

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
SEPTEMBER 23, 2024

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Monday September 23, 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 9:00 a.m.

BOARD MEMBERS PRESENT:

- (1) Robert E. Thomas, Board Member
- (2) **Byron Osbern, 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
- (9) Elois Moore, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Watson made a motion to approve the minutes for August 26, 2024 with any corrections.

Affirmative: Mr. Boman, Weed, Roberts, Watson, Thomas
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: 61-24 – Council District #4

BZA PETITIONER: JOHN H. LAWSON

LOCATION: 14439 WADE, between Hayes and Chalmers in an R2 Zone Two-Family Residential District

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: John H Lawson request dimensional variances to construct a new 30 by 50-foot garage in the rear of existing lot within an R2 Zone (Two-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; Sec. 50-12-431 Not more than one principal detached residential building shall be located on a zoning lot in the R1, R2, R3, R4, R5, and R6 Districts, and no detached accessory building or structure shall be closer than 10 feet from any principal building and deficient rear yard setback (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 variance to construct a new 30 by 50-foot garage in the rear of existing lot within an R2 Zone (Two-Family Residential District). Seconded by Board Member Moore.

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

Negative:

DIMENSIONAL VARIANCE GRANTED

9:30 A.M.

CASE NO: 57-24 - Council District #6

BZA PETITIONER: MARQUES KING

LOCATION: 469 Brainard, between 2nd and Cass Ave. in an SD1 Special Development District

LEGAL DESCRIPTION OF PROPERTY: S Brainard 12-13 rear S76 ft of E 40 ft 14 BLK 89-Sub pt Cass Farm L1 Page 175-6 Plats, WCR 2/103 100 irreg

PROPOSAL: Marques King appeals Condition #5 of BSEED SLU0223-00124 which Granted permission to construct a hostel on a 0.5 acre vacant site located in an SD1-H Special Development, Small Scale, Mixed Use) zoning district. Condition #5 states: That the applicant will provide a Phase II Environmental Assessment to Environmental Affairs division before a building permit is issued. The Phase I has already been provided. The Board of Zoning Appeals shall hear and decide appeals from, and review any order, requirement, decision, or determination that is made by, an administrative official in the administration of this chapter or any decision made by the Buildings, Safety Engineering, and Environmental Department which involve regulated uses, controlled uses, or conditional uses. Nothing that is contained in this section shall be deemed to authorize the Board to reverse or adjust any order or decision, which conforms to the provisions of this chapter. (Section 50-2-69. Powers and duties; administrative review). AP

ACTION OF THE BOARD:

Mr. Roberts made a motion that BSEED made the correct decision for the applicant to provide a Phase II Environmental Assessment to Environmental Affairs division before a building permit is issued. **Seconded by Board Member Osbern.**

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

Negative: Mr. Boman

BSEED DECISION UPHELD

ACTION OF THE BOARD:

Mr. Watson made a motion to adopt the changes to the Rules and Procedures and forward to the Law Department. Seconded by Board Member Boman.

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

Negative:

RULES AND PROCEDURES ADOPTED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Osbern motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 11:40 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp