



Roman Nestorowicz, Chairman  
Judy Furgal, Vice-Chairwoman  
Paul Jerzy, Secretary  
Charles Anglin, Asst. Secretary  
William Clift  
Charles Perry  
Anthony Sieracki, Jr.  
Michael Sylvester

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

**A Regular Meeting of the Zoning Board of Appeals  
Wednesday, June 22, 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, 3<sup>rd</sup> 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 May 25, 2022 and June 8, 2022.**
  6. PUBLIC HEARING:  
REPRESENTATIVE:  
COMMON DESCRIPTION:  
LEGAL DESCRIPTION:  
ZONE:
- APPLICANT: Richard Basile**  
Same as above.  
25165 Tecla  
13-24-477-030  
R-1-C

**VARIANCES REQUESTED: Permission to**

- 1) Retain 100 ft. of 6 ft. high privacy fence set back 38 ft. from the front property line.
- 2) Allow 6 ft. high privacy fence to extend past the front building line of the dwelling along the north and south property lines; no closer 38 ft. from the front property line.
- 3) Construct a 24 ft. x 30 ft. = 720 square ft. garage.
- 4) Allow a total of 840 square ft. of accessory structures as follows: construct a 720 square ft. garage in addition to an existing 120 square ft. shed.
- 5) Allow the storage of a boat in the driveway (behind the existing wood fence).

**ORDINANCES and REQUIREMENTS:**

**Section 4D.33 – Privacy Fences on Interior and Corner Lots:** A. Interior lots. On interior lots in residential areas, privacy fences may be located on the lot line or immediately adjacent thereto and may be constructed not more than six (6) feet in height above the established grade of the property and shall not extend beyond either the front building line of the property or into the front yard setback.

**Section 7.01 – Uses Permitted:** (I) 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 not involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there is housed 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 houses in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

**Section 5A.04 – Parking and Storage in Front or Side Yard:** No person shall park or store any recreational unit in the front or side yard of any single or two family residential lot, except that one recreational unit may be parking on an established driveway for a period not to exceed seventy-two (72) hours for purposes of loading, unloading, trip preparation, and routine maintenance and repair except that at no time shall any unmounted camper enclosure or any boat not mounted on the a boat trailer be parked or stored on a front or side yard driveway.

- |    |                         |                                                                                                                        |
|----|-------------------------|------------------------------------------------------------------------------------------------------------------------|
| 7. | ADMINISTRATIVE HEARING: | <b>APPLICANT: Ragheed Akrawi, East Ten Mile Associate, LLC</b><br>(Rescheduled from 3/9/22, 4/13/22, 4/27/22, 5/25/22) |
|    | 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.

- 8. NEW BUSINESS
- 9. 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.

## CITY OF WARREN

# ZONING BOARD OF APPEALS

## SUMMARY OF VARIANCE REQUEST

**APPLICANT:** RICHARD BASILE

**REPRESENTATIVE:** RICHARD BASILE

**COMMON DESCRIPTION:** 25165 TECLA

**PARCEL NUMBER:** 12-13-24-477-030

**ZONED DISTRICT:** R-1-C

**REASON:** Petitioner wishes to make several changes to his property.

### **ORDINANCES and REQUIREMENTS:**

**SECTION 4D.33. - PRIVACY FENCES ON INTERIOR AND CORNER LOTS.** A. interior lots. on interior lots in residential areas, privacy fences may be located on the lot line or immediately adjacent thereto and may be constructed not more than six (6) feet in height above the established grade of the property and shall not extend beyond either the front building line of the property or into the front yard setback.

**SECTION 7.01 USES PERMITTED (I)** 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 not involve any business, profession, trade or occupation. one (1) private garage for each residential lot in which there is housed 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 housed 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 5A.04 - PARKING AND STORAGE IN FRONT OR SIDE YARD.** No person shall park or store any recreational unit in the front or side yard of any single or two family residential lot, except that one recreational unit may be parked on an established driveway for a period not to exceed seventy-two (72) hours for purposes of loading, unloading, trip preparation, and routine maintenance and repair except that at no time shall any unmounted camper enclosure or any boat not mounted on a boat trailer be parked or stored on a front or side yard driveway.

### **VARIANCES REQUESTED:** Permission to:

1. Retain 100ft. of 6ft. high privacy fence set back 38 ft. from the front property line.
2. Allow 6ft. high privacy fence to extend past the front building line of the dwelling along the north and south property lines; no closer 38ft. from the front property line.
3. Construct a 24 ft. x 30 ft. = 720 sf. Garage.
4. Allow a total of 840 sf. of accessory structures as follows: construct a 720 sf. garage in addition to an existing 120 sf. shed.
5. Allow the storage of a boat in the driveway (behind the existing wood fence).

**Previous Variance Requested:** See attached sheet

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT: RICHARD BASILE**

Your request for **BUILDING PERMIT** has been **REJECTED**, as it does not meet the requirements of the City of Warren Zoning Ordinance #30 as follows:

**SECTION 4D.33 FENCES**  
**SECTION 7.01 USES PERMITTED**  
**SECTION 5A.04 PARKING & STORAGE OF RVS**

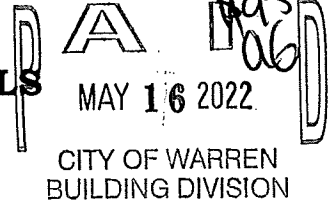
It is necessary for you to make application to the Zoning Board of Appeals to obtain a variance for the above noted sections.

dwenson, Zoning Inspector

\$95 SW 5/16/22

16 PLANS BEING SUBMITTED MUST BE PRE-FOLDED  
A COPY OF ALL DOCUMENTS MUST BE SUBMITTED ELECTRONICALLY FOR  
COMMERCIAL SUBMISSIONS

**CITY OF WARREN ZONING BOARD OF APPEALS**  
APPLICATION FOR VARIANCE



PLEASE PRINT OR TYPE

Name of Applicant: RICHARD BASILE

Address: 25165 TECLA Telephone: \_\_\_\_\_

Applicant's Email Address: \_\_\_\_\_ ☐ prefer email communication

Name and Address of Property Owner (if different) \_\_\_\_\_

Name of Representative: SAME Telephone: \_\_\_\_\_

Representative's Address: \_\_\_\_\_

Representative's Email Address: \_\_\_\_\_ ☐ prefer email communication

Address of Property: 25165 TECLA

Parcel I.D. No. (as shown on tax bill): \_\_\_\_\_

Purpose of Request: 6' PRIVACY FENCE 100' AND retained existing FENCE in front  
AND THE SET BACK STORAGE OF BOAT on Drive of shed  
GARAGE SET BACK FROM BACK OF GARAGE TO BACK FENCE IS  
GARAGE SIZE 24'x30' 720 sqft

Please explain the nature of your hardship:

irregular lot HOUSE SIT IN BACK CORNER  
of lot can't put anything behind House everything  
IS IN FRONT OF MY HOUSE SO I CAN PUT 6' FENCE  
UP AND GARAGE UP IN MY YARD

Signature: Richard Basile Date: 5-16-22

The approval of any land use or dimensional variance from the regulations of the Warren Zoning Ordinance does **NOT** affect or rescind any requirement of the ordinance to obtain site plan approval, Building Division permit or to otherwise comply fully with the Code of Ordinances, or other applicable State or Federal regulations

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE RICHARD BASILE  
Name(s) of Person(s)

OF \_\_\_\_\_  
Address, City, State Zip Telephone

THE \_\_\_\_\_ OF \_\_\_\_\_  
Title of Officer Name of Company  
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I

I/We/It  
✓/RECORDED LAND CONTRACT PURCHASER(S) \_\_\_\_\_/RECORDED DEEDHOLDER(S)

OF LAND FOR WHICH SUBMITTAL HAS BEEN/WILL BE MADE TO THE CITY OF WARREN,  
MACOMB COUNTY, MICHIGAN IN A:

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT RICHARD BASILE \*  
Name(s) of Person(s)

THE \_\_\_\_\_ OF \_\_\_\_\_ \*  
Title of Officer Name of Company

OF \_\_\_\_\_  
Address, City, State Zip Telephone

IS/ARE/MY/OUR DESIGNATED REPRESENTATIVE(S) IN THE PROCESSING OF SAID PETITION.

FURTHER, DEPONENT SAYS NOT.

SIGNED Richard Basile L.S.

SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN  
COUNTY OF Macomb

ON THIS 16 DAY OF May, 20 22, BEFORE ME PERSONALLY CAME  
Richard Basile, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN  
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND  
ACKNOWLEDGED THAT he DID SO OF his OWN FREE WILL AND DEED.

ANDREA GJOKAJ  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Commission Expires June 8, 2028  
Residing in the County of Macomb

Andrea Gjokaj  
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: 6/8/2028

\*\*\*\*\*

NOTICE TO OWNER

If a representative appears on your behalf, they must be informed on all pertinent data relative to your request. Failure to answer any question from the Board could result in your request being delayed or denied. IT IS THEREFORE RECOMMENDED THAT YOU appear in person.

25165 Tecla

John J. Christopher

Denied permission to solit an existing, 100-foot wide parcel of land into two (2) parcels, each being 50-feet wide x 135.97-feet deep, containing 6,798.5 square feet each.

September 11, 1996

**25165 Tecla**

**5/9/2007**

PRIME PROPERTIES LLC, KEVIN CERMAK, 25165 Tecla, Also Known As 13-24-477-030 – **TABLED** to the meeting of June 27, 2007.

**25165 Tecla**

**6/27/2007**

PRIME PROPERTIES LLC, KEVIN CERMAK, 25165 Tecla, Also Known As 13-24-477-030 – **DENIED** request to retain an existing Non-conforming house to no less than 17.4' of the rear property line and 100 linear feet of picket fence in the front yard along Tecla for the purposes of a lot split. To reduce the required dimensions for a proposed lot split as follows: To divide a parcel with a width of 100 linear feet and a depth of 135.9 feet into two equal parcels 1) Parcel A at 50' width and 135.9' depth. 2) Parcel B at 50' width and 135.9' depth, in a district Zoned R-1-C, (less than the 60' width and less than the 7,200 square feet required for residential lots)

**25165 Tecla**

**11/16/2016**

LEGAL DESCRIPTION: 13-24-477-030

**VARIANCES REQUESTED: Permission to:**

Retain a (10' x 12') 120 sq. ft. shed that projects beyond the existing building lines of the principal building on the lot.

The petitioner's request was **GRANTED** as written.

Non-use variances relate to the modification of applicable area, dimension or structural regulations. The concurring vote of five (5) members of the Board shall be required to approve a non-use variance. **No variation from the provisions or requirements of this article shall be authorized by the Board unless the Board finds that the applicant has demonstrated all of the following to establish there is a practical difficulty in complying with the article requirement.**

*The reason you are seeking the variance must be something that is beyond your control. You cannot justify approval of a variance on the simple contention that it is inconvenient to follow the rules. What extraordinary situation affects only your property and no others in the vicinity or zone?*

**Use the space provided below to demonstrate how your request will meet the following criteria for a non-use variance.**

**Unreasonable impact/burden.** Strict compliance with area, setback, frontage, height, bulk or density requirements would unreasonably prevent the applicant from using the property for a permitted purpose, or would be unnecessarily burdensome.

YES FENCE IN FRONT OF HOUSE

**Not self-imposed .** The condition was not created by the applicant or a previous owner of the property or reasonably discoverable by the owner.

NO

**Property unique.** The property has unique physical features or characteristics; or the plight is due to unique circumstances of this property and is not due to general neighborhood conditions.

NO

**Not a detriment.** Granting the variance will not result in detriment to nearby properties; will not impair an adequate supply of light and air to the adjacent properties; will not impair the property values in the surrounding area; and will not cause public safety concerns.

NO

**Not personal or economic.** The variance request is not primarily related to personal or economic hardship, rather, it is related to the unique features of the property.

YES I HAVE A IRREGULAR LOT

**Necessary.** The variance is necessary for the preservation and enjoyment of a substantial property right similar to that enjoyed by other properties in the same zoning district and in the vicinity.

YES AND HAVE STORAGE FOR BOAT

# 2021 WARREN



# 25165 Tecla (13-24-477-030)

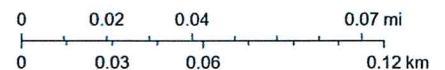


6/6/2022, 10:56:01 AM

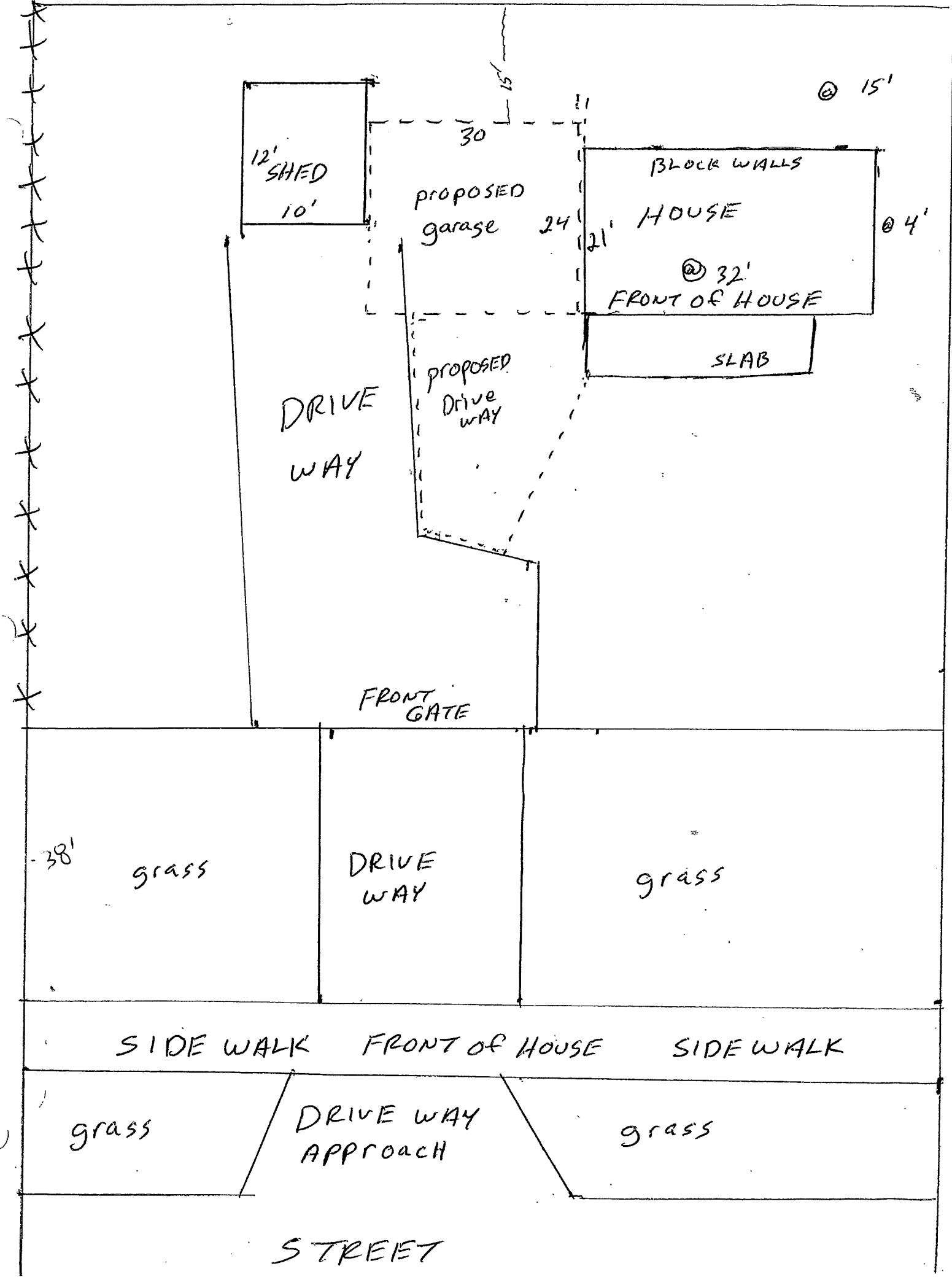
- Utility Address Points
- Site Address Point
- Building
- Parcels

48

1:2,257



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NIMA, Geodatasysteisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community. Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



Roman Nestorowicz, Chairman  
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William Clift  
Charles Perry  
Anthony Sieracki, Jr.  
Michael Sylvester



Zoning Board of Appeals  
Office of the City Council  
5460 ARDEN, SUITE 505  
WARREN, MI 48092  
P: (586) 258-2060  
F: (586) 268-0606

## NOTICE OF PUBLIC HEARING

The Warren Board of Appeals will hold a Public Hearing in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan on:

**WEDNESDAY: JUNE 22, 2022 at 7:30 P.M.**

**Applicant: RICHARD BASILE**

**Common Description: 25165 TECLA**

**VARIANCE(S) REQUESTED: Permission to:**

- 1) Retain 100 ft. of 6 ft. high privacy fence set back 38 ft. from the front property line.
- 2) Allow 6 ft. high privacy fence to extend past the front building line of the dwelling along the north and south property lines; no closer 38 ft. from the front property line.
- 3) Construct a 24 ft. x 30 ft. = 720 square ft. garage.
- 4) Allow a total of 840 square ft. of accessory structures as follows: construct a 720 square ft. garage in addition to an existing 120 square ft. shed.
- 5) Allow the storage of a boat in the driveway (behind the existing wood fence).

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED.

IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

You may e-mail: [njones@cityofwarren.org](mailto:njones@cityofwarren.org) or contact us by U.S. Mail at the address listed above, to express any views you may have pertaining to this matter.

Sincerely,  
Board of Appeals

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### OFFICE OF THE CITY COUNCIL

Patrick Green, (Mayor Pro Tem) President, At Large  
Gary Watts, Vice-President, Dist. 4  
Mindy Moore, Secretary, Dist. 3

Jonathan Lafferty, Asst. Sec'y, Dist. 2  
Angela Rogensues, At Large

Ronald Papandrea, Dist. 1  
Eddie Kabacinski, Dist. 5

**CITY OF WARREN**

**ZONING BOARD OF APPEALS--APPEAL**

**TRANSMITTAL OF RECORDS PURSUANT TO SECTION 20.09**

**APPLICANT:** RAGHEED AKRAWI, EAST TEN MILE ASSOCIATE, LLC

**REPRESENTATIVE:** CHRISTINE JABER

**COMMON DESCRIPTION:** 3839 TEN MILE

**PARCEL NUMBER:** 12-13-19-479-010

**ZONED DISTRICT:** M-2

**REASON:** Petitioner seeks to appeal the Chief Zoning Inspector's determination regarding their property.

**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.

**VARIANCES REQUESTED:** Permission to:

Appeal of the Chief Zoning inspector's determination that the above noted property does not qualify for a medical marijuana facility.

**Previous Variance Requested:** See attached sheet

dwenson, Zoning Inspector 01/19/2022 02/08/2022 (M) (P) (C)

**Re: 3839 East 10 Mile, Warren**

Christine ·

Mon 2/28/2022 12:09 PM

To: Nicole Jones <njones@cityofwarren.org>

Cc: Christine ·

 1 attachments (149 KB)

3.9.2022 Agenda.pdf;

Hello,

As per our conversation today, please adjourn our hearing until the April 13, 2022 date scheduled due to my unavailability on March 9th, 2022.

I thank you for your time and assistance in this matter. Feel free to contact me with any questions or concerns. (313) 7027070

Respectfully,

Christine Jaber

Sent from my iPhone

On Feb 25, 2022, at 3:40 PM, Christine < > wrote:

Hello Ms. Jones,

I may need to request an adjournment of this date for the April calendar regarding 3839 East 10 Mile.

Please call me at your earliest convenience.

Respectfully,

Christine Jaber

Sent from my iPhone

On Feb 24, 2022, at 5:04 PM, Nicole Jones <njones@cityofwarren.org> wrote:

Hello,

Wms  
1/19/2022  
\$250.00

# CITY OF WARREN ZONING BOARD OF APPEALS

## APPLICATION FOR APPEAL

PLEASE PRINT OR TYPE

Name of Applicant: Ragheed Akrawi, East Ten Mile Associates, LLC

Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Applicant's Email Address: \_\_\_\_\_ ☐ prefer email communication

Name and Address of Property Owner (if different) East Ten Mile Associates, LLC  
(same address)

Name of Representative: Christine Taber Telephone: \_\_\_\_\_

Representative's Address: \_\_\_\_\_

Representative's Email Address: \_\_\_\_\_ ☒ prefer email communication

Address of Property: 3839 East Ten Mile Road, Warren, Michigan 48091

Parcel I.D. No. (as shown on tax bill): 13-19-479-010

Purpose of Request: \_\_\_\_\_

Approve March, 2021 Application

Medical Marijuana Facility (Caregiver)

Demonstrate why you are an aggrieved party:

see attached

Signature: Ragheed Akrawi Date: 1/19/22

The approval of any land use or dimensional variance from the regulations of the Warren Zoning Ordinance does **NOT** affect or rescind any requirement of the ordinance to obtain site plan approval, Building Division permit or to otherwise comply fully with the Code of Ordinances, or other applicable State or Federal regulations

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE RAGHEED AKRAWI of EAST 10 MILE & ASSOCIATES, LLC  
Name(s) of Person(s)

OF \_\_\_\_\_

Address, City, State

THE OWNER OF EAST 10 MILE & ASSOCIATES  
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I

I/We/It

\_\_\_\_\_/RECORDED LAND CONTRACT PURCHASER(S) ☒/RECORDED DEEDHOLDER(S)

OF LAND FOR WHICH SUBMITTAL HAS BEEN/WILL BE MADE TO THE CITY OF WARREN,  
MACOMB COUNTY, MICHIGAN IN A:

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Christine Taber \*  
Name(s) of Person(s)

THE AGENT OF EAST 10 MILE & ASSOCIATES, LLC \*  
Title of Officer Name of Company

OF \_\_\_\_\_

Address, City, State

MICHIGAN Zip

Telephone

IS/ARE/MY/OUR DESIGNATED REPRESENTATIVE(S) IN THE PROCESSING OF SAID PETITION.

FURTHER, DEPONENT SAYS NOT.

SIGNED Ragheed Akrawi L.S.

SIGNED Ragheed Akrawi L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN

COUNTY OF Wayne

ON THIS 11<sup>th</sup> DAY OF February, 2022, BEFORE ME PERSONALLY CAME  
RAGHEED AKRAWI, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN  
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND  
ACKNOWLEDGED THAT HE DID SO OF HIS OWN FREE WILL AND DEED.

JENNIFER KASSAB  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Nov 12, 2024  
ACTING IN COUNTY OF Wayne

NOTARY PUBLIC, Oakland COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: Nov. 12, 2024

**NOTICE TO OWNER**

If a representative appears on your behalf, they must be informed on all pertinent data relative to your request. Failure to answer any question from the Board could result in your request being delayed or denied. IT IS THEREFORE RECOMMENDED THAT YOU appear in person.

January 19, 2022

To Whom It May Concern,

I, Ragheed Akrawi, am the owner of the property located at 3839 East 10 Mile Road, Warren. I am also the President of East 10 Mile & Associates, LLC.

I am the listed applicant for the Medical Marijuana Facility application submitted in March 2021. This application was not processed by the City of Warren. It was mishandled by administration and appeared lost. We inquired as to the location of this application multiple times beginning in May 2021 and we heard nothing. The application was lost and subsequently resurfaced in October 2021. An application fee of \$2,500.00 was submitted with the application in March 2021, the check was found with the accompanying application on Everett Murphy's desk on September 22, 2021, at my agent's urging. In May 2021, my agent went to the building division and inquired as to its whereabouts, Debbie Wenson said "I think it's on Everett's desk" but he was not there and our attempts to follow up were not successful.

I filed for a zoning variance for this property on May 20, 2021, to possibly utilize the entire property and withdrew the same in July 2021. A \$250.00 application fee was submitted and accepted. This would have no bearing on the application submitted in March 2021. They are distinctly different. We were still pursuing the pending March 2021 application.

Due to the city's mishandling of the March 2021 application, I was instructed and forced to file a duplicate application (of March 2021's) and pay an additional \$5,000.00 filing fee in July 2021.

I had been working to get the original application processed in a soundly efficient manner based on the accurate timeline, facts, and procedures.

On December 21, 2021, the application of March 2021 was denied by Warren's Building Department indicating that the application was to use the entire 3,185 sq ft of the building and this would violate zoning laws. There was a misunderstanding of the application, as the intention was to use 1705 sq/ft of the building which would then be within the zoning guidelines as of the time the application was filed. The blueprints submitted and survey submitted all indicate that only 1705 sq/ft would be utilized (see attached). There were numerous meetings with the Building Department indicating this. Moreover, the application in its entirety reflected use of only 1705 sqft of the building and leaving over nearly 1500 sqft vacant. The indication of the 3,185 sq/ft on the face of the application was only intended to reflect the size of the existing building but not the proposed use; a review of the submitted plans would have shown this.

We are an aggrieved party because if this application was timely processed in March, 2021, any needed corrections to the application could have been made. The application was submitted with payment prior to the ordinance change and we are entitled to a decision based upon the ordinances as they were written at the time of application.

In addition, due to the loss of the application, I was forced to incur \$250.00 variance application fee and \$5,000.00 filing fee for Medical Marijuana Facility (the fee was doubled in July 2021). No fees have been reimbursed.

Lastly, I just want to note that the application from March 2021 was never processed to be "denied". It was never even reviewed until December 2021. Also, the application for variance of May 2021 was "withdrawn" which means it could not have been *approved or denied*.

We ask that the application be approved as it was timely filed and met requirements. I appreciate your assistance and anticipated cooperation in this matter. If there is anything you would like to further discuss, please do not hesitate to contact me at any time.

Respectfully,

A handwritten signature in black ink, appearing to read 'Ragheed Akrawi', written in a cursive style.

Ragheed Akrawi

**3839 Ten Mile**

LEGAL DESCRIPTION: 13-19-479-010

**2/28/2018**

**VARIANCES REQUESTED: Permission to**

Allow a medical marihuana facility to be located 464 feet from a R-1-C zone.

This matter was RESCHEDULED to MARCH 14, 2018.

**3839 Ten Mile**

LEGAL DESCRIPTION: 13-19-479-010

**3/14/2018**

**VARIANCES REQUESTED: Permission to**

Allow a medical marihuana facility to be located 464 feet from a R-1-C zone.

The petitioner's request was RESCHEDULED to March 28, 2018 per the petitioner's request.

PUBLIC HEARING: 7/14/2021

**APPLICANT: Ragheed Akrawi**

*(Rescheduled from 6/23/2021)*

REPRESENTATIVE: Same as above.

COMMON DESCRIPTION: 3839 Ten Mile

LEGAL DESCRIPTION: 13-19-479-010

ZONE: M-2

**VARIANCES REQUESTED: Permission to**

Allow a medical marihuana facility to be located 464.3 feet from an R-1-C zone.

**ORDINANCES and REQUIREMENTS:**

**Section 4G.05 – Growing, Processing, Secure Transporter, and Co-location Facilities:** Medical marihuana growing, processing, secure transporter, and co-location facilities are permitted in M-1, M-2, M-3 and M-4 zones, if the facility is located, at the time of local license application submittal: (1) at least 500 feet from the nearest lot line of all of the following: (a) An R-1-A, R-1-B, R-1-C, R-2, R-3, R-3-A, R-4 and R-5 zones.

The petitioner's request was **REMOVED**, per the petitioner.

PUBLIC HEARING: 3/28/2018

APPLICANT: GINO ORAHA

(RESCHEDULED FROM 02/28/18 AND 3/14/18)

REPRESENTATIVE: SAME AS ABOVE.

COMMON DESCRIPTION: 3839 TEN MILE

LEGAL DESCRIPTION: 13-19-479-010

ZONE: M-2

**VARIANCES REQUESTED: PERMISSION TO**

ALLOW A MEDICAL MARIHUANA FACILITY TO BE LOCATED 464 FEET FROM A R-1-C ZONE.

**ORDINANCES AND REQUIREMENTS:**

SECTION 17.02 – INDUSTRIAL STANDARDS: ALL USES NOT HEREIN EXPRESSLY PROHIBITED SHALL COMPLY WITH THE FOLLOWING TABLE OF STANDARDS. (AA) MEDICAL MARIHUANA FACILITY AS DEFINED BY SECTION 2.93 OF THIS ZONING ORDINANCE.

SECTION 17.02 – INDUSTRIAL STANDARDS: A MEDICAL MARIHUANA FACILITY IS EXCLUSIVELY PERMITTED IN M-1, M-2 AND M-3 ZONES, IF THE FACILITY, THE OWNER, AND ANY OCCUPANTS MEET ALL OF THE FOLLOWING REQUIREMENTS: 11. THE FACILITY IS LOCATED AT LEAST FIVE HUNDRED (500) FEET FROM THE NEAREST LOT LINE OF ANY OF THE FOLLOWING: (A) RESIDENTIAL ZONING DISTRICTS, R-1-A, R-1-B, R-1-C, R-2, R-3, R-3-A, R-4, R-5 AND ANY MIXED RESIDENTIAL ZONES INCLUDING BUT NOT LIMITED TO A PLANNED UNIT DEVELOPMENT AND THE DOWNTOWN CENTER.

THE PETITIONER'S REQUEST WAS WITHDRAWN BY THE PETITIONER.

# 2021 WARREN

