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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 **DECEMBER 16, 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:

**DECEMBER 9, 2024** 

- IV.COMMUNICATIONS:V.MISCELLANEOUS BUSINESS:VI.PUBLIC HEARING
- 9:15 a.m. CASE NO: 81-24 Council District # 3
  - BZA PETITIONER: Fusco, Chaffer & Pappas, Inc. / CCSEM St. Mathew LDHA LP
  - **LOCATION:** 6021 Whittier and 6000 Audubon, between Harper and Linville in an R1-Single Family Residential District.

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

Fusco, Chaffer & Pappas, Inc./ CCSEM St. Matthew PROPOSAL: LDHA LP request dimensional variances to convert a former school building site though adaptive reuse residential into two multiple family dwellings containing 46 combined. units APPROVED w/Conditions in BSEED Case No: SLU2024 - 00040; Decision Date: July 26, 2024 – Effective Date: August 9, 2024. The subject site is within an R1 Zone (Single Family Residential District). This case is appealed because 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; Section 50-14-343 Deficient Interior Landscaping. 50-4-131 Permitted dimensional (Sections (6)variances and 50-4-121 Approval Criteria). AP

9:30 a.m. C

CASE NO: BSEED SLU2024-00043– COUNCIL DISTRICT 3

BZA PETITIONER: NORTOWN COMMUNITY DEVELOPMENT CORP.

BSEED PETITIONER: 7301 E. DAVISON, JAMES HARPER

- **LOCATION:** 7301 E. Davison between Cliff and Sherwood in a M2 Restricted Industrial District.
- LEGAL DESCRIPTION OF PROPERTY: N DAVISON 212&213 PERRIENS N DETROIT SUB L46 P16 PLATS, W C R 15/231 45.72 X 106.20
- **PROPOSAL:** Nortown Community Development Corp. appeals the decision of the Buildings Safety Engineering and Environmental Department BSEED SLU2024-00043 which Approved with Conditions to establish a MRPF and MPF in an M2 Restricted Industrial 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
- VIIPublic Comment / New Business<br/>Next Hearing Date: January 27, 2025VII.OLD BUSINESSVIII.MEETING ADJOURNED