

BOARD MEMBERS

Robert E. Thomas
Chairperson
Council District At Large

Robert Roberts
Vice Chairperson
Council District 6

Scott Boman
Council District At Large

Robert G. Weed
Council District 1

Kimberly Hill Knott
Council District 2

Elois Moore
Council District 3

Jerry Watson
Council District 4

Byron Osbern
Council District 5



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JAMES W. RIBBRON
Director

BOARD OF ZONING
APPEALS STAFF:

THOMINA DAVIDSON
EXECUTIVE ADMINISTRATIVE
ASSISTANT

APRIL PUROFOY
ZONING INSPECTOR

REGULAR MEETING OF
FEBRUARY 17, 2025

***Corrected Copy**

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Monday February 17, 2025 by way of Zoom and in person.

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

Board Member 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) Anthony Sherman, Board Member
- (3) Robert G. Weed, Board Member
- (4) Scotty Boman, Board Member
- (5) Robert Roberts, Board Member
- (6) Kimberly Hill Knott, Board Member
- (7) Elois Moore, Board Member
- (8) Jerry Watson, Board Member
- (9) Byron Osbern, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Moore made a motion to approve the minutes for January 27, 2025 with any corrections.

Affirmative: Mr. Weed, Watson, Roberts, Thomas, Osbern
Mrs. Moore, Hill-Knott
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.

9:30 A.M.

CASE NO: 67-24 - Council District #4

BZA PETITIONER: EDGEWOOD ELECTRIC/EASTSIDE YOUTH SPORTS FOUNDATION

LOCATION: 4831 Canyon, between E. Warren and Mack in a R5 Medium Density Residential District

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Edgewood Electric request permission to expand existing nonconforming use by upgrading electrical equipment located on the south elevation of the building. 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. An expansion includes any change to the site plan of a nonconforming use involving a structure. (Sections 50-15-7 - Board of Zoning Appeals, 50-15-26 - Expansion or intensification of nonconforming uses and 50-15-27. - Required findings.) AP

ACTION OF THE BOARD: Mr. Roberts made a motion To Grant Expansion of existing nonconforming use by upgrading electrical equipment located on the south elevation of the building. Supported by Board Member Sherman

Affirmative: Mr. Roberts, Weed, Thomas, Roberts, Boman, Osbern, Watson
Mrs. Hill-Knott, Moore

Negative:

Mr. Sherman was not present for the vote

EXPANSION OF NONCONFORMING USE GRANTED

9:45 A.M. CASE NO: BSEED SLU2024-00043 ADJOURNED FROM DECEMBER 16, 2024 – Council District #3

BZA PETITIONER: NORTOWN COMMUNITY DEVELOPMENT CORP.

BSEED PETITIONER: 7103 E. DAVISON, JAMES HARPER

LOCATION: 7103 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

ACTION OF THE BOARD: Mr. Boman made a motion that Nortown CDC has met the standard for an aggrieved person. Seconded by Board Member Hill-Knott

Affirmative: Mr. Weed, Watson
Mrs. Hill-Knott, Moore

Negative: Mr. Roberts, Thomas, Sherman, Boman

Mr. Osbern was not present for the vote

MOTION FAILS DUE TO VOTE COUNT. STANDING STANDARD NOT MET. BSEED DECISION UPHELD.

Director Ribbon informed the Board that after much attempt to schedule Case No. 1-24 the petitioner has not responded therefore request the Board Dismiss the Case without return of fee.

ACTION OF THE BOARD: Mr. Watson made a motion to Dismiss case for lack of progress from petitioner. Seconded by Board Member Osbern

Affirmative: Mr. Roberts, Thomas, Weed, Osbern, Watson
Mrs. Moore, Hill-Knott

Negative:

CASE DISMISSED WITHOUT RETURN OF FEE

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE

There being no further business to be transacted, Board Member Watson motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 1:27 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp