

Board Members

Robert E. Thomas
Chairperson

Vivian Teague
Vice Chairperson

Robert G. Weed
Council District 1

Elois Moore
Council District 3

Jacqueline Grant
Council District 4

Emmanuel Calzada
Council District 6

Kwame Finn
Council District 7



James W. Ribbron
Director

City of Detroit
Board of Zoning Appeals
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Detroit, Michigan 48226
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MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **March 13, 2018** on the 13th Floor in the Auditorium, Coleman A. Young Municipal Building, 2 Woodward Avenue.

Vice-Chairperson of the Board Teague called the meeting to order and Director Ribbron called the meeting to order and called the roll at 9:00 a.m.

BOARD MEMBERS PRESENT:

- (1) Elois Moore, Board Member
- (2) Vivian Teague, Board Member
- (3) Robert G. Weed, Board Member
- (4) Kwame Finn, Board Member
- (5) Jacqueline Grant, Board Member
- (6) Robert E. Thomas, Board Member
- (7) Emmanuel Calzada, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Teague made a motion to approve the minutes for March 1, 2018 and with corrections

Affirmative: Mr. Weed, Thomas, Calzada
Ms. Teague, Moore, Grant
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.
- (C) A motion was made, seconded, and carried that the recorded transcript of the proceedings of the various hearings, furnished by **BZA Staff**, be made part of the **MINUTES**.

9:15 a.m. CASE NO.: 3-18

APPLICANT: STEVE ATISHA

LOCATION: 1565 E. Lafayette St. Between: Rivard St. and Orleans St. in a B3-H Zone (Shopping District-Historic) – Council District #6

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Steve Atisha request appeals the administrative decision dated January 9, 2018 for lack of signatures to ADD a Specially Designated Distributor (SDD) License (Carry-out Sale of Liquor for off-premises consumption) to an existing 17,564 square foot Retail Store with Specially Designated merchant (SDM) License (Carry-of Sale of Beer & Wine for off-premise consumption) on a 47,000 sq. ft. lot in a B4 zone (General Business District). This case is appealed because of 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 or enforcement of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, The petitioner DID NOT obtain the required amount of signatures. (Sections 61-4-71 Jurisdiction Over Appeals of Administrative Decisions and Sec. 61-3-312. Waiver of spacing requirement from land zoned residential).AP

ACTION OF THE BOARD: Mr. Weed made a motion to affirm the petitioner has exhausted all means to acquire the required signatures and can proceed to BSEED for a conditional land use hearing. Support by Board Member Teague.

Affirmative: Mr. Weed, Finn, Thomas, Calzada
Ms. Teague, Moore, Grant

Negative:

PETITIONER GAINFULLY ATTEMPTED TO ACQUIRE
REQUIRED SIGNATURES

10:15 a.m. CASE NO.: 95-17

APPLICANT: GHASSAN ADEL

LOCATION: 12845 Fenkell Ave. Between: Meyers Rd. and Steel St. in a B2 Zone (Local Business and Residential District). – Council District #2

LEGAL DESCRIPTION OF PROPERTY: S FENKELL 219 THRU 217 MEYERS GROVE SUB L50 P21 PLATS, W C R 22/145 66 X 100

PROPOSAL: Ghassan Adel Alawie requests permission to Add Major Motor Vehicle Repair to the existing Minor Auto Repair (nonconforming use), thereby intensifying a legal nonconforming use in a B2 zone (Local Business and Residential District). This case is appealed because the addition of any by-right or conditional land use to a nonconforming use upon the same zoning lot and within the same gross floor area shall be deemed an intensification of the nonconforming use; Also deficient residential screening and deficient masonry wall/fence. (Sections 61-15-16 Intensification of Nonconforming Uses, 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, 61-15-17 Required Findings and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant permission to Add Major Motor Vehicle Repair to the existing Minor Auto Repair (nonconforming use), thereby intensifying a legal nonconforming use in a B2 zone (Local Business and Residential District). Support by Board Member Calzada

Affirmative: Mr. Weed, Finn, Calzada, Thomas
Ms. Teague, Moore, Grant

Negative:

INTENSIFY NONCONFORMING USE GRANTED

11:15 a.m. CASE NO.: 96-17

APPLICANT: Revark Youssef raochi

LOCATION: 10435 Plymouth Rd. Between: Griggs Ave. and Mendota St. in a B4 Zone (General Business District) – Council District #7

LEGAL DESCRIPTION OF PROPERTY:S PLYMOUTH 946&945 B E TAYLORS SOUTHLAWN SUB NO 3 L34 P27 PLATS, W C R 18/381 80 X 100 Split on 06/13/2017 with 18006648., 18006649. into 18006646-9

PROPOSAL: Revark Youssef Raochi appeals the decision of the Buildings Safety Engineering and Environmental Department **DENYING** the site plan **TO** expand an existing Major Motor Vehicle Repair Facility on a 16,000sf ft lot in a 7,360 sq. ft. bldg., **BY** adding a Used Auto Sales use in a B4 zone (General Business 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 any denial of a site plan. (Sections 61-4-71 Jurisdiction Over Appeals of Administrative Decisions and 61-3-151 thru 61-3-167 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to **Grant site plan to add Used Auto Sales to existing major motor vehicle repair facility.** Support by Board Member Moore.

Affirmative: Mr. Weed, Calzada

Negative: Mr. Thomas, Finn
Ms. Teague, Moore, Grant

Motion didn't receive required 4 votes

Ms. Teague made a motion to **Deny site plan to add Used Auto Sales to existing major motor vehicle repair facility.** Support by Board Member Moore.

Affirmative: Mr. Thomas, Finn
Ms. Teague, Moore, Grant

Negative: Mr. Calzada, Weed

SITE PLAN DENIED

CASE NO.: 10-18

APPLICANT: Detroit Police Athletic League

LOCATION: 1620 Michigan Ave. Between: Trumbull Ave. and Cochrane St.
in a B4 Zone (General Business District) – Council District #6

LEGAL DESCRIPTION OF PROPERTY: N MICHIGAN 1 THRU 22 109 THRU 112 S 1 FT 113 AND VAC ALLEYS ADJ SD LOTS PLAT OF P C 27 L2 P5 PLATS, WCR 8/29 THAT PT LYG N & ADJ MICHIGAN AVE W & ADJ TRUMBULL AVE S & ADJ JULIANA T ABBOTTS SUB INCL VAC CHERRY ST WOODBRIDGE FARM 8/12 S 34 FT 59 60 S 83 FT OF 61 THRU 69 AND VAC ALLEY ADJ LOT 61 JULIANA T ABBOTTS SUB L5 P36 PLATS, W C R 8/30 370,344 SQ FT SPLIT ON 06/08/2017 WITH 08006416-36, 08000580-91 INTO 08000580-3, 08000584-6, 08000587-9, 08000590-1;

PROPOSAL: Detroit Police Athletic League requests permission to modify a previous BZA Grant (BZA 81-17) which granted a Roof Sign externally lit BY seeking waivers from developmental standards, use regulations and dimensional variances for two (2) proposed signs with electronic message board display. The first sign is a roof approximately XXX square feet and internally illuminated. The second sign is a wall sign internally illuminated. Per Sec. 61-6-12, Electronic Message Board signs are considered flashing signs and not permissible within this Traditional Main Street Overlay District. The existing roof sign will be converted to internally illuminated, both signs will be located on the corner of Michigan and Cochran in a B4 zone (General Business District). (Located within a Traditional Main Street Overlay Area). This case is appealed because electronic Message Boards are not allowed to cover more than 25% of the sign face area and are considered flashing signs. In the Traditional Main Street Overlay area, animated signs with flashing or moving lights are prohibited. However, the Board of Zoning Appeals may modify this developmental standard specified in this article (Article XIV of this Chapter; Traditional Main Street Overlay Area) and after a public hearing, a variance may be granted by the Board based on the approval criteria of Section 61-4-81 of this Code in this instance. Also, excessive sign height may be waived by the Board under Section 61-6-38 of this Code. (Sections 61-6-10 Electronic Message Boards, 61-6-7 Business Sign, 61-14-300(13) Illumination of Signs in TMSO area, 61-6-14 Identification Sign, 61-4-92(2) Other Variances, Variance of Development Standard, 61-6-38(a.1&2) Sign

ACTION OF THE BOARD: Mr. Calzada made a motion to **Grant waivers from developmental standards, use regulations and dimensional variances for three (3) proposed signs with electronic message board display.** Support by Board Member Teague

Affirmative: Mr. Finn, Calzada, Thomas
Ms. Teague, Moore, Grant

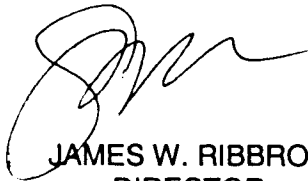
Negative: Mr. Weed

**DEVELOPOMENTAL STANDARDS AND DIMENSIONAL
VARIANCES GRANTED**

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Weed motioned that the meeting be adjourned. Board Member Calzada seconded this motion which was unanimously carried and the meeting adjourned at 12:36 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp