

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
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JAMES W. RIBBRON
Director

BOARD OF ZONING APPEALS STAFF:

THOMINA DAVIDSON
APRIL PUROFOY
DEJA SAMMONS

REGULAR MEETING OF FEBRUARY 27, 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 27, 2023 by way of Zoom and in person.

Board Member Thomas called the meeting to order and Director Ribbron called the roll at 9:00 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) Elois Moore, Board Member
- (6) Robert Roberts, Board Member
- (7) Jerry Watson, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Moore made a motion to approve the minutes for February 20, 2023 with any corrections.

Affirmative: Mr. Weed, Thomas, Sherman, Roberts, Watson
Ms. Hill-Knott, 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.:** 05-23

APPLICANT: Dave Root-Giffels Webster

LOCATION: 411 Piquette between Brush and Beaubien in an M4 (Intensive Industrial District)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: N PIQUETTE LOT 4 & S 40 FT OF VAC TROMBLY AVE ADJ EXC S 402.35 FT OF E 56 FT THEREOF EMILY CAMPAUS SUB L3 P64 PLATS W C R 1/96 252 IRREG SPLIT/COMBINED ON 06/15/2017 FROM 01001800.001,01001800.002A,01001800.002L; (PIN: 01001800.003)

PROPOSAL: Dave Root - Giffels Webster is requesting dimensional variances to renovate an existing 110,000 square foot building to establish 162 residential Loft units. The subject site is within an M4 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. Deficient Interior landscaping. a variance to waive interior landscaping shall be required from the Board of Zoning Appeals prior to issuance of a building permit (4,378 square feet of interior landscaping and 17 shade trees for 199 off-street parking spaces, zero proposed). (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 Grant dimensional variances to renovate an existing 110,000 square foot building to establish 162 residential Loft units. Seconded by Board Member Roberts.

Affirmative: Mr. Weed, Thomas, Roberts, Watson
 Ms. Hill-Knott, Moore

Negative:

DIMENSIONAL VARIANCE GRANTED

9:45 a.m. **CASE NO.:** **75-22**

APPLICANT: **Godfrey Detroit PropCo, LLC**

LOCATION: **1401 Michigan** between Church and Leverette in an B4 (General Business District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: **S MICHIGAN 1 & 2 EXC A TRIANG PT BG W 6.51 FT ON N LINE & RNG TO SW COR ALSO EXC MICHIGAN AVE AS WD VAC ALLEY LYG S & ADJ 14 THRU 12BLK 79 WOODBRIDGE FARM SUB L1 P146-7 PLATS, W C R 6/12 24,099 SQ FT COMBINED ON 02/17/2022 WITH 06000402. INTO 06000400-2;**

PROPOSAL: **Godfrey Detroit Prop Co, LLC is requesting dimensional variances for proposed sign at a new seven-story, 142,928 square foot, 227-room hotel. The subject site is within an 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. The proposed sign projects 4 feet excessively into the right of way. (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 dimensional variances for proposed sign at a new seven-story, 142,928 square foot, 227-room hotel. Seconded by Board Member Sherman.**

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

Negative:

DIMENSIONAL VARIANCE GRANTED

10:15 a.m. **CASE NO.:** BSEED SLU2022-00038

APPLICANT: WEHASIT, LLC- Fausone Bohn, LLP

LOCATION: 16890 Telegraph located between W. McNichols and Grove in a B4 zone (General Business District)-City Council District #1

LEGAL DESCRIPTION OF PROPERTY: E TELEGRAPH 8 RIVERDALE PARK SUB L33 P77 PLATS, W C R 22/472 140 X 300

PROPOSAL: WEHASIT, LLC - Fausone Bohn, LLP is requesting a reversal of the decision of BSEED Granting Jazz Club 2, LLC application to establish a Marijuana Retail/Provisioning Facility. The subject site is within an B4 zone. General Business District. 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. (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 that the petitioner did not meet the standard to establish standing of an Aggrieved Person to bring community appeal to Reverse the BSEED's Decision Granting Jazz Club 2, LLC application to establish a Marijuana Retail/Provisioning Facility. The subject site is within an B4 zone. General Business District. Seconded by Board Member Sherman.

Affirmative: Mr. Weed, Sherman, Thomas, Roberts, Watson
Ms. Hill-Knott\, Moore

Negative:

AGGRIEVED STANDARD NOT MET

ELECTIONS OF OFFICERS:

Mr. Watson nominated Robert Thomas as Chairperson.

Mr. Thomas accepted the nomination.

Votes for Mr. Thomas were as follows:

Yea- Mr. Sherman, Mrs. Moore, Mr. Weed, Mr. Thomas, Mrs Hill-Knott, Mr. Roberts and Mr. Watson.

Mr. Thomas was elected to be the Chairperson for 2023

Mrs. Moore nominated Mr. Watson as Vice-Chairperson.

Mr. Watson nominated Mr. Weed as Vice-Chairperson.

Mr. Weed rejected the nomination.

Mr. Watson accepted the nomination.

Votes for Mr. Watson were as follows:

Yea- Mr. Sherman, Mrs. Moore, Mr. Weed, Mr. Thomas, Mrs Hill-Knott, Mr. Roberts and Mr. Watson.

Mr. Watson was elected to be the Vice-Chairperson for 2023.

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Moore motioned that the meeting be adjourned. Board Member Watson seconded this motion which was unanimously carried and the meeting adjourned at 12:25 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