

CITY OF GROSSE POINTE WOODS
20025 Mack Plaza
Zoning Board of Appeal Meeting Agenda
Monday, May 18, 2015
7:35 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. ACCEPTANCE OF AGENDA
4. PUBLIC HEARING: LOT COVERAGE VARIANCE – RICHARD FERRARA MD, FERRARA DERMATOLOGY CLINIC, 20045 MACK AVENUE
 - A. Planning Commission Excerpt 04/28/15
 - B. Building Permit Application Zoning Compliance and Plan Review 04/13/15
 - C. Letter 04/10/15 (Planning) – Richard Ferrara, MD
 - D. Letter 04/13/15 (Planning) – Moiseev/Gordon Associates, Inc.
 - E. Letter 04/20/15 (ZBA) – Richard Ferrara, MD
 - F. Letter 04/20/15 (ZBA) – Moiseev/Gordon Associates, Inc.
 - G. Application to ZBA 04/20/15
 - H. Memo 04/21/15 – Building Official
 - I. Memo 04/16/15 – Director of Public Services
 - J. Email 04/22/15 – Director of Public Safety
 - K. Letter 01/20/15 – City Attorney
 - L. Aerial View 10/01/13
 - M. Photos (3)
 - N. Site Plans 02/05/15
 1. SP-1 – Title Sheet & Site Plan
 2. A-1 – Foundation Plan
 3. A-2 – Floor Plan
 4. A-5 – Elevations
 - O. Affidavit of Legal Publication
 - P. Affidavit of Property Owners Notified
 - Q. Aerial View
5. IMMEDIATE CERTIFICATION OF MINUTES
6. ADJOURNMENT

Lisa Kay Hathaway, CMMC/MMC
City Clerk

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)
POSTED AND COPIES GIVEN TO NEWSPAPERS

The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired, or audio tapes of printed materials being considered at the meeting to individuals with disabilities. All such requests must be made at least five days prior to a meeting. Individuals with disabilities requiring auxiliary aids or services should contact the City of Grosse Pointe Woods by writing or call the City Clerk's office, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 (313) 343-2440 or Telecommunications Device for the Deaf (TDD) 313 343-9249.

Planning Commission
4-28-15
Excerpt

The next item on the agenda was a **Site Plan Review: Ferrara Dermatology Clinic Expansion, 20045 Mack Ave.**

Motion by Gilezan, seconded by Fuller, to receive and place on file the following documents:

- (A) Permit Application – 04/13/15
- (B) Letter of Request to PC – 04/10/15 (R.Ferrara)
- (C) Letter of Request to PC – 04/13/15 (R.Cliffe)
- (D) Letter of Request to ZBA – 04/20/15 (R.Ferrara)
- (E) Letter of Request to ZBA – 04/20/15 (R.Cliffe)
- (F) ZBA Application – 04/20/15
- (G) Memo – 04/21/15 – Building Official (G.Tutag)
- (H) Memo – 04/16/15 – DPW Director (J.Ahee)
- (I) E-mail – 04/22/15 – DPW Director (B.Smith)
- (J) Aerial Photo – 20045 Mack Avenue
- (K) Photos (3)
- (L) Site Plans – Rec'd 4/13/15
- (M) SP-1 Title Sheet & Site Plan
- (N) A-1 Foundation Plan
- (O) A-2 Floor Plan
- (P) A-5 Elevations
- (Q) Memo – 01/20/15 - City Attorney

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Vaughn, Vitale

NO: None

ABSENT: Rozycki, Stapleton

Hearing no objections, the following individuals were heard regarding **Site Plan Review: Ferrara Dermatology Clinic Expansion, 20045 Mack Ave:**

- Robert Cliffe – MGA Architects, 4351 Delemere Ct, Royal Oak, MI
- Dr. Richard John Ferrara - 20045 Mack Ave

Building Official Tutag provided an overview of the proposed project.

Motion by Vaughn, seconded by Fuller, regarding **Site Plan Review: Ferrara Dermatology Clinic Expansion, 20045 Mack Ave**, that the Planning Commission concur with the recommendation of the Building Inspector and recommend to the Zoning Board of Appeal approval of the site plan dated April 13, 2015, and to grant the variance permitting 65.5% lot coverage, based upon the following findings of fact:

- The subject property is a trapezoidal shaped lot. Due to the size of the property and the requirements of Section 50-463, the only way the applicant could add the needed space in compliance with the current ordinance and keep his practice in its current location would

be to add a second story to the existing building which would require an elevator, structural analysis, and alteration to the existing structure. A two story building would not be consistent with the surrounding areas as the buildings to the north and south are single story. The proposed addition is consistent with the overall development of the area;

- The RO-1 District regulations, with regard to setbacks, is exclusive as no front, rear, or side yards are required; however, lot coverage is limited to a maximum of 40%;
- The property is somewhat unique as only 0.8% of the total land use in the city is zoned as RO-1;
- Laws regarding health care, patient privacy and record retention are constantly changing along with technology and medical treatments that require additional patient rooms and space in general. The petitioner has no control over these factors;
- The granting of the requested variance will preserve the spirit and intent of the ordinance, public safety and welfare will be secured and substantial justice done;
- The applicant's property is immediately north of a municipally-owned public parking lot and not subject to the code's off-street parking regulations;
- The screening of rooftop heating and cooling equipment will be left to the discretion of the Building Official.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Vaughn, Vitale

NO: None

ABSENT: Rozycki, Stapleton

Motion by Gilezan, seconded by Hamborsky, that the Planning Commission immediately certify the previous motion.

MOTION CARRIED by the following vote:

YES: Fuller, Gilezan, Hamborsky, Profeta, Vaughn, Vitale

NO: None

ABSENT: Rozycki, Stapleton

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RECEIVED

APR 13 2015

CITY OF GROSSE PTE. WOODS
BUILDING DEPT.

CITY OF GROSSE POINTE WOODS
Building Department
20025 Mack Plaza, Grosse Pointe Woods, MI 48236
Ph 313.343.2426/Fax 313.343.2439

BUILDING PERMIT APPLICATION
ZONING COMPLIANCE AND PLAN REVIEW
COMMERCIAL AND RESIDENTIAL

ZONING COMPLIANCE INCLUDES:

Drives – Fences – Accessory Structures/Sheds (less than 200 sq ft) – Awnings – Garage Floors –
Patios (non-elevated) – Play Structures

Property Owner Name: RICHARD FORRARA MD Date: APRIL 13 2015
GP Woods Address: 20645 MACK AVENUE e-mail: robertc@mga-architects.net
Work#: 248-549-4500 Home/Cell#: 248-765-4572

Contractor/Applicant Name: ROBERT CLIFFE RA - MGA ARCHITECTS
Telephone # 248-549-4500 Fax # 248-549-7300 Mobile/Cell # 248-765-4572
Contractor Address: TBD.
MI Builder's License #: _____ MI Driver's License #: _____
e-mail address: _____

SPECIFY NATURE OF PROPOSED WORK:

NEW ADDITION AT REAR OF BUILDING

Value of Construction \$ 300,000

Section 23a of State Construction Code Act of 1972, No. 230 of the Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of the State relating to persons who are to perform work on a residential building or a residential structure. Violations of Section 23a are subject to civil fines.

Applicant Signature: [Signature]
I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

FOR OFFICE USE ONLY		
Approved: <u>[Signature]</u>	Denied: <u>X</u>	Zoning Board of Approval Required # <u>(S250)</u>
Inspector: <u>[Signature]</u>	Date: <u>4/20/15</u>	

50-463 Lot coverage 40% max
ie 50k



FERRARA DERMATOLOGY CLINIC
— SKIN & NAIL CENTER —

4C

4-10-2015

To the members of the Planning Commission,

I am submitting this letter to define the use of the proposed new building addition. First and foremost, my intent is to continue my career in its current location and not move based on lack of space to keep current in my field which includes both general dermatology and esthetic dermatology. I love the current location and wish to keep it as my permanent home base.

The first desire is for more storage space. The current basement has been maximized and a new section would allow me to move all remaining paper charts to the basement as well as all paper documents that need to be retained but kept HIPAA compliant. We have been on electronic medical records for the last two years and can now move all filing cabinets to the basement. We rotate some equipment and this is where it will be stored as well.

Second, my staff is in need of a lunch and conference room for ongoing learning, team building, and the ability to meet for lunch sessions. This conference room and office kitchenette will provide a valuable resource to build continuity throughout my staff and answer the space deficiency for lunch and meetings.

Third, there are newer lasers and devices utilized in this type of dermatology practice whereby a patient may need to be in a room for 1-4 hours at a time. This has congested the turnover of patients and, therefore, we have situations where there are no rooms available to accommodate patient flow and the schedule.

Fourth, with the existing structure, to get to the existing basement, staff has to go through a current patient room or go outside to enter the basement stairs. This has proved disruptive to a patient occupying room six. The new plan calls for a back hallway which will remedy the access to the basement keeping the access inside the building.

The plan has been carefully drawn out to add four additional patient rooms. Two will house very specific technologies which will allow a client the time needed to have the treatment in a relaxed and appropriate manor. Two other rooms will provide procedural access and open up the basic older rooms for the typical routine visits. The lunch conference room and kitchenette finish up the basic function of the first floor.

This explains the situation in detail.

Thank you for your consideration,

Richard Ferrara, MD



April 13, 2015

Planning Commission
City of Grosse Pointe Woods
20025 Mack Avenue
Grosse Pointe Woods, MI 48236

Re: Site Plan Review for Proposed Building Addition to Ferrara Dermatology
20045 Mack Ave
MGA Job #15409

To the Members of the Planning Commission,

We are proposing a new one story addition to the Ferrara Dermatology Clinic building at 20045 Mack Avenue. The addition will be located at the rear of the existing building. This addition is required to allow Dr. Ferrara's practice to adjust to meet the growing needs of his patients and to provide amenities for his staff that are not currently available within the existing building footprint. Please see the attached letter from Dr. Ferrara for a more in-depth explanation.

The existing building is approximately 4,170 square feet. The new addition will be 1,595 square feet for a combined building area of 5,755 square feet. There will be a new 672 square foot basement expansion for storage under a portion of the addition.

The south side of the new building addition will be located three (3) feet away from the south property line to align with the existing wall and provide a walkway for patients to access the main entrance along Mack Avenue from the parking lot. This walkway will be illuminated by wall mounted decorative light fixtures that will match the existing lights.

The north side of the building addition will continue along the property line aligned with the existing north wall.

We have reviewed the parking requirements for the total building area based on the 1 space for 200 square feet of gross floor area, not including the basement storage. A total of twenty (29) off-street parking spaces are required based on the ordinance requirements. There will be five (5) existing parking spaces plus one (1) barrier free parking space for a total of six (6) off-street spaces. The municipal parking lot is located within 40 feet of the property and there are an additional eight (8) on-street parking spaces along Mack Avenue, adjacent to the main entrance to the building. These conveniently located public parking areas will compensate for the required parking spaces not available as off-street parking.

The south and west sides of the addition will match the existing brick, windows, and wall mounted light fixtures. The existing aluminum doors, frames, and transoms will be removed and reinstalled. The north wall will be painted concrete block to match the existing block on that side.

Please contact us at any time if you have any questions.

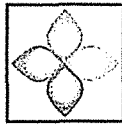
Sincerely,
MOISEEV/GORDON ASSOCIATES, INC.

Robert J. Cliffe, RA

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

www.mga-architects.net
248.549.4500 voice 248.549.7300 faxes

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4-20-2015

To the members of the Zoning Board of Appeals,

I am submitting this letter to define the use of the proposed new building addition. First and foremost, my intent is to continue my career in its current location and not move based on lack of space to keep current in my field which includes both general dermatology and esthetic dermatology. I love the current location and wish to keep it as my permanent home base.

The first desire is for more storage space. The current basement has been maximized and a new section would allow me to move all remaining paper charts to the basement as well as all paper documents that need to be retained but kept HIPAA compliant. We have been on electronic medical records for the last two years and can now move all filing cabinets to the basement. We rotate some equipment and this is where it will be stored as well.

Second, my staff has is in need of a lunch and conference room for ongoing learning, team building, and the ability to meet for lunch sessions. This conference room and office kitchenette will provide a valuable resource to build continuity throughout my staff and answer the space deficiency for lunch and meetings.

Third, there are newer lasers and devices utilized in this type of dermatology practice whereby a patient may need to be in a room for 1-4 hours at a time. This has congested the turnover of patients and, therefore, we have situations where there are no rooms available to accommodate patient flow and the schedule.

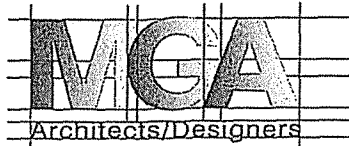
Fourth, with the existing structure, to get to the existing basement, staff has to go through a current patient room or go outside to enter the basement stairs. This has proved disruptive to a patient occupying room six. The new plan calls for a back hallway which will remedy the access to the basement keeping the access inside the building.

The plan has been carefully drawn out to add four additional patient rooms. Two will house very specific technologies which will allow a client the time needed to have the treatment in a relaxed and appropriate manor. Two other rooms will provide procedural access and open up the basic older rooms for the typical routine visits. The lunch conference room and kitchenette finish up the basic function of the first floor.

I hope this explains the situation in detail.

Thank you for your consideration,

Richard Ferrara, MD



April 20, 2015

Zoning Board of Appeals
City of Grosse Pointe Woods
20025 Mack Avenue
Grosse Pointe Woods, MI 48236

Re: Variance Request for a Proposed Building Addition to Ferrara Dermatology
20045 Mack Ave

To the Members of the Zoning Board of Appeals,

We are requesting a lot coverage variance to allow the construction of a new one story addition to the Ferrara Dermatology Clinic building at 20045 Mack Avenue. The property is zoned RO-1 Restricted Office. Section 50-463 states that the building lot coverage in the RO-1 zoning district is to be a maximum of 40% of the site area. We are requesting a variance to allow our building lot coverage to be 65.5% of the site area for the following reasons.

1. The RO-1 zoning for this property is not consistent with the zoning of the overwhelming majority of properties along the west side of Mack Avenue. Almost all of the commercial and office properties on the west side of Mack for over a half mile north, and over a mile south of our property, are zoned C-Commercial Business. The C zoned properties have no lot coverage restrictions and in some cases have a building that occupies almost the entire site with a lot size, business, or use similar to Dr. Ferrara's practice. What we are proposing will complement the building footprint sizes and massing proportions of buildings already established along the west side of the Mack Avenue business corridor.
2. The changing demands of new technologies for patients and staff require additional space that cannot be accommodated within the footprint of the existing building. Dr. Ferrara's practice has been located at this location for decades and is a well-established fixture within the community. Dr. Ferrara has little choice but to expand the building otherwise alternative locations for his practice will have to be considered which is not what he wants to do. Please see the attached letter from Dr. Ferrara for a more in-depth explanation of the use of the addition.

The existing building is approximately 4,170 square feet. The new addition will be 1,585 square feet for a combined building area of 5,755 square feet. The site area is 8,780 square feet. The south and west sides of the addition will match the existing brick, windows, and wall mounted light fixtures. The north wall will be painted concrete block to match the existing block on that side. There will be five (5) existing parking spaces plus one (1) barrier free parking space for a total of six (6) off-street spaces. The municipal parking lot is located within 40 feet of the property and there are an additional eight (8) on-street parking spaces along Mack Avenue, adjacent to the main entrance to the building.

Please contact us at any time if you have any questions.

Sincerely,
MOISEEV/GORDON ASSOCIATES, INC.

Robert J Cliffe, RA

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

www.mga-architects.net
248.549.4500 voice 248.549.7300 faxes

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TYPE or PRINT NEATLY

CITY OF GROSSE POINTE WOODS
20025 MACK PLAZA
GROSSE POINTE WOODS MI 48236
(313) 343-2440 – CITY CLERK
FAX (313) 343-2785
(313) 343-2426 – BUILDING DEPARTMENT
FAX (313) 343-2439

APPLICATION TO THE ZONING BOARD OF APPEALS

1. Address of the Property 20045 MACK
(Number and Street)

TO THE ZONING BOARD OF APPEALS

I (We) ROBERT CLIFFE - MGA ARCHITECTS 248-765-4572
Name (Please Print) Phone No. (Daytime)
4351 DELEMERE COURT, ROOM 00K, MI 48073
Address City State Zip

Hereby appeal to the Zoning Board of Appeals for a variance to:

ALLOW A BUILDING EXPANSION TO 65.5% OF THE LOT COVERAGE
IN A R0-1 ZONING AREA WHERE THE MAXIMUM IS 40%

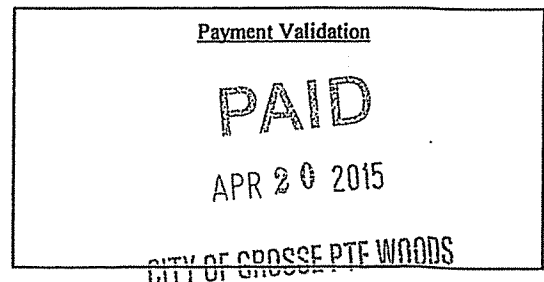
2. DESCRIPTION OF CASE (Fill out only items that apply)

a. Present zoning classification of the property R0-1

b. Description of property

(1) Size and Area of Lot 8780 SF

(2) Is the lot a corner or interior lot INTERIOR



TYPE or PRINT NEATLY

c. Description of EXISTING structures

- (1) Total square footage of accessory building now on premises N/A; of main buildings 5
- (2) Uses of building on premises DERMATOLOGY CLINIC
- (3) Percentage of lot coverage of all buildings on ground level 47.5 %

d. Description of PROPOSED structures

- (1) Height of proposed structure 13'-4" TO MATCH EXISTING
- (2) Height and area of existing structure 13'-4" / 4170
- (3) Dimensions and area of structure or addition to be constructed 33'-1" x 52'-0"
- (4) Percentage of lot coverage of all buildings including proposed 65.5 %

e. Yard setbacks after completion of addition/structure

- (1) Front Yard (measured from lot line) 0 EXISTING
- (2) Side Yard (measured from lot line) 0' NORTH / 3' SOUTH
- (3) Rear Yard (measured from lot line) VARIES

f. A sketch drawn to scale depicting the above information shall be included herewith.

3. TYPE OF VARIANCE REQUEST: NON-USE – Common regulations subject to non-use variance requests: setbacks, height or parking regulations, lot coverage, bulk or landscaping restrictions. Uniqueness: odd shape, small size, wetland, creek, natural features, big trees or slopes.

The applicant must present evidence to show that if the zoning ordinance is applied strictly, a practical difficulty to the applicant will result, and that all four of the following requirements are met: (please answer all reasons).

- a) That the ordinance restrictions unreasonable prevent the owner from using the property for a permitted purpose.

THE R-OT ZONING & 40% LOT COVERAGE IS NOT
CONSISTENT WITH ALL THE C-COMMERCIAL ZONING
THAT IS ON THE WEST SIDE OF MACK AVENUE. THERE
ARE NO LOT COVERAGE RESTRICTIONS IN C ZONING.
SEE ATTACHED LETTER

*****TYPE or PRINT NEATLY*****

- b) That the variance would do substantial justice to the applicant as well as to other property owners in the district, and a lesser relaxation than that requested would not give substantial relief to the owner of the property or be more consistent with justice to other property owners.

THIS VARIANCE WOULD ALLOW THIS PROPERTY TO BE
USED TO ITS POTENTIAL, SIMILAR TO ALL THE C-COMMERCIAL
PROPERTIES ON THE WEST SIDE OF MACK AVENUE

- c) That the plight of the landowner is due to the unique circumstances of the property.

THE R-O-1 ZONING & 40% LOT COVERAGE FOR THIS SITE
IS NOT CONSISTENT WITH THE C-COMMERCIAL ZONING THAT
EXTENDS OVER A HALF MILE NORTH & 1 MILE SOUTH ON THE
WEST SIDE OF MACK

- d) That the alleged hardship has not been created by any person presently having an interest in the property.

THE NEED FOR ADDITIONAL SPACE TO BETTER SERVE
THE PATIENTS & MEET WITH CURRENT TECHNOLOGIES
MAKES THIS VARIANCE A REQUIREMENT

***NOTE:** When answering questions pertaining to use and non-use variances, additional paper may be used if necessary.

4. **TYPE OF VARIANCE REQUEST: USE** – A use variance permits a use of land that is otherwise not allowed in that zoning district. The applicant must present evidence to show that if the zoning ordinance is applied strictly, an unnecessary hardship to the applicant will result, and that all four of the following requirements are met (*please answer all reasons*):

- a) That the property could not be reasonably used for the purpose permitted in that zone.

*****TYPE or PRINT NEATLY*****

- b) That the appeal results from unique circumstances to the property and not from general neighborhood conditions

- c) That the use requested by the variance would not alter the essential character of the area.

- d) That the alleged hardship has not been created by any person presently having an interest in the property.

When granting any variance, the Board must ensure that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

5. Interpretation of the Zoning Ordinance is requested because:

IT IS IMPEDING THE POTENTIAL OF THE USE CURRENTLY
ON THIS SITE DUE TO THE RO-1 ZONING WHICH IS
NOT CONSISTENT WITH ALL THE C-ZONING NOW MADE
FOR THE PURPOSE OF LOT COVERAGE

6. Article and Section of the Zoning Ordinance that is being appealed:

ARTICLE III, DIVISION 9, SECTION 50-463

TYPE or PRINT NEATLY

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

[Signature] [Signature]
Signature of Property Owner Signature of Applicant

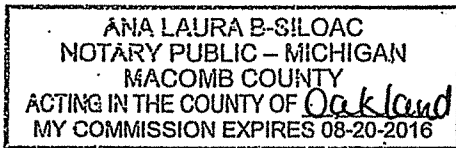
Subscribed and sworn to before me this 20th day of April 2015

For Robert John Cliffe
(Applicant)


[Signature]
Notary Public

My Commission expires 08/20/16

NOTE: The Zoning Board of Appeals meets the first and third Monday of each month at 7:30 PM. The application must be filed with the City Clerk with a fee in the amount of \$250 a minimum of 14 days prior to council hearing.



CITY OF GROSSE POINTE WOODS
BUILDING DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Gene Tutag, Building Official 
DATE: April 21, 2015
SUBJECT: Site Plan Review – Proposed Addition
Ferrara Dermatology Clinic, 20045 Mack Avenue

Dr. Richard Ferrara is proposing a building addition to his practice located at 20045 Mack Avenue. The addition is needed as the current facility does not have the required room for Dr. Ferrara to incorporate the latest technology into his field which includes both general dermatology and esthetic dermatology. The addition will also provide a much needed staff lunch/conference room. Dr. Ferrara has been part of the Grosse Pointe community for many years and desires to remain in the current location. Dr. Ferrara has provided correspondence dated April 4, 2015 fully explaining the need for this expansion.

The applicant has submitted the required plans (sheets: SP-1, A-1, A-2, and A-5 dated 4-13-15) and documentation in accordance with the following:

Sec. 50-374(a) *Approval required.* All plans for new construction, renovations, remodeling or exterior building alterations within all C commercial district, the RO-1 restricted office district, and the C-2 high intensity city center district shall be submitted to the building inspector for approval prior to the issuance of any building, sign, or awning permit and any new certificate of occupancy as may be required. All plans will be submitted to the planning commission for review consistent with the design standards ordinance, unless otherwise exempt under subsection (b) of this section.

The property is currently zoned RO-1 Restricted Office, and according to Section 50-448(2), medical centers are a permitted use. The proposed use is also compliant with the City's Master Plan.

The new addition will add 1,585 square feet to the rear of the existing building bringing the total building area to 5,755 square feet. The proposed addition will bring lot coverage on the property to 65.5%.

Sec. 50-463 limits the maximum lot coverage in this district to 40%. A variance will be applied for to allow the addition to be constructed.

The site plan is otherwise compliant with the city's code. Parking is not subject to the exact parking requirements of the ordinance and is addressed in the attached letter from City Attorney Charles Berschback.

The addition's exterior will match that of the existing building including light fixtures, brick, paint, windows, and flashing. Mechanical equipment on the roof will be screened as shown on the plans. The rear elevation of the building will be all brick.

Public Services and Public Safety have reviewed the plans and have no objections to the project (copy's attached).

Section 50-37 requires that if a site plan requires further review by the City Council, or as in this instance the zoning Board of Appeals, the Planning Commission shall recommend approval, approval with conditions, or disapproval with its reasons.

The standards which are applied for granting a dimensional or non-use variance are found in section 50-149 which are based on M.C.L. 125.3604 Sect 601(7).

Sec. 50-149. - Variance standards.

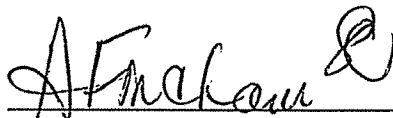
(a) *Dimensional or nonuse variances.* The zoning board of appeals may grant a dimensional or nonuse variance only upon a finding that compliance with the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create a practical difficulty. A finding of practical difficulty, based on competent, material, and substantial evidence on the record, shall require the petitioner to demonstrate that all of the following conditions are met:

- (1) That strict compliance with the restrictions governing area, setbacks, frontage, height, bulk, density, and other similar items would unreasonably prevent the petitioner from using the property for a permitted purpose or would render conformity with said restrictions unnecessarily burdensome.
- (2) That a variance would do substantial justice to the petitioner as well as to other petitioners in the zoning district; or whether a lesser relaxation of the restrictions would give substantial relief to the petitioner and be more consistent with justice to others (i.e., are there other more reasonable alternatives);
- (3) That the plight of the petitioner is due to unique circumstances of the property;
- (4) That the petitioner's problem is not self-created.
- (5) That the spirit of this chapter will be observed, public safety and welfare secured, and substantial justice done

It is recommended that the site plan be approved as submitted subject to granting a variance of section 50-463 for the 65.5% lot coverage. It is further recommended that the Planning Commission provide the following recommendation to the Zoning Board of Appeals recommending approval of the variance based upon the following facts:

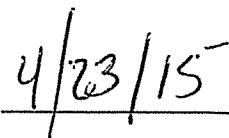
1. The subject property is a trapezoidal shaped lot. Due to the size of the property and the requirements of Section 50-463, the only way the applicant could add the needed space in compliance with the current ordinance and keep his practice in its current location would be to add a second story to the existing building which would require an elevator, structural analysis, and alterations to the existing structure. A two story building would not be consistent with the surrounding area as the buildings to the north and south are single story. The proposed addition is consistent with the overall development of the area.
2. The RO-1 District regulations, with regard to setbacks, is exclusive as no front, rear or side yards are required; however, lot coverage is limited to a maximum of 40%.
3. The property is somewhat unique as only 8% of the total land use in the city is zoned RO-1.
4. Laws regarding health care, patient privacy and record retention are constantly changing along with technology and medical treatments that require additional patient rooms and space in general. The petitioner has no control over these factors.
5. The granting of the requested variance will preserve the spirit and intent of the ordinance, public safety and welfare will be secured, and substantial justice done.
6. The applicant's property is immediately north of a municipally owned public parking lot and not subject to the codes off-street parking regulations

APPROVED BY:



Alfred Fincham
City Administrator

DATE:



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MEMO 15 - 11

TO: Gene Tutag, Building Official
FROM: Joseph J Ahee, Director of Public Services *JA*
DATE: April 16, 2015
SUBJECT: Site Plan Review for Rear Addition – 20045 Mack Avenue

I have reviewed the proposed site plan for an expansion at Ferrara Dermatology Clinic, 20045 Mack Avenue. Provided there is no need for additional water and sewer services, I have no objections to this request.

If you have any questions please call me.

dm

Gene Tutag

4J

From: Bruce Smith
Sent: Wednesday, April 22, 2015 3:40 PM
To: Gene Tutag
Subject: Proposed Addition at 20045 Mack

Gene,

Last week we looked over the plans for an addition to the rear of the business at 20045 Mack, Ferarra Dermatology. I can see no reason why Public Safety would have any objections to the building project. They may lose a few parking spaces but the close proximity to the City Municipal parking lot would offset those lost.

Sincerely,

Director Bruce J. Smith
City of Grosse Pointe Woods
Department of Public Safety
20025 Mack Plaza Drive
Grosse Pointe Woods, MI 48236
Office 313-343-2419
Cell 313-319-8493
Fax 313-343-9941
bsmith@gpwwmi.us

RPF - Planning Commission
04-28-15
4K

CHARLES T. BERSCHBACK

Attorney and Counselor at Law
24053 JEFFERSON AVENUE
ST. CLAIR SHORES, MICHIGAN 48080
blbwlaw@yahoo.com

(586) 777-0400
FAX (586) 777-0430

January 20, 2015

Gene Tutag, Building Official
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE. Ferrara Dermatology Clinic

Dear Gene:

This will confirm our discussions regarding Dr. Richard Ferrara's intentions to expand his clinic located at 20045 Mack Avenue. We discussed the fact that at the time he expanded several years ago, he was allowed to utilize the parking spaces in the adjacent City owned lot and, therefore, not subject to the exact parking requirements in the ordinance. I don't foresee anything changing with the City owned parking for many years, and I concur with your assessment that his current proposed expansion should be treated the same with respect to parking.

If you have any questions, please call.

Very truly yours,



CHIP BERSCHBACK

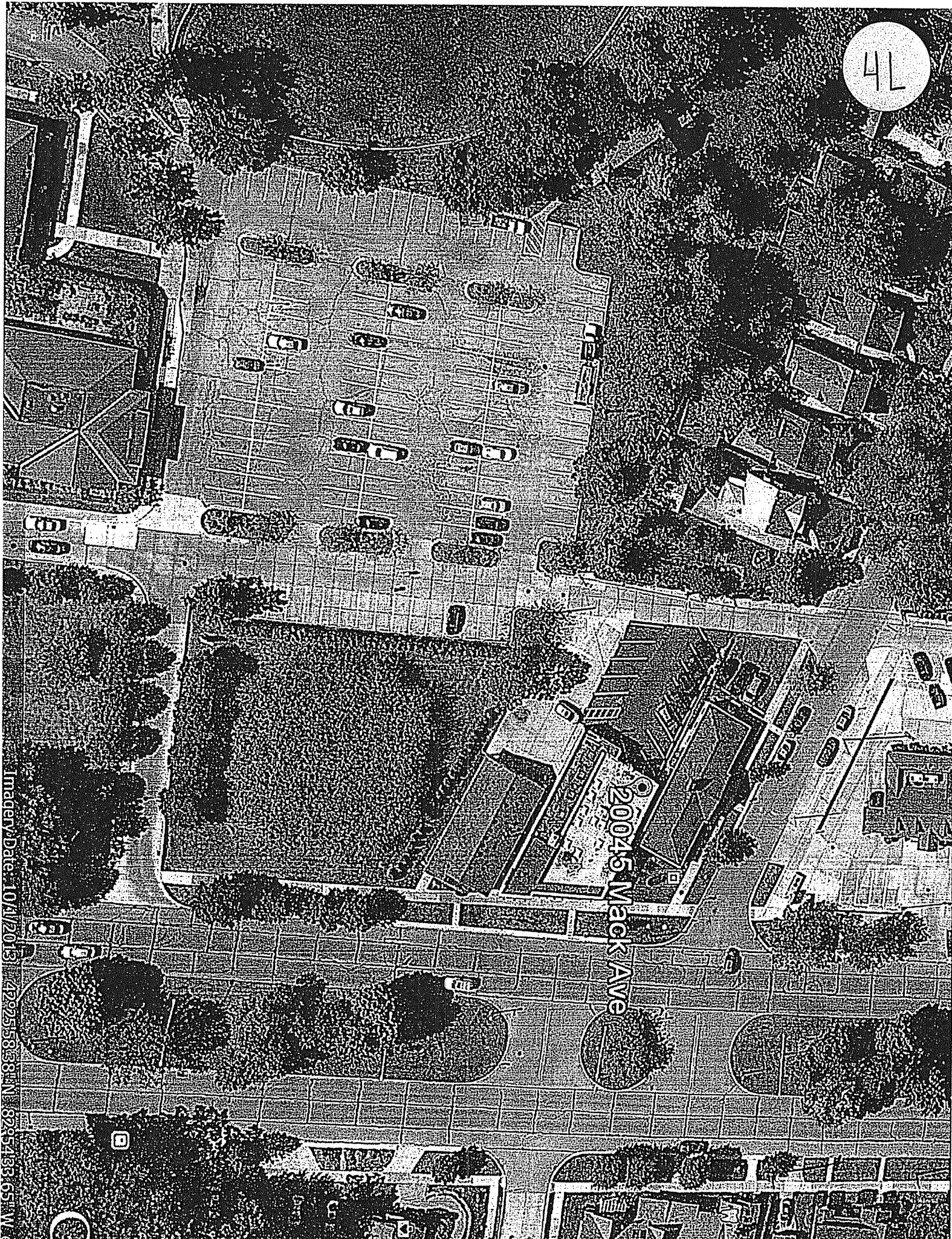
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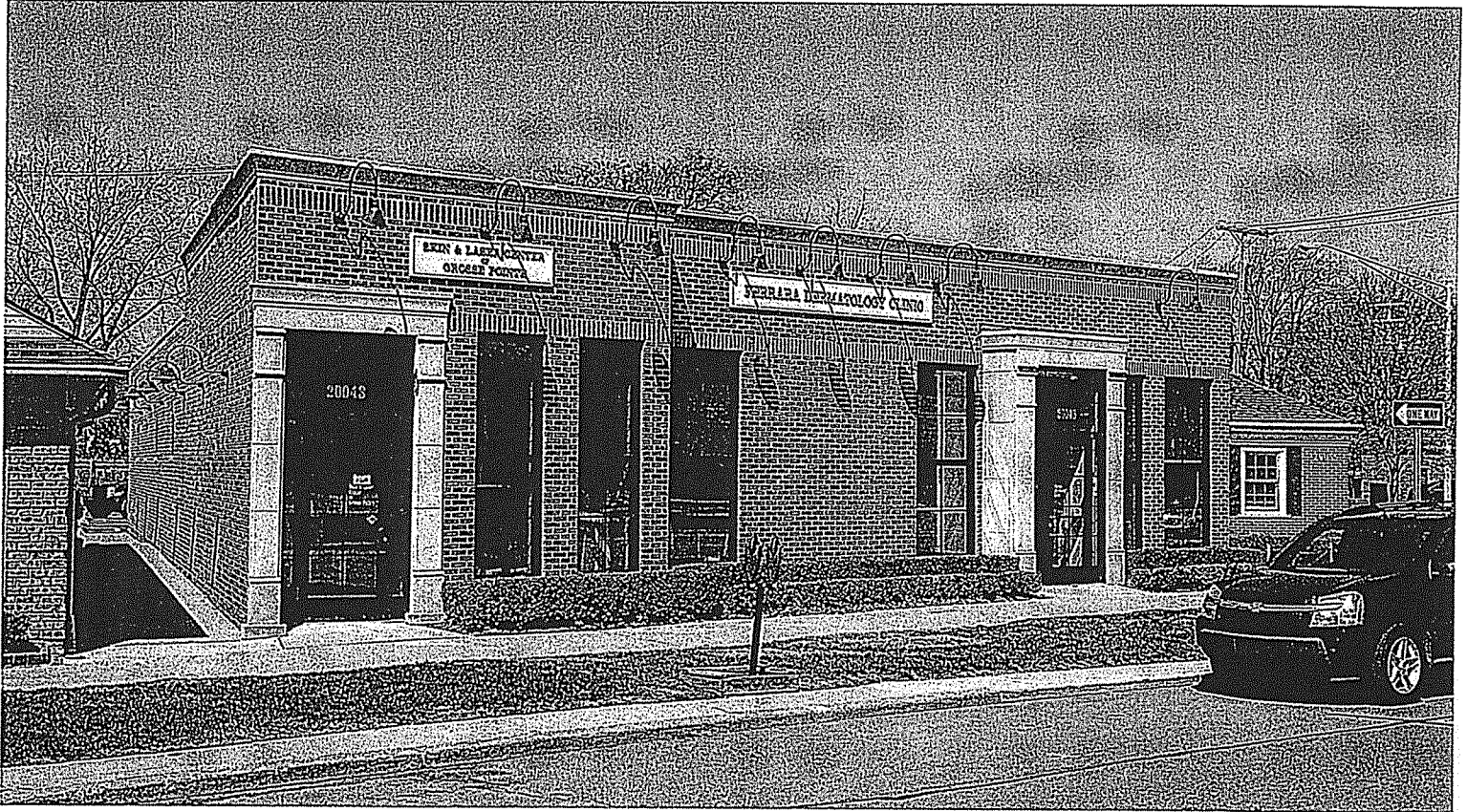
*Hand-out at
meeting*

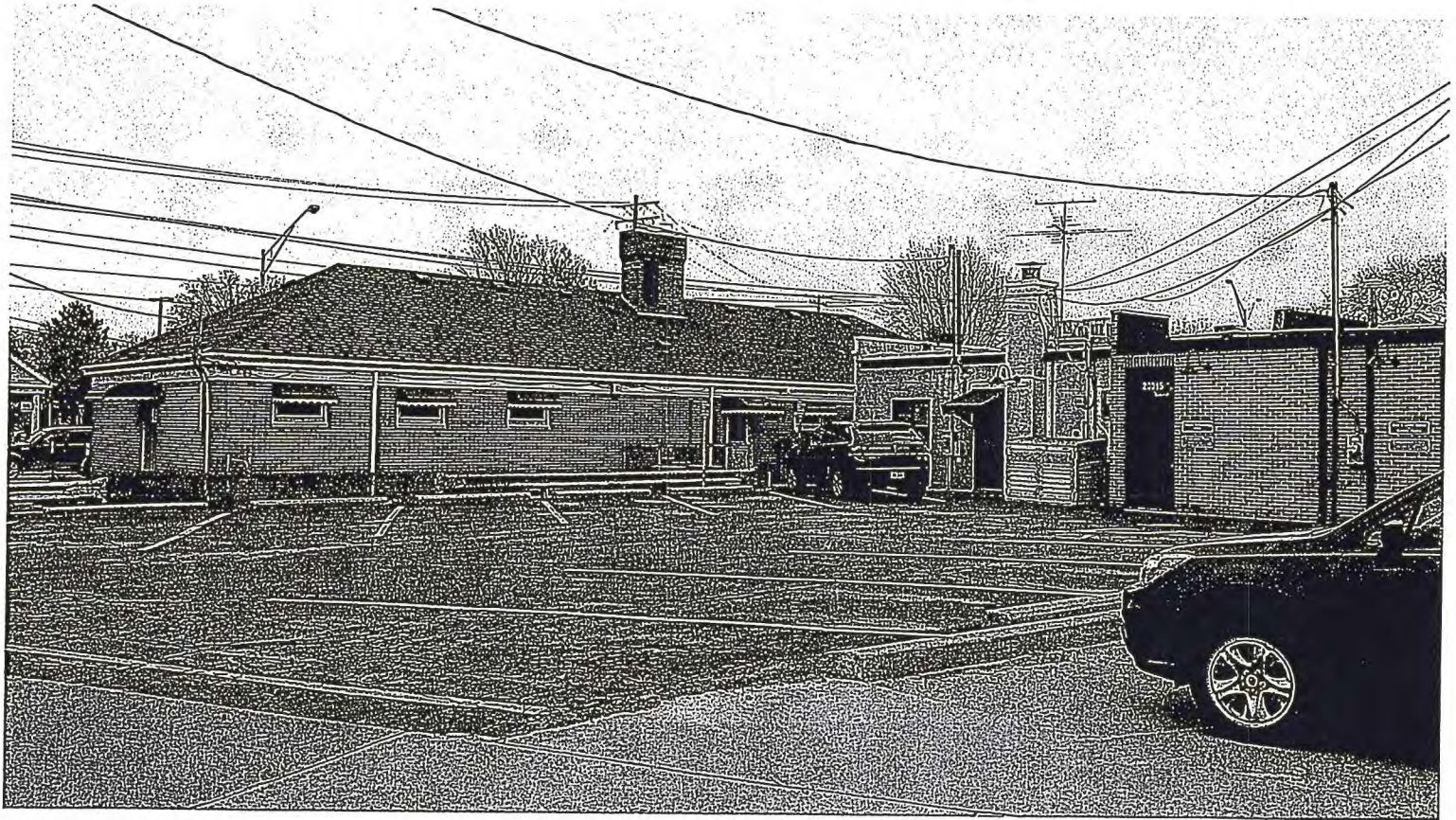
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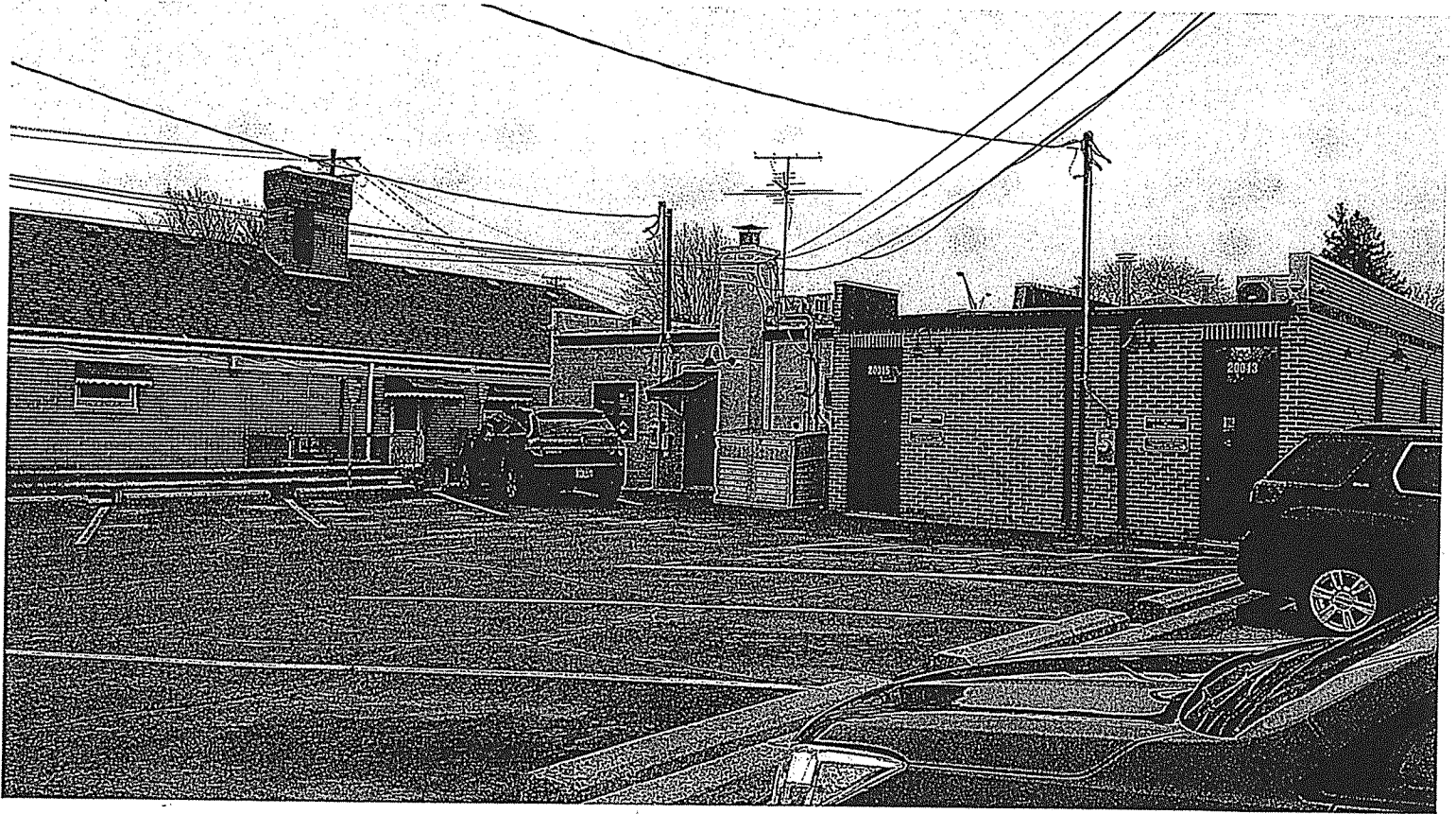
20045 Mack Ave

Imagery Date: 10/1/2013 4292558338 N 8285433.65 W



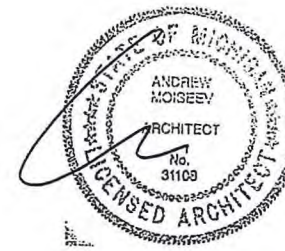






Ferrara Dermatology Clinic Expansion

20045 Mack Ave., Grosse Pointe Woods, MI.



MCA 4N
Architects/Designers

Melrose/Gordon Associates, Inc.
4351 Delaware Court
Brent Oak, MI 48073
248.548.4500 voice
248.548.7300 fax
www.mga-architects.com

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Use figured dimensions only. Do not scale the drawings.

Client:
Dr. Richard Ferrara

20045 Mack Ave
Grosse Pointe Woods, MI

RECEIVED

APR 13 2015
CITY OF GROSSE PTE. WOODS
BUILDING DEPT.

Project Title:
Ferrara
Dermatology
Clinic Expansion

20045 Mack Ave
Grosse Pointe Woods, MI

Sheet Title:
Title Sheet &
Site Plan

Project Number: 15409
Drawn By: RW
Checked By: RJJC
Approved By: AJM
Date: 2-5-15

Issued:
Owner Review
2-6-15
City Review
2-10-15
County Review
2-12-15
Owner Review
2-18-15
Planning
Commission
4-13-15

Sheet Number:

SP-1

Drawing Schedule	Issued
	Planning Commission
SP-1 Cover Sheet / Site Plan	4-13-15
A-1 Foundation Plan	4-13-15
A-2 Floor Plan	4-13-15
A-3 Reflected Ceiling Plan	
A-4 Roof Plan	
A-5 Elevations	4-13-15
A-6 Building Sections/ Interior Elevations	
A-7 Wall Sections	
A-8 Wall Sections/ Details	
M-1 HVAC Plan	
P-1 Plumbing Plan	
E-1 Electrical/ Lighting Plan	
E-2 Electrical Schedules	

ZONING SUMMARY

ZONING DISTRICT:	RO-1 RESTRICTED OFFICE
FRONT SETBACK:	0 FEET
SIDE SETBACK:	0 FEET
REAR SETBACK:	0 FEET
EXISTING BUILDING AREA:	4,710 SQUARE FEET
ADDITIONAL AREA:	1,963 SQUARE FEET
TOTAL BUILDING AREA:	5,755 SQUARE FEET
EXISTING BASEMENT:	343 SQUARE FEET
NEW BASEMENT:	672 SQUARE FEET

PARKING SUMMARY

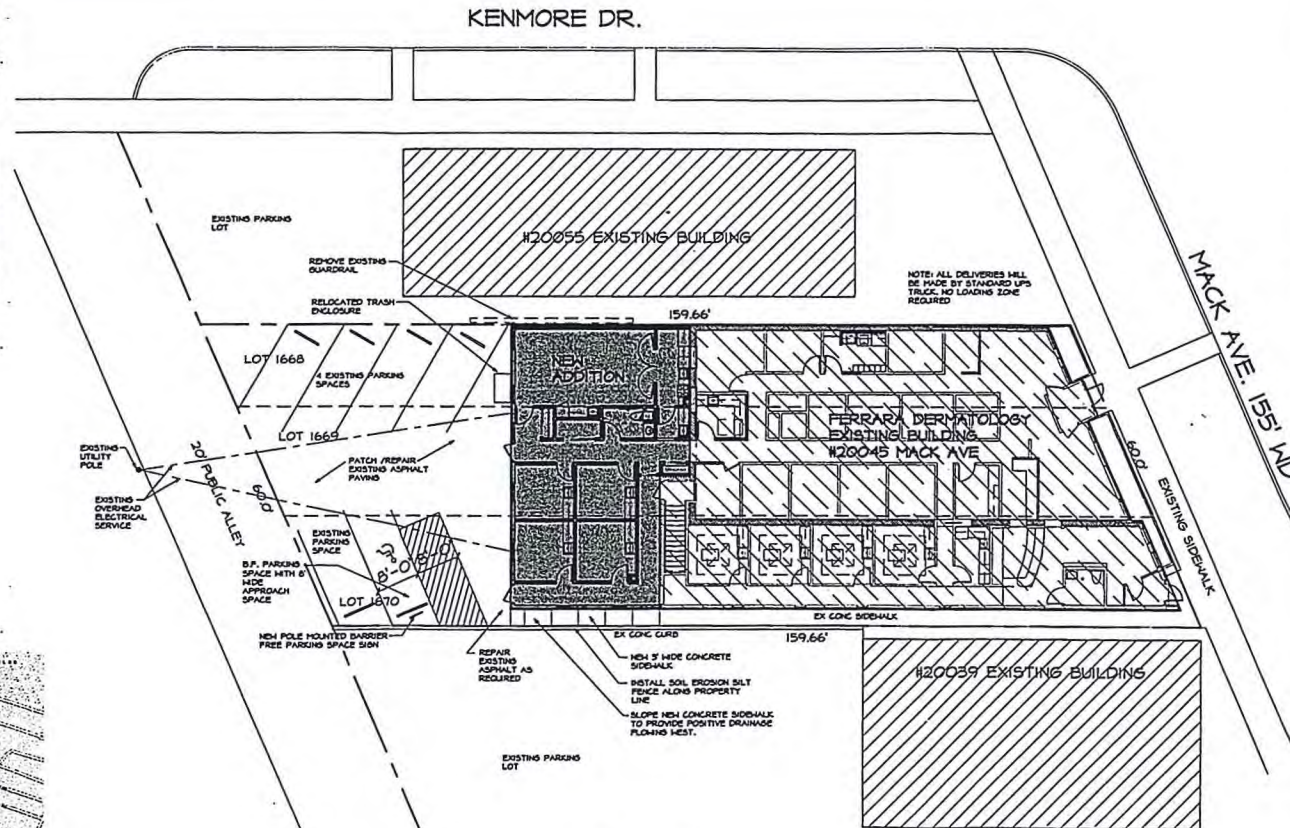
PARKING REQUIRED:	5,755 60000-SQUARE-FOOT-1-2000 = 24 PARKING SPACES SQUARE FEET
PARKING PROVIDED:	6 PARKING SPACES INCLUDING BARRIER FREE SPACE ON SITE

BUILDING INFORMATION - M.S.C. 2002

OCCUPANCY TYPE:	B - BUSINESS
CONSTRUCTION TYPE:	3 B
ALLOWABLE AREA:	9,000 S.F.
MAXIMUM HEIGHT:	2 STORY - 30'-0" HIGH
ACTUAL HEIGHT:	1 STORY - 16'-0" HIGH



LOCATION MAP



LEGAL DESCRIPTION

Lots 1668, 1669 and 1670: ATHAR J SCULLY'S EASTERN SUPER-HIGHWAYS SUBD No.1, of parts of P.C. 393, P.C. 240 and P.C. 611, Grosse Pointe Twp., Iron City of Grosse Pointe Woods, Wayne County, Michigan, as recorded in Liber 56 of Plats, Page 77 of Wayne County Records.

SITE PLAN
Scale: 1" = 10'-0"



Molteni-Gordon Associates, Inc.
4281 Delamere Court
Royal Oak, MI 48073
248.848.4800 voice
248.848.7200 fax
www.mga-architects.net

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Client:
Dr. Richard Ferrara
20645 Meek Ave
Grosse Pointe Woods, MI

Project Title:
**Ferrara
Dermatology
Clinic Expansion**

20645 Meek Ave
Grosse Pointe Woods, MI

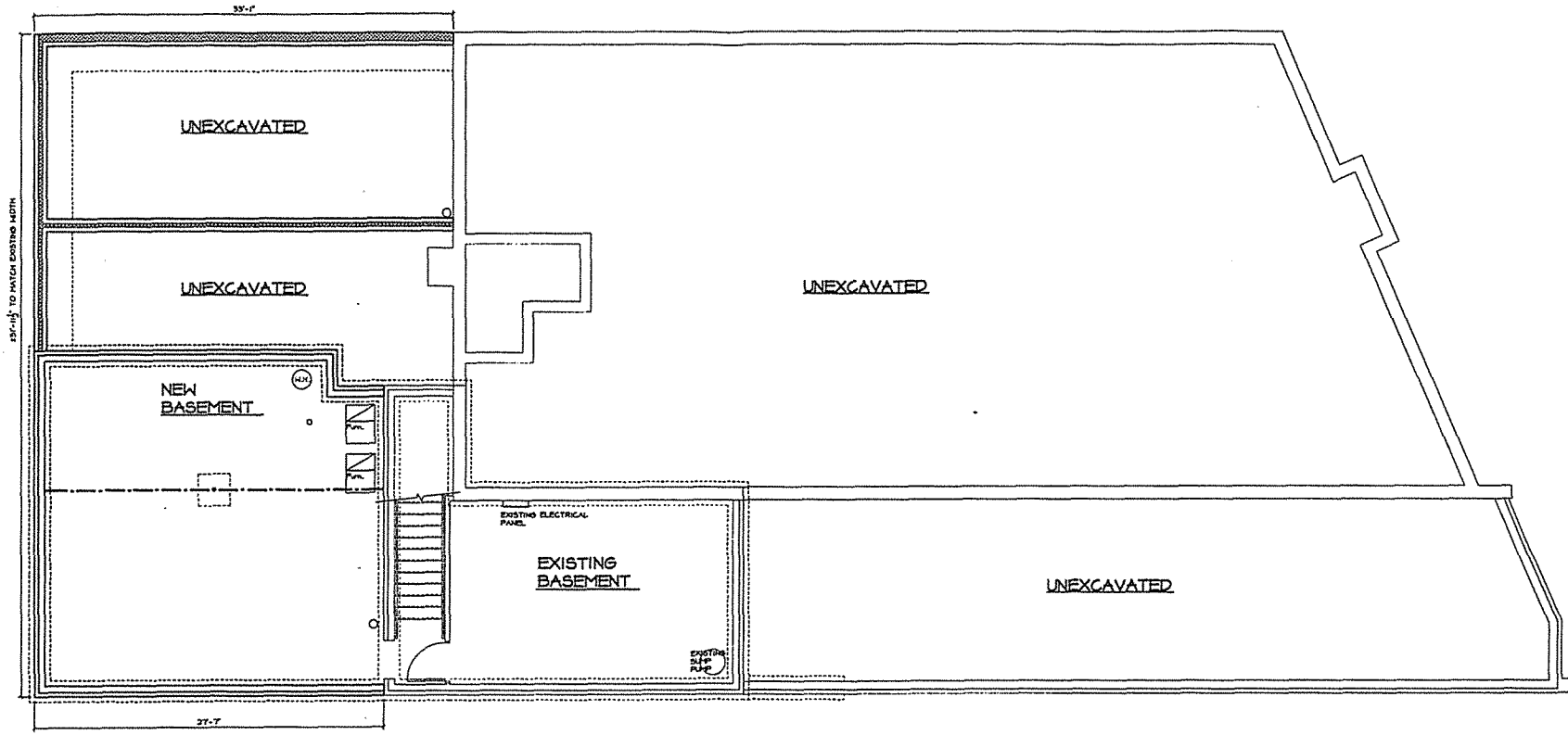
Sheet Title:
Foundation Plan

Project Number: 15409
Drawn By: RW
Checked By: RJC
Approved By: AJM
Date: 2-5-15

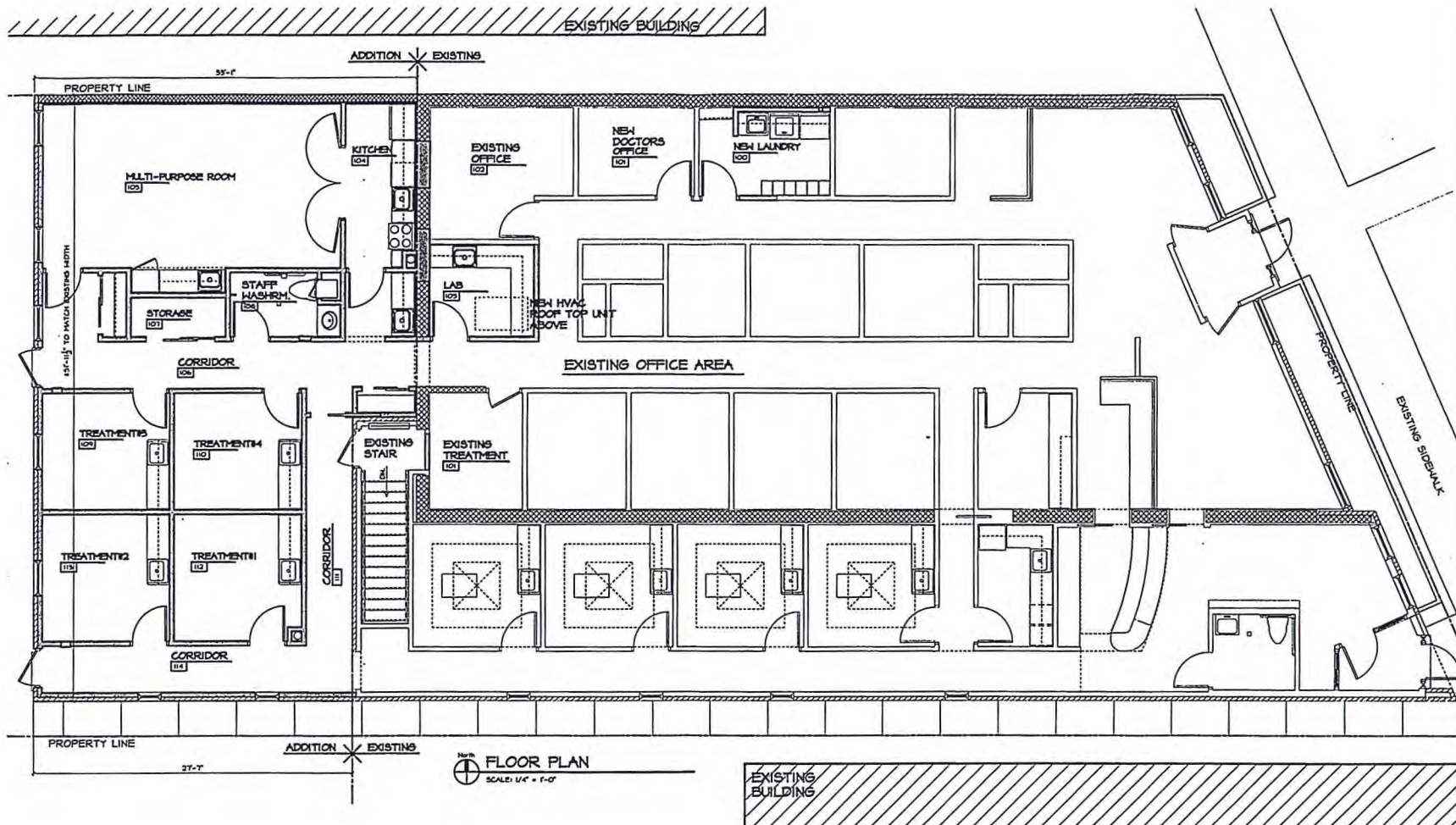
Issued:
Owner Review
3-6-15
Owner Review
3-10-15
Owner Review
3-13-15
Owner Review
3-18-15
Planning
Commencement
4-13-15

Sheet Number:

A-1



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



Mature-Gordon Associates, Inc.
4281 Calumet Court
Royal Oak, MI 48073
248.849.8500 voice
248.849.7300 fax
www.mga-architects.net

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Client:
Dr. Richard Ferrara
20043 Mack Ave
Grosse Pointe Woods, MI

Project Title:
Ferrara
Dermatology
Clinic Expansion

20043 Mack Ave
Grosse Pointe Woods, MI

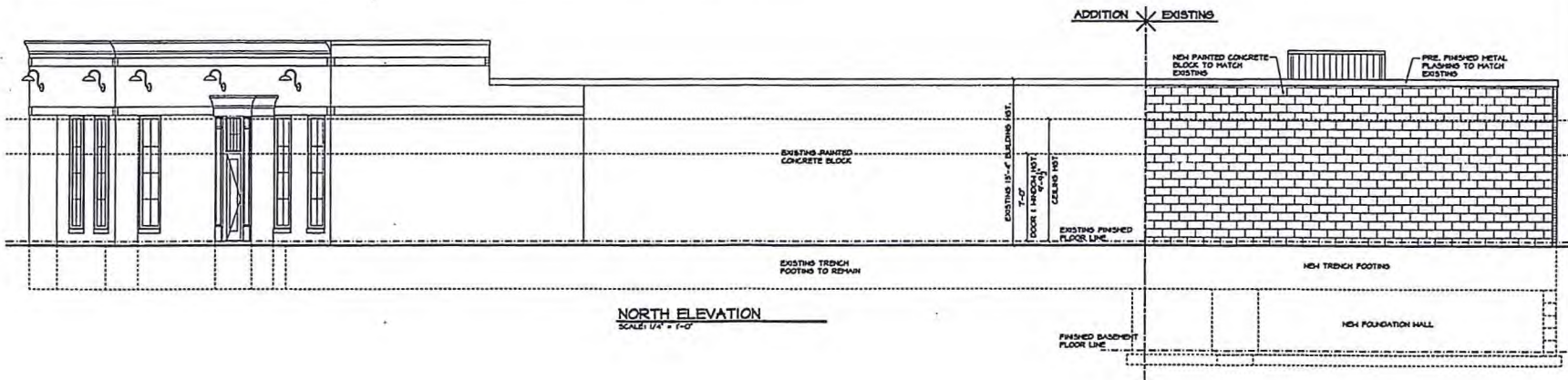
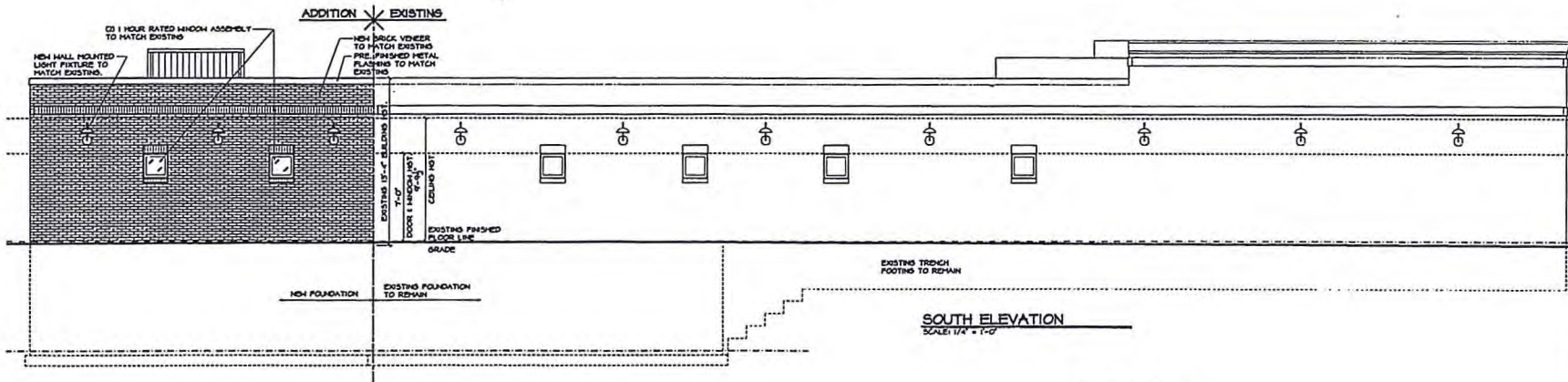
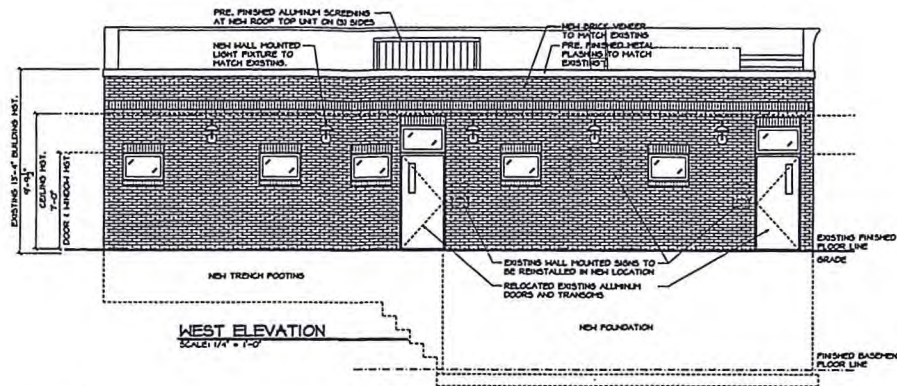
Sheet Title:
Floor Plan

Project Number: 15409
Drawn By: RW
Checked By: RJC
Approved By: AJM
Date: 2-5-15

ISSUED:
Owner Review
2-6-15
Owner Review
2-10-15
Owner Review
2-12-15
Owner Review
2-18-15
Planning
Commencement
4-13-15

Sheet Number:

A-2



AFFIDAVIT OF LEGAL PUBLICATION

Grosse Pointe News

21316 Mack Ave
Grosse Pointe Woods, Michigan 48236
(313) 882-3500

COUNTY OF WAYNE
STATE OF MICHIGAN, SS.

Scott Chambers

being duly sworn deposes and says that attached is

City of Grosse Pointe Woods

was duly published in accordance with instruction
the following date:

April 30, 2015

#5 GPW 4/30 ZBA 5/18

and knows well the facts stated herein, and that he

Scott Chambers

Subscribed and sworn to before me this 30th day of

Patrice A. Thomas

City of ~~Grosse Pointe Woods~~, Michigan

NOTICE OF HEARING

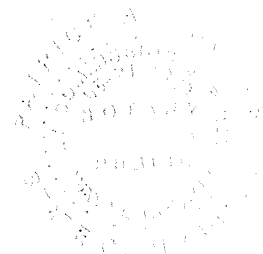
NOTICE IS HEREBY GIVEN that the City Council, meeting as a Zoning Board of Appeals (ZBA), under the provisions of Michigan Compiled Laws, 125.3101 through 125.3702 as amended, will consider a lot coverage variance for Richard Ferrara M.D., 20045 Mack Ave, Grosse Pointe Woods, MI. In accordance with Section 50-463, the maximum lot coverage of a lot or parcel of land by a building in an RO-1 district shall be 40 percent; 65.6% is requested. A variance is therefore required. The ZBA hearing is scheduled for Monday, May 18, 2015, at 7:30 p.m. in the Council-Court Room of the Municipal Building, at 20025 Mack Plaza. The site plan is available for inspection at the Municipal Building, 20025 Mack Plaza, between 8:30 a.m. and 5:00 p.m. Monday through Friday. All interested persons are invited to attend and will be given opportunity for public comment. The public may appear in person or be represented by counsel. Written comments will be received in the City Clerk's office, up to the close of business preceding the hearing. A group spokesperson is encouraged on agenda items concerning organized groups. Individuals with disabilities requiring auxiliary aids or services at the meeting should contact the Grosse Pointe Woods Clerk's Office at 313 343-2440 seven days prior to the meeting.

Lisa K. Hathaway, CMMC/MMC
City Clerk

G.P.N.: 4/30/2015

PATRICE A. THOMAS
NOTARY PUBLIC, STATE OF MI
COUNTY OF WAYNE
MY COMMISSION EXPIRES Jun 21, 2020
ACTING IN COUNTY OF *Wayne*

Notary Public



AFFIDAVIT OF PROPERTY OWNERS NOTIFIED

Re: 20045 Mack Ave
Ferrara Dermatology

4p

State of Michigan)
) ss.
County of Wayne)

I HEREBY CERTIFY that the notice of Hearing was duly mailed First Class Mail on 4-28-15 to the following property owners within a 300 foot radius of the above property in accordance with the provisions of the 2007 City Code of Grosse Pointe Woods. A Hearing fee of \$250.00 has been received with receipt # 700864.

Lisa Kay Hathaway, CMMC/MMC
City Clerk

See attached document for complete list.

20045 Mack Ave - 300' Radius

wnersname	ownersna_1	ownerstree	ownercity	ownerstate	ownerzipco
CITY OF GROSSE POINTE WOODS	CITY HALL/COURT/GHESQUIERE PARK	20025 MACK PLAZA DR	GROSSE POINTE WOODS	MI	48236
PUPPOS JEFFREY M	PUPPOS MELISSA B	1804 KENMORE DR	GROSSE POINTE WOODS	MI	48236
OSSENS ARTHUR		1798 KENMORE DR	GROSSE POINTE WOODS	MI	48236
NSTETT AMY		1790 KENMORE DR	GROSSE POINTE WOODS	MI	48236
ANDELA PAUL E & ARNDIS		1782 KENMORE	GROSSE POINTE WOODS	MI	48236
0107 MACK AVE LLC		20107 MACK AVE	GROSSE POINTE WOODS	MI	48236
COTT JANICE K REVOCABLE TRUST		1770 KENMORE DR	GROSSE POINTE WOODS	MI	48236
ASEY MARTIN	CASEY PATRICIA	221 RIDGE RD	GROSSE POINTE FARMS	MI	48236
MACK AVENUE DRAPERY & INTERIORS	CASEY PATRICIA	20099 MACK AVE	GROSSE POINTE WOODS	MI	48236
APRARA JULIA		471 SHOREHAM RD	GROSSE POINTE WOODS	MI	48236
ARTO ROBERT		ONE WINDWARD PL	GROSSE POINTE FARMS	MI	48236
A MODA	CARDUCCI JOSEPHINE	20091 MACK AVE	GROSSE POINTE WOODS	MI	48236
SHBY STERLING ICE CREAM	RISTOVSKI SVETLANA	20081 MACK AVE	GROSSE POINTE WOODS	MI	48236
ANDEPUTTE ARTHUR		1813 KENMORE DR	GROSSE POINTE WOODS	MI	48236
IFTH THIRD BANK	MD10ATA1 CORPORATE FACILITIES	38 FOUNTAIN SQUARE PLAZA	CINCINNATI	OH	45263
IFTH THIRD BANK	BRIAN RUMOHR	20065 MACK AVE	GROSSE POINTE WOODS	MI	48236
MPSON RON	EMPSON NICOLE	1807 KENMORE DR	GROSSE POINTE WOODS	MI	48236
ORGEN JAMES	SORGEN KIMBERLY	1799 KENMORE DR	GROSSE POINTE WOODS	MI	48236
ATES WILLIAM L		1685 FAIRHOLME RD	GROSSE POINTE WOODS	MI	48236
ATES WILLIAM L		1675 FAIRHOLME RD	GROSSE POINTE WOODS	MI	48236
UDNIK MATTHEW J & ABIGAIL M		1791 KENMORE DR	GROSSE POINTE WOODS	MI	48236
RMBRUSTER STEPHEN P		1665 FAIRHOLME RD	GROSSE POINTE WOODS	MI	48236
RESSER PATRICK		1783 KENMORE DR	GROSSE POINTE WOODS	MI	48236
ONDALEK GEORGE		1655 FAIRHOLME RD	GROSSE POINTE WOODS	MI	48236
IGGEMAN TERRY J		1775 KENMORE DR	GROSSE POINTE WOODS	MI	48236
OTTER MARGARET A		1767 KENMORE DR	GROSSE POINTE WOODS	MI	48236
ENMOOR MACK LLC		20055 MACK AVE	GROSSE POINTE WOODS	MI	48236
TONISCH MARY S		20040 MACK AVE	GROSSE POINTE WOODS	MI	48236
CCUPANT		1690 FAIRCOURT ST	GROSSE POINTE WOODS	MI	48236
ELLY JAMES	NOFAR STEPHANIE	1680 FAIRCOURT ST	GROSSE POINTE WOODS	MI	48236
ERRARA JUNIOR HOLDINGS LLC		20045 MACK AVE	GROSSE POINTE WOODS	MI	48236
UDOLPH BURTON		1670 FAIRCOURT ST	GROSSE POINTE WOODS	MI	48236
ADGIS THEODORE C		20039 MACK AVE	GROSSE POINTE WOODS	MI	48236
ASTSIDE DERMATOLOGY	MANZ-DULAC LISA	20030 MACK AVE	GROSSE POINTE WOODS	MI	48236
ANZ-DULAC PROPERTIES LLC		21 WARNER RD	GROSSE POINTE FARMS	MI	48236
LOBUCHAR JOHN	KLOBUCHAR MARY L	1675 FAIRCOURT ST	GROSSE POINTE WOODS	MI	48236
OBIERALSKI MARK A	SOBIERALSKI ROBIN L	1665 FAIRCOURT ST	GROSSE POINTE WOODS	MI	48236
CCUPANT		1670 FORD CT	GROSSE POINTE WOODS	MI	48236
ANZ-DULAC PROPERTIES LLC		21 WARNER RD	GROSSE POINTE FARMS	MI	48236
OURAD RODGER P & KATHLEEN M (TRUST		51 N DEEPLANDS	GROSSE POINTE SHORES	MI	48236-2318
CCUPANT		1660 FORD CT	GROSSE POINTE WOODS	MI	48236
F&T	Mr. Tim Black - Area Manager	100 S. Main Room 314	Mount Clemens	MI	48043
chCon	William F. Harvey, Permit Liaison	3150 E. Michigan Ave	Ypsilanti Township	MI	48198
Detroit Edison Company	Michael Blunden, Corp. Permit Coordinator	One Energy Plaza Dr.	Detroit	MI	48226





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INFORMATION TECHNOLOGY DEPARTMENT
 Geographic Information Systems (GIS) Division

Subject: 20045 Mack Ave

Date: 4/24/2015

