

CITY OF WOODHAVEN
COUNTY OF WAYNE, STATE OF MICHIGAN
SPECIAL ZONING BOARD OF APPEALS MEETING OF OCTOBER 8, 2014

Special Zoning Board of Appeals meeting of October 8, 2014, held at Woodhaven City Hall, 21869 West Road, Woodhaven, Michigan. The meeting was called to order at 7:00 p.m. by Mr. Michael Boyda, Chairman, commencing with the Pledge of Allegiance.

PRESENT: Mrs. Doreen Herk, Mr. Michael Boyda, Mr. Bruce Grantz, Mr. Clif Stone,
Mr. Alan Fike

ALSO PRESENT: Laura Kreps, Carlisle/Wortman Associates Inc.

Moved by Mr. Fike, seconded by Mr. Grantz, to approve the Agenda for tonight's meeting.
MOTION CARRIED.

APPLICATION FOR REVIEW/PUBLIC HEARING:

ZBA Application Z 14-07; Nowak & Fraus Engineers, (White Castle), 20090 West Road, request to continue drive through use.

A PUBLIC HEARING WAS HELD ON ZBA APPLICATION Z 14-08; NOWAK & FRAUS ENGINEERS, (WHITE CASTLE), 20090 WEST ROAD, REQUEST TO CONTINUE DRIVE THROUGH USE.

The public hearing was opened at 7:03 p.m.

Mr. Travis Evans representing White Castle, stated applicants desire to continue having drive through service as they have for the past 29 years and which provides 75% of the location's revenue.

Mrs. Kreps gave a summary of the Carlisle/Wortman analysis dated September 26, 2014.

No public comments were offered.

The public hearing was closed at 7:08 p.m.

Discussion was held by the board. Generally speaking, our municipality divides itself into various districts to protect and promote the general welfare and preserve the general rights and interests of all. This includes businesses that locate and develop here. "White Castle" has been a contributor to our overall vibrant community for 29 years. It has served, not only Woodhaven, but many of the surrounding communities as well. Now they are choosing to re-invest in our community by updating itself. They are not changing their general functionality that they have enjoyed at this location. Further, they currently exist next door to (2) businesses that have "drive-thru's". We could be wrong, but we think one of these was built subsequent to the adoption of this ordinance.

We do not believe that it is our city's intention to help businesses lose revenue. Since this ordinance would prohibit the function that generates 75% of its business, we believe that this action would contradict protecting the general welfare, rights, and interests of all. By strict adherence to this ordinance, in this case, we would create an undue hardship for the applicant.

Moved by Mr. Stone, seconded by Mr. Grantz, to grant two variances to approve the continuation of "Drive-Thru" functions at this location under Article III, Division 13, CBD, Section 110-484 (1)(o), which only allows restaurants without "Drive-Thru" service; and section 110-486 (a)(1), which specifically prohibits uses that are principally of a "Drive-Thru" or "Drive-In" nature. Granting of these variances is due to the fact that the applicant is not changing his current, existing way of doing business. Also, by introducing an outdoor eating area, it is contributing to the spirit of the Central Business District (CBD) by helping to create a lively downtown area as stated in the intent of the District. White Castle is not a new business coming into our community. It is a well-established one. Finally, granting of these variances do not pose a substantial detriment to the public good and do not substantially impair the intent of the ordinance. MOTION CARRIED.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

Mr. Grantz asked that there be a roll call vote on variances and the rest of the board concurs.

PUBLIC COMMENTS:

None.

Moved by Mr. Fike, seconded by Mr. Grantz, to adjourn the meeting at 7:19 p.m. MOTION CARRIED.

Mr. Michael Boyda, Chairman

Mr. Clif Stone, Secretary