



Steve Watripont, Chairman
Judy Furgal, Vice-Chairwoman
Roman Nestorowicz, Secretary
Sherry Brasza, Asst. Secretary
Ann Pauta
Henry Brasza
Richard Tabbi III
Charles Anglin
Jeremy Fisher

Zoning Board of Appeals
Office of the City Council
5460 Arden, Ste. 505
Warren MI 48092
Ph. (586)258-2060
Fax: (586)268-0606

AGENDA

A Regular Meeting of the Zoning Board of Appeals – **Wednesday, January 13, 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 December 9, 2015.**

6. PUBLIC HEARING

APPLICANT: Mr. Paul Stodulski-REDICO Management, Inc., sole Member of REDICO Holdings LLC

(Rescheduled from 12/9/15)

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

Mr. Chris Jones – Meijers, Inc.
13355 Ten Mile Road
13-23-476-008
R-2 (being rezoned to C-2)

VARIANCES REQUESTED: Permission to:
Waive 429 spaces of required off street parking.

ORDINANCES and REQUIREMENTS:

Section 4.32 Paragraph (22): Off-street parking requirements. One (1) parking space for each one hundred fifty (150) square feet of floor area.

7. PUBLIC HEARING

APPLICANT: Mr. Ken Boutillier-~~USE-~~

(Rescheduled from 12/9/15)

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

Same as above.
3690 Nine Mile
13-31-226-004
C-1

VARIANCES REQUESTED: Permission to: ~~USE-~~

1. Continue and expand a legal non-conforming residential use in a C-1 District.
2. Construct a building 28' x 50' = 1400 sq. ft. with an overall height of 21' in the required rear setback to within 7' of the rear property line.

ORDINANCES and REQUIREMENTS:

Section 13.01 – Uses permitted: In all C-1 Districts no building or land, except as otherwise provided in this Ordinance shall be erected or used except for one (1) or more of the following uses: (a) All uses permitted in R-1-A, R-1-B, R-1-C, R-2, R-3, R-1-P, and Office Districts except residential dwellings.

8. PUBLIC HEARING

APPLICANT: Mr. Arkan Alton, LA Motors Inc.
(Rescheduled from 12/9/15)

REPRESENTATIVE: Kerm Billette & Arthur Rose III
COMMON DESCRIPTION: 24055 Ryan
LEGAL DESCRIPTION: 13-30-278-031
ZONE: M-1

VARIANCES REQUESTED: Permission to:

1. Add sixteen used car spaces creating stacking of vehicles without a maneuvering lane.
2. Waive five (5) require parking spaces in addition to the two (2) spaces waived by the ZBA on 8/31/11.
3. Allow a six (6) foot high iron fence and gate in the front yard setback per the site plan.
4. Allow hard surfacing for parking in the front yard setback per the site plan.

ORDINANCES and REQUIREMENTS:

Section 15.01 (e)(11)(a & b)(f) Use care display area: (a): There shall be provided a minimum of eight (8) feet by seventeen (17) feet of storage/display space for each used car to be displayed. (b) Access to each individual used car shall be provided. Used cars shall not be positioned in a stacked or packed formation. (f) The setback areas along street frontages shall not be used for the parking or for the storage/display of used cars.

Section 15.01 Item (e) Paragraph (8). Off-street parking required: Separate off-street parking shall be provided in compliance with the regulations contained in section 4.32 and the following provisions: (a) The minimum number of parking spaces to be provided shall be calculated based on the formula of five (5) spaces plus one (1) space per each fifteen (15) used car storage/display spaces.

Section 15.01 (e)(13)(b): Site design requirements: Maneuvering lanes for the storage/display area shall be a minimum of twenty (20) feet in width.

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

9a. PUBLIC HEARING

APPLICANT: Thrifty Florist of Warren

REPRESENTATIVE: Ms. Nicole Agbay
COMMON DESCRIPTION: 29010 Schoenherr Road
LEGAL DESCRIPTION: 13-12-353-010, -027 & -025
ZONE: C-1 & P

VARIANCES REQUESTED: Permission to:

Conduct a Seasonal outdoor sales operation in a “P” District from March 31, 2016 through January 8, 2017 (788 sq. ft.) to no less than 16 ft. from the Schoenherr Road property line and 50 ft. from the north property line per site plan and same as last year.

ORDINANCES and REQUIREMENTS:

Section 4.46 Paragraph (a): The goods, items or articles sold or activities conducted as part of any outdoor retail sale must be consistent with the zoning district where the parcel is located.

Section 16.01: Uses permitted. In all P Districts, no land shall be used for any other use than automobile parking of private passenger vehicles.

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| 9b. PUBLIC HEARING
REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE: | APPLICANT: Thrifty Florist of Warren, #2
Ms. Nicole Agbay
30975 Ryan Road
13-07-227-013
C-1 & P |
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VARIANCES REQUESTED: Permission to:

Conduct a seasonal outdoor sales operation 20' x 30' (600 sq. ft.) from March 31, 2016 through January 8, 2017 to no less than 58 ft. from the Ryan Road property line and 45 ft. from the Thirteen Mile property line. To waive five (5) parking spaces in connection with outdoor sales per site plan and same as last year.

ORDINANCES and REQUIREMENTS:

Section 4.32 Paragraph (h) Item 22: Off-street parking. One (1) parking space required for each 150 sq. ft. of building and outdoor sales are combined.

Section 4.52 Paragraph (d): No sales activity or display of shall be permitted in the area designated for required off-street parking for the existing or temporary use.

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| 10. PUBLIC HEARING
REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE: | APPLICANT: Mr. Richard Viano-USE-
Barry L. Brickner
4536 Ten Mile Road
13-29-103-003
R-1-C |
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VARIANCES REQUESTED: Permission to:-USE-

Continue two dwellings on the same parcel located in a single-family residential zone.

ORDINANCES and REQUIREMENTS:

Section 4.17 (b): Non-conforming use restoration: Nothing in this Ordinance shall prevent the restoration, repairing, or rebuilding of any non-conforming building or structure damaged to the extent of sixty (60) percent or less of its valuation by fire, explosion, act of God, or any act of the public enemy, subsequent to the effective date of this Ordinance, or shall prevent the continuance of the use of such building or part thereof, as such use existed at the time of such impairment of such building or part thereof.

Section 5.01 thru 7.01: Uses in residential districts: Multiple dwellings are not allowed on the same parcel in single family districts.

13. PUBLIC HEARING **APPLICANT: Canvasser Ryan-Ten Investment Co.**
REPRESENTATIVE: Phillips Sign and Lighting
COMMON DESCRIPTION: 4198 East Ten Mile Road
LEGAL DESCRIPTION: 13-29-101-003
ZONE: C-1

VARIANCES REQUESTED: Permission to:

1. Continue a legal non-conforming pylon sign located off site.
2. Add a new, updated tenant cabinet (8' 3" x 6' 8" = 55 sq. ft.) to the existing pylon sign and allow an under-clearance of 5'-2 7/8".
3. Allow an increase in total sign area to 285.9 sq. ft. as per the plan.

ORDINANCES and REQUIREMENTS:

Section 4A.14, Paragraph (j): Off-premise signs other than billboards, election and special events or activities signs as regulated in this ordinance.

Section 4A.19: All freestanding signs shall have a clearance of ten (10) feet beneath the sign structure.

Section 4A.35 Paragraph (b): One freestanding on-premise sign or advertising display of a size not to exceed seventy-five (75) square feet shall be allowed in commercial business districts zoned C-1... M-2.

Section 4A.58 Paragraph (b): A legal nonconforming sign shall lose its designation and is required to be brought into conformity with this ordinance upon any of the following events occurring: The structure or size of the sign is altered in any way except toward compliance with this ordinance.

14. PUBLIC HEARING **APPLICANT: Williams Restaurants of Ryan, Inc. /**
Metro Detroit Signs
REPRESENTATIVE: Kevin Deters/Metro Detroit Signs
COMMON DESCRIPTION: 24840 Ryan Road
LEGAL DESCRIPTION: 13-29-101-005
ZONE: M-2

VARIANCES REQUESTED: Permission to:

Erect four (4) additional wall signs as follows:

1. Two (2) circular wall signs "Burger King" at 36 sq. ft. each. One on the drive-thru elevation and one on the front elevation, in addition to an existing 36 sq. ft. circular wall sign on the main entrance elevation, as per the plan.
2. One (1) wall sign "Taste is King" at 89.75" x 12" = 7.48 sq. ft. on the main entrance elevation.
3. One (1) wall sign "Home of the Whopper" at 285.75" x 14" = 27.78 sq. ft. on the main entrance elevation.

Total of 143.26 sq. ft. of wall signage.

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.

15. PUBLIC HEARING **APPLICANT: Kwang Jin America, Inc.**
REPRESENTATIVE: James Cummins
COMMON DESCRIPTION: 6400 East Eleven Mile Road
LEGAL DESCRIPTION: 13-21-126-026
ZONE: M-3

VARIANCES REQUESTED: Permission to:

1. Construct a truck well addition to within 34.02 feet of the south 696 property line as per the plan.
2. Continue and retain the legal non-conforming building to within 58.58 feet of the front property line and to within 34 feet of the rear property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 Paragraph (a): Rear yards. 60 feet each in M-3 Districts.

Section 17.02 Paragraph (a): Front yards. 150 feet each in M-3 Districts.

Section 4A.32: Residential height and setback regulations. All freestanding signs located in residential districts shall have a maximum height of five (5) feet and shall be set back from the right-of-way line a minimum distance equal to the height of the sign.

16. PUBLIC HEARING **APPLICANT: Super Car Wash Companies, Inc. /**
Todd Gesund (Owner) -USE-
REPRESENTATIVE: Super Car Wash Companies, Inc. / Todd Gesund
(Owner)
COMMON DESCRIPTION: 13665 Twelve Mile Road
LEGAL DESCRIPTION: 13-12-353-012
ZONE: C-1, P

VARIANCES REQUESTED: Permission to: -USE-

1. Continue and expand a legal non-conforming “auto-conveyor” car wash by adding an automotive vacuum system.
2. Allow hard surface to the front property line along 12 Mile Road.

ORDINANCES and REQUIREMENTS:

Section 14.01, Item A.1.c.: Automatic Conveyor. Lot Area: shall have a minimum 20,000 sq. ft. with 150' of frontage along a major road.

Section 14.01, Item P.3: Automatic conveyor. An automatic conveyor is defined as an auto wash where the auto is attached to a conveyor to move the auto through the line as it is washed by machines and employees. **An automatic conveyor auto wash shall be allowed only in C-3, M-1 and M-2 zones.**

Section 14.01, Item P.3.a.2: Front Yard Setback. All auto washes shall have a minimum of thirty-five (35) feet front yard setback measuring from the proposed right-of-way line established by the City’s Master Thoroughfare Plan to the front wall of the building.

17. NEW BUSINESS

18. ADJOURNMENT

Roman Nestorowicz
Secretary of the Board