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City of Detroit
Board of Zoning Appeals
Coleman A. Young Municipal Center
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Detroit, Michigan 48226
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REGULAR MEETING OF
JUNE 26, 2023

JAMES W. RIBBRON

Director

BOARD OF ZONING APPEALS STAFF:

THOMINA DAVIDSON
APRIL PUROFOY
DEJA SAMMONS

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.

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: May 22, 2023**

IV. COMMUNICATIONS:

V. MISCELLANEOUS BUSINESS:

VI. PUBLIC HEARING

9:15 a.m. CASE NO: 24-23 aka (SLU2023-00047) – Council District #6

PETITIONER: Timothy Flintoff

LOCATION: **5214-5238 Avery and 1632 Merrick** between Merrick and Edsel Ford Fwy Service Drive in a B4 Zone - (General Business District)

LEGAL DESCRIPTION OF PROPERTY: W AVERY W 67 FT 82 PETREQUINS SUB L7 P60 PLATS, W C R 8/95 30 X 67 SPLIT/COMBINED ON 05/15/2019 FROM 08001482., 08007046.; E AVERY 80 PETREQUINS SUB L7 P60 PLATS, W C R 8/95 30 X 100; E AVERY 79 PETREQUINS SUB L7 P60 PLATS, W C R 8/95 30 X 100; N MERRICK W 33 FT OF E 66 FT 83-84 PETREQUINS SUB L7 P60 PLATS, WCR 8/95 33 X 60

PROPOSAL: Timothy Flintoff is requesting to construct a seven-unit 15,640 square foot Townhouse development on existing vacant land. **APPROVED w/ Conditions in BSEED Case No.: SLU2023-00047 Decision Date: May 5, 2023; Effective Date: May 19, 2023.** The subject site is within an R2 Two-Family Residential District. This case is appealed because the Board of Zoning Appeals 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. Prior to issuance of building permits, the applicant shall obtain the following waivers from the Board of Zoning Appeals. Deficient front setback, Deficient Lot Coverage, Deficient Off-Street Parking and Number of buildings on a zoning lot. (Sections 50-4-131 (1&6)- Permitted dimensional variances and 50-4-121 Approval Criteria). 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.

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

JUNE 26, 2023
DOCKET CONTINUED

9:30 a.m. **CASE NO:** 19-23 aka (SLU2023-00161) – Council District # 4

PETITIONER: Lyntoshia Washington

LOCATION: 13501 Gratiot, between Pelkey and E. McNichols in a B4 Zone - (General Business District)

LEGAL DESCRIPTION OF PROPERTY: N GRATIOT AVE 289&288 MICHAEL GREINER EST SUB L41 P67 PLATS, W C R 21/611 40 X 100

PROPOSAL: Lyntoshia Washington is requesting to establish a Rental Hall in an existing 3,080 square foot building. **APPROVED w/ Conditions in BSEED Case No.: SLU2022-00161 Decision Date: April 5, 2023; Effective Date: April 19, 2023.**The subject site is within an B4 General Business District. This case is appealed because the Board of Zoning Appeals 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 off street parking. (15 spaces required, zero proposed, 15 spaces deficient) (Sections 50-4-131 (1)- Permitted dimensional variances and 50-4-121 Approval Criteria). AP

9:45 a.m. **CASE NO:** BSEED SLU2022-00181 - Council District # 3

PETITIONER: Vanessa Peake (BZA) / Trittech Titanium Parts LLC (BSEED)

LOCATION: 6401 E. Seven Mile, between Filer and Giradin in a M4 Restricted Industrial District.

LEGAL DESCRIPTION OF PROPERTY: N E SEVEN MI RD THAT PT OF S E 1/4 OF S W 1/4 OF SEC 4 T 1 S R 12 E DESC AS FOLS BEG AT THE INTSEC OF N LINE OF 7 MILE RD WITH E LINE OF FILER AVE THE N OD 29M 30S E 300 FT TH S 89D 38M 00S E 140.54 FT TH S OD 09M 00S E 300.01 FT TH N 89D 38M 00S W 142.90 FT TO P O B 15/-- 42,516 SQ FT

PROPOSAL: Vanessa Peake appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED) Case No.: SLU2022-00181; Decision April 20, 2023; Effective Date May 4, 2023) which Approved with Conditions to establish a Firearms Dealership in an existing 28,000 square foot building in a M4 (Intensive Industrial District). 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

- VII. **Public Comment / New Business**
Next Hearing Date: July 10, 2023
- VIII. **ADVISEMENTS / OLD BUSINESS**
- IX. **MEETING ADJOURNED**