ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, MAY 1, 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 Clerk	Rae Oldaugh
City Attorney	Tim Tomlinson
Director of Building and Inspection	Glenn Sexton

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 April 17, 2007.

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR seconded to approve minutes of the meeting held April 17, 2007.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to keep additional streamers on side of building and hanging from light poles on the property at 30007 Gratiot Avenue, A&B Motors/Certified Development, Al Tiano, Jr, petitioner.

Al Tiano, 30007 Gratiot, appeared to answer any questions the Board may have.

No one from the public wished to be heard.

City Clerk Rae Oldaugh received no correspondence on this request.

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

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JAN HAGGERTY seconded to adopt the resolution approving the petitioner's request for a variance based upon the finding that an undue hardship exists being, past Board practice has approved similar requests.

The following stipulation was placed on the approval:

The streamers must be maintained in good condition.

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 ADDITIONAL STREAMERS ON THE OUTSIDE OF BUILDING AND HANGING FROM LIGHT POLES ON THE PROPERTY AT 30007 GRATIOT AVENUE, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-09-155-036 VAR. #0907

will be in harmony with the intent of Sign Ordinance No. 1125 Section 264-9-B 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 keep a commercial vehicle (cube van) in the driveway on the property at 29201 Legion, Richard McDaniel, petitioner.

Richard McDaniel, 29201 Legion, appeared to answer any questions the Board may have.

No one from the public wished to be heard.

City Clerk Rae Oldaugh received no correspondence on this request.

Board Members Richard Steenland, Salvatore Aiuto, Bill Shoemaker, and Robert Taylor asked the petitioner questions regarding the vehicle.

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

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER ROBERT TAYLOR seconded to adopt the resolution approving the petitioner's request for a variance based upon the finding that an undue hardship exists; being, this is the petitioner's only means of transportation.

The following stipulation was placed on the approval:

The variance is granted for a period of six months.

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 CONTINUE TO KEEP A COMMERCIAL VEHICLE (CUBE VAN) IN THE DRIVEWAY ON THE PROPERTY AT 29201 LEGION, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-09-453-035 VAR. #1007

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2304-11 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and is hereby granted.
MOTION CARRIED

OPPOSED
Board Member Richard Steenland

3. Public Hearing and Board consideration for appeal of the interpretation and not an amendment of Ordinance 1202 Section 1400, as it relates to permitted uses in an I-1 (Light Industrial) district pertaining to the proposed use of conversion of residual substances into bio-mass fuel on the property at 30751 Little Mack, CLC Trucking, Inc, Bio-diesel Fuel Blender, George Lampson, petitioner.

Patrick Maher, Community Planning and Management, 41560 Garfield, Suite 230, appeared on behalf of petitioners, George Lampson and Ed Cornillie. Mr. Maher described the process of catalytic depolymerizaton, a newer patented process in green energy. This process converts materials such as wood chips and cloth into diesel fuel and is done within an enclosed building and does not emit odors into the air.

George Lampson, CLC Trucking, 34687 Groesbeck, appeared to answer any questions the Board may have on this request.

Mayor Harold Haugh stated that the petitioners would invest $16 Million into this development and would create 20 new technical/professional jobs. Mayor Haugh asked the petitioner to define "auto fluff."

Mr. Lampson explained that "auto fluff" is the remnant of a car after it is shredded for recycling; the interior fabric and foam etc.

Mayor Harold Haugh asked Mr. Maher how combustible the end product of the catalytic depolymerization process is; Mr. Maher stated that it is less than gasoline.

Mr. Lampson explained that the state police determined that bio-diesel is flammable and not combustible.

Board Members Robert Taylor and Richard Steenland asked Mr. Lampson questions regarding the depolymerization process.

Edward Buckman, 30751 Little Mack, appeared to elaborate on this project; this project will be completely enclosed and the first of its kind in existence.

James Goldwater, 19346 Brandt, spoke in favor of this request and wished the petitioners luck with this venture.

Terry Mergenthaler, 25801 Wiseman, thought this process is a good idea as long as it is environmentally sound.

City Clerk Rae Oldaugh received no correspondence on this request.

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

Mr. Maher explained that this process is safe and the bi-products are non-hazardous.

Board Member John Chirkun thanked the petitioners for appearing this evening; however, he is concerned for the safety of the Roseville residents and would like to have more information provided to the Board about the depolymerization process.

Mayor Harold Haugh explained to the petitioners that the City welcomes the investment and the innovative process to the city; however, he wants to see the exiting source document on catalytic depolymerizaton and would like the Fire Marshall to walk through this process with the petitioners and report back to the Board.

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR seconded to table the request for appeal of the interpretation and not an amendment of Ordinance 1202 Section 1400, as it relates to permitted uses in an I-1 (Light Industrial) district pertaining to the proposed use of conversion of residual substances into bio-mass fuel on the property at 30751 Little Mack until the next Zoning Board of Appeals Meeting on May 15, 2007.
MOTION CARRIED UNANIMOUSLY

4. Public Hearing and Board consideration for a variance to extend the approvals granted on August 1, 2006 to erect a new mall entrance having a height of 51´ and an outlot building having a height of 48´ and to renovate the existing non-conforming 64´ pylon sign on the property at 32233 Gratiot, Macomb Mall, Adam Kochenderfer and Honigman Miller Schwartz and Cohn LLP, petitioners.

Adam Kochenderfer, 32233 Gratiot, appeared on behalf of Macomb Mall. Mr. Kochenderfer explained to the Board that the extension is needed so the petitioner may solidify the mall tenants and make sure the improvements proceed.

Glenn Sexton, Director of Building and Inspection explained that the original variance request included an outlot building; this building is no longer included in this request.

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

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER JAN HAGGERTY seconded to adopt the resolution granting a six-month extension on the request to extend the approvals granted on August 1, 2006 to erect a new mall entrance having a height of 51´ and an out lot building having a height of 48´ and to renovate the existing non-conforming 64´ pylon sign on the property at 32233 Gratiot.

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 FOR AN EXTENSION OF APPROVALS GRANTED ON AUGUST 1, 2006 TO ERECT A NEW MALL ENTRANCE HAVING A HEIGHT OF 51´ AND AN OUTLOT BUILDING HAVING A HEIGHT OF 48´ AND TO RENOVATE THE EXISTING NON-CONFORMING 64´ PYLON SIGN ON THE PROPERTY AT 32233 GRATIOT, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-04-251-005 VAR. #3306 & 3406

will be in harmony with the general purpose and intent of Zoning Ordinance 1202 Sections 1800 and 2302-4-1 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 ROBERT TAYLOR seconded that the agenda having been acted upon, the meeting is hereby adjourned at 8:10 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.