

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 4, 2016** on the 13th Floor in Auditorium, Coleman A. Young Municipal Building, 2 Woodward Avenue.

The Vice-Chairman of the Board Robert Thomas 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) Emmanuel Calzada, Board Member
- (5) Rita Ross, Board Member
- (6) Evelyn Smith, Board Member
- (7) Latistha Johnson, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

No minutes were approved

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**.

9:15 a.m. CASE NO.: 20-16

APPLICANT: Mohamed Seleh

LOCATION: 3201 W. Davison St. Between: Wildemere St. and Dexter Ave. in a B4 Zone (General Business District).

LEGAL DESCRIPTION OF PROPERTY: LOTS 8-11 IN THE WEST GILBERT SECURITY SUBDIVISION LIBER 38, PAGE 60 OF WAYNE COUNTY RECORDS. 140 X 56

PROPOSAL: Mohamed Seleh requests to modify a previous Board Grant (BZA 63-99) which legalized a new and used tire sales and service facility (Minor Motor Vehicle Services) BY expanding a legal nonconforming use, adding to the existing approximate 712 square foot building an approximate 742 square foot building that would contain two (2) service bays and total approximately 1,454 square feet in a B4 zone (General Business District). This case is appealed because any increase in the gross floor area of a building that houses a nonconforming use shall be deemed an expansion of the nonconforming use. A public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion of a nonconforming use, subject to the provisions of Sec. 61-15-17 of this Code. No modification of any provision of any zoning grant, that is issued by the Board of Zoning Appeals, shall be permitted, unless such modification shall have been approved subsequent to a public hearing as required for the use. Also, the petitioner is required to comply with previous Board Grant Condition (s) which requires a solid unpierced masonry wall or decorative wood privacy fence not less than six (6) feet in height as measured from the surface of the parking area and maintained in a neat and orderly appearance on the south (rear) property line. (Sections 61-15-16(1) Expansion of Nonconforming Uses, 61-4-141 Zoning Grant Modifications, Hearing Required and 61-15-17 Required Findings).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to GRANT expanding a legal nonconforming use, adding to the existing approximate 712 square foot building an approximate 742 square foot building that would contain two (2) service bays and total approximately 1,454 square feet in a B4 zone (General Business District). Supported by Mr. Thomas

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

Negative:

EXPANSION OF NONCONFORMING USE GRANTED

9:45 a.m. **CASE NO.:** **19-16**

APPLICANT: Harmon Sign

LOCATION: **19800 Pembroke Ave. (aka 19900 Evergreen Rd.)**
 Between: Fargo St. and Vassar Dr. in a R2 Zone (Two
 Family Residential District).

LEGAL DESCRIPTION OF PROPERTY: N PEMBROKE 149 THRU 193 260
 THRU 289 AND VAC PLAINVIEW AVE ADJ SD LOTS
 ALSO VAC ALLEYS ADJ SD LOTS EVERGREEN
 GARDENS SUB L59 P92 PLATS, W C R 22/613 570 X
 520.09

PROPOSAL: **Harmon Sign requests a variance of Use Regulation to
replace an existing two (2) sided Institutional Bulletin
sign with a new two (2) sided Institutional Bulletin sign
with a LED and Electronic Message Board component
for the Corpus Christi Catholic Community Church in a
R2 zone (Two Family Residential District). This case is
appealed because except when an administrative
adjustment may be granted, the Board of Zoning
Appeals may modify any use regulation that is specified
in Article VI, Division 2 of this Chapter. One (1)
Institutional Bulletin sign that does not exceed thirty
two (32) square feet in area shall be permitted. The
proposed sign face area is approximately 42 square feet
which is 10 square feet excessive sign face area.
(Sections 61-4-92(1) Other Variances, Variance of Use
Regulation, 61-6-40(a) Institutional Bulletin, Area and
Number and 61-4-81 Approval Criteria).AP**

ACTION OF THE BOARD: Ms. Ross made a motion to **GRANT** replace an existing
**two (2) sided Institutional Bulletin sign with a new two
(2) sided Institutional Bulletin sign with a LED and
Electronic Message Board component for the Corpus
Christi Catholic Community Church in a R2 zone (Two
Family Residential District). Supported by Mr. Weed**

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

Negative:

SIGN REPLACEMENT GRANTED

10:15 a.m. **CASE NO.:** 21-16 (aka BSE&ED 29-15)

APPLICANT: Giovanni Collision, Inc. / Bassim Shaikzainy

LOCATION: 7940 Tireman Ave. Between: Central Ave. and Alpine St. in a B4 Zone (General Business District).

LEGAL DESCRIPTION OF PROPERTY: N. Tireman Lots 517-520 in the Frischkorns Tireman park Subdivision (Liber 34, page 43 Plats WCR 16/225 85.50x100

PROPOSAL: Giovanni Collision, Inc./Bassim Shaikzainy appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED 29-15) which DENIED the establishment to add a Used Motor Vehicle Sales Lot to an existing Major Motor Vehicle Repair 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 deficient parking, Spacing from other legally established Used Auto Sales Lot and all used motor vehicle salesrooms or sales lots shall be established and located along a major thoroughfare only. (Sections 61-4-71 Jurisdiction Over Administrative Decisions, 61-12-213 Motor vehicles, used, salesroom or sales lot, 61-4-91 (1) Permitted dimensional variances (Location or Amount of off-street parking, 61-12-91 Retail, service, and commercial uses—Spacing 61-4-89 Variances in General, 61-3-231 General Approval Criteria and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Ms. Smith made a motion to DENY petitioner’s Appeal and Uphold the BSEED decision of Denial TO ADD Used Auto Sales Lot to existing Major Motor Vehicle Repair. Supported by Mr. Thomas

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

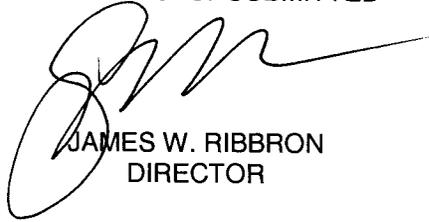
Negative: none

BSEED DECISION UPHELD USE DENIED

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 Johnson seconded this motion which was unanimously carried and the meeting adjourned at 11:20 p.m.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp