

ZONING BOARD OF APPEALS ANNUAL REPORT 2024

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
Jefar Chehab	November 21, 2023	June 30, 2026
Derek D'Angelo	December 21, 2004	June 30, 2024
David Graef	June 15, 2010	June 30, 2025
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
Saif Yousif	December 30, 2023	June 30, 2026
Benjamin Ancona	September 20, 2022	June 30, 2023

ZONING BOARD OF APPEALS ACTIVITY

Applications	Total Cases Heard	Use Variances	Non-Use Variances	Ordinance Interpretations	Cases Approved	Cases Denied	Cases Withdrawn
No. of cases	27	13	14	0	16	5	0

2024 MEETING SCHEDULE & ATTENDANCE

January 23, 2024

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

Members Absent: None

February 27, 2024

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

Members Absent: None

March 26, 2024

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

Members Absent: D'Angelo

April 30, 2024

Members Present: D'Angelo, Graef, Farooqi, Ujkic, Koski, Fenn, Yousif (alternate)

Members Absent: Jackson

May 28, 2024

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

Members Absent: None

June 25, 2024

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

Members Absent: None

July 23, 2024

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

Members Absent: None

August

Cancelled

September

Cancelled

October 22, 2024

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

Members Absent: Jackson

November 26, 2024

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

Members Absent: None

December 30, 2024

Cancelled

MEETING SCHEDULE & CASES

January 23, 2024

	Case No.	PZBA23-0027	Applicant	Tractor Supply
Requesting board approval for a use variance to permit the sale of motorized off-highway vehicles, ATVs and UTVs, on-site as a part of an approved open air retail use in the C-2 Planned Comparison District.				
1	Property Address: 12020 Hall Road Location: South of Hall Road, west of Delco Blvd. Current Zoning: C-2 Planned Comparison District	Type: Use Variance		Action: Approved (7-0)
Requesting board approval for a use variance to permit a place of worship in the C-3 General Business District and Van Dyke Mixed Use District.				
2	Property Address: 37680 Van Dyke Location: East side of Van Dyke, south of 16 1/2 Mile Road Current Zoning: C-3 General Business District and Van Dyke Mixed Use District	Type: Use		Action: Approved (7-0)

February 27, 2024

	Case No.	PZBA24-0003	Applicant	Curtis Metal
Requesting board approval for a dimensional variance to reduce parking spaces to 11 where 50 are required for an industrial use and retain concrete paving in the rear of the site in lieu of natural materials or living plant materials in case future parking spaces are required in the M-2 Heavy Industrial District.				
1	Property Address: 6611 Sims Drive Location: South of Eighteen Mile Road, east of Mound Road Current Zoning: M-2 Heavy Industrial District	Type: Non-Use Variance		Action: Approved (7-0)
Requesting board approval for a dimensional variance to establish a rear yard setback of twenty feet where thirty-five feet is required, a reduction of fifteen feet, in the C-3 General Business District.				
2	Property Address: 36950 Dequindre Road Location: North of Metropolitan Parkway, east of Dequindre Road Current Zoning: C-3 General Business District	Type: Non-Use Variance		Action: Postponed (7-0)
Requesting board approval for a dimensional variance to establish a rear yard setback of twenty-five feet where fifty feet is required, a reduction of twenty-five feet, in the M-1 Light Industrial District.				
3	Property Address: 42282 Yearego Drive and 42278 Yearego Drive Location: South of Nineteen Mile Road, west of Van Dyke Avenue Current Zoning: M-1 Light Industrial District	Type: Non-Use Variance		Action: Approved (7-0)

	Case No.	PZBA22-0012	Applicant	Michael Torres (Amendment)
Requesting board approval for a dimensional variance to permit a freestanding fast-food restaurant within 500 feet of an existing fast-food restaurant in the C-2 Planned Comparison District.				
4	Property Address: 44805 Schoenherr Road Location: South of Hall Road, west of Schoenherr Road Current Zoning: C-2 Planned Comparison District	Type: Non-Use Variance		Action: Approved (7-0)

March 26, 2024

	Case No.	PZBA24-0007	Applicant	Al Meer Hookah Lounge
Requesting Board approval for a use variance to permit a hookah lounge in a C-3 General Business District.				
1	Property Address: 34766 Van Dyke Location: East side of Van Dyke Avenue, south of Fifteen Mile Road Current Zoning: C-3 General Business District and Van Dyke Mixed Use District	Type: Use Variance		Action: Denied (3-3, 1 recusal)
	Case No.	PZBA24-0008	Applicant	Curious Little Minds
Requesting Board approval for a use variance to permit a child daycare facility in an R-80 One Family Residential District that abuts single family residential district on more than one side.				
2	Property Address: 37535 Dodge Park Location: West side of Dodge Park Road, between 16 and 16 1/2 Mile Road Current Zoning: R-80 One Family Residential District	Type: Use Variance		Action: Approved (7-0)
	Case No.	PZBA 24-0011	Applicant	Kroger – Allied Signs
Requesting Board approval for a non-use variance to permit additional wall signage beyond the 200 square feet that is permitted.				
3	Property Address: 43893 Schoenherr Road Location: West side of Schoenherr Road, north of Canal Road Current Zoning: C-2 Planned Comparison Business District	Type: Non-Use Variance		Action: Approved
	Case No.	PZBA23-0027	Applicant	Tractor Supply (Corrected March 5, 2024)
Requesting board approval for a use variance to permit the sale of motorized off-highway vehicles, ATVs and UTVs, as well as allow for the outdoor storage and display of trailers, on-site as a part of an approved open air retail use in the C-2 Planned Comparison District.				
4	Property Address: 12020 Hall Road Location: South of Hall Road, west of Delco Boulevard Current Zoning: C-2 Planned Comparison District	Type: Use Variance		Action: Postponed (7-0)

	Case No.	PZBA24-0004	Applicant	Shell Gas Station
5 Requesting board approval for a non-use variance to establish a rear yard setback of twenty feet where thirty-five feet is required, a reduction of fifteen feet, in the C-3 General Business District and for a variance to erect an accessory structure (a dumpster enclosure) within the front yard setback between the building and Dequindre Road.				
Property Address: 36950 Dequindre Road				
Location: South of Metropolitan Parkway, east of Dequindre Road				
Current Zoning: C-3 General Business District				
Type: Non-Use Variance		Action: Postponed (7-0)		

April 30, 2024

	Case No.	PZBA24-0012	Applicant	Forum at Gateways
1 Requesting Board approval for a non-use variance to allow for the construction of a pedestrian plaza within the front yard building setback of Mound Road and Dobry Drive.				
Property Address: 44817 Mound Road				
Location: West side of Mound Road, south of Dobry Drive				
Current Zoning: C-4 Multi-Use District				
Type: Non-Use Variance		Action: Approved (6-1)		
	Case No.	PZBA24-0013	Applicant	John Radoicic
2 Requesting Board approval for a non-use variance to allow for a deck in the rear yard to extend up to four feet further into the required rear yard setback than the fifteen feet currently permitted.				
Property Address: 2651 Ormsby Drive				
Location: Between Dequindre Road and Ryan Road, north of Franklin Park Drive				
Current Zoning: R-70 One-Family Residential District				
Type: Non-Use Variance		Action: Approved (6-1)		
	Case No.	PZBA24-0014	Applicant	Hand and Stone Massage and Facial Spa
3 Requesting Board approval for a use variance to allow for a massage therapy establishment in the C-3 General Business District and Van Dyke Mixed Use District Overlay.				
Property Address: 35728 Van Dyke				
Location: East side of Van Dyke, north of 15 Mile Road				
Current Zoning: C-3 General Business District and Van Dyke Mixed Use District				
Type: Use Variance		Action: Approved (7-0)		
	Case No.	PZBA24-0015	Applicant	Mila Property Investment
4 Requesting Board approval for (1) a non-use variance which if granted would allow for a sign to have four sides, where the maximum number of sides allowed for a sign is two, and if granted (2) requesting Board approval of the expansion of a non-conforming pole sign, where a monument sign is required when a pole sign is modified.				
Property Address: 34949 Van Dyke				
Location: West side of Van Dyke, south of 15 Mile Road				
Current Zoning: C-3 General Business District				
Type: Non-Use Variance		Action: Deny (7-0)		

	Case No.	PZBA 23-0027	Applicant	Tractor Supply (postponed from March 26)
Requesting board approval for a use variance to permit the sale of motorized off-highway vehicles, ATVs and UTVs, as well as allow for the outdoor storage and display of trailers, on-site as a part of an approved open air retail use in the C-2 Planned Comparison District.				
5 Property Address: 12020 Hall Road Location: South of Hall Road, west of Delco Boulevard Current Zoning: C-2 Planned Comparison District				
Type: Use Variance		Action: Approved (7-0)		

May 28, 2024

	Case No.	PZBA24-0011	Applicant	Kroger – Allied Signs (postponed from March 26)
Requesting Board approval for a non-use variance to permit additional wall signage beyond the 200 square feet that is permitted.				
Property Address: 43893 Schoenherr Road				
1 Location: West side of Schoenherr Road, north of Canal Road Current Zoning: C-2 Planned Comparison Business District				
Type: Non-Use Variance		Action: Approved (7-0)		
	Case No.	PZBA24-0016	Applicant	Self Storage Max
Requesting board approval for a use variance to permit a place of worship in the C-3 General Business District and Van Dyke Mixed Use District.				
2 Property Address: 37680 Van Dyke Location: East side of Van Dyke, south of 16 1/2 Mile Road Current Zoning: C-3 General Business District and Van Dyke Mixed Use District				
Type: Use		Action: Denied (4-3)		

June 25, 2024

	Case No.	PZBA24- 0017	Applicant	Office/Retail Building
Requesting Board approval for a non-use variance to allow for parking in the front yard setback along Catalpa Avenue.				
1 Property Address: 44616 Mound Road Location: East side of Mound Road, south of Dobry Drive Current Zoning: C-1 Local Convenience Business District				
Type: Non-Use Variance		Action: Approved (6-1)		
	Case No.	PZBA24-0018	Applicant	2020 Outdoor Media, LLC
Requesting Board approval for a use variance which if granted would permit an electronic message 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.				
2 Property Address: 6699 Metropolitan Parkway Location: North side of Metropolitan Parkway between Van Dyke and Mound Road Current Zoning: M-2 Heavy Industrial District				
Type: Use		Action: Postpone (5-2)		

	Case No.	PZBA24-0020	Applicant	ABC Supply Company
Requesting Board approval for a use variance which if granted would allow for outdoor storage as an accessory use located outside of the rear yard on a corner lot in an M-1 Light Industrial District.				
3	Property Address: 6050 Nineteen Mile Road Location: South side of Nineteen Mile Road, east of Mound Road Current Zoning: M-1 Light Industrial District	Type: Use Variance	Action: Approved (7-0)	

July 23, 2024

	Case No.	PZBA24-0018	Applicant	A.2020 Outdoor Media, LLC (postponed from June 25th, 2024)
Requesting Board approval for a use variance which if granted would permit an electronic message 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 M-2 Heavy Industrial District.				
1	Property Address: 6699 Metropolitan Parkway Location: North side of Metropolitan Parkway between Van Dyke and Mound Road Current Zoning: M-2 Heavy Industrial District	Type: Use Variance	Action: Deny (7-0)	
	Case No.	PZBA24-0004	Applicant	Shell Gas Station
Requesting board approval for a dimensional variance to establish a rear yard setback of twenty feet where thirty-five feet is required, a reduction of fifteen feet, in the C-3 General Business District.				
2	Property Address: 36950 Dequindre Road Location: North of Metropolitan Parkway, east of Dequindre Road Current Zoning: C-3 General Business District	Type: Non-Use Variance	Action: Approved (7-0)	
	Case No.	PZBA24-0019	Applicant	Universe Electric
Requesting Board approval for a use variance which if granted would permit a home and office furnishings store in an O-2 Planned Office District.				
3	Property Address: 37307 Mound Road Location: West side of Mound Road, north of Metropolitan Parkway Current Zoning: O-2 Planned Office District	Type: Use Variance	Action: Approved (7-0)	

August 27, 2024

Cancelled - No Business

September 24, 2024

Cancelled - No Business

October 22, 2024

	Case No.	PZBA24-0021	Applicant	Tim Hortons
Requesting Board approval for a non-use variance, which if granted would, allow for thirty (30) parking spaces where thirty-nine (39) are required in a C-2 Planned Comparison District.				
1	Property Address:	44805 Schoenherr Road		
Location: West side of Schoenherr Road, south of Hall Road				
Current Zoning: C-2 Planned Comparison District				
	Type: Non-Use Variance			Action: Approved (6-0)
	Case No.	PZBA24-0023	Applicant	Amoco Gas Station Sign
Requesting Board approval for three non-use variances, which if granted would, (1) permit a freestanding monument-style sign to be located six (6) feet from the existing public right-of-way where twelve (12) feet is required, (2) permit a freestanding monument-style sign to be located within the required corner clearance at the intersection of Fifteen Mile Road and Ryan Road, and (3) permit a sign that is one-hundred and fifty-six (156) square feet in size where a maximum of one-hundred and fifty (150) square feet is permitted in a C-3 General Business District and Traditional Mixed Use Development Node Overlay District.				
2	Property Address:	4050 Fifteen Mile Road		
Location: East side of Ryan Road, south of Fifteen Mile Road				
Current Zoning: C-3 General Business District and Traditional Mixed Use Development Node Overlay District				
	Type: Non-Use Variance			Action: Postpone (6-0)

November 26, 2024

	Case No.	PZBA24-0022	Applicant	Islamic Center
Requesting Board approval for two use variances, which if granted, would permit a place of group worship and a full-time school for religious education as co-principal uses in the same structure in an O-1 Business and Professional Office District.				
1	Property Address:	5600 Fifteen Mile Road		
Location: South side of Fifteen Mile Road, west of Mound Road				
Current Zoning: O-1 Business and Professional Office District				
	Type: Use Variance			Action: Deny (3-4)
	Case No.	PZBA24-0025	Applicant	Dollar General
Requesting Board approval for a non-use variance, which if granted, would permit a 25-foot-11-inch side yard setback for an addition to an existing structure in a C-1 Local Convenience Business District.				
2	Property Address:	15111 Fourteen Mile Road		
Location: Northwest corner of Fourteen Mile Road and Hayes Road				
Current Zoning: C-1 Local Convenience Business District				
	Type: Non-Use Variance			Action: Postpone (7-0)
	Case No.	PZBA24-0024	Applicant	Pro-Mo Lawn and Landscape
Requesting Board approval for a use variance, which if granted, would permit a building and construction contractor specializing in landscaping and associated outdoor storage on a parcel that does not abut only land within an industrial district in a M-1 Light Industrial District.				
3	Property Address:	41124 and 41224 Mound Road		
Location: East side of Mound Road, north of Eighteen Mile Road				
Current Zoning: M-1 Light Industrial District				
	Type: Use Variance			Action: Postpone (7-0)

December 30, 2024

Cancelled - No Business

SUMMARY

In 2024 the Zoning Board of Appeals reviewed a total of 27 cases, 3 more cases than were heard in 2023. A total of 3 meetings were cancelled due to lack of business. Of the cases heard, 59% were approved. This is a 25% decrease from 2023 when 79% of cases reviewed were approved.

