



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

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

**A Regular Meeting of the Zoning Board of Appeals
Wednesday, January 10 2024 at 7:30 p.m. in the Warren Community Center
Auditorium, 5460 Arden, Warren, Michigan 48092.**

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

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meetings of November 8, 2023 and December 13, 2023.**

6. 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.

7. PUBLIC HEARING: **APPLICANT: Daniel Renusch**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 14719 Peck
LEGAL DESCRIPTION: 13-01-205-016
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Allow 902 square ft. of accessory structures as follows:

- 1) A 10' x 11' = 110 square ft. shed, no less than 9' from the rear property line, no less than 3.5' from the side building line that extends past the side building line.
- 2) Erect a 22' x 12' = 264 square ft. sunroom.
(In addition to an existing 528 square ft. attached garage.)

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 or any easement.

Section 7.01 – Uses Permitted: (I) Accessory buildings or uses customarily incident to any of the above permitted uses, when located on the same or an adjoining lot and which do not involved any business, profession, trade or occupation. One (1) private garage of reach residential lot in which there is housed not more than three (3) vehicles, not more than one (1) of which may be commercial vehicle, shall be considered a legal accessory use, provided, however, any such commercial vehicle provided, further, that no moving vans shall be houses in private garages. All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

8. PUBLIC HEARING: **APPLICANT: Green Electrical**
REPRESENTATIVE: Renee Wenner
COMMON DESCRIPTION: 23601 Hoover
LEGAL DESCRIPTION: 13-27-426-020
ZONE: M-2

VARIANCES REQUESTED: Permission to

Retain an existing ground sign that:

- 1) Set back no less than 18" from the property line.
- 2) Has an under clearance of 55".

ORDINANCES and REQUIREMENTS:

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

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

9. PUBLIC HEARING: **APPLICANT: Ian Findlay -USE-**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 25141 Hoover
LEGAL DESCRIPTION: 13-22-477-008
ZONE: C-1

VARIANCES REQUESTED: Permission to -USE-

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

ORDINANCES and REQUIREMENTS:

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

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

10. PUBLIC HEARING: **APPLICANT: Live Rite Properties, LLC**
Brenda Maks -USE-
REPRESENTATIVE: Brenda Maks
COMMON DESCRIPTION: 13642 Marshall
LEGAL DESCRIPTION: 13-36-104-013
ZONE: R-1-P

VARIANCES REQUESTED: Permission to -USE-

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Operating a recovery home in a residential zone (R-1-C) is prohibited.

Section 4.01 – Compliance With All Laws: Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

11. PUBLIC HEARING: **APPLICANT: Live Rite Properties, LLC**
Brenda Maks -USE-
REPRESENTATIVE: Brenda Maks
COMMON DESCRIPTION: 20922 Dexter
LEGAL DESCRIPTION: 13-36-454-017
ZONE: R-1-C

VARIANCES REQUESTED: Permission to -USE-

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

ORDINANCES and REQUIREMENTS:

Section 7.01 – Uses Permitted: Operating a recovery home in a residential zone (R-1-C) is prohibited.

Section 4.01 – Compliance With All Laws: Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

12. NEW BUSINESS

13. 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 12/13/23

6

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)

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

DW
#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.

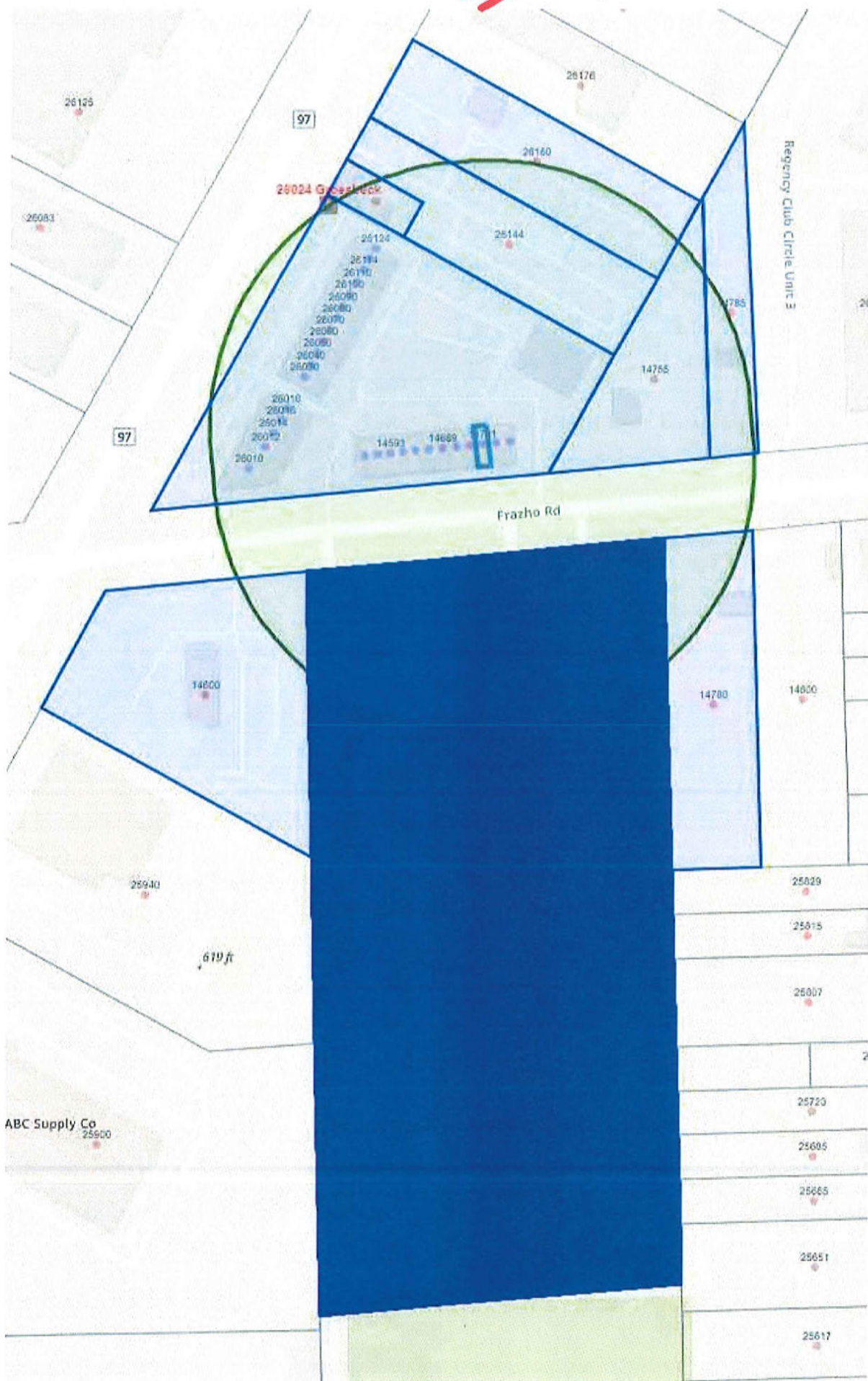
Necessary. The land use variance is necessary for the preservation and enjoyment of the property.

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



13 ~~4~~



ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: DANIEL RENUSCH

REPRESENTATIVE: DANIEL RENUSCH

COMMON DESCRIPTION: 14719 PECK

PARCEL NUMBER: 12-13-01-205-016

ZONED DISTRICT: R-1-C

REASON: Petitioner seeks variances related to proposed sunroom.

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.

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

VARIANCES REQUESTED: Permission to:

Allow 902 sf of accessory structures as follows:

1. A 10' x 11'=110 sf shed, no less than 9' from the rear property line, no less than 3.5' from the side building line that extends past the side building line.
2. Erect a 22' x 12'=264 sf sunroom.
(In addition to an existing 528 sf attached garage.)

Previous Variance Requested: None.

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: DANIEL RENUSCH

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.
SECTION 7.01 USES PERMITTED.

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

dwenson, Zoning Inspector

\$95 SW
12/1/23

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: Daniel Rensch

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) _____

Name of Representative: Sam Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 14719 PECK DR WARREN MI 48088

Parcel I.D. No. (as shown on tax bill): 12-13-01-205-016

Purpose of Request: TO BUILD A SUNROOM ON THE BACK

OF MY HOUSE. I NEED A 220 SQUARE FOOT

VARIANCE ON LOT COVERAGE. ALL SET BACKS

ARE GOOD. AND A EXISTING 10' x 11' SHED

Please explain the nature of your hardship:

THIS IS THE ONLY LOCATION I CAN INSTALL
A SUN ROOM ON MY HOUSE, AND I NEED PROTECTION
FROM THE SUN IN THE SUMMER AND THE EXTRA
LIGHT IN THE WINTER. I NEED THE SHED FOR
POOL EQUIPMENT

Signature: Wendy Rensch Date: 11-30-23

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 Daniel Renusch AND Patricia Koziana-Renusch

(Name(s) of Person(s))

OF _____
Address, City, State

Zip

Telephone

THE _____ OF _____
Title of Officer Name of Company

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

I/We/It

_____/RECORDED LAND CONTRACT PURCHASER(S)

X/RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT 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 Patricia Koziana-Renusch *

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF macomb

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

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

[Signature]
NOTARY PUBLIC, macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 12-18-23

NOTICE TO OWNER

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

Worksheet #1 - Section 20.25 - 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 LOT COVERAGE ONLY ALLOWS 700 SQUARE FEET OF SECONDARY STRUCTURES

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 LOT IS ONLY 65' X 103' AND WE DID NOT ADD ON TO THE HOUSE OR GARAGE AND THE ATTACHED GARAGE TAKES UP MOST OF THE 700 SQUARE FEET ALLOWED

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.

I WILL MAINTAIN ALL OF THE REQUIRED SETBACKS AND MOVE THE SHED TO THE REQUIRED SETBACKS

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.

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.

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

WE HAVE NOT ADDED ANY ADDITIONS TO THE HOUSE
THE GARAGE WAS THERE WHEN WE BOUGHT IT.

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

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

THIS ADDITION WILL NOT CAUSE ANY DETRIMENT TO THE
PROPERTY VALUES IN THE SURROUNDING AREA.

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

THE SUNROOM WILL PROVIDE PROTECTION FROM THE SUN IN
THE SUMMER AND EXTRA LIGHT & ENJOYMENT IN THE
WINTER. THE SHED IS NEEDED FOR POOL EQUIPMENT.

ZONING Enforcement | E23-05459

Property Information

12-13-01-205-016	14719 PECK	Subdivision:	BALMORAL PARK		
	WARREN MI, 48088	Lot:	723	Block:	

Name Information

Owner:	KOZIARA-RENUSCH PATRICIA	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	10/26/2023	Date Closed:		Status:	
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Complaint:

CHECK REAR YARD FOR PROPOSED SUNROOM ADDITION.

Last Action Date:		Last Inspection:	11/21/2023
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Last Action:

FOLLOW-UP Inspection | DAVID PODESZWIK

Status:	Scheduled	Result:	
Scheduled:	12/04/2023	Completed:	

FOLLOW-UP Inspection | DAVID PODESZWIK

Status:	Completed	Result:	Violation(s)
Scheduled:	11/21/2023	Completed:	11/21/2023

Comments:

SEE NOTES	SEE NOTES
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FIELD INSPECTION Inspection | DAVID PODESZWIK

Status:	Completed	Result:	Violation(s)
Scheduled:	10/30/2023	Completed:	10/30/2023

Comments:

Scheduling Comment	PICS OF VYNIL FENCE AND SHED ON DECK
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2023 WARREN



55



David Sophiea, Chairman
Roman Nestorowicz, Vice-Chairman
Paul Jerzy, Secretary
Charles Perry, Asst. Secretary
Charles Anglin
William Clift
Kevin Higgins
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: JANUARY 10, 2024 at 7:30 P.M.

Applicant: DANIEL RENUSCH

Common Description: 14719 PECK

VARIANCE(S) REQUESTED: Permission to:

Allow 902 square ft. of accessory structures as follows:

1) A 10' x 11' = 110 square ft. shed, no less than 9' from the rear property line, no less than 3.5' from the side building line that extends past the side building line.

2) Erect a 22' x 12' 264 square ft. sunroom.

(In addition to an existing 528 square ft. attached garage.)

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: GREEN ELECTRICAL

REPRESENTATIVE: RENEE WENNER

COMMON DESCRIPTION: 23601 HOOVER

PARCEL NUMBER: 12-13-27-426-020

ZONED DISTRICT: M-2

REASON: Petitioner seeks variances related to signage.

ORDINANCES and REQUIREMENTS:

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

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

VARIANCES REQUESTED: Permission to:

Retain an existing ground sign that:

1. Set back no less than 18" from the property line.
2. Has an under clearance of 55".

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 11/14/2023 11/17/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: GREEN ELECTRICAL

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

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

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

dwenson, Zoning Inspector

\$25000
11/14/2023
DW

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: Green Electrical

Address: [REDACTED] Telephone: [REDACTED]

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

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

David Stolize

Name of Representative: Renee Wenner Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 23601 Hoover RD

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

Purpose of Request: Approval to keep existing ground sign as was installed and add a new panel with customer logo.

Please explain the nature of your hardship:

The ground sign was installed a few years ago by a sign company that never pulled a permit. The new tenant was unaware of this and now wants to add their logo to the existing sign. Applying for the variance to permit the existing sign.

Signature: Dan Juhl Date: 11/9/23

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 WILLIAM HALL
Name(s) of Person(s)
OF [REDACTED]
Address, City, State Zip Telephone
THE FINANCE CONTROLLER OF FORMSPRAG CLUTCH
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT U/E
I/We/It
N/A /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 Renee Wennex
Name(s) of Person(s)

THE Project Director OF Green Electric
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 Oakland



RENEE ESTELLE WENNER
My Commission Expires
December 23, 2028
County of Oakland
Acting in the County of _____

ON THIS 9th DAY OF November, 2023, BEFORE ME PERSONALLY CAME
William Hall, 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.

Renee Estelle Wenner
NOTARY PUBLIC, OAKLAND COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 12/23/28

NOTICE TO OWNER

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

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

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

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

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

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

To bring the sign up to code would result in removing sign and producing new. New ground signs can be a cost of +2,000 or more.

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 sign was installed years prior without city approval. The customer was not aware, no permits were filed.

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.

Nobody will be affected by the ground sign remaining.

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.

Keeping the ground sign is best for customer both personally and economically

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.

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.

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

Sign was installed without permits without the customers knowledge

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

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

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

23601 Hoover Rd

M.H. Dreyer - Representative
M.H. Dreyer Builders - Applicant

Request approved at mtg of July 14, 1965

*to construct a 34' x 22' 2" addition
to the rear of existing building
to within 5' 8" of rear
property line.*

23601 Hoover Rd.

Formsprag Co.

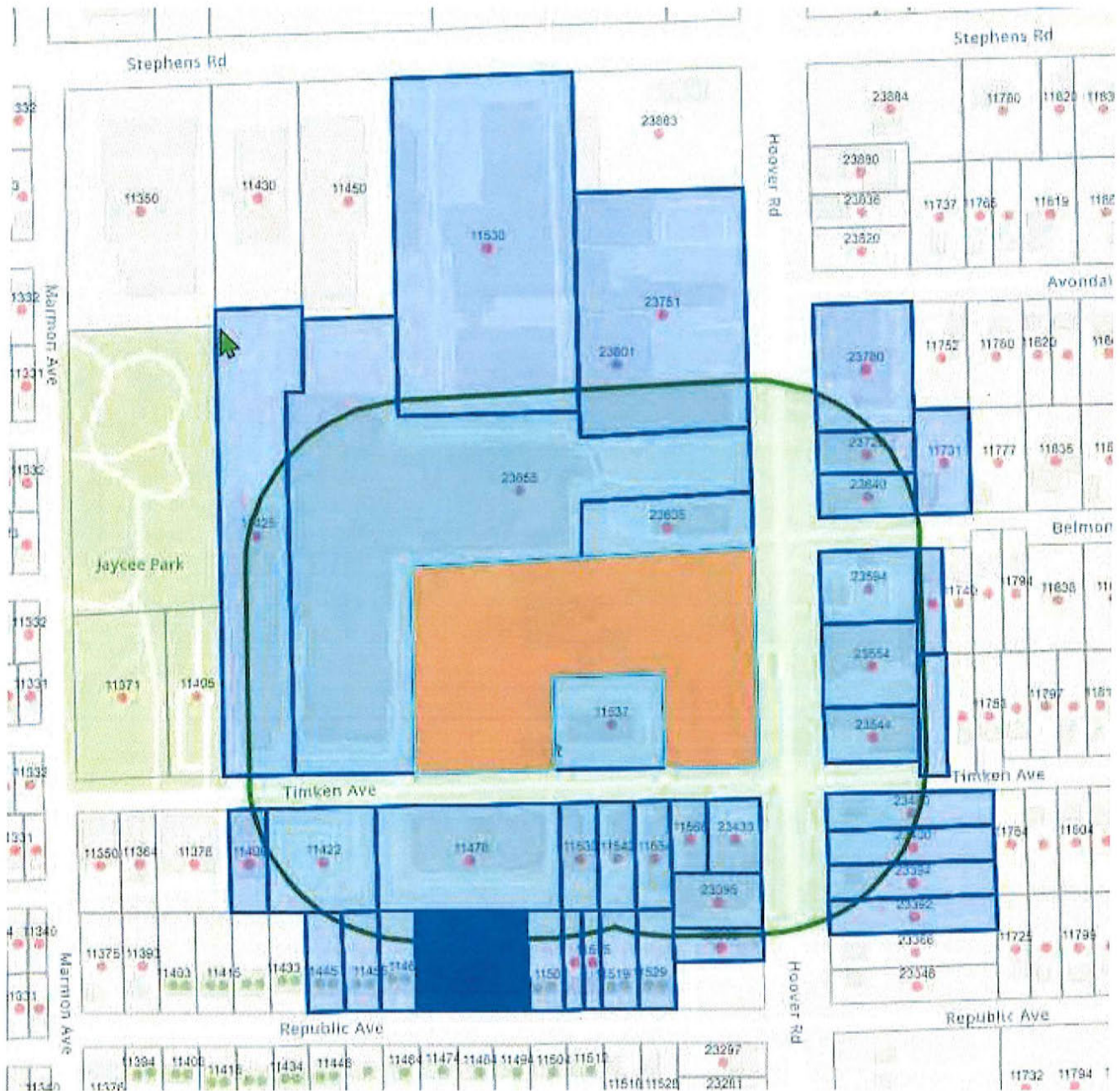
Request granted at the Meeting of October 31, 1973 to
construct a 30' 8" x 82' addition to an existing building
within 44' of front property line.

2023 WARREN



23601 HOOVER
13-27-426-020

35



FORMSPRAG

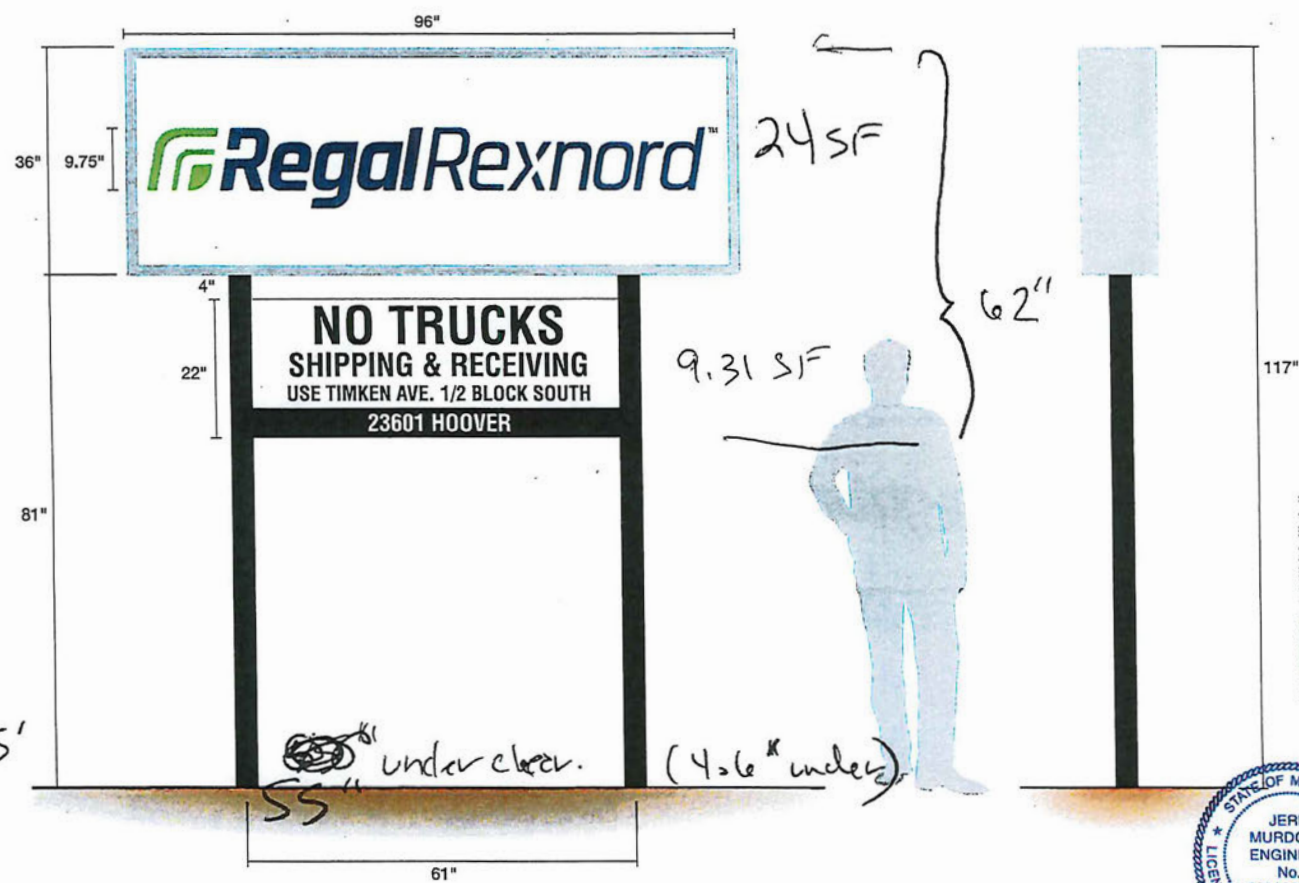
LOCATION:
23601 Hoover Rd
Warren, MI 48089

DATE: 6-27-2023
DESIGN: 7-7-2023

47406

Oracal 8500
006 Intensive Blue

Oracal 8500
063 Lime Green



DESIGN SPECIFICATIONS			
IBC	2015	with	MI amendments
ASCE	7-10	Minimum Design Loads for Buildings & Other Structures	
ACI	318 14	Building Code Requirements for Structural Concrete	
ANSI/AISC	360-10	Specification for Structural Steel Buildings	
DESIGN LOADS			
Wind	Vult =	115	mph
Exposure	C		
Risk Cat.	II		
Grnd. Snow	Pg =	25	psf

MURDOCH ENGINEERING
SIGN STRUCTURE PROFESSIONALS

2359 A-2 NJ-34
MAHASQUAN, NJ 08738
(973) 570-8214
Joe Murdoch, PE
Professional Engineer
MI PE Lic. #6201060837
Exp. 1/18/2025

11/9/2023

PG: 2 of 5

Details - Sign Face Change
- 3/16" White Acrylic with Translucent Vinyl Graphics

Marissa C.
2
Joe S. | joe@michigansignshops.com

Troy / Metro Detroit
Signarama
248-585-6880 | 5875 New King Ct. Troy, MI 48069

FORMSPRAG

LOCATION:

23601 Hoover Rd
Warren, MI 48089

CREATED
6-27-2023

REVISED
7-7-2023

JOB #
47406

Oracal 8500
006 Intensive Blue

Oracal 8500
063 Lime Green



PROPOSED



DESIGN SPECIFICATIONS			
IBC	2015	with	MI amendments
ASCE	7-10	Minimum Design Loads for Buildings & Other Structures	
ACI	318-14	Building Code Requirements for Structural Concrete	
ANSI/ASCE	360-10	Specification for Structural Steel Buildings	
DESIGN LOADS			
Wind	Vult =	115	mph
Exposure	C		
Risk Cat.	II		
Grnd. Snow	Pg =	25	psf

MURDOCH ENGINEERING
SIGN STRUCTURE PROFESSIONALS
2389 A-2 NJ-34
MANASQUAN, NJ 08736
(973) 570-6210
Jere Murdoch, PE
Professional Engineer
MI PE Lic. #6201060837
Exp. 1/16/2025

11/9/2023

PG: 1 of 5

Details - Sign Face Change
- 3/16" White Acrylic with Translucent Vinyl Graphics

DRAWINGS:
Marissa C.

VERSION
2

SALES
Joe S. | joe@michigansignshops.com

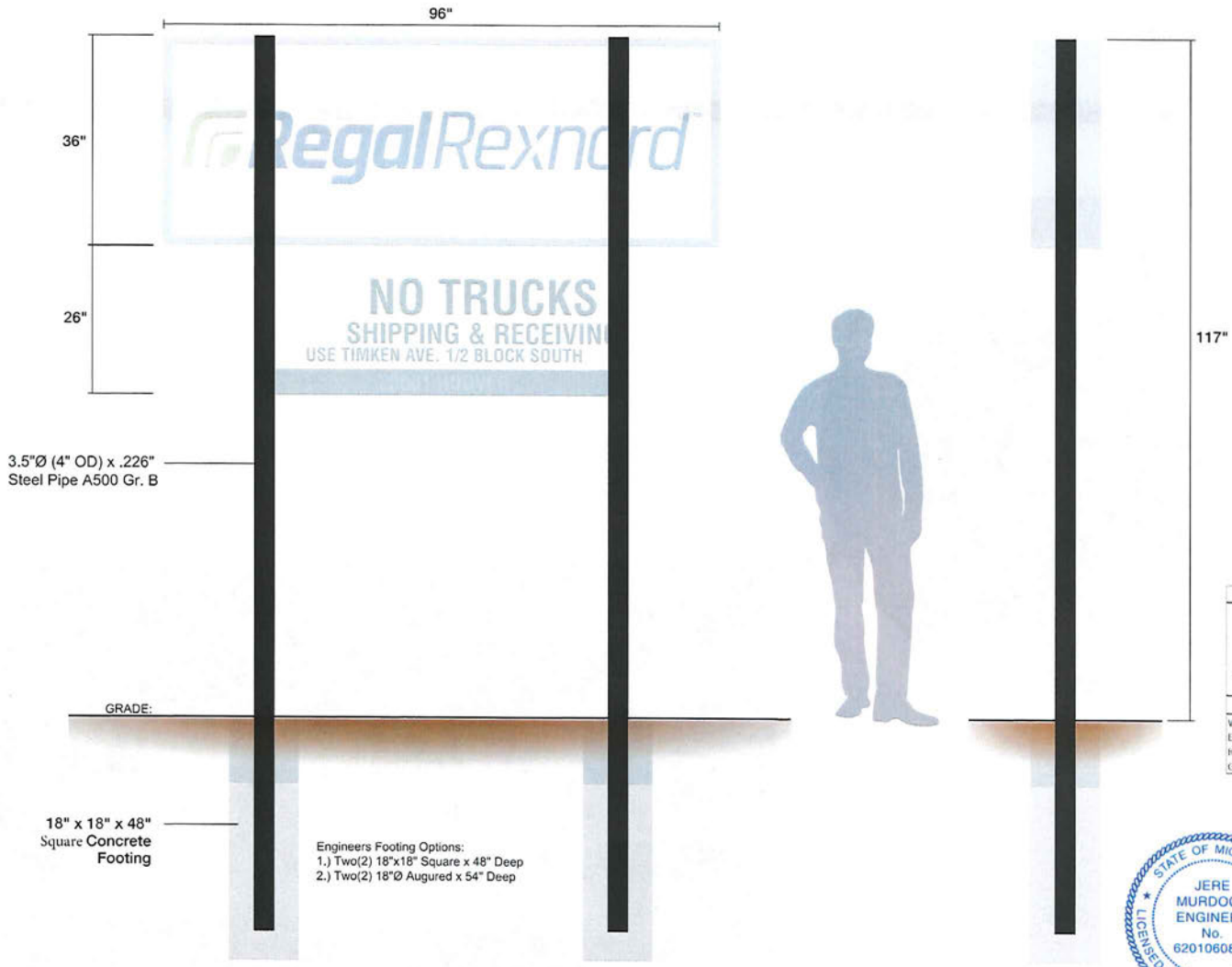
Troy / Metro Detroit
Signarama
248-585-6880 | 5875 New King Ct. Troy, MI 48098

FORMSPRAG

LOCATION:
23601 Hoover Rd
Warren, MI 48069

CREATED: 6-27-2023
REVISED: 7-7-2023

JOB #
47406



DESIGN SPECIFICATIONS	
IBC 2015 with MI amendments	
ASCE 7-10	Minimum Design Loads for Buildings & Other Structures
ACI 318-14	Building Code Requirements for Structural Concrete
ANSI/AISC 360-10	Specification for Structural Steel Buildings
DESIGN LOADS	
Wind	Vult = 115 mph
Exposure	C
Risk Cat.	II
Grid. Snow	Pg = 25 psf

MURDOCH ENGINEERING
SIGN STRUCTURE PROFESSIONALS
2369 A-2 NJ-34
MANASQUAN, NJ 08736
(973) 570-8216
Jere Murdoch, PE
Professional Engineer
MI PE Lic. #6201060837
Exp. 11/9/2025

11/9/2023

PG: 3 of 5

DRAWINGS:
Marissa C. 2

SALES:
Joe S. | joe@michigansignshops.com

Troy / Metro Detroit
Signarama
248-585-6880 | 5875 New King Ct. Troy, MI 48069

GENERAL:

1. ALL MATERIALS AND WORK SHALL CONFORM TO THE REQUIREMENTS OF THE APPLICABLE INTERNATIONAL BUILDING CODE (IBC).
2. CONSTRUCTION METHODS AND PROJECT SAFETY: DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE METHODS, PROCEDURES, OR SEQUENCE OF CONSTRUCTION. TAKE NECESSARY PRECAUTIONS TO MAINTAIN AND ENSURE THE INTEGRITY OF THE STRUCTURE DURING CONSTRUCTION. THE EOR WILL NOT ENFORCE SAFETY MEASURES OR REGULATIONS. THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY DEVICES AND SHALL BE SOLELY RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE, AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS, AND REGULATIONS.
3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS AND SITE CONDITIONS PRIOR TO THE START OF CONSTRUCTION AND NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES OR INCONSISTENCIES THAT ARE FOUND. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE DRAWINGS.
4. ALL OMISSIONS AND/OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND FIELD INSPECTOR. THE ENGINEER SHALL PROVIDE A SOLUTION PRIOR TO PROCEEDING WITH ANY WORK AFFECTED BY THE CONFLICT OR OMISSION.
5. WHERE NO CONSTRUCTION DETAILS ARE SHOWN OR NOTED FOR ANY PART OF THE WORK, CONSTRUCT IN ACCORDANCE WITH THE STEEL CONSTRUCTION MANUAL, 14TH EDITION OR 2010 ALUMINUM DESIGN MANUAL.
6. WHEN A DETAIL IS IDENTIFIED AS TYPICAL, THE CONTRACTOR IS TO APPLY THIS DETAIL IN ESTIMATING AND CONSTRUCTION TO EVERY LIKE CONDITION WHETHER OR NOT THE REFERENCE IS REPEATED IN EVERY INSTANCE.
7. ANY CHANGE TO THE DESIGN AS SHOWN ON THE DRAWINGS REQUIRES PRIOR WRITTEN APPROVAL FROM DESIGN ENGINEER OF RECORD BEFORE CONSTRUCTION.
8. WORK PERFORMED IN CONFLICT WITH THE STRUCTURAL DRAWINGS OR APPLICABLE BUILDING CODE REQUIREMENTS SHALL BE CORRECTED AT THE EXPENSE OF THE CONTRACTOR.
9. VERIFICATION: VERIFY ALL DIMENSIONS, ELEVATIONS, AND SITE CONDITIONS BEFORE STARTING WORK. NOTIFY THE EOR IMMEDIATELY OF ANY DISCREPANCIES.

EXISTING CONDITIONS:

1. IF EXISTING CONDITIONS ARE NOT AS DETAILED IN THIS DESIGN, THE INSTALLER SHALL CEASE WORK AND NOTIFY MURDOCH ENGINEERING IMMEDIATELY.
2. MURDOCH ENGINEERING WILL NOT BE PERFORMING ON-SITE INSPECTIONS OR VERIFICATIONS. IT IS THE RESPONSIBILITY OF THE INSTALLER, STRUCTURE OWNER, AND PROPERTY OWNER TO IDENTIFY EXISTING CONDITIONS AND CONTACT MURDOCH ENGINEERING WITH ANY DISCREPANCIES OR CONCERNS.
3. INSTALLER SHALL CONFIRM THE DIAMETER AND THICKNESS OF EXISTING MEMBERS AND NOTIFY MURDOCH ENGINEERING OF ANY DISCREPANCIES.
4. INSTALLER SHALL INSPECT AND CONFIRM THE QUALITY OF EXISTING STRUCTURE AS "IN GOOD REPAIR". IF THERE ARE ANY INDICATIONS THAT THIS IS NOT THE CASE, INSTALLER SHALL CEASE WORK IMMEDIATELY AND NOTIFY MURDOCH ENGINEERING.
5. ANY EXISTING INFORMATION SHOWN HAS BEEN FURNISHED BY THE PERSON(S) OR COMPANY THIS DOCUMENT WAS PREPARED FOR (SEE TITLE BLOCK). MURDOCH ENGINEERING IN NO WAY CERTIFIES THIS INFORMATION AS "AS-BUILT". IF THERE IS ANY REASON TO BELIEVE THE EXISTING CONDITIONS DETAILED HEREIN ARE NOT ACCURATE, MURDOCH ENGINEERING SHALL BE NOTIFIED IMMEDIATELY.

STEEL

1. STEEL SHAPES SHALL CONFORM TO THE FOLLOWING:

ROUND HSS	ASTM A500, GR B	Fy=42 KSI MIN.
SQUARE/RECT HSS	ASTM A500, GR B	Fy=46 KSI MIN.
THREADED ROD	ASTM A36	Fy=46 KSI MIN.
STEEL PLATE	ASTM A36 ASTM	Fy=36 KSI MIN.
STD. PIPE	A53, GR B	Fy=35 KSI MIN.
2. BOLTS SHALL CONFORM TO ASTM A307 UNO.
3. BOLTS AND THREADED ROD SHALL BE HOT-DIP GALVANIZED PER ASTM F2329 UNO.
4. ANCHOR BOLTS SHALL CONFORM TO ASTM F1554 UNO.
5. NUTS SHALL CONFORM TO ASTM A563.
6. WASHERS SHALL CONFORM TO ASTM F844.
7. STEEL HARDWARE SHALL BE HOT-DIP GALVANIZED PER ASTM A153 UNO
8. WELDING:
 - a. WELD STRUCTURAL STEEL IN COMPLIANCE WITH ANSI/AWS D1.1 AND AISC SPECIFICATION, CHAPTER J. WELDERS SHALL BE CERTIFIED AS REQUIRED BY GOVERNING CODE AUTHORITY. WELDING SHALL BE DONE BY ELECTRIC ARC PROCESS USING LOW-HYDROGEN ELECTRODES WITH SPECIFIED TENSILE STRENGTH NOT LESS THAN 70 KSI UNLESS NOTED OTHERWISE.
 - b. ALL SHOP AND FIELD WELDS SHALL BE PERFORMED BY AN AWS OR ICC CERTIFIED WELDER WITH ACTIVE STATUS AT TIME OF WELDING
 - c. UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM SIZE WELDS PER AISC SPECIFICATION, SECTION J2, TABLE J2.4
 - d. BASE PLATES SHALL BE WELDED ON TOP AND BOTTOM WITH CONTINUOUS WELDS OF AT LEAST 1/4" (IF PLATE IS CUT TO FIT TUBE INTO PLATE)

ALUMINUM:

1. FABRICATE AND ERECT ALUMINUM IN COMPLIANCE WITH THE ALUMINUM ASSOCIATION (AA) 2020 ALUMINUM DESIGN MANUAL (ADM) 1, THE SPECIFICATIONS FOR ALUMINUM SHEET METAL WORK (ASM35), AND IBC CHAPTER 20.
2. PIPE AND TUBE SHALL BE 6061-T6 PER ASTM B241 OR B429 WITH Ftu=38 KSI MIN, Fty=35 KSI MIN, Ftuw=24 KSI MIN, Ftyw=15 KSI MIN.
3. STD STRUCTURAL PROFILES SHALL BE 6061-T6 PER B308 WITH Ftu=38 KSI MIN, Fty=35 KSI MIN, Ftuw=24 KSI MIN, Ftyw=15 KSI MIN.
4. SHEET AND PLATE SHALL BE 6061-T6 PLR AS1M B209 WITH Ftu=42 KSI MIN, Fty=35 KSI MIN, Ftuw=24 KSI MIN, Ftyw=15 KSI MIN.
5. EXTRUSIONS SHALL BE 6061-T6 PER ASTM B241 OR B429 WITH Ftu=38 KSI MIN, Fty=35 KSI MIN, Ftuw=24 KSI MIN, Ftyw=15 KSI MIN.
6. ALL SHOP AND FIELD WELDS SHALL BE PERFORMED BY AN AWS OR ICC CERTIFIED WELDER WITH CURRENT STATUS AT TIME OF WELDING
7. UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM SIZE WELD PER ADM. ALL ALUMINUM WELDED JOINTS SHALL HAVE WELD SIZES OF AT LEAST 1/8 INCH
8. FILLET WELDS SHALL NOT EXCEED THINNESS MEMBER WALL THICKNESS JOINED.
9. ALUMINUM WELD FILLER SHALL BE 5356 ALLOY
10. WELDING PROCESS GMAW OR GTAW SHALL BE IN ACCORDANCE WITH AWS D1.2 "
11. ALUMINUM CHANNEL LETTERS SHALL BE CONSTRUCTED OF 0.090" RETURNS AND 0.125" BACKS MINIMUM, UNLESS A LARGER SIZE IS INDICATED ON DRAWINGS. THIS NOTE SHALL SUPERCEDE DRAWING DETAILS.
12. PROVIDE NEOPRENE GASKET BETWEEN DISSIMILAR METALS TO PREVENT GALVANIC CORROSION
13. ALUMINUM DIRECTLY EMBEDDED INTO CONCRETE SHALL BE CAPPED AT BOTTOM AND COATED WITH BITUMINOUS COATING OR POLYURETHANE WHERE IN CONTACT WITH CONCRETE.
14. FASTENERS BETWEEN DISSIMILAR METALS SHALL BE STAINLESS STEEL 316.

CONCRETE & REINFORCEMENT

1. MINIMUM 28-DAY COMPRESSIVE STRENGTH (f'c) SHALL BE 3,000 PSI. THE MAXIMUM WATER TO CEMENT RATIO SHALL BE 0.45 BY WEIGHT. A MINIMUM OF 5-3/4 BAGS OF CEMENT SHALL BE USED PER CUBIC YARD WITH A SLUMP OF 4" +/- 1.
2. REINFORCEMENT TO BE ASTM A615 GR 60, Fy=60 KSI UNO
3. CALCIUM CHLORIDE OR ADDED CHLORIDE IS NOT PERMITTED
4. VIBRATION: ALL REINFORCED CONCRETE SHALL BE CONSOLIDATED WITH MECHANICAL VIBRATORS
5. CONCRETE CONSTRUCTION SHALL BE IN ACCORDANCE WITH ACI 318-11
6. PROVIDE A MINIMUM OF 2-1/2" COVER OF ALL EMBEDDED STEEL REBAR AND A MINIMUM OF 6 INCHES OF COVER FOR DIRECT BURIED PIPE OR TUBE MEMBERS.

FOUNDATIONS

1. CONCRETE POURED INTO CONSTRAINED EARTH EXCAVATIONS MUST CURE UNDER PROPER CONDITIONS FOR A MINIMUM OF 7 DAYS PRIOR TO SIGN BOX INSTALLATION. (EXCEPTION: IF THE OVERALL HEIGHT OF THE SIGN IS LESS THAN 20 FEET AND THE SIGN IS ADEQUATELY BRACED AGAINST WIND LOADS FOR A MINIMUM OF 4 DAYS, THE BOX MAY BE INSTALLED THE SAME DAY AS THE FOOTING IS POURED)
2. FOOTINGS MUST BE POURED AGAINST UNDISTURBED EARTH. SOIL BACKFILL IS UNACCEPTABLE. WHEN A SONOTUBE IS USED AS THE FORM, CONCRETE SHALL BE USED TO BACKFILL THE SPACE BETWEEN THE SONOTUBE AND UNDISTURBED EARTH.
3. COLD WEATHER PLACEMENT: PROTECT CONCRETE WORK FROM PHYSICAL DAMAGE OR REDUCED STRENGTH THAT COULD BE CAUSED BY FROST, FREEZING ACTIONS OR LOW TEMPERATURES. DO NOT POUR CONCRETE DURING OR WHEN FREEZING TEMPERATURES ARE ANTICIPATED WITHIN 3 DAYS OF POUR. BOTTOM OF FOOTING TO BE INSTALLED AT OR BELOW FROST LINE.
4. REINFORCEMENT IS NOT REQUIRED FOR DIRECT BURIAL TYPE SIGN FOOTINGS FOR SIGNS OF 25 FEET OVERALL HEIGHT OR LESS. DIRECT BURIED STEEL SHALL EXTEND TO 6 INCHES FROM BOTTOM OF FOOTING.
5. FOR ANCHOR BOLT/ BASE PLATE - SQUARE FOOTINGS, PROVIDE A MINIMUM OF #5 VERTICAL REBAR @ 12" O.C., 4" OFFSET FROM PERIMETER, TOP AND BOTTOM OF FOOTING. PROVIDE #3 HORIZONTAL TIES @ 12" O.C. Unless otherwise noted.
6. FOR ANCHOR BOLT/ BASE PLATE - ROUND FOOTINGS, PROVIDE A MINIMUM OF SIX (6) VERTICAL #5 REBARS, EVENLY SPACED, 4" OFFSET FROM FOOTING PERIMETER & #3 HORIZONTAL TIES, 12" O.C. Unless otherwise noted.
7. ANCHOR BOLTS SHALL BE TIED TO REBAR CAGE AT A MINIMUM OF TWO LOCATIONS PER ANCHOR BOLT
8. FOOTING DESIGN ASSUMES FOOTING SHALL BE EXCAVATED AND POURED IN UNDISTURBED NATURAL EARTH, CAPABLE OF WITHSTANDING A MINIMUM 1,500 PSF VERTICAL DESIGN BEARING PRESSURE AND 200 PSF/FT OF DEPTH OF LATERAL BEARING PRESSURE.
9. IF CLAY, SILTY - CLAY, ORGANIC OR FILL SOIL IS ENCOUNTERED UPON EXCAVATION, CONTACT MURDOCH ENGINEERING FOR FOOTING DESIGN MODIFICATION PRIOR TO CONSTRUCTION.

SCOPE OF WORK:

1. LIMITS OF LIABILITY TO EXTEND ONLY TO THE QUANTITY INDICATED. ATTEMPTS IN PART OR IN WHOLE TO INSTALL GREATER QUANTITIES THAN THOSE SPECIFIED WITHOUT CONSULTING MURDOCH ENGINEERING SHALL VOID ALL PROFESSIONAL LIABILITY AND COVERAGE.



murdochengineering.com
(973) 570-8215 x0
2399 A-2 NJ-34
MANASQUAN, NJ 08736

PREPARED FOR:

COMPANY**JOB****ADDRESS**

2399 A-2 NJ-34
MANASQUAN, NJ 08736
(973) 570-8215 x0

Jere Murdoch, PE
Professional Engineer
TMI PE Lic. #6201060837
Exp. 1/16/2025

11/9/2023

PG: 5 of 5

DESIGN SPECIFICATIONS

IBC 2015 with MI amendments

ASCE 7-10 Minimum Design Loads for Buildings & Other Structures

ACI 318 14 Building Code Requirements for Structural Concrete

ANSI/AISC 360-10 Specification for Structural Steel Buildings

DESIGN LOADS

Wind Vult = 115 mph

Exposure: C

Risk Cat. II

Grnd. Snow Pg = 25 psf

DWG TITLE

GENERAL NOTES**S.1****B**

The designs, details and specifications contained in this drawing are confidential. The recipients of this drawing hereby acknowledge and agree that it is the sole property of Murdoch Engineering and that they shall neither use nor reveal any of the designs, details and specifications contained in this drawing, outside of the contractual agreement expressed written permission from Murdoch Engineering.

Deviations from this drawing shall not be made without consulting Murdoch Engineering. In case of discrepancies between drawings, specifications, and details included in contract documents, Murdoch Engineering shall decide which indication must be followed and their decision shall be final.

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All rights reserved.

David Sophiea, Chairman
Roman Nestorowicz, Vice-Chairman
Paul Jerzy, Secretary
Charles Perry, Asst. Secretary
Charles Anglin
William Clift
Kevin Higgins
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: JANUARY 10, 2024 at 7:30 P.M.

Applicant: GREEN ELECTRICAL

Common Description: 23601 HOOVER

VARIANCE(S) REQUESTED: Permission to:

Retain an existing ground sign that:

- 1) Set back no less than 18" from the property line.
- 2) Has an under clearance of 55".

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: IAN FINDLAY
REPRESENTATIVE: IAN FINDLAY
COMMON DESCRIPTION: 25141 HOOVER
PARCEL NUMBER: 12-13-22-477-008
ZONED DISTRICT: C-1

REASON: Petitioner seeks variances related to new drive-in restaurant.

ORDINANCES and REQUIREMENTS:

SECTION 13.01 - USES PERMITTED. A drive-in restaurant is not a permitted use in a C-1 zone.

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

VARIANCES REQUESTED: Permission to:

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

Previous Variance Requested: See attached sheet

dwenson, Zoning Inspector 12/05/2023 12/06/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: IAN FINDLAY

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.

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

\$365 SW

12/5/23

CITY OF WARREN ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Ian Findlay

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) _____

Name of Representative: Same Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 25141 Hoover rd

Parcel I.D. No. (as shown on tax bill): 12-13-22-477-008

Purpose of Request: To use existing drive-thru that is on
property for a restaurant. Also, to not put chain
fence around property.

Please explain the nature of your hardship:

I would like the same rights as the other people who
have Drive-thru restaurants up and down Hoover. To my
knowledge, before it was a drug store, bank, the
property was a McDonalds restaurant with a drive-thru.

Signature: [Signature] Date: 12-3-23

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

WE I am finding

OF _____
THE _____ OF _____ Zip _____
BEING _____ Title of Officer _____ OF _____ Property, LLC. Telephone _____

THE State OF Proter Properties LLC Zip Telephone
 Title of Officer Name of Company
 BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT We

_____/RECORDED LAND CONTRACT PURCHASER(S) we
I/We/It X/RECORDED DEEDHOLDER(S)
OF LAND FOR WHICH SUBMITTAL HAS BEEN/WILL BE MADE TO THE CITY OF WARREN,
MACOMB COUNTY, MICHIGAN IN A:

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT 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

FURTHER, DEPONENT SAYS NOT.

SIGNED _____ L.S.

SIGNED _____ L.S.*

Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

THIS 29th DAY OF November, 2023, BEFORE ME PERSONALLY CAME Ian Findlay, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
 ID WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
 KNOWLEDGED THAT he DID SO OF his OWN FREE WILL AND DEED.

ANGELA DICICCA
 NOTARY PUBLIC-STATE OF MICHIGAN

ANGELA DIGIACCA
NOTARY PUBLIC-STATE OF MICHIGAN
MACOMB COUNTY
MY COMMISSION EXPIRES SEP. 25, 2028
Acting in the County of Macomb

OWN FREE WILL AND DEED.
Angela Dr. Giam
 NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
 MY COMMISSION EXPIRES: 09/25/2028

 NOTICE TO OWNED

NOTICE TO OWNER

NOTICE TO OWNER

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

application.DOC 11/29/17

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 property is designed as a Drive-thru and Tropical Smoothie sales are much stronger with the customer preferred drive-thru.

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.

The property is already designed for a Drive-thru with two entrances from road and Drive thru window. The property was a McDonalds and designed to be a drive-thru.

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 property has been used for a Drive-thru for other uses, it will not result in detriment to nearby properties.

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

A customer prefers to remain in car to get lunch or smoothie which would result in more enjoyment of the property.

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

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

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

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

It is unreasonable to have a chain linked fence
around my stand along restaurant when no one else
does on Hoover

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.

The fence would burden pedestrian access to
my restaurant.

25141 Hoover Rd.

Kemmerling Sign Service

Rep: James R. Downing
17421 Telegraph Road

Request granted at Meeting of August 26, 1970.

KEMMERLING SIGN SERVICE, 25141 Hoover Road, also known as Plate No. N628C3
GRANTED permission to erect an 130 square foot sign, 21 feet 4 inches high,
15 feet from the front property line, and to install a 38 square foot roof
sign on the building.

25141 Hoover

Randall Sign Inc.

GRANTED permission at the meeting of
6-13-79 to erect a 4' 6 $\frac{1}{2}$ " x 97" menu board,
a 20" x 18" spaker stand and a 6 $\frac{1}{2}$ " x 37"
wall sign in addition to the 140 sq.ft.
presently on the site for a total of 181.5
sq.ft. with the condition all of the porta-
signs on the property are removed.

25141 Hoover

9/24/2014

PUBLIC HEARING
Union

APPLICANT: Motor City Co-Op Credit

REPRESENTATIVE:

Signarama/Mr. Bryan Duquet

COMMON DESCRIPTION: 25141 Hoover Road

LEGAL DESCRIPTION: 13-22-477-008

ZONE: C-1

VARIANCES REQUESTED: Permission to:

Install a monument sign as follows: overall height 8 feet, one (1) sign
52 inches x 111 inches = 40.08 sq. ft. and one (1) LED message
center 30 inches x 111 inches = 23.13 sq. ft. Total of 63.21 sq. ft. set
back to no less than 7 feet from the front property line as per the
plans.

Petitioner's request was GRANTED.

2023 WARREN



13

25141 HOOVER
13-22-477-008



David Sophiea, Chairman
Roman Nestorowicz, Vice-Chairman
Paul Jerzy, Secretary
Charles Perry, Asst. Secretary
Charles Anglin
William Clift
Kevin Higgins
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: JANUARY 10, 2024 at 7:30 P.M.

Applicant: IAN FINDLAY -~~USE~~-
Common Description: 25141 HOOVER
VARIANCE(S) REQUESTED: Permission to: -~~USE~~-

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

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

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

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

You may e-mail: njones@cityofwarren.org 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: LIVE RITE PROPERTIES, LLC., BRENDA MAKES

REPRESENTATIVE: BRENDA MAKES

COMMON DESCRIPTION: **13642 MARSHALL**

PARCEL NUMBER: 12-13-36-104-013

ZONED DISTRICT: R-1-P

REASON: Petitioner wishes to continue to operate a substance abuse recovery home as a business from a residence.

ORDINANCES and REQUIREMENTS:

SECTION 7.01 - USES PERMITTED. Operating a recovery home in a residential zone (R-1-C) is prohibited.

SECTION 4.01 - COMPLIANCE WITH ALL LAWS; Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

VARIANCES REQUESTED: Permission to:

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

Previous Variance Requested: None.

dwenson, Zoning Inspector 10/13/2023 10/24/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: LIVE RITE PROPERTIES, LLC., BRENDA MAK

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

SECTION 7.01 USES PERMITTED
SECTION 4.01 COMPLIANCE WITH ALL LAWS.

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

10/13/23

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: Live Rite Properties, LLC. , Brenda Maks

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) Live Rite Properties, L.L.C., Brenda Maks

[REDACTED]
Name of Representative: Brenda Maks Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 13642 Marshall, Warren, MI 48089

Parcel I.D. No. (as shown on tax bill): 12-13-36-104-013

Purpose of Request: I am requesting a variance for residential recovery housing. This home is a program
and participant funded group. These individuals feel safe being in an environment with like minded people.

Please explain the nature of your hardship:

I have owned this home since 2013. I have participants in this home that work for my non-profit and also
individuals who regularly volunteer in the community.

Signature: Brenda Maks 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 Live Rite Properties LLC, Brenda Maks

OF Name(s) of Person(s) Address, City, State Zip Telephone

THE Owners OF Live Rite Properties L.L.C.

Title of Officer Name of Company

BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Live Rite Properties LLC, Brenda Maks

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 Brenda Maks *

Name(s) of Person(s)

THE Owners OF Live Rite Properties L.L.C. *

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 Brenda Maks L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 12 DAY OF October, 2023, BEFORE ME PERSONALLY CAME
Brenda Maks, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT ✓ DID SO OF ✓ OWN FREE WILL AND DEED.

AMANDA WILLS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires September 15, 2029
Acting in the County of Macomb

Amanda Wills
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: September 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.

I feel that my request will meet the criteria for a non-use variance in the respect that the participants that I lease to are living with individuals in like minded backgrounds and deserve the right for housing together as they consider each other 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.

This is not self imposed as the variances have changed.

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 feature is that individuals in this home are learning again, how to become productive citizens in society. They are guided, have support, and feel comfortable living with like minded individuals.

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

This request would not impair the neighbors or the property values. There is no safety concerns as these participants are productive working citezens in the community.

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

There is not a personal or economic hardship. There is a unique feature that these individuals are participants of a previous program and now are being productive members of the community.

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

My participants are monitored and some work at Live Rite in Roseville. They have a structured reliable livelihood. These participants are just like any other tenant that would be leasing in the neighborhood.

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.

1. Some of my participants work with Live Rite Recovery Resource Center.
2. All of my participants volunteer in the the community
3. They consider the other participants their family even though they are not blood related. This is their only family when entering the program.

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 home has been occupied by participants of the program since 2013.

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.

I feel that my participants are positive influences in the neighborhood. They give back to the community as volunteers. They do not cause any problems. They are simply living in a like minded environment.

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.

Allowing this variance will not result in detriment to the nearby properties (please see attached 50 signatures on a petition).

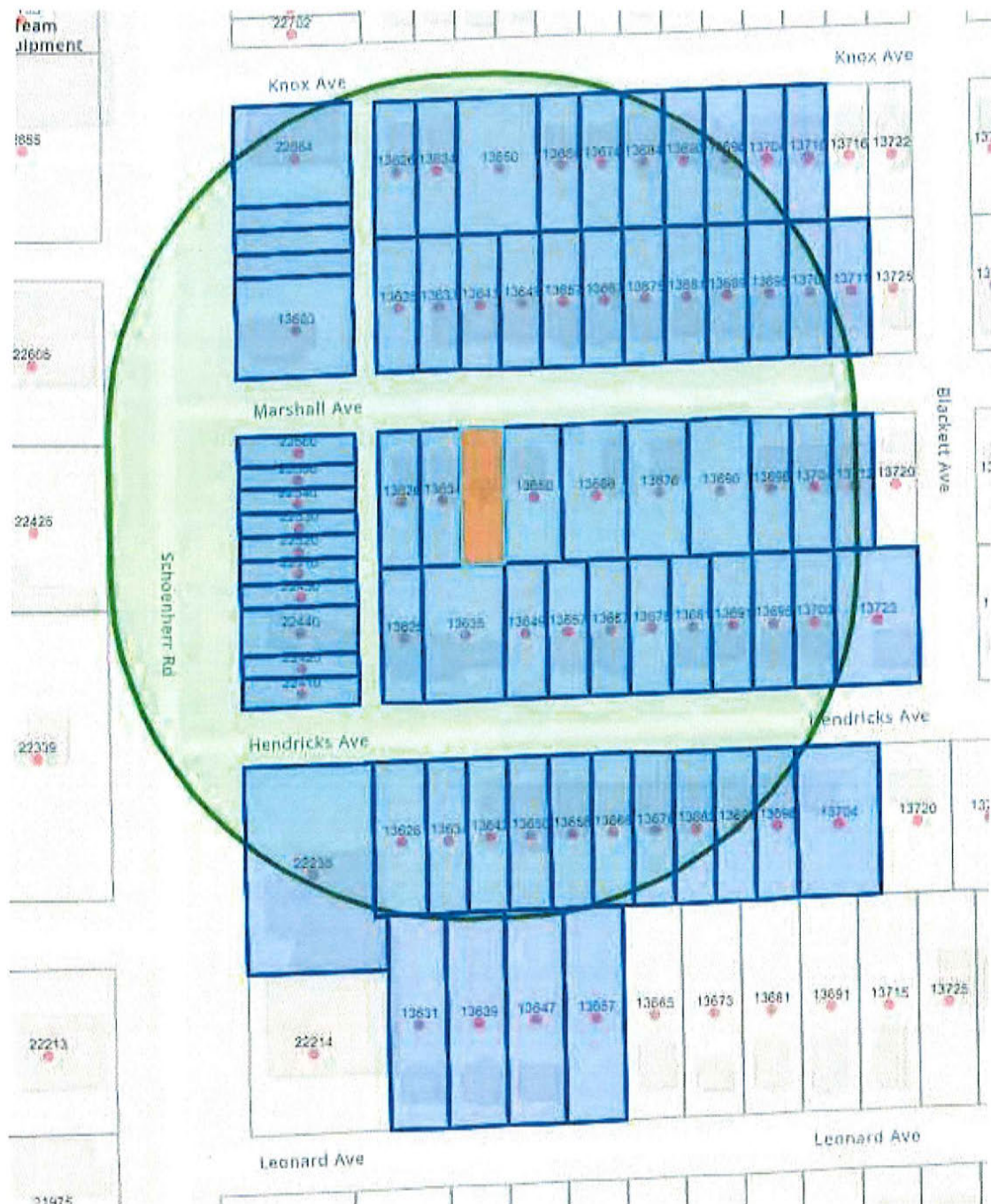
Necessary. The land use variance is necessary for the preservation and enjoyment of the property.

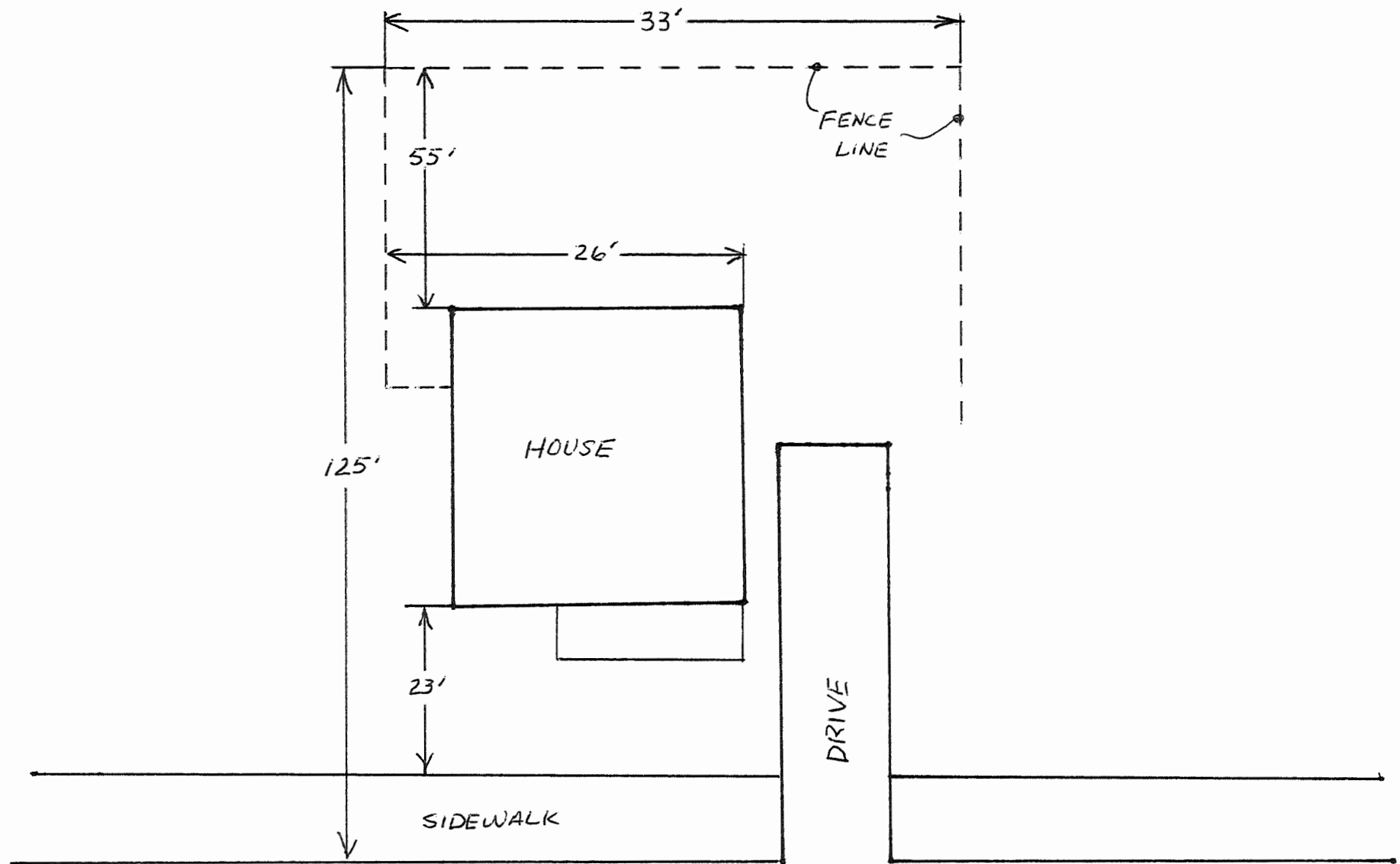
This recovery home has been opened since 2013.

2023 WARREN



57





MARSHALL AVE

SITE PLAN

- * 13642 MARSHALL WARREN MI
- * LOT SQ.FTG: 4,025
- * PROP.NOTE: NO BASEMENT
- * LOT SIZE: 35' X 115'
- * FEDERAL PARK SUBDIV
- * PROP.ID: 12-13-36-104-013
- * PARCEL ID: 1336104013

David Sophiea, Chairman
Roman Nestorowicz, Vice-Chairman
Paul Jerzy, Secretary
Charles Perry, Asst. Secretary
Charles Anglin
William Clift
Kevin Higgins
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: JANUARY 10, 2024 at 7:30 P.M.

Applicant: LIVE RITE PROPERTIES, LLC, BRENDA MAKs **-USE-**
Common Description: 13642 MARSHALL

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

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

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 - USE

SUMMARY OF VARIANCE REQUEST

APPLICANT: LIVE RITE PROPERTIES, LLC., BRENDA MAKS

REPRESENTATIVE: BRENDA MAKS

COMMON DESCRIPTION: 20922 DEXTER

PARCEL NUMBER: 12-13-36-454-017

ZONED DISTRICT: R-1-C

REASON: Petitioner wishes to continue to operate a substance abuse recovery home as a business from a residence.

ORDINANCES and REQUIREMENTS:

SECTION 7.01 - USES PERMITTED. Operating a recovery home in a residential zone (R-1-C) is prohibited.

SECTION 4.01 - COMPLIANCE WITH ALL LAWS; Uses not expressly permitted are prohibited; illegal operation of a business is a misdemeanor. (b) Uses not expressly permitted within a specified zoning district are prohibited in that district.

VARIANCES REQUESTED: Permission to:

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

Previous Variance Requested: None.

dwenson, Zoning Inspector 10/13/2023 10/24/2023 (M) (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: LIVE RITE PROPERTIES, LLC., BRENDA MAK

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

SECTION 7.01 USES PERMITTED
SECTION 4.01 COMPLIANCE WITH ALL LAWS.

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

\$ 95500
10/13/23

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: Live Rite Properties, LLC., Brenda Maks

Address: [REDACTED] Telephone: [REDACTED]

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

Name and Address of Property Owner (if different) Live Rite Properties, L.L.C., Brenda Maks

[REDACTED]

Name of Representative: Brenda Maks Telephone: [REDACTED]

Representative's Address: [REDACTED]

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

Address of Property: 20922 Dexter Blvd, Warren, MI 48089

Parcel I.D. No. (as shown on tax bill): 12-13-36-454-017

Purpose of Request: I am requesting a variance for residential recovery housing. This home is a program and participant funded group. These individuals feel safe being in an environment with like minded people.

Please explain the nature of your hardship:

I have owned this home since 2017. I have participants in this home that work for my non-profit and also individuals who regularly volunteer in the community. We cannot apply for our inspection due to the new variance/rules.

Signature: Brenda Maks 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

I, WE _____ Live Rite Properties LLC, Brenda Maks
Name(s) of Person(s)
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE _____ Owner OF _____ Live Rite Properties, LLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT _____ Live Rite Properties, LLC, Brenda Maks
I/We/It
_____/RECORDED LAND CONTRACT PURCHASER(S) x _____/RECORDED DEEDHOLDER(S)

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

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

FURTHER, DEPONENT SAYS NOT.

SIGNED Brenda Marks L.S.
SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF macomb

ON THIS 12 DAY OF October, 2023, BEFORE ME PERSONALLY CAME
Brenda Marks, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT ✓ DID SO OF ✓ OWN FREE WILL AND DEED.

AMANDA WILLS
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires September 15, 2029
Acting in the County of macomb

Amanda Wiley
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: September 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.

I feel that my request will meet the criteria for a non-use variance in the respect that the participants that I lease to are living with individuals in like minded backgrounds and deserve the right for housing together as they consider each other 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.

This is not self imposed as the variances have changed.

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 feature is that individuals in this home are learning again, how to become productive citizens in society. They are guided, have support, and feel comfortable living with like minded individuals.

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

This request would not impair the neighbors or the property values. There is no safety concerns as these participants are productive working citezens in the community.

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

There is not a personal or economic hardship. There is a unique feature that these individuals are participants of a previous program and now are being productive members of the community.

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

My participants are monitored and some work at Live Rite in Roseville. They have a structured reliable livelihood. These participants are just like any other tenant that would be leasing in the neighborhood.

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.

1. Some of my participants work with Live Rite Recovery Resource Center.

2. All of my participants volunteer in the the community

3. They consider the other participants their family even though they are not blood related. This is their only family when entering the program.

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 home has been occupied by participants of the program since 2017

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.

I feel that my participants are positive influences in the neighborhood. They give back to the community as volunteers. They do not cause any problems. They are simply living in a like minded environment.

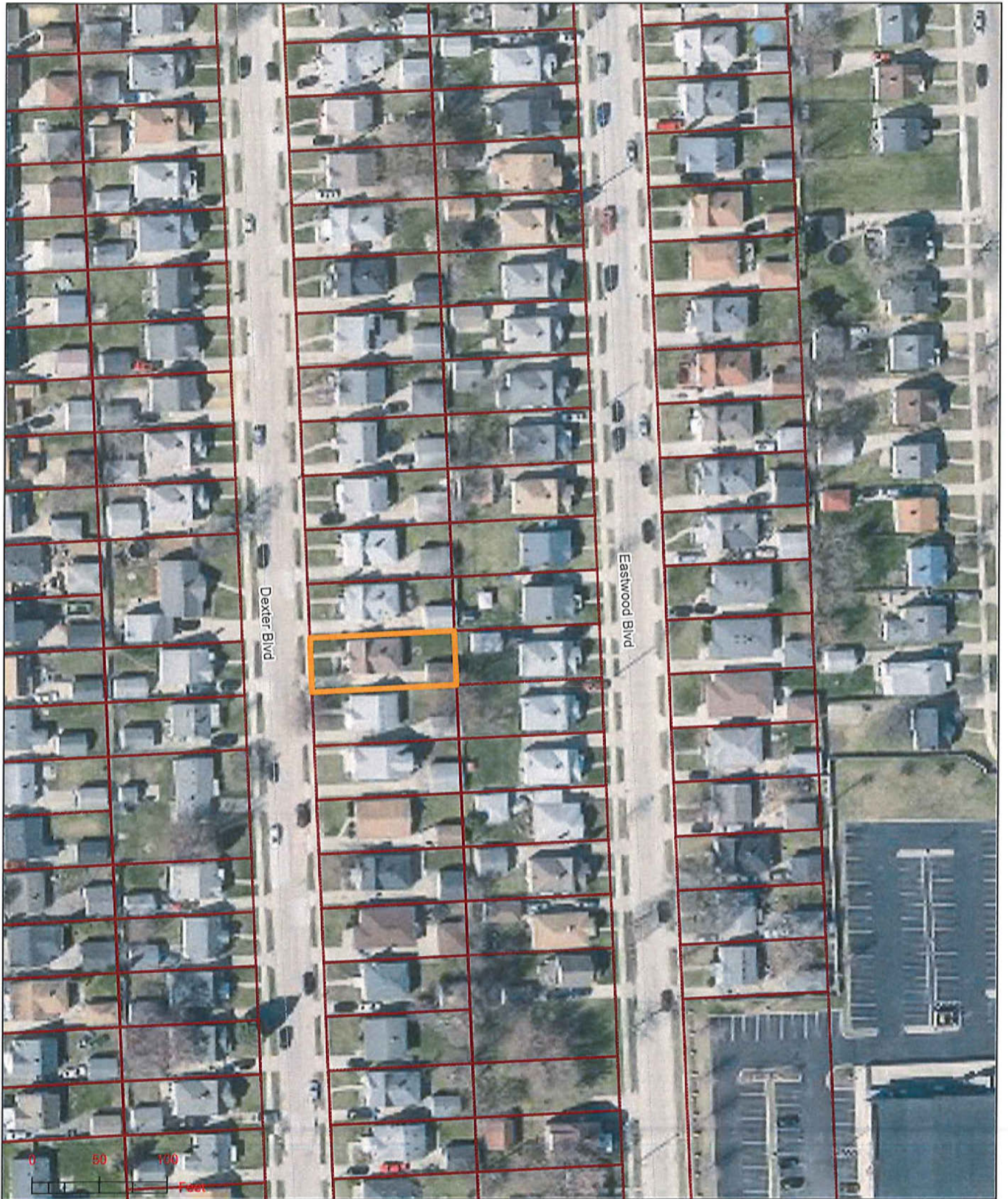
Not a detriment. Granting the variance will not result in detriment to nearby properties; will not impair an adequate supply of light and air to the adjacent properties; will not impair the property values in the surrounding area; will not alter the essential character of the area; and will not cause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

Allowing this variance will not result in detriment to the nearby properties (please see attached 50 signatures on a petition)

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

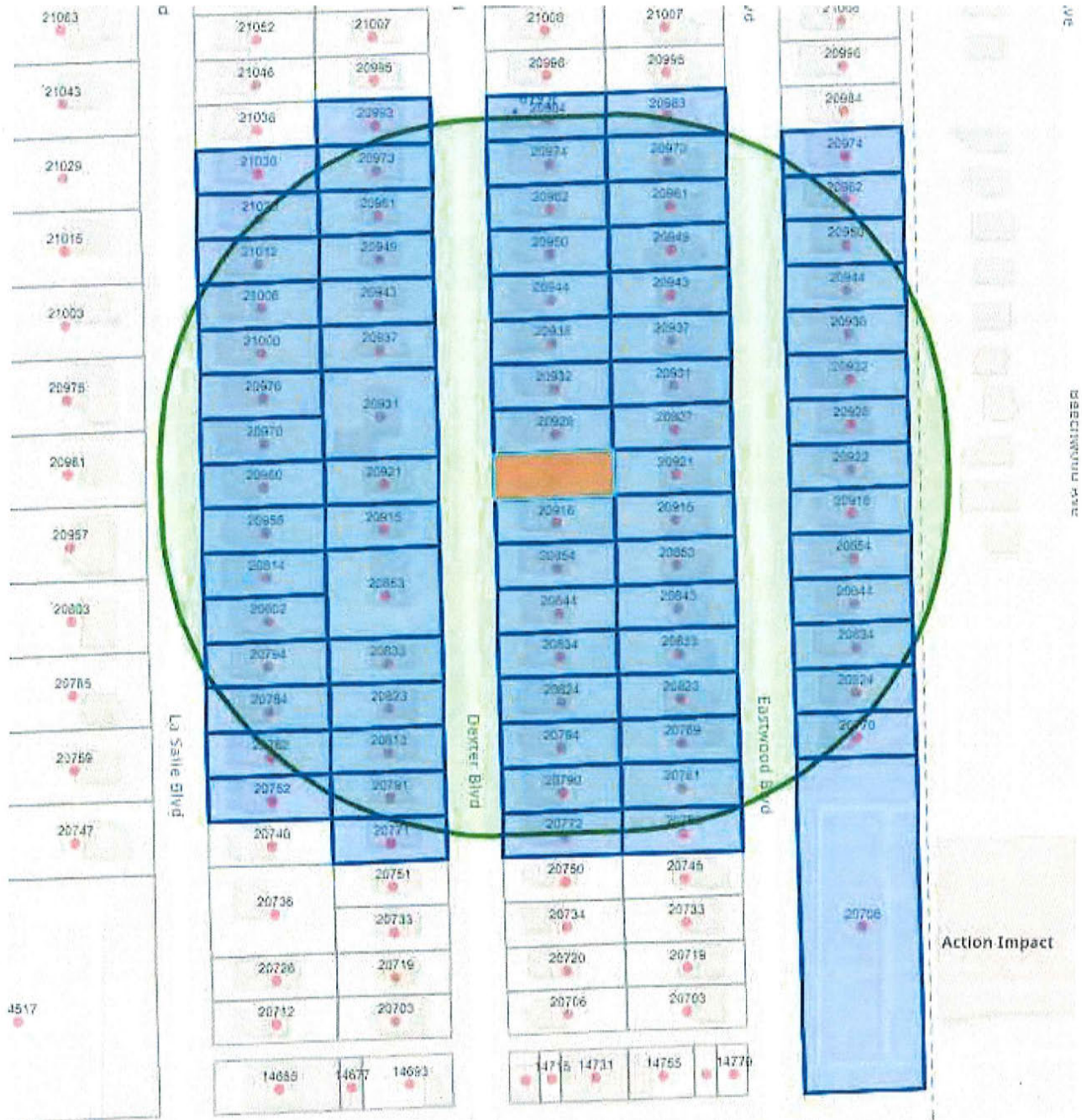
This recovery home has been open since 2017.

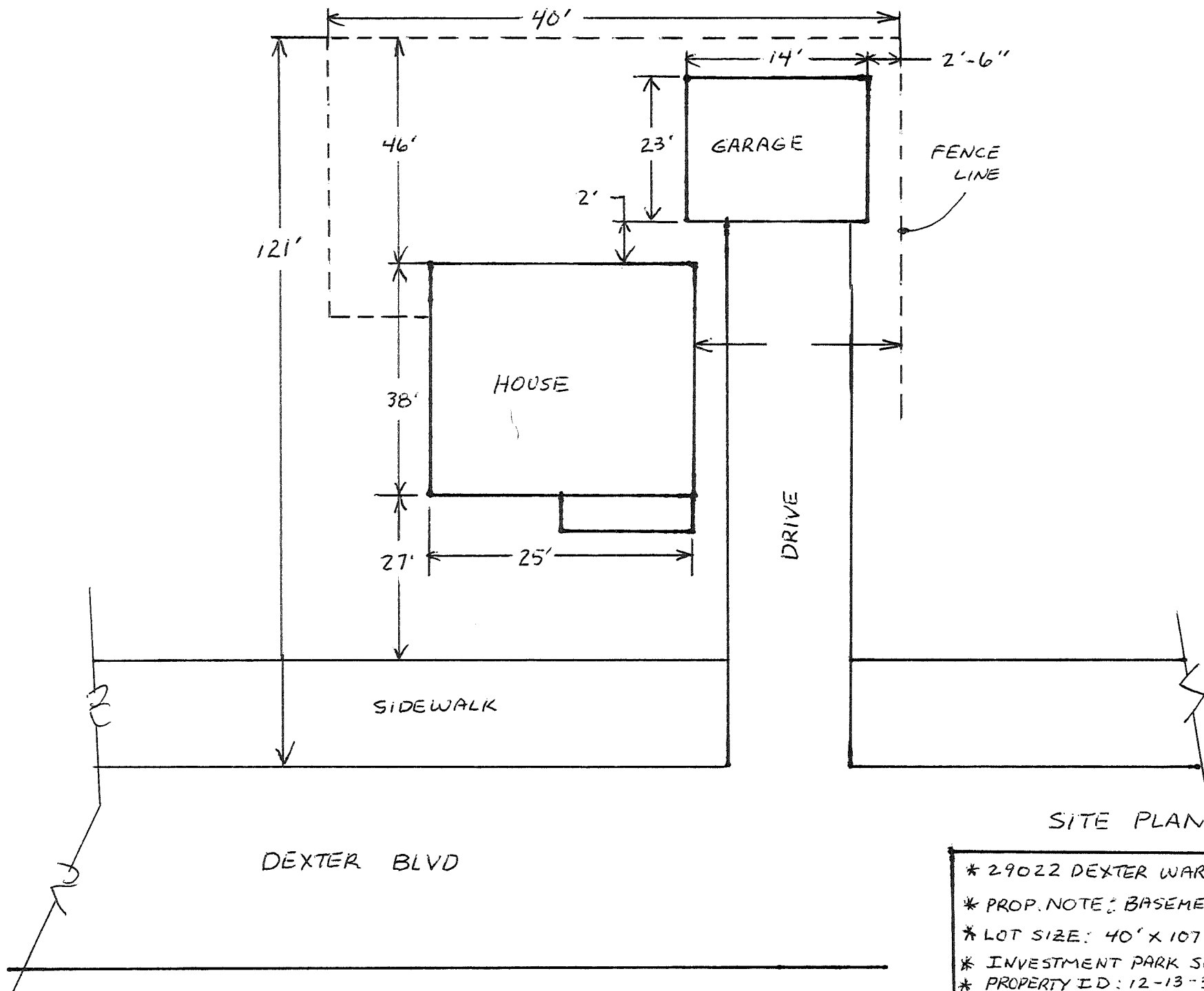
2023 WARREN



20922 DEXTER
13-36-454-017

75





SITE PLAN

- * 29022 DEXTER WARREN, MI
- * PROP. NOTE: BASEMENT W/EGRESS
- * LOT SIZE: 40' X 107'
- * INVESTMENT PARK SUBDIV.
- * PROPERTY ID: 12-13-36-454-017
- * PARCEL ID: 1336454017
- * LOT SQ FTG: 4,280

David Sophiea, Chairman
Roman Nestorowicz, Vice-Chairman
Paul Jerzy, Secretary
Charles Perry, Asst. Secretary
Charles Anglin
William Clift
Kevin Higgins
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: JANUARY 10, 2024 at 7:30 P.M.

Applicant: LIVE RITE PROPERTIES, LLC, BRENDA MAKs ~~-USE-~~
Common Description: 20922 DEXTER

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

Continue operating a substance abuse recovery home as a business in an R-1-C zone.

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