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**City of Detroit
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JAMES W. RIBBRON

Director

**BOARD OF ZONING
APPEALS STAFF:**

THOMINA DAVIDSON
APRIL PUROFOY
DEJA SAMMONS

**REGULAR MEETING OF
APRIL 3, 2023**

Pursuant to the City of Detroit Health Department Emergency Epidemic Order in Response to the COVID-19 Pandemic Per MCL 333.2453, Declaration of Continued Emergency Due to COVID-19, to Extend Remote Public Access to Open Meetings and Prohibit Gatherings at Meetings that Risk the Personal Health and Safety of Members of the Public and Public Bodies, effective from January 1, 2022 to March 31, 2022, the City of Detroit, Board of Zoning Appeals (BZA) will be:

IN-PERSON IN THE ERMA L. HENDERSON AUDITORIUM ON THE 13TH FLOOR, OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, 2 WOODWARD AVE., DETROIT, MI 48226

VIRTUAL ATTENDANCE IS STRONGLY ENCOURAGED.

As pursuant to public health guidelines, the meeting room will be subject to space limitations, and there are NO additional opportunities for public viewing within the building. For the safety of attendees and participants, it is recommended that the public participate by means of one of the methods listed below:

- 1. In person. Please be advised due to COVID restrictions the space is limited to 15 people. Petitioners will be given first preference. Once the limit is reached you will not be allowed to enter the building.
- 2. The Board of Zoning Appeals Hearings may be viewed in the following manner.

Join Zoom Meeting

<https://cityofdetroit.zoom.us/j/84422726457>

Meeting ID: 844 2272 6457

Dial by your location

- +1 267 831 0333 US (Philadelphia)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)
- +1 213 338 8477 US (Los Angeles)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

PUBLIC COMMENT ZOOM / IN-PERSON MEETINGS:

Public Comment Zoom:

- 1. Telephone participants: Raise your hand by pressing *9
- 2. Web participants: Raise your hand by clicking **raise hand** in the application or pressing
 - a. Windows computer = [ALT] + [Y]
 - b. Apple computers = [OPTION] + [Y]

Public Comment In-Person:

- You will be called on in the order in which your hand is raised, a public comment sign-in card will be issued.
- All time limits set by the meeting Chair will still be enforced
- Any hands raised after the Chair ends submission of public comments, will not be able to speak at the meeting

All interested persons are invited to be present and be heard as to their views. Persons making oral presentations are encouraged to submit written copies to the BZA Office **IN ADVANCE OF THE HEARING:**

<https://app.smartsheet.com/b/form/f8a9187464f4464689094092a1952bc8>

(You can also email the department at the link below for the smartsheet link)

via smartsheet, or email to BOARDOFZONING@DETROITMI.GOV for the record.

PLEASE SEE THE LINK BELOW TO REVIEW THE BOARD OF ZONING APPEALS CALENDARS:

<https://detroitmi.gov/government/boards/board-zoning-appeals/board-zoning-appeals-meetings>

DOCKET

I. OPENING:

- A. CALL TO ORDER.....9:00 A.M.**
- B. ROLL CALL**

II. PROCEDURAL MATTERS:

III. MINUTES:

- A. APPROVAL OF MINUTES: March 27, 2023**

IV. COMMUNICATIONS:

V. MISCELLANEOUS BUSINESS:

VI. PUBLIC HEARING

9:15 a.m. **CASE NO.:** 64-22

APPLICANT: Janice Jackson

LOCATION: 4505 Lodewyck between Cornwall and Munich in a R1 (Single-Family Residential District)-City Council District #4

LEGAL DESCRIPTION OF PROPERTY: E MARSEILLES 60&61 LODEWYCK SUB L46 P67 PLATS, W C R 21/816 67.3 X 206.88

PROPOSAL: Janice Jackson is requesting and appealing to seek relief from regulations in this zoning ordinance on the basis that the denial of the application (Hardship Relief Petition) for a Women Domestic Violence Shelter in a R1 Single-Family Residential 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 denial of a site plan by the Planning and Development Department. Also, any applicant for development may file a Hardship Relief Petition with the Buildings and Safety Engineering Department which seeks relief from any regulations in this zoning ordinance on the basis that the denial of the application has deprived the applicant of all reasonable use of his or her property and shall forward the application to the Board of Zoning Appeals. Prior to any public hearing, the Board shall review, through its staff, the submitted documents with the Law Department as to their completeness and relevance to the claim that the subject property has been subject to a denial of all reasonable economic use. 50-4-85 Appeals of Administrative Decisions, 50-4-151 Deprivation of Use of Property, 50-4-171 Review and Consultation with the Law Department, 50-4-194 Application of the "All Reasonable Economic Use" standard, 50-4-195. Burden of proof, 50-4-196 Findings of the Board of Zoning Appeals 50-4-197 Additional forms of relief and 50-4-121 Approval Criteria (if Hardship is approved).AP

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 to schedule these services.

APRIL 3, 2023
DOCKET CONTINUED

9:30 a.m. **CASE NO.:** 11-23
APPLICANT: R.J Cuevas, LLC
LOCATION: 3274 Junction, between St. Hedwig and Knonkel in a R2 (Two-Family Residential District.)-City Council #5
LEGAL DESCRIPTION OF PROPERTY: **E JUNCTION 119 MC MILLAN & WHITING SUB L14 P98 PLATS, W C R 16/72 30 X 120**
PROPOSAL: R.J. Cuevas, LLC., is proposing to expand and intensify an existing nonconforming use by adding a 771 square-foot, ground-floor dwelling unit within the existing footprint of the building and reduce the floor area of Retail with SDM to 1,689 square feet at 3260 and 3266 Junction and also to construct an accessory off-street parking area (nine spaces) at 3274 Junction in the subject zoning lot. A public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion or intensification of a nonconforming use, subject to Section 50-15-27 of this Code. That the Board of Zoning Appeals approve the proposed expansion and intensification of a nonconforming use prior to issuance of a building permit. (Sections 50-15-7 - Board of Zoning Appeals, 50-15-26. - Expansion or intensification of nonconforming uses and 50-15-27. - Required findings.).AP

9:45 a.m. **CASE NO.:** 61-18
APPLICANT: Michael Evans
LOCATION: 17610 James Couzens between Thatcher and Santa Clara in a B2 Local Business and Residential District.)-City Council #2
LEGAL DESCRIPTION OF PROPERTY: **PERSONAL PROPERTY LOCATED IN TEHE CITY OF DETROIT**
PROPOSAL: Michael Evans requests Hardship Relief TO establish a 4,160 square foot Rental Hall not allowed in B2 Local Business and Residential District. Rental Halls are not allowed B2 Also, the Board of Zoning Appeals shall hold a public hearing to determine whether all reasonable economic use has been prevented as a result of final action on the application. The Board may adopt any legally available incentive or measure that is reasonably necessary to offset any denial of reasonable economic use and may condition such incentives upon approval of specific development plans; the applicant does not own the parking lot located at 5650 & 5660 W. Outer Dr; therefore, a parking agreement is needed if parking is not waived. (Sections 50-4-151. - Deprivation of use of property, 50-4-153. - Denial of all reasonable economic use standard, 50-4-194. - Application of the "all reasonable economic use" standard, 50-4-195. - Burden of proof, 50-4-196. - Findings of the Board of Zoning Appeals and 50-4-197. - Additional forms of relief.).AP

**APRIL 3, 2023
DOCKET CONTINUED**

10:00 a.m. CASE NO.: 13-23
APPLICANT: DAVID RYZYI, THE MANNIK & SMITH GROUP, INC.
LOCATION: 21652, 21636, 21624, 21610, 21604, 21566, 21556 Orchard & 21535 and 21525 Santa Clara between Lahser and Bentler in an R1 Single-Family Residential District. City Council #1

LEGAL DESCRIPTION OF PROPERTY: N ORCHARD 67 WILLMARTH PLACE SUB L21 P41 PLATS, W C R 22/397 66 X 132; N ORCHARD 68 WILLMARTH PLACE SUB L21 P41 PLATS, W C R 22/397 66 X 132; N ORCHARD 69 WILLMARTH PLACE SUB L21 P41 PLATS, W C R 22/397 66 X 132; N ORCHARD W 50 FT OF 70 WILLMARTH PLACE SUB L21 P41 PLATS, W C R 22/397 50 X 132; N ORCHARD E 16 FT OF 70 W 33 FT OF 71 WILLMARTH PLACE SUB L21 P41 PLATS, W C R 22/397 49 X 132; N ORCHARD E 33 FT 71 WILLMARTH PLACE SUB L21 P41 PLATS, W C R 22/397 33 X 132; N ORCHARD 72 WILLMARTH PLACE SUB L21 P41 PLATS, W C R 22/397 66 X 132; S SANTA CLARA 89 ELM AVE SUB L34 P21 PLATS, W C R 22/396 40 X 106; S SANTA CLARA 88 ELM AVE SUB L34 P21 PLATS, W C R 22/396 53 X 106

PROPOSAL: David Rzyzi; The Mannik & Smith Group Inc. is requesting dimensional variances to develop a multi-family housing in (“Orchard Street Affordable Housing”) consisting of a total of 48 Multi-family dwelling units in four separate buildings; also a 700 square foot accessory clubhouse building consisting of offices and rentable conference space for residents and the surrounding community; the site will include passive outdoor recreation space and amenities APPROVED w/ Conditions January 6, 2022, and Effective Date: January 10, 2023. The subject site is within an R1 Single-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. Deficient front yard setback for complex 1, 2, 3 and 4. 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria

- VII. Public Comment / New Business**
Next Hearing Date: May 8, 2023
- VIII. ADVISEMENTS / OLD BUSINESS**
- IX. MEETING ADJOURNED**