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Zoning Board of Appeals  
Office of the City Council  
5460 Arden, Ste. 505  
Warren, MI 48092  
Ph. (586)258-2060  
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**A Regular Meeting of the Zoning Board of Appeals  
Wednesday, March 8, 2023 at 7:30 p.m. in the Warren Community Center  
Auditorium, 5460 Arden, Warren, Michigan 48092.**

Site plans are available for viewing in the Building Department of  
City Hall at 1 City Square, 3<sup>rd</sup> Floor, Warren, 48093.  
Please call: (586) 574 - 4504

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meeting of January 11, 2023 and February 8, 2023 and Special Meeting of February 15, 2023.**
  
6. PUBLIC HEARING:  
**APPLICANT: Italy American Construction**  
(Rescheduled from 2/8/2023)  
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.

7. PUBLIC HEARING: **APPLICANT: Aver Sign Company**  
 (Rescheduled from 2/8/2023)  
 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.

8. PUBLIC HEARING: **APPLICANT: Mike’s Fruit & Flower & Family Fun**  
**Fireworks, Michael Kanakry and Jenna Nola**  
 REPRESENTATIVE: Caren M. Burdi  
 COMMON DESCRIPTION: 5821 Thirteen Mile  
 LEGAL DESCRIPTION: 13-05-476-006  
 ZONE: MZ, C-2, P

**VARIANCES REQUESTED: Permission to**

- 1) Conduct seasonal outdoor sales in an area 40’ x 60’ = 2,400 square ft. from 3/10/2023 through 12/22/2023 (flower sales and Christmas tree sales prior to Christmas.)
- 2) Conduct a second seasonal outdoor sales operation (fireworks) in an area of 40’ x 60’ (2,400 square ft.) from June 15, 2023 through July 5, 2023 from 10:00 a.m. to 10:00 p.m.

**ORDINANCES and REQUIREMENTS:**

**Section 4.52 Standards for Temporary Outdoor Retail Sales Approval:** (D) No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

9. PUBLIC HEARING: **APPLICANT: Family Fun Fireworks**  
 REPRESENTATIVE: Caren M. Burdi  
 COMMON DESCRIPTION: 26800 Dequindre  
 LEGAL DESCRIPTION: 13-19-101-017  
 ZONE: C-2

**VARIANCES REQUESTED: Permission to**

Conduct a seasonal outdoor sales operation in an area of 20' x 40' (800 square ft.) with a 10' buffer around the tent, from June 17, 2023 through July 7, 2023 from 10:00 a.m. to 10:00 p.m.

**ORDINANCES and REQUIREMENTS:**

**Section 4.52 – Standards for Temporary Outdoor Retail Sales Approval:** D) No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

- 10. PUBLIC HEARING: **APPLICANT: 14 Mile Tent LLC**
- REPRESENTATIVE: Eddie H Babbie
- COMMON DESCRIPTION: 32800 Ryan
- LEGAL DESCRIPTION: 13-05-101-039
- ZONE: C-1

**VARIANCES REQUESTED: Permission to**

- 1) Conduct a seasonal outdoor sales operation in an area of 20 x 20 = 400 square ft. from June 23, 2023 through July 5, 2023 from 10:00 a.m. to 10:00 p.m.
- 2) Waive 14 off-street parking spaces for the outdoor sale and where the tent is located.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 – Off-street Parking Requirements:** (H) 22: One (1) parking space required for each 150 square ft. of floor space and outdoor sales areas combined.

**Section 4.52 – Standards for Temporary Outdoor Retail Sales Approval:** D) No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use.

- 11. PUBLIC HEARING: **APPLICANT: Compass Technology Solutions LLC**
- REPRESENTATIVE: Steve Bretz
- COMMON DESCRIPTION: 7400 Miller
- LEGAL DESCRIPTION: 13-04-428-011
- ZONE: M-2

**VARIANCES REQUESTED: Permission to**

Erect a 52.2 square ft. wall sign.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.35 – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1, and M-2):** C) Total wall signage of a size not to exceed forty (40) square feet shall be allowed for each business in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

- 12. PUBLIC HEARING: **APPLICANT: Bazo Construction**
- REPRESENTATIVE: Sarah Mheisen
- COMMON DESCRIPTION: 1950 Fourteen Mile
- LEGAL DESCRIPTION: 13-06-101-016
- ZONE: M-2

**VARIANCES REQUESTED: Permission to**

Allow the following signage on a gas canopy: 740 square ft. with a 3 BP helios @ 11.92 square ft. each (on three of the four elevations) and the remainder 704.24 square ft. of design element. If approved the variance granted on 4/24/2002 (#2 related to canopy signage) will be relinquished.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.35 – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1, and M-2):** C) Total wall signage of a size not to exceed forty (40) square feet shall be allowed for each business in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

<b>13. PUBLIC HEARING:</b>	<b>APPLICANT: Flame Furnace</b>
REPRESENTATIVE:	Gary F Marowski
COMMON DESCRIPTION:	2200 Eleven Mile
LEGAL DESCRIPTION:	13-19-126-001
ZONE:	M-2

**VARIANCES REQUESTED: Permission to**

- 1) Conduct a parking lot no less than 14’ 8” from the front (southeast) property line along the I-696 service drive.
- 2) Retain a building no less than 19.7’ from the side (west) property line.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 – Industrial Standards:** (A) Front yards, M-2, 25 ft. (B) Side yards, and rear yards, M-2, 20’ each.

<b>14. PUBLIC HEARING:</b>	<b>APPLICANT: Kalabat Engineering</b>
REPRESENTATIVE:	Iden Kalabat
COMMON DESCRIPTION:	8737 Nine Mile
LEGAL DESCRIPTION:	13-27-385-038
ZONE:	M-1

**VARIANCES REQUESTED: Permission to**

- 1) Waive 4 required parking spaces.
- 2) Allow a total of 13,620 square ft. of outdoor storage when 4,279.54 square ft. (50% of total square footage of primary structure) is allowed.
- 3) Retain open gravel area for maneuvering and storage purposes.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 – Off-Street Parking Requirements:** In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this ordinance, shall be provided and maintained as herein prescribed. (20) Furniture and appliance stores, personal service shops (not including beauty parlors and barber shops), household equipment or furniture repair shops, clothing or shoe repair or service shops, hardware stores, motor vehicle sales, wholesale stores and machinery sales. One (1) parking space for each five hundred (500) square feet of floor area.

**Section 17.02 – Industrial Standards:** (S) Open storage other than junk. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas. The designated areas shall not be located in any area required for parking space and is

necessary to meet the minimum requirements of Section 4.32 of this ordinance. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site.

<b>15. PUBLIC HEARING:</b>	<b>APPLICANT: Jonathan Riechert</b>
REPRESENTATIVE:	Jim Schreyer
COMMON DESCRIPTION:	25000 Guenther
LEGAL DESCRIPTION:	13-19-326-019
ZONE:	M-2

**VARIANCES REQUESTED: Permission to**

- 1) Construct a 6 ft. high black aluminum fence that extends past the front building line in the front setback to approximately 2 ft. from the 10 Mile (south) property line for approximately 110 ft. parallel to 10 Mile Road and just north toward the parking lot (to approximately 54.75 ft. from the front property line) and runs parallel to the parking lot for 110 ft.
- 2) Construct a 6 ft. high black aluminum fence that extends past the building line no less than 20.5 ft. from the west property line along Guenther.

**ORDINANCES and REQUIREMENTS:**

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

**Section 17.02 – Industrial Standards:** M-2 (A) Front yards 25 ft. 2. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to setback further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards front on a major thoroughfare as defined by the master thoroughfare plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet.

<b>16. PUBLIC HEARING:</b>	<b>APPLICANT: Gumma Group, John Gumma</b>
REPRESENTATIVE:	Frank Roye
COMMON DESCRIPTION:	21704 Hoover
LEGAL DESCRIPTION:	13-35-152-001
ZONE:	M-3

**VARIANCES REQUESTED: Permission to**

- 1) Allow a permanent trailer with slide out no less than 9’ 4” from the side (south) property line.
- 2) Allow a permanent trailer with slide out no less than 50’ 7” from the side (north) property line.
- 3) Allow a utility trailer no less than 26’ from the side (south) property line.
- 4) Allow a utility trailer no less than 38’ 3” from the side (north) property line.
- 5) Allow a generator no less than 13’ 10” from the side (south) property line.
- 6) Allow a generator no less than 52’ 1” from the side (north) property line.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 – Industrial Standards:** (B) Side yards, and rear yards. M-3, 60’ each.

<b>17. PUBLIC HEARING:</b>	<b>APPLICANT: Mound Property Investments LLC</b>
REPRESENTATIVE:	Ali Ajami
COMMON DESCRIPTION:	25010 Mound & 5949 Ten Mile
LEGAL DESCRIPTION:	13-21-353-010 and -011
ZONE:	M-2

**VARIANCES REQUESTED: Permission to**

- 1) Construct a building and adjoining parking no less than 40 ft. from the front (west) property line.
- 2) Construct a 108 ft. x 24 ft. gas canopy no less than 23 ft. from the front (west) property line.
- 3) Construct a building no less than 5 ft. from the side (north) property line.
- 4) Allow the minimum of 8 stacking spaces per bay and minimum dry off spaces equal to the stacking spaces in consideration of mechanical drying device(s).
- 5) Waive one required off-street parking space.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 – Industrial Standards:** (A) Front yards 25 ft. 2. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to set back further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the master thoroughfare plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet. (B) Side yards, and rear yards. 20 ft. each.

**Section 14.01 – Uses Permitted:** (P) Auto wash uses as regulated in this section. A. Site design requirements: 4. Parking shall be provided to accommodate require stack spaces, dry-off spaces and employee parking defined as follows: b. an automatic drive-through auto wash shall have a minimum of ten (10) stack spaces per bay or one-half (1/2) of the maximum total output per hour, whichever is greater; the minimum dry-off spaces equal to the number of spaces required for stack spaces; and one (1) employee parking space for every employee during one (1) shift, when the maximum employees are employed.

**Section 4.32 – Off-street Parking Requirements:** In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this ordinance, shall be provided and maintained as herein prescribed. (22) All retail stores, martial arts and yoga studios, except as otherwise specified herein. One (1) parking space for each three hundred (300) square feet of gross floor area.

**18. NEW BUSINESS**

**19. ADJOURNMENT**

Paul Jerzy  
Secretary of the Board

**Any person with a disability who needs accommodation for participation in this meeting should contact the Warren City Council Office at (586) 258-2052 – 48 hours in advance of the meeting to request assistance.**