



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

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, August 28, 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 July 24, 2024 and August 14, 2024.**

6. PUBLIC HEARING: **APPLICANT: Domino's Pizza**
(Rescheduled from 8/14/2024)
REPRESENTATIVE: Kal Mansour – Sign Emporium Inc
COMMON DESCRIPTION: 13734 Twelve Mile
LEGAL DESCRIPTION: 13-13-101-002
ZONE: MZ, C-1, P

VARIANCES REQUESTED: Permission to

Erect a 2nd wall sign 18.06 square ft. in addition to a 40 square ft. wall sign that has previously been approved, for a total of 58.06 square ft. of total wall signage.

ORDINANCES and REQUIREMENTS:

Section 4A.37(C) – Shopping Centers: One (1) wall sign of a size not to exceed forty (40) square feet shall be allowed for each business located in the shopping center.

7. PUBLIC HEARING: **APPLICANT: Mark Fowler**
(Rescheduled from 8/14/2024)
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 23221 Lauren
LEGAL DESCRIPTION: 13-25-451-016
ZONE: R-1-C

VARIANCES REQUESTED: Permission to

Erect a 1,000 square ft. garage, to within 3' of the south lot line and within 10' of the rear wall of the principal building.

ORDINANCES and REQUIREMENTS:

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

8. PUBLIC HEARING: **APPLICANT: Kareem Amr, Skilken Gold**
REPRESENTATIVE: Same as above.
COMMON DESCRIPTION: 5920 Twelve Mile
LEGAL DESCRIPTION: 13-16-101-024
ZONE: C-2

VARIANCES REQUESTED: Permission to

Erect an 8' high dumpster screen wall 36' wide x 18' deep.

ORDINANCES and REQUIREMENTS:

Section 4D.40: Refuse, recycling container screening. Containers for refuse and recycling uses shall be screened from view from any adjacent residential use or public right-of-way, excluding alleys. Screening may consist of a six (6) foot high opaque wall constructed of masonry material which matches the primary masonry of the principal structure on the site. 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. Live landscape material located so it does not interfere with the function of the refuse container is encouraged in addition to the opaque screen.

9. PUBLIC HEARING: **APPLICANT: Ivanovic Construction Inc. -USE-**
REPRESENTATIVE: Dan Ivanovic
COMMON DESCRIPTION: 30130 Van Dyke
LEGAL DESCRIPTION: 13-10-152-009
ZONE: UN

VARIANCES REQUESTED: Permission to

- 1) Waive all of the required dwelling units.
- 2) Allow a building with a .227 far (building floor ratio), when the minimum required is 1 far.
- 3) Allow a one (1) level dwelling when two (2) levels are required.

ORDINANCES and REQUIREMENTS:

Section 21B.21 – Mixed Use Standards: Densities (B): Urban Neighborhood: 2. Residential uses are permissible only at densities not less than eighteen (18) dwelling units per acre.

Section 21B.30 – Mass and Height Standards: Building mass is determined by the building floor area ratio and building height. These standards seek to balance higher density development with the need for access to air and light, views to and from the downtown, safe pedestrian access and the vehicular carrying capacity of the street network. (B) Urban Neighborhood standards: 1. Building floor area ratio for all development within the Urban Neighborhood must fall within 1.0-5.0 far. 2. Minimum building height of two (2) levels (not less than twenty-four (24) feet) along all rights-of-way is required.

10. NEW BUSINESS

11. 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.

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: DOMINO'S PIZZA
REPRESENTATIVE: KAL MANSOUR - SIGN EMPORIUM INC
COMMON DESCRIPTION: 13734 TWELVE MILE
PARCEL NUMBER: 12-13-13-101-002
ZONED DISTRICT: MZ, C-1, P

REASON: Petitioner seeks to erect a 2nd wall sign 18.06 sq. ft. in addition to a 40 sq. ft. Wall sign that has previously been approved.

ORDINANCES and REQUIREMENTS:

SECTION 4A.37(C) - SHOPPING CENTERS. One (1) wall sign of a size not to exceed forty (40) square feet shall be allowed for each business located in the shopping center.

VARIANCES REQUESTED: Permission to:

Erect a 2nd wall sign 18.06 sq. ft. in addition to a 40 sq. ft. wall sign that has previously been approved, for a total of 58.06 sq. ft. of total wall signage

Previous Variance Requested: None

bschuman, Zoning Inspector 07/22/2024 (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: DOMINO'S PIZZA

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.37(C) - SHOPPING CENTERS. One (1) wall sign of a size not to exceed forty (40) square feet shall be allowed for each business located in the shopping center.

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

bschuman, Zoning Inspector

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

CITY OF WARREN ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: Domino's

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (if different) Masoud Shango

Name of Representative: Kal Mansour - Sign Emporium Inc Telephone: _____

Representative's Address: _____

Representative's Email Address: _____ ☒ prefer email communication

Address of Property: 13734 12 Mile Rd, Warren, MI 48088

Parcel I.D. No. (as shown on tax bill): 12-13-13-101-002

Purpose of Request: Section 4A. 37 - One wall sign of a size not to exceed 40 square feet shall be
allowed for each business. We are requesting an additional 18.06 sq ft to be allowed for a small side
sign for visibility purposes.

Please explain the nature of your hardship:

Hardship for the customer is lack of visibility of store frontage. The building is off of the road and
located behind another building which limits possible customers from seeing the business.

Signature:  Date: 6-7-24

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

WE Masoud Shango
Name(s) of Person(s)
OF _____
Address, City, State _____ Zip _____ Telephone _____
THE president OF Pickwick plaza LLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT I
I/We/It
/RECORDED LAND CONTRACT PURCHASER(S) X /RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Kal Mansour
Name(s) of Person(s)

THE President OF Sign Emporium Inc.
Title of Officer Name of Company

OF _____
Address, City, State _____ Zip _____ Telephone _____

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

FURTHER, DEPONENT SAYS NOT

SIGNED [Signature] L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 06 DAY OF June, 2021, BEFORE ME PERSONALLY CAME
Masoud Shango, TO ME KNOWN TO BE THE INDIVIDUAL(S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT He DID SO OF his OWN FREE WILL AND DEED.

NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 04-11-2030

NOTICE TO OWNER

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

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

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

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

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

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

This strict compliance with requirements would be unnecessarily burdensome and limits the visibility of the location due to building placement

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

The condition was not created by the applicant or previous owner or reasonably discoverable by the owner. The building is set off the road behind a gas station which decreases visibility of the storefront.

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

This plight is due to unique circumstances of this property and not due to general neighborhood conditions. This building is located off of the main road behind another building and allowing a small side sign would greatly increase customer visibility for the tenant.

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

The variance would not be a detriment to nearby properties and will not impair an adequate supply of light and air to the adjacent properties. It will not impair the property values in the surrounding area and will not cause public safety concerns.

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

The variance request is not primarily related to personal or economic hardship, it is related to the unique features of the property. Since the building is set back from the road behind another building, it is a unique circumstance that does not effect other buildings in the area.

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

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

COMPLAINTEnforcement | E24-03277

Property Information

12-13-13-101-002	13734 TWELVE MILE	Subdivision:	
	WARREN MI, 48093	Lot:	Block:

Name Information

Owner:	PICKWICK PLAZA LLC	Phone:	
Occupant:	DOMINOS PIZZA	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	07/02/2024	Date Closed:	Status:
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Complaint:

DUMPSTER OVERFLOWING, REAR OF BUILDING POTHOLE, RODENT HARBORAGE

Last Action Date:	Last Inspection:	07/03/2024
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Last Action:

All Comments:

ZONING Inspection | JIM KAISER

Status:	Scheduled	Result:	
Scheduled:	07/25/2024	Completed:	

Comments:

MEETING WITH STEVE AND MATT SHANGO @ 10:30

ZONING Inspection | JIM KAISER

Status:	Completed	Result:	Violation(s)
Scheduled:	07/03/2024	Completed:	07/03/2024

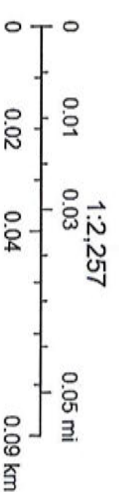
Comments:

DUMPSTER OVERFLOWING, REAR OF BUILDING POTHOLE, RODENT HARBORAGE

13734 12 Mile



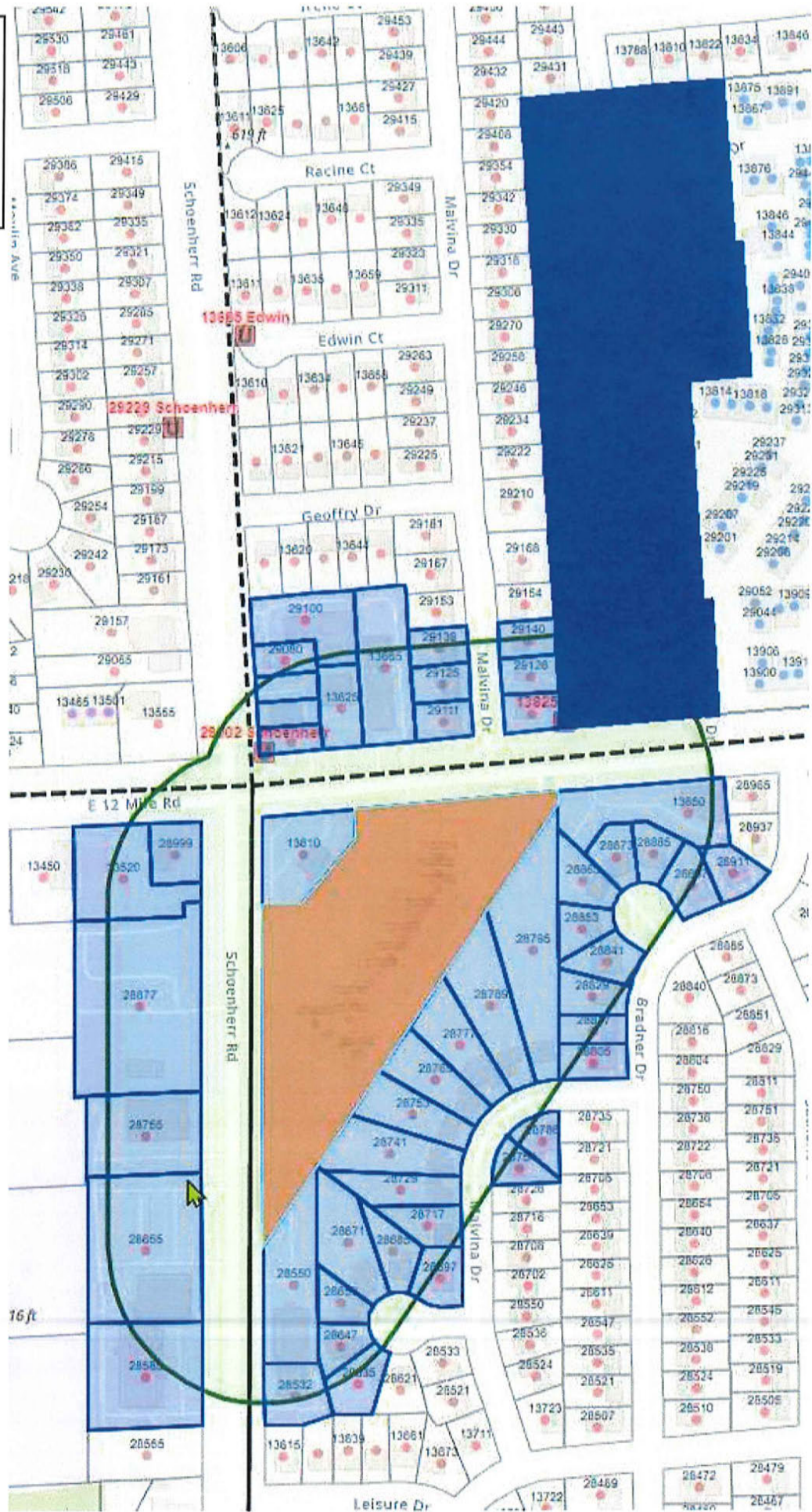
7/22/2024, 8:29:01 AM



13734 TWELVE
MILE

13-13-101-002

48



Channel Box on Raceway

Asking for this Additional Sign

18.06 sq ft

Mounting Detail

After
Side View

18.06sq ft

51"



51"

20'

12'

132'

Sign Description

Dominos Pizza

Date:

6-7-24

Site Address:

13734 12 Mile Rd
Warren, MI 48088

Contact Info:

Landlord Info:

Photo of Suite:

Meas. of Suite:

Site Plan:

Eps Artwork:

Check Sign Ordinance:

Wall Color SW#:

Landlord Approval:

Permits Needed:

ACCEPTANCE OF ARTWORK The drawing above is an artistic representation ONLY. Elements may vary based on field measurements. This color proof is intended for verification of spelling, layout, color and composition. (PLEASE HELP AVOID UNNECESSARY COSTS BY CHECKING THIS PROOF CAREFULLY.) Signature constitutes authorization to proceed with specifications and conditions of this document as specified. All artwork and designs are property of Sign Emporium and may not be used without expressed written permission of Sign Emporium.

Approval: _____

Date: _____

**SIGN
EMPORIUM**

phone: 586.576.7901
fax: 866.881.8182

11035 E 9 Mile Rd
Warren, MI 48089

email: signstykal@gmail.com

Mounting Detail

Before
Side View

Sign Description

Dominos Pizza

Date:

1-5-24

Site Address:

13734 12 Mile Rd
Warren, MI 48088

Contact Info:

Landlord Info:

Photo of Suite:

Meas. of Suite:

Site Plan:

Eps Artwork:

Check Sign Ordinance:

Wall Color SW#:

Landlord Approval:

Permits Needed:

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Approval: _____

Date: _____

**SIGN
EMPORIUM**

phone: 586.576.7901
fax: 866.881.8182

11035 E 9 Mile Rd
Warren, MI 48089

email: signstykal@gmail.com



13734 12 Mile Rd
Warren, MI 48088

CITY OF WARREN

ZONING BOARD OF APPEALS

SUMMARY OF VARIANCE REQUEST

APPLICANT: FOWLER MARK
REPRESENTATIVE: FOWLER MARK
COMMON DESCRIPTION: 23221 LAUREN
PARCEL NUMBER: 12-13-25-451-016
ZONED DISTRICT: R-1-C

REASON: Petitioner seeks to erect an oversized 1000 sq/ft garage within 3' of the side lot line

ORDINANCES and REQUIREMENTS:

SECTION 5.01 (I) - USES PERMITTED - ...All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

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

VARIANCES REQUESTED: Permission to:

Erect a 1000 sq/ft garage, to within 3' of the south lot line and within 10' of the rear wall of the principal building.

Previous Variance Requested: None

bschuman, Zoning Inspector 07/09/2024 (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: FOWLER MARK

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

SECTION 5.01 (I) - USES PERMITTED

...All garages and/or accessory buildings shall not contain more than seven hundred (700) square feet of floor area.

SECTION 4.19 (A) - DETACHED GARAGE BUILDINGS

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

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

bschuman, Zoning Inspector

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

\$95.00

6/17/24

S.P.

PLEASE PRINT OR TYPE

Name of Applicant: Mark Fowler

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☐ prefer email communication

Name and Address of Property Owner (if different) _____

Name of Representative: Self Telephone: _____

Representative's Address: SAME

Representative's Email Address: _____ ☐ prefer email communication

Address of Property: 23221 LAUREN

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

Purpose of Request: To allow a 1000 sq ft garage

Please explain the nature of your hardship:

NO BASEMENT extra space needed

Signature: Mark Fowler Date: 6-17-24

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

AFFIDAVIT OF OWNERSHIP OF LAND IN THE CITY OF WARREN

I, WE Mark Fowler
Name(s) of Person(s)

OF _____
Address, City, State _____ Zip _____ Telephone _____

THE Owner OF _____
Title of Officer _____ Name of Company _____

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

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

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Mark Fowler *
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 Mark Fowler L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 3rd DAY OF July, 2024, BEFORE ME PERSONALLY CAME
Mark J. Fowler, 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.

ABBY J. SIGLER
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF MACOMB
My Commission Expires November 09, 2030

Abby J. Sigler
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 11-09-2030

NOTICE TO OWNER

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

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

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

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

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

existing garage doesn't allow even a car to fit inside

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

floor of garage is caved in

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 have a 2 car driveway so a 2 car garage is reasonable

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.

will only come to my side door so will not impact anybody

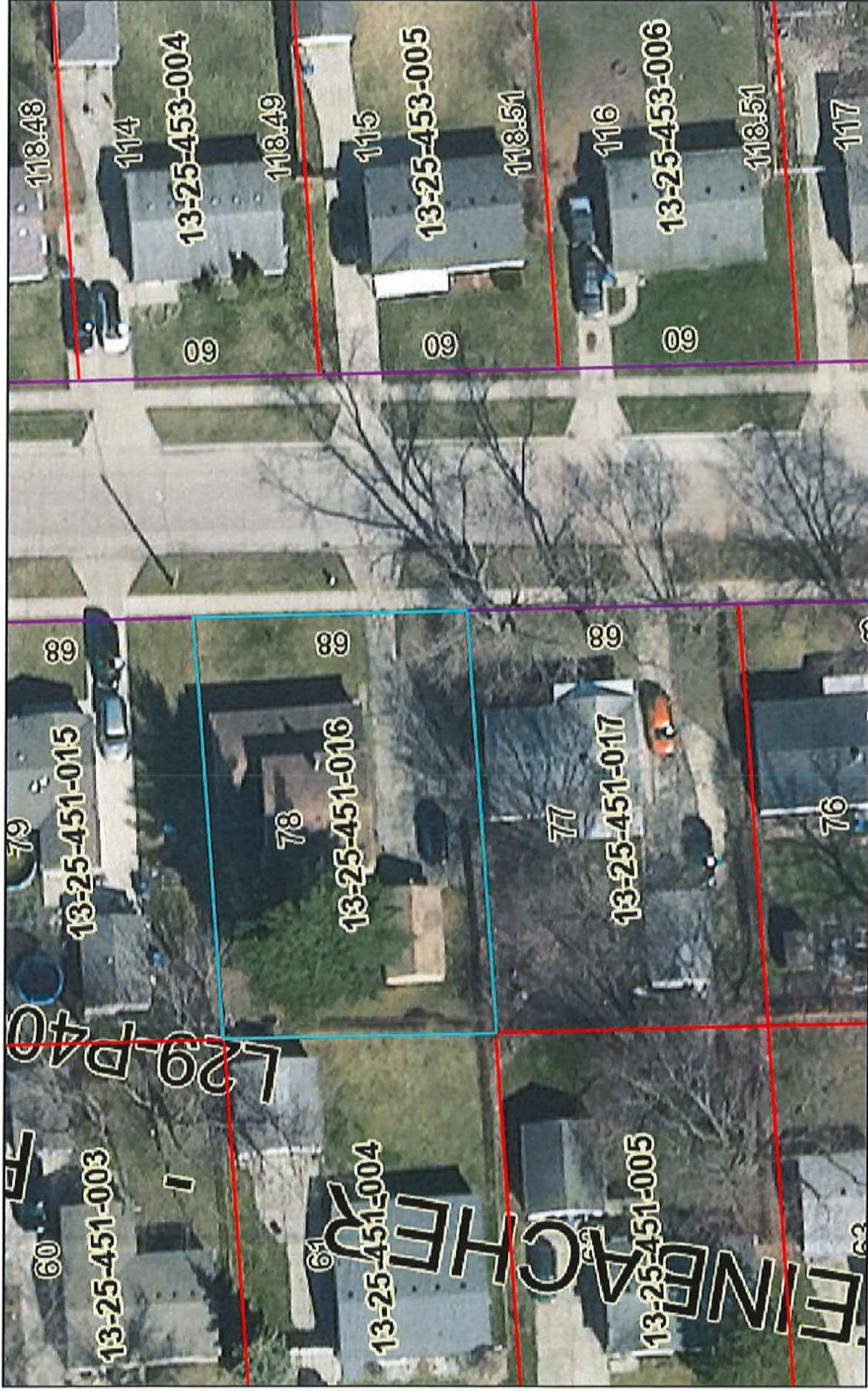
Not personal or economic. The variance request is not primarily related to personal or economic hardship, rather, it is related to the unique features of the property.

not having a basement means everything in perhaps your basement I have to keep in my bedroom

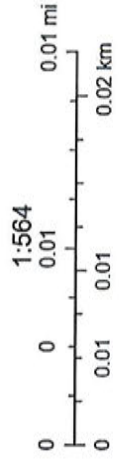
Necessary. The variance is necessary for the preservation and enjoyment of a substantial property right similar to that enjoyed by other properties in the same zoning district and in the vicinity.

I should be able to keep my lawn-snow equipment separate from my auto, and things that need to be stored.

23221 Lauren

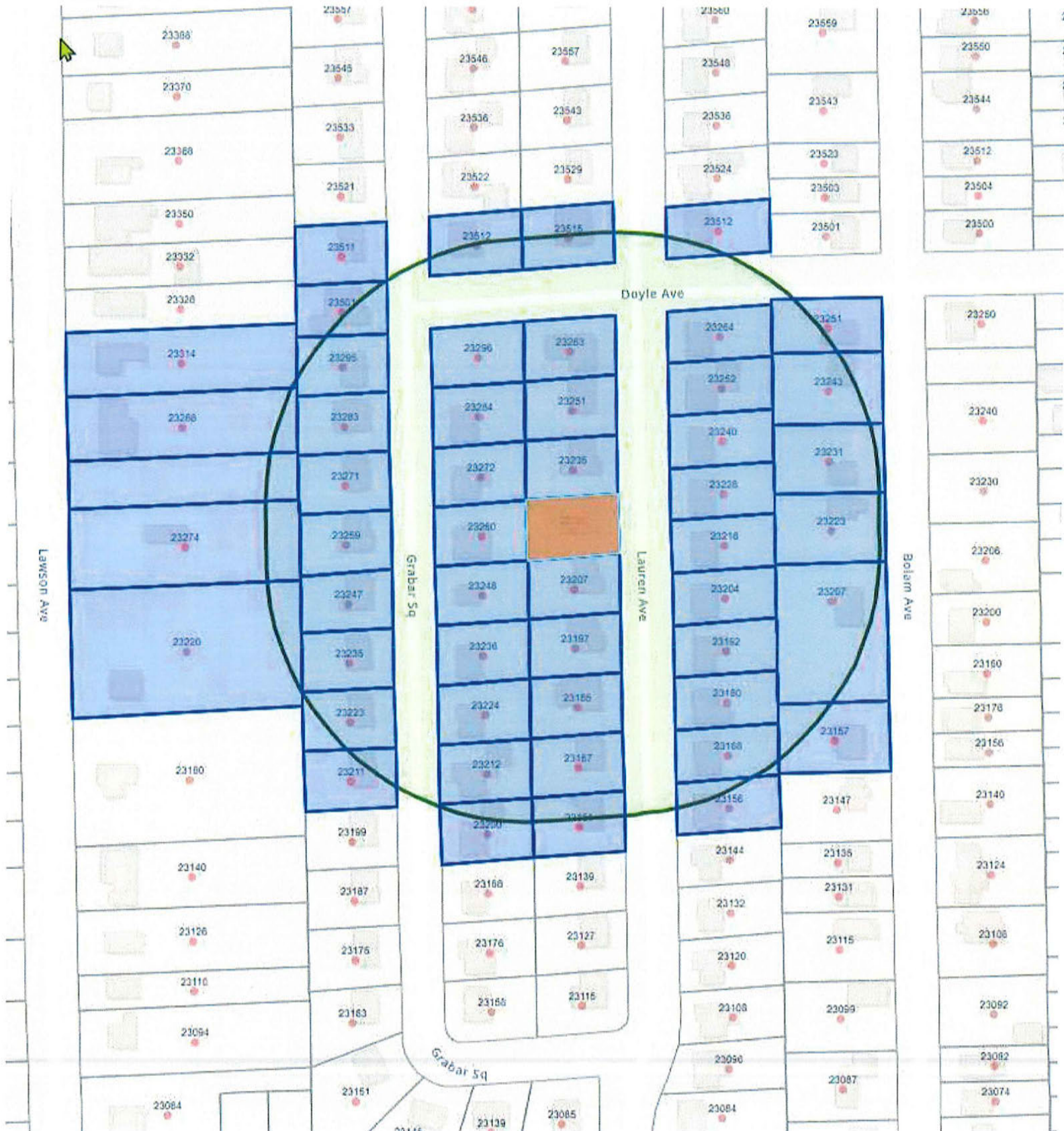


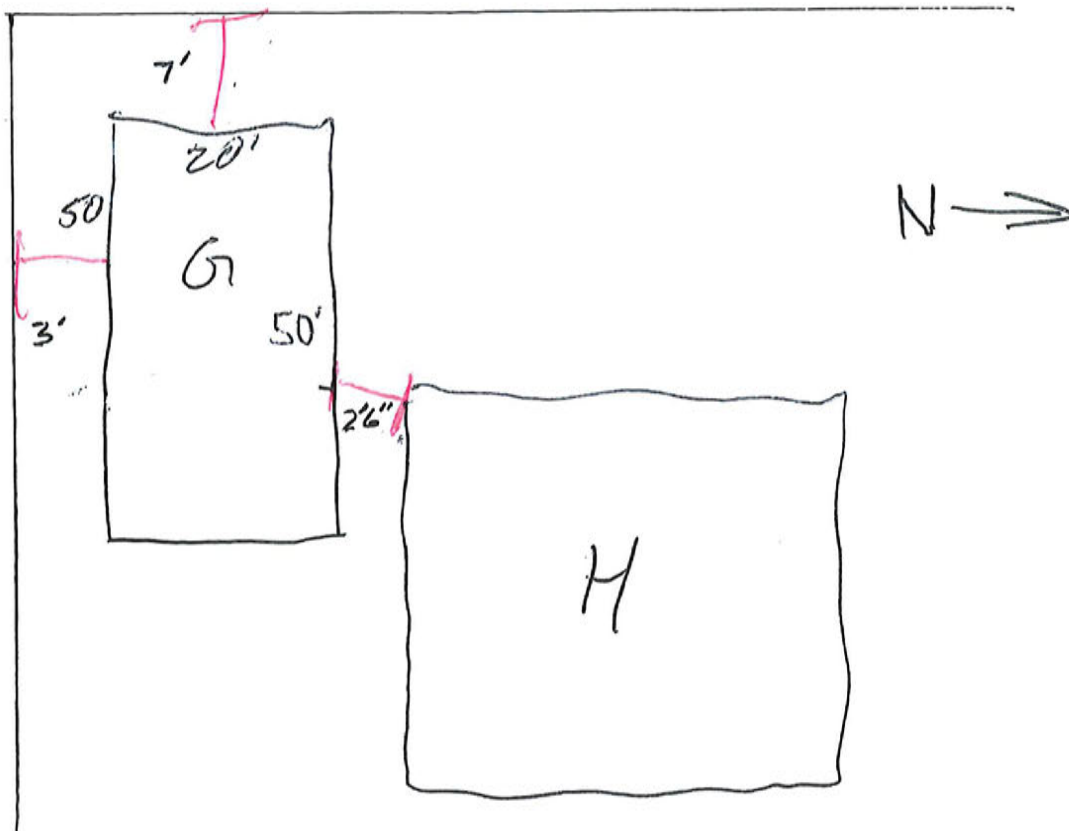
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23221 LAUREN
13-25-451-016

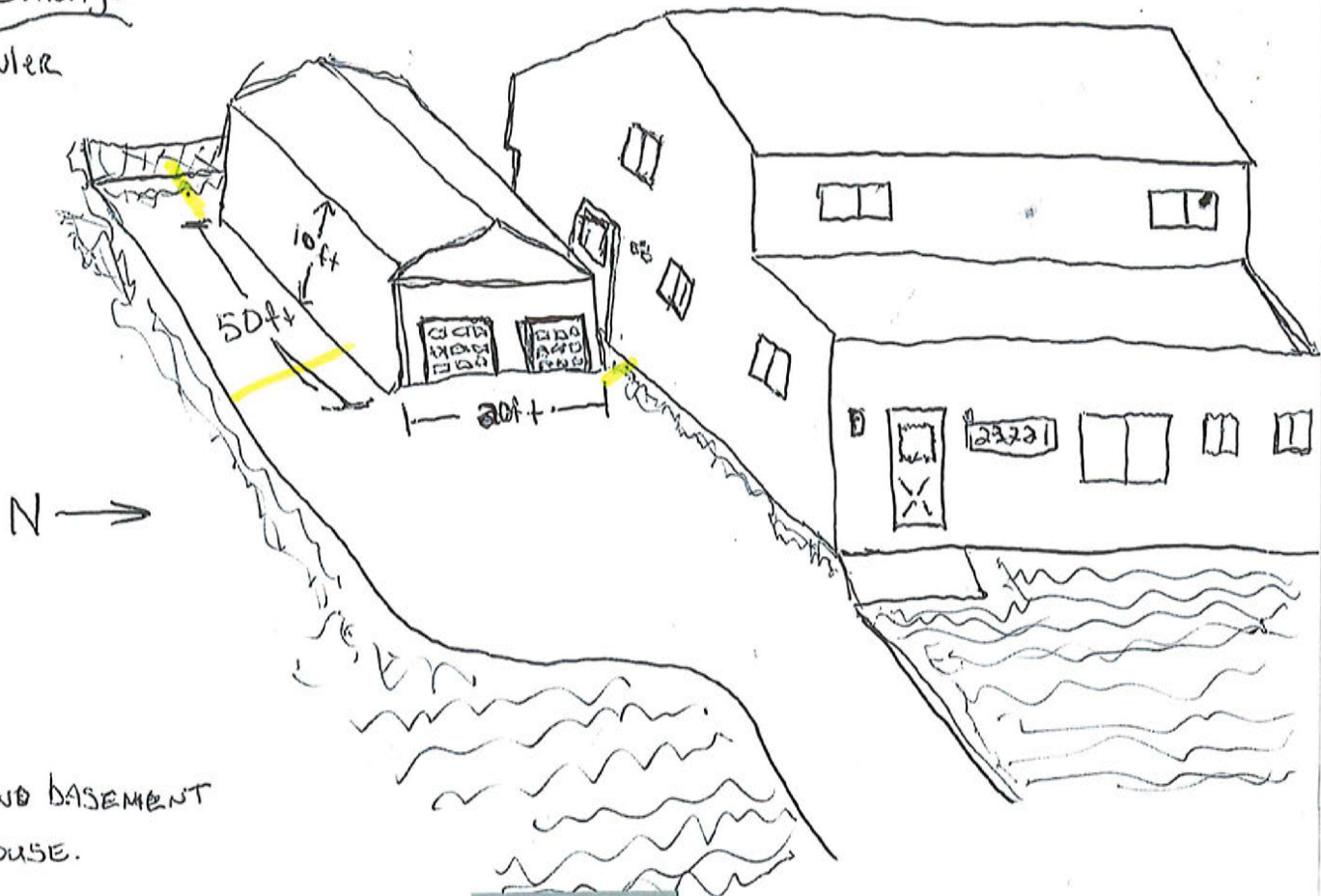
5/11





NEW GARAGE

MARK FOWLER
23221
LAUREN



There is NO BASEMENT
IN the house.

MARK



FOWLER

EXISTING

Mark Fowler
23221
Lauren



CITY OF WARREN

ZONING BOARD OF APPEALSSUMMARY OF VARIANCE REQUEST

APPLICANT: KAREEM AMR, SKILKEN GOLD
REPRESENTATIVE: KAREEM AMR, SKILKEN GOLD
COMMON DESCRIPTION: **5920 12 MILE**
PARCEL NUMBER: 12-13-16-101-024
ZONED DISTRICT: C-2
REASON: Petitioner seeks to erect an 8' screen wall around dumpsters.

ORDINANCES and REQUIREMENTS:

SECTION 4D.40. - Refuse, recycling container screening. Containers for refuse and recycling uses shall be screened from view from any adjacent residential use or public right-of-way, excluding alleys. Screening may consist of a six (6) foot high opaque wall constructed of masonry material which matches the primary masonry of the principal structure on the site. 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. Live landscape material located so it does not interfere with the function of the refuse container is encouraged in addition to the opaque screen.

VARIANCES REQUESTED: Permission to:
Erect an 8' high dumpster screen wall 36' wide x 18' deep.

Previous Variance Requested: See attached sheet

bschuman, Zoning Inspector 08/07/2024 08/07/2024 (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: KAREEM AMR

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

**SECTION 4D.40. - REFUSE, RECYCLING CONTAINER
SCREENING**

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

bschuman, Zoning Inspector

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

CITY OF WARREN ZONING BOARD OF APPEALS
APPLICATION FOR VARIANCE

PLEASE PRINT OR TYPE

Name of Applicant: KAREEM AMR, SKILKEN GOLD

Address: _____ Telephone: _____

Applicant's Email Address: _____ ☐ prefer email communication

Name and Address of Property Owner (if different) Smokehouse Holdings LLC

Name of Representative: KAREEM AMR, SKILKEN GOLD Telephone: _____

Representative's Address _____

Representative's Email Address: _____ ☐ prefer email communication

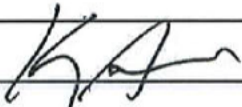
Address of Property: 5920 12 Mile & 28950 Mound

Parcel I.D. No. (as shown on tax bill): 12-13-16-101-024

Purpose of Request Proposed development is requesting 3 waivers: Eliminate the required chain link fence around the property and provide landscaping around the property, install a wall greater than 6' (8' proposed) around the dumpster and construct an approach closer than 200' from the intersection.

Please explain the nature of your hardship:

. Dumpster: 6' high walls will not fully enclose and screen the dumpster, 8' walls will provide this.
. Fence: Landscaping will provide a more attractive look and better screening than a chain link fence.
. Approach: Existing utilities prohibit moving the approach further south.

Signature:  Date: 7/16/24

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 Beverly Swida
Name(s) of Person(s)
OF _____
Address, City, State
THE MANAGER OF Smokehouse Holdings LLC
Title of Officer Name of Company
BEING DULY SWORN, DEPOSE(S) AND SAY(S) THAT Smoke house holding LLC
I/We/It
X/RECORDED LAND CONTRACT PURCHASER(S) _____/RECORDED DEEDHOLDER(S)

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

PETITION FOR HEARING BY THE CITY OF WARREN BOARD OF APPEALS

FURTHER, THAT Kareem Amr *
Name(s) of Person(s)

THE Manager OF SKilken Gold *
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 Beverly Swida L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Oakland

ON THIS 15th DAY OF July, 2024, BEFORE ME PERSONALLY CAME
Beverly Swida, TO ME KNOWN TO BE THE INDIVIDUAL (S) NAMED IN
AND WHO EXECUTED THE FOREGOING AFFIDAVIT, FOR THE PURPOSE AS STATED, AND
ACKNOWLEDGED THAT SK DID SO OF her OWN FREE WILL AND DEED.



NOTARY PUBLIC, Oakland COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 9-15-2028

NOTICE TO OWNER

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

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.

Dumpster: 6' high walls will not fully enclose and screen the dumpster, 8' walls will provide this.
Fence: Landscaping will provide a more attractive look and better screening than a chain link fence.
Approach: Existing utilities and parcel size prohibit moving the approach further south.

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

Dumpster and Fence: Developer would like the variances to increase the attractiveness of the property by fully screening the dumpsters and providing landscaping in lieu of a chain link fence.
Approach: the proposed approach is in approximately the same location as the existing and cannot be shifted due to utilities and parcel depth. One approach further north has been removed to improve the distance.

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.

Dumpster and Fence: Developer would like the variances to increase the attractiveness of the property by fully screening the dumpsters and providing landscaping in lieu of a chain link fence.
Approach: the proposed approach is in approximately the same location as the existing and cannot be shifted due to utilities and parcel depth. One approach further north has been removed to improve the distance.

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.

Dumpster: Taller walls will fully screen the dumpster and enclosure has high quality materials that will match the building. The enclosure will be more attractive than looking at a dumpster
Fence: Landscaping will provide a more attractive look and better screening than a chain link fence.
Approach: site currently has 2 approaches, the more northern one will be removed and the proposed approach is in approximately the same location as the existing.

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

The dumpster and fence variances will be a greater expense but provide for a more attractive property. The approach is an existing condition of the site.

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

Dumpster and Fence: Developer would like the variances to increase the attractiveness of the property by fully screening the dumpsters and providing landscaping in lieu of a chain link fence.
Approach: the proposed approach is in approximately the same location as the existing and cannot be shifted due to utilities and parcel depth. One approach further north has been removed to improve the distance.

Ed Rinke Chevrolet
26125 Van Dyke
Centerline, Michigan
Rep: Ed Rinke

Re: 5920 Twelve Mile

Request approved at meeting of May 13, 1964

*Granted Permission for a 13' x 33'-
27' 8" high to within 16' of front 12*

5920 Twelve Mile Road
Day Rent-A-Car, Inc.

Granted Permission at the meeting of 8/31/88
to retain the existing, hardsurfaced parking to
the property lines along 12 Mile and Mound road.
Also, to erect a 5' x 7' (35 sq.ft.) ground
sign, 19' high, to the property lines along
12 Mile and Mound Roads.

28950 Mound Road

Randy Mann, Victory Inn

Granted permission to erect one (1), 8-foot x 10-foot (80 square feet), freestanding (ground) sign, 18-feet high, with 7 feet of clearance beneath the sign, to no less than 1 foot of the front property line along Mound Road.

May 8, 1996

28950 Mound

8/12/15

PUBLIC HEARING

APPLICANT: Victory Inn / Ms. Beverly Suida

REPRESENTATIVE:

Ms. Beverly Suida

COMMON DESCRIPTION:

28950 Mound Road

LEGAL DESCRIPTION:

13-16-101-001

ZONE:

C-2

VARIANCES REQUESTED: Permission to:

Retain an existing ground sign as follows: eighteen (18) feet in overall height, with a one (1) foot setback from the Mound property line, seven (7) foot under clearance with two (2) signs 4.5' x 8.5' = 38.25 sq. ft. each (total 76.50 sq. ft.); one (1) of these signs is a changeable copy sign non LED and an irregular area on top with a "V" less than 17 sq. ft.

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

Ed Rinke Chevrolet
26125 Van Dyke
Centerline, Michigan
Rep: Ed Rinke

Re: 5920 Twelve Mile

Request approved at meeting of May 13, 1964

*Granted Permission for a 13' x 33'-
27' 8" high to within 16' of front 12*

5920 Twelve Mile Road
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28950 Mound Road
Randy Mann, Victory Inn

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May 8, 1996

28950 Mound

8/12/15

PUBLIC HEARING REPRESENTATIVE:	APPLICANT: Victory Inn / Ms. Beverly Suida
COMMON DESCRIPTION:	Ms. Beverly Suida
LEGAL DESCRIPTION:	28950 Mound Road
ZONE:	13-16-101-001
	C-2

VARIANCES REQUESTED: Permission to:

Retain an existing ground sign as follows: eighteen (18) feet in overall height, with a one (1) foot setback from the Mound property line, seven (7) foot under clearance with two (2) signs 4.5' x 8.5' = 38.25 sq. ft. each (total 76.50 sq. ft.); one (1) of these signs is a changeable copy sign non LED and an irregular area on top with a "V" less than 17 sq. ft.

The Petitioner's request was GRANTED as written.

ZONING Enforcement | E11-6321**Property Information**

12-13-16-101-001	5920 TWELVE MILE	Subdivision:	
	WARREN MI, 48092	Lot:	Block:

Name Information

Owner:	MANN RANDALL & MARJORIE	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	06/30/2011	Date Closed:	07/11/2011	Status:	Resolved
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Complaint:

Last Action Date:	Last Inspection:	07/11/2011
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Last Action:

ZONING Inspection | EVERETT MURPHY

Status:	Completed	Result:	Complied
Scheduled:	07/11/2011	Completed:	07/11/2011

ZONING Inspection | EVERETT MURPHY

Status:	Completed	Result:	Violation(s)
Scheduled:	06/30/2011	Completed:	06/30/2011

Violations:

Corrected	RE: WINDSHIELD REPAIR IN PARKING LOT.
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SECTION 4.50 - AN APPLICATION SHALL BE FILED WITH THE DIVISION OF BUILDINGS AND SAFETY ENGINEERING FOR A TEMPORARY OUTDOOR RETAIL SALES PERMIT. WRITTEN VERIFICATION OF OWNERSHIP OF THE PARCEL IN QUESTION SHALL BE PROVIDED WITH THE APPLICATION, INCLUDING NOTARIZED PERMISSION OF THE PROPERTY OWNER FOR THE INTENDED USE. THE APPLICATION SHALL BE ACCOMPANIED BY AN APPLICATION FEE IN THE AMOUNT ESTABLISHED BY RESOLUTION ADOPTED BY THE CITY COUNCIL. THE PETITIONER SHALL SEEK SITE PLAN APPROVAL FROM THE PLANNING COMMISSION AND ANY VARIANCES THAT MAY BE NEEDED FROM THE ZONING BOARD OF APPEALS.

Enforcement | E16-03471**Property Information**

12-13-16-101-001	5920 TWELVE MILE	Subdivision:	
	WARREN MI, 48092	Lot:	Block:

Name Information

Owner:	MANN RANDALL & MARJORIE	Phone:	
Occupant:		Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	06/24/2016	Date Closed:	06/24/2016	Status:	Resolved
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Complaint:

6/21/16 TWO VEHS FOR SALE--VERBAL WN TO SKIP, WILL COMPLY.

Last Action Date:	Last Inspection:	06/24/2016
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Last Action:

FIELD INSPECTION Inspection | DEBORAH WENSON

Status:	Completed	Result:	Complied
Scheduled:	06/23/2016	Completed:	06/24/2016

FIELD INSPECTION Inspection | DEBORAH WENSON

Status:	Completed	Result:	Violation(s)
Scheduled:	06/21/2016	Completed:	06/24/2016

ZONINGEnforcement | E22-02591

Property Information

12-13-16-101-001

5920 TWELVE MILE

Subdivision:

WARREN MI, 48092

Lot:

Block:

Name Information

Owner:

SMOKEHOUSE HOLDINGS LLC

Phone:

Occupant:

Phone:

Filer:

Phone:

Enforcement Information

Date Filed:

06/23/2022

Date Closed:

Status:

Complaint:

SKIPS AUTO E R INC LISTED AS OUT OF BUSINESS. LICENSE EXPIRED FEB 8 2021

Last Action Date:

Last Inspection:

Last Action:

FIELD INSPECTION Inspection | EVERETT MURPHY

Status:

Scheduled

Result:

Scheduled:

06/23/2022

Completed:

Comments:

Scheduling Comment SKIPS AUTO E R INC LISTED AS OUT OF BUSINESS. LICENSE EXPIRED FEB 8 2021

Enforcement | E15-01200**Property Information**

12-13-16-101-001	28950 MOUND	Subdivision:	
	WARREN MI, 48092	Lot:	Block:

Name Information

Owner:	MANN RANDALL & MARJORIE	Phone:	
Occupant:	VICTORY INN	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	02/18/2015	Date Closed:	02/19/2015	Status:	WARNING SENT
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Complaint:

Last Action Date:	Last Inspection:	03/03/2015
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Last Action:

FOLLOW-UP Inspection | DEBORAH WENSON

Status:	Completed	Result:	Complied
Scheduled:	03/02/2015	Completed:	03/03/2015

FIELD INSPECTION Inspection | DEBORAH WENSON

Status:	Completed	Result:	Violation(s)
Scheduled:	02/20/2015	Completed:	02/23/2015

Violations:

Uncorrected SECTION 4A.12 - TEMPORARY SIGNS REQUIRE PERMITS. OBTAIN PERMIT OR REMOVE ALL TEMPORARY SIGNS.

Uncorrected SECTION 4A.45 - TEMPORARY SIGN LOCATIONS PROHIBITED.

(A)

NO TEMPORARY SIGN SHALL BE ATTACHED TO A TREE, FENCE, UTILITY POLE, DRAIN OR FIRE ESCAPE OR IMPAIR THE ACCESS TO A ROOF OR INGRESS OR EGRESS OF ANY STRUCTURE.

(B)

NO TEMPORARY SIGN SHALL BE LOCATED ON ANY PUBLIC RIGHT-OF-WAY OR ANY PROPERTY REQUIRED FOR PARKING.

