ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, SEPTEMBER 18, 2007
7 p.m.

ROLL CALL

PRESENT:	Mayor	Harold Haugh
	Board Members	Salvatore Aiuto Jan Haggerty Bill Shoemaker Richard Steenland Robert Taylor
ABSENT:		John Chirkun (excused)
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.

Mayor Harold Haugh explained to the petitioner that due to the absence of Board Member John Chirkun the Board does not have a full seven members; therefore, the petitioners may have their requests tabled to the next regular meeting.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER SALVATORE AIUTO seconded to excuse absent Board Member John Chirkun
MOTION CARRIED UNANIMOUSLY

I. ROUTINE MATTERS

- Approval of minutes of meeting held August 21, 2007.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER ROBERT TAYLOR seconded to approve minutes of the meeting held August 21, 2007.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to keep an addition to the existing garage erected 0´ from the rear property line within a 5´ easement on the property at 29045 Pinehurst, Dale McDermott, petitioner.

Dale McDermott, 29045 Pinehurst, appeared to answer any questions the Board may have. Mr. McDermott chose to proceed with his request this evening.

Board Member Jan Haggerty asked Mr. McDermott if he was aware of the easement held by DTE Energy on his property; Mr. McDermott stated that he is aware of the easement and has made the area accessible to DTE.

City Clerk Rae Oldaugh received an agreement between Mr. McDermott and neighboring property owner Virginia Walsh regarding the shed roof and gutter installation.

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 ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to adopt the resolution approving the petitioner's request for a variance due to the fact that a unique circumstance exists. DTE has no objection to the structure as long as if at any point in time it is found that the structure is a hindrance to servicing the utilities it shall be removed at the property owner's expense.

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 AN ADDITION TO THE EXISTING GARAGE ERECTED 0´ FROM THE REAR PROPERTY LINE WITHIN A 5´ EASEMENT ON THE PROPERTY AT 29045 PINEHURST, ROSEVILLE, MI 48066.

PERMANENT PARCEL NO. 14-08-380-023 VAR. #2607

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2303-1(d) and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and is hereby granted.
MOTION CARRIED UNANIMOUSLY

2. Public Hearing and Board consideration for variance to construct a carport resulting in a 0´ east sideyard setback and 4´6" total sideyard on the property at 17840 Bayne, John C. Morgan II, petitioner.

John C. Morgan II, 17840 Bayne, wished to proceed with his request this evening.

City Clerk Rae Oldaugh received no correspondence on this request.

Board Member Jan Haggerty asked Mr. Morgan if his neighbors had any objections to this request; Mr. Morgan responded that no neighbors had complaints.

No one from the public wished to be heard.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JAN HAGGERTY seconded to close the public hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER JAN HAGGERTY seconded to adopt the resolution to approve the petitioner's request for variance based upon the finding that a unique circumstance exists. The adjacent property owners have no objection to the installation of the carport.

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 CONSTRUCT A CARPORT RESULTING IN A 0´ EAST SIDEYARD SETBACK AND 4´6" TOTAL SIDEYARDS ON THE PROPERTY AT 17840 BAYNE, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-17-205-005 VAR. #2707

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 1801(b) 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 construct a new 8100-square-foot retail building with 6480 square feet of usable floor area providing 33 parking spaces on the property at 28711 Groesbeck, Curis Development, Inc., petitioner.

Mike Curis, Jr., and Nikolaos A. Moschouris 16012 E. Seven Mile Road, Detroit, appeared on behalf of Curis Development, Inc. Mr. Curis wanted to proceed with the request this evening.

Mr. Curis presented the Board with two letters from CSK Auto in support of this variance request.

City Clerk Rae Oldaugh received no correspondence on this request.

No one from the public wished to be heard.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JAN HAGGERTY seconded to close the public hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR seconded to adopt the resolution approving the petitioner's request for a variance based upon the finding that a unique circumstance exists. The unusual shape of this lot makes it impossible to provide the spaces required per the Roseville Zoning Ordinance.

Board Member Richard Steenland thanked the petitioners for the new construction investment in the City of Roseville.

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 CONSTRUCT A NEW 8,100-SQUARE-FOOT RETAIL BUILDING WITH 6,480 SQUARE FEET OF USABLE FLOOR AREA PROVIDING 33 PARKING SPACES ON THE PROPERTY AT 28711 GROESBECK, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL No. 14-18-127-006 VAR. #2807

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2001(d) and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and is hereby granted.
MOTION CARRIED UNANIMOUSLY

4. Public Hearing and Board consideration for variance to construct a 30´ x 24´ detached garage with a height of 17´6" on the property at 17885 Grove, Miller Garages, petitioner.

Steve Van Dalen, 13042 E. Eight Mile, Detroit, appeared on behalf of Miller Garages.

Frank Bosco, 17885 Grove, property owner, appeared and wished to proceed with his request this evening. Mr. Bosco explained the reason he wants to construct the garage.

Board Member Robert Taylor asked Mr. Bosco if the motor home that was parked in front of his home will be stored in the proposed garage; Mr. Bosco replied that the motor home is no longer on the property as he donated it to Purple Heart.

Board Member Jan Haggerty asked Mr. Bosco if the second floor of the garage will be used for a business or living quarters; Mr. Bosco replied that the second floor will only be used for storage.

Ed Young, Sr, 17935 Grove, spoke in favor of this request.

City Clerk Rae Oldaugh received one petition with 30 signatures in favor of this request.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER BILL SHOEMAKER seconded to close the public hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER BILL SHOEMAKER seconded to adopt the resolution approving the petitioner's request for a variance based upon the finding that a unique circumstance exists. The proposed garage would be in harmony with the existing two-story house and the lot is of sufficient size to accommodate the structure.

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:

PERMANENT PARCEL NO. 14-17-202-016 VAR. #2907

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2303-1(g) 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 JAN HAGGERTY moved, BOARD MEMBER SALVATORE AIUTO seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:15 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.