

**MINUTES OF THE CITY OF ROMULUS REGULAR MEETING OF THE
BOARD OF ZONING APPEALS HELD ON WEDNESDAY, MAY 2, 2018**

1. The meeting was called to order by Chairman Chandler at 7:00 p.m.
2. Roll Call Showing: Sheldon Chandler, Melvin Zilka, Ken Mientkiewicz, Donald Morris and Emery Long (arrived at 7:19)

Also in attendance: Carol Maise, City Planner

3. Approval of Agenda

Motion by Zilka supported by Mientkiewicz to approve the agenda as presented.

Roll Call Vote: Ayes – Zilka, Mientkiewicz, Morris and Chandler. Nays – none. Motion Carried.

Agenda

1. Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
 - A. Board of Zoning Appeals regular meeting held on April 4, 2018 and special meeting held on April 23, 2018.

5. Petitions

- A. **BZA-2018-006; Greer Staples**

Location: 15993 Fern
DP# 82-80-122-01-0034-000
Request: A variance from *Section 3.07(a), Schedule of Regulations* of the Zoning Ordinance to allow a 35.3-foot front yard setback on Valley View Drive where a 50-foot front yard setback is required.
Project: Construction of a single-family residence

- B. **TEMP-2018-001; International Trucking School**

Location: 38211 Van Born Road
DP #82-80-021-99-0006-004
Request: Temporary use approval to operate a truck driving school. The use is not permitted in the M-1, Light Industrial District and it is temporary in nature.
Petitioner: Fran Bernard, International Trucking School

6. Old Business
7. New Business

8. Communications

A. City Planner's Status Report

9. Discussion

10. Adjournment

4. Motion by Zilka supported by Morris to approve the minutes of the regular meeting of the Board of Zoning Appeals held on April 4, 2018 and minutes of the Special Meeting held on April 23, 2018.

Roll Call Vote: Ayes – Zilka, Morris, Mientkiewicz and Chandler. Nays – None. Motion Carried.

5. Petitions

- A. BZA-2018-006; **Greer Staples**, located at 15993 Fern, requesting a variance from *Section 3.07(a), Schedule of Regulations* of the Zoning Ordinance to allow a 35.3-foot front yard setback on Valley View Drive where a 50-foot front yard setback is required. DP #82-80-122-01-0034-000.

Greer Staples, 4219 Laurel Creek Court SE, Smyrna, GA 30080 stepped forward to speak as petitioner.

- Ms. Staples stated that the lot on Fern Drive is located on the corner of Fern Drive and Valley View Drive and the lot frontage is 106.8 feet on Fern Drive and facing Valley View Drive is 200 feet. She is requesting a variance to the 50-foot front yard setback on Valley View Drive of 35.2-feet. The proposed residence will meet the setback requirement on Fern Drive.
- Ms. Staples noted that there is a public right-of-way of 50-feet plus 15-feet on the north and south sides. Without the proposed variance the lot will look strange based on the design of the house.
- Ms. Staples commented that with the variance granted, the home would be no closer than any other home on the north side of Valley View Drive. There is a home directly across the street, adjacent to the property. The homes on the south side of Valley View Drive would be 146-feet away.
- Ms. Staples stated that the original site plan for the subdivision was approved by the City of Romulus.
- Ms. Maise mentioned to the board that they had seen this variance request back a few years ago. It is a little different but it is a narrow corner lot and corner lots are typically wider but this one is narrow. It is just about impossible to build a standard size house and meeting the 50-foot setback on street frontages.

Chairman Chandler closed the petition speaking portion of the meeting and opened it up for public comment. He asked if anyone wished to speak on the matter to please step forward. Seeing no one, Chairman Chandler closed the public speaking portion of the meeting and opened it up for questions and comments from the board members.

Let the record show that an affidavit of first class mail has been shown and is on file.

- Mr. Morris reiterated that the board has seen this before and with this difficult lot there really isn't much that can be done with it. He doesn't see a problem with granting a variance.
- Chairman Chandler asked Ms. Staples when she intends to get started on building the home.

- Ms. Staples replied that she closes on the property on May 18, 2018 so as soon as possible.
- Chairman Chandler asked Ms. Staples what the square footage of the house will be.
- Ms. Staples replied that the house will be 1,700-sq. ft.

Motion by Morris supported by Mientkiewicz to approve **BZA-2018-006; Greer Staples**, located at 15993 Fern Drive, for a variance from *Section 3.07(a), Schedule of Regulations* of the Zoning Ordinance to allow a 35.3-foot front yard setback on Valley View Drive where a 50-foot front yard setback is required. DP #82-80-122-01-0034-000.

Roll Call Vote: Ayes – Morris, Mientkiewicz, Long, Zilka and Chandler. Nays – None. Motion Carried.

- B. TEMP-2018-001; **International Truck Driving School**, requesting a temporary use approval to operate a truck driving school. The use is not permitted in the M-1, Light Industrial District and it is temporary in nature. The subject property is located at 38211 Van Born. Parcel ID #82-80-021-99-0006-004.

Fern Bernard, International Truck Driving School, 5840 Canton Center Road, Suite #270, Canton, MI 48187 and Charlie Laurencelle, Laurencelle Properties, Inc. 44004 Woodward Ave # 300, Bloomfield Hills, MI 48302 stepped forward as petitioners.

- Mr. Laurencelle stated that he is the owner of the property at 38211 Van Born and that Fran from International Trucking School is his tenant. He brought copies of a site plan and a survey and passed them out to the board members.
- Ms. Bernard presented a PowerPoint presentation to the board members and gave a brief history about her company. She commented that ITS was incorporated in 1990 and that the trucking driving school is licensed, recognized and chartered by the State of Michigan. They are approved for funding through Federal, State and local sources. All of their instructors must have a DOT physical and drug screen, background check, five years of over the road experience and licensed by the State of Michigan. The programs run for 5 weeks with the first 2 weeks of classroom training, week 3 on the range, week 4 on the road and week 5 on the road and testing. She also explained the requirements of the students, training criteria and partnerships.

Chairman Chandler closed the petition speaking portion of the meeting and opened it up for public comment. He asked if anyone wished to speak on the matter to please step forward.

Let the record show that an affidavit of first class mail has been shown and is on file.

- Ms. Maise commented that the notices sent to the public did go beyond the 300-foot requirement so the neighbors should be aware of the truck driving school because some of them were the ones that notified the city of what was going on over there.
- Mr. Laurencelle pointed out on the site plan that he and Ms. Bernard have an agreement that the trucks and the operations of the school are to operate in the back half of the rear parking lot. Although he wasn't sure that it has been done lately, she is also to park the trucks in the back corner of the property and clean up at the end of every day. This is in the lease agreement and he offered to show this to the board.

Jim Wegienka, 5876 Cogswell, Romulus, MI 48174 stepped forward to speak to the board.

- Mr. Wegienka stated that his home is directly across the street to the west of the property where the truck driving school is located. He asked that the board take into consideration the possible need for screening and cleaning up the site. He mentioned that right now there are some trucks and trailers parked in the front of the lot. He also mentioned that he was asked to speak on behalf of his neighbors and they would just like to see the property brought up to par and kept up to par.

Chairman Chandler closed the public speaking portion of the meeting and opened it up for questions and comments from the board members.

- Chairman Chandler commented that he feels that the truck driving schools are important. It's also important that the truck drivers know what they are doing and are properly trained. There is no problem with the concept of truck driving schools.
- Chairman Chandler also commented that the board has a lot of questions for the applicant and the property owner. The board wondered how the applicant and the property owner were planning on maintaining the lot and if they intend to do anything with the driveway. He mentioned that he went by the property and the driveway had about 2 feet of water in it.
- Mr. Laurencelle commented that he has someone run the property for him. He has owned the property for about 8 years and up until recently they have only had one tenant in the building. He had leased it to a dance studio and the building is currently empty. The plans for the property are going to be based on who he can fill it with. This is the crux of making the property positive and getting it where they want to and filling the building. They have 20,000-sq. ft. of building space, the market is good and he has a good broker at CB Ellis and he has had a heck of a time filling the building.
- Mr. Laurencelle stated that at this point all that they have done is maintain the building and clean the parking lot. They watch the papers and spray for weeds and he doesn't believe that the paint is peeling. He wasn't aware of the driveway situation and he knows that it is something that he will have to address.
- Chairman Chandler asked Ms. Bernard how much movement the drivers actually use to turn and go back and forth on the lot.
- Ms. Bernard replied that majority of the training that the drivers do on the lot is learning to shift and back up. Once the drivers leave her school they go to a third party tester and they have to be able to do what they were taught.
- Chairman Chandler commented that was his concern. He wanted to know what the trucks do to the parking lot. The lot wasn't looking very good to begin with and wondered how much more the parking lot was going to be damaged by the trucks.
- Mr. Laurencelle stated that he too was concerned about this and had discussed this with Ms. Bernard before leasing to her. The trailers are not loaded and they can't be, per the contract, the worst he may have to deal with is the tire tracks, skid marks, not breaking of the asphalt. If this was the case, he wouldn't want the tenant.
- Chairman Chandler asked Ms. Bernard how many trucks she has.
- Ms. Bernard replied that they have 5 trucks.
- Chairman Chandler asked Mr. Laurencelle if he had plans to spruce up the property with screening or landscaping. When applicants come before the board it is not uncommon for the board to ask applicants and property owners to clean up, fix up or maintain their properties.
- Mr. Laurencelle replied that maybe down the road he can speak to Ms. Maise and his property manager about doing that. Maybe before the next meeting.
- Chairman Chandler commented that this is a request for a temporary approval and wondered how long it would take Mr. Laurencelle to get something together.

- Ms. Maise commented that postponing the temporary request is an option to get this out to the ARC Committee and go over what the requirements are. She reminded the board that they see these nonconforming conditions all the time but there may be more questions that come up.
- Chairman Chandler agreed with Ms. Maise and asked Mr. Laurencelle if he would be willing to put something together and come back to the next month's meeting.
- Mr. Laurencelle replied yes, if that's what they have to do and if that's what the board would like
- Chairman Chandler reminded Mr. Laurencelle that they need to consider the fact that the use is not a permitted use in the M-1, Light Industrial District and if the board is going to allow a use that is not permitted they are going to want to see some fix up.
- Mr. Morris added that of all of the projects that come before them, the toughest is nonconforming. They want to work with the applicant but the applicant has to be willing to work with the city as well.
- Chairman Chandler asked Ms. Bernard where the instructors and the drivers use the restroom.
- Ms. Bernard replied that they have a porta potty in the parking lot.
- Chairman Chandler asked Ms. Bernard how long they had planned to stay at this location or did they have plans to go somewhere else where the use is permitted, since the use is not allowed.
- Ms. Bernard replied that she wasn't planning on going anywhere else.
- Ms. Maise commented that the maximum amount of time that the board could approve would be 12 months
- Mr. Laurencelle commented that 12 months would give them plenty of time to find another location.
- Ms. Maise commented that what she is hearing from the board is that if they were given 12 months approval it would come with some significant improvements like replacing the driveway, adding some screening, repairing the parking lot, prohibiting the trucks in the front of the property and the one blocking the side, etc. and she asked the board to give the applicant and property owner some direction on what they would like to see from them and what they are going to be willing to entertain. Also, if the board is willing to give a 12 month approval, they can shorten it if they wanted to.
- Chairman Chandler asked Ms. Maise if the applicant was given a list of items, comments and recommendations.
- Ms. Maise replied yes but she reminded the board that when the application was submitted they didn't have a site plan and the city didn't know the operations and there has been a lot of new information presented tonight. She mentioned that she had visited the site today and there were trucks all over the parking lot, not just in the rear corner of the property. She also wondered where the porta potty was located because she doesn't remember seeing it.
- Chairman Chandler also commented that he didn't see it either.
- Ms. Bernard replied that it is located near the rear of the building.
- Chairman Chandler asked Mr. Laurencelle if there would be a problem for the instructors and the drivers to use the facilities inside the building.
- Mr. Laurencelle replied that he believes that he and Ms. Bernard could work something out.
- Mr. Long asked Mr. Laurencelle how things like parking would work if he was to lease the building to another tenant since most of the parking is in the rear of the building.
- Mr. Laurencelle replied that there is a lot of parking on the site. Prior to him purchasing the building it was a State of Michigan building and they had a ton of cars. He believes that there

is about 200 car parking spaces on site. That's why he was comfortable with the trucking school, they are using the back third of the lot and that still leaves about 100 spaces.

- Mr. Laurencelle commented that there is language in the lease that allows him to place a tenant in the building and Ms. Bernard would have the rear of the lot. His goal is to fill the building and the trucking school is not the end game.
- Mr. Long asked Mr. Laurencelle if the trucks and trailers would be stored on site during the lease term.
- Mr. Laurencelle replied yes, in the back corner.
- Mr. Long wondered if there were security cameras on site.
- Mr. Laurencelle replied that they have cameras on the building but they have never had an issue with security. The only problems that they have had is dumping of tires and such but they have cleaned it up pretty quickly.
- Mr. Laurencelle commented that his wish is to have the building full with a good tenant and it just hasn't gotten to that point yet. He mentioned that he does believe that there is a small portion of the lot that needs repair but, for the most part there is no graffiti or trash on the site. He wouldn't have a problem with repairing the asphalt and making necessary repairs.
- Ms. Maise asked Mr. Laurencelle if the tires that are currently by the dumpster are new or were they dumped there.
- Mr. Laurencelle referred to his property manager.
- The property manager replied that they don't have a dumpster on site and that they belong to the neighbor.
- Ms. Maise noted that there were complaints that there is often trucks on the neighboring property.
- Ms. Bernard replied that they are not her trucks.
- Ms. Maise wondered why there was not a dumpster on the site.
- The property manager replied that they have not needed one because there is no use in the building.
- Ms. Maise commented that there is a requirement for a dumpster for a building.
- The property manager commented that they have a maintenance crew that visits the site once a week and if there is something on site that needs to be removed they throw it in their trailer. They have done this in the past, when they have had tires dumped on site. They have worked with the Romulus PD in the past with regard to people dumping tires on their site and they had to pay for the removal. It has happened repeatedly and they took care of it.
- Chairman Chandler asked Ms. Bernard why she chose this particular site for her training school.
- Ms. Bernard replied that it was a great location for them, she was previously in Plymouth at Haggerty and Plymouth Rd. They were there for over 3 years and the property owner needed the space for cars and they got kicked out. They started looking around and they were really excited when they found this location. They were so close and they thought it was an industrial site with Rush Trucking right across the street. She noted that they work with them and Cisco, right down the street. They thought it was a great fit.
- Chairman Chandler asked Ms. Bernard where she might move to if she is not granted the approval.
- Ms. Bernard replied that she wasn't sure, she would have to start looking for another place and she would hope to have a little bit of time to do so. She would have to find a place for the trucks because she can't take them to her corporate office on Canton Center Road.

- Chairman Chandler asked Ms. Maise if there were warehouse projects coming up on Van Born Road
- Ms. Maise replied yes, there is lots going happening on Van Born Road. Pro Trans and construction for Ashley Capital for a trailer storage lot.
- Ms. Maise stated that the way our ordinance works is that there are 3 different industrial districts: M-1, Light Industrial, M-2, General Industrial and with both of these districts we require buildings. This is where our tax base is since tax revenue are much less when sites are being used for just truck storage. This is not our highest and best use so we really like to protect those 2 districts. The M-T District is basically everything else including outdoor storage, trucking, truck terminals, etc.; it's the most intense district and located on the other side of the city. This is where we put truck driving schools since it's most appropriate and compatible with those uses. There is so much adjacent residential with our M-1 District, much like this site. The two uses just don't mix.
- Chairman Chandler commented that the reason he brought up the warehouse was because he remembers that the applicant had to do a lot, like landscaping and screening. Everything was brand new and less than a half a mile away from the current applicant.
- Mr. Mientkiewicz wondered if the building is wide open on the inside or divided.
- Mr. Laurencelle replied that the building has a front door in the middle and when you go in there is a dividing wall from the front to the back. There are some offices along the back wall with 10-ft. ceilings. That's it, it pretty open inside. He has some other uses looking at it but, no one has been able to pull the trigger just yet.
- Chairman Chandler wondered if the training was done in a classroom or in a truck.
- Ms. Bernard replied that all of the classroom training is done in a classroom in Canton.

Motion by Long supported by Morris to postpone TEMP-2018-001; **International Trucking School** located at 38211 Van Born until the next regular meeting on June 6, 2018 to give the applicant more time to address the issues mentioned in the meeting and the Planners report and to allow ARC to review the use and site issues.

Roll Call Vote: Ayes – Long, Morris, Zilka, Mientkiewicz and Chandler. Nays – None. Motion Carried.

6. Old Business – None.

7. New Business – None.

8. Communications

A. City Planner's Status Report

- Ms. Maise mentioned to the board that there will be another temporary use approval and another case on the agenda for the next regular meeting on June 6, 2018.

9. Discussion

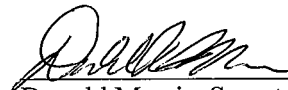
- Chairman Chandler wondered how companies come into the city and not check with the Building Department and the zoning before setting up shop and how the city notifies them. It makes things difficult.
- Ms. Maise commented that the city is really trying hard to educate however, we are still struggling. There are brokers out there that will tell a tenant to go ahead and move in and wait

to see if the city will catch up with you. Although we really don't like to hear that, our Building & Safety Department, Planning Commission and the BZA do a great job in notifying the Planning and other departments as to what's going on.

- Mr. Morris commented that he understands that it does happen and it would be easier to approve an applicant if the use fits.
- Ms. Maise stated that there are a few reoccupancies that are in now that are going through the same thing, they weren't aware that they have to go through the process. They come through the Planning Department to make sure that the use is right and that the site plan is in compliance and anything that is nonconforming that the ordinance allows us to deal with such as, dumpster screening, screening of trucks and certainly anything safety related. Had this building tonight that the board had seen and they come in with an M-1 use they would have to dealing with some of these things. When you have a safety problem like water and pavement that is all a mess at the driveway that will get picked up in a city certification inspection and anything inside the building.
- Chairman Chandler commented that he believes that there is a definite need for the truck driving schools and he would like to see ITS succeed and he just wonders if there is anything in our trucking area east of the airport that would be more suitable.
- Mr. Zilka asked Ms. Maise if she knew what was going on at the northwest corner of Wick and Vining Rd., there is a backhoe there.
- Ms. Maise replied that there is a lot of activity going on with the extension of Vining.

10. Adjournment

Motion by Mientkiewicz supported by Long to adjourn at 7:50 p.m. Roll Call Vote: Ayes – Mientkiewicz, Long, Zilka, Morris, and Chandler. Nays – None. Motion Carried.



Donald Morris, Secretary
Zoning Board of Appeals