

Board Members

Robert E. Thomas
Chairperson

Vivian Teague
Vice Chairperson

Robert G. Weed
Council District 1

Elois Moore
Council District 3

Jacqueline Grant
Council District 4

Emmanuel Calzada
Council District 6

Kwame Finn
Council District 7



James W. Ribbron
Director

City of Detroit
Board of Zoning Appeals
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MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **February 20, 2018** on the 13th Floor in the Auditorium, Coleman A. Young Municipal Building, 2 Woodward Avenue.

Chairperson of the Board Thomas called the meeting to order and Director Ribbron called the meeting to order and called the roll at 9:00 a.m.

BOARD MEMBERS PRESENT:

- (1) Elois Moore, Board Member
- (2) Robert E. Thomas, Board Member
- (3) Vivian Teague, Board Member
- (4) Robert G. Weed, Board Member
- (5) Emmanuel Calzada, Board Member
- (6) Kwame Finn, Board Member
- (7) Jacqueline Grant, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Teague made a motion to approve the minutes for February 13, 2018 and with corrections

Affirmative: Mr. Thomas, Calzada, Weed, Finn
Ms. Teague, Moore, Grant
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**.

ACTION OF THE BOARD: Mr. Weed made a motion to set aside rules of procedures to allow election of officers for 2018. Support by Board Member Teague.

Affirmative: Mr. Weed, Calzada, Thomas, Finn
Ms. Teague, Moore, Grant

Negative:

ELECTIONS OF OFFICERS:

Mr. Calzada nominated Robert Thomas as Chairperson.

Mr. Thomas was elected to be the Chairperson for 2017 with unanimous votes.

Mrs. Moore nominated Vivian Teague as Vice-Chairperson.

Ms. Teague was elected to be the Vice-Chairperson for 2018 with unanimous votes.

Mr. Ribbron read a letter into record from the Law Department regarding Case No. BSEED 244-16 property located at 8640 Grinnell requesting the Board to rehear the community appeal based on information related to conversation from the last hearing on November 16, 2017.

After discussion from the Board, Director and Attorney Arking it was established that the Board would have a closed session at the end of the Board of Zoning Appeals hearing.

Mr. Ribbron also read a letter into record from BSEED which stated that Case No. 112-17 property located at 4829 Commonwealth no longer needs a BZA variance due to section 61-13-174 thru 61-13-176 for small lot development.

No action was taken by the Board for this case as it remains Adjourned without Date.

9:15 a.m. **CASE NO.:** 4-18

APPLICANT: Tiger Stadium Partners 2, LLC

LOCATION: 1620 Michigan Ave. Between: Cochran St. and Trumbull Ave. in a B4 Zone (General Business District) – Council District #6

LEGAL DESCRIPTION OF PROPERTY:PT OF P C 22 AND 27 BG PT OF LOT 1 OF P C 27 L2 P5; ALSO DESC AS: COMM AT THE N LINE OF MICHIGAN AVE (120 FT WD) AND THE E LINE OF COCHRANE AVE (65 FT WD) TH N 88D 46M 10S E 106.56 FT TO POB; TH N 00D 19M 08S W 61.04 FT; TH N 66D 27M 32S E 339.94 FT; TH N 23D 38M 17S W 100 FT; TH N 66D 23M E 73 FT; TH S 23D 38M 17S E 335.68 FT; TH S 88D 46M 10S W 472.79 FT TO POB IRRG 1.615 ACRES SPLIT/COMBINED ON 06/08/2017 FROM 08000574.,08006416-36, 08000580-91;

PROPOSAL: Tiger Stadium Partners 2, LLC request dimensional variances to construct 34 new Townhouses on a 1.45 acre portion located in a Gateway Radial Thoroughfare (consistent with the regulations) on the southwest corner of Trumbull and West Fisher freeway Service Drive, the former Tiger Stadium site 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 for a variance of the minimum setbacks; front yard setback – 20 feet required, 0 provided; 20 feet deficient and rear yard setback – 30 feet required, 21 feet and 8 inches provided; 8 feet and 2 inches deficient. (Sections 61-4-91(6a&b) Permitted Dimensional Variances, General Dimensional Standards and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant dimensional variances to construct 34 new Townhouses on a 1.45 acre portion located in a Gateway Radial Thoroughfare (consistent with the regulations) on the southwest corner of Trumbull and West Fisher freeway Service Drive, the former Tiger Stadium site in a B4 zone (General Business District). Support by Board Member Teague.

Affirmative: Mr. Weed, Calzada, Thomas, Finn
Ms. Teague, Moore, Grant

Negative:

DIMENSIONAL VARIANCES GRANTED

10:15 a.m.

CASE NO.: 121-17

APPLICANT: Quality Market

LOCATION: 8915 Michigan Ave. Between: St. James St. and Sharon St. in a B4 Zone (General Business District). – Council District #6

LEGAL DESCRIPTION OF PROPERTY: S MICHIGAN W 6.25 FT 124 123&122 EXC MICHIGAN AVE AS WD NALLS SUB L14 P75 PLATS WCR 20/372 66.25 X 85.58A

PROPOSAL: Quality Market request to ADD a Specially Designated Distributor (SDD) License (Carry-out Sale of Liquor for off-premises consumption) to an existing 5610 square foot Retail Store with Specially Designated merchant (SDM) License (Carry-of Sale of Beer & Wine for off-premise consumption) on a 13,345 square foot lot 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 or enforcement of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, Also, no controlled use shall be located within five hundred d(500) radial feet from a residentially zoned area (R1, R2, R3, R4, R5, R6 or within two thousand (2,000) radial feet of two (2) other legally established Controlled uses. The proposed use is a controlled use, adding a second controlled use at the same location does not increase the concentration of controlled uses. However, it is within 500 feet of a school located at 4430 St. James St; a spacing waiver is required. (Sections 61-4-71 Jurisdiction Over Appeals of Administrative Decisions, 61-3-293 (1&2) Spacing Requirements, 61-4-91(1) Permitted Dimensional Variances and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Deny request to ADD a Specially Designated Distributor (SDD) License (Carry-out Sale of Liquor for off-premises consumption) to an existing 5610 square foot Retail Store with Specially Designated merchant (SDM) License (Carry-of Sale of Beer & Wine for off-premise consumption) on a 13,345 square foot lot in a B4 zone (General Business District). Support by Board Member Moore

Affirmative: Mr. Weed, Calzada, Thomas, Finn
Ms. Teague, Moore, Grant

Negative:

SDD LICENSE REQUEST DENIED

11:15 a.m.

CASE NO.: 114-17

APPLICANT: Wyoming Ellsworth, LLC

LOCATION: 8721 Ellsworth St. Between: Wyoming Ave. and Cherrylawn St. in a R1 Zone (Single Family Residential District) – Council District #2

LEGAL DESCRIPTION OF PROPERTY: S ELLSWORTH 96 95 LEYS
SUB L15 P71 PLATS, W C R 16/255 60 X 100

PROPOSAL: Wyoming Ellsworth, LLC request permission to establish an accessory Parking Lot (conditional use) that will serve a 9,180 square foot Retail Building (Family Dollar) located at 15100 Wyoming in an R1 zone (Single Family Residential 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 For a variance from the required location of off-street parking facilities or the amount of off-street parking facilities required, or both, and the Board of Zoning Appeals may modify any development standards that is specified in ARTICLE XIV of this Chapter; forty-six (46) off-street spaces are required for the store; thirty-six (36) spaces are proposed and per Section 61-14-103(a) BSEED can waive twenty per cent (20%) of the required parking (or up to 10 spaces), therefore no deficiency in parking; also, the parking lot at 15100 Wyoming is separated from the residentially zoned accessory parking lot by a sixteen (16) foot wide open public alley with multiple access points, however a four (4) to six (6) foot high screen wall is required (residential screening); a walver for the screen wall is needed. Additionally, a Maintenance Agreement and all points of ingress and egress SHALL be approved by the Department of Public Works – Traffic engineering Division prior to the issuance of final building permits. (Sections 61-4-91(1&2) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking, Loading Space, 61-14-222 Residential Screening, 61-4-92 Other Variances, Variance of Developmental Standard and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant dimensional Variances to accessory Parking Lot (conditional use) that will serve a 9,180 square foot Retail Building (Family Dollar) located at 15100 Wyoming in an R1 zone (Single Family Residential District). Support by Board Member Teague.

Affirmative: Mr. Weed, Calzada, Thomas, Finn
Ms. Teague, Moore, Grant

Negative:

DIMENSIONAL VARIANCES GRANTED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 12:19 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp

Chairperson Thomas opened the closed session at 12:20 p.m.

Case No. BSEED 244-16 8640 Grinnell

The Law Department informed the Board about the particulars surrounding the request for a Re-Hearing of this case.

Chairperson Thomas closed the closed session at 12:39 p.m.

ACTION OF THE BOARD: Mr. Calzada made a motion to **Grant Re-Hearing Request by the Law Department for Case BSEED 244-16 property located at 8640 Grinnell at the earliest possible date of the BZA docket.** Support by Board Member Teague.

Affirmative: Mr. Weed, Calzada, Thomas, Finn
Ms. Teague, Moore, Grant

Negative:

RE-HEARING REQUEST GRANTED.