

**MINUTES OF THE CITY OF ROMULUS REGULAR MEETING OF THE  
BOARD OF ZONING APPEALS HELD ON WEDNESDAY, SEPTEMBER 7, 2016**

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

Also in attendance: Carol Maise, City Planner, and Christina Wilson, Secretary

3. Motion by Zilka, supported by Morris to approve the agenda as presented.  
Roll Call Vote: Ayes - Zilka, Morris, Mientkiewicz, Long 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 special meeting held on July 18, 2016

5. Petitions

**A. BZA-2016-018; Romulus Palace**

Location: 31370 Ecorse  
DP #80-007-01-0914-307

Request: 1. A variance from Section 48-7 of the Sign Ordinance to allow a 20-foot high pole sign. The Ordinance allows a 15-foot high sign.  
2. A variance from Section 48-7 of the Sign Ordinance to allow an 80-sq. ft. pole sign. The Ordinance allows a 40-sq. ft. pole sign.

Project: Replacement of nonconforming sign with another nonconforming sign.

**B. BZA-2016-019; Cypress Properties (Front Yard Setback)**

Location: 30500 Cypress  
DP #80-007-99-0001-000

Request: A variance from Section 8.04, Area, Height and Placement Requirements and Section 11.12(d)(4), Large Warehouse and Distribution Facilities of the Zoning Ordinance to allow a 24-foot front yard setback where a 75-foot front yard setback is required.

Project: Trailer Storage Addition

**C. BZA-2016-020; Cypress Properties (Parking)**

Location: 30500 Cypress  
DP #80-007-99-0001-000

Request: A variance from Section 14.01(f). Required Parking of the Zoning Ordinance to allow 79 parking spaces where 100 parking spaces are required.

Project: Trailer Storage Addition

**D. BZA-2016-021; Cypress Properties**

Location: 30500 Cypress  
DP #80-007-99-0001-000

Request: A variance from Section 13.03(b)(3), Fences is requested to allow a fence in the front yard setback.

Project: Trailer Storage Addition

**E. BZA-2016-022; Waste Management**

Location: 5980 Inkster  
DP# 80-001-99-0001-700 and 80-001-99-0008-703

Request: A variance from Section 8.04, Area, Height and Placement Requirements of the Zoning Ordinance to allow a 17-foot front yard setback where a 40-foot front yard setback is required.

Project: Employee Parking Lot

**F. BZA-2016-023; Special Tree**

Location: 39010 Wabash  
DP# 80-075-99-0012-000

Request: A variance from Section 3.07, Area, Height and Placement Requirements of the Zoning Ordinance to allow a parking setback of 8 feet in the front yard setback where 50 feet is required and parking setbacks of 6 feet and 24 feet where side yard setbacks of 50 feet are required.

Project: Redevelopment of the existing parking lot and driveways

**G. BZA-2016-024; Special Tree**

Location: 39010 Wabash  
DP# 80-075-99-0012-000

Request: A variance from Section 14.02(b)(4) Off-Street Parking Design Dimensions is requested to allow 9-foot parking spaces where 10-foot wide spaces are required.

Project: Redevelopment of the existing parking lot and driveways

6. Old Business

A. **BZA-2016-010; Sandra Dove**

Location: 35841 Cypress  
DP# 80-020-01-0239-002

Request: A variance from Section 11.15(b), Keeping of Animals of the Zoning Ordinance to allow the keeping of goats on property that is less than 5 acres in size.

Project: Keeping of (2) pet Nigerian dwarf goats on 0.35 acre of property

7. New Business

8. Communications

A. City Planner's Status Report

9. Discussion

10. Adjournment

4. Motion by Zilka supported by Long to approve the minutes of the special meeting of the Board of Zoning Appeals held on July 18, 2016. Roll Call Vote: Ayes – Zilka, Long, Mientkiewicz, Morris and Chandler. Nays – None. Motion Carried.

5. Petitions

- A. **BZA-2016-018; Romulus Palace**, 31370 Ecorse, requesting a variance from *Section 48-7 of the Sign Ordinance* to allow a 20-foot high pole sign. And a variance from Section 48-7 of the Sign Ordinance to allow an 80-foot pole sign for the replacement of a nonconforming sign with another nonconforming sign. DP #80-007-01-0914-307

Jalal Jameel, 1758 Strickland, Bloomfield, MI 48302 and contractor for 4 Tech Signs, 13300 Foley St., Detroit, MI 48227 stepped forward as petitioners

- The contractor for 4 Tech Signs stated that the existing sign fell down and they replaced it with another sign. They also put in new footings and made the new sign smaller than the previous sign.
- Mr. Chandler asked the petitioners if they had received a report from the Building & Safety Department regarding what was allowed.
- The petitioners stated that they did not, they're application for the sign was denied and they would have to go to the BZA for approval.

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

Chairman Chandler closed the petition portion of the meeting and opened 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 comments portion of the meeting and opened it up to comments from the Board members.

- The petitioners were asked if they received a copy of the City Planner's report.
- The petitioners replied that they had not.
- Ms. Maise noted that the review comments were sent to Omar Salah and 4 Tech Signs Inc.
- Chairman Chandler commented that although the new sign is already in place, there are conditions that still need to be met.
- Discussion was had between the board, petitioners and the City Planner regarding requirements of the Zoning Ordinance, conditions associated with the variance request, compliance with the Sign Ordinance, screening of roof-top equipment and landscaping of the greenbelt area.
- Mr. Long asked the petitioners if a permit sign was applied for through the Building & Safety Department.
- Ms. Maise commented that the petitioners were not aware that a permit was needed and they did not pull a permit. A Building Inspector noticed the new sign and followed-up.
- Joe Watt, Electrical Inspector for the City of Romulus, stated that when the sign fell down, the original sign company replaced the footings and pole with new equipment. A Building Inspector red tagged the pole. The sign company removed the red tag, placed the sign on top, got paid by the owner and left the owner holding the bag.
- Mr. Long questioned why the licensed sign company was not being held liable for removing the red tag and replacing the sign without a permit.
- Ms. Maise stated that the original sign did not have BZA approval. It is suspected that it was an existing non-conforming sign.
- Mr. Morris noted that it is appropriate to put conditions on the variance request that help mitigate the impact of the variance.
- Mr. Mientkiewicz reminded the petitioners that before any work is done on the property that permits are required and they must go through the Building & Safety Department for permitting.

Motion by Morris supported by Long to approve **BZA-2016-018; Romulus Palace**, located at 31370 Ecorse to allow a 160 sq. ft. (80 sq. ft. per side), 20-foot high pylon sign to remain. Approval is conditioned upon the following:

1. No temporary signs, wave signs, etc. shall be permitted without approval from the City;
2. The rooftop equipment at the east end of the building shall be screened as determined by the Building & Safety Department;
3. Greenbelt B shall be provided along Ecorse Road. A landscape plan shall be provided to the Planning Department for approval;
4. All existing landscaping shall be maintained and any dead plant material must be removed.

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

- B. **BZA-2016-019; Cypress Properties (Front Setback)**, requesting a variance from Section 8.04, Area, Height and Placement Requirements and Section 11.12(d)(4), Large Warehouse and Distribution Facilities of the Zoning Ordinance to allow a 24-foot front yard setback where a 75-foot front yard setback is required. DP #80-007-99-0001-000.

- C. **BZA-2016-020; Cypress Properties (Parking)**, requesting a variance from Section 14.01(f). Required Parking of the Zoning Ordinance to allow 79 parking spaces where 100 parking spaces are required. DP #80-007-99-0001-000.
- D. **BZA-2016-021; Cypress Properties (Fence)**, requesting a variance from Section 13.03(b)(3), Fences is requested to allow a fence in the front yard setback.

Alan Cruz, Engineer from Hennessey Engineers, 13500 Reek Road, Southgate, MI 48195 stepped forward as petitioner on behalf of Neal MacLean, petitioner.

- Mr. Cruz stated that he is the project manager for the proposed site and that Neal MacLean and Wayne Richards, owners are also present.
- Mr. Cruz commented that the building is currently vacant and that the tenant will be an auto parts supplier, warehouse and packing facility that will service one of the “Big Three.”
- Mr. Cruz stated that part of the variance request was for trailer storage parking at the north end of the parking lot with proposed improvements.
- Mr. Cruz presented his case to the board members.

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

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

- Carol Zambori; daughter of Marjorie Williams, 30664 Beverly, Romulus, MI 48174 expressed her concerns to the board members and asked that the petitioners not be approved because she feels that there is already enough truck traffic on Beverly Road and that a secondary access exit from this property onto Beverly Road will encourage more truck traffic on a road that is partially residential.
- The board members questioned the petitioners regarding access off of Beverly Road.
- Mr. Neil MacLean, property owner, explained that all employees and trucks will enter through Cypress Road.
- Kevin Wlodarski, representing the Cypress Owner’s Association, 30200 Cypress, Romulus, MI stated that there are 4 businesses on Cypress adjacent to the proposed project and that they maintain their own roads within.
- Mr. Wlodarski explained that all businesses are to enter and exit through Cypress and Brandt, not Beverly Road.
- Discussion was had over which entrance the trucks and employees will enter and exit.
- Mr. Wlodarski asked if there was going to be discussion regarding road improvements on Cypress and Brandt.
- Ms., Maise commented that the board could consider making road improvements a condition of approval.
- Mr. MacNeal explained to the board members and Mr. Wlodarski that there is going to be meetings with the other business owners on Cypress to discuss road improvements.
- Ms. Maise explained to the board members that there were concerns addressed by the Planning Commission during site plan review, one being that truck traffic could have a negative impact along Beverly Road and therefore truck routes must be restricted to Brandt and Cypress. Beverly Road should be used for emergency access only.
- Ms. Maise asked Mr. Cruz if there will be gates on Beverly Road.

- Mr. Cruz replied that there will be gates with Knox boxes for the Fire Department to access in case of emergency.

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

Chairman Chandler read into record a letter from Marjorie Williams, a neighbor that stated the following:

Dear Ms. Carol Maise,

“My name is Marjorie Williams. I live at 30664 Beverly Rd., Romulus, MI. I’m writing to you to express my concerns for considering variances for Cypress Properties.

I live across the street from the back of Cypress Properties on Beverly Road. I am against the Parking Variance and Fence Encroachment Variance for Cypress Properties. I’m concerned property values will decrease with 102 trailer storage spaces. The zoning ordinance is for a 75 foot setback. With a 24 foot setback it will be an eye sore for neighbors, especially with a fence closer to the road than 75 feet. Cypress Properties should cut down the trailer storage spaces from 102 to whatever will accommodate 79 parking spaces.

I’m concerned this company will not abide by city restrictions. Several weeks ago on Beverly Road, across the street from my house, they filled in part of the ditch with dirt and stones so dump trucks could haul dirt into the property from Beverly Road. They should be driving in from Ecorse Road. Beverly Road has no entrance into their property and they are trying to make one. They are tearing up the ditch and we’ve had problems with the ditch flooding Beverly Road in the past. I am very concerned they are going to be a problem and not a good neighbor. Are they going to plant trees along Beverly Road to make it look nice?

I have lived at 30664 Beverly Road for 65 years; I’m 87 years old and unable to attend the Public Hearing on Wednesday, Sept. 7, 2016. I appreciate the opportunity to express my concerns and hope you deny the variances for Cypress Properties.”

Signed,  
Marjorie Williams  
30664 Beverly Road  
Romulus, MI 48174  
(734) 722-2717

- Ed Buczkowski, 30220 Beverly Road, Romulus, MI 48174 commented that Beverly Road is not a Class A road. He expressed his dismay over an entrance on Beverly Road and trucks driving on Beverly Road and stated that he, as a taxpayer, will not help pay to repave Beverly Road, let the business coming in pay for it.
- Chairman Chandler questioned Mr. MacLean regarding filling in the ditch.
- Mr. MacLean stated that he was unaware of any filling in of the ditch but, he will look into it.
- Further discussion was had regarding concerns of truck traffic entering the site on Beverly Road.
- Mr. Cruz continued his presentation to include landscaping and requests for parking and fence variances.

- Mr. Morris commented that this project went through Planning Commission prior to coming to BZA and he is certain that the Planning Commissioner's painstakingly went through these conditions and conditionally approved this project. This property is in an industrial area and we, the board members, have done about all we can do.
- Mr. Chandler asked Mr. MacLean how long the building was sitting vacant.
- Mr. MacLean replied that the building was vacant for about 2 years.
- Mr. Chandler stated that as long as the petitioners abide by the conditions of approval, restrict truck traffic and work with the neighbors, there should be no problems.
- Mr. MacLean commented that he owns several properties in Romulus and is a long-term holder and he plans on being a good neighbor and do the things he needs to do to comply.

Motion by Morris supported by Zilka to approve **BZA-2016-019, BZA-2016-020, and BZA-2016-021; Cypress Properties** for variances to allow a 24-foot front yard setback along Beverly Road (75 feet required); reduction in the number of parking spaces from 100 required to 79 proposed; and to allow the fence to encroach into the required 75-foot front setback. Approval is subject to:

1. Since truck traffic could have a negative impact along Beverly Road, truck routes are restricted to Brandt and Cypress. Beverly to be used for emergency access only.
2. Road improvements should be considered;
3. Additional landscaping may be needed along the front and around the sides to screen the trailers and if upon completion it is determined after a landscaping inspection that additional plantings are necessary, they shall be provided.

Roll Call Vote: Ayes – Morris, Zilka, Mientkiewicz, and Chandler. Nays –Long. Motion Carried.

- E. **BZA-2016-022; Waste Management**, 5980 Inkster, requesting a variance from Section 8.04(b)(7), Area, Height and Placement Requirements of the Zoning Ordinance to allow a 17-foot front yard setback where a 40-foot front yard setback is required. DP# 80-001-99-0001-700 and 80-001-99-0008-703.

Rob Wagner, Civil Engineer, Midwestern Consulting stepped forward as petitioner on behalf of Steve Bodette, Waste Management.

- Mr. Wagner presented his case to the board members and explained that Waste Management owns the property near the southwest corner of Inkster and Van Born. Waste Management also owns the vacant adjacent, awkwardly shaped property that is on Van Born and Inkster and would like to make use of this property by moving their employee parking to this vacant parcel.
- Mr. Wagner stated that they have received Planning Commission conditional approval and the City Council had their second reading September 6, 2016 to rezone the property to M-T, Industrial Transportation.
- Mr. Wagner stated that the reason for the variance request is that they are proposing parking along Inkster Road to line up with the existing parking south to Waste Management's existing site which is 17 feet from Inkster Road with natural features. They have preserved as much wetlands as possible and did receive a permit from DEQ to fill in a third of an acre of wetlands and they would like to minimize the impact to natural features and parking closer to Inkster Road will reduce the impact.
- Mr. Wagner showed the board members a landscape plan.

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

Chairman Chandler closed the petition portion of the meeting and opened 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 comments portion of the meeting and opened it up to comments from the board members.

- Mr. Mientkiewicz asked what material will be used for paving.
- Mr. Wagner replied that the surface of the parking lot will be asphalt paving.
- Mr. Long asked if there would be an entrance off of Van Born Road.
- Mr. Wagner replied no. The access will remain off of Inkster.

Motion by Long supported by Mientkiewicz to approve **BZA-2016-022; Waste Management**, 5980 Inkster, a variance request to allow a front yard parking setback of 17 feet where 40 feet is required. Approval is conditioned upon the following:

1. A property combination through the Assessor's Office is required prior to issuance of any permits.
2. A landscape inspection shall be conducted upon completion to determine if screening is provided.

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

- F. **BZA-2016-023; Special Tree**, 39010 Wabash, requesting a variance from Section 3.07, Area, Height and Placement Requirements of the Zoning Ordinance to allow a parking setback of 8 feet in the front yard setback where 50 feet is required and parking setbacks of 6 feet and 24 feet where side yard setbacks of 50 feet are required. DP# 80-075-99-0012-000.
- G. **BZA-2016-024; Special Tree**, 39010 Wabash, requesting a variance from Section 14.02(b)(4) Off-Street Parking Design Dimensions is requested to allow 9-foot parking spaces where 10-foot wide spaces are required. DP# 80-075-99-0012-000.

James Richert; petitioner and part owner of Special Tree, 10909 Hannan, Romulus, MI stepped forward to speak.

- Mr. Richert presented a Power Point Presentation of the project to the board members explaining the operations of Special Tree and why the variances requested are necessary for continued operations of their day services at their Wabash facility.
- Mr. Richert also explained the existing site challenges and reasons for the replacement of the existing parking lot.

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

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

Chairman Chandler read into record a letter from Jack Wilson, a neighbor that stated the following:

Dear Ms. Maise and Board of Zoning Appeals Members,

“My Name is Jack Wilson and I reside at 39000 Wabash Road. I am a neighbor to Special Tree Rehabilitation System. I am writing in support of their proposal to improve their parking lot at 39010 Wabash Road. The Special Tree Organization, their employees and clients have been great neighbors to me. The parking lot improvements will be an asset to the neighborhood.

Should you have any questions, please contact me at (734) 301-5509 (Mobile).”

Signed Sincerely,  
Jack Wilson  
39000 Wabash Road

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

- Discussion was had between the board and petitioner regarding parking spaces and number of employees.
- Mr. Richert explained that the need for a better flow of traffic is greater than the parking spaces needed.
- Mr. Richert commented that the Planning Commission has conditionally approved the site plan at their regular meeting on August 15, 2016.
- Mr. Chandler agreed with Mr. Wilson and commented that it was a good project with nice improvements.
- Mr. Long thanked Special Tree for the work that they have done in the city and for choosing Romulus to operate their facilities. They are doing great things there and are very much appreciated.
- Mr. Richert thanked Mr. Long for their support.
- Mr. Zilka commented that Special Tree is a great asset to our community.
- Mr. Mientkiewicz commented that Special Tree always does what they say they are going to do and goes above and beyond.

Motion by Zilka supported by Morris to approve **BZA-2016-023 and BZA-2016-024; Special Tree**, 39010 Wabash, to allow a front yard parking setback of 8 feet and side yard parking setback of 6 feet and 24 feet where 50-foot wide setbacks are required and to reduce the width of the new parking space to 9 feet where 10 feet is required. DP# 80-075-99-0012-000. Approval is conditioned upon the following:

1. Administrative site plan review.

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

## 6. Old Business

- A. **BZA-2016-010; Sandra Dove**, 35841 Cypress, requesting variance from Section 11.15(b), Keeping of Animals of the Zoning Ordinance to allow the keeping of goats on property that is less than 5 acres in size. DP# 80-020-01-0239-002.

- Mr. Chandler stated that this project was postponed at the last meeting so that the petitioner could obtain signatures for her petition to variance request.
- Ms. Maise stated that Ms. Dove wrote a letter to the board members asking for a postponement because she is having a fence installed and has concerns with her neighbor over property lines.
- Ms. Maise also mentioned that the Planning Department will follow-up with the Building & Safety Department regarding the status of her property.

Motion by Zilka supported by Mientkiewicz to postpone **BZA-2016-010; Sandra Dove** until the next regularly scheduled meeting.

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

7. New Business

8. Communications

A. City Planner's Status Report

- Ms. Maise informed the board members that there will be a meeting in October.

9. Discussion

10. Adjournment

Motion by Mientkiewicz supported by Zilka to adjourn at 8:53 p.m. Roll Call Vote: Ayes – Mientkiewicz, Zilka, Morris, Long and Chandler. Nays – None. Motion Carried.

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Donald Morris, Secretary  
Zoning Board of Appeals

*Sheldon Chandler, CHMN*  
FOR DONALD MORRIS