

WARREN ZONING BOARD OF APPEALS  
REGULAR MEETING  
FEBRUARY 12, 2025

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, February 12, 2025 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  
Paul Jerzy, Secretary  
Charles Perry, Assistant Secretary  
Charles Anglin  
William Cliff  
Shaun Lindsey  
Michael Assessor  
Kevin Higgins

**Members of the Board absent:**

Roman Nestorowicz, Vice-Chairman  
Garry Watts

**Also present:**

Jennifer Pierce, City Attorney  
Steve Watripont, 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 Board Member Watts and Board Member Nestorowicz were absent.

**Motion:**

Secretary Jerzy made a motion to excuse Mr. Watts and Mr. Nestorowicz, they did contact the board; Supported by Board Member Perry.

**Voice Vote:**

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

**4. ADOPTION OF THE AGENDA**

Chairman Sophiea mentioned to the audience there are several items tonight that are use

variances. Unlike a regular variance a use variance, which are items 6, 15 and 16, require six (6) yes votes instead of five (5). They're down two (2) members tonight which puts them at a slight disadvantage. So, anyone that's here on items 6, 15, or 16 the board is giving the option to table to their next meeting on March 12<sup>th</sup>. Would anyone like to table?

No response.

Chairman Sophiea doesn't believe there are any changes to the agenda tonight.

**Motion:**

Secretary Jerzy made a motion to adopt the agenda; Supported by Board Member Anglin.

**Voice Vote:**

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

**5. APPROVAL OF THE MINUTES of the Regular Meetings of November 13, 2024, December 11, 2024 and January 8, 2025.**

**Motion:**

Secretary Jerzy made a approve the minutes of November 13, 2024; Supported by Board Member Clift.

**Voice Vote:**

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

**Motion:**

Board Member Clift made a motion to approve the minutes of December 11, 2024; Supported by Board Member Perry.

**Voice Vote:**

A voice vote was taken. The motion carried (6 – 0). (Board Member's Assessor and Higgins abstained.)

**Motion:**

Board Member Clift made a motion to table the minutes of January 8, 2025; Supported by Secretary Jerzy.

**Voice Vote:**

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

**6. PUBLIC HEARING:**

REPRESENTATIVE:

COMMON DESCRIPTION:

LEGAL DESCRIPTION:

ZONE:

**APPLICANT: MMC Management LLC-USE-**

(Rescheduled from 12/11/2024 and 1/8/2025)

Michael Campbell

3000 Ten Mile

13-30-201-003

M-2

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

Allow above ground fuel storage in an M-2 district and within 48' of the east property line, 84' from the west property line and 146' 6" from the north.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 (p) – Industrial Standards (M-1 and M-2 not an allowed use. M-3 and M-4 allowed use):** Fire and safety hazards (the storage and handling of flammable liquids, liquified petroleum gases and explosives shall comply with State rules and regulations as established by Public Act No. 207, P.A. 1941 [MCL 29.1 et seq.], as amended, and in addition the following regulations shall apply): Bulk storage of flammable liquids, liquid petroleum gases and explosives allowed above ground if conditions meet those established by Chapter 13 of the Warren Codified Ordinances – Fire Prevention and Protection and Michigan flammable Liquids Regulations as amended. All tanks shall be located not less than one hundred (150) feet from property lines.

Chairman Sophiea said good evening. Please start with name and address for the record.

Michael Campbell, 3000 East Ten Mile, appeared before the board.

Chairman Sophiea welcomed him back. They see that he is back and have attached some additional documentation in his petition.

Michael Campbell explained the last time he was here in December 11<sup>th</sup>, they had asked to get approval from the Fire Marshall. He did have a meeting with the Fire Marshall and had a representative from the State of Michigan licensing that handles the storage tanks. The board should have in front of them the approval from the Fire Marshall approving the placement of the tanks.

Chairman Sophiea said yes.

Secretary Jerzy stated it did come through, yes.

Chairman Sophiea thanked him. 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 would like Secretary Jerzy to read one memo in from one of the city departments here into the record.

Secretary Jerzy stated the Planning Department in a nutshell, it's an impact statement from the Planning Department. They found no issues were found to impact the abutting, local, and general public with this project.

Chairman Sophiea thanked him. At this time he'll turn it over to the board for discussion. He remembers the gentleman here a couple weeks ago they asked for that letter and he sees it in the packet. It meets his approval. Are there any other comments or questions to the petitioner?

Secretary Jerzy said if nobody else has anything else he would like to make a motion.

**Motion:**

Secretary Jerzy made a motion to grant the petitioner to allow above ground fuel storage in an M-2 district and within 48' of the east property line, 84' from the west property line and 146' 6" from the north.

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

Board Member Perry supported the motion.

Chairman Sophiaea said they have a motion by Secretary Jerzy, support by Mr. Perry to approve the request as read.

**Roll Call:**

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

Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Clift	No, self-imposed and detriment to the area.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Chairman Sophiaea	Yes, for the reasons stated in the motion.

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

7. PUBLIC HEARING:

**APPLICANT: Mohammad AbuAIRub**  
(Rescheduled from 1/8/2025)

REPRESENTATIVE:	Tamras Tamou
COMMON DESCRIPTION:	15150 14 Mile
LEGAL DESCRIPTION:	13-01-228-024
ZONE:	C-1

**VARIANCES REQUESTED: Permission to**

Erect a new ground sign with the following conditions:

- 1) 22' in height from the grade of the berm.
- 2) Setback 8' 4" from the north property line.
- 3) With an 8' under clearance.
- 4) 133 square ft. of ground signage.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.18 (b) – Height:** The height of all signs, unless provided otherwise in this ordinance, shall comply with the following: Freestanding signs. The height of all freestanding signs shall not exceed twenty (20) feet.

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

minimum distance equal to the height of the sign.

**Section 4A.19 – Clearance:** All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure...

**Section 4A.35 (c) – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1 and M-2):** One freestanding on-premise sign or advertising display of a size not to exceed seventy-five (75) square feet shall be allowed...

Tamras Tamou, 15150 East Fourteen Mile, appeared before the board stating they resubmitted. They tabled the item last time because it was too high and they submitted actually a smaller sign as well.

Chairman Sophia is just taking a look here. Thank you for those comments. This is a public hearing. Is there anyone in the audience that would like to speak on item 7?

No response.

Chairman Sophia informed there is just one memo they're going to read into the record from the Planning Department.

Secretary Jerzy stated the Planning Department: "After review of the request, the following issues were found to impact the abutting, local or general public: It is the recommendation of the Planning Department that the width and height of the petitioner's proposed signage exceeds a size that is sufficient for this location. The sign should be no wider than 6 ft., with a height not to exceed 20 ft. from ground level. The underclearance of the sign should not be below 10 ft from the ground. This would significantly reduce the overall square footage, height, underclearance, and setback of the proposed sign. For reference, attached is the dimensioned plan for a gas station sign to Valero gas station at 11550 Thirteen Mile Road (southwest corner of Thirteen Mile and Hoover Roads). This sign was approved for a permit by the City in 2022. The approved Valero sign is significantly smaller than what the petitioner is requesting, meets Valera's signage needs in a similar location to the petitioner, and did not require variances for the overall square footage (54.49 sq. ft) or height of the sign (19 ft.). The petitioner should consider Valera's sign as an example for how to effectively modify the proposed signage."

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

Board Member Anglin personally thinks the sign is too tall. He doesn't necessarily have a problem with an eight (8) foot under view instead of a ten (10). He doesn't think the sign should be taller than twenty (20) feet. With that corner lot like that, the width of that at nine (9) foot six (6), he's willing to say it could be eight (8) feet. So, twenty (20) foot would be the height, in his opinion. Eight (8) feet would be the width. If taking an eight (8) foot width with most of the signs the board has approved in Warren for the width, they're more than capable to put regular and rotate regular cash, regular credit. They float that into the one section. Eliminating that extra two (2) feet of top, they could eliminate one of the panel signs and just do cash, regular, cash, regular. He thinks the board has been very lenient on allowing larger, but maintaining larger signs that's been part of the city for years. At some point they had the opportunity to limit that large sign and force the issue to be shorter and they really did. He thinks they have to start taking a stand at some point because everybody wants to push that signage just a little bit more and a little bit more. That's what they're

here for, to evaluate the area to see what it really needs. He doesn't think the area needs a twenty-two (22) foot high sign, 9.6 feet wide.

Chairman Sophia asked Mr. Watriont if he had a comment he would like to make.

Steve Watriont explained the petitioner submitted new renderings. He thought they were submitted to the board as a twenty (20) foot high, 240 inch tall. So, twenty (20) foot tall with the eight (8) foot under clearance.

Board Member Anglin said he doesn't have that.

Chairman Sophia is not seeing that. It looks like it's the same image on both the original and revised.

Board Member Anglin said yes.

Steve Watriont explained they have reduced it. The petitioner is giving a copy to the board right now for the board to look at quickly. That might change some of the comments.

Board Member Anglin said it just might. He'll back off of what he just said. He'll see what the new evidence is on it.

Chairman Sophia said that's great. He was surprised that they were coming back with something over twenty (20) feet.

Board Member Anglin stated that's why his opinion was that. Because his recollection, and if he's not correct one of the board members will tell him, they did discuss it to be about twenty (20) feet. They kind of insinuated that if it became that they would approve that.

Chairman Sophia said correct.

Secretary Jerzy said the problem was the berm, too.

Board Member Anglin said with the berm you add three (3) foot. The sign actually over grade is over twenty (20) feet.

Steve Watriont explained his notes also indicate the size of the sign goes to eight-four (84) square feet.

Board Member Anglin said it's a little wider than he was thinking, eight (8) foot.

Chairman Sophia said it's fifty-five (55). The sample they're giving them from the Planning Department is fifty-five (55) square feet.

Board Member Anglin said this pretty much covers exactly what they stated. He thinks it's a little wider than what they said, but it's inches. So, he'll retract his first comments with the new evidence he has in front of him and will sit here and be quiet for a minute.

Tamras Tamou wanted to clarify something. They actually reduced the size of the sign from what they had last time and they reduced the square foot of the sign. If they were to keep it the same width it would look awkward. The signs wouldn't look right, they have to look consistent. So, that's the reason they did that. There's a twelve (12) inch spot right up above the reader board underneath the liquor which is for Saroki's Chicken and Pizza. They could not show it because at that time they didn't have their COC, but now they do.

Chairman Sophiea said ok. He doesn't have a problem with it. He thinks it's nicely done.

Tamras Tamou thanked him and said it's only eight-four (84) square feet.

Secretary Jerzy said the one thing he would like to ask the petitioner is if he's going to have the LED display on that. He talked to Steve before the meeting about how LED's in this town are starting to get too bright. So, he would hope they would maintain the brightness within the levels of the ordinance as well.

Tamras Tamou said each picture will change between ten (10) and fifteen (15) seconds. No scroll, no flashing. Not allowed flashing. The bright they have they can control. So, they can control from 500 lumen to 5,500. They control it everyday by the weather, (inaudible), or automatic.

Secretary Jerzy said his thing is sometimes the backdrop, they have four (4) or five (5) displays around town and it seems like three (3) of them are good and then one (1) hits you and has a white background and all of a sudden it's blinding.

Mohammad AbuAIRub said he will make it max at night the 4,000 lumen.

Steve Watripont said he will give him the ordinance and will make it with the ordinance.

Chairman Sophiea asked him to state his name since he spoke.

Mohammad AbuAIRub stated his name and address.

Secretary Jerzy thanked him.

Board Member Anglin wants to clear this up and make sure he reads it properly. They're going to change the twenty-two (22) foot high in height to twenty (20) feet. Is the setback the same, eight (8) feet four (4) inches from the north property line as it was last time.

Tamras Tamou replied yes.

Board Member Anglin said the width of the underclearance, he doesn't have an objection to eight (8) feet. The square footage has changed. So, he's going to read it as eight-four (84) square feet of ground signage.

**Motion:**

Board Member Anglin made a motion to give permission to:  
Erect a new ground sign with the following conditions:

- 1) ~~22'~~ **20'** in height from the grade of the berm.
- 2) Setback 8' 4" from the north property line.

- 3) With an 8' under clearance.
- 4) ~~133~~ **84** square ft. of ground signage.

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

Board Member Higgins supported the motion.

Chairman Sophiaea said they have a motion by Mr. Anglin, support by Mr. Higgins to approve the request as revised.

**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 Higgins	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Sophiaea	Yes, for the reasons stated in the motion.

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

Tamras Tamou needs some clarification.

Chairman Sophiaea stated Mr. Watripont will...

Secretary Jerzy said he'll guide him with next steps.

Tamras Tamou said they mentioned the berm. Is it from the top of the berm twenty (20) feet or from the top of the sidewalk twenty (20) feet.

Board Member Anglin said the way he read its, it's from the top of the berm.

Tamras Tamou said that's what he heard. Just wanted to clarify.

Board Member Anglin said twenty (20) feet because the original request was twenty-two (22) feet from the top of the berm.

Tamras Tamou said that's correct. So, top of the berm. Ok, got it.

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|---------------------------|-----------------------------------|
| <b>8. PUBLIC HEARING:</b> | <b>APPLICANT: Nathaniel Mooty</b> |
| REPRESENTATIVE:           | Same as above.                    |
| COMMON DESCRIPTION:       | 32617 Dover                       |
| LEGAL DESCRIPTION:        | 13-02-203-038                     |
| ZONE:                     | R-1-C                             |

**VARIANCES REQUESTED: Permission to**

- 1) Retain a 12' x 12' (144 square ft.) over-sized gazebo in the side yard setback, not behind the building lines of the principal building and not placed against any other accessory structure.
- 2) Retain a 8' x 12' (96 square ft.) shed.

Both of the above requests are in addition to an existing 13' x 21' (273 square ft.) attached covered patio and a 26' x 24' detached garage for an overall total of 1,137 square ft. of accessory structure floor area.

**ORDINANCES and REQUIREMENTS:**

**Section 4.20 (A) – Detached Accessory Buildings:** Such buildings shall conform to, and shall not project beyond, the existing building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions:

**3)** That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard.

**5)** That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

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

Nate Mooty, 32617 Dover, appeared before the board.

Chairman Sophiea thanked him and asked for him to please tell the board about the request.

Nate Mooty explained he got this gazebo from his late grandfather when he moved in at 2019. It was a Costco gazebo. To be honest, he didn't know about the zoning ordinances at the time, so he put it at the only place possible in his yard which was the side of his house. He cannot fit it directly behind the house. There's not enough space and there's an electrical line right above his yard. To the back of his house there is not enough space. So, he's asking to keep the gazebo where it is if possible. For the shed, he would move it from the side of the garage to the back of his garage put a cement slab underneath that and put the shed attached to the garage, as shown on the diagram.

Chairman Sophiea thanked him for those comments. Does he have anything else he'd like to add?

Nate Mooty doesn't think so.

Chairman Sophiea said no problem. This is a public hearing. Is there anyone in the audience who would like to speak on item 8?

No response.

Chairman Sophiea stated there is a summary of a call from the Council Office and will be read into the record.

Secretary Jerzy stated it's from a Rosalyn Garwood that resides at 32672 Dover. She states there is nothing should would be up against if people took care of their property. This man does not take care of it. Garbage cans left out in the street, grass growing high. She doesn't think they

are there that much. Some hut sticks way above the fence, Halloween decorations left laying out. There yard is not that big to put more stuff in it. The property not being maintained properly. She wouldn't stop anybody who keeps up their property, but more stuff on that corner lot is not good. That's all he has.

Chairman Sophiea thanked him. At this time he'll close the public portion of the meeting and turn it over for discussion.

Board Member Anglin asked if the patio is enclosed that's up there right now or is it just an awning.

Nate Mooty said it's a roof with four (4) posts. He thinks it's called a pavilion technically.

Board Member Anglin asked if the gazebo is one of those collapsible put up, put down type thing. Or is it a premanufactured type?

Nate Mooty explained it's 2,000 pounds, purchased from Costco. Just premade and set it up.

Board Member Anglin asked once it's set up it pretty much has to stay up. It's not one of those where you take down and put it back up when needed like some of the tents.

Nate Mooty said no.

Board Member Anglin is not sure, if Steve can answer this, does that gazebo have to have at that point a cement underneath that.

Nate Mooty explained there is a cement pad with a rat wall underneath it.

Board Member Anglin said it does have a cement wall with a rat wall.

Steve Watrion said the answer still is yes. It does require it.

Board Member Anglin thanked him. Every chance you get, Steve. Thanks. He never liked to dictate or come across with people doing reasonable things to their property. He does know, sir, if his property is anything like this lady says, he wouldn't be pleased living on that street. He understands. How long ago did he buy it?

Nate Mooty bought it in 2019. He thinks he takes care of it pretty well.

Board Member Anglin said that was just a comment of his that if it has that, please try to fix the problems so neighbors get along. That would be great. Thank you. It's a gazebo. It's an open air, doesn't have walls, has six (6) or eight (8) posts. He doesn't see any trees on this property at all.

Nate Mooty had one and he took it down himself. There's no trees on the property.

Board Member Anglin said he has no shade. He doesn't have an objection to it.

Chairman Sophiea asked if the yard is fenced in.

Secretary Jerzy said yeah it is.

Nate Mooty said there's a privacy, eight (8) foot tall fence.

Chairman Sophiea asked that the drawing he did, the white indicates.

Nate Mooty explained the white line is the fence.

Secretary Jerzy said he has a white privacy fence all the way around, yeah. It's like a vinyl one.

Chairman Sophiea doesn't have a problem with it personally. Corner lots are unusual in the sense that their side yard is really the backyard and have to block the view from the street.

Board Member Anglin said that's why he firmly believes they have this board. Is to evaluate individual situations, because just a blanket code says this is how it is does not fit every single predicament.

Chairman Sophiea said sure. This is one of those unique ones.

Board Member Anglin said yes, so he has no problems with it.

Board Member Clift would like to address the shed. He was reading through the packet so forgive him if he missed this somewhere along the line. It's on a concrete pad.

Nate Mooty stated the shed is a movable shed and he can move it anywhere or remove it if needed. He buys a lot of Halloween decorations, he puts everything in the shed. He just doesn't have enough storage in his house for it. So, he can move it anywhere needed if needed or get rid of it.

Secretary Jerzy thinks he said in the packet, too, that he was willing to put up a rat wall for the shed if it's behind the garage.

Board Member Clift said it will go up under permit.

Secretary Jerzy said yeah, he's going to have to.

Board Member Clift said that's all he needed to know.

Steve Watriont explained no permit was issued because of the extenuating circumstances until the variance is granted for everything. Then he'll have to comply with everything.

Board Member Clift said fair enough. As long as it has a rat wall under it like it's supposed to have, he doesn't have a problem with it. Thank you, sir. Thank you, Mr. Chairman.

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

Chairman Sophiea said please do.

**Motion:**

Board Member Anglin made a motion to give permission to:

- 1) Retain a 12' x 12' (144 square ft.) over-sized gazebo in the side yard setback, not behind the building lines of the principal building and not placed against any other accessory structure.
- 2) Retain a 8' x 12' (96 square ft.) shed.

Both of the above requests are in addition to an existing 13' x 21' (273 square ft.) attached covered patio and a 26' x 24' detached garage for an overall total of 1,137 square ft. of accessory structure floor area.

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

Secretary Jerzy supported the motion.

Chairman Sophiea said they have a motion by Mr. Anglin, support by Secretary Jerzy to approve the item as presented.

**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 Perry	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Chairman Sophiea	Yes, for the reasons stated in the motion.

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

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| <p>9. PUBLIC HEARING:<br/>REPRESENTATIVE:<br/>COMMON DESCRIPTION:<br/>LEGAL DESCRIPTION:<br/>ZONE:</p> | <p><b>APPLICANT: Abdulla Ibrahim Dahma</b><br/>Same as above.<br/>27114 Clarpointe<br/>13-14-478-019<br/>R-1-C</p> |
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**VARIANCES REQUESTED: Permission to**

Construct a 9' x 18' (162 square ft.) over-sized accessory structure beyond the side building lines of the principal building on that lot. Existing shed to be removed.

**ORDINANCES and REQUIREMENTS:**

**Section 4.20 (A) – Detached Accessory Buildings:** ...Such buildings shall conform to, and shall not project beyond, the existing side building lines of the principal building on the lot...

- 5) That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

Chairman Sophiea asked the applicant to please start with name and address.

Abdulla Ibrahim Dahma, 27114 Clarponte, appeared before the board.

Chairman Sophiea thanked him and asked him to please tell the board about his request.

Abdulla Ibrahim Dahma has a small shed. He tries to make it a big shed. That's why he applied for it.

Chairman Sophiea asked if there is anything else he would like to add before turning it over to the board.

Abdulla Ibrahim Dahma asked if someone could help him out.

Chairman Sophiea said sure, just start with name and address.

Srecko Zdravkovic, 3560 Milton, appeared before the board.

Chairman Sophiea thanked him and asked for his comments.

Srecko Zdravkovic explained this is a replacement shed for a current shed in good standing, which is ten (10) by ten (10) right now. He is requesting to build a bit of a bigger shed in the same location. It's also going to be sitting on twenty (20) by ten (10) slab with a twenty-four (24) inch thick rat wall on it. It's behind a current garage and he does not impede any easements or any surrounding area or surrounding properties.

Chairman Sophiea said very good. Any other comments.

Srecko Zdravkovic replied not at the moment, unless there's some questions.

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

No response.

Chairman Sophiea said not seeing anyone in the audience, but there's a couple letters to read into the record.

Secretary Jerzy said first off from the Planning Department has an impact statement on this agenda item. They found no issues were found to impact the abutting, local or general public. They have three (3) emails from residents. The first one is from Barbara and Marek Gryko.

"This is in regards to the notice of public hearing regarding Mr. Dahma and his building of a shed.

First off the so called "shed" is a pigeon coupe. We were told that this coupe would be for Mr. Dahma's personal pet pigeon's. Which in reality turned into a business.

Yes, Mr. Dahma's pet's are housed, cared for and sold from this coupe. After numerous phone calls to many city agencies and departments we learned it was legal for him to have his pet's of choice, and these so called pet's were his actual pet's. Also we were told this would not be a business and no selling of his pet's would be done. So not true! Since the original shed was built, it has indeed become a business of selling his "pet's". Some of the things happening around the neighborhood because of this so called shed are as follows.

The smell from this shed is at times unbearable. We find it at times so unbearable we do not enjoy using our backyard or going to the neighbors house for a swim in his pool. The rodent population had grown over the years from this shed. The amount of vehicles up and down the street has also grown even though Mr. Dahma is not supposed to be selling his "pet's". Us neighbor's have seen many people walking to Mr. Dahma's home empty handed and walking out the various crates with pigeon's in them. The hawk the city lets fly around to help control rodent and pigeon population is also something we watch out for, due to the numerous pigeon feathers and carcasses left behind in our yards. And the flying of the pigeons is also a headache for us due to the loud clapping ,yelling and pigeons everywhere. It is our understanding that Mr. Dahma has already poured the cement for the foundation of this shed. He has made it very clear to other neighbor's that he was only given a certain square footage to pour and has intentionally poured the cement foundation bigger because he wants the shed bigger and does not care what the city says.

We believe that the existing shed is far more than we need and want to put up with, therefore we would like for the Board to vote against this variance to be allowed."

That's the first one. The second is one is from Deborah Alsaiyad who resides at 27127 Clarpointe:

"I received a notice of public hearing for 27114 Clarpointe Dr. Warren MI regarding Abdulla Ibrahim Dahma's request to build a 162 sq. foot structure beyond the side building lines of the principle building. This meeting is scheduled for February 12, 2025. I plan to attend the meeting, but the predicted weather for tomorrow evening may prevent me from attending, so I wanted to get this email to you just in case.

I live across the street from this address at 27127 Clarpointe Dr. I am opposed to this plan. The homeowner raises homing pigeons and sells them. I am unable to park my car on the street because when the birds are out in training, they leave quite a mess on my car. When the wind is blowing from the east, the smell from the current pigeon coops is overwhelming. I really don't want a larger storage area for even more pigeons.

My understanding is that he has already laid the foundation for this structure, anticipating approval at this meeting. I also understand that he has stated that these pigeons are pets. I do not believe this to be true. Cars come and go from this house, always leaving with small boxes that I assume are pigeons.

The owner did tell a neighbor that when he is done selling pigeons that he would then just use the larger structure as a shed.”

The last one is from a Frank and Cheryl Bahri:

“This is regarding the 9 x 18 structure in his back yard. We are not in favor of this structure. He raises pigeons in the existing structure and wants to enlarge it. These pigeons are sold regularly as we’ve witnessed and gave been told Abe himself. We’ve had carcasses of these pigeons several times in our yard due to the hawk the city has in our neighborhood to control rats from businesses garbage. He has released them to fly when we and other neighbors have gatherings in our yards over the years. And the clapping and whistling calling them back can be very annoying. The smell in the summer can be bad. Many of the neighbors feel the same way as we do. I’m asking you to consider not allowing this larger structure.”

That’s all he has, Mr. Chair.

Chairman Sophia thanked him. At this time, he’ll turn it over to the board for discussion.

Board Member Cliff has to ask the petitioner why he didn’t come before the board stating what this structure actually is. As opposed to calling it a shed.

Srecko Zdravkovic said if he may, there is a document that the board should have in front of themselves that does state actually in close detail what this is used for and why they are requesting an extension.

Board Member Cliff said ok. Warren municipal code chapter 7 article 1 7-2. When he’s reading through that it seems to him the action of keeping pigeon’s in a residential neighborhood is against city ordinance from the gecko. He’ll defer to the city attorney representative on the dias tonight to maybe review that so they can discuss that a little further. He’ll read a couple of excerpts out of here. Section 7-2a, it shall be unlawful for any person to keep, house or maintain any animal or bees within 300 feet of any dwelling, store, alley, or public place, except such animals that are commonly kept as household pets or validity permitted chickens, pursuant to section 7-11 of the chapter. It will also be unlawful to maintain any animal or fowl so to create an unsanitary condition or owner. Several of the letters the board received this evening that were read into the record seemed to reflect that condition existing at this property. Section c, it shall be unlawful to keep any animal our fowl which by causing frequent or long continued noise to disturb the comfort and repose of any person in the vicinity. Section d, violation of this constitutes a misdemeanor as the clear to public nuisance, animal control, police, code enforcement, etc. has the authority to impound such animals. So, he has a hard time supporting this request based on what he’s reading in the ordinance. Shy of any permit from a government or city official allowing the raising of pigeons on residential property. In violation of the ordinance. With that he’ll yield the floor.

Board Member Anglin asked how many pigeons they have on a normal basis.

Abdulla Ibrahim Dahma answered eighty-one (81).

Board Member Anglin repeated eighty-one (81).

Abdulla Ibrahim Dahma explained when he makes a license for the shed and it's certified from the Health Department of Macomb community. They check it every three (3) years when he renews the license. They came and checked it. He's going to talk something right now. Frank and Cheryl, they have shed behind their garage. He thinks it's a twelve (12) by ten (10), no cement, no rat wall. Mark and Barbara both have a shed, small shed, seven (7) by something out of permit.

Board Member Anglin doesn't think they should get into he said she said tonight.

Chairman Sophiea said no, they're here about this item.

Board Member Anglin said his item only.  
(Inaudible)

Chairman Sophiea said they're not going to talk about the neighbor tonight. They are here to talk about his item. He doesn't have problems with sheds when they're done right. It looks like a very nice structure he's proposing, but he's not going to allow a shed to be in his yard to operate a business.

Abdulla Ibrahim Dahma said he's not operating business. This is friend from engineering. He met him with the pigeon club. That's how he knows him.

Srecko Zdravkovic said if he may, just a second. What Mr. Clift read is all true and they are all aware of that. However, this shed when originally constructed, the one they are looking to replace is licensed and the City of Warren is aware of what the usage of the shed was. Macomb Health Department also approved the usage and the shed and the premise around that is inspected and in good standing, with both Warren Building Department as well as Warren Health Department. As a matter of fact, recently just earlier this fall the most current inspection had taken place.

Secretary Jerzy asked if he has any documentation to prove this with him.

Board Member Higgins jumped in real, real quick. He could even stipulate and say he believes him. Here's what's in front of them, the variance for a bigger shed. Here's what he's going to say. He has a lot of neighbors that are not happy with what's going on in the neighborhood. If they're looking for a variance, you want some neighbors that are in your corner. His neighbors are not in his corner. His position is that he is voting no on this. He doesn't know how much back and forth they have to go. It's up to the board to ask anymore questions, but he will be in the no position. He looks to do that quickly and move along, because it seems very black and white. By the way, please don't talk unless addressed. Thank you.

Board Member Anglin agrees with his colleague. He personally thinks there is enough discussion. Eighty-one (81) pigeons do not seem like pets when you have that many. So, if anybody on the board wants to make a motion one way or another.

Board Member Clift would like to interject here. So, the petitioner is saying he's sanctioned by somebody in authority to keep his pigeons. He would be willing to make a motion to table this to the next meeting and allow this documentation to come forward and allow the board to research city ordinances just a little bit closer to see if there's, if he's legitimately licensed to keep them. Benefit of the doubt.

Board Member Higgins is stipulating, he's giving that to him. He just doesn't want him to build a bigger one. That's what he's asking the variance for. So, he sees where he's coming from, but he doesn't want to make another trip back here to say he can do it legally, but not going to give the variance anyways. That's his position.

Board Member Clift said curious, that's all.

Board Member Higgins feels passionate about this. The neighbors are not happy. It sounds like an absolute war zone over there.

Board Member Clift agrees. 100%. He doesn't like the fact that it was presented as just a shed and then these letters and items come up. He's not going to make any assumptions that maybe the petitioner felt this was kind of go that way that people weren't going to say something, but on the other side of the coin he would be willing to table it for a little more to come forward to see if it's actually a sanctioned activity or not. Then decide.

Board Member Anglin asked if he's going to try to make a motion to table.

Chairman Sophiea said he's more than welcome to try it. In his opinion right off the bat, it's not necessary, the property is not unique. There's not much more.

Board Member Clift will yield the floor.

Board Member Anglin would like to make a motion, but he'll try to make a comment before that. When people come before this board they should have with them the proper documentation to back up what they're going to state. So all these things that were stated about state approvals, this approvals, but there is not backup documents to prove it. So, they can't pay attention to that. That's just hearsay. He's also not thrilled about having eighty-one (81) pigeons next door to him, so he would have to put the neighbors feelings in on site on that, too. Saying that he would like to make a motion.

**Motion:**

Board Member Anglin made a motion to deny construction of a 9' x 18' (162 square ft.) over-sized accessory structure beyond the side building lines of the principal building on that lot. Existing shed to be removed.

Reasons being: Size of the lot; Size of the shed; Not necessary; Doesn't believe they need to expand on more pigeons.

Board Member Higgins supported the motion.

Chairman Sophiea said they have a motion to deny by Mr. Anglin, support by Mr. Higgins.

A yes vote is to deny.

**Roll Call:**

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

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 Clift	Yes, to deny.
Board Member Assessor	Yes, to deny.
Secretary Jerzy	Yes, to deny.
Chairman Sophiaea	Yes, to deny.

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

10. PUBLIC HEARING: **APPLICANT: Kassem Zaher**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 11415 Irene  
LEGAL DESCRIPTION: 13-10-428-029  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Retain widened portion of concrete driveway in front setback 6' 2" from the east corner of garage towards the east property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.06 – Yard Use:** 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.

Chairman Sophiaea said good evening.

(Inaudible due to microphone being off.)

Board Member Higgins asked the applicant to get closer for everybody. The closer to that microphone the better.

Secretary Jerzy said he didn't have it on initially.

John Harrington asked if it's on now.

Secretary Jerzy replied yes.

John Harrington stated his name. He's an attorney that represents Mr. Zaher. He's the individual that submitted the application for Mr. Zaher and wasn't sure why he was identified on the agenda as his representative. If it's quite alright for him to speak, Mr. Zaher is here as well, but he asked him to make the presentation this evening. If he may go ahead then.

Chairman Sophiea asked Mr. Harrington to speak up; it's very hard to hear.

John Harrington apologized. Mr. Zaher has been residing at his residence there at 11415 Irene for twenty-one (21) years; 2004. As they indicated in the application the prior driveway that was in there was too narrow. Getting to be too narrow with additional children getting cars and more people driving in his family. As a result, because it was initially too narrow to put two (2) cars or park two (2) cars in the driveway, people ended up parking on the grass. Which was not favorable, causing damage to the grass or lawn. That was compounded with the fact that the street became narrow; the city narrowed the street for a couple sewers about eight (8), ten (10) years ago. As a result, they found that the cars they were parking in the street in front of the house was being hit by other cars, causing damage. So, for a combination of those reasons they decided to go ahead and put in this extension for approximately six (6) feet on the outside portion of the driveway. Not realizing they needed to get permission from the city. They did in fact contact a number of contractors to put that in. When his client did inquire about the need to get permission he was advised that it wasn't necessary. Obviously, that was wrong information and later learned it was necessary. It certainly it's been presented and hopefully the board has pictures; he knows his client submitted pictures showing the driveway is aesthetically it looks well, there's no issues with problems with the construction of it. The neighbor immediately to the adjacent to the property, immediately adjacent to the extended driveway, Mr. William Marbly Jr. They submitted his written statement where he indicated he had no objection to the extension of the driveway. Arguably, he would be the one individual or neighbor that would be impacted the most by this. He had no objection to that. So, as a result, they're asking for a dimensional variance to extend to allow the extension of the driveway approximately six (6) feet to the outer edge of the property. Otherwise, it presents he believes a hardship upon his client to have the driveway the way it was because the essentially the narrowness of the driveway is too narrow to safely park two (2) cars as it was.

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

No response.

Chairman Sophiea stated before he closes the public portion of the meeting, there are a couple emails to read into the record that can be summarized.

Secretary Jerzy thanked the Chair. This comes from a Cathy Kennedy:

"Assuming that you know that the address uses their home and our street as a used car lot, is it correct to say that the widened area was done already without a permit? Neighbors have complained numerous times about the number of cars brought into this property and both sides of the street. Buyers then arrive, blocking the street while they shop and peruse the different vehicles. This has gone on for years. I'm very happy that they are possibly making an attempt to keep cars off the street but more likely it's to bring in more cars. Does the east side neighbor object to this space and cars running and being started feet from their bedroom window? If so, it has to go....as does their used car lot!"

Secretary Jerzy stated the other email is from a concerned neighbor from 300 feet from the property:

“Our concern is this is used for business purposes. We have noticed the marketing and changeover of many vehicles at this residence. So based on this, we would not approve a variance for more vehicle parking spaces.”

Secretary Jerzy stated that is all he has.

Chairman Sophiea thanked him. At this time, he closed the public portion of the meeting and turned it over to the board for discussion. Personally, he has no problem with the way the driveway is poured. Mr. Watripont will correct him if he's wrong, but they're really just here tonight because of that little patch by the sidewalk.

Board Member Clift said apron.

Chairman Sophiea replied correct, yeah.

Steve Watripont explained the apron they have no control over. They'll need a permit from Engineering for that. The part the board is... What is allowed by the ordinance is the front yard. They can have a driveway equal to the size of the garage and they've expanded that by he believes six (6) feet two (2) inches. So, that is what the board is approving is that six (6) foot two (2) inches from the sidewalk back to the garage.

Chairman Sophiea asked not anything to do with the approach or radius there.

Steve Watripont replied no. They have no authority of that and neither does the board.

Chairman Sophiea asked what happens. Say this is granted, what happens to that little patch down by the sidewalk.

Steve Watripont explained it will be turned over to Engineering and Engineering will allow it or they will tell them they have to return it back to grass.

Chairman Sophiea thanked him.

Board Member Anglin mentioned like he stated before the information they get from the neighbors is valuable, but again, it's kind of hearsay. They don't know if he's actually selling cars there, but the city does have avenues to stop that, because it is against code to sell vehicles. He thinks you can sell a vehicle on private property, but can only do so many a year.

Chairman Sophiea stated the city has a lot of room for improvement in certain areas, but he'll tell you what, his grandmothers house in Warren across the street. Any time there are multiple cars they call on the car that doesn't have the tab on it

and it gets marked relatively quickly. So, he's not too concerned about the car issue. He just wants to focus on the actual driveway.

Board Member Anglin said right, but he was wanting to reflect with the concerns of the neighbors and that. They have an avenue to put a halt to what they think is going on, if that is really what's going on. Now, to the cement pad that's poured. He has no objection to it. He knows he likes keeping all his vehicles off the street when possible. So, he has no objection to the pad.

Chairman Sophia asked out of curiosity. He sees Mr. Harrington's correspondence to Mr. Watriont indicating there was going to be a letter from the neighbor in support coming soon. Were they able to get that?

John Harrington believed he emailed that to Mr. Watriont well over a month ago. That's Mr. Marbly's comments, Mr. William Marbly. He has the original here if the board wants to see it.

(Inaudible)

Chairman Sophia sees the ones that they read into the record, but not the... He'll take his word for it.

John Harrington said he can read it if the board likes, out loud.

Chairman Sophia stated Mr. Watriont has a copy.

Board Member Higgins has a question while that's going down there. He's to understand that Mr. Harrington is his legal representative.

John Harrington replied yes, he's an attorney.

Board Member Higgins just wanted some clarification. It's been a long day and just wanted to make sure. So, he is an officer of the court?

John Harrington replied he is.

Board Member Higgins asked if his client is selling cars from the residence.

John Harrington explained he doesn't have a used car lot as one of the neighbors suggested. He believes he has sold occasionally selling a car, one (1) or two (2). Once every couple of years. Selling a car like any of them would.

Board Member Higgins asked if the applicant would come up. He would like to ask him directly that question.

John Harrington informed his English is not the greatest.

Board Member Higgins said he can translate or anybody else in the audience can

translate. The question goes to, approximately how many cars in a year would he sell out of his property there?

Kassem Zaher, 11415 Irene, appeared before the board explaining that sometimes he sells his family car. Sometimes his own car he sells. The problem is he has to extend his driveway because one day he parked his car on the street and he got hit. Somebody hit his car and he had to pay like \$700 to fix it.

Board Member Higgins said excuse him for a second. He's trying to figure out about how many cars a year he sells from the property.

Kassem Zaher replied he sells maybe four (4) or five (5) cars.

Board Member Higgins said that's fine.

John Harrington knows the limit is five (5). Personal cars they can sell a year without having to get a license.

Board Member Higgins said they're aware of this. Ok.

John Harrington said not with him, but he knows with other people.

Board Member Higgins said ok. He has some expertise and knowledge it appears. Ok, that's good. Thank you.

Chairman Sophiea asked for any other comments from the board. He thinks it's lousy that so many transactions are taking place on that driveway, but there's another recourse for that. He personally doesn't have a problem; they give a lot of driveway extensions in the city. He doesn't think this property is any different.

Board Member Anglin stated if no other board member has anything they'd like to make a comment on, he would like to make a motion.

Chairman Sophiea said please.

**Motion:**

Board Member Anglin made a motion to give permission to retain widened portion of concrete driveway in front setback 6' 2" from the east corner of garage towards the east property line.

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

Chairman Sophiea said they have a motion by Mr. Anglin. Do they have a support?

Board Member Clift supported the motion.

Chairman Sophiea said support by Mr. Clift for the reasons stated in the motion.

**Roll Call:**

A roll call was taken on the motion. The motion carried (4 – 4).

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	Deny. No. Indifference to the neighbors.
Board Member Perry	Deny.
Board Member Lindsey	No, there is no unreasonable impact and doesn't think this is necessary.
Board Member Assessory	Yes, for the reasons stated in the motion.
Secretary Jerzy	No, believes it's a detriment to the area.
Chairman Sophiae	Yes, for the reasons stated in the motion.

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

Chairman Sophiae said to Madam Attorney they have a tie vote.

(Inaudible)

Board Member Higgins stated Nicole is weighing in.

Chairman Sophiae said they need five (5).

Secretary Jerzy said they need five (5) in total.

Chairman Sophiae said unfortunately the request was denied because there were not five (5) yes votes.

John Harrington said there is not a full panel here like it was mentioned earlier. Is there anyway they could table this and bring it back with a full panel.

Chairman Sophiae said they did make the announcement in the beginning of the meeting.

John Harrington explained they mentioned three (3) different items on the agenda. He said 6, 10 and 16.

Chairman Sophiae explained this is a non-use variance. A use variance would require six (6) yes votes, which is a much higher standard.

(Inaudible)

Chairman Sophiae asked him to excuse them for a moment.

(Inaudible)

Chairman Sophiae thanked him for being patient. After consulting with the city attorney they're going to uphold the decision tonight to deny.

John Harrington said alright, thank you.

Chairman Sophiea thanked him. This brings them to item 11.

11. PUBLIC HEARING: **APPLICANT: Shomij Miah**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 30971 Lorraine  
LEGAL DESCRIPTION: 13-10-129-017  
ZONE: R-1-B

**VARIANCES REQUESTED: Permission to**

Widen concrete driveway in the front setback 9' 6" from the north corner of the garage towards the north property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.06 – Yard Use:** 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.

Chairman Sophiea asked if the petitioner is present for item 11.

No response.

Chairman Sophiea asked if someone would like to make a motion as a curtesy to move this item. What's the item number?

**Motion:**

Board Member Anglin made a motion to move this item to the last item of the day, 16a; Supported by Secretary Jerzy.

**Voice Vote:**

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

*This item has been moved to 16a.*

12. PUBLIC HEARING: **APPLICANT: Metro Detroit Signs**  
REPRESENTATIVE: Kevin Deters at 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 setback from the right-of-way line a minimum distance equal to the height of the sign.

Kevin Deters, 11444 Katlz Avenue, appeared before the board stating he's with Metro Detroit Signs. The gentleman to his right is John Poggiolo, he's one of the owners at Vision Associates. They're basically asking to retain an existing face change on a ground sign. Basically, what they did was maintenance on a sign that's been there many decades. He believes since 1990. It's had that current shape and they just put some new bulbs in and did a face change. They're also asking to install a new wall sign to reflect their new colors and logo. It's comparable to the wall sign that they have. The existing wall sign has a permit, but it does not have a variance. So, that's why the wall sign needs a variance, because the ordinance has changed since that was installed. These proposals are basically maintenance to make the site look newer and more current, more modern and look a lot nicer. They will be happy to answer any questions they will have.

Chairman Sophia thanked him for those comments. This is a public hearing. Is there anyone in the audience who would like to speak on item 12.

No response.

Chairman Sophia closed the public portion of the meeting and turned it over to the board for discussion. There is just a Planning Department memo that can be summarized into the record.

Secretary Jerzy read the Planning Department says, After reviewing the request issues were found to impact the abutting, local or general public. The existing ground sign is currently abutting the front property line, one (1) ft. from the public walkway. This creates a safety issue, as this location of the ground sign could impede the line of sight of drivers entering Schoenherr Road from said property to see vehicle traffic traveling southbound along Schoenherr, and to see pedestrian traffic traveling southbound along the public sidewalk. Also, the current location and underclearance of the sign creates a safety issue with the chance of pedestrian traffic colliding with the ground sign. It is the recommendation of the Planning Department that the ground sign be setback eight (8) ft. from the front property line. It is also recommended that the underclearance of the sign be no lower than seven (7) ft. These recommended modifications will reduce the safety issues mentioned above."

Chairman Sophia thanked him. He closed the public portion again and turned it over to the board for discussion. He's just going through here to refresh his memory. They were here previously for the ground sign. That was back in October, November.

Kevin Deters said back in November of 2023, yes.

Chairman Sophiea asked what was...

Secretary Jerzy said it was tabled indefinitely.

Chairman Sophiea asked that they didn't make any approvals or denials on that date.

Kevin Deters said correct.

Chairman Sophiea said now they're here discussing both the wall sign and the ground sign.

Kevin Deters replied yes, sir.

Chairman Sophiea asked the ground sign, the paneling has already been changed.

Kevin Deters replied yes it has and new bulbs have been put inside it.

Chairman Sophiea asked about the wall sign. Has any work been done on that yet.

Kevin Deters said not to his... His company hasn't done any work. Not to his knowledge.

Chairman Sophiea asked that they haven't done anything new with this purple rendering on the wall sign. That's what they're proposing to install.

Kevin Deters thinks that might be the photo of the existing site as opposed to their rendering.

(Inaudible)

Chairman Sophiea said he has a really nice building, it's a nice wall sign. He doesn't have a problem with the wall sign. He has to be honest though, it does bother him having that ground sign so close to the sidewalk. It's really an unattractive shape. The building is so nice, he's surprised they'd be advocating to keep that. He knows its probably much more cost effective or some other reason, but he's lucky. They have a sign that's been grandfathered for years and years and years and it's so close to the sidewalk. Are there any other comments from the board.

Secretary Jerzy has driven by that sign for many, many years. He kind of disagrees a little bit with what the Planning Department says. He thinks with the four (4) foot underclearance, he gets the safety issue, but he's not going to be having kids running underneath the sign there. As far as line of sight, he thinks it's high enough to where as far as the driveway goes, that they can still maintain a decent line of sight. He doesn't think it's completely obscuring. He does think it's an upgrade to what he currently has as well. He personally doesn't have a problem with just replacing the current existing sign as it is. He'd have a problem if the sign was kind of going into the sidewalk a little bit or kind of having that bottom panel reaching out as a possible hazard for kids walking by, because they do have the school right there. But he doesn't have a problem with this project at all.

Board Member Anglin said the box of the sign, in his opinion, it looks like it's almost right on the

line of the sidewalk. If they follow that sign down, in this picture, it looks like it's running right almost to the edge. He does believe that would be safety factor for kids coming home from school or whatever, especially when they start pushing, shoving and playing kid games. He agrees with the Planning Director or associate director, whichever one wants to take the pitch on this about the sign needs to be setback. Now, does it need to be setback eight (8) feet from the front sidewalk, maybe not quite that far. But it does need to have a decent setback about four (4) feet. So, at this point the way he's asking for approval, he would not approve.

Kevin Deters asked if he could respond to his concern. He knows in the photo it looks like it's right up against the sidewalk, but it's one (1) foot back. The sign and the sidewalk are not on the same plane. So it looks like it kind of leans, in the photo, so it looks like it leans out further. He understands his concern.

Board Member Anglin would like to see four (4) feet from the sidewalk. So, even though he would have to move it three (3) more feet over before he would approve this.

Board Member Clift asked what came first, that sign or the sidewalk.

Kevin Deters is assuming the sidewalk.

John Poggiolo said they don't know that for certain.

Board Member Clift asked how long he has owned the building.

John Poggiolo appeared before the board stating his name and address, 28532 Schoenherr Road. They have been at that location since 1989.

Board Member Clift said the sidewalk was already in when they moved into the building.

John Poggiolo said when they moved into the building the sign was already there. All they were doing was a maintenance of a faded face change and replacing bulbs. Since they've been there in 1989 not one (1) person has had any incident that he's aware of with that sign.

Board Member Clift said fair enough. Thank you, sir.

(Inaudible)

Chairman Sophiea said usually he is not a fan of a sign being so close to the sidewalk, but they do have to remember there's a significant distance of grass on the other side of the sidewalk to the street. Usually the sidewalk is closer to the street. So...

Board Member Clift said that's why he asked what was there first the sign or the sidewalk.

Chairman Sophiea said right.

(Inaudible)

Board Member Clift said the petitioner apparently doesn't have the historical knowledge to answer that question and he doesn't know where he can find it.

Board Member Anglin thinks the chicken.

(Laughter)

Board Member Cliff said regardless, he doesn't have a problem with it the way it's written. He had a suspicion that the sign was there before the sidewalk was poured in the 60's.

Chairman Sophiea said it's possible. This puts them in kind of a dilemma here, because the office is a great addition to the community. They have been there forever and they want to help him and keep him happy, but at the same time by upgrading this sign, the new paneling, they're not ever updating code. They're prolonging it's life for another twenty (20) years. That's the dilemma. He asked if Mr. Watripont had a comment to make.

Steve Watripont wanted to give the board some history. The original sign and post were approved in January of '69. The original sign was basically two (2) poles with a sign in between it. He doesn't know when the wings came out. They have no permit of that sign ever being with the wings out being closer to the sidewalk than it is right now. So the original sign through their historical facts was that it was a sign with two (2) poles, two (2) feet from the property line, which would be three (3) feet back from the sidewalk at that point, but now with the wings basically gone to the property line so it's impeded two (2) feet from that original with no other variances from 1969.

Chairman Sophiea said if this was his building and he wanted to maintain that sign box, he would consider, he doesn't know if it's possible or not he would have to consult the sign company, but to put a two (2) foot cement block. Take the poles out and drop it down where it's a monument sign. It would be a good compromise because he'd let him keep it right up to the sidewalk like it is, but it would get rid of the hazard and be a more attractive sign not having this shape up in the air. But that would be up to the petitioner.

Board Member Anglin agrees with him on that one. In his opinion it would be either lower the sign, make it a monument, or put the sign back where it should be in between the two (2) posts. That would eliminate that edge over towards the sidewalk.

Chairman Sophiea will let the petitioner respond.

John Poggiolo reiterated this was just maintenance. The existing sign was there, the existing sign with the wings that come out. He agrees, it wouldn't have been the original way he would've designed it, ok, but modifying that sign, either putting it closer to the building. There is no room between... if they put it four (4) feet closer you're in the bushes. So, he's pretty sure that's why that sign was that distance from the building, because it's very close to the building as it is now, as it stands. The existing structure shape, like he said, has been there since 1989 with not one person coming in contact with that sign. Making it lower, as you know from being in that area of Schoenherr, it's almost like on a berm. If they lower that sign it becomes even less noticeable. Also, if they're going to talk about raising versus lowering the sign, the one next door at Beaumont, and he knows they don't want to talk about other buildings, is twenty (20) feet high. This is not even ten (10). He would please implore the board, as a small business owner in the city who has very, very tight budget limits, modifying this sign, making it smaller, different shape,

lowering it, would be extensively costly. He would appreciate it for the boards approval.

Chairman Sophiea asked how he would feel about a compromise. Keeping the ground sign, but not installing the wall sign. He thinks that might be a way of... because he mentioned they're not doing an overhaul here. It's not part of a new sign package. Just modifying what they have.

Board Member Anglin said that doesn't alleviate what his concern would be of some kid running into the sign.

Chairman Sophiea said sure, but it's a different discussion if he was just coming about this and he changed the sign panel and there's no other additions to the signage. It's easier to make the justification that it's not a new sign. Overall it's just a maintenance really.

John Poggiolo said that's the correct. The existing wall, panels that were in that were severely faded. All they did was changed the (inaudible) that slides into that existing structure. And some bulbs.

Chairman Sophiea asked that it's the same, just a new panel on the existing wall sign.

(Inaudible)

Chairman Sophiea said ok. This is a tough one.

(Inaudible)

John Poggiolo has been in business in that building since '89, but they have been at Ten and Van Dyke since 1971.

Secretary Jerzy said make a motion.

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

**Motion:**

Board Member Clift made a motion to approve:

- 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.

Board Member Clift stopped there for a second. They're not replacing the entire wall sign, just changed the inlay right, the plastic inlay.

John Poggiolo said again, just maintenance, yes. No structural items have changed.

Board Member Clift asked if they should be wording that as replace then. He doesn't think that's proper to replace. That should also just reflect retain.

Secretary Jerzy said to his knowledge it's a new sign. It's a new color.

Board Member Clift said he just put a new plexiglass in it. The cabinet is staying the same.

Chairman Sophia asked Mr. Watriont what considers it a new sign, rehaul versus just maintenance. Is it a percentage of what they do.

Steve Watriont said it's a PB district which only allows one (1) sign. They searched their history, they only had the one (1) sign from '69 in the history notes of a permit. They have no permits on anything else there, so they did not have a permit for the sign there. Probably why it was to replace it rather than to retain. It's not to retain it, because it's got different pictures on the sides and everything too.

Board Member Clift said he'll read it the way it's requested.

Chairman Sophia said located on the books.

Board Member Clift understands. He'll start again with number 2.

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.)

Reasons being: Not a detriment to the area; Historical significance to the building for it to remain.

Board Member Perry supported the motion.

Chairman Sophia stated they have a motion by Mr. Clift, support by Mr. Perry to approve the request as read.

**Roll Call:**

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

Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Lindsey	No, thinks it is a detriment.
Board Member Anglin	No, thinks it's a detriment.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Sophia	Yes, for the reasons stated in the motion.

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

13. PUBLIC HEARING:  
REPRESENTATIVE:  
COMMON DESCRIPTION:

**APPLICANT: City of Warren**  
Bob Weidner  
22728 Mac Arthur

LEGAL DESCRIPTION: 13-34-132-004  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Building a single-family home:

- 1) On a lot that is 49' in width.
- 2) On a lot that is 5,390 square ft. in area.
- 3) With a 31% of lot coverage.
- 4) With a 15' front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.03 – Lot Area:** A one (1) family dwelling in R-1-C districts, together with accessory buildings, hereafter erected, shall be located on a lot... when a community water and sewer system is provided, the lot area shall not be less than twenty-two hundred (7,200) square feet and with a width of not less than sixty (60) feet.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-C districts, shall not cover more than thirty (30) percent of the area of such lot.

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

Bob Weidner appeared before the board stating he is from City of Warren Community Block Grant Black, 1 City Square, Suite 210. They are asking permission to build a single family home at 22728 Mac Arthur. This will be a ranch home with a full basement. They have built similar homes in the area. This is a continuation of the neighborhood stabilization program.

Chairman Sophia said great, thank you for those comments. This looks like a pretty straight forward request. This is a public hearing. Is there anyone in the audience that wishes to speak on this item?

No response.

Chairman Sophia closed the public portion of the meeting. He will have Mr. Jerzy read a memo from the Planning Department into the record.

Secretary Jerzy said Planning Department reviewed the request and found no issues to impact the abutting, local or general public.

Chairman Sophia thanked him and turned it over to the board for discussion. Like he mentioned, it looks pretty routine to him.

Board Member Anglin asked how many square feet that house is going to be.

Bob Weidner believes the ranch house is 1,200 square feet.

Board Member Anglin said minimum required. Thank you.

Chairman Sophia asked for any other comments or discussion items.

Board Member Anglin said if nobody has anything he'll like to make a motion. It's pretty cut and

dry on it.

Chairman Sophiea agrees.

**Motion:**

Board Member Anglin made a motion to give permission to:

Building a single-family home:

- 1) On a lot that is 49' in width.
- 2) On a lot that is 5,390 square ft. in area.
- 3) With a 31% of lot coverage.
- 4) With a 15' front setback.

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

Secretary Jerzy supported the motion.

Chairman Sophiea said they have a motion by Mr. Anglin, support by Secretary Jerzy to approve the request as read. Roll call.

**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 Perry	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Chairman Sophiea	Yes, for the reasons stated in the motion.

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

- |   |  |
|---|--|
| <p>14. PUBLIC HEARING:<br/>REPRESENTATIVE:<br/>COMMON DESCRIPTION:<br/>LEGAL DESCRIPTION:<br/>ZONE:</p> | <p><b>APPLICANT: City of Warren</b><br/>Bob Weidner<br/>22708 Mac Arthur<br/>13-34-132-006<br/>R-1-C</p> |
|---|--|

**VARIANCES REQUESTED: Permission to**

Building a single-family home on a corner lot that is:

- 1) 60' in width.
- 2) 6,600 square ft. in area.

**ORDINANCES and REQUIREMENTS:**

**Section 7.03 – Lot Area:** A one (1) family dwelling in R-1-C districts, together with accessory buildings, hereafter erected, shall be located on a lot having an area of not less than nine thousand (9,000) square feet and a lot width of not less than sixty (6) feet; provided, however, when a community water and sewer system is provided, the lot area shall not be less than

seventy-two hundred (7,200) square feet and with a width of not less than sixty (60) feet. All corner lots whose rear yards abut rear yards shall have a minimum width of seventy-five (75) feet. All corner lots whose rear yards abut a side yard shall have a minimum width of eighty (80) feet.

Bob Weidner stated his name and address again. They are asking permission to build a single family home at 22708 Mac Arthur. This will be a one and a half story, bungalow, they built this home similar in the neighborhood. It will be a full basement and this is part of the continuation of the neighborhood stabilization program.

Chairman Sophiea thanked him for those comments. This is a public hearing. Is there anyone in the audience that would like to speak on item 14.

No response.

Chairman Sophiea will have Secretary Jerzy read a memo from the Planning Department.

Secretary Jerzy read the Planning Department finds no issues with this project. No issues found to impact the abutting, local or general public.

Chairman Sophiea thanked him and turned it over to the board.

Secretary Jerzy has one question. When he drove by the property, that's a tight corner. How big is this house going to be.

Bob Weidner said it's a story and a half. It's 1,340 square feet he believes. Because it is going to have a second floor.

Secretary Jerzy asked if it's going to have a garage, too, on that.

Bob Weidner said it will have a garage. They built a similar home right down the corner on Mac Arthur and Maxwell. It's the exact same house that they plan here. The garage is side turned off the side street. That's why they're able to do it because they turn the garage sideways.

Secretary Jerzy asked out of curiosity if there is anything going on the property in between. He knows there is a house between the two (2) lots that they're purchasing.

Bob Weidner said that house is going to be torn down.

Secretary Jerzy is trying to see the vision when he drove by, but obviously the trees are going to be removed too.

Bob Weidner said the trees will be removed all along the lot line and unfortunately the front, too. One is deceased and the other one when they build will most likely...

Secretary Jerzy feels more comfortable with this and thanked him for the explanation.

Board Member Anglin said the house between the two (2) lots is going to be torn down. Do they

already own that lot.

Bob Weidner said the City of Warren owns it.

Board Member Anglin said it would've been nice if they brought it for all three (3) of them right in a row. They're going to build on all three (3), but he has no objections. He's always been an advocate for putting smaller homes in the south side due to the fact that it's impossible to build homes down there and meet all the city codes. The lots are too small. So sometimes they have to go up a little bit, sometimes they have to shift closer to a property line. The only way to fill those lots is just not have a bunch of vacant lots is to give them the leeway to do it.

Secretary Jerzy is all for housing.

Board Member Anglin is all for newer homes, affordable homes in the area.

Steve Watripont said just some history on this. It's already gone to the Planning Commission. They took the three (3) lots, combined it and then separated into two (2) lots. Those two (2) lots needed the variances that are set forth before the board. Instead of three (3) lots it's two (2) lots with two (2) houses.

Board Member Anglin said that makes more sense than this.

Chairman Sophiaea said how about that motion.

**Motion:**

Board Member Anglin made a motion to give permission to:  
Building a single-family home on a corner lot that is:

- 1) 60' in width.
- 2) 6,600 square ft. in area.

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

Secretary Jerzy supported the motion.

Chairman Sophiaea said they have a motion by Mr. Anglin, support by Secretary Jerzy to approve the item as read.

**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 Perry	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Chairman Sophiaea	Yes, for the reasons stated in the motion.

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

15. PUBLIC HEARING: **APPLICANT: JMJ Building Company LLC -USE-**  
REPRESENTATIVE: Joe Vitale  
COMMON DESCRIPTION: 14617 Ten Mile  
LEGAL DESCRIPTION: 13-24-452-009  
ZONE: M-2

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

- 1) Retain a 38.2' high silo for a mini concrete batching plant.
- 2) Retain an above ground fuel storage tank in an M-2 district and within 109.1' of the north property line, within 61.64' of the east property line and within 33.29' of the west property line.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 (d) – Industrial Standards:** Height of buildings in an M-2 district 2 stories/30 feet.

**Section 17.02 (p) – Industrial Standards (M-1 and M-2 not an allowed use. M-3 and M-4 allowed use):** Fire and safety hazards (the storage and handling of flammable liquids, liquefied petroleum gasses and explosives shall comply with state rules and regulations as established by Public Act No. 207, P.A. 1941 [MCL 29.1 et seq.], as amended, and in addition the following regulations shall apply): Bulk storage of flammable liquids, liquid petroleum gasses and explosives allowed above ground if conditions meet those established by Chapter 13 of the Warren Codified Ordinances – Fire Prevention and Protection and Michigan flammable Liquids Regulations as amended. All tanks shall be located not less than one hundred fifty (150) feet from property lines.

Ben Vitale appeared before the board stating he is the owner of MJM. Yes, they're requesting a variance.

Secretary Jerzy said they need the address, too.

Ben Vitale asked if they could hear him.

Chairman Sophia asked for his address please.

Ben Vitale stated 14617 East Ten Mile.

Chairman Sophia thanked him and asked him to please continue.

Ben Vitale explained they're requesting a variance for the height of the silo and also for the usage of their fuel tanks, 300 gallon fuel tank. That's enclosed.

Chairman Sophia thanked him for those comments. This is a public hearing. Is there anyone in the audience who wishes to speak on item 15?

No response.

Chairman Sophia closed the public portion of the meeting. He'll have Secretary Jerzy read the Planning.

Secretary Jerzy said the impact statement from the Planning Department found no issues. No issues were found to impact the abutting, local or general public.

Chairman Sophiea thanked him and turned it over to the board for discussion. There is a site plan in the back.

Secretary Jerzy asked if it's just one (1) fuel tank on the property.

Ben Vitale replied yes, sir. Yeah, one (1) fuel tank.

Secretary Jerzy asked how big it is.

Ben Vitale believes it's 300 gallons.

Secretary Jerzy said one (1) 300 gallon tank.

Chairman Sophiea mentioned in the site plan folded in there's a copy of the meeting minutes from April 10, 2019, variances approved on 4/10/19. Allow open storage of over 9,000 square feet and allow open storage on a non-hard surface. Made by their lovely former Board Member Mrs. Furgal.

Secretary Jerzy asked how long they've been in business on the property.

Ben Vitale replied Macomb has been there about four (4) years.

Secretary Jerzy asked forty (40) years.

Ben Vitale corrected four (4) years.

Secretary Jerzy asked if the silo came with the property.

Ben Vitale answered no, sir.

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

Chairman Sophiea said please do.

**Motion:**

Board Member Anglin made a motion to:

- 1) Retain a 38.2' high silo for a mini concrete batching plant.
- 2) Retain an above ground fuel storage tank in an M-2 district and within 109.1' of the north property line, within 61.64' of the east property line and within 33.29' of the west property line.

Reasons being: Size and shape of the lot; Has approval from Planning Director and Assistant Director, granted they probably know more than he does on some of this stuff; Not a detriment to the area.

Board Member Perry supported the motion.

Chairman Sophiea said they have a motion by Mr. Anglin, support by Mr. Perry to approve the request as read.

**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 Clift	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Sophiea	Yes, for the reasons stated in the motion.

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

16. PUBLIC HEARING: **APPLICANT: Anthony Lentine -USE-**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 27663 Mound / No address number  
LEGAL DESCRIPTION: 13-17-427-037 / 13-17-427-013  
ZONE: M-1 / R-1-P

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

- 1) Use parcel 12-13-17-427-013 for 12,409 square ft. of open storage in a R-1-P district for up to 18 utility bucket trucks and expansion of designated area for roll-off dumpster storage. **(USE)**
- 2) Exceed the allowable open storage by 6,741 square ft., resulting in a total of 23,763 square ft. of open storage across both parcels.
- 3) Retain 6' chain link fence with a 1' setback from the north property line of 27663 Mound on a side street (Heathdale Avenue) where the rear yard abuts side yard of a lot containing a residence.

**ORDINANCES and REQUIREMENTS:**

**Section 8.01 – Uses Permitted:** In all R-1-P districts, no building or land, except as otherwise provided for, shall be erected or used except for one (1) or more of the following specified uses: (a) All uses permitted and as regulated in R-1-C districts. (b) Parking of private passenger motor vehicles as prescribed in Article XVI.

**Section 17.02 (s) – Industrial Standards. Open Storage Other Than Junk:** All open storage shall be located in a designated area approved by the Planning Commission as a part of site plan approval... Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site...

**Section 17.02 (b) – Industrial Standards. Side Yards, and Rear Yards (M-1 Districts):** Twenty-five (25) foot side yard on a side street where rear yard abuts side yard of a lot contain a residence or in a residential district.

Anthony Lentine appeared before the board stating he's the owner and landlord of the property

that they're discussing tonight, the 27663 Mound. His address is 24595 Groesbeck.

Chairman Sophiae thanked him.

Anthony Lentine explained what they're requesting this evening, these three (3) points. They're looking for additional parking of eighteen (18) utility trucks. When they built the facility they designated fifty (50) spots for utility trucks and it just wasn't enough. What they need is probably closer to sixty (60), but they thought they would ask for a little extra and ask for eighteen (18) more spots. The tenant would like to designate those eighteen (18) spots, which they drawn out on the top plan, paint them out so they're specifically for those locations to park those vehicles there. They just want to carve that out exactly where they would park. Then there's also roll off dumpsters. When they originally designed a location for those, it wasn't wide enough. They're asking to make the area for the roll off dumpsters a little wider on the south side of the property. He did want to note that where those roll offs are there's a natural screen, the building next door, so that creates a natural screen. Also, those utility trucks they're going to park in those eighteen (18) spots are smaller utility trucks. They come in two (2) sizes, and these utility trucks are referred to as squirt booms, only about nine (9) feet high. They'll be less visible from Mound Road. That's what they're going to put there. Lastly, is the chain link fence. Somehow that fence and gate was installed too close to the property. If it was just moving a simple chain link fence he would have not come here to ask for this variance. It's an elaborate electric gate. It has the card reader, a little underground vault, the sensors under the pavement. It would be a huge job and really huge expense to move that. That's the reason he's here this evening, to ask for that variance.

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

No response.

Chairman Sophiae closed the public portion of the meeting and Mr. Jerzy will read the Planning impact statement.

Secretary Jerzy thanked the Chair. Planning Department reviewed the request and found no issues impacting the abutting, local or general public.

Chairman Sophiae thanked him. He does just, as a preface for this discussion here, he drives by this facility every day. To see the operation that goes on here is organized, it's neat, it's a nice looking building. They improved that piece there. You know, storage is never an attractive thing, but they keep a very nice façade on the front of the building and grass. It's noticed.

Ben Vitale thanked him.

(Inaudible)

Chairman Sophiae said yes, it's very well done. He personally doesn't have any problem with the additional.

Secretary Jerzy has one question. Obviously, the roll off dumpsters, these are empty dumpsters,

no existing trash in them. Or is it going to be kind of...

Ben Vitale explained in the utility construction business when they go out to work on the telephone poles, sometimes they have to remove a pole. They chop it up in pieces. So, there are sections of telephone pole in those roll offs and they get swapped out and they go to the landfill.

Secretary Jerzy said percentage wise, how many are empty and how many are full? Or do they all have some kind of debris in them to some degree?

Ben Vitale replied there's two (2) roll offs there and usually one's full. When that one gets full they swap out. So they like to have two (2).

Chairman Sophia mentioned when he says full, he assumes he means nothing is (inaudible) it's probably two thirds full.

Secretary Jerzy asked how big the dumpsters are.

Steve Watriont thinks they're forty (40) yarders. He was in the inspector on this. It started out with them parking in the back lawn. Notified them. They cleaned that up. At that point, they've exceeded their open storage and forced them to come in. They've been a pleasure to work with and everything. He knows it's an R-1-P and all that, but they have... He told them to ask for what they want within the next five (5) years. That's why they're expanding the use and asking for that now in front of the board.

Chairman Sophia would rather see them expand and maintain their operation in Warren than go elsewhere.

Secretary Jerzy has one thing he would add when they start looking at open storage and stuff in this town is try to maybe attach conditions to it with it having to be business related items. He doesn't want to see his boats or campers or anything like that there. He obviously, it's nothing against him, he knows he runs a great operation. When they start granting open storage, sometimes people take it a little bit too far into their own personal lives versus what's directed towards the business. Is that in the board's parameters to do that, madam attorney?

Steve Watriont explained most of the time open storage goes in front of Planning Commission. If he's involved he tries to get that right on the site plan, exactly what is stored. The Planning Department as well. So does Everett Murphy and anyone involved in that, both sides do. He's sure the attorney's would agree with that if they were involved, but usually not involved that much.

Board Member Anglin said that allows junk cars from not being piled on the property.

Secretary Jerzy said that's great.

Steve Watriont tries to get that on the original site and then they can have enforcement and zoning inspectors on that.

Secretary Jerzy said that's good to know and thanked him. That answers his question then. He'll

yield the floor.

Board Member Anglin asked if anyone wants to make a motion. He will. He's on a roll, may as well take this one too. As his final motion of his life.

Chairman Sophiaea said there might be one more.

Board Member Anglin laughed and said never mind, then you don't get the final one from him. He thought he was going to give him the great privilege of having the final one from Chuck.

**Motion:**

Board Member Anglin made a motion to grant variances requested:

- 1) Use parcel 12-13-17-427-013 for 12,409 square ft. of open storage in a R-1-P district for up to 18 utility bucket trucks and expansion of designated area for roll-off dumpster storage. (USE)
- 2) Exceed the allowable open storage by 6,741 square ft., resulting in a total of 23,763 square ft. of open storage across both parcels.
- 3) Retain 6' chain link fence with a 1' setback from the north property line of 27663 Mound on a side street (Heathdale Avenue) where the rear yard abuts side yard of a lot containing a residence.

Reasons being: Size and shape of the lot; Not a detriment to the area; Would like to keep them in the neighborhood.

Secretary Jerzy supported the motion.

Chairman Sophiaea said they have a motion by Mr. Anglin, support by Secretary Jerzy to approve the item as read.

**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 Perry	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Chairman Sophiaea	Yes, for the reasons stated in the motion.

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

<b>16a. PUBLIC HEARING:</b>	<b>APPLICANT: Shomij Miah</b>
REPRESENTATIVE:	Same as above.
COMMON DESCRIPTION:	30971 Lorraine
LEGAL DESCRIPTION:	13-10-129-017
ZONE:	R-1-B

**VARIANCES REQUESTED: Permission to**

Widen concrete driveway in the front setback 9' 6" from the north corner of the garage towards the north property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.06 – Yard Use:** 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.

Secretary Jerzy asked if the applicant was present.

No response.

Secretary Jerzy said she's not here.

Chairman Sophia asked for the address.

Secretary Jerzy read the common description and variance request.

Chairman Sophia asked if the petitioner is present.

No response.

Board Member Anglin said due to the weather, normally he's not a big fan of postponing something if they're not here. Know you're supposed to be here, so be here. But with the weather and the way the roads are a little bit on the slick side, he'd like to see this postponed to the next meeting if possible.

Chairman Sophia agrees with that. Usually his rule is no call, no show, no variance, but with the weather than can table it once.

**Motion:**

Secretary Jerzy made the motion to table item 16a to the March 12, 2025 meeting, Supported by Board Member Assessor.

**Voice Vote:**

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

The petitioner's request was **TABLED** to March 12, 2025.

**17. NEW BUSINESS**

Chairman Sophia stated as they know Mr. Anglin's last meeting is tonight. He's been tremendous, his service on the board for countless years. He was honored last night at the City Council meeting where a resolution was given to him. He'll just read it quickly into the record and would like to present a copy to him.

***RESOLUTION***

**WHEREAS,** Charles Anglin has been an active member of the community for over forty-two years; and

**WHEREAS,** Charles Anglin served on the Warren Consolidated School Board from 1992 through 1996; and

**WHEREAS,** Charles Anglin is a State of Michigan licensed builder and an active member in varying community service groups; and

**WHEREAS,** Charles Anglin is also the President of Macomb Home Inspections Inc.; and

**WHEREAS,** Charles Anglin has used his talents and experiences to serve the residents of Warren on the Zoning Board of Appeals since September of 2015; and

**NOW THEREFORE BE IT RESOLVED,** that the City Council of the City of Warren along with Mr. Anglin's colleagues on the Zoning Board of Appeals hereby recognizes and honors Charles Anglin for his dedication and contributions to the development and review of ordinance appeals for the residents and businesses of the City of Warren.

**BE IT FURTHER RESOLVED,** that a copy of this resolution be presented to Charles Anglin as a token of the Warren City Council's appreciation for his commitment to community service and wish him the best in his future endeavors.

**RESOLUTION DECLARED ADOPTED on this 11th Day of February, 2025.**

Round of applause for Mr. Anglin.

Board Member Anglin thanked him. Now, let him get his speech out. He'll make it short, not that twenty (20) page one he originally wrote. He just wants to make a comment for anybody that's still up and paying attention to what's going on out there in TV land. He's sat on many boards, a lot of boards, a lot of time. He wanted to make a comment. This board here is diversified, it's got many of it's own opinions on things, but he thinks that's what services our community the most. When they can get all opinions out there, even though they don't agree, they get done with an item. It gets pushed aside with pass or didn't pass and then they start working on another one. Unlike some boards he's been on, or committees, it just seems issues just never seem to end. Everybody he knows that's been on this board and is on this board today has been true scholars of working towards what the city needs. Without any reservations to themselves. He wanted to thank this board for having him for the short period of time. Thank you.

(Applause)

Chairman Sophiea said with that, he'll adjourn.

Board Member Anglin said no, he has something down there for you guys.

Secretary Jerzy said uh oh.

Unknown asked pencils.

Board Member Anglin laughed and said no, no. Actually, he's returning all the extra pencils he had. He doesn't need to collect them any longer. There it is!

Secretary Jerzy and Chairman Sophia both said uh oh.

Board Member Anglin said he knows how much they love his cupcakes.

Chairman Sophia said well let the record state they'll have his cupcakes, but they'll adjourn the meeting so they're not stuffing their face on camera.

## 18. ADJOURNMENT

**Motion:**

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

**Voice Vote:**

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

The meeting adjourned at 9:17 p.m.

Paul Jerzy  
Secretary of the Board