

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
NOVEMBER 8, 2023

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, November 8, 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
Kevin Higgins
Charles Perry
Anthony Sieracki, Jr.
Michael Sylvester

Members of the Board absent:

Also present:

Laura Sullivan, 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).

Chairman Nestorowicz stated since they're one (1) member short and they have one (1) use variance. That's item number eight. He asked if Mohammad Khan was there. With a use variance they have to get six (6) of the nine (9) votes to pass. Since they are down one (1) member, they can offer them to reschedule to December or continue today. It's their choice.

(Inaudible)

Chairman Nestorowicz stated they would like to reschedule. It's going to be on December 13th. Consider this their notification they'll be on the December 13th agenda. Thank you. In that case, when they go to the adoption of the agenda...

Secretary Jerzy said yep.

Chairman Nestorowicz said there are three (3) corrections to make.

Secretary Jerzy said correct, Mr. Chair.

Chairman Nestorowicz asked if he would like to make them.

4. **ADOPTION OF THE AGENDA**

Motion:

Secretary Jerzy made a motion to add October 11, 2023 minutes, reschedule item 6 and item 8 to December 13, 2023, and to approve the remaining agenda; Supported by Board Member Anglin.

Voice Vote:

A voice vote was taken. The motion carried (7 – 1). Board Member Cliff opposed.

5. **APPROVAL OF THE MINUTES of the Regular Meeting of October 11, 2023.**

Motion:

Secretary Jerzy made a motion to approve the minutes of October 11, 2023; Supported by Board Member Cliff.

Voice Vote:

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

6. **PUBLIC HEARING:**

APPLICANT: 27050 Gloede Investments LLC

(Rescheduled from 9/13/2023 and 10/11/2023)

REPRESENTATIVE:

Angelo Jadan

COMMON DESCRIPTION:

27048 Gloede

LEGAL DESCRIPTION:

13-13-477-018

ZONE:

M-2

VARIANCES REQUESTED: Permission to

Allow a permanent shipping container (8' x 40' = 320 square ft.) on the exterior of the premises for storage of packing supplies – no cannabis.

ORDINANCES and REQUIREMENTS:

Section 4G.11 Prohibitions: (1) A marihuana business, patient operation, caregiver operation, or personal recreational adult-use is not permitted to have any of the following: (B) Except as permitted by MCL 333.26423(D) and MCL 333.27961(A), Marihuana-related outdoor storage.

This item was rescheduled to December 13, 2023 during the adoption of the agenda.

7. PUBLIC HEARING: **APPLICANT: James Birnie**
(Rescheduled from 9/27/2023)
REPRESENTATIVE: Jeffrey Graham
COMMON DESCRIPTION: 8519 Nine Mile
LEGAL DESCRIPTION: 13-27-380-026
ZONE: M-1

VARIANCES REQUESTED: Permission to

- 1) Allow 4,427 square ft. of open storage when 1,156 square ft. is allowed. (for stacked vehicles)
- 2) Allow open storage on a gravel surface.
- 3) Allow open storage no less than 18 ft. from the front (Mac Arthur) property line.
- 4) Construct a 6 ft. high opaque wire fence that extends past the front building line to 4 ft. from the front property along Mac Arthur.
- 5) Allow a 4 ft. wide landscaped area in the front setback along Mac Arthur.
- 6) Allow hard surfacing and parking in the front setbacks no less than 4 ft. from the front property line on Mac Arthur.
- 7) Waive the required 6 ft. high brick embossed wall or 8 ft. wide greenbelt along the north property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: (S) Open Storage Other Than Junk. The designated area shall always be hard-surfaced and screened from the public street and any residentially zoned areas. The designated areas shall not be located in any area required for parking space and is necessary to meet the minimum requirements of Section 4.32 of this ordinance. 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 unless the size of the lot is less than one hundred fifty (150) feet in depth in which case the Planning Commission may allow the designated area to be located no closer than twenty-five (25) feet from the front property line.

Section 4.32 – Off-street Parking Requirements: (K) All off-street parking areas shall be provided with adequate ingress and egress, shall be hard surfaced with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent).

Section 17.02 – Industrial Standards: (A) Front yards. M-1 8 ft. (C) Greenbelt none, except when a side or rear yard abuts a zoning district other than industrial then 8 ft. wide per Section 2.26.

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.

Chairman Nestorowicz asked them to start with their name and address for the record then take the board whatever the changes from the September meeting.

James Birnie, 16659 Frazho, appeared before the board.

Brenna Quinn, 22556 Gratiot, appeared before the board stating she is the architectural

designer for Chemtech. They were here previously for seven (7) variances for the address 8519 Nine Mile. They decided to table it last time due to the fact that the majority of the board was wanting the wall on the north side of the property, instead of an opaque fence. The client and her have discussed and they're agreeing to put the wall on the north side of the property, but they're still here to requesting the approval of the other variances.

Chairman Nestorowicz thanked her very much for that explanation and taking the boards comments into consideration. 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 for discussion and questions.

Board Member Clift asked the petitioner to his understanding they're striking number 7, waiving the required six (6) foot high brick embossed wall.

Brenna Quinn replied yes.

Board Member Clift asked totally, in its entirety.

Brenna Quinn does have a question. Instead of the brick embossed, can they have a masonry wall with steel reinforcements.

Board Member Clift yields.

Chairman Nestorowicz was going to ask Steve.

Board Member Anglin said that's what he was going to say. He thinks they can.

Chairman Nestorowicz asked Steve to answer that just to make sure they're correct on the record.

Steve Watripont explained the ordinance requires a poured concrete wall. So, it probably would have to verify that with the requirements with the building official himself and go from there. If it doesn't fall under that.

Chairman Nestorowicz stated that would have to get verified by the Building Department, but they can move forward with their application as is.

Steve Watripont explained there is some alternates they can use, so if what they want is not, they can talk through it with the Building Department for what is allowed.

Brenna Quinn said that makes sense and thanked him.

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

Board Member Clift believes number 7 was the only point of contention they had at the last meeting.

Chairman Nestorowicz replied that's correct.

Board Member Clift said if the petitioner is willing to eliminate line 7 from their request, he doesn't have any objections to it. He thinks that's what this board was looking for. He'd be willing to go ahead and make a motion on this if nobody else has any commentary.

Chairman Nestorowicz asked if anyone has any other questions or comments they would like answered.

No response.

Motion:

Board Member Clift made a motion to allow:

- 1) Allow 4,427 square ft. of open storage when 1,156 square ft. is allowed. (for stacked vehicles)
- 2) Allow open storage on a gravel surface.
- 3) Allow open storage no less than 18 ft. from the front (Mac Arthur) property line.
- 4) Construct a 6 ft. high opaque wire fence that extends past the front building line to 4 ft. from the front property along Mac Arthur.
- 5) Allow a 4 ft. wide landscaped area in the front setback along Mac Arthur.
- 6) Allow hard surfacing and parking in the front setbacks no less than 4 ft. from the front property line on Mac Arthur.
- 7) ~~Waive the required 6 ft. high brick embossed wall or 8 ft. wide greenbelt along the north property line.~~

Reasons being: Not a detriment to the area; Enhance the overall appearance of that neighborhood.

Board Member Anglin supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Anglin to approve the petitioner's request with the change with number 7 not being included. Roll call.

Roll Call:

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

Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
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** with request number 7 being removed by the petitioner.

8. PUBLIC HEARING: **APPLICANT: Mohammed Khan -USE-**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 21411 Ryan
LEGAL DESCRIPTION: 13-31-428-036
ZONE: M-1

VARIANCES REQUESTED: Permission to -USE-

- 1) Construct a second driveway in addition to the existing driveway with a 24 ft. wide driveway connecting the two resulting in a "horseshoe" driveway. (Engineering approval is required to install a second approach.)
- 2) Construct a 14' x 22' = 308 square ft. garage on a non-conforming lot, no less than 5 ft. from the side (south) property line.

ORDINANCES and REQUIREMENTS:

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

Section 17.02 – Industrial Standards: M-2 (B): Side yards, and rear yards, 20' each.

This item was rescheduled to December 13, 2023 during the adoption of the agenda.

9. PUBLIC HEARING: **APPLICANT: Wilburt McAdams – City of Warren**
REPRESENTATIVE: Michael Malone / Partners in Architecture
COMMON DESCRIPTION: 30619, 30601 and 30637 Schoenherr
LEGAL DESCRIPTION: 13-11-229-039, 040 and 038
ZONE: R-1-C & O

VARIANCES REQUESTED: Permission to

- 1) Construct an 8' high embossed concrete screen wall along the west property line abutting the residential zone.
- 2) Erect 2 wall signs on the east elevation as follows:
 - a. Fire "logo" 173.9 square ft.
 - b. "Warren Fire Department" 80 square ft.

Total of 253.9 square ft. of wall signage.

(Contingent upon approval of parcel/lot combination.)

ORDINANCES and REQUIREMENTS:

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

Section 4A.31 – Signs Permitted in Residential Zones (R-1-A, R-1-B, R-1-C, R-2, R-3, R-3-A, R-4, R-5): This following signs are allowed in residential zones: d) Permitted non-residential uses. One (1) freestanding and one (1) wall sign not to exceed thirty-two (32) square feet in sign area for each sign for permitted non-residential uses including churches, synagogues, schools, libraries and parks.

Section 4A.35 – Signs Permitted in Office Districts (O): C) One (1) wall sign of a size not to exceed twenty (20) square feet shall be allowed for each business in office districts.

Skip McAdams, Warren Fire Commissioner, appeared before the board asking the board to approve the variances.

Chairman Nestorowicz asked him to do his address along with his name.

Skip McAdams asked him to say that again.

Chairman Nestorowicz asked him to include his address along with his name.

Skip McAdams asked his address.

Chairman Nestorowicz said he can do the fire station.

Skip McAdams stated 23295 Schoenherr.

Chairman Nestorowicz thanked him.

Skip McAdams repeated his name. They're here tonight asking the board approve the requested variances for the fire station. The variances will allow them to move forward with the project and become part of an enhancement to the project they made. The signage, essentially, is the fire logo. It is not an advertisement, it's a way that fire departments are recognized as to what their purpose is. Yes, the station looks like a traditional fire station with some modern features, but the maltese goes back two hundred years and is something that... actually, this is it. This is the maltese here with lettering.

Chairman Nestorowicz thanked him very much for that explanation. This is a public hearing. Is there anyone else who wants 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 said to the petitioner, the three (3) addresses that are on there. There was demolition of homes there and they were training there.

Skip McAdams explained the demolition is complete.

Board Member Sylvester said right. Is that the area that the station is going to be build at?

Skip McAdams replied yes, that's station 5. It will be essentially in about the center of the parcels.

Board Member Sylvester asked how much, because he doesn't know. How much of Warren will that be servicing?

Skip McAdams explained it will be servicing the northeast quadrant of the city, essentially.

Orrin Ferguson explained from Eleven Mile all the way to Fourteen Mile and from Hayes all the way to Van Dyke.

Board Member Sylvester said that's a large area. He thanked them, that's all he had.

Board Member Clift asked how the Commissioner is tonight.

Skip McAdams replied good.

Board Member Clift has one question relative to the signage on the building. Is that going to be front lit he takes it? Or is it going to be back lit?

Skip McAdams replied back lit. Around the perimeter.

Board Member Clift said super. That's all he was curious about. He yields the floor and thanks them.

Board Member Anglin wanted to let all the other board members know that he's all for this. Whenever they can approve a fire station in the city, they need to do it. He's actually extra excited because that's his neighborhood. He has had his department out to his house on Arden when it burned down. It was traumatic. His staff was amazing. They were on it right away. They didn't hesitate to go in and take care of it. He's very proud of the fire department that's in this city. So, he has no objections to this whatsoever.

Skip McAdams thanked him.

Secretary Jerzy thinks this is an amazing project in a needed area of town. Definitely need the enhancement of an update for all the fire halls. So, this is a really welcomed project. He echoes the same sentiment as Mr. Anglin. They do amazing work. He thinks they have one of the best fire departments in the state, if not maybe even the country. So, they're really blessed with the staff they have put together and the work they do in the community. It doesn't go unnoticed; it doesn't go unappreciated. As far as the project goes, he thinks it's a great project. He loves the idea of the backlit lights. This isn't anything really out of the ordinary of what they normally approve. He does have an impact letter from Mr. Wuerth, from Planning. Saying that there are no issues found. An impact on the abutting local properties. With that said, he would say they have his vote, too. Just keep up the great work and he thanked them all for their service. Appreciate it.

Chairman Nestorowicz asked if they have a motion.

Motion:

Board Member Anglin made a motion to give permission to:

- 1) Construct an 8' high embossed concrete screen wall along the west property line abutting the residential zone.
- 2) Erect 2 wall signs on the east elevation as follows:
 - a. Fire "logo" 173.9 square ft.
 - b. "Warren Fire Department" 80 square ft.

Total of 253.9 square ft. of wall signage.
(Contingent upon approval of parcel/lot combination.)

Reasons being: Not a detriment to the area; Necessary for this board to approve it; Proud to have the Warren Firefighters

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).

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

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

Skip McAdams stated they're happy to be a part of Warren to protect and serve the citizens, visitors and business owners in their great city.

Board Member Perry and Chairman Nestorowicz thanked them for their service.

10. PUBLIC HEARING:	APPLICANT: Wilburt McAdams – City of Warren
REPRESENTATIVE:	Michael Malone / Partners in Architecture
COMMON DESCRIPTION:	23211, 23231, 41 & 51 Van Dyke // 7592 Republic // 7575, 7583, 7591 Continental // Continental
LEGAL DESCRIPTION:	13-28-483-024, 011, 010, 009, 008 and 019 to 023
ZONE:	C-2

VARIANCES REQUESTED: Permission to

- 1) Construct a building no less than 11' from the south (side) property line along Continental.
- 2) Construct a controlled access gate no less than 11' 8" ft. along the south (side) property line along Continental.
- 3) Construct a 6' high decorative fence no less than 11' 8" ft. along the south (side) property along Continental.
- 4) Construct a fence that extends 10 ft. past the front building line.
- 5) Waive required masonry wall along the west property line.
- 6) Erect 2 wall signs on the east elevation as follows:
 - a. Fire "logo" 173.9 square ft.

b. "Warren Fire Department" 80 square ft.
Total of 253.9 square ft. of wall signage.
(All contingent upon lot combination approval.)

ORDINANCES and REQUIREMENTS:

Section 8.07 – Side Yards Abutting Upon a Street: In R-1-P districts, the width of the side yard abutting upon a street shall be not less than twenty-five (25) feet when rear yards abut side yards; however, when rear yards abut rear yards.

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

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

Skip McAdams, 23295 Schoenherr, stated this is station 1. They're replacing a north station and a south station near simultaneously. This project, the station itself is identical to station 5. In this instance, it's pushed as far south as they can. To give them the ability to see north bound traffic headed towards them. They will have a traffic control signal, but to enter onto Van Dyke, which is an extremely busy street, or actually highway, necessitated moving the building as far south as possible. Not centering it on the lot itself. So, then in the back there, there will be a sidewalk, a green area, that will connect continental to the existing park behind the library. So, in this instance they don't want to block access for any of the neighbors or any of the children to access the park, to have to come all the way up to Van Dyke, walk in front of the station, to the library to the park. This will provide access. So, it's a desire to maintain openness and security. Obviously, in the wintertime it's dark at five (5) o'clock and they want to be a good neighbor, good part of the neighborhood. It's going to be well lit. There will be a twenty-four hour presence there also. It'll provide a safety factor for anyone who wishes to use that sidewalk. It will be kind of out of the way, but it will allow neighborhood access. The emblems are the same. The station is the same. Everything else is identical.

Chairman Nestorowicz thanked him for that description. This is a public hearing. Is there anyone else in the audience wishing to speak on this item. Please step aside to let this lady speak. He asked her to state her name and address.

Suzanne Kovach, 7567 Continental, appeared before the board stating it's very close to the sidewalk, her property line. She's just been looking at this for the first time and one concern she had all along since the proposed library knowing this was going to go forward

is that it appears she is losing her gate to access the backyard. At the area of the utility pole. Which is of concern to her, because she was planning on building a concrete pad there to accommodate an RV. She doesn't know if that's something she's supposed to formally object to or petition, or what have you, but that is a concern to her. She's reading this, it looks like there is five (5) feet, maybe six (6), between her property line and the sidewalk. Is that correct?

Chairman Nestorowicz asked it's a five (5) foot setback.

Suzanne Kovach stated she met him before they constructed this library. There was a model out here, a beautiful model that she loved seeing because it's easier than reading plans. As she's looking at this, this utility pole is, she means she's paying for the light there. She has a gate here and was planning on doing a concrete pad for her RV, but it seems like she won't be able to do that. There is a driveway here now.

Project Architect explained that's city property.

Suzanne Kovach understands that. She's just saying she has a gate there. She was hoping this sidewalk, which now that she sees is very beautiful, but was hoping it wouldn't be that close and there would be access. She has no other access to the backyard. She doesn't know how to address that.

Project Architect explained that would be a question for the city. She would need to request an easement to use the city property to get to her property. Currently, there isn't an easement there. She's just using it because it's available.

Suzanne Kovach explained she doesn't really use it, technically, right now, because she's not in a position to build the concrete pad, but there is no other way for her to access the backyard.

Project Architect said technically the city could put a concrete wall. They're actually supposed to.

Suzanne Kovach read that.

Project Architect didn't want to do that.

Suzanne Kovach agrees with that. She thinks it's a much better idea. She gets the technicality of it, and she thinks it's a great design, it's just that has always been her concern and she addressed that at the first meeting. She doesn't know if there's a remedy or if she's supposed to pursue that.

Project Architect stated he can't answer that.

Skip McAdams asked if she could access her backyard from the street.

Suzanne Kovach has access through the existing driveway, but there's a carport roof thing,

but there's no other way for her to access the backyard, because of the configurations.

Chairman Nestorowicz asked to interrupt for a moment because he hears their discussion. Steve, what would her next steps be if she has this gate and stuff there.

Steve Watripont is really unsure. The access to her yard is allowed through her driveway and everything, there is no guaranteed access the city gives to the side yard on anyone. He doesn't know what it would be. Probably, not knowing the whole property, he hasn't been out there, it would be hard to make a suggestion without seeing anything like that.

Chairman Nestorowicz said ok.

Suzanne Kovach showed Steve the layout of her property.

Steve Watripont said that's typical with ninety (90) percent of Warren houses.

Suzanne Kovach understands, but she is here to express her legitimate concern because she can't do what she intended.

(Inaudible)

Board Member Sophiea asked if the public...

Chairman Nestorowicz stated he was going to close the public portion of the meeting, of the discussion of this, and turn it over to the board for discussion and questions.

Board Member Sophiea asked Steve if there is no easement behind that property. Not according to the site plan here.

Steve Watripont agrees with that, according to the site plan. He would not know without digging through and possibly even asking Engineering to verify that.

Board Member Sophiea thanked him.

Board Member Anglin said his question to address the lady's situation is that you can't really drive on the neighbor's property, whoever the neighbor is, to put something in your backyard not matter what. That's the zoning codes and the way it is. He can't see any way to try to accommodate her for the certain situation she's in, other than maneuver her driveway for her house. Whatever she has to move, tear down, back up or whatever to be able to get better access into her backyard. So, that's not going to hinder him. He does have one question. Why is it necessary to bring the fence in front of the building. Decorative fence no less than ten (10) feet from the property. The normal code is fencing has to end at the front of the building. What reasoning are they using to bring that fence past the front of the building, farther towards the street.

Skip McAdams asked if he meant in front of the station.

Board Member Anglin said that is correct.

Skip McAdams asked if it's on the north side of the property.

Board Member Anglin said the way it reads, construct a 6' high decorative fence no less than 11' 8" along the south side of the property line.

Secretary Jerzy and Chairman Nestorowicz asked if he's talking about number 4.

Board Member Anglin said yeah 4, and the other part is construct a fence that is ten (10) feet past the front of the building. Normally the board has been pretty steadfast with people about the fence has to end at the front of the building. He doesn't want it to come back and say because it's the city they allowed it to happen. So, he asked them to explain to the board why they need to have that there and then he'll make up his decision.

Skip McAdams said one, it's a park and two, it's a special needs park. By that, kids are attracted to fire trucks. They wanted to put a barrier between them and the children. A mother or father bringing kids to a library or utilizing the park. They would like to say they're perfect parents, but kids get away from us and they have forty (40) foot long trucks with sideline for a child is two (2) foot tall. The reason for the fence is to protect their park, front approach they will be pulling out on and give them a barrier from the kids to try and prevent them from a fire truck and running to see it. Then they have a tragedy with a child.

Chairman Nestorowicz said that's the best reason in all the years he's been sitting up here for somebody to put up a fence past the front of the house. He has no objections to that.

Chairman Nestorowicz asked for any other comments or discussion from the board.

Secretary Jerzy wanted to also state that they had an impact letter from Planning on this item, too. Said they found no issues were found to impact the abutting properties. He just wanted to add that to the record and yields the floor.

Chairman Nestorowicz thanked him.

Board Member Sylvester said he has one question. What he just got done saying and everything with that being by the library. There's going to be a lot of kids at the library. There's probably going to be more since they're going to have the fire trucks there. Are they planning on doing anything with regard to the library and the clientele that's going to be at the library making sure that there's a safety concern being taken care of there.

Skip McAdams said one, they plan on being open to the children and provide them with the experience of being to get on the trucks in a controlled environment to see the fire station. To utilize that in terms of seeing it and being a part of it. Planned partnership with the library, yes, that is something they know they have to do, because they are an attractive nuisance. They feel to become part of that neighborhood they normally attract kids. Yes, they are very much aware that additional care and additional safety steps will have to be taken given that is a park and a special needs park. They want to have a positive impact there and not have a negative incident. They hope to have a positive experience for these children.

Board Member Sylvester asked if he's going to work with the library director to kind of schedule something up to where they can cohabitate.

Skip McAdams replied yes. They have no choice. They're going to become part of the neighborhood there. They attract children, regularly. They just expect that they'll attract more children. They know they need to partner.

Board Member Sylvester thanked him.

Board Member Anglin asked if there is anybody else that has anything to say. If not he'll make a motion.

Chairman Nestorowicz said please do.

Board Member Anglin said they attract this big kid, too, to those things. There are children in all of us. Second, he still hasn't found a fire pole to slide down in the City of Warren.

Skip McAdams said he spent his first twenty-five (25) years working for the City of Pontiac who did have a brass pole to slide, and that was the coolest part of being a fire fighter. Except at four (4) o'clock in the morning when half asleep hitting the pole. Can't let go too soon.

Board Member Anglin understands.

Motion:

Board Member Anglin made a motion to give permission to:

- 1) Construct a building no less than 11' from the south (side) property line along Continental.
- 2) Construct a controlled access gate no less than 11' 8" along the south (side) property line along Continental.
- 3) Construct a 6' high decorative fence no less than 11' 8" along the south (side) property along Continental.
- 4) Construct a fence that extends 10 ft. past the front building line.
- 5) Waive required masonry wall along the west property line.
- 6) Erect 2 wall signs on the east elevation as follows:
 - a. Fire "logo" 173.9 square ft.
 - b. "Warren Fire Department" 80 square ft.

Total of 253.9 square ft. of wall signage.

(All contingent upon lot combination approval.)

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

Secretary Jerzy supported the motion.

Chairman Nestorowicz wanted to ask Mr. Anglin when he was reading number 2 he thinks he had the wrong measurement.

Board Member Anglin restated number 2) Construct a controlled access gate no less than 11' 8" along the south (side) property line along Continental.

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

Roll Call:

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

Board Member Anglin	Yes, for the reasons stated in the motion.
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 Perry	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** as written.

11. PUBLIC HEARING:

APPLICANT: Gleaners Community Food Bank of Southeastern Michigan

REPRESENTATIVE:	David Webster
COMMON DESCRIPTION:	4401 Eight Mile, 20732 Sunset, 20805 frontage, 20775 frontage, 20735 frontage
LEGAL DESCRIPTION:	13-32-357-014, 13-32-357-009, 011 to 013
ZONE:	M-1

VARIANCES REQUESTED: Permission to

Waive the required 8 ft. wide greenbelt along the east, north & west sides of the portion of the property that is not in area of development. (Contingent upon the combination of all parcels.)

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: (C) Greenbelt. None, except when a side or rear yard abuts a zoning district other than industrial then eight (8) feet wide as per Section 2.26.

Chairman Nestorowicz asked them to start with name and address for the record, then take the board through the presentation or explanation.

Dave Webster appeared before the board stating he is with Gleaners Community Food Bank of Southeastern Michigan. This is on the intersection of Eight Mile and Sunset. It is a one of a kind facility that they're building that would allow for daily access for people for perishable items. Fresh produce, eggs and milk. Things they can't get on a regular basis through the emergency network. It's a unique setup, more like a retail setup than a pantry setup they're familiar with. The lot is broken up on Eight Mile and Sunset is zoned M-1. They also own the parcels that go up north that

are zoned residential. They are consolidating the lots as was required, they've submitted that application. What they're requesting is a variance. Instead of doing an eight (8) foot green belt running north between the residential lots on both sides, running north 205 feet, and then 167 feet and back down another 205 through that space they're not developing, residential to residential. Instead, they're asking if they can continue the greenbelt that's on the left hand side, which abuts up to a residential white fence, and run it straight across separating the M-1 from the residential, which provides the buffer that is really the purpose of it.

Chairman Nestorowicz thanked him for the explanation of it. This is a public hearing. Is there anyone else in the audience wishing to speak on this item.

No response.

Chairman Nestorowicz closed the public portion and turned it over to the board. He has a question. First of all, he thinks this is a wonderful project for the city and for that area. He sees the turn out that they get all their various distributions, Warren Woods or Salvation Army. There's a lot of good work that is done there. This property, this part that's not in the development, is that going to have any access. In the future what's going to be... is that just going to be vacant land?

Dave Webster replied yes, it's just going to be as it is now. They can see very large grown trees back in that area, but they will just maintain it as it is. That buffer they're talking about would have an opening they can see in the image that would allow them to get back there to maintain. There is also some utility lines back there, so there needs to be access for utility trucks.

Chairman Nestorowicz thanked him.

Dave Webster has no plans to develop it. He knows part of it is zoned R-1-P. They have no intentions of using it for parking.

Secretary Jerzy said it begs the question of why would they purchase that parcel if they're not going to.

Dave Webster explained it came with it. The previous owner owned all of that. The history of that spot was that it was used for commercial activity and vehicles were stored back in there.

Secretary Jerzy does like the idea of them saving the trees in that area. He's in favor of the new greenbelt idea, too. It's very rare they get a really great project in this town like this and are able to save a couple trees in their canopy as well. He greatly appreciates him doing that. He thinks this is going to be a great project once it gets up and running. It's really going to enhance Eight Mile, like he said at the previous meeting when they came before the board. He wishes them luck and they have his vote on this. He yields the floor.

Chairman Nestorowicz asked if there is any other question or discussion.

Board Member Anglin has a concern that if they give permission for that lot not to have a greenbelt on the east or waive the eight (8) foot requirement on the east, north and west side of the property at some point, maybe not in his lifetime, that property is going to get developed with something. When they issue something it's forever on that property. So, if they decide to go back and do what

Salvation Army did with the old Gleaner's that was behind there, the back part of the property they developed to put Gleaners on it. If the board passes this the way it's read, they have carte blanche sometime in the future to build on that and not have to put any type of greenbelt.

Chairman Nestorowicz said technically since that is zoned R-1-P they couldn't put something back there that doesn't fit R-1-P without coming here to get a variance.

Board Member Anglin understands that, but he doesn't know who is going to be sitting on the board.

Chairman Nestorowicz stated they don't know who will be sitting on the board. He would hope those board members would consider that, because it's R-1-P. That's a residential piece of property, it's not a commercial property.

Board Member Anglin said he's giving his reasoning for not voting for it is the fact that he doesn't know what's going to be sitting here and he always thought his job was to do what's forever when he makes a vote. If he makes a vote forever then...

Steve Watripont explained the way it is written, they're waiving it for the east, north, west sides of the portion of property that is not in area of development. If it gets development it loses those requirements, he believes. He will defer to the city attorney on that though. He believes they took very careful care with the applicant and everything to make sure they were under that understanding, too, when it was written.

Board Member Anglin said again, that's why he brought it up. That's his only concern. If the attorney is telling him the way it's written says that if they develop that property then they lose this variance.

Steve Watripont said it's no longer an area not of development.

Board Member Anglin asked if the attorney is agreeing with that statement.

Laura Sullivan stated it says waive the required eight (8) foot requirement for the portion of the property that is not an area of development. So that's modifying the waiver. It's not in the area of development... They could add something, but not if of when it is developed.

Steve Watripont stated his suggestion would be to add a condition that if it gets developed it will have to come back for full ordinances at that time for that rear area, or something like that. If that works with the city attorney.

Laura Sullivan thinks it would have to, because they're not waiving it for the area that's not being developed. Yeah, she would agree with that. Does that makes sense, Mr. Anglin?

Board Member Anglin said that does. But he doesn't understand at this point just to say that green belts aren't needed unless the zoning is changed, and once the zoning is changed they lose their... because they would have to change their zoning to build on it. Any type of commercial.

Laura Sullivan thinks that's getting too complicated.

Board Member Anglin said that's him, Mr. Complication.

Laura Sullivan stated they're just going to be waiving that green belt for the area stated that is not in an area of development.

Board Member Anglin asked the way this reads then if they decide to build something back there they no longer have this protection of not putting up a greenbelt. He's got one shaking his head, two, and he needs her...

Chairman Nestorowicz thinks so. Unless they were building a residential house back there.

Board Member Anglin wants to see her shake her head or at least say yes, that's correct.

Laura Sullivan stated yes.

Board Member Anglin said he's all set.

Board Member Clift said he's just a little confused, because as far as he's aware R-1-C and R-1-P zoned area isn't required to have greenbelts anyway.

Board Member Anglin said that's correct. He doesn't know why it's here.

Board Member Clift doesn't understand why it's worded the way it's worded and why it has to be waived when they don't need them there anyway.

Steve Watripont explained this is a commercial development. No matter how the property is zoned, it needs a greenbelt around the property. So, it doesn't matter how it's zoned at that point because the project itself is a commercial project. It encompasses the whole property.

Board Member Clift doesn't have a problem with it, he's just asking a kind of obvious question. He yields the floor.

Board Member Sophiaea stated his only question is that he sees contingent upon the combination of all parcels. Is the R-1-P lot a separate parcel that's going to be combined.

