

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
AUGUST 12, 2024

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Monday August 12, 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 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) Elois Moore, Board Member
- (3) Robert G. Weed, Board Member
- (4) Scotty Boman, Board Member
- (5) Robert Roberts, Board Member
- (6) Anthony Sherman, Board Member
- (7) Jerry Watson, Board Member
- (8) Kimberly Hill Knott, Board Member

BOARD MEMBERS ABSENT:

- (1) Byron Osbern, Board Member

MINUTES:

Board Member Moore made a motion to approve the minutes for July 29, 2024 with any corrections.

Affirmative: Mr. Boman, Thomas, Weed, Roberts, 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: 48-24

BZA PETITIONER:

FUSCO, SHAFFER & PAPPAS

LOCATION:

440 Martin Luther King between Cass and Second in an SD2 Special Development District, Mixed-Use.

LEGAL DESCRIPTION OF PROPERTY:

N MYRTLE 24 BLK 89--SUB PT CASS FARM L1 P175-6 PLATS, W C R 2/103 50 X 190

PROPOSAL:

Fusco, Shaffer & Pappas request dimensional variances to Construct a 49-unit, 4-story senior Multiple-Family Dwelling on existing vacant land; APPROVED w/Conditions in BSEED Case No: SLU2024-00035; Decision Date: May 30, 2024 – Effective Date: June 13, 2024. The subject site is within an SD2 Special Development District, Mixed-Use. 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; *That prior to issuance of a building permit, the following dimensional variance shall be required from the Board of Zoning Appeals: a) Section 50-11-275 (“Rear setback-SD2 District”), Ten feet required; 3 feet four inches proposed, six feet eight inches deficient.* (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 Construct a 49-unit, 4-story senior Multiple-Family Dwelling on existing vacant land; APPROVED w/Conditions in BSEED Case No: SLU2024-00035. Seconded by Board Member Boman.

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

Negative:

DIMENSIONAL VARIANCE GRANTED

9:30 a.m. CASE NO: 51-24

BZA PETITIONER: ATLAS CONSULTING/MIKE SEMMA

LOCATION: 12900 & 12950 LYNDON, between Littlefield and Steel in an M4 Intensive Industrial District

LEGAL DESCRIPTION OF PROPERTY: W MEYERS ALL THAT PT OF SEC 20 T 1 S R 11 E DESC AS FOLS BEG AT A PTE DIST N 0D 10M W 152.78 FT & N 89D 47M W 1178 FT FROM S E COR OF N W 1/4 OF SAID SEC TH N ELY ON A CURVE TO R 78.62 FT RADIUS 441.68 FT TH N ELY ON A CUR TO L 64.69 FT RADIUS 441.68 FT TH N 20D 07M W 33.25 FT TH N 89D 47M W 7.26 FT TH S 0DW MEYERS ALL THAT PT DESC AS FOLS BEG AT A PTE DIST N 0D 10M W 30 FT & N 89D 47M W 1045.32 FT FROM S E COR OF N W 1/4 SEC 20 T 1 S R 11 E TH N 89D 47M W 132.68 FT TH N 0D 10M W 122.78 FT TH N ELY ON A CUR TO R 78.62 FT RAD 441.68 FT TH ON A CUR TO LEFT 64.69 FT RAD 441.68 FT TO THE CENTERLINE OF PENN R R R/W TH S ELY ALG CENTER OF SD R/W TO P O B EXC PENN R R R/W 22/--- 17,982 SQ FT 10M E 174.1 FT TO P O B CONT 1785 SQ FT M OR L 22/--- 1,785 SQ FT;

PROPOSAL: **Atlas Consulting Mike Semma request to Add a light duty Vehicle Repair Establishment within an existing 16,951 square foot building, APPROVEDw/Conditions in BSEED Case No: SLU2023-00247; Decision Date: May 24, 2024; Effective Date June 7, 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; *Sec. 50-12-131. - Retail, service, and commercial uses—Spacing. The proposed repair facility use is within 1,000 radial feet from the following vehicle repair establishments: 14415 Meyers 404 feet away and Sec. 50-14-60. - Vehicle repair and service: 56 off street parking spaces are required; 4 spaces are provided – 52 spaces deficient (Sections 50-4-131 (1&6) Permitted dimensional variances and 50-4-121 Approval Criteria). AP*

ACTION OF THE BOARD: **Mr. Boman made a motion to Grant dimensional variance to Add a light duty Vehicle Repair Establishment within an existing 16,951 square foot building, APPROVEDw/Conditions in BSEED Case No: SLU2023-00247. Seconded by Board Member Sherman.**

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

Negative:

DIMENSIONAL VARIANCE GRANTED

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 10:45 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp