

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
JUNE 28, 2023

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, June 28, 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
Paul Jerzy, Secretary
William Clift, Assistant Secretary
Charles Anglin
Kevin Higgins
Anthony Sieracki, Jr.
Michael Sylvester

Members of the Board absent:

Charles Perry

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 Board Member Perry was absent.

4. ADOPTION OF THE AGENDA

Motion:

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

Voice Vote:

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

5. APPROVAL OF THE MINUTES of the Regular Meeting of June 14, 2023.

Motion:

Secretary Jerzy made a motion to table the minutes of June 14, 2023 minutes; Supported by Board Member Clift.

Voice Vote:

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

6. PUBLIC HEARING:

**APPLICANT: Sundance Inc., dba Taco Bell
Store #24649**

REPRESENTATIVE: Matt DaPra
COMMON DESCRIPTION: 11799 Thirteen Mile
LEGAL DESCRIPTION: 13-02-354-011
ZONE: C-2

VARIANCES REQUESTED: Permission to

Erect a 60.5" x 59.3" = 24.91 square ft. digital menu board that is 72.4" high. (If approved, this variance will replace the one approved on 1/28/1987 for a 23 square ft. menu board.)

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): B) One freestanding on premise sign or advertising display of a size not to exceed seventy-five (75) square feet shall be allowed in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

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 asked if the applicant is here today. Approach the podium. Start by stating name and address for the record, and then explain the request for today.

Matt DaPra appeared before the board stating he is the Director of construction for Sundance Incorporated, 11799 Thirteen Mile.

Chairman Nestorowicz asked what his request is today. Explain to the board what he's requesting.

Matt DaPra is looking for a variance of an additional, looks like 1.9 square feet for their new menu board.

Chairman Nestorowicz thanked him for that. This is a public hearing, is there anyone in the audience wishing to speak on this? Just approach the podium. Let them speak, whatever their comments are also. Also state name and address for the record.

Jerry Podgorniak, 11742 Lutz, appeared before the board stating that's directly behind the Taco Bell. The concrete wall backs right up to them. He just has a proposal to consider. They're already making a larger sign, he believes, and that's going to be frame and all probably. Is it possible to get that sign and speaker moved east where the other pole is? That speaker is 103 feet from his bedroom. In the summertime between the diesel trucks and hot rods and people trying to order and talk over the noise and that, it's pretty loud. When that sign and everything was originally agreed upon over there, they were only open two (2) nights a week, he believes, to two (2) o'clock in the morning. The rest of the time he thinks was ten (10) or twelve (12). He doesn't remember, that goes way back. They're open every night to two (2), Friday and Saturday to 3 a.m. On top of it, they don't shut the lights down anymore. They got people trying to order at three (3), four (4),

five (5) o'clock in the morning because it's lit up and there is nobody there. There is a pole constructed, he has photos of it that's east of the one that it is right now. If they could move the speaker and the sign over to that spot, most of the noise would be between Donut Castle and Taco Bell when it comes to ordering and stuff like that. As far as the sign and that, he doesn't mind, no problem. The debris is minimal, but he does have some debris regularly over the wall between alcohol bottles and Taco Bell wrappers and stuff. He's never called, they're good neighbors. He doesn't have a problem. He's just asking for consideration so he doesn't get woke up in the middle of the night. He doesn't know if they would like to see the pictures. He's got a couple copies here the board can see.

Chairman Nestorowicz asked him to pass those to Nicole.

Jerry Podgorniak explained which one is the better copy, the printer messed up on the other one. The board will see in there as they flip through the sign that he's talking about, and the one that there is a pole there already. He doesn't know if there is power to it or not for anything. It's about twenty-five (25) feet away to the east. That's his proposal. Hope the board considers that.

Chairman Nestorowicz thanked him for those comments.

(Inaudible discussion between Jerry Podgorniak and Matt DaPra.)

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

Board Member Sylvester stated the intercom is too loud for him at night, from what he can gather.

Jerry Podgorniak replied yes. It's intercom and people trying to talk over. Normal cars are ok, but they get the hot rods in the summertime with loud mufflers and try to order. The people trying to order have to yell and they have to yell back from the Taco Bell. Then they have the diesel trucks that make noise. He's an owner of one, too. You have to talk very loud to put an order in.

Board Member Sylvester asked it's not about the people, it's about the intercom system.

Jerry Podgorniak replied it's about the intercom system, yes.

Board Member Sylvester asked the applicant if there is anything he can do to deflect that to go from the neighborhood to mostly the businesses and the cars.

Matt DaPra can't really think of anything off the top of his head. He wouldn't have an issue moving this stuff. His only concern is the back up in the drive-thru now. That's going to back up cars in front of the store where people are walking in and out. In the evening, when the store lobby is not open, he guesses that's not an issue, but during the day when they get a lunch rush, they have four (4) or five (5) cars in line in the drive-thru, that's going to back those cars up further out towards the street. That could be an issue in the future.

Board Member Sylvester asked what time it is really annoying. Eight (8) o'clock, seven (7) o'clock, ten (10) o'clock?

Jerry Podgorniak replied ten (10) o'clock on.

Board Member Sylvester asked ten (10) o'clock on.

Jerry Podgorniak replied yes. During the daytime he doesn't care. He makes noise himself. Everybody does.

Board Member Sylvester said if he can find some way to go ahead and get that sound deadened at ten (10) o'clock on, if they're going to be open till three (3) o'clock whatever. They have to understand these are residences that are right there and they have to hear all that.

Matt DaPra said right, right.

Jerry Podgorniak said when they leave, turn the signs off so people don't come up there at four (4) and five (5) o'clock in the morning.

(Inaudible)

Chairman Nestorowicz wanted to add onto that. When the stores close, are the signs turned off and the lights turned off? Or are they keep the lights on and stuff?

Matt DaPra thinks for safety reasons they leave all the lights on in their store. They have cameras for safety reasons. He can see if there is a way to turn down the lights and adjust them. He does know they like to have visibility when no one is there.

Chairman Nestorowicz understands visibility. He's just thinking, you know, since it's late at night maybe just a little dimmer or so. Especially, towards the back towards the wall. He sees the photos of how bright.

Jerry Podgorniak explained that's from the bedroom window.

(Inaudible)

Secretary Jerzy said that was leading into this next question. Are the dining room lights left on, too?

Matt DaPra said the dining room lights should be off. There will be minimal emergency lights, little bit here and there, but not totally lit.

Secretary Jerzy said he brings a good point up about backing up traffic. With it being that far around that corner. Look, he's had a couple meals at that Taco Bell, it's not the fastest Taco Bell in the world. They get five (5) cars in there, turns into eight (8) to twelve (12) real quick. Having traffic backed up on the public streets is obviously not a good option either. He is in favor adding to the motion to approve to make sure that menu board is shut off during non-working hours. Address the sound to the best of their ability that the board can. In this situation...

(Inaudible)

Secretary Jerzy said hold on, he hasn't asked him a question yet, sir. They have to try and find some kind of happy medium. He doesn't see him getting his whole way and he doesn't see this happening the whole either. So, he's just not in favor of moving. If they move the sandwich board, they're going to have to go through a whole another meeting to his knowledge to go back over all this. That driveway just isn't long enough to try to move it is just his point. He doesn't even know if splitting the difference from their proposals would help, splitting the difference. He just doesn't think there is enough room on that site, on that property to do so. But he is in favor in trying to get the lights shut down in the dining room and on the menu board during non-working hours. He yields the floor.

Board Member Anglin agrees that there is not a lot they can do with the way this is laid out because of traffic flow. Now, if they've having lights shining into his bedroom, that to him is a no, no. The lights should be on the back fence line shining to the building. Any type of job sites he's ever dealt with that he's built, they forced it. These rickety old lots and the neighbors were talking about the big flood lights, he had them actually move the lights to the fence row and if they want light to shine it back to the building and not into the mans bedroom. He would go ahead and approve this if the applicant gave him his word that he's going to switch some of the lighting around, so this man doesn't have a noon at two (2) in the morning at his bedroom.

Jerry Podgorniak is more concerned about the noise.

Board Member Anglin said he had lights as one of the issues. He doesn't know how they're going to cure the noise, because unless he puts some type of, and he's not an electronics engineer, he's a builder. Unless he puts some kind of deflectors, because they can have noise deflectors on this boxes. Where they take the box and tip it a little bit, it deflects the noise down instead of up. He's not sure if that will work. Now, that's the only other thing he can ask him to take into consideration to do. Readjust the speaker to a situation where it gives a lower decimal on the noise up over the fence. He thinks that will probably take care of that if he angles it down and put a deflector on top of that box.

Jerry Podgorniak explained on his proposal where he asked to move to, they're only talking about losing two (2) car spots at the order box.

Board Member Anglin understands. Again, that doesn't leave four (4) cars there around the corner.

Jerry Podgorniak said it's probably well over 100 or 120 feet from there to the street.

Board Member Anglin said a car sport is twenty-five (25) feet, twenty (20) feet for the car, so they have four (4) to five (5) cars. That's what he's trying to figure out to put with the noise. If they can get the lights out of his face, he totally agrees with that. If they can at least do something to deflect that noise away from going over that fence into the house. If the applicant tells him he's going to do that and make his best attempt at it, he would trust the kid. He apologized for calling him a kid, but when seventy (70) years old they are all kids. He would trust him to do his best to do that.

Matt DaPra is more than happy to work through things. He understands his concerns. They'll do

everything. He'll try and do some research as far the deflector on the speaker box, they'll look into the lights. He'll see if there is an ability to turn down the lights more than they already are right now when they shut down. He'll look at where the streetlights are, the parking lot lights are right now, maybe there is a possibility they can move a couple of them. They're still getting adequate light to the lot and hoping to prevent how much light shines into the bedroom window.

Jerry Podgorniak stated their streetlights are good.

Board Member Anglin lives right there so he goes by it twice a day. He doesn't have a problem with kind of sneaking over there around at nighttime and seeing if some of the stuff is actually taken care of. That's his opinion on it. He doesn't have a problem if they're willing to put the extra effort into it. Stay in contact, give each other phone numbers so he can tell him what he did. If he does something, he can call the resident and check to see if it's better.

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

Board Member Anglin said if there are no other...

Board Member Sylvester asked if there is anyway at a certain time that the sound, the voices at the speaker box, could be turned down. Let's just say it's at ten (10) right now, could it be turned down to five (5)? They're going to have that deflector, that sounds going to be right there at the cars, not having it bouncing all over the place. He asked if he can turn down the sound. Will that help?

Matt DaPra doesn't know. He would imagine there is some kind of ability to do that. He'll look into that and more than happy to do that.

Board Member Sylvester said if he checked into those things that would be great. Thank you.

Board Member Clift asked for Mr. Watripont to come up to the podium, please. Good evening, sir.

Steve Watripont said good evening, sirs.

Board Member Clift asked restrictions on hours of use or hours of operation is Taco Bell in line with the area that store is located in with the zoning regulations in Warren at this point in time if they're open to those late hours.

Steve Watripont stated they are in compliance.

Board Member Clift thanked him.

Secretary Jerzy knows on the ordinance with the LED displays and stuff they have the criteria. Do they have that on menu boards in the city do they? Is there a certain brightness that...

Steve Watripont explained any lighting should not be more than one (1) foot candle at the property line. That would include menu boards, anything.

Secretary Jerzy thanked him.

Board Member Anglin stated that gives him the opportunity right now that if that light is that bright coming over that fence, he can have it tested for the one (1) candlelight and then they'll have to adjust for it. So, if there are no other questions, he would like to make a motion.

Motion:

Board Member Anglin made a motion to grant permission to erect a 60.5" x 59.3" = 24.91 square ft. digital menu board that is 72.4" high. (If approved, this variance will replace the one approved on 1/28/1987 for a 23 square ft. menu board.)

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

Secretary Jerzy wants to make an amendment to that motion. Include the lights being out in the dining room area and on the menu board during non-business hours.

Board Member Anglin said the amendment to that to be the lights in the dining room are to be security and the lights on the menu board at time of close are shut off.

Board Member Higgins mentioned the square footage.

Board Member Anglin said he was going to rescind and start over from the beginning.

Chairman Nestorowicz said the thing is they need to verify that because if it's larger that's not what was posted. They can always go smaller; they can't go larger.

Board Member Anglin said that is correct, they would have to postpone.

Chairman Nestorowicz said double check the math.

Board Member Anglin said he did, he's right.

(Inaudible)

Chairman Nestorowicz got the 24.91.

(Inaudible)

Chairman Nestorowicz asked Mr. Anglin to start his amendment over.

Board Member Anglin said the amendment would read that lights in dining room will be turned off, except for security lighting, and the menu boards will be turned off at close.

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

Secretary Jerzy supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Anglin, support by Mr. Jerzy 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.
Secretary Jerzy	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 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.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner’s request was **APPROVED** with the amendment that lights in the dining room will be shut off, except for security lighting, and the menu board lights will be shut off at closing.

7. PUBLIC HEARING: **APPLICANT: Lee Industrial Contracting**
REPRESENTATIVE: Ryan Pline
COMMON DESCRIPTION: 24622 Mound
LEGAL DESCRIPTION: 13-28-101-044
ZONE: M-2

VARIANCES REQUESTED: Permission to

- 1) Allow an addition to building with a height of 42’ 3”.
- 2) Retain a 3 ft. high brick wall in the front setback, 18’ 3” from the front (Mound) property line that extends from the north property line to the south property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: D) Height of Buildings M-2. Two stories or 30 ft.

(A) Front Yards M-2. All building lines and front yards shall be established no closer to the street than the future street line as established by the master thoroughfare plan of the City of Warren. 2. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to set back further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the master thoroughfare plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet.

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 lien than the established building line or front set back line.

Ryan Pline appeared before the board stating he is Vice-President of the board of Wico Metal Products. He’s here on behalf of this project.

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

Ryan Pline stated 24622 Mound Road.

Chairman Nestorowicz asked him to take the board through the request and the reasons.

Ryan Pline is seeking permission to increase the building height from approximately thirty (30) foot to forty-two (2) feet three (3) inches and retain a three (3) foot height wall on the front of the property currently that would be eighteen (18) feet and three (3) inches from the sidewalk.

Chairman Nestorowicz thanked him for that. 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 and question. He has a question. Is the area that he's adding onto, just the dark area.

Ryan Pline doesn't have a copy of the site drawings in front of him.

Chairman Nestorowicz said it's only in that one section of the...

Ryan Pline explained the dark area he's looking at is for an addition in this project. The elevated height is actually the entire southeast portion of the building. So, if he drew a line from that addition all the way down to the Rinke wall and all the way to the east, that's the area of the increased roof height.

Chairman Nestorowicz asked if he said along the Rinke side of the building is where.

Ryan Pline replied yes. Where the addition is, everything south of that addition and to the east of that addition. So headed south to Rinke and east to the end of the building, that's all the area of the roof.

Chairman Nestorowicz asked that the rest of it is staying as is.

Ryan Pline replied correct.

Secretary Jerzy asked for the reason for the addition.

Ryan Pline explained Wico was recently awarded some new work with Ford Motor Company and they're trying to commission the new stamping facility at this location and accommodate the process, so they need the extra twelve (12) feet in height.

Secretary Jerzy thanked him.

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

Board Member Anglin just has a comment. Again, he knows the area well. He use to own the

building right behind that just south of the other side of Rinke. That is an industrial M-1. There are lots over there that he wishes the city would come in and clean up. Their facility has always been, for an industrial building, fairly clean. So, he thinks they have maintained it. They're an asset to the community and he would like to see his project go ahead.

Ryan Pline appreciates that. Thank you.

Board Member Anglin said if there are no other comments from anybody, he'd like to make a motion.

Motion:

Board Member Anglin made a motion to:

- 1) Allow an addition to building with a height of 42' 3".
- 2) Retain a 3 ft. high brick wall in the front setback, 18' 3" from the front (Mound) property line that extends from the north property line to the south property line.

Reasons being: Size and shape of the lot; Not a detriment to the area; He thinks the wall has been there forever.

Secretary Jerzy supported the motion.

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

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| 8. PUBLIC HEARING: | APPLICANT: Joel Ruhlman, Mound Road Express LLC |
| REPRESENTATIVE: | Paul Reschke |
| COMMON DESCRIPTION: | 24815 and 24705 Mound |
| LEGAL DESCRIPTION: | 13-29-228-008, 009 and 010 |
| ZONE: | M-2 |

VARIANCES REQUESTED: Permission to

- 1) Allow 80,319 square ft. of open storage, for parking/storing of semi-tucks and trailers, when 4,203.2 square ft. is allowed.

- 2) Erect a 6 ft. decorative aluminum black fence 50 ft. from the front property line and 22 ft. past the front building line.
- 3) Allow outside storage no less than 50 ft. from the front property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 (S) Open Storage Other Than Junk: All open storage shall be located in a designated area approved by the Planning Commission as a part of site plan approval. The area shall be enclosed on three (3) sides by chain link fencing with a metal/plastic slat used for screening as deemed necessary by the Planning Commission. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site. In M-1 and M-2 zones the designated area shall not be located any closer than seventy-five (75) feet to the front property line.

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.

Paul Reschke appeared before the board saying good evening, on behalf of the property owners at 24705 Mound and 24815 Mound. Just to give the board a little background. The applicant, Joel Ruhlman, is part of North American Specialized Transport. They're a veteran owned transportation company. They're in the process of buying the property at 24705 Mound from Mike Gordon. They have recently purchased the property to the north of them at 24815 Mound, which has been an eyesore. A couple buildings on there have been sited for blight numerous times. They also purchased the property of two (2) buildings to the south of them, which are not a part of this application currently. They received site plan approval for what they want to do on this site about a month ago. Essentially, if the board is familiar with this site, it is kind of an eyesore. It's an unpaved with various levels of surface. Sometimes they get a lot of ponding of water on the site. They're going to make drastic changes of improvements to the site. Pave the site, berm and landscape, put decorative fencing, controlled fencing with controlled gates to control the access to the site, and move things in the right way to take a couple properties that are in rough condition and make some nice improvements to them. They're asking for a variance in an M-2 zoning, as the board knows. The current building the parking would exceed the parking allowed for the ordinance. If they took into consideration two (2) more buildings, they will eventually combine all three (3) parcels down the road when the timing is right. If they take those two (2) buildings square footage of them the amount of parking variance won't be that drastic.

Chairman Nestorowicz thanked him for that explanation. 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 questions and discussion.

Board Member Sylvester lives in that area, and he's been through there. He's stopped at the facility and took a look at it. It's been in disarray for quite some time. For a while there they had trucks parked on the grassy areas and they were uneven, double parked on top of each other and everything else. From what he's telling the board right now, basically the picture he's looking at now

is basically what he saw the times he's been out there. He asked the applicant he's saying its not going to look like this and it's going to be well improved.

Paul Reschke replied not at all. They're paving the entire surface. He's not a part of the company, they're part of the company to help redevelop it for them. So, yes, all that grass, uneven surface, it's going to be graded, paved, curbed, striped, landscape.

Board Member Sylvester asked if there is going to be trailers parked in a grassy.

Paul Reschke explained it will be organized. It will be a striped lot with spaces with dolly pads to drop the trailers.

Board Member Sylvester asked if there's going to be any repair facilities on this site.

Paul Reschke explained the building they're in right now, it's an old electronics company that was in there previously. That's going to be a warehouse in the future plan. They've acquired the two (2) buildings to the south of it. Up front is an office building, the back end is a warehouse with drive-in bay. That's going to be the future repair facility there for work on their trailers. They're primarily flat bed trailers with a roll over tarp system. It's maintenance of the tarp system and flat beds.

Board Member Sylvester asked how long of a time period they're looking at from today to when this will be looking pretty good.

Paul Reschke explained they're a growing company. They like to be in the area. They want to make improvement so the site. What they're going to do is going to be first class.

Board Member Sylvester asked if there is, anyway, they can put a fence around the property right now so kids or whatever don't go in there.

Paul Reschke knows the two (2) sides are fenced. He thinks part of the back end is fenced.

Board Member Sylvester said right, but the front can be walked right in.

Paul Reschke said their hope is to get through the system here, get through Engineering, which they've already submitted to start the process there. They may start some work this year.

Board Member Sylvester would be happy if they would close that in so people can't get back there when the hours of operation are over for the day.

Paul Reschke will take that into consideration.

Secretary Jerzy said between the two (2) sites they have in their petition; they're going to allow eighty-six (86) trailer parking spaces on one property and twenty (20) on another. 106 trailers between the two (2) properties.

Paul Reschke said correct.

Secretary Jerzy asked equal amount of trucks.

Paul Reschke stated there will be less tractors.

Secretary Jerzy asked if he had an idea of how many.

Paul Reschke replied typically one third ratio of the amount of trailers.

Secretary Jerzy said hours of operation.

Paul Reschke said normal. From seven (7) in the morning to eight (8) at night. They're like anyone else in the trucking business. If their trucks aren't on the road, they're not making money.

Secretary Jerzy understands that. It's just a lot for two (2) different properties, plus the cement company down the street that has God knows how many... His concern is the ton of traffic on that street eventually, at some point. That's his only concern. His other concern would be trucks running all the time at all hours of the night with that many.

Paul Reschke said they're not running at all hours of the night.

Secretary Jerzy said to him, this just seems...

Paul Reschke said they're not even idling. This is different. They're just flat beds.

Secretary Jerzy said ok. It just seems a lot. He appreciates wanting to do something with the site. He agrees that it's an absolute disarray for a while. Something needs to be done. His concern is the amount of volume. He's all for entrepreneurship and appreciates veterans as well. Something doesn't ring true in his head about this. He can't put his finger on it. Traffic is a main concern on this for him. With that he'll yield the floor.

Board Member Anglin went over to the job site. He sees the way they have this lined up. Majority of the parking spaces are only large enough for just the trailers, not a tandem type hook-up between the trailer and the truck and left over night. It looks as if the majority of these are all for the forty-five (45) foot trailers.

Paul Reschke said that is correct.

Board Member Anglin said there is no a lot of spots for trucks to be parked in attached to the trailers. The layout they did on this is a nice job. He loves the idea they're paving the whole piece of property and not be running on gravel and dust and things like that. Like he said, with the cement company down the road. Again, something he hopes the city would just start taking a real hard look at. If everything follows this print, they're putting a beautiful complex together and he'll be thrilled. That's all.

Board Member Sylvester had to make a comment to the committee. He lives right there. In fact, he didn't even... He had to look to find their building and their trucks. When he did, ok, it's there. But renovate Mound is going to continue to go on over the next couple of years. That area is going to

get wider, nicer. They're going to do what they're going to do to their building. He really doesn't see a problem with it. It's going to take some time, but over the next couple of years it's going to fit in rather nicely. Thank you.

Board Member Clift will yield to his colleague.

Board Member Sophiea said it's a nice improvement to the area. He has no objections, he was going to make a motion to support this, but he'll yield to Mr. Clift.

Board Member Clift continues to yield.

Motion:

Board Member Sophiea made a motion to grant permission to:

- 1) Allow 80,319 square ft. of open storage, for parking/storing of semi-tucks and trailers, when 4,203.2 square ft. is allowed.
- 2) Erect a 6 ft. decorative aluminum black fence 50 ft. from the front property line and 22 ft. past the front building line.
- 3) Allow outside storage no less than 50 ft. from the front property line.

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

Board Member Higgins supported the motion.

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

9. NEW BUSINESS

None.

10. 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 8:10 p.m.

Paul Jerzy
Secretary of the Board

APPROVED