Steve Watripont asked how many parcels are there.

Dave Webster answered there are five (5) parcels and they're all being consolidated. Two (2) of them are residential and three (3) of them are M-1.

Board Member Sophiaea asked when they're all combined they all share the same.

Dave Webster replied it does not change their zoning.

Board Member Sophiaea asked it's not going to change the back undeveloped area from R-1-P.

Dave Webster replied correct.

Board Member Sophiea thanked them.

Laura Sullivan said she has a question. She thought he said they bought it all as one deal.

Dave Webster explained one (1) purchase, yes, but there are five (5) parcels. There are five (5) tax ID's.

Laura Sullivan asked what's the purpose that they have to be combined.

Dave Webster said the city required it.

Steve Watrion explained that's pretty standard with Planning on developments.

Laura Sullivan thanked them.

Board Member Sophiea is satisfied with the information heard. If there are no other comments he would like to make a motion.

Motion:

Board Member Sophiea made a motion to grant permission to waive the required 8 ft. wide greenbelt along the east, north & west sides of the portion of the property that is not in area of development. (Contingent upon the combination of all parcels.)

Reasons being: Not a detriment to the area; Nice facility for the neighborhood; Necessary.

Board Member Anglin supported the motion.

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

Roll Call:

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

Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member 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 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.

12. PUBLIC HEARING:
REPRESENTATIVE:

APPLICANT: Maher Al-Murisi
Same as above.

COMMON DESCRIPTION: 13794 Twelve Mile
LEGAL DESCRIPTION: 13-13-101-002
ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to

Allow window signage for four windows as follows:

- 1) Window "B" signage covering 71% of window.
- 2) Window "D" signage covering 78% of window.
- 3) Window "F" signage covering 65% of window.
- 4) Window "H" signage covering 75% of window.

ORDINANCES and REQUIREMENTS:

Section 4A.28 – Window Signs: In addition to other applicable zoning requirements, the responsible party shall comply with all of the following requirements: (A) Total non-illuminated window signage shall not exceed 50% of the window where it is placed.

Maher Al-Murisi appeared before the board stating he is here representing the discount store located at 13794 Twelve Mile.

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

Maher Al-Murisi repeated his name. He's here to present for the discount store.

Chairman Nestorowicz asked him to state his address.

Maher Al-Murisi stated 13794 Twelve Mile Road. Their main concern is security purposes or concerns to these windows covering the back of the convenience stores and the cashiers. Also, it's covering the area that has the valuable items. Like shown to the public outdoor.

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

No response.

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

Board Member Sophiea said it is just his opinion that he doesn't care for these window signs in general. He thinks they detract from the neighborhood. It also kind of bothers him here on the enforcement action filed that the signs were noticed in March of 2023 about these signs. There were multiple notices that went out in the spring time, summer, June 26th the signs were still up. A second notice was sent out June 29th. July 15th another notice was sent out and the signs were still on display. He doesn't like the history on this property. He's curious what other board members are thinking.

Board Member Sieracki agrees with Mr. Sophiea. He thinks that a lot of stuff, a lot of clutter on here. That takes away from the other businesses that are there. Again, with all the filings against with no concern about doing the right thing. He's not for it.

Chairman Nestorowicz wanted to add in. The ordinance does allow fifty (50) percent of the window,

which is a lot in his opinion as it is. Once they start having up to eighty (80) percent of the window, they're almost obscuring the entire window at that point, in his opinion. He thinks it's overkill. The hard thing is one user might have signs that look nice, but they don't know how the next user is going to be or what kind of signs they're going to have. It's a lot of coverage in his opinion. Any other discussion?

Board Member Cliff heard the petitioner speaking of needing this action for security purposes, basically to obscure the interior of the store. He's going to echo the sentiments of his fellow board members. He thinks this overboard and a little gaudy in his opinion. However, there are other avenues that the petitioner can take to put coverings or tinting or black out or opaque or whatever on those windows if he's worried about a security aspect and screening aspect for the interior of the store. Like his colleagues that have already spoke, he can't really get behind this either. He'll yield the floor.

Board Member Anglin has been in business a long time in Warren and he understands the needs for some type of signage. It's actually crucial to a business operating. His biggest concern is the issuing of tickets and not doing anything about it or trying to say if they took this down or that down, and work it out with the city before it actually comes to this point. He just can't see... yes, it's over signage. If it would have been something that came back and said listen, you know, there's this sign here that comes in sixty (60) percent. He probably would have gave him the (inaudible) for that. But since he doesn't see any type of movement whatsoever he can't support this the way it's presented today.

Chairman Nestorowicz wanted to add on. When he takes a look. For example, he's got the one here that has the prices, name of the store, daily deals. He's got that on multiple windows. That's the kind of sign you have over the top in front of the business. He doesn't have to have it in every single window. It's like overkill in his opinion of signage. That's one of the reasons he won't support. Is there any other discussion. He thinks Mr. Sophiae wants to make a motion.

Motion:

Board Member Sophiae made a motion to deny the petitioners request:

- 1) Window "B" signage covering 71% of window.
- 2) Window "D" signage covering 78% of window.
- 3) Window "F" signage covering 65% of window.
- 4) Window "H" signage covering 75% of window.

Reasons being: Self-imposed; Not necessary; Financial; Doesn't believe the property is unique.

Board Member Perry supported the motion.

Chairman Nestorowicz said they have motion by Mr. Sophiae, support by Mr. Perry. He wants to reiterate to the board a yes vote is yes to deny. Roll call, please.

Roll Call:

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

Board Member Sophiae Yes, to deny.

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

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

13. PUBLIC HEARING: **APPLICANT: Allied Signs, Inc.**
REPRESENTATIVE: Jim Fields
COMMON DESCRIPTION: 27480 Van Dyke
LEGAL DESCRIPTION: 13-15-304-003
ZONE: MZ, C-2, P

VARIANCES REQUESTED: Permission to

Erect the following signage:

- 1) Two presell menu boards @ 10.06 square ft. each, 5' 11.5" high, total of 20.12 square ft.
- 2) One double clearance bar @ 13.66 square ft., 11.5' high.
- 3) Two order canopies @ 2.66 square ft. each, 11' 7.25" high, total 5.32 square ft.

Total square ft. of new signage: 39.1 square ft.

(If approved the variances approved on 9/26/2012, numbers 1, 2 and 5 will be rescinded.)

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

Bob Digorno, 33650 Giftos, appeared before the board stating he is here on behalf of McDonald's at 27480 Van Dyke, They are requesting a variance for signage for a second drive through lane being installed at the McDonald's location. The second drive through lane is being installed to help customers with faster service and to eliminate some of the back up traffic on Van Dyke with people pulling into McDonald's and the single drive through lane getting backed up. So, with the second drive through lane being installed it's going to make things more safe on Van Dyke with traffic headed north bound in the right lane. They're proposing, they're requesting a variance for additional signage for that.

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.

Board Member Sophia stated this looks like a pretty routine sign package. He personally gets a

little kick out of it with all the drive through signage and directional signage. He has a lot of problems in his life, but once he pulls into the McDonald's parking lot he's never not been able to find where the drive through is located. None the less, if they're going with their routine package here he thinks this is something they should approve.

Board Member Perry thinks it's a very good idea. He has gone to that McDonald's and half of the cars are sticking out on Van Dyke. With the double lanes, that could alleviate that problem. It's a safety issue he thinks.

Board Member Sylvester said the petitioner had a backup problem. He has lived in this area all his life. What times does it get bad.

Bob Digorno replied lunch time. Mostly lunch time. People getting off work flying to get lunch and it's pretty busy at lunch time with all the businesses there that the customer of McDonald's goes to during lunch time. That does get backed up a lot on Van Dyke. He's been there a few times himself. He grew up in Warren and that's a pretty busy McDonald's.

Board Member Sylvester asked how long does that congestion last. He asked if he said the morning, right.

Bob Digorno repeated in the afternoon around lunch time.

Board Member Sylvester asked how many cars might be backed out into Van Dyke or whatever.

Bob Digorno said there are times when there's six (6) or seven (7) cars waiting to pull into the McDonald's parking lot at any given time. It's a pretty busy McDonald's location. It's not a huge McDonald's location. It's pretty tight and they're trying to make things better and safer for the area they have to work with for the consumer of their customers coming in there for lunch, breakfast, dinner.

Board Member Sylvester asked if it's a daily occurrence.

Bob Digorno replied yes.

Board Member Sylvester thanked him.

Board Member Clift stated if nobody else has any objections or comments, he'd like to make a motion on this item.

Secretary Jerzy is just happy they're keeping the big sign out front.

Motion:

Board Member Clift made a motion to give permission to erect the following signage:

- 1) Two presell menu boards @ 10.06 square ft. each, 5' 11.5" high, total of 20.12 square ft.
- 2) One double clearance bar @ 13.66 square ft., 11.5' high.
- 3) Two order canopies @ 2.66 square ft. each, 11' 7.25" high, total 5.32 square ft.

Total square ft. of new signage: 39.1 square ft.
(If approved the variances approved on 9/26/2012, numbers 1, 2 and 5 will be rescinded.)

Reasons being: Definite need in the area; Due to relief of congestion.

Board Member Perry supported the motion.

Chairman Nestorowicz said they have motion by Mr. Clift, 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).

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 Sieracki	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.

14. PUBLIC HEARING: **APPLICANT: Muhammad Vasig**
REPRESENTATIVE: Charles Coleman
COMMON DESCRIPTION: 28401 Hoover
LEGAL DESCRIPTION: 13-15-280-010
ZONE: PB

VARIANCES REQUESTED: Permission to

Erect a 3' x 13' = 39 square ft. wall sign. This is in addition to the previously granted variance (7/8/2020) for a 28 square ft. monument sign. If granted total signage will be 67 square ft.

ORDINANCES and REQUIREMENTS:

Section 4A.33 – Signs Permitted in Professional Business and Special Service Districts

(P.B., S.S.): (B) One on premise sign or advertising display of a size not exceeding twelve (12) square feet in area for each business on the premises shall be allowed in Professional Business Districts and Special Service Districts.

Muhammad Vasig, 28401 Hoover Road, appeared before the board stating they have one (1) ground sign, but because of the trees it's not very visible. For primary care they were ok with that sign, but since they made it an urgent care and open late at night, they needed the sign. A little high and visible. So, they talked to the city and told them they need to apply for the permission to put the wall sign on the top of the building. It's just stating that it's urgent care.

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. He just wants to make a comment. Driving down Hoover with the monument sign it's great and visible, but it's true, the building itself does not have a lot of identification on the actual building.

Secretary Jerzy asked if this sign is currently up.

Muhammad Vasiq replied no.

Board Member Clift asked what the overall frontage of the building from one side to the other. The width.

Muhammad Vasiq is not one hundred (100) percent sure, but to the best of his assumption he thinks it's over one hundred (100) feet. He has the picture. Just he fascia where they want to put the sign is fifty (50) or sixty (60) feet.

Board Member Anglin just wondered what his frontage was. He likes to do a sign comparison that if they have a lot of frontage like they have had buildings come that were 200,000 square foot. For them to have the allowance of a forty (40) square foot sign would be useless. It would be like a fly hanging on a wall somewhere. So, the board understood them needing a larger sign. That's why he was wondering what his... the building looks about twelve (12) feet tall. He asked if both units are his. He sees two (2) doorways. Is the whole building his?

Muhammad Vasiq replied yes sir.

Board Member Anglin said probably twenty (20) foot units and then they combine them.

Muhammad Vasiq replied it's more than that. The sign size is thirteen (13) feet long, but it's at least sixty (60) feet he's assuming. They have one (1), two (2), three (3), four (4), five (5) rooms. Each room is about ten (10) so it would be about fifty (50). Then two (2) hallways there, so sixty (60) to seventy (70) feet his presuming.

Board Member Anglin said ok, he has no problems with this then. The building is large enough.

Chairman Nestorowicz agrees the building is large enough. Even though one of his pet peeves he doesn't like signage that includes big phone numbers, because that's more like a billboard. It's nothing something with the businesses.

Secretary Jerzy asked if they could put a stipulation on that if they approve this.

Laura Sullivan said they're not requesting...

(Inaudible)

Board Member Sophia said with these urgent cares popping up all over town the board has been

pretty conservative on the sign packages that the board has granted with previous applicants. Just looking at this picture without seeing the whole frontage of building, it looks out of place. He would like to see the monument sign relinquished if it's not doing any good for a sign this large on the front of the building. Those are his thoughts.

Chairman Nestorowicz stated the way that building is like that siding part that is that light beige where the sign is going, on either side of that there's brick part. That's not... half part of the front of the building.

Board Member Sophia said sure, he just doesn't like the tan part, the façade, he thinks it's too full.

Board Member Anglin said it was his understanding, the way it was conveyed, and that's what he is going to go by, what was said, if that building is fifty (50) feet, this sign is thirteen (13) feet, that means it's only twelve (12) percent. He doesn't have a problem with it at all now looking at the building. There is more brick and everything else on both sides of it. Future reference, if he ever comes across any sign have a picture of the whole front of the building so the board can get a perception.

Board Member Sophia stated it's still big but he's more comfortable with it, seeing the full frontage.

Chairman Nestorowicz said he got it.

Board Member Sylvester said to the petitioner. Since they have been coming... He asked if they're part of urgent care or if they're the design people.

Muhammad Vasiq replied he's the physician, he's the owner of the urgent care.

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

Muhammad Vasiq replied yes.

Board Member Sylvester asked him to explain to him when he goes driving around and he sees, and you guys are popping up all over they place, why is all the signage different.

Laura Sullivan asked Mr. Sylvester if this has to do with his request.

Chairman Nestorowicz said it's different businesses.

Board Member Sylvester said no it's still urgent care. It's the same colors, it's the same writing, it's the same everything.

Chairman Nestorowicz said no it's a different business. It's not all one company.

Steve Watripont explained urgent care is not a corporation. Urgent care is a type of business.

Board Member Sylvester said he's not trying to cause anything. It's just why when he looks at all

the signs are they all identical.

Steve Watripont said they're not identical.

Board Member Sylvester said they're larger size, smaller size, some of them fit right in front of a building and that looks nice.

Steve Watripont explained not all urgent cares are one company.

Board Member Sylvester said ok, so how does that work.

Steve Watripont explained just like not every hospital is not ran by the same hospital.

Board Member Sylvester said well, around here they are.

Steve Watripont said well, they're different companies.

Muhammad Vasiq explained urgent care is more walk-in and urgent care needs to just let the people know there's urgent care and people don't really care about the names or brand. They just want to know if there's an urgent care and they can go in.

Board Member Sylvester asked if he's part of a corporation then.

Chairman Nestorowicz said no.

Laura Sullivan said objection, is that relevant to his request that's before the board right now?

Board Member Sylvester said beg your pardon.

Laura Sullivan asked if these questions are relevant to the question before the board right now.

Board Member Sylvester said yeah, because like he said going around from city to city and seeing all these urgent cares. He's looking for a design on the building to bring people in to say this is an urgent care. Some that he sees are done very well, they fit right in, but they're all different.

Chairman Nestorowicz said they would be, they're all different businesses. They have nothing in common.

Laura Sullivan asked what's the point to his request.

Board Member Sylvester said he's missing something some place. Thank you.

Board Member Clift said if nobody else has any comments he would love to make a motion on this.

Chairman Nestorowicz said please do.

Motion:

Board Member Clift made a motion to grant permission to erect a 3' x 13' = 39 square ft. wall sign. This is in addition to the previously granted variance (7/8/2020) for a 28 square ft. monument sign. If granted total signage will be 67 square ft.

Reasons being: Necessity for identification to the front of the building; Not a detriment to the area.

Board Member Anglin supported the motion.

(Inaudible)

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

Roll Call:

A roll call was taken on the motion. The motion carried (7 – 1).

Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sophia	Yes, for the reasons stated in the motion.
Board Member Sylvester	No, he doesn't understand these things and he doesn't understand the advertisement on them. No.
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.

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| 15. PUBLIC HEARING: | APPLICANT: Best Block Company |
| REPRESENTATIVE: | Andrew Pachota |
| COMMON DESCRIPTION: | 22001 Groesbeck |
| LEGAL DESCRIPTION: | 13-35-176-006 |
| ZONE: | M-2 |

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

- 1) Retain a pole sign as follows:
 - a. Height, 21' 4".
 - b. Setback 11' 3" from front property line.
- 2) Retain two wall signs as follows:
 - a. Top sign: 77" x 48" = 25.67 square ft.
 - b. Bottom sign: 77" x 36" = 19.25 square ft.

Total wall signage = 45 square ft.

ORDINANCES and REQUIREMENTS:

Section 4A.18 – Height: The height of all signs, unless provided otherwise in this ordinance, shall comply with the following: b) freestanding signs. The height of all freestanding signs shall not

exceed twenty (20) feet.

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

Section 4A.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. 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.

Tim Wood, 22001 Groesbeck, appeared before the board stating he is with Best Block Company. As part of their building improvement, they redid the existing signage as it was kind of falling apart, it was outdated and faded. So, as part of the building improvement they redid just the signage there and asking for approval to keep their existing signs.

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

No response.

Chairman Nestorowicz closed the public portion and turned it over to the board. He just wanted to start by saying, he means, retain an existing pole. He knows it's only one (1) foot over where the twenty (20) foot requirement. Personally, they're only having forty-five (45) square feet of total wall signage, which also is not that much. He thinks this is an improvement onto that property. It's going to look a lot better than the old signage.

Board Member Sophiea doesn't have any problems with this. He just wish there was a colored picture of the signage. He doesn't know if it was submitted in black and white or if it was just a copy, but the request, variance, is pretty small. He has no problem with it.

Board Member Clift asked if there is a representative from the sign company here. All he's going to say is, he thinks they should wait till the permits are approved before doing the work, sir. According to the listing the permits were applied for and the work was completed prior to the permits being granted. That would have put them here before it was taken care. He doesn't have a problem with it either way, he just doesn't like putting the cart before the horse. He yields the floor.

Board Member Anglin stated the size of the building, the size of the property, the location of the property. He has no objections to those signs being put up. If there are no other...

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

Board Member Sophiea would just like to say that changes his position. He agrees with the sign, otherwise, it's his principal that he doesn't approve items that were put up without a permit first.

Secretary Jerzy would have to agree with his colleague, Mr. Sophiea, as far as that goes, too. He'll yield the floor.

Board Member Anglin said when he has time if nobody else wants to make a comment he would like to make a motion.

Chairman Nestorowicz said please do.

Motion:

Board Member Anglin made a motion to give permission to allow the following related to signage:

- 1) Retain a pole sign as follows:
 - a. Height, 21' 4".
 - b. Setback 11' 3" from front property line.
- 2) Retain two wall signs as follows:
 - a. Top sign: 77" x 48" = 25.67 square ft.
 - b. Bottom sign: 77" x 36" = 19.25 square ft.

Total wall signage = 45 square ft.

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

Roll Call:

A roll call was taken on the motion. The motion carried (6 – 2).

Board Member Anglin	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 Clift	Reluctantly, yes for the reasons stated in the motion.
Board Member Sophiaea	No, self-imposed.
Secretary Jerzy	No, to deny. He thinks it's self-imposed and a detriment.
Chairman Nestorowicz	Yes, to approve the request.

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

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| 16. PUBLIC HEARING: | APPLICANT: Metro Detroit Signs |
| REPRESENTATIVE: | Kevin Deters – Metro Detroit Signs |
| COMMON DESCRIPTION: | 6500 Fourteen Mile, Ste 500 |
| LEGAL DESCRIPTION: | 13-04-126-021 |
| ZONE: | M-2 |

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

- 1) Install a third monument sign as follows:
 - a. Height 5' 5".

b. Size 3.5' x 10' = 35 square ft.

Sign is addition to: the 17' 5.5" high, 173.5 square ft. monument sign approved by the ZBA on 10/11/2023, a 44' high 880 square ft. monument sign approved by the ZBA on 10/13/1997 and 24 banners (16 square ft. each, for a total of 384 square ft. of banners) approved by the ZBA on 11/10/1997.

2) Install a directional sign as follows:

a. Size: 3' height x 6' wide = 18 square ft.

In addition to two directional ground signs total 4 square ft. (ZBA granted variance on 9/26/2018.)

If approved total ground signage = 1,494.5 square ft.

ORDINANCES and REQUIREMENTS:

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

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

Section 4A.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.

Paul Deters, 11444 Kaltz, appeared before the board stating he is with Metro Detroit Signs and Lighting. He thanked the board for their consideration this evening. This project has changed a little bit since they first applied for this. He thinks as the board looks at this they will take into consideration that this is almost three (3) separate parcels that are very different businesses, but they all fall under the same lot. So, as a result of this, Ashley is looking for a ground sign, because they want to separate the entrance for their facility from their competitor's entrance. So, in effect, the large sign that's at the property is for Gardner White Furniture, their competitor. They share the same address. In order to get this, what they're hoping to do is have at the far end of the property a small monument sign that tells their customers where to enter to go into to pick up furniture from Ashley rather than having them go to their competitor's store where the big sign is located just a few feet down the way. Complicating the matter is there is a shopping center, L-shaped center, that is between the road and where the entrance is to the Ashley distribution center. The distribution center is completely invisible from the road. This identification gives people an idea how they would get back into that property. The other one, as they can see, is so far deep as they go back there. There is a fence and it's a little bit confusing. The additional directional sign, which is not visible from the road at all, would be to just say keep going forward they have a few more feet to go or a couple hundred feet to get back to the Ashley warehouse itself.

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. He's got a question here, because he agrees the directional signage is important, but when he thinks back to when the last meeting in October when the board approved the second large monument sign. He knows the first one is the Gardner White one, the second they approved in October was suppose to have a

space for every single one of the tenants of the big warehouse. So, his question is, is Ashley still on that big sign or if they're moving onto a smaller monument sign, then that big monument sign they approved does not have to be as big as they approved it.

Paul Deters stated that's why he said what was difficult for this is when they applied for this, and Ashley had applied for this, neither of them were aware of the application that was being put in for that other monument sign. Ashley has not been given permission to go on that sign. It was intended, from what they are understanding, just for the businesses that are in the outbuilding, not for the big warehouse that's way in the back. Now, so, as a result of that they're hoping to have this sign, which would be at the far end of it. It would enable people to figure out, otherwise nobody is even going to know they have a business back there.

Chairman Nestorowicz agrees. It's funny, because when he saw that he was representing Ashley Furniture, their sign company was not doing the monument sign. That was a different company that was here. He was wondering what kind of coordination, because that sign company explained that warehouse area in the back was divided into x amount of units and each one of those units has a space on that big monument sign. That would have meant Ashley Furniture had a space on there. That was taken into account. What?

(Inaudible)

Chairman Nestorowicz stated or else...

Board Member Anglin said say that into the mic.

Chairman Nestorowicz continued if Ashley Furniture is not going to be on there then, the other tenants are going to have more signage than they thought they would have.

Board Member Sophiea said it's just his position that this Fourteen Mile section is just a mess when it comes to signs and all the past variances. Usually when signing a lease to rent something they have a lawyer going through what's their signage, what are the terms and conditions. He feels bad for Ashley, but he's not going to be in a position to approve. Especially, the monument sign along Fourteen. He could maybe go for the directional signage in the back for the pickup, but there's no way he's comfortable with having an additional monument sign on Fourteen Mile there.

Chairman Nestorowicz asked if he's fine with the directional signs they're asking for, correct?

Board Member Sophiea stated the directional sign doesn't bother him as much because it's in the back. It's more the warehouse setting. It's just when driving along Fourteen Mile it's now becoming the Las Vegas boulevard with signs.

Chairman Nestorowicz said part of him would almost, he means, he doesn't know what their recourse is, but if the big monument sign is suppose to include Ashley Furniture on there, he would not be in favor of this new monument sign for them. Then they get two (2). If they're not getting a space on that sign, then the previous sign company did not represent it correctly and he's not in favor of what they approved then for them. He thinks that monument sign is too large from October.

Board Member Sophiea said at the same token let Ashley figure it out. There's a sign that was granted, a monument sign, they have to figure out a way to get on the sign. Whatever they have to do, but he doesn't think the answer is coming to the board to create an additional sign.

Board Member Anglin looks at this, yes. They can't recall. That village sign is huge. They did convey that Ashley is going to be on that, that he can recall. He doesn't have the paperwork now to follow up on that. Which tells him that no he's not going to authorize more for the Ashley sign. Ashley needs to go to this company here and say they lied. He doesn't know how else to even say it politely. They're going on that sign and now the ZBA won't give them permission to put up another one, because they're supposed to have space on that one.

Chairman Nestorowicz agrees. The fact is the person that came with the monument sign is the overall property owner of all that warehouse.

Board Member Sophiea said let them figure it out with the lease. He's sure the lease says what their rights are in terms of signage.

Board Member Anglin has no objection to taking everything off here except the directional sign in the back.

(Inaudible)

Board Member Anglin said if he wants the directional sign, he's willing to change this up to make that directional sign to be approved tonight until they can work out what has to be done with the other.

Paul Deters understands their position and he has to tell the board that Ashley is really disappointed to how this has played out, as the board can imagine. So, if that's the board's position they'll have to have them go back and see what they can do.

Board Member Anglin asked if he's good with him reading this as the sign in the back being the one they're approving tonight.

Paul Deters replied understood.

Board Member Clift is trying to wrap his head around the placement of this sign. They're saying the far west driveway, basically, correct?

Paul Deters replied that is correct. Yes, sir.

Board Member Clift asked if that's the same area they approved the other monument sign to go up at.

Chairman Nestorowicz said it's the other side of the driveway.

Board Member Clift asked other side of the driveway, but the same approach, right.

Chairman Nestorowicz answered yes.

Board Member Clift can't get behind this. Ashley is going to have to figure it out with the property owner.

Board Member Anglin stated there's about two hundred (200) yards between that sign. That sign he doesn't mind, that's one (1).

(Inaudible)

Chairman Nestorowicz said basically, he means, a property owner with this large of a property who is renting out these spaces should be coordinating all the signs on this property and not having individual tenant coming to ask for additional signs.

(Inaudible)

Chairman Nestorowicz said because the drawing, the digital had... This entire warehouse space, divided into x amount of units and said that every single one of those units had a space on that sign.

(Inaudible)

Chairman Nestorowicz said that's where Ashley and the property owner have to talk.

Steve Watriont said to Mr. Clift, if he may correct him. It is a different approach. The main approach that 'L' shaped building is now a separate parcel. It went through Planning and now it's a separate parcel or set to be a separate parcel. Then there's an approach to the west of that.

(Inaudible)

Board Member Clift asked if that's the old mattress store, isn't it.

Board Member Anglin replied yes. Art Van's. It's a big building.

Board Member Clift said he's just trying to figure out the placement of this last one they did approve. This is where they want the request. He gets that. The other one was on this side wasn't it?

Steve Watriont explained the last one was on the right side of the 'L' shape building.

Board Member Clift asked it would have been the next driveway apron east from this one they're talking about. Okay, now that's two different animals now.

Board Member Anglin said right.

Steve Watriont wants the board to understand where everything is coming from.

Board Member Sophiea thanked him.

Board Member Anglin says what makes this a little on the confusing side is the property is huge. The signage overall that they're requesting, in his opinion, is not out of line to allow. Other than the fact that other people have put bigger signs up stating they're going to be on it. He's going to change it, he's going to reset himself. He's not going to punish them or come up with a negative bode to them, because somebody else came to the board and said that they're going to do this and then fall through with what they're going to do. So, he's been here and he's going to be here for a long time. If certain people come in front of him again, he just happens to not trust what they're saying. That's it and if anybody else has something to say, say it or he would like to make a motion.

Board Member Sophiea has one other thing. He just wanted to point out that the affidavit of ownership here, the landlord has never been present for any of these sign packages. You'd think they would be very involved in this process knowing they have countless tenants on this huge property. It's just in his opinion sloppy that they're signing this, giving it to tenants, and telling them get whatever sign package that they can get and whatever it is. That's his problem with this. It's not necessarily the actions of Ashley Furniture, it's more the land owner not being involved in the overall variance package for their property.

Chairman Nestorowicz agrees with him. He's sure Mr. Deters knows it's nothing about his sign company, because he's always represented people very well here. When they have one (1) large property like this, you would think the property owner would want to have coordination amongst his entire property. Every tenant, if Ashley gets additional, then what about the other. What about Lipari foods that's in there. Lipari foods might say they want their own monument sign. Are they going to start having all these tenants coming and doing, and there is no coordination. That's the thing. But the overall property owner should be coordinating it. He doesn't want to punish Ashley Furniture for it, because they should have the signage. They need the visibility.

(Inaudible)

Chairman Nestorowicz asked if there's any other discussion. Does somebody want to make a motion either way.

Board Member Clift wants to make sure he has his head wrapped around this, Mr. Chairman. It's a separate parcel, this L-shaped building is a separate parcel. It is a separate entity.

Steve Watripont explained it's going through.

Board Member Clift said it will be.

(Inaudible)

Steve Watripont doesn't know if it's completed since he just got back from vacation, but, yes, it has gone through the Planning Commission for the lot split already and it's in the process. It has to go through legal with the county and all that, but it is a separate parcel or will be a separate parcel.

Chairman Nestorowicz stated Ashley Furniture is in the back. They have nothing to do with the L-shaped parcel.

Steve Watripont explained that parcel will probably come before the board for signage as well, possibly.

(Inaudible)

Chairman Nestorowicz said that's a separate parcel then.

Board Member Clift said it's a totally separate parcel. It changes his opinion just a little bit here. If it's a separate parcel, separate entity, not in with that whole package.

Chairman Nestorowicz said that separate parcel has nothing to do with Ashley. Ashley is in the big parcel in the back.

Board Member Anglin said they can't say anything about the sign because it's part of a different property now.

Steve Watripont said if they look at that property, that L-shaped thing has a black outline around it. They have a driveway on both sides. Those driveways on both sides are part of the Gardner White parcel and all that.

Board Member Clift has it cleared now. Even though that's a separate parcel, it's access they're looking for, directional access to the big building behind it.

Board Member Anglin said it's an easement drive.

Board Member Clift yields the floor. He has to think on it.

Board Member Sylvester has to go along with Mr. Sophiea. He means, the owner of this property should at least been here to describe what he wants to do, how he wants to do it, how many tenants he possibly might have. Right now they're trying to make decisions on stuff they don't really know. They know what they do with the city with regard to giving rights to property owners and what have you, but they have no idea what this property owner is doing. When they make a decision and that goes, that gentleman will say he doesn't know, the Zoning Board of Appeals approved it. He thinks he should be here. He should explain what his plans are for the property. How many tenants he possibly might be having, how he's going to split this up so they have a better idea.

Chairman Nestorowicz agrees with Mr. Sylvester. That's why he thinks the property owner should be the one coordinating overall signage. So, therefore, they're not going to have like he said, Lipari Foods coming and saying this is the signage they want to have. Everybody is going to want their own separate signage where this should all be coordinated by the property owner. If they're a tenant there, they get space on the monument sign. Everybody is going to want some kind of directional signage to get to their part of the building. That should be coordinated. Not be of hazard. Otherwise it's going to be a big sign mess there in the future. That was the mistake they did when they gave Gardner White that entire first monument sign, because that was all of Art Van's for all their businesses. Whether it was the corporate office and they gave it all to Gardner White, and said they need a second one now.

Board Member Sylvester said it's on their property, its how they regulate it according to the ordinances and standards.

Board Member Anglin is trying to bring this to fruition. He would like to make a motion to approve the sign in the back. Get that to start with. Then it's up to the tenants to get their foot on the landlord to go to whoever to make sure they can get the signage they need and know what's going on at this property. When they do it, recall the Twelve Mile and Van Dyke remodel that they did there, they did very nice job on it and that landlord was here spelling out every single building and why they wanted it and that and the other. They dealt with the landlord every single sign. So, there was no confusion about ten (10) people coming up, or in that case thirty (30).

(Inaudible)

Chairman Nestorowicz wanted to suggest, especially if a motion is to be made, is to maybe separate the two. Lets say after Ashley talks to the landlord. What if they have to come back. He doesn't want to deny the monument sign, buy by splitting them they can approve number 2 and maybe...

Board Member Anglin thought they would just delete everything off and only have item 2 on this agenda here.

Paul Deters thanked him for the consideration there. He asked if the board is inclined to now, may they remove item 1 from the discussion now, but to give Ashley the chance to go back to the landlord to explain what has transpired here this evening. If they can't work it out, do they have the option to come back again before the board and make the case to see if they can appeal at that point.

Board Member Anglin said that's the way he wants to say it.

Chairman Nestorowicz would agree with that. He doesn't want to deny it.

Board Member Anglin said if there's no other board members have anything else to say.

Board Member Cliff asked if they're sure they don't want to table this whole thing.

Chairman Nestorowicz said no, because he thinks they want to get Ashley Furniture their directional signage and between them and their landlord. He doesn't know how long it might take their discussion. Then they will have their directional sign.

Board Member Cliff thinks he would rather see the landlord appear with a comprehensive package to explain to the board exactly what they think they want with the understanding they're not going to stand for every entity showing up here wanting a monument sign after going through all the trouble of really, really going above and beyond what they really should have approved on the last monument sign they approved for this parcel. It's kind of like the boards notion that was going to be the end of the thing and this was going to take care of all be all for that property as far as signage and direction goes, and that's clearly not the case here. Now, they're falling into a situation where they have the possibility of five (5) different entities hiring five (5) different sign companies to do

work on the same parcel. He would just feel more comfortable if they have one (1) person in charge of the whole project, or whatever is going on at that property, and spell out after thoughtful care and consideration on their part, coming to this board with a fair and open comprehensive plan going forward. That's all he has to say.

Board Member Sophiea echoes most of that. He thinks maybe after thoughtful consideration maybe the best thing to do is not to grant any signage now until they can talk to the owner.

Board Member Anglin still wants to go ahead with the motion for this. He would like to emphasize to his colleagues if this came up to them by itself he would be voting for it. They have to understand and been on that property in the far back that fence is at and that gate. He doesn't think, by no means, having that sign back there is over sized or out of place or a detriment to the area being that far back. No matter how it was, he would vote for that. So, he wants to give them the opportunity to get their directional sign up, but when they want to come out onto Fourteen Mile Road, now it's going to have somebody come and do a little dance and make sure the board understands what's going on at that property.

Board Member Clift said it was his understanding that big directional monument sign that they approved last time was going to be everything they needed to get people into and out from their property. Be it, customer pick ups or free deliveries, or whatever. He remembers the conversation going that road. Now, Ashley Furniture is coming before them saying they want their own private entrance. Basically, they're going to give approval or requesting approval for a sign for their own private entrance and exit off this property for their customer pick up. That's okay in his opinion, had they come before the board with all this in one package maybe. He's just concerned that the more they put up out there the worst things are going to get.

Chairman Nestorowicz said exactly. If they could all pull up the October minutes, because they said the monument sign was going to be the visibility for all their tenants along Fourteen Mile.

Board Member Clift believes he asked that specific question.

Chairman Nestorowicz said they did actually come state there would be some directional signage coming in the future. That's why the Ashley Furniture directional sign would make sense, because they actually did that individual tenants might need some directional signs to get to the actual building.

Board Member Clift said that's fair enough, Mr. Chairman.

Chairman Nestorowicz said they misrepresented the monument, that's why.

Board Member Anglin wants to make sure that covering the situation, even if it wasn't one of those. They get into a building that size, realize nobody can find out where you're at because it's so huge that they need to have something up. So, he would like to help them with getting something up for that gate, make sure the right people are going to the right gate.

(Inaudible)

Board Member Clift said the directional sign is fifty (50) feet back from the roadway. Nobody is going to see that directional sign from the roadway.

Board Member Anglin said nope, not a whole lot.

Chairman Nestorowicz said they'll technically see the monument they approved that has Ashley's name on it. So, therefore...

(Inaudible)

Board Member Clift said two (2) separate driveways. He's been told, now it's two (2) separate driveways.

Board Member Anglin said one (1) parking lot.

Chairman Nestorowicz said one (1) parking lot.

Board Member Clift said this monument sign is going to go up on the far west apron and the monument sign they approved last go around is going up at the apron directly east of that on that other side of the L-shape.

Chairman Nestorowicz explained it's all going to the exact same parking lot back there. Whether they go in this driveway or that driveway, going to the same parking lot.

Paul Deters stated it is very confusing how to get back to Ashley back there without any identification. They won't see it from the road anyway.

Chairman Nestorowicz said it is confusing and that's why the property owner should have a comprehensive plan that takes all their tenants into account. Maybe they should within the property have directional signs that says Lipari Foods to the right, Ashley this way and direct people to all their tenants. That's a comprehensive one, not every single tenant. He thinks where Ashley wants the directional sign in the back that they were showing, he thinks that is fine. Anyway, if they have a motion lets see how that goes.

Board Member Anglin would like to make the motion.

Board Member Sylvester asked if there's going to be anymore buildings built on that property, right? No more warehouses.

Multiple board members said they don't know.

Board Member Sylvester said again, having the owner come here and say they have this parcel and this parcel, five (5), six (6), seven (7), whatever parcels there are, and how he would like to have the signage setup so they have access from Fourteen Mile Road to the different properties. So, he means, he thinks they need to have an idea of what he's got in mind and they can't make a decision on each individual piece of property being set up over there.

Chairman Nestorowicz said if they can get a motion on the floor everybody can vote the way they

feel. One little directional sign over there is a directional sign in the back, it's not a...

Board Member Perry wants to make one little statement here. It seems the owner is in Montreal, Canada. He wonders if he even knows what's going on down here.

Board Member Anglin said probably not. That's why they have property managers. They should be here. That's why they have property managers. There's a company that manages this property somewhere.

Board Member Perry said yeah a project manager that controls the whole thing, but they haven't seen anybody like that.

Board Member Anglin said his point would be that if they authorize this today and they do come (inaudible) us and put up a comprehensive plan with where they're going to put the other ones. If this happens to be more than what they want to go, then the board will have to say they need to relinquish this sign, this sign, or this or that in order to consolidate for a central monument showing where everything goes. If they come up saying, and this is hypothetical, they're putting up a monument here and on it is going to have directions to where this company goes here, this go here. Then it's up to this board, in his opinion, to say that's fine, that's what they're looking for. But this has to be relinquished or anything that is a duplicate would have to be relinquished.

Chairman Nestorowicz said that's where they would have to come back.

Board Member Anglin said they would have to come back and kind of clean that up.

Chairman Nestorowicz think it's like to allow Ashley to conduct business to get their customers back there that directional sign is good.

Board Member Anglin said again he would like to make a motion and see where it falls after that. Thank you, Mr. Chairman. Does he need to phrase it that they're not reading.

Chairman Nestorowicz said just read number 2.

Motion:

Board Member Anglin made a motion to give permission to:

- 1) Install a directional sign as follows:
 - a. Size: 3' height x 6' wide = 18 square ft.

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

Chairman Nestorowicz supported the motion.

Chairman Nestorowicz said they have motion by Mr. Anglin, support by Chairman Nestorowicz to approve the request.

Roll Call:

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

Board Member Anglin	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.
Board Member Clift	No.
Board Member Perry	No.
Board Member Sieracki	No.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Sophea	No, not necessary. Should be common directional signs coordinated by the owner.
Secretary Jerzy	No, for the reasons stated in the motion.

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

Paul Deters asked for point of clarification now. If Ashley is not able to work out a deal with the landlord for representation, is he to understand here that they do have the option to come back and reapply for condition number 1.

Laura Sullivan stated it wasn't voted on.

Paul Deters asked it was not denied, it just wasn't voted on this evening. Thank you.

Chairman Nestorowicz thinks the course of action Ashley does need to talk to the property owner and say the property owner needs to come to the board with a comprehensive plan and explain it to the board.

Laura Sullivan said technically, he's right to have a decision on that first thing that's noticed before this board. So, either he withdraws it at this time or they table it.

Board Member Anglin asked him to withdraw, he said yes.

Laura Sullivan asked that he is withdrawing it. Just for clarification. Thank you.

Paul Deters said if that's the proper course of action, yes.

Laura Sullivan said if he wants to do that.

Paul Deters replied yes.

17. PUBLIC HEARING:	APPLICANT: Metro Detroit Signs
REPRESENTATIVE:	Kevin Deters – Metro Detroit Signs
COMMON DESCRIPTION:	28532 Schoenherr
LEGAL DESCRIPTION:	13-13-101-004
ZONE:	PB

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

1) Retain an existing 8.16' high ground sign as follows:

- a. Size: 96" x 49" = 32.7 square ft.
 - b. Under clearance: 4.08 ft.
 - c. Setback = 0, directly abuts property line, 1 ft. in from public sidewalk.
- 2) Replace an existing wall sign 1.5' x 18' = 27 square ft.
If approved total signage = 59.7 square ft. (Note: If granted the variance from 1/8/1969 for a 9 square ft. ground sign will be relinquished.)

ORDINANCES and REQUIREMENTS:

Section 4A.33 – Signs Permitted in Professional Business and Special Service Districts (P.B., S.S.): B) One on premise sign or advertising display of a size not exceeding twelve (12) square feet in area for each business on the premises shall be allowed in Professional Business Districts and Special Service Districts.

Section 4A.11 – Specific Sign Definitions: 15. Freestanding sign. A sign that is erected upon or supported by the ground and is affixed to the ground, but not attached to any building, including signs on poles or pylons that are anchored into the ground. Also called ground signs.

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.

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

Paul Deters stated his name and address again. The request is just as it says, to replace existing signage. The Vision Associates is going to upgrade their logo and they would like signage to go in the exact same footprint as what's there right now. It just would reflect their new logo copy.

Chairman Nestorowicz thanked him. This is a public hearing. Is there anyone in the audience wishing to speak on this item.

No response.

Chairman Nestorowicz closed the public portion and turned it over to the board. He was just going to say the new signage would be a great improvement to the building. It's nice to have that update and refacing. Any other discussion or questions from the board on this item?

Secretary Jerzy said if nobody else has any concerns or any comments he would like to make a motion.

Board Member Anglin wanted to bring up on the record or whatever at this point. He knows that sign that has been there, this sign by the sidewalk is basically all they're doing is reframing the insert.

Paul Deters replied just changing the insert.

Board Member Anglin said his problem is, it's a dilemma. It's been there for years, but it's a foot from the sidewalk and its at a height for somebody to be able to run into. Somebody on their phone gabbing, which could fall into a pond or whatever, could walk into that. Or a kid on a bike is what he's referring to. Riding along, lose his balance or whatever, and that sign is that low. He'd rather see it as a wall monument sign. Something that if they hit it, they're just going to bound off it and not whack their heads. It's a safety issue. So, saying that, he'll be quiet.

Board Member Sylvester is in agreement with that. If they're going to renew the sign or whatever, go by the ordinance and move it back so it's not a safety issue.

Chairman Nestorowicz asked for any other comments or discussion.

Board Member Sophiea echoes those comments. He would like to see it pushed back or a monument sign would look more elevated.

Chairman Nestorowicz asked Mr. Deters that he can hear a number of board members have concerns about retaining the sign that's existing based on it's under clearance and it's distance from the sidewalk. He asked if the property owner and his company would want to maybe, something they can do to compromise on it or do something to improve it.

Paul Deters stated the owner is not here with him this evening. He would have to check with him. Certainly, it would be a considerable additional investment for them to take that sign down and put a new one up. It's been there for many, many years with any incident. That's not to say that something couldn't happen tomorrow. He doesn't mean to imply that, but he would have to check with the owner if they're in a position to make that kind of additional investment.

Chairman Nestorowicz said it's tricky because that sign has been there for so long and the fact that it doesn't fit into their...

Board Member Anglin said he's going to kind of make the same suggestion. He doesn't like the idea where that sign sits, especially with the way it sits, the way the points coming out from the bottom of it and that, and so close to the sidewalk. To give him an opportunity to go back and talk to the owner to see what he wants to do knowing that some of the board members are concerned about certain issues, is they can table the first section and allow him to readdress it at the next meeting. Or just table.

Chairman Nestorowicz said it makes sense to address it all together. If they push this to their December meeting, would that be enough time to talk to the owner?

Paul Deters replied absolutely.

Chairman Nestorowicz said then they're not separating and approving one, tabling one and then.

Board Member Anglin said that's fine by him. He'd like to make a motion, with his permission, to the December meeting.

Paul Deters asked if he may tell the owner that the only concern that the board has is just with the ground sign.

Board Member Anglin said that's his only concern.

(Inaudible)

Chairman Nestorowicz thinks everyone says the wall sign is fine. It's the ground sign the discussion

is on.

Paul Deters said in that then can he ask, too, what sort of suggestion is the board looking for or modification that they would like to see that they would entertain. How much farther back, how much lower, size still okay. That sort of thing.

Board Member Anglin said his ultimate goal in his opinion since he is the one that started this is that it would be a monument sign, goes down to the ground. The sign can be approximately the same size of what's there. It will just have a base underneath it, basically, and have to be at least three (3) feet from the sidewalk. He doesn't know what other board members feel like, but he feels that gives enough clearance between the sidewalk and that sign. If it's down to the ground with a base underneath, even if it's an aluminum style boxed in base with approximately the same size sign on top of it. Which means they would be giving a sign larger than what they should, but they're compromising moving it and bringing it down to the ground. Since financial reasons are not in their privy to vote for a financial reason.

Steve Watripont said if they change that sign it may have to be reposted and by the time he talks to the client, December might not be enough time then.

Board Member Anglin understands. That's why he was wanting to go for the top one only.

Paul Deters said he can call him tomorrow and meeting with him tomorrow to do this.

Steve Watripont stated if he gets back with them Monday or Tuesday next week it can be reposted, he believes, for the next meeting.

Board Member Anglin asked if he agrees with postponing then.

Paul Deters replied yep, you bet, that's fine.

Motion:

Board Member Anglin made a motion to table to December 13, 2023; Supported by board Member Clift.

Roll Call:

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

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member 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 Sophiaea	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.

The petitioner's request was **RESCHEDULED** to December 13, 2023.

the public. One more person.

Gary White, 22693 Warner, appeared before the board stating he is all for the eight (8) foot wall because of the noise. They're great people back there. They're all for this and the enhancement, but he knows his one neighbor between his house and his son, those trucks use to always pull in there and the lights would go right into her back bedroom window. He thinks semis, he thinks an eight (8) foot wall would be better. Thank you.

Chairman Nestorowicz thanked him for those comments. Not seeing any other audience members, he closed the public portion and turned it over to the board. He wanted to agree with the comments from the residents and the petitioner. Based on the trucks that would be in that back parking lot, those houses that are right there, a six (6) foot wall... He's six (6), two (2) and he would be able to see over that wall. They want to have better separation from the trucking traffic. He would think if that's a residential backyard. An eight (8) foot wall would give them more quietness and all that kind of stuff, in his opinion.

Paul Reschke asked to add one more comment to that. It's congested back there right now. He feels for them what's happening there, but part of their plan is to stretch this parking field out and by allowing the rest of the plan they'll be able to just back trailers up to the wall.

Chairman Nestorowicz said exactly.

Paul Reschke said it wouldn't be tractors, it would just be the trailers going in perpendicular to the wall. Then the rest of the parking field will be spread out.

Chairman Nestorowicz thanked him for that clarification.

Secretary Jerzy complimented the petitioner on working with the neighbors and trying to get the project moving forward and taking into consideration the neighbors. Not every landowner does. So, he should be commended for that. He thinks this is a good project. It's taking them a long time it seems like, but for that area he can appreciate him wanting to do the eight (8) foot wall for the residents. Thank you for that and he yields the floor.

Board Member Sylvester has to also those compliments that... He's been here since 2017 and he's the best guy he's ever seen up there as far as working with the neighbors and being concerned about doing the right thing. He's doing all the right things, and he appreciates that. On the site plan up near Nine Mile Road it says zoned R-1-P, one family residential and parking district. Then they have it in a red rectangle. He asked if that's going to be parking for his company.

Paul Reschke asked if that's at the corner of Warner and Nine Mile.
Board Member Sylvester replied yes.

Paul Reschke explained that piece there will be just car parking. Gary the first neighbor who was up there. They had some discussion about that. The early design had their fence up too far. He has a young daughter so they're moving their fence back on that. Along with some of the landscaping, they have a good site line when backing out of the driveway onto Warner. So, they appreciate those comments. Those are things they can do and are certainly going to do them.

Board Member Sylvester asked where he has the berm. He knows there are three (3) houses over there right now, but where the berm is, parcel 3, is that an open lot right now?

Paul Reschke replied yes. They actually bought that lot anticipating they would need a barrier for the residents' along Warner. So, that piece of property will serve as a berm with plantings, retention pond will be on there, between the berm and the pond they're going to put a six (6) foot fence to protect that too. They just anticipated... they do a lot of stuff in the trucking industry. So, they anticipate some of these things and want to work in harmony to get these things done. (Inaudible)

Board Member Sylvester asked him if parcel 3 is his.

Paul Reschke replied yes, that's been purchased.

Board Member Sylvester asked that he's just going to landscape it and everything so it kind of makes it all look nice.

Paul Reschke replied yeah.

Board Member Sylvester thanked him.

Chairman Nestorowicz asked if there are other comments.

Board Member Clift said if nobody has anything else he'll like to make a motion on this item.

Motion:

Board Member Clift made a motion to grant permission to erect an eight foot high poured concrete screen wall, 366.5 lineal feet, along the east side of the rear parking lot to the south turning east until it meets the berm. This will provide a buffer between the rear parking lot and the 3 residential properties at: 22731, 22713 and 22693 Warner.

Reasons being: Convenience of the residents; Reducing noise; Not a detriment to the area; Enhancement.

Board Member Anglin supported the motion.

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

Roll Call:

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

Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.

Board Member Perry	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

19. NEW BUSINESS

Chairman Nestorowicz has a new business item so just be patient. It's that time of year where they will need to do the board positions. Chairman, Vice-Chair, Secretary and Assistant Secretary. He wanted to actually announce it this month and they'll do it at the December meeting. If anybody has an interest to have one of those positions or so, please express interest between now and then. At the December meeting they will conduct that as part of their business. He just wanted to give everyone a heads up.

Board Member Clift has a little comment he would like to make. He would like to congratulate their colleague Charles Perry on a hard run campaign for city council. He didn't quite get where he wanted to be, but he wanted to acknowledge his efforts on the record here tonight and congratulate him for a race well run.

Board Member Perry thanked him and appreciates that. Now the board is stuck with him.

(Laughter)

Chairman Nestorowicz said they can handle that.

Board Member Clift said they can fix that.

20. ADJOURNMENT

Motion:

Board Member Clift 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 9:41 p.m.

Paul Jerzy
Secretary of the Board