

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 8

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 **March 27, 2018** on the 13th Floor in the City Council Chambers, Coleman A. Young Municipal Building, 2 Woodward Avenue.

Vice-Chairperson of the Board Teague 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) Vivian Teague, Board Member
- (3) Robert G. Weed, Board Member
- (4) Kwame Finn, Board Member
- (5) Jacqueline Grant, Board Member
- (6) Robert E. Thomas, Board Member
- (7) Emmanuel Calzada, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Teague made a motion to approve the minutes for March 20, 2018 and with corrections

Affirmative: Mr. Weed, Thomas, Calzada, 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**.

9:15 a.m. **CASE NO.:** BSEED 244-16 – REHEARING

APPLICANT: JOE ANN WILLIAMS

LOCATION: 8640 Grinnell Ave. Between: Erwin Ave. and McClellan Ave. in a M2 Zone (Restricted Industrial District) – Council District #3

LEGAL DESCRIPTION OF PROPERTY: S GRINNELL 152 THRU 158 E 15 FT 159 FAIRMOUNT PARK SUB L16 P99 PLATS, W C R 19/415 225 X 115

PROPOSAL: The Board agrees to REHEAR the Community Appeal filed by Joe Ann Williams appealing the decision of the Buildings Safety Engineering and Environmental Department (BSEED 244-16) which (Approved With Conditions) TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing one-story 11,228 square foot building in a M2 Zone (Restricted Industrial District). This case is appealed because appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. Also, the Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center: One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use or a Religious Institution. There are no spacing issues. However, per section 61-14-223, a five hundred fifty eight 558 square feet of interior landscaping is required for the surface parking lot. There is no interior landscaping indicated on the Site Plan. (Sections 61-3-351(a. 1) Purpose; in General, 61-4-72 Appeals, 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance and 61-3-231 General Approval Criteria).AP

ACTION OF THE BOARD:

Ms. Moore made a motion to Grant Community Appeal, Reversing the BSEED Decision to establish a MMCC in an 11,228 sq. ft. building in a M2 zone. Support by Ms. Teague

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

Negative: Mr. Calzada, Finn

COMMUNITY APPEAL GRANTED, THERBY REVERSING THE BSEED DECISION APPROVING THE USE.

This motion replaces the previous motion made on November 16, 2017 which essentially is the same outcome.

10:15 a.m. CASE NO.: 6-18

APPLICANT: CHERRY STREET SERVICES, INC.

LOCATION: 7554 Miller St (aka 8333 Townsend St) Between: Wallace St and Townsend St in a R2 Zone (Medium Density Residential District). – Council District #3

LEGAL DESCRIPTION OF PROPERTY: S MILLER 96 THRU 116 AND VAC ALLEY ADJ ALSO 124 THRU 130 HAFELI BRINKMAN & CAMPBELLS SUB L26 P67 PLATS, W C R 15/242 ALSO 61 THRU 66 AND E 9 FT OF VAC ALLEY ADJ HAFELIS SUB L37 P85 PLATS, W C R 15/239 218.2 IRREG

PROPOSAL: **Cherry Street Services, Inc.** request a spacing and dimensional variance to establish a Pre-Release Adjustment Center (approved conditionally BSEED 153-17) with 200 beds (such uses shall not have a capacity in excess of fifty (50) persons) on a major and secondary thoroughfare in an expanded 28,259 square foot building in an R5 zone (Medium Density Residential District). This case is appealed because only the Board of Zoning Appeals may adjust the spacing requirements between land uses, as provided for in the tables in Sec. 61-12-89 of this Code, as a "locational variance" in accordance with the criteria specified in Sec. 61-4-81 of this Code; the proposed center will provide a facility for 200 non-violent individuals – the proposed capacity is in excess of 150 (one hundred and fifty) beds, 200 are proposed and the center is further than two hundred (200) feet from a major or secondary thoroughfare (294 feet from St. Cyril and 450 feet from Van Dyke, therefore a variance is required. **(Sections 61-4-92(1) Other Variances, Variance of Developmental Standard, 61-12-122 Pre-Release Adjustment Center, 61-12-89 Residential uses—Spacing, 61-12-95 Waiver of general spacing requirements and 61-4-81 Approval Criteria).AP**

ACTION OF THE BOARD: Ms. Moore made a motion to **Grant spacing and dimensional variance to establish a Pre-Release Adjustment Center (approved conditionally BSEED 153-17) with 200 beds (such uses shall not have a capacity in excess of fifty (50) persons) on a major and secondary thoroughfare in an expanded 28,259 square foot building in an R5 zone (Medium Density Residential District).** Support by Board Member Teague

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

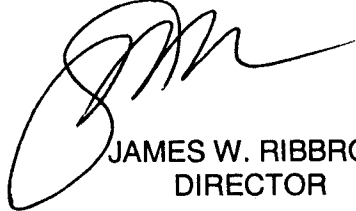
Negative: Mr. Calzada

SPACING AND DIMENSIONAL VARIANCE 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 Finn seconded this motion which was unanimously carried and the meeting adjourned at 12:20 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp