



Roman Nestorowicz, Chairman
Judy Furgal, Vice-Chairwoman
Paul Jerzy, Secretary
Charles Anglin, Asst. Secretary
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Zoning Board of Appeals
Office of the City Council
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Warren, MI 48092
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**A Regular Meeting of the Zoning Board of Appeals
Wednesday, April 13, 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 Meetings of February 9, 2022
and March 9, 2022.**

6. PUBLIC HEARING: **APPLICANT: Randazzo Fresh Market-USE-**
REPRESENTATIVE: Michelle Noto
COMMON DESCRIPTION: 13441 Thirteen Mile
LEGAL DESCRIPTION: 13-02-481-020
ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to -USE-

Conduct the operation of an L shaped open air sales area (approx. 3,006 square ft. in a P zone), 9' from the front property line from May 1, 2022 to December 31, 2022.

ORDINANCES and REQUIREMENTS:

Section 4.52 (I): Zoning district must be consistent where the area is located.

Section 13.04: Front Yard. A fifteen (15) foot yard setback shall be provided.

Section 16.02 (A): Limitation of the use: uses in (P) parking zone: parking with or without charge of passenger vehicles. **Use**

- 7. PUBLIC HEARING: **APPLICANT: Patrick Sulaka**
 REPRESENTATIVE: Richard Sulaka
 COMMON DESCRIPTION: 24800 Hoover
 LEGAL DESCRIPTION: 13-26-101-026
 ZONE: M-2

VARIANCES REQUESTED: Permission to

Conduct a seasonal outdoor sales operation in an area of 30 ft. x 30 ft. (900 square ft.) from June 20, 2022 through July 7, 2022 from 9am to 9pm.

ORDINANCES and REQUIREMENTS:

Section 4.52 Standards for Temporary Outdoor Retail Sales Approval (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: Thrifty Florist of Warren #1-USE-**
 REPRESENTATIVE: Nicole Agbay
 COMMON DESCRIPTION: 29010 Schoenherr
 LEGAL DESCRIPTION: 13-12-353-010
 ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to -USE-

Conduct a seasonal outdoor sales operation in a P District from March 31, 2022 through January 31, 2023 (788 square ft.) to no less than 16 ft. from the Schoenherr Road property line and 50 ft. from the north property line per site plan and same as last year.

ORDINANCES and REQUIREMENTS:

Section 4.46 Paragraph (A): The goods, items or articles sold or activities conducted as part of any outdoor retail sale must be consistent with the zoning district where the parcel is located.

Section 16.01 – Uses Permitted: In all P Districts, no land shall be used for any other use than automobile parking of private passenger vehicles.

- 9. PUBLIC HEARING: **APPLICANT: Thrifty Florist of Warren #2**
 REPRESENTATIVE: Nicole Agbay
 COMMON DESCRIPTION: 30975 Ryan
 LEGAL DESCRIPTION: 13-07-227-013
 ZONE: C-1

VARIANCES REQUESTED: Permission to

Conduct a seasonal outdoor sales operation 20 ft. x 30 ft. (600 square ft.) from March 31, 2022 through January 31, 2023 to no less than 45 ft. from the Ryan Road property line and 45 ft. from the Thirteen Mile property line.

ORDINANCES and REQUIREMENTS:

Section 4.5 Paragraph (D): No sales activity or display of shall be permitted in the area designated for required off-street parking for the existing or temporary use.

10. PUBLIC HEARING: **APPLICANT: Eddie H Babbie**
 REPRESENTATIVE: Eddie or Austin Babbie
 COMMON DESCRIPTION: 32800 Ryan
 LEGAL DESCRIPTION: 13-05-101-039
 ZONE: C-1

VARIANCES REQUESTED: Permission to

Conduct a seasonal outdoor sales operation in an area of 20 ft. x 30 ft. (600 square ft.) from June 21, 2022 through July 5, 2022 from 10am to 9pm.

ORDINANCES and REQUIREMENTS:

Section 4.52 Standards for Temporary Outdoor Retail Sales Approval (D): o sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

11. PUBLIC HEARING: **APPLICANT: David and Delvi Dawood**
 REPRESENTATIVE: Caren M. Burdi
 COMMON DESCRIPTION: 12813 Eight Mile
 LEGAL DESCRIPTION: 13-35-454-044
 ZONE: M-1

VARIANCES REQUESTED: Permission to

- 1) Expand an auto repair facility from lots 355, 356, 357, 358 and 359 to include lots 13, 14, 15 ad 16 for major auto repair, excluding collision, body work or painting on lots 13-16 which are directly adjacent to a residential zone.
- 2) Waive thirteen (13) required off-street parking spaces.

ORDINANCES and REQUIREMENTS:

Section 14.01 Uses (J): Automobile repair shops, including body and fender business, provided that such uses are conducted entirely within an enclosed building, and provided further that such establishments are located at least two hundred (200) feet from any residential district or are operated on the premises of ad in conjunction with an automobile dealership in a building with appropriate filtering system to prevent emission of paint odors and with a masonry wall facing any such residential district, which shall have sound retarding insulation, shall have no doors other than any door required by las a fire exit, and shall have no windows but may have glass block areas to transmit light.

Section 4.32 – Off-Street Parking Requirements: (20) Furniture and appliance stores, personal service shops (not including beauty parlors and barber shops), household equipment or furniture repair shops, clothing or shoe repair or service shops, hardware stores, motor vehicle sales, wholesale stores and machinery sales. One (1) parking space for each five hundred (500) square feet of floor area.

12. PUBLIC HEARING: **APPLICANT: Doetsch Environmental Services**
(Sean Schotthoefer)
 REPRESENTATIVE: Sean Schotthoefer
 COMMON DESCRIPTION: 13711 Eight Mile
 LEGAL DESCRIPTION: 13-36-351-016
 ZONE: M-2

VARIANCES REQUESTED: Permission to

- 1) Allow a 6 ft. decorative aluminum fence to the property line along Eight Mile and along Schoenherr.
- 2) Allow 32,170 square ft. of non-hard surface (gavel) for training purposes.
- 3) Hard surface no more than 25 ft. from the west setback along Schoenherr.

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.

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 Sections 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: M-2 (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.

13. PUBLIC HEARING:	APPLICANT: 28805 Mound Road LLC
REPRESENTATIVE:	Reid Cooksey
COMMON DESCRIPTION:	288055 Mound
LEGAL DESCRIPTION:	13-17-226-032
ZONE:	C-2

VARIANCES REQUESTED: Permission to

- 1) Allow parking spaces with an 18 ft. length.
- 2) Retain hard-surfacing for parking to no less than 9.5 ft. in the front setback.
- 3) Retain a building no less than 4 ft. from the side (south) property line.
- 4) Retain a building no less than 20.8 ft. from the rear (west) property line.
- 5) Retain a building no less than 9.5 ft. from the front (east) property line.
- 6) Allow a 6 ft. high decorative privacy fence and curbing along the rear (west) property line.

ORDINANCES and REQUIREMENTS:

Section 4.32 – Off-Street Parking Requirements: (I) All spaces that abut a continuous curb required in accordance with Section 16.07 of this ordinance or a common property line shall be laid out in the following dimensions, including off-street maneuvering lanes: type: 90 degree, length: 22 ft. all spaces that do not abut a continuous curb required in accordance with Section 16.07 or a common property line shall be laid out in the following dimensions: type: 90 degree, length, 20 ft.

Section 14.06: Front yard for commercial buildings. A front yard setback of fifteen (15) feet shall be provided for commercial buildings, measuring from the right-of-way line proposed by the Master Thoroughfare plan of the City of Warren.

Section 14.08 – Side Yards on the Street Side of Corner Lots: The width of a side yard abutting upon a street shall be not less than fifteen (15) feet when rear yards abut rear yards.

However, in the case of a rear yard abutting a side yard of an adjacent residential lot, the side yard abutting upon a street shall be not less than twenty-five (25) feet.

Section 14.09 – Rear Yards: In C-2 districts, a rear yard of not less than twenty (20) feet shall be required.

Section 14.04 – Greenbelt: All non-residential uses, when adjacent to an existing residence or residential district or adjacent to an alley which abuts an existing residence or residential district, shall provide and maintain a twenty (20) foot greenbelt, or decorative wall, in compliance with Section 2.26 of this ordinance.

14. PUBLIC HEARING:	APPLICANT: Ewm-Miller Wash, LLC-USE-
REPRESENTATIVE:	Jon Pellegrine
COMMON DESCRIPTION:	28740 Mound
LEGAL DESCRIPTION:	13-16-101-018
ZONE:	MZ, M-2, C-2

VARIANCES REQUESTED: Permission to -USE-

- 1) Allow an automatic conveyor carwash in a C-2 zone. Use
- 2) Allow an automatic conveyor carwash to operate on a property that has 134.39 ft. of frontage when 150 ft. is required.

ORDINANCES and REQUIREMENTS:

Section 14.01 – Uses Permitted: (P) Auto wash uses are regulated in this section. 3. Automatic conveyor. An automatic conveyor is defined as an auto wash where the auto is attached to a conveyor to move the auto through the line as it is washed by machines and employees. An automatic conveyor auto wash shall be allowed only in C-3, M-1 and M-2 zones.

A. Site Design Requirements – 1. Lot Area: C. An automatic conveyor auto wash shall have a minimum lot area of twenty thousand (20,000) square feet with a minimum of one hundred fifty (150) feet of frontage along the major road.

15. PUBLIC HEARING:	APPLICANT: Ragheed Akrawi, East Ten Mile Associate, LLC
	<i>(Rescheduled from 3/9/2022)</i>
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 related 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.

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