ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, DECEMBER 16, 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

1. Approval of minutes of Regular meeting held October 21, 2008.

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve minutes of the Special Meeting held October 21, 2008.

Abstain: Board Member Jan Haggerty
MOTION CARRIED

2. Approval of minutes of Special meeting held October 28, 2008.

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER SALVATORE AIUTO seconded to approve minutes of the Special meeting held October 28, 2008.

Abstain: Board Member Jan Haggerty
MOTION CARRIED

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to utilize a portable sign four (4) times per year for no more than two (2) weeks at a time on the property at 30000 Gratiot, Erin Presbyterian Church, Rev. Patrick Thompson, petitioner.

Rev. Patrick Thompson, 33000 Gratiot, appeared to explain this request.

City Clerk Richard Steenland received four letters in opposition to this request.

Mr. Thompson explained that one of the residents opposed to this request is concerned with the fact that the Church hosts a warming shelter once a year. Mr. Thompson was not aware that the guests of the warming shelter were causing issues in the neighborhood by the Church; he will address these issues in the future.

Mayor Harold Haugh thanked Rev. Thompson for his explanation of the neighbor's opposition to the warming shelter; however, this issue is irrelevant to the request before the Board.

Christopher Peraino, 19320 Glenn, spoke in opposition to this request.

Mayor Haugh asked City Manager Stephen Truman if the Police Department must determine whether the sign is an obstruction to traffic. Mr. Truman will ask the Traffic bureau to look at the sign to determine if it is an obstruction. Mr. Truman responded to comments made by Mr. Peraino.

Board Member John Chirkun asked Mr. Truman if he has police reports pertaining to any criminal activity on the neighboring street during the time of the warming shelter. Mr. Truman stated that once this issue was brought to his attention he contacted Pastor Thompson, had the Fire Marshal inspect the facility and requested files from the Police Department for the neighboring street during the time of the warming shelter. Mr. Truman stated that there were two incidents during the time of the warming shelter. Mr. Thompson will notify the City the week of the warming shelter and the Police Department will make patrols of the neighborhood around the Church.

Edgar Kirkindall, 30971 Tennessee, spoke in favor of this request.

Mayor Haugh stated that if this request is approved the Police Department will assure that the sign will not obstruct traffic.

Mr. Truman assured the petitioner that the City is not discriminating against the Church; this is the procedure anyone with the same request has to follow.

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

Board Member John Chirkun asked Rev. Thompson if the sign will be moved during the time it is not in use. Mr. Thompson explained that the sign is heavy and requires several men to anchor it into place so he prefers to leave it in place during the times it is not in use.

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER SALVATORE AIUTO seconded to grant the variance for permission to utilize a portable sign four (4) times per year for no more than two (2) weeks at a time based upon the finding that a unique circumstance exists. The petitioner has more than 300 feet of Gratiot frontage and would be eligible for a second free standing permanent sign. The following stipulation was placed on this request:

- If the sign becomes a hindrance to traffic, the Roseville Police Department will address the issue immediately.

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 UTILIZE A PORTABLE SIGN FOUR (4) TIMES PER YEAR FOR NO MORE THAN TWO (2) WEEKS AT A TIME ON THE PROPERTY AT 30000 GRATIOT, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-09-178-024 VAR. #5408

will be in harmony with the general purpose and intent of Sign Ordinance 1064 Section 264-9-L and will not 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 continue to park a commercial vehicle (cube van) on the driveway on the property at 15930 Canberra, Todd Chase, Hollywood Plumbing, petitioner.

The petitioner failed to appear.

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER BILL SHOEMAKER seconded to table the request for variance to continue to park a commercial vehicle (cube van) on the driveway on the property at 15930 Canberra until the next Zoning Board of Appeals meeting on January 20, 2008.
MOTION CARRIED UNANIMOUSLY

3. Public Hearing and Board consideration for variance to have 3´ x 5´ banners on the property at 30875 Groesbeck, Maxx Towing & Auto Repair, Robert Maksym, petitioner.

Robert Maksym, 30875 Groesbeck, appeared to explain this request to the Board. Mr. Maksym stated that there are currently six flags in place that he would like to keep in place and add one more flag with the Board's approval.

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

No one from the public wished to be heard.

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER ROBERT TAYLOR seconded to close the public hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve the petitioner's request for a variance to keep 3´x 5´ banners on the property based upon the finding that an undue hardship exists. The current economic conditions do not allow the petitioner to afford the expense of permanent code compliant advertisement. The approval is for a period of one year.

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 HAVE 3´ X 5´ BANNERS ON THE PROPERTY AT 30875 GROESBECK, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-08-106-001 VAR. #5608

will be in harmony with the general purpose and intent of Sign Ordinance 1064 Section 264-9-B and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and, therefore, is hereby granted for a period of one year.
MOTION CARRIED UNANIMOUSLY

III. HEARING OF THE PUBLIC

No one from the public wished to be heard.

IV. ADJOURNMENT

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER JOHN CHIRKUN 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

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