



City of Hamtramck - Zoning Board of Appeals
City Hall Council Chambers
3401 Evaline St., Second Floor
Hamtramck, MI 48212
313-800-5233 ext. 818

MINUTES

REGULAR MEETING OF THE HAMTRAMCK ZONING BOARD OF APPEALS

TUESDAY, MARCH 19, 2024

6:00 P.M.

1. **Call to Order – 6:06PM**

2. **Pledge of Allegiance**

3. **Roll Call:**

Present: Moammer Alghazali, Hemyar Aljamali, Asim Alshahri, Malek Hussein, Khalid Qsaimi, Gias Talukder.

Absent: Abdullatif Dagenah (Abstained), Tom Habitz (Absent, excused).

4. **Approval of Minutes:**

A. December 19, 2023.

Motion by Hemyar Aljamali to approve minutes. Seconded by Asim Alshahri. Motion passed unopposed.

5. **Public Comment (3 Minutes per Person)**

6. **Public Hearings**

A. 12045 Joseph Campau – Expansion of non-conforming use and structure.

The subject of the hearing is to consider an expansion of a non-conforming use according to Zoning Ordinance section 155.096, the applicant, Abdullatif Dagenah, requests the Board's permission to expand a nonconforming use (automotive service station) in the Central Business District (CBD). Subject to ordinance sections 155.066, the applicant also requests variances from five CBD structure and site requirements, namely from the requirements of items (F.1.) to construct a new building greater than one foot from the front lot line; (F.2.) to construct a building that does not have a pedestrian entrance on the front lot line where not less than one such entrance is required; (F.6.k.) to construct a building with metal overhead doors facing a public street, (F.9.) to construct parking in an area in front of the main building where it is only permitted a maximum of 30 feet off the rear lot line and behind the main building; and (F.10.) to expand an existing curb cut and create a new curb cut where no new driveways, service drives, or curb cuts are permitted off public roads.

Gage Belko (McKenna) presented a report covering each variance request to the board on behalf of the city.

Members asked follow-up questions regarding the potential public health, safety, and welfare of the surrounding community, if the non-conforming use were to be expanded. Concerns were raised about the potential noise caused by an automotive service station facing residential lots along the alleyway, if the new structure were located along the front lot line with service work located along the back lot line.

A project manager presented on behalf of the applicant their justification for why the “use” was the hardship facing the project due to the zoning ordinance. The applicant proposed changing the fenestration of the overhead doors facing Joseph Campau to a minimum of 80% transparency. The percentage of the current lot being utilized for retail and automotive repair would remain the same over the new project site. Difficulty retrofitting the

existing buildings to be utilized as a convenience store and automotive repair due to numerous previous renovations was presented as their practicable difficulty for requiring dimensional variances.

Board members stated the buildings proposed to be demolished had little historical relevance to the current community.

During the public comment portion of the hearing three members of the public spoke in support of the project. Residents expressed interest in the project due to their preference for a larger convenience store being located within walking distance. Additional gas pumps would alleviate traffic congestion on Botsford St. and Joeph Campau, because of cars lining up into these roadways during busy hours of operation due to their only being a single gas pump currently at this location.

Record of Vote

1. Expansion of a nonconforming use (automotive service station) in the Central Business District **§155.096**:
 - Motion by Asim Alshahri to approve requested variance. Seconded by Hemyar Aljamali. Motion passed unopposed.
2. Variance to construct a new building greater than one foot from the front lot line **§155.066(F)(1)**:
 - Motion by Hemyar Aljamali to approve requested variance. Seconded by Gias Talukder. Motion passed unopposed.
3. Variance to construct a building that does not have a pedestrian entrance on the front lot line where not less than one such entrance is required **§155.066(F)(2)**:
 - Motion by Asim Alshahri to approve requested variance. Seconded by Hemyar Aljamali. Motion passed unopposed.
4. Variance to construct a building with metal overhead doors facing a public street **§155.066(F)(6)(k)**:
 - Motion by Malek Hussein to approve requested variance with the condition these doors have 80% light transparency. Seconded by Hemyar Aljamali. Motion passed unopposed.
5. Variance to construct parking in an area in front of the main building where it is only permitted a maximum of 30 feet off the rear lot line and behind the main building **§155.066(F)(9)**:
 - Motion by Hemyar Aljamali to approve requested variance. Seconded by Khalid Qsaimi. Motion passed unopposed.
6. Variance to expand an existing curb cut and create a new curb cut where no new driveways, service drives, or curb cuts are permitted off public roads **§155.066(F)(10)**:
 - Motion by Malek Hussein to approve requested variance. Seconded by Moammer Alghazali. Motion passed unopposed.

7. **Old Business:**

8. **New Business:**

- A. Michigan Association of Planning (MAP) online workshop *planning and zoning* essentials March 26th or March 27th.

9. **Board member Announcements**

10. **Staff Announcements**

11. **Public Comment** (3 minutes per person)

12. Adjournment

PLEASE NOTE: This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act), MCLA 41.71 a (2)(3) and the Americans with Disabilities Act (ADA). City of Hamtramck will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the Meeting to individuals with disabilities at the Meeting or Public Hearing upon 10-day notice to the City Clerk's Office. Individuals with disabilities requiring auxiliary aids or services should contact the Hamtramck City Clerk by writing or calling the Clerk's Office at (313) 800-5233 x821.