

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 29, 2024

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Monday July 29, 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) Byron Osbern, Board Member

BOARD MEMBERS ABSENT:

- (1) Kimberly Hill Knott, Board Member

MINUTES:

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

Affirmative: Mr. Boman, Thomas, Osbern, 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: 35-23 Building 4
BZA PETITIONER: Ronald McDonald - Council District #5
LOCATION: 282, 290, 296, 302, 306, 312 Smith, between John R and Brush in an R3 District. Low Density Residential District.

LEGAL DESCRIPTION OF PROPERTY: S SMITH 131 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; S SMITH 130 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; S SMITH 129 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; Property exempt from Ad Valorem taxes and assessed on the Special Act Roll pursuant to PA 261 of 2003 expiring 12/30/2020. S SMITH 128 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; S SMITH 127 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; S SMITH 126 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115

PROPOSAL: Ronald McDonald request dimensional variances for the development of a 10-unit multi-family development in a R3 zoning 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 front yard setback and deficient recreational space. (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 Adjourn Case With Fee and without Date at petitioners request. **Seconded by Board Member Watson.**

Affirmative: Mr. Thomas, Boman, Sherman, Weed, Osbern, Sherman
Mrs. Moore

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

9:20 a.m.

CASE NO: 30-23 Building 5

BZA PETITIONER: Ronald McDonald – Council District #5

LOCATION: 309, 313, 319 & 331 E Bethune, between John R and Brush in an R3 District. Low Density Residential District.

LEGAL DESCRIPTION OF PROPERTY: N BETHUNE 186 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; N BETHUNE 187 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; N BETHUNE 188 WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 115; N BETHUNE 189&190 WM Y HAMLIN & S J BROWNS L,8 P72, PLATS, W C R 1/103 60 X 115

PROPOSAL: Ronald McDonald request dimensional variances for 10 unit proposed multi-family development and an accessory structure (garage/shed). The subject site is within an R3 Low Density 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 front yard setback, deficient residential space, deficient rear setback (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 Adjourn Case With Fee and without Date at petitioners request. Seconded by Board Member Watson.

Affirmative: Mr. Thomas, Boman, Sherman, Weed, Osbern,
Sherman
Mrs. Moore

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

9:25 a.m.

CASE NO: 32-23 Building 6

BZA PETITIONER: Ronald McDonald - Council District #5

LOCATION: 404-410 Chandler, between Brush and John R in an R3 Low Density Residential District

LEGAL DESCRIPTION OF PROPERTY: Lots 25 and 26 together with the reversionary interest in the North 19.56 feet of vacated Clay Street, of Chandler Avenue Subdivision of Park Lot 5, of the subdivision of Section 57, 10000 acre tract, according to the plat thereof recorded in Liber 13 of Plats, Page 96 of Wayne County Records.

PROPOSAL: Ronald McDonald request dimensional variance for 10 unit proposed multi-family development within an R3 Low Density 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 rear yard setback, deficient recreational space, deficient side yard setback, residential setback for parking, landscaping adjacent from residential. (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 Adjourn Case With Fee and without Date at petitioners request. Seconded by Board Member Watson.

Affirmative: Mr. Thomas, Boman, Sherman, Weed, Osbern, Sherman
Mrs. Moore

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

9:30 a.m.

CASE NO: 29-23

BZA PETITIONER: Ronald McDonald – Council District #5

LOCATION: 202 Smith, between John R and Brush in an R3 District. Low Density Residential District.

LEGAL DESCRIPTION OF PROPERTY: The west 15 feet of Lot 139 and all of Lots 140 thru 144 both inclusive, WM Y HAMLIN AND S.J. BROWN’S SUBDIVISION, according to the plat thereof as recorded in Liber 8, page 72 of plats, Wayne County Records.

PROPOSAL: Ronald McDonald request dimensional variances to construct a four-story, 32,111 square-foot building and establish a Multiple-Family dwelling (35 senior living units) with accessory parking area. The residential unit mix consists of studio, 1-, and 2-bedroom units, with an accessory community room located on the first floor. The subject site is within an R3 Low Density 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, Deficient front yard setback, Excessive Floor area ratio, *Deficient side yard (north side), Deficient Recreational Space and residential screening (Sections 50-4-131 (1&6)- Permitted dimensional variances and 50-4-121 Approval Criteria.) AP

ACTION OF THE BOARD:

Mr. Roberts made a motion to Adjourn Case With Fee and without Date at petitioners request. Seconded by Board Member Watson.

Affirmative: Mr. Thomas, Boman, Sherman, Weed, Osbern, Sherman
Mrs. Moore

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

9:35 a.m.

CASE NO: 31-23 Buildings 3A and 3B

BZA PETITIONER: Ronald McDonald - Council District #5

LOCATION: 299, 303, 307, 313, 319, & 325 Smith and 7719 Brush, between Brush and John R. in an R3 zone (Low Density-Family Residential District). City Council District #5

LEGAL DESCRIPTION OF PROPERTY: N SMITH E 15 FT OF 40 W 6.65 FT OF 41 & S 19.50 FT OF VAC CLAY AVE ADJ W Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 21.65 X 138.90; N SMITH E 23.35 FT OF 41 AND S 19.50 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 23.35 X 138.90; N SMITH 42 AND S 19.50 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWN L8, P72, PLATS, W C R 1/103 30 X 138.90; N SMITH 43 AND S 19.50 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 138.90; N SMITH 44 AND S 19.50 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 138.90; N SMITH 45 AND S 19.50 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 138.90; N SMITH 46 AND S 19.56 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 139.50

PROPOSAL: Ronald McDonald request multiple dimensional variances for the proposed development/construction of two multi-family buildings to provide 6 units (Building 3A) and 10 units (Building 3B) respectively, for a total of 16 multi-family units in a R3 zoning 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 front setback for both buildings and deficient recreational space for both buildings and *deficient side setback Bldg 3B. AP**

ACTION OF THE BOARD: **Mr. Roberts made a motion to Adjourn Case With Fee and without Date at petitioners request. Seconded by Board Member Watson.**

Affirmative: Mr. Thomas, Boman, Sherman, Weed, Osbern, Sherman
Mrs. Moore

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

9:40 a.m.

CASE NO. 33-23 Buildings 2A and 2B

BZA PETITIONER: Ronald McDonald - Council District #5

LOCATION: 203, 259, 267, 271, 277 Smith, between Brush and John R in an R3 Low Density Residential District

LEGAL DESCRIPTION OF PROPERTY: N SMITH 25 THRU 33 AND S 18.86 FT VAC CLAY AVE ADJWM Y HAMLINS & S J BROWNS SUB L8 P72 PLATS W C R 1/103 281.84 X 138.86; N SMITH 34 AND S 18.86 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 138.90; N SMITH 35 AND S 18.86 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 138.90; N SMITH 36 AND S 19.50 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8, P72, PLATS, W C R 1/103 30 X 138.90; N SMITH 37 W 15 FT OF 38 & S 19.5 FT OF VAC CLAY AVE ADJ WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 1/103 45 X 138.9

PROPOSAL: Ronald McDonald request multiple dimensional variances for the proposed development/construction of two multi family buildings to provide 61 units (Building 2A) and 10 units (Building 2B) respectfully, for a total of 71 multi family units in a R3 zoning 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. 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 front setback, Maximum Floor Area Ratio, deficient parking and deficient side yard setback (Sections 50-4-131 (1&6)- Permitted dimensional variances and 50-4-121

ACTION OF THE BOARD: Mr. Roberts made a motion to Adjourn Case With Fee and without Date at petitioners request. **Seconded by Board Member Watson.**

Affirmative: Mr. Thomas, Boman, Sherman, Weed, Osbern, Sherman
Mrs. Moore

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

9:45 a.m.

CASE NO. 34-23 (Bldg 7A & 7B)

BZA PETITIONER: Ronald McDonald - Council District #5

LOCATION: 501, 511, 519, 525, 529, 535, 545, 555, & 561 E. Bethune, between John R and Brush in an R3 District. Low Density Residential District.

LEGAL DESCRIPTION OF PROPERTY: Property exempt from Ad Valorem taxes and assessed on the Special Act Roll pursuant to PA 261 of 2003 expiring 12/30/2028. N BETHUNE E 201-202 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 59.5 X 115; N BETHUNE E 203 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 30 X 115; N BETHUNE E 204 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 30 X 115; N BETHUNE E 205 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 30 X 115; N BETHUNE E 206 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 30 X 115; N BETHUNE E 207 W 1/2 208 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 45 X 115; N BETHUNE E E 1/2 208 209 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 45 X 115; N BETHUNE E 210 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 30 X 115; N BETHUNE E 211 WM Y HAMLIN & S J BROWNS L8 P72 PLATS, W C R 3/91 30 X 115

PROPOSAL: Ronald McDonald request dimensional variances for the development of two buildings (7A and 7B) with 7A containing 14 multiple family units and 7B containing 10 multiple family units in a R3 (Low Density Residential). 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; Building 7A (14 units): Deficient Front Setback, Building 7B (10 units) Deficient Front Setback. Bldg. 7A Deficient Recreational Space Requirement and Building 7B Deficient Recreational (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 Adjourn Case With Fee and without Date at petitioners request. **Seconded by Board Member Watson.**

Affirmative: Mr. Thomas, Boman, Sherman, Weed, Osbern, Sherman
Mrs. Moore

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Watson motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 9:45 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp