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City of Detroit
Board of Zoning Appeals
Coleman A. Young Municipal Center
2 Woodward Avenue, Suite 212
Detroit, Michigan 48226

Phone: (313) 224-3595
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REGULAR MEETING OF

SEPTEMBER 11,2023

BOARD OF ZONING

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 28, 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

SEPTEMBER 11. 2023 DOCKET CONTINUED

CASE NO: 38-23 9:15 a.m.

Eleni Zaharopoulos, Redbird Investments LLC **BZA PETITIONER:**

LOCATION: 11720 Brush between Woodward and Tennyson in R1 Zone (Single Family

Residential District).

LEGAL DESCRIPTION OF PROPERTY: N WOODLAND 45 WOODLAND L13 P85 PLATS, W C R 3/124

40 X 120

PROPOSAL: Eleni Zaharopoulos, Redbird Investments LLC proposes to reestablish the

> abandoned retail use (1,453 square feet) and convert the abandoned Restaurant Carry-out use to nonconforming Restaurant, Standard (551 square feet). The site would include retail sales (no beer/wine/liquor), a commercial kitchen, and on-site food consumption amenities within the existing building. The subject site is within an R1 Zone (Single-Family Residential District). This case is appealed because the Board of Zoning Appeals shall have the authority to hold hearings and render decisions with respect to nonconforming uses, buildings, and structures. (Sections 50-15-7. Board of Zoning Appeals, 50-15-28(20), 50-15-28(16), 50-15-30(3) and 50-

15-27. Required Findings). AP

9:30 a.m. **CASE NO:** 40-23

BZA PETITIONER: BALLSTARS, LLC

LOCATION: 8830 MARK TWAIN, between Joy Rd. and Ellis in a M4 (Intensive Industrial

District).

LEGAL DESCRIPTION OF PROPERTY: E MARK TWAIN 52&51 S 25 FT 50 KARNATZ BONAPARTE SUB

L55 P29 PLATS, W C R 22/555 103.78 IRREG

PROPOSAL: Ballstars, LLC request dimensional variances to establish a Marijuana Grower

Facility (MGF) in an existing 9,607 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. Deficient 3 parking spaces. (Sections 50-4-131 (1)- Permitted Dimensional Variances and 50-4-121 Approval Criteria) AP

SEPTEMBER 11, 2023 DOCKET CONTINUED

9:45 a.m. CASE NO: BSEED SLU2023-00053

BZA PETITIONER: JENNIFER GIROUX

BSEED PETITIONER: BRIAN HURTTIENNE

LOCATION: 1429,1435,1437,1441 17th Street & 1426 and 1438 18th Street, between

Porter and Bagley in a R2 (Two Family Residential District).

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Jenni

Jennifer Giroux appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED) Case No.: SLU2023-00053; Decision July 11, 2023; Effective Date July 25 2023) which Approved with Conditions to Construct four separate three-story, five-unit Townhouse buildings on existing vacant land in a R2 Zone (Two Family Residential 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

VII. Public Comment / New Business

Next Hearing Date: September 18, 2023

VIII. ADVISEMENTS / OLD BUSINESS

IX. MEETING ADJOURNED