

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

Debra Walker
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 **OCTOBER 22, 2019** on the 13th Floor in the Auditorium, Coleman A. Young Municipal Building, 2 Woodward Avenue.

Vice-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 G. Weed, Board Member
- (2) Robert E. Thomas, Board Member
- (3) Vivian Teague, Board Member
- (4) Kwame Finn, Board Member
- (5) Debra Walker, Board Member
- (6) Jacqueline Grant, Board Member
- (7) Elois Moore, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Walker made a motion to approve the minutes October 15, 2019 with any corrections.

Affirmative: Mr. Weed, Thomas
Ms. Moore, Grant, Walker, 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.:** **67-19 (aka BSEED 34-18)**

APPLICANT: **THOMAS M. O'BRIEN**

LOCATION: **17405 Lahser & 17371 Redford** between Redford and Willmarth in a B4 zone (General Business District)- City Council District #1

LEGAL DESCRIPTION OF PROPERTY: N REDFORD PT OF S E 1/4 SEC 9 T 1 S R 10 E DESC AS FOLS BEG AT A PTE IN WLY LINE OF REDFORD AVE 379.80 FT NLY ALG SD LINE FROM GRAND RIVER AVE TH N 67D 29M W 129.36 FT TH N 22D 36M E 147.18 FT TH S 67D 43M E 89.84 FT TH S 3D 07M E 90.94 FT TH S 22D 30M W 65.45 FT TO POB 22/-- - 66.88 IRREG

PROPOSAL: **Thomas M. O'Brien seeks relief of dimensional variances to establish a 6,347 square foot Rental Hall with a Commercial Kitchen on the first floor of an existing 20,202 square foot building 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 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; 50-14-341 – Right of Way Screening; for the commercial parking lot, a decorative wrought iron fence between thirty to thirty-six inches in height along with a five foot width landscaped buffer shall be installed between the parking lot and property line along Redford Street. (Sections 50-4-131 Permitted Dimensional Variances, Location, 50-4-129 Other Variances and 50-4-121 Approval Criteria).AP**

ACTION OF THE BOARD: Ms. Teague made a motion to Adjourn at petitioners request with no fee and without date. Seconded by Ms. Walker

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

Negative:

ADJOURNED WITHOUT DATE AND WITHOUT FEE

10:00 a.m. CASE NO.: 64-19 (aka BSEED SLU2019-00032)

APPLICANT: EFG HOLDINGS

LOCATION: 4100 W. Vernor between Palms and Scotten in a B4-H (General Business District-Historic)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: N VERNOR HWY 7&6 DANIEL SCOTTENS SUB OF LOTS 2,3 & 4 OF O L 11 L9 P11 PLATS, W C R 14/137 44 X 100

PROPOSAL: EFG Holdings, LLC appeals the decision of the Buildings Safety and Engineering and Environmental Department (SLU2019-00032) which DENIED the establishment of a Cabaret (Group B License) in an existing 3,955 square foot building in a B4-H zone (General Business District - Historic). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; there are (4) four regulated uses within 1000ft of the subject property – Mexican Town Fiesta Center, 4114 W. Vernor: 25 feet away, Quiroz Welding Second Store, 4101 W. Vernor: 65 feet away, Dolex Second Hand Store, 3970 & 420 W. Vernor: 420 feet away and Class C Bar, 4426 W. Vernor: 896 feet away. (50-4-131 Permitted Dimensional Variances, General Dimensional Standards, 50-4-129 Other Variance, 50-3-222 (Spacing Requirements) 50-2-261 Waiver of Spacing Requirements from other regulated uses and 50-3-281 Approval Criteria).AP

ACTION OF THE BOARD: Ms. Teague made a motion to Uphold the BSEED Denial for the establishment of a Cabaret (Group B License) in an existing 3,955 square foot building in a B4-H zone (General Business District - Historic). Seconded by Ms. Grant

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

Negative:

BSEED DENIAL UPHELD, USE DENIED

10:45 a.m. **CASE NO.:** 66-19 (aka BSEED SLU2019-00051)

APPLICANT: JIMMIE HENDERSON

LOCATION: 8911, 8885, 8877 & 8873 Grand River between Beverly and N. Weathersby in a B4 zone (General Business District).-City Council District #5

LEGAL DESCRIPTION OF PROPERTY:S GRAND RIVER 15 THRU 11 FREDERICK C MARTINDALE SUB L32 P19 PLATS, W C R 16/167 100 X 100; S GRAND RIVER 19&18 FREDERICK C MARTINDALE SUB L32 P19 PLATS, W C R 16/167 40 X 100; S GRAND RIVER 20 FREDERICK C MARTINDALE SUB L32 P19 PLATS, W C R 16/167 20 X 100

PURPOSAL: Jimmie Henderson appeals the decision of the Buildings Safety and Engineering and Environmental Department (SLU2019-00051) which DENIED the establishment of a Major Motor Vehicle Repair Facility with Used Motor Vehicle Sales Lot in an existing 9,800 square foot building in a B4 zone (General Business District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; Also, (24) twenty-four parking spaces are required for the repair and sales use, minus the show room area and storage area – (15) fifteen spaces are proposed: 9 spaces deficient (Sections 50-4-131 Permitted Dimensional Variances, General Dimensional Standards, 50-4-129 Other variances and 50-3-281 General Approval Criteria).AP

ACTION OF THE BOARD: Mr. Finn made a motion to Reverse the BSEED Denial of a Major Motor Vehicle Repair Facility with Used Motor Vehicle Sales Lot in an existing 9,800 square foot building in a B4 zone (General Business District). Seconded by Ms. Teague

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

Negative:

BSEED DENIAL REVERSED, USE GRANTED

11:30 a.m. **CASE NO.:** 51-19- Adjourned from September 17, 2019

APPLICANT: MOHAMMED SHAMMOUT

LOCATION: 8700 Military between Linsdale and Joy Rd. in a M4 (Intensive Industrial District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: E MILITARY ALL THAT PART OF P C 574 LYG E OF & ADJ MILITARY AVE N OF & ADJ LINDALE AVE BG 576.34 FT ON E LINE OF MILITARY AVE & 580.17 FT ON E LINE OF SD P C 574 16/-- 148,380 SQ FT

PURPOSAL: Mohammed Shammout appeals the decision of the Buildings Safety Engineering and Environmental Department's Special Land Use Review dated May 6, 2019 which DENIED and states; the subject property has been confirmed as being within 1000 radial feet of an Outdoor Recreation Center known as Sirotkin Park located at 8741 Epworth located approximately 438 radial feet in an M4 (Intensive Industrial District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. Also, no Conditional Use shall be approved by the Buildings and Safety Engineering Department, or the Board of Zoning Appeals on appeal, unless each of the general findings of Section 61-3-231 are made; the proposed MMGF site is located 438 feet from a "DRUG FREE ZONE" known as Outdoor Recreation Center known as Sirotkin Park located at 8741 Epworth. (Sections 50-4-102 Appeals and 50-3-534(b) (1) (2). Conditional uses, procedures; waivers; public nuisance; *Drug-free zone*. Where located in a drug-free zone, as defined in Sec. 50-3-533 of this Code.

ACTION OF THE BOARD: Mr. Weed made a motion to Reverse the BSEED Denial due to information submitted by Parks and Recreation that Sirotkin Park is being relocated to Sherrill Park. Seconded by Mr. Finn

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

Negative:

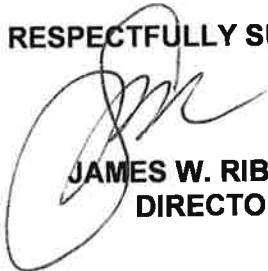
Mr. Thomas was not present for the case.

BSEED DENIAL REVERSED NOT IN A DRUG FREE ZONE

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Fin motioned that the meeting be adjourned. Board Member Grant seconded this motion which was unanimously carried and the meeting adjourned at 12:40 P.M.

RESPECTFULLY SUBMITTED



**JAMES W. RIBBRON
DIRECTOR**

JWR/atp