

WARREN ZONING BOARD OF APPEALS  
REGULAR MEETING  
September 14, 2016

A Regular Meeting of the Warren Zoning Board of Appeals was called on Wednesday, September 14, 2016 at 7:30 p.m. in the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

**Members of the Board present:**

Roman Nestorowicz, Chairman  
Judy Furgal, Vice-Chairwoman  
Sherry Brasza, Secretary  
Jeremy Fisher, Asst. Secretary  
Henry Brasza  
Charles Anglin  
Albert Sophia  
Jeremy Wallace

**Members of the Board absent:**

Ann Pauta

**Also present:**

Roxanne Canestrelli, City Attorney  
Frank Badalamente

1. **CALL TO ORDER**

Chairman Nestorowicz called the meeting to order at 7:31 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Chairman Nestorowicz stated that Board Member Pauta had contacted him and stated she would not be able to attend due to illness.

**Motion:**

Chairman Nestorowicz made the motion to excuse Board Member Pauta's absence;  
Supported by Secretary S. Brasza.

**Voice Vote:**

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

#### 4. ADOPTION OF THE AGENDA

Chairman Nestorowicz stated the Board received a request for Item number 11 to be rescheduled...

Secretary S. Brasza stated to the 28<sup>th</sup> (September 28, 2016).

Chairman Nestorowicz stated to the 28<sup>th</sup>.

**Motion:**

Board Member Furgal made the motion to adopt the agenda with the changes; Supported by Secretary S. Brasza.

**Voice Vote:**

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

Chairman Nestorowicz stated if anyone is present for Item Number 11, which the Applicant is Kaiser Real Estate on 27333 Van Dyke; that will be on September 28<sup>th</sup>; there will be no other notification sent out, this is the notification for that.

#### 5. APPROVAL OF THE MINUTES OF THE **Regular Meetings of August 10, 2016 and August 24, 2016.**

**Motion:**

Secretary S. Brasza made the motion to approve the Minutes of the Regular Meeting of **August 10, 2016**; Support by Board Member Furgal.

**Voice Vote:**

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

**Motion:**

Board Member Sophiea made the motion to approve the Minutes of the Regular Meeting of **August 24, 2016**; Support by Board Member H. Brasza.

**Voice Vote:**

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

Chairman Nestorowicz stated both Minutes of the **10<sup>th</sup>** and the **24<sup>th</sup>** have been approved.

6. PUBLIC HEARING:

**APPLICANT: Dart Machinery, Ltd**

*(Rescheduled from: 08/24/2016)*

REPRESENTATIVE:

Michael J. O'Leary

COMMON DESCRIPTION:

**2097 Bart**

LEGAL DESCRIPTION:

13-30-308-008

ZONE:

M-2

**VARIANCES REQUESTED: Permission to**

1. Waive an additional 7,770 square feet of required off-street parking in connection with a building addition.
2. Allow hard surfacing and a parking lot in the front yard setback to no closer than 9.9 feet from the south property line along Bart.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 Paragraph (h) Item 23:** One (1) square foot of parking area required for each sq. ft. of floor area for manufacturing buildings.

**Section 17.02 Paragraph (a):** Front Yard setback for M-2 is 25 feet.

Chairman Nestorowicz asked if the petitioner would state their name and address for the record along with the reasons for the petition.

Mr. Michael O'Leary, Representing the Applicant Dart Machinery... (Inaudible) appeared before the Board.

Chairman Nestorowicz asked Mr. O'Leary if the microphone light was on because he is having a hard time hearing him.

Mr. Michael O'Leary stated it seemed to be on. He asked if the Board could hear him now.

Chairman Nestorowicz stated a little bit better.

Mr. Michael O'Leary stated his address 10465 Citation Drive, Brighton, Michigan; and the reason he is appearing...

(There were some technical issues with the microphone)

Mr. Michael O'Leary stated the reason they are appearing today is they are requesting a variance of 7,770 Square Feet of pavement requirement be waived and they are also requesting that they allow paving no closer than 9.9 feet to the property line along Bart Avenue, which is on the south side of the building.

Chairman Nestorowicz asked Mr. O'Leary if he wanted to explain any hardships or reasons for this why they need to have this?

Mr. Michael O'Leary stated yes; he asked if the Board had his letter in their packets.

Chairman Nestorowicz states yes, he is speaking about this one (pointing to the letter); everybody should have this one in their packages.

Mr. Michael O'Leary stated yes. He will just review things. Just to get them oriented, (*Pointing to his site drawing display*) this is Bart Avenue right here; Dequindre is down here further, north is up on his drawing. The existing building right now is the large box here and the large box over there and as part of what they are doing for this improvement is they are going to build an addition to the building, which will happen in the courtyard between the two large masses of the building, so that is right in that area and then they could see the parking lot is shaded. The location of the parking lot was thoughtfully located there in the south east corner of the lot for a few reasons that he will highlight. What they wanted to do was select a location that created the least amount of impact on the surrounding area and one of the reasons for it being there is on the north side of the property there is a vacated right-of-way in there (*Pointing to his drawing*), so the vacated right-of-way at one time was used as a regular road or an alley way, he is not really sure which, but at this point and time, a lot of the buildings on the north side of their property have been designed so they could get trucks receiving deliveries on the south side of their buildings plus there is traffic for cars flowing through there, so it is really a shared driveway between their building owner and the neighboring owners to the north and that in itself makes it really difficult for them to propose any improvements on the north sides because they will inhibit the existing traffic flow. The parking lot location is located such that they could utilize their existing two curb cuts to access the parking lot; so it would be a one-way flow of traffic and as he said, they will use both of those existing drives. This drawing is an enlarged plan of the parking lot, which shows their proposed landscape, so what they have done in order to soften the appearance of any parking lot, is to create a berm and landscape it with some berm bushes and some silver leaf linden trees along there. They have taken the amount of green space they have and they have heavily vegetated it. He is going to bring up an aerial view. (*Speaking of his aerial view displayed before the Board*) this is more of an aerial view of the entire neighborhood, where he just pointed that is the location of Dart Machinery and it is oriented similar to the site plan he just had up there and the other thing he wanted to point out using this was number one, they are proposing the parking lot in that area in front of where it has Dart Machinery listed and the white roof shown and it is adjacent to a vacant parcel across the street, so that was one item and then the second item is having parking in the front yard if they will is not unprecedented as they could see the neighbor to the east and the west have a little bit of parking there, so it is not an unprecedented this there. He is just going to give them a quick overview of the building addition that they are also proposing. (*Pointing to another display presentation*) This right here is an image of the current alley as it exists today where they are proposing to build the addition; as of right now, there are thirteen (13) parking spaces stripped and were previously approved—he assumes—in that alley way and they currently are configured in such a fashion that they do not meet the current ordinance, so they will eliminate those parking spaces to build the addition. (*Referring to another presentation*) This is a rendering of what they are proposing for the addition. What they will do as part of addition, the west side is relatively a newer building, the east side of where the addition is going is a little less current and will be painted and fixed up and their addition creates more of focal point for this long stretch of building that really did not have a lot going on with it and that will be setup as their main entrance into their office for visitors and office

staff; so this essentially creates the office space they need within the building. That covers pretty much everything; it is kind of a highlight of what was in the letter that he submitted. He is open to questions, comments.

Chairman Nestorowicz thanked Mr. O'Leary and stated this is a public hearing; are there any members of the audience who would like to speak on this item? (No responses heard) Not seeing any, he turned the matter to Board.

Secretary S. Brasza stated question on the west side of the building that parking is staying?

Mr. Michael O'Leary stated yes, what they were showing in their site plan is restriping the parking lot, so yes, this parking....

Secretary S. Brasza stated super and could he point out where they are losing the thirteen spaces on the north.

Mr. Michael O'Leary stated okay, it is right in there (*Referring to his drawing presentation*).

Secretary S. Brasza stated in the middle, okay, good; but they will still keep the parking across the north end of the building.

Mr. Michael O'Leary stated yes, yes.

Secretary S. Brasza stated okay, good and thanked Mr. O'Leary.

Board Member Furgal asked Mr. O'Leary what it is that they do there.

Mr. Michael O'Leary stated the Dart Machinery produces engine blocks for high performance vehicles and they also will produce engine blocks that will replace like old 350 Chevy's kind of things because the auto industry does not produce those anymore, so they will machine those types of blocks.

Board Member Furgal stated okay and asked how many employees are there?

Mr. Michael O'Leary stated he believes they have between all shifts about like 80 employees.

Board Member Furgal stated per shift and do they work three shifts?

Mr. Michael O'Leary stated they will do the two 10 hour shifts.

Board Member Furgal stated two 10 hour shifts and they have sufficient parking for all of the employees and they do not have customers coming there?

Mr. Michael O'Leary stated they have very very few customers come in and that is part of why they are proposing this parking lot and this main entrance there, so they ....

Board Member Furgal stated she just noticed that they received variances a couple of times already and so she just wanted to make sure that there was not any reason that people would be parking on Bart Street or any of the other streets that are around there. That was the only reason she had the question and thanked Mr. O’Leary.

Secretary S. Brasza stated if there was no further discussion...

Chairman Nestorowicz stated yes, go ahead.

**Motion:**

Secretary S. Brasza made the motion to approve the petitioner’s request to:

1. Waive an additional 7,770 square feet of required off-street parking in connection with a building addition.
2. Allow hard surfacing and a parking lot in the front yard setback to no closer than 9.9 feet from the south property line along Bart.

Reasons being: Not Self Imposed, Property is Unique and it is Not a Detriment to the Area.

Board Member Anglin Supported the motion.

Chairman Nestorowicz stated there is a motion by Secretary S. Brasza and Support by Board Member Anglin to approve the petitioner’s request for the reasons stated in the motion; Roll Call.

**Roll Call:**

A roll call was taken on the motion to Approve and the motion carried (8 – 0).

Secretary S. Brasza	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Furgal	Yes, for the reasons stated in the motion.
Board Member H. Brasza	Yes, for the reasons stated in the motion.
Board Member Fisher	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Wallace	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner’s request is **GRANTED.**

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|---------------------|---------------------------|
| 7. PUBLIC HEARING:  | <b>APPLICANT: Kim Dao</b> |
| REPRESENTATIVE:     | Jason McFall              |
| COMMON DESCRIPTION: | <b>7560 Theut</b>         |
| LEGAL DESCRIPTION:  | 13-28-432-007             |

ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Construct an awning over the existing front porch to no less than 7' 9" of the front property line.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05:** Each lot in R-1-C Districts shall have a front yard of not less than twenty-five (25) feet from the front property line.

Chairman Nestorowicz stated if the representative or petitioner could state their...

Mr. Jason McFall stated he is the representative from Wayne Craft, appeared before the Board.

Chairman Nestorowicz asked if he could state his address for the record.

Mr. Jason McFall stated 13525 Wayne Road, Livonia.

Chairman Nestorowicz thanked Mr. McFall and asked for the reasons for the petition.

Mr. Jason McFall stated they are looking to get three new awnings on the front porch; this is an older house, he would not be surprised if it is one of the original ones back when it was probably a farm; it looks like the house was added up to about three times from a simple farm house or something. They are looking to do two (2) porch awnings and a small door awning over the front porch and it is abnormally close to the property line at the front; they are looking for the awnings would only jet out about 2' 6", 30 inches, from the front vestibule just because the vestibule is upfront and then it is recessed side porch is on each side at the front. Their main reason for wanting this is basically to relieve themselves of snow and ice, shoveling and clearing that off in the winter time and shade in the summer, so they could enjoy with their neighbors. He thinks that is it. So they are just going for a 7' 9" variance, he guesses.

Chairman Nestorowicz thanked Mr. McFall and stated this is a public hearing; are there any members of the audience who would like to speak on this item? (No responses heard) Not seeing any, he turned the matter to the Board. He thinks the awning....

*(Someone from the audience began to speak)*

Chairman Nestorowicz stated they would have to come up to the microphone if they would like to speak. He asked the individual at the podium to state their name and address for the record.

Ms. Rosanne Sergus, 7567 Theut Avenue, Warren stated she lives right across the street from Ms. Dao and since they purchased the home and lived in there, they have upgraded it so much and she just wanted to say she is hoping that the Board would say that she could have the awnings at her porch so she could sit out there and they could talk to each other across the street. That is it and she thanked the Board.

Chairman Nestorowicz thanked Ms. Sergus and stated that he turns the matter over to the Board. If he could just make a comment; he does agree when he drove by the house it was very well maintained; he personally thinks the awnings would look very nice on the house and those older houses were built very close to the street, that is why they do not have the setback that is normally required, but that was how those houses were built. He asked if there were any other comments from the Board.

Secretary S. Brasza stated he stated 30 inches on the size of the awning, is that going to...?

Mr. Jason McFall stated for the 30 inches on the one awning... that basically the front vestibule is actually like the house is flat and then they added a vestibule at one time....

Secretary S. Brasza stated they have that rendering; she just wondered if it is going to go farther...

Mr. Jason McFall stated no, it would not go 30 inches beyond the porch; it is just that the sides are going to stick out 30 inches up to where the vestibule is, but it is recessed a little bit.

Secretary S. Brasza thanked Mr. McFall.

Board Member Sophia stated if there are no further comments or discussions from fellow Board Members, he would like to make a motion.

Chairman Nestorowicz stated to please do.

**Motion:**

Board Member Sophia made the motion to approve the petitioner's request to:  
Construct an awning over the existing front porch to no less than 7' 9" of the front property line.

Reasons being: Configuration of that property is unique.

Secretary S. Brasza Supported the motion.

Chairman Nestorowicz stated there is a motion by Board Member Sophiea and Support by Secretary S. Brasza to support the petitioner’s request for the reasons stated in the motion; Roll Call.

**Roll Call:**

A roll call was taken on the motion to Approve and the motion carried (8 – 0).

Board Member Sophiea	Yes, for the reasons stated in the motion.
Secretary S. Brasza	Yes, for the reasons stated in the motion.
Board Member Furgal	Yes, for the reasons stated in the motion.

Board Member H. Brasza	Yes, for the reasons stated in the motion.
Board Member Fisher	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Wallace	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner’s request is **GRANTED.**

8. PUBLIC HEARING: **APPLICANT: Julijana Kuhnhenh**  
REPRESENTATIVE: Bret Kuhnhenh  
COMMON DESCRIPTION: **4601 Chicago Road**  
LEGAL DESCRIPTION: 13-05-180-003  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Retain an 8 foot x 6 foot = 48 sq. ft. shed to no less than 7 feet of the side property line, in addition to a 576 sq. ft. detached garage.

**ORDINANCES and REQUIREMENTS:**

**Section 4.20 Paragraph (a) Item 3:** All detached accessory buildings shall not project beyond the existing side building lines of the principal building on the lot. The construction of all such accessory structures shall be subject to the following condition That an accessory structure be placed against any other accessory structure, such as a detached garage. Only one (1) detached accessory structure shall be permitted in the yard.

Chairman Nestorowicz asked the individual at the podium to state his name and address for the record.

Mr. Bret Kuhnhenh, 31870 Dimas, Warren, Michigan, appeared before the Board and stated he is the representative and he plans on moving into that house and he has been fixing up to get the certificate of occupancy and the shed has been there for about 30 years and just did not want to tear it down—it is a nice looking shed and it would devalue the property if he

did; it is an unusual long large lot next to the old union cemetery and he would just like to retain it.

Chairman Nestorowicz thanked Mr. Kuhnenn and stated this is a public hearing; any members of the audience who would like to speak on this item? (No responses) Not seeing any, he turned the matter to the Board.

Board Member H. Brasza stated if no one else had any comments, he would like to make a motion.

**Motion:**

Board Member H. Brasza made the motion to approve the petitioner's request to: Retain an 8 foot x 6 foot = 48 sq. ft. shed to no less than 7 feet of the side property line, in addition to a 576 sq. ft. detached garage.

Reasons being: Not a Detriment to the Area and Size and Shape of the Lot.

Board Member Fisher Supported the motion.

Chairman Nestorowicz stated there is a motion by Board Member H. Brasza and Support by Board Member Fisher to approve the petitioner's request for the reasons stated in the motion.

**Roll Call:**

A roll call was taken on the motion to Approve and the motion carried (8 – 0).

Board Member H. Brasza	Yes, for the reasons stated in the motion.
Board Member Fisher	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Wallace	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Board Member Furgal	Yes, for the reasons stated in the motion.
Secretary S. Brasza	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request is **GRANTED.**

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|---------------------|--------------------------------------|
| 9. PUBLIC HEARING:  | <b>APPLICANT: Allied Signs, Inc.</b> |
| REPRESENTATIVE:     | Jim Fields, Allied Signs, Inc.       |
| COMMON DESCRIPTION: | <b>30301 Schoenherr</b>              |
| LEGAL DESCRIPTION:  | 13-11-280-001                        |

ZONE:

O

**VARIANCES REQUESTED: Permission to**

Allow a new 6' high monument sign with a 37.5 square foot electronic message center and total square footage of 60 square feet.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.14, Paragraph (a): Prohibited signs.** Signs that utilize flashing, blinking, intermittent or moving lights or exposed incandescent light bulbs.

**Section 4A.11, Item (8): Definitions Changeable Copy sign.** A sign whose informational content can be changed or altered by manual, electric, electro-mechanical or electronic means.

**Section 4A.11, Item (22): Definitions Monument sign** is a maximum of 5' in height from grade.

**Section 4A.34, Paragraph (b):** Signs permitted in Office Districts (O). One freestanding on-premise sign or advertising display of a size not to exceed fifty (50) square feet shall be allowed in office districts.

Chairman Nestorowicz asked the individual at the podium to state his name and address for the record.

Mr. Jim Fields, 33650 Giftos Drive, Clinton Township, Michigan appeared before the Board.

Chairman Nestorowicz stated and the reasons for the petition today.

Mr. Jim Fields stated they are proposing to change up the sign and replace it with a new sign and incorporating an electronic message board at the property. The sign they want to go back with is 6 feet flyer and also the electronic message center, which also requires variance and approval. The sign they have is older and to the point it is getting repaired, so they are trying to update also add the tenants, so that way there is better display and bring things more to current with the way imaging has been. The extra foot and height is also to get the sign up off the ground a little bit and maintain some clearance the message center, so they are not dealing with any snow or any weather ability issues as well.

Chairman Nestorowicz stated this is a public hearing, are there any members of the audience who would like to speak on this item? (No responses) Not seeing any, he turned the matter to the Board. He actually wanted to ask a question. Personally he likes monument signs, he likes when there are newer signs put in, but he takes a look at this sign just what caught him is his tenant signs—the permanent ones—are very small, the LED one is extremely large. It is like if they were trying to advertise their tenants, it is like...what is the reason that they need such a large LED sign but his three tenant signs are going to still be smaller than the entire LED?

Mr. Jeff Hammon with the LED company that designed this for them; the reason they did this for the size is they expressed that they wanted to add public service messages to promote dental health and to promote their specials; the tenant signs themselves just need to know what doctors they are going to but to promote the message, that was why they decided to use it at that size and one other thing he wanted to add is the resolution of the sign is a 9 millimeter sign; there is probably no other sign like that in the City of Warren; the higher the resolution the lower the brightness, so there is not going to be any conflict of it to distract drivers or anything, but that is why they based it because he wanted to get that message across and he has also done several public message addresses in different magazines and newspapers throughout the Warren area.

(Inaudible)

Mr. Jeff Hammon stated yes and there are two (2) tenants in there as well; not three (3).

Chairman Nestorowicz stated he still personally thinks that is a very large LED message sign compared to what their tenant signs are personally; that is his opinion.

(Inaudible)

Chairman Nestorowicz stated yes, it is with the Board.

Secretary S. Brasza stated it is 8 by 5 that they are going to advertise their specials?

Mr. Jeff Hammon stated it is actually 4 by 8; it is only 8 foot, 4 inches by...

Secretary S. Brasza stated it is 4 foot, 6...

Mr. Jeff Hammon stated it is 4 foot, 6 inches by 8 foot, 4 inches, yes.

(Inaudible)

Secretary S. Brasza stated Schoenherr is not that big of a road to be advertising at such a level; meaning they do not even put gas station signs or church signs that big and this is a dentist. Are the other tenants going to be advertising in this space?

*Unidentified individual at the podium stated:* It is a dental lab; the other tenant is a dental lab and they are not going to be advertising much but still their message will be displayed for their lab work, but primarily the message is from the dental office both for community service as well as their own specials. They already do a lot of community messages in the newspapers, in Warren Weekly, a lot of health talk, a lot of kids specials and....

Chairman Nestorowicz asked if he could interrupt for a moment because he did not identify himself before he started speaking; if he could give his name and address for the record...

Mr. Navi Singh, 130 Brady Lane, Bloomfield Hills, Michigan, appeared before the Board and stated he is the owner of the building.

Chairman Nestorowicz thanked Mr. Singh.

Secretary S. Brasza asked the petitioner to explain the community message, to give her a community message.

Mr. Navi Singh stated the community message that the doctor usually obtains is a health talk; they do a lot of health talk in the Warren Weekly where they just talk about promoting healthy teeth and what people should be aware of in terms of maintaining a good dental work and stuff like that.

Secretary S. Brasza stated that it disturbs her to the point where she would not want to see this big if a display board being....having a lot of verbiage. You are riding down the road and you are going to be attracted to it because of the light and you are going to be reading script and that is a little bit distracting. Had they thought of anything...is there anything that they could do to come up at a little bit smaller in the LED area?

Mr. Jeff Hammon stated the way that LED displays are constructed, they are made of modules that are 1 foot by 1 foot sections, so they could not just take it down like 4 inches or whatever the case might be...

Secretary S. Brasza stated they are not talking 4 inches.

Mr. Jeff Hammon stated no, no, he understood that, but he does not know, he does not think that the Board has this version here? (*Referring to a sign drawing displayed before the Board*)

Secretary S. Brasza stated they have that version, yes.

Mr. Jeff Hammon stated okay, so there is not a lot of verbiage on there; they have to create all the graphic slides with their LED's and they could see there is not a lot to read there to disturb people by any means and they have put 4 by 8's LED's in municipalities all over southeast Michigan and the viewing, the return on investment that they have gotten for their clients has been stellar and they wanted to be able to provide that for a Warren business itself.

Secretary S. Brasza stated yes, she could see that on a municipality but this is a business, this is a dentist. She wonders if they would consider going any smaller.

Mr. Jim Fields stated to see like 3 by 8 maybe; 3 by 8 would bring it more in line with what they are seeing commonly in churches and schools in a hybrid sign to where it is more of a 50/50 ratio, which should get them a 24, which is under 50 percent of what the sign would be. Typically if they see a school sign or a church sign, they are going to a 50 percent ratio, 50 percent just permanent lex hand sign verses a message center.

Secretary S. Brasza stated well a 3 by 8 is going to take away from their tenant panels.

Mr. Jim Fields stated 3 by 8 would just lower the size of the message center itself and then that would leave more exposed block work. What that could do also is the....

Secretary S. Brasza stated she sees.

Mr. Jim Fields stated the top address number, which is the 30/30 panel could go away and then the address could be incorporated above that on to the main screen and actually clean the whole design up.

Secretary S. Brasza stated that truly would clean up the design.

Mr. Jim Fields stated plus it would get them down on the footage he thinks it would be down a quite bit.

Secretary S. Brasza stated yes; that would work for her.

Board Member Furgal stated it sounds good.

Secretary S. Brasza stated so they are talking three...they have 4 feet. 6; so it would be 3 feet, 6?

Mr. Jim Fields asked Mr. Hammon if he could go 3, 6 or could he go straight 3's on their chassis.

Mr. Jeff Hammon asked what that was.

Mr. Jim Fields stated well the chassis is greater than....

Mr. Jeff Hammon stated 3 by 8; they could do 3 by 8 or 4 by 8.

Mr. Jim Fields stated so it would be 3 or 4 by 8 is what the manufacturer could do.

Secretary S. Brasza stated alright, now they have 4, 6, so they are saying 3, 8...4, 6 is the ... she apologized; where did the 4, 6 come from then?

Mr. Jim Fields asked what did 4, 6, that is what she is asking for the 4, 6. If they have 4 by 8 static, then the 4 by 6 is the chassis?

Mr. Jeff Hammon stated what would hold the...

Mr. Jim Fields stated that is the chassis, so actually the 4 foot, 6 is the outer dimensions of the cabinet; the actually visible pixilation is the 4 by 8 range. If they could get the pixilation down to 3 by 8 range without the incorporated chassis which will just be the non-lit, non-message board.

Secretary S. Brasza stated okay...

Mr. Jim Fields stated which may finish out at like 38 and a quarter by 97 and a half—the black part of the chassis to mount the sign.

Secretary S. Brasza stated and so they put the address in the lower bricked area or they would actually have a foot worth of space?

Mr. Jim Fields stated the address could either be shifted at the top or below whatever the design in the...

Secretary S. Brasza stated whatever it is, okay, great. She asked if the petitioners could give the Board a second to figure out the square footage.

(Inaudible)

Secretary S. Brasza stated she would like to make a motion if there were no further discussions.

Chairman Nestorowicz states yes.

**Motion:**

Secretary S. Brasza made the motion to approve the petitioner's request to:  
Allow a new 6' high monument sign with 8'-4" x 3'-6" electronic message center and total square footage will be figured out from there, but the total overall will be 8' x 6'....

Chairman Nestorowicz stated 8' x 3'....LED is 8' x 3'.

Secretary S. Brasza stated the whole monument sign will be 8' x 6'...she thinks they are getting somebody to calculate this out.

Mr. Jim Fields stated it would be roughly around like 25 square foot message center with the chassis.

Secretary S. Brasza stated let them put that in; well it is roughly.

Mr. Jim Fields stated yes.

Board Member Fisher stated if they read the variance and just replace 37.5 with 30.24 they should be good.

Secretary S. Brasza stated no, he was saying 35...

(Inaudible)

Mr. Jim Fields stated it would not be the full size... (Inaudible).

Secretary S. Brasza stated yes, they need to keep the frame in there too.

(Inaudible)

Chairman Nestorowicz stated yes, he said to take it down to 25.

Secretary S. Brasza stated they are going to take it down, yes.

Mr. Jim Fields stated she wanted it down to (Inaudible) ... goes to 25 (Inaudible).

Secretary S. Brasza stated right.

Board Member Fisher stated is it 3.6 is that what they are talking about?

**Motion:**

Secretary S. Brasza made the motion to approve the petitioner's request to: Allow a new 6' high monument sign with 25 square foot electronic message center and total square footage remains the same of 60 square feet.

Reasons being: Not a Detriment to the Area and Lack of Identification.

Board Member Anglin Supported the motion.

Chairman Nestorowicz stated there is a motion by Secretary S. Brasza and Support by Board Member Anglin for the reasons stated in the motion.

**Roll Call:**

A roll call was taken on the motion to Approve and the motion carried (7 – 1).

Secretary S. Brasza	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Furgal	Yes, for the reasons stated in the motion.
Board Member H. Brasza	Yes, for the reasons stated in the motion.

Board Member Fisher	Yes, for the reasons stated in the motion.
Board Member Sophia	Yes, for the reasons stated in the motion.
Board Member Wallace	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	No, he still thinks it is on the larger side.

The petitioner's request is **GRANTED.**

10. PUBLIC HEARING: **APPLICANT: Metro Detroit Signs**  
REPRESENTATIVE: Kevin Deters  
COMMON DESCRIPTION: **27333 Van Dyke**  
LEGAL DESCRIPTION: 13-16-480-021  
ZONE: C-1

**VARIANCES REQUESTED: Permission to**

Replace the existing sign and install an L.E.D. electronic message center that is 120.96" x 70.56" (59.28 sq. ft.).

**ORDINANCES and REQUIREMENTS:**

**Section 4A.14, Paragraph (a): Prohibited signs.** Signs that utilize flashing, blinking, intermittent or moving lights or exposed incandescent light bulbs.

**Section 4A.11, Item (7): Changeable Copy sign.** A sign whose informational content can be changed or altered by manual, electric, electro-mechanical or electronic means.

Chairman Nestorowicz asked the individual at the podium to state his name and address for the record along with the reasons for the petition.

Mr. Paul Deters, Metro Detroit Signs, 11444 Kaltz Avenue, Warren; appeared before the Board, thanked the Board for their consideration and stated he is present on behalf of the pain center; he is sure the Board Members have been by the facility and they could see there is an awful lot going on there. They are expanding their business and they have taken over the Sphinx Property and one of the things they are struggling with there is what they do and for people to identify that; there is a lot going on there and it will be particularly now as they are adding more buildings and adding on to that; they are hoping that the electronic display and they are proposing this in lieu of that old static pylon sign that the gas station had, would enable them to represent services that they offer in there and a tactful, nice way that is effective to their perspective clients, and they fully understand the Board's concerns about electronic displays, the frequency of which messages would change, the content that is displayed there and they are aware of the limitations and are willing to keep that so that it is not something that would be scrolling, flashing, blinking or anything in that matter.

Chairman Nestorowicz thanked Mr. Deters and stated this is a public hearing; are there any members of the audience who would like to speak on this item? (No responses heard) Not seeing any, he turned the matter to the Board. He needs to actually ask a question first. They are going to have a pain center, the only sign on the pylon is going to be a changeable

LED, they are not going to have, they do not want to have a sign as part of that that says 'I'm a pain center' or anything, because he personally, his comments on the last one, he thinks 60 square foot LED sign is a very large sign, it is the entire sign on the pylon...

Mr. Paul Deters stated they do have pain center identification on the other part of the property, so this is just part of the expansion. There are options to say too that what they could leave, their name is part of this frequently as well; that could stay as a top portion, but this just offers the more flexibility and how they will market themselves.

Chairman Nestorowicz stated that is his personal opinion; he thinks 60 square feet is a very large LED sign, even though he knows it is Van Dyke, he knows they want visibility but he thinks it is too big.

Secretary S. Brasza stated to her it looks like a big TV and with the fact that the buildings are yellow...well they are gray now, but they have all of that statue stuff around and it basically goes for a few buildings, so it is not like they do not have signs on the buildings. What is the existing top portion of the Sphinx sign right now, size wise, without that lower portion?

Mr. Paul Deters stated that is 7 feet by 7 feet; 42 square feet.

Secretary S. Brasza stated because they are asking for a...well this is going to be 8 feet by 10 feet, LED.

Mr. Paul Deters stated he thinks the existing sign overall—the Sphinx- sign—overall was 12 feet tall by 6 feet and what they are proposing is 10 feet tall by 6 feet.

Secretary S. Brasza stated well that they have in the proposed drawing that the pylons are 8 feet, why? They are going to go right inside that?

Mr. Paul Deters stated it is 8 feet wide to the outer edge of the columns; each column is 1 square foot.

Secretary S. Brasza stated she sees.

Mr. Paul Deters stated so the visible area in between the 6 feet and between the poles.

Secretary S. Brasza stated well that other sign was not 10 feet in the...looking at this...it had a lower area of...

Mr. Paul Deters stated maybe it does not show too well on the picture, right below the yellow Sphinx, the faces have been blown out, they have been gone for a number of years and then below that is a white panel that they use to have for a reader board.

Secretary S. Brasza stated right.

Mr. Paul Deters stated so that is all sign; that is one continuous sign, there is no void in there; it is just the facings have been blown out as it has been sitting there for years.

Secretary S. Brasza stated it does not sound like this is going to fly. Could he make it any...she could understand the width, but the length...

Mr. Paul Deters stated he could certainly....unfortunately the owners could not be present tonight, they were here for the subsequent appeal and so he would be happy to see the Board could make some recommendations and maybe they could table this so he could take it back to them for considerations or based on the Board's feedback.

Secretary S. Brasza stated the Board...she asked how many places they do have with a 20 foot high sign like that.

(Inaudible)

Secretary S. Brasza stated she will hear from the rest of the Board on what he suggests to make it smaller, but that is too much for her.

Board Member Furgal stated this electronic sign thing it used to just be words and now the signs have...

Secretary S. Brasza stated graphics.

Board Member Furgal stated grown. Everything changes and this is like one of the first things that they have had to...these two items are the first ones that they have had, so they have to think about this a little bit because like you said (pointing to Secretary S. Brasza) it looks like a television set and some people might like that and some people might not, so she thinks it is kind of like you throw it up in the air and turn it to the side, whether you think it is a good idea or not, but the Board is going to be dealing with this for a while now because this is the first but it is not going to be the last.

Chairman Nestorowicz to Board Member Furgal stated he agrees with that and that is why it is important that they understand what they consider is a viable size for that is.

Board Member Furgal stated and as they know over time things change and they have changed some things because at one time the electronic signs were not allowed at all and no one would...they were not having them, but then they went to...they changed every 4 times a day and then they changed every (Laughter)...over time things change and she does not know if they should.... and there are a couple of signs in the city that are much larger than this...it is just an example, she is just saying, so they have to think about this

carefully, but they could not tell him (referring to Mr. Deters) what they suggest he does, but it is clear that maybe at this time it is too large for their taste.

Mr. Paul Deters stated okay, fair enough.

Board Member Furgal stated he could come back with another suggestion and they will see how that flies, she guesses that is the only thing she could say to him.

Chairman Nestorowicz stated could they make a motion to table this; he is trying to think which meeting they would have room on this. The next meeting on the 28<sup>th</sup> he believes is kind of full, is it not? What is the meeting after that?

Board Member Anglin stated but they are going to be here on the 28<sup>th</sup>?

Secretary S. Brasza stated no, the Board's meeting is full on that day, they do have October 12<sup>th</sup>?

Chairman Nestorowicz asked if they could reschedule it to October 12<sup>th</sup>.

Mr. Paul Deters stated sure, that would be fine.

Secretary S. Brasza stated she had just one more comment. She thinks another thing to the Board itself is what they have to pay attention to is if it is a retail entity, a wholesale entity, a business, an attorney, a doctor; she means there is a big difference and she does not want to turn into...they are not New York, they do not have these big LED signs that stick out for a dentist office or a pain center. Right off 696 and Van Dyke, she means that....

Board Member Furgal stated that is what she said, it is really about taste.

Secretary S. Brasza stated it is totally about taste. She thanked the Board.

**Motion:**

Chairman Nestorowicz made the motion to **Reschedule** the matter to October 12<sup>th</sup>.  
Secretary S. Brasza Supported the Motion.

**Voice Vote:**

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

Chairman Nestorowicz stated this item has been TABLED to October 12<sup>th</sup>, there will not be another notification; so this is the notification to be back on the 12<sup>th</sup> or anyone else who would like to speak on this item.

Mr. Paul Deters thanked the Board.

11. PUBLIC HEARING: **APPLICANT: Kaiser Real Estate**  
REPRESENTATIVE: Imad Potres  
COMMON DESCRIPTION: **27333 Van Dyke**  
LEGAL DESCRIPTION: 13-16-480-021  
ZONE: C-1

**VARIANCES REQUESTED: Permission to**

- 1) Allow a south side yard of 12.2 feet along Hartsig.
- 2) Waive 11 parking spaces.
- 3) Allow a decorative structure (arch) 18 feet tall and 38 feet wide over parking ingress/egress to within 5 feet of the front (Van Dyke) property line.

**ORDINANCES and REQUIREMENTS:**

**Section 13.04: Front yard setback** A fifteen (15) foot front yard setback shall be provided by all commercial buildings in a C-1 District, measuring from the proposed right-of-way line established by the City's Master Thoroughfare Plan.

**Section 13.06: Side yard setback** The width of a side yard abutting upon a street shall be not less than fifteen (15) feet when rear yards abut rear yards.

**Section 4.32, Item (22): Off Street parking** One (1) parking space for each one hundred fifty (150) square feet of floor space.

**This matter Rescheduled to September 28<sup>th</sup>, pursuant to Petitioner's written request to the Board.**

12. PUBLIC HEARING: **APPLICANT: BES Group LLC**  
REPRESENTATIVE: Mr. Robert Tobin  
COMMON DESCRIPTION: 21950 Hoover  
LEGAL DESCRIPTION: 13-35-151-004  
ZONE: M-3

**VARIANCES REQUESTED: Permission to:**

Waive 16,337 sq. ft. of required off street parking.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 Paragraph (h) Item 23:** One (1) square foot of parking area required for each sq. ft. of floor area for buildings in an M-3 District.

Chairman Nestorowicz asked if the petitioner would state their name and address for the record along with the reasons for the petition tonight.

Mr. Robert Tobin, 2201 Twelve Mile Road, Warren; appeared before the Board and stated just a little background before they get involved exactly what he wanted to waive tonight. This is a large site consisting of 4 acres that has access to Hoover Road and Nagel Street. The site is zoned M-2 and M-3, which are the proper zonings with this company that

requires a large amount of outdoor storage. The company occupying this site is a demolishing contractor. On July 11, 2016 they received site plan approval; however, they have two buildings on this site, totaling 33,357 square feet and therefore require this amount of square foot of off-street parking; these are the two buildings (*pointing to drawing site plan displayed before the board*). They have provided 17,002 square feet off-street for their 18 employees; however, the ordinance requires them to provide 33,357 square feet, so therefore, they request this Board to allow the variance of 16,337 square feet of required off-street parking. They have provided 33 parking spaces and they only have 18 employees, so they have enough parking for their employees and their customers. He thanks the board.

Chairman Nestorowicz stated this is a public hearing; are there any members of the audience who would like to speak on this item. (No responses) Not seeing any, he turned the matter to the Board; any comments?

Mr. Robert Tobin stated by the way, this gentleman (*referring to the individual standing next to him*) is Mr. Scott Coral, he represents the owner.

Chairman Nestorowicz thanked Mr. Tobin.

Secretary S. Brasza stated she apologizes and asked Mr. Tobin what did he say this space is going to be used for? She means they are waiving to....

Mr. Robert Tobin stated it is for off-street parking. When they have two buildings, they take the total of the two buildings and that is the off-street parking they are required to provide, which is 33,000 square feet and they only could provide half 17,000.

Secretary S. Brasza asked because they put up a new building?

Mr. Robert Tobin stated square feet of the building, yes.

Secretary S. Brasza stated she stated did they put up a new building? Is that why they are requesting this?

Mr. Robert Tobin stated they are requesting waiving of....

Secretary S. Brasza stated she knows what they are requesting, she just wanted to...

Mr. Scott Coral stated no, they did not put a new building up.

Mr. Robert Tobin stated no, no, this is an existing situation; storage site though...they are requesting a variance of 16,337 square feet of the total required of 33,357 square feet. It is just, this is what happens in M-2 zonings and M-3 zonings; they are still required by ordinance to provide a number of outdoor....off-street parking for the size of the building and

he was hoping someday this would have gotten changed, but they are here every day trying to do the same thing, waiving this amount of parking.

Chairman Nestorowicz stated okay.

Mr. Robert Tobin stated which in this case it is just too access.

Chairman Nestorowicz stated he just has one questions, because he knows that part of the... (Inaudible)... he asked Secretary S. Brasza to go ahead.

Secretary S. Brasza stated she guesses she is just wanting to know the reason it is being brought to them now for the 16,000 square feet; did something...did they make a change to the site plan?

Mr. Robert Tobin stated no, no; when they went to site plan approval, they picked it up and they made them have this variance of 16,000 square feet.

Secretary S. Brasza stated oh, so they were doing something to the property.

Mr. Robert Tobin stated (inaudible) ...the site plan, yes.

Secretary S. Brasza stated okay and thanked Mr. Tobin.

Mr. Robert Tobin stated yes, and they approved it with this variance.

Chairman Nestorowicz stated he has one question, because he does understand when there are these old properties and such, but he knows part of their fence still has barb wire on it. If they waive the parking, would they be willing to take the barb wire down because he knows personally, that is something they are trying not to have in the city now.

(Inaudible)

Mr. Robert Tobin stated to let him have Mr. Scott answer that question because he knows better than he does in this subject.

Mr. Scott Coral stated they would have to get with the next door neighbor, they actually own that fence that was installed prior to them occupying the building there.

Mr. Robert Tobin stated quite a few years ago.

Chairman Nestorowicz stated okay.

Secretary S. Brasza stated is she reading that they want this for open storage?

Chairman Nestorowicz stated no, they are just doing parking.

(Inaudible)

Secretary S. Brasza to Mr. Tobin stated she needs him to explain this to her; is she waiving this square footage so that this property could have open storage?

Mr. Robert Tobin stated yes, that is what it is called, open storage, but that is not true either, this is just...open storage is different from off-street parking. Off-street parking is supposed to be the total amount of the buildings; they have two buildings and they amount to 33,000 square feet.

Secretary S. Brasza to Mr. Tobin stated she understood that; she is asking a question. Is this going to be waived so that this property could utilize that space for outdoor storage of metals, trucks...?

Mr. Robert Tobin stated yes, that is true.

Board Member Furgal stated all they are talking about is one parking for the required for the square footage of the building; that is the only thing they are talking about. It does not say anything about outdoor storage on the...

Secretary S. Brasza stated it does.... (Inaudible)

Chairman Nestorowicz stated could they....Frank...could he approach for a second (*referring to Frank Badalamente*). He asked Mr. Badalamente if he is familiar with the request.

(Inaudible)

Mr. Frank Badalamente (Building Department) stated he is familiar with this; this confused him from the moment he started looking at this while Mr. Tobin was up speaking. This is a variance for off-street parking.

(Inaudible)

Mr. Frank Badalamente stated his understanding was this site plan was supposed to be designed for open storage opposed to off-street parking. If this is off-street parking, this is strictly parking; this has nothing to do with storage.

(Inaudible)

Chairman Nestorowicz stated but then they have to come back at a future time for outdoor storage, would they not, and would be on a separate request?

Mr. Frank Badalamente stated yes, that is correct.

Mr. Robert Tobin stated that has been approved.

Secretary S. Brasza stated it has been approved.

Mr. Frank Badalamente asked this open storage has already been approved?

Mr. Robert Tobin stated it has been approved; site plan approved it.

(Inaudible)

Chairman Nestorowicz stated site plan has been approved but it has not come to ZBA.

(Inaudible)

Secretary S. Brasza stated they approved it pending their...their use of...they need that 16,000 square feet.

(Inaudible)

Chairman Nestorowicz asked if they are going to have to come back for outdoor storage.

(Inaudible)

Secretary S. Brasza stated no, if they approve this, it becomes outdoor storage; that is how Planning set it up, that is why... (Inaudible)...

(Inaudible)

Board Member Furgal stated they are not really supposed to judge based on the open storage.

(Inaudible conversations)

Board Member Furgal stated well it is...yes she knows that, she gets that part...

(Inaudible)

Board Member Furgal stated but this is not what they put on the request.

(Inaudible)

Board Member Anglin stated his thing would be that it coming before the Board is also if they also wanted to designate an area for outdoor storage; that does not come to the Board ever?

Secretary S. Brasza stated because Planning has already put it through. Planning is stating 'We will approve your site plan with outdoor storage if Zoning Board of Appeals waives the parking requirement'.

Board Member Anglin stated they have never approved outdoor storage space in the past...

Board Member Furgal stated they always do.

(Inaudible)

Secretary S. Brasza stated but this is just a...

Board Member Anglin stated but what he is saying is that it is being kicked from...it is being put a blanket over in one spot, come over to get the Board to approve it, then take the blanket off of that spot and say oh here you are, when it should—in his opinion—come to this Board for waive the parking and allow outdoor storage. Is there a Chairman's opinion on that, or legal opinion on that? Is he right or wrong?

Chairman Nestorowicz stated Roxanne, is there...

Board Member Anglin to Attorney Roxanne stated she could say it either way.

Secretary S. Brasza stated she thinks they need to send it back to the Zoning Department for clarification of their request.

Roxanne Canestrelli, City Attorney stated her recommendation would be for this to be reviewed and for her to get back with them on their request and to postpone this.

Chairman Nestorowicz asked if they could reschedule this to the October 12<sup>th</sup> meeting to allow the both the Zoning Department and Legal to review and get them back some information?

Board Member Anglin asked if they needed a motion for that.

Chairman Nestorowicz stated yes, they need a motion.

**Motion:**

Board Member Anglin made the motion to **postpone** this and **move it to the October 12<sup>th</sup>** date, so the Board would have the opportunity to review Planning and Zoning. Board Member Sophiea Supported the motion.

Mr. Robert Tobin asked if he could respond to that.

Secretary S. Brasza stated no.

Chairman Nestorowicz stated not at this moment. There is a motion up for votes; they have a motion by Board Member Anglin, Support by Board Member Sophiea to TABLE this to October 12, to allow Legal and Zoning to get additional clarification so they actually have a better understanding of the motion and the ramifications.

**Voice Vote:**

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

Chairman Nestorowicz stated this item has been Rescheduled to October 12.

Mr. Robert Tobin stated the only question he has is why the Planning Department or the Zoning Department did not pick this up before he came there; that is a little confusing to him.

Secretary S. Brasza stated it is confusing to them too that is why they need clarification.

Mr. Robert Tobin stated do they know what he is saying?

Secretary S. Brasza stated exactly, certainly.

Mr. Robert Tobin stated he would be happy to respond to that but they...he was not told that was one of the requirements.

Roxanne Canestrelli, City Attorney to Mr. Tobin stated they are sorry for his inconvenience, she just wanted to present the clarity to the Board because they are very confused; there is two departments crossing over here and she is going to get them some clarity on the situation.

Mr. Robert Tobin thanked the Board and stated October 12.

Chairman Nestorowicz stated October 12.

Mr. Robert Tobin stated Columbus Day.

13. PUBLIC HEARING:  
REPRESENTATIVE:

**APPLICANT: Trans Terminal LLC**  
Robert Tobin

COMMON DESCRIPTION: **21600 Dequindre**  
LEGAL DESCRIPTION: 13-31-301-001, 13-31-301-003 & 13-31-301-005  
ZONE: M-2 & R-1-P

**VARIANCES REQUESTED: Permission to**

- 1) Waive 22,328 square feet of required parking.
- 2) Allow hard surface to within 9 feet of the front (west) property line.
- 3) Waive hard surfacing of Truck parking area.
- 4) Allow an 8 foot obscuring fence along the 140.00 feet of the offset west property line and along the 392.45 feet of the south property line and along the 328.88 feet of the east property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 Paragraph (h) Item 23: Off Street parking** One (1) parking space for each five hundred (500) square feet of floor area.

**Section 17.02 Paragraph (a): Industrial Standards** The front yard setback in M-2 zones with yards fronting on a major thoroughfare ... shall be fifty (50) feet.

**Section 17.02 Paragraph (s): Industrial Standards - Open storage other than junk** All open storage shall be located in a designated area approved by the Planning Commission as a part of site plan approval. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site.

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

Mr. Robert Tobin, 2201 Twelve Mile Road, Warren, Michigan stated this is a 3.86 acres site on Dequindre just north of 8 Mile Road. It contains a vacant bowling alley of 3,000 square feet and a large parking lot. The west half of the site is zoned M-2 and the east half of the site is zoned R-1-P. Before the present owner completed the purpose to the property, he came to this Board back in October to make sure he would be allowed truck parking and truck repairing adjacent to residential zones—so that is important that they understand that, that was the first thing it was done but in a previous meeting—that was on November 13<sup>th</sup>, 2015 that the ZBA approved this request to allow truck parking adjacent to residential zone on the northeast and south sides. This site will be a new facility for Trans Terminal, which currently is located on 9 Mile Road in Warren. The owner plans to develop the site as a storage area for their trucking and to renovate the existing building with an office area, park storage area, and 4 new service bays.

*(Mr. Robert Tobin Continued...)*

They received approval by the Planning Commission meeting on July 25<sup>th</sup> of this year. In approving the project, they were required to obtain a variance of 4 items. Now he will go over the 4 items and then give the Board their hardship for each item. Item number 1) a variance to waive 22,328 square feet of off-street parking. The hardship is the M-Zone requires a 100 percent of this building for off-street parking as he mentioned before. They have this large building which would only be occupied by 8 people; so they have a hardship of 30,000 square feet of required and they have 8 people. They have provided 7,700

square feet however, that is 18 parking spaces, which would be adequate for the 8 employees and their customers; that is item number 1. Item number 2) a variance to allow hard surface parking and 50 feet setback ...that would be here if they could see his finger (*referring to his displayed presentation before the Board*) it is a very hard situation here because it was picked up by the zoning department, but actually this area was previously asphalt paved and it was part of Toepfer Drive that was vacated in this property; in other words, Toepfer went all the way through here and it has been vacated. Item number 3) the variance to waive a hard surface parking in a parking lot. Their hardship: The north half of the truck parking lot is asphalt paved; the south half is broken up asphalt of 6 inches of crushed stone. The owner plans to provide 3 to 6 inches of asphalt millings on top and when it is properly rolled, it will provide a very adequate surface for truck parking. Item number 4) a variance to waive an 8 foot obscuring fence along the south property line, 140 feet of the west property line and along the east property line. Their hardship: by examining the existing area, they will see they would see there are two large apartment complexes on the east and the south sides. These apartments contain children; the owner is very concerned that the ambitious kids or some of the ambitious kids could climb the 6 foot fence and therefore, the owner has a safety concerns with this problem and reason that by providing an 8 foot high fence, it would be better but it would really deter the kids from climbing the fence; they are concerned about that. While it is not identified in the variances, they would like the Board to also consider raising the fence of 8 feet along the east property line, which also faces an apartment complex. He thanked the Board.

Chairman Nestorowicz thanked Mr. Tobin and stated this is a public hearing; are there any members of the public who would like to speak on this item. He asked an individual who wishes to speak to approach the Board and to state his name and address for the record.

Mr. Glenn Wright, 21596 Dequindre Road, appeared before the Board and stated that he owns the car wash which is kind of right in front of their parking lot. He is just concerned when they say hard surface parking; they are not going to put gravel or anything behind there, correct? They are going to asphalt behind him. He is worried about dust coming on cars that he had just cleaned; people vacuum their cars out, he has 8 vacuum cleaners, they are out there vacuuming and he is just wondering. He has no problem with improving the neighborhood at all; he means the bowling alley, he has to clean up papers from there constantly and dust that comes from there now, but now he is just concerned with the hard parking surface. He would like to know what the surface is actually going to be behind him and to the side of him.

Chairman Nestorowicz stated they could ask...he will make sure he will ask that question because he knows that is actually a similar concern that he actually had. He had that same question, so he will ask that to the petitioner. He asked Mr. Tobin if he could answer that.

(Inaudible)

Chairman Nestorowicz stated let them just see if there are other public comments first on

the site and then they will ask that. Are there any other members of the public who would like to speak on this item?

(Inaudible)

Chairman Nestorowicz stated okay, if they could actually...he will direct that question if they could direct in terms of the crushed asphalt verses paving. But if he could state his name and address first.

Board Member Furgal stated to close the public hearing.

(Inaudible)

Chairman Nestorowicz stated he closes the public hearing, so this is actually to the Board.

Mr. Tony Sirchek, Owner of Trans Terminal, 6485 East Nine Mile Road, Warren, Michigan, appeared before the Board and stated they are doing business of fleet of trucks and they have the same surface now where they are right now and when they put millings, it is the same and they roll it down, it is the same stuff as asphalt and it does not produce any dust. So, if they put like gravel or if they put any other things, it will produce, but if they put the crushed asphalt and they roll over it to make sure it is kind of like pavement, when they see as they are driving a car, so yes, they have used it for 3 years already at 6485 East Nine Mile Road and they have had it there and it has been okay. There is no dust or anything like that produced from it.

Chairman Nestorowicz stated if he could ask. He is very familiar where this bowling alley is and he thinks it is great that they are moving in there and redeveloping it, but why could they not hard surface and actually put actually asphalt in the back as opposed to using the crushed?

Mr. Tony Sirchek stated because the thing is they are putting a lot of money; the building is like, they have to put a lot of money still to bring it back to life; it is just a lot of work inside and they have to put new fence; a lot of expenses going in, so it is just...they want to finish it and just start working the place. If they are going to do hard surface, it is too much for them as of right now. It would just help them with the cost, because they prefer to put money as like they want to put a fence around, they have to put a wall, they have to put a lot of...they have to redo all of the office inside; just a lot of stuff. They just want to rent away the place.

Mr. Robert Tobin stated but they believe by doing what he is suggesting, he will satisfy this gentleman (pointing to Mr. Wright) and there would not be any dust (Inaudible)

Mr. Glenn Wright stated he would like to know, along here (*referring to the drawing displayed before the Board*) what they are going to....is that just going to be a cyclone fence where the railing is now; there is like a railing here.

Mr. Tony Sirchek stated yes, here is going to be a 6 foot (*referring to their displayed drawing*) ... (Inaudible)

Secretary S. Brasza apologized and stated this is the Board's meeting at this time, so they will ask the questions and if the Chairman is done, she would like to ask a couple of questions.

Mr. Glenn Wright stated well what he is trying to....

Secretary S. Brasza stated she understands...

Chairman Nestorowicz stated unfortunately the public hearing is closed.

Secretary S. Brasza stated they will be able to ask those questions for him; she understands what he is asking.

Mr. Glenn Wright stated well if there is a wall, then he would not get dust, but if it is a fence, then it would go through....

Secretary S. Brasza stated they understand.

(Inaudible)

Secretary S. Brasza to Mr. Tobin stated maybe he could answer the question; they were asking the Board to put an 8 foot obscuring fence; explain that?

Mr. Robert Tobin stated they were required with outdoor storage to put a securing fence and with the fence right now, it is planned at 6 foot and it would be secured with fabric or slats; that is the requirement of outside storage; they are willing to do that. But, they want to go higher to 8 feet because they just do not think that it would deter kids from climbing the 6 foot ... (Inaudible)

Secretary S. Brasza stated she understood; she was looking to find out what kind of fencing they are looking to put there?

(Inaudible)

Secretary S. Brasza asked is it a cyclone?

Mr. Robert Tobin stated cyclone chain-link fence with slats in it for...to obscure it.

Secretary S. Brasza stated is it going to be slats or is it going to be their fabric?

Mr. Robert Tobin stated whatever these gentlemen are going to up. He asked the

petitioners if they have decided what to put up, slats or fabric.

Mr. Tony Sirchek stated they did not think about it exactly yet, it will be either or; he just wants to make sure it is not visibility.

Secretary S. Brasza stated she would personally prefer the slats.

Mr. Tony Sirchek stated yes, it is okay, they could do either or.

Mr. Robert Tobin to Secretary S. Brasza stated she prefers the slats?

Secretary S. Brasza stated much better looking.

Mr. Robert Tobin stated okay, then they will put slats.

Mr. Tony Sirchek (Inaudible).

Secretary S. Brasza stated because their fabric is the one that has those circular aerated areas so the...

Mr. Tony Sirchek stated yes, they could slats... (Inaudible)

Secretary S. Brasza stated fabric does not bounce back.

Mr. Robert Tobin stated they would be to provide the slats.

Secretary S. Brasza stated she is confused on number 3; waive the hard surfacing of truck parking area. Could Mr. Tobin point that area out? (*Mr. Tobin pointed to the area as Secretary S. Brasza asked the question*) That is the whole...

Mr. Robert Tobin stated half of this...this half is asphalt (*Referring to his drawing displayed*) here and this half is the busted up asphalt. On the other hand, it has a good base, it has a 6 inch stone base underneath it; it has brushed busted up asphalt so when they put 4 or 5 inches of asphalt millings on top and roll it, it will be just exactly alike, almost; it will be hard surface, but it would not be asphalt type, it would be a hard surface; good enough for them to park their trucks on. That is why they suggested that idea. He had this and other projects before, and it was approved by this Board.

Secretary S. Brasza asked what that does to the drainage when they put the milling on that one side 4 or 5 inches and they do not have anything to do on the other side.

Mr. Robert Tobin stated well at that point they have to grade the site; they will properly grade the site and they would have to provide a system of grading for this site too. So it will all be a slope and it would all be sloping down to the catch basins all over the property, probably 5 or 6 outdoor catch basis slope...property slope. But, they do believe they satisfied this gentleman's thinking about dust; there will not be any dust brazed by this

project of putting asphalt millings down and rolling them.

Secretary S. Brasza stated no, but what they are seeing is that 8 foot obscuring fence will be along his property line.

Mr. Robert Tobin stated yes.

Secretary S. Brasza stated on both the south and the west.

Mr. Robert Tobin stated unfortunately it was written up by zoning so they did not mention the 8 foot fence along the east side; they had the same problem here (*display*); they had the situation there where they had apartment and an apartment, so that is where they would like to put the 8 foot fence to protect the children from climbing that fence, so if the Board makes a recommendation for them tonight, which he hopes they will, they would like to have them recommend is the 8 foot fence would also go along the east property line.

Secretary S. Brasza stated his request does say 328.88 feet of the east property line.

Mr. Robert Tobin stated that was right.

Board Member Furgal stated in November the Board allowed them to waive the required wall along the south property line, but not the north property line.

Secretary S. Brasza stated north and south...

Mr. Robert Tobin stated no, that required putting a wall there.

Board Member Furgal stated no, it says Petitioner's request for items 1 and 2 were granted; request for item 3 was granted, with the condition of only waiving the wall on the south property line; wall on the north property line is not waived.

Mr. Tony Sirchek stated if they are going to build it there, they know they have to build the wall.

Mr. Robert Tobin stated they got that in the Planning Commission meeting; they required them to...

Mr. Toby Sirchek stated it was already approved, so they are going to build a wall there for sure.

Mr. Robert Tobin stated the wall would go up 6 foot wall along the north property line and the rest of the property is chain-link fence.

Secretary S. Brasza stated and they are going to have 8 feet the rest of the way?

(Inaudible)

Board Member Anglin stated he just wanted the Board to know that he has dealt with this asphalt situation where they use the millings and if it is packed properly, it works just as fine as if they put asphalt down. The only question he would have on that as being a builder is to make sure that the grade from rising 4 inches is pitched properly to the drains.

Mr. Robert Tobin stated that is correct.

(Inaudible)

Board Member Anglin stated but he has dealt with that a dozen times and he has never had any problems with them.

Mr. Robert Tobin thanked Board Member Anglin and stated that is exactly the way they will do it.

Board Member Anglin stated now, his other question for this gentleman is; with being allowed to use the millings, there will be no unpaved surfaces in that parking structure.

Mr. Robert Tobin stated that is correct.

Board Member Anglin stated there would not be any gravel whatsoever.

Mr. Robert Tobin stated it was all paved around there.

(Inaudible)

Board Member Anglin stated but if the Board allows him to put the millings down, there would not be any gravel surfaces.

Mr. Robert Tobin stated that is right.

Board Member Anglin stated that was all he had.

**Motion:**

Secretary S. Brasza made the motion to approve the petitioner's request to:

- 1) Waive 22,328 square feet of required parking.
- 2) Allow hard surface to within 9 feet of the front (west) property line.
- 3) Waive hard surfacing of Truck parking area.
- 4) Allow an 8 foot obscuring fence **with slats** along the 140.00 feet of the offset west property line and along the 392.45 feet of the south property line and along the 328.88 feet of the east property line. **With the condition on Item Number 3: To Waive hard surfacing of truck parking area and that would be filled with asphalt millings and not crushed gravel.**

Reasons being: Size and Shape of the Lot and Property is Unique.

Board Member Anglin Supported the motion.

Chairman Nestorowicz stated there is a motion by Secretary S. Brasza and Support by Board Member Anglin to...

Board Member Furgal stated maybe they should put when they are waiving the hard surfacing of truck parking area that they include the idea that it is supposed to be filled with asphalt millings and not gravel. That would probably...she knows it shows it on the plan, but just to make sure.

Secretary S. Brasza stated just to restate item number 2, allow hard surface....

Board Member Furgal stated no, number 3.

Secretary S. Brasza stated not 2; number 3: Waive hard surfacing of truck parking area and that would be filled with asphalt millings and not crushed gravel.

Board Member Anglin stated he supports that.

Chairman Nestorowicz stated there is a motion by Secretary S. Brasza and Support by Board Member Anglin to approve the petitioner's request for the reasons stated in the motion.

**Roll Call:**

A roll call was taken on the motion to Approve and the motion carried (8 – 0).

Secretary S. Brasza	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Furgal	Yes, for the reasons stated in the motion.
Board Member H. Brasza	Yes, for the reasons stated in the motion.
Board Member Wallace	Yes, for the reasons stated in the motion.
Board Member Sophia	Yes, for the reasons stated in the motion.
Board Member Fisher	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request is **GRANTED.**

Mr. Robert Tobin thanked the Board.

14. PUBLIC HEARING: **APPLICANT: United Hospitality Group III, LLC-USE-**  
REPRESENTATIVE: Victor Saroki / Saroki Architecture  
COMMON DESCRIPTION: **11570 Eleven Mile Road**  
LEGAL DESCRIPTION: 13-22-226-029  
ZONE: C-1

**VARIANCES REQUESTED: Permission to -USE-**

- 1) Allow a hotel in a C-1 zone, subject to special land use permit.
- 2) Allow a hotel on a lot size of 1.93 Acres.
- 3) Allow a hotel on a lot size 84,217.2 sq. ft. when plans indicate a need for a minimum of 99,200 sq. ft.
- 4) Allow a 45' 8" hotel being built to within 31' of the rear (south) property line.
- 5) Allow a Porte-Cochere to be built to within 22' of the side (west) property line.
- 6) Allow hard surfaced parking to within 15' of the front (north) property line.

**ORDINANCES and REQUIREMENTS:**

**Section 14.02 Paragraph (d): Approval of special land use permit.** Under such conditions as the City Council, after recommendation of the Planning Commission, finds the use meets the standards for approval set forth in Section 22.14 of the Ordinance and subject to the conditions that may be imposed, the following use may be permitted in a C-2 zone: *Motels, hotels, and motor courts.*

**Section 14.02 Paragraph (d) item (3):** Each such use shall have a minimum total site area of two (2) acres.

**Section 14.02 Paragraph (d) item (4):** Each such use shall have a minimum lot area of seventy-two hundred (7,200) square feet for the first unit and one thousand (1000) square feet for each additional unit.

**Section 14.02 Paragraph (d) item (5):** Each such use shall have a front, two (2) sides and one (1) rear yard, each yard having a minimum width equal to the height of the building.

**Section 19.04: Height of hotels** The height of hotels may be increased to ten (10) stories or one hundred fifty (150) feet provided such building shall set back from all lot lines not less than one (1) foot in addition to the required yard dimensions for each foot such buildings exceed the height allowed in the district concerned.

**Section 13.02: Building height.** No building hereafter erected or altered in a C-1 District shall exceed thirty-five (35) feet in height or two (2) stories, except as provided in Article XIX of this Ordinance.

Chairman Nestorowicz stated if the petitioner would state their name and address for the record along with the reasons for the petition.

Mr. Victor Saroki, Architects for this proposed hotels, 430 North Old Woodward, Birmingham; appeared before the Board and stated along with him tonight is one of the owners, Namir Zoma, he is one of the owners of United Hospitality Group. He would also like to say to the Chairman and the members of the Board of Appeals that on Monday evening they were before the Planning Commission and they have received support from all of the members present for their site plan and therefore they are present tonight for the Use Variance and some dimensional variances.

*(Mr. Victor Saroki Continued...)*

Just to give the Board a little bit of background of what their owners want to do is purchase the Wright & Filippis Building, which is directly adjacent to the Holiday Inn Express Hotel that they currently own. The Holiday Inn Express they have owned for over 10 years; it has been a good successfully property but it is now their ambition to build a brand new Holiday Inn Express and therefore they would own both hotels and they would rebrand and reflag the existing hotel. The flag is still being determined what flag it would be for the existing hotel but they will own both hotels. This group is an experienced hotel builder, developer and operator, they own many hotels in the area and they also own—in the City of Warren—the full service Holiday Inn near City Hall on Van Dyke and they have owned that for over 20 years and if they have been to it, they may have seen that they have done some very nice upgrades recently to that hotel. They are committed to the City, they enjoy the properties they have in the City and he is sure their intentions are to build a first class Holiday Inn Express. Both properties are currently in the C-1 zoning as he is sure the Board is aware. In the Mid-1980s when the existing hotel—the Holiday Inn Express—was built, a Use Variance was granted for it back in 1985; this was before their owners purchased it, but in fact, a Use Variance was granted and therefore, they were able to construct the hotel. They have obviously a similar situation; they have a C-1 zoning and they are hoping for a Use Variance and essentially the characteristics of this site and the surrounding area are all the same; it has been a good use for a hotel site and he would say that given its proximity to Eleven Mile, front on Eleven Mile and having access to the I-696 Service Drive, it is a good use for this Property. Not to mention, that other commercial use is maybe limited being on the service drive of I-696, but for a hotel, it is desirable because of freeway access. He would also like to make mention that as the Board views these variance requests, he would hope that they look at both sites in somewhat totality, because their owners will own and operate both sites. The new Holiday Inn Express will be a 4-story building, it is 45 feet, 8 inches tall, it will have 93 rooms; it is in fact the smallest prototype that is permissible by Holiday Inn Express, so they could not build a smaller hotel and still meet their national standards. The existing hotel has 124 rooms and they will maintain the 124 rooms. They very comfortably meet the parking requirements; if they do the math on the parking requirements, combined for both hotels, either individually or combined, they meet them, but they just do the math combined, 75 cars are required, they will have over 269 cars or 269 cars they will have, over three times the parking required by ordinance. They could see that these hotels fit comfortable on this site. Some of the setbacks are due to the height of the building; although the zoning does permit added height and he will go on to speak about the individual variances. First of all they have the Use Variance which he spoke about and the fact that one was granted back in 1985. With regards to a hotel on a lot size of 1.93 acres, that is the size of their property, the ordinance speaks to 2 acres, they just fall slightly below that, but if they look at the sites combined where the existing Holiday Inn Express is, that is over 3.5 acres, so the two sites combined are going to be close to 5.5 acres, which certainly exceeds the requirement for two hotels. In a similar note, the next variance deals with the lot size, based on the number of rooms and there is an algebraic formula that says they need 7,200 square feet for the first room and 1000 square feet for each additional room. If they do the math, they need for the 93 rooms, 99,200 square feet, they are at 84,217; again, he would just really apply the same logic.

*(Mr. Victor Saroki Continued...)*

They understand there is a reason for that, but if they look at the two sites together and they look at the fact that the existing Holiday Inn site is over 153,000 square feet, they are well on exceed—if they look at those together—the numbers and the math required. The next item deals with the rear yard setback, the standard rear yard setback is 20 feet, they will be within 31 feet from what he calls an interior property line and he thinks that is an important distinction. Because their building is 45 feet, 8 inches tall, the ordinance says for every flight of height, they are required to have that amount of setback; a reasonable request. But again, that dimension that they are measuring from, the dimension to the south property line is really an interior property line and however; he would say that if they really measure to the next adjacent property to the south, just past the service drive that comes off of Hoover, they are over 60 feet back, so he thinks from a practical standpoint they really meet the spirit and intent of what the ordinance was speaking about. In a very similar fashion, the next variance deals with the Porte-Cochere; Porte-Cochere is obviously the covered canopy that they see in hotels that allows guests to pull up, drop their bags if it is raining or snowing and take the bags into the lobby then park the car. That is only a one-story element by the way and again they meet the standard 10 foot setback, but the Porte-Cochere is because of the building height overall of 45 feet requires that they meet the 45 foot setback; however, he will point out where the building really is, the full floor stories, they are over 60 feet from again, an interior lot line. When he says interior lot line he is speaking about somewhat of an imaginary lot line between the two parcels because they are going to have the same owners. Again, that is really only for a one-story portion; the mass of the building is more than 60 feet from that interior or imaginary lot line; he thinks again a reasonable request. The last variance deals with hard surface parking within 15 feet of the front property line and that is along Eleven Mile or the I-696 service drive; quite frankly, that is an existing condition, those sites really work together; the parking is currently there for the Wright & Filippis building; the parking is currently there for the hotel and they would like to keep it there, they just think it makes sense; the sites do work together in totality, so they think that is a reasonable request. He would just want to say that the site and the area comfortably support both hotels, this hotel and for this intended use. This site as he mentioned does front on Eleven Mile and the freeway service drive and because of this freeway service drive, this property quite frankly is unique and not all commercial purposes could survive along that freeway edge, but for a hotel it does make sense; in fact it is desirable. He will also go on to say that—and he mentioned that earlier—this is the minimum size hotel that Holiday Inn Express will allow an owner to develop, so it is not like they are trying to build the biggest hotel—in fact they have gone to the minimum size; it is a national prototype and quite frankly the franchise would just not allow or support a smaller hotel; just the economics do not work. As he mentioned before, he hopes they would sort of look at these properties somewhat together and lentando because they do have the same owner and he thinks when they look at them together, they really do meet the intent of the ordinance; this condition is not created really by this applicant, it is a condition required by the geometry and the footprint of the national franchise prototype for a Holiday Inn and he also mentioned that the property does have limited uses within the C-1 zone for when they are on the 696 service drive and he would say that the granting of the Use Variance and the dimensional variances would not be detrimental to adjacent properties.

*(Mr. Victor Saroki Continued...)*

There is certainly adequate air, light, parking and services to the property, strict compliance of the zoning ordinance really would be unnecessarily burdensome and they believe that this proposal does meet the spirit and intent of the zoning ordinance and the master plan. With that, he is happy to answer any questions. One of the owners is present; they hope that the Board would respectfully grant the Use Variance and the dimensional variances as proposed.

Chairman Nestorowicz thanked Mr. Saroki and stated this is a public hearing; are there any members of the audience who would like to speak on this item? (No responses) Not seeing any, he turned the matter to the Board. He actually just wanted to start out with a comment. He knows that he mentioned a number of times to consider the totality of the two properties and he agrees that is a good way of looking at it; however, these are two separate lots, they are two separate properties, the owner could easily sell off the existing hotel the second he builds the new one, so it is like they really...they have to look at them separately, but he does agree that that site...because looking at that he means he personally thinks that hotel would an improvement into that area, because he is very familiar when it was the Chi Chi's before the Wright & Filippis and all that kind of stuff, but being quite serious, with the entrance of the hotel facing the other hotel, they know that most of those guests are going to park in other property; that is really where they are going to park...

Mr. Victor Saroki stated they have cross access easements for both properties and they will always maintain those.

Chairman Nestorowicz stated that was going to be one of his questions, because he looks it that he knows that the owner owns both currently; he might say that he is going to own them, but they all know that 5 years, 10 years down the line, they could always sell one off and they do not want to run into property...problems where somebody is parking on somebody else's parking lot and....

Mr. Victor Saroki stated currently, those cross-access easements exist even between the Wright & Filippis building and the hotel, so they will maintain those and they will keep them intact and they submitted that to the Planning Commission.

Chairman Nestorowicz stated that was his question.

Secretary S. Brasza stated she so fully agrees with the fact of in every variance request that they have in their explanation of the need, there was always a request for the Board to look at them together; they could not.

Mr. Victor Saroki stated he appreciated that.

Secretary S. Brasza stated a Holiday Inn Express minimum size is not the Board's problem, number 1 and number 2, they have a 128 units in the existing building; her thought truly—if she was going to look at these two sites together—would be to rip the one down and put a big guy there, so she is having a hard time with all of these setback needs and lot sizes and everything because she could not look at the two together and she is real happy that he stated that they have the parking signed document between the two properties. That is all she is going to say.

Chairman Nestorowicz asked if there were other comments or questions from the Board.

Secretary S. Brasza stated just one quick one. What is the height of the other facility, the Holiday...?

Mr. Victor Saroki stated the existing building is 2-stories; it feels much taller because it has a very tall façade that was updated a number of years ago, but it is only a two-story building.

Secretary S. Brasza stated and he stated early on in his request that that other facility might take on a new name.

Mr. Victor Saroki stated that was right. It is not uncommon to do that. Hotels tend to work well together with different brands and different flags, so often times they will see hotels group together, cluster together, just like as they see in car dealerships and other sort of similar businesses. They will entertain another flag, one they are talking about is possibly Comfort Inn; it would not be a Holiday Inn product, they own a Holiday Inn full service on Van Dyke and they would build a new Holiday Inn Express; it would likely be another flag and another brand; a complimenting brand. In fact, they do a lot of hotel work and the last—he would say—4 or 5 hotel projects that they have done, they have done 2 hotels together. Like a limited service and an extended stay or a full service and a limited service; they tend to work very nicely together that way.

Secretary S. Brasza stated another question she has or just a comment to the Board. Allowing hard surface parking to within 15 feet of the front north property line, is also if they think ahead in signage, where are they going to put it, just a thought?

Board Member Fugal stated she did have a question regarding signage because if they recall the sign for the Holiday Inn is a cell tower, it is enclosed in that tower and so she does not see any signage on this plan for the new building. What kind of plans did they have for signage?

Mr. Victor Saroki stated there have been two thoughts about that. One was to use the existing sign that is there next to the cell tower and put both hotel names on it, so they could do Holiday Inn Express and Comfort Inn on the same tower. Often times on these buildings, they would have the sign right on the building, so it does not necessarily require a monument sign.

Board Member Fugal thanked Mr. Saroki.

Board Member Fisher stated if no one else had anything, he would like to make a motion.

**Motion:**

Board Member Fisher made the motion to approve the petitioner's request to:

- 1) Allow a hotel in a C-1 zone, subject to special land use permit.
- 2) Allow a hotel on a lot size of 1.93 Acres.
- 3) Allow a hotel on a lot size 84,217.2 sq. ft. when plans indicate a need for a minimum of 99,200 sq. ft.
- 4) Allow a 45' 8" hotel being built to within 31' of the rear (south) property line.
- 5) Allow a Porte-Cochere to be built to within 22' of the side (west) property line.
- 6) Allow hard surfaced parking to within 15' of the front (north) property line.

Reasons being: Property is Unique, Size and Shape of the Lot and Not a Detriment to the Area.

Secretary S. Brasza Supported the motion.

Chairman Nestorowicz stated there is a motion by Board Member Fisher and Support by Secretary S. Brasza to support the petitioner's request for the reasons stated in the motion.

**Roll Call:**

A roll call was taken on the motion to Approve and the motion carried (8 – 0).

Board Member Fisher	Yes, for the reasons stated in the motion.
Secretary S. Brasza	Yes, for the reasons stated in the motion.
Board Member Furgal	Yes, for the reasons stated in the motion.
Board Member Wallace	Yes, for the reasons stated in the motion.
Board Member H. Brasza	Yes, for the reasons stated in the motion.
Board Member Anglin	Yes, for the reasons stated in the motion.
Board Member Sophiea	Yes, for the reasons stated in the motion.
Chairman Nestorowicz	Yes, for the reasons stated in the motion.

The petitioner's request is **GRANTED.**

Mr. Victor Saroki thanked the Board.

## 15. NEW BUSINESS

Chairman Nestorowicz stated there was just one item that he wanted to actually bring up with the reappointments of himself, Board Member Fungal and Board Member Fisher last night; every year they bring them the positions for the officers and he just wanted to basically open it up to see if they wanted to nominate the same and they could vote on them at the next meeting or if anybody else has an interest in any position to state otherwise. He would just mention that himself remaining as Chair, Board Member Fungal as Vice-Chair, Board Member S. Brasza as Secretary, and Board Member Fisher as Assistant Secretary.

Board Member Sophiaea stated that sounded good to him; he is in favor of maintaining the status quo.

Chairman Nestorowicz stated would he like to make a motion for that.

**Motion:**

Board Member Sophiaea made the motion to sustain the status quo in terms of the Officer Positions at his time.

Board Member Anglin Supported the motion.

Chairman Nestorowicz stated should they just vote on it today then?

**Voice Vote:**

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

Chairman Nestorowicz asked if there was any other new business. (No responses heard)

## 16. ADJOURNMENT

**Motion:**

Secretary S. Brasza made the motion to adjourn the meeting and supported by Board Member Anglin.

**Voice Vote:**

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

The meeting was adjourned at 9:07 p.m.

Sherry Brasza  
Secretary of the Board

APPROVED