



**CITY OF CHELSEA**  
**ZONING BOARD OF APPEALS**  
**AGENDA**  
**MAY 21, 2014, 5:00 P.M.**  
**COUNCIL CHAMBERS, 311 SOUTH MAIN ST.**  
**CHELSEA, MI 48118**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF MINUTES**

Approval of the Minutes for the April 16, 2014 ZBA Meeting.

**NEW BUSINESS**

**VARIANCE 14-2:**

**Speedway:** An application has been filed by **EXP U.S. Service Inc.** of **150 E. Gay Street, Suite 1510, Columbus, OH 43215** for **four variances requests** as part of a Preliminary Site Plan submittal for a proposed **Speedway Gasoline Station and Convenience Store** to be constructed on the following described parcel of land: Rich Gas Station 930 S. Main Street (Tax Code: 06-06-13-140-016, 06-06-13-140-017) and Wolverine Food & Spirits 20460 Old US 12 (Tax Code: 06-06-13-140-033).

Article 4, Section 14(C)(5) – Applicant requests that the required maximum impervious area ratio be raised from (0.55) to (0.65).

Article 5, Section 16(E)(1a) – Applicant requests that the required maximum light levels for gas station canopy lighting be raised from 20 foot-candles to 30 foot-candles.

Article 6, Section 3(A)(4) – Applicant requests that they be allowed to have a LED lights for a programmable gasoline pricing sign.

Article 6, Section 7(I) – Applicant requests that the maximum square footage for advertising gasoline prices be increased from 9 square feet to thirty-two square feet.

**ADJOURNMENT**



## CITY OF CHELSEA

May 21, 2014

Meeting called to order at 5:00 pm by Chairman Osborne.

Members present: Osborne, White, Schauer, King

Motion by Schauer, 2<sup>nd</sup> by King to accept the minutes of the previous meeting as read.

Motion passed all ayes.

Item 14-2

Applicant requires an increase in the impervious area ratio from .55 to .65.

Motion by Schauer 2<sup>nd</sup> by White to allow the change due to underground retention system to be installed.

Motion passed all Ayes.

Applicant requests an increase in the maximum foot candle lighting from 20 to 30.

Motion by Schauer 2<sup>nd</sup> by White to deny the request.

Motion passed all Ayes.

Applicant requests a LED sign to advertise fuel prices only.

Motion by White, 2<sup>nd</sup> by King to allow LED sign for fuel only. Must not flash, blink or change more than twice per day.

Motion passed all Ayes.



Applicant requests fuel sign increase from 9 square feet to 24 square feet for fuel type and price.

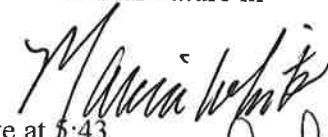
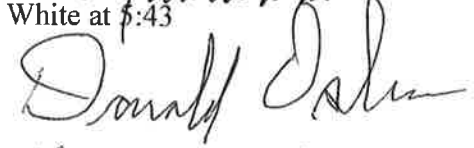

Motion by White 2<sup>nd</sup> by King to allow the increase due to other signs of similar nature in the city.

Motion passed all Ayes

Having no further business, motion to adjourn by King, 2<sup>nd</sup> by White at 5:43

Motion passed all Ayes.

  
  
Donald T Osborne

  
  
  
Charles H. Schauer



## CITY OF CHELSEA

### NOTICE OF VARIANCE HEARING

An application has been filed by **EXP U.S. Service Inc.** of **150 E. Gay Street, Suite 1510, Columbus, OH 43215** for **four variances requests** as part of a Preliminary Site Plan submittal for a proposed **Speedway Gasoline Station and Convenience Store** on the following described parcel of land:

**TAX CODE: # 06-06-13-140-016 and #06-06-13-140-017**  
**Rich Gas Station, 930 S. Main St., Chelsea, MI**

**TAX CODE: # 06-06-13-140-033**  
**Wolverine Food & Spirits, 20460 Old US 12, Chelsea, MI**

The requested variances are listed below:

**Article 4, Section 14(C)(5) – Applicant requests that the required maximum impervious area ratio be raised from (0.55) to (0.65).**

**Article 5, Section 16(E)(1a) – Applicant requests that the required maximum light levels for gas station canopy lighting be raised from 20 foot-candles to 30 foot-candles.**

**Article 6, Section 3(A)(4) – Applicant requests that they be allowed to have a LED lights for a programmable gasoline pricing sign.**

**Article 6, Section 7(I) – Applicant requests that the maximum square footage for advertising gasoline prices be increased from 9 square feet to thirty-two square feet.**

Pursuant to the procedure for a variance request: a Notice of Hearing shall be given and will be served personally or by mail at least fifteen (15) days prior to the date of such hearing, upon the party or parties making the request for appeal, and all owners of record of property and occupants of property located within three-hundred (300) feet of such premises in question.

You are herein notified that a hearing will be held by the Chelsea Zoning Board of Appeals on **Wednesday, May 21, 2014** at 5:00 o'clock P.M. or as soon thereafter as possible, in the Chelsea Municipal Building (Council Chambers) located at 311 S. Main Street, to consider objections to said request.

The petition is on file in the office of the Planning and Zoning Department, 305 S. Main St., Suite 100, Chelsea and may be examined prior to the date of the hearing.

Persons requiring reasonable accommodations to disabilities in order that the hearing be accessible to them, are requested to notify the Zoning Board of Appeals Chairman no later than five (5) business days prior to the date of the hearing of such disability.

DONALD T. OSBORNE, CHAIRMAN  
ZONING BOARD OF APPEALS

**Zoning Boards of Appeals Application**  
**City of Chelsea**  
**Washtenaw County, Michigan**

Date 03/28/14

APPLICANT(S) NAME (print) Charles Wlodyka, exp US Services

APPLICANT(S) ADDRESS 150 E Gay Street, Suite 1510

Columbus, OH 43215 PHONE# 614-744-4323

Type of Appeal – The Appeal made herewith is for:

- A Variance from the Zoning Ordinance
- An interpretation of the Zoning Ordinance

For the following reasons: See attached letter

**NOTE:** By signing this appeal application, you are stating that you have had the opportunity to read the Automatic Stay Rule governing the Board of Review's decision and that you understand the rule.

Date: 3/28/14 Applicants signature: 

THE APPLICANT(S) ARE:  OWNER(S) OF THE PROPERTY INVOLVED.  
 ACTING ON BEHALF OF THE OWNER(S) OF PROPERTY INVOLVED.

Fee received: \$ 225 by the Planning & Zoning Inspector 

**For Variances from the Zoning Ordinance**

Combine parcels 06-06-13-140-033, 06-06-13-140-017, &

Address of the Property involved: 06-06-13-140-016

Indicate the provisions(s) of the Zoning Ordinance that are being addressed in this appeal. **DO NOT** Quote the Ordinance. Indicate the Article, Section, Subsection and Paragraph in question:

Article 4, Section 14, Subsection C, Paragraph 5  
Article 5, Section 16, Subsection E, Paragraph 1a  
Article 6, Section 3, Subsection A, Paragraph 4  
Article 6, Section 7, Subsection I

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**For Applications for Appeal of the Interpretation of the Zoning Ordinance**

PLEASE PRINT OR TYPE (If additional space is needed use the back or a separate sheet)

I/We \_\_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_ Hereby appeal to the Zoning Board of Appeals from the decision of the Zoning Inspector on Application No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_, whereby

- ( ) A Zoning Compliance Permit was ( ) Granted ( ) Denied  
( ) A Certificate of Occupancy was ( ) Granted ( ) Denied

To: \_\_\_\_\_

Address of the Property involved: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Indicate the provisions(s) of the Zoning Ordinance that are being questioned or addressed in this appeal. **DO NOT** Quote the Ordinance. Indicate the Article, Section, Subsection and Paragraph in question:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FOR ZONING BOARD OF APPEALS USE ONLY**

At the meeting of the Zoning Board of Appeals on \_\_\_\_\_ 20\_\_\_\_, the appeal described on this form was considered and the Board determined that the

- ( ) Zoning Compliance Permit  
( ) Certificate of Occupancy

was ( )Granted or ( )Denied for the following reasons: \_\_\_\_\_



March 28, 2014

City of Chelsea  
Zoning Board of Appeals  
305 S Main St  
Suite 100  
Chelsea, MI 48118

Re: RUS-00216151-A0

Speedway  
Store #7250  
Parcels 06-06-13-140-033, 06-06-13-140-017, & 06-06-13-140-016  
Rebuild  
**Variance**

To Whom It May Concern:

Speedway is seeking a variance to Article 4, Section 14, Subsection C, Paragraph 5 which limits the impervious ratio in the C-2 zoning district to be a maximum of 55 percent. The impervious ratio is being exceeded in order to meet the minimum parking requirements as well as to extend the access drives as far away from the intersection of Old US-12 and M-52 as possible. The proposed site is 65% impervious, pervious land cover is incorporated where feasible. The placement of the access drives allows vehicles to more safely navigate the intersection and access the site by permitting more stacking space. Because the existing site consists primarily of rooftop, pavement and gravel, the proposed site would improve the ground cover condition. Additionally, the improvements would convert adjacent parkways from impervious to pervious land cover.

Article 5, Section 16, Subsection E, Paragraph 1a limits the intensity of light underneath a gas station canopy to be a maximum of twenty footcandles. Speedway has determined from past experiences and through the operation of their current gas stations, that a minimum of thirty footcandles is needed to ensure customer safety around the canopy. This higher level of lighting permits greater visibility for both vehicular and pedestrian traffic navigating around the pump islands. A major component of the safety concern is that many customers tend to park their vehicle at the pump and walk to the store instead of moving their vehicle to a dedicated parking spot after filling up with gas.

Article 6, Section 3, Subsection A, paragraph 4 does not permit an exposed lamp to be used on the exterior surface of any sign. Speedway would like to utilize exposed LED lamps to indicate the pricing for gasoline and all other sign lighting would not be exposed. The alternative option would be to utilize

**exp** U.S. Services Inc.

*Company: City of Chelsea Zoning Board of Appeals*

*Re: Variance*

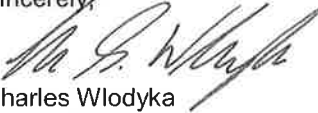
*Project Number: RUS-00216151-A0*

*Date: March 28, 2014*

changeable copy which tends to deteriorate over time and also requires employees to carry the panels across the site every time there is a change in gasoline pricing. This becomes a safety concern for the employees as they would have to cross the path of vehicular circulation.

Article 6, Section 7, Subsection I restricts the area for advertising gasoline prices to a maximum of nine square feet. Since this site is located at a busy intersection in the city and the county is requesting sixty feet of right-of-way, Speedway would like to install a sign that contains thirty six square feet of advertising space for gasoline prices. The additional right-of-way and the required landscape plaza permits the sign to be no closer than forty feet to the intersection. There is concern for vehicular safety as motorists could become distracted as they strain to read the gasoline price on only nine square feet of area so far from the busy intersection.

Sincerely,



Charles Wlodyka  
Project Manager

**exp** U.S. Services Inc.

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