

Court blocks travel agency move

Monday, September 21, 1981

(F9A)

By Judith Barne
staff writer

See you in court.
That's the word from Elliot Travel president Jared Schubiner, who will take the township to Oakland County Circuit Court in his attempt to build a three-story office building on Orchard Lake Road.

Schubiner Tuesday was denied approval and renewal of his three-story office site plan by the West Bloomfield Zoning Board of Appeals. By its action, the appeals board upheld two previous denials by the planning commission.

ZBA member Shirley Hark moved to deny Schubiner's petition on these grounds:
• It would have a "deleterious affect" on surrounding homeowners.
• It is against existing zoning.
• There are no vested rights, according to the legal advice given.

The board denied the petition by a 4-1 vote. Thomas Papez, who also serves on the planning commission, cast the dissenting vote.

Pickers claim success

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Area residents picketing the Keego Cinema during regular and late-night film showings say their efforts aren't in vain.

The theater recently added X-rated films after 11 p.m. Thursday-Saturday following a federal appeals-court verdict which declared a Keego Harbor city ordinance banning adult theaters unconstitutional.

The theater, located on Orchard Lake Road in Keego Harbor, previously showed second-run films at reduced prices. A change of ownership prompted the move to adult films.

Business is not good, picketers maintain, for either the general or X-rated films.

"I have no idea," said Carl Rubin, Keego Theater Co. attorney who has served as a spokesman.

Pickers generally line up at the theater in time for its 5 p.m. opening, said Tina Tasfield, a spokeswoman for Citizens Opposed to Pornography.

Papez also voted in a minority in a 6-2 vote on the issue at the planning commission.

SCHUBINER'S SITE plan for a three-story office building across from the Beebeer Restaurant adjacent to Pepperhill condominiums expired in May. He neglected to apply for a renewal until July 15.

On July 7, the township board rezoned that 3.25 acre parcel and others for one-story office buildings.

The idea was to ease the transition between office and residential zoning by limiting office buildings to one story where they abut a residential neighborhood.

Harvey Geller, Schubiner's attorney, maintains Schubiner should have been notified the township was changing the ordinance when he called the planning department to ask about the renewal procedure after its approval lapsed. He suggested things would have also gone differently if Schubiner had been able to get on a June planning commission agenda ahead of the rezoning.

The money is used to purchase parking barricades, signs and paper to explain the group's efforts.

PICKETERS ATTEMPT to discourage adult theater patrons, whether they attend the regular or late-night films. This includes asking parents not to drop their children off at Saturday matinees.

"The mood we're trying to create is it is not wise to bring their children in there," Ms. Tasfield said.

"For every dollar they spend, they're adding to the life of the theater."

Marchers warn that the current situation of limiting X-rated films to late-night hours is probably only temporary. "If it were to get a foothold in our community, the whole community will go down," Ms. Tasfield said.

"They have come into our community and dumped this on us. We're not going to stand for it," she added.

Aside from a few rock and egg-throwing incidents and several mooners, passers-by are generally supportive of the picketing efforts, Ms. Tasfield said. Police confirm there have been few problems.

Pickers must be 18 years old.

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