

# 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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## MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **February 26, 2019** on the 13th Floor in the Auditorium, Coleman A. Young Municipal Building, 2 Woodward Avenue.

Vice-Chairperson of the Board Teague 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) Robert G. Weed, Board Member
- (3) Vivian Teague, Board Member
- (4) Kwame Finn, Board Member
- (5) Jacqueline Grant, Board Member
- (6) Elois Moore, Board Member

### BOARD MEMBERS ABSENT:

- (1) Emmanuel Calzada, Board Member

### MINUTES:

No minutes were approved

### 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**.



10:00 a.m.

**CASE NO.:** 18-19

**APPLICANT:** SOUTHWEST DETROIT BUSINESS ASSOCIATION

**LOCATION:** 4000-4060 W. Vernor between Hubbard St and Palms St in a B4 zone (General Business District) – Council District # 6

**LEGAL DESCRIPTION OF PROPERTY:** N VERNOR 1 LOUIS SUB L93 P10&11 PLATS, W C R 14/219 56.20 X 87; N VERNOR 2 LOUIS SUB L93 P10&11 PLATS, W C R 14/219 27.90 X 87; N VERNOR HWAY E 18 FT 3 2 DANIEL SCOTTENS SUB L9 P11 PLATS, W C R 14/37 40 X 100; N VERNOR HWAY E 20 FT 4 W 4 FT 3 DANIEL SCOTTENS SUB L9 P11 PLATS, W C R 14/37 24 X 100; N VERNOR HWAY 5 W 2 FT 4 DANIEL SCOTTENS SUB L9 P11 PLATS, W C R 14/37 24 X 100

**PROPOSAL:** Southwest Detroit Business Association request to construct a Mixed Use Commercial/Multifamily (40 units) in a Traditional Main Street Overlay District (TMSO) (By-Right) (Approved w/conditions in BSEED PLN-6490) on a 13,549 square foot site in an B4 zone (General Business District). 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; Height: 35 feet required – 45 feet proposed, 10 feet excessive; Loading Zone: 2 loading zones required – 1 loading zone proposed, 1 loading deficient; Interior Landscaping: 702 square feet of interior landscaping required, zero provided and parking: 59 spaces required – 39 spaces provided, 20 spaces deficient.. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-13-13. Intensity and dimensional standards, Sec. 61-8-40. Conditional residential uses and 61-4-81 Approval Criteria.

**ACTION OF THE BOARD:** Mr. Weed made a motion to Grant request to construct a Mixed Use Commercial/Multifamily (40 units) in a Traditional Main Street Overlay District (TMSO) (By-Right) (Approved w/conditions in BSEED PLN-6490) on a 13,549 square foot site in an B4 zone (General Business District). Seconded by Ms. Grant

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

Negative:

**DIMENSIONAL VARIANCES GRANTED**

10:45 a.m.

**CASE NO.:** 70-18

**APPLICANT:** ALI NASSAR

**LOCATION:** 7901 & 7931 Michigan between Lumley and Springwells in a B4 zone (General Business District) City Council District #6

**LEGAL DESCRIPTION OF PROPERTY:** S MICHIGAN 2&1 EXC MICHIGAN AVE A WD BESSENGER & MOORES WESTERN ADD L27 P50 PLATS, W C R 20/226 1 THRU 3 EXC MICHIGAN AVE AS WD BLK 2--LUMLEYS SUB L21 P33 PLATS, W C R 20/227 180.64 IRREG

**PROPOSAL:** Ali Nassar request to (re)-establish a Motor Vehicle Filling Station (est. May 22, 1984 Permit #17278)(currently not in operation) on a 14,724 square foot lot with accessory 557 square foot Carry-Out Restaurant in a B4 zone (General Business District). **Except when an administrative adjustment may be granted, the Board of Zoning Appeals may modify any use regulation or developmental standard specified in Article XII and may grant dimensional variances based on the approval criteria of section 61-4-81 of this Code. Also, the Board of Zoning Appeals may vary the requirements and limitations that are imposed by this zoning ordinance that pertain to dimensional requirements, use regulations or general development standards of various land use where strict application of such requirements or standards would result in practical difficulty and where all applicable standards and approval criteria of this division are met, including those of Sec. 61-4-81 of this Code.; lot width/lot area exceeds six hundred square feet in gross floor area; 22 (twenty-two) off-street parking spaces required – 15 proposed. (Sections 61-4-92 Other Variances, Variance of Use Regulation and Development Standard, 61-4-89(1) Variances, In General and 61-4-81 Approval Criteria).**

**ACTION OF THE BOARD:** Mr. Weed made a motion to **Grant Dimensional Variances to add a carry out restaurant to existing Motor Vehicle Filling Station** in a B4 zone. Seconded by Ms. Teague

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

Negative:

Ms. Grant was not present for the vote

**DIMENSIONAL WAIVERS GRANTED**

11:30 a.m. **CASE NO.:** 3-19

**APPLICANT:** JOHN ROLWING C/O BRODER & SACHSE

**LOCATION:** 1100 St. Aubin between E. Lafayette and Pembridge Place in an R6 zone (High-Density Residential District) Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** E ST AUBIN 12 ELMWOOD PARK URBAN RENEWAL PLAT NO 1 L89 P47-9 PLATS, W C R 9/210 174,578 SQ FT SPLIT ON 09/28/2018 INTO 09004424.001

**PROPOSAL:** Jon Rolwing c/o Broder & Sachse request variances to develop eighty-one (81) Townhouse Condominiums and approximately 180 multiple-family dwellings on a 138,259 Square foot lot in an R6 zone (High-Density Residential). 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. Town houses shall be subject to the following provisions: minimum front setback is 20 feet - one (1) unit is 10 feet; a twenty (20) foot side setback is required – 11 feet is proposed; loading area not indicated on Site Plan. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-8-65. Intensity and dimensional standards, Sec. 61-12-126. Town houses. Sec. 61-13-106. Town houses, 61-13-4. Intensity and dimensional standards - Townhouses and 61-4-81 Approval Criteria) AP

**ACTION OF THE BOARD:** Ms. Teague made a motion to Grant Dimensional Variances to develop eighty-one (81) Townhouse Condominiums and approximately 180 multiple-family dwellings on a 138,259 Square foot lot in an R6 zone (High-Density Residential). Seconded by Mr. Finn

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

Negative:

Ms. Grant was not present for the vote

**DIMENSIONAL WAIVERS GRANTED**

**CASE NO.:** BSEED 20-18 (Community Appeal)

**APPLICANT:** JAMES OLIVER & Heidelberg Community

**LOCATION:** 3662 HEIDELBERG ST Between: Ellery and Mt. Elliott St in a R2 Zone (Two Family Residential District). – Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** S HEIDELBERG 6 KAISERS L15  
P95 PLATS, W C R 13/57 30 X 105.28

**PROPOSAL:** James Oliver and other residents appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED 20-18) which (Approved With Conditions) TO establish a Nonprofit Neighborhood Center with residential unit on the second floor in a vacant, two story single family dwelling in an R2 zone (Two Family Residential District). This case is appealed appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses; the proposed neighborhood center – no additional off-street parking is required and because the art work has spread to other parcels in the vicinity strict conditions and a time frame has been added (see conditions: #5&6 BSEED Conditions). (Sections 61-4-72 Appeals and 61-3-231 General Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Deny **Community Appeal**. Support by Mr. Thomas.

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

Negative:

**COMMUNITY APPEAL DENIED WITH STIPULATIONS FOR BSEED PETITIONER WHICH WILL BE INCORPORATED IN THE FINAL DECISION.**

Director Ribbron informed the Board of 2 cases that have been lingering for some time that need to be dismissed.

**Case No. 111-17.** Property located at 12632 E. Eight Mile Rd. On December 28, 2018 BZA mailed letter to confirm the case would be withdrawn. On February 21, 2019 Director Ribbron confirmed via of phone call that petitioner Robert Wright wished to withdraw his community appeal.

**Appeals and 61-3-231 General Approval Criteria).AP**

**ACTION OF THE BOARD:** Mr. Finn made a motion to Withdraw **Community Appeal**. Support by Mr. Weed.

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

Negative:

**COMMUNITY APPEAL WITHDRAWN/DISMISSED**

**Case No. 8-18.** Property located at 22100 Grand River. August 30, 2018 City Planning Commission rezoned the property. Currently awaiting final City Council Approval.

**ACTION OF THE BOARD:** Mr. Finn made a motion to Withdraw **Community Appeal**. Support by Ms. Moore.

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

Negative:

**CASE DISMISSED**

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.**

There being no further business to be transacted, Board Member Finn motioned that the meeting be adjourned. Board Member Teague seconded this motion which was unanimously carried and the meeting adjourned at 12:17 P.M.

RESPECTFULLY SUBMITTED

JAMES W. RIBBRON  
DIRECTOR

JWR/atp