

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
SEPTEMBER 10, 2025

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, September 10, 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
Michael Assessor
William Clift
Jon Green
Shaun Lindsey
Garry Watts

Members of the Board absent:

Charles Perry, Assistant Secretary

Also present:

Jennifer Pierce, City Attorney
Steve Watripont, Zoning Inspector
Mary Kamp, 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 Perry was absent.

Motion:

Board Member Clift made a motion to excuse Mr. Perry; Supported by Board Member Watts.

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 Assessor.

Voice Vote:

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

5. APPROVAL OF THE MINUTES – Regular Meetings of July 23, 2025, August 13, 2025 and August 27, 2025.

Motion:

Secretary Jerzy made a motion to approve July 23, 2025 minutes and table the August 13, 2025 and August 27, 2025 minutes; Supported by Board Member Clift.

Voice Vote:

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

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| 6. PUBLIC HEARING: | APPLICANT: Ruhul Singh |
| REPRESENTATIVE: | Same as above. |
| COMMON DESCRIPTION: | 3828 Kevin |
| LEGAL DESCRIPTION: | 13-07-432-007 |
| ZONE: | R-1-C |

VARIANCES REQUESTED: Permission to

- 1) Expand the covered front porch to a size of 28' 2" x 6' (169 square ft.)
- 2) Build a 13' x 25' (325 square ft.) Florida room on the rear of the residence.
- 3) Construct a 10' x 10' (100 square ft.) gazebo in the rear yard not placed against any other accessory structure.
- 4) Construct a 8' x 10' (80 square ft.) shed in the rear yard not placed against any other accessory structure.

Total accessory structure floor area including attached garage (357 square ft.), expanded covered front porch, Florida

Section 4.20 (a) – Detached Accessory Buildings: The construction of all such accessory structures shall be subject to the following conditions:

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

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

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

Chairman Sophiea asked if the petitioner is present for item 6.

No response.

Chairman Sophiea asked for a motion to move to item...

Secretary Jerzy said he's here.

Chairman Sophiea said great. Please approach. Please come up to the microphone and state name and address.

Ruhul Singh appeared before the board stating respective members of the zoning board and fellow citizens. Good evening, everyone. He lives at 3828 Kevin Circle.

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

Ruhul Singh requested to extend the front porch. There is room in the back, in his backyard, so he just wants to make it up for the Florida room. The family is getting bigger, so they need more room. That's why he wants to extend it. Make that a Florida room. Also, in the backyard, he wants to set up a gazebo over there. That's why he wants to do some concrete, which is some twenty (20) feet by twenty (20) feet. Twenty (20) feet long and twenty (20) feet wide. Also, he wants to set up the shed in the back because he needs it to keep the lawnmower and some other tools over there. He cannot keep them in the garage. It holds his space over there. Also the back roof, he wants to extend it because of the Florida room.

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. He will turn it over to Secretary Jerzy. They do have one (1) email they will read into the record from the neighbor.

Secretary Jerzy thanked the Chair. He doesn't know if it's an actual neighbor. She doesn't give her address. It's from Cindy Serafin.

"Zoning Board of Appeals:

I would like to express my statements regarding some items on the Agenda for the 9/10/25 meeting.

In re item #6 regarding 3828 Kevin, it seems to me that since there are so many additions to the backyard of this property and all structures exceeds the square footage as listed in the ordinance by 3 times the allowed amount, this should be denied. There are ordinances for the City for a reason for continuity of residential properties and I believe that this should be upheld."

Chairman Sophiea thanked him and opened it up for discussion.

Board Member Clift said point of order. To the city attorney, it's his understanding that anybody appearing before this board to be heard for any matter has to provide their name and their address for the record. So, with that being said, he questions the validity of entering that statement into the record this evening because this individual did not provide their address of residence.

(Inaudible)

Chairman Sopheia said he's referring to the email that he read into the record.

Jennifer Pierce said with that being said, without the address, there is no way to know they're within the allowable feet to object, but typically notices are only sent out to those persons. Board Member Clift asked if there's any further discussion from the board.

Secretary Jerzy said to him, it looks like it just came from a regular resident from the city. These are public hearings, they're posted, the public at large can chime in just as well as anybody. But he does find it a little concerning they don't give the address. Maybe it's just... he does see his point there, but he thinks pretty much, since this is a public forum, you know, it's a public meeting, it's posted. Anybody can chime in on anything. That's just his understanding. He does see the concern about not having an address, though.

Board Member Nestorowicz agrees with Mr. Clift because anybody who speaks here has to give a name and address. If they're sending something even electronically, they should provide an address so they know that they are a citizen of their city and such.

Board Member Clift said that's his point of contention. Anybody speaking before this body has to provide a name and an address. He thinks that should hold true, and he believes it does in their bylaws or their method of operation, you have to identify yourself and present an address. It doesn't have to be in the City of Warren, it can be in Timbuktu for all he cares, but they have to know who they are and where they come from. Because if a decision is made based on information here and it's being swayed, maybe some legal repercussions down the road or an appeal. He's just looking out for their decorum as a board. He'll yield the floor.

Jennifer Pierce said as a side note, he is correct. Pursuant to Article 7 of the rules of procedure, each member of the audience may address the board for up to three (3) minutes, each public speaker shall provide their name and address to be heard.

Board Member Watts understands what she's saying, and that's saying they're here in public. However, any of this stuff is easily obtainable by checking the BS&A. He's not sure the state law, the state law says they don't have to give an address because they dealt with that at the council level. He personally doesn't see the big deal.

Chairman Sophiea thanked Mr. Clift for bringing that to their attention about the address. He's going to go ahead, unless someone would want to make a motion to strike that from the record.

Secretary Jerzy said here's the thing, the same citizen has another comment about another item on the agenda as well. So, he thinks for... because the bylaws do stipulate they have to give an address, he thinks they should make a motion to strike this at this point.

Board Member Watts said the bylaws says in person.

Secretary Jerzy said true. So, it kind of puts them at an awkward spot.

Chairman Sophiea said given the ambiguity of the ordinance, he thinks he'll just leave it up to the individual board members tonight to decide whether you want to consider that comment into their reasoning. Beyond that, what other questions or discussion do they have about the items presented tonight?

(Inaudible)

Board Member Watts has a couple questions for the petitioner. This seems like a lot of square footage they're adding to a single family dwelling. He knows his house is right on a corner. It's kind of going to overpower the property. That doesn't fit with the other structures in the neighborhood. He guesses he's confused about how much room he really needs. He could understand a shed and maybe a gazebo, but he's talking about the front porch, the back porch. That's a lot of space. One thousand square feet he's adding to his property. He assumes his home, looking at it, he didn't look it up online, but he imagines he's probably about thirteen or fourteen hundred square feet. He's almost doubling the size. That's a real concern to him.

(Inaudible)

Ruhul Singh thinks he does have a lot of space in the back, but he talked to pretty much everyone in his neighborhood. They say they encourage him. They encourage him that if he does that the house will look good. The neighborhood will look good. It will bring the bills for the neighbors. Also, he knows everybody has a different perception and perspective, he means this is his perspective. He doesn't think putting a gazebo and shed in the back is going to effect anyone.

Board Member Watts understands what he's saying, but he's adding a thousand square foot to a probably fourteen, fifteen hundred square foot home. You know, a variance normally is one (1) thing and you move on. His opinion, if somebody is asking for three (3), four (4), five (5) variances, then it really doesn't fit the area. So, that's really all he has. He'll be a no vote on it.

Chairman Sophiea said he has a little bit of a different opinion. He's just kind of looking at these one by one. The first item to expand the front covered porch. He drove by the property, the porch goes about two thirds of the way across the front of the house. He doesn't have a problem with expanding the concrete for the porch to the end of the house. There really aren't other examples on that street, but other streets in Warren close by have the front porch running the span of the front of the house. So, he doesn't have a problem with that. Having the roof go over that porch extension is important because it gives some continuity to the front of the house. It makes it look more appropriate and substantial. The Florida room on the residence, he'll come back to that in a second. That was where his hiccup was. The gazebo in the backyard they often grant gazebos. It seems in line with other gazebos that are popping up in the neighborhood. The shed, the same thing. As long as it's behind the principal or site line from the road, he doesn't have a problem with the shed. The Florida room, he understands the concern about adding so much square footage onto the home with other things going on in the backyard. That's where his hesitation is mainly with the Florida room, not the other three (3) items that are being requested. Are there other comments or opinions from the board?

Board Member Lindsey feels similar to his comments there. He really has no issues with extending the front porch. Now, if it wasn't there it would be a little bit different. Its just kind of adding to what's already there. He has no issues with the gazebo, obviously as long as that's on a cement pad, building a rat wall like they need, he's fine with the structure. Same thing with the shed. He doesn't see any type of shed back there right now. He doesn't know, he guesses it would be a question to the petitioner, he doesn't see a garage. He hasn't driven by the house. They have a garage that's attached to the house.

Ruhul Singh replied yes.

Board Member Lindsey said the shed is a reasonable size shed. He doesn't have any issue with that. He really doesn't have an issue with the Florida room. He knows when they are totaling the square footage of what's being added, it adds up, but all of it is tastefully done and it's within reason. It's just all at once. He doesn't think a Florida room is going to hurt the property. He doesn't think it's going to hurt the properties near it. So, he would have liked to see a drawing of what some of this looks like. They don't have that, but assuming it's going to be professionally done. He really has no issues here.

Board Member Nestorowicz has one question for the petitioner. He knows he says that the roof is being extended both in the front and the back. Are they reroofing the whole house or is it just going to be... He's just wondering if the part that's being extended is going to be a different type of roofing shingle or how's that going to look?

Ruhul Singh said the front porch, he has the porch already. It's like halfway. He just wants to extend it a little bit to the corner of the wall. So, over there he doesn't have the roof. It's just going to extend it three (3) feet or four (4) feet, the roof. So, it's going to cover the extended porch. In the back the Florida room, he does have the room already. Ok. He does have the room. He has the ceiling and everything. The only thing he has to do is just build the wall, two (2) walls from two (2) sides and put the sliding door. That'll make the Florida room. He doesn't have to... the roof is already there. The roof is already there. So, it's just an open room that he wants to close and make it a Florida room so in the wintertime his kids can go there and play. They cannot go outside because it gets bitterly cold. So, if he makes that a room, a Florida room, so in the wintertime they have a place they can go there and play. Also, the shed. You know, the ten (10) by eight (8) shed he can buy from the Home Depot. He just wants to set up one in the back so he doesn't have to put the stuff, keep the stuff in his garage. It's holding his space and cannot park his car in the garage. Like, you know, the lawn mower, blow ice, stuff like that. His kids can't even go into the garage because the smell of gasoline. It's not healthy either. So, that's why he just wants to put in those ten (10) by eight (8) shed in the back so he can keep his accessories over there in the shed.

Chairman Sophiea asked if he's added onto the roof already as part of this project or the roof just from the beginning from when the house was built.

Ruhul Singh replied yeah, the roof is already there when the house was built. The Florida room. Yeah, the roof is already... It's an open room. The roof is there. He just wants to... it has two (2) side wall.

Chairman Sophiea asked if the roof overhangs the back and there's concrete on the ground.

Ruhul Singh replied yes, sir. He just wants to build two (2) walls to make a Florida room. The roof has already been there.

Chairman Sophiea said that changes his opinion. He can get behind the Florida room if the roof is already there.

Ruhul Singh said the roof is already there.

Board Member Green said it sounds like he wants to extend the back roof. Is that correct?

Ruhul Singh said not extend the whole roof.

Board Member Green said just the part that's not there.

Ruhul Singh said just one side is three (3) feet.

Board Member Green asked the front yard, correct.

Secretary Jerzy told Board Member Green to talk into the microphone.

Board Member Green asked that he wants to extend the roof like the one in the front yard. Let him ask this question, because this is not making sense. Does he have an awning out there right now. An aluminum awning in his backyard.

Ruhul Singh apologized and said he does not get it.

Board Member Green said he's going to put a Florida room in. A Florida room is not taking an awning and putting walls on it with a sliding door. He's trying to... because one of the board members already indicated that if it's quality work it's going to look good, but it sounds... It's not making sense. So, on the back porch, he has an old porch that's fourteen (14) feet two (2) inches long. Roof and porch will be extended by six (6) feet, fourteen (14) inches. So, they're taking the hard roof and extending it all the way across the back.

Ruhul Singh said it's extended only one (1)...

Board Member Green meant five (5) feet. He's going to extend the roof five (5) feet.

Chairman Sophiea asked Mr. Green if he's talking about the rear of the property or the front.

Board Member Green is talking the rear vote on the property. He's a no vote on this. It just doesn't seem like it's well put together and it looks kind of piecemealed to him. Plus, it doesn't meet the criteria.

Chairman Sophie wants to clarify. The roof on the back of the house currently extends out passed the back of the house. How far does it extend out?

Ruhul Singh said it's only one (1) side. One side is like four (4) feet.

Chairman Sophiea said the roof extends four (4) feet over the patio.

Ruhul Singh said right, only one (1) side. The roof is already there. He doesn't know, he has the drawing he can show the board.

Board Member Green said they have the drawing.

Chairman Sophiea asked if he has any pictures or architectural drawings.

Ruhul Singh said they do have a drawing if they would allow him to come up.

Chairman Sophiea informed him they have the hand sketch, but do they have any type of rendering showing what the...

Ruhul Singh said a picture.

Chairman Sophiea would like to see a picture of the backyard.

Ruhul Singh is looking for a picture. He does have a picture. He asked if he could bring it up.

Chairman Sophie said he can give it to Ms. Jones there.

(Inaudible)

Board Member Green drove by it and saw it. Thank you.

Ruhul Singh said you see one (1) side that's cut up a little bit. He just wants to extend it to that side a little bit like four (4) feet.

Chairman Sophiea said that makes sense. It's just this much.

Ruhul Singh said right. The roof is already there.

Board Member Lindsey asked if that picture is the front or the back.

Chairman Sophiea said that's the rear of the home, right.

Ruhul Singh said right. That's the Florida room he wants to be.

Chairman Sophiea said that makes sense.

Board Member Lindsey said after seeing that picture, it just further validates his opinion that this is not a bad edition. He thinks they should allow it. Honestly, it looks a little goofy right now and he thinks extending it and unforming it is going to look a whole lot better. He's going to vote yes on this.

Chairman Sophiea agrees. Thank you.

Board Member Watts has more questions. So, the front porch. He's going to extend it all the way down to the end of the house.

Ruhul Singh replied yes, to the wall.

Board Member Watts asked if he's going to have any overhang over the porch then. Over the concrete.

Ruhul Singh replied no because it's the same thing at the front porch. He has the porch halfway, he has the roof. The rest of the halfway he wants to extend it. He wants to extend the roof too

Board Member Watts asked that he is going to extend the roof.

Ruhul Singh answered yes, just a little bit.

Board Member Watts said it's not a little bit. That's quite a distance across there to the end of the house. Second question he has, is on the back porch. Looking at the picture, there's some concrete there but off to the sides there is a patio block. Now, underneath that concrete, is there a rat wall. Is there a rat wall in there to support that room.

Ruhul Singh thinks so. Because there is concrete all over.

Board Member Watts called for Mr. Watripont.

Ruhul Singh stated the concrete was already there when he bought the house.

Board Member Watts knows, but there's code for a room that they have to follow. He stated to Mr. Watripont he's assuming they haven't been out there, correct?

Steve Watripont replied no they haven't.

Board Member Watts said looking at the picture, it's part concrete, part patio blocks. Where he's concerned, he's going to slap up a couple of walls and a door wall on top of concrete that doesn't have a rat wall and those patio blocks.

Steve Watripont explained they'll require a permit and will have to go through all the code to get approved through the permit process.

Board Member Watts said that's his concern and thanked him.

Chairman Sophiea said that might be a real issue he faces, but as long as it's being built to the ordinance he doesn't have a problem with it.

Board Member Clift said his question concerns his ten (10) by ten (10) gazebo that he's going to put into the backyard. What's the floor of the gazebo? What material is he using for the floor for the gazebo?

Ruhul Singh replied for the gazebo he's going to do the concrete and the side he's going to do footing.

Board Member Clift asked if it's going to be an open gazebo. No walls?

Ruhul Singh replied no walls. No walls.

Board Member Clift said no walls.

Ruhul Singh informed he's just going to buy one from the Home Depot and set it up there.

Board Member Clift said very good. He thinks that's all he really has. He thanked him.

Ruhul Singh said no problem and thanked him.

Chairman Sophiea asked for any other comments or discussion. This item has gone a while. It was confusing at first but he thinks they understand.

Board Member Clift would like to make a motion if nobody else has any discussion.

Chairman Sophiea said please do.

Motion:

Board Member Clift made a motion to give permission to:

- 1) Expand the covered front porch to a size of 28' 2" x 6' (169 square ft.)
- 2) Build a 13' x 25' (325 square ft.) Florida room on the rear of the residence.
- 3) Construct a 10' x 10' (100 square ft.) gazebo in the rear yard not placed against any other accessory structure.
- 4) Construct a 8' x 10' (80 square ft.) shed in the rear yard not placed against any other accessory structure.

Total accessory structure floor area including attached garage (357 square ft.), expanded covered front porch, Florida room, gazebo and shed to be 1,031 square ft.

Reasons being: Not a detriment to the area as long as its done under a permitted process.

Secretary Jerzy supported the motion.

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

Roll Call:

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

Board Member Clift	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Nestorowicz	No, over building.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Green	No, hasn't established a practical difficulty and the property is not unique and it's not necessary.
Board Member Watts	No, too many unanswered questions and it's a detriment.
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.

REPRESENTATIVE: Christopher Frankovich
COMMON DESCRIPTION: 23601 Willard
LEGAL DESCRIPTION: 13-25-304-044
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Allow 765.25 square ft. of accessory structure floor area so that a roof can be installed over a 101.25 square ft. rear deck, in addition to an existing 484 square ft. detached garage and a 180 square ft. 3 seasons room.

ORDINANCES and REQUIREMENTS:

Section 5.01 – Uses Permitted: In all R-1-A 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 garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

Chairman Sophiea said good evening and asked them to please start with name and address.

Chris Frankovich appeared before the board said good evening. He asked home address. He's here on behalf of the homeowner. He asked if the board wanted her address or his.

Secretary Jerzy said that's fine.

Chairman Sophiea replied it doesn't matter.

Chris Frankovich said 23601 Willard.

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

Chris Frankovich stated he's the builder on this project. They were approved through the city, all of their permits for an addition off the back of the house. With a deck, everything has been approved. Construction has begun already. The homeowner, Aliaa, would like to have the deck portion covered. She is worried about the rain hitting the deck, coming through the deck slats, and that's really all he knows about her reasoning for wanting this. So, the deck will be there. She just wants the roof over it. So, while they're building the addition, they would be extending the roof, hopefully. If this gets approved at the same time so they don't have to come at it later.

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's looking at the architectural rendering. He sees there's an addition on the house that's physically part of the house, heated and cooled space. Then he sees the deck on the back of the house. This item is just talking about the roof on the back deck, correct?

Chris Frankovich replied correct.

Chairman Sophiea asked if there's still going to be a railing on the three (3) sides of the deck.

Chris Fankovich replied correct.

Chairman Sophiea said ok.

Chris Frankovich explained she's approved for an awning a year and a half, two years ago, and whatever reason she wasn't able to start the instruction on time so it lapsed. The board has seen this covering already, but now it's just slightly different with the extension of the addition.

Chairman Sophiea thinks it's tastefully done. He doesn't have a problem with it.

Secretary Jerzy asked if it's just a roof, no walls. Just a roof over the deck basically. No walls, nothing.

Chris Frankovich replied correct.

Secretary Jerzy yields the floor.

Board Member Watts has a question to the representative. He assumes he's building the backroom now.

Chris Frankovich replied correct.

Board Member Watts said very well and thanked him.

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

Chairman Sophiea said please do.

Motion:

Secretary Jerzy made a motion to grant the petitioner permission to allow 765.25 square ft. of accessory structure floor area so that a roof can be installed over a 101.25 square ft. rear deck, in addition to an existing 484 square ft. detached garage and a 180 square ft. 3 seasons room.

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

Board Member Nestorowicz supported the motion.

Chairman Sophiea said they have a motion by Secretary Jerzy, support by Mr. Nestorowicz to approve the item 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 Assessor	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiaea	Yes, for the reasons stated in the motion.

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

8. PUBLIC HEARING:

APPLICANT: Corey Petros – Consulting PG LLC

-USE-

REPRESENTATIVE:	Corey Petros
COMMON DESCRIPTION:	20703 Dexter
LEGAL DESCRIPTION:	13-36-453-055
ZONE:	C-2

VARIANCES REQUESTED: Permission to ~~USE~~

Retain single family residential use in a C-2 zoning district.

ORDINANCES and REQUIREMENTS:

Section 14.01 – Uses Permitted: Residential dwellings are not permitted use in a C-2 zoning district.

Chairman Sophiaea said good evening and asked them to tell the board about their request.

Corey Petros, 20703 Dexter, appeared before the board stating he purchased this house not too long ago. He recently found out trying to obtain a mortgage, and this is all new to him so bear with him, it's zoned as a C-2 commercial. It's been long existed as a residential house. Under current zoning regulations if destroyed by a fire or other acts of God it cannot be rebuilt as a residence and also some language that's city related. If there's sixty (60) percent of damage he can't rebuild it as a single family house, which causes hardship, obviously. He's looking to get that approved use. He thinks it's called a use variance, to be able to, if something happens to his house God forbid, then he can rebuild it as a single family house.

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

No response.

Chairman Sophiaea closed the public portion of the meeting. Before he turns it over to the board, he apologizes for not catching this earlier. This is a use variance, unlike other non-use variances. A use variance he might know require six (6) yes votes instead of five (5).

Corey Petros didn't know that.

Chairman Sophiaea explained they're absent one (1) member tonight. So, they usually give petitioner's the opportunity to reschedule for a full board. If he would like to do that he'll allow that, otherwise they can proceed tonight.

Corey Petros answered they could proceed.

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

Secretary Jerzy drove by the residence and God bless him for buying it, but it's a unique property for sure. He means no driveway, right up against the alley, it is unique. As they kind of saw this come before them, something similar a couple weeks ago. The same magnitude. He really doesn't have a problem with this. It's kind of unfortunate that it wasn't disclosed to him at selling and things of that nature, but buyer beware type of thing. In order for him to have some kind of relief from it, he thinks temporarily this would be the way to go. He doesn't have a problem with this and he'll yield the floor.

Board Member Watts drove by there as well. It is kind of an odd situation. He takes it he's buying this to fix it up and rent it?

Corey Petros replied correct, yes.

Board Member Watts asked that didn't come out when he bought it.

Corey Petros replied it did not. Title company didn't catch it, no one told him. He was getting a loan on it and the lender said he couldn't get this loan. He said it's zoned commercial, C-2. He can't get a loan on this anywhere. The other issue is if something happens to it, he can't rebuild it as a single family house. Which it has been a single family house since 1953 or something like that. It literally just popped up a month or month and a half ago.

Board Member Watts wants to try to protect him at the same time. They're telling him if he gets a variance that'll cover it.

Corey Petros replied correct. That's what the lender told him, yeah.

Board Member Watts has a question to Mr. Watriont because in his mind he's wondering what happened. How do they wind up with a home being C-2 there when everything around there is residential. Any idea?

Steve Watriont explained this has been zoned that way since the city has been a city. It has been nonconforming ever since. Prior to 2008 or 2012, basically they were giving mortgages didn't matter how the property was zoned, they didn't look at that that much. So, any other transfers prior to that were never looked at that close as far as the nonconforming. That's why it's continued to this date and now he's getting a mortgage on it. The mortgage companies, he's doing a lot of zoning verification letters on a lot of these as well. That's why he's seen them the last couple times. May be seeing more, too.

Board Member Watts thanked him and appreciates the education.

Corey Petros said apparently the whole row of houses along that side, he thinks his name is Briant at the city, mentioned all of them are the same issue. So, whenever they do come up with a mortgage, they're going to have to come up with the same situation.

Board Member Watts asked the whole block.

Steve Watripont believes it's the first three (3) or four (4) lots.

Board Member Watts said wow, ok.

Corey Petros never ran into this before. He didn't expect this to pop up.

Board Member Watts said that's ok, he understands. He appreciates him buying the home and fixing it up. He's all set. Thank you.

Chairman Sophiea thanked him. Any other comments or discussion or would someone like to make a motion?

Board Member Clift said to Mr. Watripont and the petitioner. He's holding a building permit that was pulled on that property from July of 1962 that designates it an R-1-C.

Steve Watripont explained as they've gone through and everything else, they found a lot of these that were houses or additions that were put on that was an existing house. They didn't have computer systems back then and they looked it up quickly and he believes they saw a house there and made it R-1-C because most of the other area there is R-1-C. He doesn't think it was looked at very closely and with the technology they have today, that's the only excuse he has.

Corey Petros asked what is an R-1-C.

Steve Watripont replied single family residence.

Board Member Clift asked if that was the only remedy he was offered was to come and get a variance saying it was ok to continue to use that way. Or they didn't offer changing his zoning and going oops.

Corey Petros answered they said this was the only way to do it. That's what the letter told him. He's following them on this, honestly.

Board Member Clift thanked him and yield.

Board Member Lindsey said if nobody else has any comments, he would like to make a motion.

Chairman Sophiea said please do.

Motion:

Board Member Lindsey made a motion to grant the variance requested to have permission to retain a single family residential use in a C-2 zoning district.

Reasons being: Not the petitioner's fault; Not a detriment to the area.

Secretary Jerzy supported the motion.

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

Roll Call:

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

Board Member Lindsey	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Nestorowicz	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Clift	With reluctance, yes for the reasons stated in the motion.
Board Member Green	Yes, for the reasons stated in the motion.
Board Member Watts	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: Mirsad Zecevic**
REPRESENTATIVE: Hisham Turk
COMMON DESCRIPTION: 27643 Schoenherr
LEGAL DESCRIPTION: 13-14-430-032
ZONE: PB

VARIANCES REQUESTED: Permission to

Construct two minarets (religious symbolic towers) in the front setback that are 5' x 5' at the base, 35' in height and to within 23' of the front property line along Schoenherr.

ORDINANCES and REQUIREMENTS:

Section 5.11 – Churches, Schools, Libraries and Civic Clubs: Churches, synagogues, mosques, public schools, public libraries, private educational institutions, funeral homes, community buildings, country clubs, fraternal lodges or similar civic or social clubs shall be permitted with permission of the Planning Commission pursuant to the standards et forth in Section 22.14(b)(1) and upon compliance with the following minimum requirements:
(8) Every building shall have a front yard of not less than thirty (30) feet...

Section 12.06 – Front Yards: In PB Districts, every building, for use other than residential, shall have a front yard of not less than twenty-five (25) feet.

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

Sejad Melkic, appeared before the board, 13656 Irvington.

Chairman Sophiea thanked him.

Sejad Melkic explained he's the president of the (inaudible) religious institution. Mirsad is along with him on the application. He is traveling currently so he's the only one with the architect here.

Hisham Turk appeared before the board stating he's the architect helping with this project. He resides 6304 Peacock Drive.

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

Sejad Melkic explained they submitted a request, which was approved on Monday by the Planning Department with certain items they wanted them to take care of, in which they agreed to take care of on Monday evening here. The only reason they need the variance is because the minarets they're trying to build will be a few feet out of the property line where it stands right now as an existing building. They are building their bases five (5) by five (5). It's a circle base and two (2) minarets. So, it's not along the entire perimeter of the entire front of the building, just the five (5) by five (5), two (2) structures. It's really many members and people who have lived in the Warren area did not even know it was a mosque. Many times they said they pass by and the sign does not always stand out due to the size. Even one of the Planning members told them last time they had a hard finding. So, their building does not aesthetically look like a religious center or mosque and they're just trying to improve that look. Not only for them, but also for the neighbors and for any of those who are looking for a mosque. He thinks it also helps with the safety because when people are driving and looking to pull into a driveway off Schoenherr Road, which is only two (2) lanes, it only helps to know when to slow down and know they're approaching the entrance and need to be careful. That is what they're seeking tonight with this variance.

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

Barbara Wyatt appeared before the board stating she lives in Warren, 13243 Yvonne. Right around the corner from the mosque. Her problem is, and afraid of, is they don't really have enough parking in the facility now. They're only going to get bigger, not smaller, they hope. They park in front of their drives, block the fire hydrants, everything. That's their problem. They have kids that are autistic and blind and deaf on the street. They have no control over it, she understands, but when they get out of mass they fly around. She has video. They literally fly around the circle. They're in and out. They don't have the parking amount now. After so many cars they have to block their driveway off. He's saying there are only two (2) lanes on Schoenherr, but it is hard for them to try to get around. If you go down Dianne, which she learned by going to get her husbands prescription coming back home. Their people from their mass was parked along Dianne bumper to bumper. She had a truck, eight (8) foot bed. She cannot back it up to Schoenherr. The guy literally got out of the car and told her. She didn't understand and told him she didn't understand him and he didn't understand her. So she called the Warren police for it and got him to back up only three (3) cars in the driveway and then she got on her way home. Her thing is the parking. They don't have the parking spots now. They're going to get bigger. They want to recognize them, so it's going to get bigger. It's not going to get smaller. The parking is going to be the problem. They have the parking now. They're parking in a little subdivision there, condos. People are parking in their parking lots and they've been told don't. You can't stop them. She's been nice enough not to have the police tow it away, but they have to do something about their parking before they can try to be bringing in more people. That's her issue. She thanked the board.

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

Muhammad Tahir, 13763 Grey, appeared before the board saying he moved to this community

almost four (4) years. He goes to this mosque and never have any issue. All of it and they clean the mosque, looking good over there. He does not have any issue. He doesn't see any issue the last four (4) years.

Chairman Sophiea thanked him for the comments. The board will take them into consideration. Are there any other comments? Approach please.

Senad Livadic, 28645 Flanders, appeared before the board stating he lives in Warren more than fifteen (15) years. He is a mile up from that community. He's a member of the community. He tells the board yes, they have problem actually. People who make a problem are not part of their community. Those people don't come on Friday mass. It's for about one (1) hour over there. Every event they have problem. Is it possible game, any school event, they have problem with traffic. He told those neighbors to come and try to solve it. Either to hire police or patrol or something. He knows that's the problem. Invite them. They can have a monthly meeting or meet and come and talk with any issue. Any problem they have they have to issue. The problems cannot divide them. They have to be strong as a community. Those are small problems he thinks. They can solve it. They're going to grow up because they are looking to try and buy some more parking space. If there is any available property around they will buy it, you know,, to make everybody safe and everybody happy. Also, they have to provide the people who come. Usually they have enough parking space for current members. They don't have enough for people who come just on Friday to come because they either work in Warren or Dearborn or other cities, but they work there and in their time of pray they come to just pray and leave. That's the problem, they have enough parking spaces for community members, but sometimes they will see. If they have time like IONA, they have two (2) times mass, but they're not big enough to have mass two (2) times. If the mass have two (2) times they will do it. He said if neighbors have problems just come to them and they will try to hire either patrol, officer or bring out somebody to direct traffic around in there. He wants the neighbors to tell them what the problem maybe they don't know. They can come to their mass and see the imam who held the mass. They always remind people not to disturb, don't park illegally. They have problem in their community. They park on the grass. They're always reminded don't park, don't block somebody else, you know. Incase emergency, somebody has to leave, or they need to come. People do say things. Not all the people in every religion they don't follow rules, they just come. Church, mosque or whatever. They don't know what the rules. They do not behave by the religion. That's why they need those institution to teach the people how to behave. Teach the people how to communicate with neighbors and to live together. Thank you.

Chairman Sophiea said this is a public hearing. Is there anyone in the audience who wishes the speak? Please approach. Good evening.

Senaid Zecevic, 15158 Arathorn, appeared before the board stating he is a member of this community of this mosque. He's here to support it. He's been a member for the last nine (9) years. He has been a part of many work activities so speaking on that note, they had many projects where they came and being really nice neighbors. One example is when they did their arborvitaes planting around the property. One of the neighbors noticed they had nice good potting soil and there's older couple having a hard time going to the store. He helped them out and got them a few buckets of nice potting soil. He brought it to the garage. They're right next neighbors. Several years ago one of the streets that their neighbor lives on they had construction. Total pull out of the old road. They replaced the whole concrete and that took over

a month. Few of the neighbors that live right behind their property, they actually used their parking that they have spared to park over night because the road was all pulled out. They're really trying to be really good neighbors and help out. He understands their concern. Their concern honestly is the Friday prayer, which the prayer is from 1:30 til about 2:05 roughly. That's the only time when there's a little bit of congestion. They're trying really hard with volunteers to control it and do what they can. They're going to continue. They want to talk to them. The last meeting they talked to them in the hallway. Some of the neighbors are not here today, maybe they're happy they're going to be talking to them. They have the phone numbers. They're working on that note. The main point, these minarets. They mean so much to them because a mosque without minarets is honestly, you can't really call it a mosque because they are very strong symbolic thing. Like his kids, he has three (3) kids. When they go to his birth country with family and see mosque around there, everyone of them has minarets. That's the first symbol of the mosque. Without minarets it's just a building. Honestly, when they do this work they're going to improve the whole front. The porch in front will be replaced. The landscape is going to be improved. Appearance is going to be much nicer. It's going to bring value, it's going to be something nice to look at when people walk by, or drive by. He really hopes the board approves this for them and they are willing to work with the neighbors continually to improve and do everything possible so everybody is happy. He thanked the board and appreciated their time. Chairman Sophiea said thank you. This is a public hearing. Is there anyone in the audience who would like to speak on this item?

Muamer Lojo, 30653 Cedars, appeared before the board stating he would like to share why this mosque means so much to him and his family. His mother who is in her mid-sixties and his aunt who is even older came here regularly to pray and feel connected to the community. He also brings his three (3) children here so they can grow up learning faith, kindness, and value of community. What makes this mosque truly special is the people. They see folks from all races, all walks of life coming together. They share meals, they hold potlucks, and they spend time getting to know one another. It's a place where friendships form and neighbors come like family. It's also an important home for people who have converted to Islam. For some of them the mosque is the only way to socialize and be a part of a supportive community. They often find themselves cut off from family and friends due to their new found faith. To him that's the beauty of this mosque as well as Islam. It bring generations together, it welcomes new comers and he believes it strengthens the fabrics of the community. Correct him if he's wrong, but the minarets are purely cosmetic. It's just going to make the building stand out from the road. He thinks it will add beauty to the community. Every time he's driven past a church, a mosque or synagogue, he's always appreciated the architecture. He loves the neighbors. He thinks they have great neighbors. Last time they were here they spoke outside. A few of them even agreed to come join them for a barbeque. He thinks it's going to work out good. He respectfully asks for the boards support in approving the mosques minarets so they can continue to be a place of peace, unity, and belonging for everybody. Thank you.

Chairman Sophiea asked if there is anyone else in the audience who would like to speak on this item. He asked if he had a comment.

Ron Blaze, Yvonne Street, stated he just gave her some videos to look at. He stated his first name and asked if that's sufficient.

Chairman Sophiea asked him for his first and last name for the record, please.

Ron Blaze asked if he had to.

Chairman Sophiea replies yes.

Ron Blaze said last name is Blaze.

Chairman Sophie asked him for his comments.

Ron Blaze stated there's two (2) issues. There's one at the capacity and there's one for the parking. They'll start at the capacity, because he counted 240 people in (inaudible) house. Basically, they have parking for thirty-five (35). The individual that owns the property, or the imam. Thirty-five (35) for 240 right now. That's the first issue. Once he gets the thirty-five (35) in those pictures the board will see they chain it off and put cones out. Then the people pulling up stop in the middle of Schoenherr and sitting there trying to turn in. That's a traffic jam right there. Second of all, they push them into the neighborhood. Like he said after thirty-five (35), they push them into the neighborhood. You can't get up or down that street. It's one way only. You can either go in or you can go out. You can't go both. That's the biggest issue as far the capacity and everything. If the board wants to see them...

Chairman Sophiea thanked him for those comments. No, the board is not going to allow exhibits from an audience member. Thank you anyway. Are there any other comments from the audience tonight?

No response.

Chairman Sophiea closed the public portion of the meeting. He will let Secretary Jerzy read one email into the record. This is the same person from item 6. There is no address. He's going to let Secretary Jerzy read it into the record. It's up to the individual board members tonight if they want to consider this letter into their opinion tonight.

Secretary Jerzy said it's from a Cindy Serafin.

"In re item #9, I believe allowing this variance to erect the minarets on this property would only NOT be conducive to the aesthetics of the neighborhood but, again, is also against the ordinance. I have watched the planning commission meeting that was held earlier this week and there were several complaints about this property in regard to parking problems, lack of respect to personal property of CITY OF WARREN residents, back up of traffic on Schoenherr Road, which causes a safety issue of drivers. I also have friends that live in the area and they are highly concerned with the issues that this facility is causing in the neighborhood. The owner stated he closes off the parking lot when full "in case there is an emergency and emergency vehicles needed to get in" but has complete lack of regard for the neighbors who live in this area with the same concerns. With the addition of the minarets and an increased identification of this building, I believe this would only bring more vehicles to an area that is already overrun with lack of parking. The owner stated at the planning commission meeting that there are 35 parking spaces at the site but then stated they have upwards of over 200 people in the building at one time. Again, erecting 35 foot high minarets in an area that is highly zoned as

residential, would not be in the best interest of the RESIDENTS OF THE CITY and would be acting more so for transient people that come into the City rather than residents who have invested in their property. There are two mosques in the area that I live in and there are also major traffic concerns that arise due to events that are held. Again, there are ordinances for a reason and all should abide by those ordinances. I do hope that all commissioners will take into consideration the concerns of many neighboring residents regarding this property.

Although I am not able to be present at this meeting, at a previous zoning meeting a commissioner stated there was no correspondence from residents regarding an item that clearly should not have been granted a variance and so he felt that it was a non-issue and was granted; therefore, I am submitting my concerns regarding these items on the agenda”

Chairman Sophiea thanked him. At this time he turned it over to the board for discussion. Oh, yes. If Secretary Jerzy could summarize the Planning impact statement into the record.

Secretary Jerzy thanked him and apologized. According to the Planning Commission and Ron Wuerth, “after review of the request no issues were found to impact the abutting, local, or general public.”

Chairman Sophiea thanked him. Before he turns it over to Mr. Watts, he wanted to remind the board tonight there is nothing on the item tonight about parking. There is no parking variance on the property as far as he can see. Planning impact statement didn’t actually go into detail with it if there was a review of the parking. He wanted to remind the board tonight that they’re discussing just the setback and the two (2) religious towers. They should keep their discussion on topic. Mr. Watts.

Board Member Watts thinks he’s wrong on that because there is a problem over there. He watched the Planning meeting on Monday night, and he’s glad he did. There was about twenty-five (25) residents from that neighborhood there that are being overrun. There was some statements made at that meeting that were not true. He did his investigation on it. He doesn’t know that those people were notified that this was going on tonight. There’s a definite problem over there. They’re creating a danger to the neighborhood by not being able to get emergency vehicles into that neighborhood with that parking on those streets. They’re parking at peoples driveways at those condos. They’re parking at peoples driveways on the side streets. They’re walking through their yards to go to the place. Then himself and Mr. Green took a ride over there. There are two (2) sheds on the property, which is a problem. The trash enclosure is not enclosed and the dumpster is sitting outside of it, which is not up to code. Honestly, he doesn’t even know how they can hear this tonight till their property is brought up to code. That’s his first problem. The second problem is as many cars that’s coming over there, they’re probably overfilling the building at prayer time. He did a check with the fire marshal and it’s limited to 192 people. Next, he looked at the back up documents they got here and they were aware they bought a medical building. They bought a medical facility and office building. They didn’t buy a church, they didn’t buy a mosque, they bought a medical building. There’s already been, according to what he reads here, five (5) variances applied for

since they bought it. Now they want a sixth. What's going to be next? That many variances on a piece of property tells them it doesn't fit. Period. End of story. Putting the two (2), he understands their religion and stuff and minarets. He apologized if he didn't say it right. That's part of their culture and religion. He understands that, but thirty-five (35) foot for two (2) of those does not fit the neighborhood. It does not fit. It's not the boards fault, it's not the residents fault in that area that they bought a medical facility and trying to turn it into a mosque. They should have bought something that would... If they're expanding maybe they need to look for another building in the area that would accommodate it with the parking. They can't put 300-400 people in the building, it's not happening. So much here is wrong that doesn't comply with the ordinances that there is no way he can vote for this. This is a danger to people attending their mosque if there's that many people in the building, there is a danger to the residence, there is a danger to the people in the condos. Now they're hearing tonight there's also traffic problem. All of those, there's probably twenty (20) or twenty-five (25) residents Monday night that were at the Planning meeting that all voiced an opinion. Planning Commission did not take one (1) thing into consideration. It was said they were in violation on the shed. They were in violation of the dumpster enclosure. The traffic problem, they took in no consideration to that at all. This is not right.

Sejad Melkic asked if he may...

Board Member Watts said no he's talking right now, sir. It's his time.

Sejad Melkic said he'll wait till he's done.

Board Member Watts read his statement here about how they bought a medical facility. That's exactly what they bought. They don't get to keep changing it and changing it, because they're encroaching on the neighborhood. That's not right to those people. That's a danger. The one young lady had to have the police out there. They shouldn't be putting up with that. He wouldn't put up with it in his neighborhood and he doesn't care what religion it is. He wouldn't put up with it. He wouldn't care. He wouldn't put up with it if it was a restaurant. He thinks everybody needs to know what's going on over there. He's glad he watched the Planning meeting. It really enlightened him that there's a problem over there. Like he said, he went over there and looked at it along with the rest of the stuff on the agenda. There is definitely a problem. Thank you.

Chairman Sophiea doesn't disagree that there's definitely a parking problem. There is definitely a traffic issue. What he disagrees with him on is that there's something that zoning can do about that. They're hear tonight about this petition for these certain religious towers and the points he raised are legitimate, but it goes back to enforcement. If they have thirty (30) parking spots, or thirty-five (35), however many they have. They can only park in those spots, it's simple. It's lack of enforcement. Why isn't a police officer going out there to ticket illegal vehicles, tow illegal vehicles. That's ridiculous. He doesn't disagree with the religious towers necessarily, that's fine they want to have those. He thinks that's their right to do so, but they have to know up front that the facility sounds like it's too small to accommodate the growing community. How are they going to rectify that. So, he understands what Mr. Watts is saying and the concern some of the neighbors are having with the parking and traffic. That has to be very frustrating for them, but he's going to give them an opportunity to respond. How are they going to address the shortage of parking and traffic? He knows they mentioned they might have a volunteer out in the street or

a police officer patrolling at mass time, but do they have room for parking.

Board Member Green asked for a point of order. This is the boards time to discuss. This is the boards time to discuss. He really doesn't think it's... banter back and forth because he has a comment to make on the fact that this does, these other issues do apply to this particular variance. The fact of the matter is the petitioner themselves said that part of the reason they want to put these structures up are to attract more, he doesn't know what the right word is, business.

Sejad Melkic stated that's not what he said. (Inaudible)

Chairman Sophiea said to let him...

Board Member Watts said sir, this is the boards time.

Chairman Sophiea banged the gavel.

Board Member Green said they've allowed this now.

Chairman Sophiea told Mr. Green he's going to give them a moment.

Board Member Green asked why. They've already had their chance.
Chairman Sophiea said no.

Board Member Green said this is wrong.

Chairman Sophie stated he's the Chairman.

Board Member Green explained the Chairman is supposed to speak last, by the way.

Chairman Sophiea explained he's raising a point to the petitioner. He wants to know, and they're going to tell him briefly, please.

Board Member Green asked if it's not part of the variance why is he asking then. He's the one that said it's not a part of the variance. So, now he's asking about something that he already said is outside the scope of what they're doing.

Chairman Sophiea said it is. He thinks the parking is totally outside the scope of this item tonight, but Mr. Watts raised the parking issue up. Since he raised it up, he thinks it's a legitimate issue. Does he not want to hear how they're going to have more parking?

Board Member Green replied no because it's not a part of what... He just stated that the parking and all these other issues that were brought up are not a part of this variance. That's not what they're asking for. They're asking for two (2) structures. He thinks that is a part of it.

Chairman Sophiea asked him he thinks what's a part of it.

Board Member Green thinks the whole picture. The parking, all these different items. When the

petitioner says that part of the reason they wanted to identify so they can have more people. More people is the problem.. But he's already stated previously that he doesn't think that is a part of the whole thing. So, why are they having the discussion then if he's the chair person and he just got done saying that this is not part of the variance. Now they're going to have banter back and forth with people. They already had their opportunity.

Chairman Sophia explained they allow questions to be answered by the petitioner. He's correct that when the petitioner speaks and they're done talking, they're not allowed to speak again unless a board member asks them a question. He has a question for them and he's going to answer.

Board Member Green told him he's supposed to speak last by the way.

Chairman Sophia thanked him. He'll give the petitioner just a moment to respond about the parking.

Sejad Melkic thanked him for that. It's sad that he's sitting here listening to false statements from Monday night, which was two (2) nights ago about the amount of people that were here. This is public records so thank you for putting those numbers out there that are not true. Secondly, every single issue Planning Department told them about including the shed.

Board Member Lindsey asked through the Chair if they're going to answer questions about the parking.

Sejad Melkic said he's going to answer the question, sir.

Chairman Sophia said there's just a question.

Sejad Melkic said he knows.

Chairman Sophia understands there...

Sejad Melkic said he just heard comments he made...

Chairman Sophia banged the gavel.

Sejad Melkic continued saying he made false statements that were not true from two (2) nights ago. They agreed to everything and they have for the last ten (10) years have done everything the city asked them of. So, that's going to be taken care of.

Board Member Lindsey said this is not the question.

Sejad Melkic said now, regarding the parking.

Chairman Sophia said please.

Sejad Melkic asked why isn't there twenty-five (25) people here tonight, sir. You know why? Because he spent an hour talking to his neighbors. They shed tears with him in the hallway. They agreed to come and join them and talk about these things. Their issue is not daily parking

space or any other time, except on a Friday. Which is an issue at any mosque. Go to any bigger institution with a mosque that have more than them right now. Go at any other time, they will not have anymore people praying than who are at home who have nothing else to do. He never stated anywhere, he doesn't know where this information is coming from, that they are seeking more members. What he stated is...

Board Member Lindsey said Mr. Chair.

Board Member Green isn't going to be called a liar during a meeting.

Sejad Melkic said he did not call him a liar. He said it was a wrong statement.

Board Member Watts said Mr. Chair.

Chairman Sophiea banged the gavel.

Sejad Melkic mentioned he never stated that they're looking for more members. That's not true. Their members and the mosque, the medical center they bought that Mr. Watts is referring to, they bought it. They understood what they were buying. Their community has enough space there. What they can't control is that it's a public institution. People have the right to come in the Friday. If they're working nearby in the Warren city. Do they want to kick them out of working in the Warren city to go work somewhere else just because they come into their mosque. He can't control and tell people. It's not like a church where people only go to a particular church and maybe no where else. The mosque situation people usually go where they work...

Board Member Lindsey said Mr. Chair.

Sejad Melkic continued saying where they work so they can go back to work in a timely matter. What they have done, to answer his specific question, he apologizes. Is that they have volunteers out. They've never allowed two (2) parking spaces. They bought the parking, one of the variances they're talking about was for the parking next door.

Chairman Sophiea said his question was do they have more land on the property that could be turned into parking.

Sejad Melkic replied not currently, no.

Chairman Sophiea said that was his question.

Sejad Melkic explained minarets have nothing to do with the amount of parking they have or the amount of people that are going to visit the mosque.

Chairman Sophiea thanked him.

Board Member Lindsey has comments. He would like the time the board was given to discuss the variance. He doesn't have any comment regarding parking, so he would like a chance to speak and talk to the board about what they have going on here. Mr. Watts, thank you for the comments. He agrees with some of his sentiments. In the packet that the applicant has provided the board here, he stated that they bought this building as a medical center. Now they're using

it as religious center and it's not suited for what they're doing. Now, they are trying to add onto the building to better accommodate. So, to him, that doesn't justify the need for a variance; it's self-imposed. They have other issues here. He states under the property being unique and he says part of the reason is to keep prestigious members who positively contribute to the city and the neighborhood. That sounds like to him that it's for an economical reason. So, this doesn't seem necessary. In order for them to grant this variance the applicant has to demonstrate that he has established all of this criteria to have a practical difficulty. He doesn't. So, he's going to be voting no. Thank you.

Board Member Green said the issue in front of the board is the structures. In his opinion, they don't meet any of the criteria. They don't create an unreasonable burden, they're not self-imposed, the property is not unique, it's a detriment, it's not necessary. They don't meet one (1) of the criteria so his vote will be a no. That way they can simplify it.

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

Board Member Nestorowicz is not going to bring up anything on parking, but the issue they run into, because he remembers being on the board when some of these previous variances were granted. You know the problem they sometimes run into is a building that somebody buys is... things end up getting over built. If this property was larger and they had the thirty (30) feet in the front, it would not even come here. They would build the minarets and there would be no issue whatsoever. They're running into a problem because of course they don't have the thirty (30) feet that's required by zoning and they're talking about it's twenty-three (23). It's what they run into when there's a building that somebody is trying to use knowing that now... you want to be able to give them the use they want but then it's like requiring too much variances from zoning. That's where he tends to question is that property too small for the use that the petitioner is trying to do. That's just his only comment.

Chairman Sophiea thanked him. Mr. Clift.

Board Member Clift said getting down to the nuts and bolts of this. Are they actually talking about... Mr. Watriont if he could help him with this please. First he's going to preference his comment because they know he likes to talk about ordinances, antique ordinances and ordinances that are out of date. City ordinances don't address a lot of the issues that come up when it comes to the neighborhoods and community members of the Muslim faith. They don't address how the mosque operates, they have... In his opinion, they're absolutely clueless in the religion and how they work. Back in 2014 a group of people came before this board, whoever was seated there at the time, managed to get a variance to open a mosque in a Planned Business District area. Where are houses of religion usually relegated to in the City of Warren? Anybody? It's an open question.

Chairman Sophiea said neighborhoods.

Board Member Clift said R-1 districts. Residential districts. They had a few come before them since he's been on the board talking about... he knows they don't want to talk about parking issues, but they were looking for some reduction in the requirements of parking issues. They had to wrestle around figuring out average attendance of people that would be attending the mosque because they don't use pews for seating. There are very, very few chairs at all in a

mosque. So, between him and a couple board members and the Imam, they figured out about how many people there were and he was able to convince this board that what they were asking for wasn't unreasonable. Some of the bigger institutions of other faiths draw big crowds and there's parking problems. They're a little less often. These folks gather heavy on Friday afternoons. He has to travel through Hamtramck on Friday afternoons between one and three o'clock. He's not mad about it, it's just how their faith proceeds to move along and that is their busy time. He's not condoning the activity. He's not saying he agrees with maybe some disruption that goes on in the neighborhood, but at the end of the day that is not what they're here to talk about. There are other avenues and other vehicles and other ways to deal with neighborhood problems to be addressed in the neighborhoods. If the city is not listening to the residents and taking those charges up and dealing with them at face value then shame on the city. Mr. Watripont are they actually talking about two (2) feet here?

Steve Watripont answered they're talking about seven (7) feet from the ordinance from the thirty (30) foot setback.

Board Member Clift said seven (7) feet.

Steve Watripont said yep.

Board Member Clift asked that the way the ordinance stands there is no restriction on height.

Steve Watripont explained there is an exception to the height in article 19. He doesn't have that handy on him, but basically it includes steeples, any religious activity going under that.

Board Member Clift said fair enough. He knew he read it somewhere but wasn't clear where he read it at.

Steve Watripont said it's in article 19, he doesn't have the specific number.

Board Member Clift said at the end of the day, they're sitting here talking about two (2) structures. One of them or both of them being within seven (7) feet of the thirty (30) foot line.

Steve Watripont believes both of them within seven (7) feet of the thirty (30) foot line.

Board Member Clift said with that he'll yield the floor.

Chairman Sophiea asked for any other comments. Mr. Watts, did you have something?

Board Member Watts wanted to ask Mr. Watripont while he's there and then maybe the city attorney. They have a trash enclosure that's not up to code, that was brought up the other night. He looked at that and witnessed that yesterday. There are two (2) sheds on the property. He's not sure that... he doesn't think two (2) sheds are allowed,, but he doesn't know if they're up to code either. That was brought up the other night. The question to him is, how do they deal with that. If a property isn't up to code, should they be here for a variance right now?

Steve Watripont explained most properties aren't up to code when they come up before the board, especially if it's something existing. That's part of the reason they do come before the

board. So, there is no restriction on that from what he's aware of. As a member of the board previously or member of the city now. As far as the other items, they should be on the site plan. It is a site plan requirement for all structures to be on there. He did not review this site plan or the site to verify everything was there. They do that occasionally but it's usually in the winter months that they have the time to be able to go out and look at some of those things a little bit easier. Usually it would be a complaint. They would send someone out there specifically to go through what the property has and what they should have and what they don't have and what permits are there on file.

Board Member Watts appreciates that. His next question would be to the city attorney. If the items that are out of code that were cited the other night and they went out there and saw them, but they're not part of the variance. Should the board be moving forward with this until things are brought up to code.

Jennifer Pierce explained if he looks at the site plan she knows the petitioner noted specifically asked someone to go out and review the property so they could release the bond. Those two (2) items were noted. The one shed indicates in here that it's going to have to be removed. The trash enclosure needs to be enclosed. Those were noted on Planning Commissions notes. The only ordinance that she's aware of that would prohibit someone from petitioning this board is if they are in default financially.

Board Member Watts is aware of that.

Chairman Sophiea said thank you.

Board Member Watts said the last thing he would like to point out is based on what went on at Planning on Monday evening. Then to have the impact statement that says there was no issues found is a false statement from the Planning Commission. That's a huge problem.

Chairman Sophiea asked for any other comments from the board or does someone move to make a motion.

Board Member Lindsey said if there's no other comments from the board, he would be prepared to make a motion. Let him make sure he has the right page here.

Motion:

Board Member Lindsey made a motion to deny permission to construct two minarets (religious symbolic towers) in the front setback that are 5' x 5' at the base, 35' in height and to within 23' of the front property line along Schoenherr.

Reasons being: He doesn't think it would be unreasonable to stay within the compliance area of the setback; Clearly self-imposed; Doesn't believe the property is unique; It is a detriment to the area; Seems to be personal and economic; Not necessary.

Board Member Watts supported the motion.

Chairman Sophiea said they have a motion by Mr. Lindsey, support by Mr. Watts 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 (6 – 2).

Board Member Lindsey	Yes, to deny.
Board Member Watts	Yes, to deny for the reasons stated in the motion.
Board Member Green	Yes, to deny for the reasons stated in the motion.
Board Member Clift	No. On the face of it he doesn't see a problem with it.
Board Member Assessor	Yes, to deny for the reasons stated in the motion.
Board Member Nestorowicz	Yes, to deny for the reasons stated in the motion.
Secretary Jerzy	Yes, to deny for the reasons stated in the motion.
Chairman Sophiea	No, believes the setback was reasonable.

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

10. PUBLIC HEARING:

REPRESENTATIVE:

COMMON DESCRIPTION:

LEGAL DESCRIPTION:

ZONE:

APPLICANT: Radiant Sign Company

Paul Weinstock

4239 Twelve Mile

13-08-351-041

C-1

VARIANCES REQUESTED: Permission to

Install a 124 square ft. wall sign.

ORDINANCES and REQUIREMENTS:

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

Paul Weinstock, 14500 Talbot, appeared before the board.

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

Paul Weinstock is here to request a sign variance for Whole Fruit. They're opening a new fruit market where the former CVS was on Twelve Mile. Warren only gives a forty (40) square foot sign allotment and the nature of their logo, the way their center logo comes up, they're not really using the whole 124 square feet they're asking for. It's really more about seventy-five (75) square feet because of all the dead space that the way the square footage is calculated. They're spending a lot of money on this store, building a new store, building a pizzeria, a taco shop and the nature of the way the building is angled on Twelve Mile they can hardly see it from one direction. It's set back from the road. They're just trying to see if they can get a larger sign for more visibility for him to have a nice neighborhood store.

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 Nestorowicz has a question, maybe Steve can help him out with this. The CVS there, he knows they had a ninety-six (96) square foot wall sign on the south elevation that was approved. Then they had their... He guesses he was trying to think. Between the two (2) with the variances of what CVS had for a sign on both facades, what did that add up to that the sign wouldn't...

Steve Watripont explained each elevation would stand on it's own. So, it would only be the front elevation that they would take into consideration on that.

Board Member Nestorowicz said the existing CVS sign, the previous. He was trying to see what was granted for them. That's why he could not find. He saw the south elevation, he did not see the west elevation.

Chairman Sophiea asked if there is a west elevation.

Board Member Nestorowicz meant the one that faces the front. CVS had a sign on the front of the building and they had a sign on the side of the building.

Chairman Sophiea said the front was southwest. Then what about the other side.

Board Member Nestorowicz thinks that's considered the south elevation because he saw the variance granted in 1993 when Arbor Drugs got a ninety-six (96) square foot sign on the south elevation. It's hard to tell when that building is on a diagonal. Or was that part of...

Chairman Sophiea said maybe they should clean that up tonight.

Steve Watripont noticed that the petitioner was talking about if it wasn't boxed in. They stopped boxing in about four (4) years ago. They will go to the outer limits and go from there. He believes this may not need a variance at this point in time. He believes it may be closer to the ninety (90) square feet. He doesn't have those dimensions to do that here right now. He does agree that the south elevation and that is probably not correct because of the way that building is angled.

Board Member Nestorowicz would have no problem with the sign as long as they clean it up. He doesn't want to find out they gave permission to this sign and then another one appears around the corner. That's his concern. If they had that one sign, and he thinks it should fall within the ninety-six (96) square feet.

Secretary Jerzy asked if the existing pole sign is still there.

Chairman Sophiea thinks they're going to take over the existing pole sign.

Secretary Jerzy asked Steve if the existing pole sign is still there.

Steve Watripont answered yes. The existing pole sign is there.

Board Member Nestorowicz asked the petitioner if they're still going to be using the existing...

Paul Weinstock explained they are going to reface the pole sign, they're not going to get bigger or taller. Whatever is there they're just going to reface it.

Board Member Nestorowicz stated that gives the visibility along Twelve Mile.

Paul Weinstock is not looking for a second sign on the building.

Chairman Sophiea asked for other comments on the board.

Board Member Clift said drawing that up it looks like it's about six (6) feet tall and thirty-six (36) feet wide. The old one that was on the southwest elevation. That's something to look into and maybe they do this again or postpone.

Paul Weinstock is happy and if they can get the sign they're proposing, they would be totally ok with that.

Board Member Clift said it's about as tall the entrance doors and about seven (7) wide.

(Inaudible)

Chairman Sophiea stated maybe the petitioner would rescind the wall sign on the south elevation. He thinks that would be a good housekeeping item.

(Inaudible)

Chairman Sophiea thinks the sign they're proposing is tastefully done.

Board Member Clift merely wanted to point out that he thought that the one that had been there previously was actually larger than what they're asking for, but they know his stance on signs. So he'll yield the floor.

Chairman Sophiea said assuming this is drawn to scale, he's right. The CVS looks a lot bigger than that, but...

(Inaudible)

Board Member Clift said the point he was trying to make is perhaps they didn't need it.

Paul Weinstock explained what they're looking at is when the CVS was there they had more than thirty-four (34) feet of space. They are also putting in taco shop and a pizza shop, which they changed different addresses. So, it's calculated as different footage. Their frontage is only thirty-four (34). If they took the other two (2) stores that are going next door to it, which was at one time that was all CVS, it was about seventy-five (75) or eighty (80) feet of frontage. Now, the frontage for the fruit market is only thirty-four (34) feet.

Chairman Sophiea asked if he's saying there's only going to be the taco place are going to have separate address.

Paul Weinstock explained separate address and they're each going to have a separate sign and separate address.

Chairman Sophiea believes the ordinance is forty (40) square feet per address.

Paul Weinstock stated those addresses will be under forty (40) square feet because they're small.

Chairman Sophiea thought they were getting off way ahead here, but it sounds like there's going to be two (2) forty (40) foot signs next to this, but none the less he thinks it's still tastefully done.

Board Member Nestorowicz is curious then, what the pole sign. Right now the pole sign had CVS, that Ross school and the restaurant at the other end. If they're refacing the CVS portion for the market, are the taco... Are they going to find a future variance that the other two (2) businesses are going to come and say they had no visibility off Twelve Mile. He's just wondering if that's going to be a problem they run into.

Board Member Clift said they already alluded to the fact that they're going to have their own separate sign. He believes he heard them say its going to be forty (40) square feet or less.

Board Member Nestorowicz said it would be on the front of the building, but his question is are they going to say they have no room on the pole sign and no visibility.

Chairman Sophiea asked if an address gives a certain amount of square footage on a pole sign automatically.

Steve Watripont said the pole sign, from what they've told him, is not going to increase. This is also the owner of the restaurant that's on the other side and everything. There was a pharmacy sign within that CVS, so he believes that's where the other two (2) signs will split that area.

(Inaudible)

Steve Watripont said as allotted by the landlord.

Secretary Jerzy said real quick to the petitioner. Would the petitioner be open to rescinding that variance on the south elevation of the 96.6 square feet that was granted on June 9, 1993.

Paul Weinstock asked what was the question.

Secretary Jerzy asked if he would be open to rescinding the sign variance that was granted on June 9, 1993 to erect a 96.6 square foot wall sign on the south elevation.

(Inaudible)

Chairman Sophiea said it's really the southeast kind of right.

(Inaudible)

Secretary Jerzy asked if he would be open to that.

Paul Weinstock replied yes, yes they are.

Secretary Jerzy yields the floor.

Chairman Sophiea asked for any other discussion, comments or is someone moved to make a motion.

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

Motion:

Secretary Jerzy made a motion to grant the petitioner permission to install a 124 square ft. wall sign. Also to rescind the variance granted on June 9, 1993 for the 96.6 square feet wall sign on the south elevation.

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

Board Member Lindsey supported the motion.

Board Member Clift said before they vote, can he interject real quick. He's looking at the aerial view of this building. There is no defined south, no defined east, no defined west. It'll more comfortable if they define that of granting the permission of that 120 square foot wall sign and designate that on the southwest elevation to avoid confusion in the future.

Secretary Jerzy asked if that is his amendment to it. Or just read it as such.

Board Member Clift asked if he'd be willing to amend the motion to reflect that on the southwest elevation.

Secretary Jerzy said sure. He'll read this again. Withdrew his initial motion and make a new motion.

Motion:

Secretary Jerzy made a motion to grant the petitioner permission to install a 124 square ft. wall sign. Also to rescind the variance granted on June 9, 1993 for the 96.6 square feet wall sign on the south elevation.

Chairman Sophiea thinks they read that wrong.

Board Member Clift said wait a minute, that's wrong.

Secretary Jerzy asked if they said southwest didn't they.

Chairman Sophiea said they're going to rescind on the southeast and the new sign is going on the southwest.

Secretary Jerzy said he gives up. He yields the floor. He retracts his motion.

Board Member Green said go ahead Mr. Clift.

Board Member Clift said he's not going to support what's three (3) times larger than what the ordinance is warranted for. Somebody else is going to have to read it, he's not intent on making that motion. He was making suggestions for clarity.

Board Member Nestorowicz said he'll make the motion here.

Motion:

Board Member Nestorowicz made a motion to approve the petitioner's permission to install a 124 square ft. wall sign on the front façade of the building, southwest side of it. Rescinding the previous variance for the southeast side of the building granted on June 9, 1993.

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

Board Member Lindsey supported the motion.

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

Roll Call:

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

Board Member Nestorowicz	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Clift	No, it's three times what the ordinance allows.
Board Member Green	Yes, for the reasons stated in the motion.
Board Member Watts	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Sophiea	Yes, for the reasons stated in the motion.

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

11. PUBLIC HEARING:	APPLICANT: Sheetz Inc
REPRESENTATIVE:	Zoning Resources – Rebecca Green
COMMON DESCRIPTION:	5920 Twelve Mile
LEGAL DESCRIPTION:	13-16-101-024
ZONE:	C-2

VARIANCES REQUESTED: Permission to

Install the following signage:

- 1) A 36.38" x 85" (21.47 square ft.) wall sign on the north elevation of the building.
- 2) A 22" x 108" (16.50 square ft.) wall sign on the north elevation of the building.
- 3) A 22" x 108" (16.50 square ft.) wall sign on the west elevation of the building.
- 4) A 19.62" x 96" (13.08 square ft.) wall sign on the north elevation of the canopy.
- 5) A 19.62" x 96" (13.08 square ft.) wall sign on the west elevation of the canopy.

- 6) A 20' high ground sign with 56.50 square ft. of signage to within 9.9' of the west property line, 6.9' of the northwest (diagonal) property line and 14.4' of the north property line.
 - 7) Gas pump signage – 12.48 square ft. valance signage area, 12.125 skirt signage area (24.6 square ft. per gas pump) on 10 gas pumps for a total of 246 square ft. of pump signage.
- For a total of 364.60 square ft. of wall signage for items 1, 2, 3, 4, 5 and 7.

ORDINANCES and REQUIREMENTS:

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

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

Chairman Sophiea said good evening. Name and address, please.

Rebecca Green, 74 Glen Drive, appeared before the board. She is here on behalf of Sheetz, Farmington Hills, Michigan. They were aware there was severe limitations of signage for businesses in Warren. So, they came with a very reduced sign package. Traditionally, they have five (5) signs on their buildings. This one has three (3). These are smallish for the Sheetz sign itself being under twenty (20) square feet and just delineating the entrance ways. Their canopy signage generally supports five (5) different signs, in this case they're only asking for two (2). The canopy edge does not have any striping, swooshes or any other indications of what it is other than the 13.08 square foot Sheetz sign that is on facing two (2) of the public streets. They also have just like many other gas stations in the area, gas pump signage. They were asked to include that as wall signage. Their gas pumps have the word Sheetz on the valances, but not on the skirts. None the less, the city asked them to include both the skirt and the valance in their request, and they did that. Their final piece is the ground sign, which has fifty-six (56) or fifty-seven (57) square feet of area, twenty (20) feet height. They are requiring a setback variance for that particular sign. The reason is, this sign sits, the foundation for this sign sits next to their underground water detention water facility. They don't want to push it too close to that because they don't want to damage that. So, they are requiring variances for that setback. She thinks that summarizes the variances they're looking for. If they look about the city, many of the existing gas stations have similar signage they're requesting. She would suggest that the signage they're asking for is less than what they see typically in the City of Warren for gas stations. She is happy to take the board's questions.

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

No response.

Chairman Sophiea said not seeing anyone, he closed the public portion of the meeting and turned it over to the board for discussion.

Board Member Nestorowicz just has a question on clarification because he saw where the variance requested talks about the pole sign there being 56.5 square feet of signage. In places in the documentation here, he also saw a reference like in her statement of support, it talks about

a ground sign being seventy-five (75) square feet. He was just wondering, he wanted to make sure they're talking seventy-five (75) square feet or if they're talking about 56 square feet.

Rebecca Green explained the city reviewed her statement of support, they calculated the sign area differently than she did. Many jurisdictions calculate it as an imaginary rectangle around all different portions of the sign area of the sign cabinets. This particular Sheetz signage generally does not come in a rectangle, it comes in like a lollipop piece that sits on the top and then the gas prices, which are more rectangular at the bottom. If they do that imaginary triangle they get kind of a larger area than what is actually the sign cabinets. The city calculates it as a sign cabinet that says Sheetz and a sign cabinets for the price portion of that sign. She just calculated in a different method.

Board Member Nestorowicz said he understands. It's such a shame, he wishes he could understand why Macomb or imagines the county when they were doing Mound Road, why is that berm so high when approaching Twelve Mile. He imagines that's why they want a sign so tall so that way it can be seen over.

Chairman Sophiea said the actual appearance of the sign is relatively modest.

Board Member Nestorowicz agrees. He just wanted clarification on the square footage over there.

Chairman Sophiea would just like to ask. There is going to be no additional windows signage or donut signage, bagels, whatever food offerings there. This is the entire sign package?

Rebecca Green explained there will be, she's sure, less than twenty-five (25), a couple signs on the door. Also, they'll be construction signage during the construction signage. Those are typically placed on the banners, construction fence. They are during the time that the fence is there until those are taken down. Again, they do put two (2) small, less than twenty-five (25) percent of the total pane of each door, they do put a small sign on there. Usually it is related to hiring.

Chairman Sophiea said that seems normal.

Secretary Jerzy said to the petitioner good evening, ma'am. He's going to pose the same question he posed to the last petitioner. Would she be willing to relinquish all the current variances there currently on both properties. 5920 Twelve Mile and 28950 Mound.

Rebecca Green is unaware of what the variances are.

Secretary Jerzy explained one of them is to retain an existing ground sign, it's eighteen (18) feet overall in height. Another one is to erect an eight (8) foot by ten (10) foot eighty (80) square foot free standing ground sign that went along with the Victory Inn. There is another request granting permission for a thirteen (13) foot by thirty-three (33) foot, twenty-seven (27) foot eight (8) inch high, looks like a dumpster enclosure he thinks.

Chairman Sophiea explained they granted the more recent dumpster enclosure variance.

Secretary Jerzy continued saying sixteen (16) feet of the front property line. Also granting permission to retain existing hard surface parking along the property lines along Twelve Mile and Mound Road. Also to erect a five (5) foot by seven (7) foot, thirty-five (35) square foot ground sign, nineteen (19) feet high. His concern is all these variances on the property. If they're going to grant the additional all of that would go with the land as well.

Rebecca Green understands what he's saying. It's just she's unclear if any of that is relating to the current construction or if this is all relating to a prior user. If it's related to a prior user, she doesn't have a problem with it.

Secretary Jerzy said maybe this guy can shed some light on it.

Steve Watriont believes the dumpster was Sheetz. He was trying to find and go along with him. The dumpster was for Sheetz. They came for that for all their projects upfront when they were going through Planning. The rest of them he would say are related to other activities and other signage.

Secretary Jerzy said the eight (8) foot high dumpster looks like it was approved through...

Board Member Nestorowicz (inaudible).

Secretary Jerzy asked this was.

Board Member Nestorowicz said yes.

Secretary Jerzy said silk and gold.

Multiple members replied yes.

Secretary Jerzy said gotcha. The other two (2)...

(Inaudible)

Steve Watriont said the others related to signs he thinks are not related to Sheetz. Would they be willing to...

Secretary Jerzy said just trying to clean up the property and make sure they aren't... since they're granting more already. He just didn't want it to be an overburden on that property.

Rebecca Green understands. If these variances related to prior users and not to the Sheetz development.

Secretary Jerzy thanked her and yield the floor.

Board Member Green said one quick question related to the ground sign. It says that the setback will be 2.3 feet from Mound Road.

Rebecca Green explained that was their initial site plan they had submitted and when she wrote

her statement of support, that is correct, that is what she had. But, after that, they got an updated site plan from the civil engineer, which she believes, she means she submitted it to the city. It had updated numbers.

Steve Watripont explained this is the new one.

Board Member Green asked what they're approving then is this one.

Steve Watripont said the request is the new one.

Rebecca Green explained they're requesting the new, the site plan that was updated. She's using that one.

Board Member Green asked what the setback is going to be on the Mound Road side.

Steve Watripont explained there's three (3) sides to that. It's going to be 9.9 from the west property line which will be Mound, 6.9 from the northwest diagonal because the property line cuts there, there's an angle so it's going to be closer to the angle but further from the complete intersection, and 14.4 from the north property line.

Board Member Green asked how wide is the right-of-way. There's got to be an easement there. It's not in the right-of-way is it?

Steve Watripont said no.

Rebecca Green said it's not in the right-of-way, no.

Steve Watripont stated that's how far it is from the right-of-way. That's the distance from it.

Rebecca Green explained those are distances from the setback. Because it's a twenty (20) foot sign, her understanding is that they needed a twenty (20) foot setback. The reason they need these setbacks, these revised, what they need variances for is because of the underground water retention system that is very close to that foundation.

Secretary Jerzy said got it.

Board Member Green thanked her.
(Inaudible)

Board Member Nestorowicz said if there's no other discussion or comments.

Chairman Sophiea asked if someone is moved to make a motion.

Board Member Nestorowicz will make a motion.

Chairman Sophiea said please do.

Secretary Jerzy explained he doesn't have to read it all just say as read.

Motion:

Board Member Nestorowicz made a motion to approve the petitioner's permission to: Install the following signage:

- 1) A 36.38" x 85" (21.47 square ft.) wall sign on the north elevation of the building.
- 2) A 22" x 108" (16.50 square ft.) wall sign on the north elevation of the building.
- 3) A 22" x 108" (16.50 square ft.) wall sign on the west elevation of the building.
- 4) A 19.62" x 96" (13.08 square ft.) wall sign on the north elevation of the canopy.
- 5) A 19.62" x 96" (13.08 square ft.) wall sign on the west elevation of the canopy.
- 6) A 20' high ground sign with 56.50 square ft. of signage to within 9.9' of the west property line, 6.9' of the northwest (diagonal) property line and 14.4' of the north property line.
- 7) Gas pump signage – 12.48 square ft. valance signage area, 12.125 skirt signage area (24.6 square ft. per gas pump) on 10 gas pumps for a total of 246 square ft. of pump signage.

For a total of 364.60 square ft. of wall signage for items 1, 2, 3, 4, 5 and 7.

Rescinding the variances that were previously approved for the Victory Inn and used car lot back in 1964, 1988, 2015 and 1996.

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

Board Member Lindsey supported the motion.

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

Roll Call:

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

Board Member Nestorowicz	Yes, for the reasons stated in the motion.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Clift	No, it's nine times the size of the ordinance allows for signage.
Board Member Green	Yes, for the reasons stated in the motion.
Board Member Watts	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Sophiea	Yes, for the reasons stated in the motion.

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

Chairman Sophiea thanked her for sticking around tonight.

12. NEW BUSINESS

a) Discussion in re: Position of Officers

Chairman Sophiea stated position of officers for the 2025/2026 term. He thinks that's correct. The term is January.

Secretary Jerzy said September.

Chairman Sophiea said end of September, ok.

Jennifer Pierce thinks they're late on doing the elections but they postponed so more people could be here.

Chairman Sophiea said whatever the outcome is tonight, the term or whatever, the office position would take effect on the next meeting.

Jennifer Pierce said correct.

Chairman Sophiea said they'll work backwards and start with Assistant Secretary and accept nominations and then they'll vote. The first officer is Assistant Secretary.

Motion:

Board Member Green nominated Mr. Watts.

Chairman Sophiea asked Mr. Watts if he accepts that nomination.

Board Member Watts thinks so, yeah.

Chairman Sophiea asked for any other contenders for Assistant Secretary.

No response.

Voice Vote:

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

Chairman Sophiea said next position is Secretary.

Motion:

Chairman Sophiea made a nomination for Mr. Jerzy. He has done a fantastic job as secretary and he would like to nominate him to do it for another year if he would accept that.

Secretary Jerzy accepted.

Chairman Sophiea asked for any other contenders for Secretary.

No response.

Voice Vote:

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

Board Member Lindsey asked if they should be doing a roll call vote on these or not.

Chairman Sophiea said it would probably be better house keeping.

Board Member Lindsey is fine how they have done it so far, but he wants to clarify as they move forward.

Chairman Sophiea is ok with an all in favor vote when there is just one (1) nomination. If there's more than one, obviously they'll do a name roll call unless madam attorney thinks otherwise.

Jennifer Pierce is going to double check real quick.

Board Member Lindsey said it just needs a majority vote so he doesn't think it matters how they do it.

Chairman Sophiea said if he would be more comfortable with that, they can do that moving forward. Or if he wants to make a motion to do that, whatever.

Board Member Lindsey said it was more of a question.

Jennifer Pierce doesn't think it matters.

Chairman Sophiea asked if she thinks they're ok.

Jennifer Pierce replied yeah.

Chairman Sophiea said the next position is Vice-Chairman.

Motion:

Secretary Jerzy nominated Mr. Clift for Vice-President.

Chairman Sophiea asked Mr. Clift if he accepts his nomination.

Board Member Clift was looking a little harder at being the Chair, but he'll accept that nomination.

Chairman Sophiea thanked him. Any other contenders for Vice-Chairman?

Board Member Watts nominated Mr. Nestorowicz.

Chairman Sophiea asked Mr. Nestorowicz if he accepts the nomination.

No response.

Chairman Sophiea asked for any other nominations for Vice-Chairman.

No response.

Chairman Sophiea said they'll do a roll call to place your vote for Mr. Nestorowicz or Mr. Clift.

Roll Call:

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

Board Member Lindsey	Mr. Clift
Board Member Watts	Mr. Nestorowicz
Board Member Green	Mr. Nestorowicz
Board Member Clift	Myself.
Board Member Assessor	Mr. Clift
Board Member Nestorowicz	Myself.
Secretary Jerzy	Mr. Clift
Chairman Sophiaea	Mr. Nestorowicz

Board Member Clift joked they duke it out on the...

