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BOARD OF ZONING APPEALS STAFF:

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REGULAR MEETING OF MARCH 24, 2025

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: 816 4214 3162

If You Are Joining by Web, the Link Is:

<https://cityofdetroit.zoom.us/j/81642143162>

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](tel:3132244950), through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.

"ANY AND/OR ALL INFORMATION INTENDED FOR PRESENTATION TO THE BOARD OF ZONING APPEAL MUST BE SENT TO THE BZA DIRECTOR (RIBBRONJ@DETROITMI.GOV) BEFORE 5:00 PM ON THE THURSDAY PRIOR TO THE BZA HEARING ON MONDAY. ANY INFORMATION RECEIVED AFTER 5:00 PM ON THURSDAY WILL NOT BE ACCEPTED."

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.
- B. ROLL CALL

II. PROCEDURAL MATTERS:

III. MINUTES:

- A. APPROVAL OF MINUTES: March 17, 2025

IV. COMMUNICATIONS:

V. MISCELLANEOUS BUSINESS:

VI. PUBLIC HEARING

9:15 a.m. CASE NO: 4-25

BZA PETITIONER: HASSAN DAWICHE

LOCATION: 11501 E 7 MILE RD, between Albion and Hoover in an B4 General Business District

LEGAL DESCRIPTION OF PROPERTY: N--E SEVEN MILE RD LOTS 86 THRU 76 SKRZYCKI-KONCZAL SUB L45 P25 PLATS, W C R 17/504 234.96 X 110 COMBINATION OF 17005197-9,17005200-1,17005202-7

PROPOSAL: HASSAN DAWICHE request dimensional variances to Establish a light duty Vehicle Service establishment in an existing 4,645 sq. ft. building APPROVED w/Conditions in BSEED Case No: SLU2023 – 00244; Decision Date: December 13, 2024 – Effective Date: December 27, 2024. The subject site is within an B4 GENERAL BUSINESS 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. *prior to issuance of a building permit, a waiver for the over concentration of similar uses.* Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria AP

9:30 a.m. CASE NO: 76-24

BZA PETITIONER: PARKSTONE DEVELOPMENT PARTNERS

LOCATION: 856 Beard, between W Lafayette and Fisher Freeway in a R2 Two Family Residential District

LEGAL DESCRIPTION OF PROPERTY: upon request

PROPOSAL: Parkstone Development request permission dimensional variances for nonconforming Light Duty Vehicle Repair Establishment (Minor Auto Repair) by adding 850 and 846 Beard to 856 Beard Street. The building square footage has also increased from 1,154 square feet within a 1,246 square foot addition to a total of 2,400 square feet in a R2 zone 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. Residential Screening and screening material. Sections 50-4-131 (6) dimensional variances and 50-4-121 Approval Criteria AP

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DOCKET CONTINUED

9:45 a.m. CASE NO: 84-24

BZA PETITIONER: LAURA BATIE

LOCATION: 19036 W MCNICHOLS, between Sunderland and Warwick in an B4 General Business District

LEGAL DESCRIPTION OF PROPERTY: N--W MC NICHOLS 204&205 PALMER BLVD OUTER DR SUB L46 P2 PLATS, W C R 22/424 44 X 100

PROPOSAL: Judith Jones requests dimensional variances to Add a 990 sq. ft. Rental Hall to an existing 2,868 sq. ft. building with office spac APPROVED w/Conditions in BSEED Case No: SLU2024-00010; Decision Date: September 19, 2024 – Effective Date: October 3, 2024. The subject site is within an B4 GENERAL BUSINESS 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. *per section 50-14-2(3) at time of permit, unless the applicant can provide a recorded, fully executed shared parking agreement with the owner of 19000 W. McNichols, a parking waiver shall be required – 8 spaces required, zero provided; 8 space parking deficiency.* Sections 50-4-131 (6)- Permitted dimensional variances and 50-4-121 Approval Criteria AP

10:00 a.m. CASE NO: 82-24

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: Parkside at Corktown, LLC represented by Brian Hurttienne request dimensional variances to construct four, separate, three-story townhouse buildings consisting of 18 units on existing vacant land APPROVED w/Conditions in BSEED Case No: SLU2024-00082; Decision Date: November 8, 2024 – Effective Date: November 22, 2024. The subject site is within an R2 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. Deficient front setback (Bldg. A, B C & D) deficient side setback (Bldg. A), deficient rear yard setback (Bldg. B & C), minimum lot area (Bldg. A, B C & D), deficient parking area setback and number of building on a zoning lot. 50-4-131 (6) dimensional variances and 50-4-121 Approval Criteria

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DOCKET CONTINUED

10:15 a.m. **CASE NO: BSEED SLU2024-00062**

BZA PETITIONER: **The Concerned Residents on McNichols Rd of the Detroit Golf Club H.O.A.**

BSEED PETITIONER: **ATLAS TOWERS 1, LLC**

LOCATION: **2201 W. McNichols, between Log Cabin and Inverness in a B4 General Business District.**

LEGAL DESCRIPTION OF PROPERTY: **S W MCNICHOLS RD 74 THRU 78 N 110 FT OF E 28 FT 217 LOG CABIN HEIGHTS SUB L31 P52 PLATS WCR 8/171 145X110**

PROPOSAL: **The Concerned Residents on McNichols Rd of the Detroit Golf Club H.O.A. appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED; SLU2024-00062 which Approved with Conditions permission to construct a 75 foot tower to add a Monopole Antenna on the site of an existing business in a B4 zone. 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**

ADJOURNED FROM MARCH 10, 2025

CASE NO: **50-24 – Council District # 6**

BZA PETITIONER: **TIMOTHY FLINTOFF/1530 BAGLEY DEVELOPMENT, LLC**

LOCATION: **1530 BAGLEY, aka 1530-1550 Bagley between Trumbull and 10th in an R3 District (Low Density Residential District).**

LEGAL DESCRIPTION OF PROPERTY: **Lots 10 and 11, Block 77 of Woodbridge Farm, as recorded in Liber 1 of Plats page 146 and 147 of WCR.**

PROPOSAL: **Timothy Flintoff request is requesting Relief From Hardship to establish a 11,903 sq ft building with 10 residential units with total sq ft of 11288 sq ft and one commercial space with 615 sq. Ft . A public hearing at the Board of Zoning Appeals shall be required; Any applicant for development may file a hardship relief petition with the Buildings, Safety Engineering, and Environmental Department which seeks relief from any regulations in this chapter on the basis that the denial of the application has deprived the applicant of all reasonable use of such applicant's property. A hardship shall be defined as a denial of all reasonable economic use of the property. Upon a finding that the denial of the application has resulted in a denial of all reasonable economic use of the property, the City may provide the petitioner with relief from applicable zoning regulations.**

**MARCH 24, 2025
DOCKET CONTINUED**

Case No. 50-24 Continued

Ordinance Sections: 50-4-151. - Deprivation of use of property, 50-4-153. - Denial of all reasonable economic use standard, 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 and 50-4-197. - Additional forms of relief. AP

- VII. Public Comment / New Business
Next Hearing Date: April 14, 2025**
- VIII. ADVISEMENTS / OLD BUSINESS**
- IX. MEETING ADJOURNED**