MINUTES OF THE CITY OF ROMULUS REGULAR MEETING OF THE BOARD OF ZONING APPEALS HELD ON WEDNESDAY, MAY 5, 2010

1. The meeting was called to order by Chairman Bussard at 7:00 p.m.

2. Roll Call Showing: John Clark, Sheldon Chandler, Melvin Zilka, Don Morris, Dan Bussard
   Excused: Ken Mientkiewicz
   Also in attendance: Cynthia I. Lyon, AICP, Planning Director

3. Motion by Zilka supported by Morris to approve the agenda as presented. Roll Call Vote: Ayes – Zilka, Morris, Chandler, Clark, Bussard. Nays – none. Motion Carried.

Agenda

1. Pledge of Allegiance

2. Roll Call

3. Approval of Agenda

4. Approval of the minutes of the regular meeting of the Board of Zoning Appeals held on April 7, 2010.

5. Petitions

   A. BZA-2010-003, Curtis Outdoor Inc., requesting a variance from the City of Romulus Sign Ordinance Section 29-7 Table 29-07 to allow a proposed billboard sign to be located nine hundred sixty (960) feet from another such sign. The Sign Ordinance requires that billboards must be separated by a minimum of one thousand (1,000) feet of another such sign; therefore, a 40 foot variance is required. The subject property is located at 7200 Inkster Road. DP# 82-80-045-99-0001-703.

   B. BZA-2010-004, David and Pamela Miller, requesting a variance from the City of Romulus Zoning Ordinance Section 3.04(c)(1) to allow a pool to be located in a front yard setback. The Zoning Ordinance requires that pools shall only be located in a rear yard or non-required side yard and shall not be located in a front yard or required side yard setback; therefore, a variance is required. The subject property is located at 14005 Huron River Drive. DP# 82-80-115-99-0001-000.

6. Old Business

7. New Business

8. Communications

   A. Minutes of the Regular meeting of the City of Romulus Planning Commission held on February 17, 2010.

9. Discussion

10. Adjournment

4. Motion by Chandler supported by Clark to approve the minutes of the regular meeting of the Zoning Board of Appeals held on April 7, 2010. Roll Call Vote: Ayes – Chandler, Clark, Zilka, Morris. Abstain – Bussard. Nays – none. Motion Carried.

5. Petitions

A. BZA-2010-003, Curtis Outdoor Inc., requesting a variance from the City of Romulus Sign Ordinance Section 29-7 Table 29-07 to allow a proposed billboard sign to be located nine hundred sixty (960) feet from another such sign. The Sign Ordinance requires that billboards must be separated by a minimum of one thousand (1,000) feet of another such sign; therefore, a 40 foot variance is required. The subject property is located at 7200 Inkster Road. DP# 82-80-045-99-0001-703.

Jay Carll, Curtis Outdoor Inc., came forward to represent the petition.

- Mr. Carll stated that the existing and proposed signs are located on opposite sides of a highway median and is unique, in that, the existing trees in the median and the angle of the expressway at this location do not allow visibility of both signs at the same time.
- Mr. Carll stated that if the sign were constructed in a conforming location then a lot more trees would need to be cut down in order for the sign to be visible.
- Mr. Carll stated that due to the unique circumstances and in an effort to save trees they are requesting a variance to allow the proposed sign to be located 960 feet from another such sign.
- Mr. Carll stated that the lease documents restrict adult type entertainment content on the signs.
- Mr. Carll distributed an enlarged picture of the area around the proposed sign and explained that the distances noted represent the setbacks from the road, the property line and the adjacent power line tower.
- Mr. Carll stated that the area where the proposed sign would be located is unusable for future development because it is next to the ITC transmission line easement.
- Mr. Carll stated that all other provisions are in compliance and that all of the Building and Fire Departments requirements would be met in order to obtain a permit.

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

Chairman Bussard asked if anyone wished to speak on this matter. No one came forward. Chairman Bussard closed the public hearing and opened the meeting for comments by the Board as follows:

- Mr. Chandler questioned if the sign would contain any type of electronics.
- Mr. Carll stated the sign would be a stagnant stationary board that is non-changeable, contains no LED or tri-vision and would be constructed on one pole.
- Mr. Chandler questioned how the sign would be changed.

- Mr. Carll stated the sign material would be vinyl that is wrapped around a metal frame and tightened with ratchet straps on the back side of the board.
- Mr. Chandler stated he has noticed when other billboard signs located outside of Romulus have been changed that the vinyl was left on the ground and questioned how the area around the proposed sign would be maintained after a sign change.
- Mr. Carll stated the vinyl is returned to the company that printed the sign for a credit because the material is recycled.
- Mr. Morris questioned the height of the sign.
- Mr. Carll stated the sign height is 45 feet to the top from grade.
- Mr. Carll stated that the sign meets the spacing requirements from one sign to another located on the same side of the road.
- Mr. Morris commented that he is not a big fan of billboard signs but likes the single post because it appears neater and cleaner.
- Mr. Zilka questioned if any trees had to be removed to construct the proposed sign.
- Mr. Carll stated that some trees would be removed in order to provide permanent access to the sign which is required by the Fire Department.
- Mr. Clark stated that he did not want any more trees than necessary removed from the area.
- Mr. Bussard questioned if the sign complied with the current allowable area of 700 square feet for a double faced sign.
- Mr. Carll confirmed and stated that it is a single sided sign for west bound traffic only with a sign area of 672 square feet.
- Mr. Bussard questioned the letter from Sunoco Logistics that allows Curtis to construct two (2) billboard signs on Sunoco properties.
- Mr. Carll stated the letter covers both sites where billboard signs will be allowed on Sunoco properties, but one of the properties is located in Taylor and the other is in Romulus.
- Mr. Bussard questioned how many billboard signs located in Romulus city limits along I-94 is owned by Curtis Outdoor Advertising.
- Mr. Carll stated none of the billboard signs located in Romulus city limits along I-94 is owned by Curtis Outdoor Advertising.

Motion by Zilka supported by Morris to grant approval to BZA-2010-003, Curtis Outdoor Inc., a 40-foot variance to allow a billboard sign to be located nine hundred sixty (960) feet from another such sign conditioned upon the following:

1. Proper permits are obtained from the Building Department.
2. Tree and Woodland application be submitted, if necessary, for the removal of trees.

The variance was granted based upon a finding of "practical difficulty" noted in 1, 4, and 5 of the Planning Director's memorandum dated April 22, 2010. The subject property is located at 7200 Inkster Road. DP# 82-80-045-99-0001-703. Roll Call Vote: Ayes – Zilka, Morris, Chandler, Clark, Bussard. Nays – None. Motion Carried.

B. BZA-2010-004, David and Pamela Miller, requesting a variance from the City of Romulus Zoning Ordinance Section 3.04(c)(1) to allow a pool to be located in a front yard setback. The Zoning Ordinance requires that pools shall only be located in a rear yard or non-required side yard and shall not be located in a front yard or required side

yard setback; therefore, a variance is required. The subject property is located at 14005 Huron River Drive. DP# 82-80-115-99-0001-000.

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

Pamela and David Miller, property owners, came forward to represent the petition.

- Mr. Miller stated they are requesting a variance to allow a pool to be located in the front yard because the back yard has a downhill slope and becomes swampy when it rains so it would not be feasible to put electrical wire underground.
- Mr. Miller stated that it would not be a problem to put up a privacy fence around the pool.
- Ms. Miller passed around pictures to the Board of the back yard that showed the downward slope of the yard and the standing water.

Chairman Bussard asked if anyone wished to speak on this matter. No one came forward. Chairman Bussard closed the public hearing and opened the meeting for comments by the Board as follows:

- Mr. Morris stated that he is very familiar with the conditions of the land in that area and had no problem with the request.
- Mr. Clark questioned the reason for the pool being located so far away from the house.
- Mr. Miller stated the pool had to be located away from the house because of the trees in front of the house.
- Mr. Clark questioned the type of pool to be erected.
- Ms. Miller stated it would be a 24-foot round pool.
- Mr. Bussard questioned if a fence would be required around the pool.
- Ms. Lyon stated that fencing may be required per the building and safety code, which would also require a variance; and therefore, recommended the Board include in the approval to allow fencing to be located in the front yard.
- Ms. Lyon also stated that landscaping material is being requested in addition to the fencing.

Motion by Morris supported by Zilka to grant approval to BZA-2010-004, David and Pamela Miller, a variance to allow a pool to be located in a front yard setback.

Discussion during the motion:

- Ms. Lyon clarified that evergreen material is required along the existing fence line.
- Mr. Miller stated that bushes already exist along the fence line.
- Ms. Lyon stated that additional bushes needed to be planted along the fence line for more screening.
- Mr. Miller questioned if the bushes needed to be higher than the pool.
- Ms. Lyon stated the bushes did not need to be higher than the pool but needed to supplement the existing bushes in order to obscure the pool along the fence line.
- Mr. Miller questioned if the Building Department would inform him where the bushes needed to be planted.

- Ms. Lyon stated that the Building Department would not inform him where the bushes needed to be planted they would only verify that landscaping material had been added along the fence line.

Motion by Morris supported by Zilka to grant approval to BZA-2010-004, David and Pamela Miller, a variance to allow a pool to be located in a front yard setback conditioned upon the following:

1. Proper permits are obtained from the Building Department.
2. The area be screened with evergreen material.
3. Fencing be permitted within the front yard setback if required by the building and safety code.

The variance was granted based upon the Planning Director's memorandum dated April 22, 2010. The subject property is located at 14005 S. Huron River Drive. DP# 82-80-115-99-0001-000. Roll Call Vote: Ayes – Morris, Zilka, Chandler, Clark, Bussard. Nays – None. Motion Carried.

6. Old Business – None.

7. New Business – None.

8. Communications

   A. Minutes of the Regular meeting of the City of Romulus Planning Commission held on February 17, 2010.

9. Discussion

10. Motion by Chandler supported Zilka by to adjourn the meeting at 7:30 p.m. Roll Call Vote: Ayes – Chandler, Zilka, Clark, Morris, Bussard. Nays – none. Motion Carried.

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Donald Morris, Secretary
Zoning Board of Appeals