

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
JULY 26, 2023

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

Members of the Board absent:

Kevin Higgins

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 Higgins was absent.

Motion:

Chairman Nestorowicz made a motion to excuse Mr. Higgins; Supported by Board Member Anglin.

Voice Vote:

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

4. ADOPTION OF THE AGENDA

Motion:

Secretary Jerzy made a motion to approve the agenda with the addition of July 12, 2023 minutes; Supported by Board Member Anglin.

Voice Vote:

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

5. APPROVAL OF THE MINUTES of the Regular Meetings of June 14, 2023, June 28, 2023 and July 12, 2023.

Motion:

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

Voice Vote:

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

Motion:

Secretary Jerzy made a motion to table the minutes to June 28, 2023; Supported by Board Member Clift.

Voice Vote:

A voice vote was taken. The motion carried (7 – 0). Board Member Perry was absent at the June 28, 2023 meeting.

Motion:

Secretary Jerzy made a motion to table the minutes to July 12, 2023; Supported by Board Member Sophiea.

Voice Vote:

A voice vote was taken. The motion carried (7 – 0). Board Member Anglin was absent at the July 12, 2023 meeting.

Board Member Sylvester asked if they're supposed to have the written hard copies in their packet.

Chairman Nestorowicz explained they get e-mailed.

Board Member Sylvester said he still uses pigeons.

Chairman Nestorowicz asked if he got a copy of the last minutes.

Board Member Sylvester replied that he didn't get anything.

Chairman Nestorowicz asked if Nicole could address that please. Thank you.

6. PUBLIC HEARING:

APPLICANT: 11777 Eight Mile
(Rescheduled from 6/14/2023)

REPRESENTATIVE:

Same as above.

COMMON DESCRIPTION:

11177 Eight Mile

LEGAL DESCRIPTION:

13-34-401-006

ZONE:

M-3

VARIANCES REQUESTED: Permission to

- 1) Waive the masonry wall requirement and retain the existing chain link fence along the north 135.75' of the west property line, and
 - a. Attach new corrugated metal to the existing chain link fence on the park side.

ORDINANCES and REQUIREMENTS:

Section 4D.36 – Obscuring Walls: Where a non-residential land use abuts a residential district and a wall is used to obscure the non-residential property from the abutting property, the wall shall be constructed of masonry material. Standard concrete blocks are prohibited. Poured or precise concrete walls are permitted provided that they are installed on a continuous concrete footing and are eight (8) inches thick. Required walls shall be similarly finished on all sides and structurally sound.

Section 4D.38 – Height: Obscuring walls and fences in non-residential zones shall not exceed six (6) feet in height.

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.

Section 4D.12 – Posts or Foundation: All fences shall be a self-supporting structure.

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 asked if the petitioner to state their name and address for the record. Then follow up with that item.

Najib Atisha, 11177 East Eight Mile Road, appeared before the board hoping to have this matter resolved by the time they came here today. He's in limbo, he would like to address the board and either table it or come up with a resolution. He wants to continue with this. He doesn't know if the board would allow him to just comment on what has happened since the last hearing.

Chairman Nestorowicz said to fill the board in.

Najib Atisha explained since this was adjourned from June 14th. On the 19th he sent an e-mail to Mr. Ron Wuerth asking for a meeting to come up with a resolution for this particular 135 feet. He did not hear from him. He understands he's been extremely busy and on vacation. He brought in two (2) engineers of his own there. Then just recently, as recent as Monday, he was able to get a city engineer that has that district to come out and look at the fence and the wall. So, one of his engineers walked away, the other said he'll work on it but too busy and doesn't know when he'll get to it. The city engineer conversation he had with him, felt that the fence and the trees that are on the park side, it would be a waste to destroy the trees to do anything else over there. He suggested putting a cloth over the fence or slots in the fencing to resolve that issue. He believes he e-mailed Mr. Wuerth stating that would be his opinion to resolve the issue. He went back to the city today and Mr. Wuerth wasn't in the office. If he made it to the office, they would try to contact him before this meeting.

Chairman Nestorowicz understands. That's a lot he's been going through.

Najib Atisha said there is another thing he thought about on himself. He knows the one factor that

was a major issue that if they put that, he would try buying if there was a whole corrugated metal with holes in it to allow for the flow of the air. He wasn't able to find them. If he needs to he would be willing to drill them to...

Chairman Nestorowicz said he was thinking...

Secretary Jerzy said to reschedule this to...

Chairman Nestorowicz said to a date uncertain, after he contacts.

Secretary Jerzy said he would put it another two (2) meetings outs. So, put it at August 23rd?

Najib Atisha knows his son and attorney are going to be out of town, but if they're going to put it maybe two (2) weeks.

Secretary Jerzy asked if August 23rd would work for him.

Najib Atisha explained it would work for him, but he has a deadline, also, that he needs to meet with the city, which is September 12. Depending on what happens or what Mr. Wuerth wants, he wants to be able to accomplish.

Secretary Jerzy lets move it to the August 9th meeting and see if he gets any movement from Planning at that point.

Najib Atisha stated he will go back to the city one more time.

Secretary Jerzy hopes August 9th they'll be able to get it cleared up.

Motion:

Secretary Jerzy made a motion to move item 6 to the August 9, 2023 meeting; Board Member Perry supported the motion.

Voice Vote:

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

The petitioner's request was **RESCHEDULED** to August 9, 2023.

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| 7. PUBLIC HEARING: | APPLICANT: Ronald Takala |
| REPRESENTATIVE: | Same as above. |
| COMMON DESCRIPTION: | 24660 Panama |
| LEGAL DESCRIPTION: | 13-29-226-019 |
| ZONE: | R-1-C |

VARIANCES REQUESTED: Permission to

- 1) Erect a 160 square ft. shed.
- 2) Erect a shed no less than 4" from the rear easement.

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 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. The construction of all such accessory structures shall be subject to the following conditions: 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

(Inaudible)

Secretary Jerzy asked if he said six (6) feet four (4) inches.

Ron Takala said six (6) feet four (4) inches, yes.

Secretary Jerzy asked for Steve. Just wants to make sure that's accurate before they proceed.

Steve Watripont clarified it's four (4) inches from the easement, which is six (6) feet four (4) feet from the property line.

Secretary Jerzy thanked him.

Ron Takala, 24660 Panama, appeared before the board explaining as he stated in the packet, his wife won this shed. They call it a monkey house, it's a Canadian manufacturer trying to start bringing business into Michigan. It wasn't anything they were looking for. She saw it the night before they were giving the thing away, she threw her name in the hat, and sure enough she won. Which is great, it's a beautiful looking little thing and it looked like a great opportunity for her to have her own space to do crafting and things along those lines. When they got to looking at it, it's 160 square feet and it looks like accessory buildings are limited to 120. So, that's why they're asking for the variance there. He was told the easement was seven (7) feet, but with the variance they can get within that six (6) feet as long as they were within the six (6) feet they were good. The way he had it laid out there, they wanted it to face south so they can get a lot more sun in the off season and things. He wanted to give a little bit of room between the garage and shed, eighteen (18) inches is what he put down there. That pushes them into that seven (7) foot easement to bring it down to six (6) feet four (4) inches from the property line.

Chairman Nestorowicz thanked him for the 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 of the meeting and turned it over to the board. It's a very attractive shed. When he saw that, he never saw one like that.

Ron Takala hasn't either. This is one amongst many. They have several different options there that they can get.

Chairman Nestorowicz is there a question from the board.

Board Member Sylvester stated to Mr. Watripont they're looking at that six (6) foot four (4) dimension along the back property line. The house, he's guessing this is going north, the picture he's looking at of all the homes. It seems to be a garage just to the north and that garage seems to be right back there on the property line. Does he know how far they are there? What that dimension might be?

Steve Watripont asked from the garage.

Board Member Sylvester explained it's the house, he's going to say to the north, it's in the back. There is a car parked on an angle there, but it looks like the garage is parked all the way to the back.

(Inaudible)

Ron Takala said there's probably five (5) or six (6) feet.

Board Member Sylvester said it looks even closer than that.

Ron Takala doesn't know if they're six (6) feet from that garage to the property line on the house north of them.

Board Member Sylvester is imagining nobody has a problem with that garage where it's at.

Steve Watripont explained it might be pre-existing the ordinances in the city. He's not sure, he didn't look into that property.

Ron Takala said her garage does sit back farther than the...

Board Member Sylvester asked what kind of variance would he have with according to that. He would have a larger distance between that property line.

Steve Watripont explained the ordinance requires... Well, they cannot approve any permit that is in an easement. The ordinance requires it to be one (1) foot from an easement. They have in the past, the board has approved stuff up to the easement, but they can't approve anything beyond that. So, it's not going into the easement, it is still away from the easement.

Board Member Sylvester asked his shed.

Steve Watripont replied his shed. Easements vary throughout the city.

Board Member Sylvester asked what the easement is there.

Steve Watripont replied utility easement.

Board Member Sylvester said he knows how far is that.

Steve Watripont replied six (6) feet.

Board Member Sylvester repeated six (6) foot. He believes that garage is probably closer than six (6) foot.

Ron Takala said he would guess so.

Board Member Sylvester thanked him. Oh, wait a minute. He has one more question. Sorry about that. The dimension, what he could gather from this, the height of that is twelve (12) foot. They allow ten (10) per the ordinance. The highest point is twelve (12) foot.

Ron Takala said oh, oh, oh.

Board Member Sylvester said yeah.

Ron Takala thought the eaves were at the edges of the roof.

Steve Watripont explained the eaves are the walls of the thing, not the roof.

Board Member Sylvester asked well, isn't that an eave up there.

Steve Watripont replied no.

Board Member Sylvester asked that's not an eave?

Steve Watripont replied no. He explained that's the roof line. Essentially, if you built the roof like this the eaves are here.

Board Member Sylvester said right.

Steve Watripont explained what they've done. They've just taken that roof down like this, so the roof is still here. But the eaves are still there.

Board Member Sylvester said he's not seeing it.

Steve Watripont believes it's built that way for more light, but the eaves will be where the roof meets the wall.

Board Member Sylvester said if you go on the side, it's up to twelve (12) feet where the roof meets the wall. He's just using his language.

Steve Watripont explained it would be that way if it was this way too. The peak is where the sidewalls...

Board Member Sylvester wants to rephrase the question. The height of this, there is no problem.

Steve Watripont replied there is no issue with it.

(Inaudible)

Board Member Sylvester said that doesn't make any sense to him. Alright, thank you.

Board Member Clift has one (1) concern and asked if he has a heating source in the detached garage. Does he have a furnace out there, wood stove?

Ron Takala stated in the detached garage.

Board Member Clift repeated detached garage.

Ron Takala replied yes.

Board Member Clift asked Mr. Watriont if that would require a burn wall due to the close proximity of this structure going behind the garage if there's a heating source in the garage.

Steve Watriont explained that is not part of the zoning ordinances. That would be part of the building permit when he goes for that. If there is any necessary adjustments there, so that would not have anything to do with zoning ordinances.

Board Member Clift said he's just making him aware that there might be a little extra step that they might take. It's just for their protection and structures protection.

Ron Takala appreciates that.

Board Member Clift said other than that, it's a gorgeous looking little gizmo. He likes it a lot. He yields the floor.

Board Member Sophiea has one (1) question for the petitioner. This looks like a really nice shed. He loves the appearance of it. His only concern, is there going to be utility hook ups to it? It looks like a dwelling, because it's so nice.

