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Zoning Board of Appeals
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AGENDA

A Regular Meeting of the Zoning Board of Appeals – **Wednesday, October 12, 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 Meetings of September 28.**

6. PUBLIC HEARING: **APPLICANT: Metro Detroit Signs**
(Rescheduled from: 09/14/2016)
REPRESENTATIVE: Kevin Deters
COMMON DESCRIPTION: **27333 Van Dyke**
LEGAL DESCRIPTION: 13-16-480-021
ZONE: C-1

VARIANCES REQUESTED: Permission to

Replace the existing sign and install an L.E.D. electronic message center that is 120.96" x 70.56" (59.28 sq. ft.).

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.

7. PUBLIC HEARING: **APPLICANT: BES Group LLC**
(Rescheduled from: 09/14/2016)
REPRESENTATIVE: Mr. Robert Tobin
COMMON DESCRIPTION: **21950 Hoover**
LEGAL DESCRIPTION: 13-35-151-004
ZONE: M-3

VARIANCES REQUESTED: Permission to:

Waive 16,337 sq. ft. of required off street parking.

ORDINANCES and REQUIREMENTS:

Section 4.32 Paragraph (h) Item 23: One (1) square foot of parking area required for each sq. ft. of floor area for buildings in an M-3 District.

8. PUBLIC HEARING: **APPLICANT: St. Josaphat Ukrainian Church,
Mr. Giuseppe Lentini -USE-**
- REPRESENTATIVE: Giuseppe Lentini / Aleessandro Lentini /
Maurizio Lentini
- COMMON DESCRIPTION: **26401 St. Josaphat DR. (a.k.a. 26440 Ryan Road)**
- LEGAL DESCRIPTION: 13-20-152-001 & 13-20-152-002
- ZONE: R-1-C

VARIANCES REQUESTED: Permission to: -USE-

- 1) Conduct a seasonal outdoor sales operation of Christmas trees, on residential church property from **November 15, 2016 through January 15, 2017, with the hours of operation limited to 8:00 a.m. through 10:00 p.m.**
- 2) Store a temporary trailer on the premises for the duration of the sale.

ORDINANCES and REQUIREMENTS:

Section 4.46: Outdoor Sales are not permitted in R-1-C zoned districts.

Section 4.53 Paragraph (i): Camping trailers, portable sanitary facilities and temporary living quarters are prohibited.

9. PUBLIC HEARING: **APPLICANT: Pastor Craig McGlassion,
Paradox Church**
- REPRESENTATIVE: Chad Asman
- COMMON DESCRIPTION: **28241 Mound Road**
- LEGAL DESCRIPTION: 13-17-277-003
- ZONE: M-2 & R-1-P

VARIANCES REQUESTED: Permission to:

- 1) Waive thirty-three (33) parking spaces.
- 2) Allow 22 parking spaces at a length of 18 feet.

ORDINANCES and REQUIREMENTS:

Section 4.32, Paragraph (g): Required off street parking Nothing in this section shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses, provided collectively, such facilities shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with the table.

Section 4.32, Paragraph (h), Item 15: Required off street parking Church – One (1) for each three (3) seats in the main unit of worship. Where individual seats are not provided, each (20) inches of bench shall be considered as one (1) seat.

Section 4.32, Paragraph (h), Item 20: Required off street parking Furniture – One (1) parking space required for each 500 square ft. of floor space.

Section 4.32, Paragraph (h), Item 11: Required off street parking College – One (1) parking space for each two (2) employees (including teachers and administrators) and one (1) for each ten (10) students.

Section 4.32, Paragraph (i): Parking dimensions All spaces that do not abut a continuous curb required in accordance with Section 16.07 or a common property line shall be laid out with a minimum length of 20 feet.

10. PUBLIC HEARING: **APPLICANT: Chris Lee**
 REPRESENTATIVE: Phillips & Lighting, Inc.
 COMMON DESCRIPTION: **27750 Van Dyke**
 LEGAL DESCRIPTION: 13-11-280-001
 ZONE: C-2

VARIANCES REQUESTED: Permission to:

- 1) Allow a wall sign 4' x 31' 7.5" = 126.5 square feet.
- 2) Allow an LED sign panel 7' 3" x 29" = 17.53 square feet.

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

11. PUBLIC HEARING: **APPLICANT: Adrian L. Leica**
 REPRESENTATIVE: Robert J. Tobin
 COMMON DESCRIPTION: **21601 Hoover**
 LEGAL DESCRIPTION: 13-34-426-002
 ZONE: M-3

VARIANCES REQUESTED: Permission to:

- 1) Waive 1,204 lineal feet of obscuring fabric on six (6) foot high chain link fence.
- 2) Allow building to 38 feet from front (east) property line.
- 3) Allow parking to 50 feet from front (east) property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 Item (a): Industrial Standards, front yard setback In M-3 zone that front yard setback is 150 feet.

Section 17.02 Item (a) Paragraph (3): Industrial Standards, front yard setback Front yards may be utilized for parking or vehicles provided that the front fifty (50) feet of a lot or tract in an M-3 district shall be landscaped and the balance shall be depressed at least two (2) feet so as to have all parked vehicles therein, completely out of sight or view of the roadway.

Section 17.02, Item (s) Paragraph (2): Industrial Standards, Open storage other than junk All open storage shall be located in a designated area approved by the Planning Commission as a part of site plan approval. The area shall be enclosed on three (3) sides by chain link fencing with metal/plastic slats used for screening as deemed necessary by the Planning Commission. In M-3 and M-4 zones the Planning Commission shall determine whether screening of the outside storage is necessary based on the relationship of the storage to properties zoned residential as identified in Section 3.01 (1—7) of the Zoning Ordinance. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas.

12. PUBLIC HEARING:	APPLICANT: Flex-N-Gate Michigan, LLC
REPRESENTATIVE:	Trevor DiPierdomenico
COMMON DESCRIPTION:	5663 E Nine Mile
LEGAL DESCRIPTION:	13-29-478-011
ZONE:	M-2

VARIANCES REQUESTED: Permission to:

Petitioner seeks to build an addition on the site with the following variance requests:

- 1) Allow a building addition to within 30.5 feet from the front (Nine Mile) south property line for parking.
- 2) Hard surface to the front (Nine Mile) south property line for parking.

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. Front yard setback in an M-2 is 25 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the Master Thoroughfare Plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet.

13. NEW BUSINESS

14. ADJOURNMENT

Sherry Brasza
Secretary of the Board