

Board Members

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Director



Robert E. Thomas
Chairperson

Vivian Teague
Vice Chairperson

Robert G. Weed
Council District 1

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Council District 3

Jacqueline Grant
Council District 4

Debra Walker
Council District 6

Kwame Finn
Council District 7

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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 25, 2020** on the 2nd Floor in the BZA Office, 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) Debra T. Walker, Board Member

BOARD MEMBERS ABSENT:

- (1) Jacqueline Grant, Board Member
- (2) Robert G. Weed, Board Member
- (3) Kwame Finn, Board Member

MINUTES:

Board Member Moore made a motion to approve the minutes for February 18, 2020 with any corrections.

Affirmative: Mr. Thomas
Ms. Moore, Teague, Walker
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**.

10:00 a.m. CASE NO.: 110-19

APPLICANT: RACQUET UP DETROIT

LOCATION: 17567 Hubbell Between: Thatcher and Outer Dr. in a R1 Zone (Single Family Residential District)-City Council District #2

LEGAL DESCRIPTION OF PROPERTY: N OUTER DRIVE ALL THAT PT OF S W 1/4 SEC 7 T 1 S R 11 E BOUNDED BY THATCHER 47 FT WD & LAUDER 15 FT WD & OUTER DRIVE 150 FT WD & HUBBELL AVE 76 FT WD 22/--- 8.098 ACS

PROPOSAL: Racquet Up Detroit request a parking variance to Construct a 19,159 square foot building to establish a Neighborhood Center Non-Profit on a 2.033 acre portion of a 16.2 acre site in a R1 zone (SINGLE FAMILY 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 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; Location or Amount of Off-Street Parking. 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; One Hundred Ninety One (191) off-street parking spaces are required – forty seven (47) spaces are provided. (Sections Sec. 50-4-131 - Permitted dimensional variances and 50-4-121 Approval Criteria).AP

ACTION OF THE BOARD: Ms. Teague made a motion to Grant a parking variance to Construct a 19,159 square foot building to establish a Neighborhood Center Non-Profit on a 2.033 acre portion of a 16.2 acre site in a R1 zone (Single Family Residential District).Seconded by Ms. Walker

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

Negative:

DIMENSIONAL (PARKING) VARIANCE GRANTED

10:45 a.m. CASE NO.: 106-17 (aka BSEED 121-16) – Rehearing Granted November 5, 2019

APPLICANT: GHASSAN HANNA / THREE BROTHERS AUTO SALES, INC.

LOCATION: 10325 W. Eight Mile Rd. Between: Birwood Ave. and Griggs Ave in a B2 Zone (Local Business & Residential District)-City Council District #2

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE ROAD 11 GRAND PARK SUB L42 P16 PLATS, W C R 16/404 20 X 100

PROPOSAL: Ghassan Hanna/Three Brothers Auto Sales, Inc., appeals the decision of the Buildings Safety Engineering and Environmental Department’s letter dated October 24, 2018, which states; the subject property is located within 1000 feet of Wells Park located at 20159 Griggs, BSEED has determined this location is in a Drug Free Zone in a B2 zone (General Business District). This case is being appealed because 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. Also, the Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center in a Drug Free Zone. The locational specifications related to drug-free zones of subsection 354(b)(1) of this section may not be waived or modified by the Buildings, Safety Engineering and Environmental Department, nor the Board of Zoning Appeals. Applications that are not consistent with the locational specifications of subsection (b)(1) of this section shall be considered ineligible and shall be dismissed. Also, the proposed MMCC located at 10325 W. Eight Mile has been identified as being in a Drug Free Zone (DFZ) based on its proximity to the Wells Park located at 20159 Griggs. Therefore, because 10325 W. Eight Mile Rd is within 1000 feet Wells Park, it is affirmed in a DFZ contingent upon 61-3-353(2) of the Detroit City Code. (Sections 50-3-534 Conditional Uses; Procedures; Waivers; Public Nuisance, 50-12-132 Other uses-Spacing, 50-12-127 SPC (Spacing), 50-4-132(3) Other Variances, Variance of Spacing/Locational Regulation, 50-12-135 Waiver of General Spacing Requirements and 50-4-121 Approval Criteria.)AP

ACTION OF THE BOARD: Ms. Teague made a motion to reverse the BSEED decision and affirm that due to the parcel split the subject property is no longer within 1000 feet of Wells Park and as such is not in a Drug Free Zone. Seconded by Ms. Walker

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

Negative:

BSEED DECISION REVERSED, NOT IN A DRUG FREE ZONE

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member walker seconded this motion which was unanimously carried and the meeting adjourned at 11:53 A.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp

