



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, May 24, 2023 at 7:30 p.m. in the Warren Community Center
Auditorium, 5460 Arden, Warren, Michigan 48092.**

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

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meeting of May 10, 2023.**

6. PUBLIC HEARING: **APPLICANT: 32800 Mound LLC -USE-**
(Rescheduled from 4/12/2023 and 5/10/2023)
- 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.

7. PUBLIC HEARING: **APPLICANT: Macomb Ventures LLC**
 (Rescheduled from 5/10/2023)
 REPRESENTATIVE: Najah McCoy
 COMMON DESCRIPTION: 25600 Schoenherr
 LEGAL DESCRIPTION: 13-24-302-018
 ZONE: PB

VARIANCES REQUESTED: Permission to

Allow the following signage:

- 1) Two wall signs when one is allowed.
- 2) Two 40 square ft. wall signs, one on the front (west) elevation and the second on the side (south) elevation.

ORDINANCES and REQUIREMENTS:

Section 4A.33 – Signs Permitted in Professional Business and Special Service Districts

(P.B., S.S.): B) One on premise sign or advertising display of a size not exceeding twelve (12) square feet in area for each business on the premises shall be allowed in Professional Business Districts and Special Service Districts.

8. PUBLIC HEARING: **APPLICANT: St. Anne Catholic Community**
 REPRESENTATIVE: Rev. John Kopson
 COMMON DESCRIPTION: 32000 Mound
 LEGAL DESCRIPTION: 13-04-151-001
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Conduct an annual parish festival on the church property during the following:

- 1) September 22, 2023 (Friday) from 5:00 p.m. to 11:00 p.m.
- 2) September 23, 2023 (Saturday) from noon to 11:00 p.m.
- 3) September 24, 2023 (Sunday) from noon to 10:00 p.m.

ORDINANCES and REQUIREMENTS:

Section 4.35: Festivals require the approval of the Zoning Board of Appeals.

9. PUBLIC HEARING: **APPLICANT: Damon Jones -USE-**
 REPRESENTATIVE: Same as above.
 COMMON DESCRIPTION: 31731 Schoenherr
 LEGAL DESCRIPTION: 13-02-427-035
 ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Allow a childcare and preschool to be operated out of the building at this address. (This is a separate business not related to the church that owns the property.)

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: A childcare center is not permitted use in an R-1-C district.

Section 4C.09 – Child Care Centers: Permitted zoning districts. A. Districts. A state licensed child care center generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center shall be a permitted use in the following districts: C-1, Local Business District, SS, Special

Service District, C-2, General Business District, C-3, Wholesale and Intensive Business District, the non-residential uses within a PUD, Planned Unit Development District, DD, Downtown District.

- 10. PUBLIC HEARING: **APPLICANT: Aver Sign Company**
- REPRESENTATIVE: Jennifer Glover
- COMMON DESCRIPTION: 11660 Eleven Mile
- LEGAL DESCRIPTION: 13-23-101-022
- ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to

Retain an existing pole sign as follows:

- 1) Overall height of sign: 21' 2".
- 2) Under clearance of sign is 8' 8".

If approved the portion of the variance related to the height of the sign granted on March 12, 1986 will be relinquished.

ORDINANCES and REQUIREMENTS:

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

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

- 11. PUBLIC HEARING: **APPLICANT: Winston Balmaceda -USE-**
- REPRESENTATIVE: Same as above.
- COMMON DESCRIPTION: 5430 Nine Mile
- LEGAL DESCRIPTION: 13-32-206-018
- ZONE: C-1

VARIANCES REQUESTED: Permission to -USE-

Allow a single-family dwelling in a C-1 zone.

If approved, the previous variances granted on 5/9/1979 and 8/14/1985 will be relinquished.

ORDINANCES and REQUIREMENTS:

Section 13.01 – Uses Permitted: In all C-1 Districts no building or land, except as otherwise provided in this ordinance shall be erected or used except for one (1) or more of the following uses: (a) all uses permitted in R-1-A, R-1-B, R-1-C, R-2, R-3, R-1-P and office districts except residential dwellings, hospitals, sanitoriums, and rest and convalescent homes.

- 12. PUBLIC HEARING: **APPLICANT: Daniel Blake**
- REPRESENTATIVE: Same as above.
- COMMON DESCRIPTION: 6855 Miller
- LEGAL DESCRIPTION: 13-04-401-004
- ZONE: M-2

VARIANCES REQUESTED: Permission to

- 1) Retain a building and construct a building addition in the side yard setback, no closer than 9' 9" from the east (side) property line.
- 2) Retain a building and construct an addition in the side street/side yard setback, no closer than 16' from the west (side) property line.
- 3) Allow parking in the front yard setback.

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: (a) Front yards M-2, 25 feet. (b) Side yards M-2, 20 feet.

13. PUBLIC HEARING:	APPLICANT: CC Shadylane Property LLC
REPRESENTATIVE:	Atwell, LLC / Eric Lord or Atwell Rep.
COMMON DESCRIPTION:	2709 Capital
LEGAL DESCRIPTION:	13-30-376-004
ZONE:	MZ, R-1-C, R-4

VARIANCES REQUESTED: Permission to

- 1) Allow various sized individual home sites with the smallest provided, 29' x 67' = 1,943 square ft.
- 2) Waive 41 required parking spaces.
- 3) Allow 16' in length parking spaces in the 60-degree angled parking area.
- 4) Allow an 11' maneuvering lane.

ORDINANCES and REQUIREMENTS:

Section 11.03 – Space Requirements: (A) The minimum unit area of premises used or occupied by each trailer shall be two thousand five hundred (2,500) square feet, clearly defined on the ground by stakes, posts, or other markers, except that where a separate parking area is provided on the trailer camp lot for motor vehicles and no motor vehicles are parked on the trailer unit area, that the minimum unit area of the premises used or occupied by each trailer shall be two thousand (2,000) square feet, and in such event there shall be provided one (1) parking stall for each trailer unit.

(D) One passenger motor vehicle may be parked on the private street in front of the trailer coach site, provided it complies with the schedule of road widths, in Article XI, of this ordinance, and provided further additional off-street parking space of one-half (1/2) parking stall per trailer unit is provided within the trailer coach park for additional private passenger vehicles which belong to the occupants of the trailers and for visitors' cars.

Section 4.32 – Off-Street Parking Requirements: (I) All spaces that do not abut a continuous curb required in accordance with Section 16.07 or a common property line shall be laid out in the following dimensions: 60-degree parking: length 18 ft. maneuvering lane: 20".

14. NEW BUSINESS

15. 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.