 MOVE GARAGE

DATE: 11-01-2022
JOB NO. 2022.28
JOB NO. 2022.28

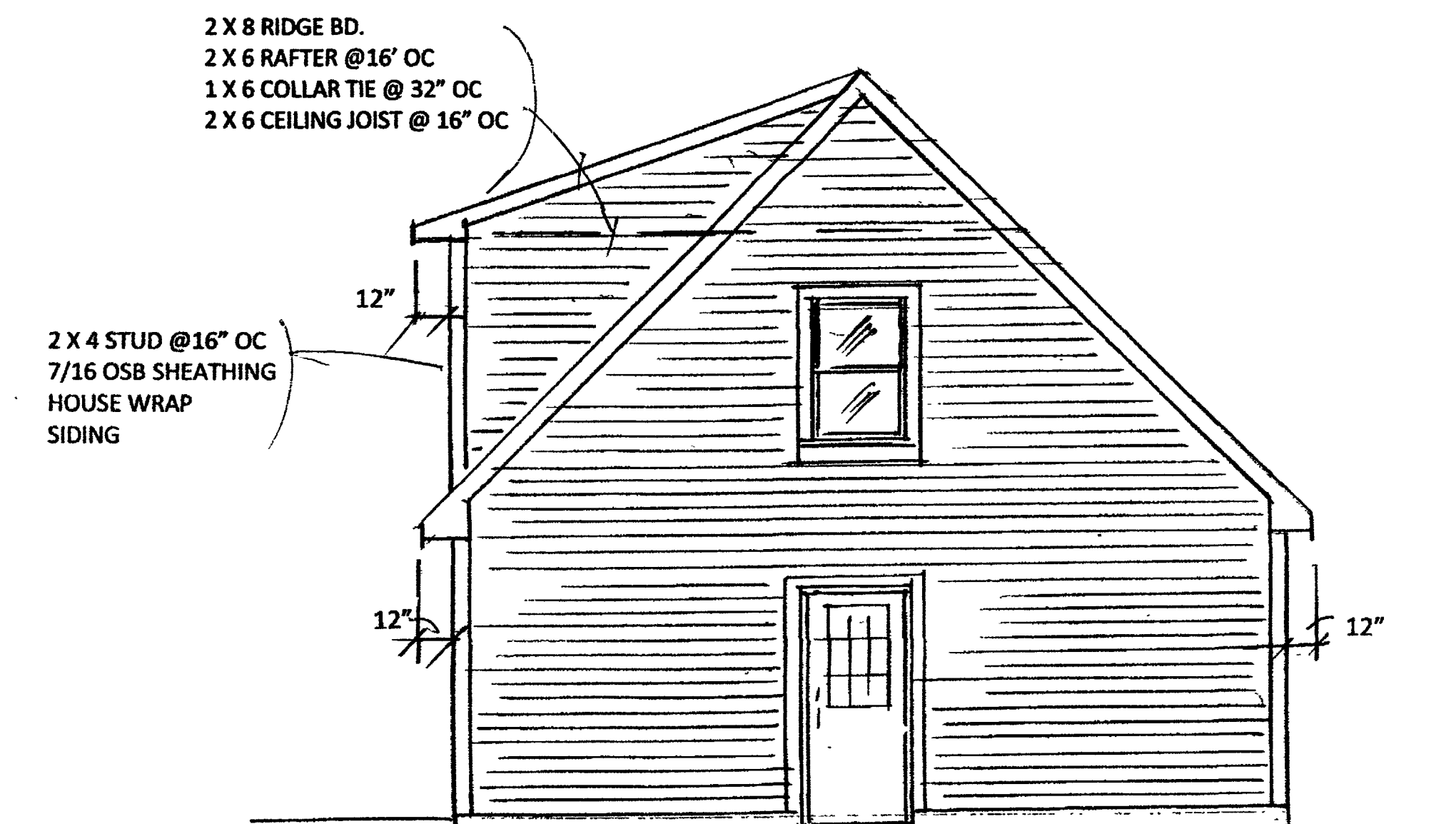
PROPRIETOR
MIDWEST POOLS, INC.
ATTN: SCOTT HOOVER
3090 W. COOK ROAD
GRAND BLANC, MI 48439
midwestpoolsinc@gmail.com



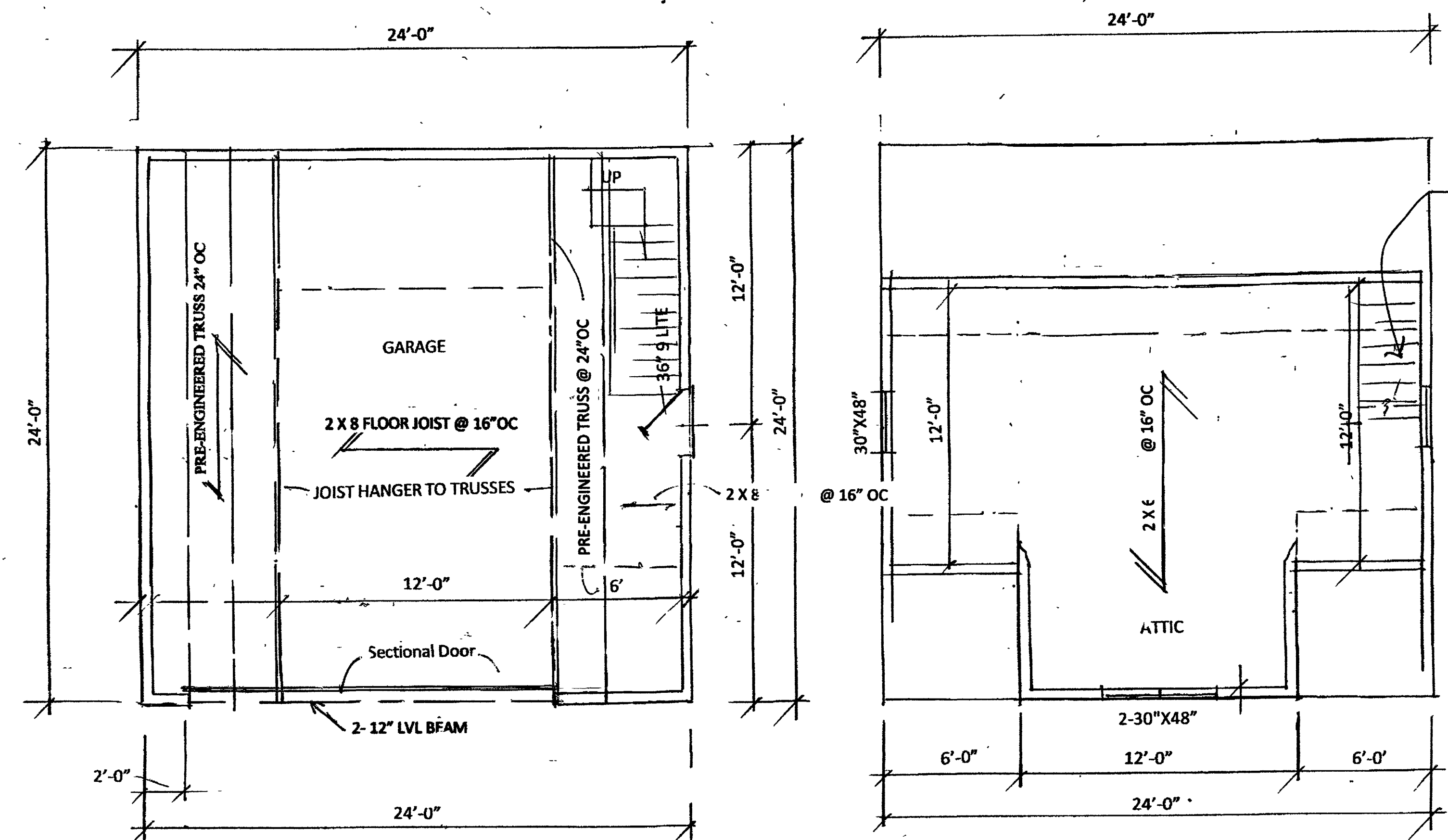
FRONT ELEVATION



REAR ELEVATION



SIDE ELEVATION



FLOOR PLAN

2ND FLOOR

2 x 10 1/4 TREAD STOCK
9 1/2 RUN
8' RISE
2 X 12 STRINGERS
HEAD ROOM SHALL NOT BE LESS THAN 80".

307 Westchester way
Birmingham, Michigan

CASE DESCRIPTION

1002 PILGRIM (23-23)

Hearing date: August 8, 2023

Appeal No. 23-23: The owner of the property known **1002 Pilgrim**, requests the following variance to construct a second floor addition to the existing home:

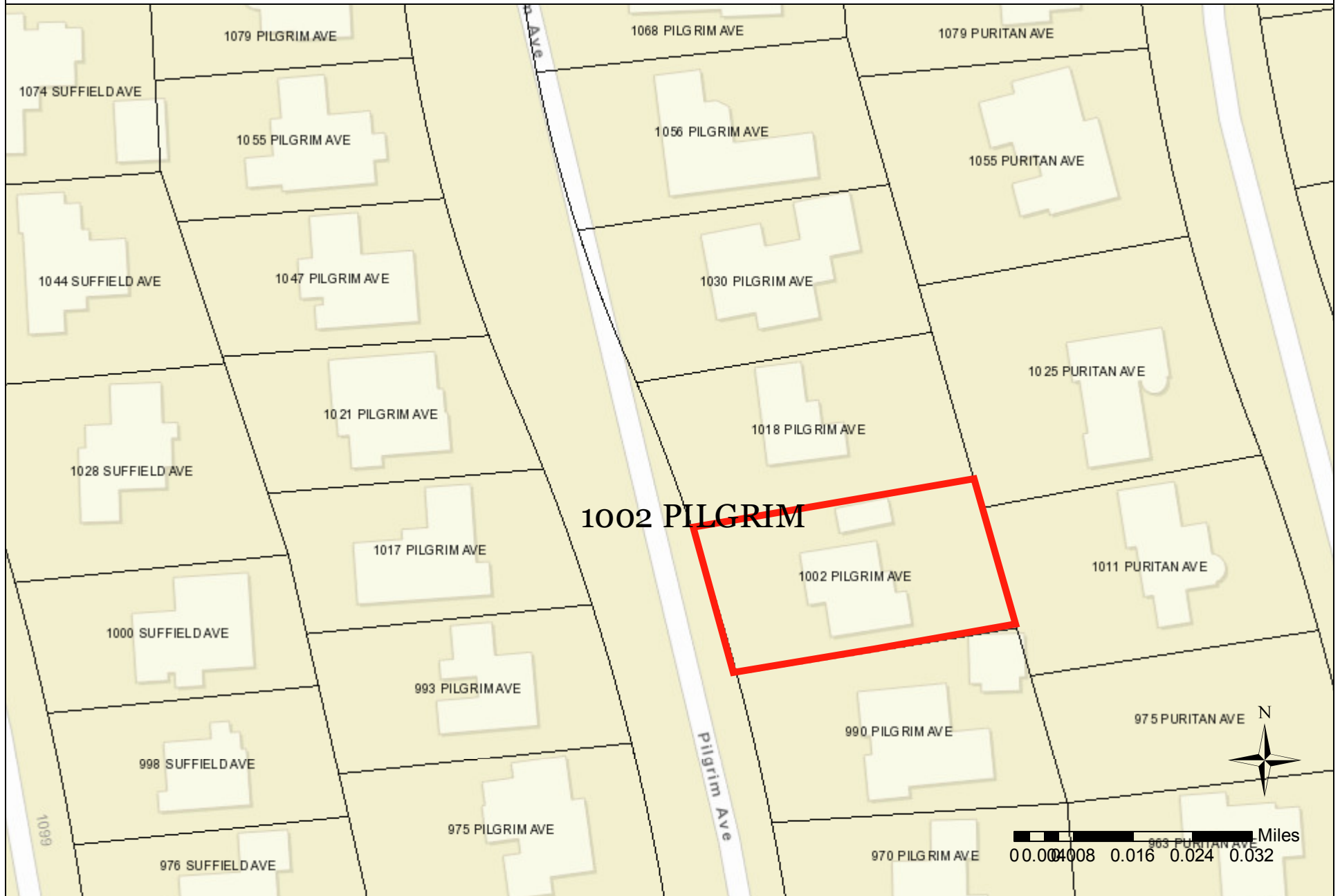
A. Chapter 126, Article 2, Section 2.04.2 of the Zoning Ordinance requires that the minimum total side yard setbacks of 14.00 feet or 25% of total lot width, whichever is larger. The required is 20.00 feet. The proposed is 16.34 feet. Therefore, a variance of 3.66 feet is being requested.

Staff Notes: This applicant looking to construct a second story addition to the existing non-conforming home.

This property is zoned R1 – Single family residential.

Jeff Zielke, NCIDQ, LEED AP
Assistant Building Official

1002 PILGRIM MAP



CITY OF BIRMINGHAM
Community Development - Building Department
151 Martin Street, Birmingham, MI 48009
Community Development: 248-530-1850
Fax: 248-530-1290 / www.bhamgov.org

APPLICATION FOR THE BOARD OF ZONING APPEALS

Received Date: 07/07/23

Hearing Date: 08/08/2023

Received By: JZ

Appeal #: 23-23

Type of Variance:	☒ Interpretation	☒ Dimensional	☐ Land Use	☐ Sign	☐ Admin Review
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I. PROPERTY INFORMATION:

Address: 1002 Pilgrim Avenue	Lot Number: 25	Sidwell Number:
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II. OWNER INFORMATION:

Name: Jeffrey Catlin			
Address: 1002 Pilgrim Avenue	City: Birmingham	State: MI	Zip code: 48009
Email: * jeffcatlin@comcast.net		Phone: 973 216-3766	

III. PETITIONER INFORMATION:

Name: Jeffrey Catlin		Firm/Company Name:	
Address: 1002 Pilgrim Avenue	City: Birmingham	State: MI	Zip code: 48009
Email: jeffcatlin@comcast.net		Phone: 973 216-3766	

IV. GENERAL INFORMATION:

The Board of Zoning Appeals typically meets the second Tuesday of each month. COMPLETE digital applications along with supporting documents must be submitted on or before the 12th day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted.

Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

Variance Chart Example				
Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

V. REQUIRED INFORMATION CHECKLIST:

- Please provide the following in your electronic submission:**
- Completed and signed application
 - Signed letter of practical difficulty and/or hardship
 - Certified survey
 - Building plans including existing and proposed floor plans and elevations
 - If appealing a board decision, provide a copy of the minutes from any previous Planning, HDC, or DRB board meeting

VI. APPLICANT SIGNATURE

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: _____	Date: <u>7/7/2023</u>
Signature of Petitioner: _____	Date: <u>7/7/2023</u>

CITY OF BIRMINGHAM
BOARD OF ZONING APPEALS
RULES OF PROCEDURE

ARTICLE I - Appeals

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
 2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
 3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
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-

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.

Signature of Applicant

City of Birmingham
Building Department
Board of Zoning Appeals

To whom it may concern:

My name is Jeffrey Catlin, I live at 1002 Pilgrim Avenue. I have lived in my home on Pilgrim since 2014 with my family of 5.

I am interested in building over a pre-existing flat roof on the rear (southeast side) of my house.

I have learned that my house is existing non-conforming, and was when I bought it, in 2014. I believe this is due to an original bay window on the south side of my house that is 5.03' from the property line. I have also learned that due to the combined set back requirements on both sides of my house I do not meet the 20 foot combined guidelines. There is no "house to house" issue on the south side where I am interested in doing construction, as my neighbor on that side has a large driveway in between the two structures and that distance is 34.38'. I am asking for a continuance of the current 3.66' side yard variance (20 ft less the two side yard setbacks of 8.43' and 7.91'). In order to bring the addition room in the 3.66' to meet the 25% requirement, it would require extensive construction, including additional beams, because the second floor exterior wall would not be stacked on top of the first floor wall. This would make the project cost prohibitive, and leave us with a bedroom on the second floor that is only approx. 9'5" and not appropriate for master bedroom furniture.

The pre-existing variance will be unaffected, there will be little to no effect on the neighboring properties, and the current condition was not self-created, as it existed when I purchased the home in 2014.

My original intention was to build over the pre-existing flat roof and cantilever out to the 5.03' line where the bay window is currently sitting, as I understand that the minimum set back to property line is 5 feet. To accommodate that, I have chosen to NOT cantilever the room and build straight up from the existing house which is set back 8.43' from the property line. I believe that doing so would not add to the setback issue in any way as we would be building straight up from existing structure.

If I were not to do this construction, the non-conforming nature of my house would still exist, exactly as it does today. I believe it is a major hardship to own a house of the quality of ours, in a neighborhood like Quarton Lake Estates, and NOT have a master bathroom.

If this project is not allowed, I would have no way to accommodate a bathroom layout to make the house consistent with the rest of our neighborhood. I can't imagine there are many houses in Quarton Lake Estates that do not have a master bathroom, and ours currently does not. We only have only two jack-and-jill bathrooms on the second floor to accommodate 4 bedrooms. This is a major issue for anyone living in our house.

I am hoping that allowing me to build straight up, would allow me to make my house much more viable for my family and for any future residents.

Thank you for your consideration.

Jeffrey Catlin



Contractor Note:
The locations of existing underground utilities are shown in an approximate way only. The contractor shall determine the exact location of all existing utilities before commencing work. He agrees to be fully responsible for any and all damages which might be occasioned by his failure to exactly locate and preserve any and all underground utilities.

CAUTION

CONTRACTOR TO VERIFY GROUND WATER PRIOR TO CONSTRUCTION.
U.L.C. RECOMMENDS SOIL ANALYSIS TO BE PERFORMED BY A PROFESSIONAL.
CONTRACTOR TO MONITOR EXCAVATION FOR SOIL/GROUND WATER CONDITIONS.

AREA COVERAGE

AREA OF LOT = 11763 S.F.
AREA OF HOUSE = 2446 S.F.
LOT COVERAGE = 20.8%
ARE OF DRIVE/WALK/PATIO = 1458 S.F.
OPEN SPACE = 66.8%

SOIL EROSION DETAILS

SEQUENCE OF CONSTRUCTION

1. EXISTING FENCE, DRIVE, DRIVE AND TEMPORARY SPACES WILL BE INSTALLED PRIOR TO EROSION MEASURES.
2. EXISTING MATERIALS WILL BE REMOVED FROM THE EROSION MEASURES. THE SALT FENCE AND TEMPORARY SPACES WILL BE INSTALLED.
3. THE EROSION MEASURES WILL BE INSTALLED AS SHOWN. THIS WILL BE DONE IN PLACE AND CONSTRUCTION IS COMPLETE. THE EXISTING DRIVE AND TEMPORARY SPACES WILL BE INSTALLED.
4. DIRECT SURFACE RUN-OFF TOWARDS CENTER OF SALT FENCE.
5. ALLOW OPENING IN SALT FENCE FOR CONSTRUCTION TRAFFIC.
6. PRIOR TO FINAL FILL, EROSION MEASURES IN PLACE, SALT FENCE, SLOPE GREATER THAN 10% AND 10' AROUND EACH BRANCH.
7. AFTER EROSION MEASURES ARE INSTALLED, SALT FENCE IS TO BE REMOVED WITH A WARNING OF THE FOR TEMPORARY SALT FENCE.

WHY MONTHS WILL CONSTRUCTION COMMENCE

WHY MONTHS WILL THE PROJECT BE COMPLETE AND READY FOR VEGETATION RESTORATION, FILL, SEED, MACH, LANDSCAPING, ETC.

