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REGULAR MEETING OF JULY 19, 2022

Pursuant to the City of Detroit Health Department Emergency Epidemic Order in Response to the COVID-19 Pandemic Per MCL 333.2453, Declaration of Continued Emergency Due to COVID-19, to Extend Remote Public Access to Open Meetings and Prohibit Gatherings at Meetings that Risk the Personal Health and Safety of Members of the Public and Public Bodies, effective from January 1, 2022 to March 31, 2022, the City of Detroit, Board of Zoning Appeals (BZA) will be:

IN-PERSON IN THE ERMA L. HENDERSON AUDITORIUM ON THE 13TH FLOOR, OF THE COLEMAN A. YOUNG MUNICIPAL CENTER, 2 WOODWARD AVE., DETROIT, MI 48226

VIRTUAL ATTENDANCE IS STRONGLY ENCOURAGED.

As pursuant to public health guidelines, the meeting room will be subject to space limitations, and there are NO additional opportunities for public viewing within the building. For the safety of attendees and participants, it is recommended that the public participate by means of one of the methods listed below:

1. In person. Please be advised due to COVID restrictions the space is limited to 15 people. Petitioners will be given first preference. Once the limit is reached you will not be allowed to enter the building.
2. The Board of Zoning Appeals Hearings may be viewed in the following manner.

Join Zoom Meeting

<https://cityofdetroit.zoom.us/j/84422726457>

Meeting ID: 844 2272 6457

Dial by your location

- +1 267 831 0333 US (Philadelphia)
- +1 301 715 8592 US (Washington DC)
- +1 312 626 6799 US (Chicago)
- +1 213 338 8477 US (Los Angeles)
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)

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>

DOCKET

- I. **OPENING:**
 - A. **CALL TO ORDER.....9:00 A.M.**
 - B. **ROLL CALL**

II. **PROCEDURAL MATTERS:**

III. **MINUTES:**

- A. **APPROVAL OF MINUTES: July 12, 2022**

IV. **COMMUNICATIONS:**

V. **MISCELLANEOUS BUSINESS:**

VI. **PUBLIC HEARING**

9:15 a.m. **CASE NO.:** 14-22

BZA PETITIONER: CM Brooklyn LLC

LOCATION: 1444, 1448 Brooklyn and 1259 Labrosse between Porter and Labrosse in a R3 (Low Density Residential District)

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Amelia Patt Zamir/Method Development, LLC/CM Brooklyn request dimensional variances for accessory parking lot to service nonconforming business located at 1441 Brooklyn which was approved under BZA Case No. 34-20 in a R3 Zone (Low-Density Residential District). This case is appealed because 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. Deficient parking, deficient 20 foot wide front landscaped setback (Sections 50-4-131 (1&6)- Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

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

JUNE 19, 2022
DOCKET CONTINUED

9:45 a.m. CASE NO.: 27-22 aka BLD2022-000906

BZA PETITIONER: Daniel Piepszowski

LOCATION: 14565 Harbor Island between Phillip and Manistique in a R1 Single-Family Residential District

LEGAL DESCRIPTION OF PROPERTY: N HARBOR ISLAND 151 MOTOR BOAT SUB L28 P31 PLATS, W C R 21/298 30 X 125

PROPOSAL: Daniel Piepszowski request dimensional variances for the expansion of single-family dwelling BY-RIGHT in Building, Safety, Engineering & Environmental Development in (Case: BLD2022-000906) in a R1 Single-Family Residential District. 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; deficient side setback for the proposed expansion of an existing single family dwelling: 4 ft minimum each side, 14 ft combined required; 1 ft side (aligned with existing side) & 6 ft 7 inches side, 7 ft 7 inches combined proposed). The scope of the expansion includes contiguous parcel 14575 Harbor Island, which will be combined with 14565 Harbor Island via Assessor's office. (Sections 50-4-131(6) - Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

10:15 a.m. CASE NO.: 18-22 aka BSEED SLU2021-00167

BZA PETITIONER: Jonathan Farley

LOCATION: 13550 Fullerton between Plainview and Evergreen in a M3 General Industrial District.

LEGAL DESCRIPTION OF PROPERTY: N FULLERTON ALL THAT PT OF N W 1/4 SEC 29 T 1 S R 11 E DESC AS FOLS BEG AT INT SEC OF N LINE FULLERTON 66 FT WD & E LINE SCHAEFER 66 FT WD TH ALG SD E LINE SCHAEFER N 1D O2M W 200 FT TH N 88D 52M E 164.50 FT TH S 1D 02M E 87.15 FT TH ON A CUR RAD 409 FT TO THE L 150.30 FT TO N LINE FULLERTON TH ALG SD LINE S 88D 52M W 262.71 FT TO P O B 22/--- 37,753 SQ FT

PROPOSAL: Jonathan Farley appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED SLU2021-00167 Decision Date: March 3, 2022, Effective Date: March 17, 2022) which DENIED the establishment of establish a Towing Service Storage Yard on a vacant 37,753 square foot site in a M3 General 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; After careful consideration, we were unable to make the required findings of fact as required by Section 50-3-281, specifically: A) The site plan provide is inaccurate. The site plan indicates the depth of the west property line along Schaefer is 230 feet, however the correct depth is 200 feet. B) The establishment of the conditional use will impede the normal and orderly development and improvement of surrounding property for uses permitted in the district. The applicant has not provided the permitted right-of-way screening and proposed wrought iron fencing to screening the vehicles. C) The applicant has otherwise failed to meet its burden and satisfy other general approval criteria outlined in Section 50-3-281 of the 2019 Detroit City Code. More specifically, the applicant has not provided evidence which demonstrates a. The conditional use sought will not substantially diminish or impair property values within the neighborhood. b. The conditional use sought will be compatible with the capacities of public services and public facilities that are affected by the proposed use. c. Adequate utilities, access roads, drainage, and other necessary facilities have been or will be provided. d. The conditional use sought will be compatible with land uses on adjacent and nearby zoning lots in terms of location, size, and character. e. The conditional use sought is so designed, located, planned, and will be operated so that the public health, safety, and welfare will be protected.(Sections50-4-101 Jurisdiction Over Appeals of Administrative Decisions and 50-3-171 thru 50-3-281- General Approval Criteria.)AP

