ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, AUGUST 21, 2007
7 p.m.

ROLL CALL

PRESENT:	Mayor	Harold Haugh
	Board Members	Salvatore Aiuto John Chirkun Jan Haggerty Bill Shoemaker Richard Steenland Robert Taylor
ABSENT:		None
OTHERS PRESENT:	City Manager	Stephen Truman
	City Clerk	Rae Oldaugh
	City Attorney	Tim Tomlinson

Mayor Harold Haugh called the meeting to order at 7 p.m. with the Pledge of Allegiance.

I. ROUTINE MATTERS

- Approval of minutes of meeting held July 17, 2007.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER ROBERT TAYLOR seconded approving minutes of meeting held July 17, 2007.
MOTION CARRIED UNANIMOUSLY

Mayor Harold Haugh explained to the petitioners that Board Member Salvatore Aiuto will be late arriving to the meeting this evening; therefore, the petitioners may table their request until all Board Members are present.

Board Member Salvatore Aiuto arrived to the meeting at 7:05 p.m.

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to return use of a dwelling in an R-1 (Single-Family Residential) district to a two family structure on the property at 19041 Martin, Jeffery Miller, petitioner.

Petitioner Jeffery Miller, 28821 Grant, St. Clair Shores, appeared before the Board.

Board Members Richard Steenland, Bill Shoemaker, Salvatore Aiuto, Robert Taylor, and John Chirkun asked the petitioner several questions about this request.

The Board Members discussed this item with City Manager Stephen Truman and City Attorney Tim Tomlinson.

City Clerk Rae Oldaugh received no correspondence on this request.

No one from the public wished to be heard.

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR seconded to close the public hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER RICHARD STEENLAND seconded to deny the petitioner's request for a variance due to the fact that no undue hardship, unique circumstance or practical difficulty exists; if it does, it was directly caused by the petitioner's actions. The findings are based upon the fact that approving the request would be in contradiction to the intent of the Zoning Ordinance to reduce nonconforming uses over time and we are unable to determine that this was ever a legal nonconforming use.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

REQUEST PERMISSION TO RETURN USE OF A DWELLING IN AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A TWO-FAMILY STRUCTURE ON THE PROPERTY AT 19041 MARTIN, ROSEVILLE, MICHIGAN 48066

PERMANENT PARCEL NO. 14-16-156-034 VAR. #2307

will not be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2302-5(e) and will be injurious to the neighborhood or otherwise detrimental to the public welfare and is hereby denied.
MOTION CARRIED UNANIMOUSLY

2. Public Hearing and Board consideration for variance to keep a 16-foot boat on side of drive from April through October on the property at 26103 Nagel, Andria LaForge, petitioner.

Petitioner Andria LaForge, 26103 Nagel, appeared before the Board.

City Clerk Rae Oldaugh received 20 letters in favor of this request.

No one from the public wished to be heard.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JOHN CHIRKUN seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

Board Member Richard Steenland complimented Ms. LaForge for obtaining the letters from her neighbors.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER ROBERT TAYLOR seconded to approve the petitioner's request for a variance based upon the finding that a practical difficulty exists. The petitioner's side yard is too narrow to allow the boat to be stored in the rear yard.

The request must be reviewed in one year.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

REQUEST PERMISSION TO KEEP A 16-FOOT BOAT ON SIDE OF DRIVE FROM APRIL THROUGH OCTOBER ON THE PROPERTY AT 26103 NAGEL, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-19-178-043 VAR. #2407

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2304-6 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and is hereby granted.
MOTION CARRIED UNANIMOUSLY

3. Public hearing and Board consideration for variance to park a commercial vehicle (1986 cube van) on residentially zoned property at 17831 Glendale, Philip DeClerk, petitioner.

Petitioner Philip DeClerk, 17831 Glendale, appeared before the Board.

City Clerk Rae Oldaugh received one petition with four signatures in favor of this request.

Board Member Robert Taylor asked the petitioner if the truck can be parked to the back of the driveway on the property; Mr. DeClerk stated he can park the truck further back.

Sandra McCreedy, 17841 Glendale, wanted to make sure the Board received the petition in favor of this request.

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER RICHARD STEENLAND seconded to approve the petitioner's request for a variance based upon the finding that a unique circumstance exists. The properties to the west and south of the petitioner's property are commercial.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

REQUEST PERMISSION TO PARK A COMMERCIAL VEHICLE (1986 CUBE VAN) ON THE RESIDENTIALLY ZONED PROPERTY AT 17831 GLENDALE, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-20-132-045 VAR. #2507

will be in harmony with the general purpose and intent of Zoning Ordinance 1202 Section 2304 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and is hereby granted.
MOTION CARRIED UNANIMOUSLY

III. HEARING OF THE PUBLIC

No one from the public wished to be heard.

IV. ADJOURNMENT

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JAN HAGGERTY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:20 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Rae A. Oldaugh
City Clerk

PLEASE NOTE: A cassette tape of this meeting is on file in the City Clerk's Office for further information.