

**BOARD MEMBERS**

**Robert E. Thomas**

Chairperson, Council District 5

**Debra T. Walker**

Vice Chairperson, Council District 6

**Robert G. Weed**

Council District 1

**Vivian Teague**

Council District 2

**Elois Moore**

Council District 3

**Jerry Watson**

Council District 4

**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  
JANUARY 30, 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 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 January 30, 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) Jerry Watson, Board Member
- (3) Anthony Sherman, Board Member
- (4) Robert E. Thomas, Board Member
- (5)

**BOARD MEMBERS ABSENT:**

**MINUTES:**

Board Member Moore made a motion to approve the minutes for November 15, 2022 with any corrections.

Affirmative: Mr. Weed, Watson, Thomas  
Ms. Moore, Teague  
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.:** 61-22

**APPLICANT:** Victor Brechhill

**LOCATION:** 2935 Webb St between Lawton and Wildemere in an R2 (Two-Family Residential District)-City Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** S WEBB 89 WEBB AVE SUB L39  
P32 PLATS, W C R 12/274 40 X 121

**PROPOSAL:** Victor Brechhill is requesting dimensional variances for a proposed addition (deck) to rear of house. 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. Excessive Lot Coverage 35% square feet allowed. 1,694 square feet allowed. 1,924 square feet requested, 230 square feet excessive lot coverage. (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 for a proposed addition (deck) to rear of house. Seconded by Board Member Moore.

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

Negative:

**DIMENSIONAL VARIANCES GRANTED**

9:45 a.m.

**CASE NO.:** 70-22

**APPLICANT:** Michael Farr/Joshua Gleason

**LOCATION:** 4514 Burns between Forest and E. Canfield in an R1 Single-Family Residential District)-City Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** E BURNS 15 MEREDITHS NEWLAND AVE SUB L30 P93 PLATS, W C R 17/408 40 X 111.81A

**PROPOSAL:** Michael Fack/Joshua Gleason is requesting dimensional variances to construct a detached 430 square foot 2 car garage in the rear yard of existing single family zoning lot. 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 Lot Coverage. 35% lot coverage allowed 1,568 sq. ft allowed. 2,150 square feet proposed. 582 square feet excessive lot coverage. (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 construct a detached 430 square foot 2 car garage in the rear yard of existing single family zoning lot. Seconded by Board Member Thomas.

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

Negative:

**DIMENSIONAL VARIANCES GRANTED**

10:15 a.m. **CASE NO.:** 62-22

**APPLICANT:** Quality Green Labs, LLC

**LOCATION:** 10241 Joy Rd. between Griggs and Oakman in an B2 (Local Business and Residential District)-City Council District #6

**LEGAL DESCRIPTION OF PROPERTY:** S JOY RD 2314 THRU 2318 ROBERT OAKMAN LAND COS AVIATION FIELD SUB NO 3 L49 P56 PLATS, W C R 18/432 101.6 IRREG

**PROPOSAL:** Quality Green Labs, LLC is requesting dimensional variances to Establish a Marijuana Safety Compliance Facility (MSCF) in an existing 2,385 square foot building. The subject site is within an B2 Local Business and 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. Deficient Setback for Residential Screening. (Sections 50-4-131 (1)- Permitted dimensional variances and 50-4-121 Approval Criteria).AP**

**ACTION OF THE BOARD:** Mr. Weed made a motion to Grant dimensional variances to Establish a Marijuana Safety Compliance Facility (MSCF) in an existing 2,385 square foot building. **Seconded by Board Member Thomas.**

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

Negative:

**DIMENSIONAL VARIANCES GRANTED**

10:45 a.m. **CASE NO.:** 63-22 (Adjourned from November 29, 2022)

**APPLICANT:** Arthur O. Wood

**LOCATION:** 2616 Harrison between Woodrow Wilson and W. Churchill in an R3 (Low Density Residential District)-City Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** E HARRISON 220 PLAT OF LOGNON FARM L2 P5 PLATS, W C R 8/29 31 X 100

**PROPOSAL:** Arthur O. Wood is requesting dimensional variances for the proposed addition of a new 615 square foot residential dwelling along the rear alley with first level garage, second level living space, and third level roof deck. An approximately 655 square foot single-family dwelling currently exists with a proposed expansion of 200 square feet (total 855 square feet) on the 3,100 square foot lot APPROVED w/ CONDITIONS in BSEED SPR2022-00057 (1st Submission). The subject site is within an R3 Zone 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; Per Section 50-13-3 (R2 Intensity and dimensional standards, Single Family dwellings), the following variances will be needed: a) Minimum lot size, minimum lot width, Deficient side yard setback and maximum lot coverage. (Sections 50-4-131 (6) – Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

**ACTION OF THE BOARD:** Ms. Teague made a motion to Grant dimensional variances dimensional variances for the proposed addition of a new 615 square foot residential dwelling along the rear alley with first level garage, second level living space, and third level roof deck. Seconded by Board Member Weed.

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

Negative:

**DIMENSIONAL VARIANCES GRANTED**

**11:15 a.m. CASE NO.:** 66-22 (Adjourned from November 29, 2022)

**APPLICANT:** Edward & Michelle Potas

**LOCATION:** 4116 Avery between Willis and Alexandrine in an R3 (Low Density Residential District)-City Council District #6

**LEGAL DESCRIPTION OF PROPERTY:** E AVERY S 33.34 FT OF N 43.34 FT 11 BLK 6 AVERY & MURPHYS SUB L9 P42 PLATS, W C R 8/52 33.34 X 130 NEZ CERT# 2007-0371; RELATED PARCEL#27070371

**PROPOSAL:** Edward Potas is requesting a permission to convert the existing garage into an accessory 2 story 580 square foot residential dwelling in the rear yard of existing residential lot in a R3 Zone (Low Density Residential District). The Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments for a variance of the minimum setbacks. As the subject property is zoned R3, BSEED is unable to waive this requirement, thus shall require a waiver from the Board of Zoning Appeals. The renovated garage with residential dwelling would constitute a second principal use of the zoning lot, thus is subject to Site Plan Review. Per Ordinance Section 50-12-431, not more than one principal detached residential building shall be located on Residentially zoned land. (Sections 50-12-431 and 50-4-121 Approval Criteria.)AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Grant permission to convert the existing garage into an accessory 2 story 580 square foot residential dwelling in the rear yard of existing residential lot in a R3 Zone (Low Density Residential District). Seconded by Board Member Watson.

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

Negative:

Mr. Sherman was not present for the vote

**DIMENSIONAL VARIANCES GRANTED**

11:45 a.m. **CASE NO.:** 60-22 (Adjourned from November 29, 2022)

**APPLICANT:** Mannik Smith Group- Attention: David Rzyzi

**LOCATION:** 708 Charlotte between 2nd and 3rd in an B4 (General Business District)-City Council District #6

**LEGAL DESCRIPTION OF PROPERTY:** N CHARLOTTE 1-2 BLK 86 CASS FARM SUB L1 P172 PLATS, W C R 4/28 150 X 100

**PROPOSAL:** Mannik Smith Group – Attention: David Rzyzi is requesting dimensional variances for the construction of a three-story (previously four-story), 48,200 square feet building (previously contained 65,600 square feet) to be located at 708 Charlotte, 3126, 3136 & 3154 Third. The accessory parking spaces shall be located on 664, 676 Charlotte, 3126, 3136 & 3154 Third. Additionally, the multi-family building will now contain 65 residential dwelling units (applicant previously provided 90 residential dwelling units). 708 Charlotte, 3126, 3136 & 3154 Third is zoned B4 (General Business District) while 664 and 676 Charlotte is zoned R5 (Medium Density Residential). The applicant (Third and Charlotte LDHA LLC) has a signed development agreement with the City of Detroit to purchase the above vacant lots; APPROVED w/ Conditions in BSEED SLU2022-00118 & SPR2022-00002 is within an B4 zone General Business District. Sections: 50-4-131 (1)- Permitted dimensional variances and 50-4-121 Approval Criteria.

**ACTION OF THE BOARD:** Mr. Watson made a motion to Grant dimensional variances for the construction of a three-story (previously four-story), 48,200 square feet building (previously contained 65,600 square feet) to be located at 708 Charlotte, 3126, 3136 & 3154 Third. Seconded by Board Member Weed.

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

Negative:

Mr. Sherman was not present for the vote

**DIMENSIONAL VARIANCES GRANTED**



---

**12:15 p.m. CASE NO.:** 46-22 (Adjourned from November 29, 2022)  
**APPLICANT:** Carolina Garcia  
**LOCATION:** 8808 Falcon between Elsmere and Lawndale in an R2 (Two-Family Residential District)-City Council District #6  
**LEGAL DESCRIPTION OF PROPERTY:** N FALCON 364 JOHN P CLARK EST SUB L24 P32 PLATS, W C R 20/172 30 X 100

**PROPOSAL:** Carolina Garcia is requesting dimensional variances for addition to residential home, also the construction of a pool, shed and carport in an 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. Excessive lot coverage, deficient rear yard setback. (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 variances for addition to residential home, also the construction of a pool, shed and carport in an R2 Zone (Two-Family Residential District). **Seconded by Board Member Weed.**

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

Negative:

Mr. Sherman not present for the vote

**DIMENSIONAL VARIANCES GRANTED**

12:45 p.m. **CASE NO.:** 59-22 (Adjourned from November 15, 2022)  
**APPLICANT:** Melissa El-Johnson  
**LOCATION:** 757 Bethune between 2<sup>nd</sup> Ave. and 3<sup>rd</sup> Ave. in an R1 Single-Family Residential District)-City Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** S BETHUNE W 35 FT 70 EXC S 11 FT DED FOR ALLEY LOTHROP & DUFFIELDS SUB L17 P22 PLATS, W C R 4/72 35 X 114 NEZ CERT#NH2008-0380 RELATED PARCEL#27080380

**PROPOSAL:** Melissa El-Johnson is requesting dimensional variances for a proposed 614 SF addition to the existing Single-Family Dwelling, a by-right use in the R1 District; After reviewing site plans, BSEED found the proposed plans meet the site plan requirements of Section 50-3-171 of the Detroit Zoning Ordinance and has been approved w/conditions within an R1 Zone Single-Family Residential-Historic 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. Variances are required from the Board of Zoning Appeals (BZA), prior to building permit issuance, to waive the following: 1) excessive lot coverage by 11% (35% maximum required; 46% proposed); and 2) deficient side setback at the east property line (minimum 3 feet required; 2 ft 9 inches proposed). (Sections 50-4-131 (1)- Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Dismiss Case without return of fee at petitioners request. Seconded by Board Member Weed.

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

Negative:

Mr. Sherman not present for the vote

**DISMISSED WITHOUT RETURN OF FEE**

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE**

\*\*\*\*\*

There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 1:40 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON  
DIRECTOR

JWR/atp