

Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Anglin
Judy Furgal
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, January 11, 2023 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 December 14, 2022.**

6. PUBLIC HEARING:

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

APPLICANT: Anthony Bogedin -USE-
(Rescheduled from 9/14/22, 10/12/22, 11/9/22, 12/14/22)
Caren M. Burdi, Attorney
5020 Chicago
13-05-401-015
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:

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:

APPLICANT: Lecom
(Rescheduled from 12/14/2022)
Mark Edward Phillips, Phillips Sign & Lighting
27663 Mound
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.

8. PUBLIC HEARING:

**APPLICANT: Robert Najjar, Truck Services
Holding Group LLC**

(Rescheduled from 12/14/2022)

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.~~
- 7) Allow a 10' tall wall for 745' along the south 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.

9. PUBLIC HEARING:**APPLICANT: Devon Self Storage Holdings,
Patrick Roussey***(Rescheduled from 12/14/2022)*

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 89 required off-street parking spaces. Changed from 87.
If parking variance is approved the variance granted on 5/25/1977 regarding parking will be re-linquished.
- 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.

10. PUBLIC HEARING: **APPLICANT: Devon Self Storage Holdings**
REPRESENTATIVE: Paul Deters at Metro Detroit Signs
COMMON DESCRIPTION: 23745 Mound
LEGAL DESCRIPTION: 13-29-428-013
ZONE: M-2

VARIANCES REQUESTED: Permission to

Allow 622 square ft. of wall signage as follows:

- 1) East elevation sign, 512" x 63.25" = 225 square ft.
- 2) West elevation sign, 680.5" x 84" = 397 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.

11. PUBLIC HEARING: **APPLICANT: I Signs & Designs**
REPRESENTATIVE: Fadi Gulla
COMMON DESCRIPTION: 31200 Mound
LEGAL DESCRIPTION: 13-13-04-351-015
ZONE: M-2

VARIANCES REQUESTED: Permission to

Erect a 72.98 square ft. wall sign.

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.

12. PUBLIC HEARING: **APPLICANT: Kristin Peake -USE-**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 23605 Grabar
LEGAL DESCRIPTION: 13-25-328-030
ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Operating a substance abuse recovery home in a residential zone (R-1-C) is prohibited.

Section 4.01 – Compliance With All Laws: Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

- 13. PUBLIC HEARING:** **APPLICANT: Kristin Peake -USE-**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 14824 Alberta
LEGAL DESCRIPTION: 13-25-276-010
ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Operating a substance abuse recovery home in a residential zone (R-1-C) is prohibited.

Section 4.01 – Compliance With All Laws: Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

- 14. PUBLIC HEARING:** **APPLICANT: James Malkiewicz**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 23831 Blackstone
LEGAL DESCRIPTION: 13-26-329-017
ZONE: M-2

VARIANCES REQUESTED: Permission to

- 1) Allow a 10.5' maneuvering lane.
- 2) Allow parking in the front setback no less than 12' from the front property line.

ORDINANCES and REQUIREMENTS:

Section 4.32 – Off-Street Parking Requirements: (I) 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: parallel length of maneuvering lane 20" two way.

Section 17.02 – Industrial Standards: (A) Front yards: M-2 25 ft.

- 15. PUBLIC HEARING:** **APPLICANT: Walter E. Ruston Sr.**
REPRESENTATIVE: Tony Corso
COMMON DESCRIPTION: 13087 Eleven Mile
LEGAL DESCRIPTION: 13-14-454-028
ZONE: PB

VARIANCES REQUESTED: Permission to

- 1) Allow a religious facility to have a lot depth of 137.43 feet.
- 2) Allow a 3 ft. wall along the west, north and east property lines.
- 3) Retain a building no less than 19.3 ft. from the front setback.
- 4) Retain existing bumper curbs and waive the requirement of a continuous concrete curb abutting the existing walls where parking spaces exist.
- 5) Allow 19.3 ft. long parking spaces that abut the property line(s).
- 6) Allow 16.6 ft. long interior perpendicular parking spaces.
- 7) Allow 20.5 ft. maneuvering lane.

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:

(2) That the size of the site shall be a minimum of one-half (1/2) acre, shall have a lot width of not less than one hundred (100) feet and a lot depth of not less than two hundred (200) feet.

(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. Section 16.07 – curb. Necessary curbs, or other protection against damage to adjoining properties, streets, sidewalks and greenbelts shall be provided and maintained. Further, if a wall is required in accordance with Section 2.26(c) of this ordinance, all parking spaces adjoining said wall shall be provided with continuous curbs constructed of concrete measuring six (6) inches in height and eight (8) inches in depth. The area from the property line to the vertical edge of the exposed curb shall be a minimum of five (5) feet and shall be filled and hard surfaced to permit drainage toward the owner's property.

Section 4.32 – Off-Street Parking Requirements: (l) 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., maneuvering lane, 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., length of maneuvering lane 22 ft.

16. PUBLIC HEARING:	APPLICANT: Home Depot -USE-
REPRESENTATIVE:	Katie Fitzjarrald
COMMON DESCRIPTION:	25879 Hoover
LEGAL DESCRIPTION:	13-22-432-016
ZONE:	MZ, C-2, C-1, P

VARIANCES REQUESTED: Permission to -USE-

1) Allow 1,478 square ft. of permanent open storage in a "C-2" zone.

2) Allow 500 square ft. of temporary open storage in a "C-2" zone from April 1-August 31.

3) Allow 720 square ft. of permanent outdoor storage in a "P" zone.

ORDINANCES and REQUIREMENTS:

Section 14.01 – Uses Permitted: Outdoor storage is not a permitted use.

Section 16.01 – Uses Permitted: Outdoor storage is not a permitted use.

17. PUBLIC HEARING:	APPLICANT: Andrew Falzarano
REPRESENTATIVE:	Same as above.
COMMON DESCRIPTION:	6419 Ten Mile
LEGAL DESCRIPTION:	13-21-376-003
ZONE:	M-3

VARIANCES REQUESTED: Permission to

- 1) Allow an above ground fuel tank to be 129.7' from the east property line.
- 2) Retain 6' tall chain link fence in the front setback, near the south property line.
- 3) Allow storage and parking of 192,876 square ft. on a non-hard surface (gravel).
- 4) Retain a building no less than 44.9' from rear property line.
- 5) Allow an obscuring wall of non-masonry material and does not have a continuous concrete footing.

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: (a) Front yards: M-3 150 ft. 3. In M-3 and M-4 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 and the front seventy-five (75) feet of a lot or tract in an M-4 district shall be landscaped and the balance shall be depressed at least two (2) feet so as to have all parked vehicles therein, completely out of sign or view of the roadway. (b) Side yards, and rear yards, 60 ft. each. (p) Fire and safety hazards – bulk storage of flammable liquids, liquid petroleum gases and explosives allowed above ground 150 feet from the 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 Section 4.32 (i) and 16.07, and shall otherwise comply with Section 2.46 and 16.05 of this ordinance.

Section 4D.36 – Obscuring Walls: Where a non-residential land use abuts a residential district and a wall is used to obscure the non-residential property from the abutting property, the wall shall be constructed of masonry material. Standard concrete blocks are prohibited. Poured or precise concrete walls are permitted provided that they are installed on a continuous concrete footing and are eight (8) inches thick. Required walls shall be similarly finished on all sides and structurally sound.

Section 4D.07 – Setback Required: Walls, fences and landscape screens shall conform to the setback requirements for the zoning district, unless otherwise provided in this article.

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.

b

CITY OF WARREN

ZONING BOARD OF APPEALS - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: ANTHONY BOGEDIN

REPRESENTATIVE: CAREN M BURDI, ATTORNEY

COMMON DESCRIPTION: 5020 CHICAGO

PARCEL NUMBER: 12-13-05-401-015

ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to utilize this property as a 4 unit apartment building.

ORDINANCES and REQUIREMENTS:

SECTION 7.01 USES PERMITTED. Multi-family dwellings are not permitted in a single family district.

VARIANCES REQUESTED: Permission to:

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.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 08/19/2022 08/23/2022 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: ANTHONY J BOGEDIN

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 7.01 USES PERMITTED

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 Pd MS
8/19/22

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: Anthony J Bogedn

Address: 5020 Chicago Road Telephone: _____

Applicant's Email Address: _____ ☐ I prefer email communication

Name and Address of Property Owner (if different) same

Name of Representative: Caren M. Burdi, Attorney Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ I prefer email communication

Address of Property: 5020 Chicago Road, Warren, Michigan 48092

Parcel I.D. No. (as shown on tax bill): 12-13-05-401-015

Purpose of Request: Applicant recently purchased the property on 3/10/2021. Property has a use
variance, granted on 5/12/1999 to R2. Currently there is one apartment upstairs that is 1,622sqft. that the owner
lives in. The remainder of the building is roughed out for 3 more apartments. This was done by the previous owner.
All units will be over 1,608sqft. To proceed owner needs a use variance for R-3

Please explain the nature of your hardship:

Previous owner ran a business downstairs and had a use variance to have two apartments upstairs.

Previous owner closed the business downstairs and began to rough out 2 apartments on the lower level and

two apartments downstairs. He then sold the property. Petitioner went to the building department to ascertain

what he needed to do to proceed and learned that he did not have the proper zoning to proceed. In addition

The property is so large and has a huge garage and parking outside that it is impractical for another use.

Signature: Anthony J Bogedn Date: 8/19/22

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 Anthony J Bogedin
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:
_____/RECORDED LAND CONTRACT PURCHASER(S) I/We/It
X _____/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 Caren M. Burdi Attorney
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 Anthony J Bogedin L.S.
SIGNED _____ L.S.*

*I leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF MACOMB

ON THIS 19th DAY OF August, 2022, BEFORE ME PERSONALLY CAME
Anthony Bogedin, 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.

Acting in Macomb Co.
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 5/22/2023
Caren M. Burdi Caren M. Burdi

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.

Worksheet #2 - Section 20.24 - Land use variance; unnecessary hardship standard.

A land use variance allows property to be used for a specific use that otherwise is prohibited in the applicable zoning district. The concurring vote of six (6) members of the Board shall be required to approve a land use variance. A land use variance shall not be authorized by the Board unless the Board finds that the applicant has demonstrated all of the criteria to establish an unnecessary hardship.

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 land-use variance.

Property cannot be used as zoned. The characteristics of the property are such that it cannot be used for any use permitted in the zoning district; or the property can only be used for a permitted use at a prohibitive expense and therefore will not yield a reasonable rate of return; or the characteristics of the property render it valueless or to have only distress value for any of the uses permitted by the zoning district, or this article as it applies to the property is unreasonable and arbitrary; or confiscatory.

The property currently is zoned R-1-C with a use variance for R-2. The property was originally grandfathered in for a business on the lower level. The use variance allowed two apartments upstairs. Currently there is no business downstairs and as such there is a great deal of space. The building accommodates 4 apartments. Total sq footage of the building is 8,677sqft. No apartment would be less than 1,608sqft. Impractical for two units

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

Petitioner purchased the property in March of 2021. He did not create the size of the building or the zoning

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.

This building is huge 8,677 sq. ft. It is far too large for a property zoned R-2. Each unit would be over 4,300 sq ft.

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; will not alter the essential character of the area; and will not cause public safety concerns.

The property will continue to be used as residential. The property has garage parking for two units and plenty of outdoor parking. This is a quiet use. Certainly quieter than when a business was run on the first floor.

Necessary. The land use variance is necessary for the preservation and enjoyment of the property.

As this large property is located in a residential area, I can think of no other use for a building that is 8,677sq ft

5020 Chicago Rd.

Alexander J. Buchan

At the meeting on Wednesday, October 10, 1990, it was tabled until Wednesday, October 24, 1990.

5020 CHICAGO RD.

Alexander J. Buchan

At the meeting held on Wednesday, October 24, 1990, permission was denied to operate a sculpture studio in an existing building zoned R-1-C.

5020 Chicago Road

5-12-99

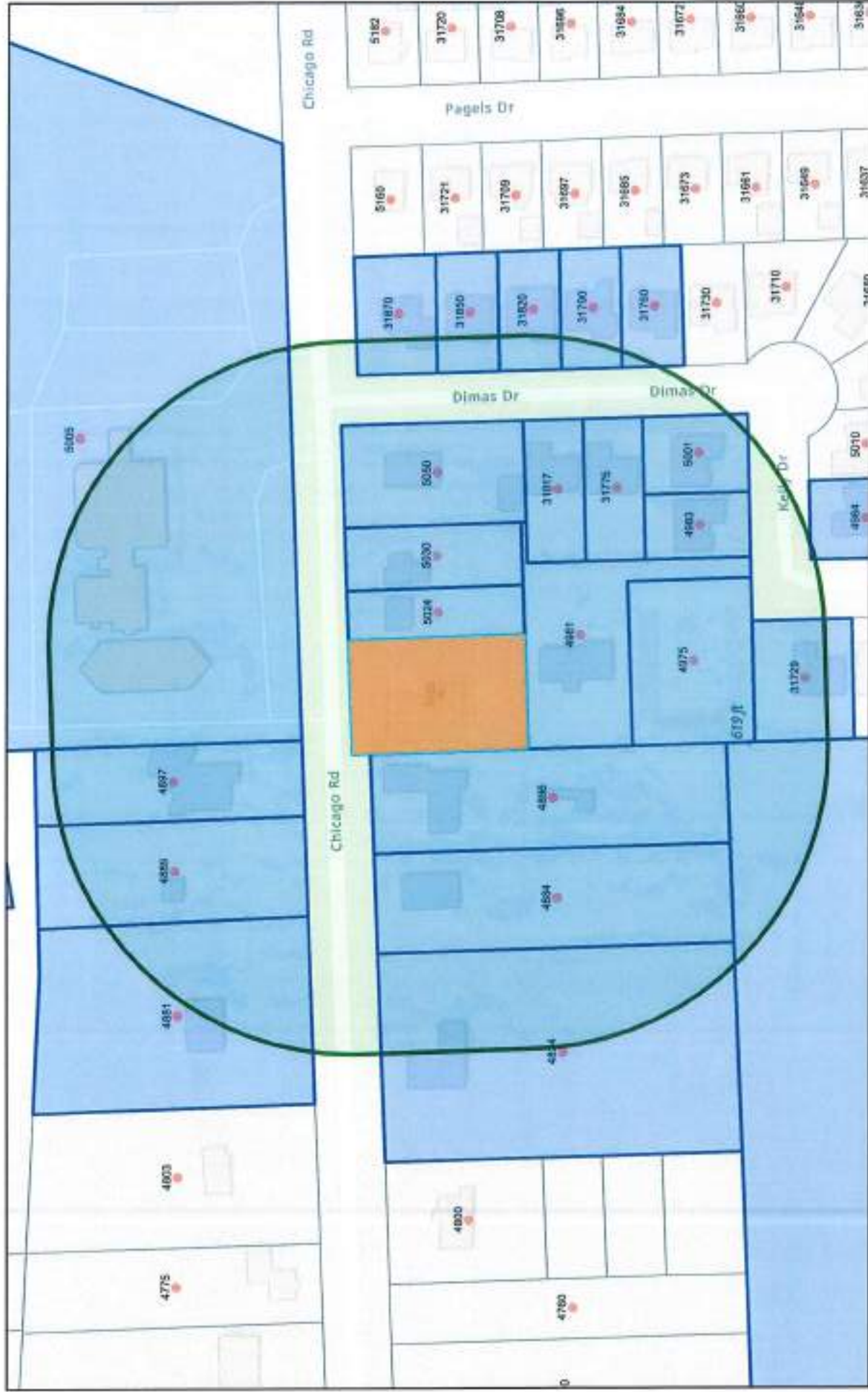
Also known as 13-05-401-015

Jeffrey C. Young & Shawn P. Young - GRANTED request to use property located in an R-1-C zone district as R-2.

2021 WARREN



5020 Chicago - 13-05-401-015



8/30/2022, 8:06:49 AM

Site Address Point ☐ Parcels

Building

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, CG, NMA, Geodatenzentrum, Rijkswaterstaat, GSA, Geoland, FEMA,

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CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: LECOM

REPRESENTATIVE: MARK EDWARD PHILLIPS, PHILLIPS SIGN & LIGHTING

COMMON DESCRIPTION: 27663 MOUND

PARCEL NUMBER: 12-13-17-427-037

ZONED DISTRICT: M-1

REASON: Petitioner wishes to erect two directional signs.

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.

VARIANCES REQUESTED: Permission to:

1. Allow one freestanding 8 sf directional sign: 44 in. high, 20 in. under clearance, sign 24 in. x 48 in., "shipping & receiving" and "visitor parking".

2. Allow a second freestanding 8 sf on each side, directional sign: 44 in. high, 20 in. under clearance, sign 24 in. x 48in., "Lecom parking only" and "Lecom with address" on other side. Total sf of directional signs, 24 sf. (These signs are in addition to the 42.1 sf monument sign on the premises.)

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: LECOM

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 4A.35 SIGNS
SECTION 4A.19 CLEARANCE

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

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: Locom

Address

Telephone:

Applicant's Email Address:

☐ prefer email communication

Name and Address of Property Owner (if different)

Name of Representative: Ed Phillips - Phillips Sign & Lighting Telephone:

Representative's Address:

Representative's Email Address:

☒ prefer email communication

Address of Property: 27663 Mound Road

Parcel I.D. No. (as shown on tax bill): 12-99-06-727-502

Purpose of Request: To allow two (2) 8 square foot post and panel directional signs. One Parking

Only and one Shipping & Receiving and Visitor Parking. The Shipping and

Receiving sign is needed because of Semis not knowing where to go and causing major
disruptions to traffic flow - a safety concern.

Please explain the nature of your hardship.

Our hardship is lack of directional/traffic signage. With our business being on a corner with multiple entrances,
We feel that it is important for traffic in and out to flow safely and smoothly directing large trucks and
cars alike. The "Parking Only" sign is needed because the business across the side street, Heathdale,
on the South side of building, utilized our lot for their employee parking..

Signature:

Ed Phillips

Date:

9-23-22

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 Sam Lentine
Name(s) of Person(s)
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE Manager OF LeCom
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT we
_____/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 Ed Phillips *
Name(s) of Person(s)

THE President OF Phillips Sign & Lighting Inc. *
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 Sam Lentine L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF _____

ON THIS 3rd DAY OF November, 20 22, BEFORE ME PERSONALLY CAME
SAM LENTINE, 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.

Stephanie M. Rickard
NOTARY PUBLIC, ST CLAIR COUNTY, MICHIGAN
MY COMMISSION EXPIRES: Aug 18, 2027

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.

Worksheet #1 - Section 20.23 - Non-use variance; practical difficulty standard.

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.

Not granting this will cause confusion with some traffic when entering our business and possibly cause an unsafe flow of traffic with possible disruptions on Mound. The business to the South was using our parking lot. Since posting private parking, this problem has been resolved.

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

The condition was not created by us as our facility is on a corner and has multiple entrances. We feel that safety for our visitors and our employees is very important and designating an area to park and a direction to drive is important in making sure it is safe.

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.

Our property is unique in that we have multiple entrances making it difficult for semi's, including other delivery vehicles, as well as visitors entering our facility, unsure where to go. Also, being within close proximity to neighboring businesses, our employees and visitors should have a designated area on our property for parking. Parking that is only for them. At only 8 sq ft each, our sign totally eliminates parking confusion.

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.

Granting this would not be a detriment. In fact, granting this would create a safer environment for the traffic flow on Mound Road, as well as the parking lot. At only 8 sq ft, these directional signs will have no effect on neighbors, light or air.

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.

This request is not related to a personal or economic hardship. We are only managing visitor, delivery and employee parking in a safe manner on our property

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.

We believe this variance is necessary, as again, for the safety and well being of our employees, vendors and visitors.

27663 Mound Road

Regal Lanes

Granted permission at the meeting of 7-14-82 to retain the existing, hardsurface parking to the property line along Mound Road. Permission also granted to hardsurface to the property line along Mound Road. Permission to waive 26 required off-street parking spaces was TABLED until September 8, 1982.

Tabled at the meeting of 9-8-82 until 9-29-82.

27663 Mound Road

Regal Lanes

Granted permission at the meeting of 10-31-82 to waive 26, required, off-street parking spaces.

27663 Mound Road

Regal Lanes

Tabled at the meeting of 11-12-82 until 12-8-82.
Granted permission at the meeting of 12-8-82 to operate an amusement-machine center containing ten (10) machines.

27663 Mound

REGAL LANES

also known as 13-17-427-012 - GRANTED permission to erect a 125.5 square-foot, ground sign, 24-feet high, to no less than 1 foot of the front property line along Mound Road.

June 10, 1992

27663 MOUND

7/22/2020

LEGAL DESCRIPTION: 12-13-17-427-037

VARIANCES REQUESTED: Permission to -USE-

1. Allow above ground fuel tanks in an M-1 zone.
2. Allow above ground fuel tanks 122 feet from the west property line and 29 feet from the south property line.

The petitioner's request was **Danied.**

ZONING Enforcement | E22-02606**Property Information**

12-13-17-427-037	27663 MOUND	Subdivision	
	WARREN MI, 48092	Lot:	Block:

Name Information

Owner:	JAL PROPERTY INVESTMENTS INC	Phone:	
Occupant:	LECOM INC	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	06/24/2022	Date Closed:	Status:
Complaint:	INVESTIGATE OCCUPANT AT THIS ADDRESS IS NOT ADHERING TO THE SITE PLAN AND HAS POSSIBLY EXPANDED ONTO THE BEAR CREEK COMMITTEE PROPERTY TO THE WEST. PARKING LARGE CONSTRUCTION VEHICLES TO THE WEST ABUTTING RESIDENTIAL PROPERTY		
Last Action Date:		Last Inspection:	11/07/2022
Last Action:			

TICKET Inspection | STEVEN WATRIPOINT

Status:	Completed	Result:	Violation(s)
Scheduled:	11/02/2022	Completed:	11/07/2022

ZONING Inspection | STEVEN WATRIPOINT

Status:	Completed	Result:	Violation(s)
Scheduled:	09/23/2022	Completed:	09/23/2022

ZONING Inspection | STEVEN WATRIPOINT

Status:	Completed	Result:	Violation(s)
Scheduled:	09/02/2022	Completed:	09/02/2022

ZONING Inspection | STEVEN WATRIPOINT

Status:	Completed	Result:	Violation(s)
Scheduled:	08/01/2022	Completed:	08/01/2022

ZONING Inspection | STEVEN WATRIPOINT

Status:	Completed	Result:	Violation(s)
Scheduled:	06/27/2022	Completed:	06/27/2022

ZONING Inspection | STEVEN WATRIPOINT

Status:	Completed	Result:	Violation(s)
Scheduled:	06/27/2022	Completed:	06/29/2022

Violations:

Uncorrected	SECTION 17.02(S) - OPEN STORAGE REQUIRES APPROVAL OF THE PLANNING DEPARTMENT AND MAY REQUIRE A VARIANCE FROM THE ZONING BOARD OF APPEALS. REMOVE ALL ITEMS STORED OUTSIDE. IF OPEN STORAGE IS DESIRED, SUBMIT A SITE PLAN AND OBTAIN APPROVALS AS REQUIRED.
Uncorrected	SECTION 4.39 EVERY PARCEL OF PROPERTY INCLUDING BUILDINGS VACANT OR OCCUPIED, AND EVERY PART THEREOF, SHALL BE KEPT CLEAN AND SHALL BE KEPT FREE FROM ANY ACCUMULATION OF DIRT, FILTH, RUBBISH, GARBAGE OR OTHER MATTER IN OR ON THE SAME, OR IN THE YARDS, COURTS, PASSAGES, AREA OF ALLEYS CONNECTED THEREWITH OR BELONGING TO THE SAME.
Uncorrected	SECTION 4.32(K) ALL OFF STREET PARKING MUST BE ON A HARD SURFACE. (CONCRETE OR ASPHALT)

Corrected	FUEL CONTAINER IS NOT ALLOWED IN AN M-1 ZONE. THE CONTAINER TOP IS MARKED FLAMABLE. (IN RESEARCH DCF IS NOT A FLAMABLE FLUID, HOWEVER, THE CONTAINER SHOULD BE CLEARLY MARKED, NONFLAMABLE AND IT CONTENTS.
Uncorrected	SECTION 4A.12 - A PERMIT IS REQUIRED PRIOR TO ERECTING, ALTERING, CHANGING OR REMODELING ANY SIGN OR SIGN STRUCTURE.
Uncorrected	Over 6 inches in height

ZONING Inspection | STEVEN WATRIPOINT

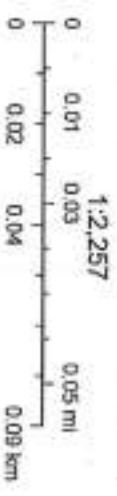
Status:	Completed	Result:	Violation(s)
Scheduled:	06/24/2022	Completed:	05/24/2022

ArcGIS Web Map



11/2/2022, 12:26:38 PM

- | | |
|--|--|
|  Platted Area Boundaries |  Property Lines - Drafting Detail |
|  Property Area Boundaries |  300 - TickMark |
|  Property Lines - Retired |  301 - MiscOfUnknown |
| |  303 - TextOvals |
| |  304 - LandHooks |
| |  306 - TraversalLines |
| |  307 - LeaderLines |
| |  308 - ExtentTickMark |
| |  314 - PrivateClaim |
| |  Property Lines - Core |
| | 100 - Parcel |



This layer is visible at all scales. | This layer is visible between the scale 1:1 - 1:25,000. |

ArcGIS Web AppBuilder

87



Multi-Business

Multi-Business ☐ Parcels ☐

Building

12,257

0	0.01	0.03	0.05 mi
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Sources: Esri, Airbus DS, USGS, NOAA, NASA, CGIAR, N. Robinson, MCEAS, NLS, CA, NAPA, Geodetisch Instituut, Rijkswaterstaat, GSA, GeoLand, FEMA.

Early Community Maps Contributors, Province of Ontario, STM0000, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SwireGraph, GeoTechnology, Inc, NAVTEQ, US Census Bureau, USDA, NRCan, Parks Canada | Southeast ArcGIS Web AppBuilder

Item #2 / #4
TOTAL SIGN AREA: 8 Sq. Ft.

Post & Panel Sign
Double Sided
Qty: 1 (of Each)

Lead #: P21000604

Project: LeCom - Warren

Sub: LeCom - Post & Panel 12-21-21

JOB ADDRESS: 27663 Howard Road,
Warren, MI, 48092

Lead: EP

Revision:
CG 12-21-21

Layout: CG

Date:
12-28-21

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Phillips SIGN & LIGHTING Inc.
PS&L
Ph: 586.468.7110



Parking Lot View

Healthdale Ave View



visit us at: **phillipssign.com**

Approved: _____

Date: _____

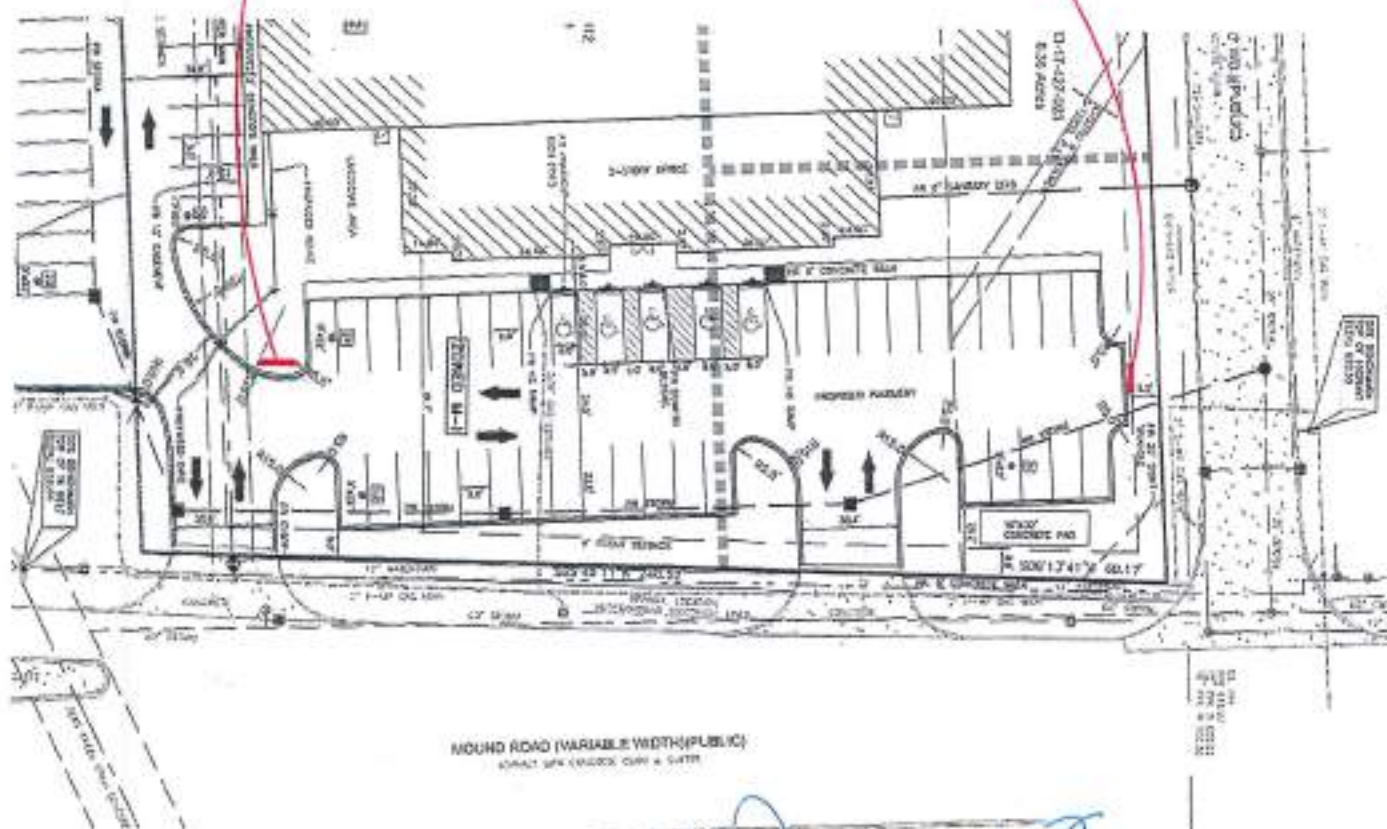
Permit: _____



Parking Lot View



Healthdale Ave View



ROUND ROAD (VARIABLE WIDTH)(PUBLIC)
ADAPT SPK (VARIED) CURB & GUTTER

visit us at: **phillipssign.com**

Approved:

Date: 1-3-20

Permit: _____

Item #2 / #4

TOTAL SIGN AREA: 8 Sq. Ft.

Post & Panel Sign
Double Sided
Qty: 1 (of Each)

Lead #: P21000004

Author: LeCom - Warren

Rev: LeCom - Post & Panel 12-21-21

275.000000: 275.000000
Marion, RI, 02852

LECOM

ARROW
CG 12-21-21

LECOM

Date:
12-20-21

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phillips SIGN & LIGHTING Inc.

PS&L

Ph: 585.468.7110

Simulated Perspective View is Approximate



*FINAL SIGN PLACEMENT TO BE DETERMINED

visit us at: **phillipssign.com**

Approved: _____

Date: _____

Permit: _____

Item #4

TOTAL SIGN AREA: 8 Sq. Ft.

Post & Panel Sign
Single Sided
Qty: 1

Lead #: P21080604

North LeCom - Warren

Ref: LeCom - Post & Panel 12-21-21

PROJECT: 20663 Howard Road,
Warren, MI 48093

Lead: EP

Revision:
CG 12-21-21

Layout: CG

Date:
12-23-21

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phillips SIGN & LIGHTING INC.

PS&L

Ph: 586.468.7110

Simulated Perspective View is Approximate



*FINAL SIGN PLACEMENT TO BE DETERMINED

Item #2

TOTAL SIGN AREA: 8 Sq. Ft.

Post & Panel Sign
Double Sided
Qty: 1

Lead #: P21000604

Source: LeCom - Warren

File: LeCom - Post & Panel 12-21-21

276404630 27663 Mount Road,
Warren, MI 48092

LEAD: EP

REVISION:
CG 12-21-21

LAYOUT: CG

Date:
12-28-21

Design, layout and plans represent the best
estimate of the project. All designs are subject to
change without notice. At any time we may change the design or layout without
notice. We are not responsible for any errors or omissions.

phillips SIGN & LIGHTING INC.

PS&L

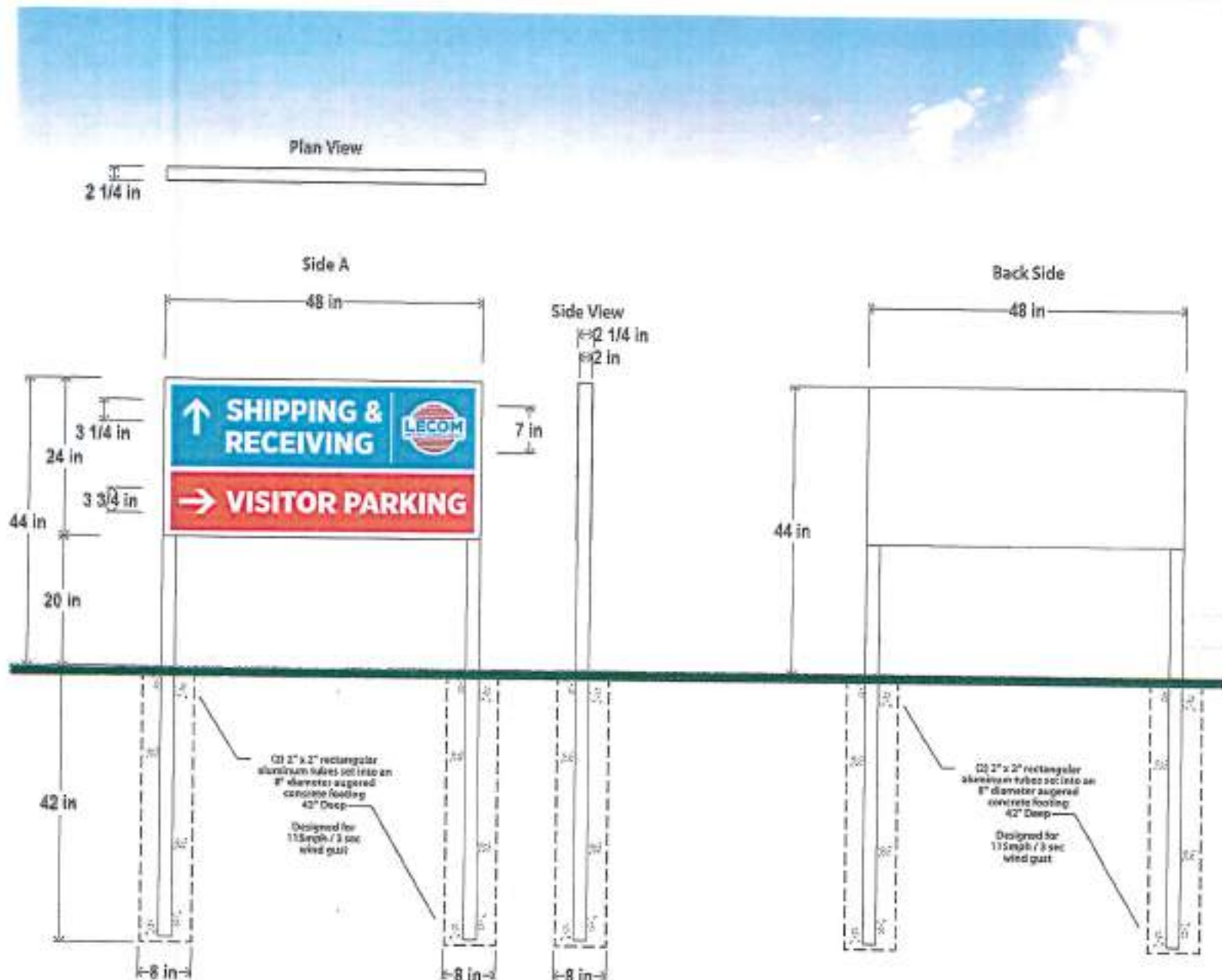
Ph: 586.468.7110

visit us at: **phillipssign.com**

Approved: _____

Date: _____

Permit: _____



- FACE/POLES: Gloss White
- Vinyl: FDC 2100 125 Wild Cardinal Red
- Vinyl: FDC 2100 305 Blue

visit us at: **phillipssign.com**

Approved:

Date: 1-3-22

Permit:

Item #4

TOTAL SIGN AREA: 8 Sq. Ft.

Post & Panel Sign
Single Sided
Qty: 1

Lead #: P21000604

Project: LeCom - Warren

Rev: LeCom - Post & Panel 12-21-21

SITE ADDRESS: 27653 Mound Road,
Warren, MI 48092

LEAD: EP

Version: CG

Date:
12-28-21

Revision:
CG 12-27-21



Qty: One (1) Single Sided

2" X 2" Aluminum Tube
Construction

1/8" Aluminum Panels
Vinyl Graphics

Design, material and price represent estimates for the sole property of Phillip Sign & Lighting, Inc. All other parts of this design (panels, graphics, hardware) are purchased. All components are subject to change without notice. Customer may request a signed report packet.

phillips SIGN & LIGHTING Inc.

PS&L

Ph: 586.468.7110

TOTAL SIGN AREA: 8 Sq. Ft.

Lead #: P21000594

MAJOR LeCom - Warner

J46 LeCom - Post & Panel 12-07-21

3/15/2003: 27663 Mount Road,
Murray, NE 68602

John F.

LEWIS & CLARK

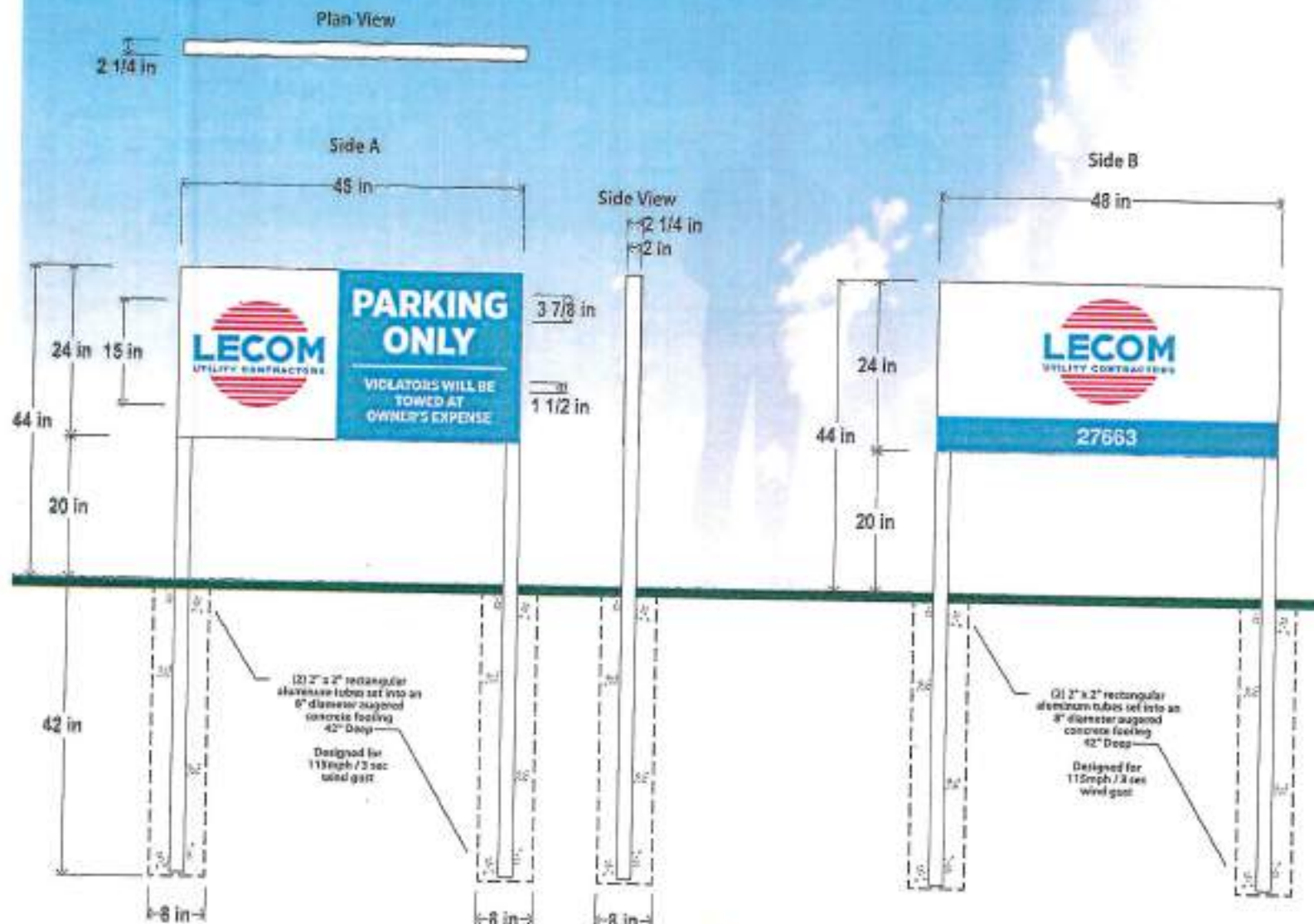
over:
12-18-21

Designs, already available in numerous formats and the vast program of Philips lights is a lighting tool. All on any part of the design through regional involvement.

philips SIGN & LIGHTING Inc.

PS&L

Ph: 586.468.7110



- FACE/POLES: Gloss White
- Vinyl: FDC 2100 125 Wild Cardinal Red
- Vinyl: FDC 2100 305 Blue

visit us at: **phillipssign.com**

Approved:

Date: _____

Permit:

CITY OF WARREN

ZONING BOARD OF APPEALSSUMMARY OF VARIANCE REQUEST

APPLICANT: ROBERT NAJJAR, TRUCK SERVICES HOLDING GROUP LLC

REPRESENTATIVE: TIM STOREY, STOREY ENGINEERING

COMMON DESCRIPTION: 21250 MULLIN

PARCEL NUMBER: 12-13-34-426-009

ZONED DISTRICT: M-2

REASON: Petitioner seeks variances related to outdoor storage.

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, 30ft.

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

VARIANCES REQUESTED: Permission to:

1. Allow 97,780 sf of outdoor storage/trailer parking on gravel.
2. Allow a total of 153,528 sf of open storage when 20,135 sf 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.~~
7. Allow a 10' tall wall for 745' along the south property line.

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: ROBERT NAJJAR, TRUCK SERVICES HOLDING
GROUP LLC

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 4.32 OFF-STREET PARKING REQUIREMENTS
SECTION 17.02 INDUSTRIAL STANDARDS

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

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: Robert Najjar (Truck Services Holding Group LLC)

Address: _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (if different): _____

Name of Representative: Tim S. Storey (Storey Engineering) Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☒ prefer email communication

Address of Property: 21250 Mullin Avenue, Warren, MI 48089

Parcel I.D. No. (as shown on tax bill): 12-13-34-426-009

Purpose of Request: (See Attached Variance Request letter Dated 10/7/22)

Please explain the nature of your hardship:

(See Attached Variance Request Letter Dated 10/7/22)

Signature:  Date: 10-11-22

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 Robert Najjar
Name(s) of Person(s)
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE member OF Truck Services Holding Group LLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I
_____/RECORDED LAND CONTRACT PURCHASER(S) I/We/It X/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 Tim S. Storey T-S
Name(s) of Person(s)
THE president OF Storey Engineering Garage LLC
Title of Officer Name of Company
OF _____
Address, City, State _____ Zip _____ Telephone _____

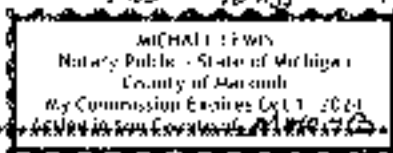
IS/ARE/AMY/OUR DESIGNATED REPRESENTATIVE(S) IN THE PROCESSING OF SAID PETITION.
FURTHER, DEPONENT SAYS NOT.

SIGNED [Signature] L.S.
SIGNED [Signature] L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF MACOMB

ON THIS 11 DAY OF October, 2022, BEFORE ME PERSONALLY CAME
Robert Najjar & Tim Storey, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT I DID SO OF Their OWN FREE WILL AND DEED.
Robert Najjar & Tim Storey



NOTARY PUBLIC, MACOMB COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 10-01-2024

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.



Chief Zoning Inspector
City of Warren Building Division
One City Square, Suite 305
Warren, MI 48093

October 7, 2022

**RE: APPLICATION FOR VARIANCE – 21250 MULLIN AVE
SECTION 34, CITY OF WARREN, MACOMB COUNTY, MICHIGAN**

Dear Zoning Inspector:

Attached herewith, please find 14 copies of the proposed site plans, completed Application for four requested variances and requisite fee in the amount of \$515.00 associated with the above referenced property. All four requested variances are considered to be Non-use Variances and are explained in detail below.

Variance Request #1 – Gravel Parking/Outdoor Storage Variance

The applicant is requesting a Gravel Parking/Outdoor Storage Variance to allow trailer parking and outdoor storage on an existing gravel surface at the rear of the property (61 trailer spaces on gravel, accompanying maneuvering area and miscellaneous storage of materials). This variance request is being requested in order to meet with City Engineering storm water requirements while also providing the necessary trailer parking for the owners business.

The applicant and SEG met with the Engineering Department on several occasions in spring/summer of 2022 to discuss the owners requirements for the site, City Standards and what elements needed to be provided on the site plans. The gravel surface in lieu of providing additional hard surfacing will eliminate the immediate need to provide underground stormwater detention on site. Paving this area would inhibit the ability of rain water to infiltrate into the ground. Therefore, the current site plan is proposing to utilize the existing gravel surface at the rear portion of the property for parking of up to 61 trailers which will also be part of the proposed outdoor storage area equating to 97,780 sf of proposed outdoor storage space on gravel. As a result, the applicant is also requesting a variance to allow "parking" of the trailers on a gravel surface in lieu of a hard paved surface as part of the solution for complying with City storm water detention requirements. Therefore, without the gravel parking variance, the owner's business cannot continue to operate at the property and will be forced to relocate its operation as a result.

The following is a written explanation detailing how the requested gravel parking variance satisfies the six (6) practical difficulty standards outlined in Section 20.23 of the Zoning Ordinance:

1. Unreasonable Impact/Burden.

Strict compliance with the hard surface parking/outdoor storage requirements would unreasonably prevent the applicant from using the property for the permitted use and would be unnecessarily burdensome.

Without the requested variance, the business would be precluded from providing sufficient trailer parking at the site for the business. The current owner purchased the property with the understanding that there was existing trailer parking space available in the rear of the property. If there was no trailer parking available, the applicant would not have purchased the building as it is a necessity for its business. If the gravel parking variance is not granted, there will not be adequate space for parking of trailers which would be detrimental to the operations of the business and would likely result in relocation to another property.

2. Not Self-Imposed.

The condition was not self created by the applicant or a previous owner of the property nor was it reasonably discoverable.

The condition requiring the truck/trailer parking and outdoor storage on site is a consequence of business operations. The main business is a heavy truck repair operation that requires trucks and trailers to be stored for significant periods of time on site. A secondary part of the business for the owners clients is to provide storage of trucks and trailers on site that are periodically dropped off and picked up by semi-tractors, partially a consequence of just-in-time delivery of parts and supplies for a broad array of manufacturers across the Midwest. Trucking companies today must have the ability to store trailers temporarily or they will not be able to compete successfully. Furthermore, the rear gravel parking area on site was constructed prior to the current owner purchasing the property. It was a reasonable assumption by the current owner that the gravel parking was allowed by the City since it was an existing condition and he could see several other businesses in the City with extensive gravel parking areas. There was no obvious reason to question if it was allowed or not.

3. Property Unique.

The property has unique physical features or characteristics and the plight is due to unique circumstances of this property.

The size of the buildings is adequate for the owners operations and the use is allowed within the zoning district (M-2). However, due to the parking requirements of the City and the businesses need for a very large area of truck/Trailer parking and outdoor storage of materials used in the owners business, the business is left without adequate space if parking on gravel is not allowed. The business also works on track machinery and has to store other metal parts outside for the business which cannot be stored on pavement as it will damage the pavement.

4. Not a Detriment.

Granting the gravel parking variance will not result in a detriment to nearby properties and will not impair the property values in the surrounding area nor will it cause public safety concerns.

Allowing the gravel parking to remain in the rear of the property encourages infiltration of storm water into the soil and maintains maximum useable area of the property for the business and any future business that may one day utilize the site. When businesses are successful, this contributes to an increase in property values and is an asset to the surrounding properties. The parking is designed in

a safe manner that will not cause public safety concerns. The area is also proposed to be screened from the adjacent residential property with a 6 foot high screen wall.

5. 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.

The purpose of the gravel parking is not merely to save money for the owner, but rather to allow for the continued viability of the property and to preserve the very existence of the business located on this site. Without the gravel parking, the owner will be forced to relocate its operations to an alternate site. As indicated above, the size of the buildings are more than adequate for the owners operations and the use is allowed within the zoning district (M-2). The business also works on track machinery and has to store other metal parts outside for the business which cannot be stored on pavement as it will damage the pavement.

However, due to the parking requirements of the City, the site is left without adequate space for truck/trailer/parts unless the gravel surface is utilized.

6. 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.

The parking variance is vital to the very existence of the existing business and any future businesses to be located at this site and will allow the property to benefit from similar gravel parking areas located in the area as well as at other properties throughout the metropolitan area that have gravel parking.

Variance Request #2 – Allow Total Outdoor Storage Area to increase beyond Current Allowed

132,343
The applicant is requesting an Outdoor Storage Variance to allow the maximum allowable outdoor storage area to be increased by 132,572 square feet. The owner was not aware that he would not be able to utilize the gravel areas on site as they had been used previously by the prior owner. The following is a written explanation detailing how the requested variance satisfies the six (6) practical difficulty standards outlined in Section 20.23 of the Zoning Ordinance:

1. Unreasonable Impact/Burden

Strict compliance with the Outdoor Storage Area requirements would unreasonably prevent the applicant from using the property for the permitted use and would be unnecessarily burdensome.

Without the requested variance, the business would be precluded from providing sufficient trailer parking at the site for the business. The current owner purchased the property with the understanding that there was existing trailer parking space available in the rear of the property. If there was no trailer parking available, the applicant would not have purchased the building as it is a necessity for its business. If the gravel parking variance is not granted, there will not be adequate

space for parking of trailers which would be detrimental to the operations of the business and would likely result in relocation to another property.

If there was not this amount of outdoor storage available, the applicant would not have purchased the building as it was a necessity for its business. If all truck & trailer parking/storage were eliminated, there would be no space for the truck trailer parking, thereby precluding the business from using the site for its business. The business would have no choice but to relocate.

2. Not Self-Imposed.

The condition was not self created by the applicant or a previous owner of the property nor was it reasonably discoverable.

The condition requiring the truck/trailer parking & outdoor storage on site is a consequence of business operations. The main business is a heavy truck repair operation that requires trucks and trailers to be stored for significant periods of time on site. A secondary part of the business for the owners clients is to provide storage of trucks and trailers on site that are periodically dropped off and picked up by semi-tractors, partially a consequence of just-in-time delivery of parts and supplies for a broad array of manufacturers across the Midwest. Trucking companies today must have the ability to store trailers temporarily or they will not be able to compete successfully. Furthermore, the rear gravel parking area on site was constructed prior to the current owner purchasing the property. It was a reasonable assumption by the current owner that the gravel parking was allowed by the City since it was an existing condition and he could see several other businesses in the City with extensive gravel parking areas. There was no obvious reason to question if it was allowed or not.

3. Property Unique.

The property has unique physical features or characteristics and the plight is due to unique circumstances of this property.

The number, size, shape and location of the buildings on the site precludes providing efficient truck/trailer parking and outdoor storage in any other way than is being proposed. In order for Doctor Diesel to be a successful business, a large amount of outdoor storage is required. The immediate area does not contain additional options for outdoor storage, truck/trailer parking.

4. Not a Detriment.

Granting the variance will not result in a detriment to nearby properties and will not impair the property values in the surrounding area nor will it cause public safety concerns.

Allowing the gravel parking to remain in the rear of the property encourages infiltration of storm water into the soil and maintains maximum useable area of the property for the business and any future business that may one day utilize the site. When businesses are successful, this contributes to an increase in property values and is an asset to the surrounding properties. The parking is designed in a safe manner that will not cause public safety concerns. The area is also proposed to be screened from the adjacent residential property with a 6 foot high screen wall.

5. 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.

The purpose of the gravel parking is not merely to save money for the owner, but rather to allow for the continued viability of the property and to preserve the very existence of the business located on this site. Without the outdoor storage, the owner will be forced to relocate its operations to an alternate site. As indicated above, the size of the buildings are more than adequate for the owners operations and the use is allowed within the zoning district (M-2). The business also works on track machinery and has to store other metal parts outside for the business.

6. 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.

The parking variance is vital to the very existence of the existing business and any future businesses to be located at this site and will allow the property to benefit from similar gravel parking areas located in the area as well as at other properties throughout the metropolitan area that have gravel parking and outdoor storage.

Variance Request #3 – Allow Height of Building “B” to Exceed Max Allowable Height by 10 feet

The applicant is requesting a Variance to allow the 40' building height of Building “B” to remain in lieu of reconstructing the building. The building was built when the zoning on the property was M-3 which allowed 40' high buildings. Since that time, the previous owner rezoned the property to M-2. The current owner was not aware that he would not be able to utilize the gravel areas on site as they had been used previously by the prior owner. The following is a written explanation detailing how the requested variance satisfies the six (6) practical difficulty standards outlined in Section 20.23 of the Zoning Ordinance:

1. Unreasonable Impact/Burden.

Strict compliance with the building height requirements would unreasonably prevent the applicant from using the property for the permitted use and would be unnecessarily burdensome.

Without the requested variance, the business would be forced to re-construct or remove the existing building “B” which would be a large impact/burden to the owner. If the gravel parking variance is not granted, there will not be adequate space for parking of trailers which would be detrimental to the operations of the business and would likely result in relocation to another property.

If there was not this amount of outdoor storage available, the applicant would not have purchased the building as it was a necessity for its business. If all truck & trailer parking/storage were eliminated, there would be no space for the truck trailer parking, thereby precluding the business from using the site for its business. The business would have no choice but to relocate.

2. *Not Self-Imposed.*

The condition was not self created by the applicant or a previous owner of the property nor was it reasonably discoverable.

Building "B" was constructed many, many years ago and it met the building height requirements at that time for the M-3 district in which it was located. It was a reasonable assumption by the current owner that the building was in conformance with the ordinance. There was no obvious reason to question if it was allowed or not.

3. *Property Unique.*

The property has unique physical features or characteristics and the plight is due to unique circumstances of this property.

The prior history of the site as part of an industrial campus under zoning M-3 dictated the building height. This is a very unique condition in that very few, if any, existing properties are down-zoned with existing buildings that then exceed the maximum height requirement.

4. *Not a Detriment.*

Granting the variance will not result in a detriment to nearby properties and will not impair the property values in the surrounding area nor will it cause public safety concerns.

Allowing the existing building to remain that has been on the property for over 50 years is not a detriment to nearby properties and will not impair the property values in the surrounding area nor does it cause any public safety concerns. Additionally, the area is also proposed to be screened from the adjacent residential property with a 6 foot high screen wall.

5. *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.

The height of Building "B" is an existing condition as a result of how the property was developed over the years.

6. *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.

The building height variance allows the use of the building that was present when the owner bought the property and thus its value was factored into the purchase price. Having to renovate an existing building and make it 10 feet shorter, and less valuable would be an enormous hardship on the owner. The higher building is necessary for the storage of certain items vital to the owner's business.

Variance Request #4 – Allow Zero Lot Line at the Side and Rear yards instead of 20 feet

The applicant is requesting a Variance to allow the existing Zero Lot Lines to remain at yeh north and east property lines that were created when the parcel was legally split by the previous owner. The split was approved by the City and the zero lot lines should have been approved at that time as a condition of the split. The current owner was not aware that there were remaining setback nonconformities that would require him to obtain a variance. The following is a written explanation detailing how the requested variance satisfies the six (6) practical difficulty standards outlined in Section 20.23 of the Zoning Ordinance:

1. Unreasonable Impact/Burden.

Strict compliance with the building setback requirements would unreasonably prevent the applicant from using the property for the permitted use and would be unnecessarily burdensome.

Without the requested variance, the business would be forced to remove portions of the existing buildings in order to meet the setback distances. It seems this would also apply to the neighboring parcel from which the subject property was split from (through an existing building). Re-constructing or removing the existing building "A" would be an unreasonable impact/burden to the owner. This would be detrimental to the operations of the business and would likely result in relocation to another property.

2. Not Self-Imposed.

The condition was not self created by the applicant or a previous owner of the property nor was it reasonably discoverable.

Building "A" was constructed many, many years ago and it met the building requirements at that time for the M-3 district in which it was located. Furthermore, when the property was approved for the split, the City should have automatically approved variances from the setbacks for this existing building. It was a reasonable assumption by the current owner that the building was in conformance with the ordinance. There was no obvious reason to question if it was allowed or not.

3. Property Unique.

The property has unique physical features or characteristics and the plight is due to unique circumstances of this property.

The prior history of the site as part of an industrial campus under zoning M-3 dictated the building geometry. This is a very unique condition in that very few, if any, existing properties are split through an existing building.

4. Not a Detriment.

Granting the variance will not result in a detriment to nearby properties and will not impair the property values in the surrounding area nor will it cause public safety concerns.

Allowing the existing building to remain that has been on the property for over 50 years is not a detriment to nearby properties and will not impair the property values in the surrounding area nor does it cause any public safety concerns. The owner intends to enter into any required agreements as may be necessary to allow the unusual condition to exist. Additionally, the property is also proposed to be screened from the adjacent residential property with a 6 foot high screen wall.

5. 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.

The location & geometry of Building "A" is an existing condition as a result of how the property was developed over the years and how it was allowed to be split by the City.

6. 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.

The setback variances would allow the use of the building that was present when the owner bought the property and thus its value was factored into the purchase price. Having to renovate an existing building and make it 20 feet shorter in length on two sides, and less valuable would be an enormous hardship on the owner. The existing building area is necessary and vital to the owner's business.

We feel that granting these variances is consistent with the spirit of the zoning ordinance and demonstrates that the City of Warren is a forward thinking City concerned about keeping its businesses viable while protecting the rights of the public and protecting the environment.

Please review the attached information and let me know if you feel that these requests are ready to be placed on the agenda of the ZBA, or if we will need to submit any additional information at this time.

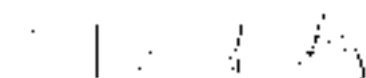
We appreciate your assistance and look forward to continuing to work with you as we move forward.

Should there be any questions regarding the above information, please do not hesitate to contact me at 586-216-1043.

Thank you.

Sincerely,

STOREY ENGINEERING GROUP, LLC



Tim S. Storey, PE, LEED AP
President

Cc: Robert Najjar – Doctor Diesel
Candice Mayer

LEGAL DESCRIPTION

Parcel #12-13-34-425-009 (21250 Mullin Avenue)

(PER: AFFIDAVIT AS RECORDED IN LIBER 26407, PAGE 534 OF MACOMB COUNTY RECORDS)

T1N, R12E, SEC 34; COMM AT E 1/4 POST SEC 34; TH S00°46'00"W 580.20 FT; TH S89°59'47"W 60 FT; TH S00°46'00"W 290.00 FT; TH 89°56'47"W 518.50 FT; TH S00°46'00"W 190.28 FT TO POB; TH S00°46'00"W 251.41 FT; TH S89°30'41"W 745.60 FT; TH 00°17'14"E 200.08 FT; TH N89°57'35"W 215.70 FT; TH N00°14'42"E 100.00 FT; TH S89°57'35"E 215.77 FT; TH N00°17'14"E 190.63 FT; TH S89°40'42"E 189.56 FT; TH S00°21'00"W 217.53 FT; TH N89°30'41"E 115.95 FT; TH S00°22'37"E 19.13 FT; TH N89°30'41"E 442.70 FT TO POB 5.893 AC.

21439 Hoover

7/24/2019

LEGAL DESCRIPTION: 13-34-426 001

VARIANCES REQUESTED: Permission to

- 1) Parcel 1 allow a side (north) set back of zero feet (Building D)
 - 2) Parcel 1 allow a rear (east) setback of zero feet (Building C)
 - 3) Parcel 1 allow a side (south) set back of zero feet. (Building C)
 - 4) Parcel 1 allow a front (west) set back of 20 feet. (Building C) (Previous variance)
 - 5) Parcel 1 waive 20,659 square feet of parking.
 - 6) Parcel 2 allow a side (south) set back of zero feet (From parcel 1)
 - 7) Parcel 2 allow a rear (west) set back of zero feet. (From parcel 1)
 - 8) Parcel 2 allow side (north) set back of 16.58 feet. (From parcel T-34-426-003) (Previous variance)
 - 9) Parcel 2 allow a rear (west) set back of 20 feet. (From Mulin properties) (Previous variance)
- Parcel 2 waive 230,745 square feet of parking.

The petitioner's request was APPROVED.

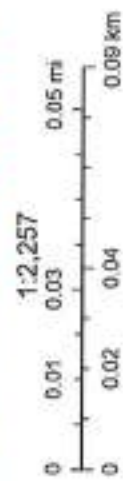
On 11/8/2019 the Planning Dept
approved the lot split of parcel 1
& parcel 2; Parcel 1 is the
petitioner's property.

ArcGIS Web Map



11/17/2022, 2:50:11 PM

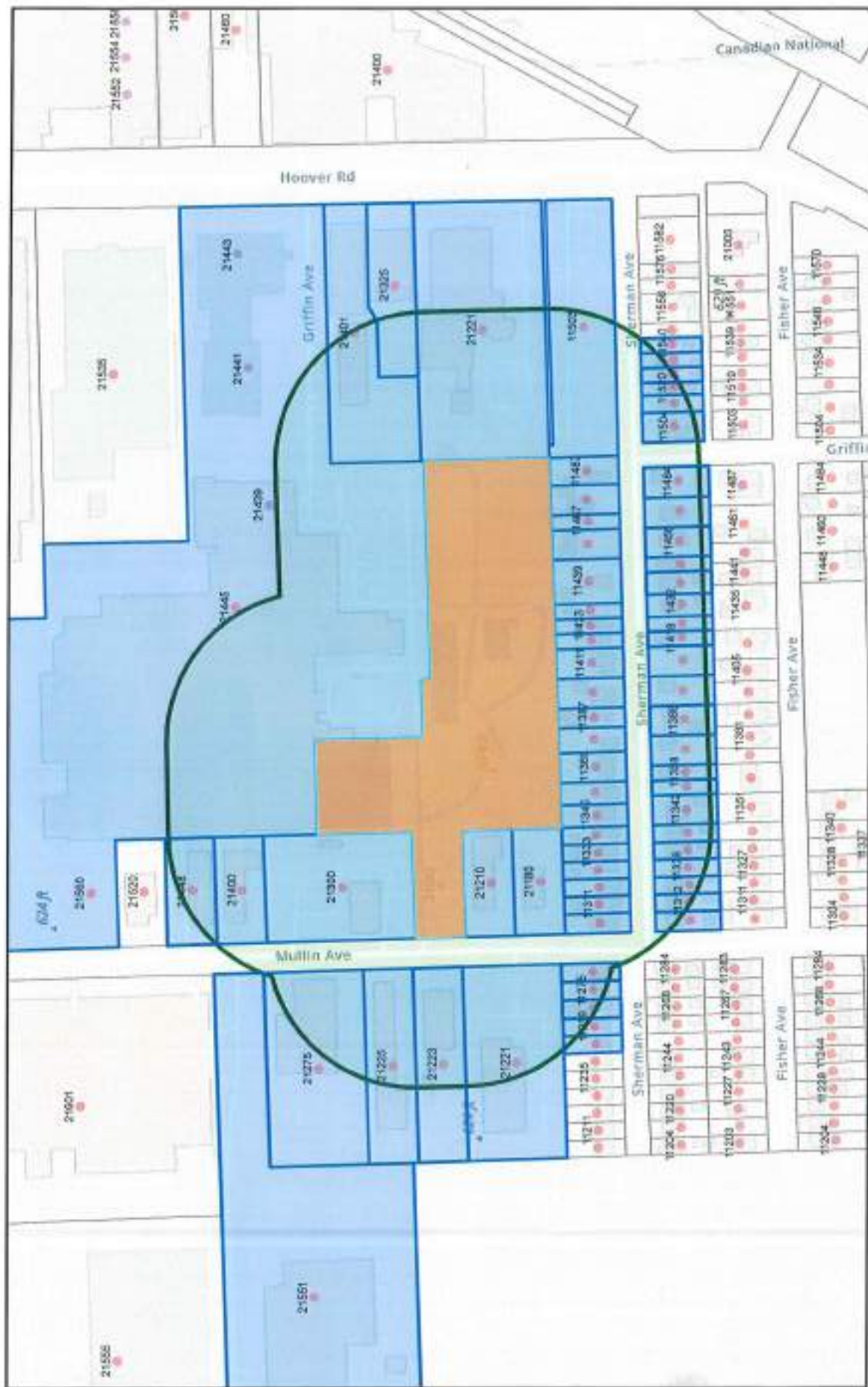
- Platted Area Boundaries
- Property Area Boundaries
- Property Lines - Retired
- Property Lines - Drafting Detail
- 300 - TickMark
- 301 - MiscOrUnknown
- 303 - TextOvals
- 304 - LandHooks
- 306 - TraversalLines
- 307 - LeaderLines
- 308 - ExtentTickMark
- 314 - PrivateClaim
- Property Lines - Core
- 100 - Parcel



This layer is visible at all scales. | This layer is visible between the scale 1:1 - 1:20,000 |
ArcGIS Web AppBuilder

21250 Mullin - 13-34-426-009

62



11/29/2022, 3:57:43 PM

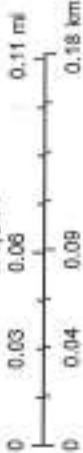
Site Address Point

Multi-Business

Parcels

Building

1:4,514



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGAR, N Robinson, NCEAS, NLS, OS, MMA, GeodeticSystem, Repositioning, GSA, Canada, FEMA, ArcGIS Web AppBuilder

Esri Community Maps Contributors, Province of Ontario, BEACON, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeOrgh, GeoTechnologies Inc, METANASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada | Southeast

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: DEVON SELF STORAGE HOLDINGS, PATRICK ROUSSEY
REPRESENTATIVE: PATRICK ROUSSEY, DEVON
COMMON DESCRIPTION: 23745 MOUND
PARCEL NUMBER: 12-13-29-428-013
ZONED DISTRICT: M-2
REASON: Petitioner seeks variances related to new storage facility.

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 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. (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.

VARIANCES REQUESTED: Permission to:

- ~~1. Allow parking in the front set back, 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 set back to property line on the Pinewood side— double frontage.
(Not to be used for parking).~~
5. Waive 89 required off-street parking spaces. Changed from 87.

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.

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: DEVON SELF STORAGE HOLDINGS, PATRICK
ROUSSEY

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 17.02 INDUSTRIAL STANDARDS
SECTION 4.32 OFF-STREET PARKING
SECTION 4D.39 LOCATION

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

Rec'd
10/15/22

**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: Devon Self Storage Holdings (US) LLC

Address: _____ Telephone: _____

Applicant's Email Address: _____ : I prefer email communication

Name and Address of Property Owner (if different) Warren MI Self-Storage, L.L.C.

Name of Representative: Patrick Roussey (Devon) Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ : I prefer email communication

Address of Property: 23745 Mound Road, Warren, MI 48085

Parcel I.D. No. (as shown on tax bill): 12-13-29-428-013

Purpose of Request: _____

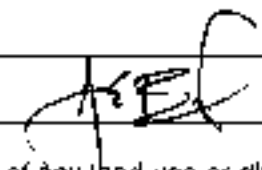
1. The applicant is requesting a variance from Section 4.32 Off Street Parking Requirements to reduce
the number of required parking spaces from 72 spaces to 8 spaces (1 ADA).

2. A variance request from Section 17.07 - Industrial Standards to reduce the side yard setback from 20' to 10'.

Please explain the nature of your hardship:

1. The parking requirements for self-storage facilities (#23 in the regulations) is based on gross floor
area instead of proposed customer/employee needs.

2. The existing structure (to remain) limits the space required for the proposed outdoor self-storage
units and reduces the drive aisle accessibility for both customers and emergency vehicles.

Signature:  Date: 10/21/22

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 Joseph Binder
Name(s) of Person(s)

OF _____
Address, City, State _____ Zip _____ Telephone _____

THE Executive Vice President OF Warren MI Self-Storage, L.L.C.
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Warren MI Self-Storage, L.L.C.

_____/RECORDED LAND CONTRACT PURCHASER(S) I/We/It ☒ /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 Patrick Roussey *
Name(s) of Person(s)

THE Regional Construction Manager OF Devon Self Storage Holdings (US) LLC *
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 [Signature] L.S.
SIGNED _____ L.S.*

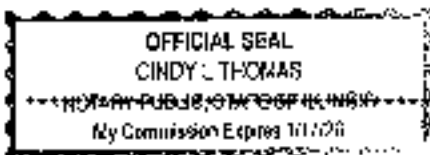
*Leave blank if not applicable.

STATE OF MICHIGAN ILLINOIS
COUNTY OF DuPage

ON THIS 21 DAY OF October, 2022, BEFORE ME PERSONALLY CAME
Joseph E Binder, 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.

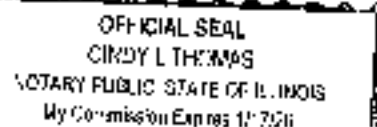
Cindy L Thomas

NOTARY PUBLIC DuPage COUNTY, MICHIGAN ILLINOIS
MY COMMISSION EXPIRES: 1-17-2026



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.



Worksheet #1 - Section 20.23 - Non-use variance; practical difficulty standard.

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 variation 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.

Refer to Appendix A (Attached).

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

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

Worksheet #1 - Section 20.23 - Non-use variance; practical difficulty standard.

Non-use variances relate to the modification of applicable area, dimension or structural regulations. The concurring vote of two (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.

Refer to Appendix A (Attached).

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

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

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.

Refer to Appendix A (Attached).

1. **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.
 - a. (Parking Variance): If required to meet the zoning requirements outlined in Section 4.32, 95 spaces would be required: $(113,709 \text{ SF} / 1,200 \text{ SF} = 95 \text{ Spaces})$. This would result in a parking lot that would be dramatically underutilized as the proposed self-storage use requires far less parking than what is outlined in the use table. The facility only requires two (2) fulltime employees and existing customers will have access to the indoor/outdoor storage units where they can drive directly to their unit and park. Beyond the two (2) employee spaces, the six (6) additional proposed spaces would be used for new customers to enter the office.
 - b. (Setback Variance): Due to the existing constraints of the property/existing building, the area for outdoor self-storage units is limited. If required to meet the 20' side setback, the drive aisles would be reduced in width, constraining traffic for both customers and emergency vehicles.
2. **Not self-imposed.** The condition was not created by the applicant or a previous owner of the property or reasonably discoverable by the owner.
 - a. (Parking Variance): The relatively new zoning code does not account for this particular type of use, as parking is not needed at the volume detailed in Section 4.32 (23) for the proposed business to succeed.
 - b. (Setback Variance): Drive aisle accessibility constraints were not determined until discussions were had with the Fire Marshall and Planning Department staff.
3. **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.

If the existing property conditions are to remain [i.e. existing ~80,000 SF building to remain] it limits what can be proposed on-site and greatly increases the parking totals required
4. **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.
 - a. (Parking Variance): Reducing the number of parking spaces required will lessen the required impervious surface needed and increase the open/green space on-site. The increase of greenspace allows for additional landscaping that does not currently exist on-site.
 - b. (Setback Variance): Reducing the side setback will allow for larger drive aisles, increasing the public safety of the facility as it will allow for easier access for emergency vehicles.
5. **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.

The variance requests are not economically driven, rather they would allow for greater accessibility for customers and emergency personnel as well as increase the proposed open/green space.
6. **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.
 - a. (Parking Variance): Requiring 95 spaces would require ~15,500 SF of pavement dedicated to parking that would be underused and restricts the development potential of the property.
 - b. (Setback Variance): The reduction of the setback will increase the width of the one-way drive aisles to 27' wide and allow customers and emergency vehicles to comfortably maneuver within the site.

23745 MOUND RD.

SINGER REALY

REQUEST GRANTED AT MEETING WED. MAY 25,
1977. TO WAIVE APPROXIMATELY 20, 447
SQUARE FT. OF REQUIRED, OFF -- STREET
PARKING.

23745 Mound

Aetna Industries, Inc.

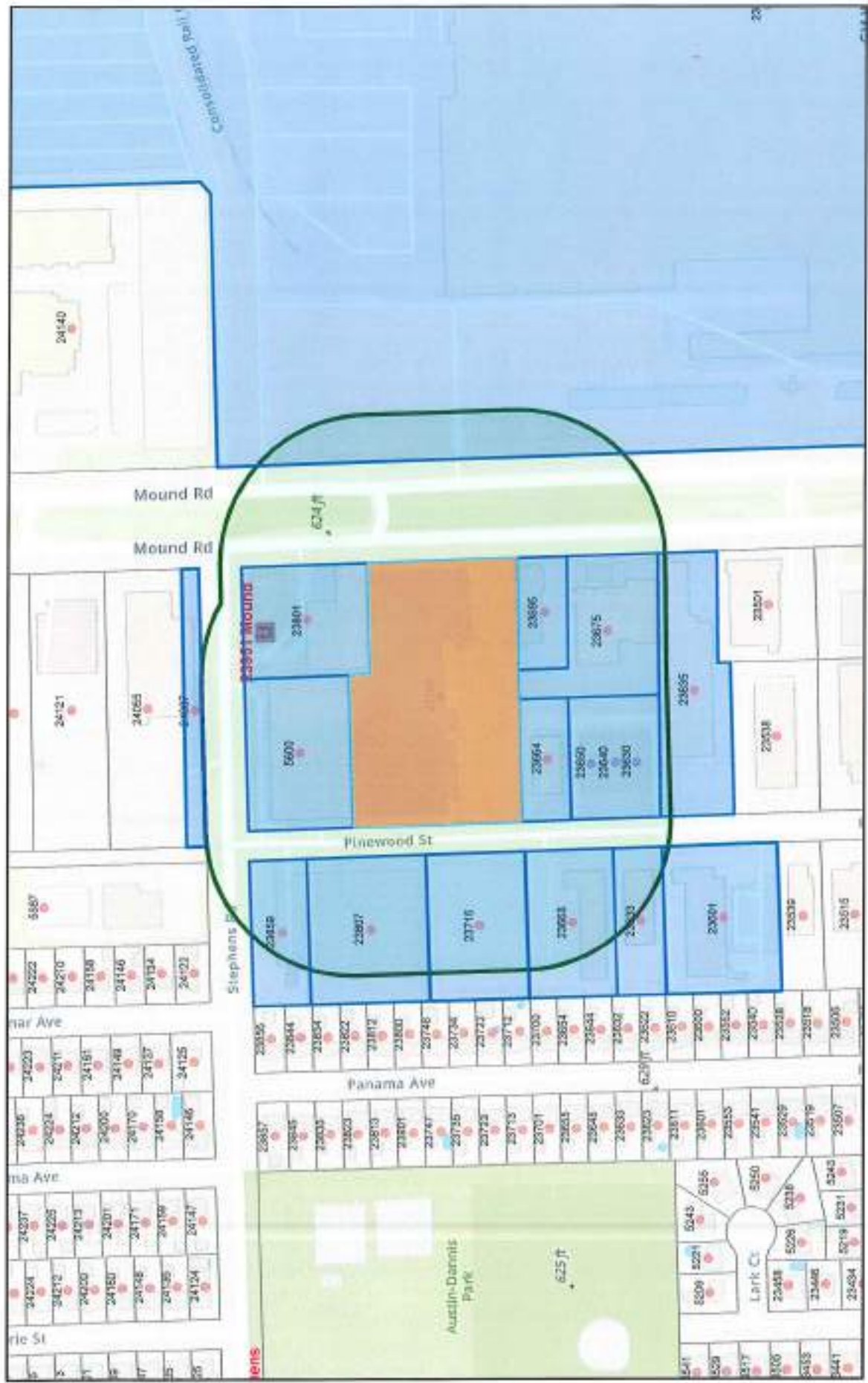
GRANTED permission at the meeting of 10-11-89 to con-
struct a 28 ft. x 36 ft. addition to no less than 17.4
ft. of the property line along Pinewood.

2021 WARREN



23745 Mound - 13-29-428-013

14



11/29/2022, 4:10:36 PM

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

1:4,514
0 0.03 0.06 0.11 mi
0 0.04 0.09 0.18 km

Sources: Esri, Airbus DS, USGS, NSA, NASA, CGAR, N. Robinson, NCEAS, NLS, OS, NMA, GeoDataSymbian, Rikswaterstaat, GSA, Geoland, FEMA, ArcGIS Web AppBuilder

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CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: DEVON SELF STORGE HOLDINGS
REPRESENTATIVE: PAUL DETERS AT METRO DETROIT SIGNS
COMMON DESCRIPTION: 23745 MOUND
PARCEL NUMBER: 12-13-29-428-013
ZONED DISTRICT: M-2

REASON: Petitioner wishes to erect signage for a new business.

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.

VARIANCES REQUESTED: Permission to:

Allow 622 sf of wall signage as follows:

1. East elevation sign, 512" x 63.25"=225 sf.
2. West elevation sign, 680.5" x 84"=397 sf.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 12/02/2022 12/06/2022 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: DEVON SELF STORGE HOLDINGS

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 4A.35 SIGNAGE

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

12/12/22
J. J. J.
12/12/22

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: Devon Self Storage Holdings (US) LLC

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (If different) Warren MI Self-Storage, L.L.C.

Name of Representative: Paul Deters at Metro Detroit Signs Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

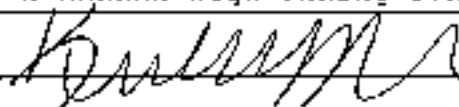
Address of Property: 23745 Mound Road, Warren, MI 48091

Parcel I.D. No. (as shown on tax bill): 12-13-29-428-013

Purpose of Request: Variance for Exterior Signage

Please explain the nature of your hardship:

Due to the building and lot size we feel Devon Self Storage Deserves a
larger sign allowance. The 40sqft allowance is better suited for retail
spaces. We consider this request circumstantial due to the unusual business
building type. Our building faces 2 streets and can be seen from 2nd we
also request a second sign facing Pinewood St

Signature:  Date: 11/30/2022

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 Joseph Binder
Name(s) of Person(s)
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE Executive Vice President OF Warren MI Self-Storage, L.L.C.
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Warren MI Self-Storage, L.L.C.
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 Paul Deters
Name(s) of Person(s)

THE Owner OF Metro Detroit Signs
Title of Officer Name of Company

OF _____
Address, City, State _____ Zip _____ Telephone _____

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

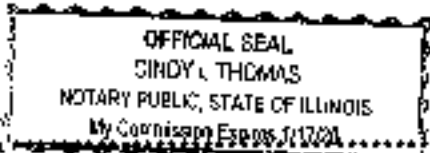
FURTHER, DEPONENT SAYS NOT.

SIGNED [Signature] L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF ~~MICHIGAN~~ ILLINOIS
COUNTY OF DePue

ON THIS 25 DAY OF November, 2022, BEFORE ME PERSONALLY CAME
Joseph E. Binder, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT JEB DID SO OF His OWN FREE WILL AND DEED.



Cindy R. Thomas
NOTARY PUBLIC, DePue COUNTY, ~~MICHIGAN~~ ILLINOIS
MY COMMISSION EXPIRES: 1-17-2026

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.

Worksheet #1 - Section 20.23 - Non-use variance; practical difficulty standard.

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.

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

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.

Our building is very large/unusual and faces multiple streets/intersections.
The ratio of a 40sqft. building sign to our exterior elevations does not
make sense aesthetically. Also, without a rear sign we have no representation
to traffic on Plewood St or Stephens Rd.

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.

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.

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.

23745 Mound

Aetna Industries, Inc.

GRANTED permission at the meeting of 10-11-89 to construct a 28 ft. x 36 ft. addition to no less than 17.4 ft. of the property line along Pinewood.

23745 MOUND RD.

SINGER REALY

REQUEST GRANTED AT MEETING WED. MAY 25, 1977. TO WAIVE APPROXIMATELY 20, 447 SQUARE FT. OF REQUIRED, OFF -- STREET PARKING.

2021 WARREN



14

23745 MOUND
13-29-428-013



23745 mound



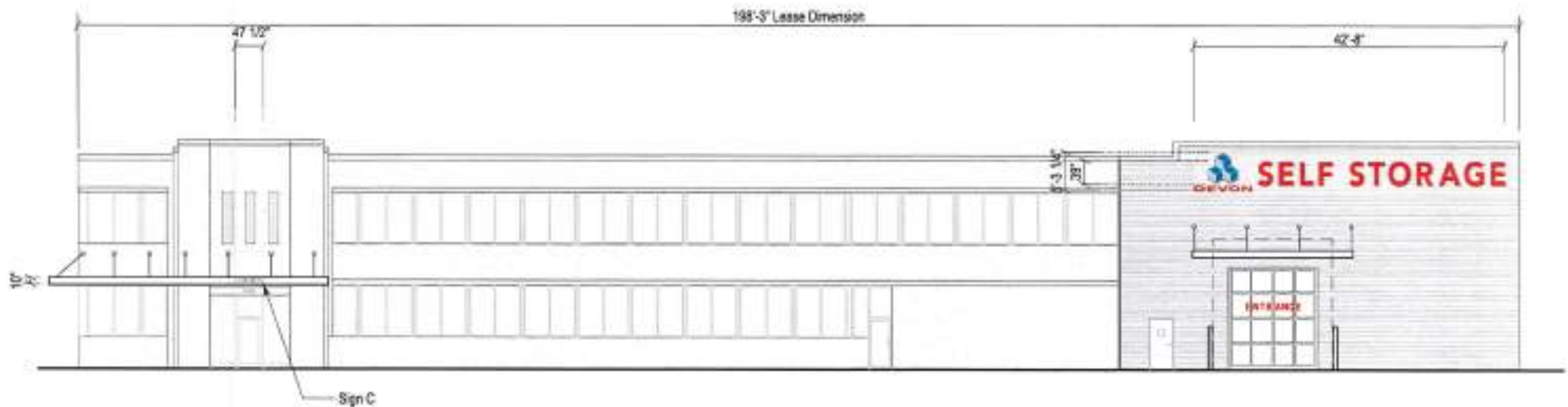
SIGN A	39" Devon Self Storage
Type:	Wall Cabinet / Ind Channel Ltrs, remote
Illumination:	Internally Illuminated LED
Square Footage:	224.89
SIGN B	52" Devon Self Storage
Type:	Wall Cabinet / Ind Channel Ltrs, remote
Illumination:	Internally Illuminated LED
Square Footage:	396.95
SIGN C	10" Office Letters
Type:	Individual Flat Cut-out Letters/ Flush mount
Illumination:	Non-Illuminated
Square Footage:	3.29



SIGN A	39" Devon Self Storage
Type:	Wall Cabinet / Ind Channel Ltrs, remote
Illumination:	Internally Illuminated LED
Square Footage:	224.89

SIGN C	10" Office Letters
Type:	Individual Flat Cut-out Letters/ Flush mount
Illumination:	Non-Illuminated
Square Footage:	3.29

Window Vinyl	Entrance
Type:	Garage Door/ window vinyl
Illumination:	Non-Illuminated
Square Footage:	7.50



Front Elevation (East)

Scale: 1/16" = 1'-0"

Allowable Square Footage This Elevation:	NA
Formula:	
Actual Square Footage This Elevation:	224.89



When using signs for advertising or promotional purposes, it is the responsibility of the advertiser to ensure that the signs are properly installed, maintained, and removed in a timely manner. The advertiser is responsible for obtaining all necessary permits and approvals from the appropriate authorities. The advertiser is also responsible for ensuring that the signs do not obstruct any views, traffic, or safety. The advertiser is also responsible for ensuring that the signs are removed when no longer needed. The advertiser is also responsible for ensuring that the signs are removed in a timely manner. The advertiser is also responsible for ensuring that the signs are removed in a timely manner.

REVISION

R1

SIGN B	52" Devon Self Storage
Type:	Wall Cabinet / Ind Channel Ltrs, remote
Illumination:	Internally Illuminated LED
Square Footage:	396.95

Window Vinyl	Exit
Type:	Garage Door/ window vinyl
Illumination:	Non-Illuminated
Square Footage:	3.00



Rear Elevation (West)

Scale: 1/16" = 1'-0"

Allowable Square Footage this Elevation:	N/A
Formula:	
Actual Square Footage this Elevation:	396.95

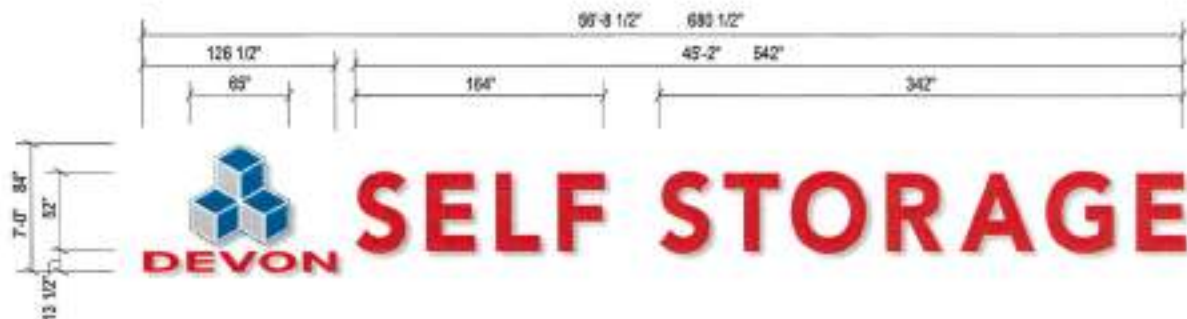


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REVISION

R1

SIGN B	52" Devon Self Storage
Type:	Wall Cabinet / Inl Channel Ltrs, remote
Illumination:	Internally illuminated LED
Square Footage:	396.95



Sign Layout Detail

Scale: 1/8" = 1'-0"

Color Specifications:

- PMS 186C, 2793 Red
- 3M 3632-127 Intense Blue, PMS 301C
- 3M 3630-121 Silver, PMS Cool Grey 5C

Electrical Detail:

- LEDs
- (X) 60w Power Supplies
- Total Amps: X.XX
- (1) 20 amp 120V Circuit Req.



General Notes:

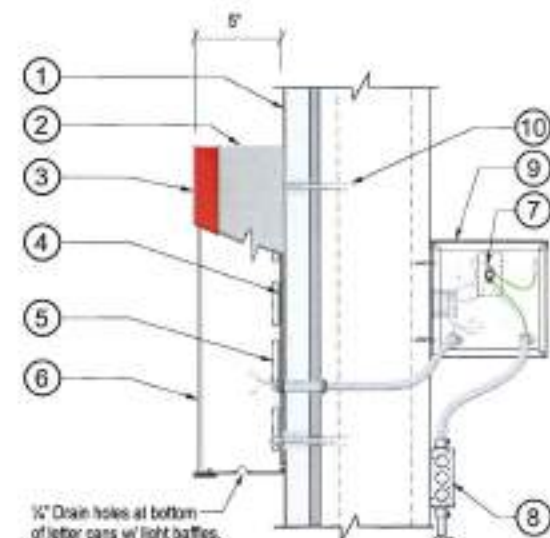
This sign is to be installed in accordance with the requirements of Article 600 of the National Electrical Code.

- Grounded and bonded per NEC 600.7/NEC 250
- Existing branch circuit in compliance with NEC 600.5, not to exceed 20 amps
- Sign is to be UL listed per NEC 600.3
- UL disconnect switch per NEC 600.6- required per sign component before leaving manufacturer. For multiple signs, a disconnect is permitted but not required for each section
- The location of the disconnect switch after installation shall comply with article 600.6 (A) (1) per NEC

Specifications: Channel Letters

1. Existing Facade: To be determined
2. 0.040" Aluminum letter returns pre-finished Silver
3. 1" Jewellite trimcap ptm 3M 3632-73 Dark Red for "Devon" and "self storage", 3M 3632-12 Intense Blue for logo, bonded to face, #8 pan head screws to returns
4. Note: 2" trimcaps for Shapes @ 54" or larger
5. .125" ACM backs (pre-finished white) fastened to returns. Seal w/ VOC compliant 360 white latex caulk to prevent moisture penetration.
6. White LEDs (Red LED's for "Devon")
7. Disconnect switch UL Outdoor rated toggle type w/ neoprene boot per NEC 600-6
8. Primary electrical feed in UL conduit / customer supplied UL junction box
9. Power Supplies within UL enclosure (removable lid), 1/4" x 1" min screws
10. Mounting Hardware to suit

Logo Shape



Section @ LED Channel Letter

Scale: N.T.S.



This document is the property of Apex Sign Group. It is to be used for the design and installation of signs only. It is not to be reproduced, modified, or used for any other purpose without the written consent of Apex Sign Group. Please contact your Account Manager for more information.

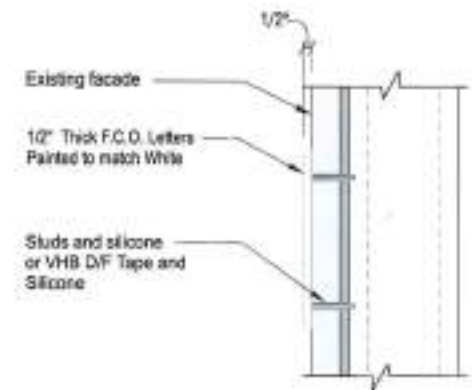
R1

SIGN C	10" Office Letters
Type:	Individual Flat Cut-out Letters/ Flush mount
Illumination:	Non-Illuminated
Square Footage:	3.29



Sign Layout Detail

Scale: 1" = 1'-0"



Section @ F.C.O. Letters

Scale: 1 1/2" = 1'-0"

Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: DEVON SELF STORAGE HOLDINGS

Common Description: 23745 MOUND

VARIANCE(S) REQUESTED: Permission to:

Allow 622 square ft. of wall signage as follows:

- 1) East elevation sign, 512" x 63.25" = 225 square ft.
- 2) West elevation sign, 680.5" x 84" = 397 square ft.

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 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

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

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: I SIGNS & DESIGNS

REPRESENTATIVE: FADI GULLA

COMMON DESCRIPTION: 31200 MOUND

PARCEL NUMBER: 12-13-04-351-015

ZONED DISTRICT: M-2

REASON: Petitioner seeks larger wall signage.

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.

VARIANCES REQUESTED: Permission to:
Erect a 72.98 sf wall sign.

Previous Variance Requested: None.

dwenson, Zoning Inspector 12/09/2022 12/13/2022 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: I SIGNS & DESIGNS

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 4A.35 SIGNS PERMITTED IN COMMERCIAL AND INDUSTRIAL DISTRICTS

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

#250
Pd 12/9/22
MS

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: I SIGNS + DESIGNS

Address: _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (if different): _____

Name of Representative: FADI GULLA Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ refer email communication

Address of Property: 31200 MOUND

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

Purpose of Request: REQUEST FOR A 72.98 SQ. FT WALL SIGN
ON WALL FACING MOUND RD

Please explain the nature of your hardship:

LARGER SIGN IS NEEDED ON ACCOUNT THAT
WALL ELEVATION IS ON AN ANGLE + FACES
PARKING LOT AND NOT DIRECTLY MOUND RD.
- BUILDING ALSO IS SETBACK A FAIR DISTANCE
FROM MOUND RD.

Signature: Manoj Date: 11/17/22

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

1. WF Fadi Demashkieh, Michel Al-khaili, Shafiq Alam, Mohammad Al-Harastani
Khalafat of Damascus

OF_ Address, City, State Zip Telephone

THE President (Demashkeli) OF _____
Title of Officer Name of Company

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

_____/RECORDED LAND CONTRACT PURCHASER(S) _____/RECORDED DEEDHOLDER(S)

OF IT AND 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, FAO 1 GULLA
Name(s) of Person(s)

THE OPERATIONS MANAGER OF EAST SIGNS
Title of Officer Name of Company

OF _____
Address, City, State Zip Telephone

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

FURTHER, DEPONENT I SAYS NC I

SIGNED [Signature] J.S.

SIGNED _____ L.S.*

¹Leave blank if not applicable.

STATE OF MICHIGAN

COUNTY OF MI

(ON THIS 15TH DAY OF DECEMBER, 2022, BEFORE ME PERSONALLY CAME FADU DEMASHKHEH 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.

NOTARY PUBLIC, Washtenaw COUNTY, MICHIGAN
MY COMMISSION EXPIRES 1/27/29

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.

2018 Application Doc: 1102247

MARK G ZOLTOWSKI
Notary Public - Michigan
Oakland County
My Comm. Expires 6/27/11

Worksheet #1 - Section 20.23 - Non-use variance; practical difficulty standard.

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.

DUE TO BUILDING CONFIGURATION + SETBACK
A 40 SQ. FT SIGN IS NOT SUFFICIENT.

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

CONDITION NOT SELF-IMPOSED.

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.

PLIGHT IS DUE TO CIRCUMSTANCES
OF PROPERTY.

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.

GRANTING THE VARIANCE WILL NOT
BE A DETRIMENT TO
NEARBY PROPERTIES.

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.

AGAIN, A PROPERTY ISSUE INCURRED.

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.

A LARGER SIGN IS NEEDED FOR PROPER
IDENTIFICATION OF THE MEDICAL BUSINESS.

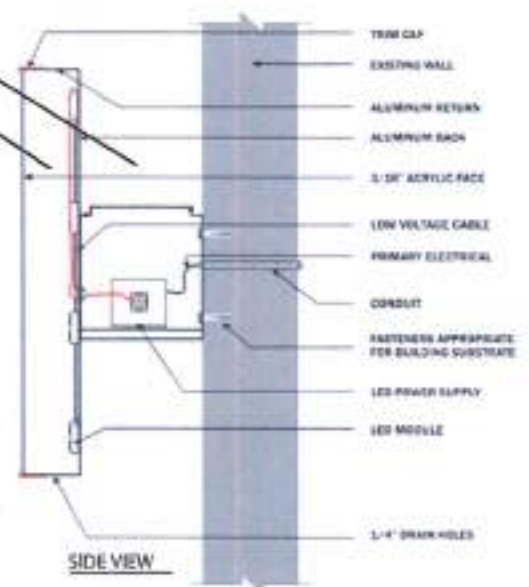
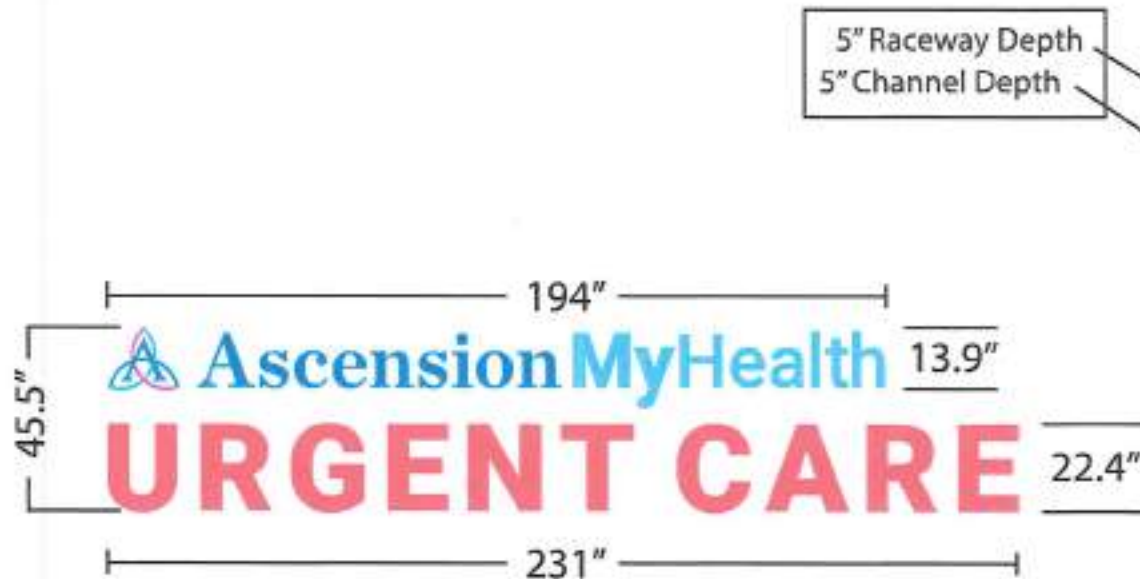
2021 WARREN



31200 MOUND
13-04-351-015

8/1

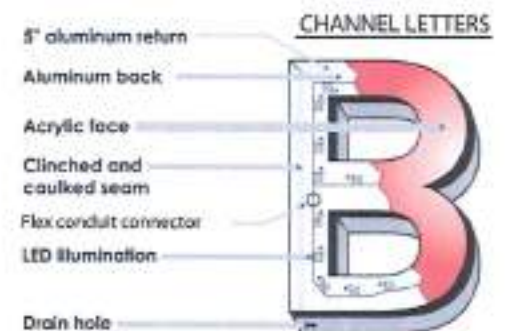




BUILDING HEIGHT 28'
BUILDING WIDTH 55'

SIGN CLEARANCE 23'
SIGN SQ.FT 72.98

SIGN HEIGHT 45.5"
SIGN WIDTH 231'



FASTSIGNS
More than fast. More than signs.®



During The Day



During The Night



FASTSIGNS.
More than fast. More than signs.®



INSTALLATION



INTERACTIVE
& DIGITAL



GRAPHIC
DESIGN



EXHIBITS
& DISPLAYS



SIGNS &
GRAPHICS



PROMOTIONAL
PRODUCTS



CORPORATE
IDENTITY



SHIPPING &
STORAGE

Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: I SIGNS & DESIGNS
Common Description: 31200 MOUND
VARIANCE(S) REQUESTED: Permission to:
Erect a 72.98 square ft. wall sign.

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 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

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

ZONING BOARD OF APPEALS - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: KRISTIN PEAKE
REPRESENTATIVE: KRISTIN PEAKE
COMMON DESCRIPTION: 23605 GRABAR
PARCEL NUMBER: 12-13-25-328-030
ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to operate a substance abuse recovery home as a business from a residence.

ORDINANCES and REQUIREMENTS:

SECTION 7.01 - USES PERMITTED. Operating a substance abuse recovery home in a residential zone (R-1-C) is prohibited.

SECTION 4.01 - COMPLIANCE WITH ALL LAWS; Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

VARIANCES REQUESTED: Permission to:

To continue operating a substance abuse recovery home as a business in an R-1-C zone.

Previous Variance Requested: None.

dwenson, Zoning Inspector 12/09/2022 12/13/2022 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: KRISTIN PEAKE

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 7.01 USES PERMITTED
SECTION 4.01 COMPLIANCE WITH ALL LAWS.

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

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: Kristin Peake

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☐ prefer email communication

Name and Address of Property Owner (if different): Lynn Scott

Name of Representative: Kristin Peake Telephone: _____

Representative's Address _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 23605 Garbar Square

Parcel I.D. No. (as shown on tax bill): 12-13-25-328-030

Purpose of Request: appeal about boarding house ordinance

Please explain the nature of your hardship:

We have a recovery house that the zoning board wants to close.

We have a contract with Macomb County Office of Substance Abuse and are accredited through Michigan Association of Recovery + Warren Drug Court.

Signature: Kristin Peake Date: 11-21-22

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 Lynn R Scott, Keith Scott, David Scott

OF _____
Address, City, State Zip Telephone
THE Lynn Scott President OF E + P LLC

Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Lynn R Scott, Keith Scott, David Scott
_____/RECORDED LAND CONTRACT PURCHASER(S) X /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 Kristin Peake
Name(s) of Person(s)

THE President OF Peake Brewery
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.

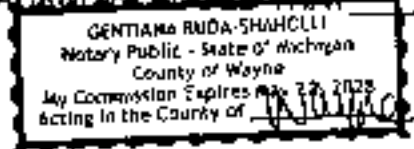
FURTHER, DEPONENT SAYS NOT.

SIGNED Kristin Peake L.S.
SIGNED Lynn R Scott L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Wayne

ON THIS 18th DAY OF November, 2022 BEFORE ME PERSONALLY CAME
Kristin Peake, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT she DID SO OF her OWN FREE WILL AND DEED.



Gentiana Ruda-Shahkli
NOTARY PUBLIC, Wayne COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 05/22/2025

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.

To: City of Warren Zoning Board
Re: Appeal Citation 5.01 23605
Address: ~~14024 Albert St~~ Gravel Square.

We have had this location for 3 years. During those 3 years we have had 2 rental inspections. The first inspection we obtained the rental certificate with no issues. For this second rental inspection, we passed all check points, except in the last notice sent to us, was noted this citation. But on where on the original inspection nor the 1st Advisory were any mention of this citation. A revised second copy of the 2nd Advisory was sent just a week after the first copy, and the second copy only had this citation listed. We feel that this is inappropriate.

As in all cities in Macomb County, there are a list of recovery homes in Warren, in addition to home owners that are renting their rooms out to individuals that have stabilized their lives and employment and have gone to that next step of going back into the community as an active member. Without these places for individuals to go to, they would be back on the streets with no help, no resources and a high percentage die. We are part of that movement to not let happen.

This address is used as a Recovery Home. This recovery home is set up and used as a place for men that are recovering from alcohol and/or substance abuse. This is a place that they live and use as a home to them. They use the appliances in the home and take care of the property. This is a place that they can get back on their feet, stabilize in their lives with relationships, obtain employment and be apart of the community again.

We feel this structure that we have in the home goes against the citation. The individuals in the home do come together for meetings, they eat together and use the cooking and kitchen accommodations. This household functions equivalent of a single family unit.

According to the FHA, Fair Housing Act, individuals in are listed into the category of a mental disability under alcoholism and drug addiction.

According to the FHA, Fair Housing Act, these individuals are not to be discriminated against on the family status, or number of persons that may reside in that dwelling.

Zoning or other regulations concerning land use are not employed to hinder the residential choices of these individuals, including unnecessarily restricting communal, or congregational, residential arrangements.

Under the FHA and the FHHA, these apply to individuals in recovery from alcohol and drug addiction and requires us to be treated fairly and are to be given reasonable accommodation.

There is an epidemic in the United States. People are dying every minute from addictions. Those that go into treatment to get help, they need a safe, place to go when they get out to be able to get their lives back in order to become active members of the community. We are that safe place for them.

We provide structure, safety, drug testing to keep them accountable. They are to obtain employment and go to meetings to build that foundation in their recovery.

These individuals cannot go just anywhere when they leave treatment. They need to go into a recovery/ transitional home to rebuild their lives.

No one wants anyone to live on the streets, especially those that are rebuilding their lives, but cannot do it without the help of others, that is where we come in to help them stabilize themselves.

We've all been touched by someone in addiction by one way or another. Whether it's someone close to us, a family member, a friend, a co-worker. Somewhere along the line we have come in contact with someone whether in active addiction, in recovery or recovered and back into the community.

We are not just a house with people in recovery in it. We take recovery very seriously, we aim to save lives by joining others to combat this epidemic. We strive to keep our homes clean and kept up, inside and out.

We are active members of:

MARR Accredited and Certified; Michigan Alliance for Recovery Residences

NARR Accredited and Certified; National Alliance for Recovery Residences

Contracted with MCOSA, Macomb County Office of Substance Abuse

Contracted with Warren Drug Court

Member of Eastpointe, Fraser & Roseville Chamber of Commerce

Member of Macomb County Commission Chamber of Commerce

Member of Grosse Pointe Chamber of Commerce

We have 10 homes for men and women across Macomb County; mostly in Roseville.

We have a recovery resource center in Fraser that provides a safe environment for meetings and gatherings for the entire community in and out of recovery.

What this means; MARR/NARR, MCOSA and the Drug Court have recognized us as a safe environment for those in recovery to come into, to live, to work and to be apart of the community. We undergo house inspections, regulation inspections according to federal and state guidelines for recovery homes.

We want to work with the city of Warren, not against it in this fight to save lives.

We would like to propose a board to be formed by us with active members in communities where we can work with the cities to structuralize and work with the recovery homes to provide the needs of both the recovery home, the individuals and the city. We propose to be given a time of 1 year to build this board, see what the needs are on both parties and move forward with a plan of action.

We do want a fair chance to go before the Zoning Board, and the City Counsel to propose what we feel could really strengthen our communities as working together. Recovery Homes are on the front lines with the fight against addictions. Having more support on the city level and law enforcement level will provide the homes with more strength and support as we move forward in this epidemic.

ZONING Enforcement | E22-04692**Property Information**

12-13-25-328-030

23605 GRABAR

Subdivision:

WARREN MI, 48089

Lot:

Block:

Name Information

Owner: E & P LLC

Phone:

Occupant:

Phone:

Filer:

Phone:

Enforcement Information

Date Filed: 10/31/2022

Date Closed:

Status:

Complaint:

RUNNING A BOARDING HOUSE FROM THIS LOCATION

Last Action Date:

Last Inspection: 10/31/2022

Last Action:

ZONING Inspection | STEVEN WATKINSON

Status: Completed

Result: Violation(s)

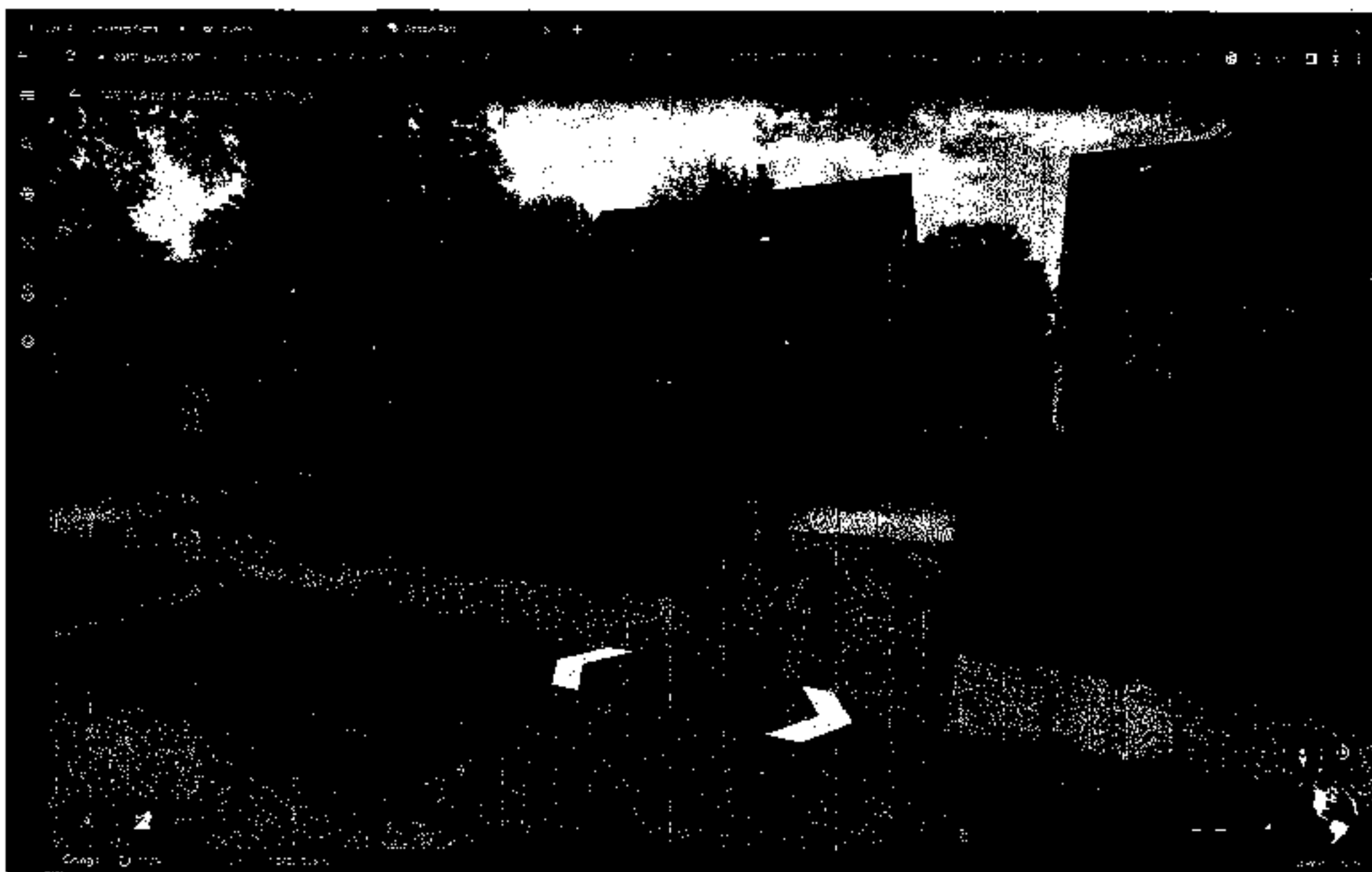
Scheduled: 10/31/2022

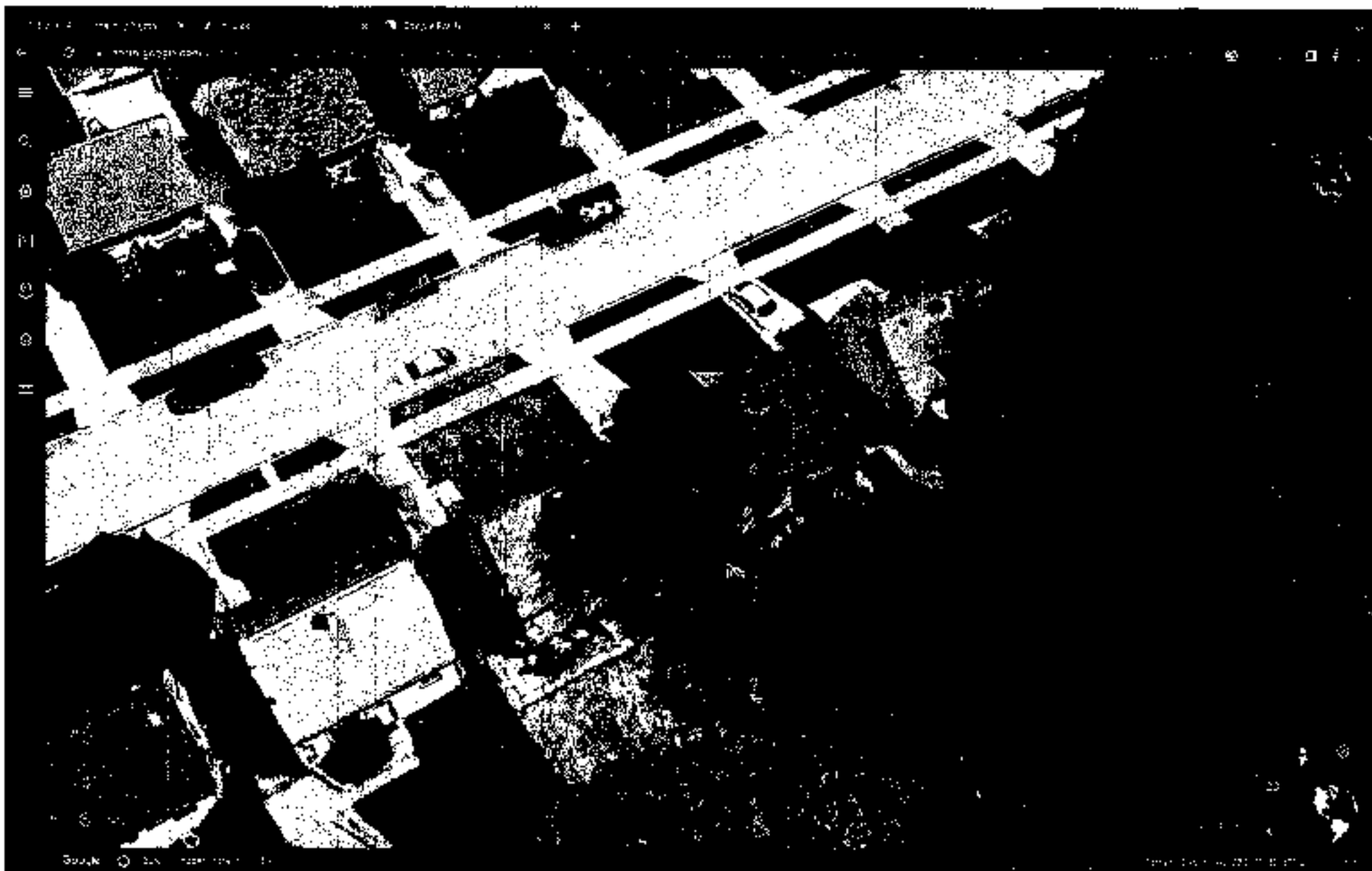
Completed: 10/31/2022

Violations:

Uncorrected

SECTION 5.01 - OPERATING A BUSINESS FROM A RESIDENCE IS PROHIBITED. REMOVE OR PROPERLY STORE ANY BUSINESS RELATED VEHICLES, TRAILERS, TOOLS, OR EQUIPMENT.

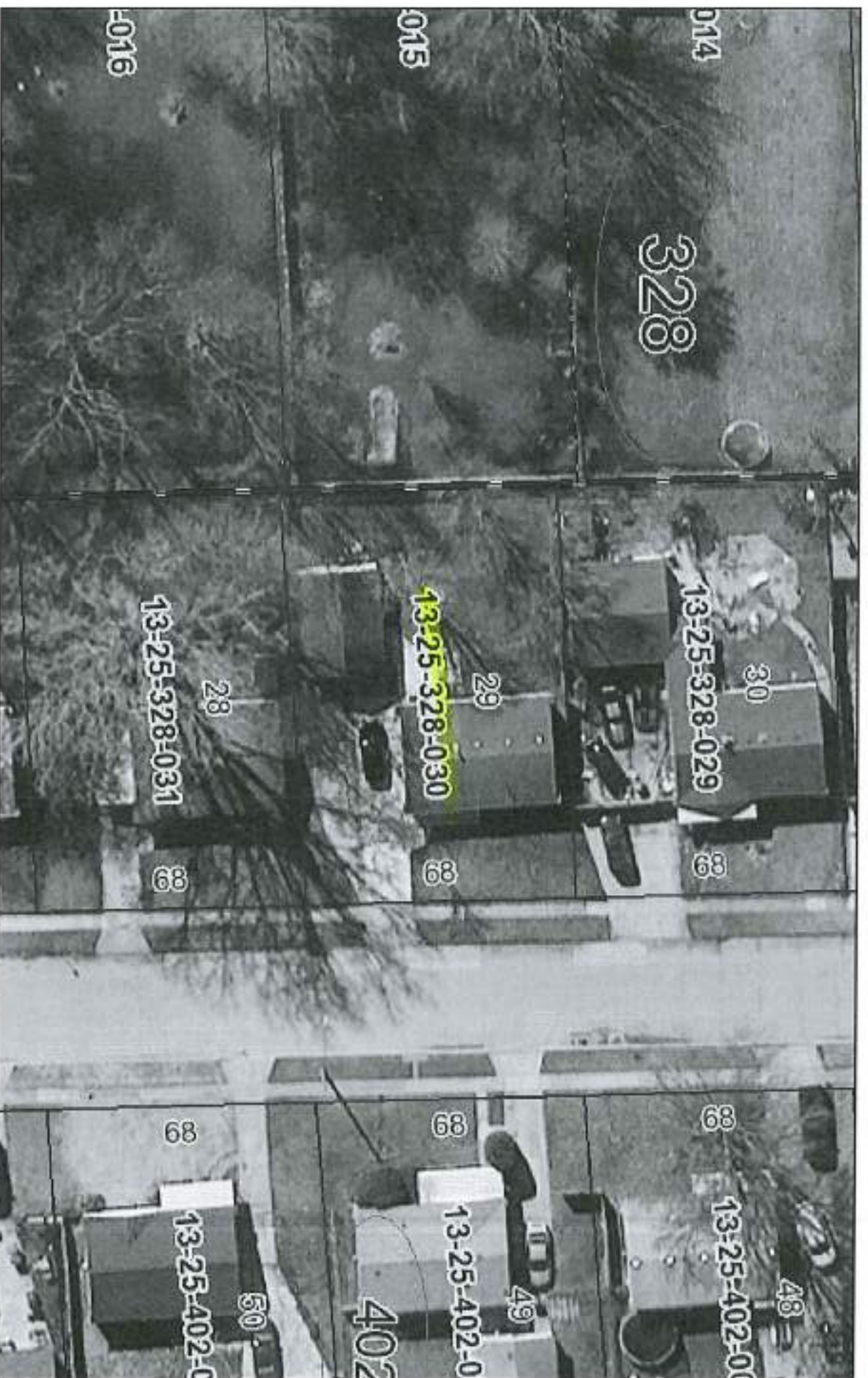




2021 WARREN



ArcGIS Web Map



12/9/2022, 10:24:06 AM

☒ Platted Area Boundaries

☐ Property Area Boundaries

☐ Property Lines - Retired

Property Lines - Drafting Detail

300 - TickMark

301 - MiscOrUnknown

303 - TextOvals

304 - Landlooks

306 - TraversalLines

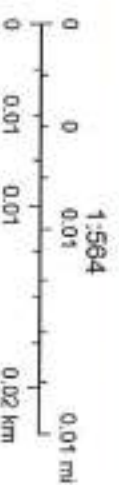
307 - LeaderLines

308 - ExtentTickMark

314 - PrivateClaim

Property Lines - Core

100 - Parcel



This layer is visible at all scales. | This layer is visible between the scale 1:1 - 1:25,000. |

ArcGIS Web AppBuilder

23605 GRABAR
13-25-328-030

44



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: KRISTIN PEAKE ~~-USE-~~

Common Description: 23605 GRABAR

VARIANCE(S) REQUESTED: Permission to: ~~-USE-~~

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

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 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

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 - USESUMMARY OF VARIANCE REQUEST

APPLICANT: KRISTIN PEAKE
REPRESENTATIVE: KRISTIN PEAKE
COMMON DESCRIPTION: 14824 ALBERTA
PARCEL NUMBER: 12-13-25-276-010
ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to operate a substance abuse recovery home as a business from a residence.

ORDINANCES and REQUIREMENTS:

SECTION 7.01 - USES PERMITTED. Operating a recovery home in a residential zone (R-1-C) is prohibited.

SECTION 4.01 - COMPLIANCE WITH ALL LAWS; Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

VARIANCES REQUESTED: Permission to:

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

Previous Variance Requested: None.

dwenson, Zoning Inspector 12/09/2022 12/13/2022 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: KRISTIN PEAKE

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 7.01 USES PERMITTED
SECTION 4.01 COMPLIANCE WITH ALL LAWS.

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

DW
12/14/22
10/19/23

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: Kristin Peake

Address: _____ Telephone: 248-333-1100

Applicant's Email Address: _____ ☐ prefer email communication

Name and Address of Property Owner (if different): Kazimierz Alazi

Name of Representative: Kristin Peake Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 14824 Alberta, Warren, MI 48089

Parcel I.D. No. (as shown on tax bill): 12-13-25-276-010

Purpose of Request: APPEALING THE CITY DETERMINATION THAT WE ARE
KNOWINGLY A HOUSING VIOLATOR

Please explain the nature of your hardship

we own/rent + operate recovery homes. Contracted
through MACSA (Macomb County Office of Substance
Abuse) + Warren State Court +
Michigan Association of Recovery Housing

Signature: Kristin Peake Date: 11/21/22

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 GAZMEND ASAZI
Name(s) of Defendant(s) HERNANDEZ, MIGUEL

OF_ Address, City, State / Zip Telephone

THE N/A OF N/A
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT GAZMEND ATAZI
I/We/It

/RECORDED LAND CONTRACT PURCHASER(S) X /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 KRISTIN PEAKE
Name(s) of Person(s)

THE PRESIDENT OF PEAK RECOVERY
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 Garwend Hazi L.S.

SIGNED W. H. K. K. L.S.

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Wayne

ON THIS 8th DAY OF November, 2022, BEFORE ME PERSONALLY CAME Gazmead, Ajazi 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.

GEN (LARA) RUDOLPH-SMITH
Notary Public - State of Michigan
County of Wayne
My Commission Expires 03/21/2028
Acting in the County of Wayne

Gentiana: Rudy - Shukoli *[Signature]*
NOTARY PUBLIC, Wayne COUNTY, MICHIGAN
MY COMMISSION EXPIRES: May 22, 2018

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.

To: City of Warren Zoning Board
Re: Appeal Citation 5,01
Address: 14824 Alberta St

We have had this location for 3 years. During those 3 years we have had 2 rental inspections. The first inspection we obtained the rental certificate with no issues. For this second rental inspection, we passed all check points, except in the last notice sent to us, was noted this citation. But nowhere on the original inspection nor the 1st Advisory were any mention of this citation. A revised second copy of the 2nd Advisory was sent just a week after the first copy, and the second copy only had this citation listed. We feel that this is inappropriate.

As in all cities in Macomb County, there are a list of recovery homes in Warren, in addition to home owners that are renting their rooms out to individuals that have stabilized their lives and employment and have gone to that next step of going back into the community as an active member. Without these places for individuals to go to, they would be back on the streets with no help, no resources and a high percentage die. We are part of that movement to not let happen.

This address is used as a Recovery Home. This recovery home is set up and used as a place for men that are recovering from alcohol and/or substance abuse. This is a place that they live and use as a home to them. They use the appliances in the home and take care of the property. This is a place that they can get back on their feet, stabilize in their lives with relationships, obtain employment and be apart of the community again.

We feel this structure that we have in the home goes against the citation. The individuals in the home do come together for meetings, they eat together and use the cooking and kitchen accommodations. This household functions equivalent of a single family unit.

According to the FHA, Fair Housing Act, individuals in are listed into the category of a mental disability under alcoholism and drug addiction.

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We provide structure, safety, drug testing to keep them accountable. They are to obtain employment and go to meetings to build that foundation in their recovery.

These individuals cannot go just anywhere when they leave treatment. They need to go into a recovery/ transitional home to rebuild their lives.

ZONING Enforcement | E22-04023**Property Information**

12-13-25-275-010

14824 AUBERTA

Subdivision:

WARREN MI, 48089

Lot:

Block:

Name Information

Owner: AJAZI GAZMEND

Phone:

Occupant:

Phone:

Filer:

Phone:

Enforcement Information

Date Filed: 09/09/2022

Date Closed:

Status:

Complaint:

RUNNING A BUSINESS IN AN R1C

Last Action Date:

Last Inspection: 11/01/2022

Last Action:

TICKET Inspection | SUZANNE RUTKOWSKI

Status: Completed

Result: Violation(s)

Scheduled: 10/26/2022

Completed: 11/01/2022

ZONING Inspection | STEVEN WATRIPOINT

Status: Completed

Result: Violation(s)

Scheduled: 09/09/2022

Completed: 09/09/2022

Violations:

Uncorrected

SECTION 5.01 - OPERATING A BUSINESS FROM A RESIDENCE IS PROHIBITED. REMOVE OR PROPERLY STORE ANY BUSINESS RELATED VEHICLES, TRAILERS, TOOLS, OR EQUIPMENT.

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NARR Accredited and Certified; National Alliance for Recovery Residences

Contracted with MCOSA, Macomb County Office of Substance Abuse

Contracted with Warren Drug Court

Member of Eastpointe, Fraser & Roseville Chamber of Commerce

Member of Macomb County Commission Chamber of Commerce

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2021 WARREN



14824 ALBERTA
13-25-276-010

84

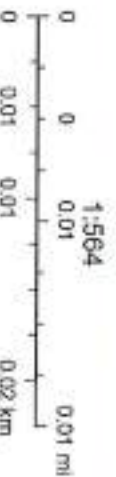


ArcGIS Web Map



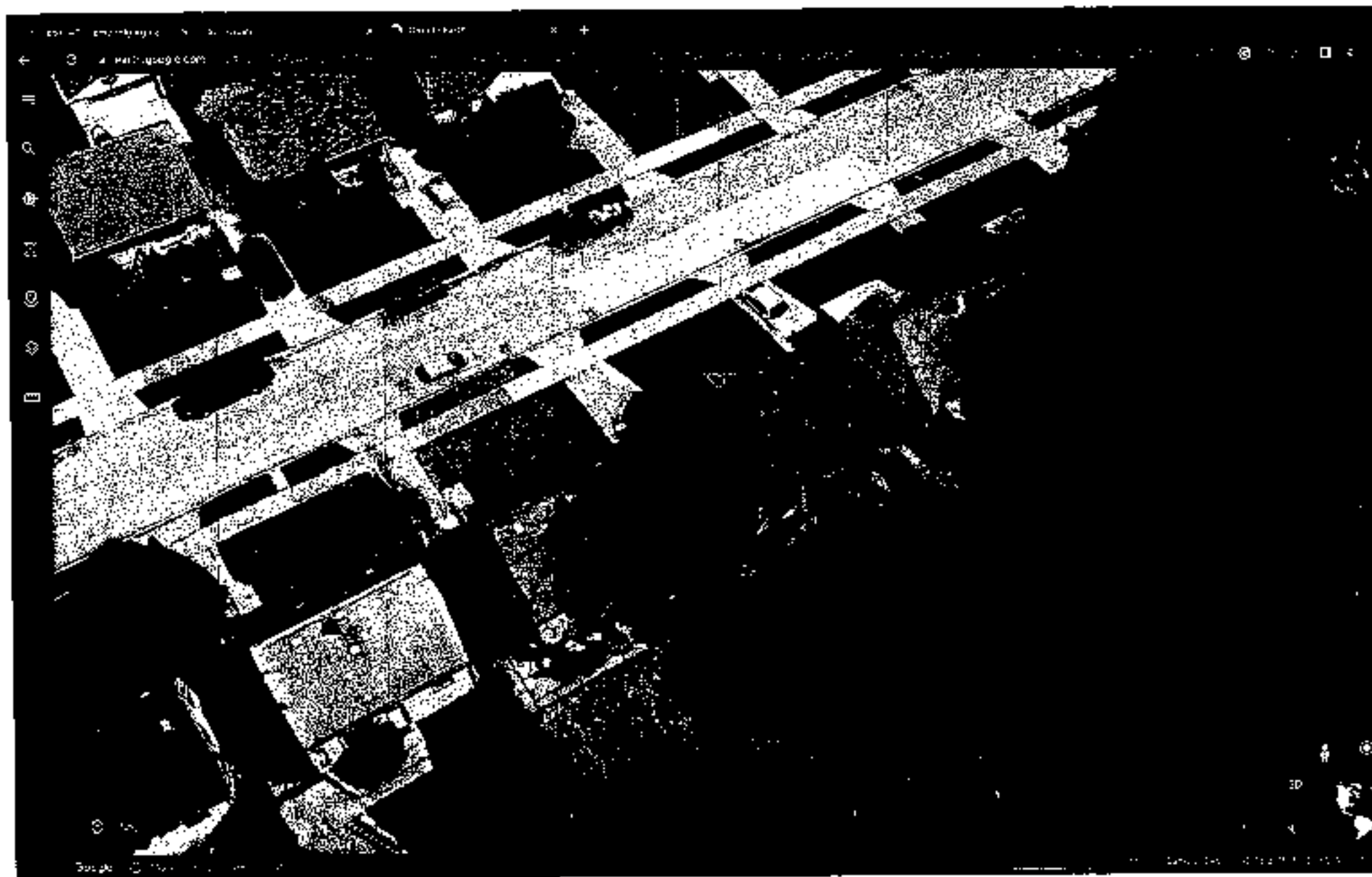
12/9/2022, 10:39:02 AM

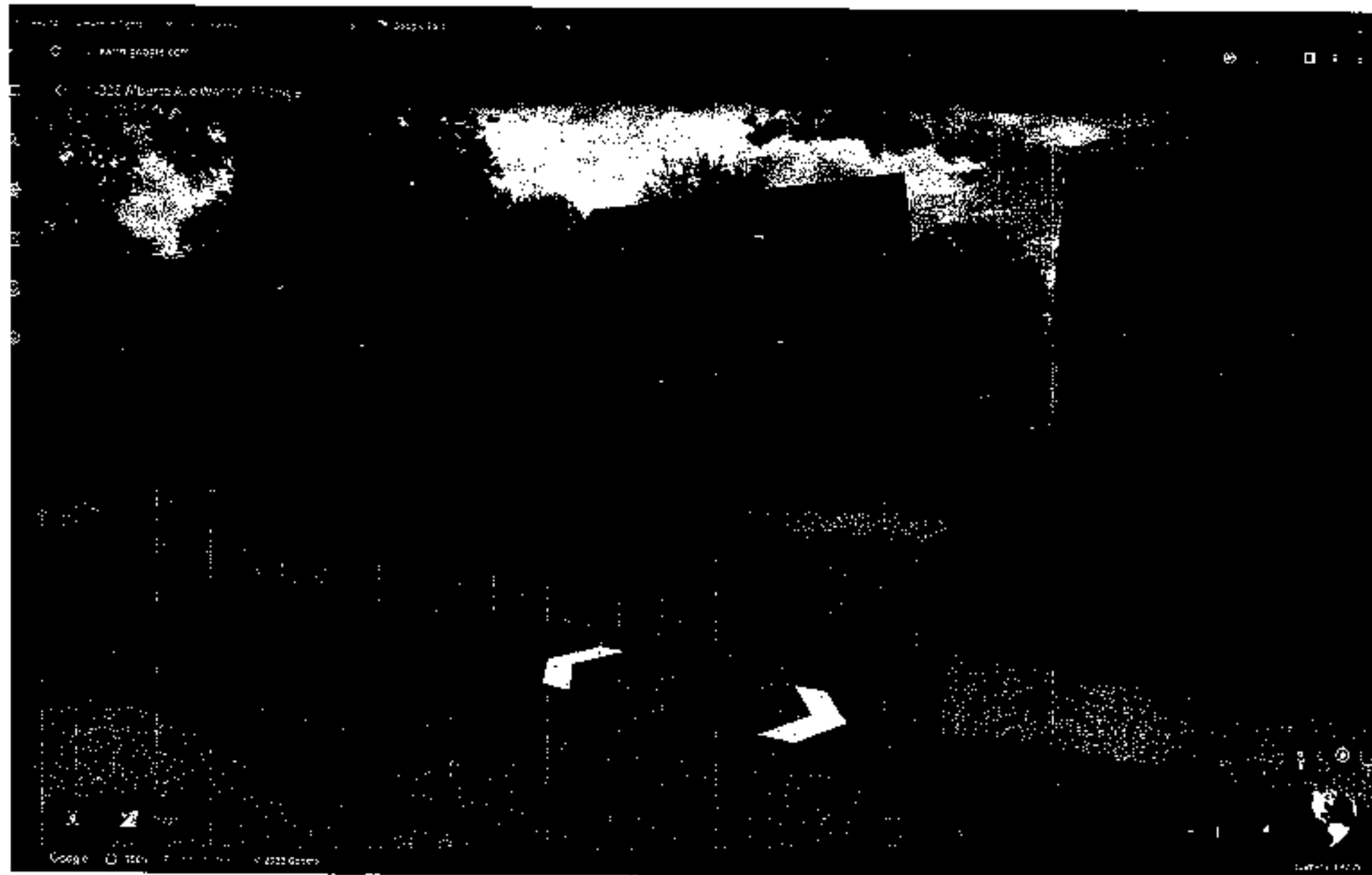
- ☒ Platted Area Boundaries
- ☐ Property Area Boundaries
- ☐ Property Lines - Retired
- ☐ Property Lines - Drafting Detail
- ☐ 300 - TrickMark
- ☐ 301 - MiscOrUnknown
- ☐ 303 - TextOrVals
- ☐ 304 - LandHooks
- ☐ 305 - TraversalLines
- ☐ 307 - LeaderLines
- ☐ 308 - ExtentTrickMark
- ☐ 314 - PrivateClaim
- ☐ Property Lines - Core
- ☐ 100 - Parcel



This layer is visible at all scales. | This layer is visible between the scale 1:1 - 1:20,000. |

ArcGIS Web AppBuilder





Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: KRISTIN PEAKE ~~-USE-~~

Common Description: 14824 ALBERTA

VARIANCE(S) REQUESTED: Permission to: ~~-USE-~~

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

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 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

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

SUMMARY OF VARIANCE REQUEST

APPLICANT: JAMES MALKIEWICZ
REPRESENTATIVE: JAMES MALKIEWICZ
COMMON DESCRIPTION: 23831 BLACKSTONE
PARCEL NUMBER: 12-13-26-329-017
ZONED DISTRICT: M-2

REASON: Petitioner seeks variances related to site plan.

ORDINANCES and REQUIREMENTS:

SECTION 4.32 OFF-STREET PARKING REQUIREMENTS. (I) 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: parallel length of maneuvering lane 20' two way.

SECTION 17.02 - INDUSTRIAL STANDARDS. (A) Front yards: M-2 25 ft.

VARIANCES REQUESTED: Permission to:

1. Allow a 10.5' maneuvering lane.
2. Allow parking in the front set back no less than 12' from the front property line.

Previous Variance Requested: None.

dwenson, Zoning Inspector 12/12/2022 12/02/2022 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: JAMES MALKIEWICZ

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 4.32 OFF-STREET PARKING REQUIREMENTS.
SECTION 17.02 INDUSTRIAL STANDARDS

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

Dakota
10/12/22
15440

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: James Makielowicz

Address: _____ Phone: _____

Applicant's Email Address: _____ ☐ prefer email communication

Name and Address of Property Owner (if different) _____

Name of Representative: Self Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 23831 Blackstone Warren MI 48089

Parcel I.D. No. (as shown on tax bill): 12 13 26 329 017

Purpose of Request obtain variance approval to complete
Site plan approval

1. drive 3 required parking spots 2. parking in the
front set back 3. maneuvering lane

Please explain the nature of your hardship:

limited size of lot obtaining smaller allowance
of parking to be located in front of fencing

Signature: James Makielowicz II Date: 10-12-22

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 James, Matthewcz
(Name(s) of Person(s))

Of _____
Address, City, State _____ Zip _____ Telephone

THE owner OF Blackstone Building
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT, _____
I/We/It
_____/RECORDED LAND CONTRACT PURCHASER(S) X/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 _____
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 James Matthewcz L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 12th DAY OF October, 2022, BEFORE ME PERSONALLY CAME
James Matthewcz II, 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.

Susan J. Heydel
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 9/24/27

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 denied. IT IS THEREFORE RECOMMENDED THAT YOU appear in person.

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/hurden. 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.

Due to limited space of property lines and between building and fencing, unable to provide required parking spaces

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

Property and building has not changed and has been this size prior to purchase/transfer

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.

Property characteristics are unique and limited in size

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.

Requesting a variance of 3 parking spots in front of fencing would not burden any surrounding businesses as this property is private owned and not a functional business at this time or future.

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.

Property dimensions are limited, no neighboring businesses are for sale to consider purchasing in order to meet requirements

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.

Variance requested to meet parking requirements

A land use variance allows property to be used for a specific use that otherwise is prohibited in the applicable zoning district. The concurring vote of six (6) members of the Board shall be required to approve a land use variance. A land use variance shall not be authorized by the Board unless the Board finds that the applicant has demonstrated all of the criteria to establish an unnecessary hardship.

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 land-use variance.

Property cannot be used as zoned. The characteristics of the property are such that it cannot be used for any use permitted in the zoning district; or the property can only be used for a permitted use at a prohibitive expense and therefore, will not yield a reasonable rate of return; or the characteristics of the property render it valueless or to have only distress value for any of the uses permitted by the zoning district; or this article as it applies to the property is unreasonable and arbitrary; or confiscatory.

Property dimensions won't allow property can function with zoning requirements (Seeking variance to relocate parking of 3 spots in front of fencing to accommodate paper spraying

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

Property lines have not changed and was in effect prior to purchase/transfer

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.

Property characteristics are unique and maintain size

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, will not alter the essential character of the area, and will not cause public safety concerns.

Requesting a variance of 3 parking spots in front of fencing would not burden any surrounding businesses as this property is private owned and not a functioning business at this time nor future.

Necessary. The land use variance is necessary for the preservation and enjoyment of the property.

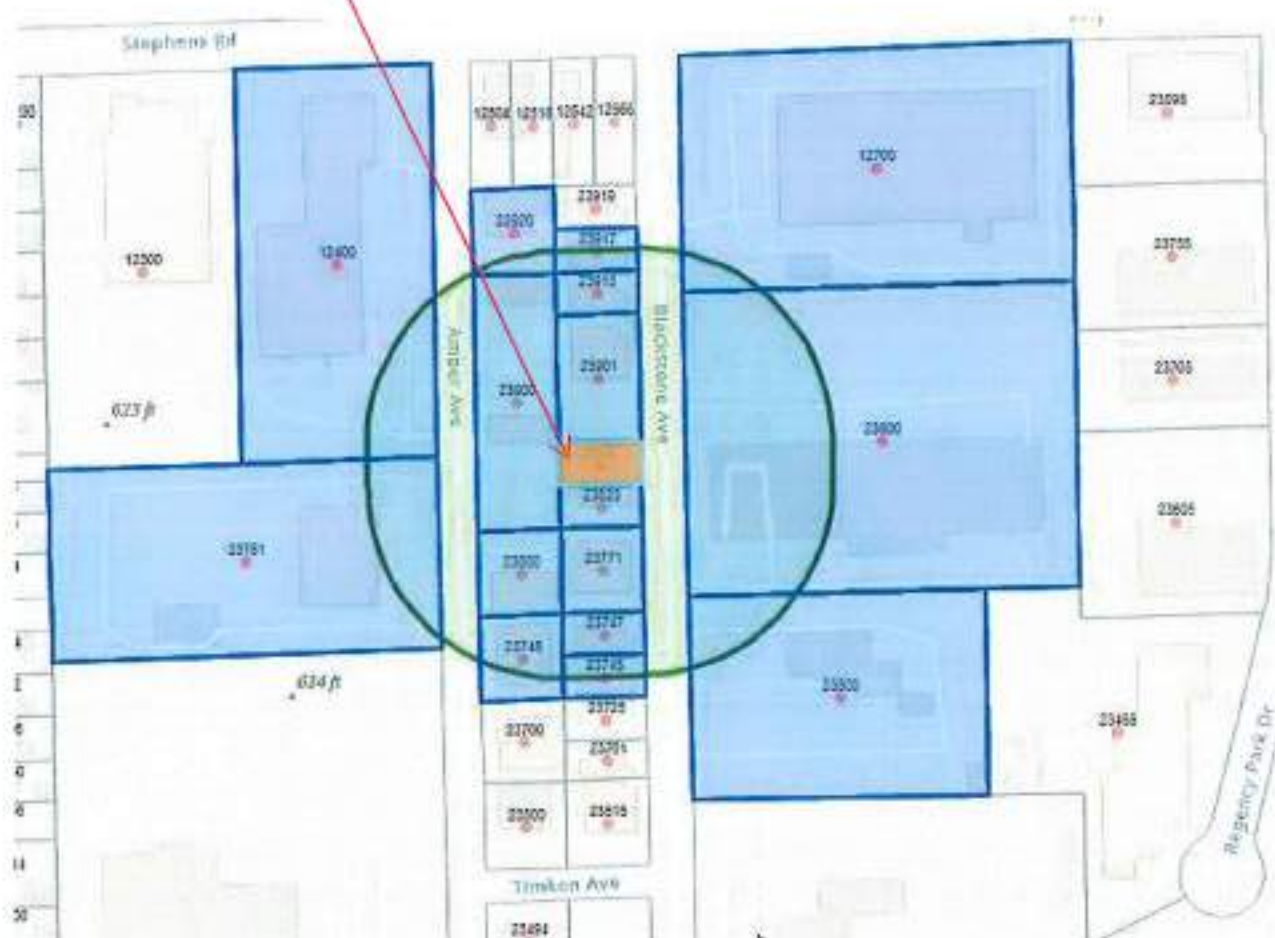
Variance requested to meet planning requirements

2021 WARREN



23831 BLACKSTONE
13-26-329-017

1/6



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: JAMES MALKIEWICZ
Common Description: 23831 BLACKSTONE
VARIANCE(S) REQUESTED: Permission to:

- 1) Allow a 10.5' maneuvering lane.
- 2) Allow parking in the front setback no less than 12' from the front property line.

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 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

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

ZONING BOARD OF APPEALS**SUMMARY OF VARIANCE REQUEST**

APPLICANT: WALTER E. RUSHTON SR.

REPRESENTATIVE: TONY CORSO

COMMON DESCRIPTION: 13087 ELEVEN MILE

PARCEL NUMBER: 12-13-14-454-028

ZONED DISTRICT: PB

REASON: Petitioner seeks variances in relation to new church.

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:

(2) That the size of the site shall be a minimum of one-half (1/2) acre, shall have a lot width of not less than one hundred (100) feet and a lot depth of not less than two hundred (200) feet.

(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. Section 16.07 - curb. Necessary curbs, or other protection against damage to adjoining properties, streets, sidewalks and greenbelts shall be provided and maintained. Further, if a wall is required in accordance with section 2.26(c) of this ordinance, all parking spaces adjoining said wall shall be provided with continuous curbs constructed of concrete measuring six (6) inches in height and eight (8) inches in depth. The area from the property line to the vertical edge of the exposed curb shall be a minimum of five (5) feet and shall be filled and hard surfaced to permit drainage toward the owner's property.

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., maneuvering lane, 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., length of maneuvering lane 22 ft.

VARIANCES REQUESTED: Permission to:

1. Allow a religious facility to have a lot depth of 137.43 feet.
2. Allow a 3 ft. wall along the west, north and east property lines.
3. Retain a building no less than 19.3 ft. from the front set back.
4. Retain existing bumper curbs and waive the requirement of a continuous concrete curb abutting the existing walls where parking spaces exist.
5. Allow 19.3 ft. long parking spaces that abut the property line(s).
6. Allow 16.6 ft. long interior perpendicular parking spaces.
7. Allow a 20.5 ft. maneuvering lane.

Previous Variance Requested: None.

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: WALTER E. RUSHTON SR.

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 5.11 CHURCHES, SCHOOLS, LIBRARIES AND CIVIC CLUBS.

SECTION 4.32 OFF STREET PARKING REQUIREMENTS

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

See attached

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

17305 SEP 14 2022
CITY OF WARREN
BUILDING DIVISION

Name of Applicant: Walter Rushford Sr.

Address: 11222 11th Ave S Telephone:

Applicant's Email Address: ☐ prefer email communication

Name and Address of Property Owner (if different):

Name of Representative: Tony Coeso Telephone:

Representative's Address:

Representative's Email Address: ☐ prefer email communication

Address of Property: 13087 E. ELVAN AVE

Parcel I.D. No. (as shown on tax bill): 12-13-14-454-028

Purpose of Request: NEED SETBACK VARIANCE SEE ATTACHED SHEET

Please explain the nature of your hardship:

Signature: *Walter Rushford Sr.* Date: 8/21/22

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 Walter Rushlow Sr
Name(s) of Owner(s)

OF _____
Address, City, State
THE Pastor OF Ephesus International Ministries
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 Walter Rushlow Sr Tony Corso
Name(s) of Person(s)
THE Pastor OF Ephesus International Ministries
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, DEPOSENT SAYS NOT.

SIGNED Walter Rushlow Sr L.S.
SIGNED Tony Corso L.S.

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF OAKLAND

LARRY JAMES MILLS
NOTARY PUBLIC, STATE OF MI
COUNTY OF OAKLAND
MY COMMISSION EXPIRES JUL 6, 2023
ACTING IN COUNTY OF

ON THIS 21 DAY OF Aug, 2022, BEFORE ME PERSONALLY CAME
_____, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED AND
ACKNOWLEDGED THAT _____ DID SO OF _____ OWN FREE WILL AND DEED.

[Signature]
NOTARY PUBLIC, OAKLAND COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 7-6-2023

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.**

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.

Section 5.11 Subsection (2) Requires a 200' lot depth
The lot has only 137.43

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

A VARIANCE IS REQUIRED FOR EXISTING BUILDING AT 19.3
FROM THE EXISTING FRONT SETBACK

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.

A VARIANCE MAY NEED TO BE OBTAINED TO REFUSE THE BUMPERS CORERS SECTION 16.57 REQUIRE A 6 IN HIGH 5 FT WIDE CONTINUOUS CONCRETE CURBS ABUTTING THE EXISTING WALLS WHERE PARKING SPACES EXIST

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.

PARKING SPACES SHALL BE 22' IN LENGTH ABUTTING PROPERTY LINES
INTERIOR PERPENDICULAR SPACES SHALL BE 20' IN LENGTH. MAJOR
OVERLAPPING LANE SHALL BE 22 FT WIDE. ALL OF THE PARKING
SPACE LENGTHS SHALL REQUIRE VARIANCES

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.

A VARIANCE IS REQUIRED FOR THE HEIGHT OF THE WALL
WALL HEIGHT SHOULD BE SIX FT

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.

FIRE Enforcement | E21-01480**Property Information**

12-13-14-454-028	13087 ELEVEN MILE	Subdivision:	
	WARREN MI, 48088	Lot:	Block:

Name Information

Owner:	EPHESUS INTERNATIONAL MINISTRIES	Phone:	
Occupant:	EPHESUS INTERNATIONAL MINISTRIES	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	07/27/2021	Date Closed:	Status:
-------------	------------	--------------	---------

Complaint:

FIRE TOOK PLACE: 7/27/2021
POST UNSAFE
POST CITY CERIS
MAKE SURE PROPERTY IS SECURE
DOES PROPERTY NEED CLEAN UP?
IF NEEDED, SEND CODE ENFORCEMENT TO UPHL FOR CLEAN UP
UPDATE FLAG
ADD OR UPDATE MISCELLANEOUS DATE 7/28/21 POSTED UNSAFE STRUCTURE AND VACANT FOR COC, PROPERTY SECURE CREW FROM BLOOMFIELD CONST. CLEANING UP SITE BLDG D11
9/28/21 PROPERTY CLEAN AND SECURE BLDG D11
11/30/2021 INTERIOR DEMOLITION PERMIT ISSUED AND CERTIFICATE OF COMPLIANCE INSPECTIONS SCHEDULED FOR 01/01/2022 CONTINUE TO MONITOR PL BLDG
5/11/2022 BUILDING PLANS SUBMITTED AND CURRENTLY IN REVIEW PROCESS. PL BLDG

Last Action Date: Last Inspection: 07/15/2022

Last Action:**FOLLOW-UP FIRE Inspection | PAUL LIZE**

Status:	Scheduled	Result:	
Scheduled:	11/28/2022	Completed:	

FOLLOW-UP FIRE Inspection | PAUL LIZE

Status:	Completed	Result:	Partially Complied
Scheduled:	07/15/2022	Completed:	07/15/2022

FOLLOW-UP FIRE Inspection | PAUL LIZE

Status:	Completed	Result:	Partially Complied
Scheduled:	05/11/2022	Completed:	05/11/2022

FOLLOW-UP FIRE Inspection | PAUL LIZE

Status:	Completed	Result:	Violation(s)
Scheduled:	03/04/2022	Completed:	03/10/2022

FOLLOW-UP FIRE Inspection | PAUL LIZE

Status:	Completed	Result:	Partially Complied
Scheduled:	01/05/2022	Completed:	01/05/2022

FOLLOW-UP FIRE Inspection | PAUL LIZE

Status:	Completed	Result:	Partially Complied
Scheduled:	11/30/2021	Completed:	11/30/2021

FOLLOW-UP FIRE Inspection | DON JARVIS

Status:	Completed	Result:	Violation(s)
Scheduled:	09/28/2021	Completed:	09/28/2021

FIRE Inspection | DON JARVIS

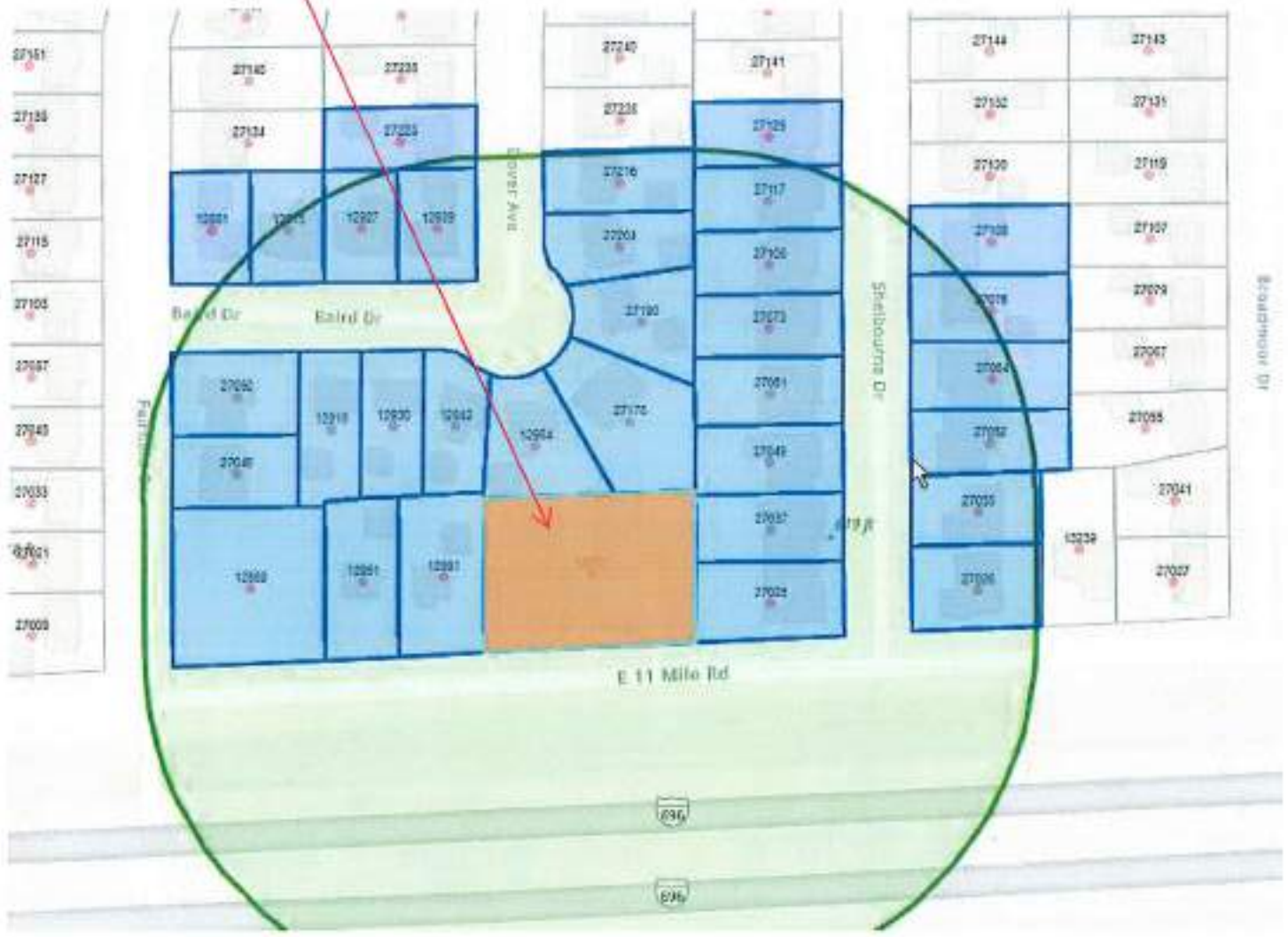
Status:	Completed	Result:	Violation(s)
Scheduled:	07/28/2021	Completed:	07/28/2021

2021 WARREN



13087 ELEVEN MILE
13-14-454-028

33



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agrlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: WALTER E. RUSHTON SR.

Common Description: 13087 ELEVEN MILE

VARIANCE(S) REQUESTED: Permission to:

- 1) Allow a religious facility to have a lot depth of 137.43 feet.
- 2) Allow a 3 ft. wall along the west, north and east property lines.
- 3) Retain a building no less than 19.3 ft. from the front setback.
- 4) Retain existing bumper curbs and waive the requirement of a continuous concrete curb abutting the existing walls where parking spaces exist.
- 5) Allow 19.3 ft. long parking spaces that abut the property line(s).
- 6) Allow 16.6 ft. long interior perpendicular parking spaces.
- 7) Allow 20.5 ft. maneuvering lane.

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 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

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

ZONING BOARD OF APPEALS - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: HOME DEPOT
REPRESENTATIVE: KATIE FITZJARRALD
COMMON DESCRIPTION: 25879 HOOVER
PARCEL NUMBER: 12-13-22-432-016
ZONED DISTRICT: MZ, C-2, C-1, P

REASON: Petitioner seeks variances related to outdoor storage.

ORDINANCES and REQUIREMENTS:

SECTION 14.01 - Uses permitted. Outdoor storage is not a permitted use.

SECTION 16.01 - Uses permitted. Outdoor storage is not a permitted use.

VARIANCES REQUESTED: Permission to:

1. Allow 1478 sf of permanent open storage in a "C-2" zone.
2. Allow 500 sf of temporary open storage in a "C-2" zone from April 1-august 31.
3. Allow 720 sf of permanent outdoor storage in a "P" zone.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 12/06/2022 12/12/2022 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: HOME DEPOT

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 14.01 USES PERMITTED
SECTION 16.01 USES PERMITTED

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

①
11/16/22
12/14/22
12/14/22
12/14/22

16 PLANS BEING SUBMITTED MUST BE PRE-FOLDDED
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: Home Depot

Address: 25879 Hoover Rd. Warren, MI 48089 Telephone:

Applicant's Email Address: I prefer email communication

Name and Address of Property Owner (if different) HD Development of Maryland Inc.

Name of Representative: Katie Fitzjarrald Telephone:

Representative's Address:

Representative's Email Address: I prefer email communication

Address of Property: 25879 Hoover Rd. Warren, MI 48089

Parcel I.D. No. (as shown on tax bill): 12-13-22-432-016

Purpose of Request: To permit open storage in a C-2 General Business District

Please explain the nature of your hardship:

The nature of hardware/lumber/home improvement type sales includes many large items that may be
dangerous to transport/display indoors. The allowance of open storage for this business use would
promote safety for employees, delivery drivers and customers by being more visible and requiring
less transport of large goods across the site and through building bays.

Signature: Suzanne Russo Date: 10/20/2022

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 SUZANNE RUSSO
Name(s) of Person(s)

OF _____
Address, City, State Zip Telephone

THE ASSISTANT GENERAL COUNSEL OF HOME DEPOT U.S.A., INC
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT HOME DEPOT U.S.A., INC
I/We/It

_____/RECORDED LAND CONTRACT PURCHASER(S) X/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 Katie Fitzjarrald
Name(s) of Person(s)

THE Project Coordinator OF Kimley-Horn and Associates, Inc.
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 Suzanne Russo L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF GEORGIA
COUNTY OF COBB

ON THIS 20TH DAY OF OCTOBER, 20 22, BEFORE ME PERSONALLY CAME
SUZANNE RUSSO TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT SHE DID SO OF HER OWN FREE WILL AND DEED.



[Signature]
NOTARY PUBLIC, FULTON COUNTY, GEORGIA
MY COMMISSION EXPIRES: 02/06/2023

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.

A land use variance allows property to be used for a specific use that otherwise is prohibited in the applicable zoning district. The concurring vote of six (6) members of the Board shall be required to approve a land use variance. A land use variance shall not be authorized by the Board unless the Board finds that the applicant has demonstrated all of the criteria to establish an unnecessary hardship.

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 land-use variance.

Property cannot be used as zoned. The characteristics of the property are such that it cannot be used for any use permitted in the zoning district; or the property can only be used for a permitted use at a prohibitive expense and therefore, will not yield a reasonable rate of return; or the characteristics of the property render it valueless or to have only distress value for any of the uses permitted by the zoning district; or this article as it applies to the property is unreasonable and arbitrary, or confiscatory.

Additional storage of product enables the business to provide additional goods to the community.

The location provides access to shop and pick-up purchases while maintaining customer and employee safety without inhibiting the flow of traffic. Location of items are in a well-lit area and viewable by security cameras.

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

The condition is due to the additional needs of the community and the ability of the business to safely provide large items. With the growth of the community, we recognize the need to grow as well. Though this was not created by the previous owner or property owner, we wish to create an ever growing and safe shopping environment.

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.

Storage needs are due to the expanding needs of the consumers and providing the goods in demand.

Property features a large and expansive parking lot. Utilizing pieces of it for storage and merchandise does not impact availability or accessibility of parking.

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; will not alter the essential character of the area; and will not cause public safety concerns.

The additional storage does not impede or cause detriment to nearby properties as it is within the current property limits. Product being located near North side of building maintains a decent visual for the neighborhood by keeping the front entrance clean and compatible with the surrounding area. Use of this area allows for consistent traffic flow around the store

Necessary. The land use variance is necessary for the preservation and enjoyment of the property.

Variance is necessary to maintain additional storage and access to shop and pick-up large items. The location allows customers and employees to be in the area safely as it is well lit and monitored by security.

The business needs the ability to supply vendors/contractors in a large volume enables the business to remain competitive.

Worksheet #2 - Section 20.24 - Land use variance; unnecessary hardship standard.

A land use variance allows property to be used for a special use that otherwise is prohibited in the applicable zoning district. The concurring vote of six (6) members of the Board shall be required to approve a land use variance. A land use variance shall not be authorized by the Board unless the Board finds that the applicant has demonstrated all of the criteria to establish an unnecessary hardship.

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 land-use variance.

Property cannot be used as zoned. The characteristics of the property are such that it cannot be used for any use permitted in the zoning district, or the property can only be used for a permitted use at a prohibitive expense and therefore, will not yield a reasonable rate of return, or the characteristics of the property render it valueless or to have only distress value for any of the uses permitted by the zoning district, or this article as it applies to the property is unreasonable and arbitrary or confiscatory.

Additional storage of large items enables the business to provide additional goods to the community.

The location provides access to shop and pick-up purchases while maintaining customer and employee safety without inhibiting the flow of traffic. Location of items are in a well-lit area and viewable by security cameras.

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

The condition is due to the additional needs of the community and the ability of the business to safely provide large items.
With the growth of the community, we recognize the need to grow as well. Though this was not created by the previous owner or property owner, we wish to create an ever growing and safe shopping environment.

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.

Storage needs are due to the expanding needs of the consumers and providing the goods in demand.

Property features a large and expansive parking lot. Utilizing pieces of it for storage does not impact availability or accessibility of parking.

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; will not alter the essential character of the area; and will not cause public safety concerns.

The additional storage does not impede or cause detriment to nearby properties as it is within the current property limits. The location allows customers to browse and pick-up items outside of the flow of traffic.

Location of product in parking lot is proposed with the neighborhood visuals in mind.

Necessary. The land use variance is necessary for the preservation and enjoyment of the property.

Variance is necessary to maintain additional storage and access to shop and pick-up large items. The location allows customers and employees to be in the area safely as it is well lit and monitored by security.

The business needs the ability to supply vendors/contractors in a large volume enables the business to remain competitive.

Kimley»Horn

November 11, 2022

City of Warren
Zoning Board of Appeals
1 City Square #305
Warren, MI 48093
(586) 574-4504

Home Depot 2702 – Variance Submittals for Open Storage, Stock Storage and Parking.

To whom it may concern,

Kimley Horn and Associates, Inc. is representing Home Depot USA, Inc. in their variance submittals for the Home Depot located at 25879 Hoover Road, Warren, MI 48089. A representative from Kimley Horn will be present at the scheduled public hearing to represent this project in entirety and asks that the mailed letter of a date confirmation also be sent to: Katie Fitzjarrald at _____

Home Depot is proposing to bring the entire site into compliance with the City of Warren code and thus we are applying for three variances at once in hopes of bringing the entire site into compliance and a working order for the Home Depot personnel on site. Please note Home Depot made the decision to move forward with these submittals after heavy contemplation on moving the material to stay in compliance was found to be an unobtainable resolution due to many factors including: pedestrian safety, traffic flow on site, storage inside the building, assembly room (grills in the trailer).

We look forward to working with the City on this project and urge the Building Department and Zoning personnel to reach out with any further questions at _____ should you have any questions.

Sincerely,



Katie Fitzjarrald
Project Coordinator
Kimley-Horn and Associates, Inc.

Kimley»Horn

Date: 05/10/2022

RE: Applications for Permits and Approvals

TO: Whom it May Concern:

Home Depot (the "Owner") is in the process of obtaining required permits located at 25307 Housen
Warren, MI 48090 (the "Site")

On behalf of the Owner, I hereby authorize Kimley-Horn and Associates, Inc. (the "Engineer"), the
Applicant's consulting engineers, to act as agents of the Owner for the purpose of obtaining permits and
approvals related to the improvements of the Site.

In such capacity, the Engineer's authority is expressly limited to starting and delivering applications
for permits and approvals that are related to the renovation of the Site and to advancing payment funds on
the Owner's behalf as required to file such applications. The Engineer is not authorized to negotiate on the
Owner's behalf or to bind or obligate the Owner in any manner whatsoever, including without limitation
assuming any obligations on the Owner's behalf to pay for or construct improvements without additional
authorization in writing from the Owner.

Sincerely,

Name: [Signature]
Title: Senior Manager
Company: Home Depot

NOTARY

County of MACOMB

State of MICHIGAN

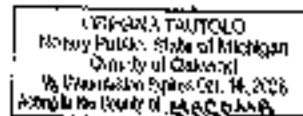
The foregoing instrument was acknowledged before me this 16th day of MAY, 2022 by
CHRISTIANE L. GORRIDGE of HOME DEPOT who is
(personally known to me) and who has produced DRIVER'S LICENSE as
identification and who did not take an oath.

NOTARY PUBLIC;

My Commission Expires: 10/14/2026

[Signature]

Print Name: DEYANNA TAVOLO



23679 Hoover Rd.

C-1/C-2/4 P

The Home Depot

GRANTED the following:

1. Permission to waive 128 required off-street parking spaces.
2. Permission to erect a 12-foot by 12-foot (144 square feet) ground sign, 27 feet high, to no less than six feet of the front property line along Hoover Rd.
3. Permission to erect one 5-foot by 56-foot (280 square feet) identification wall sign; one 3-foot by 56-foot (168 square feet) wall identification sign; and one 2-foot by 14-foot, 8-inch (29.3 square feet)

... masonry wall sign on the south elevation of the building. Total signage--589.3 square feet.

April 14, 1993

25079 Hoover Rd.

The Home Depot

GRANTED permission to waive 16, required, off-street parking spaces in addition to the 128 spaces previously waived on April 14, 1993.

October 13, 1993

25879 Hoover

10/14/98

Also Known as 13-22-432-016

Home Depot U.S.A., Inc. Tabled by the meeting of
December 9, 1990.

25879 Hoover

9/9/98

Also known as 13-22-432-016

Home Depot U.S.A. Inc. ("Home Depot") TABLED for the
meeting of October 14, 1998.

TABLED FROM 7-8-98 / 9-9-98

25879 Hoover

6-17-98

Also known as 13-22-432-016
HOME DEPOT U.S.A., INC.

TABLED- until the meeting of July 9, 1998

25879 Hoover - Card 2

1/26/05

With the condition that all of the fencing with regard to the equipment storage area and the garden center area will be ornamental fencing. The Board also removed the request to move the approved outdoor sales "shed display" area of 11' x 130' (1,430 sq. ft.) to the rear of the property in a "P" Zoned District.

Capt.

12/9/98

25879 Hoover-Card 1

9/8/2004

HOME DEPOT STORE #2702, TOOL RENTAL CENTER, 26670 Hoover, also known as 13-22-432-016 - GRANTED 1) Permission to modify the approved outdoor sales "shed display" area of 11' x 130' (1,430 sq. ft.) by adding an approximately 18' x 44' (792 sq. ft.) "wash down" and equipment storage area. 2) Permission to waive six (6) additional off-street parking spaces for the "wash-down" and rental equipment storage area, in addition to the 144 parking spaces previously waived for the approved outdoor sales and "Load 'n' Go" areas for a total of 150 spaces waived.

25879 Hoover - 25879

Also known as 13-22-432-016

Home Depot D.O.A.: The applicant requests 1) To display sheds in an 11' x 130' (1,430 sq. ft.) area along the south side of the street apron on the sidewalk. 2) To operate an outdoor sales of a "Load 'n' Go" rental truck, to be parked and stored at front of the store approximately 18' from street property line. DEWARD request 1) To use an area 180' x 100' x 12' (10,000 sq. ft.) for storage during the months of April, May and June, each year, approximately 18' from east property line and 356' from the front of the store. 4) To waive thirty-three (33) additional parking spaces where the outdoor storage area, 512' to place:

25879 Hoover-Card 2

9/8/2004

With the condition that the screening for the garden center area fronting on Hoover Road be updated with the same ornamental fencing and screening at the same time as the screening is being placed around the wash down and rental equipment storage areas.

25879 Hoover 2A. 12/9/98 Card 2
and to waive two (2) required spaces for the rental truck display; in addition to the one hundred and twenty-eight (128) spaces waived on April 14, 1993 and the fourteen (14) parking spaces waived on October 13, 1993, for a total of one hundred and seventy-seven (177) waived required parking spaces.

25876 Hoover-Card 1

8/11/05

HOME DEPOT, STORE #2702, 25876 Hoover, Also Known As 13-22-432-016 - **DENIED** request 1) To operate seasonal sales for one year in the outdoor sales "patioing" area of 20' x 85' (1,300 sq. ft.) to the rear of the property in a "F" Zoned District. 2) To display for sale "wood" 8' x 128' (1,024 sq. ft.) at the south end of the building under the canopy. To display for sale "live goods" 16' x 45' (676 sq. ft.) in the center of the store front, and 30' x 130' (3,900 sq. ft.) in front of the garden center. To display for sale "soil & mulches" 10' x 240' (2,400 sq. ft.) on the Hoover face of the store.

25876 Hoover-Card 2

8/11/05

To display for sale "rock" 10' x 130' (1,300 sq. ft.) behind the garden center. To display for sale "sheds" 8' x 90' (720 sq. ft.) along the front property line on Hoover. A total of 11,319 sq. ft. of sales area requested. 3) To waive ninety-three (93) additional off-street parking spaces for the display areas, in addition to the 160 parking spaces previously waived for the approved rental equipment storage and "Load 'n' Go" areas for a total of 243 spaces waived as per plan. 4) To waive the required five-day waiting period if the seasonal sales is granted.

25879 Hoover

8/8/05

HOME DEPOT STORE #2702, 25876 Hoover, Also Known As 13-22-432-016 - **GRANTED** request to erect a 3' x 10' (30 sq. ft.) wall sign on the "Tool Rental Center" in addition to the previously approved wall signage for a total of 628 sq. ft. of wall signs.

5/11/05

25879 Hoover

HOME DEPOT, 25879 Hoover, Also Known As 13-22-432-016 - **TABLED** to the meeting of June 6, 2005.

1/28/05

25879 Hoover - Card 1

HOME DEPOT STORE #2702, TOOL RENTAL CENTER, 25876 Hoover, Also Known As 13-22-432-016 - **GRANTED** request to add 2,094 sq. ft. building addition and a 24.4' x 20.7' (504 sq. ft.) equipment "wash-down" area and relinquish the previous request approved by the ZBA 9/8/04. To waive twenty-five (25) additional off-street parking spaces for the "wash-down" rental equipment storage area and building addition, in addition to the 144 parking spaces previously waived.

25879 Hoover

3/23/2011

Home Depot, 25879 Hoover Road, Also Known As 13-22-432-016, GRANTED the following request: #1. To operate seasonal sales for one year in the #1 area, outdoor sales "Tent/trees" unit of 40' x 130' = 5200 sq. ft., and "Shade" 20' x 80' = 1600 sq. ft., in the front parking areas. #2. To display for sale, #2 area, "Plants" 20' x 125' = 2500 sq. ft. in front of the building. #3. To waive 93 additional off-street parking spaces for the display areas and displaced parking, in addition to the 187 parking spaces previously waived as per plan. WITH THE FOLLOWING STIPULATION(s): That they remove cars and flatbed carts that are stored in areas where vehicles need to have access and that they no longer stack the garden supplies over and above the red iron fencing for the garden next on the Hoover side of the store.

25879 Hoover

2/24/10

Home Depot, 25879 Hoover Road, Also Known As 13-22-432-016, GRANTED request: (1) To operate seasonal sales for one year in the #1 area - outdoor sales "Tent/trees" unit of 40' x 130' (5,200 sq. ft.) and "Shade" 20' x 80' (1600 sq. ft.) in the front parking areas. (2) To display for sale (#2 area) "Plants" 20' x 125' (2,500 sq. ft.) in front of the building. (3) To waive 93 additional off-street parking spaces for the display areas and displaced parking, in addition to the 187 parking spaces previously waived as per plan. (4) To waive the required five-day waiting period if the outdoor sales is granted. WITH THE FOLLOWING CONDITIONS: The time frame will be March 1, 2010 to December 31, 2010 and that the sales items are kept within the permitted parameters and that the area be kept neat and clean.

25879 Hoover

3/25/09

HOME DEPOT, STEVE YAFONI, MANAGER STORE #2702, 25879 Hoover, Also Known As 13-22-432-016 - GRANTED request 1) To operate seasonal outdoor sales from March 1, 2009 through December 31, 2009 in the (#1) area - outdoor sales "tent/trees" unit of 40' x 130' (5,200 sq. ft.) and "shade" 20' x 80' (1,600 sq. ft.) in the front parking areas. 2) To display for sale (#2 area) "plants" 20' x 125' (2,500 sq. ft.) in front of the building. 3) To waive 93 additional off-street parking spaces for the display areas and displaced parking, in addition to the 187 parking spaces previously waived as per plan. 4) To waive the required five-day waiting period if the outdoor sales is granted.

5/14/2008

25879 Hoover

HOME DEPOT, ROBERT DEMMON, MGR. STORE #2702, 25879 Hoover, Also Known As 13-22-432-016 GRANTED request 1) To operate seasonal outdoor sales of plants in the area requested 20' x 90' through the end of December to be cleaned up at the end of December or the beginning of January. 2) To operate a tent & tree sales area that is 40' x 130' (5,200 sq. ft.) in the area depicted on the plan provided, as seasonal outdoor sales through the end of July. 3) To allow a plant sale area 20' x 125' (2,500 sq. ft.) in the rear of the building per the plan, for seasonal outdoor sales through the end of July. 4) To waive the required five-day waiting period if the outdoor sales is granted. AND DENIED request 5) To store bagged goods on requested 14' x 255' (3,570 sq. ft.) in the center of the store front and 14' x 117' (1,638 sq. ft.) in the rear of the garden area and the request for the storage of bagged materials 26' x 115' (2,995 sq. ft.) in the rear of the store.

3/14/2007

25879 Hoover

HOME DEPOT, MICHAEL KERRIGAN, MANAGER STORE #2702, 25879 Hoover, Also Known As 13-22-432-016 - DENIED request 1) To operate seasonal sales for one year in the (#1) outdoor sales "tenting" sales of 20' x 125' (2,500 sq. ft.) to the rear of the property to a 40' x 130' (5,200 sq. ft.) area. 2) To display for sale "flat goods" 8' x 112.5' (900 sq. ft.) at the south end of the building (#2) under the canopy. To display for sale "live goods" 20.2' x 27.7' (560 sq. ft.) in the center of the store front (#2), and 30' x 110' (3,300 sq. ft.) in front of the garden center. To display a fenced area (#4) for sale "shade, trees & tree care" 40' x 130' (5,200 sq. ft.) in front of the Hoover side of the store. To display for sale "tools & power" 10' x 80' (800 sq. ft.) behind the garden center (#5). For a tent area of 14,471 sq. ft. o outdoor sales. 3) To waive fifty-eight (58) additional off-street parking spaces for the display areas, in addition to the 187 parking spaces previously waived for a total of 225 spaces waived as per plan. 4) To waive the required five-day waiting period if the outdoor sales is granted.

25879 Hoover

PUBLIC HEARING

3/8/2016

APPLICANT: Home Depot - Store #2702

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

Joe Schuler, Manager
Karm Blubaugh, RCP
25879 Hoover Road
13-22-432-016
C-2, C-1 and P

VARIANCES REQUESTED: In Pennsylvania

1. Operate seasonal outdoor sales from March 1, 2016 to December 31, 2016 in the following areas:
Area #1 labeled "Tent/Trees" 40' x 130' = 5,200 sq. ft.
Area #2 labeled "Shade" 20' x 80' = 1,600 sq. ft.
Area #3 labeled "Plants" 20' x 125' = 2,500 sq. ft.
Total of 9,300 sq. ft. of seasonal outdoor sales as per the plan.
2. Allow temporary outdoor storage in Area #3, 20' x 20' = 400 sq. ft. for three (3) rental trailers as per the plan.
3. Waive 100 parking spaces for the seasonal outdoor sale and temporary outdoor storage. Applicant's request was GRANTED as written.

2/13/2013

Home Depot, Store #2702, 25879 Hoover Road, 13-22-432-016, petition was GRANTED permission to:
1. Operate seasonal sales from March 01, 2013 to December 31, 2013 in the (#1 area) - outdoor sales "Tent/Trees" unit of 40' x 130' (5,200 sq. ft.) and "Shade" 20' x 80' (1,600 sq. ft.) in the front parking areas.
2. Display for sale (#2 area) "Plants" 20' x 125' (2,500 sq. ft.) in front of the building.
3. Waive 93 additional off-street parking spaces for the display areas and displaced parking, in addition to the 167 parking spaces previously waived as per plan.

25879 Hoover

PUBLIC HEARING

2/11/2015

APPLICANT: Home Depot,
Mr. Mike Woodford, Mgr., Store #2702
Karm Blubaugh
25879 Hoover Road
13-22-432-016
C-2, C-1 & P

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

VARIANCES REQUESTED: Permission to

- 1) Operate seasonal outdoor sales from March 31, 2015 to December 31, 2015 in the following areas:
Area #1 labeled "Tent/Trees" 40' x 130' = 5,200 sq. ft.
Area #1 labeled "Shade" 20' x 80' = 1,600 sq. ft.
Area #2 labeled "Plants" 20' x 125' = 2,500 sq. ft.
Total of 9,300 sq. ft. of seasonal outdoor sales as per the plan.
- 2) Allow temporary outdoor storage in Area #3, 20' x 20' = 400 sq. ft. for three (3) rental trailers as per the plan.
- 3) Waive parking spaces for the seasonal outdoor sale and temporary outdoor storage. The petitioner's request has been GRANTED.

25879 Hoover

Home Depot, Store #2702, 25879 Hoover Rd., also known as 13-22-432-016, GRANTED the following: #1. To operate seasonal sales from March 1, 2012 to December 31, 2012, in the (#1 area) outdoor sales "Tent / trees" unit of 40' x 130' (5,200 sq. ft.) and "Shade" 20' x 80' (1,600 sq. ft.) in the front parking areas, #2. To display for sale (#2 area) "Plants" 20' x 125' (2,500 sq. ft.) in front of the building, #3. To waive 93 additional off-street parking spaces for the display areas and displaced parking, in addition to the 167 parking spaces previously waived as per plan.

25875 Hoover**1/8/2014**

PUBLIC HEARING
REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

APPLICANT: HOME DEPOT, Mike Woodford Mgr.
Karm Blubaugh
25875 Hoover Road
13-22-432-016
C-2, C-1 & P

VARIANCES REQUESTED: Permission to

1. To operate seasonal sales from March 01, 2014 to December 31, 2014 in the (#1 area) - outdoor sales "Tent/Trees" unit of 40' x 130' (5,200 sq. ft.) and "Shade" 20' x 80' (1,600 sq. ft.) in the front parking areas.
2. To display for sale (#2 area) "Plants" 20' x 125' (2,500 sq. ft.) in front of the building.
3. Allow the outdoor storage of three (3) rental trailers along west property line as per the plan.
4. To waive 93 additional off-street parking spaces for the display areas and displaced parking, in addition to the 167 parking spaces previously waived as per plan.

Applicant's request was GRANTED as written above.

3/28/2012**25879 Hoover**

5/28/2020 PUBLIC HEARING: APPLICANT: HOME DEPOT USA #2702
REPRESENTATIVE: KERM BILLETTE
COMMON DESCRIPTION: 25879 HOOVER
LEGAL DESCRIPTION: 13-22-432-016
ZONE: M7, C-2, C-1, P

VARIANCES REQUESTED: PERMISSION TO

1. OPERATE SEASONAL OUTDOOR SALES FROM MARCH 1 TO DECEMBER 31 IN THE FOLLOWING AREAS:
AREA #1: LABELED TENT/TREES 40' X 130' = 5,200 SQUARE FEET.
AREA #2: LABELED SHEDS 20' X 90' = 1,800 SQUARE FEET.
AREA #3: LABELED PLANTS 20' X 125' = 2,500 SQUARE FEET.
TOTAL OF 9,500 SQUARE FEET OF SEASONAL OUTDOOR SALES AS PER THE PLAN.
2. WAIVE 100 PARKING SPACES FOR THE SEASONAL OUTDOOR SALES AND TEMPORARY OUTDOOR STORAGE.
ORDINANCES AND REQUIREMENTS:
SECTION 4.32 (H) 22: ONE (1) PARKING SPACE REQUIRED FOR EACH 150 SQ. FT. OF FLOOR SPACE AND OUTDOOR SALES/STORAGE 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.
SECTION 4.53 (F): THE PERIOD OF OPERATION OF THE PROPOSED USE SHALL BE LIMITED TO DATES SPECIFIED ON THE APPROVED PLAN OR IN THE PERMIT. THE DURATION OF ALL TEMPORARY USES SHALL NOT EXCEED THIRTY (30) CONSECUTIVE DAYS IN ANY CALENDAR YEAR.

THE PETITIONER'S REQUEST WAS GRANTED AS WRITTEN.

6/26/2020^{2:51 PM} PUBLIC HEARINGS-APPLICANT: HOME DEPOT USA #2702
REPRESENTATIVE: KERM BILLETTE
COMMON DESCRIPTION: 25879 HOOVER
LEGAL DESCRIPTION: 13-22-432-016
ZONE: M7, C-2, C-1, P

VARIANCES REQUESTED: PERMISSION TO

- 1) OPERATE SEASONAL OUTDOOR SALES FROM MARCH 1 TO DECEMBER 31 IN THE FOLLOWING AREAS:
AREA #1 LABELED TENT/TREES 40' X 130' = 5,200 SQ. FT.
AREA #2 LABELED SHEDS 20' X 90' = 1,800 SQ. FT.
AREA #3 LABELED PLANTS 20' X 125' = 2,500 SQ. FT.
TOTAL OF 9,500 SQ. FT. OF SEASONAL OUTDOOR SALES AS PER THE PLAN.
- 2) WAIVE 100 PARKING SPACES FOR THE SEASONAL OUTDOOR SALE AND TEMPORARY OUTDOOR STORAGE.

ORDINANCES AND REQUIREMENTS:
SECTION 4.32 (H) 22: ONE (1) PARKING SPACE REQUIRED FOR EACH 150 SQ. FT. OF FLOOR SPACE AND OUTDOOR SALES/STORAGE 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.
SECTION 4.53 (F): THE PERIOD OF OPERATION OF THE PROPOSED USE SHALL BE LIMITED TO DATES SPECIFIED ON THE APPROVAL PLAN OR IN THE PERMIT. THE DURATION OF ALL TEMPORARY USES SHALL NOT EXCEED THIRTY (30) CONSECUTIVE DAYS IN ANY CALENDAR YEAR.

THE PETITIONER'S REQUEST WAS GRANTED AS WRITTEN.

PUBLIC HEARING: 4/10/2018
REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

APPLICANT: Home Depot USA #2702
Kern Billette
25879 Hoover
12-13-22-432-016
M2, C-2, C-1, P

VARIANCES REQUESTED: Permission to

1. Operate seasonal outdoor sales from March 1 to December 31, 2019 in the following areas:
Area #1 labeled sheds 70' x 20' = 1,400 square feet and 54' x 20' = 1,080, total 2,480 square feet.
Area #2 labeled tents/trees 40' x 130' = 5,200 square feet
Area #3 labeled plants 20' x 125' = 2,500 square feet
Total: of 10,180 square feet of seasonal outdoor sales as per the plan
2. Waive parking related to outdoor sales:
 - a. (Amended) Waive 14 required permanent parking spaces.
 - b. Waive 68 parking spaces for seasonal outdoor sales and temporary storage.

The petitioner's request was Granted with the Amendments as follows:

Item # 2a amended to fourteen (14) required permanent spaces, not (17). As well as the following:

(Subsequent to the last item of the meeting, before the New Business, the Board discussed the matter of item number 2a, whereby the Board stated the petitioner would need to return if this matter is requested to permanently be waived. Therefore, this particular item as discussed by the Board is only approved through December 31, 2019. The Board did advise the petitioner during item discussion to return regarding the sheds, in either January or February of 2020).

March 11, 2020

APPLICANT: The Home Depot Store, Store 2702

Chris Gabridge, Manager

REPRESENTATIVE: Kerm Billette
COMMON DESCRIPTION: 25879 Hoover
LEGAL DESCRIPTION: 13-22-432-016
ZONE: MZ, C-2, C-1, P

VARIANCES REQUESTED: Permission to

- 1) Permanently waive 75 additional parking spaces for permanent outdoor sales and redevelopment of parking lot.
- 2) Operate seasonal outdoor sales from April 1st to December 31, 2020 in the following areas:
Area #2 labeled tents/trees 40' x 130' = 5,200 square ft.
Area #3 labeled plants 20' x 125' = 2,500 square ft.
Total of 7,700 square ft. of seasonal outdoor sales as per the plan.
- 3) Temporarily waive 79 parking spaces associated with the seasonal outdoor sale above.

The petitioner's request for item number 1 was RESCHEDULED to April 22, 2020 due to the shoes. Requests number 2 and number 3 were APPROVED with the following change. 2) Operate seasonal outdoor sales from April 1st to September 1, 2020.

6/24/2020:

APPLICANT: The Home Depot, Store 2702

Chris Gabridge, MGR

(Rescheduled from: March 11, 2020)

REPRESENTATIVE: Kerm Billette
COMMON DESCRIPTION: 25879 Hoover
LEGAL DESCRIPTION: 13-22-432-016
ZONE: MZ, C-2, C-1, P

VARIANCES REQUESTED: Permission to

Permanently waived 75 additional parking spaces for permanent outdoor sales and redevelopment of parking lot.

Petitioner's request was **GRANTED** as written.

1. PUBLIC HEARING: 3/10/21

APPLICANT: Christopher Gabridge, Manager
Home Depot Store #2707

REPRESENTATIVE: Kerm Billette
COMMON DESCRIPTION: 25879 Hoover
LEGAL DESCRIPTION: 13-22-432-016
ZONE: MZ, C-2, C-1, P

VARIANCES REQUESTED: Permission to

- 1) Operate a seasonal outdoor sales from March 1 to August 1, 2021 in the following areas:
Area #2 labeled "Tent, patio, furniture, top soil, trees" in fenced corral: 40' x 130' = 5,200 square ft.
Area #3 labeled "Plants" 20' x 125' = 2,500 square ft.
Total of 7,700 square ft. of seasonal outdoor sales as per the plan.
- 2) Temporarily waive 79 parking spaces associated with the seasonal outdoor sales above.

The petitioner's request was APPROVED as written.

PUBLIC HEARING: 4/24/22

APPLICANT: THE HOME DEPOT / STORE #2702 / CHRIS

GABRIDGE

REPRESENTATIVE:

KERM BILLETTE

COMMON DESCRIPTION:

25879 HOOVER

LEGAL DESCRIPTION:

13-22-432-016

ZONING:

MZ, C-2, C-1, P

VARIANCES REQUESTED: PERMISSION TO

OPERATE SEASONAL OUTDOOR SALES FROM MARCH 1 TO DECEMBER 31, 2022 IN THE FOLLOWING AREAS:

AREA #2 LABELED "TENT, PATIO, FURNITURE, TOP SOIL, TREES" IN FENCED CORRAL: 40' X 130' = 5,200 SQUARE FT. AREA #3 LABELED "PLANTS" 20' X 125' = 2,500 SQUARE FT.

TOTAL OF 7,700 SQUARE FT. OF SEASONAL OUTDOOR SALES AS PER THE PLAN.

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.

SECTION 4.53 REGULATIONS FOR ALL OUTDOOR RETAIL SALES (F): THE PERIOD OF OPERATION OF THE PROPOSED USE SHALL BE LIMITED TO DATES SPECIFIED ON THE APPROVED PLAN OR IN THE PERMIT. THE DURATION OF ALL TEMPORARY USES SHALL NOT EXCEED THIRTY (30) CONSECUTIVE DAYS IN ANY CALENDAR YEAR.

THE PETITIONER'S REQUEST WAS APPROVED AS WRITTEN.

2021 WARREN



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: HOME DEPOT -~~USE~~-
Common Description: 25879 HOOVER
VARIANCE(S) REQUESTED: Permission to: -~~USE~~-

- 1) Allow 1,478 square ft. of permanent open storage in a "C-2" zone.
- 2) Allow 500 square ft. of temporary open storage in a "C-2" zone from April 1-August 31.
- 3) Allow 720 square ft. of permanent outdoor storage in a "P" zone.

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 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

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

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: FALZARANO ANDREW

REPRESENTATIVE: FALZARANO ANDREW

COMMON DESCRIPTION: 6419 TEN MILE

PARCEL NUMBER: 12-13-21-376-003

ZONED DISTRICT: M-3

REASON: petitioner seeks variances regarding new site plan.

ORDINANCES and REQUIREMENTS:

Section 17.02 industrial standards; (a) front yards: M-3 150 ft. 3. In M-3 and M-4 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 and the front seventy-five (75) feet of a lot or tract in an M-4 district shall be landscaped and the balance shall be depressed at least two (2) feet so as to have all parked vehicles therein, completely out of sight or view of the roadway. (b) Side yards, and rear yards, 60 ft. each. (p) fire and safety hazards - bulk storage of flammable liquids, liquid petroleum gases and explosives allowed above ground 150 feet from 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 4d.36. - obscuring walls. Where a non-residential land use abuts a residential district and a wall is used to obscure the non-residential property from the abutting property, the wall shall be constructed of masonry material. Standard concrete blocks are prohibited. Poured or precise concrete walls are permitted provided that they are installed on a continuous concrete footing and are eight (8) inches thick. Required walls shall be similarly finished on all sides and structurally sound.

Section 4d.07. - setback required. Walls, fences and landscape screens shall conform to the setback requirements for the zoning district, unless otherwise provided in this article.

Variances requested: permission to:

1. Allow an above ground fuel tank to be 129.7' from the east property line.
2. Retain 6' tall chain link fence in the front setback, near the south property line.
3. Allow storage and parking of 192,876 square feet on a non-hard surface (gravel).
4. Retain a building no less than 44.9' from rear property line.
5. Allow an obscuring wall of non-masonry material and does not have a continuous concrete footing.

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: FALZARANO ANDREW

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 17.02 INDUSTRIAL STANDARDS
SECTION 4.32 OFF-STREET PARKING
SECTION 4D.36 OBSCURING WALLS
SECTION 4D.07 FENCING SETBACK REQUIRED

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

swatripont, Zoning Inspector

Submit 11/21/22 \$590.00

**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: Andrew Falzarano

Address: _____ Telephone: _____

Applicant's Email Address _____ ☐ prefer email communication

Name and Address of Property Owner (if different) Lakeshore Ventures LLC

Name of Representative: Andrew Falzarano Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☒ prefer email communication

Address of Property: 6419 10 Mile Rd

Parcel I.D. No. (as shown on tax bill): 13-21-376-003

Purpose of Request Five variances are requested: setbacks in the front, rear and side yard,

open storage hard surfacing & obscuring wall constructibility. Granting of the variances would allow improved

landscaped frontage along 10 mile. Screen wall obscuring the operation from abutting residential zoning.

Please explain the nature of your hardship.

The subject property is split into two parcels, the dividing line being the City of Warren & Centerline limits

Located on the Centerline parcel is an approved, active ready mix concrete plant. The intent is to improve

the eastern portion of the Warren parcel, the tenants leased premises to match the improvements as completed in

Centerline.

Signature:  Date: 11/21/2022

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 Lakeshore Ventures LLC
Name(s) of Person(s)

OF _____
Address, City, State _____ Zip _____ Telephone _____

THE VP - Todd Goss OF Lakeshore Ventures LLC
Title of Officer Name of Company

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

I/We/It

_____/RECORDED LAND CONTRACT PURCHASER(S) x /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 Andrew Palzarano
Name(s) of Person(s)

THE Project Manager OF Lakeshore Ventures LLC
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 _____

SIGNED _____

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb



ON THIS 21st DAY OF November, 2022, BEFORE ME PERSONALLY CAME
Todd Goss * Andrew Palzarano, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT they DID SO OF their OWN FREE WILL AND DEED.

TAYLOR HURTIGAM
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires October 03, 2025
Residing in the County of Macomb

Taylor Hurttgam
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 10/03/2025

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.

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.

Front yard setback variance is dedicated for landscaping/fencing buffer improving the frontage on 10-mile. Side yard to the east is unique, as it is measured from the city limit opposed to property line, creating an arbitrary line in the middle of property. Proposed obscuring wall provides required screening while improving aesthetics, the pre-cast design/construction is supported by the City of Warren Building Department. Maintaining the existing gravel surface west of the building is in line with neighboring properties to the North.

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

Side yard setback on the east is measured from the city limit opposed to the standard property line, this creates a arbitrary dividing line down the property.

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.

The property is zoned M-3 abutting M-3 to the north & residential to the west.

This property is split by the City of Warren & Centerline limits, imposing setback requirements down the middle piece of the property.

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.

Front yard setback is requested for landscaping/fencing improvements, not requested for property use. Side yard setback currently measured from the city limit, opposed to property line which extends over 200' to the east. Rear yard setback is the existing building location, and it abuts same M-3 zoning. Proposed obscuring wall provides improved aesthetic to residential neighbors vs conventional cast in-place wall. Existing gravel surface to remain is consistent with neighboring properties to the north, properly screened/buffered to the west.

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.

The property is an isolated condition where an arbitrary setback line is imposed down the middle of the property along the city limit. To the west the M-3 zoning abuts residential, to buffer the difference in zoning we have proposed the dura-crete obscuring wall.

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.

Without the required dimensional variances improvements to the property are not feasible; Requested variances are mutually beneficial to the city, community and the tenants operation

COMPLAINTEnforcement | E22-04037

Property Information

12 15-21-376-003	6419 TEN MILE	Subdivision:	
	WARREN MI, 48091	Lot:	Block:

Name Information

Owner:	GLS LEASCO INC.	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	09/12/2022	Date Closed:	Status:
Complaint:	MAJOR COMPLAINT OF DUST. AH		
Last Action Date:		Last Inspection:	
Last Action:			

ZONING Enforcement | E21-01167**Property Information**

12-13-21-376-003

6415 TEN MILE

Subdivision:

WARREN MI, 48091

Lot:

Block:

Name Information

Owner: GLE LFASCO INC

Phone:

Occupant:

Phone:

Filer:

Phone:

Enforcement Information

Date Filed: 06/24/2021

Date Closed:

Status:

Complaint:

OPERATING WITHOUT A COC, OPEN STORAGE REQUIRES APPROVED SITE PLAN.

Last Action Date:

Last Inspection: 04/08/2022

Last Action:

ZONING Inspection | DAVID PODLESZNIK

Status: Scheduled

Result:

Scheduled: 11/30/2022

Completed:

Comments:

Scheduling Commitment NO COC.

ZONING Inspection | STEVEN WATRIPONT

Status: Scheduled

Result:

Scheduled: 04/14/2022

Completed:

ZONING Inspection | STEVEN WATRIPONT

Status: Completed

Result:

Violation(s):

Scheduled: 04/08/2022

Completed:

04/08/2022

ZONING Inspection | STEVEN WATRIPONT

Status: Completed

Result:

Violation(s):

Scheduled: 10/01/2021

Completed:

10/01/2021

ZONING Inspection | STEVEN WATRIPONT

Status: Completed

Result:

Violation(s):

Scheduled: 09/31/2021

Completed:

09/31/2021

ZONING Inspection | STEVEN WATRIPONT

Status: Canceled

Result:

Canceled:

Scheduled: 06/25/2021

Completed:

06/28/2021

TICKET Inspection | STEVEN WATRIPONT

Status: Completed

Result:

Violation(s):

Scheduled: 06/24/2021

Completed:

06/24/2021

Violations:

2021 WARREN



34



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Judy Furgal
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: JANUARY 11, 2023 at 7:30 P.M.

Applicant: ANDREW FALZARANO

Common Description: 6419 TEN MILE

VARIANCE(S) REQUESTED: Permission to:

- 1) Allow an above ground fuel tank to be 129.7' from the east property line.
- 2) Retain 6' wall chain link fence in the front setback, near the south property line.
- 3) Allow storage and parking of 192,876 square feet on a non-hard surface (gravel).
- 4) Retain a building no less than 44.9' from rear property line.
- 5) Allow an obscuring wall of non-masonry material and does not have a continuous concrete footing.

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You may e-mail: 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

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