

## 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  
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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 **February 13, 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) Elois Moore, Board Member
- (2) Robert E. Thomas, Board Member
- (3) Vivian Teague, Board Member
- (4) Robert G. Weed, Board Member
- (5) Kwame Finn, Board Member
- (6) Emmanuel Calzada, Board Member

#### BOARD MEMBERS ABSENT:

- (1) Jacqueline Grant, Board Member

#### MINUTES:

Board Member Moore made a motion to approve the minutes for January 30, 2018 and with corrections

Affirmative: Mr. Thomas, Calzada, Weed  
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**.

Mr. Ribbron informed the Board that P.A.L. is coming back before the Board seeking variances regarding proposed signage. Director is asking the Board to set a special meeting date of March 1, 2018 in an effort to comply with the Petitioners Grand Opening.

**ACTION OF THE BOARD:** Mr. Weed made a motion to set March 1, 2018 as a special meeting for Case No. 10-18. Support by Board Member Teague.

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

Negative:

**MARCH 1, 2018 MEETING SET**

9:45 a.m. 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: Mr. Weed made a motion to Adjourn this case without date and without fee for the petitioner to meet with members of the community to address issues discussed by the construction of this development. Support by Board Member Moore.

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

Negative:

ADJOURNED WITHOUT DATE AND WITHOUT FEE

10:15 a.m. **CASE NO.:** 110-17 (aka BSEED 54-17) – Competitor Appeal  
Adjourned from December 19, 2017

**APPLICANT:** D&L Liquor

**LOCATION:** 13230 Livernois Between: Waverly St. and Tyler St. in a B4 Zone (General Business District). – Council District #7

**LEGAL DESCRIPTION OF PROPERTY:** E LIVERNOIS 632 THRU 620 EXC LIVERNOIS AVE AS WD RUSSELL WOODS SUB L34 P3 PLATS W C R 14/195 260 X 70.42A SPLIT/COMBINED ON 06/05/2017 FROM 14013206-10, 14013211.

**PROPOSAL:** D&L Liquor appeals the decision to ADD an SDD License (carry out of liquor for consumption off premises) approved by BSEED in (BSEED Case#54-17) to an existing 8,535 square foot Retail Store with SDM License (carry-out sale of beer & wine for consumption off the premises in a B4 zone (General Business District). This case is appealed because no modification of any provision of any zoning grant that is issued by the Board of Zoning Appeals, shall be permitted, unless such modification shall have been approved subsequent to a public hearing as required for the use. The Board of Zoning Appeals shall have the authority to hold hearings and render decisions with respect to nonconforming uses, buildings, and structures. Although the proposed use is a controlled use, the spacing requirements do not apply because the site is already classified as a controlled use and this proposal does not increase the concentration of controlled use. (Sections 61-4-141 Zoning Grant Modifications, 61-15-7 Board of Zoning Appeals and 61-3-231 General Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Calzada made a motion to Deny community appeal and Uphold the BSEED Decision to ADD an SDD License to existing retail store with existing SDM License. Support by Board Member Weed.

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

Negative:

**COMMUNITY APPEAL DENIED, BSEED DECISION UPHELD**

**11:15 a.m. CASE NO.:** 13-16

**APPLICANT:** Niki's Food / Ivory Properties Inc.

**LOCATION:** 8864 Gratiot Between: Rohns and Crane in a B4 Zone (General Business District) – Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** S GRATIOT 14  
THRU 3 EXC GRATIOT AVE AS WD COOPERS SUB L22  
P50 PLATS, W C R 19/113 232.67 IRREG

**PROPOSAL:** Niki's Food / Ivory Properties Inc. requests a parking variance and variance of use regulations and development standards to establish a retail store (by-right-use) sale and bottling of salad dressing in an approximate 6,082 square foot building with accessory parking 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 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 in the instances of variance of use regulation and development standard. (Sections 61-4-92(1&2) Other Variances, Variance of Use Regulation and Developmental Standard and 61-4-81 Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Calzada made a motion to Grant dimensional Variances to establish a retail store and bottling of salad dressing in a B4 zone. Support by Board Member Teague.

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

Negative:

**DIMENSIONAL VARIANCES 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 Moore seconded this motion which was unanimously carried and the meeting adjourned at 2:20 P.m.

RESPECTFULLY SUBMITTED

JAMES W. RIBBRON  
DIRECTOR

JWR/atp