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Zoning Board of Appeals  
Office of the City Council  
5460 Arden, Ste. 505  
Warren, MI 48092  
Ph. (586)258-2060  
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**A Regular Meeting of the Zoning Board of Appeals  
Wednesday, December 14, 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 November 9, 2022.**
  
6. PUBLIC HEARING:  

**APPLICANT: Anthony Bogedin -USE-**  
*(Rescheduled from 9/14/22, 10/12/22 and 11/9/22)*

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: Kalabat Engineering**  
*(Rescheduled from 11/9/2022)*

REPRESENTATIVE: Iden Kalabat  
COMMON DESCRIPTION: 8737 Nine Mile  
LEGAL DESCRIPTION: 13-27-385-038

ZONE: M-1

**VARIANCES REQUESTED: Permission to**

- 1) Waive 11 off-street required parking spaces.
- 2) Allow 23,764.54 square ft. of outdoor storage when 4,279.54 square ft. (50% of total square footage of primary structure) is allowed.
- 3) Retain 19,485 square ft. of gravel surface for open storage.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 – Off-street Parking Requirements:** In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this ordinance, shall be provided and maintained as herein prescribed. (20) Furniture and applicant 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.

**Section 17.02 – Industrial Standards:** (S) Open storage other than junk. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned area. The designated areas shall not be located in any area required for parking space and its necessary to meet the minimum requirements for Section 4.32 of this ordinance. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site.

8. PUBLIC HEARING: **APPLICANT: Kevin S Byrne**  
 REPRESENTATIVE: Same as above.  
 COMMON DESCRIPTION: 23840 Marlin  
 LEGAL DESCRIPTION: 13-30-305-019  
 ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Allow a front deck no less than 15 ft. from the front property line.

**ORDINANCES and REQUIREMENTS:**

**Section 7.05:** Front yard. Each lot in R-1-C districts shall have a front yard of not less than twenty-five (25) feet.

9. PUBLIC HEARING: **APPLICANT: Cecil Jr. and Lisa St. Pierre**  
 REPRESENTATIVE: Paige Wedge  
 COMMON DESCRIPTION: 32595 Sabrina Court  
 LEGAL DESCRIPTION: 13-03-233-015  
 ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Allow a deck no less than 31 ft. from the rear property line.

**ORDINANCES and REQUIREMENTS:**

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

**10. PUBLIC HEARING:** **APPLICANT: Dawn M Gafa-Davis**  
**REPRESENTATIVE:** Mike Bouffard  
**COMMON DESCRIPTION:** 25420 Curie  
**LEGAL DESCRIPTION:** 13-20-404-039  
**ZONE:** R-1-C

**VARIANCES REQUESTED: Permission to**

- 1) Erect an oversized accessory structure, (covered gazebo) 20' x 16' = 320 square ft.
- 2) Allow 906 square ft. of accessory structures, 586 square ft. attached garage and a 320 square ft. gazebo.

**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 of 120 square feet.

**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 uses, 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 housed in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

**11. PUBLIC HEARING:** **APPLICANT: Consuming Fire Ministries**  
**REPRESENTATIVE:** Richard Harris  
**COMMON DESCRIPTION:** 6400 Fourteen Mile  
**LEGAL DESCRIPTION:** 13-04-126-018  
**ZONE:** M-2

**VARIANCES REQUESTED: Permission to**

- 1) Waive screening, either the 6 ft. high brick embossed poured concrete wall, or an 8 ft. wide greenbelt to the rear of the property abutting the existing residential use.
- 2) Retain parking in the front setback to within no less than 19 ft. of the front (north) property line.
- 3) Retain existing building no less than 39 ft. from the rear setback.

**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 forth in Section 22.14(b)(1) and upon compliance with the following minimum requirements:

(5) That a six (6) foot wall or eight (8) foot greenbelt pursuant to Section 2.26 of this ordinance, be provided where the site abuts a residential district or residential use or is adjacent to an alley which abuts a residential district or residential use.

(8) Every building shall have a front yard of not less than thirty (30) feet. If a circular drive is proposed in the front yard, a distance equal to the width of the drive shall be added to the front yard setback.

(11) Each lot shall have a rear yard of not less than forty-five (45) feet where the building does not exceed two (2) stores or thirty-five (35) feet in height.

<b>12. PUBLIC HEARING:</b>	<b>APPLICANT: Metro Detroit Signs</b>
REPRESENTATIVE:	Kevin Deters at Metro Detroit Signs
COMMON DESCRIPTION:	5735 Thirteen Mile
LEGAL DESCRIPTION:	13-05-476-006
ZONE:	MZ, C-2, P

**VARIANCES REQUESTED: Permission to**

Allow a 72.09 square ft. wall sign (3' x 24.031') when 40 square ft. is permitted.

**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.

<b>13. PUBLIC HEARING:</b>	<b>APPLICANT: Allied Signs, Inc.</b>
REPRESENTATIVE:	Jim Fields, Patrick Stieber or Bob Bongirno
COMMON DESCRIPTION:	23000 Van Dyke
LEGAL DESCRIPTION:	13-27-355-039
ZONE:	C-2

**VARIANCES REQUESTED: Permission to**

- 1) Install a double welcome point gateway 11 ft. tall with 13.66 square ft. of signage.
  - 2) Install a pre-sell menu board 5 ft. 11-1/2 inch tall, 1 ft. 9-3/4 inches under clearance, 2 ft. 5-1/8 inches x 4 ft. 1-3/4 inch = 10.06 square ft.
  - 3) Install a menu board 5 ft. 11-5/8 inch tall, 1 ft. 10 inch under clearance, 4 ft. 10 inches x 4 ft. 1-5/8 inch = 20 square ft.
  - 4) Install 2 springboard canopies with audio, 11.47 tall, "order here", 2.66 square ft.
- Total 49.04 square ft. of signage. (In addition to the previously approved Zoning Board of Appeal variances granted on 3/8/2017 and 6/28/1995.)

**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):** (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 4A.19 – Clearance:** All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

**14. PUBLIC HEARING:** **APPLICANT: Lecom**  
**REPRESENTATIVE:** Mark Edward Phillips, Phillips Sign & Lighting  
**COMMON DESCRIPTION:** 27663 Mound  
**LEGAL DESCRIPTION:** 13-17-427-037  
**ZONE:** M-1

**VARIANCES REQUESTED: Permission to**

- 1) Allow one freestanding 8 square ft. directional sign: 44 inches high, 20 inches under clearance, sign 24 in. x 48 in., “shipping & receiving” and “visitor parking”.
- 2) Allow a second freestanding 8 square ft. on each side, directional sign: 44 inches high, 20 inches under clearance, sign 24 inches x 48 inches. “Lecom parking only” and “Lecom with address” on other side. Total square ft. of directional signs, 24 square ft. (These signs are in addition to the 42.1 square ft. of monument sign on the premises.)

**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):** (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 4A.19 – Clearance:** All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

**15. PUBLIC HEARING:** **APPLICANT: Robet Najjar, Truck Services Holding Group LLC**  
**REPRESENTATIVE:** Tim Storey, Storey Engineering  
**COMMON DESCRIPTION:** 21250 Mullin  
**LEGAL DESCRIPTION:** 13-34-426-009  
**ZONE:** M-2

**VARIANCES REQUESTED: Permission to**

- 1) Allow 97,780 square ft. of outdoor storage/trailer parking on gravel.
- 2) Allow a total of 153,528 square ft. of open storage when 20,135 square ft. is allowed.
- 3) Allow open storage no less than 25 feet from the front property line.
- 4) Retain a building with a height of 40 ft.
- 5) Retain a building directly abutting the side (north) property line.
- 6) Retain a building directly abutting the rear (east) property line.

**ORDINANCES and REQUIREMENTS:**

**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.

**Section 17.02 – Industrial Standards:** (S) Open storage other than junk. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas. The designated areas shall not be located in any area required for parking space and is necessary to meet the minimum requirements of Section 4.32 of this ordinance. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site. In M-1 and M-2 zones the designated area shall not be located any closer than 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.

(D) Height of buildings. See Article XIX for height exceptions. M-2: 2 stories, 30 ft.

(B) Side yards, and rear yards. M-2: 20 ft. each.

16. PUBLIC HEARING:

**APPLICANT: Devon Self Storage Holdings,  
Patrick Roussey**

REPRESENTATIVE:

Patrick Roussey, Devon

COMMON DESCRIPTION:

23745 Mound

LEGAL DESCRIPTION:

13-29-428-013

ZONE:

M-2

**VARIANCES REQUESTED: Permission to**

- 1) Allow parking in the front setback, no less than 30 from the front property line (east side).
- 2) Retain a building no less than 6 ft. from the side property line (north property line).
- 3) Erect a building no less than 10 ft. from the side building line (south property line).
- 4) Retain hard surfaced area in front setback to property line on the Pinewood side – double frontage. (Not to be used for parking.)
- 5) Waive 87 required off-street parking spaces.

If parking variance is approved the variance granted on 5/25/1977 regarding parking will be relinquished.

- 6) Retain 5 ft. chain link fence that extends past the front building line on the Pinewood side and runs parallel to the sidewalk.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 – Industrial Standards:** All uses not herein expressly prohibited shall comply with the following table of standards. **(A) Front Yards.** M-2 25 ft. 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.

**(B) Side Yards, and Rear Yards.** 20 ft. each.

**Section 4.32 – Off-street Parking Requirements:** In all zoning districts, off-street parking facilities for the storage of parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this ordinance, shall be provided and maintained as herein prescribed. (H) The amount of required off-street parking space for new uses or buildings, additions thereto and additions to existing building as specified above shall be determined in accordance with the following table, and the space, so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use. (23) Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing and engraving shops, warehouse and storage buildings. One (1) parking space for each one thousand two hundred 1,200 square feet of gross floor area.

**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.

**17. PUBLIC HEARING:** **APPLICANT: FDJ Green Enterprises LLC  
(Moses Fram)**

REPRESENTATIVE: Moses Fram  
COMMON DESCRIPTION: 1953 Concept Drive  
LEGAL DESCRIPTION: 13-19-302-005  
ZONE: M-2

**VARIANCES REQUESTED: Permission to**  
Allow a marihuana grow/processing facility no less than 421.59 ft. from an R-3 zone.

**ORDINANCES and REQUIREMENTS:**

**Section 4G.07 – Growing, Processing, and Secure Transporter Establishments/Facilities:**

Marihuana growing, processing, and secure transporter facilities are permitted in M-1, M-2, M-3, and M-4 zones, if, at the time of municipal license application submittal, the establishment/facility is located: (1) At least 500 feet from the nearest lot line of all of the following: (A) A residential zone, except R-1-P zones.

- 18. NEW BUSINESS**
- 19. 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.**