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



City of Detroit Board of Zoning Appeals Coleman A. Young Municipal Center 2 Woodward Avenue, Suite 212 Detroit, Michigan 48226 Phone: (313) 224-3595 Fax: (313) 224-4597 Email: boardofzoning@detroitmi.gov

REGULAR MEETING OF MAY 20, 2024

JAMES W. RIBBRON Director

BOARD OF ZONING APPEALS STAFF:

THOMINA DAVIDSON EXECUTIVE ADMINISTRATIVE ASSISTANT

> APRIL PUROFOY ZONING INSPECTOR

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/s/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 May 20, 2024 by way of Zoom and in person.

Board Member Watson 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) Elois Moore, Board Member
- (5) Scotty Boman, Board Member
- (6) Jerry Watson, Board Member
- (7) Kimberly Hill Knott, Board Member
- (8) Anthony Sherman, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Moore made a motion to approve the minutes for May 13, 2024 with any corrections.

Affirmative: Mr. Weed, Roberts, Boman, Watson 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.: 32-24 – Council District #3

BZA PETITIONER: SYED MUAZZEM

- **LOCATION: 12835 CONANT**, between Halleck and Lawley in a B4 zone (General Business District).
- LEGAL DESCRIPTION OF PROPERTY: W CONANT 50 THRU 52 ECHLINS SUB L15 P56 PLATS, W C R 9/134 90 X 100
- PROPOSAL: Syed Muazzem request dimensional variances for parking variance for a proposed restaurant. <u>This case is BY-RIGHT and was Plan Reviewed.</u> The subject site is within an R1 Single-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. Deficient Parking: 22 parking spaces required, 0 parking spaces provided. 22 parking spaces deficient (Sections 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 for parking variance for a proposed restaurant. Seconded by Board Member Sherman.

Affirmative: Mr. Weed, Roberts, Thomas, Boman, Sherman

Negative: Mr. Watson Mrs. Moore, Hill-Knott

DIMENSIONAL VARIANCE GRANTED

9:30 a.m. CASE NO.: 31-24 – Council District #3

BZA PETITIONER: ADNAN GOBAH

- **LOCATION:** 2929 CARPENTER, between Mitchell and Jos. Campau in a B4 zone (General Business District).
- LEGAL DESCRIPTION OF PROPERTY: N CARPENTER 112 THRU 115 R A NEWMANS SUB L33 P96 PLATS, W C R 9/131 120 X 100;
- PROPOSAL: Adnan Gobah request dimensional variances to establish a Banquet Hall in an existing 12,000 square foot building. <u>APPROVED w/Conditions</u> in BSEED Case No: SLU2021 – 00251; Decision Date: January 23, 2024 – Effective Date: February 6, 2024. The subject site is within an B4 General Business 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 to issuance of a building permit, the applicant shall obtain a variance from the Board of Zoning Appeals for the following deficiency: a) Off-Street Parking (Section 50-14-50): 120 parking spaces required; 20 parking spaces proposed; 100 spaces deficient. (50-4-131 [1]). (Sections 50-4-131 (1) Permitted dimensional variances and 50-4-121 Approval Criteria). AP

ACTION OF THE BOARD: Mr. Roberts made a motion to Deny dimensional parking variance\ to establish a Banquet Hall in an existing 12,000 square foot building. <u>APPROVED w/Conditions</u> in BSEED Case No: SLU2021 – 00251. Seconded by Board Member Watson.

Affirmative: Mr. Weed, Roberts, Watson,

Negative: Mr. Thomas, Sherman, Boman Mrs. Moore, Hill-Knott

MOTION FAILS DUE TO VOTE COUNT

Mr. Boman made a motion to Grant dimensional variances to establish a Banquet Hall in an existing 12,000 square foot building. <u>APPROVED w/Conditions</u> in BSEED Case No: SLU2021 – 00251. Seconded by Board Member Sherman.

Affirmative: Mr. Thomas, Sherman, Boman,

Negative: Mr. Weed, Roberts, Watson Mrs. Moore, Hill-Knott

DIMENSIONAL VARIANCES DENIED

9:45 a.m. CASE NO.: 29-24 – Council District #2

BZA PETITIONER: LIFE REMODELED/CHRIS LAMBERT

- **LOCATION:** 9404 & 9740 McKinney, between Whittier and Courville in an R1 zone (Single Family Residential District).
- LEGAL DESCRIPTION OF PROPERTY: Available Upon Request
- **PROPOSAL:** Life Remodeled/Chris Lambert request dimensional variances to convert two former school buildings encompassing 37,800 square feet and 10,500 square feet, respectively, into a Neighborhood Center, Non-Profit APPROVED w/Conditions in BSEED Case No: SLU2023-00144; Decision Date: October 27, 2023 – Effective Date: November 10, 2023. The subject site is within an R1 Single-Family The Board shall be authorized to hear Residential District. dimensional variance requests for matters that are beyond the scope of BSEED's 10% administrative adjustments for a variance of the minimum setbacks. Prior to issuance of building permits, the applicant shall obtain the following parking waiver from the Board of Zoning Appeals: a) Per Section 50-14-38 ("Community" service"), 208 spaces are required for the Neighborhood Center, Non-Profit; 74 parking spaces provided, 134 parking spaces deficient (Sections 50-4-131 (1) Permitted dimensional variances and 50-4-121 Approval Criteria). AP
- ACTION OF THE BOARD: Mr. Watson made a motion to Dismiss Case at petitioners request without return of fee. Seconded by Board Member Moore.
 - Affirmative: Mr. Weed, Roberts, Thomas, Boman, Watson, Sherman Ms. Moore, Hill-Knott

Negative:

CASE DISMISSED

10:00 a.m. CASE NO.: 11-24 – Council District #6

BZA PETITIONER: AHMED HARAJLI

- **LOCATION:** 8633 MICHIGAN AVE, between Landale and Trenton in a B4 zone (General Business District).
- LEGAL DESCRIPTION OF PROPERTY: S MICHIGAN 22 THRU 12 EXC MICHIGAN AVE AS WD GLENWOOD SUB L17 P44 PLATS, W C R 20/370 229.46 IRREG
- **PROPOSAL:** Ahmed Harajli requests an expansion of the legal existing nonconforming use (Used Auto Sales Lot). The applicant proposes to construct a new 962 square foot building at 8633 Michigan. BSEED Case No: PIN: 20004563-73 - BZA2024-00005. The subject site is within a B4 General Business District. A hearing is required with the Board of Zoning Appeals to increase the gross floor area of a building that houses a nonconforming use and shall be deemed an expansion of the nonconforming use per section 50-15-26 of the Detroit Zoning Ordinance, (Sec. 50-15-7 Board of Zoning Appeals and The expansion of nonconforming uses and spacing from similar uses are subject to the jurisdiction of the Board of Zoning Appeals, per Sec. 50-15-26 of the Detroit Zoning Ordinance; therefore, a Board of Zoning Appeals hearing is required. (Section 50-2-67. - Procedures. and Sec. 50-15-26. Expansion or Intensification of Nonconforming Uses. AP

ACTION OF THE BOARD: Mrs. Hill-Knott made a motion to Adjourn without fee due to new site plan being presented for BSEED to review and clarify issues with the case. Seconded by Board Member Boman.

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

Negative:

ADJOURNED WITHOUT FEE AND WITHOUT DATE

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Sherman motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 11:20 A.M.

RESPECTFULLY SUBMITTED

ANC

JAMES W. RIBBRON DIRECTOR

JWR/atp