



Andy Schor
Mayor

LANSING BOARD OF ZONING APPEALS
Regular Meeting
Thursday, June 11, 2026, 6:30 PM
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI 48906

AGENDA

I. ROLL CALL

II. APPROVAL OF AGENDA

III. PUBLIC COMMENT

IV. PUBLIC HEARING/ACTION

A. BZA-4102.26, 801 S. Holmes Street

Public Hearing – To receive public comment on a request for a variance to permit a “place of assembly” at 801 S. Holmes Street which does not have frontage on an arterial, suburban or activity corridor as required by Section 1243.03 of the City of Lansing Zoning Ordinance.

Motion – In consideration of a request for a variance to permit a “place of assembly” at 801 S. Holmes Street which does not have frontage on an arterial, suburban or activity corridor as required by Section 1243.03 of the City of Lansing Zoning Ordinance.

V. OLD BUSINESS

VII. NEW BUSINESS

VI. APPROVAL OF MINUTES

A. Regular Meeting, May 14, 2026

VIII. PUBLIC COMMENT

IX. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS, PLEASE GIVE 24 HOURS NOTICE PRIOR TO THE MEETING BY CALLING SUSAN STACHOWIAK IN THE PLANNING OFFICE AT 517-483-4085 OR BY DIALING (TTY 711).

GENERAL INFORMATION

APPLICANT: Displaced Manor, LLC
801 S. Holmes Street
Lansing, MI 48912

OWNER: Alexandra Saenz
2002 E. Kalamazoo Street
Lansing, MI 48912

REQUESTED ACTION: Variance to the road classification requirement to permit an assembly use (live music venue) at 801 S. Holmes Street

LAND USE: Vacant building (former union hall)

EXISTING ZONING: "MX-1" Mixed-Use Neighborhood Center

SIZE & SHAPE: .384 acres
Irregularly shaped corner lot

SURROUNDING LAND USE: N: I-496, Single Family Residential
S: Single Family Residential
E: Convenience Street, Single Family Residential
W: Single Family Residential

SURROUNDING ZONING: N: "R-2" Residential
S: "MX-1" Mixed-Use Neighborhood Center & "R-2" Residential
E: "R-2" Residential
W: "R-2" Residential

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject property for medium-low density residential use. S. Holmes Street and E. Malcom X Street are designated as local roads.

REQUEST

This is a request for a variance to permit use of the 1,519 square foot, single story building at 801 S. Holmes Street for live music venue, which is considered a "place of assembly" by Zoning Ordinance definition. The subject property is zoned "MX-1 Mixed-Use Neighborhood Center, which district permits places of assembly with the condition that the site has at least one property line abutting an arterial, suburban, or activity corridor (Zoning Ordinance, Section 1243.03). The subject property abuts two local roads (S. Holmes Street and E. Malcolm X Street).

Required	Proposed	Variance
Property line abutting an arterial, suburban or activity corridor to permit an assembly use	Property lines abutting local road	To permit an assembly use on a site abutting local roads

The application states:

Proposed use(s): “Community center, retail and all-ages music venue. We plan on hosting events for fundraisers for the disadvantaged. A sober place for the area.”

“I had already purchased this property in July of 2025. I had already \$20K plus into remodel and update. I have an online following and past clients of +/- 5,000 people awaiting my opening. It was all of my savings and resources getting this far”.

“The area has been an illegal dumping ground for years. Occupying it would clean up the area and bring tourism. The building’s capacity is only 99. We were Best Music Venue in 2023 by City Pulse. This was home based until 2024 so I can relate with the neighborhood and accommodate. Not an alcohol establishment. Hours of operation 5-10 p.m. 3-5 nights per week.”

PRACTICAL DIFFICULTY/UNNECESSARY HARDSHIP

Sections 1274.06 (c)(1-4) and (e)(1)-(4) of the Zoning Ordinance set forth the criteria and standards which must be used to evaluate a variance request. In short, approval of a variance must be based upon a determination by the Board that the request satisfied one of the following:

1. *There is a unique feature of the property, such as irregular size, shape or uneven topography, that either prevents compliance with the ordinance or makes it unreasonably difficult.*

This standard applies to dimensional variances such as setbacks, building height, or lot coverage. The variance in this case involves waiving the required road classification condition to permit an assembly use on the subject property. A unique physical feature of the site such as shape, size or topography would not be applicable in this instance.

2. *Denial of the variance would cause an unnecessary hardship on the applicant since the result of the variance will not be contrary to the intent and purpose of the ordinance, will not set a negative precedent for future requests to vary the ordinance standard and will have no negative impacts on surrounding properties.*

Places of assembly are permitted in all commercial zoning districts with the condition that the site has at least one property line abutting an arterial, suburban, or activity corridor. The intent of this requirement is to concentrate these types of uses in areas that are predominantly commercial and accessed via roadways designed to carry the highest volumes of traffic as opposed to permitting them in

residential neighborhoods where they can generate noise and add traffic to roadways that are primarily intended to serve area residents. A variance to permit a place of assembly and a live music venue, in particular in an area that is almost exclusively residential and is accessed via two local roads, would be completely contrary to the intent and purpose of the ordinance and thus, it cannot be determined that denial of the variance would cause an unnecessary hardship on the applicant.

There are several low-impact commercial businesses that could be established in the building (office, retail, and personal service such as salons, barber shops and tattoo parlors) that would allow for reasonable use thereof. These types of uses are typically confined to normal business hours and do not generate noise, high volumes of traffic, and a level of activity that could negatively impact the peace and repose of the surrounding residential neighborhood. Live music venues, by contrast, generally operate late into the evenings and have the propensity to draw a significant amount of traffic and a level of activity that creates noise caused by vehicles, music and people congregating outside before, during and after the events.

IMPACT STANDARDS

There are four standards listed in Section 1274.06 (e) of the Zoning Ordinance that must be satisfied in order to grant the requested variances. These standards and the manner in which they relate to the request are as follows

1. **The use will be in harmony with the appropriate and orderly development of the surrounding neighborhood.**

Live music venues/assembly uses have a strong propensity to negatively impact residential areas which is why the ordinance requires them to be located along major commercial corridors. There have been instances where places of assembly/event spaces/live music venues have become established in or near residential neighborhood without the necessary permissions from the City and created major disruptions while the City went through the process to have them closed. With the exception of the convenience store to the south, the neighborhood surrounding the subject property is exclusively single family residential. In fact, there is a single-family residential home that directly adjoins the subject property to the east that would be particularly impacted by the proposed use since the parking lot is located less than 10 feet from the side wall of the house. Approval of a variance to allow for a use that is contrary to the intent of the ordinance would set a negative precedent for future requests to vary the locational restrictions for places of assembly, thus leaving residential areas susceptible to the negative impacts that they can create.

2. **The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved.**

The proposed live music venue could generate excessive traffic, both vehicular and pedestrian during late evening hours in an area that, with the exception of the convenience store to the south, is exclusively residential. Such traffic could be very disruptive to the

residents of the area through noise caused by people congregating, walking to and from their vehicles, closing doors and from vehicles being turned on and off during times when residential areas are generally quiet and experiencing very little activity.

With regard to parking, the application states that the occupancy of the building is limited to 99 persons as that appears to be the occupancy limit that was set by the Fire Marshal when it was being used as a labor union hall. Under the current ordinance, the occupancy of the building will be limited by the number of on-site parking spaces and by the limit determined by the Fire Marshal. The zoning ordinance requires 1 parking space for each 3 seats in the building. It is difficult to determine how many parking spaces are located on the site since the lot is not striped, but it appears from an aerial view that it can accommodate approximately 20 parking spaces in accordance with dimensional requirements set forth in the zoning ordinance. This would limit the occupancy of the building to approximately 60 persons or the limit established by the Fire Marshal, whichever is less.

3. **The use will be designed to eliminate a possible nuisance emanating there from.**

Assembly uses can become a significant nuisance to the residents of the surrounding area by creating noise from music, excessive traffic/on-street parking and people congregating on and around the property, particularly late in the evenings.

4. **The use will not interfere with or discourage the appropriate development and use of adjacent land and structures or unreasonably affect their value.**

See response to the first criterion in this section of the report.

FINDINGS

This is a request for a variance to permit a live music venue, which is considered a “place of assembly” by Zoning Ordinance definition, at 801 S. Holmes Street. The subject property is zoned “MX-1 Mixed-Use Neighborhood Center, which district permits places of assembly with the condition that the site has at least one property line abutting an arterial, suburban, or activity corridor (Zoning Ordinance, Section 1243.03). The subject property abuts S. Holmes Street and E. Malcolm X Street, both of which are classified as local roads.

The available information supports a finding that the requested variance does not comply with the applicable practical difficulty/unnecessary hardship and impact evaluation criteria listed in Sections 1274.06 (c) and 1274.06 (e) of the Zoning Ordinance. More specifically, there is nothing unique about the subject property that would deny the applicant reasonable use thereof. In addition, the proposed use of the property for a live music venue/assembly use could generate a level of noise and traffic that has a strong propensity to negatively impact the peace and repose of the surrounding residential neighborhood.

RECOMMENDATION

Based on the information and findings described in this report, the staff recommendation is to deny the variance to Section 1243.03 of the City of Lansing Zoning Ordinance to permit an assembly use at 801 S. Holmes Street, which does not have at least one property line abutting an arterial, suburban or activity corridor as required to establish an assembly use in the "MX-1" zoning district.

Please note that the motion must be made in the affirmative (to approve the variance) regardless of whether it is the intent of the board member making or supporting the motion to vote in favor of the variance.

Respectfully Submitted,

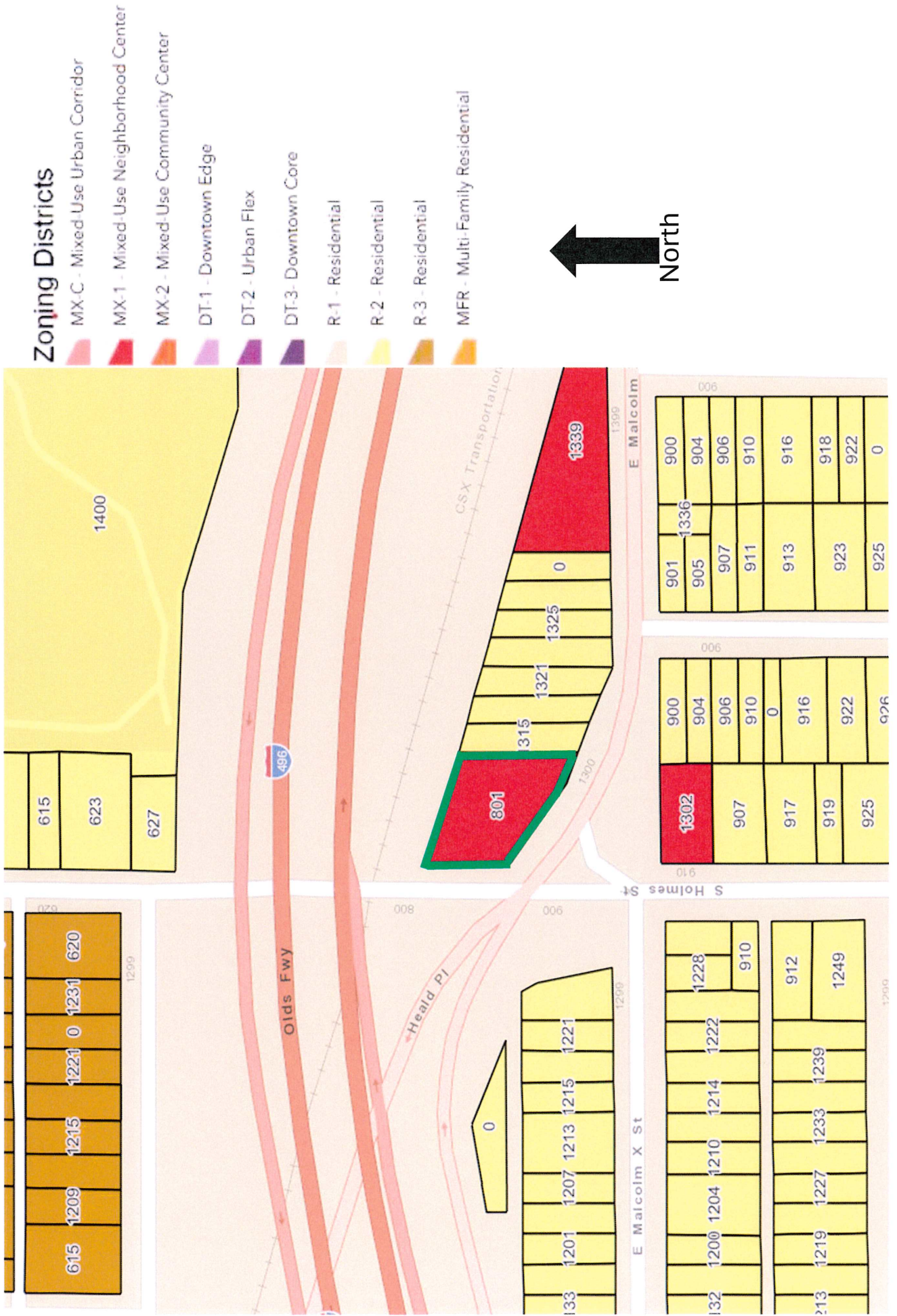
Susan Stachowiak
Zoning Administrator







Zoning Map



**MINUTES OF REGULAR MEETING
BOARD OF ZONING APPEALS
Thursday, May 14, 2026, 6:30 P.M.
600 W. Maple Street, Lansing MI**

DRAFT

I. ROLL CALL

The meeting was called to order by Mr. Rice at 6:30 p.m.

- Present:** K. Berryman, M. Jackson, H. Lowry, M. Rice, S. Robertson
- Absent:** M. Alling, B. Fryling, C. Iannuzzi
- Staff:** A. Fedewa

A quorum of at least five members was present, allowing voting action to be taken.

II APPROVAL OF AGENDA – The agenda was approved by unanimous consent.

III. PUBLIC COMMENT – None

IV. PUBLIC HEARING/ACTION

A. BZA-4101.26, 2214 Delta River Drive

Public Hearing – To receive public comment on requests for variances to:

Section 1250.04.01 (b)(1) *Single-family residential lots shall have no more than one (1) garage or detached carport.*

Section 1250.04.01 (b)(3) *A detached garage shall be no more than 840 square feet for a parcel size of 10,801 – 21,780 square feet.*

Section 1250.04.08 (b)(3) *An ADU shall be detached in the rear yard subject to the size limitation of this chapter or be part of an accessory building (such as a converted garage or carriage house), subject to the size limitations of Maximum Square Footage of Detached Accessory Garages in Table 1250.04.01.*

Section 1254.01.17 (b)(2) *Each residentially zoned or used parcel is permitted one driveway via one curb cut.*

Mr. Fedewa presented the application for an accessory dwelling unit above a detached garage, projecting eight feet into the front yard and having a ground floor area of 1,224 square feet. The subject property 2214 Delta River Dr. was recently combined with a vacant parcel, bringing the total lot size to 20,329 square feet.

The subject property already has an attached garage with a driveway and curb-cut.

The City of Lansing approved zoning changes legalizing accessory dwelling units (ADUs) in 2025. Staff strived to craft rules that would not be overly burdensome or

limiting, but also to have rules in place so that ADUs would not become the dominant structure on a parcel or tower over adjacent neighbors.

Zoning rules permit ADUs to be part of a garage, either as a second story or as an addition, however no garage may be permitted to project into the front yard, closer to the street than the face of the primary residence. The allowable ground floor area of a garage ADU unit is dependent on the lot size and determined by Table 1250.04.01 Accessory Structure Size Maximums. For this parcel, 20,329 square feet in size, a detached garage would be limited to 840 square feet. Mr. Fedewa stated that the intent of this rule was so that any garage ADU would be limited to the same square footage of any other garage on a similarly sized parcel.

Mr. Fedewa stated that the neighborhood is characterized by moderately sized single-family homes with one detached or attached garage and one driveway. Therefore allowing a second driveway and second garage in a front yard would set a negative precedent in the neighborhood. Staff could not establish an unnecessary hardship based on a unique feature of the property. Mr. Fedewa stated that the vacant parcel that was recently combined with the primary parcel was of sufficient size and developable of a single-family residence. The applicant could build their proposed dwelling above a garage without any variances, subject to other setback and architectural standards.

Mr. Fedewa stated that because the former vacant parcel was developable, and because the subject site does not have any known unique features or practical difficulties, City staff recommends denial of each variance request.

Mr. Robertson asked for clarification about the front setback. Mr. Fedewa stated that as a principal structure, the residence should be 20 feet, or the average setback of the block. Given the angle of Delta River Drive, the proposed residence could be much closer than the house on 2214 Delta River Dr., but as an accessory dwelling unit, the garage may be in the side yard, but cannot project any closer to the street than the principal house. Mr. Fedewa clarified that a detached ADU must be in the rear yard, but a garage ADU may be in the side yard like a regular garage may be.

Mr. Robertson asked if a detached ADU in the rear yard must be accessible by a driveway. Mr. Fedewa stated that the property must provide an additional parking space for the ADU, but there is no requirement for a driveway or even a sidewalk to connect the rear yard ADU to the driveway or principal house.

Mr. Berryman asked if the combined parcel has become unusable since a garage or addition cannot project in front of the front building wall of the principal dwelling. Mr. Fedewa stated that the intent of the ordinance is so that garages, or vehicle storage, do not become the dominant architectural feature of the property. Lansing wants to maintain the established neighborhood feel of approximately 20 feet front setbacks and front porches. Garages in front yards or pejoratively termed "snout-houses" can destroy the inviting feel of a neighborhood and reserves all usable front yard space for the storage of motor vehicles. Mr. Fedewa stated that a building addition could project closer to the street, or even a garage oriented to the side (with doors facing east), as long as that front building wall had fenestration and appeared as part of a normal house.

