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City of Detroit
Board of Zoning Appeals
Coleman A. Young Municipal Center
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Detroit, Michigan 48226
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REGULAR MEETING OF
MARCH 12, 2019
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: MARCH 5, 2019**

IV. COMMUNICATIONS:

V. MISCELLANEOUS BUSINESS:

VI. PUBLIC HEARINGS:

9:15 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

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

10:00 a.m.

CASE NO.: 78-18

APPLICANT: Total Armored Car/Stanton J. Barr

LOCATION: 2950 Rosa Parks Blvd. between Elm St and Temple St in a R3 zone (Low Density Residential District) - Council District #6

LEGAL DESCRIPTION OF PROPERTY: E TWELFTH 33 BLK 5 PLAT OF CABACIER FARM N OF CHICAGO RD L1 P154 PLATS, W C R 8/35 203.7 X 189

PROPOSAL: Total Armored Car/Stanton J. Barr request permission to change one nonconforming use (Sales & Service Station Permit #44395 5-15-28) to another non-conforming use (Office & Storage) located in a 39.400 square foot building located on a 65,000 square foot lot in an R3 zone (LOW DENSITY RESIDENTIAL DISTRICT). This case is appealed because the Board of Zoning Appeals because a non-conforming use may be changed to another nonconforming use only where reviewed and approved by the Board of Zoning Appeals in accordance with the procedures that are specified in Section 61-2-46 of this Code and the Board of Zoning Appeals may approve such change of use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use; 810 square foot of interior landscaping required, No alley shown on site plan and loading, unloading not shown on site plan. (Sections 61-15-20 Change of Use to Other Nonconforming Use.)AP

10:45 a.m.

CASE NO.: 76-18 (BSEED 97-18)

APPLICANT: ROMIA KIRMA

LOCATION: 10345 W. Eight Mile between Birwood and Griggs in a B2 zone (Local Business And Residential District) – Council District #2

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE ROAD W 17 FT 7 6 GRAND PARK SUB L42 P16 PLATS, W C R 16/404 40 X 100

PROPOSAL: Romia Kirma appeals and requests to reverse the decision of the Buildings Safety Engineering and Environmental Department (PIN: 16009481-2 BSEED #97-18) which DENIED the establishment of a Medical Marihuana Provisioning Center Facility (MMPCF) in an existing building located at 10345 W. Eight Mile in a B2 zone (LOCAL BUSINESS AND RESIDENTIAL 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 MMFCF site is located within 950 feet of a “DRUG FREE ZONE” known as Wells Playground located at 20159 Griggs. (Sections 61-4-71. Jurisdiction Over Appeals of Administrative Decisions, Sec. 61-3-355 (b) (1). Permitted districts for medical marihuana facilities; Conditional Uses; Restrictions and 61-3-231 General Approval Criteria)AP

11:30 a.m.

CASE NO.: 77-18

APPLICANT: WAEL ELZENY

LOCATION: 14730 Harper between Outer Drive and Manistique in a B4 zone (General Business District) – Council District #4

LEGAL DESCRIPTION OF PROPERTY: S HARPER 1 THRU 5 PARK & BOULEVARD SUB L42 P70 PLATS, W C R 21/618 102.40 X 100

PROPOSAL: Wael Elzeny appeals and requests to reverse the decision of the Buildings Safety Engineering and Environmental Department (BSEED #103-18) which DENIED the establishment of a Medical Marihuana Provisioning Center Facility (MMPCF) in an existing building located at 14730 Harper 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. 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 MMPCF site is located within 759 feet of a "Controlled Use" known as Ashley's Market located at 9000 Hayes.* (Sections 61-4-71. Jurisdiction Over Appeals of Administrative Decisions, Sec. 61-3-355 (b) (1). Permitted districts for medical marihuana facilities; Conditional Uses; Restrictions and 61-3-231 General Approval Criteria).AP

VII. PUBLIC COMMENT / NEW BUSINESS

Next Hearing Date: March 19, 2019

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 to schedule these services.