

## 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**  
**Coleman A. Young Municipal Center**  
**2 Woodward Avenue, Suite 212**  
**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 **June 19, 2018** on the Board of Zoning Appeals Office, Coleman A. Young Municipal Building, 2 Woodward Avenue.

Chairperson of the Board Thomas 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) Robert E. Thomas, Board Member
- (2) Vivian Teague, Board Member
- (3) Emmanuel Calzada, Board Member
- (4) Robert G. Weed, Board Member
- (5) Elois Moore, Board Member
- (6) Kwame Finn, Board Member

#### BOARD MEMBERS ABSENT:

- (1) Jacqueline Grant, Board Member

#### MINUTES:

Board Member Teague made a motion to approve the minutes for June 12, 2018 with any corrections.

Affirmative: Mr. Weed, Finn,  
Ms. Teague, Moore  
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.: 28-18

APPLICANT: GEKKO ENTERPRISES, LLC

LOCATION: 2250 W. Davison St Between: 14<sup>th</sup> St and LaSalle Blvd in a B4 Zone (General Business District) – Council District #5

LEGAL DESCRIPTION OF PROPERTY: N DAVISON 28 EXC DAVISON AS WD R OAKMANS 12TH ST SUB L34 P90 PLATS, W C R 8/145 35 X 108.27A

PROPOSAL: Gekko Enterprises request a variance to establish a Retail (Family Dollar) on a 53,129 square foot lot in an 8,372 square foot building in a B4 zone (General Business District). This case is appealed because the Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments where, after investigation by the Board, it is found that such modification is necessary to secure an appropriate development of a specific parcel of land, provided, that any such modification will not be inconsistent with other requirements and general purpose of this Zoning Ordinance; Location or Amount of Off-Street Parking. For a variance from the required location of off-street parking facilities or the amount of off-street parking facilities required, or both, where, after investigation by the Board, it is found that such modification is necessary to secure an appropriate development of a specific parcel of land, provided, that any such modification will not be inconsistent with other requirements and general purpose of this Zoning Ordinance; 73 parking spaces are required - 38 spaces are provided; 35 spaces deficient. (Sections 61-4-92(1) Permitted dimensional variances; Location or Amount of Off-Street Parking and 61-4-81 Approval Criteria). AP

ACTION OF THE BOARD: Mr. Weed made a motion to Deny dimensional variances to establish a Retail (Family Dollar) on a 53,129 square foot lot in an 8,372 square foot building in a B4 zone (General Business District). Support by Ms. Moore

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

Negative:

**DIMENSIONAL VARIANCES DENIED**

9:45 a.m. CASE NO.: 29-18

APPLICANT: KAL MANSOUR / CHURCH OF SCIENTOLOGY

LOCATION: 1 Griswold St Between: W. Jefferson and W. Larned in a PCA-H Zone (Public Center Adjacent District- Restricted Central Business District-Historic) – Council District #5

LEGAL DESCRIPTION OF PROPERTY: W GRISWOLD S 50 FT B S 50 FT A S 50 FT OF W 20 FT 5 PLAT OF SEC 2 GOVERNOR & JUDGES PLAN L34 P549 DEEDS, W C R 2/38 50 X 108

PROPOSAL: Kal Mansour/Church of Scientology requests a variance of Use Regulations to change an existing non-conforming one (1) sided sign (BLD2013-00326 #27611 April 16, 1927) for the Church of Scientology in a PCA-H zone (Public Center Adjacent District – Restricted Central Business District - Historic). This case is appealed because the Board of Zoning Appeals shall have the authority to hold hearings and render decisions with respect to nonconforming uses, buildings, and structures. A nonconforming use may be changed to another nonconforming use only where reviewed and approved by the Board of Zoning Appeals in accordance with the procedures that are specified in Sec. 61-2-46 of this Code. A business sign of any public civic, or institutional land use specified in ARTICLE XII, DIVISION 1, Subdivision C of this Chapter, other than family day care homes and group day care homes, and a business sign of any fraternal or philanthropic organization, provided, that said sign is located on the premises and limited to bearing only information related to activities conducted on the premises, persons involved, or other identification information; change the lettering of the existing non-conforming sign. (Sections 61-4-92(1) Other Variances, Variance of Use Regulation, 61-6-40(a) Institutional Bulletin, Area and Number and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant variance of Use Regulations to change an existing non-conforming one (1) sided sign (BLD2013-00326 #27611 April 16, 1927) for the Church of Scientology in a PCA-H zone (Public Center Adjacent District – Restricted Central Business District - Historic). Support by Ms. Teague

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

Negative:

CHANGE OF NONCONFORMING SIGN GRANTED

**10:15 a.m. CASE NO.:** 82-17 – Adjourned from January 30, 2018

**APPLICANT:** JIM SAAD

**LOCATION:** 2520 Michigan Ave. Between: 17<sup>th</sup> St and 18<sup>th</sup> Ave. in a B4 Zone (General Business District) – Council District #6

**LEGAL DESCRIPTION OF PROPERTY:** N MICHIGAN 347 SUB OF PT OF STANTON FARM L1 P157 PLATS, W C R 10/30 77.47 IRREG

**PROPOSAL:** Jim Saad requests a variance of Traditional Main Street Overlay (TMSO) standards for an existing Restaurant and Bar on a 5,697 square feet lot with a 1,852 square foot building in a Traditional Main Street Overlay District (TMSO) in a B4 zone (General Business District). This case is appealed because the Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments and for variance from Traditional Main Street Overlay standards, where, after investigation by the Board, it is found that such modification is necessary to secure an appropriate development of a specific parcel of land, provided, that any such modification will not be inconsistent with other requirements and general purpose of this Zoning Ordinance; and for loading and setback requirements; a variance to allow excessive height of a Greenwell and, a variance to allow a Window with no Transparency along Michigan Avenue each in a TMSO; after a public hearing, a variance may be granted by the Board of Zoning Appeals based on the approval criteria of Sec. 61-4-81 of this Code. (Sections 61-11-313. Design standards and guidelines for Traditional Main Street Overlay Areas, TMSO Building site relationship; placement and 61-4-81 Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Grant Variance of Traditional Main Street Overlay (TMSO) standards to allow the existing fence to remain at existing restaurant and Bar. Support by Mr. Calzada

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

Negative: Ms. Teague

**EXCESSIVE HEIGHT OF FENCE ALLOWED**

10:45 a.m. CASE NO.: 40-17 (aka BSEED 84-16) – Remanded back from Circuit Court

APPLICANT: JAMES TOMA

LOCATION: 15070 Schaefer Hwy. Between: Fenkell Ave and Chalfonte St in a B4 Zone (General Business District – Council District #2

LEGAL DESCRIPTION OF PROPERTY: E SCHAEFER HWY 174 THRU 168 SCHMIDT ESTATE SUB L47 P57 PLATS, W C R 22/138 140 X 100

**PROPOSAL:** James Toma requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing 7,808 square foot building which was APPROVED with conditions in (BSEED 84-16) in a B4 zone (General Business District). This case is appealed because the Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center: One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use or a Religious Institution. The proposed use is within 1,000 radial feet of two Religious Institutions: Also, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87 of this Code. (Sections 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 61-12-92 Other uses-Spacing, 61-12-87 SPC (Spacing), 61-4-92(3) Other Variances, Variance of Spacing/Locational Regulation, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Calzada made a motion to Grant Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing 7,808 square foot building which was APPROVED with conditions in (BSEED 84-16) in a B4 zone (General Business District). Support by Mr. Finn

Affirmative: Mr. Finn, Thomas, Calzada

Negative: Mr. Weed  
MS. Teague, Moore

**MOTION FAILS DUE TO VOTE COUNT, SPACING WAIVER DENIED**

**11:15 a.m. CASE NO.:** 26-18 - Adjourned from June 5, 2018

**APPLICANT:** MATRIX HUMAN SERVICES

**LOCATION:** 680 Virginia Park Between: Second Ave and Third Ave in a R3 Zone (Low Density Residential District) – Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** N VIRGINIA PK 22  
PEERLESS ADD NO 2 SUB L18 P39 PLATS, W C R  
4/79 50 X 163

**PROPOSAL:** Matrix Human Services request variances to change a Residential Shelter to a Non-Profit Neighborhood Center (By-right) on an 8,150 square foot lot in a 4.931 square foot building in a zone (Low Density Residential District). This case is appealed because the Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments where, after investigation by the Board, it is found that such modification is necessary to secure an appropriate development of a specific parcel of land, provided, that any such modification will not be inconsistent with other requirements and general purpose of this Zoning Ordinance; Location or Amount of Off-Street Parking. For a variance from the required location of off-street parking facilities or the amount of off-street parking facilities required, or both, where, after investigation by the Board, it is found that such modification is necessary to secure an appropriate development of a specific parcel of land, provided, that any such modification will not be inconsistent with other requirements and general purpose of this Zoning Ordinance; 45 parking spaces are required - 8 spaces are provided; 37 spaces deficient. (Sections 61-4-92(1) Permitted dimensional variances; Location or Amount of Off-Street Parking and 61-4-81 Approval Criteria). AP

**ACTION OF THE BOARD:** Mr. Calzada made a motion to Grant Parking Variance to allow the change of a Residential Shelter to a Non-Profit Neighborhood Center (By-right) on an 8,150 square foot lot in a 4.931 square foot building in a R3 zone (Low Density Residential District) Support by Mr. Moore

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

Negative:

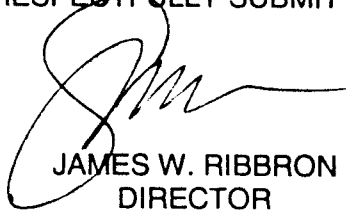
**PARKING VARIANCE GRANTED**

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.**

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There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member Calzada seconded this motion which was unanimously carried and the meeting adjourned at 2:20 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON  
DIRECTOR

JWR/atp