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Zoning Board of Appeals  
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## AGENDA

A Regular Meeting of the Zoning Board of Appeals – **Wednesday, May 11, 2016** at **7:30 p.m.** in the Warren Community Center Auditorium, 5460 Arden, Warren, MI 48092.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES OF the **Regular Meeting of April 27, 2016.**
6. PUBLIC HEARING: **APPLICANT: Tech Plaza LLC / Mr. Tom Petzold**  
*(Rescheduled from 04/13/2016)*  
REPRESENTATIVE: Mr. Tom Petzold  
COMMON DESCRIPTION: 8303, 8309, 8317, 8323, 8325, 8331, 8335, 8339, 8341, 8345, 8347, 8349, 8351, 8353, 8357, and 8359 E. Twelve Mile Road  
LEGAL DESCRIPTION: 13-10-353-010  
ZONE: C-2 & P

### **VARIANCES REQUESTED: Permission to**

Install one (1) informational sign, hung from a walkway canopy of a size not to exceed four (4) square feet, for each business who has an entrance located beneath the plaza canopy.

### **ORDINANCES and REQUIREMENTS:**

**Section 2.67 – Shopping Center.** A group of commercial establishments, planned, developed, owned and managed as a unit related in location, size, and type of shops to the trade area that the unit serves; it provides onsite parking in definite relationship to the types of sizes of stores.

### **Section 4A.37 Paragraph (d): Shopping centers. Section 4A.37 – Shopping Centers.**

Regardless of the zoning district, shopping centers as defined in section 2.67 are permitted the following signage: One (1) informational sign, hung from a walkway canopy of a size not to exceed two (2) square feet, shall be allowed for each business located in the shopping center.

7. PUBLIC HEARING: **APPLICANT: Mr. Glenn Holman-USE-**  
*(Rescheduled from 3/9/2016 & 4/27/2016)*  
 REPRESENTATIVE: Mr. Kerm Billette PCP, Glenn and Larry Holman  
 COMMON DESCRIPTION: 3599 Nine Mile Road  
 LEGAL DESCRIPTION: 13-30-453-031  
 ZONE: C-1

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

- 1) To operate an automotive repair business (major) in a C-1 zoned district.
- 2) To allow an automotive repair business (major) adjacent to a residential district.

**ORDINANCES and REQUIREMENTS:**

**Section 13.01: Uses Permitted.** Major auto repair is now allowed in a C-1 district.

**Section 14.01 (i):** Automobile repair shops, including body and fender business, provided that such uses are conducted entirely within an enclosed building, and provided further that **such establishments are located at least two hundred (200) feet from any residential district.**

8. PUBLIC HEARING: **APPLICANT: X Finity Systems, Inc/Jane Neuman**  
*(Rescheduled from 04/27/2016)*  
 REPRESENTATIVE: Mr. Kerm Billette, PCP  
 COMMON DESCRIPTION: 25585 Sherwood  
 LEGAL DESCRIPTION: 13-21-326-006  
 ZONE: M-3

**VARIANCES REQUESTED: Permission to**

Waive the required greenbelt or masonry wall along the rear (west) property line.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 (c): Greenbelt** – Along all zoning district boundary lines which border on a more restrictive zoning district.

**Section 2.26 (a): Greenbelt** – An eight (8) foot greenbelt shall be maintained in a healthy growing condition by either the occupant or owner of the property.

A decorative masonry wall may be substituted for the above greenbelt, upon approval of the Planning Director, and shall be maintained in an attractive condition and structurally sound.

9. PUBLIC HEARING: **APPLICANT: Tech Plaza LLC**  
 REPRESENTATIVE: Mr. Tom Petzold  
 COMMON DESCRIPTION: 8325 Twelve Mile Road  
 LEGAL DESCRIPTION: 13-10-353-010  
 ZONE: C-2 & P

**VARIANCES REQUESTED: Permission to**

Retain three (3) awning signs on the front elevation.

- a) 1 (one) Center awning sign 0' 4" x 37' 8" = 12.56 square feet.
- b) 2 (two) Outer awning signs 0' 4" x 17' 8" = 5.89 square feet each.

Total awning signage = 24.34

**Total wall signage = 118.89**

**ORDINANCES and REQUIREMENTS:**

**Section 4A.35(c):** 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.

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|------------|------------------------|--------------------------------------|
| <b>10.</b> | <b>PUBLIC HEARING:</b> | <b>APPLICANT: Regina High School</b> |
|            | REPRESENTATIVE:        | Deborah Biondo                       |
|            | COMMON DESCRIPTION:    | 13900 Masonic Blvd.                  |
|            | LEGAL DESCRIPTION:     | 13-01-301-005                        |
|            | ZONE:                  | R-1-C                                |

**VARIANCES REQUESTED: Permission to**

Conduct a Classic Car Show/Fundraiser on:

Sunday, September 25, 2016: From 12:00 noon – to – 4:00 p.m.

**ORDINANCES and REQUIREMENTS:**

**Section 4.35 Circuses, fairs, carnivals and similar uses.** Permit circuses, fairs, carnivals and similar uses in any District after approval by the Board of Appeals...

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|------------|------------------------|------------------------------------|
| <b>11.</b> | <b>PUBLIC HEARING:</b> | <b>APPLICANT: Christine Khanji</b> |
|            | REPRESENTATIVE:        | Adam Simon                         |
|            | COMMON DESCRIPTION:    | 21376 Van Dyke Avenue              |
|            | LEGAL DESCRIPTION:     | 13-34-304-038                      |
|            | ZONE:                  | C-2                                |

**VARIANCES REQUESTED: Permission to**

Renovate the existing sign (Z.B.A. approved 6/9/1993):

- 1) Install an "L.E.D." message center panel 3' X 8' (24 sq. ft.) at bottom of the existing ground sign.
- 2) Increase the overall signage from 83.5 sq. ft. to 90.9 sq. ft.
- 3) Reducing the under clearance to 9' 4".

**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.

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

**Section 4A.19:** All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

**Section 4A.17 Paragraph (b):** All freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height or the sign.

12. PUBLIC HEARING: **APPLICANT: Kevin Garchow, I can Trucking**  
 REPRESENTATIVE: Kerm Billette, PCP  
 COMMON DESCRIPTION: 23715 Pinewood Street  
 LEGAL DESCRIPTION: 13-29-427-035  
 ZONE: M-2

**VARIANCES REQUESTED: Permission to**

1. Allow outdoor storage on gravel surface as per the plan.
2. Allow outdoor storage of 18 trucks and trailers as per the plan.
3. Allow outdoor storage with no building on the premise.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 Paragraph (k):** All of-street parking areas shall be provided with adequate ingress and egress shall be hard surface with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent), shall be maintained in a usable dustproof condition, shall be graded and drained to dispose of all surface water, provide protective bumper curbs as per Section 4.32 (i) and 16.07, and shall otherwise comply with [Section 2.46](#) and 16.05 of this Ordinance.

**Section 17.02, Item (s) Paragraph (2): Industrial Standards, Open storage other than junk...The designated area shall be hard surfaced** and screened from the public street and any residentially zoned areas...**Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure.**

**Section 22.10, Item (c): Certificate required prior to use, or change in use.** No land, shall be used until Certificate of Compliance shall have been issued by the Building Department stating that the land, or proposed use of the land complies with all applicable provisions of the State Construction Code, the International Property Maintenance Code, the Zoning Ordinance of the City of Warren and the provisions of the Warren Code of Ordinances administered and enforced by the Building Department.

13. PUBLIC HEARING: **APPLICANT: Infinity Trucking Inc,**  
**Hussam Sham Aya**  
 REPRESENTATIVE: Mr. Kerm Billette PCP  
 COMMON DESCRIPTION: 3200 10 Mile Road  
 LEGAL DESCRIPTION: 13-30-201-012  
 ZONE: M-2

**VARIANCES REQUESTED: Permission to**

1. Retain building addition of 9' x 36' in east side yard setback, as per the plan.
2. Allow a 40' x 20' = 800 sq. ft. screened trash and outdoor storage of parts enclosure.
3. Allow the above trash and storage enclosure, within the side yard setback as per the plan.

**ORDINANCES and REQUIREMENTS:**

**Section 17. 02 Paragraph (s):** Open storage other than junk. All open storage shall be located in a designated area approved by the Planning Commission...shall not be located in any area required for parking...Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure...

**Section 17.02 Paragraph (b):** Side yard set back in an M-2 zone shall be 20 feet.

<b>14. PUBLIC HEARING:</b>	<b>APPLICANT: Oke Development LLC / Charles Oke and Hasan Bazzi</b>
REPRESENTATIVE:	The Ron Jona Collaborative / Mr. Ron Jona.
COMMON DESCRIPTION:	1950 E Eleven Mile Road
LEGAL DESCRIPTION:	13-19-101-001
ZONE:	M-2

**VARIANCES REQUESTED: Permission to**

Petitioner seeks to redevelop a site with the following variance requests:

1. Hard surface to no less than one (1) foot of the front (Dequindre) property line and to no less than one (1) foot of the front (Eleven Mile) property line as per the plan.
  2. To allow a canopy to no less than twenty-one (21) feet of the front (Dequindre) property line and allow a canopy to no less than twenty-three (23) feet of the front (Eleven Mile) property line as per the plan.
  3. To allow gas pumps to no less than twenty-five (25) feet of the front (Dequindre) property line and allow gas pumps to no less than thirty-eight (38) feet of the front (Eleven Mile) property line as per the plan.
  4. Construction a new building to no less than five (5) feet of the rear (east) property line and to no less than 14.4' of the side (south) property line as per the plan.
  5. Waive eleven (11) required off street parking spaces.
  6. To allow a maneuvering lane of twenty (20) feet to the west of the canopy and to allow a maneuvering lane of twenty (20) feet to the east of the canopy as per the plan.
  7. To install two (2) monument signs as follows: one (1) sign 8' width x 7.5' height with a sign area of 8' x 5' = 40 sq. ft. and a two (2) foot setback from the Dequindre property line as per the plan and one (1) sign 8' width x 7.5' height with a sign area of 8' x 5' = 40 sq. ft. and a two (2) foot setback from the Eleven Mile property line as per the plan.
  8. Install wall signs as follows:
    - a) Two (2) wall signs on the building, 14' x 1.25' = 17.5 sq. ft. as per the plan.
    - b) Two (2) canopy signs; 9' x 1.25' = 11.25 each, total 22.5 sq. ft. as per the plan.
    - c) Six (6) pump toppers; 1.5 sq. ft. each.
    - d) Total on six (6) pumps of 17.22 sq. ft.
- TOTAL WALL SIGNAGE OF 66.5 SQ. FT.

**ORDINANCES and REQUIREMENTS:**

**Section 4.23: Double-Frontage lots.** On double frontage lots a front yard, as prescribed for the district as herein established shall be provided on both streets.

**Section 2.58: Front Yard:** A front yard is an open space extending the full length of all sides boarding upon a street or streets of a corner lot.

**Section 17.02 Paragraph (a): Industrial Standards.** Front yards. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 Zone shall be required to set back further than fifty (50) feet.

**Section 17.02 Paragraph (b): Industrial Standards.** Side and rear yards M-2: Shall be twenty (20) feet each.

**Section 4.32 Paragraph (i): Maneuvering Lane.** Maneuvering Lane for 90 degree parking shall be 22 feet.

**Section 4.32 Item (22): Off-street parking requirements.** One parking space for each one-hundred fifty (150) sq. ft. of building.

**Section 4A.17 Paragraph (b):** All freestanding signs or ground signs shall be set back from the "right-of-way" line a minimum distance equal to the height.

**Section 4A.17 Paragraph (c):** Within any required front or corner side yard on any corner lot, no sign or other obstruction to visibility shall be permitted between the heights of two and one-half (2 ½) feet and ten (10) feet above the existing street grade within the triangular area formed by the street property lines and line connecting there at points twenty-five (25) feet from the intersection of the street lines or their extension.

**Section 4A.11 Item (22): Monument sign:** A sign mounted directly to the ground with a maximum height not to exceed five (5) feet.

**Section 4A.35 (b):** One freestanding on premise sign of a size not to exceed seventy-five (75) sq. ft. shall be allowed in M-2 districts.

**Section 4A.35 (c):** 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.

**13. NEW BUSINESS**

**14. ADJOURNMENT**

Sherry Brasza  
Secretary of the Board