George Berry, applicant stated that his son's family will occupy the existing house while

he and his wife planned to live in the proposed ADU. Mr. Berry stated that they plan to remove the garage door on the existing garage and enclose the space for an office or den. Therefore, they are not requesting a second garage. The proposed garage will have three bays to accommodate both families' vehicles and workshop space. Mr. Berry stated that they have used a cottage that is approximately 1,224 square feet and they believe that is a comfortable amount of space for their family. Mr. Berry stated that the 840 square feet allowed as a garage unit, or the 1000 square feet allowed as a detached ADU would not be large enough for their family or when they care for their grandchildren.

Mr. Berry stated that there is a 10-foot utility easement bordering the property which limits the placement of the proposed garage ADU completely in the side or rear yard. They would select siding materials to match the existing house to limit the aesthetic impact of the large building.

Mr. Jackson asked the applicant to clarify his statement and the packet drawings showing that the existing garage would be fully removed from use and that a variance for a second garage is not being requested. Mr. Berry confirmed they are not asking for a second garage. The existing driveway would be removed and reconfigured. Mr. Berry would like the proposed driveway for maneuverability and that they could save existing trees to help screen the garage ADU.

Mr. Jackson and Mr. Lowry stated that the rear setback of an accessory structure greater than 1000 square feet is six feet rather than 30 feet of the primary structure and asked if the proposed garage could be moved back eight feet to remove that variance request. Mr. Berry stated that because the property line is angled there is not quite enough room to not infringe on the utility easement. Mr. Berry stated that the process to vacate the 10 feet utility easement can be time-consuming and complicated with the utility companies, the City and the State.

Mr. Lowry asked if the square footage is measured as ground floor area or total floor area. Mr. Fedewa stated that the size limits are based on ground floor area. The size limits of garages and accessory structures based on lot size is based on precedent – the numbers were in the preceding zoning ordinance, however the zoning ordinance does not detail the intent or rationale for the square footage limitations.

Mr. Rice stated that he would not support a second garage or second driveway based on the established development pattern of the neighborhood.

Mr. Robertson asked if the applicant needs to request a variance for a garage ADU in a side yard. Mr. Fedewa stated that that a garage ADU may be in the side yard, but a variance to project into the front yard is still required. Mr. Fedewa explained that the intent of the zoning requirement is so that garages do not become the dominant feature of the parcel. According to the drawings the proposed garage will not be directly in front of the existing house and does not look like it will be the majority of the front building frontage.

Mr. Jackson made a motion, seconded by Mr. Lowry to approve variances to Section 1250.04.01 (b)(3) and Section 1250.04.08 (b)(3) to permit a garage and an accessory dwelling unit with a ground floor area of 1,224 square feet, and to project eight feet into the front yard, based on the following findings of fact:

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1. That the zoning ordinance does not explain the intent or reasoning of the rules determining sizes of garages.
 2. That the size limitations of Table 1250.04.01 may be too restrictive for garages with an accessory dwelling unit.
 3. A ten feet utility easement surrounding a portion of the subject parcel and the angled configuration of the subject property lines produce a limiting factor on the siting of the proposed garage ADU.

On a roll call vote the motion carried unanimously (5-0).

Mr. Lowry made a motion, seconded by Mr. Jackson, to approve a variance to Section 1250.04.01 (b)(1) to permit a second garage on a property and a variance to Section 1254.01.17 (b)(2) to permit a second driveway and curb cut on the subject property.

On a roll call vote the motion failed 1-4. Mr. Lowry, Mr. Jackson, Mr. Robertson, and Mr. Rice cast the dissenting votes.

V. **OLD BUSINESS** – None

VI. **NEW BUSINESS**

A. **Excused Absences**

Mr. Lowry made a motion, seconded by Mr. Jackson, to grant excused absences for Ms. Alling, Mr. Fryling, and Mr. Iannuzzi. On a voice vote, the motion carried 5-0.

VII. **APPROVAL OF MINUTES**

A. **Regular Meeting, February 12, 2026**

Mr. Lowry proposed a correction to the draft minutes to reflect that the motion to approve BZA-4100.26 failed unanimously. Mr. Jackson made a motion, seconded by Mr. Rice to approve the February 12, 2026, meeting minutes, as corrected. On a voice vote, the motion carried 5-0.

VIII. **PUBLIC COMMENT** - None

IX. **ADJOURNMENT AT 7:35 p.m.**

Respectfully Submitted,

Andy Fedewa, Principal Planner