

**PROPOSED MINUTES OF THE
CITY OF ST. CLAIR SHORES
ZONING BOARD OF APPEALS
MARCH 2, 2023**

Present:

Lee Bertolo, Chairman
Bill Lince, Vice-Chairman
Thomas Budnick, Secretary
Tony Bellestri
Steve Scavone
Mark Moffitt
Duane Michno

Absent:

None

Alternates:

Peter Stellas, Excused
Thomas McKenney, Excused

Also, Present:

Denise C. Pike, Community Director
Nicole Laviolette, Recording Secretary
Eric Shepherd, City Attorney

Call to Order

Chairman Bertolo called the meeting to order at 7:00 p.m., roll was called and a quorum was present. The Pledge of Allegiance was said by all. Secretary Budnick instructed the petitioner that it is understood by the Zoning Board of Appeals that their presence here tonight constitutes that they are a legal representative of the petitioner and that each statement of intent, promise and/or pledge, made by the petitioner or agent, either orally or in writing, permitted by ordinance shall be binding upon the petitioner and shall be a condition of set variance if approved.

**Case No. 04-2023 – Rachel Ihns on behalf of Great Lakes Ace Hardware – 31001
Harper**

Re: COUCHEZ FARMS SUB'N (L35, P38-39) PART OF OUTLOT A DESC AS; BEG AT SE COR SD OUTLOT A; TH N88°04'54"W 599.39'; TH N01°55'06"E 1004.16'; TH S85°42'31"E 660.94', TH S01°55'06"W 160.14'; TH S85°42'31"E 182.75'; TH S37°09'30"W 215.98'; TH N85°48'24"W 270.24'; TH S04°30'35"W 173'; TH S85°55'48"E 187.82'; TH 31.01' ALG A CRUVE TO SW, R=558.90, CB S18°43'56"W 31.01; TH N85°55'48"W 182.37'; TH S04°08'16"W 408.24'; TH S85°35'03"E 178.43'; TH S01°57'30"W 25' TO POB

Location: South of 13 Mile Rd., West side of Harper

REQUEST: Petition to request for variance to allow the outdoor sale of seasonal products for up to 5 years. (*Chapter 48 – Zoning, Article XII. – 15.290 B-2 Community Business District, Sec. 48-337. General requirements.*)

Audience Participation: None

Correspondence: None

There was some discussion on the location of parking spots being used in front.

Petitioner was informed that no material could be placed behind the building like noted on her drawing.

It was moved by Commissioner Budnick, supported by Commissioner Lince, to approve the request for a variance to allow the outdoor sale of seasonal products for 5 years, in the front parking lot only.

Ayes: All

Nays: None

Motion: Passed

Case No. 05-2023 – Dan Smith on behalf of Great Lakes Ace Hardware – 23245 Greater Mack

Re: NINE-MACK URBAN RENEWAL PLAT NO. 1 (L78, P34-36) LOT 42
EXC THE S 50' EXC THAT PART TAKEN FOR GREATER MACK

Location: South of 9 Mile Rd., West side of Greater Mack

REQUEST: Petition to request for variance to allow the outdoor sale of seasonal products for up to 5 years. (*Chapter 48 – Zoning, Article XIII. – 15.320 B-3 General Business District, Sec. 48-368. Principal uses permitted.*)

Audience Participation: None

Correspondence: None

Discussion on the location of the outdoor sale products.

It was moved by Commissioner Budnick, supported by Commissioner Lince, to approve the request for a variance to allow the outdoor sale of seasonal products for 5 years.

Ayes: All

Nays: None

Motion: Passed

Case No. 06-2023 – Mary R. Ciaramitro on behalf of Boss Beauty Studios – 30245 Harper

Re: DALBY & CAMPBELL'S HARPER AVE.SUBDIVISION NO. 1 (L9, P6) N 6' OF LOT 357, ALL OF LOTS 358-363 & 1/2 VAC ALLEY

Location: North of 12 Mile Rd., West side of Harper

REQUEST: Request for a 3 parking space variance and request for a use variance to allow 1 tattoo business within an O-1 district. (*Chapter 48 Zoning, Article XIX-15.495 General Provisions, Sec. 48-551-Off Street Parking, and Article IX. 15.200 O-1 Office Service District, Sec. 48.257- Principal uses permitted.*)

Audience Participation: None

Correspondence: None

Petitioner rescinded her request for a variance to allow a tattoo business, she was informed that micro blading is now allowed in the city and does not fall under the tattoo ordinance.

There was some discussion on the parking.

It was moved by Commissioner Michno, supported by Commissioner Budnick, to approve the request for a 3 parking space variance.

A roll call vote was taken

Ayes: All

Nays: None

Motion: Passed

Other Business:

1. Approval of minutes from the February 2, 2023, ZBA meeting.

It was moved by Commissioner Budnik, supported by Commissioner Moffit, to approve the February 2, 2023 ZBA meeting minutes.

Ayes: All

Nays: None

Motion: Passed

2. Audience participation.

City Attorney Shepherd explained that the Ardmore case was removed from the agenda because they had already asked for a height variance and the board already granted them 2" and they can not ask for the same variance twice. Attorney Shepherd has also talked to the contractor regarding the grading issues.

Denise Pike mentioned that we received an email from the contractor stating that they will make the house compliant, at the property owners expense, and that they are currently working at their own risk.

3. Adjournment.

It was moved by Commissioner Moffitt, supported by Commissioner Scavone, to adjourn the meeting at 7:37 p.m.

Ayes: All

Nays: None

Motion: Passed