



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 **May 6, 2014** on the 13th Floor Erma L. Henderson, 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) Paul Huxley, Board Member
- (3) Robert E. Thomas, Board Member
- (4) Robert G. Weed, Board Member
- (5) Evelyn Smith, Board Member
- (6) Antonette McIlwain, Board Member

BOARD MEMBERS ABSENT: **none**

- (1) Beverly B. Smith, Board Member

NOT PRESENT FOR THE ENTIRE MEETING: **none**

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 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 **LAFLORE COURT REPORTING**, be made part of the **MINUTES**.

9:30 a.m.

CASE NO.: 5-14

APPLICANT: Tariq Aswaiter & Ali Nassar

LOCATION: 7533 W. Warren Between: Central and Proctor in a B4 Zone (General Business District).

LEGAL DESCRIPTION OF PROPERTY: LOTS 26-27 EXCLUDING WARREN AVE. AS WIDENED, WILLIAM L. HOLMES AND FRANK A. VERNOR'S SUBDIVISION, LIBER 16, PAGE 73 PLATS, W.C.R.

PROPOSAL: Tariq Aswaiter & Ali Nassar appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED 94-13) which DENIED the establishment of a Major Motor Vehicle Repair Facility (including bumping and painting with no outside vehicle storage or 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 opaque residential screening. (Sections 61-4-71 Jurisdiction Over Administrative Decisions, 61-12-214 Motor Vehicle Services, Major, 61-4-89 Variances in General, 61-4-91(1) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking, 61-3-231 General Approval Criteria and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Huxley made a motion to Deny the request to establish a Major Motor Vehicle Repair Facility. Seconded by Ms. McIlwain

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

Negative:

USE DENIED, THEREBY UPHOLDING BSEED DECISION

10:00 a.m. CASE NO.: 4-14
APPLICANT: Stanislaw Krzyanowski
LOCATION: 6820 E. Davison Between: Carrie and Sherwood in a M2 Zone (Restricted Industrial District).

LEGAL DESCRIPTION OF PROPERTY: S DAVIDSON W 5 FT 257258 THRU 2660 E 15 FT 261 PERRIENS N DETROIT SUB L46 P16 PLATS, W C R 15/231 80 X 110

PROPOSAL: Stanislaw Krzyanowski appeals the decision of the Planning and Development Department **DENYING** the Site Plan **AND** establish a Major Motor Vehicle Repair Facility (Bumping and Painting with no outside storage of vehicles) in an existing approximate 4,000 square foot building (operating without of a permit) in a M2 zone (Restricted 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 or any denial of a site plan by the Planning and Development Department. Also, deficient Off- Street-Parking and Loading, deficient five (5) foot walkway and deficient residential screening. (Sections 61-4-71 Jurisdiction Over Administrative Decisions, 61-12-214 Motor Vehicle Services, Major, 61-4-89 Variances in General, 61-4-91(1&2) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking and Loading, 61-3-151 thru 61-3-167 Approval Criteria, 61-3-231 General Approval Criteria and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to DENY the Site Plan, thereby Denying the Request to establish the Major Motor Vehicle Repair Facility. Seconded by Mr. Huxley

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

Negative:

SITE PLAN DENIED

10:30 a.m. **CASE NO.:** 8-14
APPLICANT: Richard Atto / Smkaga, Inc.
LOCATION: 14424 Schaefer Between: Lyndon and Schoolcraft in a M4 Zone (Intensive Industrial District).

LEGAL DESCRIPTION OF PROPERTY: E SCHAEFER ALL THAT PART OF W ½ OF S W ¼ SEC 20 T 1 S R 11 E DESC AS BEG AT A PTE DIST N 89D 50M E 150 FT FROM INT SEC OF E LINE SCHAEFER 66 FT WD & S LINE LYNDON AVE 63 FT WD TH S OD 9M 20S E 280 FT TH S 89D 50M 400 FT TH N OD 9M 20S W 140 FT TH N 89D 50M E 150 FT TH N OD 9M 20S W 140 FT TO P O B 22/---91,000FT.

PROPOSAL: Richard Atto / Smkaga, Inc. request a variance to waive deficient Off-Street Parking TO demolish an approximate 5,217 square foot portion of an existing 22,901 square foot commercial retail building (Banner Super Store, a by-right-use) and expand the remaining structure by adding an approximate 21,255 square foot addition, to total approximately 38,939 square feet in a M4 zone (Intensive Industrial 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 a 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. Also, deficient Parking and Interior Landscaping. **(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. Huxley made a motion to **GRANT** request to **waive off street parking and interior landscaping.** Seconded by Mr. McIlwain

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

Negative:

LANDSCAPING & DIMENISIONAL VARIANCE GRANTED

Mr. Huxley made a motion to **CONTINUE ADVISEMENTS.**

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

Negative: None

**ADVISEMENTS CONTINUED INDEFINITELY
UNTIL FURTHER NOTICE.**

There being no further business to be transacted, Board Member Huxley motioned that the meeting be adjourned. Board Member Thomas seconded this motion which was unanimously carried and the meeting adjourned at 11:58 a.m.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp

