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Zoning Board of Appeals  
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## AGENDA

A Regular Meeting of the Zoning Board of Appeals – **Wednesday, November 16, 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 October 12, 2016.**

6a. PUBLIC HEARING: **APPLICANT: Kaiser Real Estate**  
*(Rescheduled from: 09/14/2016)*  
REPRESENTATIVE: Imad Potres  
COMMON DESCRIPTION: **27333 Van Dyke**  
LEGAL DESCRIPTION: 13-16-480-021  
ZONE: C-1

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

- 1) Allow a south side yard of 12.2 feet along Hartsig.
- 2) Waive 11 parking spaces.
- 3) Allow a decorative structure (arch) 18 feet tall and 38 feet wide over parking ingress/egress to within 5 feet of the front (Van Dyke) property line.
- 4) To allow hard surfacing to within 13'6" from the front (Van Dyke) property line.

### **ORDINANCES and REQUIREMENTS:**

**Section 13.04: Front Yard setback.** A fifteen (15) foot front yard setback shall be provided by all commercial buildings in a C-1 District, measuring from the proposed right-of-way line established by the City's Master Thoroughfare Plan.

**Section 13.06: Side yard setback.** The width of a side yard abutting upon a street shall be not less than fifteen (15) feet when rear yards abut rear yards.

**Section 4.32, Item (22): Off Street parking.** One (1) parking space for each one hundred fifty (150) square feet of floor space.

- 6b. PUBLIC HEARING:** **APPLICANT: Metro Detroit Signs**  
*(Rescheduled from: 09/14/2016; 10/12/16)*  
 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: Richard Basile**  
 REPRESENTATIVE: Richard Basile  
 COMMON DESCRIPTION: **25165 Tecla**  
 LEGAL DESCRIPTION: 13-24-477-030  
 ZONE: R-1-C

**VARIANCES REQUESTED: Permission to:**

Retain a (10' x 12') 120 sq. ft. shed that projects beyond the existing building lines of the principal building on the lot.

**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.

- 8. PUBLIC HEARING:** **APPLICANT: Michael Wiegand**  
 REPRESENTATIVE: Jeff Hamm, Rockstar Digital  
 COMMON DESCRIPTION: **31104 Mound Road**  
 LEGAL DESCRIPTION: 13-04-351-013  
 ZONE: M-2

**VARIANCES REQUESTED: Permission to:**

Allow a 5'4" high monument sign (4' x 8') with a 32 square foot electronic message center within the total sign of 4' 2" x 11' 2" = 46.53 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, electronic, electro-mechanical or electronic means.

**Section 4A.11, Item (22): Definitions** *Monument sign* is a maximum of 5' in height from grade.

**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 an industrial districts zoned M-2.

9.	PUBLIC HEARING: REPRESENTATIVE: COMMON DESCRIPTION: LEGAL DESCRIPTION: ZONE:	<b>APPLICANT: Outfront Media -USE-</b> Caren Burdi, Attorney <b>28219 Mound</b> 13-17-278-016 C-1
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**VARIANCES REQUESTED: Permission to: -USE-**

- 1) Allow the edge of the billboard to be 15 feet from the south property line along Elmer Avenue.
- 2) Allow a billboard on property that abuts residential property to the west.
- 3) Allow a billboard in a C-1 zone.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.51: Billboard setbacks.** Off-premise signs and billboards shall be set back pursuant to the setback regulations of the zoning district where the sign is located.

**Section 13.06: Setbacks:** The width of a side yard abutting upon a street shall be not less than fifteen (15) feet when rear yards abut rear yards. However, in the case of a rear yard abutting a side yard of an adjacent residential lot, the side yard abutting upon a street shall be not less than twenty-five (25) feet.

**Section 4A.48 Paragraph (a):** Except as regulated by the Highway Advertising Act, billboards of a size not exceeding four hundred (400) square feet are allowed in M-3 and M-4 industrial zones, provided that the billboard is located no closer than five hundred (500) feet from any residential use.

**Section 4A.53: Off-premise signs prohibited.** Off-premise signs and billboards shall be prohibited in the following districts: a) Residential districts; b) Parking districts; c) Professional business districts; d) Office districts; e) Special services districts; f) Commercial business districts; g) M-1 and M-2 industrial districts.

10.	PUBLIC HEARING: REPRESENTATIVE: COMMON DESCRIPTION: LEGAL DESCRIPTION: ZONE:	<b>APPLICANT: Mid City Truck Parts, Inc. -USE-</b> Robert J. Tobin <b>26130 Groesbeck</b> 13-24-253-006 & 13-24-253-007 C-3 & P
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**VARIANCES REQUESTED: Permission to: -USE-**

- 1) Continue a legal non conforming building to 5 feet from the front (west) property line in a P zone.
- 2) Continue a legal non conforming building to 5 feet from the side (south) property line in a both P zone and a C-3 zone.

**Continued....**

- 3) Allow open storage of 10,070 square feet of auto parts in a C-3 zone. Area A=4400 sq. ft., Area B= 1600 sq. ft. and Area C= 4070 sq. ft.
- 4) Allow existing gravel and waive hard surfacing in open storage area.
- 5) Allow a roof sign on a legal non conforming building.

**ORDINANCES and REQUIREMENTS:**

**Section 16.02, Paragraph (d): Limitation of use** No buildings other than those for shelter of attendants shall be erected upon premises, and there shall be not more than two (2) such buildings in the area and each such building shall not be more than fifty (50) square feet in area nor shall each exceed fifteen (15) feet in height.

**Section 15.06: Side yard setback** Side yards in a C-3 are not required along an interior side lot line where all walls of buildings, abutting upon such interior side lot line are wholly without windows. If windows or openings are provided, a side yard of not less than ten (10) feet shall be provided.

**Section 17.02, Item (s): Open storage** In all M zones, All open storage shall be located in a designated area approved by the Planning Commission as a part of site plan approval. The designated area shall always 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 on the site except in M-3 and M-4 zones where the amount of outside storage area is not limited based on the size of the primary structure.

**Section 4A.14, Item (f): Prohibited Signs** Roof Signs.

11. PUBLIC HEARING:	<b>APPLICANT: Meijer, Inc.</b>
REPRESENTATIVE:	Juli Sala (AEW, Inc.)
COMMON DESCRIPTION:	<b>13355 Ten Mile Road</b>
LEGAL DESCRIPTION:	13-23-476-008
ZONE:	C-2 & (R-2 – Outlot A)

**VARIANCES REQUESTED: Permission to:**

- 1) Allow porous pavers as hard surface (parking lot and rear drive).
- 2) Correct the size of the “Meijer” on the canopy of the gas station, Item 6. b. from the 12/09/15 ZBA Meeting from 16.7 each to 25.1 each.
- 3) Correct the size of the price sign, Item 4. c. from the 12/09/15 ZBA Meeting from “One (1) three sided gas station price sign 8’ 2” in overall height, sign face 5’ 6” x 7’ 1 ¾ “= 39.3 sq. ft. ...” to “One (1) three sided gas station price sign 8’ 2” in overall height, sign face 5’6” x 7’ 1 ¾” = 39.3 sq. ft. for a total of 117.9 sq. ft....”

**TOTAL From 237.5 sq. ft. to 316.1 sq. ft. of ground signs.**

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 Paragraph (k):** Within All off-street parking areas shall be provided with adequate ingress and egress, shall be hard surfaced 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 Sections 4.32 (i) and 16.07, and shall otherwise comply with Section 2.46 and 16.05 of this Ordinance.

**Section 4A.35 Paragraph (c):** Total wall signage of a size not to exceed forty (40) square feet shall be allowed for each business.

**Section 4A.16 Paragraph (b):** When a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except when two (2) such faces are placed back to back within two (2) feet from one another, if the two (2) faces are of equal area then the area of the sign shall be taken as the area of one (1) face, or if the two (2) faces are of unequal area then the area of the longer face shall be taken as the area of the sign.

12. PUBLIC HEARING:	<b>APPLICANT: Custom Sign Center Inc.–John Gavin</b>
REPRESENTATIVE:	John Gavin
COMMON DESCRIPTION:	<b>26900 Groesbeck</b>
LEGAL DESCRIPTION:	13-24-277-003
ZONE:	C-2 & M-2

**VARIANCES REQUESTED: Permission to:**

Petitioner seeks to have the following sign package:

1) Ground signs:

- a. Sign 1 – Pylon sign 9' 8.5" x 7' 6" = **72.82 sq. ft.** – one (1) foot from the property line.
- b. Sign 3 – Menu board 81.06" x 65.63" = 36.95 sq. ft. – 6' 8.375" tall with a 9.13" x 12" LED insert = 0.77 sq. ft. of LED signage.
- c. Sign 5 – Presell Menu Board 48.31" x 32.63" = 10.95 sq. ft. – 6' 0.57" tall  
**Total Menu boards 2 totaling 47.90 sq. ft.**
- d. Signs 7A, 7B & 7C – Directional signs 10" x 31" = 2.16 sq. ft. each – 3' 6" tall and 3' from property line.
- e. Sign 10 – Directional sign 12" x 18" = 1.5 sq. ft.  
**Total Directional signs 4 totaling 7.98 sq. ft.**

2) Wall signs:

- a. Signs 2A, 2B & 2C – Wall signs 8' 8.75" x 58.5" = 42.56 sq. ft. each **Totaling 127.68 sq. ft.**
- b. Signs 8A, 8B & 8C – Architectural Design Only Awnings 7' x 2' 8" = 18.67 sq. ft. each.
- c. Sign 8D – Architectural Design Only Awnings 10' x 2' 8" = 26.67 sq. ft.  
**Total Architectural Design Only Awnings 4 totaling 82.68 sq. ft.**
- d. Signs 9A & 9B – Script Banner 12' 2" x 12" = 12.17 sq. ft. each **Totaling 24.34 sq. ft.**

**ORDINANCES and REQUIREMENTS:**

**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.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 of the sign.

**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.

**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.

**13. NEW BUSINESS**

**14. ADJOURNMENT**

Sherry Brasza  
Secretary of the Board