

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
SEPTEMBER 14, 2022

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, September 14, 2022 at 7:30 p.m. at the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

Members of the Board present:

Roman Nestorowicz, Chairman
Paul Jerzy, Secretary
Charles Anglin, Assistant Secretary
William Cliff
Charles Perry
Anthony Sieracki, Jr.
Michael Sylvester
David Sophiea

Members of the Board absent:

Judy Furgal, Vice-Chairwoman

Also present:

Cecil St. Pierre, City Attorney
Steve Watripont, Zoning Inspector
Nicole Jones, Council Office

1. CALL TO ORDER

Chairman Nestorowicz called the meeting to order at 7:30 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Motion:

Secretary Jerzy made a motion to excuse Board Member Furgal; Supported by Board Member Anglin.

Voice Vote:

A voice vote was taken. The motion carried (8 – 0).

4. ADOPTION OF THE AGENDA

Chairman Nestorowicz explained they have one item that needs to be rescheduled, item number 11, which is the site on 5020 Chicago Road. They received an email from the applicant asking to be rescheduled to the October 12th meeting.

Motion:

Secretary Jerzy made a motion to reschedule item 11 tabled to October 12, 2022; Supported by Board Member Perry.

Board Member Anglin asked if they can have discussion on that.

Chairman Nestorowicz said yes, they can.

Board Member Anglin said his concern would be with this type of situation here, there are people already here for that, because the board is not sending out another notification.

Chairman Nestorowicz said he knows, he was going to mention that.

Board Member Anglin said it doesn't seem right they show up and then it gets shipped to... make something more difficult for them.

Chairman Nestorowicz said they have a motion and support to reschedule this item to October 12th.

Voice Vote:

A voice vote was taken. The motion carried (8 – 0).

Chairman Nestorowicz said the note he wanted to make for any audience members, if they're here for item number 11, which is the property at 5020 Chicago Road. That is being rescheduled to October 12th, there is not going to be a second mailing on that one. So, this is the notification for the date change. They don't need to stay for the full meeting.

(Inaudible from audience member.)

Chairman Nestorowicz stated it's normally not required by the city bylaws, which is what the office follows. But please take this as the notification that it will be the October 12th.

Secretary Jerzy said October 12th it will be on the agenda.

(Inaudible from audience member.)

Chairman Nestorowicz apologized that they had to come in for... yeah. That's the only change to the agenda.

Secretary Jerzy said that's the only change.

Motion:

Chairman Nestorowicz made a motion to adopt the September 14, 2022 agenda with the previously stated change; Supported by Board Member Clift.

Voice Vote:

A voice vote was taken. The motion carried (8 – 0).

5. APPROVAL OF THE MINUTES -NONE-

6. PUBLIC HEARING: **APPLICANT: NP Mound Road Industrial, LLC**
(Rescheduled from 8/10/2022)
REPRESENTATIVE: Mound Road LLC / Mark Werner
COMMON DESCRIPTION: 23500 Mound
LEGAL DESCRIPTION: 13-28-300-018
ZONE: MZ, M-4, M-2

VARIANCES REQUESTED: Permission to

- 1) Allow a structure to be erected no less than 84 ft. from the south property line (Bid #3).
- 2) Allow a structure to be erected no less than 114 ft. from the south property line (Bid #4).
- 3) Allow parking no less than 39 ft. from the south property line.
- 4) Waive the requirement for depressed parking in the front setbacks.
- 5) Construct a 47 ft. tall building (Bid #3).
- 6) Construct a 49 ft. tall building (Bid #4).

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards (A): Front yards, M-4 200 ft. 3. In M-3 and M-4 zones, front yards may be utilized for parking or vehicles provided that the front fifty (50) feet of a lot or tract in an M-3 District and the front seventy-five (75) feet of a lot or tract in an M-4 District shall be landscaped and the balance shall be depressed at least two (2) feet so as to have all parked vehicles therein, completely out of sight or view of the roadway.

(D) Height of Buildings. Two stories, 40 feet.

Chairman Nestorowicz asked if the applicant is here today. Please approach the podium. This notice is for all applicants, when approaching the podium start with name and address for the record, and then take the board through the motion and request for today.

Danny Holstein appeared before the board stating he is with Northpointe Development, not Mark Werner. He actually has some handouts for the board, if they don't mind, he'll bring them up.

Chairman Nestorowicz asked him to hand them to Nicole at the end.

Danny Holstein stated they also have a presentation as a visual for them as well. He'll let them get passed out and then he'll go ahead.

Chairman Nestorowicz said he sees the presentation on the screen. He asked if it is on the big screens also.

Danny Holstein said it looks good. Good evening, ladies and gentlemen. He stated his name and that he is with Northpointe Development. He is the project manager for the Mound Road Industrial Park and is here tonight to represent Northpointe Development. Next slide, please. They are a long-term hold developer. That means when they come in and develop a property, they don't just sell it and leave. They are the land board, they do lease, they maintain communications with the city and the buildings that they rent. Their office here is downtown, across from Comerica Ball Park. They opened up about a year ago and been in Detroit ever since. Next slide, please. Many of them might be familiar with the site. It is the GM Transmission Plant at the corner of Nine Mile and Mound Road. It looks rather different than it does in the photos there. They spent the last ten (10) months, a long ten (10) months, bringing down the building. Eighty-five (85) percent of it is

down to date. There is still a good amount of slab that needs to be brought up. Everything on the bottom quarter, of that image there, is what's left to remain. Their building 1 walls, which they are not asking for any variances here, it's unchanged from their original site plan and standing, and looking to actively put the roof on the building now. Next slide, please. To review some of the changes for the board. The design on the left is what their original site plan was approved for. Their plan on the right is what they are asking for tonight. The major summary, the major change of the plan, is they're shifting that large building 3 on the left-hand side, cutting in half and making it building 3 and building 4. Now, they're actually losing some rentable square footage in this design, but it's more so to pick up some additional parking for the tenants that they're trying to target. They also are adding one (1) entrance splitting those two (2) building to keep vehicle traffic separate from truck traffic. Anytime they do in an entrance, they do traffic studies, and the traffic study came back with the conclusion that it will be less traffic than the original three (3) building design, negligibly less. He means almost zero, but still less. Next slide, please. Every time they do a change as well, they do run the economics and the numbers again for what they're bringing to the city. He won't read them all for them here, but just touching on some of the key ones. They're estimating this park bring 600 jobs to the local community and pays out an estimated \$21 million in annual salary to its future workers of the park. Next slide, please. Just overview the area that they're moving into building this facility. Many are probably familiar with the corridor. The real purpose of this is just to say that they don't want to ask for what the local area has. A lot of these buildings are up immediately along the right-of-way, there is parking as close as it can get to the road, and that's really not their goal. Their goal with this design was to move as least into the right-of-way as they possibly could. Their facility there is on the left and you'll see they're actually drastically improving along the right-of-way. They may be familiar, but the parking for the old GM Transmission Plant used to be able to reach out and touch the sidewalk from where it is today. Next slide, please. So, just going over. They're asking for six (6) variances tonight. The first is a height variance for the two (2) buildings. The original three (3) building plan are building 3, was 49 feet that they had clear. Their building 4, they would ask for 49 feet again, and the building 3 they're asking for 47 feet for the clearance. They are also asking for a couple building setbacks. One being 115 feet to building 4, the other one being 85 for building 3. Those are both from Mound Road. Finally, they are requesting a parking variance, 40 feet, having their parking 40 feet from the right-of-way for building 4. Next slide, please. So, to understand why they're asking, he just wanted to walk them through why they're going through this design change for the park. The primary reason is for the type of tenants they would like to attract. There has been a large revitalization in Detroit, and a lot of it's coming from the new electric vehicle. There is an influx of lightning factoring tenants coming to the area. These lightning factoring tenants are ones that are heavily staffed by employees. It's not a distribution, it's not an automated; these are production lines. A lot of these tenants when they come and ask for two (2) parking spots per 1,000 square feet of facility. They're close to that, they're not exactly to that threshold, but it is enough where those lightning factoring tenants would look at them and would come and rent their facility. As opposed to, the original 3 building plan. There is just not enough parking for the workers they want to have in their facility. A lot of the things they looked at, they wanted to keep as many as the setbacks as they could as they are. They know the Mound Road corridor is especially important to the city. There has been work and it's an improving corridor. They wanted to make sure they didn't encroach on that. So, the Mound Road, the left-hand side of the image is not being touched. They are staying within their setbacks and one of the repercussions of that, that they had to push out somewhere and it was on the Nine Mile Roadside. As they said before, he touched on it very briefly, but they're not asking for what they had before the GM Transmission where you could

reach out and touch the sidewalk. Forty (40) feet is the absolute least they could have for these designs to have the parking, and that's all they ask for tonight. Hit the last slide, please. One more forward. One more time, if you could. Alright, it looks like they're having some technical difficulties, but they should be able to see it in their handouts. It's just a visual, it's a street view of what it looked like before. They can see the fence, they can see the parking lot, they can see the overgrown in some of the asphalt, solar panels that are on there, the sign, and general lack of upkeep of the site. What they're proposing is a new finished berm look to the site, putting plantings all along that berm on Mound Road. One thing that they did want to do is, they shifted the trucking docks away from the road as much as they could. So, when they're driving by this on Nine Mile Road, they're going to see a nice store front, right, a glass entry into these facilities. Car parking, instead of seeing truck traffic moving in and doing loads at an industrial warehouse. Thank you. The top image on the left is what it was like, if they were to stand there in the past and the final design would be on the left. With that, he would like to thank everybody at the City of Warren. They have been fantastic to work with, it's refreshing to have a responsive good city that takes you through the design process and help along the way. He appreciates every moment working them. Steve, he enjoys coming in to see him every other week.

Chairman Nestorowicz thanked him very much for that presentation and such. Before he turns it over to the board for discussion, this is a public hearing. Just wanted to know if there are any members of the audience or public wanting to speak on this item?

No response.

Chairman Nestorowicz closed the public portion of the meeting and turned it over to the board for discussion. He wanted to start; he had a couple quick questions. With the request he knows for the 2 buildings that are 47 and 49 feet tall, which is above their 40 foot. They don't have tenants for this? They're just building this spec right now?

Danny Holstein explained 3 of the 4 are being built speculatively. Building 2 is a build to suite for a large, he doesn't know if he's allowed to say it, but it's very, very close. They do have the least signed and they're working on building their building. But a large, think of it as an appliance store, manufacturing chain. So, that is being built for them. Then 1, 3 and 4 are being built speculatively and they have got a lot of requests for building 1 so far.

Chairman Nestorowicz asked him to help educate him. The reason for wanting a taller building for 3 and 4. What kind of need that their tenants normally have.

Danny Holstein explained it's not necessarily taller. The original building 3 was 49 feet. A lot of times these guys that take over these manufacturing places, they request 36 feet of clear, and that's 36 feet to the bottom of the steel beams. So, looking up at a Costco beams, you have to add an extra 5 feet for the roof. That's pretty standard for them all across the country, 36 foot for single loads, which is just a one side of loading and 40 feet to have a double load.

Chairman Nestorowicz said he just had one last question that came. So, that site has previous variances that they gave when it was the GM Transmission Plant. That included, they had various variances. Those solar panels they're removing, correct?

Danny Holstein replied yes, they're being transitioned somewhere north.

Chairman Nestorowicz explained when they approve any of, his package of variances today let's say, if the board discusses and wants to approve it, they have no problems relinquishing any variances that the GM facility had.

Danny Holstein replied yes, they did have an original approved site plan for the 3-building plan when they did it the first time it would have it, it was customary.

Chairman Nestorowicz said there are variances regarding the solar panels, for instance. If they're not there they don't need those variances.

Danny Holstein explained they have terminated the agreement and DTE has moved to a different facility up north.

Chairman Nestorowicz asked for any questions or discussion from the board.

Board Member Sylvester said this proposal that they have in front of them right now, this is different from what they originally proposed, correct?

Danny Holstein explained they proposed is that 3 building plan, the large building 3.

Board Member Sylvester said right, and he believes at that time there was not a tenant for the 3 buildings yet.

Danny Holstein replied building 2, they have been working with this tenant for almost a year and a half. It has been designed specially for them having some rail service and stuff, atypical to what they typically design. Building 1 and 3 at the time were to be speculative.

Board Member Sylvester said right now they have 3 buildings that already have owners or people that are going to be moving into the facility, right?

Danny Holstein replied no, sir. They're actively looking for tenants for their first building, which has walls up. They're short listed with a couple companies.

Board Member Sylvester asked if that's the one to the north, right.

Danny Holstein said yeah, to the very north plan, the smaller of the 4 or 3 in the original plan. Yes, the walls are up for that. Building 2 does have a tenant, the one in the center of the site. Then this future building 3, that they have now, where 3 and 4, it won't be completed until the end of last year. So, there are no tenants right now. There's actually the GM facility still standing over it today.

Board Member Sylvester asked if their ordinances and setbacks and everything, he's thinking they went over it a second time with Mr. Watrion or somebody from Planning or Zoning and made changes to make everything fit.

Danny Holstein explained they have sat down with Building, Planning and Engineering Departments to review this plan prior to bringing it to them today. They were not able to make it fit in some of the 3 variances they were asking for today to have enough parking spaces to accommodate these light manufacturing tenants that are predominate in the market today.

Board Member Sylvester said everybody they talked to and all discussions, everyone is in agreement with what they want to do, right?

Danny Holstein said yes, sir. They received Planning Commission approval on Monday.

Board Member Sylvester thanked him.

Secretary Jerzy said good evening, sir. Just real quickly, they're going to have 4 different tenants, correct? By the sounds.

Danny Holstein explained they will split up the building. Some of these larger ones sometimes it's 2, 3 or 4 companies that take them and subdivide it. It's really just luck of the draw and who is available.

Secretary Jerzy said his concern over there would be overnight truck traffic. Possibly, 24-hour traffic within the neighborhood, trucks idling, things of that nature. Has that been discussed?

Danny Holstein stated not every tenant has overnight traffic, some of them do. The tenant for building 2 will have some overnight traffic. Part of this traffic study is, is there enough room to make sure trucks are not left in the street, are the turn lanes long enough to accommodate these trucks coming in. They're also seeking certification for some of these buildings that do monitor sound at the edge of the site, and it has been minimal, if any, on their building 1. That's the only building been certified so far.

Secretary Jerzy asked how many bays they have per building.

Danny Holstein said it varies. The first one is going to have 29 active bays, and then it's anywhere between 30 and 55, and 3 and 4.

Secretary Jerzy thanked him.

Board Member Sylvester said his colleague was just asking about the bays and traffic. Where that first building is, that's an industrial area right there. Is there a distance for sound and everything from where the bays are to where the residentials at that they're in compliance with.

Danny Holsten said he does not know. Their neighbors are the only ones to the north.

Board Member Sylvester said that's all industrial.

Danny Holstein said the whole corridor is really industrial.

Board Member Sylvester asked Steve if he had a minute. He said he might not be phrasing it right

and asked if he understood what he was saying about a distance.

Steve Watripont said he doesn't know where the closest residential zone is on that property. That's medium-heavy industrial, so there is a lot of industrial all around. The closest is probably across Mound, across the industrial across Mound.

Board Member Sylvester said right. So, there shouldn't be any problem with noise.

Steve Watripont said the attorney is shaking his head and agreeing with him.

Board Member Sylvester thanked him.

Board Member Anglin said he looked over the project and he thinks it's going to be a nice facility from what he can see, especially with the photos they brought up to them. He doesn't have a problem with the residential, no matter where they're at, because if they can stand and be next to GM and what that was, they're just going to have a Santa Claus visit with this new project with the way it looks to him. Thank you for building that in Warren.

Danny Holstein thanked him.

Secretary Jerzy said if nobody else has anything, he would like to make a motion.

Motion:

Secretary Jerzy made a motion to grant the petitioner:

- 1) Allow a structure to be erected no less than 84 ft. from the south property line (Bid #3).
- 2) Allow a structure to be erected no less than 114 ft. from the south property line (Bid #4).
- 3) Allow parking no less than 39 ft. from the south property line.
- 4) Waive the requirement for depressed parking in the front setbacks.
- 5) Construct a 47 ft. tall building (Bid #3).
- 6) Construct a 49 ft. tall building (Bid #4).

Reasons being: Not a detriment to the area; Enhance business in the City of Warren; Bring lots of jobs to the surrounding area.

Board Member Anglin supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Angling to approve the request for the reason stated in the motion. Roll call.

Roll Call:

A roll call was taken on the motion. The motion carried (8 – 0).

Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.

Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** as written.

7. PUBLIC HEARING: **APPLICANT: Dan Trombley**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 30740 Lorraine
LEGAL DESCRIPTION: 13-10-202-002
ZONE: R-1-B

VARIANCES REQUESTED: Permission to

Expand the existing driveway into the front yard. Expansion is 16 ft. x 16 ft. = 256 square ft.

ORDINANCES and REQUIREMENTS:

Section 4.06 – Yard Use: No part of any required yard, except a rear or side yard shall be used for any detached garage or any accessory building other than a garage or use, or for the storage of vehicles. Any portion of a lot in front of the front building line shall be used for ornamental purposes only and nothing shall be placed thereon except trees, shrubs, or items of similar nature.

Dan Trombley appeared before the board, 30740 Lorraine. As was said, he put a pad in to park two (2) vehicles off to the side of the driveway because of the...

Secretary Jerzy asked him to bring the mic a little bit closer.

Dan Trombley said because of the traffic on Lorraine. Found out after the fact that, apparently, there was something he... He was told that it just started to be enforced this year, because he had asked last year when he started doing work on the house if he could put concrete out in front to expand the driveway; and he was told that was alright last year. Apparently, this year that's changed. So, he's asking if he can please keep the pad that he put there so he can park two (2) vehicles. He doesn't have room to get vehicles to the back of his house or the side. He did provide some drawings, as requested. He thinks the board should have them; he hopes.

Chairman Nestorowicz said they do have those. He thanked him for that description. This is a public hearing, are there any members of the audience wishing to speak on this item?

No response.

Chairman Nestorowicz closed the public hearing portion of the meeting and turned it over to the board for discussion.

Board Member Sylvester said what he just stated, is that on the not self-imposed response, per this sheet right here?

Dan Trombley replied he's not sure. What is it?

Board Member Sylvester said ok, it's not self-imposed. His understanding is enforcement of a fairly recent code change and limited space available on property for a better location is the reason for the need of a variance.

Dan Trombley said yes, yes.

Board Member Sylvester asked if he has a couple people that are in wheelchairs.

Dan Trombley said nobody is in a wheelchair, he has some medical issues. His mother is just old and has trouble getting in and out of vehicles. So, when they park on the road with the amount of traffic that is on Lorraine, it's a pretty busy street. Well, he thinks the board probably knows that. It's difficult sometimes getting in and out of the car. Especially, in the mornings or evenings when there is more traffic.

Board Member Sylvester said he ask two (2) handicapped residence that live at the house, right?

Dan Trombley stated he has handicapped capability stickers and so does his mother, yes.

Board Member Sylvester said the residence that he has to the, he believes it's the north and south, he's been in between. He asked if they have any objections to what they want to do.

Dan Trombley replied nobody has said anything to him, as far as all the neighbors. Nobody has said anything that they have any problem with what he had done there. The house on the south side of him they actually have two (2) driveways. They have an old driveway where they used to have a garage that was changed over many years ago. And the other house on the other side of him, he has the ability to park on the side street on the back of his lot if he wanted to.

Board Member Sylvester asked how many cars he has on his property.

Dan Trombley replied four (4) vehicles.

Board Member Sylvester asked four (4).

Dan Trombley replied yes.

Board Member Sylvester laughed and said that's probably why he needs a bigger driveway for safety. Ok, thank you.

Secretary Jerzy said they have had stuff like this come up in front of the board in multiple areas of the city. Just recently, they had somebody on the same street. Lorraine is a very busy street, heavily trafficked. There are other house, they discussed the last time when an item on this street came up, they went out and looked at the properties. There's a whole bunch of other properties on Lorraine that have the extended driveway just for the sake of trying to keep their vehicles off the street. So, he personally, doesn't have a problem with this in the area of where it is, with the traffic on Lorraine. He knows as a board they have gone back and forth, approving and disapproving, based off of

locations in the past. But he thinks this is a location that is helpful and probably should be somewhat required in that area. So, he personally doesn't have a problem with this and that's all he has.

Board Member Sophiea said it's unclear from his drawing if there is an attached garage on the home.

Dan Trombley explained straight up the driveway there is the garage.

Board Member Sophiea said it's next to the porch, he assumes.

Dan Trombley answered yep.

Board Member Sophiea asked if there are vehicles being parked in the garage.

Dan Trombley replied yes, there are vehicles parked in the garage. There is one (1) vehicle in the garage at this time, because he is in the middle of moving from Ferndale to Warren to live with his mother, his father passed last year, and she can't take care of the house. It has been falling behind. The house goes to him when she passes and so he figured he would just move into the house now and start living with her and taking care of the house. Last year, he had a bunch of work done at the house, which all required a permit. He went through the city on. Like he said, he did ask about this ahead of time last year, but last year apparently there wasn't really an issue with this. This year there was. He didn't go back and check with the city, if he's being honest. He didn't go back and check with the city, but he did ask his contractor, who was doing a driveway extension across the street. He said he didn't require anything, but apparently, he didn't know either that something has changed. He guesses he should have gotten a variance ahead of time and did not. Is that correct?

Board Member Sophiea said yes, thank you for that.

Board Member Cliff said he is going to echo the sentiments of his colleague earlier. That's a pretty busy roadway. There's a lot of traffic that comes up and down there. He can understand the gentleman's position, the petitioner's position, on this. He as well does not see a real detriment for that being in, albeit if the utility services happen to run underneath there if he has a problem, he knows what is in for later down the road. He would just echo the same sentiments as his other colleague and check with the city before he believes a contractor. So, if nobody else has any objection or comment he would like to make a motion on this item.

Chairman Nestorowicz said to go ahead.

Motion:

Board Member Cliff made a motion to expand the existing driveway into the front yard. Expansion is 16 ft. x 16 ft. = 256 square ft.

Reasons being: Not a detriment to the area; Have a possibility of having a positive flow for traffic for safety issues.

Board Member Anglin supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Anglin to approve the request for the reason stated in the motion.

Roll Call:

A roll call was taken on the motion. The motion carried (8 – 0).

Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner’s request was **APPROVED** as written.

8. PUBLIC HEARING: **APPLICANT: Stephanie Thuemmel**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 11556 Fisher
LEGAL DESCRIPTION: 13-34-483-009
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Allow petitioner to finish construction of an upper deck no less than 23 ft. 9 inches from the front property line and retain front porch 24 ft. from the front property line.

ORDINANCES and REQUIREMENTS:

Section 7.05 – Front Yard: Each lot in R-1-C districts shall have a front yard of not less than twenty-five (25) feet.

Stephanie Thuemmel appeared before the board, 11556 Fisher. She bought this last year with the intentions to quickly fix it up, repaint the outside, repaint the inside, do some light remodeling of the bathroom and kitchen, and rent it out. Then she started tearing walls down in the bathroom and it snowballed into this giant project where, basically, it all got gutted inside and outside. Then, while they were working on the outside, they were trying to think of something that would enhance the house since it does not have a garage or basement. They figured this upper deck would be nice that over looks the railroad track, the train and Hoover Road. The porch below is twenty-four (24) feet from the sidewalk. So, the upper deck hangs over three (3) inches so the rain does not come down on the lower porch. Then right as she was close to finishing, she got stopped and here she is. But it looks really, really nice, it’s constructed great, and it increases the value of the street. The house looks like a brand-new house. The cars that drive down Hoover can see it out of the corner of their eye. She thinks it’s good for the City of Warren.

Chairman Nestorowicz thanked her for that information. This is also is a public hearing, is there anyone else in the audience wishing to speak on this item?

No response.

Chairman Nestorowicz closed the public portion and turned it over to the board. He has a quick question. With the upper deck, she said it goes over the existing porch, so the beams and supports for the upper deck go directly into the ground and such?

Stephanie Thuemmel replied no, they go into the porch.

Chairman Nestorowicz repeated they go into the porch, ok. The window in the upper floor became a door so then?

Stephanie Thuemmel replied yes, it did. She does have pictures if they want.

Chairman Nestorowicz asked if she could pass them to Nicole and they can just... now, when the deck will be completed it's not going to have a roof on the deck, the deck is going to be open air right?

Stephanie Thuemmel said it's just a deck. So, the front yard is still twenty-four (24) feet, the upper deck just over hangs an extra three (3) inches.

Chairman Nestorowicz said those are the only questions he has.

Board Member Sylvester said looking at the drawing, so he has an understanding. It says the upper deck distance to sidewalk is twenty-four (24) and nine (9) and the lower porch is twenty-five (25). Is that correct? Or was that just written wrong.

Stephanie Thuemmel said on these papers it says twenty-three (23) point nine (9) and twenty-four (24).

Board Member Sylvester said see, his has twenty-four (24) and nine (9). So, he was just looking at it and trying to figure out what it was. Yes, Steve?

Steve Watripont said the measurement they have is from the sidewalks. So, the property line is stated correctly in the agenda.

Board Member Sylvester said his twenty-four (24) foot nine (9) says upper deck distance, ok... to sidewalk.

Steve Watripont said to sidewalk. There is one (1) foot to the property line. So, they got to subtract that one (1).

Board Member Sylvester said ok, he still has the other dimension. Thank you.

Stephanie Thuemmel said thank you.

Board Member Anglin said in the Building Department, he knows it's not one of these issues that would come in front of them usually, but the Building Department would have to approve that structure. Those do look like six (6) by six (6) posts, but the foundation would have to have a forty-two (42) inch foundation under that porch. That porch is built on that, he has no objection.

Again, this is not part of Zoning Board, but they'll find out eventually. But the cement block, it has to sit on a forty-two (42) inch foundation underneath that. The old homes like that, it looks like the whole block, they didn't do that. He has no objection to the deck. She'll find out eventually when the Building Department, she pulls permits, and they come out to do the inspection on that.

Stephanie Thuemmel said ok.

Chairman Nestorowicz said the house, in his opinion, looks a hundred times better than what it used to look like. Before she painted it and everything and all that sort of stuff. Considering investing in the neighborhood.

Secretary Jerzy said he would like to echo that sentiment.

Chairman Nestorowicz asked if Mr. Sylvester had a question.

Board Member Sylvester said this picture right here that Mr. Anglin was talking about, is there not a foundation underneath that porch now.

Board Member Anglin said again, that's not up to them. That's why he stated that, but it was kind of like he knows. He's a contractor, he worked in that area, and porches rarely seldom ever had, especially built when that was built, a forty-two (42) inch foundation under the front porch. By putting that second level on it, they have to have that.

Board Member Sylvester asked if they know if it's a forty-two (42) inch foundation underneath there.

Stephanie Thuemmel replied no.

Board Member Anglin said it's not their issue.

Board Member Sylvester said he knows, he's just asking.

Chairman Nestorowicz said that will all come out.

Stephanie Thuemmel said she will deal with that next.

Board Member Sylvester said so you don't get so far and...

Chairman Nestorowicz said well, they're just there to let her get the proper permit.

Secretary Jerzy said he would like to say, it's probably the best-looking house on the street now with the enhancements. He doesn't object to it, but they bring up a great concern about going forward. She might run into more pitfalls.

Board Member Anglin said that's why you get the permits first. He lived down the street from there for a long time.

Secretary Jerzy said kudos for rehabbing the house and thanks for investing in the city and trying to make that area very nice.

Stephanie Thuemmel said it's been a learning experience. Now she knows for the next one.

Secretary Jerzy said live and learn. If no other board members have any objections, he would like to make a motion.

Motion:

Secretary Jerzy made a motion to grant the petitioner to allow the petitioner to finish construction of an upper deck no less than 23 ft. 9 inches from the front property line and retain front porch 24 ft. from the front property line.

Reasons being: Most definitely not a detriment to the area; Size and shape of the lot.

Board Member Sieracki supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Sieracki to approve the request for the reason stated. Her pictures are being passed down. Roll call.

Roll Call:

A roll call was taken on the motion. The motion carried (8 – 0).

Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** as written.

9. PUBLIC HEARING: **APPLICANT: Bazo Construction-USE-**
REPRESENTATIVE: Sarah Mheisen
COMMON DESCRIPTION: 11610 Thirteen Mile
LEGAL DESCRIPTION: 13-11-101-001
ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to-USE-

Allow the following related to signage:

1. Allow the following signage on a gas canopy 172' x 31" = 444.33 square ft. plus 1.6 square ft. (tri-mark extending above canopy) = 446 total square ft. of gas canopy #1.
 - A. North elevation: illuminated "Citgo" sign 21" x 88 5/8" = 12.92 square ft. and one illuminated tri-mark logo at 14.31 square ft.
 - B. West elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.

C. East elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.
Total of 53.07 square ft. of signage on canopy and the remainder of 392.93 square ft. of decorative design.

2. Allow the following signage on a gas canopy 52' x 31" = 392.66 square ft. plus 1.6 square ft. (tri-mark extending above canopy) = 394.26 total square ft. of gas canopy #2.

A. West elevation: illuminated "Citgo" sign 21" x 88 5/8" = 12.92 square ft. and one illuminated tri-mark logo at 14.31 square ft.

B. North elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.

C. South elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.

Total 53.07 square ft. of signage on canopy and the remainder 341.19 square ft. of decorative design.

3. Allow re-imaging of 5 gas pumps on both sides at 38.94 per pump for 194.7 square ft. on the pumps.

Previous variances granted on 6/28/1978 and 4/22/1987 related to canopy signage will be relinquished.

ORDINANCES and REQUIREMENTS:

Section 4A.35 – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1 and M-2): (C) Total wall signage of a size not to exceed forty (40) square feet shall be allowed for each business in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

Section 16.02 – Limitation of the Use (E): No sign shall be erected upon such parking areas, except not more than one (1) sign at each entrance to indicate the operator, the purpose for which it is operated and/or the parking rates. All signs shall not exceed fifteen (15) square feet in area, shall not extend more than ten (10) feet in height above nearest curb elevation and shall be located entirely upon the premises, with no part of such sign extending beyond the property line.

Chairman Nestorowicz said to start with name and address for the record, then explain the request for them.

Sarah Mheisen appeared before the board stating she is here on behalf of Bazo Construction in regard to the site located on 11610 Thirteen Mile. She is here again in regard to a new site; this site is an existing BP gas station. It currently has two (2) canopies. The owner has signed a new fueling contract with Citgo. That being said, you cannot pump, legally, they cannot provide the image. Citgo cannot be BP gas and vice versa. So, that is why she is here. The image has changed quite a bit. So, that is why she is requesting this variance, to allow for all the signage to be approved.

Chairman Nestorowicz thanked her very much for that information. This is a public hearing, is there any member of the audience wishing to speak on this item?

No response.

Chairman Nestorowicz closed the public portion of the meeting and turned it over to the board for discussion. Basically, he was looking through the package provided. Basically, it looks like the standard Citgo signage for newer stations and just replacing all the BP stuff. So, it's safe to assume when they get all these requests for... when they get the new request for the Citgo. Question for Steve. With the stuff that's requested for Citgo, is that already taken into account

what previously the site had for BP or can the board ask her to relinquish that.

Steve Watripont explained what they're starting to do with these sign packages like this is they're trying to get it with current, the most current. They look to see if the previous variances will stand, and then they would issue the sign permits if it would. If not, they're coming before the board. They're going to revamp everything and get them to relinquish the previous to help with administration. Ten (10) years when he's not here and these guys aren't here and another gas station goes in and needs variances, they know they can look at that as the variance.

Chairman Nestorowicz said that's what he wanted to just make sure of. He asked if she understood the question, he was asking Steve. If they give her this package that its whatever BP had is passed and this is what the current only package of signs that there is. That's the only question he had. Any other questions from the board or discussion.

Secretary Jerzy said if nobody else has anything he would like to make a motion.

Sarah Mheisen said she doesn't see a mention of the eyebrow in this. She did speak to Debbie about it, but she doesn't see anything about it when she mentioned... She doesn't know if she just included it in the as decorative design in the description. She just doesn't want it to be overlooked.

Board Member Anglin said they can only address what's in front of them on this sheet right now. If it's missing...

Chairman Nestorowicz asked what she called it.

Sarah Mheisen explained it's like an aluminum band that goes on the top, like a top lip, on the top of the canopy. They can see it on page 2, kind of borders the perimeter.

Chairman Nestorowicz asked if they possibly did not need a variance for that or so?

Sarah Mheisen said she just wants to make sure.

Chairman Nestorowicz said he understands.

Steve Watripont said it is included in the total square footage.

Sarah Mheisen asked of the decorative design.

Steve Watripont replied yeah.

Sarah Mheisen said ok, she just wanted to make sure.

Steve Watripont said it is included in the total square footage.

Chairman Nestorowicz said ok. He thanked Steve for that clarification. Do we want to continue with the?

Motion:

Secretary Jerzy made a motion to approve:

Allow the following related to signage:

1. Allow the following signage on a gas canopy 172' x 31" = 444.33 square ft. plus 1.6 square ft. (tri-mark extending above canopy) = 446 total square ft. of gas canopy #1.
 - A. North elevation: illuminated "Citgo" sign 21" x 88 5/8" = 12.92 square ft. and one illuminated tri-mark logo at 14.31 square ft.
 - B. West elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.
 - C. East elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.

Total of 53.07 square ft. of signage on canopy and the remainder of 392.93 square ft. of decorative design.

2. Allow the following signage on a gas canopy 52' x 31" = 392.66 square ft. plus 1.6 square ft. (tri-mark extending above canopy) = 394.26 total square ft. of gas canopy #2.
 - A. West elevation: illuminated "Citgo" sign 21" x 88 5/8" = 12.92 square ft. and one illuminated tri-mark logo at 14.31 square ft.
 - B. North elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.
 - C. South elevation: illuminated "Citgo" channel letters 21" x 88 5/8" = 12.92 square ft.

Total 53.07 square ft. of signage on canopy and the remainder 341.19 square ft. of decorative design.

3. Allow re-imaging of 5 gas pumps on both sides at 38.94 per pump for 194.7 square ft. on the pumps.

Previous variances granted on 6/28/1978 and 4/22/1987 related to canopy signage will be relinquished.

Reasons being: Not a detriment to the area; Size and shape of the lot.

Board Member Anglin supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Anglin. Roll call.

Roll Call:

A roll call was taken on the motion. The motion carried (8 – 0).

Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** as written.

10. PUBLIC HEARING:
REPRESENTATIVE:

APPLICANT: Tom LaCross, PE/HRC
Greg Combs / General Motors, LLC

COMMON DESCRIPTION: 6400 Twelve Mile
LEGAL DESCRIPTION: 13-16-126-001
ZONE: M-3

VARIANCES REQUESTED: Permission to allow:

- 1) A security guard booth no less than 66 ft. from the front property line. (West security booth.)
- 2) A security guard booth no less than 69 ft. from the front property line. (East security booth.)
- 3) A 6 ft. high black vinyl chain link fence that extends past the front building line.

ORDINANCES and REQUIREMENTS:

Section 17.02 Industrial Standards (A): Front yards M-3 150 ft.

Section 4D.39 – Location: All fences and walls constructed or installed between lots shall not exceed a height of six (6) feet above the average grade of the two (2) adjoining lots and shall not extend closer to the front lot line than the established building line or front set back line.

Tom LaCross appeared before the board stating he is from HRC representing General Motors.

Chairman Nestorowicz asked him to state his address for the record.

Tom LaCross said 2004 Dean Drive.

Chairman Nestorowicz asked him to explain the request to them.

Tom LaCross explained they were through site plan approval process to install security systems at the, what's called the GM South Campus. That includes the installation of two (2) guard booths; one on each side of the entrance. There are two (2) entrances off of Twelve Mile. With that, the security perimeter fencing, through site plan approval. Then coming here today to request through the Building Department to actually install said booths and the fence.

Chairman Nestorowicz thanked him very much for that information. This is a public hearing, is there anyone in the audience wishing to speak on this item?

No response.

Chairman Nestorowicz closed the public portion of the meeting and turned it over to the board for discussion.

Board Member Anglin said he does not see anything that would remotely want him to vote against this. He understands the need for security, especially with all the money that GM has been putting into these high tech highly secretive things that they're doing there. GM has always done a wonderful job on their constructions as far as the look for the community and that. He's one hundred (100) percent for this. He'll leave it up to his colleague.

Board Member Sylvester said what they're doing is just upgrading what is already there, right?

Tom LaCross replied yes. They're actually completing right now; it's fenced on three (3) sides. They're closing off the front.

Board Member Sylvester asked if it's all part of the improvement that they're doing on the site, correct?

Tom LaCross said it's the first of many improvements, and there will be a lot of things going on there.

Board Member Sylvester said he knows, he spent a third of his career over there, he knows. Thank you.

Tom LaCross said a lot of things going on.

Board Member Sophiea said if there are no other comments, he would like to make a motion.

Motion:

Board Member Sophiea made a motion to grant permission to allow:

- 1) A security guard booth no less than 66 ft. from the front property line. (West security booth.)
- 2) A security guard booth no less than 69 ft. from the front property line. (East security booth.)
- 3) A 6 ft. high black vinyl chain link fence that extends past the front building line.

Reasons being: Not a detriment to the area; Size and shape of the lot.

Board Member Anglin supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Sophiea, with support by Mr. Anglin to approve the request for the reasons stated in the motion.

Roll Call:

A roll call was taken on the motion. The motion carried (8 – 0).

Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** as written.

11. PUBLIC HEARING: **APPLICANT: Anthony Bogedin -USE-**
REPRESENTATIVE: Caren M. Burdi, Attorney
COMMON DESCRIPTION: 5020 Chicago
LEGAL DESCRIPTION: 13-05-401-015
ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Allow a multi-family (4 unit) dwelling in a single-family zone in which one unit is complete and the remaining units have been roughed and constructed without permits.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Multi-family dwellings are not permitted in a single-family district.

This item was rescheduled to October 12, 2022 during the adoption of the agenda.

12. NEW BUSINESS

Chairman Nestorowicz said he does have one (1) item for new business. But he does have a question, because he saw one person in the audience. He asked him if there was an item that he was here and did not hear covered.

(Inaudible audience member)

Chairman Nestorowicz said actually, yes. That item in the beginning of the meeting was rescheduled to October 12th. He apologized to him that he had to sit here for the whole meeting for that, but if he takes this as his notification, because there won't be another mailing. But October 12th it will be here. Same time. Thank you. So sorry for having him sit there. The item he has for new business is at this time every year they always go through and re-elect officers for their board. He didn't want to put anybody on the spot at this meeting, but he wanted everybody to think about it for their next meeting. It was going to be on the agenda for that. But they have Chairman, Vice-Chairman, Secretary, Assistant Secretary which himself, Judy, Paul and Chuck have been doing up until now. If anybody else wanted to step forward to be any of the positions, please feel free to. He wanted to give them time to think about it, he didn't want to put anybody on the spot at today's meeting.

Board Member Sylvester said thank you.

Board Member Anglin said he has somebody in mind for the Assistant Secretary.

13. ADJOURNMENT

Motion:

Board Member Angling made the motion to adjourn the meeting, Supported by Chairman Nestorowicz.

Voice Vote:

A voice vote was taken. The motion carried (8 – 0).

The meeting adjourned at 8:25 p.m.

Paul Jerzy
Secretary of the Board