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REGULAR MEETING OF

SEPTEMBER 24, 2019

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: September 17, 2019**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

9:15 a.m. CASE NO.: 53-19

APPLICANT: Lamar Advertising

LOCATION: 5569 14th between I-94 Service Dr. and Hudson St. in a B4 zone (General Business District)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: W 14TH 578 PLAT OF GODFROY FARM L7 P55 PLATS, W C R 10/50 40 X 145

PROPOSAL: Lamar Advertising is filing an appeal TO replace an existing non-conforming Billboard Structure with a NEW non-conforming advertising sign structure in the Grand Blvd. Overlay District bounded by East Grand Boulevard, the Detroit River and West Grand Boulevard 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; For this nonconforming sign, once the existing structure is removed then the non-conformity would be extinguished. A new billboard (LED) on a new structure, is not allowed in the Grand Boulevard Overlay Area. The BZA can't hear this new sign. (Sections 61-4-71 Appeals of Administrative Decisions, Sec. 61-4-72.Appeals).AP

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

10:00 a.m. CASE NO.: 22-19 (aka BSEED 9-18) – ADJOURNED FROM MAY 21, 2019
APPLICANT: Nasem Issak
LOCATION: 22251 W Grand River between Cooley and Redford in a B4 Zone (General Business District) City Council District #1

LEGAL DESCRIPTION OF PROPERTY: S GRAND RIVER N 81.45 FT ON W LINE BG N 81.56 FT ON E LINE 3 EXC GRAND RIVER AVE AS WD FAIR PLAINS SUB L26 P50 PLATS, W C R 22/528 100 X 81.5A

PURPOSAL: Nasem Issak appeals the decision of the Buildings Safety and Engineering and Environmental Department (BSEED 09-18) which **DENIED** the expansion of an existing Minor Motor Vehicle Repair Facility from 1,353 square feet to 3,937 square feet 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. by expanding the building the petitioner is creating a parking deficiency – 13 parking spaces are required – 5 customer parking spaces are proposed; however, one space is located near an existing curb cut, thus reducing the number of customer parking spaces to 4: 9 space deficient.(Sections Sec. 61-4-91(1). Permitted dimensional variances; (1) Location or Amount of Off-Street Parking and 61-3-231 General Approval Criteria and 61-4-81 (if denial overturned and variance fee is paid).AP

10:45 a.m. CASE NO.: 38-19 (aka BSEED 137-18) – ADJOURNED FROM AUGUST 20, 2019
APPLICANT: Mark Fraser
LOCATION: 7900 Michigan Ave (aka 7924 Michigan) between Springwells and Elmer in a B4 Zone (General Business District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: N MICHIGAN 25 THRU 30 QUINN & SASS SUB L28 P28 PLATS, W C R 20/230 129.23 IRREG

PROPOSAL: Mark Fraser requests an Off-Street-Parking Variance TO expand a Minor Motor Vehicle Repair Facility (Father & Son Muffler Clinic) to add a Retail Paint Supply Store with accessory Warehouse in a 4,513 square foot portion of an existing 8,678 square foot building which was **APPROVED WITH CONDITIONS** in (BSEED 137-18) 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. Also, deficient Off-Street-Parking: 19 spaces required, 7 spaces provided, 12 spaces deficient. (Sections 61-4-91(1) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking and 61-4-81 Approval Criteria.)AP

11:30 a.m. CASE NO.: 27-19 (aka BSEED 173-16) – ADJOURNED FROM JUNE 11, 2019

APPLICANT: JAR Capital, LLC

LOCATION: 611 Hillger between E. Jefferson Ave. and Freud St. in an M4 zone (Intensive Industrial District)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: W LYCASTE 12 EXC N 149.64 FT OF E 193.57 FT TERMINAL SUB L26 P80 PLATS, W C R 21/372 28 THRU 32 HUTTON TIGHON & NALL SUB L24 P18 PLATS, W C R 21/263 82,985 SQ FT

PROPOSAL: JAR Capital, LLC appeals the decision of the Buildings Safety Engineering and Environmental Department’s Special Land Use Review dated February 6, 2019 which states; the subject property has been identified as being within 1000 radial feet of a Drug Free Zone in a M4 INTENSIVE INDUSTRIAL 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 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 611 Hillger has been identified as being in a Drug Free Zone (DFZ) based on its proximity to Pathways Academy located at 11200 (aka 11340) E. Jefferson.. Pathways Academy is a legally, operating, public charter school located approximately 539 radial feet from the subject property at 611 Hillger, therefore becomes ineligible to establish a Medical Marihuana Growers Faculty (Sections 61-4-72 Appeals and 61-3-355 Permitted districts for medical marihuana facilities; Conditional Uses; Restrictions(c)(d).).AP

VII. PUBLIC COMMENT / NEW BUSINESS

Next Hearing Date: October 1, 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, through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.