ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, OCTOBER 3, 2006
7 p.m.

ROLL CALL

PRESENT:	Mayor	Harold Haugh
	Board Members	Salvatore Aiuto John Chirkun Bill Shoemaker Richard Steenland Robert Taylor
ABSENT:		None
VACANT:		One
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 September 19, 2006.

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER SALVATORE AIUTO seconded to approve minutes of meeting held September 19, 2006.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

1. 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.

City Clerk Rae Oldaugh received one letter unopposed to this request.

Ed Wojciechowski, 26080 Linwood, spoke in favor of this request.

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

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 approve 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:

This matter will be reviewed in 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. #0606-RENEWAL

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1009 Section 2004-8 (as amended by Ordinance 1129) 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

2. Public Hearing and Board consideration for special approval to operate a retail business (tobacco shop) on the property at 30751 Utica Road, Judith Harris and Ali Shouman, petitioner.

Judith Harris, 30751 Utica Road, appeared.

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

Marie Silk, 30553 Hidden Pines, spoke regarding this request.

City Clerk Rae Oldaugh received no correspondence.

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

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JOHN CHIRKUN seconded to approve the petitioner's request for a variance based upon the finding that a unique circumstance exists; the use would not increase traffic or congestion into the area due to the fact that it would occupy only 25% of the total building.

The following stipulation was placed on the approval:

The variance pertains to the tobacco shop only. In the future should ownership of this business or the type of business change, the petitioner must reappear before the Zoning Board of Appeals for a variance.

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 OPERATE A RETAIL BUSINESS (TOBACCO SHOP) ON THE PROPERTY AT 30751 UTICA ROAD, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-08-126-001 VAR. #4306

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 901 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 family room/bedroom addition to the rear of the dwelling having a 25´ 6" rear yard setback on the property at 26265 Dale Court, Ted Wrubel, petitioner.

Ted Wrubel, 26265 Dale Court, appeared.

City Clerk Rae Oldaugh received no correspondence.

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 moved, BOARD MEMBER JOHN CHIRKUN seconded to approve the petitioner's request for a variance based upon the finding that the addition will not have an adverse effect on adjacent properties. The property is irregularly shaped requiring almost any size addition to obtain a variance.

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 FAMILY ROOM/BEDROOM ADDITION TO THE REAR OF THE DWELLING HAVING A 25´ 6" REAR YARD SETBACK ON THE PROPERTY AT 26265 DALE CT, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 13-19-153-034 VAR. #4406

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.

III. HEARING OF THE PUBLIC

James Goldwater, 19346 Brandt, discussed the City website.

IV. ADJOURNMENT

BOARD MEMBER RICHARD STEENLAND moved, BOARD MEMBER JOHN CHIRKUN seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:26 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

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

RAE A. OLDAUGH, City Clerk