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**City of Detroit  
Board of Zoning Appeals  
Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 212  
Detroit, Michigan 48226  
Phone: (313) 224-3595  
Fax: (313) 224-4597  
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**REGULAR MEETING OF NOVEMBER 20, 2018  
IN THE ERMA L. HENDERSON AUDITORIUM  
ON THE 13TH FLOOR  
COLEMAN A. YOUNG MUNICIPAL CENTER**

**DOCKET**

- I. OPENING:**
  - A. CALL TO ORDER.....9:00 A.M.**
  - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
  - A. APPROVAL OF MINUTES: November 13, 2018**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

**9:15 a.m. CASE NO.: 45-18**

**APPLICANT: KERCHEVAL EAST, LLC**

**LOCATION: 1811 Fischer St. Between: Kercheval Ave. and St. Paul in a R2 Zone (Two-Family Residential District) – Council District #4**

**LEGAL DESCRIPTION OF PROPERTY: W FISCHER S 1/2 3 4 STANDARD SUB L22 P21 PLATS, W C R 17/37 45 X 100**

**PROPOSAL: Kercheval East, LLC request to construct a two story six (6) unit multifamily dwelling with each unit having attached car garage (Approved w/conditions in BSEED 08-18) on a vacant 4,500 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; Minimum Lot Area – 7000 sq. ft. required; 4,500 sq. ft. proposed – 2,500 sq. ft. deficient, Minimum Lot Width – 70 ft. required; 45 ft. proposed – 25 ft. deficient, Side Lot Setback – 10 ft required; 2 ft. 7 in proposed – 7 ft. 5 in deficient, Maximum Lot Coverage – 35% required; 57% proposed – 22% exceeding and Floor Area Ratio – Required FAR .50; proposed FAR 1.14- FAR exceed by .64, therefore a waiver is required for each. (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).AP**

**\*This Meeting is open to all members of the public under Michigan’s Open Meetings Act\***

10:00 a.m. **CASE NO.:** 46-18 (AKA BSEED 283-16)

**APPLICANT:** ROOTS, SHOOTS AND FLOWERS C/O MARVIN H. CONVINGTON III

**LOCATION:** 13110 Chicago St. Between: Ward St. and Cheyenne St in a B4 Zone (General Business District). – Council District #7

**LEGAL DESCRIPTION OF PROPERTY:** N--W CHICAGO 445 BUCKINGHAM PARK SUB L34 P20 PLATS, W C R 22/572 25 X 100

**PROPOSAL:** Roots, Shoots and Flowers c/o Marvin H. Covington requests a Variance of Spacing/Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing one story, irregular shaped 1,271 square foot building which was APPROVED w/Conditions in (BSEED 283-16) in a B4 zone (General Business District). Roots, Shoots and Flowers c/o Marvin H. Covington requests a Variance of Spacing/Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing one story, irregular shaped 1,271 square foot building which was APPROVED w/Conditions in (BSEED 283-16) 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 (other than arcade) or a Religious Institution. The proposed use is within 1,000 radial feet of one (1) controlled use and three (3) Religious Institutions: Mays Market located at 13040 W. Chicago – 118’ feet away, St. Joseph Tabernacle COGIC located at 13041 W. Chicago – 164’ feet away, Adams Chapel Baptist located at 12843 W. Chicago – 772’ feet away and 1<sup>st</sup> Christian COM Church located at 9640 Sorrento – 748’ 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

10:45 a.m. **CASE NO.:** BSEED 116-17 (COMMUNITY APPEAL)

**APPLICANT:** CKM COMMUNITY DEVELOPMENT CORP.  
C/O IMOGENE R. JOHNSON, PRESIDENT

**LOCATION:** 13042 Van Dyke Ave. Between: Forestlawn St and Almont St. in a B4 Zone (General business District). – Council District #3

**LEGAL DESCRIPTION OF PROPERTY:** E VAN DYKE 1 GARBARINO SUB L62 P6 PLATS, W C R 17/537 1 THRU 4 EXC VAN DYKE AVE AS WD MT OLIVET STATION SUB L17 P46 PLATS, W C R 17/458 138.50 IRREG

**PROPOSAL:** CKM Community Development Corp./c/o Imogene R. Johnson, President appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED 116-17) which (Approved with Conditions) permission to establish a Medical Marihuana Caregiver Center in an existing 1,140 square foot building in a B4 zone (General Business District). This case is 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 that is One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use or a Religious Institution. The proposed location is NOT in a drug free zone, a Gateway Radial Thoroughfare or a Traditional Main Street overlay area. It is NOT located within 1000 feet of any controlled uses, religious institutions or MMCC’s. (Sections 61-4-72 Appeals, 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance and 61-3-231 General Approval Criteria.).AP

11:30 a.m. **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

12:15 p.m. **CASE NO.:** BSEED 78-17 (Community Appeal)

**APPLICANT:** BISHOP TONY RUSSELL

**LOCATION:** 8052 E. EIGHT MILE RD. Between: Van Dyke Ave and Bramford St in a B4 Zone (General Business District). – Council District #3

**LEGAL DESCRIPTION OF PROPERTY:** S EIGHT MILE 620 AND VAC CONNORS ADJ EXC EIGHT MILE AS WD BASE LINE SUB NO 2 L46 P51 PLATS, W C R 17/497 108 X 48.23

**PROPOSAL:** Bishop Tony Russell appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED 78-17) which (Approved with Conditions) permission to establish a medical marihuana caregiver center in an existing one story 3,419 square foot building in a B4 zone (General Business District). This case is 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 that is One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use or a Religious Institution. The proposed location is within 1,000 radial feet of four (4) Controlled Uses; The Connoisseur Collective located at 20510 Van Dyke aka 20516 Van Dyke – 38’ feet away, 8&Van Dyke Helping Hands located at 20254 Strotter aka 7722 E. Eight Mile – 360’ feet away, Pure Van Dyke, LLC., located at 20477 Van Dyke aka 20481 Van Dyke – 317’ feet away and Helping Hands Holistic Center located at 20245 Van Dyke – 788’ feet away. (Sections 61-4-72 Appeals, 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance and 61-3-231 General Approval Criteria).AP

- VII. **PUBLIC COMMENT / NEW BUSINESS**  
Next Hearing Date: November 27, 2018
- VIII. **ADVISEMENTS / OLD BUSINESS**
- IX. **MEETING ADJOURNED**