

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 8

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 **May 15, 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) Emmanuel Calzada, Board Member
- (6) Kwame Finn, Board Member

BOARD MEMBERS ABSENT:

- (1) Elois Moore, Board Member

MINUTES:

Board Member Grant made a motion to approve the minutes for April 24, 2018 with any corrections.

Affirmative: Mr. Thomas, Weed
Ms. Grant, Teague
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.: 01-18

APPLICANT: Invoateus Solar Mi, LLC

LOCATION: 15810 Capitol St aka O'Shea Park Between: Mansfield St and Rutherford St in a PR Zone (Park and Recreation District) – Council District #7

LEGAL DESCRIPTION OF PROPERTY: E RUTHERFORD 1 THRU 126 AND VAC STREETS & ALLEYS ADJ EXC JEFFRIES FWY AS OP SCHOOLCRAFT HTS SUB L42 P64 PLATS, W C R 22/203 ALSO THAT PT OF W 1/2 OF S E 1/4 SEC 25 T 1 S R 10 E LYG E OF ASBURY PARK BETW ALLONBY & JEFFRIES FWY 22/--- 21.18 AC

PROPOSAL: Inovateus Solar MI, LLC request a dimensional variance to establish a Solar Generation Station on a 10.2 acre portion of an existing Park (DTE O'Shea Park) approved in BSEED Case 190-16 in a PR zone (Parks and Recreation 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 and 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; Said dimensional variances may be granted on the approval criteria of Sec. 61-4-81 of this Code; condition #7 of BSEED Conditional Approval "that the fence be setback 20' ft from the property line and that setback be maintained with landscaping"; petitioner request 10' ft. setback from property line to maintain distance from solar panels within fence. (Sections 61-4-91(6 a&b) Permitted Dimensional Variances, General Dimensional Standards and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant waiver of 10 foot setback with landscaping establish a Solar Generation Station on a 10.2 acre portion of an existing Park (DTE O'Shea Park) approved in BSEED Case 190-16 in a PR zone (Parks and Recreation District).Support by Ms. Grant

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

Negative:

SETBACK VARIANCE GRANTED

LEGAL DESCRIPTION OF PROPERTY: S CHARLEVOIX 4 ARNDTS SUB L2
P21 PLATS, W C R 11/52 4 SUB OF GABRIELS CHENE
EST L2 P43 PLATS, W C R 11/48 38.5 IRREG

PROPOSAL: Donato Group, Inc. for the Chase Group, LLC request permission to change the current existing approved non-conforming site from (Lofts - 4) which was established in (BSEED Permit# 57411 issued 6-25-202) to a non-conforming (Mixed Use – Office & Residential), located on a site approximately 4446 square feet in a R3 zone (Low Density Residential District). This case is appealed because a non-conforming 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 Section 61-2-46 of this Code and the Board of Zoning Appeals may approve such change of use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use. (Sections 61-15-20 Change of Use to Other Nonconforming Use).AP

ACTION OF THE BOARD: Ms. Teague made a motion to Adjourn this case without date and without fee for the petitioner to submit a proper site plan for the Planning Department to review and submit a report. **Support by Mr. Finn**

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

Negative:

ADJOURNED WITHOUT DATE AND WITHOUT FEE

CASE NO.: 112-17

APPLICANT: Hormoz Alizadeh

LOCATION: 4829 Commonwealth St. Between: W. Warren Ave. and W. Hancock St. in a R3 Zone (Low Density Residential District) – Council District #6

LEGAL DESCRIPTION OF PROPERTY: W COMMONWEALTH S 17 FT 22 N 16 FT LOT 21 WM B WESSONS SUB L10 P56 PLATS, W C R 8/64 ALSO S 17 FT 4 N 16 FT 3 BLK 19 AVERY & MURPHYS SUB L9 P42 PLATS, W C R 8/52 33 X 130

PROPOSAL: Hormoz Alizadeh request dimensional variances to construct a Single Family, 3 story, 4 (four) bedroom 975 sq. ft. Dwelling for residential purposes on a 4290 sq. ft. lot an R3 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 for a variance of the minimum setbacks; minimum lot dimensions – Area 5000 sq. ft. minimum; 4290 sq. ft. proposed and Width 50 sq. ft. minimum; 33 sq. ft. proposed. (Sections 61-4-92(1,2 &3) Other Variances, Variance of Use Regulation, Development Standard, 61-4-91(6) General Dimensional Standard, Section 61-13-4 Minimum Lot Dimensions, 61-13-142 Lot measurement and requirements and 61-4-81 Approval Criteria). AP

ACTION OF THE BOARD: Ms. Teague made a motion to Dismiss this case due to correspondence from the Building Department stating the variance needed by BZA were not necessary because their site plan package was approved for the proposed Single Family Dwelling. Support by Board Member Weed.

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

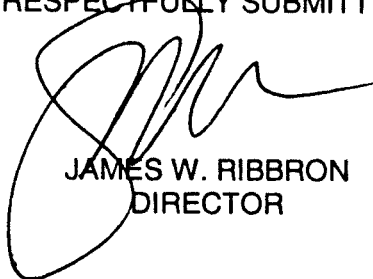
Negative:

CASE DISMISSED

**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 Finn seconded this motion which was unanimously carried and the meeting adjourned at 10:52 A.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to be 'JWR', is written over the printed name and title.

JAMES W. RIBBRON
DIRECTOR

JWR/atp