

**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**  
**AUGUST 14, 2023**

In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4),  
The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web.  
We encourage the public to use one of the following:

**The Telephone Numbers Are:**

(312) 626-6799 or (213) 338-8477, Meeting ID: 84422726457

**If You Are Joining By Web The Link Is:**

<https://cityofdetroit.zoom.us/j/84422726457>

If you need additional information regarding this meeting, you can contact either  
James Ribbron: (313) 939-1405 or Thomina Davidson: (313) 224-3432

**MINUTES OF THE BOARD OF ZONING APPEALS**

A public hearing of the Board of Zoning Appeals was held on Monday August 14, 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 E. Thomas, Board Member
- (2) Robert G. Weed, Board Member
- (3) Robert Roberts, Board Member
- (4) Kimberly Hill Knott, Board Member
- (5) Jerry Watson, Board Member
- (6) Anthony Sherman, Board Member
- (7) Elois Moore, Board Member

**BOARD MEMBERS ABSENT:**

**MINUTES:**

Board Member Roberts made a motion to approve the minutes for July 31, 2023 with any corrections.

Affirmative: Mr. Weed, Roberts, Watson, Thomas  
Mrs. 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**.



9:30 a.m.

**CASE NO:** 39-23

**BZA PETITIONER:** EDWARD POTAS

**LOCATION:** 1452 W. ALEXANDRINE, between Trumbull and Lincoln St. in an R3-H District Low Density Residential Historic District.

**LEGAL DESCRIPTION OF PROPERTY:** South 40 feet of Lot 96, Hodges Bros Subdivision, as recorded in Liber 1, Page 308 of Plats, Wayne County Records, commonly known as 1452 W. Alexandrine.

**PROPOSAL:** Edward Potas request permission to change an existing non-conforming (Motor Vehicle Repair Garage) to a non-conforming (Standard Restaurant) and expand a nonconforming use by adding a 40 square foot addition to a 1,240 sq. ft bldg. in a R3-H Low Density Residential Historic District. A nonconforming use may be changed to another nonconforming use only where reviewed and approved by the Board of Zoning Appeals in accordance with the procedures that are specified in Section 50-2-67 of this Code, except, that a nonconforming use may not be changed to any of the following: (b) Except for the ten items prohibited uses, the Board of Zoning Appeals may approve the change of one nonconforming use to another nonconforming use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use. Where a change in use is approved, the Board of Zoning Appeals shall be authorized to impose conditions that the Body deems necessary to reduce or minimize any potentially adverse effect upon other property in the neighborhood, and to carry out the general purpose and intent of this chapter. (Sections 50-15-7 - Board of Zoning Appeals and Sec. 50-15-30 (b) - Change of nonconforming use to other nonconforming use: (b) the Board of Zoning Appeals may approve the change of one nonconforming use to another nonconforming use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use.) AP

**ACTION OF THE BOARD:** Mr. Watson made a motion to Grant Change of Non-Conforming Use and Expansion of Nonconforming use. Seconded by Board Member Moore

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

Negative:

**CHANGE AND EXPANSION OF NONCONFORMING USE GRANTED**

Mr. Watson made a motion to Grant Dimensional Variance for proposed nonconforming use (Standard Restaurant). Seconded by Board Member Sherman

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

Negative:

**DIMENSIONAL VARIANCES GRANTED**

9:45 a.m.      **CASE NO:**                    BSEEDSLU2023-00014 (COMMUNITY APPEAL) – ADJOURNED FROM JUNE 12, 2023  
**BZA PETITIONER:**    VANESSA PEAKE  
**LOCATION:**                    **19347 Mt. Elliott**, between Emery and E. Lantz in an M2 Restricted Industrial District.

**LEGAL DESCRIPTION OF PROPERTY:**                    W MT ELLIOTT 47-46 GEO J KOLOWICH L46 P45 PLATS, W C R 13/287 40 X 124.51

**PROPOSAL:**                    Vanessa Peake appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED) Case No.: SLU2023-00014: Decision Date April 12, 2023; effective April 26, 2023) which (Approved with Conditions) to Establish a Marijuana Retail/Provisioning Facility (MRPF) and Designated Marijuana Consumption Establishment (DMCE) in an existing 1,500 square foot building in an M2 Restricted Industrial 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; Michigan courts have held that in order to meet the “aggrieved person” standard, the appellant must prove that he or she (or it, if the appellant is an organization) has suffered special damages related to the beneficial use and enjoyment of his/her own property that are not common to other property owners similarly situated. The party filing the appeal must be more than a mere resident of the City; he or she must be able to show harm or damages that are unique to him or her, and to his/her property, specifically. (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 petitioner has demonstrated standing under the Aggrieved Person Standard of the Ordinance. Seconded by Board Member Watson

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

Negative:        Mr. Thomas, Sherman, Roberts

**AGGRIEVED PERSON STANDARD MET**

Mr. Watson made a motion to Grant Adjournment Request from petitioner until August 21, 2023 to be prepared with the conditional land use approval criteria. Seconded by Board Member Moore

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

Negative:        Mr. Thomas, Sherman, Roberts

**ADJOURNED TO AUGUST 21, 2023**

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE**

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There being no further business to be transacted, Board Member Moore motioned that the meeting be adjourned. Board Member Roberts seconded this motion which was unanimously carried and the meeting adjourned at 12:10 P.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to read 'JWR', written in a cursive style.

JAMES W. RIBBRON  
DIRECTOR

JWR/atp