

WARREN ZONING BOARD OF APPEALS  
REGULAR MEETING  
APRIL 26, 2023

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, April 26, 2023 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  
David Sophiea, Vice-Chairman  
William Clift, Assistant Secretary  
Charles Anglin  
Kevin Higgins  
Charles Perry  
Anthony Sieracki, Jr.  
Michael Sylvester

**Members of the Board absent:**

Paul Jerzy, Secretary

**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**

A roll call was taken and Secretary Jerzy was absent.

**Motion:**

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

**Voice Vote:**

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

**4. ADOPTION OF THE AGENDA**

**Motion:**

Board Member Perry made a motion to approve the agenda; Supported by Board Member Clift.

**Voice Vote:**

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

**5. APPROVAL OF THE MINUTES of the Regular Meetings of March 8, 2023 and April 12, 2023.**

**Motion:**

Board Member Anglin made a motion to approve the minutes of March 8, 2023 minutes; Supported by Board Member Clift.

**Voice Vote:**

A voice vote was taken. The motion carried (7 – 0). Board Member Sieracki abstained.

**Motion:**

Board Member Sophiea made a motion to table the minutes of April 12, 2023 minutes; Supported by Board Member Perry.

**Voice Vote:**

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

**6. PUBLIC HEARING:**

**APPLICANT: Aver Sign Company -USE-**

*(Rescheduled from 4/12/2023)*

REPRESENTATIVE:

Jennifer Glover

COMMON DESCRIPTION:

11610 Thirteen Mile

LEGAL DESCRIPTION:

13-11-101-001

ZONE:

MZ, C-1, P

**VARIANCES REQUESTED: Permission to -USE-**

Allow a pylon sign in a 'P' zone with the following specifications:

- 1) Located in a 'P' zone.
  - 2) Height of 27' 2-1/2".
  - 3) Total square ft. of sign 145.79.
  - 4) Under clearance of 6' 6-1/2".
  - 5) Leading edge of sign no closer than 48" from property line.
- If approved all previous variances related to the pylon sign with be relinquished.

**ORDINANCES and REQUIREMENTS:**

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

**Section 4A.17 – Setbacks:** The following setback regulations shall apply to signs located in all zoning districts: B) All freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height of the sign.

**Section 4A.18 – Height:** The height of all signs, unless provided otherwise in this ordinance, shall comply with the following: B) Freestanding signs. The height of all freestanding signs shall not exceed twenty (20) feet.

**Section 4A.19 – Clearance:** All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

Chairman Nestorowicz said to start with name and address for the record and take the board through the revised sign. He asked her to press the microphone. The green light should come on.

Jennifer Glover asked if they can hear her now.

Chairman Nestorowicz replied yes, thank you.

Jennifer Glover appeared before the board stating she is with Aver Sign Company, 359 Livernois. She thanked the board for having her here again. As they know, they tabled the last meeting. She did submit, Monday, a revised rendering of the sign. They managed to bring the sign height down to twenty-three (23) feet. She apologized, she doesn't have the square footage and doesn't have a calculator. But bringing the sign down from twenty-seven (27) feet to twenty-three (23) feet will also bring the square footage down. She did manage to reduce those panels as requested in the last meeting as well. She hopes what is brought to the board today appeases the board and the direction they received from the last meeting.

Chairman Nestorowicz thanked her for that explanation. This is a public hearing, is there anyone in the audience wishing to speak on this? Please approach.

Unknown resident appeared before the board stating she is a homeowner that got one of these messages about the sign. She knows nothing about it. Her only concern is, if it's, she doesn't know what a pylon sign is, but she just doesn't want a sign that makes noise. So, those florescent signs make a buzzing sound, that's her only concern.

Chairman Nestorowicz asked Ms. Glover to show the resident a picture of the sign.

Inaudible conversation between the resident and Ms. Glover.

Unknown resident stated that was her only concern and thanked the board.

Chairman Nestorowicz closed the public portion and turned it over to the board for discussion and questions. He's trying to do the math right now.

Board Member Anglin asked the Chair if he was working on the math.

Chairman Nestorowicz replied yes.

Board Member Anglin explained he lives in that neighborhood, so he knows the Mobil stations sign across the street is approximately the same size as the revision sign. So, he has no objections to it. The only different between the two, one has been there, which is the Mobil station is their adding the LED sign underneath it, and it doesn't have that at the Mobil station. From what he can calculate, heights are about identical. He thinks that was the boards biggest concern. So, he has no objections to this.

Board Member Cliff said good evening, ma'am. So, he absolutely loves it.

Jennifer Glover thanked him.

Board Member Cliff explained it's exactly where he was going with it when they talked about it at the last meeting. They did a fantastic job putting this together, and he has no problems supporting this whatsoever. Thank you very, very much.

Chairman Nestorowicz also wanted to thank her. She brought it down to the twenty-three (23) feet as they discussed. He didn't do exact math because he rounded up on the inches, he got 118.25. So, thank you for bringing the sign down from 145.79 to about 118. What he did, he took the spare inches and went up to the nearest point.

Jennifer Glover completely understands.

Chairman Nestorowicz thinks she followed everything the board asked for at the last meeting. Thank you, again. Anyone else have any questions?

Board Member Sylvester said he sees they have a BP sign on this sheet. What does that reference?

Jennifer Glover explained that's what is currently there.

Board Member Sylvester asked what is the height of that.

Jennifer Glover replied twenty-three (23) feet eight (8) inches.

Board Member Sylvester asked they actually dropped it.

Jennifer Glover replied yes, sir.

Board Member Sylvester said that's all he needed to know, thank you.

Board Member Anglin asked if another board member had the numbers done and if they wanted to read the motion since they have the numbers.

Board Member Cliff said he could read the motion and asked if anybody else had any discussion on the matter.

**Motion:**

Board Member Cliff made a motion to:

Allow a pylon sign in a 'P' zone with the following specifications:

- 1) Located in a 'P' zone.
- 2) Height of ~~27' 2-1/2"~~. **23 feet.**
- 3) Total square ft. of sign ~~145.79~~. **118.**
- 4) Under clearance of 6' 6-1/2".
- 5) Leading edge of sign no closer than 48" from property line.

If approved all previous variances related to the pylon sign with be relinquished.

Reasons being: Not a detriment to the area; the under clearance is sufficient for viewing for traffic in either direction; It's not a danger.

Board Member Sophiea supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophiea to approve the request for the reasons stated in the motion. Roll call, please.

**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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Higgins	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.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** with the previously mentioned changes.

7. 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**

Retain a 10' 3" x 7" 3" = 74.3 square ft. shed which projects beyond the side building line of the dwelling, no less than one foot from the side property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.20 – Detached Accessory Buildings:** (A) All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall not conform to, and shall not project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement.

Stephanie Thuemmel, 11556 Fisher, appeared before the board. She is requesting approval for a shed that she had constructed that is fourteen (14) inches to the fence line. The house is about two (2) feet from the fence, so the shed is almost entirely behind the house. She has pictures she would like to pass out, they're all the same so everybody can have one and see her shed. She believes it is a positive contribution to south Warren. It can be seen going south on Hoover. The house has no basement and no garage, so the shed helps keep junk out of the yard. The slab had already existed and she had built on it.

Chairman Nestorowicz thanked her for that explanation. 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 for questions and discussion. He wanted to start out, the deck looks wonderful.

Stephanie Thuemmel thanked him. She was here for that before.

Chairman Nestorowicz said she was here back in December or so making improvements on the house. When he drove by the house, it looks very good.

Stephanie Thuemmel thanked him. A lot of hard work has went into it.

Chairman Nestorowicz said honestly, he can't see the shed from driving by.

Stephanie Thuemmel sees it when she looks to the right, because she knows it's there. It's far in.

Chairman Nestorowicz asked if there are any other questions.

Board Member Sylvester said he was just wondering. Where she has the shed and the neighbor to the west, is there any concerns with the shed.

Stephanie Thuemmel replied no. She thinks she likes it. She has two (2) dogs, so it kind of creates more privacy, too. There is nobody on the east side.

Board Member Sylvester thanked her.

Stephanie Thuemmel explained they have a good relationship with that neighbor. She hasn't said anything.

Board Member Sylvester thanked her.

Board Member Sophia would like to make a motion if there are no other comments.

Board Member Cliff has one. He thinks this would be more for Steve. If he doesn't mind, sir, thank you. Mr. Watripont, rat wall is required under accessory structures in the yard.

Steve Watripont replied yes, a rat wall is required.

Board Member Cliff asked this slab that this shed is on meet that requirement, do you know.

Steve Watripont is not sure, but it will be up for inspection when the permit is pulled.

Board Member Cliff said fair enough, sir. He yields the floor.

Board Member Sophia would like to make a motion. This is a very cute house, he drove by the

house and was very impressed with the work done on it. He has no problems with the shed.

Board Member Sylvester said he has one other question, if he doesn't mind.

Board Member Sophia yielded.

Board Member Sylvester said looking at the pictures right here, the overhang on the shed looks like it about touches the fence. It's as far over to the fence, right on top of it. Then the slab right there, it looks like she has two (2) or three (3) feet in front. Is there any way that could be moved toward the front of the slab.

Stephanie Thuemmel asked the shed.  
Board Member Sylvester replied yeah.

Stephanie Thuemmel said the back of the shed, not the roof is on the slab, so the slab does not go any closer to the fence line, but the roof was just so rain didn't get too close to the shed so it does not begin to rot.

Board Member Sylvester asked if there is anyway it could be moved forward. Or is it anchored into the slab.

Stephanie Thuemmel said it is anchored into the slab.

(Inaudible)

Board Member Sylvester said he thinks her mic is off or she's not speaking into it.

Stephanie Thuemmel said the concrete to the right of the shed, she constructed to fit the City of Warren's bins perfectly. It would not be easy to move the roof.

Board Member Sylvester asked Mr. Watriont if he had a minute. Is that an issue or is he over blowing that? Looking at the picture on the left bottom. The overhang is right over the fence.

Steve Watriont explained the ordinance reads that if the overhang is a foot or less that it doesn't count towards the dimension of the shed.

Board Member Sylvester asked what he means if it's a foot or less. From the side of the building?

Steve Watriont said no. If the overhang is a foot or less, still go by the side of the building for the measurements. So, that would be the foot away from the fence.

Board Member Sylvester said ok, so the side of the building is more a foot or better than the over hang. Ok, ok. That's fine, thank you.

Board Member Sophia has no problem with the slab. He thinks it's a good idea to get the garbage cans out of the front yard and pushed into the back, so that's a good reason. With that being said, he would like to make a motion.

**Motion:**

Board Member Sophiea made a motion to grant permission to retain a 10' 3" x 7' 3" = 74.3 square ft. shed which projects beyond the side building line of the dwelling, no less than one foot from the side property line.

Reasons being: Necessary; Not a detriment to the area.

Board Member Anglin supported the motion.

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

**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 Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	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 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.

8. PUBLIC HEARING: **APPLICANT: Warren Lions Club**  
REPRESENTATIVE: Al Lindsey  
COMMON DESCRIPTION: 3001 Thirteen Mile  
LEGAL DESCRIPTION: 13-06-402-002  
ZONE: R-1-A

**VARIANCES REQUESTED: Permission to**

Conduct the 2023 Warren City Fair as follows:

Wednesday	June 14	3pm to 11pm
Thursday	June 15	3pm to 11pm
Friday	June 16	3pm to 11pm
Saturday	June 17	12pm to 11pm
Sunday	June 18	12pm to 10pm

**ORDINANCES and REQUIREMENTS:**

**Section 4.35 – Circuses, Fairs, Carnivals and Similar Uses:** Fairs require the approval of the Zoning Board of Appeals.

Chairman Nestorowicz said good evening. If they could start with their name and address for the record.

Al Lindsey appeared before the board stating he is Chairman for the Warren City Lions Fair and his address is 3642 Wakefield Drive. Their hardship, and they're here today to request the Warren City Fair to be approved by the ZBA. They also want to note that they turn off all the music for all the rides and bands and everything at 10:00 p.m. every night so it doesn't effect the neighbors. That has been their practice for a long time.

Chairman Nestorowicz thanked him very much for that explanation. 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 portion and turned it over to the board for discussion and questions.

Board Member Sylvester said this has nothing to do with what they're asking for, but why did they move it from the middle area of Halmich to the parking lot.

Al Lindsey explained traffic and it increased their growth by about twenty-five (25) to thirty (30) percent.

Board Member Sylvester said oh, really.

Al Lindsey replied yeah, just being by the road. It's been there for...

Board Member Sylvester knows it has been there for a while, but he never got to ask.

Al Lindsey continued saying ten (10) to twelve (12) years. Maybe longer even, he doesn't know.

Board Member Sylvester thanked him.

Board Member Anglin thinks they do a wonderful job for the community and anything he can do really to support them on it. If no other board members have any other questions, he would like to make a motion.

**Motion:**

Board Member Anglin made a motion to allow:

Conduct the 2023 Warren City Fair as follows:

Wednesday	June 14	3pm to 11pm
Thursday	June 15	3pm to 11pm
Friday	June 16	3pm to 11pm
Saturday	June 17	12pm to 11pm
Sunday	June 18	12pm to 10pm

**All music will be shut off by 10:00 p.m.**

Reasons being: Not a detriment to the area; Necessary for this board.

Board Member Clift supported the motion.

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

**Roll Call:**

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

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	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 Sylvester	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner’s request was **APPROVED** with the previously mentioned condition.

9. PUBLIC HEARING: **APPLICANT: Thrifty Florist of Warren #1 -USE-**  
REPRESENTATIVE: Nicole Agbay  
COMMON DESCRIPTION: 29010 Schoenherr  
LEGAL DESCRIPTION: 13-12-353-010  
ZONE: MZ, C-1, P

**VARIANCES REQUESTED: Permission to -USE-**

Conduct a seasonal outdoor sales operation in a P District from March 31, 2023 through January 31, 2024 (788 square ft.) to no less than 16 ft. from the Schoenherr Road property line and 50 ft. from the north property line per site plan and same as last year.

**ORDINANCES and REQUIREMENTS:**

**Section 4.4 Paragraph (A):** The goods, items or articles sold or activities conducted as part of any outdoor retail sale must be consistent with zoning district where the parcel is located.

**Section 16.01 – Uses Permitted:** In all P districts, no land shall be used for any other use than automobile parking of private passenger vehicles.

Chairman Nestorowicz said name, address and then...

Nicole Agbay, 29101 Schoenherr, appeared before the board stating she would like mention it’s a little passed that date. They haven’t set up due to them not having come here before March 31<sup>st</sup>. So, they have not done anything out there, waited to come here this evening. Yes, they’re asking for the same variance that they ask every single year to conduct outdoor sales in that area in their parking lot.

Chairman Nestorowicz thanked her very much. This is a public hearing, is there anyone in the audience wanting to speak on this item?

No response.

Chairman Nestorowicz turned it over to the board for question and discussions.

Board Member Clift thinks this looks like a rinse and repeat for quite some time going on. He personally doesn't see any issues or problems with it. If nobody else on the board has any comments or questions to it, he'll make a motion on it.

Chairman Nestorowicz said go ahead.

Board Member Clift seeing none.

**Motion:**

Board Member Clift made a motion to give permission to conduct a seasonal outdoor sales operation in a P District from March 31, 2023 through January 31, 2024 (788 square ft.) to no less than 16 ft. from the Schoenherr Road property line and 50 ft. from the north property line per site plan and same as last year.

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. Clift, support by Mr. Anglin to approve the request for the reasons stated.

**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 Higgins	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.

Chairman Nestorowicz thanked her for not setting up. He did drive by the Schoenherr one today.

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| <b>10. PUBLIC HEARING:</b> | <b>APPLICANT: Thrifty Florist of Warren #2</b> |
| <b>REPRESENTATIVE:</b>     | Nicole Agbay                                   |
| <b>COMMON DESCRIPTION:</b> | 30975 Ryan                                     |
| <b>LEGAL DESCRIPTION:</b>  | 13-07-227-013                                  |
| <b>ZONE:</b>               | C-1  |

**VARIANCES REQUESTED: Permission to**

Conduct a seasonal outdoor sales operation 20' x 30' (600 square ft.) from March 31, 2023 through January 31, 2024 to no less than 45 ft. from the Ryan Road property line and 45 ft. from the Thirteen

Mile property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.52 – Paragraph (D):** No sales activity or display of shall be permitted in the area designated for required off-street parking for the existing or temporary use.

Nicole Agbay stated her name again, 30975 Ryan Road. She is here tonight, again, to ask for outdoor sales permit. Same size area they ask for each year, that's twenty (20) by thirty (30), six hundred (600) square feet from the end of March, but it is not set up yet because they didn't see the board yet, until January 31<sup>st</sup> for clean-up. They sell through Christmas. No less than forty-five (45) feet from the Ryan property line and forty-five (45) feet from the Thirteen Mile property line. Thank you.

Chairman Nestorowicz said this is a public hearing, anyone from the audience wishing to speak on this item?

No response.

Chairman Nestorowicz turned it over to the board.

Board Member Sylvester said this drawing they had in the packet, is this just showing this corner there?

Nicole Agbay replied yes.

Board Member Sylvester asked if they're doing any improvements or planting trees or marking the parking lot or anything like that, are you.

Nicole Agbay replied no. Not changing anything, no. The trees may have changed. She thinks they got cut down since that blueprint. They have been there for over twenty (20) years. That blueprint has trees, she doesn't know if the trees are there since the construction of the road.

Board Member Sylvester asked if they plan on sprucing up the area.

Nicole Agbay stated they didn't, but she can go back and talk to the president.

Board Member Sylvester was just wondering.

Nicole Agbay said they got cut down. She doesn't know if it's the powerlines, they did a lot of road construction right over there. Trees got taken out, she's almost positive.

Board Member Sylvester said they were there though, at one time?

Nicole Agbay said yes they were, but they got really big. They were grown, then the construction, then she thinks they got taken out. There is nothing there now, is there?

Board Member Sylvester said she's going to get a yes from him.

Board Member Sophiea has one comment on this. He's going to support this tonight just because of their long history with Warren and nice contribution with the area. The only comment is to call it seasonal storage and have that temporary structure up for ten (10) months, in his mind that is something more permanent. So, he's just wondering, maybe, something to echo back to the corporate side of things that in the future if there's improvements there might be a more permanent structure out there.

Nicole Agbay mentioned there is nothing there right now. They set up brick and board, and put tents out. Then throughout the year, it doesn't stay up the whole year and then it goes away. So, they put it up there and then take it down. Right now there is nothing out there.

Board Member Sophiea appreciates it wasn't set up. If there aren't other comments, he's going to make a motion to approve this.

Nicole Agbay thanked him.

**Motion:**

Board Member Sophiea made a motion to grant permission to conduct a seasonal outdoor sales operation 20' x 30' (600 square ft.) from March 31, 2023 through January 31, 2024 to no less than 45 ft. from the Ryan Road property line and 45 ft. from the Thirteen Mile property line.

Reasons being: Property is unique; Not a detriment to the area.  
Board Member Perry supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Sophiea, support by Mr. Perry 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 Perry	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 Higgins	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.
Board Member Sylvester	Yes, for the reasons stated in the motion.

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

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| 11. PUBLIC HEARING: | <b>APPLICANT: Global Signs &amp; Awning -USE-</b> |
| REPRESENTATIVE:     | Ayad Sitto  |
| COMMON DESCRIPTION: | 8201 Thirteen Mile                                |
| LEGAL DESCRIPTION:  | 13-03-352-007                                     |

ZONE: MZ, C-2, P

**VARIANCES REQUESTED: Permission to -USE-**

- 1) Erect a monument sign 15.23 ft. in height, 12.5 ft. in width, no closer than 3.6 ft. from the front (south) property line, with 75 square ft. of signage including 18 square ft. EMC in a "P" zone. If approved the previous ground sign variance will be relinquished and no signage will be allowed on the base of the sign under the EMC.
- 2) Erect a 118.6 square ft. wall sign.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.11 – Specific Sign Definitions:** 22. Monument sign. A sign mounted directly to the ground with a maximum height not to exceed five (5) feet.

**Section 4A.17 – Setbacks:** B) All freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height of the sign.

**Section 16.01 – Uses Permitted:** Signs are not allowed in a "P" zone.

**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.

Chairman Nestorowicz told the applicant to start with their name and address, then take the board through their request.

The General Manager of property the Royalty House appeared before the board. They're going to renovate the whole property from A to Z and they're going to put a new face lift. So, the whole sign is complete too small to represent their property. So, as the board knows they spent so much money there and now they try to have a good sign represent their business over there.

Chairman Nestorowicz stated this is a public hearing. Is there anyone in the audience wanting to speak on this item?

No response.

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

Board Member Anglin has been watching them come along with those improvements they've been putting into that property, and it's been very well done. He's happy to see them there. For the signage, he doesn't think it's too big for the size of the property and the size of the building. He knows it's larger than what they normally have on their codes and that, but again, they're talking about an event location. They need to have a little more exposure in order to run a proper business. So, he has no objections to this whatsoever.

Board Member Sylvester is in agreement with his committee counterpart. They have done a lot of work to that hall and it looks nice. If it were somewhere else, he would be voting no on it. Where it's at, the location on Old Thirteen Mile Road, there is basically commercial buildings around there, he doesn't have any problem with it. He thinks it's going to be an addition to what they are doing. He hopes they are very successful.

Chairman Nestorowicz asked for any other questions or motions.

Board Member Anglin would like to make a motion.

**Motion:**

Board Member Anglin made a motion to give permission to:

- 1) Erect a monument sign 15.23 ft. in height, 12.5 ft. in width, no closer than 3.6 ft. from the front (south) property line, with 75 square ft. of signage including 18 square ft. EMC in a "P" zone. If approved the previous ground sign variance will be relinquished and no signage will be allowed on the base of the sign under the EMC.
- 2) Erect a 118.6 square ft. wall sign.

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

Board Member Sieracki supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Anglin, support by Mr. Sieracki 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 Anglin	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.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Sophiea	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.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

- |                            |  |
|----------------------------|--|
| <b>12. PUBLIC HEARING:</b> | <b>APPLICANT: Carea Inc dba Auto &amp; Truck Accessories</b> |
| <b>REPRESENTATIVE:</b>     | Michael Zito   |
| <b>COMMON DESCRIPTION:</b> | 8154 Fourteen Mile   |
| <b>LEGAL DESCRIPTION:</b>  | 13-03-102-039  |
| <b>ZONE:</b>               | C-1  |

**VARIANCES REQUESTED: Permission to**

Retain the following signage:

- 1) Wall signage on the north elevation closest to Fourteen Mile, 9 banner type signs 10' x 2.5' = 25 square ft. each, total of 225 square ft.
- 2) Banner type wall sign on the north elevation adjacent to front entrance, 10' x 2.5' = 25 square ft.
- 3) Checkered stiped design element consisting of 235.75 square ft. as follows:
  - A. North elevation by front door & west elevation by overhead doors, 42' x 29.5" = 103.25 square ft.
  - B. North elevation by Fourteen Mile 53' x 30" = 132.5 square ft.

4) Retain projecting sign on the face of the building 10' from the northwest corner with changeable copy 8' x 9' = 72 square ft., 18 ft. high with a 9' under clearance no less than 6' of the front property line. \*

Total wall signage = 532.75 square ft. (including 72 square ft. projecting sign on the northwest corner of building.)

\*This sign was granted with a variance on 4/13/2005, however, there was a condition that the "petitioner will remove the existing block lettering on the north and west face of the building." Therefore, if variance is granted, the variance of 4/13/2005 will be relinquished.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.11 – Specific Sign Definitions:** 5. Banner Signs. A temporary sign made of fabric or other non-rigid material with no enclosing framework. 32. Projecting sign. A sign that is affixed to any building or part thereof, or to any structure and projects out by more than eighteen (18) inches.

**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.

Michael Zito, 8154 East Fourteen Mile, appeared before the board stating he is the owner of the building and the company. He bought this company back in December of 2019. He did not change or alter anything on the building. How he bought it is how he kept it. Unfortunately, with Covid and everything that happened, fifty (50) percent of his business was dealerships and is now gone, because there really is no dealership work. So, they do rely on retail. These signs are a big help to his business, because people see them and see that they do covers, remote starts, accessories for vehicles. Taking these down would cause a hardship for him and his family. Again, he's asking for a variance for everything and hopefully they can get this solved. He bought the business in 2019, had no prior knowledge of what the old owner did, if she got the permits. He thought she must have because everything was already taken care of.

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

No response.

Chairman Nestorowicz turned it over to the board for questions and discussion.

Board Member Sylvester asked if they're to the west of Van Dyke.

Michael Zito said east.

Board Member Sylvester said their building on the south side.

Michael Zito said yes they're on the south side.

Board Member Sylvester asked that they're east of Van Dyke.

Michael Zito replied yep.

Board Member Sylvester said there is an auto, is that the same one? He's not exactly sure by this

map where they're at.

Michael Zito explained they're behind the Uncle Ed's on the corner of Fourteen and Van Dyke; there is an Uncle Ed's Oil Change.

Board Member Sylvester wondered what's the building there now that has bedliners and different things.

Michael Zito said that's his.

Board Member Sylvester asked if that's his.

Michael Zito replied yes, the white building yes, with the checkered.

Board Member Sylvester asked if he's the owner of it.

Michael Zito replied yes.

Board Member Sylvester said they have been there for quite some time, the building has been there for quite some time.

Michael Zito stated the building has been there for a long time, the previous owner bought in 2000 and then he bought in December of 2019. The previous owner said she's been there since 05, early 2000's.

Board Member Sylvester said everyone knows where that's at, he knows where it's at, he means he just told them. The signage seems to be over the top, in his opinion and it's only his opinion. So, if they could tone that down a little bit to where they could see it off Fourteen Mile Road, he would have no problem with it. It seems like there is a lot of stuff.

Michael Zito said ok.

Alexis Zito wanted to make a suggestion, if they don't mind.

Chairman Nestorowicz asked her to state her name and address.

Alexis Zito stated her name and explained she is his wife and also the owner of the business, 8154 Fourteen Mile Road. Again, she doesn't know if this was mentioned or if they board saw it in their description, but they received a letter about their ten (10) wall signs on there, that was the violation. Nothing for the checkered and nothing for the sign, just for these wall signs, the ten (10) wall signs. That's what the violation was for. So, she doesn't know if a compromise would maybe be taking down. She doesn't know if the board has a picture of them there, it's kind of like three (3) rows of three (3) and then there is a single one a separate wall. Maybe to get the square footage down, maybe keep two (2) rows of three (3) and maybe take four (4) down. Just so it still looks nice and complete, but still taking down some to compromise the signage.

Board Member Sylvester asked what percentage of the customers did they lose to Covid and

everything. He got his bed done at their store, and he always thought they had people coming in and out. So, he's a little confused there.

Michael Zito explained with Covid their dealership is gone, there is no more dealership work, very little if any. Retail wise, it's dropped as well. It's not as busy as it was when they first purchased the business for sure. Percentage wise...

Alexis Zito stated dealerships were fifty (50) percent, so they're really trying to push the retail. They do have customers come in that say they didn't know they were here, but they were driving by and saw they did tonneau covers. It does draw in the retail that they need.

Board Member Sylvester asked how long the building has been there, if he doesn't mind them asking. How long they've been doing what they're doing. He wants to do the same thing.

Michael Zito said early 2000's. He doesn't know exactly. The date he was told was 2005.

Board Member Sylvester said if they could tone down the signage a little bit, he would have no problem.

Michael Zito mentioned like his wife said, if they can come to a compromise where they eliminate four (4) of them, they would be more than happy to do that, keep at least six (6).

Board Member Sophiea understands the city is saying this is a banner, and they're saying it's a more permanent sign. What is the material of the sign? Are they banners, medal, fabric?

Alexis Zito explained the material would be a banner, but a temporary banner to her is something that says, "Now Open" or "Special", or something like that. These have been up since 2018, so probably prior to that. To her, that's more of a wall sign. It doesn't stick out from the building, it doesn't extend beyond the lengths of the wall. To her, it classifies more as a wall sign than a temporary banner.

Board Member Sophiea asked for Mr. Watripont.

Chairman Nestorowicz explained he thinks the reason it's called a banner is because a wall sign is rigid, solid. If it's something that's flexible, that's what makes it a banner.

Board Member Sophiea said ok, that was his question. Is there anything else Mr. Watripont about the characteristics of the banner besides, it's not necessarily the material of it, it's the...

Steve Watripont explained there is no permanent at this point hold on it. The wall sign will have to show how it's affixed and everything else, whether it's a permanent banner or not. It will have to meet the building codes when the permit is pulled.

Board Member Sophiea said regardless, the issue isn't whether it's a banner or sign, it's that they need a variance for the amount of square footage.

Steve Watripont told him that is correct.

Board Member Sophiea had a last question to the petitioner. Are the signs illuminated at night in any way?

Alexis Zito replied no they're not. She would also like to add too, as soon as they got that letter they tried to seek a permit once they found out the prior owner hadn't. They were denied based on the temporary banner. They weren't able to get one permanently. So, if they do need to add more of a permanent structure around those, they are willing to do so just to make it more up to their standards of a wall sign classification.

Board Member Sophiea thanked her. He has no further questions.

Chairman Nestorowicz wanted to add. He would actually be happy with two (2) rows of three (3) for six (6). That takes it down to 150 square feet instead of 225.

Board Member Sophiea agrees with that. He would like to see the bottom row removed. Visually it makes sense to have the signs above the striping. It does look a little cluttered with the striping so close to the bottom row of signage. Would they be in agreement with removing the bottom three (3) signs?

Alexis and Michael Zito replied yes, definitely.

Board Member Sophiea mentioned the stray sign on the other wall. Is that correct?

Alexis Zito replied yep.

Chairman Nestorowicz asked if Mr. Sophiea would like to make a motion.

Board Member Sophiea asked if there are any other changes before he makes the motion.

Chairman Nestorowicz said no. They're just keeping the two (2) rows of three (3), so that tenth banner, the stray one. Is that staying or being removed?

Michael Zito said they'll remove that one as well.

Chairman Nestorowicz said that means number 2 is not there.

Board Member Sophiea confirmed striking number 2 completely. He thinks he can handle this.

**Motion:**

Board Member Sophiea made a motion to grant permission to:

Retain the following signage:

- 1) Wall signage on the north elevation closest to Fourteen Mile, ~~9~~**6** banner type signs, **top 2 rows**, 10' x 2.5' = 25 square ft. each, total of ~~225~~ **150** square ft.
- 2) ~~Banner type wall sign on the north elevation adjacent to front entrance, 10' x 2.5' = 25 square ft.~~
- 3) Checkered striped design element consisting of 235.75 square ft. as follows:
  - A. North elevation by front door & west elevation by overhead doors, 42' x 29.5" =

103.25 square ft.

B. North elevation by Fourteen Mile 53' x 30" = 132.5 square ft.

- 4) Retain projecting sign on the face of the building 10' from the northwest corner with changeable copy 8' x 9' = 72 square ft., 18 ft. high with a 9' under clearance no less than 6' of the front property line. \*

Total wall signage = ~~532.75~~ **432.75** square ft. (including 72 square ft. projecting sign on the northwest corner of building.)

\*This sign was granted with a variance on 4/13/2005, however, there was a condition that the "petitioner will remove the existing block lettering on the north and west face of the building." Therefore, if variance is granted, the variance of 4/13/2005 will be relinquished.

Board Member Anglin supported the motion.

Chairman Nestorowicz stated they have a motion by Mr. Sophiea, support by Mr. Anglin.

Reasons being: Not self-imposed problem; Property is unique; Size and shape of the lot; Not a detriment to the area.

Board Member Anglin supported the motion.

Chairman Nestorowicz stated they have a motion by Mr. Sophiea, support by Mr. Anglin for the reasons stated. Roll call.

**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 Sieracki	Yes, for the reasons stated in the motion.
Board Member Higgins	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.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** with the previously mentioned changes.

13. PUBLIC HEARING: **APPLICANT: NP Mound Road Industrial, LLC**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 23500 Mound  
LEGAL DESCRIPTION: 13-28-300-018  
ZONE: MZ, M-4, M-2

**VARIANCES REQUESTED: Permission to**

Erect two (2) 9 ft. high monument signs.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.36 – On-Premise Signs Permitted in Industrial Districts (M-3 and M-4): B) One**

freestanding on premise sign or advertising display of a size not to exceed one hundred and fifty (150) square feet shall be allowed in industrial districts zoned M-3 and M-4.

**Section 4A.11 – Specific Sign Definitions:** 22. Monument sign. A sign mounted directly to the ground with a maximum height not to exceed five (5) feet.

Chairman Nestorowicz said if he wants to start with his request, start with name and address and take it from there.

Danny Holstein appeared before the board stating he has been the project manager of the GM Transmission Plant demolition and redevelopment since January of last year. He lives in Cincinnati, Ohio and makes the long drive up to Detroit every week to make sure it's going alright. His request is for two (2) nine (9) by 4.7 feet wide monument signs for their Home Depot project. They're building two (2) on the site. There you go, he wasn't sure if he was going to have the presentation. The first slide here is introducing the park. Next one. The second slide is just that they're a long-term developer. Next one as well. This slide they're talking about the GM Transmission Plant. He's sure if they lived in Warren driven past Nine Mile or Mound at all, you've seen the facility go down and new warehouses go up. Click the next slide. Every presentation they like to give some numbers. They are long-term developers, so they are partners in the community. Just some of the jobs they're hoping to bring, the size of the facility, investment, tax, revenue benefits from the project. Next slide, please. There we go! They're talking today about their building 2 on this site, it is a Home Depot flat bed distribution center. Think the store that supplies the Home Depot's that they go to or the store that supplies the contractors with the materials they need. They come requesting, click the next slide, two (2) monument signs for their two (2) separate entrances to the park. Their first one on the south side there, the plan south bottom is the employee parking, associate lot termed in this plan. The second is on the north side of the plan. All the way at the top by there detention basin. That is the truck entrance. The main reason for the two (2) signs is just to help delineate traffic, help it flow a little smoother. They don't want trucks going into employee parking, getting stuck backing up the turn lanes. Really the whole purpose is to help traffic flow. Next slide. Here are two (2) renderings of the signs. Nearly identical. It's just the directions are flipflopped. Nine (9) foot tall 4.7 feet wide aluminum sides, LED lit behind the Home Depot, so the Home Depot sign will be illuminated at night. That's really the bulk of the presentation, controlling traffic and just making sure people get to where they need to be at the building.

Chairman Nestorowicz thanked him very much. This is a public hearing, anyone in the audience wanting to speak on this item.

No response.

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

Board Member Anglin read requesting to erect two (2) nine (9) foot high monument signs, normally they have on here how many square feet these signs are, and it flashed off the screen before he could calculate it.

Danny Holstein said it's nine (9) foot tall by 4.7 feet wide. He, too, did not bring his calculator here.

Board Member Anglin asked if someone has their calculator handy.

Chairman Nestorowicz asked he said nine (9) foot by...

Danny Holstein repeated 4.7.

Steve Watripont explained the reason that size isn't on there is because it meets the ordinance. They're allowed 150 square foot of signage.

Board Member Anglin said that answers the question and thanked him.

Danny Holstein thanked Steve.

Board Member Anglin said Steve to the rescue. He has no further questions and if everybody else doesn't have any he would like to make a motion.

Board Member Sylvester said Nine Mile and Mound, is that going to be just commercial deliveries.

Danny Holstein explained for the vast majority.

Board Member Sylvester asked that he couldn't go there to get plywood.

Danny Holstein said no. He will be able to go into Home Depot and order materials, say he's building deck. Make the deck at Home Depot and it will ship to his yard the next day.

Board Member Sylvester asked from that building.

Danny Holstein replied from that building.

Board Member Sylvester asked he makes his choices at Hoover.

Danny Holstein answered whatever his closest Home Depot store.

Board Member Sylvester stated his next question he already answered it. The commerce that's going to be done there is going to be commercial, it's not going to be residential sales and stuff like that.

Danny Holstein said absolutely. It's bulk industrial. They're stacked in sheet wood....

Board Member Sylvester asked if he's supplying the other stores in the area.

Danny Holstein explained vast majority of products are going to come in by rail, it's going to be unloaded and then distributed to the stores as they run out of material, or if there are orders from contractors. Larger roofing contractors would order shingles, framers would order studs to their office or job sites or wherever it's needed in the area.

Board Member Sylvester said they're going to utilize the rail system on the east side.

Danny Holstein said absolutely.

Board Member Sylvester thanked him.

Board Member Anglin stated if nobody else has any further questions, he would like to make a motion and he'll take the easy ones.

**Motion:**

Board Member Anglin made a motion to grant permission to erect two (2) nine (9) foot high monument signs.

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

Board Member Perry supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Anglin, support by Mr. Perry to approve the request for the reasons stated. Roll call.

**Roll Call:**

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

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 Sylvester	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.
Board Member Higgins	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.

14. PUBLIC HEARING: **APPLICANT: Public Service Credit Union**  
REPRESENTATIVE: Gary Perelli  
COMMON DESCRIPTION: 2000 Twelve Mile  
LEGAL DESCRIPTION: 13-18-101-003  
ZONE: C-2

**VARIANCES REQUESTED: Permission to**

Allow 4 wall signs as follows:

- A. 103" x 56" = 40.05 square ft. north elevation.
- B. 72" x 41" = 20.5 square ft. west elevation.
- C. 60" x 20" = 8.3 square ft. west elevation, above ATM.
- D. 144" x 36" = 36 square ft. south elevation.

Total wall signage = 104.85 square ft.

**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.

Chairman Nestorowicz asked the applicant to start with their name and address for the record, and then take the board through their request.

Gary Perelli, 2000 Twelve Mile, appeared before the board explaining they're here to seek permission to install 104 square feet of wall signs in lieu of the forty (40) allowed and the seventy-five (75) square foot pole sign. Their preference was to put them on the building, they're asking permission for that.

Chairman Nestorowicz thanked him. 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 and turned it over to the board for discussion.

Board Member Anglin stated he's not objecting to this one because of their logo and that. They're actually taking into consideration space of the building, because the way the codes are written for signage. When looking at the signs, there is a picture up here. If looking at the sign that's on the wall for the two (2) main sides they have on top, they don't look that big because they're strictly just the letters with their logo on it and not a large box sign. So, he has no objections to this.

Chairman Nestorowicz has a question before. He's familiar, he knows the building. He's just trying to think, the south elevation, so that's facing towards the Target parking lot where they don't even have an entrance from that way. Right?

Gary Perelli thinks it's just to give exposure to the people that are shopping in the shopping center to know the Credit Union is there.

Board Member Sophiea stated his only comment is that he noticed what he was saying. They usually don't put an extra sign on the rear of buildings, so he has no other objections to this.

Chairman Nestorowicz explained that's the only reason he questioned it, because he remembers when that was a Warren bank, he use to bank there in those days. They never advertised towards the parking lot or Universal Mall at that time, and stuff like, but all the other signs he has no problems with just like that south elevation.

Board Member Sophiea stated if he may, to the petitioner. He asked him if they have an objection to removing the south elevation sign if they allow the overage on the other signs.

Gary Perelli said they wouldn't object, but they would be prefer to have it. It's a fairly large shopping center and the Credit Union is new to Warren and any visibility they can get to promote that would be greatly appreciated.

Board Member Sophiea understands that. It's just his position that there is no entrance from that

parking lot. He thinks it would confuse the customers of Target and the plaza in there, that they're driving through there trying to look for.

Gary Perelli said there is in the Bugsy's next door access.

Board Member Sophiea asked there is an entrance.

Gary Perelli replied yeah. It's next door.

Board Member Sophiea asked for the bar.

Gary Perelli said yes. They've been working with the Planning Department to get across easement to use that.

Board Member Sophiea asked as it is now, that's not technically their entrance.

Gary Perelli explained it's accessible from the parking lot to drive-thru there. It's commonly used.

Board Member Sophiea thanked him.

Board Member Sylvester stated Mr. Sophiea's reasoning and explanation, he agrees with him. He doesn't see any reason, he's familiar with that parking lot and where this building is going to be and he doesn't see the reason for the south elevation signage.

Board Member Clift would like to make a motion if nobody else has any comments.

**Motion:**

Board Member Clift made a motion to grant permission to:

Allow 4 wall signs as follows:

A. 103" x 56" = 40.05 square ft. north elevation.

B. 72" x 41" = 20.5 square ft. west elevation.

C. 60" x 20" = 8.3 square ft. west elevation, above ATM.

D. 144" x 36" = 36 square ft. south elevation.

Total wall signage = 104.85 square ft.

Reasons being: Not a detriment to the area; Size of the business, equates to the size of the signage.

Board Member Anglin supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Anglin to approve the requests as read and the reasons stated.

**Roll Call:**

A roll call was taken on the motion. The motion carried (5 – 3).

Board Member Clift

Yes, for the reasons stated in the motion.

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Higgins	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.
Board Member Sylvester	No, he believes the signage is an over kill.
Board Member Sophiea	No, the south sign is not necessary.
Chairman Nestorowicz	No, south sign is not needed, over kill.

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

15. PUBLIC HEARING: **APPLICANT: Oksana Urban**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 5460 Arden  
LEGAL DESCRIPTION: 13-05-251-004  
ZONE: MZ, C-1, R-1-C

**VARIANCES REQUESTED: Permission to**

1. Erect a 6 ft. high monument sign.
2. Erect a monument sign setback 4 ft. from the property line.
3. Erect a monument sign with a 21.1 square ft. EMC, when 8 square ft. EMC is allowed.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.11 – Specific Sign Definitions:** 22. Monument sign. A sign mounted directly to the ground with a maximum height not to exceed five (5) feet.

**Section 4A.17 – Setbacks:** The following setback regulations shall apply to signs located in all zoning districts: B) All freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height of the sign.

**Section 4A.27 – Electronic Message Center:** In addition to other applicable zoning requirements, a responsible party shall comply with all of the following electronic message center requirements: B) Except a property where a business has a valid State of Michigan motor fuels retail outlet license, the digital display area of an electronic message center does not exceed 25% of the total permitted free standing sign area.

Chairman Nestorowicz said good evening.

Oksana Urban said good evening.

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

Oksana Urban, Library Director, 1 City Square. She asked if the board wants her home address.

Chairman Nestorowicz replied no, work address is good.

Oksana Urban said she basically lives there.

(Laughter)

Chairman Nestorowicz thinks she does, because he always sees her. He asked if she wants to explain what she's requesting.

Oksana Urban explained the reason they need. First of all, they want to attract attention to the fact that there is a library present in the neighborhood. They want to promote their programs. They have a lot literacy programs at the Miller Branch Library, as well as author programs. Just a variety of programs; STEAM and STEM. This doesn't get out to the public like it should, and having a monument there would definitely enhance attendance. They no longer have the Newsbeat, news letter of the city, and a lot of people rely on that particular document that did get shipped out to homes in the entire city. They no longer have that available. A lot of residents would attend programs if they knew what was available. Some of them do not have internet access or don't have the skill to use the internet or access to that type of technology. So, a monument of the size they requested would enhance the capability of people to see what is being held, what events are being held, hours, closures, and their resources. So, she thinks it's important to have a library and to make it visible to the public. Such a sign as this would allow that type of marketing. The signage they looked at is the signage that they have by basically, their two (2) new libraries. This wooden sign that they have that just says Arthur J. Miller Library is a marker, but it doesn't say much other than that. With an electronic LED messaging center, she thinks it is a form of outreach to everybody passing by and living in the neighborhood. She hopes the board would consider this is important to her and she asks the board input and direction and hopefully they can come to some agreeable conclusion.

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

Board Member Clift said there is a letter that needs to be read in. The board received a correspondence. He wants to make sure he gets the right person for who is talking. Rosemarie Dlugosielski, it's a good thing she's not here, she'd club him. She writes that her opinion is that such a large sign is not needed even in front of the Library. She feels it's still detrimental to the neighborhood. Whatever the code size is, that is the size it should be granted. She will not be able to attend tonight's meeting, but she is voicing her opinion here. Please advise her on what is decided by the board.

Chairman Nestorowicz thanked him for reading that. He closed the public portion of the meeting and turned it over to the board for discussion. He wanted one clarification. The existing plain sign is going to go away? It's going in the same spot.

Oksana Urban answered yes. Basically, yes.

Chairman Nestorowicz agrees the additional signage. Most people, it's hard to tell that there is a library there, they don't really see it. It's very non-descriptive entrance wise.

Oksana Urban said unfortunately, that's the case.

Board Member Anglin asked if anybody else has something to comment. He would like to make a motion.

Board Member Sylvester has a problem with that sign being out front because they're in a residential area, ok. So, first question, is there any way at a certain time or night that sign can be turned off?

Oksana Urban would have to inquire to see if that actually can happen. She can't give that answer at the moment, but she certainly would look into that.

Board Member Sylvester thinks that's one of the reasons some of the people like this resident might be a little concerned about it. Now, the size of the sign, there is a sign out in front off Van Dyke in front of City Hall. Is that roughly the size she's looking for?

Oksana Urban explained the sign out in front of City Hall is larger than what she's looking for.

Board Member Sylvester asked larger than what she's looking for.

Oksana Urban replied yes.

Board Member Sylvester explained the only objection he would have, since it's in a residential area, at ten (10) o'clock, eleven (11), it shut off.

Oksana Urban will check into that. She's sure that can happen. She will notify the Zoning Board.

Board Member Sylvester agrees about the Newsbeat. People need to get their information somewhere.

Oksana Urban said exactly. They try to supply information through the water bill. That's another extra effort that they put out there so people know what they are all about and what they're doing. Hopefully, this can happen.

Board Member Sylvester thanked her.

Steve Watrion explained there is an ordinance as far as the foot candles, which is a measurement of light, at the property line at night for these electronic message centers. It's already in the ordinance and didn't ask for a variance, so it will have to go by that. If not, they'll have to come back before the board.

Chairman Nestorowicz, Board Member Sylvester and Oksana Urban thanked Steve.

Board Member Anglin would like to make a motion. Yes, he does understand that those lights dim quite low at night time. Matter of fact, he lived across the street for forty-two (42) years and it would be nice to have that little extra light, because kids hang around this building and the more they can light it up the better off they are.

**Motion:**

Board Member Anglin made a motion to give permission to:

1. Erect a 6 ft. high monument sign.
2. Erect a monument sign setback 4 ft. from the property line.

3. Erect a monument sign with a 21.1 square ft. EMC, when 8 square ft. EMC is allowed.

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

Board Member Sophiaea supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Anglin, support by Mr. Sophiaea to approve the request for the reasons stated. Roll call.

**Roll Call:**

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

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Sophiaea	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	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 motion stated.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

**16. NEW BUSINESS**

Chairman Nestorowicz said Mr. Clift did a great job filling in for Mr. Jerzy today.

(Applause)

Board Member Clift said he is the designee from this board to Council of Commissions, and he has a thing to hand out. The 26<sup>th</sup> Annual City Commission's Appreciation Dinner is occurring on Monday, May the 15<sup>th</sup> at the Ukrainian Cultural Center. Doors are opening at 6, dinner served at 6:45, presentation and speeches, the mayor is going to give a talk. Commissioner's eat free, but if bringing a date it will cost them \$25.

Chairman Nestorowicz asked if he's going to save them a table with some seats.

Board Member Clift highly suggested, and they might see an email on it, he doesn't know, from city hall. He suggests that everybody follow the instructions on the handout. Conduct RSVP's as accordingly. That way they go through this nice and easy. 1, 2, 3, he hopes he has enough.

(Inaudible)

Board Member Clift said that's all he has on it. They did settle on the menu, but he's going to let that be a nice secret. If they went last year, it's not going to be much different.

Chairman Nestorowicz said none of them knew about it last year, remember?

Board Member Anglin asked if that's all.

Board Member Clift said that's all he has.

## 17. ADJOURNMENT

**Motion:**

Board Member Anglin made the motion to adjourn the meeting, Supported by Board Member Higgins.

**Voice Vote:**

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

The meeting adjourned at 8:48 p.m.

Paul Jerzy  
Secretary of the Board