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JAMES W. RIBBRON
Director

REGULAR MEETING OF
JULY 21, 2020

In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4), The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web. We encourage the public to use one of the following:

The Telephone Numbers Are:
(312) 626-6799 or (213) 338-8477, Meeting ID: 927361025

If You Are Joining By Web The Link Is:
<https://cityofdetroit.zoom.us/j/927361025>

If you need additional information regarding this meeting, you can contact either James Ribbron: (313) 939-1405 or Thomina Davidson: (313) 451-2678

DOCKET

- I. OPENING:**
 - A. CALL TO ORDER.....9:00 A.M.**
 - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
 - A. APPROVAL OF MINUTES: July 14, 2020**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

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

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.

9:15 a.m. CASE NO.: 14-17 (aka BSEED 89-16) CIRCUIT COURT REMANDED BACK FOR REVIEW

APPLICANT: HEATHER GATIE

LOCATION: 13815 W. Eight Mile Rd. Between: Lesure St and Stansbury Ave in a B4 Zone (General Business District) - City Council District #3

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE W W 18 FT OF S 80 FT 67 E 7 FT OF S 80 FT 66 DERBY SUB L38 P85 PLATS, WCR 22/215 25 X 80

PROPOSAL: Heather Gatie requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing approximate 1,544 square foot building, which was APPROVED conditionally in (BSEED 89-16) 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 (other than arcade) or a Religious Institution. The proposed use is within 1,000 radial feet of one Controlled Use, Vanidy Liquor Shop located at 20516 Schaefer – 852.65 linear away, and three (3) Religious Institutions, Tracey Life Changing Ministries located at 20461 Tracey – 594 linear feet away, Monument of Faith Full Gospel located at 13829-35 W. Eight Mile – 54 linear feet away and Walking on Faith Ministries located at 13823 W. Eight Mile Rd. – 30 linear 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: remanded back to BZA by the Circuit Court “to schedule a hearing on plaintiff’s appeal of the revised decision of the City of Detroit Building, Safety, Engineering and Environmental Department dated September 21, 2017 and to schedule a hearing to decide plaintiff’s request for a variance that was heard by the BZA on September 12, 2017”. (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

9:45 a.m. CASE NO.: 17-20

APPLICANT: WALLICK COMMUNITIES-JOE HALL

LOCATION: 17370 Meyers between Santa Maria and Santa Clare in a R1 (Single-Family Residential District)-City Council District #2

LEGAL DESCRIPTION OF PROPERTY: E MEYERS PT OF SE 1/4 SEC 8 T 1 S R 11 E; DESC AS: BEG AT THE E LINE OF MEYERS (76 FT WD) & N LINE OF SANTA MARIA AVE (50 FT WD) TH N 01D 43M 00S W 639.10 FT; TH N 89D 31M 09S E 223.29 FT; TH S 01D 40M 38S E 638.77 FT; TH S 89D 26M 03S W 222.84 TO POB 3.27 ACRES SPLIT/COMBINED ON 10/03/2017 FROM 16046187-0

PROPOSAL: Wallick Communities – Joe Hall request variances APPROVED w/ Conditions in BSEED SPR2020-00016 – PIN 050003750-82) for a proposed senior housing development that will consist of: 1) building A with 18 units, 2) building B with 14 units and a new construction of a residential building with 73 units for a total of 105 multiple-dwelling units in a R1 Single-Family Residential District). The property is currently zoned R1, however, this parcel is currently going through the process for a rezoning to a R3 zoning 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 for a variance of the minimum setbacks; multi-family new construction 73 unit (Section 50-13-4; R3 District: Rear Setback 30’ feet required – 15’feet proposed (Sections 50-4-131 - Permitted dimensional variances and 50-4-121 Approval Criteria).AP

JULY 21, 2020
DOCKET CONTINUED

10:45 a.m. CASE NO.: 95-19 aka BSEED 205-16
APPLICANT: SUNSHINE AUTO CARE
LOCATION: 7706 Tireman between Alpine and Central in a B4 zone (General Business District)-Council District #6
LEGAL DESCRIPTION OF PROPERTY: N TIREMAN 512&511 FRISCHKORNS TIREMAN PARK SUB L34 P43 PLATS, W C R 16/225 43 X 100
PROPOSAL: Sunshine Auto Care request a dimensional variance to establish a Major Motor Vehicle Repair Facility in an existing 4,171 square foot building and accessory parking at 8023 & 8033 Central approved with conditions Building, Safety, Engineering Case No. 205-16 effective date November 7, 2017 in a B4 zone (GENERAL BUSINESS DISTRICT). This case is appealed because appeals of the Buildings and Safety Engineering Department on Conditional Use permit applications shall be taken to the Board of Zoning Appeals within fourteen (14) days of the date of the department's decision, also, 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; screening of parking area – proposed screening material does not meet the standards and setback from residential – front 20 ft required – 5 ft 6 in proposed. (Sections 50-4-101 - Jurisdiction over appeals of administrative decisions and 50-4-121 Approval Criteria).AP

11:45 a.m. CASE NO.: 68-18
APPLICANT: ALVIN NABIL
LOCATION: 16711 Mack Ave. Between: Bishop St and Yorkshire Rd. in a B4 Zone (General Business District)-City Council District #4
LEGAL DESCRIPTION OF PROPERTY: N MACK 127 & 128 EXC MACK AVE AS WD GROSSE POINTE VIEW SUB L48 P35 PLATS, W C R 21/717 40 X 92.95A
PROPOSAL: Alvin Nabil Alosachi appeals and requests to reverse the decision of the Buildings Safety Engineering and Environmental Department (PIN: 21001481-2) which DENIED the establishment of a Medical Marihuana Provisioning Center Facility (MMPCF) in an existing approximate 2,941 square foot building 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 MMFCF site is located within 872.8 feet of a "DRUG FREE ZONE" known as St. Clare of Montefalco Catholic School located at 16231 Charlevoix, Grosse Pointe, Park, Mi. 48230. (Sections 61-4-71. Jurisdiction Over Appeals of Administrative Decisions, Sec. 61-3-355 (3). 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: July 28, 2020
VIII. ADVISEMENTS / OLD BUSINESS
IX. MEETING ADJOURNED