

CITY OF GROSSE POINTE WOODS
20025 Mack Plaza
Zoning Board of Appeal Meeting Agenda
Monday, August 15, 2011
7:35 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. ACCEPTANCE OF AGENDA

4. PUBLIC HEARING A. Use Interpretation: Darlene Monroe for Bohn Trust/Blackstar, 19807 Mack
 1. Letter 07/25/11 – D. Munroe, Trustee
 2. Application to the Zoning Board of Appeals 07/25/11
 3. Business License Application 07/19/11
 4. Letter 07/08/11 – R. Andary
 5. Proposal: Proposed Use of 19807 Mack Avenue
 6. New Business: Building Department Zoning Determination 07/19/11
 7. Letter 08/10/11 w/attachment – City Attorney
 8. Memo 08/09/11 - Building Official
 9. Memo 07/29/11 – Director of Public Services
 10. Letter 08/01/11 – S. Rabaut
 11. Affidavits of Legal Publication (2) 07/28/11
 12. Affidavit of Property Owners Notified 07/27/11
 13. Aerial View 07/28/11

5. IMMEDIATE CERTIFICATION OF MINUTES
6. ADJOURNMENT

Lisa Kay Hathaway, MMC
City Clerk

IN ACCORDANCE WITH PUBLIC ACT 267 (OPEN MEETINGS ACT)
POSTED AND COPIES GIVEN TO NEWSPAPERS

The City of Grosse Pointe Woods will provide necessary, reasonable auxiliary aids and services, such as signers for the hearing impaired, or audio tapes of printed materials being considered at the meeting to individuals with disabilities. All such requests must be made at least five days prior to a meeting. Individuals with disabilities requiring auxiliary aids or services should contact the City of Grosse Pointe Woods by writing or call the City Clerk's office, 20025 Mack Plaza, Grosse Pointe Woods, MI 48236 (313) 343-2440 or Telecommunications Device for the Deaf (TDD) 313 343-9249.

4A-1

Darlene Munroe, Trustee for
the John L. Bohn Living Trust
25081 South Magdalena
Harrison Township, MI 48045

City of Grosse Pointe Woods
Zoning Board of Appeal
20025 Mack
Grosse Pointe Woods, MI 48236

RECEIVED
JUL 25 2011
CITY OF GROSSE PTE. WOODS

RE: 19807 Mack, Approval of land use and variance

To Whom It May Concern:

The 19807 Mack building is for sale. The purpose of this meeting would be to review Division 7-C Commercial Business District Section 50-370 Sub-Section 7, in order to complete the sale of the building.

Thank You,

Darlene Munroe
Trustee

Darlene Munroe, Trustee
for the John L. Bohn Living Trust

PLEASE TYPE or PRINT NEATLY

CITY OF GROSSE POINTE WOODS
20025 MACK PLAZA
GROSSE POINTE WOODS MI 48236
(313) 343-2440 - CITY CLERK
FAX (313) 343-2785
(313) 343-2426 - BUILDING DEPARTMENT
FAX (313) 343-2439

4A2
RECEIVED

JUL 25 2011

CITY OF GROSSE PTE. WOODS

APPLICATION TO THE ZONING BOARD OF APPEALS

1. Address of the Property: 19807 MACK
(Number and Street)

TO THE ZONING BOARD OF APPEALS

I (We) JOHN L. BOHN LIVING TRUST 5867916160
Name (Please Print) DARLENE MUNROE Phone No. (Daytime)
TRUSTEE
25081 S. MAGDALENA HARRISON TWP, MI 48045
Address City State Zip

hereby appeal to the Zoning Board of Appeals for a variance to:

ALLOW CONTINUED USE OF PROPERTY
AS IT WAS BUILT TO BE USED

2. DESCRIPTION OF CASE (Fill out only items that apply)

a. Present zoning classification of the property _____

b. Description of property

(1) Size and Area of Lot _____

(2) Is the lot a corner or interior lot INTERIOR LOT

Payment Validation

*NOTE: When answering questions pertaining to use and non-use variances, additional paper may be used.

PLEASE TYPE or PRINT NEATLY

c. Description of EXISTING structures

- (1) Total square footage of accessory building now on premises 278; of main buildings 2962 = 3240
- (2) Uses of building on premises COMMERCIAL, RESIDENTIAL, AUTO GLASS
- (3) Percentage of lot coverage of all buildings on ground level _____% REPLACEMENT AND REPAIR

d. Description of PROPOSED structures

- (1) Height of proposed structure _____
- (2) Height and area of existing structure _____
- (3) Dimensions and area of structure or addition to be constructed _____
- (4) Percentage of lot coverage of all buildings including proposed _____%

e. Yard setbacks after completion of addition/structure

- (1) Front Yard (measured from lot line) _____
- (2) Side Yard (measured from lot line) _____
- (3) Rear Yard (measured from lot line) _____

f. A sketch drawn to scale depicting the above information shall be included herewith.

3. TYPE OF VARIANCE REQUEST: NON-USE – Common regulations subject to non-use variance requests: setbacks, height or parking regulations, lot coverage, bulk or landscaping restrictions. Uniqueness: odd shape, small size, wetland, creek, natural features, big trees or slopes.

A finding of practical difficulty, based on competent, material, and substantial evidence on the record, shall require the petitioner to demonstrate that all of the following conditions are met (*please answer all reasons*):

a) That the ordinance restrictions unreasonably prevent the petitioner from using the property for a permitted purpose.

*NOTE: When answering questions pertaining to use and non-use variances, additional paper may be used.

