



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, 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, 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 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:	APPLICANT: Dawn Gafa-Davis
	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: (I) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory 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.

14. PUBLIC HEARING:	APPLICANT: Dennis Krestel -USE-
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: (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: 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.

CITY OF WARREN

ZONING BOARD OF APPEALSSUMMARY 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

swatripont, Zoning Inspector 11/29/2022 12/22/2022 (M) (P) (C)

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
OF _____
Name(s) of Person(s)

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 [Signature]
SIGNED [Signature]

*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

6419 TEN MILE
13-21-376-003



CITY OF WARREN

ZONING BOARD OF APPEALSSUMMARY OF VARIANCE REQUESTAPPLICANT: DAWN M GAFA-DAVISREPRESENTATIVE: DAWN M GAFA-DAVISCOMMON DESCRIPTION: **25420 CURIE**PARCEL NUMBER: 12-13-20-404-039ZONED DISTRICT: R-1-CREASON: Petitioner wishes to erect a shed.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. (I) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory 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.

VARIANCES REQUESTED: Permission to:

1. Erect an oversized accessory structure (shed) 12' x 20'=240 sf.
2. Allow 1146 sf of accessory structures, 586 sf attached garage, 320 sf gazebo, and a 240 sf shed.
3. Allow two detached accessory structures (gazebo and shed).
4. Allow two detached accessory structures more than 3 ft. apart.

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: GAFA-DAVIS DAWN M

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 4.20 DETACHED ACCESSORY BUILDINGS.
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

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: Dawn Griffin-Davis

Address: 25420 Curie Ave Telephone: _____

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: 25420 Curie Ave

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

Purpose of Request: To get approval for a 12x20 shed to replace a
blighted shed we removed. To get approval for having more
than 320 ft² of accessory structures. To get approval of
2 accessory structures

Please explain the nature of your hardship:

We have a pool that requires storage of the filter, and other
accessories that takes much of the garage. We also have
saws for woodworking hobby that we'd like to store to allow
parking of vehicles in garage.

Signature: Dawn M Griffin-Davis Date: 1/6/2023

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 Dawn Gafa-Davis
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 I, Dawn Gafa-Davis
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 Dawn M Gafa-Davis L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 11 DAY OF January, 2023, BEFORE ME PERSONALLY CAME
Dawn Marie Gafa-Davis 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.

ANDREA GJOKAJ
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires June 8, 2028
Acting in the County of Macomb

Andrea Gjokaj
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 6/8/2028

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.

The shed would not exceed 10ft height and would be behind a cedar fence. The shed and gazebo would take up less than 7% of the backyard. Shed will not affect frontage or view. We have a swimming pool and the shed will give us storage for all the equipment and allow us to park in the garage improves safety of vehicles.

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

I have owned the property for several years. There was a shed that was blighted with the same dimensions. It was removed to eliminate the hazards and detriments to neighborhood due to substandard structures. I would like to replace what I had with new.

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 a double lot and a corner lot. Both structures will occupy less than 7% of backyard & will be professionally constructed to match the house.

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.

The shed and gazebo are an improvement to the property. Both will be professionally built and will have matching shingles to the house. The shed will have matching colors to house and will have landscaping to enhance the property.

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.

There are no personal or economic hardships. The shed is requested to utilize the double lot to store pool equipment

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.

In reviewing my neighborhood, I see several sheds, many oversized. I see properties with 2 car detached garages in addition to attached garages. I also see an Historic home with 3 outbuildings. The neighborhood has precedence in oversized storage and more than 1 accessory building.

December 14, 2022

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

APPLICANT: Dawn M Gafa-Davis
Mike Bouffard
25420 Curie
13-20-404-039
R-1-C

VARIANCES REQUESTED: Permission to

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

ORDINANCES and REQUIREMENTS:

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

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

The petitioner's request was **APPROVED** as written.

Plotted Area Boundaries

300 - TickMark

301 - MISCELLANEOUS

301 - MISCELLANEOUS

303 - TextDvds

306 - Traversolin

306 - Traversolin

307 - Lederline

307 - Lederline

314 - Private Client

314 - Private Client

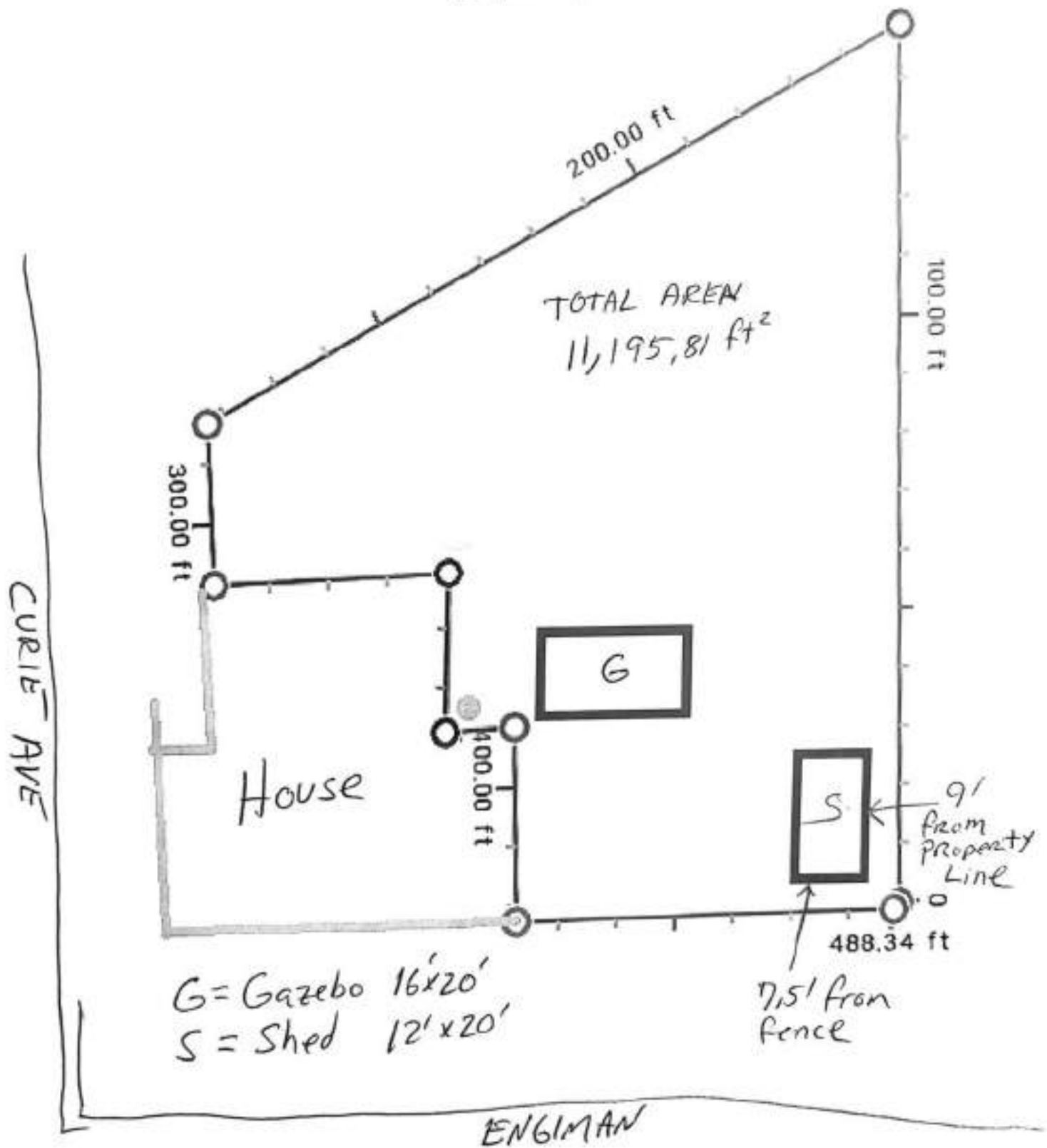
Property Lines - Core

Property Lines - Core

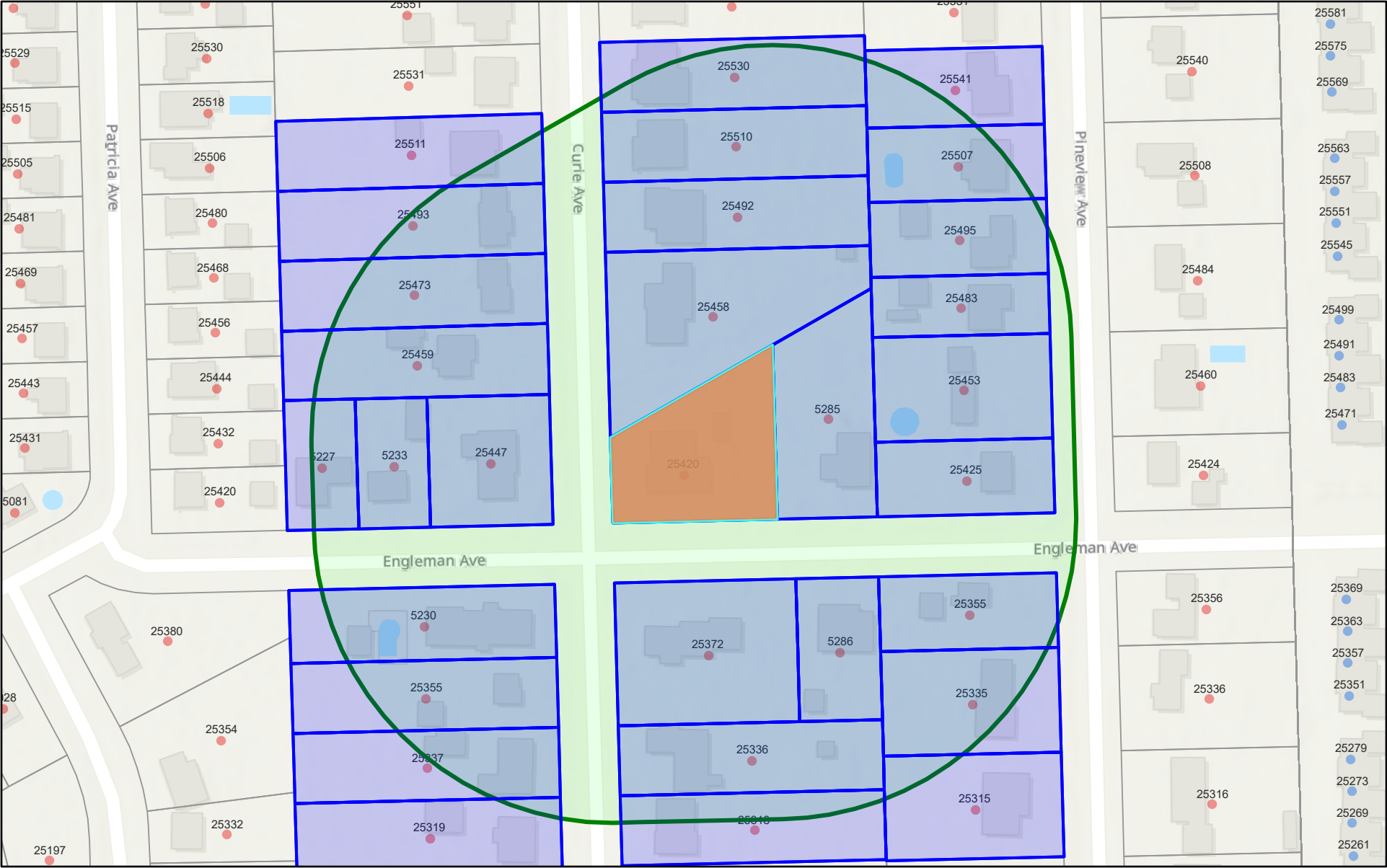
— 100 - Parcel

Percent With Appendix

DAWN GAGA
25420 CURIE AVE
WARREN, MI 48091

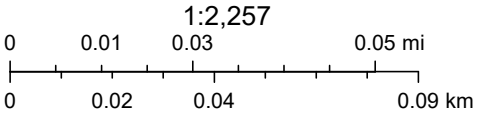


25420 Curie - 13-20-404-039



1/24/2023, 10:12:21 AM

Site Address Point • Condominium  Parcels
• Building



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

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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: DAWN GAFA-DAVIS

Common Description: 25420 CURIE

VARIANCE(S) 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.

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 APPEALSSUMMARY OF VARIANCE REQUEST

APPLICANT: ITALY AMERICAN CONSTRUCTION

REPRESENTATIVE: JOHN CIALONE

COMMON DESCRIPTION: 5565 CHICAGO

PARCEL NUMBER: 12-13-05-278-015

ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to erect garage and breezeway.

ORDINANCES and REQUIREMENTS:

SECTION 7.01 USES PERMITTED. (I) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involve any business, profession, trade or occupation, one (1) private garage for each residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory 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.

VARIANCES REQUESTED: Permission to:

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

Previous Variance Requested: None.

dwenson, Zoning Inspector 12/16/2022 01/09/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: ITALY AMERICAN CONSTRUCTION

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 (I)

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 12/16/22

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

DEC 16 2022
CITY OF WARREN
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: ITALY AMERICAN CONSTRUCTION

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (if different) JEFF RICHARDS

Name of Representative: JOHN CIALONE Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☒ prefer email communication

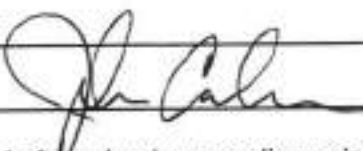
Address of Property: 5565 CHICAGO, WARREN MI 48092

Parcel I.D. No. (as shown on tax bill): 12-13-05-278-015

Purpose of Request: Mr. Richards would like to request a variance to build a garage and breezeway
that would exceed the allowable 700 sqft. The proposed garage is 30' x 23'-8.5" with a 2 ft overhang on the
front of the garage and the breezeway is 60 sqft.

Please explain the nature of your hardship:

Currently, there is no garage on this property. The homeowners have been parking in the area
where we propose to build the new garage because there is a garage floor and footing already
installed. There is also a foundation already installed for a breezeway. We propose to build on the
existing concrete so the homeowners can have the same enjoyment out of their home as their
neighbors.

Signature:  Date: 12/9/2022

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 Jeffrey and Tonya Richards
Name(s) of Person(s)

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 W E

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 JOHN CIALONE & PAUL SCHILLER
Name(s) of Person(s)

THE SALESMEN OF ITALY AMERICAN CONSTRUCTION
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 [Signature] L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Wayne

ON THIS 2nd DAY OF December, 2022, BEFORE ME PERSONALLY CAME
Jeffrey and Tonya Richards, 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.

COLLEEN M FRIES
Notary Public, State of Michigan
County of Wayne

My Commission Expires 05-11-2023

Colleen M. Fries
NOTARY PUBLIC, Wayne COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 05/11/2023

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.

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.

The homeowners are asking for a variance to build a garage and breezeway that would exceed the allowable square footage for accessory structures. There is an existing foundation for a garage and breezeway that was permitted by the city in 2006. The proposed breezeway is 6' x 10', and the proposed garage is 30' x 23'-8.5" with a 2' overhang on the front of the garage.

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

Italy American Construction and the homeowner, Mr. Richard's, viewed a permit on BS&A indicating that a garage floor and breezeway foundation was installed in 2006. The permit also states that a future garage and breezeway would be built on it. The sizing on the 2006 permit was for 732 sqft feet but we measured 770 sqft. Either way, the 2006 permit is still over the allowed 700 sqft and according to BS&A, the permit was finalized in 2012. Based on this info we thought there wouldn't be an issue to build the garage and breezeway.

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.

There was already an approval by the city to install the foundation for a garage and breezeway, which was done by a previous owner of the house. There is also no garage on this 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.

Where the foundation is now, the proposed garage would be around 28' off of the side yard property line, which is well within the allowable setback. The lot itself is about 28,218 sqft. The home and proposed garage will only take up around 6% of the lot area. We do not believe this will negatively impact the surrounding 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.

In 2006, the city approved work to be done to install a garage floor and footing and a breezeway foundation. No garage was ever built but the foundation is there.

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.

Currently, this property does not have a garage. The homeowners have been using the existing garage floor and foundation to park their cars, but they would like to have cover for their vehicles for protection. Other houses in this neighborhood benefit from having a garage so the homeowners would like to benefit as well.

ArcGIS Web Map



1/9/2023, 4:10:01 PM

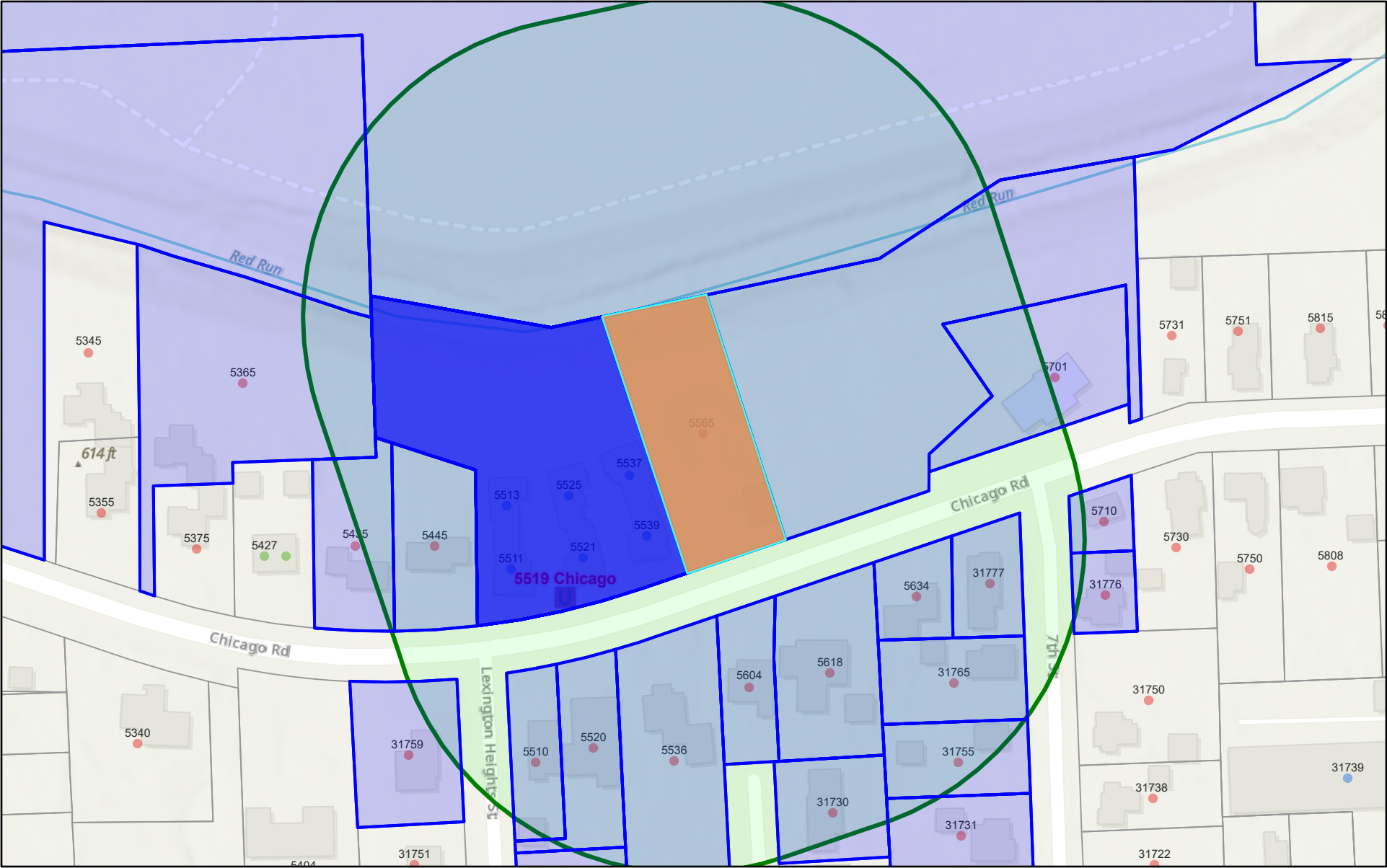
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- ☐ Property Area Boundaries
- ☐ Property Lines - Retired
- ☐ Property Lines - Drafting Detail
- ☐ 300 - TruckMark
- ☐ 301 - MiscUnknown
- ☐ 303 - TextOvals
- ☐ 304 - LandHooks
- ☐ 306 - TraversalLines
- ☐ 307 - LeaderLines
- ☐ 308 - ExtentTruckMark
- ☐ 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. |

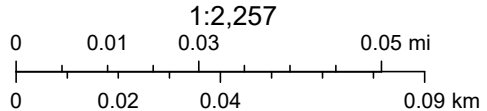
ArcGIS Web AppBuilder

5565 Chicago - 13-05-278-015



1/24/2023, 8:21:49 AM

-  Utility Address Points
-  Apartment
-  Building
-  Site Address Point
-  Condominium
-  Parcels



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

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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: ITALY AMERICAN CONSTRUCTION

Common Description: 5565 CHICAGO

VARIANCE(S) 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.

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 APPEALSSUMMARY OF VARIANCE REQUEST

APPLICANT: ROBERT ROSS
REPRESENTATIVE: ROBERT ROSS
COMMON DESCRIPTION: 21072 BEHRENDT
PARCEL NUMBER: 12-13-32-354-010
ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to erect a front yard fence.

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.

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.

Previous Variance Requested: None.

dwenson, Zoning Inspector 01/04/2023 01/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: ROSS ROBERT

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 4D.08 FENCES, WALLS AND LANDSCAPE SCREENS
IN FRONT YARD BETWEEN BUILDING BUILDING LINE AND
FRONT PROPERTY LINE.

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

11/4/23
#9503

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 ROSS

Address: 21072 BEHRENDT AVE. Telephone: _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (if different) _____

Name of Representative: _____ Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 21072 BEHRENDT AVE.

Parcel I.D. No. (as shown on tax bill): 13-32-354-010

Purpose of Request: FENCE VARIANCE

Please explain the nature of your hardship:

CONSTANT TRESPASSING CAUSING PROPERTY DAMAGE BY
NEIGHBOR

Signature: Robert Ross Date: Jan. 3, 2023

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 ROSS

OF

Address, City, State

Zip

Telephone

THE _____ OF _____

Title of Officer

Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT ROBERT ROSS

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 Robert Ross L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN

COUNTY OF MACOMB

ON THIS 4 DAY OF JANUARY, 2023, BEFORE ME PERSONALLY CAME
Robert Thomas Ross TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT 1 DID SO OF my OWN FREE WILL AND DEED.

CRYSTAL PIERSON

Notary Public, Macomb County, MI
My Commission Expires: 12/18/2023

Crystal Pierson
NOTARY PUBLIC, MACOMB COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 12-18-23

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.

DUE TO NEIGHBOR CONSTANTLY TRESPASSING AND CAUSING
PROPERTY DAMAGE.

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

NEIGHBOR TOLD POLICE HE "NEEDS THE ROOM"

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.

CORNER LOT AND HAS NO PERIMETER FENCING ON NORTHSIDE
TO STOP NEIGHBOR.

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.

SEVERAL NEIGHBORHOOD PROPERTIES HAVE THIS FENCING TO
STOP THIS NUISANCE.

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.

AS STATED WILL STOP TRESPASSING AND PROPERTY DAMAGE

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.

IS NECESSARY SO I CAN ENJOY MY PROPERTY



PLANNING DEPARTMENT

ONE CITY SQUARE, SUITE 315
WARREN, MI 48093-5283
(586) 574-4687
FAX (586) 574-4645
www.cityofwarren.org

DATE: January 19, 2023

TO: Paul Jerzy, Secretary to the Board of Appeals
Everett Murphy, Chief Zoning Inspector
Deborah Wenson, Zoning Inspector

FROM: Ronald F. Wuerth, AICP, Planning Director *RFW*

RE: 21072 Behrendt; Front yard fence

As per Article XX, Board of Appeals, Section 20.29 Impact Statement from the Planning Director, I have been requested to review the above-mentioned item for its impact on the City's general planning principles and other related issues.

My responsibility is to consider the effect of the variance request on pedestrian and vehicular circulation, off-street parking, structural relationship, public utilities, landscaping, accessibility and other site design elements. When a petitioner requests a variance to a Zoning Ordinance regulation, it is my responsibility to consider the overall impact of the variance(s) on the abutting, local or general public as a factor to be considered.

After review of the request, the following issue may impact the abutting, local or general public:

The Planning Department always prefers to preserve the front setback area of any property in the City where possible. It is requested that the fence be constructed no closer than the required 25 ft. from the public sidewalk along the north property line.

It is with this observation that I provide my opinion. Should you have any questions, please contact me at the Planning Department at 586-854-4687

/dwc

FIRE Enforcement | E22-04338**Property Information**

12-13-32-354-010	21072 BEHRENDT	Subdivision:	SUPERVISORS PLAT OF BEHRENDT FARM	
	WARREN MI, 48091	Lot:	34	Block:

Name Information

Owner:	ROSS ROBERT	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	10/03/2022	Date Closed:	Status:
-------------	------------	--------------	---------

Complaint:

FIRE TOOK PLACE: 9-28-22
POST UNSAFE
POST CITY CERTS
MAKE SURE PROPERTY IS SECURE
DOES PROPERTY NEED CLEAN UP?
IF NEEDED, SEND CODE ENFORCEMENT TO DPMI FOR CLEAN UP
UPDATE FLAG
ADD OR UPDATE MISCELLANEOUS DATE

DETACHED GARAGE FIRE. OWNER WILL CONTINUE TO OCCUPY HOUSE JI BLDG 10 4 22

Last Action Date:	Last Inspection:	12/06/2022
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Last Action:

FOLLOW-UP FIRE Inspection | PAUL LIZE

Status:	Scheduled	Result:	
Scheduled:	02/06/2023	Completed:	

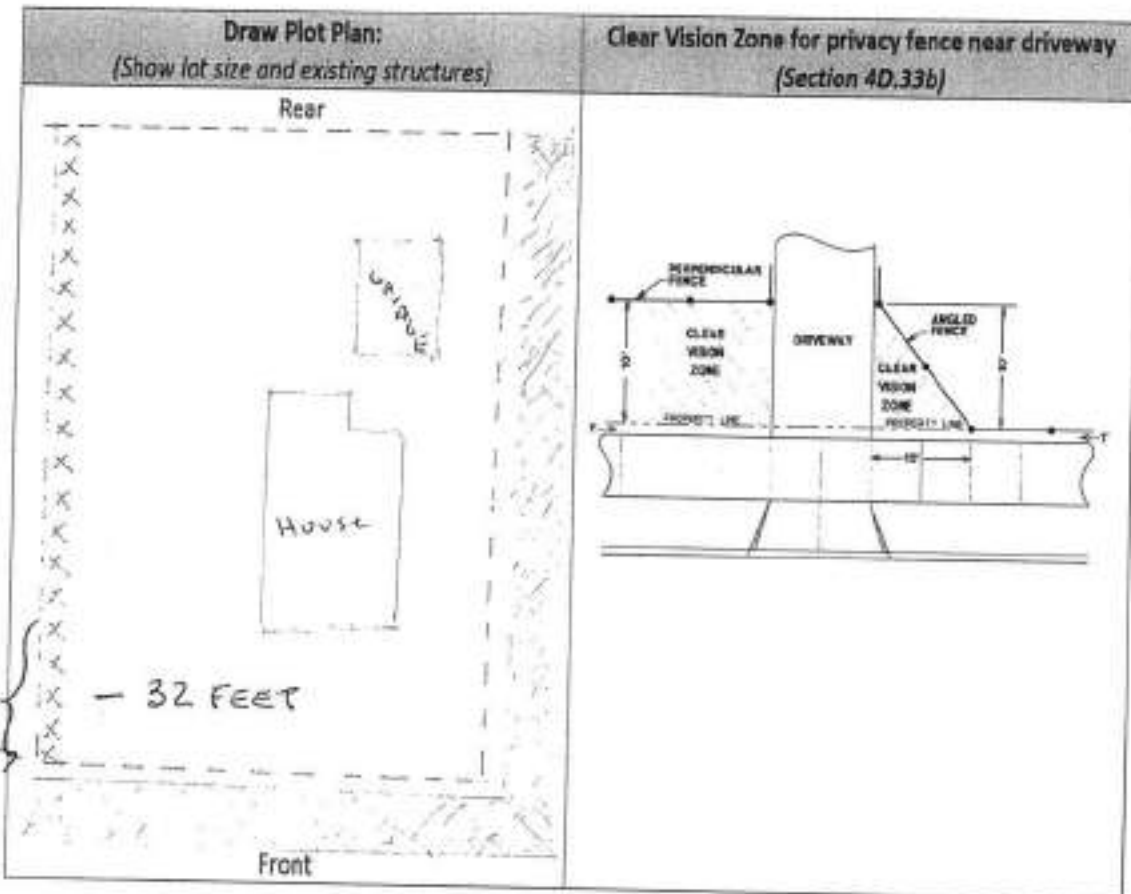
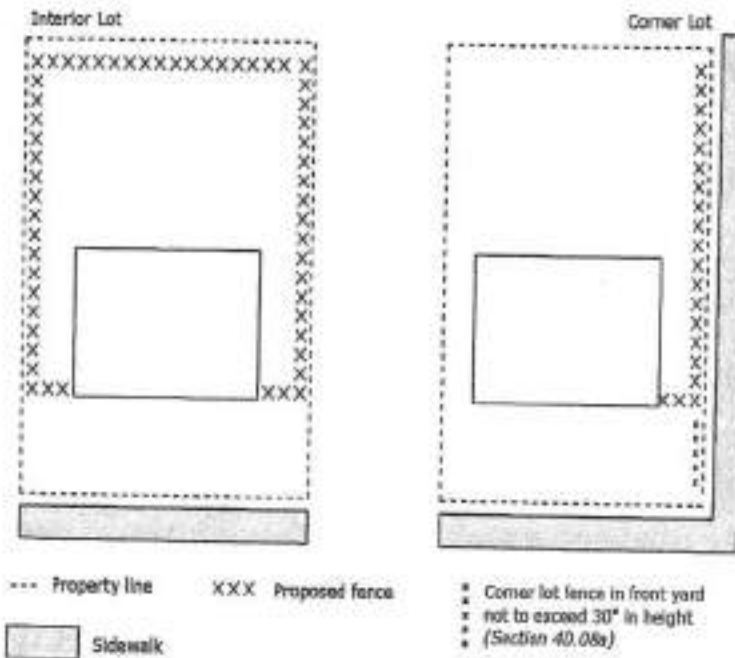
FOLLOW-UP FIRE Inspection | JOHN IMPELLIZZERI

Status:	Completed	Result:	No Change
Scheduled:	12/06/2022	Completed:	12/06/2022

FIRE Inspection | JOHN IMPELLIZZERI

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

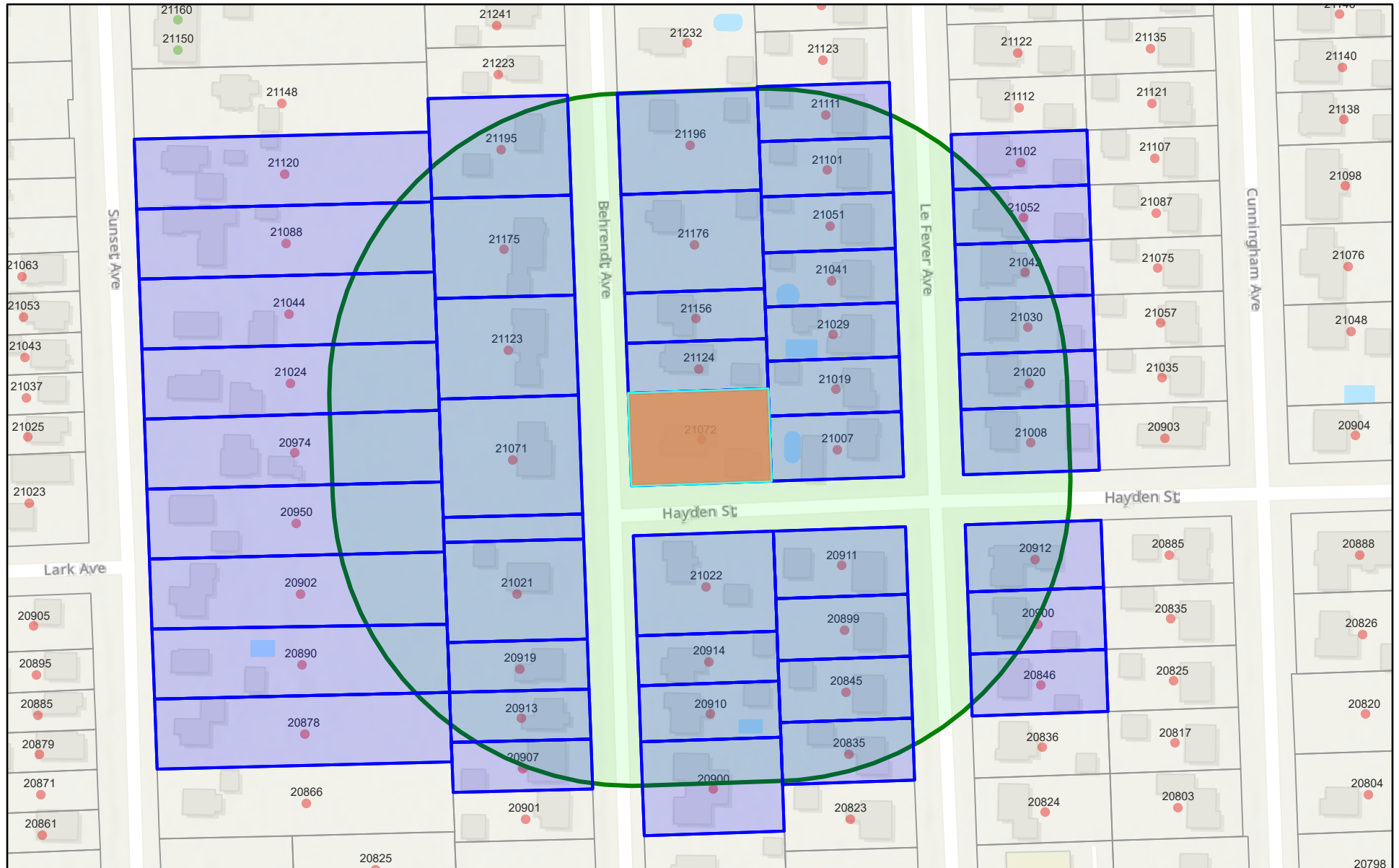
Example Plot Plan



1 WARREN



21072 Behrendt - 13-32-354-010



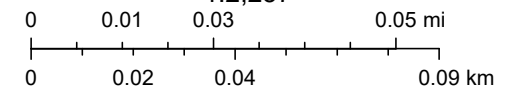
1/24/2023, 8:39:14 AM

Site Address Point

● Building  Parcels

- Apartment

1:2,257



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

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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: ROBERT ROSS
Common Description: 21072 BEHRENDT

VARIANCE(S) 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.

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 APPEALSSUMMARY OF VARIANCE REQUEST

APPLICANT: METRO DETROIT SIGNS

REPRESENTATIVE: KEVIN DETERS AT METRO DETROIT SIGNS

COMMON DESCRIPTION: **4441 EIGHT MILE**

PARCEL NUMBER: 12-13-32-358-016

ZONED DISTRICT: MZ, R-1-P, M-2

REASON: Petitioner wishes to upgrade their 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:
Allow a 3.7 ft. x 19.125 ft. (70.76 sf) wall sign on the south elevation.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 12/27/2022 01/13/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: METRO DETROIT SIGNS

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.25 SIGNS PERMITTED IN COMMERCIAL BUSINESS
& 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

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

CITY OF WARREN
BUILDING DIVISION

Name of Applicant: Metro Detroit Signs

Address: Telephone:

Applicant's Email Address: ☒ prefer email communication

Name and Address of Property Owner (if different) Thomas Murray

Name of Representative: Kevin Deters at Metro Detroit Signs Telephone:

Representative's Address:

Representative's Email Address: ☒ prefer email communication

Address of Property: 4441 Eight Mile Rd Warren, MI 48091

Parcel I.D. No. (as shown on tax bill): 12-13-32-358-016

Purpose of Request: Request to install a 3.7' x 19.125' (70.76 sq foot) wall sign on the south
elevation for Schwartz Machine.

Please explain the nature of your hardship:

The proposed new wall sign is much smaller than the existing 5' x 21' (105 sq foot) wall sign.

The ordinance allows for a 40 sq foot wall sign. A conforming 40 sq foot wall sign would look
disproportionately small on this building which has a large amount of linear frontage at 183 feet.

Signature: Kevin Deters Date: 12/23/22

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 THOMAS MURRAY

Name(s) of Person(s)

OF _____

THE Owner

Title of Officer

OF

Schwartz Machine

Name of Company

Zip

Telephone

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

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 Kevin Deters

Name(s) of Person(s)

THE Project Manager

Title of Officer

OF

Metro Detroit Signs

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

L.S.

SIGNED

L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF MACOMB

ON THIS 27th DAY OF December, 2022, BEFORE ME PERSONALLY CAME
THOMAS MURRAY, 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.

THERESA ANN LICAVOLT
Notary Public, State of Michigan
County of Macomb

My Commission Expires 06-02-2027

Notary in the County of MACOMB

Theresa Ann Licavolt
NOTARY PUBLIC, MACOMB COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 6/2/27

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 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.

Schwartz Machine has a large amount of building frontage (183 feet). As such, a conforming 40 sq foot wall sign would appear disproportionately small on their large building. A larger wall sign is necessary for increased visibility.

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

Schwartz Machine is simply replacing their existing wall sign that is 105 sq feet. That sign was installed decades ago. The ordinance has since changed to allow 40 sq feet for a wall sign. The proposed new sign is actually smaller than the existing one. The need for this variance was not created by the owner. It's just that the ordinance changed since the existing sign was installed

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.

Schwartz Machine has a large amount of building frontage (183 feet). As such, a wall sign larger than 40 sq feet is necessary for increased visibility along B Mile Rd. Also, a conforming 40 sq foot wall sign would appear disproportionately small on their large building.

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.

This variance, if granted, would not affect neighboring businesses at all. We are asking to replace the existing 105 sq foot wall sign with a wall sign that is much smaller at 70.76 sq feet. The proposed new wall sign fits with the building's large frontage (183 feet).

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.

Schwartz Machine is replacing their existing wall sign that is 105 sq feet. That sign was installed before the ordinance changed to allow 40 sq feet of wall signage. This variance is being requested because the proposed new wall sign, even though it is much smaller than their existing sign, is now larger than what the ordinance allows.

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.

It is common for businesses with large frontages to have an appropriate increase in wall signage (e.g., Meijer, Walmart, Family Dollar, etc). An increase in the size of the wall sign here is warranted due to their large amount of building frontage (183 feet).



PLANNING DEPARTMENT

ONE CITY SQUARE, SUITE 315
WARREN, RI 02803-5283
(508) 574-4687
FAX (508) 574-4645
www.cityofwarren.org

DATE: January 25, 2023

TO: Paul Jerzy, Secretary to the Board of Appeals
Everett Murphy, Chief Zoning Inspector
Deborah Wenson, Zoning Inspector

FROM: Ronald F. Wuerth, AICP, Planning Director

RE: 4441 Eight Mile Rd; Signage

As per Article XX, Board of Appeals, Section 20.29 Impact Statement from the Planning Director, I have been requested to review the above-mentioned item for its impact on the City's general planning principles and other related issues.

My responsibility is to consider the effect of the variance request on pedestrian and vehicular circulation, off-street parking, structural relationship, public utilities, landscaping, accessibility and other site design elements. When a petitioner requests a variance to a Zoning Ordinance regulation, it is my responsibility to consider the overall impact of the variance(s) on the abutting, local or general public as a factor to be considered.

After review of the request, no issues were found to impact the abutting, local or general public:

The size of the sign appears to be acceptable for the 183 sq. ft. frontage of the building. The new sign's size of 70.76 sq. ft. is smaller than the existing sign square footage of 105 sq. ft.

It is with this observation that I provide my opinion. Should you have any questions, please contact me at the Planning Department at 508-854-4687.

/dwc

4441 E. Eight Mile Rd.

Schwartz Machine Co.

Request granted at the Meeting of July 28, 1971.

Permission to construct a 16^{ft} x 40^{ft} addition to the rear of an existing building 13 ft from the west property line.

4441

4435 East Eight Mile Rd.

SCHWARTZ MACHINE COMPANY

Permission granted to construct 82.5' X 196' addition to an existing building to within 10' of the front property line. Also, permission to hardsurface to the side street property line for parking purposes from the rear of the existing building to the existing parking lot to the north. Meeting 7/25/73.

4441 Eight Mile Road

Schwartz Machine Co.

Request granted at the Meeting of Jan. 15, 1975 for existing greenbelt along west property line to remain with condition a 6' high chain link fence dipped in green plastic be erected along west property line and north property line, etc.

4441 E. Eight Mile Rd.

July 8, 1992

Schwartz Machine Company

Granted the following:

1. Permission to construct a 40 foot x 50 foot, industrial addition to no less than 15 feet of the west side property line.
2. Permission to retain the existing, hard-surfaced parking to the property line along LeFever.
3. Permission to waive the required greenbelt or masonry wall along the north & west property lines.
4. Permission to waive 2,432 square feet of required, hardsurfaced, off-street parking.

2021 WARREN



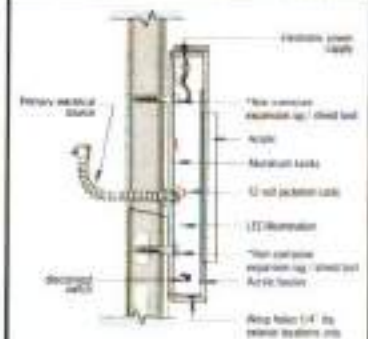


PMS# 188c

PMS# 541c

SIGN DIMENSIONS

PUSH THRU



SCHWARTZ SCHWARTZ MACHINE

SCHWARTZ
Push Thru
White Acrylic

SCHWARTZ MACHINE
1" Deep
Fabricated
Metal
Painted
PMS# 541c

FLAG
3" Deep
Fabricated Metal
Painted PMS# 541c

Pan Depth
3"

Pan Color
PMS# 188c

Illumination
White LED

LISTED



Sales Person: Paul Deters

Drawn By: Connie Foßu

Date: 11/1/2022

File Name: Schwartz Machine 220982.cdr
Wall Sign Pg 1

Revision: 12/19/2022 #2

This drawing and design/layout is the property of Metro Detroit Signs. The use of which in part or in whole is not permitted without prior written consent from Metro Detroit Signs. All rights reserved. Copyright 2018

Customer Signature

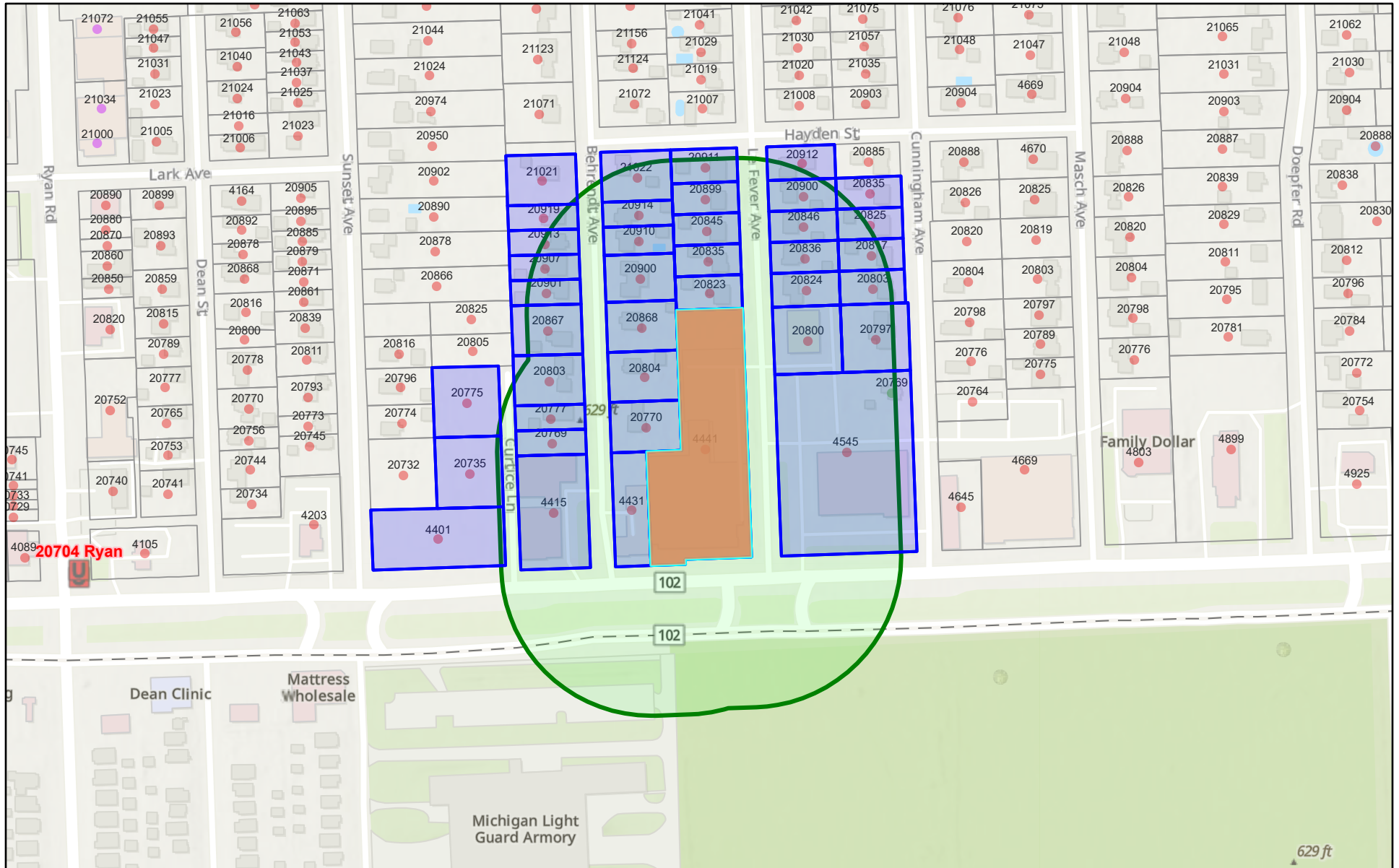
Date

Project Number:
220982



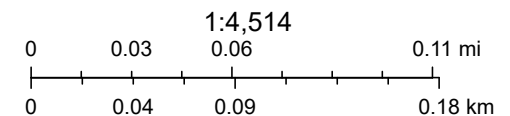
METRO DETROIT SIGNS
11444 E. 11 Mile Ave
Warren, MI 48091
Phone: 586-756-8700
www.metrodetroit.com

4441 Eight Mile - 13-32-358-016



1/24/2023, 8:52:31 AM

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



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

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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: METRO DETROIT SIGNS

Common Description: 4441 EIGHT MILE

VARIANCE(S) REQUESTED: Permission to:

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

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: AVER SIGN COMPANY

REPRESENTATIVE: JENNIFER GLOVER

COMMON DESCRIPTION: 25700 DEQUINDRE

PARCEL NUMBER: 12-13-19-301-029

ZONED DISTRICT: M-2

REASON: Petitioner seeks sign for a new business.

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..

VARIANCES REQUESTED: Permission to:

1. Erect a 28 ft. high ground sign.
2. Erect a 93.77 sf ground sign.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 01/05/2023 01/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: AVER SIGN COMPANY

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.18 HEIGHT
SECTION 4A.35 SIGNS PERMITTED IN COMMERCIAL
BUSINESS& 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

Submittal #365 1/5/23

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

06 JAN 05 2022
CITY OF WARREN
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: Aver Sign Co.

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (if different) Bazco Holding

Name of Representative: Jennifer Glover Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☒ prefer email communication

Address of Property: 25700 Deguindre

Parcel I.D. No. (as shown on tax bill): 12-13-19-301-029

Purpose of Request: To allow relief of 13 sq ft, overage in signage
8' height overage for gas price pole sign.

Please explain the nature of your hardship:

Due to the BP brand specific Standards ^{that} are required,
the chillbox and invigorate panel take sq ft away
from the product display sq ft. The business should
be allowed to have the same competitive edge as any
other fueling station in Warren & Macomb County & display all
products offered

Signature: _____ Date: 1-5-22

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 ALY BAZZ
Name(s) of Person(s)
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE member OF BARCO HOLDINGS, LLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I
I/We/I
_____/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 Jennifer Glover
Name(s) of Person(s)
THE Permit Agent OF Aver Sign Co.
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 [Signature] L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 27 DAY OF December, 2022 BEFORE ME PERSONALLY CAME
ALY BAZZ, 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.

LEANNE M. PROVO
Notary Public, State of Michigan
County of Macomb
My Commission Expires Jul 11, 2023
Acting in the County of Macomb

[Signature]
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 7-11-2023

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.



January 4, 2023

City of Warren

Zoning Board of Appeals

One City Square

Warren, MI 48092

Re: Answers to hardship for 25700 Dequindre

1. **Nature of Hardship:** Due to the BP brand specific standards that are required, the Chillbox and invigorate panels are a requirement for the brand. This station will be offering 4 different fuel types and as a business in the City of Warren they should be allowed to display the items they offer thus allowing this new station the same competitive edge as any other station in the City of Warren. The road is heavily trafficked and has a speed limit of 40 MPH. There doesn't appear to be a lot of residential dwellings. It's mostly industrial, machine shops, and retail.

Worksheet #1

Non-use variance; practical difficulty standard: Strict compliance with the height requirements would cause a safety issue for the public. Strict compliance with the height requirements, would reduce the product display to an unreadable size, thus causing potential accidents. Reducing the sign panels and digits could result in potential accidents from drivers trying to read the sign.

Not self-imposed: The condition is from the City's sign ordinance and the requirements the city imposes on the potential new business within the City of Warren.

Property unique: This property is located with in a 100' of the 696 exit ramp and within 300' of 696 itself. Due to the Hotel next door and the other high-rise style of buildings, our location is hidden behind and unable to be seen by the adjacent highway and surrounding buildings. Allowing the sign, we are requesting gives this new business the same vision as other business in the area. Our building/business will have the same opportunity as the other business within the zone/area.

Not a detriment: Granting the variance is not a detriment as this area is mostly industrial, manufacturing, and service. The closest residential area to the north is over 700' away and across the highway over 1000'. The safety concern is, if forced to reduce the size of the sign with the higher rate of speed in the area will cause a unsafe situation. According to the DMV the recommended stopping

distance when traveling at approx. 45 MPH the distance to stop safely is 124 feet. Dequindre road in front of the new business is 40 MPH a safe stopping distance is going to be approximately 100 feet. Small signage will be much harder to see causing the stopping distance to be hindered and causing a more safety concern.

Not personal or economic: The station sits much further back than most businesses in this area. This is not a personal or economic as the business owner is simply trying to have the same competitive edge as any other business in this area/zone. Fueling stations have the right to display their products and prices. But also, must comply with the brand imaging as a requirement to sell that brand of petrol.

Necessary: The product/price sign is a requirement in today's day for customers to be able to make the best decision for their needs, since this location will offer unique products and discounts. The owner is trying to open a nice new/clean station that will offer more than fuel but they will also be offering food products as well. The sign is necessary because of how far back the business sits. It is hard to see from the north and south direction of the Dequindre Road. And definitely won't/can't be seen from the I-75 highway.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer Glover', with a long horizontal flourish extending to the right.

Jennifer Glover

Permit Agent

Aver Sign Company



PLANNING DEPARTMENT

ONE CITY SQUARE, SUITE 315
WARREN, MI 48093-5283
(586) 574-4687
FAX (586) 574-4645
www.cityofwarren.org

DATE: January 25, 2023

TO: Paul Jerzy, Secretary to the Board of Appeals
Everett Murphy, Chief Zoning Inspector
Deborah Wenson, Zoning Inspector

FROM: Ronald F. Wuertth, AICP, Planning Director 

RE: 25700 Dequindre Rd; Signage

As per Article XX, Board of Appeals, Section 20.29 Impact Statement from the Planning Director, I have been requested to review the above-mentioned item for its impact on the City's general planning principles and other related issues.

My responsibility is to consider the effect of the variance request on pedestrian and vehicular circulation, off-street parking, structural relationship, public utilities, landscaping, accessibility and other site design elements. When a petitioner requests a variance to a Zoning Ordinance regulation, it is my responsibility to consider the overall impact of the variance(s) on the abutting, local or general public as a factor to be considered.

After review of the request, the following issues were found to impact the abutting, local or general public:

Two factors exist. Sign height and square footage, both of which are more than the requirement. If the bottom three (3) panels (two green, one white) are removed then the height is lowered to approximately 25 ft. Also in removing the panels, the square footage is reduced to approximately 77.57 sq. ft. that almost meets the requirement of 75 sq. ft.

It is with this observation that I provide my opinion. Should you have any questions, please contact me at the Planning Department at 586-854-4687

/dwc

25700 Dequindre

PIED PIPER PIZZA PARLOR

GRANTED permission at ; he meeting of
6/14/78 to construct a 70' x 145' building to
within 25' of the front property line. *PARKING*
25' OF DEQ.

25700 Dequindre Road

Bob Evans Farms, Inc.

Granted permission at the meeting of 1-14-87 to
erect a 4' x 6' (24 sq. ft.), ground sign,
indicating Bob Evans' entrance, no higher than
4' high including the sign, to no less than
28' of the property line along Dequindre Road.

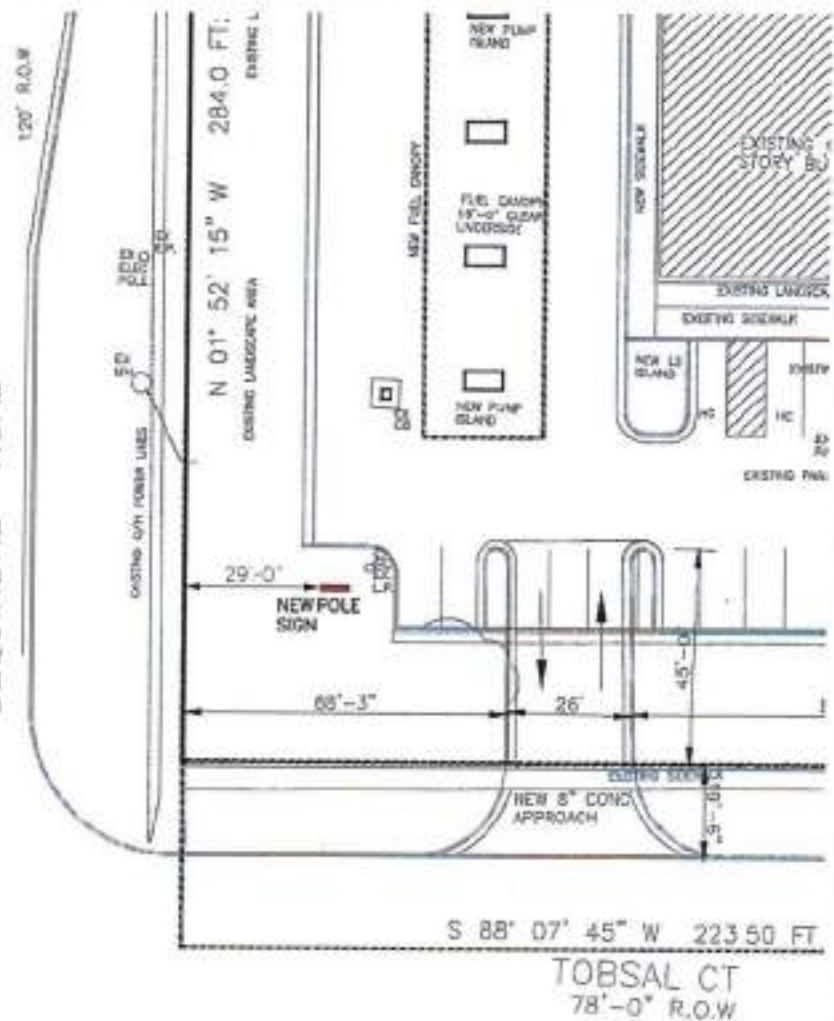
25700 Dequindre

1/12/05

BOB EVANS RESTAURANT/STEPHEN WAREHIME,
SENIOR VICE PRESIDENT, 25700 Dequindre, Also Known
As 13-19-301-029 - **GRANTED** request to re-erect two (2)
wall signs, one (1) sign on the face of the building 14' x 4.7'
(66 sq. ft.) and one (1) sign 14' x 3.1' (44 sq. ft.) on the side
(south) of this renovated building on Dequindre. Additional
wall signage requested 110 sq. ft. total.



DEQUINDRE ROAD



25700 DEQUINDRE WARREN, MI 48091 [Property Address]
 Parcel Number: 12-13-19-301-029 Account Number: 306920924
 SEC 19; COM AT W 1/4 POST SEC 19; TH S01°52'15"E
 502.21 FT ALG W SEC LINE; TH N88°07'45"E60.0 FT TO POB;
 TH CONT N88°- 07'45"E 223.50 FT; TH S01°52'-15"E 284.0 FT;
 TH S88°07'45"W 223.50 FT ALG C/L TOBSAL CT;
 TH N01°52'15"W 284.0 FT ALG E R/W LINE OF
 DEQUINDRE RD TO POB. 1,257 A.

Aver
SIGN COMPANY

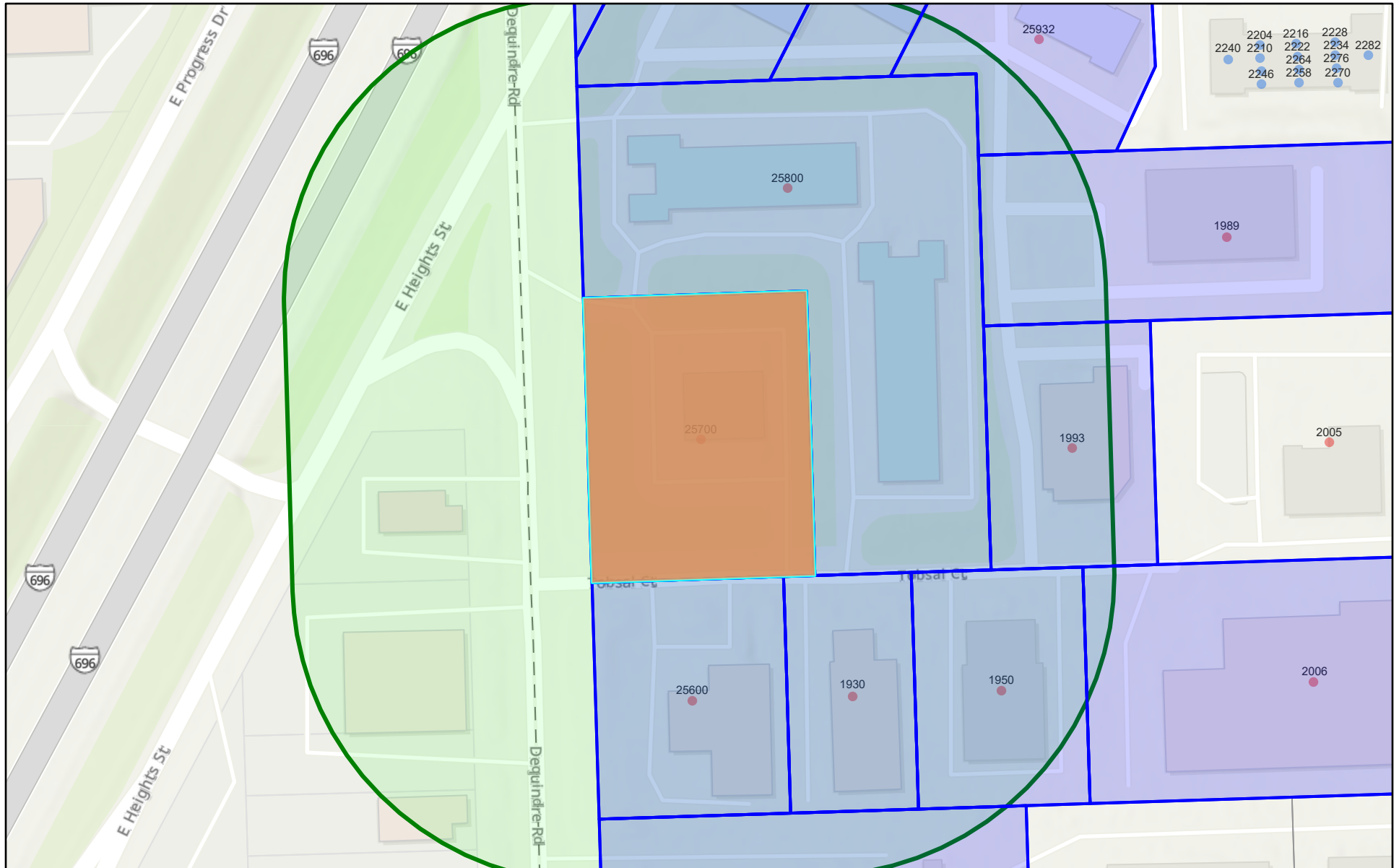
88.0 sqft total signage

Customer:

Site Address:

WC#: Rev Date:

25700 Dequindre - 13-19-301-029



1/24/2023, 10:08:07 AM

Site Address Point



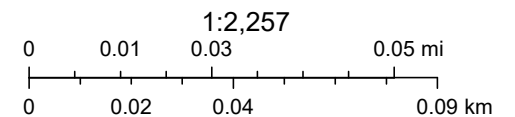
Condominium



Parcels



Building



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

ArcGIS Web AppBuilder

Esri Community Maps Contributors, Province of Ontario, Oakland County, Michigan, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN,



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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: AVER SIGN COMPANY

Common Description: 25700 DEQUINDRE

VARIANCE(S) REQUESTED: Permission to:

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

CITY OF WARREN

ZONING BOARD OF APPEALSSUMMARY OF VARIANCE REQUEST

APPLICANT: GARDNER SIGNS INC C/O OSHKOSH DEFENSE

REPRESENTATIVE: MIA ASTA

COMMON DESCRIPTION: **6123 THIRTEEN MILE**

PARCEL NUMBER: 12-13-04-351-017

ZONED DISTRICT: M-2

REASON: Petitioner wishes to erect a 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.

VARIANCES REQUESTED: Permission to:
Erect a 7 ft.4 in. monument sign.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 12/19/2022 01/10/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: GARDNER SIGNS INC C/O OSHKOSH DEFENSE

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.11 SPECIFIC SIGN DEFINITIONS.

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

12/15/2008
12/15/08
12/15/08
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: GARDNER SIGNS INC. 910 DSHAKSH DEFENSE

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☐ prefer email communication

Name and Address of Property Owner (if different) KEHP E SHERMAN CO

Name of Representative: HIA ASTA Telephone: _____

Representative's Address _____

Representative's Email Address: _____ ☒ prefer email communication

Address of Property: 6123 E. THIRTEEN MILE RD.

Parcel I.D. No. (as shown on tax bill): 12-13-04-351-017

Purpose of Request: REQUEST (1) HIGHWAY SIGN @ 7'-4" HGT.
2'-4" OVER 5' MAX HEIGHT

Please explain the nature of your hardship:

Visibility when traveling EAST or WEST on
the divided road hinders the visibility w/
the existing code of 5' requiring faster at the
20' set back.

Signature

[Handwritten Signature]

Date:

12/08/2008

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 KEMP & SHERMAN CO

OF

THE OWNER OF
Title of Officer

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 Mia Asta
Name(s) of Person(s)

THE Project Manager OF Gardner Signs Inc
Title of Officer

O

telephone

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

SIGNED Edward Sherman L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Oakland

ON THIS 15th DAY OF December, 2022, BEFORE ME PERSONALLY CAME
Edward Sherman, 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.

LORI SMITH
Notary Public, State of Michigan
County of Oakland
My Commission Expires Dec. 21, 2025

Lori Smith
NOTARY PUBLIC, Oakland COUNTY, MICHIGAN
MY COMMISSION EXPIRES 12-21-2025

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.

The visibility of the sign (monument) at 0.5' height max allowed per code, using existing footer at a 20' setback ~~would~~ not allow for full visibility of sign. The request for 7'-4" at 20' setback would enable improved visibility.

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

Footer was existing.

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 is unique as it sits on a divided road, but at a curve. There are many mature trees on the property as well upon approachment.

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.

Requested sign is non-illuminated internally. Only light is from two existing up lights. No additional "glow" would be present.

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 unique feature is there is an existing footer to accept new sign.

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.

Recycle of the existing footer/base keeps property and land of which sign will be placed intact. No new masonry or electrical of any kind to take away from natural ground.

6115/6123 Thirteen Mile Road

10/28/98

Also known as 13-04-051-017

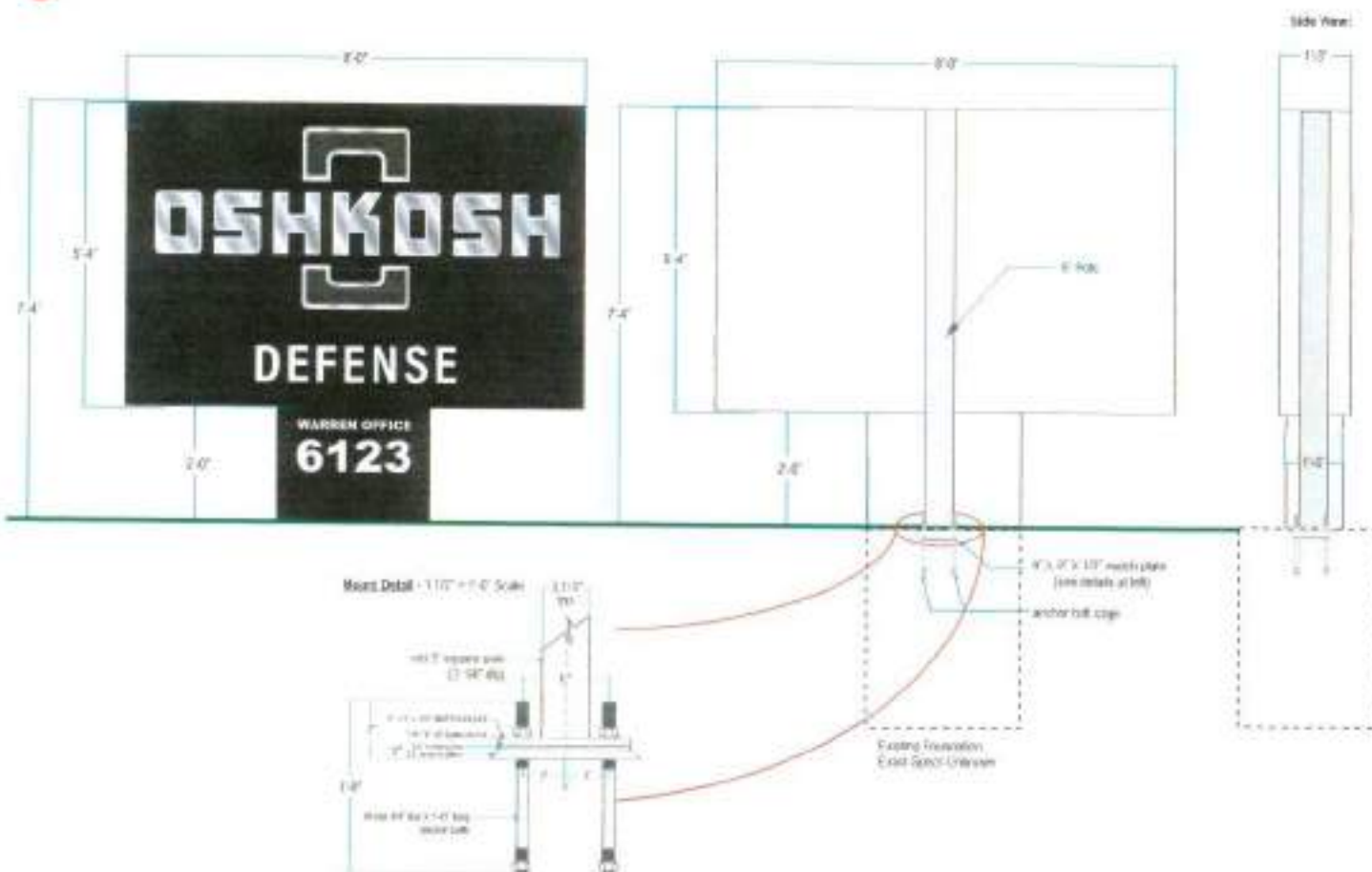
Kemp & Sherman, Co., - GRANTED permission to allow two on premise ground signs - one (1) monument sign 10'x4' (40 sq.ft.), six (6) foot high to no less than ten (10) feet from the Thirteen Mile Road property line. One (1) ground sign 3'x 3' (9 sq.ft.) four (4) foot high, with a twelve (12) inch underclearance, to no less than ten (10) feet from the Thirteen Mile Road property line.

2021 WARREN



Non-Illuminated Ground Sign

A



Free-Standing Double Sided Sign attached to existing footer
Qty: 1 - 8'0" x 7'4" x 1'0" Scale
I.D. Cabinet:
Non-Illuminated Aluminum Cabinet
Flat Surface Cut vinyl for 1. application
Print and Paint Cabinet Black
Cut White Vinyl Letters & Logos
Footer:
One existing Concrete Foundation
Full Survey Required



Gardner
signs

Flamingo
SIGNS

JOB INFORMATION
CLIENT: Oshkosh Defense
PROJECT: Non-Illuminated Ground Sign
LOCATION: 6123 E Thirteen Mile Rd
Warren MI 48092
COUNTY: Oakland County
SALESPERSON: Mia Arita

DESIGN INFORMATION
SCALE: As Shown
DESIGNER: sdb
DATE: 08/09/2022
REVISIONS: 08/15/2022 08/17/2022 08/18/2022
10/17/2022
FILE: OshkoshDefense_6123 E Thirteen Mile Rd Warren 48092

DESIGNS AND COLOR RENDERINGS OTHERWISE CREDITED BY
GARDNER SIGNS, INC. SUBMITTED FOR YOUR USE
WITH THIS DOCUMENT ARE NOT TO BE REPRODUCED
OR COPIED, EITHER WHOLLY OR IN PART, IN ANY
MANNER WITHOUT THE WRITTEN PERMISSION OF
GARDNER SIGNS, INC. THE EXCLUSIVE PROPERTY OF
GARDNER SIGNS, INC.

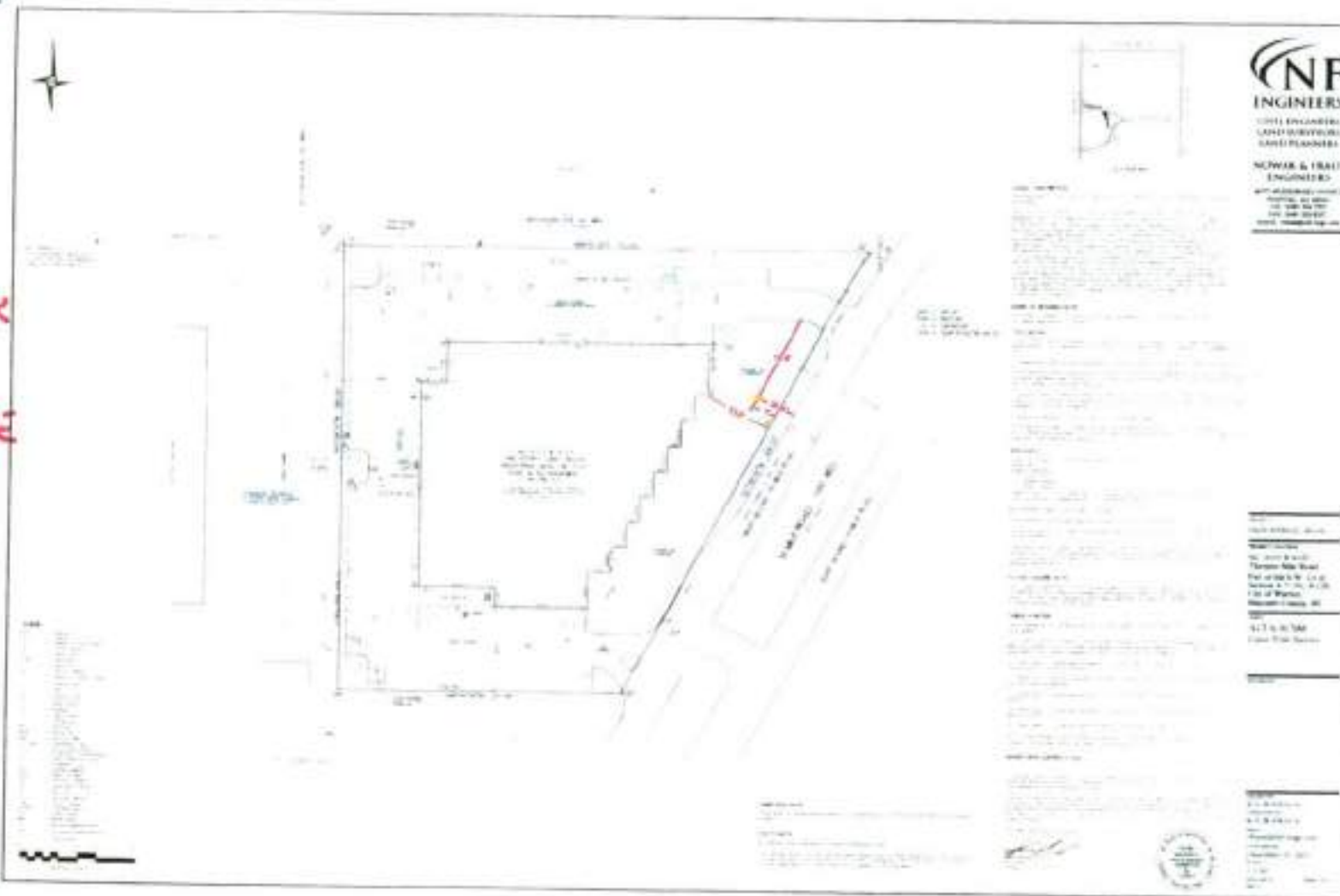
COLORS CONTAINED WITHIN THIS
RENDERING MAY VARY SLIGHTLY
FROM THE ACTUAL FINISHED
PRODUCT DUE TO COMPUTER AND
PRINTER OUTPUT LIMITATIONS.

CLIENT AUTHORIZATION

SIGNED BY:

DATE:

SIGN SETBACK
15' FROM
PROPERTY LINE
20' FROM
CURB



CF
ENGINEERS
CIVIL ENGINEERING
LAND SURVEYING
LAND PLANNING
SPECIALTY & TRAFFIC
ENGINEERING
1000 N. 10th St., Suite 100
Tulsa, OK 74103
Phone: (918) 438-1111
Fax: (918) 438-1112
www.cfengineers.com

Gardner
signs

Fluor
SIGNS

JOB INFORMATION
CLIENT: Oakbrook Defense
PROJECT: Site Plan
LOCATION: 5123 E. Thornton Mill Rd
Warren MI 48092
COUNTY: Oakland County
SALESPERSON: Mia Aske

DESIGN INFORMATION
SCALE: N/A
DESIGNER: SAS
DATE: 08/03/2022
REVISIONS: 08/15/2022 08/17/2022 08/18/2022 11/28/2022
FILE: OakbrookDefense_5123 E ThorntonMillWarren48092

CLIENT AUTHORIZATION

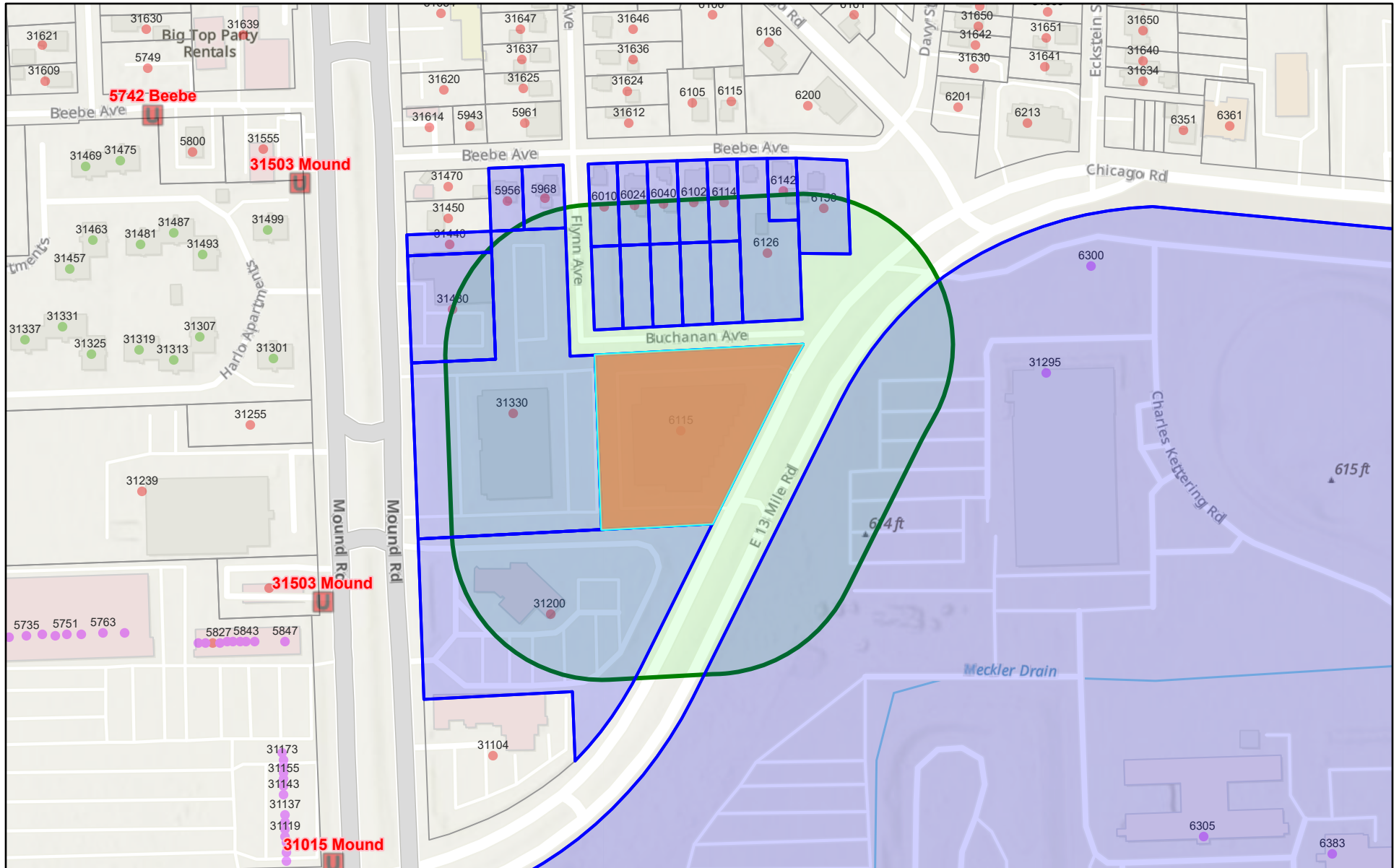
SIGNED BY:

DATE:

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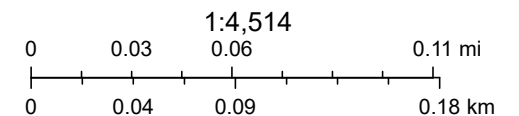
COLORS CONTAINED WITHIN THIS RENDERING MAY VARY SLIGHTLY FROM THE ACTUAL FINISHED PRODUCT DUE TO COMPUTER AND PRINTER OUTPUT LIMITATIONS.

6123 Thirteen Mile - 13-04-351-017



1/24/2023, 8:30:31 AM

- Utility Address Points
- Apartment
- Building
- Multi-Business
- Parcels



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

ArcGIS Web AppBuilder

Esri Community Maps Contributors, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN, Parks Canada | Southeast

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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: GARDNER SIGNS INC. C/O OSHKOSH DEFENSE

Common Description: 6123 THIRTEEN MILE

VARIANCE(S) REQUESTED: Permission to:

Erect a 7 ft. 4 in. monument 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

CITY OF WARREN

ZONING BOARD OF APPEALSSUMMARY OF VARIANCE REQUEST

APPLICANT: YASSER SALEM
REPRESENTATIVE: AHMED AHMED
COMMON DESCRIPTION: **26439 HOOVER**
PARCEL NUMBER: 12-13-22-226-037
ZONED DISTRICT: MZ, C-1, C-2, R-1-P, P

REASON: Petitioner wishes to erect a wall sign for their new business.

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.

VARIANCES REQUESTED: Permission to:

Erect a 117 sf wall sign.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 01/03/2023 01/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: YASSER SALEM

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.27 SHOPPING CENTERS

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

Signature
#250
1/3/2023

16 PLANS BEING SUBMITTED MUST BE PRE-FOLDED
A COPY OF ALL DOCUMENTS MUST BE SUBMITTED ELECTRONICALLY FOR
COMMERCIAL SUBMISSIONS

P A I
JAN 03 2023
CITY OF WARREN
BUILDING DIVISION

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Yasser Salem

Address: _____

Applicant's Email Address: _____ prefer email communication

Name and Address of Property Owner (if different) Hoover Eleven Holdings, LLC

Name of Representative: Ahmed Ahmed Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ prefer email communication

Address of Property: 26439 Hoover Rd. Warren MI 48089

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

Purpose of Request: We want to install a bigger signage because our frontal facade area accommodate for a larger sign. City allowance is only 40 square footage which would be too small for our signage space

Please explain the nature of your hardship:

The Setback for the sign would be too small for customers traffic from the street. Based on the City allowance square footage for the sign, it would be difficult for consumers to read.

Signature: [Signature] Date: 12/20/2022

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 Howard Arnberg
Name(s) of Person(s)
OF 2607 MICHIGAN FREEWAY, SUITE 120, TROY, MI 48063
Address, City, State Zip Telephone
THE Manager-Member OF Hoover Eleven Holdings, 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 MADE TO THE CITY OF WARREN,
MACOMB COUNTY, MICHIGAN IN A:

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Ahmed Ahmed
Name(s) of Person(s)
THE Manager OF Hair Colosseum
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 _____ L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF ~~MICHIGAN~~ Florida
COUNTY OF Broward



ON THIS 19 DAY OF December, 2022, BEFORE ME PERSONALLY CAME
Howard Arnberg, 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.

Sarah Ann Mandel
NOTARY PUBLIC, Broward COUNTY, MICHIGAN Florida
MY COMMISSION EXPIRES: 6/4/25

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.

The condition was not created by previous owner because it was one suit. Our business occupies two suits as one business. By granting the variance for a larger sign would help customers see the business name.

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 has a unique Shopping Center that provides more consumer traffic with a variety of businesses

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.

Sign design is Channel letter sign on raceway that is internal LED and will not obstruct drivers or impair property value

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 request is related to the front space of the building to the Hoover Rd, that is the front of the building space.

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 variance is necessary for a larger sign square footage that would be cohesive to the existing tenants in the Shopping Center such as Harbor Freight, Shopper World, etc.



PLANNING DEPARTMENT

ONE CITY SQUARE, SUITE 315
WARREN, MI 48093-5283
(586) 574-4687
FAX (586) 574-4645
www.cityofwarren.org

DATE: January 18, 2023

TO: Paul Jerzy, Secretary to the Board of Appeals
Everett Murphy, Chief Zoning Inspector
Deborah Wenson, Zoning Inspector

FROM: Ronald F. Wuerth, AICP, Planning Director 

RE: 26439 Hoover; Signage; Colosseum Beauty Supply

As per Article XX, Board of Appeals, Section 20.29 Impact Statement from the Planning Director, I have been requested to review the above-mentioned item for its impact on the City's general planning principles and other related issues.

My responsibility is to consider the effect of the variance request on pedestrian and vehicular circulation, off-street parking, structural relationship, public utilities, landscaping, accessibility and other site design elements. When a petitioner requests a variance to a Zoning Ordinance regulation, it is my responsibility to consider the overall impact of the variance(s) on the abutting, local or general public as a factor to be considered.

After review of the request, the following issue may impact the abutting, local or general public:

1. It is understandable that 40 sq. ft. is too small for this size of the store front. The petitioner requests almost three times the required square footage at 117 sq. ft. I would recommend twice the size of the required 40 sq. ft. to 79.5 sq. ft. Reduce both widths of signs from 24 inches to 18 inches for the word "Colosseum" and 36 inches to 30 inches for the words "Beauty Supply."

It is with this observation that I provide my opinion. Should you have any questions, please contact me at the Planning Department at 586-854-4687

/dwc

26439 HOOVER

10/22/2020

LEGAL DESCRIPTION: 12-13-22-226-037

VARIANCES REQUESTED: Permission to

- 1) Allow two temporary signs per month for 3 months seasonally (from August 15th through November 1st each year)
- 2) Allow oversized temporary (banner) signs:
 - a. 4 ft. x 40 ft. = 120 square ft. banner on the front (east) elevation.
 - b. 4 ft. x 20 ft. = 80 square ft. banner on the side (south) elevation.

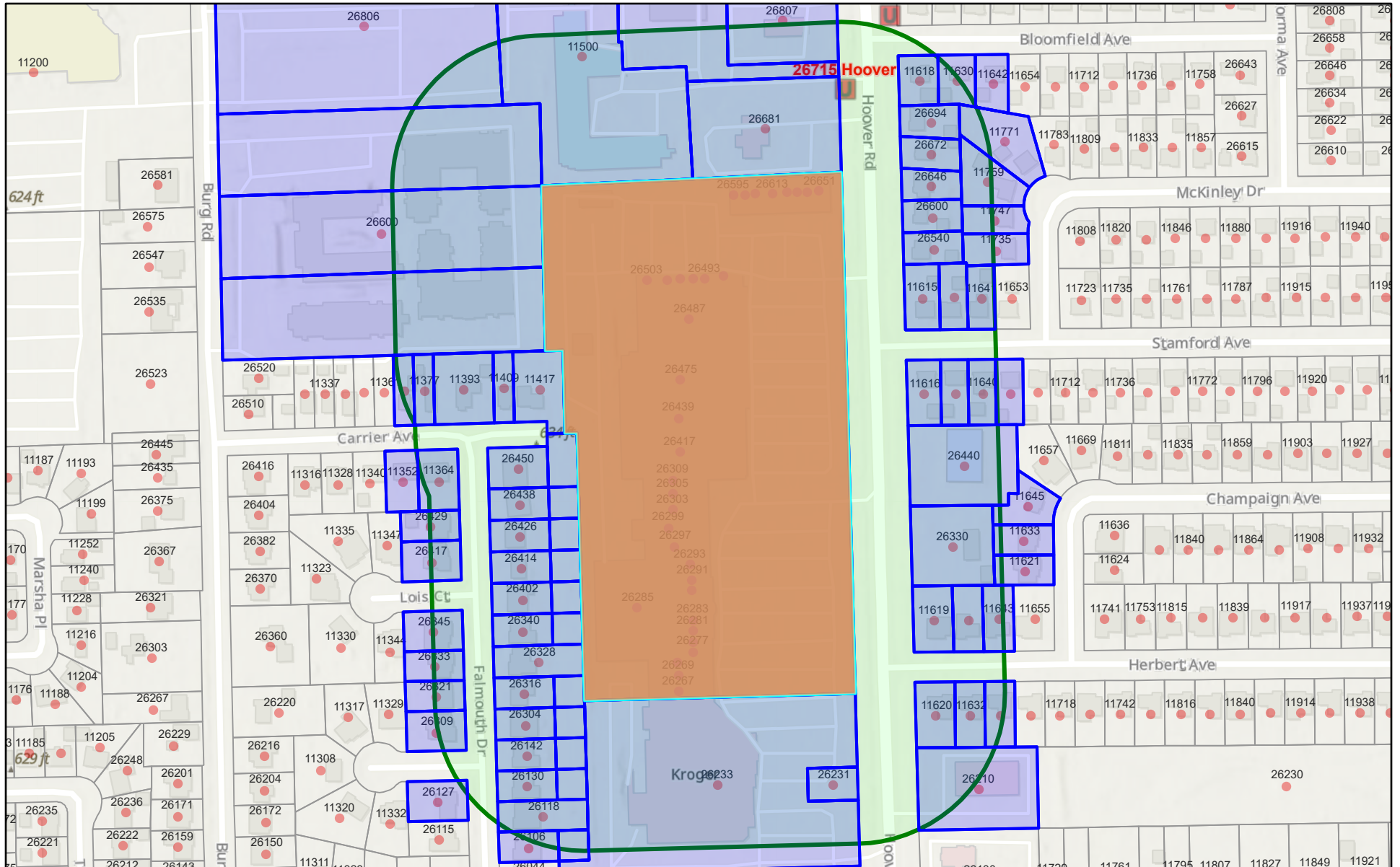
Total temporary signage is 200 square ft.

The petitioner's request was **APPROVED** with the following changes: For item 1, "each year" has been removed and replaced with "**2020 only.**" Item 2, now reads 4 ft. x **30** ft. = 120 square ft.

2021 WARREN

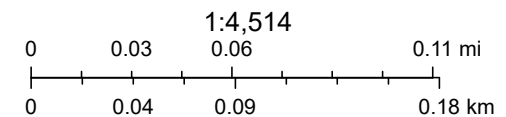


26439 Hoover - 13-22-226-037



1/24/2023, 10:17:46 AM

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



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

ArcGIS Web AppBuilder

Esri Community Maps Contributors, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN, Parks Canada | Southeast



SIGN PERMIT PACKET FOR...

Colosseum Beauty Supply

26439 Hoover Rd Warren, MI 48089

SITE AERIAL ELEVATION VIEW



BUILDING
TOTAL SQ FT
2420



-  Colosseum Beauty Supply Location
-  Building Premises
-  Building Dimensions

JOB NAME
Colosseum Beauty
Supply

ADDRESS
26439 Hoover Rd
Warren, MI 48089

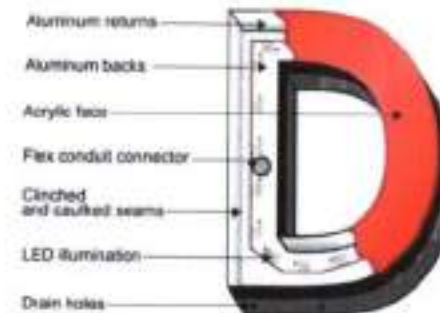
SHEET TITLE
Aerial

SEAL

SIGN DIMENSIONS



SIGN
TOTAL SQ FT
117



FRONT VIEW

JOB NAME	ADDRESS	SHEET TITLE	SEAL
Colosseum Beauty Supply	26439 Hoover Rd Warren, MI 48089	Sign Dimensions	

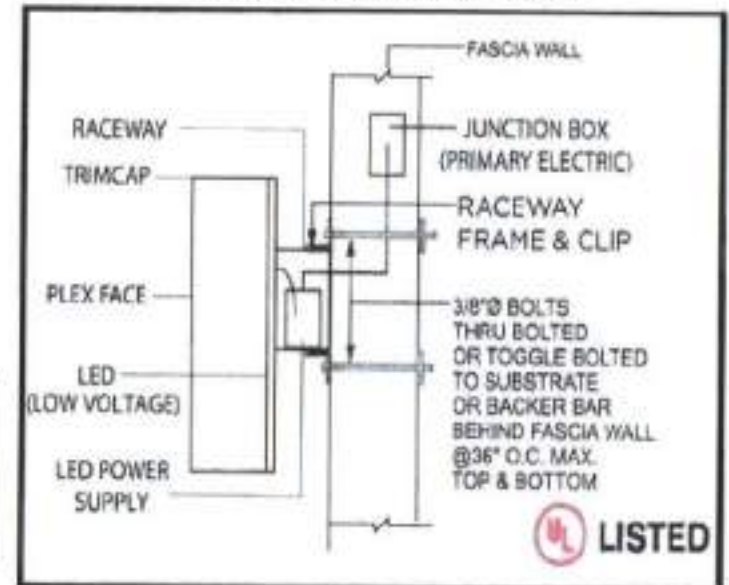


COLOSSEUM BEAUTY SUPPLY

SIGN
TOTAL SQ FT
117

INSTALLATION

SIGN MOUNTING DETAILS



JOB NAME
Colosseum Beauty
Supply

ADDRESS
26439 Hoover Rd
Warren, MI 48089

SHEET TITLE
Sign
Installation

SEAL

EXISTING SIGNS - ILLUSTRATIONS

INFORMATIONAL PURPOSE

Existing Sign in the Plaza for Comparison



JOB NAME
Colosseum Beauty
Supply

ADDRESS
26439 Hoover Rd
Warren, MI 48089

SHEET TITLE
Existing Signs
In Plaza

SEAL



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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: YASSER SALEM
Common Description: 26439 HOOVER
VARIANCE(S) REQUESTED: Permission to:
Erect a 117 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

CITY OF WARREN

ZONING BOARD OF APPEALS - USESUMMARY OF VARIANCE REQUEST

APPLICANT: DENNIS KRESTEL

REPRESENTATIVE: SALVATORE RANDAZZO

COMMON DESCRIPTION: 13441 THIRTEEN MILE

PARCEL NUMBER: 12-13-02-481-020

ZONED DISTRICT: MZ, C-1, P

REASON: Petitioner seeking variances related to permanent outdoor retail sales.

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: 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 22ft., 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.

VARIANCES REQUESTED: Permission to:

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 1783 sf 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.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 12/20/2022 01/13/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: DENNIS KRESTEL

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
SECTION 13.04 FRONT YARD
SECTION 16.02 LIMITATION OF THE USE.

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

(parking stripping)
non-usk

PLEASE PRINT OR TYPE

Name of Applicant:

Mr. Salvatore Randazzo

Address:

Telephone:

Applicant's Email Address:

prefer email communication

Name and Address of Property Owner (if different)

Name of Representative:

Dennis Kreitel

Telephone:

Representative's Address:

Representative's Email Address:

prefer email communication

Address of Property:

13441 Thirteen Mile Warren, Mi. 48088

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

12-13-02-481-020

Purpose of Request:

Revise existing parking lot stripping
as shown on site plan where required.

Please explain the nature of your hardship:

Existing cross access and parking agreements with
CVS drug store, existing planting islands and the
two existing driveways off 13 mile road as well
as an area for snow storage have restricted the
parking layout and in particular, stall lengths, to that proposed

Signature:

Dennis D. Kreitel

Date:

12-19-2022

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

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 (*Use Variance*)
land

PLEASE PRINT OR TYPE

Name of Applicant: Mr. Salvatore Randazzo

Address: _____ Telephone: _____

Applicant: _____ refer email communication

Name and Address of Property Owner (if different) _____

Name of Representative: Dennis Krutts Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☒ prefer email communication

Address of Property: _____

Parcel I.D. No. (as shown on tax bill): 12-13-02-481-020

Purpose of Request: Outdoor Sales area Use Variance.

Please explain the nature of your hardship:

seeking permanent approval of the two outdoor
sales areas to avoid yearly applications
required in the past.

Signature: Dennis D. Krutts Date: 12-19-2020

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 Salvatore Randazzo

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

THE C.E.O OF Randazzo Fresh Market
Title of Officer Name of Company

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

_____/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 Dennis Krester
Name(s) of Person(s)

THE Partner Architects OF Garido Architects
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.

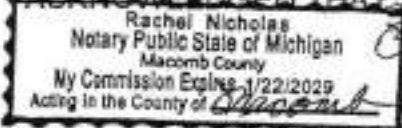
SIGNED *, [Signature] L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 9th DAY OF January, 2023, BEFORE ME PERSONALLY CAME
Salvatore Randazzo TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT Salvatore DID SO OF his OWN FREE WILL AND DEED.



Rachel Nicholas
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: January 22, 2029

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.

Parking in the existing 30' w. "P District" would be limited to 10' wide parallel spaces with a 20' two way drive. Ingress and egress to these spaces would be unsafe due to existing deliveries on either side and may not be approved by the road commission.

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 "P District" area of 30' w. and along the existing store frontage has existed since the bldg. was built and has been approved yearly for outdoor sales. The outdoor sales area on the east side of the bldg. has been approved yearly for outdoor sales but is revised to meet dimensions shown on the site plan.

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 "P District" is unique and especially at 30' w. in this location seems unreasonable to be considered for parking only.

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 granting of the variance will not be a detriment to nearby properties and both the proposed outdoor sales areas when laid out as shown on the site plan will not cause public safety concerns.

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

The variance is seeking permanent use of the two outdoor sales areas that have existed since the store's opening and has been approved yearly for the use by the customers and allowing for seasonal product selection for their needs.

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.

Compliance of parking stall dimensions, particularly stall lengths of some parking rows is not safe given the existing drive location, off of 13 mile road, do not work well with existing planting islands

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 similar layout has existed for many years without any traffic or safety issues.

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.

Existing conditions have created a unique stripping layout

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.

This variance will not be a detriment to nearby property owners and when modified as shown on the site plan 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.

The variance request is related to aforementioned unique features

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 variance is necessary to provide safe traffic and pedestrian movement given the properties unique features.



PLANNING DEPARTMENT

ONE CITY SQUARE, SUITE 315
WARREN, MI 48093-5283
(586) 574-4687
FAX (586) 574-4645
www.cityofwarren.org

DATE: January 25, 2023

TO: Paul Jerzy, Secretary to the Board of Appeals
Everett Murphy, Chief Zoning Inspector
Deborah Wenson, Zoning Inspector

FROM: Ronald F. Wuerth, AICP, Planning Director 

RE: 13441 Thirteen Mile Rd – Permanent Outdoor Sales

As per Article XX, Board of Appeals, Section 20.29 Impact Statement from the Planning Director, I have been requested to review the above mentioned item for its impact on the City's general planning principles and other related issues.

My responsibility is to consider the effect of the variance request on pedestrian and vehicular circulation, off-street parking, structural relationship, public utilities, landscaping, accessibility and other site design elements. When a petitioner requests a variance to a Zoning Ordinance regulation, it is my responsibility to consider the overall impact of the variance(s) on the abutting, local or general public as a factor to be considered.

After review of the request, no issues were found to impact the abutting, local or general public:

This item was approved with conditions (particularly ZBA approval) by the Planning Commission on January. The Planning Staff, Building Division, and Public Service met with the petitioner after the Planning Commission tabled the item from a previous meeting. The result of the meeting addressed safety, ADA compliance, display area safety, and parking area changes. Approval of the variances is recommended. The findings and recommendation are attached for review.

It is with this observation that I provide my opinion. Should you have any questions, please contact me at the Planning Department at 586-854-4687

/dwc

6 a) **SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES**
13441 THIRTEEN MILE
Process #PSP220047
Section 2
Randazzo Fresh Market (Salvatore Randazzo)
January 9, 2023
Page 1

FINDINGS

1. The petitioner is requesting site plan approval for permanent outdoor retail sales located on the north side of Thirteen Mile Rd, approximately 376 ft. west of Schoenherr Rd.
2. **CHARACTERISTICS OF THE PROPERTY IN QUESTION CAN BE SUMMARIZED AS FOLLOWS:**
 - a) **SIZE AND DIMENSIONS OF PROPERTY:** An irregularly shaped parcel measuring approx. 226.46 ft. x 407.04 ft. and containing 1.92 acres with 226.46 ft. of frontage along Thirteen Mile Road. This parcel is an acreage parcel.
 - b) **PRESENT USE:** Commercial, Randazzo Fresh Market
 - c) **PRESENT ZONING:** "P", Parking District (south 30 ft. of the property) and C-1, Local Business District.
3. **CURRENT STATUS OF APPLICATION**
 - a) The present hearing will be the initial formal review of this application by the Planning Commission
 - b) The Planning Commission pursuant to Article XXI, City Planning Commission; Section 21.04 Site Plan Review and Article XXII, Administration; Section 22.16 Site Plan Review of the Zoning Ordinance, shall receive and review a submitted site plan in relation to pedestrian and vehicle circulation, off street parking, structural relationships, public utilities, landscaping, accessibility and other site design element.
 - c) The Planning Commission pursuant to Article IV, General Provisions; Section 4.34 Parking as adjunct use and Article XVI, Parking Districts, Section 16.09 Approval, shall approve all parking areas.
 - d) The Planning Commission pursuant to Article IV, General Provisions, Sections 4.44 thru 4.56 and Article XIV, C-2 General Business District, Section 14.01 (r) of the Zoning Ordinance reviews all outdoor sales and rentals permitted in conjunction with a permanent building.

6.a) SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES
13441 THIRTEEN MILE
Process #PSP220047
Section 2
Randazzo Fresh Market (Salvatore Randazzo)
January 9, 2023
Page 2

- e) On December 12, 2022, the City Staff met with Mr. Randazzo and his architect, to discuss the reasons for tabling as provided in the letter dated December 2, 2022. Revised plans were provided to the Planning Department on December 20, 2022
- f) On December 5, 2022, the Planning Commission TABLED the item to January 9, 2023. The Planning Commission TABLED item per the Planning Director's request to allow time to address the issues with the proposed site plan.

NOTE: The original site plan for permanent and seasonal outdoor sales areas, approved on January 23, 2006, indicated the permanent outdoor sales are at 7 ft. x 75 ft. and containing 525 sq. ft. The plan also noted that there was a 3 ft. walkway adjacent to the 22 ft. maneuvering lane. Additionally, the barrier free parking spaces were all located in the parking lot, east of the entrance.

The Planning Staff identified the following changes, which were the basis of the tabling request on December required to the front (east) outdoor sales area. The revised plan submitted on December 20, 2022 addressed the issues discussed on December 12, 2022.

- 1) The sales area can only extend 7 ft. from the face of the building.
- 2) The three (3) ft. walkway must be re-established.
- 3) The additional outdoor retail sales items are not permitted north of the entryway. The original plan identified the sales area as 7 ft. x 75 ft. and containing 525 sq. ft.
- 4) The space between the parking spaces and outdoor sales area must allow for a 22 ft. wide vehicle maneuvering lane; this allows for two-way traffic. This area is commonly obstructed.
- 5) According to the site data chart, there are 108 parking spaces provided on the site. Per ADA requirements, a minimum of five (5) accessible parking spaces (1 of the 5, being van accessible size) shall be provided on the site. The current location of the accessible parking spaces is not acceptable, as there is not an accessible route to the front entrance of the store. The spaces must be moved to the parking area east of the building. Label the site plan and indicate which spaces will be restriped and provided with accessible signs.

6.a) SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES

13441 THIRTEEN MILE

Process #PSP220047

Section 2

Randazzo Fresh Market (Salvatore Randazzo)

January 9, 2023

Page 3

g) On April 13, 2022, the Board of Appeals GRANTED the petitioner permission to:

Conduct the operation of an L shaped open air sales area (approx. 3,006 sq. ft. in a P zone), 9 ft. from the front property line from May 1, 2022 to December 21, 2022.

NOTE: This is a variance that Randazzo has requested and obtained each year since 2006

h) On January 23, 2006, the Planning Commission APPROVED the site plan for seasonal and permanent outdoor sales.

NOTE: The approved plan indicated there would be a 22 ft. maneuvering lane between the sales area surrounding the front door and the parking spaces to the east.

i) On March 8, 2006, the Board of Appeals GRANTED the petitioner permission to:

- 1) To construct a 21 ft. x 91 ft. open air sales area with sun screen and a 4 ft. high wrought iron fence with brick pillars 9 ft. from the front property line and to conduct seasonal outdoor sales for one year in a "P" zone.**
- 2) To waive 16 required off-street parking spaces in conjunction with outdoor sales.**
- 3) To construct a 5 ft. x 10 ft. monument sign, 5 ft. high and 5 ft. setback from the front property line, containing 2 ft. x 7.5 ft. electronic message center in a "P" zone. Also to erect two 6 ft. x 12 ft. (72 sq. ft. each) wall signs, one on the east side wall and one on the south front wall. Total signage 159 sq. ft.**

With the condition that the variance granted with regard to the ground sign electronic message will not change more than every 5 minutes with no flashing, blinking, or scrolling and that previous variances granted on this item from April 27, 2005, May 5, 2005, and June 22, 2005 are relinquished.

j) On June 22, 2005, the Board of Appeals GRANTED the petitioner permission to:

- 1) Continue to operate an open air sales for 3,006 sq. ft. under the front canopy and in the designated area 30 ft. from the south property line. The sales are from April 25, 2005 through July 16, 2005 and from April 22, 2006 through July 16, 2006.**
- 2) Waive 31 parking spaces in conjunction with this outdoor sales.**

6 a) SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES

13441 THIRTEEN MILE

Process #PSP220047

Section 2

Randazzo Fresh Market (Salvatore Randazzo)

January 9, 2023

Page 4

- k) On April 18, 1988, the Planning Commission APPROVED plans for a parking lot expansion.

NOTE: On May 23, 1994, the Planning Commission voted to revoke this approval, as valid permits had not been obtained within two (2) years

- l) On January 3, 1983, the Planning Commission APPROVED plans for a building addition measuring 72 ft. x 85 ft. and containing 6,120 sq. ft.
- m) On February 2, 1981, the Planning Commission APPROVED plans for a shade house and improvements to the parking lot and perimeter walls.
- n) On May 1, 1980, the Building Division issued building permit no. 101460 for a truck well addition.
- o) On June 28, 1971, the Planning Commission APPROVED plans for a building measuring 100 ft. x 100 ft. and containing 10,000 sq. ft. A note to the permit required that no open air sales or storage outside the building would be permitted.
- p) On July 14, 1984, the City Council, by formal motion, REZONED the property in question, as part of an overall rezoning, from R-1-C, PB and C-2 to "P" and C-1, as amended by Zoning Map No. 30-132.

4. GENERAL DESCRIPTION OF THE SURROUNDING PROPERTIES IS AS FOLLOWS:

- a) The properties to the north are zoned R-1-C and contains single family dwellings.
- b) The property to the east is zoned "P" and C-1 and contains a CVS Pharmacy.
- c) The properties to the south, across Thirteen Mile Road, are zoned R-1-C and PB and contain a restaurant and an office building.
- d) The property to the west is zoned "O" and contains a commercial building (Lucky Hair Salon)

5. THE SITE PLAN SUBMITTED BY THE PETITIONER INDICATES THAT:

- a) A permanent outdoor retail sales area (patio area), measuring approximately 20 ft. x 89.5 ft. and containing 1,783 sq. ft. would be located on the site in the front (Thirteen Mile Rd.) setback 10 ft. from the south property line (Thirteen Mile Road) and 35 ft. from the west property line, the area would extend 11 ft. 6 in. east of the

6.a) **SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES**
13441 THIRTEEN MILE
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east elevation of the market. The sales area would be located within the existing brick and wrought iron fence area. Landscaping is provided in front of the fencing along Thirteen Mile Rd.

NOTE: This area with slight deviations, has been used as a seasonal outdoor sales area since 2006. At present, the petitioner must apply for seasonal outdoor retail sales variances each year from the Board of Appeals. If the permanent outdoor retail sales request is approved, the yearly variances will no longer be required.

- b) A permanent outdoor sales area (sidewalk area) was approved by the Planning Commission on January 23, 2006. The area approved measures approximately 7 ft. x 75 ft. and contains 525 sq. ft. and exists on the site directly in front of the store (east elevation). There would be no time limit on this sales area. The new plan is requesting the expansion of this previously approved permanent outdoor retail sales area. The new dimensions of this area would measure approximately 13 ft. 8 in. x 100 ft. 7 in. and contain 1,264 sq. ft. The petitioner is installing a line of concrete bollards with a 24 in. base along the east side of the sidewalk and the west edge of the maneuvering lane for improved safety for the patrons of the business.

NOTE 1: At present produce, flowers, and other seasonal items are displayed for sale in the existing permanent outdoor retail sales areas.

NOTE 2: Variances from the Board of Appeals to locate a permanent outdoor retail sales area within the "P" Parking District (Use), and 10 ft. to the front property line (Thirteen Mile Rd.) are required.

NOTE 3: Provide a note on the plan listing the common outdoor retail sales items and other seasonal items to be displayed for sale within the outdoor sales areas.

- c) No open storage area is indicated at this time and none is permitted within this zone.

- d) Parking spaces for 108 passenger vehicles is provided on the site. The parking area indicates that the spaces are provided north and northeast of the building and 28 spaces east of the building. The minimum requirement for parking spaces on the site is 69. The petitioner received a temporary variance for 31 spaces.

NOTE 1: At the meeting held on December 12, 2022, the location of the accessible parking spaces was discussed. Per the Building Director, the location of the accessible parking spaces where they currently exist is acceptable as long as a 3 ft. wide route to the entry door is provided. The revised plan involves the modification of the cart

6.a) SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES
13441 THIRTEEN MILE
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corral area to allow for a continuous 3 ft. wide accessible route. The plan now indicates five (5) accessible spaces, instead of four (4).

NOTE 2: Indicate the 3 ft. wide accessible route up to the entry door.

NOTE 3: Remove the label "PH" from the site data chart and plan, and change this to "Accessible Parking Spaces".

NOTE 4: Variances from the Board of Appeals to retain 18 ft. in length parking spaces in the parking areas north and east of the existing store, and to retain 20 ft. in length parking spaces along the east property line will be required.

e) Wall mounted light fixtures and pole mounted lights are not indicated on the plan.

NOTE: A note shall be provided stating "All lighting on the site shall be shielded and not encroach upon abutting properties. The light poles shall be no higher than 20 ft. All glare shall be eliminated from all light fixtures. Upward directed lighting shall not be permitted".

f) Access is provided via two (2) driveways to Thirteen Mile Road and two (2) driveways to the CVS Pharmacy property to the east. The petitioner provided the notarized easement document for ingress/egress and shared parking with the owner of the property abutting to the east. The document was notarized on October 8, 1999.

g) No landscape plan was submitted; however the site plan indicates the landscaped parking lot islands and the shrubs in the front (Thirteen Mile Rd.) setback area.

h) A six (6) ft. high brick embossed poured concrete wall exists along the north property line and along the north angle 88.04 ft. of the west property line where it abuts the R-1-C district and one family dwellings. A five (5) ft. wide, six (6) inch high continuous concrete curb exists abutting the wall.

i) Sidewalk exists along Thirteen Mile Road.

j) A trash enclosure location is indicated on the plan located on the north side of the building between the two (2) screen walls.

k) All other improvements on the site would remain as exists.

6.a) SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES
13441 THIRTEEN MILE
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Randazzo Fresh Market (Salvatore Randazzo)
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RECOMMENDATION

It is recommended that the site plan for permanent outdoor retail sales at Randazzo Fresh Market be APPROVED with the standard conditions of the Planning Commission and more specifically:

1. Five (5) copies of revised site plans must be submitted indicating the following:
 - a) Provide a note on the plan listing the common outdoor retail sales items and other seasonal items to be displayed for sale within the outdoor sales areas.
 - b) A note shall be provided stating "All lighting on the site shall be shielded and not encroach upon abutting properties. The light poles shall be no higher than 20 ft. All glare shall be eliminated from all light fixtures. Upward directed lighting shall not be permitted".
 - c) At the meeting held on December 12, 2022, the location of the accessible parking spaces was discussed. Per the Building Director, the location of the accessible parking spaces where they currently exist is acceptable as long as a 3 ft. wide route to the entry door is provided. The revised plan involves the modification of the cart corral area to allow for a continuous 3 ft. wide accessible route. The plan now indicates five (5) accessible spaces, instead of four (4).
 - d) Indicate the 3 ft. wide accessible route up to the entry door.
 - e) Remove the label "PH" from the site data chart and plan, and change this to "Accessible Parking Spaces".
2. The following variances are recommended by the Planning Staff and may need to be obtained from the Board of Appeals prior to the release of the site plan to the Building Division:
 - a) To locate a permanent outdoor retail sales area within the "P" Parking District (Use).
 - b) To locate a permanent outdoor retail sales area 10 ft. to the front property line (Thirteen Mile Rd.).
 - c) To retain the 18 ft. in length parking spaces in the parking areas north and east of the existing store.
 - d) To retain the 20 ft. in length parking spaces along the east property line.

6.a) SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES
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3. A performance bond in the amount of \$1000 be posted due to the petitioner's intention of installing bollards on the site.

And furthermore recommendations were received from the following division(s) and department(s) to notify the petitioner that these items will be addressed during the Building Division permit process:

TAXES: Current

ENGINEERING:

1. The site plan submitted does not correlate with the site plan approved in 2006. Contact the Planning Department for further directives.
2. The existing concrete patio/concrete walk impedes the drive approach and drive isle. Drive isle shall be minimum 22' wide.

FIRE: Approved.

MCDR: No Objections

MCPW: No Objections

ZONING Enforcement | E22-05683**Property Information**

12-13-02-481-020	13441 THIRTEEN MILE	Subdivision:	
	WARREN MI, 48068	Lot:	Block:

Name Information

Owner:	NIDO LLC	Phone:	
Occupant:	RANDAZZO FRESH MARKET	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	12/29/2022	Date Closed:		Status:	WARNING SENT
Complaint:	2 TEMP. HOLIDAY CATERING BANNERS				
Last Action Date:		Last Inspection:	12/27/2022		
Last Action:					

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Scheduled	Result:	
Scheduled:	01/17/2023	Completed:	

Comments:

Scheduling Comment	RANDAZZO
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FIELD INSPECTION Inspection | BRIAN SCHUMAN

Status:	Completed	Result:	Violation(s)
Scheduled:	12/27/2022	Completed:	12/27/2022

Violations:

Uncorrected	SECTION 4A.12 - OBTAIN PERMITS OR REMOVE ILLEGAL SIGNS. A PERMIT IS REQUIRED PRIOR TO ERECTING, ALTERING, CHANGING OR REMODELING ANY SIGN OR SIGN STRUCTURE.
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ZONING Enforcement | E22-05683**Property Information**

12-13-02-481-020	13441 THIRTEEN MILE	Subdivision:	
	WARREN MI, 48068	Lot:	Block:

Name Information

Owner:	NIDO LLC	Phone:	
Occupant:	RANDAZZO FRESH MARKET	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	12/29/2022	Date Closed:		Status:	WARNING SENT
Complaint:	2 TEMP. HOLIDAY CATERING BANNERS				
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Last Action:					

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Scheduled	Result:	
Scheduled:	01/17/2023	Completed:	

Comments:

Scheduling Comment	RANDAZZO
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FIELD INSPECTION Inspection | BRIAN SCHUMAN

Status:	Completed	Result:	Violation(s)
Scheduled:	12/27/2022	Completed:	12/27/2022

Violations:

Uncorrected	SECTION 4A.12 - OBTAIN PERMITS OR REMOVE ILLEGAL SIGNS. A PERMIT IS REQUIRED PRIOR TO ERECTING, ALTERING, CHANGING OR REMODELING ANY SIGN OR SIGN STRUCTURE.
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04/13/2022

13441 THIRTEEN MILE

LEGAL DESCRIPTION: 13-02-481-020

VARIANCES REQUESTED: Permission to

-USE-

Conduct the operation of an L shaped open air sales area (approx. 3,006 square ft. in a P zone), 9' from the front property line from May 1, 2022 to December 31, 2022.

The petitioner's request was APPROVED as written.

04/28/2021

13441 THIRTEEN MILE

LEGAL DESCRIPTION: 13-02-481-020

VARIANCES REQUESTED: Permission to

- USE -

Conduct the operation of an L shaped open air sales area (approximately 3,006 square ft. in a P zone), 9' from the front property line from May 1, 2021 to December 31, 2021 and to waive 16 required off-street parking spaces per the site plan.

The petitioner's request was APPROVED as written.

1/08/2020

13441 Thirteen Mile

LEGAL DESCRIPTION: 13-02-481-020

VARIANCES REQUESTED: Permission to -USE-

Conduct the operation of an L shaped open air sales area (approximately 3,006 square ft. in a P zone), 9' from the front property line from May 1, 2020 to December 31, 2020, and to waive 16 required off-street parking spaces per the site plan.

The petitioner's request was APPROVED as written.

13441 Thirteen Mile

LEGAL DESCRIPTION: 13-02-481-020

2/13/2019

VARIANCES REQUESTED: Permission to -USE-

Conduct the operation of an L shaped open air sales area (approximately 3,006 square feet in a P zone), 9' from the front property line from May 1, 2019 to December 31, 2019 and to waive 16 required off-street parking spaces per the site plan.

The petitioner's request was APPROVED as written.

13441 Thirteen Mile

LEGAL DESCRIPTION: 13-02-481-020

2/7/2018

VARIANCES REQUESTED: Permission to -USE-

Conduct the operation of an L shaped open air sales area (approx. 3,006 sq. ft. in a P zone), 9' from the front property line from May 1, 2018, to December 31, 2018, and to waive 16 required off-street parking spaces per the site plan.

The petitioner's request was GRANTED as written.

4/11/2017

13441 Thirteen Mile

LEGAL DESCRIPTION: 13-02-481-020

VARIANCES REQUESTED: Permission to-USE-

Conduct the operation of an I shaped open air sales area (approx. 3,006 sq. ft. in a P zone), 9' from the front property line from May 2017 to December 31, 2017 and to waive 16 required off-street parking spaces per the site plan.

The petitioner's request was **GRANTED** as written.

PUBLIC HEARING
REPRESENTATIVE:

APPLICANT: Randazzo Fresh Market
Mr. Salvatore Randazzo/Angel

COMMON DESCRIPTION: 13441 Thirteen Mile
LEGAL DESCRIPTION: 13-02-481-020
ZONE: C-1 & P

VARIANCES REQUESTED: Permission to:

Conduct the operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" Zone), 9' from the front property line from May 1, 2014 to December 31, 2014 and to waive 16 required off-street parking spaces per the site plan.

Petitioner's request was Granted as listed.

3/12/14

4/13/2016

13441 Thirteen Mile

PUBLIC HEARING:

REPRESENTATIVE
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

APPLICANT: Randazzo Fresh Market,
Mr. Salvatore Randazzo, Vice Pres.
Angel Ruggero
13441 Thirteen Mile Road
13-02-481-020
C-1 & P

VARIANCES REQUESTED: Permission to

Conduct the operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" Zone); 9' from the front property line from May 1, 2016, to December 31, 2016, and to waive 16 required off-street parking spaces per the site plan.

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

13441 13 Mile

March 11, 2015

PUBLIC HEARING

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

APPLICANT: Randazzo Fresh Market,
Mr. Salvatore Randazzo, Vice Pres.
Angel Ruggero
13441 Thirteen Mile Road
13-02-481-020
C-1 & P

VARIANCES REQUESTED: Permission to

Conduct the operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" zone), 9' from the front property line from May 1, 2015, to December 31, 2015, and to waive 16 required off-street parking spaces per the site plan.

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

13441 Thirteen Mile

3/13/2013

Randazzo Fresh Market, 13441 Thirteen Mile Road, 13-02-481-020, petitioner was **GRANTED** permission to renew the Operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" Zone), 9' from the front property line from May 1, 2013, to December 31, 2013, and to waive 16 required off-street parking spaces per the site plan.

WITH THE FOLLOWING CONDITIONS. Next year the petition will use the standard wording "to conduct" instead of "to renew the operation of".

13441 Thirteen Mile**3/28/2012**

Randazzo Fresh Market, 13441 13 Mile Road, also known as 13-02-481-020, **GRANTED** the following: To renew the operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" Zone), 9' from the front property line from **May 1, 2012 to December 31, 2012**, and to waive 16 required off-street parking spaces per the site plan.

13441 13 Mile**4/13/2011**

Randazzo Fresh Market, 13441 13 Mile Road, Also Known As 13-02-481-020, **GRANTED** the following request: To renew the operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" Zone), 9' from the front property line from March 1, 2011 to December 31, 2011 and to waive 16 required off-street parking spaces as per the site plan.

13441 ¹³ Mile**6/23/10**

Randazzo Fresh Market, Salvatore Randazzo, 13441 13 Mile, Also Known As 13-02-481-020, **GRANTED** the following request: To renew the operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" Zone), 9' from the front property line from March 1, 2010 to December 31, 2010, and to waive 16 required off street parking spaces as per the site plan.

13441 Thirteen Mile**6/23/10**

Randazzo Fresh Market, Salvatore Randazzo, 13441 13 Mile, Also Known As 13-02-481-020, **GRANTED** the following request: To renew the operation of an "L" shaped open air sales area (approx. 3,006 sq. ft. in a "P" Zone), 9' from the front property line from March 1, 2010 to December 31, 2010, and to waive 16 required off street parking spaces as per the site plan.

13441 Thirteen Mile-Card 1**3/8/06**

RANDAZZO FRESH MARKET, SALVATORE RANDAZZO, VICE PRESIDENT, 13441 Thirteen Mile, Also Known As 13-02-481-020 - **GRANTED** request 1) To construct a 21' x 91' open air sales area with a sun screen and a 4' high wrought iron fence with brick pillars 9' from the front property line and to conduct seasonal outdoor sales for one year in a "P" zone. 2) To waive 16 required off-street parking spaces in conjunction with the outdoor sales. 3) To construct a 5' x 10' monument sign, 5' high and 5' setback from the front property line.

13441 Thirteen Mile-Card 2**3/8/06**

containing a 2' x 7.5' electronic message center in a "P" zone. Also to erect two 6' x 12' (72 sq. ft. each) wall signs, one on the east side wall and one on the south front wall. Total signage 159 sq. ft. **WITH THE CONDITION** that the variance granted with regard to the ground sign electronic message center will not change more than every 5 minutes with no flashing, blinking or scrolling and that the previous variances granted on this item for April 27, 2005, May 5, 2005 and June 22, 2005 are relinquished.

13441 Thirteen Mile**2/11/09**

RANDAZZO FRESH MARKET, SALVATORE RANDAZZO, VICE PRESIDENT, 13441 Thirteen Mile, Also Known As 13-02-481-020 – **GRANTED** request to renew the operation of an "L" shaped open air sales area (approximately 3,006 sq. ft in a "P" zone), 9' from the front property line from March 1, 2009 to December 31, 2009 and to waive 16 required off-street parking spaces as per the site plan.

13441 Thirteen Mile**6/11/2008**

RANDAZZO FRESH MARKET , 13441 Thirteen Mile, Also Known As 13-02-481-020 – **GRANTED** request to renew the operation of an "L" shaped open air sales area (approximately 3,006 sq. ft in a "P" zone), 9' from the front property line from March 8, 2008 through December 31, 2008, and to waive 16 required off-street parking spaces per the site plan. **WITH THE CONDITION** that a letter is mailed or faxed to the City within the five (5) day waiting period stating that Ms. Grimes is the authorized representative for Mr. Randazzo.

13441 Thirteen Mile**2/28/2007**

RANDAZZO FRESH MARKET, 13441 Thirteen Mile, Also Known As 13-02-481-020 – **GRANTED** request to renew the operation of an "L" shaped (approximately 3,006 sq ft.) open air sales area, 9' from the front property line from March 8, 2007 to December 31, 2007, and to waive 16 required off-street parking spaces per the site plan.

13441 Thirteen Mile**2/14/2007**

RANDAZZO FRESH MARKET, 13441 Thirteen Mile, Also Known As 13-02-481-020 – **TABLED** request to the meeting of February 28, 2007.

13441 Thirteen Mile

6/22/05

RANDAZZO FRESH MARKET, SALVATORE RANDAZZO, VICE PRESIDENT, 13441 Thirteen Mile, Also Known As 13-02-481-020 - **GRANTED** request to continue to operate an open air sales for 3,006 sq. ft. under the front canopy and in the designated area 30' from the south property line. The "sales" are from April 25, 2005 through July 16, 2005 and from April 22, 2006 through July 16, 2006. Also, to waive 31 parking spaces in conjunction with this outdoor sales

Relinquished 3/8/06

13441 Thirteen Mile

5/11/05

RANDAZZO FRESH MARKET, SALVATORE RANDAZZO, VICE PRESIDENT, 13441 Thirteen Mile, Also Known As 13-02-481-020 - **GRANTED** request to remove the existing sign (ZBA approved 4/10/85 in the "P" zone) and install one (1) monument sign 5' x 10' (50 sq. ft.) 14' high with an "electronic message center" 2' x 7.5' (15 sq. ft.) to no less than 18' from the 13 Mile property line. WITH THE CONDITION that the variance granted 4/10/85 is relinquished and the electronic sign will not change more than every 5 minutes with no flashing, blinking, or scrolling. The Board also directed that a Zoning Inspector go out to the site and investigate outdoor sales.

Relinquished 3/8/06

13441 Thirteen Mile

4/27/05

Randazzo Fresh Market, Salvatore Randazzo, Vice President, 13441 Thirteen Mile, Also Known As 13-02-481-020 - **TABLED** to the meeting of May 11, 2005.

Relinquished 3/8/06

13441 Thirteen Mile Road

Warren Sign Co.

Tabled at the meeting of 2-13-85 until 3-13-85. Tabled at the meeting of 3-13-85 until 4-10-85.

Granted permission at the meeting of 4-10-85 to erect a 60 sq. ft. sign and a 15 sq. ft. changeable-copy sign, for a total of 75 sq. ft., 16 ft. high to no less than 16 ft. from the front property line with the condition there are no other portable signs on the property and everything else is to be removed.

13441 Thirteen Mile Road

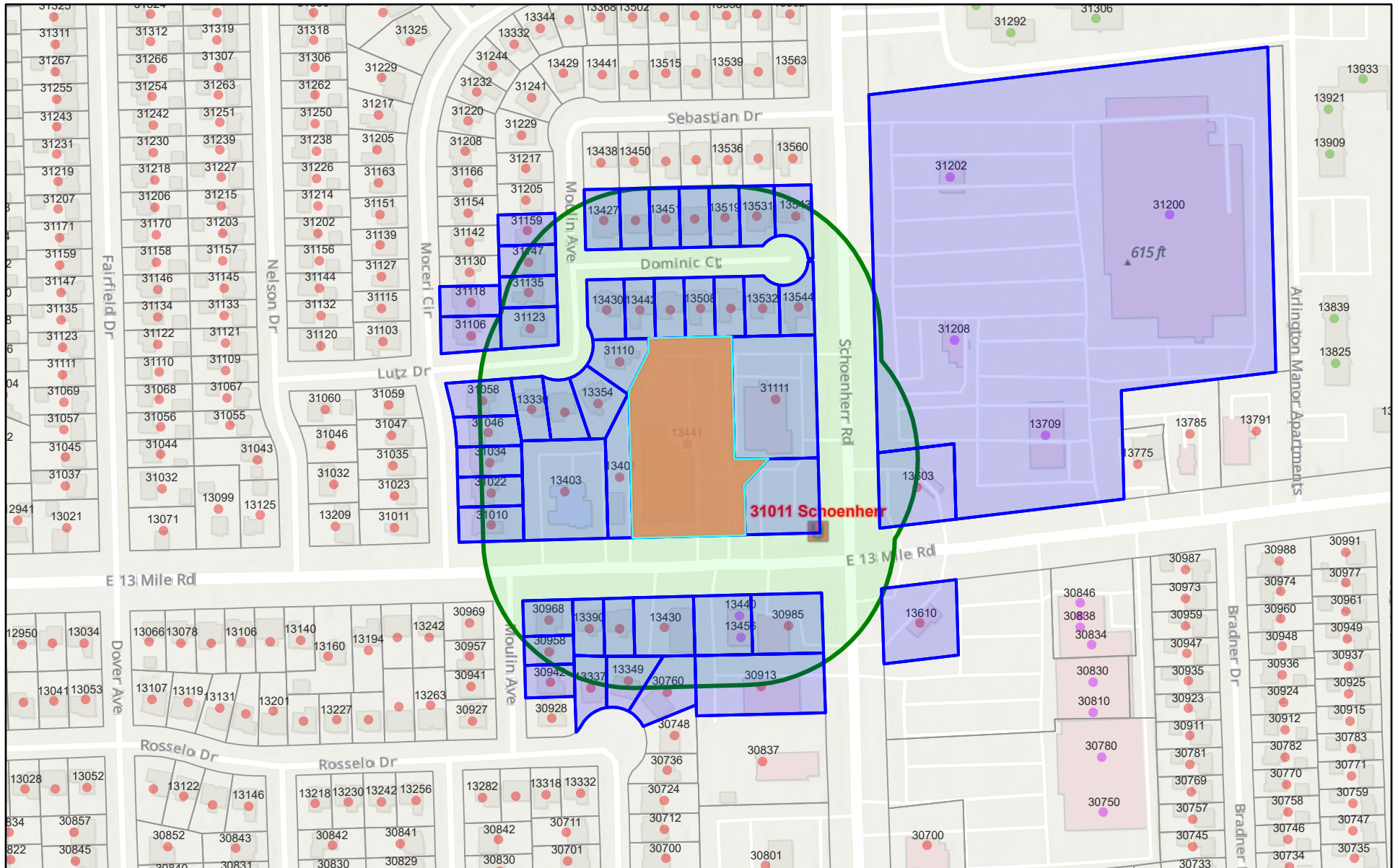
Salvatore Badalamenti

Tabled at the Meeting of July 28, 1971 until 8-11-71. Meeting of August 11, 1971 cancelled until 8-18-71.

2021 WARREN

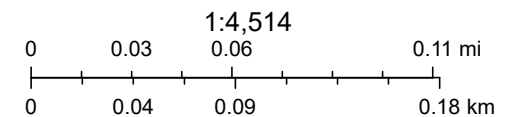


13441 Thirteen Mile - 13-02-481-020



1/24/2023, 10:28:22 AM

- Utility Address Points
- Apartment
- Multi-Business
- Building
- Parcels



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

ArcGIS Web AppBuilder

Esri Community Maps Contributors, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada | Southeast



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: FEBRUARY 8, 2023 at 7:30 P.M.

Applicant: DENNIS KRESTEL ~~-USE-~~

Common Description: 13441 THIRTEEN MILE

VARIANCE(S) 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.

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