ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, SEPTEMBER 1, 2009
7 p.m.

ROLL CALL:

PRESENT:

Mayor	John Chirkun
Mayor Pro Tem	Robert Taylor
Board Members	Salvatore Aiuto
	Jan Haggerty
	Frank Maisano
	Colleen McCartney
	Bill Shoemaker

ABSENT: None

OTHERS PRESENT:

City Manager	Stephen Truman
City Clerk	Richard Steenland
City Attorney	Tim Tomlinson

Mayor John Chirkun called the meeting to order at 7 p.m. with the Pledge of Allegiance.

I. ROUTINE MATTERS

- Approval of minutes of Regular Meeting held August 18, 2009.

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER JAN HAGGERTY seconded to approve minutes of the Regular Meeting held August 18, 2009.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

- Public Hearing and Board consideration for variance to keep vehicles awaiting repairs parked outside overnight on the property at 17920 E. 12 Mile Road, Royal Transmission, Patrick Smith, petitioner.

Patrick Smith, 27203 Pinewood, appeared to explain the reason for this request and to answer the Board's questions.

Mayor John Chirkun stated that Building Director Glenn Sexton recommends approval for 11 spaces along the front of the building.

City Manager Stephen Truman explained that this request is strictly for overnight parking. Three scenarios apply to this request: 1. a car is towed to the facility in the evening, 2. if a local business patron parks a car in this lot, 3. more spaces may be needed if a vehicle has to be towed or pushed into the garage for repair.

Mayor Chirkun asked City Attorney Tim Tomlinson if the Board allows the request for 11 vehicles, must the Board specify where the 11 vehicles must be parked. Mr. Tomlinson explained that the Board has the ability to restrict where the vehicles must be parked; if the restriction is not placed on the request, it will be at the petitioner's discretion where to park the vehicles. The board also has the option to allow the 11 vehicles and two additional vehicles to be parked in front of the building.

Mr. Smith requested that two spots be allotted along Utica Road so that he may park repair vehicles awaiting parts in those spaces.

Mayor Chirkun asked Mr. Tomlinson if the Board may place the stipulation on this request so that it must be reviewed in one year; the Board may do so.

City Clerk Richard Steenland received no correspondence on this request.

No one from the public wished to be heard.

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

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER ROBERT TAYLOR seconded to approve the petitioner's request to keep vehicles awaiting repairs parked outside overnight based upon the finding that an undue hardship exists; The property does not have an interior side yard or rear yard to allow for compliant storage of vehicles. The following stipulation applies to the approval:

1. The variance will be reviewed in one year.
2. The maximum number of spots allowed is 13; eleven (11) "L" shaped lots adjacent to the building plus two additional "L" shaped spots along Utica Road.

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 VEHICLES AWAITING REPAIRS PARKED OUTSIDE OVERNIGHT ON THE PROPERTY AT 17920 12 MILE, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-17-206-002 VAR. #1209

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 1202-8-b and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and, therefore, is hereby granted.
MOTION CARRIED UNANIMOUSLY

III. HEARING OF THE PUBLIC

No one from the public wished to be heard

IV. ADJOURNMENT

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER JAN HAGGERTY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:23 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Richard M. Steenland, City Clerk