CITY OF BIRMINGHAM
MEETING OF THE BOARD OF ZONING APPEALS
TUESDAY, APRIL 8, 2025
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 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) March 11, 2025 Minutes

5. APPEALS

	Address	Petitioner	Appeal	Type/Reason
1)	774 Lakeside	Eve Hadley	25-05	Dimensional
2)	1792 Banbury	MGA Architects	25-08	Dimensional
3)	719 Larchlea	Don Wheeker	25-09	Dimensional
4)	1000 Shirley	MWA Architects	25-10	Dimensional
5)	488 Willits	Kreiger Klatt Architects	25-11	Dimensional

6. CORRESPONDENCE

7. GENERAL BUSINESS

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

9. ADJOURNMENT

Title VI

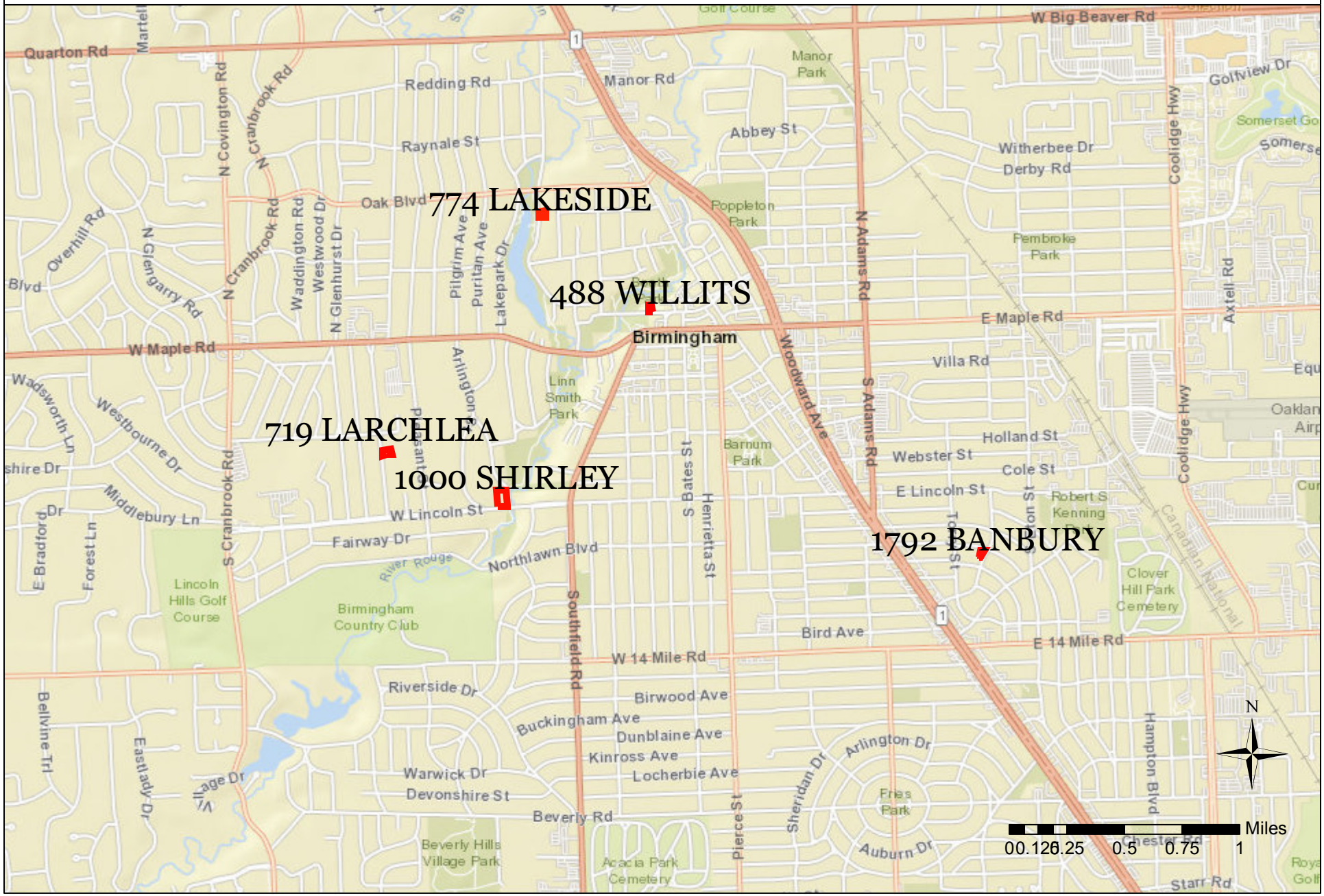
People with disabilities needing accommodations for effective participation in this meeting should contact the Clerk's Office at 248-530-1880 (voice) or 248-644-5115 (TDD) at least one day in advance to request mobility, visual, hearing, or other assistance.

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 dia 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.

APRIL BZA MAP



Birmingham Board Of Zoning Appeals Proceedings
March 11, 2025
City Commission Room
151 Martin Street, Birmingham, Michigan

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1. Call To Order

Minutes of the regular meeting of the City of Birmingham Board of Zoning Appeals ("BZA") held on Tuesday, March 11, 2025. The meeting was convened at 7:30 p.m.

2. Rollcall

Present: Chair Erik Morganroth, Vice Chair Jason Canvasser; Board Members Kevin Hart, Ron Reddy, Pierre Yaldo; Alternate Board Member Carl Kona

Absent: Board Members Richard Lilley, John Miller; Alternate Board Member Donald Rogers

Staff: Building Official Johnson; Planning Director Dupuis, City Transcriptionist Eichenhorn, Assistant Building Official Erickson, Building Official Designee 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 February 11, 2025

Motion by Canvasser
Seconded by Kona to approve.

Motion carried, 6-0.

VOICE VOTE
Yeas: Hart, Yaldo, Kona, Canvasser, Reddy, Morganroth

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Nays: None

5. Appeals

1) 1511 E. Maple
Appeal 25-01

BOD Zielke presented the item, explaining that the owner of the property known as 1511 E. Maple was requesting the following variance regarding the front open space impervious requirements:

> **A. Chapter 126, Article 4.31(A)** of the Zoning Ordinance requires that a minimum of 65% (2831.34 sf) of the front open space in all single-family districts shall be free of paved surfaces. The proposed is 53.70% (2339.12 SF). Therefore a variance of 11.30% (492.22 SF) is being requested.

It was noted that the present request was reduced to a variance of 6.2%. Staff answered informational questions from the Board.

Jason Hurst, owner, reviewed the letter describing why this variance was being sought. The letter was included in the evening's agenda packet.

Board members raised the following points in the course of discussion:

- The parking pad would allow one vehicle to be parked on the pad while allowing another vehicle to turn around on the pad in order to drive forward onto Maple.

Motion by Reddy
Seconded by Kona with regard to Appeal 25-01, A. Chapter 126, Article 4.31(A) of the Zoning Ordinance requires that a minimum of 65% (2831.34 sf) of the front open space in all single-family districts shall be free of paved surfaces. The proposed is 53.70% (2339.12 SF). Therefore a variance of 11.30% (492.22 SF) is being requested.

Mr. Reddy moved to approve Variance A, citing special conditions applicable to the property. He noted that the contractor for the appellant put this driveway in without obtaining a permit, that the appellant made an effort to reduce the variance by approximately half since the original request was presented to the Board, that literal compliance would result in an unnecessary hardship, that granting the variance would not be contrary to the spirit of the zoning ordinance in this case, and that substantial justice would be done to the appellant and the general public if the variance were granted in this case.

The Vice Chair thanked the appellant for their patience and effort.

The Chair supported the motion, and said the lot is unique because it does back into Maple Road. This would cause the petitioner to back into the road, which can be dangerous. The Board evaluated whether it was reasonable to allow additional impervious surface because of the particular risk of the site. In this case, it was determined that it would be reasonable. The reduction of the request was helpful. He

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noted that the site plan did not reflect the final design, the City would be responsible for confirming the square footage after the final install.

Motion carried, 6-0.

ROLL CALL VOTE
Yeas: Hart, Yaldo, Kona, Canvasser, Reddy, Morganroth
Nays: None

2) 225 E. Maple
Appeal 25-04

PD Dupuis presented the item, explaining that the owner of the property known as 225 E. Maple was requesting the following variance to replace a non-conforming outdoor dining facility with a new outdoor dining facility that contains enclosures:

> **A. Chapter 126, Article 4, Section 4.44(C)(3)** of the Zoning Ordinance requires that outdoor dining facilities shall not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance. The proposed enclosure measures 723 square feet between three sides. Therefore, a variance of 723 square feet is requested.
>
> **B. Chapter 126, Article 9, Section 9.02** of the Zoning Ordinance defines Bistro as a restaurant with a full service kitchen with interior seating for no more than 65 people and additional seating for outdoor dining of no more than 65 people. The proposed outdoor dining facility contains 86 outdoor dining seats. Therefore, a variance of 21 outdoor dining seats is requested.

Staff answered informational questions from the Board.

Jacob Newman, representative for the appellant reviewed the letter describing why these variances were being sought. The letter was included in the evening's agenda packet.

Board members raised the following points in the course of discussion:

- Eisenglass is a vinyl product made to simulate windows.
- The property of the outdoor dining facility is public property leased from the City.
- The Variance A request stemmed from the proposal to remove the present structure and build a new one.
- Other options for providing outdoor dining would remain if these variances were not granted, including the present rooftop seating, repairs of less than 75% of the outdoor dining facility, or a full rebuild without eisenglass.
- The appellant made an effort to mitigate their request, and reduced the number of seats requested in Variance B from 21 to 11.
- The proposal would be more aesthetically pleasing than the current outdoor dining facility.
- No other dining establishments in the City with a non-conforming structure have been permitted to fully teardown and rebuild that structure.
- Though other establishments may find it desirable, they are prohibited from adding on an outdoor dining facility with eisenglass that would allow dining year-round.

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- The Board must understand how the appellant's property necessitates these variances and how it is different from other properties that might seek similar treatment in the future.
- The City intends for legal non-conformities to eventually be replaced with complying structures.
- Since the appellant's outdoor dining facility was part of the original construction, it could be considered a critical part of the facility.
- While the appellant's arguments may be reasonable from the appellant's perspective, the Board must be guided by the ordinance.

Motion by Yaldo
Seconded by Hart with regard to Appeal 25-04, A. Chapter 126, Article 4, Section 4.44(C)(3) of the Zoning Ordinance requires that outdoor dining facilities shall not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance. The proposed enclosure measures 723 square feet between three sides. Therefore, a variance of 723 square feet is requested; and, B. Chapter 126, Article 9, Section 9.02 of the Zoning Ordinance defines Bistro as a restaurant with a full service kitchen with interior seating for no more than 65 people and additional seating for outdoor dining of no more than 65 people. The proposed outdoor dining facility contains 86 outdoor dining seats. Therefore, a variance of 21 outdoor dining seats is requested.

Mr. Yaldo moved to approve both variance requests and tied approval to the plans. He noted that there are few bistros within the City, and that each bistro is a highly unique property and context. This property has a unique shape within an alley, a downtown location, and its original design included an enclosed seating area. Each bistro is so unique it can be evaluated on a case-by-case basis. A determination that one bistro should have an enclosed seating area should not apply to other bistros. Maintaining an aesthetically pleasing downtown is in the City's best interest.

Mr. Yaldo continued that literal enforcement would result in an unnecessary hardship because if this structure is not replaced, it would eventually have to be taken down and that would change the purpose for which it was built. A redesign of the entire operation might be necessary in that case. Granting of the variance would not be contrary to the spirit or intent of the zoning ordinance. The ordinance aims to prevent bistros from exceeding a certain size. The appellant's bistro is already an existing operation, so no increase in size would occur, and a decrease of ten seats was being offered by the appellant. The design of the space would result in substantial justice to the property owner and to the City.

Mr. Kona said he could not support the motion, seeing no special conditions that required the variances. He noted that the structure could be entirely replaced without the eisenglass. Other bistros are disadvantaged since they are not able to enclose their outdoor dining to create additional year-round seating, which results in a substantial injustice to the surrounding property owners.

The Vice Chair said he would also not support the motion, noting that the appellant had other options including changing the bistro ordinance, removing the structure, or building the proposed structure without eisenglass. Given the appellant's long-term

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presence in the community, variances to maintain the present level of seating could be considered.

The Chair said he also could not support the motion, noting that a sufficient reason for the variances had not been provided and that the appellant had many options for maintaining outdoor seating. While the loss of this year-round seating could have a financial impact on the appellant, that is not on the factors the Board is able to consider. He explained that the Board must enforce the ordinance unless there are legal reasons the ordinance cannot be followed, whereupon a variance could be granted. While the justice to the appellant if the variances were granted was clear, it would not be just to other establishments seeking similar treatment.

Motion failed, 2-4.

ROLL CALL VOTE
Yeas: Hart, Yaldo
Nays: Kona, Canvasser, Reddy, Morganroth

Motion by Kona
Seconded by Reddy with regard to Appeal 25-04, A. Chapter 126, Article 4, Section 4.44(C)(3) of the Zoning Ordinance requires that outdoor dining facilities shall not contain enclosures as defined in Article 9, Section 9.02 of the Zoning Ordinance. The proposed enclosure measures 723 square feet between three sides. Therefore, a variance of 723 square feet is requested; and, B. Chapter 126, Article 9, Section 9.02 of the Zoning Ordinance defines Bistro as a restaurant with a full service kitchen with interior seating for no more than 65 people and additional seating for outdoor dining of no more than 65 people. The proposed outdoor dining facility contains 86 outdoor dining seats. Therefore, a variance of 21 outdoor dining seats is requested.

Mr. Kona moved to deny the request, stating that the Board did not hear any unique conditions that necessitated the enclosure, that literal enforcement would not result in unnecessary hardship for the appellant, and that it would be an injustice to the surrounding property owners who might also like to have indoor enclosures. He also stated that granting the variances would be contrary to the spirit of the ordinance, which intend to provide outdoor seating that activates the right-of-way, whereas these variances would just extend the indoor seating for a portion of the year.

Motion carried, 4-2.

ROLL CALL VOTE
Yeas: Kona, Canvasser, Reddy, Morganroth
Nays: Hart, Yaldo

3) 774 Lakeside
Appeal 25-05

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Mr. Hart noted his recusal from this case and left the room. The appellant was given the option to postpone the case until more Board members were present. The appellant elected to proceed with the present hearing.

BOD Zielke presented the item, explaining that the owner of the property known as 774 Lakeside was requesting the following variances for a single story rear addition and a second floor addition:

> **A. Chapter 126, Article 2, Section 2.06.2** of the Zoning Ordinance requires that the maximum lot coverage is 30% of the lot in the residential zones. The required amount for this lot of 30% is 3372.90 SF. The proposed is 33.1% (3721.80 SF). Therefore, a variance of 3.10% (348.90 SF) is being requested.
>
> **B. Chapter 126, Article 2, Section 2.06.2** of the Zoning Ordinance requires that a minimum rear yard setback is 30.00 feet. The existing rear yard at the garage is 10.70 feet. The proposed is 20.90 feet for the mud room on the first floor. Therefore, a variance of 9.10 feet is requested.
>
> **C. Chapter 126, Article 2, Section 2.06.2** of the Zoning Ordinance requires that a minimum rear yard setback is 30.00 feet. The existing rear yard at the existing home is 24.25 feet. The proposed is 20.90 feet for the second floor addition. Therefore, a variance of 5.75 feet is requested.

Staff answered informational questions from the Board.

Eve Hadley, representative for the appellant, reviewed the letter describing why these variances were being sought. The letter was included in the evening's agenda packet.

Board members raised the following points in the course of discussion:

- The proposed plans would expand a pre-existing non-conformity.
- Modifications to the proposed second-floor addition, deck, or mudroom could reduce the variance requests.
- The appellant could work with the City on mitigation options.
- The appellant's representative could discuss options for mitigation with the appellant and to return next meeting if desired.

Ms. Hadley elected to adjourn the appeal to the next meeting.

Motion by Reddy
Seconded by Kona moved to adjourn to next month to get more details with regards to mitigating the variance requests.

Motion carried, 5-0.

VOICE VOTE
Yeas: Yaldo, Kona, Canvasser, Reddy, Morganroth
Nays: None

4) 1408 Villa

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Appeal 25-06

Mr. Hart rejoined the meeting.

BOD Zielke presented the item, explaining that the owner of the property known as 1408 Villa was requesting the following variance to construct an addition to the existing non-conforming home:

> **A. Chapter 126, Article 4, Section 4.03(D)** of the Zoning Ordinance requires that an accessary building shall not be closer than 10.00 feet to the principal building located on the same lot. The existing is 6.67 feet. The proposed addition is 5.83 feet. Therefore, a variance of 4.17 feet is being requested.

Staff answered informational questions from the Board.

Dominick Tringali, representative for the appellant, reviewed the letter describing why this variance was being sought. The letter was included in the evening's agenda packet.

Board member comment was as follows:

- The Board aims to avoid expansion of pre-existing non-conformities where possible.

Motion by Hart
Seconded by Canvasser with regard to Appeal 25-06, A. Chapter 126, Article 4, Section 4.03(D) of the Zoning Ordinance requires that an accessary building shall not be closer than 10.00 feet to the principal building located on the same lot. The existing is 6.67 feet. The proposed addition is 5.83 feet. Therefore, a variance of 4.17 feet is being requested.

Mr. Hart moved to approve, noting that the home was pre-existing non-conforming, and that the proposed addition was a sensible and reasonable request. He tied approval to the existing plans.

Mr. Reddy supported the motion, stating that there were enough unique circumstances to grant the variance.

The Chair supported the motion as well. He said that while he preferred not to expand a non-conformity, there would be no way to expand the requested space without increasing the non-conformity. He said it was not an unreasonable request, that it would not affect any of the neighbors, that it was behind the home, and that it was less than one foot. He said that asking the appellant to mitigate the less than one foot request would not be reasonable, given how it would sit on the property, tie into the house, and function.

Motion carried, 6-0.

ROLL CALL VOTE
Yeas: Hart, Yaldo, Kona, Canvasser, Reddy, Morganroth
Nays: None

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5) 283 E. Frank
Appeal 25-07

PD Dupuis presented the item, explaining that the owner of the property known as 283 E. Frank was requesting the following variance to expand a pre-existing legal non-conformity regarding required offstreet parking for a new proposed dental office:

> **A. Chapter 126, Article 4, Section 4.45** of the Zoning Ordinance requires medical office uses to provide a minimum of 1 off-street parking space for each 150 square feet of floor area. The proposed medical office contains 974 square feet of floor area, which would require 7 off-street parking spaces. Therefore, a variance of 7 parking spaces is requested.

Staff answered informational questions from the Board.

Ammar Alkhafaji, co-owner of the property, reviewed the letter describing why this variance was being sought. The letter was included in the evening's agenda packet.

Board members raised the following points in the course of discussion:

- Parking around the perimeter of the neighboring Barnum Park is either prohibited, time-limited, or permit-only.
- Parking in the adjacent area is very limited.
- The owner could pursue a parking agreement with a nearby business, and could return to the Board with a variance request if the distance between both businesses is greater than 100 feet.
- Since this proposal is contingent upon the appellant's staff parking at her home and walking to the office, enforcement of this agreement may increase the burden on the City.
- The variance runs with the property, not with the use. While the appellant's use may be lower intensity, potential future uses that would be permitted by the variance could be less so.
- The Board is limited in its ability to add conditions to a variance.

<u>Public Comment</u>
Linda Ulrey, John Rosso, Larry Zook, and Joshua Block commented regarding the difficulty of parking in the area.

Mr. Block supported granting this variance if conditions ensuring limited use and parking could be imposed.

Motion by Canvasser
Seconded by Kona with regard to Appeal 25-07, A. Chapter 126, Article 4, Section 4.45 of the Zoning Ordinance requires medical office uses to provide a minimum of 1 off-street parking space for each 150 square feet of floor area. The proposed medical office contains 974 square feet of floor area, which would require 7 off-street parking spaces. Therefore, a variance of 7 parking spaces is requested.

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VC Canvasser moved to deny the variance, explaining that this variance would expand the pre-existing non-conforming use. He noted there might be opportunities to work with nearby property owners to avoid this variance via a parking agreement, and said he would be open to considering a different variance if the distance between the two businesses in the agreement was greater than 100 feet.

Neighbors expressed concern about parking in the area, and this would exacerbate that issue. While the property's lack of parking spaces is a special condition, literal enforcement of the ordinance would not result in unnecessary hardship in this case. The appellant's commitments regarding parking were not provided in writing, and enforcing those commitments would result in an undue burden on the City. Granting the variance would not do substantial justice to the neighbors, and would be contrary to the spirit and intent of the zoning ordinance. The appellant could also rent to a tenant that would not require a variance.

Mr. Reddy said he would support the motion because attaching this variance to the property would be unfair to the neighbors given the reported parking issues.

Mr. Yaldo said he would not support the motion. He noted that while concerns were raised about a more typical medical use moving in after this appellant, the building could not accommodate a typical medical use because of its small size, its inability to be expanded, and the lack of waiting room. He continued that the Board had the capacity to consider the nuance of different types of medical uses in a way the ordinance did not. The appellant was also persuasive that this use was likely to be less parking intensive than the by-right uses.

The Chair supported the motion. He noted that when the Board approves variances, they tend to be smaller, and that this variance request was significant. He said it would be irresponsible to double the variance for parking regardless of the use in this case.

Motion carried, 5-1.

ROLL CALL VOTE
Yeas: Hart, Kona, Canvasser, Reddy, Morganroth
Nays: Yaldo

6. Correspondence

Any 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 10:08 p.m.

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Bruce R. Johnson, Building Official

Laura Eichenhorn, City Transcriptionist

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CASE DESCRIPTION

774 Lakeside (25-05)

Hearing date: April 8, 2025

Appeal No. 25-05: The owner of the property known as **774 Lakeside**, requests the following variances for a single story rear addition and a second floor addition:

A. Chapter 126, Article 2, Section 2.06.2 of the Zoning Ordinance requires that the maximum lot coverage is 30% of the lot in the residential zones. The required amount for this lot of 30% is 3372.90 SF. The existing is 30.60% (3445.00 SF). The proposed is 31.1% (3501.00 SF). Therefore, a variance of 1.10% (128.10 SF) is being requested.

B. Chapter 126, Article 2, Section 2.06.2 of the Zoning Ordinance requires that a minimum rear yard setback is 30.00 feet. The existing rear yard at the garage is 10.70 feet. The proposed is 20.90 feet for the mud room on the first floor. Therefore, a variance of 9.10 feet is requested.

C. Chapter 126, Article 2, Section 2.06.2 of the Zoning Ordinance requires that a minimum rear yard setback is 30.00 feet. The existing rear yard at the existing home is 24.25 feet. The proposed is 20.90 feet for the second floor addition. Therefore, a variance of 5.75 feet is requested.

Staff Notes: The applicant was in front of the board last month where this appeals was adjourned. The variances that are being requested are to construct a single story addition and a second floor rear addition to the existing non-conforming home built in 1948.

This property is zoned R1 – Single family residential.

_____

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

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)

774 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: _____ **Hearing Date:** _____

Received By: _____ **Appeal #:** _____

Type of Variance:	☐ Interpretation	☑ Dimensional	☐ Land Use	☐ Sign	☐ Admin Review

I. PROPERTY INFORMATION:

Address: 774 LAKESIDE DRIVE	Lot Number: 160	Sidwell Number: 19-26-427-004

II. OWNER INFORMATION:

Name: JOAN AND PHILIP FRACASSA			
Address: 774 LAKESIDE DRIVE	City: BIRMINGHAM	State: MI	Zip code: 48009
Email:* PHILLIP.FRACASSA@GMAIL.COM		Phone: (419) 345.1839	

III. PETITIONER INFORMATION:

Name: EVE HADLEY	Firm/Company Name: BIRMINGHAM RESIDENT		
Address: 462 PILGRIM AVE.	City: BIRMINGHAM	State: MI	Zip code: 48009
Email: KHARTASSOCIATES@AOL.COM		Phone: (248) 981.3118	

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
- N/A → ☒ 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:** 1/21/25

Signature of Petitioner: Eve Hadley **Date:** 01/20/25

Eve Hadley
462 Pilgrim Avenue
Birmingham, Michigan 48009

January 22, 2025

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

Subject: Fracassa Residence-774 Lakeside Drive

Dear Members of the Board,

Thank you for your review of this variance request. The Fracassa Family residence is an existing, non-conforming home located at 774 Lakeside Drive in Birmingham. The home was originally built in the 1940's and its construction preceded the existing ordinance by several decades. The current house is a legal, non-conforming structure with encroachments of 1'-1" into the front setback, and 19'-2" into the rear yard setback. The current lot coverage is also non-conforming with a 30.6% lot coverage at 0.6% above the allowable 30% coverage.

The Fracassa Family is proposing to build an austere 794 square foot addition to their home. The first floor addition would be a new 78 square foot, safe entry way into the house from the garage to the mud room. The existing entry does not allow safe egress to the garage and out of the house with the very narrow 18 foot width of the garage. The second floor addition would construct a new 716 square foot master suite directly above the support walls on the first floor below. The proposed construction will not extend beyond the current lines of structure. The design sensibly stacks the new walls over the existing walls below seamlessly. It was determined that the new structure would not build 5.75' outward to the West because of the high coffered ceiling in the existing library below. That construction above would require substantial demolition of that existing library ceiling/roof structure.

The unique circumstance for the house is its age. The home is an existing, non-conforming structure. The non-conformity was not self created. The proposed addition is a sensible approach enlarging the structure without adverse effects on the neighboring properties. Forcing the homeowners to adhere to the rear yard setback requirement would create an undue hardship with a complicated structure that would require an expensive, disjointed and improper geometry. The proposed addition would be harmonious to the existing structure and would appear to have been part of the original construction. It will not be visible, with the positioning of the new structure at the back of the house. The work will be attractive to the homeowners and to the neighbors. The mud room entry addition would provide safer access and egress to and from the narrow width garage and the house.

The Fracassa Family respectfully requests relief from the 30% lot coverage requirement with a 3.1% variance due to the first floor mud room extension (Variance A), a first floor rear yard dimensional setback of 9.1 feet (Variance B), and a second floor rear yard dimensional variance of 5.75' (Variance C).

Please feel free to contact me if you have any questions or concerns.

Again, thank you for considering these variance requests.

Sincerely,

Eve Hadley

GENERAL CONSTRUCTION NOTES

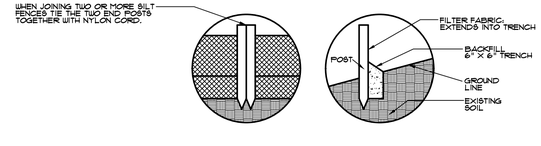
1. DO NOT SCALE DRAWINGS, USE PRINTED DIMENSIONS ONLY. IF ANY DISCREPANCY OCCURS NOTIFY THE ARCHITECT IMMEDIATELY FOR DIRECTION.
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS, INCLUDING UNDERGROUND UTILITIES AND FIELD MEASUREMENTS AT THE JOB SITE AND REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING WITH ANY WORK.
3. ALL POURED CONC. FOOTINGS TO BE A MINIMUM OF 3'-6" BELOW PROPOSED FINISH GRADE, AND SHALL BEAR ON UNDISTURBED SOIL. ADDITIONAL DEPTH MAY BE REQ'D BY SOIL CONDITIONS. ALLOWABLE SOIL BEARING PRESSURE OF 3000 PSF IS ASSUMED FOR FOOTING SIZES INDICATED ON THE PLANS. VERIFICATION OF ALLOWABLE SOIL BEARING PRESSURE OF 3000 PSF IS THE RESPONSIBILITY OF THE CONTRACTOR. QUESTIONABLE CONDITIONS TO BE INVESTIGATED BY A QUALIFIED SOILS ENGINEER.
4. PROVIDE NECESSARY SHEATHING, SHORING, BRACING, AND ALL TEMPORARY SUPPORTS AS REQUIRED DURING EXCAVATIONS TO PROPERLY SUPPORT SIDES OF EXCAVATIONS.
5. PROTECT ALL EXISTING WORK AND WORK IN PROGRESS.
6. COMPLY FULLY WITH REQUIREMENTS OF OSHA AND OTHER REGULATORY AGENCIES FOR ALL SAFETY PROVISIONS.
7. ALL CONCRETE TO ACHIEVE COMPRESSIVE STRENGTH OF 3000 PSI AT 28-DAY TEST. EXTERIOR CONCRETE SHALL BE AIR ENTRAINED 5% PLUS OR MINUS 1%.
8. CONCRETE WORK AND PLACEMENT SHALL CONFORM TO THE LATEST SPECIFICATIONS OF THE AMERICAN CONCRETE INSTITUTION. PLACE ALL CONCRETE WITHOUT ADDING WATER TO THE TRANSIT MIX CONCRETE. SLUMP = 3" - 4".
9. ALL REINFORCING SHALL CONFORM TO ASTM A-615 GRADE 60, FABRICATED AND ERECTED ACCORDING TO ACI STANDARDS.
10. WELDED WIRE FABRIC SHALL BE FURNISHED IN FLAT SHEET AND SHALL CONFORM TO ASTM A-185 AND SHALL HAVE A MINIMUM SIDE AND END LAP OF 8"
11. THE ROUGH CARPENTRY CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO THE START OF FABRICATION OR CONSTRUCTION AND NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.
12. ALL LUMBER AND TRUSSING TECHNIQUES SHALL CONFORM TO APPLICABLE SECTIONS OF THE LATEST SPECIFICATIONS FOR STRESS GRADE LUMBER AND IT'S FASTENERS. ALL WORK SHALL CONFORM WITH THE TRUSS PLATE INSTITUTE, AMERICAN PLYWOOD ASSOCIATION, TRUSS JOIST MACMILLAN AND THE NATIONAL FOREST PRODUCTS ASSOCIATION.
13. ALL FLUSH BEAMS AND JOIST CONNECTIONS SHALL BE FASTENED WITH AN APPROPRIATE CAPACITY METAL HANGER OR STRAP (NO JOIST ANGLES) OR EQUIVALENT METAL PRODUCT AS APPROVED BY A STRUCTURAL ENGINEER AND (1) TOE NAIL (16d) FOR EACH 1000 LBS. OR AXIAL LOAD OR EACH SUPPORT STUD. POST BASE AND SUPPORT SHALL PROVIDE SUFFICIENT BEARING WITH ENGINEER APPROVED METAL CONNECTOR AND/OR TWO (2) TOE NAILS FOR EACH 1000 LBS. OF AXIAL LOAD OR SUPPORT STUD.
14. ALL LUMBER BEARINGS SHALL PROVIDE SUFFICIENT AREAS SO AS NOT TO EXCEED 430 PSI.
15. ALL SHEATHED STUDS SHALL BE LIMITED TO 2250 LBS. OF AXIAL LOAD.
16. ALL FLOOR JOISTS, RAFTERS, STUDS, CEILING JOIST, AND BLOCKING TO BE #2 OR BETTER HEM FIR UNLESS OTHERWISE NOTED. FLOOR JOISTS TO HAVE 1 X 3 CROSS BRIDGING 8'-0" ON CENTER.
17. ALL BUILT UP WOOD POSTS, BEAMS AND GIRDERS SHALL BE NAILED AND/OR BOLTED PER N.D.S.
18. ROOF TRUSS MANUFACTURER TO SUPPLY THE ARCHITECT WITH TRUSS SHOP DRAWINGS PRIOR TO FABRICATION.
19. ROOF TRUSS FRAMING INDICATED ON THE DRAWINGS IS AN ASSUMED LAYOUT. TRUSS MANUFACTURER SHALL REVIEW THE DRAWINGS AND INDICATE TO THE ARCHITECT, PRIOR TO FABRICATION, ANY CHANGE IN BEARING CONDITION THAT WOULD REQUIRE RE-FRAMING THE STRUCTURE TO ACCOMMODATE THE TRUSSES.
20. ROOF TRUSS DESIGN SHALL BE BY TRUSS MANUFACTURER AND SHALL CONFORM TO DESIGN LOAD REQUIREMENTS LISTED BELOW. BRACE ALL ROOF TRUSSES PER MANUFACTURER'S SPECIFICATIONS.

ROOF TRUSSES:

TOP CHORD	LIVE LOAD	30 PSF
	DEAD LOAD	7 PSF
BOTTOM CHORD	LIVE LOAD	0 PSF
	DEAD LOAD	10 PSF
	TOTAL	47 PSF

21. NAILING SCHEDULE FOR PLYWOOD SHEATHING: 10d NAILS AT 6" ON CENTER, AT DIAPHRAGM BOUNDARY AND ALONG END SUPPORTING MEMBERS, 10d NAILS AT 12" ON CENTER ALONG INTERMEDIATE FRAMING MEMBERS.
22. MICRO-LAM BEAMS ('LVL'S) SHALL BE BY "TRUS JOIST MACMILLAN" OR EQUAL. ALL BEAMS JOINED TOGETHER SHALL BE PER MANUFACTURER'S SPECIFICATIONS. NO SUBSTITUTIONS SHALL BE ACCEPTABLE WITHOUT PRIOR APPROVAL OF THE ARCHITECT.
23. INSTALL DOUBLE FLOOR JOISTS UNDER ALL UPPER FLOOR LEVEL PARALLEL PARTITIONS.
24. BUILDER SHALL PROVIDE METAL DIAGONAL CORNER AND WIND BRACING AT CORNERS PER CODE 'X' AND 'K' SHAPED BRACINGS ARE ACCEPTABLE.
25. ALL WINDOW NUMBERS REFER TO MANUFACTURER INDICATED ON THE PLANS. IF AN ALTERNATE WINDOW MANUFACTURER IS USED, ALL SHAPES AND SIZES SHALL MATCH IN ALL DIMENSIONS. EVERY SLEEPING RM. SHALL BE PROVIDED WITH AN OPERABLE EGRESS WINDOW. THE SILL HEIGHT SHALL NOT BE MORE THAN 44" ABOVE THE FLOOR. THE WINDOW, WHEN OPEN, SHALL HAVE A NET CLEAR OPENING AREA OF 5.1 SQ. FT. THE MINIMUM NET CLEAR OPENING WIDTH SHALL BE AT LEAST 20" AND MINIMUM NET CLEAR OPENING HEIGHT OF AT LEAST 24" PER THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE
26. ALL MASONRY VENEER WALLS TO BE PROVIDED WITH WALL TIES AND WEEP HOLES PER CURRENT CODE. AS OUTLINED IN THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE.
27. ALL STAIRWAYS, STAIRWAY GUARDS, HANDRAILS, BALUSTERS, HEADROOM DIMENSIONS, RISERS AND TREADS SHALL COMPLY WITH ALL CODE REQUIREMENTS. AS OUTLINED IN THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE.
28. PROPERLY VENTILATE ROOF SO THERE IS A CROSS-VENTILATION WITH ROOF VENTS AND SOFFIT VENTS PER THE CURRENT MICHIGAN BUILDING CODE. CONTINUOUS ROOF RIDGE VENT SHALL BE BY MID-AMERICA BUILDING PRODUCTS, PLYMOUTH, MICHIGAN (800) 521-8476. PROVIDE AN UNDERLAYMENT OF 15# FELT UNDER ASPHALT SHINGLES AND A LAYER OF GRACE ICE AND WATER SHIELD FROM EAVE TO ENTIRE LENGTH OF ROOF (100% OF ROOF ENTIRELY). SEE WALL SECTION FOR ICE SHIELD DETAIL. INSULATION IS TO BE PROVIDED WITH A VAPOR BARRIER ON THE WARM SIDE SURFACE. NET FREE VENTILATION AREA REQUIRED IS 1/300th OF THE AREA BEING VENTILATED. 50% OF THAT AREA SHALL BE IN THE UPPER PORTION OF THAT SPACE. THE REMAINDER VENTILATION IS TO BE PROVIDED BY CONTINUOUS SOFFIT VENTS, EAVE VENTS AND CROSS VENTS.
29. ALL CONCRETE FLAT WORK SHALL BE PLACED ON 4" OF COMPACTED SAND.
30. PROVIDE ALL NECESSARY UNDERPINNING AND BRACING AS REQUIRED TO PROPERLY INSTALL NEW FOOTINGS.
31. PROVIDE WATERPROOFING ASPHALTIC PARGING COATING BELOW GRADE IF REQUIRED.
32. THE CONTRACTOR SHALL PROVIDE WRITTEN CHANGE ORDERS DOCUMENTING ADDITIONAL WORK, OR DELETION OF WORK, PRIOR TO THE CHANGE EFFORT ON THE JOB.
33. LOTS AND STREET SHALL BE MAINTAINED FREE OF DIRT AND DEBRIS DURING CONSTRUCTION.
34. PLASTER AND TAR ALL BRICK BELOW GRADE.
35. PROPERLY VENT CRAWL SPACES PER STATE MECHANICAL CODE.
36. BATH FANS TO BE VENTED TO EXTERIOR.
37. HANDRAIL GRIP SIZE SHALL NOT EXCEED A MAXIMUM HORIZONTAL CROSS-SECTIONAL DIMENSION OF 2 5/8" PER THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE.
38. BALCONY GUARDS SHALL BE BALUSTERS SPACED NO FARTHER THAN 4" APART PER THE REQUIREMENTS OF THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE.
39. PROVIDE 2X10 DOUBLE HEADER AT ALL INTERIOR DOOR OPENINGS AND 2X10 TRIPLE HEADER AT ALL EXTERIOR DOOR AND WINDOW OPENINGS (UNLESS OTHERWISE SPECIFIED)
40. PROVIDE METAL STRAPPED WINDBRACING AT EACH END OF EXTERIOR WALLS (TYPICAL)
41. PROVIDE ELECTRICALLY POWERED SMOKE DETECTORS ON EACH LEVEL, IN EACH BEDROOM, AND BEDROOM HALLWAYS. UNITS ARE TO BE WIRED SO IF ONE SOUNDS, THEY ALL SOUND. ALL SHALL HAVE BATTERY BACK UP PER THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE SECTION R311.
42. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE.
43. FIRESTOP ALL DROPS & CHASES, ELECTRICAL, PLUMBING & HEATING, APPROVED FIRESTOP MATERIAL REQUIRED FOR ALL DROPS & FLOOR OR CEILING PENETRATIONS AS OUTLINED IN THE CURRENT MICHIGAN RESIDENTIAL BUILDING CODE.
44. DESIGN LOADS:
    - ROOF LIVE LOAD = 25 P.S.F.
    - ROOF DEAD LOAD = 15 P.S.F.
    - FLOOR LIVE LOAD = 40 P.S.F.
    - FLOOR DEAD LOAD = 15 P.S.F.
    - WIND LOAD = 20 P.S.F.
45. INSULATION 'R' VALUES SHALL COMPLY WITH TABLE N1102.1 OF THE 2015 MICHIGAN RESIDENTIAL CODE, UNLESS OTHERWISE NOTED.
46. PROVIDE ON-SITE DUMPSTER THROUGHOUT THE DURATION OF THE WORK.
47. PROVIDE ON-SITE PORTABLE "PORT-A-JOHN" THROUGHOUT THE DURATION OF THE WORK.
48. PAINT ENTIRE INTERIOR AND EXTERIOR OF HOME. EXTERIOR SIDING AND TRIM TO BE PAINTED WITH ONE COAT PRIMER AND TWO COATS FINISH WITH BENJAMIN MOORE PREMIUM PAINT OR OWNER'S EQUAL SPECIFICATION SHOULD INCLUDE THREE COLORS AND CONFLETE CAULKING BOTH EXTERIOR AND INTERIOR. INTERIOR CEILINGS TO BE FLAT FINISH, WALLS IN EGG SHELL AND ALL TRIMS AND CASINGS IN HIGH GLOSS "PEARL" FINISH.
49. ALL ENGINEERED WOOD PRODUCT DOCUMENTATION I.E. TRUSSES, I-JOIST ETC., WILL BE REQUIRED TO BE SUBMITTED PRIOR TO OR AT THE ROUGH FRAME INSPECTION.
50. AN INSULATION CERTIFICATE IS REQUIRED TO BE SUBMITTED PRIOR TO THE CERTIFICATE OF OCCUPANCY INCLUDING ANY BLOWN IN PRODUCT.

GEOTEXTILE SILT FENCE



NOTE:
THIS PLOT PLAN WAS PREPARED BASED ON INFORMATION PROVIDED BUY THE OWNER, CONTRACTOR AND OR CIVIL ENGINEER, AND IS SCHEMATIC ONLY. FOR DEFINITIVE INFORMATION SEE CIVIL DRAWINGS (BY OTHER)

NOTE:
KEVIN HART AND ASSOCIATES ASSUMES NO RESPONSIBILITY FOR ANY CHANGES MADE TO THIS DRAWING IN THE FIELD.

NOTE:
THIS DRAWING IS NOT INTENDED OR REPRESENTED TO BE A LAND OR PROPERTY LINE SURVEY. THIS DRAWING IS NOT TO BE USED FOR THE ESTABLISHMENT OF ANY PROPERTY LINES OR OTHER IMPROVEMENTS.

NOTE:
THIS PLOT PLAN WAS PREPARED IN THE OFFICE. FIELD WORK WAS PERFORMED. APPROVAL OF THIS PLOT PLAN DOES NOT RELIEVED THE OWNER/BUILDER OF COMPLIANCE WITH ALL APPLICABLE CODES AND OR ORDINANCES.

NOTE:
TYPE OF PERMANENT VEGETATIVE RESTORATION WILL BE SEED/MULCH PER BUILDER UNLESS SPECIFIED OTHERWISE.

SOIL EROSION AND SEDIMENTATION CONTROL PLAN NOTES:

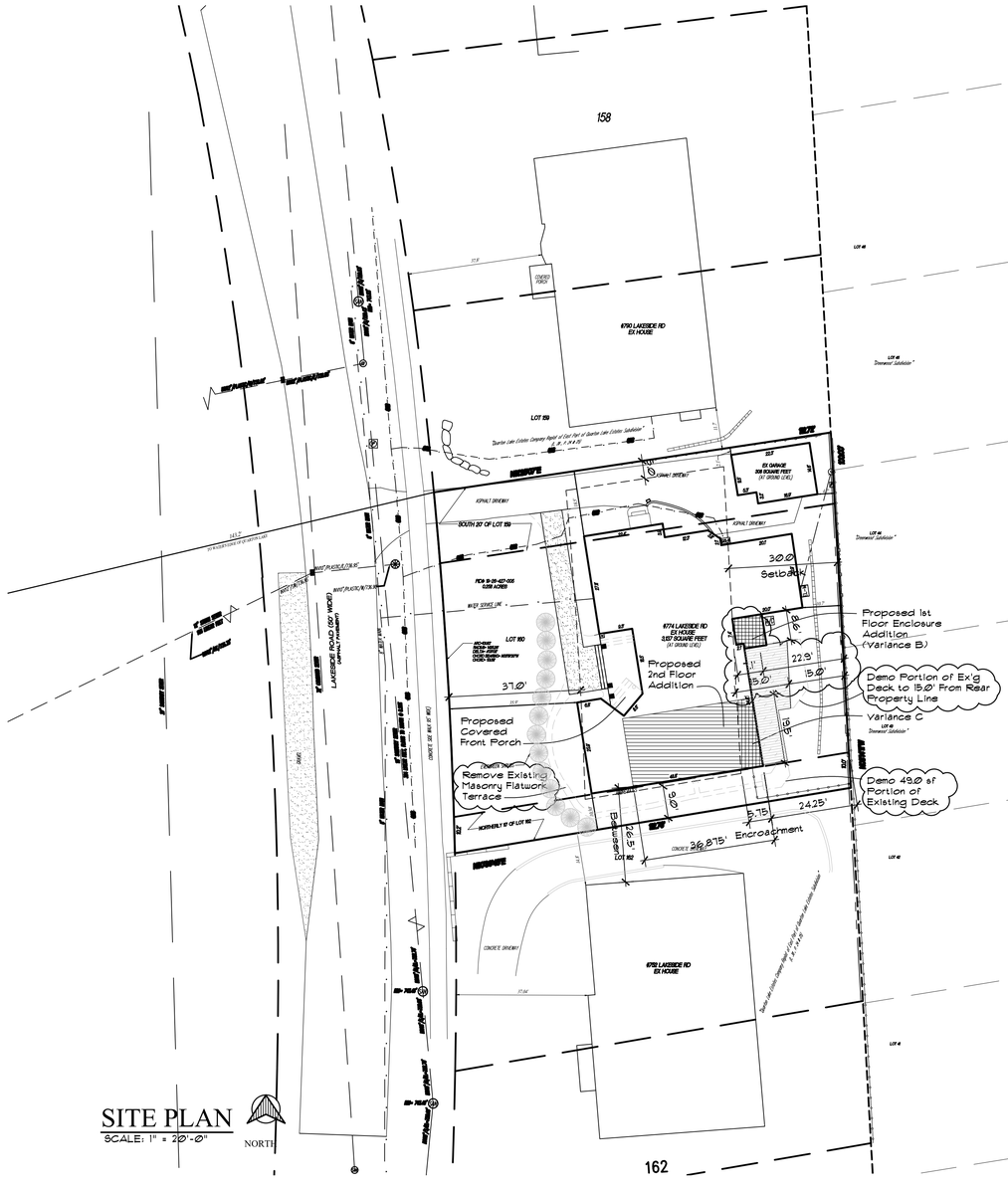
1. SOIL EROSION AND SEDIMENT CONTROL WORK SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE STATE AND COUNTY BUILDING OFFICIALS
2. DAILY INSPECTIONS SHALL BE MADE BY THE CONTRACTOR TO DETERMINE EFFECTIVENESS OF EROSION AND SEDIMENTATION CONTROL MEASURES, AND NECESSARY REPAIRS SHALL BE PERFORMED WITHOUT DELAY.
3. 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.
4. 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.
5. 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.
6. 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.
7. MUD/DIRT TRACKED ONTO EXISTING TOWNSHIP/COUNTY ROADS FROM THIS SITE, DUE TO CONSTRUCTION, SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR.
8. MUD /DIRT TRACKED OR SPILLED ON PAVED ROADS/SURFACES WITHIN THIS SITE SHALL BE PROMPTLY REMOVED BY THE CONTRACTOR.
9. VEGETATION MUST BE ACCEPTABLY ESTABLISHED PRIOR TO FINAL RELEASE OF THE CONSTRUCTION DEPOSIT BY THE CITY AND BY THE COUNTY IF APPLICABLE.
10. SOIL BORING REPORTS ARE TO ACCOMPANY THIS APPLICATION FOR SOIL EROSION SEDIMENTATION CONTROL PERMIT.

NOTE:
TYPE OF PERMANENT VEGETATIVE RESTORATION WILL BE SEED/MULCH PER BUILDER UNLESS SPECIFIED OTHERWISE.

NOTE:
SOIL EROSION CONTROL MEASURES WILL BE INSTALLED BY BUILDER AND MAINTAINED ON A WEEKLY BASIS AND AFTER EACH STORM EVENT

SEQUENCE OF EROSION AND SEDIMENTATION CONTROL OPERATIONS

1. PRIOR TO OR AS THE FIRST STEP IN CONSTRUCTION, A DEFENSE AGAINST EROSION AND SEDIMENTATION SHALL BE INSTALLED AS INDICATED ON 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 MUNICIPALITY.
2. 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.
3. PROMPTLY UPON BACKFILLING OF STORM STRUCTURES, INLET FILTERS SHALL BE REPLACED AROUND THE STRUCTURE PER DETAIL.
4. 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.
5. WITHIN 30 DAYS AFTER COMPLETION OF PAVING, GAS, ELECTRICAL TELEPHONE AND SANITARY SEWER INSTALLATION, A 15 FOOT STRIP AROUND PAVED AREAS SHALL BE PROTECTED FROM EROSION BY AN APPROVED METHOD CONSISTENT WITH THE GROWING SEASON.
6. WITHIN 5 DAYS AFTER COMPLETION OF FINAL GRADING, DENUDED AREA SHALL BE PROTECTED BY AN APPROVED METHOD CONSISTENT WITH THE GROWING SEASON. SEED & MULCH FOR PERMANENT CONTROL WITH A SUGGESTED MIXTURE OF:
   - 50% PERENNIAL RYE
   - 15% KENTUCKY BLUEGRASS
   - 35% CREEPING RED FESCUE
7. 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.
8. PERMANENT STABILIZATION OF THE SITE IS TO BE ACCOMPLISHED WITHIN (5) DAYS OF FINAL GRADING.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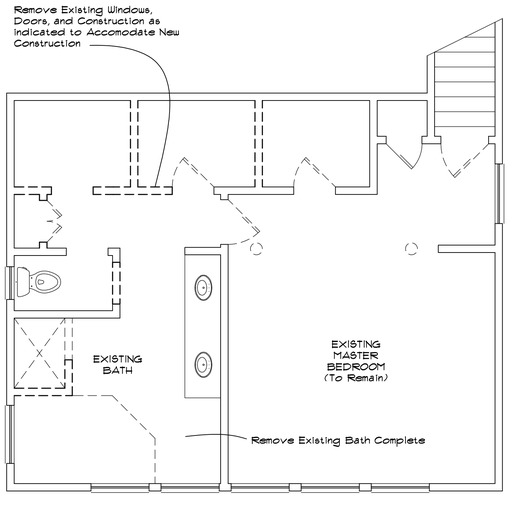
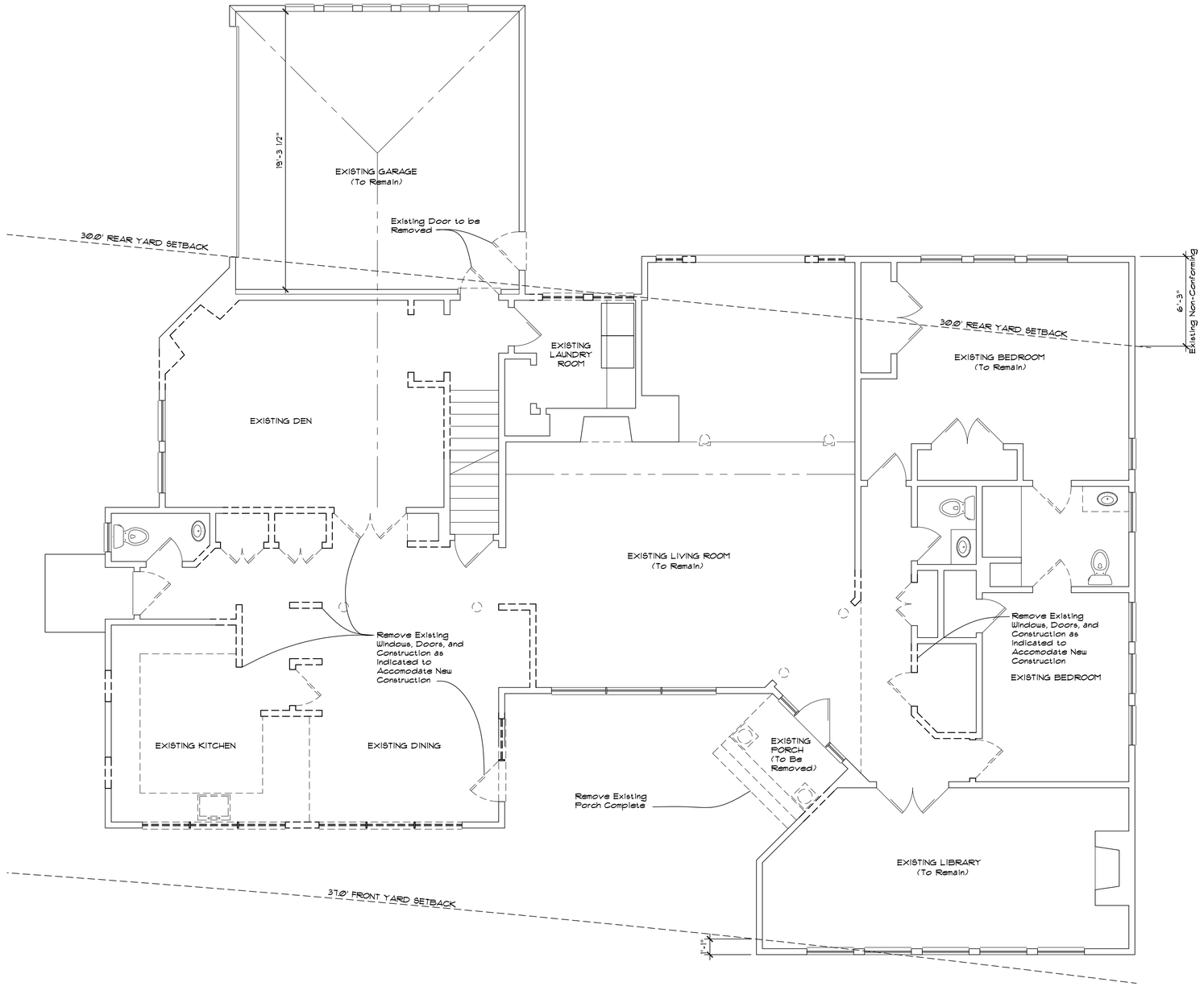


EXISTING SECOND FLOOR FLOOR PLAN

SCALE: 1/4" = 1'-Ø"

NORTH



EXISTING FIRST FLOOR FLOOR PLAN

SCALE: 1/4" = 1'-Ø"

NORTH

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ISSUED FOR:

Ø9-Ø6-24
12-Ø6-24
12-16-24
12-2Ø-24
Ø1-Ø3-25
Ø1-2Ø-25
Ø1-24-25

FRACASSA RESIDENCE

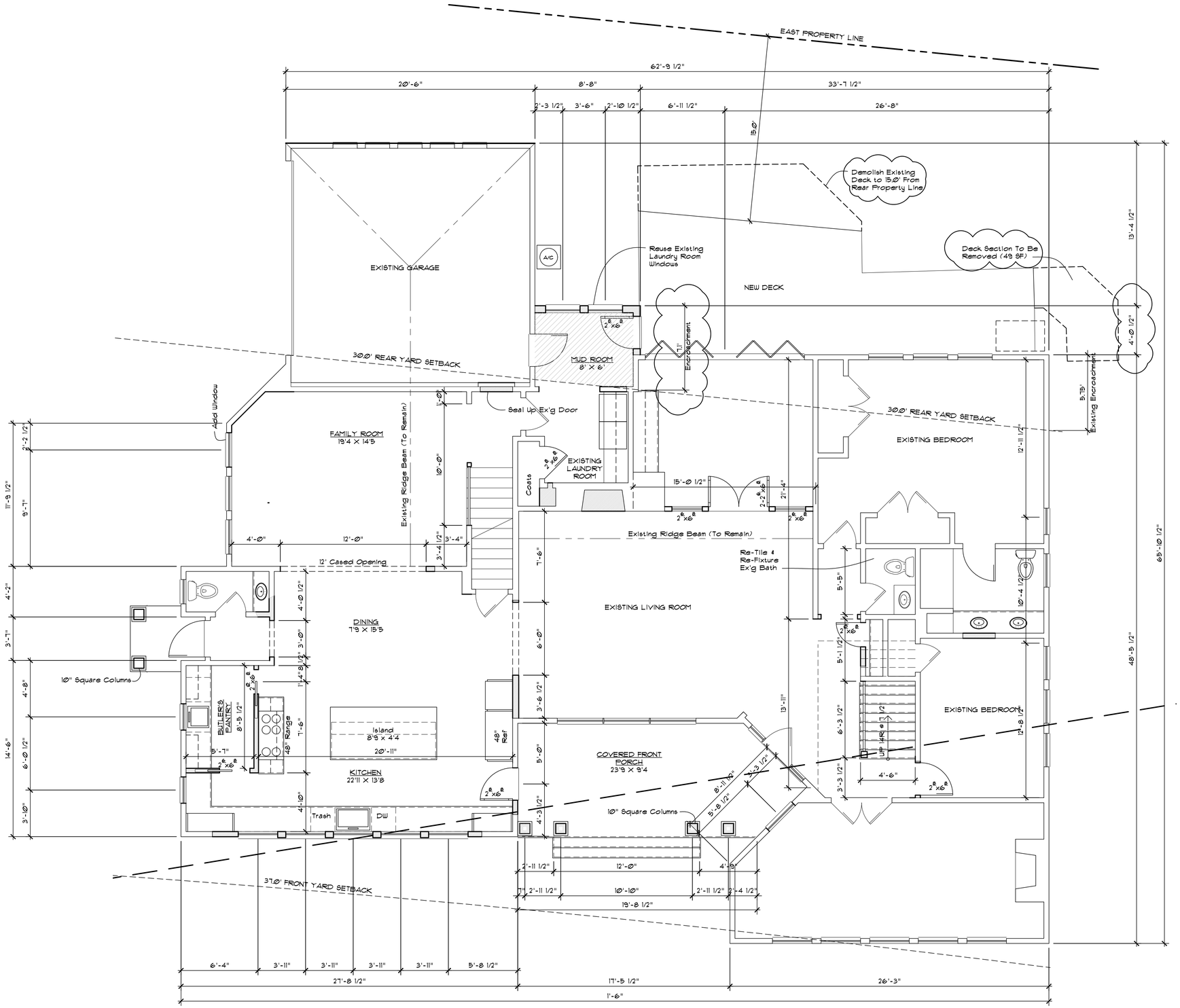
BIRMINGHAM, MICHIGAN

CLIENT:
JOAN AND PHILIP FRACASSA
774 LAKESIDE DR
BIRMINGHAM, MI 48Ø09
(33Ø) 284-2141

SHEET NO.

BZA-2

KCH A-1 Site Planning
6/4/2025 9:13 AM
:ia Keller



PROPOSED FIRST FLOOR FLOOR PLAN

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

Existing:	2,696 SF
Addition:	78 SF
Proposed:	2,774 SF

NORTH

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03-17-25

FRACASSA RESIDENCE

BIRMINGHAM, MICHIGAN

CLIENT:
JOAN AND PHILIP FRACASSA
774 LAKESIDE DR
BIRMINGHAM, MI 48009
(330) 284-2741

SHEET NO.
BZA-3

KCH A-1 Site Plandwg 6/4/2007 9:13 AM :ia Keller

PROPOSED SECOND FLOOR FLOOR PLAN

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

NORTH

Existing:	617 SF
Addition:	716 SF
Proposed:	1,333 SF

Total Proposed 1st & 2nd:	4,107 SF

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ISSUED FOR:

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01-24-25

FRACASSA RESIDENCE

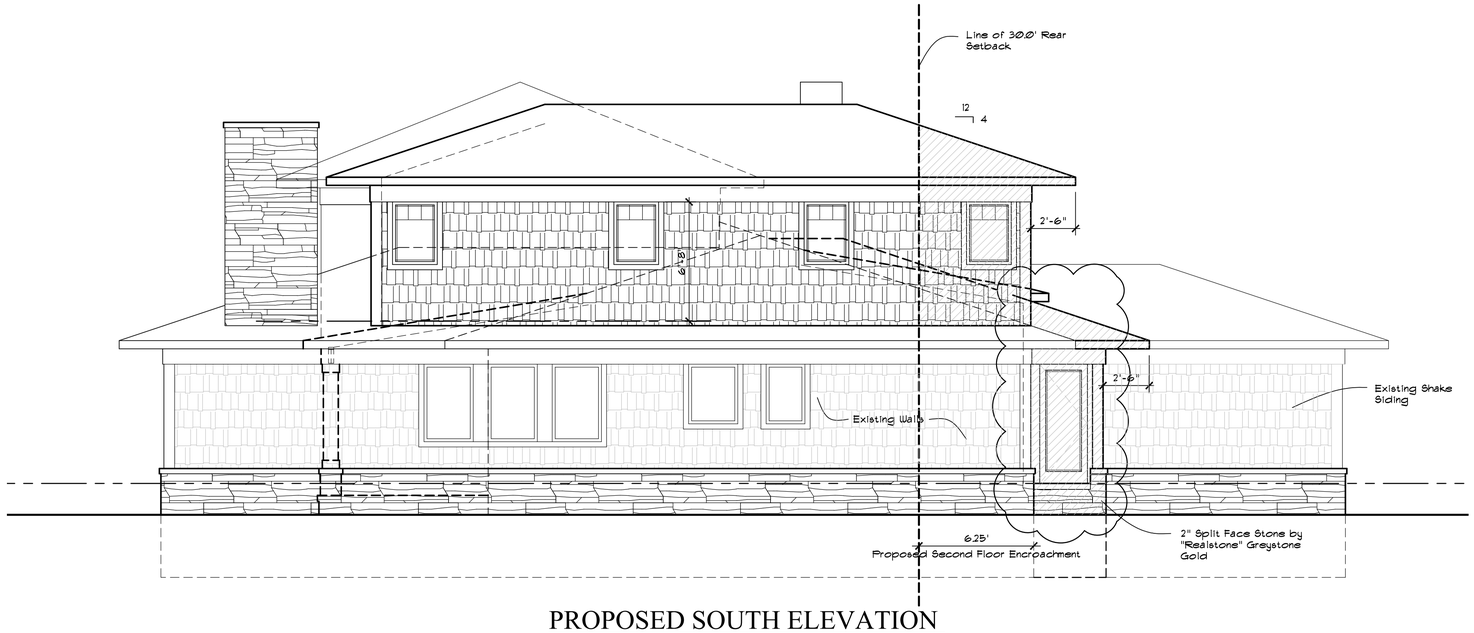
BIRMINGHAM, MICHIGAN

CLIENT:
JOAN AND PHILIP FRACASSA
774 LAKESIDE DR
BIRMINGHAM, MI 48009
(330) 284-2141

SHEET NO.

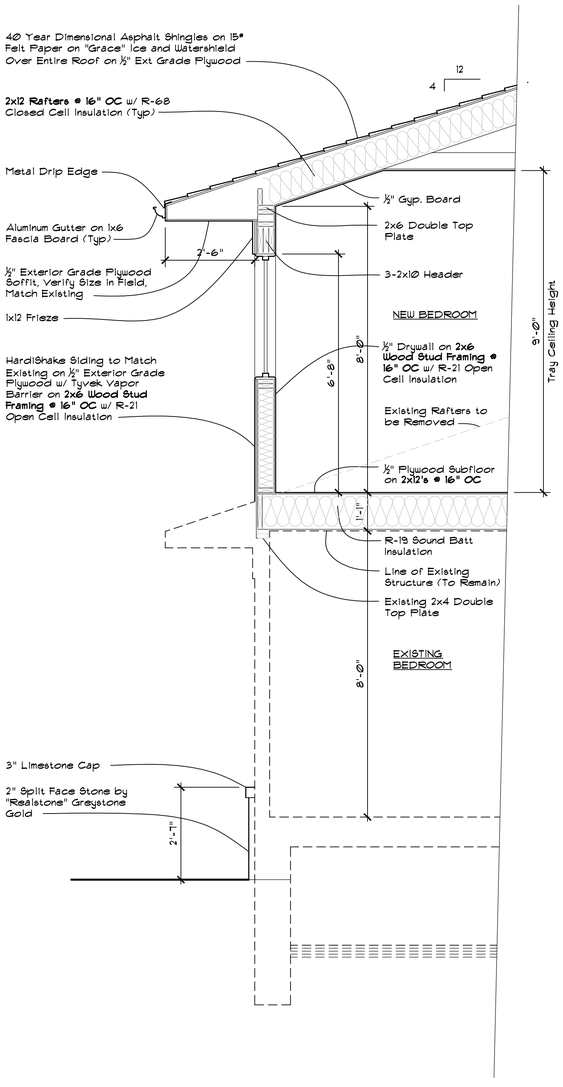
BZA-4

KDH A-1 Site Planding
6/4/2007 9:13 AM
:ia Keller



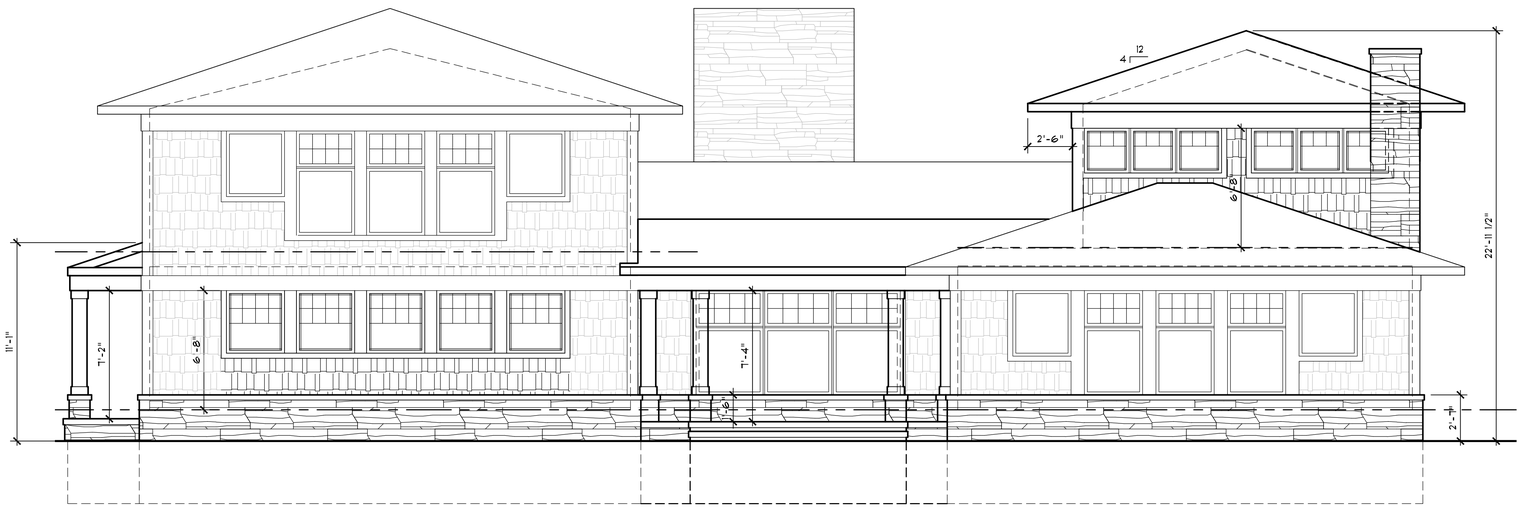
PROPOSED SOUTH ELEVATION

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



1 / A2-A5 WALL SECTION

SCALE: 1/2" = 1'-0"



PROPOSED WEST ELEVATION

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

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FRACASSA RESIDENCE

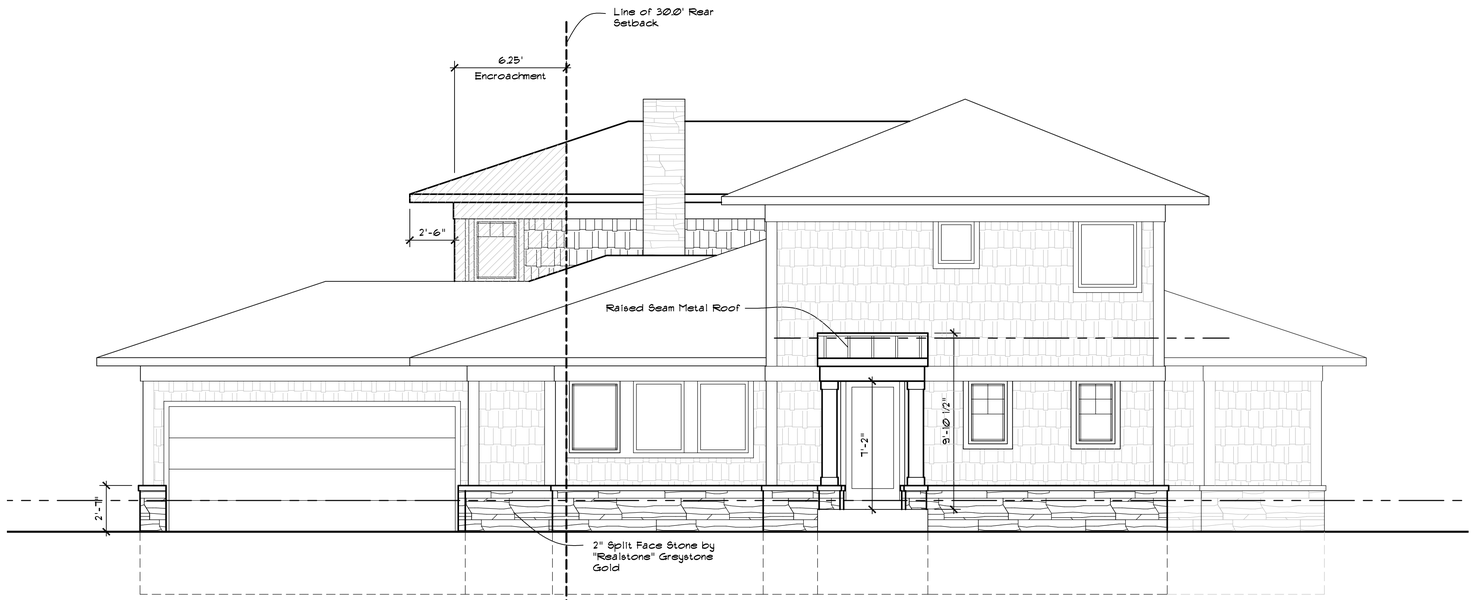
BIRMINGHAM, MICHIGAN

CLIENT:
JOAN AND PHILIP FRACASSA
774 LAKESIDE DR
BIRMINGHAM, MI 48009
(330) 284-2741

SHEET NO.

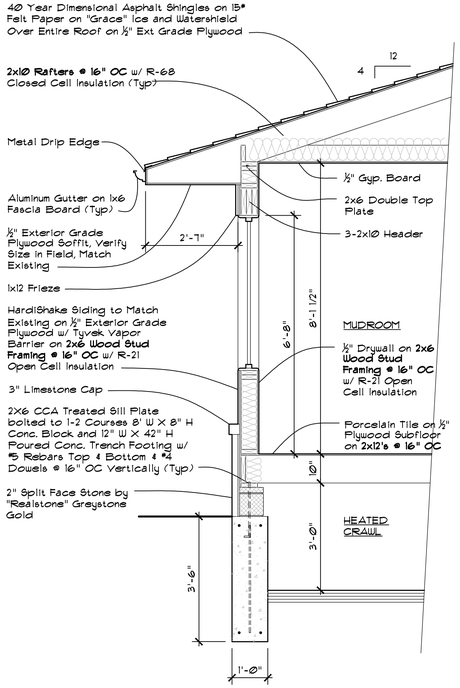
BZA-5

KCH A-1 Site Plan.dwg 6/4/2007 9:13 AM :18 Keller



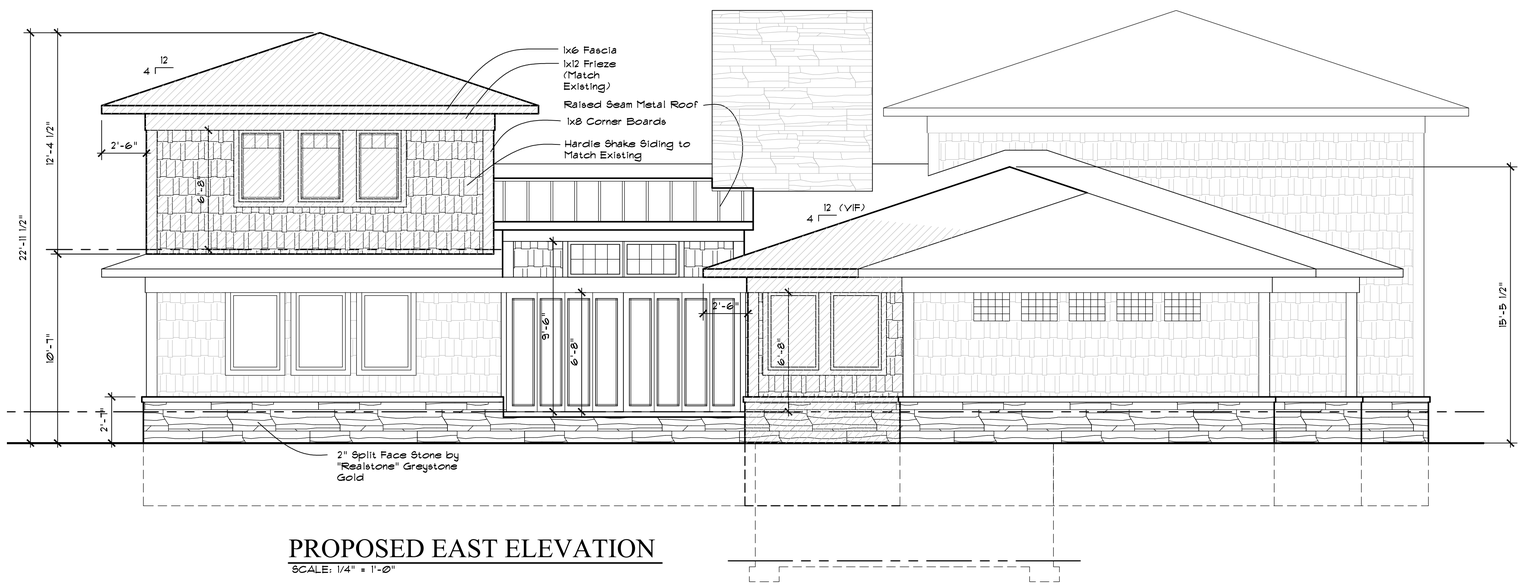
PROPOSED NORTH ELEVATION

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



2 A2-A5 WALL SECTION

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



PROPOSED EAST ELEVATION

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

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FRACASSA RESIDENCE

BIRMINGHAM, MICHIGAN

CLIENT:
JOAN AND PHILIP FRACASSA
774 LAKESIDE DR
BIRMINGHAM, MI 48009
(330) 284-2741

SHEET NO.

BZA-6

KCH A-1 Site Plan.dwg 6/4/2007 9:13 AM Kristin Keller

CASE DESCRIPTION

1792 Banbury (25-08)

Hearing date: April 8, 2025

Appeal No. 25-08: The owner of the property known **1792 Banbury**, requests the following variance to construct a detached garage:

A. Chapter 126, Article 4, Section 4.61(A)2 of the Zoning Ordinance requires on corner lots where there is no abutting interior residential lot on such side street, the minimum side street setback shall be 15.00 feet for permitted accessory buildings. The proposed garage is 8.17 feet. Therefore, a variance of 6.83 feet is being requested.

Staff Notes: The applicant is looking to construct a new house with a detached garage on an irregular shaped corner lot. The variance is required due to the detached garage.

This property is zoned R2 – Single family residential.

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

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)

1792 BANBURY 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: _____ Hearing Date: _____

Received By: _____ Appeal #: _____

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

I. PROPERTY INFORMATION:

Address: 1792 BANBURY	Lot Number: 258	Sidwell Number: 20 - 31 - 332 - 010	

II. OWNER INFORMATION:

Name: TERRAH & WILLIE GREEN			
Address: 6115 CHESTNUT STREET	City: NEW ORLEANS	State: LA	Zip code: 70118
Email:* greentwg14@gmail.com		Phone: 734-558-8806	

III. PETITIONER INFORMATION:

Name: MICHAEL J. GORDON	Firm/Company Name: MOISEEV / GORDON ASSOCIATES, INC		
Address: 4351 DELEMERE COURT	City: ROYAL OAK	State: MI	Zip code: 48073
Email: michaelg@mga-architects.net		Phone: 248-318-2919	

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: 11 FEBRUARY 2025

Signature of Petitioner: _____ Date: 10 FEBRUARY 2025

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

MICHAEL J. GORDON, ARCHITECT

MGA
Architects/Designers

12 February 2025

City of Birmingham Planning Department
Zoning Board of Appeals
151 Martin Street
Birmingham, MI 48009

Re: Green Residence
1792 Banbury, Birmingham, MI
Architect's Job Number: 23122

Dear Zoning Board:

We are requesting a variance for a two car detached garage to be constructed in the rear yard of 1792 Banbury. The existing house is currently scheduled to be demolished and rebuilt.

The new garage will replace the existing single car garage in approximately the same location. However, due to the small and oddly shaped lot, the rear yard narrows such that the 15'-0" side yard setback required for a corner lot can not be achieved. We are proposing a setback of 8.17' to the garage requiring a variance of 6.83'.

The site was studied and multiple options were considered, including an attached garage. All options were also reviewed with staff and based upon their input, the option presented was selected. We think granting this variance will provide substantial justice to the homeowners, allowing them to use the property in the manner that so many adjoining properties enjoy.

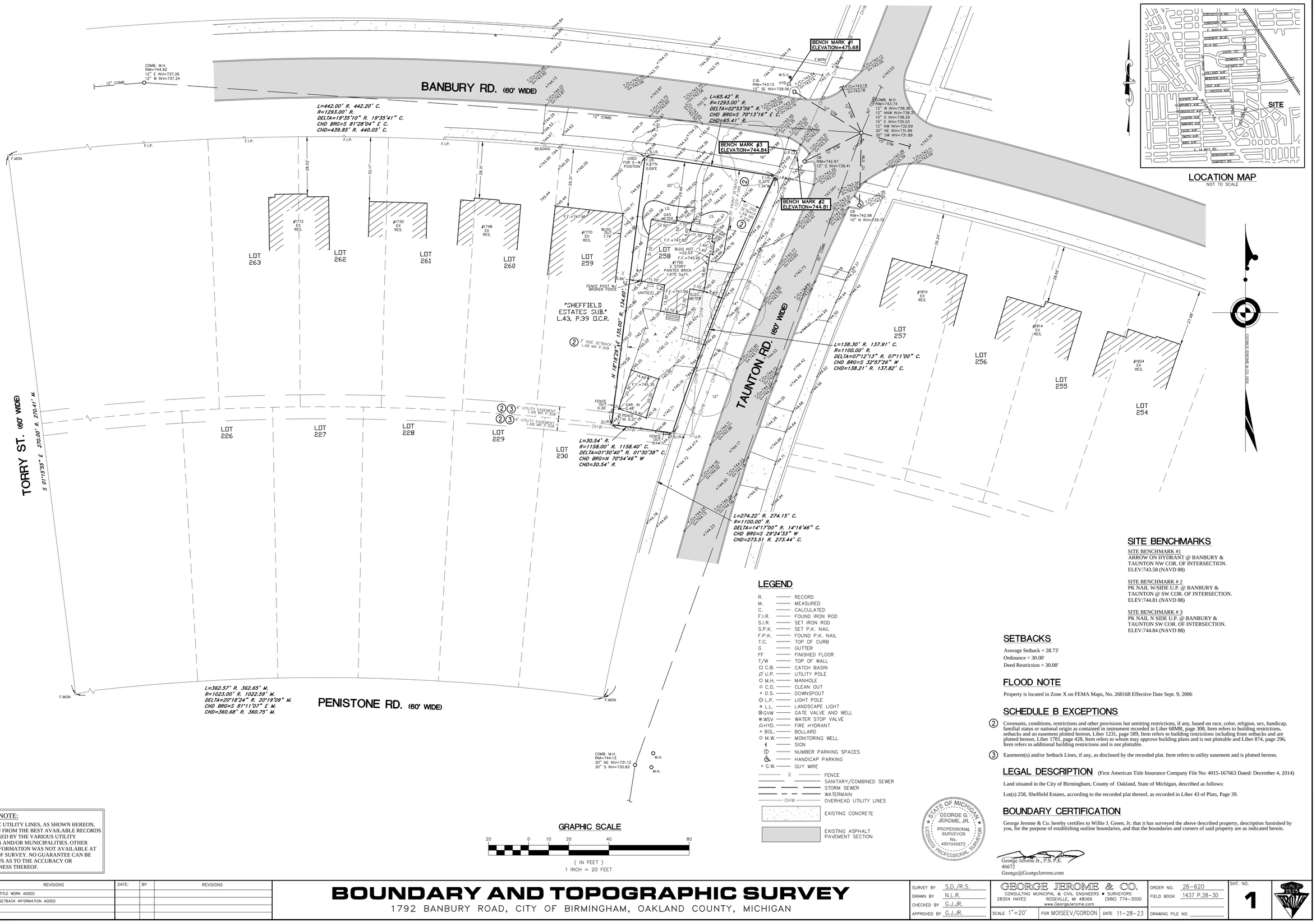
Again, due to the odd shape of the lot, corner location and small lot size, none of which were created by the owner, we feel that this is the right solution for the homeowner and community at large. We hope you look favorably upon this request.

Sincerely,
MOISEEV/GORDON ASSOCIATES, INC.

Michael J. Gordon, RA

MJG:em

Moiseev/Gordon Associates, Inc.
4351 Delemere Court Royal Oak, MI 48073
www.mga-architects.net
248.549.4500 voice 248.549.7300 facs


BANBURY RD. (60' WIDE)
TAUNTON RD. (60' WIDE)
TORRY ST. (60' WIDE)
PENISTONE RD. (60' WIDE)
"SHEFFIELD ESTATES SUB." L.43, P.39 D.C.R.
LOT 258
LOT 259
LOT 260
LOT 261
LOT 262
LOT 263
LOT 257
LOT 256
LOT 255
LOT 254
LOT 230
LOT 229
LOT 228
LOT 227
LOT 226
#1792 1 STORY PAINTED BRICK 1,675 Sq.Ft.
#1770 EX. RES.
#1712 EX. RES.
#1730 EX. RES.
#1748 EX. RES.
#1810 EX. RES.
#1814 EX. RES.
#1824 EX. RES.
BENCH MARK #1 ELEVATION=475.68
BENCH MARK #2 ELEVATION=744.81
BENCH MARK #3 ELEVATION=744.84
L=442.00' R. 442.20' C.
R=1293.00' R.
DELTA=19°35'10" R. 19°35'41" C.
CHD BRG=S 81°28'04" E C.
CHD=439.85' R. 440.05' C.
L=65.42' R.
R=1293.00' R.
DELTA=02°53'56" R.
CHD BRG=S 70°13'16" E C.
CHD=65.41' R.
L=138.30' R. 137.91' C.
R=1100.00' R.
DELTA=07°12'13" R. 07°11'00" C.
CHD BRG=S 32°57'26" W
CHD=138.21' R. 137.82' C.
L=30.54' R.
R=1158.00' R. 1158.40' C.
DELTA=01°30'40" R. 01°30'38" C.
CHD BRG=N 70°54'46" W
CHD=30.54' R.
L=274.22' R. 274.15' C.
R=1100.00' R.
DELTA=14°17'00" R. 14°16'46" C.
CHD BRG=S 29°24'33" W
CHD=273.51 R. 273.44' C.
L=362.57' R. 362.65' M.
R=1023.00' R. 1022.59' M.
DELTA=20°18'24" R. 20°19'09" M.
CHD BRG=S 81°11'07" E M.
CHD=360.68' R. 360.75' M.
N 18°19'29" E 135.00' R. 134.69' M.
S 01°15'55" E 270.00' R. 270.41' M.
COMB. M.H. RIM=744.92 12" E INV=737.26 12" W INV=737.24
COMB. M.H. RIM=743.74 12" W INV=738.36 12" NNW INV=738.31 10" S INV=738.29 15" E INV=735.03 12" NW INV=732.69 30" NE INV=731.89 30" SW INV=731.88
COMB. M.H. RIM=744.13 12" SE INV=739.56
COMB. M.H. RIM=744.12 30" NE INV=731.12 30" S INV=730.83
C.B. RIM=742.97 12" E INV=739.41
C.B. RIM=742.98 10" N INV=739.10
GAS METER
ELEC. METER
UNITS(2)
BLDG HGT =22.53' F.F.=745.56
BLDG OUT 7.19'
FENCE POST W/ BROKEN FENCE
FENCE OUT 0.26'
GAR. IN 2.48'
FENCE IN 0.21'
F.F.=747.88
F.F.=747.59
F.F.=745.30
F.F.=747.39
USED FOR E-W POSITION
F.I.R. 0.27N 0.09E
F.I.R. 0.31S 1.34W
F.I.R. 0.96'
F.I.R. 0.27S 0.09W
F.I.R. 0.31S 0.34E
F.I.R. 0.27S 0.09E
F.I.R. 0.31S 1.34E
S.I.R.
S.I.R. 0.27S 0.09W
S.I.R. 0.31S 0.34E
U.P. (S)
U.P. (N)
F.MON
READING
T/C=744.08 G=743.92
T/C=744.13 G=743.97
T/C=744.25 G=743.99
T/C=744.07 G=743.87
T/C=744.10 G=743.90
T/C=744.19 G=743.99
T/C=744.29 G=744.09
T/C=744.39 G=744.19
T/C=744.49 G=744.29
T/C=744.59 G=744.39
T/C=744.69 G=744.49
T/C=744.79 G=744.59
T/C=744.89 G=744.69
T/C=744.99 G=744.79
T/C=745.09 G=744.89
T/C=745.19 G=744.99
T/C=745.29 G=745.09
T/C=745.39 G=745.19
T/C=745.49 G=745.29
T/C=745.59 G=745.39
T/C=745.69 G=745.49
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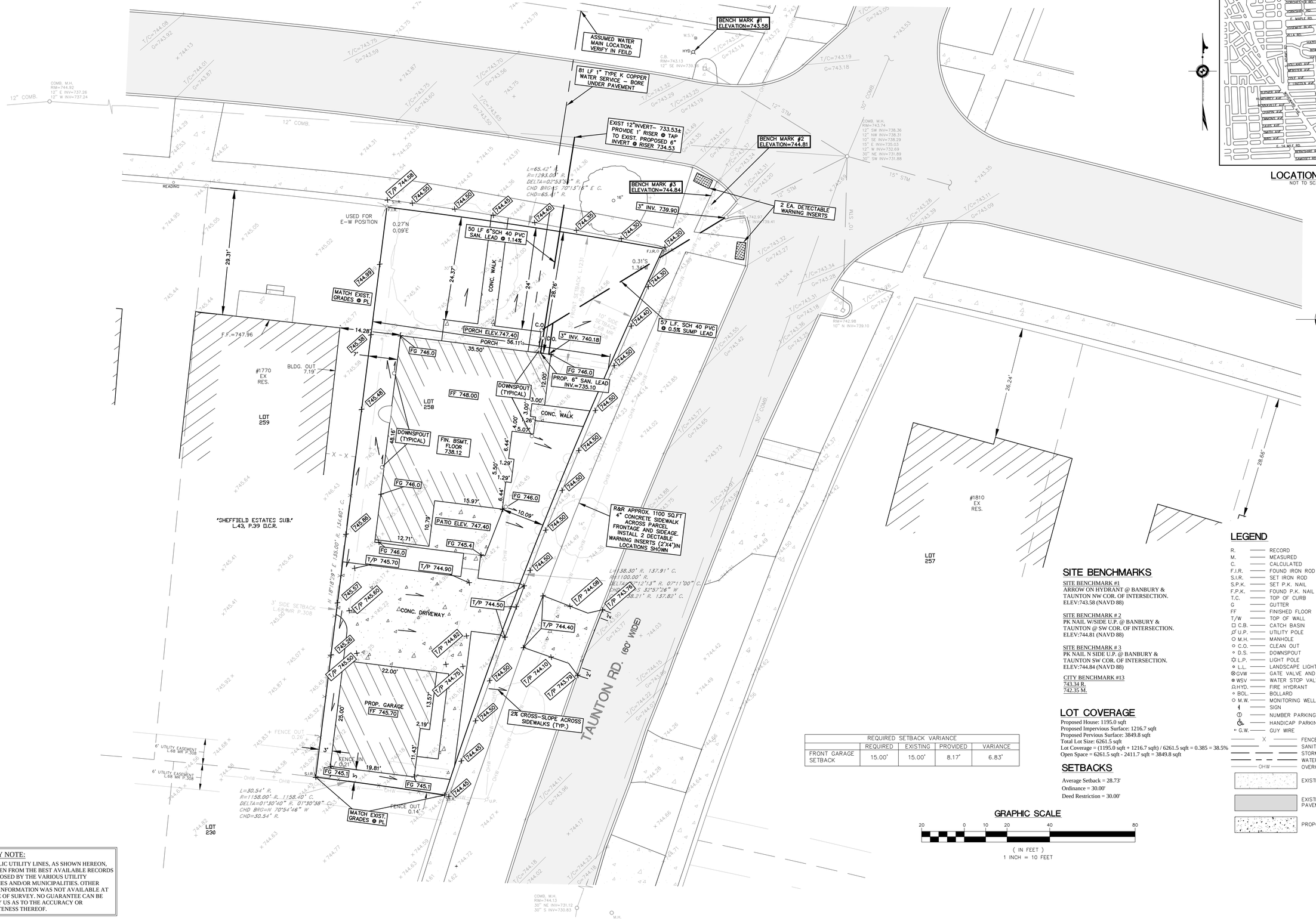
T/C=745.99 G=745.79
T/C=746.09 G=745.89



LOCATION MAP
NOT TO SCALE

SITE BENCHMARKS

SITE BENCHMARK #1
ARROW ON HYDRANT @ BANBURY & TAUNTON NW COR. OF INTERSECTION.
ELEV:743.58 (NAVD 88)

SITE BENCHMARK # 2
PK NAIL W/SIDE U.P. @ BANBURY & TAUNTON @ SW COR. OF INTERSECTION.
ELEV:744.81 (NAVD 88)

SITE BENCHMARK # 3
PK NAIL N SIDE U.P. @ BANBURY & TAUNTON SW COR. OF INTERSECTION.
ELEV:744.84 (NAVD 88)

CITY BENCHMARK #13
743.34 R.
742.35 M.

LOT COVERAGE

Proposed House: 1195.0 sqft
Proposed Impervious Surface: 1216.7 sqft
Proposed Pervious Surface: 3849.8 sqft
Total Lot Size: 6261.5 sqft
Lot Coverage = (1195.0 sqft + 1216.7 sqft) / 6261.5 sqft = 0.385 = 38.5%
Open Space = 6261.5 sqft - 2411.7 sqft = 3849.8 sqft

SETBACKS

Average Setback = 28.73'
Ordinance = 30.00'
Deed Restriction = 30.00'

REQUIRED SETBACK VARIANCE				
	REQUIRED	EXISTING	PROVIDED	VARIANCE
FRONT GARAGE SETBACK	15.00'	15.00'	8.17'	6.83'

GRAPHIC SCALE

20 0 10 20 40 80

(IN FEET)
1 INCH = 10 FEET

LEGEND

R.	RECORD
M.	MEASURED
C.	CALCULATED
F.I.R.	FOUND IRON ROD
S.I.R.	SET IRON ROD
S.P.K.	SET P.K. NAIL
F.P.K.	FOUND P.K. NAIL
T.C.	TOP OF CURB
G	GUTTER
FF	FINISHED FLOOR
T/W	TOP OF WALL
C.B.	CATCH BASIN
U.P.	UTILITY POLE
M.H.	MANHOLE
C.O.	CLEAN OUT
D.S.	DOWNSPOUT
L.P.	LIGHT POLE
L.L.	LANDSCAPE LIGHT
GVW	GATE VALVE AND WELL
WSV	WATER STOP VALVE
HYD.	FIRE HYDRANT
BOL.	BOLLARD
M.W.	MONITORING WELL
	SIGN
	NUMBER PARKING SPACES
	HANDICAP PARKING
G.W.	GUY WIRE
X	FENCE
	SANITARY/COMBINED SEWER
	STORM SEWER
	WATERMAIN
OHW	OVERHEAD UTILITY LINES
	EXISTING CONCRETE
	EXISTING ASPHALT PAVEMENT SECTION
	PROPOSED CONCRETE

UTILITY NOTE:
ALL PUBLIC UTILITY LINES, AS SHOWN HEREON, ARE TAKEN FROM THE BEST AVAILABLE RECORDS AS DISCLOSED BY THE VARIOUS UTILITY COMPANIES AND/OR MUNICIPALITIES. OTHER UTILITY INFORMATION WAS NOT AVAILABLE AT THE TIME OF SURVEY. NO GUARANTEE CAN BE GIVEN BY US AS TO THE ACCURACY OR COMPLETENESS THEREOF.

DATE:	BY	REVISIONS
12-04-24	N.L.R.	PRELIMINARY REVIEW
12-04-24	W.J.C.	SITE PLAN UPDATE

PLOT PLAN
1792 BANBURY ROAD, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

SURVEY BY S.D./R.S.
DRAWN BY N.L.R.
CHECKED BY G.J.JR.
APPROVED BY G.J.JR.

GEORGE JEROME & CO.
CONSULTING MUNICIPAL & CIVIL ENGINEERS • SURVEYORS
28304 HAYES ROSEVILLE, MI 48066 (586) 774-3000
www.GeorgeJerome.com

SCALE 1"=10' FOR MOISEEV/GORDON DATE 08-28-24

ORDER NO. 26-620
FIELD BOOK 1437-P.28-30
DRAWING FILE NO.

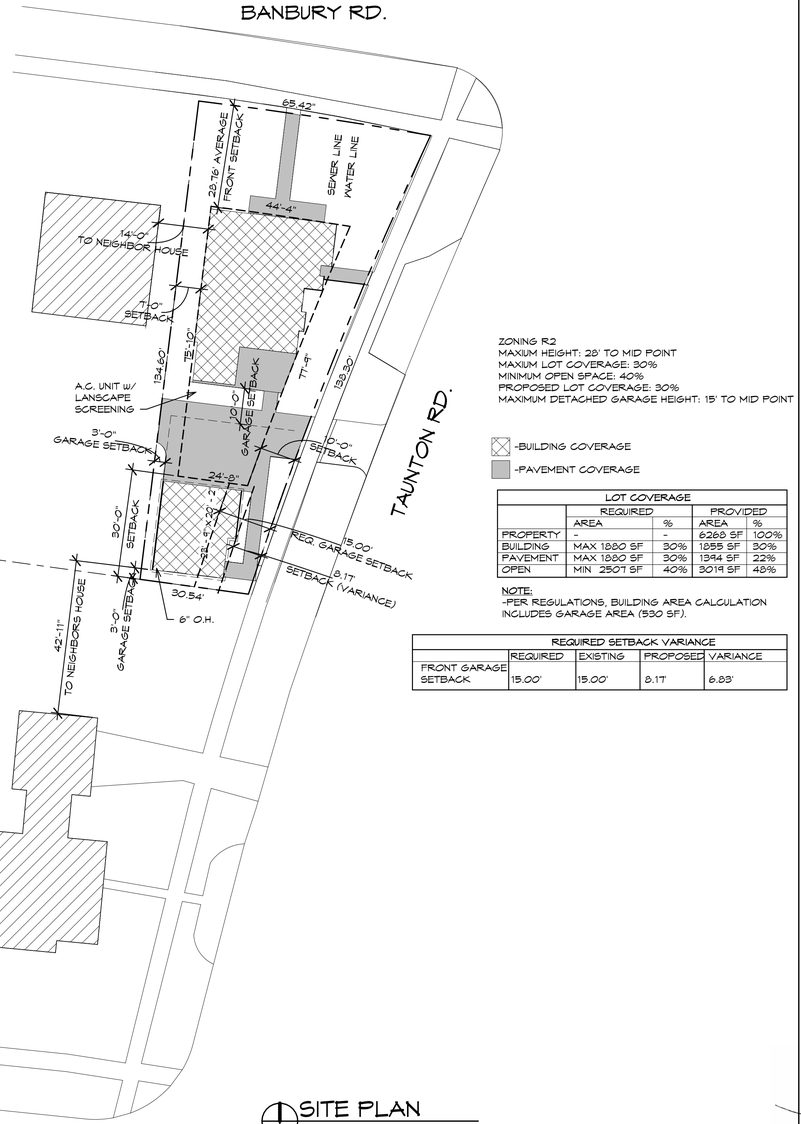
SHT. NO. 2 OF 3

Green Residence

Birmingham, Michigan

Drawing Schedule

		Issued Owner Review	Issued Owner Review	Issued Owner Review	Issued Owner Review	Issued Owner Review	Issued Owner Review	Issued Owner Review	Issued Owner Review	Issued Permit ONLY	Issued Revised for DTE	Issued ZBA
SP-1	SITE PLAN	03-04-24	03-13-24	04-23-24	05-07-24	05-14-24	05-29-24	06-05-24	07-01-24	08-01-24	11-27-24	02-12-25
1 of 2	BOUNDARY AND TOPOGRAPHIC SURVEY									04-19-24	11-27-24	02-12-25
2 of 2	PLOT PLAN									08-28-24	11-27-24	02-12-25
F-1	FOUNDATION PLAN									08-01-24	11-27-24	
A-1	BASEMENT PLAN	03-04-24	03-13-24	04-23-24	05-07-24				07-01-24	08-01-24	11-27-24	
A-2	FIRST FLOOR PLAN	03-04-24	03-13-24	04-23-24	05-07-24		05-29-24	06-05-24	07-01-24	08-01-24	11-27-24	
A-3	SECOND FLOOR PLAN	03-04-24	03-13-24	04-23-24	05-07-24	05-14-24			07-01-24	08-01-24	11-27-24	
A-4	ELEVATIONS			04-23-24	05-07-24	05-14-24			07-01-24	08-01-24	11-27-24	
A-7	ROOF PLAN				05-07-24	05-14-24			07-01-24	08-01-24	11-27-24	
A-6	SECTIONS									08-01-24	11-27-24	
A-7	SECTIONS									08-01-24	11-27-24	
A-8	GARAGE									08-01-24	11-27-24	02-12-25
A-9	GARAGE SECTIONS									08-01-24	11-27-24	
E-1	BASEMENT ELECTRICAL PLAN									08-01-24	11-27-24	
E-2	FIRST FLOOR ELECTRICAL PLAN									08-01-24	11-27-24	
E-3	SECOND FLOOR ELECTRICAL PLAN									08-01-24	11-27-24	



ZONING R2
MAXIUM HEIGHT: 28' TO MID POINT
MAXIUM LOT COVERAGE: 30%
MINIMUM OPEN SPACE: 40%
PROPOSED LOT COVERAGE: 30%
MAXIMUM DETACHED GARAGE HEIGHT: 15' TO MID POINT

-BUILDING COVERAGE

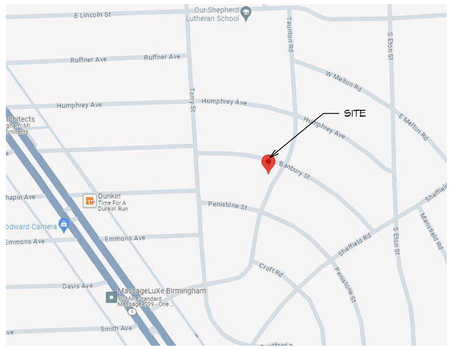
-PAVEMENT COVERAGE

LOT COVERAGE				
	REQUIRED		PROVIDED	
	AREA	%	AREA	%
PROPERTY	-	-	8268 SF	100%
BUILDING	MAX 1880 SF	30%	1855 SF	30%
PAVEMENT	MAX 1880 SF	30%	1394 SF	22%
OPEN	MIN 2507 SF	40%	3019 SF	48%

NOTE:
-PER REGULATIONS, BUILDING AREA CALCULATION INCLUDES GARAGE AREA (530 SF).

REQUIRED SETBACK VARIANCE				
	REQUIRED	EXISTING	PROPOSED	VARIANCE
FRONT GARAGE SETBACK	15.00'	15.00'	8.17'	6.83'

SITE PLAN
Scale: 1" = 20'-0"



LOCATION MAP
SCALE: N.T.S.

MGA Architects/Designers

Moiseev/Gordon Associates, Inc.
4351 Delemere Court
Royal Oak, MI 48073

248.549.4500 voice
248.549.7300 facs.

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Client:
Terrah & Willie Green

6115 Chestnut Street,
New Orleans, LA 70118

Project Title:
Green Residence

1792 Banbury Drive,
Birmingham, MI 48009

Sheet Title:
TITLE SHEET & SITE PLAN

Project Number: 23122
Drawn By: AVF
Checked By: MJG
Approved By: MJG
Date: 1-10-24

Issued:

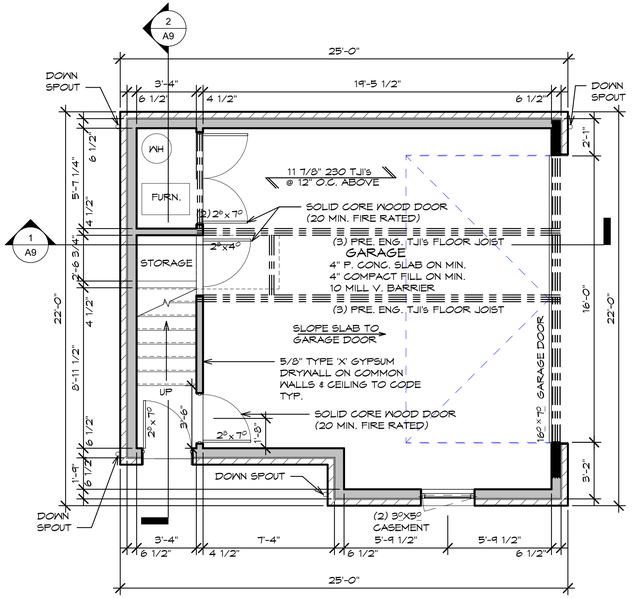
Review	01-16-24
Review	02-01-24
Review	03-04-24
Review	03-13-24
Review	04-23-24
Review	05-07-24
Review	05-14-24
Review	05-29-24
Review	06-05-24
Review	07-01-24
Permit ONLY	08-01-24
Revised for DTE	11-27-24
ZBA	02-12-25

Sheet Number:

SP1

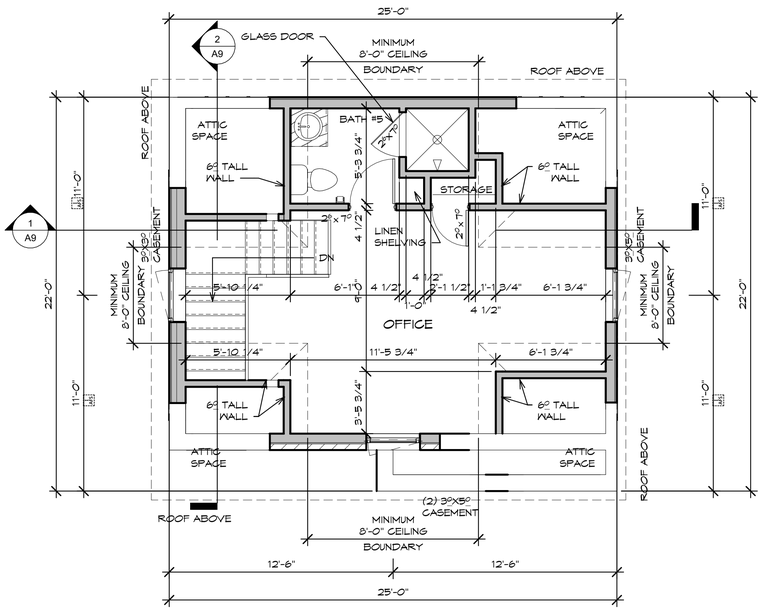
STATE OF MICHIGAN
MICHAEL J. GORDON
ARCHITECT
No. 1301034156
REGISTERED ARCHITECT

2/12/2025 9:14:42 AM



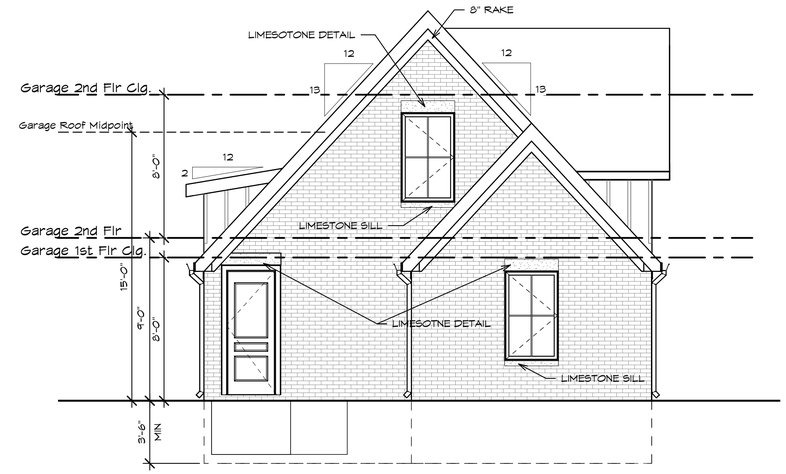
GARAGE FIRST FLOOR

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



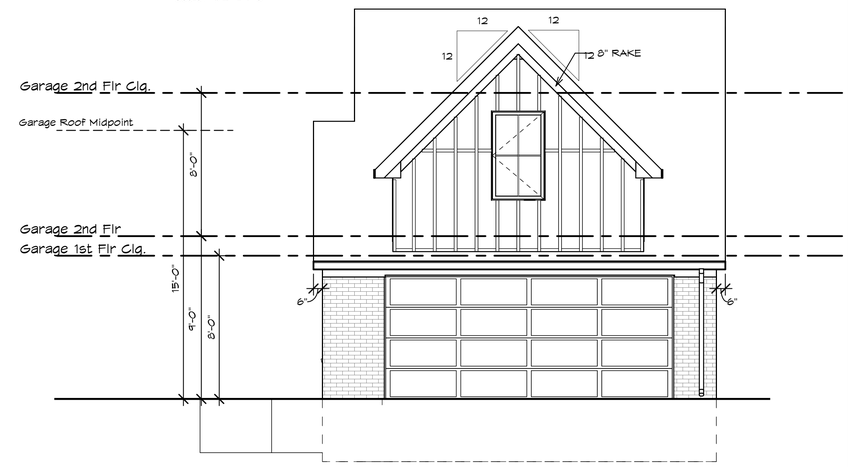
GARAGE SECOND FLOOR

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



GARAGE EAST ELEVATION

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



GARAGE NORTH ELEVATION

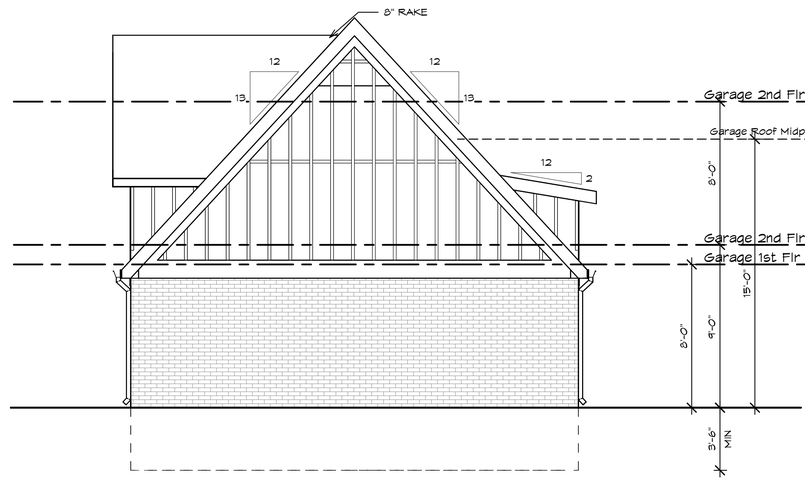
Scale: 1/4" = 1'-0"

-GREY COLORED BRICK

-BEIGE COLORED BOARD & BATTEN

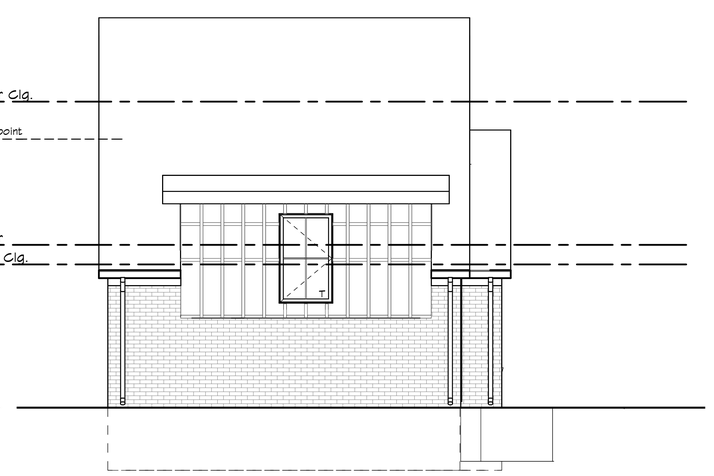
-BEIGE COLORED LIMESTONE TILES

MATERIAL LEGEND



GARAGE WEST ELEVATION

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



GARAGE SOUTH ELEVATION

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

MGA
Architects/Designers

Moiseev/Gordon Associates, Inc.
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Royal Oak, MI 48073

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Client:

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6115 Chestnut Street,
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GARAGE

Project Number: 23122
Drawn By: AVF
Checked By: MJG
Approved By: MJG
Date: 1-10-24

Issued:

Permit ONLY	08-01-24
Revised for DTE	11-27-24
ZBA	02-12-25

Sheet Number:

A8

STATE OF MICHIGAN
MICHAEL J. GORDON
ARCHITECT
No. 1301034166
LICENSED ARCHITECT

2/12/2025 9:14:45 AM

CASE DESCRIPTION

719 Larchlea (25-09)

Hearing date: April 8, 2025

Appeal No. 25-09: The owner of the property known **719 Larchlea**, requests the following variances to construct an addition to the existing home:

A. Chapter 126, Article 2, Section 2.06.2 of the Zoning Ordinance requires that a minimum total combined side yard setbacks to be 14.00 feet or 25% of the lot width, whichever is larger. The required is 22.50 feet. The proposed is 11.73 feet. Therefore, a variance of 10.77 feet is requested.

B. 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 22.50 feet. The existing is 17.20 feet and the proposed is 15.23 feet. Therefore, a variance of 7.27 feet is requested on the south side.

C. Chapter 126, Article 4, Section 4.75 A(1) of the Zoning Ordinance requires that private attached garages must be setback a minimum of 5.00 feet from the portion of the front façade on the first floor of the principal residential building that is furthest setback from the front property line. The proposed is 2.00 feet behind the garage. Therefore, a variance of 7.00 feet is being requested.

Staff Notes: The applicant is looking to construct an addition to the existing attached garage to the existing non-conforming home that was constructed in 1946.

This property is zoned R1 – Single family residential.

_____

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

CHAPTER 126 - ZONING

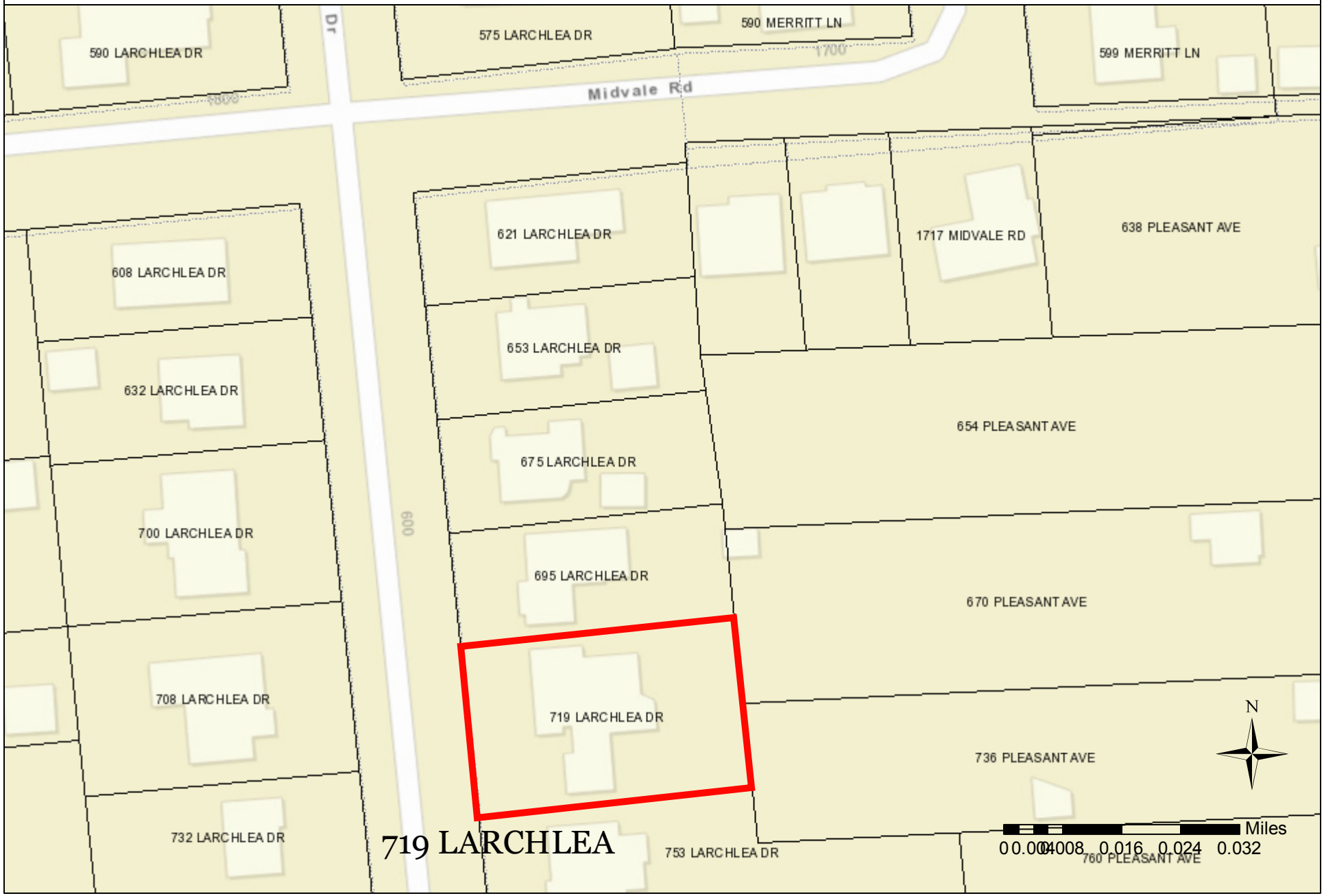
ARTICLE 8: ENFORCEMENT AND PENALTIES

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)

719 LARCHLEA 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: _____ **Hearing Date:** _____

Received By: _____ **Appeal #:** _____

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

I. PROPERTY INFORMATION:

Address: 719 LARCHLEA DR.	Lot Number: LOT 27 & N 1/2 28	Sidwell Number: 19-35-180-005

II. OWNER INFORMATION:

Name: SUE FULLER.			
Address: 719 LARCHLEA DR.	City: BIRMINGHAM	State: MI.	Zip code: 48009.
Email:* sfllr@yahoo.com.		Phone: 262-408-0326	

III. PETITIONER INFORMATION:

Name: DON WHEEKER	Firm/Company Name: HRH DESIGN GROUP INC.		
Address: PO BOX 7026	City: BLOOMFIELD HILLS	State: MI.	Zip code: 48302.
Email: djwhomedesigner@hotmail.com		Phone: 248-494-1544.	

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:** MAR-7-2025

Signature of Petitioner: _____ **Date:** MAR-7-2025

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.

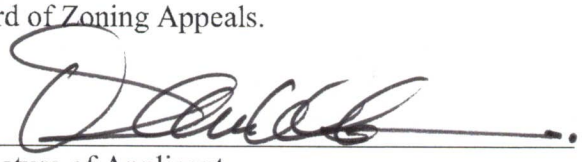
F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and 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

City of Birmingham
Zoning Board of Appeals
151 Martin Street
Birmingham Mi. 48009

March 6, 2025

Dear Board Members,

We are here on behalf of Sue Fuller, who currently owns the residence at 719 Larchlea Drive, to request the variances necessary to increase the width of her attached front facing garage, converting it from a one car to a two car.

The home was built in 1946 with an attached one car garage. In 1999, the previous owners added a Great Room off the rear/East. Sue purchased the home in 2015. Shortly after, she added a new Owner's Suite and walk-in closet, also off the rear/East. She has made substantial improvements to the landscaping and aesthetics of the property. The owner loves her neighborhood and community. She has need for a 2-car garage. She understands that currently, there are numerous non-conforming structures across the rear. As a sign of due diligence and good faith, the homeowner is already making provisions to have those removed.

For the proposed front Garage addition, the existing structure is non-conforming, requiring us to request (3) different variances. First, we are requesting a total combined or side yard setback variance of 10.77'. Second, we are requesting a distance to neighbor variance of 7.27'. Lastly, we are requesting a variance of 7.0' where the Ordinance requires an attached garage to be 5.0' behind the façade of the home. ALL (3) variances we believe will be necessary to add 2.0' to the width and depth of the garage.

We believe granting these variances will not harm any neighbors or conflict with the spirit of the zoning ordinance. It will allow the homeowner a functional 2-car garage and improve the overall aesthetics of the exterior of the home.

Our detailed discussion is below.

Donald J. Wheeker
Owner: HRH Design Group Inc.

1. Special or unique conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not generally applicable to other lands, structures, or buildings in the same district.
   "719 Larchlea was built in 1946 with a one-car attached garage. At its current width, it's not sufficient to house two medium sized cars the homeowner would need it to."

2. Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance; and that the variance is the minimum necessary.
   "Attached, front facing garages 2-car garages are allowed and common, if not the norm, in our zoning district. If the Board chooses to approve the requested dimensional variance the new homeowners of this property would be afforded the same rights enjoyed by all other properties in the same zoning district."

3. The special conditions and circumstances do not result from the actions of the applicant. "***The new owner of 719 Larchlea did not create the existing conditions. She purchased the property in September 2015. To her credit and love of her home and community, she would prefer to improve upon and renovate the home rather than move away to another community."***

4. The granting of the variance will be in harmony with the general purpose and intent of this ordinance.
   "The granting of this variance would be consistent with the general purpose of the current zoning variance. It would provide the owner with a needed 2-car garage. While possibly not of interest to the board, granting the 2.0' of width to the garage comes with a general overhaul of the front aesthetics of the home, something that will add value to the community."

5. The variance will not be injurious to the neighborhood or otherwise detrimental to the general welfare.
   "***We do not believe the variance, if granted would be detrimental to the general welfare of the nearby properties. The most impacted home is the neighbor immediately to the south. The proposed new garage would move closer to their residence 2.0', or from 17.2' to 15.2'. Per the letter provided, they are accepting of that condition.***

PO Box 7026, Bloomfield Twp. Mi. 48302 * djwhomedesigner@hotmail.com * 248-494-1544

LEGEND

- EXISTING CONCRETE PAVEMENT TO REMAIN
- EXISTING ASPHALT AND PAVER AREAS TO REMAIN
- PROPOSED BUILDING ADDITIONS AND NEW PAVEMENT AREAS

N

0 5' 10' 20' 30'

PLAN SCALE: 1" = 10'

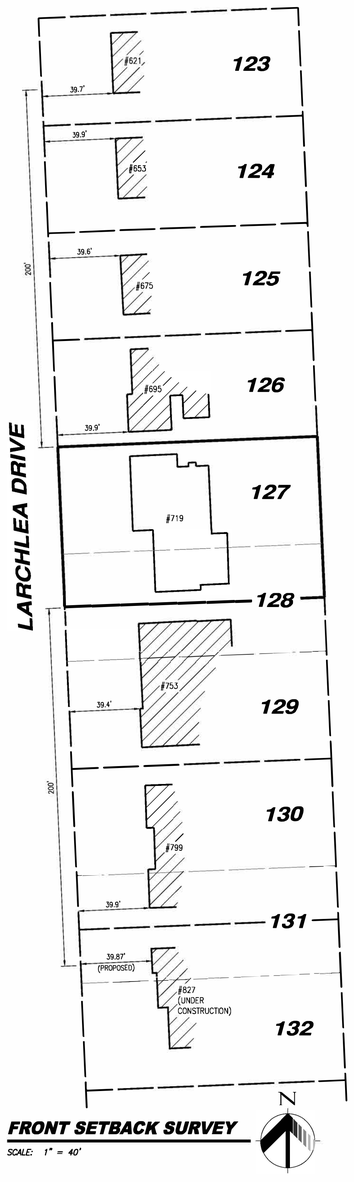
BENCHMARKS

CITY BENCHMARK #20
ELEVATION = 758.84 (CITY DATUM)
FOUND BRASS CAP ON THE SOUTH SIDE OF MAPLE AVENUE AT THE INTERSECTION OF CHESTERFIELD AVENUE 10.5 FEET SOUTH OF THE BACK OF CURB AND 26.7 FEET WEST OF CHURCH SERVICE WALK.

SITE BENCHMARK
ELEVATION = 748.80 (CITY DATUM)
EXISTING COMBINED SEWER MANHOLE LOCATED ON THE WEST SIDE OF LARCHLEA DRIVE IN ASPHALT APPROACH FOR EXISTING RESIDENCE #768.

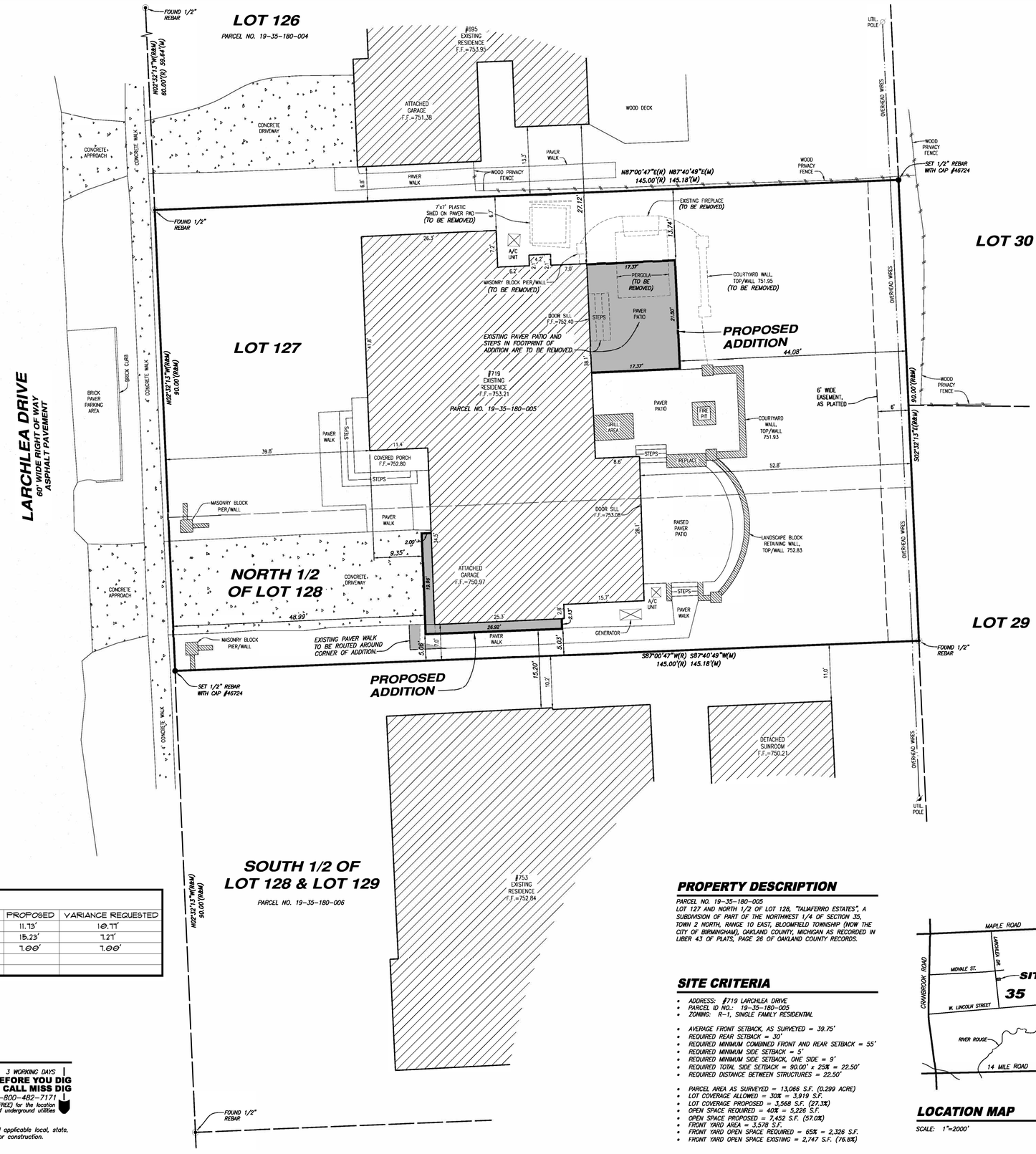
NOTES

1. SURVEY AND TOPOGRAPHY IS AS PERFORMED AND PROVIDED BY AZTEC LAND SURVEYORS INC., JOB NO. 25-005, DATED JANUARY 24, 2025.



FRONT SETBACK SURVEY

SCALE: 1" = 40'



VARIANCE CHART

	REQUESTED VARIANCE	REQUIRED	EXISTING	PROPOSED	VARIANCE REQUESTED
#1	TOTAL COMBINED SETBACK	22.50'	13.86'	11.73'	10.77'
#2	DISTANCE BETWEEN	22.50'	11.20'	15.23'	7.27'
#3	DISTANCE BEHIND HOME	5.00'	-5.00'	1.00'	7.00'

CONTRACTOR'S 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.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

3 WORKING DAYS
BEFORE YOU DIG CALL MISS DIG
1-800-482-7171
(TOLL FREE) for the location of underground utilities

PROPERTY DESCRIPTION

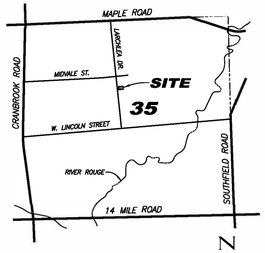
PARCEL NO. 19-35-180-005
LOT 127 AND NORTH 1/2 OF LOT 128, "TALIAFERRO ESTATES", A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF SECTION 35, TOWN 2 NORTH, RANGE 10 EAST, BLOOMFIELD TOWNSHIP (NOW THE CITY OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 43 OF PLATS, PAGE 26 OF OAKLAND COUNTY RECORDS.

SITE CRITERIA

- ADDRESS: #719 LARCHLEA DRIVE
- PARCEL ID NO.: 19-35-180-005
- ZONING: R-1, SINGLE FAMILY RESIDENTIAL

- AVERAGE FRONT SETBACK, AS SURVEYED = 39.75'
- REQUIRED REAR SETBACK = 30'
- REQUIRED MINIMUM COMBINED FRONT AND REAR SETBACK = 55'
- REQUIRED MINIMUM SIDE SETBACK = 5'
- REQUIRED MINIMUM SIDE SETBACK, ONE SIDE = 9'
- REQUIRED TOTAL SIDE SETBACK = 90.00' x 25% = 22.50'
- REQUIRED DISTANCE BETWEEN STRUCTURES = 22.50'

- PARCEL AREA AS SURVEYED = 13,066 S.F. (0.299 ACRE)
- LOT COVERAGE ALLOWED = 30% = 3,919 S.F.
- LOT COVERAGE PROPOSED = 3,568 S.F. (27.3%)
- OPEN SPACE REQUIRED = 40% = 5,226 S.F.
- OPEN SPACE PROPOSED = 7,452 S.F. (57.0%)
- FRONT YARD AREA = 3,578 S.F.
- FRONT YARD OPEN SPACE REQUIRED = 65% = 2,326 S.F.
- FRONT YARD OPEN SPACE EXISTING = 2,747 S.F. (76.8%)



LOCATION MAP

SCALE: 1"=2000'

REVISIONS:

CLIENT:
SUE ELLEN FULLER
719 LARCHLEA DRIVE
BIRMINGHAM, MI 48009

JOB NO: 24-107
DATE: 3-4-25
DRAWN BY: N.P.R.

SEAL:
STATE OF MICHIGAN
NATHAN PAUL ROBINSON
License No. 6201047489
LICENSED PROFESSIONAL ENGINEER

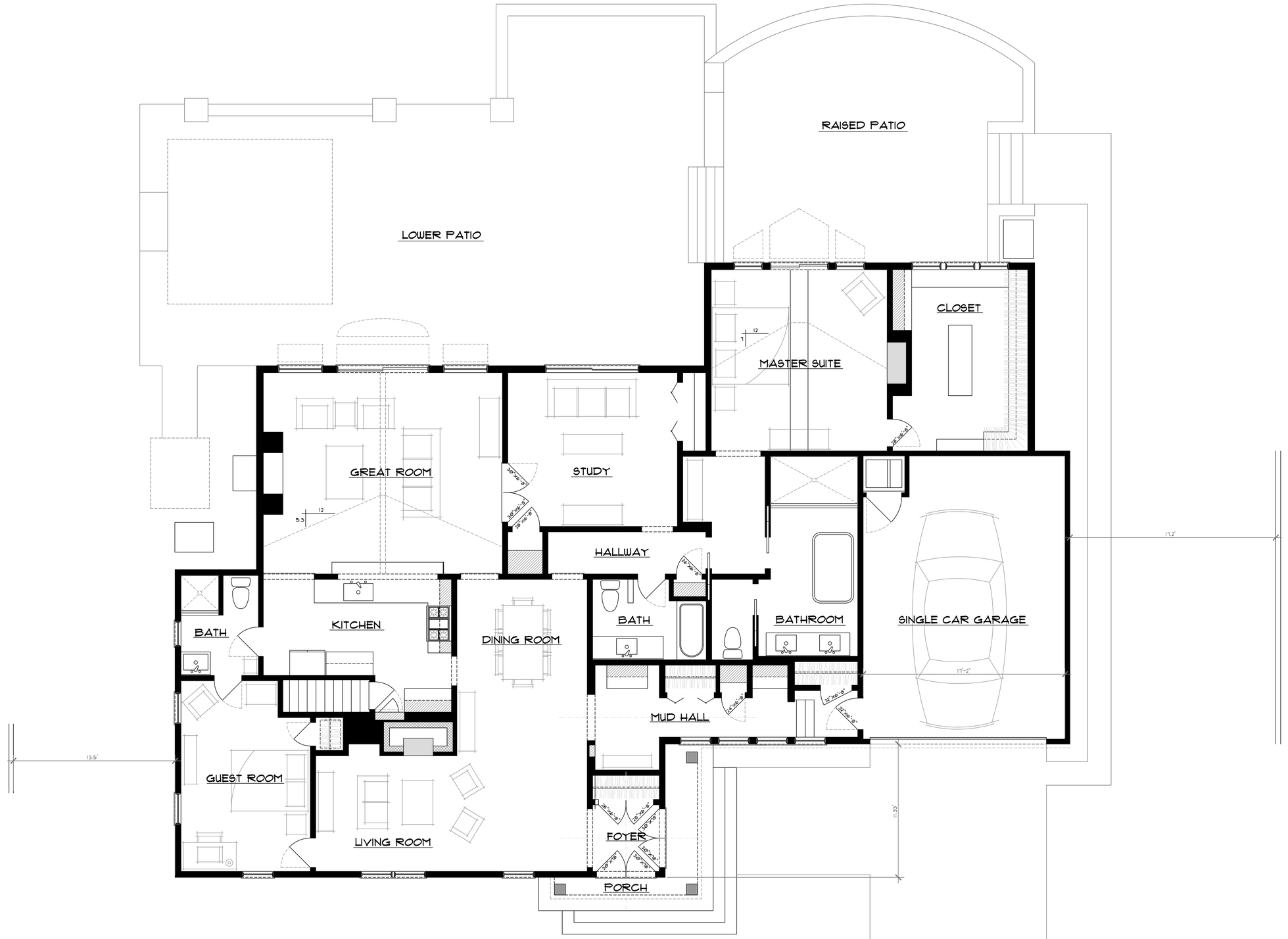
HORIZON ENGINEERING LLC
CIVIL ENGINEERING, SITE PLANNING & LAND DEVELOPMENT CONSULTING
P.O. Box 182158, Shelby Township, Michigan 48318
Phone 586.453.8097

PROJECT:
Lot 127 & North 1/2 of Lot 128 "Taliaferro Estates"
#719 LARCHLEA DRIVE
PARCEL NO. 19-35-180-005
PART OF THE N.W. 1/4 OF SECTION 35, T.2N., R.10E.,
CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN

PLAN:
SITE PLAN

SHEET: 1 OF: 1

MUNICIPAL REVIEW NUMBERS:



EXISTING FLOOR PLAN

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

HRH Design Group Inc.
"Designers of Extraordinary Custom Homes"
P.O. BOX 7026, Bloomfield Hills Mi. 48302
(248)-494-1544

SW
LUXURY HOMES
SPAGNA + WIAND
30150 Telegraph Road
Suite 251
Bingham Farms, MI 48009

DATE:	PERMIT-BUILD	DESCRIPTION OF PLAN:
DEC. 09, 2024	PRELIMINARY	PROPOSED FLOOR PLANS AND ELEVATIONS
JAN. 09, 2025	PRELIMINARY	REVISED FIRST PHASE PRELIMINARY
MAR. 01, 2025	PRELIMINARY	ZBA APPLICATION

PROJECT DESCRIPTION:
719 LARCHLEA DRIVE
BIRMINGHAM MI. 48009

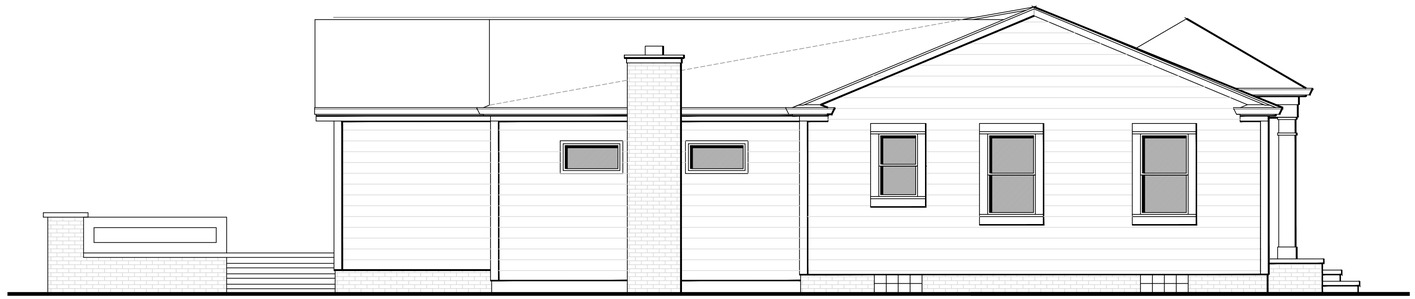
SHEET TITLE:
EXISTING FLOOR PLAN

DATE OF PLAN:
MAR. 1, 2025

JOB NUMBER:
24-1220

PAGE NUMBER:
1 OF 5

SHEET:
A-1



EXISTING SIDE "NORTH" ELEVATION

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

EXISTING FRONT "WEST" ELEVATION

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

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SW
LUXURY HOMES
SPAGNA + WIAND
30150 Telegraph Road
Suite 255
Bingham Farms, MI 48009

DATE:	PERMIT-BUILD	DESCRIPTION OF PLAN:
DEC. 29, 2024	PRELIMINARY	PROPOSED FLOOR PLANS AND ELEVATIONS
JAN. 03, 2025	PRELIMINARY	REVISED FIRST PHASE PRELIMINARY
MAR. 01, 2025	PRELIMINARY	ZBA APPLICATION

PROJECT DESCRIPTION:
719 LARCHLEA DRIVE
BIRMINGHAM MI. 48009

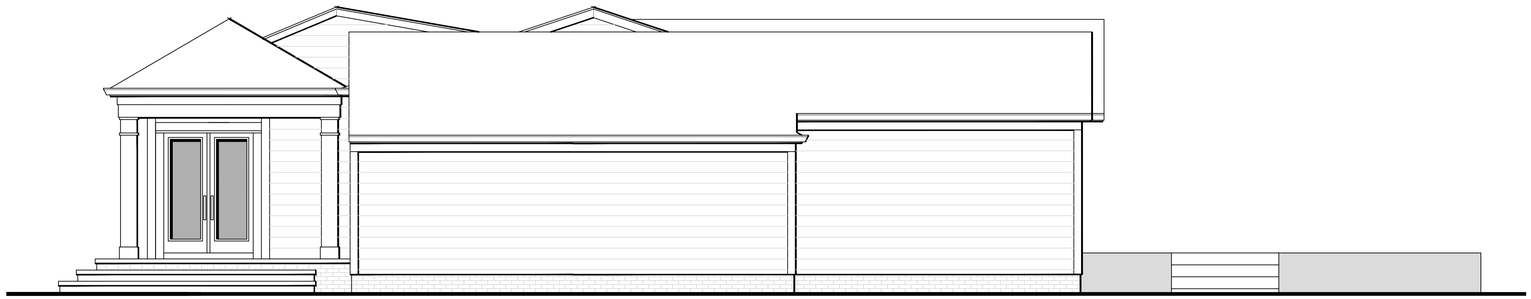
SHEET TITLE:
EXISTING ELEVATIONS

DATE OF PLAN
MAR. 7, 2025

JOB NUMBER:
24-1220

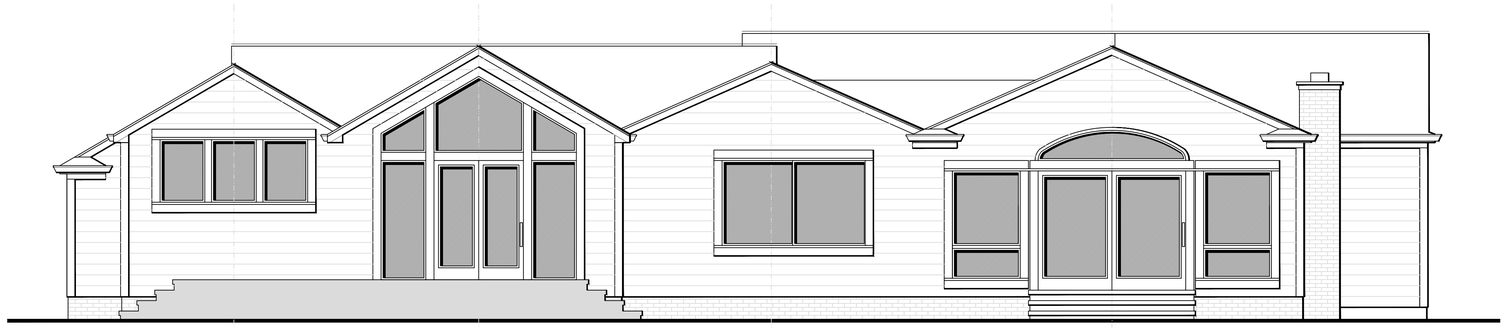
PAGE NUMBER:
2 OF 5

SHEET:
A-2



EXISTING SIDE "SOUTH" ELEVATION

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



EXISTING REAR "EAST" ELEVATION

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

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LUXURY HOMES
SPAGNA + WIAND
30150 Telegraph Road
Suite 255
Bingham Farms, MI 48009

DATE:	PERMIT-BUILD	DESCRIPTION OF PLAN:
DEC. 09, 2024	PRELIMINARY	PROPOSED FLOOR PLANS AND ELEVATIONS
APR. 09, 2025	PRELIMINARY	REVISED FIRST PHASE PRELIMINARY
MAR. 01, 2025	PRELIMINARY	ZBA APPLICATION

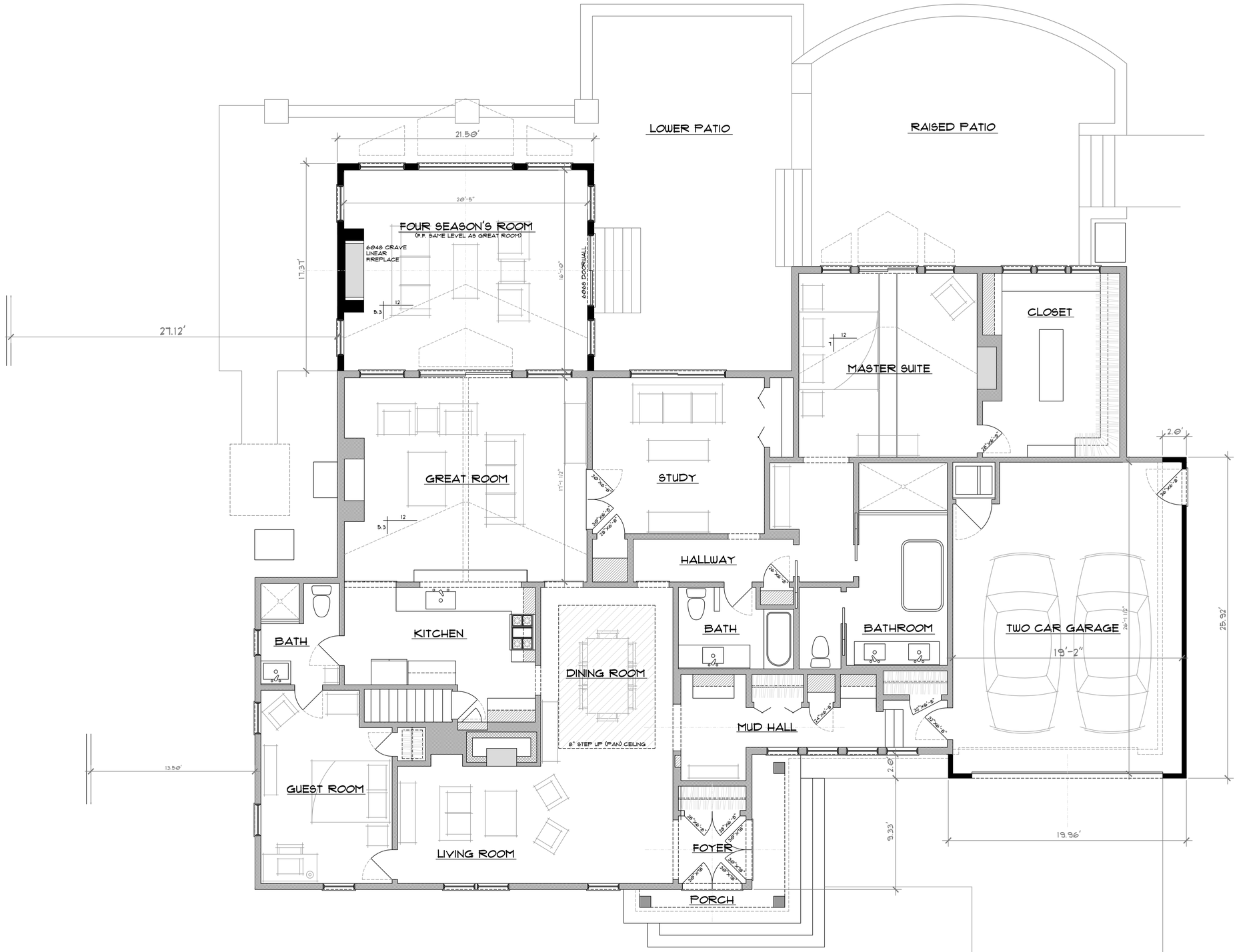
PROJECT DESCRIPTION:
119 LARCHLEA DRIVE
BIRMINGHAM MI. 48009

SHEET TITLE:
EXISTING ELEVATIONS

DATE OF PLAN:
MAR. 1, 2025

JOB NUMBER:
24-1220

SHEET:
A-3



PROPOSED FLOOR PLAN

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

HRH Design Group Inc.
"Designers of Extraordinary Custom Homes"
P.O. BOX 7026, Bloomfield Hills Mi. 48302
(248)-494-1544

SW
LUXURY HOMES
SPAGNA + WIAND
30150 Telegraph Road
Suite 255
Bingham Farms, MI 48009

DESCRIPTION OF PLAN:	PERMIT-BUILD	DATE:
REVISED FLOOR PLANS AND ELEVATIONS	PRELIMINARY	DEC. 09, 2024
REVISED FIRST PHASE PRELIMINARY	PRELIMINARY	JAN. 03, 2025
ZBA APPLICATION	PRELIMINARY	MAR. 07, 2025

PROJECT DESCRIPTION:
119 LARCHLEA DRIVE
BIRMINGHAM MI. 48009

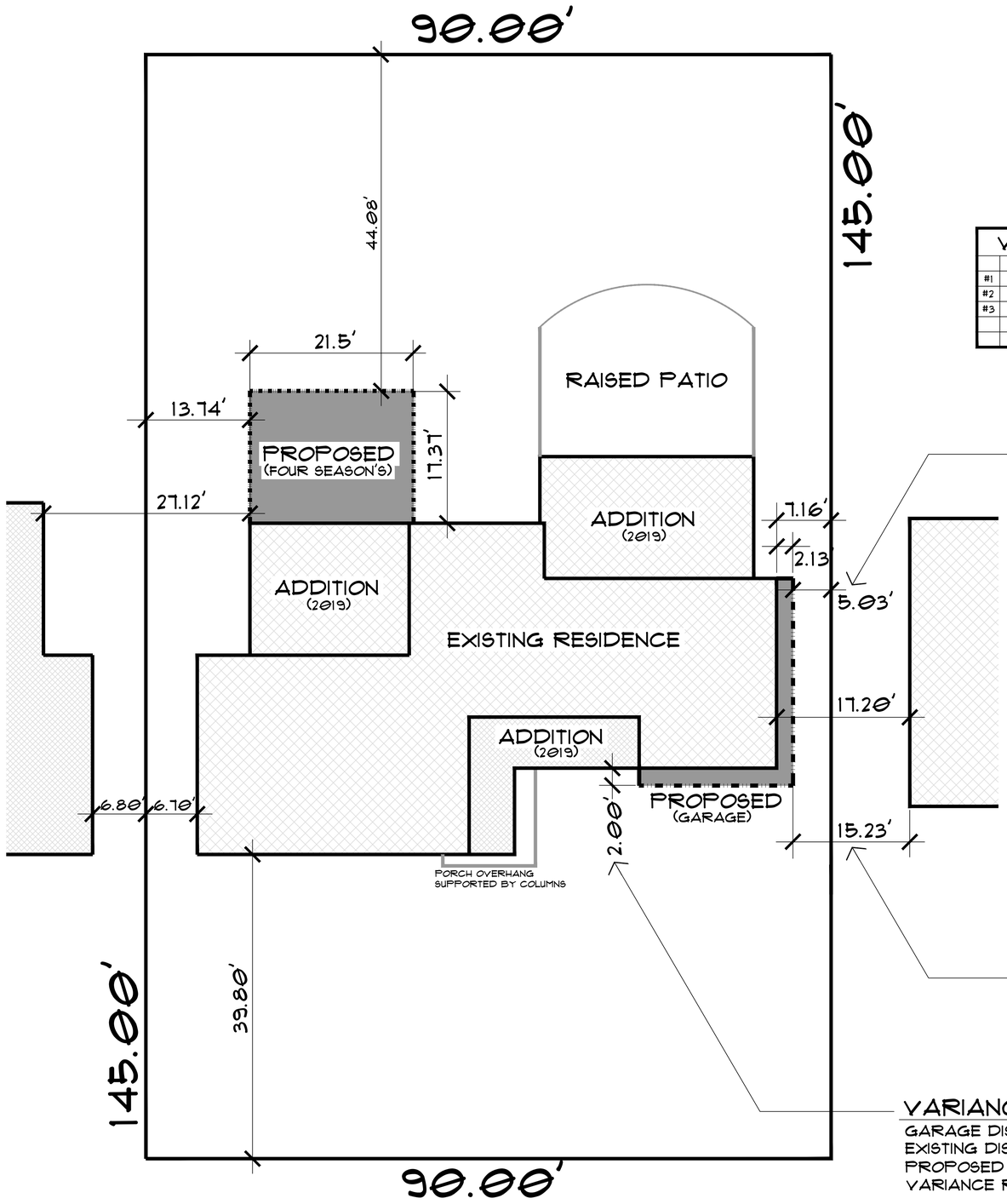
SHEET TITLE:
PROPOSED FLOOR PLAN

DATE OF PLAN:
MAR. 7, 2025

JOB NUMBER:
24-1220

PAGE NUMBER:
4 OF 5

SHEET:
A-4



VARIANCE CHART

	REQUESTED VARIANCE	REQUIRED	EXISTING	PROPOSED	VARIANCE REQUESTED
#1	TOTAL COMBINED SETBACK	22.50'	13.86'	11.73'	10.77'
#2	DISTANCE BETWEEN	22.50'	17.20'	15.23'	7.27'
#3	DISTANCE BEHIND HOME	5.00'	-5.00'	1.00'	7.00'

VARIANCE #1....

SIDE SETBACK (COMBINED) REQUIRED: 22.50' (25%)
EXISTING SIDE SETBACK: (7.16'+6.70') = 13.86'
PROPOSED SIDE SETBACK: (5.03'X6.70') = 11.73'
VARIANCE REQUESTED: 10.77'

VARIANCE #2....

DISTANCE BETWEEN RESIDENCES REQUIRED: 22.5' (25%)
EXISTING DISTANCE BETWEEN: (7.00'X10.20') = 17.20'
PROPOSED DISTANCE BETWEEN: (5.03'X10.20') = 15.23'
VARIANCE REQUESTED: 7.27'

VARIANCE #3.....

GARAGE DISTANCE REQUIRED BEHIND HOUSE: 5.0'
EXISTING DISTANCE BEHIND HOUSE: -5.00'
PROPOSED DISTANCE BEHIND HOUSE: -7.00'
VARIANCE REQUESTED: 7.00'

PROPOSED SITE PLAN

SCALE: 1/8"=1'-0"

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DATE:	PERMIT-BUILD	DESCRIPTION OF PLAN:
DEC. 09, 2024	PRELIMINARY	PROPOSED FLOOR PLANS AND ELEVATIONS
JAN. 09, 2025	PRELIMINARY	REVISED FIRST PHASE PRELIMINARY
MAR. 01, 2025	PRELIMINARY	ZBA APPLICATION

PROJECT DESCRIPTION:
719 LARCHLEA DRIVE
BIRMINGHAM MI. 48009

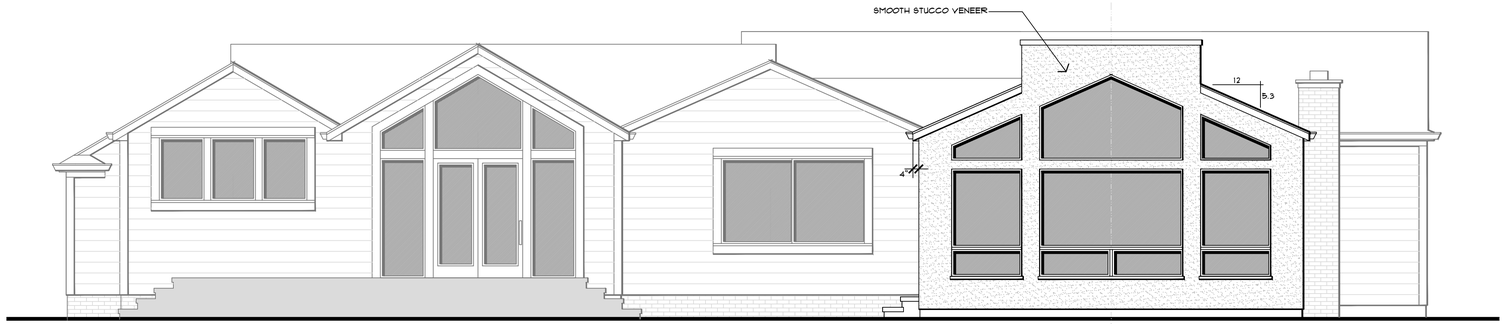
SHEET TITLE:
SITE PLAN

DATE OF PLAN:
MAR. 7, 2025

JOB NUMBER:
24-1220

PAGE NUMBER:
ADDENDUM

SHEET:
S-1



PROPOSED REAR "EAST" ELEVATION

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

PROPOSED FRONT "WEST" ELEVATION

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

HRH Design Group Inc.
"Designers of Extraordinary Custom Homes"
P.O. BOX 7026, Bloomfield Hills Mi. 48302
(248)-494-1544

SW
LUXURY HOMES
SPAGNA + WIAND
30150 Telegraph Road
Suite 255
Bingham Farms, MI 48809

DATE:	PERMIT-BUILD	DESCRIPTION OF PLAN:
DEC. 09, 2024	PRELIMINARY	PROPOSED FLOOR PLANS AND ELEVATIONS
JAN. 09, 2025	PRELIMINARY	REVISED FIRST PHASE PRELIMINARY
MAR. 01, 2025	PRELIMINARY	ZBA APPLICATION

PROJECT DESCRIPTION:
719 LARCHLEA DRIVE
BIRMINGHAM MI. 48009

SHEET TITLE:
PROPOSED ELEVATIONS

DATE OF PLAN:
MAR. 7, 2025

JOB NUMBER:
24-1220

PAGE NUMBER:
5 OF 5

SHEET:
A-5

February 25, 2025

To the City of Birmingham Building Department,

We are immediate north-side neighbors of Sue Fuller. Upon reviewing the final plans for her proposed renovations and additions, we have no objections to these changes.

Please feel free to contact us with any questions.

Thank you,

Judy and Steve Landau
695 Larchlea Drive
734-646-9528

Jack Abelarde

753 Larchlea Drive

Birmingham, MI 48009

March 5, 2025

Birmingham Building Department

151 Martin St

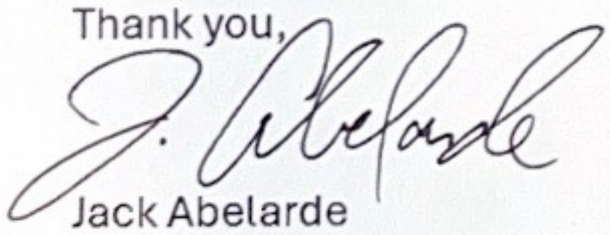
Birmingham, MI 48009

Attn: Building Dept

We are immediately south of our neighbor, Sue Fuller.

Upon reviewing the final plans for her proposed renovations and additions, we have no objections to the changes.

Thank you,



Jack Abelarde

BIRMINGHAM
A WALKABLE CITY

Jeff Zielke <jzielke@bhamgov.org>

719 Larchlea - Board of Zoning Appeals

1 message

Rick Wiand <richardwiand@gmail.com> Sat, Mar 22, 2025 at 9:18 PM
To: Jeff Zielke <jzielke@bhamgov.org>

Mr. Zielke,

My wife and I express our support for Sue Fuller's application for side and front yard variances at her home at 719 Larchlea to allow her to expand her garage. Our driveway is located immediately across the street from Sue's driveway.

I have seen her garage, which is undersized by current standards. It is only large enough for one car. If the size were increased, two cars could park in the garage, likely eliminating one car from parking on the street. Additionally, Increasing the size of the garage would put her house on par with all of the other houses on our block that have two- or more-car garages.

Respectfully,
Lynn and Rick Wiand
732 Larchlea Street
Birmingham, MI 48009

--

Rick Wiand
SW Luxury Homes
Hunter Cole Homes, LLC
30150 Telegraph # 255
Bingham Farms, MI 48025
248-766-2275

BIRMINGHAM
A WALKABLE CITY

Jeff Zielke <jzielke@bhamgov.org>

Sue Fuller 719 Larchlea Drive, Bham 48009

1 message

Cynlu10 <cynlu10@aol.com> Tue, Mar 25, 2025 at 10:02 PM
To: jzielke@bhamgov.org

Dear Mr. Zielke,

My husband and I are writing in support of our neighbor Sue Fuller and her wish to expand her garage. We live directly across the street from her.

Every home improvement that Sue has ever done since she moved here has only enhanced her home as well as the whole of the neighborhood. We believe a home of this size can easily carry a 2 car garage. You have no objections from us!

Sincerely,
Cynthia and Howard Lutz
708 Larchlea Drive
Birmingham
48009

Sent from the all new AOL app for iOS

CASE DESCRIPTION

1000 Shirley (25-10)

Hearing date: April 8, 2025

Appeal No. 25-10: The owner of the property known **1000 Shirley**, requests the following variance to construct an addition to the existing attached garage:

A. Chapter 126, Article 2, Section 2.06.2 of the Zoning Ordinance requires that a minimum rear yard setback is 30.00 feet. The existing rear yard at the garage is 26.50 feet. The proposed is 24.75 feet for the garage addition. Therefore, a variance of 5.25 feet is requested.

Staff Notes: The applicant is looking to construct an addition to the existing attached garage that was constructed in 1928.

This property is zoned R1 – Single family residential.

_____

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

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)

1000 SHIRLEY 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: _____ **Hearing Date:** _____

Received By: _____ **Appeal #:** _____

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

I. PROPERTY INFORMATION:

Address: 1000 Shirley Road	Lot Number:	Sidwell Number: 19-35-276-022

II. OWNER INFORMATION:

Name: Simon Leopold & Sarah Winkler			
Address: 1000 Shirley Road	City: Birmingham	State: MI	Zip code: 48009
Email:* simonleopold1@aol.com; sarahwinkler@detroitpublictheatre.org		Phone:	

III. PETITIONER INFORMATION:

Name: Keith Logsdon	Firm/Company Name: Michael Willoughby & Associates - Architects		
Address: 880 S. Old Woodward Avenue	City: Birmingham	State: MI	Zip code: 48009
Email: klogsdon@mwa-architects.com		Phone: (248) 540-7603 ext. 2	

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:** 3/11/2025

Signature of Petitioner: _____ **Date:** 3/11/2025

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

MICHAEL WILLOUGHBY & ASSOCIATES — ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009, PHONE: 248-540-7603

March 12, 2025

City of Birmingham
Board of Zoning Appeals
151 Martin Street
Birmingham, MI 48009

Re: 1000 Shirley

Dear Members of the Board,

Michael Willoughby & Associates is acting on behalf of Mr. Simon Leopold & Mrs. Sarah Winkler (owners of the above referenced property) in requesting a variance to the Zoning Ordinance for the construction of an addition to the existing attached garage as follows:

Variance Provision and Section	Existing	Required	Proposed	Variance
- Rear Yard Setback	26.5 feet	30 feet	24.75 feet	**5.25 feet**

There are several practical difficulties which create the hardship in this particular case as follows:

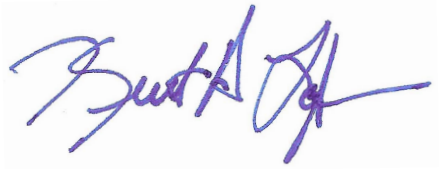
1. A large portion of the front yard is located within a FEMA designated flood zone which is why the existing home is situated toward the rear of the property. This combined with the nature of the property being a corner lot, and the unique placement of the existing home creates a practical difficulty for adding onto the home.
2. Due to the topography of the lot, the existing home is not parallel to the property lines. Therefore, virtually any addition to the existing undersized garage would require a variance. The attached garage currently sits in the most logical place and the northeast corner is already over the rear setback line making it non-conforming.
3. There is a very large mature tree in the front yard near the existing attached garage that the owners would like to keep. This tree would prevent us from turning the garage toward the street to avoid a variance. Preserving this tree is critical to preserving the aesthetic character of this property and the neighborhood.

Our primary goals while considering adding on to this early 1900's home, were to preserve its historic character, to preserve a particularly beautiful and mature tree in the front yard and to maintain the home's significant standing in the neighborhood. The original garage is insufficient in size to accommodate modern vehicles. The location of the proposed addition which extends the wall of the existing attached garage will provide the best possible fit on the existing lot, it will maintain the character of the existing home and it will be harmonious with the

neighborhood. By granting this variance, we believe the neighborhood and community will be best served, and it will do substantial justice to the property owner. We hope you share this viewpoint, and we look forward to discussing our case with you at the next available meeting.

Sincerely,

Michael Willoughby & Associates



Keith A. Logsdon, AIA
Principal

LEGEND

- FIB/FCI/FIP
- EX. SANITARY MANHOLE
- EX. CATCH BASIN
- EX. STORM MANHOLE
- EX. HYDRANT
- EX. WATER SHUT-OFF
- EX. IRRIGATION CONTROL VALVE
- EX. GAS METER
- EX. GAS SHUT OFF
- EX. ELECTRIC METER
- EX. ELECTRIC OUTLETS
- EX. SIGN
- EX. UTILITY POLE
- EX. STORM SEWER
- EX. SANITARY SEWER
- EX. GAS LINE
- EX. WATER MAIN
- EX. OVERHEAD UTILITIES
- EX. FENCE
- EX. CONIFEROUS
- EX. DECIDUOUS

ZONING:

R1-A, SINGLE-FAMILY RESIDENTIAL DISTRICT

SETBACKS:

FRONT: SEE CALCULATIONS FOR FRONT
REAR: 30 FEET
SIDES: 9 FEET MINIMUM ONE SIDE
5 FEET MINIMUM OTHER SIDE
LARGER OF 10% OF LOT WIDTH OR 9 FEET FOR ONE SIDE
177.05 FEET X 10% = 17.7 FEET ONE SIDE FOR 1000 SHIRLEY DRIVE
LARGER OF 25% OF LOT WIDTH OR 14 FEET FOR TOTAL
177.05 FEET X 25% = 44.3 FEET TOTAL FOR 1000 SHIRLEY DRIVE

AVERAGE FRONT SETBACK 1000 SHIRLEY DRIVE:

HOUSE NO.	FRONT SETBACK
1370 LINCOLN	83.0 FEET
	SITE AVG. = 83.0 FEET

BENCHMARKS:

CITY OF BIRMINGHAM BENCHMARK #27:
NORTHEAST CORNER OF SOUTHFIELD AND LINCOLN.
ELEVATION: 766.370 CITY DATUM

BM #1:
RIM ON SANITARY MANHOLE IN SHIRLEY DRIVE EAST OF NORTHEAST CORNER OF BLOCK 19 (#1000 SHIRLEY DRIVE).
ELEVATION: 717.81 CITY DATUM

SURVEY NOTES:

1. TITLE WORK WAS NOT PROVIDED. EXISTING EASEMENTS, IF ANY, HAVE NOT BEEN SHOWN.

2. A WETLAND AND TREE SURVEY WERE NOT PERFORMED AS PART OF THIS SURVEY.

LEGAL DESCRIPTION (BY OTHERS):

BLOCK 19 OF "ASSESSOR'S REPLAT OF CORYELL PARK", A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 35, TOWN 2 NORTH, RANGE 10 EAST, CITY OF BIRMINGHAM (FORMERLY VILLAGE OF BIRMINGHAM), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 49 OF PLATS, PAGE 39, OAKLAND COUNTY RECORDS.

FLOOD HAZARD STATEMENT:

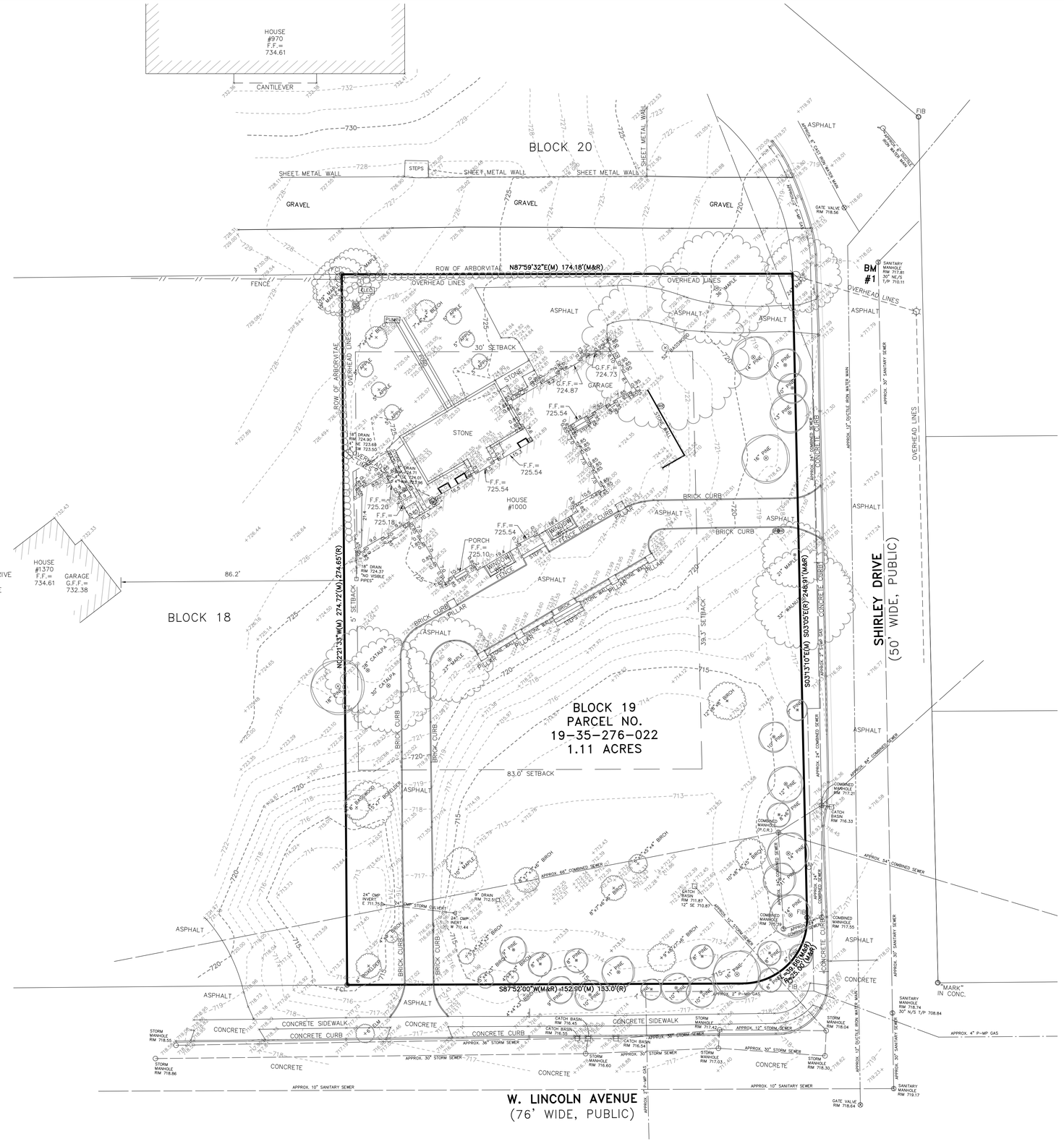
A PORTION OF THIS PROPERTY IS LOCATED WITHIN A FEMA DESIGNATED ZONE "AE" FLOOD HAZARD AREA AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FOR MICHIGAN FLOOD INSURANCE RATE MAP (FIRM) #26125C0536F (COMMUNITY ID NO. 260168 - CITY OF BIRMINGHAM, MI) WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2006. THIS STATEMENT IS BASED ON THE RESULTS OF GRAPHIC PLOTTING ONTO THE ABOVE NAMED MAP AND PANEL, WHICH IS THE CURRENT MAP FOR THE COMMUNITY IN WHICH THE PROPERTY IS LOCATED. ZONE "AE" INDICATES BASE FLOOD ELEVATIONS DETERMINED.

NOTICE:

CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

NOTE:

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AS DISCLOSED BY AVAILABLE UTILITY COMPANY RECORDS AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE COMPANY. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES. THE CONTRACTOR SHALL NOTIFY THE DESIGN ENGINEER IMMEDIATELY IF A CONFLICT IS APPARENT.



RESIDENTIAL
Subdivisions
Site Condominium
Multi-Family
Plot Plans

COMMERCIAL
Site Planning
Subdivision Planning
Industrial & Multi-Unit
Site Planning

SURVEYING
ALTA Surveys
Boundary Surveys
Topographic Surveys
Construction Staking

GREENTECH ENGINEERING, INC.
CIVIL ENGINEERS & LAND SURVEYORS
51147 W. Pontiac Trail, Wixom, MI 48393
Phone: (248) 668-0700 Fax: (248) 668-0701

Know what's below Call before you dig.

CLIENT: TEMPLETON BUILDING COMPANY

TOPOGRAPHIC SURVEY

1000 SHIRLEY DRIVE - PARCEL NO. 19-35-276-022
TOWNSHIP: 2 N. RANGE: 10 E.
CITY OF BIRMINGHAM
OAKLAND COUNTY
SECTION: 35
MICHIGAN

REVISED

DATE: 7-28-2021
DRAWN BY: JPP
CHECKED BY: DJL

0 10 20

FBK: --
CHF: MM
SCALE HOR 1"=20 FT.
VER 1"= -- FT.

1
21-248

STATE OF MICHIGAN
DANIEL J. LaCLAIR
ENGINEER
No. 47081
LICENSED PROFESSIONAL ENGINEER

PROPOSED SITE PLAN

SCALE: 1" = 20'

LOT COVERAGE CALCULATIONS:

DISTRICT = R-1A (SINGLE-FAMILY RESIDENTIAL)
TOTAL LOT AREA = 48,242 SF

MAX. LOT COVERAGE (30%):	14,472.6 SF
MIN. OPEN SPACE (40%):	19,296.8 SF
MIN. FRONT OPEN SPACE (65%):	
10,641 SF X 0.65 =	6,916.7 SF

LOT COVERAGE

EXISTING HOUSE:	3,342 SF
PROPOSED ADDITION:	337 SF
PROPOSED DETACHED GARAGE:	360 SF
TOTAL LOT COVERAGE:	4,039 SF (8.4%) COMPLIES

OPEN SPACE (TOTAL)

EXISTING STRUCTURES:	4,039 SF
IMPERVIOUS SURFACES:	7,840 SF
TOTAL IMPERVIOUS SURFACES:	11,879 SF
TOTAL OPEN SPACE:	48,242 - 11,879 = 36,363 SF (75.4%) COMPLIES

OPEN SPACE (FRONT)

EXISTING FRONT OPEN SPACE:	10,641 SF
IMPERVIOUS SURFACES:	8635 SF
TOTAL IMPERVIOUS SURFACES:	8635 SF
TOTAL OPEN SPACE:	10,641 - 8635 = 9,1775 SF (91.9%) COMPLIES

REQUESTED VARIANCE	REQUIRED	EXISTING	PROPOSED	VARIANCE AMOUNT
REAR YARD SETBACK	30.00 FEET	26.50 FEET	24.75 FEET	5.25 FEET

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 - TELEPHONE 248.540.7603

WINKLER-LEOPOLD RESIDENCE
1000 SHIRLEY ROAD
BIRMINGHAM, MICHIGAN 48009

SITE PLAN
PROPOSED

BOARD OF ZONING APPEALS 01/11/2025

SHEET NO.
C-100

F:\PROJECTS\Current\Winkler-Leopold\Drawings\CAD\G-100.dwg, C-100, 3/11/2025 2:33:33 PM

PROPERTY LINE

5' SIDE YARD SETBACK

5'-10 3/4" (EXISTING)

SHWR. XXX

BATH XXX

FIXED DOOR PANEL

TALL TOWEL CABINET

REF.

W

D

INFRARED SAUNA

POOL HOUSE

STORAGE

15'X25' POOL

8'X8' HOT TUB

OUTDOOR PATIO

RE-DO STONE PATIO

10'-1 1/2" (VIF)

PIZZA OVEN

OUTDOOR KITCHEN

REF. CAB. BBQ CAB.

EX. STORAGE

W.C. 108

KITCHEN 106

MUD ROOM 107

GARAGE 109

CORNER OF PROPOSED DETACHED GARAGE (SEE SITE PLAN)

PROPERTY LINE

30' REAR YARD SETBACK

36'-4 7/8" EXISTING (VIF)

42'-7 7/8" PROPOSED (VIF)

3'-3 7/8" (VIF) 2'-4 1/4" (VARIANCE)

3'-3"

ADDITION

PROPOSED VARIANCE

8'-0x8'-0

EXISTING GARAGE

6'-6 1/2" ADDITION

23'-0"

41'-6 1/2"

25'-1"

24'-9"

15'-1 1/2"

INFRARED HEATER ABOVE

INFRARED HEATER ABOVE

INFRARED HEATER ABOVE

COVERED PORCH

LIVING ROOM 101

STAIR HALL 101

DINING ROOM 103

SITTING ROOM 105

W.C. 104

BREAKFAST 104

36" VANITY

ELEV. (HOISTWAY)

TABLE (8'-0"X3'-0")

2'-6

4'-6"

28'-4 1/2"

32'-10 1/2"

39'-3 1/4" PROPOSED

EXISTING GARAGE = 368 SF
PROPOSED GARAGE = 370 SF

FIRST FLOOR PLAN

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

REQUESTED VARIANCE	REQUIRED	EXISTING	PROPOSED	VARIANCE AMOUNT
REAR YARD SETBACK	30.00 FEET	26.50 FEET	24.75 FEET	5.25 FEET

25' FRONT YARD SETBACK

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 - TELEPHONE 248.540.7603

TRUE NORTH

WINKLER-LEOPOLD

FLOOR PLANS

FIRST FLOOR - PROPOSED

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

BOARD OF ZONING APPEALS 03/11/2025

SHEET NO. A-101

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PROPERTY LINE

5'-0" SIDE YARD SETBACK

PROPERTY LINE

30' REAR YARD SETBACK

DECORATIVE RAFTER TAILS TO MATCH EXISTING (V.I.F.)

DECORATIVE RAILING TO MATCH EXISTING (V.I.F.)

B'-10 1/2" (V.I.F.) (MATCH WALLS BELOW)

EQ 4'-9" 4'-9" EQ

18'-0 1/2" (V.I.F.) (MATCH WALLS BELOW)

PRIMARY BATH XXX

60" VANITY

48" MAKEUP

60" VANITY

SHWR. XXX

LINEN

TOWEL BAR

TOILET

5HR

PRIMARY W.I.C. XXX

5'-0x3'-0 ISLAND

OUTDOOR DECK

PLANTER BOXES

W.I.C. #4 XXX

BATH #4 XXX

60" VANITY

BATH #2 XXX

42" VANITY

LINEN

CABINETS

5'-5" TUB (HOSTWAY)

W/D

OPEN SHELVES

ELEV.

STAIR HALL 20'

HALL XXX

LAUNDRY XXX

HALL XXX

SHWR. XXX

HALL XXX

W.I.C. #3 XXX

BEDROOM #4 XXX

QUEEN

SHWR. XXX

BEDROOM #3 XXX

QUEEN

BATH #3 XXX

48" VANITY

LINEN

LOG F.P.

DESK

BEDROOM #2 XXX

KING

GAS F.P.

DRESSER

PRIMARY BEDROOM XXX

KING

WINDOW BELOW

COLUMN BELOW

25' FRONT YARD SETBACK

SECOND FLOOR PLAN

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

REQUESTED VARIANCE	REQUIRED	EXISTING	PROPOSED	VARIANCE AMOUNT
REAR YARD SETBACK	30.00 FEET	26.50 FEET	24.75 FEET	5.25 FEET

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 - TELEPHONE 248.540.7603

NORTH

WINKLER-LEOPOLD

FLOOR PLANS

SECOND FLOOR - PROPOSED

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

BOARD OF ZONING APPEALS 03/11/2025

SHEET NO. A-102

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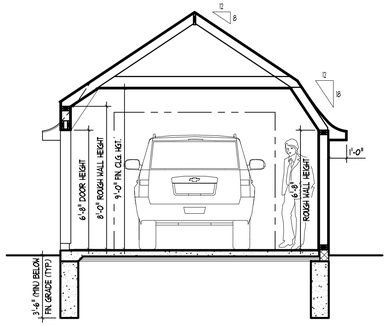
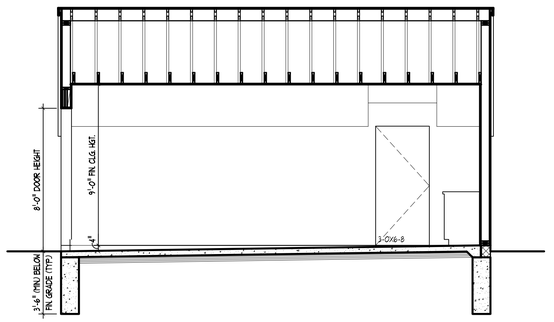


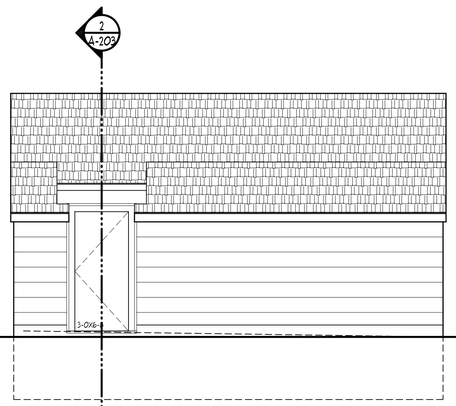
DETACHED GARAGE BUILDING SECTION

2 / A-105 SCALE: 1/4" = 1'-0"



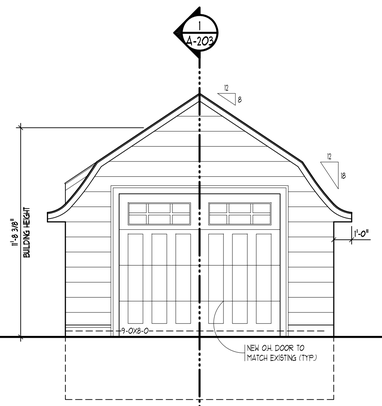
DETACHED GARAGE BUILDING SECTION

1 / A-105 SCALE: 1/4" = 1'-0"



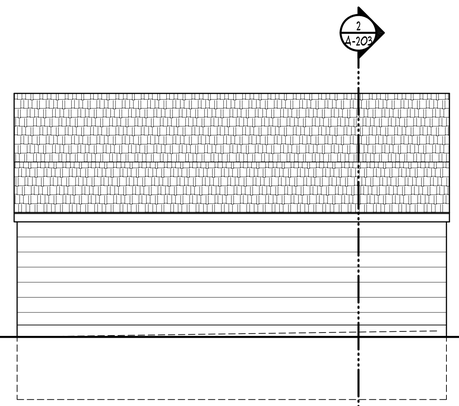
DETACHED GARAGE SOUTH ELEVATION

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



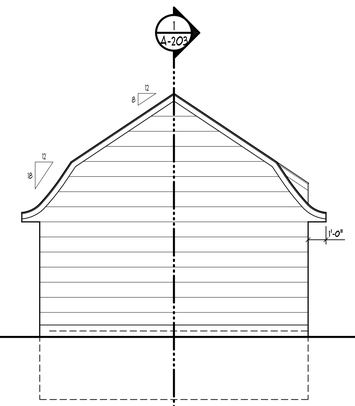
DETACHED GARAGE EAST ELEVATION

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



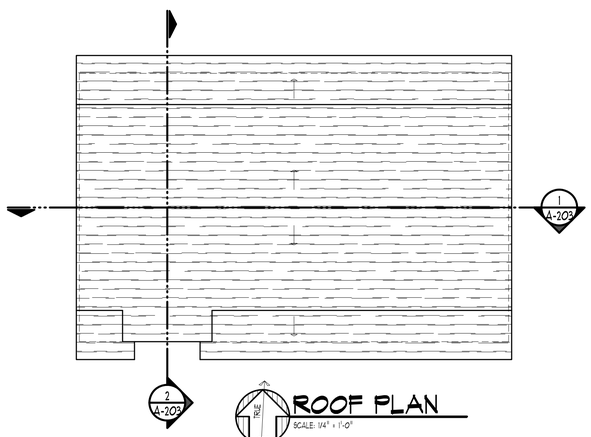
DETACHED GARAGE NORTH ELEVATION

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



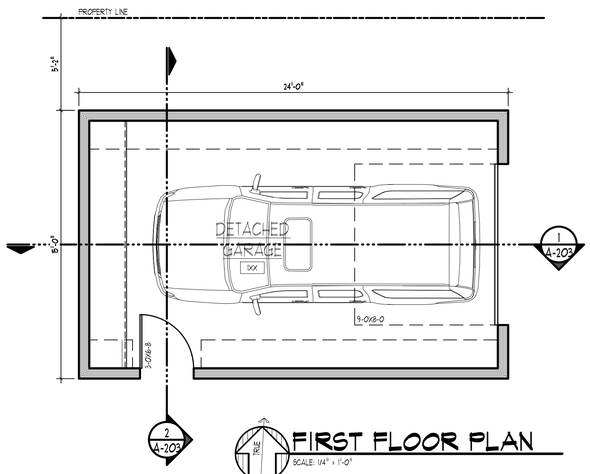
DETACHED GARAGE WEST ELEVATION

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



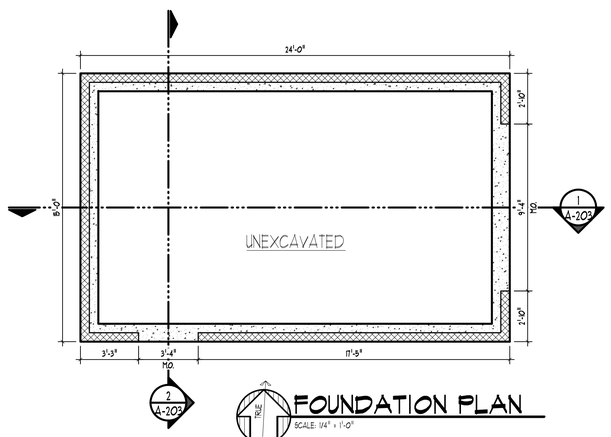
ROOF PLAN

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



FIRST FLOOR PLAN

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



FOUNDATION PLAN

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

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 - TELEPHONE 248.540.7603

WINKLER-LEOPOLD

FLOOR PLANS
DETACHED GARAGE PLANS
SCALE: 1/4" = 1'-0"

BOARD OF ZONING APPEALS 03/11/2025

SHEET NO. A-105

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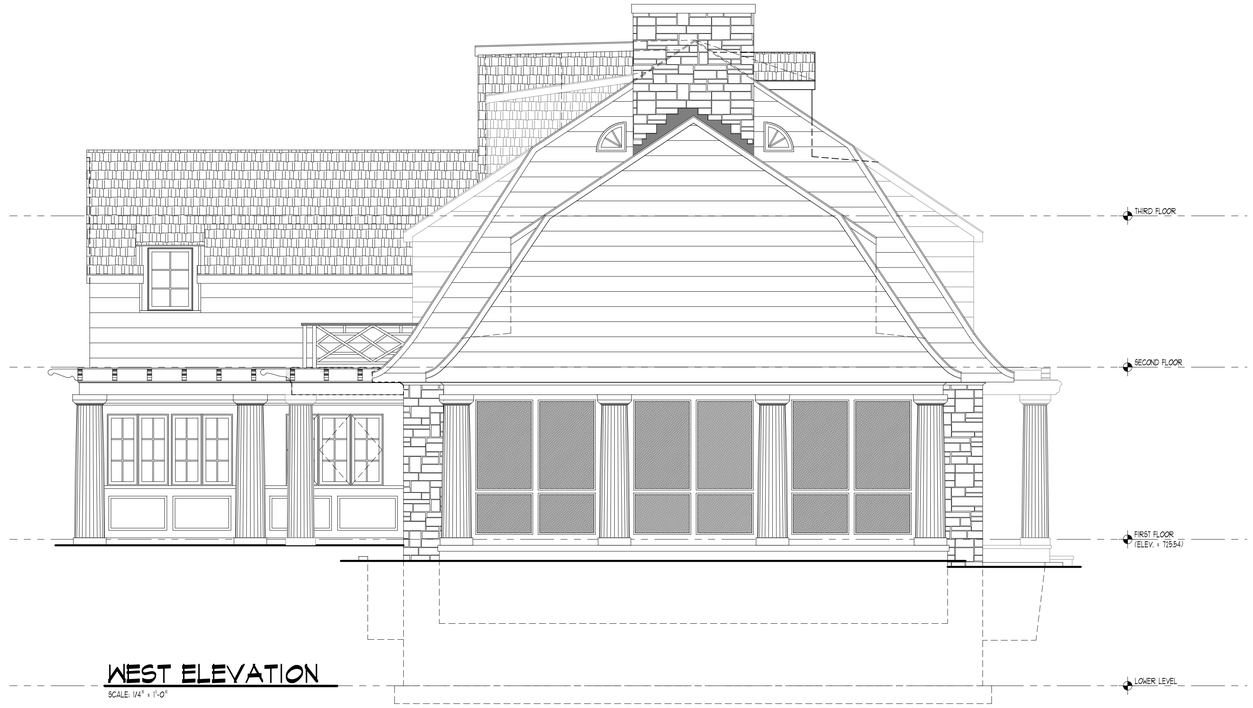

WEST ELEVATION

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

SOUTH ELEVATION

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

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 - TELEPHONE 248.540.7603

WINKLER-LEOPOLD

EXTERIOR ELEVATIONS

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

BOARD OF ZONING APPEALS 03/11/2025

SHEET NO. A-201

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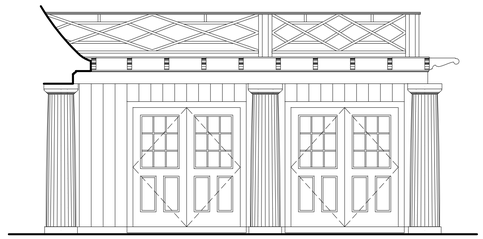
EAST ELEVATION

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



POOL HOUSE EAST ELEVATION

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

NORTH ELEVATION

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

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 – TELEPHONE 248.540.7603

WINKLER-LEOPOLD

EXTERIOR ELEVATIONS

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

ZONING BOARD OF APPEALS 03/11/2025

SHEET NO. A-202

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PROPERTY LINE

5' SIDE YARD SETBACK

PROPERTY LINE

20' REAR YARD SETBACK

STORAGE

COVERED PORCH

LIVING ROOM 101

STAIR HALL 101

W.C. 104A

BREAKFAST 104

KITCHEN 106

DINING ROOM 105

SITTING ROOM 105

CL.

CL.

EXT. STORAGE

W.C. 108

MUD ROOM 107

GARAGE 109

25' FRONT YARD SETBACK

FIRST FLOOR PLAN

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

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 - TELEPHONE 248.540.7603

NORTH

WINKLER-LEOPOLD

FLOOR PLANS

FIRST FLOOR - EXISTING

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

BOARD OF ZONING APPEALS 03/11/2025

SHEET NO. EX-101

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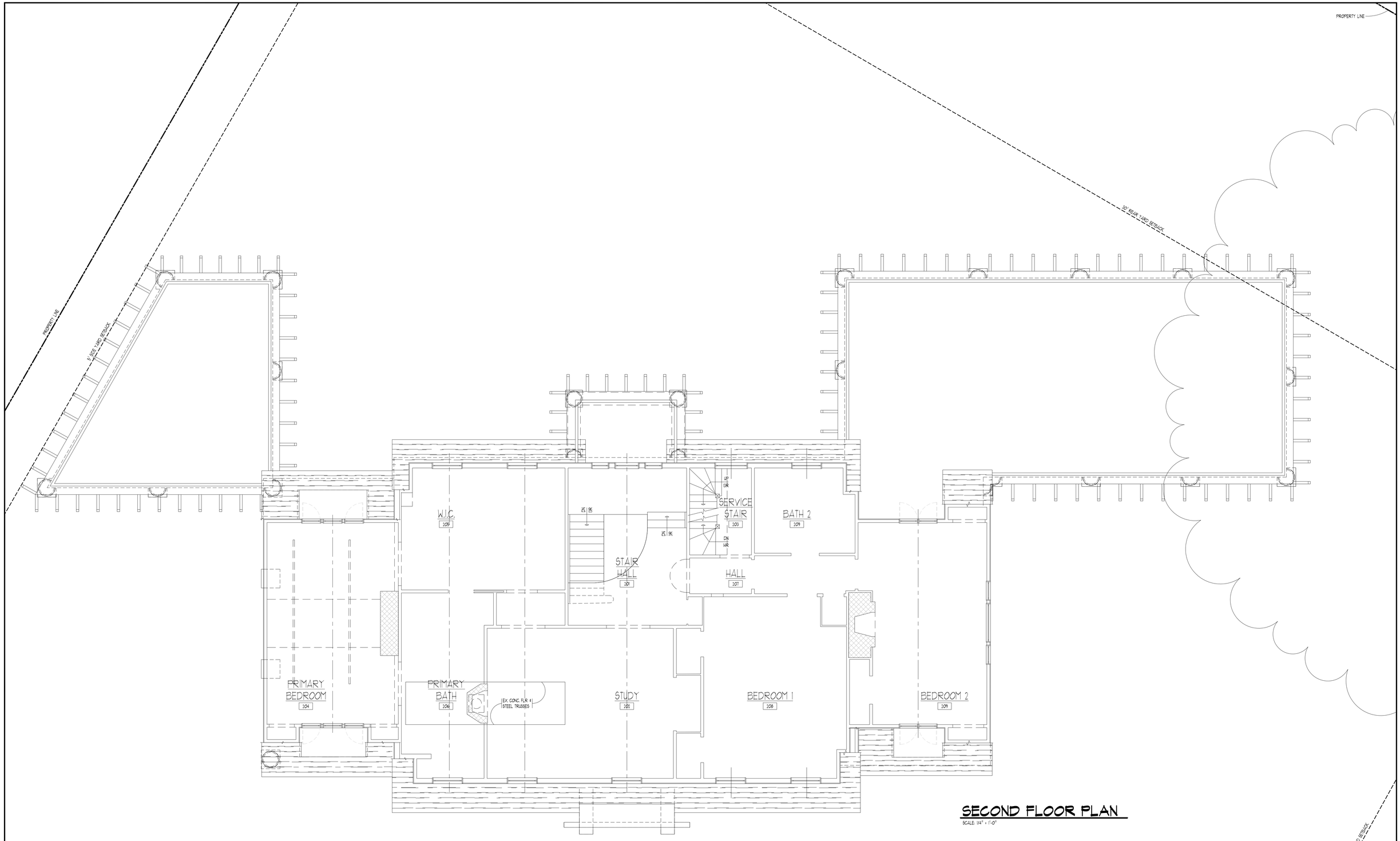

SECOND FLOOR PLAN

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

MICHAEL WILLOUGHBY and ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 - TELEPHONE 248.540.7603

TRUE NORTH

WINKLER-LEOPOLD

FLOOR PLANS

SECOND FLOOR - EXISTING

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

BOARD OF ZONING APPEALS 03/17/2025

SHEET NO.
EX-102

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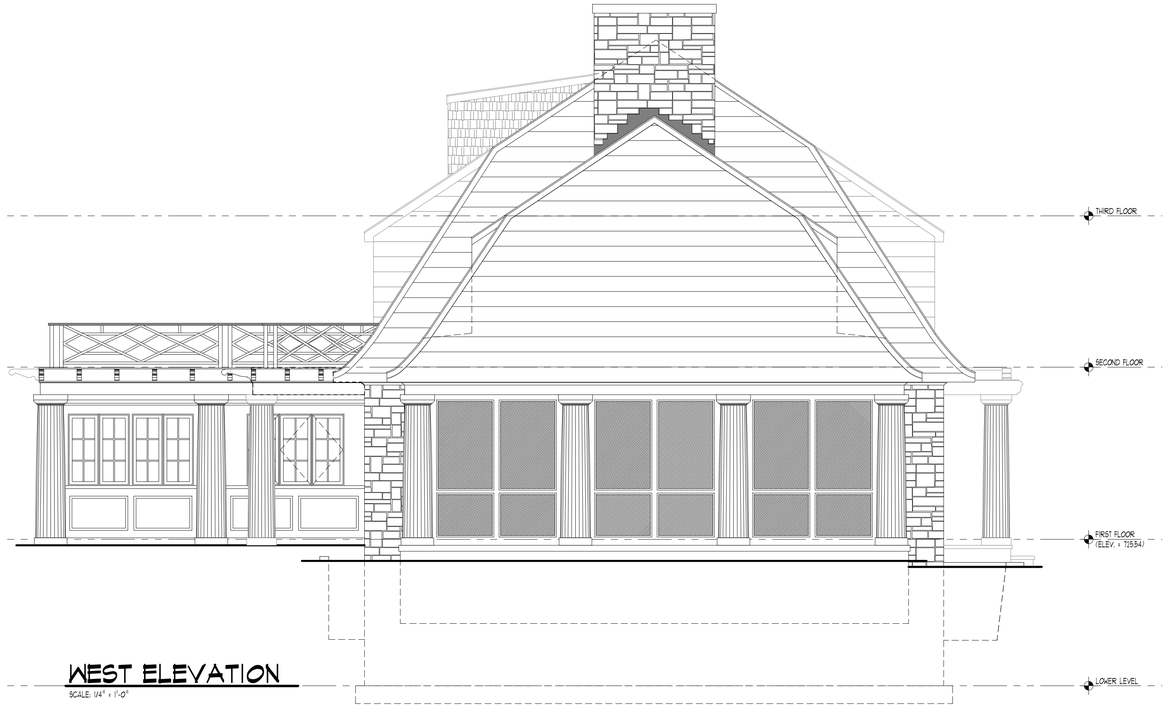

WEST ELEVATION

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

SOUTH ELEVATION

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

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 – TELEPHONE 248.540.7603

WINKLER-LEOPOLD

EXTERIOR ELEVATIONS

EXISTING

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

BOARD OF ZONING APPEALS 03/11/2015

SHEET NO. EX-201

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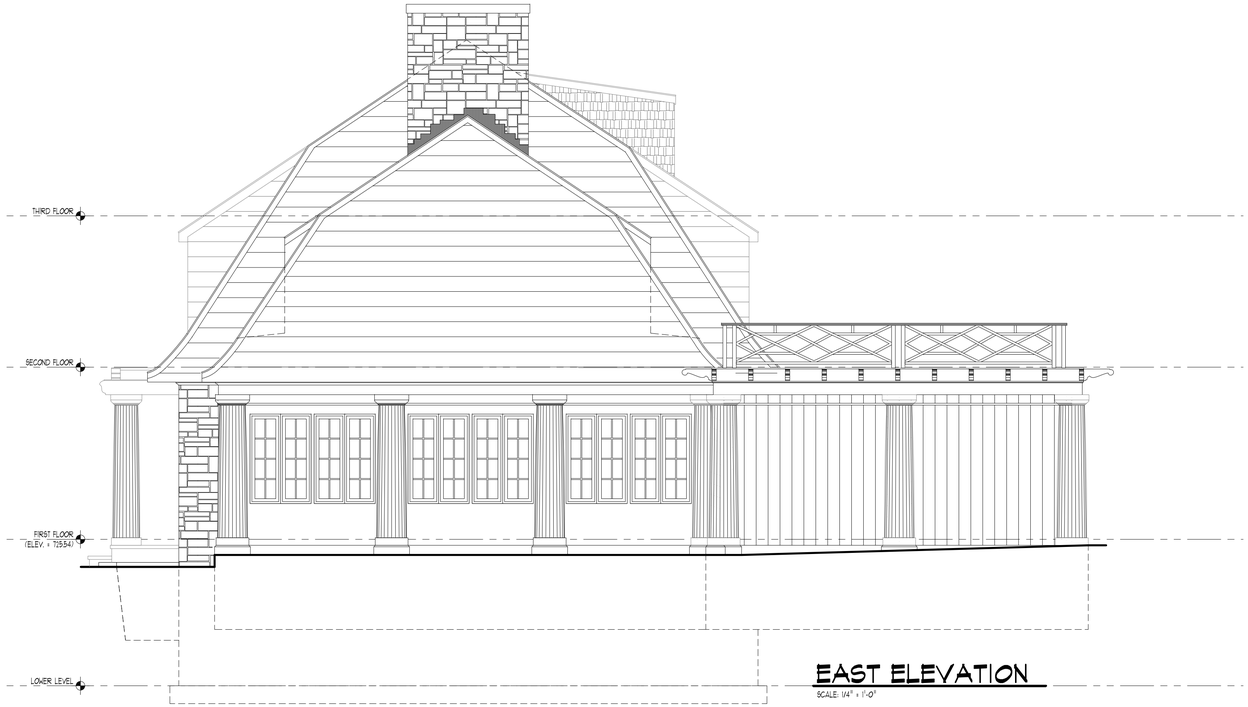
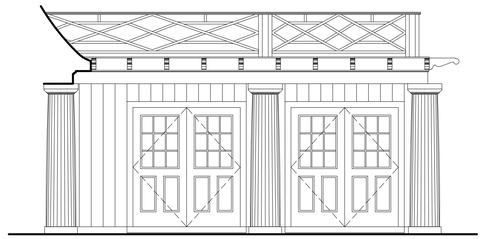


EAST ELEVATION

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



PARTIAL
EAST ELEVATION

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

NORTH ELEVATION

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

MICHAEL WILLOUGHBY & ASSOCIATES ARCHITECTS 880 SOUTH OLD WOODWARD AVENUE, BIRMINGHAM, MICHIGAN 48009 – TELEPHONE 248.540.7603

WINKLER-LEOPOLD

EXTERIOR ELEVATIONS
EXISTING
SCALE: 1/4" = 1'-0"

BOARD OF ZONING APPEALS 03/11/2025

SHEET NO.
EX-202

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CASE DESCRIPTION

488 Willits (25-11)

Hearing date: April 8, 2025

Appeal No. 25-11: The owner of the property known **488 Willits**, requests the following variances to construct a new home with an attached garage:

A. Chapter 126, Article 2, Section 2.08 of the Zoning Ordinance requires a maximum roof height for a pitched roof in an R-2 zoning district of 28.00 feet for this property. The proposed roof height is 38.50 feet; therefore a variance of 10.50 feet is requested.

B. Chapter 126, Article 2, Section 2.08 of the Zoning Ordinance requires a maximum roof height for a flat roof in an R-2 zoning district of 24.00 feet for this property. The proposed roof height is 32.96 feet; therefore a variance of 8.96 feet is requested.

C. Chapter 126, Article 2, Section 2.08 of the Zoning Ordinance requires a maximum eave height for the building for an R-2 zoning district of 24.00 feet for this property. The proposed eave height is 32.96 feet; therefore a variance of 8.96 feet is requested.

Staff Notes: The applicant is looking to construct a new home with an attached garage on a lot that slops to the rear.

This property is zoned R2 – Single family residential.

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

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)

488 WILLITS 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: _____ **Hearing Date:** _____

Received By: _____ **Appeal #:** _____

Type of Variance:	☐ Interpretation	☐ Dimensional	☐ Land Use	☐ Sign	☐ Admin Review

I. PROPERTY INFORMATION:

Address:	Lot Number:	Sidwell Number:
488 Willits Street	1	19-25-376-040

II. OWNER INFORMATION:

Name:			
Armando Yparra			
Address:	City:	State:	Zip code:
Email:* aggesignbuildinc@gmail.com		Phone: 248.830.6679	

III. PETITIONER INFORMATION:

Name:	Firm/Company Name:		
Armando Yparra	AG Design & Build		
Address:	City:	State:	Zip code:
Email: aggesignbuildinc@gmail.com		Phone: 248.830.6679	

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:** 3-12-25

Signature of Petitioner: _____ **Date:** 3-12-25

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.

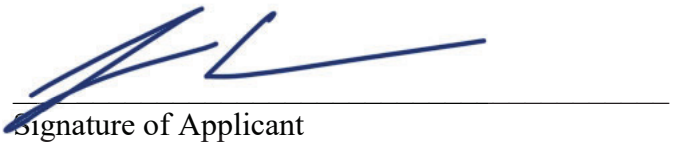
F. Any decision of the Board favorable to the applicant is tied to the plans submitted, including any modifications approved by the Board at the hearing and agreed to by the applicant, and shall remain valid only as long as the information or data provided by the applicant is found to be correct and 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

krieger klatt
ARCHITECTS
architecture interiors consulting

Board of Zoning Appeals
Community Development – Building Department
151 Martin Street
Birmingham, MI 48009

Re: 488 Willits Street – BZA Practical Difficulties Response

Board of Zoning Appeals Members,

Thank you for your consideration of our Variance requests. Below are responses to the prompts from the BZA Variance Standards Form.

1. Strict application of the zoning ordinance unreasonably prevents petitioner from using their property for a permitted use.

Strict compliance will not prevent the Owner from using the property as a single family residence but it will be unnecessarily burdensome for the following reasons:

The proposed home's overall height as well as each individual floor height will be severely impacted due to the significant change in grade across the site, approximately 9 feet from front to back. The zoning ordinance states building height is taken from the existing grade point which, in our case, would reduce our buildable height by 9 feet at the back of the house. Additionally, the proposed residence is intended to primarily have flat roofs which are subject to a lower maximum height (24') than what gable/hip roofs (28') are allowed, so we are already limited to a reduced height of 4' for the overall structure of the house.

If we were to have our building height reduced by an additional 9 feet due to the lowest grade point, we would effectively not be able to build a second floor on the house, which is an allowed use within the zoning district. In new construction, a typical house would have 10' high first floor ceilings, 9' high second floor ceilings, with approximately 4' of structure above grade for a grand total of 23' of height above grade. So, even if the grade drop was only 1', the height of the flat roofs would already exceed the maximum allowed roof height of 24'.

The applicant is proposing to tear down an existing home which, by today's standards, would be considered outdated due to a number of features: 1) only a single car garage, 2) low/clipped ceiling heights on both the first and second floors, and 3) types of exterior materials and trim being used (primarily vinyl). The new home on the lot would be a modern classical style which would fit in, not only with today's design styles and standards, but also the design trends that are popping up in the neighboring areas and city. The proposed design of the home will have minimal to no impact on the surrounding homes as the house will be designed in a way that 1) complies with the zoning ordinance in terms of height at the street (public) side of the lot where the grade is the highest and 2) does not go against the spirit and intent of the zoning ordinance, as the grade drops away, as any roof structure would fit within the theoretical allowed building height envelope.

2. Strict enforcement of the zoning ordinance will result in unnecessary hardship.

The applicant is simply looking for relief when it comes to the overall building and roof height of the structure as it pertains to the drop in grade that occurs along the site. Due to this drop in grade, an unnecessary hardship is present in that the building and roof heights are taken from the lowest grade point which results in ceiling and wall heights being extremely limited and the constructability of a full height second floor being made difficult. If strict enforcement of the zoning ordinance was taken, the owner would be unnecessary burdened by the shorter roof and ceiling heights due to the change in grade that is outside of their control.

3. Granting the requested variances would not be contrary to the spirit and purpose of the zoning ordinance, nor contrary to the public health, safety, and welfare.

Granting of the variances would not be contrary to the spirit and purpose of the ordinance because the change in grade is what is presenting the hardship and if it were to not exist (i.e. if the site was mostly flat), there would be no challenges present with the allowed roof heights. Additionally, from the public viewpoint and street/sidewalk view, the house would appear no taller than any of the surrounding new homes in the area as the grade along the front of the house is fairly consistent and flat which gives the appearance of a typical overall building height.

The requested variances would also not impact the public health, safety, and welfare in any way as the general public will not be using the site for any purposes and the house will not encroach into any public right-of-ways, easements, etc. that would affect any surrounding properties or public ways.

4. Granting the requested variances will result in substantial justice to petitioner, owners of the properties in the area, and to the general public.

Granting of these variances will result in substantial justice to the petitioner because they will no longer be unnecessarily burdened by existing site conditions they did not create. The petitioner will also be granted justice by allowing them to build a home that meets modern design standards and expectations. Additionally, the neighboring property to the east was granted building height variances for the same issue of grade changes along the site so this will further strengthen any future cases or arguments surrounding these types of issues and help set a stronger precedent in the city moving forward.

5. The practical difficulty is not self-created.

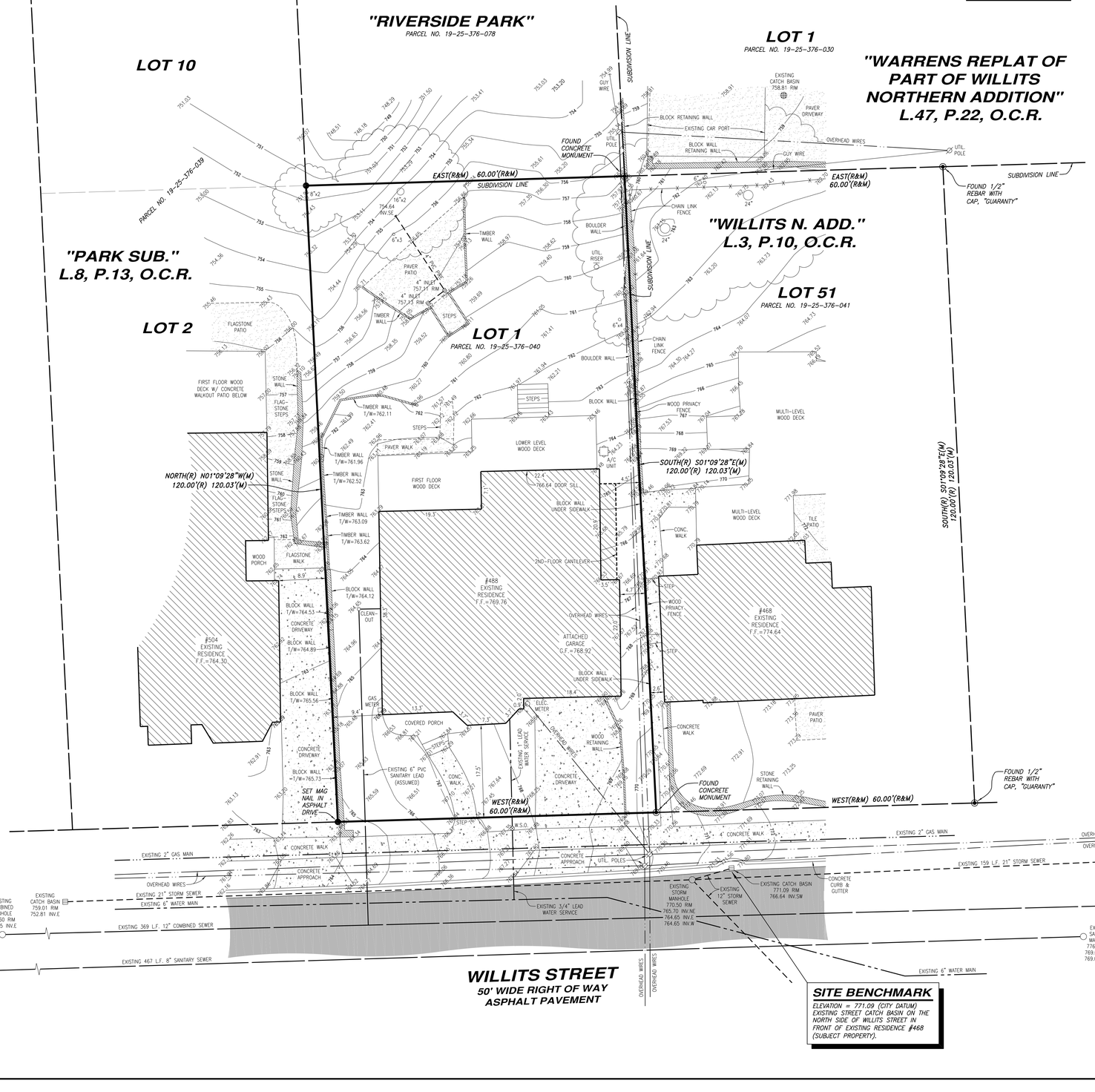
The condition was not self-created. The site topography exists as it is in its current state and has not been modified by the current property owner in any way. While the current owner was aware of the potential challenges in building a new home on the property due to the existing site topography, they did not create the difficulty and were aware of the potential to receive variances for the building heights as has been established by the property directly to the east.

TOPOGRAPHIC SURVEY

CERTIFIED TO: ARMANDO GIUSEPPE, INC.

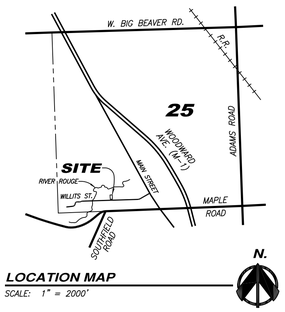
NORTH

SCALE: 1"=10'



SITE BENCHMARK

ELEVATION = 771.09 (CITY DATUM)
EXISTING STREET CATCH BASIN ON THE NORTH SIDE OF WILLITS STREET IN FRONT OF EXISTING RESIDENCE #468 (SUBJECT PROPERTY).



LOCATION MAP
SCALE: 1" = 2000'

PROPERTY DESCRIPTION: (AS FURNISHED BY CLIENT)

PARCEL NO. 19-25-376-040
LOT 1, "PARK SUBDIVISION", PART OF THE SOUTHWEST 1/4 OF SECTION 25, TOWN 2 NORTH, RANGE 10 EAST, CITY OF BIRMINGHAM, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 8 OF PLATS, PAGE 12 OF OAKLAND COUNTY RECORDS.

SURVEYOR'S NOTES

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES OTHER THAN THE STRUCTURE INVENTORY SHOWN HEREON.
2. ZONING – R2 (SINGLE FAMILY RESIDENTIAL).
3. FRONT SETBACK AS SURVEYED = 20.80'.
4. A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

LEGEND

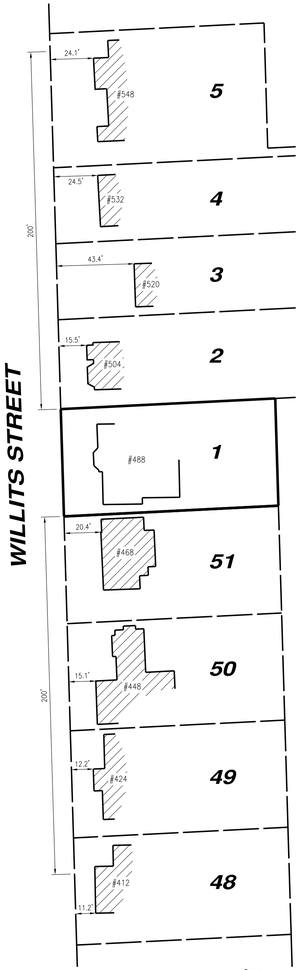
- FOUND MONUMENT AS NOTED
- SET 1/2" REBAR WITH CAP, #46724
- UTILITY POLE
- GUY WIRE ANCHOR
- ELECTRIC METER / UTILITY RISER
- GAS METER
- MANHOLE (AS NOTED)
- CLEANOUT
- ROUND CATCH BASIN
- SQUARE CATCH BASIN / INLET
- WATER SHUTOFF
- ○ 00" EXISTING TREE & D.B.H.
- 000.00 EXISTING GROUND ELEVATION
- PARCEL BOUNDARY
- ADJACENT PARCEL
- EXISTING BUILDING
- EXISTING BUILDING OVERHANG
- EXISTING WALL
- EXISTING PAVEMENT AS NOTED
- EXISTING PAVERS
- EXISTING FENCES
- EX. COMBINED/SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING OVERHEAD LINES
- 000 GRADE CONTOUR, 1' INTERVAL

PARCEL AREA

AS SURVEYED:
TOTAL = 7,200.939 SQUARE FEET = 0.165 ACRE

BASIS OF BEARING

DUE WEST, BEING THE NORTHERLY RIGHT OF WAY LINE OF WILLITS STREET AS PLATTED AND AS MONUMENTED IN FIELD.



FRONT SETBACK SURVEY
SCALE: 1" = 40'

N.

BENCHMARKS

CITY BENCHMARK #29
ELEVATION = 783.35 (CITY DATUM)
FOUND BRASS CAP ON THE SOUTHEAST CORNER OF MARTIN STREET AND SOUTH CHESTER STREET, 1 FOOT SOUTH OF THE BACK OF WALK.

SITE BENCHMARK
ELEVATION = 771.09 (CITY DATUM)
EXISTING STREET CATCH BASIN ON THE NORTH SIDE OF WILLITS STREET IN FRONT OF EXISTING RESIDENCE #468 (SUBJECT PROPERTY).

FLOOD NOTE

SUBJECT PARCEL LIES WITHIN THE ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE (500-YEAR) FLOOD, AS SHOWN ON FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 26125C0536F, DATED SEPTEMBER 29, 2006, PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREIN DESCRIBED. THE ELEVATIONS SHOWN HEREON ARE BASED ON A FIELD SURVEY AND THE DRAWING HEREON DELINEATED IS A CORRECT REPRESENTATION OF THE SAME.

SHANE PATRICK AZBELL
LICENSED PROFESSIONAL SURVEYOR, STATE OF MICHIGAN
LICENSE NO. 4001046724

CONTRACTOR'S 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.

The contractor shall be responsible for adhering to all applicable local, state, and federal standards, specifications, and guidelines for construction.

3 WORKING DAYS
BEFORE YOU DIG CALL MISS DIG
1-800-482-7171
(TOLL FREE) for the location of underground utilities

AZTEC
LAND SURVEYORS INC.
P.O. BOX 353
HOLLY, MI 48442
PHONE:586-306-1253
SHANE@AZTECSURVEY.COM

PROJECT:
TOPOGRAPHIC SURVEY
PART OF THE SOUTHWEST 1/4 OF SECTION 25, CITY OF BIRMINGHAM, OAKLAND COUNTY, MI

CLIENT:
MR. ARMANDO GIUSEPPE YBARRA
ARMANDO GIUSEPPE, INC.
3073 W TIENKEN RD.
ROCHESTER HILLS, MI 48309
(248) 939-0679

JOB NO: 24-136
DATE: 12/29/24
DRAWN BY: S.A.
CHECKED BY: S.A.

REVISIONS:

SEAL:

SHEET 1 OF 1

MUNICIPAL REVIEW NUMBERS:

Proposed New Residence

488 Willits Street
Birmingham, MI 48009

General Scope of Work

1. Construction of new residence and attached garage with covered front and rear porches.

Building Code Information

1. Michigan Residential Code 2015

Zoning Information

ADDRESS / LOT # : 488 Willits Street / PARCEL #19-25-376-040

ZONED : R2 (SINGLE-FAMILY RESIDENTIAL)

General Contractor

AG Design Build
P: 248.830.6679
agdesignbuildinc@gmail.com

Architects

Krieger | Klatt Architects Inc. (Jeff Klatt R.A.)
400 E Lincoln Ave, Suite A
Royal Oak, MI 48067
P: 248.414.9270

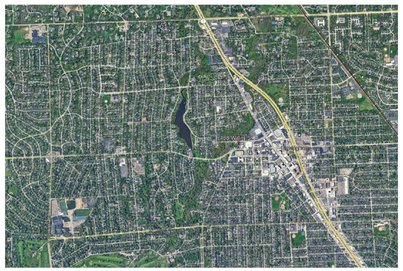
Civil Engineer

TBD

Structural Engineer

TBD

Location Map



Architectural Sheet Index

SD.001	Architectural Site Plan
1	Topographic Survey
SD.101	Conceptual Floor Plans
SD.102	Conceptual Floor Plans
SD.201	Conceptual Elevations
SD.202	Conceptual Elevations
SD.203	Coneptual Elevations
SD.204	Conceptual Elevations

Lot Coverage Requirements

Lot Area	Allowed Coverage	Maximum Lot Coverage
7200 SF	30%	2160 SF

Lot Coverage Calculations

Name	Area
House	1640 SF
Garage	520 SF
Total Proposed Lot Coverage =	2160 SF

Minimum Open Space Requirements

Total Lot Area	Minimum Open Space %	Open Space Required	Maximum Covered Space
7200 SF	40%	2880 SF	4320 SF

Open Space Calculations

Name	Area
House	1640 SF
Driveway	530 SF
Garage	520 SF
Egress Well	100 SF
Total Covered Space	2790 SF

Minimum Front Yard Open Space

Total Lot Area	Minimum Open Space %	Open Space Required	Maximum Covered Space
1248 SF	65%	811 SF	437 SF

Front Yard Open Space Calculations

Name	Area
Driveway	430 SF
Total Covered Space	430 SF

Required Building Setbacks

Required Front Setback	Required Side Setback (Small)	Required Side Setback (Large)	Required Side Setbacks (Total)	Required Rear Setback
20.80'	6.10'	8.90'	15.00'	34.20'

Proposed Building Setbacks

Proposed Front Setback	Proposed Side Setback (Small)	Proposed Side Setback (Large)	Proposed Side Setbacks (Total)	Proposed Rear Setback
20.80'	6.10'	9.46'	15.56'	44.46'

Building Height Requirements

Maximum Building Height	Proposed Building Height
28.00'	38.50'

GENERAL SITE NOTES:

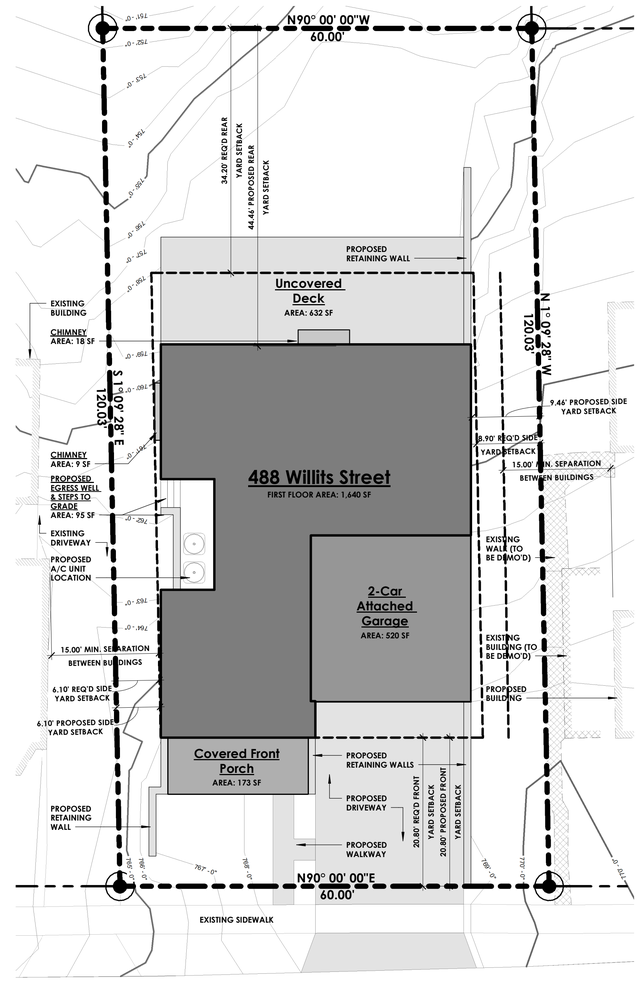
1. SEE CIVIL ENGINEER'S DRAWINGS FOR GRADING INFORMATION. ALL GRADES ARE TO SLOPE AWAY FROM HOUSE AND OUT TO THE STREET AT A MIN. 1/4" / 1' SLOPE IN COMPLIANCE W/ LOCAL CODES.
2. SILT FENCE WILL BE MAINTAINED DURING CONSTRUCTION. SEE CIVIL ENGINEER'S DRAWINGS FOR MORE INFORMATION.
3. SEE CIVIL ENGINEER'S DRAWINGS FOR ANY TREE REMOVAL INFORMATION. PROTECT EXISTING TREES AS REQ'D PER MUNICIPAL STANDARDS.
4. LANDSCAPE DESIGN NOT FINALIZED. REFER TO FUTURE PLANS PREPARED BY LANDSCAPE DESIGNER FOR FINAL DESIGN INFORMATION.
5. VERIFY REQUIREMENTS FOR SITE LIGHTING W/ OWNER. PROVIDE UNDERGROUND CONDUIT(S) AS REQ'D. REFER TO LANDSCAPE PLANS FOR FINAL SITE LIGHTING DESIGN.
6. VERIFY GAS / ELECTRICAL SERVICE LOCATIONS W/ CIVIL ENGINEER'S DRAWINGS / OWNER.
7. PROVIDE IRRIGATION SYSTEM AS DESIGNED BY LANDSCAPE DESIGNER.

SITE PLAN DISCLAIMER:

THIS SITE PLAN IS FOR GENERAL DESIGN PURPOSES ONLY - ALL CIVIL DOCUMENTS & LANDSCAPE PLAN TO BE SUPPLIED BY THE GENERAL CONTRACTOR. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF THE MEASUREMENTS.

REQUESTED VARIANCES:

1. WAIVE 9.48' OF THE MAXIMUM ALLOWED 28.0' GABLE ROOF HEIGHT FOR A 37.48' GABLE ROOF HEIGHT FROM LOWEST GRADE.
2. WAIVE 8.46' OF THE MAXIMUM ALLOWED 24.0' FLAT ROOF HEIGHT FOR A 32.46' FLAT ROOF HEIGHT FROM LOWEST GRADE.
3. WAIVE 8.46' OF THE MAXIMUM ALLOWED 24.0' EAVE HEIGHT FOR A 32.46' EAVE HEIGHT FROM LOWEST GRADE.



Architectural Site Plan
1" = 10'-0"

krieger klatt ARCHITECTS
architecture interiors consulting
400 E. Lincoln Ave, Suite A | Royal Oak, MI 48067
P: 248.414.9270
www.kriegerklatt.com

Client:

AG Design Build

Project:

Proposed New Residence
488 Willits Street
Birmingham, MI 48009

Issued:

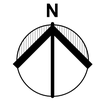
03.12.2025	BZA Submittal
03.28.2025	BZA Re-Submittal

Seal:

Note:

Do not scale drawings.
Use calculated dimensions only.
Verify existing conditions in field.
Exterior dimensions are calculated from outside of sheathing.

North Arrow:



Sheet Title:

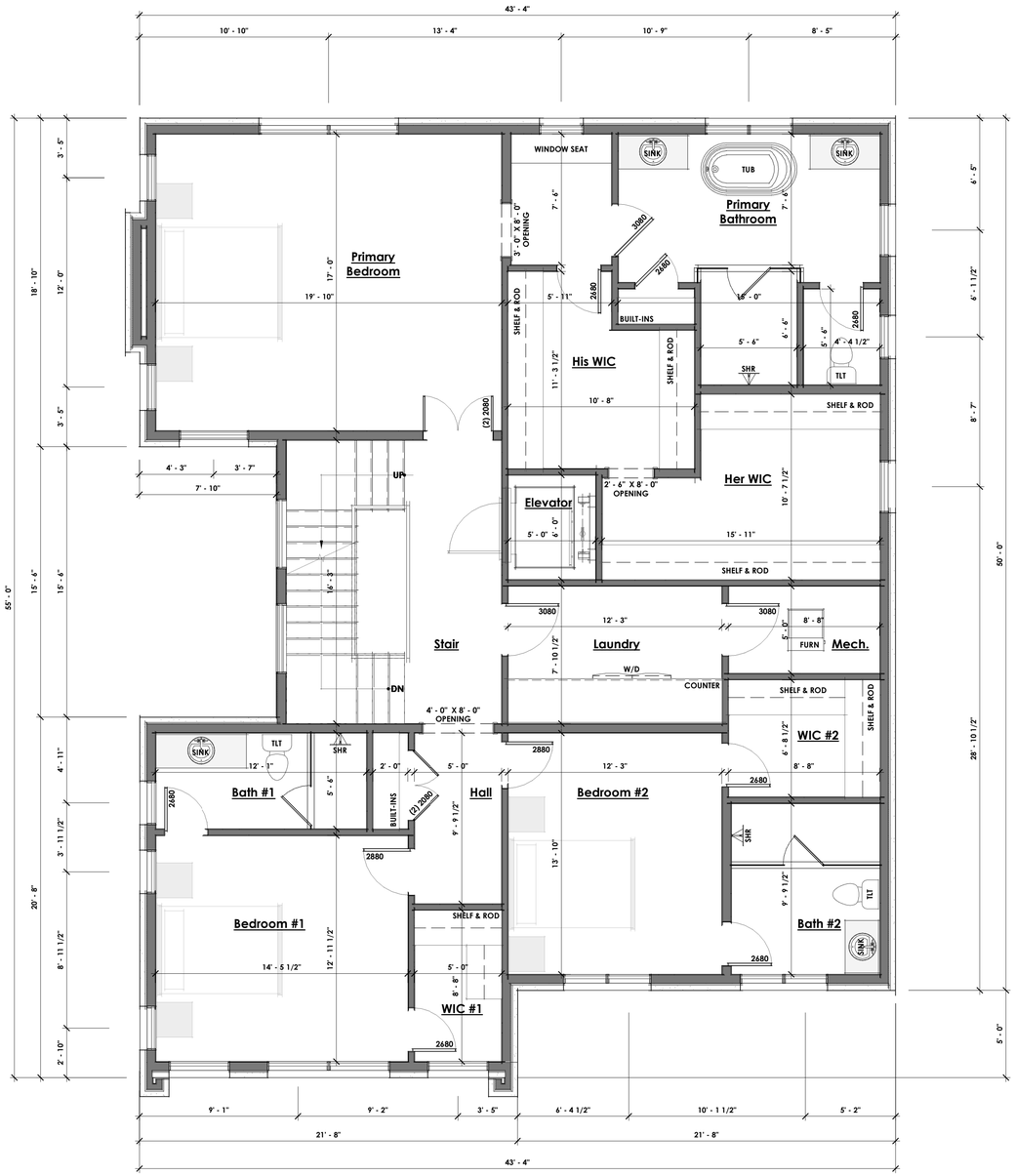
Architectural Site Plan

Project Number:

25-033

Sheet Number:

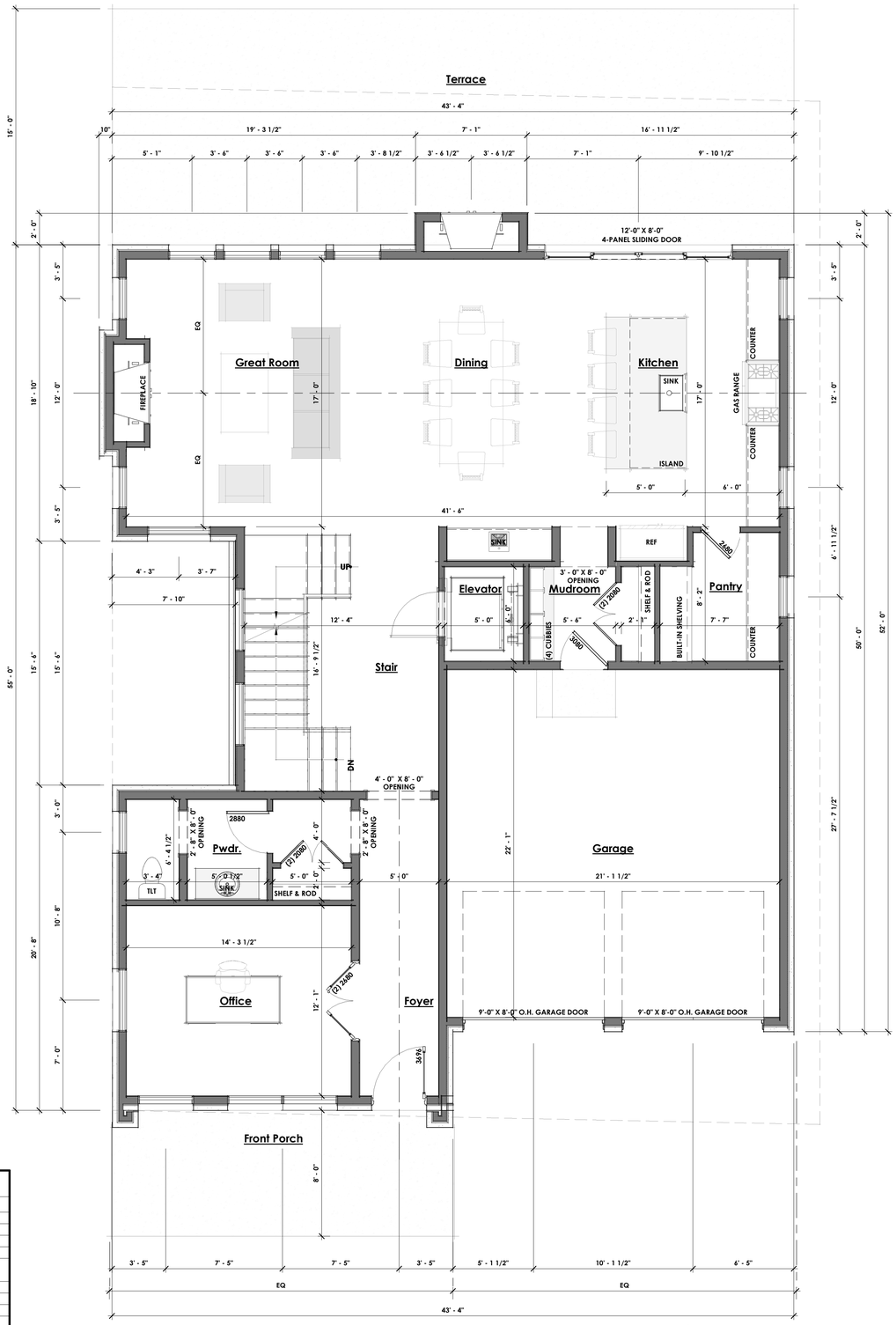
SD.001



Proposed Second Floor Plan

1/4" = 1'-0"

Building Square Footages	
Name	**Area**
Finished Basement	1254 SF
First Floor	1640 SF
Second Floor	2152 SF
Third Floor	570 SF
Living Space	5615 SF
Unfinished Basement	173 SF
Terrace	650 SF
Garage	519 SF
Front Porch	172 SF
Roof Deck	1344 SF
Non-Living Space	2858 SF
Total Building Area	8473 SF



Proposed First Floor Plan

1/4" = 1'-0"

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Seal:

STATE OF MICHIGAN · JEFFREY GERALD KLATT · ARCHITECT · LICENSE NO. 1301058199 · REGISTERED ARCHITECT

Note:

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North Arrow:

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Sheet Title:

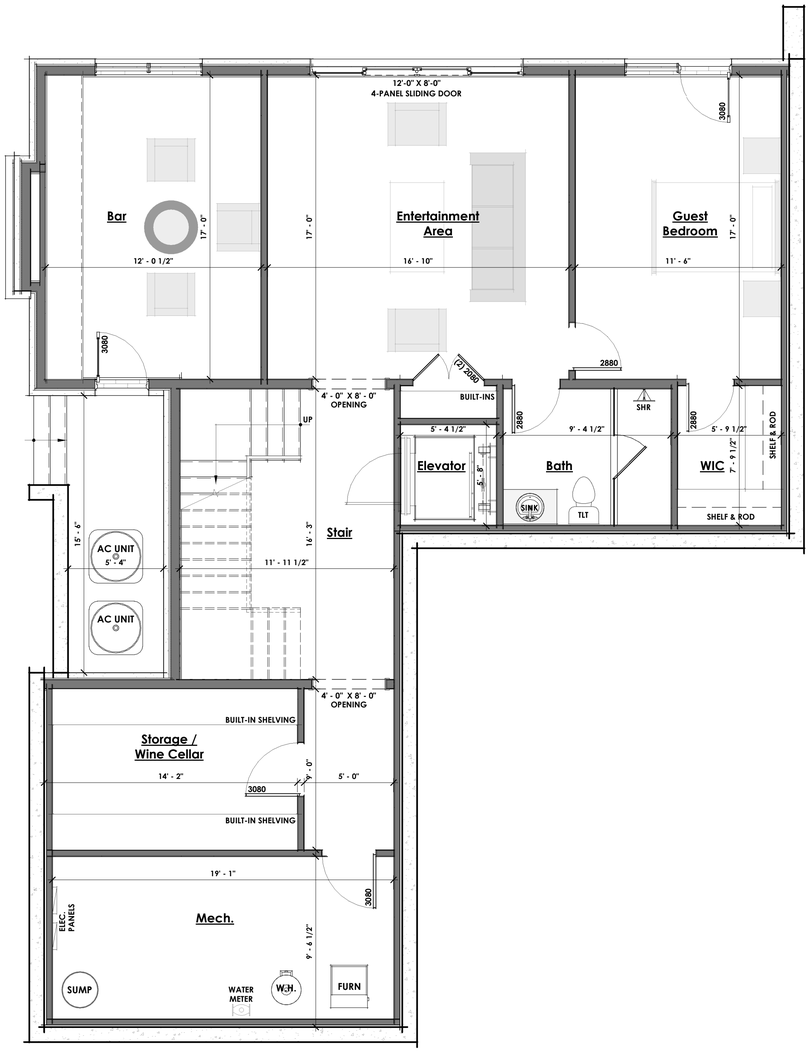
Conceptual Floor Plans

Project Number:

25-033

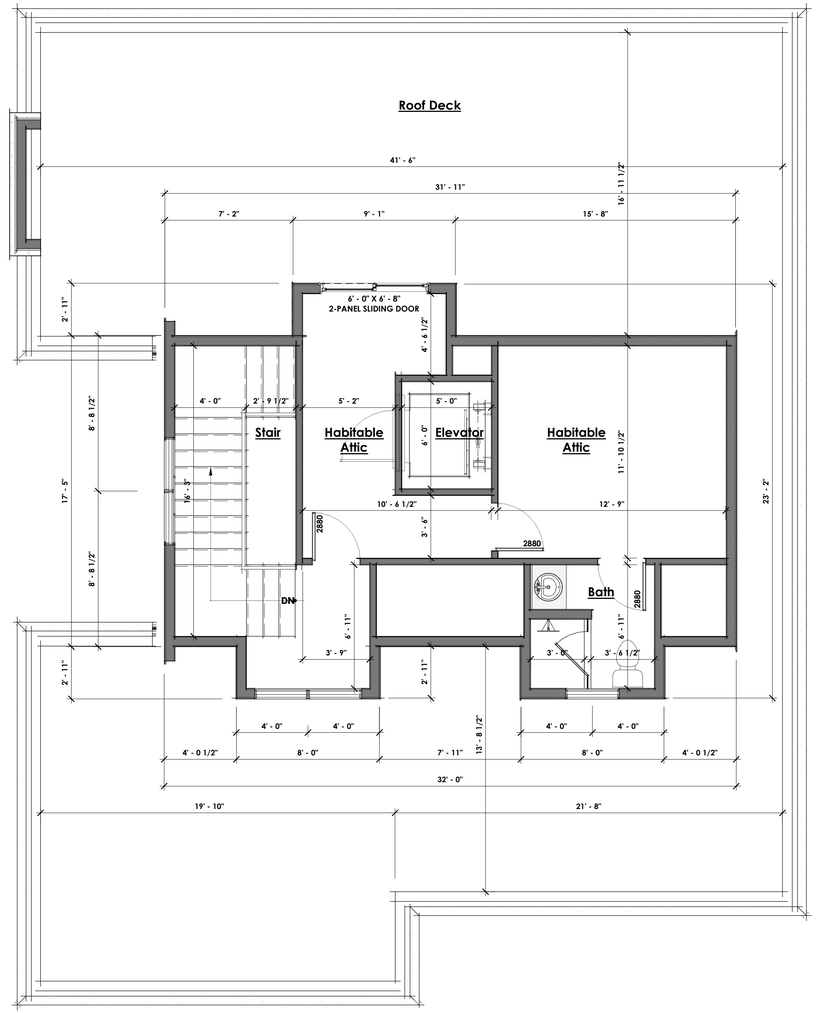
Sheet Number:

SD.101



Proposed Lower Level Plan

1/4" = 1'-0"



Proposed Third Floor Plan

1/4" = 1'-0"

Building Square Footages	
Name	**Area**
Finished Basement	1254 SF
First Floor	1640 SF
Second Floor	2152 SF
Third Floor	570 SF
Living Space	5615 SF
Unfinished Basement	173 SF
Terrace	650 SF
Garage	519 SF
Front Porch	172 SF
Roof Deck	1344 SF
Non-Living Space	2858 SF
Total Building Area	8473 SF

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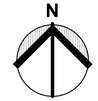

Sheet Title:

Conceptual Floor Plans

Project Number:

25-033

Sheet Number:

SD.102

Front Elevation

1/4" = 1'-0"

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Issued:

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Seal:

STATE OF MICHIGAN
JEFFREY GERALD KLATT
ARCHITECT
No. 1301056199
REGISTERED ARCHITECT

Note:

Do not scale drawings.
Use calculated dimensions only.
Verify existing conditions in field.
Exterior dimensions are calculated from outside of sheathing.

North Arrow:

Sheet Title:

Conceptual Elevations

Project Number:

25-033

Sheet Number:

SD.201

Left Side Elevation

1/4" = 1'-0"

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Client:

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Project:

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Seal:

STATE OF MICHIGAN
JEFFREY GERALD KLATT
ARCHITECT
No. 4001188199
LICENSED ARCHITECT

Note:

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North Arrow:

Sheet Title:

Conceptual Elevations

Project Number:

25-033

Sheet Number:

SD.202

Rear Elevation

1/4" = 1'-0"

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STATE OF MICHIGAN
JEFFREY GERALD KLATT
ARCHITECT
No. 1301036199
REGISTERED ARCHITECT

Note:

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Use calculated dimensions only.
Verify existing conditions in field.
Exterior dimensions are calculated from outside of sheathing.

North Arrow:

Sheet Title:

Coneptual Elevations

Project Number:

25-033

Sheet Number:

SD.203

Right Side Elevation

1/4" = 1'-0"

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Seal:

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North Arrow:

Sheet Title:

Conceptual Elevations

Project Number:

25-033

Sheet Number:

SD.204