

BOARD MEMBERS

Robert G. Weed
Council District 1
Kimberly Hill Knott
Council District 2
Elois Moore
Council District 3
Jerry Watson
Council District 4
Robert E. Thomas
Council District 5
Robert Roberts
Council District 6
Anthony Sherman
Council District 7



City of Detroit
Board of Zoning Appeals
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 212
Detroit, Michigan 48226
Phone: (313) 224-3595
Fax: (313) 224-4597
Email: boardofzoning@detroitmi.gov

JAMES W. RIBBRON
Director

BOARD OF ZONING APPEALS STAFF:

THOMINA DAVIDSON
APRIL PUROFOY
DEJA SAMMONS

REGULAR MEETING OF FEBRUARY 20, 2023

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 13TH 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 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 20, 2023 by way of Zoom and in person.

Board Member Thomas called the meeting to order and Director Ribbron called the roll at 9:24 a.m.

BOARD MEMBERS PRESENT:

- (1) Robert G. Weed, Board Member
- (2) Kimberly Hill Knott
- (3) Anthony Sherman, Board Member
- (4) Robert E. Thomas, Board Member
- (5)
- (6)

BOARD MEMBERS ABSENT:

- (1) Elois Moore, Board Member
- (2) Jerry Watson, Board Member

MINUTES:

Board Member Moore made a motion to approve the minutes for February 13, 2023 with any corrections.

Affirmative: Mr. Weed, Thomas, Sherman
Ms. Hill-Knott
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**.

9:45 a.m. CASE NO.: 06-23 aka BSEED SLU2022-00086

APPLICANT: Full Green Fields, LLC

LOCATION: 15300 Fullerton between Sussex and Whitcomb in a M2 (Restricted Industrial District)-City Council District #1

LEGAL DESCRIPTION OF PROPERTY: E GREENFIELD THAT PT OF N W 1/4 SEC 30 T 1 S, R 11 E DESC AS FOLS: BEG AT SW COR OF LOT 1 OF FORTUNA PARK SUB L33 P31 PLATS, W C R; TH N 89D 40M 40S E, 605.27 FT; TH S 0D 04M W, 475.0 FT TO P.O.B.; TH S 0D 04M W, 772.07 FT; TH ON CUR R 40.20 FT, RAD 351.98 FT, CHD BRG N 46D 46M W, 40.18 FT; TH N 43D 39M 40S W, 142.57 FT; TH ON CUR R 270.73 FT, RAD 355.23 FT CH BRG N 21D 39M 40S W, 264.22 FT, TH N 0D 10M 20S E, 388.46 FT, TH N 88D 07M 13S E, 255.08 FT TO P O B 22/--- 3.330 ACRES 145,057 SQ FT

PROPOSAL: Full Green Fields, LLC appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED BSEED SLU2022-00086 Decision date October 28, 2022; Effective date November 11, 2022 which DENIED the establishment of a Marijuana Grower Facility (MGF) in Suite A and a 3,610 sq. ft Marijuana Processor Facility (MPF) in Suite B of an existing 49,999 sq. ft. bldg in a M2 Restricted Industrial 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; the applicant conducted little community outreach prior to the hearing, the proposed use of the subject building will have a negative impact on the community; the conditional use will be injurious to the use and enjoyment of other properties, the applicant failed to meet it burden and satisfy other general approval criteria, there the use is DENIED. (Sections 50-4-101 Jurisdiction Over Appeals of Administrative Decisions and 50-3-171 thru 50-3-281- General Approval Criteria.)AP

ACTION OF THE BOARD: Mr. Weed made a motion to Uphold BSEED’s Decision which DENIED the establishment of a Marijuana Grower Facility (MGF) in Suite A and a 3,610 sq. ft Marijuana Processor Facility (MPF) in Suite B of an existing 49,999 sq. ft. bldg in a M2 Restricted Industrial District. Seconded by Board Member Sherman.

Affirmative: Mr. Weed, Sherman, Thomas
Ms. Hill-Knott

Negative:

BSEED DECISION UPHELD, USE DENIED

10:15 a.m. **CASE NO.:** 03-23 aka BSEED SLU2022-00131

APPLICANT: Veteran's Cannabis Group, LLC

LOCATION: 425 Campbell between Harvey and Reeder in a M4 (Intensive Industrial District)-
City Council District #6

LEGAL DESCRIPTION OF PROPERTY: E CAMPBELL SO 81 92 THRU 90 SUB OF WALTER
CRANE FARM L5 P29 PLATS, W C R 16/9 12,500 SQ FT

PROPOSAL: Veteran's Cannabis Group, LLC appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED PIN: 16014149-51 dated October 7, 2022 which DENIED the establishment of a Marijuana Retail/Provisioning Facility, Marijuana Processor Facility, and a Marijuana Designated Consumption Establishment in the City of Detroit in a M4 (Intensive Industrial 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; the proposed Marijuana Retail/Provisioning Facility, Marijuana Processor Facility, and Marijuana Designated Consumption Establishment are located within approximately 805 radial feet of a drug-free zone, known as Fort Wayne, located at 6301 W Jefferson, Detroit, MI 48209. The Buildings, Safety Engineering, and Environmental Department has determined that your application does not meet the necessary criteria, and the application has been DENIED. (Sections 50-4-101 Jurisdiction Over Appeals of Administrative Decisions and 50-3-171 thru 50-3-281- General Approval Criteria.)AP

ACTION OF THE BOARD: Mr. Weed made a motion to Reverse the BSEED's Decision that the subject property is located in a Drug Free Zone for the establishment of a Marijuana Retail/Provisioning Facility, Marijuana Processor Facility, and a Marijuana Designated Consumption Establishment in the City of Detroit in a M4 (Intensive Industrial District). **Seconded by Board Member Sherman.**

Affirmative: Mr. Weed, Sherman, Thomas

Negative: Ms. Hill-Knott

MOTION FAILED DUE TO VOTE COUNT. DRUG FREE ZONE AFFIRMED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Sherman motioned that the meeting be adjourned. Board Member Weed seconded this motion which was unanimously carried and the meeting adjourned at 1:16 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp