

THE CITY OF BERKLEY
Community Development Department
3338 Coolidge, Berkley, Michigan 48072
(248) 658-3320

**Notice
Meeting of the Berkley
Zoning Board of Appeals**

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, October 13, 2025 at 7:00 p.m. or as near thereto as the matter may be reached.

Application Number PBA-07-25

F & L Berkley, LLC, 2114 Eleven Mile Rd, Parcel # 04-25-17-358-017, North side of Eleven Mile Rd. between Berkley Ave. and Henley Ave., is requesting a variance on the required front setback for Pump Islands per 8.05.C.1.

Berkley City Code

Berkley City Code, Chapter 138 *Zoning*, Section 8.05.C.1 Automotive Uses Setbacks: Pump Islands Front Setback 30 feet required.

Complete application information is available for review at www.berkleymi.gov/community-development/development-projects.

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be submitted to the Berkley Community Development Department or email to planning@berkleymi.gov before 4:00 p.m. on the date of the Public Hearing.

KIM ANDERSON
ZONING ADMINISTRATOR

Publish Once:

Royal Oak Tribune
Friday, September 26, 2025



CITY OF BERKLEY COMMUNITY DEVELOPMENT

3338 COOLIDGE HWY, BERKLEY, MICHIGAN 48072

ZONING BOARD OF APPEALS APPLICATION

The Zoning Board of Appeals (ZBA) meets the second Monday of the month. The meetings are held in the Council Chambers at City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

The ZBA shall hear requests for use and dimensional variances, appeals of administrative decisions, interpretation of zoning map and text, and interpretations of commercial message for proposed murals.

****Please be advised:** The ZBA may grant a variance where undue hardship or practical difficulty for the property exist. A want or desire (bigger structure, more profit, etc.) is not sufficient grounds for a variance. The ZBA does not have the power to legislate or create new regulations. The Board's purpose is to provide some relief from the Zoning Ordinance depending on the unique circumstances of the property.

APPLICANT INFORMATION

Name: F & L Berkley LLC Phone: 248-508-0690
Address: 1877 Orchard Lake Rd / Suite 104 / Sylvan Lake, MI
Email: fadi.kajj@yahoo.com 48320
Relationship to Property (current tenant, representative, future tenant, current owner, future owner):

PROPERTY OWNER INFORMATION (If different from Applicant)

Name: Same as above Phone: _____
Address: _____
Email: _____

PROPERTY DESCRIPTION

Address: 2114 W. Eleven Mile Rd, Berkley, MI 48072
Parcel #: 25-17-358-017 Zoning Classification: _____
Current Use of Property: Service station

NATURE OF REQUEST

Check which applies:

- ☒ Variance from Zoning Ordinance (Section I)
- ☐ Interpretation of Zoning Ordinance (Section II)
- ☐ Administrative Review / Appeal of Decision (Section III)
- ☐ Determination of Commercial Message of Mural / Work of Art (Section IV)

Description of Request: _____

Dimensional variance, gas station pumps in set-back, preexisting condition.

Has the City denied a permit related to the proposed work? ☐ Yes ☒ No

Please fill out ONLY the section below that applies to your request.

I. VARIANCE FROM ZONING ORDINANCE

Please provide a written response to each question below that relates to the variance that is being requested. **DO NOT COMPLETE BOTH SECTIONS.**

A. Use Variance

The Zoning Board of Appeals may grant a **use variance** (i.e. use of the land not permitted in a particular district) upon finding that an undue hardship exists.

Current Use of Property: _____

Requested Use of Property: _____

1. Explain how the building or land cannot be reasonably used for any of the uses permitted by right or by special land use permit in the current zoning district.

2. Explain how the need for the variance is due to unique circumstances or physical conditions of the property.

3. Explain how the proposed use will not alter the essential character of the neighborhood.

4. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

B. Dimensional Variance (Non-Use Variance)

The Zoning Board of Appeals may grant a **dimensional variance** (i.e. height, setback, lot coverage, etc) upon finding that undue hardship or practical difficulty exists.

1. Explain how the need for the variance is due to unique circumstances of physical conditions of the property.

Applicant requests a set-back variance due to the fact that pre-existing gas pumps and tanks are within the 30 foot set-back. They are approximately 16 feet from the right-of-way. Relocating the pumps out of the set-back would be difficult if not impossible and cost prohibitive. The Planning Commission recommends the variance be approved. See attached report.

2. Explain how the need for the variance is not the result of actions of the property owner or previous property owners.

The pumps preexist the new set-back requirement.

3. Explain how strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

The station would not be viable if the pumps could not be used in their present locations.

4. Explain how the requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.

The variance will not alter the use from what previously (and currently) existed.

5. Explain how the requested variance will not adversely impact the surrounding properties.

It is irrelevant to surrounding properties. The station is on a busy commercial road.

II. INTERPRETATION OF ZONING ORDINANCE

Provide Section numbers of Zoning Ordinance to be interpreted: _____

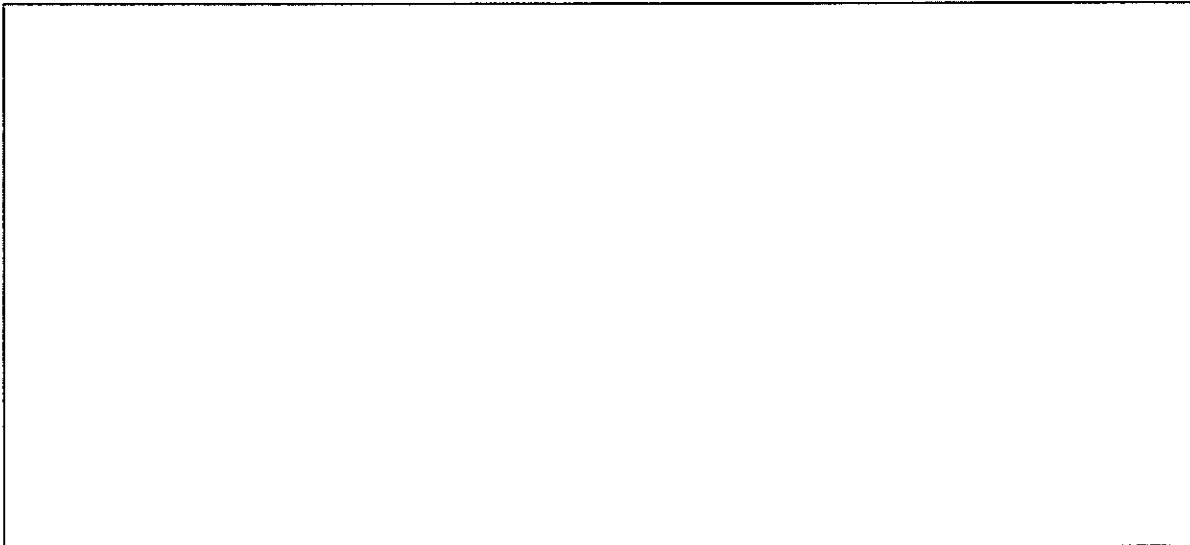
Please describe the request and what needs to be clarified or interpreted by the ZBA.

III. ADMINISTRATIVE REVIEW / APPEAL OF DECISION

Describe the circumstances of each case and provide the minutes of the public meeting noting the denial to be appealed.

IV. DETERMINATION OF COMMERCIAL MESSAGE (MURAL/WORK OF ART)

Describe the proposed mural/work of art. Applicant should include renderings of the proposed design. The ZBA shall determine if the proposed work contains a commercial message.



**** Applicant and artist must provide signed *Mural Installation and Maintenance Agreement* prior to the public meeting.**

SUBMIT THE FOLLOWING:

A PDF file of the application and two 11" x 17" copies of the supporting documents must be submitted at the time of application, including; a copy of survey, plot plan or site plan with this application that shows the subject property complete with boundary lines and dimensions, existing building locations, all proposed buildings, easements, utilities, and any site improvements/changes. Setbacks, height of structures, lot coverage, etc. should also be included, if applicable.

PLEASE NOTE: The applicant, or a designated representative, **MUST BE PRESENT** at the meeting in which the case is being reviewed or the request may be postponed due to lack of representation.

We encourage applicants to make a presentation of the proposed request to the Zoning Board of Appeals, if applicable. To assist this effort, we have available for your use a projector, laptop computer and screen. ZBA meetings are recorded and televised.

PROPERTY OWNER'S APPROVAL (Initial each line)

✓ I hereby authorize and give permission for the City of Berkley to install one or more temporary signs on my property, in order to notify the public of the required public hearing related to the above request(s) before the ZBA.

✓ I hereby authorize the employees and representatives of the City of Berkley to enter upon and conduct an inspection and investigation of the above referenced property in relation to the above request.

APPLICANT'S ENDORSEMENT: (Initial each line)

FK ✓ All information contained herein is true and accurate to the best of my knowledge.

FK ✓ I acknowledge that the ZBA will not review my request unless all information in the application has been submitted to the satisfaction of the Zoning Administrator.

FK ✓ I acknowledge that the City and its employees shall not be held liable for any claims that may arise as a result of acceptance, processing or review of this application.

If an application is withdrawn more than three (3) weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than three (3) weeks prior to the meeting, no refund will be given.

F&L Berkley

Applicant Name (print)



Applicant Signature

9-17-25

Date

Applicant Name (print)

Applicant Signature

Date

Property Owner Name (print)

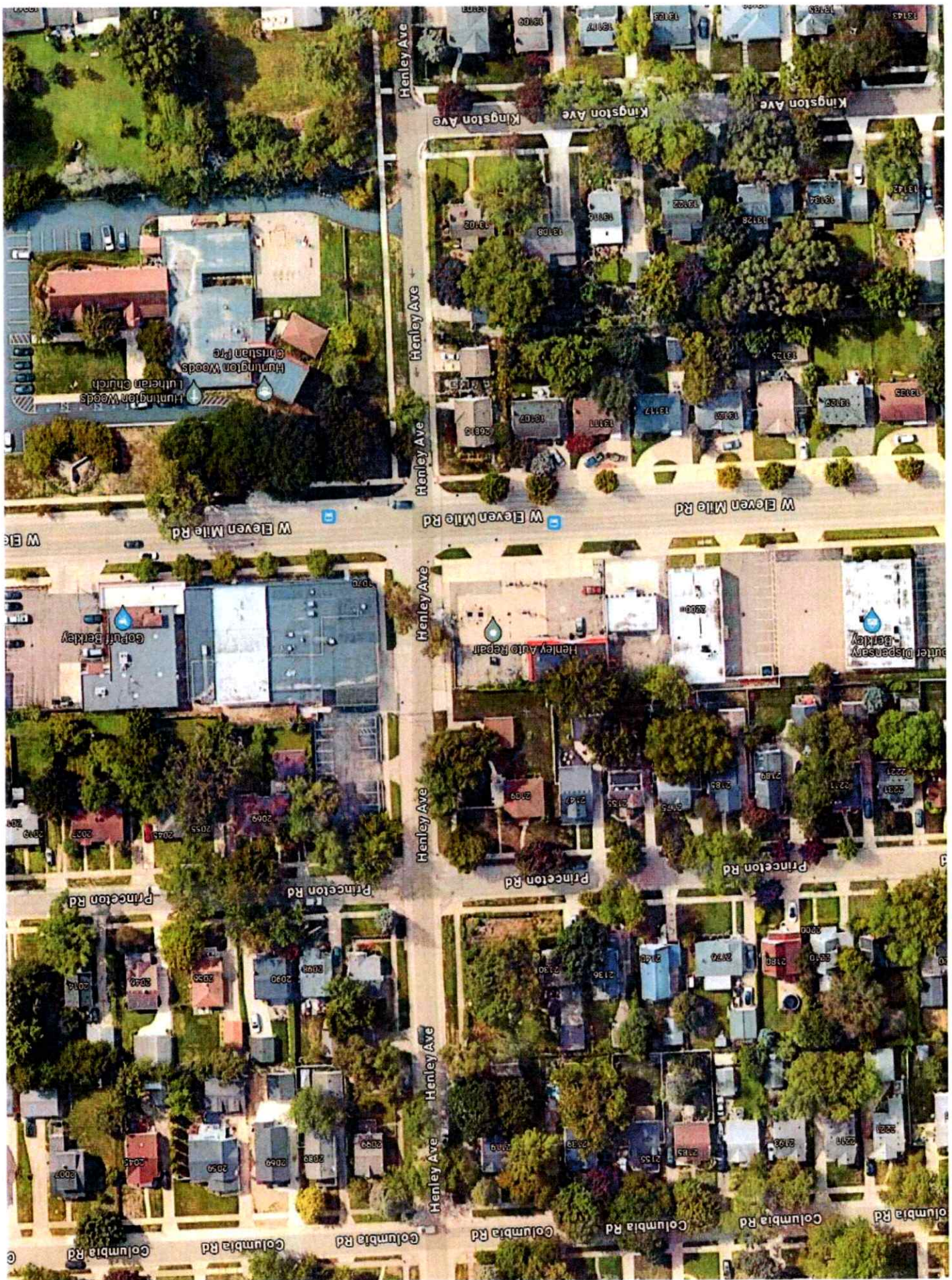
Property Owner Signature

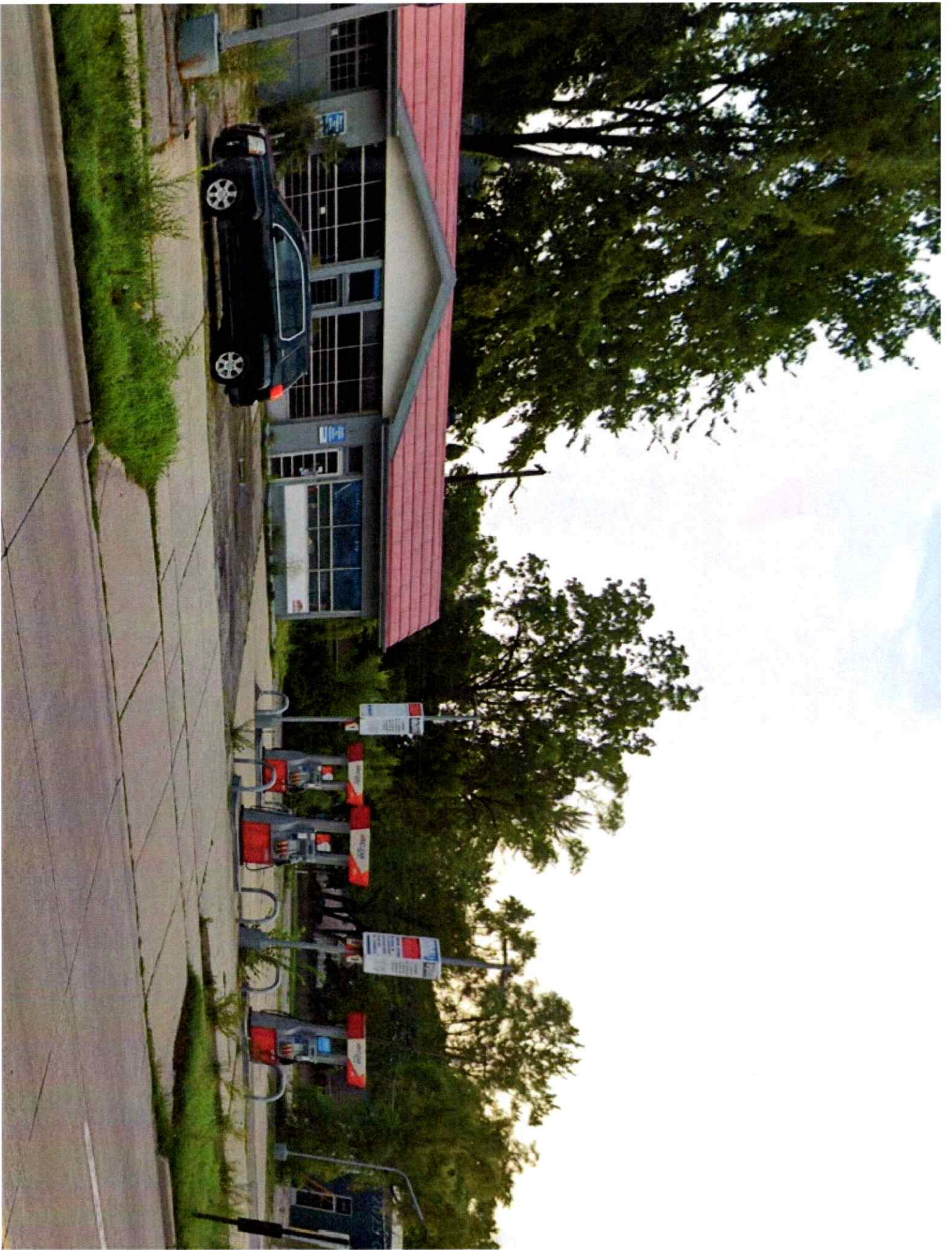
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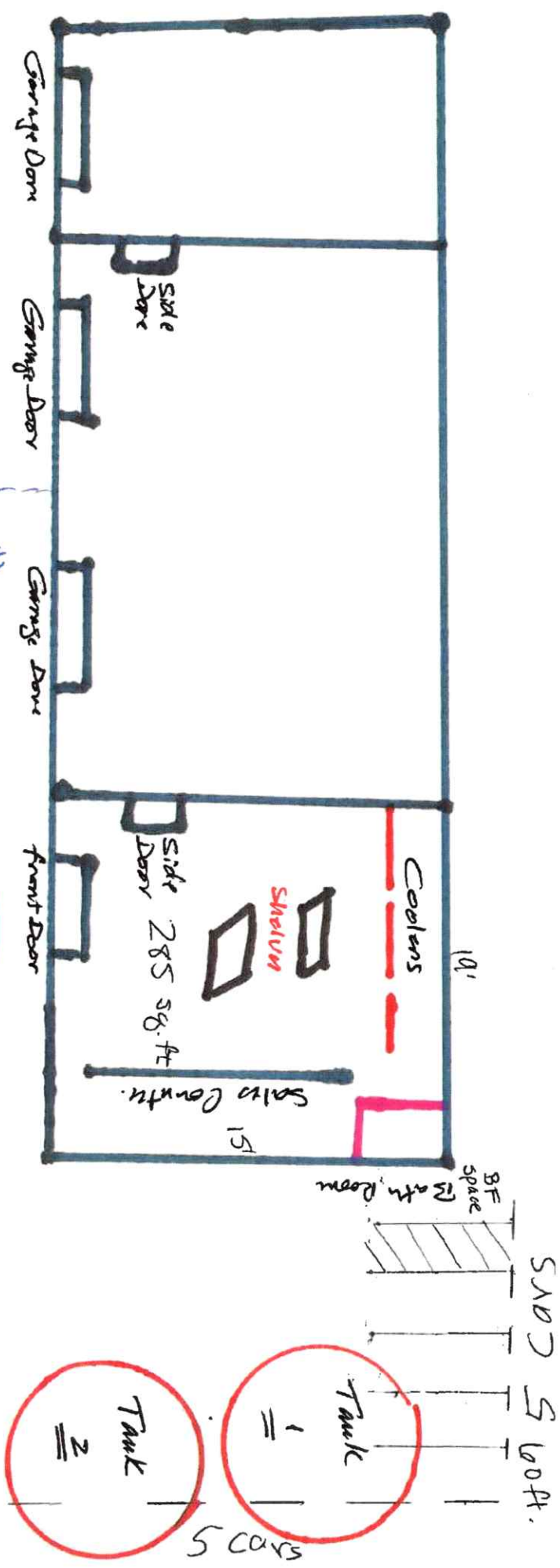
Office Use Only

Received _____ Receipt # _____ Meeting Date 10-13-25 Case # PBA-0725

Fee: Residential \$400
Commercial \$600
Mural \$300







4 Cars
64 ft.



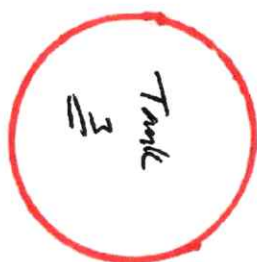
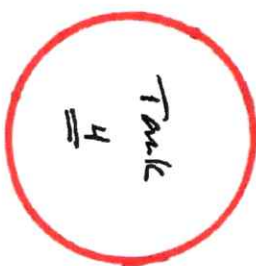
6 Cars



21 Feet



24 Feet



5 Cars

5 Cars

