

# Building Department Activity

## ZONING COMPLIANCE MONTH OF JUNE 2017

Property Address	Name	Parcel ID	Description	Status
4653 Six Mile Rd	Mahaffy, Kitt	B-02-12-400-025	16x10 Shed	Approved
9477 Summerland	Lynch, Justin	B-02-06-427-012	Fence	Approved
333 Fairmount	Suttman, Patricia	B-02-17-262-019	Fence & Deck	Approved
980 Seven Mile Rd	Blumenstiel, Mat	B-02-04-360-010	2100 sq ft Single Family w/Bsmt	Approved
9205 Main Street	Curry, Sandra	B-02-05-328-028	Massage Office	Denied - See attached
6480 Whitmore Lake	Bakhaus, John	B-02-29-200-021	Selling Business to Big Tex Trailers	Approved w/conditions "site plan required"
100 & 102 Barker	Fun Time Dog Shop	B-02-06-105-017	Dog Supplies/Training	Amended Approval - Need PC Approval
190 Garden Ct	Bullock, Charles	B-02-20-110-183	Fence	Approved
266 Lakeview	Cook, William	B-02-08-350-007	Fence	Approved
9015 Kearney	Mullins, Robert	B-02-06-300-017	Deck	Approved
1300 W Joy Rd	Carter, Charlie	B-02-31-300-004	In-Ground Pool	Approved
7767 Shady Beach	Venable, Lindsay	B-02-17-261-003	Privacy / Picket Fence	Approved
175 Barker	Mike Lazar Al Asphalt	B-02-06-400-001	Parking Dump Trucks Only	Denied - See attached
9142 Wildwood	Dalipi, Sara	B-02-06-442-082	Second Sty Deck	Approved
Vac Ideal Pl	laquinto, Anne-Sam	B-02-17-265-011	Sale of consumer fire works	Denied-See attached
330 Glenmoor	Petersberger, Kathleen	B-02-17-262-006	Fence	Approved
20 Schrum Dr	Russell, Johna	B-02-08-360-010	Addt to 2nd level & garage	Approved
4593 Seven Mile Rd	Kalous, Michelle	B-02-01-400-027	Out bldg for hay storage	Approved
9315 Summerland	Birely, Corey	B-02-06-428-025	Above ground pool	Approved
Vac Main Street	Whitmore Lake Partners	B-02-06-105-023	Sale of consumer fire works	Approved w/conditions "site plan required"
6880 Earhart Rd	Marinkovich, Christopher/Sheryl	B-02-24-300-007	Home Occupation-Quality Aire	Denied - See attached

## **9205 Main Street**

Applicant: Massage by Sandy and Company (Owner: Bio-Sentry Engg.)

Request: To open massage therapy business

Zoning: R-O (Residential-Office District)

Action: **DENIED (See comments below)**

### **Comments:**

The subject site is zoned Residential-Office district. Massage therapy offices/parlors are considered as personal service establishments and included in the same category as a beauty parlor, spa, barber shop etc., which provide personal service to customers. The R-O District does not allow personal service establishments as principal permitted or conditional land uses. The intent of the district is to *'accommodate certain small office uses which are low traffic generators and compatible with the adjacent and neighboring single family dwellings'*. The R-O district is geared towards very low traffic and low intensity uses only. The applicant has noted their current location as 9551 Main Street, which is zoned WLD-D and the use is permitted at that location as a principal use.

Further, this site is Master Planned for medium density residential uses only, which translates to an SR-1 and SR-2 designation. The proposed massage therapy office/parlor use is allowable in commercially zoned districts only.

Therefore, the request is denied.

**Zoning Administrator**

**6-6-17**

## 175 Barker Road

Applicant: Mike Lazar A-1 Asphalt  
Request: New Business – Asphalt Paving and Maintenance Company  
Zoning: GC (General Commercial) District  
Action: **DENIED** (see comments below)

### Comments:

The subject site is zoned GC (General Commercial District), and is located on the west side of the railroad track, south of Barker Road.

It is my understanding the applicant is seeking re-occupancy of the site. The application states "*no alterations at this time. No business on site*". It also states "*parking area used to park dump trucks and equipment. Small shop in building used for storage and office*".

The existing use on the site is a towing company - M&R towing. The proposed use (based on the use description on the website listed on the application: a1sealcoat.com) is an asphalt paving and maintenance company. The proposed use is NOT the same as the existing use. It is a new use altogether.

Showroom display and sales of vehicles and equipment is permitted in the GC district. Open air displays, contractor's wholesale supply, home and garden stores, used car and machinery sales are also permitted as conditional uses in the district. However, asphalt maintenance or paving companies or storage/parking of vehicles associated with such a business is not permitted in the GC district. The use is permitted as a conditional use only in the LI (Light Industrial) and GI (General Industrial) districts.

Further, the existing towing service is also not permitted in the GC district. It is an existing non-conforming use. Change of ownership is allowed provided the non-conforming use is not expanded or altered. In this case, change from one non-conforming non-compliant use to another non-conforming use is not allowable.

**The request is DENIED.**

Zoning Administrator  
6/20/17

## Vacant Parcel

**B-02-17-265-011**

Applicant: Richard Hennigar (Owner: Anne laquinto)  
Request: Temporary Sales of Consumer Fireworks  
Zoning: SR-2 (Single Family Residential) District  
Action: **DENIED** (see comments below)

### Comments:

The subject site is a vacant lot zoned SR-2 Single Family Residential district. The proposed use temporary sales of consumer grade fireworks from 6/22/17 to 7/5/17. Section 36-724 of the Zoning Ordinance deals with Temporary Specialty Stores that addresses the sale of Christmas tree only. Therefore, the use proposed would be reviewed as any other use in the Zoning Ordinance provided the use is permitted in the district.

SR-2 district does not permit temporary sales or temporary outdoor sales. The only non-residential uses permitted in SR-2 include (Section 36-246 and 36-247) public utility structures, bed& breakfast operations, childcare and group day care homes, cemetery, communication apparatus on existing commercial or electrical towers and places of public worship.

Therefore, the proposed retail sales use is not permitted in the SR-2 District as temporary use, principal use or conditional use.

**Zoning Administrator**  
**6-26-17**

## 6880 Earhart Road

Applicant: Sheryl and Christopher Marinkovich (Quality Aire Systems)  
Request: HVAC Business with associated storage and office  
Zoning: AR (Agriculture) District  
Action: **DENIED** (see comments below)

### Comments:

The subject site is currently being used for a HVAC business involving “*interior storage of equipment and tools, exterior storage of vehicles associated with a HVAC business; interior storage and assembly of inventory and office work*”(per attachment submitted by applicant). The use has not been approved and was brought to the Township’s attention by the Code Enforcement officer.

The site is zoned AR (Agriculture District) and meets the minimum lot size and width requirements for the district. The applicant notes the use as a “Home Occupation”, which is incorrect. Section 36-64 of the Zoning Ordinance regulates home occupations which must meet the criteria set forth in sub-section (1) a through j. The use on site does not comply with several of the requirements as follows:

- d. The home occupation shall not display or create outside the building any external evidence of the operation of the home occupation.*
- e. That the home occupation does not require equipment other than what would commonly be found on residential premises.*
- f. That there shall be no exterior storage of materials or equipment.*
- g. That no nuisance shall be generated by any heat, glare, noise, smoke, vibration, noxious fumes, odors, vapors, gases, chemicals or matter at any time; and that no mechanical, electrical, or similar machinery or equipment, other than that used for normal domestic purpose, will be utilized in the home occupation.*
- j. That not more than two persons, other than members of the household occupying the dwelling, shall be employed in the dwelling or accessory building.*

The use from the description provided, includes employees other than the homeowners, involves outside storage of equipment, involves equipment and tools which are not common to a dwelling use. Therefore, the use is NOT a home occupation.

Further, a HVAC business is classified by the Zoning Ordinance as an equipment service and repair type of use like radio and television, electrical appliance shop, plumber, electrician or similar service and trade. Such uses are NOT permitted as a principal use or conditional use in the AR district.

**Zoning Administrator**  
**6-29-17**