NOTE:

THE CONTRACTOR IS REQUIRED TO INSPECT THE EROSION MEASURES ON A WEEKLY BASIS AND AFTER EVERY RAINSTORM

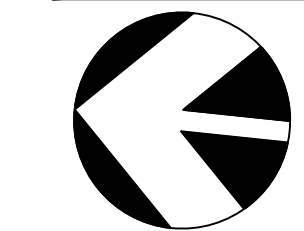
NOTE:

NEED COUNTY 18 HOURS PRIOR TO EROSION MEASURES

SILT FENCE DETAIL

NO SCALE

NORTH



SCALE: 1"=10'

BENCHMARK

DATUM=CITY

1. T/HYD. OPP. HSE. #1002
ELEVATION=762.37
2. CITY BM #19 N.E. CORNER OF CHESTERFIELD & OAK
ELEVATION=767.49

PARCEL ID

19-26-254-006

ZONED: R1

LEGEND

- 100 EXISTING CONTOURS
- 100.00 EXISTING GRADE
- 0.0 AS-BUILT GRADE
- 0.0 PROPOSED GRADE
- EXISTING PAVEMENT
- PROPOSED PAVEMENT
- PROPOSED SILT FENCE
- EXISTING GRAVEL

TOPOGRAPHY LEGEND

- WATER MAIN
- STORM SEWER
- SANITARY SEWER
- EASEMENT
- EX. U.G. ELEC.
- EX. O.H. WIRES
- EX. U.G. TELE.
- EX. U.G. GAS
- ROUND CATCH BASIN
- SQUARE CATCH BASIN
- UTILITY MANHOLE
- STORM MANHOLE
- END OF PIPE
- SANITARY MANHOLE
- CLEAN-OUT
- MANHOLE
- HYDRANT
- GATE VALVE WELL
- WATER VALVE
- WATER BOX
- VALVE
- LIGHT POLE
- AIR CONDITIONER
- MAIL BOX
- FENCE POST
- DOWN SPOUT
- SOIL BORING
- ELEC. TRANS. PAD
- UTILITY POLE
- GUY ANCHOR
- GUY POLE
- SIGN POST
- SPRINKLER HEAD
- GAS METER
- TELEPHONE RISER
- ELECTRICAL RISER
- CABLE TV RISER
- FINISHED FLOOR
- GARAGE FLOOR
- BASEMENT FLOOR
- CONC. CONCRETE
- SET MAG. MAIL
- SET IRON BAR
- FOUND IRON BAR
- FOUND C. MONUMENT

NOTE:

CONTRACTOR TO CONFIRM BASEMENT WALL HEIGHT, FIRST FLOOR ELEVATION AND BASEMENT FLOOR ELEVATION PRIOR TO THE START OF CONSTRUCTION!!!

URBAN LAND CONSULTANTS WILL SET HIGH GRADE/BRICKLEDGE CONTRACTOR TO USE GRADE SET ON SITE.

SHEET 26 OF 1

PLOT PLAN
LOT #25
THE HEIGHTS SUBDIVISION
PART OF THE N.E. 1/4 OF SECTION 26
T.2N., R. 10E CITY OF BIRMINGHAM
OAKLAND COUNTY, MICHIGAN

BY:

ADDITIONS AND/OR REVISIONS

DATE

230611-9504

Job No.

Date 7-5-23

Scale 1" = 20'

Drawn KG

Check R. LINDH

Sheet 1 of 1

Fid. Bk.

JEFF CATLIN

1002 PILGRIM
BLOOMFIELD HILLS, MI
973-216-3766



PHONE 586 731-8030

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

- SECOND FLOOR: 7'-6" PLATE AND CEILING HEIGHTS---UNLESS OTHERWISE NOTED.
- ALL WINDOW HEAD HEIGHTS @ 6'-8" UNLESS OTHERWISE NOTED.
- 2x6 EXTERIOR AND 2x4 INTERIOR WALL CONSTRUCTION---UNLESS OTHERWISE NOTED.
- NOTED WINDOW SIZES ARE MEASUREMENTS TO BE USED CHOSEN BRAND.
- VERIFY ALL FLOOR FINISHES PRIOR TO CONSTRUCTION.
- VERIFY ALL NOTED OPTIONS PRIOR TO CONSTRUCTION.
- REFER TO BUILDER / HOMEOWNERS SPECIFICATIONS FOR ALL OTHER CONSTRUCTION AND FINISH DETAIL INFORMATION NOT FOUND ON THESE PLANS.
- ALL BEDROOM WINDOWS MUST MEET EGRESS REQUIREMENTS AS PER LOCAL CODE REQUIREMENTS. CONFIRM WITH WINDOW MANUFACTURER.
- WINDOWS AND GLASS AT SHOWERS, TUBS, STAIRWAYS, GLASS DOORS, WINDOWS ADJACENT TO DOORS, AND ALL WINDOWS 18" OR LESS ABOVE FINISHED FLOOR MUST BE TEMPERED. CONFIRM WITH WINDOW MANUFACTURER.
- ALL INTERIOR AND EXTERIOR GUARD & HAND RAILS MUST MEET LOCAL CODE REQUIREMENTS---CONFIRM WITH LOCAL BUILDING OFFICIALS. MRC 2015 R301.5
- THESE PLANS DO NOT NOR CANNOT FULLY DETAIL AND DEPICT EVERY ASPECT OF THIS BUILDING CONSTRUCTION. BUILDER MUST ADHERE TO ALL PERTINENT BUILDING CODES - MRC 2015.
- UNLESS SPECIFIC COPYRIGHT AGREEMENTS HAVE BEEN PREVIOUSLY DETERMINED AND MUTUALLY AGREED UPON, THESE PLANS AND DESIGNS CONTAINED HEREIN ARE CONSIDERED INTELLECTUAL COPYRIGHTS. UNDER CURRENT FEDERAL LAW THEY ARE PROPERTY OF GREG STAFFORD & ASSOCIATES. TO REPRODUCE AND UTILIZE THESE PLANS WITHOUT CONSENT OF GREG STAFFORD & ASSOCIATES IS ILLEGAL.
- BUILDER TO VERIFY ALL NOTES AND CONDITIONS PRIOR TO CONSTRUCTION.
- ALL CONSTRUCTION SITES ARE REQUIRED TO BE MAINTAINED IN A SAFE CONDITION AND TO BE PROTECTED FROM UNAUTHORIZED ENTRY. ALL EXCAVATIONS EXCEEDING 24 INCHES IN DEPTH, SUCH AS FOR BASEMENTS, CRAWL SPACES, POOLS AND SPAS MUST BE SECURED THROUGH THE USE OF A 4' HIGH FENCE. CONSTRUCTION TYPE FENCING WILL BE ALLOWED FOR A PERIOD NOT TO EXCEED 50 DAYS. AT SUCH TIMES, SHOULD THE PERMITTED WORK STILL PHYSICALLY BE UNABLE TO BE PROTECTED AND SECURED, A CHAIN LINK FENCE IS REQUIRED TO BE INSTALLED AND MUST REMAIN IN PLACE UNTIL ITS REMOVAL HAS BEEN AUTHORIZED BY THE BUILDING OFFICIAL. ALL AS PER MRC 2015 R104.1 AND MRC 2015 CHAPTER 55.
- ALL SHOWN DETAILS AND CONSTRUCTION NOTES MAY VARY DEPENDING UPON SPECIFIC CONDITIONS AND APPLICATIONS. ALSO, BUILDERS AND LOCAL BUILDING INSPECTORS MAY REQUIRE ADDITIONAL OR ALTER DETAILS AND NOTES AS PER LOCAL RESIDENTIAL BUILDING REQUIREMENTS. THIS DETAIL SHEET INTENDS TO BE IN COMPLIANCE WITH THE YEAR 2015 MICHIGAN RESIDENTIAL BUILDING CODE BOOK. COMPLETE SCOPE OF WORK FOR ALL PHASES OF CONSTRUCTION MUST CONFORM TO MINIMUM OF MICHIGAN RESIDENTIAL CODE 2015.
- 110V INTERCONNECTED SMOKE DETECTORS & CARBON MONOXIDE DETECTORS TO BE INSTALLED AND LOCATED AS PER MRC 2015 R315.3 & R314
- ALL WINDOW & DOORS TO BE IN COMPLIANCE WITH MRC 2015 REQUIREMENTS.

- THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR THE ACCURACY OF FIELD MEASUREMENTS AND CONDITIONS AND SHALL BE RESPONSIBLE FOR THE PROPER ADAPTING OF HIS / HER WORK TO ANY EXISTING WORK OR PREVIOUSLY INSTALLED WORK OF OTHER TRADES. ALL MEASUREMENTS SHALL BE CHECKED AT JOB SITE. BEFORE ANY CHANGES ARE MADE, CONSULT ARCHITECT FOR APPROVAL.
- THE EXECUTION AND CONFORMANCE OF WORK IN ACCORDANCE WITH THESE PLANS, AND ANY DEVIATIONS OR OMISSIONS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR SHALL COMPLY WITH ALL STATE AND CITY LAWS, ORDINANCES, RULES AND REGULATIONS. THE CONTRACTOR SHALL FILE ALL NECESSARY APPLICATIONS AND PAY FOR AND OBTAIN ALL PERMITS AND CERTIFICATES OF APPROVAL PERTAINING TO THE CONSTRUCTION OF THIS BUILDING.
- ALL MATERIALS USED BY CONTRACTOR AND TRADES SHALL COMPLY WITH ALL CODES AND, REGULATIONS, UL RATINGS, AND ORDINANCES.

- THESE PLANS MEET 2015 MICHIGAN UNIFORM ENERGY CODE (MUEC) AND BUILDER TO PROVIDE, AS REQUIRED OR NEEDED - ALL SPECIFICATIONS OF INSULATING MATERIALS, MECHANICAL SYSTEM DESIGN CRITERIA, ETC. ALL AS PER MUEC 2015 R103.2
- THE COMPLIANCE PATH CHOSEN FOR MUEC 2015 WILL BE PRESCRIPTIVE PATH# APPROACH AND THIS HOUSE MEETS THIS CRITERIA.
- IF BUILDING DEPARTMENT REQUESTS, A HEAT PLAN WILL BE PROVIDED AS PER AGREEMENT BETWEEN GREG STAFFORD & ASSOCIATES AND BUILDER OR OWNERS.

MIN. INSULATION & PENETRATION REQUIREMENTS BY COMPONENT BY CLIMATE ZONE 5A				
FENESTRATION U-FACTOR	SKYLIGHT U-FACTOR	CEILING R-VALUE	WD. FRAME WALL R-VALUE	MASS WALL R-VALUE
0.35	0.60	38	20 OR 15 + 5	15/17
FLOOR R-VALUE	BASEMENT B WALL R-VALUE	SLAB, WALL R-VALUE & DEPTH	CRAWL SPACE WALL R-VALUE	
30 D	10/13	10 AT 2 FT.	10/15	

- THESE PLANS DO NOT SHOW EVERY DETAIL OF ELECTRICAL CONSTRUCTION. THE ELECTRICAL CONTRACTOR (E.C.) IS EXPECTED TO THOROUGHLY REVIEW THE PLANS AND REQUIREMENTS OF THE SYSTEM AND PROVIDE ALL ITEMS NECESSARY FOR A COMPLETE AND OPERATIONAL ELECTRICAL SYSTEM IN CONFORMANCE WITH THE PLANS. LOCATIONS AND SIZE OF LOADS ARE TO BE CHECKED BY THE LOCAL ELECTRICAL INSPECTOR AND MAKE ADJUSTMENTS ACCORDINGLY.
- CIRCUITS AND LIGHTING FIXTURES ARE SHOWN ON THE PLANS TO DETERMINE LOAD DATA, CIRCUIT, FEEDER, PANEL AND SERVICE SIZES. THE E.C. SHALL PROVIDE CIRCUITS AND CIRCUIT ROUTING TO SUIT JOB CONDITIONS AND FURNISH AND INSTALL LIGHTING FIXTURES AS SHOWN ON THE PLANS OR AS OTHERWISE APPROVED BY THE BUILDER/HOMEOWNER.
 - VERIFY LOCATION OF ALL TELEPHONE, TELEVISION, SMART HOUSE SYSTEMS, AND COMPUTER NETWORK OUTLETS WITH BUILDER/HOMEOWNER.
 - VERIFY LOCATION, IF ANY, OF ADDITIONAL EXTERIOR FLOOD LIGHTING, GROUND # UP LIGHTING, SECURITY SYSTEM, INTERCOM, STEREO SYSTEM, DOOR CHIMES, AND ANY ELECTRICAL WIRING FOR SWIMMING POOL OR SPA WITH BUILDER/HOMEOWNER.
 - ARC FAULT PROTECTION IS REQUIRED ON BRANCH CIRCUITS SERVING SLEEPING ROOMS AS PER CODE REQUIREMENTS. (E3902.1.1)
 - ELECTRICAL HOUSE GROUNDING BONDED WITH STEEL REINFORCING IN CONCRETE BASEMENT WALLS AS PER CODE. (E3608.1.2)

- PRE-FABRICATED WOOD TRUSSES TO BE DESIGNED BY THE MANUFACTURER TO WITHSTAND LIVE AND DEAD LOADS AS REQUIRED BY THE STANDING BUILDING CODE. BRACE ALL TRUSSES BOTH DURING CONSTRUCTION AND PERMANENTLY.
- WOOD TRUSSES SHALL BE DESIGNED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF MICHIGAN AND FABRICATED IN CONFORMANCE WITH THE "QUALITY CONTROL MANUAL" BY TRUSS PLATE INSTITUTE (TPI).
- FOR TRUSS DESIGN, CALCULATIONS ANCHORAGE DETAILS AND FINAL TRUSS PLAN LAYOUT.

SEE CONSTRUCTION SHOP DRAWINGS SUPPLIED BY TRUSS MANUFACTURER.

- IF REQUIRED: DIAGRAMS AND DRAWINGS TO BE PROVIDED BY
BUILDING CONTRACTOR'S H.V.A.C. MECHANICAL CONTRACTOR IF AGREED UPON
WITH OWNERS AND / OR ARCHITECT.
- H.V.A.C. CONTRACTOR SHALL BE RESPONSIBLE TO INSTALL ALL HEATING AND AIR
CONDITIONING SYSTEM COMPONENTS IN ACCORDANCE WITH STATE AND
LOCAL CODES AS WELL AS NATIONAL FIRE PROTECTION ASSOCIATION REGULATIONS.
MANUFACTURER'S INSTRUCTIONS SHALL ALSO BE FOLLOWED.
- ALL WORK MUST BE DONE IN ACCORDANCE WITH THE LATEST
NATIONAL MECHANICAL CODE AND ALL APPLICABLE LOCAL CODES.

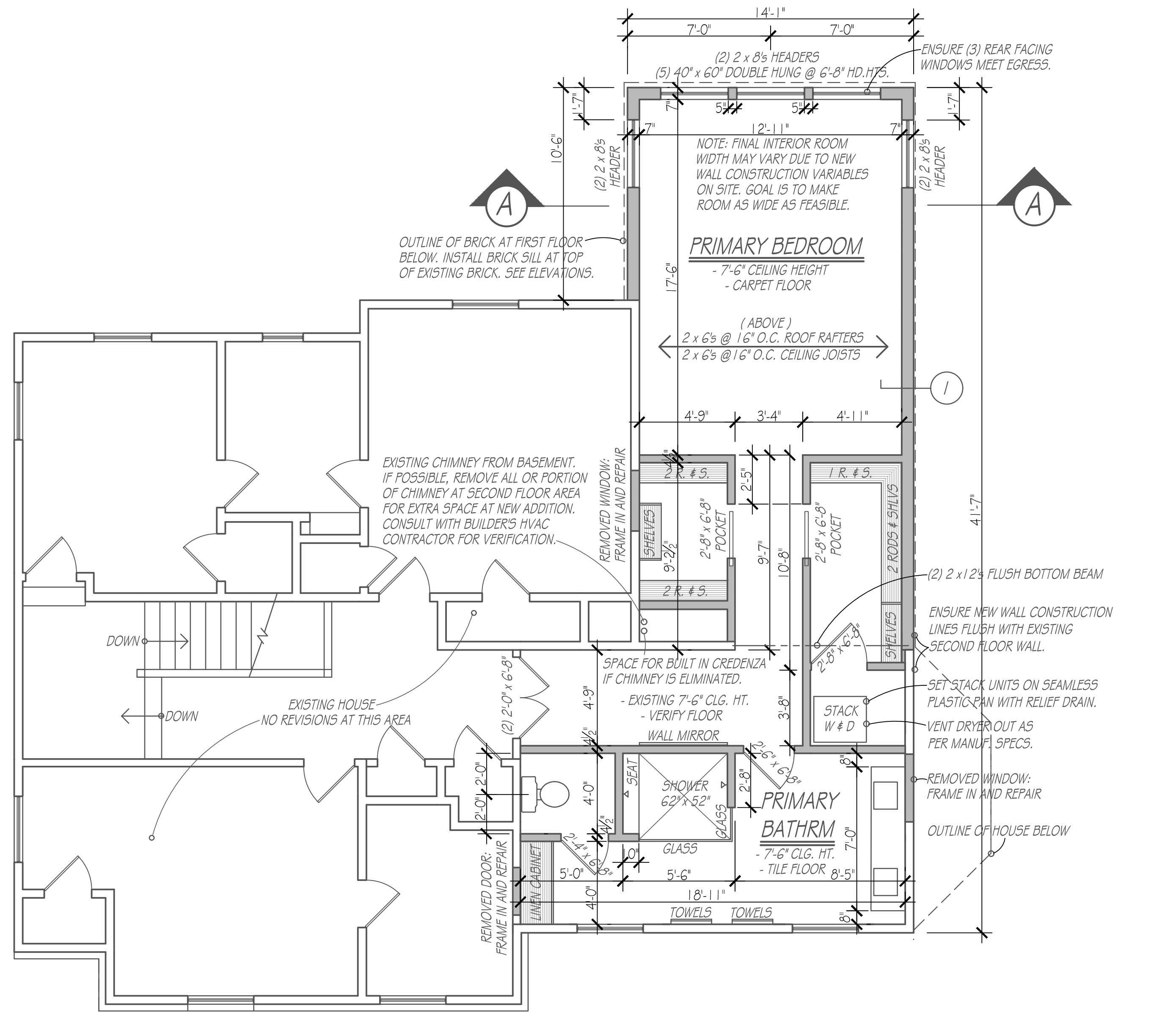
- ALL PLUMBING SHALL BE INSTALLED IN ACCORDANCE WITH THE STANDARD PLUMBING CODE (LATEST EDITION) AND ALL APPLICABLE LOCAL CODES AND ORDINANCES.
- DRAWINGS ARE DIAGRAMMATIC AND THE OMISSION OF ANY ITEM NECESSARY FOR THE PROPER INSTALLATION AND/OR FUNCTIONING OF THE SYSTEM SHALL NOT RELIEVE THE PLUMBING CONTRACTOR FROM PROVIDING SAME.

- DOUBLE FLOOR JOISTS BELOW ALL PARTITIONS ABOVE THAT ARE PARALLEL TO JOISTS SPANS AND INSTALL LADDER FRAMING WHERE NECESSARY.
- ALL HEADERS - IF NOT NOTED OTHERWISE - TO BE MINIMUM (2) 2 x 8's.
- PROVIDE AND ENSURE SOLID / CONTINUOUS BEARING BENEATH ALL POINT LOAD TO FOUNDATION, I.E. - STEEL BEAMS, BASEMENT WALLS, CONC. FTGS, WOOD HEADERS, ETC.
- PROVIDE STEEL LINTELS AND NECESSARY STRUCTURAL SUPPORT FOR SUCH STEEL LINTELS FOR ALL MASONRY FINISH (BRICK, STONE, ETC.) ABOVE DOOR WINDOWS, ROOFS, ETC.
- USE NOTED DIMENSIONS - DO NOT HAND SCALE !
- SEE CODE R602 FOR ALL SPECIFICATIONS FOR FASTENERS, CONNECTORS, NAILING.
- HANGER NAILING AND FASTENER SCHEDULE AS PER MANUFACTURER'S SPECS.
- INSTALL HURRICANE CLIPS THROUGHOUT AS PER MRC 2015, I. I.
- BRACED WALL PANELS WHERE NOTED OR REQUIRED AS PER MRC 2015 R-6

TO REMODEL AND EXPAND PORTION OF THE SECOND FLOOR
TO INCLUDE A NEW PRIMARY SUITE, WALK IN CLOSETS, AND
A NEW ENSUITE BATHROOM.

OWNERS: JEFF & TRACEY CATLIN.

- 2) PRIOR TO CONSTRUCTION, SAFELY DETACH AND / OR CAP ANY AND ALL UTILITY LEADS TO EXISTING STRUCTURE AND REATTACH WHEN PERMITTED.
- 3) INSTALL NEW CONC. TRENCH FOOTINGS AS PER PLAN.
- 4) CONSTRUCT NEW WALL FRAMING AS PER PLAN.
- 5) INSTALL / REVISE NEW ELECTRICAL SYSTEMS AS PER PLAN & BUILDER.
- 6) FINALIZE INTERIOR SPACE WITH MATERIALS AS PER PLAN AND OWNERS SPECIFICATIONS.
- 7) ALL CONSTRUCTION MUST CONFORM TO MINIMUM OF MICHIGAN RESIDENTIAL BUILDING CODE YEAR 2015 AND ALL STATE OF MICHIGAN REGULATORY LICENSING AND PERMITS THAT MAY BE REQUIRED FOR SAID RESIDENTIAL CONSTRUCTION.
- 8) THIS LIST IS NOT EXHAUSTIVE NOR DOES IT INCLUDE EVERY NUANCE OF CONSTRUCTION BUT INSTEAD ENTAILS A GENERAL DESCRIPTION FOR CONSTRUCTION AS A "SCOPE OF WORK" OUTLINE. REFER TO CONSTRUCTION PLANS, BUILDER OF RECORD, LICENSED SUB CONTRACTORS, AND ALL MANUFACTURERS' SPECIFICATIONS FOR FURTHER INFORMATION, DETAIL, AND DIRECTION THAT MAY BE REQUIRED OR NECESSARY.



 SOLID SHADED WALLS INDICATE NEW WALL CONSTRUCTION.
(ALL INTERIOR WALLS TO BE 2 x 4's @ 16" O.C.
EXTERIOR WALLS TO BE 2 x 6's @ 16" O.C.)

S Q U A R E												F O O T A G E			
EXISTING HOUSE												3 1 7 2			
SECOND FLOOR ADDITION												3 7 5			
NEW TOTAL HOUSE												3 5 4 7			

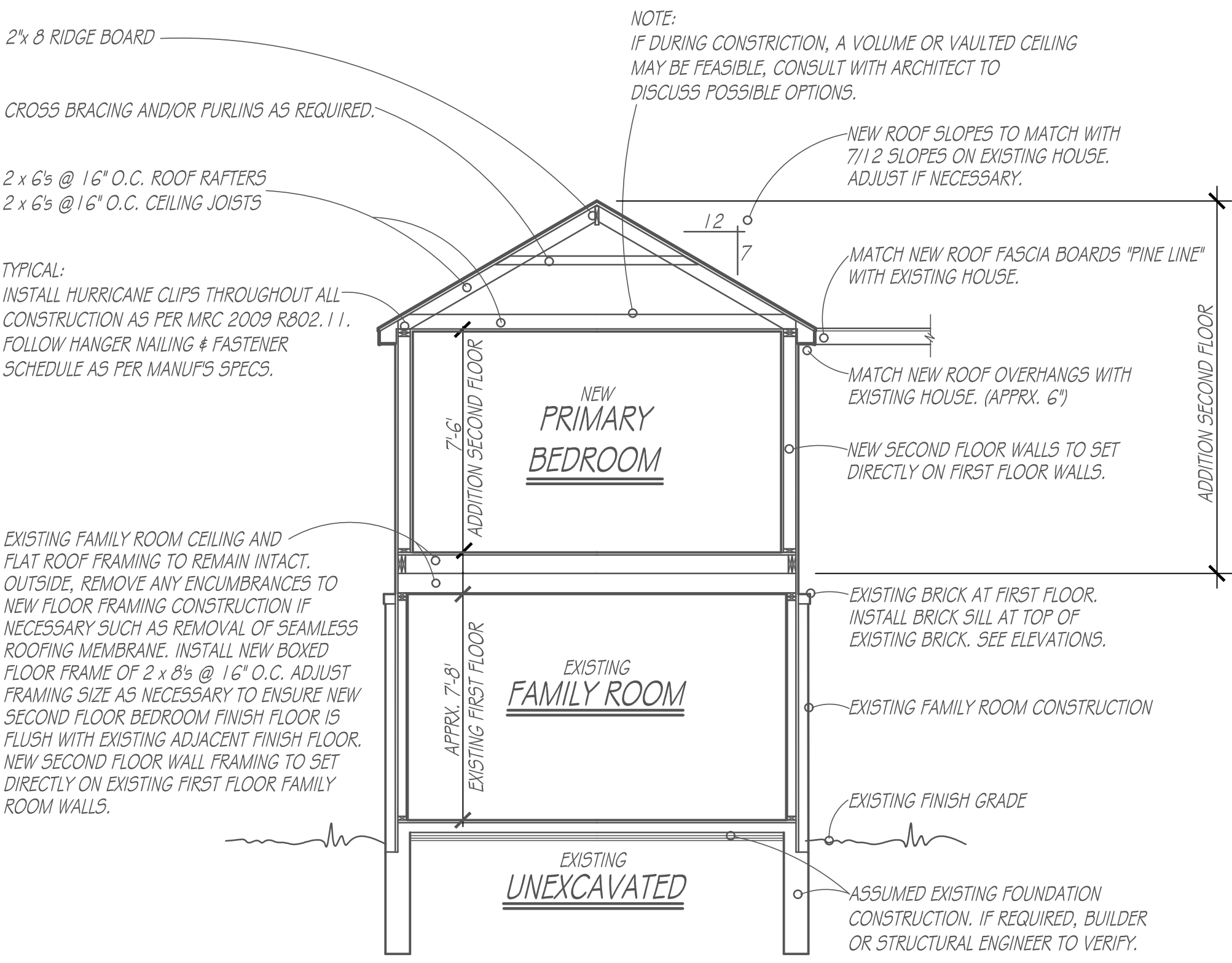
*FOR CONSTRUCTION:
JUNE 28, 2023*

BUILDER:	
G R E G S T A F F O R D	
# A S S O C I A T E S	
BLOOMFIELD HILLS, MICHIGAN	
SCALE: SHOWN	248.318.4811
DATE: 7/20/23	GSA550CIATE9@ATT.NET
DRAWN: G.S.	CHECKED: G.S.
RESIDENCE FOR:	
JEFF & TRACEY CATLIN	
PROJECT:	PROJECT NO.
ADDITION & REMODEL	70220
	of 3



FOR CONSTRUCTION:
JUNE 28, 2023

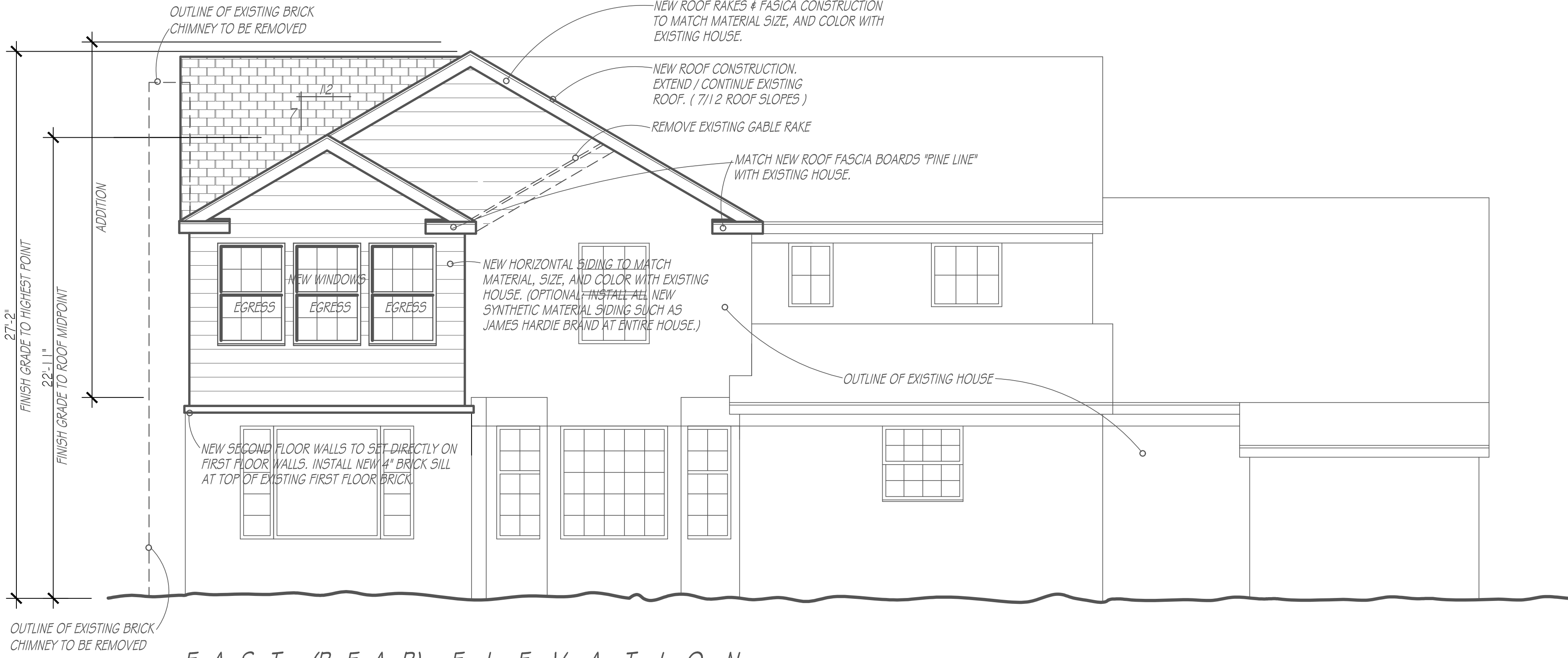
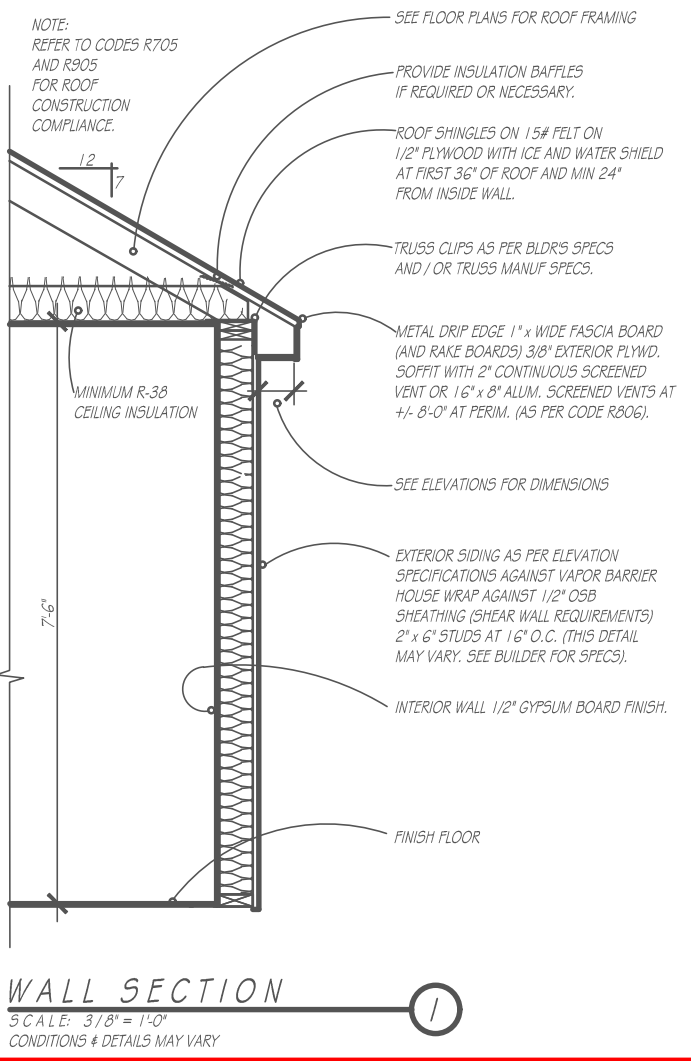




CROSS SECTION A

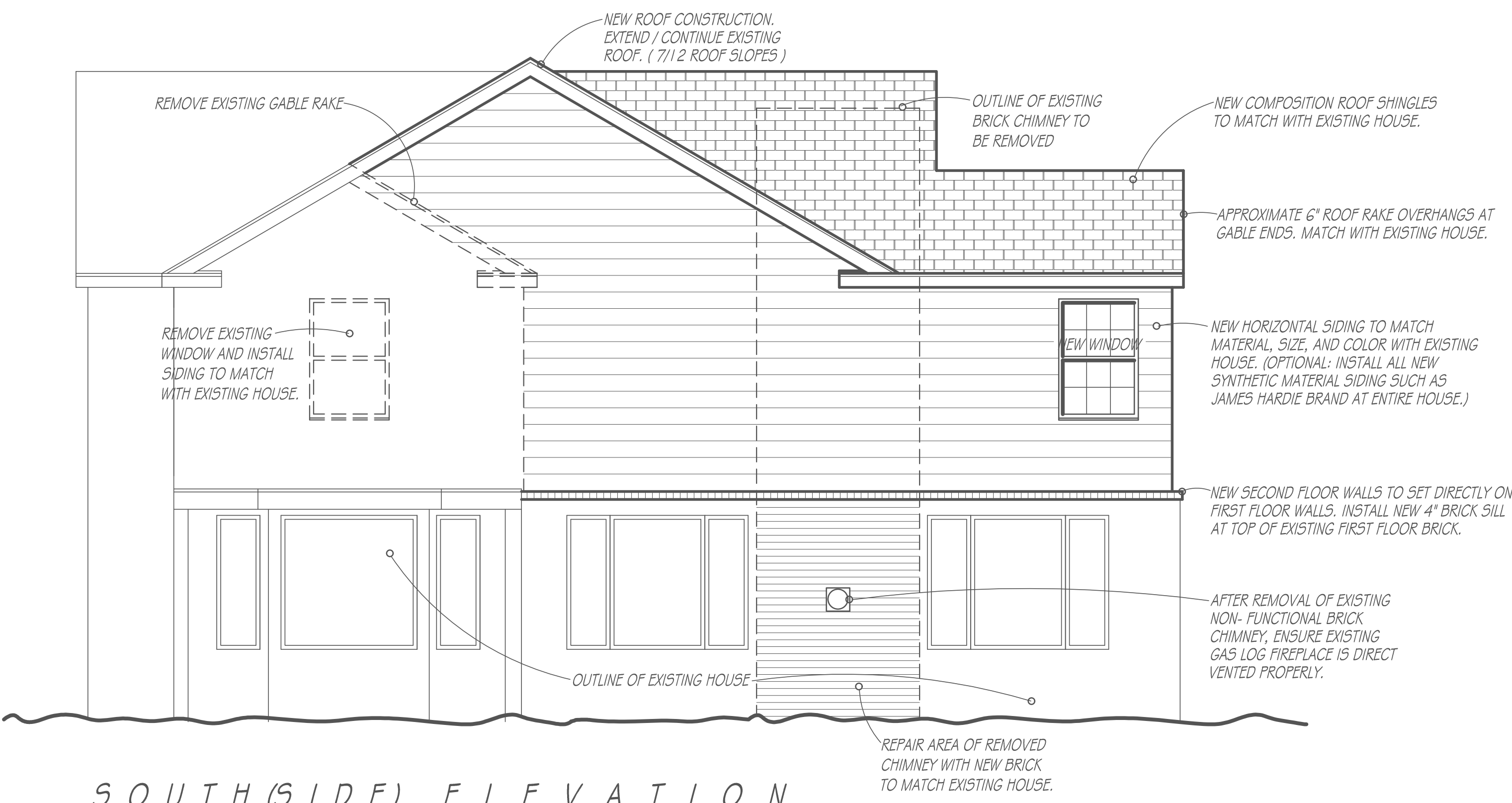
SCALE: 1/4" = 1'-0"

REFER TO GENERAL NOTES FOR ADDITIONAL CONSTRUCTION INFORMATION.



EAST (REAR) ELEVATION

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



SOUTH (SIDE) ELEVATION

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

FOR CONSTRUCTION:
JUNE 28, 2023

G R E G S T A F F O R D											
# A S S O C I A T E S											
248.318.4811 GSA55OCIATES@ATT.NET											
PROJECT NO. 70220						SHEET NO. 3 of 3					

CASE DESCRIPTION

2649 YORKSHIRE (23-24)

Hearing date: August 8, 2023

Appeal No. 23-24: The owner of the property known **2649 Yorkshire**, requests the following variances to construct an addition to the existing home:

A. Chapter 126, Article 4, Section 4.74(C) of the Zoning Ordinance requires that the minimum distance between principal residential buildings on adjacent lots of 14.00 feet or 25% of total lot width, whichever is larger. The required is 18.75 feet on the west side. The proposed is 14.20 feet. Therefore, a variance of 4.55 feet is being requested.

B. Chapter 126, Article 4, Section 4.75(A)(1) of the Zoning Ordinance requires that attached garages must be setback a minimum of 5.00 feet from the portion of the front façade on the first floor of a principal residential building that is furthest setback from the front property line. The proposed is 1.00 feet. Therefore, a variance of 4.00 feet is being requested.

Staff Notes: This applicant is looking to construct an addition to the existing home.

This property is zoned R1 – Single family residential.

Jeff Zielke, NCIDQ, LEED AP
Assistant Building Official

2649 YORKSHIRE MAP



CITY OF BIRMINGHAM
Community Development - Building Department
151 Martin Street, Birmingham, MI 48009
Community Development: 248-530-1850
Fax: 248-530-1290 / www.bhamgov.org

APPLICATION FOR THE BOARD OF ZONING APPEALS

Received Date: 07/10/23

Hearing Date: 08/08/2023

Received By: JZ

Appeal #: 23-24

Type of Variance:	☒ Interpretation	☐ Dimensional	☐ Land Use	☐ Sign	☐ Admin Review
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I. PROPERTY INFORMATION:

Address: 1002 Pilgrim Avenue	Lot Number: 25	Sidwell Number:
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II. OWNER INFORMATION:

Name: Jeffrey Catlin			
Address: 1002 Pilgrim Avenue	City: Birmingham	State: MI	Zip code: 48009
Email: jeffcatlin@comcast.net		Phone: 973 216-3166	

III. PETITIONER INFORMATION:

Name: Jeffrey Catlin		Firm/Company Name:	
Address: 1002 Pilgrim Avenue	City: Birmingham	State: MI	Zip code: 48009
Email: jeffcatlin@comcast.net		Phone: 973 216-3766	

IV. GENERAL INFORMATION:

The Board of Zoning Appeals typically meets the second Tuesday of each month. COMPLETE digital applications along with supporting documents must be submitted on or before the 12th day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted.

Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

Variance Chart Example				
Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

V. REQUIRED INFORMATION CHECKLIST:

- Please provide the following in your electronic submission:**
- ☐ Completed and signed application
 - ☐ Signed letter of practical difficulty and/or hardship
 - ☐ Certified survey
 - ☐ Building plans including existing and proposed floor plans and elevations
 - ☐ If appealing a board decision, provide a copy of the minutes from any previous Planning, HDC, or DRB board meeting

VI. APPLICANT SIGNATURE

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: _____	Date: <u>7/7/2023</u>
Signature of Petitioner:  _____	Date: <u>7/7/2023</u>

CITY OF BIRMINGHAM
BOARD OF ZONING APPEALS
RULES OF PROCEDURE

ARTICLE I - Appeals

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
 2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
 3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
- B. Procedures of the Board of Zoning Appeals (BZA) are as follows:
1. Regular BZA meetings, which are open to the public, shall be held on the second Tuesday of the month at 7:30 P.M. provided there are pending appeals. There will be a maximum of seven appeals heard at the regular meeting which are taken in the order received. If an appeal is received on time after the initial seven appeals have been scheduled, it will be scheduled to the next regular meeting.
 2. All applications for appeal shall be submitted to the Community Development Department on or before the 12th day of the month preceding the next regular meeting. If the 12th falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
 3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
 4. See the application form for specific requirements. If the application is incomplete, the BZA may refuse to hear the appeal. The Building Official or City Planner may require the applicant to provide additional information as is deemed essential to fully advise the Board in reference to the appeal. Refusal or failure to comply shall be grounds for dismissal of the appeal at the discretion of the Board.
 5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.

6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).

C. The order of hearings shall be:

1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
3. Interested parties' comments and view on the appeal.
4. Rebuttal by applicant.
5. The BZA may make a decision on the matter or request additional information.

D. Motions and Voting

1. A motion is made to either grant or deny a petitioner's request
 - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
 - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
 - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.
2. When a motion made is to approve or deny a petitioner's request and if there is a tie vote, then the vote results in no action by the board and the petitioner shall be given an opportunity to have his or her request heard the next regularly scheduled meeting when all the members are present.

3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
4. When there are less than six (6) members present for a meeting, then all petitioners shall be given an opportunity at the beginning of the meeting to elect to have the request heard at the next regularly scheduled meeting.

ARTICLE II - Results of an Appeal

- A. The Board may reverse, affirm, vary or modify any order, requirement, decision or determination as in its opinion should be made, and to that end, shall have all the powers of the officer from whom the appeal has been taken.
- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
- C. Whenever any variation or modification of the Zoning Ordinance is authorized by resolution of the BZA, a Certificate of Survey must be submitted to the Community Development Department with the building permit application. A building permit must be obtained within one year of the approval date.
- D. Failure of the appellant, or his representative, to appear for his appeal hearing will result in the appeal being adjourned to the next regular meeting. If, after notice, the appellant fails to appear for the second time, it will result in an automatic withdrawal of the appeal. The appellant may reapply to the BZA.
- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
- F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and the conditions upon which the resolution was based are maintained.

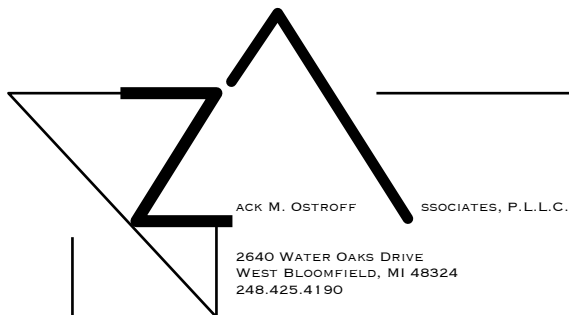
ARTICLE III - Rehearings

- A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.
-

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.

Signature of Applicant



07/14/23

Attn: Board of Zoning Appeals

RE: Letter of Hardship
2649 Yorkshire
Nekhlah Residence

To The Board of Zoning Appeals,

We are proposing two variances:

#1. The front facing garage is not setback 5' from the front face of the house.

The hardship stems from an existing deck at the rear of the property. If we conform to placing the garage 5' back from the front face of the house, then the deck would have to be eliminated.

#2. Distance between the proposed addition and the adjacent property to the west.

The existing house has an attached one-car, front facing garage. We looked at a detached two-car garage, however, the grade drops off in the rear and would be problematic for retaining walls and water drainage. Our proposal includes a two-car attached garage. Our hardship is that the house placement is pre-existing and we are trying to add a minimally sized two-car garage. The homeowners have young children and would like to be able to park both of their cars in the garage in the winter.

Respectfully,

Zack M. Ostroff



PROPERTY DESCRIPTION

PER QUIT CLAIM DEED L.56237, P.236, OCR.

SOUTH HALF OF LOT 90, "EAST MAPLE GARDENS", ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 31 OF PLATS, PAGE 15, OAKLAND COUNTY RECORDS.

IMPORTANT:

ALL PROPOSED HOUSE PLACEMENT, PAVING, GRADING, UTILITIES, ETC. REPRESENT A GOOD-FAITH ATTEMPT TO PROVIDE ADEQUATE DRAINAGE AWAY FROM EXISTING AND PROPOSED DWELLINGS, AND TO PROPOSE BUILDABLE IMPROVEMENTS IN KEEPING WITH TOWNSHIP AND COUNTY STANDARDS. THIS PLAN SHOULD BE CLOSELY REVIEWED BY THE HOMEOWNER, BUILDER, ANY CONTRACTOR PERFORMING WORK BASED ON INFORMATION PROVIDED HEREON, AND ALL RELEVANT AUTHORITIES BEFORE COMMENCEMENT OF CONSTRUCTION ACTIVITIES.

DRAINAGE NOTE:
IN NO WAY SHALL SURFACE RUNOFF BE DIRECTED SO AS TO ADVERSELY IMPACT ADJACENT PROPERTIES WITH A FLOODING CONDITION. THE GRADING PLAN SHOULD CONTINUE AS FAR AS A STORM SEWER OUTLET OR OTHER NATURAL OUTLET POINT OF DISCHARGE TO ASSURE PROPER CONTROL OF SURFACE RUNOFF. SURFACE RUNOFF SHALL BE DIVERTED TO A STORM SEWER OR OTHER APPROVED POINT OF COLLECTION.

GENERAL NOTE:
ALL CONSTRUCTION SITES ARE REQUIRED TO BE MAINTAINED IN A SAFE CONDITION AND TO BE PROTECTED FROM UNAUTHORIZED ENTRY. ALL EXCAVATIONS EXCEEDING 24 INCHES IN DEPTH, SUCH AS FOR BASEMENTS, CRAWL SPACES, POOLS AND SPAS MUST BE SECURED THROUGH THE USE OF A 4' HIGH FENCE. CONSTRUCTION TYPE FENCING WILL BE ALLOWED FOR A PERIOD NOT TO EXCEED 30 DAYS. AT SUCH TIME, SHOULD THE WORK STILL PHYSICALLY BE UNABLE TO BE PROTECTED AND SECURED, A CHAIN LINK FENCE IS REQUIRED TO BE INSTALLED AND MUST REMAIN IN PLACE UNTIL ITS REMOVAL HAS BEEN AUTHORIZED BY THE BUILDING OFFICIAL. 2015 MICHIGAN BUILDING CODE-R104.1 & 2015 MSC CHAPTER 33.

UTILITY NOTE:
FOR ONE-FAMILY RESIDENTIAL DISTRICTS, GROUND MOUNTED MECHANICAL OR ELECTRICAL EQUIPMENT SHALL BE PERMITTED IN ANY REAR YARD WHEN PLACED IMMEDIATELY ADJACENT TO THE RESIDENTIAL BUILDING. SAID EQUIPMENT MAY BE PERMITTED IN ANY SIDE YARD WHEN PLACED IMMEDIATELY ADJACENT TO THE RESIDENTIAL BUILDING. THE EQUIPMENT SHALL NOT BE LOCATED IN THE REQUIRED 16 FT. SIDE YARD SETBACK. SAID EQUIPMENT IN SIDE YARDS SHALL BE SCREENED FROM VIEW BY A SCREEN WALL CONSISTING OF MATERIALS IDENTICAL TO THOSE USED ON THE MAIN BUILDING OR THROUGH THE USE OF EVERGREEN PLANT MATERIAL AT LEAST THE HEIGHT OF THE EQUIPMENT ("SCREEN WALL") AND LOCATED AT THE POINT OF PLACEMENT OF THE EQUIPMENT. SCREEN WALLS, OTHER THAN VEGETATIVE SCREEN WALLS, SHALL NOT BE LOCATED IN THE REQUIRED 16 FT. SIDE YARD SETBACK AS MEASURED FROM THE SIDE LOT LINE. IT IS UNDERSTOOD THAT SEPARATE PERMITS ARE REQUIRED AND TO BE OBTAINED BY OTHERS.

* NO NEW UTILITY LEADS/CONNECTIONS PROPOSED

SOIL EROSION AND SEDIMENTATION CONTROL PLAN NOTES:

- SOIL EROSION AND SEDIMENT CONTROL WORK SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE OAKLAND COUNTY PUBLIC WORKS OFFICE.
- DAILY INSPECTIONS SHALL BE MADE BY THE CONTRACTOR TO DETERMINE EFFECTIVENESS OF EROSION AND SEDIMENTATION CONTROL MEASURES, AND NECESSARY REPAIRS SHALL BE PERFORMED WITHOUT DELAY.
- EROSION AND SEDIMENTATION FROM WORK ON THIS SITE SHALL BE CONTAINED ON THE SITE AND NOT ALLOWED TO COLLECT ON OFF-SITE AREAS OR IN WATERWAYS. WATERWAYS SHALL MEAN BOTH NATURAL AND MAN-MADE OPEN DITCHES, STREAMS, STORM SEWER DRAINS, LAKES, PONDS, AND WETLANDS.
- EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PLACED PRIOR TO OR AS THE FIRST STEP IN CONSTRUCTION. SEDIMENTATION CONTROL MEASURES SHALL BE PROVIDED AS A DEFENSE AGAINST TRANSPORTING OF SILT OFF THE SITE.
- CONTRACTOR SHALL APPLY FOR TEMPORARY EROSION AND SEDIMENTATION CONTROL MEASURES AS REQUIRED AND AS DIRECTED ON THESE PLANS. CONTRACTOR SHALL REMOVE TEMPORARY MEASURES AS SOON AS PERMANENT STABILIZATION OF SLOPES, DITCHES, AND OTHER EARTH CHANGES HAVE BEEN ACCOMPLISHED.
- PERMANENT SOIL EROSION CONTROL MEASURES FOR SLOPE, CHANNELS, DITCHES OR DISTURBED LAND AREAS SHALL BE COMPLETED WITHIN 5 CALENDAR DAYS AFTER FINAL GRADING OF THE FINAL EARTH CHANGES HAVE BEEN COMPLETED. WHEN IT IS NOT POSSIBLE TO PERMANENTLY STABILIZE A DISTURBED AREA-AFTER AN EARTH CHANGE HAS BEEN COMPLETED OR WHEN SIGNIFICANT EARTH CHANGE ACTIVITY CEASES, TEMPORARY SOIL EROSION CONTROL MEASURES SHALL BE MAINTAINED UNTIL PERMANENT SOIL EROSION CONTROL MEASURES ARE IMPLEMENTED. PERMANENT SOIL EROSION CONTROL MEASURES SHALL BE IMPLEMENTED AND ESTABLISHED BEFORE A CERTIFICATE OF COMPLIANCE IS ISSUED.
- MUD/DIRT TRACKED ONTO EXISTING TOWNSHIP/COUNTY ROADS FROM THIS SITE, DUE TO CONSTRUCTION, SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR.
- MUD /DIRT TRACKED OR SPILLED ON PAVED ROADS/SURFACES WITHIN THIS SITE SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR.
- VEGETATION MUST BE ACCEPTABLY ESTABLISHED PRIOR TO FINAL RELEASE OF THE CONSTRUCTION DEPOSIT BY THE CITY AND BY THE OAKLAND COUNTY PUBLIC WORKS OFFICE.
- SOIL BORING REPORTS ARE TO ACCOMPANY THIS APPLICATION FOR SOIL EROSION SEDIMENTATION CONTROL PERMIT. 10.

SEQUENCE OF EROSION AND SEDIMENTATION CONTROL OPERATIONS

- PRIOR TO OR AS THE FIRST STEP IN CONSTRUCTION, A DEFENSE AGAINST EROSION AND SEDIMENTATION SHALL BE INSTALLED AS INDICATED ON 1. DRAWINGS. DEFENSE SHALL CONSIST OF STONE FILTERS OR SILT FENCE AS SHOWN. AFTER TREE REMOVAL ADDITIONAL SILT FENCE SHALL BE INSTALLED IF REQUIRED, AS DIRECTED BY THE OAKLAND COUNTY PUBLIC WORKS OFFICE.
- DURING CONSTRUCTION OF THE STORM SEWER SYSTEM, THE END OF OPEN-END PIPES SHALL BE PROTECTED WITH STORM FILTERS, SILT FENCE OR OTHER APPROVED METHOD.
- PROMPTLY UPON BACKFILLING OF STORM STRUCTURES, INLET FILTERS SHALL BE REPLACED AROUND THE STRUCTURE PER DETAIL.
- WHEN INLET FILTERS ARE REMOVED FROM AROUND PAVEMENT CATCH BASINS TO ALLOW FOR STRIPPING, GRADING AND PAVING, STORM SEWER STRUCTURES SHALL BE PROTECTED FROM ERODING EARTH AND SEDIMENT AT ALL TIMES.
- WITHIN 30 DAYS AFTER COMPLETION OF PAVING, GAS, ELECTRICAL TELEPHONE AND SANITARY SEWER INSTALLATION, A 15 FOOT STRIP AROUND 5. PAVED AREAS SHALL BE PROTECTED FROM EROSION BY AN APPROVED METHOD CONSISTENT WITH THE GROWING SEASON.
- WITHIN 5 DAYS AFTER COMPLETION OF FINAL GRADING, DENUDE AREA SHALL BE PROTECTED BY AN APPROVED METHOD CONSISTENT WITH THE GROWING SEASON. SEED & MULCH FOR PERMANENT CONTROL WITH A MIXTURE OF:
50% PERENNIAL RYE
15% KENTUCKY BLUEGRASS
35% CREEPING RED FESCUE
- EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING SEQUENCE OF CONSTRUCTION:
A. INSTALL SILT FENCE AS SHOWN ON PLANS.
B. STRIP AND STOCKPILE TOPSOIL AND GRADE SITE.
C. INSTALL STORM SEWERS.
D. INSTALL PAVEMENT. REPAIR STORM FILTERS AS REQUIRED.
E. INSTALL PUBLIC UTILITIES (GAS, TELEPHONE, ELECTRICAL).
F. FINISH GRADE, REDISTRIBUTE TOP SOIL, ESTABLISH VEGETATION & LANDSCAPE.
G. CLEAN PAVEMENT, CULVERTS, DITCHES, WATERCOURSES, AND STORM SEWER SYSTEMS OF ACCUMULATED SEDIMENT IN CONSTRUCTION WITH REMOVAL OF TEMPORARY DEVICES.
H. PERMANENT STABILIZATION OF THE SITE IS TO BE ACCOMPLISHED WITHIN (5) DAYS OF FINAL GRADING.

SITE BENCHMARK

STEEL BAR CONTROL PT.
10' S' OF SW LOT CORNER
OF 2649 YORKSHIRE RD.
ELEVATION = 742.52 (CITY DATUM)

CITY BENCHMARK

BENCHMARK #33
ELEV=736.69

ZONING INFORMATION

PROPERTY ZONED R2 (SINGLE FAMILY RES.)

MIN. LOT AREA 6,000 SQ.FT.
(10,506 EXIST.)
LOT COVERAGE 3152 SQ.FT. / 30% (MAX.)
2028 SQ.FT. / 19.3% (EXIST)
722 SQ.FT. (DEMO)
966 SQ.FT. (ADDITION)
2272 SQ.FT. / 21.6% (PROPOSED)
IMPERVIOUS COVERAGE 3127 SQ.FT. / 29.8%

SETBACKS

MIN. REAR 30'
MIN. FRT/RR COMB. 55'
MIN. SIDE (LEAST) 9'
MIN. SIDE (TOTAL) 18.75'
*CALC. 25% OF LOT WIDTH
AT FRONT SETBACK

FRONT SETBACK CALCULATION:

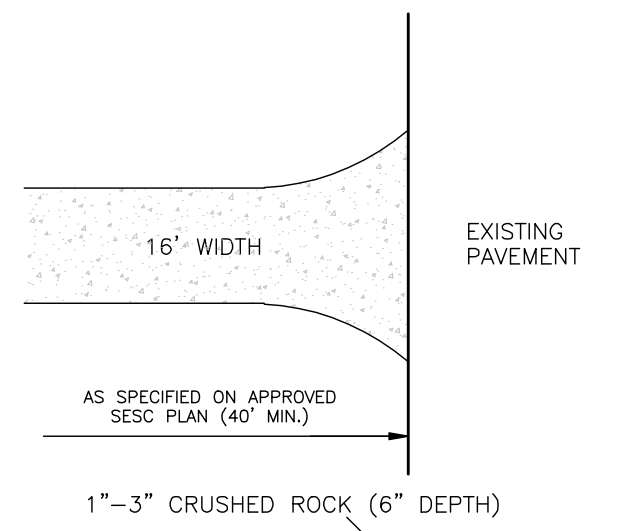
WEST -
#2597 = 39.1
#2613 = 35.0

EAST -
#2695 = 40.3
#2717 = 39.8
#2739 = 39.9

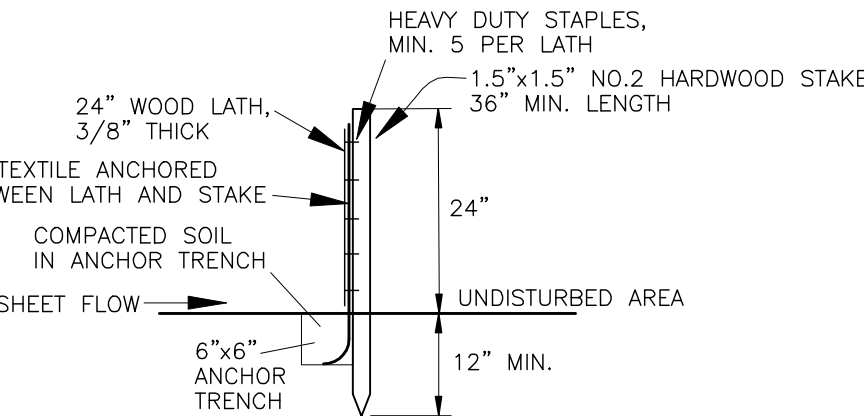
AVERAGE: CLOSEST LIV. SPC. = 38.82'

LINETYPE LEGEND

--- WATERMAIN
--- SANITARY SEWER
--- STORM SEWER
--- GAS MAIN
--- OH ELECTRIC
--- OH CATV/TELCOMM



STABILIZED CONSTRUCTION ACCESS
NO SCALE



SURVEY INFO LEGEND

FSB FOUND STEEL BAR
FIP FOUND IRON PIPE
FIP FOUND IRON PIPE
(R) RECORDED AS (PLAT)
(M) (MEASURED AS (FIELD))
SET SET 1/2"x18" REBAR
W/CAP #50458

UNDERGROUND UTILITY INFORMATION AS SHOWN WAS GATHERED IN PART FROM FIELD OBSERVATION AND IN PART FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND/OR MUNICIPAL RECORDS. NO GUARANTEE IS GIVEN OR IMPLIED AS TO THE ACCURACY AND/OR COMPLETENESS THEREOF.

CALL MISS-DIG (800) 482-7171 OR 811 AT LEAST 72 HOURS BEFORE COMMENCING ANY EXCAVATION

0 2.5 10 20 30
SCALE: 1 INCH = 10 FEET

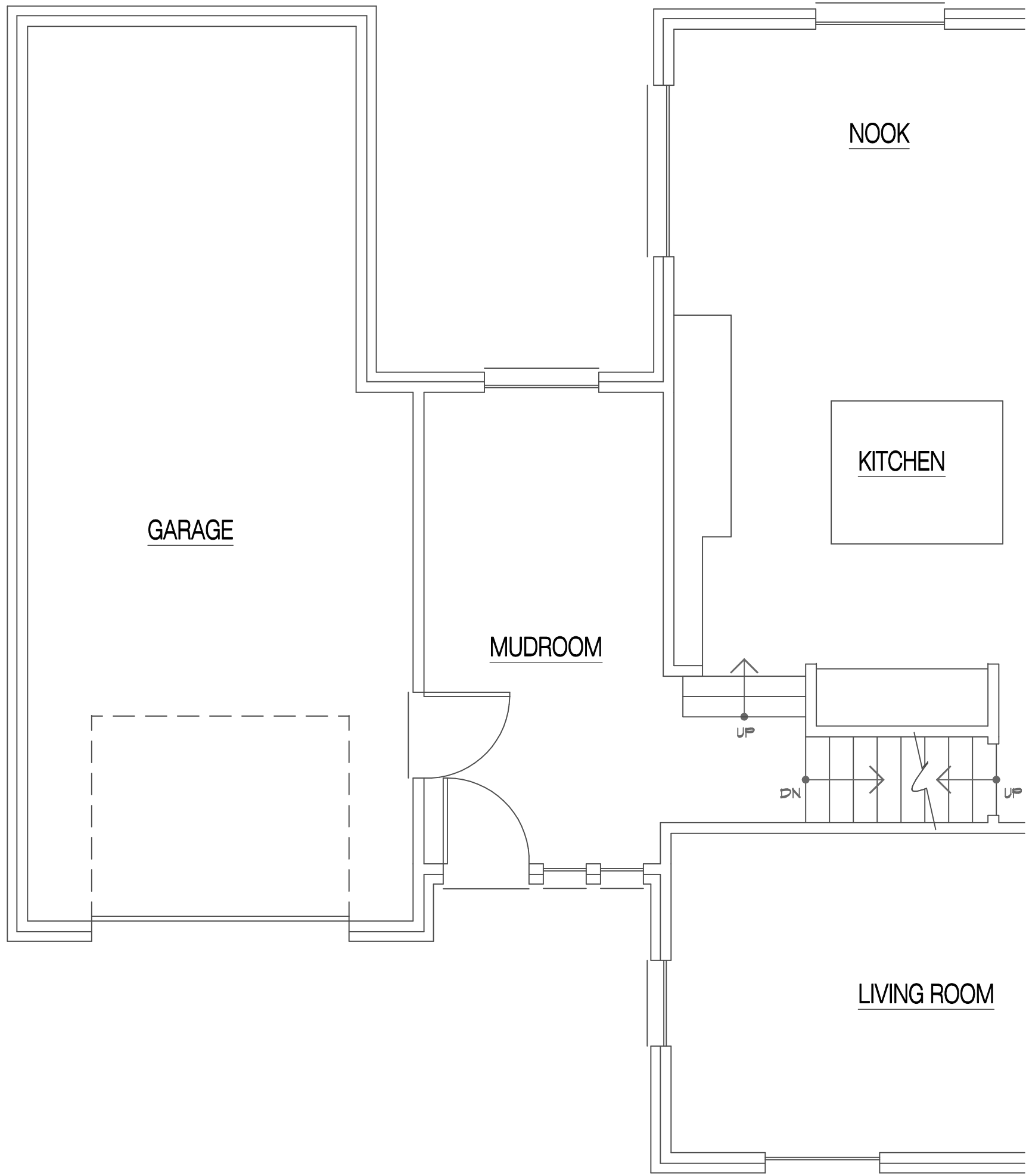
RESIDENTIAL SITE / GRADING PLAN OAKLAND CO. TAX PARCEL 20-30-477-018 2649 YORKSHIRE ROAD BIRMINGHAM, MI	JOB NO. 230402		PREPARED FOR		DW David White Land Surveying, PLLC Boundary · Topographic · Construction · ALTA 44 DENNISON STREET, OXFORD, MICHIGAN 48371 Professional Land Surveyor 734.353.0135 dwsurveying@gmail.com	HORIZONTAL DATUM		REVISIONS	
	DATE 07/06/22		ZACH M. OSTROFF			LOCAL		REV.	
	FIELD DATE 04/2023		ASSOC., PLLC			VERTICAL DATUM		DATE	
	FIELD BK 107					CITY OF BIRMINGHAM			
	SHEET 1 OF 1								
	SCALE 1" = 10'								
	CHECKED KCW								
SHEET 1 OF 1									

