

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on March 9<sup>th</sup>, 2026, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, March 9<sup>th</sup>, 2026, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

Commissioner's Present:

Michael Holowaty  
Syed Hoque  
Andrey Duzyj – Assistant Secretary  
Mahmuda Mouri – Secretary  
Warren Smith – Chair  
Henry Newnan – Ex-Officio  
Melody Magee – Ex-Officio

Also present:

Ron Wuerth – Planning Director  
Michelle Katopodes – Assistant Planning Director  
David Crabtree – Assistant Planner  
Amanda Mika – Assistant Planner  
Melissa Maisano – Senior Administrative Secretary  
Lisa Gibson – Office Assistant  
Jennifer Pierce – Assistant City Attorney  
Patrick Conlin – Communications Department

1. CALL TO ORDER:  
Chair Smith – Calls the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

MOTION:

A motion was made by Commissioner Holowaty, to excuse Commissioner Ansar and Vice Chair Boniecki, supported by Commissioner Hoque. A voice vote was taken and the motion carried unanimously.

4. APPROVAL OF THE AGENDA:

MOTION:

A motion was made by Assistant Secretary Duzyj to approve, supported by Commissioner Holowaty. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF MINUTES – FEBRUARY 23<sup>rd</sup>, 2026:

MOTION:

A motion was made by Secretary Mouri to approve, supported by Commissioner Hoque. A voice vote was taken and the motion carried unanimously.

6. PUBLIC HEARING ITEMS:

Members of the audience who wish to address the Planning Commission this evening for a public hearing item may do so by first checking in with the court reporter to the right of the stage and will have three (3) minutes to speak.

- A. SITE PLAN FOR THE OPEN STORAGE OF PALLETS AND TWO (2) SHIPPING CONTAINERS TO STORE SHEET METAL PARTS AND METAL TUBING; located on the north side of Ten Mile Road, approximately 191 ft. west of Bunert Road; 14219 and 14201 Ten Mile Road; Section 24; Nancy Morrow/American Fan & Blower (Tom Joysey/American Blower Supply Inc.); PSP260006. **Postponed from February 23, 2026. The petitioner requests that this item remain postponed to April 20, 2026.**

MOTION:

A motion was made by Assistant Secretary Duzyj to postpone until April 20<sup>th</sup>, supported by Commissioner Holowaty.

ROLL CALL:

The motion carried as follows:

- Assistant Secretary Duzyj..... Yes
- Commissioner Holowaty..... Yes
- Commissioner Hoque..... Yes
- Secretary Mouri..... Yes
- Chair Smith..... Yes

- B. SPECIAL LAND USE FOR A SAUNA AND COLD PLUNGE FACILITY; located in the northeast corner area of Van Dyke Avenue and Twelve Mile Road; 8333 Twelve Mile Road; Section 10; Thomas Petzold, Sr./Tech Plaza LLC (Thomas Petzold, Jr./Fire & Ice Spa LLC); PSPSL260001.

**PETITIONERS PORTION:**

Mr. Tom Petzold – We'd offer contrast therapy so we'd have three saunas, a mixture of quiet sauna and the other saunas you can talk in, it would be communal, male and female. We'd have a men's and women's locker room and individual cold plunges in a different section, so you go sort of between the sauna and the cold plunges. That's the overall business. The bookings would be handled on an app, so if you become a member there would be 10 slots that open up every 15 minutes so, every 15 minutes in theory 10 people would come in and 10 people would leave and you couldn't be there for more than an hour. We'd also have a full-time person on-site all the time checking people in and overseeing everyone.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**BUILDING:** A building permit/plan review application will be required by the Building Department for proposed scope of work.

**ENGINEERING:** Preliminary review of this site indicates that Planning Commission approval should be contingent upon the petitioner's compliance with the following conditions: Provide the legal description and the Parcel ID on plan.

**POLICE:** The Warren Police Department has reviewed the submitted site plan and does not foresee any issues at this time.

**AT&T:** AT&T has facilities that serve the property, but we do not expect to have any issues with the proposed special land use request.

**COMCAST:** We have Aerial and underground facilities in the area, but we have no conflicts with the proposal.

**DTE:** DTE Electric Company has received and reviewed the site plan for special land use for a sauna and cold plunge facility and has no objection to the site plan for special land use for a sauna and cold plunge facility; impacting 8333 Twelve Mile Road; Section 10; per the site plan provided. If you have any questions, please do not hesitate to contact me at 586-783-1978.

Ms. Michelle Katopodes reads the recommendations of the Staff:

**MOTION:**

Mary Clark CER-6819  
February 23<sup>rd</sup>, 2026

A motion was made by Assistant Secretary Duzyj to approve, supported by Secretary Mouri.

COMMISSIONERS PORTION:

Commissioner Holowaty – Good evening, are you going to have any medically trained people available, just in case anyone has any medical problems?

Mr. Tom Petzold – I don't believe, no, I don't see how we can have our receptionist or on-site person be trained, but we will definitely have a protocol in place to alert the proper authorities or people in case of an issue.

Commissioner Holowaty – Trained in basic CPR?

Mr. Tom Petzold – That's an option I guess, we haven't really thought about it.

Commissioner Holowaty – I would look into it.

Secretary Mouri – I seen the timing is going to start at 5:30 a.m. to 10:00 p.m., is that correct?

Mr. Tom Petzold – Yes, we are trying to copy a gym schedule.

Secretary Mouri – So you're going to have receptionist starting at 5:30 a.m. going to 10:00 p.m.?

Mr. Tom Petzold – Correct.

Secretary Mouri – So, with the water, especially on the cold plunges, is that going to be changed every time someone gets in? How is that going to be refiltered? What's that process going to look like?

Mr. Tom Petzold – There would be individual cold plunge machines that we will buy from reputable companies and that will filter the water and cool it. I believe the water will be changed every two days, it will be filtered and chlorinated, I don't know if chlorine is what they use, but it will be safe and up to standards.

Secretary Mouri – I definitely look forward to a wellness facility; this is something we don't have around here. I know you talked about the company that's in Minneapolis, I believe so, I really look forward to having something right here next to home.

Mr. Tom Petzold – The company we are looking at buying the cold plunges from is called Blue Cube.

Secretary Mouri – Thank you.

Chair Smith – Good evening, are these going to be dry saunas or wet saunas?

Mr. Tom Petzold – Dry saunas.

Chair Smith – I like the idea, and I think it’s a good location right next to a fitness gym. That was a motion by Assistant Secretary Duzyj, supported by Secretary Mouri, roll call.

ROLL CALL:

The motion carried as follows:

- Assistant Secretary Duzyj..... Yes
- Secretary Mouri..... Yes
- Commissioner Holowaty..... Yes
- Commissioner Hoque..... Yes
- Chair Smith..... Yes

- C. SITE PLAN FOR OPEN STORAGE OF VEHICLES; located on the north side of Eight Mile Road, approximately 540 ft. east of Fairfield Avenue; 13195 Eight Mile; Section 35; Andriy Slonskyy/West UA Transport Inc. (Andriy Slonskyy/West UA Transport Inc.); PSP260007.

PETITIONERS PORTION:

Mr. Andre Slonskyy – Good evening, I’m the owner of West UA Transport we are operating 70 trucks over the roads. All the drivers stay on the road for three or four weeks then they come back and they park the trucks. I wanted extra parking for the front of the building for the cars when the driver leaves on the road they park their cars there. I want to put a fence to secure the cars for the drivers and give them more space to park the trucks.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**BUILDING:** Building has no issues.

**ENGINEERING:** Preliminary review of this site indicates the Planning Commission approval should be contingent upon the petitioner's compliance with the following conditions.

1. It appears that vehicle traffic for 13125 E. 8 Mile Road needs to use the proposed parcel property to park vehicles on the east side of building on 13125 E. 8 Mile Road north of the truck well. If so, ingress & egress easement must be provided on the proposed parcel's property.
2. An easement must be provided for that portion of existing drive approach encroaching onto the proposed parcel.
3. The provided legal description doesn't match our existing records.
4. The proposed parking lot in the front should be paved to greatly reduce the potential silt/sediment going into the required storm sewer extension to service the said lot.

**POLICE:** The Warren Police Department has reviewed the submitted site plan and does not foresee any issues at this time.

**COMCAST:** We have no conflicts with this proposal.

**DTE:** DTE Electric Company has received and reviewed the site plan for open storage of vehicles and has no objection to the site plan for open storage of vehicles; impacting 13195 Eight Mile; Section 35; per the site plan provided. If you have any questions, please do not hesitate to contact me at 586-783-1978.

**MCPWO:** The Macomb County Public Works Office (MCPWO) has reviewed the site plan for the project referenced above and has determined the proposed site disturbance is less than one acre and will not require a stormwater review from this office. If a no objection letter is required, please forward your request to Wesley.Jonik@macombgov.org.

Mr. Ron Wuerth reads the recommendation of the Staff:  
Two additional conditions are added.

1L – A chicken coop is identified located joined to the east side of the primary building. A chicken coop is a building addition, it's also located in the east 20-foot-wide side yard of the site. The addition shall either be removed or receive a variance to be retained on the site as an addition.

1M – 1 catch basin and one manhole are located in the asphalt driveway along the west side of the primary building. Both are depressed at least 4 to 6 inches lower than the surface grade of the driveway. Damage to vehicles will happen; I know about that, that's

why I put it in there. Both structures shall be raised to the surface grade of the driveway and noted on the site plan.

I created a new number 2 as follows:

The front proposed parking area surfaced with asphalt millings shall be hard surfaced with either asphalt or concrete. Concrete curbing shall be provided for the perimeter of the area. A storm sewer system shall also be provided. A late recommendation from the Engineering Division was received and we see the provided recommendation and that was put into the report and Secretary Mouri read that and that is number 4, they require a parking lot.

MOTION:

A motion was made by Commissioner Holowaty to approve, supported by Secretary Mouri.

COMMISSIONERS PORTION:

Commissioner Holowaty – Good evening, you heard the recommendations from our Planning Department, I heard there was some old junk vehicles still stored there, are you planning on having those removed?

Mr. Andriy Slonskyy – Yes sir, as soon as the weather gets warm enough, I need two or three weeks.

Commissioner Holowaty – What about the fence that's along Eight Mile, are you going to remove that fence?

Mr. Andriy Slonskyy – I bought this building 10 years ago and it was there, if you want me to remove it, I'll remove it.

Commissioner Holowaty – Our department says it needs to be removed.

Mr. Andriy Slonskyy – Okay.

Chair Smith – Good evening, I noticed on the drawing a chicken coop was there, how many chickens do you have?

Mr. Andriy Slonskyy – It's not a chicken, it's a pigeon, they don't fly, they stay inside.

Chair Smith – So you house pigeons in there?

Mr. Andriy Slonskyy – Yes.

Chair Smith – What is the purpose of the pigeons?

Mr. Andriy Slonskyy – Just for fun, a hobby.

Chair Smith – How big is this coop that you have them in?

Mr. Andriy Slonskyy – Probably 4 feet x 6 feet.

Chair Smith – Normally, any structure, that’s not in the recommendation, it’s on the drawing, has to be dimensioned, the purpose, what it’s for and things like that. The millings in the front parking lot, we were recommending paving that, are you okay with that?

Mr. Andriy Slonskyy – Yes

Chair Smith – You know the trucks backup on the berms, that can’t be. And you’ll have a second berm in from the very back berm to separate the two areas, okay.

Mr. Andriy Slonskyy – Okay.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Secretary Mouri.....	Yes
Commissioner Hoque.....	Yes
Assistant Secretary Duzyj.....	Yes
Chair Smith.....	Yes

Chair Smith – To honor our commissioners who are on Ramadan, we are going to take a five-minute break.

At 7:32 pm meeting in recess.

MOTION:

A voice vote was taken and the motion carried unanimously.

At 7:37 pm meeting continues.

- D. SITE PLAN FOR PARKING LOT REDEVELOPMENT AND EXPANSION, NEW DRIVEWAY APPROACHES TO PINWOOD STREET, AND STORAGE OF TWO (2) TRAILERS WITH TIRE SCRAP MATERIAL; located on the east side of Pinewood Street,

approximately 1,050 ft. north of Nine Mile Road; 23500 & 23420 Pinewood Street; Section 29; Anthony Grace/Motor City Rubber Company (Joe Grace/Alma Tire Companies); PSP260010.

PETITIONERS PORTION:

Mr. Joe Grace – I'm Joe Grace, this is Mike Wilson, we are here on behalf of Alma Tire Companies, ATS Fleet Division. We purchased this property after it had been empty for a number of years. It is a commercial tire dealer; we do a little bit of service there, mostly just taking tires in and out. In our proposed plan here, we just want to make some enhancements to the entrances, the driveways, a little bit of the parking lot, to make it easier for pulling trucks in and out and potentially perform some service there as well.

On the east side of the building, we have two slots for semi-trailers, one has noted storage for scrap tires. As we get scrap tires, we put them into the semi-trailer and once that is full, we call a company and they come and swap it out with an empty one. The other one would be for pickup and deliveries from our distribution center.

So just the south entrance potentially adding a second one widening those to facilitate easier ingress and egress of semi-trucks.

Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**AT&T:** AT&T does not object to the proposed parking/driveway and storage changes to this property. AT&T has facilities in the vicinity, but they should not be affected.

**COMCAST:** We have no conflicts with this proposal, but we have aerial facilities in the area.

**MCPWO:** The Macomb County Public Works Office (MCPWO) has reviewed the site plan for the project referenced above and has determined the proposed site disturbance is less than one acre and will not require a stormwater review from this office. MCPWO requests that the site be graded before the proposed stone is placed on the property south of the existing building. Prior to construction, a soil erosion permit may be required from this office. Contact our Soil Erosion Department at 586-469-5327 for more information regarding same. If a no objection letter is required, please forward your request to Wesley.Jonik@macombgov.org.

Mr. Ron Wuerth reads the recommendations of the Staff:

I'm going to add a few things here.

1G – Upon further review by the Staff, the fence along the entire front area and the 25 feet along the west, north, and south property lines shall be removed and noted on the site plan.

1H – Is the same as 5A, note 1, if you want to look at it, except I added something to it. Note 1, per a meeting with the Planning Staff, the petitioner indicated he may want to construct a truck well on the east elevation of the building, this is not indicated on the site plan. The petitioner shall indicate whether this is an at-grade truck dock or the depressed truck well. Currently the area east of the building is a pond area with vegetation. The Planning Staff was told recently that the area had 15 to 20 feet of excavation of the depth of contaminated soil removed as part of the remediation plan from EGLE of the State of Michigan. Clean soil was used to replace it; the soil has depressed. The pond shall be removed and the area graded for a proper drainage of the site.

New #4 – Two copies of a floor plan of the building shall be submitted to the Planning Department to help with the evaluation procedure of the evaluation.

MOTION:

A motion was made by Commissioner Holowaty to approve, supported by Commissioner Hoque.

COMMISSIONERS PORTION:

Commissioner Holowaty – Good evening gentlemen, what are your hours of operation going to be?

Mr. Mike Wilson – 8:00 a.m. to 5:00 p.m. Monday through Friday.

Commissioner Holowaty – As you heard from Mr. Wuerth, he made a few new recommendations, do you have any problems with any of those new recommendations?

Mr. Mike Wilson – Removing the fence and two copies of floor plans?

Commissioner Holowaty – You mentioned a pond that's back there and it should be filled in.

Unidentified Person speaking from the audience.

Mr. Ron Wuerth – They plan on doing something back there with the truck well.

Mr. Joe Grace – Someone had asked if it's depressed or at grade, well it's depressed because we use a forklift to handle those tires, so they are in and out of trailers.

Commissioner Holowaty – So it's not actually a pond where water can accumulate?

Mr. Joe Grace – It's a bad grade job right now.

Mr. Ron Wuerth – It's soil that was filled in that hole that was made after remediation and compressed so now it created its own little pond there, it doesn't drain, and they've got to fill it in. Like I said, you have to be responsible for the water, so it doesn't drain on somebody else's property. But once you touch that soil, and we are going to ask you to check the remediation plan over, you probably have a copy of it and we have a copy of it and we can talk about it. We may expand part of the letter of what we expect to see and then we'll report to EGLE, that's what we do as a City. They've got the rules and we support them.

Commissioner Holowaty – So you have no problems with what he just brought up.

Mr. Joe Grace – No.

Commissioner Holowaty – I yield the floor.

Assistant Secretary Duzyj – Are you guys okay with taking out the fence along Pinewood?

Mr. Joe Grace – Yes, sir.

Assistant Secretary Duzyj – Fair enough, I figured that you'd actually want that.

Mr. Joe Grace – Everything is stored inside, we have security systems and cameras, there's really nothing of value outside on the property. You can see in the pictures they slide and then close, in the winter they get jammed with ice so you really can't do that anyway.

Mr. Mike Wilson – If someone is going to try and steal 200-pound tires, they aren't going to get very many.

Assistant Secretary Duzyj – They are going to need a semi to move them.

Chair Smith – Good evening, I was by there and I looked at the property and that's where I noted the water standing behind where you want to put the two semi-trailers, it's got like cattails that have grown out of it and everything else. I'm concerned about the condition of the soil and if water is collecting there, the drainage of that area and if you want to park a couple semi-trailers there, I'm sure the soil is going to have to be checked you'll have to find a way to drain that water so it doesn't pond in that area. Because of the ordinance, I think you need to meet with EGLE and get an idea of what you have to do to that area before you construct anything in that area.

What I'd like to see is moving this to a different date so you have time to get with EGLE to get an evaluation of the area there to figure out what needs to be done so you can do what you need to do.

Mr. Joe Grace – I believe the copy of the Restricted Covenant that we have from it and the only provision is if we are to disserve (sic) it the soil just needs to be transported to a sanctioned collection facility.

Chair Smith – The only question I have with that is, I don't know what kind of business they had there before, a metal business or brass. I don't know exactly what was there before, and if any of those contaminants got in the soil that may be an issue. That's the reason I'd like to have an okay with EGLE to make sure that the condition of the soil that's in there is going to be par for what you're trying to do.

Mr. Joe Grace – Okay.

Chair Smith – I don't know how long that's going to take for you to get with them to figure it out.

Mr. Ron Wuerth – Mr. Chair, in our recommendation we said that we are going to ask for that remediation, that's part of what they need to do no matter what. If they get approval tonight the one thing they can perhaps can do is work on some of the other things like the front driveway, remove the fence, and stay away from the area that was contaminated. I think it's giving them more time to do the work and stay working, I don't know if that's what you intend to do.

Mr. Mike Wilson – We are trying to make money.

Mr. Ron Wuerth – That’s a heck of an answer, don’t we all. The reason I’m standing here is, does it matter to you whether you want to wait for the remediation check to be done first, or, as I said, do things while it’s being done and then work on that truck well in the back, or do you want to simply postpone it and think about it?

Mr. Joe Grace – We’d prefer to work on the other items.

Mr. Ron Wuerth – That’s what I suggest.

Chair Smith – Alright, very good, as long as we are bringing it to your attention, that’s a concern that needs to be looked at and you’re okay with that and the Planning Department is okay with that then I’m okay with that. I got a little nervous when I drove back there and I saw the pond and I didn’t know if you were going to be loading it on ships in the back.

Mr. Joe Grace – There was a well there previously and it had been filled in.

Chair Smith – That was a motion by Commissioner Holowaty, supported by Commissioner Hoque, roll call.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Assistant Secretary Duzyj.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

7. CORRESPONDENCE:

- A. REVISION TO SITE PLAN FOR ISLAMIC CENTER FOR WORSHIP; located on the south side of Thirteen Mile Road, approximately 512 ft. east of Washington Boulevard; 8360 Thirteen Mile Road and 13-10-126-002; Section 10; Khairul Amin/Tufazzul Haque Amin/Omar Faruque (Zaid Arabo/ZA Design Build); PSP250015. **Letter to Petitioner. Approved by the Planning Commission on April 25, 2025. Revised site plan approved by the Planning Commission on November 3, 2025. The required variance to retain the existing building within the front setback**

was denied by the Zoning Board of Appeals on February 11, 2026. As a result of the variance denial, the current site plan is no longer valid.

MOTION:

A motion was made by Assistant Secretary Duzyj to receive and file, supported by Commissioner Holowaty.

ROLL CALL:

The motion carried as follows:

Assistant Secretary Duzyj.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

- B. SITE PLAN FOR OPEN STORAGE OF FENCING MATERIALS; located on the east side of Ryan Road, approximately 1,044.5 ft. south of Nine Mile Road; 22586 Ryan Road; Section 32; Mark Royer/National Construction Rentals (James Mooneyham/ 3901 E. 10th Avenue LLC); PSP250041. **Letter to Petitioner. Approved by the Planning Commission on November 17, 2025. The required variances to install a temporary 12 ft. high wire fence windscreen and to allow open storage in the east 125 ft. of the property which is zoned R-1-P and R-1-C on a non-hard surface were denied by the Zoning Board of Appeals on February 11, 2026. As a result of the variance denials, the current site plan is no longer valid.**

MOTION:

A motion was made by Commissioner Holowaty to receive and file, supported by Commissioner Hoque.

ROLL CALL:

The motion carried unanimously.

Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Assistant Secretary Duzyj.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

- 8. OLD BUSINESS:  
None at this time.

9. BOND RELEASE:  
None at this time.

10. NEW BUSINESS:  
None at this time.

11. CITIZEN PARTICIPATION:  
None at this time.

12. PLANNING COMMISSION BUSINESS:

**A) Discussion regarding the Planning Commission's process/procedures after the Zoning Board of Appeals denies a variance request.**

Ms. Michelle Katopodes – We are bringing this before the Planning Commission to determine the process for items that came before Planning Commission and then went to Zoning Board of Appeals and either were completely denied or were partially denied variances, and whether or not you would like to see those site plans come back to the Planning Commission as either a site plan, a minor amendment, revised plan, or have those plans be reviewed, as along as all other conditions are met, by the Planning Staff. Like other site plans they are approved with conditions and then the revised plans are turned into the Planning Department for final review before they are sent to the Building Department. So that's really what we are asking, especially with those two examples 7a and 7b. Both of the petitioners have updated their site plans and it's a matter of whether or not those site plans you would want to see again at the Planning Commission. That would require petitioners to go before Planning Commission, ZBA, back to Planning Commission, or if you would be comfortable allowing the Planning Staff to review plans after that point. So, this is the process we are asking you to consider and if you have questions, the Planning Director or I will try and answer them.

Chair Smith – Does anybody have any thoughts on that as far as if they want to come back with a revised plan to bring it to Planning.

Assistant Secretary Duzyj – We can go back and forth with this, item for item, that's the problem. I don't mind having it and the Staff going over it, as a result of the variance denial, the site plan is no longer valid that kind of puts it all into perspective. If we have to take a look at the site plan again after the variance has been knocked

down it makes very little sense to me to put it through this Commission and going over it, what are we going to accomplish.

Ms. Michelle Katopodes – Assuming the petitioner, after going to Zoning Board of Appeals, received a denial, they now updated their plan to meet the Ordinance, and then they said we have revised plans, so the Planning Staff could either review those, and as long as they meet all the requirements just like any other site plan that is approved with conditions to be reviewed, signed off, and sent to our Building Division, or could come back here if you want to see them again.

Another option is also in our recommendation where we say that these are the variances that may need to be approved, we can add some additional language. We can add something like a site plan revised to meet the conditions that must be submitted and approved by Planning Staff upon approval shall become the final site plan without further proceedings subject to compliance with the remaining conditions. So essentially just add some language saying if the variances are either decided by the petitioner to not be obtained, because they want to just make the plan meet the ordinance, they could update those plans rather than coming back here, I don't know if the Planning Director wants to add anything.

Assistant Secretary Duzyj – This has been an ongoing thing between Planning and Zoning, we ought to be able to work together on this. We can go back and forth on this; I have enough faith in the Planning Staff that if there was something really major, then, okay, let's see what we've got and take it from there. If it's something like removing the chicken coop or getting rid of the chicken coop, that doesn't need to be seen back at this Board.

Mr. Ron Wuerth – That may not get approved if he wants to keep it.

Assistant Secretary Duzyj – Let's say it does get approved, just for the sake of argument.

Mr. Ron Wuerth – If it gets approved then no problem, but if it's not approved, then it gets removed or they can go to court, actually, if they care to. There's a lot of things they can do and we mention that in this letter. The letter was crafted to give the petitioner some options they asked us about, so instead of us having to answer each time what can you do when you're denied ZBA action, we put it in a letter.

I don't know if you know that the letter that the Zoning Board sends out to the petitioner on a denial simply says to them you've been denied. It doesn't give any reasons at all, it simply says denied, so what this does from our point of view is now it bounces back to us, whether they know it or not, but they are going to know it because they are going to get a copy of this letter right here, and we want them to know what's going on.

Like in the first one, the Thirteen Mile Road, and they get denied, they are supposed to have a 30-foot setback, as an example, and the house is setback 29 feet and 1¼ inches as opposed to 30, and they got denied. They want to do something; they think they can fix this rather easily and if we can indicate it in a revised site plan and it's got to come back, we think. You guys look at it, I think it's easily approved, they also get the approval letter and understand that it wasn't overturned, but they removed the variance, therefore the site plans okay. This is our way to communicate more with Zoning Board of Appeals, that's what it's all about. You guys had a meeting with them, unfortunately I wasn't there, but you had a meeting with those people, and we want to continue having meetings with them they need to know what we are doing.

Assistant Secretary Duzyj – I think that both Boards need to know what each of us is doing, but sometimes there's so many variances that there's no way that the ZBA is going to approve it, so we just move it over to ZBA. You can say it was an educated guess, although I have a lot of respect for everybody that serves on ZBA, and if we can work together--

Mr. Ron Wuerth – It's just a follow up, that's the way I see this.

Assistant Secretary Duzyj – So you don't want to have a brand-new site plan on it, it would be like their correspondence, this happened and that's it.

Mr. Ron Wuerth – It's considered a revised site plan instead of an amended site plan, it's just simply a revision based on the response to a failed request for variance.

Assistant Secretary Duzyj – Thank you.

Commissioner Hoque – I just need to know, when you bring it back to the Planning Commission, how much will be the cost?

Mr. Ron Wuerth – There will be no cost because it's continuing, it's a continuing response to what's going on with the site plan. They started, they came to us, they got approved based on conditions, and zoning variances failed. They said we can solve this problem by changing our plan, they gave us a revised plan. It's relatively simple, in most of these cases what they do to take away the problem, and they just do it in a revision. It comes back either as old business or new business and that's it, it's not a public hearing.

Commissioner Hoque – If it is not costly, I think it's better to bring it to us so we can see what's happening. Why is ZBA denying them for a few inches? Because there's an existing building already there and the previous business left this building has to be used for something else. They should consider like a few inches because we already approved it, so it looks like we are harassing the citizens.

Mr. Ron Wuerth – I cannot explain their actions, and I'll go so far as to say our Attorney tonight sits on that Board. I don't know if you care to respond.

Commissioner Hoque – Who is setting the setback for the buildings?

Mr. Ron Wuerth – It all follows the Zoning Ordinance requirements.

Commissioner Hoque – They should consider if it is minor, very small, and because we've already approved it, and the people are coming back and forth, it's terrible. I think it is better after fixing the plan, the revised plan should be brought to the Commission to see.

Ms. Jennifer Pierce – Ron, correct me if I'm wrong, I thought you were trying to get this done administratively so it didn't have to come back, am I wrong?

Mr. Ron Wuerth – You're wrong, because I haven't been permitted yet to do actions like that administratively, we have to change the Zoning Ordinance for that.

Ms. Jennifer Pierce – My apologizes.

Mr. Ron Wuerth – That's the only reason I say that, otherwise, yes, I could do it.

Ms. Jennifer Pierce – No, I don't want to take up a public meeting here with reason, but I'm happy to answer anyone's questions about the decision after the meeting.

Chair Smith – Are you going to send out a letter to the petitioner?

Mr. Ron Wuerth – That's who this letter goes to right here.

Chair Smith – If they can come up with something with the changes to meet the ordinance then we might reconsider it.

Mr. Ron Wuerth – They can come back to us, they don't need an application, they need a letter describing what kind of change or changes they've made to the site plan, the revised site plan, that removes the variances that they were requesting, that's all we need.

Chair Smith – So, unless they can do that, it's going to stay denied just like it was by Zoning.

Mr. Ron Wuerth – That's right. They have another way to approach this and that's to go to Circuit Court but trying to revise the plan might be easier as in this particular one here.

Chair Smith – Alright, thank you.

Secretary Mouri – For 7A it was denied by the Zoning Board Appeal on February 11<sup>th</sup>, the letter that we have in front of us is formatted for February 12<sup>th</sup>. I know we had a Planning Commission meeting in between, has this letter been sent out or are we waiting to send it out right now?

Ms. Melissa Maisano – It's completely my fault, I forgot to add it on the last agenda; it did go out on the 12<sup>th</sup>.

Secretary Mouri – Okay, I was just curious about that. Thank you.

## **B) Planning Director's Report:**

Mr. Ron Wuerth – A few things that came up starting from the 23<sup>rd</sup>, on the 24<sup>th</sup>, there was a City Council meeting and Michelle attended that along with Amanda. Michelle was there for a couple of items, a combo on Blackmar and a lot split on Panama. The item with Amanda had to do with her and a Historic District Commissioner who is being reappointed and she was there, just like I will be tomorrow night for Commissioner Holowaty,, in support and to help answer any questions he can't answer.

On the 25<sup>th</sup>, there were some people that wanted to place a small U-Haul outlet on a property on Mound Road that isn't zoned for that because of the outdoor storage issue. It was interesting to talk to the people, they were disappointed, but talking to the U-Haul rep was worthwhile. She's been working for U-Haul for two years now and just found out that there are Zoning Districts in the City of Warren and they are in other communities too, which meant whether the U-Haul was a permitted use or not, so it's part of her review from now on, she was actually sorry that she had brought them there. They have to get a use variance actually if they wanted to run this forward. Anybody can come forward with something, we just told them it was unrealistic at this particular site.

On Friday, the 27<sup>th</sup>, there was a Town Center Steering Committee meeting, I attended that with Amanda and there was discussion with a number of people there, they are moving forward with trying to make things happen. They are not going to hold as big of meetings, we had a lot of people at this particular one, it's going to be broken down to some subcommittees reviewing different things about the Town Center. I can't give any more information, there just simply isn't any direct information on that.

On March 2<sup>nd</sup>, we meet with Caren Burdi and she had six items, I'm not going to go over them all, things that are in play right now with Planning Staff and some other things that popped up, she's a busy woman and we tried to steer her in the right direction.

The last thing was on Tuesday, March 3<sup>rd</sup>, and the Presbyterian Church over on Twelve Mile with Presbyterian Village behind it. They came to this Commission a few years ago and got approval to put a gazebo up on their property. Things didn't work out, 2020 came with Covid, and they couldn't do it, at that time funds ran a little scarce. Now they are back, they will use just about the same plan with a few minor changes, and it should be a rather simple site plan approval, a minor amendment not a full site plan approval. It doesn't require it, not with a gazebo, it's outdoor and it will be a nice addition to their church in the rear of the property.

So that was what I was up to and Michelle took over for me during those three days I was off. If you have any questions, I'll try and answer them.

Secretary Mouri – With all the variances from Planning Commission to the ZBA, is there a record of the variances when we send it over

there, I know when it gets denied you're getting notified and you're letting the petitioners know, so where's that record?

Mr. Ron Wuerth – The record is the agenda, so people who want to do variances they are put on an agenda. Sometimes that will have 15 items on there and it will list exactly what everyone is there for with variances and that's available online, Zoning Board of Appeals.

Secretary Mouri – And then the denied ones, is that in the minutes?

Mr. Ron Wuerth – Then there's a second piece of correspondence that goes out, it's addressed to the Mayor, but, again, anyone who wants to get it, they can, and they can find out the results.

Secretary Mouri – Where do you get the results from?

Mr. Ron Wuerth – ZBA web page, you can get a copy of that when it comes out. It doesn't take long after their Wednesday meeting, usually by Friday they have that available. It may show the word denial or if there were four variances and two were approved and two were denied, one denied variance takes away the site plan approval, that's where the listing is. If you want to listen to the complete details, then you go watch the meeting on TV, or you can probably obtain a video of it just like our meetings here.

Secretary Mouri – Sounds good thank you.

**C) Planning Commission Discussion and Concerns:**

None at this time.

13. CALENDAR OF PENDING MATTERS:

None at this time.

14. ADJOURNMENT:

MOTION:

A motion was made by Assistant Secretary Duzyj to adjourn, supported by Commissioner Holowaty. A voice vote was taken and the motion carried unanimously

The meeting was adjourned at 8:24 p.m.

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Warren Smith, Chair

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Mahmuda Mouri, Secretary

Meeting Recorded by: Megan Novak  
Meeting transcribed by: Mary Clark – CER-6819

**E-mail:** [maryclark130@gmail.com](mailto:maryclark130@gmail.com)

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