

## BOARD MEMBERS

### Robert E. Thomas

Chairperson  
Council District 5

### Vivian Teague

Vice Chairperson  
Council District 2

### Robert G. Weed

Council District 1

### Elois Moore

Council District 3

### Michelle L. West

Council District 4

### Debra T. Walker

Council District 6

### Anthony Sherman

Council District 7



### City of Detroit

### Board of Zoning Appeals

Coleman A. Young Municipal Center

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Detroit, Michigan 48226

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## JAMES W. RIBBRON

Director

In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4),  
The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web.  
We encourage the public to use one of the following:

### The Telephone Numbers Are:

(312) 626-6799 or (929) 436-2866, Meeting ID: 83992865544

### If You Are Joining By Web The Link Is:

<https://cityofdetroit.zoom.us/j/571081730?pwd=c1UvYUtwVlBUNmhlaitZbVdrTGk5dz09>,

Meeting ID: 571 081 730 and meet ID: 376542

If you need additional information regarding this meeting, our director  
James Ribbron can be reached at (313) 939-1405.

## MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **June 29, 2021** by way of Zoom.

Chairperson of the Board Thomas called the meeting to order and Director Ribbron called the roll at 9:00 a.m.

### BOARD MEMBERS PRESENT:

- (1) Robert E. Thomas, Board Member
- (2) Robert G. Weed, Board Member
- (3) Anthony Sherman, Board Member
- (4) Michelle L. West, Board Member
- (5) Vivian Teague, Board Member
- (6) Elois Moore, Board Member
- (7) Debra T. Walker, Board Member

### BOARD MEMBERS ABSENT:

**MINUTES:**

Board Member Moore made a motion to approve the minutes for June 15, 2021 with any corrections.

Affirmative: Mr. Weed, Thomas, Sherman  
Ms. West, Teague, Moore, Walker  
Negative: None

**PROCEDURAL MATTERS:**

- (A) A motion was made, seconded and carried that the Director of the Board read into the record the notices, reports, letters, or any other information pro or con, on each individual case, and be filed and made a part of the record in each case.
- (B) A motion was made, seconded and carried that the appearance slips, be filled out by property owners or parties of interest who appeared at the public hearing, be filed in the individual case file and be made a part of the record in each case.
- (C) A motion was made, seconded, and carried that the recorded transcript of the proceedings of the various hearings, furnished by **BZA Staff**, be made part of the **MINUTES**.

**9:15 a.m.**                      **CASE NO.:**                      **BSEED SLU2021-00023 & SPR2021-00009**

**APPLICANT:**                      **Clara Dennis**

**LOCATION:**                      **8726 Woodward & 95 Alger in a B4 Zone (General Business District and R3 Zone (Low Density Residential District))**

**LEGAL DESCRIPTION OF PROPERTY:**                      **E WOODWARD 4 & 3 JOS R MCLAUGHLINS SUBDIVISION LIBER 16 PAGE 77 PLATS, W.C.R. 1/115 246 X 200 and N ALGER 5 THRU 11; JOS R MCLAUGHLINS LIBER 16 PAGE 77 PLATS, W.C.R. 1/115 361.8 X 113 (PIN 01004336 & 01002726-30)**

**PROPOSAL:**                      **Clara Dennis and Jacinta Lyon appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED SLU2021-00023 & SPR2021-00009 effective date of decision May 5, 2021) which (Approved with Conditions) the establishment of a Mental Health Facility with accessory Substance Abuse Treatment Facility in an existing approximately 20,000 square foot building along with an Accessory Parking Lot on existing vacant land located at 95 Alger in a B4 Zone General Business District and R3 Zone Low Density Residential District. This case is appealed because appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses; Michigan courts have held that in order to meet the “aggrieved person” standard, the appellant must prove that he or she (or it, if the appellant is an organization) has suffered special damages related to the beneficial use and enjoyment of his/her own property that are not common to other property owners similarly situated. The party filing the appeal must be more than a mere resident of the City; he or she must be able to show harm or damages that are unique to him or her, and to his/her property, specifically. (Sections 50-4-102 Appeals, Michigan Case Law on “Aggrieved Person” Standard and 50-3-281 General Approval Criteria (Community Appeals).AP**

**ACTION OF THE BOARD:** Mr. Weed made a motion to **Adjourn this case for the petitioner to meet with the surrounding community to adequately discuss the proposal.** Seconded by Ms. Teague

Affirmative:      Mr. Weed, Thomas, Sherman  
                                 Ms., West, Teague, Moore, Walker

Negative:

**ADJOURNED WITHOUT DATE AND WITHOUT FEE**

10:15 a.m. **CASE NO:** 23-21

**APPLICANT:** 10351 W. Fort LLC

**LOCATION:** 10351 W. Fort between Miller and Forman in **M4 (Intensive Industrial District)**

**LEGAL DESCRIPTION OF PROPERTY:** S FORT 1 EXC FORT ST AS WD KAIERS  
SUB L22 P97 PLATS, W C R 20/103 40 X 81.42A

**PROPOSAL:** 10351 W. Fort, LLC, appeals BSEED's decision to NOT consider an extension because it was requested after the expiration date of June 22, 2020 in a M4 Zone (Intensive Industrial District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; the department issued a Special Land Use approval decision with the effective date of December 20, 2019. The petitioner requested an extension almost 2 months after the decision expired. On June 22, 2020 the decision expired. Per section 50-3-17 an extension request must be filed prior to the applicable lapse of approval deadline. Per section 50-3-305 in any case where a permit for a conditional use has not been obtained within six months after granting of said use, the grant shall be null and void without further action. (Sections 50-3-305 Lapse of Approval).AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Deny the request to consider an extension for the expired BSEED Grant. Seconded by Ms. Moore

Affirmative: Mr. Weed, Thomas  
Ms. West, Teague, Moore, Walker

Negative:

Mr. Sherman was not present for the vote

**BSEED'S DECISION AFFIRMED, EXTENSION DENIED**

**11:15 a.m. CASE NO:** 33-21 aka BSEED SLU2021-00060

**Applicant:** The Detroit Joynt, LLC c/o Carolyn Patrick-Wanzo and Juanita Brown

**LOCATION:** 9515 Michigan Ave. between Stecher St. and Wyoming Ave. in an B4 (General Business District)

**LEGAL DESCRIPTION OF PROPERTY:** S MICHIGAN ALL THAT PT OF FRL SEC 16 T 2 S R 11 E DESC AS FOLS BEG AT A PTE IN E LINE OF WYOMING AVE 86 FT WD BG ALSO IN S LINE OF MICHIGAN AVE 100 FT WD TH N 72D 51M 30S E 150 FT ALG SD S LINE TH S 17D 08M 30S E 104.57 FT TH S 70D 03M 30S W 185.14 FT ALG CITY LINE TH N 0D 03M 30S W 118.86 FT ALG E LINE WYOMING AVE TO P O B 20/-- 150 IRREG

**PROPOSAL:** The Detroit Joynt, LLC c/o Carolyn Patrick-Wanzo and Juanita Brown appeals Building, Safety, Engineering and Environmental Department's (BSEED) decision that DENIED the establishment of a Marijuana retail/provisioning center facility (MPCF) in a B4 (General Business District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; A spacing analysis has determined that the proposed use for Marijuana retail/provisioning center facility is located within 820 feet away from a liquor store located at 5021 Wyoming, Dearborn Michigan known as Gold Star Market. (Sections 50-4-128 Appeals and 50-3-534(b)(2) Conditional Uses; Procedures; Waivers; Public Nuisance.) AP

**ACTION OF THE BOARD:** Ms. Moore made a motion to **Deny the petitioners request and Uphold BSEED's decision that the subject property is within 1000 feet of a controlled used.** Seconded by Ms. Teague

Affirmative: Mr, Weed  
Ms. West, Teague, Moore, Walker

Negative:

Mr. Thomas and Mr. Sherman were not present for the vote

**BSEED DECISION UPHELD, REQUEST DENIED.**

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There being no further business to be transacted, Board Member Moore motioned that the meeting be adjourned. Board Member Teague seconded this motion which was unanimously carried and the meeting adjourned at 2:30 P.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to be 'JWR', written in a cursive style.

JAMES W. RIBBRON  
DIRECTOR

JWR/atp