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**BOARD OF ZONING  
APPEALS STAFF:**

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REGULAR MEETING OF  
**SEPTEMBER 28, 2021**

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: 82469728510

**If You Are Joining By Web The Link Is:**  
<https://cityofdetroit.zoom.us/j/82469728510>

If you need additional information regarding this meeting, you can contact either  
James Ribbron: (313) 939-1405 or Thomina Davidson: (313) 224-3432

**DOCKET**

- I. OPENING:**
  - A. CALL TO ORDER.....9:00 A.M.**
  - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS –**
- III. MINUTES:**
  - A. APPROVAL OF MINUTES: September 21, 2021**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARING**

**With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at (313) 224-4950, through the TTY number 711, or email at [crio@detroitmi.gov](mailto:crio@detroitmi.gov) to schedule these services.**

**\*This Meeting is open to all members of the public under Michigan’s Open Meetings Act\***

9:15 a.m. **CASE NO.:** 52-21  
**APPLICANT:** Timothy Flintoff  
**LOCATION:** 1566 Bagley between Pine and Spruce in a B4-H - (General Business District - Historic) -City Council District #6  
**LEGAL DESCRIPTION OF PROPERTY:** N BAGLEY 8 BLK 77 WOODBRIDGE FARM L1 P146-7 PLATS, W C R 8/2 50 X 130  
**PROPOSAL:** Timothy Flintoff request dimensional variances to construct a two-unit, 2,120 square foot Townhouse on 6,500 square foot land containing an existing 1,494 square foot Single-Family Residence with attached garage; APPROVED with CONDITIONS in BSEED SLU2021-00078 Effective Date; July 28, 2021, in a (B4-H - (General Business District - Historic). The Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments for a variance of the minimum setbacks; Deficient lot size: 7,000' sq. ft. required, 6,500' sq. ft. proposed, 500' sq. ft. deficient; Deficient lot width: 70' required, 50' proposed, 20' deficient; and Deficient front setback: 20' required, 2' 9" proposed, 17' 3" deficient (Sections 50-4-131(6) - Permitted dimensional variances and 50-4-121 Approval Criteria.) AP

10:15 a.m. **CASE NO.:** 4-20 aka BSEED 266-16  
**APPLICANT:** Clinton McRae  
**LOCATION:** 8825 & 8829 Hubbell between Joy Rd. and Westfield in B4 Zone (General Business District). - City Council District #7  
**LEGAL DESCRIPTION OF PROPERTY:** W HUBBELL 1375 FRISCHKORNS W CHICAGO BLVD SUB NO 1 L46 P8 PLATS, W C R 22/554 25 X 100; W HUBBELL 1377&1376 FRISCHKORNS W CHICAGO BLVD SUB NO 1 L46 P8 PLATS, W C R 22/554 43 X 100  
**PROPOSAL:** Clinton McRae appeals the decision of the Buildings Safety and Engineering and Environmental Department (PIN 22040309-10 & 22040311) 226-16 which DENIED an extension for a proposed Auto Motor Repair Shop because the extension was requested after the expiration of the Special Land Use approval decision (effective date of decision April 11, 2018; October 18, 2018 the decision expired)(Section 50-3-305) in a B4 General Business District. 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 Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; DENIED an extension for a proposed Auto Motor Repair Shop because the extension was requested after the expiration of the Special Land Use approval decision (effective date of decision April 11, 2018; October 18, 2018 the decision expired)( Sec. 50-3-305. - Lapse of approval - In any case where a permit for a conditional use has not been obtained within six months after the granting of said use, the grant shall be null and void without further action by the Buildings, Safety Engineering, and Environmental Department or the Board of Zoning Appeals, except, that the Buildings, Safety Engineering, and Environmental Department, or where applicable, the Board of Zoning Appeals, may extend, without further public hearing, said six-month deadline for no more than 12 months beyond the expiration date of the original six months. Where this extension expires, no additional extension shall be authorized, unless a new application has been filed and a further public hearing has been held. Notwithstanding the preceding, no such extension may be considered in the case of a land use that was unlawfully established or expanded and that was subsequently legalized as a result of a conditional land use hear.) (Sections 50-3-305 Lapse of Approval.) AP

11:15 a.m. **CASE NO.:** 50-21 aka SLU2020-00052

**APPLICANT:** Parkstone Development Partners on Behalf of c/o Nuggets, LLC

**LOCATION:** 18270 Telegraph between Grand River and Short in a B4 Zone - (General Business District) - City Council District #1

**LEGAL DESCRIPTION OF PROPERTY:** E TELEGRAPH 137 THRU 141 AND VAC ALLEY ADJ B E TAYLORS KENMOOR SUB L37 P39 PLATS, W C R 22/373 303.15 IRREG

**PROPOSAL:** Parkstone Development Partners request to overturn the DENIAL to establish a Marijuana Retailer/Provisioning Facility (MRPF) in a 2,397 square foot unit and a Marijuana Safety Compliance Facility (MMSCF) in a 965 square foot unit of an existing building DENIED by BSEED SLU2020-00052 Effective Date May 18, 2021, in a B4 - (General Business District). The Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments for a variance of the minimum setbacks; After careful consideration, we were unable to make the required findings of fact per Section 50-3-281, specifically: A) That the proposed marijuana retailer/provisioning center does not meet the spacing requirement per section 50-12-132 of the Detroit Zoning ordinance. The proposed use is less than 1000 feet from a controlled use. (24133 W. Grand River-Family Dollar 350 feet away) (Sections 50-3-281 General approval criteria).AP

**VII. PUBLIC COMMENT / NEW BUSINESS**  
Next Hearing Date: October 12, 2021

**VIII. ADVISEMENTS / OLD BUSINESS**

**IX. MEETING ADJOURNED**