

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
March 12, 2014

A Regular Meeting of the Warren Zoning Board of Appeals was called for Wednesday, March 12, 2014 at 7:30 p.m. in the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

Members of the Board present:

Judy Furgal, Chairwoman
Jean Becher, Assistant Secretary
Walter Bieber
Henry Brasza
Jules Descamps, Jr.
Roman Nestorowicz
Steve Watripont, Vice Chairman

Members of the Board absent:

Caren M. Burdi, Secretary
Ann Pauta

Also present:

Mary Michaels, City Attorney
Lynne Martin, Chief Zoning Inspector

1. CALL TO ORDER

Chairwoman Judy Furgal called the meeting to order at 7:38 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Secretary Burdi and Board Member Pauta were absent.

Motion:

Board Member Watripont made a motion to excuse the absent members and Board Member Descamps supported the motion. A voice vote was taken on the motion and carried (7-0).

4. ADOPTION OF THE AGENDA

Board Member Descamps made the motion to adopt the agenda with amendments. Produce Palace, item #7 and T.G. Warren, item #12 requested to be re-scheduled due to the current weather.

General discussion on how to handle the rescheduling of the items took place and separate motions were proposed.

Motion:

Board Member Descamps made a motion to reschedule item #7 to April 9, 2014. Board Member Nestorowicz supported the motion.

Board Member Watripont stated the petition asked for the outdoor sales from April 1, 2014 and without them being here he hoped they do not start the outdoor sales until after they get permission from the board.

A voice vote was taken on the motion and carried (7-0).

Motion:

Board Member Descamps made a motion to reschedule item #12 to April 9, 2014. Board Member Nestorowicz supported the motion. A voice vote was taken on the motion and carried (7-0).

Motion:

Board Member Watripont made a motion to adopt the agenda as amended. Board Member Descamps supported the motion. A voice vote was taken on the motion and carried (7-0).

5. APPROVAL OF THE MINUTES OF the **Regular Meeting of February 12, 2014.**

Motion:

Board Member Nestorowicz made the motion to approve the minutes and Board Member Descamps supported that motion. A voice vote was taken and the carried (7-0).

6. PUBLIC HEARING **APPLICANT: Dr. Salim Meram M.D.**
(Rescheduled from 2/12/14)

REPRESENTATIVE: Same
COMMON DESCRIPTION: 28673 Hoover
LEGAL DESCRIPTION: 13-15-229-043
ZONE: C-1

VARIANCES REQUESTED: Permission to:

To waive twenty-three (23) required parking spaces for a Medical Office as per the plan.

ORDINANCES and REQUIREMENTS:

Section 4.32 Paragraph (h) Item 18: Required Off-street Parking. Medical and Dental Clinics – One (1) parking space for each one hundred (100) square feet of usable floor area and one (1) parking space for each examining room, dental chair

One (1) Mopar/Service sign 35 sq. ft.

Total Main dealership Building $186.26 + 144 = 330.26$ sq. ft. wall signs

Used Car Building: One (1) 82.5 sq. ft. as per the plan on the east elevation.

Reface three (3) pylon signs approved by the ZBA on 3/31/1976 and were to be removed per variance dates 1/27/1988; as per the plans.

Two (2) along 14 Mile as follows: 6ft. 2 inches x 6 ft. = 37 sq. ft., overall height 22 ft. with 9 ft. setback from property line as per the plan.

One (1) along Van Dyke same size with same setback. As per the plan.

ORDINANCES and REQUIREMENTS:

Section 4A.35 Paragraph (b): One freestanding on-premise sign or advertising display of a size not to exceed seventy five (75) square feet shall be allowed.

Section 4A.35 Paragraph (c): Total wall signage of a size not to exceed forty (40) square feet shall be allowed for each business in commercial business and industrial districts zoned M-1, and M-2.

Pat Pursuti, 32899 Van Dyke, Warren, Bob William 32899 Van Dyke, Warren and Tim Heileman, 4797 Gratiot, St. Clair all appeared before the board.

Bob William stated that Mr. Reihl regrets not being present this evening but he was in a business meeting out of the state.

Pat Pursuti stated the company was requesting a variance to replace the current signage on their building that has been renovated. This would update and upgrade the signage on the building.

Chairwoman Furgal stated this was public hearing and asked if there was anyone in the audience that would like to comment on the item. Seeing and hearing none she turned the matter over to the board.

Board Member Becher stated she understood that they were constantly improving their property and that dealerships were required to get new signage. She was not concerned with the signage that they wanted but she was concerned with the fact that she drives by the dealership year after year and with the exception of the past two or three weeks there have been cars parked over on the green belt on 14 Mile Road. Prior to that time they were always parked there, to the point that the grass has been killed with the cars. She asked what the plans were for the greenbelt.

Pat Pursuti stated he thought she was talking about the area by the used car building. He knew that the used car manager liked to park cars on the greenbelt and he agrees with Board Member Becher that it makes an eyesore and was not really the right thing to do. He did not think the cars being parked there stopped because they were coming before the board. He thinks it stopped because of the snow.

Board Member Becher asked if he was saying that once spring returned the cars would be back there.

Pat Pursuti stated no they would not be, he thinks it is unsightly and would make sure that it would not happen again. The dealership just spent \$1.4 million dollars improv-

ing the property as the entrance to Warren from Sterling Heights and he would not allow that any more.

Board Member Becher stated she goes by there all the time and if it did not stop she would just start making phone calls.

Pat Pursuti stated she was welcome to come visit him if she sees it again. He gave his word that it would stop.

Board Member Brasza asked if the list of the signs in the petition were all the signs that were on the property.

Bob Williams stated yes.

Board Member Brasza stated that he noticed there were some variances from the past and asked if they would be willing to relinquish past variances.

Lynne Martin, Chief Zoning Inspector stated the ones they would not want to relinquish were the 40 foot high sign. The one from March 31, 1976.

Board Member Brasza asked if the 5/9/2001 and 1/27/1988 would be ok to relinquish.

Lynne Martin stated they did not want to relinquish those. The only question was on the 1/27/1988 was that they were supposed to remove some signs that they were asking for on this one. So if the board approves it, they could keep those signs.

Board Member Brasza asked if the request was clear. He liked the idea that they improved the place and he was in favor of the signage but he liked to clean up some of the old information that was out there on the record.

Motion:

Board Member Brasza made the motion to approve the petitioners request as listed with the condition they will be relinquishing the sign variance from 5/9/2001.

Reason being needed for identification and not a detriment to the area.

Board Member Descamps supported that motion.

Roll Call:

A roll call was taken on the motion and the motion carried (7-0).

Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Descamps	Yes for the reasons stated in the motion.
Board Member Bieber	Yes for the reasons stated in the motion.

been subject to an enormous amount of damage over the years. She has been a tax payer in the City of Warren since 1972 and it has been important to her to provide the board with this information. The damage done to her property by Randazzo has been very costly and as a matter of fact Mr. Randazzo told her recently that her building at this time was only worth \$40,000.00. With his ridiculous statement she told him she would speak to Mayor Fouts and have her taxes lowered. There were times that the date on her camera did not function properly; therefore some of the dates on the pictures may be slightly incorrect. Very truly, Appolonia Bushmole.

Board Member Becher stated she did not see the problem.

Board Member Descamps stated he thinks that Randazzo's has done a great job and he was sure that Mr. Watripont would agree that they were before the board prior to May 1st to renew the normal request.

Motion:

Board Member Descamps made the motion to approve the petitioners request as listed.

Reason being needs approval of the board and not a detriment to the area.

Board Member Becher supported that motion.

Chairwoman Furgal stated she wanted to make one comment to Ms. Vaugh. The neighbor was not happy and it was not the boards business to take care of that but it was Mr. Randazzo's and she would appreciate if he would do that because next time she would not vote for it.

Roll Call:

A roll call was taken on the motion and the motion carried (7-0).

Board Member Descamps	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Board Member Bieber	Yes for the reasons stated in the motion.
Board Member Nestorowicz	Yes for the reasons stated in the motion and added that he too would like Mr. Randazzo to talk to the neighbor that was complaining because it needs to be resolved.
Board Member Watripont	Yes for the reasons stated in the motion. Board
Member Brasza	Yes for the reasons stated in the motion and he also supported a discussion with the neighbor.
Chairwoman Furgal	Yes for the reasons stated in the motion.

The petition has been granted.

REPRESENTATIVE: Mr. Kerm Billette, PCP
COMMON DESCRIPTION: 3231 10 Mile
LEGAL DESCRIPTION: 13-19-452-019
ZONE: M-2

VARIANCES REQUESTED: Permission to:

Waive 1,684 sq. ft. of hard surfaced off street parking.

ORDINANCES and REQUIREMENTS:

Section 4.32 Paragraph (h) Item 23: One (1) square foot of parking area required for each square foot of floor area for buildings in an M-2 District.

Rita Reyes, 3231 10 Mile Road and Kerm Billette, 38628 Warwickshire, Sterling Heights appeared before the board.

Kerm Billette stated the request was to waive the parking requirements as they do not have the amount equal to the square footage of the building. The owner and the assistant owner here both agree that the parking spaces are more than adequate that are currently provided. They have been before the Planning Commission for site plan approval and it has been approved with conditions that both owners agree to comply with including some measurements that are needed on the drawing. There are several other items, one of them being parking blocks along the east property line and it has to be noted on the drawing that there are lights on the building.

Chairwoman Furgal stated this was public hearing and asked if there was anyone in the audience that would like to comment on the item. Seeing and hearing none she turned the matter over to the board.

Board Member Nestorowicz stated he had a question from reading this he was not sure. They are waiving a certain amount of off street parking but was there a number of spaces that were being waived?

Lynne Martin stated it was the size because the ordinance says that there has to be one square foot of parking for every square foot of the building. The number of square feet was what was being waived.

Board Member Nestorowicz asked if all the parking was actually hard surfaced.

Kerm Billette stated all of it was hard surfaced and some of it was black-top that was broken a little bit but the owner said that he would fix all the holes and bumps and he would install the parking blocks to restrict the parking from going on the neighbor's property.

Board Member Brasza asked how many employees were in the building.

Rita Reyes stated there were four employees.

Board Member Brasza asked how many customer parking spots that would leave.

20 ft. in height, 12 ft. under clearance with 20 ft. setback from 9 Mile property line and 20 ft. from the Peters property line.

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.

Michael Zacks, General Manager Bright Star Signs, 13300 Foley, Detroit, MI. appeared before the board and stated what he was attempting to do and what was before the board was a request to install a new ground sign on the east end of the property to update the appearance of the center. The sign does comply with the ordinance as far as size, set back and the under clearance. It totals 74 sq. ft. which was also allowed by the ordinance. The main section would 5 x 10 or 50 sq. ft. and the LED reader board would be 3 x 8 or 24 sq. ft. for a total of 74 sq. ft. The sign would be 20 feet in height with a 12 foot under clearance and a 20 foot setback from both 9 Mile and Peters' property line. What was actually being requested was approval for the LED portion of the sign. The owner recognizes and agrees that the City of Warren has stipulated certain requirements for the operation of an LED sign and would be willing to sign any document about time sequence of message, length of message and content of message as well.

Chairwoman Furgal stated this was public hearing and asked if there was anyone in the audience that would like to comment on the item. Seeing and hearing none she turned the matter over to the board.

Chairwoman Furgal asked if there were issues with parking.

Lynne Martin stated no, if the board would look at the drawing it looked like that was parking for the center.

Michael Zacks stated he thought enclosed in the packet was an aerial view of the property and the sign sits to the extreme east end of the property and it would occupy part of the last space on the east end of the property. He believed there was parking there for about 80 cars and it was a rare occurrence where there might be more than a dozen cars. These are all small businesses and typically one or two customers per store.

Chairwoman Furgal stated she did not think that was the issue. The issue was that he was assigned a certain number of parking spaces and he was using that parking space then there has to be a new parking plan submitted.

Michael Zacks stated this actually sits between two spaces and it was mounted on two 8 inch poles and it would not occupy an actual space. It would sit between two spaces.

Board Member Nestorowicz stated he was all for a new sign and thinks a new sign would look nice for that shopping plaza. The problem he has with kind of sign was the entire parking lot was paved and the sign would just have the poles sticking up next to parking spaces. There was nothing to stop a car from backing into one of the poles, scraping it or hitting it. If a sign was going to be in parking lot area that was paved he thinks the sign should have some kind of protection around it so a car does not back into it. Whether that was bumper guards or raised concrete or something, that was the problem that he had. A new sign would look great and he had no problem with an LED sign. He had a problem with two poles sticking up in the parking lot.

Michael Zacks stated there would be a tube that does protect it in case a car backs into it or hits it from the front. So it was not just a tube that was 6 or 8 inches. It is called a sauna tube that surrounds the pole.

Chairwoman Furgal asked how tall the sauna tube was.

Michael Zacks stated a sauna tube was typically four feet from grade to the top of the sauna tube.

Chairwoman Furgal stated she knew they came in different lengths. The sauna tubes are filled with concrete. It does not show those on the drawing. She then asked if the board should wait until the parking situation was straightened out.

Lynne Martin stated she knew the parking was one for each 150 but she did not know the size of the whole center. It appeared on her plans that the parking was supposed to be along the east property line and she was assuming it was required because it was on the site plan. They are taking 10 feet and a parking spot is 9 feet wide so it would take up two parking spots.

Michael Zacks stated the 10 feet was north south and not east west.

Chairwoman Furgal suggested that this be rescheduled until additional information could be obtained.

Lynne Martin stated it was all parking and they are 9 feet wide so it had to be 9 and 9 = 18 so it was somewhere in there and the request was 20 foot, it would be across two parking spots. She believed they were required for the center. She did not think there was a variance for any parking so they must have the right amount of parking. This was why she wanted to see a site plan.

Chairwoman Furgal stated she believed the board would have to table this so additional investigating could be done.

Lynne Martin stated she had requested a sealed site plan and had not received one.

Board Member Becher stated she knew the sauna tubes were being put in to protect the poles but she was wondering if they could build some sort of base around the signs. Once the sauna tubes are put in it was in a parking area where people could

pull up and hit their cars on those tubes. If there are parking spaces that can be given up, after investigating the matter, was it possible to build a more substantial base around those, like planter or something.

Michael Zacks said yes.

Board Member Descamps asked how long he thought it would take to get the sealed site plan.

Michael Zacks stated a couple of days.

Lynne Martin stated it must show the parking.

Motion:

Board Member Descamps made a motion to reschedule the item to April 9, 2014. Board Member Becher supported the motion. A voice vote was taken on the motion and carried (7-0).

12. PUBLIC HEARING	APPLICANT: T. G. Warren
REPRESENTATIVE:	Mr. Michael E. Tobin, President
COMMON DESCRIPTION:	26160 Regency Club Drive
LEGAL DESCRIPTION:	13-24-276-022, 030 & 031
ZONE:	R-3

VARIANCES REQUESTED: Permission to:

1. Construct one (1) multi-family apartment building (8units with no basements) in an existing apartment complex.
2. Construct one (1) multi-family building on a lot at 25.04 acres; less than 40.39 acres required.
3. To waive nine (9) required off-street parking spaces in conjunction with this development.
4. Construct a building to no less than 21 ft. of the south (front) property line as per the plan.

ORDINANCES and REQUIREMENTS:

Section 10.03 Lot Area: Every lot in an R-3 district on which a multiple family dwelling is to be erected shall provide a minimum lot area of seventy-two hundred (7,200) square feet for the first living unit or not less than four thousand (4,000) square feet of lot area for each additional efficiency unit or dwelling unit with one (1) or two (2) bedrooms.....

Article 4 – General Provisions, Section 4.26, Schedule “A”: Every principle building within a multiple-family development shall be provided with a full basement as defined in Section 2.02.

Section 4.32 Paragraph (h) Item (22): Multiple dwellings & efficiency apartments. Two (2) parking spaces per dwelling unit. Where community or recreation type building has been included within the site plan there shall be provided one off-street parking space for each fifty (50) square feet of floor area for said building.

Section 10.04 Front Yard: Each lot in R-3 Districts shall have a front yard of not less than twenty-five (25) feet in depth for a one (1) story building plus ten (10) feet for each additional story or portion thereof.

Item was rescheduled to the April 9, 2014 meeting at the beginning of the meeting.

13. PUBLIC HEARING **APPLICANT: Hungry Howies**
REPRESENTATIVE: Marygrove Awning/Mr. Robert Leger
COMMON DESCRIPTION: 29142 Hoover
LEGAL DESCRIPTION: 13-11-352-002
ZONE: C-1 & P

VARIANCES REQUESTED: Permission to:

Install an awning sign as follows: 3ft-.5 inches x 17 ft. = 58 sq. ft.

ORDINANCES and REQUIREMENTS:

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

Robert Leger, 29142 Hoover with Hungry Howies appeared before the board and stated the variance was being requested to change the building sign from 40 square feet to 58 square feet. Without an increase in the logo sign it would bring an undue hardship on the business. The current size poses a lack of identification for the business. There is a newly designed corporate logo that is mandated for the business. This sign would not be a detriment to the area and he feels this is helping to clean up the center.

Chairwoman Furgal stated this was public hearing and asked if there was anyone in the audience that would like to comment on the item. Seeing and hearing none she turned the matter over to the board.

Board Member Nestorowicz stated the new sign was a great improvement over the old one and asked if all the Hungry Howies were changing to the new signs.

Robert Leger stated if they have an awning then they would change to this logo but if they have it on a raceway there was different set up.

Motion:

Board Member Nestorowicz made the motion to approve the petitioners request as listed.

Reason being lack of identification and not a detriment to the area.

Board Member Watripont supported that motion.

Roll Call:

A roll call was taken on the motion and the motion carried (7-0).

Chairwoman Furgal stated she had gone to school with Dr. Labelle.

Amanda Yousif stated his daughters are hygienist there now but the sign that she was asking for was to update his sign from many years ago and remove his name as well.

Chairwoman Furgal asked if she had anything to do with the mega LED technology that was located next door.

Amanda Yousif answered no, not at all.

Chairwoman Furgal stated she was supposed to have 40 square feet and she was asking for 69 square feet.

Amanda Yousif stated that was correct.

Lynne Martin stated yes, it was two spaces for one business.

Chairwoman Furgal stated she was familiar with the location. Lynne Martin went to school with Dr. Labelle also.

Motion:

Board Member Descamps made the motion to approve the petitioners request as listed and stated that since was now going to be LED it was not to have any scrolling or flashing on it.

Reason being lack of identification and needs approval of the board.

Board Member Brasza supported that motion with discussion.

Board Member Brasza stated he would like the motion to also add that the sign could only be refreshed every five minutes.

Board Member Descamps agreed to the change of text to be not more than once every five minutes.

Board Member Watriont stated he would like to know what was planned to be on the LED message board.

Amanda Yousif stated her name and the new office name. She also wanted to showcase different specials every season. For example right now was the whitening season and she would probably put something about a special on whitening. She did not want to put a lot of words. Free consultations, a website and her number, marketing things like that.

Roll Call:

A roll call was taken on the motion and the motion carried (7-0).

Board Member Descamps	Yes for the reasons stated in the motion.
Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Watripont	Yes for the reasons stated in the motion.
Board Member Nestorowicz	Yes for the reasons stated in the motion.
Board Member Bieber	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

The petition has been granted.

15. PUBLIC HEARING	APPLICANT: Hoover Safe Storage LLC
REPRESENTATIVE:	Mr. Charles H. Earl Jr., Attorney
COMMON DESCRIPTION:	21900 Hoover Road
LEGAL DESCRIPTION:	13-35-151-005
ZONE:	M-3

VARIANCES REQUESTED: Permission to:

1. Continue a building to no less than 15.75 ft. of the Hoover (front) property line and 38.56 feet of the North property line as per the plan.
2. Continue the existing hard surface parking lot to no less than 4 feet of the Hoover (front) property line with a 4 foot planted green space as per the plan and waive depressed parking requirement.
3. Continue 6 ft. chain link fence along the front property line on Nagel and the north and south property lines in the front setback, as per the plan; continue chain link fence by parking lot, in front setback along Hoover; and replace the wooden fence to south property line and along west Hoover property line with a 6 ft. chain link fence as per the plan.
4. Continue the building along the north property line in rear to no less than 11.63 ft. of the north property line as per the plan.
5. Allow parking and outdoor storage of tree trimming trucks and equipment along the tree trimming and mulch until recycled, on unpaved surface, in the front setback on Nagel, as per the plan.
6. Allow outside storage of over the road tractors and trailers to within 4 ft. of Hoover (front) property line with a 4 ft. planted green space and to the front property line on Nagel on unpaved surface as per the plan.
7. Waive 56,337 sq. ft. of hard surface off street parking area as per the plan.

ORDINANCES and REQUIREMENTS:

Section 17.02 Paragraph (a): Industrial standards. Front yards M-3 150 ft. (3) In an M-3 and M-4 zones, front yards may be utilized for parking or vehicles, provided that the front fifty (50) feet of a lot or tract in an M-3 district and the front seventy-five (75) feet in an M-4 district shall be landscaped and the balance shall be depressed

at least two (2) feet so as to have all parked vehicles therein, completely out of sight or view of the road way.

Section 17.02 Paragraph (b): Side yards and rear yards. M-3, 60 feet each.

Section 17.02 Paragraph (c) Greenbelt. Along all zoning district boundary lines which border on a more restrictive zoning district. Along all street property lines but may be omitted along the front yard when the front yard is landscaped.

Section 4.17 Paragraph (a): Non-conforming Use-Continuance. Any lawful non-conforming use consisting of a building or land usage existing at the time of the effective date of this Ordinance may be continued, except as herein prohibited or restricted, provided that the building or use thereof shall not be structurally changed, altered or enlarged, unless such altered or enlarged building or use shall conform to the provisions of this Ordinance for the district in which it is located.

Section 4.32 Paragraph (h) Item 23: One (1) square foot of parking area required for each square foot of floor area for buildings in an M-2 District.

Section 4D.07 Setback required: Walls, fences and landscape screen shall conform to the setback requirements for the zoning district, unless otherwise provided in this article.

Charles Earl, Attorney at Law, 31851 Mound Road, Warren appeared before the board and he represents the petitioner Bob Sheldon. The property was on the east side of Hoover Road about 8 and half Mile Road and was located on a 17 acre parcel that was zoned M-3 one of the most intense industrial zonings the City has. It used to be a Chrysler Truck Plant that Dibco Milk trucks were made at. He thinks the building goes back into the late 30's early 40's when that occurred. Chrysler actually operated out of the facility until 1976. The petitioner was here to repurpose a very nice but old industrial site. One of the hardships was that it actually has two front yards. In the 1990's he believes that Nagel Street was improved and now according to the City's Zoning Ordinances there are two front yards and each of those require 150 foot setback and that equals 300 feet, 150 on each end, east and west. The perspective occupant here was Midwest Freight Systems and they are in the expedited, on time trucking business delivering auto parts. They have about 150 semi-trailers and about 80 tractors and they drive to Texas, St. Louis, Louisville and Indianapolis among other places. There are about 100 employees, 80 are drivers and about 10 are mechanics and the remaining are office staff. They intend to use about 3,500 square feet of office space and about 25,000 square feet for industrial space. The variances requested, the first four each start with the word continue and what they were trying to accomplish was to legitimize under the current zoning ordinances what everyone could see out there. The industrial office on the west side of the building was built within 15 feet of the property line as it sits. On the north side it was built within 11 feet and the chain link fence was surrounding the property and the hard surfacing parking for vehicles was also in existence. They were asking to be allowed to continue what could be seen out there. Variances 5 and 6 relate to storage and the storage was a permitted use in an M-3 zone except there were two set-backs that needed to be dealt with. Last but not least there was the 7th variance request for parking which was being proposed to have 134,000 square feet of off-street vehicle parking that is paved and asking that the semi-tractors and semi-trailers that are on site can come and go and can rest on hard gravel surface not asphalt or cement and he thinks this is appropriate. He thinks if there happens to be a fluid leakage it would

be easier to clean up off a gravel surface it does not flow directly into the storm sewer and he thinks that modern thinking was that a porous surface eliminates some storm water run-off by absorbing rain water and he thinks there is an evaporation factor that does not occur on hard-surface and does not occur on asphalt or concrete and this reduces the storm water run-off. This was all graded and will continue to be graded in accordance with engineering standards to keep rain water and storm water on site. All the passage ways whether trucks or passenger vehicles out to the road ways are all paved so there would not be gravel and other debris following along out to the curb cut. The hardship was the size and shape of the property with the required setbacks on two fronts and the practical difficulty of hard surfacing in an area that was not really necessary because the public does not go there. Lastly, it was not a detriment to adjoining property owners. This plan has been approved by the Planning Commission and the variances requested have been discussed. The Planning staff recommended that the site be approved and that was done in contemplation of the Zoning Boards approval.

Chairwoman Furgal stated this was public hearing and asked if there was anyone in the audience that would like to comment on the item. Seeing and hearing none she turned the matter over to the board.

Board Member Becher stated she was over at the site and there was a lot of activity going on there. There was landscaping and tree trimming business that had all the vehicles parked in the back and they were working on chipping up the mulch. What she noticed was that there was some barbed-wire here and there in the front on the parking area and she wondered if they were going to be taken down once the fences were taken down and fixed up?

Charles Earl stated yes and that had been recommended by the Planning staff and what was on the plan that was approved and all the barbed-wire and all the arms or extensions that hold the barbed-wire would be taken down.

Board Member Becher stated she thought it was good that they were using the older buildings and bringing up the systems. She also noticed a landscaping business that was as big as the one that was in there, they usually end up improving the property just by the nature of the business. She really liked the one driveway when she was pulling out of it that said is your boom down. She thinks this was worthwhile and a good project.

Board Member Nestorowicz asked if there was just one business operator or two. He saw the tractor trailers and the mulch and stuff like that and he was wondering if it was all the same business.

Charles Earl stated it was not. Davy Tree was the DTE contractor for the east side occupies as a tenant and want to occupy as a tenant the middle space on the east side of the building. You can see on the plan where it is drawn in as landscaping material containers where the mulch or shredding is kept until it was hauled away to recycle. The intention was to have the tractor trailer around the perimeter and Davy Tree continues in the area to the east of the building.

Board Member Nestorowicz asked when talking about outdoor storage and there was a large area of outdoor storage, on the drawing you can see where the trucks would be and the trailers but shouldn't there be talk about how many trucks or how many trailers otherwise the entire area could be used for the storage of trucks in the future?

Charles Earl stated he was committed to comply with the plan as approved by the Planning Commission and the trucks would need maneuvering areas to get in and out. The drivers are professionals that are able to get the trucks backed in to compact spaces and make it orderly. The trucks are not stored there waiting to be sold or waiting for repair or auction. These trucks are on the road on a regular basis and are in and out of there on a daily basis. Upon driving by one would think the trucks are there most the time but the money is made when the trucks leave and get out on the road. The plan was to comply with the plan as the board sees it.

Chairwoman Furgal asked if the two buildings near Nagel Street on the northeast area, was that where the truck repair was going to take place.

Charles Earl said no, the truck repair was going to take place in the 25,000 square foot principle building.

Chairwoman Furgal stated the rest was the Hoover Safe Storage.

Charles Earl stated the rest was Hoover Safe Storage. Real Estate 1 rents space from them to store excess office furniture. U.S. Equipment stores machinery inside that is waiting for sale. He asked if he had answered Board Member Nestorowicz's question about the maneuvering and the trucks.

Motion:

Board Member Brasza made the motion to approve the petitioners request as stated in the application. He thinks it was a good use of the property and it was not a detriment to the area and needs approval of the board and size and shape of the lot. This was a pre-existing building, it was not like they could move it. He also conditioned the approval that all barbed-wire and the arms that support the barbed-wire be removed.

Reason being Size and shape of the lot, the practical difficulty of the size of the property and the two front yards, not a detriment to the area.

Board Member Descamps supported that motion.

Roll Call:

A roll call was taken on the motion and the motion carried (7-0).

Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Descamps	Yes for the reasons stated in the motion.

Board Member Nestorowicz	Yes for the reasons stated in the motion.
Board Member Bieber	Yes for the reasons stated in the motion.
Board Member Watripont	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

The petition has been granted with the condition that all barbed-wire and supporting arms be removed.

15a. PUBLIC HEARING
Formerly Item #6
REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

APPLICANT: Dr. Salim Meram M.D.
(Rescheduled from 2/12/14)
Same
28673 Hoover
13-15-229-043
C-1

VARIANCES REQUESTED: Permission to:

To waive twenty-three (23) required parking spaces for a Medical Office as per the plan.

ORDINANCES and REQUIREMENTS:

Section 4.32 Paragraph (h) Item 18: Required Off-street Parking. Medical and Dental Clinics – One (1) parking space for each one hundred (100) square feet of usable floor area and one (1) parking space for each examining room, dental chair or similar use area. In no event shall there be less than three (3) spaces per doctor plus one (1) space for each two (2) employees.

No one appeared.

Board Member Becher asked if correspondence had been sent to them when they did not attend last month.

The recording secretary stated that a letter had been sent for the rescheduled meeting time and that the petitioner had called the office and corrected the address of where to send notices to. At that time was also informed of the new meeting date and time.

Motion:

Board Member Descamps made a motion to reschedule the item to April 9, 2014. Board Member Becher supported the motion. A voice vote was taken on the motion and carried (7-0).

16. NEW BUSINESS

Chairwoman Furgal stated she would not be present at the April 9, 2014 meeting.

17. ADJOURNMENT

Motion:

Board Member Descamps made the motion to adjourn and the motion was supported by Board Member Bieber. A voice vote was taken on the motion and all "Ayes" were recorded. The motion carried (7-0).

The meeting adjourned at 8:47 p. m.

Caren M. Burdi
Secretary of the Board

APPROVED