STERLING HEIGHTS ZONING BOARD OF APPEALS
REGULAR MEETING
CITY HALL
January 19, 2017

LOCATION: City Council Chambers, 40555 Utica Road, Sterling Heights, MI
SUBJECT: Minutes of the Regular Meeting of the Zoning Board of Appeals held January 19, 2017.

Mr. Graef called the meeting to order at 7:00 p.m.

Members present at roll call: Derek D'Angelo, Dale Deming, David Graef, Junina Jean, Stefano Militello, Pashko Ujkic, and Ray Washburn

Members absent at roll call: None

Also in attendance: Chris McLeod, City Planner
Don DeNault, City Attorney

APPROVAL OF AGENDA

Motion by Mr. Militello, supported by Mr. Ujkic, to **APPROVE** the Agenda.
Ayes: Militello, Ujkic, Washburn, D'Angelo, Deming, Graef, Jean
Nays: None
Absent: None
Motion carried.

CORRESPONDENCE

A letter was provided by the applicant regarding case PZBA16-0028.

PZBA16-0028 - Yuqiong Shi

Requesting board approval for the following variances: 1) to allow a massage establishment within five hundred (500) feet of a residential district; 2) to allow a massage establishment within a shopping center of less than 100,000 square feet; 3) to allow a massage establishment within 1,000 feet of a place of worship - East side of Red Run Road, north side of Fourteen Mile Road in Section 35
Property address: 13233 Fourteen Mile Road

Mr. Graef asked Mr. McLeod to give an overview of the case.

Mr. McLeod displayed site plans and gave an overview stating the applicant is proposing to occupy a 1,200 square foot tenant space within the existing First Center Plaza for operation of a massage parlor. The tenant space is located in center part of the shopping center. He mentioned a letter was sent to the applicant from Restoration Ministries stating they do not have any conflict with the application.

Mr. Graef asked the petitioners to come forward to the podium.

Sam Palise came forward with his wife Yuqiong Shi (Yvonne). He explained they would like to open a massage therapy spa in the plaza. He stated there is a wall behind the plaza and the space to the nearest facility is 504 feet. He explained there is a church right in the plaza and the minister wrote a letter stating they do not have any issues with the massage spa going in. He stated he feels it is a good use to go in the plaza which has vacancies and a benefit to the community.

Mr. Graef asked Mr. McLeod if there are any massage places in other plaza's this size or less.

Mr. McLeod stated there are several establishments throughout the city that are in similar size shopping centers.

Mr. Graef asked the Board for any questions.

Mr. Washburn asked Mr. McLeod if the church to the west had been notified of the meeting.

Mr. McLeod stated no because they were not within the 300 feet the city requires for notification.

Mr. Washburn asked the petitioner who the licenses will be through for the massage therapist and if the business itself is licensed.

The applicant stated the massage therapist will be licensed through the State of Michigan and the business is licensed by the State of Michigan.

Mr. Graef asked the Board for any further questions.

Mr. D'Angelo asked Mr. McLeod why there is a requirement for the shopping center to be more than 100,000 sq. ft. for a massage parlor to be a tenant. He also stated there are many businesses near residential where massages are already being provided as a secondary use of the business

Mr. McLeod stated based on the ordinance, the massage parlors are put in a category with a series of different uses and the city wants to make sure they are separated from other residential uses. He also explained because it is a secondary use of the business, they are not held to these requirements.

Mr. Ujkic asked who will be the operator of the business and for a little background about Yvonne.

The applicant stated his wife will operate the business. She is licensed by the State of Michigan and has worked in massage since she arrived in the United States about seven years ago. When she lived in China, she had a massage establishment for a couple years. He owned a State Farm Insurance Agency for 30 years. He stated he has retired, about 15 years ago, and will be overseeing the business with his wife.

Mr. Washburn asked if an insurance firm would insure this type of business and asked how many employees they will have.

The applicant stated they already have insurance through State Farm and they will start with just his wife as the massage therapist and as the business grows, hire as needed.

Mr. Graef asked for public participation. Being none, he asked the Board for any further questions.

Mr. D'Angelo pointed out the vehicular access to the residential properties will be over 500 feet from the entrance to the massage business.

Mr. Deming asked the petitioner what the hours of operation are.

The petitioner stated 10 a.m. to 8 p.m. with the last appointment ending about 9 p.m. This will be six days a week, adding a seventh day if needed. The petitioner is open to closing at 6 p.m. on Sunday's, if the seventh day is needed.

Mr. Graef called for a motion.

Motion by Mr. Ujkic supported by Mr. Militello, in the case of PZBA16-0028, M.Y. Spas, LLC, 13233 14 Mile Road, I move to **APPROVE** the requested variances for the following reasons:

1. First, a practical difficulty exists in carrying out the strict letter of the Zoning Ordinance, and the practical difficulty is due to the unique circumstances of the property and is not self-created. All of the other requirements in the Zoning

Ordinance for approving a non-use variance have been established in the record, and granting the variance will observe the spirit of the Zoning Ordinance.

2. Second, the following additional facts have been established as part of the record:

    a. That the use is located within a shopping center that is separated from the abutting residential use to the north by a masonry wall, the abutting residential use to the south (in the City of Warren) by the 14 Mile Road right of way, and to the abutting residential to the west by the Red Run Road right of way.

    b. That the use is located within a shopping center that is separated from the place of worship by the gas station located at the immediate northeast corner of 14 Mile Road and Red Run Road and vacant property at the northwest corner of 14 Mile Road and Red Run Road in addition to the Red Run Road right of way.

3. Third, the following additional facts have been established by the petitioner:

    a. On Sundays and holidays the close of business will be 5 p.m. with the last appointment ending about 6 p.m.

This motion includes the following conditions:

1. First, the information provided to the Board must remain accurate, and the approval of the variance and a Hold Harmless Agreement in favor of the City must be recorded with the Register of Deeds. These requirements will be provided to the petitioner in writing. Failure to follow these requirements will be grounds to revoke the variance.

2. Second, the petitioner must comply with the following conditions requested by the Office of Planning:

    a. The necessary special approval land use from the City's Planning Commission.

    b. That all additional permits and licenses be obtained from the City of Sterling Heights, including the necessary building permits, use permits, massage establishment licenses, and business registrations.

    c. The variance will be restricted to the specific tenant space proposed in the application.

3. Notification of this proposal was noted on the Sterling Heights website, published in the newspaper, and also identified by signs on the site to be heard at this meeting.

Mr. Graef asked for any discussion on the motion.

Mr. Washburn suggested amending motion to include #3.

Motion by Mr. Ujkic, supported by Mr. Militello, to **AMEND** motion to include #3 of the conditions.

Mr. Graef asked for any other discussion. Being none, he called for a roll call vote.

Ayes: Ujkic, Militello, Washburn, D'Angelo, Deming, Graef, Jean
Nays: None
Absent: None
Motion Carried

PZBA16-0029 - BHM Enterprises LLC - Ron Iacobelli
Requesting Board approval for a use variance to allow a body art facility as defined within the City's Zoning Ordinance within a C-3 General Business Zoning District - West side of Van Dyke, south of Triangle Drive in Section 04.
Property address: 43701 Van Dyke

Mr. Graef asked Mr. McLeod to give an overview of the case.

Mr. McLeod displayed site plans and gave an overview stating the applicant's proposal, for a body art facility, is to occupy a 1,200 sq. ft. tenant space within the Four Seasons Shopping Center. He also stated a different address, within the same shopping center, received a use variance in 2011 to also operate a body art facility. That tenant space was located at the south end of the center. That use is no longer in operation and that tenant space is now occupied by a different tenant.

Mr. Graef asked the petitioner to come forward.

Ron Iacobelli, owner of Four Seasons Shopping Center, stated Brandon Burk was also present and worked for the previous studio's owner. He explained when the last variance was approved, he did not know it was address specific. He has asked the ZBA for approval for all tenant spaces excluding the two end tenant spaces.

Brandon Burk stated the establishment will not only be body art but a multimedia of art. He described there will be glass engraving, air-brushing, and graphic design as an example.

Mr. Graef asked Mr. McLeod if it's essentially moving one address to another within the same plaza. Mr. McLeod stated yes.

Mr. D'Angelo stated concern, with the property address being different, if all the notifications were sent out in the radius required.

Mr. McLeod stated the radius was measured by the overall property. The notifications were sent to those within 300 ft. of the outside perimeter of the overall property.

There was discussion regarding which tenant space. It is tenant space #12 according to the plaza's system and 43755 is the address. The previous application was tenant space #4.

Mr. Washburn asked Mr. McLeod if he was aware of any complaints regarding this site. Mr. McLeod stated no.

Mr. Ujkic asked the petitioner to state the address for the tenant space. The petitioner replied 43755.

Mr. D'Angelo asked for any other questions from the Board. Being none, he asked for public participation. Being none, he asked for the Board for any other question or a motion.

Motion by Mr. Militello, supported by Mr. Ujkic, in In the case of PZBA16-0029, BHM Enterprises, LLC, 43755 Van Dyke, I move to **APPROVE** the requested use variance to allow a body art facility as defined within the City's Zoning Ordinance within the C-3 General Business Zoning District for the following reasons:

1. That the decision of the Board will remain valid and in force as long as the facts and information presented to the Board in Public Hearing are found to be correct, and that the conditions upon which the motion is based are forever maintained as presented to the Board. The petitioner agrees to abide by and comply with all the ordinances of the City of Sterling Heights and the regulations of every lawful agency or governing authority now or hereafter in force;

2. Notice of the approval of the variance shall be delivered to the City Clerk's office within 60 days after the approval date of the applicable meeting minutes for recording with the Macomb County Register of Deeds. Failure to file this notice shall serve as grounds to revoke the variance;

3. A Hold Harmless Agreement, in favor of the City of Sterling Heights, shall be delivered to the City Clerk's office within 60 days after the approval date of the applicable meeting minutes for recording with the Macomb County Register of Deeds. Failure to follow this agreement shall serve as grounds to revoke the variance;

4. The proposed application solely represents the moving of the original approved body art facility to a new, slightly smaller tenant location within the same shopping center and does not represent an additional body art facility approval or an expansion of an otherwise unpermitted use.

5. The hours of operation be limited to 11:00 a.m. to 8:00 p.m. as outlined within the City's Body Art Facility Ordinance.

6. All State, County, and City approvals will be maintained for the operation and licensing of a body art facility.

7. The use variance will extinguish the prior use variance.

This motion is supported by the following findings:

1. That the current proposal is for a body art facility within the same shopping center as previously approved in Case BZ11-005, B.H.M. Enterprises, LLC/Pandora Tattoo and does not constitute an additional body art facility approval for the same center.

2. The site does not abut any residentially zoned or utilized properties and is only abutted by C-2 Planned Comparison Business, C-3 General Business, and M-1 Light Industrial Zoning Districts.

3. The property in question cannot be reasonably used or cannot yield a reasonable return on a prudent investment if the property were to be used only for a purpose allowed in the zoning district where the property is located.

4. The plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions.

5. The use to be authorized by the variance will not alter the essential character of the area and locality.

6. The problem is not self-created.

7. The spirit of this ordinance will be observed, public safety and welfare secured, and substantial justice done.

8. There is compliance with the Zoning Ordinance standards for discretionary decisions.

Mr. Graef asked for discussion on the motion.

Mr. Deming suggested amending the motion, for the body art portion of the business, to be closed at 6:00 p.m. on Sundays and national holidays.

Motion by Mr. Militello, supported by Mr. Ujkic to **AMEND** #5 of the motion. The body art portion of the business is to be closed at 6:00 p.m. on Sundays and national holidays.

Motion by Mr. Militello, support by Mr. Ujkic, to **AMEND** motion by adding #7.

Mr. D'Angelo stated he would like to see this body art facility stay consistent with other in the city regarding the hours.

Motion by Mr. Militello, supported by Mr. Ujkic, to **WITHDRAW** amendment to #5 of the motion.

Mr. Graef asked for any other discussion on the motion. Being none, he called for a roll call vote.

Ayes: Militello, Ujkic, Washburn, D'Angelo, Deming, Graef, Jean
Nays: None
Absent: None.
Motion Carried

PZBA16-0030 - Ervis Hoxha

Requesting Board approval for the following variances: 1) to allow two (2) lots (proposed split) that do not meet the minimum lot frontage; fifty three (53) feet and sixty (60) feet respectively - eighty (80) feet required; 2) to permit a lot that does not meet minimum lot area requirements; 7,354 square feet - 10,000 square feet required. - West side of Clinton River Road, between Leslie Drive and Canal Road in Section 03.
Property address: 8390 Clinton River Road

Mr. Graef asked Mr. McLeod to give an overview of the case.

Mr. McLeod displayed site plans and gave an overview. He stated the applicant is proposing to split a single lot for the purpose of constructing an additional single family residence.

Mr. Militello discussed with Mr. McLeod what size/type houses would fit on this lot if the spilt was approved.

Mr. Graef asked the petitioner to come forward.

Arthur Koki, designer for Mr. & Mrs. Hoxha, came forward to the podium. He stated the Hoxha's wish to build a new home so their parents can live in the existing home on the lot. He also stated he has previously designed homes in the Grosse Pointe area where the lots are 40 feet and could design a house around 2,800 sq. ft.

Mr. Graef asked the Board for any questions for the petitioner.

Mr. Militello asked what size house they are planning on putting on the new proposed lot.

Arthur stated they are looking to build a colonial around 2,000 sq. ft.

Mr. Ujkic asked how big the existing house is. Arthur answered 1,500 sq. ft.

Mr. Graef asked for any other question/comments from the Board. Being none, he asked for public participation. Being none, he asked for any further questions or a motion from the Board.

MOTION TO APPROVE (Lot Width):

Motion by Mr. Ujkic, supported by Mr. Militello, in the case of PZBA16-0030, Ervis Hoxha, 8390 Clinton River Road, I move to **APPROVE** the requested twenty seven (27) and twenty (20) foot variances to the minimum lot width requirements for the following reasons:

1. First, a practical difficulty exists in carrying out the strict letter of the Zoning Ordinance, and the practical difficulty is due to the unique circumstances of the property and is not self-created. All of the other requirements in the Zoning Ordinance for approving a non-use variance have been established in the record, and granting the variance will observe the spirit of the Zoning Ordinance.

2. Second, the following additional facts have been established as part of the record:

    a. The lots are located in an area of the City that contains other similar sized and configured lots.

    b. The properties to the east of Clinton River Road are zoned for R-60 One Family Residential which is generally consistent with the lot size and configuration proposed by the applicant.

This motion includes the following conditions:

1. First, the information provided to the Board must remain accurate, and the approval of the variance and a Hold Harmless Agreement in favor of the City must be recorded with the Register of Deeds. These requirements will be provided to the petitioner in writing. Failure to follow these requirements will be grounds to revoke the variance.

2. Second, the petitioner must comply with the following conditions requested by the Office of Planning:

    a. Appropriate lot split and building permit approvals must be sought and obtained prior to any construction and any additional requirements that may arise as part of such a review must be implemented.

    b. The reduced lot widths shall not be grounds for requesting future variances for the individual lots.

    c. The variances shall expire, without the need for any action by this Board, if the lot split is not approved as proposed within one year.

Mr. Graef asked for any questions or comments on the motion. Being none, he called for a roll call vote.

Ayes: Ujkic, Militello, D'Angelo, Deming, Graef, Jean
Nays: Washburn
Absent: None.
Motion Carried.

<u>MOTION TO APPROVE (Lot Area):</u>

Motion by Mr. Ujkic, supported by Mr. Militello, in the case of PZBA16-0030, Ervis Hoxha, 8390 Clinton River Road, I move to **APPROVE** the requested 2,646 square foot variance to the minimum lot area requirements for the following reasons:

1. First, a practical difficulty exists in carrying out the strict letter of the Zoning Ordinance, and the practical difficulty is due to the unique circumstances of the property and is not self-created. All of the other requirements in the Zoning Ordinance for approving a non-use variance have been established in the record, and granting the variance will observe the spirit of the Zoning Ordinance.

2. Second, the following additional facts have been established as part of the record:

    a. Similar size lots are located within this section of the City.

    b. The requested lot sizes are not grossly inconsistent with the R-60 One Family Residential Zoning District located directly across the street to the east.

This motion includes the following conditions:

1. First, the information provided to the Board must remain accurate, and the approval of the variance and a Hold Harmless Agreement in favor of the City must be recorded with the Register of Deeds. These requirements will be provided to the petitioner in writing. Failure to follow these requirements will be grounds to revoke the variance.

2. Second, the petitioner must comply with the following condition requested by the Office of Planning:

    a. Appropriate lot split and building permit approvals must be sought and obtained prior to any construction and any additional requirements that may arise as part of such a review must be implemented.

    b. The reduced lot areas shall not be grounds for requesting future variances for the individual lots.

    c. The variances shall expire, without the need for any action by this Board, if the lot split is not approved as proposed within one year.

Mr. Graef called for a roll call vote.

Ayes: Ujkic, Militello, D'Angelo, Deming, Graef, Jean
Nays: Washburn
Absent: None.
Motion Carried

PZBA16-0031 - Dan McCarthy

Requesting Board approval for a variance of one hundred and thirty-six (136) feet to the maximum size of an accessory building - East side of Ryan between 18 and 18 ½ Mile Roads in Section 08.
Property address: 41776 Ryan Road

Mr. Graef asked Mr. McLeod to give an overview of the case.

Mr. McLeod displayed site plans and gave an overview. He stated the applicant is proposing to split off a portion of the subject property to sell to a developer which is in the process of accumulating properties in the area. According to the ordinance, the proposed resultant split would leave the property with insufficient land area to support the size of the existing accessory building located on the property.

Mr. Graef asked the petitioner to come forward.

Dan McCarthy, commercial broker handling the property, came forward to the podium. He stated they have already purchased the two parcels to the south. The property to the north is under contract to purchase. He also has a purchase agreement to purchase the spit of property 41776 Ryan Rd. He is asking for a use variance because the existing accessory building on this property would be beyond what is permitted by the ordinance.

Mr. Graef asked the Board for any questions for the petitioner.

Mr. Militello asked Mr. McCarthy what will be developed on the property. Mr. McCarthy stated they will be developing residential on the approximate seven acres.

Mr. Ujkic asked if they will be developing residential single homes or condominiums. Mr. McCarthy stated they are not at that stage in the planning but would probably be attached condominiums.

Mr. Washburn asked if they are planning on putting in a cul-de-sac road and how many units will they put in. Mr. McCarthy stated yes they will put in a cul-de-sac road but do not know how many units they will be allowed to develop.

Mr. Militello asked Mr. McLeod if they wanted to develop condominiums, will they have to come back to the ZBA to get it rezoned for multi-family.

Mr. McLeod stated the developer has been in contact with the City Planner and the concept plan that was provided was for detached condominiums. The total number of units may be in the teens. He stated it would probably be Planning Commission issues more than the Zoning Board.

Mr. Graef asked for any other question/comments from the Board. Being none, he asked for public participation.

Jack Maklish stated his backyard would be facing the new development. He expressed concern whether there will be condominiums or single family homes built.

Mr. Graef asked for any further public participation. Being none, he asked for any further questions or a motion from the Board.

Motion by Mr. D'Angelo, supported by Mr. Washburn, in the case of PZBA16-0031, Dan McCarthy, 41776 Ryan Road, I move to **APPROVE** the requested one hundred and thirty six (136) square foot variance to the maximum permissible accessory building size to allow for the existing accessory building consisting of 1,536 square feet for the following reasons:

1. First, a practical difficulty exists in carrying out the strict letter of the Zoning Ordinance, and the practical difficulty is due to the unique circumstances of the property and is not self-created. All of the other requirements in the Zoning Ordinance for approving a non-use variance have been established in the record, and granting the variance will observe the spirit of the Zoning Ordinance.

2. Second, the following additional facts have been established as part of the record:

    a. The accessory building is existing and its current size, location, and configuration will not be changed by the proposed lot split and will not impact any of the adjacent residences.

    b. The accessory building would still be located approximately one hundred and twenty five (125) feet from the eastern property line, should the property be split as proposed.

    c. The property owner to the north, which would likely be impacted the most, also has a similar (but slightly smaller) accessory building along the mutual property line, therefore minimizing the impact of the larger size of the accessory building on the northern property.

This motion includes the following conditions:

1. First, the information provided to the Board must remain accurate, and the approval of the variance and a Hold Harmless Agreement in favor of the City must be recorded with the Register of Deeds. These requirements will be provided to the petitioner in writing. Failure to follow these requirements will be grounds to revoke the variance.

2. Second, the petitioner must comply with the following conditions requested by the Office of Planning:

   a. Appropriate lot split approvals must be obtained in order for the variance to become effective.

   b. The disproportionate size allowed by the variance shall not be deemed a valid reason for a developer to request any variances relating to the future development of the rear portion of the property.

   c. The variance shall expire, without the need for any action by this Board, if the lot split is not approved as proposed within one year.

Mr. Graef asked for any question/comments on the motion. Being none, he called for a roll call vote.

Ayes: D'Angelo, Washburn, Deming, Graef, Jean, Militello, Ujkic
Nays: None
Absent: None
Motion Carried

PZBA16-0025 - Zak Essak - Venezia Grand Banquet Hall

Requesting Board approval for the following variances: 1) to permit a freestanding sign to encroach eleven (11) feet into the required twelve (12) foot setback from the front property line, 2) to permit a freestanding sign to exceed the maximum height permitted by eleven and one half (11.5) feet, and 3) to permit a freestanding sign to exceed the maximum area permitted by five hundred and eighty four (584) feet.
- East side of Van Dyke between Parkside Circle and Gage Crescent in Section 10.
Property address: 42300 Van Dyke

Mr. Graef asked Mr. McLeod to give an overview of the case.

Mr. McLeod displayed site plans and gave an overview. He stated the applicant has revised the sign to be at a maximum height of 21 feet.

Mr. Graef asked the petitioner to come forward.

Mr. Zak Essak came forward to the podium. He stated they are trying to put something unique in Sterling Heights.

Mr. Graef asked the Board for any questions for the petitioner.

Mr. Ujkic asked the petitioner how much the sign was reduced to. Mr. Essak stated it has been revised to 21 ft. by 21ft.

Mr. Ujkic asked Mr. McLeod how much the total area was reduced by. Mr. McLeod stated the total square footage was 704 and now is 449. The variance request has gone from 584 sq. ft. to 329 sq. ft. He stated the current ordinance would allow 120 sq. ft.

There was much discussion and comments regarding the overall size of the sign and the reasons for it.

Mr. Graef asked the petitioner what is the hardship for allowing this size of a sign.

The petitioner did not state any hardship.

Mrs. Jean stated the Board is to represent residents living in the area.

Mr. Essak stated he doesn't feel the lights will shine around/through his building to affect any residents.

Mr. Graef closed the discussion and asked for public participation.

Louis Patterson, 8063 Gage Crescent, stated concern for the height of the sign as he would be able to see it illuminated from his house and he is also concerned it may obstruct vision when pulling out of any of the businesses near the property.

James Patterson, 8064 Gage Crescent, stated the sign would be visible from his bedroom window.

Mr. Graef asked for any further public participation. Being none, he asked for any further questions from the Board.

Mr. Graef asked if the 11 ft. encroachment would be changed because the sign dimensions have changed. Mr. McLeod stated it would be different but the plan was not revised.

Mr. Graef asked for a motion.

Motion by Mr. Deming, supported by Mr. Militello, in the case of PZBA16-0025, Zak Essak, on behalf of Grand Venezia Banquet Hall, 43200 Van Dyke, I move to **DENY** the requested variance(s) for the following reasons:

1. The alleged hardships are (or will be) self-created.

2. The applicant has not demonstrated that lesser variances could not provide relief and allow a sign to be constructed.

3. Conformity with the dimensional restrictions for the sign would not be unnecessarily burdensome.

4. The applicant's plight is not due to anything unique about the property, sign location, or road configuration.

Mr. Graef asked for any discussion on the motion.

Mr. D'Angelo suggested to Mr. Deming that #5 of the motion may not be needed.

Motion by Mr. Deming, supported by Mr. Militello, to **AMEND** motion by removing #5.

Ayes: Deming, Militello, Graef, Jean, Washburn, D'Angelo
Nays: Ujkic
Absent: None.
Motion Carried

APPROVAL OF MINUTES
Motion by Mr. Militello, supported by Mr. Ujkic, to **APPROVE** minutes for December 22, 2016 meeting.

Ayes: Militello, Ujkic, Washburn, D'Angelo, Deming, Graef, Jean
Nays: None
Absent: None
Abstained: None
Motion Carried

NEW BUSINESS

The city administration would like to do an approximate half hour presentation for the city's direction of all the Zoning Board amendments and the coming adoption of the Master Plan.

Motion by Mr. Militello, supported by Mr. Washburn, to add a presentation from the city administration. Should the agenda close with just one item; the matter will be incorporated into the primary meeting as a second agenda or new business item. If the agenda should have additional items added before it closes, the Board is in agreement to have a special meeting at 6:00 p.m. to handle the city's presentation.

OLD BUSINESS
None

PUBLIC PARTICIPATION
None

MOTION TO ADJOURN
Motion by Mr. Ujkic, supported by Mr. Militello, to **ADJOURN**.
Ayes: Militello, Ujkic, Washburn, D'Angelo, Deming, Graef, Jean
Nays: None
Absent: None
Motion Carried

Meeting adjourned at 9:35 p.m.

David Graef, Chairman
Zoning Board of Appeals