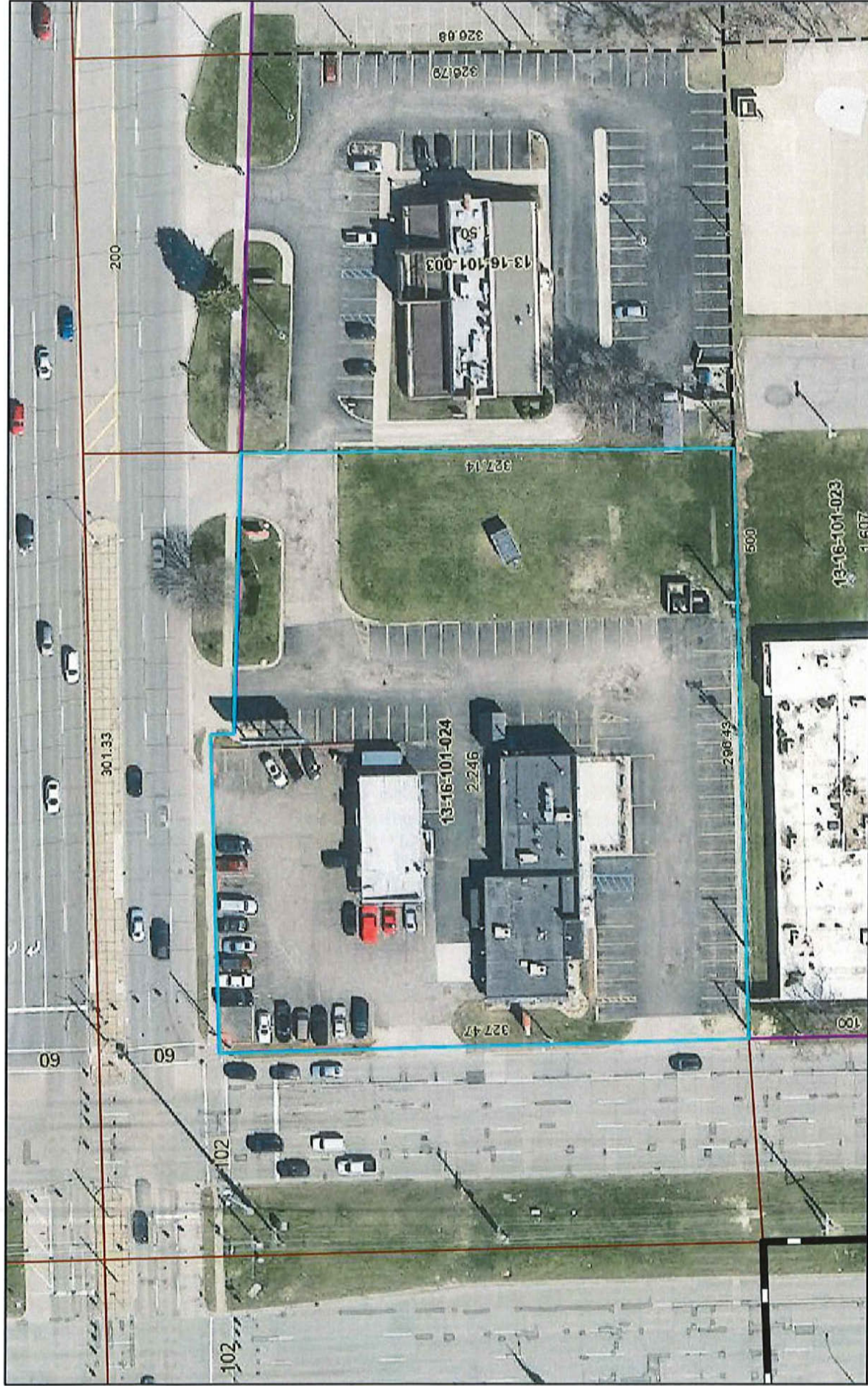
FIELD INSPECTION Inspection | DEBORAH WENSON

Status:	Completed	Result:	No Violation
Scheduled:	02/19/2015	Completed:	02/19/2015

Comments:

Scheduling Comment CHECK FOR FEATHER FLAGS IN ROW--ONE ON 12 SIDE

5920 MOUND

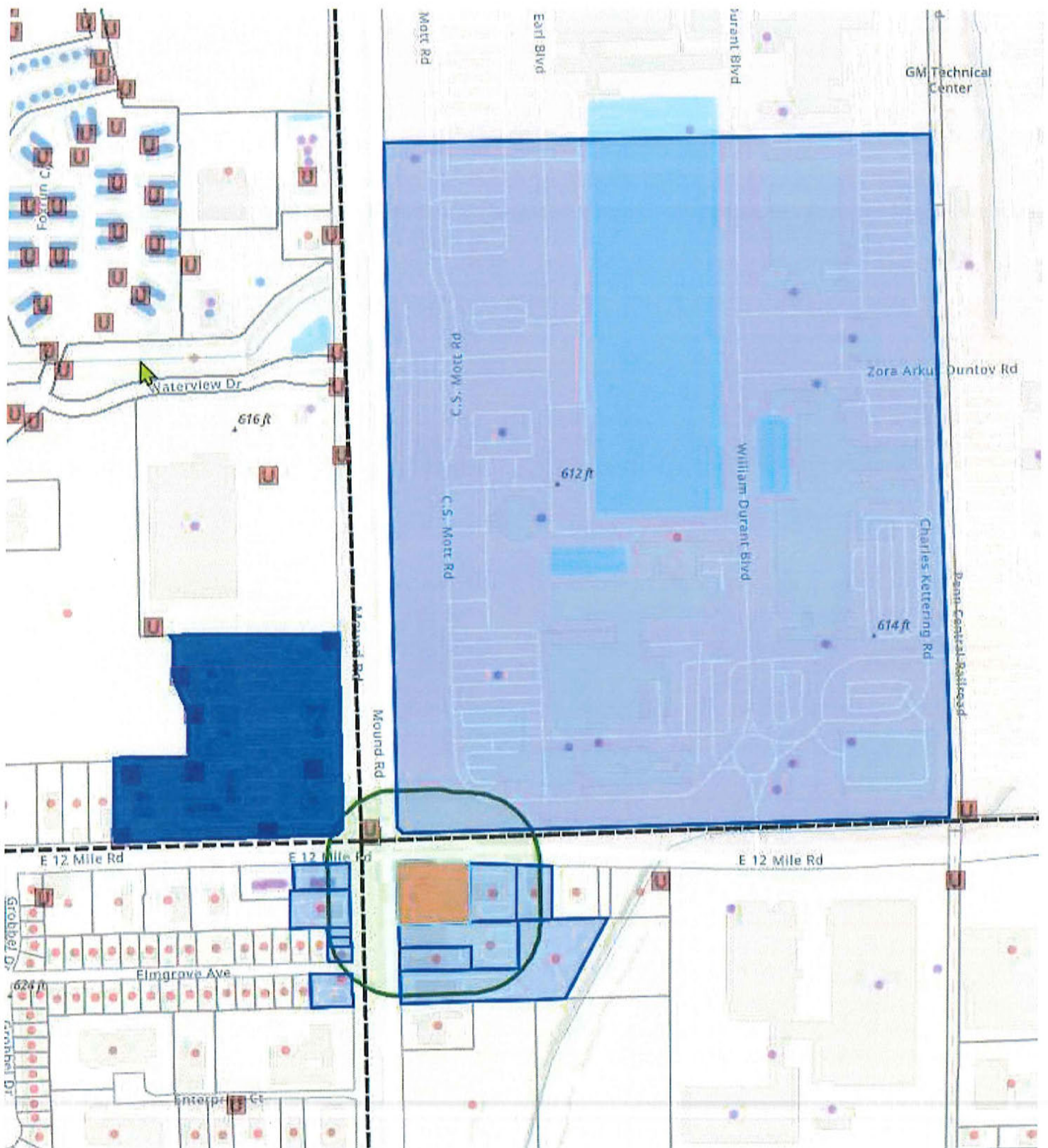


8/6/2024, 2:21:57 PM

1:1,128
0 0.01 0.01 0.02 mi
0 0.01 0.01 0.02 km

5920 Twelve Mile
13-16-101-024

11



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



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: AUGUST 28, 2024 at 7:30 P.M.

Applicant: KAREEM AMR, SKILKEN GOLD
Common Description: 5920 TWELVE MILE

VARIANCE(S) REQUESTED: Permission to:

Erect an 8' high dumpster screen wall 36' wide x 18' deep.

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 - USESUMMARY OF VARIANCE REQUEST

APPLICANT: IVANOVIC CONSTRUCTION INC.
REPRESENTATIVE: DAN IVANOVIC
COMMON DESCRIPTION: 30130 VAN DYKE
PARCEL NUMBER: 12-13-10-152-009
ZONED DISTRICT: UN

REASON: Petitioner seeks variances related to a building renovation in the Urban Neighborhood district in the downtown center.

ORDINANCES and REQUIREMENTS:

SECTION 21B.21 - MIXED USE STANDARDS; DENSITIES. (B) Urban Neighborhood: 2. Residential uses are permissible only at densities not less than eighteen (18) dwelling units per acre.

SECTION 21B.30 - MASS AND HEIGHT STANDARDS. Building mass is determined by the building floor area ratio and building height. These standards seek to balance higher density development with the need for access to air and light, views to and from the downtown, safe pedestrian access and the vehicular carrying capacity of the street network. **(B)** Urban Neighborhood standards: 1. Building floor area ratio for all development within the Urban Neighborhood must fall within 1.0-5.0 far. 2. Minimum building height of two (2) levels (not less than twenty-four (24) feet) along all rights-of-way is required.

VARIANCES REQUESTED: Permission to:

1. To waive all of the required dwelling units
2. Allow a building with a .227 far (building floor ratio), when the minimum required is 1 far.
3. Allow a one (1) level building when two (2) levels are required.

Previous Variance Requested: See attached sheet

bschuman, Zoning Inspector 07/16/2024 08/05/2024 (P) (C)

CITY OF WARREN
Division of Buildings & Safety Engineering

NOTICE OF REJECTION

NAME OF APPLICANT: IVANOVIC CONSTRUCTION INC.

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

SECTION 21B.21 - MIXED USE STANDARDS; DENSITIES.

SECTION 21B.30 - MASS AND HEIGHT STANDARDS.

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

bschuman, Zoning Inspector

\$250 SW 7/16/24

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: IVANOVIC CONSTRUCTION INC

Address: _____ Telephone _____

Applicant's Email Address: _____ ☒ prefer email communication

Name and Address of Property Owner (if different) WARREN 12 PROP 3, LLC

Name of Representative: DAN IVANOVIC Telephone _____

Representative's Address: _____

Representative's Email Address: _____ ☒ prefer email communication

Address of Property: 30130 VAN DYKE

Parcel I.D. No. (as shown on tax bill): 13-10-152-009

Purpose of Request: UNABLE TO CONSTRUCT THE BUILDING AS
APPROVED. NEED TO REMOVE APARTMENTS FROM PROJECT.

Please explain the nature of your hardship:

THE INTERIOR BEARING CAPACITY OF THE GROUND SUPPORTING
THE INTERIOR EXISTING FOUNDATION IS NOT HIGH ENOUGH
TO SUPPORT THE SECOND FLOOR LEVEL APARTMENTS. WE ARE
ASKING THE ZONING BOARD TO ALLOW US TO CONSTRUCT THE
BUILDING WITHOUT APARTMENTS. WE WOULD HAVE 4 RETAIL SPACES.

Signature: [Signature] Date: 7/1/2024

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 Nicholas Lardas

OF _____

THE Owner OF Warren 12 Prop 3 LLC
Address, City, State Zip Telephone
Title of Officer Name of Company

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

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

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 Warovic Construction Inc (Dan Warovic)
Name(s) of Person(s)

THE President OF Warovic Construction Inc
Title of Officer Name of Company

OF _____ Zip Telephone
Address, City, State

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

FURTHER, DEPONENT SAYS NOT.

SIGNED _____ L.S.

SIGNED _____ L.S.*

*Leave blank if not applicable.

STATE OF MICHIGAN
COUNTY OF Macomb

ON THIS 10 DAY OF July, 2024, BEFORE ME PERSONALLY CAME
_____, 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.

PAMELA M. FOX
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Dec 20, 2024
ACTING IN COUNTY OF Macomb

Pamela M. Fox
NOTARY PUBLIC, Macomb COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 12/20/2024

NOTICE TO OWNER

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

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

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

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

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

THE CURRENT ZONING FOR THIS SITE IS URBAN-NEIGHBORHOOD
REQUIRING THAT THIS BUILDING HAVE SECOND STORY APARTMENTS.
OUR HARSHIP STEMS FROM THE FACT THAT THIS EXISTING INTERIOR
FOUNDATION AND GROUND BEARING CAPACITY DOES NOT ALLOW ADDITIONAL
LOADING.

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

THE EXISTING BUILDING WAS BUILT ON MINIMUM ISOTHERM
CAPACITY SOIL WITH THE FOUNDATION TO SUPPORT ONLY REEF
LOADS AND NOT A SECOND STORY.

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

THIS PROPERTY HAS AN EXISTING STRUCTURE THAT WE WOULD
LIKE TO RENOVATE AND BRING UP TO CURRENT CODES
FOR LEASING 4 COMMERCIAL RETAIL UNITS AND
A RESTAURANT WITH A DRIVE THRU-WINDOW

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

GRANTING THIS VARIANCE WOULD IMPROVE THE CONDITION
OF OUR PROPERTY AND BETTERING SURROUNDING PROPERTIES
ALONG WITH INCREASING THE COMMUNITY TAX-BASE

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

THIS VARIANCE IS BASED ON EXISTING CONDITIONS OF
EXISTING BUILDING. WE ARE TRYING TO RENOVATE THIS
PROPERTY AND MAKE IT SERVE 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.

THIS BUILDING WILL SERVE THE COMMUNITY IN THE SAME MANNER
THAT ADJOINING PROPERTIES ARE.

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 CURRENT ZONING WILL NOT ALLOW US TO USE THIS STRUCTURE WITHOUT SECOND FLOOR APARTMENTS. NONE OF THE PROPERTIES AROUND US CONFORM TO U.N. ZONING. WE WOULD NOT BE ABLE TO USE THE EXISTING STRUCTURE IF WE HAVE TO MAKE IT CONFORM. THIS WOULD MAKE THIS PROPERTY VALUELESS.

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 EXISTING BUILDING WAS BUILT OVER 50 YEARS AGO AND IT WAS NOT DESIGNED TO ACCOMMODATE SECOND FLOOR APARTMENTS. IT WAS DESIGNED TO ACCOMMODATE THE ZONING DISTRICT PRIOR TO THE NEW RE-ZONED U.N. DISTRICT.

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

THIS PROPERTY MEETS ALL CONDITIONS THAT SURROUNDING PROPERTIES MEET. NONE OF THE SURROUNDING PROPERTIES MEET THE U.N. ZONING DISTRICT. WE ARE THE ONLY PROPERTY ASKED TO MEET THIS DISTRICT.

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 US TO RENOVATE THIS PROPERTY WILL ONLY IMPROVE THE SURROUNDING AREAS AND INCREASE THE NEARBY COMMUNITY'S PROPERTY VALUES.

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

WE NEED THIS VARIANCE TO ALLOW US TO IMPROVE THIS STRUCTURE WITHOUT THE SECOND STORY APARTMENTS.

30130 Van Dyke

8/12/09

Bally's Total Fitness/Intercity Neon Sign Co., 30130 Van Dyke, Also Known As 13-10-152-009, GRANTED request to replace a freestanding (12'x6'=72 sq. ft.) pole sign, 18 feet high, 12 foot under clearance, to no less than 25' of the front property line on Van Dyke, using existing pole. The original sign was approved by Council letter 2/27/1979 and permit 2259 issued 2/28/1979.

30130 VAN DYKE

06/14/2023

LEGAL DESCRIPTION: 13-10-152-009

VARIANCES REQUESTED: Permission to

– USE –

- 1) Allow the construction of ten (10) dwelling units when twenty-five (25) are required.
- 2) Allow a drive-in restaurant. **– USE –**
- 3) Allow a blank wall in excess of sixteen (16) linear feet.
- 4) Retain the existing north driveway located closer than 120 ft. the driveway to the property to the north.
- 5) Allow a building with a .439 FAR (building floor ratio), when the minimum required is 1 FAR.

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

Enforcement | E12-8543**Property Information**

12-13-10-152-009 30130 VAN DYKE Subdivision:
WARREN MI, 48093 Lot: Block:

Name Information

Owner: FITNESS INTERNATIONAL LLC Phone:
Occupant: BALLY TOTAL FITNESS Phone:
Filer: Phone:

Enforcement Information

Date Filed: 02/02/2012 Date Closed: Status: IN PROGRESS
Complaint:
LAURA/OPERATIONS MGR/MOUND RD, WRN LOCATION;
Last Action Date: Last Inspection: 03/16/2012
Last Action:

SERVICE Inspection | DEBORAH WENSON

Status: Completed Result: Not Complied
Scheduled: 03/14/2012 Completed: 03/16/2012

SERVICE Inspection | DEBORAH WENSON

Status: Completed Result: Not Complied
Scheduled: 03/02/2012 Completed: 03/02/2012

SERVICE Inspection | DEBORAH WENSON

Status: Completed Result: Not Complied
Scheduled: 02/15/2012 Completed: 02/16/2012

Comments:

WN RESENT ORG WN RETURNED, NO SUITE #;RESENT

SERVICE Inspection | DEBORAH WENSON

Status: Completed Result: Violation(s)
Scheduled: 02/01/2012 Completed: 02/02/2012

Violations:

Uncorrected SECTION 4.11 - NO GARBAGE, SEWAGE, FILTH, REFUSE OR OTHER OBNOXIOUS MATTER SHALL BE KEPT IN OPEN CONTAINERS OR PILED ON THE OPEN GROUND.

Enforcement | E12-8528**Property Information**

12-13-10-152-009	30130 VAN DYKE	Subdivision:	
	WARREN MI, 48093	Lot:	Block:

Name Information

Owner:	FITNESS INTERNATIONAL LLC	Phone:	
Occupant:	BALLY TOTAL FITNESS	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	02/01/2012	Date Closed:	02/01/2012	Status:	No Violation
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Complaint:

Last Action Date:	Last Inspection:	02/01/2012
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Last Action:

SERVICE Inspection | DEBORAH WENSON

Status:	Completed	Result:	Violation(s)
Scheduled:	02/01/2012	Completed:	02/01/2012

Violations:

Uncorrected	SECTION 4.11 - NO GARBAGE, SEWAGE, FILTH, REFUSE OR OTHER OBNOXIOUS MATTER SHALL BE KEPT IN OPEN CONTAINERS OR PILED ON THE OPEN GROUND. SECTION 4.11 - NO GARBAGE, SEWAGE, FILTH, REFUSE OR OTHER OBNOXIOUS MATTER SHALL BE KEPT IN OPEN CONTAINERS OR PILED ON THE OPEN GROUND.
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Comments:

REF TO BLD TO POST

ZONING Enforcement | E11-6803**Property Information**

12-13-10-152-009	30130 VAN DYKE	Subdivision:	
	WARREN MI, 48093	Lot:	Block:

Name Information

Owner:	BALLY TOTAL FITNESS CORP	Phone:	
Occupant:	BALLY TOTAL FITNESS	Phone:	
Filer:		Phone:	

Enforcement Information

Date Filed:	08/19/2011	Date Closed:	08/31/2011	Status:	Resolved
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Complaint:

Last Action Date:	Last Inspection:	08/31/2011
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Last Action:

ZONING Inspection | EVERETT MURPHY

Status:	Completed	Result:	Complied
Scheduled:	08/31/2011	Completed:	08/31/2011

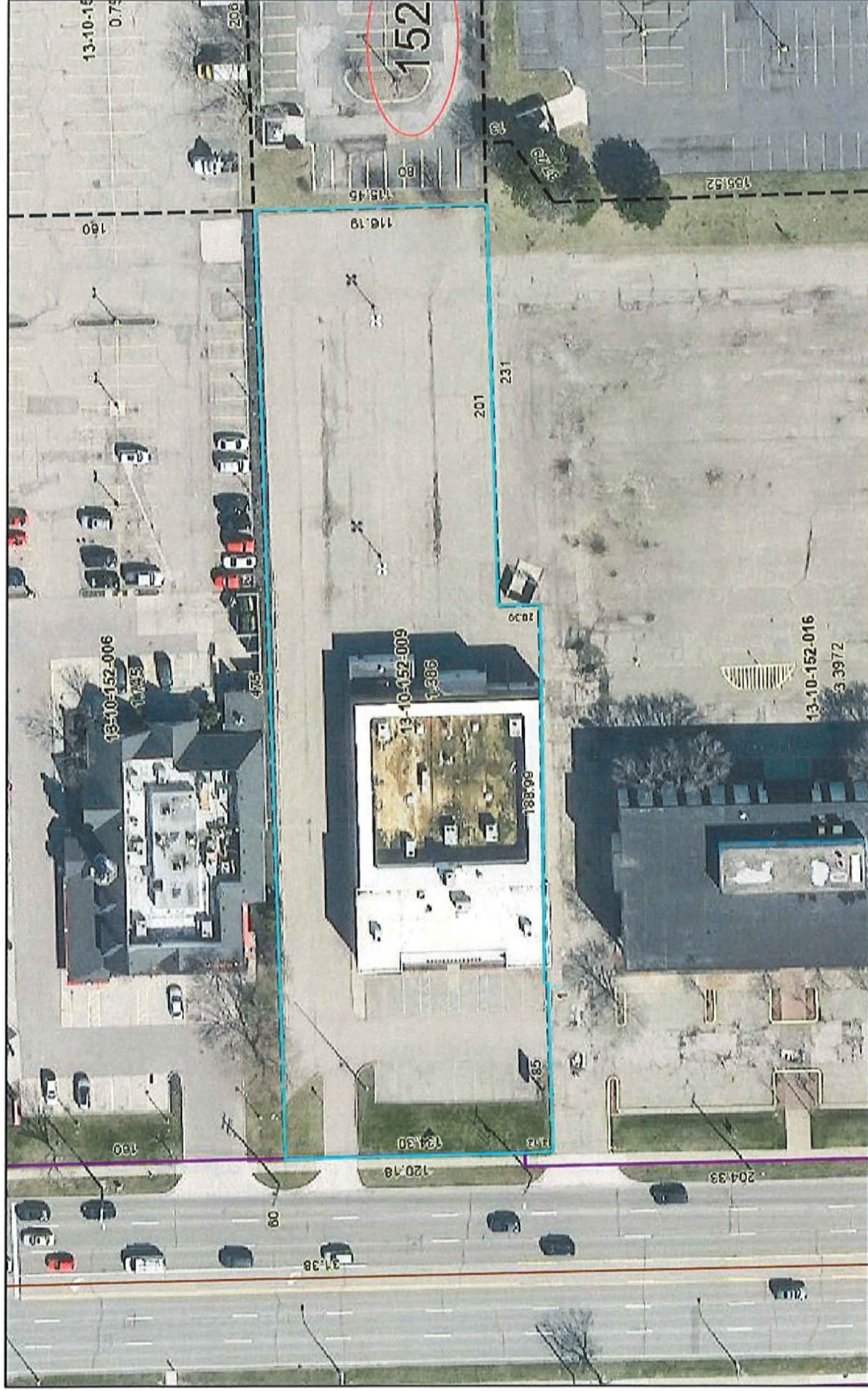
ZONING Inspection | EVERETT MURPHY

Status:	Completed	Result:	Violation(s)
Scheduled:	08/18/2011	Completed:	08/19/2011

Violations:

Corrected	SECTION 4A.12 - TEMPORARY SIGNS REQUIRE PERMITS. OBTAIN PERMIT OR REMOVE ALL TEMPORARY SIGNS.
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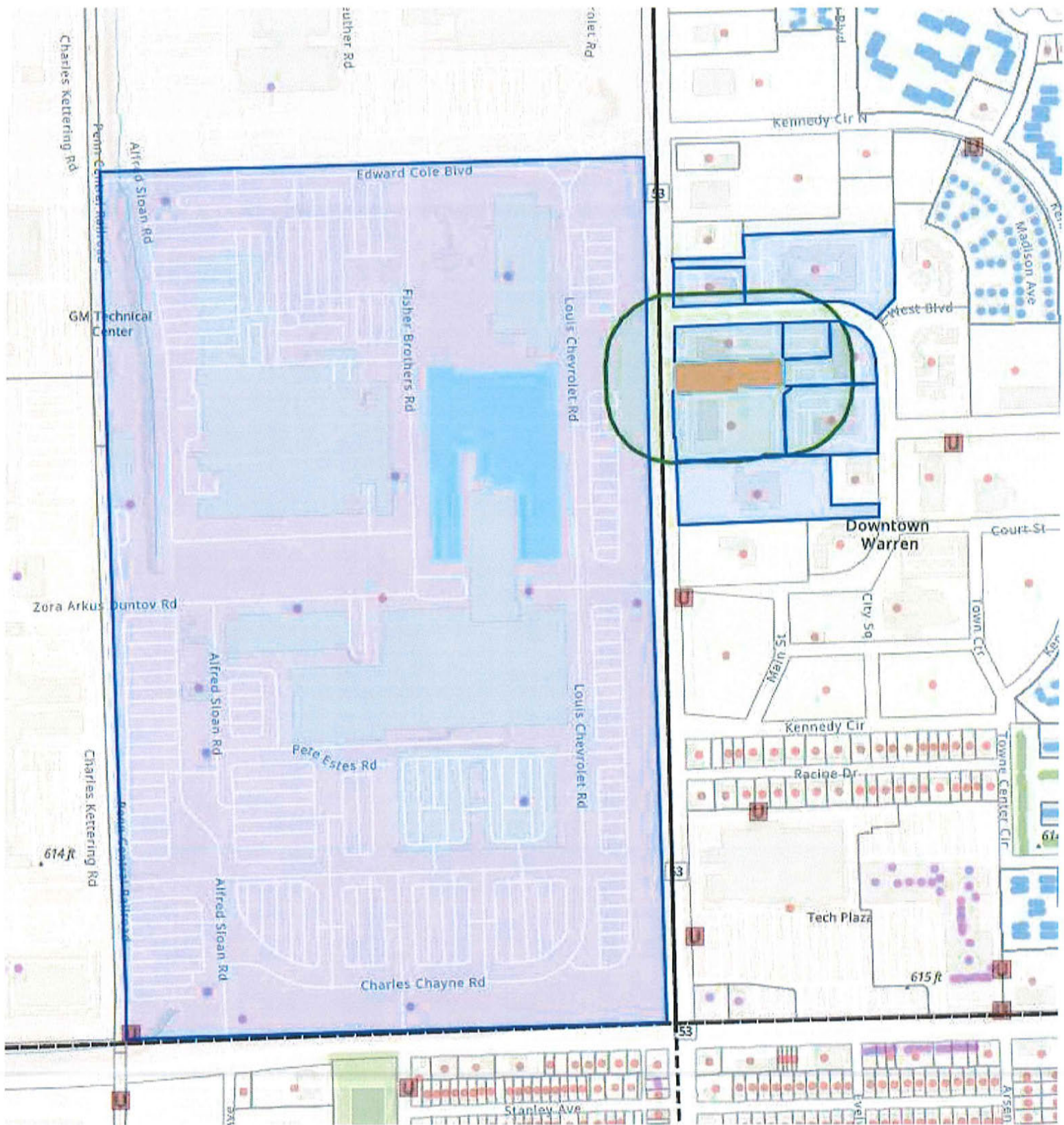
30130 VAN DYKE



7/25/2024, 9:02:38 AM

1:1,128

0 0.01 0.01 0.02 0.02 mi
0 0.01 0.01 0.02 0.04 km



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



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: AUGUST 28, 2024 at 7:30 P.M.

Applicant: IVANOVIC CONSTRUCTION INC. -USE-
Common Description: 30130 VAN DYKE

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

- 1) Waive all of the required dwelling units.
- 2) Allow a building with a .227 far (building floor ratio), when the minimum required is 1 far.
- 3) Allow a one (1) level building when two (2) levels are required.

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