City of Roseville

MAYOR
HAROLD L. HAUGH

MAYOR PRO TEM
RICHARD M. STEENLAND

CITY COUNCIL
SALVATORE AIUTO
JOHN CHIRKUN
IRENE M. KEPLER
BILL SHOEMAKER
ROBERT R. TAYLOR

CITY MANAGER
STEPHEN A. TRUMAN

ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, AUGUST 1, 2006

7 p.m.

ROLL CALL

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

ROUTINE MATTERS

Approval of minutes of meeting held July 18, 2006.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JOHN CHIRKUN seconded to approve minutes of meeting held July 18, 2006.
MOTION CARRIED UNANIMOUSLY

II. OLD BUSINESS

1 Public Hearing and Board consideration for variance to have a temporary special use permit to allow promotional sales every month (twelve permits per calendar year) having balloons, streamers, inflatables, etc. on the property at 30007 Gratiot Avenue, A&B Motors Inc/Certified Development LLC, Al Tiano Jr., petitioner.

Al Tiano, 32422 Cambridge Dr., Warren, appeared to discuss this request.

No one from the Public wished to be heard.

City Clerk Rae Oldaugh received no correspondence on this request.

BOARD MEMBER IRENE KEPLER moved, BOARD MEMBER ROBERT TAYLOR seconded, to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER IRENE KEPLER seconded to deny the petitioner's request for a variance due to the fact that no undue hardship, unique circumstance or practical difficulty exists, or if it does it was directly caused by the petitioner's actions. The findings are based upon the fact that the request for twelve (12) temporary use permits for promotional sales per calendar year would not be in harmony with the adjacent properties.

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 HAVE A TEMPORARY SPECIAL USE PERMIT TO ALLOW PROMOTIONAL SALES EVERY MONTH (TWELVE PERMITS PER CALENDAR YEAR) HAVING BALLOONS, STREAMERS, INFLATABLES, ETC. ON THE PROPERTY AT 30007 GRATIOT AVENUE, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-09-155-036 VAR. #3006

will not be in harmony with the general purpose and intent of Zoning Ordinance No. 1009, Section 2204-2(c) 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 streamers hanging from light poles on the property at 30007 Gratiot Avenue, A&B Motors Inc./Certified Development LLC, Al Tiano Jr., petitioner.

Al Tiano, 32422 Cambridge Dr, Warren, appeared to discuss this request.

No one from the Public wished to be heard.

City Clerk Rae Oldaugh received no correspondence.

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

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER SALVATORE AIUTO seconded to approve the petitioner's request for variance based upon the finding that an undue hardship exists being that past Board practice has approved similar requests.

The following stipulation was placed on this request:

The streamers are to be kept in good condition and are limited to the existing number of streamers.

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 STREAMERS HANGING FROM LIGHT POLES ON THE PROPERTY AT 30007 GRATIOT AVENUE, ROSEVILLE, MICHIGAN.

PERMANENT PARCEL NO. 14-09-155-036 VAR #3106

will be in harmony with the general purpose and 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

III. NEW BUSINESS

1 Public Hearing and Board consideration for variance to keep a 4′ high cyclone fence erected in the front yard on the west property line and install a 4′ high

cyclone fence on the east property line on the property at 17731 Ivanhoe, Dannie & Janice Earls petitioners.

Dannie Earls, 17731 Ivanhoe, appeared.

City Clerk Rae Oldaugh received no correspondence on this request.

Wendy Biernat, 17728 Ivanhoe, is against this request.

Justin Malama, 17725 Ivanhoe, has no issue with a privacy fence, but is against the fence in the front yard of the property.

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

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER IRENE KEPLER seconded to deny the petitioner's request for a variance due to the fact that no undue hardship unique circumstance or practical difficulty exists, or if it does it was directly caused by the petitioner's actions. The findings are based upon the fact that the installation of a 4′ chain link fence in the front yard will not be in harmony with the adjacent properties.

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 4′ HIGH CYCLONE FENCE ERECTED IN THE FRONT YARD ON THE WEST PROPERTY LINE AND INSTALL A 4′ HIGH CYCLONE FENCE ON THE EAST PROPERTY LINE ON THE PROPERTY AT 17731 IVANHOE, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-17-331-043 VAR. #3206

will not be in harmony with the general purpose and intent of Fence Ordinance No. 1125 Section 134-5-B and will 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 erect a new mall entrance having a height of 51′ and an outlot building having a height of 48′ on the property at 32233 Gratiot, Macomb Mall LLC, Phil Poppinga, petitioner.

Phil Poppinga, 32233 Gratiot, appeared

James Goldwater, 19346 Brandt, is in favor of this request.

City Clerk Rae Oldaugh received no correspondence on this request.

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JOHN CHIRKUN 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, being, the area of the site and distance from Gratiot Avenue would warrant the increase in height.

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 ERECT A NEW MALL ENTRANCE HAVING A HEIGHT OF 51′ AND AN OUTLOT BUILDING HAVING A HEIGHT OF 48′ ON THE PROPERTY AT 32233 GRATIOT, ROSEVILLE, MICHIGAN 48066.

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

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 1800 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 of variance to renovate the existing non-conforming 64′ pylon sign on the property at 32233 Gratiot, Macomb Mall LLC, Phil Poppinga, petitioner.

Phil Poppinga, 32233 Gratiot, appeared.

City Clerk Rae Oldaugh received no correspondence.

Frank Maisano, 26740 Barbara, spoke regarding the use of fair labor and Roseville residents on this project.

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 SALVATORE AIUTO seconded to approve the petitioner's request for a variance based upon the finding that an undue hardship exists being, that the age and design of the existing sign requires and excessive amount of maintenance.

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 RENOVATE THE EXISTING NONCONFORMING 64′ PYLON SIGN ON THE PROPERTY AT 32233 GRATIOT, ROSEVILLE, MICHIGAN, 48066.

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

will be in harmony the general purpose of Zoning Ordinance No. 1202 Section 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

IV HEARING OF THE PUBLIC

No one from the public wished to be heard.

V. ADJOURNMENT

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER ROBERT TAYLOR seconded that this agenda having been acted upon, the meeting is hereby adjourned at 8:11 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Rae A. Oldaugh

RAE A. OLDAUGH
City Clerk

Please Note: A cassette tape of this meeting is available in the City Clerk's Office for further information.