

MAYOR  
ROBERT TAYLOR

MAYOR PRO TEM  
JAN HAGGERTY

CITY COUNCIL  
CHARLES A. FRONTERA  
CATHERINE J. HAUGH  
COLLEEN MCCARTNEY  
BILL SHOEMAKER  
STEVEN WIETECH



CITY MANAGER  
SCOTT A. ADKINS

CITY CLERK  
RICHARD M. STEENLAND

CITY TREASURER  
MICHAEL SWITALSKI

**ROSEVILLE ZONING BOARD OF APPEALS**  
CIVIC CENTER COUNCIL CHAMBERS  
29777 GRATIOT AVENUE  
ROSEVILLE, MI 48066

**Tuesday, July 19, 2016**  
6:30 p.m.

**ROLL CALL:**

**PRESENT:** Mayor Robert Taylor  
Mayor Pro Tem Jan Haggerty

**BOARD MEMBERS:** Charles Frontera  
Catherine Haugh  
Colleen McCartney  
Bill Shoemaker  
Steve Wietecha

**ABSENT: BOARD MEMBER:** None

**OTHERS PRESENT:**

City Clerk Richard M. Steenland  
City Attorney Tim Tomlinson  
Building Director Glenn Sexton

29777 GRATIOT AVENUE • ROSEVILLE, MICHIGAN 48066-9021  
FAX (586) 445-5402  
[www.roseville-mi.gov](http://www.roseville-mi.gov)

Bldg. Inspections..... 445-5450	Community Develop..... 445-5423	Fire..... 445-5444	Purchasing..... 445-5425
City Assessor..... 445-5430	<b>Controller</b> ..... 445-5417	<b>Housing</b> ..... 778-1360	Recreation (Parks)..... 445-5480
City Clerk..... 445-5443	District Court..... 773-2010	Library..... 445-5407	Senior Center..... 777-7177
City Manager..... 445-5410	D.P.W..... 445-5470	Personnel..... 445-5412	Treasurer..... 445-5420
Code Enforce..... 445-5447	<b>Engineering</b> ..... 445-5445	Police..... 775-2100	Water (Billing)..... 445-5460
			Water (Garage)..... 445-5466

Mayor Robert Taylor called the meeting to order at 6:30 p.m.

**I. ROUTINE MATTERS**

**II. NEW BUSINESS**

1. **Public Hearing and Board Consideration for variance to construct an addition to sign that overhangs the right of way on the property located at 26085 Gratiot, Brian Vansen (Oceans and Seas) petitioner.**

Brian Vansen, petitioner appeared on behalf of this request.

City Clerk Richard M. Steenland received no correspondences.

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER STEVEN WIETECHTA seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER CHARLES FRONTERA seconded to approve the petitioner request for a variance based upon the finding that new signage cannot be added onto the existing sign pole without extending over the public right of way.

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:

CONSTRUCT AN ADDITION TO SIGN THAT OVERHANGS THE RIGHT OF WAY ON THE PROPERTY AT 26085 GRATIOT ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-20-154-018

VAR. #1716

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 264-5A(1) (d) will be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

2. **Public Hearing and Board Consideration for variance to construct a new commercial building with the required 10' x 80' loading area in the side yard on the property located at 20705 13 Mile Road, Matthew Pisko (Kroger Fuel Station), petitioner.**

Matthew Pisko, petitioner appeared on behalf of this request.

City Clerk Richard M. Steenland received no correspondences.

The following individual spoke:

- Isaac Yaldo, General Manager of the Baymont Inn.

MAYOR PRO TEM JAN HAGGERTY moved, BOARD MEMBER STEVE WIETECHTA seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER CATHERINE HAUGH moved, MAYOR PRO TEM JAN HAGGERTY seconded to approve the petitioners request for a variance based upon the finding that the site is very shallow in depth which would not allow the loading area to be located behind the building.

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:

CONSTRUCT A NEW COMMERCIAL BUILDING WITH THE REQUIRED 10' X 80' LOADING AREA IN THE SIDE YARD ON THE PROPERTY AT 20705 13 MILE ROAD ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-04-479-011

VAR. #1816

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 370-78D will 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 for variance to construct a new commercial building with less than 10' wide lawn panel on the property located at 20705 13 Mile Road, Matthew Pisko (Kroger Fuel Station), petitioner.**

Matthew Pisko, petitioner appeared on behalf of this request.

City Clerk Richard M. Steenland received no correspondences.

BOARD MEMBER STEVEN WIETECHTA moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve the petitioners request for a variance based upon the finding that a unique circumstance exists, being this site is known to have contaminated soil which is best addressed by encapsulating the soil beneath an impervious surface.

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:

CONSTRUCT A NEW COMMERCIAL BUILDING WITH LESS THAN 10' WIDE LAWN PANEL ON THE PROPERTY AT 20705 13 MILE ROAD ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-04-479-011

VAR. #1916

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 370-93A will be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

4. **Public Hearing and Board Consideration for variance to construct a new commercial building with less than 20' rear yard setback on the property located at 20705 13 Mile Road, Matthew Pisko (Kroger Fuel Station), petitioner.**

Matthew Pisko, petitioner appeared on behalf of this request.

City Clerk Richard M. Steenland received no correspondences.

BOARD MEMBER STEVEN WIETecha moved, BOARD MEMBER CATHERINE HAUGH seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER STEVE WIETecha moved, BOARD MEMBER CHARLES FRONTERA seconded to approve the variance based upon the unique circumstance on the site for the very shallow in depth which would make it very difficult to construct a new building on the site would meet all the required setbacks.

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:

CONSTRUCT A NEW COMMERCIAL BUILDING WITH LESS THAN 20% REAR YARD SETBACK ON THE PROPERTY AT 20705 13 MILE ROAD ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-04-479-011

VAR. #2016

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 370 attachment 2 of the Zoning Ordinance of the City of Roseville will be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

5. **Public Hearing and Board Consideration for variance to construct a detached garage with overall height of 28' 1" on the property located at 28760 Hillview, Joseph Iloff, petitioner.**

Joseph Iloff, petitioner appeared on behalf of this request.

City Clerk Richard M. Steenland received no correspondences.

MAYOR PRO TEM JAN HAGGERTY moved, BOARD MEMBER CATHERINE HAUGH seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER CHARLES FRONTERA moved, BOARD MEMBER BILL SHOEMAKER seconded to approve the petitioners request for a variance based upon the findings that the subject property is very small and would not allow the construction of a single story structure large enough to meet the petitioner's storage need with the following stipulations:

- Business can't be run out of the garage or a habitable space in the garage.

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:

CONSTRUCT A DETACHED GARAGE WITH OVERALL HEIGHT OF 28'1" ON THE PROPERTY AT 28760 HILLVIEW ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-17-129-046

VAR. #2116

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 370-100A(7) will be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

6. **Public Hearing and Board Consideration for variance to construct a detached garage resulting in over 12% lot coverage on the property located at 28760 Hillview, Joseph Iloff, petitioner.**

Joseph Iloff, petitioners appeared on behalf of this request.

City Clerk Richard M. Steenland received no correspondences.

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER STEVE WIETecha seconded to close the Public Hearing.

**MOTION CARRIED UNANIMOUSLY**

BOARD MEMBER BILL SHOEMAKER moved, MAYOR PRO TEM JAN HAGGERTY seconded to approve the petitioner's request for a variance based upon the finding that a practical difficulty exists, being the subject lot is 40' x 110' and would only allow a 528sf garage. This size accessory structure is not large enough to meet the applicants personal storage needs with the following stipulation:

- Business can't be run out of the garage or a habitable space in the garage.

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:

CONSTRUCT A DETACHED GARAGE RESULTING IN OVER 12% LOT COVERAGE ON THE PROPERTY AT 28760 HILLVIEW ROSEVILLE MI 48066.

PERMANENT PARCEL NO. 14-17-129-046

VAR. #2216

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 370-100 a (3) will be injurious to the neighborhood or otherwise detrimental to the public welfare, and therefore, is hereby granted.

**MOTION CARRIED UNANIMOUSLY**

- 7. Request Board Consideration to adopt resolution changing Zoning Board of Appeals monthly meeting time to 6:30 p.m.**

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER CATHERINE HAUGH seconded to adopt resolution changing Zoning Board of Appeals monthly meeting time to 6:30p.m.

**MOTION CARRIED UNANIMOUSLY**

**III. HEARING OF THE PUBLIC**

No one from the public wished to be heard.

**IV. ADJOURNMENT**

MAYOR PRO TEM JAN HAGGERTY moved, BOARD MEMBER CHARLES FRONTERA seconded that the agenda having been acted upon, the meeting is hereby adjourned at 6:56 p.m.

**MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,



Richard M. Steenland, City Clerk