

**CITY OF WIXOM  
ZONING BOARD OF APPEALS MEETING  
49045 PONTIAC TRAIL  
MONDAY, JULY 10, 2017**

Approved  
8/14/17

The meeting was called to order by Chairman Caplan of the Zoning Board of Appeals at 7:30 p.m. at which time allegiance was pledged to the American flag.

**BOARD:** Jeff Caplan (Chairman), Joe Barts, Steve Winters, Peter Behrmann, Ray Konchel, Tom Marcucci and Michael Schira (7:32 p.m.)

**ABSENT:** David Berry (Excused)

**OTHERS:** Carol Maise (on behalf of Carmine Avantini) [CIB Planning], Deb Barker (Economic and Community Development Director) and Nancy Fisher (Recording Secretary)

**Determination of a Quorum:**

A quorum of the Zoning Board of Appeals was present for this meeting.

**Agenda:**

No additions or changes were made to the agenda.

**Approval of the June 12, 2017 Zoning Board of Appeals Meeting Minutes:**

MOTION and seconded by Boardmembers Konchel and Barts to approve the June 12, 2017 Zoning Board of Appeals Meeting Minutes.

**VOTE:**

**MOTION CARRIED**

**Correspondence:**

City Manager's Update – June 27, 2017

**Call to the Public:**

There were no comments made by the public.

**Unfinished Business:**

There was no unfinished business listed on the agenda for this meeting.

**New Business:**

- 1. PUBLIC HEARING FOR VARIANCE #003-17: WILLIAM HANNON, 48602 DOWNING STREET, WIXOM, MI, 48393:** The applicant is seeking a variance to allow a screen fence in the front yard when it is not permitted under **Section 18.13.050**, Fences and Walls, of the Ordinance. The Wixom Municipal Code requires approval of a dimensional variance from the Zoning Board of Appeals when it can be shown that Ordinance standards have been met. The property is zoned M-1, Light Industrial, where automotive technology uses are permitted in that district. The parcel number is 96-22-08-100-032.

Chairman Caplan notified the applicant that it would need to secure four of the seven votes in order to have its request granted.

Brian B. Biskner, Project Engineer, Powell Engineering & Associates, LLC, 4700 Cornerstone Drive, White Lake. He referred to the large-scale depiction of the site. The tenant wants to operate a

vehicle sensor research facility and needs to install a fence around it which requires 500 feet. They can go 482 feet but would need to extend that into the front yard. The property is unique since the test track will go right by the building allowing for the required privacy. The fence will be an 8-foot chain link with attached weather durable fabric. A couple of pine trees will need to be removed in front. This is conditioned upon replacement of the removed landscaping and removal of the pavement and fence. He has spoken to Mike Darga and the City Engineer regarding this. The owner will be able to maintain good drainage.

Chairman Caplan confirmed with the applicant that the fence will be 8 feet tall and that it will be the same all the way around the perimeter. Boardmember Behrmann asked whether there are any more aesthetically pleasing options for the fence. The applicant said that the chain link was chosen for economic reasons and because it satisfies the tenant's needs. Boardmember Behrmann asked whether the fence is directly on the east property line. The applicant said that it is about half a foot from it. Boardmember Marcucci asked whether the property is vacant. The applicant said that it is not and he pointed out the location of the existing building on the large-scale depiction. The site was developed in 1987. It is a vacant building but not a vacant property.

Boardmember Barts indicated that the review indicated that the use is not detrimental to the applicant's neighbors. However, can the applicant consider making the fence more decorative? Would they consider installing a solid fence? The applicant said it is considering that and that it would then transition back toward the house. Chairman Caplan said that it looks like the applicant is requesting a variance for 50 feet. Perhaps that section could be more decorative in order to adhere to the Ordinance. The applicant said that it looked at using a vinyl fence. Ms. Maise suggested that another option would be tubular aluminum which is more decorative and looks cleaner which Mr. Avantini favors. The fabric would be attached on the inside.

Boardmember Winters asked what would happen if and when the applicant leaves this site in 5-10 years. Chairman Caplan said that any approval would be conditioned upon removal of the landscaping and the pavement within the setback if the property is vacated by the applicant. Boardmember Barts asked whether the variance runs with the land. Ms. Maise said that if it is a condition, it runs with the land. Boardmember Barts believes that the type of fence should be reviewed administratively.

**MOTION** and second by Boardmembers Barts and Winters to grant Variance #003-17, William Hannon's request for a variance to allow a screen fence in the front yard when it is not permitted under Section 18.13.050, Fences and Walls, of the Ordinance. This approval is conditioned upon: 1) replacement of the removed landscaping necessitated by the project; 2) as a condition of the variance being granted, if the property is no longer used by the tenant, the fence and the pavement will be removed by the property owner; and 3) the applicant has agreed to an alternative fence which will be more decorative in the front section, to be administratively approved by the City Planner. The property is located at 48602 Downing Street, Wixom, Michigan 48393, is zoned M-1, Light Industrial and the parcel number is 96-22-08-100-032.

**VOTE:**

**MOTION CARRIED**

**Call to the Public:**

There were no comments made by the public.

**Staff Comments:**

Ms. Maise announced that there will be a special Zoning Board of Appeals meeting on July 17, 2017 which the City Attorney, Carol Rosati, will be attending.

**Board Comments:**

Boardmember Winters asked whether tonight's variance could not have been accomplished without the granting of a variance with the special use. Ms. Maise said that it is a dimensional variance since it is in a yard where it is not supposed to be. Fences are accessory structures and any variance from that requires a Zoning Board of Appeals variance.

Boardmember Behrmann requested that the Boardmembers receive more advance notice on whether meetings and special meetings will actually take place. Ms. Gallo sent the Boardmembers an email asking about their availability for a meeting on July 17<sup>th</sup> but there was never any follow-up stating whether the meeting would actually go forward on that date. He thinks they should be informed at least 3-4 weeks in advance and requests better communication. Boardmember Winters would like to know the subject of the special meeting on July 17<sup>th</sup>.

Boardmember Konchel noted that he did a drive by of the property discussed tonight and noticed a lot of 'for sale' and 'for lease' signs. Should they be alarmed? Ms. Barker said no; the City is getting short on properties. The buildings in the older section of Wall Street need improvement and they will be seeing a turnover. It used to be owned by Moeller and there was a chemical spill there which was cleaned up. Tonight's agenda item is a unique situation involving a high profile tenant which is on the County's radar. That entire area will be revitalized.

**Adjournment:**

This meeting of the Zoning Board of Appeals was motioned and adjourned at 7:52 p.m.

Nancy Fisher  
Recording Secretary