

WARREN ZONING BOARD OF APPEALS  
SPECIAL MEETING  
JANUARY 28, 2026

A Special Meeting of the Warren Zoning Board of Appeals was called on Wednesday, January 28, 2026 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  
Garry Watts, Asst. Secretary  
Michael Assessor  
Jon Green  
Shaun Lindsey  
David Sophiea

**Members of the Board absent:**

Charles Perry

**Also present:**

Jennifer Pierce, City Attorney  
Steve Watrion, 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 Perry was absent.

**Motion:**

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

**Voice Vote:**

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

**4. ADOPTION OF THE AGENDA**

**Motion:**

Board Member Green made a motion to approve the agenda; Supported by Secretary Jerzy.

**Voice Vote:**

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

**5. APPROVAL OF THE MINUTES – Regular Meeting of January 14, 2026**

**Motion:**

Board Member Clift made a motion to table January 14, 2026 minutes; Supported by Board Member Assessor.

**Voice Vote:**

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

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| <b>6. PUBLIC HEARING:</b> | <b>APPLICANT: Baker &amp; Associates Realty Group LLC</b> |
| REPRESENTATIVE:           | Faye Baker  |
| COMMON DESCRIPTION:       | 7567 Packard  |
| LEGAL DESCRIPTION:        | 13-33-276-033   |
| ZONE:                     | R-1-P   |

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5' into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 8.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet.

Chairman Nestorowicz asked the applicant to start by stating name and address for the record before her presentation. Are they just doing one presentation for all of it or several?

Secretary Jerzy said probably a presentation for the first... break it down to the four items because they're all, you know... he'll read items 6 and 7 before she presents.

Faye Baker, 8086 Fourteen Mile, appeared before the board stating she's Baker and Associates Realty Group.

Chairman Nestorowicz asked her to explain her request to the board.

Faye Baker stated for the parcels that the Secretary just read off, it's for her to have an additional five (5) feet. They have a porch that's on the property. Originally their setbacks did not include the porch, so they're a little short. She's just coming in to ask for the board to allow five (5) feet for them to have a porch on the front of the home.

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

No response.

Chairman Nestorowicz closed the public portion and turned it over to the board for discussions.

Board Member Watts said this is really more of a point of order. On January the 15<sup>th</sup> they

received their packet by email, last Wednesday at their special meeting they received their hard copy in person. Last night, at about five or six o'clock they received an email with impact statement. Now, they've discussed this before and he's not sure why they're getting these so late. This is very disrespectful to this board. Thankfully, it's a pretty simple impact statement, but this is ridiculous. Now, if it wasn't what it was and wasn't simple he would be making a motion to postpone. He really think that they need to get these in a timely manner so they can digest all the information. He certainly doesn't want to hold up Ms. Baker with hers. Planning needs to get with the program. Thank you.

Chairman Nestorowicz thanked Mr. Watts.

Board Member Green has a quick question. He just wants to have her help him establish something here. In her backup she has the development contributes to increased home ownership opportunities in the area. Obviously, she thinks there are increased home ownership opportunities based on her project that there are in fact opportunities for people to buy homes and the need for people to buy homes. It fosters neighborhoods to (inaudible) growing. He just wanted to go on record and make a point that there is a need for homeownership in that area.

Faye Baker have three (3) up now. Two (2) of them are sold. They expect another offer on the third one by the end of the week. So, people are wanting to put down roots in Warren, particularly south Warren. They love the homes. She doesn't know if the board had a chance to see them or not. They did have an open house today. The homes look amazing. When they come in they're ready to put in their offer and start being homeowners in the City of Warren. It's pretty amazing.

Board Member Green agrees. He just wanted her to help him make a point and she did.

Secretary Jerzy said real quick before they get too far. He wants to read the impact statement that Mr. Watts referenced from the Planning Department:

"After review of the request (Agenda items 6 through 25), no issues were found to impact the abutting, local or general public.

On February 21, 2025, the petitioner received administrative approval from the Planning Department for their petition to re-establish the plat lines for two parcels along Peters Avenue (located between Hupp and Packard Avenues), creating twenty (20) new parcels for the purpose of developing single-family residential dwellings. This petition was approved with the condition that the 10 ft. wide public easement stays intact. Reviews of this petition yielded approval/no objections from the Engineering Division, the Fire Department, The Building Division, DTE, Comcast, and AT&T."

Secretary Jerzy yields the floor.

Board Member Watts has driven by there a couple of times, only because it's got his interest. They're looking good. He did see her post today about the open house. Very nice on the inside. He commends her for taking this project on. The only other question he's got is, and by the way it's a positive because it's a buy and not a rental.

Faye Baker said absolutely.

Board Member Watts asked how they missed the porches on the original variances.

Faye Baker explained the civil engineer didn't properly label the site plan. He had a porch there and it was thought to be a landing. When they got in the field, they have to have a step. In order to build a step they had to build a porch. In order to put a porch they had to make it compliant. When they did that, they were over the setback.

Board Member Watts said they have to have a porch. He asked Mr. Watripont if he had something

Steve Watripont stated she said it very well. When the first plans came in, basically, they didn't have renderings of the house and everything. When it first started it was a whole project and they had the setbacks. That's where the houses went. If the porch was, not the porch, it was a platform there and not a porch with steps it would've been fine. The fact that it's raised and steps to get down, that's included in the setback area.

Board Member Watts thanked him and yields.

Board Member Sophiea has no problem with granting the variance tonight. Just on the survey, he's confused the two addresses on item 1 and 2 is 7567 Packard and 7575. He doesn't see the addresses on the survey. He's curious what parcel numbers on Packard Street they're talking about now.

Steve Watripont said ending in 33 and 34.

Board Member Sophiea thanked him.

Steve Watripont informed it should be in the excel spreadsheet that should be one of the first...

Board Member Sophiea sees that, but he's looking at the survey and the parcel numbers aren't listed. It's just parcel one (1) through twenty (20). He didn't know how that...

Steve Watripont can't read it. It's too small.

Board Member Sophiea was just curious which two lots they were talking about. None the less, he has no problems with it.

Chairman Nestorowicz thanked Mr. Sophiea. Any other questions or discussions on these items. Or any motions?

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

**Motion:**

Secretary Jerzy made a motion to grant the petitioners request to construct a single family residence with a porch up to 5' into the front setback on 7567 Packard and 7575 Packard.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiaea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

7. PUBLIC HEARING: **APPLICANT: Baker & Associates Realty Group LLC**  
REPRESENTATIVE: Faye Baker  
COMMON DESCRIPTION: 7575 Packard  
LEGAL DESCRIPTION: 13-33-276-034  
ZONE: R-1-P

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5' into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 8.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet.

**Motion:**

Secretary Jerzy made a motion to grant the petitioners request to construct a single family residence with a porch up to 5' into the front setback on 7567 Packard and 7575 Packard.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

8. PUBLIC HEARING: **APPLICANT: Baker & Associates Realty Group LLC**  
REPRESENTATIVE: Faye Baker  
COMMON DESCRIPTION: 7568 Hupp  
LEGAL DESCRIPTION: 13-33-276-023  
ZONE: R-1-P

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5' into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 8.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 8.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet.

**Section 8.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

Chairman Nestorowic asked Ms. Baker to start again with her name and address and then the request for these two (2) parcels.

Faye Baker repeated her name and address. For these they are asking for... These lots are a little smaller on Hupp. On Packard they're 109, on Hupp they're 106.8. So, if they were to try and build the same model that they have it would not, they would need a little more coverage on the lots. Otherwise, they would have to try to find a different model, which could be very time consuming. So, they're asking for a little more coverage on the lot and also allowing them to have a porch on there as well that would extend about five (5) feet.

Chairman Nestorowicz thanked her for that explanation. This is a public hearing. Is there anyone in the audience wishing to speak on these two (2) items.

No response.

Chairman Nestorowicz closed the public portion and turned it over to the board for discussion, questions and... So, he just has a quick question. Basically, he knows that the only thing that is... When they approved this previously at a thirty (30) foot setback, now it's a twenty-seven (27) foot setback. Rear setback he means. They increased the lot coverage by two (2) percent. That's mainly based on the added porch and the fact that that model...

Faye Baker said has about a two (2) foot bump out.

Board Member Clift said if nobody else has any comment on the item he would like to make a motion.

**Motion:**

Board Member Clift made a motion to grant permission to:  
Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5' into the front setback.

Reasons being: Not a detriment to the area.

Board Member Sophia supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophia 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophia	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 Lindsey	Yes, 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, for the reasons stated in the motion.

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

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| <p>9. PUBLIC HEARING:<br/>REPRESENTATIVE:<br/>COMMON DESCRIPTION:<br/>LEGAL DESCRIPTION:<br/>ZONE:</p> | <p><b>APPLICANT: Baker &amp; Associates Realty Group LLC</b><br/>Faye Baker<br/>7576 Hupp<br/>13-33-276-0234<br/>R-1-P</p> |
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**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.

- 2) With 37% lot coverage.
- 3) With a porch up to 5' into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 8.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 8.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet.

**Section 8.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:  
Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5' into the front setback.

Reasons being: Not a detriment to the area.

Board Member Sophia supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophia 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophia	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 Lindsey	Yes, 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, for the reasons stated in the motion.

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

<b>10. PUBLIC HEARING:</b>	<b>APPLICANT: Baker &amp; Associates Realty Group LLC</b>
REPRESENTATIVE:	Faye Baker
COMMON DESCRIPTION:	7504 Hupp
LEGAL DESCRIPTION:	13-33-276-015
ZONE:	R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

Chairman Nestorowicz asked her to state again her name, address and then the reasons behind this grouping of homes.

Faye Baker repeated her name and address. They're asking for these setbacks, again, for the same reasons. They want to make these homes appealing to homeowners. She didn't ask for a huge variance on the yards because she wants to have some yard space. She thinks it makes the neighborhoods look really nice. They wanted to have a house that actually functions well for the modern buyer, which will allow them to have an open floor plan and have two (2) full bathrooms, have an attached garage. In order to do all those things, they just need a little bit more space on the lot. So, she's asking for a variance so she can achieve that.

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 hearing and turned it over to the board for questions and discussion.

Board Member Clift said it appears most of this is pretty straight forward. If nobody else has anything to say he would like to put forward a motion on the items.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophiea supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophiea 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophiea	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 Assessor	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.

11. PUBLIC HEARING: **APPLICANT: Baker & Associates Realty Group LLC**  
 REPRESENTATIVE: Faye Baker  
 COMMON DESCRIPTION: 7512 Hupp  
 LEGAL DESCRIPTION: 13-33-276-016  
 ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophia supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophia 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophia	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 Assessor	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.

<b>12. PUBLIC HEARING:</b> <b>REPRESENTATIVE:</b> <b>COMMON DESCRIPTION:</b> <b>LEGAL DESCRIPTION:</b> <b>ZONE:</b>	<b>APPLICANT: Baker &amp; Associates Realty Group LLC</b> Faye Baker 7520 Hupp 13-33-276-017 R-1-C
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**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less

than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophia supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophia 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophia	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 Assessor	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.

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| <p>13. PUBLIC HEARING:<br/>REPRESENTATIVE:<br/>COMMON DESCRIPTION:</p> | <p><b>APPLICANT: Baker &amp; Associates Realty Group LLC</b><br/>Faye Baker<br/>7528 Hupp</p> |
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LEGAL DESCRIPTION: 13-33-276-018  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophia supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophia 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophia	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 Assessor	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.

<b>14. PUBLIC HEARING:</b>	<b>APPLICANT: Baker &amp; Associates Realty Group LLC</b>
REPRESENTATIVE:	Faye Baker
COMMON DESCRIPTION:	7536 Hupp
LEGAL DESCRIPTION:	13-33-276-019
ZONE:	R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophiea supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophiea 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophiea	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 Assessor	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.

- |   |   |
|---|---|
| <p>15. PUBLIC HEARING:<br/> REPRESENTATIVE:<br/> COMMON DESCRIPTION:<br/> LEGAL DESCRIPTION:<br/> ZONE:</p> | <p><b>APPLICANT: Baker &amp; Associates Realty Group LLC</b><br/> Faye Baker<br/> 7544 Hupp<br/> 13-33-276-020<br/> R-1-C</p> |
|---|---|

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27’ rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27’ rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophia supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophia 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophia	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 Assessor	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.

- |                            |   |
|----------------------------|---|
| <b>16. PUBLIC HEARING:</b> | <b>APPLICANT: Baker &amp; Associates Realty Group LLC</b> |
| REPRESENTATIVE:            | Faye Baker  |
| COMMON DESCRIPTION:        | 7552 Hupp   |
| LEGAL DESCRIPTION:         | 13-33-276-021   |
| ZONE:                      | R-1-C   |

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at

the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophiea supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophiea 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophiea	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 Assessor	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.

- |   |   |
|---|---|
| <p>17. PUBLIC HEARING:<br/>REPRESENTATIVE:<br/>COMMON DESCRIPTION:<br/>LEGAL DESCRIPTION:<br/>ZONE:</p> | <p><b>APPLICANT: Baker &amp; Associates Realty Group LLC</b><br/>Faye Baker<br/>7560 Hupp<br/>13-33-276-022<br/>R-1-C</p> |
|---|---|

**VARIANCES REQUESTED: Permission to**

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.08 – Rear Yards:** Each lot in R-1-P Districts shall have a rear yard depth of not less than thirty-five (35) feet.

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Section 7.04 – Percentage of Lot Coverage:** One (1) family dwellings, together with accessory building, hereafter erected on any lot in R-1-P Districts, shall not cover more than thirty (30) percent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time of [sic] this Ordinance become effective is less in area than the specification herein provided if such lot was of record at the time of the adoption of this Ordinance.

**Motion:**

Board Member Clift made a motion to grant permission to:

Construct a single family residence:

- 1) With a 27' rear setback.
- 2) With 37% lot coverage.
- 3) With a porch up to 5 feet into the front setback.

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

Secretary Jerzy said point of order. He thinks he said thirty (30) percent, it's thirty-seven (37).

Board Member Clift clarified and restated request 2 to be 37% lot coverage.

Board Member Sophia supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Clift, support by Mr. Sophia 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 Clift	Yes, for the reasons stated in the motion.
Board Member Sophia	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 Assessor	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.

REPRESENTATIVE: Faye Baker  
COMMON DESCRIPTION: 7503 Packard  
LEGAL DESCRIPTION: 13-33-276-025  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5' into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

Chairman Nestorowicz asked Ms. Baker to go through the same explanation perhaps.

Faye Baker repeated her name and address. Same thing here. They needed a little more room to allow for the porch. They're approaching the setback a little bit, so they just need to have a landing. So that when people walk up to the door they can actually stand on the landing and open their door. That's why they need this variance for.

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

No response.

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

Secretary Jerzy thinks he read that motion wrong into the record. He asked Steve to approach real quick. He knows on items 13 through 20 it said to construct a single family residence with a five (5) foot porch, but when looking at the agenda itself it's got three (3) different variances. It's got the one with a thirty (30) foot rear setback, without staggering front building line 2 feet from adjacent lots, with thirty-five (35) percent lot coverage. He's guessing he would have to re-read that.

Steve Watripont said those were approved. This is only the ones on Packard, which is actually agenda items 18 through 24. He read it correct.

Secretary Jerzy thanked him.

Chairman Nestorowicz asked for any other questions or discussion. Or any motions from the board?

Secretary Jerzy said since he did actually read it right, he'll make a motion.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5' into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophia	Yes, for the reasons stated in the motion.
Board Member Watts	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.

- |                            |   |
|----------------------------|---|
| <b>19. PUBLIC HEARING:</b> | <b>APPLICANT: Baker &amp; Associates Realty Group LLC</b> |
| REPRESENTATIVE:            | Faye Baker  |
| COMMON DESCRIPTION:        | 7511 Packard  |
| LEGAL DESCRIPTION:         | 13-33-276-026   |
| ZONE:                      | R-1-C   |

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5’ into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5’ into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

<b>20. PUBLIC HEARING:</b>	<b>APPLICANT: Baker &amp; Associates Realty Group LLC</b>
REPRESENTATIVE:	Faye Baker
COMMON DESCRIPTION:	7519 Packard
LEGAL DESCRIPTION:	13-33-276-027
ZONE:	R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5' into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5' into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

21. PUBLIC HEARING: **APPLICANT: Baker & Associates Realty Group LLC**  
REPRESENTATIVE: Faye Baker  
COMMON DESCRIPTION: 7527 Packard  
LEGAL DESCRIPTION: 13-33-276-028  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5' into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5' into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

22. PUBLIC HEARING: **APPLICANT: Baker & Associates Realty Group LLC**  
REPRESENTATIVE: Faye Baker  
COMMON DESCRIPTION: 7535 Packard  
LEGAL DESCRIPTION: 13-33-276-029  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5’ into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5’ into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

<b>23. PUBLIC HEARING:</b>	<b>APPLICANT: Baker &amp; Associates Realty Group LLC</b>
REPRESENTATIVE:	Faye Baker
COMMON DESCRIPTION:	7543 Packard
LEGAL DESCRIPTION:	13-33-276-030
ZONE:	R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5’ into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5’ into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

24. PUBLIC HEARING: **APPLICANT: Baker & Associates Realty Group LLC**  
 REPRESENTATIVE: Faye Baker  
 COMMON DESCRIPTION: 7551 Packard  
 LEGAL DESCRIPTION: 13-33-276-031  
 ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5’ into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5’ into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

<b>25. PUBLIC HEARING:</b>	<b>APPLICANT: Baker &amp; Associates Realty Group LLC</b>
<b>REPRESENTATIVE:</b>	Faye Baker
<b>COMMON DESCRIPTION:</b>	7559 Packard
<b>LEGAL DESCRIPTION:</b>	13-33-276-032
<b>ZONE:</b>	R-1-C

**VARIANCES REQUESTED: Permission to**

Construct a single family residence with a porch up to 5’ into the front setback.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05 – Front Yard:** Each lot in R-1-P Districts shall have a front yard of not less than twenty-five (25) feet. Where residences are to be erected on adjacent lots, such building line shall be staggered at least two (2) feet, with no building located closer than twenty-five (25) feet from the front property line.

**Motion:**

Secretary Jerzy made a motion to grant permission to construct a single family residence with a porch up to 5’ into the front setback.

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

Board Member Clift supported the motion.

Chairman Nestorowicz said they have a motion by Mr. Jerzy, support by Mr. Clift 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 Clift	Yes, for the reasons stated in the motion.
Board Member Green	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 Sophiea	Yes, for the reasons stated in the motion.
Board Member Watts	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.

Faye Baker thanked the board.

Chairman Nestorowicz wished her luck building the rest of the homes and looking forward to seeing them go up in that area.

Faye Baker would be happy to show them to the board if they want to take a tour. Thank you.

Chairman Nestorowicz thanked her.

## 26. NEW BUSINESS

Chairman Nestorowicz wanted to give them all a chance to just maybe hear some of their opinions of the special meeting. The number of emails have gone around and he just thought it might be good.

Secretary Jerzy would like to lead off by just saying he kind of expressed some of the same stuff that his colleagues had mentioned regarding... They thought they were going to be talking about ordinance changes and things of that nature. It didn't materialize that way. What he thinks they should do is as a board, and it's just his opinion, he welcomes anyone else's opinions on this matter as well. He thinks it was great that they all showed up, first and foremost. He wants to thank every member for taking time out of their busy lives to make that special meeting and make it happen. Secondly, he thinks as a referee they have a twenty-four (24) hour rule, like a cooling down period, before they start making decisions on things. He thinks collectively they should enter into kind of what parameters they would like to see with that project. Then take a vote on that, maybe next meeting in February, and send that to Council. Nothing is going to be guaranteed that it's going to be approved what they suggest, but he thinks suggesting nothing is not an option. He believes that this project does need some guardrails. What they are, he has some ideas of his own, but he would like to hear everybody else's opinion. Maybe during that meeting or even if they have them now, or express them however they want to. He thinks that they need to address it and send their recommendations for the project over to Council and see where it takes them.

Jennifer Pierce asked when he refers to the project, is he talking about the overlay.

Secretary Jerzy said yes, the overlay district. He apologized and yields the floor.

Chairman Nestorowicz wanted to add in his opinion here. It was basically, you know, like everybody else he was very surprised to see that private developer was proposing what kind or ordinance changes they should see in the city where if anything, any kind of those changes. See, he takes a look at the ones the board just approved tonight. You know, the board just approved variances tonight. Would these changes all be covered by the same kind of thing?

Because they should come up with one set of what is the variance for that kind of area, not just secured to one developer, but this development should fall under others that people want to do. There shouldn't be a difference. He worries that they're not hearing for what's best for the city, as opposed to what's best for the developer. The developer is always going to talk about what's best for them. They're bringing up other examples that make their request look good. So, he felt that they were going into it with not a good explanation. Again, he also thought it would be a chance for Planning and Zoning to have a discussion. They never really had any discussion whatsoever. He still thinks that would be a good thing for them to have. So they can talk about things like signs, they could talk about the other kind of things they always bring up but never seem to have a time to do.

Secretary Jerzy said to be blunt, they need more than three (3) members on the Planning Commission to show up to be able to have these discussions. Also, maybe a director or some kind of... he doesn't know.

Chairman Sophia asked if Steve wanted to add something in.

Steve Watripont explained the original intent on this meeting had to do with the RCC and the grants and everything that Community Development has the opportunity to get. It's a requirement for that of this. He was talking to a couple people also today, and he thinks they do suggest at least three (3) meetings a year. He thinks they're going to try to do that again. His suggestion was to, since Hunter is very active in that realm of the RCC, have him be the lead on this and invite both groups. He can set the agenda, talk about the RCC stuff, and the communication between the two in the future. He's already talked about that in house. If that helps some of the boards minds put at ease, then that's the direction he's looking at after that feedback, too. If that helps anything, or any questions on that. That's how he thought it was going to be to start with, too.

Chairman Nestorowicz thanked Steve.

Board Member Cliff passed around a little something to his fellow board members. Ever since Thursday, he's been really troubled by that whole thing Thursday. For months they hear about this joint meeting going on. Nobody can get any clear answers of who is even setting it up or what its even going to be about. Everything was hush hush. An agenda shows up the day before and then they actually get in and get seated. To him it felt like a, to him it really just felt like a sales pitch. Some of the information he gleaned from that... He's going to call it an informational session. He's going to be nice and say it was an informational session, because that's how it should've been expressed. It should have been expressed that way in their backup. It should've been expressed that way on the agenda. They were asking several months ahead when the idea first came to fruition they should've kind of had an idea then what they were in for. Instead, they walk into what appears to be a phenomenal sales pitch including colored, glossy graphics to boot from one entity making a giant presentation. He's just going to read into the record kind of his takeaway. He looks at this as a governance, ethics, and procedural integrity in municipal land bank administration in a case study for Warren.

Municipal land banks play a critical role in stabilizing neighborhoods, repurposing vacant property, and supporting long-term redevelopment. There's no denial in that. They absolutely do. They can look around different places and see that does happen when they have an effective

land bank strategy and economic development working in tandem.

Their effectiveness, however, depends on transparent governance, ethical safeguards, and clear separation of powers. This paper examines best practices for land bank administration, evaluates potential conflicts of interest when elected officials hold leadership roles within land bank structures, and analyzes a recent joint session of Warren's Zoning Board of Appeals (ZBA) and Planning Commission held on January 22 at the Warren Recreation Center Cafeteria. The session raised concerns about procedural irregularities, zoning inconsistencies, and the appearance of undue influence. The analysis integrates professional experience, community feedback, and Michigan's municipal ethics principles to highlight the need for stronger governance, updated zoning regulations, and clearer ethical boundaries.

Land banks are powerful tools for community revitalization, but they require ethical stewardship, transparent administration, and strict adherence to zoning and planning processes. In Warren, Michigan, recent events have raised questions about whether these standards are being upheld—particularly regarding the role of a sitting City Council member serving simultaneously as the leadership chair of the Warren Land Bank.

As a long-time resident, community advocate, and sitting Vice Chairman of the Warren Zoning Board of Appeals, I have observed growing public concern about the appearance of impropriety within municipal operations. Despite a recent mayoral transition, many residents continue to express skepticism about transparency and ethical conduct. These concerns came into sharp focus during a joint session of the ZBA and Planning Commission on January 22, where a private entity delivered a sales-style presentation advocating for zoning overlay districts that are not yet supported by adopted regulations. I have evaluated these issues through the lens of best practices, ethics, and procedural integrity.

The purpose and function of land banks is it's a public entities designed to acquire vacant, abandoned, or tax-foreclosed properties; clear title and prepare land for redevelopment; support community-driven revitalization; and prevent speculative or predatory acquisition (Center for Community Progress, n.d.). Best practices emphasize transparency, accountability, and community benefit.

Effective land banks typically maintain independent boards separate from elected officials, adopt clear conflict-of-interest policies, ensure public reporting of acquisitions and dispositions, operate under consistent statutory authority, and engage in community-driven planning (Michigan Municipal League, n.d.).

Michigan's land bank framework encourages alignment with local master plans, coordination with planning and zoning bodies, avoidance of political influence in property disposition, and compliance with state ethics laws such as Public Act 317 and Public Act 318 (Michigan Legislature, 1968a, 1968b).

Conflicts of interest. Michigan's municipal ethics guidance stresses avoiding both actual and perceived conflicts of interest, ensuring decisions are made without personal or political influence, and maintaining public trust through transparency (Michigan Association of Municipal Attorneys, n.d.). He gleans that's information from an article that was published.

A City Council member serving as chair of a land bank creates dual loyalty between legislative duties and land bank operations, influence over zoning and property disposition, perceived favoritism toward developers or private entities, and reduced independence of the land bank board. He's not saying that's happening, but the perceptions can clearly be made there. Even if technically permissible, the appearance of impropriety undermines public confidence (Michigan Municipal League, n.d.). Speaking for himself, he thinks the City of Warren struggles with some of that public confidence in their leadership.

Council members vote on zoning ordinances that directly affect land bank property value, may influence appointments or budgets, and may be perceived by developers as offering political access. Best practices therefore recommend insulating land bank boards from elected officials' direct control (Center for Community Progress, n.d.).

During the joint session of the ZBA and Planning Commission, neither board was informed who requested the meeting, a private entity delivered a sales-pitch-style presentation, and the City Council Secretary—also the land bank chair—advocated for the proposal. The presentation centered on two proposed overlay districts: the Missing Middle Overlay District (MMOD) and the Van Dyke Mixed Use District (VDMUD). They need both of those. There's no denying that they need something like that in place. He thinks everybody in their own discussions have agreed that they need something along those lines.

The proposal may require multiple concessions from the Planning Commission, numerous variances from the ZBA, and approval of projects before adopting zoning regulations. This contradicts best practices, which require zoning amendments before project approvals, public hearings, and alignment with the Master Plan (MSU Extension, n.d.).

Despite significant investment in Warren's Master Plan, little progress has been made updating zoning ordinances. Overlay districts were discussed without regulatory foundation, and boards were asked to "bridge the gap" through variances and concessions. That's what they're in for if they don't update their ordinances to reflect these special districts. He writes in here this places undue burden on the ZBA and Planning Commission and risks inconsistent, ad-hoc decision-making. In other words, they're not going to work under a uniform guidance of a zoning regulation. They see a lot of this already now where things don't quite fit so it's up to the board to decide whether it does or doesn't and there's great inconsistencies with the decisions that are being made.

As a resident and former City Council candidate, I have heard repeated concerns about lack of transparency, perceived favoritism, ethical inconsistencies, and administrative irregularities. The January 22 meeting reinforced these perceptions. When elected officials hold dual roles, when private entities present without clear authorization, and when zoning processes are bypassed, the public loses confidence. Ethical governance requires not only following the law but avoiding situations that erode trust (Michigan Municipal League, n.d.).

Mr. Jerzy said he wanted to hear some recommendations. Here they are:

1. Separate Land Bank Leadership from Elected Officials

To avoid conflicts, the land bank should be chaired by a community development professional, a planning expert, or a neutral appointee qualified to perform those duties.

## 2. Update Zoning Ordinances Before Considering Overlay Projects

The MMOD and VDMUD should not advance until zoning text amendments are drafted, public hearings are held, and ordinances are adopted.

## 3. Improve Transparency in Joint Sessions

Meeting requests should be clearly identified, agendas provided well in advance, and presentations delivered by city staff, or even board members if it warrants it, rather than private entities.

## 4. Strengthen Ethics Policies

The city should adopt stricter conflict-of-interest rules, require recusal when dual roles intersect, and publish annual ethics disclosures.

Municipal governance depends on transparency, ethical conduct, and procedural integrity. Warren's recent joint session highlighted vulnerabilities in all of these areas—particularly regarding land bank leadership, zoning processes, and public trust. The strengthening ethical boundaries, updating zoning regulations, and ensuring independent oversight, Warren can move toward a more accountable and community-centered future.

### [References

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Basically in a nut shell, he thinks they're putting the cart before the horse in looking at a lot of these things. He feels strongly that they need them. He would just like to see them move forward and be implemented in a manner consistent with all of his education and experience warrants. With that, gentleman and madam attorney, he will yield the floor.

Chairman Nestorowicz thanked Mr. Clift.

Board Member Green said if they're all pitching in; he'll be quick. What he got out of that meeting was pretty simple for him, besides the fact of how the meeting was organized or who was in charge of it and who did the presentation. This payment in lieu of taxes is a big deal and how that money is figured out. The other thing that came up that it seemed to be a point of emphasis was there is this back and forth about what's better for the city; rentals or purchase to buy. That will go on forever, but he's on the fence. He still thinks... they had a presentation tonight and that's why he asked her that question. Homeownership protects your tax base. Tax base is to protect the services they can offer people. That was pretty important. What he learned from this Council meeting last night through talking to somebody who was at the Council meeting is that

this twenty (20) percent plug in that they're going to use for this particular project could be used for some other projects. It doesn't have to come back, it can be used anywhere now, once they approve it. That was his understanding. That concerns him a little bit. He thinks there is a semi, or something in place already, the PUD development at Thirteen and Mound. When that development came up, the variances were as part of the PUD agreement, were discussed and set up and used for that PUD agreement. Then that was it. Done. No follow anything else. He's not sure how that fits into this but somewhere it does in his mind. Those were the things he got out of it; rental versus home ownership, the importance of a tax base and who will negotiate the pay in lieu of taxes. How can they foresee that, it will be very difficult. He was on DDA before, when they built city hall and the bottom dropped out. They had these great plans and he remembers sitting there with... Gosh who was the guy? Anyways, laughing about how low they came in with the finance guy. They said this will never happen to them that they came in so slow that they're always going to be good. Five (5) years later, they weren't good. He learned that can happen on any of these type of developments. It's kind of what he got out of it. Thank you.

Chairman Nestorowicz thanked Mr. Green.

Board Member Watts said from the beginning when this was presented, probably a month or so ago at Council, he voiced his opinion there under audience. He is opposed to rentals. They have too many now and he just... He's not opposed to development. He wants development and he wants good development, and he wants the city moving forward. But he doesn't know how rental is going to help that. Everybody, these are the buzz words today, is affordability. Nothing is affordable, blah, blah, blah. Houses are selling out there. Ms. Baker is correct that she's sold the three (3) houses or two (2) and one is on the way. That's a plus. When he asked last week what the price of the rentals was it was \$1,700 but likely it will be \$1,900. Well, in his mind, he's not sure how he's ever going to get ahead in life if they're paying \$2,000 a month for a rental. He just doesn't see, unless he's living in a different world, he doesn't see young people getting over the hump to save money to get into a new home. He would rather see money go towards down payment assistance or something like that. Something to try to help the people. That's where he's at on that. The other thing, he was at the Council meeting last night, it was on the agenda. If he understood correctly, and maybe city attorney watched the meeting or not, it was his understanding that they sent this... It was on the agenda and they sent this back to Planning to be written for the overlay district. Then it's got to come back. Or course it would come back as a resolution and be read twice. He doesn't know how long this is going to take, but that was his take from last night's meeting. So, that's where he's at.

Chairman Nestorowicz thanked Mr. Watts. He just wanted to piggy back on his comment. He also believes for purchased homes are better than rentals. Especially, such a large number of rentals. He would love to hear somebody from the city explain to him. Ms. Baker's homes on Hupp and Packard over there, she's sold the first two (2) and to his knowledge the goal is to sell all of those. How is that her homes are able to be put up for sale and make money. He believes they're also modular homes the same way, but the other ones have to be rentals. Its like they need to just have one (1) set of an overlay kind of thing where it levels the playing field amongst all these developers to be able to make that property enticing enough for purchased homes. For that they need to have a city representative that truly is independent from any corporations or businesses which have motives as to why they want certain things. That's all he wanted to say.

Board Member Sophiea said the Chair brought up a good point. Ms. Baker is obviously making

money, but she's doing as she should. She's doing a good thing for the city. The difference is greed. The rentals, like he mentioned, getting \$2,000 a month, that's \$24,000 a year versus selling a home. He thinks they go for the mid \$200,000 but obviously Ms. Baker has a not into the project. She's still be able to, like he said, function and make a reasonable profit. It's a much better outcome for the residents of Warren. That was his only comment.

Board Member Clift said that begs a question, Mr. Chair. They don't get into some of the nuances. They heard the variances and things like that and he doesn't mind using Ms. Baker's project as an example, but maybe somebody on the board can educate him. Was her project granted some kind of tax abatements or cut to keep costs low? It's a fair question, because this \$850 a parcel for this other thing they were talking about, that kind of flies in the face of people like him who have lived here twenty (20) years and they're paying upwards of \$5,000 a year for property taxes. You know, he was just curious if there was a tax abatement. It looks like madam attorney can answer that question for him.

Jennifer Pierce stated there was. She believes it was years ago City Council approved, and her mind is escaping her right now, but the area where her parcels are was approved for a much larger project that fell through. So, there were for rehabilitations or for new development, there is a tax abatement for, she believes, up to eight (8) years, and she was approved for that.

Board Member Clift said fair enough.

Board Member Sophia stated there is a mention in the Zillow of an eight (8) year partial tax abatement.

Board Member Clift asked if he remembered the percentage by any chance, Mr. Sophia. Just out of curiosity.

Board Member Sophia said he just saw the Zillow listing when he was researching this tonight.

Jennifer Pierce can send him the ordinance and what it says as far as what...

Board Member Clift said he can look that up too. He works full time, a lot of things going on. He can't, you know, he struggles to get done what he manages to get done. That idea and thought actually just popped into his head sitting here discussing some things. That \$800 parcel thing really stuck out to him as like, he doesn't know Garry, he's pretty Fire Department orientated. What's an ambulance run to a private residents cost the city these days?

Board Member Watts said probably \$2,000 or better.

Board Member Clift said well, so, there you go.

Board Member Watts explained that's billable. That's what would be billable.

Board Member Clift gets it, but...

Board Member Watts said they might collect fifty (50) percent. That's common practice in the business.

Board Member Clift said the looks of things on the face of things look kind of good dependent on what perspective they're looking from, he supposes. He just kind of likes to look all the way around, but based on some of the information he's acquired over the years he thinks there's big problems. The more they expand the rental base, he thinks there's more problems and somebody doesn't want them knowing what the percentage is in this town, because he knows people have asked and asked. They've tried to figure it out and nobody can seem to get a straight answer on what it is. If it's such a great thing, it seems to him, that should be the first thing anybody is wanting to stand up and show them is even if it's a private resident, how many rentals are in this town. Single family, two family residences.

(Inaudible)

Board Member Clift doesn't know where he's getting his information from.

Board Member Green said off the website.

Board Member Clift asked the city's website.

Board Member Green said yep.

Board Member Clift said interesting.

Board Member Green thinks it's interesting to know, too, that when they went to that meeting it was pretty clear that they're not a part of what's going on. They're not. They're not administratively or legislative, being a part of how this is going to move forward or whether it's not going to move forward. Everything they're doing is just their opinion. It goes back to what they talked about a couple meetings ago. He's just trying to put this into perspective. What's best for the overall citizens of the city. That's about it. They were pretty much, and they're probably right, they probably don't have anything to do functionally with this moving forward or not moving forward. Ms. Attorney, is he right?

Jennifer Pierce wouldn't go that far. She thinks everyone, the board is the ones that are here reviewing all the petitions and seeing where the problems lay and the repeat requests they're getting. She just wants to say that she was brought in on this months and months and months ago for two (2) specific parcels. It was a test run. They're going to see how these go. So, no. She thinks everyone would welcome everyone's opinions. The more minds and things that maybe weren't thought of the better. She believes the city intends on moving forward with this. Not just for this developer, but to create some new standards in this specific area. It will expound on the district where phase homes are and forgive her right now, she can't think of the name of the program.

Board Member Watts asked if it was Patriots Place.

Jennifer Pierce said yes, thank you. So, she means there is something already there, but this is going to impound on it and make it much larger. As far she knows, the city plans on moving forward, but she thinks they wanted to see how these first two (2) parcels go before they make any commitments to any developer. If they got the impression that it was full blown moving

forward, she doesn't believe that's the case. There's negotiations and talks. Regardless on whether he stays here and continues with this development, she thinks this missing overlay, the missing middle is going to happen.

Chairman Nestorowicz said it makes you wonder, you know exactly. When they can approve this without any approval from the board when Council votes on it. It also stays in place with the property permanently unless the Council votes it away. It's not something that goes in, developers might change, but this overlay district will stay. It's a shame because if they're making it custom made to what helps out one (1) developer, is that going to make those properties in the long run more enticing for other developers. That's why he worries. Some kind of overlay is needed, but the thing is they need to have some kind of discussion of what makes those vacant properties. What would make them more attractive for a developer? He worries they're making an overlay district and they're still probably going to see things come up in that south end when they should say what is the... If they say they can't have more than thirty-five (35) percent of lot coverage, then are they going to see somebody coming in and asking for thirty-seven (37)? Probably not because of that twenty (20) percent administrative thing. But the thing is, what makes that area good for all of these developments. That's what he doesn't hear ever discussed.

Board Member Cliff said that's his stance. He thinks the city needs to do their due diligence and put their zoning ordinances in place accordingly for whatever it is that Planning feels is necessary. It shouldn't fall on the backs of a couple of boards to be able to push things through. He'll tell you, developers don't like spending money. You want to be attractive to a developer, make it cheap for him to come here, or her, to come here and do development in the city. Eliminate the red tape and the bureaucracy. Put things a little more in line with national best practices and what other people are doing. They're going to find people are seeking them out. They don't have to go find them, they're going to come to you because they're already looking and already researching. They're going through Municode to see what is and what isn't. They're doing it right now. And they're not up to the task as a city to show them that they're viable enough to come here and be able to step in and get things through the Planning Department done and not have to mess around waiting weeks or months for special approvals from a board for things that are common sense. He'll call them common sense. He'll get off his soap box. He could go on.

Chairman Nestorowicz asked Mr. Watts if he had a comment.

Board Member Watts said he did but he lost his train of thought. He will say this, while he was on Council he asked numerous times about the rental and what the numbers were. He could never get the number. Nobody wants to talk about it. Quite honestly, he thinks its more than what they're presenting. He'll tell the board why. He watches social media and he thinks about all of the complaints he got while he was on Council. Ninety-nine (99) percent of the complaints he got was dealing with rentals. Whether it would be crime, blight, houses falling apart. It's frustrating then and it's still frustrating because it's his city. It's our city. They want their city to stay in good shape, clean, and safe. So, he's concerned where is the twenty-nine (29) percent. Why are the inspections not more thorough. He's told that the inspections take five (5) to ten (10) minutes. You can't properly inspect a house in five (5) to ten (10) minutes. They're only getting inspected every two (2) years. He wanted to raise an inspection rate when he was on Council. He couldn't even get any talk about that because it was going to pass the rate onto the renter. Well, ok, so be it. Everything has a cost to doing business. You want a raise, everybody

wants a raise in this world. Guess what. Now they're complaining the prices are going up. It's because they got a raise. Look at what happened to the cars. The automakers got big raises, car prices went up. It's the way it goes. They're taking the brunt of it as a city, in his opinion to have to deal with this stuff. It gets really, really old. He thinks about, he hasn't said much about this, but he thinks about the tax break to these people, property tax break. He put money into his house every day. They're always fixing up something. Whether it's painting or grass or flower beds or new roofs or furnaces, whatever. They're putting money into their house to keep the home up and make it look good. He doesn't get any tax break. You know, they got all these businesses that are getting tax breaks. You drive by them, their grass is over grown, their shrubs are dead. It's ridiculous. So, this stuff kind of sticks. He wants development. He doesn't honestly know, having been a life long resident of this city, he doesn't know what they do with the problem that they have with all these vacant lots. They're not like any other city. They have all those small lots from when the sprawl started in the 50's. Now they have to do something with it. He doesn't know what the fix is because a lot of places they don't have two (2) lots together where they can build one (1) house on the two (2) lots. He certainly doesn't want anymore trucking companies, dollar stores, coney islands, or any of that stuff, but they have to have something. He wants to see the development, but he would just like to see a little more input into it. He thinks he heard the number recently that, because he asked a question of somebody, and he wants to say they got 500 vacant properties that the city owns. He agrees, what they said last week. If they're paying \$2,000 to cut the grass and shovel the snow and whatever else goes along with all the complaints they get on things not being taken care of, getting something out of it is better than nothing. That is not fair to everybody else that's paying the premium. So, you know, he agrees with everybody's concerns. He thinks they're all in the same boat. He doesn't know. He was disappointed last week. He'll just say this. He was very disappointed that the Planning Commission attendance was so poor. It was disturbing. That's it on that particular item. He'll have another when they're done with this.

Chairman Nestorowicz wanted to add in because after that meeting last week he tried to do some research on the internet to sort of see if there are trends of... They can see lots of examples homes or condos or whatever converting into rentals. He couldn't find very much information about rentals being converted into for ownership. Lets be honest, most people have that own rental properties like the income coming in for as long as the property is creating income why would they want to sell it if they're getting good income. There's not a good way to incentivize rental properties becoming ownership properties. That's one of the concerns about releasing so many rentals into the city. He thinks that should be discussed. That's all he has.

Secretary Jerzy said the one thing he thought of is to not derail the project, maybe they put some kind of sunset clause on this as a board. Where, you know, build like crazy for two (2) or three (3) years to see how many they get. Then do a study based off of what they build for the next year or two (2) years. See what transpires as far as how many of those rentals they actually do sell and make ownership. They did actually say that they were in favor possibly making these homeownerships, but they weren't very optimistic that they would become them based off the trends and all the facts they gave. That's one thing he recommended and then see if it actually works out. Do the study based off the two (2) initial ones. Go nuts for two (2) years, build whatever they can get built and see how those develop, or if they don't develop, into ownership and then go from there. Maybe grant them another twenty-five (25) the next year, but to have some investor come in and operate with impunity with no guardrails to purchase up as much as they want is a dangerous precedent to send, dangerous message to send out to other investors

as well. That's his thought on it. That way at least, they're kind of somewhat boxed into a certain degree but not derailing the project completely. Kind of use this as a test run to see how it materializes.

Chairman Nestorowicz said the only problem is, as they always discuss, they've never... any variances that they actually give stay with the property forever, basically. An overlay district that's voted in by Council will stay there until Council votes it out. They wouldn't be able to put a sunset clause on it because they would have to vote it out. He can imagine voting something out is a lot harder than to vote something in.

Board Member Cliff said his thing is if the city administration wants something like this then he thinks the city owns is on them to put whatever needs to be put into place be put into place regulatory wise in order for it to make it happen. To him, he thinks it's a copout when the city administration doesn't want to create these things. He's not saying that they maybe don't want to, but it's just taking an awful long time to get movement on certain things. If they wanted it so bad, then they shouldn't have to be selling it to the board. They should have to be selling it to Council and those people that are responsible for enacting the drafting and enacting of the zoning ordinances. He refuses to believe that it's ultra difficult to do that. He knows they've had some challenges, they expressed that in the meeting. He was thankful for them being honest about that, but at the end of the day if they think it's such a grand and great idea, let them put the policies in place and the regulations and zoning in place to afford it to happen without having to get approval from a board. They shouldn't be seeing half of what they're seeing already. He's just beating on a dead horse, but he just doesn't think it's proper. If the administration thinks it's a great idea, sell it to the rest of their administration and make an ordinance. Then what's going to happen is going to happen and he doesn't have to struggle with it sitting up here wondering what's going to happen ten (10) or fifteen (15) years down the road, five (5) years down the road if they have to hear it and grant eight (8) or ten (10) variances on each parcel in order for something to happen. That's not what the zoning board of appeals, that's not what their function should actually be. They've been growing over the past few years and changing the way things go. Old habits are kind of hard to break, but they're moving in a different direction as an entity and as a board. He's thankful for that. He remembers the time coming in here, sitting down and nobody asked a thing. Somebody said something, somebody said something else and next there was a roll call then walked out the door with what you came in here wanting. He thanks his fellow board members for progressing as they have. He just thinks that, he really doesn't want to hear these kind of things. Create the overlay district, put the zoning ordinances into place to support whatever the city thinks is best to put on them and move on down the road with it.

Board Member Watts said his train of thought has returned. Going back to Baker & Associates, this started when he was on Council and he's kind of followed the whole program through. He seems to recall that she was seeking state funds through the governor's office to also help out with this project. That may make more sense. He doesn't know what those numbers are, but he knows she was seeking that. That's pretty much... If he may, he wants to ask one more question of the city attorney. Put her to work. This thing with impact statements not getting to them in a proper time. What can they do as the ZBA to get this straightened out.

Jennifer Pierce did want to mention this and she was going to let it go tonight, but the ordinances state that Planning Director has absolutely no responsibility to send the board anything. He may, he may. If he believes it's necessary for the board to make a decision, but the ordinance says a

copy of the application for variance shall be forwarded to the Planning Director for review. The Planning Director may provide a written impact statement to the board prior to the public hearing. Section 20.29.

Board Member Watts said it's easy for him. If they don't want to play, so to speak, it's easier just to postpone stuff. Or table. He doesn't think it's right. It's discouraging.

Jennifer Pierce wants to say something. Maybe some of the board can disagree. She feels like when she first started as the attorney assigned to this board, the board didn't get impact statements for anything.

Secretary Jerzy said they didn't get as many impact statements. He agrees with Ms. Pierce. They also didn't get blight reports, too. They didn't get tickets or what's on said properties. They fought to get that added into the packets as well. So, yes, he will concur with that statement.

Jennifer Pierce is not defending anyone, but she means if there is a challenging variance request for... She thinks that's where the joint meeting is going to come in handy so the board can say what their expectations are, what they would like to see. Planning can say they can or can't do that. That's what she would like to see happen at the next joint meeting.

Board Member Watts said that's a great point. The problem is, like the last meeting, is he does his due diligence. He did it when he was on Council for every item that needed to be looked at. If it was a tear down on a house, whatever it was, any kind of property, rezoning, he went and looked at it. He talked to people in the neighborhood. When the board gets stuff here, he goes to drive and take a peak at it. When he finds an impact statement that's different than what he's finding while out there, that's very disturbing. Then he gets it last minute. That's a problem. Guys can call him crazy, but he just doesn't find it right that they have to deal with that. He agrees, maybe the dual meetings they can hash it out and get it done. She answered his question and he appreciates it.

Steve Watrion said the processing of the packet happens and the letter... The packet goes to Council office and to Planning the same day. Sometimes Council office turns it around in a day or two to get you that packet. They're just getting it and no able to have it for the packet at least. He knows being a former Chair and ZBA member, he didn't see many. He thinks he saw two (2) or three (3) and they were usually on big projects that were already going through the Planning Department. They didn't get it for anything that wasn't going through Planning Commission approval. Those were the only things they saw back in the day. Just to give the board some historical insight.

Chairman Nestorowicz thanked Steve. He asked for any other comments for today.

## 27. ADJOURNMENT

### **Motion:**

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

### **Voice Vote:**

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

The meeting adjourned at 8:41 p.m.

Paul Jerzy  
Secretary of the Board

APPROVED