*****PLEASE TYPE or PRINT NEATLY*****

b) That a variance would do substantial justice to the petitioner as well as to other property owners in the zoning district, and a lesser relaxation than that requested would not give substantial relief to them or be more consistent with justice to other others. (i.e., Are there other more reasonable alternatives?)

c) That the plight of the petitioner is due to unique circumstances of the property.

d) That the alleged hardship has not been self-created or created by any person presently having an interest in the property.

e) That the spirit of the Grosse Pointe Woods Ordinance will be observed, public safety secured, and substantial justice done.

*****PLEASE TYPE or PRINT NEATLY*****

4. **TYPE OF VARIANCE REQUEST: USE** – A use variance permits a use of land that is otherwise not allowed in that zoning district. The applicant must present evidence to show that if the zoning ordinance is applied strictly, an unnecessary hardship to the applicant will result, and that all of the following requirements are met (*please answer all reasons*):

a) That the property cannot reasonably be used in a manner consistent with existing zoning.

b) That the plight of the petitioner is due to unique circumstances peculiar to the property and not to general neighborhood conditions.

c) That the use requested by the variance would not alter the essential character of the area and locality.

d) That the alleged hardship is not self-created or created by any person presently having an interest in the property.

*NOTE: When answering questions pertaining to use and non-use variances, additional paper may be used.

PLEASE TYPE or PRINT NEATLY

- e) That the spirit of the Grosse Pointe Woods Ordinance will be observed, public safety and welfare secured, and substantial justice done.

5. Interpretation of the Zoning Ordinance is requested because:

SUCH SAID BUILDING IS ALREADY
BEING USED FOR SAME PURPOSE

6. Article and Section of the Zoning Ordinance that is being appealed:

DIVISION 7-C COMMERCIAL BUSINESS DISTRICT
SECTION 50-370 SUB-SECTION 7

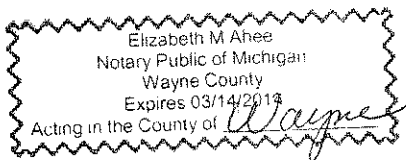
I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

Carlson Munroe-Kuster
Signature of Petitioner

Carlson Munroe-Kuster
Signature of Applicant

Subscribed and sworn to before me this 25th day of July 2011

Elizabeth M. Ahee
Notary Public



My Commission expires 3-14-11

NOTE: The Zoning Board of Appeals (ZBA) may consider evidence from a variety of sources in making its determination. The Zoning Board of Appeals meets the first and third Mondays of each month at 7:30 PM. The application must be filed with the City Clerk with a fee in the amount of \$250 a minimum of 14 days prior to council hearing.

*NOTE: When answering questions pertaining to use and non-use variances, additional paper may be used.



CITY OF GROSSE POINTE WOODS

20025 MACK PLAZA DRIVE
GROSSE POINTE WOODS, MI 48236
313-343-2440
WWW.GPWMI.US

RECEIVED
JUL 19 2011
4A3

Fee: \$100*
Expires 6/30/2011
Renewals Due 4/1/2011
CITY OF GROSSE POINTE WOODS

Business License Application

LICENSE NO: _____

BUSINESS INFORMATION:

Business Name: Blackstar, Inc. P.P. ID 999- 38/29153/61 (FEIN field)
Business Address: 19807 Mack Avenue Phone: (313) 886-6866
City, State Zip: GROSSE POINTE WOODS, MI 48236 Fax: (586) 415-8723
Type of Business: Residential Remodeling No. of Employees: 2
Check One: Partnership () Corporation (X) Individual ()

BUSINESS OWNER INFORMATION:

Name: Tom & Kathy Robinson Date of Birth: 5/29/1953
Address: 34070 Jefferson Phone: (586) 415-8712
City, State Zip: St. Clair Shores, MI 48082 Cell Ph: (313) 550-1750
E-Mail: blackstar1750@comcast.net

The following information is required by the Grosse Pointe Woods Public Safety Department.

Emergency Contact #1: Jeff Robinson Phone: (313) 550-1756
Emergency Contact #2: Dennis McCuen Phone: (313) 550-2788
Emergency Contact #3: Bob Dwojakowski Phone: (313) 550-1754
Security Company: Emergency 24 Phone: (800) 359-3624

CURRENT REAL PROPERTY OWNER:

Name: _____ Phone: _____
Address: _____ City, State Zip: _____

*Churches, schools, governmental agencies, and banks are fee exempt, however, completed forms must be returned.

Supply all requested information. Attach a copy of State and/or County mandated licenses.

Application is being made in accordance with the 2007 Grosse Pointe Woods City Code, Ch. 10 Art. II, Sec 10-19 through 10-27.
All county and city personal property taxes must be paid in full.

I hereby affirm that the above information and any accompanying information is true and accurate to the best of my knowledge.

Applicant's Signature _____ Title _____ Date _____

Do Not Write Below this Line. For Official Use Only.

APPROVALS:

Building Official: Variance Requested Personal Property Taxes Fire Safety
 Use Approved _____ Public Hearing Date Building Inspections Issued
 Use Denied Variance Approved
 Variance Denied

NOTES: _____

A license certificate will be mailed to your business upon approval.

CASHIER'S COPY

DO NOT DETACH - OFFICE COPY

Business Name: _____

Business Address: _____

City, State Zip: GROSSE POINTE WOODS, MI 48236

TOTAL FEE AMOUNT DUE \$ 100.00

50-370 (7)

LAW OFFICES
ANDARY, ANDARY, DAVIS & ANDARY
An Association of Professional Corporations
Established 1971



JAMES R. ANDARY
JEFFREY R. DAVIS
JAMES G. ANDARY, II
MICHAEL J. DZUBAK
NEIL HANSEN
TELEPHONE (586) 463-9883
FACSIMILE (586) 463-1808

10 SOUTH MAIN STREET, SUITE 405
MOUNT CLEMENS, MICHIGAN 48043-7910

RAYMOND J. ANDARY
TELEPHONE (586) 463-5300
FACSIMILE (586) 463-7373

July 8, 2011

Mr. Gene Tutag
Grosse Pointe Woods Building Dept.
20025 Mack Avenue
Grosse Pointe Woods, MI 48236

Re: My client: Blackstar, Inc.

Dear Mr. Tutag:

My client, Blackstar, Inc., hereby requests approval of its intended use of 19807 Mack Avenue, to finalize its purchase of the building.

We have prepared and enclosed a brief description of the operation, use and background of Blackstar, Inc. We have also included the Grosse Pointe Woods New Business Building Department Zoning Determination and Business License Application forms for your review.

If you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

Raymond J. Andary

Raymond J. Andary

RJA/kpk
Enclosure

44-5

PROPOSAL

PROPOSED USE OF 19807 MACK AVENUE

Blackstar, Inc. intends to use the premises as an office, showroom, finish shop and staging facility for its home improvement company. Blackstar has two other locations where the major cabinetry work and administration is located. The Mack Avenue location will be used as a local spot where customers can select moldings, finishes and hardware. It will also be used as a staging area for the jobs in the community, and will have saws, routers and sanders for finish work on jobs nearby.

The building is currently used as a glass and window company and it is our intention to use the building with a floor plan similar to its current layout. The existing building currently has an office area which will be maintained as an office and showroom. The showroom will display product samples which will provide our customers with a convenient location to select the materials used on the job although typically, customers would not be coming to the showroom as the company usually takes the samples to the customer's home.

The building will also be used to store materials for upcoming jobs and keep a supply of routine items (i.e., moldings and finish panels, etc.) that are used regularly on a job site. Typically, there will be two employees going in and out of the building daily. Occasionally, they will need to work with power tools to do shop work that cannot be done at a customer's house. The power tools we use would be a table saw, radial arm saw, planner and drill. The major construction is performed at our fabrication facility in Harper Woods.

ABOUT BLACKSTAR, INC.

Blackstar, Inc. has been in existence for over twenty-two years and its principal owner, Thomas Robinson, has provided home improvement services in the Grosse Pointe community for over thirty-two years. Currently, the business is located on East Warren in Detroit. Approximately ninety percent of its customers are in the Grosse Pointes. Blackstar, Inc. is a reputable company in the area. They have done some recent projects in Grosse Pointe Farms and Grosse Pointe City. Their respective inspectors, Terry Brennan and Paul Weitzel, can speak to the reputation and craftsmanship of Blackstar, Inc.

4A6

GROSSE POINTE WOODS

New Business

Building Department Zoning Determination

APPLICANT:

NAME: Blackstar, Inc.

PROPOSED BUSINESS ADDRESS: 19807 Mack Avenue

e-MAIL: blackstar1750@comcast.net **PHONE:** (313) 886-6866

DESCRIPTION OF PROPOSED USE:

Office, showroom, staging storage area and finish shop for residential home improvement company.

OF EMPLOYEES: 2 **# OF PARKING SPACES:** 3

APPROVED PLANS AND PERMITS ARE REQUIRED PRIOR TO ALTERATIONS OR CONSTRUCTION

FOR OFFICE USE ONLY

Date of Request: 7/19/11 Business Registration Required: _____
Zoning Classification: R C of O Required: _____
Determined by: TJTAG Submit to Wayne County Health Department: _____
Date of Notification: _____

USE ALLOWED: YES **NO** (circle one)

COMMENTS: Sect. 50-370 (7)
USE INVOLVES NOISE, DUST AND MEG, NOT PERMITTED IN DIST
see attached.

4A7

CHARLES T. BERSCHBACK

ATTORNEY AT LAW

24053 EAST JEFFERSON AVENUE

ST. CLAIR SHORES, MICHIGAN 48080-1530

(586) 777-0400

FAX (586) 777-0430

blbwlaw@yahoo.com

CHARLES T. BERSCHBACK

DON R. BERSCHBACK

OF COUNSEL

August 10, 2011

RECEIVED

AUG 10 2011

CITY OF GROSSE POINTE WOODS

Honorable Mayor and Council
City of Grosse Pointe Woods
20025 Mack Plaza
Grosse Pointe Woods, MI 48236

RE. ZBA Public Hearing/ August 15, 2011/Bohn Trust/Blackstar

Dear Mayor and Council:

The current owner of 19087 Mack has filed a request to use the building "as an office, showroom, finish shop and staging facility" for its home improvement company. Mr. Tutag's Memo outlines some of the basic facts and I have attached a proposal regarding its proposed use which provides some additional detail regarding its request.

The building has been used for many years as a glass and window company previously known as IXL Glass, now doing business as Grosse Pointe Glass. It is unclear at this time whether IXL Glass operated as a permitted use in the Commercial C district or as a non-conforming use. I find that issue irrelevant since the new proposed use is different and appears to be more intensive than the current use with respect to either light carpentry work or light manufacturing work. In my opinion, the question in this case is a matter of degree.

The main question is whether this proposed use falls within the type of commercial use detailed in Sec. 50-370(7). That section would allow "miscellaneous business establishments" under strict conditions, taking into consideration several factors.

Sec. 50-370(7) states as follows:

(7) Miscellaneous business establishments as follows:
Businesses which are not obnoxious or offensive to the locality by reason of the emission of odor, fumes, dust, smoke, waste, vibration or noise; provided that there is not in connection therewith any manufacturing, repairing, converting, altering, finishing or assembling except that which is incidental to such retail business for local or neighborhood service, and upon which not more than five mechanics or workers are customarily engaged. The limitation on the number of mechanics or workers employed shall not apply to auto salesrooms or service stations, it being the intent of this subsection to prohibit light or heavy manufacturing

or industries of any description in C district. The provisions of this subsection shall not be interpreted so as to permit pool and billiard rooms, dancehalls, ice skating or roller rinks, or amusement enterprises.

The guidelines for allowance of certain miscellaneous businesses under this sub-section are as follows:

- (1) It cannot be obnoxious or offensive to the locality because of odor, fumes, dust, smoke, waste, vibration or noise.
- (2) Assuming that condition is met, the business cannot have "any" manufacturing, repairing, converting, altering, finishing or assembling "except" if it is incidental to such retail business or local or neighborhood service, and if there are only five workers engaged in that type of work.
- (3) The intent of the sub-section is to prohibit light or heavy manufacturing or industries of any description in the Commercial district.

In other words, there is an intent to prohibit light manufacturing, but there is not a blanket prohibition on finishing or assembly, if incidental to the retail business for local service and if the use passes the other tests regarding noise, dust, etc. The question is a matter of degree.

As part of its enumerated powers, the Board of Appeals may "in specific cases and subject to appropriate conditions and safeguards" interpret the Zoning Chapter in a way to carry out the intent and purpose of the plan. Sec. 50-148(c)(1). Four votes would be required to allow this use regardless of the number of members present. Sec. 50-145(a). Appropriate conditions and safeguards could be applied to the use.

The ZBA (and maker of any motion) should determine exactly what is entailed and then determine if it falls within the Sec. 50-370(7) guidelines. The ZBA can take into consideration the effect on the locality and the intent of the ordinance. Findings of fact should be made on the applicable factors.

Very truly yours,


CHIP BERSCHBACK

CTB:gmr

cc: Al Fincham
Lisa Hathaway
Gene Tutag

PROPOSAL

PROPOSED USE OF 19807 MACK AVENUE

Blackstar, Inc. intends to use the premises as an office, showroom, finish shop and staging facility for its home improvement company. Blackstar has two other locations where the major cabinetry work and administration is located. The Mack Avenue location will be used as a local spot where customers can select moldings, finishes and hardware. It will also be used as a staging area for the jobs in the community, and will have saws, routers and sanders for finish work on jobs nearby.

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448

**CITY OF GROSSE POINTE WOODS
BUILDING DEPARTMENT
MEMORANDUM**

RECEIVED
AUG 10 2011
CITY OF GROSSE Ptz. WOODS

TO: Zoning Board of Appeals
FROM: Gene Tutag, Building Official *GT-*
DATE: August 09, 2011
SUBJECT: Interpretation of Zoning Ordinance Section 50-370 (7)
Regarding Property Located at 19807 Mack Avenue

The attached business license application to operate an office, showroom, storage and finish shop as a residential home improvement company at 19807 Mack Avenue for Blackstar, Inc. has been denied. The subject property is currently zoned C Commercial Business. Information provided with the application indicates that a component of the business involves the use of power tools such as a table saw, radial arm saw, router, sander, planer, and drill (copy attached). Section 50-370(7) prohibits manufacturing or industries of any description in the C District.

The owner of the building, the John L. Bohn Living Trust, filed with the Zoning Board of Appeals for an interpretation of the ordinance to allow this use, as in their opinion, "the building is already being used for the same purpose and in order to complete the sale of the building".

Section 50-370(7) reads as follows:

Miscellaneous business establishments as follows: Businesses which are not obnoxious or offensive to the locality by reason of the emission of odor, fumes, dust, smoke, waste, vibration or noise; provided that there is not in connection therewith any manufacturing, repairing, converting, altering, finishing or assembling except that which is incidental to such retail business for local or neighborhood service, and upon which not more than five mechanics or workers are customarily engaged. The limitation on the number of mechanics or workers employed shall not apply to auto salesrooms or service stations, it being the intent of this subsection to prohibit light or heavy manufacturing or industries of any description in C district. The provisions of this subsection shall not be interpreted so as to permit pool and billiard rooms, dancehalls, ice skating or roller rinks, or amusement enterprises.

Section 50-369 Purpose reinforces the statement that the C Commercial Business District is intended for retail and service uses and to prohibit uses which create hazards, offensive or loud noises, vibrations, smoke glare, heavy traffic or late hours of operation.

This block of Mack Avenue, between Huntington and Manchester is currently occupied by Sherwin Williams Paint, The Mack Avenue Diner, George Koutier Jewelry, and Chicken Shack, and all are permitted uses in the district. Single family residential is to the west.

The equipment that Blackstar will use is typically permitted in industrial or manufacturing zoning districts. 1) A planer is a machine used to reduce the thickness of wood and makes a high pitched noise as knives are contacting wood at high speed, 2) table saw, 3) radial arm saw, and 4) drill that will be used by this business which will create noise and dust that will travel into the residential neighborhood and surrounding businesses. The subject property currently has two overhead doors, one on Mack and one facing the residential property in the rear.

The following article gives the decibel levels of some of the equipment that will be used by the proposed business.

Health Hazards in Woodworking

Simple precautions minimize risks

by Stanley N. Wellborn

" OSHA has set a maximum permissible average noise level of 90 dB per eight-hour working day. The permissible noise exposure rises to a maximum of 115 dB, a level that can be tolerated for only 15 minutes or less per day. A circular saw produces between 100 and 109 dB, a medium-sized woodworking shop in full operation averages about 110 dB, and a chain saw may peak at 130 dB. One report cited by NIOSH states that "operators of saws, planers, routers, molding machines, shapers, jointers and sanders are exposed to average overall sound-pressure levels that exceed 95 dB. For several of these operations, the average may be as high as 115 dB."

Per Section 28-249(b) & (c) Prohibited Noise. It shall be unlawful for any person, owner or occupant of any premises within the city to cause or permit any noise to be emitted from any equipment.... such noise exceeds a sound of 85 decibels measured at a distance of not less than 15 feet from the property line of which the noise source is located.

The applicant stated that the new use is the same as the existing use of the building which is Pointes Glass. On August 8, 2011, I met with Michael O'Brien, the owner of Pointes Glass Company, who is the current occupant of the subject building. The property is currently being used as office and storage for a glass repair shop with most of the work being done off-site. I did not observe any manufacturing activity, equipment or tools at the time of my visit. One small table saw was observed, however Mr. O'Brien could not remember the last time it had been used.

The language in Sections 50-369 and 50-370(7) is clear and unambiguous that it is the intent of the C Commercial District to be a retail, office and service district, not an industrial or manufacturing district. An interpretation that allows manufacturing in the C district would undermine the zoning ordinance and Master Plan. One of the prime motivating factors in the original development of zoning was to keep industrial and manufacturing uses away from residential areas.

Based on upon information provided and inspection of the current use the proposed business, with the planer, table saw, radial arm saw and drills is more intense use. It is recommended that Section 50-370(7) not be interpreted to allow uses that necessitate machinery typically involved in manufacturing.

APPROVED BY: _____

Alfred Fincham
City Administrator

DATE: _____

Family
313.885.5070

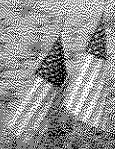
19807

POINTES
GLASS COMPANY
(313) 885-5070

AUTO GLASS
FREE CHIP REPAIR

AUTO
GLASS

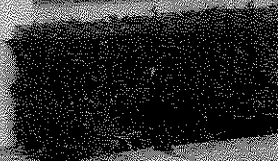
POINTES
GLASS COMPANY
(313) 885-5070
MON-FRI 9 AM-5 PM
SATUR 10 AM-3 PM
pointesglass.com



ated
0



STORMS / SCREENS	CUSTOM MIRRORS & TABLE TOPS	STORM DOORS
SHOWER DOORS	FOGGED / BROKEN HOME WINDOWS	WINDSHIELDS
FREE <small>MOST INSURANCE COMPANIES MAKE SELECTABLE</small>	CHIP	REPAIR



MEMO 11 - 39

4A9
RECEIVED
JUL 29 2011
CITY OF GROUSE PTE. WOODS

TO: Lisa Hathaway, City Clerk

FROM: Joseph J Ahee, Director of Public Services *J*

DATE: July 29, 2011

SUBJECT: Land Use and Variance – 19807 Mack

I have reviewed the documentation provided for the approval of the land use and variance requested for 19807 Mack. I have no objections to granting this variance.

If you have any questions concerning this matter please contact me.

dm
c.c. G. Tutag
O/F



cc: Agenda 4A10

August 1, 2011

City Council
Grosse Pte. Woods

RECEIVED

AUG - 3 2011

CITY OF GROSSE PTE. WOODS

Dear Members of City Council:

Rabaut's Interiors is in favor of Blackstar Construction occupying the IXL Glass building for purposes of their workshop. It will be a good use of a vacant storefront on Mack Avenue.

Very truly yours,

RABAUT'S INTERIORS

Sandra J. Rabaut, ASID
President

Complete Design Services

Fine Furnishings • In-Store Workrooms • Remodeling & Additions
19853 Mack Ave. Grosse Pointe Woods, MI 48236 T 313.886.1880 F 313.886. 9156

www.rabautsinteriors.com

4A11

AFFIDAVIT OF LEGAL PUBLICATION

Grosse Pointe News

96 Kercheval
Grosse Pointe Farms, Michigan 48236
(313) 882-3500

COUNTY OF WAYNE
STATE OF MICHIGAN, SS.

Joe Warner

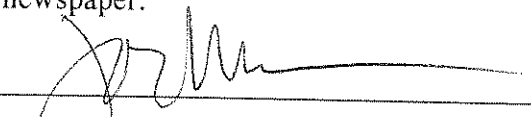
being duly sworn deposes and says that a

City of Grosse Pointe Woods

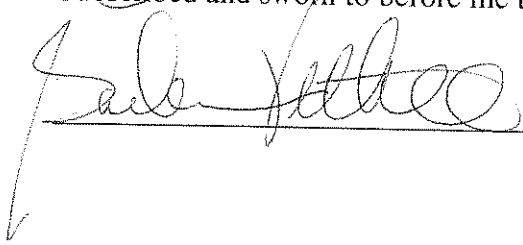
was duly published in accordance with in
the following date:

July 28, 2011

#3 GPW 7-28 ZONING MEETING 8-15
and knows well the facts stated herein, and
newspaper.



Subscribed and sworn to before me this 28



City of **Grosse Pointe Woods**, Michigan

NOTICE IS HEREBY GIVEN that the City Council, meeting as Zoning Board of Appeals under the provisions of Michigan Zoning Enabling Act, PA 110 of 2006, MCL 125.3101 et seq, will meet in the Council-Court Room of the Municipal Building, 20025 Mack Plaza, on Monday, August 15, 2011, at 7:35 p.m. to hear the appeal of Darlene Munroe, Trustee for the John L. Bohn Living Trust and Blackstar, Inc., 19807 Mack Avenue, Grosse Pointe Woods, MI, who is appealing the denial their Business License Application due to a noncompliant permitted use in accordance with Sec. 50-370(7) of the 2007 City Code of the City of Grosse Pointe Woods.

The public hearing materials are available for public inspection at the Municipal Building, 20025 Mack Plaza, between 8:30 a.m. and 5:00 p.m., Monday through Friday. All interested persons are invited to attend and will be given opportunity for public comment. The public may appear in person or be represented by counsel. Written comments will be received in the City Clerk's office, up to the close of business preceding the hearing. A group spokesperson is encouraged on agenda items concerning organized groups. Individuals with disabilities requiring auxiliary aids or services at the meeting should contact the Grosse Pointe Woods Clerk's Office at 313 343-2440 seven days prior to the meeting.

Lisa Kay Hathaway, MMC
City Clerk

G.P.N.: 7-28-2011

Notary Public, Macomb County, Michigan
Acting in Wayne County

My Commission Expires April 26th, 2013

BARBARA VETHACKE
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires April 26, 2013
Acting in the County of *Wayne*

F

AFFIDAVIT OF LEGAL PUBLICATION

Grosse Pointe News

96 Kercheval
Grosse Pointe Farms, Michigan 48236
(313) 882-3500

COUNTY OF WAYNE
STATE OF MICHIGAN,

Joe Warner

being duly sworn deposes a

City of Grosse Pointe Wood

was duly published in accord
the following date:

July 28, 2011

#3 GPW 7-28 ZONING ME

City of Grosse Pointe Woods, Michigan

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Lisa Kay Hathaway, MMC
City Clerk

G.P.C: 07/28/2011

and knows well the facts stated herein, and that he is the General Manager of said newspaper.

Subscribed and sworn to before me this 28th day of July A.D., 2011

Notary Public, Macomb County, Michigan
Acting in Wayne County

My Commission Expires April 26th, 2013

BARBARA VETHACKE
 NOTARY PUBLIC - STATE OF MICHIGAN
 COUNTY OF MACOMB
 My Commission Expires April 26, 2013
 Acting in the County of Wayne

AFFIDAVIT OF PROPERTY OWNERS NOTIFIED

Re: 19807 Mack Avenue
Darlene Munroe

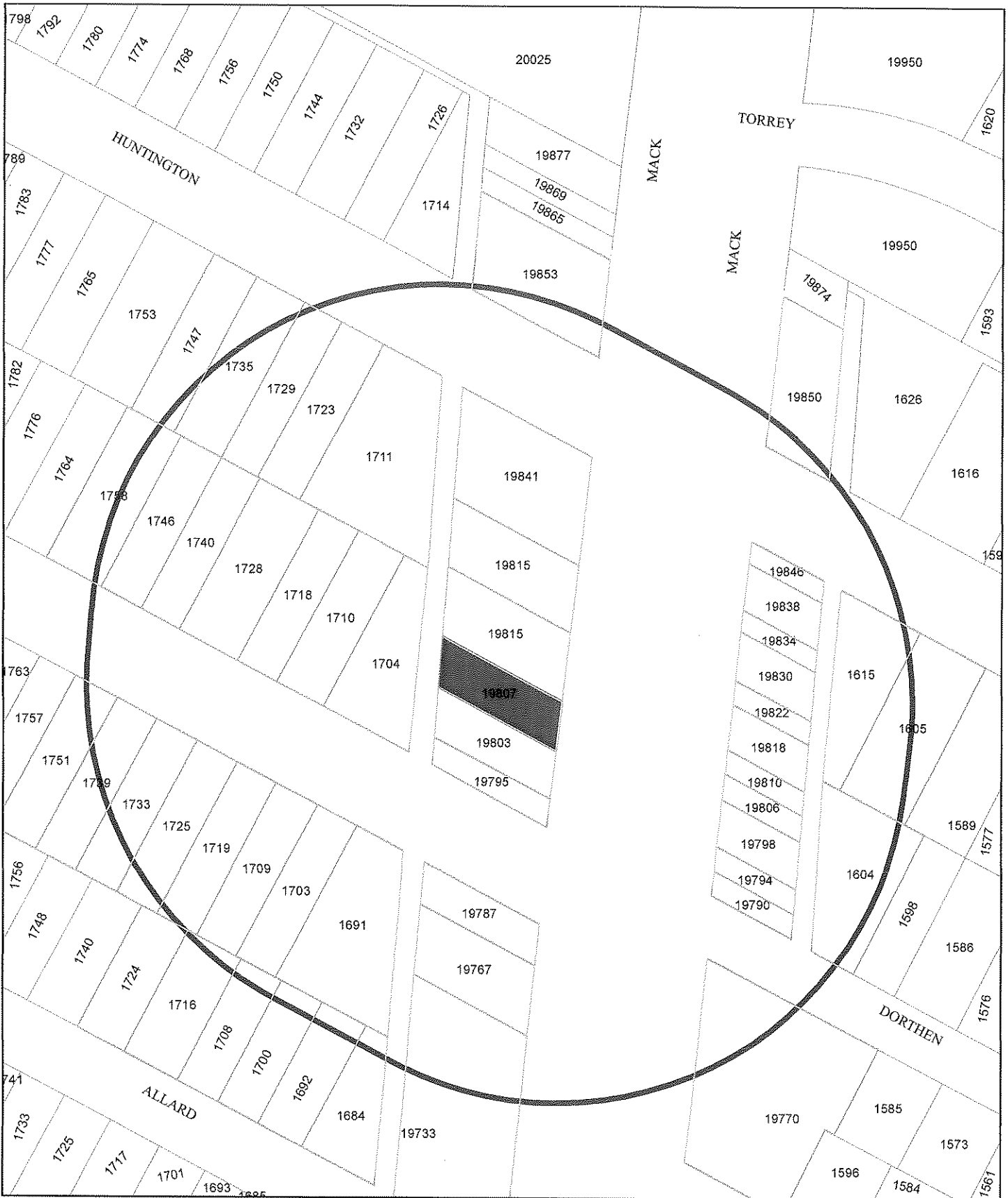
4A12

State of Michigan)
) ss.
County of Wayne)

I HEREBY CERTIFY that the notice of Hearing was duly mailed First Class Mail on July 27, 2011 to the following property owners within a 300 foot radius of the above property in accordance with the provisions of the 2007 City Code of Grosse Pointe Woods. A Hearing fee of \$250.00 has been received and acknowledged with check # 700507.

**Lisa Kay Hathaway
City Clerk**

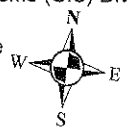
See attached document for complete list.



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INFORMATION TECHNOLOGY DEPARTMENT
 Geographic Information Systems (GIS) Division
 Subject: 19807 Mack Avenue
 Date: 07/28/11



ownersname	ownersna_1	ownerstreet	ownercity	ownerstate	ownerzipco
RABAUTS		19853 MACK	GROSSE POINTE WOODS	MI	48236
BOIVIN, JAMES H		1747 HUNTINGTON	GROSSE POINTE WOODS	MI	48236
GMEINER, RONALD & LYNN		1735 HUNTINGTON	GROSSE POINTE WOODS	MI	48236
MOUKALIAN, MICHAEL		1729 HUNTINGTON	GROSSE POINTE WOODS	MI	48236
HUSKIN, GREGG & MARIE		1723 HUNTINGTON	GROSSE POINTE WOODS	MI	48236
KOESTER, PETER		1711 HUNTINGTON	GROSSE POINTE WOODS	MI	48236
SARTOR, JOANNE		100 MORAN ROAD	GROSSE PTE FARMS	MI	48236
RESIDENT		19841 MACK AVE	GROSSE POINTE WOODS	MI	48236
PATTEN MICHAEL JOHN		1758 MANCHESTER	GROSSE POINTE WOODS	MI	48236
ARCHER WALKER A & BROWN ANNE C		1746 MANCHESTER BLVD	GROSSE POINTE WOODS	MI	48236
HUGUENIN, GERALD R		1740 MANCHESTER	GROSSE POINTE WOODS	MI	48236
MCPHERSON CATHERINE A	LIFE LEASE ESTATE HOLDER	1728 MANCHESTER BLVD	GROSSE POINTE WOODS	MI	48236
RGK INVESTMENTS		19815 MACK	GROSSE POINTE WOODS	MI	48236
CRUTCHFIELD STEPHEN J		1718 MANCHESTER BLVD	GROSSE POINTE WOODS	MI	48236
SLAUGHTER, JOELLE M.		22451 LAKELAND	ST CLAIR SHORES	MI	48081
RESIDENT		1710 MANCHESTER BLVD	GROSSE POINTE WOODS	MI	48236
BELINE HUNTINGTON LLC		590 LAKESHORE LN	GROSSE POINTE WOODS	MI	48236
RESIDENT		19846 MACK AVE	GROSSE POINTE WOODS	MI	48236
WILLIAMS KEVIN ET AL		1704 MANCHESTER BLVD	GROSSE POINTE WOODS	MI	48236
GIRLIE GIRL LLC		19838 MACK AVE	GROSSE POINTE WOODS	MI	48236
RGK INVESTMENTS		19815 MACK	GROSSE POINTE WOODS	MI	48236
CALAS JACK K		1615 HUNTINGTON BLVD	GROSSE POINTE WOODS	MI	48236
TOLES, CHARLES W		452 CHALFONTE	GROSSE PTE FARMS	MI	48236
BRENNAN KEVIN & AUDREY		1605 HUNTINGTON BLVD	GROSSE POINTE WOODS	MI	48236
WEED, DUANE S		19830 MACK	GROSSE POINTE WOODS	MI	48236
MUNROE DARLENE ET AL		25081 S MAGDALENA	HARRISON TWP	MI	48045
RESIDENT		19807 MACK AVE	GROSSE POINTE WOODS	MI	48236
TEOLIS, DAVID A & MARY E		1751 MANCHESTER	GROSSE POINTE WOODS	MI	48236
B-T INVESTMENT CO		19822 MACK AVE	GROSSE POINTE WOODS	MI	48236
SPITZ WERNER		850 LAKESHORE	GROSSE POINTE SHORES	MI	48236
RESIDENT		19803 MACK AVE	GROSSE POINTE WOODS	MI	48236
ROGIER, MARIE		1739 MANCHESTER	GROSSE POINTE WOODS	MI	48236
EELLS MARK K. AND MICHELE A		21936 SHOREPOINTE LANE	ST. CLAIR SHORES	MI	48080
RESIDENT		1733 MANCHESTER BLVD	GROSSE POINTE WOODS	MI	48236
EBC PROPERTIES LLC		72 MICHAUX CT	GROSSE PTE SHORES	MI	48236
RESIDENT		19795 MACK AVE	GROSSE POINTE WOODS	MI	48236
CRAIG, DOROTHY		2626 WHITE OAK DR	ANN ARBOR	MI	48103
RESIDENT		1725 MANCHESTER BLVD	GROSSE POINTE WOODS	MI	48236
CRANDALL, SHAWN C.		1719 MANCHESTER	GROSSE POINTE WOODS	MI	48236
MANCINI, NICK		23170 SCHOENHERR	WARREN	MI	48089
RESIDENT		19806 MACK AVE	GROSSE POINTE WOODS	MI	48236
DORCHAK PAUL J		1604 DORTHEM AVE	GROSSE POINTE WOODS	MI	48236
KALED, ROBERT	KEGLEY, KAREN	1709 MANCHESTER	GROSSE POINTE WOODS	MI	48236
CUETER ANTONINO		19802 MACK AVE	GROSSE POINTE WOODS	MI	48236
RESIDENT		19798 MACK AVE	GROSSE POINTE WOODS	MI	48236
GREGG, GREGORY M		1703 MANCHESTER	GROSSE POINTE WOODS	MI	48236
WILSON, LARRY		1691 MANCHESTER	GROSSE POINTE WOODS	MI	48236
CTG REALTY LLC		19790 MACK AVE	GROSSE POINTE WOODS	MI	48236

ownersname	ownersna_1	ownerstreet	ownercity	ownerstate	ownerzipco
RESIDENT		19794 MACK AVE	GROSSE POINTE WOODS	MI	48236
19787 MACK AVENUE LLC		19767 MACK AVE	GROSSE POINTE WOODS	MI	48236
RESIDENT		19787 MACK AVE	GROSSE POINTE WOODS	MI	48236
CTG REALTY LLC		762 SUNNINGDALE	GROSSE POINTE WOODS	MI	48236
RESIDENT		19790 MACK AVE	GROSSE POINTE WOODS	MI	48236
BARBIERI EDWARD		19767 MACK AVE	GROSSE POINTE WOODS	MI	48236
MACBEAN, CINDY L.		1724 ALLARD AVE	GROSSE POINTE WOODS	MI	48236
O'DONNELL, TIMOTHY R. AND NICOLE S.		1716 ALLARD	GROSSE POINTE WOODS	MI	48236
IRELAND, ROBERT		1708 ALLARD	GROSSE POINTE WOODS	MI	48236
SEXSMITH, JENNIFER		1700 ALLARD AVE	GROSSE POINTE WOODS	MI	48236
HICKS, JEFFREY & AMY		1692 ALLARD AVE	GROSSE POINTE WOODS	MI	48236
CUPOLO KELLEY A		16841 KERCHEVAL PL, STE 200	GROSSE POINTE	MI	48230
RESIDENT		1684 ALLARD AVE	GROSSE POINTE WOODS	MI	48236
FLAGSTAR BANK FSB	ATTN: S-119-1	5151 CORPORATE DR	TROY	MI	48098
RESIDENT		19733 MACK AVE	GROSSE POINTE WOODS	MI	48236
RAHAIM ROBERT		15226 MACK AVE	GROSSE POINTE	MI	48230
RESIDENT		19770 MACK AVE	GROSSE POINTE WOODS	MI	48236
T & C REALTY		19810 MACK	GROSSE POINTE WOODS	MI	48236
DOUBLE EAGLE REALTY LLC		19810 MACK	GROSSE POINTE WOODS	MI	48236
RESIDENT		19818 MACK AVE	GROSSE POINTE WOODS	MI	48236
MACK GPW INVESTMENTS, LLC		20379 HALL ROAD	MACOMB	MI	48044
RESIDENT		19850 MACK AVE	GROSSE POINTE WOODS	MI	48236
FLAGSTAR BANK		19733 MACK AVE	GROSSE POINTE WOODS	MI	48236
DA EDOARDOS		19767 MACK AVE	GROSSE POINTE WOODS	MI	48236
WELLS FARGO ADVISORS		19770 MACK AVE	GROSSE POINTE WOODS	MI	48236
GABEL FINANCIAL SERVICES		19790 MACK AVE	GROSSE POINTE WOODS	MI	48236
JACOBS SHOE SERVICE		19794 MACK AVE	GROSSE POINTE WOODS	MI	48236
MACK SHACK, LLC		19795 MACK AVE	GROSSE POINTE WOODS	MI	48236
SMALL FAVORS, LLC		19798 MACK AVE	GROSSE POINTE WOODS	MI	48236
CUETER INVESTMENT COMPANY		19802 MACK AVE	GROSSE POINTE WOODS	MI	48236
JONES, EDWARD D. & CO.		19806 MACK AVE	GROSSE POINTE WOODS	MI	48236
POINTES GLASS COMPANY		19807 MACK AVE	GROSSE POINTE WOODS	MI	48236
LENHARD FINANCIAL SERVICES		19810 MACK AVE	GROSSE POINTE WOODS	MI	48236
GEORGE KOUETER JEWELER		19815 MACK AVE	GROSSE POINTE WOODS	MI	48236
NEVEUX AND ASSOCIATES, PLC		19818 MACK AVE	GROSSE POINTE WOODS	MI	48236
HEDGES & ASSOCIATES PC		19818 MACK AVE	GROSSE POINTE WOODS	MI	48236
DUANE S. WEED, ATTORNEY		19830 MACK AVE	GROSSE POINTE WOODS	MI	48236
PAUL WEMHOFF		19830 MACK AVE	GROSSE POINTE WOODS	MI	48236
DAVID J. OLIVER /COLONIAL FINANCIAL		19830 MACK AVE	GROSSE POINTE WOODS	MI	48236
RJH CUSTOM CONSULTING		19830 MACK AVE	GROSSE POINTE WOODS	MI	48236
WILLIAM B MCINTYRE		19830 MACK AVE	GROSSE POINTE WOODS	MI	48236
COLE, J. W., JEWELRY		19834 MACK AVE	GROSSE POINTE WOODS	MI	48236
GIRLIE GIRL		19838 MACK AVE	GROSSE POINTE WOODS	MI	48236
THE NEW MACK AVENUE DINER		19841 MACK AVE	GROSSE POINTE WOODS	MI	48236
BELINE OBEID REALTY		19846 MACK AVE	GROSSE POINTE WOODS	MI	48236
SHERWIN WILLIAMS CO. #1363		19849 MACK AVE	GROSSE POINTE WOODS	MI	48236
BETTER HEALTH		19850 MACK AVE	GROSSE POINTE WOODS	MI	48236
AT&T	Mr. Tim Black - Area Manager	100 S. Main Room 314	Mount Clemens	MI	48043

ownersname	ownersna_1	ownerstreet	ownercity	ownerstate	ownerzipco
MichCon	Michael Sage, Permit Liaison	3150 E. Michigan Ave	Ypsilanti Township	MI	48198
Detroit Edison Company	Joseph Cazeno, Corp. Permit Coordinator	One Energy Plaza Dr.	Detroit	MI	48226



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INFORMATION TECHNOLOGY DEPARTMENT
 Geographic Information Systems (GIS) Division

Subject: 19807 Mack Avenue

Date: 07/28/11

