



Variance Review

TO: City of Grosse Pointe Woods
FROM: Paige Smith, NCI
Ashley Jankowski, AICP
SUBJECT: 21155 Mack Avenue (#003-01-0056-000) – Use Variance Review #1
DATE: November 13, 2025

BACKGROUND AND VARIANCE REQUEST

The applicant, Mark Tapper, on behalf of Tapper's Gold Rush, LLC, requests a use variance for the commercial establishment at 21155 Mack Avenue. The subject site is a 11,761.20 square foot corner lot, is zoned the C, Commercial Business District and is located south of Brys Drive and east of Helen Avenue. The applicant proposes to operate a precious metals evaluation and purchasing service business, where in the C District, pawnshops and similar resale services are not permitted.

The applicant states that their business will serve customers on a private, primarily appointment-based basis, to facilitate the evaluation and potential sale of coins, bullion, and other precious-metal items. With the exception of coins, items purchased by Tapper's Gold Rush are not to be resold to the public and are sold exclusively to institutional counterparts. While Tapper's Gold Rush does plan to buy and sell coins to and from the public, Tapper's does not consider coins to be "used" or "pre-owned" merchandise. Tapper's Gold Rush will not engage in consignment, lending, or retail resale of non-currency, pre-owned merchandise.

The applicant requests the following use variance, pursuant to the City's Zoning Ordinance:

Code Section	Ordinance Use Requirements		Proposed Use	Requested Use Variance
Sec. 50-4.9.C	Retail Businesses	<i>"In C districts, the provisions of this section shall not be construed or interpreted so as to permit the operation of a pawnshop, or of a business wherein the purchase, exchange or sale of used or secondhand clothing, wearing apparel or personal effects, or used or secondhand furniture or household effects, is conducted. This provision shall apply with like effect where such articles are handled upon consignment, or as the agent for the owner thereof. The prohibition relating to selling used or secondhand goods, clothes and materials shall not apply to antique stores or businesses selling no more than 25 percent of such goods."</i>	A precious metals evaluation and purchasing service business, not to engage in consignment, lending, or retail resale to the general public.	Permittance of a secondhand exchange adjacent retail use.

HEADQUARTERS

235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



Variance Criteria and Evaluation

Per Section 50-7.15.I.2, the Zoning Board of Appeals may grant a use variance only upon finding that there is an unnecessary hardship in the way of carrying out the requirements of the chapter. A finding of unnecessary hardship, based on competent, material, and substantial evidence on the record, shall require the petitioner to demonstrate that all of the following conditions are met.

Additional information brought forward by the Board, the applicant, and/or during the public hearing should be incorporated into the record prior to the Board making any determination. Our comments follow:

CRITERIA #1:

The property cannot reasonably be used in a manner consistent with existing zoning.

Findings:

Per Article 3 of the Zoning Ordinance, the purpose statement of the C, Commercial Business District provides:

"The C commercial business district is intended to be that permitting retail business and service uses which are needed to serve the nearby residential areas. In order to promote such business development insofar as it is possible and appropriate in each area, uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic or late hours of operation. The intent of this district is also to encourage the concentration of local business areas to the mutual advantage of both the consumers and merchants and thereby promote the best use of land at certain strategic locations and avoid the continuance of encouraging marginal strip business development along major streets."

The proposed precious metals evaluation and purchasing service does align itself with the intent of the C, Commercial Business District. However, the definitions of purchase-based uses limits the operation of this service within the C, Commercial Business District.

Permitted and Special Land Uses in the District:

The following table contains an abbreviated list of both the permitted and special land uses in the C, Commercial Business District. Please reference Article 3 for a complete listing of all permitted and special land uses.

Permitted Uses in the C District	Special Land Uses in the C District
One-family detached dwellings, two-family dwellings	Municipal buildings and uses, public utility buildings
Retail businesses	Fast-food restaurants and carry-out restaurants
Business offices	Bowling alleys
Miscellaneous business establishments	Gasoline service stations
Lodge rooms, club rooms, etc.	Taverns
Rooftop dining	Three-story mixed-use buildings



It is not clear that there are any restrictions or limitations on this property that prevent it from being developed as a currently permitted use in the C, Commercial Business District. The range of uses in the C, Commercial Business District is great, as detailed above and in Section 50-3.1.J. It has not been demonstrated that the subject property cannot reasonably be used for another viable commercial use in a manner consistent with existing zoning (the C, Commercial Business District) and thus, Criteria #1 is not met.

CRITERIA #2:

That the plight of the petitioner is due to unique circumstances peculiar to the property and not to general neighborhood conditions.

Findings:

It has not been demonstrated that the subject property is unique in location, topography, size, nonconformities, or zoning classification. The majority of properties with frontage on Mack Avenue are also zoned the C, Commercial Business District and offer the local community a range of goods and services. Criteria #2 is not met.

CRITERIA #3:

That the use to be authorized by the variance will not alter the essential character of the area and locality.

Findings:

The subject parcel neighbors primarily commercial properties zoned C, Commercial Business District. Property to the north is zoned RO-1, Restricted Office, and the properties immediately to the west of the property are zoned R-1E, One-Family Residential.

While retail businesses are a permitted use in the C, Commercial Business District, per Section 40-4.9.C, pawnshops and businesses *wherein the purchase, exchange or sale of used or secondhand clothing, wearing apparel or personal effects, or used or secondhand furniture or household effects, is conducted, are prohibited.* The applicant's proposed precious metals evaluation and purchasing service is classifiable as a secondhand retail or pawn shop establishment by Ordinance definition, however, in operation, the proposed use will serve customers on a primarily appointment-based basis, and does not involve consignment, lending, or retail resale of non-currency, pre-owned merchandise to the public.

By definition, the proposed use is categorizable as a retail store but will more closely mirror the daily operations and impact of a business (financial or valuation) office, which is permissible in the C, Commercial Business District.

Based on the unique aspects and limited business operations of the proposed use, this will not be more intensive than the surrounding commercial and office uses. The applicant proposes operating Monday through Saturday from 10 am – 6 pm, with a maximum of two staff members on site per shift and anticipates serving approximately 6 to 15 clients daily. The impact of the proposed use is compatible with the surrounding uses at this time. Criteria #3 is met.



CRITERIA #4:

That the problem is not self-created.

Findings:

The applicant's plight is not self-created. The variance requested is in response to the Ordinance's classification of purchase-based uses. The proposed use is reflective of the intent of the C, Commercial Business District but is not organically permitted due to the scope of related use definitions. Criteria #4 is met.

CRITERIA #5:

That the spirit of this chapter will be observed, public safety and welfare secured, and substantial justice done.

Findings:

The requested use variance supports the intent of the City's Zoning Ordinance as it is not expected to generate a burdensome impact on the surrounding residential uses, or adjacent commercial and office spaces. It has not been demonstrated that the proposed use would negatively affect public safety or welfare in the subject location (see City of Grosse Pointe Woods Department of Public Safety letter, dated November 10, 2025, for additional information). Criteria #5 is met.

MASTER PLAN ALIGNMENT:

While not a formally listed criteria for evaluation, it is relevant for the city to also consider the Master Plan and its alignment with this proposed use, at this location.

The adopted 2025 Grosse Pointe Woods Master Plan designates this parcel as "Corridor Mixed Use" on the Future Land Use Map.

The Master Plan designates retail, restaurant, personal service, and office establishments as most appropriate for this district. This offers a wide range of potential future uses for the Mack Avenue corridor. The proposed precious metals evaluation and purchasing service can be considered aligned with the subject Future Land Use classification.



Recommendation

Subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals deny the requested use variance at 21155 Mack Avenue to Section 50-4.9.C.

Of the five required criteria for a use variance, only three (Criteria #3, #4, and #5) are met. Criteria #1 and #2 are not satisfied, as the applicant has not demonstrated an unnecessary hardship unique to the property. This is based on the following findings:

1. The subject parcel is a standard commercial lot with no demonstrated physical or regulatory limitations preventing its development under current C, Commercial Business District standards.
2. Numerous permitted and special uses exist within the C, Commercial Business District that would allow viable commercial development consistent with the zoning intent.
3. The site is similar in size, topography, zoning, and configuration to other nearby commercial parcels along Mack Avenue.
4. No evidence has been provided that unique physical or locational circumstances affect the property's ability to be developed under the existing zoning.

Subject: Letter of Explanation – Zoning Board of Appeals Application

Applicant: Tapper's Gold Rush, LLC

Address: 21155 Mack Avenue

Proposed Use: Professional Precious-Metals Evaluation and Purchasing Service

Dear Members of the Zoning Board of Appeals,

This letter is submitted to accompany the enclosed application for a use variance under Section 50-4.9.C of the City of Grosse Pointe Woods Zoning Ordinance.

I respectfully request approval to permit a professional precious-metals evaluation and purchasing service within the General Business (C) district.

Our business provides a private, appointment-based environment where clients may have their coins, bullion, or other precious-metal items evaluated and, if they choose, sold based on current global market values. The nature of the use is professional rather than retail in character. Items purchased are not resold to the public; they are refined or sold exclusively to institutional counterparties.

The intent of the zoning ordinance to prevent secondhand, resale, or pawn operations is fully respected by our model. We do not engage in consignment, lending, or retail resale of pre-owned merchandise. The business functions in a manner consistent with financial or professional services, quiet and low in traffic, and aligned with the neighboring commercial uses in this corridor.

We believe our operation fits the purpose and spirit of the General Business district and provides a valuable service to the community without altering the character of the area. I appreciate the Board's time and consideration of this request.

Respectfully,

Mark Tapper, on behalf of Tapper's Gold Rush, LLC

[REDACTED]

[REDACTED]



*****THIS FORM MUST BE TYPED*****
CITY OF GROSSE POINTE WOODS
20025 MACK PLAZA – GROSSE POINTE WOODS, MI 48236
CITY CLERK - (313) 343-2440 - FAX (313) 343-2785
BUILDING DEPARTMENT - 313-343-2426 - FAX (313) 343-2439

APPLICATION TO THE ZONING BOARD OF APPEALS

1. Address of the Property 21155 Mack Avenue
(Number and Street)

TO THE ZONING BOARD OF APPEALS

I (We)	<u>Tapper's Gold Rush, LLC</u>	<u>248-865-6336</u>		
	<i>Name (Please Print)</i>	<i>Phone No. (Daytime)</i>		
	<u>6337 Orchard Lake Rd</u>	<u>West Bloomfield MI</u>	<u>48322</u>	
	<i>Address</i>	<i>City</i>	<i>State</i>	<i>Zip</i>

Hereby appeal to the Zoning Board of Appeals for a variance to:

I, Mark Tapper on behalf of Tapper's Gold Rush LLC, hereby appeal to the Zoning Board of Appeals for a variance to allow the operation of a professional precious-metals evaluation and purchasing service in a General Business (C) district.

2. DESCRIPTION OF CASE (Fill out only items that apply)

- Present zoning classification of the property General Business (C)
- Description of property
 - Size and Area of Lot 11,761.20 sq ft
 - Is the lot a corner or interior lot corner

Payment Validation

c. Description of EXISTING structures

- Total square footage of accessory building now on Premises 1,740 sq ft; of main buildings 6,000 sq ft
- Uses of building on premises retail

*****THIS FORM MUST BE TYPED*****

(3) Percentage of lot coverage of all buildings on ground level _____ %

d. Description of PROPOSED structures

(1) Height of proposed structure _____

(2) Height and area of existing structure _____

(3) Dimensions and area of structure or addition to be constructed _____

(4) Percentage of lot coverage of all buildings including proposed _____ %

e. Yard setbacks after completion of addition/structure

(1) Front Yard (measured from lot line) _____

(2) Side Yard (measured from lot line) _____

(3) Rear Yard (measured from lot line) _____

f. A sketch drawn to scale depicting the above information shall
Be included herewith.

3. TYPE OF VARIANCE REQUEST: NON-USE – Common regulations subject to non-use variance requests: setbacks, height or parking regulations, lot coverage, bulk or landscaping restrictions. Uniqueness: odd shape, small size, wetland, creek, natural features, big trees or slopes.

The applicant must present evidence to show that if the zoning ordinance is applied strictly, a practical difficulty to the applicant will result, and that all four of the following requirements are met: (please answer all four).

a) That the ordinance restrictions unreasonable prevent the owner from using the property for a permitted purpose.

b) That the variance would do substantial justice to the applicant as well as to other property owners in the district, and a lesser relaxation than that requested would not give substantial relief to the owner of the property or be more consistent with justice to other property owners.

*****THIS FORM MUST BE TYPED*****

c) That the plight of the landowner is due to the unique circumstances of the property.

d) That the alleged hardship has not been created by any person presently having an interest in the property.

***NOTE:** When answering questions pertaining to use and non-use variances, additional paper may be used if necessary.

4. **TYPE OF VARIANCE REQUEST: USE** – A use variance permits a use of land that is otherwise not allowed in that zoning district. The applicant must present evidence to show that if the zoning ordinance is applied strictly, an unnecessary hardship to the applicant will result, and that all four of the following requirements are met (*please answer all reasons*):

a) That the property could not be reasonably used for the purpose permitted in that zone.

The existing space is ideally suited for small professional offices or specialty service uses. Strict interpretation of the ordinance, however, classifies our service alongside secondhand retail or pawn uses, which does not reflect the true nature of our business. Without a variance, the property cannot be used for a legitimate, low-impact professional service consistent with surrounding tenants.

b) That the appeal results from unique circumstances to the property and not from general neighborhood conditions

The site is located within a corridor intended for neighborhood retail and professional services. Our proposed use aligns with that intent but is uniquely affected by ordinance language that categorically includes all purchase-based businesses, regardless of business model or quality of operation. In contrast, our business operates in a secure, majority appointment-based, and highly professional environment, designed to provide a discreet and elevated experience for clients seeking asset evaluation and liquidity services.

c) That the use requested by the variance would not alter the essential character of the area.

The use will complement existing commercial and professional tenants. It involves limited daily customer activity (on average 6–15 customers per day, majority by appointment), no exterior modifications, and a quiet, professional interior. The business functions more like a financial or valuation office than a traditional retail establishment and will maintain a clean, upscale presentation consistent with surrounding uses.

*****THIS FORM MUST BE TYPED*****

d) That the alleged hardship has not been created by any person presently having an interest in the property.

The hardship arises solely from the ordinance's broad classification of purchase-based uses

and not from any action or decision by the applicant or property owner.

When granting any variance, the Board must ensure that the spirit of the ordinance is observed, public safety secured, and substantial justice done.

5. Interpretation of the Zoning Ordinance is requested because:

The ordinance prohibits pawnshops and secondhand retail operations but includes exceptions for antique or collectible businesses and those selling no more than 25 percent used goods. Our operation is not a pawnshop, resale, or consignment business. We provide a professional evaluation and purchasing service that allows clients to convert tangible assets such as coins and bullion into liquidity based on current global market values. purchased items are not displayed or resold to the public; they are refined or sold directly to institutional buyers. The intent and function of the business align most closely with financial and professional services, providing a discreet, secure, and appointment-based environment consistent with the General Business district.

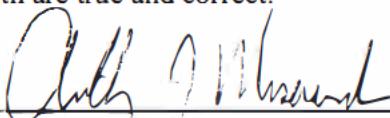
6. Article and Section of the Zoning Ordinance that is being appealed:

Section 50-4.9.C: In C districts, the provisions of this section shall not be construed or interpreted so as to permit the operation of a pawnshop,

or of a business wherein the purchase, exchange or sale of used or secondhand clothing, wearing apparel or personal effects, or used or secondhand furniture or household effects, is conducted. This provision shall apply with like effect where such articles are handled upon consignment, or as the

agent for the owner thereof. The prohibition relating to selling used or secondhand goods, clothes and materials shall not apply to antique stores or businesses selling no more than 25 percent of such goods.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.



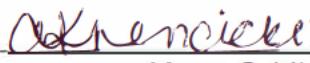
Signature of Property Owner



Signature of Applicant

Subscribed and sworn to before me this

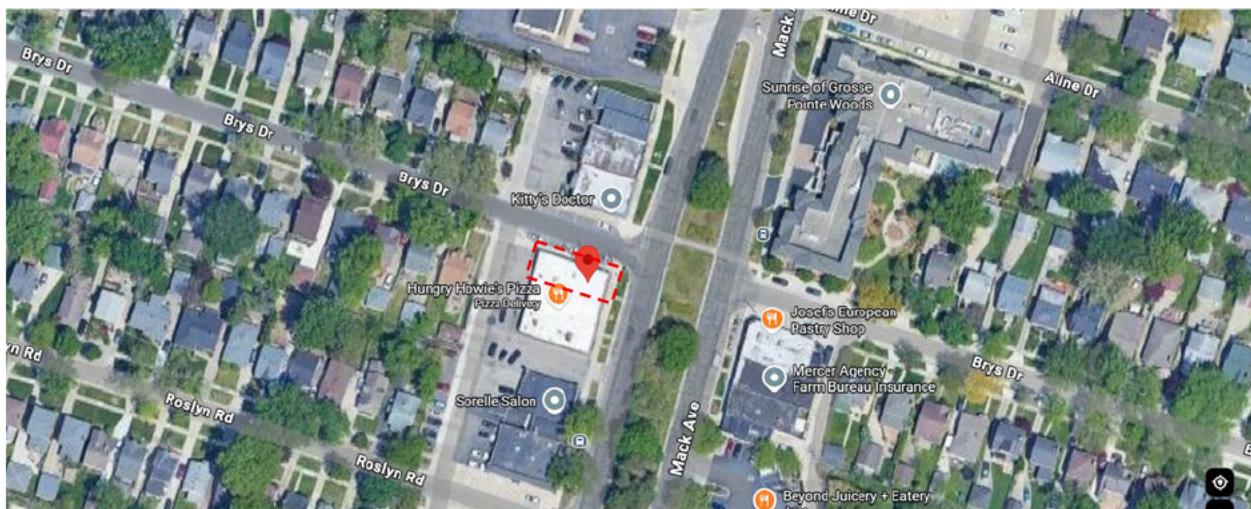
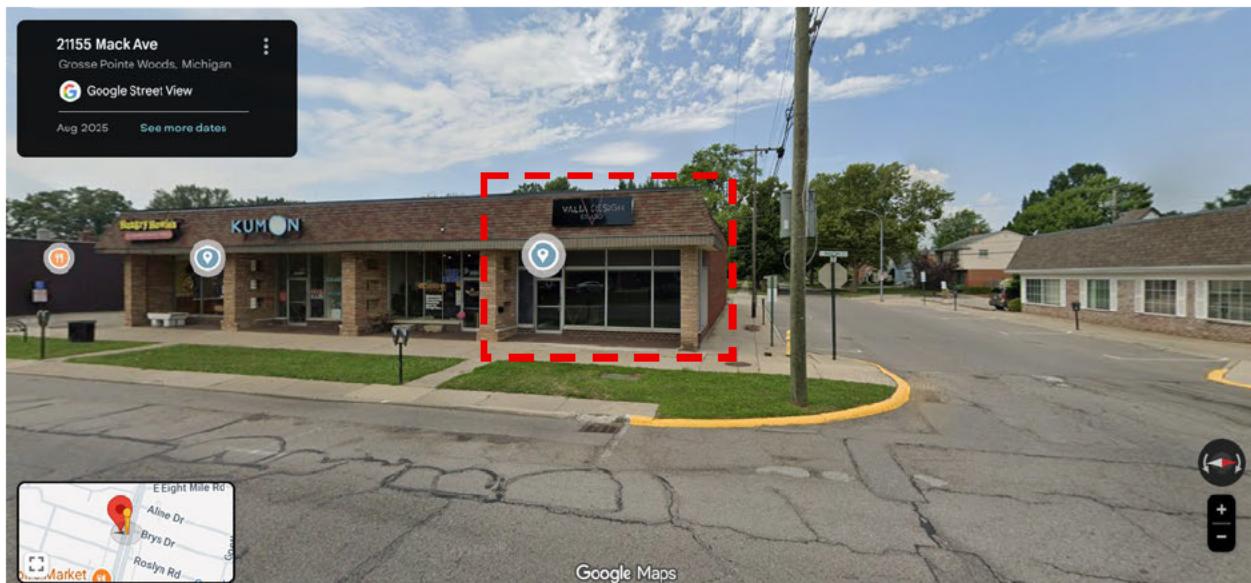
22nd day of October 2025



Notary Public

My Commission expires 04/17/2029

NOTE: The Zoning Board of Appeals meets the first and third Monday of each month at 7:30 PM. The application must be filed with the City Clerk with a fee in the amount of \$375 a minimum of 14 days prior to council hearing.





CITY OF GROSSE POINTE WOODS
20025 Mack Plaza Drive
Grosse Pointe Woods, Michigan 48236-2397

November 5th, 2025

RE: 21155 Mack Ave., Grosse Pointe Woods, MI, 48236

Dear Council Members,

I have reviewed the use-variance request for 21155 Mack Ave. to allow a professional precious-metals evaluation and purchasing service business in the C-Commercial District.

I have no concerns with the request for use-variance in the C – Commercial District.

Any work to be completed at the location will require approved reviews, permits and inspections to be completed. The applicant shall also comply with all business license and Certificate of Occupancy requirements if approved.

Sincerely,

Jeremy Collins

Building Official

City of Grosse Pointe Woods



CITY OF GROSSE POINTE WOODS
20025 Mack Plaza Drive
Grosse Pointe Woods, Michigan 48236-2397

From: James Kowalski, Director of Public Services
Date : November 3, 2025
Subject : Use Variance Request – 21155 Mack Ave

I have reviewed the use variance request submitted by Tappers Gold Rush LLC. It appears that no construction is proposed at this time of the existing building. Therefore, the Department of Public services has no comment or concerns and will support whatever decision the Zoning Board of Appeals deems appropriate.

Sincerely,

A handwritten signature in blue ink that reads "James Kowalski".

James Kowalski
Department of Public Services
City of Grosse Pointe Woods



CITY OF GROSSE POINTE WOODS DEPARTMENT OF PUBLIC SAFETY

Date: November 10, 2025

To: Grosse Pointe Woods Planning Commission

From: John G. Kosanke, Public Safety Director

John G. Kosanke

Subject: 21155 Mack Ave-Use Variance Request

I have reviewed the proposed variance request for the building use at 21155 Mack Ave. No construction plans have been submitted. The variance request does not have a negative impact on Public Safety Operations. Public Safety will let the Zoning Board of Appeals decide the best use of the property.