

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
MAY 22, 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 May 22, 2023 by way of Zoom and in person.

Board Member Watson called the meeting to order and Director Ribbron called the roll at 9:00 a.m.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Moore made a motion to approve the minutes for May 15, 2023 with any corrections.

Affirmative: Mr. Weed, Roberts, Watson
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: 18-23

BZA PETITIONER:

FRANK SIMON SALANA/MUSSU SHOHOFFEE

LOCATION:

14340 W. Chicago, between Mark Twain and Freeland in an B4 District. General Business District.

LEGAL DESCRIPTION OF PROPERTY: N--W CHICAGO 348 THRU 352 CHURCHILL PARK SUB L50 P52 PLATS, W C R 22/568 109 X 100

PROPOSAL:

Frank Simon Salana/Mussu Shohofee is requesting to demolish an existing 1,296 square foot gas station and construct a new 2,870 square foot Motor Vehicle Filling Station with carryout restaurant, retail and four pump islands. APPROVED w/ Conditions in BSEED Case No.: SLU2022-00125 Decision Date: March 3, 2023; Effective Date: March 17, 2023. 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. *Deficient parking and Deficient lot area. (Sections 50-4-131 (1&6)- Permitted dimensional variances and 50-4-121 Approval Criteria).*

ACTION OF THE BOARD:

Mr. Weed made a motion to Grant petitioners request for dimensional variances to demolish an existing 1,296 square foot gas station and construct a new 2,870 square foot Motor Vehicle Filling Station with carryout restaurant, retail and four pump islands. APPROVED w/ Conditions in BSEED Case No.: SLU2022-00125. Seconded by Board Member Roberts.

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

Negative:

Mr. Sherman and Thomas were not present for the vote

DIMENSIONAL VARIANCES GRANTED

9:30 a.m.

CASE NO: 20-23

BZA PETITIONER:

RAUL ALVAREZ

LOCATION:

1115 MILITARY, between Army and E. Lafayette in an R2 District. Two Family Residential District.

LEGAL DESCRIPTION OF PROPERTY: W MILITARY S 10 FT 621 622 DANIEL SCOTTENS RESUB L3 P32 PLATS, W C R 16/26 40 X 150

PROPOSAL:

Raul Alvarez is requesting dimensional variances to legalize a residential carport at 1115 Military; By-Right. 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, Deficient side yard and deficient front yard setback. (Sections 50-4-131 (1&6)- Permitted dimensional variances and 50-4-121 Approval Criteria).

ACTION OF THE BOARD:

Mr. Watson made a motion to Deny petitioners request for dimensional variance to legalize a residential carport at 1115 Military; By-Right. The subject site is within an R2 Two-Family Residential District. Seconded by Board Member Moore.

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

Negative:
Mrs. Moore

DIMENSIONAL VARIANCES DENIED

10:00 a.m.

CASE NO: 21-23

BZA PETITIONER:

CENTRAL DETROIT CHRISTIAN COMMUNITY DEVELOPMENT CORPORATION

LOCATION:

1537, 1538 & 1557 Taylor, between Woodrow Wilson and Byron in an R3 Low Density Residential District.

LEGAL DESCRIPTION OF PROPERTY: S TAYLOR 49 DUDLEYS SUB L22 P64 PLATS, W C R 6/116 30 X 127; S TAYLOR W 27 FT 51 52 DUDLEYS SUB L22 P64 PLATS, W C R 6/116 74 IRREG

PROPOSAL:

Central Detroit Christian Community Development Corporation is requesting dimensional variances to construct a 22-space employee Accessory Parking Lot on existing vacant land to serve a business located at 1550 Taylor. APPROVED w/ Conditions in BSEED Case No.: SLU2021-00024 Decision Date: April 4, 2023; Effective Date: April 18, 2023. 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 Parking Lot Size and Excessive Lot Width. Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria.

ACTION OF THE BOARD:

Mr. Watson made a motion to Grant petitioners request for dimensional variances to construct a 22-space employee Accessory Parking Lot on existing vacant land to serve a business located at 1550 Taylor. APPROVED w/ Conditions in BSEED Case No.: SLU2021-00024. Seconded by Board Member Sherman.

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

Negative:

DIMENSIONAL VARIANCES GRANTED

10:15 a.m. **CASE NO.:** 64-22 ADJOURNED FROM APRIL 3, 2023

APPLICANT: Janice Jackson

LOCATION: 4505 Lodewyck, between Cornwall and Munich in a R1 (Single-Family Residential District)-City Council District #4

LEGAL DESCRIPTION OF PROPERTY: E MARSEILLES 60&61 LODEWYCK SUB L46 P67 PLATS, W C R 21/816 67.3 X 206.88

PROPOSAL: Janice Jackson is requesting and appealing to seek relief from regulations in this zoning ordinance on the basis that the denial of the application (Hardship Relief Petition) for a Women Domestic Violence Shelter in a R1 Single-Family Residential District. This case is appealed because 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 denial of a site plan by the Planning and Development Department. Also, any applicant for development may file a Hardship Relief Petition with the Buildings and Safety Engineering Department which seeks relief from any regulations in this zoning ordinance on the basis that the denial of the application has deprived the applicant of all reasonable use of his or her property and shall forward the application to the Board of Zoning Appeals. Prior to any public hearing, the Board shall review, through its staff, the submitted documents with the Law Department as to their completeness and relevance to the claim that the subject property has been subject to a denial of all reasonable economic use. (Sections 50-4-85 Appeals of Administrative Decisions, 50-4-151 Deprivation of Use of Property, 50-4-171 Review and Consultation with the Law Department, 50-4-194 Application of the "All Reasonable Economic Use" standard, 50-4-195. Burden of proof, 50-4-196 Findings of the Board of Zoning Appeals 50-4-197 Additional forms of relief and 50-4-121 Approval Criteria (if Hardship is approved)).

ACTION OF THE BOARD: Mr. Roberts made a motion to Deny Hardship Relief Petition for a Women Domestic Violence Shelter in a R1 Single-Family Residential District. There was no Second so the motion fails due to vote count.

Mr. Watson made a motion to Grant Hardship Relief Petition for a Women Domestic Violence Shelter in a R1 Single-Family Residential District. Mr. Weed seconded the motion.

Affirmative: Mr. Weed, Watson
Ms. Hill-Knott

Negative: Mr. Sherman, Roberts, Thomas

Mrs. Moore abstained from the vote

MOTION FAILS DUE TO VOTE COUNT. HARDSHIP RELIEF PETITION DENIED.

Board Member Thomas called the BZA office on May 18, 2023 at 3:09 p.m. to ask for a reconsideration of the vote for Case No. 17-23.

CASE NO.: 17-23 aka BSEED SLU2022-00003

APPLICANT: STONEFIELD ENGINEERING AND DESIGN

LOCATION: 1931 & 1935 25TH Street, between Vernor and Toledo in a R2 zone (Two Family Residential District). City Council #6

LEGAL DESCRIPTION OF PROPERTY: Property exempt from Ad Valorem taxes and assessed on the Special Act Roll pursuant to PA 261 of 2003 expiring 12/30/2021. W 25th E 95 FT OF S 30 FT 41 SCOTTEN, LOVETT & DAVIS SUB L2 P19 PLATS, WCR 12/289 30X95 & W W 54 FT OF S 30 FT 41 SCOTTEN, LOVETT & DAVIS SUB L2 P19 PATS, WCR 12/289 30X54 (PIN 12009633 & 12009634)

PROPOSAL: Stonefield Engineering and Design appeals the decision of the Buildings Safety and Engineering and Environmental Department SLU2023-00003 which DENIED permission to develop a 13-space accessory parking lot on existing vacant land to serve an adjacent multi family dwelling at 512 W. Grand Blvd within an R2 Two-Family Residential 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; At the time of the inspection, there were numerous piles of dirt, concrete and asphalt on the site. The applicant does not have the correct screening to shield the residential neighborhood, thus could pose an adverse public health, noise, and safety hazard for residents. (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. Roberts made a motion to Reverse the BSEED Denial to develop a 13-space accessory parking lot on existing vacant land to serve an adjacent multi family dwelling at 512 W. Grand Blvd within an R2 Two-Family Residential District. Seconded by Board Member Sherman.

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

Negative: Mr. Watson

BSEED DECISION REVERSED, USE GRANTED FOR PARKING LOT AT SUBJECT PROPERTY.

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 Sherman seconded this motion which was unanimously carried and the meeting adjourned at 12:18 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp