ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, SEPTEMBER 2, 2008
7 p.m.

ROLL CALL:

PRESENT:	Mayor	Harold Haugh
	Board Members	Salvatore Aiuto John Chirkun Jan Haggerty Colleen McCartney Bill Shoemaker Robert Taylor
ABSENT:		None

OTHERS PRESENT:

City Manager	Stephen Truman
City Clerk	Richard Steenland
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 August 19, 2008.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve minutes of the meeting held August 19, 2008.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to keep a commercial vehicle (tow truck) from November through March on the property at 18245 E. 11 Mile Road, Richard Schoenrock, petitioner.

   Richard Schoenrock, 18245 E. 11 Mile Road, appeared on behalf of this request and explained to the Board that he would like to park the truck on his property so that he may plug the truck into electricity during the winter months.

   Board Member Colleen McCartney asked Mr. Schoenrock if the truck will go all the way into his backyard. Mr. Schoenrock responded that the truck will go in the backyard.

   Board Member John Chirkun asked Mr. Schoenrock if he spoke with each neighbor who is listed on the petition. Mr. Schoenrock personally spoke with each neighbor listed on the petition.

   Board Member Jan Haggerty asked the petitioner where Joseph Kennedy's property is in reference to his home. Mr. Shoenrock stated that Mr. Kennedy's property is three houses down from his property.

   Board Member Salvatore Aiuto asked Mr. Schoenrock if there will be two trucks parked in the backyard on this property. The petitioner responded that occasionally the truck will be pulled in the backyard.

   Board Member Chirkun asked City Clerk Richard Steenland for the names of the residents who were opposed to this request at the last meeting. Mr. Steenland responded with the names of Dennis and Dean Muczynski of Blue Island Ct.

   Board Member McCartney asked Mr. Truman if the Board may approve this for a period of November to March and review the request in May. Mr. Tomlinson responded that the Board has done this in the past so that if the truck becomes an issue with the neighbors the Board may review the request.

   Board Member Aiuto asked Mr. Tomlinson if a variance may be revoked prior to the time period on the variance elapsing. Mr. Tomlinson replied that generally the Board will wait until the time period has passed and then review the variance request.

   Mayor Harold Haugh asked the petitioner what time the truck will be started in the morning. Mr. Schoenrock responded that the truck is not started until 8 a.m. or 9 a.m.

   Board Member Robert Taylor asked the petitioner if the tow truck is his main source of income and Mr. Schoenrock responded that it is not his main source of income.

   Board Member McCartney asked the petitioner if the vehicles are towed to this property to be worked on. Mr. Schoenrock responded that the vehicles are dropped off at the businesses he works for and not at his property.

Gerald Caparo, 18233 E. 11 Mile Road, lives directly west of Mr. Schoenrock and he is not opposed to this request.

City Clerk Richard Steenland received one letter in opposition to this request and one petition with six signatures in favor of this request.

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

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER SALVATORE AIUTO seconded to approve the petitioner's request for a variance to keep a commercial vehicle (tow truck) from November through March based upon the finding that a unique circumstance exists. The petitioner's property is located on a major thoroughfare and exceeds 18,500 square feet in area. The following stipulations were placed on the approval:

1. The approval will be reviewed in one year.
2. The truck must be parked at the rear of the property.

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 COMMERCIAL VEHICLE (TOW TRUCK) FROM NOVEMBER THROUGH MARCH ON THE PROPERTY AT 18245 E. 11 MILE, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-17-478-070 VAR. #4208

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2304-11 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and, therefore, is hereby granted.

Mr. Schoenrock understood the stipulations.

MOTION CARRIED UNANIMOUSLY

2. Public Hearing and Board consideration for variance to install an additional 33.5 square feet of signage resulting in 183.5 square feet of sign area on the existing freestanding sign on the property at 31960 Gratiot, Gratiot Center Associates, petitioner

Mark Drane of Rogvoy Architects, 32500 Telegraph, Suite 250, Bingham Farms, MI, appeared on behalf of this request.

Board Member Robert Taylor asked Mr. Drane if the proposed sign will hinder the Kinko's sign next to the proposed sign. Mr. Drane stated that the 3´ panel addition will not block the other sign.

Mayor Harold Haugh asked the petitioner what will be advertised on the proposed panels. Mr. Drane explained that one of the existing tenants will advertise on the sign.

Board Member Jan Haggerty asked Mr. Drane if Panera is affiliated with the Gratiot Center. Gratiot Center Associates owns Panera Bread and Kinkos.

No one from the Public wished to be heard.

City Clerk Richard Steenland received no correspondence on this request.

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

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER SALVATORE AIUTO seconded to approve the petitioner's request to install an additional 33.5 square feet of signage resulting in 183.5 square feet of sign area on the existing freestanding sign. The finding is based upon the fact that a unique circumstance exists. The 150 square foot sign area restriction does not allow sufficient area for all tenants in a retail center of this size to be adequately represented.

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 INSTALL AN ADDITIONAL 33.5 SQUARE FEET OF SIGNAGE RESULTING IN 183.5 SQUARE FEET OF SIGN AREA ON THE EXISTING FREESTANDING SIGN ON THE PROPERTY AT 31960 GRATIOT, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-04-426-006 #4308

will be in harmony with the general purpose and intent of Sign Ordinance No. 1064 Section 264-5-A(1)(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

Gary Caparo, 18233 E. 11 Mile Rd, would like to get some trees in front of his home trimmed and stated that the County will not come out to cut the trees. Mayor Harold Haugh stated that the City will make a call on behalf of Mr. Caparo to have the trees trimmed.

IV. ADJOURNMENT

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER COLLEEN MCCARTNEY seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:24 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Richard M. Steenland, City Clerk

Please Note: A cassette tape of this meeting is on file with the City Clerk's Office for further information