

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
Scotty Boman
City Wide

Corrected Copy



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JAMES W. RIBBRON
Director

BOARD OF ZONING
APPEALS STAFF:

THOMINA DAVIDSON
EXECUTIVE ADMINISTRATIVE
ASSISTANT

APRIL PUROFOY
ZONING INSPECTOR

REGULAR MEETING OF
MARCH 11, 2024

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 March 11, 2024 by way of Zoom and in person.

Board Member Thomas called the meeting to order and Director Ribbron called the roll at 9:15 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) Elois Moore, Board Member
- (6) Scotty Boman, Board Member

BOARD MEMBERS ABSENT:

- (1) Anthony Sherman, Board Member
- (2) Jerry Watson, Board Member

MINUTES:

Board Member Moore made a motion to approve the minutes for February 19, 2024 with any corrections.

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

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MARCH 11, 2024

9:15 a.m. CASE NO.: 10-24 – Council District #3

BZA PETITIONER: JOHN SZYMANSKI

LOCATION: 2961 E. McNICHOLS, between Reynolds and Mitchell in a M4 zone (Intensive Industrial District).

LEGAL DESCRIPTION OF PROPERTY: E REYNOLD W 47.15 FT OF 10,11&12 EXC MC NICHOLS AS OP LIBERTY SUB L29 P68 PLATS W C R 9/144 41.8 IRREG

PROPOSAL: Abdul Hamid Makki request dimensional variances to establish a Cabaret (Group C, Alcohol Consumption on Premises with Live Entertainment) in an existing 2,765 square feet building; APPROVED w/Conditions in BSEED Case No: SLU2023-00204 – Decision Date December 19, 2023 – Effective Date: January 9, 2024. 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 Parking (Sections 50-4-131 (1) Permitted dimensional variances and 50-4-121 Approval Criteria). AP**

ACTION OF THE BOARD: Mrs. Moore made a motion to Dismiss this case due to property not needing a BZA variance for parking after a corrected BSEED Decision was issued stating the property is under 3,000 square feet. **Seconded by Board Member Weed.**

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

Negative:

CASE DISMISSED WITH RETURN OF FEE

9:30 a.m. CASE NO.: 13-24 – Council District #5

BZA PETITIONER: ERICA A GUICE

LOCATION: 3639 MAXWELL, between Mack and Sylvester in an R2 zone (Two Family Residential District).

LEGAL DESCRIPTION OF PROPERTY: W MAXWELL 113 THOMAS & CAMERONS SUB L10 P59 PLATS, W C R 17/70 30 X 110.56

PROPOSAL: Erica A. Guice request dimensional variances for a 480 sq. ft structure (garage) that exceeds the required percentage for a Residential lot. 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. (Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria).AP

ACTION OF THE BOARD: Mrs. Hill-Knott made a motion to Grant dimensional variances for a 480 sq. ft structure (garage) that exceeds the required percentage for a Residential lot. The subject site is within an R2 Two-Family Residential District. Seconded by Board Member Bowman.

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

Negative:

DIMENSIONAL VARIANCE GRANTED

9:45 a.m. CASE NO.: 14-24 – Council District #4
BZA PETITIONER: LESLIE ACCARDO, PEA Group for Chick-Fil-A
LOCATION: 17761 Mack Ave, between Parker and Van Dyke in a B4 (General Business District)

LEGAL DESCRIPTION OF PROPERTY: N MACK ALL THAT PT OF 40 DESC AS BEG AT INTSEC OF WLY LINE MACK AVE 120 FT WD WITH SWLY LINE MARSEILLES AVE 75 FT WD TH S 16D 24M W 181.10 FT ALG WLY LINE MACK AVE TH N 28D 58M 10S W 295 FT TH N 16D 24M E 182.23 FT TH S 28D 48M E 295.86 FT ALG SWLY LINE MARSEILLES AVE TO POBRIVARD PARK SUB L20 P57 PLATS, W C R 21/836 181.10 IRREG

PROPOSAL: Leslie Accardo, PEA Group for Chick-fil-A appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2023-00146 Decision Date: January 5, 2023, Effective Date: January 19, 2023) which DENIED demolishing an existing building and construct a new 2,950 square foot Restaurant, fast-food, with drive-up or drive-through facilities in a B4 General Business 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 50-3-281- General Approval Criteria).AP

ACTION OF THE BOARD: *Mr. Roberts made a motion to (1) Reverse the BSEED Denial and (2) impose a condition that the petitioner amend its existing plan to locate the facility’s primary entrance and exit on Mack Avenue for the protection of the public interest, health, safety, welfare, and environment. Seconded by Board Member Weed.

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

Negative: Mrs. Moore

BSEED DENIAL OVERTURNED WITH CONDITIONS

Director Ribbron advised the Board to Dismiss the following cases.

Case No.	Address	Reason
Case No. 54-23	5730 E. 8 Mile Rd.	Petitioners Request
Case No. 89-19	414 Ashland	Lack of Activity
Case No. 40-20	1010 Navahoe	Lack of Activity
Case No. 4-22	4500 Cadieux	Lack of Activity
Case No. 65-33	6533 Gladys	Lack of Activity

ACTION OF THE BOARD:

Mr. Roberts made a motion to Dismiss the following cases for reasons stated. Seconded by Board Member Moore.

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

Negative:

CASES DISMISSED WITHOUT RETURN OF FEE

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 Hill-Knott seconded this motion which was unanimously carried and the meeting adjourned at 1:28 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp