



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Anglin
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Zoning Board of Appeals
Office of the City Council
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**A Regular Meeting of the Zoning Board of Appeals
Wednesday, December 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 November 8, 2023.**

6. PUBLIC HEARING: **APPLICANT: 27050 Gloede Investments LLC**
(Rescheduled from 9/13/23, 10/11/23, 11/8/23)
- 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.

7. PUBLIC HEARING: **APPLICANT: Mohammed Khan -USE-**
 (Rescheduled from 11/8/2023)
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 21411 Ryan
 LEGAL DESCRIPTION: 13-31-428-036
 ZONE: M-1

VARIANCES REQUESTED: Permission to -USE-

- 1) Construct a second driveway in addition to the existing driveway with a 24 ft. wide driveway connecting the two resulting in a “horseshoe” driveway. (Engineering approval is required to install a second approach.)
- 2) Construct a 14’ x 22’ = 308 square ft. garage on a non-conforming lot, no less than 5 ft. from the side (south) property line.

ORDINANCES and REQUIREMENTS:

Section 4.06 – Yard Use: No part of any require yard, except a rear or side yard shall be used for any detached garage or any accessory building other than a garage or use, or for the storage of vehicles. Any portion of a lot in front of the front building line shall be used for ornamental purposes only and nothing shall be placed thereon except trees, shrubs, or items of similar nature.

Section 17.02 – Industrial Standards: M-2 (B): Side yards, and rear yards, 20’ each.

8. PUBLIC HEARING: **APPLICANT: Metro Detroit Signs**
 (Rescheduled from 11/8/2023)
 REPRESENTATIVE: Kevin Deters – Metro Detroit Signs
 COMMON DESCRIPTION: 28532 Schoenherr
 LEGAL DESCRIPTION: 13-13-101-004
 ZONE: PB

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

- 1) Retain an existing 8.16’ high ground sign as follows:
 - a. Size: 96” x 49” = 32.7 square ft.
 - b. Under clearance: 4.08 ft.
 - c. Setback = 0, directly abuts property line, 1 ft. in from public sidewalk.

2) Replace an existing wall sign 1.5’ x 18’ = 27 square ft.

If approved total signage = 59.7 square ft. (Note: If granted the variance from 1/8/1969 for a 9 square ft. ground sign will be relinquished.)

ORDINANCES and REQUIREMENTS:

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 exceeding twelve (12) square feet in area for each business on the premises shall be allowed in Professional Business Districts and Special Service Districts.

Section 4A.11 – Specific Sign Definitions: 15. Freestanding sign. A sign that is erected upon or supported by the ground and is affixed to the ground, but not attached to any building, including signs on poles or pylons that are anchored into the ground. Also called ground signs.

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.

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.

- 9. PUBLIC HEARING: **APPLICANT: Zachary Crawford**
- REPRESENTATIVE: Same as above.
- COMMON DESCRIPTION: 13126 Julius
- LEGAL DESCRIPTION: 13-35-282-003
- ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Petitioner wishes to retain an existing accessory structure which is:

- 1) Eleven foot one inch (11' 1") in height.
- 2) One hundred and seventy (170) square ft. in size.
- 3) Located outside the side building lines of the dwelling.

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 120 square feet.

- 10. PUBLIC HEARING: **APPLICANT: Peggy Badya**
- REPRESENTATIVE: Matthew Mouilleseaux
- COMMON DESCRIPTION: 32564 Pine Ridge
- LEGAL DESCRIPTION: 13-03-233-007
- ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Allow a deck no less than 29 ft. from the rear property line.

ORDINANCES and REQUIREMENTS:

Section 7.08 – Rear Yards: Each lot in R-1-C Districts shall have a rear yard depth of not less than thirty-five (35) feet.

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

VARIANCES REQUESTED: Permission to

Construct a parking spot in the side yard setback, no closer than 13' from the side (north) property line.

ORDINANCES and REQUIREMENTS:

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.

- 12. PUBLIC HEARING: **APPLICANT: Team Up Academy / Landmark Church**
- REPRESENTATIVE: Paul Reschke
- COMMON DESCRIPTION: 5717 and 5713 Thirteen Mile
- LEGAL DESCRIPTION: 13-05-476-006
- ZONE: MZ, C-2, P

VARIANCES REQUESTED: Permission to

- 1) Retain a building no less than 25 ft. from the north property line.
- 2) Retain two driveway approaches located closer than 500 feet to a major intersection:
 - a. Mound driveway, 404’ from major intersection.
 - b. Thirteen Mile driveway, 311’ from major intersection.

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 or similar civic or social clubs shall be permitted with permission of the Planning Commission pursuant to the standards set for in Section 22.14(b)(1) and upon compliance with the following minimum requirements: (3) That the driveway approaches shall not be located closer than five hundred (500) feet to a major intersection. (11) Each lot shall have a year yard of not less than forty-five (45) feet where the building does not exceed two (2) stories or thirty-five (35) feet in height. Where any building exceeds thirty-five (35) feet in height, then such building shall be setback one (1) foot in addition to the forty-five (45) feet for each foot the building exceeds the height allowed.

- 13. PUBLIC HEARING: **APPLICANT: Mary Treder Lang, President**
- REPRESENTATIVE: John Dell’Isola, PE
- COMMON DESCRIPTION: 13900 Masonic
- LEGAL DESCRIPTION: 13-01-301-005
- ZONE: R-1-C

VARIANCES REQUESTED: Permission to

- 1) Allow 1,320 linear ft. of 10’ high black vinyl-coated chain link fence (surrounding and within tennis court area).
- 2) Erect an accessory structure:
 - a. Outside the side building lines of the principal building.
 - b. That is 160 square ft. in size.

ORDINANCES and REQUIREMENTS:

Section 4D.32 – Specifications for Residential Areas: All fences in residential areas shall be of an ornamental type. Fences in residential areas shall not exceed four (4) feet in height and may be constructed of either metal, iron, chain link, wire, ornamental aluminum, vinyl or solid material construction such as wood, brick or masonry, except privacy fences allowed as provided in Section 4D.33 may not exceed six (6) feet in height.

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 no 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.

14. PUBLIC HEARING: **APPLICANT: Osama Razooq**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 12980 Twelve Mile
 LEGAL DESCRIPTION: 13-14-203-001
 ZONE: PB

VARIANCES REQUESTED: Permission to

- 1) Split an existing parcel of land into 3 parcels with parcels "B" and "C" being 55 ft. wide
- 2) Retain an existing dwelling set back no less than 16 ft. from the front property line.

ORDINANCES and REQUIREMENTS:

Section 12.02 – Dwelling Units: In PB districts, every one-family dwelling shall comply with requirements established under Article VIII of this ordinance.

Section 8.03 – Lot Area: A one-family dwelling in R-1-P districts, together with accessory buildings, hereafter erected shall be located on a lot having an area of not less than nine thousand (9,000) square feet and with an average width of not less than sixty (60) feet; provided, however, when a community water and sewer system is provided the lot are shall not be less than seventy-two hundred (7,200) square feet and with a lot width of not less than sixty (60) feet.

Section 8.08 – Front Yard: Each lot in R-1-P districts shall have a front yard not less than twenty-five (25) feet in depth.

15. PUBLIC HEARING: **APPLICANT: The Tobin Group, LLC-USE-**
 REPRESENTATIVE: Benjamin Tobin
 COMMON DESCRIPTION: 14721 Frazho
 LEGAL DESCRIPTION: 13-24-253-014
 ZONE: MZ, C-1, C-3 and P

VARIANCES REQUESTED: Permission to -USE-

Operate a medical training facility in a C-1 district.

ORDINANCES and REQUIREMENTS:

Section 13.01 – Uses Permitted in C-1: A for profit school is not an allowed use.

Section 14.01 – Uses Permitted in C-2: (I) Business schools and colleges or private schools operated for profit.

16. PUBLIC HEARING: **APPLICANT: Zachary Matouka / The Yard Men-USE-**
 REPRESENTATIVE: Nicholas Brass
 COMMON DESCRIPTION: 26190 Groesbeck
 LEGAL DESCRIPTION: 13-24-253-015
 ZONE: MZ, C-3, P

VARIANCES REQUESTED: Permission to

1) Operate a landscaping business and allow 30,400 square ft. of outdoor storage as follows:

USE

- a. Outdoor storage of landscaping materials, 22,400 square ft.
 - b. Overnight truck and trailer parking related to landscaping business, 8,000 square ft.
- 2) Waive the hard surfacing of the outdoor storage area (30,400 square ft.) and replace with asphalt millings.

ORDINANCES and REQUIREMENTS:

Section 15.01 – Uses Permitted: Outdoor storage is not a permitted use.

Section 4.32 – Off-street Parking Requirements: (K) 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 Section 4.32 (i) and 16.07, and shall otherwise comply with Section 2.46 and 16.05 of this ordinance.

Section 17.02 – Industrial Standards: (S) 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.

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.