

# *City of Southgate Board of Zoning Appeals Agenda*

Monday, December 12, 2022  
**5:30 PM**

- A. Roll Call: Anderson, Stephan, Coombs, Foucher, Martin, Poirier, Richardson
- B. Minutes: Minutes of BZA Meeting - Dated November 14, 2022
- C. Public Hearings:
  - 1) Case BZA-11-2022: Range USA, Free-standing Sign
- D. New Business:
  - 1) Case BZA-11-2022: Range USA, Free-standing Sign
- E. Old Business:
  - 1) Case BZA-08-2022: 12930 Churchill Road, Driveway Extension
- F. Adjournment:

\*Note: BZA and Planning Commission Training will take place during the Planning Commission Meeting which begins at 7:00pm



City of Southgate  
***Board of Zoning Appeals***  
November 14, 2022

A meeting of the Board of Zoning Appeals of the City of Southgate was held in the Municipal Council Chambers, 14400 Dix-Toledo Highway, Southgate, Michigan on Monday, November 14, 2022 and called to order by Tom Coombs, Chairperson at 5:30 p.m.

Present: Patricia Anderson, Tim Foucher, Gary Martin, Pat Poirier, Tom Coombs, Dennis Richardson

Also Present: Plan Consultant John Enos and Alissa Starling, Building Official Tim Leach, City Attorney Ed Zelenak, City Administrator Dan Marsh

**Minutes:**

**Moved by Foucher, supported by Poirier, to approve the minutes of the Board of Zoning Appeals Meeting dated September 12, 2022. Motion Carried Unanimously.**

**New Business:**

- A. Raymond & Sarah Good at 12930 Churchill Street is requesting a variance for approximately ten (10) by forty (40) foot extension of their driveway.

Notices were sent out.

**Motion by Anderson, supported by Foucher, to open this Public Hearing.**

Plan Consultant Enos stated the applicant is requesting a variance for approximately 10 by 40 foot extension of their driveway. The site is located at 12930 Churchill St. in the R-1B, One Family Residential District. The reason for the requested variance is because of the location of their home on a corner and lack of sufficient lighting. No permit was pulled by the Contractor for the Brick Pavers.

We do not recommend approval of the requested variance.

No public comments were received.

**Moved by Anderson, supported by Poirer, to continue this Public Hearing for Raymond & Sarah Good at 12930 Churchill Street, for a variance of approximately (10) by (40) foot extension of their driveway, until further discussion with Building Official.**

**Ayes: Anderson, Poirier, Ayers-Reiss, Coombs, Foucher, Richardson**

**Nays: Martin**

**Motion Carried.**

- B. Richard Dennis at 15391 Dumay Ave. is requesting a variance for the installation of an (8) foot privacy fence in the rear yard.



Notices were sent out.

**Motion by Martin, supported by Anderson, to open this Public Hearing. Motion Carried Unanimously.**

Plan Consultant Enos stated the applicant is requesting a variance for the installation of an (8) foot privacy fence in the rear yard. The subject site has an automobile junkyard business in the rear. The ordinance states an obscuring wall or earth berm shall be provided for and maintained between any nonresidential and residential district. A fence is shown between the properties, however, the applicant would like to completely obscure any view of the property from their rear yard. The existing fence does not accomplish complete obstruction. We recommend approval of the requested variance.

No public comments were received.

**Moved by Anderson, supported by Foucher, to close this Public Hearing. Motion Carried Unanimously.**

Discussion was held by the Board.

**Moved by Anderson supported by Poirier, that the Board of Zoning Appeals, SUPPORT and APPROVE, the application at the request Richard Dennis at 15391 Dumay Ave. requesting a variance for the installation of an (8) foot privacy fence in the rear yard. Motion Carried Unanimously.**

**Moved by Anderson, supported by Richardson, that this meeting of the Board of Zoning Appeals be adjourned at 6:26 p.m. Motion Carried Unanimously.**

Angie Shurkus  
Recording Secretary  
November 14, 2022





**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: November 29, 2022

**DIMENSIONAL VARIANCE ANALYSIS  
FOR  
THE CITY OF SOUTHGATE**

**APPLICANT INFORMATION**

**APPLICANT:** Range USA  
**LOCATION:** 12780 Reeck Road  
**PARCEL NUMBER:** 53-004-99-0017-003  
**CURRENT ZONING:** M-1, Light Industrial

**VARIANCE REQUEST**

The applicant is requesting a dimensional variance for a relief of fifteen (15) feet above permitted maximum sign height in the M-1, Light Industrial District. The subject site is located southeast of Conrail and north of Reeck Road and I-75. of Eureka. The Zoning Code requires all freestanding signs to be a maximum permitted height of twenty (20) feet, per Section 1298.18(b)(g). Application shows the proposed sign is thirty-five (35) feet in height. The request for the additional height is due to the existing vegetation, separating property from the adjacent freeway and directly in front of the proposed freestanding sign.

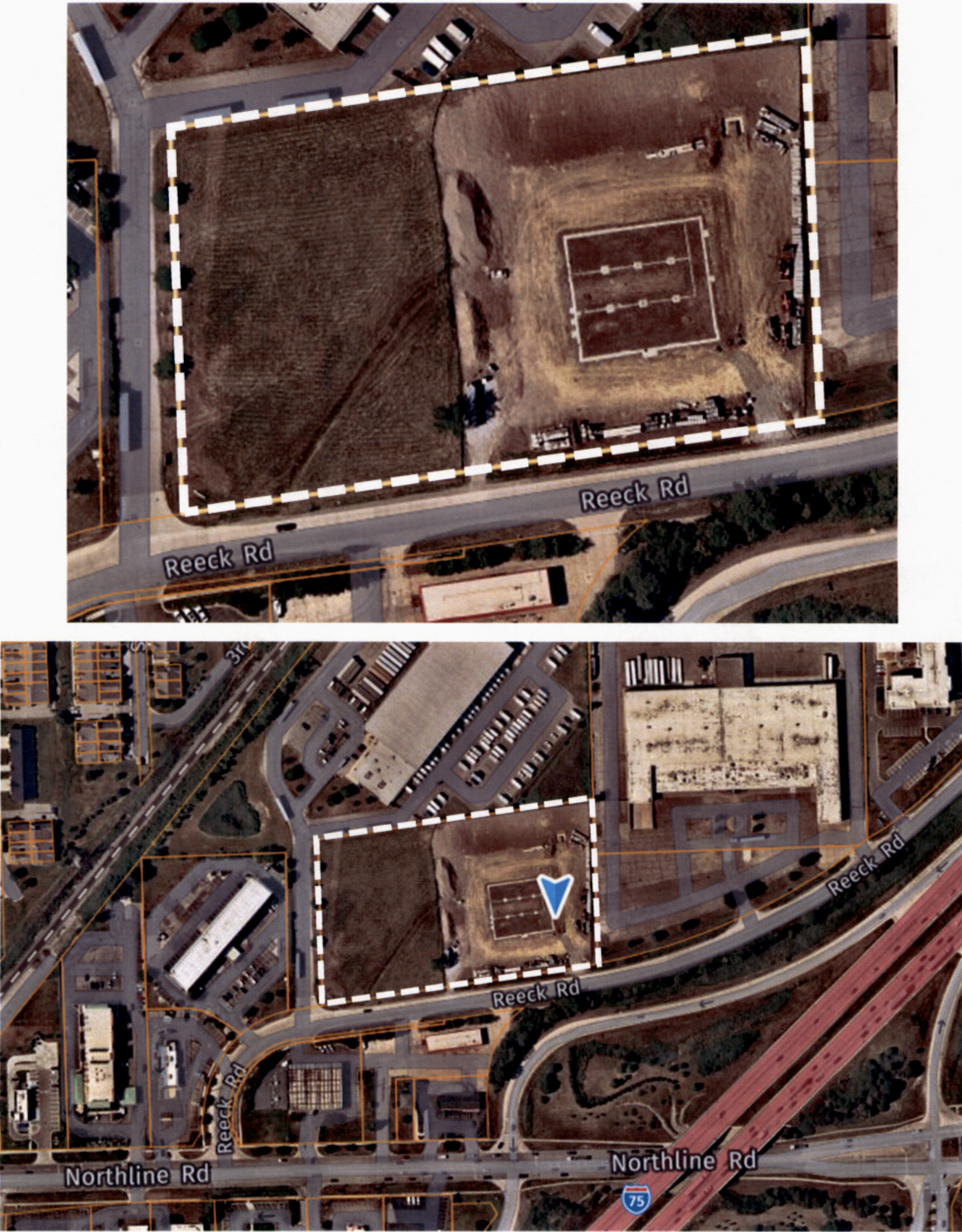
An aerial photo of the property is shown on the following page labeled Figure 1, with a white dashed line delineating the location of the subject site.

Applicant states that at the permitted height of twenty (20) feet, the sign will not be visible to passing motorists. When contacted for verification of vegetation height, applicant states the photos taken in Figure 3 were taken at a height of thirty (30) feet. Therefore, the height of thirty-five (35) feet will ensure sign visibility.

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*  
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*  
Laura K. Kreps, *Senior Associate* Paul Montagno, *Associate*



Figure 1 Aerial View



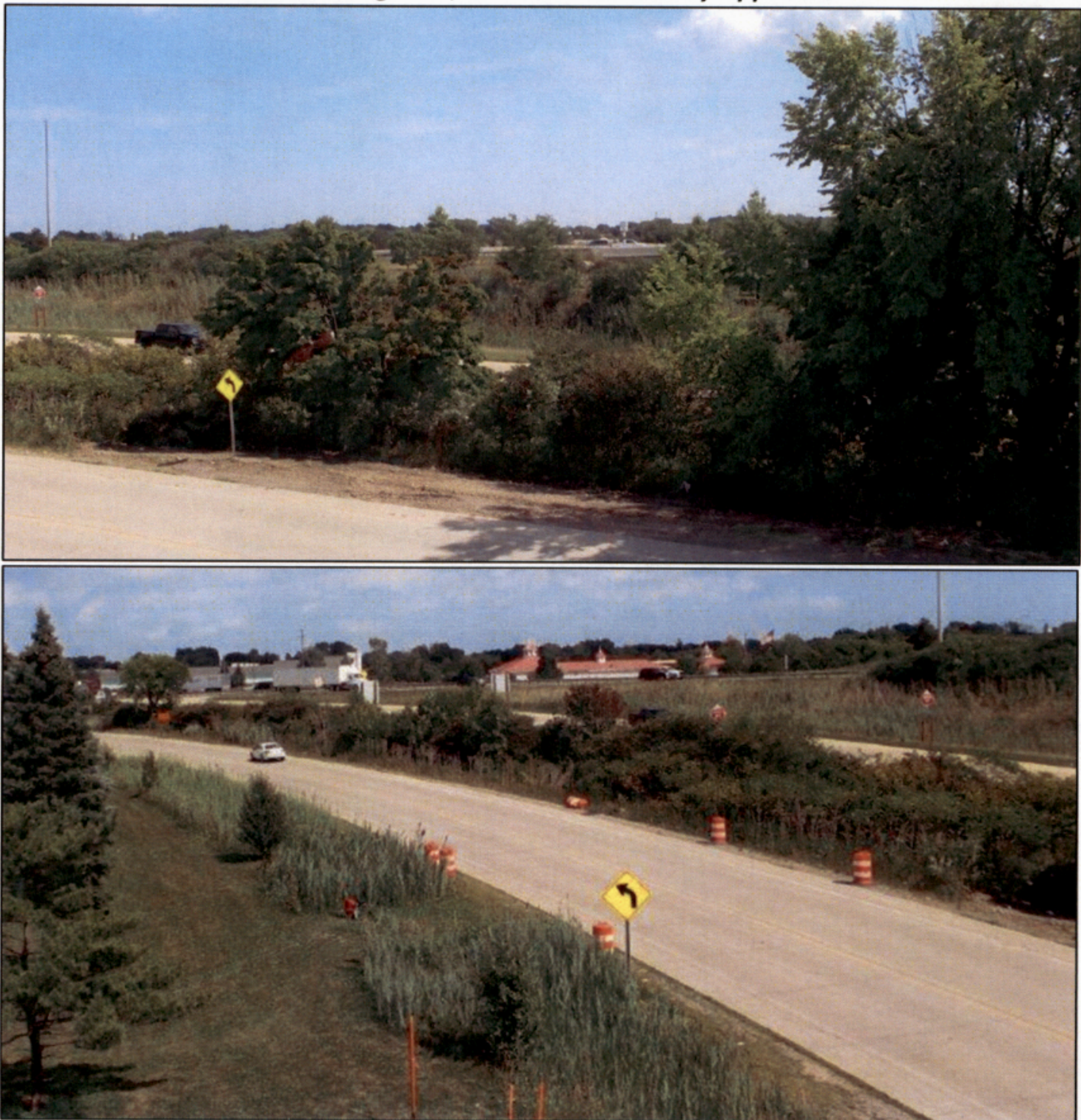


**Figure 2, Street View facing Freeway**



Source: Google Maps

**Figure 3, Photos submitted by Applicant**



Source: Applicant



VARIANCE CONSIDERATIONS

Section 16.04.04 of the City of Southgate Zoning Ordinance states The Board of Zoning Appeals shall have the power to vary or modify any ordinance provision whenever there are practical difficulties or unnecessary hardships imposed on the property owner if the strict letter of the ordinance is carried out. The Board of Zoning Appeals shall decide appeals in such a manner that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

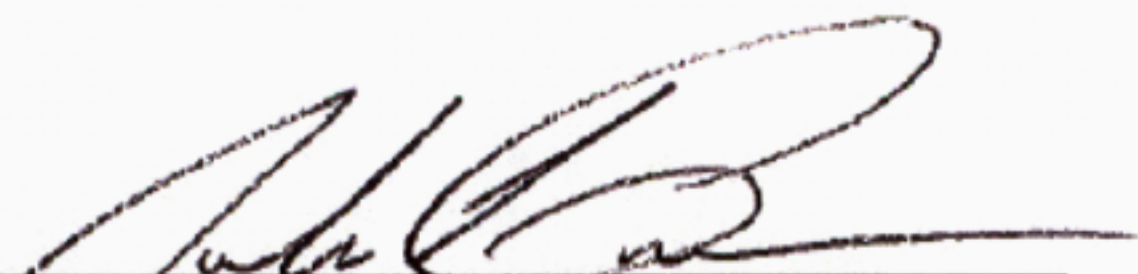
Further, dimensional, and other non-use variances shall not be granted by the Board of Appeals (BZA) unless it can be determined that all of the follow facts and conditions exist.

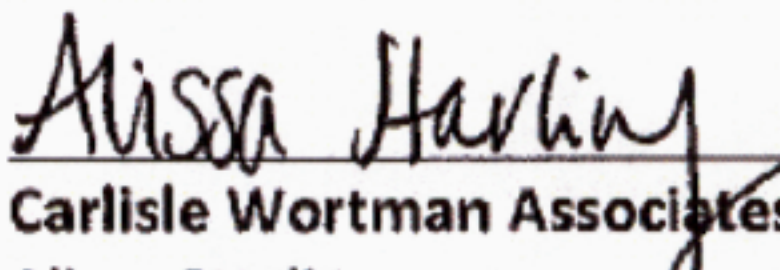
In the Board’s decision-making process, the following conditions must be determined to exist:

- a) That compliance with the ordinance results in a practical difficulty:  
*CWA Comment: Applicant states a sign at the permitted height of twenty (20) feet will not clear vegetation and visibility will be obscured to passing motorists.*
- b) That the problem requiring the variance is unique to the applicant’s property and is not shared by properties in the same zoning district:  
*CWA Comment: Similar business’s sign visibility is not obscured by tall vegetation.*
- c) That the problem is not self-inflicted:  
*CWA Comment: The problem is not self-inflicted as the vegetation is not on property owned by Range USA and therefore, cannot be trimmed at the responsibility of the applicant to maintain sign visibility.*
- d) That the variance is the minimum necessary to permit reasonable use of the property:  
*CWA Comment: Applicant states that at thirty (30) feet, sign just begins to clear vegetation. Therefore, the extra five (5) feet requested will ensure visibility of the proposed pylon sign. We find this to be the minimum variance necessary.*
- e.) That the variance, if granted, would not compromise the public health, safety, and welfare:  
*CWA Comment: The requested variance, if granted, will not compromise the public health, safety, and welfare.*

RECOMMENDATION

We recommend approval of the requested variance.



  
Carlisle Wortman Associates, Inc.  
John Enos, AICP  
Principal

  
Carlisle Wortman Associates, Inc.  
Alissa Starling  
Planner







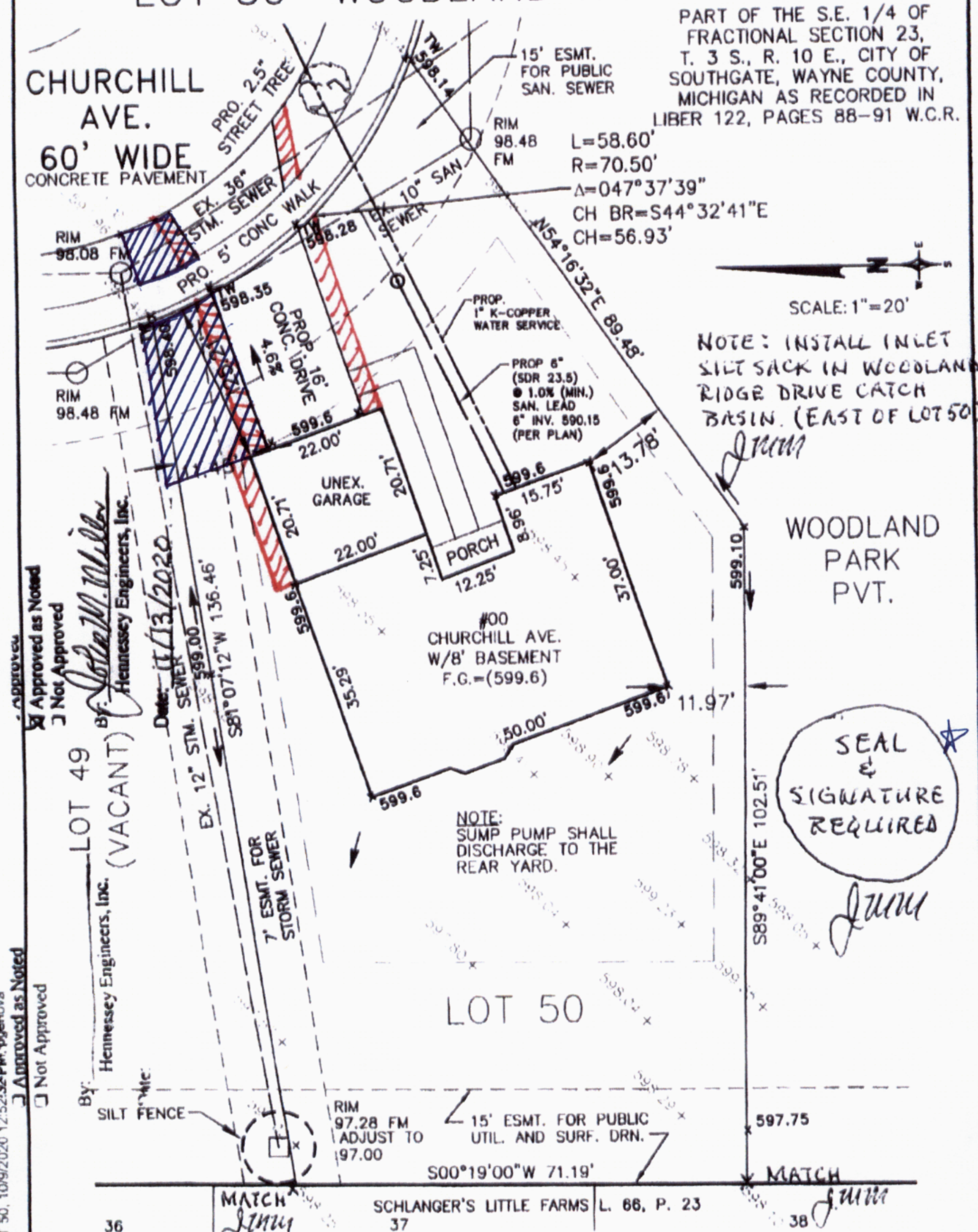
 Allowed (Building Director Proposed)  
OR  
 ALLOWED - PAVERS (Ray Goals Response)

# LOT 50 "WOODLAND RIDGE SUB."

PART OF THE S.E. 1/4 OF  
FRACTIONAL SECTION 23,  
T. 3 S., R. 10 E., CITY OF  
SOUTHGATE, WAYNE COUNTY,  
MICHIGAN AS RECORDED IN  
LIBER 122, PAGES 88-91 W.C.R.

CHURCHILL  
AVE.

60' WIDE  
CONCRETE PAVEMENT



SEAL  
&  
SIGNATURE  
REQUIRED

*JMM*

LOT 50, 10/9/2020 12:52:32 PM, ygenova

NOTES: 1. THE EXISTING CURB, GUTTER AND DISCHARGE LINE TO THE STORM SEWER SYSTEM BECAUSE THE STORM SEWERS





**Carlisle | Wortman**  
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Date: November 3, 2022

**VARIANCE ANALYSIS  
FOR  
THE CITY OF SOUTHGATE**

**APPLICANT INFORMATION**

**APPLICANT:** Raymond and Sarah Good

**ADDRESS:** 12930 Churchill Street

**PARCEL ID:** 53 005 02 0050 000

**CURRENT ZONING:** R-1B, One Family Residential

**ACTION REQUESTED:** Variance approval to allow extended driveway made of brick pavers

**VARIANCE REQUEST**

The applicant is requesting a variance for an approximately ten (10) by forty (40) foot extension of their driveway. The site is located at 12930 Churchill Street in the R-1B, One Family Residential District, southeast of Dix-Toledo between McCann Ave and Devoe Street. Parcel size is 0.27 acres and is shown in Figure 1 on the following page, with a white dashed line delineating the location of the subject site.

The application to extend the driveway was denied per the ordinance in Section 1292.03(k)(5) that reads *"Single-family residences with a garage may install a driveway as wide as the garage wall subject to the requirements of Sections 1298.04(a)(1) and 1298.04(a)(3) containing the vehicle entrance door."*

Applicant has noted on their application the reason for the requested variance is because of the location of their home on a corner and lack of sufficient lighting. In addition, the driveway extension allows them to pull their cars out of the right-of-way and into their driveway, therefore, reducing the likelihood of vehicles being damaged. Diagram provided on application shows the driveway being widened from the residence up to the sidewalk and then continuing at the same width to the curb. Figure 2 shows the existing conditions of the driveway.

Richard K. Carlisle, *President* Douglas J. Lewan, *Executive Vice President* John L. Enos, *Vice President*  
David Scurto, *Principal* Benjamin R. Carlisle, *Principal* Sally M. Elmiger, *Principal* Craig Strong, *Principal* R. Donald Wortman, *Principal*  
Laura K. Kreps, *Senior Associate* Paul Montagno, *Associate*

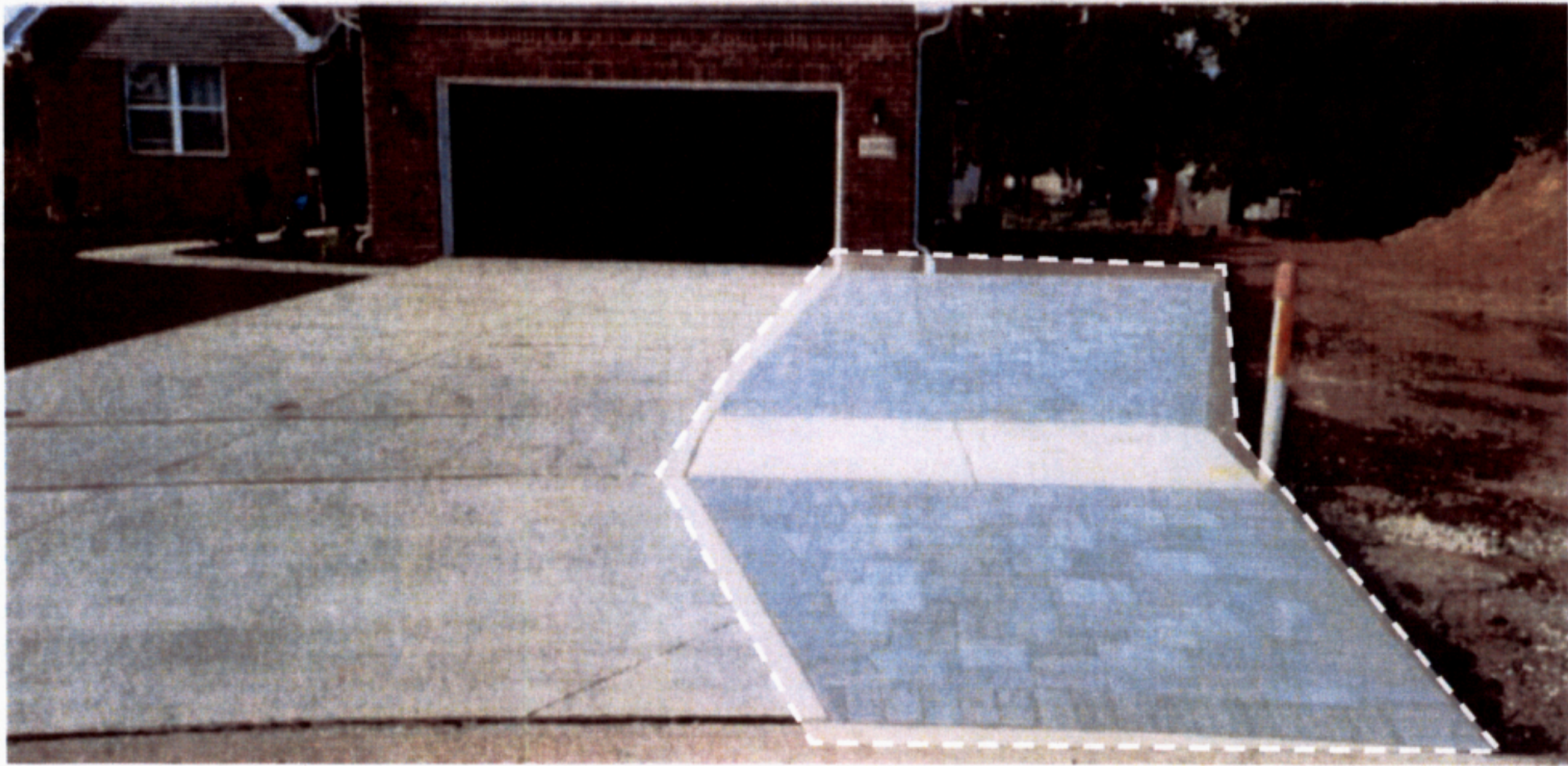


Figure 1. Aerial View of Property



Source: NearMap

Figure 2. Existing Conditions



Source: Applicant



## VARIANCE CONSIDERATIONS

Section 16.04.04 of the City of Southgate Zoning Ordinance states The Board of Zoning Appeals shall have the power to vary or modify any ordinance provision whenever there are practical difficulties or unnecessary hardships imposed on the property owner if the strict letter of the ordinance is carried out. The Board of Zoning Appeals shall decide appeals in such a manner that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

Further, dimensional, and other non-use variances shall not be granted by the Board of Appeals (BZA) unless it can be determined that all of the follow facts and conditions exist.

