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City of Detroit
Board of Zoning Appeals
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REGULAR MEETING OF AUGUST 28,2023

JAMES W. RIBBRON

Director

BOARD OF ZONING APPEALS STAFF:

THOMINA DAVIDSON APRIL PUROFOY DEJA SAMMONS

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

If You Are Joining By Web The Link Is:

https://cityofdetroit.zoom.us/s/84422726457

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: August 21, 2023

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 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: 37-23

BZA PETITIONER: GREEN DEVELOPMENT GROUP, LLC/MOHAMED GHAITH

LOCATION: 7351 LYNDON, between Prairie and Monica in a M4 Intensive Industrial District.

LEGAL DESCRIPTION OF PROPERTY: S LYNDON 216&217 ASSESSORS DETROIT PLAT NO 16 L74 P24

PLATS, W C R 16/465 78 452 SQ FT

PROPOSAL:

Green Development Group, LLC/Mohamed Ghaith request dimensional variances to Modify BSEED #88-18 by adding an 18,510 square foot Marijuana Grower Facility (MGF) to a proposed 31,237 square foot Marijuana Grower Facility (MGF) and 5,966 square foot Marijuana Processor Facility (MPF) in an existing 55,713 square foot building. The subject site is within an M4 Intensive Industrial 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; *The proposed Marijuana Facilities are excessive in square footage. The gross square footage of the building is 55,713 square feet, which is excessive by 5,713 square feet. Therefore, a waiver for dimensional standards will be required with the Board of Zoning Appeals. Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria*

ΑP

9:30 a.m. CASE NO: 41-23

BZA PETITIONER: TRITECH TITANIUM PARTS, LLC

LOCATION: 6401 E. SEVEN MILE RD., between Filer and Sherwood in a M4 Intensive 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 0D 29M 30S E 300 FT TH S 89D 38M 00S E 140.54 FT TH S 0D 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:

TriTech Titanium Parts LLC appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2022-00181 Decision Date: July 7, 2023, Effective Date: July 21, 2023) which <u>DENIED</u> the establish a Firearms Dealership in an existing 28,000 square foot building in a M4 (Intensive Industrial 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 Sections 50-4-101 Jurisdiction Over Appeals of Administrative Decisions and 50-3-171 thru 50-3-281- General Approval Criteria AP

AUGUST 28, 2023 DOCKET CONTINUED

9:45 a.m. CASE NO: 4-23

BZA PETITIONER: MELVIE BERKERY, KENNEDY'S CONSTRUCTION LLC/MARCELUS BRICE

LOCATION: 16000 Pembroke, between Prevost and Mansfield in a R1 Single-Family

Residential District.

LEGAL DESCRIPTION OF PROPERTY: N PEMBROKE PT OF N E 1/4 OF SEC 1 T 1 S R 10 E DESC AS

BEG AT A PTE ON E/W 1/4 LINE SD SEC 1 DIST N 89D 52M 10S E 1156.07 FT FROM CENTER LINE OF SEC 1, TH N 00D 16M 27S W 215.32 FT; TH N 44D 43M 33S E 42.43 FT; TH N 89D 43M 33S E 120.48 FT; TH S 00D 16M 27S E

245.70 FT; TH S 89D 52M 10S W 150.48 FT TO POB 22/--- 11 ACRES

PROPOSAL:

Melvie Berkery, Kennedy's Construction LLC requests Hardship Relief to establish Adult Foster Care Facility', that provides supervision, assistance, protection, or personal care to seven or more adults. As this proposed use will have seven or more adults, it would be a hardship because it is not permitted as by-right or conditional use in an 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 and dimensional variances needed).AP

VII. Public Comment / New Business

Next Hearing Date: September 12, 2023

VIII. ADVISEMENTS / OLD BUSINESS

IX. MEETING ADJOURNED