

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Regular Meeting

Wednesday, January 2, 2008 7:00 p.m.
1490 South Dye Road

MEMBERS PRESENT: B. Parker, G. Menoutes, E. Smith, L. Ford

MEMBERS ABSENT: N. Pappadakis

STAFF PRESENT: T. Tucker, Economic Enhancement Director
M. Corrigan, Planning & Zoning Assistant

Chairman Menoutes called the meeting to order at 7:00 p.m.

APPROVAL / CORRECTION OF MINUTES:

December 5, 2007 Regular Meeting

December 20, 2007 Special Meeting

MOTION BY L. FORD, SECOND BY E. SMITH to approve the minutes of December 5, 2007, and December 20, 2007 as printed. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

Audience

Barb Vert asked why the Zoning Board of Appeals was meeting tonight just approve minutes.

T. Tucker explained that on Friday, December 28th, there was no one in the Township that could approve the meeting to be cancelled. These meeting dates are approved by the Township Board and cannot be cancelled without proper approval. B. Parker indicated she thought there was an action taken by the Township Board to postpone any meeting that has no action items until the next monthly meeting.

T. Tucker stated she would look for the minutes that support that action.

L. Ford said he thought it was a State Law that this Board must have a monthly meeting.

Chairman Menoutes adjourned the meeting at 7:06 p.m.

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Regular Meeting

Wednesday, February 6, 2008 7:00 p.m.

1490 South Dye Road

MEMBERS PRESENT: B. Parker, G. Menoutes, E. Smith, L. Ford

MEMBERS ABSENT: N. Pappadakis

STAFF PRESENT: T. Tucker, Economic Enhancement Director, M. Corrigan, Planning & Zoning Assistant

Chairman Menoutes called the meeting to order at 7:00 p.m.

APPROVAL / CORRECTION OF MINUTES:

January 2, 2008 Regular Meeting

MOTION BY L. FORD, SECOND BY B. PARKER to approve the minutes of January 2, 2008 as printed. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING: CASE #2429 RED WING SHOES

Applicant seeks to vary from the provisions of Ordinance 6021-07, Section 3.04 (b)(iii) in that petitioner is requesting to construct a sign that has a electronic reader board that is 3 x 8 feet in size in lieu of the required 3 x 6 feet in size.

LEGAL: 07-28-100-032
LOCATION: 3023 S. Linden Road
ZONING: C-1 (Local Business)

Nick Trifon, Signs by Crannie, was present represent this project. This company would like to have a color LED 3 x 8 SF sign in lieu of a 3 x 6 SF. The 3 x 6 SF signage would be too short to display messages, and hard to read. The size that he is asking for would comply with the changes that the Township Board is considering changing in the Sign Ordinance by the end of February.

Audience

Barb Vert - 4064 Moulton - Opposes

Pam Luna - 4040 Moulton - Opposes

L. Ford pointed out the audience that the Zoning Board of Appeals cannot police the issue of 1st Amendment rights. The petitioner has the right to display on LEDs and they cannot oversee how many times it flashes, etc. The Building Department doesn't have the manpower to oversee ALL signage in the Township. If they see a violation of the Sign

Ordinance, they do something about it. The Building Department is doing the best they can.

B. Parker indicated that this case is not a hardship and according to the State Statute, there must be a hardship. Not a self created hardship.

L. Ford stated that the Hollywood Diner has an LED sign, and it is too small to read the words on it. That is a 3 x 6. This is a safety issue. You do not want to have to slow down to read a sign.

T. Tucker gave L. Ford the rules for granting a variance. L. Ford read it aloud. It stated that a Practical Difficulty is also reason for granting a variance by the Zoning Board of Appeals.

There was discussion on this issue.

MOTION BY L. FORD, SECOND BY G. MENOUTES to postpone Case #2429 until the March 5, 2008 meeting after the possible decision of the Township Board to alter the Sign Ordinance to 28 SF. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

B. Vert asked why there has been an empty chair at the Zoning Board of Appeals meetings. G. Menoutes indicated that one member is very ill and it is up to the Township Board of Trustees to appoint someone else if N. Pappadakis doesn't return from his illness.

Chairman Menoutes adjourned the meeting at 7:35 p.m.

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Regular Meeting

Wednesday, May 7, 2008 7:00 p.m.

1490 South Dye Road

MEMBERS PRESENT: B. Parker, V. Shaheen, G. Menoutes, E. Smith, L. Ford

MEMBERS ABSENT: None

STAFF PRESENT: T. Tucker, Economic Enhancement Director

Chairman Menoutes called the meeting to order at 7:00 p.m.

APPROVAL / CORRECTION OF MINUTES:

February 6, 2008 Regular Meeting

MOTION BY B. PARKER, SECOND BY V. SHAHEEN to approve the minutes of February 6, 2008 as printed. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS:

PUBLIC HEARING: CASE #2430 MICHAEL JAY MINCE

Applicant seeks to vary from the provisions of Ordinance #5500, Article 6 in that petitioner is requests to establish a dog grooming business in an R-1D (Single Family Residential) zoned district.

LEGAL: 07-17-556-023

LOCATION: 5296 Reuben Street

ZONING: R-1D (Single Family Residential)

The petitioner was present to address the Board. He would like to open a small business at his residence to groom dogs. He would groom approximately 2 - 5 dogs per day. He would like to be open Monday - Saturday, from 9:00 a.m. to 5:00 p.m. and groom by appointment only.

The traffic was discussed. The petitioner stated he would only have approximately 5 cars per day. He will not allow any cars to be parked in the road.

E. Smith asked what the closest business is to this property. The petitioner indicated that it was Gill-Roys.

Audience

Barb Vert - 4064 Moulton Drive - in favor

MOTION BY L. FORD, SECOND BY E. SMITH to approve Case #2430 for one year with conditions: 1) that the signage be no larger than 2 feet by 3 feet and be located on the building; 2) that the Zoning Board of Appeals reserve the right to rescind the variance if any problems occur. After the one year, if there are no problems, this Case is to come back before the Zoning Board of Appeals (at no charge) for review.

ROLL CALL:

B. PARKER	YES
V. SHAHEEN	YES
G. MENOUTES	YES
E. SMITH	YES
L. FORD	YES

5 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

Some members of the Board were interested in changing the day of the week that the Board meets, from Wednesday, to Tuesday, at 7:00 p.m. B. Parker indicated that since the yearly calendar was already done, she would like the Township Attorney to write an opinion on the subject before voting on the change.

Chairman Menoutes adjourned the meeting at 7:30 p.m.

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Regular Meeting

Tuesday, July 1, 2008 7:00 p.m.

1490 South Dye Road

MEMBERS PRESENT: B. Parker, G. Menoutes, L. Ford

MEMBERS ABSENT: E. Smith, V. Shaheen

STAFF PRESENT: T. Tucker, Economic Enhancement Director, M. Corrigan, Planning & Zoning Assistant

Chairman Menoutes called the meeting to order at 7:00 p.m.

APPROVAL / CORRECTION OF MINUTES:

May 7, 2008 Regular Meeting

MOTION BY L. FORD, SECOND BY B. PARKER to approve the minutes of May 7, 2008, as printed.

ROLL CALL:

L. FORD	YES
B. PARKER	YES
G. MENOUTES	YES

3 ♡ YES, 0 ♡ NO MOTION CARRIED UNANIMOUSLY

NEW BUSINESS:

PUBLIC HEARING: CASE #2431 FRED A LEWIS

Applicant seeks to vary from the provisions of Ordinance #5500, Section 5.5 (Schedule of Regulations), in that petitioner requests to be allowed to construct an addition to the rear of the home that will result in a 24 feet rear setback in lieu of the minimum required 35 feet setback.

LEGAL: 07-15-503-042
LOCATION: 3316 Elenora
ZONING: R-1C (Single Family Residential)

Fred A. Lewis, 5399 Kimberly Drive, Grand Blanc, addressed the Board. He is representing the homeowner at 3316 Elenora, Amos Williams. Mr. Lewis is the contractor who will build the addition at this home. The addition will be 24 x 20 square feet to the rear of the home. He will also be re-siding the whole house.

B. Parker asked what the addition would be used for. Mr. Lewis stated the addition would be a larger kitchen and dining room.

Chairman Menoutes opened the Public Hearing at 7:05 p.m.

The homeowner introduced himself.

Chairman Menoutes closed the Public Hearing at 7:06 p.m.

MOTION L. FORD, SECOND BY B. PARKER to approve Case #2431 as presented.

ROLL CALL:

L. FORD	YES
B. PARKER	YES
G. MENOUTES	YES

3 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

Chairman Menoutes adjourned the meeting at 7:07 p.m.

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Regular Meeting

Wednesday, August 6, 2008 7:00 p.m.

1490 South Dye Road

MEMBERS PRESENT: B. Parker, V. Shaheen, G. Menoutes, E. Smith, L. Ford

MEMBERS ABSENT: None

STAFF PRESENT: T. Tucker, Economic Enhancement Director

A. Long, Administrative Assistant

Chairman Menoutes called the meeting to order at 7:00 p.m. He congratulated B. Parker and B. Vert on winning the recent election.

APPROVAL / CORRECTION OF MINUTES:

July 1, 2008 Regular Meeting

MOTION BY L. FORD, SECOND BY V. SHAHEEN to approve the minutes of July 1, 2008, as printed. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

NEW BUSINESS:

PUBLIC HEARING: CASE #2433 MILLER APPLE LP

Applicant seeks to vary from the provisions of Ordinance #6021-07, Section 3.04(b) in that petitioner requests to be allowed to construct a sign at 25 feet in height in lieu of maximum 15 feet allowed.

LEGAL: 07-22-400-013
LOCATION: 3140 Miller Road
Old Bill Knapps site
ZONING: C-3 (Highway Service)

Bill Wentworth, Jr. was present to represent this project. He is asking for a 25 feet high pylon sign to help with traffic coming from the West, and to prevent people from backing up on Miller Road.

L. Ford asked how far the visibility would increase on the freeway because of the sign. The petitioner indicated that there wouldn't be increased visibility for the expressway, only Miller Road.

B. Parker stated that this sign is trying to prevent people from driving past Austin Parkway. She added that she would like to see directional signs enhanced rather than additional 10 feet of signage.

L. Ford asked the petitioner if it was true that the Road Commission has denied crossing Miller Road to turn in. The petitioner indicated that was true.

G. Menoutes asked if 15 feet would block Don Pablos and Speedway coming from the South. The petitioner said no.

E. Smith read the three letters that were received at the Building Department regarding Case #2433. The letters are in the file.

**Parkway Professional Center - 2425 Austin Parkway, Suite 4 - opposes
McDonald's - 3060 Miller Road - opposes
Fudruckers - 2373 Austin Parkway - opposes**

B. Parker asked if the petitioner could change the setback instead of a 10 feet higher sign. The petitioner stated no.

AUDIENCE

Kathy Desance - 2361 Austin Parkway - she represents Comfort Inn and they wanted to know if they could partner with Sonic to get directional signs from Miller to Austin Parkway.

L. Ford asked if the Road Commission would give them a bigger sign for Austin Parkway. T. Tucker indicated she would try to contact John Daly at the Road Commission and find out.

G. Menoutes said he would contact Rep. Lee Gonzales (Chairman of Transportation), and have him contact T. Tucker.

MOTION BY L. FORD, SECOND BY V. SHAHEEN to approve Case #2433 as presented.

