

**BOARD MEMBERS**

**Robert E. Thomas**  
Chairperson, Council District 5

**Robert G. Weed**  
Council District 1

**Elois Moore**  
Council District 3

**Jerry Watson**  
Council District 4

**Anthony Sherman**  
Council District 7



**City of Detroit**  
**Board of Zoning Appeals**  
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**JAMES W. RIBBRON**  
Director

**BOARD OF ZONING  
APPEALS STAFF:**

THOMINA DAVIDSON  
APRIL PUROFOY  
DEJA SAMMONS

**REGULAR MEETING OF  
F E B R U A R Y 2 3 , 2 0 2 3**

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**

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)
- +1 213 338 8477 US (Los Angeles)
- +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>

**MINUTES OF THE BOARD OF ZONING APPEALS**

A public hearing of the Board of Zoning Appeals was held on Monday February 13, 2023 by way of Zoom and in person.

Board Member Thomas called the meeting to order and Director Ribbron called the roll at 10:00 a.m.

**BOARD MEMBERS PRESENT:**

- (1) Robert G. Weed, Board Member
- (2) Jerry Watson, Board Member
- (3) Anthony Sherman, Board Member
- (4) Robert E. Thomas, Board Member
- (5) Elois Moore, Board Member
- (6)

**BOARD MEMBERS ABSENT:**

**MINUTES:**

Board Member Moore made a motion to approve the minutes for December 20, 2022 with any corrections.

Affirmative: Mr. Weed, Watson, Thomas, Sherman  
Ms. Moore  
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.:** 37-22

**APPLICANT:** James Worden

**LOCATION:** 3532 Farnsworth between Moran and Ellery in an R2 (Two-Family Residential District)-City Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** PROPERTY EXEMPT FROM AD VALOREM TAXES AND ASSESSED ON THE SPECIAL ACT ROLL PURSUANT TO PA 261 OF 2003 EXPIRING 12/30/2026. S FARNSWORTH 2 JOHN C GOODRICHS L20 P4 PLATS, W C R 13/133 30 X 108.39 COMBINED ON 12/08/2021 WITH 13002944. INTO 13002943-4;

**PROPOSAL:** Elizabeth Orf is requesting dimensional (height) variances for proposed garage in a R2 zone Two-Family 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. Sec. 50-13-209. - Height of accessory buildings. (a)No detached accessory building or structure in any R1 or R2 District shall exceed the height of the principal building or structure, or 15 feet, whichever is less (b)The height of buildings accessory to single-family and two-family detached dwellings shall be limited to one story, and shall not exceed 15 feet. (Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

**ACTION OF THE BOARD:** Mr. Watson made a motion to Dismiss Case at petitioners request with return of fee. Seconded by Board Member Moore.

Affirmative: Mr. Weed, Sherman, Thomas, Watson  
Ms. Moore

Negative:

**DISMISSED WITH RETURN OF FEE**

9:45 a.m.      **CASE NO.:**              73-22

**APPLICANT:**              Devon Caldwell

**LOCATION:**                      3620 Porter between 25th and W. Grand Blvd. in an (R2 Two-Family Residential District)-City Council District #6

**LEGAL DESCRIPTION OF PROPERTY:**      W 25TH W 38.80 FT 15-16 BLK 6 B HUBBARDS SUB L5 P49 PLATS, W C R 12/288 51 X 38.80

**PROPOSAL:**                      Devon Caldwell is requesting dimensional variances to convert the existing commercial building into a restaurant, standard; connect the two existing buildings on the first floor; convert the entire residential building area for restaurant, standard, seating (on the first floor and second floor), with kitchen space, and accessory storage; provide a 170 square foot outdoor seating area in the rear; and use the basement for accessory storage; After reviewing your application, we find the proposed plans meet the site plan requirements of Section 50-3-171 of the Detroit Zoning Ordinance and have been approved with conditions the subject site is within an R2 Two-Family 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. proposal to change the current nonconforming use in an existing commercial building to a restaurant, standard nonconforming use located in a R2 (Two-Family Residential) zoning district, and to expand the restaurant, standard nonconforming use by including the area of an attached building and outdoor seating area on the same property, is subject to the jurisdiction of the Board of Zoning Appeals, per Sec. 50-15-30 and Sec. 50-15-26(a)(1) of the Detroit Zoning Ordinance, respectively; therefore, a Board of Zoning Appeals hearing is required. (Sections 50-2-67. - Procedures. and 50-15-30. Change of Nonconforming Use to Other Nonconforming Use.)AP

**ACTION OF THE BOARD:**              Mr. Weed made a motion to Grant change from one nonconforming use (Retail) to another nonconforming Use (Restaurant) by converting the existing commercial building into a restaurant, standard; connect the two existing buildings on the first floor; convert the entire residential building area for restaurant, standard, seating (on the first floor and second floor), with kitchen space, and accessory storage; provide a 170 square foot outdoor seating area in the rear; and use the basement for accessory storage. **Seconded by Board Member Moore.**

Affirmative:      Mr. Weed, Watson, Sherman, Thomas  
Ms. Moore

Negative:

**CHANGE OF NONCONFORMING USE GRANTED**

10:15 a.m. **CASE NO.:** 74-22

**APPLICANT:** Steven Flum

**LOCATION:** 151 & 161 Gladstone between Woodward Ave. and Second in an B4 (General Business District)-City Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** S GLADSTONE 88 MC LAUGHLIN BROTHS SUB L14 P21 PLATS, W C R 2/49 50 X 117.5 COMBINED ON 11/10/2021 WITH 02001343. INTO 02001342-3; S GLADSTONE 87 MC LAUGHLIN BROTHS SUB L14 P21 PLATS, W C R 2/49 50 X 117.5 COMBINED ON 11/10/2021 WITH 02001342. INTO 02001342-3;

**PROPOSAL:** Steven Flum is requesting dimensional variances to construct a six-unit Townhouse development on existing vacant land in a B4 General Business 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. Deficient front, rear and side (west) setback, and Per Section 50-14-342(1)(b) deficient residential screening. (Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria.) AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Grant dimensional variances to construct a six-unit Townhouse development on existing vacant land in a B4 General Business 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. Deficient front, rear and side (west) setback, and Per Section 50-14-342(1)(b) deficient residential screening. (Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria.) AP Seconded by Board Member Moore.

Affirmative: Mr. Weed, Sherman, Thomas, Watson  
Ms. Moore

Negative:

**DIMENSIONAL VARIANCES GRANTED**

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE**

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There being no further business to be transacted, Board Member Watson motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 11:00 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON  
DIRECTOR

JWR/atp