

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

### BOARD MEMBERS ABSENT:

### MINUTES:

Board Member Teague made a motion to approve the minutes for October 30, 2018 with any corrections.

Affirmative: Mr. Thomas, Weed  
Ms. Teague, Moore, Grant  
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.:**           **50-18 (aka BSEED 56-17)**

**APPLICANT:**       **STEVEN C. FLUM, INC.**

**LOCATION:**           **1940-1946 Pine Street** Between: Rosa Parks Blvd. and Vermont in a R2 Zone (Two-Family Residential District) – Council District #6

**LEGAL DESCRIPTION OF PROPERTY:**    E VERMONT 74-75 82 S 10 FT OF 83 LARNEDS SUB L60 P2 DEEDS, W C R 8/27 130 X 92.50

**PROPOSAL:**           **Steven C. Flum, Inc request to construct a three story Four (4) unit townhouse with each unit having a 2 car garage (Approved w/conditions in BSEED 56-17) on a vacant 9,250 square foot site in an R2 zone (Two-Family Residential District 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; the front yard setback for Parcel A is deficient: 20’ required, 13’ proposed, 7’ deficient. A waiver is required. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-8-65. Intensity and dimensional standards, Sec. 61-8-40. Conditional residential uses, Sec. 61-12-126. Town houses and 61-4-81 Approval Criteria).AP**

**ACTION OF THE BOARD:** Mr. Weed made a motion to **Grant front yard setback variance to construct a three story Four (4) unit townhouse with each unit having a 2 car garage (Approved w/conditions in BSEED 56-17) on a vacant 9,250 square foot site in an R2 zone (Two-Family Residential District District).** Ms. Teague seconded the motion.

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

Negative:

Mr. Calzada not present for the vote

**DIMENSIONAL VARIANCE GRANTED**

10:00 a.m. **CASE NO.:** 109-17 (aka BSEED 144-16) – Delayed Due To Moratorium  
**APPLICANT:** ZEID POLES / HELPING HANDS HOLISTIC CENTER  
**LOCATION:** 20245 Van Dyke Between: Milbank Ave and Savage Ave in a B4 Zone (General Business District). – Council District #3

**LEGAL DESCRIPTION OF PROPERTY:** W VAN DYKE LOTS  
 84 THRU 89 EXC VAN DYKE AS WD BASE LINE SUB  
 L45 P82 PLATS, W C R 15/258 120 X 93.17A

**PROPOSAL:** Zeid Poles/Helping Hands Holistic requests a Variance of Spacing/ Locational Regulation TO establish a Medical Marijuana Caregiver Center (MMCC) in an existing approximate 2,800 square foot, one story building which was APPROVED conditionally in (BSEED 144-16) 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 marijuana 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 one (1) Controlled Use (Legend Liquor) located at 20060 Van Dyke Ave. – 712 ft’ away. 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 Spacing Variance TO establish a Medical Marijuana Caregiver Center (MMCC) in an existing approximate 2,800 square foot, one story building which was APPROVED conditionally in (BSEED 144-16) in a B4 zone (General Business District). Support by Ms. Teague

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

Negative: Mr. Weed  
 Grant, Moore

**SPACING/LOCATIONAL VARIANCE GRANTED**

10:45 a.m. **CASE NO.:** 92-17 (aka BSEED 99-16) – Delayed Due To Moratorium

**APPLICANT:** KAYATANA PRICE / THE GREENE EASY LLC

**LOCATION:** 19737 W SEVEN MILE RD Between: Plainview Ave. and Westmoreland Rd. in a B4 Zone (General business District). – Council District #1

**LEGAL DESCRIPTION OF PROPERTY:** S SEVEN MILE W 38 EXC SEVEN MILE RD AS WD CW HARRAHS NORTHWESTERN SUB L47 P54 PLATS, W C R 22/416 20 X 82.82A

**PROPOSAL:** Kayatana Price/The Greene Easy requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing 1,000 square foot building which was APPROVED conditionally in (BSEED 99-16) 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 one (1) controlled use and two (2) Religious Institutions: (Walgreen’s #6360) located at 20001 W. Seven Mile – 406’ feet away, (United Methodist Unity) located at 19200 Evergreen – 514’ feet away and (God Fight of Faith Ministries ) located at 19160 Evergreen – 408’ feet away. 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. Finn made a motion to Grant Spacing Variance TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing 1,000 square foot building which was APPROVED conditionally in (BSEED 99-16) in a B4 zone (General Business District) Support by Ms. Grant.

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

Negative: Mr. Weed, Thomas  
Moore

**SPACING/LOCATIONAL VARIANCE GRANTED**

11:30 a.m. **CASE NO.:** 06-17 (aka BSEED 58-16) – Delayed Due To Moratorium

**APPLICANT:** KUSH BROTHERS, LLC / DAKOTA KLEINER

**LOCATION:** 15500 E. Eight Mile Rd. Between: Crusade Ave and Brock Ave in a B4 Zone (General Business District). – Council District #3

**LEGAL DESCRIPTION OF PROPERTY:** LOTS 303-308, DRENNAN & SELDONS REGENTS PARK SUBDIVISION NO. 1, LIBER 55, PAGE 88, PLATS, W.C.R 120 X 100 (PIN28046-7, 21028048, 21028049, 2128050, 21028051)

**PROPOSAL:** Kush Brother, LLC / Dakota Kleiner requests a Variance of Spacing/ Locational Regulation TO establish a Medical Marijuana Caregiver Center (MMCC) in an existing approximate 3,600 square foot building which was APPROVED conditionally in (BSEED 58-16) 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 marijuana caregiver center; One thousand (1,000) radical feet from any zoning lot occupied by a Controlled Use (other than arcade) or a Religious Institution. The proposed use is within 1,000 radial feet of one (1) Controlled Use (J’s Liquor Shop) located at 15260 E. Eight Mile Rd. – 765’ away. 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. Weed made a motion to Deny Spacing/ Locational Regulation TO establish a Medical Marijuana Caregiver Center (MMCC) in an existing approximate 3,600 square foot building which was APPROVED conditionally in (BSEED 58-16) in a B4 zone (General Business District). Support by Ms. Moore

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

Negative: Mr. Thomas

Mr. Calzada not present for the vote

**SPACING/LOCAITONAL VARIANCE DENIED**

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.**

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There being no further business to be transacted, Board Member Finn motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 3:00 P.M.

RESPECTFULLY SUBMITTED

JAMES W. RIBBRON  
DIRECTOR

JWR/atp