



CITY OF BERKLEY COMMUNITY DEVELOPMENT

3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appeals (ZBA) meets the second Monday of the month. The meetings are held in the Council Chambers at City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

The ZBA shall hear requests for use and dimensional variances, appeals of administrative decisions, interpretation of zoning map and text, and interpretations of commercial message for proposed murals.

****Please be advised:** The ZBA may grant a variance where undue hardship or practical difficulty for the property exist. A want or desire (bigger structure, more profit, etc.) is not sufficient grounds for a variance. The ZBA does not have the power to legislate or create new regulations. The Board's purpose is to provide some relief from the Zoning Ordinance depending on the unique circumstances of the property.

APPLICANT INFORMATION

Name: Flame Furnace Phone: 584-461-2671

Address: 2800 East Eleven Mile Road Warren 48091

Email: Jcollins@flamefurnace.com

Relationship to Property (current tenant, representative, future tenant, current owner, future owner):

Hired Contractor

PROPERTY OWNER INFORMATION (if different from Applicant)

Name: Roman Przekop Phone: [REDACTED]

Address: 1957 Edgewood

Email: [REDACTED]

PROPERTY DESCRIPTION

Address: 1957 Edgewood

Parcel #: EDGE-001957-0000-01 Zoning Classification: 25-17-176-005 21-A

Current Use of Property: Residential Home

NATURE OF REQUEST

- Check which applies:
- Variance from Zoning Ordinance (Section I)
 - Interpretation of Zoning Ordinance (Section II)
 - Administrative Review / Appeal of Decision (Section III)
 - Determination of Commercial Message of Mural / Work of Art (Section IV)

Description of Request: Side yard variance for whole home generator

Has the City denied a permit related to the proposed work? Yes No

Please fill out ONLY the section below that applies to your request.

I. VARIANCE FROM ZONING ORDINANCE

Please provide a written response to each question below that relates to the variance that is being requested. **DO NOT COMPLETE BOTH SECTIONS.**

A. Use Variance

The Zoning Board of Appeals may grant a **use variance** (i.e. use of the land not permitted in a particular district) upon finding that an undue hardship exists.

Current Use of Property: _____

Requested Use of Property: _____

1. Explain how the building or land cannot be reasonably used for any of the uses permitted by right or by special land use permit in the current zoning district.

2. Explain how the need for the variance is due to unique circumstances or physical conditions of the property.

3. Explain how the proposed use will not alter the essential character of the neighborhood.

4. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

B. Dimensional Variance (Non-Use Variance)

The Zoning Board of Appeals may grant a **dimensional variance** (i.e. height, setback, lot coverage, etc) upon finding that undue hardship or practical difficulty exists.

1. Explain how the need for the variance is due to unique circumstances of physical conditions of the property.

Number of operable windows + Landscaping
would be unfit for generator installation
in the rear yard of the home per NFPA 37
requirements. Gas line would also be a triphazard

2. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

Number of operable windows in vicinity.
Gas line would be a trip hazard and only place in rear that generator would fit would put system closer to neighbor.

3. Explain how strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

Altering landscaping & restricting use of operable window while generator is in use will create financial hardship & restrict enjoyable use of property

4. Explain how the requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.

The generator sits 14.1 feet from property line and + additional 20 feet from adjacent neighbor

5. Explain how the requested variance will not adversely impact the surrounding properties.

Screening can be place to make generator unseen from street view

II. INTERPRETATION OF ZONING ORDINANCE

Provide Section numbers of Zoning Ordinance to be interpreted: _____

Please describe the request and what needs to be clarified or interpreted by the ZBA.

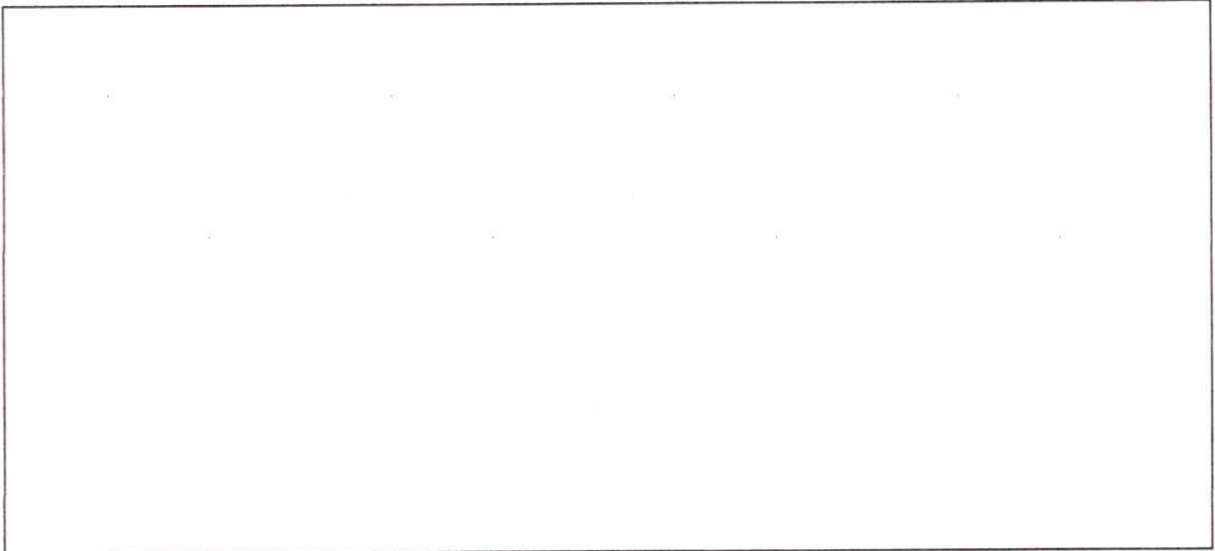
~~requesting side yard variance to keep generator on the left side of the home~~

III. ADMINISTRATIVE REVIEW / APPEAL OF DECISION

Describe the circumstances of each case and provide the minutes of the public meeting noting the denial to be appealed.

IV. DETERMINATION OF COMMERCIAL MESSAGE (MURAL/WORK OF ART)

Describe the proposed mural/work of art. Applicant should include renderings of the proposed design. The ZBA shall determine if the proposed work contains a commercial message.



** Applicant and artist must provide signed *Mural Installation and Maintenance Agreement* prior to the public meeting.

SUBMIT THE FOLLOWING:

Provide 15 copies of survey, plot plan or site plan with this application that shows the subject property complete with boundary lines and dimensions, existing building locations, all proposed buildings, easements, utilities, and any site improvements/changes. Setbacks, height of structures, lot coverage, etc. should also be included, if applicable.

A PDF file of the application and supporting documents must also be submitted at the time of application.

PLEASE NOTE: The applicant, or a designated representative, **MUST BE PRESENT** at the meeting in which the case is being reviewed or the request may be postponed due to lack of representation.

We encourage applicants to make a presentation of the proposed request to the Zoning Board of Appeals, if applicable. To assist this effort, we have available for your use a projector, laptop computer and screen. ZBA meetings are recorded and televised.

PROPERTY OWNER'S APPROVAL (Initial each line)

RTF I hereby authorize and give permission for the City of Berkley to install one or more temporary signs on my property, in order to notify the public of the required public hearing related to the above request(s) before the ZBA.

RTF I hereby authorize the employees and representatives of the City of Berkley to enter upon and conduct an inspection and investigation of the above referenced property in relation to the above request.

APPLICANT'S ENDORSEMENT: (Initial each line)

mmj All information contained herein is true and accurate to the best of my knowledge.

mmj I acknowledge that the ZBA will not review my request unless all information in the application has been submitted to the satisfaction of the Zoning Administrator.

mmj I acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing or review of this application.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

Matthew Marsiglio Matthew Marsiglio 3.8.24
Applicant Name (print) Applicant Signature Date

Applicant Name (print) Applicant Signature Date

ROMAN PRZEKOP [Signature] 3/8/24
Property Owner Name (print) Property Owner Signature Date

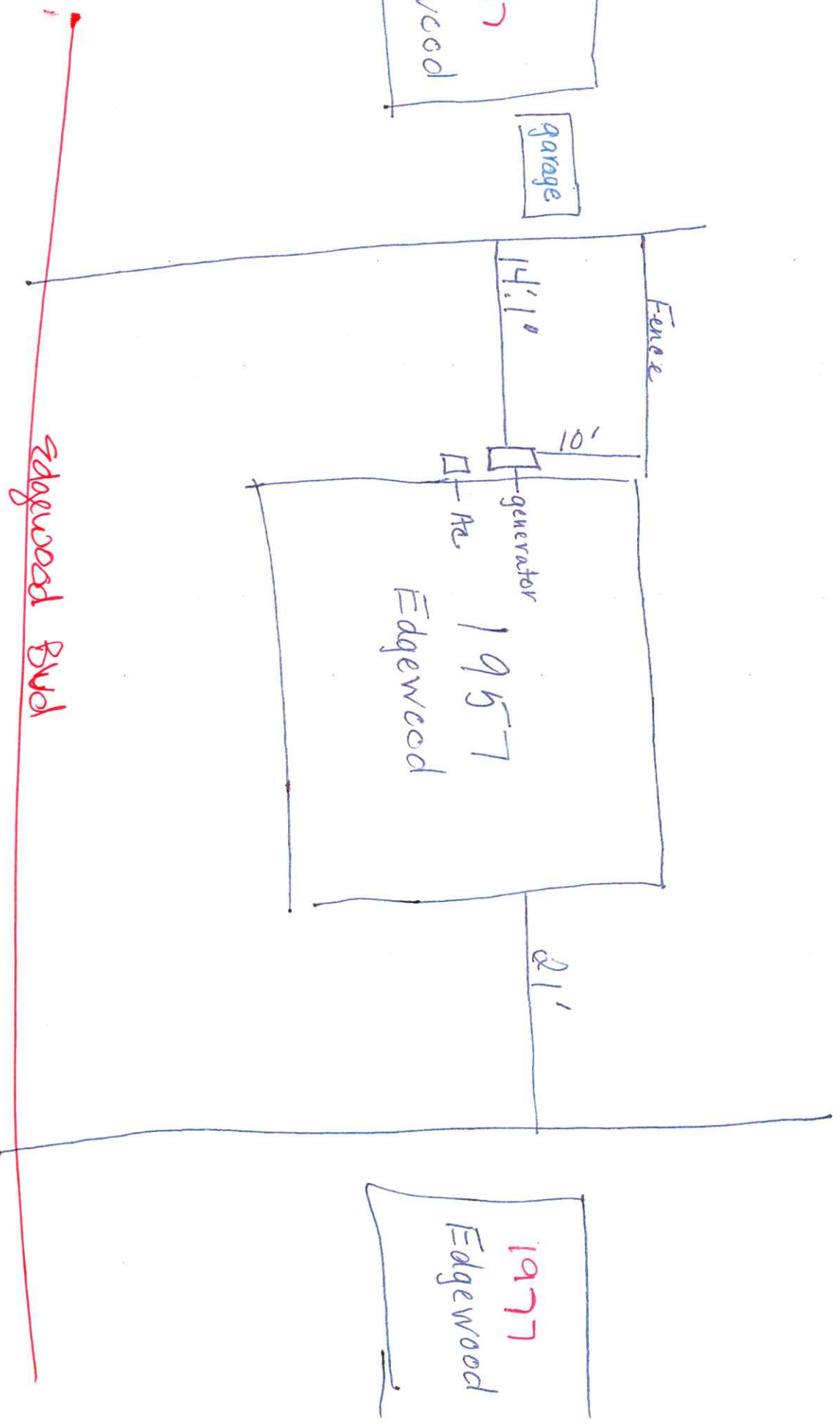
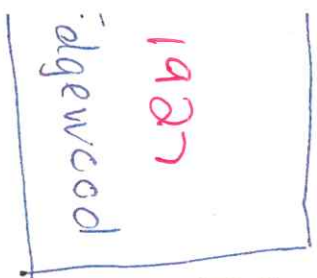
Office Use Only

Received 3/8/24 Receipt # _____ Meeting Date 4/8/24 Case # PBA-04-24

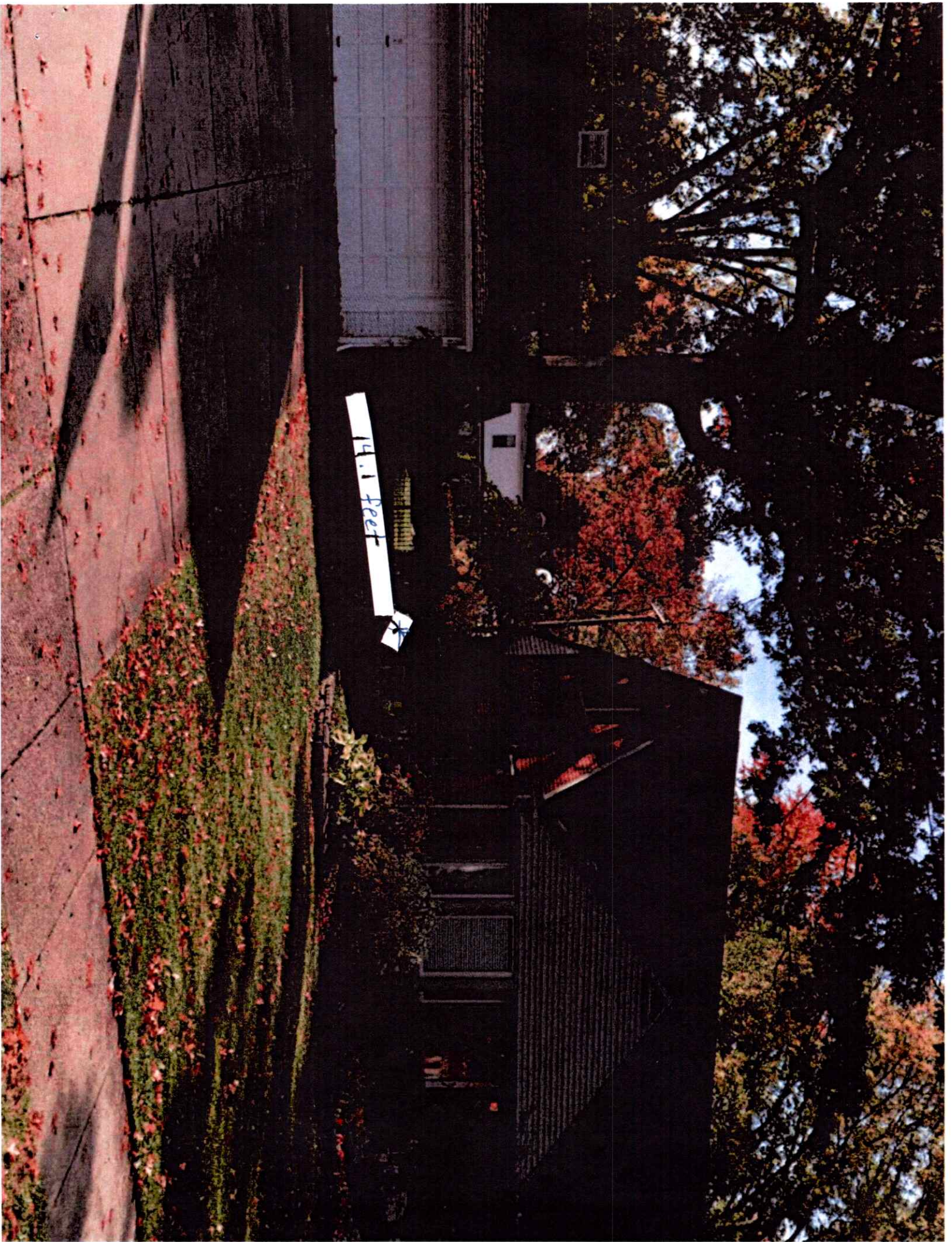
Fee: Residential \$400
Commercial \$600
Mural \$300



↑ N









Edgewood Blvd.

Property Line

49 Feet

4.0.51

1957 Edgewood

AC

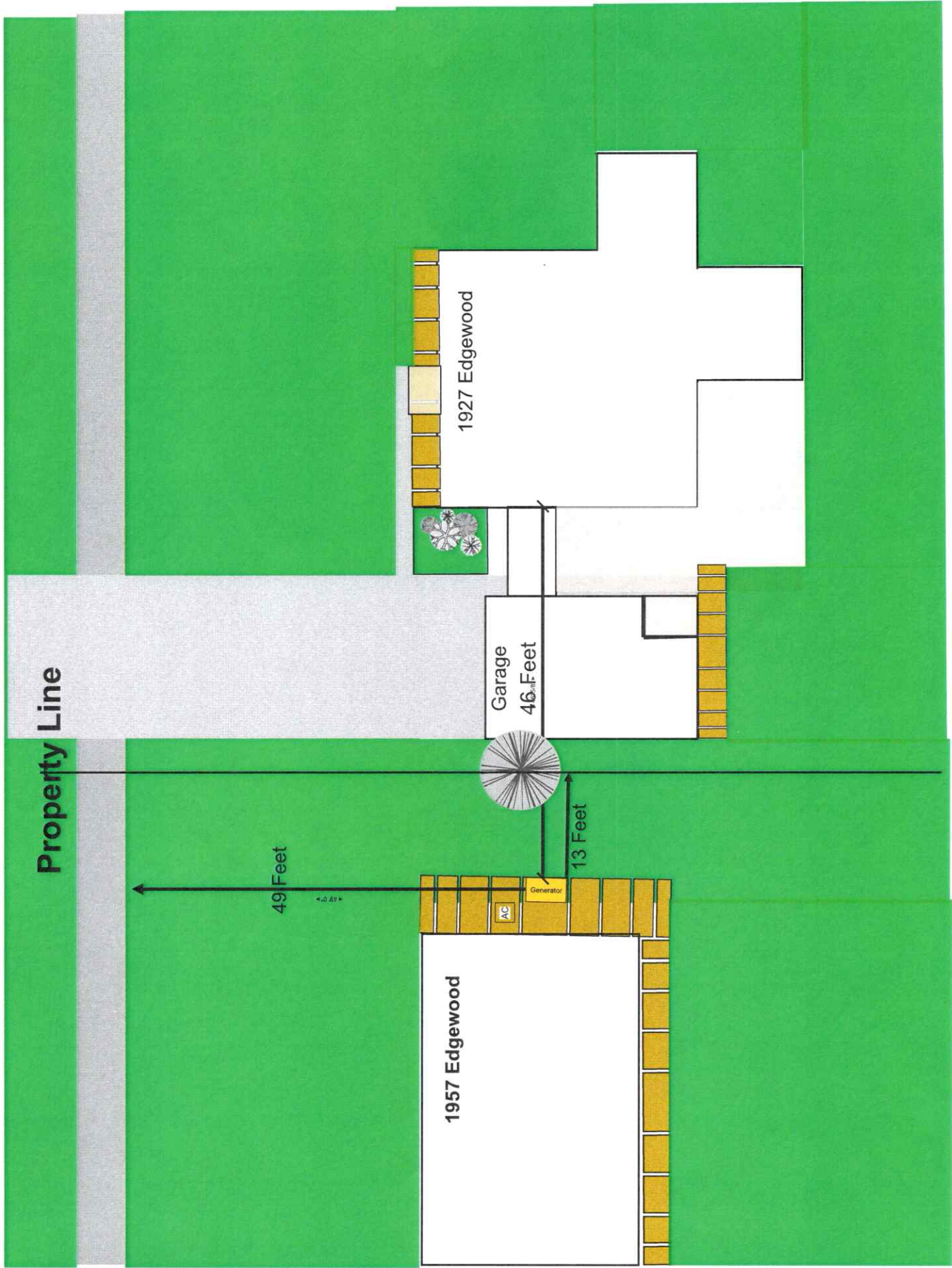
Generator

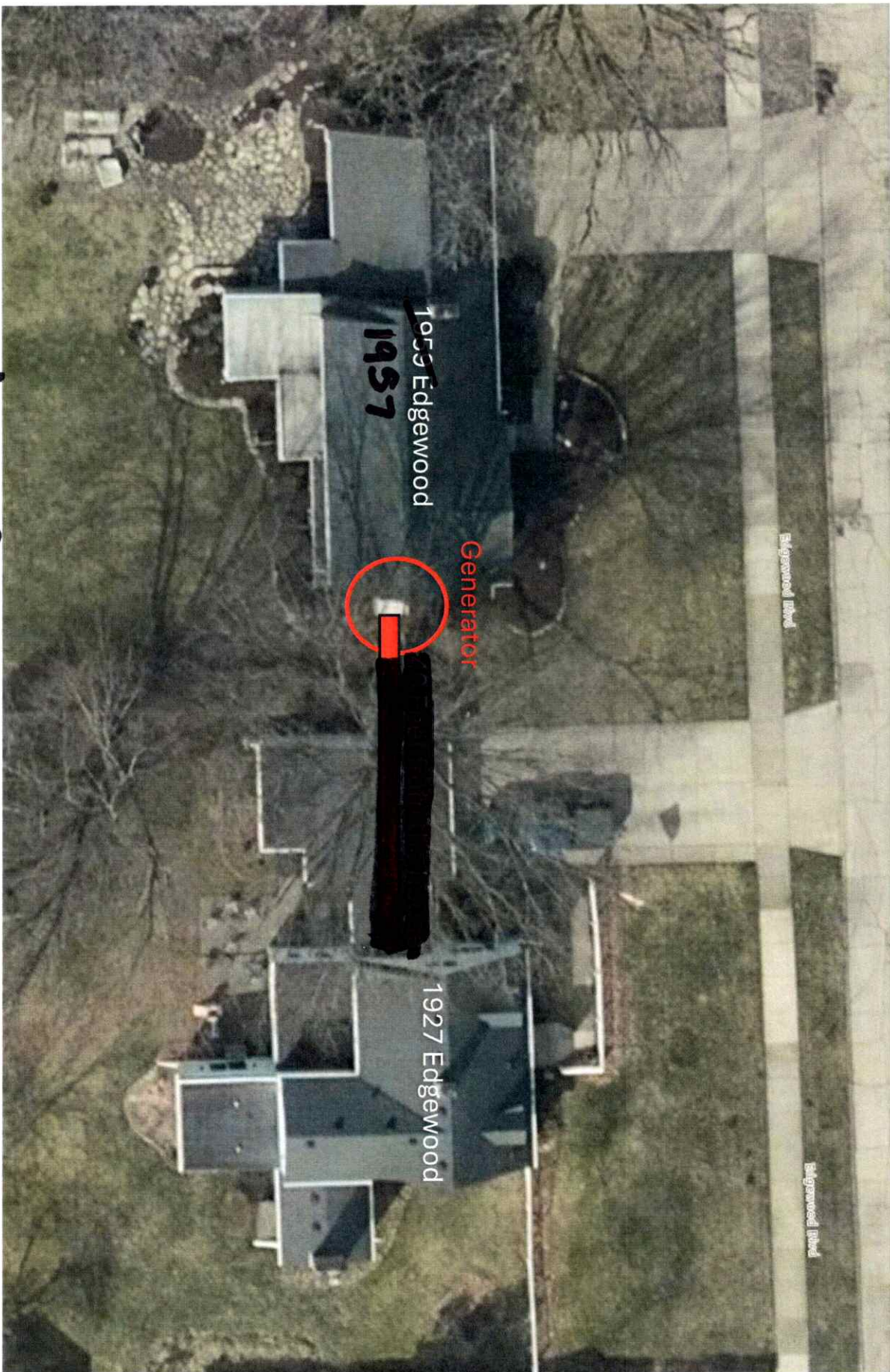
13 Feet

Garage

46 Feet

1927 Edgewood





~~1955 Edgewood~~
1957

Generator

1927 Edgewood

Overview of
ear yard



