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Director

**BOARD OF ZONING  
APPEALS STAFF:**

THOMINA DAVIDSON  
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DEJA SAMMONS

REGULAR MEETING OF  
**SEPTEMBER 27, 2022**

Pursuant to the City of Detroit Health Department Emergency Epidemic Order in Response to the COVID-19 Pandemic Per MCL 333.2453, Declaration of Continued Emergency Due to COVID-19, to Extend Remote Public Access to Open Meetings and Prohibit Gatherings at Meetings that Risk the Personal Health and Safety of Members of the Public and Public Bodies, effective from January 1, 2022 to March 31, 2022, the City of Detroit, Board of Zoning Appeals (BZA) will be:

**IN-PERSON IN THE ERMA L. HENDERSON AUDITORIUM ON THE 13<sup>TH</sup> FLOOR, OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, 2 WOODWARD AVE., DETROIT, MI 48226**

**VIRTUAL ATTENDANCE IS STRONGLY ENCOURAGED.**

As pursuant to public health guidelines, the meeting room will be subject to space limitations, and there are NO additional opportunities for public viewing within the building. For the safety of attendees and participants, it is recommended that the public participate by means of one of the methods listed below:

1. In person. Please be advised due to COVID restrictions the space is limited to 15 people. Petitioners will be given first preference. Once the limit is reached you will not be allowed to enter the building.
2. The Board of Zoning Appeals Hearings may be viewed in the following manner.  
Join Zoom Meeting  
<https://cityofdetroit.zoom.us/j/84422726457>  
Meeting ID: 844 2272 6457  
Dial by your location  
+1 267 831 0333 US (Philadelphia)  
+1 301 715 8592 US (Washington DC)  
+1 312 626 6799 US (Chicago)  
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+1 253 215 8782 US (Tacoma)  
+1 346 248 7799 US (Houston)

**PUBLIC COMMENT ZOOM / IN-PERSON MEETINGS:**

**Public Comment Zoom:**

1. Telephone participants: Raise your hand by pressing \*9
2. Web participants: Raise your hand by clicking **raise hand** in the application or pressing
  - a. Windows computer = [ALT] + [Y]
  - b. Apple computers = [OPTION] + [Y]

**Public Comment In-Person:**

- You will be called on in the order in which your hand is raised, a public comment sign-in card will be issued.
- All time limits set by the meeting Chair will still be enforced
- Any hands raised after the Chair ends submission of public comments, will not be able to speak at the meeting

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations are encouraged to submit written copies to the BZA Office **IN ADVANCE OF THE HEARING:**

<https://app.smartsheet.com/b/form/f8a9187464f4464689094092a1952bc8>

(You can also email the department at the link below for the smartsheet link)  
via smartsheet, or email to [BOARDOFZONING@DETROITMI.GOV](mailto:BOARDOFZONING@DETROITMI.GOV) for the record.

**PLEASE SEE THE LINK BELOW TO REVIEW THE BOARD OF ZONING APPEALS CALENDARS:**  
<https://detroitmi.gov/government/boards/board-zoning-appeals/board-zoning-appeals-meetings>

SEPTEMBER 27, 2022  
DOCKET CONTINUED

**DOCKET**

**I. OPENING:**

- A. CALL TO ORDER.....9:00 A.M.**
- B. ROLL CALL**

**II. PROCEDURAL MATTERS:**

**III. MINUTES:**

- A. APPROVAL OF MINUTES: September 20, 2022**

**IV. COMMUNICATIONS:**

**V. MISCELLANEOUS BUSINESS:**

**VI. PUBLIC HEARING**

**9:15 a.m. CASE NO.: 51-22**

**APPLICANT: Dinverno Remodeling & Construction**

**LOCATION: 1310 Labrosse between John C. Lodge and Brooklyn in an R3 (Low Density Residential District)-City Council District #6**

**LEGAL DESCRIPTION OF PROPERTY: N LABROSSE E 25 FT 13 BLK 59 COL D BAKER L17 P272-3 DEEDS, W C R 6/11 25 X 130**

**PROPOSAL: Dinverno Remodeling & Construction is requesting variances for construction of detached garage behind single-family residence. The subject site is within an R3 Low Density Residential District. The Board shall be authorized to hear dimensional variance requests for matters that are beyond the scope of BSEED's 10% administrative adjustments for a variance of the minimum setbacks. Excessive Height. 15 feet allowed, 19 feet 1 inch proposed. 4 feet 1 inch excessive height. (Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria.)AP**

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at (313) 224-4950, through the TTY number 711, or email at [crio@detroitmi.gov](mailto:crio@detroitmi.gov) to schedule these services.

**\*This Meeting is open to all members of the public under Michigan's Open Meetings Act\***

**LEGAL DESCRIPTION OF PROPERTY: UPON REQUEST**

**10:15 a.m. CASE NO.:** 49-22

**APPLICANT:** Rising Ventures

**LOCATION:** 5730 E. Eight Mile (Unit C) between Syracuse and Mound in a B4 (General Business District)-City Council District #3

**PROPOSAL:** Rising Ventures appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2022-00011 Decision Date: June 7, 2022, Effective Date: June 21, 2022) which DENIED the Modification of BSEED #27-16 to add Marijuana Safety Compliance Facility (MSCF) in a 2,133 square foot suite of an existing 10,486 square foot building in a B4 General Business District. 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; After careful consideration, the required findings of fact were made per Section 50-3-281, specifically: A) That work was performed without City of Detroit approval for the construction of an eight-foot-high solid masonry wall located within the alley that has not been vacated by Department of Public Works/City Engineering Division. This wall blocks the north/south alley. B) That the wall has not been approved or inspected and is not in compliance with Section 50-14-342, which caps the wall height at six feet. C) That the proposed use of the subject building will have a negative impact on the community and the surrounding property in maintaining an active business on the site. D) That the Conditional Use will be injurious to the use and enjoyment of other properties in the immediate vicinity for the purpose permitted, because the parking lot and eight-foot masonry wall are not setback the required 10 feet from adjacent residential properties. E) The applicant has otherwise failed to meet its burden and satisfy other general approval criteria outlined in Section 50-3-281 of the 2019 Detroit City Code. More specifically, the applicant has not provided evidence which demonstrates: a. The conditional use sought will not substantially diminish or impair property values within the neighborhood. b. The conditional use sought will be compatible with the capacities of public services and public facilities that are affected by the proposed use. c. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided. d. The conditional use sought will be compatible with land uses on adjacent and nearby zoning lots in terms of location, size, and character. F) The conditional use sought is so designed, located, planned, and will be operated so that the public health, safety, and welfare will be protected (Sections 50-4-101 Jurisdiction Over Appeals of Administrative Decisions, 50-4-102. Appeals, 50-3-281. General approval criteria

SEPTEMBER 27, 2022  
DOCKET CONTINUED

10:45 a.m.    **CASE NO.:**                    45-22 (Adjourned from August 30, 2022)

**APPLICANT:**                Michael Fishman

**LOCATION:**                    19303 Girardin (aka 6561 E. Seven Mile Rd.) between E. Outer Drive and W. Seven Mile Rd. in an M4 Intensive Industrial District)-City Council District #3

**LEGAL DESCRIPTION OF PROPERTY:** N E SEVEN MILE RD 96 THRU 111 N 15 FT 112 AND PT OF OL B LIVINGSTONE SEVEN MILE SUB L55 P28 PLATS, W C R 15/265; COMM AT SE COR 129 TH N 00D 28M 00S E 700.00 FT TO POB TH N 89D 38M 00S W 284.10 FT TH N 00D 13M 00S W 553.83 FT TH S 89D 18M 00S E 290.60 FT TH S 00D 28M 00S W 552.11 FT TO POB 3.65 AC SPLIT ON 02/18/2022 FROM 15004951

**PROPOSAL:**                    Michael Fishman represented by Tonja Stapleton/Parkstone Development Partners (Motor City Marihuana) is requesting to establish a Marijuana Processor Facility in a 1,590 square foot unit of an existing 14,400 square foot building in an M4 (Intensive Industrial) Zoning District APPROVED w/Conditions in BSEED Case#SLU2021-00114 in an M4 Zone (Intensive Industrial District). The Board shall be authorized to hear dimensional variance requests for matters that are beyond the scope of BSEED's 10% administrative adjustments for a variance of the minimum setbacks. That the parking lot shall be paved, properly drained and striped according to municipal standards. (Sections 50-4-131 (1)- Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

**VII.                    Public Comment / New Business**  
                              Next Hearing Date: October 11, 2022

**VIII.                  ADVISEMENTS / OLD BUSINESS**

**IX.                    MEETING ADJOURNED**