

**MINUTES OF THE CITY OF ROMULUS REGULAR MEETING OF THE
BOARD OF ZONING APPEALS HELD ON WEDNESDAY, OCTOBER 7, 2015**

1. The meeting was called to order by Chairman Chandler at 7:00 p.m.
2. Roll Call Showing: Emery Long, Donald Morris, Melvin Zilka, Kenneth Mientkiewicz and Sheldon Chandler
Also in attendance: Tim Keyes, Economic Development Director and Christina Wilson, Secretary
3. Motion by Zilka supported Long to approve the agenda as presented. Roll Call Vote: Zilka, Long, 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. Approval of the minutes of the regular meeting of the Board of Zoning Appeals held on September 2, 2015.
5. Petitions
 - A. **BZA-2015-015; Interstate Truck Source**
Location: **29090 Smith**
DP #80-046-99-0008-000
Request: A variance from *Section 8.04(a)* of the Zoning Ordinance to allow a 10-foot side yard setback from a residential use; a setback of 50 feet is required.
Project: Demolition of an existing single-family residence and construction of an 87,120-sq. ft., 109-space storage lot for overflow truck parking and 21-space employee parking lot for Interstate Truck Source at 29085 Smith.
 - B. **BZA-2015-017; James and Susan Kull**
Location: **6334 Heyer**
DP #80-022-01-0029-000
Request: 1. A variance from *Section 3.04(a)(3)b* of the Zoning Ordinance to allow total accessory building area to exceed 2,400 sq. ft.; an existing 1,600 sq. ft. barn and new 2,590 sq. ft. pole barn. Total 4,192 sq. ft. and therefore a variance of 1,790 sq. ft. is requested.
2. A variance from *Section 3.04(a)(3)b* of the Zoning Ordinance to allow the construction of a pole barn that exceeds 17 feet; the height of the proposed pole barn is 21 feet and therefore a variance of 4 feet is requested.
Project: Construction of a 2,590-sq. ft. pole barn

C. **BZA-2015-018; Robert Walker, McKenna Development (Beverly Road)**

Location: **Beverly Road**

DP #80-011-99-0006-701

Request: A variance from *Section 3.07(b)(3)* of the Zoning Ordinance for Parcels C-1 and C-2 to exceed the required 4 to 1 lot depth to width ratio.

Project: A land division of a 6.7 acre parcel into 4 parcels.

D. **BZA-2015-019; Robert Walker, McKenna Development (Ecorse/Henry Ruff)**

Location: **Ecorse Road/Henry Ruff**

DP #80-012-99-0002-000

Request: A variance from *Section 3.07(b)(3)* of the Zoning Ordinance for Parcels B2 and B3 to exceed the required 4 to 1 lot depth to width ratio.

Project: A land division of an 11.73 acre parcel into 5 parcels.

6. Old Business
7. Communications
 - A. City Planner's Status Report
8. Discussion
9. Adjournment
4. Motion by Mientkiewicz supported by Long to approve the minutes of the regular meeting of the Board of Zoning Appeals held on August 5, 2015. Roll Call Vote: Ayes – Mientkiewicz, Long, Morris, Zilka, and Chandler. Nays – None. Motion Carried.
5. Petitions
 - A. BZA-2015-015; **Interstate Truck Source; 29090 Smith**, a variance from *Section 8.04(a)* of the Zoning Ordinance to allow a 10-foot side yard setback from a residential use; a setback of 50 feet is required. DP# 80-046-99-0008-000

The owner of Interstate Truck Source (Frank Kemski) sent Carol Maise an e-mail on September 30, 2015 to withdraw the request for a variance; letter on file.

No action taken for BZA-2015-015; Interstate Truck Source; 29090 Smith.

Motion by Mientkiewicz supported by Morris to remove the variance request for BZA-2015-015; Interstate Truck Source; 29090 Smith from the agenda of the regular meeting of the Board of Zoning Appeals held on October 7, 2015. Roll Call Vote: Ayes – Mientkiewicz, Long, Morris, Zilka, and Chandler. Nays – None. Motion Carried.

B. BZA-2015-017; **James and Susan Kull; 6334 Heyer; DP #80-022-01-0029-000**

1. A variance from *Section 3.04(a)(3)b* of the Zoning Ordinance to allow total accessory building area to exceed 2,400 sq. ft.; an existing 1,600 sq. ft. barn and new 2,590 sq. ft. pole barn totals 4,192 sq. ft. and therefore a variance of 1,790 sq. ft. is requested.
2. A variance from *Section 3.04(a)(3)b* of the Zoning Ordinance to allow the construction of a pole barn that exceeds 17 feet; the height of the proposed pole barn is 21 feet and therefore a variance of 4 feet is requested

James and Susan Kull stepped forward as petitioners.

- Mr. Kull explained that he wishes to have a pole barn built with upstairs storage to house his motorhome and tractors.
- Mr. Kull commented that the additional height of 4 feet requested was because he was a tall man and he also wishes to store additional items above.
- Mr. Kull asked the board if they had additional questions.

Chairman Chandler asked if anyone wished to speak on the matter to please step forward.

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

Mr. Kramer; a resident at 10730 Ozga came forward on behalf of James and Susan Kull.

- Mr. Kramer explained that he was a neighbor of James and Susan Kramer. He noted that when James and Susan Kull purchased the property they posted bond with the Building Department, cleaned it up and abided by each violation to restore the house and out buildings to code.
- Mr. Kramer stated that James and Susan Kull want to minimize the out buildings they have and make their property nice and neat by building the new pole barn and demolishing the old barn.
- Mr. Kramer also stated that if asked, the surrounding neighbors would say they are in favor of James and Susan Kull's requests for the variances. He suggested that the most important piece of information was that the abandoned property purchased by James and Susan Kull was that it went back onto the tax roll. The property backs up to wetlands, Hannan Rd., and Waste Management and tall trees between him and the neighbors, therefore the height wouldn't impact the surrounding properties.
- Mr. Kramer suggested that those reasons are why the board members should approve the request from James and Susan Kull.

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

- Mr. Chandler stated that he was looking at an aerial view of the property and questioned James and Susan Kull about the out building in the corner of their property.
- Mr. Kull explained that it was the building that is going to be demolished after the new pole barn is built.
- Mr. Chandler asked Mr. Kull how large his motorhome was.
- Mr. Kull replied that it was 39' x 12' 6".
- Mr. Chandler asked if only the trailer would be stored in the new pole barn.
- Mr. Kull replied that he also has a trailer that he uses to haul motor cycles behind the motorhome and a tractor he will store to keep out of the yard.

- Mr. Chandler commented that he had been by the property and that it was kept up very nicely.
- Mr. Morris asked for confirmation from Mr. Kull that the building that would be removed was the one in the far corner of their property and no other buildings.
- Mr. Kull confirmed that the only building being removed was the one in question in the far corner of his property which is dilapidated.
- Mr. Long asked James and Susan Kull if they would be elevating the rear for the barn.
- Mr. Kull replied that he would only grade what needs to be done, that they wish to keep the same grade as the house.
- Mr. Long asked James and Susan Kull if they were willing to abide by the requests of the Building Department.
- James and Susan Kull replied that they are aware and will abide by the requests of the Building Department.
- Mr. Mientkiewicz questioned James and Susan Kull if the fence at the back of their property was the end of the property.
- Mr. & Mrs. Kull both replied that it was not, that is where the pond is located but, their property goes even beyond the pond.

Motion by Zilka, supported by Morris to approve **BZA-2015-017; James and Susan Kull at 6334 Heyer** for a variance to allow the construction of a pole barn conditioned upon:

1. The total square footage of accessory buildings on the site shall not exceed 4,192 sq. ft.
2. The height of the new pole barn shall not exceed 21 feet.
3. The existing barn at the rear of the property will be removed.
4. Any storage in the accessory buildings on the property must be for the property owner only.
5. No home occupation or other commercial use shall be permitted in any of the accessory buildings.
6. Any home occupation is subject to the standards of Section 11.17(c) of the Zoning Ordinance.

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

- C. BZA-2015-018; **Robert Walker, McKenna Development (Beverly Road)** DP# 80-011-99-0002-000, a variance from Section 3.07(b)(3) of the Zoning Ordinance for Parcels C-1 and C-2 to exceed the required 4 to 1 lot depth ratio and a land division of a 6.7 acre parcel into 4 parcels.

Tom Wright; real estate agent, stepped forward as petitioner on behalf of McKenna Development and Robert Walker.

- Mr. Wright displayed a drawing of the parcel on Beverly Road. He explained that the property was advertised for sale but they did not receive a lot of takers so they decided to split the parcel into 4 lots and by doing so they received a lot of interest from buyers.
- Mr. Wright stated that the parcel is of irregular shape; it goes along square on the back of the parcel and then goes down on an angle; and thus creates the need for the variance request.
- Mr. Wright explained that one of the proposed split parcels does meet the requirements but, the other three do not meet the 4 to 1 ratio since they angle down on the back of the parcels.
- Mr. Wright stated that he has buyers that want to build houses on all 4 parcels if approved.

Chairman Chandler closed the petition portion of the meeting.

Chairman Chandler asked if anyone wish to speak please step forward.

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

- Mr. Chandler questioned Mr. Wright about the large lot.
- Mr. Wright replied that one person wanted a double lot and they couldn't divide the lots into 5 because it was under 10 acres.
- Mr. Mientkiewicz asked Mr. Wright what parcels are south of the proposed lot split.
- Mr. Wright replied that most of the area is clear with a couple of radio towers.
- Mr. Mientkiewicz asked Mr. Wright if he owned the parcel.
- Mr. Wright stated that he did not own the parcel but he sold the parcel to Mr. Walker/McKenna Development and Mr. Walker decide to split and have Mr. Wright sell for him.
- Mr. Wright then showed the board a comparison of the lots from his display of surrounding lots with homes.
- Mr. Chandler commented that it is nice to see that something is being proposed for the vacant lot.
- Mr. Wright stated that one of the buyers for the proposed lots has a home on the Gateway Golf Course and wants to build another home on a larger piece of property for more land.

Motion by Mientkiewicz, supported by Zilka to approve **BZA-2015-018; Robert Walker, McKenna Development (Beverly Road)** DP# 80-011-99-0006-701 for a variance from Section 3.07(b)(3) of the Zoning Ordinance for Parcels C-1 and C-2 to split the 6.7 acre parcel into 4 parcels, 3 of which will exceed the 4 to 1 lot depth ratio.

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

- D. **BZA-2015-019; Robert Walker, McKenna Development (Ecorse/Henry Ruff)**, DP# 80-012-99-0002-000, a variance from Section 3.07(b)(3) of the Zoning Ordinance for Parcels B-2 and B-3 to exceed the required 4 to 1 lot depth ratio and a land division of an 11.73 acre parcel into 5 parcels.

Tom Wright; real estate agent, stepped forward as petitioner on behalf of McKenna Development and Robert Walker.

- Mr. Wright showed the board a drawing of the parcel on Ecorse/Henry Ruff. He pointed out that there were homes directly across the street on deep parcels and what he is proposing are not as deep. He explained that they decided to split the parcel straight across as to not create odd shaped lots.
- Mr. Wright also explained that 3 parcels are on Henry Ruff Road and 2 parcels are on Ecorse Road
- Mr. Wright stated that one of the parcels already meets requirements but 4 parcels do not.
- Mr. Wright commented that he had 2 parcels sold but the process was taking to long for a variance so, the buyer bought somewhere else. Since then he has buyers waiting for approval to build homes on.

Chairman Chandler closed the petition portion of the meeting.

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

Chairman Chandler asked if anyone wish to speak please step forward.

Tanya and Cedric Simpson of 32227 Bruce St. stepped forward to speak.

- Mrs. Simpson stated that she lives at the end of the street on Bruce asked Mr. Wright what the zoning was for the proposed parcels since she is nearby.
- Mr. Wright stated that they were all zoned single family residential and that most likely all three proposed parcels on Henry Ruff will have homes on them.
- Mr. Simpson asked the board if the dead end of his street (Bruce) was going to be opened.
- Tim Keyes replied that the city has no plans to extend the road into the proposed properties.

Richard Johnson of 32538 Henry Ruff stepped forward to speak.

- Mr. Johnson asked the board what the plans were for the dirt road (Henry Ruff) between Beverly and Ecorse and if the city planned on putting in a gas line.
- Mr. Chandler commented that there may not be enough funding to pave Henry Ruff.
- Tim Keyes stated that the city has no plans to pave Henry Ruff Road.
- Mr. Johnson then asked Mr. Keyes about the gas line.
- Mr. Keyes stated that the gas line is an issue that would need to be addressed with Michcon and the city's gas provider and that the city would be happy to make some phone calls in conjunction with Mr. Johnson.
- Mr. Johnson stated that he was just curious about the development.
- Mr. Keyes stated the only proposed development was the three lots on Henry Ruff.
- Mr. Johnson stated that he seen the "for sale" signs on Henry Ruff and wondered if that was where the development would be.
- Mr. Wright confirmed that it was.

Chairman Chandler asked if anyone else wished to speak to please step forward; seeing that no one came forward, Mr. Chandler closed the public comment portion of the meeting.

Chairman Chandler opened the meeting up to board members for comments and questions.

- Mr. Chandler asked Mr. Wright if the angle on the lots were the front.
- Mr. Wright stated that it was the frontage.

Motion by Morris, supported by Mientkiewicz to approve **BZA-2015-019; Robert Walker, McKenna Development (Ecorse/Henry Ruff)**, DP#80-012-66-0002-000, a variance from Section 3.07(b)(3) of the Zoning Ordinance for Parcels B-2 and B-3 to split the 11.73 acre parcel into 5 parcels, 2 of which will exceed the 4 to 1 lot depth ratio.

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

6. Old Business - None

7. Communications – None

A. City Planner's Status Report

8. Discussion - None

9. Adjournment

Motion by Zilka supported by Long to adjourn at 7:35 p.m. Roll Call Vote: Ayes –Zilka, Long, Morris, Mientkiewicz and Chandler. Nays – None. Motion Carried.



Donald Morris, Secretary
Zoning Board of Appeals