

WARREN ZONING BOARD OF APPEALS  
REGULAR MEETING  
OCTOBER 9, 2024

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, October 9, 2024 at 7:30 p.m. at the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

**Members of the Board present:**

David Sophiea, Chairman  
Roman Nestorowicz, Vice-Chairman  
Charles Perry, Assistant Secretary  
Charles Anglin  
William Clift  
Kevin Higgins  
Shaun Lindsey  
Anthony Sieracki, Jr.

**Members of the Board absent:**

Paul Jerzy, Secretary

**Also present:**

Jennifer Pierce, City Attorney  
Evertt Murphy, Chief Zoning Inspector  
Nicole Jones, Council Office

**1. CALL TO ORDER**

Chairman Sophiea called the meeting to order at 7:30 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

A roll call was taken and Secretary Jerzy was absent.

**Motion:**

Board Member Clift made a motion to excuse Mr. Jerzy; Board Member Nestorowicz supported the motion.

**Voice Vote:**

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

**5. APPROVAL OF THE MINUTES of the Regular Meeting of September 25, 2024.**

Chairman Sophiea asked if anyone had a chance to look at those.

**Motion:**

Board Member Cliff made a motion to table the minutes of September 25, 2024; Supported by Board Member Anglin.

**Voice Vote:**

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

**4. ADOPTION OF THE AGENDA**

**Motion:**

Board Member Higgins made a motion to approve the agenda; Supported by Board Member Nestorowicz.

**Voice Vote:**

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

6. PUBLIC HEARING: **APPLICANT: LEVAN PROPERTY LLC-USE-**  
REPRESENTATIVE: Sumon Deb  
COMMON DESCRIPTION: 21072 Behrendt Ave  
LEGAL DESCRIPTION: 13-32-354-010  
ZONE: R-1-C

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

Allow a two-family dwelling in an R-1-C district.

**ORDINANCES and REQUIREMENTS:**

**Section 5.01 – Paragraph (a) Uses Permitted:** One-family dwellings.

Chairman Sophia asked them to begin with their name and address for the record.

Sumon Deb appeared before the board, 21072 Behrendt. They're just trying to make it a family house.

Chairman Sophia wants to give them adequate notice tonight. This is a use variance. Unlike a traditional or normal variance, this requires six (6) yes votes instead of five (5). They are down one (1) member tonight, which puts him at a slight disadvantage. It's up to the applicant if he would like to move forward tonight or table this for a full board.

Sumon Deb replied he would like to move forward.

Chairman Sophia asked him to please tell the board about the request.

Sumon Deb explained he purchased the property a couple months ago. The property used to be a two-family house. The previous owner changed it to a single family. Now, they're trying to change it back to a two-family house, because the utilities have been separated. Everything has been separate from the beginning. Gas, water, electric are all separate meters. That's the reason he invested into the property. He would like to, if the board allows him to, put it back into a two-family house again. He'd appreciate it.

Chairman Sophia thanked him for those comments. This is a public hearing. Is there anyone in

the audience who wishes to speak on this item?

No response.

Chairman Sophiea closed the public portion of the meeting and turned it over to the board for discussion. He does have a question for the petitioner. When he purchased the property, was he aware of its zoning designation as a single-family residence?

Sumon Deb replied yes. He knows it at that time.

Chairman Sophiea asked in subsequent to purchasing it, what is the reasoning now for multi-family. Obviously, an economic reason is what comes to his mind. Unfortunately, that's not a criteria the board is able to evaluate his request on. Does he have any other criteria he's basing his request on besides financial?

Sumon Deb replied yeah, because the property actually he purchased was technically a two-family value the why he purchased for. He knows this was single-family, but the reasons he did is because it was two-family before. That's why if he invest he can, he hopes the board is able to, because of the investment he made, at least he'll be able to make the payments and everything. This is not the only property in Warren. He has quite a bit of properties in the City of Warren, also businesses he has. He'd like to continue to invest in the City of Warren, if the board allows, if they know what he means.

Chairman Sophiea thanked him for those comments. It's just his opinion that once it loses its designation of multi-family and reverts to single family, he likes to see it remain single-family, because it's fair to the neighbors. Those are his comments and he would like to hear other board members.

Board Member Anglin is not in favor of putting multiple family dwellings, or allowing multiple family dwellings in a single family neighborhood. His theory is those people move there to be in that type of neighborhood. Once they start splitting these houses between multiple family, it's kind of destroying the plan that these residents have put their life savings into the house having. So, he feels it's the boards job to make sure things like this do not happen just because somebody can make more money off the property. So, he will be voting no on this.

Board Member Nestorowicz wants to make a comment. He doesn't have a problem with a multi-family building in a neighborhood if it's built as a multi-family building. The problem is, this is dividing a one (1) family house into two (2). That's a lot different than a duplex that was built on one piece of property. Personally, looking at the neighborhood, dividing this house, the size of this house is a one (1) family house is a good size. Dividing it into a one (1) bedroom apartment and then two (2) bedroom apartment, his opinion, would be more of a detriment to the neighborhood.

Board Member Cliff has a question for the petitioner. How many stories is the house? He didn't have the opportunity to drive by this property. How many stories above grade is this house? One (1) story or two (2) story.

Sumon Deb answered two (2) story.

Board Member Clift asked two (2) story with a basement.

Sumon Deb answered yes, with a basement, that's correct. He said the property original built for two (2) family houses. Its close by Detroit. It's a corner house. Two (2) car garage. Separate two (2) door garage. He means, all there. He doesn't have to invest anything else beside, everything is all there. There's nothing else he needs to be doing anything.

Board Member Clift yields the floor. Thank you.

Board Member Higgins stated the petitioner has admitted he was knowledgeable that it was zoned single-family when it bought it. It's self-imposed. So, it would've been a better story if he told them that he saw these separate utilities and thought it was, but it's self-imposed. He will not be voting in favor of this petition.

Chairman Sophiea asked for any other comments from board members or possible motions.

Board Member Nestorowicz stated if there's no other comments, he can make a motion.

Chairman Sophiea said please do.

**Motion:**

Board Member Nestorowicz made a motion to deny the petitioner's request to allow a two-family dwelling in an R-1-C district.

Reasons being: 1) Self-imposed hardship; 2) For financial reasons only; 3) Detriment to the neighborhood, the property is not unique, and the property can be used as zoned, currently.

Board Member Clift supported the motion.

Chairman Sophiea said they have a motion by Mr. Nestorowicz, with support by Mr. Clift to deny the petitioner's request in full for the reasons stated. A yes vote is to deny.

**Roll Call:**

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

Board Member Nestorowicz	Yes, to deny.
Board Member Clift	Yes, to deny.
Board Member Anglin	Yes, to deny.
Board Member Higgins	Yes, to deny.
Board Member Perry	Yes, to deny.
Board Member Lindsey	Yes, to deny.
Board Member Sierack	Yes, to deny.
Chairman Sophiea	Yes, to deny.

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

7. PUBLIC HEARING:

**APPLICANT: John Ashaka**

REPRESENTATIVE: Firas Shuker  
COMMON DESCRIPTION: 5273 Ten Mile  
LEGAL DESCRIPTION: 13-20-454-017  
ZONE: C-2

**VARIANCES REQUESTED: Permission to**

Retain 100% sign coverage on nineteen (19) windows.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.28 – Window Signs:** In addition to other applicable zoning requirements, a responsible party shall comply with all of the following requirements.

**(A):** Total non-illuminated window signage shall not exceed 50% percent of the window where it is placed.

Chairman Sophia said good evening.

Firas Shuker appeared before the board saying good evening.

Chairman Sophia asked for him to start with name and address for the record.

Firas Shuker stated he's the brother of John Ashaka and he's the one that requested the... They work together, me and him there. The address is 5273 Ten Mile Road.

Chairman Sophia thanked him. Please tell the board about the request.

Firas Shuker explained they changed the sign outside, the pole sign. Then when the inspector come, he told them they covered one hundred (100) percent of the windows on the wall and they're not allowed to do this. So, they explained to him what's going on. They bought the, not the building, the building is not theirs. It's owned by a different party. They told the inspector it's like this since they walked in and bought the business in 2019 and they tried to remove it back then when they update everything inside the store. They made everything to clean, everything truly the best they can. The windows they couldn't do nothing about it because there is a built in cooler right behind the window all along. Not even a single window has nothing behind it. So, for them to take the signs out or take something out is going to make the windows look very, very dirty from the dust that accumulates over time. There's no for them to reach behind these windows and clean them. They took the old signs away. There were a lot of signs there for advertising and stuff. They just put the big one, very nice one, very elegant. Even customers love it. They come and take pictures all the time with it. They love this. The inspector also loved it, but they have to apply for a variance, because they're not allowed to do this without it. That's why he's here.

Chairman Sophia thanked him for those comments. This is a public hearing. Is there anyone in the audience who wishes to speak on this item?

No response.

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

Board Member Nestorowicz is familiar with this party store. He agrees, the built in coolers are

behind the windows, that is an issue. One of his biggest issues, though, is the fact that both with the windows covered and the coverings they have for over their door and stuff, are all basically adds. That's his big concern. If they didn't have the windows and it was a solid wall built there instead of windows, that's one thing. You know, if they went and said they can't use the windows so put up a brick wall and then they have a solid wall, he could get along with that. He doesn't like the fact that, you know, you look at the doors, the windows, it's all what they're advertising Bud or some other brand. It's basically billboard space. That's his concern, you know. If they can't have their windows because of their coolers, maybe they should just put in a brick wall instead. Then they don't have to worry about it. They won't have the advertising for beverages.

Chairman Sophiea said remember too, if this advertisement was removed, the windows could always be tinted with a film to block them out. He's having a hard time with this because the picture they provided is well done. The window display. He knows it's an advertisement, but it is a nice display. He always has a hard time with this just knowing what the next tenant could do with it. All this additional signage. That's where he is with this.

Board Member Nestorowicz wanted to add on. Yes, looking at the picture that was given, there's the one (1) image. Previously, there was one that just said Budweiser. He forgot when that was changed, he doesn't remember the year.

Firas Shuker stated that's when they took over. He gets it was too much so they put in the new one.

Board Member Nestorowicz explained he doesn't live far from that neighborhood, so he's familiar. The thing is that, that signage is going to change over time. That's the concern of he doesn't like seeing a big advertisement billboard. He does like the tinted windows or something.

Chairman Sophiea thinks a good compromise they could work out is they get fifty (50) percent of window coverage is permitted by ordinance. If the bottom half was tinted or vice versa. Are there any other opinion or comments on this?

Board Member Cliff is a big proponent for neighborhood business. He said that in front of this board into the audience numerous times. He physically went to the location today and took a little walk inside. Just to be point and frank, he thinks using the excuse they want to hide dirt with signs just doesn't... that's a self-imposed issue. Somebody decided somewhere they were going to put these coolers right up against the front wall of that establishment, which is made up of window glass. To him, that's a self-imposed issue going on there. He understands the expense of changing those glass panel pieces to brick or whatever material might be utilized to put a regular wall up in there. That kind of borderlines in his mind to a financial issue, which that doesn't fly here either. He guesses his question echoes the sentiments on the other end of the table is they're allowed fifty (50) percent coverage and a nice dark tinting will take care of the remainder. Nobody has to come up here and appear before the board for any of that. Once they make this variance it stays, and they don't know what that building is going to become in the future or what's going to be operated out of there. What kind of signage may end up out front. As much as he tried to find a reason to support his neighborhood business, he just can't get behind this proposal as made by the petitioner. He'll leave it with that.

Board Member Anglin explained his thought on this is he can have fifty (50) percent signage,

he's wanting one hundred (100) percent. He's coming up with reasons in his mind why he should be able to get one hundred (100) percent. Well, that is something that is financially what he wants and that's not part of the board's goals here. So, the suggestion that was made that if he can't do anything with the dirt, you put in fifty (50) percent signs and put the heavy tinted windows around it. Heavy tinted film around it to make up for it.

Chairman Sophiea said the only issue he sees with that, if they notice the windows how this is displayed the Bud Light advertisements on each side of the door. Those take up the entire window. He wouldn't necessarily have a problem with those on each side of the door, if the other windows were just tinted out dark. He thinks they would still need some type of variance for that, because the two (2) windows on each side of the door would be one hundred (100) percent covered. It would really be up to the petitioner. He will ask him when he's done with this, but he might find more value in being able to cover half the windows completely and leaving the other half empty. Just from a logical standpoint.

Board Member Anglin said maybe they can get somebody up here to explain to the board if that's code fifty (50) percent of the window or fifty (50) percent of overall windows.

Everett Murphy stated each window.

Board Member Anglin said each window, fifty (50) percent of. So they can't take out saying they're not going to do these but getting it up on these. It's a nice compromise but he would not be in favor of it.

Board Member Clift stated if they'll refer to the photograph of the front of the building, he just wanted to point out that segment that says Bud Light Go Lions is not actually a window. That is a security door that slides off to the side.

Firas Shuker explained that's not a problem, they can take that off. If it's only one (1) single door to the left. He thinks the company decided to put it there. His employees didn't like his, but this is not the concern. The concern is the windows. He just wanted to add something if they don't mind. The first option they liked across it, which he builds a brick there, it's not their building. They rent there. They have a lease until 2056. He talked to the owner, he doesn't think they're willing to spend any money there in building this. Just putting brick instead of the windows is going to make the window really, really bad. He's a civil engineer, he does a lot of construction. If he wants to do it himself, he has to cover the entire frontage. That's the only way he can make the building look nice. Its not like just filling bricks inside. The second thing, when he has to do fifty (50) percent of each individual window and the other fifty (50) percent tinted, that will make it look not nice, not organized in his opinion. He could be wrong, but they tried it. They put it on the thing, because he was trying to do it this way before coming for the variance. It didn't work. It was really, really ugly and made the store look very ugly, in his opinion. He could wrong again, but that's how he looked at it.

Chairman Sophiea stated the petitioner does raise a valid point. In the sense if you go by a lot of party stores there will be windows across the front like this, and to adhere to the fifty (50) percent requirement they have a sign in every window that could be neon or super colorful. This is more tastefully done. The entire thing instead of seeing... how many separate windows are there?

Firas Shuker thinks nineteen (19).

Chairman Sophiea said imagine nineteen (19) small signs up instead of this one mural. That's the question the board has to ask themselves.

Firas Shuker stated they're up and down. It's not like one (1) level. Some of them up, some of them down. Some of them half and half.

Chairman Sophiea explained the petitioner indicated he has a lease for thirty (30) years. He would rather see this mural than nineteen (19) separate signs. That's just his opinion.

Firas Shuker exclaimed the neighborhood loves it. Every customer that comes. They saw him taking the measurement last time when he applied for the variance. They told him he's not trying to take this down. He told them no, just taking the measurements trying to apply for a variance. Hopefully, they get accepted. Honestly, they love it. It's such a nice, something elegant.

Chairman Sophiea said the security gate that's separate, not part of the window that he would have to take that down.

Board Member Nestorowicz knows the ordinance says fifty (50) percent of each window, but he would think the same way they're able to give a variance to let him cover one hundred (100) percent, can they not make it some kind of variance that they give him that fifty (50) percent of the overall window space. So, it's not like that they're giving him so he doesn't have to do fifty (50) percent of each window, but fifty (50) percent of the overall window space.

Chairman Sophiea said especially since the right side of it is more like a mural or decorative element than an advertisement. He doesn't see... oh, he guesses Bud Light is on the bottom right corner, but it's blocked with the...

Board Member Nestorowicz said it's blocked on the left side, too.

Chairman Sophiea said if they made an agreement with the petitioner to remove the left side, the large Bud Light advertisement, but the right side Go Lions seen in the bottom right corner. It's kind of hidden by the pallet of wood, there's a small logo there but it's much more minimal than the coverings by the door.

Board Member Nestorowicz asked attorney or building if they can do an ordinance that says instead of fifty (50) percent of each window, fifty (50) percent of the overall window space on the building.

Jennifer Pearce doesn't see why they can't. They're going to have to figure out the dimensions and measurements. They're just talking to the right of the door, correct? Are those all the windows?

Chairman Sophiea asked the petitioner if he's saying there's nineteen (19) individual windows to the right of the door.

Firas Shuker didn't exactly count them, but on the variance it says nineteen (19). Here are the windows.

(Inaudible)

Board Member Nestorowicz explained it's all inclusive. Nineteen (19) is even the ones above the (inaudible) and all that.

Chairman Sophia said it includes the drawing that's included in the packet is an accurate depiction.

Firas Shuker stated it's one hundred (100) percent. He did it himself.

Chairman Sophia said looking just at the right of the door. One (1), two (2), three (3), four (4), five (5), six (6). There's eight (8) bottom windows and there's four (4) windows up top.

Firas Shuker said there's two (2) doors by the way. There's two (2) doors. The one to the left is the main door that one to the right is not a door anymore. That's how it is.

Chairman Sophia asked the door on the right is the Bud Light.

Board Member Nestorowicz said no. No, the door over... Yeah, it's behind the Bud Light. It says there's a cooler on the other side. That second door is blocked off. He actually wondered whether or not they need to have two (2) doors there.

Firas Shuker explained he can take the sign on the door. The one that says Bud Light Go Lions, this is a sliding door. They close it after they close so it covers the main entrance. He can take that off and he hopes he can leave the one on the right. This is the main issue. The one to the left, the one Go Lions, this is not a problem. That is not a window. This is a door. He can take it off no problem.

(Inaudible)

Chairman Sophia asked if there's a distinction in the ordinance between a sign and a decorative element or decorative display.

Everett Murphy explained they're all a sign.

Chairman Sophia asked if there's any type of restriction, to his knowledge, that the board could put if they grant the petitioner some kind of Lions promotion, but it couldn't have an advertisement or words. Lets say it was the American Flag he put up on the windows.

Everett Murphy stated if they wanted to define it as a design element.

Chairman Sophia asked if they made a motion and it carried that it was a decorative design element only, then they could put terms on it with no advertisements.

Board Member Nestorowicz said decorative design element, that's the stuff of color, patterns

like that.

Chairman Sophiea said a gas station canopy and stuff.

Board Member Nestorowicz said exactly. But no words, can't be saying Bud Light, can't have liquor, lotto. None of that can be on there.

Chairman Sophiea thinks that might be a compromise they could look at. The right half of it, it's really just a Detroit Lions decorative thing. Taking the Bud Light advertisement out of it. He thanked Mr. Murphy.

Board Member Cliff gets exactly where they're coming from and what they're talking about. That kind of duck tails into his main concern about what they're going to have up there in ten (10) years, eight (8) years or whatever. He thinks that it's tastefully done, he's not opposed to the graphic design or even that it's advertising product that's carried at the store in its current configuration as it sits now as a party store. Again, he just reiterates his concern that they don't know what's... This stays with it, it won't ever go away, and they don't know what might crop up there late on in the future. He just wanted to express that sentiment again. He yields the floor.

Board Member Nestorowicz thinks there are two (2) ways he could go on this. He could probably go either way. It will depend on what the petitioner would agree to. He thinks if they went with it being a decorative design element, that would take away any advertising. So, it wouldn't be saying stuff like Bud Light or any of the words, it would be something decorative. He could get along saying he keeps the windows covered, but it has to be some decorative design. Or go the other route where fifty (50) percent of the overall window space can be covered and have the other fifty (50) percent of the overall space be tinted. He thinks those are two (2) possible solutions. He could go with either one of them, personally.

Chairman Sophiea thinks those are both good compromises. He'll ask the petitioner. They've heard the boards comments so far. Unfortunately, it doesn't look like they're going to get enough support to keep his request as written. He'll ask the petitioner what he would prefer. First, he has to agree to the compromise. If he doesn't, they can just continue moving forward with his request as presented.

Firas Shuker asked if it's possible to get both options and talk to his sign designer and see which one he can work it. So, either have one hundred (100) percent of something to cover it with no signage or fifty (50) percent of any dimension he wants.

Chairman Sophiea said right.

Firas Shuker stated he can probably have the same sign, minimize and tint the rest.

Chairman Sophiea said they wouldn't be able to vote on both. They could table this. They have another meeting in two (2) weeks if that gave him enough time to come back. November 13<sup>th</sup>. It's not till November 13<sup>th</sup>, it's a little while.

Firas Shuker asked if he would just have to pick one (1) of these two (2).

Chairman Sophiea explained he would come back and would probably be reposted since they're changing the nature of the request, but they could take a couple weeks now and figure out if he wants to go forward with fifty (50) percent of the windows covered or if he would like to keep one hundred (100) percent of the windows covered but no words.

Firas Shuker asked if he goes with the fifty (50) percent, is he allowed to get in any shape he wants. Like if they look at the design here he has windows on top and the windows on the bottom are split in half. So, if he leaves the windows on top and leave the windows on the bottom, whatever makes fifty (50) percent and he tints the bottom of each window if he exceed the fifty (50) percent. He can't have a rectangular sign that looks nice.

Board Member Nestorowicz said that's why they talked about tabling it so he can talk to his sign guy and see what looks better out of his two (2) options. Does he want to do a fifty (50) percent of overall window space? Then he could come to the board and say what he's thinking. Or one hundred (100) percent of some design only. Then that gives him a chance to decide what works best for him. That's why the board was offering to table it to the November 13<sup>th</sup> to give him time to talk to his sign guy. They don't want him to make a decision here and wonder why he agreed to that.

Firas Shuker wants to talk to his brother as well. He's the one that managed there. He's just the one that does construction and stuff. He will talk to him and be back on November. He'll make sure one hundred (100) percent and he'll pick one of these two (2).

Chairman Sophiea asked if they have a motion to table.

**Motion:**

Board Member Anglin made a motion to table the item to November 13, 2024; Supported by Board Member Perry.

**Voice Vote:**

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

The petitioner's request was **RESCHEDULLED** to November 13, 2024.

8. PUBLIC HEARING:	<b>APPLICANT: NP MOUND ROAD INDUSTRIAL, LLC MARK KOENIGSKNECHT</b>
REPRESENTATIVE:	PEA Group – Rachel Smith
COMMON DESCRIPTION:	23250 Mound
LEGAL DESCRIPTION:	13-28-300-021
ZONE:	M-4

**VARIANCES REQUESTED: Permission to**

Erect a building with a maximum height of 61' 4".

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 – Paragraph (d) Industrial Standards:** Height of buildings in M-4 districts 2 stories / 40'.

Mark Koenigsknecht appeared before the board saying he's with North Point Development, introducing Mora Busch with CustomCells who he'll give the floor in just a moment. He thanked the

board for allowing them to be here today.

Chairman Sophiea asked for his address for the record.

Mark Koenigsknecht stated the address for this property is 23250 Mound Road.

Chairman Sophiea thanked him.

Mark Koenigsknecht explained they're working with CustomCells on the industrial development at Mound Road and Nine Mile. He's been here a couple times for some other items, but they're working with CustomCells on some design. Due to their manufacturing processes they're looking for a little bit of an extended clear height within the building. He'll get into details in a minute, but since she's here today he wanted her to touch on a couple things regarding CustomCells. They've partnered with them over the last several months in the design process and want to give the board a brief update on CustomCells and what they do to add context to their request today.

More Busch appeared before the board thanking them. She grew up in the neighborhood, worked around automotive here for a decade. She's here supporting CustomCells. Next slide please. Here's a little bit about their history. Next slide. In order to support the growing demand, they are growing across the globe and hopefully here in the U.S. Next slide. This is a little bit about their specific facility here in Warren, Nine Mile and Mound. It's the third property for North Point Development, they have four (4) in total. They're hoping to join the party. A little bit about their plant. They're looking for a one (1) gigawatt battery manufacturing. They will expand up to three (3) gigawatts as they successfully grow and transition in with the community. This is just for the IRA and BIL, the national growth and clean energy technology. They will be staffing in that industrial phase. So, looking at their one (1) gigawatt, 194 full time employees with full time benefits. Then progressing into two (2) gigawatt, three (3) gigawatt and a second generation technology. So, in total their reaching just under 400 employees. Within the facility of itself similar to their building number 1, she believes, accusal, but they do actually run manufacturing from the gecko into a battery cell itself. Then do testing and prototype, also warehouse and storage for EV automotive marine type applications. Next slide. This is their projected capital operating and expenses. Over the course of the years, their 290 in capital expense and operating expense. On a forty-three million dollar basis for their caring costs for their employees. They have a current office here in Royal Oak, Michigan and it's their sales office. A little bit about the life of an employee. They have full time benefits, health care, on the job training. They've been collaborating with a lot of the local communities. Their plan is to be three (3) eight (8) hour shifts operating. They're looking forward to growing. Thank you.

Mark Koenigsknecht thanked her. Real quick on the property from the development side. This is a two hundred and fifty dollar capital investment. Building 1 and building 2 are completed as some of the board may know. They have accusal logos and Marlo Beauty as well as Home Depot is existing tenants in that space in building 1 and building 2. They're looking to partner with CustomCells to build this building 3 on the corner of Nine Mile and Mound. This is a 123 acre site bordered by Nine Mile on the south and Mound Road on the west. To the north they have their Home Depot property. To the south of Nine Mile is the Stellantis property. Then all the way to the east is the ITC high transmission and the rail lines. Jump to the next slide. As far as their specific request, building number 3, the gray shaded area is a portion of the building where they would need extended clear height on that part of the facility due to the manufacturing processes that

CustomCells would need. So, they are requesting they have a higher ceiling there. They have a roof height between fifty-seven (57) and sixty-one (61) foot four (4) in that area so the peak of that would be sixty-one (61) foot four (4) inches. That raised area would be about 300 feet from Mound Road and 550 feet from Nine Mile. So, they're trying to keep that buffer. They have a landscape buffer as well as well berms to kind of protect the roads from, and the visibility from those roads in the surrounding area to that building. The original GM plant that was demolished a few years back had a max height of eighty-three (83) feet. So, they're certainly falling lower than what was previously there. There is a portion there that they would need a higher variance to allow for those manufacturing processes. Jump to the next slide. Here's a quick sectional view from their architect on the top. They can see a section view. It's a little hard to read on a small piece here. They can see that middle bump up area, it was the gray shaded on the previous page, that's actually a section view of the building where that bump up within the center of the building would be. Then they have the elevation view. They can see that second graphic down and third one is a little more zoomed in is an additional ten (10) feet above and beyond the typical building size and structure to allow for those manufacturing processes. He thinks they have one more slide here. Just an overall view of the property. This is actually a tip to the side. The north would be to the right of this photo or graphic here. Mound Road would be at the top of this. Then Nine Mile would be on the left side. So, this is just a general building that hasn't changed from previous requests of the footprint of the building. It will certainly go through Planning Commission as the design is finalized, but the request for today is a variance to extend the height of the building to allow for the manufacturing that needs to take place there with CustomCells.

Chairman Sophia thanked them for those comments. This is a public hearing. Is there anyone in the audience who wishes to speak on this item?

No response.

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

Board Member Nestorowicz has a question for the petitioner. First of all, he is in support of the higher building. That's not a problem. He supports that idea. He knows the plant that existed there before had a tall ceiling, it's all fine. He's just wondering, since they were in front of the board a short while ago. This is one of the buildings and properties where they gave the okay for the for lease sign. Does this mean that CustomCells will be taking that building?

Mark Koenigsnecht replied that is the intent of what they're here today. They've been working with Mora and her team for several months. There's a lot of intricacies that need to be figured out. They do not to date have a signed lease with them. So, if they end up going to lease, which they fully expect to as they go through the design process, there wouldn't be much of a need for a sign on that property. They would still like to keep one (1) at the vacant building number 4, but CustomCells would be taking a lot of that property.

Board Member Nestorowicz understands. When he saw him here, he's like he's back. Actually, he's in favor of the taller ceiling. He sees no problems with it and thinks it would be good for the leasing. They would love to have CustomCells within the city.

Chairman Sophia asked for any other comments. He personally doesn't have an issue with the

height.

Board Member Clift has a couple of frank and pointed questions. Is he to understand in this section of the building with the elevated height is where manufacturing processes are going to take place? This isn't warehousing, this isn't storage. This is bona fide manufacturing processes under that elevated roof.

Mark Koenigsknecht replied that is correct. He'll let Mora chime in as well. They have very specific manufacturing process that that elevation is needed for that battery manufacturing. There will be some storage within the facility for incoming and outgoing goods for completed goods. That's not the intent of where this raised ceiling would need to be.

Board Member Clift asked if they have an approximate dimension of the length of the run for their manufacturing process, start to finish.

Mark Koenigsknecht could probably put something together. He doesn't have that in front of him right now. He would say somewhere around eighty (80) percent of that building would be manufacturing processes and twenty (20) percent would be more office facilities, restrooms, breakrooms, and storage or warehousing.

Board Member Clift stated that settles it for him. He yields the floor, sir.

Chairman Sophiea asked for any comments or would someone care to make a motion.

Board Member Higgins said why not. Winding down anyways. He's in favor of it. Looks like a great investment in the city. Again, less high than the building that was there before. He's all good for it so they have his support.

Board Member Nestorowicz said if there's no other comments, make a motion.

Board Member Clift said he'll make it if they want.

**Motion:**

Board Member Clift made a motion to grant permission to erect a building with a maximum height of 61' 4".

Reasons being: Not a detriment to the neighborhood; Necessary for the activity at that building in order to get it occupied and built; Size and shape of the lot.

Board Member Lindsey supported the motion.

Chairman Sophiea said they have a motion by Mr. Clift, support by Mr. Lindsey to approve the request as presented. Roll call please.

**Roll Call:**

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

Board Member Clift

Yes, for the reasons stated in the motion.

Board Member Lindsey	Yes, for the reasons stated in the motion.
Chairman Sophia	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 Nestorowicz	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.

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

Mark Koenigsknecht thanked the board. Go Tigers!

Chairman Sophia said to have a nice night.

## 9. NEW BUSINESS

Board Member Cliff wanted to mention to his fellow board members. The State of the City is tomorrow evening here. The main function is from six o'clock until eight. However, an email went out from the mayor's office. There was a little confusion, but he got it ironed out. He volunteered to represent Zoning Board of Appeals from five thirty to six out in the hall wall at some informational tables. He'll invite anybody else who might want to come. He'll be here between five and five fifteen if anybody cares to accompany him out there.

Chairman Sophia thanked him. Any other new business?

## 10. ADJOURNMENT

### **Motion:**

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

### **Voice Vote:**

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

The meeting adjourned at 8:17 p.m.

Paul Jerzy  
Secretary of the Board