

# ZONING BOARD OF APPEALS ANNUAL REPORT

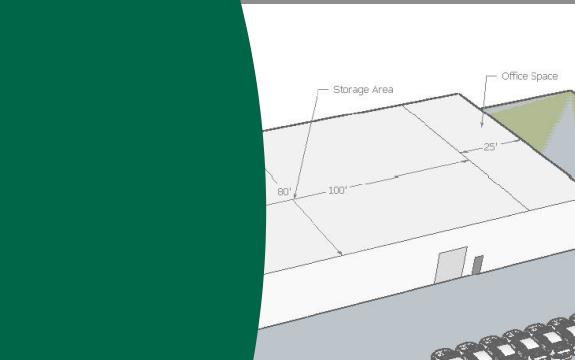
## 2022

Office of Planning



**CITY OF**  
**Sterling Heights**

Innovating **Living**



# PURPOSE OF ANNUAL REPORT

Article IX- Annual Report of the City of Sterling Height's Zoning Board of Appeals bylaws states:

The Vice-Chairperson of the Zoning Board of Appeals shall, by April 15 of the following year, prepare and submit to the Board for approval, and submit to the City Council a written report of its activities covering the previous calendar year. This report is to cover the following:

1. Number of cases scheduled
2. Number of meetings held
3. Action take on cases heard
4. Attendance

## CREATION

Article 30 of the Zoning Ordinance:

**A.** Zoning Board of Appeals which shall perform its duties and exercise its powers as provided in Public Act 207 of 1921, as amended, and in such a way that the objectives of this ordinance shall be observed, public safety secured and substantial justice done. The Zoning Board of Appeals shall consist of seven regular members, each to be appointed for a term of three years, expiring on June 30 in the year of expiration. All vacancies for unexpired terms shall be filled for the remainder of the term. The compensation for members of the Board shall be established by City Council. There is hereby established a Zoning Board of Appeals which shall perform its duties and exercise its powers as provided in Public Act 110 of 2006, as amended, and in such a way that the objectives of this ordinance shall be observed, public safety secured, and substantial justice done. The Zoning Board of Appeals shall consist of seven regular members, each to be appointed by a majority of the City Council members serving. All members of the Zoning Board of Appeals shall be selected from the electors of the City and shall be representative of the population distribution and of the various interests in the City. One member of the Board may be a member of the Planning Commission, with the remaining members selected from the electors of the City. Appointments shall be for a three year term expiring on June 30 in the year of expiration, except for appointments to fill vacancies or appointments of the member of the Board who is also a member of the Planning Commission. All vacancies for unexpired terms shall be filled for the remainder of the term in the same manner as the original appointment. The term of the member of the Board who is also a member of the Planning Commission shall be limited to the time he or she is a member of the Planning Commission. Appointments shall be made not more than one month after the term of the preceding member has expired. The City Council may also appoint to the Zoning Board of Appeals not more than two alternate members for the same term as regular members who may be called to serve in the absence of a regular member or for the purpose of reaching a decision on a case in which a member has abstained for reasons of conflict of interest. The alternate member shall serve in accordance with the provisions of applicable law. The compensation for members of the board shall be established by City Council, and members may be reimbursed for expenses actually incurred in the discharge of their duties.

**B.** The City Council may also appoint positions for up to two alternate members to serve on the Zoning Board of Appeals for the same terms as regular members. The alternate members shall be called on a rotating basis to sit as regular members of the Board in the absence of a regular member. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. Once an alternate has been called to serve in a particular case, he or she shall continue to participate in that case until a decision has been rendered.

C. Members of the Zoning Board of Appeals shall be removed by the City Council for misfeasance, malfeasance or nonfeasance in office upon written charges and after public hearing. A member shall disqualify himself or herself from a vote in which he or she has a conflict of interest. Failure of a member to disqualify himself or herself from a vote in which the member has a conflict of interest constitutes malfeasance in office.

D. A member of the Zoning Board of Appeals who is also a member of the Planning Commission or City Council shall not participate in a public hearing or vote on the same matter that the member voted on as a member of the Planning Commission or City Council. However, the member may consider and vote on other unrelated matters involving the same property.

## MEMBERSHIP

Commissioner	Original appointment date	Current term expires
Erica Castiglia (until June, 2022)	July 2, 2019	June 30, 2022
Derek D'Angelo	December 21, 2004	June 30, 2024
David Graef	June 15, 2010	June 30, 2025
Aisha Farooqi	August 7, 2020	June 30, 2023
Pashko Ujkic	June 2, 2015	June 30, 2024
Devin Koski	February 18, 2020	June 30, 2023
John Fenn	December 1, 2020	June 30, 2025
Stephanie Jackson	June 7, 2022	June 30, 2025
Alternate	Original appointment date	Current term expires
Jafar Chehab	January 19, 2021	June 30, 2023
Benjamin Ancona	September 20, 2022	June 30, 2023

## ZONING BOARD OF APPEALS ACTIVITY

Applications	Total Cases Heard	Use Variances	Dimensional Variances	Ordinance Interpretations	Cases Approved	Cases Denied
No. of cases	28	19	6	0	12	9

# 2022 MEETING SCHEDULE & ATTENDANCE

## **January 26, 2022**

Members Present: Castiglia, D'Angelo, Farooqi, Koski, Ujkic, Chehab (alternate)

Members Absent: Fenn, Graef

## **February 22, 2022**

Members Present: Castiglia, D'Angelo, Farooqi, Fenn, Graef, Koski, Ujkic

Members Absent: None

## **March 22, 2022**

Members Present: Farooqi, Fenn, Koski, Graef, Chehab (alternate), Jackson (alternate)

Members Absent: Castiglia, D'Angelo, Ujkic

## **April 27, 2022**

Members Present: Castiglia, D'Angelo, Fenn, Graef, Koski, Ujkic, Jackson (alternate)

Members Absent: Farooqi

## **May 24, 2022**

Cancelled

## **June 28, 2022**

Members Present: Castiglia, D'Angelo, Koski, Ujkic, Chehab (alternate), Jackson (alternate)

Members Absent: Farooqi, Fenn, Graef

## **July 26, 2022**

Members Present: D'Angelo, Graef, Jackson, Koski, Ujkic, Chehab (alternate)

Members Absent: Farooqi, Fenn

## **August 23, 2022**

Members Present: D'Angelo, Farooqi, Fenn, Graef, Jackson, Koski, Ujkic

Members Absent: None

## **August 29, 2022**

Members Present: D'Angelo, Farooqi, Fenn, Graef, Jackson, Koski, Ujkic

Members Absent: None

## **September 27, 2022**

Cancelled

## **October 25, 2022**

Members Present: Fenn, Graef, Jackson, Koski, Ujkic, Chehab (alternate)

Members Absent: D'Angelo, Farooqi

## **November 22, 2022**

Members Present: D'Angelo, Fenn, Graef, Jackson, Koski, Ujkic, Ancona (alternate)

Members Absent: Farooqi

## **December 27, 2022**

Members Present: D'Angelo, Farooqi, Fenn, Graef, Jackson, Koski, Ujkic

Members Absent: None



# MEETING SCHEDULE & CASES

January 26, 2022

	Case No.	PZBA21-0027	Applicant	Jiffy Lube
Requesting board approval for a variance which if granted would permit additional freestanding monument sign(s) on the existing Meijer (36600 Van Dyke) property for a proposed Jiffy Lube building.				
1	Property Address:	36600 Van Dyke		
Location: East side of Van Dyke, south of Metropolitan Parkway				
Current Zoning: C-3 General Business District				
Type: Non-Use Variance		Action: Postponed		
Case No. PZBA21-0028				Applicant Next Ride Motorsports – 3 Wheel Rentals, LLC – Reginald Bobo
Requesting board approval for a use variance which if approved would permit a new and used (Class A and B vehicle dealer licenses) vehicle dealership in conjunction with an existing vehicle rental business within an M-1 Light Industrial District.				
2	Property Address:	6675 Burroughs Avenue		
Location: North of Nineteen Mile Road and east of Merrill Road				
Current Zoning: M-1 Light Industrial District				
Type: Use Variance		Action: Approved		

February 22, 2022

	Case No.	PZBA21-0027	Applicant	Jiffy Lube
Requesting board approval for a variance which if granted would permit additional freestanding monument sign(s) on the existing Meijer (36600 Van Dyke) property for a proposed Jiffy Lube building.				
Property Address: 36600 Van Dyke				
Location: East side of Van Dyke, south of Metropolitan Parkway				
Current Zoning: C-3 General Business District				
Type: Non-Use Variance		Action: Postponed		
Case No. PZBA22-0001				Applicant Phoenix Home Daycare – Hiba Arrow
Requesting board approval for a use variance which if approved would allow for an in-home child daycare facility of up to twelve (12) children in an R-100 One Family Residential District.				
2	Property Address:	2411 Joseph Drive		
Location: East of Dequindre, north of Nineteen Mile Road				
Current Zoning: R-100 One Family Residential District				
Type: Use Variance		Action: Denied		

## March 22, 2022

	Case No.	PZBA22-0002	Applicant	Alexandra Vincent Esthetics
<b>Requesting board approval for a use variance which if granted would permit a body art facility for the purposes of microblading within the existing business in an R-60 One Family District (Consent judgement).</b>				
1 <b>Property Address:</b> 2143 Fifteen Mile Road <b>Location:</b> North side of Fifteen Mile Road, east of Dequindre <b>Current Zoning:</b> R-60 One Family Residential District (Consent judgement)				
<b>Type:</b> Use Variance <b>Action:</b> Denied				
	Case No.	PZBA22-0003	Applicant	Eddie Salon
<b>Requesting board approval for a use variance which if granted would permit a body art facility for the purposes of microblading within the existing business in a C-3 General Business District.</b>				
2 <b>Property Address:</b> 34750 Van Dyke <b>Location:</b> East side of Van Dyke, south of Fifteen Mile Road <b>Current Zoning:</b> C-3 General Business District				
<b>Type:</b> Use Variance <b>Action:</b> Postponed				
	Case No.	PZBA22-0004	Applicant	Panda Express
<b>Request for a dimensional variance which if granted would permit a drive-through restaurant to be located within 500 feet of an existing drive-through facility in a C-3 General Business District.</b>				
3 <b>Property Address:</b> 36600 Van Dyke <b>Location:</b> Southeast corner of Metropolitan Parkway and Van Dyke <b>Current Zoning:</b> C-3 General Business District				
<b>Type:</b> Dimensional Variance <b>Action:</b> Approved				

## April 27, 2022

	Case No.	PZBA22-0005	Applicant	Focus Design – Tod Ballou
<b>Requesting board approval for a dimensional variance which if granted would permit an exterior staircase to be located within the front yard setback of the existing single-family home, located on a corner parcel.</b>				
1 <b>Property Address:</b> 35317 Dearing Drive <b>Location:</b> North side of Fifteen Mile Road, west of Dodge Park <b>Current Zoning:</b> R-60 One Family Residential District				
<b>Type:</b> Dimensional Variance <b>Action:</b> Approved				
	Case No.	PZBA20-0004	Applicant	English Estates- Zeff Berishaj
<b>Requesting board approval for a variance which if granted would permit a thirty (30) inch reduction in the required front/street-side setback for a single family residence.</b>				
2 <b>Current Zoning:</b> R-60 (One Family Residential District) <b>Property Address:</b> 36041 English Drive				
<b>Type:</b> Dimensional Variance <b>Action:</b> Approved				

**May 24, 2022**

Cancelled due to lack of cases.

**June 28, 2022**

	Case No.	PZBA22-0006	Applicant	RSVP Event Space – Ruby McGill
	<b>Requesting board approval for a use variance which if granted would permit a banquet and event facility not located within a freestanding building in a C-3 General Business District.</b>			
1	Property Address: 39120 Van Dyke Location: East side of Van Dyke, north of Seventeen Mile Road Current Zoning: C-3 General Business District	Type: Use Variance		Action: Postpone

**July 26, 2022**

	Case No.	PZBA22-0006	Applicant	RSVP Event Space – Ruby McGill (postponed from June 28, 2022)
	<b>Requesting board approval for a use variance which if granted would permit a banquet and event facility not located within a freestanding building in a C-3 General Business District.</b>			
1	Property Address: 39120 Van Dyke Location: East side of Van Dyke, north of Seventeen Mile Road Current Zoning: C-3 General Business District	Type: Special Approval Land Use		Action: Withdrawn
	Case No.	PZBA22-0011	Applicant	Phoenix Landscape Services
	<b>Requesting board approval for a use variance which if granted would permit a landscaping contractor that abuts a residential zone in an M-1 Light Industrial District.</b>			
2	Property Address: 40871 Brentwood Location: West side of Brentwood, south of Eighteen Mile Road Current Zoning: M-1 Light Industrial District	Type: Site Plan Approval		Action: Approved
	Case No.	PZBA22-0007	Applicant	Utica Van Dyke Corners
	<b>Requesting board approval for a use variance which if granted would permit a drive-through coffee/donut shop in a C-1 Local Convenience Business District and proximate to a residential district.</b>			
3	Property Address: 43167 Van Dyke Location: West side of Van Dyke, south side of Utica Road Current Zoning C-1 Local Convenience Business District	Type: Use Variance		Action: Denied

	Case No.	PZBA22-0008	Applicant	King's Gates Apartments
Requesting board approval for a use variance which if granted would permit the establishment of multiple family recreation space and ancillary improvements in an R-60 One Family Residential District and the relocation of a six (6) foot masonry wall.				
4	Property Address:	44090 Kings Gate	Location:	West of M-53, south of Canal Road
Current Zoning: RM-2 Multi-Family Low-Rise District and R-60 One Family Residential District				
Type: Use Variance		Action: Approved		
	Case No.	PZBA22-0009	Applicant	King's Gate Apartments
Requesting board approval for a use variance which if granted would allow parking spaces and ancillary improvements for a multiple family use to be placed in an R-60 One Family Residential District (property is split zoned).				
5	Property Address:	11565 Erdmann Road	Location:	West of M-53, south of Canal Road
Current Zoning: RM-2 Multi-Family Low-Rise District and R-60 One Family Residential District				
Type: Use Variance		Action: Approved		

## August 23, 2022

	Case No.	PZBA22-0010	Applicant	Cloud 9 Hookah Lounge
Requesting board approval for a use variance which if granted would permit an existing hookah use to continue to be operated in a C-2 Planned Comparison District.				
1	Property Address:	43636 Schoenherr Road	Location:	Northeast corner of Canal and Schoenherr Road
Current Zoning: C-2 Planned Comparison District				
Type: Use Variance		Action: Approved		
	Case No.	PZBA22-0012	Applicant	Michael Torres
Requesting board approval for a variance which if granted would allow for the reduction in the number of required parking spaces and the required screening requirements for a medical office use.				
2	Property Address:	33376 Dequindre Road	Location:	East side of Dequindre, north of Fourteen Mile Road
Current Zoning: O-2 Planned Office District				
Type: Use Variance		Action: Approved		
	Case No.	PZBA22-0019	Applicant	Custom Cylindrical – Casey Jemelka
Requesting board approval for a use variance which if granted would permit a home occupation to operate under a federal firearms license, which may include the manufacturing and/or sales of firearms in an R-60 One Family Residential District.				
3	Property Address:	5352 Northlawn Drive	Location:	South of Fifteen Mile Road, west of Mound Road
Current Zoning: R-60 One Family Residential District				
Type: Use Variance		Action: Approved		

August 29, 2022

	Case No.	PZBA22-0013	Applicant	Metro-Mound Road – Van Dyke Billboard Sign				
Requesting board approval for a use variance which if granted would permit an electronic billboard (off-premise sign) that exceeds maximum permissible height, area, and percentage of electronic message center allowed and is not a monument sign in an M-2 Heavy Industrial District.								
1 <b>Property Address:</b> 6699 Metropolitan Parkway <b>Location:</b> North side of Metropolitan Parkway, between Mound Road and Van Dyke <b>Current Zoning:</b> M-2 Heavy Industrial District								
<table border="1"> <tr> <td>Type: Use Variance</td> <td colspan="3">Action: Denied</td></tr> </table>					Type: Use Variance	Action: Denied		
Type: Use Variance	Action: Denied							
	Case No.	PZBA22-0014	Applicant	Hall Road – Van Dyke Billboard Sign				
Requesting board approval for use variance which if granted would permit an electronic billboard (off-premise sign) that exceeds maximum permissible height, area, and percentage of electronic message center allowed and is not a monument sign in a C-2 Planned Comparison District.								
2 <b>Property Address:</b> 11800 Hall Road <b>Location:</b> South of Hall Road, east of M-53 <b>Current Zoning:</b> C-2 Planned Comparison District								
<table border="1"> <tr> <td>Type: Use Variance</td> <td colspan="3">Action: Denied</td></tr> </table>					Type: Use Variance	Action: Denied		
Type: Use Variance	Action: Denied							
	Case No.	PZBA22-0015	Applicant	Mound Road & 18 ½ Mile Road Billboard Sign				
Requesting board approval for a use variance which if granted would permit an electronic billboard (off-premise sign) that exceeds maximum permissible height, area, and percentage of electronic message center allowed and is not a monument sign in a TRO Technical Research Office District.								
3 <b>Property Address:</b> 41453 Mound Road <b>Location:</b> West side of Mound Road, south of 18 ½ Mile Road <b>Current Zoning:</b> TRO Technical Research Office District								
<table border="1"> <tr> <td>Type: Use Variance</td> <td colspan="3">Action: Denied</td></tr> </table>					Type: Use Variance	Action: Denied		
Type: Use Variance	Action: Denied							
	Case No.	PZBA22-0016	Applicant	Mound Road & North of 17 Mile Billboard Sign				
Requesting board approval for a use variance which if granted would permit an electronic billboard (off-premise sign) that exceeds maximum permissible height, area, and percentage of electronic message center allowed and is not a monument sign in an O-2 Planned Office District.								
4 <b>Property Address:</b> 39615 Mound Road <b>Location:</b> West side of Mound Road, between 17 and 18 Mile Road <b>Current Zoning:</b> O-2 Planned Office District								
<table border="1"> <tr> <td>Type: Use Variance</td> <td colspan="3">Action: Denied</td></tr> </table>					Type: Use Variance	Action: Denied		
Type: Use Variance	Action: Denied							
	Case No.		Applicant					
Requesting board approval for use variance which if granted would permit an electronic billboard (off-premise sign) that exceeds maximum permissible height, area, and percentage of electronic message center allowed and is not a monument sign in a C-3 General Business District.								
5 <b>Property Address:</b> 38951 Mound Road <b>Location:</b> West side of Mound Road, south of 17 Mile Road <b>Current Zoning:</b> C-3 General Business District								
<table border="1"> <tr> <td>Type: Use Variance</td> <td colspan="3">Action: Denied</td></tr> </table>					Type: Use Variance	Action: Denied		
Type: Use Variance	Action: Denied							

	Case No.	PZBA22-0018	Applicant	Van Dyke & Plumbrook Billboard Sign
Requesting board approval for use variance which if granted would permit an electronic billboard (off-premise sign) that exceeds maximum permissible height, area, and percentage of electronic message center allowed and is not a monument sign in a C-3 General Business District.				
6 <b>Property Address:</b> 39410 Van Dyke <b>Location:</b> Southeast corner of Plumbrook and Van Dyke <b>Current Zoning:</b> C-3 General Business District				
<b>Type:</b> Use Variance <b>Action:</b> Denied				

## September 27, 2022

Cancelled due to lack of cases.

## October 25, 2022

	Case No.	PZBA22-0022	Applicant	Gary Gruskowski
Requesting board approval for a dimensional variance which if granted would permit a zero foot side yard setback in an M-1 Light Industrial District.				
1 <b>Property Address:</b> 44443 Phoenix Drive <b>Location:</b> North of 19 ½ Mile Road, east of Merrill Road <b>Current Zoning:</b> M-1 Light Industrial District				
<b>Type:</b> Dimensional Variance <b>Action:</b> Postponed				

## November 22, 2022

	Case No.	PZBA22-0023	Applicant	Christopher Zomerfeld
Requesting board approval for a use variance which if granted would permit an existing non-conforming single family home in an O-1 Business & Professional Office District.				
1 <b>Property Address:</b> 42101 Mound Road <b>Location:</b> North of 18 ½ Mile Road, west side of Mound Road <b>Current Zoning:</b> O-1 Business and Professional Office District				
<b>Type:</b> Use Variance <b>Action:</b> Approved				

## December 27, 2022

	Case No.	PZBA22-0024	Applicant	PetSuites
Requesting board approval for a dimensional variance which if granted would permit an outdoor dog run within 50 feet of the property line in the M-1 Light Industrial District.				
1 <b>Property Address:</b> 6335 and 6365 Fifteen Mile Road <b>Location:</b> North side of Fifteen Mile Road, east of Mound Road <b>Current Zoning:</b> M-1 Light Industrial District				
<b>Type:</b> Dimensional Variance <b>Action:</b> Approved				

	Case No.	PZBA22-0025	Applicant	James Sarate
2	<b>Requesting board approval for a dimensional variance which if granted would permit a widening of the driveway to be 38 feet in width in the R-60 One Family Residential District.</b>			
	<b>Property Address:</b> 42344 Mendel Drive			
	<b>Location:</b> South of Nineteen Mile Road, between Clinton River Road and Schoenherr			
	<b>Current Zoning:</b> R-60 One Family Residential			
	Type: Dimensional Variance			Action: Postponed