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**REGULAR MEETING OF
APRIL 23, 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: APRIL 16, 2019**

IV. COMMUNICATIONS:

V. MISCELLANEOUS BUSINESS:

VI. PUBLIC HEARINGS:

9:15 a.m. CASE NO.: 12-19 (BSEED 130-18)

APPLICANT: CRYSTAL MITCHELL

LOCATION: 18845 W. McNichols Rd. between Stahelin Ave. and Avon Ave. in a B4 zone (General Business District)-City Council District #1

LEGAL DESCRIPTION OF PROPERTY: S--W MC NICHOLS RD 121 EXC MC NICHOLS RD AS WD 122&123 MYLAND SUB L33 P10 PLATS W C R 22/443 134.05 IRREG

PROPOSAL: Crystal Mitchell seeks dimensional variances to establish a 3,492 square foot Rental Hall on the second floor of an existing 13,600 square foot building along with accessory parking APPROVED w conditions in BSEED 130-18 (effective date February 1, 2019) 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 61-14-2 (change of use); *thirty-five (35) off-street parking spaces are required – nineteen (19) are proposed and the proposed use requires a neighborhood petition of 67% of the people owning property, residing or doing business within 500 radial feet of the subject property have no objection to this proposal*, therefore variances are required by the BZA. (Sections 61-4-91(1) Permitted Dimensional Variances, Sec. 61-14-2 (3). Applicability (*Change of Use*). 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.:** 14-19 (BSEED 55-18)
APPLICANT: HOWARD BROWN
LOCATION: 16424 W. Warren Ave. between Audobon Rd. and E. Outer Dr. in a B4 zone (General Business District) City Council District #4
LEGAL DESCRIPTION OF PROPERTY: S WARREN E 311 & 312 135 A M CAMPAUS THREE MILE DRIVE ADDNL46 P78 PLATS, W C R 21/698 50 X 100
PROPOSAL: Howard Brown request a parking variance to add a Rental Hall to an existing Dance Studio in a 5,700 square foot building (Permit #BLD2017-00650 February 2, 2017) 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 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; fifty-one off-street parking spaces are required, 0 spaces are provided. (Sections 61-4-92(1) Permitted dimensional variances; Location or Amount of Off-Street Parking and 61-4-81 Approval Criteria).AP

10:45 a.m. **CASE NO.:** 15-19 (BSEED 91-18)
APPLICANT: RIVIL RAAD VALDO
LOCATION: 14290 Goddard between Modern St. and E. McNichols in a M4 zone (Intensive Industrial District)-City Council District #3
LEGAL DESCRIPTION OF PROPERTY: E GODDARD E 95 FT OF LOTS 3 THRU 10 169 THRU 163 N 12 FT OF 162 AND W 25 FT OF VAC ARLINGTON AVE AND ALLEY ADJ RAYNOLDS & HARVEYS SUB L15 P5 PLATS, W C R 9/141 53,052 SQ FT
PROPOSAL: Rivil Raad Valdo appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED 91-18 Effective Date: January 14, 2019) which DENIED the establishment of a Junkyard with Indoor Dismantling and Used Auto Parts Facility in two existing buildings encompassing a combined on 6,850 square foot building on a 1.22 acre site in a M4 zone (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, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department. Also, the minimum lot or parcel size for junkyards shall be two acres or 87,120 square feet; 14290 Goddard is approximately 1.22 acres or 53,146 square feet; and a twenty foot landscaped setback from the property line is required, none is provided; and for opaque screening, a waiver is required for the sheet metal fencing proposed along the north, east and south property lines. (Sections 61-12-261. Junkyards, 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