Ron Takala explained that's really how they sell it. As a little cabin off to the side. The only thing they'll put lights in there at some point, but not at this point. Part of the stipulation, like he said they won this it was kind of spur of the moment thing. He had so much trouble, so much trouble. He called half a dozen concrete contractors trying to get pricing together and figure out what this is going to cost them to actually put it up. He heard from one (1). Multiple calls, and he's new to this. Never had anything built like this. He's waiting, giving them time. That's what puts him here now. Unfortunately, they want this thing built within thirty (30) days of them delivering it, and he couldn't put them off any longer. So, they delivered it on July 7th. He told the Building Department that he's not going to do electrical right now, but when they're digging the rat wall is it ok if they put, they put it in there for when they pour the cement? They said sure, just take pictures of that. That would be something down the road.

Board Member Sophiea is satisfied with that. If there's no other comments, he would like to make a motion.

Board Member Sylvester likes the shed, too. He just wants it to be right. He asked if he's showed this to any of the neighbors.

Ron Takala explained they're excited.

Board Member Sylvester asked all four (4) of them all around him.

Ron Takala replied yeah.

Board Member Sylvester asked they can't wait to see it.

Ron Takala explained the house directly behind him is vacant. At this point it has been vacant for some time. The neighbors on either side, the neighbors across the street, everybody is excited. They can't wait to see what that looks like when they get it put together.

Board Member Sylvester hopes they enjoy it.
Chairman Nestorowicz asked Mr. Sophia to make a motion.

Motion:

Board Member Sophia made a motion to give permission to:

- 1) Erect a 160 square ft. shed.
- 2) Erect a shed no less than 4" from the rear easement.

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. Sophia, support by Mr. Perry 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).

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| Board Member Sophia | 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 Anglin | Yes, for the reasons stated in the motion. |
| Board Member Clift | Yes, for the reasons stated in the motion. |
| Secretary Jerzy | Yes, for the reasons stated in the motion. |
| Chairman Nestorowicz | Yes, for the reasons stated in the motion. |

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

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| 8. PUBLIC HEARING: | APPLICANT: Kevin and Karen Carrier |
| REPRESENTATIVE: | Same as above. |
| COMMON DESCRIPTION: | 2232 Irma |

LEGAL DESCRIPTION: 13-06-351-009
ZONE: R-1-A

VARIANCES REQUESTED: Permission to

Construct a second garage 30' x 40' = 1,200 square ft. in addition to a 21.7' x 24' = 521 square ft. attached garage for a total of 1,721 square ft. (If approved new concrete to the overhead garage door will be added.)

ORDINANCES and REQUIREMENTS:

Section 5.01 – Uses Permitted: (l) All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

Chairman Nestorowicz asked the petitioner to start with their name and address for the record.

Chairman Nestorowicz asked the petitioner to start with their name and address for the record.

Secretary Jerzy said hold on Mr. Chair. He also wanted to note that the two (2) existing non-permitted sheds must be removed. If approved, the variance approved on 11/17/2004 will be rescinded.

Kevin Carrier, 2232 Irma, appeared before the board introducing his wife, Karen. He's in need of additional space for storage. He has a property that's approximately over .8 acres over by Halmich Park on a dirt road over there, with an inground pool in the backyard and such. He does have quite a bit of maintenance equipment. This is not necessarily considered a garage. The building itself that he plans to construct is actually twenty-four (24) by forty (40), because he plans on putting a six (6) foot overhang eave facing his pool area for shade. Plus, he's planning on moving his gardening equipment, yard equipment, log splitters, car parked in there as well, out of the way. Canoes, whatever, grandchildren's riding toys and everything else. Trying to get it out of the garage so he can actually use his garage to park a car. He's sure some of the board has the same issue. He would wish for the board to modify the construction instead of 1,200, it's actually 960 square feet is the actual enclosed area that he's asking for.

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 discussion.

Secretary Jerzy drove by the property. The wooden structure that's currently there on the east side of the property, that's going to be removed?

Kevin Carrier replied yes, that's going to be removed. That whole area is going to be removed. There is a foundation there as well.

Secretary Jerzy noticed the shed on the west side property line, too. It looks like another structure behind it that was PVC pipe.

Kevin Carrier explained it's just an enclosure for the garden to keep the deer out.

Secretary Jerzy wanted to make sure it wasn't another shed or something.

Kevin Carrier explained it's a car port he modified to put some wire around it to keep the deer out. The turkeys by the way, if they haven't noticed that in the area.

Secretary Jerzy thanked him for the explanation.

Board Member Sylvester has a couple questions to clarify. On his sheet here, he has similar buildings are permitted to have them built in the community surrounding this address. Does he have any pictures?

Kevin Carrier explained not directly behind him, but one house over there is a large barn structure, almost two (2) stories as well. There is another poll barb type building structure over on Chicago Road across from Halmich Park. Those are the only two (2) really that he knows of right now. He could probably find some more.

Board Member Sylvester said as he asked the other petitioner, and he has a couple questions. He would imagine the neighbor kind of know what he's going to do.

Kevin Carrier replied yeah. There is no issue there. Basically, like he said, his property is .88 acres. His closest neighbors he's 120 wide, 300 feet deep. His neighbor behind him has a 300-foot-deep lot as well. They're a half-acre away or whatever, they're an acre away from him.

Board Member Sylvester asked no interferences with any.

Kevin Carrier said no interferences with anything. Actually, the plans he submitted when he goes to Planning, he may actually move it farther away from the fence line, closer to the pool area, just so he can have a little...

Board Member Sylvester said where he has that forty (40), what's that dimension right there? Between the property line and the side of the building.

Kevin Carrier explained right now on this it shows about ten (10) feet, but he's actually looking, intending, to move it another six (6) to ten (10) feet to the west, so it's closer to the pool area.

Board Member Sylvester repeated toward the pool.

Kevin Carrier said closer to the pool, so he has an overhang...

Board Member Sylvester said somewhere between fifteen (15) and twenty (20) feet.

Kevin Carrier said he wants it wider. He wants to have room for the animals to roam.

Board Member Sylvester sees that he has two (2) decks labeled. Was he adding a deck or is there two (2) decks there?

Kevin Carrier explained it's a single deck, but it's two (2) layers. Two (2) elevations.

Board Member Sylvester asked if the new building is just going to be for storage, because he said construct a second garage thirty (30) by forty (40). Is that a garage, or is it?

Kevin Carrier repeated it's a little bit of everything. He's going to have a bay door so he can park a car or a boat so it's not outside. He, too, doesn't like to have the clutter in the yard and have the neighbors see all that junk.

Board Member Sylvester said it's going to be like a huge shed.

Kevin Carrier said basically. Kids toys, lawn mowers, he has two (2) riding lawn mowers, two (2) push mowers, rototillers, log splitters. It's what you have when you have that property.

Board Member Sylvester said looking at the ordinances, right now it looks like it's going to be about 1,021 square foot expansion. He's just going to ask, is there any way that could be lower than that.

Kevin Carrier wants that space so he can get rid of the sheds and everything. It's somewhat of a pre-designed building so he can get a decent value on it for the money on it.

Board Member Anglin said if he's not mistaken, not having a driveway up to it is considered an outbuilding and not a garage. Is that correct?

Kevin Carrier said yes, sir, but as its stated in here...

Board Member Anglin doesn't have a problem with it being an outbuilding. He just wants to verify it's not considered a garage; it is an outbuilding if it doesn't have a driveway.

Steve Watripont explained he stipulated that a driveway would go to this.

Board Member Anglin asked at some point there would be a driveway put to it.

Steve Watripont said it is indicated. He doesn't know if it's on all the plants, but it's on the one he has.

Board Member Anglin has no objection to it. He understands the need for that, he has a lot of equipment, too. That lot is about the size of him, boy the equipment they have to have to keep that up. It can also stand as a pool house. He has a large enough piece of property. He has at least ten (10) feet off to the east side, that's more than sufficient. He

doesn't see any objection to anything on this at all. So, if nobody else has any objections, he would like to make a motion. Or any other comments.

Motion:

Board Member Anglin made a motion to give permission to construct a second garage 30' x 40' = 1,200 square ft. in addition to a 21.7' x 24' = 521 square ft. attached garage for a total of 1,721 square ft. (If approved new concrete to the overhead garage door will be added.) The older sheds that are on there will be removed. Rescinding previous variances for the sheds.

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 in the motion.

Roll Call:

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

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| 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 Sieracki | 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. |
| 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.

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| 9. PUBLIC HEARING: | APPLICANT: Haidar Badreddine |
| REPRESENTATIVE: | Same as above. |
| COMMON DESCRIPTION: | 4001 Twelve Mile |
| LEGAL DESCRIPTION: | 13-08-351-013 |
| ZONE: | C-1 |

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

1) Allow the following signage on a 122' x 3' = 366 square ft. canopy (12 Mile canopy):

A. South elevation, "Marathon sign", 27 square ft.

B. East elevation, "Marathon logo", 15.25 square ft.

Total of 42.25 square ft. of signage on canopy and the remainder 323.75 square ft. of design element.

2) Allow the following signage on a 122' x 3' = 366 square ft. canopy (Ryan canopy):

A. North elevation, "Marathon logo", 15.2 square ft.

B. South elevation, "Marathon logo", 15.2 square ft.

Total of 30.5 square ft. of signage on canopy and the remainder 335.55 square ft. of design element. Total of 72.75 square ft. of signage and 659.3 square ft. of design element on both canopies combined.

- 3) Allow re-imaging of 4 gas pumps on both sides at 27.06 square ft. per pump for a total of 108.24 square ft. of pump signage.

If approved the portion of the variance granted on 3/13/1985 regarding canopy signs will be relinquished.

ORDINANCES and REQUIREMENTS:

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

Haidar Badreddine, 26286 Simone, appeared before the board representing the owners on this. They're requesting a sign variance. This is a Marathon gas station with two (2) canopies which will be getting the new updated Marathon image. It includes the Marathon sign on one (1) canopy and the Marathon logo. The second canopy will have two (2) Marathon logos on it. The design elements are similar to what's there right now as far as color. It's a blue on top, white on the bottom with the red band. That's basically all it is. Reimaging the existing gas pumps that are there to the new Marathon image.

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

Lori Harris had a question about what reimaging four (4) gas pumps means. If the petitioner can answer that. She would also like to comment, she doesn't believe Mr. Cecil St. Pierre should be sitting on this commission. She believes the recommendation, or the binding arbitration was that he should not be conducting city business. That's her comment. She thinks what they're doing is great. She just needed to say that.

Chairman Nestorowicz explained reimaging is basically putting new signs on the pump so that way they match with the current logos and colors. Basically, refreshes that look also, because that gas station could use the refreshing. He was told with the arbitration being two (2) weeks, everything was fine for the two (2) week period for him to continue sitting here. That was his understanding.

Board Member Sophiea doesn't have much to say on this item. He personally doesn't go to that gas station because he thinks it's an eyesore to the community. None the less, they all agree they're in need of a new sign package here. If there are no other comments, he would like to make a motion.

Board Member Sylvester has a couple comments. He asked if he has any idea, as Mr. Sophiea just stated, when that station was remodeled if ever since it's been in existence.

Haidar Badreddine replied no.

Board Member Sylvester said it's been there for a long time.

Haidar Badreddine is sure it has.

Board Member Sylvester said everybody knows where it's at. Is there still going to be garage service there?

Haidar Badreddine explained he's only involved with the Marathon image.

Board Member Sylvester said it's not going to be food. You'll still be able to change tires, oil change, work on carburetor?

Haidar Badreddine said as far as he knows, yes. Unless they submitted something else.

Steve Watripont explained he's only representing the sign company. He has nothing to do with the business there.

Board Member Sylvester asked Mr. Watripont if he knows if that's still going to be a...

Steve Watripont believes it's going to be as is. It's just reimagining, rebranding the Marathon logo.

Board Member Sylvester said if the car is broke down, they can take it there and get it fixed. Right? Ok. The request he's asking for, is this similar or identical to other Marathon stations in the area?

Haidar Badreddine replied yes.

Board Member Sylvester said they're all looking the same. Basically.

Haidar Badreddine hasn't seen any new ones in the City of Warren. What he sees right now is the old Marathon image. They updated.

Board Member Sylvester said right, but the ones that have been updated, they'll all look pretty much identical.

Haidar Badreddine replied yes.

Board Member Sylvester thanked him.

Secretary Jerzy has a question for Steve. The Marathon station at Ten and Ryan with all the LED lights outside. Is that do they have an LED ordinance for outside lights on canopies.

Steve Watripont explained there is a ordinance on lighting. It's mostly window lights at this point in time. He would have to drive by and see. Basically, the sign ordinance says if it's there to draw attention it's part of signage. Then they have to come and see what it is doing. So, he'll have to go out and do a night inspection or have one of the inspectors go out.

Secretary Jerzy said that's his concern with this when they're reimagining. Obviously, each business is its own separate entity, but they get into a pattern where they're looking like Sterling Heights where everything is LED'd up and it's just really bright there with that Marathon station. With that corner with it being so small, that would be his concern having the owner, just like the guy down the street

thinks he can do the LED lights and just adds LED lights. That's his concern going forward.

Steve Watrion explained the board can put conditions on any variance they grant.

Secretary Jerzy was thinking that too. Thank you.

Board Member Sylvester said to Mr. Jerzy if he doesn't remember or recall the entry way off Mound Road into General Motors Tech Center, they haven't put it up yet, there's a canopy there. They have been working on that side. The board approved LED lighting that's going to go all the way around that.

Secretary Jerzy is worried about string lights and it looking like Christmas.

Board Member Sylvester thinks it looks rather good. It actually lights up that area so they can see everything that's going on. He doesn't think it's a distraction.

Secretary Jerzy yields the floor.

Chairman Nestorowicz asked Mr. Sophia if he wants to make a motion.

Motion:

Board Member Sophia made a motion to allow the following related to signage:

- 1) Allow the following signage on a 122' x 3' = 366 square ft. canopy (12 Mile canopy):
 - A. South elevation, "Marathon sign", 27 square ft.
 - B. East elevation, "Marathon logo", 15.25 square ft.

Total of 42.25 square ft. of signage on canopy and the remainder 323.75 square ft. of design element.

- 2) Allow the following signage on a 122' x 3' = 366 square ft. canopy (Ryan canopy):
 - A. North elevation, "Marathon logo", 15.2 square ft.
 - B. South elevation, "Marathon logo", 15.2 square ft.

Total of 30.5 square ft. of signage on canopy and the remainder 335.55 square ft. of design element. Total of 72.75 square ft. of signage and 659.3 square ft. of design element on both canopies combined.

- 3) Allow re-imaging of 4 gas pumps on both sides at 27.06 square ft. per pump for a total of 108.24 square ft. of pump signage.

If approved the portion of the variance granted on 3/13/1985 regarding canopy signs will be relinquished.

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

Board Member Anglin supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Sophia, 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).

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| 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 Sieracki | Yes, for the reasons stated in the motion. |
| Board Member Perry | Yes, for the reasons stated in the motion. |
| Board Member Sylvester | Yes, for the reasons stated in the motion. |
| 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.

10. NEW BUSINESS

Chairman Nestorowicz asked if anybody has any new business for today.

No response.

11. ADJOURNMENT

Motion:

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

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