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**City of Detroit**  
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REGULAR MEETING OF  
**NOVEMBER 27, 2018**  
IN THE ERMA L. HENDERSON AUDITORIUM  
ON THE 13TH FLOOR

**DOCKET**

- I. OPENING:**
  - A. CALL TO ORDER.....9:00 A.M.**
  - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
  - A. APPROVAL OF MINUTES: November 20, 2018**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

**9:15 a.m. CASE NO.: 60-18 (aka BZA 40-18)**

**APPLICANT: VINCE SHILLCUT / NATHAN HARVEY**

**LOCATION: 13960 Gratiot Ave. Between: Park Grove and Glenwood in a B4 Zone (General Business District) – Council District #3**

**LEGAL DESCRIPTION OF PROPERTY: S GRATIOT 768 THRU 765 SEYMOUR & TROESTERS MONTCLAIR HEIGHTS SUB NO 2 L40 P74 PLATS, W C R 21/594 88 X 100**

**PROPOSAL: Vince Shillcut / Nathan Harvey seeks to add a Rental Hall to an existing 8,000 square foot Office building denial reversed by BZA (40-18) 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; per section 61-14-40; 100 (one hundred) parking spaces are required, 16 (sixteen) are currently proposed and 61-14-221 – Right of Way Screening; the wrought iron fence should be between 30 inches but not more than 36 inches in height; the proposed fence is 6 inches, therefore variances are required by the BZA. (Sections 61-4-91(1) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking 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.:** 44-18 (aka BSEED 181-17) – ADJOURNED FROM OCTOBER 9, 2018

**APPLICANT:** YAHYA HAMMOUD

**LOCATION:** 5564 Woodward Ave. Between: Palmer St and Ferry St in a B4 Zone (General Business District). – Council District #7

**LEGAL DESCRIPTION OF PROPERTY:** N 44.43 FT OF W 110 FT FRT BG N 43.92 FT OF W 110 FT REAR 1 W 110 FT 2 HUNT & LEGETTS L10 P40 PLATS, W.C.R. (PIN 01004239)

**PROPOSAL:** Yahya Hammoud seeks to construct a 972 square foot addition to an existing 5,029 square foot Motor Vehicle Filling Station with an existing Carry-Out Restaurant DENIED by BSEED (181-17) 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; petitioner proposes to ADD another carry-out restaurant to the existing Domino’s Pizza; and 36 off-street parking spaces are required, 26 proposed; the site is located in Traditional Main Street Overlay District, as the new building is not located on the property lot line – O (zero) line setback; therefore if the denial of the use is overturned, variances will be required. NOTE: If the denial is overturned an additional fee is required to HEAR the variances and an additional FEE will be required. Should the petitioner want both APPEALS heard on the same day the additional FEE must be paid; and if the denial is upheld the additional fee will not be refunded. The petitioner may elect to hear the cases separate therefore the additional fee would not be assessed until the denial is decided. (Sections Setbacks 61-4-92 Other Variances, 61-3-231 Approve Criteria – Conditional Land Use (If Approved then 61-4-81 Approval Criteria to approve or deny the variances).AP

10:45 a.m.

**CASE NO.:** 49-18 (aka BSEED 88-17)

**APPLICANT:** NSI CONSTRUCTION

**LOCATION:** 13510 E. Eight Mile Rd. Between: Pelky St and Schoenherr in a B4 Zone (General business District). – Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** S--E EIGHT MILE RD 19 THRU 14 EXC EIGHT MILE RD AS WD SCHOENHERR MANOR SUB L54 P98 PLATS, W C R 21/885 120 X 58.62A 58.78 R 58.47

**PROPOSAL:** NSI Construction requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing one-story, 2,226 square foot building which was APPROVED w/Conditions in (BSEED 88-17) 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 two (2) Controlled Uses; Forest Wolf aka Puff Detroit located at 388’ feet away – 632’ feet away and Plyburt, LLC located at 13624 E. Eight Mile – 356’ 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

11:30 a.m.

**CASE NO.:** 48-18 (aka BSEED 73-16)

**APPLICANT:** ABDUL EL-HEDI / THE STRAIN STATION

**LOCATION:** 9216 Dexter Ave. (aka 9200 Dexter Ave.) Between: Joy Rd. and Atkinson St in a B4 Zone (General Business District). – Council District #5

**LEGAL DESCRIPTION OF PROPERTY:** E DEXTER LOTS 164 THRU 160 WAGERS SUB L35 P7 PLATS, WCR 12/190 196 X 100 [2003 COMBINATION ITEMS 010456-8, 010459] 2-20-03

**PROPOSAL:** Abdul EL-Hedi / The Strain Station requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing 821 square foot unit of an existing one story, 7,226 square foot building, which was APPROVED w/Conditions in (BSEED 73-16) in a B4 zone (General Business District). This case is appealed 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 three (3) Controlled Uses; Sunshine Liquor located at 3300 Joy Rd. – 632’ feet away, Grand Liquor Party Store located at 9141 Dexter – 128’ feet away, Flamingo Liquor located at 4058 aka 4050 Joy Rd. – 994’ feet away and four (4) Religious Institutions; AL HAQQ located at 4017 Clairmount – 918 feet away, New Kingdom Missionary Baptist Church located at 3733 Joy Rd. – 340 feet away, United House of Prayer located at 4018 Joy Rd. – 872 feet away and Mount Charity Baptist Church located 9210 Wildmere – 720 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

**VII. PUBLIC COMMENT / NEW BUSINESS**  
Next Hearing Date: December 4, 2018

**VIII. ADVISEMENTS / OLD BUSINESS**

**IX. MEETING ADJOURNED**

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at [\(313\) 224-4950](tel:3132244950), through the TTY number 711, or email at [crio@detroitmi.gov](mailto:crio@detroitmi.gov) to schedule these services.