

**CITY OF WIXOM  
ZONING BOARD OF APPEALS MEETING  
49045 PONTIAC TRAIL  
MONDAY, OCTOBER 8, 2018**

APPROVED

11.14.2018

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), David Berry, Joe Barts, Michael Schira, Steve Winters, Peter Behrmann, Roy Thorsell and Tom Marcucci  
**ABSENT:** None  
**OTHERS:** Carmine Avantini (CIB Planning) and Nancy Fisher (Recording Secretary)

Since there was a full Board, Alternate Boardmember Roy Thorsell did not vote.

**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 July 9, 2018 Zoning Board of Appeals Meeting Minutes:**

MOTION and seconded by Boardmembers Behrmann and Winters to approve the July 9, 2018 Zoning Board of Appeals Meeting Minutes.

**VOTE: MOTION CARRIED**

**Correspondence:**

City Manager's Update – August 28, 2018  
City Manager's Update – September 11, 2018  
City Manager's Update – September 25, 2018

**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 #006-18: ST. MATTHEW LUTHERAN CHURCH, 48380 PONTIAC TRAIL, WIXOM, MI, 48393:** The applicant is seeking a use variance to replace an existing ground mounted sign on their property. The new ground-mounted sign would include an electronic message board which is prohibited within the VCA (Village Center Area) Zoning District. The property is zoned VCA, Village Center Area. The parcel number is 17-32-376-015.

Chairman Caplan notified all the applicants that in order to secure approval for the variance they have requested, they would require the vote of at least four Boardmembers.

Dale Schnuck, 7554 [inaudible] Place, Waterford. He is the Volunteer Properties Chairman for both the Wixom and Waterford sites. He read the Wixom pastor's letter addressed to the ZBA (which was sent to the Boardmembers) into the record. The pastor's letter noted that the church's current sign is 18 years old and it does not attract younger people. Unfortunately, the church's membership is not growing. Currently, it is cumbersome to change the message on the sign and it is better to just

replace it. The sign is unattractive and is one of the first things seen by eastbound travelers. They are unable to notify residents of community events. If they are able to grow, they plan to expand their facilities. The sign is both ugly and dated.

Joel Agius, Image 360, 2150 Pless Drive, Brighton. Chairman Caplan asked him whether the sign is the same exact dimensions. Mr. Agius noted that it is slightly smaller which is above the current Ordinance. Boardmember Berry asked Mr. Agius how frequently the message changes per minute or per hour. Mr. Agius said that it now changes every 5 seconds with a 1 second break in between messages. Boardmember Berry asked whether that meets the Church's needs. Mr. Agius noted that the applicant will abide by the Ordinance. However, if the requirements change, the applicant would like the ability to change as well. Boardmember Barts noted that the church's current sign is 18 years old. Would it predate the Village Center Area (VCA) regulation prohibiting such signs? Mr. Avantini noted that the Sign Ordinance was updated in 2014. The change to electric signs was around everywhere except for the VCA. This was a big concern for both the Planning Commission and the Zoning Board of Appeals (ZBA). The only reason that the City itself has electronic signs is that they predate the 2014 Ordinance. That is why the Ordinance was changed the way it was. He is very sensitive to what the applicant is dealing with. If they were not located within the VCA (right on its edge), they would be allowed an electronic sign. However, they need to meet the criteria of the Ordinance. He noted that use variances are very hard to prove. There is a private business who also wants an electronic sign so he is concerned about setting a precedent in this regard. There is a lot at stake when you are looking at use variances like this. That is why he has recommended that the ZBA deny the applicant's request. Chairman Caplan noted that it is not so much the sign as the fact that it is a reader board which is a big no-no.

Boardmember Berry noted that the applicant is a non-tax paying entity within the community. He asked how the guidelines fall on it in terms of meeting the Ordinance since they get certain exclusions from the City. Mr. Avantini said that it is different in terms of uses and that all applicants have to be treated the same way. The applicant is not treated differently when it comes to the signs. He noted that the Baptist Church also wanted a digital sign but instead opted for a changeable sign.

Boardmember Behrmann noted that the Ordinance prohibits changeable electronic signs. The Baptist Church went with a manually changeable sign which is permitted. He noted that the applicant has to present a hardship other than them wanting to garner younger members. The applicant said that it has two hardships. It was noted that traditional Christian churches are losing their youth. The sign is a better means of getting the word out to the community since it would be a changeable graphic. It would be way more effective than sliding plastic letters. The second hardship is that it is below grade which is problematic even if they have a sign that is lit. There are no businesses on either side and they project in each direction. There is a multi-tenant residency across the street. The sign needs to be noticed more. Boardmember Marcucci noted that the sign is not below grade. The applicant said the bottom of the sign is 18 inches down from the street. Boardmember Behrmann noted that the base of the sign is 18 inches lower. Boardmember Marcucci said that is not the sign. Chairman Caplan said that they will have to think about this since hardships cannot be self-created.

The applicant noted that they have to have a certain setback from the road. Mr. Avantini noted that the use variance relates only to the electronic sign. The height and other particulars are dimensional variances due to practical difficulties. They have the ability to do something like that which is much easier. Chairman Caplan noted that the applicant is asking for a much harder variance. Mr. Schnuck said that the real hardship is financial. They want to attract the 13 to 20 year olds. However, they are seeing their attendance decline. Chairman Caplan noted that they cannot consider financial hardship. Boardmember Marcucci said that he does not know if the new sign would bring in more people. Boardmember Barts confirmed with Mr. Agius that the sign is illuminated.

Boardmember Behrmann asked whether the church was given any input when the land was rezoned to VCA. Mr. Avantini said that was before his time. The applicant is shown as being in the VCA on the Master Plan. They have always had the opportunity to ask to be outside the VCA and to be rezoned. Then, by right, they would be entitled to an electronic sign. They are located on the edge of the VCA near the power lines. Boardmember Behrmann said that he personally does not have an issue with the sign but he does not feel that the applicant has established a hardship. Chairman Caplan said that the Board has to be careful since the Ordinance was put together for a reason and there was a lot of thought put into it. Boardmember Barts noted that Mr. Avantini mentioned some alternatives including using a permitted sign or getting themselves rezoned. Chairman Caplan noted that it is a use variance the applicant is asking for within the VCA. Mr. Avantini noted that when the ZBA met with the Planning Commission, the ZBA wanted to allow businesses to have more electronic signs and the Planning Commission strongly opposed that. Boardmember Barts asked whether the Baptist church requested it. Mr. Avantini noted that they had preliminary conversations with the City. It was more of an informal discussion. Then their sign person came in with what they have now and they are pretty happy. It was approved by the Planning Commission since it was a dimensional request.

Boardmember Berry noted that we would like to keep reader board signs restricted within the VCA. However, this applicant is not a business. It is a religious community that is trying to promote itself and bring in new members. He sees it similar to the City in terms of communicating to passersby. They are not advertising grocery items or selling pork chops. The ZBA considers each request on a case-by-case basis. He noted they are decreasing the board size bringing it back into compliance with Ordinance standards. He does not see a problem granting the applicant's request. Mr. Avantini asked whether that was not the same argument that the Board made to allow the City to have electronic message signs but not businesses? Boardmember Behrmann said that he does not believe that the City's electronic sign has ever gone before the ZBA. The City never asked for permission. Boardmember Berry said that it was not allowed under the Ordinance. Mr. Avantini said that he thinks it was allowed under the Ordinance. Chairman Caplan said that he thought that the City and the Fire Department got grandfathered in. Boardmember Berry noted that the topic of the reader board came up. There was an issue with the Ordinance. It was 1-1/2 years before they got interpretations on the Ordinance itself. He thinks that the church represents the community and that they should at least consider the applicant's request.

Mr. Avantini said that there is one other option. They amended the Sign Ordinance to allow institutional uses, whether it is a church or otherwise, in residential districts to have electronic signs. There are stringent conditions. The way to handle that is through an Ordinance amendment. Chairman Caplan said that he understands what Boardmember Berry is saying—that it is more of a community enhancement. Maybe they can change the Ordinance to provide for institutional uses. However, they need a good reason for a use variance. Mr. Agius said that he does church signs in many different communities across the State and that cities, schools and churches fall into a different category since it not a business. As Boardmember Berry noted, they are not advertising pork chops but instead are promoting prayer groups and aid to families. There has been a 220% increase in many different uses after switching from sliding plastic letters to electronic signs. Chairman Caplan said this could be considered since both Boardmember Berry and Mr. Avantini brought up good points. Boardmember Barts said if the other alternatives including rezoning were explored, could the applicant bring it back after trying the alternatives if their request is denied tonight? Mr. Avantini said that the applicant could ask the Planning Commission to look it up. If they are inclined to do so, they can see if City Council is disposed toward making that amendment. You always look to resolve issues through available means. Changeable message signs are not permitted in the VCA district except for public announcements which is how the City's signs are used. The City Attorney said you cannot treat the public signs differently for anyone else.

**MOTION** and second by Boardmembers Schira and Behrmann to deny Variance #006-18, St. Matthew Lutheran Church's request for a use variance to replace an existing ground mounted sign on their property with an electronic message board since the burdens have not been met to prove hardship or unique circumstances. The property is located at 48380 Pontiac Trail, Wixom, Michigan 48393, is zoned VCA, Village Center Area and the parcel number is 17-32-376-015.

**Roll Call Vote:** 6 AYES: Caplan, Berhmann, Barts, Marcucci, Schira and Winters  
1 NAY: Berry  
0 ABSENT: None

**MOTION CARRIED**

Mr. Avantini told the applicant that if they want consideration to amend the Ordinance to allow electronic signs for institutional uses, send him a letter and he will raise the issue with the appropriate people. Chairman Caplan encouraged the applicant to do that. The applicant said that it did not know how it got inside the VCA. Boardmember Winters noted that is something to look at too.

**2. PUBLIC HEARING FOR VARIANCE #007-18: CHARLES PEARSON, 2900 POTTER ROAD, WIXOM, MI, 48393:** The applicant is requesting a variance from *Section 18.03.050, Table 3.05.G. Schedule of Regulations*, of the Zoning Ordinance for a reduction in the front yard setback on the Wren Street frontage from the 35' minimum to 13' (a 22' variance). The property is zoned R-3, One Family Residential, where garages are permitted in that district. The parcel number is 17-29-383-012.

Charles Pearson, 2900 Potter Road, Wixom. He is applying for a variance since Wren Street does not go through all the way. It was on the paperwork at one time and now is not. It is a corner house. Back in 1973, they applied for a garage permit. That was approved but the garage was never built. He would like to build it now. Boardmember Marcucci noted that he does not see any details on the paperwork. Mr. Avantini noted that it was provided. The applicant provided Boardmember Marcucci with a copy. Boardmember Behrmann noted that the documents inserted into the meeting packet show on his computer screen but do not print the entire package. He thought he printed it out but discovered only when he was in the car with the papers that some of them never printed. He asked that Ms. Raddatz look into why there have been issues with downloading and printing documents from the shared document application through which the Boardmembers are provided documents.

Boardmember Behrmann noted that he drove past the applicant's home today. He asked the applicant whether the garage will be constructed where the foundation was poured. The applicant said no, there was originally a garage slab there but it was busted up and cracked so he tore it out before he knew that he should not do that. The garage will not go beyond where the foundation was. They are only talking about the setback between the street that does not exist. Chairman Caplan noted that the applicant has a corner lot and this is pretty cut and dried. He has a corner lot on a street which does not exist. Mr. Avantini said that he talked to the City Manager about whether the City would vacate the right-of-way. He said there are utilities and easements which run through there. The applicant said that he talked to the manager who told him in 2005 that a company came out and looked at all the public streets which could be vacated.

**Call to the Public:**

There were no comments made by the public.

Boardmember Marcucci said that he has no problem with the applicant's request. Boardmember Barts confirmed with the applicant that he has no problems with Mr. Avantini's recommendations.

**MOTION** and second by Boardmembers Barts and Winters to approve Variance #007-18, Charles Pearson's request for a variance from *Section 18.03.050, Table 3.05.G. Schedule of Regulations*, of the Zoning Ordinance for a reduction in the front yard setback on the Wren Street frontage from the 35 foot minimum to 13 foot (a 22-foot variance). This approval is conditioned upon the two conditions outlined in Mr. Avantini's October 8, 2018 review letter. The hardship is the footing and foundation was put in some time in the past and the applicant is finishing it. He is also located on a 'paper' road. The property is located at 2900 Potter Road, Wixom, Michigan 48393, is zoned R-3, One Family Residential, and the parcel number is 17-29-383-012.

**VOTE:**

**MOTION CARRIED**

- 3. PUBLIC HEARING FOR VARIANCE #008-18: MATRIX PROPERTY HOLDINGS, 31111 OLD WIXOM ROAD, WIXOM, MI, 48393:** The applicant is seeking a variance from *Section 18.09.040.F.2 - Standards applicable to specific uses - Outdoor Storage*, to allow a parking lot for the overnight outdoor storage of semi-trucks and trailers to encroach into the required 150-foot front yard setback. Twenty-four (24) spaces of the total 40-space storage lot will be located in the required front yard. The Zoning Ordinance requires that all outdoor storage areas be located no closer than 150 feet from any street right-of-way. A 51-foot setback is requested. The property is zoned M-1, Light Industrial, where manufacturing uses are permitted in that district. The parcel number is 22-06-200-044.

Mr. Avantini noted that this was originally slated to go to the Planning Commission for conceptual review, then to the ZBA, then back to the Planning Commission for special land use and site plan review. The applicant received approvals from the Planning Commission with conditions and it was all conditioned upon the ZBA granting the variance request.

Brian Biskner, Powell Engineering, 4700 Cornerstone Drive, White Lake and Mr. Kiefer, owner of Matrix Property Holdings. They are seeking a decrease in the outdoor storage setback from 150 feet to 51 feet due to the double frontage. He pointed out the existing building and where the overnight truck parking would be. The applicant is an automotive logistics company. They would need to use all the space for the trucks turning around. The lot's size plays into this as well. It will be fenced all the way around and fenced along the front for screening. The size and shape of the parcel as well as the nature of the business create practical difficulties. The hardship is that it is an existing building. It is double frontage. The outdoor storage puts them in an area of the parcel and the building is right there. So, by the time you pull a vehicle in and turn it around, the entire area would be needed for the turning radius. The hardship is that it is a corner lot.

Boardmember Behrmann asked the applicant whether they are the existing tenant. Mr. Kiefer said that he is not. He is now the owner and has forced the tenant to get the containers out of there. Mr. Biskner said that the truck drivers will come in, get in their vehicle, head out, come back that evening, drop their vehicle off, get in their car and go home. It is not really outdoor storage. It is vehicles.

Boardmember Barts noted that at the August 8, 2018 conceptual review before the Planning Commission, there were many questions posed to the applicant regarding this and it was explained. The applicant met all the Planning Commission's requests and they will provide the extra screening. Chairman Caplan thinks it is a good situation and that the applicant has cooperated with the City. He believes their efforts will enhance the property.

**MOTION** and second by Boardmembers Behrmann and Schira to approve Variance #008-18, Matrix Property Holdings' request for a 99-foot variance from *Section 18.09.040.F.2 - Standards applicable to specific uses - Outdoor Storage*, to allow a parking lot for the overnight outdoor storage of semi-trucks and trailers to encroach into the required 150-foot front yard setback. The applicant's 51-foot

setback is granted due to the practical difficulty of the exceptionally narrow lot. The property is located at 31111 Old Wixom Road, Wixom, Michigan 48393, is zoned M-1, Light Industrial, and the parcel number is 22-06-200-044.

**VOTE:**

**MOTION CARRIED**

- 4. PUBLIC HEARING FOR VARIANCE #009-18 AND #010-18: VALERO, 49435 GRAND RIVER AVENUE, WIXOM, MI, 48393:** The applicant is requesting variances from Section 18.16.090(A) of the Ordinance requiring signs to be setback 10' from the right-of-way. Proposed is the erection of two (2) compliant monument signs, each five (5) feet from the public right-of way. The property is zoned FS, Freeway Services where gasoline service stations are permitted uses in that district. The parcel number is 22-07-476-004.

Ali Bazzi, 5880 West Road, Washington Township. He has an old outdated pylon sign which is obsolete. He would like two monument signs, one on Grand River and one on Wixom Road. He needs a 10-foot setback. The lot size and shape makes it difficult to meet the requirements. If they tried to do that, the sign would be 30 feet away from the street's edge which would make it hard to see and it would be in the parking lot. He is requesting a 5-foot variance in order to meet the requirements. The sign is compliant with the Ordinance except for the setback.

Chairman Caplan noted that he likes monument signs better. In the past, they have asked for mockups of the signs' intended locations to ensure they will not be in line of sight and for health and safety reasons. His only concern is whether the sign could block the sidewalk which would create visibility issues. The applicant said with the 5-foot setback, you can see anyone walking down the sidewalk. The Lincoln dealership is to the east and the City of Novi is behind it. He thinks they may be building condos there but there is a greenbelt separating them. Mr. Avantini noted that the City looked at this and the applicant is still 5 feet from the sidewalk which is the edge of the right-of-way. The signs would not be a problem with visibility. The problem is if you do not put the sign close to the entry, people will not see it. There are enough traffic issues in that area already. Chairman Caplan said that he is comfortable with the sign off Grand River but is more concerned with the one coming in off Wixom Road where you are a lot closer to that driveway. Mr. Avantini noted that the only way to move it differently would be to cut down one of the trees or you could put a stop sign on one side of the sidewalk with some striping to alert drivers that it is a walkway as a safety measure. The applicant said that he can mark up the asphalt with yellow striping. Mr. Avantini said there is a lot of cut through traffic. He noted that the center may be coming in to look at alternate layouts for the parking lot to discourage some of the morning cut through traffic.

Boardmember Behrmann asked what the setback is from the driveway. Chairman Caplan said that on Grand River it is 20 feet. On Wixom Road it is 10 feet. He does not see how anyone can see a car coming. Boardmember Winters confirmed with Mr. Avantini that they are double-sided signs. Boardmember Barts noted that everything has been met and the applicant has worked with the City.

**MOTION** and second by Boardmembers Berry and Marcucci to approve Variances #009-18 and #010-18, Valero's requests for variances from Section 18.16.090(A) of the Ordinance requiring signs to be setback 10 feet from the right-of-way based on the proposed drawings for two (2) compliant monument signs, each five (5) feet from the public right-of way. The property is located at 49435 Grand River Avenue, Wixom, Michigan 48393, is zoned FS, Freeway Services and the parcel number is 22-07-476-004.

**VOTE:**

**MOTION CARRIED**

- 5. PUBLIC HEARING FOR VARIANCES #011-18 AND #012-18: GREG ULMER, 2661 LAKERIDGE AVENUE, WIXOM, MI, 48393:** The applicant is seeking variances to allow: 1) a 20-foot front yard setback from Lakeridge Avenue, when a minimum setback of 35 feet is required; and 2) a 40-foot maximum building height when a maximum height of 30 feet is permitted. The property is zoned R-3, One Family Residential, where single-family residential uses are permitted in that district. The parcel number is 17-29-213-002.

Greg Ulmer, 2771 Gadwell Court, Wolverine Lake. This is a front yard setback for a lake property. He discovered he has two front yards. He needs a variance on the street side for a setback which would allow a garage closer to the street/curb side. That would put him 50 feet off the curb. He wants a 15-foot variance which would put the garage in the exact position would be consistent. He would like a certain length to his driveway which allows him to park a certain number of cars in the driveway. It is a narrow street and lots of people park there, creating a hazard. If he stuck with the Ordinance, he would be closer to the lake. It would push his house out further which would be a hindrance to his neighbors. The issue is the tiny, narrow lot. He is trying to make his house similar to those in the area. The height variance relates to the lot also since it is very sloped. The pitch is about a 15 foot drop. As written, the Ordinance is fine for a typical home in subdivision. He wants a 10-foot height variance for a 40-foot overall height. The other houses are at 38 feet. Mr. Avantini mentioned the option of doing a walkout basement to him on this lot; however, it is almost mandatory. He agrees with Mr. Avantini's recommendations.

Boardmember Marcucci asked whether the basement will be 15 feet on the ground facing the lake. The applicant said that the way the plans were drawn, there are colored pictures of the existing house. The lot slopes so that the front part of the basement will be 5 feet above the ground. The lot tapers back so he will build a foundation wall and fill it with sand. The basement foundation wall he will fill is 5 feet in the front corner only. The basement will be an additional 10-foot stick build. He is not building the grading; he has to follow it. Before he gets to his first floor, he will be at 15 feet.

Boardmember Berry asked what the total square footage is including the changes to the design. The applicant said it will be 2,840 square feet which is compliant with the Ordinance. He noted that when he sold his old home, he told the purchaser (his current neighbor) that he will not block their view. His driveway would become 50 feet long. He wants to conform to the neighborhood. He would be taking away from the front room. Boardmember Berry asked the applicant whether he considered building a smaller house that is not so long. The applicant said that is an option but that would not be his preference. He is trying to be consistent with the Building Department. Boardmember Berry asked the applicant what his hardship is. The applicant said it is practical difficulty. He does not want a driveway that long and it blocks his neighbors. If he were to build a house, it would be a lot smaller. The practical difficulty is the lot itself, being both steep and narrow.

Boardmember Behrmann noted that the standard for a variance is practical difficulty. However, this is not a use variance. The applicant noted that the same variance was granted when he built his old house. Chairman Caplan said that he sees the practical difficulty and realizes the applicant wants to be able to use his property. If he built to the Ordinance, he would block his whole view.

Mr. Avantini noted that when the Ordinance was last updated, they looked at creating a separate zoning district for lakefront properties. However, there are so few, let alone those that are yet to be developed, they felt it would be better to take those remaining cases through the ZBA process. Chairman Caplan noted that the applicant is trying to keep within the character of the community. The applicant noted that he actually made the house smaller based on the last comments received from the City.

**MOTION** and second by Boardmembers Schira and Winters to approve Variances #011-18 and #012-18, Greg Ulmer's requests for variances to allow: 1) a 20-foot front yard setback from Lakeridge Avenue, when a minimum setback of 35 feet is required; and 2) a 40-foot maximum building height when a maximum height of 30 feet is permitted, for the reasons contained within Mr. Avantini's September 6, 2018 review letter. The property is located at 2661 Lakeridge Avenue, Wixom, Michigan 48393, is zoned R-3, One Family Residential, and the parcel number is 17-29-213-002.

**Roll Call Vote:** 6 AYES: Caplan, Behrmann, Barts, Marcucci, Schira and Winters  
1 NAY: Berry  
0 ABSENT: None

**MOTION CARRIED**

- 6. PUBLIC HEARING FOR VARIANCE #013-18, VALERIE ALLEN, 2275 W. NALONE AVENUE, WIXOM, MI, 48393:** The applicant is seeking a variance from *Section 18.13.050.B. - Fences and walls – Front Yard Fences in Residential Districts*, to allow a 4-foot high black vinyl coated chain link fence in the front yard. The property is zoned R-3, One Family Residential. The parcel number is 17-28-102-015.

Valerie Allen, 2275 W. Nalone Avenue, Wixom. She is requesting a 6-foot height variance for a black vinyl-coated chain link fence. It is 113 feet from the street. The house faces backwards on the lot which means the fence is to the side and the rear. If it is moved further back into the lot, it will actually protrude and will shrink the fenced area by one-third. The fence is blocked from view of the street by two gardens. The purpose of the fencing is to secure a medium-sized dog. Boardmember Winters confirmed with the applicant that she currently has a dog and that this was her mistake. She did not read the definition of front and side yards and thought hers was a side yard. The fence is already installed. The variance is for the height. She currently has the fence in the front yard. The practical difficulty is that she is situated on a paper only road which her house faces.

Boardmember Behrmann confirmed with the applicant that her house was built on a road that does not exist. The applicant noted that her home was one of the earliest ones built. Chairman Caplan noted that the material and location are both correct and that it is only a matter of 6 inches. Boardmember Behrmann asked what the 20 foot by 20 foot notation is. The applicant said that is the actual garage on the left. It may have been a paved area long before she moved in. Boardmember Behrmann noted that he drove by the applicant's home and it seems fine. There are plenty of gardens.

**MOTION** and second by Boardmembers Barts and Marcucci to approve Variance #013-18, Valerie Allen's request for a variance from *Section 18.13.050.B. - Fences and walls – Front Yard Fences in Residential Districts*, to allow a 4-foot high black vinyl coated chain link fence in the front yard; hardship being it is an unimproved, non-existent road. The property is located at 2275 W. Nalone Avenue, Wixom, Michigan 48393, is zoned R-3, One Family Residential and the parcel number is 17-28-102-015.

**VOTE:**

**MOTION CARRIED**

**Call to the Public:**

There were no comments made by the public.

**Staff Comments:**

Mr. Avantini noted that they do their best to discourage applicants who do not meet the criteria of the Ordinance from applying for variances. This was an unusual month since they all had practical difficulties. He apologizes that they all wound up on the same ZBA agenda.

Mr. Avantini noted that next month's ZBA meeting will involve the request from Saroki's.

**Board Comments:**

Boardmember Behrmann asked whether Ms. Raddatz can ensure that future ZBA packets are assembled so that all the pages are printable. He reviewed the packet and printed it out but did not realize until later when he was driving around that many of the pages were blank. Boardmember Schira thinks it may be a printer setting on the Boardmembers' end but they would need direction on how to correct this.

Boardmember Marcucci asked Mr. Avantini whether the dumpsters at the hotel under construction were ever moved. He noted that was not done for a full six weeks. Boardmember Behrmann said they are putting a fence up.

Boardmember Schira noted that he still has an issue with the Culver's gas station exit. The sign is turned and is not visible but needs to be manipulated. Boardmember Behrmann suggested adding three to four signs before there is a bad accident there. Chairman Caplan noted you can turn at Alpha Drive. Boardmember Schira noted you are not supposed to turn left in when heading south. Boardmember Behrmann asked about the car wash. Mr. Avantini said that he will discuss it with the gas station owner.

Boardmember Marcucci asked about the sidewalk next to the car wash near Wing Dings. He noted that sidewalk has been out the whole summer and people have had to walk into the road or ride bikes into the road. That is a hazard.

Boardmember Berry noted that several months ago he brought up that the second house in on Potter Road is about 6 inches off the sidewalk. Does this meet the setback requirement? Boardmember Marcucci noted that it is close. Boardmember Berry noted that the homeowner probably has 190 feet behind him. Mr. Avantini noted that usually they get a staking inspection before they pour the foundation. It might just meet it. Boardmember Behrmann noted that the white house next to it is set so far back.

Boardmember Barts noted that the wing place did an unpermitted patio and then went under. Is there a sticking point? He confirmed with Mr. Avantini that they were able to open.

**Adjournment:**

This meeting of the Zoning Board of Appeals was motioned and adjourned at 9:12 p.m.

Nancy Fisher  
Recording Secretary