

**MINUTES OF THE CITY OF ROMULUS REGULAR MEETING OF THE
BOARD OF ZONING APPEALS HELD ON WEDNESDAY, DECEMBER 4, 2013**

1. The meeting was called to order by Chairman Chandler at 7:00 p.m.
2. Roll Call Showing: John Clark, Donald Morris, Melvin Zilka & Sheldon Chandler
Excused: Emery Long & Kenneth Mientkiewicz
Also in attendance: Carol Maise, City Planner & Linda McNeil, Sr. Secretary
3. Motion by Zilka supported Morris to approve the agenda as presented. Roll Call Vote: Zilka, Morris, Clark & 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 special meeting of the Board of Zoning Appeals held on September 4, 2013.
5. Petitions
 - A. BZA-2013-008; Hardy & Sons Sign, 39325 Ecorse, requesting a variance to Table 29-07 of the Sign Ordinance to allow a 20-foot high sign with a total square footage of 147 square feet. DP# 82-80-029-99-0016-701.
 - B. BZA-2013-009; Dan's Excavating, 10600 Vining, requesting an extension to a temporary use permit to allow a concrete crushing operation. DP# 82-80-064-99-0002-700.
6. Old Business – None.
7. New Business
 - A. 2014 Board of Zoning Appeals Meeting Dates (Action required: Make a motion to adopt meeting dates.)
8. Communications
 - A. City Planner's Status Report
 - B. Minutes of the regular meetings of the Planning Commission held on July 15, 2013, September 16, 2013 and October 21, 2013.
 - C. Final Draft of the Rules of Procedure
9. Discussion
10. Adjournment

4. Motion by Clark supported by Zilka to approve the minutes of the regular meeting of the Board of Zoning Appeals held on September 4, 2013. Roll Call Vote: Ayes – Clark, Zilka, Morris, & Chandler. Nays – None. Motion Carried.
5. Petitions
 - A. BZA-2013-008; Hardy & Sons Sign, 39325 Ecorse, requesting a variance to Table 29-07 of the Sign Ordinance to allow a 20-foot high sign with a total square footage of 147 square feet. DP# 82-80-029-99-0016-701.

Mr. Frank Jarbou, Jarbou Development, came forward as the petitioner.

- Mr. Jarbou stated that the request for a twenty (20)-foot high sign to be located at Ecorse and Hannan Road is due to the fact that the gas station/convenience is approximately 3,900 from the freeway exit/entrance ramp. The proposed sign will be obstructed due to the landscaping and the bend and dip in Ecorse Road preventing customers from seeing the gas station upon exiting the freeway. He feels that if the customers cannot see the gas station from the freeway exit ramp then they will go up to the next exit where there may be another station visible. He has spent a significant amount of money making improvements to the Ecorse Road with the addition of another lane per Wayne County's requirements. He continued by explaining that Michigan Law requires that every new sign advertise both cash and credit prices and he is working with Shell with regards to their requirements as well. They are currently actively pursuing tenants for the 1,600 square feet of retail that is adjacent to the proposed gas station/convenience store and they will also have advertising on the marquee. He stated that it is very important when he is negotiating the contract with his tenants that they have advertising on the sign as well. He believes in the potential for this site and when his tenants see the finished site they will be on board as well. He finished by saying that they need the additional height for the proposed sign in order to be successful and the additional business that will be drawn into that intersection may help the Seven-11 across the street be more successful as well as any future tenants.
- Ms. Maise clarified that the petitioner will not need the setback variance as indicated on the application and public hearing notice since the proposed sign is fifteen (15) feet back from the property line as required per the Ordinance.
- Mr. Jarbou noted that he has spoken to Robert McCraight in the Building Department and is more than happy to do the "Welcome to Romulus" sign as he's always intended to do that either way. Mr. Jarbou questioned Ms. Maise as to whether the "Welcome to Romulus" sign could or would be located in the right-a-way.
- Ms. Maise answered that the Department of Community Services is working along with the Mayor's Office in coordinating a meeting to discuss the branding and entryway signs for the entire City of Romulus. They will be contacting Frank with regards to the meeting as they will want this sign to be consistent with the rest of the signs. In terms of location of the "Welcome to Romulus" sign, her understanding is that it is under the authority of Wayne County and they may not want it located in the right-a-way.
- Mr. Jarbou commented that in talking with Robert McCraight their thoughts were that they may want to locate it somewhere else within the development of that corner.
- Mr. Chandler stated that he just assumed that it would be located somewhere near the Shell sign.
- Mr. Jarbou replied that when he was on site the other day it didn't look like there was a whole lot of room near the Shell sign.
- Ms. Maise noted that it is her understanding that the committee is working on determining the location.

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 he does not believe Mr. Jarbou's request is unreasonable and that he feels that due to the location the additional height is needed. He believes the City of Romulus should work with the businesses to be successful.
- Mr. Chandler commented that the entire corner of Ecorse and Hannan Road is a vast improvement over what had been there in the past and the development will be a beautiful welcome to the community. He also does not have an issue with the request for the additional height of the sign. He asked if the Shell portion of the sign would be illuminated.
- Mr. Jarbou answered yes and showed the board members an illustrated picture of the sign that will be illuminated with a very soft light.
- Mr. Chandler questioned whether you would be able to see it from a distance.
- Mr. Jarbou answered yes and stated that is why the additional height is needed due to their location.
- Mr. Chandler asked whether the pricing is all electronic.
- Mr. Jarbou answered yes.
- Mr. Morris stated that he agrees that the petitioner's request is not unreasonable. He congratulated and thanked Mr. Jarbou for doing such a beautiful development in the City of Romulus. He believes the finished project is going to be very nice.
- Mr. Chandler questioned Mr. Jarbou as to when he expects to be pumping gas at the new station.
- Mr. Jarbou replied that they were originally hoping for the end of the year, but due to the weather and unforeseen issues they are now pushing for the end of January.
- Mr. Clark stated that he agrees with the rest of the board that this type of business development is needed in the City of Romulus and that the additional height is needed due to the way Ecorse Road runs and this make people aware of the fact that the business is there.
- Mr. Jarbou stated that he appreciates the board member's comments and thanked them for their support.
- Ms. Maise questioned whether the board received and viewed the video that was e-mailed to them regarding this project.
- The commissioners indicated that they did.
- Ms. Maise noted that she found it to be very helpful in that it gave a perspective from coming down Ecorse Road.
- Mr. Chandler stated that it was a very quick video but did help.

Motion by Morris supported by Zilka to recommend approval of BZA-2013-008 Romulus Village located at 39325 Ecorse Road to allow a twenty (20)-foot high sign with a total square footage of one hundred forty seven (147) square feet.

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

- A. BZA-2013-009; Dan's Excavating, 10600 Vining, requesting an extension to a temporary use permit to allow a concrete crushing operation. DP# 82-80-064-99-0002-700.

Mr. Justin Peyerck, Dan's Excavating Inc., came forward as the petitioner.

- Mr. Peyerck stated that the reason for the extension is due to the fact that the project has not been completed. Although the concrete crushing portion of the project is done, the stockpile of crushed concrete will not be completely utilized until April when the 2014 construction plan begins. A remediation plan and traffic control plan is already in place and will be utilized during the 2014 construction season the same as it was during the 2013 construction season. At the end of the project the site will be restored to its natural state and looking better than it did before construction began.

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 questioned how long the petitioner is requesting the extension for.
- Mr. Peyerck answered that he is requesting a one year extension although a full year will not be required as they will complete the project in November of 2014.
- Ms. Maise stated that although the project is a two year project, the City of Romulus Ordinance limits the time frame. The first approval was for six (6) months and the Ordinance allows for a one time three (3)-month extension. When this extension expires in March 2014 the petitioner will need to apply for a new permit which will give them an additional six (6) months along with another three (3) month extension if needed. This is the best we can do based on the limitations of the Ordinance.
- Mr. Chandler questioned whether there will be any additional concrete crushed at that site.
- Mr. Peyerck answered that Dan's Excavating will not be doing any additional concrete crushing but he cannot guarantee that the Airport Authority won't enter into an agreement with another contractor with regards to concrete crushing.
- Mr. Chandler asked why this particular site was utilized for the concrete crushing.
- Mr. Peyerck replied that the site was utilized due to the proximity to the airport and height restrictions within the airport. There is a twenty (20)-foot height restriction on any machinery within the airport.
- Mr. Chandler stated that he thought it would have made more sense to do the concrete crushing adjacent to the runway. He noted that the petitioner will have to come back before the Board of Zoning Appeals in three (3) months.

Motion by Zilka supported by Clark to approve a three (3) month extension for the temporary use for BZA-2013-009 for Dan's Excavating located at 10600 Vining to allow for the continuance of the stockpile storage located at 10600 Vining Road with the following conditions:

1. The temporary use permit is valid for a 3-month period to allow the continuation of the stockpile storage. The permit will expire on March 4, 2014.
2. A new temporary use permit application will be required to resume the operation after March 4, 2014. If the concrete crushing plant is needed prior to March 4, 2014, temporary use permit and building permit applications are required.

3. The height of the stockpiles shall be no higher than 45 feet.
4. A 40-foot front yard setback on Vining and Goddard Roads is required.

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

6. Old Business – None.

7. New Business

- B. 2014 Board of Zoning Appeals Meeting Dates (Action required: Make a motion to adopt meeting dates.)

Motion by Zilka supported by Morris to approve the 2014 Board of Zoning Appeals Meeting Dates as submitted.

- Mr. Chandler questioned whether the Board of Zoning Appeals meetings have to be held on Wednesdays as opposed to Thursdays.
- Ms. Maise asked whether there is a desire by someone to have the meetings on Thursdays.
- Mr. Chandler answered that he has another meeting every month that is also on the same Wednesday as the ZBA meeting and he would like to be able to attend both.
- Ms. Maise noted that she can explore the idea taking into account that there are other meetings that take place in the council chambers. The BZA also has alternates that can be utilized if someone can't make it to a meeting.
- Mr. Chandler stated that we will just stick with the dates as submitted.

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

8. Communications

- Ms. Maise noted that she is more than happy to answer any questions with regards to her report. There are several projects she is working on right now including a horse stable and the Waste Management site. Waste Management is switching over to compressed natural gas fueling to be utilized for their company trucks. They were originally proposing a public fueling station but have decided on reconfiguration for the garbage trucks only.
- Mr. Morris commented that the Taco Bell is open for business.
- Mr. Zilka stated that the site is gorgeous.
- Ms. Maise explained that the façade is not complete as there will be some additional slating going up where the purple is located.
- Mr. Chandler stated that he loves the Status Report provided by Ms. Maise.
- Ms. Maise thanked Mr. Chandler and stated that there has been an application filed for next month's meeting for a tree house and Mr. McCraight will be on hand to help with any issues/questions you may have regarding this request. She finished by saying that she has provided a clean copy of the Rules of Procedure for the commissioners files.
- Mr. Chandler stated that with regards to the section regarding Parliamentary Procedure that the Board does their best to run the meeting according to Parliamentary rules but that they do get off track once in awhile.


9. Discussion

- Mr. Zilka wished everyone a safe and happy holiday season.
- Mr. Chandler also wished everyone a Happy Holiday and Merry Christmas as well.
- Mr. Morris and Mr. Chandler stated that as well.

10. Adjournment

Motion by Zilka supported by Morris to adjourn at 7:33 p.m. Roll Call Vote: Ayes – Zilka, Morris, Clark & Chandler. Nays – None. Motion Carried.

lm



Donald Morris, Secretary
Zoning Board of Appeals