ROLL CALL:

B. PARKER NO

V. SHAHEEN YES
G. MENOUTES YES
E. SMITH YES
L. FORD YES

4 ♦ YES, 1 ♦ NO MOTION CARRIED

PUBLIC HEARING: CASE #2434 BILL CARR SIGNS INC

Applicant seeks to vary from the provisions of Ordinance #6021-07, Section 3.04(1)(a)(iii)(bb) in that petitioner requests to be allowed to install fascia signage totaling 400 square feet in lieu of maximum allowed 273 square feet.

LEGAL: 07-29-200-024
LOCATION: 3192 S. Linden Road (Oakbrook Square)
Hobby Lobby
ZONING: C-3 (Highway Service)

Mike Ellithorpe, of Bill Carr Signs, and Jay Estes, from Hobby Lobby, represented this project. He is asking for a variance for the new Hobby Lobby that is being built in the Oakbrook Square Shopping Center. He indicated he is asking to display the department names along the frontage (similar to Michael's). It would be over 127 feet over the allowed square footage. He also pointed out that Wal-Mart on Corunna Road has something similar as well.

The petitioner showed some examples of what he's proposing.

L. Ford asked T. Tucker if Wal-Mart had this same type of variance. T. Tucker stated that Wal-Mart actually has two frontages so they did not need a variance. Michael's and JoAnn's do have a variance.

V. Shaheen asked if other buildings block the Hobby Lobby. The petitioner said yes, partially. V. Shaheen also asked if this was a destination business. The answer was to some extent yes. They are hoping for new business.

B. Parker added that Burlington also received a variance.

G. Menoutes asked how many employees would be here. J. Estes indicated that there would be 120 full and part time employees.

No one addressed the Board during the Public Hearing.

MOTION BY L. FORD, SECOND BY E. SMITH to approve Case #2434 as presented.

ROLL CALL:

V. SHAHEEN	NO
G. MENOUTES	YES
E. SMITH	YES
L. FORD	YES
B. PARKER	YES

4 - YES, 1 - NO MOTION CARRIED

Chairman Menoutes adjourned the meeting at 7:46 p.m.

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Regular Meeting

Tuesday, September 2, 2008 7:00 p.m.

1490 South Dye Road

MEMBERS PRESENT: L. Ford, G. Menoutes, V. Shaheen, B. Parker

MEMBERS ABSENT: E. Smith

STAFF PRESENT: P. Knowles, Administrative Assistant

Chairman Menoutes called the meeting to order at 7:00 p.m.

APPROVAL / CORRECTION OF MINUTES:

August 6, 2008 Regular Meeting

MOTION BY L. FORD, SECOND BY V. SHAHEEN to approve the minutes of August 6, 2008, as printed. VOICE VOTE: MOTION CARRIED UNANIMOUSLY

T. Tucker was a member of the audience and NOT a member of the staff for this meeting.

NEW BUSINESS:

PUBLIC HEARING: CASE #2435 DENNIS & TRACEY TUCKER

Applicant seeks to vary from the provisions of Ordinance #5500, Section 3.5(11) in that petitioner requests to be allowed to construct a 1,700 square feet addition to the existing detached accessory building that will exceed the maximum allowed area by 1,526 square feet.

**LEGAL: 07-19-300-015
LOCATION: 6324 Lennon Road
ZONING: R-1C (Single Family Residential)**

T. Tucker was present to represent this project. She is asking to add on to the existing accessory building to store farm tractors, equipment, etc. This property is approximately 60 acres.

There was a letter in the file from John R. Tucker, Attorney at Law. He was writing to us on behalf of Dorothy Creager who lives at 6312 Lennon Road. His letter indicates there is no problem with this addition to the existing structure.

MOTION BY V. SHAHEEN, SECOND BY L. FORD to approve Case #2435 as presented.

ROLL CALL:

B. PARKER	YES
V. SHAHEEN	YES
G. MENOUTES	YES
L. FORD	YES

4 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

Chairman Menoutes adjourned the meeting at 7:15 p.m.

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Special Meeting

Tuesday, September 16, 2008 7:00 p.m.

1490 South Dye Road

MEMBERS PRESENT: L. Ford, V. Shaheen, G. Menoutes, B. Parker, E. Smith

MEMBERS ABSENT: None

STAFF PRESENT: T. Tucker, Economic Enhancement Director

R. Shifflett, Administrative Assistant

Chairman Menoutes called the meeting to order at 7:00 p.m.

NEW BUSINESS:

PUBLIC HEARING: CASE #2436 PERFECT FIT ALTERATIONS

Applicant seeks to vary from the provisions of Ordinance #6021-07, Section 3.04(b)(iii), in that petitioner requests to be allowed to add to an existing pylon sign an additional 48 square feet, which will result in a sign of 336 square feet in lieu of maximum allowed 80 square feet.

LEGAL: 07-27-100-016
LOCATION: 3407 Miller Road (K & G)
ZONING: C-2 (General Business)

George Coleman, of Perfect Fit Alterations, was present to represent this project. The petitioner has leased some space inside the existing K & G Menswear store. He will be doing alterations and needs to advertise.

No one in the audience spoke regarding this project.

MOTION BY L. FORD, SECOND BY V. SHAHEEN to approve Case #2436 with the condition that the signs stay only as long as the business does and that the business owner is responsible for removal of the sign if he leaves.

ROLL CALL:

B. PARKER YES
V. SHAHEEN YES
G. MENOUTES YES

E. SMITH YES
L. FORD YES

5 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING: CASE #2437 ROBERT WHITE

Applicant seeks to vary from the provisions of Ordinance #5500, Section 3.5(11), in that petitioner requests to be allowed to construct a 1,928 square feet accessory building that will exceed the maximum allowed amount by 60 square feet, and Section 3.5(10) in that the same accessory building will exceed the maximum allowed height by 3.7 feet.

LEGAL: 07-03-527-052
LOCATION: 2489 Thornton Avenue
ZONING: R-1C (Single Family Residential)

Dale Pattee of One Way Construction, represented the property owner, Robert White. The property owner would like to construct a 40 x 48 SF accessory building to keep a large bus, miscellaneous equipment, a trailer, 2 snowmobiles, and a camper. The petitioner brought photos of the items to be stored to show the Board.

No one in the audience addressed the Board regarding this case.

There is an existing 10 x 10 SF accessory building that the Board asking the petitioner to take down after the new accessory building was finished.

There was a five-minute recess called at 7:17 p.m. so that the petitioner could call the homeowner and ask him about taking down the 10 x 10 existing accessory building.

MOTION BY V. SHAHEEN, SECOND BY E. SMITH to approve Case #2437 contingent upon the existing 10 x 10 SF accessory building being removed within 30 days of the new building being completed.

ROLL CALL:

V. SHAHEEN YES
G. MENOUTES YES
E. SMITH YES
L. FORD YES
B. PARKER YES

5 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

CHARTER TOWNSHIP OF FLINT ZONING BOARD OF APPEALS

Regular Meeting

Tuesday, December 2, 2008 7:00 p.m.

1490 South Dye Road

MEMBERS PRESENT: F. Kasle, E. White, E. Smith, L. Ford

MEMBERS ABSENT: None

STAFF PRESENT: T. Tucker, Economic Enhancement Director

P. Knowles, Administrative Assistant

L. Ford nominated E. Smith as Chairman. Second by E. White.

E. Smith called the meeting to order at 7:00 p.m.

AUDIENCE PARTICIPATION

No one addressed the Board from the audience.

APPROVAL / CORRECTION OF MINUTES:

August 6, 2008 Regular Meeting

September 2, 2008 Regular Meeting

MOTION BY L. FORD, SECOND BY E. WHITE to approve the minutes of August 6, 2008 and September 2, 2008, as printed. VOICE VOTE: MOTION CARRIED. F. Kasle abstained.

NEW BUSINESS:

PUBLIC HEARING: CASE #2439 MEDAWAR JEWELERS

Applicant seeks to vary from the provisions of Ordinance #6021-07, Section 3.04(1)(b)(ii), in that petitioner requests to be allowed to establish a 120 square feet main ID sign in lieu of maximum allowed 80 square feet.

**LEGAL: 07-28-100-034
LOCATION: 3093 S. Linden Rd.
ZONING: C-3 (Highway Service)**

Ronnie Medawar represented the project. He is proposing an LED sign for his business.

Public Hearing opened at 7:07 p.m.

A letter was faxed over to the Building Department from Mike Rowley, Treasurer of Haven Partners, Inc. Their company owns 3069, 3071, 3075 and 3085 S. Linden Road; Parcel 07-28-100-033. They are opposed to this variance request.

Public Hearing closed at 7:12 p.m.

MOTION BY E. WHITE, SECOND BY L. FORD to approve Case #2439 with the condition that the off premise signage North of the property must be removed when the new signage is completed.

ROLL CALL:

F. KASLE	YES
E. WHITE	YES
L. FORD	YES
E. SMITH	YES

4 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING: CASE #2440 AMERICAN OUTDOOR ADVERTISING

Applicant seeks to vary from the provisions of Ordinance #6021-07, Sections 3.06(1), 3.06(6), and 3.04(1)(b)(iii), in that petitioner requests to be allowed to construct an off premise sign (billboard) which is on a portion of a premise not adjacent to and facing an interstate or US highway. Sign would be within 500 feet of an existing on premise sign.

**LEGAL: 07-28-200-015
LOCATION 4175 Miller Rd.
Driveway between Moe's & BD's Mongolian BBQ
ZONING: C-3 (Highway Service)**

Dick Kraft, Kraft Engineering, represented the petitioner. They are proposing a billboard located between the empty Moe's and the exiting BD's Mongolian BBQ.

Public Hearing opened at 7:50 p.m.

A letter was received from Sharon Bollinger opposing Case #2440.

Don Rowley - Planning Commissioner and retired Flint Twp. Fire Chief - opposes this signage due to safety.

Ed Housel - representing Red Robin Restaurant - opposes this signage due to safety.

Public Hearing closed at 7:56 p.m.

MOTION BY L. FORD, SECOND BY E. WHITE to postpone Case #2440 until the next regular meeting. Would like Attorney P. Goodstein to be present.

ROLL CALL:

E. WHITE	YES
L. FORD	YES
F. KASLE	YES
E. SMITH	YES

4 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

PUBLIC HEARING: CASE #2441 BILL CARR SIGNS INC

Applicants seeks to vary from the provisions of Ordinance #6021-07, Section 3.04(1)(b) and (b)(ii) in that petitioner requests to be allowed to construct a free standing sign at 55 feet in height and 300 square feet in area in lieu of maximum allowed 15 feet in height and 80 square feet (in area adjacent to I-75). And, requests a variance from Section 3.04 (b) and (b) (ii) in that petitioner requests to add an additional freestanding sign at Austin Parkway frontage at 25 feet in height by 300 square feet in area in lieu maximum 15 feet in height by 80 square feet in area.

LEGAL: 07-22-576-002
LOCATION: 2408 Austin Parkway
Cummings Harley Davidson
ZONING: C-3 (Highway Service)

Mike Ellithorpe of Bill Carr Signs was present to represent this case. These are proposed signage for the new Cummings Harley Davidson.

Public Hearing opened at 8:18 p.m.

Public Hearing closed at 8:19 p.m.

MOTION BY L. FORD, SECOND BY F. KASLE to approve Case #2441 as presented.

ROLL CALL:

L. FORD	YES
F. KASLE	YES
E. WHITE	YES
E. SMITH	YES

4 - YES, 0 - NO MOTION CARRIED UNANIMOUSLY

Zoning Board of Appeals will now meet the 1st Wednesday of each month starting in 2009.

E. Smith adjourned the meeting at 8:25 p.m.