



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

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, September 13, 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 Meeting of August 23, 2023.**

6. PUBLIC HEARING: **APPLICANT: Kimberly Cady**
(Rescheduled from 8/9/2023 and 8/23/2023)
- REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 30760 Moulin
LEGAL DESCRIPTION: 13-11-229-011
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

- 1) Retain existing 100 square ft. shed, 6' and 6' 1" from property line (6' rear easement).
 - 2) Allow a 2nd shed, 100 square ft., which is outside of the principle building line.
- Total square footage of both sheds is 200 square ft.

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: 3. That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard. 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

7. PUBLIC HEARING: **APPLICANT: Gleaners Community Food Bank of Southeastern Michigan**
 (Rescheduled from 8/23/2023)
 REPRESENTATIVE: Dave Webster
 COMMON DESCRIPTION: 4401 Eight Mile (vacant lot), 20732 Sunset (vacant lot) and frontage (vacant lot)
 LEGAL DESCRIPTION: 13-32-357-014, 13-32-357-009 and -013
 ZONE: M-1

VARIANCES REQUESTED: Permission to

- 1) Erect a second wall sign 4' 6-1/2" x 16' 10" = 76.5 square ft. in size, consisting of a design element (mural).
 - 2) Erect a canopy 192' x 3' = 576 ft. of a one color design element.
- Total 652.5 square ft. design element in addition to a 40 square ft. wall sign.

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): 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.

8. PUBLIC HEARING: **APPLICANT: Christopher Schwartz**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 23524 Lauren
 LEGAL DESCRIPTION: 13-25-403-021
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Previously granted variance (8/9/2023) to be relocated 4 ft. from dwelling and 4 ft. from side property line.

ORDINANCES and REQUIREMENTS:

Section 4.19 – Detached Garage Buildings: (A) All detached garages located in side and rear yards and within ten (10) feet of the rear wall of any principal building shall comply with all yard requirements applicable to the principal structure in the district. In no event shall such garages locate closer than five (5) feet from any side lot lines.

9. PUBLIC HEARING: **APPLICANT: Sabbir Ahmed -USE-**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 8078 Chapp
 LEGAL DESCRIPTION: 13-27-302-007
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Use a single-family home as a multi-family home (2 units) in a single family zoning district.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Multi-family dwellings are not permitted in a single family district.

10. PUBLIC HEARING: **APPLICANT: Ryan Halder / Kum & Go, L.C.**
 REPRESENTATIVE: Jamie Antoniewicz / Atwell, LLC
 COMMON DESCRIPTION: 14 Mile
 LEGAL DESCRIPTION: 13-01-228-020
 ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to
 Erect an off-premise ground sign with the following:
 1) Set back 2.6 ft. from the front property line.
 2) Total area of sign is 99.72 square ft.
 3) Total area of EMC sign is 27.53 square ft.
 4) Height of sign is 22.85 ft.

ORDINANCES and REQUIREMENTS:

Section 4A.14 – Prohibited Signs: The following signs are prohibited in all districts: (J) Off-premise signs other than billboards, election and special events or activities signs as regulated in this ordinance.

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.

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.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 area;

Section 4A.18 – Height: The height of all signs, unless provided otherwise in this ordinance, shall comply with the following: (B) Freestanding signs. The height of all freestanding signs shall not exceed twenty (20) feet.

11. PUBLIC HEARING: **APPLICANT: Metro Detroit Signs**
 REPRESENTATIVE: Kevin Deters
 COMMON DESCRIPTION: 8425 Twelve Mile
 LEGAL DESCRIPTION: 13-10-378-003
 ZONE: MZ, P, C-1

VARIANCES REQUESTED: Permission to
 Erect a 7.5' high ground sign, 5' x 7.75" (38.75 square ft.) with the following:
 1) Set back no closer than 1 ft. to the front property line.
 2) A 2.5 ft. under clearance.

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 set back from the right-of-way line a minimum distance equal to the height of the sign.

Section 4A.19 – Clearance: All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

12. PUBLIC HEARING:

APPLICANT: Jennifer Paquin/PB2 Architecture & Engineering

REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 29176 Van Dyke
LEGAL DESCRIPTION: 13-10-353-009
ZONE: MZ, P, C-2

VARIANCES REQUESTED: Permission to

A) Allow the following wall signage on the south elevation:

- 1) A 691.22 square ft. wall sign with 298.00 square ft. of "Walmart" and spark logo on the remaining 393.22 square ft. consisting of a decorative design element.
- 2) A 434.40 square ft. wall sign with 32.37 square ft. "pick up" and the remaining 402.03 square ft. consisting of a decorative design element.
- 3) A 412.00 square ft. wall sign with 94.90 square ft. "home & pharmacy" and the remaining 317.10 square ft. consisting of a decorative design element.
- 4) A 412.03 square ft. wall sign with 41.05 square ft. "grocery" and the remaining 370.98 square ft. consisting of a decorative design element.
- 5) A 20.67 square ft. wall sign "outdoor".
- 6) A 16.25 square ft. wall sign "auto care".
- 7) A 251.53 square ft. wall sign with 24.75 square ft. "auto care" and the remaining 226.78 square ft. consisting of a decorative design element.
- 8) Two (2) 2.33 square ft. wall signs "tire" for a total of 4.66 square ft.
- 9) A 13.47 square ft. wall sign "recycle".
- 10) A 9.33 square ft. wall sign "oil change".
- 11) Three (3) 4.91 square ft. wall signs circle with number for a total of 14.73 square ft.
- 12) A 19.21 square ft. wall sign "pharmacy" "drive-thru".

Total signage on south elevation is 2,299.50 square ft. of verbiage and 1,710.11 square ft. of decorative design element.

B) Allow the following wall signage on the north elevation:

- 1) Two (2) 2.33 square ft. wall signs "tire" for a total of 4.66 square ft.
- 2) Two (2) 4.91 square ft. wall signs circle with number for a total of 9.82 square ft.

Total signage on north elevation is 14.48 square ft. of verbiage.

C) Allow the following wall signage on the east and west elevations:

- 1) Two (2) areas of decorative design element on the east elevation for a total of 308.12 square ft.
- 2) Three (3) areas of decorative design element on the west elevation for a total of 418.47 square ft.

Total signage is 3,040.57 square ft. with 603.87 square ft. of verbiage and 2,436.70 square ft. of decorative design element.

If approved as written previous wall sign variances will be relinquished.

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): 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. PUBLIC HEARING: **APPLICANT: Geoffrey Mueller – General Motors**
REPRESENTATIVE: Michael Serdiuk, AIA
COMMON DESCRIPTION: 30470 Harley Earl Blvd
LEGAL DESCRIPTION: 13-09-100-002
ZONE: MZ, M-2, M-3

VARIANCES REQUESTED: Permission to
 Waive 274 required off-street parking spaces.

ORDINANCES and REQUIREMENTS:

Section 4.32 – Off-street Parking Requirements: In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this ordinance, shall be provided and maintained as herein prescribed. 19) Banks, business or professional offices. A. One (1) parking space for each two hundred (200) square feet of gross floor area. (23) Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing and engraving shops, warehouse and storage buildings. One (1) parking space for each one thousand two hundred (1,200) square feet of gross floor area.

14. PUBLIC HEARING: **APPLICANT: Sejad Malkic**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 27721 Schoenherr
LEGAL DESCRIPTION: 13-14-429-030
ZONE: O

VARIANCES REQUESTED: Permission to

- 1) Retain an existing building no less than 26.3 ft. from the front (east) property line.
- 2) Retain an existing building no less than 8.3 ft. from the side (south) property line.

ORDINANCES and REQUIREMENTS:

Section 5.11 – Churches, Schools, Libraries and Civic Clubs: Churches, synagogues, mosques, public schools, public libraries, private educational institutions, funeral homes, community buildings, country clubs, fraternal lodges of similar civic or social clubs shall be permitted with permission of the Planning Commission pursuant to the standards set forth in Section 22.14(B)(1) and upon compliance with the following minimum requirements: (8) Every building shall have a front yard of not less than thirty (30) feet. If a circular drive is proposed in the front yard, a distance equal to the width of the drive shall be added to the front yard setback. (9) Every building shall have two (2) side yards of not less than twenty (20) feet each.

15. PUBLIC HEARING: **APPLICANT: Mohamad Elfakir -USE-**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 28455 Schoenherr
LEGAL DESCRIPTION: 13-14-276-020
ZONE: C-1

VARIANCES REQUESTED: Permission to -USE-

- 1) Allow a drive-thru restaurant in a C-1 zone.
- 2) Waive the requirement of completely enclosing the property of a drive-thru restaurant with a 4 foot chain link fence.

ORDINANCES and REQUIREMENTS:

Section 13.01 – Uses Permitted: A drive-in restaurant is not permitted in a C-1 zone.

Section 14.01 (K) – 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: drive-in restaurant, an establishment whose principal business is to serve food that may be consumed in the building on the premises, on the premises outside the building, or off the premises. Drive-in restaurants shall be permitted upon approval of the Planning Commission, after a public hearing has been held and it is found that the proposed drive-in restaurant meets all the requirements of the zoning ordinances and the following standards: 4. Drive-in restaurant properties shall be completely enclosed with a chain-link fence with a height of four (4) feet; however, when abutting a residential property, a decorative masonry screening wall constructed to a height of six (6) feet shall be provided.

16. PUBLIC HEARING:	APPLICANT: 27050 Gloede Investments LLC
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 marijuana 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), Marijuana-related outdoor storage.

17. NEW BUSINESS

18. 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.