



Zoning Board of Appeals
Office of the City Council
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Roman Nestorowicz, Chairman
Paul Jerzy, Secretary
Charles Anglin, Asst. Secretar
William Clift
Charles Perry
Anthony Sieracki, Jr.
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David Sophiea

**A Regular Meeting of the Zoning Board of Appeals
Wednesday, October 12, 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: (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 September 28, 2022.**

6. PUBLIC HEARING: **APPLICANT: Anthony Bogedin -USE-**
(Rescheduled from 9/14/2022)

REPRESENTATIVE: Caren M. Burdi, Attorney

COMMON DESCRIPTION: 5020 Chicago

LEGAL DESCRIPTION: 13-05-401-015

ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Allow a multi-family (4 unit) dwelling in a single family zone in which one unit is complete and the remaining units have been roughed and constructed without permits.

ORDINANCES and REQUIREMENTS:

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

7. PUBLIC HEARING: **APPLICANT: Aver Sign Company -USE-**
(Rescheduled from 9/28/2022)

REPRESENTATIVE: Jennifer Glover / Aver Sign

COMMON DESCRIPTION: 4040 Fourteen Mile

LEGAL DESCRIPTION: 13-05-101-001

ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to -USE-

Erect a 15' 1-1/16" x 5' 4" = 85.36 square ft. ground sign, 20' 4" high, with a 4' 10-15/16" under clearance no less than 6' from public sidewalks on Fourteen Mile and Ryan, in a P zone.

NOTE: If granted, the variances related to ground signs granted on 2/11/1970 and 1/11/1994 will be relinquished.

ORDINANCES and REQUIREMENTS:

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.

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.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 16.01 – Uses Permitted: Ground signs are not permitted in a P zone.

- 8. PUBLIC HEARING: **APPLICANT: 13 Mile & Mound LLC**
- REPRESENTATIVE: Nick Shango
- COMMON DESCRIPTION: 31101 Mound
- LEGAL DESCRIPTION: 13-05-476-006
- ZONE: MZ, C-2, P

VARIANCES REQUESTED: Permission to

Erect 2, 2' 1" x 19' 6" = 40.63 square ft. wall signs (one on the east elevation, one on the east elevation, one on the south elevation) and one design element 7' x 30' = 210 square ft. on the south elevation. Total wall signage = 291.26 square ft.

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.

- 9. PUBLIC HEARING: **APPLICANT: Joseph Smith -USE-**
- REPRESENTATIVE: Same as above.
- COMMON DESCRIPTION: 7500 Tank
- LEGAL DESCRIPTION: 13-16-426-023
- ZONE: AD

VARIANCES REQUESTED: Permission to

Allow 2,100 square ft. of outdoor storage under a 28' x 75" steel awning in an Arsenal District.

ORDINANCES and REQUIREMENTS:

Section 21D.01 – Intent and Purpose: The intent and purpose of the Arsenal Industrial District ("Arsenal District") is to insure that development in this area is consistent with the reuse plan adopted by the Mayor and City Council in their capacity as the local redevelopment authority ("LRA"), designated pursuant to the base realignment and closure ("BRAC 95") of the Detroit Arsenal tank plant property. It is further intended that the "arsenal district" provide special land

use and development regulations to promote the following objectives: 1) The creation of high quality industrial and manufacturing jobs: 2) Site plan design flexibility and uniformity based on coordinated planning the district: 3) Design criteria to ensure the most effective reuse of this area; 4) Coordinated planning and development with shared use of parking facilities.

Section 21D.06 – Principal Uses Prohibited: The following uses are prohibited as principal uses: warehouses. Commercial and wholesale establishments. All residential and residentially related uses. Industrial/manufacturing uses which create excessive or unusual danger because of fire, explosion, toxicity, radiation or other noxious, offensive, unhealthy and harmful odors, fumes, dust, smoke, light, form, to be used in an industrial or commercial operation at another location. Those uses intended primarily for the outside storage of materials, equipment or vehicles.

Section 21D.07 – Accessory Uses Permitted: All uses customarily accessory to the principal uses are permitted. Certain prohibited uses, such as warehouses, may be permitted if the planning commission determines that these are incidental and necessary as an accessory use to the principal permitted use to which they are associated.

Section 21D.14 – Development Plan: In the “arsenal District”, no building shall be erected, constructed or reconstructed, nor shall any additions be made to the existing buildings, nor shall any commission as hereinafter specifically provided.

Section 21D.05 – Development Approval: A. Development plan approval shall be required in an “arsenal district” for each of the following: 1. The erection of construction of a building. 2. The moving of a building onto the property, or the relocation of a building or structure from one area to another. 3. A structural alternation which would change the exterior appearance of a structure. 4. The erection, construction, installation or alteration of a sign, wall, or fence. 5. The installation or alteration of outdoor lighting equipment which would change the exterior appearance of the use or structure. 6. Whenever an outdoor use is established, altered or changed to another use. B. Application for development plan approval shall be made to the planning commission by the Actual or prospective property owner or the authorized agent of either. Such application shall be accompanied by: 1. Accurately drawn maps showing the subject property, showing all existing and proposed buildings and uses, if any, within the zone and adjacent roadways. 3. Architectural drawings and elevations of the proposed use. 4. All plans and information required for site plan review pursuant to Section 22.16. 5. Any other data or exhibits deemed necessary by the Planning Director to adequately present the matter to the commission. It is the intent of this ordinance that in any application for development plan approval, the petitioner shall present to the commission how the building or use in the development plan relates and complements the reuse plan as to the balance of the property within the “Arsenal District”. Prior to submitting a development plan, the applicant, if he so desires, may submit to the commission, for its review, a sketch plan showing the standards, design and layout of his proposed development for determining conformance to the reuse plan and the design criteria for the “arsenal district” C. In other pertinent factors: 1. The general exterior appearance of buildings, including height, bulk, size and shape. 2. Relationships to existing and proposed buildings and structures in the area, based on the reuse plan. 3. The setbacks and landscaping plan of yard and other open areas. 4. The design type and location of signs, walls, fences and outdoor storage. 5. The illumination of buildings, grounds, parking areas and signs. 6. Any other feature or item having a direct relationship to the general appearance of the buildings and premises. D. The commission shall recommend to the City Council approval, modification or disapproval of any proposed use, building or structure, or any change in an existing use, building or structure. The commission may recommend disapproval when, in its sound judgement, the development would substantially affect the appearance of functionality of the area under consideration in a manner materially detrimental to

the Arsenal District. The commission may require changes in the architectural treatment of buildings or structures, may require additional landscaping and development improvements, and may impose conditions of development when, in its sound judgement, it determines that such is necessary to conform to the requirements shall not specify a particular style or [of] architecture or particular design features but shall permit the applicant the maximum freedom of architectural design, compatible to the "Arsenal District" and the design guideline in this article. E. The City Council, after receiving a written report of the findings and determination of the Commission, shall approve, disapprove, or modify the decisions of the commission. Any disapproval or modification of any decision of the commission shall require a majority vote of all the members of the City Council, except that no public hearing shall be required and the decision of the city council may be made by motion or by resolution.

10. NEW BUSINESS

11. 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.