



Zoning Board of Appeals

Office of the City Council
5460 Arden, Ste. 505
Warren, MI 48092
Ph. (586)258-2060
Fax: (586)268-0606

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

**A Regular Meeting of the Zoning Board of Appeals
Wednesday, October 11, 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 Meetings of September 13, 2023 and September 27, 2023.**

6. PUBLIC HEARING: **APPLICANT: 27050 Gloede Investments LLC**
(Rescheduled from 9/13/2023)
REPRESENTATIVE: Angelo Jadan
COMMON DESCRIPTION: 27048 Gloede
LEGAL DESCRIPTION: 13-13-477-018
ZONE: M-2

VARIANCES REQUESTED: Permission to

Allow a permanent shipping container (8' x 40' = 320 square ft.) on the exterior of the premises for storage of packing supplies – no cannabis.

ORDINANCES and REQUIREMENTS:

Section 4G.11 Prohibitions: (1) A marihuana business, patient operation, caregiver operation, or personal recreational adult-use is not permitted to have any of the following: (B) Except as permitted by MCL 333.26423(D) and MCL 333.27961(A), Marihuana-related outdoor storage.

7. PUBLIC HEARING: **APPLICANT: Hien Nguyen**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 7520 Prospect
LEGAL DESCRIPTION: 13-33-429-061
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Retain the existing fence along the front property line, (that extends 54 ft. past the front building line and 8.5 ft. from the front property line.)

ORDINANCES and REQUIREMENTS:

Section 4D.08 – Fences, Walls and Landscape Screens in Front Yard Between Building Line and Front Property Line: No fence, wall or landscape screen shall be constructed between the established building line and the front property line.

8. PUBLIC HEARING: **APPLICANT: Mark Allen Warren**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 29053 Aline
LEGAL DESCRIPTION: 13-10-454-017
ZONE: R-1-B

VARIANCES REQUESTED: Permission to

Construct a 16' x 18' = 288 square ft. accessory structure.

ORDINANCES and REQUIREMENTS:

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

9. PUBLIC HEARING: **APPLICANT: Paul Lesnau**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 13646 Adams
LEGAL DESCRIPTION: 13-01-105-003
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Construct a second attached garage, 13' x 37' = 481 square ft., in addition to an existing 388.5 square ft. attached garage and an existing 130 square ft. shed (which a permit was issued for in 2009) for a total of 999.5 of accessory structures.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: (I) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involve any business, profession, trade or occupation. One (1) private garage for each residential lot in which there are houses not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory use, provided, however, any such

commercial vehicle shall not exceed one (1) ton capacity, and shall be kept houses within a garage when not in use; and provided, further, that no moving vans shall be housed in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

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

10. PUBLIC HEARING: **APPLICANT: Ammar Yousef**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 24024 Ryan
LEGAL DESCRIPTION: 13-29-154-039
ZONE: M-1

VARIANCES REQUESTED: Permission to

Erect a pole sign that is:

- 1) Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the south property line.
- 2) Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the west property line.

If approved the variance regarding the awning sign issued on 12/13/2000 will be relinquished.

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.

11. PUBLIC HEARING: **APPLICANT: MD Urgent Care and Family Medicine**
REPRESENTATIVE: Hussein Awada MD
COMMON DESCRIPTION: 12640 Twelve Mile
LEGAL DESCRIPTION: 13-14-130-001
ZONE: PB

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

- 1) Erect a monument sign as follows:
 - a) Height, 6' 3.5"
 - b) Setback 6' from front property line
 - c) Size, 31 square ft:
 - 1) EMC sign = 19.5 square ft. when 3 square ft. is allowed.
 - 2) "Urgent Care" sign, 11.5 square ft.
- 2) Two wall signs as follows:
 - a) North elevation, "24 Hour Urgent Care" 48 square ft.
 - b) West elevation "24 Hour Urgent Care" 48 square ft.

Total wall signage = 96 square ft.

Total signage 127 square ft. with 3 signs when one 12 square ft. sign is allowed.

ORDINANCES and REQUIREMENTS:

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

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.27 – Electronic Message Center: In addition to other applicable zoning requirements, a responsible party shall comply with all of the following electronic message center requirements: (B) Except a property where a business has a valid State of Michigan motor fuels retail outlet license, the digital display area of an electronic message center does not exceed 25% of the total permitted free standing sign age.

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 to exceed twelve (12) square feet in area for each business on the premises shall be allowed in professional business districts and special service districts.

12. PUBLIC HEARING:	APPLICANT: Signs By Crannie, Inc.
REPRESENTATIVE:	Nick Trifon
COMMON DESCRIPTION:	6500 Fourteen Mile
LEGAL DESCRIPTION:	13-04-126-021
ZONE:	M-2

VARIANCES REQUESTED: Permission to

Erect a second ground sign as follows:

- a) Monument sign 17' 5.5" high
- b) Monument sign which is 173.5 square ft. (not including the 36 square ft. base)
- c) Setback 2 ft. from the row line along 14 Mile.
- d) Setback 7 ft. from the closest vehicular egress into the parking lot.

Sign is in addition to the existing ground sign approved by the Zoning Board of Appeals on 10/13/1997 for a 20' x 44' = 880 square ft. monument sign, 44 ft. high and 24 banners (16 square ft. each) total of 384 square ft. of banners (approved by Zoning Board of Appeals on 11/10/1999). If approved total ground signage (880 square ft. existing ground sign + 384 square ft. existing banners + 173.5 = 1,437.5 square ft. of ground signage.)

ORDINANCES and REQUIREMENTS:

Section 4A.35 – Signs Permitted in Commercial Business and Industrial Districts (C-1, C-2, C-3, M-1 and M-2): (B) One freestanding on premise sign or advertising display of a size not to exceed seventy-five (75) square feet shall be allowed in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

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

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.

13. PUBLIC HEARING: **APPLICANT: Shuajb Gerguri -USE-**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 27440 Hoover
LEGAL DESCRIPTION: 13-14-351-001
ZONE: PB

VARIANCES REQUESTED: Permission to -USE-

Petitioner seeks to operate a massage therapy and esthetician business in a PB District.

ORDINANCES and REQUIREMENTS:

Section 12.01 – Uses Permitted in PB: Message therapy and esthetician businesses are not allowed uses.

14. PUBLIC HEARING: **APPLICANT: Matthew Lockhart**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 25800 Flanders
LEGAL DESCRIPTION: 13-24-331-001
ZONE: M-2

VARIANCES REQUESTED: Permission to

- 1) Allow 15,203.6 square ft. of outdoor storage when 2,000 square ft. is allowed.
- 2) Allow open storage no less than 26 feet from the front property line.
- 3) Allow storage, parking and maneuvering on a non-hard gravel surface.
- 4) Retain existing 8 ft. high chain link fence/gate that extends from the building at the front building line to the south property line.
- 5) Retain existing chain link fence (permitted on 11/30/1982 #13356) that extends 26 ft. past the front building line to the front (west) property line and extends along said property line approximately 65.6 ft.
- 6) Retain existing chain link along the south property line that extends past the front building line to the front property line.

ORDINANCES and REQUIREMENTS:

Section 17.02 – Industrial Standards: (S) Open storage other than junk. The designated area shall always be hard surfaced and screen from the public street and any residentially zoned areas. The designated areas shall not be located in any area required for parking space and is necessary to the minimum requires of Section 4.32 of this ordinance. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site. In M-1 and M-2 zones the designated area shall not be located any closer than seventy-five (75) feet to the front property line.

Section 4.32 – Off-street Parking Requirements: (K) All off-street parking areas shall be provided that adequate ingress and egress, shall be hard surfaced with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent).

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

Section 4D.38 – Height: Obscuring walls and fences in non-residential zones shall not exceed six (6) feet in height.

15. PUBLIC HEARING: **APPLICANT: Ginkgo Property Group LLC -USE-**
REPRESENTATIVE: MD Haque
COMMON DESCRIPTION: 11 Mile
LEGAL DESCRIPTION: 13-20-227-001
ZONE: C-2

VARIANCES REQUESTED: Permission to -USE-

- 1) Allow a multi-family dwelling, 4 units in a C-2 zone. **USE**
- 2) Allow a lot area of 12,600 square ft. when 19,200 square ft. is required.
- 3) Construct a multi-family dwelling without the required basement.
- 4) Construct a building in the front yard setback, no closer than 25' from the front (west) property line.
- 5) Construct a building in the side yard setback, no closer than 25' from the side (north) property line.

ORDINANCES and REQUIREMENTS:

Section 14.01 – Uses Permitted: In all C-2 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 specified uses: (A) All uses permitted in C-1 districts, except dwellings for one-family, two-family and multiple-family in which the occupants primarily make their home twelve (12) months out of each yard.

Section 10.03 – Lot Area: Every lot in an R-3 district on which a multiple family dwelling is to be erected shall provide a minimum lot area of seventy-two hundred (7,200) square feet for the first living unit, and not less than four thousand (4,000) square feet of lot area for each additional efficiency unit or dwelling unit with one (1) or two (2) bedrooms, including dens, libraries, and/or any other rooms outside kitchen, living or dining room (except bathroom) exceeding eighty (80) square feet, not exceeding one hundred fifty (150) square feet to be counted as one (1) room, and not less than five thousand (5,000) square feet for each additional three (3) or four (4) bedroom unit.

Section 4.26 – Size of Residential Dwellings: Every principal building within a multiple-family development shall be provided with a full basement as defined in Section 2.02 of this ordinance, except high rise apartment residential buildings.

Section 10.04 – Front Yard: Each lot in R-3 districts shall have a front yard of not less than twenty-five (25) feet in depth for a one (1) story building plus ten (10) feet for each additional story or portion thereof.

Section 10.07 – Side Yard Abutting Upon A Street: In R-3 districts the width of side yards abutting upon a street shall be not less than twenty-five (25) feet.

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.

Rescheduled from 9/13/2023

6

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: 27050 GLOEDE INVESTMENTS LLC

REPRESENTATIVE: ANGELO JADAN

COMMON DESCRIPTION: 27048 GLOEDE

PARCEL NUMBER: 12-13-13-477-018

ZONED DISTRICT: M-2

REASON: Petitioner seeks a variance for storage container.

ORDINANCES and REQUIREMENTS:

SECTION 4G.11 - PROHIBITIONS. (1) A marihuana business, patient operation, caregiver operation, or personal recreational adult-use is not permitted to have any of the following: (B) Except as permitted BY MCL 333.26423(D) and MCL 333.27961(A), Marihuana-related outdoor storage.

VARIANCES REQUESTED: permission to:

Allow a permanent shipping container (8' x 40'=320 sf) on the exterior of the premises for storage of packing supplies--no cannabis.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 08/21/2023 08/24/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: 27050 GLOEDE INVESTMENTS 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 4G.11 - PROHIBITIONS.

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 fee
8/21/2023

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

P A
AUG 18 2023
CITY OF WARREN
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: 27050 gloede investments llc
Address: [REDACTED] Telephone: [REDACTED]
Applicant's Email Address: [REDACTED] ☐ prefer email communication
Name and Address of Property Owner (if different): _____

Name of Representative: angelo jadan Telephone: [REDACTED]
Representative's Address: [REDACTED]
Representative's Email Address: [REDACTED] ☐ prefer email communication
Address of Property: 27048 gloede dr warren mi 48088
Parcel I.D. No. (as shown on tax bill): 12-13-13-477-018
Purpose of Request: obtain approval for container store (strictly packaging supplied NO CANNABIS)
storage

Please explain the nature of your hardship:

The proposed steel shipping container will be dedicated solely to storing packaging supplies and non-cannabis products. It is crucial to emphasize that no cannabis-related items will be stored within this container. To ensure the highest level of security, we plan to install 24-hour surveillance cameras to monitor the container at all times, providing an added layer of protection against theft or unauthorized access.
Our decision to pursue additional storage space stems from the diverse range of products and SKU's we will be producing. With the continuous growth of our business, our current storage facilities are reaching their capacity limits. As a result, it has become increasingly challenging to house all the necessary materials needed for our operations.
By having a dedicated storage container onsite, we can conveniently access and manage our inventory while maintaining a streamlined production process. This solution not only alleviates our current space constraints but also allows for efficient organization and accessibility of materials, ultimately optimizing our overall operational efficiency.

Signature: _____ Date: 8-21-23

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 angelo jadan
OF [REDACTED] [REDACTED] [REDACTED]
Name(s) of Person(s)
Address, City, State 27050 gloede investments llc Zip [REDACTED] Telephone [REDACTED]
THE member OF [REDACTED]
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT angelo jadan
I/We/It
x/RECORDED LAND CONTRACT PURCHASER(S) [REDACTED]/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 angelo jadan *
Name(s) of Person(s)
THE member OF 27050 gloede invesmtents llc *
Title of Officer Name of Company
OF [REDACTED] [REDACTED]
Address, City, State Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

SIGNED [Signature] L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF macomb

ON THIS 11 DAY OF August, 2023, BEFORE ME PERSONALLY CAME
Angelo Ascidjadan, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT 1 DID SO OF my OWN FREE WILL AND DEED.

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

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

NOTICE TO OWNER

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

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

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

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

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

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

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

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.

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.

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.

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.

*Extra Storage for packaging materials that are
not cannabis products,*

27048 GLOEDE

09/22/2021

LEGAL DESCRIPTION: 13-13-477-018

VARIANCES REQUESTED: Permission to

Waive 4,856 square ft. of required off-street parking.

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

2023 WARREN



13



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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: 27050 GLOEDE INVESTMENTS LLC
Common Description: 27048 GLOEDE

VARIANCE(S) REQUESTED: Permission to:

Allow a permanent shipping container (8' x 40' = 320 square ft.) on the exterior of the premises for storage of packing supplies – no cannabis.

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: HIEN NGUYEN
REPRESENTATIVE: HIEN NGUYEN
COMMON DESCRIPTION: **7520 PROSPECT**
PARCEL NUMBER: 12-13-33-429-061
ZONED DISTRICT: R-1-C

REASON: Petitioner seeks variance for front yard fence.

ORDINANCES and REQUIREMENTS:

SECTION 4D.08. - FENCES, WALLS AND LANDSCAPE SCREENS IN FRONT YARD BETWEEN BUILDING LINE AND FRONT PROPERTY LINE. No fence, wall or landscape screen shall be constructed between the established building line and the front property line.

VARIANCES REQUESTED: Permission to:

Retain the existing fence along the front property line, (that extends 54 ft. past the front building line and 8.5 ft. from the front property line.)

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 09/07/2023 09/12/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: HIEN NGUYEN

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

500
9/7/23

16 PLANS BEING SUBMITTED MUST BE PRE-FOLDED
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

SEP 07 2023

CITY OF WARREN
BUILDING DIVISION

Name of Applicant: HIEN NGUYEN

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address: [REDACTED] ☐ prefer email communication

Name and Address of Property Owner (if different) SET PROPERTY SOLUTIONS INC.

Name of Representative: Same as Applicant Telephone: _____

Representative's Address: "

Representative's Email Address: " ☐ prefer email communication

Address of Property: 7520 PROSPECT AVE, WARREN, MI 48091

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

Purpose of Request: Request for variance of current zoning code

FENCE - FRONT BUILDING LINE SECTION 4D.08 - NO

FENCE, WALL OR LANDSCAPE SCREEN SHALL BE CONSTRUCTED

BETWEEN THE ESTABLISHED BUILDING LINE AND THE FRONT PROPERTY

LINE

Please explain the nature of your hardship:

Property was bought with pre-existing fence already installed.
This zoning report called for replacing the gates that have been
rendered inoperable. New gate permit was obtained to put in
a gate replacement. Without this variance, it would cause
financial hardships for removing all the fencing in front of house.

Signature: Thien Nguyen Date: 8/30/2023

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE HIEN NGUYEN
Name(s) of Person(s)

OF [REDACTED]

Address, City, State Zip Telephone
THE PRESIDENT OF S&J PROPERTY SOLUTIONS, INC.
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT S&J PROPERTY SOLUTIONS, INC.
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 HIEN NGUYEN *
Name(s) of Person(s)

THE PRESIDENT OF S&J PROPERTY SOLUTIONS, INC. *
Title of Officer Name of Company

OF [REDACTED]
Address, City, State Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

SIGNED Theravanh Nguyen L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 30 DAY OF August, 2023, BEFORE ME PERSONALLY CAME
Hien Nguyen, 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.

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.

strict compliance with frontage requirements would unreasonably prevent the applicant from using the property for a permitted purpose, or would be unnecessarily burdensome.

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

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

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

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

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.

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.

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

The variance request is not primarily related to personal or economic hardship, rather, it 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.

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.

7520 Prospect

5/13/15

PUBLIC HEARING APPLICANT: Robert Naeyaet/Lunar Garages

REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 7520 Prospect
LEGAL DESCRIPTION: 13-33-429-061
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Expand an existing non-conforming residential dwelling by tearing down the existing attached garage and building a detached garage 24' x 24' = 576 sq. ft. in front of the dwelling as per the plans

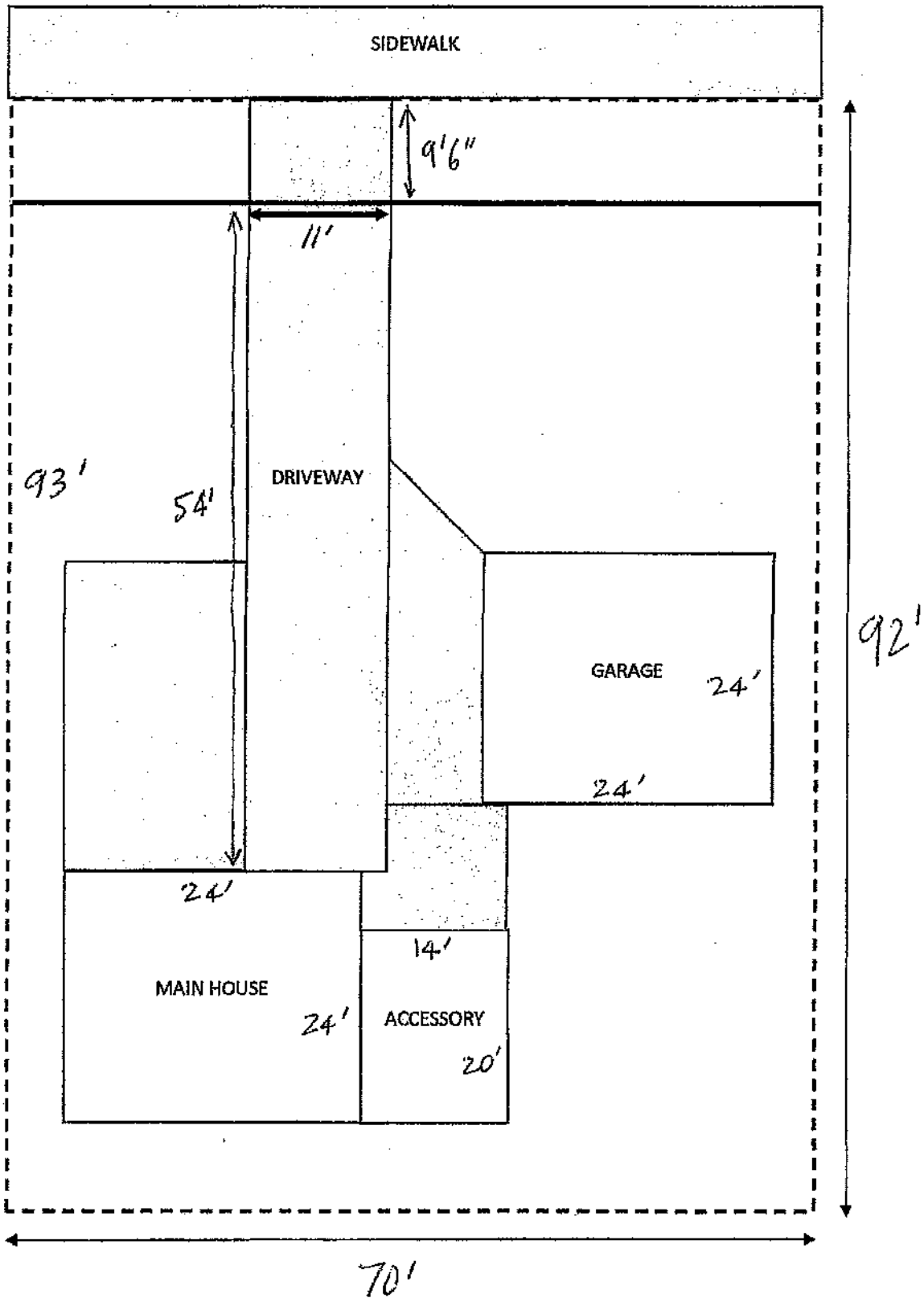
The Petitioner's request was **GRANTED**.

7520 Prospect Ave – GIS

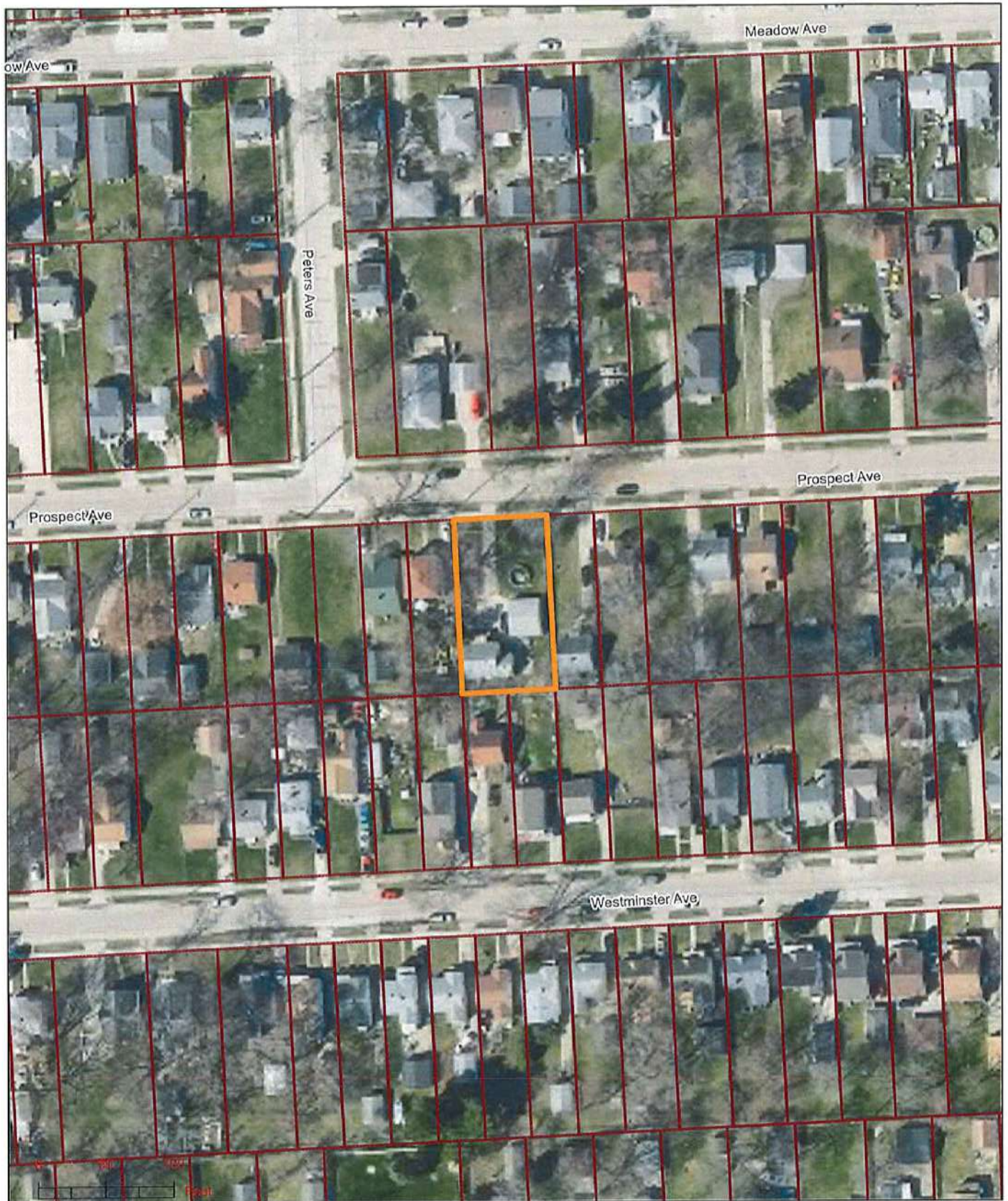
--- PROPERTY LINE

— EXISTING FENCE

↔ GATE REPLACEMENT

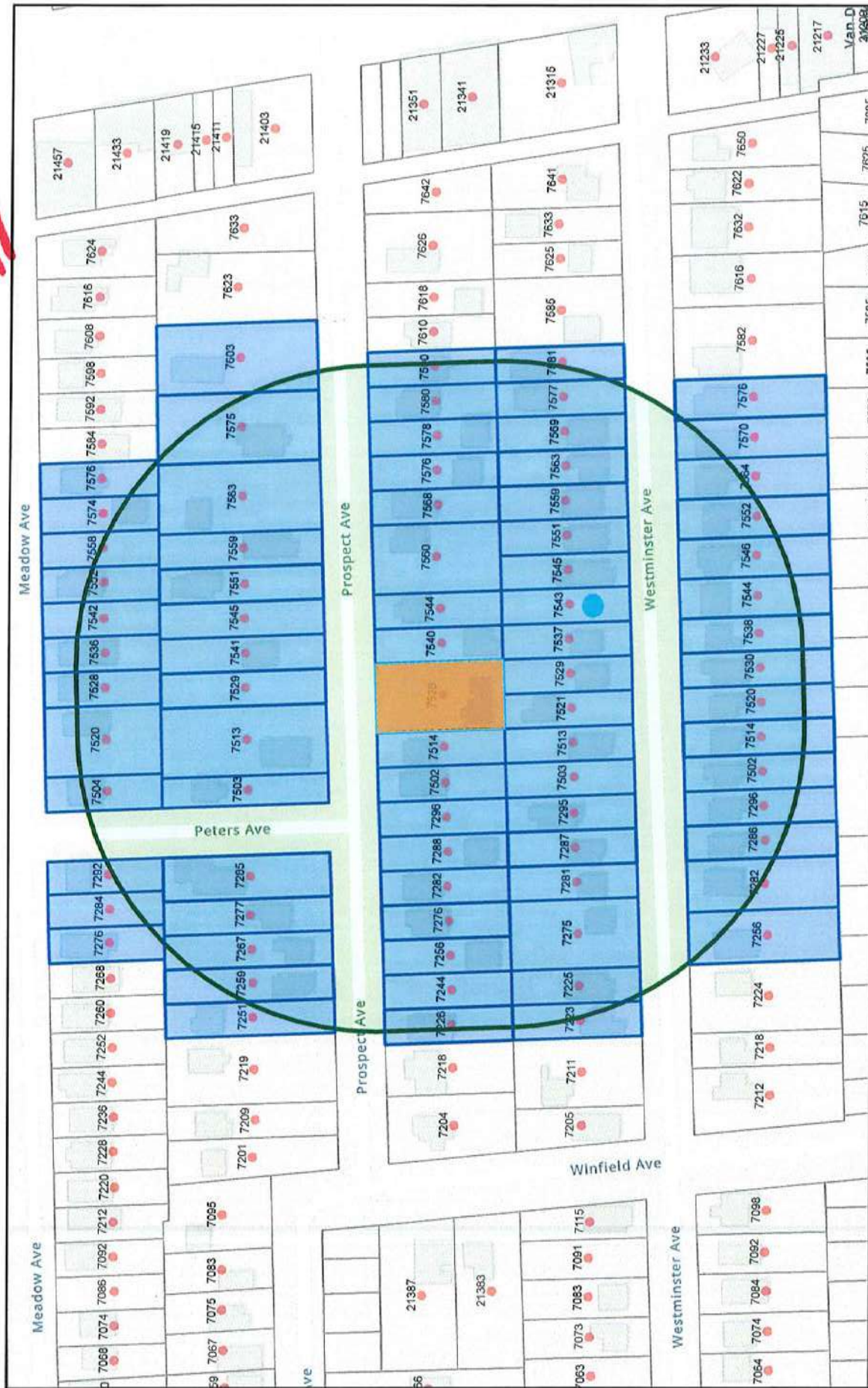


2023 WARREN



67

7520 Prospect - 13-33-429-061



9/25/2023, 11:13:39 AM

Site Address Point ☐ Parcels

● Building

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

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

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

Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
William Clift, Asst. Secretary
Charles Anglin
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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: HIEN NGUYEN
Common Description: 7520 PROSPECT

VARIANCE(S) REQUESTED: Permission to:

Retain the existing fence along the front property line, (that extends 54 ft. past the front building line and 8.5 ft. from the front property line.)

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

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

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

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

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

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

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

CITY OF WARREN

ZONING BOARD OF APPEALS**SUMMARY OF VARIANCE REQUEST**

APPLICANT: MARK ALLEN WARREN

REPRESENTATIVE: MARK ALLEN WARREN

COMMON DESCRIPTION: **29053 ALINE**

PARCEL NUMBER: 12-13-10-454-017

ZONED DISTRICT: R-1-B

REASON: Petitioner wishes to erect an oversized shed.

ORDINANCES and REQUIREMENTS:

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

VARIANCES REQUESTED: Permission to:
Construct a 16' x 18'=288 sf. accessory structure

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 09/11/2023 09/14/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: MARK ALLEN WARREN

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

SECTION 4.20 DETACHED ACCESSORY BUILDINGS

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

2560
9/11/2023

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

PAID
SEP 11 2023
CITY OF WARREN
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: MARK A. WARREN

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address: [REDACTED] ☐ prefer email communication

Name and Address of Property Owner (if different) [REDACTED]

Name of Representative: MARK A. WARREN Telephone: [REDACTED]

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 29053 ALINE DR. WARREN MI 48093

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

Purpose of Request: Variance TO BUILD A 16x18 SHED LARGER

than the 120 SF. ALLOWED BY CITY

Please explain the nature of your hardship:

I NEED USE TO PARK 2 CARS IN MY GARAGE I AM
A CARPENTER Local 687 MILLWRIGHT Local 1102. I ALSO AM AN AVID SPORTSMAN
AND HAVE MUCH EQUIPMENT SO TO MITIGATE FIRE RISK, ROBERT INFESTATION
AND ADHERE TO CURBSIDE BEAUTIFICATION OF THE CITY I NEED THE EXTRA SPACE TO
ORGANIZE AND STORE THESE THINGS IN ORDERLY SAFE FASHION

Signature: [Signature] Date: 9-11-2023

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE MARK ALLEN WARREN
Name(s) of Person(s)
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone
THE _____ OF _____
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 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 [Signature] L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 11 DAY OF September, 2023, BEFORE ME PERSONALLY CAME
Mark Warren, 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 Uhlert
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 3/24/20

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.

BUILDING WILL STILL MEET ALL BASMENT REQUIREMENT AS WELL AS BUILDING CODES MAINTAINING A VISUALLY AESTHETIC LOOK OF PROPERTY AND ALSO ACCOMMODATE THE STORAGE AND ORGANIZATIONAL NEEDS IN A PROPER MANNER THAT WOULD MINIMIZE FIRE RISKS OF RODENT PROBLEMS

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 NEEDS FOR KEEPING NORTH WALTON LOOKING GREAT MAINTAINING PROPERTY VALUES AND MEETING THE NEEDS OF MY RESIDENCY IN WALTON

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.

IS DUE TO THE UNIQUE CIRCUMSTANCES NEEDS FOR STORAGE AND THE BEAUTIFICATION OF THE CITY

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

THIS VARIANCE WILL NOT AFFECT ANY NEIGHBORING PROPERTIES EXCEPT OF ADDING MORE TO PROPERTY VALUES IN THE AREA

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.

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, THIS IS A NECESSARY PROJECT FOR QUALITY OF LIVING AND THE COMFORTS OF HOME AND PROPERTY USE.

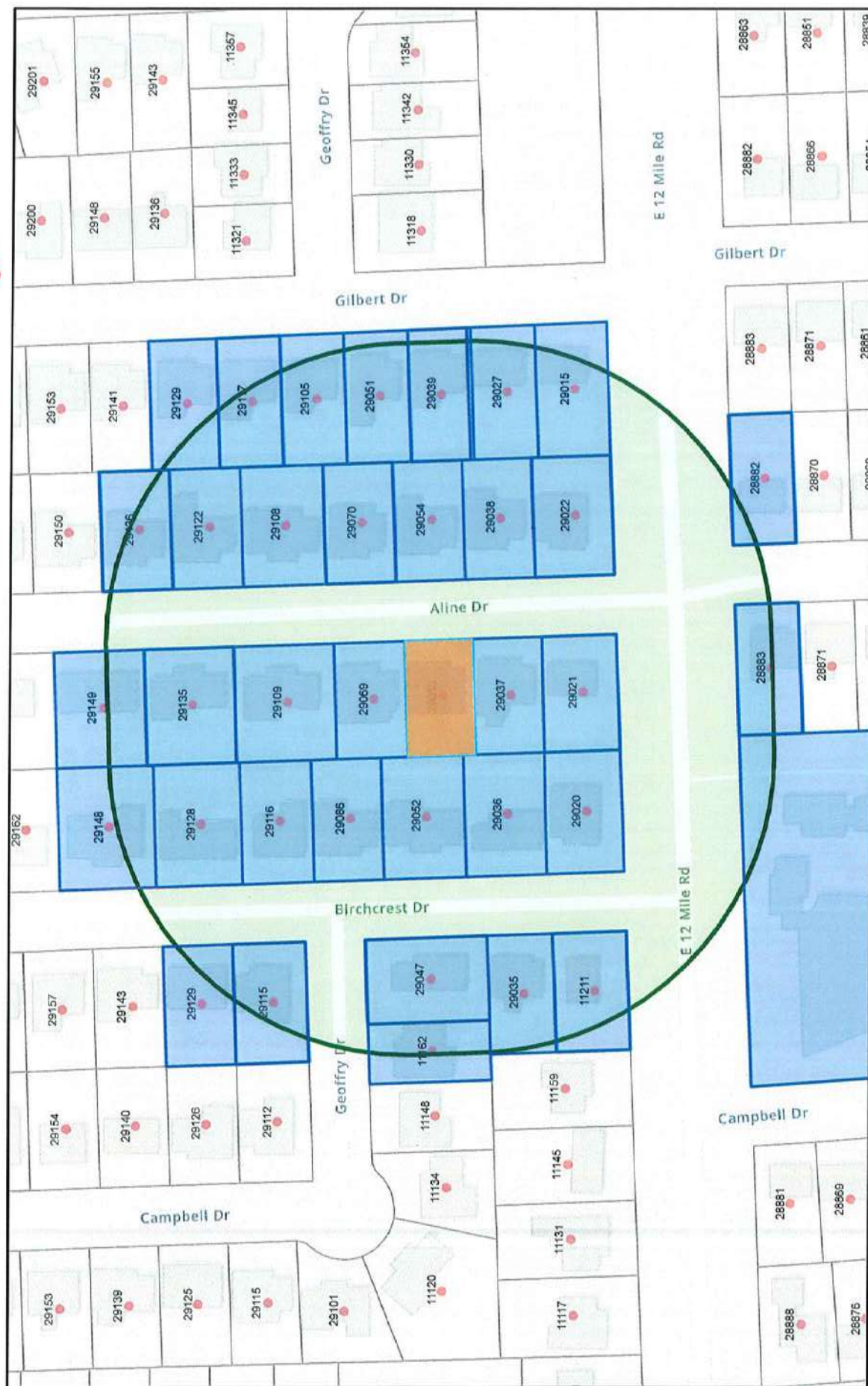
2023 WARREN





329/1

29053 Aline - 13-10-454-017

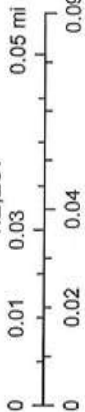


9/25/2023, 11:20:04 AM

Site Address Point ☐ Parcels

☒ Building

1:2,257



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

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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: MARK ALLEN WARREN
Common Description: 29053 ALINE

VARIANCE(S) REQUESTED: Permission to:
Construct a 16' x 18' = 288 square ft. accessory structure.

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: PAUL LESNAU
REPRESENTATIVE: PAUL LESNAU
COMMON DESCRIPTION: 13646 ADAMS
PARCEL NUMBER: 12-13-01-105-003
ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to erect an accessory structure.

ORDINANCES and REQUIREMENTS:

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

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

VARIANCES REQUESTED: Permission to:

Construct a second attached garage, 13' x 37'=481 sf, in addition to an existing 388.5 sf attached garage and an existing 130 sf shed (which a permit was issued for in 2009) for a total of 999.5 of accessory structures.

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: PAUL LESNAU

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

SECTION 7.01 USES PERMITTED
SECTION 4.20 DETACHED ACCESSORY STRUCTURES

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

DWm
#9500
9/11/23

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: PAUL LESNAU

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address: [REDACTED] ☐ prefer email communication

Name and Address of Property Owner (if different) _____

Same

Name of Representative: Home owner Telephone: [REDACTED]

Representative's Address: Same

Representative's Email Address: Same ☐ prefer email communication

Address of Property: 13646 ADAMS

Parcel I.D. No. (as shown on tax bill): 13-01-105-003

Purpose of Request: To build a second Attached garage 13'x37'=481, ^{sq}
in addition to an existing 388 1/2' Attached garage, and an existing 130' ^{sq}
shed, for a total of 999.5' of accessory structures.
(Requesting a 300' ^{sq} variance.). Footing Permit pulled and inspected
(PB20-000602)

Please explain the nature of your hardship:

My large corner property, is unique in size. I would
like to utilize the extra room to preserve my classic vehicles.
What I'm requesting, I feel will not violate the spirit of the
zoning ordinance, as in comparison of other multiple garages
in Warren.

Signature: Paul Lesnau Date: Sept 11, 2023

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE PAUL LESNAU
Name(s) of Person(s)
OF [REDACTED]
Address, City, State Zip Telephone
THE [REDACTED] OF [REDACTED]
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 Same *
Name(s) of Person(s)

THE [REDACTED] OF [REDACTED] *
Title of Officer Name of Company

OF [REDACTED] Zip Telephone
Address, City, State

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

FURTHER, DEPONENT SAYS NOT.

SIGNED Paul Lesnau L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 20 DAY OF JULY, 2023, BEFORE ME PERSONALLY CAME
Paul Lesnau, 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.

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.

I have a large property, therefore I am trying to utilize the property for my needed separate interior space for my classic cars and motorcycles.

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 variance is self-imposed, by myself (owner/applicant) for the needed extra room

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

my lot is on a corner, one of the largest properties, it is not the same as the other properties, which makes it unique to the subdivision.

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

This variance will not be a detriment, it will increase the value of my home and my neighbors. I have talked to my neighbors of my plans and any concerns that might arise. Being a former firefighter, I see no concerns to public safety.

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, I'm trying to preserve the wear and tear of my vehicles.

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

The variance will help preserve my classic vehicles and equipment, with the needed extra room, like other multiple garages in Warren.

13646 Adams

1/13/10

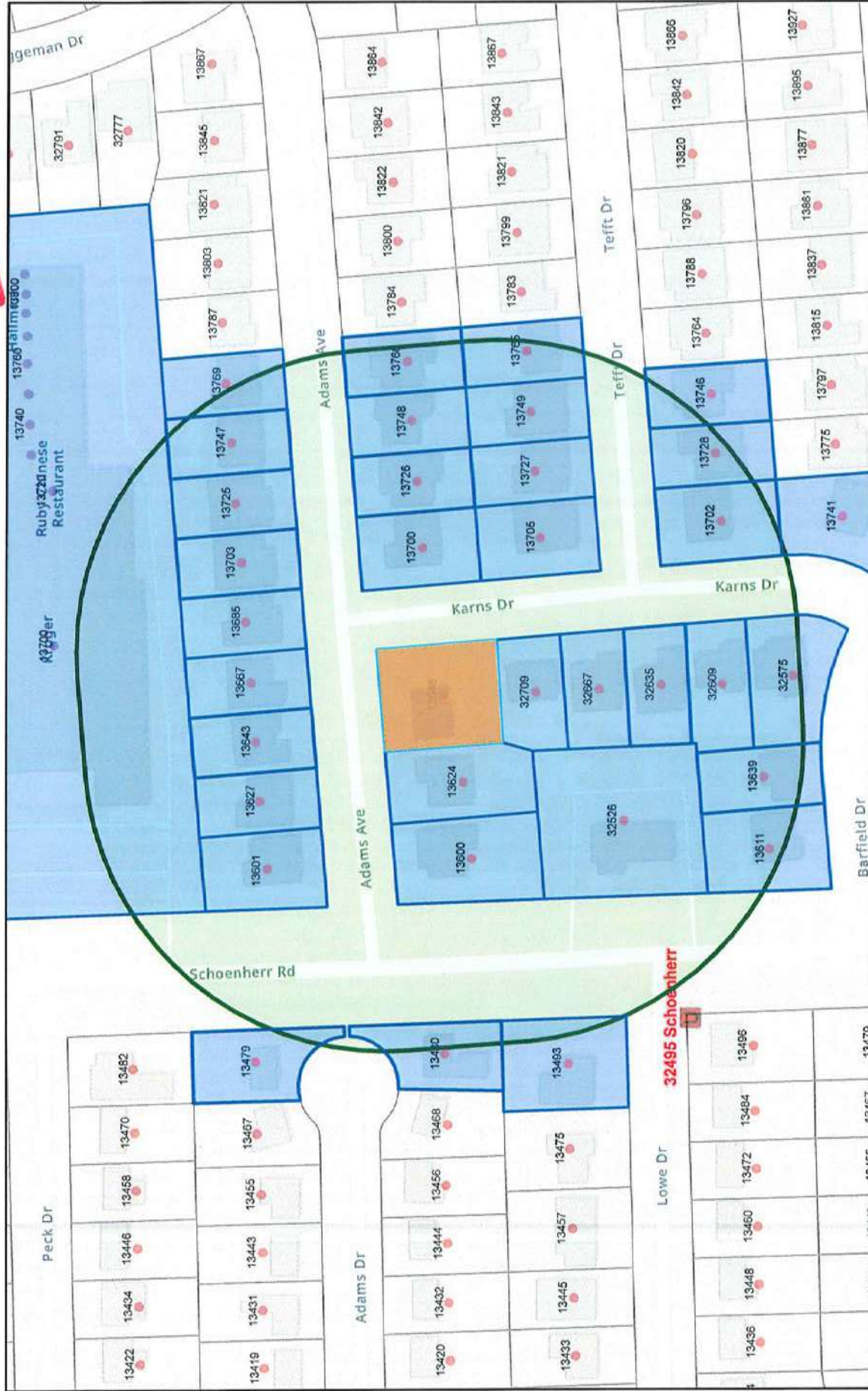
Paul Lesnau, 13646 Adams, Also Known As 13-01-105-003, **DENIED** request to retain a 12' x 26' temporary shed.

2023 WARREN



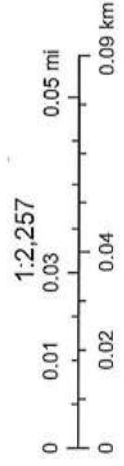
35

13646 Adams - 13-01-105-003

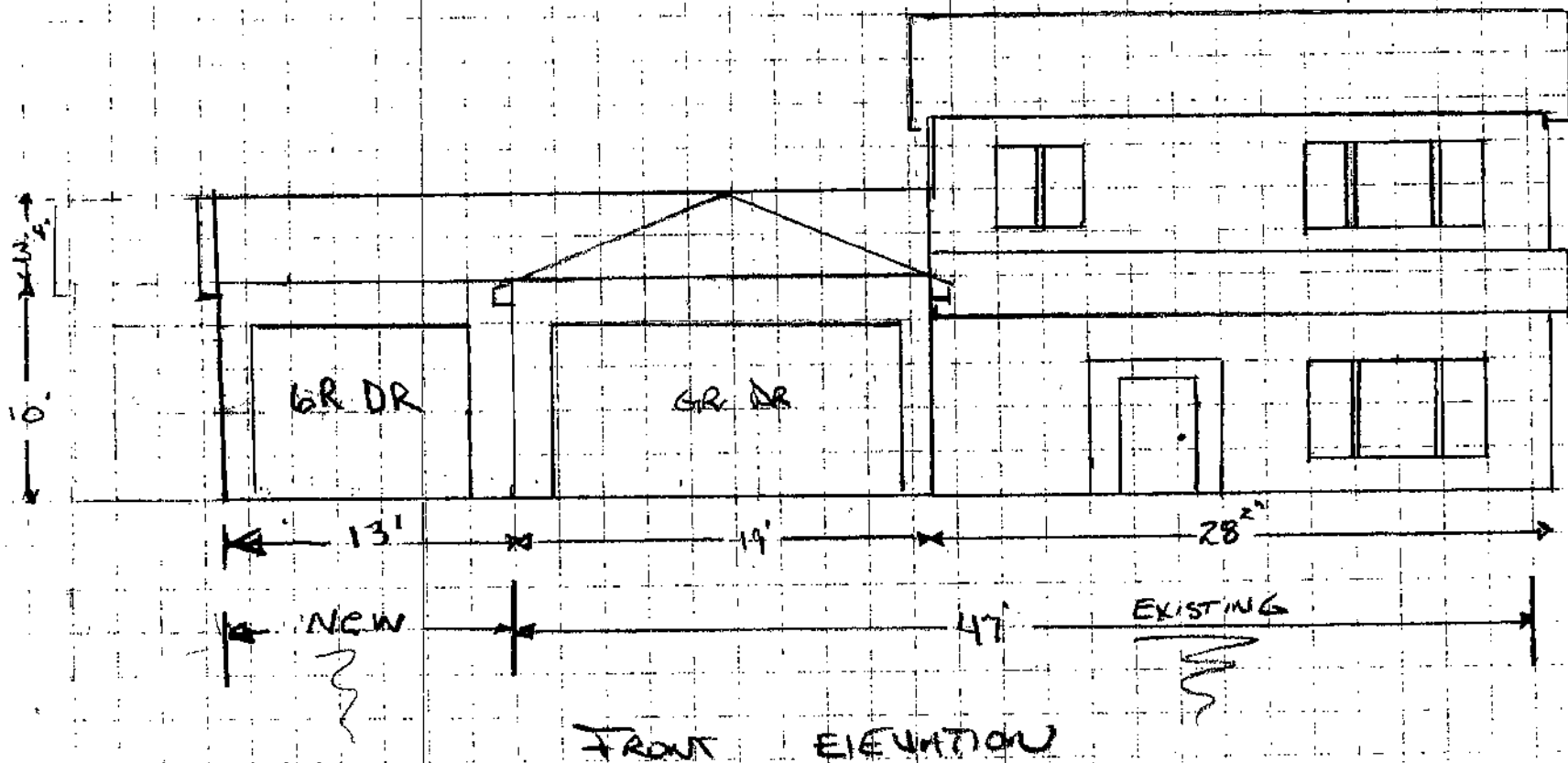


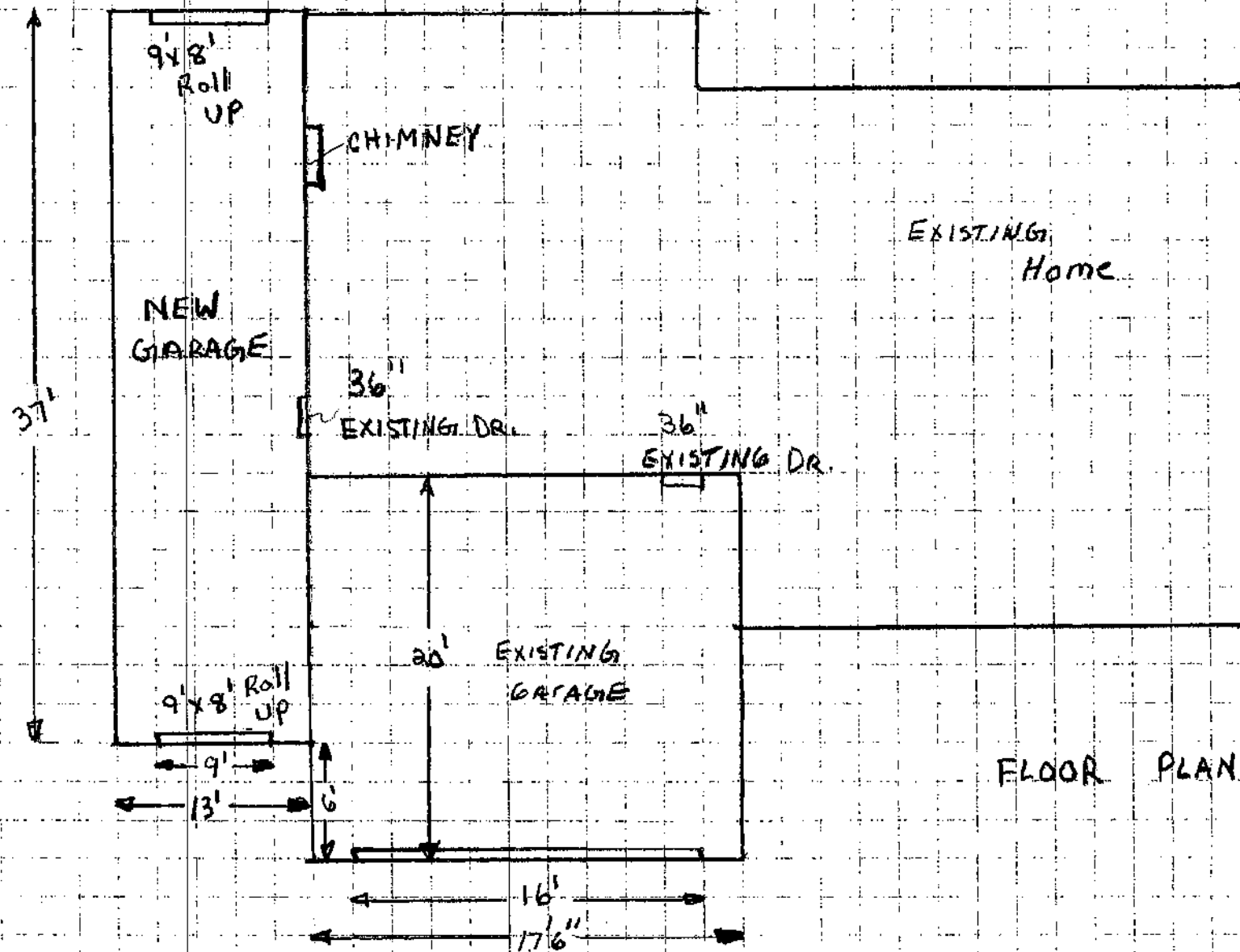
9/25/2023, 11:24:36 AM

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



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodanastyleisen, Rijkswaterstaat, GSA, Geoland, FEMA, ArcGIS Web AppBuilder
Esri Community Maps Contributors, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCAN, Parks Canada | Southeast





thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: PAUL LESNAU
Common Description: 13646 ADAMS

VARIANCE(S) REQUESTED: Permission to:

Construct a second attached garage, 13' x 37' = 481 square ft., in addition to an existing 388.5 square ft. attached garage and an existing 130 square ft. shed (which a permit was issued for in 2009) for a total of 999.5 square ft. of accessory structures.

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: AMMAR YOUSEF
REPRESENTATIVE: AMMAR YOUSEF
COMMON DESCRIPTION: 24024 RYAN
PARCEL NUMBER: 12-13-29-154-039
ZONED DISTRICT: M-1

REASON: Petitioner wishes to erect a new pole sign.

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.

VARIANCES REQUESTED: Permission to:
Erect a pole sign that is:
1. Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the south property line.
2. Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the west property line.
If approved the variance regarding the awning sign issued on 12/13/2000 will be relinquished.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 09/13/2023 09/19/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: AMMAR YOUSEF

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

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: Ammar Yousef

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address: [REDACTED] ☐ prefer email communication

Name and Address of Property Owner (if different):

→ Same as above
Name of Representative: [REDACTED] Telephone: [REDACTED]

Representative's Address: [REDACTED]

Representative's Email Address: [REDACTED] ☐ prefer email communication

Address of Property: [REDACTED]

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

Purpose of Request: To install a pole sign in front of the building,
close to Ryan road.

Please explain the nature of your hardship:

Due to the fact that my building is far away from the main road
and blocked by many surrounding houses, my store isn't viewable by ongoing
traffic. My location/building is also very hard to find by the main public
I receive many phone calls for directions due to the lack of exposure.

Signature: [Signature] Date: 8/4/23

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 Ammar Yousef
Name(s) of Person(s)
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone
THE Owner OF Ryan Stephenson's Investment
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Ammar Yousef
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 Ammar Yousef *
Name(s) of Person(s)

THE Owner OF Ryan Stephenson's Investment *
Title of Officer Name of Company

OF [REDACTED] [REDACTED] [REDACTED]
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 Oakland

ON THIS 23rd DAY OF Aug, 2023, BEFORE ME PERSONALLY CAME
Ammar s Yousef, 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.

TERRA WARMACK
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires June 01, 2026

Terra Warmack
NOTARY PUBLIC, Oakland COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 6-1-2026

***** Acting in the County of Oakland *****

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.

Impact: With current proposed location we will lose two of ten parking spots. One of the ten is handicapped. With variance we will be able to lose only one parking spaces with only five spaces on the store front.

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

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.

With the location of our building a sign closer to the road will help people locate our store. There are large building to the south that block the sight path helping people see our store. To the north there is a two story house with large trees to the road, limiting sight.

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

This will not be a detriment nec will it impair any of my neighbors. It will in fact make the property look aesthetically better with major improvements to the property.

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

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.

24024 Ryan Rd.

Walid Kazak

Granted permission to construct a 40-foot x 50-foot building to no less than 5 feet of the property line along Stephens. Permission was also GRANTED to hardsurface to the property line along Stephens and to no less than 5 feet of the property line along Ryan Rd. Also, permission was GRANTED to waive the required greenbelt or masonry wall along the north and east property lines.

Tabled from 10-14-92

November 12, 1992

24024 Ryan

10/25/2000

MAIN STREET DELI, 24024 Ryan Road, Also Known as 13-29-154-008 - TABLED the item for an indefinite time period.

24024 Ryan

12/13/2000

MAIN STREET DELI, 24024 Ryan Road, Also Known As 13-29-154-007 - GRANTED request to allow one (1) awning sign approximately 40 ft. long and 6 ft. wide with the following graphics. a) "Main Street Deli" logo 8' x 7'6" (60 sq. ft.) which will project above the canopy approximately 1' 6". b) Stripe w/ "Beer wine, etc." At 18" wide x 16' long for 24 sq. ft. c) Stripe w/ "Sandwiches, etc" at 18" wide x 16' long for 24 sq. ft. d) Linear footage: Three (3) rows at various widths of "nite-lite" yellow and red colored striping, total measurement of all rows not to exceed 46" in width; 32 ft. each in length for approximately 96 linear ft. Total 108 sq. ft. of graphics and 96 linear ft. of plain colored striping. WITH THE CONDITION that all other signage be removed, whether it be on the building, bricks or the poles in front of the property. This is to be done within five (5) days and no permit will be issued until those signs are removed.

2023 WARREN





Site Address Point Parcels

Building

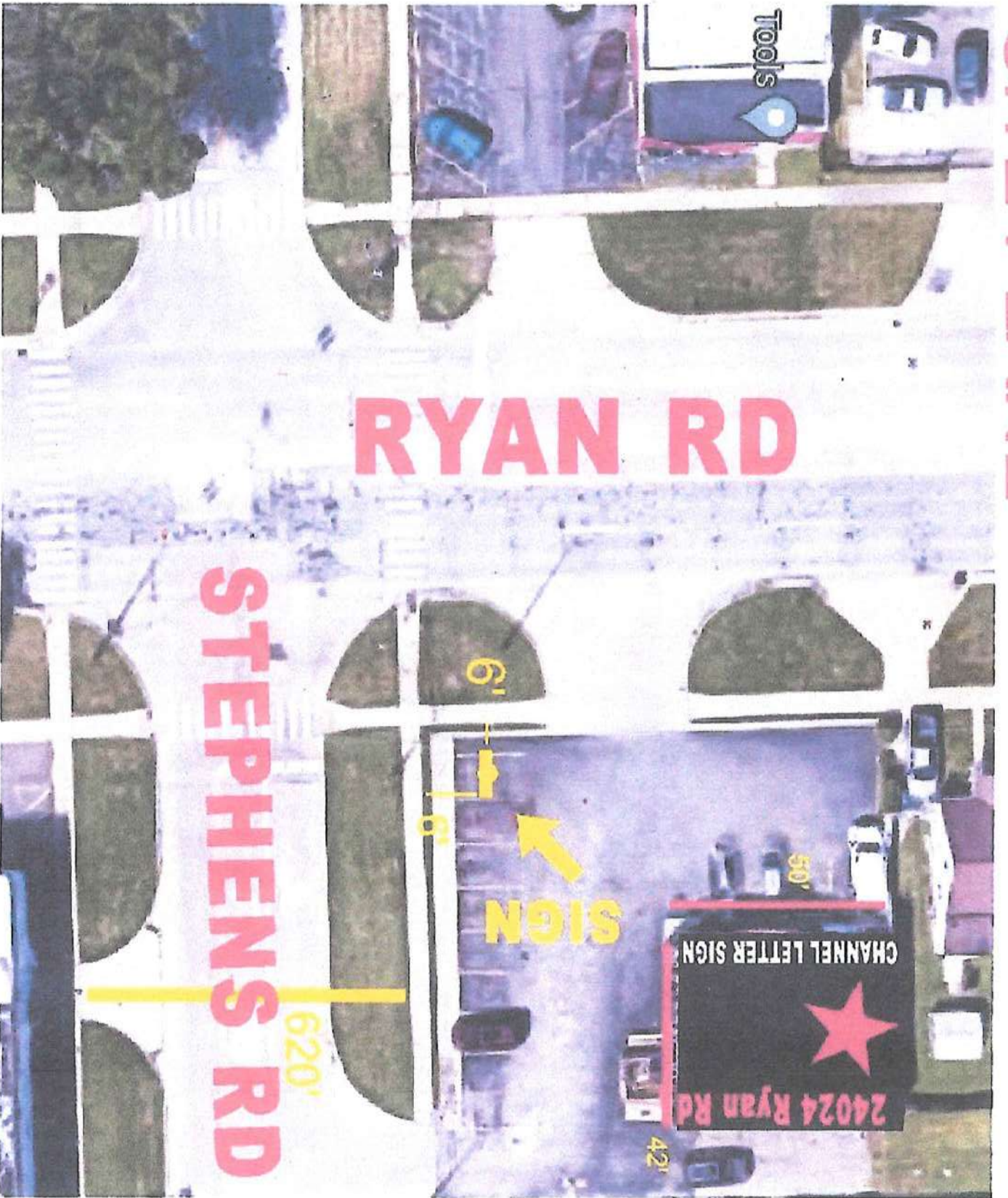
Eri Community Maps Contributors, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, MET/USASA, USGS, EPA, NPS, US Census Bureau, USDA, NRCan, Parks Canada | Southeast ArcGIS Web AppBuilder

SITE PLANE

RYAN RD

STEPHENS RD

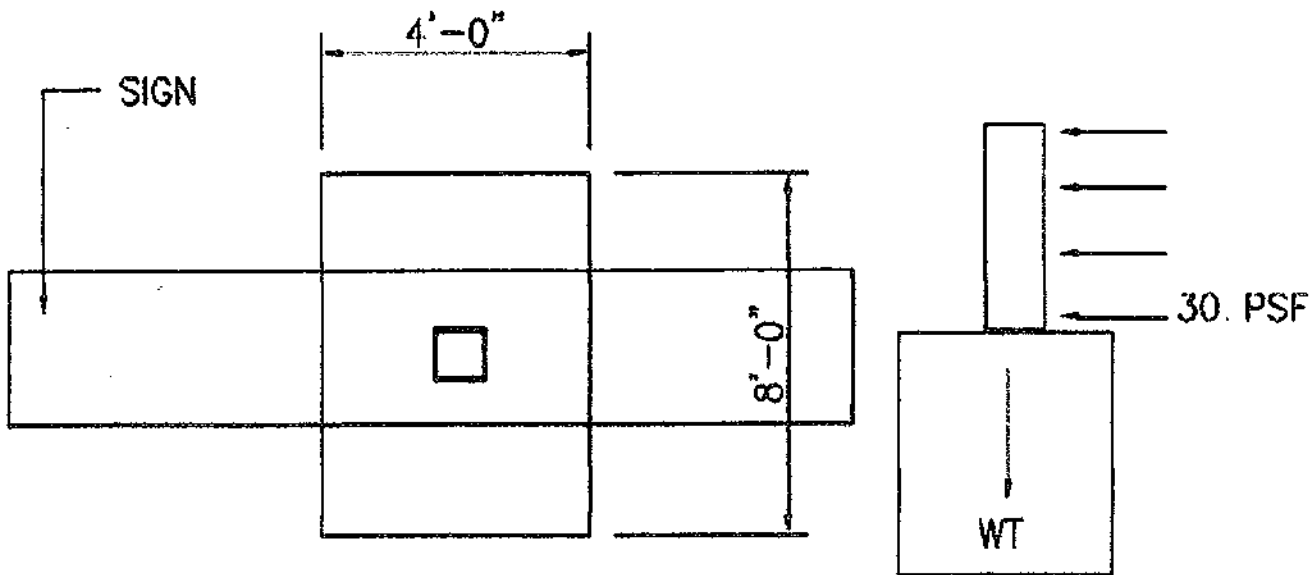
24024 Ryan Rd, Warren, MI 48091





24024 Ryan Rd, Warren, MI 48091

SIGN CALCULATION



NEW FTG PLAN

AREA OF SIGN 4'-0" x 8'-0"

SIGN WEIGHT = 300 PLF

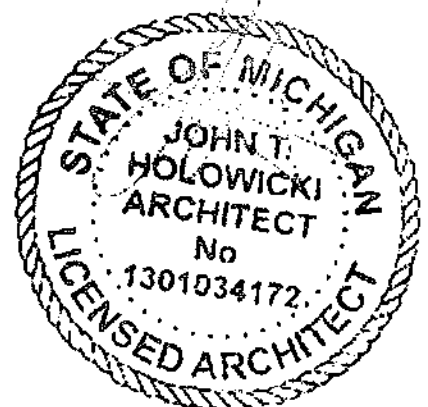
WIND = 30 PSF

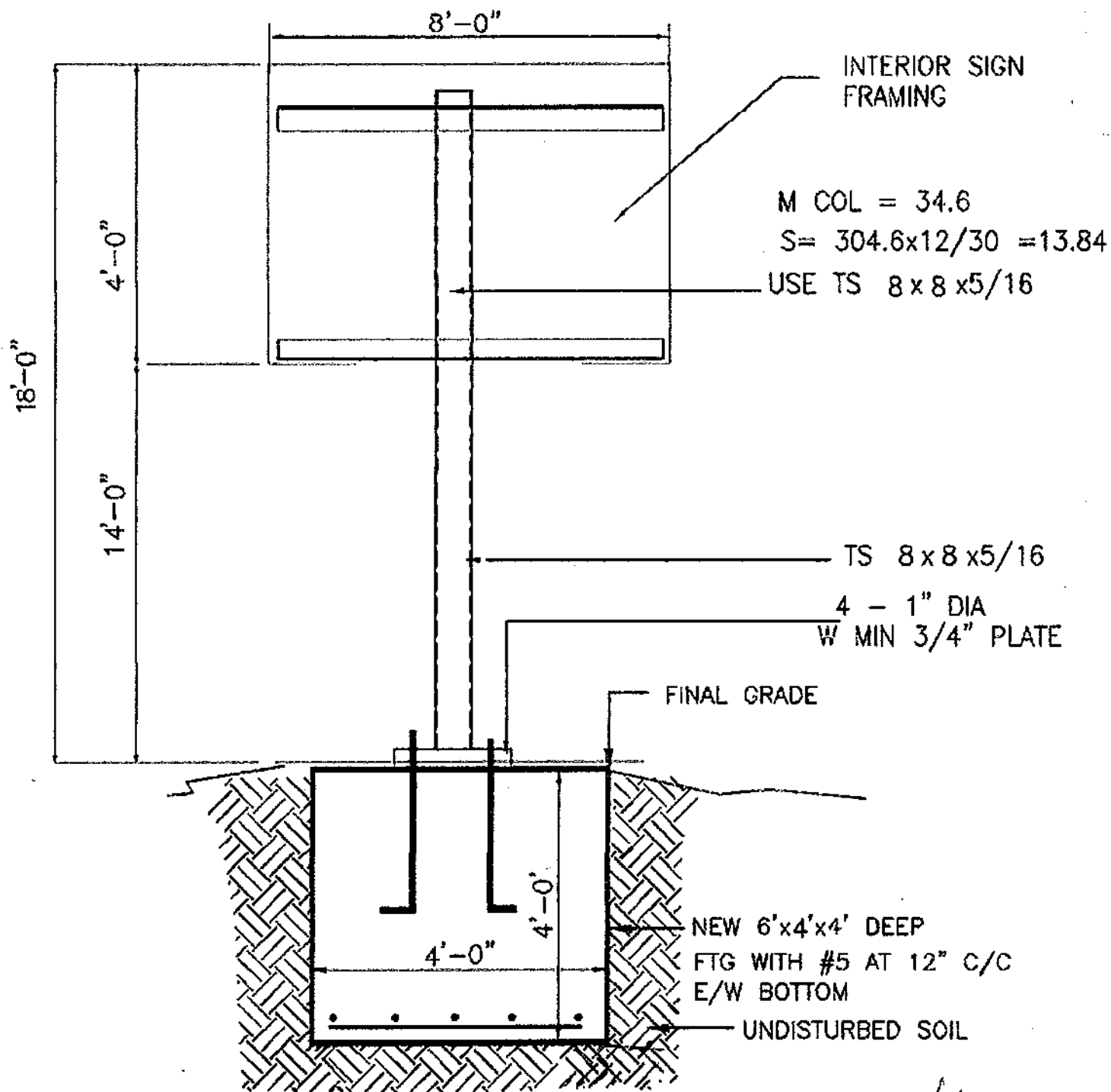
P SIGN = 300 LBS +/-

FTG = $2/2.0 = 4 \text{ ft} = 5"$

FOOTING BASED ON WEIGHT IS VERY SMALL

M OVERT = $(4 \times 8 \times 30 \times 13.5 / 1000) = 12.9 \text{ K-FT}$





NEW SIGN SECTION



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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: AMMAR YOUSEF

Common Description: 24024 RYAN

VARIANCE(S) REQUESTED: Permission to:

Erect a pole sign that is:

- 1) Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the south property line.
- 2) Setback 6 ft. from the public sidewalk (5 ft. from the property line) along the west property line.

If approved the variance regarding the awning sign issued on 12/13/2000 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.

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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: MD URGENT CARE AND FAMILY MEDCINE PLLC

REPRESENTATIVE: HUSSEIN AWADA MD

COMMON DESCRIPTION: 12640 12 MILE

PARCEL NUMBER: 12-13-14-130-001

ZONED DISTRICT: PB

REASON: Petitioner wishes to erect signage.

ORDINANCES AND REQUIREMENTS:

SECTION 4A.11 - SPECIFIC SIGN DEFINITIONS. 22. MONUMENT SIGN. A sign mounted directly to the ground with a maximum height not to exceed five (5) feet.

SECTION 4A.17 – SET BACKS .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.27 - ELECTRONIC MESSAGE CENTER. In addition to other applicable zoning requirements, a responsible party shall comply with all of the following electronic message center requirements: **(B)** Except a property where a business has a valid State of Michigan motor fuels retail outlet license, the digital display area of an electronic message center does not exceed 25% of the total permitted free standing sign area;

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.

VARIANCES REQUESTED: Permission to:

Allow the following related to signage:

1. Erect a monument sign as follows:

- A. Height, 6' 3.5".
- B. Setback 6' from front property line.
- C. Size, 31 sf:
 - 1) EMC sign =19.5 sf when 3 sf is allowed.
 - 2) "Urgent Care" sign, 11.5 sf.

2. Two wall signs as follows:

- A. North elevation, "24 hour Urgent Care" 48 sf.
- B. West elevation "24 hour Urgent Care" 48 sf.

Total wall signage=96 sf

Total signage 127 sf with 3 signs when one 12 sf sign is allowed.

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: HUSSEIN AWADA MD

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

SECTION 4A.11 SPECIFIC SIGN DEFINITIONS

4A.17 SETBACKS

4A.27 ELECTRONIC MESSAGE CENTER

4A.33 SIGNS PERMITTED IN A PB DISTRICT

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

ZBA Application.DOC 11/29/17

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I/WE Hussein Awada MD
Name(s) of Person(s)
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone
THE Owner OF MD Urgent Care and Family Medicine, PLLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT _____
_____/RECORDED LAND CONTRACT PURCHASER(S) X/RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT _____
Name(s) of Person(s)
THE _____ OF _____
Title of Officer Name of Company
OF _____
Address, City, State Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

SIGNED [Signature] L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF macomb

ON THIS 12 DAY OF September, 2023, BEFORE ME PERSONALLY CAME
Hussein H Awada, 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

[Signature]
NOTARY PUBLIC, macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 12.18.23

NOTICE TO OWNER

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

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.

Building location is recessed and setback adjacent to and at the base of the 100 foot Edison Corridor Towers.

Medical Office Building and Frontage are poorly visible when traveling in both Westerly and Easterly directions

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 conditions are fortuitous and have not been created by this applicant or the previous owner. The building has been structurally intact and unaltered since 1970.

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 building height and characteristic physical feature is disadvantaged as it is dwarfed by adjacent 100 foot towers.

Due to the enormity of the towers, and the close proximity of the office to it's base, the building appears as a mechanical control room for the "Edison Corridor". Travelling easterly, visualization is diminished greatly by a two story Dental office, it's 12 foot sign, and 5 large trees situated on the 12 mile adjacent (see att. photos) north of sidewalk.

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.

In so granting a variance, this will not cause any form of detriment to any neighboring properties. West of the property lies Palomino Dr; 12 Mile is to the North; Edison corridor is East of property and a 6 ft wall separates building from the residential 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.

There are absolutely no personal or economic hardships at question other than the outlined disadvantaged setback of property located directly at footprint of Edison Towers to the East and to the west several tall (5) trees a 2 story commercial dental office with a 12 foot sign impeding the view of premises in question

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

The variance is necessary for allowing the community to better identify the premises as a medical care establishment. For years, patients have commented they thought our office was a service mechanical room for the Edison Corridor. In my 20 year presence at this location, many patients mostly geriatric have repeatedly expressed hardship in finding our office often showing up late for appointments

12640 Twelve Mile Road

Irven Leider
23851 Morton
Oak Park, Michigan 48237
Rep: Perica, Breithart
McAlpine, Carmody

Request approved at meeting of Feb. 28, 1968,

*GRANTED PERMISSION TO CONSTRUCT A 60.5'
X 24.8' Bldg TO NO LESS THAN 6.5' OF
THE REAR YD AND PARKING TO THE
SIDE STREET YD*

2023 WARREN



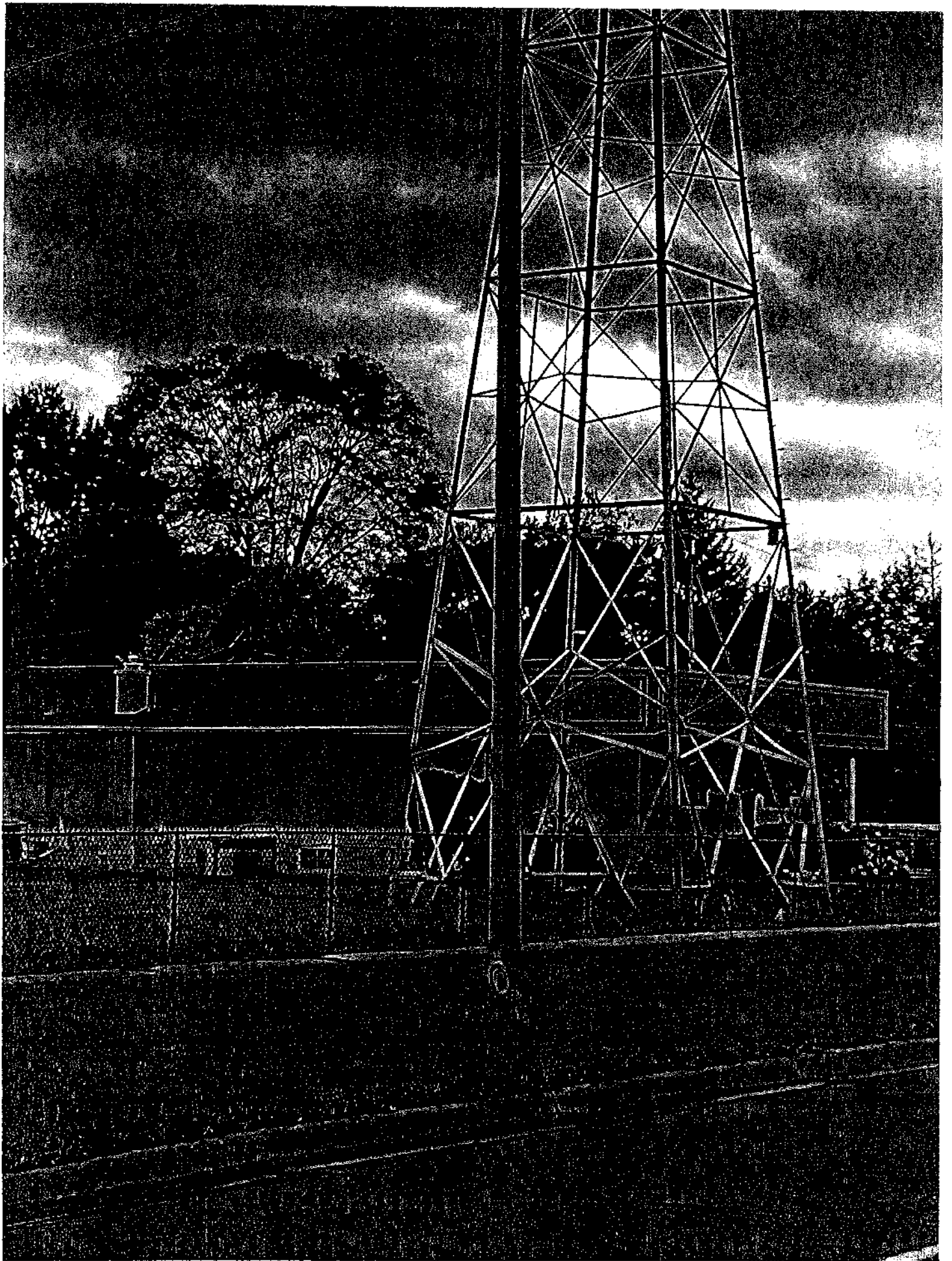


Site Address Point Parcels

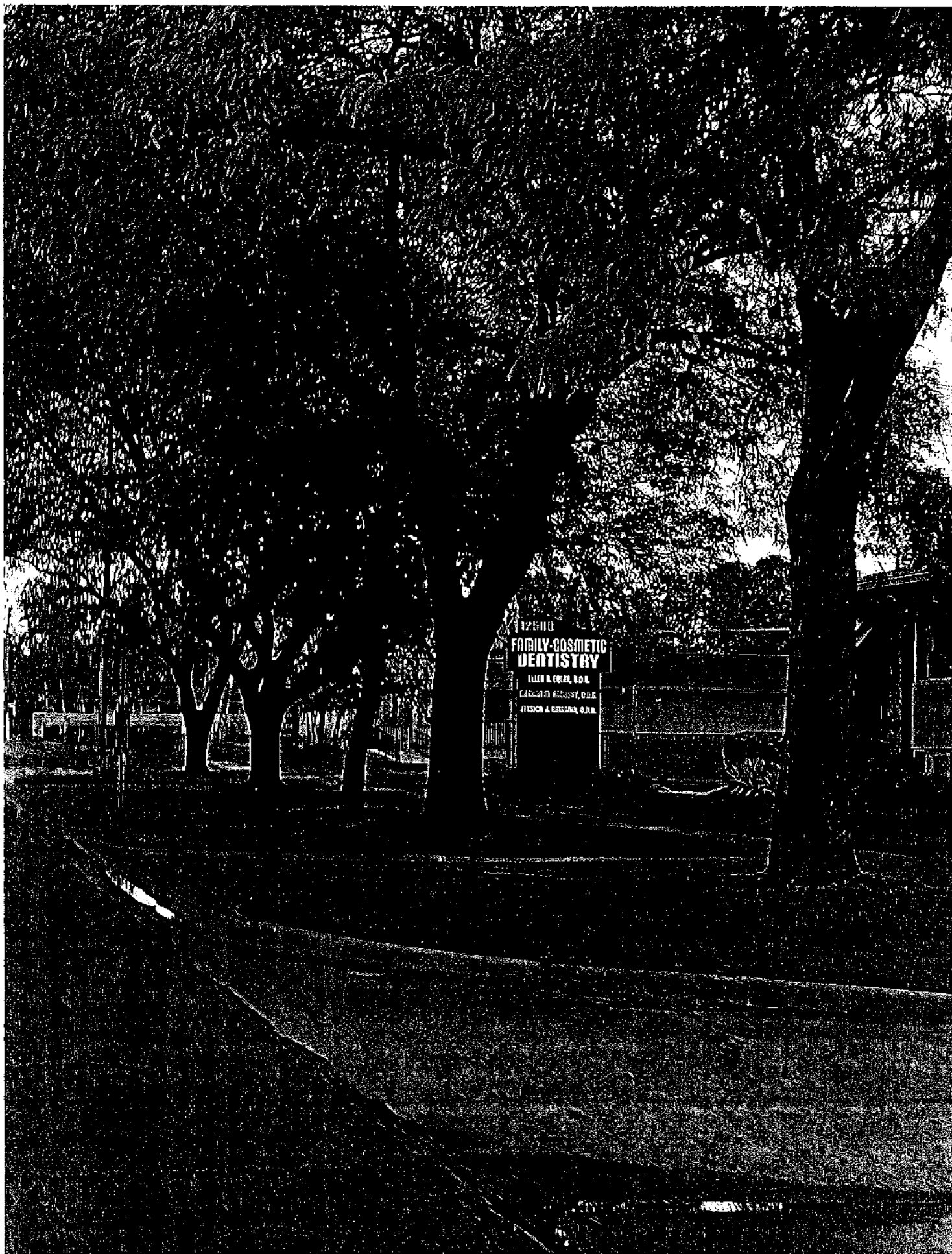
Building

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

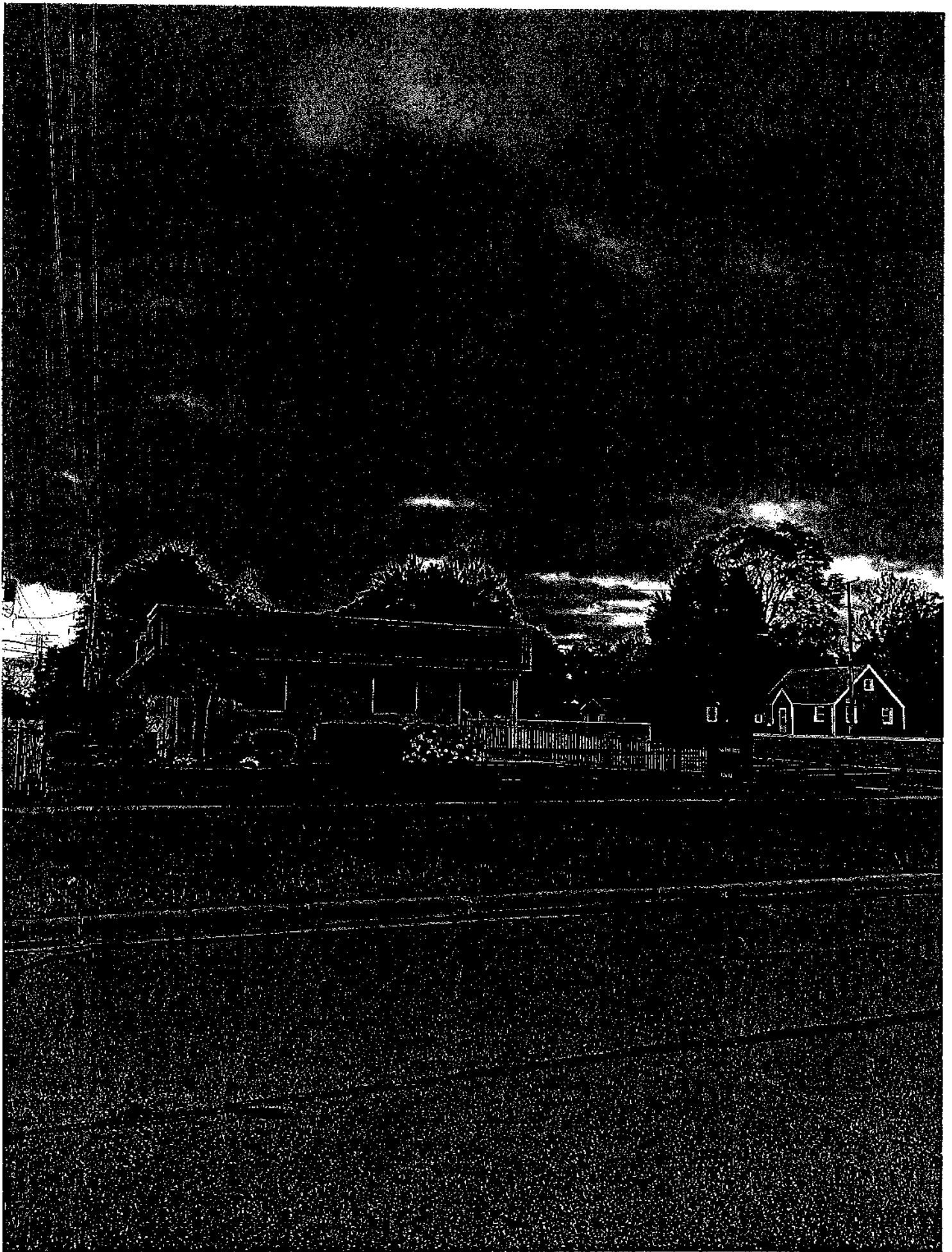
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Traveling Westward Direction on 12 Mile



TRAVELING EASTERLY DIRECTION ON 12 MILE

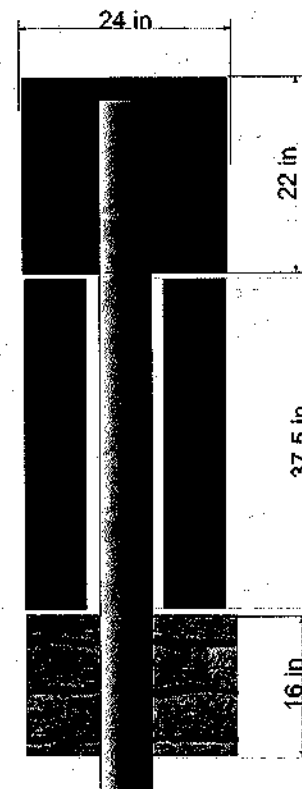
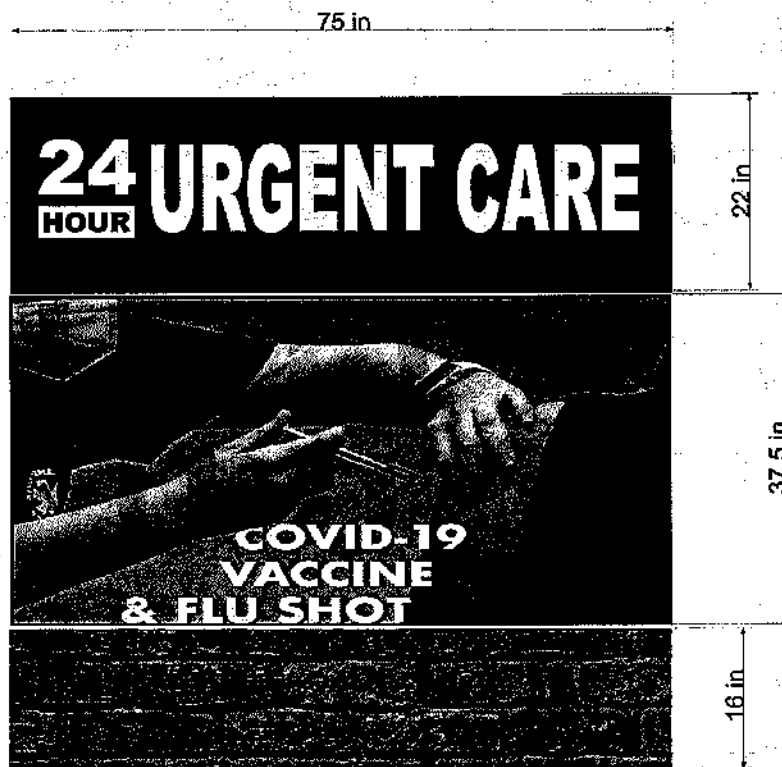
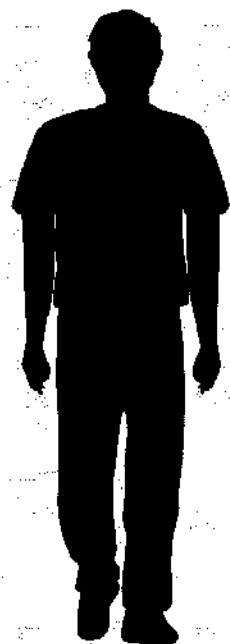


EXISTING MONUMENT SIGN



UNIVERSAL LED SIGNS & GRAPHICS

16706 Telegraph Rd. Detroit 48129 T-313-693-9504



MONUMENT SIGN:

75" X 22" = 11.5 SQ.FT DOUBLE SIDED SIGN CABINET

75" X 37.5" = 19.5 SQ.FT. DOUBLE SIDED P6 MM FULL COLOR EMC

75" X 16" = 8.3 SQ.FT BRICK BASE

USING EXISTING POLE AND FOUNDATION

Company Name	Project Name	Project Address	Project Details	Complete By	Customer Approval
MD URGENT CARE AND FAMILY MEDICINE PLLC	24 HOUR LIFELINE URGENT CARE	12640 12 MILE RD WARREN MI 48093	TOTAL SQUARE FOOTAGE 39.3 SQ.SF	Drawn By: MYLES Sales Rep: MIKE Date: 9 / 7 / 2023	Signature: _____ Date: / / 2023

DISCLAIMER - This drawing is conceptual and was prepared to show approximate location, arrangement, size and color of signage. It is subject to change and not intended to replace the use of construction documents and/or actual field dimensions.



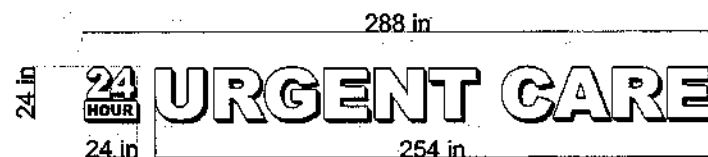
SIGN(S) TO BE MANUFACTURED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN(S).
SIGN WILL BEAR UL LABEL(S)



UNIVERSAL LED SIGNS & GRAPHICS

16706 Telegraph Rd. Detroit 48129 T-313-693-9504

WEST ELEVATION 48 SQ.FT.



Company Name	Project Name	Project Address	Project Details	Complete By	Customer Approval
MD URGENT CARE AND FAMILY MEDICINE PLLC	24 HOUR LIFE LINE URGENT CARE	12640 12 MILE RD WARREN MI 48093	48 SQ.FT EACH 96 TOTAL SQ.FT FOR BOTH	Drawn By: MYLES Sales Rep: MIKE Date: 9 / 7 /2023	Signature: _____ Date: / /2023

DISCLAIMER - This drawing is conceptual and was prepared to show approximate location, arrangement, size and color of signage. It is subject to change and not intended to replace the use of construction documents and/or actual field dimensions.



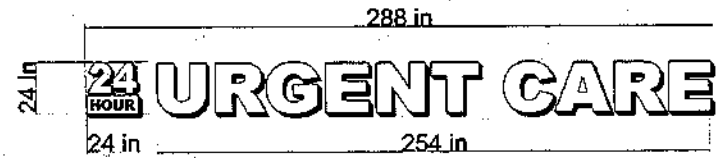
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UNIVERSAL LED SIGNS & GRAPHICS

16706 Telegraph Rd. Detroit 48129 T-313-693-9504

NORTH ELEVATION 48 SQ.FT.



Company Name	Project Name	Project Address	Project Details	Complete By	Customer Approval
MD URGENT CARE AND FAMILY MEDICINE PLLC	24 HR LIFELINE URGENT CARE	12640 12 MILE RD WARREN MI 48093	48 SQ.FT EACH 96 TOTAL SQ.FT FOR BOTH	Drawn By: MYLES Sales Rep: MIKE Date: 9 / 7 /2023	Signature: _____ Date: / /2023

DISCLAIMER - This drawing is conceptual and was prepared to show approximate location, arrangement, size and color of signage. It is subject to change and not intended to replace the use of construction documents and/or actual field dimensions.

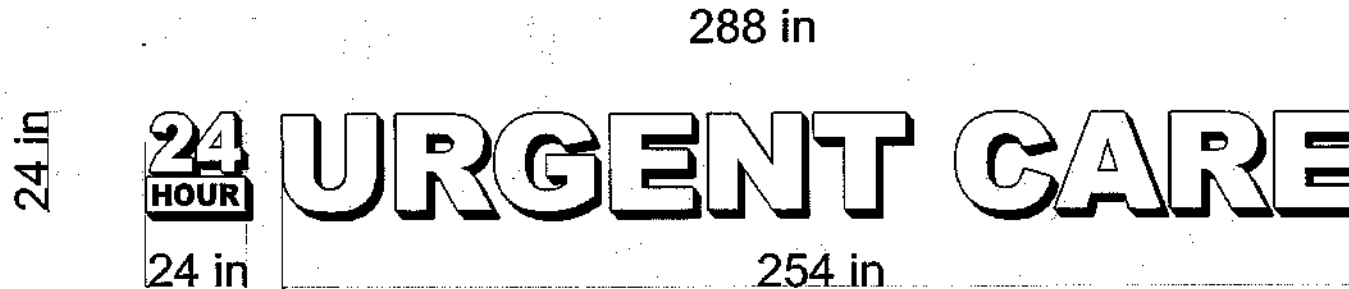


SIGN(S) TO BE MANUFACTURED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN(S).

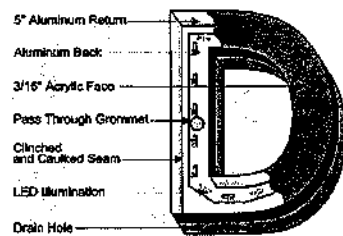


UNIVERSAL LED
SIGNS & GRAPHICS
 16706 Telegraph Rd. Detroit 48129 T-313-693-9504

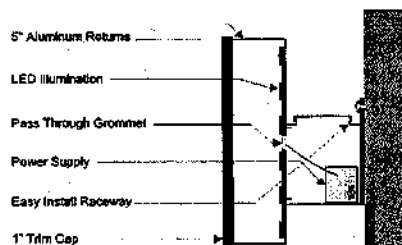
NORTH & WEST ELEVATION



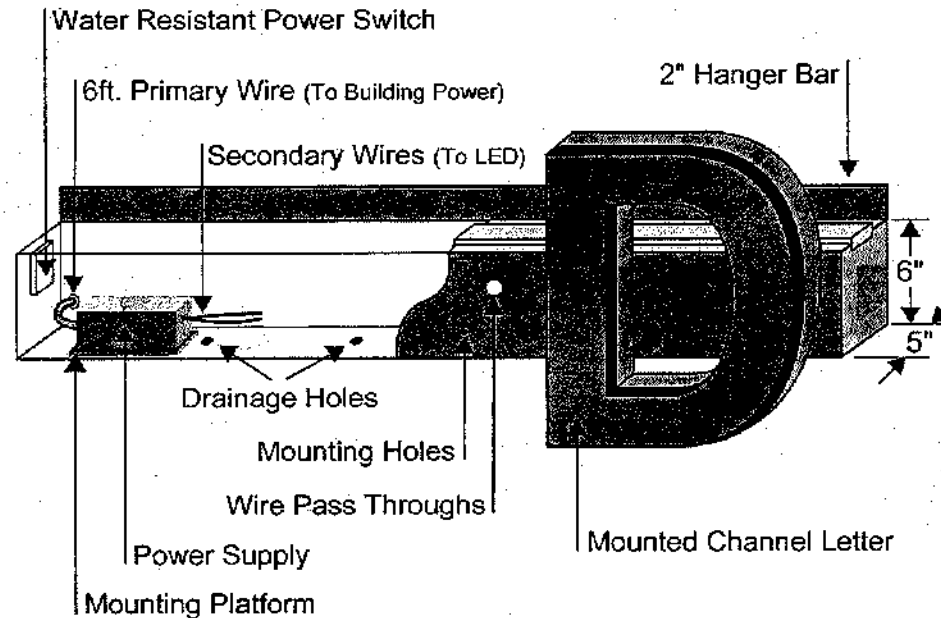
**Front Lit Channel Letters
(Raceway)**



FRONT VIEW



SIDE VIEW



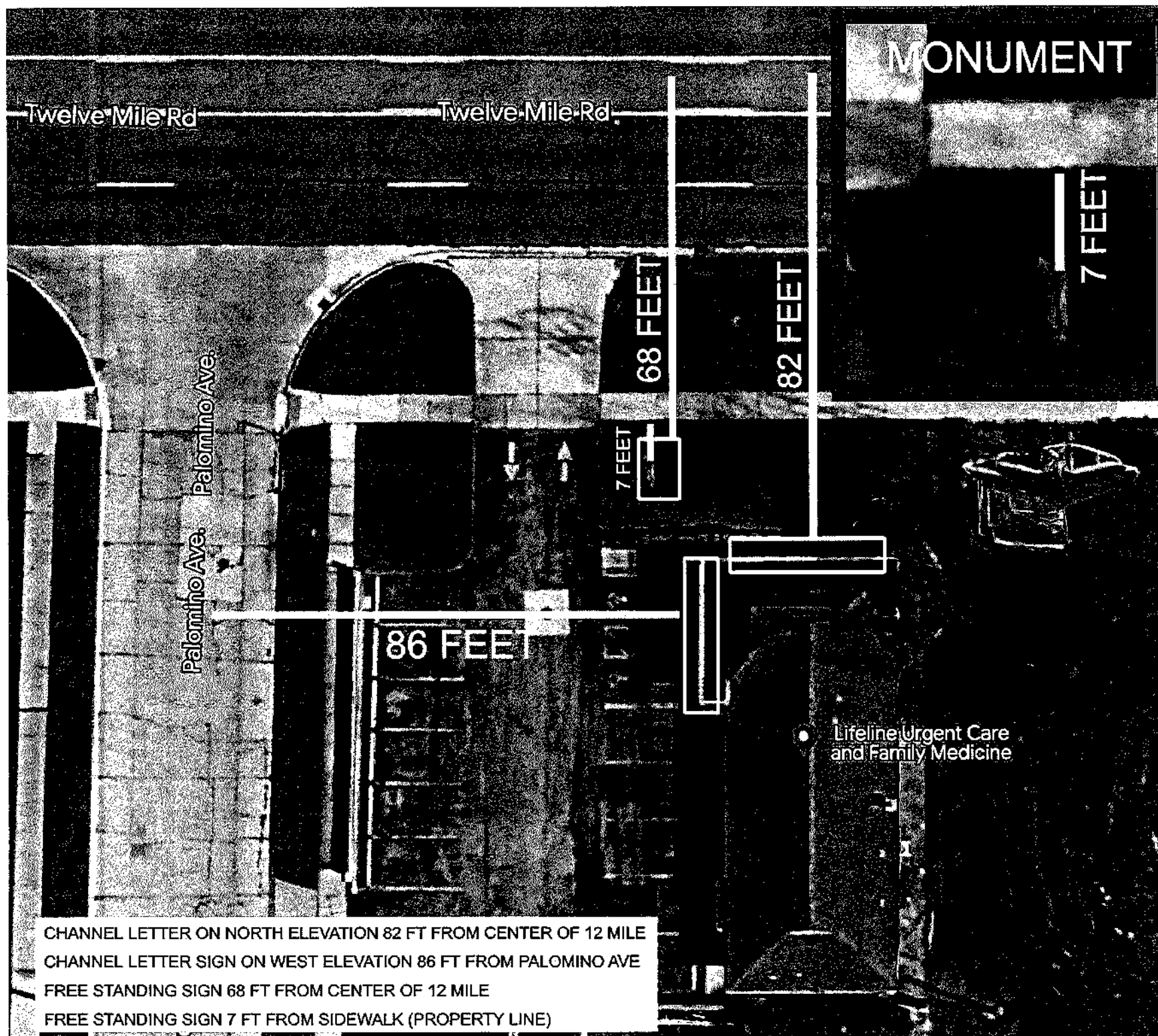
RACEWAY FRONT VIEW

Company Name	Project Name	Project Address	Project Details	Complete By	Customer Approval
MD URGENT CARE AND FAMILY MEDICINE PLLC	24 HOUR LIFELINE URGENT CARE	12640 12 MILE RD WARREN MI 48093	48 SQ.FT EACH 96 TOTAL SQ.FT FOR BOTH	Drawn By: MYLES Sales Rep: MIKE Date: 9 / 7 /2023	Signature: _____ Date: / /2023

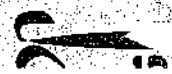
DISCLAIMER - This drawing is conceptual and was prepared to show approximate location, arrangement, size and color of signage. It is subject to change and not intended to replace the use of construction documents and/or actual field dimensions.



SIGN(S) TO BE MANUFACTURED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN(S).

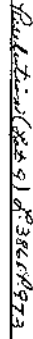


CHANNEL LETTER ON NORTH ELEVATION 82 FT FROM CENTER OF 12 MILE
CHANNEL LETTER SIGN ON WEST ELEVATION 86 FT FROM PALOMINO AVE
FREE STANDING SIGN 68 FT FROM CENTER OF 12 MILE
FREE STANDING SIGN 7 FT FROM SIDEWALK (PROPERTY LINE)



L. 24
P. 5

Fig. 2. 2. 32. 74. 75

[illegible]

His place was occupied by Henry L. Dege 2/4/47 day of
Henry L. Dege Henry L. Dege
 1945 Goy L. Dege Goy L. Dege
 1 Andy Andy
 W. C. Miller W. C. Miller
 (County Treasurer)

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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: MD URGENT CARE AND FAMILY MEDICINE PLLC
Common Description: 12640 12 MILE
VARIANCE(S) REQUESTED: Permission to:
Allow the following related to signage:

- 1) Erect a monument sign as follows:
 - a. Height, 6' 3.5"
 - b. Setback 6' from front property line.
 - c. Size, 31 square ft:
 - 1) EMC sign = 19.5 square ft. when 3 square ft. is allowed.
 - 2) "Urgent Care" sign, 11.5 square ft.
- 2) Two wall signs as follows:
 - a. North elevation, "24 hour Urgent Care" 48 square ft.
 - b. West elevation "24 hour Urgent Care" 48 square ft.

Total wall signage = 96 square ft.

Total signage 127 square ft. with 3 signs when one 12 square sign is allowed.

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: SIGNS BY CRANNIE, INC
REPRESENTATIVE: NICK TRIFON
COMMON DESCRIPTION: 6500 FOURTEEN MILE
PARCEL NUMBER: 12-13-04-126-021
ZONED DISTRICT: M-2

REASON: Petitioner wishes to erect a second ground sign.

ORDINANCES and REQUIREMENTS:

SECTION 4A.35 - SIGNS PERMITTED IN COMMERCIAL BUSINESS AND INDUSTRIAL DISTRICTS (C-1, C-2, C-3, M-1 AND M-2). B) One freestanding on premise sign or advertising display of a size not to exceed seventy-five (75) square feet shall be allowed in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

SECTION 4A.11 - SPECIFIC SIGN DEFINITIONS. 22. Monument sign. A sign mounted directly to the ground with a maximum height not to exceed five (5) feet.

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.

VARIANCES REQUESTED: Permission to:

1. Erect a second ground sign as follows:
 - A. Monument sign 17' 5.5" high.
 - B. Monument sign which is 173.5 sf. (not including the 36 sf base)
 - C. Setback 2 ft. from the row line along 14 Mile.
 - D. Setback 7 ft. from the closest vehicular egress into the parking lot.

Sign is in addition to the existing ground sign approved by the Zoning Board of Appeals on 10/13/1997 for a 20' x 44'=880 sf monument sign, 44 ft. high and 24 banners (16 sf each) total of 384 sf of banners (approved by Zoning Board of Appeals on 11/10/1999. If approved total ground signage (880 sf existing ground sign, + 384 sf existing banners + 173.5= 1437.5 sf of ground signage.)

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: SIGNS BY CRANNIE, INC

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.35 SIGNS PERMITTED IN AN M-2 DISTRICT.
SECTION 4A.11 SPECIFIC SIGN DEFINITIONS.
SECTION 4A.17 SETBACKS

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: Signs by Crammie, Inc. / Nick Trifon

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address: [REDACTED] ☐ prefer email communication

Name and Address of Property Owner (if different) 14 Mack LP, [REDACTED]
[REDACTED]

Name of Representative: Nick Trifon Telephone: [REDACTED]

Representative's Address: [REDACTED]

Representative's Email Address: [REDACTED] ☐ prefer email communication

Address of Property: [REDACTED]

Parcel I.D. No. (as shown on tax bill): 12-13-04-126-021

Purpose of Request: We are requesting a variance for a secured monument sign; height variance (17'5"); square foot variance (109.5 sq. ft); and a variance on required setback to allow sign to be placed just outside the ROW.

Please explain the nature of your hardship:

This property includes a Qty of 5 considerable size tenant spaces totalling 848,200 sq. ft. The additional signage is needed to help identify & locate the tenants which are mostly located in the back of the property. The location of sign was chosen to help direct traffic into the property.

Signature: Nick Trifon Date: 9/12/2023

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE Laurie Wood
Name(s) of Person(s)
OF [REDACTED]
Address, City, State [REDACTED] Zip [REDACTED] Telephone [REDACTED]
THE Agent for Owner OF 14 MACK LP
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT WE
I/We/It
/RECORDED LAND CONTRACT PURCHASER(S) XRECORDED 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 Nicholas Trifon *
Name(s) of Person(s)
THE Account Manager OF Signs by Crannie, Inc *
Title of Officer Name of Company
OF [REDACTED]
Address, City, State [REDACTED] Zip [REDACTED] Telephone [REDACTED]

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

FURTHER, DEPONENT SAYS NOT.

SIGNED Laurie Wood L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 10th DAY OF September, 2023, BEFORE ME PERSONALLY CAME
Laurie Wood, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT Laurie Wood DID SO OF her OWN FREE WILL AND DEED.

[Signature]
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 05/30/29

NOTICE TO OWNER

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

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

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

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

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

The average tenant size is 168,000 sq. ft. Each tenant on the sign has a space of $2' \times 8' = 16 \text{ sq. ft}$. We determined that as a minimum requirement for people to be able to adequately identify tenants - anything less would be unreasonable.

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 practical difficulty was not self imposed. We are seeing an evolution in both retail & warehouse spaces. As a result the need for signage for identification & direction have also increased.

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 sheer enormous size of the facility & tenant spaces (with an average of 168,000 sq. ft) make this a very unique property w/ trucks & customers in & out of the facility.

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 granting of a variance will not result in detriment to nearby property, & not impact an adequate supply of light & air. It will not impair property values or cause safety concerns.

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

This request is a minimum request needed to properly identify tenants both for deliveries, customer pick-ups, etc. The specific location of the sign will help to direct traffic thru the facility.

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

The request is necessary & a minimum request to help identify & locate tenants in the facility.

6500 & 6440 Fourteen Mile**9/26/2018**

LEGAL DESCRIPTION: 12-13-04-126-021 & 12-13-04-126-015

VARIANCES REQUESTED: Permission to

- 1) Allow a second wall sign, 40.875 square feet at 6440 14 Mile Road.
- 2) Allow an additional wall sign, 29.45 square feet at 6500 14 Mile Road.
- 3) Allow two additional ground signs, 1 ft. x 2 ft., 2 square feet each, 3-foot overall height each, at the approach, 4 feet from property line for directional purposes.

The petitioner's request was Granted as written.

6500 Fourteen Mile**10/16/2013**

Art Van Furniture: 6500 Fourteen Mile & west 516' of 31950 Mound; 13-04-126-015 & west 516' of 13-04-176-001: was GRANTED Permission to:

1. Waive 256 required off street parking for the new warehouse addition.
2. Allow a building warehouse addition to 40'2" in height.

With the condition that the two properties be combined.

6500 Fourteen Mile**12/10/08**

ART VAN FURNITURE, INC., GARY VAN ELSLANDER, PRESIDENT, 6500 Fourteen Mile, Also Known As 13-04-126-015 – GRANTED request to install a temporary sign 38' x 47' (1,786 sq. ft.) on the face of the high-rise warehouse, 1,528 feet from the front lot line, from January 1 through December 31, 2009

6500 14 Mile**4/24/2002**

ART VAN FURNITURE, 6500 Fourteen Mile, Also Known As 13-04-126-015 – GRANTED request to waive the required hardsurfacing on a gravel lot 338' x 420' (141,960 sq. ft.) at the southeast corner of the property. WITH THE CONDITION that when the property is developed this area will be paved and when the construction is completed all of the ordinance requirements will be met as far as the paving and black topping of that area.

6500 Fourteen Mile - Card 1

11/14/200/

2001

ART VAN FURNITURE, 6500 Fourteen Mile, Also Known As 13-04-126-015 - **DENIED** request 1) To continue an existing legal non-conforming wall sign 67' x 6.5' (435.5 sq. ft.) Permit #02977 issued 10/30/84. 2) To continue an existing legal non-conforming wall sign 62' x 7' (434 sq. ft.) Permit #02999 issued 1/4/85. 3) To update and enhance existing "Customer Pick-up" signage as follows: a) To continue a legal non-conforming 279 sq. ft. "Customer Pick-up" wall sign, Permit #04305 issued 9/18/91; and add one (1) "truck" graphic at 539 sq. ft. and add one (1) "man" graphic at 187 sq. ft. and add a 9.5 sq. ft. "logo" graphic for a total of 1,015 sq. ft. on the East elevation.

6500 Fourteen Mile - Card 2

11/14/200/

2001

b) To retain a 279 sq. ft. "Customer Pick-up" sign on the South elevation and add one (1) 246 sq. ft. "truck" graphic and add a 9.5 sq. ft. "logo" graphic for a total 534 sq. ft. 4) To continue an existing legal non-conforming wall sign 190' x 6' (1140 sq. ft.) on the front of the building, Permit #04350 issued 1/3/92. Total non-conforming signage requested to be continued: 2,567 sq. ft. Total new signage requested - verbiage and graphics: 991 sq. ft. Total Customer Pick-up and new requested graphics measured per Ordinance: 2,098 sq. ft. Total wall signage requested 3,942 sq. ft. + 24 banners at 384 sq. ft. = 3,942 sq. ft. Total wall signage as measured per ordinance requirement requested: 4,107.5 sq. ft. + 24 banners at 384 sq. ft. Total 4,491.5 sq. ft.

6500 Fourteen Mile

11-10-99

Also known as 13-04-126-015

Art Van Furniture - GRANTED request to permanently ret twenty-four (24) banners (2 each on 12 interior light poles on traffic Islands) 2'x8' (16 sq.ft.each) total 384 square feet of banners. WITH THE STIPULATION that there br no verbiage on the banners and that they be scenic and graphic only and that they be of a decorati graphics and not furniture or appliance or any other type of sales item.

6500 Fourteen Mile Rd 13 04 126 015

Art Van Furniture

TABLED to October 8, 1997

September 10, 1997

6500 E. Fourteen Mile Rd.

Art Van Furniture

Also known as 13-04-126-015 - Granted permission to erect a 20-ft X 44-ft (880 Sq Ft), monument sign, 44-ft high, including a six (6) ft base, to no less than 35 ft from the 14 Mile rd property line and to include a graphic display area with neon tubing with the stipulation the division of Buildings and Safety Engineering is not to release the final inspection until the berm and other restrictions and conditions that were imposed by Planning and the Board of Appeals have been complied with.

October 13, 1997

6500 East Fourteen Mile Road

Art Van Furniture, Incorporated

Granted permission to erect a 151,100-square-foot, 100-foot high, warehouse addition. Also, permission was granted to Waive 460, required, off-street parking spaces in addition to the 150 spaces waived by the Board of Appeals on July 14, 1993.

November 8, 1995

6500 Fourteen Mile Road

Art Van Furniture

Granted permission at the meeting of 4-30-86 to construct a 632' x 400' building addition, 48'8" in height at the highest point above the finish grade.

6500 Fourteen Mile Rd.

Art Van Furniture

4-4 vote--will appear on Board Agenda of Wednesday, April 11, 1990. Board met at the meeting of 3-28-90.

*TABLED 3-28-90
4-11-90 to be re-heard
on 5-9-90*

6500 Fourteen Mile Rd.

Art Van Furniture

DENIED permission at the meeting of 5-9-90 to construct a 36,500 sq. ft. addition, no higher than 45 ft. at the highest point above the finished grade, with two (2) mezzanines in the interior of the building. Also, permission to waive 400, required, off-street parking spaces was DENIED.

6500 Fourteen Mile Rd.

Pinehurst Development Co.
31435 Stephenson Hwy.
Madison Hgts.

Rep: Henry J. Andries

Request granted - 20 ft. landscaped area inside
property at Meeting of Feb. 26, 1969.

6500 E. 14 Mile

Art Van Furniture

GRANTED permission at the meeting of
5/24/78 to erect approximately 2,000 lin. feet
of six (6) foot high cyclone fence with three
strands of barbed wire on top.

6500 Fourteen Mile Rd.

Federal's Inc.
1200 E. McNichols
Detroit, Mich. 48203

Request granted with condition at the Meeting of
December 10, 1969.

*Granted permission to erect a 336
square foot sign 50' high to
within 20' of the front R.*

6500 FOURTEEN MILE RD

02/26/1969

LEGAL DESCRIPTION: 12-13-04-126-021

Pinehurst Development Co.
31435 Stephenson Hwy.
Madison Heights

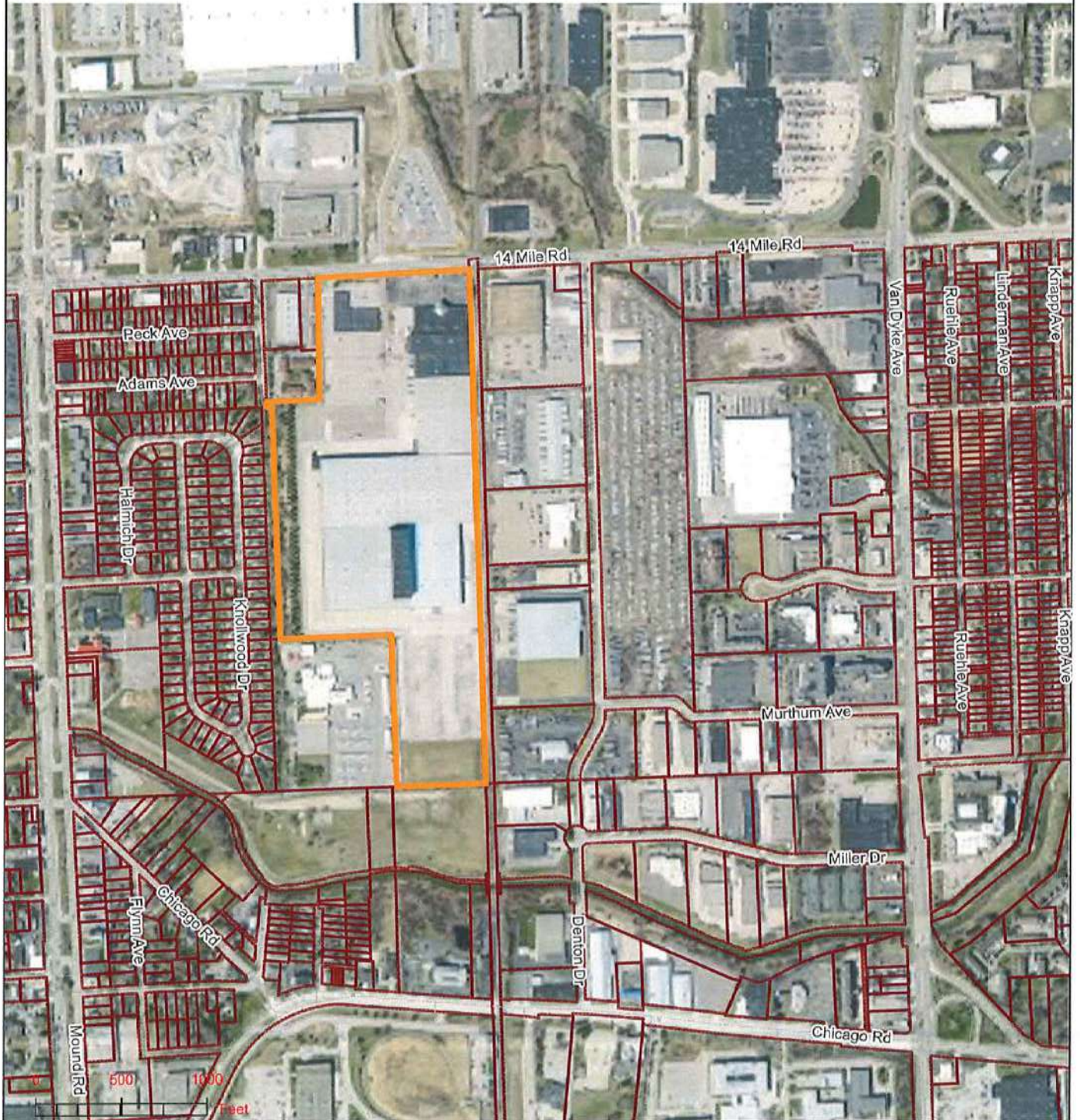
Rep: Henry J. Andries

**Request granted - 20 ft. landscaped area inside property
at Meeting of Feb. 26, 1969.**



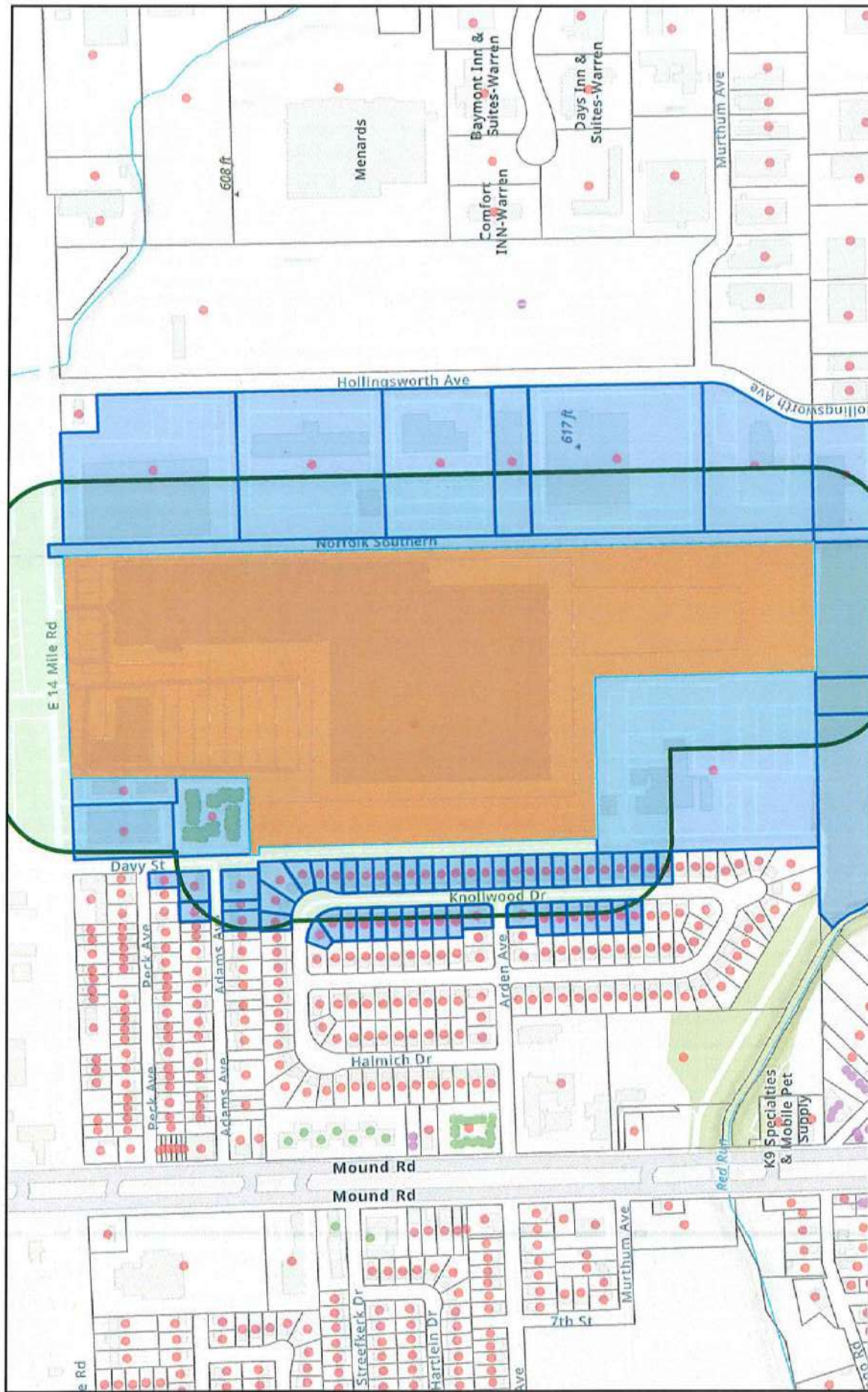
Approx. Location Of New Pylon Signage

2023 WARREN



65

6500 Fourteen Mile - 13-04-126-021



9/25/2023, 11:59:59 AM

Site Address Point

Building

Apartment

Multi-Business

Parcels

1:9,028

0 0.05 0.1 0.15 0.2 mi

0 0.07 0.15 0.3 km

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

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METINASA, USGS, EPA, NPS, US Census Bureau, USDA, ArcGIS Web AppBuilder

Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
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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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: SIGNS BY CRANNIE, INC.

Common Description: 6500 FOURTEEN MILE

VARIANCE(S) REQUESTED: Permission to:

Erect a second ground sign as follows:

- a. Monument sign 17' 5.5" high
- b. Monument sign which is 173.5 square ft. (not including the 36 square ft. base)
- c. Setback 2 ft. from the row line along 14 Mile
- d. Setback 7 ft. from the closest vehicular egress into the parking lot.

Sign is in addition to the existing ground sign approved by the Zoning Board of Appeals on 10/13/1997 for a 20' x 44' = 880 square ft. monument sign, 44 ft. high and 24 banners (16 square ft. each) total of 384 square ft. of banners (approved by Zoning Board of Appeals on 11/10/1999). If approved total ground signage (880 square ft. existing ground sign, + 384 square ft. existing banners + 173.5 = 1,437.5 square ft. of ground signage.

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: SHUAJB GERGURI
REPRESENTATIVE: SHUAJB GERGURI
COMMON DESCRIPTION: 27440 HOOVER
PARCEL NUMBER: 12-13-14-351-001
ZONED DISTRICT: PB

REASON: Petitioner wishes to operate massage therapy and esthetician businesses at this address.

ORDINANCES and REQUIREMENTS:
SECTION 12.01 - USES PERMITTED IN PB. Massage therapy and esthetician businesses are not allowed uses.

VARIANCES REQUESTED: Permission to:
Petitioner seeks to operate a massage therapy and esthetician business in a PB District.

Previous Variance Requested: None.

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: SHUAJB GERGURI

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 12.01 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

\$250 DW 9/14/23
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: SHUAJB GERGURI

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address: [REDACTED] ☒ prefer email communication

Name and Address of Property Owner (if different) JAME

Name of Representative: SHUAJB GERGURI Telephone: [REDACTED]

Representative's Address: [REDACTED]

Representative's Email Address: [REDACTED] ☒ prefer email communication

Address of Property: 27440 HOOVER RD, WARREN, MI 48093

Parcel I.D. No. (as shown on tax bill): 1314351001

Purpose of Request: PERMISSION TO USE THE BUILDING FOR
MASSAGE THERAPY AND ESTHETICIAN

Please explain the nature of your hardship:

HAVING TO MOVE CAUSES HARDSHIP AND LOSS OF
BUSINESS.

ONLY 2 OUT OF 5 SUITES ARE OCCUPIED. OVER 3 YEARS
THE BUILDING IS LISTED FOR RENT, NO NEW TENANT
CAME. THE BUILDING DOESN'T COVER ITS EXPANCES.

Signature: [Signature] Date: 9-13-2023

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE SHUAJB GERGURI

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

Name(s) of Person(s)

THE OWNER

OF

27440 HOOVER RD WARREN, MI

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 WAYNE

ON THIS 14th DAY OF September, 2023, BEFORE ME PERSONALLY CAME
SHUAJB GERGURI, 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.

ANIDA SABANOVIC

NOTARY PUBLIC - STATE OF MICHIGAN

COUNTY OF MACOMB

My Commission Expires August 16, 2027

Acting in the County of WAYNE

NOTARY PUBLIC, WAYNE COUNTY, MICHIGAN

MY COMMISSION EXPIRES: 8/16/2027

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.

SUITE A USED TO BE DENTAL OFFICE. USE THE SAME SPACE AS A MASSAGE THERAPY SHOULD NOT COUSE ANY HARM TO ANYONE.

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'S EXISTING BUILDING, OUR HOPE IS TO ENABEL US TO ~~USE~~ HAVE MORE OPTIONS OF USAGE.

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.

SINCE THE BUILDING IS SPLIT FLOOR IT LIMITS THE OPTIONS OF USAGE.

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.

IT WILL NOT HAVE A NEGATIVE IMPACT ON ANY PROPERTY OR INDIVIDUAL.

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.

SINCE THE BUILDING IS SPLIT FLOOR WE ARE VERY LIMITED ON THE USAGE OF IT.

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.

HAVING MORE OPTION OF USAGE WILL ENABEL US TO BETTER KEEP UP ANT IMPROVE THE PROPERTY AND THEREFORE THE NEIGHBORHOOD.

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.

THE BUILDING IS SPLIT FLOOR THEREFORE MANY BUSINESSES
CAN'T USE IT. LAST 3 YEARS THE BUILDING IS FOR RENT
NO NEW TENANT CAME.

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

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.

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.

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

2023 WARREN



311



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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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: SHUAJB GERGURI -~~USE~~-
Common Description: 27440 HOOVER

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

Petitioner seeks to operate a message therapy and esthetician business in a PB District.

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: MATTHEW LOCKHART

REPRESENTATIVE: MATTHEW LOCKHART

COMMON DESCRIPTION: 25800 FLANDERS

PARCEL NUMBER: 12-13-24-331-001

ZONED DISTRICT: M-2

REASON: Petitioner seeks variances related to new site plan.

ORDINANCES and REQUIREMENTS:

SECTION 17.02 - INDUSTRIAL STANDARDS. (S) OPEN STORAGE OTHER THAN JUNK. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas. The designated areas shall not be located in any area required for parking space and is necessary to meet the minimum requirements of Section 4.32 of this ordinance. Further, the designated area may not exceed fifty (50) percent of the gross floor area of the primary structure on the site. In M-1 and M-2 zones the designated area shall not be located any closer than seventy-five (75) feet to the front property line.

SECTION 4.32 - OFF-STREET PARKING REQUIREMENTS. (K) All off-street parking areas shall be provided with adequate ingress and egress, shall be hard surfaced with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent).

SECTION 4D.39. - LOCATION. All fences and walls constructed or installed between lots shall not exceed a height of six (6) feet above the average grade of the two (2) adjoining lots and shall not extend closer to the front lot line than the established building line or front set back line.

SECTION 4D.38. - HEIGHT. Obscuring walls and fences in non-residential zones shall not exceed six (6) feet in height.

VARIANCES REQUESTED: Permission to:

1. Allow 15,203.6 sf of outdoor storage when 2000 sf is allowed.
2. Allow open storage no less than 26 feet from the front property line.
3. Allow storage, parking and maneuvering on a non-hard gravel surface.
4. Retain existing 8 ft. high chain link fence/gate that extends from the building at the front building line to the south property line.
5. Retain existing chain link fence (permitted on 11/30/1982 #13356) that extends 26 ft. past the front building line to the front (west) property line and extends along said property line approximately 65.6 ft.
6. Retain existing chain link along the south property line that extends past the front building line to the front property line.

Previous Variance Requested: None.

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: MATTHEW LOCKHART

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

SECTION 17.02 INDUSTRIAL STANDARDS

SECTION 4.32 OFF-STREET PARKING

SECTION 4D.39 LOCATION

SECTION 4D.38 HEIGHT

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: Matthew Lockhart / 25800 Flanders LLC

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address: [REDACTED] ☒ prefer email communication

Name and Address of Property Owner (if different): [REDACTED]

Name of Representative: Matthew Lockhart Telephone: [REDACTED]

Representative's Address: [REDACTED]

Representative's Email Address: [REDACTED] ☒ prefer email communication

Address of Property: 25800 Flanders Ave. Warren MI 48089

Parcel I.D. No. (as shown on tax bill): 12-13-24-331-001

Purpose of Request: The requested variance is to allow open storage in excess of the allowable 50% of the primary structure on the site. The requested area includes a 35 wide area located 10' south of the northerly property line, and a 55' wide area located 10' west of the easterly property and 10' north of the the southerly property line.

Please explain the nature of your hardship:

Warren's zoning ordinance permits the operation of a landscaping company in an M-2 district. However, the open storage limitation (50% of the primary structure on the site) does not provide for adequate use of the site.

Signature: [Signature] Date: 9/12/23

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 MATT LOCKHART
Name(s) of Person(s)
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE PRESIDENT OF ZSECO FLANDERS LLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT MATT LOCKHART
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 MATT LOCKHART *
Name(s) of Person(s)

THE PRESIDENT OF ZSECO FLANDERS 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.

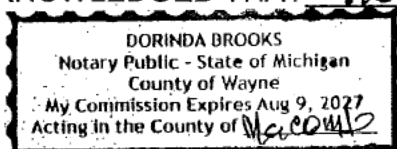
FURTHER, DEPONENT SAYS NOT.

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

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 11th DAY OF September, 2023, BEFORE ME PERSONALLY CAME
Matthew Lockhart, 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]
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 8-9-2027

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.

Warren's zoning ordinance permits the operation of a landscaping company in an M-2 district. However, the open storage limitation (50% of the primary structure on the site) does not provide for adequate use of the site. If for example, there were no structure on the site, the property would be unusable for a permitted use.

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 need for the requested variance is not the result of a condition caused by the applicant or by previous owners.

A business such as Lockhart's Landscaping is a permitted use in an M-2 zoning district. However, the nature of the this type of business is that large open storage areas are required.

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 plight of this property do to restrictions imposed for a more intense use of the property.

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

All of the adjoining properties are zoned M-2 and all of these properties have open storage use that is similar to the use requested in this application.

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 variance request is not related to an economic hardship. The request is needed because the zoning ordinance does not allow for the existing site conditions.

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

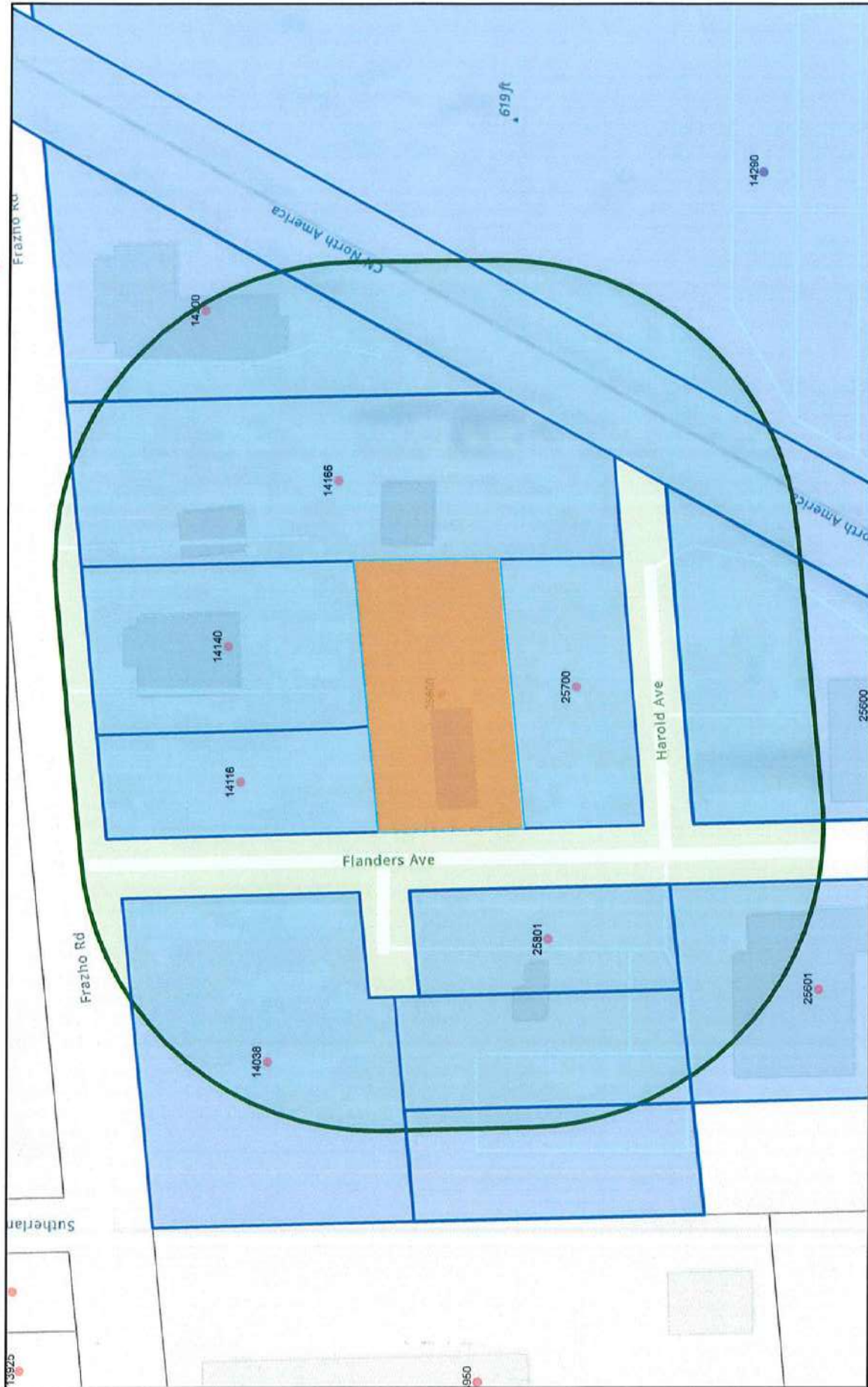
The request variance is necessary to provide for reasonable use of the site. The 50% of the primary structure on the site limitation appears to be orientated to industrial use and not a business like a landscaping company.

2023 WARREN



8/11

25800 Flanders - 13-24-331-001



9/25/2023, 11:45:10 AM

Site Address Point

Multi-Business

Parcels

Building

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

Sources: Esri, Albus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, MMA, Geodastylisen, Rijkswaterstaat, GSA, Geoland, FEMA,

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ArcGIS Web AppBuilder



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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: MATTHEW LOCKHART

Common Description: 25800 FLANDERS

VARIANCE(S) REQUESTED: Permission to:

- 1) Allow 15,203.6 square ft. of outdoor storage when 2,000 square ft. is allowed.
- 2) Allow open storage no less than 26 feet from the front property line.
- 3) Allow storage, parking and maneuvering on a non-hard gravel surface.
- 4) Retain existing 8 ft. high chain link fence/gate that extends from the building at the front building line to the south property line.
- 5) Retain existing chain link fence (permitted on 11/30/1982 #13356) that extends 26 ft. past the front building line to the front (west) property line and extends along said property line approximately 65.6 ft.
- 6) Retain existing chain link along the south property line that extends past the front building line to 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--USE**SUMMARY OF VARIANCE REQUEST**

APPLICANT: GINKGO PROPERTY GROUP LLC

REPRESENTATIVE: MD HAQUE

COMMON DESCRIPTION: 11 MILE

PARCEL NUMBER: 12-13-20-227-001

ZONED DISTRICT: C-2

REASON: Petitioner seeks variances related to a new multi family dwelling project.

ORDINANCES and REQUIREMENTS:

SECTION 14.01 USES PERMITTED. In all C-2 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 specified uses: (A) All uses permitted in C-1 districts, except dwellings for one-family, two-family and multiple-family in which the occupants primarily make their home twelve (12) months out of each year.

SECTION 10.03 LOT AREA. Every lot in an R-3 district on which a multiple family dwelling is to be erected shall provide a minimum lot area of seventy-two hundred (7,200) square feet for the first living unit, and not less than four thousand (4,000) square feet of lot area for each additional efficiency unit or dwelling unit with one (1) or two (2) bedrooms, (including dens, libraries, and/or any other rooms outside kitchen, living, or dining room (except bathroom) exceeding eighty (80) square feet, not exceeding one hundred fifty (150) square feet to be counted as one (1) room, and not less than five thousand (5,000) square feet for each additional three (3) or four (4) bedroom unit.

SECTION 4.26 - SIZE OF RESIDENTIAL DWELLINGS. Every principal building within a multiple-family development shall be provided with a full basement as defined in Section 2.02 of this ordinance, except high rise apartment residential buildings.

SECTION 10.04 - FRONT YARD. Each lot in r-3 districts shall have a front yard of not less than twenty-five (25) feet in depth for a one (1) story building plus ten (10) feet for each additional story or portion thereof.

SECTION 10.07 - SIDE YARD ABUTTING UPON A STREET. In R-3 districts the width of side yards abutting upon a street shall be not less than twenty-five (25) feet.

VARIANCES REQUESTED: Permission to:

1. Allow a multi-family dwelling, 4 units in a C-2 zone. **USE**
2. Allow a lot area of 12600 sf when 19200 sf is required.
3. Construct a multi-family dwelling without the required basement.
4. Construct a building in the front yard setback, no closer than 25' from the front (west) property line.
5. Construct a building in the side yard setback, no closer than 25' from the side (north) property line.

Previous Variance Requested: None.

dwenson, Zoning Inspector 05/10/2023 05/24/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: GINKGO PROPERTY GROUP 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 14.01 USES PERMITTED.

SECTION 10.03 LOT AREA.

SECTION 4.26 SIZE OF RESIDENTIAL DWELLINGS.

SECTION 10.04 FRONT YARD

SECTION 10.07 SIDE YARD ABUTTING A STREET

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

new 9/15/23
prev. info
spg

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: Ginkgo Property Group, LLC

Address: [REDACTED] Telephone: [REDACTED]

Applicant's Email Address [REDACTED] ☒ I prefer email communication

Name and Address of Property Owner (if different) _____

Name of Representative: MD Haque Telephone: [REDACTED]

Representative's Address: [REDACTED]

Representative's Email Address: [REDACTED] ☒ I prefer email communication

Address of Property: No Address is available (Parcel No. 12-13-20-227-001)

Parcel I.D. No. (as shown on tax bill): 12-13-20-227-001

Purpose of Request: a) Allow a multi-family dwelling, 4 units in a C-2 zone. Use.

b) Allow a lot area of 12,600 sqft. when 19,200 sqft. is required.

c) Construct a multi-family dwelling without the required basement.

d) To construct a multi-family dwelling 25 ft. from the front (Blackmar Ave) setback, when 35 ft is required.

e) To construct a parking lot 13 ft. from the north (Eleven Mile Rd) setback, when 25 ft. is required.

Please explain the nature of your hardship:

a) Use: Proposed plan for residential use for land currently zoned C-2 commercial, all surrounding properties are being used as residential Variance is needed to use land as R-3, commercial use will not be sustainable, Plans of residential use were approved by planning commission.

b) Proposed plans have sufficient parking spaces and recreational area, The structure covers only 18% of the land, The requirement for density is greater then proposed lot. There are developments near by which have been granted variance for density in the past for it to be developed.

c) Erecting a basement for the proposed plan would not be practical, it would require additional space within the structure for stairways. It will not be possible to create stairs for all units to access. It will require building dimension to be increased, also create additional ADA requirements for ramp due to the raised height of the structure. It will also make the project expensive which would not be a reasonable investment.

d) 25 ft. is the original setback, additional 10 ft. is added for the structure being two story, this setback cannot be increased to meet the other requirements. This side is facing Blackmar Ave. with the setback, sidewalk, and the curb, there are plenty of space in between.

e) Parking has to meet ADA accessible parking requirements, therefore the parking dimension has to be increased. It is only the parking area that is in need of this variance and the structure meets the 25 ft. setback.

Signature: [Signature] Date: 09-08-23

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 Ginkgo Property Group, LLC
OF [REDACTED]
THE MD Hague OF Ginkgo Property Group, LLC
Address, City, State Title of Officer Name of Company Zip Telephone
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT _____
_____/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 _____
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 [Signature] L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 8 DAY OF September, 2023, BEFORE ME PERSONALLY CAME
MD Emiliadul Hague, 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.

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

2

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 current requirement for density is greater than the proposed lot. It places a burden on the proposed plan to be developed. It requires extra area after all other requirements are met. The proposed building covers only 18% of the land. It meets most of the other setbacks and requirements, it has sufficient parking space and more than the required reactional area yet it still does not meet the current density requirement. Any other plans of lower density than the proposed plan will not be sustainable on this lot, it will not appear to be suitable for the land and the surroundings and will not hold the value of the property. There are similar multi-unit developments near the proposed plans that have been granted variance for density on similar size lots.

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 proposed lot has been vacant for years. The previous owner could not think of the right plans for the land. Similar developments like the proposed plan has sprung out all over the surrounding & throughout the city. The density requirements is a burden for such land to be developed and variances are being granted.

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 proposed land is the corner lot of a major road and a side street, it is of a sufficient size yet remained vacant for years and years mainly due to the density requirement. Due to the location of the land, no other development than the proposed plan will be suitable for it. The proposed plan will create a unique development with off-street parking which will blend in with the area.

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 Structure covers only 18% of the land, there are plenty of lawns and open areas surrounding the property. All setbacks are met and adjacent properties have plenty of space in between. Property to the East has its rear yard abutting the proposed rear yard, to the south there is a 20 ft. public ally, and to the North and West are Eleven Mile Rd and Blackmar Ave, therefore, it will not distract or deprive the neighbors of any light, air, or view. The plans were approved by the planning commission and neighbors who live nearby welcomed the proposed plans.

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

The proposed land remained vacant, it is a gap on Eleven Mile Rd. It decreases the value of this land and its surrounding properties. It is a place for illegal dumping from time to time and it is where windblown trash is gathered. It is of concert to the neighbors for it being vacant, and this is mainly due to the density requirement. Nothing of any lower density other than the proposed plan will be suitable or sustainable nor will it hold the property value. The proposed plan will ensure the area remains clean and safe and will add to the beauty of its surrounding.

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

The density variance is necessary for the proposed plan, anything other than it will not be practical or sustainable as a development or as an investment. The proposed plan will develop the area, it will increase the property value of the surrounding properties, and it will keep the area clean and safe for the future.

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.

This property is zoned C-2 and all the other C-2 zone surrounding it are being used as residential. Any development that is commercial in nature will not be suitable or sustainable at this location. Commercial use will not be welcomed by the neighbors but they have welcomed residential use. Commercial use of the land will not be a reasonable investment, or yield a reasonable rate of return. It would look out of place, and it would not appear as an appropriate structure at this location. The proposed plan 4-unit residential development that can only be the correct use for the land. It will blend in with the surroundings and will appear as the appropriate structure for the location. It will be sustainable, yield a reasonable rate of return, and be welcomed by the neighbors. Proposed plans for residential use were approved by the planning commission.

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

This property is the only C-2 zoned land surrounded by all residential districts. It was being used as residential on the historic record but has been changed to commercial in sometime. The previous owner sold the land as they were not able to develop it for many years mainly due to the zoning as they came to understand that nothing will be sustainable for commercial use.

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.

This property is located on the part of Eleven Mile Rd coming off the 696 service drive which is relatively quiet and does not have much traffic flow through it. Nothing will be sustainable as a commercial use of new construction or be of a reasonable investment to make at this location. This part of Eleven Mile Rd is full of residential housing and therefore the proposed development will be more suitable.

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

The building covers less than 18% of the lot area, there are plenty of lawn and open area surrounding the property. Most setbacks are as required. Adjacent lots have plenty of space in between. Property to the East has it rear lot abutting proposed rear lot, to the South there is a 20 feet public ally and to North and West are 11 Mile Road and Blackmar Avenue, therefore it will not distract or deprive the neighbors of any adequate supply of light, air or view. Developing the vacant land will add to the value of the area and keep it clean and safe.

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

The land use variance is necessary for this development because this is the only development that is suitable and sustainable for this lot, otherwise the land will remain vacant as it has been for many years. This use variance will make it a reasonable and sustainable investment to make which will remain for many years to come and also will add to the beauty and value of the neighborhood and the city. The proposed plans has been approved by the planning commission and welcomed by the neighbors.

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

②

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.

Having a basement for the proposed plan would not be practical, it would require additional space within the building for stairways. It would require the building dimension to be increased which would eventually cut into the setbacks and other requirements. It would not be possible to create stairs for all units to access. It would create additional ADA ramp requirements due to the raised heights of the building. It will make the project expensive which would not be a reasonable investment to be made. There are similar developments that were granted a variance for this requirement, please allow this variance.

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

Proposed plan does not call for a basement to be erected. Each unit will have its own access but it would not be practical to create additional access for each unit to the basement. Each unit will be around 1000 square feet and there would not be enough space within it to have separate access to the basement. Property dimension would not allow the building size to be increased.

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 proposed property is a corner lot abutting two streets therefore, it calls for an additional length of setback, which reduces the size of the building. There are requirements for parking within the lot and recreational space, which creates restrictions to increase the size of the building. The proposed plan is the best match for this lot and has to be erected without a basement.

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 building covers less than 18% of the lot, there are plenty of lawn and open areas surrounding the property. Most setbacks are as required and are more at some sides. Adjacent lots have plenty of space in between. Property to the East has its rear lot abutting the proposed rear lot, to the South there is a 20 feet public ally, and to North and West are 11 Mile Road and Blackmar Avenue, therefore it will not distract or deprive the neighbors of any adequate supply of light, air or view.

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.

Proposed structure to be erected without basement is mainly due to conforming with other requirements, such as setbacks and parking. It would crate a burden to create separate access for each unit which there would not be enough space for.

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.

This variance is required for the proposed plans to be developed. The structure on the proposed plans is to be erected without a basement, otherwise, the proposed plans would not work out. It would not be suitable or sustainable for this project and therefore would have to be abandoned.

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

④

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 original setback for the front is 25ft. An additional 10ft is required for the proposed plan being two stories making it 35ft. to meet the 50ft. rear setback, proposed plan has a 25ft setback and it cannot be increased, therefore this variance is required. This setback is from the Blackmar ave. side, this is a corner lot of two roads, and we also have to meet a larger setback from I 1 Mile Rd side as well. With the 25ft setback, and the 5 ft sidewalk, and additional space between the sidewalks and the curb, there is plenty of space in between therefore we ask this variance to be granted.

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 proposed lot has been vacant for years. This is a corner lot facing tow roads, therefore it calls to meet additional setbacks from two sides. The previous owner could not think of the right project for the land. Similar development like the proposed plan has sprung all over the surrounding and throughout the city. This setback requirement is a burden on such land to be developed and variance should be granted.

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.

This is a corner lot facing tow roads, therefore it calls to meet additional setbacks from two sides. The original setback for the front is 25ft. An additional 10ft is required for the proposed plan being two stories making it 35ft. to meet the 50ft. rear setback, proposed plan has a 25ft setback and it cannot be increased, therefore this variance is required.

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

This setback is from the Blackmar Avenue's side, This is a corner lot of two roads, with the 25ft setback, and 5 ft. sidewalk, and additional space between the sidewalks and the curb, There is plenty of space in between the structure and Blackmar Ave.

The structure covers only 18% of the land, there are plenty of lawns and open areas surrounding the property. Most setbacks are met and adjacent properties have plenty of space in between. Property to the East has its rear yard abutting the proposed rear yard, to the south there is a 20 feet public ally, and to the North and West are Eleven Mile Road and Blackmar Avenue, therefore it will not distract or deprive the neighbors of any light, air, or view.

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

The proposed land is the corner lot of a major road and a side street, it is of a sufficient size yet remained vacant for years and years mainly due to lots of additional requirements and particularly setback requirements. This is a corner lot facing tow roads, therefore it calls to meet additional setbacks from two sides. The original setback for the front is 25ft. An additional 10ft is required for the proposed plan being two stories making it 35ft. to meet the 50ft. rear 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.

This variance is required for the proposed plans to be developed. The original setback for the front is 25ft. an additional 10ft is required for the proposed plan being two stories making it 35ft. to meet the 50ft. rear setback. It would not be possible to increase this setback and a variance is requested for the proposed plans to be developed.

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

2

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.

Variance is required only for the parking area from 11 Mile Rd on the East side of the lot. The required setback is 25 ft. and the parking requirements call for additional ADA-accessible parking for a size of 16 ft. Therefore the parking space has to be increased in dimension and the front setback for the parking area will be 13ft where 25ft is required. The parking area is on the rear east side of the property it will not impact any of the neighbors and the access in and out will be from 11 Mile Rd which will also not burden anyone.

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 proposed lot has been vacant for years. The required setback is 25 ft. but parking requirements call for additional ADA-accessible parking for a size of 16 ft. Therefore the parking space has to be increased in dimension the front setback for the parking area will be 13ft where 25ft is required.

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.

This is a corner lot facing two roads, therefore it calls to meet additional setbacks from two sides. The required setback is 25 ft. but parking requirements call for additional ADA-accessible parking for a size of 16 ft. Therefore the parking space has to be increased in dimension. The front setback for the parking area will be 13ft where 25ft is required.

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 parking area is on the rear east side of the property, it is towards the back of the lot. The access in and out is from 11 Mile Rd. As per the planning recommendations, there will be a privacy fence on the property line to the east. The parking area will not distract or place a burden on any of the neighbors.

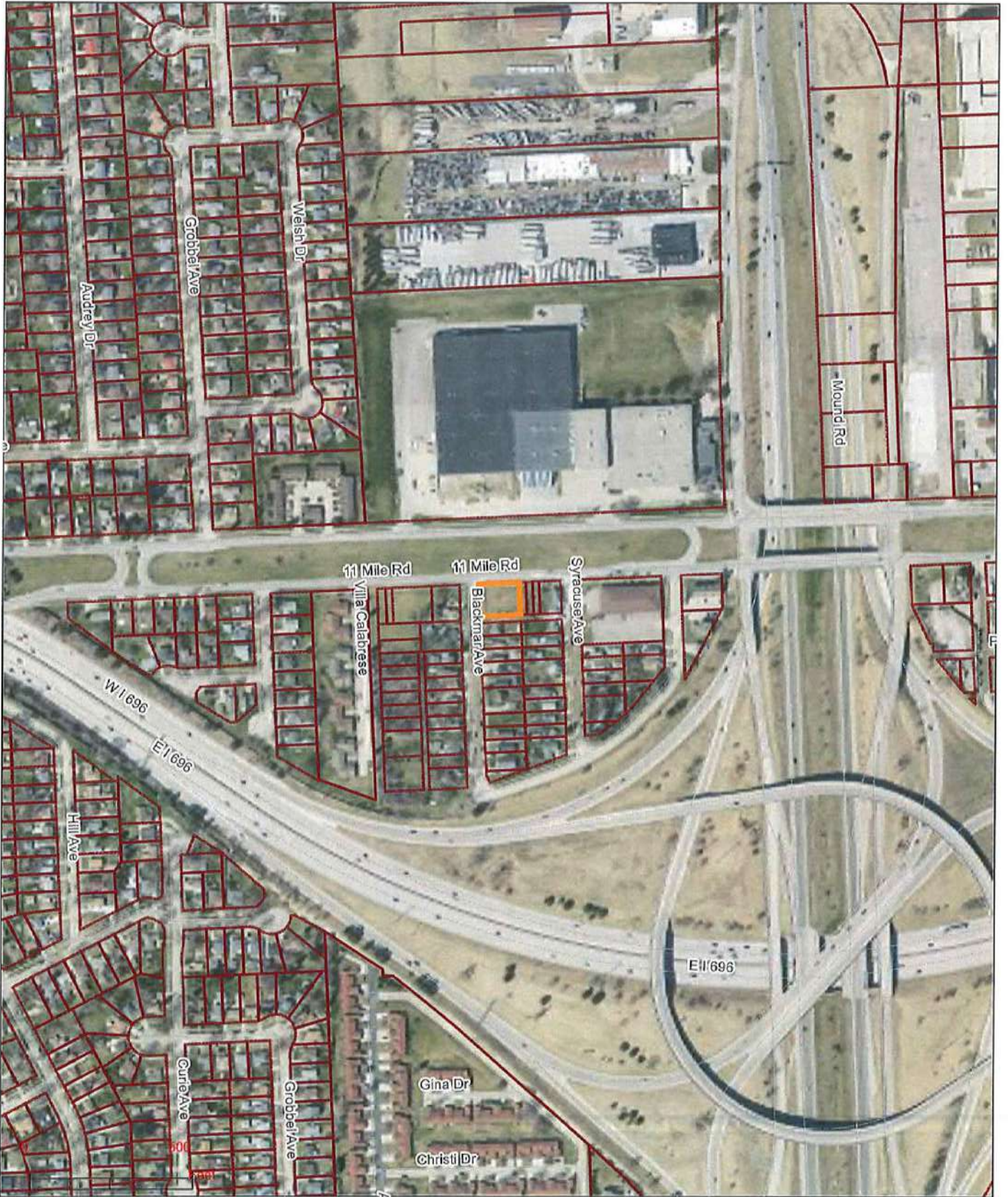
Not personal or economic. The variance request is not primarily related to personal or economic hardship, rather, it is related to the unique features of the property.

This is a corner lot facing two roads, therefore it calls to meet additional setbacks from two sides. The required setback is 25 ft. but parking requirements call for additional ADA-accessible parking for a size of 16 ft. Therefore the parking space has to be increased in dimension. the front setback for the parking area will be 13ft where 25ft is required.

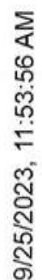
Necessary. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that enjoyed by other properties in the same zoning district and in the vicinity.

This variance is necessary for the proposed plans to be developed. The parking requirements has to be met and the proposed parking space will not distract or deprive any of the neighbors of any space, air or view, therefore this variance should be granted.

25 WARREN



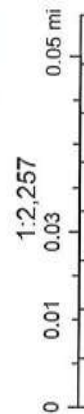
46/11



Building

Parcels

Condominium



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









August 29, 2023
PSP230026

Ginkgo Property Group LLC
MD Haque
44073 Ginkgo Dr
Sterling Heights, MI 48314

PLANNING DEPARTMENT

ONE GUY SQUARE, SUITE 315
WARREN, MI 48093-6283
(586) 574-4687
FAX (586) 574-4645
www.cityofwarren.org

RE: SITE PLAN FOR A RESIDENTIAL FOUR PLEX DWELLING BUILDING; located on the south side of Eleven Mile Road; approximately 671.6 ft. west of Mound Road; 13-20-227-001 (Eleven Mile Road); Section 20; Ginkgo Property Group/MD Haque; PSP230026.

Dear Mr. Haque:

At its meeting of August 21, 2023, the City of Warren Planning Commission voted to **APPROVE** the above-described site plan and use, subject to the standard conditions of the Planning Commission and more specifically:

1. Five (5) copies of revised site plans must be submitted indicating the following:
 - a) Provide the legal description of the property on the site plan.
 - b) Provide the zoning C-2, General Business District on the site plan for the property in question, the parcels to the east and west of Blackmar Ave., and R-1-P for the parcel south of the public alley .
 - c) The site plan shall be oriented with the north arrow located at the top of the page with direction being "up".
 - d) Provide a six (6) in. high concrete curbing per City of Warren Engineering standards along the perimeter of the parking lot which shall be setback five (5) ft. from the east property line and provide the notation on the plan.
 - e) A note shall be provided stating "All lighting on the site shall be shielded and not encroach upon abutting properties. The light poles shall be no higher than 20 ft. All glare shall be eliminated from all light fixtures. Upward directed lighting shall not be permitted".
 - f) Indicate all existing and proposed utilities on the site plan.

g) Although an eight (8) ft. greenbelt or 6 ft. high brick embossed concrete wall is not required for the proposed parking lot per Zoning. Planning staff recommends that screening in the form of an opaque privacy fence be provided along the east property line to shield the lights from the vehicles that would be directed east.

h) A trash enclosure must be provided on the site with the following note stating "A trash enclosure, measuring a minimum 10 ft. x 10 ft. shall be constructed of six (6) ft. high brick embossed poured concrete walls with 45° angle cap, have screened gates and be placed upon a minimum 10 ft. x 18 ft. concrete pad that provides an 8 ft. wide apron. Masonry block shall not be used as a construction material".

2. Five (5) copies of revised landscape plans must be submitted indicating the following:

a) Plant one (1) White Oak (*Quercus alba*) or one (1) Bur Oak (*Quercus macrocarpa*) approximately 25 ft. from Blackmar St. Provide five (5) understory trees throughout the property. Some acceptable species are: Serviceberry (*Amelanchier* spp.), Sargent Crabapple (*Malus sargentii*), or Sweetbay Magnolia (*Magnolia virginiana*).

b) A note must be provided stating "All landscaped areas shall be automatically irrigated".

3. Two (2) copies of revised elevation plans must be submitted indicating the following:

Provide updated elevation plans indicating the proposed façade materials.

4. The following variances are recommended by the Planning Staff and may need to be obtained from the Board of Appeals prior to the release of the site plan to the Building Division:

a) Allow a multi-family dwelling, 4 units in a C-2 zone. USE

b) Allow a lot area of 12,600 sq. ft. when 19,200 sq. ft. is required (Section 10.03).

c) Construct a multi-family dwelling without the required basement (Section 4.26).

d) To construct a multi-family dwelling 25 ft. from the front (Blackmar Ave.) setback, when 35 ft. is required (Section 10.04).

e) To construct a parking lot 15 ft. from the north (Eleven Mile Rd.) property line when 25 ft. is required (Section 10.07).

5. A performance bond in the amount of \$15,750 be posted according to the estimated cost of \$525,000 by the petitioner.

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

TAXES: Current.

ENGINEERING:

1. Site plan shall show and identify the location of all existing/proposed underground utilities in the vicinity of the project.
2. Site plan shall show how the property boundaries were established. Indicate the location of property irons found and or set.
3. Show how you intend to drain the parcel(s). Drainage onto adjacent parcels is not permitted. All drainage shall be contained in the property before discharge. A restrictor shall be required.
4. Proposed dumpster pad shall be minimum 8" concrete.

COMCAST: We do have aerial facilities in the area, but we do not have any conflicts.

MDOT: The applicant's site plan is not within MDOT jurisdiction of 11 Mile Road, no permit will be required.

MCPW: Please be advised that this letter is for comment in relation to right of way and county drain easements only. It appears there will be no work within or near a county drain or easement, therefore this office would have no objection to this request. Prior to site plan approval, any proposed project that is under the jurisdiction of this office shall apply the Macomb County Public Works office design standards. It is advisable to schedule an engineering meeting with this office to discuss how our standards may apply.

Upon completion of the following items we will forward your site plan to the Building Division so that they may process the necessary permits:

1. **Five (5) copies of revised site plans must be submitted pursuant to the conditions listed above.**
2. **Five (5) copies of revised landscape plans must be submitted indicating the following:**
 - a) **Plant one (1) White Oak (*Quercus alba*) or one (1) Bur Oak (*Quercus macrocarpa*) approximately 25 ft. from Blackmar St. Provide five (5) understory trees throughout the property. Some acceptable species are: Serviceberry (*Amelanchier* spp.), Sargent Crabapple (*Malus sargentii*), or Sweetbay Magnolia (*Magnolia virginiana*).**
 - b) **A note must be provided stating "All landscaped areas shall be automatically irrigated".**
3. **Two (2) copies of revised elevation plans must be submitted indicating the following:**

Provide updated elevation plans indicating the proposed façade materials.
4. **The following variances are recommended by the Planning Staff and may need to be obtained from the Board of Appeals prior to the release of the site plan to the Building Division:**

- a) Allow a multi-family dwelling, 4 units in a C-2 zone. USE
- b) Allow a lot area of 12,600 sq. ft. when 19,200 sq. ft. is required (Section 10.03).
- c) Construct a multi-family dwelling without the required basement (Section 4.26).
- d) To construct a multi-family dwelling 25 ft. from the front (Blackmar Ave.) setback, when 35 ft. is required (Section 10.04).
- e) To construct a parking lot 15 ft. from the north (Eleven Mile Rd.) property line when 25 ft. is required (Section 10.07).

5. A performance bond in the amount of \$15,750 be posted.

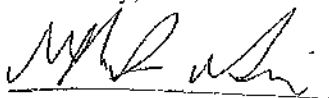
After all conditions are met, we check for any taxes due. If any are due, they shall be paid before we send the letter to the Building Division for you to continue your project.

Enclosed you will find bond form(s) that shall be used to post your bond with the City Attorney's Office. First, come to the Planning Department for additional information. You must have the bond form (filled out and signed) to be able to go through the bond process.

Pursuant to Section 22.16 B.6 of the Zoning Ordinance the approved site plan shall be valid for a period of two (2) years from the date of approval, after which time it will be automatically revoked if current building permits have not been issued. It should be noted, however, that an extension for a period of up to one (1) year may be granted by the Planning Commission if the petitioner notifies the Planning Commission, in writing, at least sixty (60) days prior to the expiration date.

Should you have any questions, please do not hesitate to contact our office at 586-574-4687.

Sincerely,



Mahmuda Mouri
Commission Secretary

/dwc

cc: Mayor James R. Fouts
Ronald F. Wuerth, Planning Director
Mary Michaels, Chief Assistant City Attorney
Everett Murphy, Chief Zoning Inspector
James Kazanowski, Fire Department
John Holowicki

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING
13-20-227-001 (Eleven Mile Rd.)
Process #PSP230026
Section 20
Gingko Property Group/MD Haque
August 21, 2023
Page 1

FINDINGS

1. The petitioner is requesting site plan approval for a residential four-plex dwelling building located on the south side of 11 Mile Rd., approximately 671.6 ft. west of Mound Rd.

2. **CHARACTERISTICS OF THE PROPERTY IN QUESTION CAN BE SUMMARIZED AS FOLLOWS:**

- a) **SIZE AND DIMENSIONS OF PROPERTY:** A rectangular shaped parcel measuring 126 ft. x 100 ft. and containing 12,600 sq. ft. with 126 ft. of frontage along Eleven Mile Rd. and 100 ft. of frontage along Blackmar Ave., Lots 88 to 93 and 126 ft. of frontage along a 20 ft. wide public alley of Moundale Subdivision.

NOTE 1: Provide the legal description of the property on the site plan.

NOTE 2: Provide the zoning C-2, General Business District on the site plan for the property in question, the parcels to the east and west of Blackmar Ave., and R-1-P for the parcel south of the public alley .

NOTE 3: The site plan shall be oriented with the north arrow located at the top of the page with direction being "up".

- b) **PRESENT USE:** Vacant, Undeveloped Land

- c) **PRESENT ZONING:** C-2, General Business District

The C-2 Zoning District has existed since the adoption of the Zoning Ordinance on July 21, 1960.

3. **CURRENT STATUS OF APPLICATION**

- a) The present hearing will be the initial formal review of this application by the Planning Commission.
- b) The Planning Commission pursuant to Article XXI, City Planning Commission; Section 21.04 Site Plan Review and Article XXII, Administration; Section 22.16 Site Plan Review of the Zoning Ordinance, shall receive and review a submitted site plan in relation to pedestrian and vehicle circulation, off street parking, structural relationships, public utilities, landscaping, accessibility and other site design element.

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING

13-20-227-001 (Eleven Mile Rd.)

Process #PSP230026

Section 20

Gingko Property Group/MD Haque

August 21, 2023

Page 2

- c) The Planning Commission pursuant to Article IV. General Provisions; Section 4.34 Parking as adjunct use and Article XVI. Parking Districts, Section 16.09 Approval; shall approve all parking areas.
- d) On June 14, 2023, the Board of Appeals vote to RESCHEDULE until they went before the Planning Commission. A new date was not provided.
- e) On April 15, 1926 the Macomb County Register of Deeds recorded the Moundale Subdivision plat; Liber 10 Page 62.

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

- a) The property to the north across Mound Rd. is zoned M-2, Medium Light Industrial District and contains an industrial building with truck wells.
- b) The properties to the east (four parcels) are zoned C-2, General Business District, and contain a legal non-conforming single family dwelling and side yard lawn area (three separate parcels) used as part of the dwelling.
- c) The property to the south across the 20 wide east/west unimproved public alley is zoned R-1-P, One Family Residential and Parking District, and contains a single family dwelling.
- d) The property to the west across Blackmar Ave. is zoned C-2, General Business District, and contain legal non-conforming single family dwelling.

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

- a) A u-shaped four-plex residential building measuring (approximately) 51 ft. x 47.5 ft. and containing 2422.5 sq. ft. (4,531 gross sq. ft.) would be constructed on the site set back 30 ft. from the north property line (Eleven Mile Rd.) and 25 ft. from the leading edge of the covered porch to the north property line (Eleven Mile Rd.) 50 ft. from the east property line, 22.5 ft. from the south property line (20 ft. wide east/west unimproved public alley), and 25 ft. from the west property line (Blackmar Ave.).

NOTE 1: Per the 2021 City of Warren Master Plan (page 42-43), 75% of Warren's housing stock is made up of single-family detached homes. There are few duplexes (1%), denser housing comes most often in the form of 5-9 units (7%), 20 or more unit buildings (3%), or mobile homes (3%).

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING

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The missing middle housing which has been defined as, "A range of house-scale building with units compatible in scale and form with detached single-family homes- located in a walkable neighborhood," is lacking in many communities, including Warren. A four-plex is considered a missing middle housing type.

NOTE 2: The following variances will be need to be obtained from the Board of Appeals:

- a) Allow a multi-family dwelling, 4 units in a C-2 zone. USE
 - b) Allow a lot area of 12,600 sq. ft. when 19,200 sq. ft. is required (Section 10.03).
 - c) Construct a multi-family dwelling without the required basement (Section 4.26).
 - d) To construct a multi-family dwelling 25 ft. from the front (Blackmar Ave.) setback, when 35 ft. is required (Section 10.04).
- 1) The floor plan indicates that the first floor units will have two bedrooms, one being a primary suite, with access to an outside patio. There will be a kitchen, dining, and living room.

The second floor units will have two bedrooms, one being a primary suite, with access to an outside balcony. There will be a kitchen, dining, and living room. Stairs and utilities will be provided in the center of the building.
 - 2) The elevation plan indicates that the main entrance for the building will be on the north elevation of the building. Each unit will have their own access door provided below a covered porch. Eight (8) windows are proposed on the north elevation. The east and west elevations of the buildings will each contain six (6) windows. The rear will contain two (2) balconies (upper units) and two (2) patio doors (lower units).

NOTE: Provide updated elevation plans indicating the proposed façade materials.

The height of the building is proposed 25 ft. 6 in. at the ridge and 21.9 ft. at the midpoint.

The maximum height of a building in an R-3 District is 35 ft. or 2-1/2 stories.

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING

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- b) Parking spaces for 8 passenger vehicles (including one (1) accessible space) would be provided on the site. The parking area indicates that it would be provided along the east property line and 13 ft. from the side (Eleven Mile Rd.) property line. Each space would measure 9 ft. x 22 ft. The accessible space would be located closest to the front access doors. When parking is provided adjacent to an existing single or two-family residence or single or two-family residential district or adjacent to an alley (Section 10.10), an eight (8) ft. greenbelt or 6 ft. high brick embossed concrete wall is required.

The minimum requirement for parking spaces on the site is eight (8).

NOTE 1: Per Zoning Inspector Wantripont, an eight (8) ft. greenbelt or 6 ft. high brick embossed concrete wall will not be required per Section 10.10. The lot immediately to the east (Lot 94) is zoned C-2, and is a separate parcel from the lots that the house is constructed (Lots 97 - 99).

NOTE 2: To construct a parking lot 15 ft. from the north (Eleven Mile Rd.) property line when 25 ft. is required (Section 10.07).

NOTE 3: Provide a six (6) in. high concrete curbing per City of Warren Engineering standards along the perimeter of the parking lot which shall be setback five (5) ft. from the east property line and provide the notation on the plan.

- c) A pole mounted light exists located on the south side of the public alley on Blackmar Ave. There are overhead wires that run along Blackmar Ave. the west sidewalk of the property.

NOTE 1: A note shall be provided stating "All lighting on the site shall be shielded and not encroach upon abutting properties. The light poles shall be no higher than 20 ft. All glare shall be eliminated from all light fixtures. Upward directed lighting shall not be permitted".

NOTE 2: Indicate all existing and proposed utilities on the site plan.

- d) Access would be provided via one new driveway to Eleven Mile Rd. There is currently access to a 20 ft. wide east/west unimproved public alley along the south, however the proposed plan limits access to this public way.

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING

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- e) The landscape plan indicates eight (8) globe arborvitae shrubs will be planted on either side of the covered patio. The rest of the green area is indicated as lawn.

NOTE 1: Plant one (1) White Oak (*Quercus alba*) or one (1) Bur Oak (*Quercus macrocarpa*) approximately 25 ft. from Blackmar St. Provide five (5) understory trees throughout the property. Some acceptable species are: Serviceberry (*Amelanchier* spp.), Sargent Crabapple (*Malus sargentii*), or Sweetbay Magnolia (*Magnolia virginiana*).

NOTE 2: A note must be provided stating "All landscaped areas shall be automatically irrigated".

NOTE 3: Although an eight (8) ft. greenbelt or 6 ft. high brick embossed concrete is not required for the proposed parking lot per Zoning. Planning staff recommends that screening in the form of an opaque privacy fence be provided along the east property line to shield the lights from the vehicles that would be directed east.

- g) No greenbelts or masonry walls are indicated at this time.

- h) No fencing is indicated on the plan.

- i) Sidewalk exists along Eleven Mile Rd. and Blackmar Ave.

- j) A 10 ft. x 8 ft. trash enclosure location is indicated on the plan located along the south property line adjacent to the unimproved public alley. The trash enclosure as drawn is smaller than the standard note below, which must be indicated on the plan.

NOTE: A trash enclosure must be provided on the site with the following note stating "A trash enclosure, measuring a minimum 10 ft. x 10 ft. shall be constructed of six (6) ft. high brick embossed poured concrete walls with 45° angle cap, have screened gates and be placed upon a minimum 10 ft. x 18 ft. concrete pad that provides an 8 ft. wide apron. Masonry block shall not be used as a construction material".

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

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING

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RECOMMENDATION

It is recommended that the site plan for a residential four-plex dwelling building be APPROVED with the standard conditions of the Planning Commission and more specifically:

1. Five (5) copies of revised site plans must be submitted indicating the following:
 - a) Provide the legal description of the property on the site plan.
 - b) Provide the zoning C-2, General Business District on the site plan for the property in question, the parcels to the east and west of Blackmar Ave., and R-1-P for the parcel south of the public alley .
 - c) The site plan shall be oriented with the north arrow located at the top of the page with direction being "up".
 - d) Provide a six (6) in. high concrete curbing per City of Warren Engineering standards along the perimeter of the parking lot which shall be setback five (5) ft. from the east property line and provide the notation on the plan.
 - e) A note shall be provided stating "All lighting on the site shall be shielded and not encroach upon abutting properties. The light poles shall be no higher than 20 ft. All glare shall be eliminated from all light fixtures. Upward directed lighting shall not be permitted".
 - f) Indicate all existing and proposed utilities on the site plan.
 - g) Although an eight (8) ft. greenbelt or 6 ft. high brick embossed concrete is not required for the proposed parking lot per Zoning. Planning staff recommends that screening in the form of an opaque privacy fence be provided along the east property line to shield the lights from the vehicles that would be directed east.
 - h) A trash enclosure must be provided on the site with the following note stating "A trash enclosure, measuring a minimum 10 ft. x 10 ft. shall be constructed of six (6) ft. high brick embossed poured concrete walls with 45° angle cap, have screened gates and be placed upon a minimum 10 ft. x 18 ft. concrete pad that provides an 8 ft. wide apron. Masonry block shall not be used as a construction material".

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING

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2. Five (5) copies of revised landscape plans must be submitted indicating the following:

- a) Plant one (1) White Oak (*Quercus alba*) or one (1) Bur Oak (*Quercus macrocarpa*) approximately 25 ft. from Blackmar St. Provide five (5) understory trees throughout the property. Some acceptable species are: Serviceberry (*Amelanchier* spp.), Sargent Crabapple (*Malus sargentii*), or Sweetbay Magnolia (*Magnolia virginiana*).
- b) A note must be provided stating "All landscaped areas shall be automatically irrigated".

3. Two (2) copies of revised elevation plans must be submitted indicating the following:

Provide updated elevation plans indicating the proposed façade materials.

4. The following variances are recommended by the Planning Staff and may need to be obtained from the Board of Appeals prior to the release of the site plan to the Building Division:

- a) Allow a multi-family dwelling, 4 units in a C-2 zone. USE
- b) Allow a lot area of 12,600 sq. ft. when 19,200 sq. ft. is required (Section 10.03).
- c) Construct a multi-family dwelling without the required basement (Section 4.26).
- d) To construct a multi-family dwelling 25 ft. from the front (Blackmar Ave.) setback, when 35 ft. is required (Section 10.04).
- e) To construct a parking lot 15 ft. from the north (Eleven Mile Rd.) property line when 25 ft. is required (Section 10.07).

5. A performance bond in the amount of \$15,750 be posted according to the estimated cost of \$525,000 by the petitioner.

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

TAXES: Current.

COMCAST: We do have aerial facilities in the area, but we do not have any conflicts.

6.d) SITE PLAN FOR A RESIDENTIAL FOUR-PLEX DWELLING BUILDING

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MDOT: The applicant's site plan is not within MDOT jurisdiction of 11 Mile Road, no permit will be required.

MCPW: Please be advised that this letter is for comment in relation to right of way and county drain easements only. It appears there will be no work within or near a county drain or easement, therefore this office would have no objection to this request. Prior to site plan approval, any proposed project that is under the jurisdiction of this office shall apply the Macomb County Public Works office design standards. It is advisable to schedule an engineering meeting with this office to discuss how our standards may apply.

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, 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: OCTOBER 11, 2023 at 7:30 P.M.

Applicant: GINKGO PROPERTY GROUP LLC -USE-

Common Description: 11 MILE

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

- 1) Allow a multi-family dwelling, 4 units in a C-2 zone. **USE**
- 2) Allow a lot area of 12,600 square ft. when 19,200 square ft. is required.
- 3) Construct a multi-family dwelling without the required basement.
- 4) Construct a building in the front yard setback, no closer than 25' from the front (west) property line.
- 5) Construct a building in the side yard setback, no closer than 25' from the side (north) property line.

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

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

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

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

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

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

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