

**THE CHARTER TOWNSHIP OF CHESTERFIELD  
ZONING BOARD OF APPEALS**

**March 23, 2016**

On March 23, 2016 a regular meeting of the Chesterfield Township Zoning Board of Appeals was held at the Township Hall located at 47275 Sugarbush, Chesterfield, MI 48047.

1. **CALL TO ORDER:** Chairman Stepnak called the meeting to order at 7:00 P.M.

2. **ROLL CALL:**

Present:	Marvin Stepnak, Chairman James Klonowski, Vice-Chairman Thomas Yaschen, Secretary Carl Leonard, Planning Comm. Liaison Wendy Jones Brian Carr
Absent:	David Joseph, Twp. Board Liaison, <i>excused</i>

Gary DeMaster attended the meeting as the representative from the Building Department.

3. **PLEDGE OF ALLEGIANCE:**

Chairman Stepnak explained the procedures to the audience.

4. **ZBA PETITION #2016-03: Michael Boggio, 30150 Telegraph #150, Bingham Farms, MI 48025. Requesting a parking space setback variance for proposed new retail center located on the southeast corner of 23 Mile Road and Gratiot at 50900 Gratiot.**

Michael Boggio, 30150 Telegraph #150, Bingham Farms, MI 48025 addressed the board.

Petitioner stated that he was requesting a parking space setback variance for Chesterfield Commons. He mentioned that 23 Mile Road is a 124' roadway but it is unique in that the center of the roadway is not 60' from their property; it is somewhat less on the north side. According to the ordinance, there should be a setback of 70' from the center of the road to the property line. He stated on a typical roadway there would be 64' from the center of the road and a 10' greenbelt. He explained that because of the size and unique shape of the property and 23 Mile Road is not at a 64', it leaves them short of the distance to the edge of the pavement. He believes that the intent of the ordinance is to have a 10' greenbelt, which they have. So their request is based on the size, the location of the right of way line, and the unique shape of the property.

Chairman Stepnak stated that Mr. Leonard is the ZBA liaison to the Planning Commission. He asked Mr. Leonard if Planning had any concerns about this matter?

Mr. Leonard stated that at Planning they discussed this issue and a few other items and the Planning Commission has no concerns on this matter.

Mr. Klonowski asked if the applicant was requesting a variance for the monument signs as well?

Applicant replied no.

Mr. Leonard remarked that would be a matter for the Planning Commission.

Mr. Klonowski commented that was mentioned in the paperwork.

Mr. Leonard stated that they are planning to allow both of the signs anyway.

Petitioner replied that their only request was for that greenbelt and parking space setback.

Mr. Klonowski stated that he knew that there were situations in the Township even in the back roads by us where the center lines of the roads are three or four feet off.

Ms. Jones had no questions.

Mr. Carr had no questions.

Mr. Yaschen asked Mr. DeMaster if there were any concerns from the Building Department?

Mr. DeMaster replied absolutely not.

Chairman Stepnak stated that he knew this has been reviewed and scrutinized by the Township Planner and the Township Engineer, MDOT and the Macomb County Road Commission.

Petitioner mentioned that the Special Land Use was approved last night and the plans were reviewed by the Planner, Engineer, MDOT and the Fire Department.

Chairman Stepnak stated that it seems as though the petitioner's and the Township have come up with a workable plan.

Petitioner stated that he is sure they will agree this will be a much better plan than what is there now.

Public Comments:

Tom Gergich, Team Schostak, 17800 Lauren Park, Livonia, MI addressed the Board.

Mr. Gergich stated that they totally support the development on the corner and have no problem with parking in the front yard setback. However, he was concerned about the parking count that is shown on the site plans. He stated that the site plan shows 29,000' of retail and has parking at 1 space for every 200'. It seems to be based on the specialty retail classification and there are two drive-thru restaurants on the site. It is not specified but from many years of experience, most buildings with a drive-thru are restaurants. He mentioned that the Township requires a different parking calculation and more parking spaces for restaurants. He explained that their concern is that parking will spill over into their site and into the shopping center where they have a parking and cross access agreement. He mentioned that parking on their site is kind of at a premium and they do not want to be impacted by the uses of the new development on the corner.

Applicant stated that they addressed the parking issues with the Planning Commission and they have seen fit to approve it. He stated that they are not in front of the ZBA for parking variances. It is there opinion that with the mix of tenants they are going to be considering, the parking will be just fine.

**Motion** by Mr. Leonard to approve ZBA # 2016-03 to allow 18' parking spaces and a 2' overhang in the partial setback on 23 Mile Road and that is based on the information provided from the meeting last night, from the Township Planner and other entities.

**Supported** by Chairman Stepnak. He commented that the petitioner has shown a true practical difficulty with the uniqueness of the project development.

**Ayes: All**

**Nays: None**

**Motion Granted**

5. **OLD BUSINESS:**

There was no old business.

6. **NEW BUSINESS:**

There was no new business

7. **APPROVAL OF MINUTES FROM PRIOR MEETING:**

**Motion** by Mr. Yaschen to approve the minutes from the January 27, 2015 meeting.

**Supported** by Mr. Klonowski

**Ayes: All**

**Nays: None**

**Motion Granted**

8. **COMMENTS FROM THE FLOOR:**

Chairman Stepnak welcomed Mr. Brian Carr who is the new member of the Zoning Board of Appeals.

9. **ADJOURNMENT:**

**Motion** by Mr. Yaschen adjourn at 7:21 PM

**Supported** by Ms. Jones

**Ayes: All**

**Nays: None**

**Motion Granted**

---

*Thomas Yaschen, Secretary*

---

*Grace Mastronardi, Recording Secretary*