

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
OCTOBER 28, 2024

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Monday October 28, 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 9:00 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

BOARD MEMBERS ABSENT:

- (1) Elois Moore, Board Member

MINUTES:

Board Member Osbern made a motion to approve the minutes for October 21, 2024 with any corrections.

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

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: 55-24 – COUNCIL DISTRICT 1

BZA PETITIONER: Hollywood Management

LOCATION: 7535 and 7521 Greenfield, between Diversity and Majestic in an B4 General Business District

LEGAL DESCRIPTION OF PROPERTY: W GREENFIELD PART OF LOTS 41 THRU 44 GAYNOR PARK SUB L45 P72 PLATS, W C R 22/243; ALL DESC AS BEG AT SW COR OF LOT 41 TH N 01D 06M 00S W 72.80 FT TH N 88D 59M 29S E 48.85 FT TH N 00D 02M 16S W 0.33 FT TH N 89D 57M 44S E 10.55 FT TH S 00D 02M 16S E 0.66 FT TH N 89D 57M 44S E 41.85 FT TH S 01D 06M 00S E 73.15 FT TH S 89D 52M 40S W 101.25 FT TO POB 73.15 IRREG, 7,416 SQFT SPLIT/COMBINED ON 02/18/2021 FROM 22051275-6, 22051277., 22051278., 22051279-83; W GREENFIELD W 101.26 FT 40 GAYNOR PARK SUB L45 P72 PLATS, W C R 22/243 20 X 101.26

PROPOSAL: Hollywood Management is requesting to expand an existing nonconforming Light Duty Vehicle Repair-New and Used Tire Sales by adding 7531 Greenfield, a 2,020 square foot vacant lot that is currently owned by the City of Detroit. The subject site is within an 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.

ACTION OF THE BOARD: Mr. Boman made a motion to grant expansion of an existing nonconforming Light Duty Vehicle Repair-New and Used Tire Sales by adding 7531 Greenfield, a 2,020 square foot. vacant lot Seconded by Board Member Moore

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

Negative:

NONCONFORMING USE EXPANSION GRANTED

9:30 A.M.

CASE NO: 49-24 – COUNCIL DISTRICT 2

BZA PETITIONER: Frederick Ideozu

LOCATION: 20483 Woodingham, between Chippewa and Eight Mile in an M2 Restricted Industrial District

LEGAL DESCRIPTION OF PROPERTY: W WOODINGHAM 293 & 292 291 EXC E 99.3 FT OF S 10 FT GARDEN HOMES SUB L29 P84 PLATS, W C R 16/298 28,107 SQ FT

PROPOSAL: Frederick Ideozu request to overturn the denial of a Site Plan proposed change of use to ‘Light Duty Vehicle Service Establishment (i.e., Minor Repair Facility), DENIED in (PIN: 16028618-20) Conditional Land Use (3rd Submission) SLU2023-00156. 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; Based on our review, the Building Safety Engineering and Environmental Department is denying your site plan based on the following: • As specified in Section 50-12-131 of the Detroit Zoning Code (“Retail, service, and commercial uses—Spacing.”), no new and/or newly established light duty vehicle service establishment shall be located within one thousand (1,000’) radial feet of any existing vehicle service or repair establishment located within or outside of the City of Detroit’s boundaries. A review of our records has identified the following vehicle service and repair establishments within 1,000’ radial feet of the subject property, thus a spacing variance for over concentration shall be required from the Board of Zoning Appeals (“BZA”): 1) Safeway Muffler Service Center (‘Minor Repair & Service’), 8049 W 8 Mile Rd, 110’ feet away; and 2) A-1 Transmission (‘Motor Vehicle Repair’), 7745 W 8 Mile Rd, 154’ feet away; and 3) Precision Tune Auto Repair (‘Minor Auto Repair Garage’), 8113 W 8 Mile Rd, 297’ feet away; and 4) Auto Rejuvenators (‘Minor Auto Repair’), 20415 Woodingham Drive, 315’ feet away; and 5) Quickest Oil and Lube (‘Minor Auto Repair’), 8221 W 8 Mile Rd, 597’ feet away. (Sections 50-4-101 Jurisdiction Over Appeals of Administrative Decisions, 50-3-205 Appeals 50-3-171 thru 50-3-187 Site Plan Review).AP

ACTION OF THE BOARD: Mr. Roberts made a motion to Uphold BSEED’s Denial of a Site Plan for ‘Light Duty Vehicle Service Establishment (i.e., Minor Repair Facility). Seconded by Board Member Watson

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

Negative: Mr. Boman

BSEED DENIAL UPHELD

9:45 A.M.

CASE NO: BSEED SLU2024-00043– COUNCIL DISTRICT 3

BZA PETITIONER: NORTOWN COMMUNITY DEVELOPMENT CORP.

BSEED PETITIONER: 7301 E. DAVISON, JAMES HARPER

LOCATION: 7301 E. Davison between Cliff and Sherwood in a M2 Restricted Industrial District.

LEGAL DESCRIPTION OF PROPERTY: N DAVISON 212&213 PERRIENS N DETROIT SUB L46 P16 PLATS, W C R 15/231 45.72 X 106.20

PROPOSAL: Nortown Community Development Corp. appeals the decision of the Buildings Safety Engineering and Environmental Department BSEED SLU2024-00043 which Approved with Conditions to establish a MRPF and MPF in an M2 Restricted Industrial District. This case is appealed because appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses; Michigan courts have held that in order to meet the “aggrieved person” standard, the appellant must prove that he or she (or it, if the appellant is an organization) has suffered special damages related to the beneficial use and enjoyment of his/her own property that are not common to other property owners similarly situated. The party filing the appeal must be more than a mere resident of the City; he or she must be able to show harm or damages that are unique to him or her, and to his/her property, specifically. (Sections 50-4-102 Appeals, Michigan Case Law on “Aggrieved Person” Standard and 50-3-281 General Approval Criteria (Community Appeals)). AP

ACTION OF THE BOARD: Mr. Osbern made a motion to Adjourn case until December 16, 2024 for the parties to obtain additional information. Seconded by Board Member Roberts.

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

Negative:

ADJOURNED TO DECEMBER 16, 2024

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Boman motioned that the meeting be adjourned. Board Member Osbern seconded this motion which was unanimously carried and the meeting adjourned at 1:28 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp