

Board Members



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Robert E. Thomas
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Vivian Teague
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Robert G. Weed
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Council District 3

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Council District 4

Emmanuel Calzada
Council District 6

Kwame Finn
Council District 7

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

A public hearing of the Board of Zoning Appeals was held on Tuesday May 22, 2018 on the 13th Floor in the Committee of the Whole, 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) Robert G. Weed, Board Member
- (4) Jacqueline Grant, Board Member
- (5) Elois Moore, Board Member
- (6) Kwame Finn, Board Member

BOARD MEMBERS ABSENT:

- (1) Emmanuel Calzada, Board Member

MINUTES:

Board Member Teague made a motion to approve the minutes for May 15, 2018 with any corrections.

Affirmative: Mr. Thomas, Weed, Finn
Ms. Grant, 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.: 9-18 (aka BSEED 225-16)

APPLICANT: LINORE ANN KEEZER

LOCATION: 12178 W. Grand River Ave. Between: Griggs Ave and Ilene St. in a B4 Zone (General Business District) – Council District #7

LEGAL DESCRIPTION OF PROPERTY: N GRAND RIVER 20 THRU 26 FREDERICK COON SUB L32 P3 PLATS, W C R 16/231 130 IRREG

PROPOSAL: Linore Ann Keezer requests a parking variance to establish a Major Motor Vehicle Repair Facility (Bumping and Painting) in an existing 10,996 sq. foot bldg. which was Approved in (BSEED 225-16) 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 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; thirty-six (36) off street parking spaces are required; nine (9) off street spaces are provided – 27 spaces deficient. (Sections 61-4-91(1) Permitted Dimensional Variances, Location or amount of Off-Street-Parking, 61-14-50 Off-Street Parking and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant parking waiver to establish a Major Motor Vehicle Repair Facility (Bumping and Painting) in an existing 10,996 sq. foot bldg. which was Approved in (BSEED 225-16) in a B4 zone (General Business District). Support by Ms. Grant

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

Negative:

PARKING VARIANCE GRANTED

10:15 a.m. CASE NO.: 14-18

APPLICANT: ADIL ALMALIKY

LOCATION: 8716 Michigan Ave. Between: Cabot St and Lawndale St in a B4 Zone (General Business District) – Council District #6

LEGAL DESCRIPTION OF PROPERTY: N MICHIGAN E 3 FT 11 12 THRU 15 GLENWOOD GROSFIELD & SCANLONS SUB L18 P24 PLATS W C R 20/376 92.6 X 105.58

PROPOSAL: Adil Almaliky appealing to seek relief from regulations in this zoning ordinance on the basis that the denial of the application TO establish a Retail (Abattoir Slaughter House) Use on a 9518 sq. ft. lot in a 4,434 sq. ft. bldg., has deprived the applicant of all reasonable use of his or her property in a B4 zone (General Business District). For purposes of this Zoning Ordinance, a hardship shall be defined as a denial of all reasonable economic use of the property. Upon a finding that the denial of the application has resulted in a denial of all reasonable economic use of the property, the City of Detroit may provide the petitioner with relief from applicable zoning regulations. 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 denial of a site plan by the Planning and Development Department. Also, any applicant for development may file a Hardship Relief Petition with the Buildings and Safety Engineering Department which seeks relief from any regulations in this zoning ordinance on the basis that the denial of the application has deprived the applicant of all reasonable use of his or her property and shall forward the application to the Board of Zoning Appeals. Prior to any public hearing, the Board shall review, through its staff, the submitted documents with the Law Department as to their completeness and relevance to the claim that the subject property has been subject to a denial of all reasonable economic use. Staff is reporting its findings to the Board regarding the claim that the property has been subject to a denial of all reasonable economic use; the current Retail Use (Permit#61936 August 27, 1979) is located at seeks to move to 8716 Michigan in a B4 zone – the use is not allowed in a B4 zone, also no loading zone is provided: should the Hardship be granted, a variance for the loading zone will need to be considered. (Sections 61-4-71 Appeals of Administrative Decisions, 61-4-101 Deprivation of Use of Property, 61-4-111 Review and Consultation with the Law Department, 61-14-143(c) Layout and setback – Accessibility, 61-4-124. Application of the “All Reasonable Economic Use” standard, 61-4-125. Burden of proof, 61-4-126. Findings of the Board of Zoning Appeals 61-4-127. Additional forms of relief and 61-4-81 Approval Criteria (if Hardship is approved).AP

CASE NO.: 14-18 CONTINUED

ACTION OF THE BOARD: Mr. Weed made a motion determining that a Hardship does exist at this location and by allowing the use (Abattoir Slaughter House) would allow the petitioner to maximize the use of the Building. Support by Ms. Grant

Affirmative: Mr. Finn, Weed, Thomas
Ms. Grant

Negative: Ms. Moore, Teague

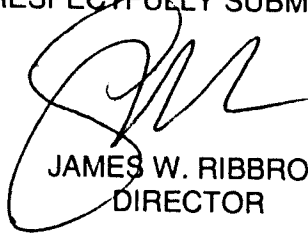
Mr. Weed also made a motion that the petitioner has testified that they would comply with the Planning and Development conditions relating to loading and the required dumpster enclosures. Support by Ms. Grant.

**P&DD CONDITIONS WILL BE IMPLEMENTED INTO THE
DECISION AND ORDER**

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member Finn seconded this motion which was unanimously carried and the meeting adjourned at 10:45 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp