

**MINUTES OF THE CITY OF ROMULUS REGULAR MEETING OF THE  
BOARD OF ZONING APPEALS HELD ON WEDNESDAY, JUNE 5, 2013**

1. The meeting was called to order by Chairman Chandler at 7:00 p.m.
2. Roll Call Showing:                Kenneth Mientkiewicz, Donald Morris, Emery Long, Melvin Zilka & Sheldon Chandler  
Also in attendance:                Carol Maise, City Planner & Linda McNeil, Sr. Secretary
3. Motion by Zilka supported Long to approve the agenda as presented. Roll Call Vote: Zilka, Long Mientkiewicz, Morris & 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 April 3, 2013 and the special meeting of the Board of Zoning Appeals held on April 4, 2013.
5. Petitions
  - A. BZA-2013-004; Clear Channel Outdoor requesting a variance to Section 29-8.2.c. of the Sign Ordinance to allow a 420-square foot LED moving image billboard sign to replace an existing electronic billboard. The subject property is located within Detroit Metropolitan Airport at Building 539. D.P. # 80-80-053-99-0001-700.
  - B. BZA-2013-005; Corrigan Air & Sea requesting the following variances:
    1. Building Height Variance – A variance from Section 8.04(a) to allow a building height of 40 feet. Thirty feet (35) is the maximum building height permitted, therefore a 5-foot height variance is required.
    2. Side Yard Setback Variance – A variance to Section 8.04(a) to allow a side yard setback of 32 feet. The Zoning Ordinance requires a 50-foot side yard setback adjacent to residential; an 18-foot variance is required. The subject property is located at 6170 Middlebelt Road. D.P. # 82-82-005-01-1013-001.
6. Old Business
7. New Business
  - A. Election of Officers
8. Communications
  - A. City Planner's Status Report

B. Minutes of the regular meeting of the Planning Commission held on February 20, 2013 and March 18, 2013.

9. Discussion

10. Adjournment

4. Motion by Mientkiewicz supported by Zilka to approve the minutes of the regular meeting of the Board of Zoning Appeals held on April 3, 2013. Roll Call Vote: Ayes – Mientkiewicz, Zilka, Long Morris & Chandler. Nays – None. Motion Carried. Chairman Chandler stated that the board will not be making a motion to approve the minutes for the Special Meeting of the Board of Zoning Appeals held on April 4, 2013 as there is not a quorum of the members that were present for the special meeting. Those minutes will be approved at the next meeting of the Board of Zoning Appeals.

5. Petitions

A. BZA-2013-004; Clear Channel Outdoor requesting a variance from Section 29-8.2.c. of the Sign Ordinance to allow a 420-square foot LED moving image billboard sign to replace an existing electronic billboard. The subject property is located within Detroit Metropolitan Airport at Building 539. D.P. # 80-80-053-99-0001-700.

Mr. Ed Marcin, Clear Channel Outdoor and Wendy Sutton, Wayne County Airport Authority came forward representing the petitioner.

- Mr. Ed Marcin stated that Wayne County Airport Authority is requesting to replace an existing sign that has not been operational for approximately fifteen (15) years. The replacement sign will be a new modern LED sign that will be approximately fifteen (15) feet in height by twenty five (25) feet in length. The sign will be located approximately 1,037 feet from the North Service Drive and 1,174 feet from the Detroit Industrial Expressway and directly south of the north cell phone lot. He went on to say that Little Caesar's was previously displayed on the existing sign and the proposed sign will display off-premise advertising that will not include any gentlemen club copy as they do not meet Clear Channel's high standards. Clear Channel has numerous national accounts such as McDonald's, Coca Cola, Chrysler, Dodge and Ford Motor Company that will be advertised on the proposed sign. The actual structure will be approximately 10 feet 6 inches by 36 feet in size with an attached cabinet that will be approximately 420 square feet, with the actual live copy area being 392 square feet. The proposed sign height will remain the same as the existing which is 38 feet overall and the width will be a little longer than the existing. The replacement sign will operate 24 hours a day, 7 days a week with the electronic copy changing every 8 seconds. There will be no full motion display, flashing or blinking on the proposed sign. The brightness of the proposed sign will be controlled by a monitor that is computer controlled based on the ambient light. The actual live copy will be transmitted to the proposed sign via wireless communication and will be monitored by Clear Channel Outdoor by way of a camera positioned on a camera arm located on the ground 15 feet from the face of the sign. Clear Channel has an agreement with Wayne County Airport Authority that should there be a problem with the sign they will have a technician on site within 24 hours. The proposed sign will be utilizing the existing power lines, and should those lines be disrupted during construction of the proposed sign, a new power line will be installed. The replacement sign is not within 500 hundred feet of a park, playground, school, church or residential district. The nearest residential district is approximately 1.45 miles to the

southeast. Clear Channel outdoor has obtained the permit required from the Airport Authority and will also need permits from the FAA and the City of Romulus. Any trees damaged or removed during the process of replacing the sign will be replaced with lower growing shrubs due to the fact that adding trees would require additional pruning in the future so as not to obstruct the sign.

- Mr. Marcin continued by saying they are requesting a variance to allow a 420 square foot LED cabinet with a live copy area of 392 square feet. One module contains three pixels that can produce billions of different colors, and there are numerous models that comprise the entire face of the proposed sign. Should a module fail, it is removed and replaced with a new module on site. He further explained that there are currently 43 states that allow for changeable message board signs with regulations that vary from state to state. The State of Michigan regulates that the changeable copy can change every six seconds and the petitioner is proposing changeable copy every 8 seconds, which is 2 seconds longer than what the state allows. In closing he explained that the existing sign will be replaced with a new billboard structure with the latest LED technology, will be located approximately 14.9 feet from the easterly curve line of Rogalle Drive and approximately 70 square feet larger than the existing billboard currently located on the Detroit Airport property.

Chairman Chandler asked if anyone wished to speak on this matter. No one came forward.

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

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

- Mr. Morris stated that Mr. Marcin was very thorough and that the sign looks nicer and clear cut to him.
- Mr. Chandler questioned Ms. Maise as to whether the sign is non-conforming.
- Ms. Maise answered that the existing sign and the proposed sign are not permitted in the Airport District, therefore making both signs non-conforming per the Ordinance.
- Mr. Long questioned who would take ownership of the sign once the contract between Clear Channel and the Airport Authority expires.
- Mr. Marcin answered that he would hope that at the end of the existing contract that both parties would agree to extend the contract. If this did not happen, it would be his opinion that the sign would be under the control of the Airport Authority.
- Ms. Sutton stated that as with any other real properties that are built on the airport, it is written in their contracts that at the end of the contract the property reverts to the Airport Authority. As Mr. Marcin stated, she would hope that at the end of this contract, that both Clear Channel and the Airport Authority would choose to extend the contract.
- Mr. Chandler questioned whether the entire conduit would have to be replaced should it be damaged during construction.
- Mr. Marcin answered that is correct.
- Mr. Chandler asked whether they would have to replace the entire length.
- Mr. Marcin replied that is correct.
- Mr. Chandler questioned whether it could be patched.
- Mr. Marcin responded that he is not an electrician but they would probably try to patch it first but if that was not successful then they would have to replace the entire length.
- Mr. Zilka stated that Mr. Marcin did such a thorough job explaining the proposed sign that he does not have any questions.

- Mr. Chandler questioned whether there are any plans to put a similar sign on the south side of the airport.
- Mr. Marcin answered that he is not aware of any plans at this time but that Clear Channel would be more than happy to entertain that idea in the future. He finished by saying that currently the replacement of the existing sign is the priority.

Motion by Morris supported by Zilka to approve BZA-2013-004; Clear Channel Outdoor located at Detroit Metropolitan Airport to grant a variance from Section 29-8.2.c. for the replacement of a non-conforming electronic billboard sign with a non-conforming LED moving image digital billboard sign as presented in the application since the criteria of Section 29-10.B. have been met subject to a tree and woodlands permit being secured and associated replacement provided if any regulated trees are proposed to be removed.

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

B. BZA-2013-005; Corrigan Air & Sea requesting the following variances:

1. Building Height Variance – A variance from Section 8.04(a) to allow a building height of 40 feet. Thirty feet (35) is the maximum building height permitted, therefore a 5-foot height variance is required.
2. Side Yard Setback Variance – A variance to Section 8.04(a) to allow a side yard setback of 32 feet. The Zoning Ordinance requires a 50-foot side yard setback adjacent to residential; an 18-foot variance is required. The subject property is located at 6170 Middlebelt Road. D.P. # 82-82-005-01-1013-001.

Mr. Steve Sorensen, Engineer, PEA Inc., Matt Maden, Architect, Gillett Associates and Richard Nagrocki, Vice-President, Corrigan Air & Sea Cargo came forward representing the petitioner.

- Mr. Sorensen stated that Corrigan Air Sea has been operating from this facility for many years and they are looking to expand their facility in order to stay competitive with their competition. In order to do this, they need to construct a crane bay which requires the approval of the height variance that is being requested this evening. The petitioner is proposing to expand the building along the existing building line on the rear north side of the property and a side yard setback variance is required. He explained that additional paving is being provided to continue the fire lane around the building. The addition will allow for the reduction of the current outdoor storage and will also include the installation of the detention basin which will provide storm water management for the site. The proposed improvements including additional screening and landscaping materials along the front of the property, go a long way in improving the overall look of this property.

Chairman Chandler asked if anyone wished to speak on this matter. No one came forward.

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

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

- Mr. Zilka stated that at the previous Planning Commission meeting there was discussion about treating the gravel for the reduction of dust on site.

- Mr. Sorensen answered that it has not been done as of yet.
- Mr. Zilka questioned whether any grading has been done on site yet.
- Mr. Sorensen replied not as of yet. He further explained that it will be done as part of the overall project after a maintenance plan has been submitted to and approved by OHM.
- Mr. Zilka recommended that the gravel be scuffed and mixed up a bit before the treatment is applied. He is in favor of the addition and that he believes it will be an asset not only to the building but to the site as well.
- Mr. Chandler questioned whether there will be a revised site plan submitted for this project.
- Ms. Maise answered that the applicant received conditional approval at the previous Planning Commission meeting. These two variances that are being requested this evening and resubmission of a revised site plan are conditions of that approval. There are a few minor things like the reduction of the parking in the front yard and additional landscaping that can be approved administratively.
- Mr. Chandler questioned whether that would include the gravel concern that Mr. Zilka questioned.
- Ms. Maise answered yes.
- Mr. Mientkiewicz stated that the petitioner has been here many years and that he thinks this is a nice project that he is in favor of.

Motion by Mientkiewicz supported by Morris to approve the variance to allow a side yard setback of 32 feet and the variance to allow a building height of 40 feet for BZA-2013-005; Corrigan Air & Sea located at 6170 Middlebelt Road subject to:

1. A revised site plan being submitted for administrative review and approval noting the following:
  - a. The maximum height of items stored outdoors.
  - b. Any additional improvements to the existing gravel surface.
  - c. Revisions to the parking space calculations and parking lot/greenbelt landscaping.
  - d. References to the variances for the side yard setback and building height granted by the BZA.
2. The two parcels must be combined into one prior to issuance of a building permit.
3. A maintenance plan for the gravel outdoor storage area being provided for review and approval by the city engineer.

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

## 6. New Business

### A. Election of Officers

Motion by Zilka supported by Long to nominate Mr. Chandler as the Chairperson, Mr. Mientkiewicz for the Vice-Chairperson and Mr. Morris as Secretary.

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

## 7. Communications

- Ms. Maise stated there will not be a Board of Zoning Appeals meeting in July.
- Mr. Mientkiewicz questioned whether the new building on VanBorn Road is the new Dollar General store.
- Ms. Maise answered yes.
- Mr. Zilka questioned whether Tim Horton's was coming before Planning Commission.
- Ms. Maise answered yes and stated that they were coming before the Planning Commission on the June 17<sup>th</sup> and it will be located on the Merriman Road site next to McDonald's. There will be another restaurant pad located to the north. She finished by saying that there is a proposal for a Jimmy John's restaurant at the old Denny's site on Middlebelt Road.
- Mr. Chandler asked whether they will be proposing a drive-thru.
- Ms. Maise responded that they are actually proposing two drive-thru's. The second drive-thru will be for a proposed coffee shop and they will also have some additional retail as well.
- Mr. Zilka questioned whether there is a proposed Subway at the Shell gas station at Eureka and I-275.
- Ms. Maise answered that the Subway was approved by Planning Commission a couple years ago and they are in the process of getting final approval for a Certificate of Occupancy.

8. Discussion – None.

9. Adjournment

Motion by Zilka supported by Long to adjourn. Roll Call Vote: Ayes – Zilka, Long, Morris, Mientkiewicz & Chandler. Nays – None. Motion Carried.



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Donald Morris, Secretary  
Zoning Board of Appeals