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Zoning Board of Appeals  
Office of the City Council  
5460 Arden, Ste. 505  
Warren, MI 48092  
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**A Regular Meeting of the Zoning Board of Appeals  
Wednesday, February 14, 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, 3<sup>rd</sup> Floor, Warren, 48093.  
Please call: (586) 574 - 4504

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ADOPTION OF THE AGENDA
5. APPROVAL OF THE MINUTES of the **Regular Meetings of December 13, 2023 and January 10, 2024.**

- |                     |                                  |
|---------------------|----------------------------------|
| 6. PUBLIC HEARING:  | <b>APPLICANT: Bray Homes LLC</b> |
| REPRESENTATIVE:     | Debra West                       |
| COMMON DESCRIPTION: | 24503 Tallman                    |
| LEGAL DESCRIPTION:  | 13-27-203-034                    |
| ZONE:               | R-1-C                            |

**VARIANCES REQUESTED: Permission to**

- 1) Retain an oversized accessory structure (shed) 14' 4" x 10' 6" = 150.5 square ft.
- 2) Retain 705.19 square ft. of accessory structures: 411.25 square ft. detached garage, 143.44 square ft. lean to and 150.5 square ft. shed.
- 3) Retain two detached accessory structures (garage with lean to and shed).
- 4) Retain two detached accessory structures more than 3 ft. apart.
- 5) Retain an accessory structure (shed) that extends past the side building line of the dwelling.

**ORDINANCES and REQUIREMENTS:**

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

project beyond, the existing side building lines of the principal building on the lot and shall be one (1) foot from the edge of any easement. The construction of all such accessory structures shall be subject to the following conditions: 3. That the accessory building be placed against any other accessory structure, such as a detached garage, that may exist in the yard. Only one (1) detached accessory structure shall be permitted in the yard. 5. That all accessory structures, excluding garages, will not exceed a total of 120 square ft.

**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.

7. PUBLIC HEARING: **APPLICANT: Marvelous Promotions, Inc. / Veronica Williams-Hernalsteen -USE-**  
REPRESENTATIVE: Veronica Williams-Hernalsteen  
COMMON DESCRIPTION: 6200 Chicago  
LEGAL DESCRIPTION: 13-04-303-017  
ZONE: MZ, O, R-1-P

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

Continue to operate a promotions company which will include the use of embroidery machines on site.

**ORDINANCES and REQUIREMENTS:**

**Section 13A.01 – Use Regulations, In O Districts:** An embroidery business is not a permitted use in an “O” district.

8. PUBLIC HEARING: **APPLICANT: Annie’s Tiny Tots -USE-**  
REPRESENTATIVE: Zach Soccorsi  
COMMON DESCRIPTION: 11200 Twelve Mile  
LEGAL DESCRIPTION: 13-15-204-024  
ZONE: R-1-C

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

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

**ORDINANCES and REQUIREMENTS:**

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

**Section 4C.09 – Childcare Centers; Permitted Zoning Districts:** A. districts. A state licensed childcare center generally described as a childcare center, day care center, day nursery, nursery school, parent cooperative preschool, play group, before- or after-school program, or drop-in center shall be a permitted use in the following districts: C-1, Local Business

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

9. PUBLIC HEARING:	<b>APPLICANT: 29900 Lorraine LLC -USE-</b>
REPRESENTATIVE:	Robert Kirk
COMMON DESCRIPTION:	29900 Lorraine
LEGAL DESCRIPTION:	13-10-401-001
ZONE:	R-1-B

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

- 1) Allow a counseling and support facility for adolescents with mild mental health challenges in an R-1-B zone, which would commonly be allowed in a SS District. USE
- 2) Allow such use above (#1) to be on a collector road.
- 3) Waive the required wall and allow a 20 ft. greenbelt along the south property line with condition to apply for a minor amendment to the site plan within 2 months.
- 4) Waived required wall along the east property line with the same condition as #3.

**ORDINANCES and REQUIREMENTS:**

**Section 6.01 – Uses Permitted:** A mental health/counseling facility is not a permitted use in a R-1-B District.

**Section 13B.01 – Regulations in SS Districts:** (A) In all SS Districts, No buildings or land, except as otherwise provided in this ordinance, shall be erected or altered except for one (1) or more of the following uses: 5. Hospitals or sanitoriums primarily established for mental, alcoholism, or drug addict cases; community mental health centers, clinics for treatment of alcoholism, drugs or other substance abuse; rehabilitation centers for treatment involving any of the above and/or former convicts, emotionally distributed or mentally deficient persons, and children or adolescents who have been adjudged delinquent.

**Section 13B.02 – Criteria:** (A) In considering the designation of an SS District, the Warren Planning Commission and City Council shall apply the following criteria: 1. That these districts be located on major thoroughfares as identified by the City of Warren master thoroughfare plan.

**Section 4D.36 – Obscuring Walls:** Where a non-residential land use abuts a residential district and a wall is used to obscure the non-residential property from the abutting property, the wall shall be constructed of masonry material. Standard concrete blocks are prohibited. Poured or precise concrete walls are permitted provided that they are installed on a continuous concrete footing and are eight (8) inches thick. Required walls shall be similarly finished on all sides and structurally sound.

**Section 2.26 – Greenbelt:** (B) A twenty (20) foot greenbelt shall be a planting strip composed of two (2) rows of evergreen trees, spaced alternately at not more than twenty (20) feet apart and not less than three (3) rows of evergreen shrubs, spaces at not more than eight (8) feet apart and which are at least five (5) feet or more in height after one (1) full growing season after planting, and which shrubs will eventually grow to a height of not less than twelve (12) feet at maturity, and which shall be planted and maintained in a healthy growing condition by either the occupant or owner of the property.

10. PUBLIC HEARING: **APPLICANT: The Home Depot -USE-**  
 REPRESENTATIVE: Katie Fitzjarrald  
 COMMON DESCRIPTION: 25879 Hoover  
 LEGAL DESCRIPTION: 13-22-432-016  
 ZONE: MZ, C-2, C-1, P

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

- 1) Allow 2,329 square ft. of permanent outdoor storage in a “P” zone.
- 2) Allow 3,465 square ft. of permanent outdoor storage in a “C-2” zone.

**ORDINANCES and REQUIREMENTS:**

**Section 16.01 – Uses Permitted:** Outdoor storage is not a permitted use.

**Section 14.01 – Uses Permitted:** Outdoor storage is not a permitted use.

11. PUBLIC HEARING: **APPLICANT: The Home Depot -USE-**  
 REPRESENTATIVE: Katie Fitzjarrald  
 COMMON DESCRIPTION: 25879 Hoover  
 LEGAL DESCRIPTION: 13-22-432-016  
 ZONE: MZ, C-2, C-1, P

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

Allow 5,955 square ft. of temporary storage in a “C-2” zone from April 1 through August 31, 2024.

**ORDINANCES and REQUIREMENTS:**

**Section 14.01 – Uses Permitted:** Outdoor storage is not a permitted use.

12. PUBLIC HEARING: **APPLICANT: Protégé Properties LLC**  
 REPRESENTATIVE: Ian Findlay  
 COMMON DESCRIPTION: 25141 Hoover  
 LEGAL DESCRIPTION: 13-22-477-008  
 ZONE: C-1

**VARIANCES REQUESTED: Permission to**

Retain the existing 4 ft. brick wall along the west property line.

**ORDINANCES and REQUIREMENTS:**

**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.

**13. PUBLIC HEARING:** **APPLICANT: 21500 Hoover LLC**  
**REPRESENTATIVE:** Gordie Miskelly  
**COMMON DESCRIPTION:** 21500 Hoover  
**LEGAL DESCRIPTION:** 13-35-301-007  
**ZONE:** M-3

**VARIANCES REQUESTED: Permission to**

Allow a 6 ft. chain link fence along the south property line that extends 22 ft. past the front building line to approximately 1 ft. from the Hoover property line and runs north, parallel to said property line for 55 ft. and juts east toward the parking lot (to approximately 43 ft. from the front property line) and turns north toward the building for approximately 50 ft. (See diagram.)

**ORDINANCES and REQUIREMENTS:**

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

**Section 17.02 – Industrial Standards:** M-3 (A) Front yards, 150 ft. 3. In M-3 and M-4 Zones, front yards may be utilized for parking or vehicles provided that the front fifty (50) feet of a lot or tract in an M-3 District and the front seventy-five (75) feet of a lot or tract in an M-4 District shall be landscaped and the balance shall be depressed at least two (2) feet so as to have all parked vehicles therein, completely out of sight or view of the roadway.

**14. PUBLIC HEARING:** **APPLICANT: Kimberly Fence & Supply**  
**REPRESENTATIVE:** Gordie Miskelly  
**COMMON DESCRIPTION:** 22522 Hoover  
**LEGAL DESCRIPTION:** 13-35-101-032  
**ZONE:** MZ, M-2, M-3

**VARIANCES REQUESTED: Permission to**

- 1) Retain a 6’ high chain link fence along the south property line that extends 186 ft. past the front building line in the front setback to approximately 1 ft. from the Hoover property line and runs along the (east) property line for approximately 125 ft. parallel to Hoover.
- 2) Construct a 6 ft. high chain link fence along the north property line that extends past the front building line into the front setback to approximately 1 ft. from the Hoover property line.

**ORDINANCES and REQUIREMENTS:**

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

**Section 17.02 – Industrial Standards:** M-2 (a) front yards 25 ft. 2. In an M-2 zone where a front yard has been established by the majority of the existing buildings on a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to setback further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards front on a major thoroughfare as defined by the master thoroughfare plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet.

<b>15. PUBLIC HEARING:</b>	<b>APPLICANT: Liliya Skikun</b>
REPRESENTATIVE:	Paul Reschke
COMMON DESCRIPTION:	2700 Nine Mile
LEGAL DESCRIPTION:	13-31-126-003, 007, 008 and 009
ZONE:	M-2

**VARIANCES REQUESTED: Permission to**

- 1) Allow 41,416 square ft. of open storage of truck parking and staging, when 12,530 square ft. is allowed.
- 2) Allow a front setback of 31.86 ft. from the north property line to the maneuvering lane.

**ORDINANCES and REQUIREMENTS:**

**Section 17.02 – Industrial Standards:** (S) Open storage other than junk. The designated area shall always be hard surfaced and screened from the public street and any residentially zoned areas. The designated areas shall not be located in any area required for parking space and is necessary to meet the minimum requirements of Section 4.32 of this ordinance.

**Section 17.02 – Industrial Standards:** (A) Front yards: M-2: 25 ft. 2. In an M-2 zone where a front yard has been established by the majority of the existing buildings in a block, all buildings hereinafter erected or altered shall conform to the building line thus established, provided no building in an M-2 zone shall be required to setback further than 50 feet. Provided, further, however, notwithstanding any provisions to the contrary, in M-2 zones, yards fronting on a major thoroughfare as defined by the Master Thoroughfare Plan for the City of Warren or front yards facing a residential district shall be fifty (50) feet. \*Note: Contingent upon parcel/lot combination.

**16. NEW BUSINESS**

**17. ADJOURNMENT**

Paul Jerzy  
Secretary of the Board

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