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Zoning Board of Appeals  
Office of the City Council  
5460 Arden, Ste. 505  
Warren, MI 48092  
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**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, 3<sup>rd</sup> Floor, Warren, 48093.  
Please call: (586) 574 - 4504

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meeting of December 14, 2022.**
  
6. PUBLIC HEARING: **APPLICANT: Anthony Bogedin -USE-**  
(Rescheduled from 9/14/22, 10/12/22, 11/9/22, 12/14/22)  
REPRESENTATIVE: Caren M. Burdi, Attorney  
COMMON DESCRIPTION: 5020 Chicago  
LEGAL DESCRIPTION: 13-05-401-015  
ZONE: R-1-C  
**VARIANCES REQUESTED: Permission to -USE-**  
Allow a multi-family (4 unit) dwelling in a single-family zone in which one unit is complete and the remaining units have been roughed and constructed without permits.  
**ORDINANCES and REQUIREMENTS:**  
**Section 7.01 – Uses Permitted:** Multi-family dwellings are not permitted in a single-family district.
  
7. PUBLIC HEARING: **APPLICANT: Lecom**  
(Rescheduled from 12/14/2022)  
REPRESENTATIVE: Mark Edward Phillips, Phillips Sign & Lighting  
COMMON DESCRIPTION: 27663 Mound  
LEGAL DESCRIPTION: 13-17-427-037

ZONE: M-1

**VARIANCES REQUESTED: Permission to**

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

**ORDINANCES and REQUIREMENTS:**

**Section 4A.35 – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1 and M-2):** (B) One freestanding on premise sign or advertising display of a size not to exceed seventy-five (75) square feet shall be allowed in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

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

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 mee 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 that 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**

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

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 – Industrial Standards:** All uses not herein expressly prohibited shall comply with the following table of standards. **(A) Front Yards.** M-2 25 ft. 2. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to set back further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the master thoroughfare plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet.

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

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

**Section 4D.39 – Location:** All fences and walls constructed or installed between lots shall not exceed a height of six (6) feet above the average grade of the two (2) adjoining lots and shall not extend closer to the front lot line than the established building line or front set back line.

- 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.**