



Zoning Board of Appeals

Office of the City Council
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Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Anglin
Kevin Higgins
Charles Perry
Anthony Sieracki, Jr.
Michael Sylvester

**A Regular Meeting of the Zoning Board of Appeals
Wednesday, October 11, 2023 at 7:30 p.m. in the Warren Community Center
Auditorium, 5460 Arden, Warren, Michigan 48092.**

Site plans are available for viewing in the Building Department of
City Hall at 1 City Square, 3rd Floor, Warren, 48093.
Please call: (586) 574 - 4504

AGENDA

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 13, 2023 and September 27, 2023.**

6. PUBLIC HEARING: **APPLICANT: 27050 Gloede Investments LLC**
(Rescheduled from 9/13/2023)
- REPRESENTATIVE: Angelo Jadan
COMMON DESCRIPTION: 27048 Gloede
LEGAL DESCRIPTION: 13-13-477-018
ZONE: M-2

VARIANCES REQUESTED: Permission to

Allow a permanent shipping container (8' x 40' = 320 square ft.) on the exterior of the premises for storage of packing supplies – no cannabis.

ORDINANCES and REQUIREMENTS:

Section 4G.11 Prohibitions: (1) A marihuana business, patient operation, caregiver operation, or personal recreational adult-use is not permitted to have any of the following: (B) Except as permitted by MCL 333.26423(D) and MCL 333.27961(A), Marihuana-related outdoor storage.

- 7. PUBLIC HEARING: **APPLICANT: Hien Nguyen**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 7520 Prospect
 LEGAL DESCRIPTION: 13-33-429-061
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Retain the existing fence along the front property line, (that extends 54 ft. past the front building line and 8.5 ft. from the front property line.)

ORDINANCES and REQUIREMENTS:

Section 4D.08 – Fences, Walls and Landscape Screens in Front Yard Between Building Line and Front Property Line: No fence, wall or landscape screen shall be constructed between the established building line and the front property line.

- 8. PUBLIC HEARING: **APPLICANT: Mark Allen Warren**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 29053 Aline
 LEGAL DESCRIPTION: 13-10-454-017
 ZONE: R-1-B

VARIANCES REQUESTED: Permission to

Construct a 16' x 18' = 288 square ft. accessory structure.

ORDINANCES and REQUIREMENTS:

Section 4.20 – Detached Accessory Buildings: (A) All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall conform to, and shall not project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions: 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

- 9. PUBLIC HEARING: **APPLICANT: Paul Lesnau**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 13646 Adams
 LEGAL DESCRIPTION: 13-01-105-003
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Construct a second attached garage, 13' x 37' = 481 square ft., in addition to an existing 388.5 square ft. attached garage and an existing 130 square ft. shed (which a permit was issued for in 2009) for a total of 999.5 of accessory structures.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: (l) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do no involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there is houses not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory use, provided, however, any such

commercial vehicle shall not exceed one (1) ton capacity, and shall be kept houses within a garage when not in use; and provided, further, that no moving vans shall be housed in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

Section 4.20 – Detached Accessory Buildings: (A) All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall conform to, and shall not project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions: 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

10.	PUBLIC HEARING:	APPLICANT: Ammar Yousef
	REPRESENTATIVE:	Same as above.
	COMMON DESCRIPTION:	24024 Ryan
	LEGAL DESCRIPTION:	13-29-154-039
	ZONE:	M-1

VARIANCES REQUESTED: Permission to

Erect a pole sign that is:

- 1) Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the south property line.
- 2) Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the west property line.

If approved the variance regarding the awning sign issued on 12/13/2000 will be relinquished.

ORDINANCES and REQUIREMENTS:

Section 4A.17 – Setbacks: The following setback regulations shall apply to signs located in all zoning districts: b) all freestanding or ground signs shall be setback from the right-of-way line a minimum distance equal to the height of the sign.

11.	PUBLIC HEARING:	APPLICANT: MD Urgent Care and Family Medicine
	REPRESENTATIVE:	Hussein Awada MD
	COMMON DESCRIPTION:	12640 Twelve Mile
	LEGAL DESCRIPTION:	13-14-130-001
	ZONE:	PB

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

- 1) Erect a monument sign as follows:
 - a) Height, 6’ 3.5”
 - b) Setback 6’ from front property line
 - c) Size, 31 square ft:
 - 1) EMC sign = 19.5 square ft. when 3 square ft. is allowed.
 - 2) “Urgent Care” sign, 11.5 square ft.
- 2) Two wall signs as follows:
 - a) North elevation, “24 Hour Urgent Care” 48 square ft.
 - b) West elevation “24 Hour Urgent Care” 48 square ft.

Total wall signage = 96 square ft.

Total signage 127 square ft. with 3 signs when one 12 square ft. sign is allowed.

ORDINANCES and REQUIREMENTS:

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

Section 4A.17 – Setbacks: The following setback regulations shall apply to signs located in all zoning districts: 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.27 – Electronic Message Center: In addition to other applicable zoning requirements, a responsible party shall comply with all of the following electronic message center requirements: (B) Except a property where a business has a valid State of Michigan motor fuels retail outlet license, the digital display area of an electronic message center does not exceed 25% of the total permitted free standing sign age.

Section 4A.33 – Signs Permitted in Professional Business and Special Service Districts (P.B., S.S.): (B) One on-premise sign or advertising display of a size not to exceed twelve (12) square feet in area for each business on the premises shall be allowed in professional business districts and special service districts.

12. PUBLIC HEARING:	APPLICANT: Signs By Crannie, Inc.
REPRESENTATIVE:	Nick Trifon
COMMON DESCRIPTION:	6500 Fourteen Mile
LEGAL DESCRIPTION:	13-04-126-021
ZONE:	M-2

VARIANCES REQUESTED: Permission to

Erect a second ground sign as follows:

- a) Monument sign 17' 5.5" high
- b) Monument sign which is 173.5 square ft. (not including the 36 square ft. base)
- c) Setback 2 ft. from the row line along 14 Mile.
- d) Setback 7 ft. from the closest vehicular egress into the parking lot.

Sign is in addition to the existing ground sign approved by the Zoning Board of Appeals on 10/13/1997 for a 20' x 44' = 880 square ft. monument sign, 44 ft. high and 24 banners (16 square ft. each) total of 384 square ft. of banners (approved by Zoning Board of Appeals on 11/10/1999). If approved total ground signage (880 square ft. existing ground sign + 384 square ft. existing banners + 173.5 = 1,437.5 square ft. of ground signage.)

ORDINANCES and REQUIREMENTS:

Section 4A.35 – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1 and M-2): (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 and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

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

Section 4A.17 – Setbacks: The following setback regulations shall apply to signs located in all zoning districts: b) all freestanding or ground signs shall be setback from the right-of-way line a minimum distance equal to the height of the sign.

13. PUBLIC HEARING: **APPLICANT: Shuajb Gerguri -USE-**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 27440 Hoover
 LEGAL DESCRIPTION: 13-14-351-001
 ZONE: PB

VARIANCES REQUESTED: Permission to -USE-

Petitioner seeks to operate a massage therapy and esthetician business in a PB District.

ORDINANCES and REQUIREMENTS:

Section 12.01 – Uses Permitted in PB: Message therapy and esthetician businesses are not allowed uses.

14. PUBLIC HEARING: **APPLICANT: Matthew Lockhart**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 25800 Flanders
 LEGAL DESCRIPTION: 13-24-331-001
 ZONE: M-2

VARIANCES REQUESTED: Permission to

- 1) Allow 15,203.6 square ft. of outdoor storage when 2,000 square ft. is allowed.
- 2) Allow open storage no less than 26 feet from the front property line.
- 3) Allow storage, parking and maneuvering on a non-hard gravel surface.
- 4) Retain existing 8 ft. high chain link fence/gate that extends from the building at the front building line to the south property line.
- 5) Retain existing chain link fence (permitted on 11/30/1982 #13356) that extends 26 ft. past the front building line to the front (west) property line and extends along said property line approximately 65.6 ft.
- 6) Retain existing chain link along the south property line that extends past the front building line to the front property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: (S) Open storage other than junk. The designated area shall always be hard surfaced and screen from the public street and any residentially zoned areas. The designated areas shall not be located in any area required for parking space and is necessary to the minimum requires of Section 4.32 of this ordinance. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site. In M-1 and M-2 zones the designated area shall not be located any closer than seventy-five (75) feet to the front property line.

Section 4.32 – Off-street Parking Requirements: (K) All off-street parking areas shall be provided that adequate ingress and egress, shall be hard surfaced with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent).

Section 4D.39 – Location: All fences and walls constructed or installed between lots shall not exceed a height of six (6) feet above the average grade of the two (2) adjoining lots and shall not extend closer to the font lot line than the established building line or front setback line.

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

15. PUBLIC HEARING: **APPLICANT: Ginkgo Property Group LLC -USE-**
REPRESENTATIVE: MD Haque
COMMON DESCRIPTION: 11 Mile
LEGAL DESCRIPTION: 13-20-227-001
ZONE: C-2

VARIANCES REQUESTED: Permission to -USE-

- 1) Allow a multi-family dwelling, 4 units in a C-2 zone. **USE**
- 2) Allow a lot area of 12,600 square ft. when 19,200 square ft. is required.
- 3) Construct a multi-family dwelling without the required basement.
- 4) Construct a building in the front yard setback, no closer than 25' from the front (west) property line.
- 5) Construct a building in the side yard setback, no closer than 25' from the side (north) property line.

ORDINANCES and REQUIREMENTS:

Section 14.01 – Uses Permitted: In all C-2 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 specified uses: (A) All uses permitted in C-1 districts, except dwellings for one-family, two-family and multiple-family in which the occupants primarily make their home twelve (12) months out of each yard.

Section 10.03 – Lot Area: Every lot in an R-3 district on which a multiple family dwelling is to be erected shall provide a minimum lot area of seventy-two hundred (7,200) square feet for the first living unit, and not less than four thousand (4,000) square feet of lot area for each additional efficiency unit or dwelling unit with one (1) or two (2) bedrooms, including dens, libraries, and/or any other rooms outside kitchen, living or dining room (except bathroom) exceeding eighty (80) square feet, not exceeding one hundred fifty (150) square feet to be counted as one (1) room, and not less than five thousand (5,000) square feet for each additional three (3) or four (4) bedroom unit.

Section 4.26 – Size of Residential Dwellings: Every principal building within a multiple-family development shall be provided with a full basement as defined in Section 2.02 of this ordinance, except high rise apartment residential buildings.

Section 10.04 – Front Yard: Each lot in R-3 districts shall have a front yard of not less than twenty-five (25) feet in depth for a one (1) story building plus ten (10) feet for each additional story or portion thereof.

Section 10.07 – Side Yard Abutting Upon A Street: In R-3 districts the width of side yards abutting upon a street shall be not less than twenty-five (25) feet.

16. NEW BUSINESS

17. ADJOURNMENT

Paul Jerzy
Secretary of the Board

Any person with a disability who needs accommodation for participation in this meeting should contact the Warren City Council Office at (586) 258-2052 – 48 hours in advance of the meeting to request assistance.