

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 **May 24, 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) Latisha Johnson, Board Member
- (5) Emmanuel Calzada, Board Member
- (6) Evelyn Smith, Board Member
- (7) Rita Ross, Board Member

BOARD MEMBERS ABSENT: none

MINUTES:

Board Member Johnson made a motion to approve the minutes for April 26, 2016

Affirmative: Mr. Thomas, Williams, Calzada

Ms. 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 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**.

Chair Person Williams signed the Decision and Order for Case No 5-16 property located at 16900 W. Chicago and 9-16 property located at 649 W. Alexandrine.

9:15 a.m. **CASE NO.:** 10-16

APPLICANT: Phillips Sign & Lighting / E&L Meats

LOCATION: 6000 W. Vernor Between: Military and Calvary in a B4 Zone (General Business District).

LEGAL DESCRIPTION OF PROPERTY: N VERNOR HWY S 100 FT 397 DANIEL SCOTTENS RE SUB L3 P1 PLATS, W C R 16/43 47 X 100

PROPOSAL: Phillips Sign & Lighting / E&L Meats requests permission to modify a previous BZA Grant (BZA 31-14) which expanded an existing retail sales area BY replacing a 21'high business/identification/directional ground sign with a two-sided, 22'9" high, 103.5 square foot, internally illuminated business/identification ground sign with an Electronic Message Board component that covers not more than 25% of the sign face area in a B4 zone (General Business District). (Located within a Traditional Main Street Overlay Area). This case is appealed because electronic Message Boards are not allowed to cover more than 25% of the sign face area and are considered flashing signs. Coverage of the electronic component of the sign cannot be more than 25% or 27.6 sq. ft. of the sign's face coverage. The proposed coverage is 32.62 sq. ft. which is 5.02 sq. ft. in excess and violates Municipal Code. This excess is over the allowable coverage and cannot be waived by the Board. In the Traditional Main Street Overlay area, animated signs with flashing or moving lights are prohibited. However, the Board of Zoning Appeals may modify this developmental standard specified in this article (Article XIV of this Chapter; Traditional Main Street Overlay Area) and after a public hearing, a variance may be granted by the Board based on the approval criteria of Section 61-4-81 of this Code in this instance. Also, excessive sign height may be waived by the Board under Section 61-6-38 of this Code. (Sections 61-6-10 Electronic Message Boards, 61-6-7 Business Sign, 61-14-300(9) Maximum Height in TMOA area, 61-6-14 Identification Sign, 61-4-92(2) Other Variances, Variance of Development Standard, 61-6-38(a.1&2) Sign Height Variances and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Thomas made a motion to Adjourn this case at the petitioners request without date and with fee. Supported by Mr. Smith

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

Negative:

ADJOURNED WITHOUT DATE AND WITH FEE

9:45 a.m. **CASE NO.:** 30-15

APPLICANT: Huss Cheayto

LOCATION: 6113 Livernois Between: W. Warren and Beechton in a M2 Zone (Restricted Industrial District).

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Huss Cheayto requests to reverse the decision of the Planning and Development Department DENYING the site plan TO add a Major Motor Vehicle Repair Facility which will include an oil change operation to a Used Auto Sales use 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, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department. Also, the approving body, as specified in ARTICLE III, DIVISION 5, Subdivision C of this Chapter, shall approve a site plan where the proposed development meets the criteria set forth in Subdivision D. Approval Criteria. Also, deficient opaque residential and site screening, interior landscaping, oil change stacking spaces, Off-Street-Parking and pedestrian walkway between the building and the parking area. (Sections 61-4-71 Appeals of Administrative Decision, 61-3-151 thru 61-3-167 Approval Criteria and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Adjourn without date and without fee for P&DD to review the newly submitted site plan and submit a new letter. Supported by Ms. Johnson

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

Negative:

ADJOURNED WITHOUT DATE AND WITHOUT FEE

10:15 a.m. **CASE NO.:** 14-16

APPLICANT: Gecko Enterprises, LLC. c/o Jason Curis

LOCATION: 2300 W. Davison Between: La Salle Blvd. and 14th Street in a B4 Zone (General Business District).

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Gekko Enterprises, LLC c/o Jason Curis is requesting various waivers from development standards, use regulations and dimensional variances TO establish and construct a new Retail Store (Dollar Tree, By-Right-Use) approximately 9,801 square feet with an accessory 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. In addition, the Board of Zoning Appeals may modify any development standards that is specified in ARTICLE XIV of this Chapter, any use regulation of articles specified in Section 61-4-92(1) Other Variances or dimensional variances based on the approval criteria of Section 61-4-81 of this Code. Also, deficient residential masonry screened 6' wall along the north property line, deficient 5' walkway adjacent to the building to protect it from damage, deficient wheel stops, deficient right-of-way screening. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, 61-4-92(1&2) Variance of Use Regulation and Variance of Development Standard, 61-4-89(a) Variances, in General and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Adjourn case until next scheduled hearing for the petitioner to interact with the community regarding proposal. Supported by Ms. Ross

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

Negative: Williams, Weed

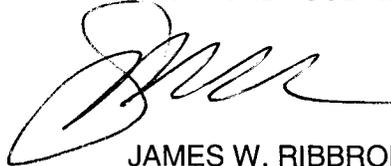
Mr. Thomas and Mrs. Johnson abstained from the vote

ADJOURNED UNTIL JUNE 7, 2016

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER
NOTICE.**

There being no further business to be transacted, Board Member Johnson motioned that the meeting be adjourned. Board Member Calzada seconded this motion which was unanimously carried and the meeting adjourned at 11:40 a.m.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp