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REGULAR MEETING OF JUNE 21, 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: June 14, 2022**

IV. **COMMUNICATIONS:**

V. **MISCELLANEOUS BUSINESS:**

VI. **PUBLIC HEARING**

9:15 a.m. **CASE NO.:** 51-21
APPLICANT: Enayath Hossain
LOCATION: 12296 Gallagher between Halleck and Carpenter in a R2 Zone (Two-Family Residential District)- City Council District #3
LEGAL DESCRIPTION OF PROPERTY: E GALLAGHER 415 SCHELLBERG & BARNES SUB L17 P1 PLATS, W C R 9/132 30 X 100

PROPOSAL: Enayath Hossain is requesting variances to construct a 543 square foot addition to an existing 1,000 square foot single-family home. The subject site is located within an R2 Zone (Two-Family 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. Single-family dwellings and religious residential facilities the combined area occupied by all buildings used as, or accessory to, single-family dwellings or religious residential facilities, shall not exceed 35 % of the area of the zoning lot. Per the site plan, the combined square footage of the existing house, the existing garage and the proposed addition are 1,903 total square feet. The zoning lot is 3,000 square feet. The lot coverage is 63% and excessive 28%. The petitioner will need to request a dimensional variance from the Board in order to come into compliance. (Sections 50-4-131 (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.

**JUNE 21, 2022
DOCKET CONTINUED**

9:45 a.m. CASE NO.: 64-21
APPLICANT: Andrew Covell
LOCATION: 1705 & 1709 Baldwin St between Kercheval Ave. and St. Paul in R2 Zone (Two-Family Residential District). - City Council District #5
LEGAL DESCRIPTION OF PROPERTY: W BALDWIN 382 MOSES W FIELDS SUB L8 P37 PLATS, W C R 17/40 30 X 99.50 COMBINED ON 12/08/2021 WITH 17011730. INTO 17011729-30
PROPOSAL: Andrew Covell is requesting dimensional variances for an existing carport built on a corner lot that is not 10 ft. from the property line. Surrounding uses include vacant land zoned R2 to the north. Accessory parking zoned R2 for St. Charles church to the west, across the alley. To the east single-family structures and vacant lots zoned R2. To the south, St. Charles Church is zoned R5. The subject site is within an R2 Zone (Two-Family 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. Corner-lot regulations in residential districts where an accessory building is located on a corner lot, said building shall be set back not less than ten feet from the side lot line abutting the street. Per the site plan, the carport is 5' from St. Paul St., which is 5' deficient. In order to come into compliance, the petitioner would need to request a dimensional variance from the Board. (Sections 50-4-131(6) - Permitted dimensional variances and 50-4-121 Approval Criteria).AP

10:15 a.m. CASE NO.: 76-21
APPLICANT: Michael Beydoun
LOCATION: 2600 E. Jefferson Ave. between Chene and Jos Campau in SD4 Zone (Riverfront Mixed Use District)– City Council District #5
LEGAL DESCRIPTION OF PROPERTY: S JEFFERSON N 135 FT A FRASERS SEC OF CHENE FARM L1 P229 PLATS, W C R 11/7 148 X 135
PROPOSAL: Michael Beydoun representing Dannaoui Enterprise, LLC is requesting to expand and existing nonconforming gas station within an SD4 (Riverfront Mixed Use) zoning district. The subject site is within the East Riverfront project area. The current legal use is a nonconforming gas station in a SD4 Zone (Riverfront Mixed Use District). This case is appealed because a public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion or intensification of a nonconforming use, subject to Section 50-15-27 of this Code. Expansion of a nonconforming, any increase in the gross floor area of a building that houses a nonconforming use shall be deemed an expansion of the nonconforming use; Only the Board may grant an expansion of a nonconforming use. In order to come into compliance, the petitioner must attend a public hearing, meet all the required findings in 50-15-27 and obtain approval from the Board of Zoning Appeals. (Sections 50-15-7 - Board of Zoning Appeals, 50-15-26. - Expansion or intensification of nonconforming uses and 50-15-27. - Required findings).AP

10:45 p.m. **CASE NO.:** 94-19 (aka BSEED 147-17)
APPLICANT: Kazem Jawad
LOCATION: 13777 Plymouth between Freeland and Schaefer in (M4 Intensive Industrial District)- City Council District #7
LEGAL DESCRIPTION OF PROPERTY: S PLYMOUTH E 90 FT OF W 406 FT A EXCEPT N 33 FT E 340 FT OF W 406 FT BC&D LYG N WLY OF PENN R R LOUD SPUR R/W PLAT OF THE ESTATE OF JOHN KEAL L543 P404 DEEDS, W C R 22/586 78322 SQ FT
PROPOSAL: Kazem Jawad appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED 147-17 effective date August 8, 2019) which DENIED a (re-submission) to add a Junkyard with dismantling to an existing used auto parts facility and used motor vehicle sales lot on a combined 2.39-acre site in a M4 Zone (Intensive Industrial District). This case is appealed because 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. Also, the establishment, maintenance, location and operation of the proposed Conditional Use will be detrimental, the current use of used auto parts sales does not have a certificate of compliance, business license nor legal building permits and the establishment of the conditional use will impede the normal and orderly development and improvement of the surrounding properties. (Sections 50-12-341 - Junkyards Setbacks 50-4-132 - Other variances and 50-2-231 Approve Criteria –Conditional Land Use).AP

- VII. **Public Comment / New Business**
Next Hearing Date: June 28, 2022
- VIII. **ADVISEMENTS / OLD BUSINESS**
- IX. **MEETING ADJOURNED**