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**PLEASE NOTE
LOCATION OF
HEARING HAS
CHANGED**

REGULAR MEETING OF
JANUARY 28, 2020
BOARD OF ZONING APPEAL'S
ON THE 2ND FLOOR, SUITE 212
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: January 14, 2020**

IV. COMMUNICATIONS:

V. MISCELLANEOUS BUSINESS:

VI. PUBLIC HEARINGS:

9:15 a.m. CASE NO.: 97-19 – Adjourned from December 17, 2019

APPLICANT: DR. DARNELL KAIGLER

LOCATION: 1760 Lincolnshire Dr. between Balmoral and Lucerne R1 Zone (Single-Family Residential District)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: W GLOUCESTER S 69 FT ON E BG S 55 FT ON LINE 210 211 PALMER WOODS SUB L32 P16 PLATS, W C R 2/140 189 IRREG

PROPOSAL: Dr. Darnell Kaigler request variances for setbacks to allow the construction project of a new garage bay (second story) and enclose an outdoor living area approved by BSEED and subsequently revised by BSEED: now considered to be encroaching, in a R1 Zone (Single-Family Residential 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: Rear yard setback to finish construction. (Sections 50-13-2 R1 District; Intensity and dimensional standards, 50-4-131 Permitted dimensional variances and 50-4-121 Approval Criteria).

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

10:00 a.m. CASE NO.: 93-19

APPLICANT: AUTO LEGACY, INC.

LOCATION: 19529 W Davison Between: Auburn and Westwood in a M4 Zone (Intensive Industrial District)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: S DAVISON 24&23 N 30 FT 22 B E TAYLORS BRIGHTMOOR CONSOLIDATED R R SITES SUB L52 P48 PLATS, W C R 22/511 72,586 SQ FT

PROPOSAL: Auto Legacy, Inc. requests a Variance of Spacing/Locational Regulation for a proposed Used Moto Vehicle Sales Lot (BY-Right) on an existing approximately 1.3 acre lot APPROVED w conditions in (SLU2018-00072) in a M4 (Intensive Industrial District). This case is appealed because after a public hearing, a variance may be granted by the Board of Zoning Appeals based on the approval criteria of Sec. 50-4-121 of this Code in the instance that when an administrative adjustment is granted, excluding all Adult Uses, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, between land uses and in accordance with the procedures in Sec. 50-3-61 of this Code and any use regulation that is specified in ARTICLE XII SUBDIVISION E 50-12-293 of this code. Also, relocate the loading zone to a drive aisle within the site; 1 additional customer space is required and the use is located within 1000 feet of Master Auto Parts & Services located at 12934 Evergreen (363 ft.) (Sections 50-4-102 Appeals, 50-3-61 Waiver of General Spacing Requirements and 50-4-121 Approval Criteria.)AP

10:45 a.m. CASE NO.: 92-19 – WITHDRAWN

APPLICANT: URBAN MEDICAL FARMS, LLC

LOCATION: 9700 E. Eight Mile Rd. (aka 8600 E. Eight Mile Rd.) Between: Conner and Grosebeck in a M4 Zone (Intensive Industrial District)-City Council District #3

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PURPOSAL: Urban Medical Farms, LLC appeals the decision of the Buildings Safety Engineering and Environmental Department’s Special Land Use Review Case #119-18 dated June 28, 2019; Effective Date July 12, 2019 which DENIED the establishment of a Medical Marihuana Grower Facility (MMGF) and Medical Marihuana Processor Facility (MMPF) in an existing 11,253 square foot unit of an existing 112,021 square foot building in an 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. A. the Nortown Community Development Corp and the hearing officer identified that the majority of the 50 support letters of support were not from residents, B. the conditions use is not consistent with the intent and purposes of the Ordinance and C. the conditional use will be injurious. (Sections 50-4-102 Appeals and 50-3-352. Medical Marihuana caregiver center subject to this division and 50-4-121 Approval Criteria).

- VII. PUBLIC COMMENT / NEW BUSINESS
Next Hearing Date: February 11, 2020
- VIII. ADVISEMENTS / OLD BUSINESS
- IX. MEETING ADJOURNED