WALL LEGEND	
EXISTING WALL	
DEMOLITION WALL	
NEW WALL	
BRICK	
MASONRY BLOCK	

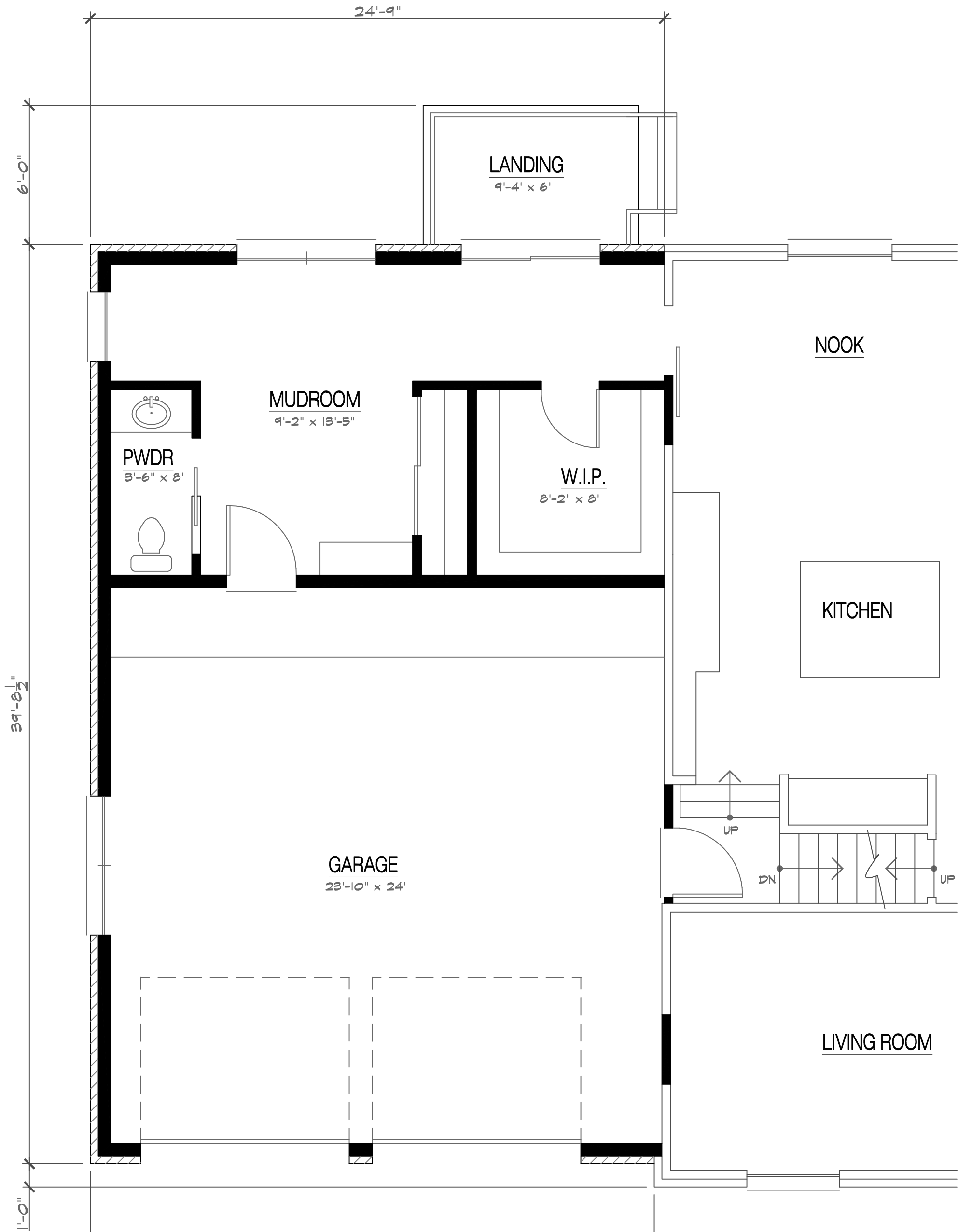
REVIEWED UNDER:
2015 MICHIGAN RESIDENTIAL CODE &
2015 MICHIGAN UNIFORM ENERGY CODE

NOTES:

- 1. SMOKE ALARMS TO CODE: ALL SMOKE ALARMS TO BE ELECTRONICALLY INTERCONNECTED WITH A BATTERY BACKUP
- 2. R315.1 Carbonmonoxide alarms. For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in *dwelling units* within which fuel-fired *appliances* are installed and in dwelling units that have attached garages.
- 3. ELECTRICAL TO CODE



N
EXISTING MAIN
LEVEL FLOOR PLAN
SCALE: 1/4"=1'-0"



N
PROPOSED MAIN
LEVEL FLOOR PLAN
SCALE: 1/4"=1'-0"

REVISIONS		
#	DATE	ADDENDUM/BULLETIN

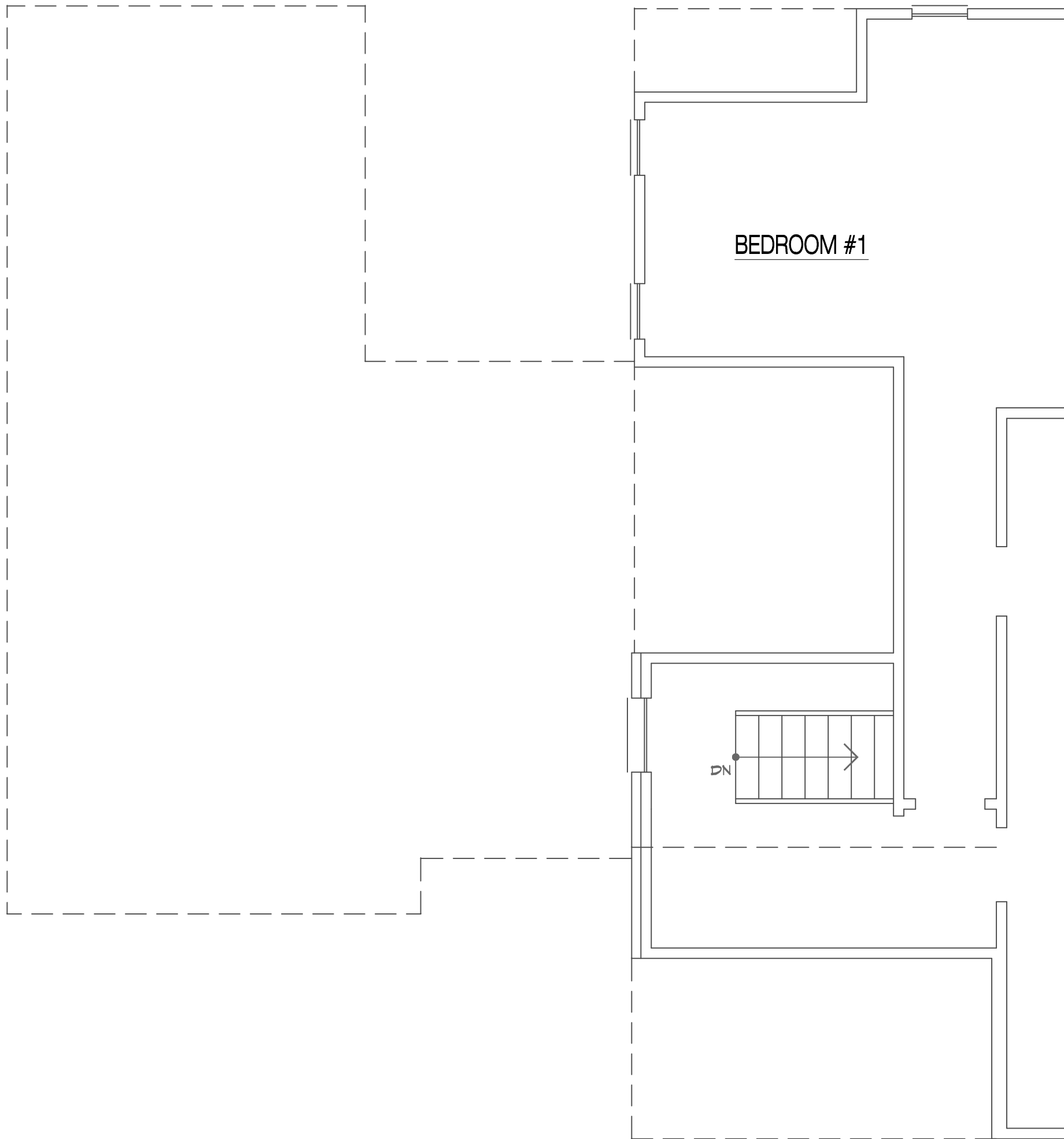
A PROPOSED ADDITION & RENOVATION FOR:
NAKHEH RESIDENCE
2649 YORKSHIRE ROAD
BIRMINGHAM, MICHIGAN 48009

ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL/COMMERCIAL DESIGNER/PLANNER
MEMBER
A I B D
web: www.zoarchitecture.com
email: zack@zoarchitecture.com
PH: 248.425.4190

THIS DRAWING AS AN INSTRUMENT
OF SERVICE IS AND SHALL REMAIN
THE PROPERTY OF THE DESIGNER
AND SHALL NOT BE USED IN ANY
WAY WITHOUT THE PERMISSION OF
THE DESIGNER.
THE CONTRACTOR SHALL VERIFY ALL
DIMENSIONS AND EXISTING CONDITIONS
AT THE SITE BEFORE PROCEEDING
WITH EACH PHASE OF HIS WORK.

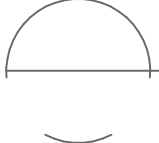
SHEET TITLE MAIN LEVEL FLOOR PLANS	
SHEET SCALE AS NOTED	PROJECT NO. 23-067
DATE 07.05.23	SHEET NUMBER A-1

WALL LEGEND	
EXISTING WALL	
DEMOLITION WALL	
NEW WALL	
BRICK	
MASONRY BLOCK	



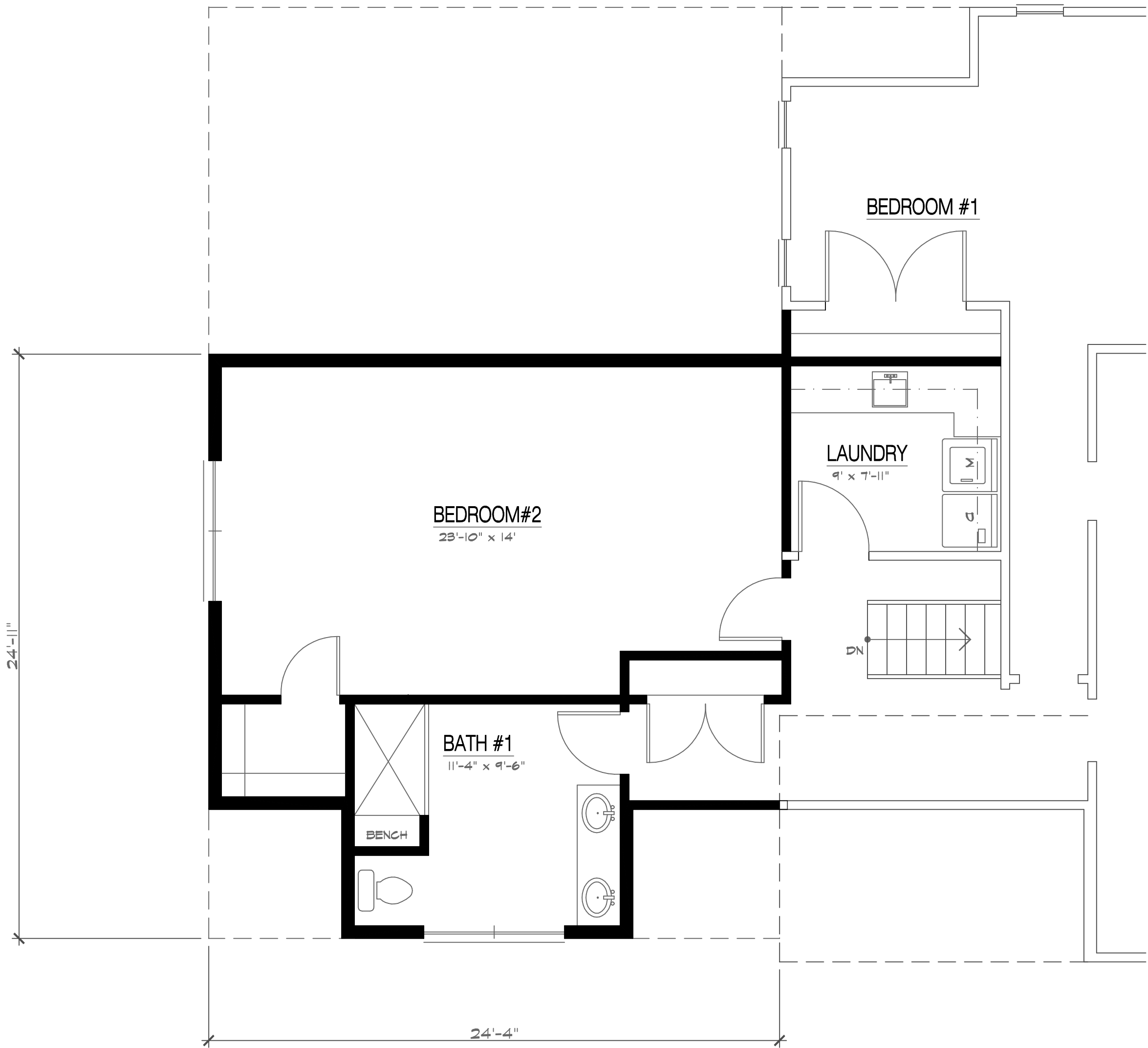
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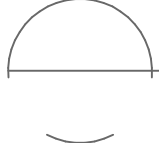
EXISTING UPPER
LEVEL FLOOR PLAN

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



N





PROPOSED UPPER
LEVEL FLOOR PLAN

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

REVISIONS		
#	DATE	ADDENDUM/BULLETIN

A PROPOSED ADDITION & RENOVATION FOR:

NAKHEH RESIDENCE

2649 YORKSHIRE ROAD
BIRMINGHAM, MICHIGAN 48009

ZACK M OSTROFF & ASSOCIATES

RESIDENTIAL/COMMERCIAL DESIGNER/PLANNER

web: www.zoarchitecture.com
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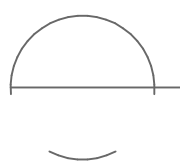
MEMBER
A I B D

THIS DRAWING AS AN INSTRUMENT OF SERVICE IS AND SHALL REMAIN THE PROPERTY OF THE DESIGNER AND SHALL NOT BE USED IN ANY WAY WITHOUT THE PERMISSION OF THE DESIGNER.

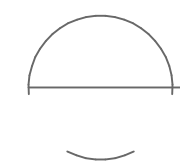
THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF HIS WORK.

SHEET TITLE UPPER LEVEL FLOOR PLANS	
SHEET SCALE AS NOTED	
PROJECT NO. 23-067	
DATE 07.05.23	
SHEET NUMBER A-2	



 **WEST ELEVATION**
SCALE: 1/4"=1'-0"



 **SOUTH (FRONT) ELEVATION**
SCALE: 1/4"=1'-0"

REVISIONS		
#	DATE	ADDENDUM/BULLETIN

A PROPOSED ADDITION & RENOVATION FOR:

NAKHLEH RESIDENCE

2649 YORKSHIRE ROAD
BIRMINGHAM, MICHIGAN 48009

ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL/COMMERCIAL DESIGNER/PLANNER
web: www.zoarchitecture.com
email: zack@zoarchitecture.com
PH: 248.425.4190

MEMBER
A I B D

THIS DRAWING AS AN INSTRUMENT OF SERVICE IS AND SHALL REMAIN THE PROPERTY OF THE DESIGNER AND SHALL NOT BE USED IN ANY WAY WITHOUT THE PERMISSION OF THE DESIGNER.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF HIS WORK.

SHEET TITLE
EXTERIOR ELEVATIONS
SHEET SCALE
AS NOTED
PROJECT NO.
23-067
DATE
07.05.23
SHEET NUMBER
A-3

CASE DESCRIPTION

508 W LINCOLN (23-25)

Hearing date: August 8, 2023

Appeal No. 23-25: The owner of the property known **508 W Lincoln**, requests the following variance to construct an in-ground pool:

A. Chapter 126, Article 4, Section 4.03(D) of the Zoning Ordinance requires that a swimming pool shall not be closer than 10.00 feet to the principal building located on the same lot. The proposed is 8.00 feet. Therefore, a variance of 2.00 feet is being requested.

Staff Notes: This applicant is looking to construct a pool in the rear yard.

This property is zoned R2 – Single family residential.

Jeff Zielke, NCIDQ, LEED AP
Assistant Building Official

508 W LINCOLN MAP



CITY OF BIRMINGHAM
Community Development - Building Department
151 Martin Street, Birmingham, MI 48009
Community Development: 248-530-1850
Fax: 248-530-1290 / www.bhamgov.org

JBZA 23-0025

8/8/23

Hearing Date: _____

Appeal #: PAPL 23-0024

7/12/23
Application Date: 2-18-2023

Received By: JL omp

APPLICATION FOR THE BOARD OF ZONING APPEALS

Type of Variance:	☒ Interpretation	☒ Dimensional	☒ Land Use	☒ Sign	☒ Admin Review
--------------------------	--	---	--	--	--

I. PROPERTY INFORMATION:

Address: 508 W. Lincoln Street	Lot Number: 018-19-36-158-016	Sidwell Number:
---------------------------------------	--------------------------------------	-----------------

II. OWNER INFORMATION:

Name: Robert Kornfeld			
Address: 508 W. Lincoln Street	City: Birmingham	State: MI	Zip code: 48009
Email: * robkornfeld@gmail.com		Phone: 586-839-3648	

III. PETITIONER INFORMATION:

Name: Richard Scheck		Firm/Company Name:	
Address: 1800 Brinston Drive	City: Troy	State: MI	Zip code: 48083
Email: rscheck@thealangroup.com		Phone: 248-505-0206	

IV. GENERAL INFORMATION:

The Board of Zoning Appeals typically meets the second Tuesday of each month. Applications along with supporting documents must be submitted on or before the 12th day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted. Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

Variance Chart Example

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

V. REQUIRED INFORMATION CHECKLIST:

- ☐ One original and nine copies of the signed application
- ☐ One original and nine copies of the signed letter of practical difficulty and/or hardship
- ☐ One original and nine copies of the certified survey full size
- ☐ 10 folded copies of site plan and building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, 10 copies of the minutes from any previous Planning, HDC, or DRB board meeting

VI. APPLICANT SIGNATURE

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

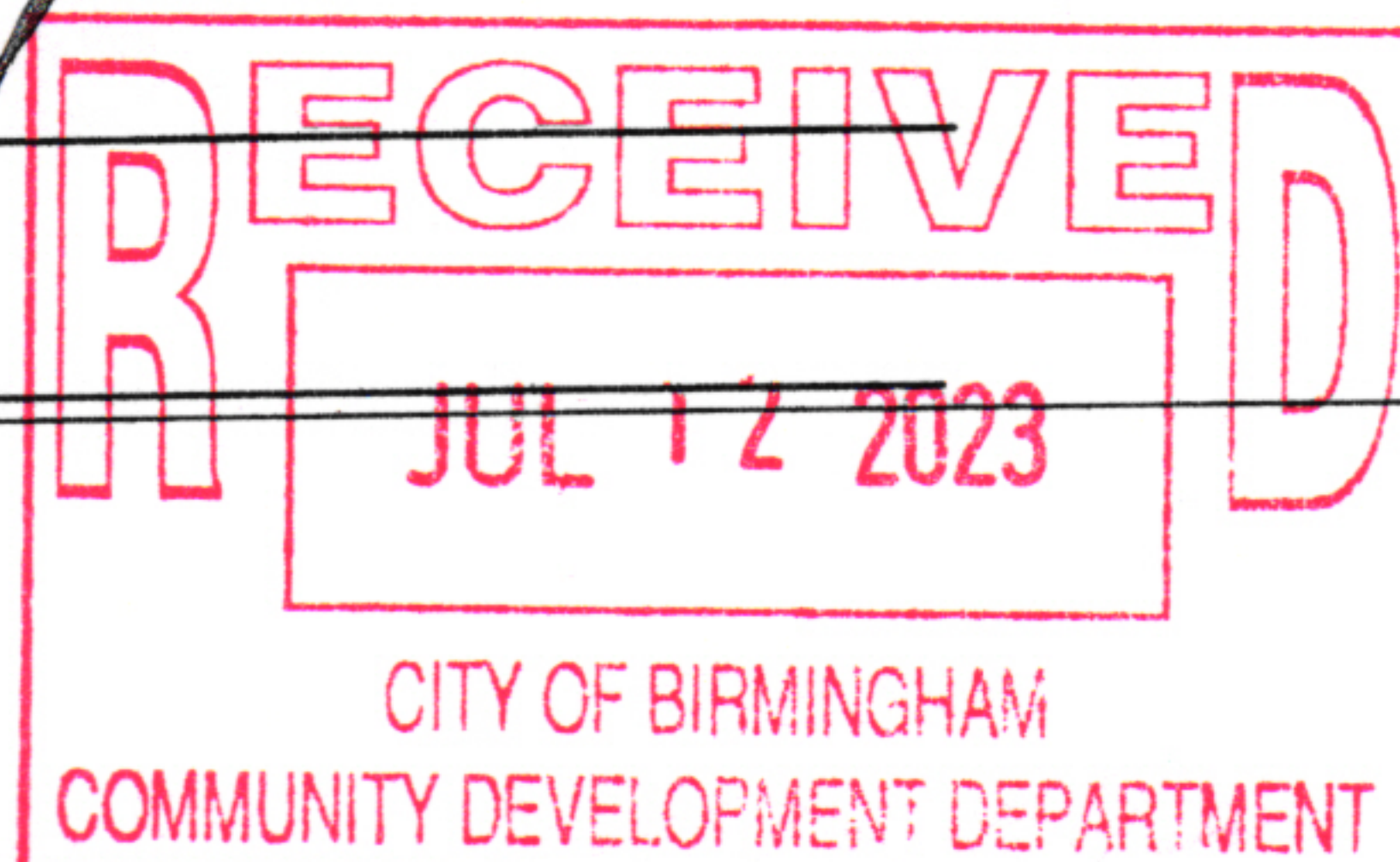
*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: RT E. Kornfeld

Date: 2/18/2023

Signature of Petitioner: [Signature]

Date: 6/24/2023



**CITY OF BIRMINGHAM
BOARD OF ZONING APPEALS
RULES OF PROCEDURE**



ARTICLE I - Appeals

- A. Appeals may be filed under the following conditions:
1. A property owner may appeal for variance, modification or adjustment of the requirements of the Zoning Ordinance.
 2. A property owner may appeal for variance, modification or adjustment of the requirements of the Sign Ordinance.
 3. Any aggrieved party may appeal the decision of the Planning Board and/or the Building Official in accordance with the City of Birmingham Zoning Ordinance, Article Eight, Section 8.01 (D) Appeals. If an appellant requests a review of any determination of the Building Official, a complete statement setting forth the facts and reasons for the disagreement with the Building Official's determination shall include the principal point, or points on the decision, order or section of the ordinance appealed from, on which the appeal is based.
- B. Procedures of the Board of Zoning Appeals (BZA) are as follows:
1. Regular BZA meetings, which are open to the public, shall be held on the second Tuesday of the month at 7:30 P.M. provided there are pending appeals. There will be a maximum of seven appeals heard at the regular meeting which are taken in the order received. If an appeal is received on time after the initial seven appeals have been scheduled, it will be scheduled to the next regular meeting.
 2. All applications for appeal shall be submitted to the Community Development Department on or before the 12th day of the month preceding the next regular meeting. If the 12th falls on a Saturday, Sunday, or legal holiday, the next working day shall be considered the last day of acceptance.
 3. All property owners and occupants within 300 feet of the subject property will be given written notice of a hearing by the City of Birmingham.
 4. See the application form for specific requirements. If the application is incomplete, the BZA may refuse to hear the appeal. The Building Official or City Planner may require the applicant to provide additional information as is deemed essential to fully advise the Board in reference to the appeal. Refusal or failure to comply shall be grounds for dismissal of the appeal at the discretion of the Board.
 5. In variance requests, applicants must provide a statement that clearly sets forth all special conditions that may have contributed to a practical difficulty that is preventing a reasonable use of the property.

6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).

C. The order of hearings shall be:

1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
3. Interested parties' comments and view on the appeal.
4. Rebuttal by applicant.
5. The BZA may make a decision on the matter or request additional information.

D. Motions and Voting

1. A motion is made to either grant or deny a petitioner's request
 - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
 - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
 - c) For a motion to grant or deny an appeal of a decision or order by an administrative official or board, the motion must receive four (4) affirmative votes to be approved.
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-

3. When there are less than seven (7) members of the board present for a meeting, then a petitioner requesting a use variance shall be given an opportunity at the beginning of the meeting to elect to have it heard at the next regularly scheduled meeting.
4. When there are less than six (6) members present for a meeting, then all petitioners shall be given an opportunity at the beginning of the meeting to elect to have the request heard at the next regularly scheduled meeting.

ARTICLE II - Results of an Appeal

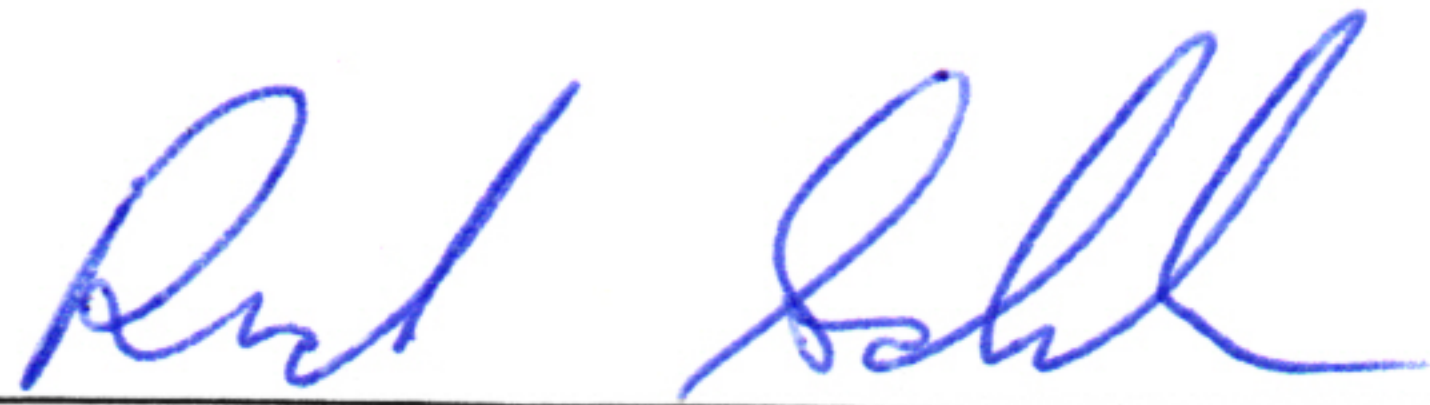
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- B. The decisions of the Board shall not become final until the expiration of five (5) days from the date of entry of such orders or unless the Board shall find that giving the order immediate effect is necessary for the preservation of property and/or personal rights and shall so certify on the record.
- C. Whenever any variation or modification of the Zoning Ordinance is authorized by resolution of the BZA, a Certificate of Survey must be submitted to the Community Development Department with the building permit application. A building permit must be obtained within one year of the approval date.
- D. Failure of the appellant, or his representative, to appear for his appeal hearing will result in the appeal being adjourned to the next regular meeting. If, after notice, the appellant fails to appear for the second time, it will result in an automatic withdrawal of the appeal. The appellant may reapply to the BZA.
- E. Any applicant may, with the consent of the Board, withdraw his application at any time before final action.
- F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and the conditions upon which the resolution was based are maintained.

ARTICLE III - Rehearings

- A. No rehearing of any decision of the Board shall be considered unless new evidence is submitted which could not reasonably have been presented at the previous hearing or unless there has been a material change of facts or law.
-

B. Application or rehearing of a case shall be in writing and subject to the same rules as an original hearing, clearly stating the new evidence to be presented as the basis of an appeal for rehearing.

I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.



Signature of Applicant

Robert Kornfeld
508 W. Lincoln Street
Birmingham, MI 48009

July 5, 2023

Board of Zoning Appeals
Birmingham, MI 48009

Subject: Variance

We respectfully request a variance of 2' for the inground swimming pool that we are planning to have built. The 2' variance is on the North side of the garage and will have no affect on the foundation since the garage is on a slab. The variance requested will make it safer when moving around the exterior of the pool. In addition, it will provide greater ease when moving outdoor furniture while also providing an esthetic landscape design.

Your consideration is greatly appreciated.

Sincerely,



Robert E. Kornfeld
586-839-3648



CASE DESCRIPTION

1115 CHAPIN (23-26)

Hearing date: August 8, 2023

Appeal No. 23-26: The owner of the property known **1115 Chapin**, requests the following variances to construct a new detached garage:

A. Chapter 126, Article 2, Section 2.10.1 of the Zoning Ordinance limits the lot coverage to a maximum of 30% of the lot. The required 30% is 1440.00 SF. The proposed is 32.95% (1581.90 SF). Therefore, a variance of 2.95% (141.90 SF) is being requested.

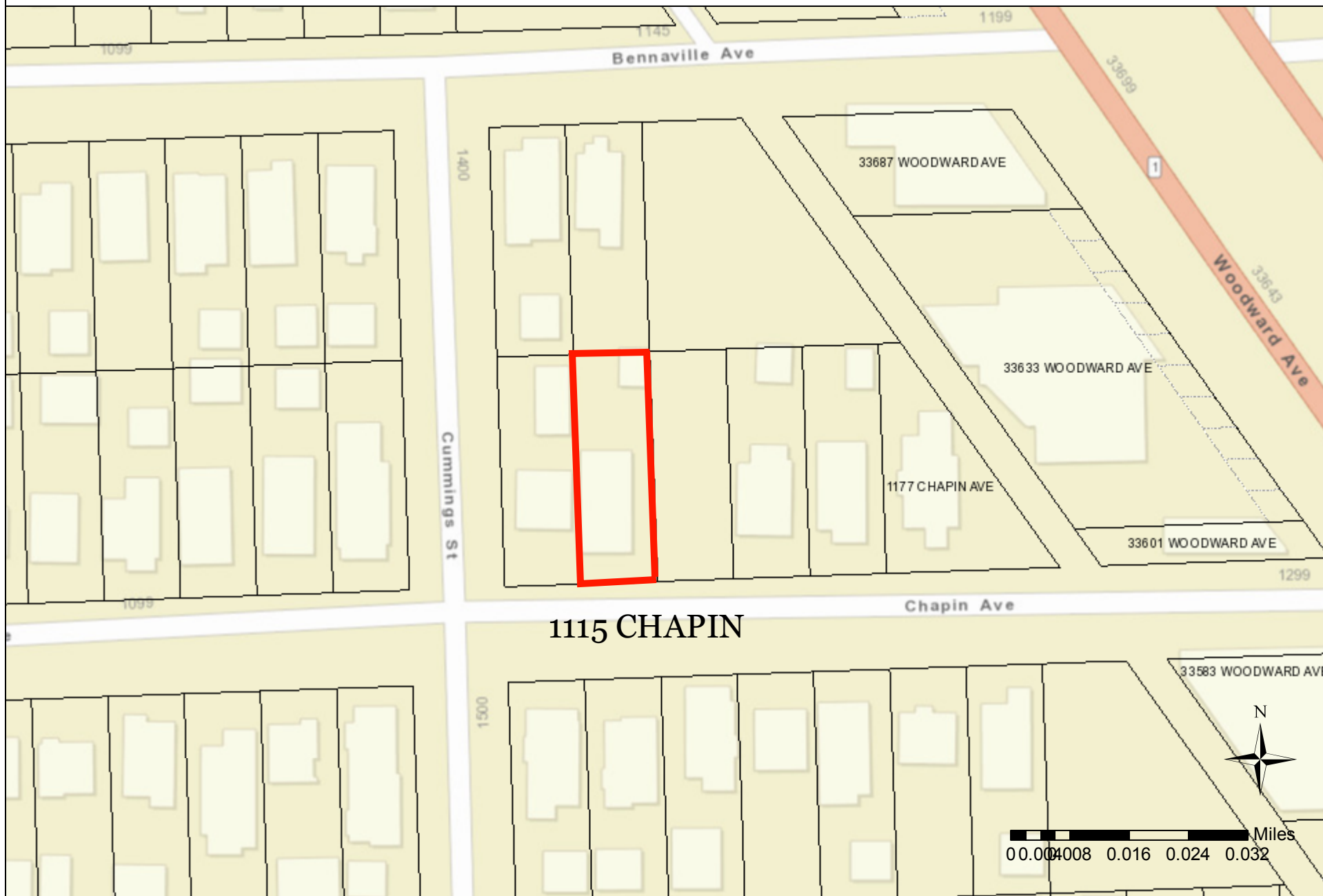
B. Chapter 126, Article 4, Section 4.03(G)(1)(C) of the Zoning Ordinance requires that the minimum building height on an accessory structure in the R3 zoning shall not exceed 14.50 feet to the mid-point. The proposed is 15.25 feet. Therefore, a variance of 0.75 feet is being requested.

Staff Notes: This applicant is proposing to construct a new detached garage.

This property is zoned R3 – Single family residential.

Jeff Zielke, NCIDQ, LEED AP
Assistant Building Official

1115 CHAPIN MAP



CITY OF BIRMINGHAM
Community Development - Building Department
151 Martin Street, Birmingham, MI 48009
Community Development: 248-530-1850
Fax: 248-530-1290 / www.bhamgov.org

APPLICATION FOR THE BOARD OF ZONING APPEALS

Received Date: 7/11/23

Hearing Date: 08/08/23

Received By: SP

Appeal #: 23-26

Type of Variance:	☐ Interpretation	☒ Dimensional	☐ Land Use	☐ Sign	☐ Admin Review
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I. PROPERTY INFORMATION:

Address: 1115 CHAPIN AVE Lot Number: 19-36-431-005 Sidwell Number: 1127

II. OWNER INFORMATION:

Name: FRANK COLASONTI, JR. & JAMES B. RYDER
Address: 1115 CHAPIN AVE City: BIRMINGHAM State: MI Zip code: 48009
Email: JAMES31@AOL.COM Phone: 248-404-7966

III. PETITIONER INFORMATION:

Name: FRANK COLASONTI, JR. Firm/Company Name: JAMES B. RYDER
Address: 1115 CHAPIN AVENUE City: BIRMINGHAM State: MI Zip code: 48009
Email: JAMES31@AOL.COM Phone: 248-404-7966

IV. GENERAL INFORMATION:

The Board of Zoning Appeals typically meets the second Tuesday of each month. COMPLETE digital applications along with supporting documents must be submitted on or before the 12th day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.

To insure complete applications are provided, appellants must schedule a pre-application meeting with the Building Official, Assistant Building Official and/or City Planner for a preliminary discussion of their request and the documents that will be required to be submitted. Staff will explain how all requested variances must be highlighted on the survey, site plan and construction plans. Each variance request must be clearly shown on the survey and plans including a table as shown in the example below. All dimensions to be shown in feet measured to the second decimal point.

The BZA application fee is **\$360.00** for single family residential; **\$560.00** for all others. This amount includes a fee for a public notice sign which must be posted at the property at least 15-days prior to the scheduled hearing date.

Variance Chart Example

Requested Variances	Required	Existing	Proposed	Variance Amount
Variance A, Front Setback	25.00 Feet	23.50 Feet	23.50 Feet	1.50 Feet
Variance B, Height	30.00 Feet	30.25 Feet	30.25 Feet	0.25 Feet

V. REQUIRED INFORMATION CHECKLIST:

Please provide the following in your electronic submission:

- ☐ Completed and signed application
- ☐ Signed letter of practical difficulty and/or hardship
- ☐ Certified survey
- ☐ Building plans including existing and proposed floor plans and elevations
- ☐ If appealing a board decision, provide a copy of the minutes from any previous Planning, HDC, or DRB board meeting

VI. APPLICANT SIGNATURE

Owner hereby authorizes the petitioner designated below to act on behalf of the owner.

By signing this application, I agree to conform to all applicable laws of the City of Birmingham. All information submitted on this application is accurate to the best of my knowledge. Changes to the plans are not allowed without approval from the Building Official or City Planner.

*By providing your email to the City, you agree to receive news and notifications from the City. If you do not wish to receive these messages, you may unsubscribe at any time.

Signature of Owner: [Signature]

Date: 7/11/2023

Signature of Petitioner: [Signature]

Date: 7/11/2023

6. Where the Birmingham Zoning Ordinance requires site plan approval of a project by the City Planning Board before the issuance of a building permit, applicants must obtain preliminary site plan approval by the Planning Board before appeal to the BZA for a variance request. If such appeal is granted by the BZA, the applicant must seek final site plan and design review approval from the Planning Board before applying for a building permit.
7. An aggrieved party may appeal a Planning Board decision. Such appeal must be made within 30 days of the date of the decision. The BZA, in its discretion, may grant additional time in exceptional circumstances.
8. Appeals from a decision of the Building Official shall be made within 30 days of the date of the order, denial of permit, or requirement or determination contested. The BZA, in its discretion, may grant additional time in exceptional circumstances.
9. An appeal stays all proceedings in accordance with Act #110, Public Acts of 2006, Article VI, Section 125.3604 (3).

C. The order of hearings shall be:

1. Presentation of official records of the case by the Building Official or City Planner as presented on the application form.
2. Applicant's presentation of his/her case—the applicant or his/her representative must be present at the appeal hearing.
3. Interested parties' comments and view on the appeal.
4. Rebuttal by applicant.
5. The BZA may make a decision on the matter or request additional information.

D. Motions and Voting

1. A motion is made to either grant or deny a petitioner's request
 - a) For a motion to grant or deny a non-use variance request, the motion must receive four (4) affirmative votes to be approved.
 - b) For a motion to grant or deny a use variance request, the motion must receive five (5) affirmative votes to be approved.
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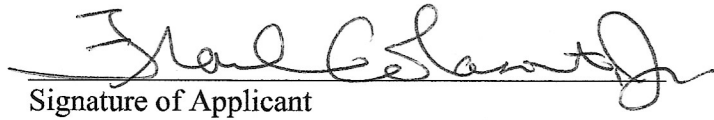
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I certify that I have read and understand the above rules of procedure for the City of Birmingham Board of Zoning Appeals.


Signature of Applicant

Practical Difficulties: **No** Basement. **No** Second Floor or Attic. **No** Garage.

Hardship: **No** garage for two cars. **No** storage space.

7.9.2023

Hello Members of the Birmingham Board of Zoning Appeals:

We are Frank Colasonti, Jr. and James Ryder. I have been a Birmingham homeowner for 40 years, and of those 40 years, my now husband, Jim, has resided here for 35 of them. I have had the good fortune to serve our citizens as a Guidance Counselor with Birmingham Public Schools for over 20 years. I am now retired as is Jim due to a disability.

As a senior and a not-quite a senior, on fixed incomes, our goal is to age-in-place in the community we have lived, loved, enjoyed and supported for these past many years. Our one and only home is at 1115 Chapin Avenue. We are not going anywhere. Birmingham is our final stop.

Our modest one and one-half story bungalow of 1,065 square feet exists without a basement, without a second floor or useable attic and without a detached garage. For two of us, our home has one bathroom, two bedrooms, one large and one guest, and a combined living room, dining room, and kitchen plus a small utility/laundry room. The dining room doubles as our office, and the guest bedroom as a storage unit and the utility room as storage. Our entire home may be considered a storage unit at one time or another.

The proposed design, as presented with requested size and height variances, would replace our 102-year-old one-car, Model-T “garage,” unusable except as a ramshackle shed, with a new two-car garage with storage space above. The design allows for the complete consolation and secure placement on our property of 40 years of accumulated memories and documents from the lifetimes of two people, us, our careers, our personal lives and our LGBTQ+ activism. Also, the design will provide sufficient working space for us to sort and to organize items in a place other than our home.

Currently, our treasures and documents are located off-site in three costly rented storage units. The three rental storage units drain from us a costly, wasted

monthly expense of \$1,053; a \$12,636 yearly expense not including the automatic yearly increase per month. In contrast, our equity loan with its interest is one-half the cost per month, and we will own the garage. Being on fixed incomes, the cost of the rent presents a financial hardship for us. We understand that financial hardship is not a concern of the Board of Zoning Appeals, but we wish to present the unintentional positive impact of approving our request – saving us money for necessary expenses.

Our unassuming bungalow is not the size we expected from our two-year rebuild in 1992. However, at the time, Jim and I needed to make unavoidable difficult decisions due to the theft of our money by an unscrupulous contractor. We had to downsize our plan from a first and second floor total of 1,500 square feet to its current one-floor size of 1,065 square feet from its original 500 square feet.

As you know, with the zoning ordinances prior to 2006, our proposed design would have been approved by the Planning Department without troubling the Board of Zoning Appeals. Unfortunately, it is not the case. And, unfortunately, Jim and I did not foresee the changing trend in Birmingham's housing that would result in changes to our zoning ordinances. The proposed design is to correct our hardship we involuntarily found ourselves in in 1992 and, more so, find ourselves in today.

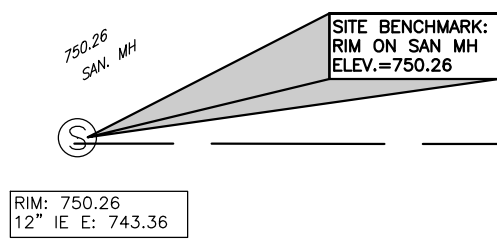
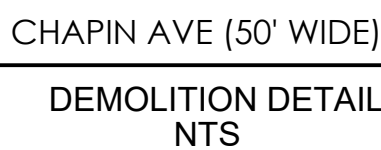
Another hardship that is not the concern of the Board of Zoning Appeals, but bears mentioning is age. Jim and I are both on the downside of life with one of us being closer to the bottom. As a 70-year-old man, the health challenges that accompany growing older humbles me daily. While I have the energy and memory today, I do not know when they may change. To have sufficient, additional space to bring home into one location the possessions and history of our lives together and prior to as well as provide a safe repository for historical LGBTQ+ documents is extremely important. They need to be readily available to us and for others for future requests and challenges.

Jim and I invite you, members of the Birmingham Board of Zoning Appeals and personnel of the Planning Department, to contact us for a personal tour of our home, onto our property and/or to our storage units to assess for yourselves the practical difficulties and the hardship indicated with this letter requesting zoning variances. Please feel free to call: 248-404-7966.

Thank you for considering our request for approval of the needed variances to reverse our extreme lack of storage space hardship. Your approval will help to improve the quality of our lives and to assist us to age-in-place with dignity securely knowing that our two lifetimes of collected treasures are home with us for our remaining years.

Thank you,

Frank Colasonti, Jr and James B. Ryder
Homeowners
1115 Chapin Avenue
Birmingham, MI 48009



CHAPIN AVE
AVERAGE SETBACK FROM R.O.W.= 19.8'

AVERAGE SETBACK DETAIL
NOT TO SCALE

- 1) INSTALL EROSION CONTROL MEASURES PRIOR TO CONSTRUCTION.
- 2) ALL SOIL EROSION MEASURES MUST BE IN PLACE PRIOR TO ANY EARTH MOVEMENT.
- 3) COMPLETE ALL EARTH MOVEMENT.
- 4) RIGHT-OF-WAY MUST BE STABILIZED PRIOR TO FINAL GRADE INSPECTION.
- 5) ALL SWALE AREAS, ALL SLOPES GREATER THAN 1:5 AND 10' AROUND STORM STRUCTURES MUST BE STABILIZED PRIOR TO FINAL GRADE INSPECTION.
- 6) AFTER PERMANENT EARTH STABILIZATION IS COMPLETED, REMOVE EROSION CONTROL MEASURES.



NOTE: PROPOSED HOUSE HAS PROPOSED DROP BRICK LEDGE.

NOTE: THIS TIMING AND SEQUENCE CHART IS TO BE FILLED IN BY THE CLIENT PRIOR TO SUBMITTAL TO THE CITY/TOWNSHIP.

SOIL TYPE PER OAKLAND COUNTY SOIL MAP:
SHEBEON-URBAN LAND COMPLEX



LEGEND

+	=	SECTION CORNER
○	=	FOUND IRON, NAIL
●	=	SET IRON
□	=	RECORDED
○	=	MEASURED
△	=	CALCULATED
EXISTING DESCRIPTION		
U.P. B	=	UTILITY POLE
E.D. B	=	EDGE OF WOODS
B/BM	=	BOTTOM OF BERM
T/BM	=	TOP OF BERM
A/B	=	EDGE OF ASPHALT
C/B	=	EDGE OF CONCRETE
CON	=	CORRODED METAL PIPE INVERT
W/B	=	TOP OF WALL
B. WALL	=	EDGE OF WALL
B. F. WALL	=	BOTTOM OF WALL
E.D. OF WALL	=	EDGE OF WALL
B.C./F.G.	=	BUILDING CORNER/FINISHED GRADE
MARKER	=	MARKER
WATER SHUT OFF	=	WATER SHUT OFF
CL	=	CENTERLINE
S.W. MH	=	SANITARY MANHOLE
C.B.B.	=	CATCH BASIN BEEHIVE
T/C	=	TOP OF CURB
S.W. MH	=	SANITARY MANHOLE
T/B	=	TOP OF BANK
B/B	=	BOTTOM OF BANK
CL	=	CENTERLINE
C.B.S. □	=	CATCH BASIN SQUARE
L.P.	=	LINE POLE
G.W. B	=	GATE VALVE/WELL

PR. 000.00 = PROPOSED GRADE

000.00 = EXISTING GRADE
~~PR. 000.00~~ = PLAN PROPOSED GRADE NO LONGER APPLICABLE

 = C.B. FILTER

 = SILT FENCE
 = DOWNSPOUT



AREA OF LOT = 4,800 SF.
AREA OF HOUSE FOOTPRINT & GARAGE = 1,581 SF.
LOT COVERAGE = 32.95% 30% ALLOWED

Property Description

T2N, R10E, SEC 36 LEINBACH-HUMPHREY'S WOODWARD AVE SUB LOT 1127

CITY BENCHMARK #22: BRASS DISC LOCATED AT THE NW CORNER OF CUMMINGS AND DAVIS, ELEV.: 748.568 (CITY DATUM)
SITE BENCHMARK: RIM ON SANITARY MANHOLE, ELEVATION: 750.26 (CITY DATUM)

ADDRESS: 1115 CHAPIN AVE PID: 19-36-431-005

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REVISIONS



Fenn & Associates, Inc.
 Land Surveying and Civil Engineering
 14933 Commercial Drive, Shelby Township, MI 48315
 Phone: 586-254-9577 Fax: 586-254-9020 www.fennsurveying.com

SCALE: 1" = 10'	FIELD: AC, CS	SHEET SIZE	DRAWN BY:
DATE: 4/17/23	CHECKED: J S R P E	24 x 36	R.PERRI

DATE: 4/17/25 CHECKED: S.S.R., P.E. 24 x 36
TOPO--GARAGE PLAN UPON 1115 CHAPIN AVE
PART OF SECTION 38, T2N, R10E

CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN	
CLIENT: FRANK COLACORTI, JR. & COMPANY	DRAWING NUMBER:

CLIENT: FRANK COLASONTI, JR & JIM RYDER 23-00139.01

CALL MISS DIG

72 HOURS (3 WORKING DAYS –
EXCLUDING SAT., SUN. & HOLIDAYS)

CALL MISS DIG

1-800-493-7171

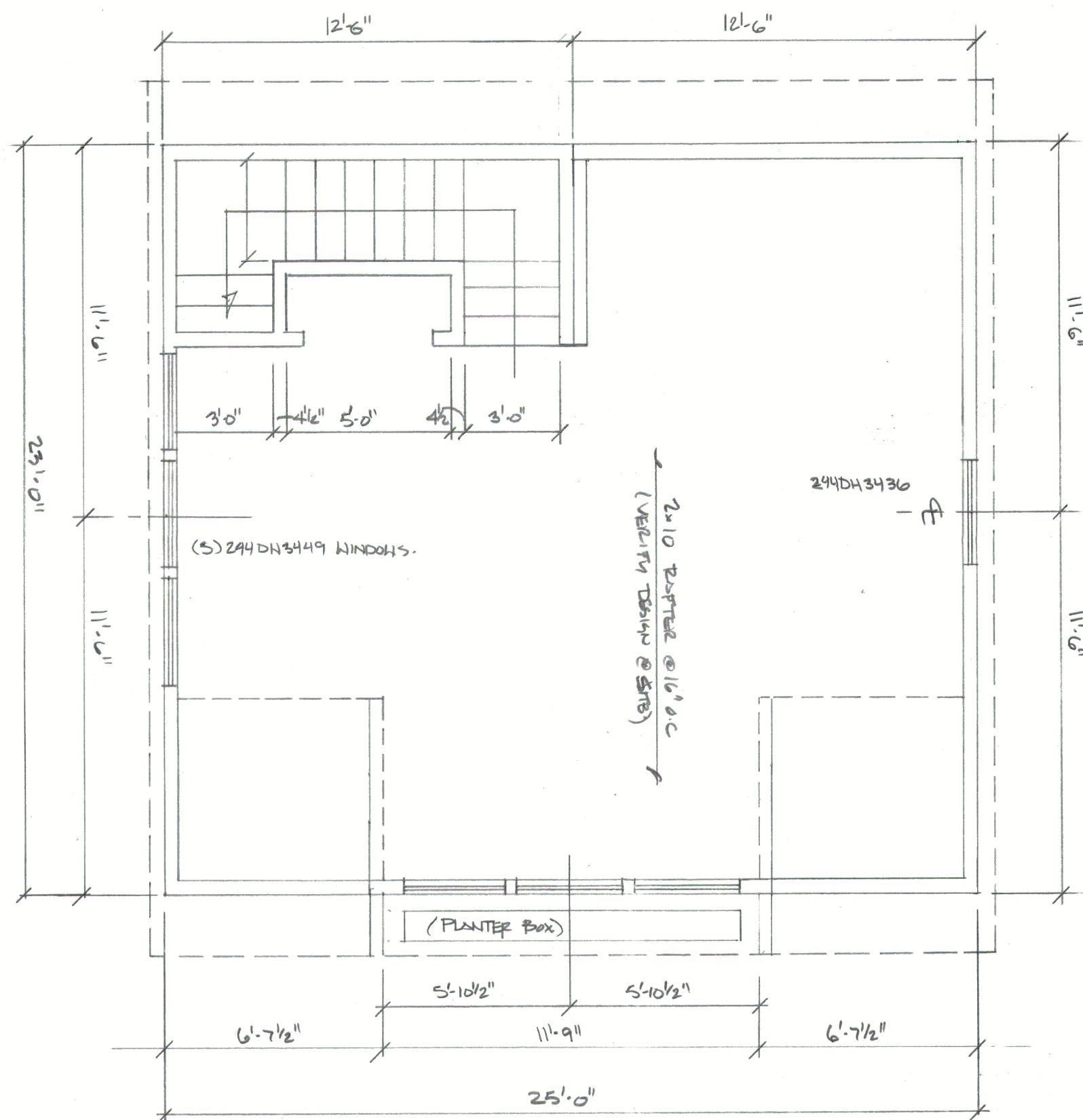
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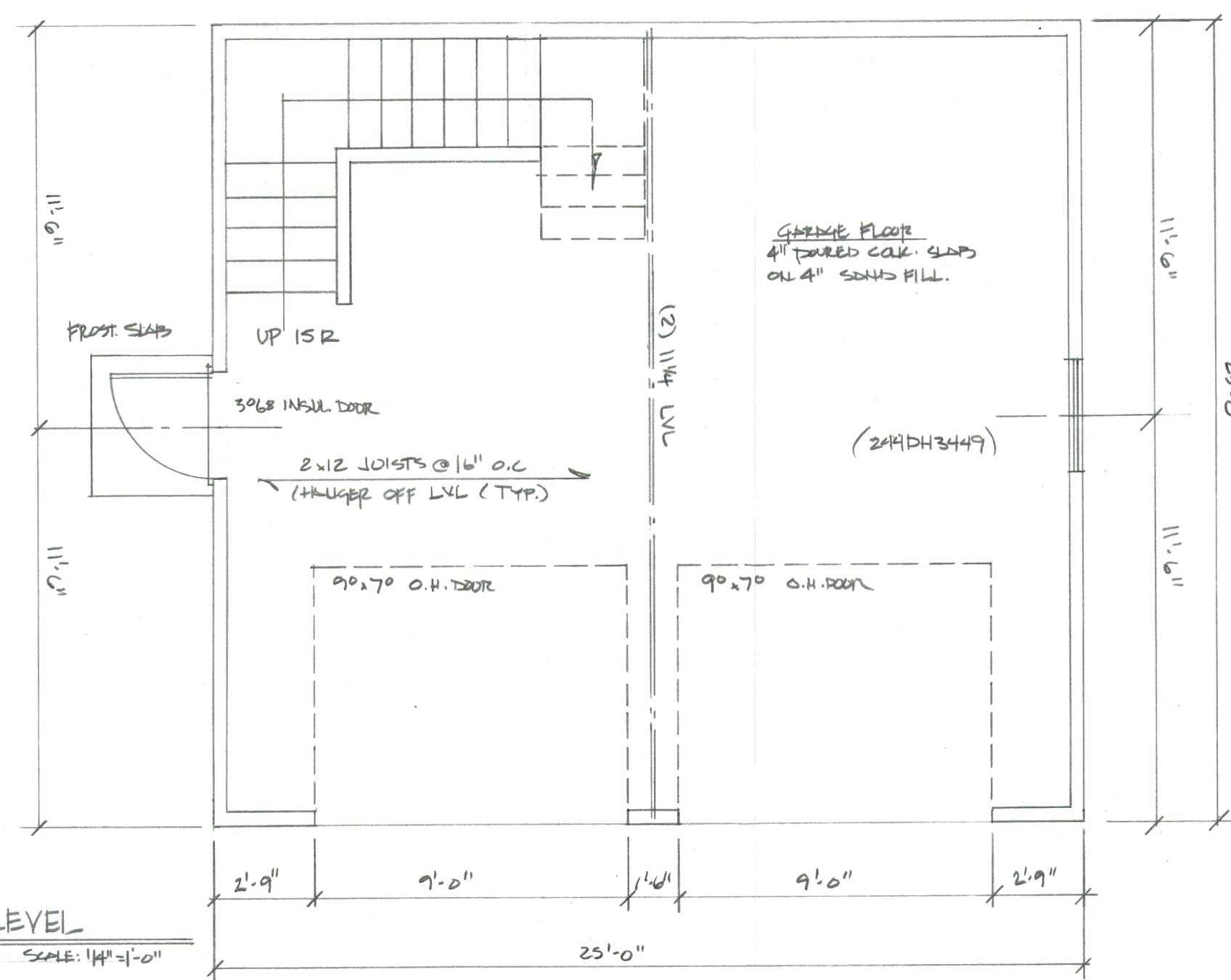
81

(TOLL FREE) FOR THE LOCATION OF
UNDERGROUND FACILITIES

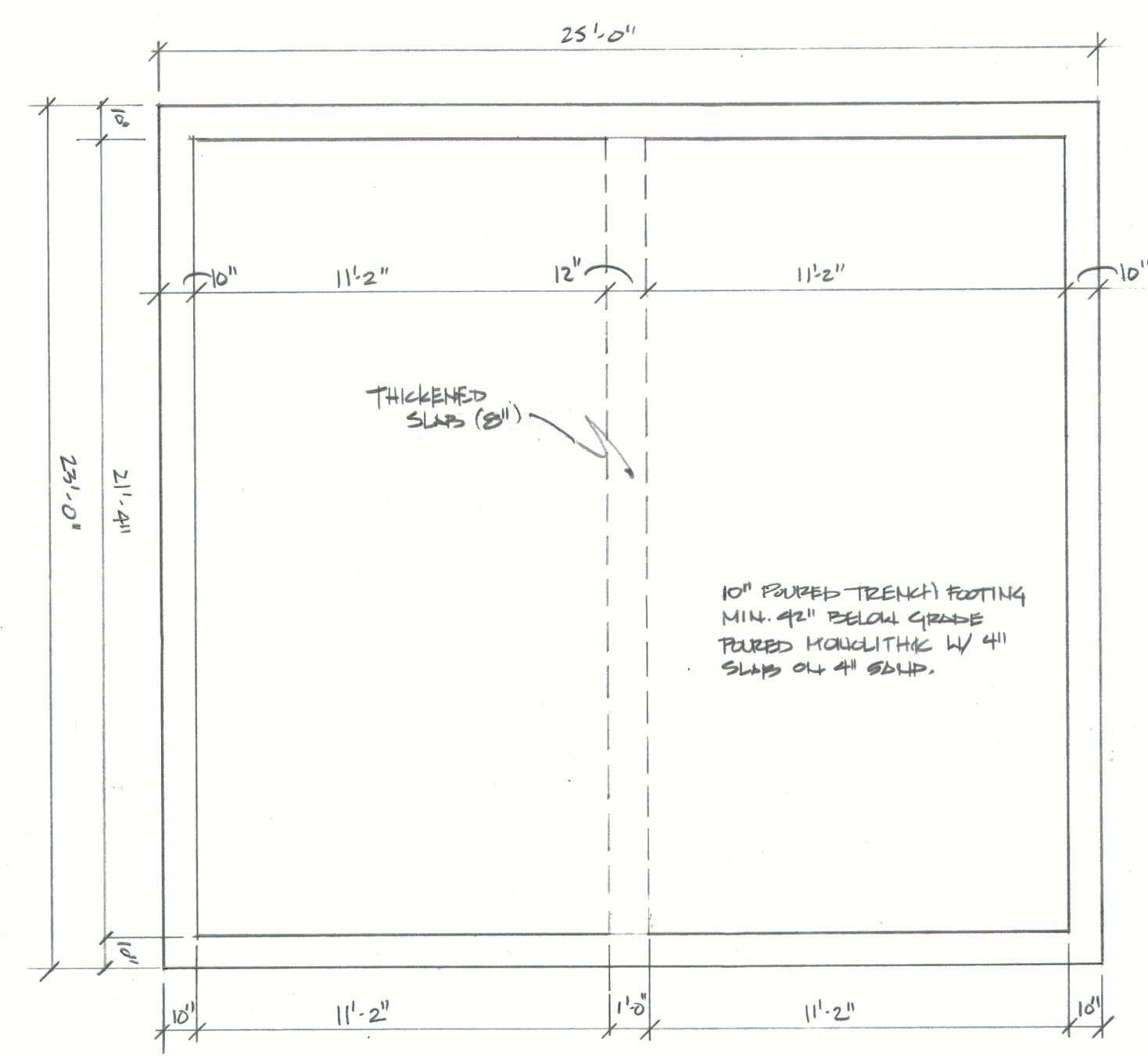




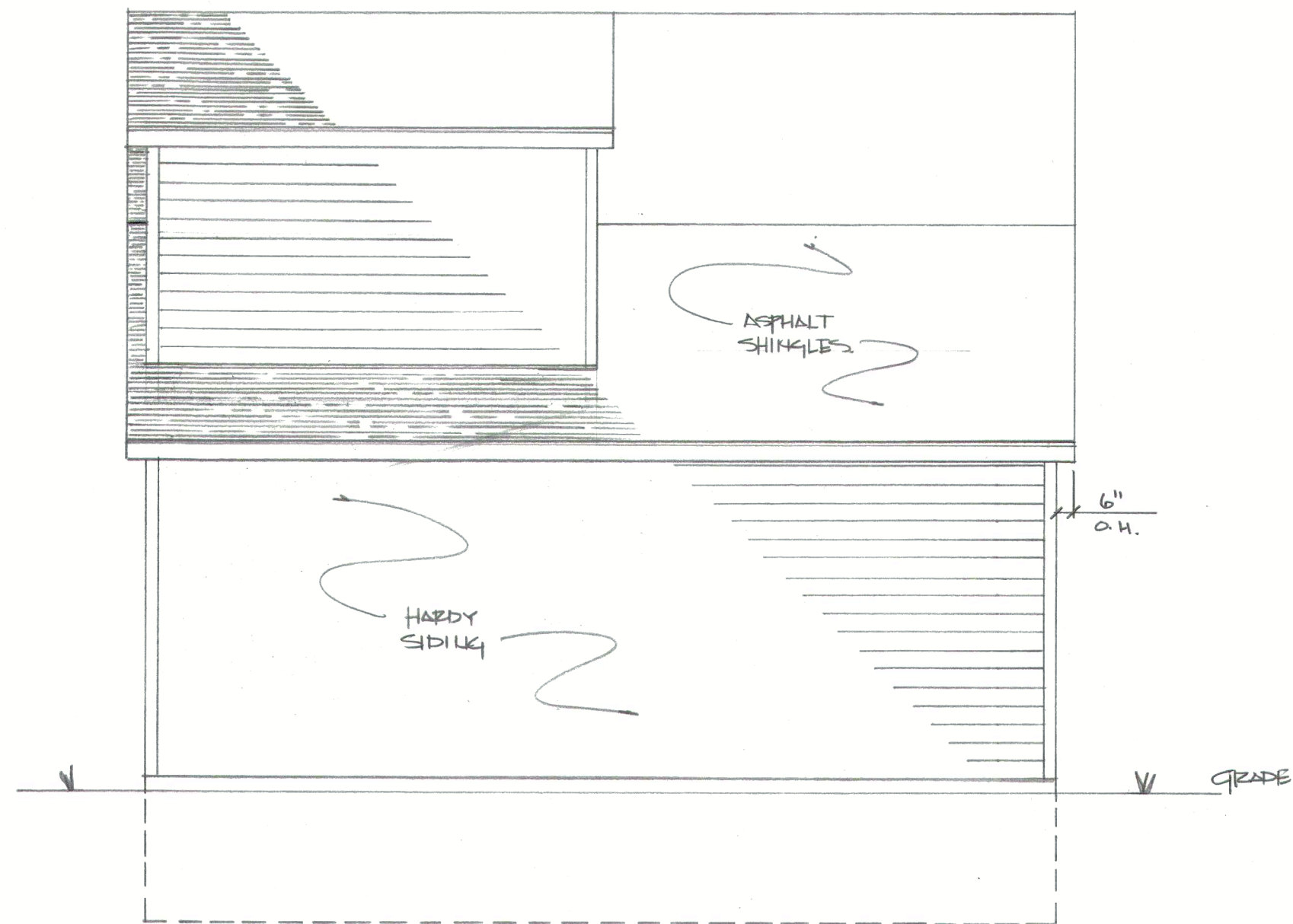
ATTIC LEVEL
SCALE: 1/4" = 1'-0"



GARAGE LEVEL
SCALE: 1/4" = 1'-0"

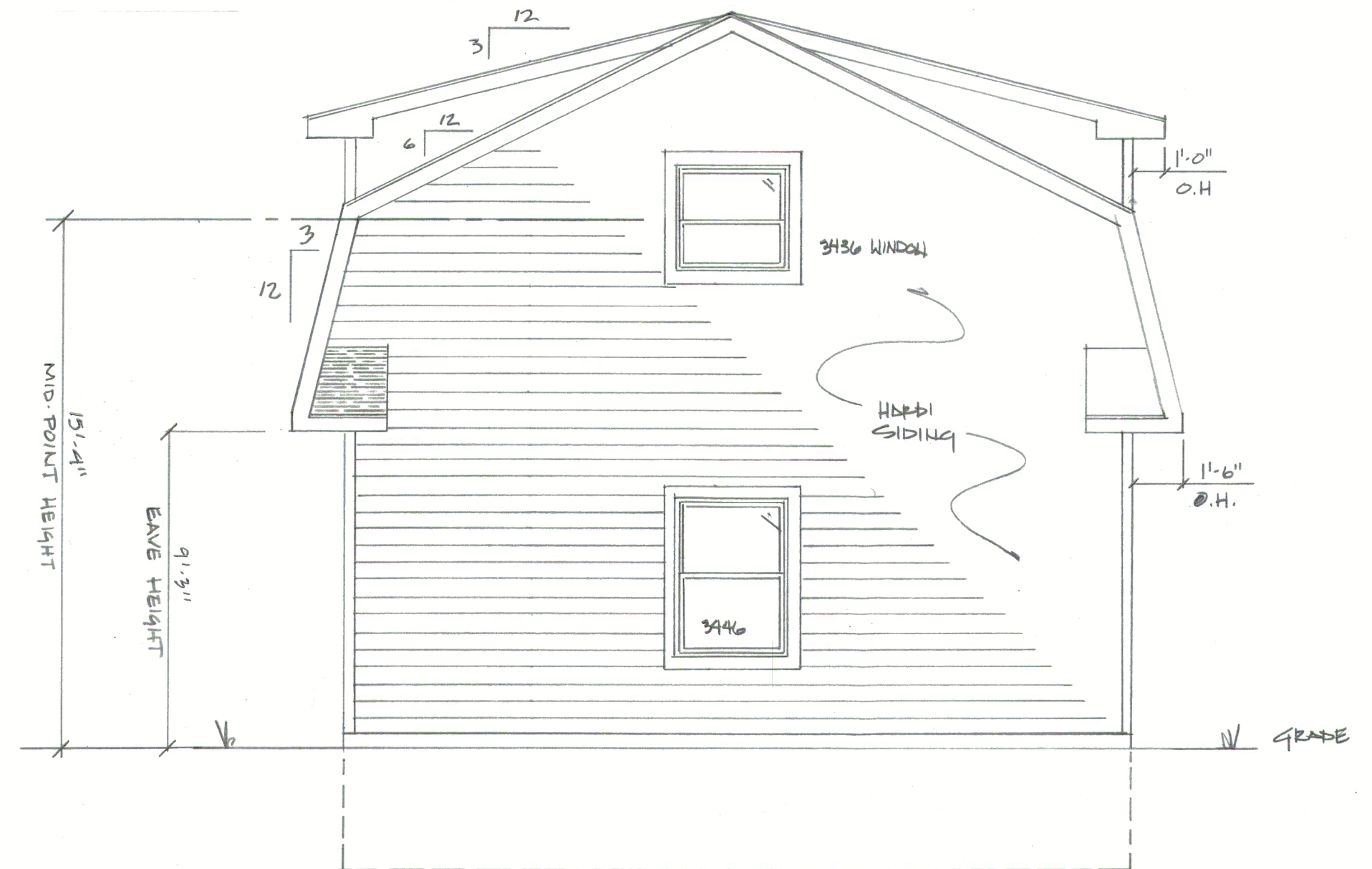


FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



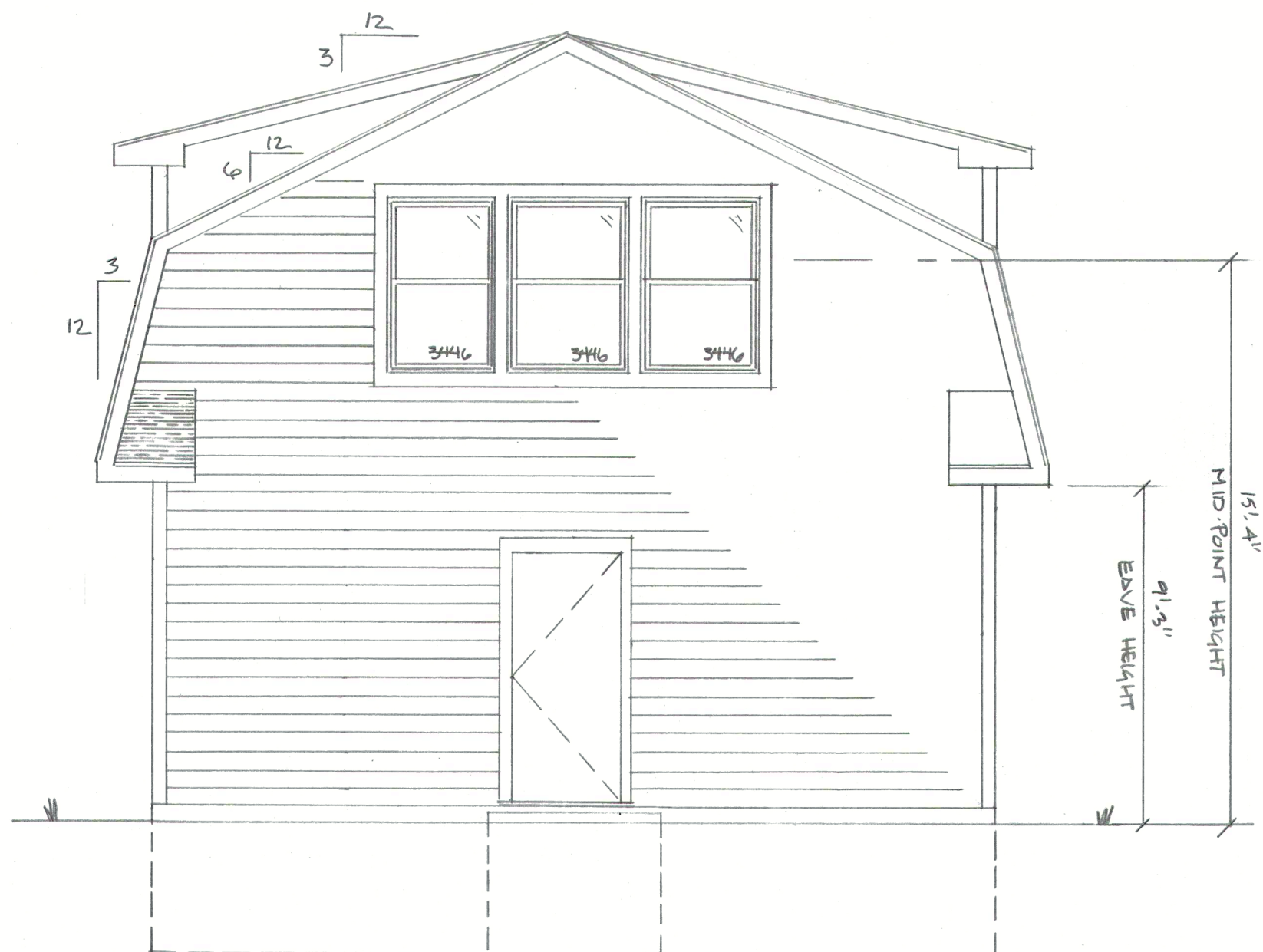
REAR ELEVATION

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



RIGHT SIDE ELEVATION

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



LEFT SIDE ELEVATION

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



FRONT ELEVATION

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

Views from Our Backdoor at 1115 Chapin Avenue

1 message

James Ryder <james31@aol.com>

Thu, Jul 27, 2023 at 9:41 AM

To: "jzielke@bhamgov.org" <jzielke@bhamgov.org>

Dear BZA Members,

Views from Our Backdoor at 1115 Chapin Avenue:

Our 102-year-old, Wooden, Model-T "Garage":



Our Next Door Neighbor's Garage on West:



Our Next Door Neighbor's Garage on the East:



The Northeast Corner View - Original Pancake Parking Lot and Woodward Avenue:



Behind Our "Garage" is a New House and Garage on Bennaville:



Thank you for coming along with us!

Frank and Jim 😊

Our Home at 1115 Chapin Avenue

1 message

James Ryder <james31@aol.com>
To: "jzielke@bhamgov.org" <jzielke@bhamgov.org>

Thu, Jul 27, 2023 at 9:31 AM

Thank you, Mr. Zielke, for including this and the next three emails in the BZA packet.

Dear BZA Members,

An Inside Look of Our Home on Chapin Avenue:



Our Living Room:



Another View of Our Living Room:



Our Dining Room/Office:



Our Kitchen:



Another View of Our Kitchen:



Our Small/Guest/Storage Room:



Our Hallway:



Our Bathroom:



Our Laundry/Utility/Storage Room:



The main bedroom is not included in this tour.

Thank you for taking this behind-the-scenes tour of our estate.

Frank and Jim 😊

Our Three Storage Units at 13 Mile Rd and Stephenson - Far from Home at 1115 Chapin Avenue

1 message

James Ryder <james31@aol.com>

Thu, Jul 27, 2

To: "jzielke@bhamgov.org" <jzielke@bhamgov.org>

Dear BZA Members,

A quick look at our storage units:

The Self-Storage Building Hallway.

There is no source for electricity/lighting in the individual units.

The only sources of light are the hallway lights on ten minute timers and the window at the far end.

We supply our own light with flashlights, lanterns and portable converters with rechargeable batteries and LEDs.



Storage Unit #1



Storage Unit #2



Storage Unit #3



Thank You for Viewing Our Collections,
Frank and Jim 😊

Other Views of Neighbors' Garages around 1115 Chapin Avenue

1 message

James Ryder <james31@aol.com>

Thu, Jul 27, 2023 at 9:45 AM

To: "jzielke@bhamgov.org" <jzielke@bhamgov.org>

Cc: James Ryder <james31@aol.com>, Frank Colasonti Jr <hirecolasonti@gmail.com>

Dear BZA Members,

Garages on Chapin Avenue and Bennaville Adjoining Ours:

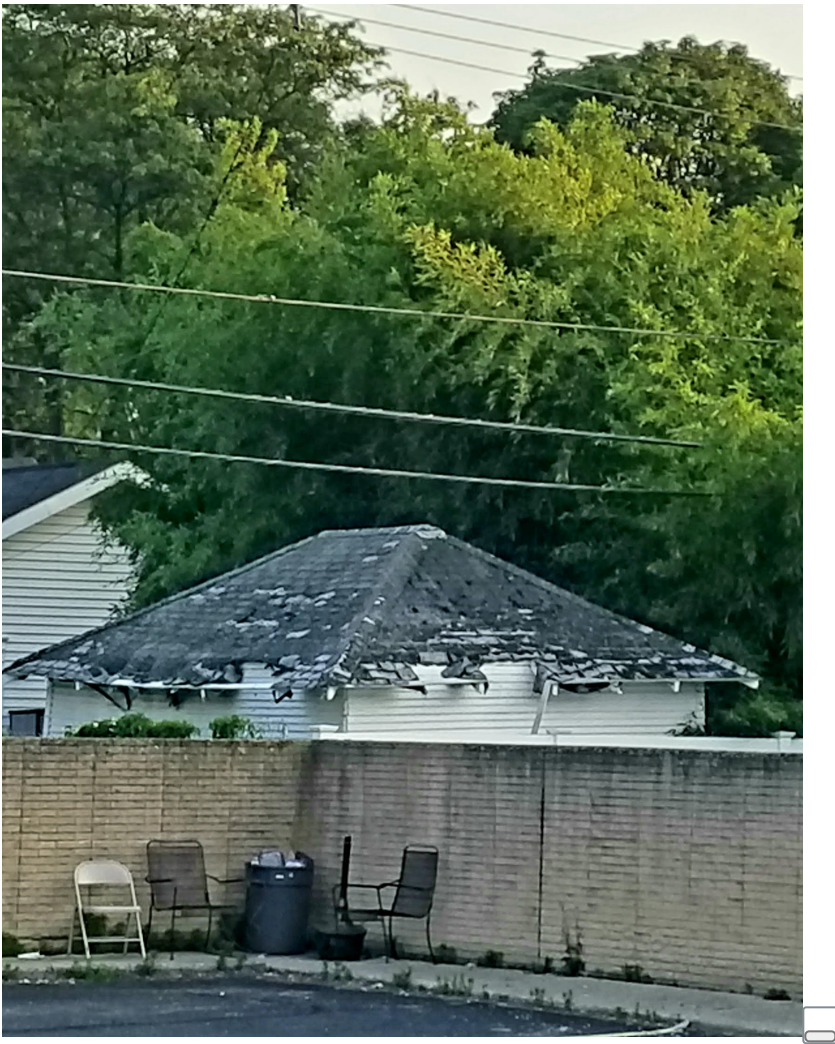
View of the Northeast Corner from the Original Pancake House Parking Lot on Bennaville:



Back View of 1135 Chapin Avenue Garage:



Back View of Our "Garage:"



Side/Front View of New Garage on Bennaville:



View of Two Garages Fronting Cummings Street:



Garage Owned by Northwest Neighbor on Bennaville:



Next Door Neighbor to Our West at 1105 Chapin:



Closer View:



Next Door Neighbor to Our East at 1135 Chapin:

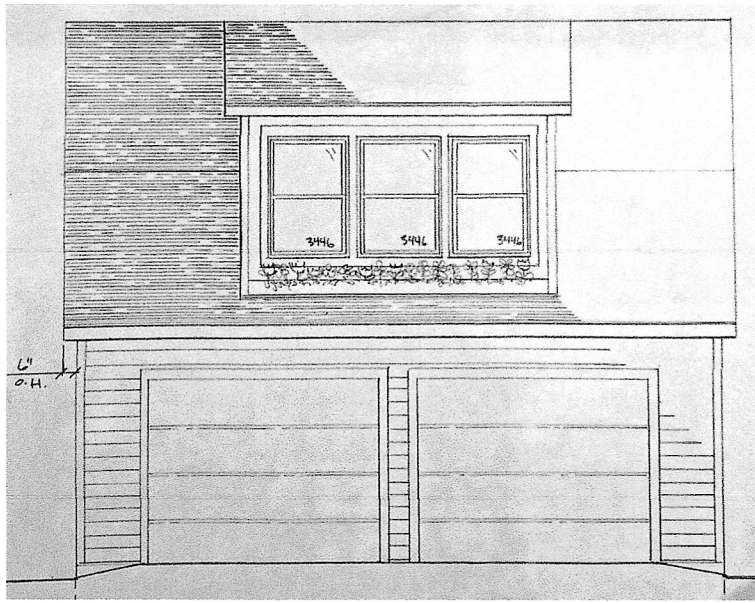


Garage with Bonus Room at 1135 Chapin:



Thank you for your time.

Frank and Jim 😊



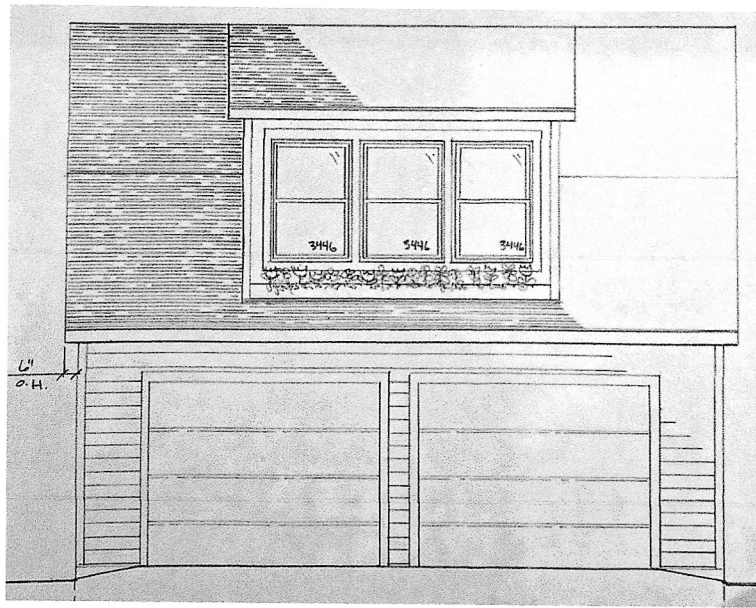
We, the neighbors of Jim and Frank, support Jim and Frank's Request for Approval by the Birmingham Board of Zoning Appeals of their two variances for their proposed garage:

1. An Increase of Lot Coverage from 30% to 32.95%

2. An Increase in Height from 14.5' to 15.25'

Thank you!

1. Ashley Byron 1112 Bennaville 248.416.2252
2. David Weissman 1128 Chapin 248-633-5411
3. Gary Cromie 1144 Chapin 248.645.1709
4. Holly Weber 1128 Chapin 248-797-7243
5. Roz Nessel 1192 Chapin 248.504.9393
6. Elaine Cromie 1144 Chapin 248-645-1709
7. D. K. 1186 Chapin Ave 248-207-5953
8. Benchen 1103 Chapin Ave 248.978.9891



We, the neighbors of Jim and Frank, support Jim and Frank's Request for Approval by the Birmingham Board of Zoning Appeals of their two variances for their proposed garage:

1. An Increase of Lot Coverage from 30% to 32.95%

2. An Increase in Height from 14.5' to 15.25'

Thank you!

1. *Frank Frank*
2. *Karen E. Green* *1151 Chapin*
Karen E. Green
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____