

BOARD MEMBERS

Keith Williams
Chairperson

Robert Thomas
Vice-Chairperson

Evelyn Smith
Latisha Johnson
Rita Ross
Robert G. Weed
Emmanuel Calzada



City of Detroit
Board of Zoning Appeals
Coleman A. Young Municipal Center
2 Woodward Ave Suite 212
Detroit, Michigan 48226
(313) 224-3595

JAMES W. RIBBRON
Director

LYALL T. HOGGATT
Appeals Specialist

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **July 26, 2016** on the 13th Floor in Council Chambers, Coleman A. Young Municipal Building, 2 Woodward Avenue.

The Chairman of the Board Keith Williams called the meeting to order and Appeals Specialist Hoggatt called the roll at 9:00 a.m.

BOARD MEMBERS PRESENT:

- (1) Keith Williams, Board Member
- (2) Robert E. Thomas, Board Member
- (3) Robert G. Weed, Board Member
- (4) Evelyn Smith, Board Member
- (5) Emmanuel Calzada, Board Member
- (6) Rita Ross, Board Member

BOARD MEMBERS ABSENT: Latisha Johnson

MINUTES:

Board Member Calzada made a motion to approve the minutes for July 12, 2016

Affirmative: Mr. Thomas, Williams, Calzada, Weed

Ms. Smith, Ross

Negative: None

PROCEDURAL MATTERS:

- (A) A motion was made, seconded and carried that the Director of the Board read into the record the notices, reports, letters, or any other information pro or con, on each individual case, and be filed and made a part of the record in each case.
- (B) A motion was made, seconded and carried that the appearance slips, be filled out by property owners or parties of interest who appeared at the public hearing, be filed in the individual case file and be made a part of the record in each case.
- (C) A motion was made, seconded, and carried that the recorded transcript of the proceedings of the various hearings, furnished by **BZA Staff**, be made part of the **MINUTES**.

CASE NO.: 11-16 (Community Appeal) - Adjourned from April 26, 2016 decision made on July 12, 2016.

Director Ribbron informed the Board of a communication that states the petitioner has reached an agreement with the operator and wishes to rescind his appeal.

ACTION OF THE BOARD: Mr. Weed made a motion to let the decision made that approved the petitioners request to reverse the decision made by the BSEED Department which reinstated the Building permit stand. Supported by Mr. Calzada

Affirmative: Mr. Williams, Thomas, Weed, Calzada
Ms. Smith, Ross

Negative:

**DECISION TO APPROVE PETITIONERS REQUEST
MADE ON JULY 12, 2016 STANDS**

9:15 a.m. **CASE NO.:** 28-16

APPLICANT: Vionna Adams / Detroit PAL

LOCATION: 2121 Trumbull Between: Michigan Ave. And Fisher Freeway Service Drive in a B4 Zone (General Business District).

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Vionna Adams / Detroit PAL requests a parking variance to establish an Outdoor Recreation (sports field), office and banquet space which will include a baseball field, the Police Athletic League's (PAL) headquarters and Hank Greenburg Hall of Heroes building (2 story), a State Police Outpost building (1 story), two dugouts, seating and an asphalt parking lot 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 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. (Sections 61-4-91(1) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant a parking variance to establish an Outdoor Recreation (sports field), office and banquet space which will include a baseball field, the Police Athletic League's (PAL) headquarters and Hank Greenburg Hall of Heroes building (2 story), a State Police Outpost building (1 story), two dugouts, seating and an asphalt parking lot in a B4 zone (General Business District). Supported by Mr. Calzada

Affirmative: Mr. Williams, Thomas, Weed, Calzada
Ms. Smith, Ross

Negative:

PARKING VARIANCE GRANTED

9:45 a.m. **CASE NO.:** 54-15

APPLICANT: Clyde Sanders

LOCATION: 14000 Fenkell Between: Cruse and Stansbury in a B2 Zone (Local Business and Residential District).

LEGAL DESCRIPTION OF PROPERTY: N FENKELL 33 THRU 36 DAVYS FENKELL AVE SUB L51 P67 PLATS, W C R 22/189 82 X 88

PROPOSAL: Clyde Sanders requests permission to modify a previous Board Grant (BZA 4-13) which allowed the legalization and re-establishment of a nonconforming second principle use (Minor Motor Vehicle Repair Facility) BY adding a Used Auto Sales and Service use on immediate adjacent lots, thereby expanding a nonconforming use in a B2 zone (General Business District). This case is appealed because The Board of Zoning Appeals shall have the authority to hold hearings and render decisions with respect to nonconforming uses, buildings and structures; and a public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion or intensification of a nonconforming use, subject to the provisions of Sec. 61-15-17 of this Code. (Sections 61-15-7 Board of Zoning Appeals, 61-15-16 Expansion or Intensification of Nonconforming Uses, 61-4-91(1) Permitted Dimensional Variance, Loading, 61-15-17 Hearing Required and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to GRANT permission to modify a previous Board Grant (BZA 4-13) which allowed the legalization and re-establishment of a nonconforming second principle use (Minor Motor Vehicle Repair Facility) BY adding a Used Auto Sales and Service use on immediate adjacent lots, thereby expanding a nonconforming use in a B2 zone (General Business District). Supported by Mr. Thomas

Affirmative: Mr. Weed, Williams, Calzada, Thomas
Ms. Smith, Ross

Negative:

EXPANSION OF NONCONFORMING USE GRANTED

10:15 a.m. **CASE NO.:** 23-16, 24-16 & 25-16

APPLICANT: Phillip Kafka

LOCATION: 4719, 4711, 4703, 4699 & 4693 16th Street Between: W. Hancock and W. Forest in a R2 Zone (Two Family Residential District).

LEGAL DESCRIPTION OF PROPERTY: W 16TH 592 SUB OF P C 44 L68 P2-3 DEEDS, W C R 10/31 40 X 125.85A. W 16TH 591 SUB OF P C 44 L68 P2-3 DEEDS, W C R 10/31 40 X 125.85A. THE SOUTH 35 FEET OF LOT 593, SUBDIVISION OF PRIVATE CLAIM 44, AS RECORDED IN LIBER 68, PAGES 2 AND 3 OF DEEDS, WAYNE COUNTY RECORDS. LOTS 594 AND THE NORTH 5 FEET OF LOT 593, SUBDIVISION OF PRIVATE CLAIM 44, AS RECORDED IN LIBER 68 PAGES 2 AND 3 OF DEEDS, WAYNE COUNTY RECORDS. LOT 595 SUBDIVISION OF PRIVATE CLAIM 44, AS RECORDED IN LIBER 68 PAGES 2 AND 3 OF DEEDS, WAYNE COUNTY RECORDS.

PROPOSAL: Phillip Kafka requests various dimensional variances a waivers of use regulations to establish and construct eight (8) residential units (Quonset Hut Project), where four (4) units are considered excessive principle structures on each of three (3) separate parcels of land or zoning lots in a R2 zone (Two Family Residential District). This case is appealed because not more than one (1) principal detached residential building shall be located on a zoning lot in the R1, R2, R3, R4, R5, and R6 Districts. After a public hearing, a variance may be granted by the Board of Zoning Appeals based on the approval criteria of Sec. 61-4-81 of this Code and except when an administrative adjustment may be granted, the Board of Zoning Appeals may modify any use regulation that is specified in ARTICLE XII DIVISION 4 of this Chapter. Excessive number of principles on a zoning lot, deficient Off-Street Parking and deficient front and rear yard setback. (Sections 61-12-351 Number of Buildings on a Zoning Lot, 61-4-92(1) Other Variances, Variance of Use Regulations and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to **GRANT various dimensional variances a waivers of use regulations to establish and construct eight (8) residential units (Quonset Hut Project), where four (4) units are considered excessive principle structures on each of three (3) separate parcels of land or zoning lots in a R2 zone (Two Family Residential District).** Supported by Mr. Thomas

Affirmative: Mr. Weed, Williams, Calzada, Thomas
Ms. Smith, Ross

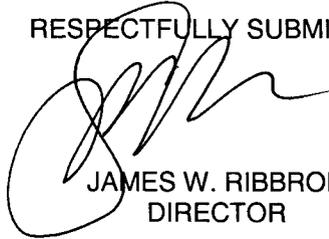
Negative:

DIMENSIONAL VARIANCES GRANTED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Thomas motioned that the meeting be adjourned. Board Member Calzada seconded this motion which was unanimously carried and the meeting adjourned at 12:40 p.m.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp