

# BIRMINGHAM BOARD OF ZONING APPEALS AGENDA

Municipal Building Commission Room  
151 Martin Street, Birmingham, Michigan  
May 14, 2019  
7:30 PM

## 1. CALL TO ORDER

## 2. ROLL CALL

## 3. APPROVAL OF THE MINUTES

- 1) April 9, 2019

## 4. APPEALS

	Address	Petitioner	Appeal	Type/Reason
1)	280 N OLD WOODWARD	JFK INVEST	19-07	POSTPONED
2)	2010 COLE STE 100	FAST SIGNS	19-11	DIMENSIONAL
3)	1165 HILLSIDE	DEVOS	19-17	DIMENSIONAL
4)	1645 BUCKINGHAM	MARTENS	19-18	DIMENSIONAL

## 5. CORRESPONDENCE

## 6. GENERAL BUSINESS

- 1) Election of Chairperson and Vice Chairperson

## 7. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

## 8. ADJOURNMENT

### Title VI

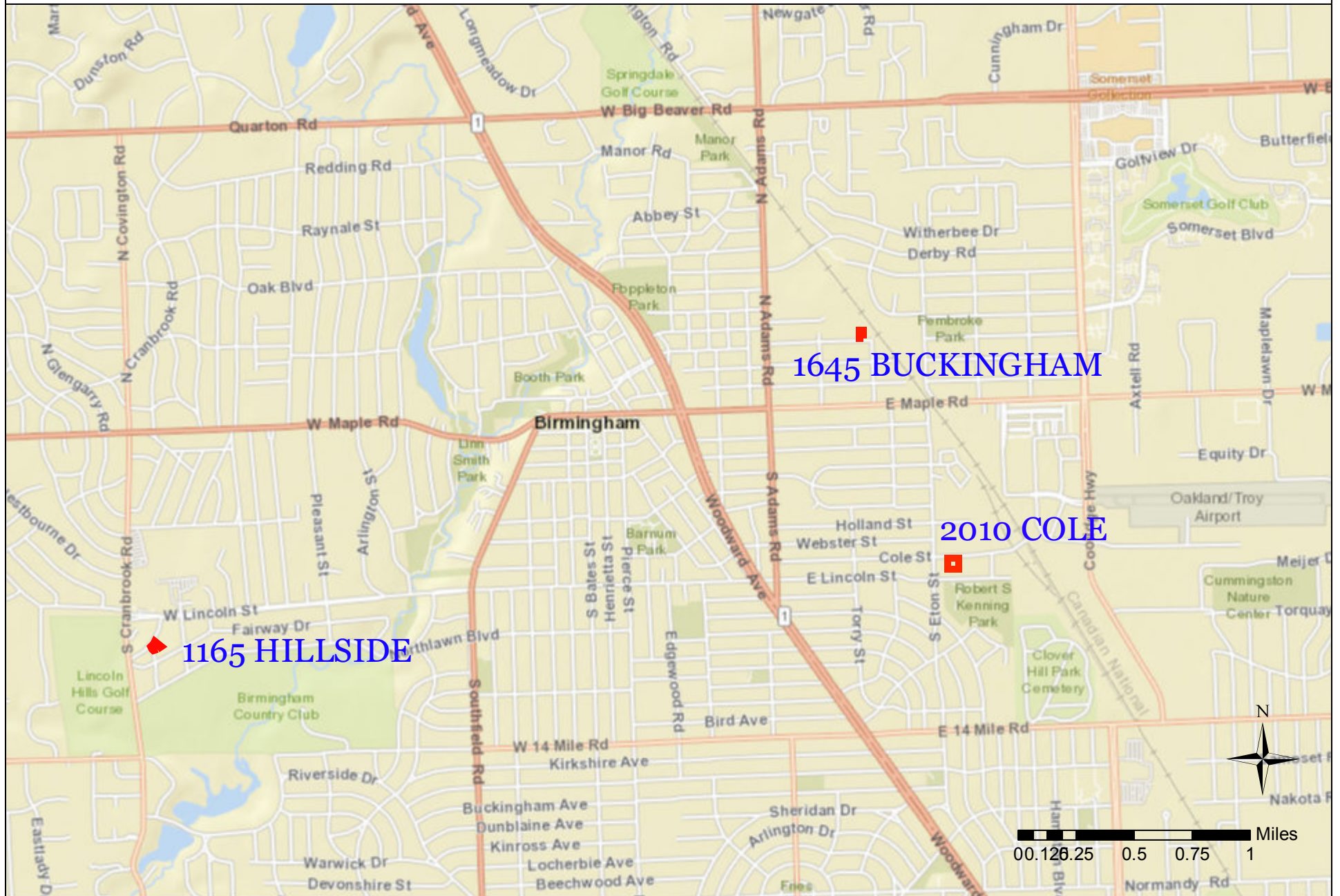
Persons with disabilities that may require assistance for effective participation in this public meeting should contact the City Clerk's Office at the number (248) 530-1880, or (248) 644-5115 (for the hearing impaired) at least one day before the meeting to request help in mobility, visual, hearing,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

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

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

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

# MAY BZA MAP



# **CASE DESCRIPTION**

**2010 Cole (19-11)**

**Hearing date: May 14, 2019**

**Appeal No. 19-11:** The owner(s) of the property known as 2010 Cole Street, Suite 100 request the following variances to install a tenant sign:

- A. **Chapter 86, Article 1, Section 1.05(K)(4)(a)** of the Sign Ordinance requires wall signs to only be permitted on a designated first floor sign band.
- B. ~~**Chapter 86, Article 1, Section 1.05(K)(6)(b)** of the Sign Ordinance requires wall signs to project no more than 9 inches measured from the wall to which it is attached to the outer surface.~~
- C. ~~**Chapter 86, Article 1, Section 1.05(K)(6)(c)** of the Sign Ordinance requires wall signs to not have an electrical raceway of more than 4 inches.~~

## **Staff Notes:**

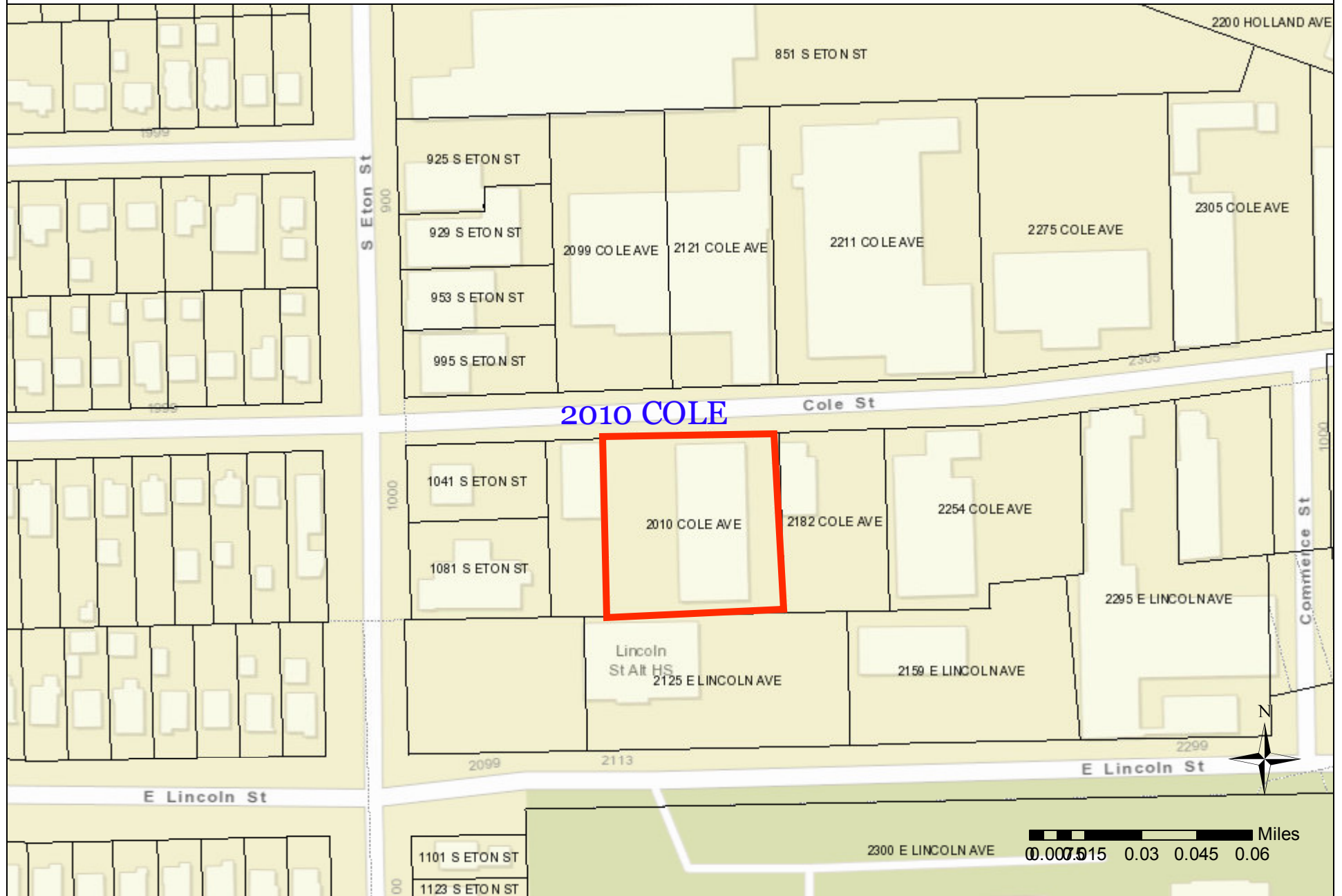
The applicant is proposing a wall sign below the sign band of the building at 2010 Cole Street for Braam's Custom Cabinets. The current dimensions of the proposed sign location extends 31 inches below the sign band, therefore the applicant will need a dimensional variance of 31 inches. Prior issues related to projection distance and the length of the raceway have since been resolved. The canopy currently located along the sign band was approved by the Planning Board on June 27<sup>th</sup>, 2018. On April 17<sup>th</sup>, 2019, the Design Review Board approved the proposed sign with the condition that the sign be placed on the sign band, which will require the removal of approximately six feet of awning. Relevant draft minutes from the April 17<sup>th</sup>, 2019 Design Review Board are attached for review.

## **Chapter 86, Article 3, Definitions, Section 3.02**

**Sign Band:** *A horizontal band extending the full width of the building façade and located between the highest first floor windows and the cornice, or if there is more than one story, the highest first floor windows and the bottom of the second floor windows.*

This property is zoned MX – Mixed Use Commercial.

# 2010 COLE





**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](http://www.bhamgov.org)  
**APPLICATION FOR THE BOARD OF ZONING APPEALS**

Application Date: 3/4/19  
 Received By: BM

Hearing Date: 4-9-19  
 Appeal #: 19-11

Type of Variance:	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Dimensional	<input type="checkbox"/> Land Use	<input type="checkbox"/> Sign	<input type="checkbox"/> Admin Review
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**I. PROPERTY INFORMATION:**

Address: 2010 Cde St. Ste. 100 Lot Number: \_\_\_\_\_ Sidwell Number: \_\_\_\_\_

**II. OWNER INFORMATION:**

Name: Brynley Braam

Address: 2010 Cde St. Ste. 100 City: Birmingham State: MI Zip code: 48009

Email: 212@fastsigns.com Phone: 519-631-8138

**III. PETITIONER INFORMATION:**

Name: Allen Chika Firm/Company Name: Fastsigns of Birmingham

Address: 33322 Woodward Ave. City: Birmingham State: MI Zip code: 48009

Email: 212@fastsigns.com Phone: 248-642-9911

**IV. GENERAL INFORMATION:**

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

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

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

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

**V. REQUIRED INFORMATION CHECKLIST:**

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

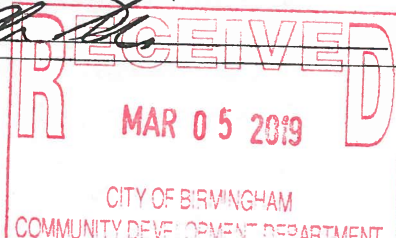
**VI. APPLICANT SIGNATURE**

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.

Signature of Owner: [Signature] Date: March 4, 2019

Signature of Petitioner: [Signature] Date: 3/4/19

Revised 12/12/2018



CITY OF BIRMINGHAM  
 Date 03/05/2019 3:18:17 PM  
 Ref 00156891  
 Receipt 472258  
 Amount \$560.00

**DESIGN REVIEW BOARD**  
**MINUTES OF APRIL 17, 2019**  
Municipal Building Commission Room  
151 Martin, Birmingham, Michigan

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Minutes of the regular meeting of the Design Review Board ("DRB") held Wednesday, April 17, 2019. Chairman John Henke called the meeting to order at 7:21 p.m.

**1) ROLLCALL**

**Present:** Chairman John Henke, Vice-Chairman Keith Deyer; Board Member Joseph Mercurio; Alternate Board Member Alexander Jerome

**Absent:** Board Members Gigi Debbrecht, Natalia Dukas, Patricia Lang, Michael Willoughby; Alternate Board Member Dulce Fuller; Student Representative Klea Ahmet

**Administration:** Nicholas Dupuis, City Planner  
Laura Eichenhorn, Transcriptionist

**04-18-19**

**2) APPROVAL OF MINUTES**  
**DRB Minutes of March 20, 2019**

**Motion by Vice-Chairman Deyer**  
**Seconded by Mr. Jerome to approve the DRB Minutes of March 20, 2019 as presented.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Deyer, Jerome, Mercurio, Henke

Nays: None

**04-18-19**

**3) PUBLIC HEARING**

None.

**04-19-19**

**4) DESIGN REVIEW**

None.

**04-20-19**

**5) SIGN REVIEW**

### **A. 2010 Cole – Braam's Custom Cabinets**

City Planner Dupuis reviewed the item.

Vice-Chairman Deyer said:

- He would like to know why this item went before the Planning Board, given that this was a design update with no increase in square footage.
- He would like to know why the Planning Board approved the plans for this item without defining or approving the sign band.
- The Planning Board should not have approved the awnings since they block the signage for the various tenants of the building.
- The signage for the additional tenants should be added to the sign band, and the part of the awning over the door blocking the sign band should be removed.
- This is a self-created difficulty on the part of the owner, not the petitioner, since the awnings were installed by the owner without consideration for sign band placement.

Chairman Henke noted the awnings are architectural, not functional. He said the DRB could recommend to the Board of Zoning Appeals (BZA) that this item either be approved or denied.

Vice-Chairman Deyer suggested the DRB could recommend approval as the sign is designed, with the requirement that the sign be located within the sign band.

Chairman Henke agreed, saying the sign should be in the sign band above the transom.

Vice-Chairman Deyer added that the recommendation should require compliance with the ordinance, which would require the removal of a portion of awning. He noted that the petitioner could then take the recommendation to the BZA and try to argue that the recommendation constitutes a hardship.

**Motion by Vice-Chairman Deyer  
Seconded by Mr. Jerome to approve the sign design as submitted with the understanding that the sign must be placed in the sign band, which will require the removal of approximately six feet of awning.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Deyer, Jerome, Mercurio, Henke

Nays: None

City Planner Dupuis said this item would be before the BZA on May 14, 2019.

**04-21-19**

### **6) STUDY SESSION**

None.

**04-22-19**

**7) MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

**A. Staff Reports**

**1. Administrative Approvals**

Vice-Chairman Deyer noted that it has been DRB practice not to approve sign bands with surplus descriptors of a store's contents or function. He suggested that more descriptive signs could generally be placed in the windows of a business should a business choose to do so. He noted that this was his personal interpretation of the DRB's practices and the opinions of other DRB members might differ.

City Planner Dupuis said he would bring signs of a similar nature before the DRB for their review in the future.

Chairman Henke suggested signs for Woodward businesses could possibly be accorded a bit more leeway with verbiage since drivers are passing the businesses at higher speeds than drivers do in other parts of Birmingham. He noted past DRB discussions regarding whether Woodward business signs should receive different treatment than other Birmingham business signs given different speed conditions.

**B. Communications (none)**

Regarding Historic District Committee business, Vice-Chairman Deyer told the members present that he had provided City Planner Dupuis with DVD documentation of all the homes that received Heritage Plaques in Birmingham, the Certified Local Government (CLG) survey which was intended to reveal Birmingham buildings with previously unknown historic significance, and another DVD providing an example of a different Michigan City conducting a similar CLG survey.

Vice-Chairman Deyer explained that Heritage Plaques are for any Birmingham homes, not historically designated, which are over 100 years old.

**04-23-18**

**ADJOURNMENT**

No further business being evident, the board motioned to adjourn the meeting at 7:37 p.m.

Nicholas Dupuis  
City Planner



Dear Board Members:

We are seeking approval for a wall sign that we're unable to place in the allowed area (sign band) due to an awning covering the sign band.

The proposed sign is 15.5 square feet and is internally illuminated with LED lighting. All letters are mounted to a raceway that is painted to match the color of building.

The awning was recently installed by the landlord after completing a full renovation to the building and my client is in a need of a wall sign to identify their business.

We ask that you make an exception and approve the proposed wall sign.

Thank you,

A handwritten signature in black ink, appearing to read 'Allen Chika', with a stylized flourish at the end.

Allen Chika



JOB ADDRESS  
2010 COLE STREET

31' building width

72" width

broom's  
custom cabinets

31" height

80" clearance

15' building height

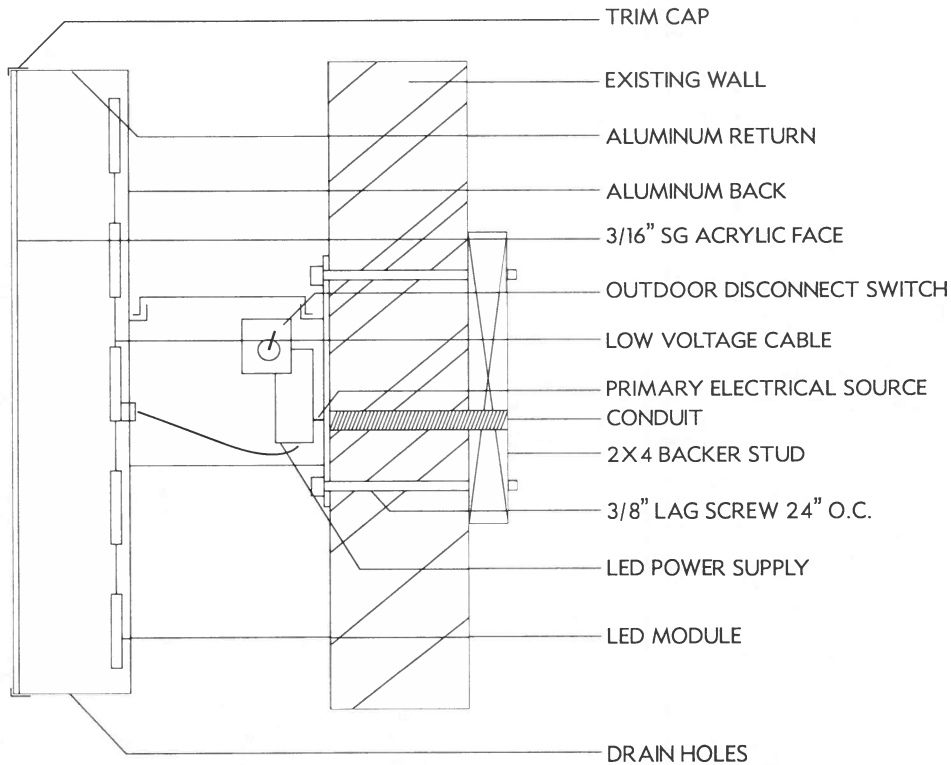
2010 COLE



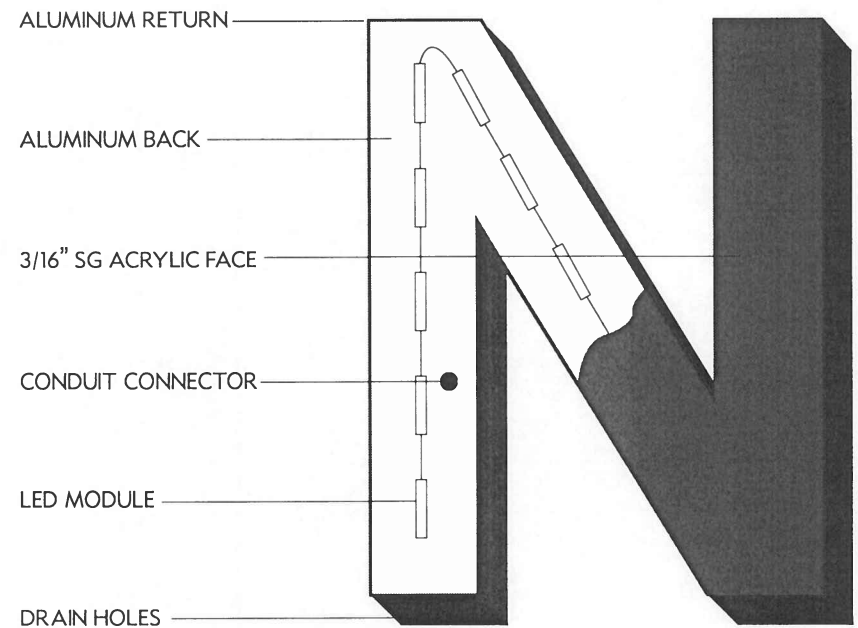
# RACEWAY MOUNTED CHANNEL LETTER

SIDE VIEW

12"



FRONT VIEW



designed to withstand  
115mph wind load

# **CASE DESCRIPTION**

**1165 Hillside (19-17)**

**Hearing date: May 14, 2019**

**Appeal No. 19-17:** The owner of the property, known as 1165 Hillside request the following variance to renovate the existing front roof line and construct an addition to an existing non-conforming home:

- A. Chapter 126, Article 2, Section 2.06** of the Zoning Ordinance requires a minimum front yard setback is the average of the homes within 200 feet in each direction. The required front yard setback for this property is 53.40 feet. The existing and proposed is 41.30 feet; therefore, a variance of 12.10 feet is requested.

## **Staff Notes:**

The applicant proposes to construct a new one story addition with renovations to the home and a new detached garage. The existing one story home was constructed in 1959 on this irregular shaped corner lot.

This property is zoned R1 – Single Family Residential.

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Jeff Zielke  
Plan Examiner

# 1165 HILLSIDE





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](http://www.bhamgov.org)

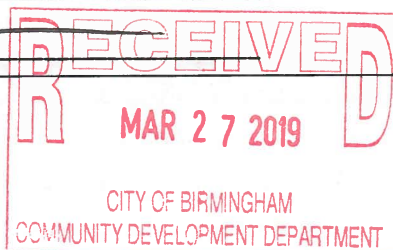
**APPLICATION FOR THE BOARD OF ZONING APPEALS**

Application Date: 3-27-19  
Received By: BH

Hearing Date: 5-14-19  
Appeal #: 19-17

Type of Variance:	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Dimensional	<input type="checkbox"/> Land Use	<input type="checkbox"/> Sign	<input type="checkbox"/> Admin Review
<b>I. PROPERTY INFORMATION:</b>					
Address: <u>1165 HILLSIDE DR</u>		Lot Number: <u>64</u>		Sidwell Number:	
<b>II. OWNER INFORMATION:</b>					
Name: <u>CHRIS + HEATHER DEVOS</u>					
Address: <u>1165 HILLSIDE DR</u>		City: <u>BIRMINGHAM</u>		State: <u>MI</u>	Zip code: <u>48009</u>
Email:				Phone:	
<b>III. PETITIONER INFORMATION:</b>					
Name: <u>ROBERT DENTON</u>		Firm/Company Name: <u>BUDMAN DENTON</u>			
Address: <u>6421 JANKSTER RD 210</u>		City: <u>BLOOMFIELD HILLS</u>		State: <u>MI</u>	Zip code: <u>48301</u>
Email: <u>ROBERT@BUDMANDENTON.COM</u>				Phone: <u>248-312-9574</u>	
<b>IV. GENERAL INFORMATION:</b>					
<p>The Board of Zoning Appeals typically meets the second Tuesday of each month. Applications along with supporting documents must be submitted on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.</p> <p>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.</p> <p>The BZA application fee is <b>\$360.00</b> for single family residential; <b>\$560.00</b> 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.</p>					
<b>Variance Chart Example</b>					
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	
<b>V. REQUIRED INFORMATION CHECKLIST:</b>					
<ul style="list-style-type: none"><li><input checked="" type="checkbox"/> One original and nine copies of the signed application</li><li><input type="checkbox"/> One original and nine copies of the signed letter of practical difficulty and/or hardship</li><li><input type="checkbox"/> One original and nine copies of the certified survey</li><li><input checked="" type="checkbox"/> 10 folded copies of site plan and building plans including existing and proposed floor plans and elevations</li><li><input type="checkbox"/> If appealing a board decision, 10 copies of the minutes from any previous Planning, HDC, or DRB board meeting</li></ul>					
<b>VI. APPLICANT SIGNATURE</b>					
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.					
Signature of Owner: <u>[Signature]</u>				Date: <u>3-11-19</u>	
Signature of Petitioner: <u>[Signature]</u>				Date: <u>3-11-19</u>	

[Signature]  
Revised 12/12/2018



CITY OF BIRMINGHAM  
Date 03/27/2019 1:48:59 PM  
Ref 00157459  
Receipt 476056  
Amount \$160.00

March 12, 2019

City of Birmingham  
Community Development – Building Department  
151 Martin Street  
Birmingham, MI 48009

Re: 1165 Hillside Dr. Residence

To: Zoning Board of Appeals Member,

Variance request #1:

- Pre-existing, non-conforming structure that we need to raise the wall to allow for an 8 ft. living height ceiling. We are not increasing the dimensional non-conforming.

