#### **BOARD MEMBERS**

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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 Fax: (313) 224-4597 Email: boardofzoning@detroitmi.gov JAMES W. RIBBRON Director

BOARD OF ZONING APPEALS STAFF:

THOMINA DAVIDSON EXECUTIVE ADMINISTRATIVE ASSISTANT

> APRIL PUROFOY INSPECTOR

# REGULAR MEETING OF **NOVEMBER 18, 2024**

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 <u>If You Are Joining By Web The Link Is:</u> https://cityofdetroit.zoom.us/j/84422726457

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

## 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

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\*

## DOCKET

I. OPENING:

A. CALL TO ORDER.....9:00 A.M.

III.

- B. ROLL CALL
- II. PROCEDURAL MATTERS:
  - MINUTES:
- A. APPROVAL OF MINUTES:

**NOVEMBER 4, 2024** 

- IV.COMMUNICATIONS:V.MISCELLANEOUS BUSINESS:VI.PUBLIC HEARING
- 9:15 a.m. CASE NO: 69-24 Council District # 2
  - BZA PETITIONER: DAMON DICKERSON
  - **LOCATION:** 7326 W McNichols, between Prairie and Monica in a B2 zone (Local Business and Residential District).
  - LEGAL DESCRIPTION OF PROPERTY: N--W MC NICHOLS RD 24 THRU 29 STAFFORDS INTER-COLLEGE SUB L46 P82 PLATS, W C R 16/333 120 X 90
  - **PROPOSAL:** Damon Dickerson request demolish an existing building and establish a 5,127 sq. ft Banquet facility; to appeal the distance from a municipal parking lot. No shared parking agreement between the applicant and Municipal parking has been provided; APPROVED w/Conditions in BSEED Case No: SLU2024 - 00073; Decision Date: September 6, 2024 – Effective Date: September 20, 2024. The subject site is within an B2 Local Business and 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. Under Section 50-14-7, unless the applicant can provide P&DD with an adequate district parking plan which sufficiently address the off-street parking deficiency (48 spaces), a parking variance shall also be required from the Board of Zoning Appeals prior to issuance of a building permit (Sections 50-4-131 (1) Permitted dimensional variances 50-4-121 and Approval Criteria). AP

- 9:30 a.m. CASE NO: 73-24 Council District # 6
  - BZA PETITIONER: KEVIN CANSIANI
  - **LOCATION: 3023 COCHRANE,** between Elm Street and Butternut in an R2 Two Family Residential District.

LEGAL DESCRIPTION OF PROPERTY: W COCHRANE 340 PLAT OF LOGNON FARM L2 P5 PLATS, W C R 8/29 31 X 100)

- PROPOSAL: Kevin Cansiani request dimensional variances for a 2-car garage with loft above to replace existing garage that is to be demolished due to structural failure in the rear yard of existing lot in an R2 district. Two 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; Excessive Height, More than one principal structure on a zoning lot and excessive lot coverage.
- 9:45 a.m. CASE NO: BSEED SLU2023-00014 Council District # 3
  - BZA PETITIONER: VANESSA PEAKE

BSEED PETITIONER: LEGACY GREENS, LLC c/o DONISE FLOYD

- LOCATION: 19347 Mt. Elliott, between Emery and E. Lantz in a M2 Restricted Industrial District.
- LEGAL DESCRIPTION OF PROPERTY: W MT ELLIOTT 47-46 GEO J KOLOWICH L46 P45 PLATS, W C R 13/287 40 X 124.51
- **PROPOSAL:** Vanessa Peake appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED) Case No.: SLU2023-00014: Decision Date April 12, 2023; effective April 26, 2023) which (Approved with Conditions) to Establish a Marijuana Retail/Provisioning Facility (MRPF) and Designated Marijuana Consumption Establishment (DMCE) in an existing 1,500 square foot building in an M2 Restricted 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

VIII.