

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
JULY 9, 2025

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, July 9, 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
Roman Nestorowicz, Vice-Chairman
Paul Jerzy, Secretary
Charles Perry, Assistant Secretary
Michael Assessor
William Clift
Shaun Lindsey
Garry Watts

Members of the Board absent:

Jon Green

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 Green was absent.

Motion:

Secretary Jerzy made a motion to excuse Board Member Green; Supported by Board Member Perry.

Voice Vote:

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

4. ADOPTION OF THE AGENDA

Motion:

Secretary Jerzy made a motion to adopt the agenda as written; Supported by Board Member Watts.

Voice Vote:

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

5. APPROVAL OF THE MINUTES – Regular Meetings of June 11, 2025 and June 25, 2025

Motion:

Board Member Nestorowicz made a motion to postpone the minutes; Supported by Secretary Jerzy.

Voice Vote:

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

Chairman Sophiea wanted to inform everyone tonight that they're down one (1) member. Items 9 and 10 are use variances. Use variances require six (6) yes votes. Where as the other items tonight require five (5) yes votes. If there is anyone in the audience that would like to reschedule their item tonight for a full board, now is their opportunity.

No response.

Chairman Sophiea said they're going to move on to item 6.

6. PUBLIC HEARING:	APPLICANT: William Tate
REPRESENTATIVE:	Same as above.
COMMON DESCRIPTION:	25531 Loretta
LEGAL DESCRIPTION:	13-20-327-043
ZONE:	R-1-C

VARIANCES REQUESTED: Permission to

Construct a 20' x 20' (400 square ft.) addition to an existing 26' x 26' (676 square ft.) garage for a total of 1,076 square ft. of accessory structure floor area.

ORDINANCES and REQUIREMENTS:

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.

Chairman Sophiea said good evening.

(Inaudible due to microphone issues.)

Denise Tate, 25531 Loretta, appeared before the board.

William Tate, 25531 Loretta, appeared before the board.

Chairman Sophiea asked them to please tell the board about their request.

Denise Tate explained they would like to add the addition onto their garage. The package shows they have classic cars that they would like to house, park in their garage.

William Tate explained he's had a truck stolen. They had one (1) car (inaudible) Challenger SRT. A neighbor down the street lost his. Somebody stole it. Other than his stuff, he's got about \$240,000 in cars sitting there. He would like to keep them all garaged up. His one right now he's got at his neighbors. He's going to need his garage back. For the summer it's okay, but it's all covered up sideways like this. Her truck on an angle and then his on the side. They're going to have a hard time getting those out of there.

Denise Tate explained it also helps them with storage fees to house any of the cars for a monthly fee for a heated garage. Or a heated storage facility. They'll see in their package the cars they do have. Also, in their vicinity about a mile radius the garages that have been up in their neighborhood. They have been at their address for thirty-five (35)...

William Tate said since 1985. They got married and moved into Warren in 1976.

Denise Tate said they've been a Warren resident all this time.

William Tate said some of the other garages are big. Big, tall roof. He's not going to have that. They got a quarter of their backyard left. He'll still have half of his left when it's all said and done. He'll be twenty-one (21) feet from the fence.

Denise Tate said from the fence line. It's a straight shot back. The neighbors have a fence on their side. The neighbors have a fence on the other side.

William Tate said they have a garage behind. Nobody is going to see anything.

Denise Tate explained they have or, which is two (2) houses on that side, which their garage is half the site of their garage in the back. So, it's not any detriment to any of the other neighbors in their vicinity. They do have attached letters from their neighbors around them, some of them, that said they have no problem with it. They also enjoy the classic cars with them. So, they don't have a problem. She knows there were letters that were submitted to the other neighbors. She knows some of them would probably not answer their door, so they found a couple of the letters back in their mailbox thinking they went to the wrong address. So, they sent it back to their address in their mailbox. So, that's what they're asking. They would love to have this done. They have a lot of bride in their cars they have. For classic cars, you don't drive them all year round. It's only a summertime. So, they have to store them somewhere.

Chairman Sophiea thanked them for those comments. This is a public hearing. Is there anyone in the audience that would like 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 wanted to point out a couple of the neighbor letters that are in the packet tonight.

(Inaudible)

Chairman Sophiea said he sees.

(Inaudible)

Denise Tate apologized.

Chairman Sophiea said they have them in the packet here. At this time, he'll turn it over to the board for discussion.

Secretary Jerzy asked Mr. Tate in his application, it stated 1,056 square feet. He knows they read into the record 1,076.

William Tate said he didn't add anything.

Secretary Jerzy isn't sure if it was 1,056...

William Tate doesn't know exactly. That's from the company. They drew it all up. The company submitted everything, he didn't submit nothing, sir.

Secretary Jerzy explained it looks like he submitted 1,056 square feet. What they read was 1,076. He asked if the twenty (20) square feet is going to affect.

Denise Tate stated the garage is cinder block and brick on the outside.

William Tate doesn't know if that's the way it's meant.

Denise Tate asked the total inside or total outside.

William Tate said they're looking at the outside. On the inside it's smaller. It's ten (10) inches of cinder block and brick all the way around the garage. He doesn't know if he counted from the outside or whatever.

Secretary Jerzy asked Steve if he could add a little bit of clarification.

Steve Watripont explained it's been posted for 1,076 in the processing and everything else. He believes the contractor probably measured inside. The ordinance requires outside. It was posted properly at the 1,076.

Secretary Jerzy thanked him. That answers his question. He yields the floor.

Board Member Clift is a little bit acquainted with the Tate's and some of the other folks that he sees letters from in the packet. Some of them run in the same car cruise circles so to say. He just wanted to go on the record and vouch that the Tate's aren't hoarders. They don't have a garage full of junk and looking for some place else to put more junk. They are very meticulous, they care highly about their classic vehicles. They expressed to him in frustration the other evening, and poking around he found three (3) other people in their neighborhood that had recent damage done to their automobiles do to the passage of this wonderful fireworks law where they have mortars and stuff falling out of the sky that weighs anywhere from a half pound to a pound denting hoods and roofs. He's a victim of that himself. The size of their property, it's not going to be a crowded situation. They're going to have more room left than he had when he did the extension on his garage some years ago. He doesn't have a problem getting behind this. Whatever they are, there are several

structures in the immediate vicinity that the Tate's are as large or larger than what they're asking for. He doesn't think they're asking for anything out of the whelm of reason and ability. With that, he yields the floor.

Chairman Sophiea asked if there's any other comments or discussion. He personally doesn't have a problem with it. He thinks it fits the character of the home and is a reasonable request.

Steve Watripont explained if the board has any cell phones by their microphones or something, they're getting a lot of static back here. If they can check that.

Chairman Sophiea and Secretary Jerzy both said they're not seeing any.

Steve Watripont said it went away already.

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

Motion:

Secretary Jerzy made a motion to grant the petitioner's request to construct a 20' x 20' (400 square ft.) addition to an existing 26' x 26' (676 square ft.) garage for a total of 1,076 square ft. of accessory structure floor area.

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

Board Member Clift supported the motion.

Chairman Sophiea said they had a motion by Secretary Jerzy, support by Mr. Clift to approve the request as read.

Roll Call:

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

Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Watts	Yes, for the reasons stated in the motion.
Board Member Lindsey	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 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 read.

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| 7. PUBLIC HEARING: | APPLICANT: Dao Pham |
| REPRESENTATIVE: | Same as above. |
| COMMON DESCRIPTION: | 4553 Thirteen Mile |
| LEGAL DESCRIPTION: | 13-05-383-031 |
| ZONE: | R-1-C |

VARIANCES REQUESTED: Permission to

Retain 23' x 24' of hard surface in front yard for widened driveway.

ORDINANCES and REQUIREMENTS:

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

Chairman Sophiea said good evening.

Dao Pham, 4553 Thirteen Mile, appeared before the board.

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

Dao Pham is requesting the concrete in the front of his house. He chipped it about 2005. A long time ago. Before his mom and dad. Now his mom and dad died. Couple years ago his front yard for the gas leak and city water came in and do it. The inspector told him why he can't do the new one in there. He told him the gas leak, city water come to do it. That's why the new cement. He told him about it and they gave him a ticket.

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?

Michael Kereluk, 4541 Thirteen Mile, appeared before the board stating he lives directly next door to the neighbor. He has multiple drivers in there. He has a single driveway. Living on Thirteen Mile Road, they have no street parking like the subdivisions. He maintains his property. He does not... The other side of him, over the passed years there has been renters, he had to buy them a lawnmower to cut their grass. The back of their house, it grew for a year. When the new guy bought it, it took him two (2) weeks to get the lawn back. He keeps his property up, never had a problem. The other house, he wishes they had front parking. He put a sprinkler system in, they ran over it three (3) times. Broke them. He has no objection to him parking. Sometimes Thirteen Mile Road, depending on the time of the day, it's either a speedway, which the Warren PD is now monitoring, and sometimes with traffic it's tough backing out onto Thirteen. He doesn't store his vehicles in the front. He parks there. He has grown adult kids. So, single driveway. He has a double driveway and he loves it. He has a lot of parking. But him, keeps his lawn up, no a problem. Good neighbor.

Chairman Sophiea thanked him for those comments. This is a public hearing. Is there anyone else in the audience who would like 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.

Board Member Lindsey has said it before, he really appreciates hearing from neighbors from the

community on how this affects them. Generally, he doesn't like seeing the cement in the front yard like that, but he definitely understands him being on a main road with a single driveway. They have no other place to park. This is tastefully done. He really wishes he would have gone through the proper channels with the city to get a permit before it's done, but he can't see trying to get the petitioner to tear this up. He doesn't really have any issues with it. He yields the floor.

Board Member Watts asked how many cars he has.

Dao Pham replied four (4) cars. Sometimes his brother comes home and parking more.

Board Member Watts understands that, but they're having a problem across the city with people paving their yards. With multiple families moving in. There is one just down the street from him he noticed when he went and looked at this yesterday. They had the same problem across Thirteen Mile on Boewe the gentleman had to take it out. He understands his situation. He understands his fine neighbor there, sticking up for him. He knows what he's talking about. But they can't just have people paving their yards. This is a detriment to the area, to the neighborhoods. If they let one (1) go, everybody in the city is going to be paving their front yards. It's just not right. They're going to have to deal with this. So, he's going to be a no vote on this. Thank you.

Board Member Nestorowicz finds it always very challenging for any resident to say that lives on any of the mile roads because the cars speed along there so fast. He knows people that live along the service drive of 696. Speed limits say forty (40), cars are going forty-five (45), fifty (50). When they don't have any parking. He does agree they can't have front lawns paved over. Within subdivisions, he would totally be against it. But in areas like this, you can't park on Thirteen Mile, cars are speeding on Thirteen Mile. If the city needs to almost have a plan of how they want to address something similar for anybody that lives in that kind of situation when they're on a main mile road where they're stuck with no parking and no space and all that. Then they can all say they treat everybody the same in that and uniform. The problem is the city doesn't have an answer for it. In this case, he means, driving by the house is well kept. The neighbor does a good job. He would tend to support this one.

Secretary Jerzy kind of airs on the same side as Mr. Watts'. They discussed this last meeting, too, when this came up about paving in the greenspace and they're losing greenspace in this city at a rapid rate. If they did this to every house, even along main thoroughfares, they would be losing even more greenspace. This guy has four (4) cars on his premises, he's got a two (2) car garage, he's got it paved all the way around. He could put a car on the side, on an angle to get two (2) cars out of the garage and still have plenty of room to get out. He wouldn't be against him if he did it as tastefully as his neighbor did. Just to create a double thing. But he's got a parking lot in his front lawn. In his opinion. Of course it's well kept, because it's all cement. All he has to do is throw some roundup on his front and he's done. He doesn't see his four (4) cars being enough for a hardship to pave the front lawn. That's his opinion. To him, he's a no vote against this. But he would strongly request the petitioner re-evaluate the situation and try and maybe get to a double wide instead of a three (3) or four (4) wide spot in the front lawn. Kind of like how his neighbor did. If he looks at the image that was provided to them in the backup, go down the street, there's probably a couple of other ones that are probably maybe don't have a variance either. But they have just enough to get a second car by. There's not a three (3) wide parking lot in front of the house. So, there's other ways to go about this. Other than the way the

petitioner did. He would respectfully deny this, but he would be open to him coming back with an auxiliary plan to maybe have a little bit more. Not as much, but maybe enough to where he can get a second car around where it's double wide just in front of the house. He doesn't know. To him, this seems excessive and he's a no vote.

Chairman Sophia thanked him for those comments.

Board Member Clift had a hard time understanding him in his opening monologue, sir. So he needs to ask a couple questions for clarity. When did the pad go down initially? When did he initially cement?

Dao Pham answered 2005 when his mom and dad were still alive.

Board Member Clift said twenty (20) years ago that pavement went down. Then somebody came along recently, did some utility work and had to replace the one (1) square that makes it look new and that raised the question.

Dao Pham said yes, sir. Correct. The city come.

Board Member Clift was trying to get the timeline down here. He wanted to reiterate to his colleagues on the board. He's not asking to put it in. It was initially put in twenty (20) years ago. Twenty (20) years went by and nobody says anything. All of a sudden somebody sees a new patch of concrete and now they're violating for it. So, all he's asking to do is to retain what has been there for the last twenty (20) years. He doesn't have a problem voting yes on his petition this evening, sir. Thank you.

Chairman Sophia asked for any other comments from the board. He thinks that's an important distinction Mr. Clift made. He would not usually get behind this, given the size of the lot and the concrete being a majority of the front yard. Given it's been there for twenty (20) years, he could see the argument for that. He would usually say that he would like it to be a two (2) car driveway, like the others seen on the aerial view of the couple neighbors. He thinks there are two (2) or three (3) on the aerial view that it's more tastefully done.

Board Member Clift would also like to reiterate that there is no permit required for flat work outside of the easement area in the City of Warren. Had there been an ordinance in place that requires permitting for flat work or concrete work within the city, this likely never would have happened. He yields the floor.

Secretary Jerzy would also like to add to the fact that maybe if the departments were properly staffed that this wouldn't take twenty (20) years to catch. He yields the floor on that.

Board Member Watts understands the situation. But if they're going to do it on Thirteen Mile, they're going to do it on Twelve Mile, Eleven Mile. Whatever the road is, half miles. They're going to have a problem. They already have a problem four (4) or five (5) doors down that somebody moved in there and just paved it. Fresh. He checked there is no permit on it. It's going to come before the board for a variance. Like he said, just across the street on one of the side streets they had the same situation. Honestly, he talked to a lot of people about this, they're setting a dangerous precedent allowing this. He feels sorry for this gentleman, because it's been there for

twenty (2) years, but like he said, guy down the street moves in, sees that, and he paves his. Now what do they do? Then the next guy, then the next guy. Before you know it, all the Thirteen Mile is paved. Residents are tired, very tired of this kind of stuff. From a guy that's out there and sees what's going on with the community, people are really getting tired. He yields.

Chairman Sophiea asked for any other discussion or possible motions from the board.

(Inaudible)

Chairman Sophiea said the public portion has been closed.

(Inaudible)

Board Member Lindsey said if there's no other comments, he would like to make a motion.

Chairman Sophiea said please do.

Motion:

Board Member Lindsey made a motion to grant the petitioner's request to retain 23' x 24' of hard surface in front yard for widened driveway.

Reasons being: The ordinance says it is, would cause unreasonable burden; Property is unique; Necessary living on the main road.

Board Member Clift supported the motion.

Chairman Sophiea said they have a motion by Mr. Lindsey, supported by Mr. Clift to approve the request as read.

Roll Call:

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

Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Clift	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 Assessor	Yes, for the reasons stated in the motion.
Board Member Watts	No, detriment to the neighborhood and needs to be resolved.
Secretary Jerzy	No, detriment to the area.
Chairman Sophiea	No, detriment to the area. Too large.

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

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| 8. PUBLIC HEARING: | APPLICANT: City of Warren |
| REPRESENTATIVE: | Steven Campbell – City of Warren |
| COMMON DESCRIPTION: | 14217 Nine Mile |
| LEGAL DESCRIPTION: | 13-25-376-022 |
| ZONE: | MZ, M-1, R-1-P |

VARIANCES REQUESTED: Permission to

Install 133' of 6' high chain link fence in the front setback and in front of the front building line.

ORDINANCES and REQUIREMENTS:

Section 17.02 (A) – Industrial Standards. Front Yards: M-1 zoning district front setback 8'.

Section 4D.07 – Setback Required: Walls, fences and landscape screens shall conform to the setback requirements for the zoning district, unless otherwise provided in this article.

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

Steve Campbell appeared before the board stating he's there on behalf of the City of Warren, Public Service. This is a city owned building, 14217 Nine Mile. They're in the process right now of rehabbing the building. Their intention is to move their Property Maintenance Inspectors down there, which would include all of their personal vehicles and city vehicles. They want to enclose that area to protect those vehicles from any damage from vandalism or theft or anything like that. So, they're asking for that variance of the fence to move forward to make enough room for parking for those vehicles.

Chairman Sophia thanked him. 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.

Secretary Jerzy asked if the fence is already up.

Steve Campbell answered no it is not.

Secretary Jerzy said that's all he has.

Chairman Sophia thinks it looks like a pretty routine request. Are there any other comments.

Board Member Watts said maybe he had the wrong building, but he was by there yesterday. He thought the fence was already up for some reason.

Steve Campbell explained there are some fence posts going up, but the fence is not up yet.

Board Member Watts said black fencing up around a building that looked like it had a bunch of control panels.

Steve Campbell said there's no fencing around the building at this time.

Board Member Watts asked if this is right on Nine Mile, right.

Steve Campbell said that's correct. It's right next to the monastery school. It's just east of the

school, it joins the school property.

Board Member Watts said he must have been looking at the wrong building then.

Secretary Jerzy said if no other board members have any comments, he would like to make a motion.

Motion:

Secretary Jerzy made a motion to grant the petitioner permission to install 133' of 6' high chain link fence in the front setback and in front of the front building line.

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

Board Member Perry supported the motion.

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

Roll Call:

A roll call was taken on the motion. The motion carried (8 – 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 Assessor	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Watts	Yes, for the reasons stated in the motion.
Board Member Lindsey	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.

9. PUBLIC HEARING:	APPLICANT: Fisnik Nazarko -USE-
REPRESENTATIVE:	Same as above.
COMMON DESCRIPTION:	23625 Van Dyke
LEGAL DESCRIPTION:	13-28-431-026
ZONE:	C-2

VARIANCES REQUESTED: Permission to -USE-

Allow a dental lab in a C-2 zoning district.

ORDINANCES and REQUIREMENTS:

Section 14.01 – Uses Permitted: Dental lab/manufacturing is not a permitted use in a C-2 zoning district.

Matilda Nazarko appeared before the board, 23265 Van Dyke. It's currently a vet office. They are trying to convert into a dental lab. They do have a purchase agreement. They realized it is a commercial zone. They're saying a dental lab should be industrial or light industrial, M-1, M-2. So, they are trying to see if they can get a variance. If they do buy the property there won't be any changes made. They think dental lab is going to be something that's loud and have a bunch

of machinery. It's not going to be like that. There are some photos there. Everything they do is more digital, more computerized. So, there isn't going to be any loud noises. As she said, it is a vet right now and it's next door to an auto shop and a bar. So, there's not going to be those types of noises. So, they're just trying to do that. She knows they wanted commercial people to come in and out of the building. Possibly they will be doing that, because in a dental lab people do come in and get shades of their teeth checked out. Sometimes for impressions. So, people will still be coming in and out. For the community, the area right now, as she said, the man is retiring as a vet so not that many people are going in and out of the building. So, they do want to add to the community. She did talk to Tom Bommarito. She knows they're trying to develop that area. They want to add to it. Bring people in there. Also, they do like the building, the location. Her husband and her have been looking for quite some time to do this. It's kind of one of their dreams. It's a good building, it's a good location. They're by the freeway. Also, there are about 400 dentists in the Warren area and there is one (1) dental lab. The dental lab also is commercial. She's assuming they also came here to get a variance to use that. So, that's pretty much the just of it. She's not really sure if the board needs anything else from them.

Chairman Sophiea thanked her 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 closed the public portion of the meeting and turned it over to the board for discussion. He does have a question for his own knowledge. What is the difference between a dental office and a dental lab. Are patients going into a dental lab?

Matilda Nazarko replied they do. As she said, for shades, impressions, things like that. Pretty much the dentist when you get a crown or a partial, they take impressions, they send it to them, her husband makes them, sends them back to the dentist. That's about it.

Steve Watripont explained the main reason is because they're doing manufacturing, processing here is the main purpose of the business. It is not more of a commercial use, it's more manufacturing, which would be an industrial zone. But this would be very, very light manufacturing. He believes the board approved one at Eleven Mile and Schoenherr is where the other lab is, which is another commercial building.

Chairman Sophiea thanked him for clarifying. In his mind this is a less intensive use and by no means does he consider this industrial.

Board Member Watts thinks this is a good fit. He's down in that area a lot, it's nice to see a building being cleaned up and used. He thinks according to what Mr. Watripont is saying and understands that, but he thinks that's where they have a problem with the zoning laws. He doesn't see a problem with this. He hopes it all works out for them.

Secretary Jerzy would like to add to the fact that they had this discussion multiple times about the difference between C-2 and M-2 and how close it is. It's just another thing that comes before their desk making them aware that they need to try and change, merge or eliminate M-2 altogether. He doesn't know, but it doesn't seem to be fare to the people that keep coming before them when they aren't changing the zoning in certain areas. He agrees, too. He thinks it's a good

use. He just has one (1) quick question. Is there any X-rays or anything going on.

Fisnik Nazarko replied no.

Secretary Jerzy said that's the only concern he initially had. Not a huge concern. Again, it's a good use for the building. The building has been vacant for a while. That area definitely needs more businesses and people to take ownership like these folks wanting to invest in the property. He thanked them for doing so. He thanked them for coming up with such a great idea and great fit for a building that could sit vacant for who knows how long. He could definitely support this. He yields the floor.

Chairman Sophiea asked for any other comments or motions.

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

Motion:

Secretary Jerzy made a motion to grant permission to allow a dental lab in a C-2 zoning district.

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

Board Member Assessor supported the motion.

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

Roll Call:

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

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

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

10. PUBLIC HEARING:	APPLICANT: Ginkgo Property Group LLC -USE-
REPRESENTATIVE:	Caren Burdi
COMMON DESCRIPTION:	Eleven Mile
LEGAL DESCRIPTION:	13-30-227-001
ZONE:	C-2

VARIANCES REQUESTED: Permission to -USE-

- 1) Allow a 3 unit (triplex) multi-family (R3 use) dwelling in a C-2 zoning district.
- 2) Allow a lot area of 12,600 square ft., 4,600 square ft. less than ordinance requires.

3) Allow a 24' front setback, 11' less than ordinance requires.

ORDINANCES and REQUIREMENTS:

Section 14.01 – Uses Permitted: In all C-2 districts no building or land, except as otherwise provided in this ordinance, shall be erected or used except for one (1) or more of the following specified uses:

- i. All uses permitted in C-1 Districts, except dwellings for one-family, two-family and multiple-family in which the occupants primarily make their home twelve (12) months out of each year.

This is not intended to exclude overnight, weekly or monthly transient living quarters.

Section 10.03 – Lot Area: ... Every lot in an R-3 district on which a multiple family dwelling is to be erected shall provide a minimum lot area of seventy-two hundred (7,200) square feet for the first living unit ... and not less than five thousand (5,000) square feet for each additional three (3) or four (4) bedroom unit...

Section 10.04 – Front Yard: Each lot in R-3 districts shall have a front yard of not less than twenty-five (25) feet in depth for a one (1) story building plus ten (10) feet for each additional story or portion thereof.

Caren Burdi, 28225 Mound, appeared before the board. With her tonight is Mr. Hage of Ginkgo Property Group. He's here in the audience. This is a project that is located on the corner of Eleven Mile and Blackmar. She's unable to give an address yet, because one hasn't been assigned. It's vacant property there. Blackmar is a residential street and she thinks everybody knows that Eleven Mile is a collector road. This property is zoned C-2 currently. Right on the corner where the residential property is. She doesn't know if the board got her letter that she submitted with her application, but she went through and listed what could be built in the C-2 district at the end of a residential street. It's things like fruit market, grocery stores, delicatessen, drug store, gas station, oil service station, banks, lawyers office, dentist office, places that have show rooms like electricians, decorator offices. The list goes on and on. Car wash, antennas, etc. That's not what this neighborhood needs. Quite frankly, it's a residential neighborhood and they want to work with the neighbors to put in a use that is conducive to their neighborhood. She assures the board that her client Mr. Hage has been working with the residents' on that street for quite some time. The residents do not want to a C-2 use go in there. What she's proposing tonight is a multiple use for three (3) units. Three (3) townhouses. Each one of these townhouses is 1,600 square feet and that doesn't include the garage. They're three (3) bedrooms, two and a half baths. Quite frankly, they measure up to what is built in that neighborhood being 1,600 feet with the three (3) bedrooms, two and a half baths, etc. What's important with this project is... This is Blackmar, the residential street. This is Eleven Mile. They have all their traffic coming and going off of Eleven Mile. This is out of respect for the residents. They have three (3) residents here all having garages. So, they would have garages here. She knows she's not the greatest of colors, but what she was trying to show by marking this green area, is that they have four (4) times the required green space for this project. Four (4) times. Most of the residents on Blackmar take up fifty (50) to seventy-five (75) percent of their lot when they build on it. Their project takes up twenty-four (24) percent of the lot. The rest of this lot is green space or space for parking of cars, going in and out of garages. They have moved all that from the residents out in the back and on Eleven Mile. This is so they can keep the street, if you will, in it's residential type of nature. They believe by reducing the zoning, in other words they're going from C-2 down to a multiple residential use, they're actually going down three (3) zones. They believe this is the right project for that area and they believe it's the least intensive use, the least disturbing to the neighborhood. The importance of the setback where they need eleven (11) feet variance, is because they wanted to make sure that they didn't end up putting, if you will, the parking over

by the neighbors. Or the dumpster over by the neighbors. They wanted the front of these residents to face Blackmar and they needed enough room here for cars to turn in and out and to get in and out of the garages. That's the reason they need the setback from the front of eleven (11) feet. They could configure this differently, but it would not be as good a plan where they have everything away from the residential street. As she stated, the petitioners been working closely with the neighbors. In front of the board, she was able to drop off three (3) letters of people that told them that they were in support of the project, but could not come to the meeting tonight. They encouraged them to write letters. In front of each of them on item 10, there are the three (3) letters that are from those neighbors. It is also her understanding that there are also neighbors here tonight in support and a letter came in tonight that she dropped off. It was brought here to the meeting and she asked for it to be put with Mr. Jerzy as the Secretary. She asked that those letters be considered and made part of the official file. Now, she doesn't know if some of them were on the board or recall, this item was before them in the past. It was four (4) units. She believes from reading the record, she did not represent this item, but from reading the record, what the board was asking for was a reduction from the four (4). She thinks that her client took that to heart, worked on a good plan. He did work a lot with Ron Wuerth in Planning to make sure that they put together the best plan they could, ran it by the neighbors, and were down to three (3) units. This they feel is a fair usage of the property, like she said, they're only using twenty-four (24) percent of the lot to build on. The rest of it is, besides the driveway and the area where the cars pull in and out, the rest of it is green space. Four (4) times what's required. So, she would ask the board to look at this item in a favorable way and if there are any questions, she'll be available.

Chairman Sophiea thanked her. This is a public hearing. Is there anyone in the audience who would like to speak on this item? Good evening, name and address please.

Alan Johnson, 26719 Blackmar, appeared before the board stating he's in support of this, what he calls an improvement. A lot of people don't understand the current zoning would be a detriment to the area. With that size of lot and put a car wash or something that's open 24/7, that's not going to help. That's not going to enhance the community. So, he's in support of this because it will be a great asset to the community. Thank you.

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

No response.

Chairman Sophiea closed the public portion of the meeting and turned it over to Secretary Jerzy to read the couple letters into the record, and summarize the Planning impact statement.

Secretary Jerzy thanked the Chair. The first statement is from Rhonda Johnson who resides at 26719 Blackmar:

"I don't like seeing a vacant lot at the corner. It looks so empty. I feel having the townhouses would be a beautiful site. It would benefit our neighborhood. I think approving this would be a great asset to our block. Thank you, Rhonda Johnson"

The next one is from a Wilma Dunken, 26687 Blackmar:

"I am writing to support the variance request for the proposed project. The lot is currently zoned commercial but I would rather see it used for residential purposes. We already have enough commercial industrial properties nearby. I don't want anymore commercial businesses moving closer to our neighborhood. I believe this project would help our area of residential and family friendly neighborhood. Please approve the variance. Wilma Dunken"

Next one is from, it says:

"My name is Kamel Alturkey and I reside at 26735 Blackmar. I recently received a letter regarding the proposed variance request for the development at the corner of Eleven Mile Road and Blackmar. Unfortunately, I am unable to attend the meeting in person, but I would like to take a moment to express my full support for the proposal. That lot has remained vacant for as long as I can remember. Although it is currently zoned for commercial use, I strongly believe that a residential development would be a much better fit for our neighborhood. Our area is predominantly residential. Maintain that character is important to many of us that live here. A well planned residential project like this one would not only complement the existing surrounding but also enhance the overall appearance and value of the area. I sincerely urge the board to grant the necessary variances to allow the project to move forward. Sincerely, Kamel Alturkey"

The next one is from:

"My name is Steven J. Hunyadi and I live at 26073 Blackmar. Although I could not be present at tonight's meeting. I wanted to submit this letter to express my strong support for the proposal currently under consideration and to encourage the board to grant the necessary variance. We are a residential area and over the last couple years we started to see more families moving into our neighborhood. We're seeing more young children outside playing. It's been a wonderful revitalization for our community. There is a renewed sense of life and promise and it's important to continue that progress in a way that aligns with the residential nature of our area. Just one block east of us is a commercial development. Primarily medical. On the other side of the road everything is zoned for commercial and industrial use. I believe that's close enough. I don't want commercial business any closer to our homes than they already are. This proposal as presented supports the vision we have for our neighborhood. One that is focused on family, safety and community. It keeps our area residential and helps move us in the direction of rebuilding the kind of neighborhood we want to live in. I respectfully ask for your vote of confidence in granting the necessary variance for this project. It is an important step in preserving and strengthening the character of our community. Thank you for your time and consideration. Steven J. Hunyadi"

Then from the Planning Department:

"After review of the request, no issues were found to impact the abutting, local or general public. The petitioner received site plan approval with the conditions for

residential tri-plex dwelling building at the April 7, 2025 Planning Commission meeting. During the public hearing portion of that meeting, several neighboring residents to the property voiced their opinions about the proposed triplex, all of them strongly in support of this residential development. Attached are the findings and recommendations...”

That’s all he has Mr. Chair.

Chairman Sophiea thanked him. At this time, he turned it over to the board for discussion.

Secretary Jerzy said this did come before the board before and they did, Ms. Burdi is correct in her statement, that they were looking for a less impactful use on that property. He is also in full agreement that any business that goes in there is just going to die on the vine. He means the way traffic is there. There is no way to advertise the business or anything. All it’s going to do is just negatively impact that abutting neighborhood. He was never for initially a business going in there. He wants to go on the record saying that. He does believe there should be housing there. The initial plan was too impactful. He thinks they had issues regarding parking. They had issues regarding drainage, the pipes and stuff like that. He really thinks this is really been very well thought out and its left a lot of space. Nothing is really jammed in there. They’re not trying to fit eight (8) properties into a shoebox. He really thinks this has been really well thought out by the client. So, he would be in favor of this unless somebody else sees something he doesn’t, but he just thinks in that neighborhood there should be some kind of housing. He doesn’t really understand why that’s even zoned that way. It’s kind of puzzling, but for that neighborhood there should not be some business. God knows what business because the list is endless. He’s definitely in favor of this. He thinks it’s very well thought out. Very well presented. He’ll yield the floor.

Board Member Watts is really familiar with this area. He had a business way back. That property has been vacant as long as he could ever remember it. He actually knew the guy that built the couple multi-story apartments more closer to Mound Road there. They wound up with a lot of, for a lack of better terms, scrap property when the freeway came through. To be able to develop this, get it on a tax roll, at least a little more than what they’re getting now, he thinks this is ideal situation there. He can attest that nobody is opening a business over there. Unless they want to see their fate. He thinks this is a good use of that and thinks it will work out well. Thank you.

Chairman Sophiea said just out of curiosity, Ms. Burdi, does she know if these units have a basement.

Caren Burdi replied they do not have a basement. They’re used to be a requirement for a basement, but the city changed that ordinance.

Chairman Sophiea said that makes sense. Usually, the duplex and triplexes don’t have that. Anytime they can have a zoning designation lower than what’s required, he thinks it’s always a good thing. Especially with the feedback from the community.

Board Member Clift ran through and did a lot of reading. He does like the appearance of this from the outside. He just has one question. Are they building these to put owner occupants in them, or are they building them as rentals.

Caren Burdi replied they're talking about selling them. Then he was considering that maybe in the future, making them where there's an association as owners, condos. She's also playing with that idea.

Board Member Clift asked currently there is no title restriction for three (3) or four (4) or five (5) years for them to be owner occupied units. They can be built and rented out as soon as they're finished, right?

Caren Burdi replied no restrictions.

Board Member Clift stated that's all he had to say. Thank you.

Secretary Jerzy stated if no other board members have anything else to say, he would like to make a motion.

Motion:

Secretary Jerzy made a motion to grant permission to:

- 1) Allow a 3 unit (triplex) multi-family (R3 use) dwelling in a C-2 zoning district.
- 2) Allow a lot area of 12,600 square ft., 4,600 square ft. less than ordinance requires.
- 3) Allow a 24' front setback, 11' less than ordinance requires.

Reason being: Size and shape of the lots and the project requires these variances to jump start the project; Not a detriment to the area.

Board Member Nestorowicz supported the motion.

Chairman Sophiea said they have a motion by Secretary Jerzy, 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).

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 Assessor	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion, but he does it begrudgingly.
Board Member Watts	Yes, for the reasons stated in the motion.
Board Member Lindsey	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: Agree Development, LLC –
Josh Bratton**

REPRESENTATIVE: Mandy Gauss
COMMON DESCRIPTION: 26100 Groesbeck
LEGAL DESCRIPTION: 13-24-253-014
ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to

Install the following signage:

- 1) A 74.69" x 60" (31.12 square ft.) wall signage on the west elevation of building.
- 2) A 20.38" 104.56" (14.80 square ft.) wall sign on the west elevation of building.
- 3) A 8" x 59" (3.27 square ft.) wall sign on the west elevation of building.
- 4) A 89.63" x 72" (44.81 square ft.) wall sign on the east elevation of building.
- 5) A 8" x 59" (3.27 square ft.) wall sign on the east elevation of building.
- 6) A 104.56" x 84" (61 square ft.) wall sign on the north elevation of building.
- 7) A 104.56" x 84" (61 square ft.) wall sign on the south elevation of building.
- 8) A 34" x 26" (6.114 square ft.) wall sign on the south elevation of canopy.
- 9) A 136" x 26" (24.56 square ft.) wall sign on the west elevation of canopy.
- 10) 1,128' x 36" (3,384 square ft.) design element on the canopy.
- 11) 4 gas pumps with 37.81 square ft. of signage each and 2 gas pumps with 36.08 square ft. Of signage each for a total of 223.40 square ft. of pump signage.
- 12) A 2nd ground sign on the property that is 20' high with a 15' setback with 61.38" x 118.5" (50.51 square ft.) of signage with condition that the existing ground sign with off-site signage will be modified to remove the upper portion of signage that was for Frazho Plaza and retain the 48 square ft. of signage for the apartment complex that was previously granted a variance.

Signage requested includes 249.97 square ft. of wall signage, 3,384 square ft. of design element, 223.40 square ft. of pump signage for an overall total of 3,857.37 of wall signage as well as a 50.51 square ft. and a 48 square ft. ground sign for a total of 98.51 of ground signage.

ORDINANCES and REQUIREMENTS:

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

(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.

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.

Mandy Gauss, 13060 South US Highway 27, appeared before the board stating she's with CESO. She thanked the board for having them here tonight to discuss this project and the signage associated with it. The site plan has been approved at Planning Commission. Part of the condition was to come in front of the board for the signage approval, since it's above what the code does allow. Per the code, she knows they only allow a total of 140 square feet of wall sign. That includes the wall canopy and the vinyl striping on the canopy. Then for the freestanding its one (1) sign at seventy-five (75) square feet. The request they have in front of the board today, she'll start with the freestanding sign to point out what is there today. Currently out there right now there is a 228 square foot sign at the corner. It's right at the main corner at Frazho and Groesbeck. With that sign currently today, they are looking to take the larger blue

sign off the top, which is 180 square feet. They have to leave the Regency Club arrow sign. It's in an easement and part of the agreement with the purchase agreement with the seller. That has to remain on site. They cannot remove that. With this request, they're looking to remove the old variance that allows the larger 228 square feet and put in a new variance for just the Regency arrow sign at the corner, then a second sign for the Speedway, which is a goal post sign that is just over fifty (50) square feet. It was 50.51 square feet in size. If it was not for this one sign they have to keep due to the purchase agreement as it sits today, the sign they're proposing would actually meet the size requirements. She wanted to point that out. Where they're proposing their sign is actually in the middle of their frontage along Groesbeck. So, with that they're not going to impact the existing sign. They're going to leave it exactly where it sits, just cut the top of it off where the blue is and leave the existing arrow as it sits. She just wanted to point that out. That is the request as it pertains to the freestanding signage. Now, she'll go into the wall signage. What they're looking for is to have a Speedway sign on all four (4) sides of the building. There is parking on all four (4) sides of the building. With this request there is on the two (2) sides of the building there is a seven (7) foot tall Speedway logo sign. They can kind of see it here on the two (2) ends. In the back, that sign is smaller. The rear one is only six (6) feet tall. Then the one in the front is only five (5) feet tall with the Speedway channel letters underneath it. There is a welcome vinyl sign on the rear and the front above the doorways. There is access to this building from the back of the site and from the front of the site. There is not an access on the side. Just to point that out. Again, the large number they see here, the 3,384 square feet, that is the standard gray striping that they see, the vinyl white red stripe on the top and the gray vinyl they see on the Speedway canopy. It's pretty typical to the brand of Speedway. Again, that is just vinyl, it is not illuminated. That is the request for the vinyl striping. Then the gas pumps, they're pretty typical to what they would see at a Speedway gas station. It has the "S" logo sign on the bottom of the dispenser and then it has a valance on the top of the dispenser for different advertising, like different offerings that are there. So, again, pretty typical signage they would see at a Speedway sight. They look forward to coming to the neighborhood and they would hope they could get some of the signage approved so it can be a visual for the vehicles. She knows Groesbeck is very heavily traveled with multiple, multiple lanes. So, it is important for vehicles to know which lanes to get over before they get there so they're not jerking over last second and cutting somebody off trying to enter the site. That's never fun. So, signage is definitely important part of the project.

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

Secretary Jerzy has a quick question for Steve. He sees there's a bunch of existing variances on the property. One to operate a medical training facility, a few others regarding signage. Is there any way to take some of this off with the new project. Is this all going to be rescinded with the new project or?

Steve Watrion asked for everything they wanted. He thinks the existing ground sign is even being asked for here, even though it has a variance. So, he could rescind all of that.

Secretary Jerzy said he's just trying to clean stuff up.

Steve Watirpont appreciates that. He believes they are willing to rescind everything that is there going forward.

Secretary Jerzy asked if it's on the record. Is that accurate ma'am?

Mandy Gauss replied as long as they can get that Regency... The biggest thing is they have to have that Regency arrow sign remaining, which is the forty-eight (48) square feet at the corner, as well as their Speedway goal post sign. The 180 square foot, that blue one on top of that arrow sign, that they will be removing.

Secretary Jerzy doesn't even see a variance for it in the packet.

Chairman Sophiea assumes it's the big shopping center sign. The 180 square foot.

Steve Watirpont explained the Regency sign is a off premise sign that does have a variance as well. So, if it's not written that way, it would probably have to be modified to say to retain that off premise sign.

Secretary Jerzy said to retain off premise sign and relinquish everything else. He thanked Steve.

Steve Watirpont said as long as they're good with it.

Secretary Jerzy laughed and said he's good with it.

Steve Watirpont said the attorney might want to agree with him or disagree with him, too.

Jennifer Pierce agrees. She thinks it cleans things up moving forward.

Chairman Sophiea asked for any other comments from the board. This looks like a pretty routine request other than the second monument sign.

Board Member Cliff wanted to go on the record. The standing ordinance allows for 115 square feet of signage at this property. What the petitioner is asking for is a total of 3,955.8 square feet of signage for the property. That leads them to a 3,840.86 square foot of variance they're going to have to grant in order to accommodate commercial customs and general practices that are now in place nationwide do to their antiquated sign ordinances. He yields the floor.

Chairman Sophiea asked for any other comments from the board, or motions.

Secretary Jerzy has another quick question for Steve. Regarding the design element portion. Just like Harbor Freight, he thinks they added a design element as well. Does that go with the land forever?

Steve Watirpont replied it goes with the land, but it can only be design element and cannot be verbiage or direct advertisement.

Secretary Jerzy asked actual signage or things of that nature. Thanks for the clarification.

Chairman Sophiea said whoever makes the motion tonight.

Secretary Jerzy said whoever makes the motion can read it as presented or written on the agenda. Doesn't have to read every line item. Is that correct madam attorney?

Jennifer Pierce stated that is correct with the addition of rescinding previous variances except for the off site sign.

Secretary Jerzy said off premise sign, correct.

Secretary Jerzy said he'll make the motion.

Motion:

Secretary Jerzy made a motion to grant permission to:

Install the following signage:

- 1) A 74.69" x 60" (31.12 square ft.) wall signage on the west elevation of building.
- 2) A 20.38" 104.56" (14.80 square ft.) wall sign on the west elevation of building.
- 3) A 8" x 59" (3.27 square ft.) wall sign on the west elevation of building.
- 4) A 89.63" x 72" (44.81 square ft.) wall sign on the east elevation of building.
- 5) A 8" x 59" (3.27 square ft.) wall sign on the east elevation of building.
- 6) A 104.56" x 84" (61 square ft.) wall sign on the north elevation of building.
- 7) A 104.56" x 84" (61 square ft.) wall sign on the south elevation of building.
- 8) A 34" x 26" (6.114 square ft.) wall sign on the south elevation of canopy.
- 9) A 136" x 26" (24.56 square ft.) wall sign on the west elevation of canopy.
- 10) 1,128' x 36" (3,384 square ft.) design element on the canopy.
- 11) 4 gas pumps with 37.81 square ft. of signage each and 2 gas pumps with 36.08 square ft. Of signage each for a total of 223.40 square ft. of pump signage.
- 12) A 2nd ground sign on the property that is 20' high with a 15' setback with 61.38" x 118.5" (50.51 square ft.) of signage with condition that the existing ground sign with off-site signage will be modified to remove the upper portion of signage that was for Frazho Plaza and retain the 48 square ft. of signage for the apartment complex that was previously granted a variance.

Signage requested includes 249.97 square ft. of wall signage, 3,384 square ft. of design element, 223.40 square ft. of pump signage for an overall total of 3,857.37 of wall signage as well as a 50.51 square ft. and a 48 square ft. ground sign for a total of 98.51 of ground signage.

Relinquish all current variances on the property except to retain the off premise sign granted at the meeting of 10/8/1986. The lower portion of that sign.

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

Board Member Assessor supported the motion.

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

Roll Call:

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

Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Clift	No, overreach and in excess compared to what the ordinance states.
Board Member Watts	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Nestorowicz	No, it is excessive signage.
Chairman Sophia	Yes, for the reasons stated in the motion.

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

12. PUBLIC HEARING: **APPLICANT: Sheetz, Inc by Andrew Siwiki**
REPRESENTATIVE: Zoning Resources – Rebecca Green
COMMON DESCRIPTION: 31925 Van Dyke
LEGAL DESCRIPTION: 13-04-278-010
ZONE: MZ, M-1, M-2

VARIANCES REQUESTED: Permission to

Install the following signage:

- 1) A 74.31" high x 62.5" (32.25 square ft.) menu board sign with a 17.25" under clearance.
- 2) A 13' high order point sign with a total of 42.3 square ft. of signage and an 11.75" under clearance.
- 3) A 18' high clearance sign with 2' x 11.33' (22.66 square ft.) signage and an 11' under clearance.

For a total of 97.21 square ft. of ground signage for items 1, 2 and 3 in addition to a proposed 104.4 square ft. pylon sign which has a previous variance. Overall ground signage to be 201.61 square ft.

- 4) Gas pump signage – 12.48 square ft. valance signage area, 12.125 skirt signage area (24.6 square ft. per gas pump) on 7 gas pumps for a total of 172.2 square ft. of pump signage.
- 5) A 22" x 9' (16.50 square ft.) wall sign on the east elevation of building.
- 6) A 22" x 9' (16.50 square ft.) wall sign on the west elevation of building.
- 7) A 19.63" x 8' (13.09 square ft.) wall sign on the east elevation of canopy.
- 8) A 19.63" x 8' (13.09 square ft.) wall sign on the west elevation of canopy.

For a total of 231.38 square ft. of wall signage for items 4, 5, 6, 7 and 8.

ORDINANCES and REQUIREMENTS:

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

(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.

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.

Kyle Inbody, 841 Long Meadow Lane, appeared before the board. He is out of town tonight.

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

Kyle Inbody explained he's here on behalf of Sheetz. He works with Rebecca. She had a family emergency pop up and they sorted out he would be here in her place prior to this evening. Here with Sheetz, it's very similar to the previous variance request they've heard. They're coming in with a gas station. Based on the nuances of the zoning code in Warren, it's not exactly laid out in a way that is written for commercial use that would include a drive-thru, retail store, and a petroleum station, such as the Sheetz layout. Some of those hardships come from looking at sign pumps for the ground sign or looking at drive-thru signs as part of the ground signs. Just a quick summary. They went through this proposal with Sheetz and looking at the Warren zoning code, they realized what the intent of the zoning code was to keep a clean and limited cluttered sign. So, they went through their typical Sheetz signage packages and dialed it way back. Normally, they would see 24/7 signs, MTO, additional signage on the pumps as standard with other service stations throughout the country. They cleaned it up to be what they believe to be the minimum adequate signage. With that signage being the branding on the pumps for the Sheetz station, the Sheetz logo on the wall sign, and then the drive-thru signage to help facilitate the traffic flow in the drive-thru. Everything else they have removed. He thinks that sums up the request of their variance. Does anybody have any specific questions about any one of their signs or any part of their layout?

Chairman Sophiea said they'll address that after they close the public portion of the meeting. Does he have anything else to add before he does that?

Kyle Inbody said not at this time.

Chairman Sophiea asked if there is anyone in the audience that would like to speak on this item?

No response.

Chairman Sophiea closed the public portion of the meeting. He turned it over to the board for discussion.

Board Member Nestorowicz has one (1) question because there's a number of Sheetz locations that have been in front of them. He knows that at the Mound location, at the Dequindre location, they've given variances on the trash enclosure. They've never seen anything on signs. He's just wondering, and not to say he's the individual that might be involved in that, but he's just wondering if they're going to see them come back at the other locations asking for signs now?

Steve Watripont replied yes. They will be coming in at each location for signs. As the permit processing and all that is a different process for signage and site plan. Usually when they have new developments they always come separately for the two different aspects. He knows Brian is currently working on the one for Twelve Mile right now. So, he believes that sign package is in and on his desk.

Kyle Inbody believes that to be correct. There are several of these Sheetz proposals. He works throughout the Midwest on Sheetz projects, and there are several in this town they kind of went

through.

Board Member Nestorowicz said that's his only question he really had.

Board Member Lindsey knows they get a little bit hesitant when they see a total amount of signage and square footage of signage. He thinks this is really tastefully done, however. He was actually driving from Ohio on Route 2 coming north and he saw a Sheetz being installed there. It was one of the nicest gas stations. So, he really thinks the city would benefit from it. He knows they get a little queasy seeing so much signage, but seeing the layout it's well done. He knows it's branded all over the country. He thinks this would be a really good addition. He yields the floor.

Chairman Sophiea thanked him. He asked for any other comments from the board.

Secretary Jerzy has a question for Steve. It says there's a variance granted already for a pylon sign. Is that correct? He's trying to figure which one he's looking at.

Chairman Sophiea asked what date he's looking at.

Secretary Jerzy said the date doesn't appear to be on there. He sees one for 360 square feet, thirty (30) feet tall, and then there's one for 26.6 by 156 (inaudible) 28.8 square feet.

Steve Watriont knows it was Pampa's existing sign that was the one that was probably. January 8, 1997.

Secretary Jerzy asked if that's the one. 360 square feet, and he's...

Chairman Sophiea said if the petitioner agrees, they can rescind all the previous variances besides the dumpster enclosure and the chain link one.

Secretary Jerzy said they're both included on the same variance.

Steve Watriont said except for the ones issued in 2024.

Secretary Jerzy said everything can be rescinded except for the one granted on 11/13/2024. Would the petitioner be ok with that.

Kyle Inbody replied yes.

Chairman Sophiea has no objections to this if they rescind everything except the 2024 variance.

Secretary Jerzy said the last thing they would want is a coin operated amusement device on the property.

Kyle Inbody said that makes two of them.

Secretary Jerzy said another money making idea. He yields the floor.

Chairman Sophiea asked for any other comments.

Secretary Jerzy said if nobody else has anything else to say he'll make the motion.

Motion:

Secretary Jerzy made a motion to grant permission to:

Install the following signage:

- 1) A 74.31" high x 62.5" (32.25 square ft.) menu board sign with a 17.25" under clearance.
- 2) A 13' high order point sign with a total of 42.3 square ft. of signage and an 11.75" under clearance.
- 3) A 18' high clearance sign with 2' x 11.33' (22.66 square ft.) signage and an 11' under clearance.

For a total of 97.21 square ft. of ground signage for items 1, 2 and 3 in addition to a proposed 104.4 square ft. pylon sign which has a previous variance. Overall ground signage to be 201.61 square ft.

- 4) Gas pump signage – 12.48 square ft. valance signage area, 12.125 skirt signage area (24.6 square ft. per gas pump) on 7 gas pumps for a total of 172.2 square ft. of pump signage.

- 5) A 22" x 9' (16.50 square ft.) wall sign on the east elevation of building.

- 6) A 22" x 9' (16.50 square ft.) wall sign on the west elevation of building.

- 7) A 19.63" x 8' (13.09 square ft.) wall sign on the east elevation of canopy.

- 8) A 19.63" x 8' (13.09 square ft.) wall sign on the west elevation of canopy.

For a total of 231.38 square ft. of wall signage for items 4, 5, 6, 7 and 8.

Rescind the variances granted on January 8, 1997, August 14, 1996, March 25, 1981 and July 8, 1981.

Reason being: Size and shape of the lot; New project needs a sign variance; Not a detriment to the area.

Board Member Perry supported the motion.

Chairman Sophiea 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 Nestorowicz

Yes, for the reasons stated in the motion.

Board Member Assessor

Yes, for the reasons stated in the motion.

Board Member Clift

No, excessive according to the ordinance. Almost 3 times what's allowed.

Board Member Watts

Yes, for the reasons stated in the motion.

Board Member Lindsey

Yes, for the reasons stated in the motion.

Chairman Sophiea

Yes, for the reasons stated in the motion.

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

13. PUBLIC HEARING:	APPLICANT: Metro Signs and Lighting
REPRESENTATIVE:	Paul Deters – Metro Detroit Signs
COMMON DESCRIPTION:	23830 Groesbeck
LEGAL DESCRIPTION:	13-26-429-001
ZONE:	M-2

VARIANCES REQUESTED: Permission to

- 1) Install two (2) 5'2" x 50' (258.33 square ft. each) awnings with signage on them for a total 516.66 square ft. of wall signage.
 - 2) Retain 78" x 120" (65 square ft.) painted wall sign on west elevation.
 - 3) Retain 24" x 72" (12 square ft.) wall sign on east elevation.
 - 4) Retain 78" x 120" (65 square ft.) painted wall sign on east elevation.
 - 5) Retain 257' of 10" high decorative design element (stripes) around perimeter of building.
- Existing wall signage of 142 square ft. and proposed 516.66 square ft. of awning wall signage total 658.66 square ft. with an additional 257' of 10" high (214.17 square ft.) of design element for a grand total of 872.83 square ft. of wall signage.

ORDINANCES and REQUIREMENTS:

Section 4A.35 – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1 and M-2): 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.

Paul Deters appeared before the board stating he's with Metro Signs and Lighting, 11444 Kaltz. With him this evening is Darren Ode, the owner of the property.

Darren Ode, 23830 Groesbeck, appeared before the board.

Paul Deters thanked the board for their consideration this evening. They're before the board tonight because of a severe wind storm that took place a year ago. Since then Mr. Ode has been working with his insurance company, and just this week the roof of his building was finally replaced. So, he's been going on at this for a year. Part of the damage that was done was the awnings on the front and the back of his building, one of them was completely destroyed and blew up onto the roof of the building. The other one was torn. They're before the board this evening to try and replace what was there prior to this storm haven taken place. He knows it may sound like a lot of signage, they would ask that they see it has been there a long time, they've been in business since 1969 in the City of Warren. They do a nice job keeping up with their facilities. The other thing is, there is no ground signage at the site. It's a irregular shaped pie shape lot with very difficult site lines. He thinks what's there is appropriate and it's not really overstated for what they're looking to achieve.

Chairman Sophiea thanked him. This is a public hearing. Is there anyone in the audience who would like 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.

Secretary Jerzy asked Mr. Deter's how he was doing. Is this going to be illuminated? He knows the Napa sign is illuminated, but the awnings are going to be non-illuminated.

Paul Deters the awning is illuminated. As were the previous ones, but really the only part that lights up is the text of it. The vast majority, more than two thirds of it is really non, it's just a blue field.

Secretary Jerzy said he does raise a good point, it's beyond unique. Anything on Groesbeck is a challenge trying to deal with the property line wise. This place has been there as long as he can remember. Been in this town a long time. To his statement of trying to keep some kind of advertisement on a building, it's kind of tricky in that location with whizzing by, trying to make the light and all that. Go by the building and probably not even see it without any signage and not even know there was a building there. He thinks this is very tastefully done. He knows his business does great work and is very professional. The site has always been clean every time he's driven by it. He's never seen anything out of order. It's a tough little piece of property to try to get good advertisement on. Initially, he wasn't for retaining the Rent-A-Rac logos there on the side of the building, but again how else are they going to advertise what he does. He does multiple things there. He's not selling cars, he's renting. He has an auto repair place, tire repair place, multiple facets to the business that need to be expressed in a tasteful way, which he thinks does well in incorporating the old aspects of the building as well. Again, it is a big number just like the last couple, but to the petitioner's defense he kind of sees what he's talking about. Canopy stay on all night or does it shut it off with business?

Darren Ode replied they do leave it on at night because the night vision is just as hard. In fact, it's been being without it for a year. It's incredible how many people in their neighborhood, there's a lot of rental houses compared to where it used to be permanent residents. How many say they didn't even know he was there. So, that's the problem. Night vision is a great thing to have of course when people are flying by at fifty-five (55).

Secretary Jerzy said on both sides.

Darren Ode said the other thing he would like to add is that pie shape, and they're so close to the street, even the side view they couldn't put signs on the side to really be seen coming down the street on either Groesbeck or Schoenherr. That's a big part of the problem.

Secretary Jerzy said unless they're sitting at the light, they don't really.

Darren Ode said it's such an odd shape building. How do they get the people to see you?

Secretary Jerzy agrees. Just with that, that's his comments on it. He'll yield the floor.

Chairman Sophiea thanked him. He asked for any other comments tonight. He thinks they've been pretty generous tonight with giving out signs and this has been there for a while. It's just replacing what he had. It's going to be a lot nicer than the older worn sign.

Secretary Jerzy thanked him for taking the Good Year off the side of the building, too.

Darren Ode said he does too. Trust him.

(Laughter)

Chairman Sophiea asked for comments or motions tonight.

Secretary Jerzy said if no other board members have anything else to say, he would like to make a motion.

Motion:

Secretary Jerzy made a motion to grant permission to:

- 1) I Install two (2) 5'2" x 50' (258.33 square ft. each) awnings with signage on them for a total 516.66 square ft. of wall signage.
- 2) Retain 78" x 120" (65 square ft.) painted wall sign on west elevation.
- 3) Retain 24" x 72" (12 square ft.) wall sign on east elevation.
- 4) Retain 78" x 120" (65 square ft.) painted wall sign on east elevation.
- 5) Retain 257' of 10" high decorative design element (stripes) around perimeter of building.

Existing wall signage of 142 square ft. and proposed 516.66 square ft. of awning wall signage total 658.66 square ft. with an additional 257' of 10" high (214.17 square ft.) of design element for a grand total of 872.83 square ft. of wall signage.

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

Board Member Assessor supported the motion.

Chairman Sophiea said they have a motion by Secretary Jerzy, support by Mr. Assessor 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 Assessor	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 Clift	872 square ft., that's 21 times what's allowed by ordinance. He's going to have to vote no.
Board Member Watts	Yes, for the reasons stated in the motion.
Board Member Lindsey	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 read.

Darren Ode thanked the board and appreciates all their hard work. They don't have an easy job.

14. NEW BUSINESS

15.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 (9 – 0).

The meeting adjourned at 8:58 p.m.

Paul Jerzy
Secretary of the Board