

**CITY OF BIRMINGHAM
MEETING OF THE BOARD OF ZONING APPEALS
TUESDAY, DECEMBER 10, 2024
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) November 12, 2024 Minutes

5. APPEALS

	Address	Petitioner	Appeal	Type/Reason
1)	687 DAVIS	TED FILE	24-28	DIMENSIONAL
2)	707 WORTH	FHS BIRMINGHAM LLC	24-29	WITHDRAWN

6. CORRESPONDENCE

7. GENERAL BUSINESS

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

9. ADJOURNMENT

Title VI

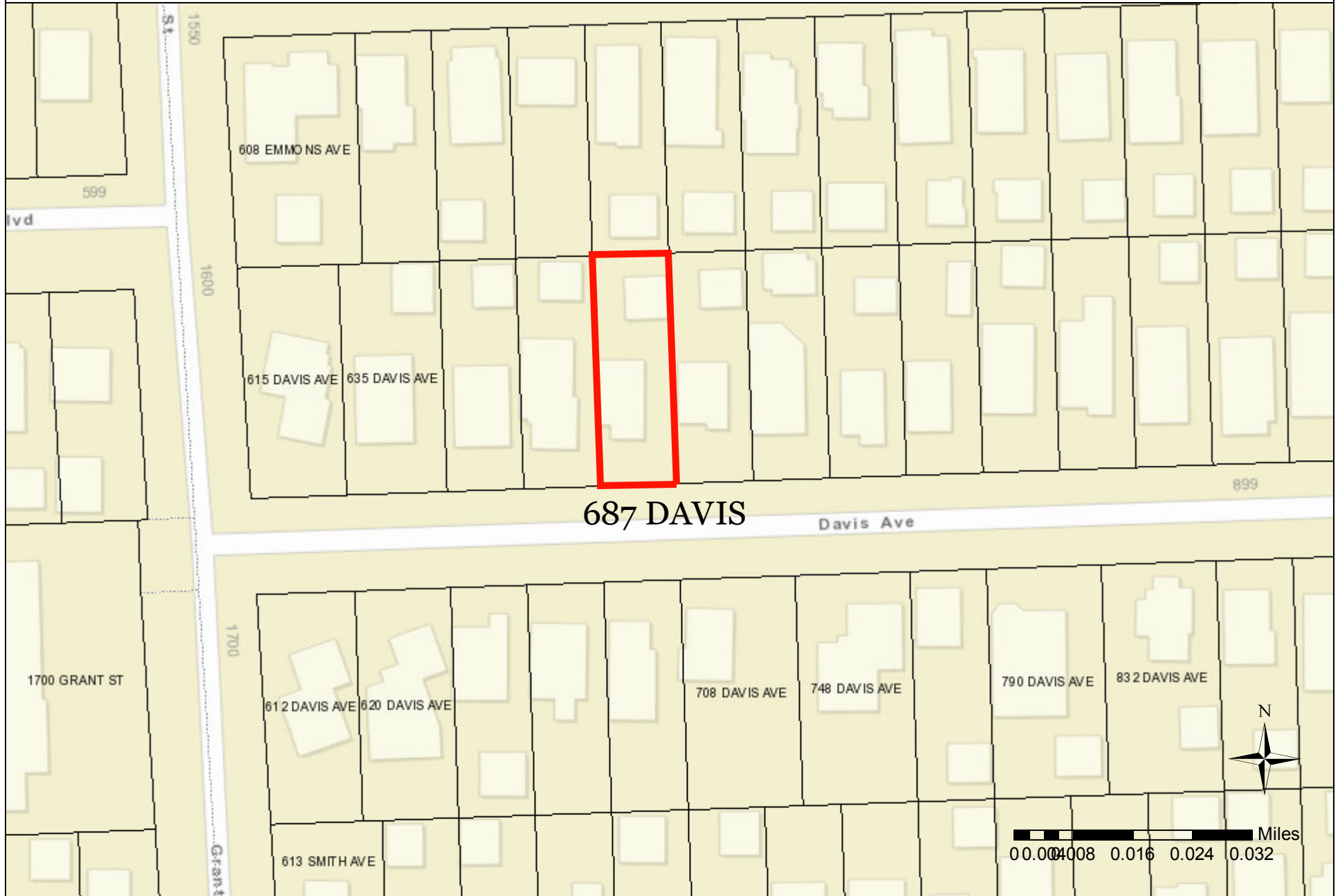
People with disabilities needing accommodations for effective participation in this meeting should contact the Clerk's Office at 248-530-1880 (voice) or 248-644-5115 (TDD) at least one day in advance to request mobility, visual, hearing, or other assistance.

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.

DECEMBER BZA MAP



Birmingham Board Of Zoning Appeals Proceedings
Tuesday, November 12, 2024
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, November 12, 2024. The meeting was convened at 7:30 p.m.

2. Rollcall

Present: Chair Erik Morganroth; Board Members Kevin Hart, Richard Lilley, John Miller, Pierre Yaldo; Alternate Board Members Carl Kona, Donald Rogers

Absent: Vice Chair Jason Canvasser; Board Member Ron Reddy

Staff: City Transcriptionist Eichenhorn, Assistant Building Official Morad, Assistant Building Official Zielke

The Chair took rollcall of the petitioners. All petitioners were in attendance.

3. Announcements

The Chair 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.

4. Approval Of The Minutes Of The BZA Meetings Of October 8, 2024

Motion by Lilley

Seconded by Miller to approve the minutes of the BZA meeting of October 8, 2024 as amended.

Motion carried, 7-0.

VOICE VOTE

Yeas: Kona, Rogers, Yaldo, Morganroth, Miller, Hart, Lilley

Nays: None

5. Appeals

1) 1245 Westboro Appeal 24-27

ABO Zielke presented the item, explaining that the owner of the property known as 1245 Westboro was requesting the following variance to construct a pergola on the existing non-conforming home:

- A. Chapter 126, Article 4, Section 4.74(C)** of the Zoning Ordinance requires that a minimum distance between principal residential buildings on adjacent lots to be 14.00 feet or 25% of the lot width, whichever is larger. The required is 23.95 feet. The existing and proposed is 21.00 feet. Therefore, a variance of 2.95 feet is requested on the west side.

Staff answered informational questions from the Board.

Paul Carroll, appellant, described why this variance was being sought and answered informational questions from the Board.

Board members raised the following points during deliberation:

- The Board would need more than the provided information to adequately evaluate this request and to tie a potential approval to the plans. Potential alternative options could not be determined due to the lack of detail.
- The appellant could table this request and return with more detailed drawings if desired.
- If this request were voted on and denied, and the appellant still wanted to seek a variance, the appellant would have to return with materially different plans.
- The appellant provided new information during discussion that would have been clear to the Board if adequate documentation had been provided, which demonstrated the necessity of further documentation.
- It may be acceptable to grant the variance, since the pergola would align with the west wall of the home. A smaller pergola may be impractical. Disallowing it may create an unnecessary hardship for the appellant, and may not be doing justice to the appellant.
- The dearth of documentation prevented the Board from knowing whether this request stemmed from a hardship.
- Since the appellant indicated that he was uninterested in providing further documentation, the Board was tasked with voting solely based on the present information.
- The pre-existing non-conformity resulted from the size of the appellant's lot, and not from any feature of the neighbor's lot.
- A motion for approval could possibly be made if it integrated some of the appellant's statements.
- It might set a difficult precedent if the request were approved in part based on the appellant's statements. In memory, the Board has not granted approvals based on appellants' statements.

Motion by Miller

Seconded by Yaldo with regard to Appeal 24-27, A. Chapter 126, Article 4, Section 4.74(C) of the Zoning Ordinance requires that a minimum distance between principal residential buildings on adjacent lots to be 14.00 feet or 25% of the lot width, whichever is larger. The required is 23.95 feet. The existing and proposed is 21.00 feet. Therefore, a variance of 2.95 feet is requested on the west side.

Mr. Miller moved to deny the appeal, noting that there was not enough information provided to allow for a reasonable approval. He explained that the provided image was conceptual and did not apply to the exact conditions of the house or the pergola. Historically, the Board ties almost every approval 'to the plans as submitted', and the Board would not be able to do that here. These circumstances were unusual, as appellants given the opportunity to provide more information at a future meeting usually elect to do so. Consequently, the motion to deny is based on having insufficient information, as opposed to being based on site conditions or any other potential hardship.

Mr. Yaldo supported the motion, and noted that the burden of proving a property's special conditions rests with the appellant. Without that proof, the Board was unable to determine whether there were any special conditions applicable to the property. There was insufficient documentation to show whether there could be an ordinance-compliant option. There was also insufficient documentation to show whether the requested variance was the most appropriate way to achieve the desired outcome. Mr. Yaldo supported the motion for these reasons.

Mr. Hart said he would prefer to support the variance request, but the Board lacked documentation showing the proposed encroachment, the existing deck that is to be replaced, and that the proposal would reduce the present ordinance non-compliance. He said that if proper documentation had been provided, the request likely would have been approved. He noted that approval could not be based largely on a conversation with the appellant.

The Chair concurred with his colleagues. He explained that the lack of documentation meant the request could not meet the four ordinance-required criteria. He noted that the first criterion could not be met because there was insufficient information regarding the conditions of the property, including the present deck and railing, the rear elevation, and other potential means of egress. The second criterion could not be met because there was no demonstration of a hardship. The third criterion could not be met because there was no indication the ordinance would allow for building within the minimum distance between principal residential buildings on adjacent lots. The fourth criterion could not be met because the Board did not have enough information to determine whether granting the variance would do substantial justice to the property owner.

Motion carried, 6-1.

ROLL CALL VOTE

Yeas: Kona, Rogers, Yaldo, Morganroth, Miller, Lilley

Nays: Hart

6. Correspondence

All correspondence was provided to the Board and the relevant appellants.

7. General Business

8. Open To The Public For Matters Not On The Agenda

9. Adjournment

No further business being evident, the Board motioned to adjourn at 8:17 p.m.

Bruce R. Johnson, Building Official



Laura Eichenhorn, City Transcriptionist

CASE DESCRIPTION

687 Davis (24-28)

Hearing date: December 10, 2024

Appeal No. 24-28: The owner of the property known **687 Davis**, requests the following variances to construct a second floor addition to the existing non-conforming home:

A. Chapter 126, Article 2, Section 2.10.2 of the Zoning Ordinance requires that front yard setback is the average of homes within 200.00 feet in each direction. The required is 25.28 feet. The existing and proposed is 20.14 feet. Therefore, a variance of 5.14 feet is being requested.

B. Chapter 126, Article 2, Section 2.10.2 of the Zoning Ordinance requires that no side yard shall be less than 5.00 feet. The existing and proposed is 4.10 feet on the west side. Therefore, a variance of 0.90 feet is being requested.

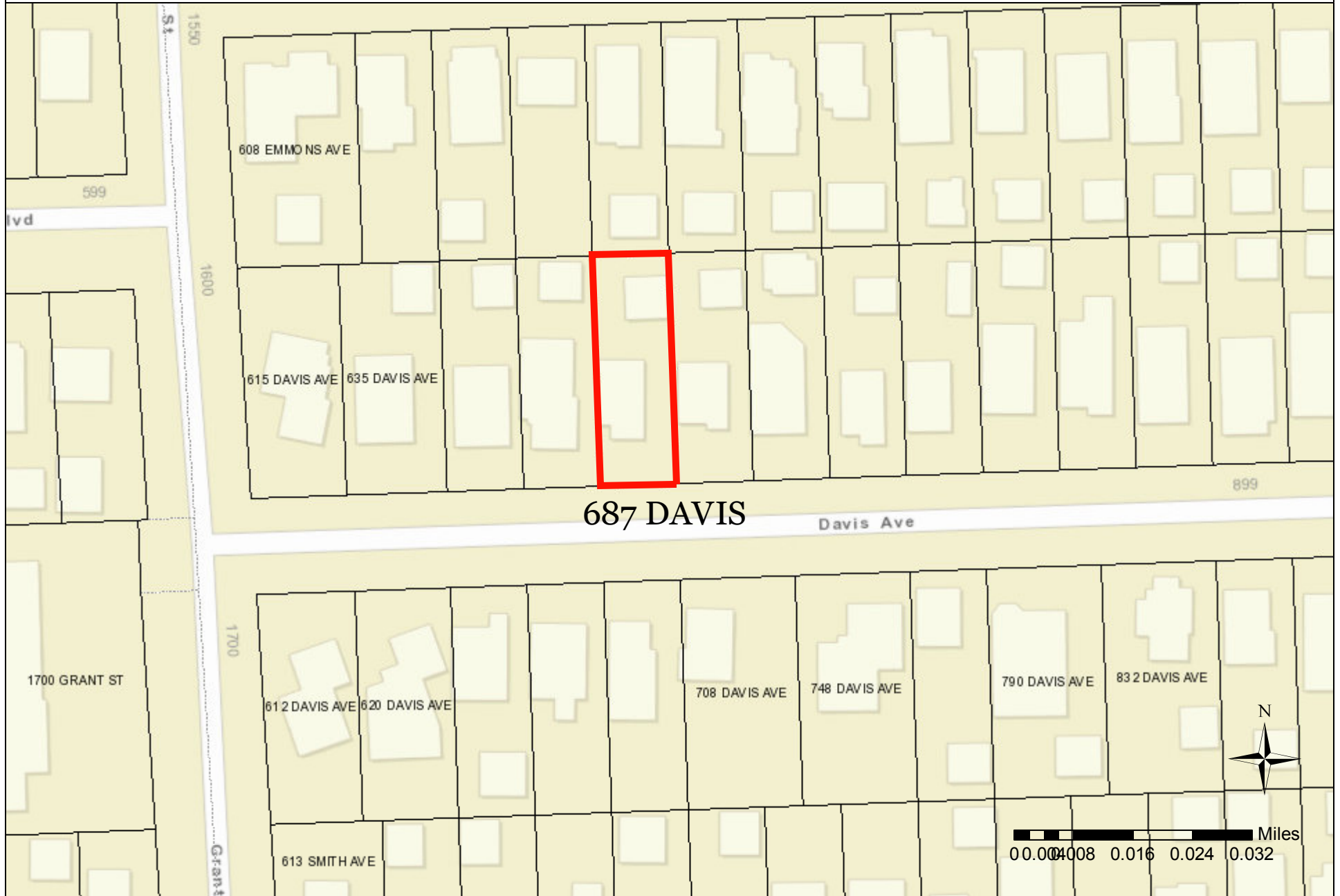
C. Chapter 126, Article 4, Section 4.30(C)1 of the Zoning Ordinance permits porches to project into the required front yard setback for a distance of 10.00 feet. The existing and proposed is 11.00 feet. Therefore, a variance of 1.00 feet is being requested.

Staff Notes: This applicant is seeking to construct a rear and second floor addition to an existing non-conforming home that was constructed in 1930.

This property is zoned R3 – Single family residential.

Jeff Zielke, NCIDQ, LEED AP, COSS
Assistant Building Official

687 DAVIS MAP



CHAPTER 126 - ZONING

ARTICLE 8: ENFORCEMENT AND PENALTIES

8.01 The Board of Zoning Appeals

3. Variances.

- a. The Board of Zoning Appeals shall hear and grant or deny requests for variances from the strict application of the provisions of the Zoning Ordinance where there are practical difficulties or unnecessary hardships in carrying out the strict letter of such chapter. In granting a variance, the Board of Zoning Appeals may attach such conditions as it may deem reasonably necessary to promote the spirit and intent of the Zoning Ordinance. The Board of Zoning Appeals shall not grant any variance unless it first determines that:
 - i. Because of special conditions applicable to the property in question, the provisions of the Zoning Ordinance, if strictly applied, unreasonably prevent the property owner from using the property for a permitted purpose;
 - ii. Literal enforcement of the chapter will result in unnecessary hardship;
 - iii. The granting of the variance will not be contrary to the spirit and purpose of the Zoning Ordinance nor contrary to the public health, safety and welfare; and
 - iv. The granting of the variance will result in substantial justice to the property owner, the owners of property in the area and the general public.

(EACH i-iv must be satisfied)

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: _____

Hearing Date: _____

Received By: _____

Appeal #: _____

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

Address: <u>667 Davis Ave</u>	Lot Number: _____	Sidwell Number: <u>14-36-476-021</u>
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II. OWNER INFORMATION:

Name: <u>Theodore File & Garen Pace</u>			
Address: <u>730 Randall Ct.</u>	City: <u>Birmingham</u>	State: <u>MI</u>	Zip code: <u>48009</u>
Email: <u>file.theodore@gmail.com</u>		Phone: <u>(248) 931-4331</u>	

III. PETITIONER INFORMATION:

Name: _____	Firm/Company Name: _____		
Address: _____	City: _____	State: _____	Zip code: _____
Email: _____		Phone: _____	

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 **\$750.00** for single family residential; **\$950.00** 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>11/10/24</u>
Signature of Petitioner: _____	Date: _____

**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.



Signature of Applicant

November 11, 2024

City of Birmingham Board of Zoning Appeals
151 Martin Street
Birmingham, Michigan 483009

Subject: 687 Davis Ave Home Renovations

Dear Members of the Board,

Thank you for your review of this variance request. My wife, Sarah, and I recently bought our first home and are planning to invest in much needed renovations to bring our property up to the modern standards that are demanded from a home in Birmingham today. The existing home was built in the 1930s and is now a non-conforming structure that encroaches on the following zoning ordinances.

- Variance Request A: Existing structure encroaches into West Side Yard Setback by 0.90 feet
- Variance Request B: Existing structure encroaches into Front Yard Setback by 5.14 feet compared to the average of our neighbors to the East & West of our home.
- Variance Request C: The existing front porch encroaches 1.0 foot into the allowable 10 feet projection past the established Front Yard Setback.

There is water damage on the existing second floor and we plan to renovate and expand the existing nonconforming second floor to cover the existing footprint of the first floor. To comply with the current zoning ordinances related to our variance request A & B would cause unnecessary hardship and compromise the visual and structural integrity of our home.

The existing front porch encroaches 1.0 foot into the allowable 10 feet projection past the established Front Yard Setback, however, the existing front porch only projects 5.83 feet out from the existing structure. With the approval of these variances, we plan to change the roof to match the style and form of the rest of our planned renovations and will not project any further into the Front Yard Setback than the existing front porch.

If these variance requests are approved, we plan to build an addition on the back of the existing home. The new addition will conform with the West Side Yard Setback of five feet and not exceed the 30 percent lot coverage or 40 percent minimum open space zoning ordinances. We hope conforming to the current zoning ordinances on the new addition provides evidence that the above variance requests are being made in good faith.

Approving these variance requests will not be contrary to the spirit intention of these local zoning ordinances or cause undue harm to my neighbors. Our intent with the renovations is to add to the ascetics of Davis Ave and give us the additional space needed to comfortably grow our family as we are expecting our first child next year.

Should you require any further detail or explanation prior to the hearing, please do not hesitate to call and email me at (248)931-8331 and filetheodore@gmail.com.

Thank you for considering our request.

Kind Regards,

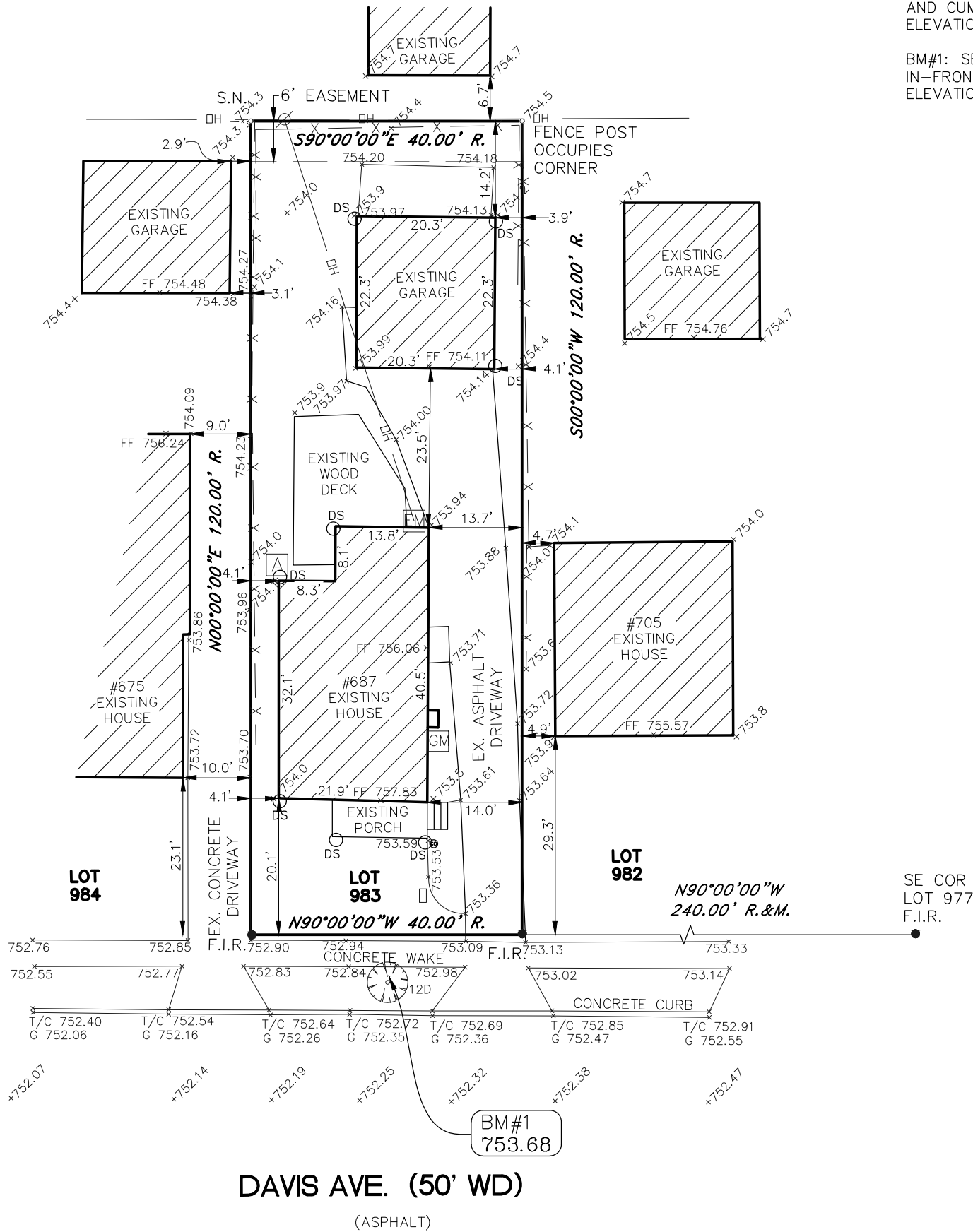
Theodore File

BOUNDARY SURVEY

BENCHMARK CITY DATUM

CITY BENCHMARK #8
FOUND DISK AT NORTHWEST CORNER DAVIS AVE.
AND CUMMINGS AVE.
ELEVATION: 748.568

BM#1: SET PK NAIL IN NORTH FACE 12" TREE
IN-FRONT OF HOUSE.
ELEVATION: 753.68



SITE CRITERIA

- ADDRESS: 687 DAVIS AVE.
- PARCEL ID NO.: 08-19-36-476-021
- ZONING: R-3 (SINGLE FAMILY RESIDENTIAL)
- AREA OF PARCEL: 4800 S.F.
- AREA OF HOUSE: 820 S.F.
- AREA OF PORCH: 75 S.F.
- AREA OF EXISTING GARAGE: 454 S.F.
- MAXIMUM BUILDING HEIGHT = 26 FEET TO MIDPOINT OF SLOPED ROOF
- MINIMUM SETBACKS:
 - FRONT: 25.0 FEET
 - REAR: 30.0 FEET
 - SIDE : 5.0 FEET TOTAL 14.0 FEET

EAST SIDE HOUSES #705 29.3', #711 22.7', #771 24.5', #787 25.3'
AVERAGE FRONT SET BACK WITHIN 200 FEET EAST 25.4 FEET

WEST SIDE HOUSES #675 23.1', #651 21.3', #635 26.4', #615 29.6
AVERAGE FRONT SET BACK WITHIN 200 FEET WEST 25.1 FEET

LEGEND

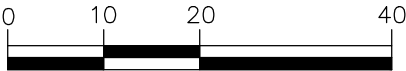
- R. — RECORD
- M. — MEASURED
- S.N. — SET NAIL
- F.I.R. — FOUND IRON ROD
- UTILITY POLE
- 24D — 24" TREE
- CLEAN OUT
- AC UNIT
- MAIL BOX
- GAS METER
- ELECTRIC METER
- DOWN SPOUT
- EX OVERHEAD LINES
- EX FENCE LINES

NOTES

A CURRENT TITLE POLICY HAS NOT BEEN
FURNISHED AT TIME OF SURVEY.
THEREFORE EASEMENTS AND/OR
ENCUMBRANCES AFFECTING SUBJECT
PARCEL MAY NOT BE SHOWN.

3 WORKING DAYS
BEFORE YOU DIG
CALL 811
FOR FREE LOCATION
OF PUBLIC UTILITY LINES

GRAPHIC SCALE



(IN FEET)
1 INCH = 20 FT.

PROPERTY DESCRIPTION: (AS FURNISHED BY CLIENT)

LOT 983, of "Leinbach-Humphrey's Woodward Avenue Subdivision", as recorded in
Liber 27, Pages 5, of Plats, Oakland County Records.
TAX ID NO.: 08-19-36-476-021

THEODORE FILE AND SARAH PACE
687 DAVIS AVE.
BIRMINGHAM MI. 48009

SCALE: 1"= 20'

DATE: 11-12-24

JOB No: 24-078

BK# 33 PG# 15

LAND SPECIALISTS

LAND SURVEYORS
14064 LAKESIDE BLVD. N.
SHELBY TWP, MI 48315
PHONE # (586)703-1794

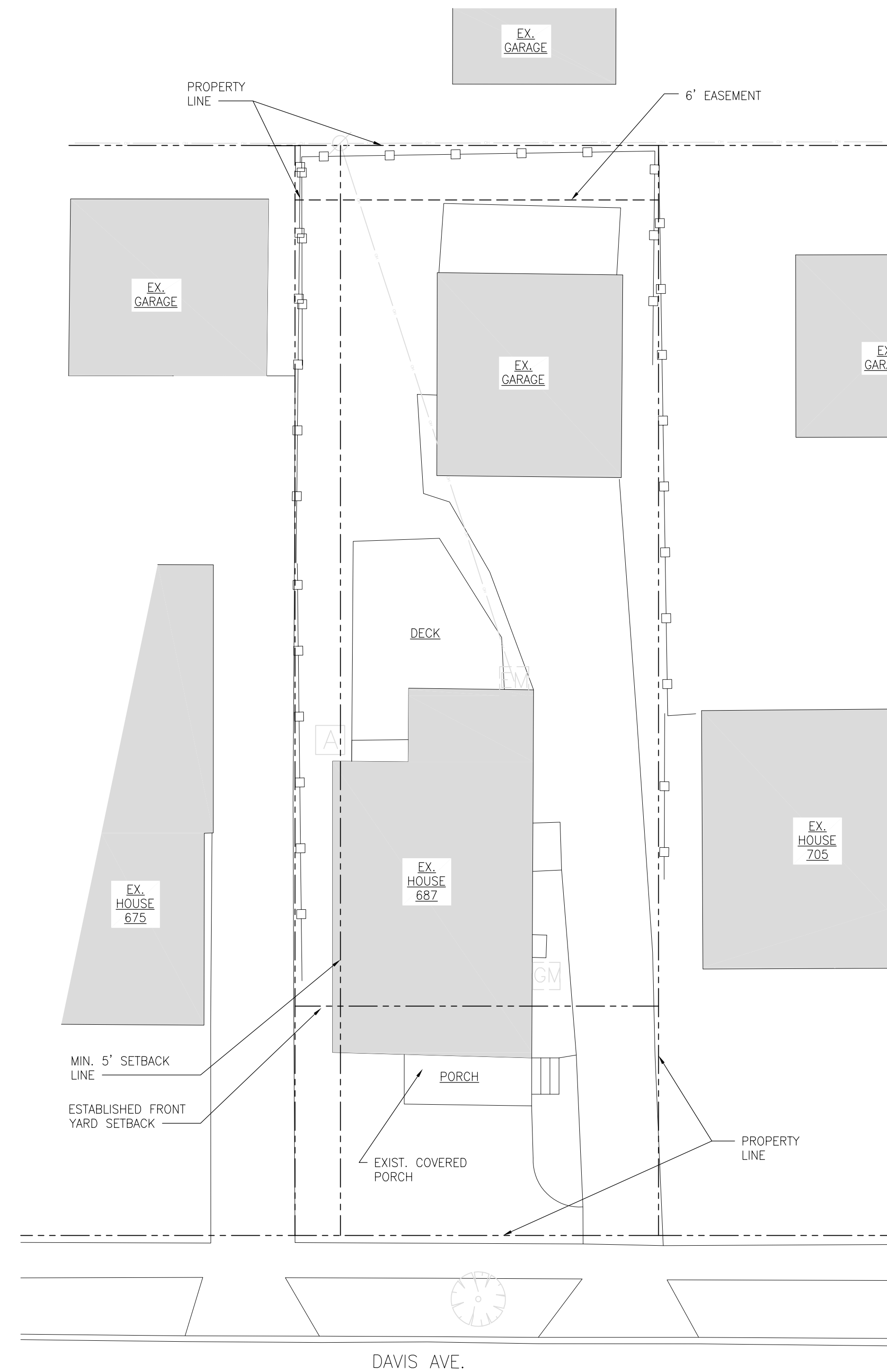
www.landspecialists.us

DRAWN BY: A. TAMIMI



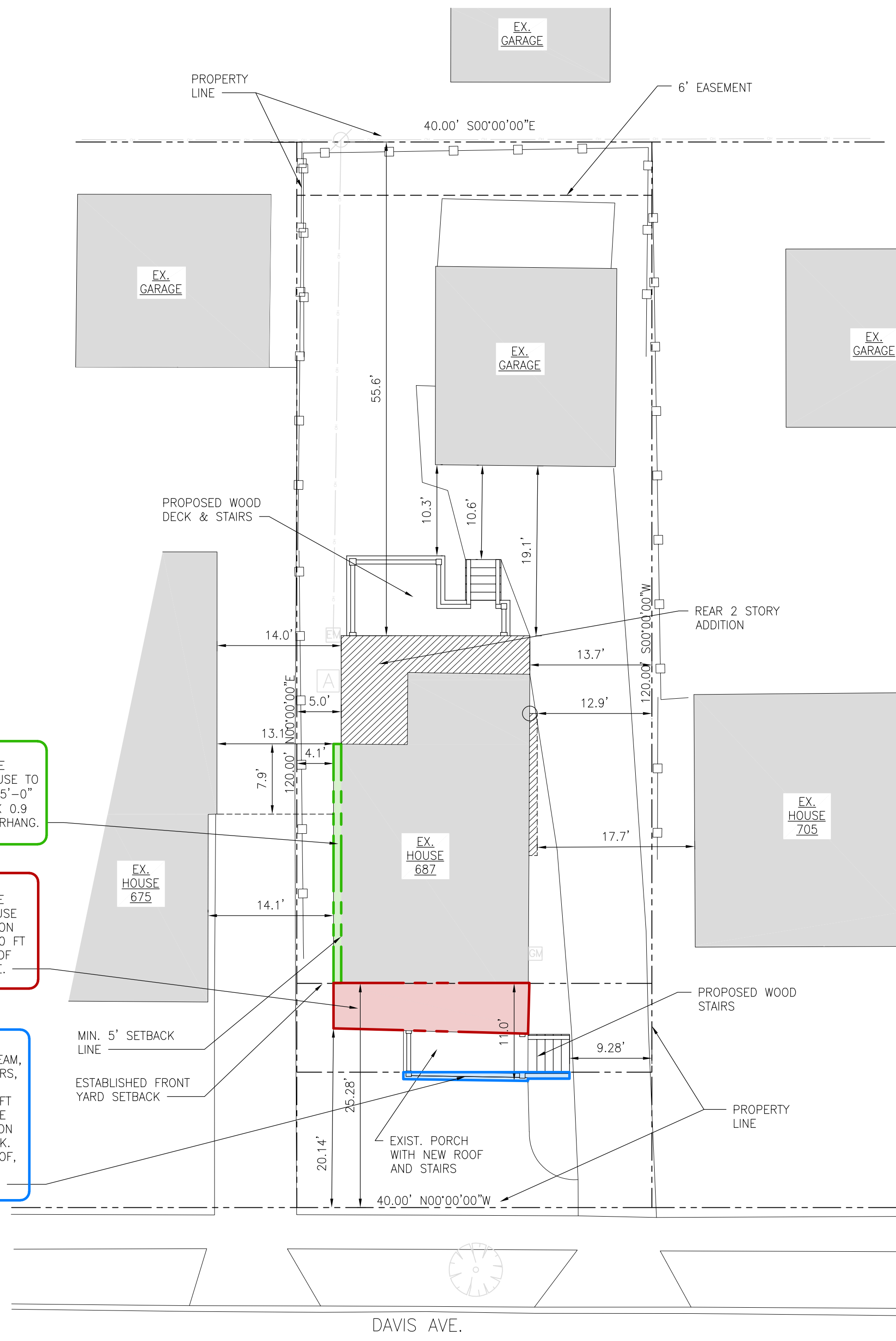
AYMAN TAMIMI, PS NO. 55485

VARIANCE REQUEST SET
NOT FOR CONSTRUCTION



EXISTING SITE PLAN

SCALE: 1" = 10'-0"



PROPOSED SITE PLAN

SCALE: 1" = 10'-0"

VARIANCE DATA

- VARIANCE REQUEST A:** REQUEST TO ALLOW FOR NEW CONSTRUCTION ABOVE EXISTING FRONT OF HOUSE TO ENCROACH ON REQUIRED FRONT YARD SETBACK OF 25.28FT DETERMINED BY THE AVERAGE FRONT YARD SETBACK OF HOUSES ON THE SAME SIDE OF THE STREET WITHIN 200 FT OF THE PROPERTY. THE FRONT OF THE HOUSE WILL REMAIN THE SAME DISTANCE FROM THE FRONT PROPERTY LINE. SEE SHADED AREAS ON SHTS. A-3 AND A-5.
- VARIANCE REQUEST B:** REQUEST TO ALLOW FOR NEW CONSTRUCTION ABOVE EXISTING WEST SIDE OF HOUSE TO ENCROACH 0.9FT ON REQUIRED 5FT MINIMUM SIDE YARD SETBACK. THE WEST SIDE OF THE HOUSE WILL REMAIN THE SAME DISTANCE FROM THE WEST SIDE PROPERTY LINE. SEE SHADED AREAS ON SHTS. A-3 AND A-5.
- VARIANCE REQUEST C:** REQUEST TO ALLOW FOR NEW PORCH ROOF, SUPPORT BEAM, COLUMNS, RAILING AND STAIRS, REPLACING THE EXISTING PORCH ROOF SUPPORT BEAM, COLUMN, RAILING AND STAIRS BE ALLOWED TO EXTEND 1.0FT PAST THE ALLOWED 10.0FT PAST NEWLY ESTABLISHED FRONT YARD SETBACK OF 25.28FT. SEE SHADED AREAS ON SHTS. A-3 AND A-5.

REQUESTED VARIANCE TABLE				
REQUESTED VARIANCES	REQUIRED	EXISTING	PROPOSED	VARIANCE AMOUNT
VARIANCE A - FRONT YARD SETBACK	25.28'	20.14'	20.14'	5.14'
VARIANCE B - MIN. SIDE YARD SETBACK	5.00'	4.10'	4.10'	0.90'
VARIANCE C - ALLOWABLE 10FT EXTENSION FOR PORCH AND STAIRS INTO FRONTYARD SETBACK	10'.00'	11.00'	11.00'	1.00'

ZONING DATA

- ADDRESS: 687 DAVIS AVE., BIRMINGHAM, MI
- ZONED: R3 - 1 FAMILY RESIDENTIAL
 - FRONT YARD SETBACK: AVG. OF PROPERTIES WITHIN 200', MIN. 25', EXISTING AT 25.2'
 - SIDE YARD SETBACKS: 9' MIN. 1 SIDE, 5' MIN. OPP. SIDE.
 - REAR YARD SETBACK: 30'
 - MAX BUILDING HT: LOTS 4500SF TO 6000SF: 26' TO MIDHT. SLOPED ROOF
 - MAX LOT COVERAGE: 30% MIN.
LOT = 4800x300' = 1440SF;
EXIST. HOUSE (PORCHES NOT INCLUDED) 820SF + EXIST. GARAGE 454SF + REAR ADDITION 150SF + KITCHEN BUMPOUT 15SF = 1439SF TOTAL OK 40% MIN.
 - MIN. OPEN SPACE: LOT = 4800x400' = 1920SF;
EXIST. HOUSE (PORCHES NOT INCLUDED) 820SF + EXIST. GARAGE 454SF + EXIST. GARAGE 454SF + COVERED PORCH AND STAIRS 236SF + KITCHEN BUMPOUT 15SF + REAR ADDITION 150SF + REAR DECK AND STAIRS 148 + IMPERVIOUS SURFACE DRIVE AND WALK 925SF = 2748SF.
4800SF-2748SF = 2052SF OR 42.8% OPEN SPACE OK

HOUSES WITHIN 200LF OF #687 DAVIS AVE. WITH FRONTAGE ON SAME SIDE OF STREET		
HOUSE ADDRESS	EXIST. FRONT YARD SETBACK	
#705	29.3'	
#711	22.7'	
#771	24.5'	
#787	25.3'	
#675	23.1'	
#651	21.3'	
#635	26.4'	
#615	29.6'	
AVG. FRONT YARD SETBACK	25.28'	



WOODWARD
DESIGN
BIRMINGHAM, MI
313-999-5453

11-18-24
CORRECTIONS

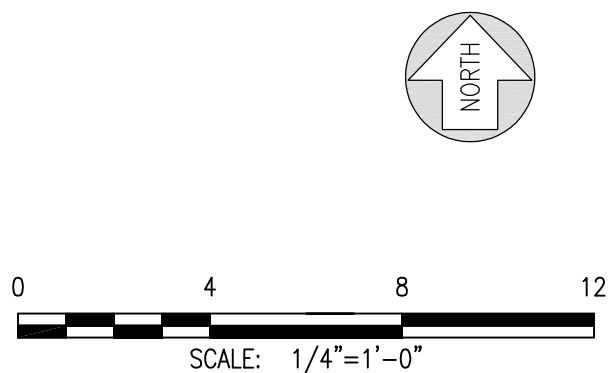
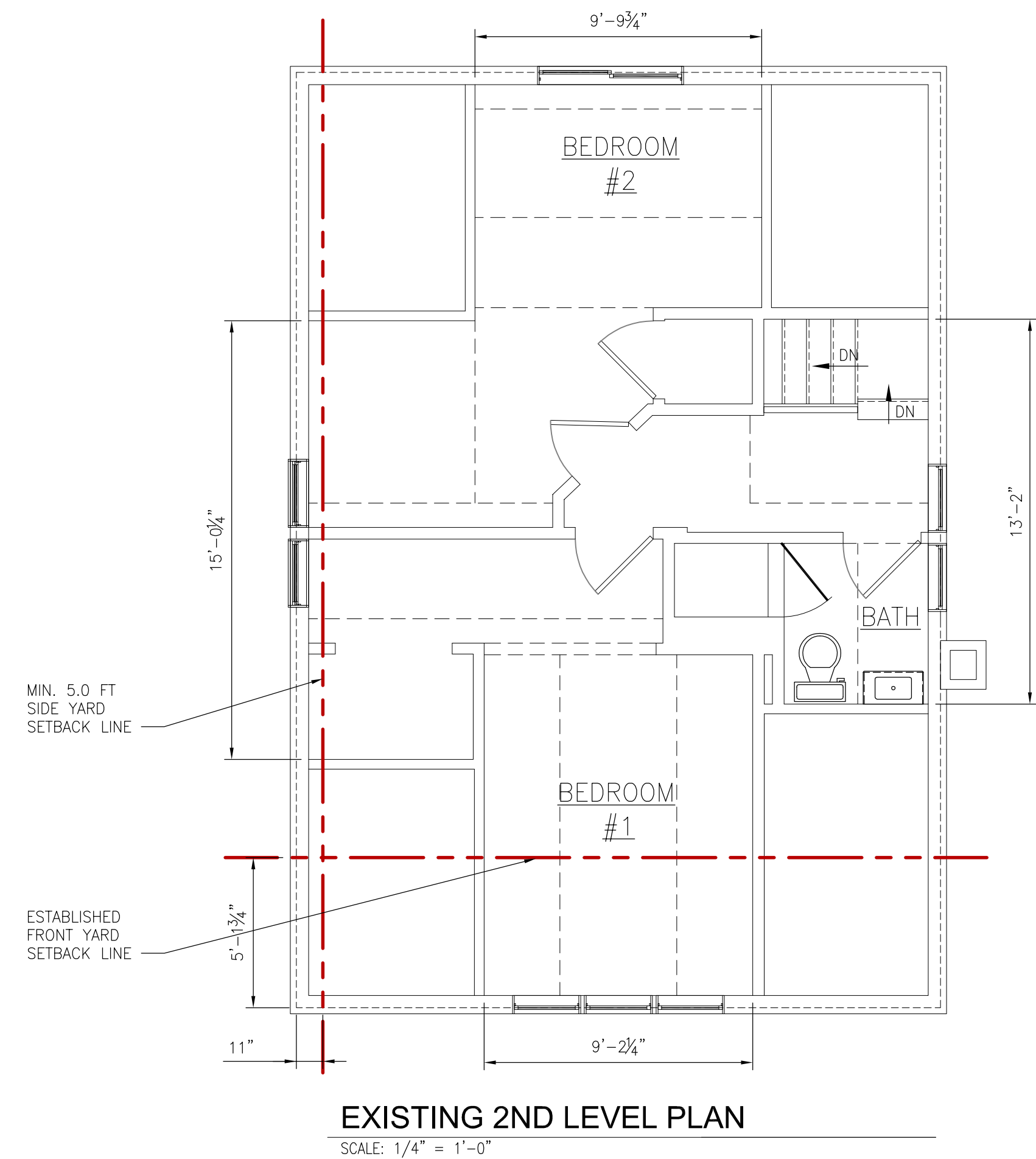
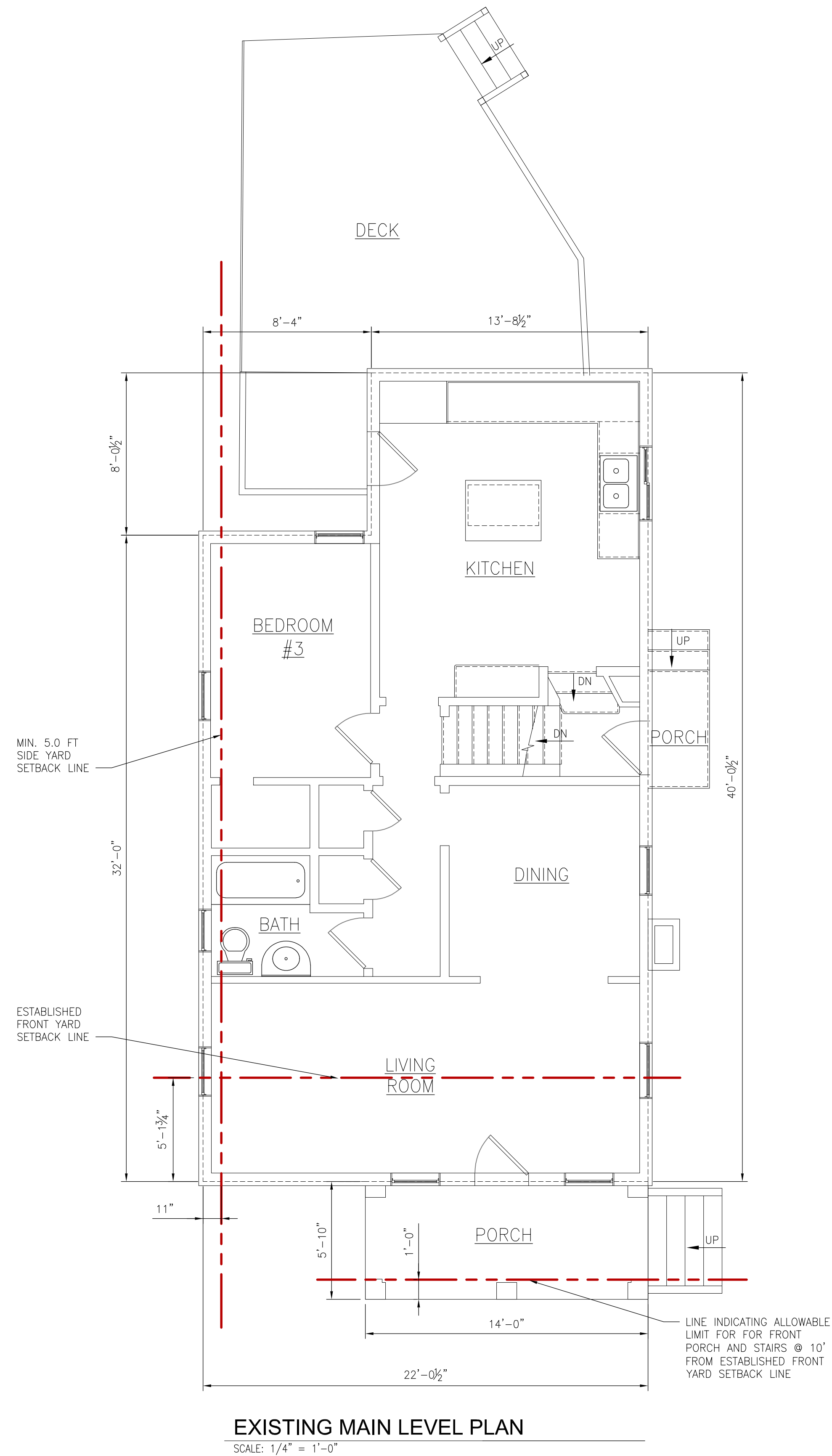
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Designed: DM
Checked: PM

687 DAVIS AVE.
HOME RENOVATION
BIRMINGHAM, MICHIGAN

EXISTING SITE PLAN, PROPOSED SITE
PLAN, ZONING AND VARIANCE DATA

Scale
AS SHOWN
Date
11/12/24
Job No.
2407
Sht. No.
A1

VARIANCE REQUEST SET
NOT FOR CONSTRUCTION



WOODWARD DESIGN BLOOMFIELD HILLS, MI 313.999.5453	
Drawn: DM	11-18-24
Designed: DM	CORRECTIONS
Checked: PM	
687 DAVIS AVE. HOME RENOVATION BIRMINGHAM, MICHIGAN	
EXISTING MAIN LEVEL AND 2ND LEVEL PLANS	
Scale AS SHOWN	
Date 11/12/24	
Job No. 2407	
Sht. No. A2	

WOODWARD
DESIGN[®]
BLOOMFIELD HILLS, MI
248.006.5023

11-18-24	CORRECTIONS

<i>Drawn:</i>	DM
<i>Designed:</i>	DM
<i>Checked:</i>	PM

687 DAVIS AVE.
HOME RENOVATION
BIRMINGHAM, MICHIGAN

PROPOSED MAIN LEVEL AND 2ND LEVEL PLANS

Scale
AS SHOWN

Date
11/12/24

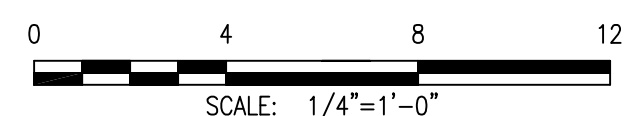
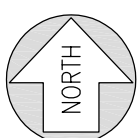
Job No.
2407

Sht. No.
A3



VARIANCE REQUEST B:
NEW CONSTRUCTION ABOVE
PORTION OF EXISTING HOUSE TO
REMAIN ENCROACHES ON 5'-0"
MIN. SIDE YARD SET BACK 0.9
FT. + 0.67 FT. ROOF OVERHANG

VARIANCE REQUEST A:
NEW CONSTRUCTION ABOVE
PORTION OF EXISTING HOUSE
TO REMAIN ENCROACHES ON
SET BACK 5.14 FT + 1.00 FT
ROOF OVERHANG. FRONT OF
HOUSE DOES NOT CHANGE. —



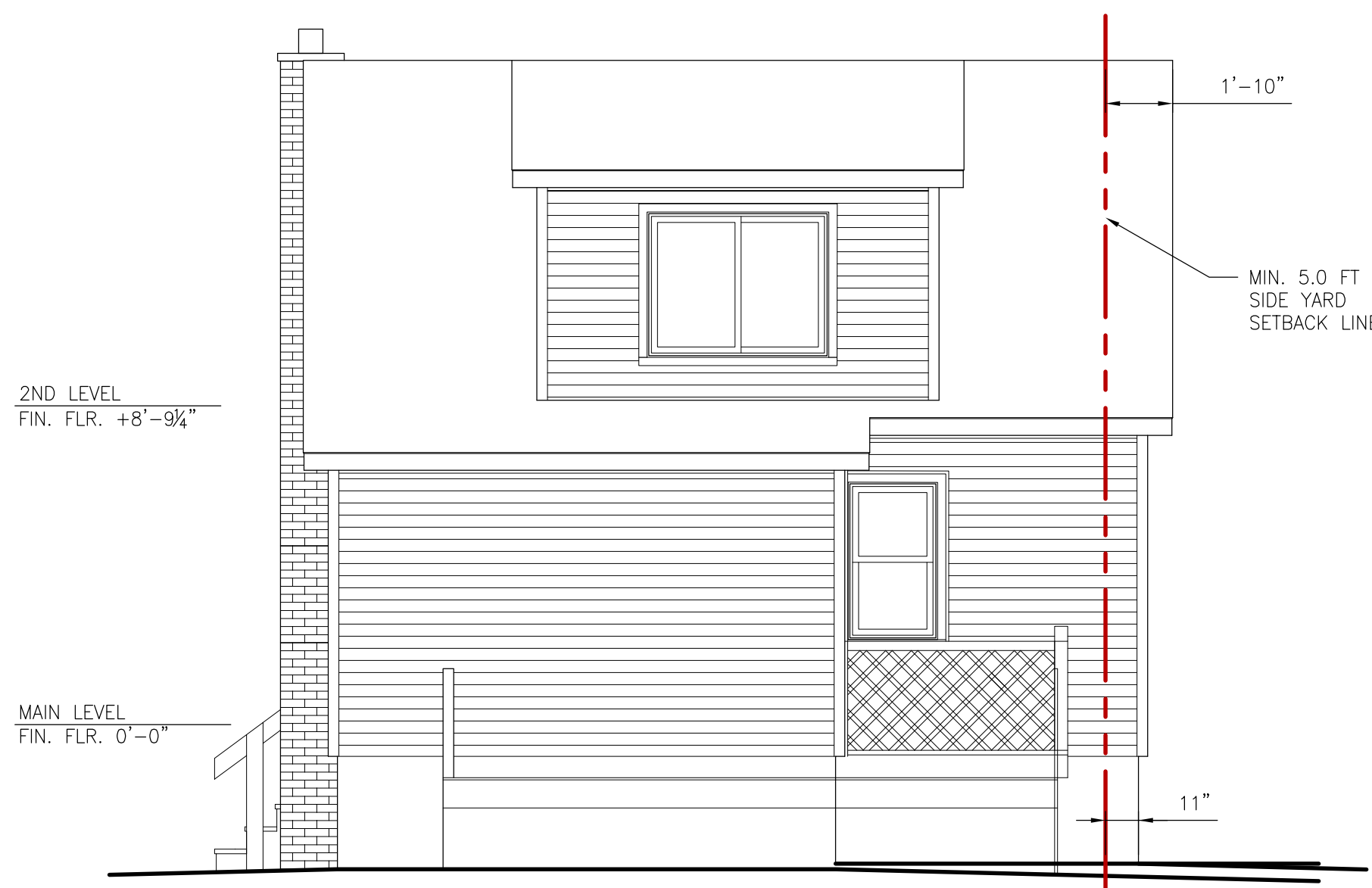
VARIANCE REQUEST SET
NOT FOR CONSTRUCTION



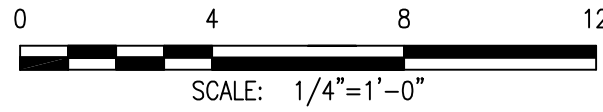
SOUTH (FRONT) ELEVATION
SCALE: 1/4" = 1'-0"



EAST (SIDE) ELEVATION
SCALE: 1/4" = 1'-0"



WEST (SIDE) ELEVATION
SCALE: 1/4" = 1'-0"



WOODWARD
DESIGN
BLOOMFIELD HILLS, MI
313-995-5453

CORRECTIONS
11-18-24

Drawn: DM
Designed: DM
Checked: PM

687 DAVIS AVE.
HOME RENOVATION
BIRMINGHAM, MICHIGAN

EXISTING ELEVATIONS

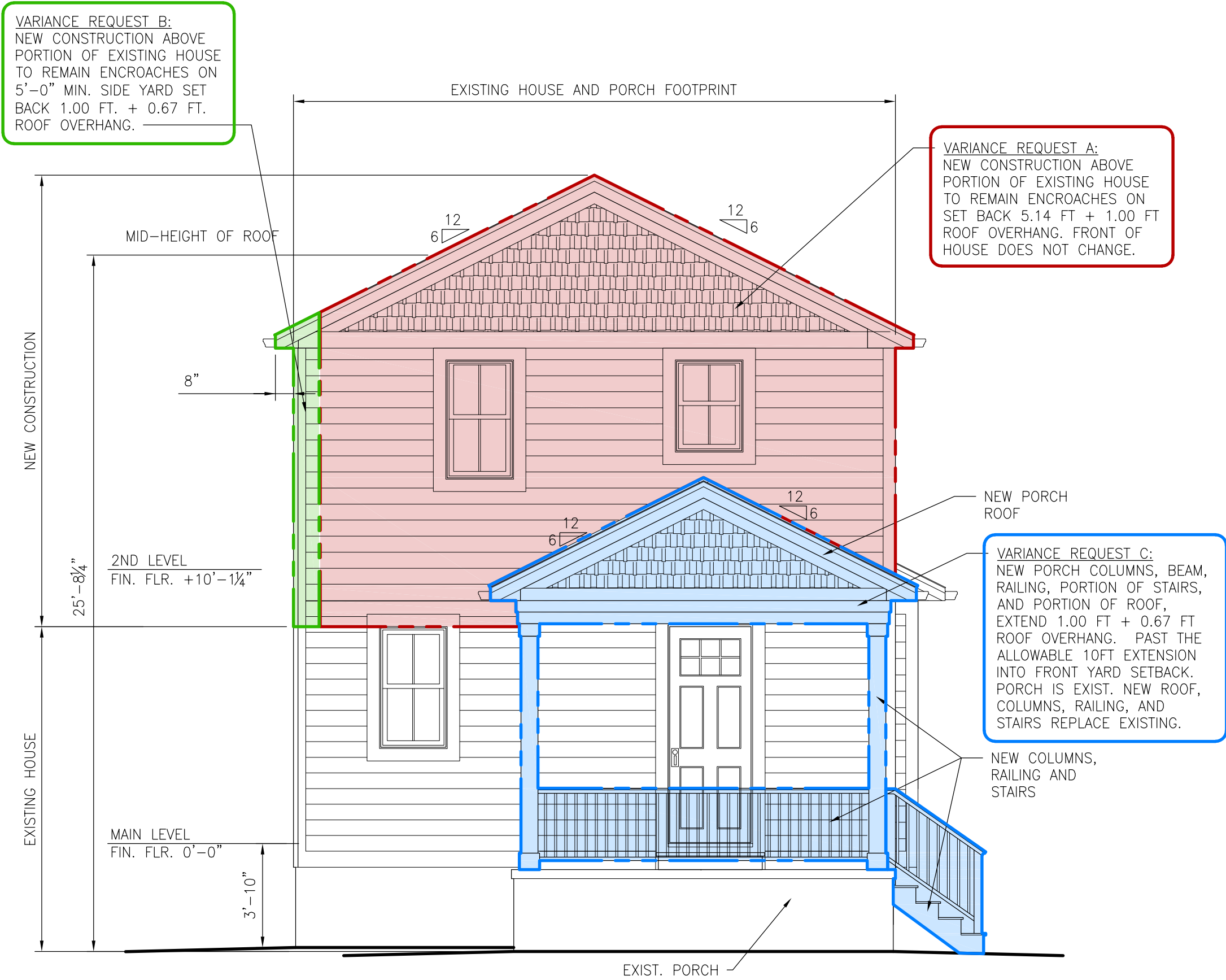
Scale
AS SHOWN

Date
11/12/24

Job No.
2407

Sht. No.
A4

VARIANCE REQUEST SET
NOT FOR CONSTRUCTION



SOUTH (FRONT) ELEVATION

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



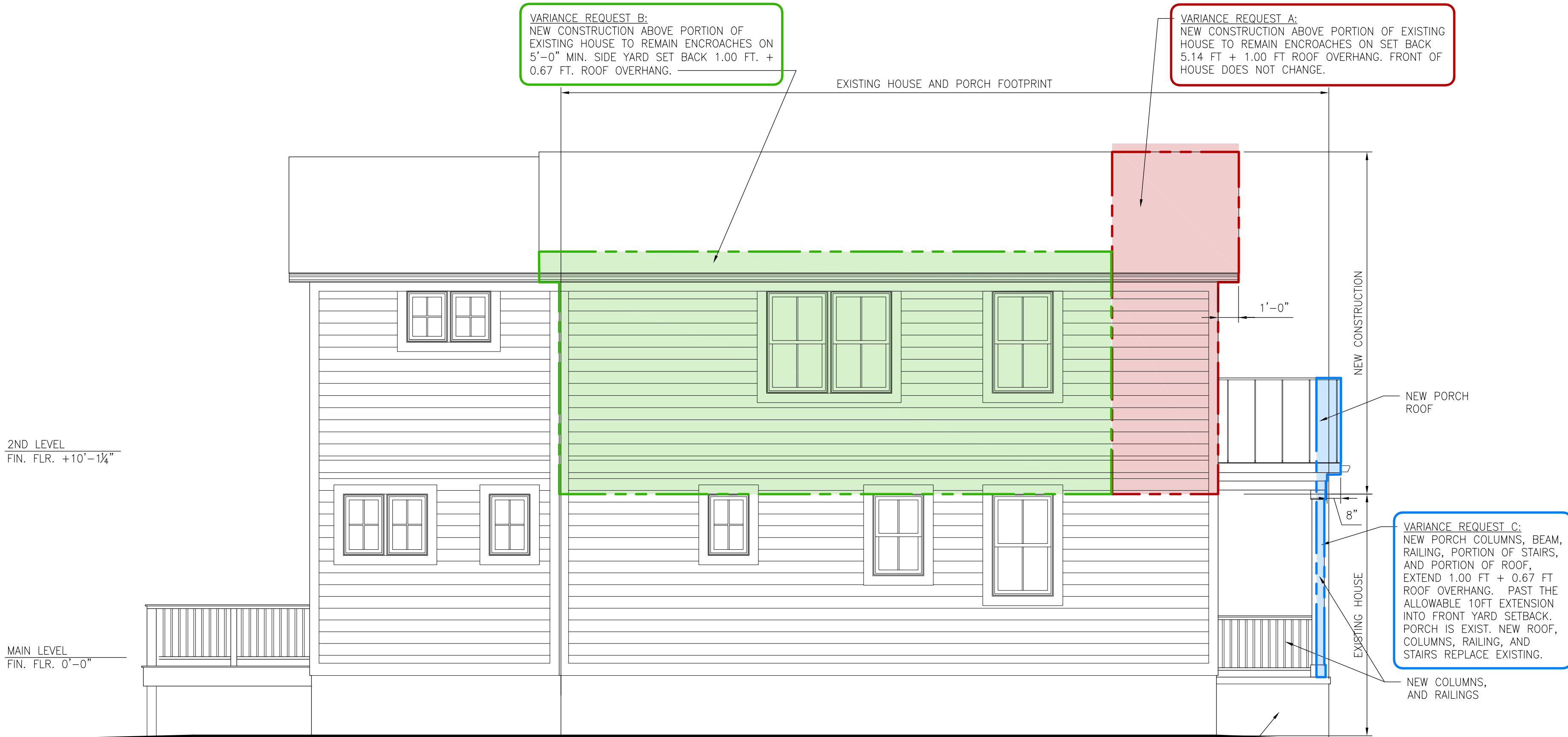
EAST (SIDE) ELEVATION

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



NORTH (REAR) ELEVATION

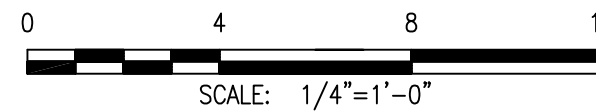
SCALE: 1/4" = 1'-0"



WEST (SIDE) ELEVATION

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

NOTES:
1. GUTTERS AND DOWNSPOUTS SHALL BE
PROVIDED AS REQUIRED.



WOODWARD
DESIGN
BLOOMFIELD HILLS, MI
313-995-5453

CORRECTIONS
11-18-24

Drawn: DM
Designed: DM
Checked: PM

687 DAVIS AVE.
HOME RENOVATION
BIRMINGHAM, MICHIGAN

PROPOSED ELEVATIONS

Scale
AS SHOWN

Date
11/12/24

Job No.
2407

Sht. No.
A5