

**CITY OF WIXOM
ZONING BOARD OF APPEALS MEETING
49045 PONTIAC TRAIL
MONDAY, DECEMBER 10, 2018**

APPROVED

April 15, 2019

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 and Tom Marcucci
ABSENT: None
OTHERS: Justin Sprague (CIB Planning) 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 November 14, 2018 Zoning Board of Appeals Meeting Minutes:

MOTION and seconded by Boardmembers Winters and Berry to approve the November 14, 2018 Zoning Board of Appeals Meeting Minutes.

VOTE: MOTION CARRIED

Approval of the October 29, 2018 Joint Meeting Minutes:

MOTION and seconded by Boardmembers Winters and Schira to approve the October 29, 2018 Joint Meeting Minutes. **Boardmember Berry abstained.**

VOTE: MOTION CARRIED

Correspondence:

City Manager Update – November 27, 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 #017-18: BRIDGESTONE, 49950 GRAND RIVER AVENUE, WIXOM, MI, 48393:** The applicant is seeking a variance to allow: Storage of used tires exceeding the maximum of 25 permitted by **Section 18.06.040 – Standards Applicable to Specific Uses**, specifically I(5) pertaining to tire stores. 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 B-3, General Business, where tire stores are permitted in that district as a special land use. The parcel number is 96-22-07-401-045.

Todd Hamula, Zaremba Group, 14660 Detroit Avenue, Lakewood, Ohio. He represents Zaremba and Bridgestone/Firestone. They are proposing a 6,000-square foot tire repair center in front of Meijer. They received Planning Commission approval for special land use and site plan review and for the

property split for the new outlot. The Ordinance only allows for onsite storage of 25 used tires at a time. They would use that amount of tires in one day.

Accordingly, they require a variance. Bridgestone/Firestone will rotate out the tires every 7-10 days and recycle them. They will change tires and do repairs. They estimate they will need to store a maximum of 225 tires at a time onsite but in reality will likely store fewer than that. She showed the overall site as well as the three outlots on a large-scale diagram in addition to the location of the store, the ring road, the front entrance and the tire storage outbuilding. He noted that the tire storage facility will have brick that matches the main building and the dumpster will have gates which match the building. The tire storage facility will sit behind the dumpster and will be completely enclosed with a roof.

Boardmember Marcucci asked how large the tire storage facility will be. The applicant said it will be 28 feet wide by 9.4 feet deep and 8 feet tall. Boardmember Marcucci asked how many tires the facility will hold. The applicant said it will hold over 300 tires but they only require storage of 240 tires. He noted the tires will be stacked inside. Boardmember Marcucci asked whether there will be an aisle way. The applicant said that they will be old tires and the recycler will access it by the door and empty it. He noted that the existing standard of allowing storage of only 25 used tires was likely a holdover to the time of old-fashioned garages with only one or two service bays which does not meet the needs of modern day, large-scale tire service facilities. Boardmember Behrmann asked whether the Ordinance relates to outdoor storage. The applicant said that it does not specify. Mr. Sprague read the pertinent Ordinance language to the Boardmembers. He noted that when the applicant approached the City, they were informed that the tires would need to be stored inside. As written, the Ordinance would only allow the applicant to service 6.1 cars per day.

Boardmember Winters asked whether there is fire suppression equipment in the building. The applicant said that the tire storage building is meant to be unheated and uncooled. Chairman Caplan noted that it is a detached structure. Boardmember Behrmann asked whether 225 tires is enough. He said that he cannot see what the issue is. The applicant said that he asked the store operator what their requirements would be and they came up with the figure of 225 tires. Chairman Caplan noted that the diagram depicts the building being more angled. The applicant said that it was squared up at the request of the Planning Commission. His request is not a hardship.

Boardmember Berry asked whether the applicant will be performing oil changes. The applicant said yes. Boardmember Berry confirmed with the applicant that it will store flammable liquids and old oil in the main building and that the main building will be fully sprinkled.

Chairman Caplan said that he likes what the applicant has done as well as the fact that there are not any additional cuts onto Grand River. He thinks the building looks beautiful. Boardmember Marcucci noted that the enclosed storage is nice. Boardmember Winters noted that the existing Ordinance was geared toward old-style gas stations servicing fewer vehicles. Boardmember Barts noted that from his dual perspective as a Planning Commissioner, you could not ask for more cooperation from the applicant; they tweaked the plans as requested within a short time period and did more than was required.

MOTION and second by Boardmembers Schira and Winters to approve Variance #017-18, Bridgestone's request for a variance to allow storage of 225 used tires, exceeding the maximum of 25 permitted by Section 18.06.040 – Standards Applicable to Specific Uses, specifically 1(5) pertaining to fire stores. All tires must be stored inside the detached, enclosed, roofed tire storage facility. The property is zoned B-3, General Business, and the parcel number is 96-22-07-401-045.

VOTE:**MOTION CARRIED****Call to the Public:**

None.

Staff Comments:

Mr. Sprague noted that the Master Plan will be wrapping up for final adoption by February. Then they will look more at Zoning Ordinance amendments, one of which will include tire storage. The Zoning Ordinance amendments will be mid to late 2019. Chairman Caplan said that he likes that the tires are being stored separately and are not part of the main building. He suggested that should be incorporated into the amended Zoning Ordinance.

Board Comments:

Boardmember Winters asked about the outcome of the church who wanted the electronic message board signage. Are they trying to get out of the downtown area? Mr. Sprague noted that there were two discussions held with the Planning Commission regarding this. The first involved whether the Planning Commission would allow electronic signage for institutional users. The Planning Commission said no and passed a motion to that effect. Then during the late November Planning Commission meeting, the Commissioners considered whether those signs should be allowed in the Village Center Area (VCA) for any institutional uses. Again, the Planning Commission said no. Accordingly, there is no recourse for that applicant unless they appeal to the Circuit Court which he does not think is likely. Boardmember Behrmann asked whether the applicant considered rezoning. Mr. Sprague noted that the district abutting the applicant is RM-2 where electronic message board signs are not permitted. The Planning Commission could have enacted an amendment for that but they did not. Boardmember Barts noted that there is a residential component regarding this matter since churches can be located within subdivisions meaning any subdivision could wind up with a church or school which could be right across the street from homes. The Planning Commission wanted to set the standard that they do not want electronic message board signs for institutional uses. He appreciates that the Planning Commission looked beyond the applicant's current location. Chairman Caplan noted that a variance does not set a precedent.

Mr. Sprague noted that it is not that the Planning Commission is 100 percent against it but those types of signs can become an enforcement nightmare. He cited the example of general managers, who often oversee these types of signs, changing hands and taking different approaches to the signage. He referred to the Valero's sign which is in a more appropriate district for those signs.

Boardmember Berry noted that he really liked that the City displayed the sign commemorating the late President Bush's visit to the City during the recent National Day of Mourning honoring President Bush's passing.

Chairman Caplan wished everyone a Merry Christmas and a Happy New Year.

Adjournment:

This meeting of the Zoning Board of Appeals was motioned and adjourned at 7:51 p.m.

Nancy Fisher
Recording Secretary