Variance request #2:

- Because of the average setback and the size of the lot, it doesn't give us a very large building envelope.
- The front yard setback minimum would be 25 ft., but because the ordinance is written in an average, the setback is 53.4 ft. which is more than double the minimum written setback.
- Due to the 30 ft. Rear yard setback, it has only allowing us an 18 ft. building envelope. Therefore, we are asking for a 2.9 ft. variance.

Thank you for your consideration on this matter.

Sincerely,



Robert Denton



BOUNDARY SURVEY

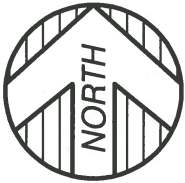
PROPERTY DESCRIPTION:

LAND SITUATED IN THE CITY OF BIRMINGHAM, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS:

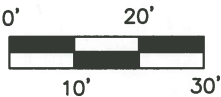
LOT 64; GOLF VIEW HEIGHTS SUBDIVISION, AS RECORDED IN LIBER 30 OF PLATS, PAGE 21 OF OAKLAND COUNTY RECORDS.

NOTE:

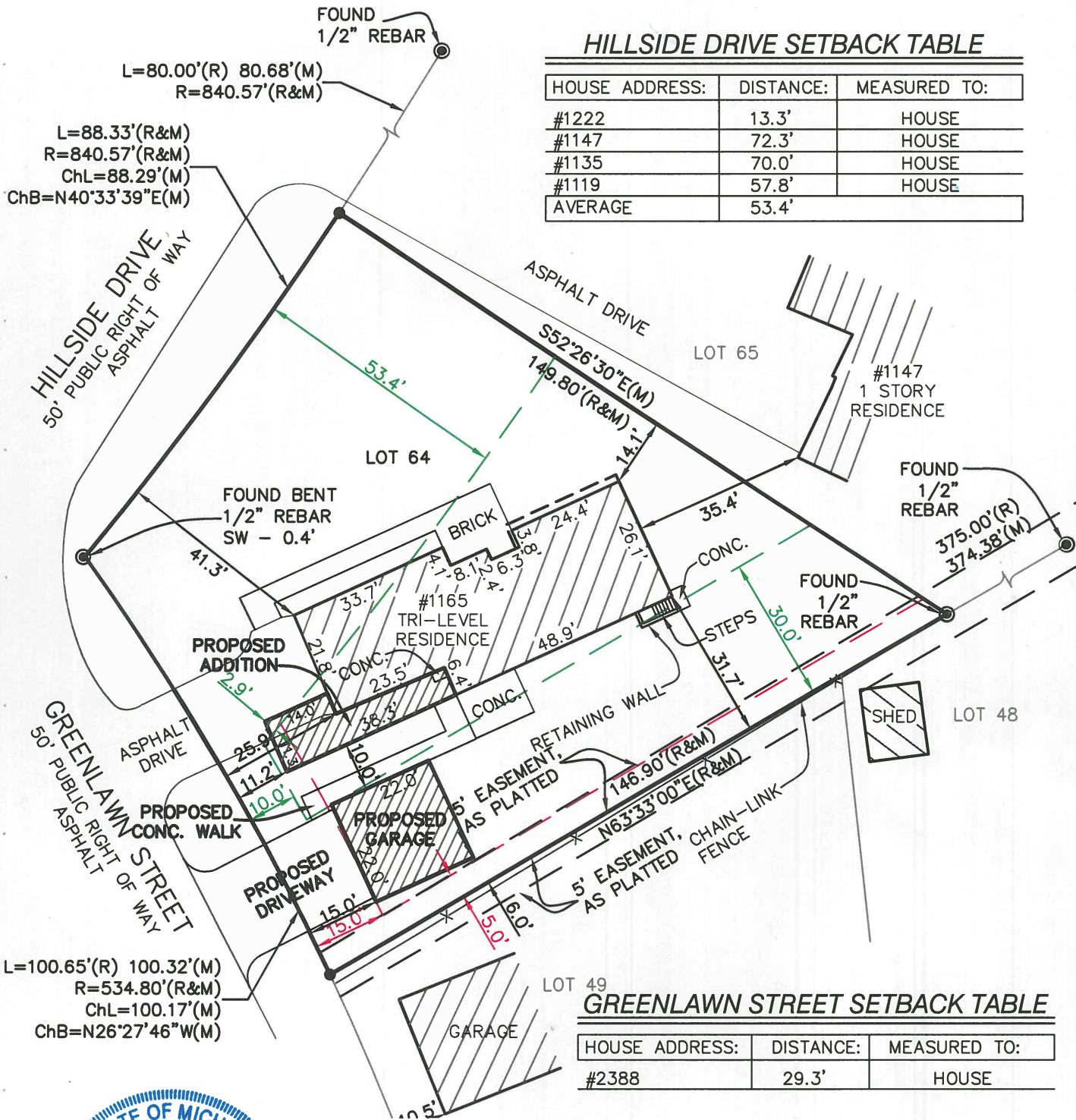
A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.



SCALE 1"=30'



HILLSIDE DRIVE SETBACK TABLE		
HOUSE ADDRESS:	DISTANCE:	MEASURED TO:
#1222	13.3'	HOUSE
#1147	72.3'	HOUSE
#1135	70.0'	HOUSE
#1119	57.8'	HOUSE
AVERAGE	53.4'	



GREENLAWN STREET SETBACK TABLE		
HOUSE ADDRESS:	DISTANCE:	MEASURED TO:
#2388	29.3'	HOUSE

LEGEND

- SET 1/2" REBAR WITH CAP, #47976
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

REVISED MARCH 12, 2019 - ADDED DIM. TO SETBACK  
REVISED MARCH 05, 2019 - ADDED SETBACKS  
REVISED MARCH 04, 2019 - ADDED ADDITION & GARAGE  
REVISED AUGUST 24, 2018 - ADDED SETBACK INFO.



KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021  
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS  
(586)772-2222 \* FAX (586)772-4048

PREPARED FOR: CHRIS & HEATHER DEVOS

FIELD SURVEY: MP ZM BD DATE: JULY 17, 2018

DRAWN BY: DJB / JV SHEET: 1 OF 1

SCALE: 1" = 30' JOB NO.: 18-02297

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

*Anthony T. Sycko, Jr.*  
ANTHONY T. SYCKO, JR., P.S. NO. 47976

# **CASE DESCRIPTION**

**1645 Buckingham (19-18)**

**Hearing date: May 14, 2019**

**Appeal No. 19-18:** The owner(s) of the property known as 1645 Buckingham request the following variances to construct a second floor addition to an existing non-conforming home:

- A. Chapter 126, Article 2, Section 2.08** of the Zoning Ordinance requires the total of both side yard setbacks for this property is 20.00 feet. The existing and proposed total side yard setbacks is 15.70 feet; therefore, a 4.30 variance is requested.
  
- B. Chapter 126, Article 4, Section 4.74 (C)** of the Zoning Ordinance requires a minimum distance between principal residential buildings for this lot to be 20.00 feet. The existing and proposed distance is 15.80 feet, therefore a variance of 4.20 is requested.

## **Staff Notes:**

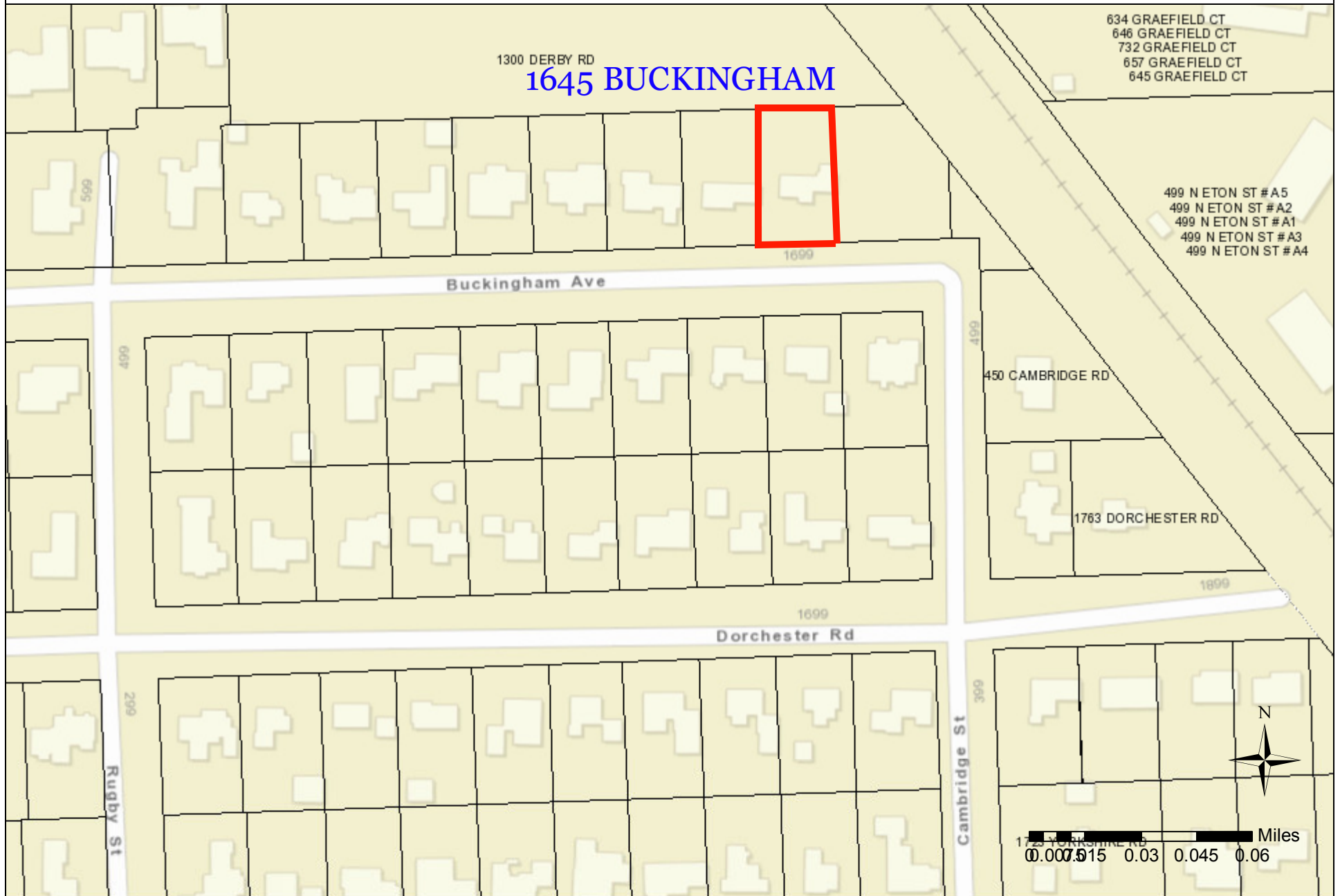
The applicant proposes to construct a new second story addition on the existing non-conforming home. The existing one story home was constructed in 1940 on this lot.

This property is zoned R1 – Single Family Residential.

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Jeff Zielke  
Plan Examiner

# 1645 BUCKINGHAM





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](http://www.bhamgov.org)

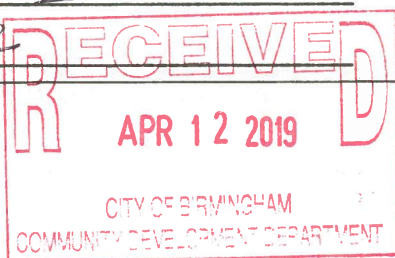
**APPLICATION FOR THE BOARD OF ZONING APPEALS**

Application Date: 4-12-19  
Received By: BM

Hearing Date: 5-14-19  
Appeal #: 19-18

Type of Variance:	<input type="checkbox"/> Interpretation	<input checked="" type="checkbox"/> Dimensional	<input type="checkbox"/> Land Use	<input type="checkbox"/> Sign	<input type="checkbox"/> Admin Review
<b>I. PROPERTY INFORMATION:</b>					
Address: <u>1645 BUCKINGHAM</u>		Lot Number: <u>199</u>		Sidwell Number:	
<b>II. OWNER INFORMATION:</b>					
Name: <u>NANCY MARTENS (DONOVAN STAND)</u>					
Address: <u>1645 BUCKINGHAM</u>		City: <u>BIRMINGHAM</u>		State: <u>MI</u>	Zip code: <u>48009</u>
Email: <u>nmartens222@gmail.com</u>				Phone: <u>248-787-9633</u>	
<b>III. PETITIONER INFORMATION:</b>					
Name: <u>OWNER - SEE ABOVE</u>		Firm/Company Name:			
Address:		City:		State:	Zip code:
Email:				Phone:	
<b>IV. GENERAL INFORMATION:</b>					
<p>The Board of Zoning Appeals typically meets the second Tuesday of each month. Applications along with supporting documents must be submitted on or before the 12<sup>th</sup> day of the month preceding the next regular meeting. Please note that incomplete applications will not be accepted.</p> <p>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.</p> <p>The BZA application fee is <b>\$360.00</b> for single family residential; <b>\$560.00</b> 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.</p>					
<b>Variance Chart Example</b>					
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<b>V. REQUIRED INFORMATION CHECKLIST:</b>					
<input checked="" type="checkbox"/> One original and nine copies of the signed application <input checked="" type="checkbox"/> One original and nine copies of the signed letter of practical difficulty and/or hardship <input checked="" type="checkbox"/> One original and nine copies of the certified survey <input checked="" type="checkbox"/> 10 folded copies of site plan and building plans including existing and proposed floor plans and elevations <input checked="" type="checkbox"/> If appealing a board decision, 10 copies of the minutes from any previous Planning, HDC, or DRB board meeting					
<b>VI. APPLICANT SIGNATURE</b>					
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.					
Signature of Owner: <u>N Martens</u>			Date: <u>4.12.19</u>		
Signature of Petitioner: <u>same</u>			Date: _____		

Revised 12/12/2018



CITY OF BIRMINGHAM  
Date 04/12/2019 1:47:53 PM  
Ref 00157936  
Receipt # 479056  
Amount \$360.00

April 9, 2019

Re: MARTENS-SHAND RESIDENCE  
1645 Buckingham, Birmingham, MI

Dear Zoning Board Members:

We are hereby applying for Dimensional Variances to Construct a Second Story Addition above the existing Ground Floor of our current Ranch house.

We are seeking to do a 1 1/2 Story Cape Cod style Addition above our Existing Footprint and because the Existing House has only a 7.9' distance from West Lot Line and is only 15.8' from neighbor's house we are requesting the following Variances: 4.3' Total Side Setback Variance, 4.2' Distance to Neighbor Variance.

Because the House was originally built at this distance from the side lot line and neighbor, the need for variances is not self-created as we just propose to build on top of existing. Because the only location for a new Stair that is feasible for existing floor and upper floor, the only way to get functional room sizes on the second floor necessitates that the west wall of addition align with the existing ground floor below.

All of the houses on our street appear to have been built in the middle of their same 80' lots and most appear to have the same roughly 8' side setbacks. We are the last house on the block (with open space and railway tracks to East) AND so our neighbor to the West is only one that is impacted and their house has the same 7.9' setback as ours, which is not in compliance with their distance to neighbor requirement.

Most other houses on the entire block are 1 1/2 or 2 Story so we feel that this second floor addition would not out of scale or a detriment to the neighborhood but rather allow us a house size commensurate with our neighborhood.

Our proposed Second Floor addition and modifications meet all other requirements of the Zoning Ordinance and we humbly request your approval.

Respectfully Submitted,



Nancy Martens





**Martens-Shand Residence  
EXISTING PHOTOS**



