

# City of St. Clair Shores

## The Zoning Board of Appeals Agenda

A Public Hearing of the following Zoning Board cases will be heard on **Thursday, June 3, 2021 at 7:00 p.m.** in the **Council Chambers** at 27600 Jefferson Avenue, City Hall, St. Clair Shores, MI 48081.

1. Call to Order.
2. Cases to be Heard:

**Case No. 13-2021 – The Kroger Co. of Michigan – 22801 Harper (tabled at March 4, 2021 meeting)**

Re: ASSESSOR'S PLAT NO. 5 (L14, P20-21) LOTS 4-6 EXC THE S 418.5'; ALSO HARPER AVENUE SUBDIVISION (L8, P51), LOTS 11-25 AND LOTS 29-44; ALL TOGETHER WITH ALL ADJ VAC STREETS AND ALLEYS EXC THAT PART TAKEN FOR HARPER AVE

Location: South of 9 Mile Rd, West of Harper

REQUEST: Request for a variance to allow a precast screen wall to be located 4.5 feet from the property line. Request to allow a precast screen wall that is not brick embossed. Request to allow a concrete panel wall system in place of 6 foot precast panels or poured-in-place wall. (*Zoning Ordinance 15.508 Walls*)

**Case No. 23-2021– DeAnn Lukas for DAP Properties, LLC. – 25030 Jefferson (tabled from May 6, 2021)**

Re: LAKE ST CLAIR GARDENS SUB'N NO 1 PART OF LOTS 113, 114 & 115 DESC AS FOL; BEG AT SW COR LOT 113; TH ELY 31.37 FT; TH N'LY 76.5' TO A PT IN N LINE LOT 115, SD PT BEING 55.12 FT FROM NW COR LOT 115; TH W'LY 55.12 FT TO NW COR LOT 115; TH S'LY 80.10 FT TO POB, ALSO ALL OF LOTS 116 & 117 LIBER 10, PAGE 65

Location: South of Ten Mile Road, East of Jefferson

REQUEST: Request for variance to allow existing fence in lieu of concrete wall. (*Zoning Ordinance 15.508 Walls*)

**Case No. 26-2021– Joseph Adas – 23231 Liberty**

Re: BABCOCKS LAKESIDE SUBDIVISION (L22, P48) LOT 19

Location: South of Nine Mile Rd, East of Jefferson

REQUEST: Request for a 3 foot rear yard setback variance for a new deck. (*Zoning Ordinance 15.481, Schedule of Regulations*)

**Case No. 27-2021– Vito Vitale for Harper Associates – 27889 Harper**

Re: GREEN GARDEN SUBDIVISION NO. 3 (L8, P91) LOTS 1052-1058 EXC THAT PART TAKEN FOR HARPER AVE

Location: North of Eleven Mile Rd, West of Harper

REQUEST: Request for a 10 foot rear yard setback for concrete wall. *(Zoning Ordinance 15.481, Schedule of Regulations (F))*

**Case No. 28-2021– Julia Dyer – 22600 Lakeland**

Re: EAGLE POINTE ON THE LAKE SUBDIVISION (L3, P37) LOT 100

Location: North of Ten Mile Road, East of Jefferson

REQUEST: Request for an 8 percent lot coverage variance for an addition. *(Zoning Ordinance 15.481, Schedule of Regulations)*

**Case No. 29-2021– Justin and David Roth for Shore Lanes – 31100 Harper**

Re: ASSESSOR'S PLAT NO 69 (L43, P32) LOTS 4-8 ALSO PART OF LOT 1 OF ASSESSOR'S PLAT NO 33 DESC AS FOLL; COMM AT NE COR LOT 1; TH N85°43'30"W 655.15 FT, TH S2°23'W 170 FT TO PT OF BEG ; TH S2°23'W 453.55 FT; TH N89°45'W 133.10 FT; TH N2°23'E 453.76 FT, TH S89°45'

Location: South of Thirteen Mile Rd, East of Harper

REQUEST: Request for a use variance to allow a Commercial Recreation use outdoors within the B-3 District. Request for variance to allow the use of temporary chainlink fencing in place of wrought iron or decorative aluminum fencing around an outdoor seating area. Request for a variance for a brick kneewall within the Harper Avenue Overlay Zone. Request for a 105 parking space variance for an outdoor seating and commercial recreation area. *(Zoning Ordinance, 15.320 B-3 General Business District, 15.983 Outdoor Dining Areas, 15.981 Site Design Standards for Off-Street Parking, and 15.500 Off Street Parking Requirements)*

**Case No. 30-2021– Mihaela Mazzenga– 22651 Manor**

Re: EAGLE POINTE ON THE LAKE SUBDIVISION (L3, P37) LOT 145

Location: North of Ten Mile Road, East of Jefferson

REQUEST: Request for a 14.7 foot front setback variance and a 28.2 foot rear setback variance for a second story addition. Request for a 239 square foot size variance, a 4 foot wall height variance, a variance to allow a flat roof, and a variance to allow an accessory structure in a side yard. *(Zoning Ordinance 15.481, Schedule of Regulations and 15.499 Accessory Structure)*

**Case No. 31-2021– James Hollinger– 30020 Jefferson**

Re: ASSESSOR'S PLAT NO 30 (L15, P13) N 1/2 OF LOT 15 ALSO FILLED  
BOTTOM LANDS ADJACENT

Location: North of Twelve Mile Road, East of Jefferson

REQUEST: Request for a 45 foot setback variance for a structure within the right of way  
of Jefferson. (*Zoning Ordinance 15.481, Schedule of Regulations (O)*)

**Case No. 32-2021– Steve Elias for Tony J's – 32215 Jefferson**

Re: SUPERVISOR'S PLAT OF EDGEWATER PARK SUBDIVISION (L3, P153)  
LOTS 3 & 4, Split on 02/10/2011 from 14-02-452-047, 14-02-452-023;

Location: South of Masonic, West of Jefferson

REQUEST: Request for a 31 space parking variance for additional permanent outdoor  
seating. (*Zoning Ordinance, 15.500 Parking*)

**Case No. 33-2021– Kusay Karem – 31918 Jefferson**

Re: ASSESSOR'S PLAT NO. 35 (L15, P26) S 54' OF LOT 1 ALSO FILLED  
BOTTOM LANDS ADJACENT

Location: North of Thirteen Mile Road, East of Jefferson

REQUEST: Request for an 8.34 foot side yard setback variance for an addition. (*Zoning  
Ordinance 15.481, Schedule of Regulations*)

**Other Business:**

3. **Approval of minutes from the May 6, 2021, ZBA meeting.**
4. **Audience participation.**
5. **Adjournment.**

**ANY CASES TABLED AT PRIOR MEETINGS MAY BE HEARD WITHOUT ADDITIONAL NOTICE**

**NOTICE: In an effort to limit the number of people in an indoor space, petitioners and attendees may have to wait in the hallway until their case is called to be heard. Please note that a face mask or face covering is required to be worn at all times by commissioners, petitioners, and any other meeting attendees while inside City Hall. Your cooperation is greatly appreciated.**

Individuals with disabilities or impairments who plan to attend this meeting need to contact the City Clerk's office at (586) 447-3303 or (586) 447-3388 (TDD) if auxiliary aides or services are needed. A written request may also be submitted to the City Clerk's Office.

**On June 3, 2021, at 7:00 p.m., a PUBLIC HEARING** will be heard in the **Council Chambers**, City Hall, 27600 Jefferson Avenue, thus giving you the opportunity of expressing your opinion on this appeal. Variations or modifications have no bearing on private restrictions. You may appear, authorize others to represent you, or you may express views in writing. Communications must be received before date of hearing.

Please call Chris Rayes, Community Services Director (447-3337) or Veronica Black (447-3341) if you are unable to attend this meeting.

Community Development, City of St. Clair Shores