

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
AUGUST 23, 2023

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, August 23, 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
Kevin Higgins
Charles Perry
Anthony Sieracki, Jr.
Michael Sylvester

Members of the Board absent:

Charles Anglin

Also present:

Jennifer Pierce, 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 Sieracki was absent.

Motion:

Chairman Nestorowicz made a motion to excuse Mr. Sieracki; Supported by Board Member Clift.

Voice Vote:

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

4. ADOPTION OF THE AGENDA

Motion:

Secretary Jerzy made a motion to move item 12 to September 13, 2023 and approve the agenda with the change; Supported by Board Member Anglin.

Voice Vote:

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

Chairman Nestorowicz announced if anybody from the audience is here for Gleaner's Community Food Bank on Eight Mile, this is the only notification that it is rescheduled to September 13th.

5. APPROVAL OF THE MINUTES of the Regular Meeting of July 26, 2023 and August 9, 2023.

Motion:

Secretary Jerzy made a motion to table the minutes to July 26, 2023; Supported by Board Member Perry.

Voice Vote:

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

Motion:

Secretary Jerzy made a motion to table the minutes to August 9, 2023; Supported by Board Member Perry.

Voice Vote:

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

6. PUBLIC HEARING:

APPLICANT: Kimberly Cady

(Rescheduled from 8/9/2023)

REPRESENTATIVE:

Same as above.

COMMON DESCRIPTION:

30760 Moulin

LEGAL DESCRIPTION:

13-11-229-011

ZONE:

R-1-C

VARIANCES REQUESTED: Permission to

1) Retain existing 100 square ft. shed, 6' and 6' 1" from property line (6' rear easement).

2) Allow a 2nd shed, 100 square ft., which is outside of the principle building line.

Total square footage of both sheds is 200 square ft.

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: 3. That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard. 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

Chairman Nestorowicz asked if the applicant is present.

Motion:

Board Member Anglin made a motion to move this item to the end of agenda; Supported by

Board Member Higgins.

Board Member Anglin said they'll make it 12a.

Secretary Jerzy said 12a.

Chairman Nestorowicz said ok, 12a.

Board Member Anglin stated they'll make it 12a.

Secretary Jerzy said 12a.

Voice Vote:

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

Chairman Nestorowicz said item number 6 is now 12a at the end of the agenda.

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| 7. | PUBLIC HEARING:
REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE: | APPLICANT: Holy Cross Lutheran Church
Ronald Ratzow
30003 Ryan
13-07-279-031
R-1-B |
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VARIANCES REQUESTED: Permission to

Conduct an outdoor car show on Sunday, September 24, 2023 from 11:30 a.m. to 4:30 p.m.

ORDINANCES and REQUIREMENTS:

Section 4.35 – Festivals Require the Approval of the Zoning Board of Appeals.

Chairman Nestorowicz asked the applicant to please approach the podium. Then start with name and address for the record, and then what they're requesting.

Ronald Ratzow appeared before the board, 41560 Clair pointe.

Chairman Nestorowicz asked the reason for his request today.

Ronald Ratzow explained they requested to have a car show on September the 24th from 11:30 to 4:30. This will be the 20th in a row he thinks.

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 turned it over to the board for discussion or questions.

Board Member Anglin stated this event has been going on for years that he knows of. From what he's ever seen, it never had any problems. It looks like it's been a good thing for the community. If

no other board members have any questions, he would like to make a motion.

Board Member Sylvester has a question. To the petitioner. Mr. Anglin just mentioned...

Secretary Jerzy said microphone.

Board Member Sylvester said it's on. Mr. Anglin just mentioned that it has been there for quite some time going through the write up and everything, all the permits and everything and what have you. He's just wondering if there has been any concerns from the residents around the area for the car show.

Ronald Ratzow asked if he asked him a question.

Board Member Sylvester asked if there are any concerns from the residents about the car show, any complaints.

Ronald Ratzow replied none to his knowledge in the past. As a matter of fact, several years ago, they had one of the residents affirming what they were doing rather than opposing it.

Board Member Sylvester asked if everybody has been happy with it.

Ronald Ratzow replied yes.

Board Member Sylvester thanked him.

Board Member Anglin said he would like to make a motion if no other board members have any questions.

Chairman Nestorowicz said yes.

Motion:

Board Member Anglin made a motion to conduct an outdoor car show on Sunday, September 24, 2023 from 11:30 a.m. to 4:30 p.m.

Reasons being: Needs permission from this board; Not a detriment to the area; Size and shape of the lot.

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 in the motion.

Roll Call:

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

Board Member Anglin
Board Member Clift

Yes, for the reasons stated in the motion.
Yes, for the reasons stated in the motion.

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

8. PUBLIC HEARING: **APPLICANT: Shamima Akter**
REPRESENTATIVE: Mohammed Amran
COMMON DESCRIPTION: 22555 Karam Ct
LEGAL DESCRIPTION: 13-32-129-030
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Erect a porch awning no less than 19.5 ft. from the front property line.

ORDINANCES and REQUIREMENTS:

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

Chairman Nestorowicz asked if the petitioner is present. Please approach the podium, please. Also, and this is for all participants. Start with name and address for the record, then please just explain what the request is and the reason for it.

Mohammed Amron appeared before the board, 22555 Karam Court. They're trying to build a covered porch.

Chairman Nestorowicz asked him to speak a little closer to the microphone. He's having a hard time hearing.

Mohammed Amron explained the porch is already there. They're just trying to put a covering so they can have some shade instead of the sun on their house the whole time all day. His mom has some skin disorders, and the sun isn't too great for them. A lot of the houses on the street have awnings, so their house kind of feels left out.

Chairman Nestorowicz thanked him for that explanation. This is a public hearing, is there anyone else wishing to speak on this item?

No response.

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

Board Member Anglin wants to make a comment and then make the motion. Comment would be the fact that he understands the sun situation and that, because he's sitting right out in the open and there is no trees anywhere around the front of the house whatsoever. So, it makes it pretty difficult to be able to use their front porch, or he sees they have a back patio here too. So, to give

them some relief from that sun he would like to make a motion to approve.

Secretary Jerzy said just real quick, he had one quick statement, real quick. He drove by the property, he saw that he redid the porch. The porch looks like it's brand-new pour. He thinks an awning would definitely enhance the property and be needed. He just wanted to throw that two cents in.

Board Member Sylvester has a question for the petitioner.

Chairman Nestorowicz asked if Mr. Anglin finished his motion, though. That's what he's trying to think. If he made a motion.

Board Member Anglin said he would relinquish it right now.

Board Member Sylvester explained in his write up here under necessary. They say most of the houses on the street has a cover. Looking at the overhead view of the neighborhood, he doesn't see, and he's not saying he's going to say no to this, but he doesn't see a lot of houses that have a covering over their front porch.

Mohammed Amron meant an awning. Some sort of covering. He would say a good half or more has it. It's kind of why his mom wanted it. On top of everything else.

Board Member Sylvester agrees with his fellow members. He just doesn't see it on everybody else's house, so, but he hopes he enjoys it.

Mohammed Amron thanked him.

Secretary Jerzy can attest to going through that neighborhood and he did see quite a few houses with awnings to it and attached awnings to the house. He'll just add that to the record.

Board Member Anglin would like to continue with his motion.

Chairman Nestorowicz said yes, Mr. Anglin.

Motion:

Board Member Anglin made a motion to give permission for the petitioner to erect a porch awning no less than 19.5 ft. from the front property line.

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

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

9. PUBLIC HEARING: **APPLICANT: Deborah Lasure**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 2167 Pearl
LEGAL DESCRIPTION: 13-31-110-023
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Retain a front yard fence that extends past the front building line, no less than 25 feet from the front property line along the east property line.

ORDINANCES and REQUIREMENTS:

Section 4D.08 – Fences, Walls and Landscape Screens in Front Yard Between Building Line and Front Property Line: No fence, wall or landscape screen shall be constructed between the established building line and the front property line.

Deborah Lasure appeared before the board, 2167 Pearl.

Chairman Nestorowicz stated and the reason for her request today.

Deborah Lasure explained the reason she is here, she had to go to the city and ask them. She had problems with the neighbor who is a renter, and their driveways are side by side. She hit her in her driveway and went to court, did a year probation, and now she's swerving in and out of her driveway. So, she had her brother to take care of and he's a falling risk. He can't run from a vehicle. So, when she went to the city, they said she could do it and just slightly put it on her property and not on the property line. So, she had that done, she had a East Side Fence put it up. They did the diagram for the fence. Apparently, they didn't put front yard and back yard on there, so they thought the front yard was going to the backyard, not the front. But they told her that she could not extend past her house, because her house sits back behind everybody else's. So, now, between having all this done, there is a warrant out for her arrest for malicious destruction of her private property. This is the problem she's having him.

Chairman Nestorowicz thanked her 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 of the meeting and turned it over to the board. He has a question. The fence that she has up there extends past the neighbors' front of the house.

Deborah Lasure explained it does not. She could not extend it.

Chairman Nestorowicz wanted to verify. Her house setting back that way, that's...

Deborah Lasure explained she has lived there since 5th grade. She never had this problem.

Chairman Nestorowicz just wanted to make sure. Any other questions?

Secretary Jerzy stated he drove by the property, too. To be honest, while he was driving, he could barely notice the fence. It's a cyclone fence, it blends in well. The driveways are abutted right up to one another. To him, it's not a detriment to the area, personally. It's necessary for what she's having to endure with her neighbor. That's just her thought on it. It definitely doesn't go past the front of the other house, that's for sure. Its problem goes maybe halfway down her driveway, doesn't even go all the way down her driveway. So, he doesn't see a problem with the way it's placed or the way it sitting currently. So, that's all he has, he'll yield the floor.

Chairman Nestorowicz asked for any questions or discussion.

Board Member Clift would like to make a motion.

Motion:

Board Member Clift made a motion to retain a front yard fence that extends past the front building line, no less than 25 feet from the front property line along the east property line.

Reasons being: Not a detriment to the area; Complimentary to the property.

Secretary Jerzy supported the motion.

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

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

10. PUBLIC HEARING: **APPLICANT: Wayne Craft Inc.**
REPRESENTATIVE: Jason McFall
COMMON DESCRIPTION: 3699 Stolzenfeld
LEGAL DESCRIPTION: 13-30-430-023
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Erect an awning no less than 18' 6" from the front property line.

ORDINANCES and REQUIREMENTS:

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

Jason McFall appeared before the board, 13525 Wayne Road. They're looking to install a traditional aluminum awning over the front porch, with railing. The porch prior to this did have an awning in existence, and they are simply just replacing what was there.

Chairman Nestorowicz thanked him for that explanation. This is a public hearing, is there anyone in the audience wishing to speak on this item. Please approach the podium. Also, state name and address before comments.

Donna Organek appeared before the board, 3650 Stolzenfeld. She has very plain view of this home. She wants to definitely support this variance. It will add charm to the house, it will increase the value of that house. In addition to the houses within the central part of the street of Stolzenfeld. It has always been a welcoming look to the house, and she fully supports it. She feels it adds safety to people who are walking up to the house, because it protects them from weather. Basically, she totally supports this request for a variance so the awning can be constructed. Thank you.

Chairman Nestorowicz thanked her for those comments. Is there anyone else in the audience wishing to speak? Not seeing any, he closed the public portion and turned it over to the board for discussion.

Board Member Clift said good evening to Jason. It's good to see him again, sir.

Jason McFall said he's here every couple of months it seems.

Board Member Clift walked the neighborhood recently and lately. He's actually stood on the old porch not long ago. He thinks their proposed plan is complimentary. Not only to that particular home, but there's a number of other homes in the neighborhood that have those aluminum awnings. He doesn't have a problem supporting this request. He thinks it will, like the neighbor said, adds charm. Thank you neighbors for coming out and supporting the neighbor for their request. He'll yield the floor with that.

Chairman Nestorowicz asked if there are any other questions or discussion.

Board Member Clift said if there aren't, he'll make a motion then.

Motion:

Board Member Clift made a motion to erect an awning no less than 18' 6" from the front

property line.

Reasons being: Add character and beautification to the neighborhood; Not a detriment to the area.

Board Member Jerzy supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Perry to approve the petitioner's 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 Clift	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
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.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

11. PUBLIC HEARING: **APPLICANT: Hani Karana**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 28934 Ryan
LEGAL DESCRIPTION: 13-17-101-001
ZONE: C-1

VARIANCES REQUESTED: Permission to

Allow a 9' x 53" = 39.75 square ft. sign on the north elevation in addition to the 39.75 square ft. sign on the west elevation, for a total of 79.5 square ft. of wall signage.

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.

Hani Karana appeared before the board stating he is the owner of Karana Signs.

Chairman Nestorowicz asked him to state his address also.

Hani Karana stated 28935 Ryan Road.

Julius Abbou appeared before the board, 28934 Ryan.

Chairman Nestorowicz asked for the reasons for the request.

Hani Karana is coming here to request another sign. They have a building, a big building on the corner of Twelve Mile and Ryan Road. They have only now on Ryan Road. On Twelve Mile, they don't have any sign here. You know Twelve Mile Road is a main road and the sign is very important to the business. Only allowed from the city forty (40) square feet. The forty (40) square feet is related to the sign compared to the huge building like this it's more than a few thousand square feet. Also, the location is on the corner. Because it's in the corner, a building like this needs two (2) signs. Because Twelve Mile they can't see what kind of business it is. This building they just bought recently and all the buildings on the corner they have big signs that they double for all three (3) of the corners. The sign here is very important to continue and work business of. He asked the Dr. if he had anything to say.

Julius Abbou explained from being open for almost a couple of months now, there have been patients that come from Twelve Mile driving east or west, or even from the north coming down south of Ryan. Many of them have gotten lost, not being able to see the building, constantly doing U-turns, pulling into other businesses lots just to turn around. He feels it's causing a little bit of a traffic issue in that area. He prefers to make things real easy for the citizens of Warren and for the growth and success of the business as well.

Chairman Nestorowicz thanked them for that explanation. This is a public hearing, is there anyone in the audience wishing to speak or add to this item?

No response.

Chairman Nestorowicz closed the public portion and turned it over to the board. He has a question, actually two. He agrees with being that corner location with the one (1) sign, people from the north side can't see that it's a dental office. He lives in that area, so he's very familiar with it. His questions is, future signs requests. He doesn't want to approve this one and then have them come back saying they want a pylon sign or something, add more signage to that property.

Hani Karana explained the building is very close to the road. So, it's a difficult to put a pylon. If they put a pylon it's going to go inside the building. So, impossible for this case.

Chairman Nestorowicz agrees on that. That's why he wanted to make sure they're not planning on doing something like that.

Hani Karana stated it's difficult to put a pylon. They have right to put the pylon, but here it's difficult to put it.

Chairman Nestorowicz said no room basically. The second part of his question is the location used to be a gas station. He noticed there is a lot of variances based on the gas station for the pumps and all this kind of stuff. If he gets this variance for his signage, do they agree to give up any of the signage that was for the gas station? It's just a technicality to clean up for the records, because...

Julius Abbou is not really following exactly.

Chairman Nestorowicz asked Steve to explain it.

(Inaudible)

Julius Abbou has no problem relinquishing.

Chairman Nestorowicz explained it cleans up the records for future kind of stuff. Ok. Those are his two (2) comments.

Board Member Sophiea has one (1) question about this. He believes the petitioner is a sophisticated businessperson and professional. It just bothers him a little bit that they know that the square footage limitation was forty (40) square feet and they put up the sign on Ryan Road. Then coming here a few weeks later saying that this is not a self-imposed issue that they need an additional sign. He thinks it would have been better to be part of the conversation for both signs on the building.

Hani Karana stated forty (40) square feet for a building. If they wanted to split it two (2) signs for example, twenty (20) and twenty (20). It's impossible to read twenty (20) square feet for the sign. It's going to be useless if they put signs very small to the site. In this case, the building, huge building, forty (40) square feet is too little compared to the building and also too much to split it to make it two (2) parts.

Board Member Sophiea agrees that forty (40) square feet is too small for that building. He doesn't know if doubling it is the right thing to do. He yields the floor.

Board Member Anglin asked if the dental company is taking the whole building.

Julius Abbou replied yes, he is.

Board Member Anglin stated it was originally built for three (3) units.

Julius Abbou said correct.

Board Member Anglin said his theory looking at this, at some point they have a forty (40) square foot per business. This was originally built to have three (3) businesses in. So, at some point there could have been very easily three (3) forty (40) foot signs on the front of that building. Now, he's only wanting to go to one (1) sign on the front and the one (1) on the side. Is he pushing it a little bit? Yes, but he doesn't think he's going over what he would consider the line. But like he said, good businessman is going to push his signage as far as he can push it. He thinks it's pushed it to that point. He would not ever, as long as he sits up here, allow anymore signage to come up and go up there for that dental. But he will vote for this one.

Chairman Nestorowicz thanked him. Any other comments? Mr. Jerzy and then Mr. Sylvester he had a question.

Secretary Jerzy said to Mr. Sophiea's point. He sees a variance granted for a ground sign on the property for a total of 59.2 square feet, (twenty) 20 feet high back in 1978 with an eight (8) inch

under clearance. They have a variance for a sign for that property if the property would have been built to incorporate that variance. Is that going to be one of the variances relinquished?

Chairman Nestorowicz stated that was part of the signage that was for the gas station.

Secretary Jerzy said his point, he guesses he's getting to is, if the property was built not so close to the road, they could have utilized one of these variances and had a pole sign for the business that would have been twenty (20) feet high. He just wanted to make that point. He yields the floor.

Board Member Sylvester said the business that they're having. The whole business is going to be used as dental office?

Julius Abbou repeated the whole building is the dental office.

Board Member Sylvester said it's not going to be an urgent care or anything like that. It's going to be a regular dental office. They're going to come once every six (6) months.

Julius Abbou said unless the case is a dental urgency, he'll be there. Otherwise, yes the whole building has been equipped for dentistry.

Board Member Sylvester asked if he's a DDS, he believes.

Julius Abbou said DMV but it's the same thing.

Board Member Sylvester thanked him.

Hani Karana said it's only one (1) business.

Chairman Nestorowicz asked for any other questions.

Board Member Anglin would like to make a motion, but he has a question. He's going to add on to his motion that all previous variances for signs will be relinquished. Which anything sign that's been ok for the gas station in the past will no longer be adapted to that property. If they have no objection to that he'll read a motion to approve this.

Julius Abbou has no objection.

Motion:

Board Member Anglin made a motion to give permission to allow a 9' x 53" = 39.75 square ft. sign on the north elevation in addition to the 39.75 square ft. sign on the west elevation, for a total of 79.5 square ft. of wall signage. The petitioner will relinquish any previous signage variances given in the past.

Board Member Perry supported the motion.

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

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 (7 – 1).

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Perry	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.
Secretary Jerzy	No, detriment to the area.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

12. PUBLIC HEARING:

APPLICANT: Gleaners Community Food Bank of Southeastern Michigan

REPRESENTATIVE:	Kathleen Rupp
COMMON DESCRIPTION:	4401 Eight Mile, 20732 and 20735 Sunset
LEGAL DESCRIPTION:	13-32-357-014, 13-32-357-009 and -013
ZONE:	M-1

VARIANCES REQUESTED: Permission to

- 1) Erect a second wall sign 4' 6-1/2" x 16' 10" = 76.5 square ft. in size, consisting of a design element (mural).
 - 2) Erect a canopy 192' x 3' = 576 square ft. of a one color design element.
- Total 652.5 square ft. of design element in addition to a 40 square ft. wall sign.

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.

This item was postponed to September 13, 2023 during the adoption of the agenda.

12a. PUBLIC HEARING:

APPLICANT: Kimberly Cady
(Rescheduled from 8/9/2023)

REPRESENTATIVE:	Same as above.
COMMON DESCRIPTION:	30760 Moulin
LEGAL DESCRIPTION:	13-11-229-011
ZONE:	R-1-C

VARIANCES REQUESTED: Permission to

- 3) Retain existing 100 square ft. shed, 6' and 6' 1" from property line (6' rear easement).
- 4) Allow a 2nd shed, 100 square ft., which is outside of the principle building line.

Total square footage of both sheds is 200 square ft.

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: 3. That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard. 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

Board Member Clift stated he had communication with that petitioner. They're going to contact the office tomorrow. They're not going to make it tonight.

Chairman Nestorowicz said ok. So...

Motion:

Secretary Jerzy made the motion to reschedule item 12a to September 13, 2023, Supported by Board Member Anglin

Voice Vote:

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

13. NEW BUSINESS

Chairman Nestorowicz has two (2) items for new business. He told them he was going to keep them here. First item for new business is for Steve. So, Steve if you could just...

Steve Watripont said yes, sir.

Chairman Nestorowicz had a question regarding on Dequindre south of 696, gas station.

Steve Watripont said new gas station that was a former Bob Evan's.

Chairman Nestorowicz said exactly. It had their new sign up already two (2) months or so. It's been up there for a while. Their old sign, the temporary one, has not been taken down yet. He wanted to verify how long they have to take that one down or to have that followed up that they do take their old.

Steve Watripont explained it should be taken down within days or hours of the other one being installed. He will have to look into that and do enforcement. If the board notices anything they have approved or anything like that. Feel free to reach out, email him the address and anything else regarding it. He can get someone on it, or Everett will get someone on it. He will let him know and go from there.

Chairman Nestorowicz guesses he has one other question regarding that property. He saw they're

not refacing the old Bob Evan's shared pylon sign with the hotel next door along the service drive. It looks like that's going to say Chill Box with the gas station prices. He's wondering if he could look if that's actually allowed under.

Steve Watrion will look into that and see what the standards are there and see what previous variances were granted there. Please send him an email tomorrow and he'll respond to that email when he has the answers.

Chairman Nestorowicz thanked him. The second is directed towards the board members. He wanted to reiterate because when an item comes up, lets give everybody a chance to ask questions before a motion is made. Once a motion is made, they should be voting if there is a second, and move forward on voting on that. They really should not be stopping a motion that's on the floor to ask more questions and have more discussion. Just wanted to reiterate that again. He knows sometimes they really want to make those motions, but sometimes they have to make sure all board members have a chance to ask questions. That's all he has.

Board Member Sylvester has a question for him. He understands what he's saying, but shouldn't it be the Chair that decides what the next step would be. He would ask for somebody to make the motion. He knows there has been sometimes, and he agrees with what he's saying, but one of the other members had said they'll make a motion and not everybody has been asked if they still have a question or not.

Chairman Nestorowicz explained the first thing he always asks is if anybody has any question or discussion regarding the item. Then once it seems like there is no more questions he asks for a motion.

Board Member Sylvester said it doesn't always work like that.

(Inaudible)

Board Member Anglin stated he jumps the gun a little fast. He didn't see anybody chomping at the bit.

Chairman Nestorowicz said that's true. He just wanted all the board members to be conscious to that.

Board Member Sylvester believes asking for a motion should come through the Chair requesting it.

Chairman Nestorowicz explained a person can make the motion while they have the floor without asking for it. That's all he wanted to reiterate just for.

Board Member Higgins has new business. A couple of things. He will not be here for the September meeting. He will be in Memphis, TN. Also, he would like to invite everybody to the Harper Classic Car Cruise is a week from today. They have a location right on Harper. His company sponsors it. There will be beer and wine available. The Crazy Gringo will be there making reasonably priced tacos and nachos. Live music in the parking lot. It's quite a party and all are welcome. He left all the printed copies he was going to bring on the counter. He will email everybody a copy of the flyer

though. Invite as many people as they want. It's a good time and have been doing this for a long time. That's it.

Secretary Jerzy since talking about events. This weekend is the Birthday Bash in Warren. So, everybody come on out and attached to that is the Polish Parade that starts at 4:10 at Cousino High School, goes to City Hall and proud to say the company he works for during the day built a brand-new float for the polish parade. Come out and see it, it's going to be pretty fantastic. Hope the community likes it and he thinks they're going to like it. Hope the parade continues to grow more momentum since they moved from Hamtramck. Come out, support it, it's going to be a beautiful day in the city.

Chairman Nestorowicz asked for any other new business.

14. ADJOURNMENT

Motion:

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

Voice Vote:

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

The meeting adjourned at 8:08 p.m.

Paul Jerzy
Secretary of the Board