

**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**  
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**Detroit, Michigan 48226**  
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**JAMES W. RIBBRON**  
Director

**BOARD OF ZONING**  
**APPEALS STAFF:**

THOMINA DAVIDSON  
APRIL PUROFOY  
DEJA SAMMONS

**REGULAR MEETING OF**  
**AUGUST 28, 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 August 28, 2023 by way of Zoom and in person.

Board Member Watson called the meeting to order and Director Ribbron called the roll at 9:14 a.m.

**BOARD MEMBERS PRESENT:**

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

**BOARD MEMBERS ABSENT:**

**MINUTES:**

Board Member Hill-Knott made a motion to approve the minutes for August 21, 2023 with any corrections.

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

9:15 a.m.

CASE NO: 37-23

BZA PETITIONER:

GREEN DEVELOPMENT GROUP, LLC/MOHAMED GHAITH

LOCATION:

7351 LYNDON, between Prairie and Monica in a M4 Intensive Industrial District.

LEGAL DESCRIPTION OF PROPERTY:

S LYNDON 216&217 ASSESSORS DETROIT PLAT NO 16 L74 P24 PLATS,  
W C R 16/465 78 452 SQ FT

PROPOSAL:

Green Development Group, LLC/Mohamed Ghaith request dimensional variances to Modify BSEED #88-18 by adding an 18,510 square foot Marijuana Grower Facility (MGF) to a proposed 31,237 square foot Marijuana Grower Facility (MGF) and 5,966 square foot Marijuana Processor Facility (MPF) in an existing 55,713 square foot building. 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; *The proposed Marijuana Facilities are excessive in square footage. The gross square footage of the building is 55,713 square feet, which is excessive by 5,713 square feet. Therefore, a waiver for dimensional standards will be required with the Board of Zoning Appeals. 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 Modify BSEED #88-18 by adding an 18,510 square foot Marijuana Grower Facility (MGF) to a proposed 31,237 square foot Marijuana Grower Facility (MGF) and 5,966 square foot Marijuana Processor Facility (MPF) in an existing 55,713 square foot building. The subject site is within an M4 Intensive Industrial District. Seconded by Board Member Weed

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

Negative: Mrs. Hill-Knott

**DIMENSIONAL VARIANCE GRANTED**

9:30 a.m.

**CASE NO: 41-23**

**BZA PETITIONER:**

TRITECH TITANIUM PARTS, LLC

**LOCATION:**

6401 E. SEVEN MILE RD., between Filer and Sherwood in a M4 Intensive Industrial District.

**LEGAL DESCRIPTION OF PROPERTY:**

N E SEVEN MI RD THAT PT OF S E 1/4 OF S W 1/4 OF SEC 4 T 1 S R 12 E DESC AS FOLS BEG AT THE INTSEC OF N LINE OF 7 MILE RD WITH E LINE OF FILER AVE THE N 0D 29M 30S E 300 FT TH S 89D 38M 00S E 140.54 FT TH S 0D 09M 00S E 300.01 FT TH N 89D 38M 00S W 142.90 FT TO P O B 15/-- 42,516 SQ FT

**PROPOSAL:**

TriTech Titanium Parts LLC appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2022-00181 Decision Date: July 7, 2023, Effective Date: July 21, 2023) which DENIED the establish a Firearms Dealership in an existing 28,000 square foot building 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 *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 Adjourn this case for petitioner to confer with BSEED as to next steps regarding the request. Seconded by Board Member Sherman

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

Negative:

**ADJOURNED WITHOUT DATE**

9:45 a.m.

CASE NO: 4-23

BZA PETITIONER:

MELVIE BERKERY, KENNEDY’S CONSTRUCTION LLC/MARCELUS BRICE

LOCATION:

16000 Pembroke, between Prevost and Mansfield in a R1 Single-Family Residential District.

LEGAL DESCRIPTION OF PROPERTY:

N PEMBROKE PT OF N E 1/4 OF SEC 1 T 1 S R 10 E DESC AS BEG AT A PTE ON E/W 1/4 LINE SD SEC 1 DIST N 89D 52M 10S E 1156.07 FT FROM CENTER LINE OF SEC 1, TH N 00D 16M 27S W 215.32 FT; TH N 44D 43M 33S E 42.43 FT; TH N 89D 43M 33S E 120.48 FT; TH S 00D 16M 27S E 245.70 FT; TH S 89D 52M 10S W 150.48 FT TO POB 22/--- 11 ACRES

PROPOSAL:

Melvie Berkery, Kennedy's Construction LLC requests Hardship Relief to establish Adult Foster Care Facility', that provides supervision, assistance, protection, or personal care to seven or more adults. As this proposed use will have seven or more adults, it would be a hardship because it is not permitted as by-right or conditional use in an R1 Single-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 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. 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 and dimensional variances needed).AP

ACTION OF THE BOARD:

Mr. Watson made a motion that the petitioner has been denied all reasonable use of the property and additional forms of relief are proper to Grant the Hardship Relief Petition. Seconded by Board Member Sherman

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

Negative:

HARDSHIP RELIEF PETITION GRANTED

**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 12:53 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON  
DIRECTOR

JWR/atp