

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
MARCH 13, 2024

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, March 13, 2024 at 7:30 p.m. at the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

Members of the Board present:

David Sophiea, Chairman
Paul Jerzy, Secretary
Roman Nestorowicz, Vice-Chairman
Charles Perry, Assistant Secretary
Charles Anglin
Anthony Sieracki, Jr.
Michael Sylvester

Members of the Board absent:

Kevin Higgins

Also present:

Jennifer Pierce, City Attorney
Debbie Wenson, 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 Higgins was absent.

Motion:

Secretary Jerzy made a motion to excuse Board Member Higgins. Board Member Anglin supported the motion.

Voice Vote:

A voice vote was taken. The motion carried (7 – 0).

4. ADOPTION OF THE AGENDA

Motion:

Secretary Jerzy made a motion to adopt the agenda as written. Board Member Perry supported the motion.

Voice Vote:

A voice vote was taken. The motion carried (7 – 0).

5. **APPROVAL OF THE MINUTES of the Regular Meetings of January 10, 2024 and February 14, 2024.**

Motion:

Secretary Jerzy made a motion to approve the minutes of January 10, 2024; Supported by Board Member Perry.

Voice Vote:

A voice vote was taken. The motion carried (7 – 0).

Motion:

Secretary Jerzy made a motion to approve the minutes of February 14, 2024; Supported by Board Member Perry.

Voice Vote:

A voice vote was taken. The motion carried (7 – 0).

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| 6. PUBLIC HEARING: | APPLICANT: Doug Vollmer |
| REPRESENTATIVE: | Same as above. |
| COMMON DESCRIPTION: | 28606 Audrey |
| LEGAL DESCRIPTION: | 13-17-202-016 |
| ZONE: | R-1-C |

VARIANCES REQUESTED: Permission to

Erect a 24' x 36' = 864 square ft. detached garage.

ORDINANCES and REQUIREMENTS:

Section 5.01 – Uses Permitted: (l) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory use, provided, however, any such commercial vehicle shall not exceed one (1) ton capacity, and shall be kept housed within a garage when not in use; and provided, further, that no moving vans shall be housed in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

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

Doug Vollmer, 28606 Audrey, appeared before the board.

Chairman Sophia asked him to give a recap of what he's requesting tonight.

Doug Vollmer just finished building his house last summer and looking to build a garage big enough to store his daily driver classic car, all equipment necessary to maintain the property, and tools he's (inaudible) from personally building his house. Building this size garage eliminates the need for outdoor storage or any additional accessory structures.

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

No response.

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

Board Member Nestorowicz has a comment. He agrees the property does need a garage, because it currently doesn't have one. The size of twenty-four by thirty-six would be 864 square feet, to him seems very excessive on that property. He could see something that's a two and a half car garage, but this sounds like more, even larger. He personally thinks it's a little bit too large for taking up the space that's available in the backyard. That's just a comment of his.

Board Member Anglin thinks the garage is too big for the property. It's actually bigger than anything he saw down in that neighborhood. He thinks it's going to off balance what is built in that neighborhood already. But on the other hand, he firmly believes if you need the space, they have to come to some agreement to it. This to him is excessive for that size lot and that. With his permission, make a motion to bring that down to twenty-four (24) and he'll stretch to say thirty (30) feet. He's pushing it to the max to say thirty (30). That would be a twenty-four (24) by thirty (30), that would be a large three (3) car garage. Again, that's like borderline. He's emotional about that because he does believe he should be able to put what he wants on his property, but it's got to not be any type of detriment to the neighborhood as far as it's looks, it's appeal. So, that's his feeling on it.

Chairman Sophia stated his two cents on this item is that since this is a new build garage, he would prefer to see one (1) larger garage than multiple sheds popping up on the property down the line. He does agree that it's excessively large. Would he be open to amending the petition to have the reduced size they've mentioned.

Doug Vollmer stated another portion of the code states that thirty (30) percent of the backyard a garage is able to be built. So, that is exactly the thirty (30) percent of the square footage of his backyard. So, that is where he came up with that size.

Chairman Sophia said his property is unique in the sense when he drove by the houses, it's not the typical, it's not how it's oriented on the property. It's a rectangular shape, but it's turned ninety (90) degrees from the typical orientation. He's still leaning it is excessive, but he'll leave it up to his other board members to echo and comment.

Secretary Jerzy agrees kind of. It is a little bit excessive for the lot. 864 square feet is almost the size of a house in the south end. He would like to see it brought down, too. Just because to code he's using his thirty (30) percent ratio, because the code allows it, that's the maximum stretch of it. The board can reduce it as well. So, he knows he's trying to maximize everything based off the code, he understands that. His other concern going forward if the board does approve that size of a garage, this gentleman vacates the property or the house gets turned over to another owner, it's a big enough garage to run a business out of. If somebody came into the neighborhood and wanted

to start a construction business or some sort of nature. So, he takes that into consideration when the board makes these decisions as well. That thing is going to be permanent forever more. So, that's his two cents on it.

Chairman Sophiea stated he's sure his building friend here two seats over to the left, what is the dimensions of a three (3) car garage typically.

Board Member Anglin said a garage dimension is 200 square feet per car. No matter how you lay it out, that's the way, you know. Even if you had kind of an odd shape and can't actually pull three (3) cars in, 600 square feet is a three (3) car garage. So, that's why his proposal is throwing it to be a three and a half car garage, plus a little bit. That's why he said he's actually pushing his opinion, right to the limit of what he would be able to vote for. He knows how bad he wants the garage, so that's why he's willing to work something out here.

Doug Vollmer loves that size. The house was purposely placed that way so that he could build the large garage in the back, because he was not aware of the 700 square foot maximum for the garage. He was just aware of the thirty (30) percent of the lot is buildable.

Board Member Nestorowicz was just going to say, he means, since he did say he felt what the request was excessive, he would actually go along with what Mr. Anglin's proposal is. He would actually accept that. If the petitioner would be interested.

Chairman Sophiea asked the petitioner.

Doug Vollmer said he guesses if no one else is willing to propose anything else.

Chairman Sophiea thinks it would be a good compromise if the applicant would agree to the change on the petitioner.

Board Member Anglin would love to make a motion if it's alright with the applicant.

Doug Vollmer said ok.

Motion:

Board Member Anglin made a motion to allow the applicant to erect a 24' x 30' = 720 square ft. detached garage.

Reasons being: Size of the lot; Not a detriment to the neighborhood.

Board Member Nestorowicz supported the motion.

Chairman Sophiea said they have a motion by Mr. Anglin, support by Mr. Nestorowicz 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 Nestorowicz	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
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** with the previously mentioned changes.

7. PUBLIC HEARING: **APPLICANT: Coy Construction Inc**
REPRESENTATIVE: Coy Construction / Chris Quackenbush
COMMON DESCRIPTION: 32021 Claeys
LEGAL DESCRIPTION: 13-02-152-009
ZONE: R-1-A

VARIANCES REQUESTED: Permission to

Allow a deck no less than 28 ft. from the rear property line.

ORDINANCES and REQUIREMENTS:

Section 5.08 – Rear Yards: Each lot in R-1-A Districts shall have a rear yard depth of not less than thirty-five (35) feet.

Chairman Sophiaea asked the applicant to start with their name and address for the record, please.

Chris Quackenbush, 32021 Claeys, Coy Construction, appeared before the board.

Chairman Sophiaea asked the applicant to please explain their request to the board.

Chris Quackenbush explained there is a patio there currently. It's starting to fall apart. They want to make a deck so the homeowner can safely get out of the backyard, into the backyard, without having to step off of it. Due to health reasons, a little bit easier to enjoy the backyard, along with the deterioration of the actual patio itself.

Chairman Sophiaea thanked him for those comments. This is a public hearing. Is there anyone in the audience who wishes to speak on this item? Please approach. Start with name and address and then tell the board their comments.

Qwen Butt, 32021 Claeys, appeared before the board. She would request the variance as he just stated. There is a patio there when she purchased the house eighteen (18) years ago. It has been seeking and is cracked. So, something has to be done with it. If they get a heavy rain, she gets rain water in the basement. As she is getting older, she has had a right knee replacement already, the left knee is not wonderful. Her chihuahua is also getting older and having trouble. It's a fairly steep step from the patio door down to the patio. There is one concrete round step she has going down there. Now, there's nothing to hold onto to actually get down to that patio. The variance is the difference between twenty-eight (28) feet and thirty-five (35) feet she guesses. As stated, the patio has been there for at least the past eighteen (18) plus years, you know. She's hoping the board will see this favorably.

Chairman Sophia thanked her for those comments. Is there anyone else in the audience who wishes to speak on this item?

No response.

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

Board Member Nestorowicz said replacing a patio with a deck would actually be a good improvement since something has to be done. The backyards in that neighborhood are actually small, so he sees actually no problem at all having a deck to replace that.

Chairman Sophia agrees. He thinks it's a nice improvement to the home, assuming the patio is going to be torn out.

Chris Quackenbush explained their going to cut through the patio. They're going to leave it there for a weed barrier basically. They are going to put some stone and plastic on there to try and prevent a little bit of it, shed some water away. The patio that is currently there is basically the size of the deck. It's the exact same size. So, they're not encroaching any farther than what the existing patio is.

Chairman Sophia thanked him.

Board Member Anglin has no reason not to allow a patio that size. If nobody else has any other questions, he'd like to make a motion.

Motion:

Board Member Anglin made a motion to allow a deck no less than 28 ft. from the rear property line.

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

Secretary Jerzy supported the motion.

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

Roll Call:

A roll call was taken on the motion. The motion carried (7 – 0).

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

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| 8. PUBLIC HEARING: | APPLICANT: Metro Detroit Signs |
| REPRESENTATIVE: | Kevin Deters at Metro Detroit Signs |
| COMMON DESCRIPTION: | 7657 Eight Mile |
| LEGAL DESCRIPTION: | 13-33-479-050 |
| ZONE: | C-2 |

VARIANCES REQUESTED: Permission to

Allow 3 temporary banners that:

- a. Are 5' x 10' = 50 square ft. each.
- b. Project higher than 6 feet above surface grade (on the walls of the south, west and east elevations).
- c. Displayed for 60 days each.

ORDINANCES and REQUIREMENTS:

Section 4A.41 – Temporary Signs Permitted: In all districts, one (1) temporary sign may be approved for each parcel based on the permanent parcel identification number, two (2) times per calendar year for a temporary time period not to exceed thirty (30) consecutive days as follows: A) Signs located along major thoroughfares shall not exceed thirty-two (32) square feet in total area; shall have no more than two (2) faces and shall not project higher than six (6) feet above surface grade.

Paul Deters, 11444 Kaltz, appeared before the board stating he is with Metro Signs and Lighting. He thanked the board for their consideration this evening. As the board may or may not know, that site has recently been sold and the new owner is investing significant amount of money to rebrand that, to make it look like a much nicer façade. They have permit applications in for the permanent signage. In the interim, he'd like to be able to plan that to have their name on the building. The hope is all of the existing signs are going to be removed, so that gives them the opportunity to paint the facades. They were hoping to have all of this done prior to the new signage going in. So, they're just asking for the board's consideration that all when all the banners go up, should the board approve them this evening, all of the existing signs will come down at the same time. In that interim period the only signage that will be up there is these three (3) banners, which is significantly less than what is up there now. It's just to help them prepare for the change.

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

No response.

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

Board Member Nestorowicz has a question. He has no problem with the temporary banners. Assuming his company is doing the sign install, so sixty (60) days will cover?

Paul Deters is hoping to have approval fairly soon. There was variances that were previously granted

for the signage, but this gives him time, well, to do painting work. All the signs have to be removed for him to do the painting. They're hoping to get it all completed within that sixty (60) day window.

Board Member Nestorowicz asked if the permanent signs are going to be the same kind of size as these temporary banners.

Paul Deters replied they'll be a little larger than the banners.

Board Member Nestorowicz asked if they'll be under what the current variances on the property.

Paul Deters replied they're under the current variances.

Board Member Anglin normally is not in favor of banners for sixty (60) day period, but he knows the company that's installing these... The problem with banners if they don't keep an eye on them, they'll get lose or something and start wobbling around. He dealt with this company on other occasions and that, and they've always done proper work to maintain to make sure something like that doesn't happen. He's going to go against his normal inkling on that and say with it being properly installed up there, he has no objections to that.

Secretary Jerzy agrees with Mr. Anglin as far as the job that the applicant does. He thinks it's almost necessary for new business, it's a very creative way to try to generate some business before the business opens as well. It is a big building. He's sure a lot of people would love to know what's going in there and save the city a ton of questions. So, he doesn't see anything wrong with this. The signage is pretty straightforward. He doesn't see a problem with this. If no other board members have any other comments or opinions, he would like to make a motion.

Motion:

Secretary Jerzy made a motion to grant the variance:

Allow 3 temporary banners that:

- a. Are 5' x 10' = 50 square ft. each.
- b. Project higher than 6 feet above surface grade (on the walls of the south, west and east elevations).
- c. Displayed for 60 days each.

Reason being: Size and shape of the lot; Not a detriment to the area; Starting new a new business and is necessary.

Board Member Perry supported the motion.

Chairman Sophiea stated they have a motion by Secretary Jerzy, support by Mr. Perry to approve the request as written.

Roll Call:

A roll call was taken on the motion. The motion carried (7 – 0).

Secretary Jerzy

Yes, for the reasons stated in the motion.

Board Member Perry

Yes, for the reasons stated in the motion.

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

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

9. PUBLIC HEARING: **APPLICANT: Nationwide Sign**
REPRESENTATIVE: Nationwide Sign / Issam Hamoud
COMMON DESCRIPTION: 2145 Eight Mile
LEGAL DESCRIPTION: 13-31-353-056
ZONE: M-2

VARIANCES REQUESTED: Permission to
Erect a 58 square ft. wall sign.

ORDINANCES and REQUIREMENTS:

Section 4A.37 – Shopping Centers: Regardless of the zoning district, shopping centers as defined in Section 2.67 are permitted the following signage: c) One (1) wall sign of a size not exceed forty (40) square feet shall be allowed for each business located in the shopping center.

Michael Zaks, 7629 Embassy Drive, appeared before the board stating he is the General Manager for Nationwide Sign. What the board has before them is a request for a typical channel letter project. The letters are eighteen (18) inches, the main letters saying Express Wireless. There is a six (6) inch space, and then the small cabinets below it are eight (8) inches. The space involved here are actually what they call a double space. They're thirty (30) foot spaces. This one occupies sixty (60) linear feet. The traffic rate on Eight Mile, as most of them know who travel it, is probably somewhere in the fifty (50) or sixty (60) mile per hour range. The Express Wireless of itself wasn't really enough of an explanation, so they added the capsules that said buy, sell, trade, unlock and repair. Those capsules are approximately eight (8) inches in height. The actual verbiage on the capsule is about five (5) or six (6) inches. He's going to hold his hand here to show what about five (5) inches looks like. At fifty (50) or sixty (60) miles an hour, it would barely be readable. This is in the rendering at fifty-eight (58) square feet. Made to comply with the forty (40) square feet, those letters would be virtually unreadable. The letters would not flash or move, they would be simply front lit channel letters. They think they're aesthetically pleasing. They also feel the request is a reasonable one and it doesn't violate the spirit of the ordinance. If the board has any questions, he'll be happy to answer them.

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

No response.

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

Board Member Nestorowicz is familiar with this strip along Eight Mile. He's driven by it many times.

If the petitioner had, let's say, one store front like that thirty (30) foot space, yes, a forty (40) square foot sign is adequate. Here, it's basically twice the spaces. So, going up to fifty-eight (58) square feet seems a good proportional increase. It's very true, as you drive along Eight Mile there it is hard, you know, to see those businesses.

Chairman Sophiea agrees. He appreciates the petitioner presenting a reasonable request. More often than not, the board sees this super sign coming in front of them when the limitation is forty (40) square feet. He has seen two hundred (200) square feet or something ridiculous. So, he personally has no problem with this. It doesn't violate the spirit of the ordinance and it's a good compromise for adding a double unit.

Secretary Jerzy is going to go against the green. He thinks that it's a little bit excessive. First off, traffic doesn't go sixty (60) miles an hour down Eight Mile unless they're drag racing. If you look at where the property sits in relation to that strip mall, there's a traffic light right there, there's a round about there, there's a turn right there. So, they have a lot of stopped traffic. He knows ever since they painted the façade of that strip mall, it pops a lot more than what it did in the past. It had that bland white pale finish and could drive by it and miss it. He thinks with the background of it being blacked out across the front of the building, it does stick out. It kind of make you turn your head. So, you do notice all the businesses in the plaza. That's just his opinion. But he'll yield the floor on that.

Board Member Anglin said being the size of the building, and the fact that they've always had the forty (40) square feet per maximum per unit on these strip malls, and it being a double unit set up, there should be some leeway for the person to put in a slightly larger sign. He thinks that the applicant has presented that well. In other words, fit within what he thinks would be reasonable to do. So, he would vote yes on this.

Chairman Sophiea asked if they have any other comments or motions.

Board Member Anglin said he'll make a motion. If there's no other questions by the board, he'd like to make a motion.

Motion:

Board Member Anglin made a motion to give permission to erect a 58 square ft. wall sign.

Reasons being: Size of the building; Placement of the building on the lot; Shape of the lot; Not a detriment to the area.

Board Member Nestorowicz supported the motion.

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

Roll Call:

A roll call was taken on the motion. The motion carried (6 – 1).

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

Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Secretary Jerzy	No, it's a detriment to the area.
Chairman Sophia	Yes, for the reasons stated in the motion.

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

10. PUBLIC HEARING:	APPLICANT: Warren Woods Tower Booster Club
REPRESENTATIVE:	Jason Chamberlain
COMMON DESCRIPTION:	13400 Twelve Mile
LEGAL DESCRIPTION:	13-14-226-023
ZONE:	MZ, R-1-C, C-1

VARIANCES REQUESTED: Permission to

Conduct annual spring fair in the parking lot from Friday, May 17th to Sunday, May 19, 2024:

Friday 4:00 p.m. to 12:00 a.m.

Saturday Noon to 12:00 a.m.

Sunday Noon to 11:00 p.m.

Music to be lowered at 10:00 p.m. each night.

ORDINANCES and REQUIREMENTS:

Section 4.35 – Circuses, Fairs, Carnivals and Similar Uses: Fairs require the approval of the Zoning Board of Appeals.

Chairman Sophia asked the applicant to start with their name and address, please.

Jason Chamberlain, 12967 Jan, Vice-President of the Warren Woods Tower Booster Club.

Chairman Sophia stated this looks like a routine request.

Jason Chamberlain said same as last year. He believes this will be their 40th-ish May fair the booster club does. They appreciate all the great comments they received from the board last year. They had a very successful fair last year and would like to continue that tradition.

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

No response.

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

Board Member Sylvester has one question for the petitioner. They have been there for a long time and he used to live in that area as well. Being right there on the corner. Have they had any police concerns or violence or anything on there for all the years they've been putting on the fair?

Jason Chamberlain replied no, not since he's been on the board, which he's approaching his fourth

year now. They do actually contact the city police department and get extra, and pay for extra, police attendants in the May fair itself to walk around. So, they really, really cut that down by having a presence.

Board Member Sylvester said everybody knows to come to the fair and be nice.

Jason Chamberlain said yeah. They get all their coaches to come also and wear security vests from the high school. So, the coaches and a lot of the teachers come and walk and help, really keep it contained.

Board Member Sylvester thanked him.

Board Member Anglin thinks these are a great asset to the community when they're ran by booster clubs because they're making the money to go back into the kids and that, and the booster club and surrounding areas. They've got several places that do these. They all seem to run off smoothly. He can't recall of hearing something going majorly wrong with any one of them. He thinks it's an asset to us and he would like to make the motion to approve this.

Motion:

Board Member Anglin made a motion to allow:

Conduct annual spring fair in the parking lot from Friday, May 17th to Sunday, May 19, 2024:

Friday 4:00 p.m. to 12:00 a.m.

Saturday Noon to 12:00 a.m.

Sunday Noon to 11:00 p.m.

Music to be lowered at 10:00 p.m. each night.

Reasons being: Good asset for the neighborhood; Not a detriment in any way; Enjoys going to them.

Secretary Jerzy supported the motion.

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

Roll Call:

A roll call was taken on the motion. The motion carried (7 – 0).

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

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

11. PUBLIC HEARING: **APPLICANT: 14 Mile Tent LLC**
REPRESENTATIVE: Eddie Babbie
COMMON DESCRIPTION: 32800 Ryan
LEGAL DESCRIPTION: 13-05-101-039
ZONE: C-1

VARIANCES REQUESTED: Permission to

- 1) Conduct a seasonal outdoor sales operation in an area of 20 ft. x 20 ft. (400) square ft. from June 23, 2024 through July 5, 2024 from 10:00 a.m. to 10:00 p.m.
- 2) Waive 14 off-street parking space for the outdoor sale and where the tent is located.

ORDINANCES and REQUIREMENTS:

Section 4.32 – Off-street Parking Requirements (H) 22: One (1) parking space required for each 150 square ft. of floor space and outdoor sales areas combined.

Section 4.52 – Standards for Temporary Outdoor Retail Sales Approval (D): No sales activity of display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

Chairman Sophia said to start with name and address.

Eddie Babbie, 1183 Congress Drive, appeared before the board.

Chairman Sophia thanked him and asked him to please explain his request.

Eddie Babbie stated this is their fourth season putting up the tent. They actually downsized the tent; it's twenty (20) by ten (10) now. So, he knows they've been doing that every year. They use the same tent. They're not using the twenty (20) by twenty (20), they're using the twenty (20) by ten (10); it's smaller. Basically, everything they're going to be doing is pretty much the same as they did last year in terms of the security, in terms of the lighting, in terms of using the water tanks, and putting up proper signage, the 500 feet signage. They do offer security also for those days. They keep it pretty well maintained and orderly. They keep an eye on the people that are walking, block off that area. So, when people walk in there is no vehicle driving into that area. That's it. Is there any questions the board might have?

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

Mike Kanakry, 31847 Shawn Drive, appeared before the board asking what he is putting under the tent. It doesn't say on here, he's just asking. What is the product that he's selling under the tent?

Chairman Sophia said they'll discuss that. Thank you. Is there anyone else in the audience who would like to speak on this item?

No response.

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

Board Member Anglin asked the applicant to answer that gentlemen's question of what products is being...

Eddie Babbie answered they're doing fireworks. This is their fourth season.

Board Member Anglin said ok. The other thing is, did they have any problems?

Eddie Babbie replied not whatsoever.

Board Member Anglin said he's talking about water barrels. They've had debates on exactly what's the best way of doing it. The cement blocks, the water... Are those water barrels been working out for him? Has he had any of them come apart or anything on that?

Eddie Babbie said never. They are very, very secure even when they had a couple occasions when there was storms. You know, they opened up those currents, just to allow the flow of air to go through, so there is no issue where something would move or come out of place.

Board Member Anglin has no objections.

Board Member Sylvester said this is to Mr. Jerzy. They talked about the water barrels, he believes a year ago, is that part of the ordinances now when these tents go up that the water barrel has to be there.

Secretary Jerzy explained they could make it part of the motion, yeah. It's not in the... there's no actual ordinance on this. That's why he's here. So, they could put it into the motion that it's required. Whether or not he adheres to it, that's up to him.

Board Member Sylvester thinks they should to cover all the circumstances and all the tents and fireworks.

Secretary Jerzy said sure, sure.

Board Member Anglin said just automatically put it in.

Chairman Sophiea has a question to the petitioner. On the petitioner page of the agenda, it says twenty (20) by twenty (20) square foot tent.

Eddie Babbie replied yes.

Chairman Sophiea thought he said he's downsizing it to twenty (20) by ten (10).

Eddie Babbie explained they've been using the same tent. They were originally going to get a twenty (20) by twenty (20) and they were approved for a twenty (20) by twenty (20), but they couldn't find one at the time. So, they ended up getting a twenty (20) by ten (10) and it was kind of enough. You know, they didn't need to make it any bigger. So, they're not taking up as much room and it fits perfectly in that parking area.

Chairman Sophiea said that's fine. He likes to see it smaller anyway. He was just confused because

in the petition it looks like in handwriting, they wanted to put up a twenty (20) by twenty (20) tent which is a reduced size from their twenty (20) by thirty (30). So, last year did they have a twenty (20) by thirty (30) tent?

Eddie Babbie said it's definitely less. Supposed to be a twenty (20) by ten (10) he thinks.

Chairman Sophia asked it's twenty (20) by ten (10).

Eddie Babbie replied yes.

Chairman Sophia asked if they could change the motion tonight to reflect the reduced size.

Eddie Babbie said for the future, if the board is ok with it, he'll keep it that size.

Chairman Sophia said ok, because last year they did approve the twenty (20) by twenty (20). So, he doesn't have a problem with it. It is just a really busy parking lot. It is congested in there.

Eddie Babbie said it is a twenty (20) by twenty (20). It was a twenty (20) by thirty (30), it's a twenty (20) by twenty (20). He apologized.

Chairman Sophia asked if it's presented accurately. Ok, twenty (20) by twenty (20), which is the same size he was approved for last year.

Eddie Babbie replied yes.

Chairman Sophia said just so they're clear.

Board Member Nestorowicz always has the same comment about this, and he had last year. The location, he understands why it works well for his parking lot and strip mall there. He just never liked the fact that it backs right up onto those residential. Whether it's condo's or whatever are right behind that. He doesn't feel that's a good location. He thinks that's a detriment, but that is his opinion.

Secretary Jerzy thinks everyone knows where his opinion is on this as far as fireworks tents go. Mr. Babbie has ran a great operation for four (4) years, and he's not taking anything away from what he's done over the last four (4) years, and this isn't anything to do with his operation whatsoever. He thinks with the city changing as it is, he thinks some things the board has done in the past might need to go away, in his opinion. He feels the fireworks tents in the town is one of those things. This is just his personal opinion, has nothing to do with the safety that he's ran the operation with and the professionalism of it whatsoever, but since he's been on the board it seems they have had more problems than not with them. So, he would like to see, if this does get approved by the board, to either have the water barrels or the cement blocks that they can actually strap the tent to. So, if the board does a motion, he would like to see either water barrels or cement blocks to give him maybe a little bit more flexibility on how they're going to secure it. But, him personally, he can't vote for these anymore. That's his personal opinion. That's his line in the sand and he'll be voting no on this.

Chairman Sophiea said it's also kind of his position. He's not a big fan of the firework tents, to be honest with them. It's something he can live with given that this request is not even going to be up for two (2) weeks. So, he wouldn't want to see a flower stand there or something more permanent throughout the spring and summer, but he can at least this year he can live with.

Eddie Babbie asked if he could say something, please. He's not doing it like every tent. He knows there's a lot of tents that go up for sixty (60) days, thirty (30) days, forty-five (45) days. They do this for ten (10) days only. Not only do they do that, but the way they do their signage, their security, lighting, everything. He means, the board is more than welcome to come at any time, and they'll see how well. You know, the people that come in, they have a lot of young people that enjoy this. It's something they celebrate and it's something him and his kids have been celebrating for a long time as an immigrant. They came here and this is just something he loves. He was doing this when he was a kid. Then when he grew up and started doing this with his kids as they start getting older. So, it's not just... They're doing it during a specific time so they won't interfere with the operations with their tenants. Most of the time they get busy is not even during the day, maybe between five (5) to seven, five (5) to eight (8) in the evening and that's it. With their signage and they have the 500 feet signage, they don't have any issues or any problems with people. Obviously, he respects whatever the board is going to say, it's not something that everybody, most people enjoy it and they still. There are more coming up indoor and outdoor. They're not coming down; more people are actually putting them up. He respects whatever the board is going to say.

Board Member Anglin has one concern. It's not a big one, it's more his concern. There's the condos that sit back behind that. Could they push that tent? It looks like he comes about halfway into the parking space that he has there. Can that tent come out to the parking space, which should give him another three (3) or four (4) foot buffer behind.

Eddie Babbie explained there's about twenty (20) foot between the landscaping and then they have another ten (10) foot. They have the trash enclosure there. So they move it another ten (10) foot to the front. It is about twenty-five (25) to thirty (30) feet minimum away from it.

(Inaudible)

Board Member Anglin said he's looking at this and it's real close. Ignore what he just said and if there's no other questions from the board, he would like to make a motion.

Board Member Sylvester asked somebody on this committee. Does the fire department have any jurisdiction reviewing where the tent is, how far from a residential area, building.

Board Member Anglin said they come through...

Secretary Jerzy explained they have to inspect it before it opens.

Board Member Anglin explained if they don't like where it's sitting or don't like the way...

(Inaudible)

Board Member Anglin said he's got it. If they don't like the way it's stacked, the way anything looks

in it, they can shut them down.

Board Member Sylvester asked as of right now they're approved of this where it's located.

Chairman Sophiaea stated this is the first step.

Secretary Jerzy repeated it's the first step. Once it gets set up, then it gets inspected by the state and the city.

Board Member Sylvester asked after the board would give an approval.

Secretary Jerzy answered correct.

Board Member Sylvester asked that's the way it's been over the past years as well.

Secretary Jerzy explained the fire department could still shut it down once they get there and see something awry. It still has to pass inspections from the state and the city.

Eddie Babbie asked if he may add something.

Chairman Sophiaea apologized and explained a question hasn't been asked.

Eddie Babbie apologized.

Board Member Sylvester would like to hear his response, please.

Eddie Babbie explained typically with the state, the whole thing not just for the safety, the fire hydrants, they're looking for all the proper signage and that they're complying with everything. They have to be bonded, they have to do a lot of things, but if something... What they look for mostly is the illegal stuff that goes into these tents. Typically, they're going in and looking for things that are coming out of another state that are in violation of height or whatever the state. So, they deal with manufacturers that are approved by the State of Michigan. So, they don't have anything that's excessive in terms of, you know...

Board Member Sylvester asked if that would include any fire suppression, fire extinguishers, anything they have around there just in case something happens, right?

Eddie Babbie replied there is two (2) big fire extinguishers, water fire extinguishers, ones that are used for that purpose.

Board Member Sylvester mentioned he knows they said they would only be open for ten (10) days, but it only takes one (1) minute for things to go...

Eddie Babbie said of course. That's why they're very careful. They've been doing this for a long time. He knows the safety extremely well. He knows anything can happen. This is why they keep buffers, they keep things, he means, the board can come at any time and walk it. Even when they're suggesting the blocks and this and this, the water tanks, the one they use, he means, the board

can see they can't be moved. They're extremely safe, but they are more than welcome to come in.

Board Member Sylvester doesn't know the answer to this, but are there any signs up at his place or any other places that say no cigarettes, no matches, (inaudible)?

Eddie Babbie replied yes.

Board Member Sylvester asked again there are signs.

Eddie Babbie explained they're all over the tent and they have them over the check out area as well.

Board Member Sylvester thanked him.

Board Member Anglin said first statement is, he likes when family operated or family owned, when they get their kids involved in it to teach them what a dollar is worth and have to work for it. Mr. Babbie mentioned that, and he thinks that's great that he promotes that kind of thing. So, with that, if the board has no other questions he would like to make a motion.

Motion:

Board Member Anglin made a motion to give permission to:

- 1) Conduct a seasonal outdoor sales operation in an area of 20 ft. x 20 ft. (400) square ft. from June 23, 2024 through July 5, 2024 from 10:00 a.m. to 10:00 p.m.
- 2) Waive 14 off-street parking space for the outdoor sale and where the tent is located.

The tent will be anchored with water barrels to secure it.

Reasons being: Not a detriment to the area; Size and shape of the lot; He thinks whenever they have family businesses running for temporary things like this it's a great thing.

Board Member Sieracki supported the motion.

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

Roll Call:

A roll call was taken on the motion. The motion carried (5 – 2).

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Nestorowicz	No, thinks it's a detriment.
Secretary Jerzy	No, it's a detriment to the area.
Chairman Sophiea	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** with previously mentioned condition.

12. PUBLIC HEARING: **APPLICANT: Michael Paul Kanakry / Jenna Nola**
REPRESENTATIVE: Caren Burdi
COMMON DESCRIPTION: 5821 Thirteen Mile
LEGAL DESCRIPTION: 13-05-476-006
ZONE: MZ, C-2, P

VARIANCES REQUESTED: Permission to

- 1) Conduct seasonal outdoor sales in an area 30' x 60' = 1,800 square ft. from 4/1/2024 through 7/15/2024 (flower sales).
- 2) Conduct a second seasonal outdoor sales operation of fireworks in an area of 30' x 60' (1,800 square ft.) from June 15, 2024 through July 7, 2024 from 10:00 a.m. to 10:00 p.m.
- 3) Conduct seasonal outdoor sales of pumpkins in an area of 30' x 60' = 1,800 square ft. from September 1, 2024 to November 1, 2024.

ORDINANCES and REQUIREMENTS:

Section 4.52 – Standards for Temporary Outdoor Retail Sales Approval (D): No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

Chairman Sophiea added to the record, they received a letter from Ms. Burdi that she's not the representative on these items 12-14. Just wanted to add to the record. Good evening, sir.

Michael Kanakry, 31847 Shawn, appeared before the board and introduced his son, Michael Kanakry. He asked if they could go ahead and start with the fireworks since the board is on a roll.

Chairman Sophiea said sure.

Michael Kanakry asked if they could start with that and end up with the flowers.

Chairman Sophiea said if he would like to explain that part first, that's fine.

Michael Kanakry asked if they're starting with Mound, right.

Chairman Sophiea said to stick with item 12 first.

Michael Kanakry asked start with the fireworks on item 12.

Chairman Sophiea said sure. That would be item, variance request number 2.

Michael Kanakry asked start with the fireworks or flowers.

Board Member Nestorowicz asked what difference does it make.

Secretary Jerzy said start with something.

Michael Kanakry asked fireworks.

Chairman Sophiea said sure.

Michael Kanakry explained they've been putting up a thirty (30) sixty (60) tent there for the last few years that they've been behind the building, but before that they were up front as most of the board knows for twenty-six (26) years. One year he had a tent company put a tent up, a new tent company, it was not done right and so they switched to another tent company, which he likes (inaudible) is here. He would like him to speak. They never, ever in all the years in any firework places or flowers places had any kind of problems with the city. The Planning Commission passed this a couple of years ago and gone in front of the board last year. Last year, so many people knew he was there. He had a massive heart attack and has a pacemaker, and still waiting for a heart transplant and he only has twenty-two (22) percent of his heart working. He wasn't able to talk for himself too much last year. He did come up here, as most of the board remembers, and he had to sit down, had a very hard time breathing. He was in very bad shape. Still not in great shape, but he can talk for himself. Caren Burdi did not want to show up tonight for reasons that some of the people on the board already knows. She's got other things going in front of the board and doesn't want to jeopardize any of them. So, he's got to do the talking for himself, which he has no problem doing. Just wanted to tell the board that the man that's handling the tents has been with him the last five (5) years and he would like to speak first. Is that ok? He'll talk about the tents and the barrels and all that. Can he bring him up?

Chairman Sophia said that's fine.

Michael Kanakry asked him to come up. He said he needs to sit; he can't stand longer than five (5) minutes at a time.

Allan Columbo appeared before the board stating he represents Miles Event Rental, family business, for seventy-one (71) years. His father started in '54 and he took over.

Chairman Sophia asked for his address, please.

Allan Columbo, 33715 Riviera. He's had forty-two (42) years in the event business. He put up tents from Miami to Traverse City, as far west as Denver, Colorado with the opening up the Denver Air Show to Atlantic City, Jersey and pretty much a lot of cities in between. Today, as the new rules and laws have changed, he knows he can be held criminally responsible if something were to happen to a tent. So, their safety standards are excessive over what the industry standards are. They do have, they are the only company that went and put up a structured tent over a hydrogen tank at the Dow Chemical Plant in Houston, Texas. It took two (2) weeks of training and education and pass the test for each one of his staff, there were six (6) safety engineers. No problems. Here, locally, they've done a lot of tents. Number one, water barrels today are pretty much illegal. On a twenty (20) by twenty (20), and think about this as going around the city, if looking at twenty (20) by twenty (20), there should be twenty-seven (27) water barrels, not four (4), not eight (8). It doesn't give you enough down lift and up lift. You'll lose a lot of strength because water is a moveable object as opposed to cement weight. He just wanted to let that know, because he's been by these places. Man, if something happens, there is nothing really holding that tent down like sandbags even. So, with Mike's tent, he shared some pictures of what happened, and he can explain. It looked like to him the lace line wasn't tied off and the ropes were kind of frayed on that older tent. They use ratchet straps; they use a forty-two (42) inch stake that goes about six (6) inches above the ground. Technically, code would be about 18,000 pounds of stress on the down (inaudible), so

each tent... A thirty-six (36) inch stake, which is standard, they use forty-two (42), has a 1,000 pounds. So, the forty-two (42), the extra six (6) inches would give them about another 300 pounds. That's 1,300 pounds times the twenty-eight (28) tent stakes. So, just with that they have 28,000 pounds of strength as opposed to the eighteen (18). They do use a 10,000 pound two (2) inch web ratchet to secure the tent to the stake.

Chairman Sophiae thanked him for those comments.

Allan Columbo asked if the board has any questions for him.

Chairman Sophiae asked Mr. Kanakry if he had any other comments he'd like to add before he closed.

(Inaudible)

Chairman Sophiae asked if there is anyone else in the audience who wishes to speak on this item?

(Inaudible)

Chairman Sophiae said I'm sorry?

Michael Kanakry asked if Mr. Columbo would be called later if needed.

Chairman Sophiae explained if the board has a question for him, yes.

(Inaudible)

Michael Kanakry said his son would like to pass out...

Board Member Sylvester told the Chair there was someone over there that wanted to speak.

Michael Kanakry said it's not closed to the meeting yet.

(Inaudible)

Michael Kanakry asked if it's closed to the meeting.

Chairman Sophiae said no. If they wanted to talk about the pumpkins, you know item 1 and 3.

Michael Kanakry asked if his son could pass one of these out to the board. It's got some pictures of the stakes; it's got pictures of cement they had last year. It wasn't the exact size that the city wanted, or some of the board members wanted. And, also, in each one of those an already approved license from the State of Michigan, every place that has a firework tent has to have the same plans that the board people have, and the state comes out and inspects it first. When they come out and inspect it, the fire marshal comes out when they open up, before they can even open up. The fire marshal comes out, the state marshal comes out, the city, planning, city building department comes out, police department has to come out and ok it. They have their licenses in

advance already in front of the board for all three (3) locations that they are here for tonight. They have never, ever had a problem about the cement pillars until this past year. He guesses they put some up that were five hundred (500) pounds a piece and Caren told her that somebody on the board here wasn't happy about it. One of the places on Hoover the tent went up and then they didn't get the pillars over there until five (5) or six (6) days and they weren't happy about that, but they were not open for business yet. When these people come from the state and they inspect it, they say that his is the number one safety place in the whole Macomb County area. He has about nine (9) tents altogether, well his family does. They have all the exit signs, all electric, not anything else. They have two (2) water containers, compression, two (2) or three (3) fire extra fire extinguishers in each one, all the entrances and exits (inaudible), and they've done it right for so very long that they have it down to an art. They have never, ever had a problem since the day they've opened at any location. Is there anything else? He's new at this. He's not used to talking. Give him a minute. He thinks he mentioned everything.

Secretary Jerzy said flowers.

Michael Kanakry said he thinks that's it at the moment. He's sure the board will have more questions for him, he hopes.

Chairman Sophia thanked him for those comments. This is a public hearing.

(Inaudible)

Chairman Sophia stated this is a public hearing. Is there anyone in the audience who wishes to speak? Sir, please approach.

John Renaud appeared before the board stating he is a forty-five (45) year of that area. He lives on 29620 Van Laan Drive, Twelve Mile and Ryan area. He started buying flowers from Mr. Kanakry back in 2002. His wife came down with cancer and she said to him that she wanted to do something to brighten up the house. So, he took her up to Mr. Kanakry's place and she bought flowers. Well, they got all the flowers home and wanted to participate in putting those flowers in the ground. She told John there was something wrong with these flowers. She doesn't think they look right. He took one and took it back up to the guy to see what he says. He took it up there and they said yes, most definitely, there is some sort of fungus on these flowers. They said they'll take care of it. He asked him what they're going to do, buy more flowers. Two hours later there was a crew of seven (7) guys come down, dug up all the flowers out of the ground, add fresh flowers, put them all in and didn't charge a dime. He just never saw anybody do that before. That's just going way over and above what anybody would normally do. His wife passed away in 2012 from a metastasized breast cancer and he came to the funeral, or where the reception was held. He supplied flowers for every table that was on there at no charge. He could never ever in a lifetime ever forget anybody that could do that. The man has a heart of gold, he hires people from the community. He knows he does; he hired his two (2) boys at one point when they were about thirteen (13), fourteen (14). He thinks Mr. Kanakry is a definite asset to the community, because most of the people in his neighborhood buy the flowers from him. He would love to see him be there another twenty-five (25) years. Thank you.

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

No response.

Chairman Sophiea closed the public portion of the meeting.

Board Member Nestorowicz stated they never separated this item, so they never talked about items 1 and 3.

Chairman Sophiea wasn't under the impression that they did separate them.

Board Member Nestorowicz said they didn't.

Chairman Sophiea said no.

Board Member Nestorowicz said they didn't hear about any items 1 and 3, that's what he's saying.

Chairman Sophiea asked Mr. Kanakry if he would like to add anything about items 1 and 3 about the pumpkins and flowers.

Michael Kanakry asked right now if they're doing flowers first or fireworks.

Board Member Nestorowicz said it's all together.

Chairman Sophiea explained it's all on one. Everything that's taking place on the Thirteen Mile location.

Michael Kanakry would like to add is... how does he do this without... He's trying not to say the wrong thing to hurt people and he doesn't want to do that tonight, but if the board wants water barrels, he'll do water barrels. He has up there, those blocks, plus those ratchet that most people do not use. He has other tents in Shelby, Sterling, Fraser is the main one, and never had to use any blocks or barrels. He's willing to use whatever the board wants to share. Whatever happened last year when he had the attorney, whatever she told him ok. He ok'd. He wasn't at his best health at all, didn't think he would make it to this year to tell you the truth.

Chairman Sophiea asked if he has anything else. The board is going to talk about how the tent is going to be secured after they close the public portion and have their discussion. He's asking him one more time, is there anything he wants to tell the board about flowers or pumpkins?

Michael Kanakry replied no.

Chairman Sophiea is not seeing anyone new in the audience. He's going to close the public portion of the meeting and turn it over to the board for discussion.

Board Member Anglin said his question is, are they putting up two (2) separate tents?

Michael Kanakry replied no.

Board Member Anglin said just the way it reads, it's going to be a thirty (30) by sixty (60), 1,800

square foot tent from 4/1 to 7/15 and then it's a seasonal outdoor sales of a thirty (30) by sixty (60) tent from June 15th to July 7th. Those overlap.

Michael Kanakry said no.

Board Member Anglin asked it's just one (1) tent they're putting up.

Michael Kanakry said one (1) tent that was agreed upon last year when they were in front of the board.

Board Member Anglin just wanted to clarify that, because it's confusing the way it's actually typed up here. One (1) tent that's thirty (30) by sixty (60) and it of course would be the outdoor sales involved in it. Ok, he got his question answered.

Chairman Sophiae always enjoyed the flower stand when it was on the corner. He was saddened when that area got developed and...

Michael Kanakry interrupted saying him and about five or six thousand other people. He still gets ninety (90) percent of those customers. He has vegetable plants that nobody has in the state. He has seventy-seven (77) different growers. He has fifty (50) different type of tomato plants...

Chairman Sophiae said if he could finish, please. If his memory serves him right from last year, the board had discussed there was going to be some type of out building on Thirteen Mile for him, because in his mind, he didn't like that the plaza was getting crowded.

Michael Kanakry asked if he could sit. He has a torn meniscus, triple tare, and they can't do surgery on it because his heart is too weak. So, he can't stand for too long, five (5) minutes at the most.

Chairman Sophiae told him he can stay seated if that helps and that microphone turns on.

Michael Kanakry thanked him. He explained there was still one (1) more year on his lease and the landlord and him are working. He didn't know until recently that they don't have to build, they just have to build a greenhouse, because he rents a building there. So, they don't have to worry about the bathroom and all that kind of stuff on the outside. So, there's going to be probably by October, because that's what he was going to tell the board, as you people. They're going to take off the pumpkin season, September 15 till October 30th. He wants to take that off the table today. Because they're going to make plans to go ahead and build a greenhouse, a nice permanent greenhouse. So, they're only asking for flowers from May 1st, they need three (3) weeks to set up before that. May 1st until July 1st at the most, maybe June 27th, June 28th, because he wants to clear it all out for fireworks. They're only eight (8) weeks, nine (9) weeks with flowers and that's it. No pumpkins, no trees, no nothing else.

Chairman Sophiae wants to break it down here, because he's getting confused. He's a simple guy. He's asking if Mr. Kanakry wants to strike item 3 from the request, that they're not going to sell pumpkins this year.

Michael Kanakry replied correct.

Chairman Sophiea said that's easy; take out 3. Now, there's a little confusion about 1 and 2, that the dates are overlapping for the fireworks. So, just so everybody is clear, they're just talking about putting up one (1) tent, thirty (30) by sixty (60)?

Michael Kanakry replied correct. They're going to use the same tent for fireworks and they're going to take the flowers out of it. What is the time over here for... June 15th. So, if the board would like, he would have the flowers out of there by June 14th and start the fireworks June 15th and eliminate all flowers from the premises and all the shelving and all the tables and everything that goes with it and start the fireworks on the 15th.

Chairman Sophiea said his suggestion is that he would like to see the fireworks as a short window as possible.

Michael Kanakry said it is, yes.

Chairman Sophiea said the other petition the board just approved was for less than two (2) weeks. So, he would recommend that maybe he would consider extending flowers a week and not starting the fireworks until the 23rd, if the board is being consistent tonight.

Michael Kanakry said extend the flowers a week. He can agree to that.

Chairman Sophiea doesn't like the firework stands by definition. He knows Mr. Kanakry has a good history there, but the flowers are great. He doesn't have a problem with the flowers. He just doesn't like to see the firework tent up.

Michael Kanakry said he completely understands.

Board Member Anglin said his question would be, he's running a 1,800 square foot tent and if he's going to remove all the flowers in the June season to put fireworks in, are they going to fill the whole 1,800 square foot with fireworks.

Michael Kanakry asked inside the tent.

Board Member Anglin answered yes.

Michael Kanakry explained they've been doing it for years, yes.

Board Member Anglin said so the whole 1,800 square feet.

Michael Kanakry explained whatever he has left over in flowers will go to his other garden center location on Twelve and half and Woodward. He has one over there also.

Board Member Anglin said the only reason he was bringing that up is if he's only going to use half of it for fireworks, he personally doesn't care if he has flowers in the other half and continues selling them.

Michael Kanakry said it wouldn't be good for firework business.
(Inaudible)

Board Member Anglin understands. So, he knows where it's sitting. Thank you.

Michael Kanakry said that cuts everything down a whole lot. Next year they'll see a nice, beautiful greenhouse up there.

Board Member Sylvester said he'll start with what he just said. The outdoor greenhouse, one of the buildings being redeveloped over there is going to be his greenhouse? So, they're no longer going to have a tent?

Michael Kanakry explained the building will be separate from the outdoor greenhouse outside.

Board Member Sylvester asked where he's at right now will be a built greenhouse.

Michael Kanakry said it will be all greenhouses and then they can go to, if they need the bathroom, go to one of the buildings that they have rented right now at 5821. They're working with Ron. They've been working with Ron on that and the landlords, the Shango's, which is a whole lot of fun.

Board Member Sylvester said where Mr. Kanakry is at right now, ok, which is just block and wood and a tent and whatever. Is that where the greenhouse is going to be?

Michael Kanakry replied yes.

Board Member Sylvester asked if he's going to lease that property and build on that property.

Michael Kanakry explained exactly where they are now is exactly...

Board Member Sylvester asked if he's going to have a permanent site there.

Michael Kanakry said right. Exactly where he is now is exactly where it's going to go, yes.

Board Member Sylvester thanked him.

Chairman Sophia asked if he anticipates selling fireworks in the future after that greenhouse is built.

Michael Kanakry stated he's going to try to, but first things first. More important is the greenhouse. They can always come in and move a mile down the street, this way or that way. That's a possibility.

Chairman Sophia told him to keep that in mind. It's going to be a hard sell if there's a building.

Michael Kanakry wants the greenhouse there with the flowers, so his son can carry on.

Chairman Sophia wants to see a structure on that property, too. He thinks this is going to be the

last year Mr. Kanakry has his support for the temporary tent. Next year, he wants to see some type of permanent greenhouse there.

Michael Kanakry said no problem.

Chairman Sophiea stated if they can agree on the dates here for the fireworks. The last request they just approved was for June 23rd.

Michael Kanakry said ok, June 23rd.

Chairman Sophiea asked if he's agreeable to that. He can sell flowers until June 22nd.

Michael Kanakry said yep.

Chairman Sophiea said the firework tent is just on a shorter.

Michael Kanakry said correct.

Chairman Sophiea said ok.

Board Member Sylvester has one other thing. The gentleman that is here from the tent company. He seems to know what he's doing. He knows the board has been asking about the water tanks and what have you. If he submits a plan to how that tent can be anchored and it's acceptable, he doesn't see any reason why he can't do his work.

Allan Columbo explained there are three (3) styles of tents. Pole tents are staked. That's the manufacturer's specification. Frame tents can be staked or weighted. Most cities today don't even allow water barrels. He has 300 water barrels in Detroit at a yard that he'll never use again and will probably put them up for sale. They use cement weights, and they use 1,800 pound blocks. Not 500, not 1,000 but 1,800. They want to go over that. Then there are structured tents that are generally staked or can also be weighted. But the pole tent is designed to be about half the distance of the height, so about four (4) feet out is where the stakes go. One (1) stake per pole and rope, but that would be a ratchet as opposed to the rope. Two (2) stakes in the corner would probably add a third one. On his tent they would definitely add a third one. They'll have three (3) times the manufacturer's specification for weight. He's done a lot of events and with Ford Motor Company, General Motors, he's never not had a tent or structure not pass inspection.

Board Member Sylvester said they've had a couple problems, but it seems his experience and knowledge and what he's gone through, he kind of knows what he needs.

Allan Columbo won't deny he hasn't lost a tent. Seventy (70) miles an hour winds will take down the tower over at Mid Ohio Race Car Course, along with about thirty (30) of his tents that the ground just gave way, but for here with the ground and where it's going. It's a heavy, heavy asphalt and cement underneath. So, those tents have pretty much no give. What months they're in, they use a hydraulic machine to pull them out. So, he doesn't have no... He doesn't want to get a call that somebody got hurt. He knows that's the last thing anyone wants to hear.

Board Member Sylvester thanked him.

(Inaudible)

Chairman Sophiea said the board has the pictures.

(Inaudible)

Chairman Sophiea wants to clarify. What date is he requesting to start selling flowers? The tent says April 1st. He knows he needs time to set up.

Michael Kanakry said they could probably adjust that one week and go the other week. Depending on weather. They could have snow the last week of April, they've had it. Let's go, probably won't happen, maybe April 25th till June 23rd.

Chairman Sophiea said April 25th till June 23rd and then June 24th till July...

Michael Kanakry said June 22nd the ending of flowers and then starting fireworks on the 23rd of June until the 5th.

Chairman Sophiea said ok, and then the tent will come down.

Michael Kanakry said on the 5th or 6th. They need... He's got thirty (30) or forty (40) tents all over the state. If he can get to him the day after, he'll get to him first. If he can't, then two (2) or three (3) days later it will be down, but everything will be cleared out of it, it will be empty.

Chairman Sophiea asked if he has anyone that would like to make a motion. Anymore comments?

Board Member Anglin would like to make a motion.

Motion:

Board Member Anglin made a motion to give permission to:

- 1) Conduct seasonal outdoor sales in an area 30' x 60' = 1,800 square ft. from **4/25/2024 through 7/22/2024** (flower sales).
- 2) Conduct a second seasonal outdoor sales operation of fireworks in an area of 30' x 60' (1,800 square ft.) from **June 23, 2024** through July 7, 2024 from 10:00 a.m. to 10:00 p.m.
- 3) ~~Conduct seasonal outdoor sales of pumpkins in an area of 30' x 60' = 1,800 square ft. from September 1, 2024 to November 1, 2024.~~

The tent will be secured with cement blocks and ratchet tie downs.

Reasons being: Not a detriment to the area; Not an eyesore.

Jennifer Pierce explained in paragraph 1 he indicated April 25th through July 22nd when he meant to say June.

Board Member Anglin understands. He's reading it from the chart and that changed on him. He's going to re-read this.

Motion:

Board Member Anglin made a motion to give permission to:

- 1) Conduct seasonal outdoor sales in an area 30' x 60' = 1,800 square ft. from **4/25/2024 through 6/22/2024** (flower sales).
- 2) Conduct a second seasonal outdoor sales operation of fireworks in an area of 30' x 60' (1,800 square ft.) from **June 23, 2024** through July 7, 2024 from 10:00 a.m. to 10:00 p.m.
- ~~3) Conduct seasonal outdoor sales of pumpkins in an area of 30' x 60' = 1,800 square ft. from September 1, 2024 to November 1, 2024.~~

The tent will be secured with cement blocks and ratchet tie downs.

Board Member Perry supported the motion.

Chairman Sophia said they have 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 (6 – 1).

Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Nestorowicz	Yes, for the reasons stated in the motion.
Secretary Jerzy	No, believes it's a detriment to the area.
Chairman Sophia	Yes, for the reasons stated in the motion.

The petitioner's request was **APPROVED** as previously read.

13. PUBLIC HEARING:

APPLICANT: Family Fun Fireworks / Michael Kanakry and Jenna Nola

REPRESENTATIVE:	Caren Burdi
COMMON DESCRIPTION:	30800 Hoover
LEGAL DESCRIPTION:	13-11-101-033
ZONE:	MZ, C-1, P, C-2

VARIANCES REQUESTED: Permission to

- 1) Conduct a temporary outdoor retail sale without a permanent building.
- 2) Conduct a temporary outdoor sale in a 10' x 50' tent = 500 square ft. in a parking lot from 6/15/2024 through 7/7/2024 10:00 a.m. to 10:00 p.m. with a 10' buffer around the tent.
- 3) Waive 54 off-street parking space for the outdoor sales area and retail businesses combined.

ORDINANCES and REQUIREMENTS:

Section 4.48 – Temporary Outdoor Retail Sales in Commercial and Industrial Districts:

Temporary outdoor retail sales may be permitted in conjunction with a permanent building in C-1, C-2, C-3, M-1 and M-2 zoning districts.

Section 4.32 (H) 22: One (1) parking space required for each 150 square ft. of floor space and

outdoor sales areas combined.

Section 4.52 (D): No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

Chairman Sophiea asked the applicant to state their name and address again for the record.

Michael Kanakry, 31847 Shawn Drive. There is a slight mistake in there. They have down there a ten (10) by fifty (50). It supposed to be a twenty (20) by fifty (50). They can look at the site plans; that's what it has been for years. Same site plan as they had last year. It's just an error in the agenda. When they wrote it up, they put a ten (10) instead of a twenty (20).

Chairman Sophiea thanked him for bringing that up. He's just looking at the notice. The notice of hearing is ten (10) by fifty (50), 500 square feet.

Board Member Nestorowicz said that's not good.

Chairman Sophiea asked if this is something that's going to have to be re-noticed.

Jennifer Pierce said yeah, unfortunately.

(Inaudible)

Jennifer Pierce stated yeah, unfortunately, she thinks it will need to be re-noticed so that anyone who wants to speak on the matter has the appropriate facts before them.

Chairman Sophiea asked if that's the position of the zoning department.

(Inaudible)

Board Member Anglin stated in his opinion, this would have to be resubmitted, because it doesn't fit the mailing. They mail out a mailing to the surrounding neighborhoods, and it says a ten (10) by fifty (50). That's the only thing the board can vote on tonight is a ten (10) by fifty (50). If he wants to table this so, and make sure he is stating this right madam attorney, that if he wants to table this to the next meeting, if they can get it done by then, to repost this to be the proper size. That would be his suggestion.

Michael Kanakry stated they do have time, so they can do that. Or, he has another suggestion, he was told they could have a special hearing to pay a certain amount money for a special hearing, but still has to repost it for two (2) weeks. Is it worth paying the money to be in here in three (3) weeks or will he be on the agenda for the next meeting?

Board Member Anglin said he would have to check what's on the agenda for that, but he would like to see him on that next meeting.

Secretary Jerzy said April 10th.

Michael Kanakry said April 10th would be fine.

Motion:

Board Member Anglin made a motion to reschedule this item to April 10, 2024 due to it needs to be reposted.

Secretary Jerzy supported the motion.

Chairman Sophia said they have motion by Mr. Anglin, support by Secretary Jerzy to table item 13 to the April 10th meeting to give time to re-notice variance request 2.

Voice Vote:

A voice vote was taken. The motion carried (7 – 0).

The petitioner's request was **RESCHEDULED.**

- | | |
|----------------------------|---|
| 14. PUBLIC HEARING: | APPLICANT: Michael Paul and Jenna Nola |
| REPRESENTATIVE: | Caren Burdi |
| COMMON DESCRIPTION: | 26800 Dequindre |
| LEGAL DESCRIPTION: | 13-19-101-017 |
| ZONE: | C-2 |

VARIANCES REQUESTED: Permission to

Conduct a seasonal outdoor sales operation in an area of 20' x 40' (800 square ft.) with a 10' buffer around the tent from June 15, 2024 through July 5, 2024 from 10:00 a.m. to 10:00 p.m.

ORDINANCES and REQUIREMENTS:

Section 4.52 (D): No sales activity or display of merchandise shall be permitted in the area designed for required off-street parking for the existing or temporary use.

Chairman Sophia said hello again.

Michael Kanakry, 31847 Shawn.

Chairman Sophia thanked him.

Michael Kanakry has one (1) question on the one before this. All he has to do is have Debbie repost it and doesn't need him for anything for that?

(Inaudible)

Michael Kanakry explained this is kind of the same thing as the last couple. They've been doing business here in this shopping center for twelve (12) years. Never had a problem even when Oakridge was out there. Oakridge is no longer there. There's much more room over there. He doesn't have to explain it again. They know how it is. He does it right, obey the rules to the best of his ability.

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

No response.

Chairman Sophiea closed the public portion of the meeting and turned it over to the board for discussion. To the petitioner, is the tent size in this request, correct? Twenty (20) by forty (40).

Michael Kanakry replied yes.

Chairman Sophiea said ok, great.

Board Member Anglin explained on a couple of these other ones in the past back here they've changed it. He's assuming this is going to be fireworks in this tent because of the dates.

Michael Kanakry said yes.

Board Member Anglin said it strictly says on here display of merchandise. He wanted to make sure it's fireworks. They've changed the date of the 27th of June, 23rd of June on all the previous ones.

Michael Kanakry said the one was just tabled. He wants to keep the dates the same they are previously. So, the other two (2) will be open before the one on Mound, because there is no flowers over there. You know, no nothing.

Board Member Anglin said they changed the other one to give him more flower sales time and then shortened up the fireworks time. Thank you.

Michael Kanakry said he didn't know until a couple days ago, but the Big Lot over there went out of business also.

Board Member Anglin said that plaza needs some help.

Chairman Sophiea would like to see the reduced firework sales dates, but that's his position.

Board Member Anglin asked if any other board members have any questions.

Motion:

Board Member Anglin made a motion to give permission to conduct a seasonal outdoor sales operation in an area of 20' x 40' (800 square ft.) with a 10' buffer around the tent from June 15, 2024 through July 5, 2024 from 10:00 a.m. to 10:00 p.m. **Tent being secured by the stakes and blocks.**

Board Member Perry supported the motion.

Chairman Sophiea said they have 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 (5 – 2).

Board Member Anglin

Yes, for the reasons stated in the motion.

Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Sieracki	Yes, for the reasons stated in the motion.
Board Member Sylvester	Yes, for the reasons stated in the motion.
Board Member Nestorowicz	Yes, for the reasons stated in the motion.
Secretary Jerzy	No, believes it's a detriment to the area.
Chairman Sophia	No, does not like the extended dates.

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

15. PUBLIC HEARING: **APPLICANT: Bazo Construction**
REPRESENTATIVE: Sarah Mheisen
COMMON DESCRIPTION: 4695 Nine Mile
LEGAL DESCRIPTION: 13-29-376-049
ZONE: C-1

VARIANCES REQUESTED: Permission to

- 1) Allow the following signage on a gas canopy: Total of 1,032 square ft. with 3 BP Helios @ 10.56 square ft. each, (on three of the four elevations total Helios 31.68 square ft.) and the remainder 1,000.32 square ft. of design element.
- 2) Allow re-imaging of 10 gas pumps on faces and sides at 20.9 square ft. per pump for a total of 209 square ft. on the pumps.

If approved the variances related to the canopy and pumps previously approved on 9/5/2001 and 11/13/2008 will be relinquished.

ORDINANCES and REQUIREMENTS:

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

Chairman Sophia said good evening.

Sarah Mheisen, 12645 Delta Street, appeared before the board.

Chairman Sophia thanked her and asked her to please tell the board about the request.

Sarah Mheisen explained the owner of this gas station basically signed a new fueling contract. It's an existing Marathon gas station, however, it is being branded BP for the renderings attached. For this reason, she is here requesting the variance to have the proper signs installed with the proper BP image installed on the gas canopy.

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

No response.

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

Board Member Anglin doesn't see this proposal out of line with any of the other ones they've passed since he's been sitting on this board. Matter of fact, he thinks their signage is a little lighter than some of them the board has authorized. He doesn't know if anybody else has any comments, but if they don't, he'll make a motion.

No response.

Motion:

Board Member Anglin made a motion to give permission to:

- 1) Allow the following signage on a gas canopy: Total of 1,032 square ft. with 3 BP Helios @ 10.56 square ft. each, (on three of the four elevations total Helios 31.68 square ft.) and the remainder 1,000.32 square ft. of design element.
- 2) Allow re-imaging of 10 gas pumps on faces and sides at 20.9 square ft. per pump for a total of 209 square ft. on the pumps.

If approved the variances related to the canopy and pumps previously approved on 9/5/2001 and 11/13/2008 will be relinquished.

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

Board Member Nestorowicz supported the motion.

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

Roll Call:

A roll call was taken on the motion. The motion carried (7 – 0).

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

Secretary Jerzy thanked her for being patient and waiting.

16. PUBLIC HEARING:

APPLICANT: Universal Contracting / Urban Infrastructure Service

REPRESENTATIVE:

Kal Mansour Sign Emporium

COMMON DESCRIPTION:

24595 Groesbeck

LEGAL DESCRIPTION:

13-25-102-013

ZONE:

M-2

VARIANCES REQUESTED: Permission to

Erect two wall signs one for each separate business at this address as follows:

- 1) Suite 101 – 83 square ft. wall sign.
- 2) Suite 102 – 84 square ft. wall sign.

Total of 83 square ft. and 84 square ft. respectively for each business when 40 square ft. for each business is allowed.

ORDINANCES and REQUIREMENTS:

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

Chairman Sophiea said good evening.

Kal Mansour, 11035 East Nine Mile Road, appeared before the board. They're asking the committee today to consider the existing signage that's there right now, which is approximately 135 square feet. They'd love to get the two (2) signs that they're asking, but worst case scenario what the board approved a while back on the existing sign that is there right now. Thank you.

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

No response.

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

Secretary Jerzy stated this gentleman brings up a great point about the current sign on the building. He doesn't see a variance for it. Is there a variance on that sign? Any reason why?

(Inaudible)

Secretary Jerzy asked her to come up.

Debbie Wenson explained there was never a permit on that file for that previous sign that was 135 some odd square feet. So, there was no variance for it either.

Secretary Jerzy thanked her. So, there goes that argument. The way the building sits, it's a peculiar spot. Anything on Groesbeck is a peculiar location. The way that business sits is pretty wide open. It's not hidden from anything, can be seen from multiple directions. That current sign, and even the front of the building really pops. With the light color brick, it's noticeable. It's definitely a head turner. He doesn't necessarily, him personally, doesn't see the need for the additional signage being eighty (80). He thinks forty (40) would be good, but he would be comparable to maybe fifty (50), but he thinks eighty (80) for each business a little bit of a stretch. If it goes away, now they got a variance on the property that didn't exist before for a 160 some odd square feet of signage on the building. That's his only concern. He thinks it will flourish in that area no matter what the signage. Just the way that building sits it's wide open, there's no trees hiding it, it's a pretty easy location to find. If Googled one of these businesses, he doesn't see anybody not being able to find it. That's his

opinion and yields the floor.

Kal Mansour asked if he could piggyback off what Mr. Jerzy just said, please.

Secretary Jerzy said sure.

Kal Mansour explained the client purchased the property, moved two (2) businesses there under the impression that he was going to be able to at least get some signage accommodating that. Is it his fault that the sign is up there without a permit or without zoning approval? This is the issue they're dealing with him right now. He was going to be present today, but he wasn't feeling well, which he doesn't know if that plays a role or not. He's not trying to be a salesman here. He just doesn't know how to approach and tell him that before him somebody put up a sign without a permit and it was up there for how long and x amount of square feet, and now he's only going to be allowed this much square feet. He does appreciate the consideration, Mr. Jerzy, going that extra ten (10) square feet is huge, but what they're asking for is no more than, worst case scenario, get what is already up there, what's allowed. If the city missed a beat, and he doesn't mean to be derogatory at all, not point fingers. But if somebody missed a beat and this gentleman bought the property under those premises knowing he can get some decent signage, he's moving two (2) businesses and purchasing two (2) addresses. That's where he's kind of between a rock and hard place with him right now.

Secretary Jerzy said the one thing he would add to that is somebody shouldn't be promising him the signage. Second off, he should have done his due diligence to try and do the homework to see if there was a variance for that sign on the property.

Kal Mansour said absolutely.

Secretary Jerzy believes this isn't the first business he's owned. He's not brand new to the business world. So, it's unfortunate. It's unfortunate the previous owner didn't go through the city. It's unfortunate the city didn't catch it after so many years. So, it's kind of a double edged sword.

Kal Mansour said sure. It's understandable.

Secretary Jerzy thinks they have a great location on Groesbeck. It's clean, the property is super clean.

Kal Mansour stated it's just a big façade.

Secretary Jerzy said absolutely.

Kal Mansour said it's a monster façade.

Secretary Jerzy said right. Which he thinks is almost like having a beacon on it.

Kal Mansour asked if Mr. Jerzy has driven by the location.

Secretary Jerzy replied he's driven by, yeah.

Kal Mansour explained there are two (2) banners up there right now. Each banner is thirty-two (32) square feet. Now imagine those puny little banners up there are thirty-two (32) square feet. The forty (40) square feet will not even...

Secretary Jerzy said his argument, too, driving by looking at the building it can't be missed.

Kal Mansour said no doubt.

Secretary Jerzy yielded the floor to see if anybody else has anything.

Chairman Sophiea said his position is number one, they're both attractive looking signs on the proposal. He thinks it's a shame on the city not catching that the previous sign was up without a variance or permit. He thinks the easiest solution is, well, the last sign was 135, make each one of these 67.5. That's his suggestion.

Board Member Anglin said oh boy, bigger than what he would've.

Kal Mansour said that would be awesome.

Chairman Sophiea said no harm, no foul.

Board Member Nestorowicz said just round up to seventy (70).

Chairman Sophiea said sure, round up to seventy (70). He's the last one.

Board Member Nestorowicz said he would be good with that.

Board Member Anglin laughed saying it's good to be last.

Chairman Sophiea asked Mr. Mansour if he would be agreeable.

Kal Mansour said absolutely. God bless. His client will be very happy with that. Thank you.

Chairman Sophiea asked if he has someone that would like to make a motion.

Motion:

Secretary Jerzy made a motion to grant the petitioner:

Erect two wall signs one for each separate business at this address as follows:

1) Suite 101 – 70 square ft. wall sign.

2) Suite 102 – 70 square ft. wall sign.

Total of 140 square ft. and 70 square ft. respectively for each business when 40 square ft. for each business is allowed.

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

Board Member Anglin supported the motion.

Chairman Sophiea said they have motion by Secretary Jerzy, support by My. Anglin to approve the request as read.

Roll Call:

A roll call was taken on the motion. The motion carried (7 – 0).

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

The petitioner's request was **APPROVED** as previously changed.

Kal Mansour thanked the board and stated this is why Warren is successful.

Secretary Jerzy thanked him for waiting.

17. NEW BUSINESS

- a) Appointment of two (2) Zoning Board members to serve on the steering committee between Council and the Zoning Board of Appeals.

Chairman Sophiea explained this follows the meeting they had about a month or so ago with City Council. They're looking for two (2) members.

Board Member Perry asked they still haven't found anybody.

Chairman Sophiea stated they're talking about the steering committee to update the zoning ordinances. They haven't received any correspondence indicating...

Board Member Sylvester said to put his name down.

Chairman Sophiea stated they're going to take nominations with motions. He wants to nominate Mr. Nestorowicz. He was an excellent Chairman and has a lot of knowledge.

Board Member Nestorowicz accepted that.

Board Member Anglin said to call the nominations closed.

Secretary Jerzy said he second that.

A voice vote was taken with all stating aye to nominate Mr. Nestorowicz and Mr. Sylvester for the steering committee on the city council.

Chairman Sophiea thanked them.

Board Member Sylvester said before you know it, he'll be mayor.

(Laughter)

18. ADJOURNMENT

Motion:

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

Voice Vote:

A voice vote was taken. The motion carried (7 – 0).

The meeting adjourned at 9:09 p.m.

Paul Jerzy
Secretary of the Board

APPROVED