

## 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 **October 18, 2016** on the 13th Floor in Auditorium, 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)
- (5) Rita Ross, Board Member
- (6) Evelyn Smith, Board Member
- (7) Latistha Johnson, Board Member

#### BOARD MEMBERS ABSENT:

- (1) Emmanuel Calzada, Board Member

#### MINUTES:

Board Member Ross made a motion to approve the minutes for October 11, 2016 and with corrections.

Affirmative: Mr. Williams

Ms. Ross, Smith, Johnson

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**.



9:45 a.m. **CASE NO.:** 27-16 (aka BSE&ED 80-15)  
**APPLICANT:** Steve Flum / Kevin Miller  
**LOCATION:** 17040 E. Eight Mile Rd. Between: Kelly Rd. and Cushing St. in a B4 Zone (General Business District).

**LEGAL DESCRIPTION OF PROPERTY:** LOTS 88-102, TERNES SUPERHIGHWAY SUBDIVISION, LIBER 61, PAGE 72, PLATS W.C.R. (PIN 21056989-7003)

**PROPOSAL:** Steve Flum / Kevin Miller requests a Variance of Use Regulation, and a Variance of Spacing Regulation TO establish a Used Motor Vehicle Sales lot on a 0.61 acre parcel with an existing 3,300 square foot building which was APPROVED in (BSEED 80-15) in a B4 zone (General Business 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. 61-4-81 of this Code. Only the Board of Zoning Appeals may adjust the spacing requirements between land uses, as provided for in the tables in Sec. 61-12-91 of this Code, as a "locational variance" in accordance with the conditions specified in Sec. 61-12-95 and the criteria specified in Sec. 61-4-81 of this Code. Also, only one (1) Used Auto Sales and service lot is allowed within 1,000 radial feet of another. There are two (2) existing used auto sales lots within 1,000 radial feet of the subject property; 17020 E. Eight Mile Rd. (20 feet away) and 16850 E. Eight Mile Rd. (656 feet away). (Sections 61-12-91 Retail, Service and Commercial Uses-Spacing, 61-12-87 (SPC) Spacing, 61-12-95 Waiver of General Spacing Requirements, 61-4-92(3) Other Variances, Variance of Spacing, Locational Regulation and 61-4-81 Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to **GRANT** petitioners request of Use Regulation, and a Variance of Spacing Regulation TO establish a Used Motor Vehicle Sales lot on a 0.61 acre parcel with an existing 3,300 square foot building which was APPROVED in (BSEED 80-15) in a B4 zone (General Business District). Supported by Mr. Thomas

**Affirmative:** Mr. Thomas, Weed, Williams  
Ms. Ross

**Negative:** Ms. Johnson, Smith

**DIMENSIONAL VARIANCE, USE REGULATIONS AND SPACING REGULATIONS WAIVED.**

10:15 a.m. **CASE NO.:** 22-16 (aka BSE&ED 62-15)  
**APPLICANT:** Nasem Issak  
**LOCATION:** 22251 W. Grand River Ave. Between: Cooley St. and Bosworth Ct. in a B4 Zone (General Business District).

**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 LOT 3. (PIN 22007494)

**PROPOSAL:** Nasem Issak appeals the decision of the Buildings Safety Engineering and Environmental Department DENYING the site plan TO expand an existing Minor Motor Vehicle Repair Facility BY adding a Used Auto Parts Sales use and construct a two (2) bay garage and storage space 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 any denial of a site plan. (Sections 61-4-71 Jurisdiction Over Appeals of Administrative Decisions and 61-3-151 thru 61-3-167 Approval Criteria).AP

**ACTION OF THE BOARD:** Ms. Johnson made a motion to **DISMISS** this case at the petitioners request as they attempt to get an approved site plan. They will then go back to BSEED for the Conditional Land Use. Supported by Mr. Thomas

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

Negative: none

**DISMISSED WITH PREJUDICE AND WITHOUT RETURN OF FEE**

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**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.**

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There being no further business to be transacted, Board Member Thomas motioned that the meeting be adjourned. Board Member Ross seconded this motion which was unanimously carried and the meeting adjourned at 11:10 a.m.

RESPECTFULLY SUBMITTED

JAMES W. RIBBRON  
DIRECTOR

JWR/atp