(Laughter)

Secretary Jerzy said arm wrestling contest.

Chairman Sophiaea asked now what.

Jennifer Pierce said this is a first for her. Give her a sec.

Board Member Lindsey said it would be great if they had a full board.

Secretary Jerzy said it would be nice to have a full board.

Jennifer Pierce said it's not going to make a difference if they say the nominees can't vote because it will still be a tie.

Board Member Clift suggested they just do a toss of a coin unless somebody wants to...

Secretary Jerzy said coin toss or somebody wants to withdraw their nomination.

Board Member Clift said he's standing fast.

Chairman Sophiaea said he'd allow a coin toss unless there is a more legal avenue.

(Inaudible)

Secretary Jerzy asked Steve if he had the coin.

(Inaudible)

Jennifer Pierce said seriously. She doesn't think this is legal.

Board Member Watts thinks they need to find out what Roberts Rule of Order says.

Jennifer Pierce said she's trying.

(Inaudible)

Board Member Clift is going to put a motion on the floor to settle the tie vote for the position of Vice-Chair to be put up to a coin toss.

(Inaudible)

Board Member Nestorowicz asked if they should wait for a full board or something like that.

Secretary Jerzy said it's been tough trying to get a full board. He kind of concurs about that too, but they have to get this done tonight.

Chairman Sophia asked if it would be appropriate to vote on the motion now.

Jennifer Pierce apologized and said she's looking. All she's finding is that it's denied because it has to be majority.

Secretary Jerzy asked take a new vote.

Jennifer Pierce said hold on.

(Inaudible)

Board Member Nestorowicz will withdraw his nomination and Mr. Clift can...

Nicole Jones (inaudible).

Board Member Clift said that was mighty big of him and he appreciates that. If he does a lousy job he's taking over for him.

Jennifer Pierce said just so they know she has the answer now. First step is to recount the vote, announce the tie, hold a new vote. Only the candidates that were in the tie are voted on. Continues until one person receives the majority.

Nicole Jones stated the State of Michigan says not to do the coin toss.

Chairman Sophia thanked Mr. Nestorowicz for withdrawing. Mr. Clift congratulations. Last but not least, Chairman.

Motion:

Secretary Jerzy nominated Mr. Sophia for Chair again. He thinks he has done a pretty good job.

Chairman Sophia accepted. Are there other nominations tonight?

Board Member Lindsey nominated Mr. Nestorowicz.

Board Member Nestorowicz accepted.

Board Member Watts nominated Mr. Green.

Board Member Green did not accept.

Chairman Sophiea asked for other nominations.

Board Member Clift nominated Mr. Assessor for Chair.

Board Member Assessor declined.

Secretary Jerzy stated they'll put this to a vote between Mr. Sophiea and Mr. Nestorowicz.

Roll Call:

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

Board Member Lindsey	Mr. Nestorowicz
Board Member Watts	Mr. Nestorowicz
Board Member Green	Mr. Sophiea
Board Member Clift	Mr. Nestorowicz to give Mr. Sophiea a little break.
Board Member Assessor	Mr. Sophiea
Board Member Nestorowicz	Myself.
Secretary Jerzy	Mr. Sophiea
Chairman Sophiea	Myself.

Secretary Jerzy asked to take another vote of they want to...

Board Member Clift joked about arm wrestling.

Chairman Sophiea told Mr. Nestorowicz if he would like to be Chairman for the year he would be happy to step out of the way.

Board Member Nestorowicz said he's been doing a great job, too. That's the thing.

Secretary Jerzy said they both do a great job so it's a tough decision.

Chairman Sophiea said he will step down if he wants to be Chair.

Board Member Nestorowicz accepts.

Chairman Sophiea said congratulations.

Secretary Jerzy said to be clear they have:

Chair-Roman Nestorowicz
Vice-Chair-William Clift
Secretary-Paul Jerzy

Assistant Secretary-Garry Watts

Board Member Nestorowicz wants to make sure he understands, this takes affect next meeting or the following.

Jennifer Pierce believes it's next meeting. She asked Nicole if she is correct.

Nicole Jones replied yeah.

Chairman Sophiea asked if there is one more meeting in September.

Secretary Jerzy said yes.

Chairman Sophiea said September 24th.

b) Discussion in re: Meeting Start Time

Secretary Jerzy would like to make a motion to move their meeting time to 7 o'clock.

Board Member Nestorowicz said discussion.

Board Member Lindsey asked for some discussion on this.

Board Member Nestorowicz said the last time they met that time did not work for Mr. Lindsey. He wanted to hear from Mr. Lindsey.

Chairman Sophiea said the proposal is for January, starting in January.

Board Member Lindsey stated when they met last they had no discussion. It was up for a vote. He hasn't heard reasons why the board wants to move. He would like to know where it's coming from, what's drawing that. He's had no information up to they were already voting on a new start time. If anybody has any information.

Secretary Jerzy explained the way he approached this is it would be nice to mirror the same time as City Council. That's not his point of contention. His point of contention with having a 7 o'clock start time is they have a lot of opinions now on this board. The meetings are becoming longer. They don't have six (6) people just sitting here rubber stamping everything. Thank God for that. He respects everybody's decision and opinion on this board to the upmost degree. He thinks a 7 o'clock start time would try to get them out of here not at 9:40. It would get them out of there at 9 o'clock. They're kind of saving a half hour in the evening by starting a half hour earlier. He's just trying to get them home a little bit earlier to enjoy the evenings. That was his only concern and point of doing this.

Board Member Lindsey said on a surface level it makes sense. His thought about it is he agrees. He would love to get home earlier, he doesn't like getting home at 10 o'clock after these meetings. He doesn't know that a sooner start time, or earlier start time he should say, gets them out earlier. He doesn't think the meetings are ran efficiently. He thinks tonight was an example of that. He would like to see more decorum on the board if they're closing public portions of the

meeting. Lets close the public portion of the meeting and allow the board to have their discussion. He thinks having more efficiencies in how the meeting is being ran helps with getting them out on a better time. The other thing with that, he doesn't know about the board, but when he gets to work early, getting work done so he can leave earlier, has never happened once. So, he's always leaving late. He just doesn't know that an earlier start time gets the accomplished goal. He thinks it's a nice effort to try. His personal feelings against it. If the board wants to move he doesn't want to be the one person standing in the way. It does pose more of a personal challenge for him. He's not always out of work right at 5 o'clock. He cant leave sometimes. Starting at 7 there are going to be instances where he will be rushed to get here by 7. I'll likely be skipping a meal, he won't see his wife that night. He has to skip church on Wednesday to get here at 7. So, there is a lot of personal reasons that the 7:30 start time works better for him. Again, he's dedicated to being on this board. He's committed to serving at least this term. So, if that's what the board unanimously wants, he doesn't want to get in the way of it.

Chairman Sophiea said understood.

Board Member Clift echoes a lot of Mr. Lindsey's sentiment. Getting started early doesn't necessarily translate into getting done earlier. He thinks that's more impactful on scheduling and again as he stated, how they conduct the business here as a board. Stay on the road, stay out of the weeds. Things go a little bit smoother. On a personal note, he's a regular full time employee guy. He does his forty (40) plus a week. He now has two (2) 501c3 LLC corporations that he's running. When he transitions out from University in December with his BBA he's continuing on for his masters and usually class night is Wednesday nights. Lately it's a struggle for him to get here for a 7:30 start, let alone a 7 o'clock. He's just making his.. he'll make it work, whatever he has to do. On the face of it early on, he thought it was a great idea to move the time. He's not really convinced it's going to make very much difference at the end of the day. He's right, Mr. Jerzy, it's not rubber stamped anymore. People are asking questions, entertaining notions and it's important to have those discussions. So, they'll do whatever they have to do to make it work to be fair to the board. But he also has to be fair for himself and continuing education and his businesses. With that he'll yield the floor.

Board Member Nestorowicz said earlier start time does not bother him, but what would actually bother him was if they moved the time to an earlier start time and it was detriment to other board members. He understands that they can try to make it and such, he would be worried that they would be... He doesn't think a majority vote of moving a time if it inconveniences and makes it difficult for any board members to attend is a good reason to move the meeting up a half hour. If the time is not good for everybody, he would not want them to move the time. That's all he's saying.

Board Member Clift said might he also add. Sometimes when they have their special meetings kind of short notice. He knows for him that's a big struggle because he has to move. There's stuff in his line up every night. He's busy every evening. When they have their special meetings or unscheduled meetings, that becomes difficult as well. He personally feels the pinch on that. Something has to... He's dedicated to the board and when he appears here on special evenings or normally not scheduled evenings, something somewhere else is having to take a backseat or be missed that evening. He just wanted to throw that out there.

Board Member Watts doesn't care either way.

Chairman Sophea said me too.

Board Member Watts thinks it's making the meetings uniform. Planning is at 7, Council is at 7, they would be at 7. When he came here it was at 7:30 and the first thing he thought of is why is it 7:30. Again, it doesn't matter to him. The other thing is, he doesn't know if anybody is aware, but council last night passed next years meeting schedule with a 7:00 p.m. start time. He doesn't know where that puts them. He knows that 7:00 p.m. doesn't take affect until January 1, he doesn't know how that affects anybody here. Like he said, he doesn't know how that affects that vote.

Chairman Sophiea thanked him.

Board Member Lindsey said he knows there were questions last time they came up with this. If it was even their authority. He did look at the bylaws. The board has the authority to set the meeting time and place. He's comfortable that it is the board decision. He stated his thing about it. The other thing if they move it up, not saying it would, but do they start seeing two (2) or three (3) more agenda items getting added to the list because they have more time in the evening.

Nicole Jones stated that will not happen.

(Laughter)

Board Member Lindsey said we'll see. I trust you, Nicole.

Chairman Sophiea asked if they have a motion to change the time or do they want to just leave it at discussion.

Secretary Jerzy withdrew his motion.

Nicole Jones (inaudible).

Board Member Cliff said in the process of finding out it doesn't work something will happen to force them to have to move it back and he doesn't think any of them are comfortable with playing the lets try it and see game only to have it fall on its face and something that needs to be addressed or whatever gets missed or not handled the way it should. Thank you, Mr. Jerzy, for withdrawing your motion.

Board Member Lindsey seconds that. Thank you.

Board Member Assessor asked if it's the board bylaws as a board or does council set the time because they are an extension of council.

Jennifer Pierce asked if he's asking her. She doesn't necessarily know that other than being appointed by council that they're an extension of council. Go ahead, Nicole.

Nicole Jones explained since they have their own bylaws separate from council and it's those bylaws (inaudible).

Jennifer Pierce said yes, rules of procedure give authority to the board members.

Chairman Sophiea stated if that doesn't work they can move the meetings to 4:00 a.m. before work.

Jennifer Pierce asked if he said council voted on these meetings.

Board Member Watts said they voted last night on the schedule and start time.

Jennifer Pierce said ok.

13. ADJOURNMENT

Motion:

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

Voice Vote:

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

The meeting adjourned at 9:49 p.m.

Paul Jerzy
Secretary of the Board