In the Board's decision-making process, the following conditions must be determined to exist:

**a) That compliance with the ordinance results in a practical difficulty:**

CWA Comment: The applicant states that compliance with the ordinance would require removing the already installed brick pavers. However, the applicant can widen the driveway as wide as the garage itself without any zoning issues. If the applicant chose to extend the driveway on each side of the garage to each wall, it would be approximately twenty (20) feet and could accommodate two (2) parallel parked cars.

**b) That the problem requiring the variance is unique to the applicant's property and is not shared by properties in the same zoning district:**

CWA Comment: The problem requiring a variance is not unique to the applicant's property and is shared by other properties on the same street/in same zoning district. Applicant notes they are concerned with their car being damaged if parked in the street. However, the imaging provided shows the applicant has a two-car garage.

**c) That the problem is not self-inflicted:**

CWA Comment: The problem is self-inflicted as the variance isn't absolutely necessary to park in the driveway and/or garage however, the risk of damage is not self-inflicted as many adjacent properties face the same concern.

**d) That the variance is the minimum necessary to permit reasonable use of the property:**

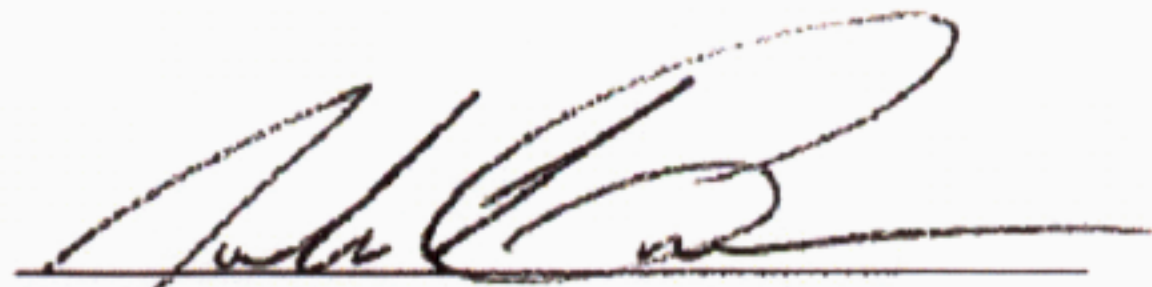
CWA Comment: We do not find this is the minimum variance necessary.

**e.) That the variance, if granted, would not compromise the public health, safety, and welfare:**

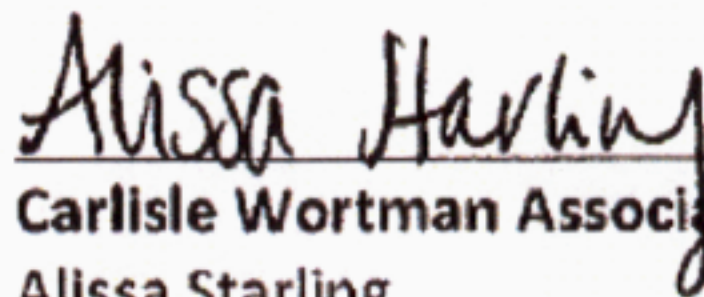
CWA Comment: The requested variance, if granted, will not compromise the public health, safety, and welfare.

## RECOMMENDATION

We do not recommend approval of the requested variance.



Carlisle Wortman Associates, Inc.  
John Enos, AICP  
Principal



Carlisle Wortman Associates, Inc.  
Alissa Starling  
Planner