



**BOARD MEMBERS**

Keith Williams  
Chairperson

Robert Thomas  
Vice-Chairperson

Evelyn Smith  
Antonette McIlwain  
Paul Huxley  
Beverly B Smith  
Robert G. Weed

**CITY OF DETROIT**  
**BOARD OF ZONING APPEALS**  
Coleman A. Young Municipal Building  
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 **August 19, 2014** on the 13th Floor City 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) Antonette McIlwain, Board Member
- (6) Beverly B. Smith, Board Member

**BOARD MEMBERS ABSENT:**      none

- (1) Paul Huxley, Board Member

**NOT PRESENT FOR THE ENTIRE MEETING:**

- (1) Keith Williams, Board Member

**MINUTES:**

Board Member B. Smith made a motion to approve the minutes for August 5, 2014 with corrections.

Affirmative: Mr. Williams, Thomas  
Ms. McIlwain, B. Smith, E. Smith  
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 apart 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 transcript of the proceedings of the various hearings, furnished by **LAFLORA COURT REPORTING**, be made part of the **MINUTES**.

9:30 a.m.

**CASE NO.:** 25-14

**APPLICANT:** JUSTIN MAST

**LOCATION:** 2200-2206 Perry (aka 2801 14<sup>th</sup> Street) Between: 14<sup>th</sup> and 15<sup>th</sup> Streets in a R3 Zone (Low Density Residential District).

**LEGAL DESCRIPTION OF PROPERTY:** N PERRY W FT 85  
SUB OF PT OF GODFROY FARM L1 P293 PLATS, W  
C R 10/32 45 X 40 AND W 14<sup>TH</sup> E 100 FT 85 SUB OF  
GODFROY FARM L1 P293 PLATS, W C R 10/32 40 X  
100

**PROPOSAL:** JUSTIN MAST & Jerry Estes M.I.I.A. Inc requests permission to change a nonconforming use (Motor Vehicle Filling Station / Minor Motor Vehicle Repair Facility) issued under permit # 85522 on May 22, 1966 TO another nonconforming use (Office, business or professional) in a R3 zone (Low Density Residential District). This case is appealed the Board of Zoning Appeals shall have the authority to hold hearings and render decisions with respect to nonconforming uses, buildings, and structures. A nonconforming use may be changed to another nonconforming use only where reviewed and approved by the Board of Zoning Appeals. Also, 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. In addition, deficient Off-Street-Parking, deficient front, side and rear yard setbacks, deficient right-of-way screening on the east and south property lines and deficient opaque screening on the north and west property lines. (Sections 61-15-7 Board of Zoning Appeals, 61-15-20 Change of Nonconforming use to other nonconforming use, 61-4-91(1&6) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking, General Dimensional Standards and 61-4-81 Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Thomas made a motion to **ADJOURN** this case without date to receive a report generated from a site plan review and to subpoena the Director of Planning and Development to appear before the Board regarding Site Plan. Seconded by Ms. McIlwain

Affirmative: Mr. Williams, Weed, Thomas  
Ms. McIlwain, B. Smith, E. Smith

Negative:

**ADJOURNED**

10:00 a.m.	CASE NO.:	15-14
	APPLICANT:	Russell Street Investments c/o Scott Turnbull
	LOCATION:	2501 Russell Between: winder and Adelaide in a B6 Zone (General Services District).

**LEGAL DESCRIPTION OF PROPERTY: LOT 3 & THE  
SOUTH 40 FEET OF LOTS 1-2, S.B. MORSE'S  
SUBDIVISION, LIBER 45, PAGE 452, DEEDS,  
W.C.R.**

**PROPOSAL:** Russell Street Investments c/o Scott Turnbull requests a dimensional variance to **waive deficient Off-Street-Parking TO establish four (4) Loft units in an existing approximate 22,080 square foot four-story building approval in (SE&ED 88-13) in a B6 zone** (General Services 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. Also, deficient Off-Street-Parking and deficient Loading. (Sections 61-4-91(1) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking 61-4-81 Approval Criteria).AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to **Grant a parking variance to allow 4 loft units in a B6 zone. (General Services District).** Seconded by Mr. Thomas.

Affirmative: Mr. Williams, Weed, Thomas  
Ms. E. Smith, B. Smith, McIlwain

Negative: none

## PARKING WAIVER GRANTED

10:30 a.m.

CASE NO.: 22-14

APPLICANT: Said Arbid & Chaled Hatem / GFH Enterprises DBA Auto Planet

LOCATION: 13770 Joy Rd. Between: Schaefer Highway and Mark Twain in a M4 Zone (Intensive Industrial District).

LEGAL DESCRIPTION OF PROPERTY: PT OF SE ¼ OF SE ¼  
SEC 31 T 1 S R 11 E DESC AS FOLS BEG AT A PTE  
IN N LINE JOY RD DIST ALG SD LINE S 89D 54M 30S  
W 500FT TH CONT 717.14 FT ALGSD LINE TH N 0D  
06M E 267 FT ALG E LINE PENN R R R/W TH N 89D  
54M 30S E 717.76 FT TH S 0D 14M W 267 FT TO P O  
B OF SEC 31 T 1 S R 11 E 22/---191.558 SQ FT  
(PIN22003174)

PROPOSAL: Said Arbid & Chaleb Hatem / GFH Enterprises DBA Auto Planet appeals the decision of the Planning & Development Department DENYING the Site Plan and the decision of the Buildings Safety Engineering and Environmental Department (BSEED 67-13) which DENIED adding a Junkyard, Major Motor Vehicle Repair and a Used Tire Sales and Service to an existing Used Motor Sales Lot on a 4.4 acre parcel with a 75,945 square foot building in a M4 zone (Intensive Industrial 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, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department. Also, deficient masonry screen wall, deficient asphalt or cement paving of the entire site and deficient interior landscaping throughout the entire parking area. (Sections 61-4-71 Appeals of Administrative Decisions, 61-4-89 Variances, In General, 61-4-912(1&2) Variance of Use Regulation and Development Standards).AP

**ACTION OF THE BOARD:** Ms. B. Smith made a motion to Deny the Site Plan to add Junkyard, Major Motor Vehicle Repair and a Used Tire Sales and Service to an existing Used Motor Sales Lot on a 4.4 acre parcel with a 75,945 square foot building in a M4 zone (Intensive Industrial District). Seconded by Mr. Weed.

Affirmative: Mr. Williams, Weed, Thomas  
Ms. E. Smith, B. Smith, McIlwain

Negative: none

**SITE PLAN AND EXPANSION DENIED**

**Case No. 35-11**

**Niam M. Khanafer/Rotana Holdings, LLC** request permission to establish a **Minor Motor Vehicle Repair Facility in a 2,190 square foot portion of a 6,500 square foot one-story masonry building** in a B2 zone (Local Business and Residential District).

**ACTION OF THE BOARD:** Ms. Smith made a motion to Dismiss without return of fee Case No. 35-11 (hardship) due to lack of action by petitioner after notification sent and signed for. Seconded by Ms. McIlwain

Affirmative: Mr. Williams, Thomas  
Ms. E. Smith, McIlwain, B. Smith

Negative: none

**CASE 35-11 DISMISSED**

**ACTION OF THE BOARD:** Ms. B. Smith made a motion to have Attorney James do a written interpretation into whether the Board Chair can delegate the staff of the BZA to continue to sign the Decision and Orders. Seconded by Mr. McIlwain

Affirmative: Mr. Williams, Thomas  
Ms. E. Smith, McIlwain, B. Smith

Negative: none

**Action Granted**

August 19, 2014

Ms. B. Smith made a motion to **CONTINUE ADVISEMENTS.**

Affirmative: Mr. Thomas, Weed  
Ms. B. Smith, McIlwain, E. Smith


Negative: None

**ADVISEMENTS CONTINUED INDEFINITELY  
UNTIL FURTHER NOTICE.**

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There being no further business to be transacted, Board Member B. Smith motioned that the meeting be adjourned. Board Member E. Smith seconded this motion which was unanimously carried and the meeting adjourned at 11:45 a.m.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON  
DIRECTOR

JWR/atp