



Roman Nestorowicz, Chairman  
David Sophiea, Vice-Chairman  
Paul Jerzy, Secretary  
William Clift, Asst. Secretary  
Charles Anglin  
Kevin Higgins  
Charles Perry  
Anthony Sieracki, Jr.  
Michael Sylvester

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

**A Regular Meeting of the Zoning Board of Appeals  
Wednesday, September 13, 2023 at 7:30 p.m. in the Warren Community Center  
Auditorium, 5460 Arden, Warren, Michigan 48092.**

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

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meeting of August 23, 2023.**

6. PUBLIC HEARING: **APPLICANT: Kimberly Cady**  
(Rescheduled from 8/9/2023 and 8/23/2023)  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 30760 Moulin  
LEGAL DESCRIPTION: 13-11-229-011  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

- 1) Retain existing 100 square ft. shed, 6' and 6' 1" from property line (6' rear easement).
  - 2) Allow a 2<sup>nd</sup> shed, 100 square ft., which is outside of the principle building line.
- Total square footage of both sheds is 200 square ft.

**ORDINANCES and REQUIREMENTS:**

**Section 4.20 – Detached Accessory Buildings:** (A) All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall conform to, and shall not project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions: 3. That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard. 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

7. PUBLIC HEARING: **APPLICANT: Gleaners Community Food Bank of Southeastern Michigan**  
(Rescheduled from 8/23/2023)  
REPRESENTATIVE: Kathleen Rupp  
COMMON DESCRIPTION: 4401 Eight Mile, 20732 and 20735 Sunset  
LEGAL DESCRIPTION: 13-32-357-014, 13-32-357-009 and -013  
ZONE: M-1

**VARIANCES REQUESTED: Permission to**

- 1) Erect a second wall sign 4' 6-1/2" x 16' 10" = 76.5 square ft. in size, consisting of a design element (mural).
  - 2) Erect a canopy 192' x 3' = 576 square ft. of a one color design element.
- Total 652.5 square ft. of design element in addition to a 40 square ft. wall sign.

**ORDINANCES and REQUIREMENTS:**

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

8. PUBLIC HEARING: **APPLICANT: Christopher Schwartz**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 23524 Lauren  
LEGAL DESCRIPTION: 13-25-403-021  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to**

Previously granted variance (8/9/2023) to be relocated 4 ft. from dwelling and 4 ft. from side property line.

**ORDINANCES and REQUIREMENTS:**

**Section 4.19 – Detached Garage Buildings:** (A) All detached garages located in side and rear yards and within ten (10) feet of the rear wall of any principal building shall comply with all yard requirements applicable to the principal structure in the district. In no event shall such garages locate closer than five (5) feet from any side lot lines.

9. PUBLIC HEARING: **APPLICANT: Sabbir Ahmed -USE-**  
REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 8078 Chapp  
LEGAL DESCRIPTION: 13-27-302-007  
ZONE: R-1-C

**VARIANCES REQUESTED: Permission to -USE-**

Use a single-family home as a multi-family home (2 units) in a single family zoning district.

**ORDINANCES and REQUIREMENTS:**

**Section 7.01 – Uses Permitted:** Multi-family dwellings are not permitted in a single family district.

- 10. PUBLIC HEARING:** **APPLICANT: Ryan Halder / Kum & Go, L.C.**  
**REPRESENTATIVE:** Jamie Antoniewicz / Atwell, LLC  
**COMMON DESCRIPTION:** 14 Mile  
**LEGAL DESCRIPTION:** 13-01-228-020  
**ZONE:** MZ, C-1, P

**VARIANCES REQUESTED: Permission to**

Erect an off-premise ground sign with the following:

- 1) Set back 2.6 ft. from the front property line.
- 2) Total area of sign is 99.72 square ft.
- 3) Total area of EMC sign is 27.53 square ft.
- 4) Height of sign is 22.85 ft.

**ORDINANCES and REQUIREMENTS:**

**Section 4A.14 – Prohibited Signs:** The following signs are prohibited in all districts: (J) Off-premise signs other than billboards, election and special events or activities signs as regulated in this ordinance.

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

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

- 11. PUBLIC HEARING:** **APPLICANT: Metro Detroit Signs**  
**REPRESENTATIVE:** Kevin Deters  
**COMMON DESCRIPTION:** 8425 Twelve Mile  
**LEGAL DESCRIPTION:** 13-10-378-003  
**ZONE:** MZ, P, C-1

**VARIANCES REQUESTED: Permission to**

Erect a 7.5' high ground sign, 5' x 7.75" (38.75 square ft.) with the following:

- 1) Set back no closer than 1 ft. to the front property line.
- 2) A 2.5 ft. under clearance.

**ORDINANCES and REQUIREMENTS:**

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

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

**12. PUBLIC HEARING:**

**APPLICANT: Jennifer Paquin/PB2 Architecture  
& Engineering**

REPRESENTATIVE: Same as above.  
 COMMON DESCRIPTION: 29176 Van Dyke  
 LEGAL DESCRIPTION: 13-10-353-009  
 ZONE: MZ, P, C-2

**VARIANCES REQUESTED: Permission to**

A) Allow the following wall signage on the south elevation:

- 1) A 691.22 square ft. wall sign with 298.00 square ft. of "Walmart" and spark logo on the remaining 393.22 square ft. consisting of a decorative design element.
- 2) A 434.40 square ft. wall sign with 32.37 square ft. "pick up" and the remaining 402.03 square ft. consisting of a decorative design element.
- 3) A 412.00 square ft. wall sign with 94.90 square ft. "home & pharmacy" and the remaining 317.10 square ft. consisting of a decorative design element.
- 4) A 412.03 square ft. wall sign with 41.05 square ft. "grocery" and the remaining 370.98 square ft. consisting of a decorative design element.
- 5) A 20.67 square ft. wall sign "outdoor".
- 6) A 16.25 square ft. wall sign "auto care".
- 7) A 251.53 square ft. wall sign with 24.75 square ft. "auto care" and the remaining 226.78 square ft. consisting of a decorative design element.
- 8) Two (2) 2.33 square ft. wall signs "tire" for a total of 4.66 square ft.
- 9) A 13.47 square ft. wall sign "recycle".
- 10) A 9.33 square ft. wall sign "oil change".
- 11) Three (3) 4.91 square ft. wall signs circle with number for a total of 14.73 square ft.
- 12) A 19.21 square ft. wall sign "pharmacy" "drive-thru".

Total signage on south elevation is 2,299.50 square ft. of verbiage and 1,710.11 square ft. of decorative design element.

B) Allow the following wall signage on the north elevation:

- 1) Two (2) 2.33 square ft. wall signs "tire" for a total of 4.66 square ft.
- 2) Two (2) 4.91 square ft. wall signs circle with number for a total of 9.82 square ft.

Total signage on north elevation is 14.48 square ft. of verbiage.

C) Allow the following wall signage on the east and west elevations:

- 1) Two (2) areas of decorative design element on the east elevation for a total of 308.12 square ft.
- 2) Three (3) areas of decorative design element on the west elevation for a total of 418.47 square ft.

Total signage is 3,040.57 square ft. with 603.87 square ft. of verbiage and 2,436.70 square ft. of decorative design element.

If approved as written previous wall sign variances will be relinquished.

**ORDINANCES and REQUIREMENTS:**

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

- 13. PUBLIC HEARING:** **APPLICANT: Geoffrey Mueller – General Motors**  
**REPRESENTATIVE:** Michael Serdiuk, AIA  
**COMMON DESCRIPTION:** 30470 Harley Earl Blvd  
**LEGAL DESCRIPTION:** 13-09-100-002  
**ZONE:** MZ, M-2, M-3

**VARIANCES REQUESTED: Permission to**

Waive 274 required off-street parking spaces.

**ORDINANCES and REQUIREMENTS:**

**Section 4.32 – Off-street Parking Requirements:** In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this ordinance, shall be provided and maintained as herein prescribed. 19) Banks, business or professional offices. A. One (1) parking space for each two hundred (200) square feet of gross floor area. (23) Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing and engraving shops, warehouse and storage buildings. One (1) parking space for each one thousand two hundred (1,200) square feet of gross floor area.

- 14. PUBLIC HEARING:** **APPLICANT: Sejad Malkic**  
**REPRESENTATIVE:** Same as above.  
**COMMON DESCRIPTION:** 27721 Schoenherr  
**LEGAL DESCRIPTION:** 13-14-429-030  
**ZONE:** O

**VARIANCES REQUESTED: Permission to**

1) Retain an existing building no less than 26.3 ft. from the front (east) property line.

2) Retain an existing building no less than 8.3 ft. from the side (south) property line.

**ORDINANCES and REQUIREMENTS:**

**Section 5.11 – Churches, Schools, Libraries and Civic Clubs:** Churches, synagogues, mosques, public schools, public libraries, private educational institutions, funeral homes, community buildings, country clubs, fraternal lodges of similar civic or social clubs shall be permitted with permission of the Planning Commission pursuant to the standards set forth in Section 22.14(B)(1) and upon compliance with the following minimum requirements: (8) Every building shall have a front yard of not less than thirty (30) feet. If a circular drive is proposed in the front yard, a distance equal to the width of the drive shall be added to the front yard setback. (9) Every building shall have two (2) side yards of not less than twenty (20) feet each.

- 15. PUBLIC HEARING:** **APPLICANT: Mohamad Elfakir -USE-**  
**REPRESENTATIVE:** Same as above.  
**COMMON DESCRIPTION:** 28455 Schoenherr  
**LEGAL DESCRIPTION:** 13-14-276-020  
**ZONE:** C-1

**VARIANCES REQUESTED: Permission to -USE-**

1) Allow a drive-thru restaurant in a C-1 zone.

2) Waive the requirement of completely enclosing the property of a drive-thru restaurant with a 4 foot chain link fence.

**ORDINANCES and REQUIREMENTS:**

**Section 13.01 – Uses Permitted:** A drive-in restaurant is not permitted in a C-1 zone.

**Section 14.01 (K) – 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: drive-in restaurant, an establishment whose principal business is to serve food that may be consumed in the building on the premises, on the premises outside the building, or off the premises. Drive-in restaurants shall be permitted upon approval of the Planning Commission, after a public hearing has been held and it is found that the proposed drive-in restaurant meets all the requirements of the zoning ordinances and the following standards: 4. Drive-in restaurant properties shall be completely enclosed with a chain-link fence with a height of four (4) feet; however, when abutting a residential property, a decorative masonry screening wall constructed to a height of six (6) feet shall be provided.

|                            |                                                |
|----------------------------|------------------------------------------------|
| <b>16. PUBLIC HEARING:</b> | <b>APPLICANT: 27050 Gloede Investments LLC</b> |
| <b>REPRESENTATIVE:</b>     | Angelo Jadan                                   |
| <b>COMMON DESCRIPTION:</b> | 27048 Gloede                                   |
| <b>LEGAL DESCRIPTION:</b>  | 13-13-477-018                                  |
| <b>ZONE:</b>               | 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 marijuana 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), Marijuana-related outdoor storage.

- 17. NEW BUSINESS**
- 18. 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 8/9/23, 8/23/23

6

CITY OF WARREN

**ZONING BOARD OF APPEALS**

**SUMMARY OF VARIANCE REQUEST**

**APPLICANT:** KIMBERLY CADY  
**REPRESENTATIVE:** KIMBERLY CADY  
**COMMON DESCRIPTION:** **30760 MOULIN**  
**PARCEL NUMBER:** 12-13-11-229-011  
**ZONED DISTRICT:** R-1-C

**REASON:** Petitioner wishes to retain two sheds.

**ORDINANCES and REQUIREMENTS:**

**SECTION 4.20 - DETACHED ACCESSORY BUILDINGS. (A)** All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall conform to, and shall not project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions: 3. That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard. 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

**VARIANCES REQUESTED:** Permission to:

1. Retain existing 100 sf. Shed, 6' and 6' 1" from property line (6' rear easement).
2. Allow a 2nd shed, 100 sf, which is outside of the principle building line. Total square footage of both sheds is 200 sf.

**Previous Variance Requested:** None.

dwenson, Zoning Inspector 07/18/2023 07/18/2023 (M) (P) (C)

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT:** KIMBERLY CADY

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

Sum \$950 7/14/23

\$95 a6 7/14/23

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: Kimberly J. Cady  
Address: [REDACTED] Telephone: [REDACTED]  
Applicant's Email Address: [REDACTED] ☒ prefer email communication  
Name and Address of Property Owner (if different): \_\_\_\_\_

→ Name of Representative: Kimberly Cady Telephone: [REDACTED]  
Representative's Address: See above  
Representative's Email Address: See above ☒ prefer email communication  
Address of Property: 30760 Moulton Ave  
Parcel I.D. No. (as shown on tax bill): 12-13-11-229-011

→ Purpose of Request: 1) To retain existing 10x10 shed 6'0" & 6'1"  
from property line (6'0" easement)  
2) Allow a 2<sup>nd</sup> shed (10x10)=100 sf for a total of 200 sf  
that is not behind the building line of the principle building on the  
lot.

Please explain the nature of your hardship:

I've had both sheds in the yard, 1 of which was on property since  
B4 I purchased the property 25 years ago. We were unaware that the  
2 sheds required permits, until we got new pool, followed the rules to get  
bdg & electrical permits, then and now we are trying to obtain  
correct docs to keep the sheds that stores needed equipment.

Signature: Kimberly J. Cady Date: 07/14/23

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 Kimberly J. Cady  
Name(s) of Person(s)

OF \_\_\_\_\_  
Address, City, State Zip Telephone

THE \_\_\_\_\_ OF \_\_\_\_\_  
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT \_\_\_\_\_

\_\_\_\_\_/RECORDED LAND CONTRACT PURCHASER(S) I/We/It 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 Kimberly J Cady L.S.

SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN  
COUNTY OF Macomb

ON THIS 14 DAY OF July, 2023, BEFORE ME PERSONALLY CAME  
Kimberly Jean Cady TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN  
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND  
ACKNOWLEDGED THAT she DID SO OF her OWN FREE WILL AND DEED.

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

Andrea G. Johns  
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: 6/8/2028

**NOTICE TO OWNER**

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

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

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

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

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

The 2 sheds do NOT take up more than 30% of my yard. It is NOT blight since it backs up to 6' cement brick walls where nobody can see it. One shed stores my riding lawn mower, hand mower & lawn equipment. The other shed stores pool supplies, ie; floats, vacuum, hoses, ladder, filter, etc in winter months.

**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 original shed was on property when I purchased home in Oct-1998. We were unaware that previous owners did not obtain a permit for shed. A few years later a snow plow cleaning parking lot behind property knocked the cement wall down & it damaged the existing shed. The store owners fixed the wall & replaced the shed on same slab.

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

Property is unique because it is a pie shaped lot & backs to businesses.

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

The sheds do not impose any obstruction, light supply, air supply or does not impair the value of any neighboring properties.

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

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

The variance is necessary to be able to keep property maintained by utilizing the sheds to store equipment.

**Enforcement | E23-02607****Property Information**

12-13-11-229-011

30760 MOULIN

Subdivision:

WARREN MI, 48088

Lot:

Block:

**Name Information**

Owner: CADY KIMBERLY J &amp; KELLI L &amp;

Phone:

Occupant:

Phone:

Filer:

Phone:

**Enforcement Information**

Date Filed: 05/10/2023

Date Closed:

Status:

Complaint:

IN OFFICE FOR POOL PERMIT, 2 SHEDS ON PLOT PLAN POSSIBLE IN EASEMENTS (6 FT EASEMENT ALONG NORTH EAST AND S PL'S; GAVE TWO WEEKS TO CONTACT US ON EXACT LOCATION OF SHES SETBACKS ETC) AND COURSE OF ACTION DW

Last Action Date:

Last Inspection: 07/07/2023

Last Action:

**FOLLOW-UP Inspection | DAVID PODESZWIK**

Status: Scheduled

Result:

Scheduled: 08/16/2023

Completed:

**FOLLOW-UP Inspection | DAVID PODESZWIK**

Status: Completed

Result:

Violation(s)

Scheduled: 07/07/2023

Completed:

07/07/2023

**FOLLOW-UP Inspection | DAVID PODESZWIK**

Status: Completed

Result:

No Change

Scheduled: 06/01/2023

Completed:

06/07/2023

**Comments:**

SHED HO CALLED 6-6-23 DP DISCUSSED WITH HER PROCESS SSHE WILL COME IN NEXT WEEK TO APPLY DP

**FOLLOW-UP Inspection | DAVID PODESZWIK**

Status: Completed

Result:

Violation(s)

Scheduled: 05/22/2023

Completed:

05/22/2023

**FOLLOW-UP Inspection | DAVID PODESZWIK**

Status: Scheduled

Result:

Scheduled: 05/22/2023

Completed:

**ZONING Inspection | DAVID PODESZWIK**

Status: Completed

Result:

No Change

Scheduled: 05/11/2023

Completed:

05/12/2023

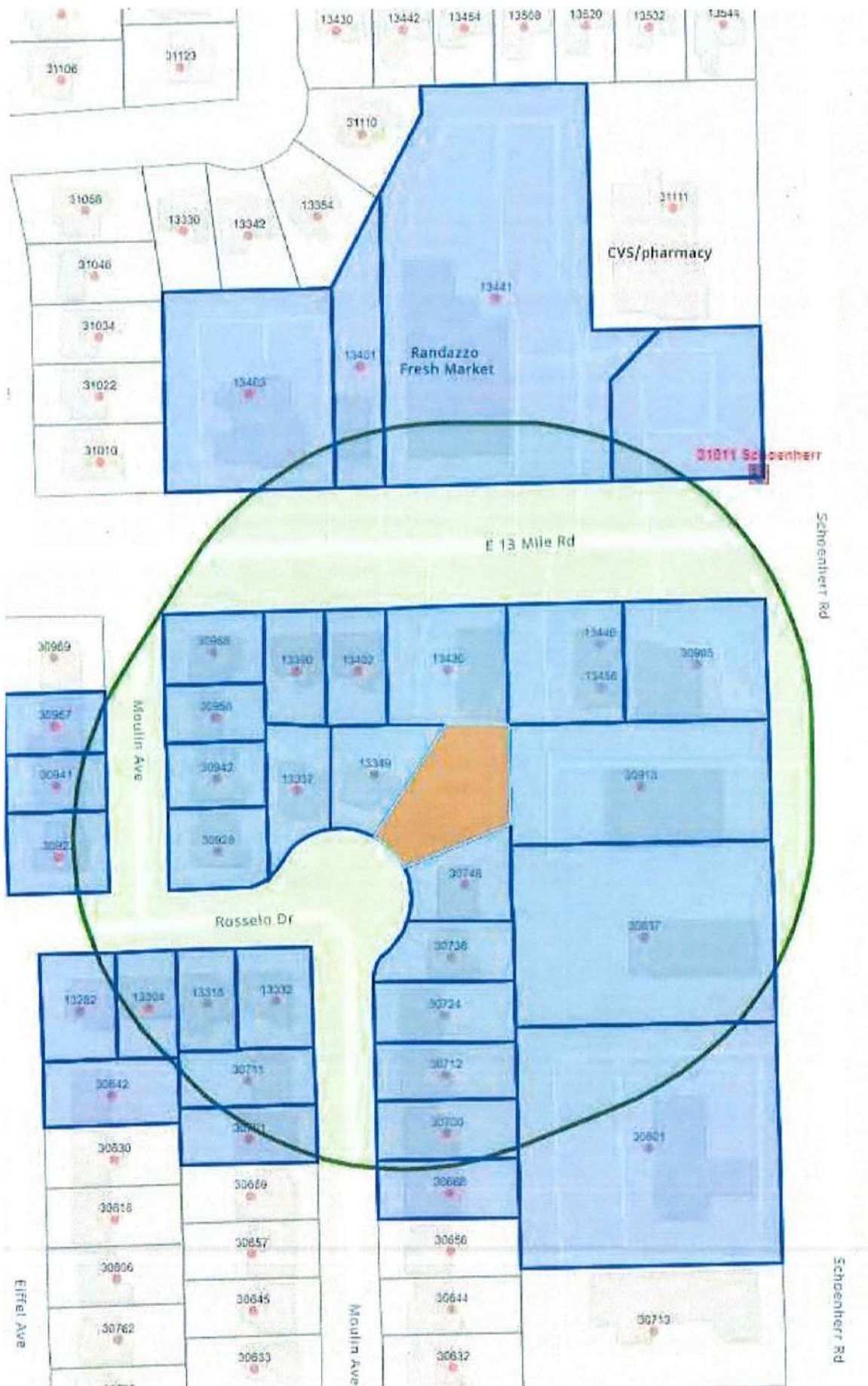
**Comments:**

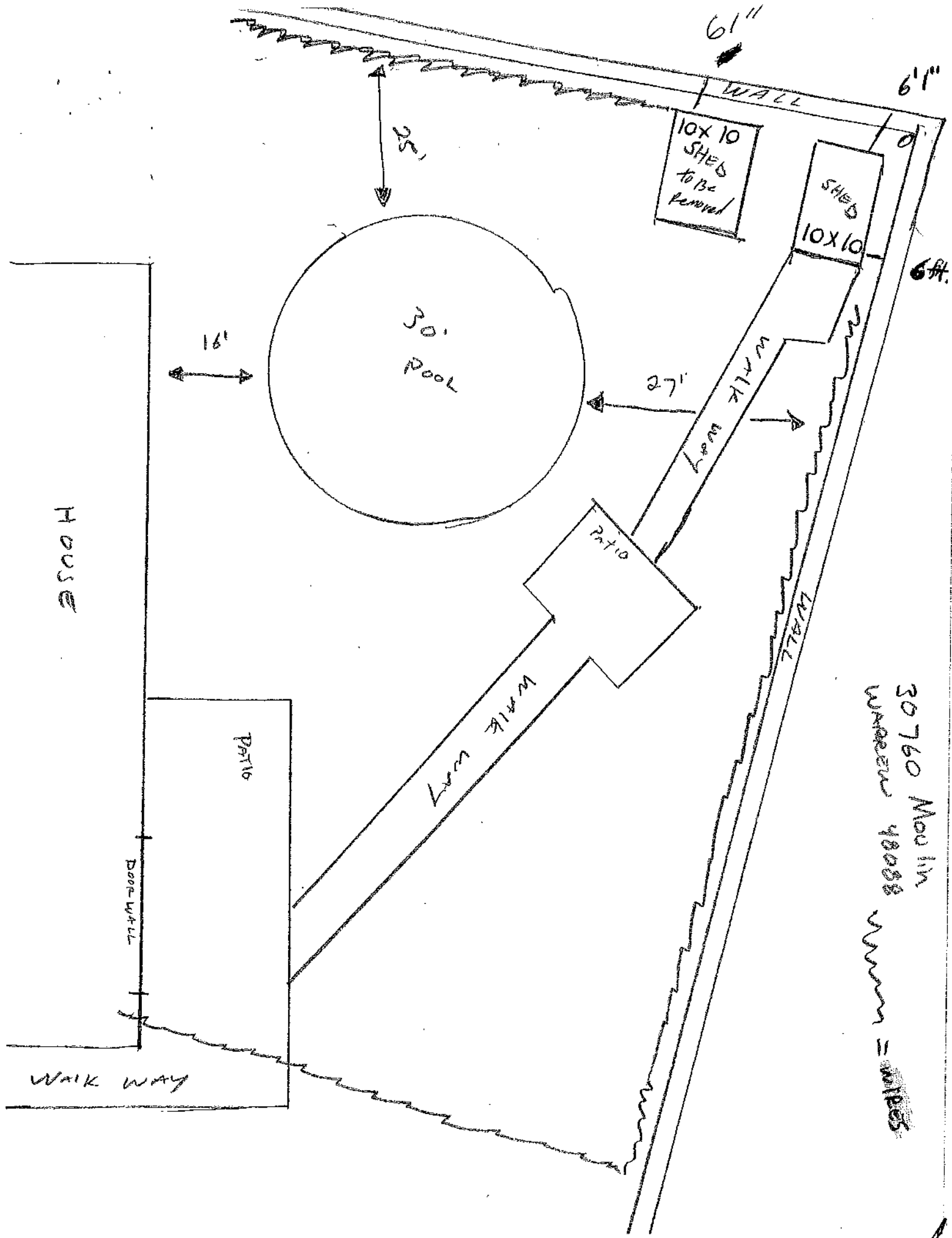
Scheduling Comment SHED PERMIT PULLED? OR CONTACT REARDING TWO SHEDS

ZON SHEDS DW GAVE THEM 10 DAYS TO FILL OUT APPLICATION AND RETURN MOVED OUT FOR FOLLOW UP DP

# 15 WARREN







30760 Modlin  
wherever 48088  
www = miles

Rescheduled from 8/23/23

7

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: GLEANERS COMMUNITY FOOD BANK OF SOUTHEASTERN MICHIGAN

REPRESENTATIVE: KATHLEEN RUPP

COMMON DESCRIPTION: 4401 EIGHT MILE (vacant lot), 20732 SUNSET (vacant lot) & #frontage#frontage (vacant lot)

PARCEL NUMBER: 12-13-32-357-014, 12-13-32-357-009 & 013

ZONED DISTRICT: M-1

REASON: Petitioner seeks variances for signage for new business.

ORDINANCES and REQUIREMENTS:

SECTION 4A.35 - SIGNS PERMITTED IN COMMERCIAL BUSINESS AND INDUSTRIAL DISTRICTS (C-1, C-2, C-3, M-1 AND M-2). C) Total wall signage of a size not to exceed forty (40) square feet shall be allowed for each business in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

VARIANCES REQUESTED: Permission to:

1. Erect a second wall sign 4'6 1/2" x 16' 10"= 76.5 sf in size, consisting of a design element (mural).
  2. Erect a canopy 192' x 3'=576 ft. of a one color design element.
- Total 652.5 sf of design element in addition to a 40 sf wall sign.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 07/24/2023 07/31/2023 (M) (P) (C)

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT:** GLEANERS COMMUNITY FOOD BANK OF  
SOUTHEASTERN MICHIGAN

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

**SECTION 4A.25 SIGNS PERMITTED.**

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



AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE Dave Webster  
OF [REDACTED] Name(s) of Person(s) [REDACTED] [REDACTED]  
Address, City, State Zip Telephone  
THE Director of Strategic Initiatives OF Gleaners Community Food Bank of SE MI  
Title of Officer Name of Company  
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT It  
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 Kathleen Rupp \*  
Name(s) of Person(s)

THE Project Manager OF Ghafari Associates, LLC \*  
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 [Signature] L.S.  
SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN  
COUNTY OF Wayne

ON THIS 30<sup>th</sup> DAY OF August, 2023, BEFORE ME PERSONALLY CAME  
David Webster, 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.

JEREMY WALTERS  
NOTARY PUBLIC - MICHIGAN  
WAYNE COUNTY  
MY COMMISSION EXPIRES JULY 2025  
ACTING IN WAYNE COUNTY

[Signature]  
NOTARY PUBLIC, Wayne COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: 20<sup>th</sup> July 2025

\*\*\*\*\*

NOTICE TO OWNER

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

**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.

Without the canopy and artwork it will be difficult to navigate the property. These features will provide way finding and orientate guests to the facility's entry, as well as delineate this facility from the Owner's distribution centers throughout metro Detroit. These visual cues are to reinforce external and internal site circulation for safe pedestrian and vehicular traffic.

**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 35ft setback imposed by L.637, P.34 on the property, makes the entry and its visibility difficult to see from the street and parking area.

**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 35ft setback imposed by L.637, P.34 on the property, makes the entry and its visibility difficult to see from the street and parking 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 applied artwork and green ACM fascia of the canopy will not negatively affect the surrounding area. Neither will be directly illuminated with specialty lighting.

**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 applicant's request is not personal nor economic. This request aligns the facility's mission, to provide community outreach and to provide dignity of every person in the community.

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

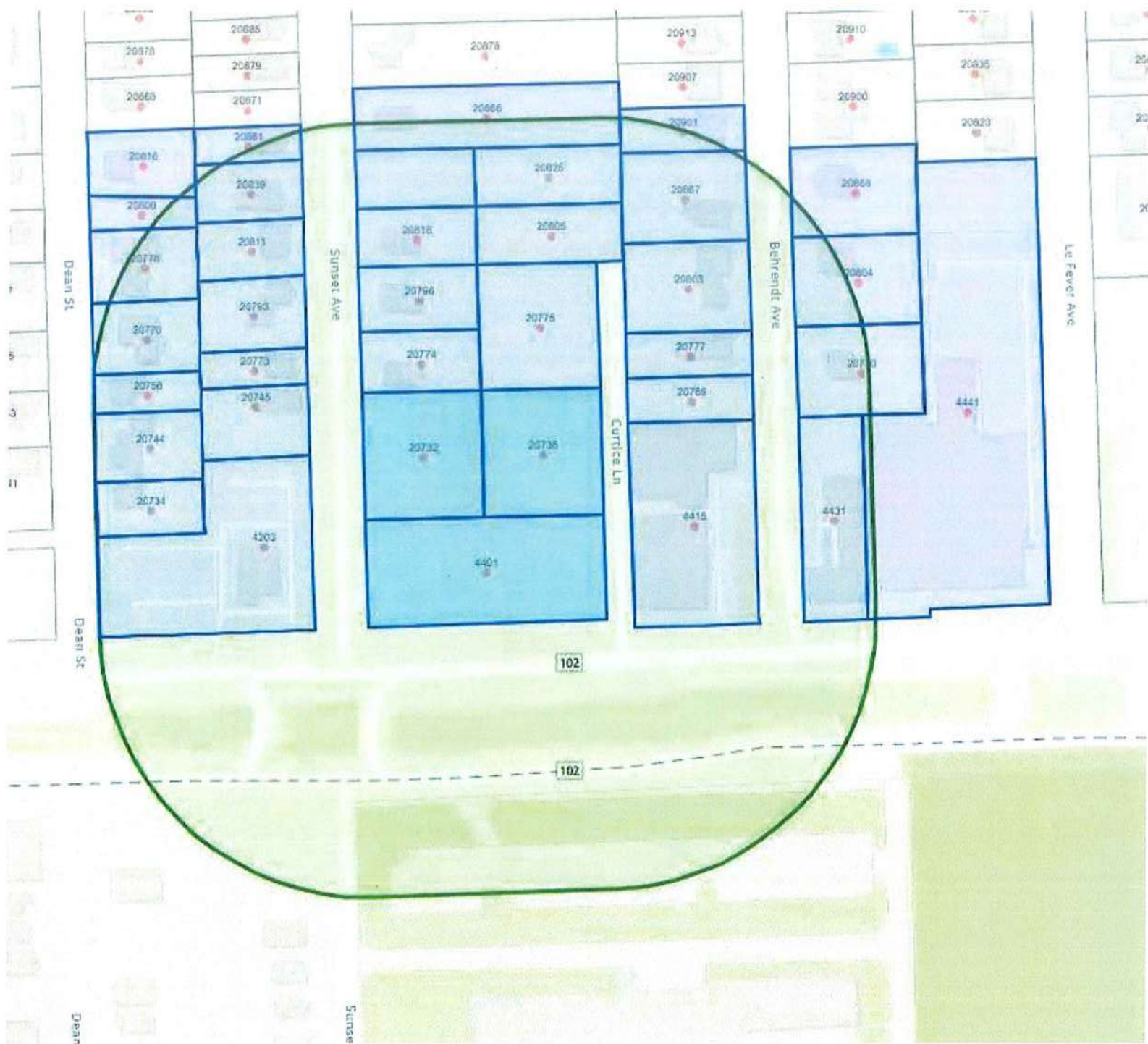
Necessary for the overall use of the facility.

# 2023 WARREN



4401 EIGHT MILE  
20732 SUNSET  
20735 SUNSET  
13-32-357-014  
13-32-357-009  
13-32-357-013

27



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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** GLEANERS COMMUNITY FOOD BANK OF SE MICHIGAN  
**Common Description:** 4401 EIGHT MILE (vacant lot), 20732 SUNSET (vacant lot) and FRONTAGE (vacant lot)

**VARIANCE(S) REQUESTED:** Permission to:

- 1) Erect a second wall sign 4' 6-1/2" = 16' 10" = 76.5 square ft. in size, consisting of a design element (mural).
  - 2) Erect a canopy 192' x 3' = 576 square ft. of a one color design element.
- Total 652.5 square ft. of design element in addition to a 40 square ft. wall sign.

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

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

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

You may e-mail: [njones@cityofwarren.org](mailto: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: CHRISTOPHER SCHWARTZ

REPRESENTATIVE: CHRISTOPHER SCHWARTZ

COMMON DESCRIPTION: 23524 LAUREN

PARCEL NUMBER: 12-13-25-403-021

ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to make changes to a previously granted variance.

#### ORDINANCES and REQUIREMENTS:

**SECTION 4.19 - DETACHED GARAGE BUILDINGS. (A)** All detached garages located in side and rear yards and within ten (10) feet of the rear wall of any principal building shall comply with all yard requirements applicable to the principal structure in the district. In no event shall such garages locate closer than five (5) feet from any side lot lines.

#### VARIANCES REQUESTED: Permission to:

Previously granted variance (8/9/23) to be relocated 4 ft. from dwelling and 4 ft. from side property line.

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:** CHRISTOPHER SCHWARTZ

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 4.19 DETACHED GARAGE 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

\$95 SW

16 PLANS BEING SUBMITTED MUST BE PRE-FOLDED  
A COPY OF ALL DOCUMENTS MUST BE SUBMITTED ELECTRONICALLY FOR  
8/21/23 COMMERCIAL SUBMISSIONS

**CITY OF WARREN ZONING BOARD OF APPEALS**  
APPLICATION FOR VARIANCE

P A I D  
AUG 25 2023  
CITY OF WARREN  
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: Chas Schwartz

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) \_\_\_\_\_

Name of Representative: Same Telephone: \_\_\_\_\_

Representative's Address: \_\_\_\_\_

Representative's Email Address: \_\_\_\_\_ ☐ prefer email communication

Address of Property: \_\_\_\_\_

Parcel I.D. No. (as shown on tax bill): 12-13-25-403-021

Purpose of Request: TO PUT UP AN ~~ANOTHER~~ ANOTHER BUILDING ON  
PROPERTY

Please explain the nature of your hardship:

I Need permission TO PUT a Building 4FT FROM  
House and 4FT FROM Fence

Signature: Chas Schwartz Date: 8-20-23

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 Chris Schwartz  
Name(s) of Person(s)

OF \_\_\_\_\_  
Address, City, State Zip Telephone

THE \_\_\_\_\_ OF \_\_\_\_\_  
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT \_\_\_\_\_

\_\_\_\_\_/RECORDED LAND CONTRACT PURCHASER(S) I/We/It 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 SAM E. \*  
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 Chris Schwartz L.S.

SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN  
COUNTY OF Macomb

ON THIS 25 DAY OF August, 2023, BEFORE ME PERSONALLY CAME  
Christopher Schwartz, 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.

WITH THE Building were we WANT TO PUT IT IT would Be  
no Burden and would Still Be ABle TO use THE YARD.

**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 garage I have now is NOT large enough need Bigger  
FOR ANOTHER CAR

**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 Breezway And garage THE WAY IT IS IT'S NOT  
POSSIBLE TO EXPAND WANT TO PUT ANOTHER SEPERATE Building  
Behind HOUSE.

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

NO THE Building Being were we WANT TO PUT IT WILL NOT  
CHANGE NOR HARM ANY LIGHT, AIR OR view of ANY OF THE  
Surrounding Properties.

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

yes ONLY need THE Building DO TO LACK OF ROOM

**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.

I need THE Room TO STORE A CAR And THINGS in doots  
NOT OUTSIDE

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 will NOT Hurt Property values

**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 House was built with to small of A garage want to Add more storage

**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 way the House was built is not Adequate for my needs

**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.

letting me build my Building will not effect Anyone near me

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

yes

23524 LAUREN                      PUBLIC HEARING: 8/9/2023    APPLICANT: Christopher Schwartz  
August 9, 2023                      REPRESENTATIVE: Same as above.  
COMMON DESCRIPTION: 23524 Lauren  
LEGAL DESCRIPTION: 13-25-403-021                      ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Allow a second garage, 18' x 25' = 450 square ft. when the existing garage is 433 square ft. and the attached breezeway is 141 square ft. for a total of 1,024 square ft. of accessory structures.

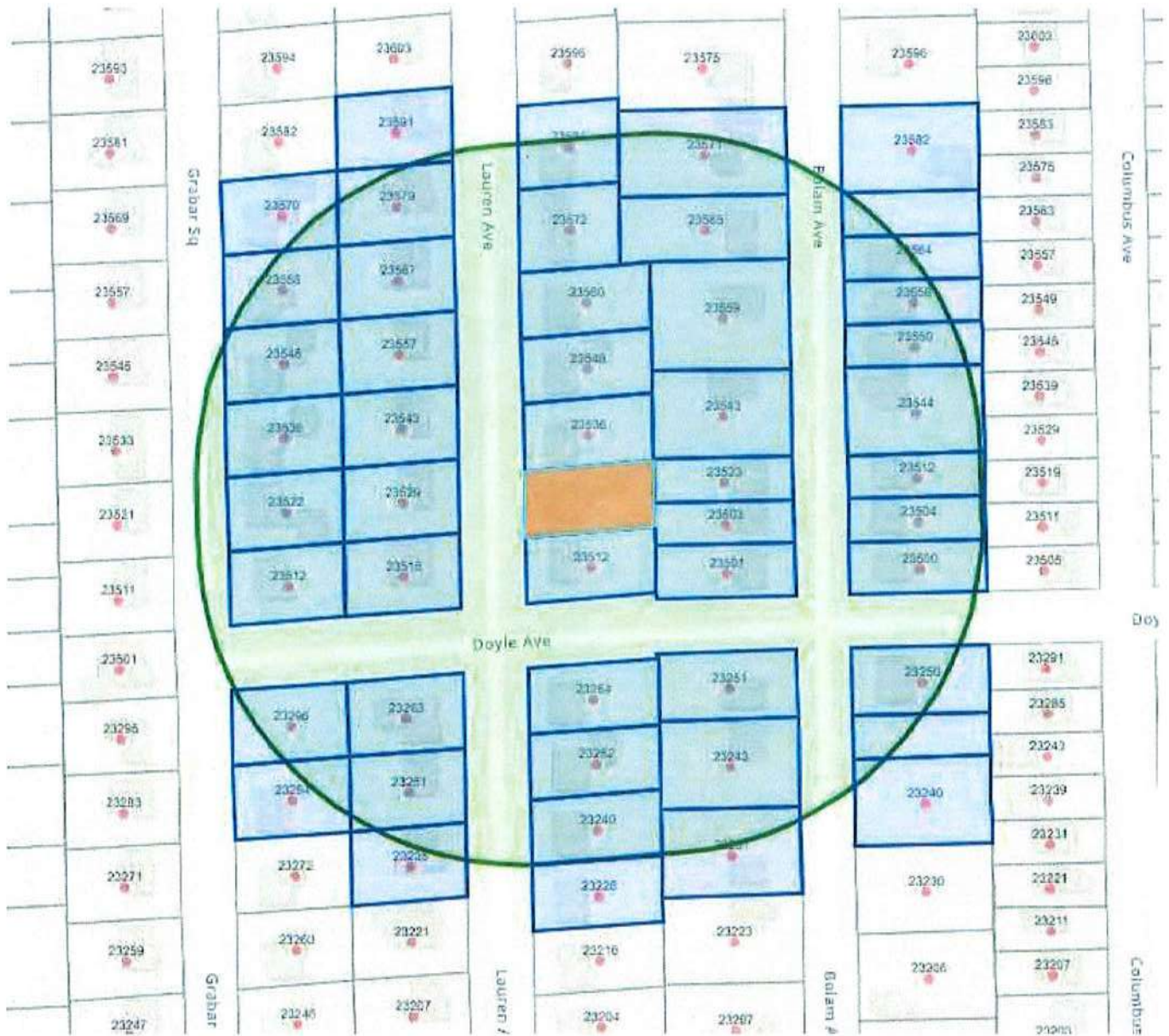
The petitioner's request was APPROVED as written.

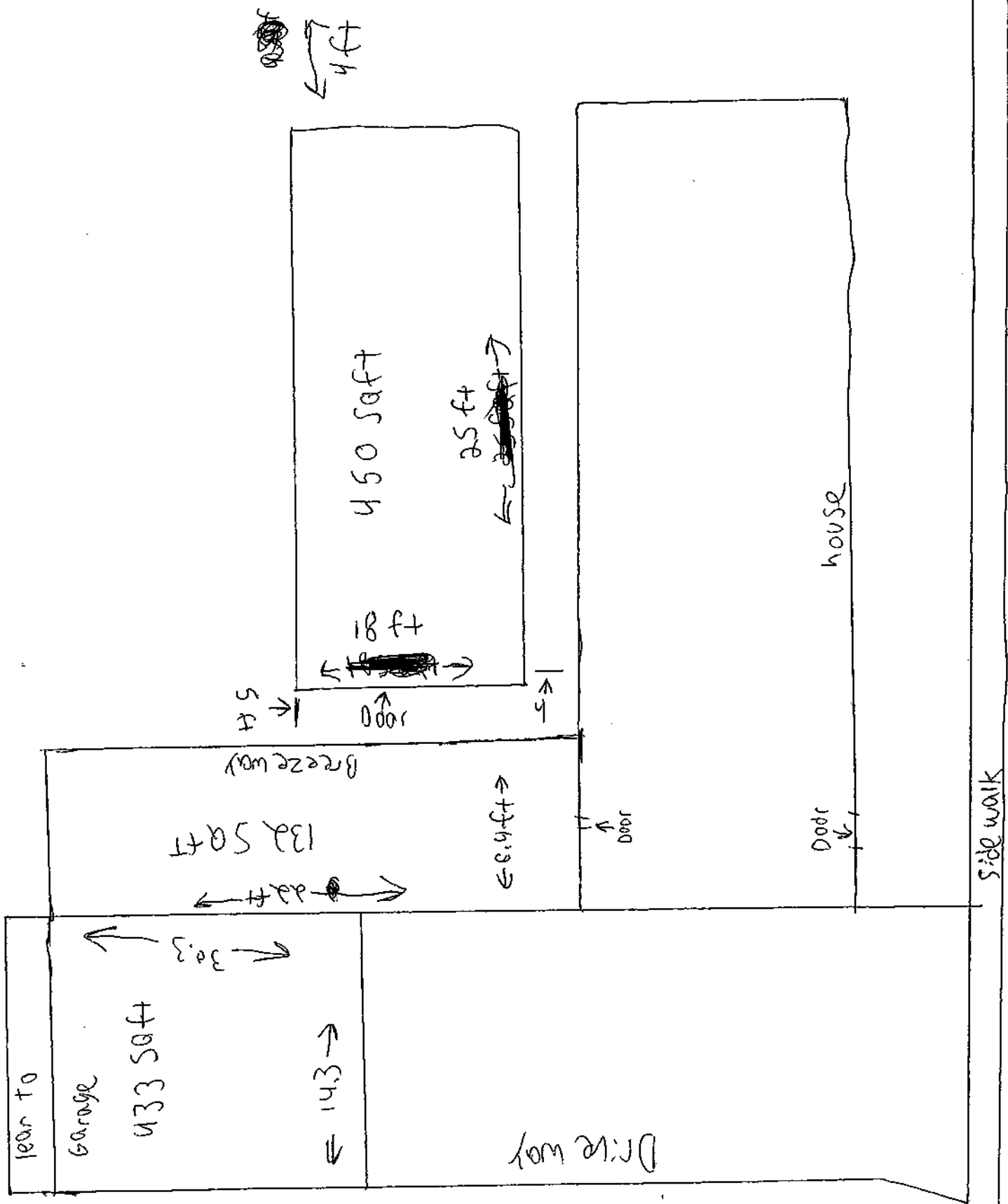
# 2023 WARREN



23524 LAUREN  
13-25-403-021

So  
11







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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** CHRISTOPHER SCHWARTZ  
**Common Description:** 23524 LAUREN

**VARIANCE(S) REQUESTED: Permission to:**

Previously granted variance (8/9/2023) to be relocated 4 ft. from dwelling and 4 ft. from side 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](mailto: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: SABBIR AHMED

REPRESENTATIVE: SABBIR AHMED

COMMON DESCRIPTION: 8078 CHAPP

PARCEL NUMBER: 12-13-27-302-007

ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to retain a multi-family dwelling.

#### ORDINANCES and REQUIREMENTS:

**SECTION 7.01 USES PERMITTED.** Multi-family dwellings are not permitted in a single family district.

#### VARIANCES REQUESTED: Permission to:

Use a single family home as a multi-family home (2 units) in a single family zoning district.

Previous Variance Requested: None.

dwenson, Zoning Inspector 08/11/2023 08/17/2023 (M) (P) (C)

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT: SABBIR AHMED**

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.**

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

Divin-0  
#95  
8/11/23

**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**

AUG 11 2023  
CITY OF WARREN  
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: Sabbir Ahmed

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) \_\_\_\_\_

Name of Representative: SAME AS ABOVE Telephone: \_\_\_\_\_

Representative's Address: \_\_\_\_\_

Representative's Email Address: \_\_\_\_\_ ☐ prefer email communication

Address of Property: 8078 Chapp Ave, Warren, MI 48089

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

Purpose of Request: To make my single family house to multi-family house

Please explain the nature of your hardship:

I am having hard time paying the mortgage so it will be great help if I can rent my 2<sup>nd</sup> floor

Signature: [Signature] Date: 8/11/23

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 Sabbir Ahmed  
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 Sabbir Ahmed  
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 Sabbir Ahmed \*  
Name(s) of Person(s)  
THE \_\_\_\_\_ OF \_\_\_\_\_ \*  
Title of Officer Name of Company  
OF Same as above  
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, 20 23, BEFORE ME PERSONALLY CAME  
Sabbir Ahmed, 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.

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.

No

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

Condition was created by previous 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.

It has a 2<sup>nd</sup> floor with 2 bathroom, 2 bedroom, kitchen, balcony, and separate entrance.

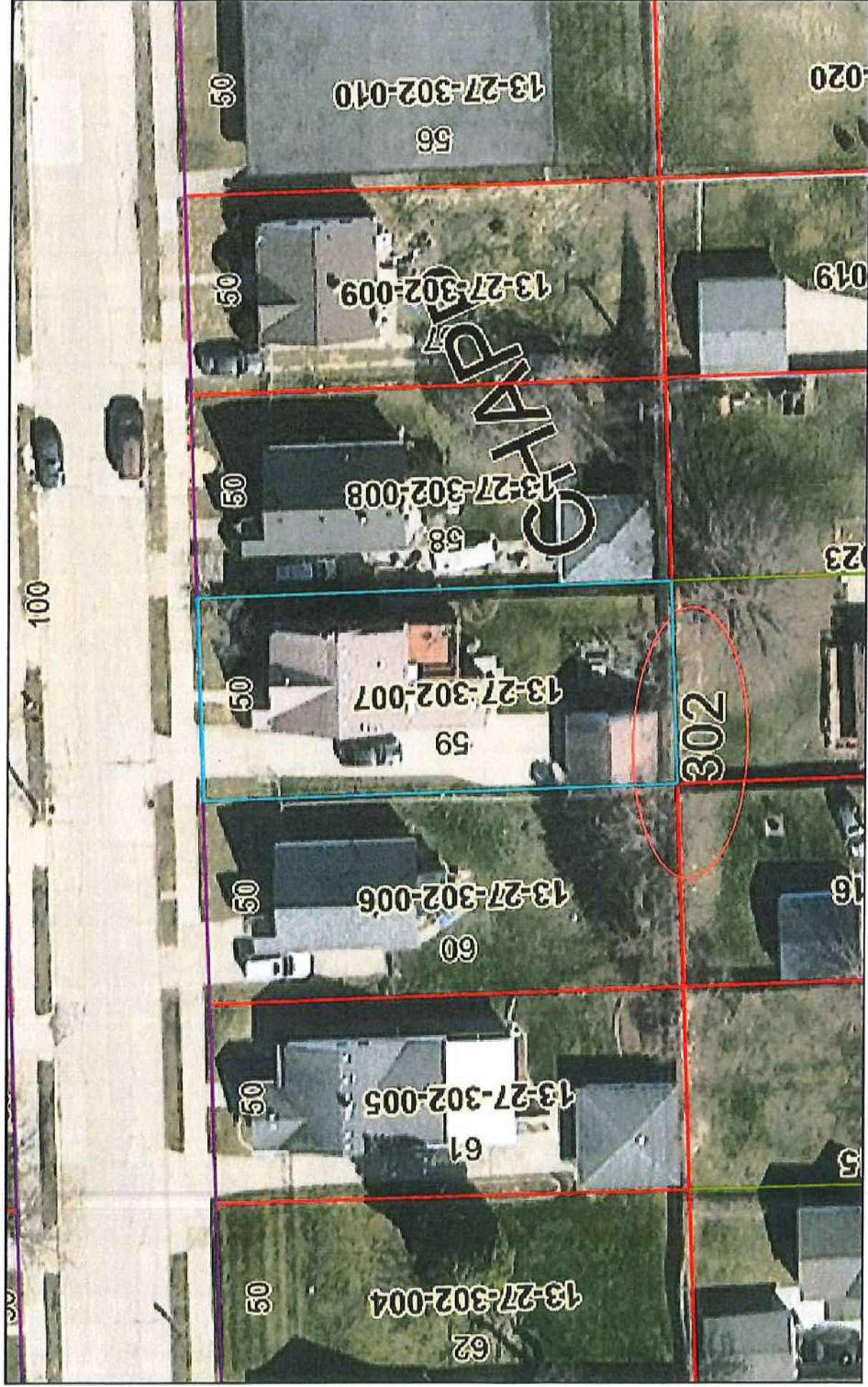
**Not a detriment.** Granting the variance will not result in detriment to nearby properties; will not impair an adequate supply of light and air to the adjacent properties; will not impair the property values in the surrounding area; will not alter the essential character of the area; and will not cause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

No changes

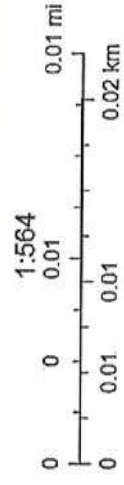
**Necessary.** The land use variance is necessary for the preservation and enjoyment of the property.

No

# ArcGIS Web Map



8/11/2023, 11:11:07 AM

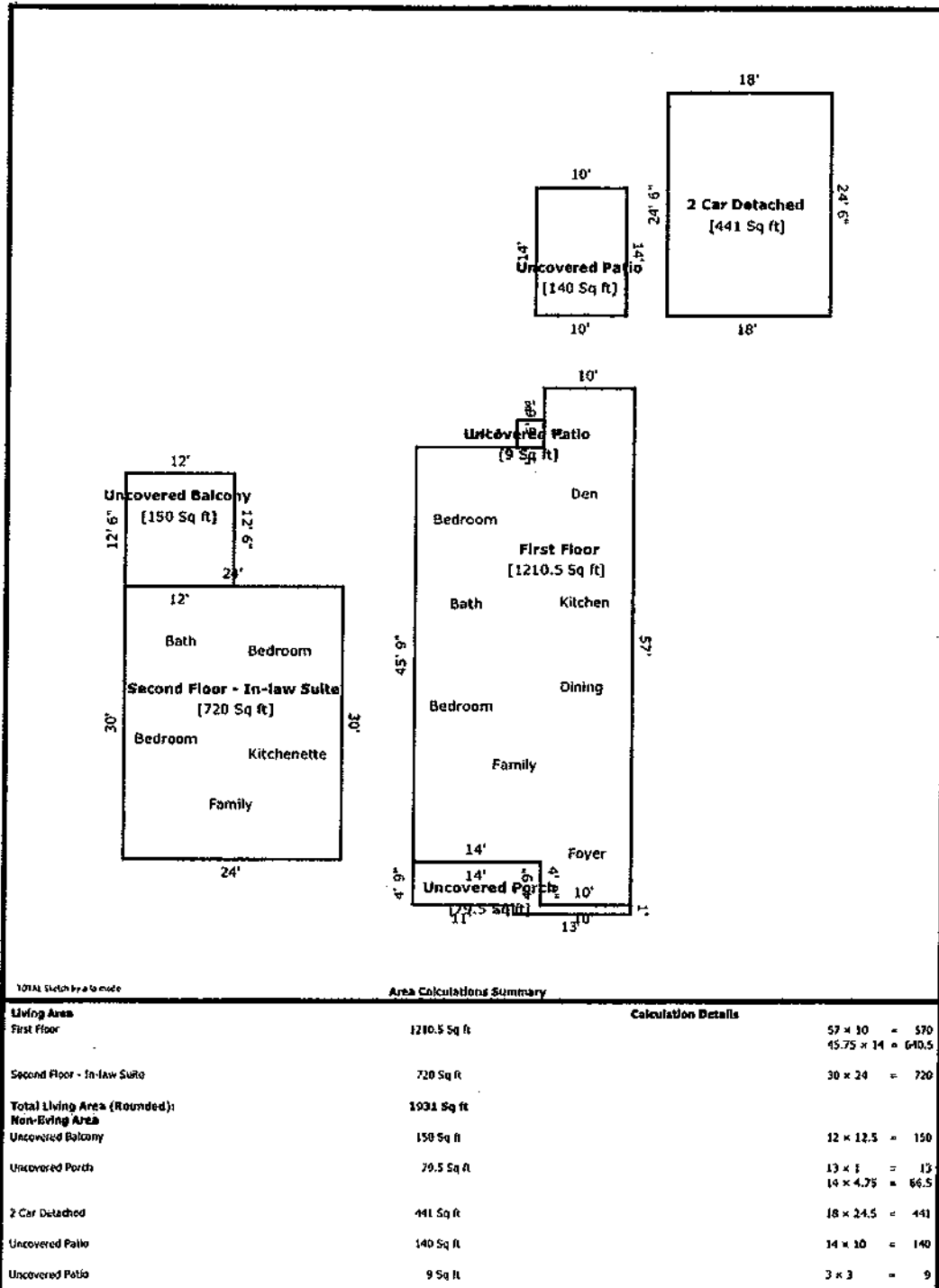


SS



# Building Sketch (Page - 1)

|                  |                           |        |        |       |                   |
|------------------|---------------------------|--------|--------|-------|-------------------|
| Borrower         | Sabbir Ahmed & Sabu Ahmed |        |        |       |                   |
| Property Address | 8078 Chapp Ave            |        |        |       |                   |
| City             | Warren                    | County | Macomb | State | MI Zip Code 48069 |
| Lender/Client    | United Wholesale Mortgage |        |        |       |                   |



2nd floor description

- Separate entrance
- Separate kitchen
- Full bathroom
- Separate dte meter

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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** SABBIR AHMED -~~USE~~-  
**Common Description:** 8078 CHAPP

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

Use a single family home as a multi-family home (2 units) in a single family zoning 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](mailto: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

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### 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:** RYAN HALDER/KUM & GO, L.C.  
**REPRESENTATIVE:** JAMIE ANTONIEWICZ/ATWELL, LLC  
**COMMON DESCRIPTION:** 14 MILE  
**PARCEL NUMBER:** 12-13-01-228-020  
**ZONED DISTRICT:** MZ, C-1, P

**REASON:** Petitioner seeks multiple variances for a ground sign.

**ORDINANCES and REQUIREMENTS:**

**SECTION 4A.14 - PROHIBITED SIGNS.** The following signs are prohibited in all districts: (J) Off-premises signs other than billboards, election and special events or activities signs as regulated in this ordinance.

**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.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.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.18 - HEIGHT.** The height of all signs, unless provided otherwise in this ordinance, shall comply with the following: B) Freestanding signs. The height of all freestanding signs shall not exceed twenty (20) feet.

**VARIANCES REQUESTED:** Permission to:  
Erect an off premise ground sign with the following:  
1. Set back 2.6 ft. from the front property line  
2. Total area of sign is 99.72 sf.  
3. Total area of EMC sign is 27.53 sf.  
4. Height of sign is 22.85 ft.

**Previous Variance Requested:** None.

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT:** RYAN HALDER/KUM & GO, L.C.

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.14 PROHIBITED SIGNS**

**SECTION 4A.17 SETBACKS.**

**SECTION 4A.35 SIGNS PERMITTED IN COMMERCIAL BUSINESS  
& INDUSTRIAL DISTRICTS**

**SECTION 4A.27 ELECTRONIC MESSAGE CENTER**

**SECTION 4A.18 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: Ryan Halder/Kum & Go, L.C.

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) (Northport Hayes LLC)

19424 Gerald, Northville, MI 48167

Name of Representative: Jamie Antoniewicz/Atwell, LLC Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: E. 14 Mile Rd (no addressed assigned)

Parcel I.D. No. (as shown on tax bill): 13-01-228-020

Purpose of Request: Allow the installation of a sign at the property access along 14 Mile Rd.

The current sign location is on a parcel to be redevelop and the existing location conflicts with the proposed development.

Please explain the nature of your hardship:

The available location for the relocated sign will require a variance to allow placement based on the current number of  
signs and based on the distance to property lines.

Signature: [Signature] Date: 6-27-23

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

I, WE Jason Cochran  
Name(s) of Person(s)

THE Managing member OF Northport Hayes LLC      Zip 33607 Telephone 813 941 1111  
 Title of Officer      Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT \_\_\_\_\_

          /RECORDED LAND CONTRACT PURCHASER(S)      I/We/It  
          x          /RECORDED DEEDHOLDER(S)

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

FURTHER, THAT Jamie Antoniewicz, PE, Michael McPherson \*

Name(s) of Person(s)

THE Project Manager OF Atwell, 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.

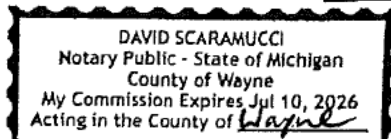
SIGNED [Signature] L.S.

SIGNED \_\_\_\_\_ L.S.\*

**\*Leave blank if not applicable.**

STATE OF MICHIGAN  
COUNTY OF Wayne

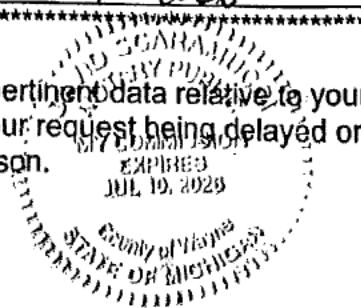
ON THIS 27<sup>th</sup> DAY OF June, 2023, BEFORE ME PERSONALLY CAME Jason Bhannam, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND ACKNOWLEDGED THAT Jason DID SO OF HIS OWN FREE WILL AND DEED.



NOTARY PUBLIC, Wayne COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: 7-10-2026

## NOTICE TO OWNER

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



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

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

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

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

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

The available location for the sign is limited by the required location for the driveway to 14 Mile

**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 parcel with the existing Northport Plaza sign is being sold and the location conflicts with the proposed development. Relocation is required to main signage along 14 Mile Road.

**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 location for the sign relocation contains a driveway within a shared access easement. The proposed location in the green space will require a variance to place based on the distance to the property line.

**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 proposed location will generally be within a similar distance to the ROW, but shift further west and will not be a detriment to the area as compared to existing conditions.

**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 location for the sign relocation contains a driveway within a shared access easement. The proposed location in the green space will require a variance to place based on the distance to the property line and not based on personal or economic hardship.

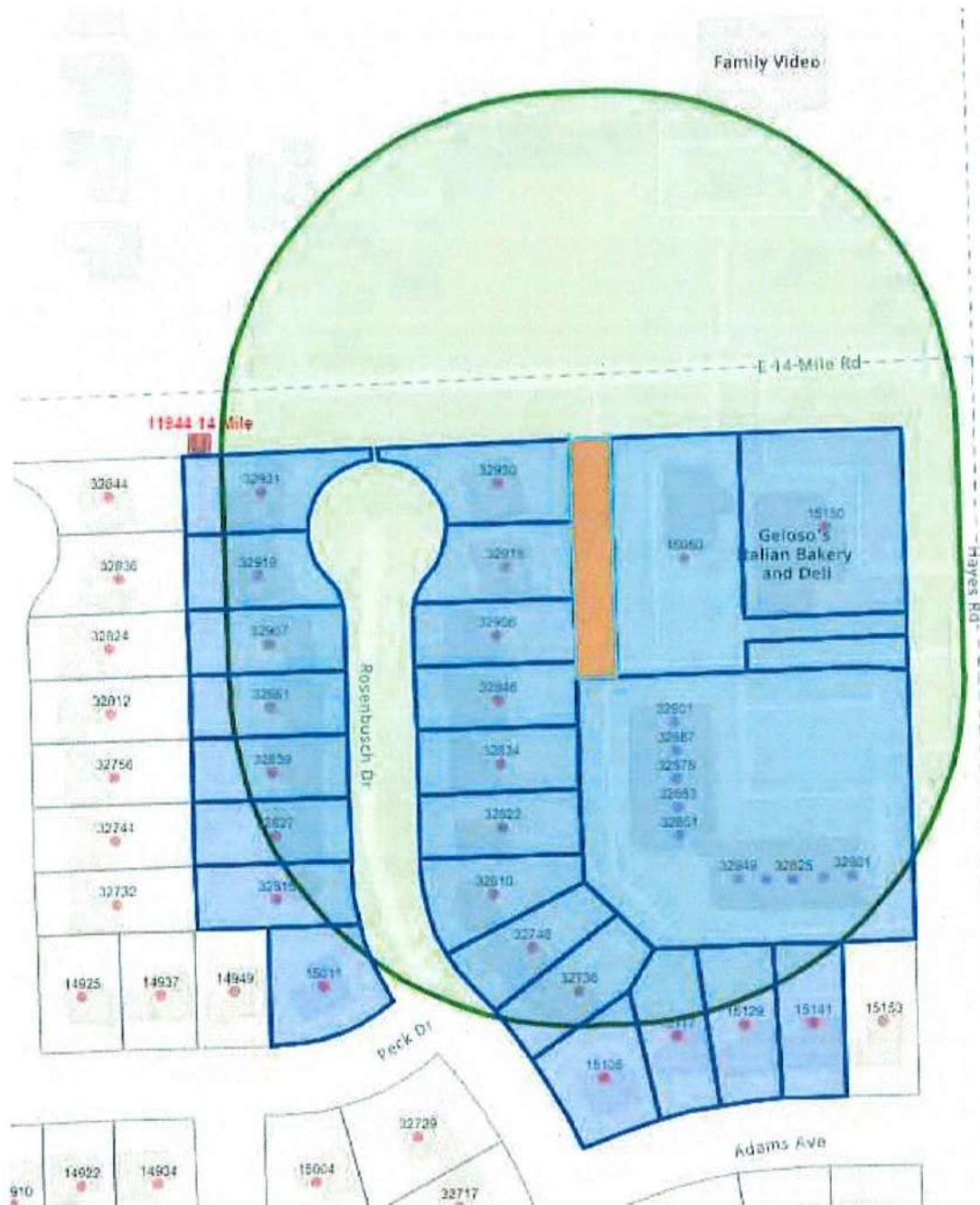
**Necessary.** The variance is necessary for the preservation and enjoyment of a substantial property right similar to that enjoyed by other properties in the same zoning district and in the vicinity.

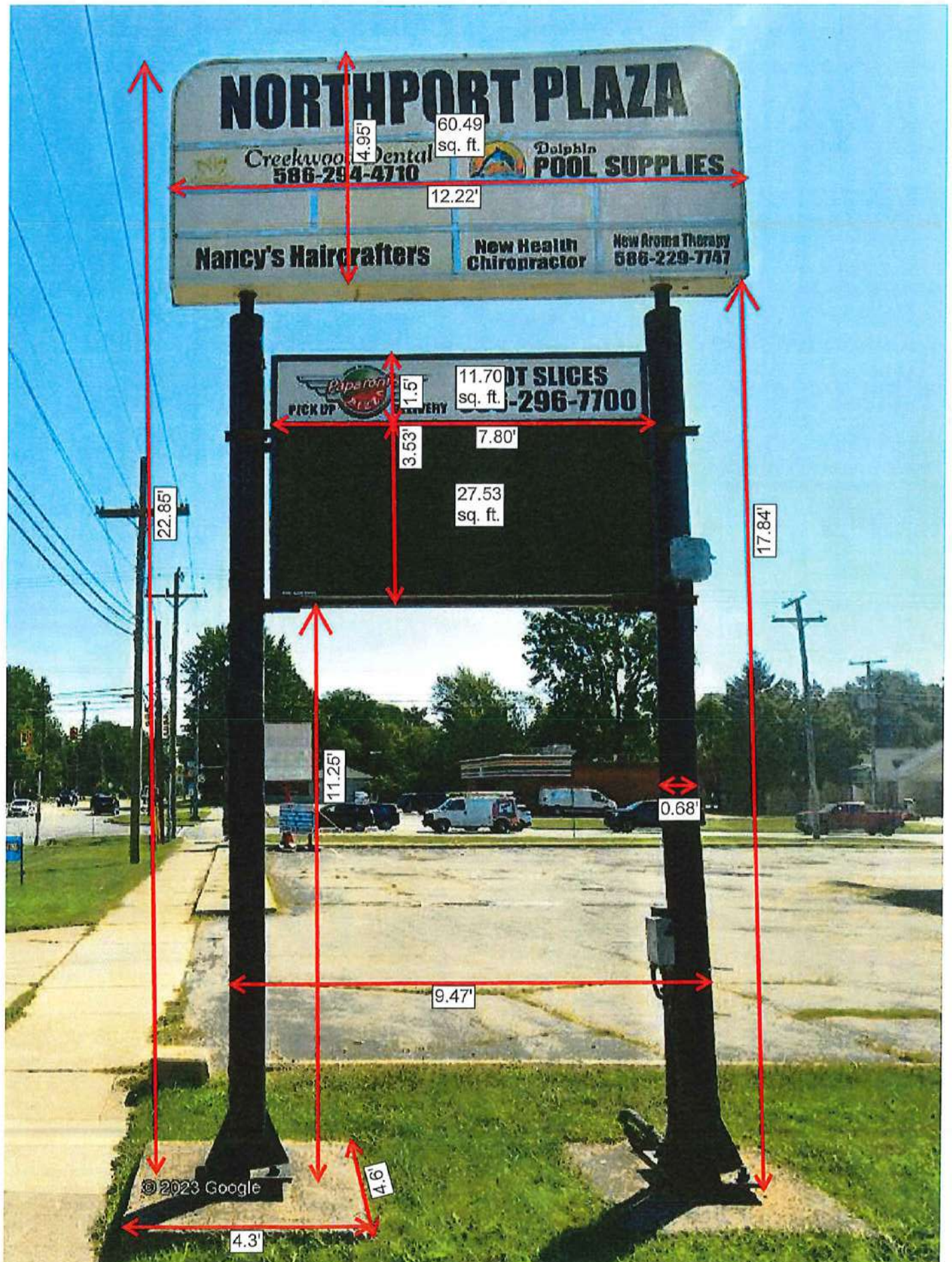
The parcel with the existing Northport Plaza sign is being sold and the location conflicts with the proposed development. Relocation is required to main signage along 14 Mile Road.

# 2023 WARREN



25





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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** RYAN HALDER / KUM & GO, L.C.  
**Common Description:** 14 MILE

**VARIANCE(S) REQUESTED: Permission to:**

Erect an off premise ground sign with the following:

- 1) Set back 2.6 ft. from the front property line.
- 2) Total area of sign is 99.72 square ft.
- 3) Total area of EMC sign is 27.53 square ft.
- 4) Height of sign is 22.85 ft.

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

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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](mailto: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

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**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: METRO DETROIT SIGNS

REPRESENTATIVE: KEVIN DETERS

COMMON DESCRIPTION: 8425 TWELVE MILE

PARCEL NUMBER: 12-13-10-378-003

ZONED DISTRICT: MZ, P, C-1

REASON: Petitioner wishes to replace a damaged 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.

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

**VARIANCES REQUESTED:** Permission to:

Erect a 7.5' high ground sign, 5' x 7.75" (38.75 sf) with the following:

1. Set back no closer than 1 ft. to the front property line.
2. A 2.5 ft. under clearance.

**Previous Variance Requested:** See attached sheet

dwenson, Zoning Inspector 08/10/2023 08/16/2023 (M) (P) (C)

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT: METRO DETROIT SIGNS**

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

**SECTION 4A.17 SETBACKS.**  
**SECTION 4A.19 CLEARANCE.**

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

dwenson, Zoning Inspector

Dublin 10  
#250 & 1102023

**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: Metro Detroit Signs

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) Cindy Lamb at CSI Support & Development

Name of Representative: Kevin Deters at Metro Detroit Signs Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 8425 Twelve Mile Rd

Parcel I.D. No. (as shown on tax bill): 12-13-10-378-003

Purpose of Request: To allow a 5' x 7.75' (38.75 sq feet) ground sign at 7.5' overall height setback  
1 foot from the property line along 12 Mile Rd with an underclearance of 2.5 feet. Since the sign  
is taller than 5 feet, it requires a 10 foot underclearance. We need a variance because the  
underclearance is only 2.5 feet.

Please explain the nature of your hardship:

The site got a variance on 8/11/65 for a ground sign at 80 sf and setback 1 foot from the property line. The proposed  
sign is fine in terms of size & setback. Since the sign is taller than 5 feet, we need a variance for a 2.5' underclearance.  
The existing damaged sign that is being replaced does not have a 10' underclearance either. Furthermore, the sign is  
approximately 130 feet from the entry drive. Therefore, the 10' underclearance should not be a safety issue since the  
sign is so far from the entry drive that it will not block the vision of cars leaving CSI Support's parking lot.

Signature: *Kevin Deters* Date: 8/10/23

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 Cindy Lamb  
Name(s) of Person(s)  
OF \_\_\_\_\_  
Address, City, State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
THE CEO OF CSI Support & Development  
Title of Officer Name of Company  
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I  
I/We/It  
\_\_\_\_\_/RECORDED LAND CONTRACT PURCHASER(S) \_\_\_\_/RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Kevin Deters \*  
Name(s) of Person(s)

THE Project Manager OF Metro Detroit Signs \*  
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 Cindy Lamb L.S.

SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN  
COUNTY OF Macomb

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

Jane E. Shaw  
NOTARY PUBLIC - STATE OF MICHIGAN  
County of Macomb  
My Commission Expires 11/30/2027  
Acting in the County of Macomb

Jane E. Shaw  
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: 11-30-2027

\*\*\*\*\*

NOTICE TO OWNER

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

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

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

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

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

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

We are replacing the existing damaged ground sign with a smaller and much more aesthetically pleasing ground sign. It is going in the same spot and at the same setback as the existing sign. If we were to make the sign taller and install it much farther north of 12 Mile Rd, then it would be up against the building & not visible from the road.

**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 existing sign was hit by a car and damaged beyond repair. It needs to be replaced. This hardship was not created by CSI Support.

**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 site is unique in that there is not much space between the sidewalk and the building. The greenbelt is not very wide. I am assuming that is why the existing sign got a setback variance in 1965. The existing sign was hit by a car and damaged beyond repair. The location of the proposed sign is unique in that it is 130 feet from the entry drive. As such, the underclearance is not a safety issue since the proposed sign will not block the vision of cars exiting the lot.

**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 proposed new sign is replacing a damaged sign. It is going in the same spot and looks much nicer than the existing damaged sign. This variance, if granted, will not be a detriment to nearby properties.

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

The new sign is being proposed because the existing sign was hit by a car and was damaged beyond repair. Therefore, a new sign 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.

The new sign is being proposed because the existing sign is damaged & needs to be replaced. It is going in the same spot and looks much nicer than the existing sign. CSI Support needs a ground sign for visibility along their only thoroughfare (12 Mile Rd).

8425 E 12 Mile

Warren Medical Village, Inc  
Rep: Kenneth H. Knoblauch, MD

Request approved at mtg of August 11, 1965

*80 sq. ft. sign to within one foot  
of the front property line.*

8425 E. Twelve Mile

Warren Medical Village, Inc.  
8425 E. 12 Mile  
Warren, Michigan 48093  
Rep: Kamp, Mayotte & DiComa

Request granted at meeting of Sept. 13, 1967

*GRANTED Permission to Waive 80%  
or if required off-street parking  
spaces*

8425 E. Twelve Mile Rd.

Kenneth H. Knoblauch, M.D.

Rep: Kamp, Mayotte & Di Como, Architects  
18400 Grand River, Det.

Request granted at Meeting of Feb. 12, 1969.

*GRANTED Permission to Waive 5%  
of the Required Off-Street Parking*

8425 E. TWELVE MILE ROAD

WARREN MEDICAL VILLAGE I  
INCORPORATED

GRANTED permission to construct  
additional parking and to place a four (4)  
ft. high wall to within 8 ft. of the property  
line along Longview

8425 Twelve Mile

6/27/2007

COOPERATIVE SERVICES INC, FRED WOOD, GENERAL  
MANAGER, 8425 Twelve Mile, Also Known As 13-10-378-  
003 - GRANTED request to install a six (6) foot high  
decorative fence for approximately 167' along the side (east)  
property line on Longview to the rear property line. Also to  
install approximately 249 linear feet of pre-cast panel screen  
wall in lieu of a poured concrete wall adjacent to the  
Residential District in conjunction with the renovation of the  
existing site plan.

8425 E. Twelve Mile Rd.

Warren Medical Village, Inc.  
Request granted at the Meeting of October 25, 1972 to  
waive 4' high brick wall along north property line with  
condition.

## ZONING Enforcement | E23-01279

### Property Information

|                  |                  |              |        |
|------------------|------------------|--------------|--------|
| 12-13-10-378-003 | 8425 TWELVE MILE | Subdivision: |        |
|                  | WARREN MI, 48093 | Lot:         | Block: |

### Name Information

|           |                     |        |  |
|-----------|---------------------|--------|--|
| Owner:    | CSI OFFICE BUILDING | Phone: |  |
| Occupant: |                     | Phone: |  |
| Filer:    |                     | Phone: |  |

### Enforcement Information

|                   |                          |                  |            |              |
|-------------------|--------------------------|------------------|------------|--------------|
| Date Filed:       | 03/07/2023               | Date Closed:     | Status:    | WARNING SENT |
| Complaint:        | GROUND SIGN IN DISREPAIR |                  |            |              |
| Last Action Date: |                          | Last Inspection: | 08/04/2023 |              |
| Last Action:      |                          |                  |            |              |

### FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |  |
|------------|------------|------------|--|
| Status:    | Scheduled  | Result:    |  |
| Scheduled: | 08/18/2023 | Completed: |  |

#### Comments:

Scheduling Comment CHECK IF DAMAGED SIGN PANELS HAVE BEEN REMOVED OR ZBA APP SUBMITTED.

### FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |              |
|------------|------------|------------|--------------|
| Status:    | Completed  | Result:    | Violation(s) |
| Scheduled: | 08/04/2023 | Completed: | 08/04/2023   |

#### Comments:

Scheduling Comment CHECK IF ZBA APP SUBMITTED FOR SIGN.

### FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 07/24/2023 | Completed: | 07/24/2023 |

#### Comments:

Scheduling Comment CHECK IF VARIANCE APPLIED FOR YET.

### FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 07/10/2023 | Completed: | 07/10/2023 |

#### Comments:

Scheduling Comment FOLLOW-UP TO SEE IF KEVIN FROM METRO HAS GOT AN ANSWER REGARDING THEM GOING FOR A VARIANCE

### FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 06/30/2023 | Completed: | 06/30/2023 |

#### Comments:

Scheduling Comment FOLLOW-UP WITH KEVIN FROM SIGN CO IF HE HAS NOT EMAILED BACK ABOUT VARIANCE

### FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 06/23/2023 | Completed: | 06/23/2023 |

#### Comments:

Scheduling Comment EMAILED KEVIN FROM SIGN COMPANY. CHECK IF ANY UPDATES.

6/20/23 KEVIN EMAILED BACK AND SAID HE BELIEVES THEY WILL BE GOING FOR THE VARIANCE. HE WILL BE FOLLOWING UP WITH THEM AND GET BACK TO ME.-BS

---

FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 06/20/2023 | Completed: | 06/20/2023 |

**Comments:**

Scheduling Comment CHECK IF VARIANCE APPLIED FOR OR SIGN PLAN REVISED.

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FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 05/18/2023 | Completed: | 05/18/2023 |

**Comments:**

4/25/23 REVIEWED SIGN APP. DENIED BECAUSE IT WILL NEED VARIANCE FOR UNDERCLEARANCE AND WILL NEED A SITE PLAN FROM A ENGINEER OR ARCHITECH. EMAILED COPY OF REJECTION LETTER TO KEVIN AT METRO DETROIT SIGNS. KEVIN REACHED OUT AND IS DISCUSSING WITH THEM IF THEY WANT TO APPLY FOR THE VARIANCE OR REVISE SIGN PLANS. WILL FOLLOW UP IN 30 DAYS/-BS

---

FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 04/19/2023 | Completed: | 04/19/2023 |

**Comments:**

Scheduling Comment 4/19/23 STILL HAVE NOT GOTTEN REPSONSE BACK. SENT 2ND EMAIL TO SONNY STATING I NEED AN UPDATE ON THE STATUS. SPOKE TO EM AND HE SCHEDULED NEW FOLLOW UP FOR 4 WEEKS FROM NOW.-BS

---

FOLLOW-UP Inspection | BRIAN SCHUMAN

|            |            |            |            |
|------------|------------|------------|------------|
| Status:    | Completed  | Result:    | No Change  |
| Scheduled: | 04/17/2023 | Completed: | 04/17/2023 |

**Comments:**

Scheduling Comment CHECKED FOR SIGN APP AND NOTHING HAS BEEN SUBMITTED YET. EMAILED SONNY TO GET UPDATE ON NEW SIGN PLAN. SCHEDULED FOLLOW-UP FOR 4/19/23 AWAITING EMAIL RESPONSE.-BS

---

FIELD INSPECTION Inspection | BRIAN SCHUMAN

|            |            |            |              |
|------------|------------|------------|--------------|
| Status:    | Completed  | Result:    | Violation(s) |
| Scheduled: | 03/07/2023 | Completed: | 03/07/2023   |

**Violations:**

Uncorrected SECTION 4A.20(A) - ALL SIGNS SHALL BE PROPERLY MAINTAINED. EXPOSED SURFACES SHALL BE CLEAN AND PAINTED IF PAINT IS REQUIRED. ALL SUPPORTS, BRACES, GUYS AND ANCHORS SHALL ALSO BE KEPT IN REPAIR. DEFECTIVE PARTS SHALL BE REPLACED PROMPTLY.

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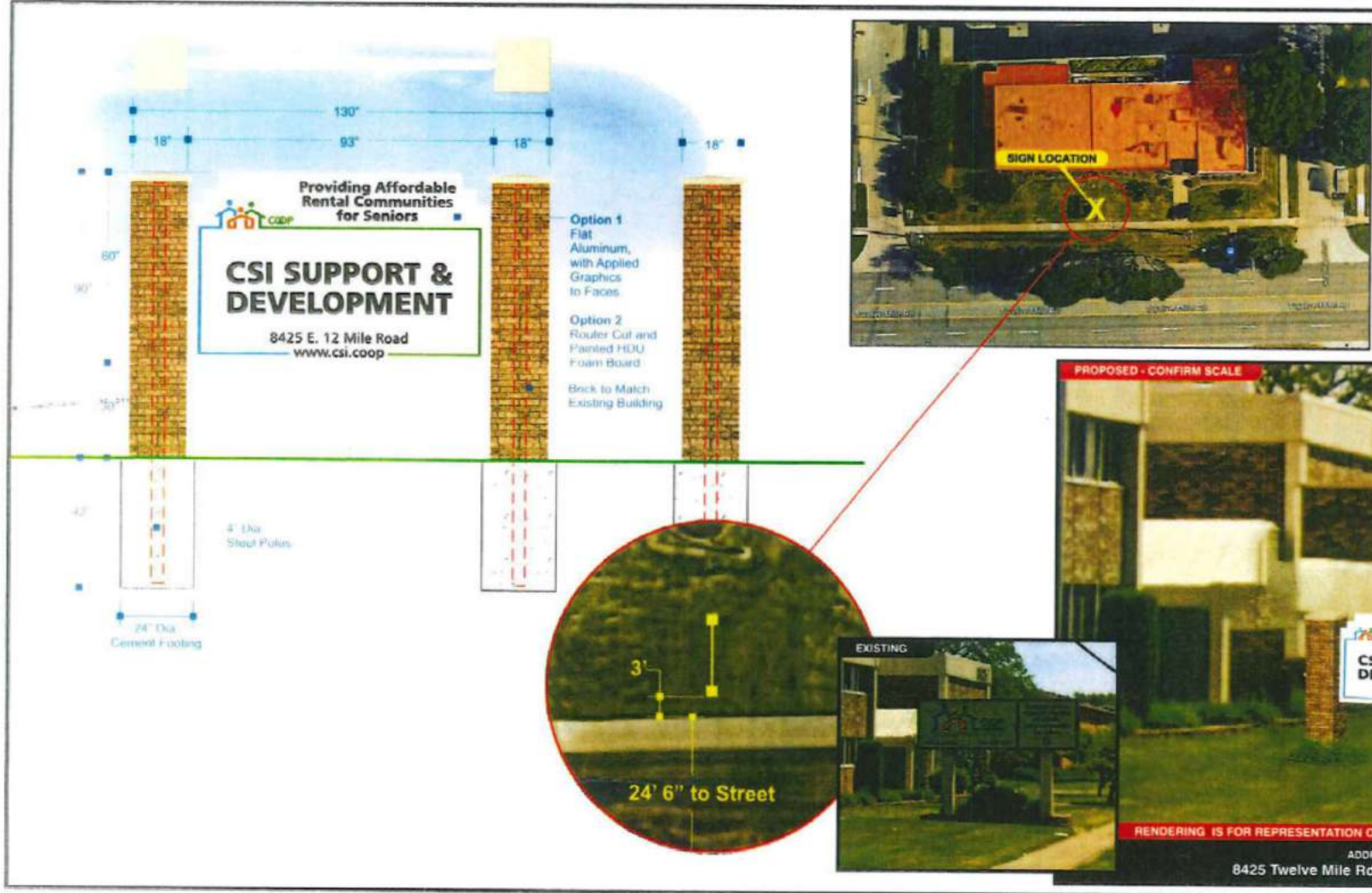
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# 2023 WARREN



21

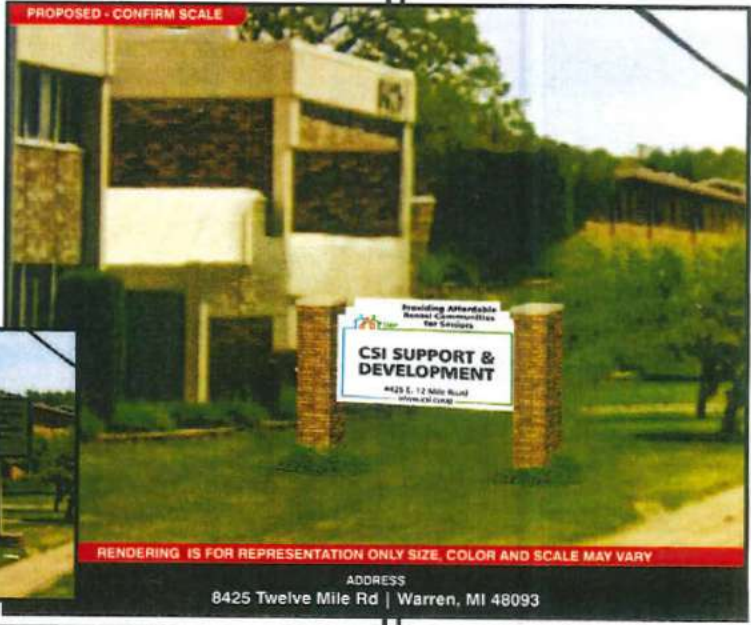




**SIGN DIMENSIONS**

60"x93" Sign Face - 38.75 Sq. Ft.

- NOTES**
- New, Double Sided Pylon Sign
  - New Poles and Footing

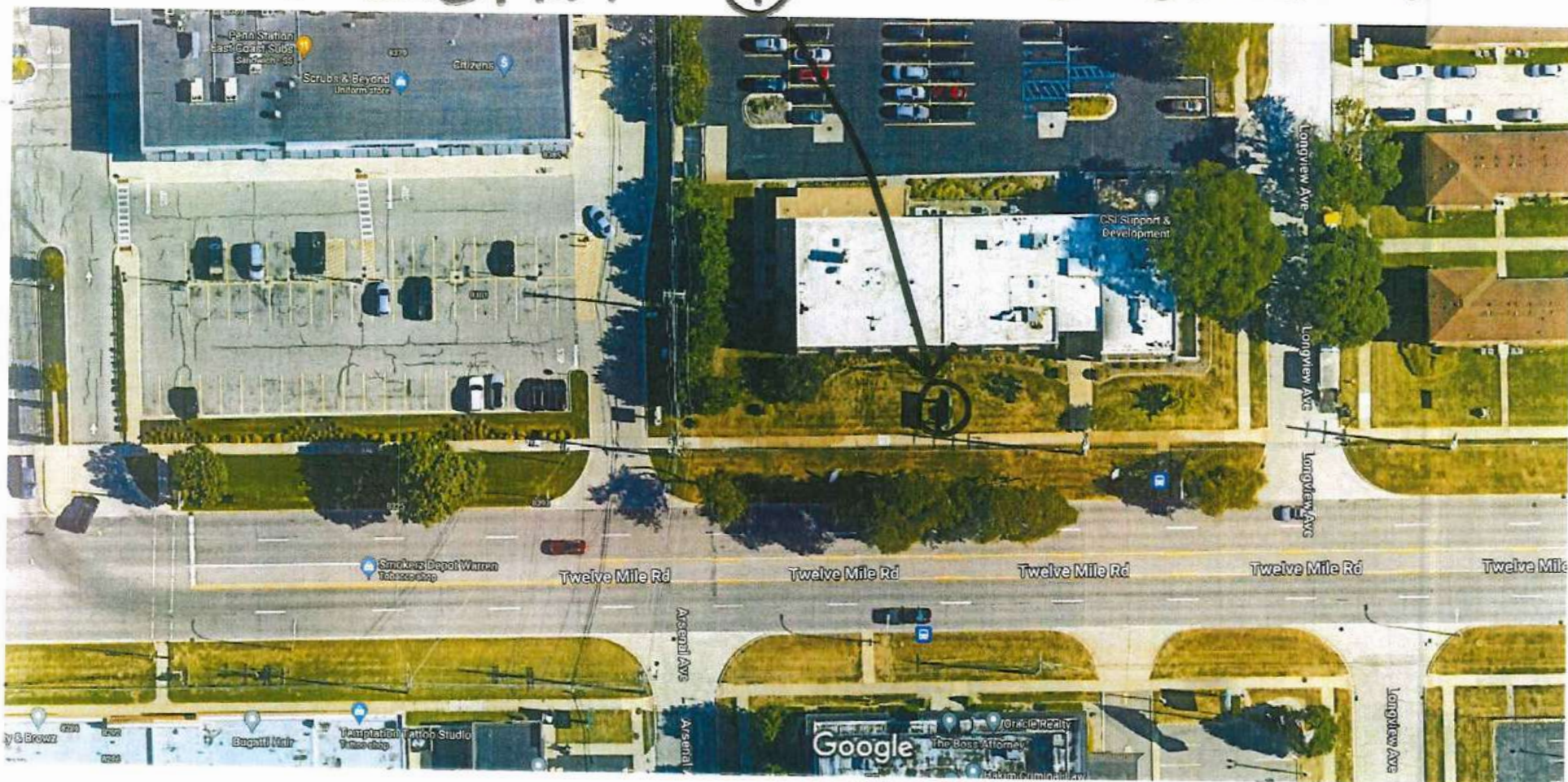


Google Maps

N  
↑

Site Plan

① = existing sign to be replaced



Imagery ©2023 Maxar Technologies, Map data ©2023 20 ft

Existing sign was hit by a car  
and damaged beyond repair



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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** METRO DETROIT SIGNS  
**Common Description:** 8425 TWELVE MILE

**VARIANCE(S) REQUESTED: Permission to:**

Erect a 7.5' high ground sign, 5' x 7.75" (38.75 square ft.) with the following:

- 1) Set back no closer than 1 ft. to the front property line.
- 2) A 2.5 ft. under clearance.

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](mailto:njones@cityofwarren.org) or contact us by U.S. Mail at the address listed above, to express any views you may have pertaining to this matter.

Sincerely,  
Board of Appeals

---

**OFFICE OF THE CITY COUNCIL**

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

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

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

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: JENNIFER PAQUIN/PB2 ARCHITECTURE & ENGINEERING  
REPRESENTATIVE: JENNIFER PAQUIN/PB2 ARCHITECTURE & ENGINEERING  
COMMON DESCRIPTION: 29176 VAN DYKE  
PARCEL NUMBER: 12-13-10-353-009  
ZONED DISTRICT: MZ, P, C-2

REASON: Petitioner wishes to update their signage.

**ORDINANCES and REQUIREMENTS:**

**SECTION 4A.35 - SIGNS PERMITTED IN COMMERCIAL BUSINESS AND INDUSTRIAL DISTRICTS (C-1, C-2, C-3, M-1 AND M-2).** C) Total wall signage of a size not to exceed forty (40) square feet shall be allowed for each business in commercial business and industrial districts zoned C-1, C-2, C-3, M-1 and M-2.

**VARIANCES REQUESTED:** Permission to:

A. Allow the following wall signage on the south elevation:

1. A 691.22 sf wall sign with 298.00 sf of "Walmart" and spark logo and the remaining 393.22 sf consisting of a decorative design element.
2. A 434.40 sf wall sign with 32.37 sf "pickup" and the remaining 402.03 sf consisting of a decorative design element.
3. A 412.00 sf wall sign with 94.90 sf "home & pharmacy" and the remaining 317.10 sf consisting of a decorative design element.
4. A 412.03 sf wall sign with 41.05 sf "grocery" and the remaining 370.98 sf consisting of a decorative design element.
5. A 20.67 sf wall sign "outdoor".
6. A 16.25 sf wall sign "auto care".
7. A 251.53 sf wall sign with 24.75 sf "auto care" and the remaining 226.78 sf consisting of a decorative design element.
8. Two (2) 2.33 sf wall signs "tire" for a total of 4.66 sf.
9. A 13.47 sf wall sign "recycle".
10. A 9.33 sf wall sign "oil change".
11. Three (3) 4.91 sf wall signs circle with number for a total of 14.73 sf
12. A 19.21 sf wall sign "pharmacy" "drive-thru".

Total signage on south elevation is 2299.50 sf with 589.39 sf of verbiage and 1710.11 sf of decorative design element.

B. Allow the following wall signage on the north elevation:

1. Two (2) 2.33 sf wall signs "tire" for a total of 4.66 sf.
2. Two (2) 4.91 sf wall signs circle with number for a total of 9.82 sf

Total signage on north elevation is 14.48 sf of verbiage.

C. Allow the following wall signage on the east and west elevations:

1. Two (2) areas of decorative design element on the east elevation for a total of 308.12 sf.
2. Three (3) areas of decorative design element on the west elevation for a total of 418.47 sf.

Total signage is 3040.57 sf with 603.87 sf of verbiage and 2436.70 sf of decorative design element.

If approved as written previous wall sign variances will be relinquished.

**Previous Variance Requested:** See attached sheet

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT: JENNIFER PAQUIN/PB2 ARCHITECTURE &  
ENGINEERING**

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**

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

dwenson, Zoning Inspector

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

**CITY OF WARREN ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Jennifer Paquin, pb2 architecture + engineering

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) Walmart Real Estate Business Trust

[REDACTED]

Name of Representative: Same as Applicant Telephone: \_\_\_\_\_

Representative's Address: \_\_\_\_\_

Representative's Email Address: \_\_\_\_\_ ☐ prefer email communication

Address of Property: Walmart Store #4424 - 29176 Van Dyke Avenue, Warren, MI

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

Purpose of Request: Seeking approval for updated paint and new signage. All existing Walmart signs to be replaced with new signs. Includes face changes to any existing site signs. Includes new paint with gray tones, and the new Walmart corporate blue color behind signage. Includes face changes to two (2) existing site signs.

Please explain the nature of your hardship:

Signs and paint are an important part of operating a business. The requested signs are primarily installed to help customers find their way to the correct entrance to meet their own needs. The location of the Walmart building and its distance from surrounding traffic ways allows for necessary pedestrian and automobile access but creates issues when it comes to the visibility of the building color and its signage, which is used primarily as wayfinding for customers outside the building. Literal enforcement of the ordinance, resulting in much smaller building signage, would potentially create traffic issues as customers are forced to drive closer to the building to determine their ultimate destination. The color updates help customers identify the Walmart with their proto colors and helps entry and main signage become more visible.

Signature: Jennifer Paquin Date: 8.1.23

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 Richard Goff - Walmart Real Estate Business Trust  
 Name(s) of Person(s)  
 OF [REDACTED]  
 Address, City, State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
 THE Sr Manager, Real Estate PMO OF Walmart Stores, Inc.  
 Title of Officer Name of Company  
 BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Walmart Real Estate Business Trust  
 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 Jennifer Paquin \*  
 Name(s) of Person(s)

THE Ext. Branding Coordinator OF pb2 architecture + engineering \*  
 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.

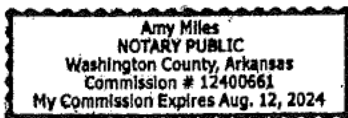
FURTHER, DEPONENT SAYS NOT.

SIGNED Richard Goff L.S.  
 SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN- ARKANSAS  
 COUNTY OF WASHINGTON

ON THIS 11th DAY OF AUGUST, 20 23, BEFORE ME PERSONALLY CAME  
RICHARD GOFF, 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.



Amy Miles  
 NOTARY PUBLIC, WASHINGTON COUNTY, MICHIGAN ARKANSAS  
 MY COMMISSION EXPIRES: 08.12.2024

\*\*\*\*\*  
 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 area, setback, frontage and height requirements position the store approximately 500 feet from the primary right-of-way, making most building signage difficult to see from that distance. The proposed signage is a reduction from what is currently existing, and would serve to provide direction to pedestrian and vehicular traffic while on the property.

**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 has not been created, the building sits back over 500 feet from the main street, making any changes nearly invisible from outside the site.

**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.

Again, strict compliance with area, setback, frontage and height requirements position the store 500+ feet from the primary right-of-way, making most building signage difficult to see from that distance. The proposed signage is a reduction from what is currently existing, and would serve to provide direction to pedestrian and vehicular traffic while on 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.

The proposed new paint and signs will be on the building, due to the size of the signs and placement of the paint it will not cause a distraction to motorists or pedestrians. The changes are difficult to be seen from the main access roads, and/or residents and adjacent properties, and would not have a negative impact on property values.

The changes would give the store and the community a fresh new look.

**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 new paint and signs will be nearly invisible from outside of the site, it is difficult to see the changes from any of the main access roads and main highway and streets that run along the site, due to the distance the store sits back from, and the surrounding landscaping.

**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 paint and sign changes are a part of Walmart corporate logo and design, just like other businesses in the area have their own design with color and signs.

8/28/2019

29176 Van Dyke

LEGAL DESCRIPTION: 13-10-353-009

**VARIANCES REQUESTED: Permission to**

1) Allow the following wall signage on the south elevation:

- A 432 square ft. wall sign with 298 square ft. of "Walmart" and spark logo and the remaining 134 square ft. consisting of a decorative design element, (this replaces the variance granted on 11/14/2012 for "157.44 square ft. Walmart wall sign and spark logo, 57 square ft. for a total of 214.44 square ft.")
- A 20' x 21.6' = 364.57 square ft. design element on the east elevation.

2) Allow a 10' 8" x 21.6' = 229 design element on the east elevation.

Total wall signage is 1,373.99 square ft. consisting of 646.42 square ft. of wall signage and 727.57 square ft. of decorative design.

3) Allow the following parking/directional signage:

- Ten (10) stall designation signs (numbered 1-10) 3 square ft. each total 30 square ft.
- Ten (10) pick up logo signs (one for each stall) 4.5 square ft. each total 45 square ft.
- Ten (10) call in signs (one for each stall) 1 square ft. each total 10 square ft.

Total parking stall signage is 85 square ft.

4) Allow 2 directional signs ("pickup" with arrows), 3 square ft. each, and total 6 square ft.

The petitioner's request was APPROVED as written.

29176 Van Dyke

5/8/2013

Wal-Mart Real Estate Business Trust, 29176 Van Dyke Avenue, 13-10-353-007, petitioner was **GRANTED** permission to install a "Pharmacy Drive-Thru" sign 2'-9 1/8" x 27' -1" = 74.76 sq. ft. on the south elevation as per the plan, in addition to the wall signs approved by the ZBA on 11/14/12

10/28/15

29176 Van Dyke

PUBLIC HEARING

REPRESENTATIVE:

COMMON DESCRIPTION:

LEGAL DESCRIPTION:

ZONE:

**APPLICANT: TSFR Apple , LLC (Applebee's)**

Ryan Jones / USFR Apple Venture, LLC

29176 Van Dyke

13-10-353-009

C-2 & P

**VARIANCES REQUESTED: Permission to: -USE-**

Continue a Class C restaurant / banquet facility in a C-1 Zone.

The Petitioner's request was GRANTED, as written.

29176 Van Dyke

1/8/2014

PUBLIC HEARING  
SUBWAY/CORDARO/WALMART  
REPRESENTATIVE: Mr. Ed Phillips/Phillips Sign & Lighting  
COMMON DESCRIPTION: 29176 Van Dyke Ave.  
LEGAL DESCRIPTION: 13-10-353-007  
ZONE: C-2  
**VARIANCES REQUESTED: Permission to:**  
Install a "Subway" sign 100" x 21" = 15 sq. ft. on the south elevation as per the plan.  
In addition to the wall signs approved by the Zoning Board of Appeals on 11/14/12 and 5/8/13.  
Petitioner's request was **GRANTED** as stated above.

1/8/2014

29176 Van Dyke

PUBLIC HEARING

**APPLICANT: Wal-Mart Real Estate Business Trust**

REPRESENTATIVE: Atwell, LLC-Mr. Mike McPherson

COMMON DESCRIPTION: 29176 Van Dyke

LEGAL DESCRIPTION: 13-10-353-008

ZONE:

C-2 & P

**VARIANCES REQUESTED: Permission to:**

Continue two pylon signs that will become off site advertising when this lot has been split-One (1) sign on Van Dyke that will be for Wal-Mart and then tenants on east lot when split. One (1) sign on Twelve Mile that is for the east portion and will become off site advertising for Wal-Mart when this lot is split.

**Petitioner's request was GRANTED as stated above.**

29176 Van Dyke

11/14/2012

**Walmart Real Estate Business Trust, 29176 Van Dyke Ave., 13-10-353-007,** petitioner was GRANTED permission to: 1. Waive 41 required parking spaces in addition to the 371 spaces waived by the Zoning Board of Appeals (169 on 3/29/1989; 253 on 3/6/1996, 149 on 6/11/1997; 571 total spaces waived). New total of parking spaces waived: 612. 2. Continue the parking spaces at 90 degrees, 9' w x 19' l, with a 22' maneuvering lane. 3. Install eleven (11) wall signs as follows: **On the front (south) elevation:** One (1) "Walmart" sign 5'-6" x 28'-7 1/2" = 157.44 sq. ft. One (1) "sign 8' x 7' - 1 1/2" = 57 sq. ft. One (1) "Home & Pharmacy" sign 3'-5 1/2" x 28'-2 7/8" = 97.66 sq. ft. One (1) "Market" sign 2'-8 1/8" x 10'-6 1/4" = 28.17 sq. ft. One (1) "Recycle" sign 1'-4 5/8" x 4'-5 1/8" = 6.13 sq. ft. One (1) "Outdoor Living" sign 3'-4 7/8" x 22'-7 7/8" = 77.17 sq. ft. One (1) "Auto Center" sign 2'-0 3/4" x 16'-8 3/4" = 34.5 sq. ft. **Total of 458.07 sq. ft. on the south elevation** **On the west elevation as follows:** One (1) "Auto Center" sign 2'-0 3/4" x 15'-3 1/8" = 31.47 sq. ft. Two (2) "Tire" signs 1'-0 1/2" x 2'-3 3/8" = 2.38 sq. ft. each (4.76 sq. ft. total) One (1) "Lube" sign 1'-0 7/8" x 2'-11" = 3.13 sq. ft. **Total of 39.36 sq. ft. on the west elevation** **Total of 497.43 sq. ft. wall signage**

- All previous wall sign variances ARE RELINQUISHED BY PETITIONER

29176-29246-29300-29330 Van Dyke Avenue

Tech Plaza Shopping Center

(WAL MART)

Granted permission to waive 149 parking spaces, 72 in conjunction with outdoor seasonal sales, in addition to the 422 spaces previously waived by the Zoning Board of Appeals on March 6, 1996, for a total of 571 spaces, for the construction of a 127,442-square-foot, Wal-Mart store with garden center, tire lube express center, and a seasonal outdoor-sales area of approximately 15,000 square feet which is to run from March 1 to September 15, 1998.

June 11, 1997

29176 Van Dyke

6/13/2001

**WALMART & FLW BASS TOURNAMENT, 29176 Van Dyke, Also Known As 13-10-353-007 - GRANTED** request to conduct a Bass Tournament "weigh in" in the parking lot of Walmart from June 15, 2001 to June 23, 2001, 10:00 a.m. until 10:00 p.m. Also, to waive 72 parking spaces and the required five day waiting period in conjunction with this event.

29176 Van Dyke Avenue (Tech Plaza Shopping Center)  
Tech Plaza Shopping Center, Inc,  
By J.J. Gumberg Co., Agent.

Granted permission to waive an additional 253, required, off-street parking spaces in addition to the 169 spaces previously waived by the Board of Appeals on March 29, 1989. Total--422 spaces.

March 6, 1996

(TABLED From 2-14-96)

29176 Van Dyke

West Penn Realty Company

TABLED at the meeting of 10-11-78 until  
Wednesday 10-25-78.

GRANTED permission at the meeting of 10-25-78 to relocate an existing sign to the north side of the north drive to the front property line the sign is to be 24' high and the overall sq.ftg. of the sign is to be 91 sq. ft. which is to be achieved by the elimination of the 5' x 14' portion of the sign which is above the arrow. The Board also stipulated that no other signs are to be attached to this sign.

29176 Van Dyke

Intercity Neon, Incorporated

Granted permission at the meeting of 7-27-88 to erect an 18' X 18'8" (372 sq. ft.) sign, 40' high, to no less than 4' of the property line, along Van Dyke Avenue in a "P" zone. Also, permission to erect an 18' X 18'8" (372 sq. ft.) sign, 35' high, to the property line along Twelve Mile Road in a "P" zone.

29176 Van Dyke Avenue

7-12-78

K Mart Corporation

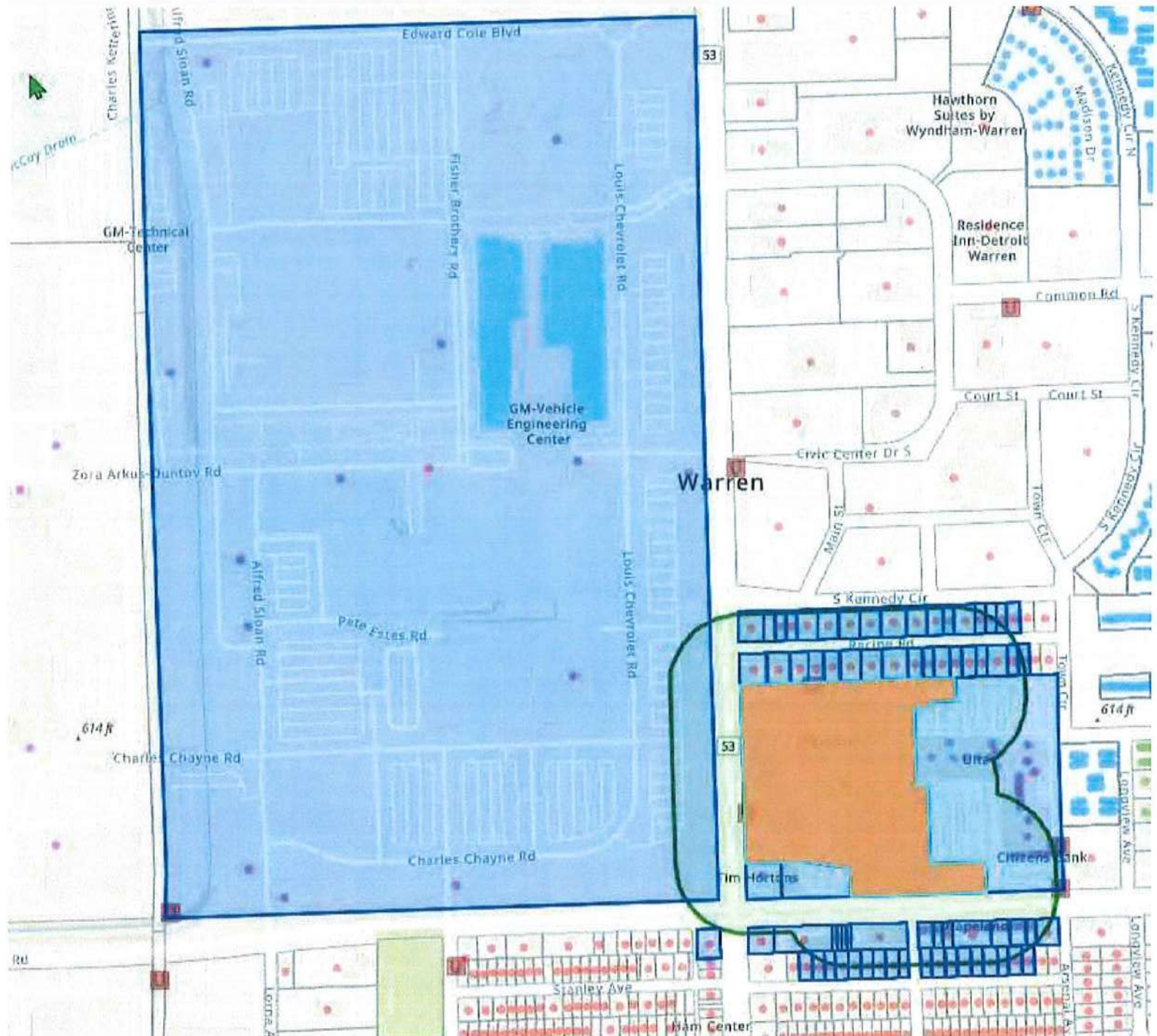
Rep. Charles E. Carmody

Request approved at the Meeting of July 12, 1978, permission to construct a 234 ft. 4 in. x 20 ft. addition to within 10 feet of the front property line along Van Dyke Avenue.

# 2023 WARREN



65  
11





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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** JENNIFER PAQUIN / PB2 ARCHITECTURE & ENGINEERING  
**Common Description:** 29176 VAN DYKE

**VARIANCE(S) REQUESTED: Permission to:**

A) Allow the following wall signage on the south elevation:

- 1) A 691.22 square ft. wall sign with 298.00 square ft. of "Walmart" and spark logo on the remaining 393.22 square ft. consisting of a decorative design element.
- 2) A 434.40 square ft. wall sign with 32.37 square ft. "pick up" and the remaining 402.03 square ft. consisting of a decorative design element.
- 3) A 412.00 square ft. wall sign with 94.90 square ft. "home & pharmacy" and the remaining 317.10 square ft. consisting of a decorative design element.
- 4) A 412.03 square ft. wall sign with 41.05 square ft. "grocery" and the remaining 370.98 square ft. consisting of a decorative design element.
- 5) A 20.67 square ft. wall sign "outdoor".
- 6) A 16.25 square ft. wall sign "auto care".
- 7) A 251.53 square ft. wall sign with 24.75 square ft. "auto care" and the remaining 226.78 square ft. consisting of a decorative design element.
- 8) Two (2) 2.33 square ft. wall signs "tire" for a total of 4.66 square ft.
- 9) A 13.47 square ft. wall sign "recycle".
- 10) A 9.33 square ft. wall sign "oil change".
- 11) Three (3) 4.91 square ft. wall signs circle with number for a total of 14.73 square ft.
- 12) A 19.21 square ft. wall sign "pharmacy" "drive-thru".

Total signage on south elevation is 2,299.50 square ft. of verbiage and 1,710.11 square ft. of decorative design element.

B) Allow the following wall signage on the north elevation:

- 1) Two (2) 2.33 square ft. wall signs "tire" for a total of 4.66 square ft.
- 2) Two (2) 4.91 square ft. wall signs circle with number for a total of 9.82 square ft.

---

**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

Total signage on north elevation is 14.48 square ft. of verbiage.

C) Allow the following wall signage on the east and west elevations:

- 1) Two (2) areas of decorative design element on the east elevation for a total of 308.12 square ft.
- 2) Three (3) areas of decorative design element on the west elevation for a total of 418.47 square ft.

Total signage is 3,040.57 square ft. with 603.87 square ft. of verbiage and 2,436.70 square ft. of decorative design element.

If approved as written previous wall sign variances will be relinquished.

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

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

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

You may e-mail: [njones@cityofwarren.org](mailto: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

## CITY OF WARREN

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

**APPLICANT:** GEOFFREY MUELLER—GENERAL MOTORS

**REPRESENTATIVE:** MICHAEL SERDIUK, AIA

**COMMON DESCRIPTION:** 30470 HARLEY EARL BLVD

**PARCEL NUMBER:** 12-13-09-100-002

**ZONED DISTRICT:** MZ, M-2, M-3

**REASON:** Petitioner seeks a variance regarding new construction.

**ORDINANCES and REQUIREMENTS:**

**SECTION 4.32 - OFF-STREET PARKING REQUIREMENTS.** In all zoning districts, off-street parking facilities for the storage or parking of self-propelled motor vehicles for use of occupants, employees, and patrons of the buildings hereafter erected, altered or extended after the effective date of this ordinance, shall be provided and maintained as herein prescribed. 19) Banks, business or professional offices. A. one (1) parking space for each two hundred (200) square feet of gross floor area. (23) Industrial establishments, including manufacturing, research and testing laboratories, creameries, bottling works, printing and engraving shops, warehouse and storage buildings. One (1) parking space for each one thousand two hundred 1,200 square feet of gross floor area

**VARIANCES REQUESTED:** Permission to:

Waive 274 required off street parking spaces.

**Previous Variance Requested:** None.

dwenson, Zoning Inspector 08/03/2023 08/07/2023 (M) (P) (C)

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT:** GEOFFREY MUELLER-GENERAL MOTORS

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

**SECTION 4.32 (H) PARKING REQUIREMENTS**

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

dwenson, Zoning Inspector

2 Wm  
#259  
8/3/2023

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 03 2023  
CITY OF WARREN  
BUILDING DIVISION  
D

PLEASE PRINT OR TYPE

Name of Applicant: Geoffrey Mueller - General Motors

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) Rodolfo Nieto - GM Operations Group Manager

Name of Representative: Michael Serdiuk, AIA Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 30470 Harley Earl Rd., Warren, MI 48093

Parcel I.D. No. (as shown on tax bill): 12-13-09-100-002

Purpose of Request: PARKING VARIANCE

Please explain the nature of your hardship:

The required parking for the site per the ordinance is 303 spaces for the proposed building square footage. We are proposing to provide 106 spaces to meet the needs of the anticipated employee count. The proposed buildings will contain large machinery that require the building to have a large footprint, however fewer workers will be needed in the buildings to conduct the manufacturing.

Signature: Michael Serdiuk  Digitally signed by Michael Serdiuk  
DN: c=US, E=mserdiuk@nsa-architecture.com, CN=Michael Serdiuk  
Date: 2023.08.01 17:07:38 -04'00' Date: 08/01/2023

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 Rodolfo Nieto

Name(s) of Person(s)

OF \_\_\_\_\_

Address, City, State

Zip

Telephone

THE Operations Group Manager OF General Motors - Global Tech Center

Title of Officer

Name of Company

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

I/We/It

\_\_\_\_\_/RECORDED LAND CONTRACT PURCHASER(S) X /RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Michael Serdiuk, AIA

Name(s) of Person(s)

\*

THE Vice President

OF

Ghafari Associates, 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 \_\_\_\_\_

L.S.

SIGNED \_\_\_\_\_

L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN

COUNTY OF Macomb

ON THIS 26<sup>th</sup> DAY OF July, 2023, BEFORE ME PERSONALLY CAME  
Rodolfo Nieto, 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.

DANA N. LIVERNOIS  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires May, 22, 2024  
Acting in the County of Macomb

Dana N. Livernois  
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: 5.22.24

**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.

Attempting to meet the parking requirements would limit the building area which would not allow for the intended space need to properly operate. We would also need to reduce the buffer area along 13 Mile Rd. which would reduce green space and landscape area for the site. There is additional parking available in the campus that no off-site parking would be required to accommodate the development.

**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 site is encumbered by the Meckler Drain along the south of the development, an ITC easement along the east of the development and the setback requirement along 13 Mile Rd. which limits the positioning of the building to allow for parking to meet the zoning requirements. The development is proposing adequate parking to account for the anticipated number of employees while not reducing the buffer along 13 Mile Rd.

**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 site is encumbered by the Meckler Drain along the south of the development, an ITC easement along the east of the development and the setback requirement along 13 Mile Rd. which limits the positioning of the building to allow for parking to meet the zoning requirements

**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 as it will allow us to maintain the buffer along 13 Mile Rd. and it will reduce the impervious surface that additional parking would require so it benefits the ability to maintain additional green space on site.

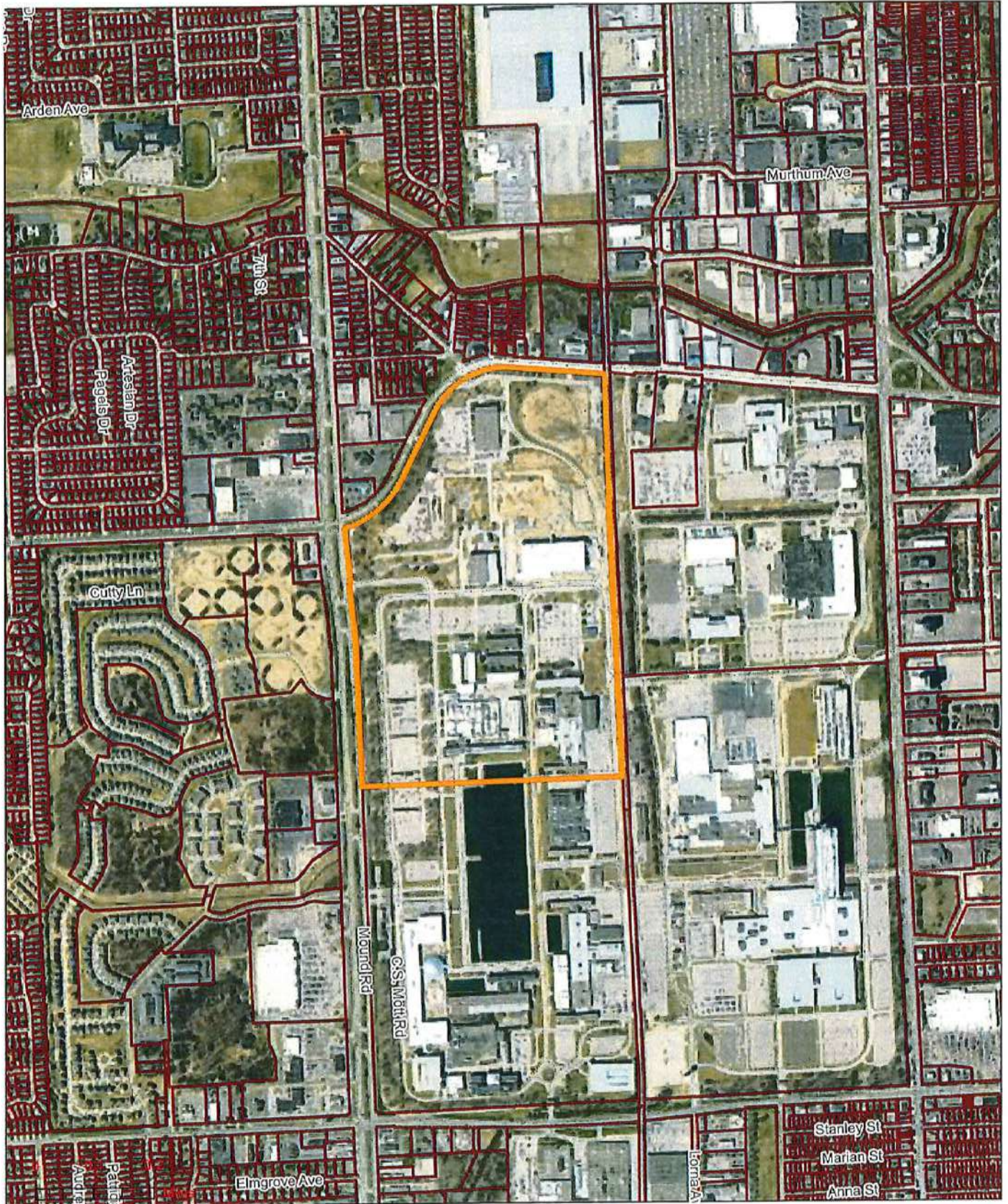
**Not personal or economic.** The variance request is not primarily related to personal or economic hardship, rather, it is related to the unique features of the property.

The variance requested is not based on personal or economic hardship but is due to the encumbrances of the site.

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

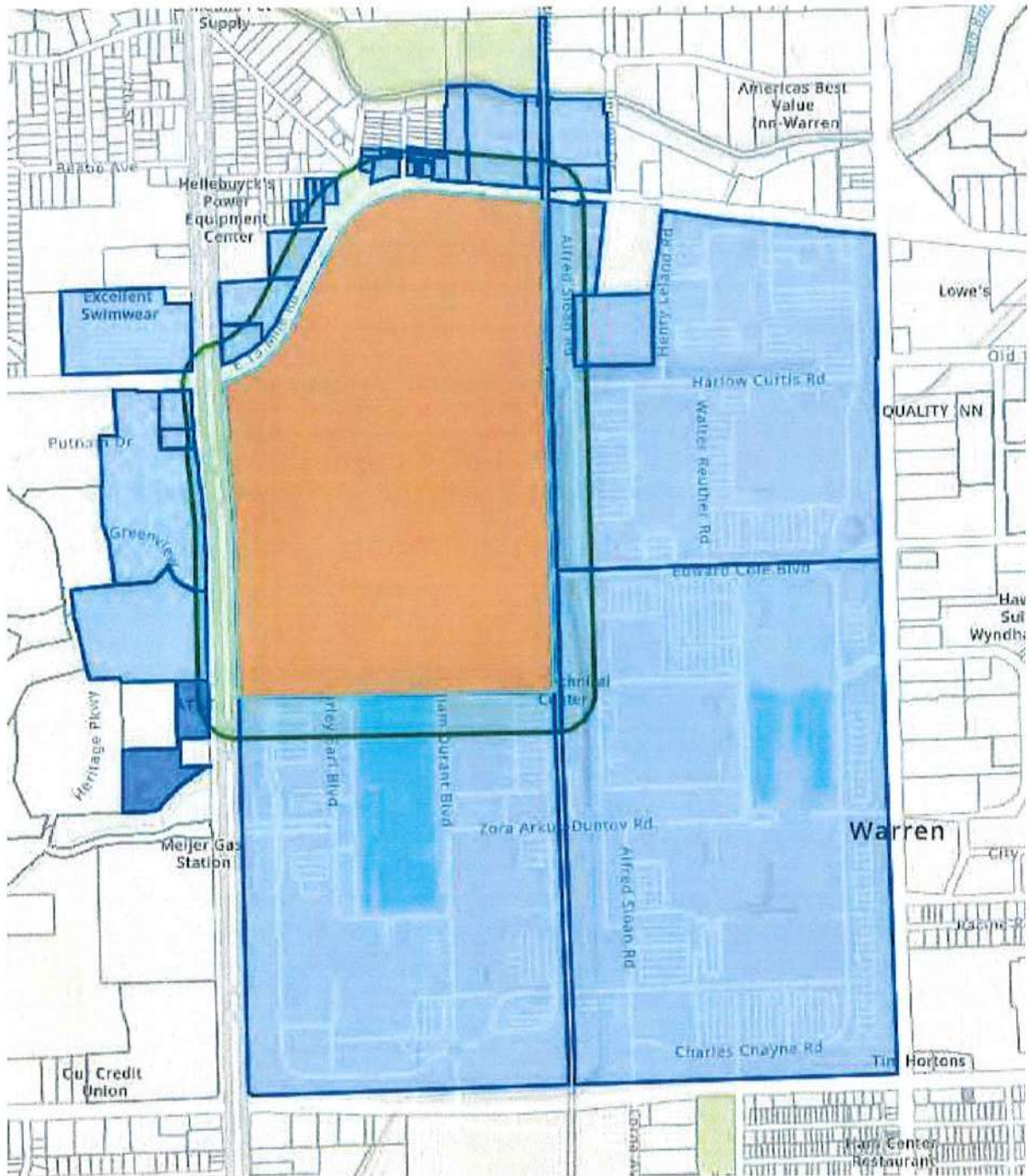
The variance is necessary to allow for the intended use of the property for research and development with a facility that is of adequate size to perform the necessary work.

# 2023 WARREN



30470 HARLEY EARL BLVD  
13-09-100-002

25



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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant: GEOFFRETY MUELLER – GENERAL MOTORS**  
**Common Description: 30470 HARLEY EARL BLVD**

**VARIANCE(S) REQUESTED: Permission to:**  
Waive 274 required off-street parking spaces.

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](mailto: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

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### 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:** SEJAD MELKIC  
**REPRESENTATIVE:** SEJAD MELKIC  
**COMMON DESCRIPTION:** 27721 SCHOENHERR  
**PARCEL NUMBER:** 12-13-14-429-030  
**ZONED DISTRICT:** O

**REASON:** Petitioner seeks variances related the extension of their mosque at 27463 Schoenherr.

**ORDINANCES and REQUIREMENTS:**

**SECTION 5.11 - CHURCHES, SCHOOLS, LIBRARIES AND CIVIC CLUBS.** Churches, synagogues, mosques, public schools, public libraries, private educational institutions, funeral homes, community buildings, country clubs, fraternal lodges or similar civic or social clubs shall be permitted with permission of the planning commission pursuant to the standards set forth in section 22.14(B) (1) and upon compliance with the following minimum requirements:

(8) Every building shall have a front yard of not less than thirty (30) feet. If a circular drive is proposed in the front yard, a distance equal to the width of the drive shall be added to the front yard setback.

(9) Every building shall have two [2] side yards of not less than twenty (20) feet each.

**VARIANCES REQUESTED:** Permission to:

1. Retain an existing building no less than 26.3 ft. from the front (east) property line.
2. Retain an existing building no less than 8.3 ft. from the side (south) property line.

**Previous Variance Requested:** See attached sheet

dwenson, Zoning Inspector 08/11/2023 08/21/2023 (M) (P) (C)

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT:** SEJAD MELKIC

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

**SECTION 5.11 - CHURCHES, SCHOOLS, LIBRARIES AND CIVIC CLUBS.**

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

dwenson, Zoning Inspector

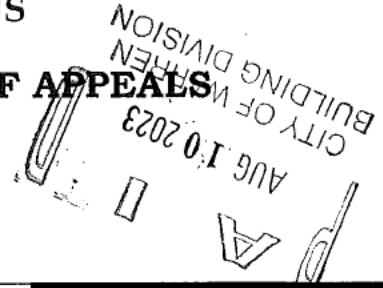
\$250 SW 8/11/23

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:

Sejad Melkic

Address:

Telephone:

Applicant's Email Address:

☐ prefer email communication

Name and Address of Property Owner (if different)

Masjid Al-Furqaan

Name of Representative:

Sejad Melkic

Telephone:

Representative's Address:

Representative's Email Address:

☐ prefer email communication

Address of Property:

27721 (27733, 27745) Schoenherr Road, Warren MI 48088

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

13-14-429-030

Purpose of Request:

Recommendation from City of Warren Planning Dept.

Please explain the nature of your hardship:

We purchased a building (accerory), as an extension to our Mosque (27643 Schoenherr)  
The existing building was bought as is, and Planning staff recommended following  
variances be obtained: (a) To retain existing building 26.3 from the east (Schoenherr  
property line. ; (b) To retain the existing building 8.3 ft from the south property line.

Signature:

Sejad Melkic

Date:

8/11/2023

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 Sejad Melkic (MASJID AL-FURQAAN)  
Name(s) of Person(s)  
OF [REDACTED]  
Address, City, State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
THE President OF Masjid Al-Furqaan  
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 Sejad Melkic \*  
Name(s) of Person(s)  
THE President OF Masjid Al-Furqaan \*  
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 [Signature] L.S.  
SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN  
COUNTY OF Macomb

ON THIS 11 DAY OF August, 20 23 BEFORE ME PERSONALLY CAME  
Sejad Melkic, 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.

There will be no burden to our neighbors and it should permit to be used as planned.

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

True. This is just the circumstance and need for us to purchase property close to the mosque for the use of parking space building 2-3 times a week.

**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.

Certainly due to it being an existing building. This is an inherited circumstance.

**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.

There is no detriment whatsoever. In fact our neighbors have been pleased with our planting of trees and beautification of 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.

Related to pre existing building location. Not due to any hardship.

**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.

Building was built as is and cannot be moved away from the fence. All neighbors know us really well and we have great relationship.

**27721 SCHOENHERR**

**05/25/2022**

LEGAL DESCRIPTION: 13-14-429-030

**- USE -**

**VARIANCES REQUESTED: Permission to**

Operate a promotions company which will include the use of embroidery machines and on site interior storage.

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

**27721, 27733 & 27745 Schoenherr 12/11/2002**

ACCREDITED HOME CARE, INC. - Bradley Putuin, CEO, 27721, 27733 and 27745 Schoenherr, Also Known As 13-14-429-030 - **GRANTED** request to erect a 12' x 8' (96 sq. ft.) illuminated ground sign, with a 4' high and 8' wide base to no less than 1' of the front property line on Schoenherr.

~~27721-27733-27745~~

~~27221-33-45-Schoenherr Road~~

Marjo Enterprises (A Michigan Limited Partnership)

Granted permission at the meeting of 4-27-88 to waive the required, eight (8) foot greenbelt and to install a six (6) foot high, chain-link fence along the south property line.

**27745 SCHOENHERR RD.**

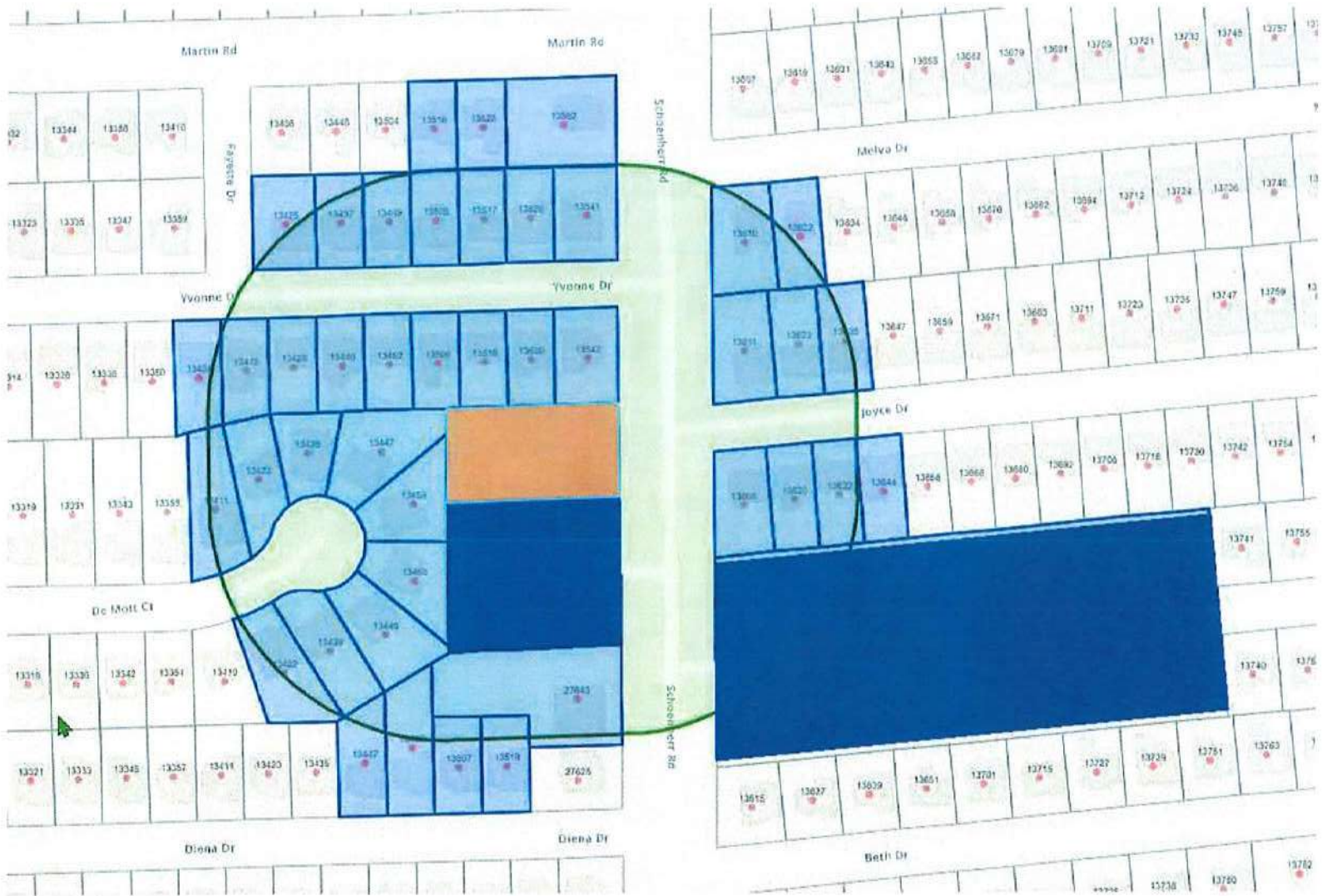
**MARJO ENTERPRISES  
( A MICHIGAN LIMITED PARTNERSHIP )**

**TABLED AT THE MEETING OF 9/12/79 UNTIL  
WEDNESDAY 9/26/79.**

**GRANTED PERMISSION AT THE MEETING OF  
9/26/79 TO ERECT A 3' X 4' GROUND SIGN, 6' HIGH  
TO NOT LESS THAN 8' FROM THE FRONT PROPERTY  
LINE.**

27721 SCHOENHERR  
13-14-429-030

45



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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** SEJAD MELKIC  
**Common Description:** 27721 SCHOENHERR

**VARIANCE(S) REQUESTED: Permission to:**

- 1) Retain an existing building no less than 26.3 ft. from the front (east) property line.
- 2) Retain an existing building no less than 8.3 ft. from the side (south) property line.

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

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

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

You may e-mail: [njones@cityofwarren.org](mailto: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: MOHAMAD ELFAKIR  
REPRESENTATIVE: MOHAMAD ELFAKIR  
COMMON DESCRIPTION: 28455 SCHOENHERR  
PARCEL NUMBER: 12-13-14-276-020  
ZONED DISTRICT: C-1

REASON: Petitioner seeks a variance related to a new business.

ORDINANCES and REQUIREMENTS:

**SECTION 13.01 - USES PERMITTED.** A drive-in restaurant is not permitted in a C-1 zone.  
**SECTION 14.01 (K) - 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: drive-in restaurant, an establishment whose principal business is to serve food that may be consumed in the building on the premises, on the premises outside the building, or off the premises. drive-in restaurants shall be permitted upon approval of the planning commission, after a public hearing has been held and it is found that the proposed drive-in restaurant meets all the requirements of the zoning ordinances and the following standards: 4. drive-in restaurant properties shall be completely enclosed with a chain-link fence with a height of four (4) feet; however, when abutting a residential property, a decorative masonry screening wall constructed to a height of six (6) feet shall be provided.

VARIANCES REQUESTED: Permission to:

- 1. Allow a drive-thru restaurant in a C-1 zone.
- 2. Waive the requirement of completely enclosing the property of a drive thru restaurant with a 4 foot chain link fence.

Previous Variance Requested: See attached sheet

**CITY OF WARREN**  
**Division of Buildings & Safety Engineering**

**NOTICE OF REJECTION**

**NAME OF APPLICANT:** MOHAMAD ELFAKIR

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

**SECTION 13.01 USES PERMITTED**  
**SECTION 14.01 (K) - USES PERMITTED.**

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

dwenson, Zoning Inspector

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

**CITY OF WARREN ZONING BOARD OF APPEALS**  
**APPLICATION FOR VARIANCE**

PLEASE PRINT OR TYPE

Name of Applicant: Mo Elfakir

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: same as above Telephone: \_\_\_\_\_

Representative's Address: \_\_\_\_\_

Representative's Email Address: \_\_\_\_\_ ☐ prefer email communication

Address of Property: 28455 Schoenherr Rd, Warren, MI

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

Purpose of Request: Use variance

Please explain the nature of your hardship:

The nature of the variance is allow for a drive-thru restaurant on the subject property. The property was previously used as a bank branch. It is currently provided with a drive-thru configuration and parking that could be utilized almost as-is. If granted, the request for the use of a drive-thru restaurant will permit adaptive reuse of an existing building that will otherwise not be usable in it's current state (bank branches are generally closing around the country). This will create economically feasible conditions for redevelopment of the building while also maintaining the context of the surrounding area.

Signature: [Signature] Date: 8.22.23

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE Mohamad Elfakir  
OF [REDACTED]  
Address, City, State \_\_\_\_\_ Zip \_\_\_\_\_ Telephone \_\_\_\_\_  
THE President OF BARAKAH VENTURES INC  
Title of Officer Name of Company  
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I \_\_\_\_\_  
X /RECORDED LAND CONTRACT PURCHASER(S) I/We/It \_\_\_\_\_  
\_\_\_\_\_/RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Mohamad Elfakir \*  
Name(s) of Person(s) \_\_\_\_\_

THE President OF BARAKAH VENTURES 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 \_\_\_\_\_ L.S.

SIGNED \_\_\_\_\_ L.S.\*

\*Leave blank if not applicable.

STATE OF MICHIGAN  
COUNTY OF Macomb

ON THIS 14 DAY OF August, 2023, BEFORE ME PERSONALLY CAME  
mohamad A-R Elfakir, 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.

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

andrea gjokaj  
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN  
MY COMMISSION EXPIRES: 6/8/2028

\*\*\*\*\*

NOTICE TO OWNER

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

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 uses permitted by the C-1 district are primarily retail in nature. Retail businesses in general are not "growing" in use. Therefore, finding a retail tenant would be challenging. The building as currently constructed is also not designed for attractive retail uses. The walls are relatively solid in nature and would require substantial reconstruction to attract retail tenants.

***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 current permitted use of the property was created by others. The surrounding area has multiple uses within a short distance of the subject property. Several of these properties are zoned C-2 which permits a drive-thru restaurant. There are very few differences between the surrounding parcels and the subject property that would differentiate these uses.

***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 unique nature of a bank branch is that the use is reducing in need as more banks move to mobile and online formats. However, the physical construction of a drive-thru and provided parking is a major investment that is expensive to replicate. The existing building can be adapted and reused with relatively minimal investment in order to create a growing use: drive-thru restaurants

***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 requested use for a drive-thru restaurant is similar to the C-2 district. Several other properties along Schoenher Rd. are zoned C-2. Their relationships to the street and surrounding parcels are generally similar to the subject property. There is a park immediately behind the subject parcel and surrounding uses are similar to the requested uses. Therefore, the context will not be changed in a detrimental manner.

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

The request use variance is necessary to avoid complete redevelopment of the subject parcel or at the very least a major investment in reconstruction.

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28455 SCHOENHERR

FIRST FEDERAL SAVINGS & LOAN  
ASSOC. OF DETROIT

GRANTED PERMISSION AT THE MEETING OF  
12/12/79N TO WAIVE THEREQUIRED GREENBELT OR  
MASONRY WALL ALONG THE WEST PROPERTY LINE.

ALSO, PERMISSION TO WAIVE THE REQUIRED  
CURBING ALONG THE WEST PROPERTY LINE WAS  
GRANTED.

28455 SCHOENHERR

FIRST FEDERAL SAVINGS

TABLED AT THE MEETING OF 2/13/80 UNTIL  
WEDNESDAY 3/12/80

GRANTED permission at the meeting of 3-12-80 to<sup>th</sup>  
erect a 6' 9" x 6' 9" sign, 20' high to not less than<sup>th</sup>  
15' of the front property line. Also, permission was<sup>th</sup>  
GRANTED to erect a 12' 3" x 4' wall sign. Also, GRANTED  
was permission to erect a 1' x 2' and a 6½' x 3' ground  
sign. The total sa.ftg. of the signage is to be 98.5 sq  
ft.

28455 Schoenherr Road

First Federal Savings of Detroit

GRANTED permission at the meeting of 5-14-80  
to erect an additional 37.5 sq. ft. wall sign  
on the north face of the building. The total  
site signage is to be 135 sq. ft.

28455 Schoenherr Rd.

FIRST FEDERAL OF MICHIGAN

FEB 12 '82

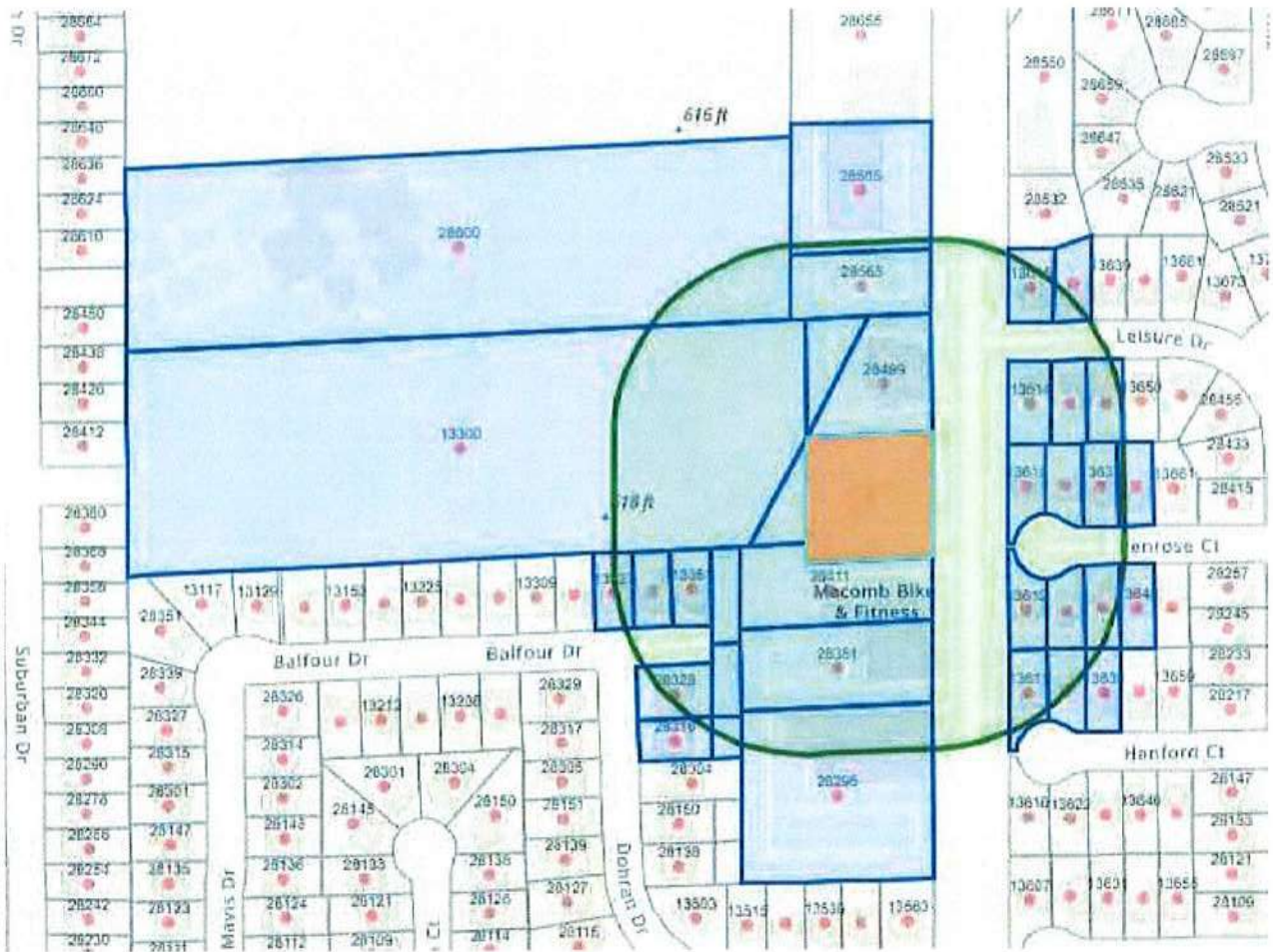
GRANTED permission to install a 1-ft. 8-in. x 6-ft. 9-in.  
(11.25 sq. ft.), illuminated sign to the bottom of the  
existing, 6-ft. 9-in. x 6-ft. 9-in. (45.46 sq.ft.),  
illuminated, pole sign previously granted on 3/12/80.  
Total -- 56.81 square feet.

# 2023 WARREN



28455 SCHOENHERR  
13-14-276-020

32





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: SEPTEMBER 13, 2023 at 7:30 P.M.**

**Applicant:** MOHAMAD ELFAKIR -USE-  
**Common Description:** 28455 SCHOENHERR

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

- 1) Allow a drive-thru restaurant in a C-1 zone.
- 2) Waive the requirement of completely enclosing the property of a drive-thru restaurant with a 4 foot chain link fence.

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](mailto: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

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**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: 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  
Name(s) of Person(s)  
OF [REDACTED]  
Address, City, State 27050 gloede investments llc Zip 48090 Telephone   
THE member OF 27050 gloede investments llc  
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) /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]  
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 [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 Ascedivan, 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.

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

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**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.

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**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.

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**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.

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**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,

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**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.  
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**Common Description:** 27048 GLOEDE

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You may e-mail: [njones@cityofwarren.org](mailto: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

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