



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Anglin
Kevin Higgins
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, April 12, 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 **Special Meeting of February 15, 2023 and Regular Meeting of March 8, 2023.**

6. PUBLIC HEARING: **APPLICANT: Jeffrey Teneyck**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 28254 Besmore
LEGAL DESCRIPTION: 13-15-280-008
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Erect a roof over a porch no less than 18'6" from the front property line.

ORDINANCES and REQUIREMENTS:

Section 7.05 – Front Yard: Each lot in R-1-C districts shall have a front yard of not less than twenty-five (25) feet.

7. PUBLIC HEARING: **APPLICANT: Michael Andrew Spina Liburdi**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 20754 Gentner
LEGAL DESCRIPTION: 13-36-451-015
ZONE: R-1-P

VARIANCES REQUESTED: Permission to

- 1) Retain a dwelling no less than 3’ 8” from the side (north) property line.
- 2) Construct a porch no less than 21” from the front property line.

ORDINANCES and REQUIREMENTS:

Section 8.07 – Side Yards Abutting Upon a Street: In R-1-P districts, the width of the side yard abutting upon a street shall be not less than twenty-five (25) feet when rear yards abut side yards.

Section 8.05 – Front Yard: Each lot in R-1-P district shall have a front yard not less than twenty-five (25) feet in depth.

- | | | |
|-----------|----------------------------|----------------------------------|
| 8. | PUBLIC HEARING: | APPLICANT: Jennifer Mason |
| | REPRESENTATIVE: | Same as above. |
| | COMMON DESCRIPTION: | 32809 Beechwood |
| | LEGAL DESCRIPTION: | 13-01-204-029 |
| | ZONE: | R-1-C |

VARIANCES REQUESTED: Permission to

Retain a 6 ft. high privacy fence that extends 45” past the front building 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.

- | | | |
|-----------|----------------------------|---|
| 9. | PUBLIC HEARING: | APPLICANT: Warren Woods Tower Booster Club |
| | REPRESENTATIVE: | Jason Chamberlin |
| | COMMON DESCRIPTION: | 13400 Twelve Mile |
| | LEGAL DESCRIPTION: | 13-14-226-023 & -024 |
| | ZONE: | MZ, R-1-C, C-1 |

VARIANCES REQUESTED: Permission to

Conduct annual spring fair in the parking lot from Friday, May 19th to Sunday, May 21, 2023 from:

- Friday 4pm to 12am
- Saturday Noon to 12am
- Sunday Noon to 11pm

Music to be lowered at 10pm each night.

ORDINANCES and REQUIREMENTS:

Section 4.35 – Circuses, Fairs, Carnivals and Similar Uses: Fairs require the approval of the Zoning Board of Appeals.

- | | | |
|------------|----------------------------|--|
| 10. | PUBLIC HEARING: | APPLICANT: Family Fun Fireworks |
| | REPRESENTATIVE: | Caren Burdi |
| | COMMON DESCRIPTION: | 30800 Hoover |
| | LEGAL DESCRIPTION: | 13-11-101-033 |
| | ZONE: | MZ, C-1, P, C-2 |

VARIANCES REQUESTED: Permission to

- 1) Conduct a temporary outdoor retail sale without a permanent building.

- 2) Conduct a temporary outdoor sale in a 20' x 50' tent = 1,000 square ft. in a parking lot from 6/15/2023 through 7/5/2023, 9:00 a.m. to 9:00 p.m. with a 10' buffer around the tent.
- 3) Waive 54 off-street parking spaces for the outdoor sales area and retail businesses combined.

ORDINANCES and REQUIREMENTS:

Section 4.48 – Temporary Outdoor Retail Sales in Commercial and Industrial Districts:

Temporary outdoor retail sales may be permitted in conjunction with a permanent building in C-1, C-2, C-3, M-1 and M-2 zoning districts.

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

Section 4.32 (H) 22: One (1) parking space required for each 300 square ft. of floor space and outdoor sales are combined.

- | | |
|---------------------|---------------------------------|
| 11. PUBLIC HEARING: | APPLICANT: Haitham Sitto |
| REPRESENTATIVE: | Leisa Florchuk |
| COMMON DESCRIPTION: | 26601 Ryan |
| LEGAL DESCRIPTION: | 13-19-228-037 |
| ZONE: | MZ, R-1-C, C-1, R-1-P |

VARIANCES REQUESTED: Permission to

Add a 31.75" x 84.5" = 18.63 square ft. LED sign to an existing 12' high ground sign with a 5' setback from the property line, resulting in a new under clearance of 4' 2". (If this variance is granted it will replace the sign variance granted on June 10, 1981.)

ORDINANCES and REQUIREMENTS:

Section 4A.17 – Setbacks: The following setback regulations shall apply to signs located in all zoning districts: b) All freestanding or ground signs shall be setback from the right-of-way line a minimum distance equal to the height of the sign.

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

- | | |
|---------------------|---|
| 12. PUBLIC HEARING: | APPLICANT: Aver Sign Company -USE- |
| REPRESENTATIVE: | Jennifer Glover |
| COMMON DESCRIPTION: | 11610 Thirteen Mile |
| LEGAL DESCRIPTION: | 13-11-101-001 |
| ZONE: | MZ, C-1, P |

VARIANCES REQUESTED: Permission to -USE-

Allow a pylon sign in a 'P' zone with the following specifications:

- 1) Located in a 'P' zone.
 - 2) Height of 27' 2-1/2".
 - 3) Total square ft. of sign 145.79.
 - 4) Under clearance of 6' 6-1/2".
 - 5) Leading edge of sign no closer than 48" from property line.
- If approved all previous variances related to the pylon sign with be relinquished.

ORDINANCES and REQUIREMENTS:

Section 16.02 Limitation of the Use: E) No sign shall be erected upon such parking area, except not more than one (1) sign at each entrance to indicate the operator, the purpose for which it is

operated and/or parking rates. All signs shall not exceed fifteen (15) square feet in area, shall not extend more than ten (10) feet in height above the nearest curb elevation and shall be located entirely upon the premises, with no part of such sign extending beyond the property line.

Section 4A.17 – Setbacks: The following setback regulations shall apply to signs located in all zoning districts: B) All freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height of the sign.

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

- 13. PUBLIC HEARING: **APPLICANT: 32800 Mound LLC -USE-**
- REPRESENTATIVE: Paul Weisberger
- COMMON DESCRIPTION: 32800 Mound
- LEGAL DESCRIPTION: 13-04-102-007
- ZONE: C-1

VARIANCES REQUESTED: Permission to -USE-

Allow indoor storage in a C-1 property.

ORDINANCES and REQUIREMENTS:

Section 1301 – Uses Permitted: Warehouse and storage buildings are not a permitted use in a C-1 zone.

- 14. PUBLIC HEARING: **APPLICANT: Steve Elturk**
- REPRESENTATIVE: Hisham Turk
- COMMON DESCRIPTION: 28630 Ryan
- LEGAL DESCRIPTION: 13-17-101-040
- ZONE: C-1

VARIANCES REQUESTED: Permission to

Erect a building addition no less than 12’ 4” from the side (south) property line.

ORDINANCES and REQUIREMENTS:

Section 5.11 – Churches, Schools, Libraries and Civic Clubs: 9) Every building shall have two (2) side yards of not less than twenty (20) feet each.

- 15. PUBLIC HEARING: **APPLICANT: Kemp Building and Development**
- REPRESENTATIVE: Thomas R Kemp
- COMMON DESCRIPTION: 27650 Dequindre
- LEGAL DESCRIPTION: 13-18-302-007
- ZONE: C-2

VARIANCES REQUESTED: Permission to

- 1) Waive 162 off-street parking spaces when 518 spaces are required and 356 are provided.
- 2) Waive the required greenbelt/decorative wall along the east property line.

ORDINANCES and REQUIREMENTS:

Section 4.32 – Off-Street Parking Requirements: H) The amount of required off-street parking space for new uses or buildings, additions thereto and additions to existing building as specified above shall be determined in accordance with the following table, and the space, so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use. (18) Medical or dental clinics. One (1) parking space for each one hundred fifty (150) square feet of gross floor area.

Section 14.04 – Greenbelt: All non-residential uses, when adjacent to an existing residence or residential district or adjacent to an alley which abuts an existing residence or residential district, shall provide and maintain a twenty (20) foot greenbelt, or decorative wall, in compliance with Section 2.26 of this ordinance.

16. NEW BUSINESS

17. 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.

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CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: JEFFEREY TENEYCK

REPRESENTATIVE: JEFFEREY TENEYCK

COMMON DESCRIPTION: 28254 BESMORE

PARCEL NUMBER: 12-13-15-280-008

ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to erect a roof over their front porch.

ORDINANCES and REQUIREMENTS:

SECTION 7.05 - FRONT YARD. Each lot in R-1-C districts shall have a front yard of not less than twenty-five (25) feet.

VARIANCES REQUESTED: Permission to:

Erect a roof over a porch no less than 18'6" from the front property line.

Previous Variance Requested: None.

dwenson, Zoning Inspector 02/28/2023 03/22/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: JEFFEREY TENEYCK

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 7.05 FRONT YARD

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 2/28/23

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

FEB 28 2023
CITY OF WARREN
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: JEFFEREY TEN Eyck

Address: _____ Telephone: _____

Applicant's Email Address: _____ I prefer email communication

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

Name of Representative: SAME Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ I prefer email communication

Address of Property: _____

Parcel I.D. No. (as shown on tax bill): 12-13-15-280-008

Purpose of Request: I WANT TO ADD A HIP ROOF OVER AN EXISTING
PORCH CEMENT SLAB.

Please explain the nature of your hardship:
THE AREA IN QUESTION WOULD PROTRUDE INTO THE NORMAL
SETBACK ALLOWANCE FROM PROPERTY LINE

Signature: [Signature] Date: 2/28/23

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 JEFFEREY TENEVCK
Name(s) of Person(s)

OF _____
Address, City, State Zip Telephone

THE _____ OF _____
Title of Officer Name of Company

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

_____/RECORDED LAND CONTRACT PURCHASER(S) I/We/It /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 SAME
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 Jefferey Tenevck L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 08 DAY OF February, 2023, BEFORE ME PERSONALLY CAME
Jefferey Tenevck, 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.

MANDY WELLS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires March 24, 2028
Acting in the County of Macomb

Mandy Wells
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 3/24/28

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.

PORCH IN QUESTION IS ALREADY IN SETBACK. PORCH COVER
WOULD NOT BE A BURDEN.

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

CONCRETE SLAB AT HOME WAS EXISTING WHEN HOME WAS PURCHASED.

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 UNIQUE IN THAT THE PORCH WAS COVERED
BY THE ROOF OF AWNING.

Not a detriment. Granting the variance will not result in detriment to nearby properties; will not impair an adequate supply of light and air to the adjacent properties; will not impair the property values in the surrounding area; and will not cause public safety concerns.

A VARIANCE GRANTED WILL NOT IMPAIR. WILL ACTUALLY ADD
VALUE & SAFETY TO 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.

VARIANCE IS NOT RELATED TO ANY HARDSHIP. COVERED PORCH/ROOF
WOULD NEED TO BE WITHIN SETBACK.

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.

NECESSARY TO MAKE IT POSSIBLE TO USE PORCH & PROTECT PORCH
FROM THE ELEMENTS.

2021 WARREN



28254 BESMORE
13-15-280-008

38



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: JEFFEREY TENEYCK
Common Description: 28254 BESMORE

VARIANCE(S) REQUESTED: Permission to:
Erect a roof over a porch no less than 18' 6" 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

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: MICHAEL ANDREW SPINA LIBURDI

REPRESENTATIVE: MICHAEL ANDREW SPINA LIBURDI

COMMON DESCRIPTION: 20754 GENTNER

PARCEL NUMBER: 12-13-36-451-015

ZONED DISTRICT: R-1-P

REASON: Petitioner seeks variances related to dwelling repairs following a fire.

ORDINANCES and REQUIREMENTS:

SECTION 8.07 - SIDE YARDS ABUTTING UPON A STREET. In R-1-P districts, the width of the side yard abutting upon a street shall be not less than twenty-five (25) feet when rear yards abut side yards;

SECTION 8.05 - FRONT YARD. Each lot in R-1-P district shall have a front yard not less than twenty-five (25) feet in depth.

VARIANCES REQUESTED: Permission to:

- 1. Retain a dwelling no less than 3' 8" from the side (north) property line.
2. Construct a porch no less than 21' from the front property line.

Previous Variance Requested: None.

dwenson, Zoning Inspector 02/23/2023 03/21/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: MICHAEL ANDREW SPINA LIBURDI

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 8.07 SIDE YARDS.
SECTION 8.05 FRONT YARD.

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

SW
#95
2/23/23

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

FEB 23 2023
CITY OF WARREN
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: Michael Andrew Spina Liburdi

Address: _____ Telephone: _____

Applicant's Email Address: _____ I prefer email communication

Name and Address of Property Owner (if different) same

Name of Representative: see above Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ I prefer email communication

Address of Property: 20754 GENTNER

Parcel I.D. No. (as shown on tax bill): 1336451015

Purpose of Request: Home sustained smoke & fire damage in June 2022, following a gas leak explosion in the attached garage. Servepro has already approved the home for repair & begun the process of doing so. The structure & foundation of the home is in fact, all that is needed is the city's approval to complete the repairs

Please explain the nature of your hardship:
The home owner suffered life-threatening injuries & disablement and would face homelessness if the dwelling is not repaired. Michael is looking forward to returning to his residence in Warren & continuing to heal. Without the city's approval there would not be sufficient funding to demolish & rebuild the home, as the city is suggesting.

Signature: [Signature] Date: 02/23/23

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 Michael Andrew Spina Liburdi
Name(s) of Person(s)

OF _____
Address, City, State Zip Telephone

THE _____ OF _____
Title of Officer Name of Company

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

_____/RECORDED LAND CONTRACT PURCHASER(S) INVEST /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 same
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 Michael Liburdi L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 23 DAY OF February, 2023, BEFORE ME PERSONALLY CAME
Michael Liburdi, 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.

Mandy Wells
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 3/24/28

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.

Unreasonable impact/burden

The explosion at my home severely disabled me for life. I lost my arm and suffered burns to over 60% of my body. I deal with disabling pain daily, and have a long road to recovery. My garage has roof & brick damage but the livable space in my home only has smoke damage. With mounting medical bills and continuing care, relocating my home from its existing spot would bankrupt me. The money provided by my insurance carrier only covers a portion of the repairs.

Not self-imposed

This property and surrounding properties in the area have been zoned and in place since original construction, therefore this condition was not created by me, nor could I have reasonably discovered this condition.

Property unique

This house is a cottage style home with original brick and fieldstone features. There are no other homes like mine in the neighborhood. These historical features are just part of the reason I fell in love with this property.

Not a detriment

Repairing my home would cause no impairments to surrounding properties. In fact, restoration of this historical house would only add/increase value to the surrounding properties, with no safety concerns.

Not personal or economic

My home is unique with its beautiful brick and fieldstone features. The roof lines and gables are an aesthetic attribute to the neighborhood.

Necessary

By granting this variance, this gorgeous home can be restored to its original state. This variance will also endure conservation of the neighborhood by disallowing a commercial property to impede this lot.

2021 WARREN



20754 GENTNER
13-36-451-015



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: MICHAEL ANDREW SPINA LIBURDI
Common Description: 20754 GENTNER

VARIANCE(S) REQUESTED: Permission to:

- 1) Retain a dwelling no less than 3' 8" from the side (north) property line.
- 2) Construct a porch no less than 21' 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.

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You may e-mail: njones@cityofwarren.org or contact us by U.S. Mail at the address listed above, to express any views you may have pertaining to this matter.

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Patrick Green, (Mayor Pro Tem) President, At Large
Gary Watts, Vice-President, Dist. 4
Mindy Moore, Secretary, Dist. 3

Jonathan Lafferty, Asst. Sec'y, Dist. 2
Angela Rogensues, At Large

Ronald Papandrea, Dist. 1
Eddie Kabacinski, Dist. 5



CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: JENNIFER MASON
REPRESENTATIVE: MASON JENNIFER
COMMON DESCRIPTION: 32809 BEECHWOOD
PARCEL NUMBER: 12-13-01-204-029
ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to retain fence that extends past the front building line of the dwelling.

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.

VARIANCES REQUESTED: Permission to:

Retain a 6ft. high privacy fence that extends 45" past the front building line.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 03/06/2023 03/14/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: JENNIFER MASON

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

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: Jennifer Mason

Address: _____ 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: 32809 Beechwood

Parcel I.D. No. (as shown on tax bill): 12-13-01-204-029

Purpose of Request: Variance to extend privacy fence 45"
for privacy, not to exceed the building line of
the attached garage.

Please explain the nature of your hardship:

To assist in regaining some of my privacy
lost when my neighbor to the north started
surveilling me whenever I step out of my front
door both in person and by camera.

Signature: Jenny Mason Date: 2/6/23

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, Jennifer Mason
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 Jennifer Mason

_____/RECORDED LAND CONTRACT PURCHASER(S) X 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 _____
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 Jennifer Mason L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 6 DAY OF February, 2023, BEFORE ME PERSONALLY CAME
Jennifer Mason TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT I DID SO OF 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: 12/18/2023

NOTICE TO OWNER

If a representative appears on your behalf, they must be informed on all pertinent data relative to your request. Failure to answer any question from the Board could result in your request being delayed or denied. **IT IS THEREFORE RECOMMENDED THAT YOU appear in person.**

Non-use variances relate to the modification of applicable area, dimension or structural regulations. The concurring vote of five (5) members of the Board shall be required to approve a non-use variance. No variation from the provisions or requirements of this article shall be authorized by the Board unless the Board finds that the applicant has demonstrated all of the following to establish there is a practical difficulty in complying with the article requirement.

The reason you are seeking the variance must be something that is beyond your control. You cannot justify approval of a variance on the simple contention that it is inconvenient to follow the rules. What extraordinary situation affects only your property and no others in the vicinity or zone?

Use the space provided below to demonstrate how your request will meet the following criteria for a non-use variance.

Unreasonable Impact/burden. Strict compliance with area, setback, frontage, height, bulk or density requirements would unreasonably prevent the applicant from using the property for a permitted purpose, or would be unnecessarily burdensome.

It would be burdensome if not approved to enjoy my home.

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

N/A

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.

N/A

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 variance requested does not affect neighborhood or property value only provides limited privacy.

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.

N/A

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.

Yes ability for home owner to protect and enjoy property as others are able to do.

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.

N/A

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

Trying to remedy the situation of limited privacy and lessen damage to property when neighbor moved in 18 months ago.

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.

It is unique to present circumstances not created by me

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.

True

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

Very True and essential

32809 BEECHWOOD

01/12/2022

LEGAL DESCRIPTION: 13-01-204-029

VARIANCES REQUESTED: Permission to

Retain 30 ft. of a 35 inch high temporary fence extended past the front building line into the front yard setback to 2 ft. from the public sidewalk.

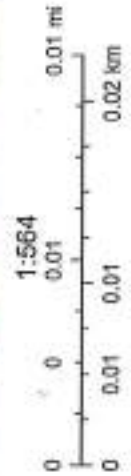
The petitioner's request was **DENIED** as written. The petitioner was given thirty (30) days to remove the fence.

ArcGIS Web Map



12/6/2021, 12:30:46 PM

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



ZONING Enforcement | E23-00400**Property Information**

12-13-01-204-029

32809 BEECHWOOD
WARREN MI, 48088

Subdivision: 2

Lot: Block:

Name Information

Owner: MASON JENNIFER

Phone:

Occupant:

Phone:

Filer:

Phone:

Enforcement Information

Date Filed: 01/23/2023

Date Closed:

Status:

Complaint:

FENCE PANEL EXTENDS BEYOND BUILDING LINE.

Last Action Date:

Last Inspection: 02/06/2023

Last Action:

FOLLOW-UP Inspection | SUZANNE RUTKOWSKI

Status: Scheduled

Result:

Scheduled: 04/17/2023

Completed

Comments:

PO OWNER APPLIED TO ZBA FOR VARIANCE

FOLLOW-UP Inspection | SUZANNE RUTKOWSKI

Status: Completed

Result: No Orange

Scheduled: 02/06/2023

Completed: 02/06/2023

Comments:

EM - PI FAST ADVISE NEXT STEPS

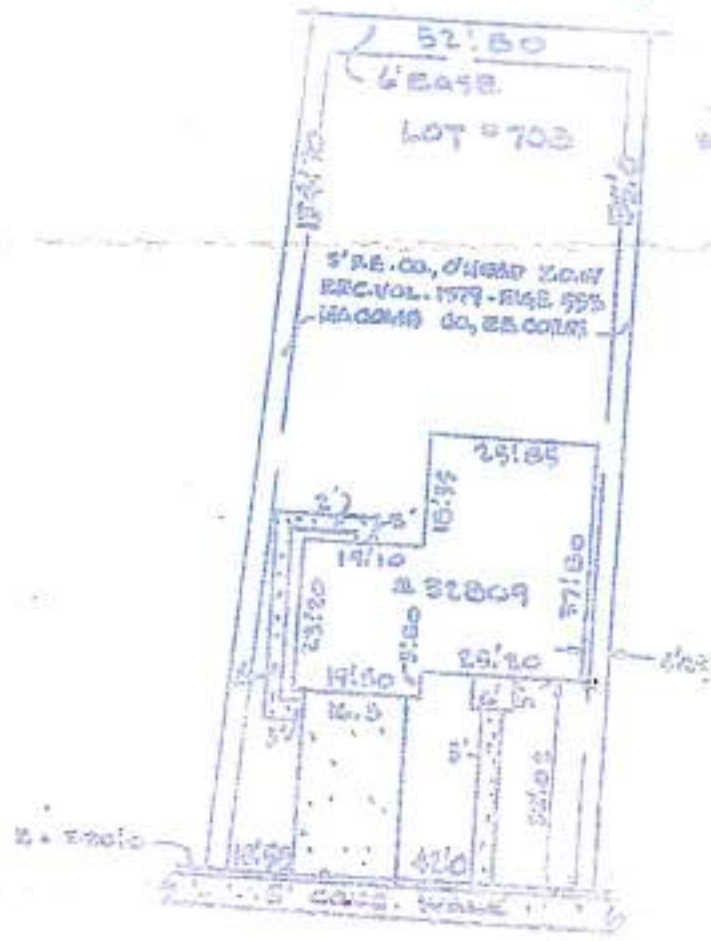
ZONING Inspection | SUZANNE RUTKOWSKI

Status: Completed

Result: Violation(s)

Scheduled: 01/23/2023

Completed: 01/23/2023



SCALE: 1/4\"/>

"Detached Plat Sub. No. 2"
 Part of the N.E. 1/4 of Section 1, T. 1 N., R. 12 E.
 City of Warren
 Macomb County, Michigan.

32809 BIRCH WOOD DR.
 60' W.D.

PLAT RECORDED IN LIBER 50 PAGES 43, 44 & 45
 MACOMB COUNTY REGISTER OF DEEDS

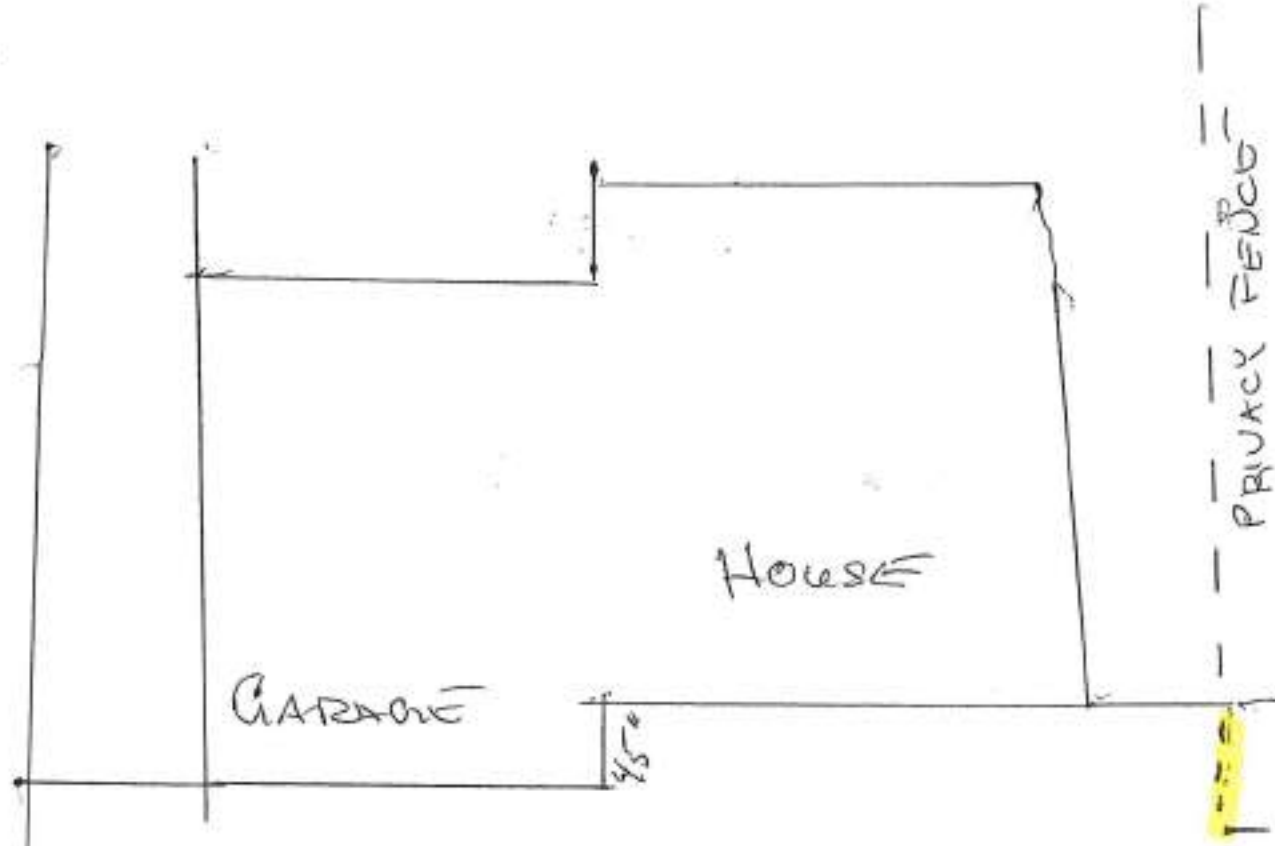
We hereby certify to the **DETROIT BANK & TRUST CO.**
DETROIT, Michigan,
 for the purpose of a mortgage loan made or to be made

LEHNER ASSOCIATES, INC.
 Registered Land Surveyors

by _____
 to said mortgage that we have surveyed the property
 herein described and that the buildings and improve-
 ments as shown on plat are entirely within the property
 lines as surveyed and that there are no visible existing
 encroachments upon lands unless otherwise shown.
 Photographs of said buildings and improvements are
 attached hereto. This report is for mortgage purposes
 only and no corners were set or dimensions specified for
 use in building of structures or fences.

[Signature]
 Registered Land Surveyor

JAN 7 1964



REQUESTING VARIANCE ON

45" FENCE SECTION
IN DISPUTE



DISPUTED FENCE SECTION



Sent from Yahoo Mail for iPhone

NO SIGHT LINE OBSTRUCTION

32809 BEECHWOOD
13-01-204-029

52





Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: JENNIFER MASON
Common Description: 32809 BEECHWOOD

VARIANCE(S) REQUESTED: Permission to:

Retain a 6 ft. high privacy fence that extends 45" past the front building 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 APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: WARREN WOODS TOWER BOOSTER CLUB

REPRESENTATIVE: JASON CHAMBERLAIN

COMMON DESCRIPTION: 13400 12 MILE

PARCEL NUMBER: 12-13-14-226-023/24

ZONED DISTRICT: MZ, R-1-C, C-1

REASON: Petitioner seeks permission to conduct annual fair.

ORDINANCES and REQUIREMENTS:

SECTION 4.35 CIRCUSES, FAIRS, CARNIVALS AND SIMILAR USES. Fairs require the approval of the Zoning Board of Appeals.

VARIANCES REQUESTED: Permission to:

To conduct annual spring fair in the parking lot from Friday, May 19, to Sunday, May 21, 2023, from:

Friday 4 p.m. to 12 a.m.

Saturday Noon to 12 a.m.

Sunday Noon to 11 p.m.

Music to be lowered at 10 p.m. each night.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 02/10/2023 03/16/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: WARREN WOODS TOWER BOOSTER CLUB

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 4.35 FAIRS

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

\$195 GW 2/10/23

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

A 11
FEB 10 2023

CITY OF WARREN

Name of Applicant Warren Woods Tower Booster Club

Address _____ Telephone: _____

Applicant's Email Address: _____ prefer email communication

Name and Address of Property Owner (if different) Warren Woods Public Schools

Name of Representative Jason Chamberlain Telephone: _____

Representative's Address: _____

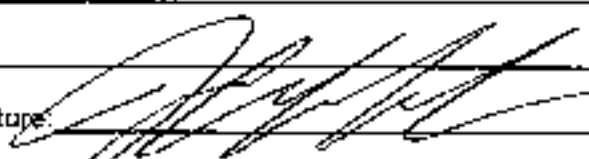
Representative's Email Address: _____ prefer email communication

Address of Property: _____

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

Purpose of Request: we are a non-profit organization that raises money for extra needs for Warren Woods tower high school. Friday May 19 4-12am Sat May 20 12pm-12am, Sun May 21 noon-11pm. Music will be lowered at 10pm each night.

Please explain the nature of your hardship:
To raise additional funds for school activities. The money raised goes back to use towards events at our high school.

Signature:  Date: 2/8/2023

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

I, WE Stacey Danewith-Fici (Superintendent)
Name(s) of Owner(s)

OF _____
Address City, State Zip Telephone Email

THE Superintendent OF Warren Woods Public Schools
Title of Officer Name of Company

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

_____/RECORDED LAND CONTRACT PURCHASER(S) /RECORDED OFFHOLDER(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 PLANNING COMMISSION

FURTHER, THAT Jason Chamberlin
Name(s) of Applicant(s)

THE Vice President OF Warren Woods Tower Booster Club
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

SIGNED [Signature]
SIGNED _____

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 1st DAY OF February, 2023, BEFORE ME PERSONALLY CAME
Stacey Danewith-Fici TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN AND WHO

EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND ACKNOWLEDGED THAT
she _____ DID SO OF her OWN FREE WILL AND DEED.

[Signature]
NOTARY PUBLIC 11/9/2027 COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 11/9/2027

NOTICE TO OWNER

IF A REPRESENTATIVE APPEARS ON YOUR BEHALF, THE REPRESENTATIVE/APPLICANT SHALL CONTACT THE PLANNING DEPARTMENT BY LETTER OR EMAIL AND MAKE THEMSELVES KNOWN. FAILURE TO ANSWER ANY QUESTION FROM THE COMMISSION MAY RESULT IN YOUR REQUEST BEING TABLED OR DENIED. IT IS RECOMMENDED THAT YOU APPEAR IN PERSON.

JP TH PROPERTIES, LLC

January 31, 2023

Ms. Stacey Denewlth-Fici
Warren Woods Public Schools

Re: Southwest corner of 12 & Mile and Schoenherr, Warren, Michigan

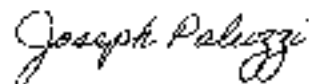
Ms. Denewlth-Fici,

You have our approval to use our property, as referenced above, that is directly north of the Tim Horton's for the fair from May 14, 2022 through May 21, 2023.

Please forward a Certificate of Insurance prior to the start of the Fair.

If you need anything additional, please contact me.

Sincerely,



Joseph Paluzzi
JP TH PROPERTIES, LLC

13400 Twelve Mile

3/11/2020

LEGAL DESCRIPTION: 13-14-226-023

**VARIANCES REQUESTED: Permission to
Conduct annual spring fair in the parking lot from Friday, May
15 to Sunday, May 17, 2020 from:**

Friday 4:00 p.m. to 12:00 a.m.

Saturday Noon to 12:00 a.m.

Sunday Noon to 11:00 p.m.

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

13400 TWELVE MILE

03/09/2022

LEGAL DESCRIPTION: 13-14-226-023

VARIANCES REQUESTED: Permission to

**Conduct annual spring fair in the parking lot from Friday, May
20th to Sunday, May 22, 2022 from:**

Friday 4pm to 12am

Saturday Noon to 12am

Sunday Noon to 11pm

The petitioner's request was **APPROVED** with the condition that
music be shut off by 10:00 pm.

PUBLIC HEARING: 3/14/2018

APPLICANT: WARREN WOODS TOWER HS
BOOSTER CLUB

REPRESENTATIVE: NORBERT COLES
COMMON DESCRIPTION: 13400 TWELVE MILE
LEGAL DESCRIPTION: 13-14-226-023
ZONE: MZ, R-1-C, C-1

VARIANCES REQUESTED: PERMISSION TO
CONDUCT ANNUAL SPRING FAIR IN THE PARKING LOT FROM FRIDAY, MAY 18, TO SUNDAY, MAY 20,
FROM:

FRIDAY: 4 P.M. TO 12 A.M.
SATURDAY: 12 P.M. TO 12 A.M.
SUNDAY: 12 P.M. TO 11 P.M.

ORDINANCES AND REQUIREMENTS:

SECTION 4.35: FAIRS REQUIRE THE APPROVAL OF THE ZONING BOARD OF APPEALS.

THE PETITIONER'S REQUEST WAS GRANTED AS WRITTEN WITH THE CONDITION THAT ALL MUSIC BE
SHUT OFF AT 10:00 P.

PUBLIC HEARING: 2/13/2019

APPLICANT: NORBERT COLES

REPRESENTATIVE: SAME AS ABOVE.
COMMON DESCRIPTION: 13400 TWELVE MILE
LEGAL DESCRIPTION: 13-14-226-023
ZONE: MZ, R-1-C, C-1

VARIANCES REQUESTED: PERMISSION TO
TO CONDUCT ANNUAL SPRING FAIR IN THE PARKING LOT FROM FRIDAY, MAY 17, 2019 TO SUNDAY,
MAY 19, 2019 FROM:

FRIDAY 4:00 P.M. TO 12:00 A.M.
SATURDAY NOON TO 12:00 A.M.
SUNDAY NOON TO 12:00 P.M.

ORDINANCES AND REQUIREMENTS:

SECTION 4.35: FAIRS REQUIRE THE APPROVAL OF THE ZONING BOARD OF APPEALS.

THE PETITIONER'S REQUEST WAS APPROVED WITH THE CONDITION THAT ALL MUSIC BE SHUT OFF AT
10:00 P.M M

VARIANCES REQUESTED: Permission to conduct annual spring fair in the parking lot from Friday, May 19 to Sunday, May 21 from:

- Friday 4 p.m. to 12 a.m.
- Saturday noon to 12 a.m.
- Sunday noon to 11 p.m.

The Petitioner's request was **GRANTED** with the amendments to the initial request for the beginning hours. Along with the Condition: that the music is turned off at 10:00 p.m. for each of the three days.

13400 Twelve Mile Road 4/27/2016
LEGAL DESCRIPTION: 13-14-226-013

VARIANCES REQUESTED: Permission to Conduct Annual Spring Fair in the parking lot from Friday, May 20, 2016 to Sunday, May 22, 2016 as follows:
Friday, May 20, 2016 4 p.m. to 12 a.m.
Saturday May 21, 2016 noon to 12 a.m.
Sunday May 22, 2016 noon to 11 p.m.

Petitioner's request was **GRANTED** with the condition all music be turned off by 10 p.m.

13400 Twelve Mile 4/10/2013

Warren Woods Tower Booster Club, 13400 Twelve Mile Road, 13-14-226-001, 002, 013, 015, 019, 021, petitioner was **GRANTED** permission to conduct Annual Spring Fair on the School Parking Lot as follows:
May 16, 2013 Thursday - 4:00 p.m. to 11:00 p.m.
May 17, 2013 Friday - 4:00 p.m. to 11:00 p.m.
May 18, 2013 Saturday - 10:00 a.m. to 11:00 p.m.
May 19, 2013 Sunday - 11:00 a.m. to 10:00 p.m.

WITH THE FOLLOWING CONDITION: The music will be turned off at 10:00 p.m. each night.

13400 12 Mile 4/22/16

PUBLIC HEARING APPLICANT: Warren Woods Tower Booster Club
REPRESENTATIVE: Mr. Norbert Coles
COMMON DESCRIPTION: 13400 Twelve Mile Road
LEGAL DESCRIPTION: 13-14-226-013
ZONE: R-1-C

VARIANCES REQUESTED: Permission to conduct annual spring fair on the parking lot from as per the plan: Friday, May 16, 2016, TO Sunday May 17, 2016, as follows:
May 16, 2016 -Friday 4 p.m. to 11 p.m.
May 16, 2016 -Saturday noon to 11 p.m.
May 17, 2016 -Sunday noon to 10 p.m.

The Petitioner's request was **GRANTED** with the Condition that the music is to be turned off each night by 10:00 p.m.

13400 Twelve Mile 4/11/2012

Warren Woods Tower Booster Club, 13400 12 Mile Rd., also known as 13-14-226-008, 015, 019, 023, 024; **GRANTED** Permission to conduct annual spring fair on the school parking lot from Thursday, May 17, 2012 through Sunday, May 20, 2012 as follows: Thursday, May 17, 2012 from 4:00 p.m. to 11:00 p.m.; Friday, May 18, 2012 from 4:00 p.m. to 11:00 p.m.; Saturday, May 19, 2012 from 10:00 a.m. to 11:00 p.m.; and Sunday, May 20, 2012 from 11:00 a.m. to 10:00 p.m. Adding the condition that the parent volunteers be situated on the Schoenher side of the road and advise parents in cross at the light.

13400 Twelve Mile

5/11/2011

Warren Woods Tower High School Booster Club, 13400 12 Mile Road, Also Known As 13-14-226-001, 007, 009, 013, 015, GRANTED the following request: Permission to conduct Annual "May Fair" on the school parking lot as follows: Thursday, May 19, 2011 from 8:00 p.m. to 10:00 p.m., Friday, May 20, 2011 from 4:00 p.m. to 11:00 p.m., Saturday, May 21, 2011 from 12:00 noon to 11:00 p.m., Sunday, May 22, 2011 from 12:00 noon to 10:00 p.m. With the condition that personnel be assigned to monitor and direct parking and street crossings.

3/26/2008

13400 Twelve Mile

4/14/10

Warren Woods Tower High School Booster Club, 13400 12 Mile, Also Known As 13-14-226- 001, 007, 009, 013, 015, GRANTED request to conduct annual "May Fair" on the school parking lot from Thursday, May 20, 2010 to Sunday, May 23, 2010 as follows: Thursday 4:00 p.m. to 10:00 p.m.; Friday 4:00 p.m. to 10:00 p.m.; Saturday 12:00 noon to 11:00 p.m.; Sunday 12:00 noon to 10:00 p.m. With the following condition: All music associated with the rides or other activities will cease at 10:00 p.m. during each and every day of operation.

13400 12 Mile

WARREN WOODS TOWER BOOSTER CLUB, DR. ROBERT LIVERNOIS, SUPERINTENDENT, 13400 Twelve Mile, Also Known As 13-14-226-001, 13-14-226-007, 13-14-226-009, 13-14-226-013, 13-14-226-015 -- GRANTED request to conduct annual "May Fair" on the school parking lot as follows: Thursday, May 15, 2008 from 4 p.m. to 10 p.m., Friday May 16, 2008 from 4 p.m. to 11 p.m., Saturday, May 17, 2008 from Noon to 11 p.m. and Sunday, May 18, 2008 from Noon to 10 p.m.

13400 Twelve Mile

4/22/09

WARREN WOODS TOWER BOOSTER CLUB, STACEY DENEWITH-FICI, SUPERINTENDENT, 13400 Twelve Mile, Also Known As 13-14-226-001, 13-14-226-007, 13-14-226-009, 13-14-226-013 & 13-14-226-015 -- GRANTED request to conduct annual "May Fair" on the school parking lot from Thursday, May 14, 2009 through Sunday May 17, 2009 as follows: Thursday, 6 p.m. to 10 p.m., Friday 4 p.m. to 11 p.m., Saturday, Noon to 11 p.m. and Sunday, Noon to 10 p.m.

3/14/2007

13400 Twelve Mile

WARREN WOODS TOWER BOOSTER CLUB, 13400 Twelve Mile, Also Known As 13-14-226-001, 13-14-226-009, 13-14-226-013, 13-14-226-015, 13-14-226-019, 13-14-226-021 -- GRANTED request to conduct annual spring fair on the school parking lot as follows: Thursday May 17, 2007 from 4 p.m. to 10 p.m., Friday, May 18, 2007 from 4 p.m. to 11 p.m., Saturday, May 19, 2007 from 12 Noon to 11 p.m. and Sunday May 20, 2007 from 12 Noon to 10 p.m.

13400 Twelve Mile

3/22/2008

WARREN WOODS TOWER BOOSTER CLUB, 13400 Twelve Mile, Also Known As 13-14-226-001, 13-14-226-007, 13-14-226-009, 13-14-226-013 and 13-14-226-015 - **GRANTED** request conduct annual Spring Fair on the School parking lot as follows: Thursday, May 18, 2008 from 8 p.m. to 10 p.m., Friday, May 19, 2008 from 4 p.m. to 11 p.m., Saturday, May 20, 2008 from 12 noon to 11 p.m. and Sunday, May 21, 2008 from 12 noon to 10 p.m.

2/26/2003

13400 Twelve Mile

WARREN WOODS TOWER BOOSTER CLUB, 13400 Twelve Mile, Also Known As 13-14-226-008, 13-14-226-013, 13-14-226-015, 13-14-226-019 and 13-14-226-021 - **GRANTED** request to conduct annual spring fair on the school parking lot as follows: Thursday May 15, 2003, from 8:00 p.m. to 10:00 p.m., Friday, May 16, 2003 4:00 p.m. to 11:00 p.m., Saturday, May 17, 2003, from 12 noon to 11:00 p.m. and Sunday, May 18, 2003, from 12 noon to 10:00 p.m. **WITH THE CONDITION** that a letter will be faxed or presented to the City Attorney's Office indicating that Mr. Lawinski was indeed authorized to represent the Warren Woods Booster Club.

13400 Twelve Mile

4/13/05

WARREN WOODS TOWER BOOSTER CLUB, 13400 Twelve Mile, 13-14-226-001, 13-14-226-007, 13-14-226-009, 13-14-226-013 & 13-14-226-015 - **GRANTED** request to conduct annual Spring Fair on the School parking lot as follows: Thursday, May 12, 2005 from 6 p.m. to 10 p.m., Friday, May 13, 2005 from 4 p.m. to 11 p.m., Saturday May 14, 2005 from 12 Noon to 11 p.m. and Sunday, May 15, 2005 from 12 Noon to 10 p.m. **WITH THE CONDITION** that the petitioner will address the safety problem of the patrons crossing Schoenherr, with their security.

3/27/2002

13400 Twelve Mile

WARREN WOODS TOWER BOOSTER CLUB, 13400 Twelve Mile, Also Known As 13-14-226-001, 13-14-226-007, 13-14-226-009, 13-14-226-013 & 13-14-226-015 - **GRANTED** request to conduct Annual Spring Fair on the school parking lot as follows: Thursday, May 16, 2002 from 6:00 p.m. to 10:00 p.m., Friday May 17, 2002 from 4:00 p.m. to 11:00 p.m., Saturday, May 18, 2002, from 12 noon to 11:00 p.m. and Sunday May 19, 2002, from 12 noon to 10:00 p.m.

13400 Twelve Mile

3/10/2004

WARREN WOODS TOWER BOOSTER CLUB, 13400 Twelve Mile, Also Known As 13-14-226-009, 13-14-226-013, 13-14-226-015, 13-14-226-019, and 13-14-226-021 - **GRANTED** request to conduct annual spring fair on the school parking lot as follows: Thursday, May 13, 2004, from 6:00 p.m. to 10:00 p.m., Friday, May 14, 2004, from 4:00 p.m. to 11:00 p.m., Saturday, May 15, 2004, from 12 noon to 11:00 p.m. and Sunday, May 16, 2004, from 12 noon to 10:00 p.m.

13400 12 Mile

-3/14/2001

WARREN WOODS TOWER BOOSTER CLUB, 13400 Twelve Mile, Also Known As 13-14-226-009, 13-14-226-013, 13-14-226-015, 13-14-226-019, 13-14-226-021 - GRANTED request to conduct annual Spring Fair on the school parking lot as follows: Thursday May 17, 2001, from 3:00 p.m. to 11:00 p.m., Friday May 18, 2001 from 3:30 p.m. to 12:00 midnight, Saturday, May 19, 2001, 12:00 noon to 12:00 midnight, Sunday, May 20, 2001, from 12:00 noon to 11:00 p.m.

13400 Twelve Mile

4-12-00

Also known as 13-14-226-009, 13-14-226-013, 13-14-226-015, 13-14-226-019, 13-14-226-021

Warren Woods Tower Booster Club - GRANTED request to conduct an annual Spring Fair on the school parking lot from May 18, 2000 to May 21, 2000.

13400 Twelve Mile

4/14/99

Also known as 13-14-227-001, 13-14-226-009, 13-14-226-013 & 13-14-227-015

Warren Woods Tower Booster Club GRANTED request to conduct an annual spring fair on the school parking lot from May 13, 1999, to May 16, 1999.

4-8-98

13400 Twelve Mile

Also known as 13-14-226-001, 13-14-226-009, 13-14-226-009, 13-14-226-013, and 13-14-226-015

Warren Woods Tower Booster Club- GRANTED permission to conduct an annual spring fair on the school parking lot from May 13, 1998 to May 17, 1998, with the STIPULATION that there be no moonwalk or lawn signs.

13400 Twelve Mile

Warren Woods Tower Booster Club

Granted permission to conduct annual Spring Fair on the school parking lot from May 14 through May 18, 1997, with the condition they do not have a moonwalk, they do not have any lawn signs scattered throughout the city, and they abide by all city ordinances.

April 9, 1997

13400 Twelve Mile
Warren Woods Booster Club

Granted permission to construct the annual spring fair on school property from May 15 through May 19, 1996, with the condition they do not have a moonwalk.

April 10, 1995

13400 Twelve Mile Road

WARREN WOODS IDNER BOOSTER CLUB

GRANTED permission to conduct a School Fair from May 17 through May 21, 1995, with the condition they do not have a moonwalk.

March 8, 1995

13400 Twelve Mile Road

Warren Woods Tower Booster Club

GRANTED permission to conduct annual Spring Fair on the school grounds from May 11 through May 15, 1994, with the condition they do not have a moonwalk.

March 9, 1994

13400 Twelve Mile Rd.

Warren Woods Tower Booster Club

GRANTED permission to conduct a fair on the school parking lot from May 12 through May 16, 1995.

March 10, 1995

13400 Twelve Mile
WARREN WOODS TOWER BOOSTER CLUB

GRANTED PERMISSION AT THE MEETING: 3-25-92
To conduct annual spring fair on the school parking lot from May 13 through May 17, 1992.

13400 Twelve Mile Rd.

Warren Woods Tower Booster Club

At the meeting held on Wednesday, March 27, 1991 permission was granted to operate the annual spring fair on the school parking lot from May 15 through May 19, 1991, with the stipulation that there be no moonwalk.

13400 Twelve Mile

Warren Woods Tower Booster Club

GRANTED permission at the meeting of 3-14-90 to conduct annual Spring Fair on the school parking lot from May 16 through May 20, 1990.

13400 Twelve Mile

Warren Woods Tower Booster Club

GRANTED permission at the meeting of 3/8/89 to conduct their annual Spring Fair on the school parking lot from May 17 through May 21, 1989.

13400 Twelve Mile Road

Warren Woods Tower Booster

Granted permission at the meeting of 3-9-88 to conduct an annual Spring Fair on the school parking lot from May 18 thru May 22, 1988.

13400 Twelve Mile Road

Warren Woods Tower Booster

Granted permission at the meeting of 2-11-87 to conduct an annual Spring Fair on the school parking lot from May 13 through May 17, 1987.

13400 Twelve Mile Road

Warren Woods Tower Booster

Granted permission at the meeting of 4-30-86 to conduct an annual spring fair on the school parking lot from May 14 through May 18, 1986.

Warren Woods Booster Club

13400 Twelve Mile Road

Warren Woods - Tower Booster

Granted permission at the meeting of 4-8-85 to hold their Annual Spring Fair on the school parking lot from May 13 through May 19, 1985, inclusive. Also granted to waive the five (5) waiting period.

13400 Twelve Mile

At the meeting of 4-15-83 was GRANTED permission to hold a fair on the school parking lot from May 10 through May 15, 1983, inclusive.

13400 Twelve Mile Road

Warren Woods Tower Booster Club

Granted permission at the meeting of 4-11-84 to hold a fair on the school parking lot from May 9 through May 13, 1984 inclusive.

Warren Woods Boosters Club

13400 Twelve Mile Road

Granted permission at the meeting of 4-14-82 to hold a fair on the school parking lot from May 11 thru May 16, 1982 inclusive.

13400 Twelve Mile Road

Warren Woods Boosters Club

Granted permission at the meeting of 4-8-81 to hold a fair on the school parking lot from 4-29 thru 5-3-81 incl.

Warren Woods Booster Club.

GRANTED permission at the meeting of 4/12/78 to hold a fair on the school parking lot from May 5, through May 7, 1978

13400 Twelve Mile

13400 Twelve Mile Rd.

Warren Woods Boosters Club

GRANTED permission to hold a fair on school parking lot from April 30 thru May 4, 1980 inc. with condition a guard is stationed to insure no fair goers park in the medical bldg. parking lot while the doctors are there.

13400 TWELVE MILE

Warren Woods Boosters Club

GRANTED--permission to conduct a fair on the school parking lot May 4, through May 6, 1979, inclusive. MEETING OF April 25, 1979.

13400 TWELVE MILE ROAD

WARREN WOODS BOOSTER CLUB

GRANTED PERMISSION AT MEETING OF APRIL 13 1977 TO HOLD A FAIR ON THE SCHOOL PARKING LOT FROM MAY 4 THROUGH MAY 6, 1977.

13400 E. Twelve Mile Rd.

Warren Woods Booster Club

Request granted at the Meeting of Jan. 29, 1975
to hold Booster Club Fair on school parking lot
April 29 thru May 4, 1975.

Request granted at Meeting of April 14, 1976 to
conduct a fair from April 27 thru May 2, 1976.

13400 E. Twelve Mile Rd.

Warren Woods Booster Club

Request granted at the Meeting of March 27, 1974 to hold
a Booster Club Fair on the school parking lot from May 1
through May 5, 1974.

13400 E. Twelve Mile Rd.

Warren Woods Booster Club

Request granted at the Meeting of March 28, 1973 to
conduct a fair from May 4 through May 6 in a

13400 Twelve Mile Rd.

Warren Woods Public Schools

Request granted at the Meeting of October 25, 1972 to
install three strands of barbed wire around football
field.

13400 E. Twelve Mile Rd.

Warren Woods Booster Club
27578 Dover

Request granted at the Meeting of May 10, 1972.

13600 E. Twelve Mile Rd.

Warren Woods Booster Club

Rep: Arnold G. Silberman
27578 Dover Dr.

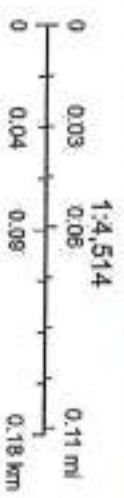
Request granted at the Meeting of Sept. 22, 1971.

ArcGIS Web Map

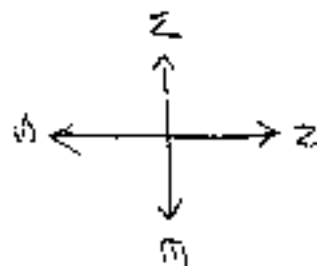


2/22/2022, 11:47:53 AM

- Platted Area Boundaries
- Property Area Boundaries
- Property Lines - Retired
- Property Lines - Core
- 100 - Parcel
- 101 - Parcel/ROW
- 106 - Parcel/Water/Combine
- 107 - Parcel/Water
- 108 - Parcel/Combine
- 109 - Parcel/Spill
- 201 - SubClosure
- 202 - Parcel/Road
- 205 - TwpClosure



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



116 000000

13400 12 MILE
13-14-226-023
13-14-226-024

46



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: WARREN WOODS TOWER BOOSTER CLUB
Common Description: 13400 TWELVE MILE

VARIANCE(S) REQUESTED: Permission to:

Conduct annual spring fair in the parking lot from Friday, May 19th to Sunday, May 21, 2023 from: Friday, 4pm to 12am; Saturday, Noon to 12am; Sunday, Noon to 11pm.
Music to be lowered at 10pm each night.

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED.

IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

You may e-mail: njones@cityofwarren.org or contact us by U.S. Mail at the address listed above, to express any views you may have pertaining to this matter.

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Patrick Green, (Mayor Pro Tem) President, At Large
Gary Watts, Vice-President, Dist. 4
Mindy Moore, Secretary, Dist. 3

Jonathan Lafferty, Asst. Sec'y, Dist. 2
Angela Rogensues, At Large

Ronald Papandrea, Dist. 1
Eddie Kabacinski, Dist. 5

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: FAMILY FUN FIREWORKS

REPRESENTATIVE: CAREN M BURDI

COMMON DESCRIPTION: 30800 HOOVER

PARCEL NUMBER: 12-13-11-101-033

ZONED DISTRICT: MZ, C-1, P, C-2

REASON: Petitioner seeks variances regarding temporary fireworks sales.

ORDINANCES and REQUIREMENTS:

SECTION 4.48 - TEMPORARY OUTDOOR RETAIL SALES IN COMMERCIAL AND INDUSTRIAL DISTRICTS. Temporary outdoor retail sales may be permitted in conjunction with a permanent building in C-1, C-2, C-3, M-1 and M-2 zoning districts.

SECTION 4.52 - STANDARDS FOR TEMPORARY OUTDOOR RETAIL SALES APPROVAL. D) No sales activity or display of merchandise shall be permitted in the area designated for required off-street parking for the existing or temporary use;

SECTION 4.32 (H) 22: One (1) parking space required for each 300 sf. of floor space and outdoor sales area combined

VARIANCES REQUESTED: Permission to:

1. Conduct a temporary outdoor retail sale without a permanent building.
2. Conduct a temporary outdoor sale in a 20' x 50" tent=1000 sf in a parking lot from 6/15/2023 through 7/5/2023 9 a.m. to 9 p.m. with a 10' buffer around the tent.
3. Waive 54 off-street parking spaces for the outdoor sales area and retail businesses combined.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 03/17/2023 03/20/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: FAMILY FUN FIREWORKS

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 4.48 TEMPORARY SALES
SECTION 4.52 STANDARDS FOR TEMPORARY RETAIL SALES
APPROVAL
SECTION 4.32 (H) PARKING

[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

\$195 SW 3/17/23

2023

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

RECEIVED
MAR 17 2023
CITY OF WARREN
BUILDING DIV

PLEASE PRINT OR TYPE

Name of Applicant: FAMILY FUN FIREWORKS

Address: _____ Telephone: _____

Applicant's Email Address: _____ prefer email communication

Name and Address of Property Owner (if different): JAMES ESSEK

Name of Representative: CAKE BURDI Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ email communication

Address of Property: 30800 HOOVER WARREN Mich 48091

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

Purpose of Request: TO CONDUCT TEMPORARY OUTDOOR
FIREWORKS SALE FROM 20'x40' TENT
FROM 6-15-2023 TO 7-5-2023 FROM 9 TO 9
WITH 10 FOOT BUFFER AROUND TENT

Please explain the nature of your hardship:
TEMPORARY OUTDOOR SALE REQUIRE THE
APPROVAL OF THE BOARD THE
VARIANCE REQUEST WILL NOT
DETRIMENT TO ADJOINING PROPERTY

Signature: Michael Essek Date: 1-24-2023

The approval of any land use or dimensional variance from the regulations of the Warren Zoning Ordinance does NOT affect or restrict any requirement of the ordinance to obtain site plan approval, Building Division permit or to otherwise comply fully with the Code of Ordinances, or other applicable State or Federal regulations

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE James Eshaki
Name(s) of Person(s)

OF _____
Address, City, State Zip Telephone

THE OWNER OF _____
Title of Officer Name of Company

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 Jenna Nola or Michael Kwakky
Name(s) of Person(s)

THE Members OF Family Fun Fireworks
Title of Officer Name of Company

OF _____
Address, City, State Zip Telephone

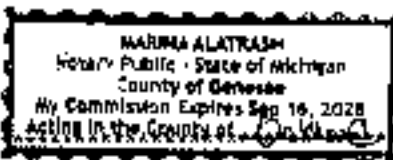
IS/ARE/MY/OUR DESIGNATED REPRESENTATIVE(S) IN THE PROCESSING OF SAID PETITION.
FURTHER, DEPONENT SAYS NOT.

SIGNED [Signature] L.S.
SIGNED James Eshaki L.S.

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Genesee

ON THIS 17 DAY OF March, 2023, BEFORE ME PERSONALLY CAME
James Eshaki, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT _____ DID SO OF _____ OWN FREE WILL AND DEED.



Marina Alatrash
NOTARY PUBLIC, Genesee COUNTY, MICHIGAN
MY COMMISSION EXPIRES: Sept. 16, 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.

PUBLIC HEARING: 3/10/2021
KANAKRY

APPLICANT: FAMILY FUN FIREWORKS – IENNA NOIA AND MIKE

REPRESENTATIVE:

CAREN M. BURDI

COMMON DESCRIPTION:

30800 HOOVER

LEGAL DESCRIPTION:

13-11-101-033

ZONE:

MZ, C-1, P, C-2

VARIANCES REQUESTED: PERMISSION TO

1) CONDUCT A TEMPORARY OUTDOOR FIREWORKS SALE OPERATION WITH A 20' X 50' TENT (1,000 SQUARE FT.) IN A PARKING LOT FROM JUNE 15, 2021 THROUGH JULY 7, 2021 FROM 10:00 A.M. TO 9:00 P.M., WITH A 10' BUFFER AROUND TENT.

2) WAIVE FIFTY FOUR (54) OFF STREET PARKING SPACES FOR THE OUTDOOR SALES AREA AND RETAIL BUSINESS COMBINED.

ORDINANCES AND REQUIREMENTS:

SECTION 4.32 (H) 22: ONE (1) PARKING SPACE REQUIRED FOR EACH 150 SQUARE FT. OF FLOOR SPACE AND OUTDOOR SALES AREAS COMBINED.

SECTION 4.52 (D): NO SALES ACTIVITY OR DISPLAY OF MERCHANDISE SHALL BE PERMITTED IN THE AREA DESIGNATED FOR REQUIRED OFF-STREET PARKING FOR THE EXISTING OR TEMPORARY USE.

PUBLIC HEARING: 3/9/2022

APPLICANT: FAMILY FUN FIREWORKS

REPRESENTATIVE:

CAREN BURD

COMMON DESCRIPTION:

30800 HOOVER

LEGAL DESCRIPTION:

13-11-101-033

ZONE:

MZ, C-1, P, C-2

VARIANCES REQUESTED: PERMISSION TO

1) CONDUCT A TEMPORARY OUTDOOR FIREWORKS SALE OPERATION WITH A 20' X 50' TENT (1,000 SQUARE FT.) IN A PARKING LOT FROM JUNE 15, 2022 THROUGH JULY 6, 2022, 9AM TO 10PM WITH A 10' BUFFER AROUND TENT.

2) WAIVE FIFTY FOUR (54) OFF STREET PARKING SPACES FOR THE OUTDOOR SALES AREA AND RETAIL BUSINESS COMBINED.

ORDINANCES AND REQUIREMENTS:

SECTION 4.32 (H) 22: ONE (1) PARKING SPACE REQUIRED FOR EACH 150 SQUARE FT. OF FLOOR SPACE AND OUTDOOR SALES AREAS COMBINED

SECTION 4.52 (D): NO SALES ACTIVITY OR DISPLAY OF MERCHANDISE SHALL BE PERMITTED IN THE AREA DESIGNATED FOR REQUIRED OFF-STREET PARKING FOR THE EXISTING OR TEMPORARY USE.

THE PETITIONER'S REQUEST WAS APPROVED WITH THE CONDITION TO HAVE ADDITIONAL WEIGHTS TO PREVENT THE COLLAPSE OF THE TENT IF HIGH WINDS. REQUEST 1) SHOULD READ 10AM TO 10PM. PETITIONER'S REQUEST WAS APPROVED AS WRITTEN.

PUBLIC HEARING: 3/13/2019
REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

APPLICANT: 4 Z's LLC Fireworks

Caren M. Burdi
30800 Hoover
13-11-101-033
MZ, C-1, P, C-2

VARIANCES REQUESTED: Permission to

- 1) Conduct a temporary outdoor fireworks sale operation with a 20' x 60' (1,200 square foot) tent in a parking lot from June 18, 2019 through July 8, 2019, from 10:00 a.m. to 10:00 p.m., with a 10' buffer around tent.
- 2) Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

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

6. 6/10/2020

APPLICANT: Family Fun Fireworks

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

Caren Burdi
30800 Hoover
13-11-101-033
MZ, C-1, P, C-2

VARIANCES REQUESTED: Permission to

- 1) Conduct a temporary outdoor fireworks sale operation with a 20' x 60' tent (1,200 square ft.) in a parking lot from June 15, 2020 through July 7, 2020 from 10:00 a.m. to 10:00 p.m., with a 10' buffer around the tent.
- 2) Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

The petitioner's request was **APPROVED** with the following change to item number 1: 20' x 50' tent (1,000 square ft.).

30800 Hoover

4/11/2017

PUBLIC HEARING: APPLICANT: Z&Z Fireworks & Michael P. Kanakry
REPRESENTATIVE: Michael P. Kanakry
COMMON DESCRIPTION: 30800 Hoover
LEGAL DESCRIPTION: 13-11-101-033
ZONE: MZ, C-1, P, C-2

VARIANCES REQUESTED: Permission to

- 1) Conduct a temporary outdoor fireworks sale operation with a 20' x 60' tent (1,200 sq. ft.) in a parking lot from June 18, 2017 through July 8, 2017; 10:00 a.m. to 10:00 p.m., with a 10' buffer around tent.
- 2) Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

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

30800 Hoover

3/28/2018

PUBLIC HEARING: APPLICANT: 4 Z's LLC Fireworks
REPRESENTATIVE: Caren M. Burdi
COMMON DESCRIPTION: 30800 Hoover
LEGAL DESCRIPTION: 13-11-101-033
ZONE: MZ, C-1, P, C-2

VARIANCES REQUESTED: Permission to

1. Conduct a temporary outdoor fireworks sale operation with a 20' x 60' tent (1,200 sq. ft.) in a parking lot from June 18, 2018 through July 8, 2018, 10:00 a.m. to 10:00 p.m., with a 10' buffer around tent.
2. Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

ORDINANCES and REQUIREMENTS:

Section 4.32 (H) 22: One (1) parking space required for each 150 sq. ft. of floor space and outdoor sales areas combined.

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

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

30800 Hoover

4/13/2016

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

APPLICANT: Z & Z Fireworks / Oak Ridge Market
Ms. Carol M. Burt
30800 Hoover Road
13-11-101-033
C-1 & P

VARIANCES REQUESTED: Permission to

- 1.) Conduct a temporary outdoor fireworks sale operation with a 20' x 60' tent (1,200 sq. ft.) in a parking lot (as per plan) from June 18, 2016 through July 6, 2016, 10:00 a.m. to 10:00 p.m., with a 10' buffer around tent.
- 2.) Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

The Petitioner's request was GRANTED as written.

30800 Hoover

4/8/16

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

APPLICANT: Z & Z Fireworks/Oak Ridge Market
Ms. Carol M. Burt
30800 Hoover Road
13-11-101-033
C-1 & P

VARIANCES REQUESTED: Permission to

Conduct a temporary outdoor fireworks sale operation 40' x 72' with a 20' x 60' tent (1,200 sq. ft.) in the parking lot (as per plan) of a market from June 16, 2015 through July 13, 2015, 10 a.m. to 10 p.m., with a 10' buffer around tent.
Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

The petitioner's request was GRANTED.

30800 Hoover

12/11/2013

PUBLIC HEARING
Kohler,

APPLICANT: Z & Z Fireworks Mr. Ron
Mr. Mike Karsky

REPRESENTATIVE:
COMMON DESCRIPTION:
LEGAL DESCRIPTION:
ZONE:

Mr. Charles Emil, Jr.
30800 Hoover Road
13-11-101-033
C-1 & P

VARIANCES REQUESTED: Permission to:

1. Conduct a temporary outdoor fireworks sale operation 40' x 72' with a 20' x 60' tent (1,200 sq. ft.) in the parking lot (as per the plan) of a market from June 19, 2014 through July 6, 2014, 8 a.m. to 9 p.m.
 2. Waive fifty-four (54) off street parking spaces for the outdoor sales area and retail business combined.
- Petitioner's request was GRANTED.

1/9/2013

30800 Hoover

10/12/11

30800 Hoover

Oak Ridge Market/Ronald Kohler/Mike Karsky, 30800 Hoover Road, 13-11-101-033, petitioner was GRANTED permission to:

1. Conduct a temporary outdoor fireworks sale operation 40' x 72', with a 20' x 60' tent (1,200 sq. ft.), in the parking lot (as per plan) of a market from June 20, 2013, through July 5, 2013, 8:00 a.m. to 9:00 p.m.
2. Waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

Oak Ridge Market/ Ron Kohler, 30800 Hoover Road, Also Known As 13-11-101-033, GRANTED the following request: #1. To conduct a temporary outdoor fireworks sale operation 40' x 72' with a 20' x 60' tent (1,200 square feet) in the parking lot (as per plan) of a market from June 20, 2012 through July 5, 2012, 9:00 a.m. to 9:00 p.m. #2. To waive fifty-four (54) off-street parking spaces for the outdoor sales area and retail business combined.

ZONING Enforcement | E23-01247**Property Information**

12-13-11-101-033	30800 HOOVER	Subdivision:	
	WARREN MI, 48093	Lot:	Block:

Name Information

Owner:	FSSCO DEVELOPMENT	Phone:	
Occupant:	OAK RIDGE MARKETS	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	03/06/2023	Date Closed:		Status:	WARNING SENT
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Complaint:

-OLD SIGNS FOR OAKRIDGE & WARREN CONEY GRILL

-CART CORALL IN PARKING LOT SMASHED ON GROUND.

Last Action Date:		Last Inspection:	03/03/2023
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Last Action:

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Scheduled	Result:	
Scheduled:	04/03/2023	Completed:	

Comments:

Scheduling Comment OAKRIDGE MKT/WARREN CONEY GRILL

FIELD INSPECTION Inspection | BRIAN SCHLIMAN

Status:	Completed	Result:	Violation(s)
Scheduled:	03/03/2023	Completed:	03/03/2023

Violations:

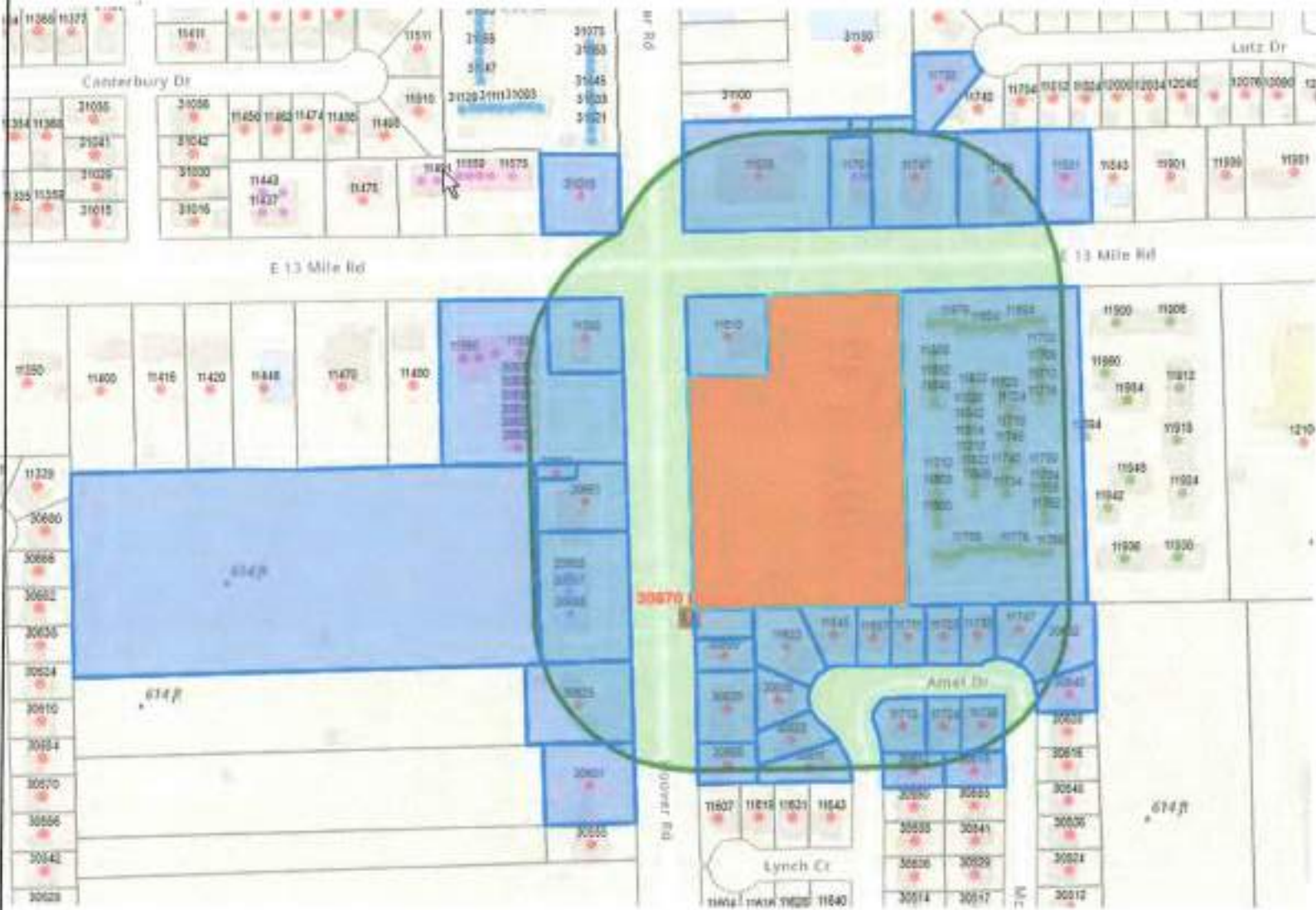
Uncorrected	SECTION 4A.14(H) - THE FOLLOWING SIGNS ARE PROHIBITED IN ALL DISTRICTS: OBSOLETE SIGNS.
Uncorrected	SECTION 4.13 - THE USE OF LAND FOR THE STORAGE OR COLLECTION OR ACCUMULATION OF USED LUMBER, AND OTHER USED MATERIALS, OR FOR THE DUMPING OR DISPOSAL OF BROKEN CONCRETE, SCRAP IRON, JUNK, GARBAGE, RUBBISH OR OTHER REFUSE OR OF ASHES, SLAG OR OTHER INDUSTRIAL WASTES OR BY-PRODUCTS SHALL NOT BE PERMITTED IN ANY DISTRICT.

2021 WARREN



30800 HOOVER
13-11-101-033

39



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: FAMILY FUN FIREWORKS
Common Description: 30800 HOOVER

VARIANCE(S) REQUESTED: Permission to:

- 1) Conduct a temporary outdoor retail sale without a permanent building.
- 2) Conduct a temporary outdoor sale in a 20' x 50' tent = 1,000 square ft. in a parking lot from 6/15/2023 through 7/5/2023, 9am to 9pm with a 10' buffer around the tent.
- 3) Waive 54 off-street parking spaces for the outdoor sales area and retail businesses combined.

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED.

IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

You may e-mail: njones@cityofwarren.org or contact us by U.S. Mail at the address listed above, to express any views you may have pertaining to this matter.

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Patrick Green, (Mayor Pro Tem) President, At Large
Gary Watts, Vice-President, Dist. 4
Mindy Moore, Secretary, Dist. 3

Jonathan Lafferty, Asst. Sec'y, Dist. 2
Angela Rogensues, At Large

Ronald Papandrea, Dist. 1
Eddie Kabacinski, Dist. 5

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: HAITHAM SITTO

REPRESENTATIVE: LEISA FLORCHUK

COMMON DESCRIPTION: 26601 RYAN

PARCEL NUMBER: 12-13-19-228-037

ZONED DISTRICT: MZ, R-1-C, C-1, R-1-P

REASON: Petitioner wishes to update their signage.

ORDINANCES and REQUIREMENTS:

SECTION 4A.17 - SETBACKS. The following setback regulations shall apply to signs located in all zoning districts: b) all freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height of the sign.

SECTION 4A.19 - CLEARANCE. All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

VARIANCES REQUESTED: Permission to:

Add a 31.75" x 84.5"=18.63 sf LED sign to an existing 12' high ground sign with a 5' setback from the property line, resulting in a new under clearance of 4' 2". (If this variance is granted it will replace the sign variance granted on June 10, 1981.)

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 02/15/2023 03/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: HAITHAM SITTO

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.17 SETBACKS
SECTION 4A.19 CLEARANCE

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

dwenson, Zoning Inspector

152-40
3/15/2023

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: Haithem Saito

Address: _____ Telephone: _____

Applicant's Email Address: _____ prefer email communication

Name and Address of Property Owner (if different) Ukrainian Cultural Center

Name of Representative: Leisa Florchuk Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ prefer email communication

Address of Property: 26601 Ryan Rd Warren MI 48091

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

Purpose of Request: We are requesting a Variance to the 10' Underclearance Ordinance for an existing pole sign. We would like to add an LED electronic Message Board to the sign.

Please explain the nature of your hardship:

Our current pole sign is 12' Tall with 7' Underclearance. We are asking to add an LED sign under the current sign, taking our underclearance from 7' to 3.5'. Our current sign does not meet the ordinance requirement

Signature: [Signature] Date: 2-3-23

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 LESIA FLORCHUK
Name(s) of Person(s)

OF _____
Address, City, State Zip Telephone

THE PRESIDENT OF UKRAINIAN CULTURAL CENTER
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT NE
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 LESIA FLORCHUK
Name(s) of Person(s)

THE PRESIDENT OF UKRAINIAN CULTURAL CENTER
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 Lesia Florchuk I.S.*

SIGNED _____ I.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF MACOMB

ON THIS 8 DAY OF NOVEMBER ~~OCTOBER~~, 2017, BEFORE ME PERSONALLY CAME
LESIA FLORCHUK, 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.

YULIYA SIEMSHUR
NOTARY PUBLIC, STATE OF M
COUNTY OF MACOMB
MY COMMISSION EXPIRES Feb 20, 2023
ACTING IN COUNTY OF Macomb

Yuliya Siemshur
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES 02-23-2023

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.

We applied for a Sign Permit to add an LED Message board and was denied. Due to under clearance we need 10' under clearance. Our current sign only has 7' under clearance. We are asking to add the electronic Message board in that space.

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

We have had the same sign for years. We want to add the LED sign to help advertise our facility. Because it's a pole sign with no base we need the 10' under clearance. We cannot achieve this with this sign. We are asking for a variance to the Clearance Rule.

Property unique. The property has unique physical features or characteristics; or the plight is due to unique circumstances of this property and is not due to general neighborhood conditions.

If we had a Monument sign we would be compliant with our request. We meet overall square footage and LED percentage of sign size. Because it's a pole sign we must meet the under clearance rule since we do not meet it anyway, adding LED does not change anything.

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.

Adding the LED sign will not result in detriment to other 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.

Our hardship is the result of our current sign size.

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.

Other establishments use LED signs in our area. We would like to have the same opportunity.

26601 Ryan Road

Ukrainian Cultural Center

Granted permission at the meeting of 6-10-81 to construct a 5' x 10' (50 sq. ft.) sign, 12' high to no less than 1' of the front property line with the condition no other signs are attached to this sign. The Board also stipulated that permit for the sign should not be issued to them until they remove their portable sign.

26601 Ryan Road

Ukrainian Cultural Center, Inc.

Granted permission at the meeting of 8-11-82 to waive the required curbing along the north south and west property lines.

26601 Ryan Rd.

Ukrainian Cultural Center

4-3 VOTE at the meeting of 2/8/89, will appear on Agenda for February 22, 1989.

26601 Ryan

Ukrainian Cultural Center

4-3 Vote at the meeting of 1/25/89, will appear on Agenda of Wednesday, Feb. 8, 1989.

26601 Ryan Road

5/13/15

PUBLIC HEARING APPLICANT: New Par, dba Verizon Wireless-USE.

REPRESENTATIVE: Ms. Melissa Brofford, Agent
COMMON DESCRIPTION: 26601 Ryan Road
LEGAL DESCRIPTION: 13-19-228-037
ZONE: R-1-C, C-1 & R-1-P

VARIANCES REQUESTED: Permission to USE.

Construct a 100 foot monopole telecommunications tower and related radio equipment shelter in R-1-C zoned district and adjacent to residentially zoned parcels.

The Petitioner's request was GRANTED.

26601 Ryan Rd.

Ukrainian Cultural Center

GRANTED permission at the meeting of 2/22/89 to waive the required Greenbelt or masonry wall along the south side property line with the exception a two (2) foot wide, three (3) foot high greenbelt (solid planting strip with the bushes close enough together so you will not be able to see through them after one (1) or two (2) full growing seasons) is provided.

2021 WARREN



22601 RYAN
13-19-228-037

40



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: HAITHAM SITTO
Common Description: 26601 RYAN

VARIANCE(S) REQUESTED: Permission to:

Add a 31.75" x 84.5" = 18.63 square ft. LED sign to an existing 12' high ground sign with a 5' setback from the property line, resulting in a new under clearance of 4' 2". (If this variance is granted it will replace the sign variance granted on June 10, 1981.)

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED.

IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

You may e-mail: njones@cityofwarren.org or contact us by U.S. Mail at the address listed above, to express any views you may have pertaining to this matter.

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Patrick Green, (Mayor Pro Tem) President, At Large
Gary Watts, Vice-President, Dist. 4
Mindy Moore, Secretary, Dist. 3

Jonathan Lafferty, Asst. Sec'y, Dist. 2
Angela Rogensues, At Large

Ronald Papandrea, Dist. 1
Eddie Kabacinski, Dist. 5

ZONING BOARD OF APPEALS - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: AVER SIGN COMPANY

REPRESENTATIVE: JENNIFER GLOVER

COMMON DESCRIPTION: 11610 13 MILE

PARCEL NUMBER: 12-13-11-101-001

ZONED DISTRICT: MZ, C-1, P

REASON: Petitioner wishes to change their signage due to a brand change.

ORDINANCES and REQUIREMENTS:

SECTION 16.02 - LIMITATION OF THE USE. (E) No sign shall be erected upon such parking areas, except not more than one (1) sign at each entrance to indicate the operator, the purpose for which it is operated and/or the parking rates. All signs shall not exceed fifteen (15) square feet in area, shall not extend more than ten (10) feet in height above nearest curb elevation and shall be located entirely upon the premises, with no part of such sign extending beyond the property line.

SECTION 4A.17 - SETBACKS. The following setback regulations shall apply to signs located in all zoning districts: B) All freestanding or ground signs shall be set back from the right-of-way line a minimum distance equal to the height of the sign.

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.19 - CLEARANCE. All freestanding, projecting, and marquee signs shall have a clearance of ten (10) feet beneath the sign structure, excluding monument signs.

VARIANCES REQUESTED: Permission to:

Allow a pylon sign in a "P" zone with the following specifications:

1. Located in a "P" zone.
2. Height of 27' 2 1/2".
3. Total sf of sign 145.79.
4. Under clearance of 6' 6 1/2".
5. Leading edge of sign no closer than 48" from property line.

If approved all previous variances related to the pylon sign will be relinquished.

Previous Variance Requested: See attached sheet

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 16.02 USE
SECTION 4A.17 SETBACKS
SECTION 4A.18 HEIGHT
SECTION 4A.19 CLEARANCE

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

dwenson, Zoning Inspector

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Aver Sign Co.

Address: _____ Telephone: _____

Applicant's Email Address: _____ prefer email communication

Name and Address of Property Owner (if different): 13th Hoover Bp. LLC

Name of Representative: Jennifer Glover Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ prefer email communication


Address of Property: 11610 13 Mile

Parcel I.D. No. (as shown on tax bill): 12-13-11-101-001

Purpose of Request: Allow 27' 2 1/2" 97.44 sq. ft. gas price sign w/ EMC in current location

Please explain the nature of your hardship:

Allow non-compliant gas price sign. Allow 7' 2 1/2" increase in height and 22.44 increase in size. In same location

Signature:  Date: 1-31-23

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

Dated
2/7/2023
B515

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE Namer George Kastan

OF _____
Address, City, State Zip Telephone

THE President OF B + Hoover RP, LLC
Title of Officer Name of Company

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

_____/RECORDED LAND CONTRACT PURCHASER(S) X /RECORDED DEEDHOLDER(S)
In/With

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 Oakland

ON THIS 31st DAY OF January, 2023, BEFORE ME PERSONALLY CAME
Namer George Kastan 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.

[Signature] John Sorell
NOTARY PUBLIC, Oakland COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 02-27-25

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.



January 30, 2023

City of Warren

One City Square

Warren, MI 48092

Re: answers for Nonuse variance for 11610 Thirteen Mile Rd.

Unreasonable impact/burden:

The intersection at Thirteen Mile and Hoover is a busy intersection with many stores, gas stations, and restaurants. In order for the Station Owner at 11610 Thirteen Mile to have the same competitive edge as all other retail and gas stations at this corner. The Valero, Walgreens, and Marathon all have gone to ZBA for their signage. It appears they were all awarded. We are requesting the same as any other business at this intersection.

Not Self-imposed:

The sign ordinance changes over the years and granting the variance's requested by the neighbors is what has caused this burden/impact.

Not a detriment:

The intersection and along 13 Mile are multiple retail and restaurant frontages with many tall signs. Our sign would blend in with the aesthetics of this intersection and adjacent businesses. If our sign would be considered a detriment that all the signage in this intersection should be considered the same.

Not personal or economic:

The station owner only wants to be able to display his products and prices so he/she can have the same competitive edge as the Chillbox or Marathon across the street.

Necessary:

The sign is absolutely necessary to provide the public with price options and let them know what products are offered at this station. Previously the sign did not allow for Cash/Credit options for fuel and diesel. Changing the sign to the current proposal will allow the station to recover the 5% upcharge for credit card purchase. The previous sign did not allow for cash/credit options causing the station to lose money daily. The station owner feels the 5% upcharge for credit card purchase is dishonest if not displayed on the sign. They have been at this site for many years and have gained the trust of the local residents. They would like to keep their reputation as it stands.

09/14/202

11610 THIRTEEN MILE

1 of

LEGAL DESCRIPTION: 13-11-101-001

VARIANCES REQUESTED: Permission to

- USE

- 1) Allow the following signage on a gas canopy 172' x 31" = 444.33 square ft. plus 1.6 square ft. (tri-mark extending above canopy) = 446 total square ft. of gas canopy #1.
 - a. North elevation: illuminated "Citgo" sign 21' x 88 5/8" = 12.9 square ft. and one illuminated tri-mark logo at 14.31 square ft.
 - b. West elevation: illuminated "Citgo" channel letters 21' x 88 5/8" 12.92 square ft.
 - c. East elevation: illuminated "Citgo" channel letters 21' x 88 5/8" 12.92 square ft.
 Total of 53.07 square ft. of signage on canopy and the remainder of 392.93 square ft. of decorative design.

09/14/202

11610 THIRTEEN MILE

2 of

LEGAL DESCRIPTION: 13-11-101-001

VARIANCES REQUESTED: Permission to

- USE

- 2) Allow the following signage on a gas canopy 52' x 31" = 392.88 square ft. plus 1.6 square ft. (tri-mark extending above canopy) = 394.26 total square ft. of gas canopy #2.
 - a. West elevation: illuminated "Citgo" sign 21' x 88 5/8" = 12.9 square ft. and one illuminated tri-mark logo at 14.31 square ft.
 - b. North elevation: illuminated "Citgo" channel letters 21' x 88 5/8" 12.92 square ft.
 - c. South elevation: illuminated "Citgo" channel letters 21' x 88 5/8" 12.92 square ft.
 Total 53.07 square ft. of signage on canopy and the remainder 341.11 square ft. of decorative design.

09/14/202

11610 THIRTEEN MILE

3 of

LEGAL DESCRIPTION: 13-11-101-001

VARIANCES REQUESTED: Permission to

- USE

- 3) Allow re-imaging of 5 gas pumps on both sides at 38.94 per pump for 194.7 square ft. on the pumps.

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

11510 Thirteen Mile Road

Amoco Oil Co.

Granted permission at the meeting of 4-22-87 to erect a 32' x 50'10" canopy to no less than 8'7" of the north property line along Thirteen Mile Road and a 24' x 51'6" canopy to no less than 5' 2-1/2" of the west property line along Hoover Road. Also granted to erect three 19.5" x 86" signs on each canopy for a total of 70 sq. ft.

11610 Thirteen Mile

5/9/2012

Nameer Kastau, 11610 Thirteen Mile Road, also known as 13-11-101-001, GRANTED permission to install a 6' 6" x 5' 6" LED message center to an existing pylon sign approved by ZBA on 1/31/1973. (With the condition that the sign have no scrolling, blinking or flashing).

11610 E. THIRTEEN MILE ROAD

Donald Weisenbach

GRANTED permission at the meeting of 6/29/78 to construct a 24' x 48' canopy with four (4) sets of letters 1' x 8' each to within 8' of the property line along 13 Mile R.

11610 Thirteen Mile Road

Standard Oil Company

Request denied at the meeting on Wednesday August 31, 1977

TO CONSTRUCT A 24' x 48' CANOPY TO WITHIN 4' OF THE FRONT BOUNDARY PROPERTY LINE ALONG 13 MILE R.

11510 E. Thirteen Mile Rd.

Randall Sign Erection, Inc.

Request granted at the Meeting of January 31, 1973 to attach a 6 ft. 6 in. x 5 ft. 6 in. sign unto an existing pole, etc.

11610 Thirteen Mile Rd.

Randall Sign Co.
23544 Hoover Rd.

Rep: E. J. Cannon

Request granted at Meeting of June 25, 1969.

To erect a 12 ft Sign, 11' high to 1' of front property conditions that all Standard Stations eliminate A-Frame Signs

11610 13 Mile

Standard Oil Div, American Oil Co
16025 Northland Drive
Southfield, Michigan
Rep: Charles H. Martin

Request approved at meeting of Oct 20, 1965
Request tabled at meeting of Nov 17, 1965

11610 13 Mile Rd

Standard Oil Div, American Oil Co
16025 Northland Dr.
Southfield
Rep: Charles H. Martin

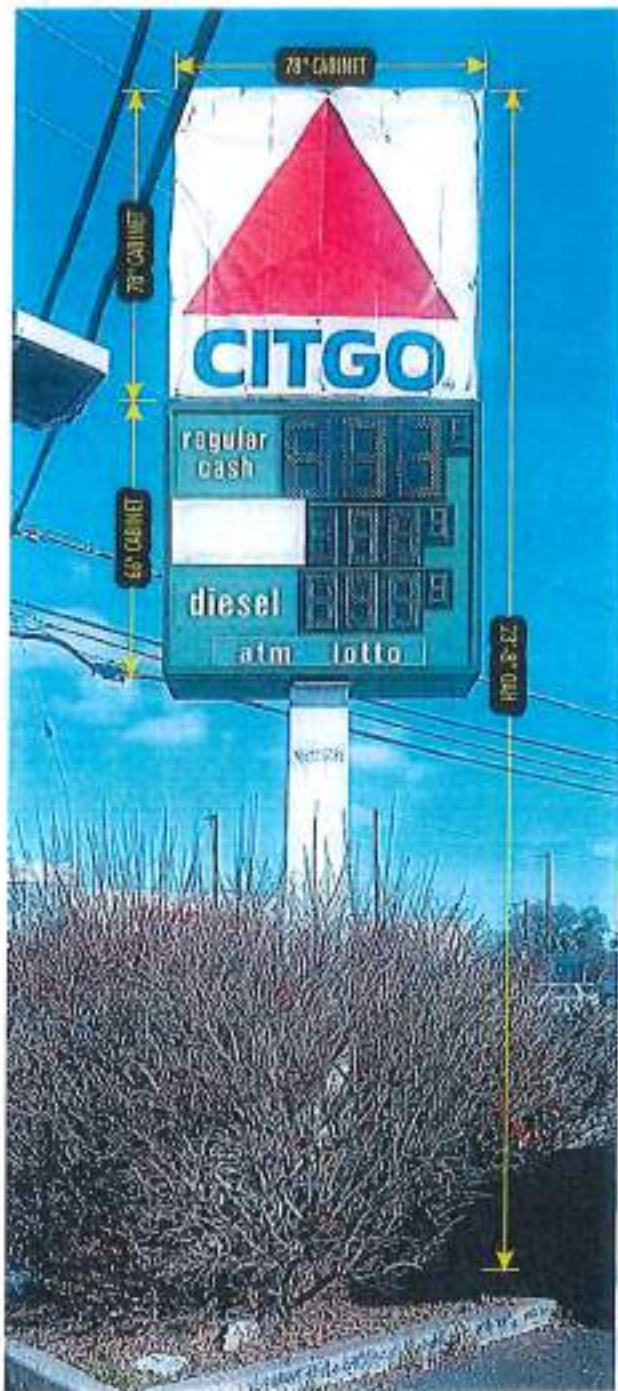
Request tabled at meeting of Nov 17, 1965,
until Jan 1966.

Request approved w/conditions at mtg of Jan 12, 1966. To erect 12 ft sign, 11' high to 1' of front property conditions that all Standard Stations eliminate A-Frame Signs. To THE PROPERTY LINE & STAND SIGN FROM THE GREEN HILL

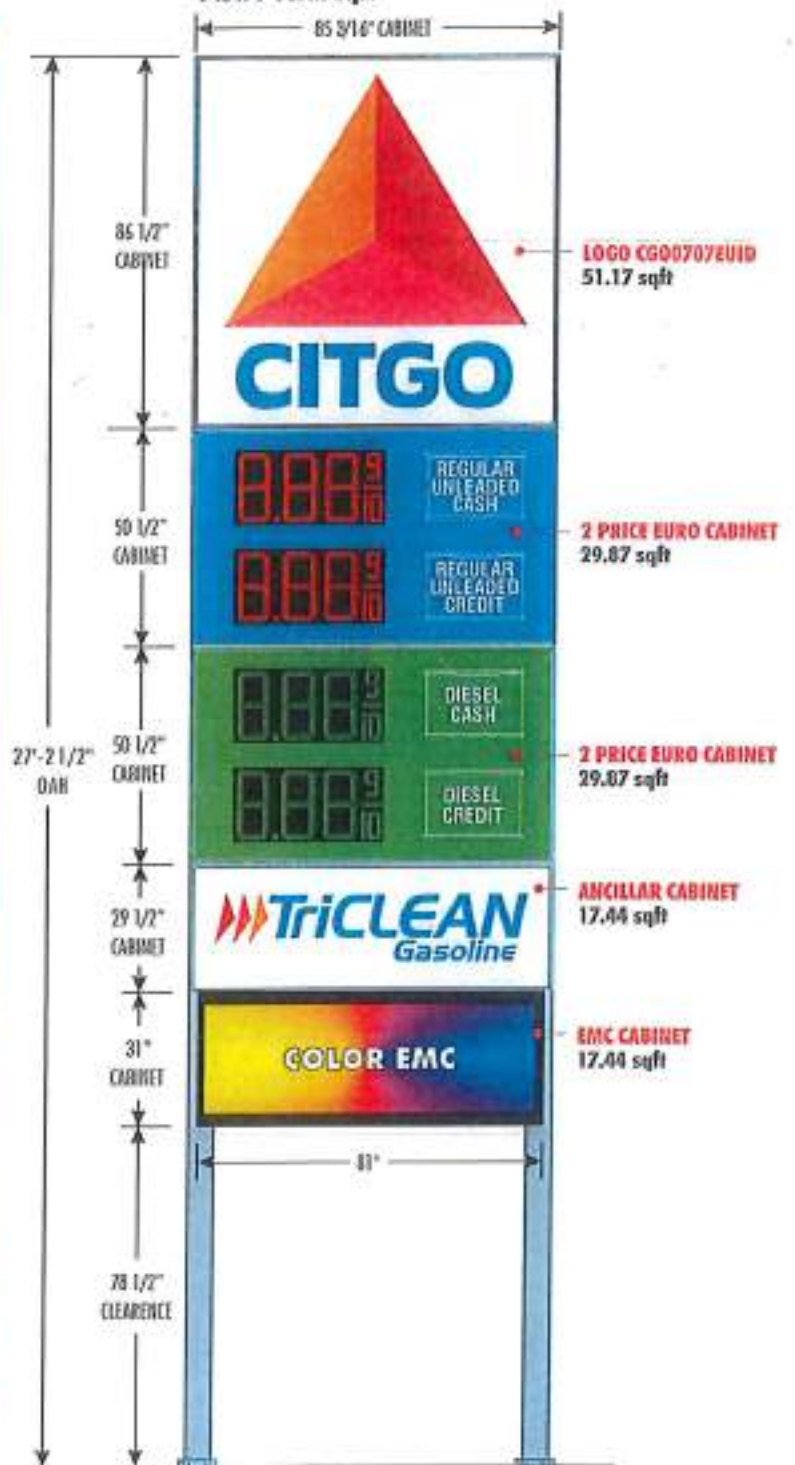
2021 WARREN



78.0 Total SqFt



145.79 Total SqFt

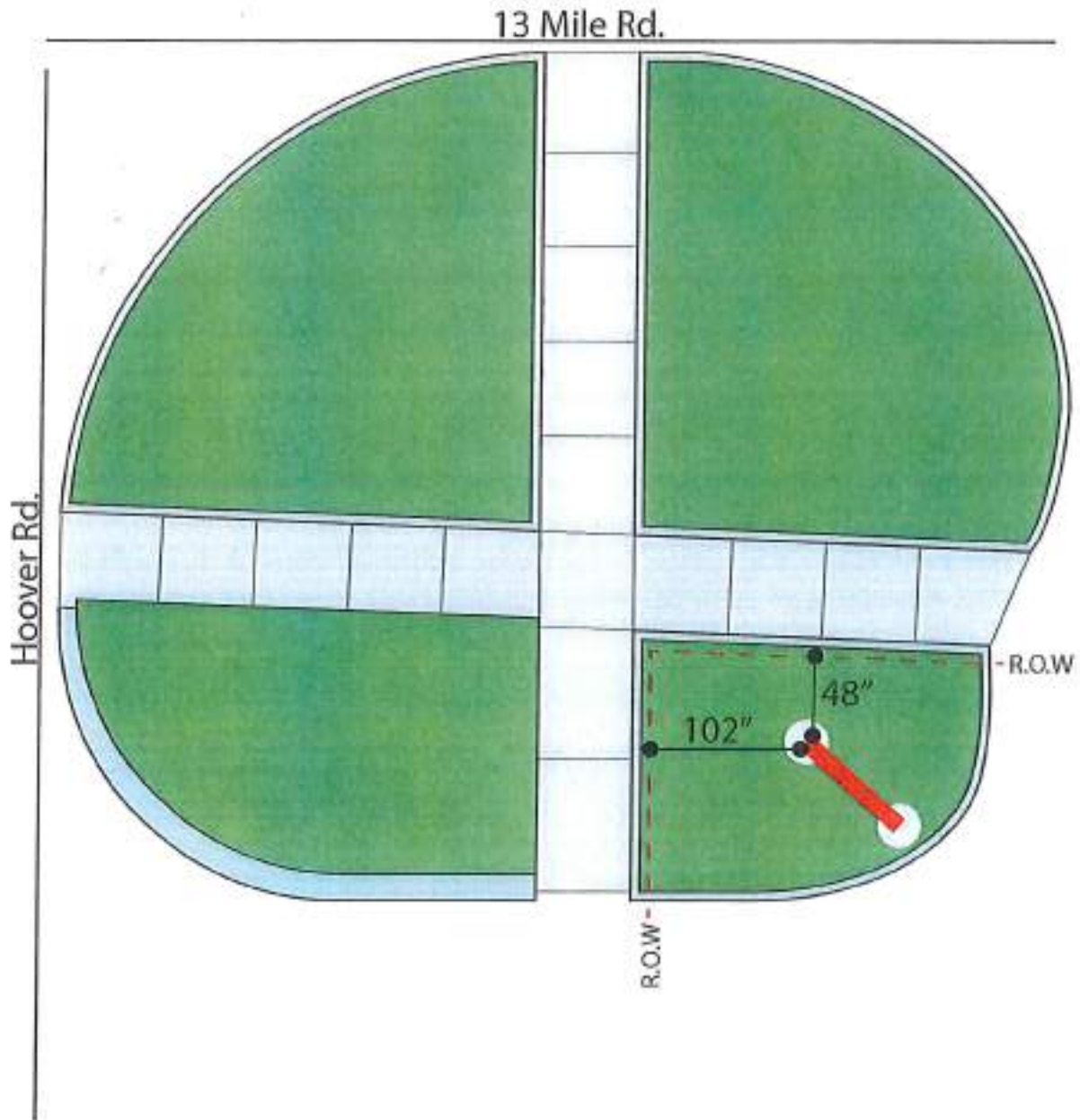


Aver
SIGN COMPANY

Customer:

Site Address:

WCN: Rev Date:



Aver
SIGN COMPANY

New Sign Setback

Resolving a sign setback is the responsibility of the client and not the sign company. The sign company is responsible for the sign design and production. The sign company is not responsible for the sign setback. The sign company is not responsible for the sign setback.

Customer:	Cisco
Site Address:	11610 E 13 Mile Warren, MI 48093
WC#: 25847	Rev D/W#: 3/16/23

11610 13 MILE
13-11-101-001

12
11



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: AVER SIGN COMPANY -USE-
Common Description: 11610 THIRTEEN MILE

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

Allow a pylon sign in a 'P' zone with the following specifications:

1) Located in a 'P' zone. 2) Height of 27' 2-1/2". 3) Total square ft. of sign 145.79. 4) Under clearance of 6' 6-1/2". 5) Leading edge of sign no closer than 48" from property line.

If approved all previous variances related to the pylon sign will be relinquished.

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 - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: 32800 MOUND LLC

REPRESENTATIVE: PAUL WEISBERGER

COMMON DESCRIPTION: 32800 MOUND

PARCEL NUMBER: 12-13-04-102-007

ZONED DISTRICT: C-1

REASON: Petitioner seeks variance related to indoor storage.

ORDINANCES and REQUIREMENTS:

SECTION 13.01 USES PERMITTED. Warehouse and storage buildings are not a permitted use in a C-1 Zone.

VARIANCES REQUESTED: Permission to:
Allow indoor storage in a C-1 property.

Previous Variance Requested: None.

dwenson, Zoning Inspector 02/14/2023 03/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: 32800 MOUND LLC

Your request for **BUILDING PERMIT** has been **REJECTED**, as it does not meet the requirements of the City of Warren Zoning Ordinance #30 as follows:

SECTION 13.01 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

2/11/23
11/14/23
#2

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: 32800 Mound, LLC

Address: _____ Telephone: _____

Applicant's Email Address: _____ prefer email communication

Name and Address of Property Owner (if different) N/A

Name of Representative: Paul Welsberger Telephone: _____

Representative's Address: _____

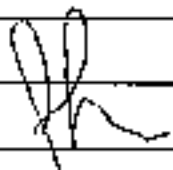
Representative's Email Address: _____ prefer email communication

Address of Property: _____

Parcel I.D. No. (as shown on tax bill): 12-13-04-102-005; 12-13-04-102-006; 12-13-04-102-007

Purpose of Request: To allow for indoor storage which is normally only allowed for properties in C-3. This property is currently zoned C-1. We ask for this variance only for as long as we own the property.

Please explain the nature of your hardship:
We originally attempted to use the property as a hydrostore. However, in order to do so, it would have required extensive improvements which made the project cost-prohibitive. The only other use is for indoor storage of fixtures from the Owner's Wild Bill's Tobacco locations.

Signature:  Date: 2/8/23

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 Mazin Samona
Name(s) of Person(s)

OF _____
Address, City, State Zip Telephone

THE Member OF 32800 Mound, LLC
Title of Officer Name of Company

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

OF LAND FOR WHICH SUBMITTAL HAS BEEN/WILL BE MADE TO THE CITY OF WARREN,
MACOMB COUNTY, MICHIGAN IN A:

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Paul Weisberger *
Name(s) of Person(s)

THE General Counsel OF 32800 Mound, LLC *
Title of Officer Name of Company

OF _____
Address, City, State Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

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

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Michigan

ON THIS 8th DAY OF February, 2023, BEFORE ME PERSONALLY CAME
Mazin Samona, 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.

DEREK PUTRUS
NOTARY PUBLIC - MICHIGAN
OAKLAND COUNTY
ACTING IN THE COUNTY OF Oakland
MY COMMISSION EXPIRES SEPTEMBER 29, 2025

[Signature]
NOTARY PUBLIC, Oakland COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 9.29.26

NOTICE TO OWNER

If a representative appears on your behalf, they must be informed on all pertinent data relative to your request. Failure to answer any question from the Board could result in your request being delayed or denied. IT IS THEREFORE RECOMMENDED THAT YOU appear in person.

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

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

The reason you are seeking the variance must be something that is beyond your control. You cannot justify approval of a variance on the simple contention that it is inconvenient to follow the rules. What extraordinary situation affects only your property and no others in the vicinity or zone?

Use the space provided below to demonstrate how your request will meet the following criteria for a land-use variance.

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

Property has been vacant since prior to current Owner's ownership in 2021, but due to having to replace and put in underground storm detention, it has made nearly every other use (except indoor storage) cost-prohibitive to the Owner

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 design standards are ordinance requirements. The condition was not created by the Owner as he did not draft the ordinance. Again, the cost of underground storm detention installation is cost prohibitive.

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 old, vacant, and unique. It needs a significant expense as stated above in order to meet the ordinance standard which makes it cost prohibitive for nearly every other use but indoor storage.

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.

We are asking for indoor storage in a self-contained facility. We will have very little traffic except 2-3x per month. This will not be indoor storage for compensation; it will be indoor storage for the principle Owner of Wild Bill's Tobacco for storage of fixtures and related items

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

The variance is necessary because the Owner wants to put the property to use and the property cannot be used for anything else besides indoor storage. This is the only use which is financially feasible.

2021 WARREN



Enforcement | E22-04808**Property Information**

12-13-04-102-007	32800 MOUND	Subdivision:	
	WARREN MI, 48092	Lot:	Block:

Name Information

Owner:	32800 MOUND LLC	Phone:	
Occupant:		Phone:	
File:		Phone:	

Enforcement Information

Date Filed:	11/04/2022	Date Closed:		Status:	
Complaint:	COC REQUIRED				
Last Action Date:		Last Inspection:	03/16/2023		
Last Action:					

COURT Inspection | DAVID PODESZWIK

Status:	Scheduled	<i>Court date</i>	Result:	
Scheduled:	04/19/2023		Completed:	

TICKET Inspection | DAVID PODESZWIK

Status:	Completed	Result:	Violation(s)	<i>TICKET IS SOLID</i>
Scheduled:	03/16/2023	Completed:	03/16/2023	

ZONING Inspection | DEBORAH WENSON

Status:	Completed	Result:	Violation(s)	
Scheduled:	11/04/2022	Completed:	11/04/2022	

Violations:

Incorrect SECTION 22.10(K) - OPERATING A BUSINESS WITHOUT A CERTIFICATE OF COMPLIANCE. SUBMIT APPLICATION TO THE BUILDING DIVISION WITHIN 10 DAYS AND SCHEDULE REQUIRED INSPECTIONS.

32800 MOUND
13-04-102-007

26



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: 32800 MOUND LLC ~~-USE-~~
Common Description: 32800 MOUND

VARIANCE(S) REQUESTED: Permission to: ~~-USE-~~
Allow indoor storage in a C-1 property.

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

14

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: STEVE ELTURK

REPRESENTATIVE: HISHAM TURK

COMMON DESCRIPTION: 28630 RYAN

PARCEL NUMBER: 12-13-17-101-040

ZONED DISTRICT: C-1

REASON: Petitioner seeks a variance related to a building addition.

ORDINANCES and REQUIREMENTS:

SECTION 5.11 - CHURCHES, SCHOOLS, LIBRARIES AND CIVIC CLUBS. (9) Every building shall have two [2] side yards of not less than twenty (20) feet each.

VARIANCES REQUESTED: Permission to:

Erect a building addition no less than 12' 4" from the side (south) property line.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 02/27/2023 03/21/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: STEVE ELTURK

Your request for **BUILDING PERMIT** has been **REJECTED**, as it does not meet the requirements of the City of Warren Zoning Ordinance #30 as follows:

SECTION 5.11 CHURCHES, SCHOOLS, LIBRARIES, CIVIC CLUBS.

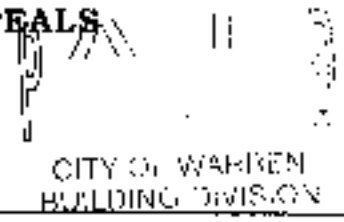
It is necessary for you to make application to the Zoning Board of Appeals to obtain a variance for the above noted sections.

dwenson, Zoning Inspector

\$250 SW 2/27/23

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE



PLEASE PRINT OR TYPE

Name of Applicant: Steve Efturk

Address: _____ Telephone _____

Applicant's Email Address: _____ I prefer email communication

Name and Address of Property Owner (if different) _____

Name of Representative: HISHAM TURK Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ I prefer email communication

Address of Property: 28630 RAYAN ROAD, WARREN, MI 48092

Parcel I.D. No. (as shown on tax bill): 13-17-101-040

Purpose of Request: To construct the new building addition 12 feet 4 inches from the south property line

Please explain the nature of your hardship.

The existing building is 12 feet 4 inches from the south property line. The new building addition shall be a continuation to existing building.

Signature:  Date: 02/22/23

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 Islamic Organization of North America - Steve Elturk/President
Name(s) of Person(s)

OF:
Address, City, State Zip Telephone

THE President OF Islamic Organization of North America - IDNA
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Islamic Organization of North America
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 HISHAM TURK
Name(s) of Person(s)

THE _____ OF TURK 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 Steve Elturk L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 27 DAY OF February, 2023 BEFORE ME PERSONALLY CAME
Steve Elturk, 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.

Mandy Wells
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 3/29/28

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.

YES. As we have limited space to expand, our existing use of the existing building.

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

It is Not self-imposed.

Property unique. The property has unique physical features or characteristics, or the plight is due to unique circumstances of this property and is not due to general neighborhood conditions.

Correct. The existing building on property is intact and it inches from the south property line and we want to match the existing 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.

Correct. It will not be a detriment.

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.

Correct. The variance request is related to the unique features of the property.

Necessary. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that enjoyed by other properties in the same zoning district and in the vicinity.

Correct. It is necessary for the preservation & enjoyment of substantial property right similar to that enjoyed by other properties in the same zoning district and in the vicinity.

12/14/05

28630 Ryan

ISLAMIC ORGANIZATION OF NORTH AMERICA (IONA), STEVE ELTURK, 28630 Ryan, Also Known As 13-17-101-008 - **TABLED** request to the meeting of January 25, 2006

1/25/06

28630 Ryan-Card 1

ISLAMIC ORGANIZATION OF NORTH AMERICA (IONA), STEVE ELTURK, 28630 Ryan, Also Known As 13-17-101-008 - **GRANTED** request to convert an existing commercial building into a religious center to no less than ten (10) feet of the south side property line on a site (1.15 acres) less than required with total lot coverage greater than allowed. With the existing parking area to no less than fifteen (15) feet of the front property line; and to the south side property line, and to no less than five (5) feet of the side north property line,

1/25/06

28630 Ryan-Card 2

and to no less than five (5) feet of the rear property line adjacent to a residential district, with the condition that there be no loudspeaker or other device mounted on the building, or that can be heard from the outside of the building, for the purpose of call to prayer five times daily. Should a loudspeaker or other device for call to prayer be established, this variance is null and void.

1/27/10

28630 Ryan

Steve Elturk, 28630 Ryan Road, Also Known As 13-17-101-008, **GRANTED** permission to install an electronic message center 3' x 5' (15 sq. ft.) to an existing sign 8' x 8' (64 sq. ft.), removing the changeable copy sign that is there now. The sign is 15' in height with a 7' under clearance, setback 3' from the Ryan Road property line. **WITH THE FOLLOWING CONDITION(S):** (1) The sign shall not have any flashing, blinking, scrolling, or any intermittent or moving lights. (2) The copy on the sign shall not be changed more than one time per hour, maximum.

11/08/2017

28630 Ryan

LEGAL DESCRIPTION: 13-17-101-008

28694 & 28630 Ryan

7/23/2014

PUBLIC HEARING: Application: Islamic Organization of North America

REPRESENTATIVE: Hisham Turabian: Steve Elturk/IONA

ADDRESS DESCRIPTION: 28630 Ryan, 28630 Ryan and 28694 Ryan

LEGAL DESCRIPTION: 13-17-101-008; 13-17-101-009

ZONE: C-4 R 2 and R 1 C

VARIANCES REQUESTED: Permission to:

1. Convert an existing commercial center that was built in 1973 out of the north-south line into an existing use for a religious center.

2. Allow the use of a loudspeaker to be installed on the north and south property lines.

3. Permit on the site a 150 (sq. ft.) sign on the north and south property lines to no less than 15' of the front property line and above a 4' height from the sidewalk.

4. **REQUIREMENTS:** Section 5.11.06(a), 5.11.06(b), 5.11.06(c), 5.11.06(d), 5.11.06(e), 5.11.06(f), 5.11.06(g), 5.11.06(h), 5.11.06(i), 5.11.06(j), 5.11.06(k), 5.11.06(l), 5.11.06(m), 5.11.06(n), 5.11.06(o), 5.11.06(p), 5.11.06(q), 5.11.06(r), 5.11.06(s), 5.11.06(t), 5.11.06(u), 5.11.06(v), 5.11.06(w), 5.11.06(x), 5.11.06(y), 5.11.06(z), 5.11.06(aa), 5.11.06(ab), 5.11.06(ac), 5.11.06(ad), 5.11.06(ae), 5.11.06(af), 5.11.06(ag), 5.11.06(ah), 5.11.06(ai), 5.11.06(aj), 5.11.06(ak), 5.11.06(al), 5.11.06(am), 5.11.06(an), 5.11.06(ao), 5.11.06(ap), 5.11.06(aq), 5.11.06(ar), 5.11.06(as), 5.11.06(at), 5.11.06(au), 5.11.06(av), 5.11.06(aw), 5.11.06(ax), 5.11.06(ay), 5.11.06(az), 5.11.06(ba), 5.11.06(bb), 5.11.06(bc), 5.11.06(bd), 5.11.06(be), 5.11.06(bf), 5.11.06(bg), 5.11.06(bh), 5.11.06(bi), 5.11.06(bj), 5.11.06(bk), 5.11.06(bl), 5.11.06(bm), 5.11.06(bn), 5.11.06(bo), 5.11.06(bp), 5.11.06(bq), 5.11.06(br), 5.11.06(bs), 5.11.06(bt), 5.11.06(bu), 5.11.06(bv), 5.11.06(bw), 5.11.06(bx), 5.11.06(by), 5.11.06(bz), 5.11.06(ca), 5.11.06(cb), 5.11.06(cc), 5.11.06(cd), 5.11.06(ce), 5.11.06(cf), 5.11.06(cg), 5.11.06(ch), 5.11.06(ci), 5.11.06(cj), 5.11.06(ck), 5.11.06(cl), 5.11.06(cm), 5.11.06(cn), 5.11.06(co), 5.11.06(cp), 5.11.06(cq), 5.11.06(cr), 5.11.06(cs), 5.11.06(ct), 5.11.06(cu), 5.11.06(cv), 5.11.06(cw), 5.11.06(cx), 5.11.06(cy), 5.11.06(cz), 5.11.06(da), 5.11.06(db), 5.11.06(dc), 5.11.06(dd), 5.11.06(de), 5.11.06(df), 5.11.06(dg), 5.11.06(dh), 5.11.06(di), 5.11.06(dj), 5.11.06(dk), 5.11.06(dl), 5.11.06(dm), 5.11.06(dn), 5.11.06(do), 5.11.06(dp), 5.11.06(dq), 5.11.06(dr), 5.11.06(ds), 5.11.06(dt), 5.11.06(du), 5.11.06(dv), 5.11.06(dw), 5.11.06(dx), 5.11.06(dy), 5.11.06(dz), 5.11.06(ea), 5.11.06(eb), 5.11.06(ec), 5.11.06(ed), 5.11.06(ee), 5.11.06(ef), 5.11.06(eg), 5.11.06(eh), 5.11.06(ei), 5.11.06(ej), 5.11.06(ek), 5.11.06(el), 5.11.06(em), 5.11.06(en), 5.11.06(eo), 5.11.06(ep), 5.11.06(eq), 5.11.06(er), 5.11.06(es), 5.11.06(et), 5.11.06(eu), 5.11.06(ev), 5.11.06(ew), 5.11.06(ex), 5.11.06(ey), 5.11.06(ez), 5.11.06(fa), 5.11.06(fb), 5.11.06(fc), 5.11.06(fd), 5.11.06(fe), 5.11.06(ff), 5.11.06(fg), 5.11.06(fh), 5.11.06(fi), 5.11.06(fj), 5.11.06(fk), 5.11.06(fl), 5.11.06(fm), 5.11.06(fn), 5.11.06(fo), 5.11.06(fp), 5.11.06(fq), 5.11.06(fr), 5.11.06(fs), 5.11.06(ft), 5.11.06(fu), 5.11.06(fv), 5.11.06(fw), 5.11.06(fx), 5.11.06(fy), 5.11.06(fz), 5.11.06(ga), 5.11.06(gb), 5.11.06(gc), 5.11.06(gd), 5.11.06(ge), 5.11.06(gf), 5.11.06(gg), 5.11.06(gh), 5.11.06(gi), 5.11.06(gj), 5.11.06(gk), 5.11.06(gl), 5.11.06(gm), 5.11.06(gn), 5.11.06(go), 5.11.06(gp), 5.11.06(gq), 5.11.06(gr), 5.11.06(gs), 5.11.06(gt), 5.11.06(gu), 5.11.06(gv), 5.11.06(gw), 5.11.06(gx), 5.11.06(gy), 5.11.06(gz), 5.11.06(ha), 5.11.06(hb), 5.11.06(hc), 5.11.06(hd), 5.11.06(he), 5.11.06(hf), 5.11.06(hg), 5.11.06(hh), 5.11.06(hi), 5.11.06(hj), 5.11.06(hk), 5.11.06(hl), 5.11.06(hm), 5.11.06(hn), 5.11.06(ho), 5.11.06(hp), 5.11.06(hq), 5.11.06(hr), 5.11.06(hs), 5.11.06(ht), 5.11.06(hu), 5.11.06(hv), 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5.11.06(kv), 5.11.06(kw), 5.11.06(kx), 5.11.06(ky), 5.11.06(kz), 5.11.06(la), 5.11.06(lb), 5.11.06(lc), 5.11.06(ld), 5.11.06(le), 5.11.06(lf), 5.11.06(lg), 5.11.06(lh), 5.11.06(li), 5.11.06(lj), 5.11.06(lk), 5.11.06(ll), 5.11.06(lm), 5.11.06(ln), 5.11.06(lo), 5.11.06(lp), 5.11.06(lq), 5.11.06(lr), 5.11.06(ls), 5.11.06(lt), 5.11.06(lu), 5.11.06(lv), 5.11.06(lw), 5.11.06(lx), 5.11.06(ly), 5.11.06(lz), 5.11.06(ma), 5.11.06(mb), 5.11.06(mc), 5.11.06(md), 5.11.06(me), 5.11.06(mf), 5.11.06(mg), 5.11.06(mh), 5.11.06(mi), 5.11.06(mj), 5.11.06(mk), 5.11.06(ml), 5.11.06(mm), 5.11.06(mn), 5.11.06(mo), 5.11.06(mp), 5.11.06(mq), 5.11.06(mr), 5.11.06(ms), 5.11.06(mt), 5.11.06(mu), 5.11.06(mv), 5.11.06(mw), 5.11.06(mx), 5.11.06(my), 5.11.06(mz), 5.11.06(na), 5.11.06(nb), 5.11.06(nc), 5.11.06(nd), 5.11.06(ne), 5.11.06(nf), 5.11.06/ng), 5.11.06(nh), 5.11.06(ni), 5.11.06(nj), 5.11.06(nk), 5.11.06(nl), 5.11.06(nm), 5.11.06(nn), 5.11.06(no), 5.11.06(np), 5.11.06(nq), 5.11.06(nr), 5.11.06(ns), 5.11.06(nt), 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5.11.06(wv), 5.11.06(wx), 5.11.06(wy), 5.11.06(wz), 5.11.06(xa), 5.11.06(xb), 5.11.06(xc), 5.11.06(xd), 5.11.06(xe), 5.11.06(xf), 5.11.06(xg), 5.11.06(xh), 5.11.06(xi), 5.11.06(xj), 5.11.06(xk), 5.11.06(xl), 5.11.06(xm), 5.11.06(xn), 5.11.06(xo), 5.11.06(xp), 5.11.06(xq), 5.11.06(xr), 5.11.06(xs), 5.11.06(xt), 5.11.06(xu), 5.11.06(xv), 5.11.06(xw), 5.11.06(xx), 5.11.06(xy), 5.11.06(xz), 5.11.06(ya), 5.11.06(yb), 5.11.06(yc), 5.11.06(yd), 5.11.06(ye), 5.11.06(yf), 5.11.06(yg), 5.11.06(yh), 5.11.06(yi), 5.11.06(yj), 5.11.06(yk), 5.11.06(yl), 5.11.06(ym), 5.11.06(yn), 5.11.06(yo), 5.11.06(yp), 5.11.06(yq), 5.11.06(yr), 5.11.06(ys), 5.11.06(yt), 5.11.06(yu), 5.11.06(yv), 5.11.06(yw), 5.11.06(yx), 5.11.06(yz), 5.11.06(za), 5.11.06(zb), 5.11.06(zc), 5.11.06(zd), 5.11.06(ze), 5.11.06(zf), 5.11.06(zg), 5.11.06(zh), 5.11.06(zi), 5.11.06(zj), 5.11.06(zk), 5.11.06(zl), 5.11.06(zm), 5.11.06(zn), 5.11.06(zo), 5.11.06(zp), 5.11.06(zq), 5.11.06(zr), 5.11.06(zs), 5.11.06(zt), 5.11.06(zu), 5.11.06(zv), 5.11.06(zw), 5.11.06(zx), 5.11.06(zy), 5.11.06(zz)

The petitioner's request was **GRANTED** with the following changes:
Allow a fence between the building line and the front property line along Ryan Road at least ten (10) feet from the sidewalk.
Allow brick columns (posts) for the fence on their property to be 5'5" tall with the fencing to be five (5) foot.
The petitioner's request was **GRANTED** with the following changes:
Allow a fence between the building line and the front property line along Ryan Road at least ten (10) feet from the sidewalk.
Allow brick columns (posts) for the fence on their property to be 5'5" tall with the fencing to be five (5) foot.

2021 WARREN



28630 RYAN
13-17-101-040

49





Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: STEVE ELTURK
Common Description: 28630 RYAN

VARIANCE(S) REQUESTED: Permission to:
Erect a building addition no less than 12' 4" from the side (south) property line.

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED.

IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

You may e-mail: njones@cityofwarren.org or contact us by U.S. Mail at the address listed above, to express any views you may have pertaining to this matter.

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Patrick Green, (Mayor Pro Tem) President, At Large
Gary Watts, Vice-President, Dist. 4
Mindy Moore, Secretary, Dist. 3

Jonathan Lafferty, Asst. Sec'y, Dist. 2
Angela Rogensues, At Large

Ronald Papandrea, Dist. 1
Eddie Kabacinski, Dist. 5

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: KEMP BUILDING AND DEVELOPMENT

REPRESENTATIVE: THOMAS R KEMP

COMMON DESCRIPTION: 27650 DEQUINDRE

PARCEL NUMBER: 12-13-18-302-007

ZONED DISTRICT: C-2

REASON: Petitioner seeks variances related to a medical office building.

ORDINANCES and REQUIREMENTS:

SECTION 4.32 - OFF-STREET PARKING REQUIREMENTS. (H) The amount of required off-street parking space for new uses or buildings, additions thereto and additions to existing building as specified above shall be determined in accordance with the following table, and the space, so required shall be stated in the application for a building permit and shall be irrevocably reserved for such use. (18) Medical or dental clinics. One (1) parking space for each one hundred fifty (150) square feet of gross floor area.

SECTION 14.04 - GREENBELT. All non-residential uses, when adjacent to an existing residence or residential district or adjacent to an alley which abuts an existing residence or residential district, shall provide and maintain a twenty (20) foot greenbelt, or decorative wall, in compliance with Section 2.26 of this ordinance.

VARIANCES REQUESTED: Permission to:

1. Waive 162 off-street parking spaces when 518 spaces are required and 356 are provided.
2. Waive the required greenbelt/decorative wall along the east property line.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 02/28/2023 03/22/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: KEMP BUILDING AND DEVELOPMENT

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 14.04 GREENBELT

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

dwenson, Zoning Inspector

\$250 sw 2/28/23 - check of Planning

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

APR 10 2023
FEB 28 2023
CITY OF WARREN
BUILDING DIVISION

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Kemp Building and Development

Address: _____ Telephone: _____

Applicant's Email Address: _____ prefer email communication

Name and Address of Property Owner (if different) 27650 Dequindre Associates LLC

Name of Representative: Thomas R Kemp Telephone: _____

Representative's Address _____

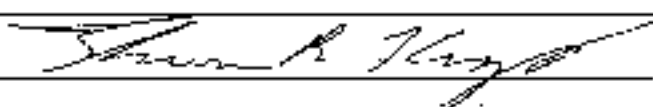
Representative's Email Address _____ prefer email communication

Address of Property: 27650 Dequindre Rd

Parcel I.D. No. (as shown on tax bill): 12-13-18-302-007

Purpose of Request: Parking spaces variance

Please explain the nature of your hardship.
we are requesting a variance on the parking spaces to accomodate a mobile MRI machine providing services
to the nearby community.

Signature:  Date: 2-23-23

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 Harold Margolis
Name(s) of Person(s)

OF _____
Address, City, State Zip Telephone
THE Managing Member OF 27650 Dequindre Associates, LLC
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I
/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 Thomas R Kemp
Name(s) of Person(s)

THE President OF Kemp Building and Development
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.

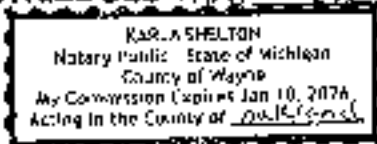
FURTHER, DEPONENT SAYS NOT.

SIGNED Harold Margolis L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Oakland

ON THIS 22 DAY OF February, 2023, BEFORE ME PERSONALLY CAME
Harold Margolis DO 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.



Karla Shelton
NOTARY PUBLIC, Wayne COUNTY, MICHIGAN
MY COMMISSION EXPIRES: January 10, 2026

NOTICE TO OWNER

If a representative appears on your behalf, they must be informed on all pertinent data relative to your request. Failure to answer any question from the Board could result in your request being delayed or denied. IT IS THEREFORE RECOMMENDED THAT YOU appear in person.

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

Non-use variances relate to the modification of applicable area, dimension or structural regulations. The concurring vote of five (5) members of the Board shall be required to approve a non-use variance. No variation from the provisions or requirements of this article shall be authorized by the Board unless the Board finds that the applicant has demonstrated all of the following to establish there is a practical difficulty in complying with the article requirement.

The reason you are seeking the variance must be something that is beyond your control. You cannot justify approval of a variance on the simple contention that it is inconvenient to follow the rules. What extraordinary situation affects only your property and no others in the vicinity or zone?

Use the space provided below to demonstrate how your request will meet the following criteria for a non-use variance.

Unreasonable impact/burden. Strict compliance with area, setback, frontage, height, bulk or density requirements would unreasonably prevent the applicant from using the property for a permitted purpose or would be unnecessarily burdensome.

THE ORDINANCE PARKING REQUIREMENTS EXCEED OUR NEEDS. THE ORDINANCE REQUIRES 1 PARKING SPACE PER 150 GROSS SF. AT OUR OTHER FACILITY; WE HAVE 1 SPACE PER 152 USABLE (NET) SF. THE BUILDING'S USABLE AREA IS 54,054 SF. AT $1/152 = 356$ SPACES.

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

WE PURCHASED THE PROPERTY WHILE THE ORDINANCE WAS BEING REVISED. WE UNDERSTAND THAT A VARIANCE MAY BE REQUIRED. WE REVIEWED THE MATTER WITH THE PLANNING DEPARTMENT, WHO SEEMED TO GENERALLY SUPPORT OUR REASONING & NEED

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 WAS DEVELOPED APPROX 50 YRS. AGO. IT WAS INITIALLY A CORPORATE OFFICE. IT WAS SUBSEQUENTLY RE-ADAPTED AS A UNIVERSITY, AND NOW AS A MEDICAL OFFICE. IF VARIANCE IS APPROVED IT WILL CONTINUE TO BE USEFUL TO THE COMMUNITY.

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.

CURRENTLY THE DEMAND FOR OFFICE SPACE APPEARS BE IN DECLINE. THIS BUILDING MAY HAVE BECOME VACANT OVER TIME. BY GRANTING A PARKING VARIANCE, THIS FACILITY CAN BE REPURPOSED AND PROVIDE NEEDED MEDICAL SERVICES TO THE COMMUNITY.

Not personal or economic. The variance request is not primarily related to personal or economic hardship, rather, it is related to the unique features of the property.

THIS FACILITY WAS SELECTED PURELY FOR GEOGRAPHIC REASONS

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.

IF GRANTED, OUR FACILITY & PARKING COUNT WILL BE SIMILAR TO OTHER MEDICAL OFFICES IN THE COMMUNITY. THE SITE & PARKING IS REMAINING SIMILAR TO ITS CURRENT CONFIGURATION.

Additional Variance for 2765D Dequindre (Former Davenport Unit Tower)

Danny Plankis
Wed 3/22/2023 3:13 PM

We are requesting a variance for both a brick-embossed concrete walk and/or a landscape buffer as required in the zoning ordinance. This is in addition to the current request for a parking variance on the same application. Our hardship is that:

- This is an existing part of existing commercial property that has existed for approximately 50 years.
- The adjacent property to the east of this wall/buffer requirement is an existing apartment complex (Parkview Apartments) that has existed about the same amount of time.
- The adjoining apartment property has a well established and set buffer with mature trees and this would buffer would likely be negatively impacted if a wall was installed as it would likely disturb and/or have kill the trees.
- The applicant is already seeking a parking variance as part of the building re-zoning (New: recent use was Education and proposed use will be Medical Office). A buffer would further exacerbate the parking deficiency for the audience.

In closing, we feel that since the proposed two buildings are connected for almost 50 years together, there should be no concern in attaching the concrete as it has existed over this time.

Best Regards,

Kemp Building & Development

Danny Plankis



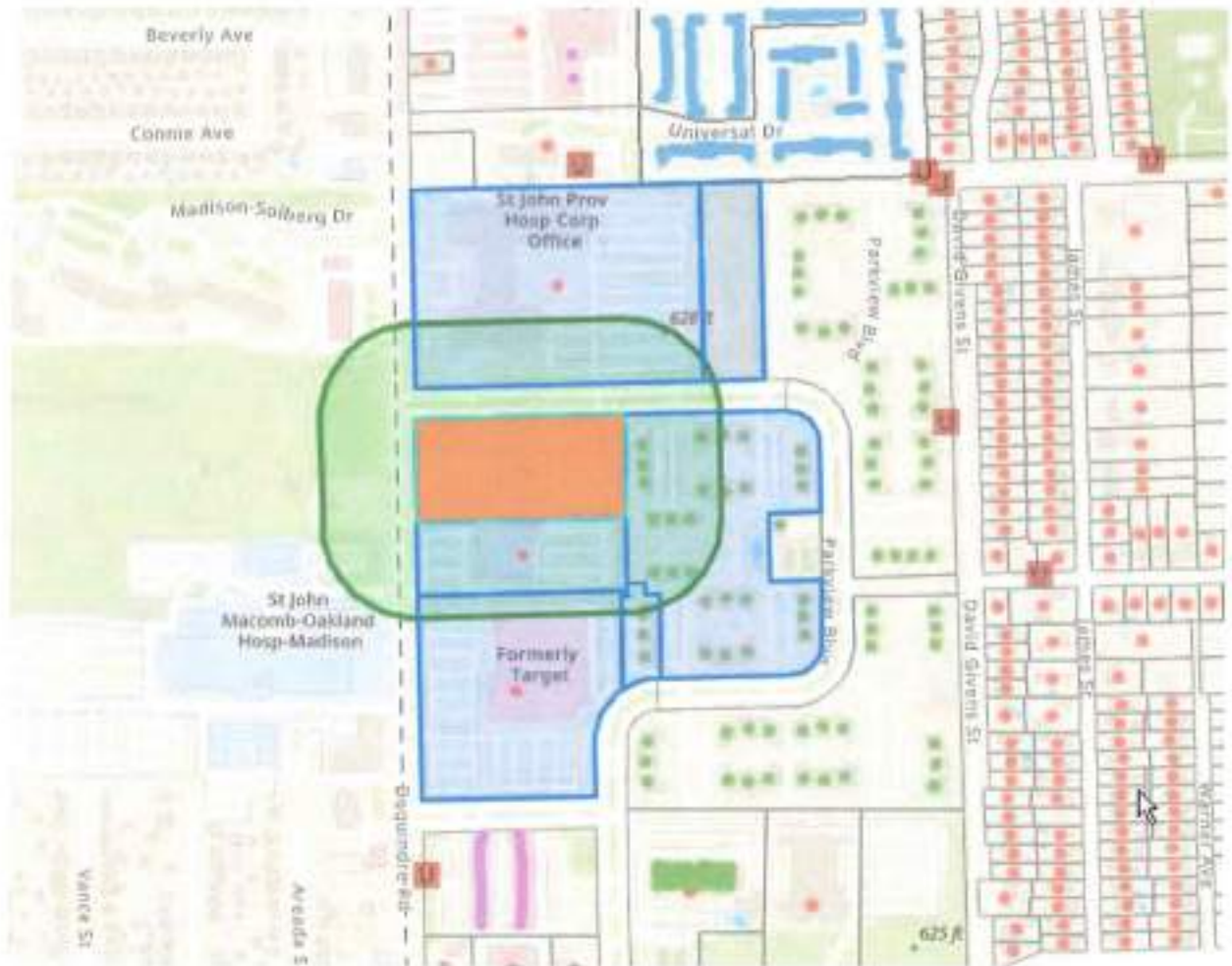
UNIVERSAL WARREN COMPANY, 27650 Dequindre Road, also known as Plate No. N504B2D2B - GRANTED permission to construct two office buildings, five stories high, not to exceed 70 feet including roof structure, containing 73,934 square feet in each building and a restaurant containing 8,302 square feet. (Possible utilization of ground floor and/or basement for some retail or commercial uses). Permission to allow a parking deviation from ordinance requirement of 827 parking spaces to 689 parking spaces was GRANTED with the condition the parking be allowed until it becomes a burden to the City.

2021 WARREN



27650 DEQUINDRE
13-18-302-007

611



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Agnlin
Kevin Higgins
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: APRIL 12, 2023 at 7:30 P.M.

Applicant: KEMP BUILDING AND DEVELOPMENT
Common Description: 27650 DEQUINDRE

VARIANCE(S) REQUESTED: Permission to:

- 1) Waive 162 off-street parking spaces when 518 spaces are required and 356 are provided.
- 2) Waive the required greenbelt/decorative wall along the east 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 Walts, 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