ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, OCTOBER 6, 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
Building Director	Glenn Sexton

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 September 1, 2009.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER FRANK MAISANO seconded to approve minutes of the Regular Meeting held September 1, 2009.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to continue to utilize garage for a home occupation business on the property at 19358 Masonic, Richard Wagner, petitioner.

City Manager Stephen Truman stated that the petitioner notified the Building Department that he is in the hospital and will not be present this evening; therefore, Mr. Truman recommended that this item be tabled until the next meeting.

No one from the public wished to be heard.

City Attorney Tim Tomlinson recommended that the Board leave the Public Hearing open .

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER ROBERT TAYLOR seconded to leave the public hearing open until the next Zoning Board of Appeals meeting.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to table the request for variance to continue to utilize garage for a home occupation business on the property at 19358 Masonic until the next Zoning Board of Appeals meeting.
MOTION CARRIED UNANIMOUSLY

2. Public Hearing and Board consideration for variance to continue to provide massage therapy as a home occupation business on the property at 20300 Wallace, Mashiah Massage, Edna Raymer, petitioner.

Edna Raymer, 20300 Wallace, appeared on behalf of this request.

Mayor John Chirkun read the stipulations imposed on this request by the Building Department. Mrs. Raymer understood and agreed to the stipulations.

No one from the public wished to be heard.

City Clerk Richard Steenland received no correspondence on this request.

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

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR seconded to approve the petitioner's request for a variance to continue to provide massage therapy as a home occupation business on the property located at 20300 Wallace based upon the finding that a unique circumstance exists. The petitioner has sufficient room to provide for off street parking and the proposed business will not negatively impact traffic on Wallace Street.

The following stipulations were imposed on the approval:

1. Only one client is allowed on the property at a time.
2. Hours of operation restricted to 7 a.m. to 7 p.m.
3. Clients must park on petitioner's property.
4. Approval is for five years.
5. Petitioner must obtain all licenses required by 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:

PERMISSION TO CONTINUE TO PROVIDE MASSAGE THERAPY AS A HOME OCCUPATION BUSINESS ON THE PROPERTY AT 20300 WALLACE, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-09-278-020 VAR. #1409

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 402-13(j) and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and, therefore, is hereby granted.
MOTION CARRIED UNANIMOUSLY

3. Public Hearing and Board consideration to keep a newly constructed garage having a height of 15´9" and a side yard setback of less than 2´ on the property at 19065 Eastland, Gregory Adamson, petitioner.

Petitioner Gregory Adamson, 19065 Eastland, appeared and answered the Board's questions.

City Clerk Richard Steenland received one letter in opposition to this request.

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

BOARD MEMBER FRANK MAISANO 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 approve the request for a variance to keep a newly constructed garage having a height of 15´9" and a side yard setback less than 2´ on the property at 19065 Eastland based upon the finding that an undue hardship exists. Relocation of the garage and reconstruction of the roof will place a heavy financial burden on the petitioner.

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:

PERMISSION TO KEEP A NEWLY CONSTRUCTED GARAGE HAVING A HEIGHT OF 15´9" AND A SIDE YARD SETBACK OF LESS THAN 2´ ON THE PROPERTY AT 19065 EASTLAND, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-09-354-028 VAR. #1509

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2303-1(d) and (g) 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 COLLEEN MCCARTNEY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:26 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
Richard M. Steenland, City Clerk