

**MINUTES OF THE CITY OF ROMULUS REGULAR MEETING OF THE
BOARD OF ZONING APPEALS HELD ON WEDNESDAY, JUNE 2, 2021
VIRTUAL MEETING**

The Board of Zoning Appeals Regular Meeting was held electronically via Zoom Meeting / Telephone conference due to the COVID-19 pandemic and in compliance with the Open Meetings Act. Members of the public body and members of the public participating electronically were considered present at the meeting and could participate as if physically present. Board of Zoning Appeals members identified their location during roll call, as required.

1. The meeting was called to order by Chair Chandler at 7:00 pm and all participated in the Pledge of Allegiance.
2. Roll Call Showing:

Sheldon Chandler, City of Romulus, Wayne County, MI
Jerry Frederick, City of Romulus, Wayne County, MI
Emory Long, City of Romulus, Wayne County, MI
Ken Mientkiewicz, City of Romulus, Wayne County, MI
Donald Morris, City of Romulus, Wayne County, MI

Excused: None

Also in attendance: Carol Maise, City Planner

3. Approval of Agenda:

MOTION by Long, support by Frederick, to approve the agenda as published.

Roll Call Vote: Ayes – Long, Frederick, Mientkiewicz, Morris, Chandler. Nays – none. **Motion carried 5-0.**

Agenda

1. Pledge of Allegiance
2. Roll Call – Long, Mientkiewicz, Morris, Frederick, & Chandler (Roll call vote)
3. Approval of Agenda (Roll Call Vote)
4. Approval of Minutes (Roll Call Vote) - Board of Zoning Appeals regular meeting held on April 7, 2021
5. Petitions (Roll Call Vote)

A. BZA-2021-005; **Peter Ochab**

Location: 11160 Inkster (Parcel ID #80-093-99-0043-000)

Request: A use variance in accordance with *Section 22.03(d)* to occupy the property for single-family purposes. The property is zoned M-1, Light Industrial and the existing residential structure has lost its legal

nonconforming status. The Future Land Use designation for this property is Light Industrial.

Project: Request for single-family residential occupancy

B. BZA-2021-004; **Kade's Truck Repair/Milestone Trailer Leasing**

Location: Harrison Road (DP# 82-80-051-99-0007-000, 82-80-051-99-0008-001, 82-80-051-99-0008-002 and 82-80-051-99-0014-000)

Request:

1. A variance to reduce the side yard setbacks on the north and south sides to 4 feet where 10 feet are required for Parcels #80-051-99-0007-000 and 80-051-99-0008-001 (Kade's Truck Repair);
2. A variance to reduce the side and rear yard setbacks to 0 feet where 10 feet are required for Parcels #80-051-99-0014-000 and 80-051-99-0008-002 (Milestone Trailer Leasing); and
3. A variance to allow the lot coverage to exceed 75% for Parcels #80-051-99-0007-000; 80-051-99-0008-001; 80-051-99-0014-000; and 80-051-99-0008-002 for Kade's Truck Repair and Milestone Trailer Leasing.

Project: Development of a truck repair facility and trailer storage (Kade's Truck Repair) and zoning compliance (certificate of occupancy) for Milestone Trailer Leasing

6. Old Business
7. New Business
8. Communications
 - A. City Planner's Status Report
 - B. Romulus Highlights and Information March 2021
9. Discussion
10. Adjournment (Roll Call Vote)
4. Approval of Minutes (Roll Call Vote) – Board of Zoning Appeals regular meeting on April 7, 2021

Motion by Frederick, support by Morris, to approve the minutes of the regular meeting of the Board of Zoning Appeals held on April 7, 2021.

Roll Call Vote: Ayes – Frederick, Morris, Long, Mientkiewicz, Chandler. Nays – None. **Motion carried 5-0.**

5. Petitions:

A. BZA-2021-005; **Peter Ochab**

- Location:** 11160 Inkster (Parcel ID #80-093-99-0043-000)
- Request:** A use variance in accordance with *Section 22.03(d)* to occupy the property for single-family purposes. The property is zoned M-1, Light Industrial and the existing residential structure has lost its legal nonconforming status. The Future Land Use designation for this property is Light Industrial.
- Project:** Request for single-family residential occupancy

Peter Ochab, PSO Enterprises, 28860 Coleman, Grosse Ile MI, said they had purchased the older home at this address. The home was built approximately 1940, and needed to be brought up to standards. The parcel was ½ acre and was an attractive site.

Mr. Ochab said he was proposing to have a residential use on this property by renovating the current structure. The home is located between other residences; there were no industrial structures around it and it was appropriate to have the use continue as residential.

Noting that legal notifications had been sent out as required, and that there was no public present this evening who wanted to speak regarding this case, Chair Chandler opened the meeting to questions from the Board.

In response to questions from Members Long and Frederick, Mr. Ochab gave the following information:

- The property will be used for residential use. The home had a 3-car garage, was set on a nice lot with mature trees, and was surrounded by residential homes. There would be no commercial or industrial use on the lot.
- The City's zoning for this property was M-1 Light Industrial use, but that was not a use that Mr. Ochab was planning on utilizing for the property.
- There was a full basement under about 75% of the home. The rear portion had a crawlspace.
- The lease agreement would prohibit any industrial or commercial uses on the property.
- Mr. Ochab did not have any other buildings in Romulus. He did have property in Taylor and Brownstown.

In response to further comments from Member Long, City Planner Maise explained that because the home had been vacant with the water turned off for over 2 years, the property had lost its legal nonconforming status. In the current instance, the use variance will run with the land, so that should the same situation recur, a new variance would not be needed. If by any chance the owner did want the property to revert to M-1 zoning, he would have to formally request that of the City.

Chair Chandler asked about a timeline. Mr. Ochab said plans had been submitted to the Building Department. If the variance was granted this evening, they would start almost immediately on renovating the house, and the work should be complete in 3-4 months.

MOTION by Frederick, support by Morris, to approve the use variance for BZA- 2021-005; requested by Peter Ochab, to allow for the use of the existing single-family dwelling unit for single-family residential purposes at 11160 Inkster Road, for the following reasons:

1. There is an existing nonconforming single-family home on the property that sat vacant for more than 24 consecutive months which resulted in the property reverting back to

- only uses permitted in the M-1 District unless the BZA approves the reoccupancy of the structure as a single-family residential use;
2. The property is currently in disrepair and blighted and the applicant is proposing to rehabilitate the single-family home and bring the property back into active use;
 3. The use of the property for a single-family residence will not be detrimental to the neighborhood as adjacent properties are also nonconforming single-family homes.
 4. One of the primary purposes of the M-1 District is to “*protect abutting residential districts by separating them from industrial activities*”. A use variance to allow for a single-family home instead of having an industrial use on this property will help protect the character of the existing single-family homes along this portion of Inkster Road;
 5. The use should not impair the intent of the Zoning Ordinance. Although the nonconforming status of the single-family residence has since expired, *Section 20.04* of the Zoning Ordinance also states that “*single family residential uses in existence prior to the date of the enactment or amendment of this Ordinance that are now located in zoning districts where residential uses are not permitted shall be allowed to continue so long as the principal use of the property remains single family residential.*”

This use variance is conditioned upon:

1. The use variance is intended for only single-family use as described in the applicant’s statement. Any type of business associated with this property, other than those permitted in *Section 11.17(c), Home Occupations*, are subject to city review and approval;
2. The nonconforming residential use is subject to the standards of *Section 20.5, Residential Uses within a Nonresidential District*; and
3. Completion of the city certification for a Certificate of Occupancy.

Roll Call Vote: Ayes – Long, Morris, Frederick, Mientkiewicz, Chandler. Nays – none. **Motion carried 5-0.**

B. BZA-2021-004; Kade’s Truck Repair/Milestone Trailer Leasing

Location: Harrison Road (DP# 82-80-051-99-0007-000, 82-80-051-99-0008-001, 82-80-051-99-0008-002 and 82-80-051-99-0014-000)

Request:

1. A variance to reduce the side yard setbacks on the north and south sides to 4 feet where 10 feet are required for Parcels #80-051-99-0007-000 and 80-051-99-0008-001 (Kade’s Truck Repair);
2. A variance to reduce the side and rear yard setbacks to 0 feet where 10 feet are required for Parcels #80-051-99-0014-000 and 80-051-99-0008-002 (Milestone Trailer Leasing); and
3. A variance to allow the lot coverage to exceed 75% for Parcels #80-051-99-0007-000; 80-051-99-0008-001; 80-051-99-0014-000; and 80-051-99-0008-002 for Kade’s Truck Repair and Milestone Trailer Leasing.

Project: Development of a truck repair facility and trailer storage (Kade’s Truck Repair) and zoning compliance (certificate of occupancy) for Milestone Trailer Leasing

Derrick Long, Kade Properties, 22315 Waterland Dr., Northville MI, gave the following information:

- He purchased the land as four separate parcels. Originally, he was going to develop the front two parcels because the back two parcels were occupied by Milestone Trailer Leasing. As he went through the process, it became apparent that it was easier to combine all of the parcels to resolve problems with the roadway going to the back.
- After the four parcels were joined together, other zoning issues arose regarding the narrowness of the parcels and the need to provide a turning radius so the semis could swing into the property to access the building. It is because of those issues the case was before the BZA this evening.

Noting that legal notifications had been sent out as required, and that there was no public present this evening who wanted to speak regarding this case, Chair Chandler brought the matter back to the Board.

City Planner Maise said that she had a conversation with the neighbor to the south and had sent them a copy of the site plan. The neighbor was concerned regarding drainage issues that might be caused by the narrow lots and the bioswales being constructed. The City Engineer had talked with the neighbor, explaining how the waste stormwater would be managed, and the neighbor appeared to be satisfied.

Chair Chandler thought the County might be scheduling work on the county drains in this area.

Member Frederick said that the Planning Commission had looked at this site plan, and it appeared that everything was going in the direction the Commission intended. Regarding the requested setbacks, the problem resulted from the narrow lots, yet combining them was the right thing to do. The requested setbacks shouldn't have an impact on anyone because the site was surrounded by trucks, in an area zoned for that type of use.

Member Long asked about access to the rear parcel from Harrison Street.

Petitioner Long said that the rear portion was where Milestone Leasing was already leasing and using the property. Petitioner Long did not have access to that the property from Harrison right now, but that was being proposed to the Planning Commission as part of this overall application. While he owned all four parcels, he wanted to develop Site A, which contained parcels 1 and 2. Milestone Leasing is located on Site B.

City Planner Maise gave some further background to the properties. The entire area occupied by Milestone Trailer Leasing actually had 4 property owners, and the City Attorney and Engineer were working to get all issues resolved. However, if the variances were granted this evening, Petitioner Long could start to move forward on the front part of the site.

In response to a question from Member Mientkiewicz, Petitioner Long described the location of fencing around the site.

MOTION by Morris, support by Long, that based on the analysis and findings provided in the May 24, 2021 Planning Department Staff Report, and on the information provided in tonight's meeting, the BZA grants the variances as listed from *8.04(a), Area, Height and Placement Requirements* for BZA-2021-006, Kade's Truck Repair and Milestone Trailer Leasing, to allow a reduction in the side and rear yard setbacks and to allow lot coverage beyond that permitted,

subject to the submittal of a revised site plan per the conditions of the April 19, 2021 Planning Commission approval.

Roll Call Vote: Ayes – Morris, Long, Frederick, Mientkiewicz, Chandler. Nays – none. **Motion carried 5-0.**

6. Old Business: None

7. New Business: None.

8. Communications:

A. City Planner's Status Report

City Planner Maise reviewed the May 26, 2021 status report.

There will be a BZA meeting on July 7. Watch for further communications whether the meeting will be in person, and for information regarding training for ZOOM webinar use.

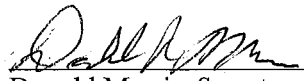
B. Romulus Highlights and Information May 2021

9. Discussion: None.

10. Adjournment

Motion by Mientkiewicz, support by Long, to adjourn the meeting at 7:50 p.m.

Roll Call Vote: Ayes – Mientkiewicz, Long, Frederick, Morris, Chandler. Nays – None.
Motion carried 5-0.



Donald Morris, Secretary
Zoning Board of Appeals

/cem