

BOARD MEMBERS

Robert E. Thomas
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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 8, 2024

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Monday July 8, 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 9:15 a.m.

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

- (1) Robert G. Weed, Board Member

MINUTES:

Board Member Watson made a motion to approve the minutes for June 24, 2024 with any corrections.

Affirmative: Mr. Watson, Boman, Roberts, Watson, Thomas, Osbern
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**.

CASE NO: 41-24

BZA PETITIONER: DPSCD

LOCATION: 9026 WOODWARD, between Owen Josephine in a R5 zone (Medium Density Residential District).

LEGAL DESCRIPTION OF PROPERTY: E WOODWARD 1 THRU 13 56 THRU 64 75 THRU 80 EXC JOHN R AS OP ALSO E 25 FT OF 74 AND VAC JOSEPHINE AVE & ALLEYS ADJ FRAZER & MC LAUGHLINS L14 P29 PLATS, W C R 1/117 ALSO 70 THRU 58 AND W 3 FT OF 57 AND VAC N S ALLEY ADJ OWEN & BARTLETTS SUB L15 P52 PLATS, W C R 1/119 251.5 IRREG

PROPOSAL: DPSCD request dimensional variances for Expansion of a Surface Parking Lot to establish 121 Accessory Parking Spaces for an existing High School in BSEED Case No: SLU2024-00002; Decision Date: May 10, 2024 Effective Date: May 24, 2024. 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 50-13-182 of the Zoning Ordinance, that the required waivers shall be obtained from the Board of Zoning Appeals for the accessory parking lot prior to seeking building permits. Specifically, they are: a. Excessive Parking Lot Size: 8,500’ square feet allowed, 56,871 square feet proposed, 48,371 square feet excessive and; b. Excessive Lot Width: 70’ feet maximum lot width allowed, 142’ feet lot width proposed, 72’ feet width excessive. (Section 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria). AP*

ACTION OF THE BOARD: Mr. Watson made a motion to Dismiss this case based on the information that schools are exempt from the zoning process. *Per MCL 380.1263(3) and Act 306 of 1937, the “Construction of School Buildings Act,” The Detroit Public Schools Community District (DPSCD) is considered exempt from local zoning and land use laws. This includes use, density, and dimensional requirements. State law “outright preempts” the applicability of such local laws to the DPSCD. Seconded by Board Member Sherman.*

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

Negative:

CASE DISMISSED

9:30 a.m. CASE NO: 40-24

BZA PETITIONER: LADONNA REYNOLDS/GOOD TIMES ON THE AVE

LOCATION: 19416 LIVERNOIS, between Santa Clara and Santa Maria in a B2 zone (Local Business and Residential District).

LEGAL DESCRIPTION OF PROPERTY: E LIVERNOIS 214 EXC LIVERNOIS AVE AS WD SHERWOOD FOREST SUB L39 P11 PLATS, W C R 2/148 40 X 73.43A

PROPOSAL: Ladonna Reynolds/Good Times on the Ave., request dimensional variances Add Retail (Cigar Bar) to the second floor of a Standard Restaurant with the sale of beer or alcoholic liquor for consumption on the premises on the first floor **APPROVEDW/ Conditions in BSEED Case No: BLD2024-00665.** The subject site is within an B2 Local Business and 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; *Deficient parking, 16 parking spaces required, 7 parking spaces provided through a shared parking agreement and 9 parking spaces deficient.* (Section 50-4-131 (1)- Permitted dimensional variances and 50-4-121 Approval Criteria). AP

ACTION OF THE BOARD: Mr. Boman made a motion to Grant dimensional variances Add Retail (Cigar Bar) to the second floor of a Standard Restaurant with the sale of beer or alcoholic liquor for consumption on the premises on the first floor **APPROVEDW/ Conditions in BSEED Case No: BLD2024-00665.** Seconded by Board Member Sherman.

Affirmative: Mr. Osbern, Boman, Sherman, Watson

Negative: Mr. Roberts, Thomas
Mrs. Moore

Mrs. Hill-Knott abstained from the vote

VARIANCE REQUEST DENIED DUE TO VOTE COUNT

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 Osbern seconded this motion which was unanimously carried and the meeting adjourned at 11:24 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp