



City of Hamtramck Zoning Board of Appeals Special Meeting

Department of Community and Economic Development

August 2, 2021

6:00 P.M.

Zoom/Facebook Live

313.800.5233

Agenda

1. **Call to Order-** the meeting was called to order at 6:03pm
2. **Pledge of Allegiance-** all stood for the pledge of allegiance
3. **Roll Call-** Present: Tom Habitz, Malek Hussein, Hamilton Jordan, Adam Alharbi, Eric Anderson, Mark Hausner. Staff: Mara Braciszewski, Grace Stamper, Harry Kalogerakos, city attorney. Absent: Nasr Hussain.
4. **Public Comment**
 - Abby- only men spoke at the last meeting. She's upset race was brought up because that's not the issue. The neighbors want respects in regards to parking because their spots are being taken. The parking lot should be used.
 - Mark Koroi- He's shocked at the media coverage of how this has gotten to this point. This needs to be resolved on facts alone and it's been clouded by the election.
 - Bill Meyer- white folks have written all the laws of this city. He supports Tiara and her store and also supports people of color fighting injustice. He wants diversity in city hall. Calling these 3 Muslim ZBA members racist isn't the right thing. The process was the problem because you can't open without a license. He's for justice and peace.
 - Mayor Majewski- she wasn't part of the decision and isn't informed about the process of businesses opening because it's not her role. She supports this and other small businesses in neighborhoods. She's here to observe.
5. **New Business**

Property located at 2456 Florian: Reconsideration of the ZBA's action on July 14, 2021 of the request for a use variance for a spa in the residential district per the following sections of the Hamtramck Zoning Ordinance:

 - V-1.02 Permitted Uses in Residential Zones
 - III-5.06.11 Modification and Variance of Ordinance Requirements
 - Alharbi wants to know if we can reschedule. This can wait. His decision wasn't based on race.
 - Habitz says it's a good practice to reconsider on a timely basis.

- Hussein wants to clear up that he didn't call the meeting. Habitz says he, as the chair, did.
- Hussein asks if it can be moved to the next meeting.
- Kalogerakos says no action can be made unless there's a motion before the board..
- **Alharbi moves to reconsider the previous decision on the use variance for 2456 Florian. Hausner seconds. A roll call vote is taken. The motion passes: Yes: six votes; No: zero votes; Absent: one..**
- Kalogerakos says the motion to reconsider cancelled out the decision from last meeting. It's as if we are looking at the request for the first time.
- Anderson says the definition of a hardship is challenging. The built environment of the city should dictate expectations and it's clearly a commercial building. The hardship is clear in that a reasonable use isn't allowed to operate.
- Hussein wants to hear the hardship. What Anderson spoke of isn't a hardship. She brought it upon herself by opening without permission. Will the upstairs be used as part of the business?
- Habitz says the issue is that the zoning doesn't match up well with this part of the city. It aligns with the master plan. There's no opportunity to rezone.
- To answer Hussein's question, the applicant, Tiara Boyd, says she only has access to the bottom floor of the building.
- Hausner asks about parking.
- The applicant says the business is on the corner so parking isn't a problem. It's appointment only and there's access to Florian dental parking with side street parking available. There's plenty of parking in front of her building. Only 3-4 people at a time.
- Habitz asks if the business provides parking restrictions. Applicant says she directs to the side or back if there's none in front.
- Habitz asks if the applicant can try to direct customers to offstreet parking first and she says people try to park close to the door.
- Alharbi asks if she can limit parking to the front of her building and applicant says yes.
- Alharbi asks about whether the board can put a condition of limiting parking to the front and side of building. Habitz says we can but conditions need to be clear and maybe the solution is to tell customers when they make an appointment that preferred parking is offstreet.
- Alharbi wants to limit where parking is.

- Applicant says she didn't complain when spots in front of her business were taken. Parking isn't an issue.
- **Alharbi motions to approve the use variance request for a salon/spa use for 2456 Florian with the condition to have the business owner try to limit parking to the front and side of the building and offstreet parking. Hussein seconds. A roll call vote is taken The motion passes: Yes: six votes; No: zero votes; Absent: one. .**

6. **Commission Announcements-** none

7. **Staff Announcements-** next meeting is September.

8. **Adjournment-**meeting adjourns at 7:09pm.

9. 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.