



Zoning Board of Appeals
Office of the City Council
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Roman Nestorowicz, Chairman
Judy Furgal, Vice-Chairwoman
Paul Jerzy, Secretary
Charles Anglin, Asst. Secretary
William Clift
Charles Perry
Anthony Sieracki, Jr.
Michael Sylvester

**A Regular Meeting of the Zoning Board of Appeals
Wednesday, March 9, 2022 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 ahead: (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 February 9, 2022.**

6. PUBLIC HEARING: **APPLICANT: Warren Woods Tower Booster Club**
REPRESENTATIVE: Beth Flaviani
COMMON DESCRIPTION: 13400 Twelve Mile
LEGAL DESCRIPTION: 13-14-226-023
ZONE: MZ, R-1-C, C-1

VARIANCES REQUESTED: Permission to

Conduct annual spring fair in the parking lot from Friday, May 20th to Sunday, May 22, 2022
from:

Friday	4pm to 12am
Saturday	Noon to 12am
Sunday	Noon to 11pm

ORDINANCES and REQUIREMENTS:

Section 4.35: Fairs require the approval of the Zoning Board of Appeals.

7. PUBLIC HEARING: **APPLICANT: Family Fun Fireworks**
 REPRESENTATIVE: Caren Burdi
 COMMON DESCRIPTION: 26800 Dequindre
 LEGAL DESCRIPTION: 13-19-101-017
 ZONE: C-2

VARIANCES REQUESTED: Permission to

- 1) Conduct a seasonal outdoor sales operation in an area of 20' x 40' (800 square ft.) with a 10' buffer around the tent from June 15, 2022 through July 6, 2022 from 10:00 am to 10:00 pm.
- 2) Waive twenty (20) additional off-street parking spaces for the outdoor sale and where the tent is located. In addition to the forty-four (44) spaces waived 3/22/2000.

ORDINANCES and REQUIREMENTS:

Section 4.32 (H) 22: One (1) parking space required for each 150 square ft. of floor space and outdoor sales areas combined.

Section 4.52 (D): No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

8. PUBLIC HEARING: **APPLICANT: Family Fun Fireworks**
 REPRESENTATIVE: Caren Burdi
 COMMON DESCRIPTION: 30800 Hoover
 LEGAL DESCRIPTION: 13-11-101-033
 ZONE: MZ, C-1, P, C-2

VARIANCES REQUESTED: Permission to

- 1) Conduct a temporary outdoor fireworks sale operation with a 20' x 50' tent (1,000 square ft.) in a parking lot from June 15, 2022 through July 6, 2022, 9am to 10pm with a 10' buffer around tent.
- 2) Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

ORDINANCES and REQUIREMENTS:

Section 4.32 (H) 22: One (1) parking space required for each 150 square ft. of floor space and outdoor sales areas combined.

Section 4.52 (D): No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

9. PUBLIC HEARING: **APPLICANT: Jeniffer Perez**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 29833 Sutherland
 LEGAL DESCRIPTION: 13-12-305-020
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Operate a state licensed group day care for up to twelve (12) children, having a caregiver ratio to children of one (1) for six (6) and two (2) for twelve (12) children.

ORDINANCES and REQUIREMENTS:

Section 4C.07 Group Child Care Homes; Districts Allow with Approval: Paragraph (a) Special exemption approval required. A state licensed group child care home which meets all the standards listed below and receives approval of the Zoning Board of Appeals as a special exception pursuant to Article 20, Division 6, Special Exceptions upon approval of the Zoning Board of Appeals, shall be permitted in one family residential districts, R-1-A, R-1-B, R-1-C. Item 1. A mortgage survey, Item 2: residency, Item 3: locational criteria, Item 4: off-street parking requirements.

Section 20.35 – Special Exceptions Defined: A special exception is where the Zoning Ordinance permits certain uses that are authorized by the ordinance upon the Zoning Board of Appeals determining that the use meets the stated conditions for the specified use of the property. Outdoor retail sales, circuses, fairs and carnivals are examples of special exceptions. Special exceptions are not variances and may be temporary, seasonal or permanent in nature as provided by the applicable ordinance provision.

10. PUBLIC HEARING: **APPLICANT: General Motors Company
(Todd Davis)**
- REPRESENTATIVE: Cassandra Bellow
 COMMON DESCRIPTION: 30100 Mound
 LEGAL DESCRIPTION: 13-09-300-001
 ZONE: M-3

VARIANCES REQUESTED: Permission to
 Retain existing Gate 2 glass house and allow a vehicle maneuvering area no less than 130 ft. from the west property line.

ORDINANCES and REQUIREMENTS:
Section 17.02 – Industrial Standards: (A) Front yards. M-3 zone-150 ft. 3. In. M-3 zones, front yards may be utilized for parking or vehicles provided that the front fifty (50) feet of a lot or tract in an M-3 district.

11. PUBLIC HEARING: **APPLICANT: Visa Development**
- REPRESENTATIVE: Salvatore Dimercurio
 COMMON DESCRIPTION: 23445 Schoenherr (includes 23543 Schoenherr, in process of lot combination)
- LEGAL DESCRIPTION: 13-26-430-009
 ZONE: MZ, M-2, R-1-P

VARIANCES REQUESTED: Permission to
 Allow hard surface parking up to the front property line.

ORDINANCES and REQUIREMENTS:
Section 17.02 – Industrial Standards: (A) Front yards. 2. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to set back further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the master thoroughfare plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet.

12. PUBLIC HEARING:	APPLICANT: Rolar Property Services, Inc.-USE-
REPRESENTATIVE:	David Lawrason
COMMON DESCRIPTION:	5860 Frazho
LEGAL DESCRIPTION:	13-20-427-034
ZONE:	M-2

VARIANCES REQUESTED: Permission to -USE-

- 1) Retain above ground fuel tanks in an M-2 zone. **USE**
- 2) Retain above ground fuel tanks no less than 32 ft. 2 in. from the south property line. **USE**
- 3) Retain above ground fuel tanks no less than 115 ft. 9 in. from the east property line. **USE**
- 4) Allow open storage no less than 3 ft. 11 in. from the east property line.
- 5) Allow open storage no less than 12 ft. 6 in. from the north property line.
- 6) Allow open storage on a non-hard (gravel) surface.
- 7) Construct a salt dome no less than 14 ft. from the south property line.
- 8) Retain hard surfacing no less than 16 ft. from the east property line.
- 9) Retain chain link fence that extends past the front building line no less than 3 ft. 11 in. from the east property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: (P) Fire and safety hazards (the storage and handling of flammable liquids, liquefied petroleum gases and explosives shall comply with state rules and regulations as established by Public Act No. 207, P.A. 1941 [MCL 29.1 ET SEQ.], as amended, and in addition the following regulations shall apply): bulk storage of flammable liquids, liquid petroleum gases and explosives allowed above ground if conditions meet those established by Chapter 13 of the Warren Codified Ordinances – Fire Prevention and Protection and Michigan Flammable Liquids Regulations as amended. Not allowed in M-1 & M-2 zones. In M-3 and M-4 zones: All tanks shall be located no less than one hundred fifty (150) feet from the property lines.

(S) Open Storage Other Than Junk: All open storage shall be located in a designated area approved by the Planning Commission as 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. The designated area shall always be hard surfaced. In M-1 and M-2 zones the designated area shall not be located any closer that seventy-five (75) feet to the front property line unless the size of the lot is less than one hundred fifty (150) feet in depth in which case the Planning Commission may allow the designated area to be located no closer than twenty-five (25) feet from the front property line.

(A) Front Yards: M-2 25 ft. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to set back further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the Master Thoroughfare Plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet. (b) Side yards, and rear yards; 20 ft. each.

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 front lot line than the established building line or front set back line.

13. ADMINISTRATIVE HEARING: **APPLICANT: Ragheed Akrawi, East Ten Mile Associate, LLC**

REPRESENTATIVE: Christine Jaber
COMMON DESCRIPTION: 3839 Ten Mile
LEGAL DESCRIPTION: 13-19-479-010
ZONE: M-2

VARIANCES REQUESTED: Permission to

Appeal of the Chief Zoning Inspector’s determination that the above noted property does not qualify for a medical marihuana facility.

ORDINANCES and REQUIREMENTS:

Section 20.05 Jurisdiction: The Board of Appeals, in conformity with the provisions of this article and the Michigan Zoning Enabling Act, MCL 125.3601 et seq., is hereby authorized 1) to hear and decide appeals from and review any administrative order, requirement, decision or determination made by an administrative official or body charged with enforcement of a zoning ordinance adopted under this article; and 2) to hear and decide questions relat4ed to the interpretation of the zoning ordinance; and 3) to hear and decide questions related to interpretation of the zoning maps; and 4) shall have the authority to grant land use and non-use variances according to the provisions of this article; and 5) to hear and decide matters which the zoning board of appeals is required to pass under this article.

Section 20.06 Appeals from an Administrative Order, Requirement, Decision or Determination: An appeal may be taken to the zoning board of appeals from an administrative order, requirement, decision, or determination made by an administrative official or body charged with enforcement of a zoning ordinance. The appeal may be filed by a person with a legal interest in the property that is the subject of the order, requirement, decision or determination; or by an officer, department board or bureau of the state or local unit of government; or by a person aggrieved by an order, requirement, decision or determination made by a person aggrieved by an order, requirement, decision or determination made by an administrative official or body charged with enforcement of a zoning ordinance.

14. NEW BUSINESS

15. 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) 258-2060 – 48 hours in advance of the meeting to request assistance.