

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
OCTOBER 8, 2025

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, October 8, 2025 at 7:30 p.m. at the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

Members of the Board present:

Roman Nestorowicz, Chairman
William Clift, Vice-Chairman
Paul Jerzy, Secretary
Michael Assessor
William Clift
Jon Green
Shaun Lindsey
Charles Perry
Garry Watts

Members of the Board absent:

David Sophiea

Also present:

Jennifer Pierce, City Attorney
Everett Murphy, Chief Zoning Inspector
Nicole Jones, Council Office

1. CALL TO ORDER

Chairman Nestorowicz 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 Sophiea was absent.

Motion:

Secretary Jerzy made a motion to excuse Mr. Sophiea; Supported by Board Member Assessor.

Voice Vote:

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

4. ADOPTION OF THE AGENDA

Motion:

Secretary Jerzy made a motion to move item 7 to November 12th meeting and approve

the remaining agenda; 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 August 13, 2025, August 27, 2025, September 10, 2025 and September 24, 2025.

Motion:

Secretary Jerzy made a motion to approve August 13, 2025 minutes and postpone the August 27, 2025, September 10, 2025, and September 24, 2025; Supported by Board Member Lindsey.

Voice Vote:

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

6. PUBLIC HEARING:

REPRESENTATIVE:

COMMON DESCRIPTION:

LEGAL DESCRIPTION:

ZONE:

APPLICANT: Kassem Zaher

Same as above.

11415 Irene

13-10-428-029

R-1-C

VARIANCES REQUESTED: Permission to

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

Section 4.06 – Yard-Use: Any portion of a lot in front of the front building line shall be used for ornamental purposes only and nothing shall be placed thereon except trees, shrubs, or items of similar nature.

Chairman Nestorowicz asked them to start by stating their name and address for the record, then take the board into the request.

John Harrington appeared before the board stating he is the attorney representing the applicant, Kassem Zaher. The property in question is 11415 Irene. This is the second time they have been in front of the board. They were here back in February. To summarize, there was a request by Mr. Zaher to approve the extension of the driveway at his home an extra six (6) feet and two (2) inches to the east of his home. As they presented last time they were here, the existing driveway as his family experience is too narrow for two (2) cars. They were parking on the grass, which has caused damage to the grass. Also, with his expanding family with children driving cars, with additional cars in the household, it has made it a little more difficult. It was compounded a few years ago that the street of Irene in the front of his home was made narrow by several feet. When they parked the car they had a number of incidences over the years where the cars have been struck and caused damage by passing vehicles. They've also presented, as they did last time, a statement from the neighbor immediately to the east. The one that is most directly impacted by this driveway expansion, Mr. William Marbley who has indicated that he has no objection to this expansion of the driveway. They subsequently added the neighbor to the other side, to the west, a Mr. Myron Beck, who resides at 1140 Irene. Mr. Marbley resides at 11427 Irene. Mr. Beck himself also has indicated he has no objection to the expansion of the driveway. He understands that both gentleman work the afternoon shifts and weren't able to be here.

Although, they indicated that if they could they would be here to support this. Last time they were here, there was a vote that was 4-4. Thus, not an approval of this expansion of the driveway. At that time, subsequently went to court and the judge reversed that and sent them back here. Remanded them back to in front of the board. The last time they were here, there was some subjective commentary made by the neighbors. He thinks one was identified by name, another was anonymous claiming that his client was operating a used car lot at his house. That's why the opposing of the expansion of the driveway. They are vigorously object to that and he thinks that was kind of the hearsay nature of that comments was part of the ruling by the judge to send them back here. At the same time, there's simply no truth to that statement to that representation as they've said last time. Even more significantly now they're reiterating the fact that there is no... His client does not engage in selling of used cars as anymore so than anybody else may have sold every once in a while a family vehicle when it was being replaced, but he's not in the business of selling used cars. Certainly, he's not a used car lot that he's operating at his house. They were here last time going through some of the minutes from the last time they were here back in February, the 12th he believes it was. There was comments made by you folks, by the members of the ZBA, that expanding the driveway showed indifference to the neighbors and that it was a detriment to the area. He thinks the foundation for those types of comments was on the belief that his client was conducting a business or operating a used car lot at his house. Which was simply not true. So, in light of that fact, because it's not true at all. This was the situation where he thinks as they (inaudible) last time, his client had been in contact with a number of reputable cement contractors who advised them, you know, what the cost would be to put in the new driveway, or expanded the driveway. Which he did of a cost of \$3,300. At the same time, none of them every represented to him that it was necessary to get approval from the city before he could do that. So, he certainly learned a lesson to that respect, it should've been done. Which that was pointed out to him. He was hired and they went through this process here. So, this is a very simple straightforward manner. Its been that situation since September of last year. So for thirteen (13) months now, that has been in that situation. They would ask you folks to approve this expansion of the driveway. He knows Mr. Zaher is here in the audience if the board would like to question him at all, but again, this is... He would imagine out of all the situations they have in front of the board, this is probably one of simplest or more straightforward. So, they would ask respectfully to approve this request for extension of the driveway. Thank you.

Chairman Nestorowicz thanked him for that explanation. This is a public hearing. Is there anyone in the audience wishing to speak on this item?

No response.

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

Secretary Jerzy wanted to express to Mr. Harrington that they did receive the supplemental info and attached pictures via email. So, from Mr. Beck. Just wanted to share that with him. He'll lead off with his opinion of this wasn't necessarily he was running a used car lot off his property, because that's insane given the size of the property. His driveway and everything. So, him personally, he didn't believe that assumption. His no vote was driven based off of other factors going on in the city, on top of the fact that he just didn't see it as a necessary item. To him, personally, he's got a two (2) car garage, two (2) wide driveway. Yeah that street is busy, it's packed with cars. It might even maybe was narrowed with engineering repave of it. He wishes

they had some information from engineering to express that, you know, or show that actually happened. Other than that he just kind of count that as hearsay. To him, he thinks he actually has plenty of room. In addition to that, there's plenty of other situations across the city where they have a little cut out. But the little cut outs are getting to be a lot bigger in nature on some properties. Does he feel it is necessary? Some instances he does feel like it is necessary if you live on Stephens or some other main road where they have a little bit higher volume of traffic and speed. Maybe they do need that extra cut out in the driveway. So, he does see it across the city. He does know it is something that they are clamping down on across the city. That's where his no vote basically was driven. Based off the fact that he didn't think it was necessary. Mainly he didn't think it was necessary for that property. With that he'll yield the floor.

Board Member Watts wasn't here for the first hearing on this. So, when he received it this time as usual, he likes to do his homework. First question he has, did we re-notice the neighbors on this. Thank you. So, he took a drive over and took a look at it. The ordinance in the city is very, very clear. The driveway is from edge of the garage to the other edge of garage. Period. He doesn't know why that is so hard to understand. He has the same two (2) car garage at his house and he has a big truck and a car. He gets both of them in there with no problems. His son comes over with a big truck, he can park next to his big truck, and there's still room to walk down both sides. So saying there's not enough room for two (2) cars, he's not buying it. At all. The other thing is the street is the same as every other street in the city. He's never seen, and he's a lifelong resident of the city, and he's seen a lot of repaving, a lot of sewer work done. He has never seen a street narrowed. He drove down there the other day. That street is the same as every other street. He doesn't buy that either. He gets it. He had two (2) kids and sometimes they had three (3) cars, four (4) cars and five (5) cars. But they were able to manage. You have to do what you have to do. Cementing the front yard is not an answer to the problem. It definitely devalues properties and if you give people a foot over what the ordinance says, the next guy is going to want two (2) foot, the next one is going to want three (3) foot. It's like everything else. He doesn't see where there's any expectation to allow this because, like he said, the ordinance is clear. The street was not narrowed. There is plenty of room for two (2) cars in the driveway. If they use the garage there is room for four (4) cars. So, he's definitely going to be a no vote on this. That's all he has. Thank you.

Board Member Lindsey remembers this from the last time that the petitioner was here. So, much to Mr. Jerzy's point. He was a no vote on this last time that they saw this request. It really had nothing to do with any used car lot. Again, he doesn't know why that was made such a big deal. His no vote, he just looked at the minutes, was specifically to not having an unreasonable impact or burden to maintain compliance with the ordinance. He thinks that echoes Mr. Watts' comments. You know, so, he mentioned to the board before. Their directions state that they should not be granting any variance to the ordinance unless the board finds that the applicant has demonstrated all of the following criteria. When they're proposed a variance, they are to consider if there's an unreasonable impact or burden to maintain compliance with the ordinance. The variance cannot be self-imposed. There must be a demonstration of the property being unique. There can't be a detriment to the area. The variance requested must not be personal or economic, and it must be necessary. So, in order for the board to really be granting a variance, the petitioner should be meeting all of these criteria. When he hears Mr. Harrington's comments, he doesn't see any of these, quite frankly, being met, let alone all of them. To Mr. Watt's comments, he agrees. They already have a two (2) car garage, he sees in the pictures provided with the packet that the representative had two (2) cars parked in the garage, two (2) cars parked

in the driveway at the same time. There's four (4) cars parked on the property. Then there also seems to be from the pictures provided, that there's plenty of street parking available to park cars there as well. He doesn't see any reason why there's a burden to the petitioner to have compliance to this ordinance that they have. It's definitely self-imposed. They know that the petitioner did not seek to get a permit before doing this. That should not be a reason why they are granting a variance. There's definitely nothing unique about the property. He has a one (1) car driveway and he doesn't have any reason to extend his driveway in width. It is a detriment. They have an ordinance that is there for a reason. If they allowed this to everybody, the city would quickly fall apart in his opinion. This is personal, it doesn't seem to be any reason outside, even for family reasons, to be allowing this. It is certainly not necessary. The petitioner said that it has been this way for thirteen (13) months, but he would say it's been thirteen (13) months of being noncompliant. So, he's going to be a no vote. He doesn't think that Mr. Harrington, that he has demonstrated the requirements needed for the board to grant him a variance. Thank you.

Board Member Green wasn't on the board when this came up the first time either. So, he's looking at it kind of pure. When he drove by it appears the driveway goes directly to the property line. That was one of his problems. The driveway appears to be a standard driveway, like all the driveways in the City of Warren. Street parking is pretty normal in the City of Warren. Like Mr. Lindsey, he doesn't think that it meets any of the criteria to give a variance. There is no unreasonable burden, because he can still use the property as it's zoned. It's self-imposed because in reality, the problem is they want to park a lot of cars there. Which is a problem for a lot of people in the City of Warren. It has nothing to do with the size and shape of the lot. The property is definitely not unique. There's a million of the in Warren like that. To allow it would result in a detriment to the next door neighbor. He wants to be clear on that because even if the neighbors signed documents they don't have a problem with it, this goes with the property forever. So, the next neighbor who buys that house next door might have a problem with it. The property is obviously not unique because City of Warren is pretty non-unique in its architecture. It's not necessary to enjoy the property, similar to properties around him. So, it doesn't meet any of the criteria. He's just reiterating what everyone else said. His vote would be no, too.

Chairman Nestorowicz thanked Mr. Green. He just wanted to add a comment. This property is totally not unique. He thinks his family at their house in Warren, they have a two (2) car garage, two (2) car driveway, four (4) vehicles. They manage to park only one (1) in the garage, because they have to store their lawnmower and all that other stuff. They still manage to park two (2) on the driveway, one (1) on the street in front of the house. If a person has more than four (4) cars, say you have a larger family, there are still ways of parking to have those cars. He has a hard time seeing where this property is unique compared to any others in the city. He does feel that it becomes a detriment to the neighborhood, because once one house starts doing this kind of thing within a neighborhood, then the second and so... They start having streets that are going to have more pavement than grass. He does feel it would be a detriment to the neighborhood. Those are his comments. Do they have any other questions or discussions from the board? Or any motions?

Board Member Watts has one more question. He noticed that he widened between the curb and the sidewalk, the approach. He guess he would have a question to Mr. Murphy about that. Is that even allowed?

Everett Murphy explained engineering has jurisdiction over the area between the sidewalk and

the curb at the street. That would require a permit from engineering to do that. So, it would only be allowed if engineering said it was ok to do that.

Board Member Watts thanked him.

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

Motion:

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

Reasons being: There's no unreasonable impact or burden; Self-imposed; The property is not unique; It is a detriment to the neighborhood; It's personal; Not necessary.

Board Member Perry supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Lindsey, support by Mr. Perry to deny the petitioner's request for the reasons stated in the motion. Roll call.

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.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Watts	Yes, for the reasons stated in the motion.
Board Member Green	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, to deny for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, to deny for the reasons stated in the motion.

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

John Harrington thanked the board for their time.

7. PUBLIC HEARING:

APPLICANT: IDrive Auto Parts, Inc. – Kalven Hermiz
-USE-

(Rescheduled from 8/13/2025)

REPRESENTATIVE:

Caren Burdi

COMMON DESCRIPTION:

21311 Groesbeck

LEGAL DESCRIPTION:

13-35-331-001

ZONE:

M-2

VARIANCES REQUESTED: Permission to -USE-

- 1) Retain 1,149.64 feet of 8' high corrugated sheet metal fencing. (Total of 2,840.64' of 8' high fencing, of which 1,655' was previously granted a variance on 6/7/2017.)

- 2) Retain existing non-conforming auto wrecking yard and expand the outdoor storage area by 59,485.92 square ft., identified as parcel 1 on the site plan. **USE**
- 3) Retain the parking within the Groesbeck front setback.
- 4) Waive 5 required parking spaces.
- 5) Allow an 11' maneuvering lane to the two southern most parking spaces.
- 6) Allow one 8' parking space in the south end of parking lot.
- 7) Construct a building addition to within 29.07' of the east property line along Groesbeck and to within 7.28' of the north property line along Prospect.

ORDINANCES and REQUIREMENTS:

Section 4D.38 – Height: Obscuring walls and fences in non-residential zones shall not exceed six (6) feet in height.

Section 17.02 (T) – Industrial Standards: Open storage for junk, auto wrecking yards and other waste products is not a permitted use in M-2 zoning districts.

Section 4.32 (H) – Off-Street Parking Requirements: The amount of required off-street parking space for new uses or buildings, additions thereto and additions to existing building as specified above shall be determined in accordance with the following table, and the space, so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use.

(23) One (1) parking space for each one thousand two hundred (1,200) square feet of gross floor area.

Section 4.32 (i) – Off-Street Parking Requirements: ... All spaces that do not abut a continuous curb required in accordance with Section 16.07 or a common property line shall be laid out in the following dimensions: 90 degree parking spaces are required to be 9' wide, 20' long with a 20' maneuvering lane.

Section 17.02 (a) – Industrial Standards: Front yard setback in M-2 zoning districts is 25'.

Section 17.02 (b) – Industrial Standards: Side yard setback in M-2 zoning districts is 20'.

Section 4.17 (a) – Non-Conforming Uses: Non-conforming use-continuance. Any lawful non-conforming use consisting of a building or land usage existing at the time of the effective date of this ordinance may be continued, except as herein prohibited or restricted, provided that the building or use thereof shall not be structurally changed, altered or enlarged, unless such altered or enlarged building or use shall conform to the provisions of this ordinance for the district in which it is located. No non-conforming use if changed to a use permitted in the district in which it is located shall be resumed or changed back to a non-conforming use. Failure to continue to use any land, building or structure, or part thereof, which use is a non-conforming use under this ordinance, for a period of one (1) year or more shall be held to be conclusive proof of an intention to legally abandon any such non-conforming use.

This item was postponed to November 12, 2025 during the adoption of the agenda.

8. PUBLIC HEARING:	APPLICANT: Wade McGee
REPRESENTATIVE:	Dylan Ferguson
COMMON DESCRIPTION:	2162 Otter
LEGAL DESCRIPTION:	13-06-352-010
ZONE:	R-1-B

VARIANCES REQUESTED: Permission to

- 1) Allow a 14' x 20' (280 square ft.) shed.

2) Allow a total of 900 square ft. of accessory structure floor area, which includes the 440 square ft. attached garage, 180 square ft. covered rear patio and the 280 square ft. proposed shed.

ORDINANCES and REQUIREMENTS:

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

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

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.

Dylan Forguson appeared before the board saying good evening everybody. He asked if he could speak.

Chairman Nestorowicz said yes. Start with name and address.

Dylan Forguson on behalf of Wade McGee.

Chairman Nestorowicz asked for the address.

Dylan Forguson said 2162 Otter. The reason why they're requesting this and it all started because the previous contractor, when they poured the slab...

Secretary Jerzy asked him to speak into the mic.

Dylan Forguson explained the previous contractor who poured the slab in 1977 or whenever, only poured two (2) inches of concrete. It just was busting up over the years. Mr. Wade McGee is eighty-nine (89) years old and he kept on taking tumbles. Whoever put the garage up just did a really piss poor job. So, his little brother who lives two (2) doors down, he's there all the time fixing up his property for him. He does all his own maintenance on his property. He has a two (2) car garage and has two (2) cars in it. Because it's an acre of property with an Olympic pool in the back, you have to store everything in the shed. He wouldn't call it a garage, it's a shed. It was falling down, so he wanted to get the concrete done so he wasn't falling anymore. Obviously, the shed needed to be replaced so he could store all the... He has his riding lawn mower with a bagger, all the pool stuff and the cover for the pool, that salts that go along with it and all of his lawn tools, because he can't afford a landscaping company, even though his brother owns a landscaping company two (2) doors down. The original shed that was up there was twenty (20) by twenty-five (25). They had a long conversation, reduced everything down so they could pack everything in that shed but that is... He doesn't have anywhere to put the stuff outside. His garage is, if you want to call it a two (2) car garage, it's a joke. It's a beautiful home. They put in a six (6) inch pad with a rat wall. Made it beautiful. It's going to last forever. Every one of his neighbors thinks it looks great. He knows that just because there was a bigger one there, making it smaller doesn't necessarily fit zoning. This isn't a want, it's a need. He doesn't have anywhere to put any of the stuff he's had since 1977 and he's eighty-nine (89) years old. He's got to put a lawnmower somewhere, just can't put it out in the backyard. The city will ticket the hell out of him. Going along with his pool maintenance stuff. As it stands right now, they were going to try and get an eighteen (18) by twenty-two (22), but he talked him down to a sixteen (16) by twenty (20). It's going to be literally like playing Jenga in there packing it like sardines, you know. They're going to make a beautiful shed that's going to last forever. They're not going to do twenty-four (24) on center. It's going to be sixteen (16) on center. The seven (7) twelve (12) pitch. It's not going to have any problems with snow. Concrete is going to last forever. The son is going to take the house over. The original plans

were where the pad was originally, but they pushed the pad behind the house. They can't see the pad from the street or from the other side of the house. All the neighbors they've talk to them, they said absolutely they're on board. Mr. McGee is a hell of a guy. He really takes care of his property. If they drove by his house, which he's sure a lot of them have, you'll understand how beautiful his house is. They just replaced all the concrete in front, too. This is not going to be a blight. It's going to be beautiful and it's going to serve his needs, not his wants. Hopefully the board approves it.

Chairman Nestorowicz thanked him for that information. This is a public hearing. Is there anyone in the audience wishing to speak on this item?

No response.

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

Board Member Green gave this a lot of thought, it is a beautiful house.

Dylan Forgunson said they should see the inside. It is stellar.

Board Member Green said a nice piece of property. When he thought about it, the first thing that came to mind, they have this ordinance that says ten (10) by twelve (12). He looks at the property and it just doesn't seem fair that if they had this huge amount of property that it doesn't seem like the standard ten (10) by twelve (12) would fit. That was the first thing he came to when he was thinking about it. This shed might not be too big, and it might not meet their needs. Then he looked at it more, he got a couple more questions. This shed that's on the west property line here.

Dylan Forgunson explained it's sort of directly behind the house right now when they moved the pad. The original shed was to the west, directly behind the driveway.

Board Member Green asked the picture they have, is that shed still there on the west property line.

Dylan Forgunson doesn't have that picture.

Board Member Green said it's on the west property line.

Dylan Forgunson said no it's not there anymore. That shed is gone. That thing was a death trap.

Board Member Green asked if that's the one that was built in 1977.

Dylan Forgunson replied yes, somebody built that.

Board Member Green said that's interesting because it was denied in 1977. That's neither here nor there.

Dylan Forgunson said that's what his understanding his.

Board Member Cliff informed the garage was denied.

Board Member Green said that's why he was trying to figure out. What was denied? In 1977 the

garage, not the shed. Ok, so, that answers that question. Stop answering his questions. So, this bigger shed is going to go right behind the pool.

Dylan Forgunson explained it's smaller than the existing shed was.

Board Member Green said this is a confusing one. There's so many sheds going on.

Dylan Forgunson said it's almost 100 square feet smaller and it's four (4) feet shorter. It was sixteen (16) feet tall, now it's only twelve (12) to the peak. They're going to shingle match exactly to what's existing on the home. It's going to be beautiful, guys.

Board Member Green has no problem with it. Again, he reminds people like he reminds on the last item. Even though neighbors agree, there will be new neighbors twenty (20) years from now. You have to give that to the board when they make these decisions that they have to decide based on not the existing neighbors, but... It's great that they agree and he thinks that's going to help him. His point is more of a general point that people.

Dylan Forgunson said they're not selling the house. The house is already given to the son.

Board Member Green said he's talking about neighbors. When people come up and say the neighbors are good with this, that's great.

Dylan Forgunson sees what he's saying. Absolutely, yeah he agrees with him.

Board Member Green said the next neighbor might not be. That's just a point of information for everybody for the three (3) people that might be watching this.

Dylan Forgunson said that makes complete sense. He understands.

Board Member Green said anyways, he doesn't have a problem with this.

Board Member Lindsey has a quick question, Mr. Forgunson. Really he has no issue with the request at all. He thinks it's a beautiful property. He thinks there is plenty of room for the shed and has no issue. He did want to clarify. The packet says fourteen (14) by twenty (20). They wrote down in other places sixteen (16) by twenty (20), crossed it out and put fourteen (14) by twenty (20). He thinks he heard him say eighteen (18) by twenty (20). He really just wants clarification.

Dylan Forgunson was saying the original was twenty (20) by twenty-five (25).

Board Member Lindsey asked what is the size shed they're asking.

Dylan Forgunson replied fourteen (14) by twenty (20).

Board Member Lindsey said fourteen (14) by twenty (20), that's all he needed. Thank you.

Secretary Jerzy said that was actually the same thing he was going to ask, too. He picked that up, too. Thanks for asking the question. He yields the floor.

Chairman Nestorowicz asked for any other questions, discussion or motions.

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

Motion:

Secretary Jerzy made a motion to grant the petitioner permission to:

- 1) Allow a 14' x 20' (280 square ft.) shed.
- 2) Allow a total of 900 square ft. of accessory structure floor area, which includes the 440 square ft. attached garage, 180 square ft. covered rear patio and the 280 square ft. proposed shed.

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

Board Member Watts supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Watts to approve the request for the reasons stated in the motion.

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 Watts

Yes, for the reasons stated in the motion.

Board Member Lindsey

Yes, for the reasons stated in the motion.

Board Member Green

Yes, for the reasons stated in the motion.

Board Member Clift

Yes, for the reasons stated in the motion.

Board Member Perry

Yes, for the reasons stated in the motion.

Board Member Assessor

Yes, for the reasons stated in the motion.

Chairman Nestorowicz

Yes, for the reasons stated in the motion.

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

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| 9. PUBLIC HEARING: | APPLICANT: Jackson White |
| REPRESENTATIVE: | Same as above. |
| COMMON DESCRIPTION: | 30654 Campbell |
| LEGAL DESCRIPTION: | 13-10-204-011 |
| ZONE: | R-1-B |

VARIANCES REQUESTED: Permission to

- 1) Construct a 18' x 20' (360 square ft.) shed.
- 2) Allow the proposed shed to be 6' behind existing garage.
- 3) Allow a total of 904 square ft. of accessory structure floor area, including the 480 square ft. existing garage, the 64 square ft. sunroom, and the proposed 360 square ft. shed.

ORDINANCES and REQUIREMENTS:

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 Nestorowicz asked if the petitioner is present.

Jackson White, 30654 Campbell, appeared before the board thanking the board for their time tonight. He's asking for variances, three (3) of them, on a new shed. Eighteen (18) by twenty (20) by eight (8). There is and was a shed there since 1952. The over view that they have in their packet doesn't really show the true story. It shows the space, but doesn't show the condition. His parents lived there for thirty-seven (37) or thirty-eight (38) years. They tried to take care of it as much as they could, but they have since passed away and he has since moved into it. Bringing it slowly up to speed and to code. That shed is literally and was literally falling apart. It was dilapidated, doors didn't work, windows didn't work. It's on a sod brick foundation. So, it housed all of the equipment that his dad had for the yard. They live on a little over three quarters of an acre. He has a neighbor that is on almost an acre and a half onto the south side. He has his immediate neighbor who sent a letter saying they're ok with it. Kitty corner to that they have another neighbor that's on an acre and three quarters. This would be an improvement to the property and to the area itself, because of the condition of the existing shed that was there. That shed was housing the zero turn snow blower. His dad had a big garden. They're looking at all of that. All the yard and yard stuff he had in there. Right now it's in his garage, along with his benches that he had over twelve (12) feet of benches and work space. He's just looking to replace what was there for almost, what 2025 from 1953, seventy (70) years of just old and needs to be rebuilt. Asking the boards permission for these variances. He did not realize when he got the house from his mom and dad that there was going to be an issue. It was existing. He was just assuming they put something brand new in there. Everybody would love it. It's actually a little smaller than what was there. It's going to be tucked in behind the garage. It's going to be even with the garage which is fifteen (15) feet from the neighbor on the north. 200 feet from the neighbor to the east. It's going to be smaller than the garage. It's going to have an eight (8) foot peak. It's going to be tucked in behind. It's going to be on a slab. Using the existing rat walls. So, with the boards consideration tonight he would like to have that approved.

Chairman Nestorowicz thanked him for that explanation. This is a public hearing. Is there anyone in the audience wishing to speak on this item.

No response.

Chairman Nestorowicz closed the public portion of the meeting and Mr. Jerzy has something for the...

Secretary Jerzy stated he just has one (1). Thank you, Mr. Chair. It's from a Diann Chase who resides at 30655 Campbell. She says:

"Hello, I received a "Notice of Public Hearing" for October 8, 2025, at 7:30 pm. I am unable to attend this hearing regarding Jackson White asking for a variance for an 18' x 20' shed to be placed on his property located at 30654 Campbell, Warren. While I live across the street from Mr. White, I personally see no issue with this request, as they are wonderful neighbors who keep their property very well-maintained. They are very kind neighbors and are an asset to our

neighborhood.

I've never received a request of this nature, so I'm hopeful that my response is sufficient."

Chairman Nestorowicz thanked Mr. Jerzy. He turned it over to the board for any questions or discussion.

Board Member Lindsey has a quick question maybe for Mr. Murphy. This might be a silly one so he apologizes. The variance requesting on item 2 is for the shed to be six (6) feet behind the existing garage. Is there some sort of limitation where it has to be further.

Everett Murphy explained that if they have a detached garage that any accessory structure must be immediately adjacent to the garage. The policy has been there for as long as he worked there is to allow a maximum of three (3) feet. So they can actually maintain the structure. Anymore than three (3) feet, they have to come to the board.

Board Member Lindsey thanked him. For the rest of the board, he thinks this is tastefully done. He really has no issue with it. He thinks the shed that the petitioner is requesting is a little big, but he really doesn't have any issues if it's replacing the one that's there. He has enough yard space where he doesn't see it being too big. He thinks it's a little big for a shed, but he has no issue supporting it.

Secretary Jerzy likes the fact that the shed is out of line of sight. It's right behind the garage. That's the first thing he looks at when these things come to the board if they're not on a corner lot. He thinks also to Mr. Lindsey. The petitioner expressed that this is actually going to be smaller than what was on the current property. He does agree, it is a little excessive still, but given the size of the lot and the stuff needed to also support that lot, that the shed is probably needed. He doesn't see anything out of the ordinary with this and it would be a yes vote for him. He yields the floor.

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

Motion:

Board Member Lindsey made a motion to grant permission to:

- 1) Construct a 18' x 20' (360 square ft.) shed.
- 2) Allow the proposed shed to be 6' behind existing garage.
- 3) Allow a total of 904 square ft. of accessory structure floor area, including the 480 square ft. existing garage, the 64 square ft. sunroom, and the proposed 360 square ft. shed.

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

Secretary Jerzy supported the motion.

Chairman Sophiea said they have a motion by Mr. Lindsey, support by Mr. Jerzy to approve the request for the reasons stated in the motion.

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 Watts	Yes, for the reasons stated in the motion.
Board Member Green	Yes, for the reasons stated in the motion.
Board Member Clift	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

10. PUBLIC HEARING: **APPLICANT: Bazo Construction**
REPRESENTATIVE: Sarah Mheisen
COMMON DESCRIPTION: 22901 Mound
LEGAL DESCRIPTION: 13-32-227-001
ZONE: M-2

VARIANCES REQUESTED: Permission to

Install new signage as follows:

- 1) A 24.13 square ft. Sign on the north elevation of the canopy, a 15.29 square ft. sign on the east elevation of the canopy and a 15.29 square ft. sign on the west elevation of the canopy for a total of 54.71 square ft. of wall signage on the canopy.
- 2) 761.29 square ft. of design element on the canopy.
- 3) 43.02 square ft. per regular pump, on 5 pumps for a total of 215.10 square ft.
- 4) 13.74 square ft. on 1 diesel pump.

Total of 1,044.84 square ft. of wall signage requested, in place of previous variances for wall signage related to the gas station operation.

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.

Sarah Mheisen appeared before the board on behalf of Bazo Construction. The address is 22901 Mound. This location is an existing Shell that's going Marathon. The owner has signed a new fueling contract with Marathon. Therefore, they are requesting a variance to essentially change the brand over. They're swapping out the existing signs for Marathon signs on the gas canopy as well as the pumps. On the pole sign, they're not touching the structure of the sign just swapping out the inserts. That's about it that they're doing here.

Chairman Nestorowicz thanked her for the explanation. This is a public hearing. Is there anyone in the audience wishing to speak on this item?

No response.

Chairman Nestorowicz closed the public portion of the meeting and turned it over to the board for questions and discussion. He has one question. So, basically if the variance, requested variances are granted, that takes the place of all the previous signs that were on that property, right.

Sarah Mheisen said correct.

Secretary Jerzy said to piggy back off that, there's a lot of variances on this property. Are any of these currently go with her sign package.

Sarah Mheisen is not certain to be honest with him if they do pertain to her project specifically. She knows there was an addition. What she's asking for is a bit over than what's there, because obviously the brands are a little different so the measurements were different. As far as the square footage of the canopy, all that structurally is not being changed.

Secretary Jerzy called for Mr. Murphy, if he could please, sir. He asked him to shed a little bit more light and possibly help him along with this answer. Is there anything that currently goes with her sign package that's currently granted to the property?

Everett Murphy sees they already have a variances previously for the canopy.

Secretary Jerzy said the pole sign, too.

Everett Murphy doesn't believe the pole sign is part of the request tonight. It may be in the packet itself, but if they're only changing the panels on the pole sign, then that's actually permitted, right. It doesn't need a variance for that. They might have thrown it in the package of what they want to do, but it didn't actually require a variance for the pole sign. So, this is strictly for the canopy and the pumps.

Secretary Jerzy thanked him.

Everett Murphy explained with all these packages, especially the gas stations with the canopies and all the design element. They start becoming very cumbersome to maintain, right. There's a lot. Typically, what happens is they say they're going to grant this for the canopies, pumps and the wall, and potentially relinquish the previous variances so going forward they're only looking at these variances.

Secretary Jerzy said that's what he's trying to do on this property. He's trying to clean up what he can. He tried to do that as often as he can, where he can. He was trying to go through this real quick and just try to decipher. Is the LED lights are still in tact at that location?

Sarah Mheisen believes there's a light bar on the canopy now.

Secretary Jerzy said it got granted here, permission for a beer and wine sign, LED message center. What else do they have here? Nose striping with the LED lighting, the three (3) helio signs that looks like it goes along with the last gas station. He's looking at the one granted 2/25/04.

Sarah Mheisen said that's old. Those are, from what she knows, that's like BP. It's now Shell. They completely bypassed all that and went Shell.

Secretary Jerzy explained what he's trying to do for the next guy or lady that takes this job and has to go through four (4) pages of gas station stuff, if they can try and get a couple things that are no longer going to go with the property off of here. He thinks they would be better off. He's just trying to decipher what that is. It looks like to him it's the variances granted on just 2/25/04 would be the only ones they can relinquish.

Everett Murphy said it sounds like it would make sense to relinquish the ones relate4d to the canopy and the pumps. That would maintain everything else.

Secretary Jerzy said right, since they're still in use. Thank you, sir. He appreciated his insight on that as always. He yields the floor.

Board Member Watts stated to Mr. Murphy that he's looking at the compliance enforcement sheets here. He sees that it says that they need a certificate of compliance. He doesn't see anywhere in these three (3) sheets that says that's ever been completed.

Everett Murphy explained they would not allow them to come here tonight if they had not either obtained it or at least in the process and had submitted the application and they accepted it. They would not even allow it to go forward.

Board Member Watts said fair enough and thanked him. He yields.

Chairman Nestorowicz asked for any other questions or comments. Any motions?

Board Member Lindsey has a quick question for the petitioner. With the canopies, any part of that signage illuminated?

Sarah Mheisen said just the signs. The signs are illuminated.

Board Member Lindsey asked the Marathon 'M'.

Sarah Mheisen replied yes, the logo.

Board Member Lindsey asked the whole canopy linear is not illuminated.

Sarah Mheisen replied no.

Board Member Lindsey explained that's usually what he has an issue with. He's fine with having the Marathon logo illuminated. He usually doesn't like to see the gas stations have the whole canopy lit up. That answers his question. Thank you.

Chairman Nestorowicz asked for any other comments or motions.

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

Motion:

Secretary Jerzy made a motion to grant the petitioner's request to install new signage as follows:

- 1) A 24.13 square ft. Sign on the north elevation of the canopy, a 15.29 square ft. sign on the east elevation of the canopy and a 15.29 square ft. sign on the west elevation of the canopy for a total of 54.71 square ft. of wall signage on the canopy.
- 2) 761.29 square ft. of design element on the canopy.
- 3) 43.02 square ft. per regular pump, on 5 pumps for a total of 215.10 square ft.
- 4) 13.74 square ft. on 1 diesel pump.

Total of 1,044.84 square ft. of wall signage requested, in place of previous variances for wall signage related to the gas station operation. In addition to that, the petitioner has approved to relinquish the variances granted on the property on 2/25/04 under Mound card 1 and Mound card 2.

Board Member Assessor supported the motion.

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

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Assessor to approve the request for the reasons stated in the motion.

Roll Call:

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

Secretary Jerzy	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Clift	No, it's 1,004.84 square feet over 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.
Board Member Lindsey	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

11. PUBLIC HEARING:	APPLICANT: Bazo Construction
REPRESENTATIVE:	Sarah Mheisen
COMMON DESCRIPTION:	7031 Nine Mile
LEGAL DESCRIPTION:	13-28-460-009
ZONE:	C-2

VARIANCES REQUESTED: Permission to

Install new signage as follows:

- 1) A 24.13 square ft. wall sign on the south elevation of the canopy, a 15.29 square ft. wall sign on the east elevation of the canopy and a 15.29 square ft. wall sign on the west elevation of the canopy for a total of 54.71 square ft. of wall signage on the canopy.
- 2) 863.29 square ft. of design element on the canopy.

- 3) 43.02 square ft. of signage per regular gas pump, on 4 pumps (172.08 square ft.), 13.74 square ft. of signage per diesel and E85 pumps, on 2 pumps (27.48 square ft.) and 7.04 square ft. of signage on the racing fuel pump for a total of 206.6 square ft. of signage on the 7 pumps.
- 4) Also to retain the previously granted 380 square ft. of design element on building with 47.25 square ft. of signage on it.

Total wall signage requested is 1,124.60 square ft., in addition to the previously granted 380 square ft. of design element and 47.25 square ft. of sign on the building for an overall total of 1,551.85 square ft. of wall signage, in place of previous variances granted for wall signage.

ORDINANCES and REQUIREMENTS:

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

Sarah Mheisen stated this is regarding the property 7031 Nine Mile. This is an existing Marathon, old image however. It's being upgraded to meet the new Marathon image specs. They're requesting the variance basically to refresh this location. It's currently a little bit of an eyesore. They are having an issue with... They can't order old image materials because Marathon does not make them anymore. They have to update what's existing with the boards permission. That's about it.

Chairman Nestorowicz thanked her for that explanation. This is a public hearing. Is there anyone in the audience wishing to speak on this item?

No response.

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

Board Member Green said he would like to make a motion. Paul, leave him alone.

Motion:

Board Member Green made a motion to grant the petitioner permission to install new signage as follows:

- 1) A 24.13 square ft. wall sign on the south elevation of the canopy, a 15.29 square ft. wall sign on the east elevation of the canopy and a 15.29 square ft. wall sign on the west elevation of the canopy for a total of 54.71 square ft. of wall signage on the canopy.
- 2) 863.29 square ft. of design element on the canopy.
- 3) 43.02 square ft. of signage per regular gas pump, on 4 pumps (172.08 square ft.), 13.74 square ft. of signage per diesel and E85 pumps, on 2 pumps (27.48 square ft.) and 7.04 square ft. of signage on the racing fuel pump for a total of 206.6 square ft. of signage on the 7 pumps.
- 4) Also to retain the previously granted 380 square ft. of design element on building with 47.25 square ft. of signage on it.

Total wall signage requested is 1,124.60 square ft., in addition to the previously granted 380 square ft. of design element and 47.25 square ft. of sign on the building for an overall

total of 1,551.85 square ft. of wall signage, in place of previous variances granted for wall signage.

Board Member Watts supported the motion.

Reasons being: Not a detriment.

Chairman Nestorowicz said they have a motion by Mr. Green, support by Mr. Watts for the reasons stated in the motion.

Roll Call:

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

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.
Board Member Perry	Yes, for the reasons stated in the motion.
Board Member Assessor	Yes, for the reasons stated in the motion.
Board Member Cliff	Being as it's 1,511.85 feet in excess of what the ordinance says it can be, he's voting no.
Secretary Jerzy	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

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

12. PUBLIC HEARING: **APPLICANT: Mark Cicchini**
REPRESENTATIVE: Jeffrey Graham
COMMON DESCRIPTION: 14000 and 13970 Ten Mile
LEGAL DESCRIPTION: 13-25-102-003 and 13-25-102-002
ZONE: M-2

VARIANCES REQUESTED: Permission to

- 1) Allow open storage, parking, maneuvering lane, hard surfacing and existing fence to the front property line. Site plan indicates barbed wire to be removed and opaque strips to be added to fencing.
- 2) Retain front setback of 19.3' for the existing non-conforming building.
- 3) Allow open storage and maneuvering lanes on a gravel surface.
- 4) Allow a total of 22,620 square ft. of open storage, exceeding allowable open storage by 19,225.50 square ft. on a site which the building is 6,789 square ft. of floor area.

ORDINANCES and REQUIREMENTS:

Section 17.02 (s) – Industrial Standards – Open Storage Other Than Junk: ... The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas... Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site... In M-1 and M-2 zones the designated area shall not be located any closer than seventy-five (75) feet to the front property line...

Section 17.02 (a) – Industrial Standards – Front Yards: Item (2). In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no

building in an M-2 zone shall be required to set back further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the Master Thoroughfare Plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet.

Section 4.32 (k) – Off-Street Parking Requirements: All off-street parking areas shall be provided with adequate ingress and egress, shall be hard surfaced with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent), shall be maintained in a usable dustproof condition, shall be graded and drained to dispose of all surface water, provide protective bumper curbs as per Section 4.32 (i) and 16.07, and shall otherwise comply with Section 2.46 and 16.05 of this ordinance.

Section 4D.08 – Fences: Fences, walls and landscape screens in front yard between building line and front property line. No fence, wall or landscape screen shall be constructed between the established building line and the front property line...

Jeffrey Graham appeared before the board saying he's the project architect. He's representing Mark Cicchini. He feels his pain, sir. He thinks the history of the building...

Chairman Nestorowicz said if he could actually just add the address.

Jeffrey Graham said 589 Pemberton. It's important to look at the history of this site. This site was built, just like this, eighty (80) years ago by the Macomb Road Commission to be used for open storage with a building to obviously protect their tools and things like that. It's for their road construction. Forty-three (43) years ago, Mark's family bought the property for the exact same reason. They also were working on roads and service roads and utilities and things like that. So, this was a perfect building for them because they had the exact same use. They have been in business now for forty-three (43) years on that site. The site is surrounded from one side as an industrial building. On the back of the building is a large commercial building. To the other side of the building is a gas station, which is open and closed every once in a while. Farther down to the east, is a railroad line. So, they're talking about something that's really tucked away in an industrial sector of the city. They've had no complaints from anybody in the last forty-three (43) years and they wish to just maintain what they have.

Chairman Nestorowicz thanked him for that explanation. This is a public hearing. If there's anyone in the audience wishing to speak on this item, please approach.

No approach.

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

Board Member Green doesn't know who this question would be for. On the site plan and impact statement, there is conflicting statements. On the site plan it says that they're going to get rid of the barbed wire fencing and way the screening, the slot screening, of the...

Jeffrey Graham explained initially they wanted to keep the barbed wire and not install slats because of security reasons because of the location and previous problems with attempted theft. However, they were convinced by the Warren Planning Department that that wasn't a good choice. So, at the last minute they agreed with them and decided to take the barbed wire off and

put in the slats to make the building look a little more attractive, even though less functional for them.

Board Member Green said good enough. Thank you.

Secretary Jerzy said that was actually a good. He wants to read the impact statement first from the Planning Department. Per the Planning Department, "after review of the request no issues were found to impact the abutting, local or general public. The petitioner received site plan approval with conditions for outdoor storage of construction materials and equipment on July 28, 2025." To follow that up, you know, he thinks that was a good suggestion eliminating the barbed wire because they hold firm, at least since he's been on the board, that they haven't allowed a single thing with barbed wire in the city ever. At least since he has been sitting up here. That was a good recommendation to follow. He doesn't really see anything that really sticks out that could be a problem with this property. It's a unique property the way it's situated. It is in an industrial corridor. He doesn't see any impact on any kind of public around the general area at all. Just real quick to the petitioner. What was it before? Always just a construction yard, right?

Jeffrey Graham repeated it was just built by the Macomb Road Commission. If you drive to the front of the building, it's actually engraved into the building that it says Macomb Road Commission.

Secretary Jerzy couldn't recall off hand what it was, but he knows it's always been something construction or just building oriented. So, nothings really changed on that site. He doesn't really see a problem with this and wanted to thank the petitioner for investing in the property as well. He'll yield the floor.

Board Member Watts has a couple questions for Mr. Murphy. Looking through the compliance issues. Would he assume they never had a certificate of compliance all these years and that's why they're at the point they're at.

Everett Murphy said this is true.

Board Member Watts said they have been there forty-three (43) years.

Everett Murphy explained he started working there on that property about 2014.

Board Member Watts sees that.

Everett Murphy explained he's been trying to get this done ever since.

Board Member Watts is very aware of that building has been there forever. He remembers when it was road commission. The other question he had to him was the fence slatting, whatever you call it. Screening. Does that comply with the ordinance?

Everett Murphy replied absolutely.

Board Member Watts said they're making residence take it off their fences.

Everett Murphy explained not the slats. It's usually when they want to put the black material.

Board Member Watts said screening and asked if that's the difference.

Everett Murphy replied yeah. That black material, they don't actually consider that permanent. The slats they do.

Board Member Watts said that answers that question. Now his question to the petitioner. Are they going to follow through on this. He means, all this time, he sees all these complaints of no certificate of compliance. They're going to get this done, right?

Jeffrey Graham replied yes.

Board Member Watts is wondering in his mind why it never got done.

Mark Cicchini appeared before the board saying his home address is 39065 Parkway Circle. The previous Mayor, and he wrote an email to him. He came out and said everything can stay the way it did, and it did. He said don't worry about it. That's exactly what happened. He wrote him an impassioned email. He said sir, he's been there since 1982. Been a model citizen, never late with taxes, never late with a payment, never had a complaint from his neighbor. Been working there. His father passed in 2018, he bought that property in 1982 because it was exactly how they were going to use it and never changed. All of a sudden there was a problem. He got ahold of Mr. Fouts, his office. He sent a gentleman out. He doesn't recall his name, he was an older gentleman, kind of short. He doesn't know who it was. Came over, looked at it, made a phone call. Said Mr. Cicchini don't worry about, you're good. Ok. Then years later then this started going. Let's get it done. That's what they're here for. Get it done.

Board Member Watts said fair enough. He appreciates the answer to the question. He likes to see places getting cleaned up. He knows it's been there forever. He appreciates that. Thank you.

Chairman Nestorowicz asked for any other questions or discussion or motions.

Board Member Watts said if nobody else has anything, he'll make a motion.

Motion:

Board Member Watts made a motion to grant permission to:

- 1) Allow open storage, parking, maneuvering lane, hard surfacing and existing fence to the front property line. Site plan indicates barbed wire to be removed and opaque strips to be added to fencing.
- 2) Retain front setback of 19.3' for the existing non-conforming building.
- 3) Allow open storage and maneuvering lanes on a gravel surface.
- 4) Allow a total of 22,620 square ft. of open storage, exceeding allowable open storage by 19,225.50 square ft. on a site which the building is 6,789 square ft. of floor area.

Reasons being: Not a detriment; Been there forever at that way; Hopefully it will take care of the problems.

Board Member Perry supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Watts, support by Mr. Perry to approve the request for the reasons stated in the motion.

Roll Call:

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

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

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

13. NEW BUSINESS

Chairman Nestorowicz had two (2) items he wanted to bring up under new business. First being they did get a request from the Planning Commission to have an inaugural, yearly joint planning meeting with them. Looking at doing that starting in January of 2026. They're going to work with them to find a date and more information to follow. Just wanted to bring everybody up to date on that. He also wanted to welcome Councilman Newnan and Councilwoman Magee to their meeting tonight. Thank you very much for attending. Those are the only two (2) items he had for new business. Does anyone else have any new business?

Board Member Watts has a question for Mr. Murphy. He's not so sure he can answer the question, but at their last meeting or the one before, they had an issue at 30122 Cousino. They had concrete added to the driveway. He asked Mr. Watriont about that and he said they were going to go for compliance on that. Send out a letter or what have you. The question was wondering if that got done or not.

Everett Murphy doesn't have the records in front of him right now, so he wouldn't be able to answer that question right now.

Board Member Watts said fair enough.

Everett Murphy asked for the address again.

Board Member Watts said 20122.

Everett Murphy said if he forgets it he'll go watch the video. He'll look into that and make sure somebody is on it.

Board Member Watts said to send him a text or something. Thank you. Appreciate it.

Chairman Nestorowicz asked for any other new business. Motion for adjournment?

14. ADJOURNMENT

Motion:

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

Voice Vote:

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

The meeting adjourned at 8:40 p.m.

Paul Jerzy
Secretary of the Board