ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, AUGUST 19, 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 Attorney	Tim Tomlinson
City Clerk	Richard Steenland

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 July 15, 2008.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve minutes of the meeting held July 15, 2008.
MOTION CARRIED UNANIMOUSLY

II. NEW BUSINESS

1. Public Hearing and Board consideration for variance to erect two freestanding signs having 260 square feet of signage each on the property at 32901 Gratiot, Gratiot Crossing Retail Center, Global Commercial Investments, LLC petitioners.

Thomas Elkins and Robert Asmar, 32680 Northwestern Highway, Farmington Hills, appeared on behalf of this request. Mr. Elkins provided drawings of the sign to the Board, explained the request and answered questions for the Board.

Councilman John Chirkun asked Mr. Elkins a question about the location of the driveway and sign placement.

Councilman Salvatore Aiuto asked City Manager Stephen Truman if the sign will be located far enough back that it will not be a hazard to the view of traffic. Mr. Truman responded that a 10 foot setback is required from where the sign starts to where the property line is and the petitioner has proven that they are in compliance with the setbacks.

City Clerk Richard Steenland received no correspondence on this request.

No one from the Public wished to be heard.

BOARD MEMBER SALVATORE AIUTO moved, BOARD MEMBER ROBERT TAYLOR 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 for a variance to erect two freestanding signs having 260 square feet of signage each based upon the finding that a unique circumstance exists. The shape of the property limits visibility of potential customers.

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 ERECT TWO FREESTANDING SIGNS HAVING 260 SQUARE FEET OF SIGNAGE EACH ON THE PROPERTY AT 32901 GRATIOT, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-04-226-057 VAR. #3708

will be in harmony with the general purpose and intent of Sign Ordinance No. 1125 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

2. Public Hearing and Board consideration for variance to keep a pop-up camper in the driveway on the property at 26523 Nagel, Adam & Manuela Dimmer petitioners.

Adam & Manuela Dimmer, 26523 Nagel, appeared to explain this request to the Board and answered questions for the Board.

City Attorney Tim Tomlinson asked Mr. Dimmer if this request is only for this year until the fall or for the summer months hereafter. Mr. Dimmer responded that they wish to keep the camper in their driveway annually from April 1st through November 1.

City Clerk Richard Steenland received no correspondence on this request.

William Boglarsky, 26540 Belanger, had no objections to this request.

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

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve the petitioner's request for a variance to keep a pop-up camper in the driveway. The finding is based upon the fact that a practical difficulty exists. There is no access to keep the camper in the rear yard and there is no garage in which to store the camper. The variance approval is seasonal for the period of April 1 through November 1 annually.

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 POP-UP CAMPER IN THE DRIVEWAY ON THE PROPERTY AT 26523 NAGEL, ROSEVILLE, MICHIGAN, 48066.

PERMANENT PARCEL NO. 14-19-133-021 VAR. #3808

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2304-6 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 for variance to erect an off-premises sign having a height of 80´ on the retention pond property north of Masonic and East of Little Mack, International Outdoor, Inc, Michael Berry and Randy Oram, petitioners.

Randy Oram and Michael Berry, 18470 W. 10 Mile, Ste. 110, Southfield, appeared on behalf of International Outdoor, Inc. and presented a packet of information about the request to the Board. Mr. Oram reviewed each page of the packet with the Board.

City Manager Stephen Truman described this request to the Board. With the previous lease agreement Council acted on the lease contract and then the variance was approved. Mr. Truman felt that it would be beneficial to hold a public hearing on the variance prior to approval of a lease agreement.

Mayor Harold Haugh commented that the site where the proposed sign will be located is vacant and has been for many years. The previous lease agreement generated income for the City.

City Clerk Richard Steenland received no correspondence on this request.

No one from the public wished to be heard.

COUNCILWOMAN JAN HAGGERTY moved, COUNCILMAN ROBERT TAYLOR seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

Councilman John Chirkun asked City Attorney Tim Tomlinson a question about advertising content of the proposed sign. Mr. Tomlinson recommended that any advertising content be incorporated into a lease agreement. By granting this variance, the Board is not agreeing to any lease terms and he recommends that advertising content be a separate issue from the Zoning Board of Appeals request.

BOARD MEMBER JOHN CHIRKUN moved, BOARD MEMBER SALVATORE AIUTO seconded to approve the petitioner's request for a variance to erect an off-premises sign having a height of 80´, upon approval of lease agreement with the City, based upon the finding that a unique circumstance exists. The unusual topography of the property does not allow the sign to be visible from the freeway traffic.

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 ERECT AN OFF-PREMISES SIGN HAVING A HEIGHT OF 80´ ON THE RETENTION POND PROPERTY NORTH OF MASONIC AND EAST OF LITTLE MACK, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-03-151-012 VAR. #3908

will be in harmony with the purpose and intent of Sign Ordinance No. 1125 Section 264-6-A (1)(c) and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and, therefore, is hereby granted upon the approval of the lease agreement with the City.
MOTION CARRIED UNANIMOUSLY

4. Public Hearing and Board consideration for variance to erect an attached garage providing a 2´ 6" (East) side yard setback on the property at 15453 Curtis, Henry C. Pendygraft, petitioner.

Joseph DeFelice, 15447 Curtis, and Henry C. Pendygraft, 15453 Curtis, appeared on behalf of this request. Mr. DeFelice described the request to the Board.

City Clerk Richard Steenland received no correspondence on this request.

No one from the public wished to be heard.

BOARD MEMBER COLLEEN MCCARTNEY 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 petitioner's request for a variance to erect an attached garage providing a 2´ 6" (east) side yard setback. The finding is based upon the fact that a unique circumstance exists. The petitioner's east side yard abuts the rear yard of the neighboring property and will match the existing non-conforming setback.

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 ERECT AN ATTACHED GARAGE PROVIDING A 2´ 6" (EAST) SIDE YARD SETBACK ON THE PROPERTY AT 15453 CURTIS, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-19-326-036 VAR. #4008

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 1800 and will not 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 erect a six-foot-high PVC fence along off-street parking area adjacent to a residential zoning district on the property at 15933 Martin Road, Temple Baptist Church of Roseville, petitioner, Gerald W. Smith, representative.

Gerald W. Smith, 30726 Bluehill and Charles Green, 15933 Martin Road, appeared and explained this request to the Board.

City Clerk Richard Steenland received no correspondence on this request.

James Larson, 28151 Cole, spoke 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 ROBERT TAYLOR moved, BOARD MEMBER COLLEEN MCCARTNEY seconded to approve the petitioner's request to erect a 6´ high PVC fence along off-street parking area adjacent to a residential district. The finding is based upon the fact that a unique circumstance exists. The vinyl fence meets the intent of the ordinance and the adjacent residential property owner is in favor of the request.

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 ERECT A SIX FOOT HIGH PVC FENCE ALONG OFF-STREET PARKING AREA ADJACENT TO A RESIDENTIAL ZONING DISTRICT ON THE PROPERTY AT 15933 MARTIN ROAD, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-18-176-034 VAR. #4108

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 402-2-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 JOHN CHIRKUN moved, BOARD MEMBER JAN HAGGERTY seconded, that the agenda having been acted upon, the meeting is hereby adjourned at 7:40 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,
RICHARD M. STEENLAND, City Clerk

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