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Zoning Board of Appeals  
Office of the City Council  
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Warren, MI 48092  
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**A Regular Meeting of the Zoning Board of Appeals  
Wednesday, February 8, 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 and January 11, 2023.**

6. PUBLIC HEARING: **APPLICANT: Andrew Falzarano**  
(Rescheduled from 1/11/2023)  
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.

7.	PUBLIC HEARING:	<b>APPLICANT: Dawn Gafa-Davis</b>
	REPRESENTATIVE:	Same as above.
	COMMON DESCRIPTION:	25420 Curie
	LEGAL DESCRIPTION:	13-20-404-039
	ZONE:	R-1-C

**VARIANCES REQUESTED: Permission to**

- 1) Erect an oversized accessory structure (shed) 12' x 20' = 240 square ft.
- 2) Allow 1,146 square ft. of accessory structures; 586 square ft. attached garage, 320 square ft. gazebo, and a 240 square ft. shed.
- 3) Allow two detached accessory structures (gazebo and shed).
- 4) Allow two detached accessory structures more than 3 ft. apart.

**ORDINANCES and REQUIREMENTS:**

**Section 4.20 – Detached Accessory Buildings (A):** All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall conform to, and shall not project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions: 3. That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard. 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

**Section 7.01 – Uses Permitted:** (l) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory use, provided, however, any such commercial vehicle shall not exceed one (1) ton capacity, and shall be kept housed within a garage when not in use; and provided, further, that no moving vans shall be housed in private

garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

- 8. PUBLIC HEARING: **APPLICANT: Italy American Construction**  
 REPRESENTATIVE: John Cialone  
 COMMON DESCRIPTION: 5565 Chicago  
 LEGAL DESCRIPTION: 13-05-278-015  
 ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Erect an oversized accessory structure, attached garage 711.25 square ft. with a 60 square ft. breezeway for a total of 771.25 square ft.

**ORDINANCES and REQUIREMENTS:**

**Section 7.01 – Uses Permitted:** (l) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory use, provided, however, any such commercial vehicle shall not exceed one (1) ton capacity, and shall be kept housed within a garage when not in use; and provided, further, that no moving vans shall be housed in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

- 9. PUBLIC HEARING: **APPLICANT: Robert Ross**  
 REPRESENTATIVE: Same as above.  
 COMMON DESCRIPTION: 21072 Behrendt  
 LEGAL DESCRIPTION: 13-32-354-010  
 ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Erect a 4 ft. high chain-link fence that extends 32 ft. past the front building line to no closer than 1 ft. from the public sidewalk along the north property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4D.08 – Fences, Walls and Landscape Screens In Front Yard Between Building Line and Front Property Line:** No fence, wall or landscape screen shall be constructed between the established building line and the front property line, except as follows: A. corner lot. On a corner lot abutting a street, a fence may be installed not exceeding thirty (30) inches in height between the established front setback line to the front property line, and shall be of a non-sight obscuring fence material.

- 10. PUBLIC HEARING: **APPLICANT: Metro Detroit Signs**  
 REPRESENTATIVE: Kevin Deters at Metro Detroit Signs  
 COMMON DESCRIPTION: 4441 Eight Mile  
 LEGAL DESCRIPTION: 13-32-358-016  
 ZONE: MZ, R-1-P, M-2

**VARIANCES REQUESTED: Permission to**

Allow a 3.7 ft. x 19.125 ft. (70.76 square ft.) wall sign on the south elevation.

**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: Aver Sign Company**
- REPRESENTATIVE: Jennifer Glover
- COMMON DESCRIPTION: 25700 Dequindre
- LEGAL DESCRIPTION: 13-19-301-029
- ZONE: M-2

**VARIANCES REQUESTED: Permission to**

- 1) Erect a 28 ft. high ground sign.
- 2) Erect a 93.77 square ft. ground sign.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.18 – Height:** The height of all signs, unless provided otherwise in this ordinance, shall comply with the following: B) Freestanding signs. The height of all freestanding signs shall not exceed twenty (20) feet.

**Section 4A.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.

- 12. PUBLIC HEARING: **APPLICANT: Gardner Signs Inc.**
- c/o Oshkosh Defense**
- REPRESENTATIVE: Mia Asta
- COMMON DESCRIPTION: 6123 Thirteen Mile
- LEGAL DESCRIPTION: 13-04-351-017
- ZONE: M-2

**VARIANCES REQUESTED: Permission to**

Erect a 7 ft. 4 in. monument sign.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.11 – Specific Sign Definitions:** 22. Monument sign. A sign mounted directly to the ground with a maximum height not to exceed five (5) feet.

- 13. PUBLIC HEARING: **APPLICANT: Yasser Salem**
- REPRESENTATIVE: Ahmed Ahmed
- COMMON DESCRIPTION: 26439 Hoover
- LEGAL DESCRIPTION: 13-22-226-037
- ZONE: MZ, C-1, C-2, R-1-P, P

**VARIANCES REQUESTED: Permission to**

Erect a 117 square ft. wall sign.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.37 – Shopping Centers:** Regardless of the zoning district, shopping centers as defined in Section 2.67 are permitted the following signage: C) One (1) wall sign of a size not to exceed forty (40) square feet shall be allowed for each business located in the shopping center.

<b>14. PUBLIC HEARING:</b>	<b>APPLICANT: Dennis Krestel -USE-</b>
REPRESENTATIVE:	Salvatore Randazzo
COMMON DESCRIPTION:	13441 Thirteen Mile
LEGAL DESCRIPTION:	13-02-481-020
ZONE:	MZ, C-1, P

**VARIANCES REQUESTED: Permission to -USE-**

- 1) Retain 18 ft. long parking spaces north and east of the building.
- 2) Retain 20 ft. in long parking spaces along the east property line.
- 3) Allow a 16.6 ft. maneuvering lane.
- 4) Allow 1,783 square ft. of permanent outdoor retail sales in a “P” zone. **USE**
- 5) Allow permanent outdoor retail sales no less than 10 ft. from the front property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 – Off-Street Parking Requirements:** (l) 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 degrees, width 9 ft., length 20 ft., maneuvering lane 22 ft. 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, width 9 ft., length 22 ft., maneuvering lane 22 ft.

**Section 13.04: Front Yard:** A fifteen (15) foot front yard setback shall be provided.

**Section 16.02 (A) – Limitation of the Use – Uses in (P) Parking Zone:** Parking with or without charge of passenger vehicles.

**15. NEW BUSINESS**

**16. 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.**