

WARREN ZONING BOARD OF APPEALS  
REGULAR MEETING  
SEPTEMBER 11, 2024

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, September 11, 2024 at 7:30 p.m. at the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

**Members of the Board present:**

David Sophiea, Chairman  
Roman Nestorowicz, Vice-Chairman  
Paul Jerzy, Secretary  
Charles Perry, Assistant Secretary  
Charles Anglin  
William Clift  
Kevin Higgins  
Shaun Lindsey

**Members of the Board absent:**

Anthony Sieracki, Jr.

**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**

*Chairman Sophiea did a moment of silence for the victims of September 11<sup>th</sup>.*

**3. ROLL CALL**

A roll call was taken and Board Member Sieracki was absent.

**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 (8 – 0).

**5. APPROVAL OF THE MINUTES of the Regular Meeting of August 28, 2024.**

Chairman Sophiea asked if anyone has had the chance to review those.

Board Member Nestorowicz and Secretary Jerzy stated they have not had the chance to review them.

**Motion:**

Board Member Anglin made a motion to table the minutes of August 28, 2024 to the next meeting; Supported by Board Member Nestorowicz.

**Voice Vote:**

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

6. PUBLIC HEARING:

**APPLICANT: Mark Fowler**

(Rescheduled from 8/14/2024 and 8/28/2024)

REPRESENTATIVE:

Same as above.

COMMON DESCRIPTION:

23221 Lauren

LEGAL DESCRIPTION:

13-25-451-016

ZONE:

R-1-C

**VARIANCES REQUESTED: Permission to**

Erect a 1,000 square ft. garage, to within 3' of the south lot line and within 10' of the rear wall of the principal building.

**ORDINANCES and REQUIREMENTS:**

**Section 4.19 (A) – Detached Garage Buildings:** All detached garages located in the side rear yards and within ten (10) feet of the rear wall of any principal building shall comply with all yard requirements applicable to the principal structure in the district. In no even shall such garages be located closer than five (5) feet from any side lot lines.

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

Mark Fowler, 23221 Lauren, appeared before the board.

Chairman Sophiea thanked him. The board has his updated drawing here. Would he like to tell the board about his request?

Mark Fowler explained he revised his initial request down from the thousand to the eight hundred (800) square feet. He urge the consideration, you know, the size of the house, he doesn't have a basement. It's the same size of the house, it's not even a question. He urges the reconsideration on those who were opposed to it.

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 of the meeting and turned it over to the board for discussion.

Board Member Anglin asked Mr. Watripont to come up to the podium for a moment please. The last meeting they had some questions on the layout because of what documentation they received. He asked him to go over this for him. He's curious to see where that side door opens in relativity to the front of the garage. Meaning, number one, is that door on the house before you get to the garage.

Steve Watripont explained the door is two and a half feet before the edge of the garage.

Board Member Anglin asked from the house to the garage.

Steve Watripont said from the house to the garage.

Board Member Anglin said he's talking about from the door.

Steve Watripont explained if the door was to swing open all the way, which doors don't swing past ninety (90) degrees. If it swung to a hundred and thirty-five degrees, there's be three and a half feet between the base of the door and the garage. So, they'd still have room to get through from there. From his calculations.

Board Member Anglin stated what he's saying is, this is the house, this is the door, that garage actually sits behind the door.

Steve Watripont said yep, two and a half feet from there.

Board Member Anglin said that's fine. That was his whole biggest concern last time that was laid out. He has no further questions.

Chairman Sophiea asked for any other comments from the board.

Board Member Lindsey understands his need and is happy to see that he moved the garage back from to where the initial drawing was with the door. He understands his concern without having a basement, but could he remind him of the square footage of the house. The living space.

Mark Fowler answered 2,000 square feet.

Board Member Lindsey said 2,000 square feet. He asked if it's a two-story house.

Mark Fowler answered yes.

Board Member Lindsey knows the ordinance allows for seven hundred (700) square foot garage and he's not too concerned about the setbacks. Eight hundred (800) square feet still seems quite large to him; he's having an issue with that. So, he would be in favor of a seven hundred (700) square foot garage with the same setbacks, but he doesn't think he's going to vote for eight hundred (800) square foot. Just so he knows where he's coming from.

Board Member Nestorowicz is actually happy the garage and door issue and all that was taken

care of. If he didn't have his basement to store all his stuff in, he'd know he'd need a lot more storage elsewhere. You know, he thinks eight hundred (800) square foot garage is reasonable to ask for. He would make a motion if nobody else has any comments.

Board Member Anglin has one last comment. He asked the applicant if he knows the height of the garage. The peak from the ground to the peak.

Mark Fowler said he's pretty sure it's only thirteen (13). The walls are at ten (10).

Board Member Anglin asked if that's a ten (10) foot high garage.

Mark Fowler answered yep.

Board Member Anglin thinks it has a low enough pitch to be thirteen (13) feet. That's all he has.

Board Member Cliff concurs with his colleague. He thinks for that size of that lot, he thinks eight hundred (800) square feet is a little bit excessive. When he read through the packet he some additional concerns, but they've already been echoed and cleared up here as far as the door clearances and the increase in the setback. There's people in the neighborhood with smaller setbacks than what he's asking for. He's just having a tough time with an eight hundred (800) square foot garage on such a small parcel. He inquired what the purpose of the main purpose the garage is going to be for.

Mark Fowler said it's going to be a two-car garage and all his lawn equipment, snow equipment is not anything. A regular two-car garage is usually twenty-five (25) by twenty (20). This eliminates the need for a shed or anything else on the property.

Board Member Cliff asked if they're keeping automobiles in there.

Mark Fowler answered yeah.

Board Member Cliff has no further questions. Thank you. He yields.

Chairman Sophia asked for other comments or possible motions.

Board Member Nestorowicz would like to make a motion.

**Motion:**

Board Member Nestorowicz made a motion to approve the petitioner's request to erect an **800** square ft. garage, to within 3' of the south lot line and within 10' of the rear wall of the principal building.

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

Board Member Perry supported the motion.

Chairman Sophia said they have a motion by Mr. Nestorowicz, with support by Mr. Perry to approve the request as read.

**Roll Call:**

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

Board Member Nestorowicz	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Lindsey	No.
Board Member Clift	No.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Sophiaea	Yes, for the reasons stated in the motion.

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

7. PUBLIC HEARING: **APPLICANT: Joychelle Carter**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 11036 and 11026 Essex  
LEGAL DESCRIPTION: 13-27-404-005  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Retain a 6' high wood privacy fence in the front setback between the front building line and property line. (Approximately 80 lineal feet of fence in the front yard.)

**ORDINANCES and REQUIREMENTS:**

**Section 4D.07 – Setback Required:** Walls, fences and landscape screens shall conform to the setback requirements for 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.

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

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

Joychelle Carter, 11036 Essex, appeared before the board.

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

Joychelle Carter explained there was already a metal fence in front of the house, all the way around the house. What she did was replace the side of the fence with a privacy fence that was put there on the same exact area that the previous fence was there before. She's just requesting for a variance. She has a picture of the fence.

Chairman Sophiaea explained there are some photographs included in the packet here.

Joychelle Carter said ok. So, the metal fence that's directly in front of the house was already there before she moved there. She only replaced the side up to the house with a privacy fence.

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? Please approach.

Robert Taylor, 4946 Cherry Blossom Circle, appeared before the board stating he was her realtor for this property, he's also her uncle. The fence was already there all the way around the front of the property. So, what she did was just replace a portion of the front and that was it with the privacy wood fence.

Chairman Sophia thanked him for that comment. He asked the petitioner to step aside.

Christopher Butler, 11059 and 11067 Essex, appeared before the board. He applied for a fence permit October 7, 2015 to box in his lot the exact same way. The city denied him that permit. He has absolutely no issue with her fence, it's a good looking fence, but if they do grant them the permission to keep this fence, he believes the city will be setting a precedence for the other people that want to fence in their lots that want to do the same that have been denied. So, he just wanted to bring that in front of the council to let them know that's going to be happening. He was denied his permit to do the same. He would like to do the same if they grant it for her, he would like the same to be granted to him.

Chairman Sophia thanked him for his comment.

Joychelle Carter would like to add the privacy fence is not covering the front of the house.

Chairman Sophia said a question hasn't been asked. They're in the public portion of the meeting.

Joychelle Carter apologized.

Chairman Sophia asked her to please step aside and asked a resident if he would like to make a comment.

Roger Harbert, 11043 Essex, appeared before the board stating he owns the house across the street. He wants to say that whoever put it up there did a very nice job. It looks very professional and it's not an eyesore at all.

Chairman Sophia thanked him for that comment. 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 Nestorowicz wants to make two (2) comments. One comment is actually just a general one for folks in the audience. Each property is unique. Even if one property gets any kind of variance, there is no precedence set for others in the neighborhood, because every property is looked at uniquely. He does agree that whoever put up the new fence did a very good job, however, he is not a fan and never have been a fan of fencing in front yards. Based on the

house lines down the street, this wooden fence, in his opinion, stands out and he thinks all fences need to stay behind the front of the building. That's his comments.

Board Member Anglin is just going to run down his list. One of them is the fact that the city has the ordinance of line of site, which means there can't be fences put out in front of because they have to do with safety factors. Which means if somebody is in their front yard looking for their kid, and these are just examples. They're looking down the street, they can't see if there kid is down there. The fence, they have to come out and walk all the way down around the sidewalk. There are several other reasons, but its line of site. It's a big police department factor, too about them being able to lift on some type of call and be able to see whose coming in and out from between the houses. He's never in favor of a fence being put up, a privacy fence, being put up outside the line of site. His question would be, did she have a contractor put that fence up?

Joychelle Carter answered yes.

Board Member Anglin said shame on that contract. He's a contractor. For him to put a fence up on her property without pulling the appropriate permits, because if he'd pulled a permit, she would have been told ahead of time that fence can't go up. So, shame on the contractor. That's it, the contractor was wrong in putting that up for her without pulling permits and line of site. So, he won't be voting for this today.

Secretary Jerzy asked the petitioner if she owns both lots.

Joychelle Carter answered yes, she does.

Secretary Jerzy asked if she is the homeowner.

Joychelle Carter answered yes.

Secretary Jerzy asked if there was an existing fence there when she purchased the property.

Joychelle Carter answered yes.

Secretary Jerzy asked if she pulled down that existing fence to put this up.

Joychelle Carter explained she put it on the same exact fence line.

Secretary Jerzy doesn't know when this fence, given the property, when the initial fence was put up in front of the residence, but most of those fences became grandfathered in when the ordinance changed. So, another thing she would have found out if he pulled the right permit is if pulling down an existing fence they have to get variance to get another fence put up if it's not grandfathered in already to the property. So, anytime they had this issue with a couple other properties came up where people took down the fence, didn't think anything of it. Replaced it just to make it look nice, even though it was probably in disrepair and probably in desperate need, but once that's torn down it opens up a big can of worms with the city, as far as fences in the front property go. It's not that this board has voted against that in the past, because they're all under the same assertion that the south lines are different than they are in the north. Most of the property is in the front. She's blessed enough to have that second property where she has

a nice big yard. So, when he initially looked at it he was kind of concerned she didn't own the property fencing off another vacant lot covering the driveway. That was his initial concern, but it sounds like to him there wasn't a lot of due diligence on her contractor's part to do some necessary homework. It is a nice fence. He drove by the property, it's really nice, but there is a little bit of line of site is kind of suspect coming out of the house, too. That's his two cents on it and he'll yield the floor.

Chairman Sophiaea said just to echo. She seems like a very nice lady, this is a very cute house, the fence is very nice, but unfortunately, he just can't get behind the fence extending so far into the front yard. That's all he has. Is there any other comments from the board?

Board Member Lindsey said the only other thing he wants to mention. He agrees with what his co-workers here are talking about. The line of site, he's looking at her neighbors house and the way the fence is in the front yard, he can't see even just sitting on his porch. So, his comment is that he's not in favor of the fence extending to the front yard either. Not a privacy fence. Thank you.

Unknown asked if she has another opportunity to speak.

Chairman Sophiaea asked what she would like to add.

Joychelle Carter explained another reason why she thought it would be ok is because a lot of the fences in the area, specifically across the street, the fence comes beyond the line they're talking about. Specifically, the house directly across the street. The line of site is high, it's also privacy fence eight (8) feet tall. She has pictures of those houses as well.

Chairman Sophiaea thanked her.

Board Member Anglin said one thing, too, they have to look at on this, and he's trying to make this so she can understand why at least he's thinking this way. Originally, that was a cyclone fence. So, when it was done back and put up in the 50's, 60's, that was allowed but it had to be cyclone fences so that means they still had the line of site was available through the fence. This is not acceptable at this point, with him anyway, so that's all.

Unknown started to speak.

Chairman Sophiaea stated a question hasn't been asked. Are there any other comments from the board?

Board Member Higgins said without hearing any other questions, he'll make the motion.

**Motion:**

Board Member Higgins made a motion to deny permission to retain a 6' high wood privacy fence in the front setback between the front building line and property line. (Approximately 80 lineal feet of fence in the front yard.)

Reasons being: Line of site is the big one that's been discussed many times; Shape of the lot.

Board Member Clift supported the motion.

Chairman Sophiea said they have a motion by Mr. Higgins, with support by Mr. Clift to deny the request as read. A yes vote is to deny.

**Roll Call:**

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

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

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

Board Member Higgins would like to make one more comment if he could. That is she should go back to that contractor. That contractor has done her very wrong and should be held responsible in some way shape or form. What remedy she seeks is up to her, but this was no fault to her own and it’s on the contractor.

Joychelle Carter explained there is a house directly across the street that is beyond the line of site. Same exact thing. Eight (8) feet tall privacy fence. She doubt it has a variance.

(Inaudible)

Chairman Sophiea said this brings them to item 8.

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|---------------------------|---|
| <b>8. PUBLIC HEARING:</b> | <b>APPLICANT: Chris Corradi / Aver Sign Co.</b> |
| REPRESENTATIVE:           | Same as above.                                  |
| COMMON DESCRIPTION:       | 5949 Ten Mile                                   |
| LEGAL DESCRIPTION:        | 13-21-353-025                                   |
| ZONE:                     | M-2   |

**VARIANCES REQUESTED: Permission to**

- 1) Retain an existing ground sign for the car wash in addition to an existing ground sign for the gas station. Thus, allow two (2) free standing signs on premise. (Both have had previous variances granted 10/11/1967 and 4/4/2024.)
- 2) Erect two (2) wall signs, 29 square ft. and 42.1 square ft. for a total of 71.1 square ft. of wall signage.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.35 – Paragraph (b & c):** 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.

Chairman Sophiea said good evening. If he could start with name and address.

Chris Corradi, 1285 Wordsworth, appeared before the board.

Chairman Sophiea thanked him and asked him to please tell the board about his request. Chris Corradi is hoping the board can approve their request to retain the pre-standing sign in front of this car wash building that's been erected there. He does have a packet that shows what he's talking about. Part of the reason they want to retain that sign is because... Now, originally this was two (2) parcels and the owner purchased both parcels and built a gas station on one and a car wash on the other. Because he bought the two (2) parcels and their combined ownership, that changes the rules. He can only have one (1) freestanding sign. Whereas, if it was two (2) separate parcels, two (2) separate owners, and the businesses are separate, they just have the same ownership, they would have two (2) separate signs. They're talking about that on Ten Mile. He thinks there are two and twenty-five (225) feet of frontage on Ten Mile. So, it's not like it would be a big crowd of signs there. Coming west bound the view of the building where it sits now, virtually would be impossible to see until on it. So, they'll only get business from one direction, essentially.

(Inaudible)

Ali Ajami, 6837 Chase Road, appeared before the board saying owner/applicant. Just to reiterate a couple things that Chris had mentioned. The visibility heading west bound on Ten Mile is virtually non existent because the building is up to the property line next door. He thinks it's a mixed use apartment complex. Furthermore, this is an existing sign that was there. They're just modifying. They're not changing the clearance, the height, the overall height. They're just modifying the box, paint it, add the inserts. Then they originally came for the MID, Sunoco sign, MID sign at the corner. They came to the meeting a couple months ago seeking twenty-six (26) foot clearance, because they were trying to fit some advertising for the car wash and restaurant. Unfortunately, it was denied. They had to stick with the twenty (20) feet. They lost the ability to advertise for that car wash on a free standing sign. So, that's kind of another reason they were hoping to be able to keep this existing sign. Other than that, he doesn't have much to add. He thanked the board for their time.

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 of the meeting and turned it over to the board for discussion. He asked Mr. Watripont if he would like to speak.

Steve Watripont wanted to add, he noticed it wasn't in the packet. This is in addition to the variance that was previously granted for the sign that was on the Mound, on the corner of Mound, the Sunoco station. In addition to the canopy signs for the Sunoco station as well. Just so the

board knows that. It's one (1) owner, one (1) operation, but there is two (2) separate things going on there. He wanted the board to be aware of the other signs that were previously granted.

Chairman Sophiea thanked him for clarifying.

Board Member Cliff has been following this development pretty closely, it's kind of in his neighborhood. When they talked about it some time ago he was pretty excited for it to come. It's coming along very nice. It looks very nice. He's always viewed these two (2) entities, the gas station and car wash, just as two (2) separate entities operating. He understands now that the parcels were merged, and now he can understand and see why they have to come before the board in order to retain the sign out front for the car wash. This is strictly a refacing. All the board is doing is changing the one name to other name on the free standing sign in front of the car wash building. Does he have that correct?

Chris Corradi answered yes.

Board Member Cliff said looking through the packet, the wall signage, it doesn't seem to be crazy excessive. He grasps the understanding of the difficulty of the visibility traveling west bound on Ten Mile, because they have the sun smiley face just blocking everything until they're almost right on top of it. He just wanted to implore to his board members that he follows this pretty close and drives by there two (2) or three (3) times every day. They've been responsible in their activities on that corner. It wasn't their fault they couldn't make right turns for a while, but that's ok. It's not their problem. He personally doesn't see an issue with anything that he's requesting here. He wishes them luck in their endeavor. With that, gentleman, he'll yield the floor.

Secretary Jerzy is wondering where the second ground sign is going to be. They said they're going to replace the existing one. The second one, is that...

Steve Watripont explained the first one that was granted approval on April 4<sup>th</sup> is on the corner. That is a new one.

(Inaudible)

Steve Watripont said that will be a new one. It is a new one that was approved. The submittal to the board was for a new ground sign right there on the corner replacing the old one. This is to retain the one that's over by the car wash.

Secretary Jerzy asked if that's all the board is doing just retaining the one by the car wash with this.

Steve Watripont said yes. As a second one.

Secretary Jerzy said got it. Thank you.

Chris Corradi said he put the location if he looks.

Secretary Jerzy saw it and it kind of threw him. Makes sense now. That's it.

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

**Motion:**

Board Member Nestorowicz made a motion to approve the petitioner’s request to:

- 1) Retain an existing ground sign for the car wash in addition to an existing ground sign for the gas station. Thus, allow two (2) free standing signs on premise. (Both have had previous variances granted 10/11/1967 and 4/4/2024.)
- 2) Erect two (2) wall signs, 29 square ft. and 42.1 square ft. for a total of 71.1 square ft. of wall signage.

Reasons being: Size and shape of the lot; Not a detriment to the neighborhood; Necessary for operating a business.

Secretary Jerzy supported the motion.

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

**Roll Call:**

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

Board Member Nestorowicz	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Higgins	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Chairman Sophiea	Yes, for the reasons stated in the motion.

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

9. PUBLIC HEARING: **APPLICANT: Babacar Tall**  
 REPRESENTATIVE: Myles Johnson  
 COMMON DESCRIPTION: 22545 Van Dyke  
 LEGAL DESCRIPTION: 13-33-230-027  
 ZONE: C-2

**VARIANCES REQUESTED: Permission to**

Erect four (4) 4’ x 6’ wall signs (24 square ft. each) on the south elevation, in additional to the existing 37.88 square ft. wall signage on the east elevation for a total of 133.88 square ft. of wall signage.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.35 – Paragraph (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 asked the applicant to state their name and address for the record.

Myles Johnson, 11234 May Avenue, appeared before the board.

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

Myles Johnson explained the client sits on the west bound side of Van Dyke. With him being so close to the street it's kind of hard at the rate of traffic for people to see him. So, he wants to use the side of his building, where the parking lot is, as an opportunity to advertise and grab more business for the people that are traveling north bound Van Dyke.

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 of the meeting and turned it over to the board for discussion.

(Inaudible)

Chairman Sophiea asked for name and address, please.

Maria Dedvukaj, 444 Fonro Drive, appeared before the board.

Chairman Sophiea asked for her comment.

Maria Dedvukaj was just going to say that all he's trying to do is just add some more exposure to the building. It's kind of hard to see him when coming from both sides because it's not a free standing building. That's basically all they wanted to request. Just so he can have some more exposure. That's about it.

Chairman Sophiea thanked him.

Secretary Jerzy saw that they put the signs already up, like the outlines. Were those already on the building existing?

Babacar Tall answered yes.

Secretary Jerzy asked if they were already existing on the building.

Babacar Tall repeated yes. They've been there for three (3) years.

Secretary Jerzy thanked him.

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

Babacar Tall, 22545 Van Dyke. He's the tenant.

Chairman Sophiea thanked him.

Secretary Jerzy drove by the property and he does see the need for more advertising. Probably on that side of the building. He thinks that this is a pretty indiscriminate way of advertising his business. One thing he would like to see, you know, it kind of through him for a loop that he wouldn't maybe do some kind of graffiti art or something on the side of the building to try to... You know, like the guy did down the street. That's what he maybe would've did with that side of the building, or seemed if Zoning would have went for that, but that's just him. Here nor there. He doesn't see this being that outrageous of a request. That side of the building faces north. If they're coming south, they don't really know that business is there. If you sneezed and drove by it, you'd miss it. He's in favor of this, to be honest. So, he'll yield the floor.

Board Member Nestorowicz always agrees that signage is important. The issue that he has here is that adding almost one hundred and thirty-four (134) almost square foot of signage to the side of building. Signage that they grant stays with the property. So, while an existing building owner has very tasteful ideas of how they're going to promote their property, he worries the next tenant will say they have a hundred and thirty-four (134) space they can put any kind of sign on the side of the building and that's the concern he has. That's more signage than they normally give to some other corner type businesses. He could agree to a small sign on that side of the building, but not one hundred and thirty-four (134) square feet.

Board Member Anglin stated the front of the building with the sign above top and the sign above the two (2) windows, with the ordinance being forty (40) square feet. He understands having that nice wall to be able to use as advertisement. He understands that, but that's more square footage he wants to see on a building that small. He's always been in favor of signage compared the overall size of a building. Now, saying that, he doesn't have a problem voting for this if they eliminate two (2) of those signs, and he'd probably prefer to see the two (2) in the back, because they'd want the ones closer up front. But eliminated two (2) of those signs. For him to vote for it, would have to have two (2) wall signs, the front picture sign in the front and the letter prints sign above the windows. But he won't vote for it with that much signage on that small of a building.

Chairman Sophiea thinks Mr. Anglin hit the nail on the head here. He thinks that's a fair compromise he would like to ask the petitioner if they would be willing to reduce the request.

Myles Johnson wanted to state that the total square footage for the side was wrong. With the four (4) frames it should be ninety-eight (98) square feet total. There was banners up there as well that won't be going back.

Chairman Sophiea thinks they're taking into account the sign on the front of the building. Is that correct?

Board Member Anglin said yes. Overall signage is front, side, back or whatever.

Steve Watrion explained the signage on the side is ninety-six (96) square feet. If what Chuck has said, it would bring the total to 85.88 square foot of signage on the building. It would be forty-eight (48) on the side and then the 37.88 in the front. Which has already been permitted.

Chairman Sophiea thanked him.

Board Member Anglin said which in turn it would be doubling what is allowable by their code. So, he thinks that's going above and beyond allowing a business to have signage.

Chairman Sophiea asked the petitioner again here. They've heard the boards comments so far. It's their choice if they want the board to proceed a motion as it's presented, or if they would like to amend or change their request and reduce the amount of signs requesting.

(Inaudible)

Board Member Higgins wants to make a comment while they're thinking about that because he doesn't been on this board forever. So, what Mr. Jerzy was talking about it sound like some graffiti art on a building. No ordinance. So, here's just him... Multiple board members said don't start that please.

Board Member Higgins asked if that's Steve coming to talk about that. Do they need an ordinance?

Chairman Sophiea believes there is some type of ordinance. Mr. Watripont is going to tell them about.

Steve Watripont explained graffiti and that stuff is considered artwork which does require a permit for sign. The only thing that doesn't require a permit now, no fee permit, is stuff done through TIFA for murals and stuff like that in the TIFA area. That's the only thing that doesn't require a permit. Everything else artwork wise, sign wise, requires a permit. Even stripes on a building are considered artwork and require permits.

Board Member Higgins said fair enough.

Chairman Sophiea thanked him.

(Inaudible)

Babacar Tall explained without this they're not going to have any visibility. Most of the time they don't have a car, so the customers just leave thinking they're not open.

Chairman Sophiea explained the question is if they want to move forward with the request as written or if he would like to reduce the size of the request for wall signage.

Babacar Tall wants to go forward.

Myles Johnson stated he would like to resume as written.

Chairman Sophiea asked if he wanted to move forward with the request as originally presented.

Babacar Tall replies yes, sir.

Chairman Sophiea asked if there are any other comments from the board.

Board Member Anglin would like to make a motion.

**Motion:**

Board Member Anglin made a motion to deny to the petitioner's request to erect four (4) 4' x 6' wall signs (24 square ft. each) on the south elevation, in addition to the existing 37.88 square ft. wall signage on the east elevation for a total of 133.88 square ft. of wall signage.

Reasons being: Detriment to the area; Size and shape of the building.

Board Member Clift had point of order for clarification. He asked if Mr. Anglin made a motion to not approve. Is that what he heard? Was his motion to not approve?

Board Member Anglin said correct. To not approve. Or to deny. He apologizes. Motion to deny.

Board Member Clift thanked him.

Board Member Nestorowicz supported the motion.

Chairman Sophiea said they have a motion to deny by Mr. Anglin, support by Mr. Nestorowicz. Roll call, please

**Roll Call:**

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

Board Member Anglin	Yes, to deny.
Board Member Nestorowicz	Yes, to deny.
Board Member Higgins	Yes, to deny.
Board Member Lindsey	Yes, to deny.
Board Member Perry	Yes, to deny.
Board Member Clift	No, he personally didn't see anything wrong with it.
Secretary Jerzy	No.
Chairman Sophiea	Yes, to deny.

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

Board Member Higgins said he'll make a closing comment, because why not. Last place of business on the agenda, right. It sounded like they were trying to ask around the edges. He could resubmit with a different plan. Maybe less signs. Maybe it will go through that time.

Babacar Tall thanked him.

Board Member Higgins wanted to make sure that was clear.

**10. NEW BUSINESS**

Chairman Sophiea welcomed back Mr. Clift. Glad to have him back.

Board Member Clift thanked everybody. It's nice to be back. Things have kind of changed in life a little bit that allowed him the opportunity to step back up and apply to serve his city again with this board. He was humbled by his unanimous vote through council and really appreciates the warm welcome his fellow board members and madam attorney presented him. And Nicole, she's been nice all week getting him straightened out on some things. He just wants to say thank you very much from the bottom of his heart. He's touched by the outpouring. Thank you.

Chairman Sophiea thanked him.

Board Member Clift said it's good to see Steve again, too.

(Laughter)

Steve Watripont was going to comment, but figured he'd hold back. As a point of information for the board. They were informed about the fence down the street from that lady. They are on enforcement, so it is being looked at and going from there. They do take complaints seriously and they got on it right away.

Chairman Sophiea knows a lot of times it could just be a chain link fence grandfathered in and they take it upon themselves to put up privacy.

Board Member Anglin said something to just put on the air. The fact that people have to investigate contractors that they're hiring to do things for them. Number one is always make sure they're licensed and insured. Second, make sure permits are pulled with the city to do it. There's ways of checking on them to see if they're licensed. There's an organization with the State of Michigan, LARA. L-A-R-A. Look it up online and they have every contractor and everything. They can tell you every complaint filed against the contractor. Do the research. He sits up here and heard more things like this particular incidents with the fence that's come up because of the contractor. There's not much they can do with it once they have your money. Thank you.

Chairman Sophiea said that's right.

## 11. ADJOURNMENT

**Motion:**

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

**Voice Vote:**

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

The meeting adjourned at 8:15 p.m.

Paul Jerzy  
Secretary of the Board