WARREN ZONING BOARD OF APPEALS
REGULAR MEETING
September 10, 2014

A Regular Meeting of the Warren Zoning Board of Appeals was called for Wednesday, September 10, 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
Steve Watripont, Vice Chairman
Roman Nestorowicz, Secretary
Jean Becher, Assistant Secretary
Sherry Brasza
Nick Hawatmeh
Ann Pauta
Jennifer Vigus

Members of the Board absent:

Board Member Jules Descamps Jr.

Also present:
Roxanne Canestrelli, City Attorney
Lynne Martin, Chief Zoning Inspector

1. CALL TO ORDER

Chairwoman Furgal called the meeting to order at 7:34 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Board Members Jules Descamps was absent.

Motion:
Board Member Watripont made the motion to excuse Board Member Descamps and it was supported by Board Member Vigus.

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

4. ADOPTION OF THE AGENDA

Secretary Nestorowicz stated there were two changes to the agenda. Item #6, the public hearing of applicant Roy Mills, the board has received a request to re-schedule to the September 24, 2014 meeting. The other change was item #10, Martin Foster petitioner, has withdrawn the request.

APPROVED

Board Member Watripont wanted to make a motion to add an item to be 6a. It was set on the June 11, 2014 and rescheduled to a date certain of September 10, 2014, 21329 Groesbeck Highway, Representative Kerm Billette.

Motion:
Board Member Brasza made the motion to approve the agenda as amended and Board Member Pauta supported the motion.

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

5. APPROVAL OF THE MINUTES OF the Regular Meeting of August 27, 2014.

Motion:
Board Member Becher made the motion to approve the minutes of August 27, 2014 and Board Member Vigus supported the motion.

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

6. PUBLIC HEARING **APPLICANT: Mr. Roy Mills-USE-**
(Rescheduled from 4/23/14, 5/28/14, 7/9/14)
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 7552 Republic
LEGAL DESCRIPTION: 13-28-483-005
ZONE: R-1-C

VARIANCES REQUESTED: Permission to-USE-
Have a two family dwelling, upper and lower units, in a single family residential zone.

Note: This is not on the list for a legal non-conforming two family dwelling.
ORDINANCES and REQUIREMENTS:
Section 5.01 thru 7.01: Uses in residential districts: Multi-family dwellings are not allowed in single family districts.

This item was rescheduled to September 24, 2014.

6a. PUBLIC HEARING APPLICANT: Asim Cehajic
(Rescheduled from 6/11/14 and 7/23/14)
REPRESENTATIVE: Asim Cehajic/Kerm Billette
COMMON DESCRIPTION: 21329 Groesbeck Hwy
LEGAL DESCRIPTION: 13-35-330-016
ZONE: M-2

VARIANCES REQUESTED: Permission to:
1. Construct a pole barn (34 ft x 34 ft = 1,156 sq. ft.) to less than five (5) feet of the north property line and seven (7) feet of the west property line.
2. Outdoor storage for truck parking on gravel as per the plan.

APPROVED

Kerm Billette 38628 Warwickshire Drive in Sterling Heights appeared before the board and stated he was here representing Asim Cehajic. His building request has been sent out to three engineering firms to put utilities in and the utilities are prerequisite to any approvals. He has to have water and sewer of course and storm water for the property. He has been trying to get the utilities brought in from Groesbeck but thus far he has to buy the property, he has to get the approval of the engineering department to take the utilities from Groesbeck Highway back to the property which is the shortest way. He still thinks he can have the where with all to do it and the engineers he has dealt with so far say it is possible, he just has to get the money. He thinks that he could do everything in three months. If he could have this tabled to a date certain in three months he thinks he would have everything straight by then.

Board Member Watripont asked if a public hearing needed to be held first.

Chairwoman Furgal stated this was a public hearing and asked if there was anyone in the audience that would like to comment on the item.

Joseph Hunt appeared before the board and stated he was not aware that this item was going to be placed on the agenda, however in the absence of the back-up material Mr. Billette explained everything he thought he needed to know to sanction the approval for the variance.

Chairwoman Furgal asked if there was anyone else that would like to comment on this item. Hearing and seeing none she closed the public hearing and turned the matter over to the board.

Motion:
Board Member Watripont made the motion to reschedule the petitioners request to December 10, 2014. Board Member Vigus supported the motion.

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

7. PUBLIC HEARING **APPLICANT: Rich Ling**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 2464 Irma
LEGAL DESCRIPTION: 13-06-376-027
ZONE: R-1-A

VARIANCES REQUESTED: Permission to:
1. Allow a shed greater than 120 sq ft (18.5'x11'=203.5 sq ft).
2. Allow a shed in the side yard to no less than 4' from the west property line.
3. Allow greater than 700 sq ft of accessory buildings.

Total 959.32 sq. ft. of accessory buildings.

ORDINANCES and REQUIREMENTS:
Section 4.20 Paragraph (a): All detached accessory buildings shall conform to and shall not project beyond the existing building lines of the principal building on the lot.
Section 4.20 Paragraph (a) item 5: All accessory structures, excluding garages, will not exceed a total of 120 square feet.

APPROVED

Section 5.01 Paragraph (i): … All garages and/or accessory building shall not contain more than seven hundred (700) square feet of floor area. Only one (1) private garage for each residential lot is allowed.

Rich Ling, 2464 Irma Street, appeared before the board and stated there was another shed in his back yard that was in the south east corner that seems to have a legacy of water back there and the wood shed was rotted out and he wants to get a new one and move it to the south west side which was less wet. At this point and time everything was wet but in that position there was a tree that he wants to get as far away from as possible. He would like to get this shed as close as possible to the property line and he would like to get a shed a little larger.

Chairwoman Furgal stated this was a public hearing and asked if there was anyone in the audience that would like to comment on the item.

Joseph Hunt 8306 Stanley, appeared before the board and stated Irma was one of the dirt roads over by Halmich Park and when he looks at these different variances he always looks at the land. There is a lot of land over in this beautiful section of the city and he recommends approval of the variance.

Chairwoman Furgal asked if there was anyone else that would like to comment on this item. Hearing and seeing none she closed the public hearing and turned the matter over to the board.

Board Member Becher said she looked at this property this weekend and she said the petitioner has a very neat home and has a very large lot and she understands the problem of having a spot in the yard that gets a little wet and she sees no problem with moving the shed to the opposite side of the yard. His neighbors seem to think there would be no problem with it because they are not here to say anything about it and if no one else has any comment about it she would like to make a motion.

Motion:

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

1. Allow a shed greater than 120 sq ft (18.5'x11'=203.5 sq ft).
2. Allow a shed in the side yard to no less than 4' from the west property line.
3. Allow greater than 700 sq ft of accessory buildings.

Total 959.32 sq. ft. of accessory buildings.

Reason being that it was not a detriment to the area and size and shape of the property.

Board Member Watripont supported the motion with discussion.

Board Member Watripont stated as he read through this he really did not have a problem with it as it was a large lot but his concern was with the numbers presented

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to the board, it seems the garage exceeds the 700 sq. ft. and there wasn't a variance on that.

Chairwoman Furgal said she was going to ask the same question.

Board Member Watripont said he did not know what to do going forward with the item. He did not have a problem with it as he stated but there are some concerns about it. Maybe Lynne Martin could help us out here.

Lynne Martin, Chief Zoning Inspector said she did not prepare this item so she was not familiar with it. She would have to go back and find out how it was calculated and see what the actual measurements of the garage are.

Board Member Watripont said according to the paperwork it said total square footage was 959.32 with this addition.

Rich Ling said that was not correct. His garage was attached to the house and it was a two car garage.

Board Member Watripont asked if it exceeded 700 sq. ft.

Rich Ling said no it was 22' x 21'.

Board Member Watripont asked if there was living space behind the garage.

Rich Ling said right behind the garage was a sunroom there. He demonstrated that the garage only went about half the distance and the rest was his sunroom under the same roof line. Internally it was a normal two car garage.

Chairwoman Furgal said she thought the board needed to know the total.

Rich Ling asked if the board wanted him to show them where the garage ended.

Board Member Watripont said he understood what he was saying but the board needed to know total dimensions.

Chairwoman Furgal stated that ordinarily the board would approve a total amount of accessory buildings and if this was inaccurate then the board would be granting more than was needed.

Rich Ling said he did not want that, he just wanted to be able to put a shed over in his back yard. The other shed was already rotted and he had to pull it down because it was dangerous.

Chairwoman said the board just does not know the dimensions of the garage. The shed was fine.

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Board Member Watripont asked the City Attorney if the sun room was considered an accessory. Does the board need to know the total dimensions or could the board approve the dimensions of the shed as posted.

City Attorney Roxanne Canestrelli said the board would need total dimensions.

Board Member Watripont said he would like to reschedule this item.

Rich Ling said please no. He has explained exactly how the garage situation was and with the sunroom and he was new to this. He has owned a house for about five years, the shed rotted out and he had to take everything out and put it in his garage right now. He understood what the board was saying about this not being written correctly and he understands the dimensions which he has explained to what the dimensions are. The garage he thinks it was approximately 21' x 22' and inside there was a wall that separates that from the sunroom. Unfortunately the mortgage report does not say that there was a garage that was only half of that. So the measurement showing is all the way through which was not correct for a garage. The garage itself was only half of that measurement. He would really like to have this move forward.

Chairwoman Furgal said that an assumption was made that your total was more than 700 sq. ft.

Rich Ling said unfortunately that was a wrong assumption that he did not make.

Chairwoman Furgal said the board could not vote on assumptions.

Board Member Hawatmeh asked the City Attorney if the board could approve it based on the condition that the garage not exceed 700 sq. ft.

Roxanne Canestrelli said no because the exact square feet needed to be listed.

Chairwoman Furgal said she thought the overall square footage may be less than 700 sq. ft.

Board Member Hawatmeh said the petitioner may not even have to come back.

Board Member Becher said his garage was contained within the roof of the home.

Chairwoman Furgal said it was still an accessory structure.

Board Member Becher said yes but it does not go all the way to the back of the home. She has owned a home similar to this where there is a room on the other side of the garage and they are normally with a fire wall and everything.

Board Member Vigus stated according to the City of Warren's access to the BS&A website, the garage was 473 sq. ft.

Chairwoman Furgal asked if it was 473 sq. ft. total.

APPROVED

Motion:
Board Member Vigus made the motion to accept the BS &A software as evidence to the size of the garage. Board Member Brasza supported the motion. Making the new total square footage 676.5 sq. ft.

Chairwoman Furgal stated he would now only need approval for the shed and to for the side yard to no less than 4' of the west property for a total of 676.5 sq. ft. The board needs to vote on the motion of accepting new evidence first.

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

Motion:
Board Member Becher amended her original motion for approval to incorporate the new shed into the accessory buildings on his property to include his requests for a shed totaling 203.5 sq. ft. in addition to his garage of 473 sq. ft. and to allow the shed to be in the side yard to no less than 4' of the west property line. Making the new total square footage 676.5.

Reasons being size and shape of the lot and not a detriment to the area.

Board Member Watripont supported the motion.

Roll Call:
A roll call was taken on the motion and the motion carried (8-0).

Board Member Becher	Yes for the reasons stated in the motion.
Board Member Watripont	Yes for the reasons stated in the motion.
Board Member Hawatmeh	Yes for the reasons stated in the motion.
Board Member Pauta	Yes for the reasons stated in the motion.
Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Vigus	Yes for the reasons stated in the motion.
Secretary Nestorowicz	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

8. PUBLIC HEARING **APPLICANT: Mr. Ronald Clapp Jr.**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 25221 Firwood Ave.
LEGAL DESCRIPTION: 13-24-476-006
ZONE: R-1-C

VARIANCES REQUESTED: Permission to:
Construct a new garage 25'x40' total=1,000 sq. ft. as per the plan.
ORDINANCES and REQUIREMENTS:

APPROVED

Section 5.01 Paragraph (i): … All garages and/or accessory building shall not contain more than seven hundred (700) square feet of floor area.

Robert Clapp Jr. appeared before the board and stated he was exceeding the 700 square foot allowed by the ordinance for a garage by 300 sq. ft.

Chairwoman Furgal stated this was a public hearing and asked if there was anyone in the audience that would like to comment on the item.

Vincent Lee appeared before the board and stated he lives directly next door and he recommends approval and does not have any issue with it.

Joseph Hunt 8306 Stanley, appeared before the board and stated he also recommended approval.

Chairwoman Furgal asked if there was anyone else that would like to comment on this item. Hearing and seeing none she closed the public hearing and turned the matter over to the board.

Board Member Becher said she looked at the property the other day and he had quite a piece of property there with a large lot. She was wondering if he considered attaching the garage to the home so in the winter he can go into the house without having to go outside.

Ronald Clapp, Jr. said there was an agenda at one time but not foreseen for the future.

Motion:
Board Member Vigus made a motion to approve the petitioner's request to construct a new garage 25'x40' total=1,000 sq. ft. as per the plan. With the condition that he demo the old garage.

Reasons being size and shape of the lot and not a detriment to the area.

Board Member Pauta supported the motion.

Roll Call:
A roll call was taken on the motion and the motion carried (8-0).

Board Member Vigus	Yes for the reasons stated in the motion.
Board Member Pauta	Yes for the reasons stated in the motion.
Board Member Hawatmeh	Yes for the reasons stated in the motion.
Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Board Member Watripont	Yes for the reasons stated in the motion.
Secretary Nestorowicz	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

APPROVED

9. PUBLIC HEARING **APPLICANT: Satguru Ghuman**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 21164 LaSalle
LEGAL DESCRIPTION: 13-36-405-024
ZONE: R-1-C

VARIANCES REQUESTED: Permission to:
Retain an 8'x8' (64 sq. ft.) shed to no less than 3 feet of the side (north) property line into the side yard of the existing residence.
ORDINANCES and REQUIREMENTS:
Section 4.20 Paragraph (a): All detached accessory buildings shall conform to and shall not project beyond the existing building lines of the principal building on the lot.

Satguru Ghuman appeared before the board and stated he was requesting a previously built shed to remain on the property. He purchased the property last year and the shed was already built. It was 3 feet from the north property line. The property does not have a garage or basement so this was needed for storage.

Chairwoman Furgal stated this was a public hearing and asked if there was anyone in the audience that would like to comment on the item.

Joseph Hunt appeared before the board and stated this goes back to the zoning board of appeals where there was a long list of different petitioner's looking for a variance on sheds that they basically purchased that were constructed by other residents and specifically he looks at when a person moves into the City they are buying what has been presented. These people should not be penalized with a permit fee to be granted the variance. This is really an issue he takes issue with. All of a sudden even though there is a particular zoning ordinance about detached accessory buildings have to be at the property line, it comes down to a question of whether or not the existing structure has a rat wall and whether or not it encroaches on an easement. He does not think it is right that all of a sudden conditionally give the variance but charge him a fee for something that was not his fault.

Chairwoman Furgal asked if there was anyone else that would like to comment on this item. Hearing and seeing none she closed the public hearing and turned the matter over to the board.

Board Member Pauta stated she was looking at the diagram and there were no dimensions on the house and on the left side it says proposing a 6' foot privacy fence. She asked the petitioner if he was going to come back again and request the fence.

Secretary Nestorowicz said he does not need to.

Board Member Pauta said there were a lot dimensions missing here.

Board Member Becher said it was not a corner lot so he would not have to come back for a variance on the fence.

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Motion:
Board Member Brasza made a motion to approve the petitioner's request to retain an 8'x8' (64 sq. ft.) shed to no less than 3 feet of the side (north) property line into the side yard of the existing residence.

Reasons being size and shape of the lot and not a detriment to the area.

Board Member Hawatmeh supported the motion.

Board Member Vigus asked the petitioner to confirm that this shed was on a rat wall.

Satguru Ghuman said yes he would take care of that.

Board Member Becher said to address the issue of the rat wall and the building permit and all of that. The board has no control over the rules and they are there for a reason and she really thinks when people buy new property and they are doing the title search and doing all the legality on the purchase of their property, maybe that would be a good time to look into all of that to see if all the building permits were there and to see if the rat walls were there. She understands where the audience member was coming from on that but the board has no control over answering that question.

Roll Call:
A roll call was taken on the motion and the motion carried (8-0).

Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Hawatmeh	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Board Member Vigus	Yes for the reasons stated in the motion.
Board Member Pauta	Yes for the reasons stated in the motion.
Board Member Watripont	Yes for the reasons stated in the motion.
Secretary Nestorowicz	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

10. PUBLIC HEARING **APPLICANT: Mr. Martin Foster**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 2608 Chicago Road
LEGAL DESCRIPTION: 13-06-327-009
ZONE: R-1-A

VARIANCES REQUESTED: Permission to:
Construct a second garage 24 ft. x 32 ft. = 768 sq. ft., 9' to the eaves, in addition to an existing attached garage 24 ft. x 28 ft. = 672 sq. ft. Maximum building height is 15 feet per the attached plan.
Total 1,440 sq. ft. of accessory structures.

APPROVED

ORDINANCES and REQUIREMENTS:
Section 5.20 Paragraph (i): Uses permitted. Only one private garage for each residential lot … All garages and/or accessory buildings shall not exceed a total of seven hundred (700) square feet floor area.

Petitioner withdrew his application prior to the meeting.

11. PUBLIC HEARING **APPLICANT: Gasso Holdings Co. LLC/ Mr. Najah Gasso**

REPRESENTATIVE: Mr. Najah Gasso
COMMON DESCRIPTION: 4208 Nine Mile Road
LEGAL DESCRIPTION: 13-32-101-039
ZONE: C-2 & P

VARIANCES REQUESTED: Permission to:

1. Install a second ground signs as follows: One (1) Pylon Sign 7.5'x10' total 75 sq ft; overall height 18', under clearance of 10.5' located as per the plan. In addition to an existing ground sign 224 sq. ft.
2. Allow a total of 299 sq ft of ground signs.
3. Allow the new pylon sign to no less than 5' of the front property line.
4. Waive an additional 28 required parking spaces for the proposed addition as per the plan.

ORDINANCES and REQUIREMENTS:
Section 4A.37 Shopping centers: Regardless of the zoning district, shopping centers are defined in section 2.67 are permitted the following signage: b) **One freestanding on-premise identification sign** of a size not to exceed one hundred and fifty (150) square feet in size and which shall not exceed twenty-five (25) feet in height shall be allowed for each shopping center.
Section 4A.17 Item (b): Setbacks. All freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height of the sign.
Section 4.32 Paragraph (h) Item 22: Required off-street parking. One (1) parking space required for each 150 square foot of floor space and outdoor sales areas combined.

Chester Stampien the architect for the project, 29895 Greenfield, Southfield, MI appeared before the board.

Chairwoman Furgal asked if the property owner was present with the representative.

Najah Gasso 20323 West Eight Mile, Southfield appeared before the board.

Chester Stampien stated he would like an extra pylon sign due to the fact that it was over 400 feet of frontage and right now there were two major tenants. Ace Hardware and Family Dollar. In order to attract another major tenant it was important for that tenant to have sign that was visible and that would attract people that identify that new facility that might move in. The east end of this building was cut up in that there was a depth of 75 feet and it goes to 117 feet and what they would like to square off that section of the building so it was in line with the other major tenants. Typically the

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depth was important for a large tenant but not for smaller tenants. A 75 foot depth could not be made profitable but if were squared off to keep it consistent with the rest of the shopping center it was more attractive for a major tenant to be interested in that space. This was the reason he was trying to get a 15,000 sq. ft. area. This would not require extra parking because major tenants have sales areas up front. He was not increasing the store front he was just increasing the rear of the building. Typically there were storage and deliveries and restroom facilities etc. So he was asking for a waiver for the parking and the signs.

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

Chairwoman Furgal asked if there was a possible tenant.

Najah Gasso said not at this time but he had some people looking at it for a larger space.

Board Member Brasza stated there was a very large sign at this time and asked if the additional sign would be for just one particular tenant.

Najah Gasso said yes because that vacant space, the reason why was because the vacant space was at the very far east portion of the plaza and the property sits back and that was why he was needing another sign.

Board Member Brasza asked that suite that was not occupied was it any smaller than ACE.

Najah Gasso said no it was smaller than ACE.

Board Member Brasza asked why he wouldn't just go up above the 16 foot sign he already had and just put another level.

Chairwoman Furgal said because the board would not give him approval to do that.

Board Member Brasza said he had quite bit of space now on the signage.

Najah Gasso said it was because the property sits back and that was why he wanted to put the sign up and there was so much frontage.

Board Member Brasza asked if he had any thought s to putting it on Ryan.

Najah Gasso said no that was not his property, his property only fronted Nine Mile.

Board Member Brasza said they just seem so close together with the proposed sign.

Chairwoman Furgal said she lives in the area and she did not think that it was a really bad idea, it was just that the sign that he had pictured here the bliss fashions and

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the Kowalski store are no longer there but there is a Metro PCS and the Burlier's and the Paris Nails. It looks like he was trying to get rid of Paris Nails. Anyway, she did not think it was a detriment to the area but it was up to the board.

Board Member Pauta asked if he has submitted to the City for the proposed addition yet.

Najah Gasso said yes for the planning commission and that meeting was coming up in a couple of weeks.

Chairwoman Furgal said he needs the parking variance first.

Secretary Nestorowicz said he was very familiar with the plaza and he totally understands finishing off the back corner to bring in another tenant and he sees no problem with that. He could understand needing additional signs and waiving the parking spaces, that parking lot was never full as it is right now so waiving the parking spaces was not a problem. He just thinks there were a lot of signs already and adding an extra 75 sq. ft. of signs for potentially one additional tenant was a lot of signage to add. Had he thought of putting a smaller monument sign instead of a pylon sign? Monument signs look nicer than pylon.

Chester Stampien said that monument signs might look nicer than pylon signs but pylon signs are needed for busy streets like Nine Mile.
Chairwoman Furgal said no not there.

Secretary Nestorowicz said there was nothing blocking the view of a monument sign there.

Najah Gasso said he considered that option and he believes in doing a pylon that it was safer because when people are exiting the driveways at the properties with three or four driveways it was much safer he believed and he would dress up the sign to match the building with some brick.

Chairwoman Furgal asked which store it would be in front of.

Najah Gasso said since he owned all the property it would be at the very west portion of the property. It would be spaced out so it was not all clustered together. There was a really large gap between the Rite Aid and the existing sign. That was his plan. He does not own the Rite Aid.

Board Member Brasza said she wondered why they wouldn't consider putting the same type sign with the two poles to keep it consistent in the plaza. What was the reason for not having constructed the same way?

Najah Gasso said if the board preferred two poles he had no problem with that. The plan was to dress it up with brick. His sign was only 10' feet wide and Rite Aid was more like 18' feet and maybe that was why they had two poles.

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Board Member Brasza said his existing sign had two poles. He says he wants to embellish the proposed sign with brick. Where the embellishments would be done, up a 10' foot 6 pole?

Secretary Nestorowicz said where the pylon sign was going it was basically identified as one of the parking spaces and he understands that they were waiving the parking but did that mean that there would be a sign in the middle of the asphalt or was he actually going to landscape and get rid of that parking space.

Najah Gasso said he was going to dress it up around it and make a small island.

Board Member Becher said when she was looking down there she was looking at the fact that the property was very well maintained and she imagined that the sign was going to go by the one driveway where everything was well manicured except for this one little spot and according to the plans and the way she was looking at it, it looked like that was where that sign was going to go. Was that where he was planning on putting the sign?

Najah Gasso said that was correct.

Board Member Becher asked at this time did he think that he had a tenant for the new building down there on the end.

Najah Gasso said it might be possible that he might get one marketing it that way.

Board Member Becher said she was always impressed with the property and it was always maintained and fact that he has had Burlier's there since she was a little girl and she was an old lady now. She has no problem with this sign because he keeps neat property and if he needs this sign to draw in business in that area she thinks the board should approve it.

Board Member Watripont said he believed that he had a lot of signage there and he would like to see was the face of the sign to shrink a little bit in his opinion. If he was looking at this for one spot if he could shrink it a little he probably would go along with it.

General discussion about possible sizes took place amongst the board.

Board Member Brasza asked if a 5' x 10' sign would work.

Bob Richardson, 20981 Laser Lane, South Lyon said they were listening to what the board had to say and he was the new property management leasing for Mr. Gasso and he would prefer to keep the proposed 10' x 7.5' and if the board feels strongly enough maybe they could live with it a little smaller.

Najah Gasso said he has done a good job remodeling this plaza and has spent a lot of money and he would really appreciate it if he could get the larger sign.

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Board Member Brasza said that 5' x 10' was still a pretty good sized sign.

Bob Richardson asked how about a 6' x 10' sign.

Board Member Brasza asked how about 9' x 6'. She can understand that they needed the width more than the depth.

Lynne Martin said they could ask to have it rescheduled to establish what the minimum size was that they needed.

Najah Gasso said he thought that the width was more important, if it was possible to get 10' x 6' at this meeting.

Board Member Brasza said how about 10' x 5'. It was still more than ACE or Family Dollar have right now. Aesthetically to have one size very much larger than the other was kind of a snub on the others.

Najah Gasso said ok if the board feels so strongly about this he would go with it 5' x 10'.

Motion:

Board Member Brasza made a motion to approve the petitioner's request to Install a second ground signs as follows:

1. One (1) Pylon Sign 5'x10' total 50 sq ft; overall height 18', under clearance of 10.5' located as per the plan. In addition to an existing ground sign 224 sq. ft.
2. Allow a total of 274 sq ft of ground signs.
3. Allow the new pylon sign to no less than 5' of the front property line.
4. Waive an additional 28 required parking spaces for the proposed addition as per the plan.

Reasons being size and shape of the lot and lack of identification.

Board Member Pauta supported the motion.

Roll Call:

A roll call was taken on the motion and the motion carried (8-0).

Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Pauta	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Board Member Vigus	Yes for the reasons stated in the motion.
Board Member Hawatmeh	Yes for the reasons stated in the motion.
Board Member Watripont	Yes for the reasons stated in the motion and not a detriment to the area.
Secretary Nestorowicz	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

APPROVED

12. PUBLIC HEARING **APPLICANT: Liviu Morea**
REPRESENTATIVE: Alan DeBacker
COMMON DESCRIPTION: 13110 Nine Mile Road
LEGAL DESCRIPTION: 13-35-226-001, 002, 003
ZONE: M-1

VARIANCES REQUESTED: Permission to:
1. Retain one (1) painted wall sign 8'x20'=160 sq ft on the west elevation
2. Allow parking on gravel surface

ORDINANCES and REQUIREMENTS:
Section 4A.35 (b): Total wall signage of a size not to exceed forty (40) sq. ft. shall be allowed for each business in C-1, C-2, C-3, M-1 and M-2.
Section 4.32 (k): All off-street parking areas shall be provided with adequate ingress and egress, shall be hard surfaced with concrete or asphalt.

Alan Debacker 5877 Springborn, China Twp., appeared before the board and stated he was present representing Liviu Morea for the property on Nine Mile Road. He was requesting to keep the sign on the side of the building for identification purposes. Where the building was located on the corner of Nine Mile and Groesbeck which has a gas station right there and he needs to sign up on the side so there was more visibility. The sign has been on the side of the building for five or six years now. He also has photos of other businesses with a quarter mile of the location that have many graphics and things on the side of it presenting their buildings. He was trying to see what the real difference was in that.

Chairwoman Furgal said he also had a request for parking on gravel surfaces, would he like to address that.

Alan Debacker said the parking surface that he had in the back which was all paved with the exception of about 15' foot wide spot and there were only people that work there in the building. The building was not used as a retail store, the operator makes granted counter tops there and for the most part he goes out and makes house calls so there are not a lot of clients that go in there. About 65% to 70% of the lot was already paved and it has been like that for over 10 years. There have been no complaints or injuries over the years. He would like to maintain it as is.

Chairwoman Furgal stated this was a public hearing and asked if there was anyone in the audience that would like to comment on the item.

Joseph Hunt 8306 Stanley appeared before the board and stated he was very familiar with this area down at 9 Mile and Groesbeck/Schoenherr area. He noticed that it was zoned M-1 and he was all for the revitaltization of the industrial district. The board knows that Groesbeck was a highly traveled road and specifically he could not see any reason not to maintain the sign and as the petitioner had mentioned on the parking on the gravel surface. He was all for development in the city and allowing people to maintain their existing structures and buildings to bring in investment to the south end of the City.

APPROVED

Chairwoman Furgal asked if there was anyone else that would like to comment on this item. Hearing and seeing none she closed the public hearing and turned the matter over to the board.

Board Member Brazsa asked the petitioner if he had any signage on the front of the building.

Alan Debacker said no there was no signage on the front of the building.

Board Member Brasza said the draws looked like he would be removing the front portion of the sign.

Alan Debacker stated there were two cinder block posts there and he thought that plans a while back were to put a small sign on the front but it wouldn't be visible with the high traffic area going by there and people making the corner. If you did not know the property there was a gas station on the corner also and it would be very unnoticeable making it hard to identify.

Board Member Becher said she noticed the sign was faded and has an outdated phone number that begins with a 248 area code. Was that the correct telephone number of the business.

Alan Debacker said it was the actual number the business was operated off of a cell phone.

Board Member Becher said she noticed the sign was extremely faded and looked outdated. She looked at the sign and it looked to be an old business and that maybe it was not even there anymore. She noticed that a small sign had been removed up near the front of the building on the same side the little square sign was located.

Alan Debacker said that was the tenant next door. There were actually two businesses in that building. The other one was the welding shop and he was in the building next door.

Board Member Becher said the welder also has a sign in the front.

Alan Debacker said yes he does.

Board Member Becher said she knew she saw a sign in the front when she looked. She thinks the sign was too big and she thinks he could move the sign up closer to the front of the building and that he could go into a smaller area with a printed sign that would look much neater. Evidently he was going to have to paint the side of the building anyway because it looked like it needed it. She thinks maybe he could investigate another sign because she thinks it was too big. She just does not like the painted signs on buildings because it has the same problem as he has now. It fades and it looks old. He might for the same job of getting a sign painted on the building he could probably get a sign made that would be more substantial to the weather.

APPROVED

Alan Dedacker said he would talk to the tenant about painting it and making it a little bit smaller. He had some questions on some other signs that were on Groesbeck that are painted on the building and much larger than this one.

Board Member Becher said she was sorry but this building was on Nine Mile and she could not comment to the other buildings he spoke of with painted signs on the side. She did not know if they were legal signs or if they had requested variances or not. She was just saying that he had other alternatives that he could think about instead of having this large faded sign on the building.

Board Member Hawatmeh asked if the petitioner was granted his request would be remodeling and updating the sign.

Alan Debacker said yes he would have it painted.

Board Member Brasza asked the square footage of the location.

Alan Debacker replied 4,320 sq. ft.

Secretary Nestorowicz said he had no problem if he would go paint the sign since he currently has a painted sign. However, for the size of the business, just because other buildings might have large signs, it was not a reason to just approve everyone else for large signs. The other signs might not even be approved they may have been previously painted like this one before approval was asked for. Personally, and especially if this sign should be repainted and updated, he would love to see it painted smaller than the existing 160' sq. ft. he thinks that is a lot of signage for a building that size.

Alan Debacker asked what size would be appropriate. The 40 sq. ft. he did not think would work there because it was going to be so small on the side and the print would have to small and because the location of the building and the way traffic has to turn around that corner and everything it has to be bigger because if you blink people will miss it.

Secretary Nestorowicz suggested 80 sq. ft. whatever dimensions that would work to because 80 sq. ft. was still a lot of signage. The ordinance gives him 40 and 80 gives him twice as much as the ordinance.

Alan Debacker said 8 x 10, ok.

Secretary Nestorowicz said he would have no problem with that.

Chairwoman Furgal said she has more of a problem with parking on the gravel surface. If the board allows that they would be giving him permission to do it and that stays with the land and the City would never get it paved.

APPROVED

Alan Debacker said that 65% of it was already paved, all along the back and up the side. It really was not shown on the plot plan but again he has a photo of the pavement on there. It was probably a 10' or 15' wide strip that goes through there that was unpaved. Again he does not have a retail type business where people come in and out.

Chairwoman Furgal said the parking part was not the problem the part was that it was gravel and if the board allows him to keep it gravel and give him permission to have gravel then it means that it stays gravel and that was probably not a good idea. If he wanted to take out the gravel and plant grass that was fine. It really needs to be paved if he was going to use it for parking. It was a small area and it was not being used for heavy equipment or something that really would lend itself well to gravel parking.

Alan Debacker said well it was a granite counter top business and he does load out there but.

Chairwoman Furgal said but he was not loading with a cat 235. Just a high-lo with tires on it so that would be better on asphalt or cement, the high-lo would. She was just pointing out that she had a problem with that.

Alan Debacker said the building was like that when he bought it 10 to 12 years ago and it has been like that ever since. He does not know what changed.

Chairwoman Furgal said the ordinance changed was really what it was.

Board Member Pauta said whatever the board approves tonight goes with the property forever and forever and that was why the board was asking for that portion to be hard-surfaced whether it be asphalt, cement, whatever because if he leaves and someone else moves in the new owner would still have the accessibility of having just gravel there which may not be suitable for their type of business. That was why the board was asking.

Alan Debacker said he and his sister were property owners and the business Liviu Morea was under land contract that was purchasing the building from them. He was present representing him because he does not speak English very well to be honest so that was why he was here representing him. The building was being sold right now.

Board Member Pauta asked if the prospective buyer was here.

Alan Debacker said no he was not.

Board Member Brasza said there was one more choice he could do grass.

Alan Debacker said no that would interfere with the parking spaces. He has to have so many parking spaces as he went through the planning commission on that.

APPROVED

Chairwoman Furgal said the board could deny the gravel surface and then it was just up to him to decide what he was going to do with it.

Board Member Watripont said if the request gets denied he would have to either do grass there and then have a parking issue. He does not know how many parking spots he would have if it were grass but it was another item he could bring before the board as a variance for parking or the number of parking spots if it was acceptable with the company that was there.

Alan Debacker said it was part of the egress entrance. Right in the middle, one of those things that.

Board Member Watripont said it really should be paved then.

Board Member Pauta asked if the board gave permission for the 80 sq. ft. sign and deny the parking area and the gentleman would have to come back with him to discuss the gravel surface.

Chairwoman Furgal said no, if it was denied it was denied it was up to him to either pave it or put in grass. It was up to him to do what he has to do. The board was not telling him he had to pave it, the board was just telling him they would not give permission for it to remain a gravel surface for parking if that was what the board chose to do. The ball was back in his court.

Secretary Nestorowicz asked to make a motion.

Chairwoman Furgal suggested separating them so that maybe one would be approved and the other denied.

Board Member Brasza said they could be done all as one.

Chairwoman Furgal said the board does not do that usually if they are going to deny.

Motion:
Secretary Nestorowicz made a motion to give the petitioner permission to have one painted wall sign 8' x 10' for a total of 80 sq. ft. on the west elevation.

Reason being lack of identification.

Board Member Brasza supported the motion.

Roll Call:
A roll call was taken on the motion and the motion carried (8-0).

Secretary Nestorowicz	Yes for the reasons stated in the motion.
Board Member Brasza	Yes for the reasons stated in the motion.
Board Member Pauta	Yes for the reasons stated in the motion.

APPROVED

Board Member Hawatmeh	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Board Member Watripont	Yes for the reasons stated in the motion.
Board Member Vigus	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

Motion:
Secretary Nestorowicz made a motion to deny the petitioner's request to allow parking on gravel surface.

Reasons being detriment to the neighborhood and was not necessary and nothing unique about the property.

Roll Call:
A roll call was taken on the motion and the motion carried (8-0).

Secretary Nestorowicz	Yes to deny for the reasons stated in the motion.
Board Member Pauta	Yes to deny for the reasons stated in the motion.
Board Member Vigus	Yes to deny for the reasons stated in the motion.
Board Member Watripont	Yes to deny for the reasons stated in the motion.
Board Member Brasza	Yes to deny for the reasons stated in the motion.
Board Member Becher	Yes to deny for the reasons stated in the motion.
Board Member Hawatmeh	Yes to deny for the reasons stated in the motion.
Chairwoman Furgal	Yes to deny for the reasons stated in the motion.

13. PUBLIC HEARING **APPLICANT: GTM Holding Co.**
REPRESENTATIVE: Mr. Mark Rusch
COMMON DESCRIPTION: 14575 Eleven Mile Road
LEGAL DESCRIPTION: 13-13-451-072
ZONE: M-2

VARIANCES REQUESTED: Permission to:
1. Construct a building addition to no less than 42.5' of the front (south) property line along 11 Mile Rd. as per the plan.
2. Construct a building addition to no less than 2' of the side (west) property line as per the plan.
3. Allow a building up to 42'-6" in height.
4. Waive 13, 985 sq ft of required off street hard surfaced parking space.

ORDINANCES and REQUIREMENTS:
Section 17.02 Paragraph (a): Industrial standards. Front yards. In an M-2 zone front yard fronting on a major thorough face shall be set back fifty (50) feet.
Section 17.02 Paragraph (b): Industrial standards. In M-2 zones, side yards shall be twenty (20) feet.
Section 17.02 Paragraph (d): Industrial standards. In M-2 zones, building height allowed is 2 stories or 30'.

APPROVED

<u>Section 4.32 Item (h) Paragraph (23):</u> Off street parking requirements. Industrial establishments, including manufacturing, research and testing laboratories shall provide sufficient parking, and in no case shall the area allotted to off-street parking be less than one hundred (100) percent of the total floor area.

Mark Rusch 13870 E. 11 Mile in Warren, MI appeared before the board and stated the reason for the petition was because he has been approached by General Motors. He has worked with General Motors for many years and continues to do so and General Motors has asked them to assist in developing a new technology center. The technology center purpose would be for vehicle light weighting. In addition to the building he currently occupies at 14575 11 Mile Road he has three buildings on the main campus as Proper Group International across the street at 13870 E. 11 Mile. He has been in the city of Warren operating since 1987 and again has worked with GM on many technical development programs and they have asked him to assist them in this light weighting initiative. GM approached them with the requirements they would need from an equipment stand point and asked if he could construct a facility that could accommodate the equipment needs and accommodate their needs for this initiative. Mr. Rusch went to an architect and sketched the plan out and has met with GM since early May of 2014 and has come forth with this request based upon their requirements that they would need for this new technology initiative.

Chairwoman Furgal stated this was a public hearing and asked if there was anyone in the audience that would like to comment on the item.

Joseph Hunt 8306 Stanley appeared before the board and said he was familiar with the operations along the service drive on 11 Mile. There are four different variances requested and as far as the set back of 50 feet at 42. 5 feet, he did not see any problem with that. The two feet on the west property line he would question what type of fence might be or any easement or utilities that might be on that side? Would there be any issues the Warren Fire Department might have with access to that side. Allowing the building up to the 42”-6” the ZBA has granted variances to other tax payers in the City of this particular nature so he does not see a problem with that. The main was the waiving of the 985 sq. ft. of the required hard surface parking. He did not see how they could not waive that just because of the area. He believes the petitioner was specifically investing into the City of Warren and works with the city diligently and this particular venture should be looked at favorably.

Chairwoman Furgal asked if there was anyone else that would like to comment on this item. Hearing and seeing none she closed the public hearing and turned the matter over to the board.

Board Member Pauta said this property was scheduled to go to Planning on September 29, 2014 and she would suggest this go to planning first and meet with the Board on October 8, 2014.

Chairwoman Furgal said it was a dimensional variance and it was parking and those were the Zoning Boards purviews and it was really probably better if those approvals were granted before Planning hears it.

APPROVED

Board Member Brasza asked how many employees he would have at this facility.

Mark Rusch said he anticipates the facility at its peak would have no more than 22 people per shift and seeing that much of it was research and development in nature GM has provided him with the equipment that was needed and that was a significant amount of space that was used for warehousing in the existing footprint.

Board Member Brasza asked how many shifts he was speaking of.

Mark Rusch said three.

Board Member Brasza said and during the day shift there would administration at the facility.

Mark Rusch said there would administration primarily in the day time and then limit or little at night. The administrative part would include the 22 people in the day time and the second and third shift would be 10 to 12 people working.

Chairwoman Furgal asked how many parking spaces were on site.

Mark Rusch said 37 spaces.

Chairwoman Furgal asked if there was additional land there after completing this project.

Mark Rusch said there was limited space and the potential to add a few more to squeeze them in which was far more than adequate for the number of people that would be working here. He would also be maintaining the significant greenbelt between the facility and the 11 Mile Road Service Drive.

Board Member Brasza said regarding the west property line there was 2' feet and 2 inch high block. What was being done with the two feet? Grass, paved, cement slab?

Mark Rusch said it would be cemented over with slab. That was adjacent and abuts right to the property to the west's parking spaces and their ingress and egress. The purpose of the 2 foot easement was to maximize the size of the building to allow them to accommodate the request from General Motors.

Board Member Watripont said as he went through the plans and looked at everything and the growth potential this looks like a very good thing for the City of Warren in his opinion.

Motion:

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

1. Construct a building addition to no less than 42.5' of the front (south) property line along 11 Mile Rd. as per the plan.

APPROVED

2. Construct a building addition to no less than 2' of the side (west) property line as per the plan.
3. Allow a building up to 42'-6" in height.
4. Waive 13, 985 sq ft of required off street hard surfaced parking space.

Reason being not a detriment to the area and size and shape of the lot.

Board Member Becher supported the motion.

Roll Call:
A roll call was taken on the motion and the motion carried (7-1).

Board Member Watripont	Yes for the reasons stated in the motion.
Board Member Becher	Yes for the reasons stated in the motion.
Board Member Vigus	Yes for the reasons stated in the motion.
Board Member Hawatmeh	Yes for the reasons stated in the motion.
Board Member Pauta	No believes it should go to planning first.
Board Member Brasza	Yes for the reasons stated in the motion.
Secretary Nestorowicz	Yes for the reasons stated in the motion.
Chairwoman Furgal	Yes for the reasons stated in the motion.

14. NEW BUSINESS

Board Member Vigus reminded the board she would be unable to attend the next meeting on September 24, 2014.

Board Member Watripont stated he would be out of town for the next board meeting as well.

Board Member Pauta welcomed back Lynne Martin after her extensive delay.

Board Member Watripont requested a reorganization of the board.

Motion
Board Member Watripont made the motion to reorganize the positions of the board.

Board Member Brazsa supported the motion.

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

Motion
Board Member Brasza made the motion to nominate Steve Watripont as Chairman.
Board Member Becher supported the motion.

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

APPROVED

Motion
Board Member Watripont made the motion to nominate Judy Furgal as Vice-Chairman.

Board Member Hawatmeh supported the motion.

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

Motion
Chairwoman Furgal made the motion to retain Roman Nestorowicz as Secretary.

Board Member Watripont supported the motion.

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

Motion
Chairwoman Furgal made the motion to nominate Jennifer Vigus as Asst. Secretary.

Board Member Brasza supported the motion.

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

Chairwoman Furgal said she would chair the next meeting in Mr. Watripont's absence and after that it was his.

15. ADJOURNMENT

Motion:
Board Member Watripont made the motion to adjourn and Board Member Becher supported the motion. A voice vote was taken on the motion and the motion carried (8-0).

The meeting adjourned at 9:02 p.m.

APPROVED