



Roman Nestorowicz, Chairman
Judy Furgal, Vice-Chairwoman
Sherry Brasza, Secretary
Jeremy F. Fisher, Asst. Secretary
Ann Pauta
Henry Brasza
Charles Anglin
Albert M. Sophiea
Jeremy Wallace

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, September 14, 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 August 10, 2016 and August 24, 2016.**

6. PUBLIC HEARING: **APPLICANT: Dart Machinery, Ltd**
(Rescheduled from: 08/24/2016)
REPRESENTATIVE: Michael J. O'Leary
COMMON DESCRIPTION: **2097 Bart**
LEGAL DESCRIPTION: 13-30-308-008
ZONE: M-2

VARIANCES REQUESTED: Permission to

1. Waive an additional 7,770 square feet of required off-street parking in connection with a building addition.
2. Allow hard surfacing and a parking lot in the front yard setback to no closer than 9.9 feet from the south property line along Bart.

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 manufacturing buildings.

Section 17.02 Paragraph (a): Front Yard setback for M-2 is 25 feet.

7. PUBLIC HEARING: **APPLICANT: Kim Dao**
 REPRESENTATIVE: Jason McFall
 COMMON DESCRIPTION: **7560 Theut**
 LEGAL DESCRIPTION: 13-28-432-007
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Construct an awning over the existing front porch to no less than 7' 9" of the front property line.

ORDINANCES and REQUIREMENTS:

Section 7.05: Each lot in R-1-C Districts shall have a front yard of not less than twenty-five (25) feet from the front property line.

8. PUBLIC HEARING: **APPLICANT: Julijana Kuhnhen**
 REPRESENTATIVE: Bret Kuhnhen
 COMMON DESCRIPTION: **4601 Chicago Road**
 LEGAL DESCRIPTION: 13-05-180-003
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Retain an 8 foot x 6 foot = 48 sq. ft. shed to no less than 7 feet of the side property line, in addition to a 576 sq. ft. detached garage.

ORDINANCES and REQUIREMENTS:

Section 4.20 Paragraph (a) Item 3: All detached accessory buildings shall not project beyond the existing side building lines of the principal building on the lot. The construction of all such accessory structures shall be subject to the following condition That an accessory structure be placed against any other accessory structure, such as a detached garage. Only one (1) detached accessory structure shall be permitted in the yard.

9. PUBLIC HEARING: **APPLICANT: Allied Signs, Inc.**
 REPRESENTATIVE: Jim Fields, Allied Signs, Inc.
 COMMON DESCRIPTION: **30301 Schoenherr**
 LEGAL DESCRIPTION: 13-11-280-001
 ZONE: O

VARIANCES REQUESTED: Permission to

Allow a new 6' high monument sign with a 37.5 square foot electronic message center and total square footage of 60 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.11, Item (22): Definitions *Monument sign* is a maximum of 5' in height from grade.

Section 4A.34, Paragraph (b): Signs permitted in Office Districts (O). One freestanding on-premise sign or advertising display of a size not to exceed fifty (50) square feet shall be allowed in office districts.

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| 10. PUBLIC HEARING: | APPLICANT: Metro Detroit Signs |
| 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.

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| 11. PUBLIC HEARING: | APPLICANT: Kaiser Real Estate |
| 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.

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.

12. PUBLIC HEARING: **APPLICANT: BES Group LLC**
 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.

13. PUBLIC HEARING: **APPLICANT: Trans Terminal LLC**
 REPRESENTATIVE: Robert Tobin
 COMMON DESCRIPTION: **21600 Dequindre**
 LEGAL DESCRIPTION: 13-31-301-001, 13-31-301-003 & 13-31-301-005
 ZONE: M-2 & R-1-P

VARIANCES REQUESTED: Permission to

- 1) Waive 22,328 square feet of required parking.
- 2) Allow hard surface to within 9 feet of the front (west) property line.
- 3) Waive hard surfacing of Truck parking area.
- 4) Allow an 8 foot obscuring fence along the 140.00 feet of the offset west property line and along the 392.45 feet of the south property line and along the 328.88 feet of the east property line.

ORDINANCES and REQUIREMENTS:

Section 4.32 Paragraph (h) Item 23: Off Street parking One (1) parking space for each five hundred (500) square feet of floor area.

Section 17.02 Paragraph (a): Industrial Standards The front yard setback in M-2 zones with yards fronting on a major thoroughfare ... shall be fifty (50) feet.

Section 17.02 Paragraph (s): 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 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.

Section 4D.38: Height Obscuring walls and fences in non-residential zones shall not exceed six (6) feet in height.

14. PUBLIC HEARING: **APPLICANT: United Hospitality Group III, LLC-USE-**
 REPRESENTATIVE: Victor Saroki / Saroki Architecture
 COMMON DESCRIPTION: **11570 Eleven Mile Road**
 LEGAL DESCRIPTION: 13-22-226-029
 ZONE: C-1

VARIANCES REQUESTED: Permission to -USE-

- 1) Allow a hotel in a C-1 zone, subject to special land use permit.
- 2) Allow a hotel on a lot size of 1.93 Acres.
- 3) Allow a hotel on a lot size 84,217.2 sq. ft. when plans indicate a need for a minimum of 99,200 sq. ft.
- 4) Allow a 45' 8" hotel being built to within 31' of the rear (south) property line.
- 5) Allow a Porte-Cochere to be built to within 22' of the side (west) property line.
- 6) Allow hard surfaced parking to within 15' of the front (north) property line.

ORDINANCES and REQUIREMENTS:

Section 14.02 Paragraph (d): Approval of special land use permit. Under such conditions as the City Council, after recommendation of the Planning Commission, finds the use meets the standards for approval set forth in Section 22.14 of the Ordinance and subject to the conditions that may be imposed, the following use may be permitted in a C-2 zone: *Motels, hotels, and motor courts.*

Section 14.02 Paragraph (d) item (3): Each such use shall have a minimum total site area of two (2) acres.

Section 14.02 Paragraph (d) item (4): Each such use shall have a minimum lot area of seventy-two hundred (7,200) square feet for the first unit and one thousand (1000) square feet for each additional unit.

Section 14.02 Paragraph (d) item (5): Each such use shall have a front, two (2) sides and one (1) rear yard, each yard having a minimum width equal to the height of the building.

Section 19.04: Height of hotels The height of hotels may be increased to ten (10) stories or one hundred fifty (150) feet provided such building shall set back from all lot lines not less than one (1) foot in addition to the required yard dimensions for each foot such buildings exceed the height allowed in the district concerned.

Section 13.02: Building height. No building hereafter erected or altered in a C-1 District shall exceed thirty-five (35) feet in height or two (2) stories, except as provided in Article XIX of this Ordinance.

15. NEW BUSINESS

16. ADJOURNMENT

Sherry Brasza
Secretary of the Board