

WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
April 9, 2014

A Regular Meeting of the Warren Zoning Board of Appeals was called for Wednesday, April 9, 2014 at 7:30 p.m. in the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

Members of the Board present:

Jean Becher, Assistant Secretary
Caren M. Burdi, Secretary
Henry Brasza
Jules Descamps, Jr.
Roman Nestorowicz
Ann Pauta
Steve Watripont, Vice Chairman

Members of the Board absent:

Judy Furgal, Chairwoman
Walter Bieber

Also present:

Roxanne Canestrelli, City Attorney
Everett Murphy, Zoning Inspector

1. CALL TO ORDER

Vice Chairman Watripont called the meeting to order at 7:34 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chairwoman Furgal and Board Member Bieber were absent.

Motion:

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

4. ADOPTION OF THE AGENDA

Secretary Burdi made the following changes to the agenda. Item #8 needed to be rescheduled due to an issue with the application. Reschedule to May 28, 2014 and Lamar Advertising is remand from the Circuit Court and requires a full Board.

That will be adjourned to May 14, 2014. Secretary Burdi made the motion to approve the agenda with the stated changes. The motion was supported by Board Member Becher. The motion carried (7-0).

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

Motion:

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

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

No one appeared on this item.

Secretary Burdi stated the petitioner has not appeared one time on this item and letters have been sent stating that their item would be removed from the agenda if they failed to appear.

Motion:

Secretary Burdi made a motion to reschedule the item to item 14a on the agenda and Board Member Descamps supported the motion. The Motion carried (7-0).

7. PUBLIC HEARING **APPLICANT: Produce Palace International**
REPRESENTATIVE: Mr. Samuel Katz or Sharon Hope Katz, Owner
COMMON DESCRIPTION: 29200-2900 Dequindre
LEGAL DESCRIPTION: 13-07-351-002
ZONE: C-1

VARIANCES REQUESTED: Permission to:

1. Conduct a Seasonal Outdoor sales operation in front of the store from April 1, 2014 thru December 31, 2014.
2. To continue the variance waiving seventy-two (72) parking spaces granted April 24, 1996, and the thirty-six (36) waived on June 14, 1995, for a total of one hundred eleven (111) spaces in order to operate the outdoor sales.
3. Allow festoons from 5 light poles to top of building as per the plans.

Sharon Hope Katz appeared before the board. As owner of Produce Palace she was here to request the variance to conduct business from April through December 31,

2014. In addition they were requesting to put outdoor sales in front of the property on the sidewalks that was directly attached to the building and a request for the festoons on five light poles attached to the building itself. She was unaware that festoons could not be put up without permission but in putting them up she felt the board should know the positive effect was keeping the pigeons away. They have been fighting pigeons for twenty years and droppings on the cement and droppings on the building creating a very unsanitary situation. The festoons have kept the pigeons away unlike the plastic owls they had put up. This was a non-threatening way of dealing with pigeons because they do not like the sounds and movements of the festoons. As soon as the festoons were taken away the pigeons returned.

Vice Chairman Watripont stated this was a public hearing and asked for anyone that would like to speak on this item. Seeing and hearing none he closed the public hearing and turned the matter over to the board.

Secretary Burdi made a motion to reschedule the item. There was a letter from the Planning Department that stated back in 2011 the Zoning Board of Appeals had asked this petitioner to go to the Planning Department because plans were not in conformity with planning. There was some canopies that had been added without permission and the Planning Director has stated that he would not sign any permits. She thinks this item should be rescheduled and the petitioner should run to Planning to comply with the planning requirements and then return to the Zoning Board of Appeals. She would be happy to put the petitioner on the agenda with the first notice that she receives that things are ready to go. At this point the Planning Director does not feel that the petitioner will because the board keeps granting it and telling the petitioner to go to planning and they never do.

Sharon Hope Katz stated she has never had that come to her. There has never ever been anything that the company has not complied with.

Secretary Burdi stated it is documented in the minutes of the meeting from 2011 where she was asked to go to the Planning Department because the site plan approval has not been granted for what they were doing with the outdoor sales.

Sharon Hope Katz stated she has never been told that at all. They have always brought in the site plans.

Secretary Burdi stated remember there are two places that she would have to go. Planning and then come to the Zoning Board of Appeals. Come to the ZBA just for variances but go to Planning for approval of the plans. The Zoning Board of Appeals does not approve site plans, this board only handles variances. What has happened was that ZBA keeps granting variances and Produce Palace keeps getting through the system. What Mr. Wuerth of the Planning Department was saying was even if the ZBA granted the variance he was not going to sign it, she would not get her permit. It was the idea that the petitioner needed to get to the Planning Department right away.

Sharon Hope Katz stated this was the first that she has heard of this. She has been to the meetings practically every year and she has never been faced with this or notified of this or she would have taken care of it at her other meetings. There has never been a time that it has been presented to her or her secretaries or her managers because it has never been brought to her attention. She has no idea where this was coming from and hopes it was not someone else because she does not understand what has happened here.

Secretary Burdi stated it was coming from the Planning Department and it was published in the minutes from 2011 meaning it was discussed with her directly.

Sharon Hope Katz stated that it has never been discussed with her.

Secretary Burdi stated the bottom line was that it is not the Cities responsibility to keep after her to do what she was supposed to do. Even if this was granted tonight the Planning Director will not sign the permits. She would not get a permit to do the outdoor sales even if the ZBA granted the variances tonight because she does not have site plan approval. If she gets to Planning and complies with the Planning process and as soon as that was complete she would be sure to be placed on the next ZBA agenda.

Sharon Hope Katz stated she understand and appreciates what was being said to her but if she does not and cannot get this complete in time for Mother's Day with her plants and other issues to get the store up and running and bring in business she would not be able to stay in business.

Secretary Burdi stated in all the years she has been on the board they have begged her to come earlier and earlier and earlier and she does not apply early ever. The requests have been made repeatedly for her to apply in January.

Sharon Hope Katz stated her manager had applied to the city in December because she made sure he was in there and complying with all the rules and regulations and she knows that he came early. He has always complied and they have made it an issue to get in before December.

Vice Chairman Watripont stated the application was filed at the end of January and the item had been scheduled for a previous meeting and no one appeared.

Sharon Hope Katz stated the last meeting that the ZBA had she had called in because she was completely iced up and there was no way for her to drive from the area she was in to come to the meeting.

Vice Chairman Watripont stated it was not in December as the records have indicated here, it was the end of January and if it were December it would have been probably the month earlier and would have had time to go through this process.

Secretary Burdi asked what day was Mother's day.

Sharon Hope Katz stated somewhere around May the 15th.

Vice Chairman Watripont stated May 11th.

General discussion took place about the next meeting date.

Sharon Hope Katz stated that she was going to bring in checks and show by virtual presentation that she did comply.

Secretary Burdi stated that no matter when she had applied she had been placed on the agenda and she did not get here. Anyway this was sliced she could not make other departments sign the permit when she was not in compliance. She was doing her best to try and help her.

Sharon Hope Katz stated she was unaware of all this and that was the thing. She would never walk away from any responsibility to the store what so ever. She has no idea how this slipped through the cracks and come to this because it has never been discussed with her and she has been at every single meeting except for this last one that she could not get out of the driveway it was completely snowed in.

Secretary Burdi stated there are concerns with the awnings.

Sharon Hope Katz stated she had no awnings.

Secretary Burdi stated yes the canopy in the front.

Board Member Becher stated they never got a building permit for the canopy.

Sharon Hope Katz stated that has been there since 1986. How is it that is just coming up now, it is shocking to her and it does not make sense and she was not understanding here on what has happened. She would handle things immediately, any inspector that comes in, and the next day everything is taken care of. There has never been any indication by letter or understanding with her managers and herself and everyone calling there has never been any indication of that. This is like something that just popped up out of nowhere.

Secretary Burdi stated no it was not, it was discussed at the meeting and it is in the minutes.

Board Member Becher stated the meeting of April 13, 2011.

Sharon Hope Katz stated that April 13, 2011 she believed her husband was hospitalized at that time with a heart attack and she thinks she sent someone else to the meeting.

Secretary Burdi stated no, you attended the meeting late.

Sharon Hope Katz stated she knew it was a long time ago and it was never discussed. She would never deliberately not do something.

Secretary Burdi stated the board did not have the power to give her what she needed because of no site plan approval. She did not know what more to do to help her other than to get her over to the Planning Department. What she could do would be reschedule this item to the next meeting, April 23, 2014 and tomorrow at 9:00am be at the Planning Department counter and ask to speak with Mr. Wuerth. Work with him to try and get through Planning and let him know the reschedule with us is April 23, 2014 and that was the last meeting before Mother's Day.

Sharon Hope Katz stated she appreciates this and wanted the board to know it was not something willfully or knowledge. She was not aware that there was this kind of a problem ever it was just. She was really amazed by it because the store has been open since 1985 and without compliance one would think there would have been a letter or something indicating that there was a problem.

Motion:

Secretary Burdi made a motion to reschedule the item to April 23, 2014 and Board Member Descamps supported the motion. The motion carried (7-0).

8. PUBLIC HEARING

APPLICANT: Sadier Abro

(Rescheduled from 3/12/14)

REPRESENTATIVE: Michael Zacks/Bright Star Signs/Sadier Abro
COMMON DESCRIPTION: 7221-7255 Nine Mile
LEGAL DESCRIPTION: 13-28-480-021
ZONE: C-2

VARIANCES REQUESTED: Permission to install a ground sign with an LED message center as per the plan. The sign complies with the Sign Ordinance for size, setback and under clearance. 5 ft. x 10 ft. = 50 sq. ft. tenant spaces, 3 ft. x 8 ft. = 24 sq. ft. LED reader board (74 sq. ft. total), 20 ft. in height, 12 ft. under clearance with 20 ft. setback from Nine 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.

This item was rescheduled at the adoption of the agenda.

9. PUBLIC HEARING

APPLICANT: T.G. Warren

(Rescheduled from 3/12/14)

REPRESENTATIVE: Mr. Michael E. Tobin, Pres.
COMMON DESCRIPTION: 26160 Regency Club Drive
LEGAL DESCRIPTION: 13-24-276-022, 030 & 031
ZONE: R-3

VARIANCES REQUESTED: Permission to:

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

Michael Tobin, 31500 West 10 Mile Farmington Hills, MI appeared before the board and stated he was the president of T.G. Warren and the owner of Regency Club Apartments. He has received site plan approval for 46 units that would be townhouses consistent with the rest of the development. There are no basements. Nine parking spaces are a tie in of the entire site to include all the existing units and that was the only parking variance he needed. The 21' foot was consistent with the other building that exists and he was just trying to keep the line.

Vice Chairman Watripont stated this was a public hearing and asked for anyone that would like to speak on this item. Seeing and hearing none he closed the public hearing and turned the matter over to the board.

Board Member Becher stated she had been over to look at the site and it was too congested now as it was and the fact that the units were being built without basements, people would not have storage and it was like putting an elephant in a shoe box and she was not in favor of this. She thinks it was a detriment to the area, putting too much on the property and that just her personal opinion.

Secretary Burdi stated she agreed with Board Member Becher. Looking at four variances and these buildings were built back in 1988 and at that time this building was not approved because of wanting to deal with density. They were given a gift of no basements if you asked her. The acreage required, 25.04 was a big difference from 40.39 required and to waive the 9 required off-street parking spaces. It was an eight unit building and to waive the nine spaces it was already congested over there. She feels she has not heard a hardship yet and she would ask the petitioner what his hardship was.

Michael Tobin stated the size and shape of the lot. He only had the area and that was all he had left. He tried to buy more land and more backyards but the owners were not interested in selling. The two lots he was talking about were rental properties. This phase would be the third phase. The second phase was built in the early 2000's. Originally he came in when Mesh Myer was building the condos and he bought the two buildings and then redid the property and built apartments. The second phase he built the villa's right along which are stacked ranches so either on a first floor or on a second floor. The third phase was taking the tennis courts out and built a building with eight unit's right behind the club house and this would be the fourth phase and these would be townhouses that have storage in the units.

Martin and Victoria Foster appeared before the board and stated they were requesting to build a second garage for the storage of lawn equipment and store a recreational vehicle they were currently paying storage fees for in a storage lot. They own a very large lot on the southwest of the corner of the property and want to build a garage there large enough to house a fifth wheel camper and all of the lawn equipment.

Vice Chairman Watripont stated this was a public hearing and asked for anyone that would like to speak on this item.

Roger Roy, 2579 Irma Street appeared before the board and stated he had previously sent a letter stating there were no objections to this garage being put up and he wanted to come here in person and let the board know he lives in the neighborhood and have no objections to this.

Vice Chairman Watripont asked if there was anyone else from audience. Seeing and hearing none he closed the public hearing and turned the item over to the board.

Secretary Burdi stated there were two letter and one from Mr. Roy but since he was present to speak she would not read his into the record.

Secretary Burdi continued with the first letter that stated. To the Zoning Board of Appeals there was no objection to the construction of a second garage, however there are a few questions. Will the structure have an underground electrical supply for lights and outlet's? For example an outlet so the Foster's can charge the batteries on their travel trailer. #2 Will there be a driveway leading to the structure leading from the existing driveway on the west side of the property. For example a driveway that can be cleared of snow in the winter so the snowmobile trailer can be stored in the garage. #3 Will the Foster's be required by the City to keep the trailers in the structure rather than parking them on the side of the garage. For example in the winter months after using the snowmobile trailer for loading and unloading will the trailer be required to be kept in the second garage if only for a few days until the next use. The same goes for the summer travel trailer after use loading and unloading. Will the Foster's be required to park the trailer in the garage after use? The concern was that the Foster's use the garage for the intended purpose and park the trailers in the garage after each use and not on the side of the current garage. #4 When will construction commence on the garage, he would hope that construction could commence as soon as the Zoning Board of Appeals approves the request and building permits are obtained. We are pleased that the Foster's are building this garage and do hope that they will park the trailers in the new garage after each use. He apologized for not being able to attend the hearing due to a prior commitment and ask that the letter be entered in the public record as part of the hearing. Grainger Goodman.

The second letter states it was in support of Mr. Martin Foster's request to construct a second garage on his property at 2608 Chicago Road. The garage structure would pose no detriment to the use and enjoyment of their property which was immediately adjacent to the rear. The parcel in consideration was a large piece of property that

was well maintained. There are many homes with additional garages in this area. Sharon Easton and Cliff Frost.

Board Member Nestorowicz stated he had one question because he agrees the lot is very large and the garage was not a detriment to the area in his opinion. He was wondering how the petitioner planned to get back to the garage. Would there be a driveway or driving over grass or what was the plan?

Martin Foster stated the plan was to put a driveway from the new garage and connecting to the existing circular drive. Paved driveway that would be plowed to get in and out. The main reason for the garage was for that purpose to store the trailers and use them.

Board Member Brasza stated regarding from one of the neighbors talking about the storage of the trailers and things like that. Was that the intent to keep the trailers inside the garage if it were to be approved?

Martin Foster stated yes and that was the reason for the size that he requested.

Board Member Brasza stated just to be appreciative of the neighbors saying they were ok with it as long as he complies with keeping it out of the line of sight so to speak.

Vice Chairman Watripont asked how tall the garage would be.

Martin Foster stated the door has to be the height of the fifth wheel camper was 12'3" so the door has to be at least a 13 foot door for it to fit in there.

Secretary Burdi asked if they would need a variance for that.

Martin Foster stated yes and he thought it was written in the application for the 12 ft. eaves to accommodate that door.

Secretary Burdi stated that would not be a standard garage and that was not published.

Martin Foster stated it was explained in the paperwork on the application that was filed.

Vice Chairman Watripont stated it was written in properly, it just was not posted properly.

Vice Chairman Watripont had some concerns with the size as well with it being a second garage. He believed that the posting needed to be republished.

Secretary Burdi stated she had a comment on this and she had no problem with a second garage on the lot but she thinks the plan needs to show where the paved driveway would be located because the plan shows it just stuck out there in the mid-

dle of nowhere. The board will allow you to use the survey from your mortgage to save money. The driveway needs to be show because that was what was kept on file and it needs to show that. The second thing was that she was uncomfortable with the vaulted height of it. She was concerned that the people that are in support of it do not know about the height of it. 12 feet to the eaves is pretty tall and in the past there have been situations where garages have been approved and then calls come in because they are so tall. That was a real issue for her. It tends not to fit into the neighborhoods very nicely. Also there are concerns of the use of the garage after they leave and others move in and tend to use it like a business. Almost 1,000 sq. ft. garage with a huge door and commercial businesses start being run out of them. Those are her concerns. As far as rescheduling the item she can reschedule to May 14th.

Victoria Foster stated the actual garage was in the far back lot so there are not any homes surrounding the area that the size of the garage would obstruct anyone's views or be in anyone's bathroom or bedroom window. People may object after they see how big it is and but that is not the case.

Secretary Burdi stated she never commented on blocking or obstructing but what happens when the extra tall garages they do not look like the normal garages and that is building that looks a bit out of place. From experience after approved they get calls saying that was not a garage, it is a warehouse, etc.

Victoria Foster stated she understands what was being said but she believes that the neighbors are aware to some degree what the height would have to be to some degree because of the height of the fifth wheel that is to be stored in it.

Secretary Burdi stated and when they are gone someone else will store commercial equipment in it because it is bigger.

Martin Foster stated he was not planning on moving, this is where they are planning to invest.

Secretary Burdi stated the Board has to look ahead and at some point God forbid you are going to pass, you are not going to be there forever. All she was saying was that it was a concern and it has been a problem in the past. She was just bringing it to his attention that for her the taller eaves are a problem. As far as a second garage she does not have a problem with that.

Martin Foster stated the lot that he was putting the garage on was one foot short of being subdivided and being sold because the variance has to be a 90 foot wide lot. It was one foot short of building a second house on it. It is set far back and it would be hard to see it from the road.

Board Member Descamps stated it needed to be reposted and the neighbors will find out about the extra height on the building and he thinks the board will find out if anyone has an actual objection to that. He also needs the site plan with the driveway shown.

Vice Chairman Watripont stated he could provide them with the mortgage statement with the driveway shown on it real quickly.

Board Member Descamps the new notice will let the neighbors know of the height and he has no problem with it.

Everett Murphy, Zoning Inspector asked since the item would be reposted should the total height of the garage be posted on there?

Secretary Burdi stated yes.

Everett Murphy stated because he was only talking of the two extra feet from the eaves. So he will show it to the peak, the overall height to be shown.

Secretary Burdi stated to be on the May 14th meeting everything would have to be in to the building department by April 21st.

Motion:

Secretary Burdi made the motion to reschedule the item to May 14, 2014. Board Member Pauta supported the motion. The motion carried (7-0).

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| 11. PUBLIC HEARING | APPLICANT: Majed Marogy/Marogi Investment |
| REPRESENTATIVE: | Majed Marogy/Mazin Maroci/Mauer Marogy |
| COMMON DESCRIPTION: | 20787 and 20809 Mound |
| LEGAL DESCRIPTION: | 13-32-483-017 & 016 |
| ZONE: | M-2 |

VARIANCES REQUESTED: Permission to:

Operate a used car lot on a lot less than 25,000 sq. ft. as per plan. 2. Install on the north property line an eight (8) ft. high fence to no less than eight (8) feet of the Mound property line and a wrought iron fence along the front property line of Mound as per the plans. 3. Allow hard surfacing to no less than eight (8) feet of the Mound property line for the display of used cars and employee parking spaces as per the plan. 4. Allow an eight (8) feet and six (6) foot greenbelt along the Mound Road property line as per the plan. 5. Continue an existing building to no less than six (6) feet of the Mound Road property line as per the plan. 6. Operate a used car lot to no less than 235 feet of the Albany property line as per the plan. 7. Operate a used car lot to no less than 180 feet from the property line of an R-1-P Zone on Albany. 8. Construct a pylon sign as follows: twenty (20) feet in over all height, ten (10) foot under clearance; 7ft 6 inches x 10 feet = 75 sq. ft. to no less than six (6) feet of the Mound property line per plan. With a 3 ft. 9 inch x 7 ft. 6 inch LED message center.

Scott Wicks from Sitto Industries appeared before the board and stated he was handling the sign portion of this but there were a host of other items prior to that and he did not see anyone here for that. He confirmed with John Bingham late last week that this item was on the schedule as far as he knew he was going to be here.

Vice Chairman Watriont stated it would be best to reschedule this item to 14b since there was confirmation by the gentlemen here tonight, to wait and see to make sure if anyone else shows up.

Motion:

Board Member Brasza made the motion to reschedule this item to 14b and the motion was supported by Board Member Becher. The motion carried (7-0).

12. PUBLIC HEARING **APPLICANT: Zahler Enterprises**

REPRESENTATIVE: Mr. Robert J. Tobin
COMMON DESCRIPTION: 3519-3461 Ten Mile
LEGAL DESCRIPTION: 13-19-477-028
ZONE: M-2

VARIANCES REQUESTED: Permission to:

Waive 10, 540 sq. ft. for 3461 Ten Mile.

Secretary Burdi stated it does not say 10,540 sq. ft. of what was being waived. Parking was obviously the request but that was not sufficient notice.

Roxanne Canestrelli, City Attorney stated it does not clearly state what was being waived.

Secretary Burdi clarified the issue to Mr. Tobin.

Motion:

Secretary Burdi made the motion to reschedule the item to May 14, 2014 and the motion was supported by Board Member Nestorowicz. The motion carried (7-0).

13. PUBLIC HEARING **APPLICANT: Mark's One Collision & Rental Cars**

REPRESENTATIVE: Maher Waad/Global Signs & Awning/Ayad Sitto
COMMON DESCRIPTION: 2323 Eight Mile
LEGAL DESCRIPTION: 13-31-355-026
ZONE: M-2

VARIANCES REQUESTED: Permission to:

Retain awning signs as follows:

1. One (1) 50.5" x 24" = 8.42 sq. ft. as per the plan
2. One (1) 37.6" x 16.6" = 4.32 sq. ft. as per the plan
One (1) 51.4" x 24" = 8.56sq. ft. as per the plan
3. One (1) 60.3" x 17" = 7.13 sq. ft. as per the plan
4. One (1) 60.3" x 27" = 11.59 sq. ft. as per the plan
5. One (1) 37.6" x 16.6" = 4.32 sq. ft. as per the plan
One (1) 56.8" x 24.8" = 9.79 sq. ft. as per the plan
6. One (1) 50.5" x 25" = 8.76 sq. ft. as per the plan
One (1) 51" x 32" = 11.35 sq. ft. as per the plan

Total 74.24 sq. ft. of awning signage.

In addition to previous variances for two wall signs

Ayad Sitto from Global Signs and Awnings appeared before the board 2907 Dequindre Hazel Park, MI. The reason for the awning issue was lack of identification. The awnings existed on the building when he purchased it and they were taken down and replaced to make it look better. At that time it was too cold and he was told that he needed a permit and variance.

Vice Chairman Watripont stated this was a public hearing and asked for anyone that would like to speak on this item. Seeing and hearing none he closed the public hearing and turned the matter over to the board.

Board Member Pauta asked if the petitioner was ever approved to have a car rental at this location. The collision shop was granted in 1996 but there was no permission for car rental.

Everett Murphy stated they had a certificate of compliance for the rental company.

Board Member Descamps stated on the front of the building it says Mark's One car Rental on top according to one of the rendering he was given.

Ayad Sitto stated yes.

Board Member Descamps stated that on the side it says Mark's One Car Rental and that was not the picture he was looking at. The color one does not show on the front that it says Mark's One Car Rental. There was already one big sign in the front and another on the side for identification.

Ayad Sitto stated it was signage on the awnings at one time and when he took them down because the blight of them, he recovered the frame work. At that time it was too cold to take and do anything with it.

Board Member Descamps stated so the signs are already on the awnings and they have been put back up.

Ayad Sitto said no, the signs are not on the awnings.

Board Member Descamps stated he knew it was on 8 Mile Road but he could not justify it because it was too busy. There are limits to the amount of signage and it does not bring in business. There are two big signs on the building already which the more writing that is placed on a building the busier it gets and people do not respond to it and that was his opinion.

Secretary Burdi stated she was in agreement with Board Member Descamps because when talking about signage and needing identification, Mr. Descamps was very clear to point out that on every side of the building that faces traffic a clear message that this was a car rental place. Comments like "we treat you like family" that was not for identification purposes. Same holds true for insurance replacement vehicles. None of the items listed are really dealing with identification of the busi-

ness. Mr. Descamps makes a very good point. The more clutter that was put on the building the less likely they are to see that it says Mark's One Car Rental.

Board Member Descamps stated he thought the awnings made the building look attractive but too much writing on them detours from that. That was his opinion.

Ayad Sitto asked if it would be ok to place the address on one awning on the outside. If could not get the rest of it, then the address would be nice.

Secretary Burdi stated for the address to go on the awning it would need a variance because normally it would have to be put on the building. They still need to put it on the building. She asked Everett Murphy if a variance was needed to grant the address being put on the awning.

Everett Murphy stated he did not think so.

Secretary Burdi stated the board would not grant a variance for that but she believed that he would be fine if he put the address on one awning.

Ayad Sitto said since he was here he figured he would get the most out of it.

Secretary Burdi stated what would make the most sense was on the side of the building where the cars were coming through, to put the address on the first awning there because people are passing it when they would normally see the address. To her that would help a lot. On the front of the building just put it on the front of the building in compliance with the building department because no one really looks for the address there.

Board Member Brasza agreed with his colleagues that it was a lot of signage. He thinks having all the awnings was a little bit too much. Given where it was at he could see the one that says open 24 hours as being the only one he was willing to compromise on. People do not normally have 24 hour businesses in that location and he could see that as being something that differentiates him from other companies. Address and hours of operation were standard things that he would be ok with.

Secretary Burdi stated she was not against granting the 24 hours as Mr. Brasza points out that could be useful for people to know that. That would be the only one she thought he would need the variance for.

Board Member Descamps stated the board would then have to decide which awning they were going to place that on and can the board actually tell them what they can put on it? If the board grants the one sign they can write anything they want all they were asking for was approval of the signage.

Secretary Burdi stated she believed they were allowed to limit it to the hours.

Roxanne Canestrelli stated the hours were correct.

Vice Chairman Watripont asked if that meant address too.

Secretary Burdi stated they do not need a variance for the address. Why grant a variance if you do not have to on a property.

Board Member Descamps asked if the board was then looking at sign #2, awning #2.

Secretary Burdi asked if they wanted the 24 hours on the front of the building or the side of the building.

Ayad Sitto said he would take the recommendation of the board. #1 or #2 whichever the board thought would look the best, he wants to make it look nice.

Secretary Burdi stated the board wanted to know if he wanted it on the front or on the side and if they were asking for an opinion she thought people would read it on the side. It would be difficult to read as people were driving by at 50 mph on the front.

Board Member Brasza asked which one of the awnings would it be placed on.

Board Member Descamps stated the board was approving the square footage and he could put in anyone that he wants. The board was only going to allow him one signage so they needed to pick the dimensions of which one.

Motion:

Secretary Burdi made the motion to approve the petitioners request for one awning sign that was 37.6" x 16.6" = 4.32 square feet that he may put on the front of the building or the side of his building but it was restricted to hours of operation only. The board was stating on the record that he did not need a variance to put his address on one of the awnings.

The reasons being, lack of identification, needs approval of the board.

Board Member Becher supported the motion. The motion carried (6-1).

Roll Call:

Secretary Burdi	Yes for reasons stated in the motion.
Board Member Becher	Yes for reasons stated in the motion.
Board Member Pauta	No because this was originally approved as a collision shop and not car rental and she does not want it to escalate to a used car lot.
Board Member Descamps	Yes for reasons stated in the motion.
Board Member Nestorowicz	Yes for reasons stated in the motion.
Board Member Brasza	Yes for reasons stated in the motion.
Vice Chairman Watripont	Yes for reasons stated in the motion.

14. PUBLIC HEARING
REPRESENTATIVE:

APPLICANT: Lamar Advertising Company-USE-
Robert P. Zuver

property line as per the plan. 5. Continue an existing building to no less than six (6) feet of the Mound Road property line as per the plan. 6. Operate a used car lot to no less than 235 feet of the Albany property line as per the plan. 7. Operate a used car lot to no less than 180 feet from the property line of an R-1-P Zone on Albany. 8. Construct a pylon sign as follows: twenty (20) feet in overall height, ten (10) foot under clearance; 7ft 6 inches x 10 feet = 75 sq. ft. to no less than six (6) feet of the Mound property line per plan. With a 3 ft. 9 inch x 7 ft. 6 inch LED message center.

Scott Wicks from Sitto Industries appeared before the board again and stated he spoke to one of the representatives from Marogi Investment and there was some confusion from the Planning Commission meeting they attended on Monday. He does not fully understand why as of yet. He was not sure what was happening there but he would like to have it rescheduled to the next meeting.

Secretary Burdi stated that would not be possible because of the number of people that are waiting to go on. The next meeting would be May 14, 2014.

Motion:

Secretary Burdi made the motion to reschedule to May 14, 2014.

After discussion about the agenda line up, Secretary Burdi withdrew her motion for rescheduling to May 14, 2014 and stated there was an opening on April 23, 2014.

Motion:

Secretary Burdi made the motion to reschedule this item to April 23, 2014. The motion was supported by Board Member Nestorowicz. The motion carried (7-0).

15. NEW BUSINESS

Board Member Descamps mentioned the sale of Kiwanis tickets. If anyone would like to do some service work in the community the Kiwanis Club meets now twice a month here at the first and third Thursday at 6:00 p.m. to help people that cannot make the noon meeting.

16. ADJOURNMENT

Motion:

Board Member Descamps made the motion to adjourn and the motion was supported by Board Member Becher. 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