

**CITY OF OAK PARK, MICHIGAN  
ZONING BOARD OF APPEALS  
JUNE 26, 2018  
MEETING MINUTES**

The meeting was called to order at 7:32 p.m. by Chairperson Landau in the Council Chambers of City Hall located at 14000 Oak Park Boulevard, Oak Park, MI 48237 and Roll Call was made.

PRESENT: Chairperson Landau  
Vice Chairperson Huston  
Commissioner Anderson  
Commissioner Blumenkopf  
Commissioner Peiss  
Commissioner Seligson

ABSENT: Commissioner Barton

OTHERS  
PRESENT: City Planner Kevin Rulkowski  
Community & Economic Development Director Kimberly Marrone  
Deputy City Clerk Lisa Vecchio

**APPROVAL OF ZONING BOARD OF APPEALS MINUTES OF MARCH 27, 2018**

**MOTION BY Blumenkopf, SECONDED BY Peiss**, to approve the meeting minutes of March 27, 2018 with one correction.

Vote: Yes: Anderson, Blumenkopf, Huston, Landau, Peiss, Seligson  
No: None

**MOTION DECLARED ADOPTED**

**COMMUNICATIONS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:**

a) **CASE 18-02:**

**APPLICANT:**

MRE Partners, LLC  
8250 Nine Mile  
Oak Park, Michigan

**PROPERTY:**

10130 Albany  
Property Identification Number: 52-25-32-229-033

**ORDINANCE REQUIREMENTS AND REQUEST:**

One variance is requested:

- 1) Article XVI, Section 1600, Footnote D, requires the minimum floor area for a one-story dwelling to be 1,000 square feet. The applicant is requesting a waiver of 99 square feet, to construct a one-story dwelling with a floor area of 901 square feet.

**STAFF FINDINGS OF FACT:**

- 1) The subject parcel is zoned R-1, One Family Dwelling District.
- 2) Article XVI, Section 1600, Footnote D, requires the minimum floor area for a one-story dwelling to be 1,000 square feet.
- 3) The applicant is requesting a waiver of 99 square feet, to construct a one-story dwelling with a floor area of 901 square feet.
- 4) The lot dimensions of the subject parcel are 60 feet by 105 feet. Similar to lots adjacent to the subject parcel.
- 5) The square footage of the proposed house at 901 square feet would be similar in size to the adjacent existing homes:
  - a. 10050 Albany – 827 square feet
  - b. 10100 Albany – 828 square feet
  - c. 10110 Albany – 998 square feet
  - d. 10130 Albany (proposed) – 901 square feet
  - e. 10140 Albany – 827 square feet
  - f. 10150 Albany – 828 square feet
  - g. 10160 Albany – 991 square feet

**STAFF RECOMMENDATIONS:**

The applicant is proposing to construct a new house on a vacant property at 10130 Albany. The Zoning Ordinance requires the minimum floor area for a one-story dwelling to be 1,000 square feet. The applicant is proposing to build a one story house 901 square feet in size. Although the proposed house will be 99 square feet in size less than the required minimum, it will be generally consistent in size to the adjacent homes on the street.

The Board will have to determine whether an argument for a practical difficulty (*would compliance unreasonably prevent the owner from using the property for a permitted purpose, would strict compliance would render conformity unnecessarily burdensome, and would the granting of a variance would provide substantial justice to applicant*) can be demonstrated.

Given the fact that the variance request would allow for a house similar in size to those found in the neighborhood, it is unlikely that the proposed house will essentially alter the character of the surrounding area due to its size. Although strict compliance with the minimum house size requirement would not unreasonably prevent the owner from using the property for a permitted purpose, it might render conformity unnecessarily burdensome in this case.

Taking the above findings of fact into consideration, it is the recommendation of the Planning Division to approve the variance requests as proposed.

**MOTION BY Blumenkopf, SECONDED BY Seligson**, that based on the information presented in the Planning Division Report, and additional findings of fact discussed during the review of case # 18-02, I move to **approve** the request

of MRE Partners LLC, for 10130 Albany,

- 1) for a waiver of 99 square feet, from the provisions in Article XVI, Section 1600, Footnote D, to construct a one-story dwelling with a floor area of 901 square feet.

**VOTE:** Yes: Anderson, Blumenkopf, Huston, Landau, Peiss, Seligson  
No: None

**MOTION CARRIED**

b) **CASE 18-03:**

**APPLICANT:**

Northland Plaza Subsidiary LLC  
21210-21230 Greenfield Road  
Oak Park, Michigan

**PROPERTY:**

21210-21230 Greenfield Road  
Property Identification Number: 52-25-31-051-039

**ORDINANCE REQUIREMENTS AND REQUEST:**

Two variances are requested:

1. Article XVIII, Section 1805, C, 1, requires shopping center identification signs to have a maximum number of four (4) tenants displayed on the shopping center identification sign. The applicant is requesting a waiver to allow five (5) tenants to be displayed on the shopping center identification sign.
2. Article XVIII, Section 1802, A, requires only on-site signs are permitted. The applicant is requesting a waiver to allow for a sign panel on a shopping center identification sign to advertise a business on an adjacent property.

**STAFF FINDINGS OF FACT:**

- 1) The property is currently zoned B-2, General Business District.
- 2) Article XVIII, Section 1805, C, 1, requires shopping center identification signs to have a maximum number of four (4) tenants displayed on the shopping center identification sign.

- 3) The applicant is requesting a waiver to allow five (5) tenants to be displayed on the shopping center identification sign.
- 4) Article XVIII, Section 1802, A, requires only on-site signs are permitted.
- 5) The applicant is requesting a waiver to allow for a sign panel on a shopping center identification sign to advertise a business on an adjacent property.
- 6) The site is a portion of the former location of the Northland Plaza Shopping Center.
- 7) Currently, only Office Depot and the Fed-Ex distribution center are operating on what once was the Northland Plaza Shopping Center.
- 8) The former Northland Plaza Shopping Center has been divided into three distinct parcels, with Office Depot on one, Fed-Ex on another, and the remainder on a third parcel.
- 9) In December of 2017, the Planning Commission approved a Site Plan to construct an 11,701 square foot shopping center on 1.22 acres of the 5.60 acre property.
- 10) The former location of the Northland Plaza Shopping Center still has a 22 foot high shopping center identification sign that identifies Office Depot as a tenant. This sign is proposed to be removed.
- 11) The applicant is proposing a new 13 foot high shopping center identification sign with Office Depot as one of the five tenants on the sign.
- 12) The fifth sign panel on the shopping center identification sign is intended to identify a future tenant that will have no visibility from Greenfield Road.

**STAFF RECOMMENDATIONS:**

The applicant, Northland Plaza Subsidiary LLC, is constructing a new 11,701 square foot shopping center with three tenant spaces on a portion of the former Northland Plaza Shopping Center. The new shopping center is part of a transformation of the area to create new retail opportunities. The existing Office Depot is located on a new parcel along with the former and long vacant Handy Andy building center. The variance request would allow the applicant to remove a 30 year old shopping center identification sign and replace it with a new smaller shopping center identification sign. The new sign would identify the three tenants of the new shopping center along with Office Depot and a future tenant not visible from Greenfield Road.

The variance requests are intended to renovate the area with new retail opportunities while also recognizing that a former shopping center retail use still exists (Office Depot). Considering the unique circumstances of this request, it would seem reasonable to allow for an additional sign panel on the shopping center identification sign as well as allowing for an existing retail use to be identified on the sign. For this reason an argument for a practical difficulty (would compliance unreasonably prevent the owner from using the property for a permitted purpose, would strict compliance render conformity unnecessarily burdensome, and would the granting of a variance provide substantial justice to applicant) could be demonstrated.

The Board might want to consider placing a condition on the off-premise sign variance for the Office Depot. At some point in the future, if Office Depot decides to erect its own monument style sign on its parcel, the sign panel identifying Office Depot on the shopping center identification sign must be removed.

**MOTION BY Seligson, SECONDED BY Peiss**, that based on the information presented in the Planning Division Report, and additional findings of fact discussed during the review of case # 18-03, I move to **approve** the request

of Northland Plaza Subsidiary LLC, 21210-21230 Greenfield Road,

- 1) for a waiver from the provisions in Article XVIII, Section 1805, C, 1, to allow five (5) tenants to be displayed on the shopping center identification sign.
- 2) for a waiver from the provisions in Article XVIII, Section 1802, A, to allow for a sign panel on a shopping center identification sign to advertise a business on an adjacent property.

**VOTE:** Yes: Anderson, Blumenkopf, Huston, Landau, Peiss, Seligson  
No: None

**MOTION CARRIED**

**ADJOURNMENT:**

There being no objections, Chairperson Landau adjourned the meeting at 7:51 p.m.

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Lisa Vecchio, Deputy City Clerk/Director of Elections