

## BOARD MEMBERS

### **Robert E. Thomas**

Chairperson  
Council District 5

### **Vivian Teague**

Vice Chairperson  
Council District 2

### **Robert G. Weed**

Council District 1

### **Elois Moore**

Council District 3

### **Michelle L. West**

Council District 4

### **Debra T. Walker**

Council District 6

### **Anthony Sherman**

Council District 7



**JAMES W. RIBBRON**

Director

**City of Detroit**  
**Board of Zoning Appeals**  
**Coleman A. Young Municipal Center**  
**2 Woodward Avenue, Suite 212**  
**Detroit, Michigan 48226**  
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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: 82469728510

**If You Are Joining By Web The Link Is:**

<https://cityofdetroit.zoom.us/j/82469728510>

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

### **MINUTES OF THE BOARD OF ZONING APPEALS**

A public hearing of the Board of Zoning Appeals was held on Tuesday **OCTOBER 12, 2021** by way of Zoom.

Chairperson of the Board Thomas called the meeting to order and Director Ribbron called the roll at 9:00 a.m.

### **BOARD MEMBERS PRESENT:**

- (1) Robert E. Thomas, Board Member
- (2) Robert G. Weed, Board Member
- (3) Anthony Sherman, Board Member
- (4) Vivian Teague, Board Member
- (5) Elois Moore, Board Member
- (6) Michelle L. West, Board Member

### **BOARD MEMBERS ABSENT:**

- (1) Debra T. Walker, Board Member

**MINUTES:**

Board Member Weed made a motion to approve the minutes for September 28, 2021 with any corrections.

Affirmative: Mr. Weed, Thomas, Sherman  
Ms. Teague, Moore, West  
Negative: None

**PROCEDURAL MATTERS:**

- (A) A motion was made, seconded and carried that the Director of the Board read into the record the notices, reports, letters, or any other information pro or con, on each individual case, and be filed and made a part of the record in each case.
- (B) A motion was made, seconded and carried that the appearance slips, be filled out by property owners or parties of interest who appeared at the public hearing, be filed in the individual case file and be made a part of the record in each case.
- (C) A motion was made, seconded, and carried that the recorded transcript of the proceedings of the various hearings, furnished by **BZA Staff**, be made part of the **MINUTES**.

9:15 a.m. **CASE NO.:** 55-21 aka SLU2021-00062

**APPLICANT:** Nicole Rittenour

**LOCATION:** 1628, 1632, 1638, 1644 & 1650 Bagley between Rosa Parks and Trumbull in a B2-H Zone (Local Business and Residential District - **Historic**)-City Council District #6

**LEGAL DESCRIPTION OF PROPERTY:** N BAGLEY 20 W 10 FT 19 BLK 4 LUTHER BEECHERS SUB L2 P27 PLATS, W C R 8/19 43 X 131.02; N BAGLEY 22 BLK 4 LUTHER BEECHERS SUB L2 P27 PLATS, W C R 8/19 33 X 131.12; N BAGLEY 23 BLK 4 LUTHER BEECHERS SUB L2 P27 PLATS, W C R 8/19 33 X 131.12 & N BAGLEY 24 BLK 4 LUTHER BEECHERS SUB L2 P27 PLATS, W C R 8/19 33 X 131.12

**PROPOSAL:** Nicole Rittenour request dimensional variances to establish two three-story, Multi-Family buildings on five vacant addresses totaling approximately 22,925 square feet with accessory parking APPROVED w/Conditions in BSEED SLU2021-00062; Decision Date; August 6, 2021; Effective Date August 20, 2021, in a B2 - H (Local Business and Residential District - Historic). The Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments for a variance of the minimum setbacks; per Section 50-13-43 - (Intensity and dimensional standards in the B2 Local Business and Residential District): rear setback 30 ft. required; 6 ft. 3 in. proposed - 23 ft. 9 in. deficient. (Sections 50-4-131(6) - Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to dimensional variances to establish two three-story, Multi-Family buildings on five vacant addresses totaling approximately 22,925 square feet with accessory parking APPROVED w/Conditions in BSEED SLU2021-00062; Decision Date; August 6, 2021; Effective Date August 20, 2021, in a B2 - H (Local Business and Residential District - Historic). Seconded by Ms. Teague

Affirmative: Mr. Weed, Thomas, Sherman  
Ms., West, Teague, Moore

Negative:

**DIMENSIONAL VARIANCES GRANTED**

**10:15 a.m. CASE NO.:** 18-21 aka BSEED SLU2019-00059  
**APPLICANT:** Loay Basatne  
**LOCATION:** 13675 Plymouth between Decatur and Schaefer in a M4 (Intensive Industrial District)- City Council District #7

**LEGAL DESCRIPTION OF PROPERTY:** S PLYMOUTH W 362.88 FT OF E 653.88 FT A EXCEPT N 33 FT W 462.88 FT OF E 753.88 FT B EXCEPT PENN R R R/W PLAT OF THE ESTATE OF JOHN KEAL L543 P404 DEEDS, W C R 22/586 84653 SQ FT

**PROPOSAL:** Loay Basatne appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2019-00059) which DENIED the establishment of a Junkyard, Used Auto Parts Sales and Indoor Dismantling in an existing 6500 square foot and 2,040 sq. ft. building on a 1.94-acre site in an M4 Zone (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; at the BSEED hearing this site was still operating as an illegal junkyard, and the site has several deficiencies at time of inspection; including site less than 2 acres, and insufficient front building setback and other deficiencies. (Sections 50-4-101 Jurisdiction over Appeals of Administrative Decisions and Sec. 50-3-281 General approval criteria.)AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Reverse BSEED’s Denial for the establishment of a Junkyard, Used Auto Parts Sales and Indoor Dismantling in an existing 6500 square foot and 2,040 sq. ft. building on a 1.94-acre site in an M4 Zone (Intensive Industrial District). Seconded by Mr. Sherman

Affirmative: Mr. Weed, Sherman

Negative: Mr. Thomas  
 Ms. Teague, West, Moore

**MOTION FAILED DUE TO VOTE COUNT**

**Case No. 18-21 Continued:**

**Ms. Teague made a motion to Uphold BSEED's Denial for the establishment of a Junkyard, Used Auto Parts Sales and Indoor Dismantling in an existing 6500 square foot and 2,040 sq. ft. building on a 1.94-acre site in an M4 Zone (Intensive Industrial District). Seconded by Ms. West**

Affirmative: Mr. Thomas  
Ms. Teague, West, Moore

Negative: Weed, Sherman

**BSEED DENIAL UPHELD, USE DENIED**

11:15 a.m. **CASE NO.:** 49-21 aka SLU2021-00054  
**APPLICANT:** Michael Beydoun  
**LOCATION:** 15510 & 15514 W. Warren between Greenfield and Winthrop in a B4 Zone (General Business District)-City Council District #2  
**LEGAL DESCRIPTION OF PROPERTY:** N WARREN 27 W 10.09 FT 26 WEST WARREN AVE EST SUB L43 P65 PLATS, W C R 22/245 30.09 X 100

**PROPOSAL:** Michael Beydoun appeals the decision of the Buildings Safety and Engineering and Environmental Department (PIN: 22000923 & 22000924) which DENIED the modification of your Marijuana Retail/Provisioning Center Facility (MRPCF) in a B4 Zone General Business 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; After reviewing the plans it was determined the facility is located in a Traditional Main Street Overlay Area. West Warren and other streets were added as TMSO areas in October 2020. Per section 50-3-535(b)(2) marijuana facilities are not permitted in these areas). (Sections 50-4-101 Jurisdiction over Appeals of Administrative Decisions and 50-15-26 - Sec. 50-15-26. - Expansion or intensification of nonconforming uses and 50-15-27 Required Findings.) AP

**ACTION OF THE BOARD:** Ms. Teague made a motion to Grant expansion of non-conforming use to expand approved MRPCF. Seconded by Ms. Teague

Affirmative: Mr. Weed, Thomas, Sherman  
Ms. West, Moore, Teague

Negative:

**EXPANSION OF NONCONFORMING USE GRANTED**

**ACTION OF THE BOARD:** Ms. West made a motion to Dismiss the following cases with return of fee if requested due to sign moratorium. Seconded by Ms. Moore

Affirmative: Mr. Weed, Thomas, Sherman  
Ms. West, Moore, Teague

Negative:

**Cases recommended for dismissal:**

27-18 located at 7900 Dix – Concrete crushing  
65-19 located at 1620 Michigan – Roof Sign  
53-19 located at 5569 14<sup>th</sup> - Nonconforming Billboard  
3-20 located at 2540 Rosa Parks – Advertising Sign

**CASES DISMISSED**

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There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 12:30 P.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to be 'JWR', written in a cursive style.

JAMES W. RIBBRON  
DIRECTOR

JWR/atp