



Roman Nestorowicz, Chairman
David Sophiea, Vice-Chairman
Paul Jerzy, Secretary
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Charles Anglin
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Charles Perry
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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, December 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, 3rd Floor, Warren, 48093.
Please call: (586) 574 - 4504

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meeting of November 8, 2023.**

6. PUBLIC HEARING: **APPLICANT: 27050 Gloede Investments LLC**
(Rescheduled from 9/13/23, 10/11/23, 11/8/23)
- REPRESENTATIVE: Angelo Jadan
COMMON DESCRIPTION: 27048 Gloede
LEGAL DESCRIPTION: 13-13-477-018
ZONE: M-2

VARIANCES REQUESTED: Permission to

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

ORDINANCES and REQUIREMENTS:

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

7. PUBLIC HEARING: **APPLICANT: Mohammed Khan -USE-**
(Rescheduled from 11/8/2023)
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 21411 Ryan
LEGAL DESCRIPTION: 13-31-428-036
ZONE: M-1

VARIANCES REQUESTED: Permission to -USE-

- 1) Construct a second driveway in addition to the existing driveway with a 24 ft. wide driveway connecting the two resulting in a “horseshoe” driveway. (Engineering approval is required to install a second approach.)
- 2) Construct a 14' x 22' = 308 square ft. garage on a non-conforming lot, no less than 5 ft. from the side (south) property line.

ORDINANCES and REQUIREMENTS:

Section 4.06 – Yard Use: No part of any require yard, except a rear or side yard shall be used for any detached garage or any accessory building other than a garage or use, or for the storage of vehicles. Any portion of a lot in front of the front building line shall be used for ornamental purposes only and nothing shall be placed thereon except trees, shrubs, or items of similar nature.

Section 17.02 – Industrial Standards: M-2 (B): Side yards, and rear yards, 20' each.

8. PUBLIC HEARING: **APPLICANT: Metro Detroit Signs**
(Rescheduled from 11/8/2023)
REPRESENTATIVE: Kevin Deters – Metro Detroit Signs
COMMON DESCRIPTION: 28532 Schoenherr
LEGAL DESCRIPTION: 13-13-101-004
ZONE: PB

VARIANCES REQUESTED: Permission to

Allow the following related to signage:

- 1) Retain an existing 8.16' high ground sign as follows:
 - a. Size: 96" x 49" = 32.7 square ft.
 - b. Under clearance: 4.08 ft.
 - c. Setback = 0, directly abuts property line, 1 ft. in from public sidewalk.

- 2) Replace an existing wall sign 1.5' x 18' = 27 square ft.

If approved total signage = 59.7 square ft. (Note: If granted the variance from 1/8/1969 for a 9 square ft. ground sign will be relinquished.)

ORDINANCES and REQUIREMENTS:

Section 4A.33 – Signs Permitted in Professional Business and Special Service Districts (P.B., S.S.): B) One on premise sign or advertising display of a size not exceeding twelve (12) square feet in area for each business on the premises shall be allowed in Professional Business Districts and Special Service Districts.

Section 4A.11 – Specific Sign Definitions: 15. Freestanding sign. A sign that is erected upon or supported by the ground and is affixed to the ground, but not attached to any building, including signs on poles or pylons that are anchored into the ground. Also called ground signs.

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.

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.

9.

PUBLIC HEARING:

REPRESENTATIVE:

COMMON DESCRIPTION:

LEGAL DESCRIPTION:

ZONE:

APPLICANT: Zachary Crawford

Same as above.

13126 Julius

13-35-282-003

R-1-C

VARIANCES REQUESTED: Permission to
Petitioner wishes to retain an existing accessory structure which is:

- 1) Eleven foot one inch (11' 1") in height.
- 2) One hundred and seventy (170) square ft. in size.
- 3) Located outside the side building lines of the dwelling.

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

10.

PUBLIC HEARING:

REPRESENTATIVE:

COMMON DESCRIPTION:

LEGAL DESCRIPTION:

ZONE:

APPLICANT: Peggy Badyna

Matthew Mouilleseaux

32564 Pine Ridge

13-03-233-007

R-1-C

VARIANCES REQUESTED: Permission to
Allow a deck no less than 29 ft. from the rear property line.

ORDINANCES and REQUIREMENTS:
Section 7.08 – Rear Yards: Each lot in R-1-C Districts shall have a rear yard depth of not less than thirty-five (35) feet.

11.

PUBLIC HEARING:

REPRESENTATIVE:

COMMON DESCRIPTION:

LEGAL DESCRIPTION:

ZONE:

APPLICANT: Ginkgo Property Group LLC

MD Haque

11 Mile

13-20-227-001

C-2

VARIANCES REQUESTED: Permission to
Construct a parking spot in the side yard setback, no closer than 13' from the side (north) property line.

ORDINANCES and REQUIREMENTS:

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

12. PUBLIC HEARING: **APPLICANT: Team Up Academy / Landmark Church**
REPRESENTATIVE: Paul Reschke
COMMON DESCRIPTION: 5717 and 5713 Thirteen Mile
LEGAL DESCRIPTION: 13-05-476-006
ZONE: MZ, C-2, P

VARIANCES REQUESTED: Permission to

- 1) Retain a building no less than 25 ft. from the north property line.
- 2) Retain two driveway approaches located closer than 500 feet to a major intersection:
 - a. Mound driveway, 404' from major intersection.
 - b. Thirteen Mile driveway, 311' from major intersection.

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 for in Section 22.14(b)(1) and upon compliance with the following minimum requirements: (3) That the driveway approaches shall not be located closer than five hundred (500) feet to a major intersection. (11) Each lot shall have a year yard of not less than forty-five (45) feet where the building does not exceed two (2) stories or thirty-five (35) feet in height. Where any building exceeds thirty-five (35) feet in height, then such building shall be setback one (1) foot in addition to the forty-five (45) feet for each foot the building exceeds the height allowed.

13. PUBLIC HEARING: **APPLICANT: Mary Treder Lang, President**
REPRESENTATIVE: John Dell'Isola, PE
COMMON DESCRIPTION: 13900 Masonic
LEGAL DESCRIPTION: 13-01-301-005
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

- 1) Allow 1,320 linear ft. of 10' high black vinyl-coated chain link fence (surrounding and within tennis court area).
- 2) Erect an accessory structure:
 - a. Outside the side building lines of the principal building.
 - b. That is 160 square ft. in size.

ORDINANCES and REQUIREMENTS:

Section 4D.32 – Specifications for Residential Areas: All fences in residential areas shall be of an ornamental type. Fences in residential areas shall not exceed four (4) feet in height and may be constructed of either metal, iron, chain link, wire, ornamental aluminum, vinyl or solid material construction such as wood, brick or masonry, except privacy fences allowed as provided in Section 4D.33 may not exceed six (6) feet in height.

Section 4.20 – Detached Accessory Buildings: (A) All detached accessory buildings shall not exceed one (1) story or ten (10) feet in height measured to the eaves and shall not occupy more than thirty (30) percent of the rear yard. Such buildings shall conform to, and shall not project

beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions: 5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

- 14. PUBLIC HEARING:** **APPLICANT: Osama Razooq**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 12980 Twelve Mile
LEGAL DESCRIPTION: 13-14-203-001
ZONE: PB

VARIANCES REQUESTED: Permission to

- 1) Split an existing parcel of land into 3 parcels with parcels "B" and "C" being 55 ft. wide
- 2) Retain an existing dwelling set back no less than 16 ft. from the front property line.

ORDINANCES and REQUIREMENTS:

Section 12.02 – Dwelling Units: In PB districts, every one-family dwelling shall comply with requirements established under Article VIII of this ordinance.

Section 8.03 – Lot Area: A one-family dwelling in R-1-P districts, together with accessory buildings, hereafter erected shall be located on a lot having an area of not less than nine thousand (9,000) square feet and with an average width of not less than sixty (60) feet; provided, however, when a community water and sewer system is provided the lot are shall not be less than seventy-two hundred (7,200) square feet and with a lot width of not less than sixty (60) feet.

Section 8.08 – Front Yard: Each lot in R-1-P districts shall have a front yard not less than twenty-five (25) feet in depth.

- 15. PUBLIC HEARING:** **APPLICANT: The Tobin Group, LLC-USE-**
REPRESENTATIVE: Benjamin Tobin
COMMON DESCRIPTION: 14721 Frazho
LEGAL DESCRIPTION: 13-24-253-014
ZONE: MZ, C-1, C-3 and P

VARIANCES REQUESTED: Permission to -USE-

Operate a medical training facility in a C-1 district.

ORDINANCES and REQUIREMENTS:

Section 13.01 – Uses Permitted in C-1: A for profit school is not an allowed use.

Section 14.01 – Uses Permitted in C-2: (I) Business schools and colleges or private schools operated for profit.

- 16. PUBLIC HEARING:** **APPLICANT: Zachary Matouka / The Yard Men-USE-**
REPRESENTATIVE: Nicholas Brass
COMMON DESCRIPTION: 26190 Groesbeck
LEGAL DESCRIPTION: 13-24-253-015
ZONE: MZ, C-3, P

VARIANCES REQUESTED: Permission to

1) Operate a landscaping business and allow 30,400 square ft. of outdoor storage as follows:

USE

- a. Outdoor storage of landscaping materials, 22,400 square ft.
 - b. Overnight truck and trailer parking related to landscaping business, 8,000 square ft.
- 2) Waive the hard surfacing of the outdoor storage area (30,400 square ft.) and replace with asphalt millings.

ORDINANCES and REQUIREMENTS:

Section 15.01 – Uses Permitted: Outdoor storage is not a permitted use.

Section 4.32 – Off-street Parking Requirements: (K) All off-street parking areas shall be provided with adequate ingress and egress, shall be hard surfaced with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent), shall be maintained in a usable dustproof condition, shall be graded and drained to dispose of all surface water, provide protective bumper curbs as per Section 4.32 (i) and 16.07, and shall otherwise comply with Section 2.46 and 16.05 of this ordinance.

Section 17.02 – Industrial Standards: (S) Open storage other than junk. All open storage shall be located in a designated area approved by the Planning Commission as a part of site plan approval. The area shall be enclosed on three (3) sides by chain link fencing with metal/plastic slats used for screening as deemed necessary by the Planning Commission.

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 9/13/2023, 10/11/23, 11/8/23 6

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: 27050 GLOEDE INVESTMENTS LLC

REPRESENTATIVE: ANGELO JADAN

COMMON DESCRIPTION: 27048 GLOEDE

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

ZONED DISTRICT: M-2

REASON: Petitioner seeks a variance for storage container.

ORDINANCES and REQUIREMENTS:

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

VARIANCES REQUESTED: permission to:

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

Previous Variance Requested: See attached sheet

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

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: 27050 GLOEDE INVESTMENTS LLC

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

SECTION 4G.11 - PROHIBITIONS.

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

dwenson, Zoning Inspector

\$250 fee
8/21/2023

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

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: [REDACTED] 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

I, WE _____ angelo jadan _____
 OF _____ Name(s) of Person(s) _____
 _____ Address, City, State _____ Zip _____ 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) _____

ZBA Application.DOC 11/29/17

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

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

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

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

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

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

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

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

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

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

Extra Storage for packaging materials that are
not Cannabis products,

27048 GLOEDE

09/22/2021

LEGAL DESCRIPTION: 13-13-477-018

VARIANCES REQUESTED: Permission to

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

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

2023 WARREN



13



Rescheduled from 11/8/23

7

CITY OF WARREN

ZONING BOARD OF APPEALS - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: MOHAMMED KHAN

REPRESENTATIVE: MOHAMMED KHAN

COMMON DESCRIPTION: 21411 RYAN

PARCEL NUMBER: 12-13-31-428-036

ZONED DISTRICT: M-1

REASON: Petitioner wishes to construct a garage and driveway which will expand this non-conforming property.

ORDINANCES and REQUIREMENTS:

SECTION 4.06 - YARD USE. No part of any required yard, except a rear or side yard shall be used for any detached garage or any accessory building other than a garage or use, or for the storage of vehicles. Any portion of a lot in front of the front building line shall be used for ornamental purposes only and nothing shall be placed thereon except trees, shrubs, or items of similar nature.

SECTION 17.02 - INDUSTRIAL STANDARDS. M-2 (B) Side yards, and rear yards, 20' each.

VARIANCES REQUESTED: Permission to:

1. Construct a second driveway in addition to the existing driveway with a 24 ft. wide driveway connecting the two resulting in a "horseshoe" driveway. (Engineering approval is required to install a second approach.)
2. Construct a 14' x 22'=308 sf garage on a non-conforming lot, no less than 5 ft. from the side (south) property line.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 10/02/2023 10/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: MOHAMMED KHAN

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 4.06 YARD USE
SECTION 17.02 INDUSTRIAL STANDARDS

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 10/2/23

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

X Name of Applicant: Mohammed N. Khan

X Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) _____

X Name of Representative: Mohammed N. Khan Telephone: [REDACTED]

X Representative's Address: [REDACTED]

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

X Address of Property: 21411 Ryan Road

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

Purpose of Request: a circular Driveway

Please explain the nature of your hardship:

I will ~~not~~ install a circular driveway to allow for
the safe exit from my property. Ryan Road is
so much busy Road becuz car not safe.
Thanks.

Signature: [Signature] Date: 9-20-23

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 Mohammed N Khan
Name(s) of Person(s)
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone
THE _____ OF _____
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT _____
I/We/It
_____/RECORDED LAND CONTRACT PURCHASER(S) ☒/RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

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

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

FURTHER, DEPONENT SAYS NOT.

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

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 2 DAY OF October, 2023, BEFORE ME PERSONALLY CAME
Mohammed Khan, 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.

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 a circular driveway, it's very dangerous to exit my driveway as it's hidden when traveling south of Ryan Rd. An accident already happened when I first moved in. Also, it's difficult to enter the driveway since it's hidden and the rear vehicle is unaware of where I'm turning into, sometimes with close vehicles, I need to turn on emergency lights.

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

This property was bought as is with the straight driveway. This condition was not created by me nor a 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.

Neighboring houses don't have a straight driveway like my property. They have a clear entry and exit path. There is also a leaking issue in the basement area; the contractor that came out said there needs to be an adjustment made with the driveway since it is downward sloped.

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 permission/approval to build a circular driveway will have no issues with any neighbors as the neighbors themselves have a separate exit pathway if they wish to use it. The left portion of the land is owned by me.

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.

Again, this is more of an accident waiting to happen if one of more of my family members are not careful. My younger son and daughter live with me and they have extreme difficulty entering and exiting the driveway during rush hour times.

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.

To reiterate, other properties in the same zoning district have safe and clear entry/exit paths from their driveway. Our driveway causes confusion and may result in future accidents due to it being hidden.

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 garage will need to be built in the zoning district as there is not enough space for it in the residential area. Enough space will be needed to build a larger and more safe driveway as well as the garage.

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 property was bought without a garage, as is with a straight driveway.

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.

Neighboring houses do not have a straight driveway like my property and have a garage. They have a clear entry and exit pathway, unlike my 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; will not alter the essential character of the area; and will not cause public safety concerns.

Granting permission for the driveway and garage will cause no issues with any neighbors as they themselves have separate exit paths/driveways as well as a garage of their own.

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

Not having a garage puts vehicles at risk as bad weather conditions can knock down trees, which has happened in the past. The driveway is necessary as my family members have extreme difficulty entering and exiting during rush hour.



BUILDING DIVISION
ONE CITY SQUARE, SUITE 305
WARREN, MI 48093-2391
(586) 574-4504
FAX (586) 574-4577
www.cityofwarren.org

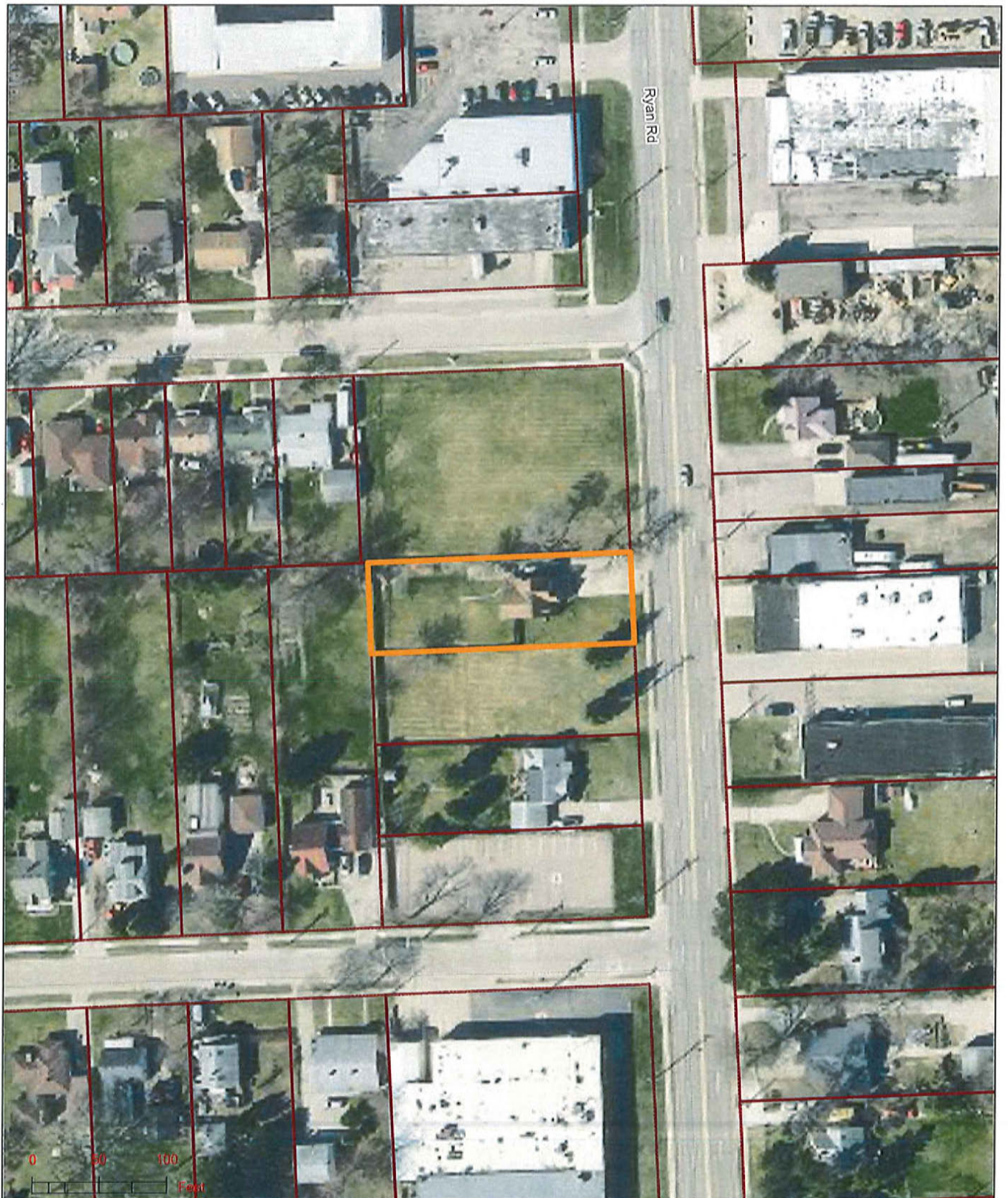
April 8, 2015

I Mohammed Khan owner of 21411 Ryan will remove the hard surface area in front yard that is not the driveway and replace with grass. I will install a circular driveway to allow for the safe exit from my property. I will not allow any parking of vehicles on this circular driveway, which is only to use to exit from the property. Parking is not allowed in the front setback of the property.

A handwritten signature in black ink, appearing to read "Mohammed Khan", written over a horizontal line.

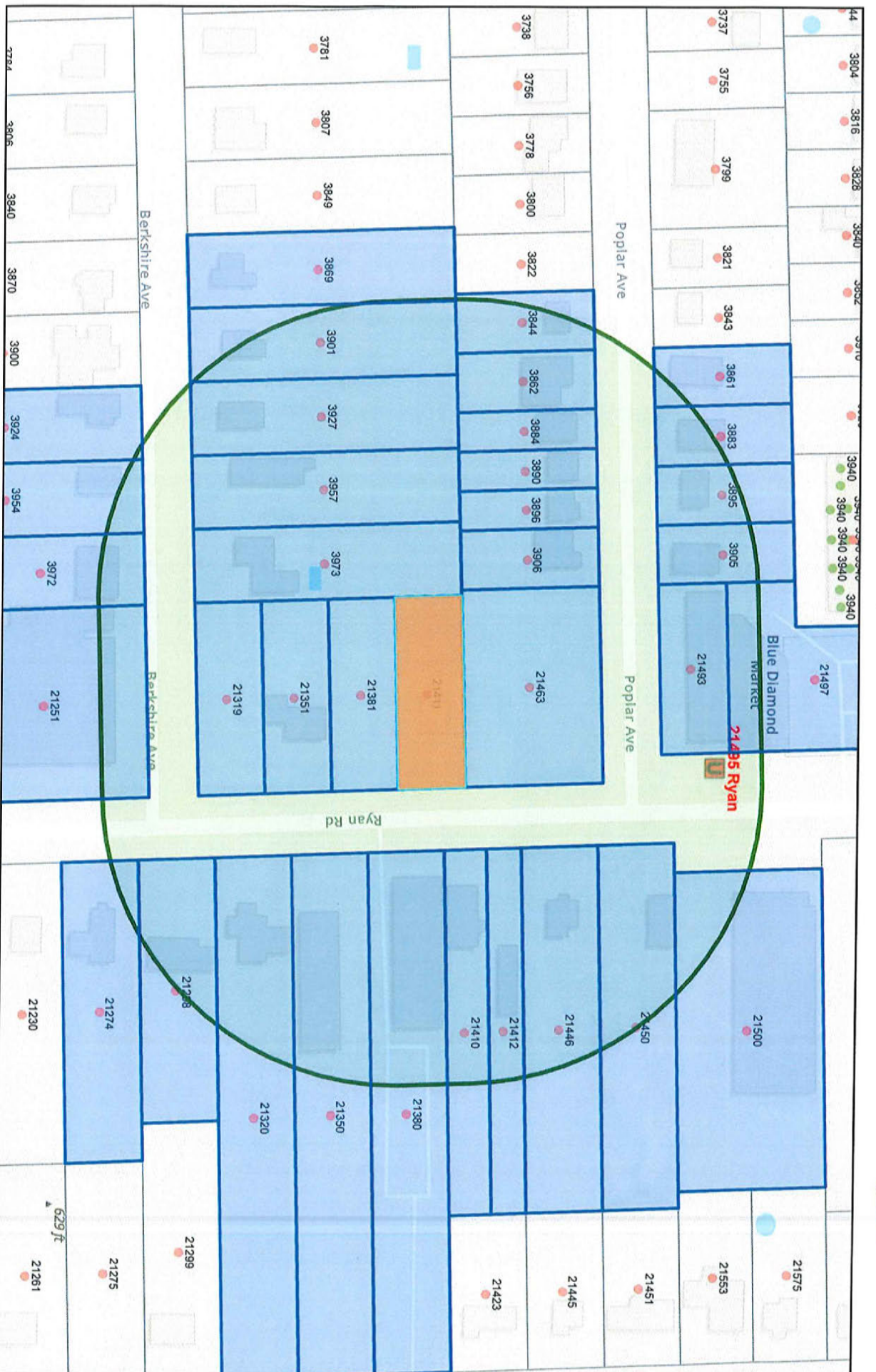
Lynne A. Mark
Chief Zoning Inspector

2023 WARREN



21411 Ryan - 13-31-428-036

33



10/23/2023, 4:05:56 PM



Utility Address Points

Site Address Point



Building



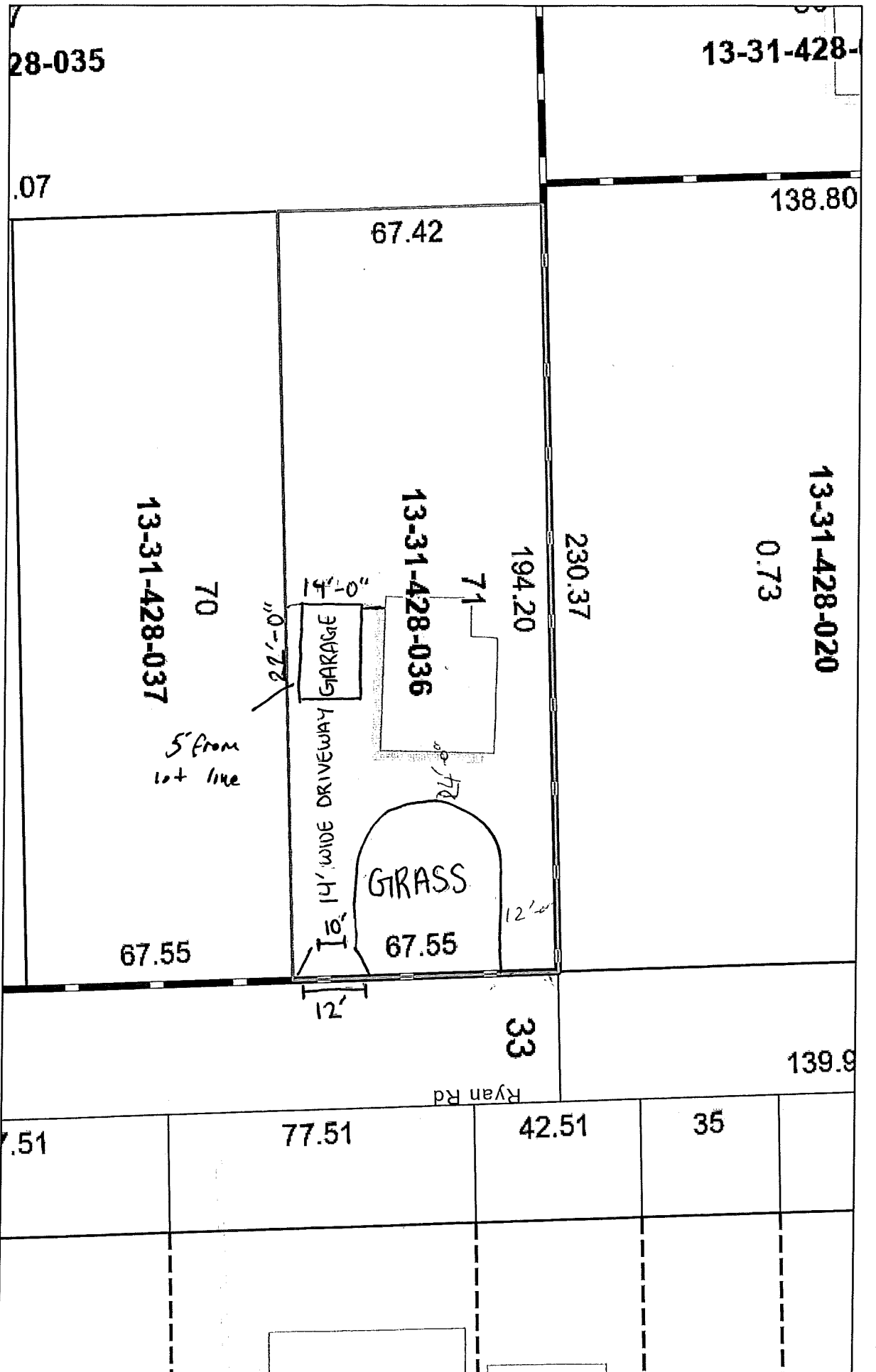
Apartment



Parcels

1:2,257
0 0.01 0.03 0.05 mi
0 0.02 0.04 0.09 km
Sources: Esri, Airbus DS, USGS, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA, ArcGIS Web AppBuilder

ArcGIS Web Map



9/20/2023, 2:10:50 PM

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Eri Community Maps Contributors, Province of Ontario, SEMCOG, © OpenStreetMap, Microsoft, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc. METNUSA, USGS, EPA, NPS, IIS, Census Bureau, USDA, NRCAN, Parks Canada, This Internet ArcGIS Web AppBuilder

Rescheduled from 11/8/23

8

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: METRO DETROIT SIGNS
REPRESENTATIVE: KEVIN DETERS AT METRO DETROIT SIGNS
COMMON DESCRIPTION: 28532 SCHOENHERR
PARCEL NUMBER: 12-13-13-101-004
ZONED DISTRICT: PB

REASON: Petitioner wishes to update signage.

ORDINANCES and REQUIREMENTS:

SECTION 4A.33 - SIGNS PERMITTED IN PROFESSIONAL BUSINESS AND SPECIAL SERVICE DISTRICTS (P.B., S.S.). B) One on premise sign or advertising display of a size not exceeding twelve (12) square feet in area for each business on the premises shall be allowed in Professional Business Districts and Special Service Districts.

SECTION 4A.11 - SPECIFIC SIGN DEFINITIONS. 15. Freestanding sign. A sign that is erected upon or supported by the ground and is affixed to the ground, but not attached to any building, including signs on poles or pylons that are anchored into the ground. Also called ground signs.

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.

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

VARIANCES REQUESTED: Permission to:

Allow the following related to signage:

1. Retain an existing 8.16' high ground sign as follows:

A. Size: 96" x 49"=32.7 sf.

B. Under clearance: 4.08 ft.

C. Setback= 0, directly abuts property line, 1 ft. in from public sidewalk.

2. Replace an existing wall sign 1.5' x 18'=27 sf.

If approved total signage= 59.7 sf. (Note: if granted the variance from 1/8/1969 for a 9 sf ground sign will be relinquished.)

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 10/12/2023 10/19/2023 (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.33 SIGNS PERMITTED IN PB DISTRICTS

SECTION 4A.11 SPECIFIC SIGN DEFINITIONS

SECTION 4A.19 CLEARANCE

SECTION 4A.17 SETBACKS

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

dwenson, Zoning Inspector

\$365.30
pd 10/12/23

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: Metro Detroit Signs

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) John Poqqiolo

[REDACTED]

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: 28532 Schoenherr Rd

Parcel I.D. No. (as shown on tax bill): 12-13-13-101-004

Purpose of Request: Request to install a 4.083' x 8' (32.6 sq feet) face change on the existing monument sign at

8.16' OAH with a 4.077' underclearance and a 0' setback (1 foot from the sidewalk). Also a request to install a wall

sign at 1.5' x 18' (27 sq feet).

Please explain the nature of your hardship:

This site is zoned PB, which means they can have one sign at 12 sq feet. On 1/8/69 they received a variance for a
ground sign at 7 sq feet. The sign has changed on the existing posts a few times since then. The existing wall sign
has a permit but not a variance. The proposed face change on the existing monument sign and the proposed
replacement wall sign are very reasonable in size and are justified. Vision Associates are just updating their
existing signs "like for like" with their new colors and logo.

Signature: Kevin Deters Date: 10-12-23

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE John Carl Paggiolo OD

OF [REDACTED]

THE President OF VISION ASSOCIATES, PC
Address, City, State Zip Telephone
Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT 1

1 I/We/It
_____/RECORDED LAND CONTRACT PURCHASER(S) 1_____/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 [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

SIGNED John C. Paggiolo L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF MACOMB

ON THIS 12th DAY OF October, 2023, BEFORE ME PERSONALLY CAME
John C. Paggiolo, 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.

THERESA ANN LICAVOLI
Notary Public, State of Michigan
County of Macomb

Theresa Ann Licavoli
NOTARY PUBLIC, MACOMB COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 6/2/27

My Commission Expires 06-02-2027
Acting in the County of MACOMB

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.

This site is zoned PB, which means they are allowed one sign at 12 sq feet. Allowing only one 12 sq foot sign would be insufficient. We are simply asking for a face change on the existing ground sign and then a replacement wall sign that is comparable in size to their existing wall sign, which has a permit

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

This site is in the PB zoning district. The current tenant Vision Associates is replacing their existing signage "like for like" to reflect their new colors & logo. The need for a variance to allow more than one sign at 12 sq feet was not created by vision associates. They are simply updating their existing signs.

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.

We are asking for a face change on the existing ground sign and a wall sign to replace their existing wall sign. This site is unique in that the nonconforming signs already exist. We need a variance because the PB district still only allows one sign at 12 sq feet. The new signs we are asking for are "like for like." They are almost identical to the existing signs. The new signs will reflect Vision Associates' new colors and logo.

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 signs are almost identical to the existing signs. Therefore, they will not be a detriment to neighboring properties, and they will not cause any safety concerns.

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

These new signs are proposed to reflect Vision Associates' new colors and logo. The new signs are the same size as the existing signs. We just need a variance because the PB district still only allows one sign at 12 sq feet.

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.

Unless the variance is granted, Vision Associates would be stuck with their older looking signs. The proposed new signs look much nicer. We are simply asking for a face change on the ground sign and to install a new replacement wall sign. This is essentially a "like for like" sign changeover to reflect their new colors and logo.

28532 Schoenherr Rd.

Luis Charbonier

Rep: Donald McColley
29277 Little Mack, Roseville

Request granted at Meeting of Jan. 8, 1969.

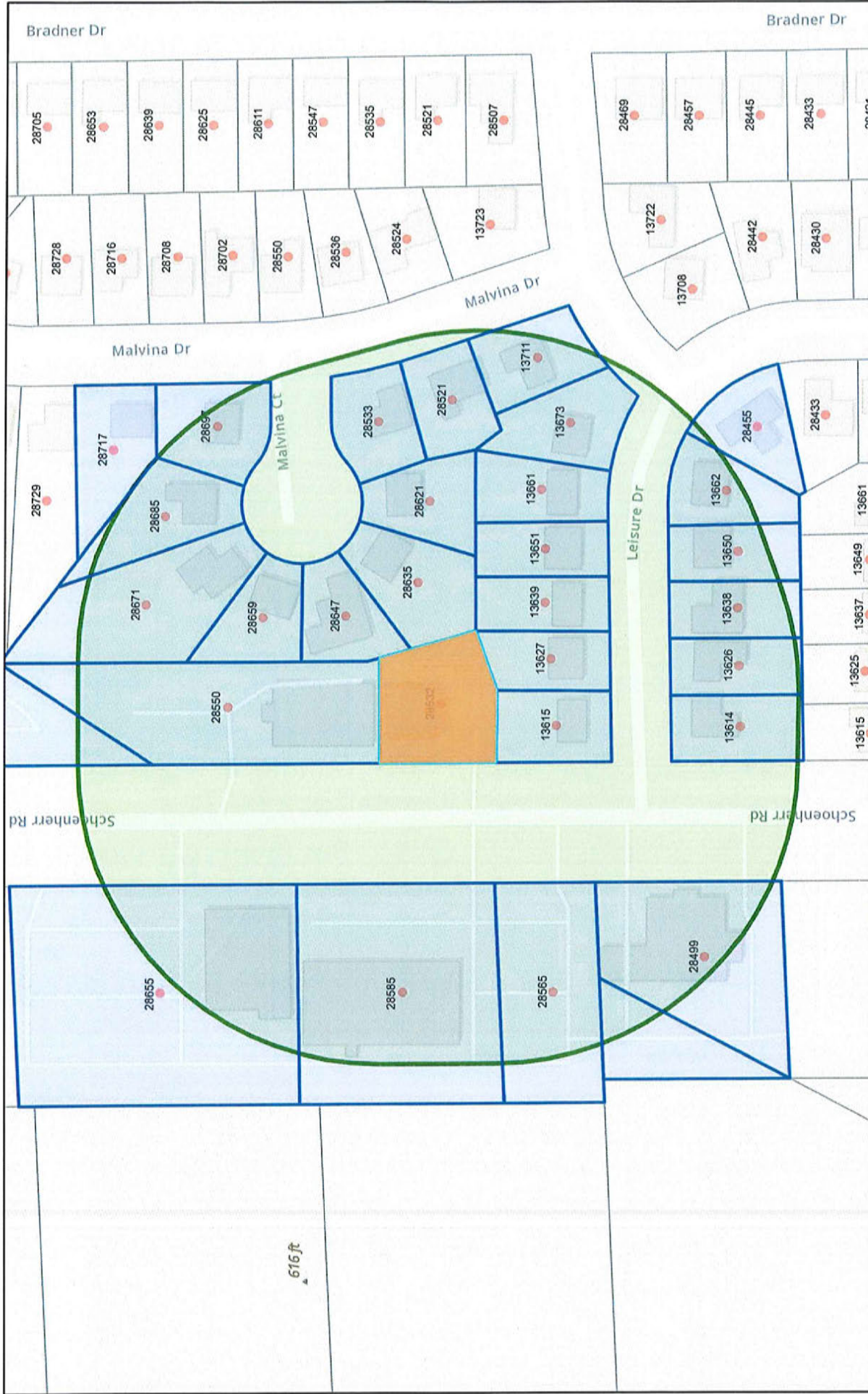
To erect a 3'x3' sign 6' 2" high,
2' from the front PL.

2023 WARREN



28535 Schoenherr - 13-13-101-004

29



10/23/2023, 3:46:54 PM

Site Address Point ☐ Parcels

● Building

1:2,257

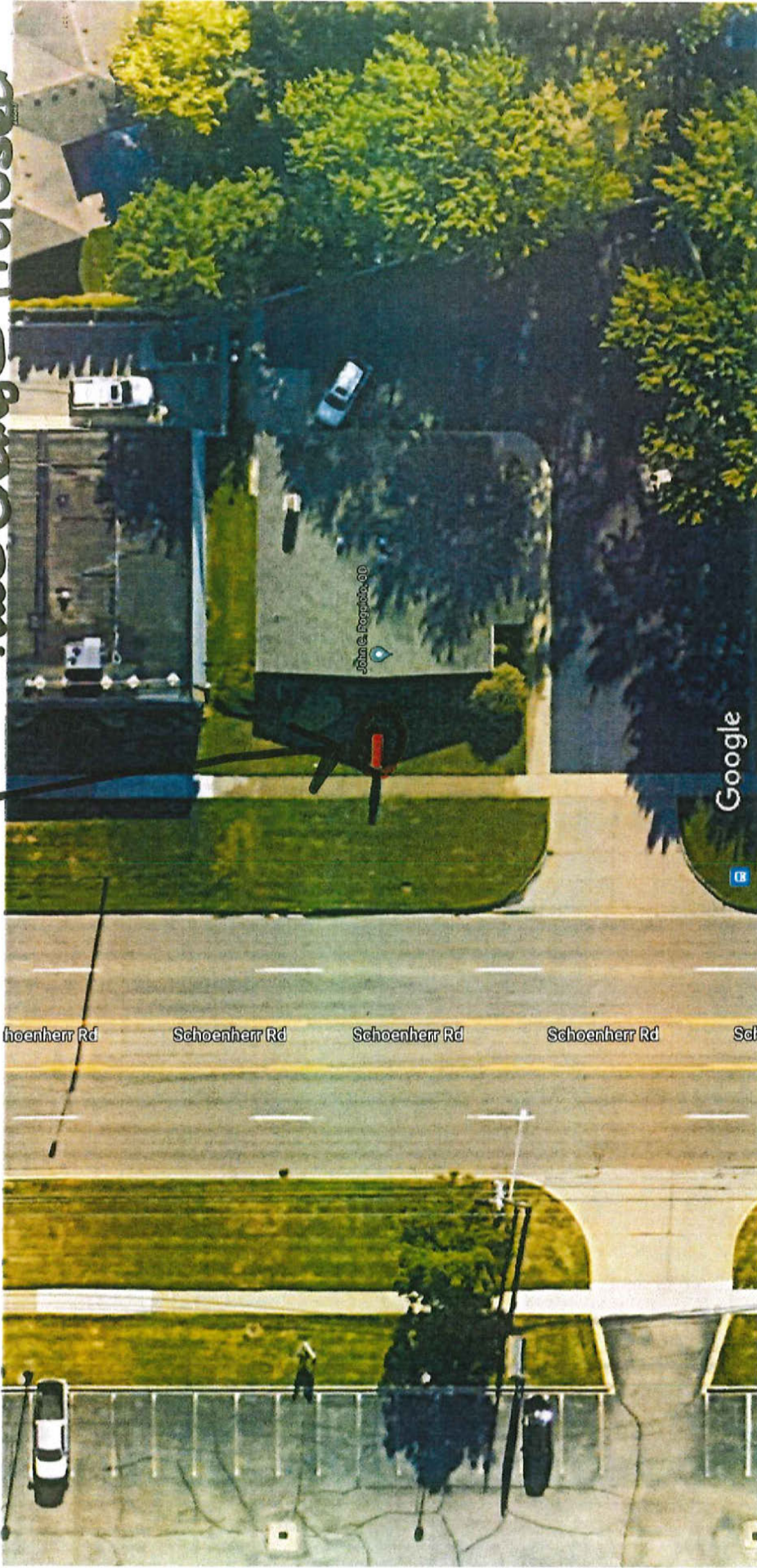
0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

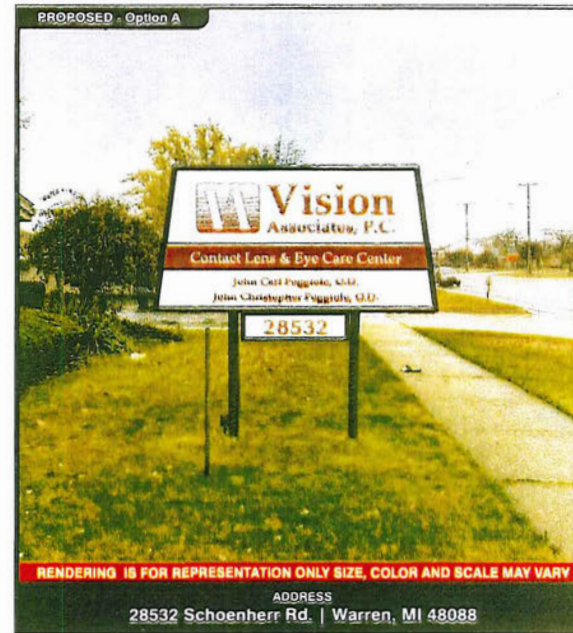
Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastysreien, Rijkswaterstaat, GSA, Geoland, FEMA, ArcGIS Web AppBuilder

N
↑ Site Plan

⊖ = Existing Monument Sign
- Face Change Proposed



Face change Proposed - $4.083' \times 8' = 32.6 \text{ ft}^2$
 8.16' overall height / 4.077' underclearance



SIGN DIMENSIONS

49"x96" Sign Face 32.83 Sq. Ft.
 10.25"x36.50" Sign Face 2.59 Sq. Ft.

NOTES

- Face Replacements for Existing, Double Sided, Illuminated Pylon Sign
- Verify All Measurements



3M Burgundy Translucent



Sales Person: Eric Ropelewski

Drawn By: Connie Fotiu

Date: 3/16/2023

File Name: Vision Associates 221079.cdr
 Monument Sign Pg 4 D-03

Revision:

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Customer Signature

Date

Project Number:

221079



METRO DETROIT SIGNS
 11446 Ruffe Ave
 Warren, MI 48088
 Phone: 588-750-2766
 www.metrodetroit.com



Existing Sign at 8.16' OAH

- Face change proposed
- Setback 1' to sidewalk
- Setback 29' to Schoenherr Rd.



Proposed new wall sign is 1.5' x 18' = 27 sq ft
 Building Facade is 13' high x 48' wide / 10' underclearance



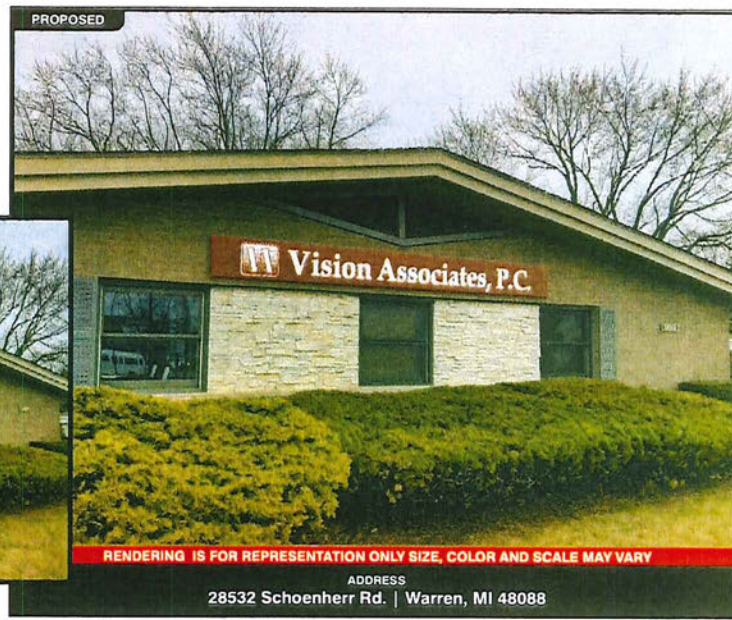
CONFIRM LENGTH OF EXISTING SIGN



3M Burgundy



PMS# 697c



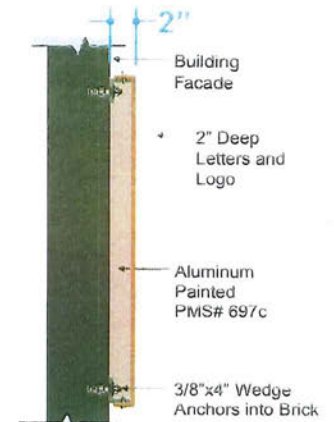
RENDERING IS FOR REPRESENTATION ONLY SIZE, COLOR AND SCALE MAY VARY

ADDRESS
 28532 Schoenherr Rd. | Warren, MI 48088

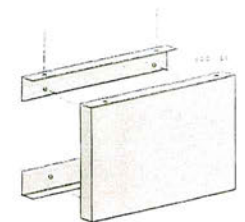
SIGN DIMENSIONS

18"x216" Overall - 27 Sq. Ft.

PAN FACE



Backer Material	Color
2" Deep Fabricated Aluminum	PMS# 697c
Letters	Color
2" Deep Fabricated Aluminum	White



Sales Person: Eric Ropelewski

Drawn By: Connie Fotiu

Date: 4/7/2023

File Name: Vision Associates 230580.cdr
 Wall Sign Design02 Pg 2

Design02
 Revision: XXX

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Customer Signature _____

Date _____

Project Number:
230580



METRO DETROIT OFFICE
 11444 Kalfus Ave
 Warren, MI 48092
 Phone: 586-750-2700

WWW.METRODETROIT.COM
 f i n

Existing wall sign to be replaced



Existing West Elevation facing Schoenherr Rd.



CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: ZACHARY CRAWFORD

REPRESENTATIVE: ZACHARY CRAWFORD

COMMON DESCRIPTION: 13126 JULIUS

PARCEL NUMBER: 12-13-35-282-003

ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to retain an accessory structure.

ORDINANCES and REQUIREMENTS:

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

VARIANCES REQUESTED: Permission to:
Petitioner wishes to retain an existing accessory structure which is:

1. Eleven feet one (11' 1") inch in height.
2. One hundred and seventy (170) sf. in size.
3. Located outside the side building lines of the dwelling.

Previous Variance Requested: None.

dwenson, Zoning Inspector 09/25/2023 10/03/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: ZACHARY CRAWFORD

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

Div 1
#09500
9/25/23

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

PAID
SEP 25 2023
CITY OF WARREN
BUILDING DIVISION

PLEASE PRINT OR TYPE

Name of Applicant: Zachary Crawford

Address: [REDACTED] Telephone: [REDACTED]

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

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

Name of Representative: JAME Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: _____

Parcel I.D. No. (as shown on tax bill): 12-13-35-282-003

Purpose of Request: RETAIN A ~~12' X 16'~~ (160sf) ACCESSORY
STRUCTURE (CARPORT).

10 X 17

Please explain the nature of your hardship:

I purchased this home unaware that
the carport was built without a permit.
I am looking to see if I can keep it
without a door on it.

Signature: [Signature] Date: 09/03/2023

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 Zachary Crawford
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE _____ OF _____
Title of Officer _____ Name of Company _____
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I
_____/RECORDED LAND CONTRACT PURCHASER(S) X/RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

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

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

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

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 25 DAY OF September, 2023, BEFORE ME PERSONALLY CAME
Zachary Crawford, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT he DID SO OF his OWN FREE WILL AND DEED.

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

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

NOTICE TO OWNER

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

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

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

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

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

would like to keep to use for storage for vehicle looking to see if can do without a door on the car port.

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

~~same~~ Looking to see if I can keep without a door if possible, was unaware of structure not having been done correctly.

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.

~~same~~ Car port does appear to have A rat wall.

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.

~~same~~ Neighbors informed me of structure being there for some time no complaints

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.

~~same~~ Ideally carport is good to have for storage of vehicle and yard maintenance equipment storage as well as pool supplies.

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.

~~same~~ Reason for this is to try and keep without door and ensure all is safe and right.

ZONING Enforcement | E23-02924**Property Information**

12-13-35-282-003	13126 JULIUS	Subdivision:	
	WARREN MI, 48089	Lot:	Block:

Name Information

Owner:	CRAWFORD ZACHARY	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	05/26/2023	Date Closed:	Status:
Complaint:	LARGE STRUCTURE IN REAR YARD W/O A PERMIT (SEE ATTACHED PIC).		
Last Action Date:		Last Inspection:	09/26/2023
Last Action:			

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Scheduled	Result:	
Scheduled:	11/10/2023	Completed:	

Comments:

Scheduling Comment CHECK FOR RESULTS FROM ZBA MEETING FROM 11/8/23 FOR CARPORT STRUCTURE.

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Completed	Result:	No Violation
Scheduled:	09/26/2023	Completed:	09/26/2023

Comments:

CHECK IF OWNER APPLIED FOR ZBA FOR CARPORT STRUCTURE IN REAR YARD. ON 9/18/23 PROPERTY OWNER CAME IN TO SUBMIT, NEEDED ADDITIONAL DOCUMENTS, GAVE A WEEK TO SUBMIT. -SW

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Completed	Result:	No Change
Scheduled:	09/18/2023	Completed:	09/18/2023

Comments:

Scheduling Comment CHECK IF OWNER APPLIED FOR ZBA FOR CARPORT STRUCTURE IN REAR YARD. 9/18/23 CALLED AND SPOKE TO ZACHARY. HE STATED HE IS COMING IN ON HIS LUNCH HOUR TODAY TO APPLY.-BS

PROPERTY OWNER PROPERTY OWNER CAME IN TO SUBMIT, NEEDED ADDITIONAL DOCUMENTS, GAVE A WEEK TO SUBMIT. -SW

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Completed	Result:	No Change
Scheduled:	08/23/2023	Completed:	08/23/2023

Comments:

Scheduling Comment CALL PROPERTY OWNER REGARDING CARPORT STRUCTURE

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Completed	Result:	Violation(s)
Scheduled:	08/15/2023	Completed:	08/15/2023

Comments:

Scheduling Comment CHECK IF HE APPLIED FOR BUILDING PERMIT ON 6/30/23 LIKE HE STATED VIA HIS VM.

6/30/23 - GAVE UNTIL AUG 15 TO SUBMIT ZBA APP OR REMOVE CARPORT. -EM

FOLLOW-UP Inspection | BRIAN SCHUMAN

Status:	Completed	Result:	No Change
Scheduled:	06/29/2023	Completed:	06/29/2023

Comments:

Scheduling Comment ACCESSORY STRUCTURE W/O PERMIT

ENF LETTER Inspection | BRIAN SCHUMAN

Status: Completed

Result: Violation(s)

Scheduled: 05/31/2023

Completed: 05/31/2023

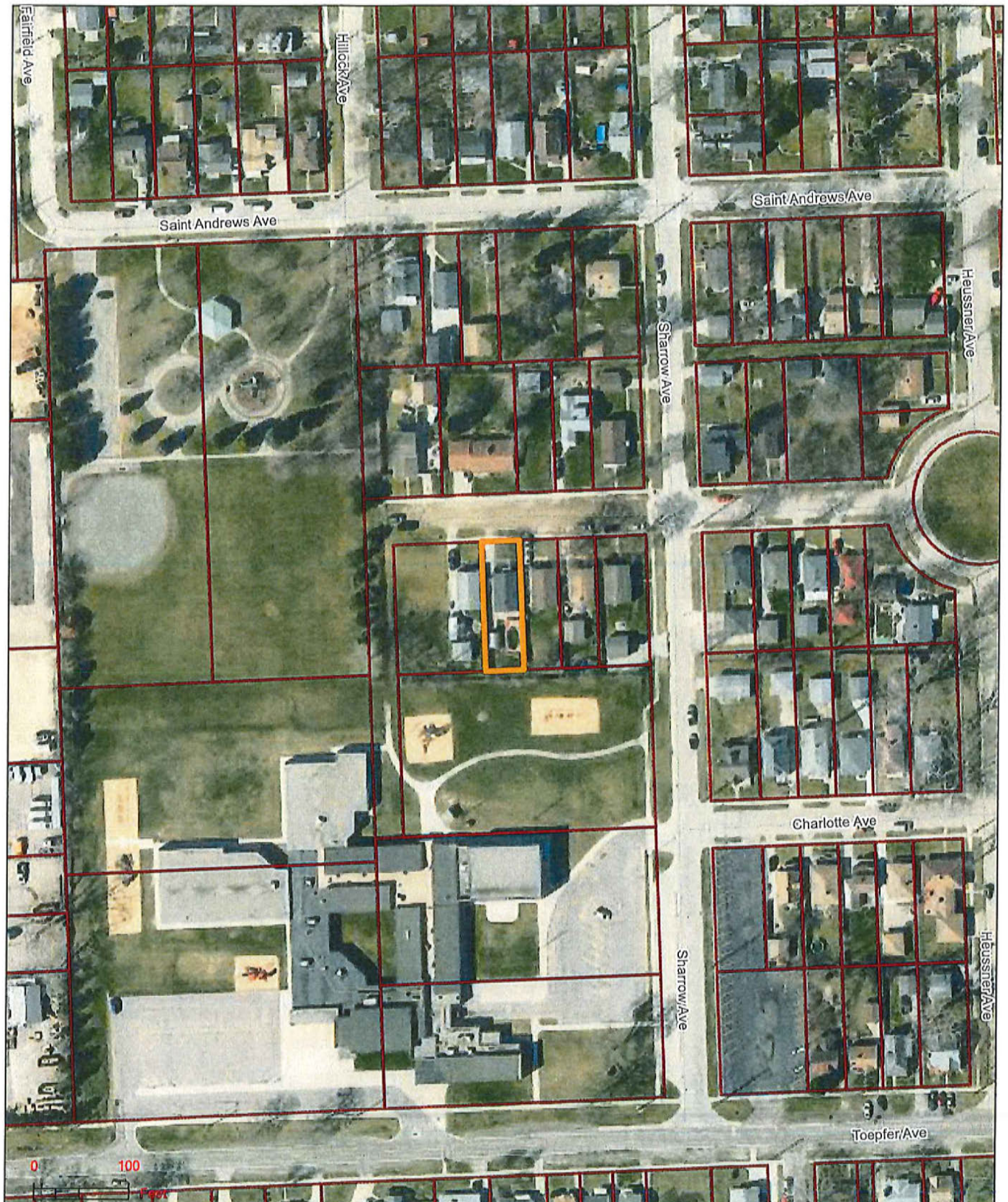
Violations:

Uncorrected SECTION 4.20 (A) 1. REMOVE LARGE ACCESSORY STRUCTURE IN REAR YARD OR OBTAIN BUILDING PERMIT.

Comments:

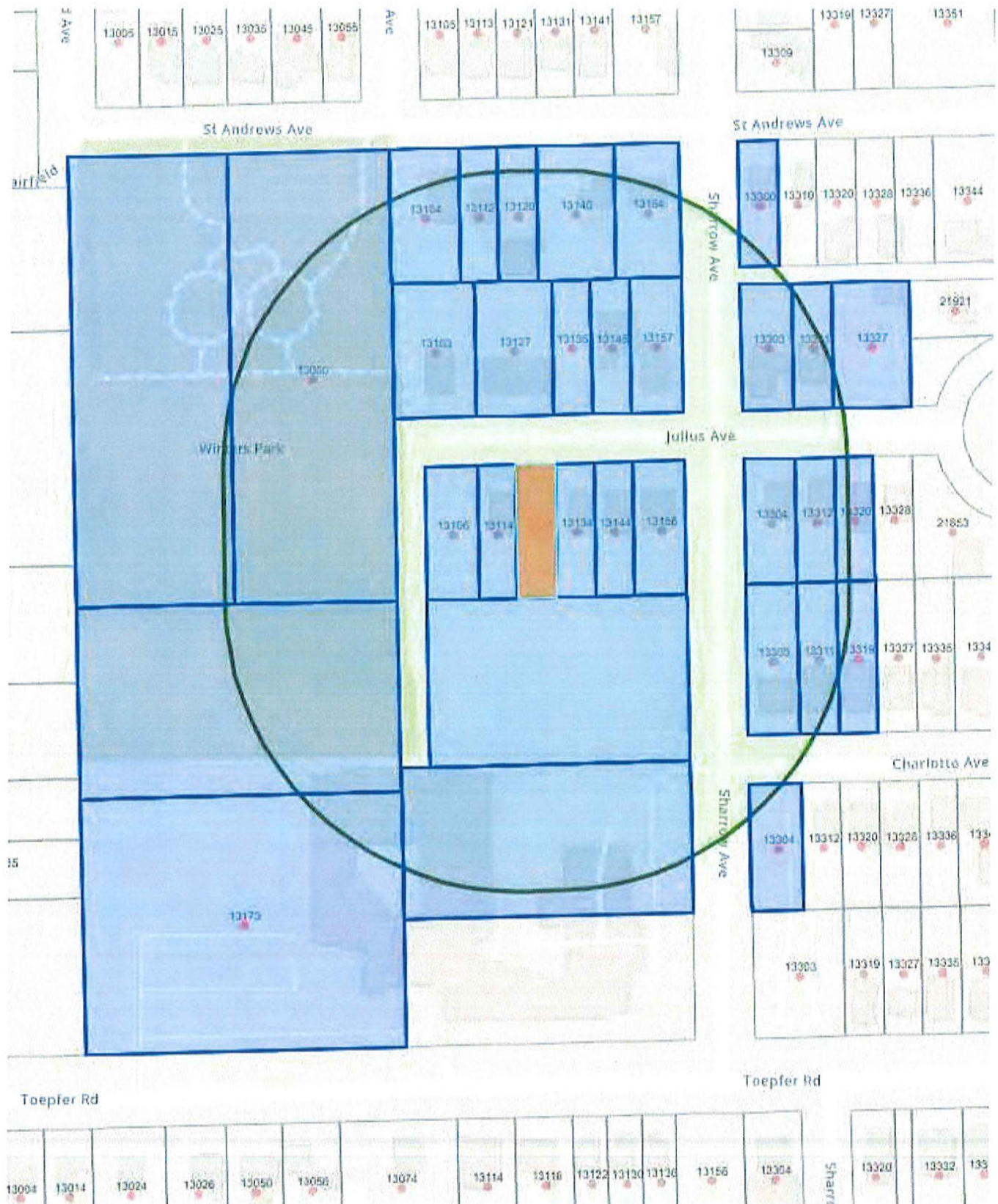
Scheduling Comment LARGE STRUCTURE IN REAR YARD W/O A PERMIT

2023 WARREN

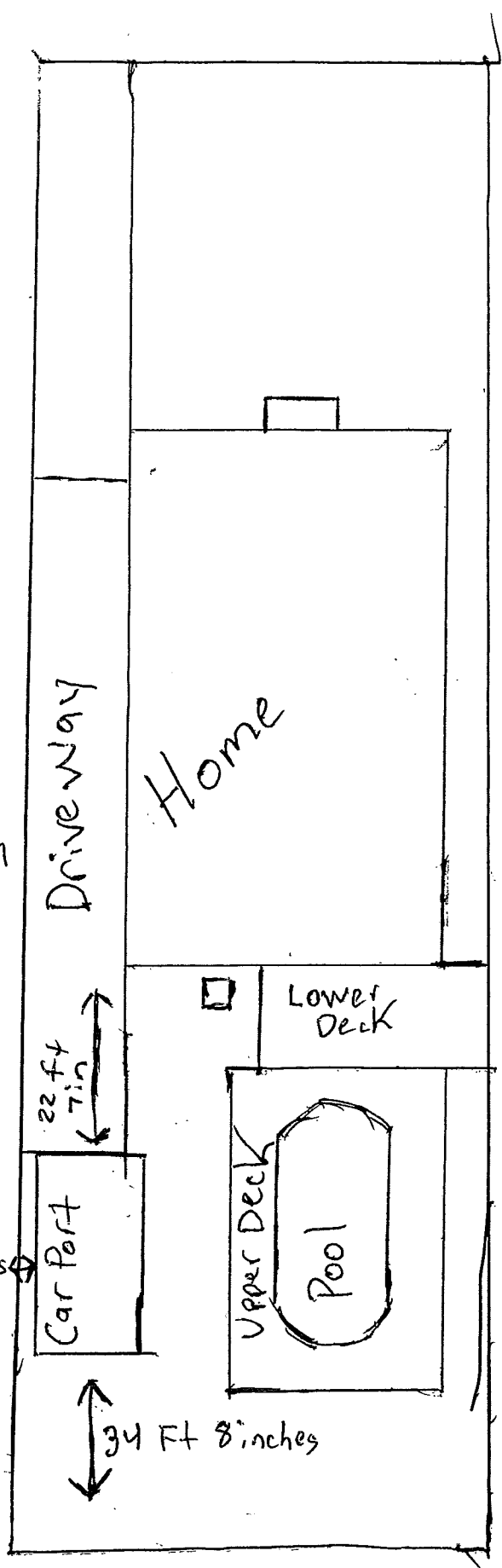


13126 JULIUS
13-35-282-003

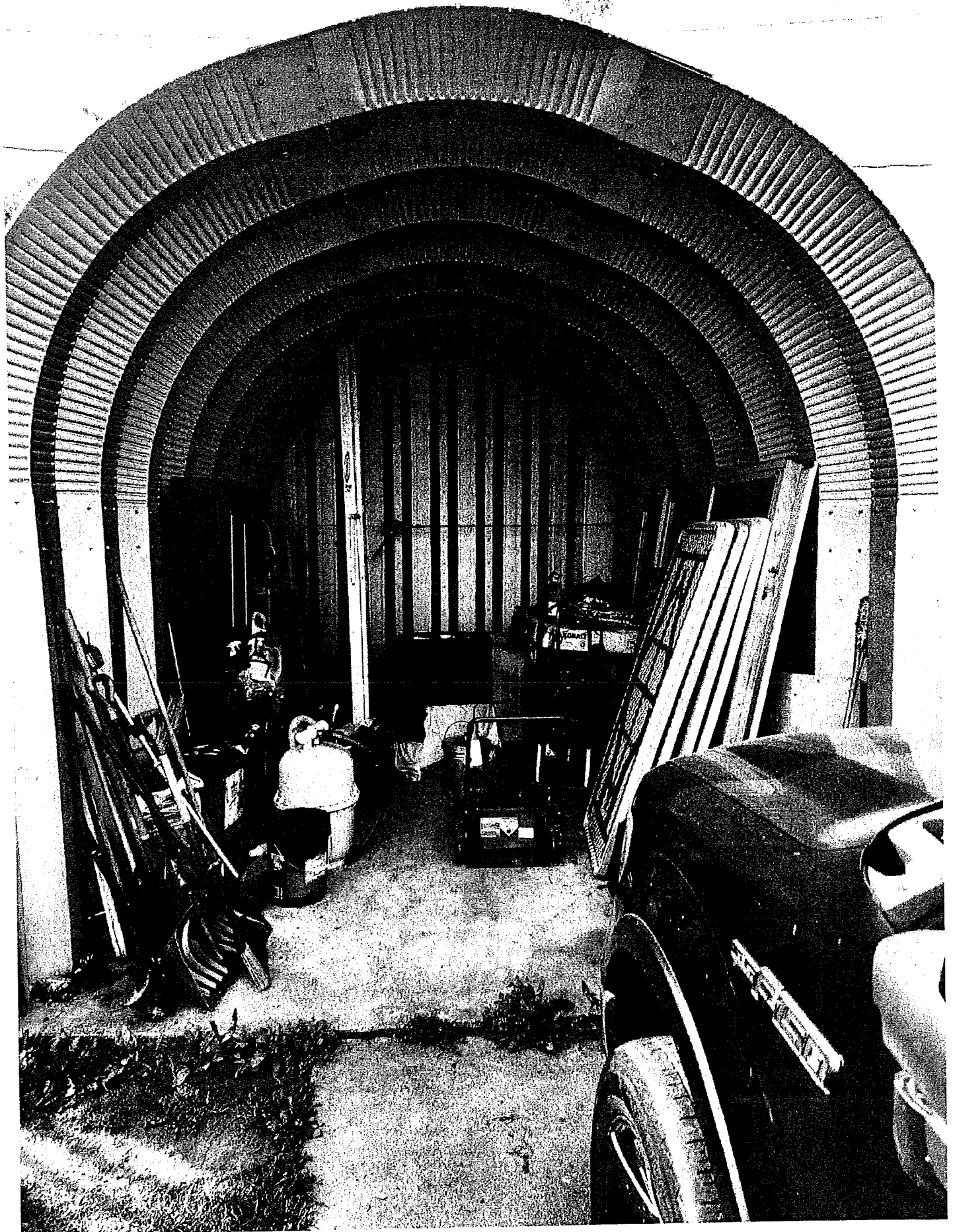
24



Car Port
Height 11 ft 1 in
Width 10 ft
Length 17 ft



26 inches
Between
Fence and
Car port



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: DECEMBER 13, 2023 at 7:30 P.M.

Applicant: ZACHARY CRAWFORD
Common Description: 13126 JULIUS

VARIANCE(S) REQUESTED: Permission to:

Petitioner wishes to retain an existing accessory structure which is:

- 1) Eleven feet one (11' 1") inch in height.
- 2) One hundred and seventy (170) square ft. in size.
- 3) Located outside the side building lines of the dwelling.

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

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

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

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Angela Rogensues, President, At Large
Melody Magee, Vice-President, Dist. 1
Mindy Moore, Secretary, Dist. 3
David Dwyer, (Mayor Pro Tem) Asst. Sec'y, At Large

Jonathan Lafferty, Dist. 2
Gary Boike, Dist. 4
Henry Newnan, Dist. 5

CITY OF WARREN

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

APPLICANT: PEGGY BADYNA
REPRESENTATIVE: MATTHEW MOUILLESEUX
COMMON DESCRIPTION: 32564 PINE RIDGE
PARCEL NUMBER: 12-13-03-233-007
ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to erect a new deck.

ORDINANCES and REQUIREMENTS:

SECTION 7.08 - REAR YARDS. Each lot in R-1-C Districts shall have a rear yard depth of not less than thirty-five (35) feet.

VARIANCES REQUESTED: Permission to:
Allow a deck no less than 29 ft. from the rear property line.

Previous Variance Requested: None.

dwenson, Zoning Inspector 11/17/2023 11/20/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: PEGGY BADYNA

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 7.08 REAR YARDS.

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

Dwain
11/17/23
\$9500

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: PEGGY ANN BADYNA

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) _____

Name of Representative: Matthew Mouilleseaux Telephone [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 32564 Pine Ridge Dr

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

Purpose of Request: Allow a deck setback variance to go from
35' to 29'. Variance is for left.

Please explain the nature of your hardship:

Mrs. Badyna purchased her residence with certain features
which she has been able to enjoy for roughly 30 years &
without the variance, she will be losing out on features that
she intended using until sale of her property

Signature: [Signature] Date: 11/13/23

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 PEGGY ANN BADYNA
Name(s) of Person(s)

OF [REDACTED]
Address, City, State Zip Telephone

THE _____ OF _____
Title of Officer Name of Company

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

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

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Matthew Mouillocaux *
Name(s) of Person(s)

THE _____ OF Detroit Decks *
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 Peggy Badyna L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF macomb

ON THIS 13 DAY OF November, 2023, BEFORE ME PERSONALLY CAME
Peggy Ann Badyna, 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 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.

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.

Mrs. Badyna has had a deck off the rear of her residence for roughly 30 years. The deck is in despair & needs to be replaced for safety. Mrs. Badyna is elderly & the deck is an ease of access for herself to enjoy time outside with family.

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 deck structure was built with the residence, when first constructed. Mrs. Badyna is the first time owner and acquired the space as it currently is.

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 size of the property simply does not allow a 35ft setback. Mrs. Badyna's residence, at certain points, are roughly 40ft from 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.

Granting this variance will not result in detriment, ^{to nearby properties, nor will it} impair light, air, ^{or} property values, or ^{cause} public safety concerns. Mrs. Badyna is simply replacing an aging deck structure, which is currently a safety concern, with the same size & shape deck.

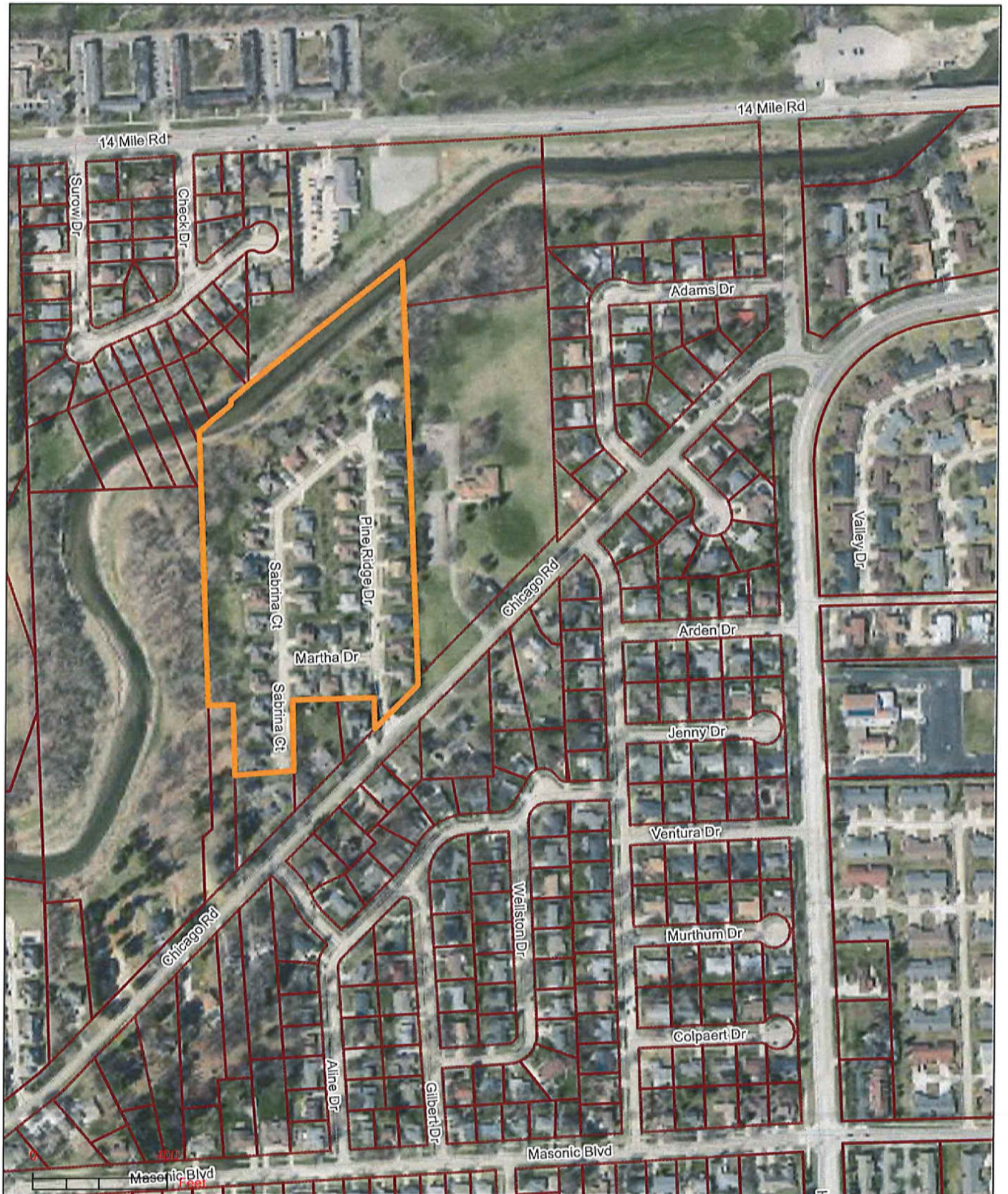
Not personal or economic. The variance request is not primarily related to personal or economic hardship, rather, it is related to the unique features of the property.

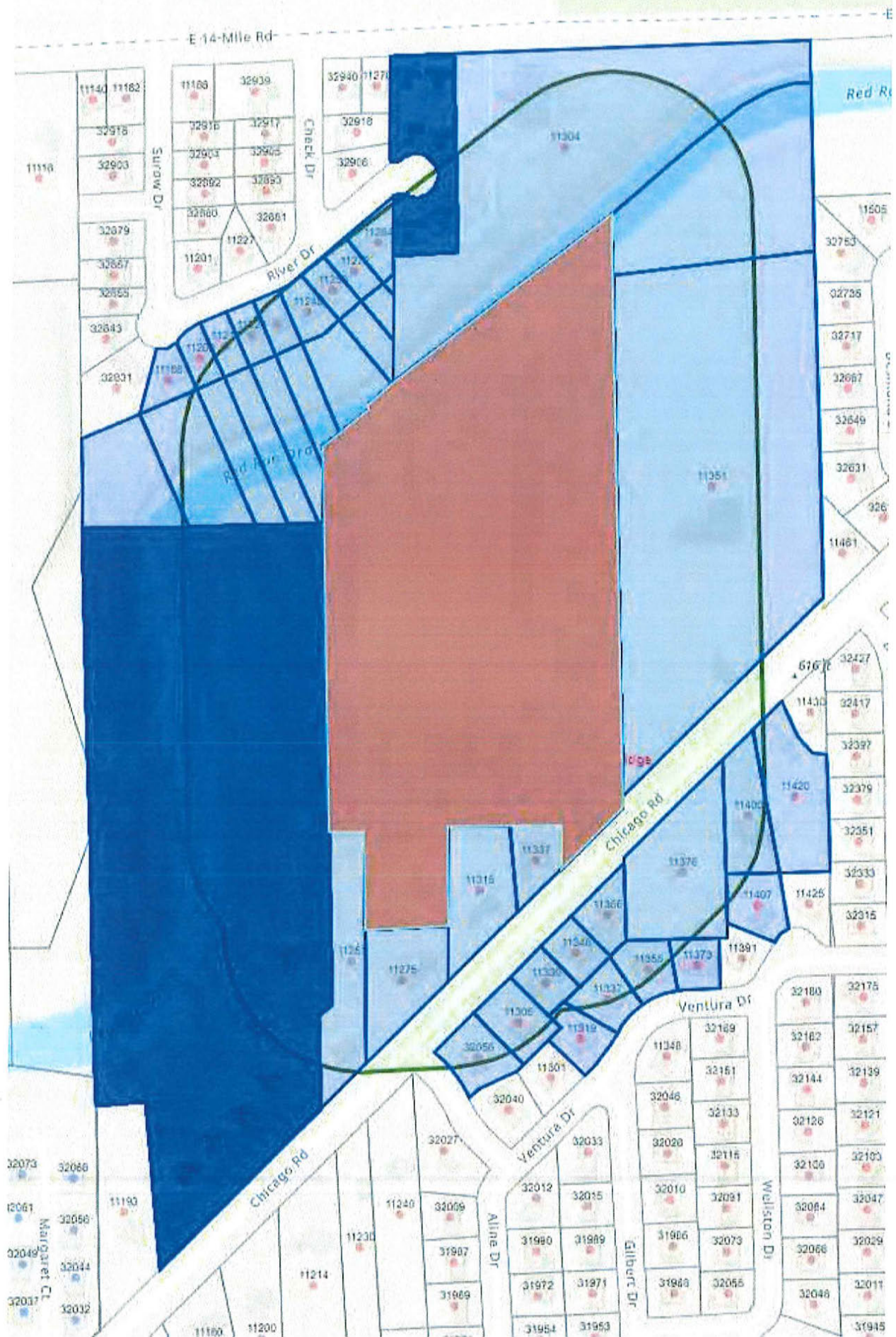
The 35' setback is not practical in Mrs. Badyna's neighborhood. She has 2 neighbors adjacent to her that have patio structures ^{on their} property and a neighbor 2 doors down with a deck ^{that has} the same size & property feature as her own. (Attached supporting doc)

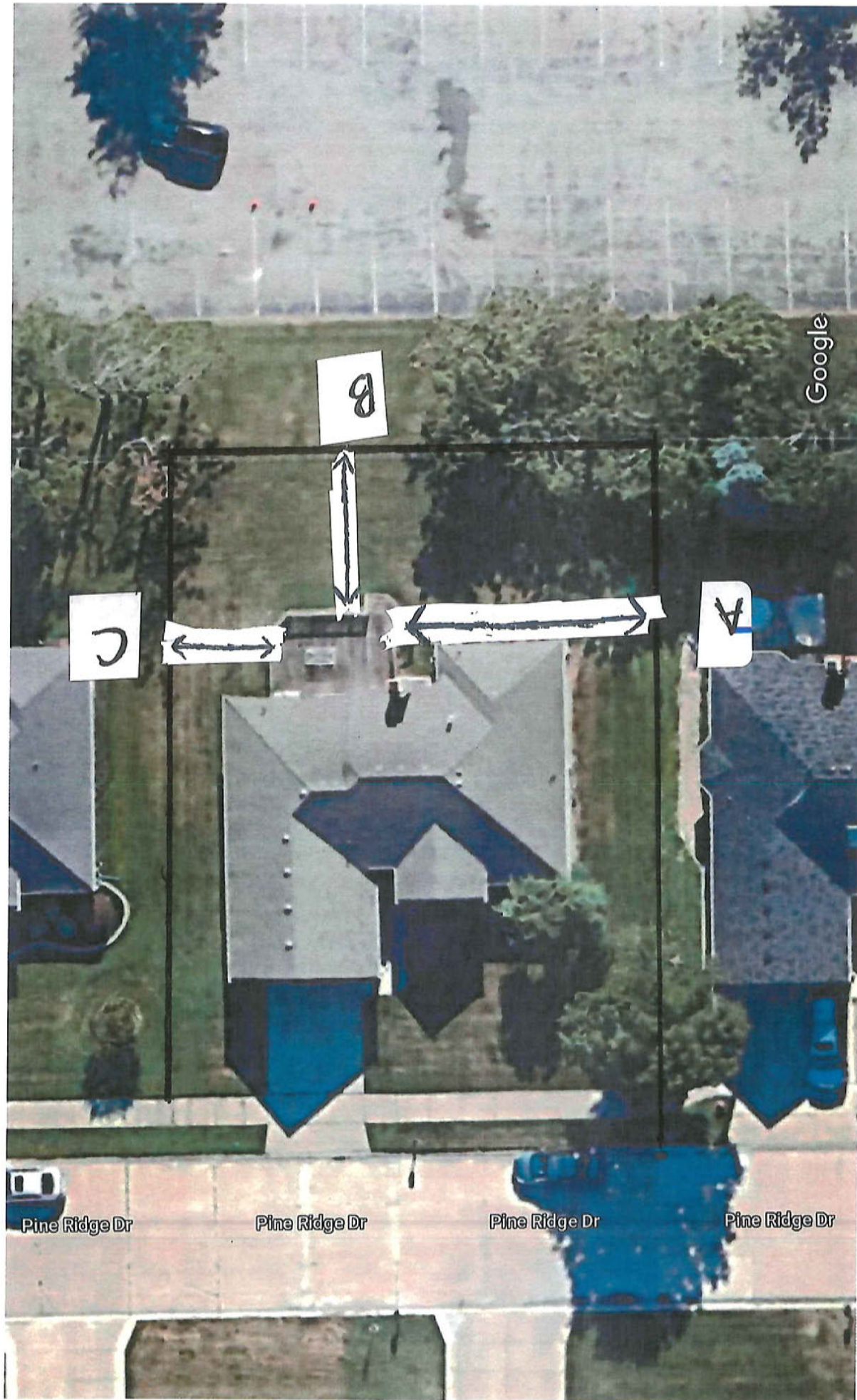
Necessary. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that enjoyed by other properties in the same zoning district and in the vicinity.

Along with neighbors being in the same situation as Mrs. Badyna, there are others in her neighborhood that have had to apply for similar structural variance requests (see attached supporting docs).

2023 WARREN







Map data ©2023, Map data ©2023 20 ft

Setbacks
A. 40 ft.
B. 29 ft.
C. 18 ft.



Setbacks

- A. 40 ft.
- B. 29 ft.
- C. 18 ft.

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
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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: DECEMBER 13, 2023 at 7:30 P.M.

Applicant: PEGGY BADYNA
Common Description: 32564 PINE RIDGE

VARIANCE(S) REQUESTED: Permission to:
Allow a deck no less than 29 ft. from the rear property line.

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

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

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

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Angela Rogensues, President, At Large
Melody Magee, Vice-President, Dist. 1
Mindy Moore, Secretary, Dist. 3
David Dwyer, (Mayor Pro Tem) Asst. Sec'y, At Large

Jonathan Lafferty, Dist. 2
Gary Boike, Dist. 4
Henry Newnan, Dist. 5

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: GINKGO PROPERTY GROUP LLC

REPRESENTATIVE: MD HAQUE

COMMON DESCRIPTION: 11 MILE

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

ZONED DISTRICT: C-2

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

ORDINANCES and REQUIREMENTS:

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

VARIANCES REQUESTED: Permission to:

Construct a parking spot in the side yard setback, no closer than 13' from the side (north) property line.

Previous Variance Requested: None.

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

Request was
withdrawn.

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: TEAM UP ACADEMY/LANDMARK CHURCH

REPRESENTATIVE: PAUL RESCHKE

COMMON DESCRIPTION: 5717 & 5713 THIRTEEN MILE

PARCEL NUMBER: 12-13-05-476-006

ZONED DISTRICT: MZ, C-2, P

REASON: Petitioner seeks variances related to a religious facility.

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:

(3) That the driveway approaches shall not be located closer than [five hundred] 500 feet to a major intersection.

(11) Each lot shall have a rear yard of not less than forty-five (45) feet where the building does not exceed two (2) stories or thirty-five (35) feet in height. Where any building exceeds thirty-five (35) feet in height, then such building shall be set back one (1) foot in addition to the forty-five (45) feet for each foot the building exceeds the height allowed.

VARIANCES REQUESTED: Permission to:

1. Retain a building no less than 25 ft. from north property line.
2. Retain two driveway approaches located closer than 500 feet to a major intersection:
 - A. Mound driveway, 404' from major intersection.
 - B. Thirteen mile driveway, 311' from major intersection.

Previous Variance Requested: See attached sheet

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: TEAM UP ACADEMY/LANDMARK CHURCH

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

\$3650
Dwight
11/13/2023

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Team-Up Academy/Landmark Church

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) Masoud Shango/13 Mile & Mound LLC

[REDACTED]

Name of Representative: Paul Reschke Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 5713-5717 Mound Road, Warren MI 48092
13 mile

Parcel I.D. No. (as shown on tax bill): 12-13-05-476-006

Purpose of Request: Applicant is requesting a variance for the required North property line setback requirement from
50 feet to the existing 25-foot building setback currently in place. The applicant also requests a variance to retain the
driveway approaches located closer than five hundred (500) feet to a major intersection.

Please explain the nature of your hardship:

The applicant will be occupying defined space (22,500 SF) within an existing multiple building commercial property with
C2 zoning. The buildings were constructed several years ago and in compliance with the number of ingres/egress
curb cuts on Mound Road and 13 Mile Road that were allowed by ordinance at the time of site plan approval. The
existing 3 building commercial strip center was also built in compliance with the existing North property line setback
allowance. The existing neighbors to the North of the property do not object to the proposed use.

Signature: Paul Reschke Date: 11/11/23

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 Masoud Shango
Name(s) of Person(s)
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone
THE Principal OF 13 Mile & Mound LLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Masoud Shango
I/We/It
/RECORDED LAND CONTRACT PURCHASER(S) X /RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Paul Reschke *
Name(s) of Person(s)
THE Principal OF Spartan Real Estate Group *
Title of Officer Name of Company
OF [REDACTED] [REDACTED]
Address, City, State Zip Telephone

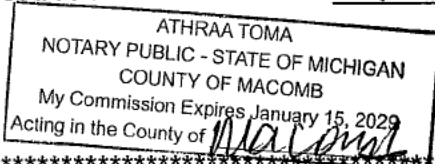
IS/ARE/MY/OUR DESIGNATED REPRESENTATIVE(S) IN THE PROCESSING OF SAID PETITION.
FURTHER, DEPONENT SAYS NOT.

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

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 10th DAY OF November, 2023 BEFORE ME PERSONALLY CAME
Masoud Shango, 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.



Athraa Toma
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 01/15/2029

NOTICE TO OWNER

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

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

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

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

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

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

The ordinance for the intended use requires a fifty (50') foot setback from the building to the North lot line.

The existing 3 building commercial property has an existing twenty-five (25') foot setback to the North property

line. The applicant would have to tear down the existing building and construct a new building which is not feasible

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 applicant did not create the condition.

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

The property is zoned C2 which allows the intended use. The site plan has been approved.

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 be a

detriment to the 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.

Yes, the existing building complies with the current ordinance.

The intended use is also acceptable under the zoning but requires a fifty (50') foot setback.

It is not economically feasible to tear down the existing building and construct a new one.

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

Yes, the variance will be necessary for the combined business uses of Team-Up Academy and Landmark Church.

TEAM UP ACADEMY - City of Warren request for the 13 mile road approach and the Mound Rd approach to 5713 and 5717 13 Mile Rd

Pat Thompson [REDACTED]

Thu 11/16/2023 11:17 AM

To: Deborah Wenson [REDACTED]

Cc: Paul Reschke [REDACTED] John Bones [REDACTED] Ron Clisby [REDACTED]

Debbi,

Mound Rd approach is 404' from the intersection; 13 Mike Road approach is 311' from the intersection.

Measurements provided by Ron Clisby of TDG Architects.

Pat Thompson, Director

[REDACTED]

Sent from my iPhone

5643 Thirteen Mile

LEGAL DESCRIPTION: 13-05-476-006

1/09/2019**VARIANCES REQUESTED: Permission to**

Install two (2) wall signs 87.89 square foot each for a total of 175.78 sq. ft.

The petitioner's request was Granted as written.**5653 Thirteen Mile**

Famous Furniture Co.

13743 Woodward

Highland Park

Rep: Don E. Barris, Attorney

Request tabled at meeting of June 7, 1967

Request approved at meeting of June 28, 1967

erect a sign 150 ft, 22' high, to the front property line on 13 mile & to the front property line on Main

5821 THIRTEEN MILE

LEGAL DESCRIPTION: 13-05-476-006

04/24/2022**VARIANCES REQUESTED: Permission to**

- 1) Conduct seasonal outdoor sales in an area 40' x 60' = 2,400 square ft. from 4/1/2022 through 12/31/2022 (flower sales from 4/1/2022 through 11/30/2022 and Christmas trees sales from 11/15/2022 through 12/31/2022.
- 2) Conduct a second seasonal outdoor sales operation in an area of 40' x 60' (2,400 square ft.) from June 15, 2022 through July 5, 2022 from 10am to 10pm.

The petitioner's request was RESCHEDULED to May 11, 2022.**5735 Thirteen Mile Rd.**

R.T.'S Family Market

Tabled at the meeting of 10-22-86 until 11-12-

Granted permission at the meeting of 11-12-86 to erect a 8' x 9'6" (76 sq. ft.) sign, 19'6" high to the property line along Thirteen Mile in a "P" zone.

Sign A

5735 THIRTEEN MILE

LEGAL DESCRIPTION: 13-05-476-006

12/14/2022**VARIANCES REQUESTED: Permission to**

Allow a 72.09 square ft. wall sign (3' x 24.031') when 40 square ft. is permitted.

The petitioner's request was APPROVED as written.**5735 Thirteen Mile**

Boys Club of Warren

22706 Van Dyke

Warren, Michigan

Rep: Ellsworth (Red) Carroll

Request granted at a Board meeting of March 13, 1968

Extension requested on time limitation for carnivals at meeting of March 13, 1968 - request granted

5735 Thirteen Mile Rd.

Green Acre Drug Co.

Rep: Warren Sign Co.
24220 Mound Rd.

Request granted at Meeting of Sept. 10, 1969,
letter of Acceptance from owner.

*48" sign, 8.5' high, within 15'
of front property line with condition
letter is received by the Board from
the management co of the property
stating petitioner has permission to erect
sign*

5775 Thirteen Mile Rd.

Also known as 13-05-476-006

Mark Boozer - GRANTED permission to construct three
(3), wall signs: one (1), 32 ft 9 in x 32 in (87 sq ft)
one (1), 4 ft 7 in x 4 ft 9 in (21.7 Sq Ft); and
one (1), 48 in x 48 in (16 sq ft). Total 124.7 sq ft.
Total 124.7 Sq Ft.

Nov 1997 RBC

5823 Thirteen Mile Road

Suburban Commercial Investment, Incorporated

Sign B
GRANTED permission to relocate a non-conforming,
ground sign, 20-feet 6-inches high, with 6-foot
underclearance, containing 178.75 square feet, to no
less than 2 feet of the property lines along Thirteen
Mile Road and Mound Road. Also, permission was GRANTED
Sign A to erect two, new, multi-tenant, ground signs, 18-
feet 8-inches high, containing 118 square feet each,
one to no less than 5 feet of the property line along
Thirteen Mile Road and one to no less than 5 feet of
the property line along Mound Road. Total signage --
414.75 square feet) *Sign C*
June 8, 1994

03/08/2023

5821 THIRTEEN MILE

LEGAL DESCRIPTION: 13-05-476-006

VARIANCES REQUESTED: Permission to

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

The petitioner's request was **APPROVED** with the following changes: Remove request #2; incorporate request number 2 into request 1 to read as 1) Conduct seasonal outdoor sales and fireworks in an area 40' x 60' = 2,400 square feet from 4/1/23-7/20/2023 and 9/1/2023-11/1/2023 from 9:00 a.m. to 10:00 p.m.

01/26/2022

5847 THIRTEEN MILE

LEGAL DESCRIPTION: 13-05-476-006

VARIANCES REQUESTED: Permission to

- 1) Retain existing 6 foot vinyl fence abutting residential to the north of the property.
- 2) Allow an 8 foot tall trash enclosure.
- 3) Waive the required 4 foot chain-link fence around a drive thru restaurant.
- 4) Waive 189 required off-street parking spaces.

The petitioner's request for item #2, #3, and #4 were **APPROVED** as written. The petitioner withdrew their request for item #1.

October 8, 2014 PAGE 1

5847 13 Mile Rd

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

APPLICANT: Mr. Nicholas Shango
Mr. Nicholas Shango
5847 Thirteen Mile Road
13-05-476-006
C-2 & P

VARIANCES REQUESTED: Permission to:

1. One (1) pylon sign as follows: 20 feet overall height, "Dunking Donuts Coffee & More" 10 feet 8/18 inches x 5.58 feet = 59.51 sq. ft. in addition to the three (3) pylon/ground signs already approved by the ZBA on 6/8/1994. Will a 7 foot 1 inch under clearance and to the front property line on Thirteen Mile as per the plan on the P Zone.
2. One (1) menu board as follows: over all height is 7 feet 2 inches to grade with two (2) sign areas 62 inches x 37 - 1/8 inches = 19.93 sq. ft. each (2 x 15.93 = 31.86 sq. ft.) illuminated and two (2) sign wing non-illuminated signs 15 inches = 11 - 7/16 inches = 1.15 sq. ft. each (2 x 1.15 = 2.3 sq. ft.)
3. Three (3) wall signs 3 feet x 5 feet 4 inches = 15.62 sq. ft. each (3 x 15.62 = 46.86 sq. ft.) one (1) on the north elevation, one (1) on east elevation and one (1) on the south elevation.

5847 13 Mile

October 8, 2014 PAGE 2

5847 13 Mile

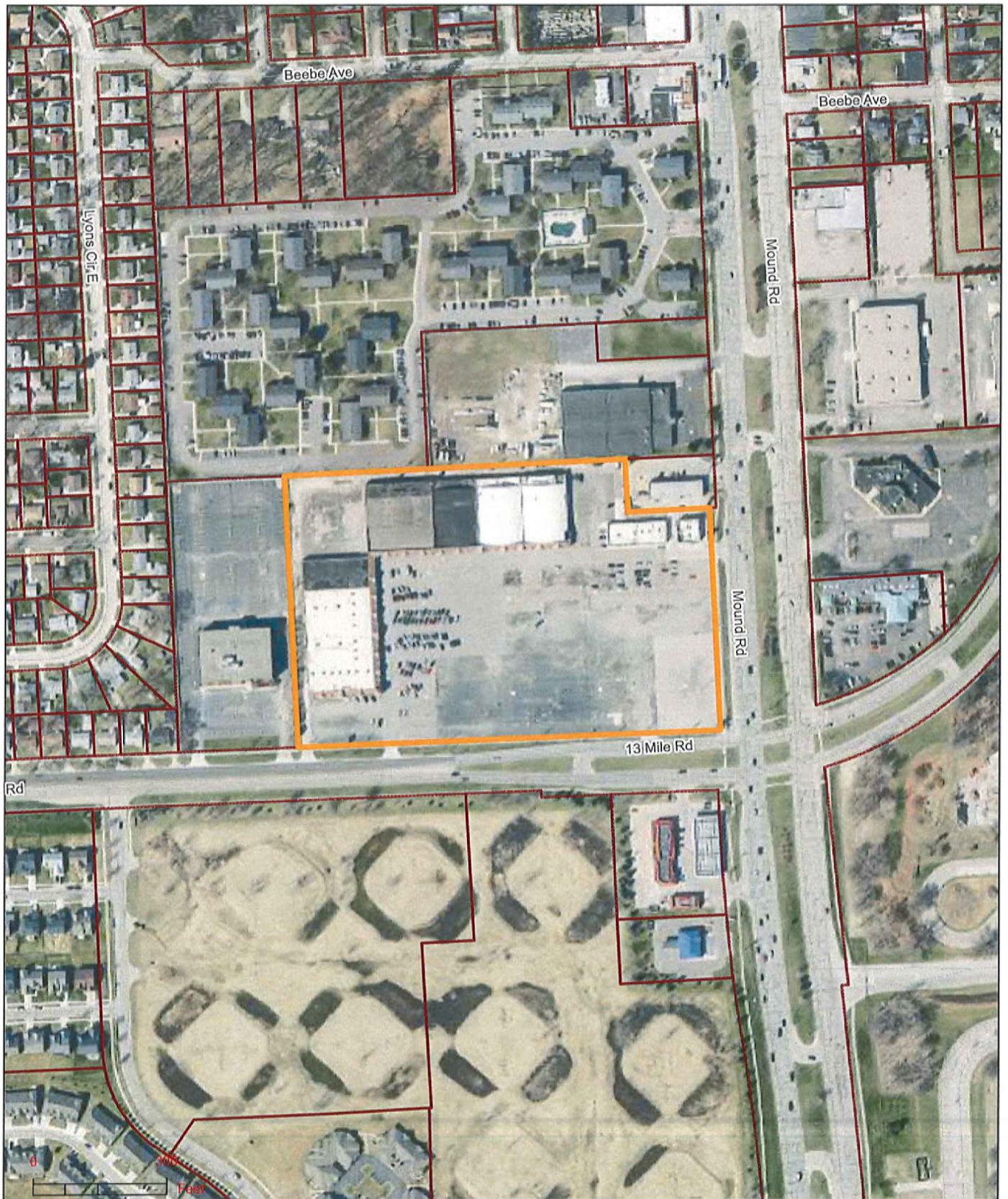
October 8, 2014 PAGE 3

Petitioner's request was **GRANTED** as follows: Items Number 1, #7 and #8 were removed. Item #2 was approved as written. Items #3, #4, #5, #6 were reduced from three signs (all north sign elevations requests were removed) to two signs each, east and south elevations only. total of 93.52 sq. ft. of wall sign and a drive thru menu board 41.24 sq. ft.

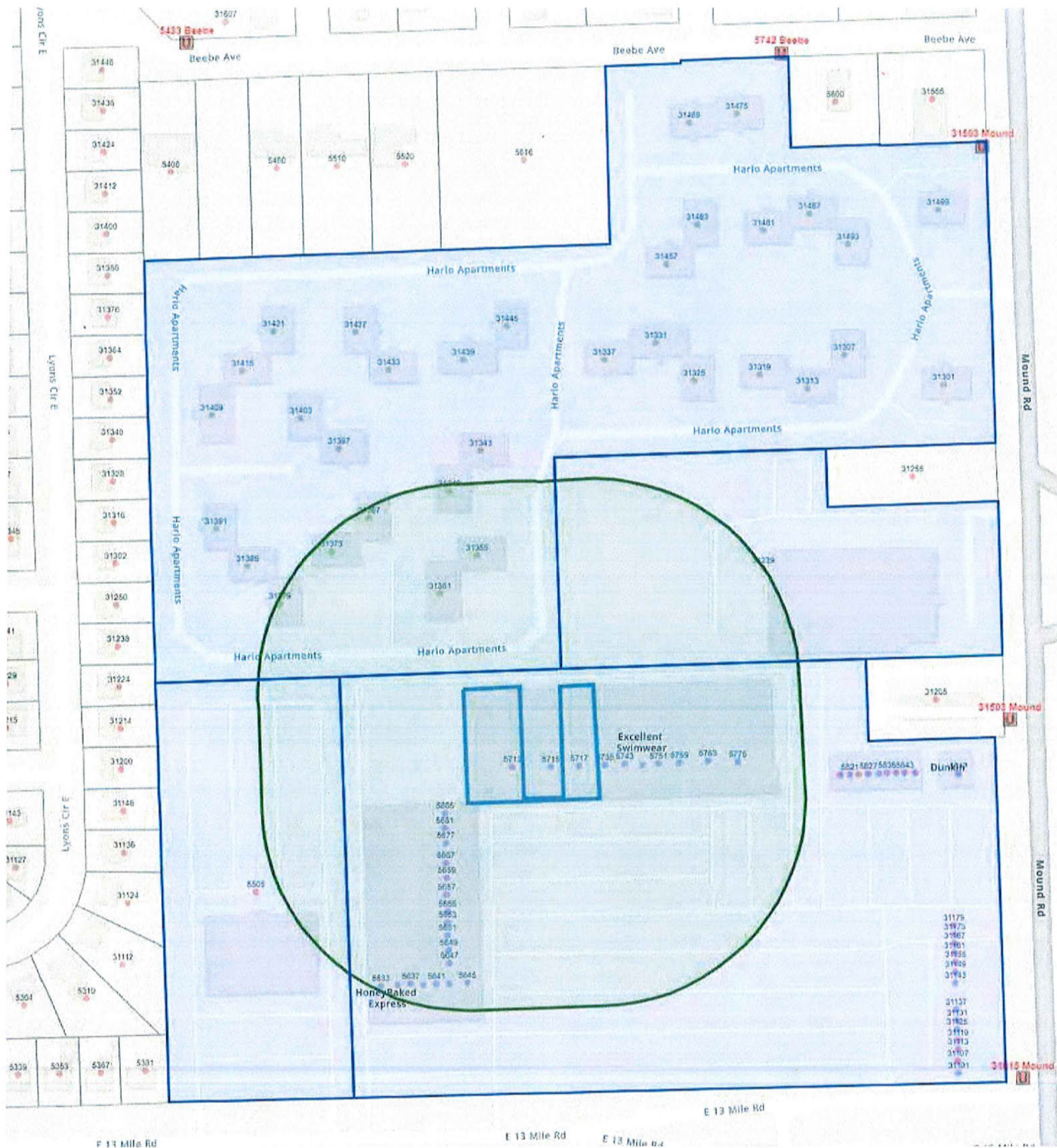
4. Three (3) wall signs "Dunkin Donuts" 6 feet 6 inches x 2 feet 8 inches = 17.8 sq. ft. each (3 x 17.8 = 53.4 sq. ft.) One on the north elevation, one on the east elevation and one on the south elevation.
5. Three (3) wall signs "Coffee & More", 6 feet 6 inches x 1 foot 3 inches = 8.7 sq. ft. (3 x 8.7 = 26.1 sq. ft.) One on the north elevation, one on the east elevation and one on the south elevation.
6. Three (3) "Drive Thru", 1 foot 6 inches x 3 feet = 4.64 sq. ft. (3 x 4.64 = 13.92 sq. ft.) one on the north elevation, one on the east elevation and one on the south elevation.
7. One (1) wall mounted projecting Drive Thru sign, 43.75 inches x 79.3125 inches = 24.96 sq. ft. as per the plans.
8. One (1) wall art sign on west elevation 108" x 84" = 63 sq. ft.

Wall signs: 46.86 + 53.4 + 26.1 + 13.92 + 24.96 + 63 = 228.24 sq. ft.

2023 WARREN



4



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: DECEMBER 13, 2023 at 7:30 P.M.

Applicant: TEAM UP ACADEMY/LANDMARK CHURCH
Common Description: 5717 and 5713 THIRTEEN MILE

VARIANCE(S) REQUESTED: Permission to:

- 1) Retain a building no less than 25 ft. from the north property line.
- 2) Retain two driveway approaches located closer than 500 feet to a major intersection:
 - a. Mound driveway, 404' from major intersection.
 - b. Thirteen Mile driveway, 311' from major intersection.

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED. IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Angela Rogensues, President, At Large
Melody Magee, Vice-President, Dist. 1
Mindy Moore, Secretary, Dist. 3
David Dwyer, (Mayor Pro Tem) Asst. Sec'y, At Large

Jonathan Lafferty, Dist. 2
Gary Boike, Dist. 4
Henry Newnan, Dist. 5

CITY OF WARREN

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

APPLICANT: MARY TREDER LANG, PRESIDENT

REPRESENTATIVE: JOHN DELL'ISOLA, PE

COMMON DESCRIPTION: 13900 MASONIC

PARCEL NUMBER: 12-13-01-301-005

ZONED DISTRICT: R-1-C

REASON: Petitioner seeks variances related to the expansion of their athletic facilities.

ORDINANCES and REQUIREMENTS:

SECTION 4D.32. - SPECIFICATIONS FOR RESIDENTIAL AREAS. All fences in residential areas shall be of an ornamental type. Fences in residential areas shall not exceed four (4) feet in height and may be constructed of either metal, iron, chain link, wire, ornamental aluminum, vinyl or solid material construction such as wood, brick or masonry, except privacy fences allowed as provided in section 4D.33 may not exceed six (6) feet in height.

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

5. That all accessory structures, excluding garages, will not exceed a total of 120 square feet.

VARIANCES REQUESTED: Permission to:

1. Allow 1320 linear ft. of 10' high black vinyl-coated chain link fence (surrounding and within tennis court area).
2. Erect an accessory structure:
 - A. Outside the side building lines of the principal building.
 - B. That is 160 sf in size.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 10/30/2023 11/02/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: MARY TREDER LANG, PRESIDENT

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

SECTION 4D.32 SPECIFICATION FOR RESIDENTIAL AREAS.
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

**A COPY OF ALL DOCUMENTS MUST BE SUBMITTED ELECTRONICALLY FOR
COMMERCIAL SUBMISSIONS**

APPLICATION FOR VARIANCE

Name of Applicant: Mary Treder Lang, President

Address: _____ Telephone: _____

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

Name and Address of Property Owner (if different) _____

Name of Representative: John Dell'Isola, PE Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 13900 Masonic Boulevard

Parcel I.D. No. (as shown on tax bill): 12-99-06-725-703

Purpose of Request: _____

We are requesting a variance for fence height to construct a 10' high fence for a tennis court enclosure and a variance for use of a shipping container to store track and field equipment on-site.

Tennis court operations require a higher fence to allow for efficient and safe play. This height exceeds the maximum allowed by Ordinance. The use of a shipping container on a concrete pad serves the required storage use without construction of a structure adjacent to an existing cell tower enclosure and without foundations and drainage near underground infrastructure which is not feasible.

Signature: [Signature] Date: 10/27/2023

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 Mary Treder Lang, CPA, CGMA
Name(s) of Person(s)
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone
THE President OF Regina High School
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT We
I/We/It
/RECORDED LAND CONTRACT PURCHASER(S) the /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 John Dell'Isola, PE *
Name(s) of Person(s)
THE Principal OF Nowak & Fraus Engineers *
Title of Officer Name of Company
OF [REDACTED] [REDACTED]
Address, City, State Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

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

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 27 DAY OF October, 2023, BEFORE ME PERSONALLY CAME
Mary T. Lang, 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.

ROBERTA DANASTASIO
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires Oct. 21, 2025
Acting in the County of Macomb

[Signature]
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 10/21/2025

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.

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.

Constructing a fence with less than the required height recommended by the USTA will affect the use of the tennis courts including player safety. The shipping container for storage is sufficient and feasible while the construction of a permanent structure with foundations and greater height introduces concerns with the underground infrastructure, proximity to the adjacent cell-tower facility, maintenance and fire.

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 requested fence height is recommended by the USTA for competitive tennis. Use of a track and field facility involves several pieces of equipment for discus, shotput, high jump and hurdles. Storage of these items is necessary to protecting the school's investment and keep a clean 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.

The proposed athletic complex construction did not come with many options due to the shape of the school parcel and locations of existing infrastructure.

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 athletic complex construction increases the value of the school property and its offering to the community. Adjacent property values will increase with the success of the school. The fence materials include special coatings to avoid an industrial appearance and the container location is optimal for proposed landscape screening and will be painted to compliment the surroundings.

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 athletic complex construction layout is the result of an examination of existing infrastructure, site usage and sight lines. The fence variance is sought to meet a national standard and the container usage is to meet the needs of the facility within a buffered location on-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 requested fence height is recommended by the USTA for competitive tennis and is typical of other uses in the City. Use of a track and field involves equipment requiring storage and is necessary to protect the school's investment and keep a clean site.

13900 Masonic

9/24/2014

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

APPLICANT: Regina High School
Deborah Biondo
13900 Masonic
13-01-301-005
R-1-C

VARIANCES REQUESTED: Permission to:
Conduct a classic car show/fundraiser on:
Sunday, October 12, 2014: From 11:00 a.m. to 4:00 p.m.

Petitioner's request was **GRANTED**.

13900 Masonic

8/26/15

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

APPLICANT: Regina High School
Deborah Biondo
13900 Masonic
13-01-301-005
R-1-C

VARIANCES REQUESTED: Permission to:
Conduct a Classic Car Show / Fundraiser on:
Sunday, September 27, 2015: From 12:00 noon – To 4:00 P.M.

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

13900 Masonic

3/8/06

BIANCO DEVELOPMENT CO., GINO ROBINET, 13900
Masonic, Also Known As 13-01-301-005 – was **REMOVED**
from the agenda.

13900 Masonic

2/9/11

New Par, dba Verizon Wireless, 13900 Masonic Blvd.,
Also Known As 13-01-301-005, **GRANTED** the following
request: Permission to: construct a 100' monopole
telecommunications tower and related radio equipment
shelter in R-1-C zoned district and adjacent to residentially
zoned parcels.

13900 Masonic

5/23/2007

REGINA HIGH SCHOOL, DON KALPIM, BUSINESS MANAGER,
13900 Masonic, Also Known As 13-01-301-005 – **GRANTED**
request to replace the existing sign (ZBA approved 3/30/88) and
install a "V-shaped" monument sign on 2' x 2' brick support
columns, each face 9.7' x 4.5' (43.65 sq. ft.) 7.1' high, including an
"electronic message center" 2.5' x 9.7' (24.25 sq. ft.), with a 2.5'
underclearance to no less than 33.5' from the Masonic property
line for a total of 87.3 sq. ft. of ground signs. **WITH THE**
CONDITION that the sign will not be scrolling, blinking or flashing
and that the petitioner has agreed to relinquish the previous sign
package.

13900 Masonic Blvd.

Warren Consolidated Schools (Melby)

Granted permission at the meeting of 3-30-88 to
erect a 6' x 10' (62 sq. ft. with logo) sign,
9' high to no less than 10' of the front
property line.

Relinquished See 5/23/2007

RE: Regina HS ZBA Variance Request Submittal

John Dell'Isola [REDACTED]

Tue 10/31/2023 12:23 PM

To: Deborah Wenson [REDACTED]

Good morning, Debbie. Regarding the variance requests for Regina High School, we can offer the following information:

The total length of 10' high perimeter and internal fencing is 1,320 lineal feet. The fence is to have a black vinyl-coated finish.

The proposed dimensions of the container storage unit would be 8' wide and 20' long and would rest on a concrete pad. The unit is 8.5' high and will be painted and screened with landscape.

Please let me know if you have any questions or need additional information. Thank you.

John Dell'Isola, PE

Principal

Nowak & Fraus Engineers

Electronic Data Notice – The information contained in this electronic communication is considered part of Nowak & Fraus Engineers' (NFE) instrument of service and shall not be used on other projects. Since data stored on electronic media can be altered, translated or modified; NFE will not be liable for the accuracy, completeness, or readability of the electronic data. The electronic data should be checked against the hard copy. Hard copies of all NFE data are on file and available upon request if needed for comparison.

From: Deborah Wenson [REDACTED]**Sent:** Monday, October 30, 2023 11:43 AM**To:** John Dell'Isola [REDACTED]**Subject:** Re: Regina HS ZBA Variance Request Submittal

Thank you!

From: John Dell'Isola [REDACTED]**Sent:** Monday, October 30, 2023 11:10 AM**To:** Deborah Wenson [REDACTED]**Subject:** Regina HS ZBA Variance Request Submittal

Hi Debbie. I spoke with you at the counter last week and will be submitting the attached documents and check to you today.

Thank you!

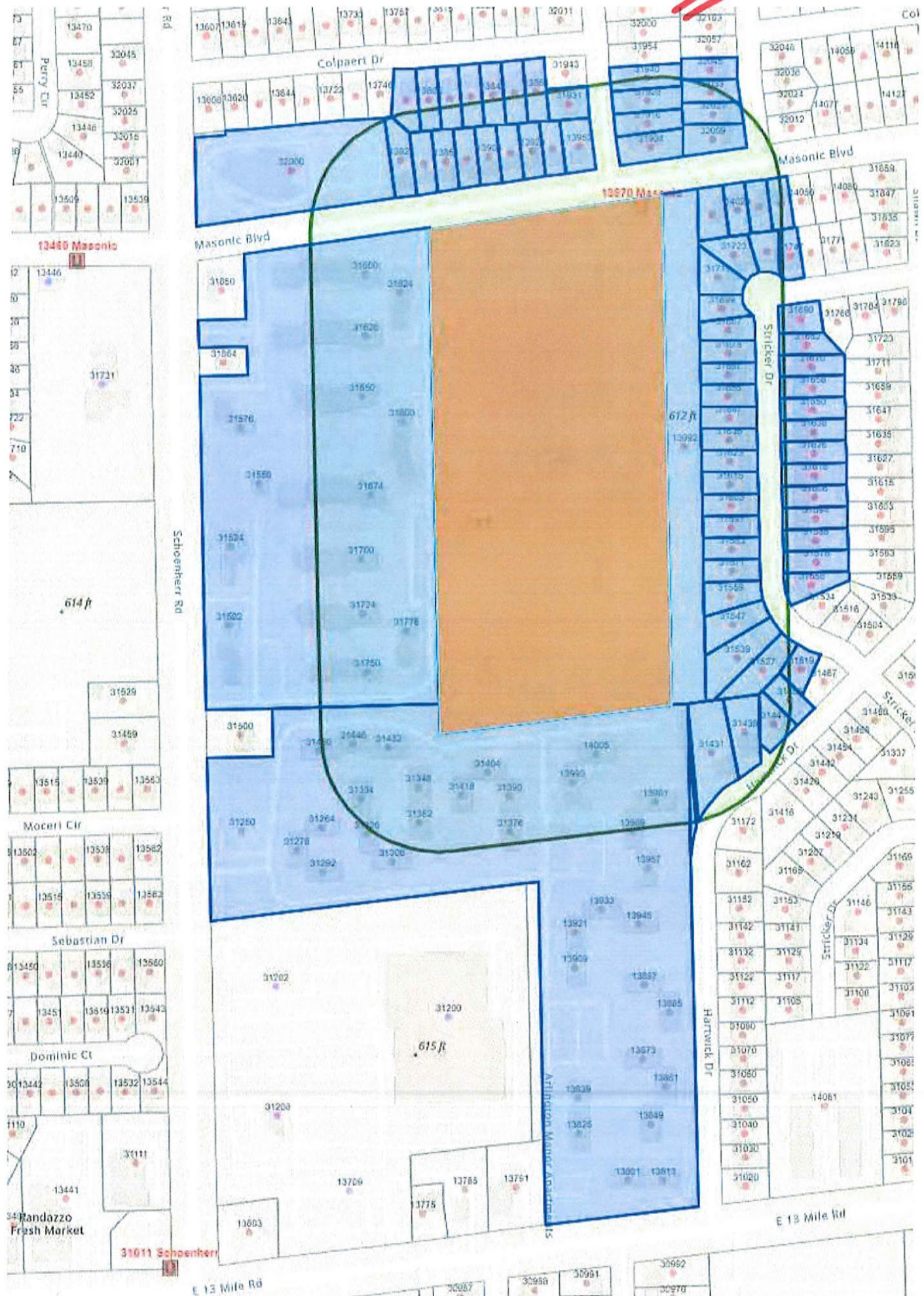
John Dell'Isola, PE

Principal

Nowak & Fraus Engineers

2023 WARREN





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: DECEMBER 13, 2023 at 7:30 P.M.

Applicant: MARY TREDER LANG, PRESIDENT

Common Description: 13900 MASONIC

VARIANCE(S) REQUESTED: Permission to:

- 1) Allow 1,320 linear ft. of 10' high black vinyl-coated chain link fence (surrounding and within tennis court area.)
- 2) Erect an accessory structure:
 - a. Outside the side building lines of the principal building.
 - b. That is 160 square ft. in size.

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED. IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Angela Rogensues, President, At Large
Melody Magee, Vice-President, Dist. 1
Mindy Moore, Secretary, Dist. 3
David Dwyer, (Mayor Pro Tem) Asst. Sec'y, At Large

Jonathan Lafferty, Dist. 2
Gary Boike, Dist. 4
Henry Newnan, Dist. 5

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

APPLICANT: OSAMA RAZOOQ
REPRESENTATIVE: OSAMA RAZOOQ
COMMON DESCRIPTION: 12980 12 MILE
PARCEL NUMBER: 12-13-14-203-001
ZONED DISTRICT: PB

REASON: Petitioner seeks variances related to a lot split.

ORDINANCES and REQUIREMENTS:

SECTION 12.02 - DWELLING UNITS. In PB Districts, every one family dwelling shall comply with requirements established under Article VIII of this ordinance.

SECTION 8.03 - LOT AREA. A one family dwelling in R-1-P Districts, together with accessory buildings, hereafter erected shall be located on a lot having an area of not less than nine thousand (9,000) square feet and with an average width of not less than sixty (60) feet; provided, however, when a community water and sewer system is provided the lot area shall not be less than seventy-two hundred (7,200) square feet and with a lot width of not less than sixty (60) feet.

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

VARIANCES REQUESTED: Permission to:

1. Split an existing parcel of land into 3 parcels with parcels "B" and "C" being 55 ft. wide.
2. Retain an existing dwelling set back no less than 16 ft. from the front property line.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 10/12/2023 10/20/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: OSAMA RAZOOQ

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

SECTION 12.02 DWELLING UNITS.

SECTION 8.03 LOT AREA.

SECTION 8.05 FRONT YARD.

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

dwenson, Zoning Inspector

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

\$95 SW
10/12/23
\$95
PO

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Osama Razooq

Address: [REDACTED] Telephone: [REDACTED]

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

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

Name of Representative: myself Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 12980 12 Mile

Parcel I.D. No. (as shown on tax bill): 12-13-14-203-001

Purpose of Request: I want to create three parcels from the existing parcel that will fit with the existing lots in the neighborhood, and preserve the existing house on the property.

Please explain the nature of your hardship:

- 1) If Parcel "C" was 60', it would limit the driveway width on parcel "B" due to the location of the existing house.
- 2) If I have to meet the 25' setback for the existing house, it would require removing the covered porch which would ruin the character of the existing house

Signature: [Signature] Date: 10/09/2023

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 Osama Razooq
Name(s) of Person(s)
OF [REDACTED]
Address, City, State
THE Owner OF [REDACTED]
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I
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 Osama Razooq *
Name(s) of Person(s)

THE Owner OF [REDACTED]
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 10 DAY OF October, 2023, BEFORE ME PERSONALLY CAME
Osama Admon Razooq, 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
Commission Expires June 8, 2026

Andrea Gjokaj
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 6/8/2026

***** the County of Macomb *****

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.

Removal of the existing covered porch to meet the setback requirement would adversely affect the character of the house.

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

Regarding the setback condition, it wasn't created by neither me nor the previous owner, and I think the house on the property was already existing at the time that current zoning requirements were adopted.

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 request for variance is based on the location of the existing 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.

The variance request would not be a detriment to nearby properties because the proposed lot widths for both parcels B and C would match the existing lot sizes in the neighborhood.

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

The variance request is related to property development to make the corner of 12 Mile Rd and Adler Dr look nicer.

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 want to keep the existing house.

12980 Twelve Mile Rd.

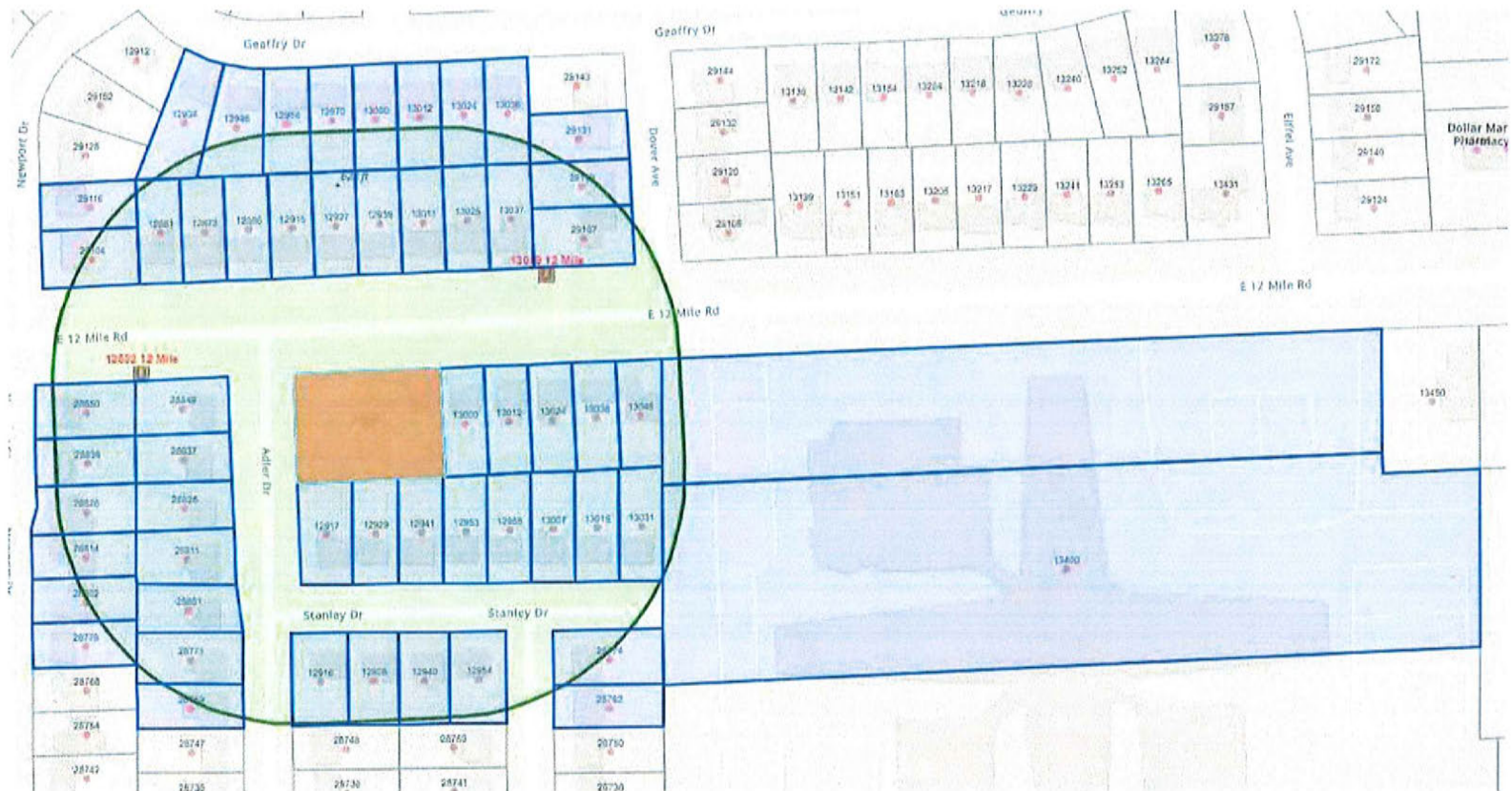
Piotrowski and Lemke

Request granted at Meeting of April 14, 1976 to erect a 13 sq. ft. sign, not to exceed 3' width and 5' hgt with leading edge of sign 5' from the front property line.

2023 WARREN



57



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
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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: DECEMBER 13, 2023 at 7:30 P.M.

Applicant: OSAMA RAZOOQ
Common Description: 12980 TWELVE MILE
VARIANCE(S) REQUESTED: Permission to:

- 1) Split an existing parcel of land into 3 parcels with parcels "B" and "C" being 55 ft. wide.
- 2) Retain an existing dwelling set back no less than 16 ft. from the front property line.

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

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

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

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Angela Rogensues, President, At Large
Melody Magee, Vice-President, Dist. 1
Mindy Moore, Secretary, Dist. 3
David Dwyer, (Mayor Pro Tem) Asst. Sec'y, At Large

Jonathan Lafferty, Dist. 2
Gary Boike, Dist. 4
Henry Newnan, Dist. 5

CITY OF WARREN

ZONING BOARD OF APPEALS - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: THE TOBIN GROUP, LLC
REPRESENTATIVE: BENJAMIN TOBIN
COMMON DESCRIPTION: 14721 FRAZHO
PARCEL NUMBER: 12-13-24-253-014
ZONED DISTRICT: MZ, C-1, C-3 & P
REASON: Petitioner seeks variance to operate a medical training facility

ORDINANCES and REQUIREMENTS:
SECTION 13.01 - USES PERMITTED IN C-1. A for profit school is not an allowed use.
SECTION 14.01 - USES PERMITTED IN C-2. (I) Business schools and colleges or private schools operated for profit.

VARIANCES REQUESTED: Permission to:
Operate a medical training facility in a C-1 District.

Previous Variance Requested: None.

dwenson, Zoning Inspector 11/16/2023 11/20/2023 (M) (P) (C)

Use Variance Hearing- 14720 Frazho; Request to Reschedule

Benjamin Tobin [REDACTED]

Wed 12/6/2023 11:55 AM

To: Nicole Jones <njones@cityofwarren.org>

Nicole,

It was nice speaking to you this morning. To memorialize my request, I am asking that our request for a use variance be moved from consideration at the December 13, 2023 Warren Board of Appeals meeting in favor of the meeting scheduled on January 10, 2023. I am making this request so that an owner, and the impacted tenant, can be present.

Thank you for your all of your help, I hope you have a great rest of your week.

Best,



Benjamin Tobin

Corporate Counsel
[REDACTED]

The information contained in this e-mail message is attorney work product and/or privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone at (248) 474-9500.

Circular 230 Notice. In order to comply with U.S. Federal Treasury Regulations, please be advised that if this communication contains any advice regarding Federal tax issues, such advice is not intended or written to be used, and that it cannot be used by you: (i) for the purpose of avoiding penalties that may be imposed on you by the Internal Revenue Service, or (ii) to promote, market or recommend any investment plan to others.

Neither this information block, the typed name of the sender nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message.

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: THE TOBIN GROUP, LLC

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

SECTION 13.01 USES PERMITTED.
SECTION 14.01 - USES PERMITTED IN C-1

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

DWarr
#2500
11/16/23

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: The Tobin Group, LLC

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) _____

Name of Representative: Benjamin Tobin Telephone: [REDACTED]

Representative's Address [REDACTED]

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

Address of Property: 14721 Frazho Road, Warren, MI 48089

Parcel I.D. No. (as shown on tax bill): 13-24-253-014

Purpose of Request: Please see attached.

Please explain the nature of your hardship:

Please see attached.

Signature: [Signature] Date: 11/13/2023

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE Michael E. Tobin
Name(s) of Person(s)
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone
THE Manager OF The Tobin Group, LLC
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 Benjamin Tobin *
Name(s) of Person(s)
THE Counsel OF The Tobin Group, LLC *
Title of Officer Name of Company
OF [REDACTED] [REDACTED] [REDACTED]
Address, City, State Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

SIGNED [Signature] L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Oakland

ON THIS 31st DAY OF October, 2023, BEFORE ME PERSONALLY CAME
Michael E. Tobin, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT HE DID SO OF HIS OWN FREE WILL AND DEED.

[Signature]
NOTARY PUBLIC, Oakland COUNTY, MICHIGAN
MY COMMISSION EXPIRES: November 28, 2023

NOTICE TO OWNER

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

CITY OF WARREN USE VARIANCE APPLICATION ATTACHMENT

Purpose of Request: The Applicant is requesting this ZBA approve this permitted use variance application. Applicant's property is currently zoned C1 and C3. Applicant's tenant (14721 Frazho), as part of its business, provides medical training (First Aid and CPR). Warren's zoning staff has deemed this training makes Applicant's tenant's business a for-profit private school which is a nonconforming use within C1 but is a conforming use within C2. Therefore, by this application, Applicant is requesting that this ZBA allow Applicant's tenant to operate a for-profit private school on Applicant's property despite the tenant's building/unit being zoned C1.

Please explain the nature of your hardship: Absent a use variance for Applicant's property, Applicant's tenant will not be able to operate its business.

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

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

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

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

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

This article as it applies to the the property is unreasonable and arbitrary. The parcel is adjacent to two main cooridors, and is partially zoned C3. There is no reason for the parcel to be zoned as it is. The use requested is equally as burdensome, if not less burdensome, on the surrounding area as permitted uses within C1.

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

The condition was created by Applicant's tenant after the fact. Applicant had no idea that the City of Warren would deem its tenant's use to be a non-conforming use until after a Lease was signed and Applicant's tenant applied for a certificate of occupancy from the city.

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 physical characteristics of this property are that it is along two major corridors where nearly all parcels are zoned C3, including all parcels that are adjacent to the same R1 zoned 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; will not alter the essential character of the area; and will not cause public safety concerns.

Applicant's tenant's use will be completely indoors, no more detrimental to nearby properties than the presently allowable C1 uses. The requested use variance will have no impact on nearby properties.

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

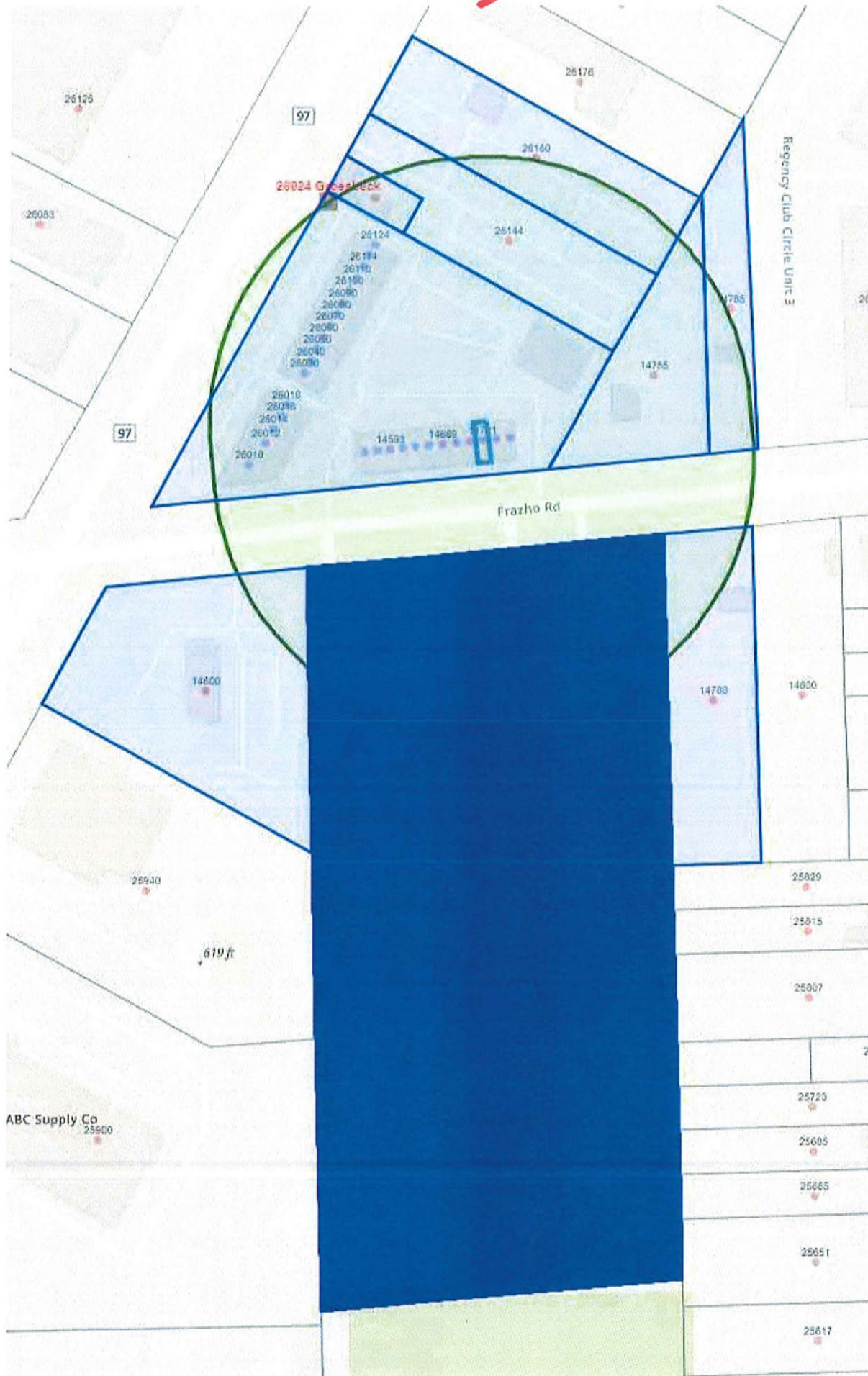
Granting Applicant's Application will provide applicant's tenant the ability to operate its business for without this land use variance, applicant's tenant would be disallowed from conducting its business at this location due to said business being deemed a non-conforming use.

2023 WARREN



14721 FRAZHO
13-24-253-014

13 ~~14~~



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: DECEMBER 13, 2023 at 7:30 P.M.

Applicant: THE TOBIN GROUP, LLC ~~-USE-~~
Common Description: 14720 FRAZHO

VARIANCE(S) REQUESTED: Permission to: ~~-USE-~~
Operate a medical training facility in a C-1 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.

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

Sincerely,
Board of Appeals

OFFICE OF THE CITY COUNCIL

Angela Rogensues, President, At Large
Melody Magee, Vice-President, Dist. 1
Mindy Moore, Secretary, Dist. 3
David Dwyer, (Mayor Pro Tem) Asst. Sec'y, At Large

Jonathan Lafferty, Dist. 2
Gary Boike, Dist. 4
Henry Newnan, Dist. 5

ZONING BOARD OF APPEALS - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: ZACHARY MATOUKA/THE YARD MEN
REPRESENTATIVE: NICHOLAS BRASS
COMMON DESCRIPTION: 26190 GROESBECK
PARCEL NUMBER: 12-13-24-253-015
ZONED DISTRICT: MZ, C-3, P

REASON: Petitioner seeks variances related to a landscaping business.

ORDINANCES and REQUIREMENTS:

SECTION 15.01 USES PERMITTED. Outdoor storage is not a permitted use.

SECTION 4.32 - OFF-STREET PARKING REQUIREMENTS. (K) All off-street parking areas shall be provided with adequate ingress and egress, shall be hard surfaced with concrete or plant-mixed bituminous material (base may be stabilized gravel or equivalent), shall be maintained in a usable dustproof condition, shall be graded and drained to dispose of all surface water, provide protective bumper curbs as per Sections 4.32 (i) and 16.07, and shall otherwise comply with Section 2.46 and 16.05 of this ordinance.

SECTION 17.02 - INDUSTRIAL STANDARDS. (S) OPEN STORAGE OTHER THAN JUNK. All open storage shall be located in a designated area approved by the Planning Commission as a part of site plan approval. the area shall be enclosed on three (3) sides by chain link fencing with metal/plastic slats used for screening as deemed necessary by the Planning Commission.

VARIANCES REQUESTED: Permission to:

1. Operate a landscaping business and allow 30,400 sf of outdoor storage as follows: **USE**
 - A. Outdoor storage of landscaping materials, 22,400 sf.
 - B. Overnight truck and trailer parking related to landscaping business, 8,000 sf.
2. Waive the hard surfacing of the outdoor storage area (30,400. sf) and replace with asphalt millings.

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 11/15/2023 11/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: ZACHARY MATOUKA

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 15.01 USES PERMITTED.
SECTION 4.32 OFF STREET PARKING REQUIREMENTS.
SECTION 17.02 INDUSTRIAL STANDARDS.

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

Dylan
11/15/2013
\$365.00

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: Zachary Matouka / The Yard Men

Address: [REDACTED] Telephone: [REDACTED]

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

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

Name of Representative: Nicholas Brass Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 26190 Groesbeck Hwy, Warren, MI 48089

Parcel I.D. No. (as shown on tax bill): 13-24-253-015

Purpose of Request: _____

The Yard Men is a lawn care and snow services company in process of procuring this property to be the company's new home.
The goal is to redevelop the property from a poorly maintained property to one that is inviting for both The Yard Men's employees and the public.
We are requesting the City to provide a variance for hard surfacing the entire property as well as allowing storage of landscaping material such as mulch and topsoil.

Please explain the nature of your hardship:

Hard surfacing: We are proposing to hard surface the public area (frontage). Hard surfacing the "yard" is not necessary for performance of facility and is financially out of reach.

The rear "yard" will be screened and store company vehicles and material.

Furthermore, hard surfacing the entire lot will increase stormwater surface runoff.

In an attempt to maintain existing conditions and promote infiltration, we are proposing to provide asphalt millings as the "yard" surface material.

Material storage: The City does not have a zoning for landscaping service companies.

Bulk storage for material such as mulch and topsoil is vital to provide exceptional service to City

residences and maintain a low cost.

Therefore, we are requesting a variance to allow for storage via material bays.

Signature: [Signature] Date: 11/15/23

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 ROBERT KLUCK
OF [REDACTED]
Address, City, State Zip Telephone
THE OWNER OF N/A
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I
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 ZACHARY MATOUKA *
Name(s) of Person(s)

THE PRESIDENT OF THE YARD MEN *
Title of Officer Name of Company

OF [REDACTED]
Address, City, State MI Zip Telephone

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

FURTHER, DEPONENT SAYS NOT.

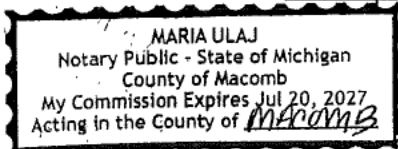
SIGNED [Signature] L.S.

SIGNED [Signature] L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF MACOMB

ON THIS 15th DAY OF November, 20 23, BEFORE ME PERSONALLY CAME
ROBERT KLUCK and ZACHARY MATOUKA, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT ROBERT KLUCK and ZACHARY MATOUKA DID SO OF their OWN FREE WILL AND DEED.



[Signature]
NOTARY PUBLIC, MACOMB COUNTY, MICHIGAN
MY COMMISSION EXPIRES: July 20, 2027

NOTICE TO OWNER

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

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 City does not have a zoning for landscaping service companies. Therefore, there is no "compliance" or "rules" for a landscaping company to follow. We are requesting variances that are typical to landscaping company developments

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 property has uncontrolled material storage. In addition, the surface material of the current property is gravel/millings. The Yard Men will control the bulk storage material and maintain the milling material. Furthermore, the stored material and milling surface will be out of the public view (unlike today's conditions).

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.

We are requesting variances that are typical to landscaping company developments

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 yard will be enclosed via existing and/or new block walls, building, and fences. Therefore, the exposure of the millings and material bays will likely be minimal. Furthermore, surface millings and material bays are standard for landscaping company properties. Therefore, the requests will likely be anticipated by the public and 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.

We are requesting variances that are typical to landscaping company developments

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.

Material storage will improve business opportunities. The bays will provide enclosure for the material and keep it controlled.

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

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

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

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

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

The City does not have a zoning for landscaping service companies. Therefore, there is no "compliance" or "rules" for a landscaping company to follow. We are requesting variances that are typical to landscaping company developments

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

We are requesting variances that are typical to landscaping company developments

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.

We are requesting variances that are typical to landscaping company developments

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 yard will be enclosed via existing and/or new block walls, building, and fences. Therefore, the exposure of the millings and material bays will likely be minimal. Furthermore, surface millings and material bays are standard for landscaping company properties. Therefore, the requests will likely be anticipated by the public and neighboring properties

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

Material storage will improve business opportunities. The bays will provide enclose the material and keep it controlled.

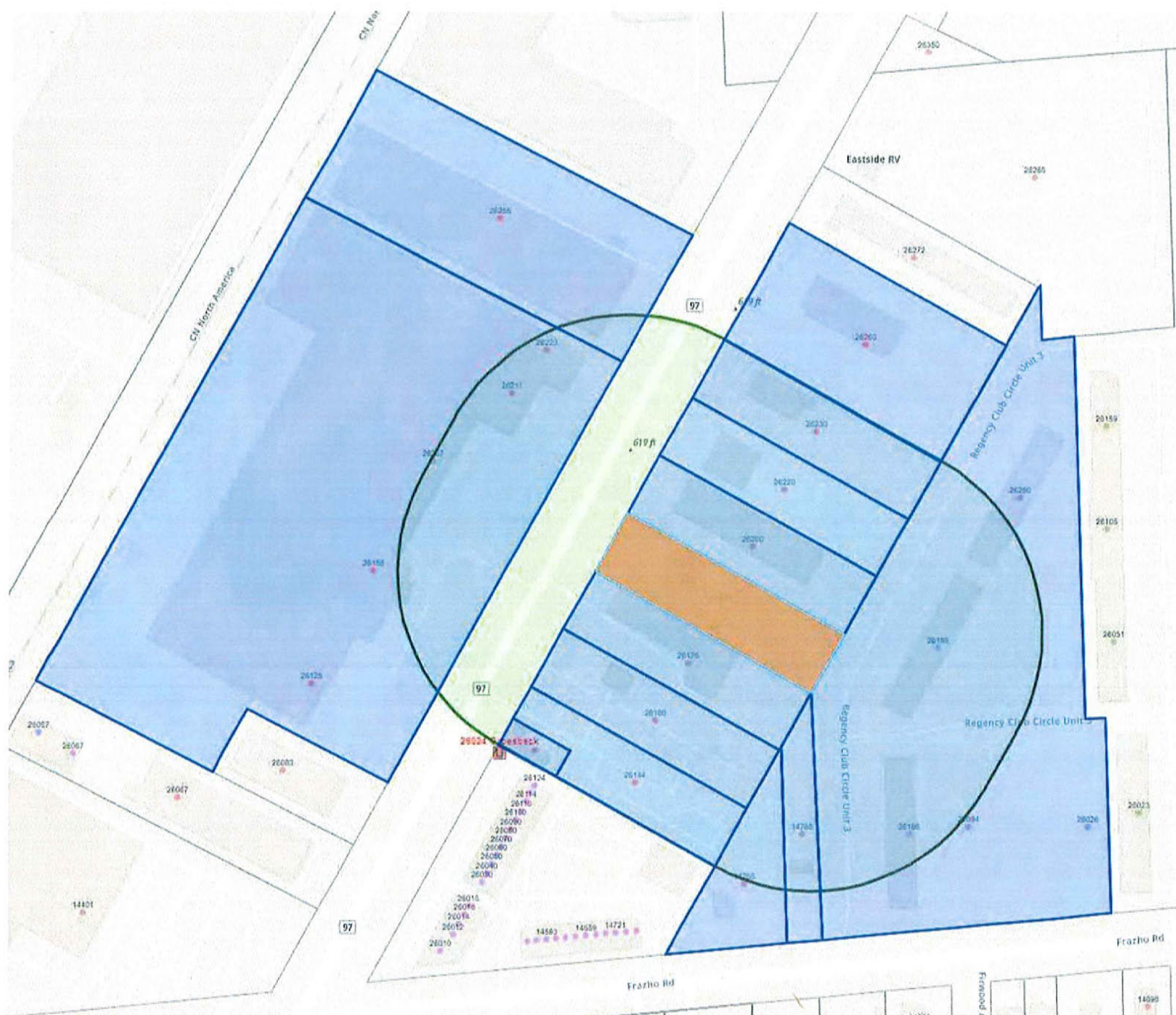
26190 & 26180 Groesbeck 13-24-253-002 6/28/00

Tabled from 5/24/00

MR. MARIO GELLE & MR. ANDRE GELLE, 26190 and 26180 Groesbeck, Also known as 13-24-253-002 and 13-24-253-003 - GRANTED request: 1) To allow a non-conforming residential building to be altered and used as offices for building materials yard. 2) To allow a 100' x 50' storage area and eliminate hardsurfacing in the rear area. 3) To retain an existing 14' maneuvering lane along the north property line, with the condition that the outside storage of materials is to be no higher than seven (7) feet.

2023 WARREN





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: DECEMBER 13, 2023 at 7:30 P.M.

Applicant: ZACHARY MATOUKA / THE YARD MAN **-USE-**

Common Description: 26190 GROESBECK

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

- 1) Operate a landscaping business and allow 30,400 square ft. of outdoor storage as follows:
USE
 - a. Outdoor storage of landscaping materials, 22,400 square ft.
 - b. Overnight truck and trailer parking relating to landscaping business, 8,000 square ft.
- 2) Waive the hard surfacing of the outdoor storage area (30,400 square ft.) and replace with asphalt millings.

PLEASE NOTE: WARREN'S ZONING ORDINANCE PROVIDES THAT THIS NOTICE BE SENT TO THOSE PERSONS OWNING PROPERTY WITHIN 300 FEET OF THE PROPERTY INVOLVED. IF THE ADDRESS THIS NOTICE IS MAILED TO CONTAINS MORE THAN FOUR (4) DWELLING UNITS LEASED BY DIFFERENT PERSONS, THIS NOTICE SHALL BE POSTED AT THE PRIMARY ENTRANCE.

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

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Board of Appeals

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