

BOARD MEMBERS

Robert E. Thomas
Chairperson
Council District At Large

Robert Roberts
Vice Chairperson
Council District 6

Scott Boman
Council District At Large

Robert G. Weed
Council District 1

Kimberly Hill Knott
Council District 2

Elois Moore
Council District 3

Jerry Watson
Council District 4

Byron Osbern
Council District 5



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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
JULY 22, 2024

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Monday July 22, 2024 by way of Zoom and in person.

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

Board Member Roberts called the meeting to order and Director Ribbron called the roll at 9:04 a.m.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

- (1) Anthony Sherman, Board Member

MINUTES:

Board Member Moore made a motion to approve the minutes for July 15, 2024 with any corrections.

Affirmative: Mr. Boman, Roberts, Osbern, Weed
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**.

9:15 a.m. **CASE NO:** **46-24 – Council District #5**

BZA PETITIONER: **YVONNE A. WILLIS**

LOCATION: **4190 & 4194 BELLEVUE**, between E. Canfield and Stuart in an M3 zone
(General Industrial District).

LEGAL DESCRIPTION OF PROPERTY: E BELLEVUE E 20 FT 5 THRU 19 AND VAC N 13 FT
STUART ADJ GEORGE BLOSS SUB L18 P7 PLATS, W C R 15/131 E 20 FT
OF S 34.38 FT 8 SUB OF LOTS 2&3 BEAUFIT FARM L52 P192 DEEDS, W
C R 15/43 9,957 SQ FT; E BELLEVUE W 31.75 FT OF E 51.75 FT 18&19
GEORGE BLOSS SUB L18 P7 PLATS, W C R 15/131 W 31.75 FT OF E 51.75
FT OF S 34.38 FT 8 SUB OF LOTS 2&3 BEAUFIT FARM L52 P192 DEEDS,
W C R 15/43 3,011 SQ FT

PROPOSAL: **Yvonne A. Willis request dimensional variances to Develop an Urban
Garden on existing vacant land; APPROVED w/Conditions in BSEED
Case No: SLU2023-00133; Decision Date: May 17, 2024 – Effective Date:
May 31, 2024. The subject site is within an M3 General 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; Section 50-12-400
(Deficient Crop setback): 5’ feet required, 2’ feet provided, 3’ feet
deficient. (Sections 50-4-131 (6) Permitted dimensional variances and
50-4-121 Approval Criteria). AP**

ACTION OF THE BOARD: **Mr. Roberts made a motion to Grant dimensional variances to Develop
an Urban Garden on existing vacant land; APPROVED w/Conditions in
BSEED Case No: SLU2023-00133. **Seconded by Board Member Moore.****

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

Negative:

DIMENSIONAL VARIANCE GRANTED

9:30 a.m.

CASE NO: 45-24 – Council District # 3

BZA PETITIONER: JOSEPH S. NOVISTSKY

LOCATION: 6480 E. EIGHT MILE RD., between Mt. Elliott and Sherwood in an M4 zone (Intensive Industrial District).

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE RD THAT PT OF NE1/4 OF NW1/4 SEC 4 T 1S R 12E DESC AS FOLS BEG AT A PT DIST N 89D 41M 36S W 360FT FROM THE INTSEC OF S LINE E. EIGHT MILE RD (204FT WD) WITH W LINE SHERWOOD AVE (76FT WD) TO THE POB TH S 0D 12M 30S E 624.07FT TH S 89D 19M 41S W 255.09FT TH N 0D 43M 45S W 625.72FT ALONG THE ELY LINE OF MCRR TH N 89D 41M 36S E 260.77FT TO THE POB 161,175.72SQ FT OR 3.7 ACRES

PROPOSAL: Joseph S. Novistsky request dimensional variances to Construct a 13,000 square foot building to establish a Medium/heavy duty vehicle or equipment repair establishment on a 3.7- acre vacant site; APPROVED w/Conditions in BSEED Case No: SLU2024-00046; Decision Date: May 17, 2024 – Effective Date: May 31, 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; Per Section 50-12-131 (“Retail, service, and commercial uses—Spacing”), that a Board of Zoning Appeals hearing shall be required as the proposed repair facility use is within 1,000 radial feet from the following vehicle repair establishments: • 20495 Sherwood Street (90 feet away) Repair Garage, Towing, Auto Service (‘Wayne’s Service, Inc.’); and • 20433 Sherwood Street (165 feet away) Junk Yard, Used Auto Parts Tire, Minor Repair (‘FA Automotive, LLC’) (Sections 50-4-131 (6) Permitted dimensional variances and 50-4-121 Approval Criteria). AP

ACTION OF THE BOARD:

Mr. Roberts made a motion to Grant dimensional variances to Construct a 13,000 square foot building to establish a Medium/heavy duty vehicle or equipment repair establishment on a 3.7- acre vacant site; APPROVED w/Conditions in BSEED Case No: SLU2024-00046. **Seconded by Board Member Boman.**

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

Negative:

DIMENSIONAL VARIANCE GRANTED

9:45 a.m.

CASE NO: 38-24 – Council District #6

BZA PETITIONER: FREEDOM HOUSE DETROIT

LOCATION: 1777 Rademacher, between Desmond and Cadet in an M4 Intensive Industrial District

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Freedom House Detroit request to change from one nonconforming use (Hotel) to another nonconforming use (Emergency Shelter) within a M4 district. This case is appealed because 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, also deficient parking, screening of refuse receptacles and waste removal area. (Sections 50-15-7 - Board of Zoning Appeals and 50-15-30 (b) - Change of nonconforming use to other nonconforming use: 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 change from one nonconforming use (Hotel) to another nonconforming use (Emergency Shelter) within a M4 district. Seconded by Board Member Moore

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

Negative:

**CHANGE OF NONCONFORMING USE
GRANTED**

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Boman motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 12:00 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp