

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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MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **June 5, 2018** on the 13th Floor in the Auditorium, 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
- (7) Emmanuel Calzada, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Teague made a motion to approve the minutes for June 5, 2018 with any corrections.

Affirmative: Mr. Thomas, Weed, Finn, Calzada
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.:** 21-18 (aka BSEED 64-17)

APPLICANT: Ali Nassan

LOCATION: 10200 & 10218 Rosa Parks Blvd. Between: Calvert Ave and Glynn Ct. in a B4 Zone (General Business District) – Council District #5

LEGAL DESCRIPTION OF PROPERTY: E TWELFTH N 17 FT 29 28 THRU 26 STEWART SUB L34 P55 PLATS, W C R 8/132 80 X 100 & E TWELFTH 25 THRU 20 STEWART SUB L34 P55 PLATS, W C R 8/132 126 X 100

PROPOSAL: **All Nassan** request a dimensional variance to demolish an existing 711 square foot building and construct a new 2,450 square foot building for a Motor Vehicle Filing Station with Carry-Out Restaurant approved with conditions in BSEED 64-17 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 of the minimum lot area, minimum lot width, minimum setbacks, maximum height, maximum lot coverage, recreational space ratio (RSR), maximum floor area ratio (FAR), bulk, or cubical content as specified in ARTICLE XIII of this Chapter, except for signs, antennas, and other similar structures, the dimensional variances or adjustments of which are provided for in this Chapter, provided: (a) That the open space needs of the potential occupants are adequately served; and (b) That said facility complies with all appropriate federal and state statutes, Wayne County Code of Ordinances, this Code and their accompanying regulations that control or regulate such use, including all applicable standards of this Zoning Ordinance; an eighteen (18) foot setback for the new building from Rosa parks right-of-way is shown on the site plan. Any building or structure for a motor vehicle filling station shall be set back a minimum of forty feet from all street right-of-way lines. A variance is needed for the setback from Rosa Parks. **(Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards and 61-4-81 Approval Criteria). AP**

ACTION OF THE BOARD: Mr. Weed made a motion to Grant **dimensional variances to demolish an existing 862 square foot building and construct a new 2,450 square foot building for a Motor Vehicle Filing Station with Carry-Out Restaurant** approved with conditions in BSEED 64-17 in a B4 zone (General Business District). Support by Ms. Teague

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

Negative:

DIMENSIONAL VARIANCES GRANTED

10:15 a.m. CASE NO.: 24-18
APPLICANT: JOSEPH EARLY
LOCATION: 25 PETERBORO ST Between: Woodward Ave and Cass Ave in a R6 Zone (High Density Residential District) – Council District #6
LEGAL DESCRIPTION OF PROPERTY: S PETERBORO 5 BLK 71-SCOTTS SUB L1 P249 PLATS, W C R 2/101 30 X 172.86

PROPOSAL: Joseph Early request dimensional variances to construct a Parking Lot on a 10,320 square foot vacant lot in the Peterboro-Charlotte Historic District in an R6 zone (High 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 for a variance of the minimum setbacks, for a variance of the loading space provisions of ARTICLE XIV, DIVISION 1, Subdivision D of this Chapter and for a variance of various developmental standards and use regulation requirements; the petitioner request to use a wood fence instead of the required masonry wall, 558 feet of interior landscaping is required – none is provided and side set back 10 feet required – 0 proposed 10 feet deficient. (Sections 61-4-91(6) General Dimensional Standard, 61-4-92(1&2) Other Variances, Variance of Use Regulation, Development Standard and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Adjourn this case without date and without fee for petitioner to meet with community. Support by Ms. Moore

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

Negative:

ADJOUNED WITHOUT DATE WITHOUT FEE

11:15 a.m. **CASE NO.:** 26-18
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 Adjourn case until June 19-2018 for petitioner to meet with the community. Support by Ms. Moore

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

Negative:

ADJOURNED UNTIL JUNE 19, 2018

CASE NO.: 36-17 (aka BSE&ED 111-16)
APPLICANT: Christina Carrillo
LOCATION: 15601 Mack Ave. Between: Somerset Ave. and Balfour Rd. in a
4 Zone (General Business District). – Council District #4

ACTION OF THE BOARD: Mr. Calzada made a motion to Overturn Original Denial Decision which denied the conditional land use for an MMCC and Approve the Conditional land use as ordered by Judge Murphy. Support by Ms. Finn

Affirmative: Mr. Thomas, Calzada, Finn

Negative: Mr. Weed
Ms. Moore, Teague, Grant

Brief Recess with Board Members

Mr. Calzada after further discussion with the Law Department and Board members made a motion to Overturn Original Denial Decision which denied the conditional land use for an MMCC and Approve the Conditional land use as ordered by Judge Murphy. Support by Ms. Finn

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

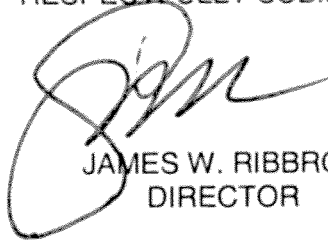
Negative: Mr. Weed
Ms. Moore

CONDITIONAL LAND USE GRANTED PER COURT ORDER

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER
NOTICE.

There being no further business to be transacted, Board Member Calzada motioned that the meeting be adjourned. Board Member Teague seconded this motion which was unanimously carried and the meeting adjourned at 12:50 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp