

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 **April 10, 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) Robert E. Thomas, Board Member
- (2) Vivian Teague, Board Member
- (3) Robert G. Weed, Board Member
- (4) Jacqueline Grant, Board Member
- (5) Emmanuel Calzada, Board Member
- (6) Elois Moore, Board Member
- (7) Kwame Finn, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Weed made a motion to approve the minutes for March 27, 2018 and with corrections

Affirmative: Mr. Weed, Calzada, Thomas
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.: 15-18

APPLICANT: PROCIDA DIGGS TRUMBULL, LLC

LOCATION: 3664, 3690, 3700 & 3708 Trumbull Ave.
(Northern portion, Lots 1 thru 10) Between:
Selden St and Brainard St in a R3-H Zone (Low
Density Residential District-Historic) – Council
District #6

LEGAL DESCRIPTION OF PROPERTY: Available Upon
Request

PROPOSAL: Procida Diggs Trumbull, LLC request
variances to construct ten (10) attached, two-
story, individual townhouse dwellings units
over various lot location; 3664, 3690, 3700,
3708 Trumbull (Lots 1 to 10) 3,658 square foot
lot in the Woodbridge Farms Historic District in
an R3-H zone (Low Density Residential District-
Historic). 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.
Town houses shall be subject to the following
provisions: In the R3 District, a maximum of ten
(10) town houses shall be permitted in any
group of attached town houses; variances are
requested for deficient lot area – 7,000 square
feet required, 3,658 Square feet provided: 3,342
square feet deficient, lot width – 70 feet
required, 27.5 feet provided: 42.5 square feet
deficient, front setback – 20 feet required, 10
feet provided: 10 feet deficient, and side
setbacks. (Sections 61-4-91(6) Permitted
Dimensional Variances, General Dimensional
Standards, Sec. 61-8-65. Intensity and
dimensional standards, Sec. 61-12-126. Town
houses. Sec. 61-13-106. Town houses, 61-13-4.
Intensity and dimensional standards -
Townhouses and 61-4-81 Approval Criteria).AP

9:30 a.m.

CASE NO.: 16-18

APPLICANT: PROCIDA DIGGS TRUMBULL, LLC

LOCATION: 3664 Trumbull Ave. (Southern Portion, Lots 12 thru 18) Between: Selden St and Brainard St in a R3-H Zone (Low Density Residential District-Historic). – Council District #6

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Procida Diggs Trumbull LLC request variances to construct seven (7) attached, two-story, individual townhouse dwellings units over various lot location; 3664 Trumbull (Lots 12 to 18) 3,591 square foot lot in the Woodbridge Farms Historic District in an R3-H zone (Low Density Residential District-Historic). 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. Town houses shall be subject to the following provisions: In the R3 District, a maximum of ten (10) town houses shall be permitted in any group of attached town houses; variances are requested for deficient lot area – 7,000 square feet required, 3,591 square feet provided: 3,409 square feet deficient, lot width – 70 feet required, 27 feet provided: 43 square feet deficient, front setback – 20 feet required, 10 feet provided: 10 feet deficient, and side setbacks. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-8-65. Intensity and dimensional standards, Sec. 61-12-126. Town houses. Sec. 61-13-106. Town houses, 61-13-4. Intensity and dimensional standards - Townhouses and 61-4-81 Approval Criteria).AP

9:45 a.m.

CASE NO.: 17-18

APPLICANT: PROCIDA DIGGS TRUMBULL, LLC

LOCATION: 3664 Trumbull Ave. (Southern Portion, Lot 19)
Between: Selden St and Brainard St in a R3-H Zone (Low Density Residential District-Historic). – Council District #6

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Procida Diggs Trumbull, LLC request dimensional variances to construct one (1) attached, two-story, individual townhouse dwellings units over various lot location; 3664 Trumbull (Lot 19) 4,655 square foot lot in the Woodbridge Farms Historic District in an R3-H zone (Low Density Residential Historic 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. Town houses shall be subject to the following provisions: In the R3 District, a maximum of ten (10) town houses shall be permitted in any group of attached town houses; variances are requested for deficient lot area – 7,000 square feet required, 4,655 square feet provided: 2,345 square feet deficient, lot width – 70 feet required, 35 feet provided: 35 square feet deficient, front setback – 20 feet required, 10 feet provided: 10 feet deficient, and side setbacks. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-8-65. Intensity and dimensional standards, Sec. 61-12-126. Town houses. Sec. 61-13-106. Town houses, 61-13-4. Intensity and dimensional standards - Townhouses and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD:

Mr. Calzada made a motion to Adjourn the case for the Petitioner and the Community to meet and try to come to an agreement on the proposed project. **Support by Mr. Finn**

Affirmative: Mr. Thomas, Finn, Calzada

Negative: Mr. Mr. Weed
Ms. Teague, Moore, Grant

Motion Fails

9:45 a.m. **CASE NO.:** 17-18 Continued

Mr. Weed made a motion to Deny **dimensional variances to construct one (1) attached, two-story, individual townhouse dwellings units over various lot location; 3664 Trumbull (Lot 19) 4,655 square foot lot in the Woodbridge Farms Historic District in an R3-H zone (Low Density Residential Historic District). Support by Mr. Grant**

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

Negative: Mr. Calzada, Thomas

DIMENSIONAL VARIANCES DENIED

Ms. Teague made a statement to reconsider her vote to Adjourn this case.

Mr. Weed made a motion to Adjourn the case for the Petitioner and the Community to meet and try to come to an agreement on the proposed project. **Support by Mr. Teague**

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

Negative:

ADJOURNED WITHOUT DATE AND WITHOUT FEE

10:00 a.m.

CASE NO.: 18-18

APPLICANT: PROCIDA DIGGS TRUMBULL, LLC

LOCATION: 3713 Lincoln Ave. (Lot 20) Between: Selden St and Brainard St in a R3-H Zone (Low Density Residential District-Historic). – Council District #6

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Procida Diggs Trumbull, LLC request variances to construct two (2) attached, two-story, individual townhouse dwellings units over various lot location; 3713 Lincoln (Lot 20) 5,057 square foot lot in the Woodbridge Farms Historic District in an R3-H zone (Low Density Residential District-Historic). 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. Town houses shall be subject to the following provisions: In the R3 District, a maximum of ten (10) town houses shall be permitted in any group of attached town houses; variances are requested for deficient lot area – 7,000 square feet required, 5,057 square feet provided: 1,943 square feet deficient, lot width – 70 feet required, 41 feet provided: 29 square feet deficient, front setback – 20 feet required, 10 feet provided: 10 feet deficient, and side setbacks. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-8-65. Intensity and dimensional standards, Sec. 61-12-126. Town houses. Sec. 61-13-106. Town houses, 61-13-4. Intensity and dimensional standards - Townhouses and 61-4-81 Approval Criteria).AP

10:15 a.m. CASE NO.: 19-18

APPLICANT: PROCIDA DIGGS TRUMBULL, LLC

LOCATION: 3689, 3679, 3701 & 3707 Lincoln (Lots 21 thru 27)
Between: Selden St and Brainard St in a R3-H Zone
(Low Density Residential District-Historic). – Council
District #6

LEGAL DESCRIPTION OF PROPERTY: Available Upon Request

PROPOSAL: Procida Diggs Trumbull request variances to construct six (6) attached, two-story, individual townhouse dwellings units over various lot location; 3689, 3679, 3701, 3707 Lincoln (Lots 21 to 27) 3,857 square foot lot in the Woodbridge Farms Historic District in an R3-H zone (Low Density Residential Historic 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. Town houses shall be subject to the following provisions: In the R3 District, a maximum of ten (10) town houses shall be permitted in any group of attached town houses; variances are requested for deficient lot area – 7,000 square feet required, 3,857 square feet provided: 3,143 square feet deficient, lot width – 70 feet required, 29 feet provided: 41 square feet deficient, front setback – 20 feet required, 10 feet provided: 10 feet deficient, and side setbacks. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-8-65. Intensity and dimensional standards, Sec. 61-12-126. Town houses. Sec. 61-13-106. Town houses, 61-13-4. Intensity and dimensional standards - Townhouses and 61-4-81 Approval Criteria.).AP

ACTION OF THE BOARD:

Mr. Calzada made a motion to Adjourn the case for the Petitioner and the Community to meet and try to come to an agreement on the proposed project. **Support by Ms. Moore**

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

Negative:

10:45 a.m. **CASE NO.:** 115-17

APPLICANT: Albert Harb

LOCATION: 3900 Cass Ave. **Between:** Selden St and W. Alexandrine St in a SD2 Zone (Special Development District-Mixed Use). – Council District #6

LEGAL DESCRIPTION OF PROPERTY: N SELDEN 2-3 W 15 FT 4 FALES SUB L5 P28 PLATS, W C R 2/35 122.33 IRREG

PROPOSAL: Albert Harb requests to expand an existing non-conforming Major Motor Vehicle Repair facility (BSEED 129-10) in a B4 District changed to SD2 by constructing a 1,980 Square Foot addition that was constructed without benefit of a permit for storage of approximately six (6) vehicles awaiting repair, the total square footage is now 5,660 square feet in a SD2 Zone (Special Development District-Mixed Use). This case is appealed because a public hearing at the Board of Zoning Appeals shall be required in any instance that involves the expansion or intensification of a nonconforming use, subject to the provisions of Sec. 61-15-17 of this Code; a 1,980 Square Foot addition that was constructed without benefit of a permit for storage of approximately six (6) vehicles awaiting repair, also the zoning was changed from B4 to SD2 creating a non-conforming use of the Major Motor Vehicles repair facility established in BSEED #156-09. (Sections 61-15-16. Expansion or intensification of nonconforming uses, 61-15-17. Required findings).AP

ACTION OF THE BOARD:

Ms. Teague made a motion to Adjourn the case due an emergency with the petitioners architect who is unable to attend this hearing. **Support by Ms. Moore**

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

Negative:

ADJOURNED WITHOUT DATE AND WITHOUT FEE

11:15 a.m. CASE NO.: 11-18

APPLICANT: Luxury Properties & Investments

LOCATION: 10010 Joy Rd. Between: Dawes St & Wyoming Ave in a B2 Zone (Local Business and Residential District). – Council District #7

LEGAL DESCRIPTION OF PROPERTY: N JOY RD 4 THRU 1 ROBT OAKMAN LAND COS BONAPARTE AVE & OAKMAN HWY SUB L51 P15 PLATS, W C R 18/434 90 X 100

PROPOSAL: Luxury Properties & Investments request a variance of spacing regulations to change a Secondhand Jewelry Store to Used Auto Sales on 9000 square foot lot in a 721 square foot building in a B2 zone (Local Business and Residential District). This case is appealed because after a public hearing, a variance may be granted by the Board of Zoning Appeals based on the approval criteria of Sec. 61-4-81 of this Code in the instance that when an administrative adjustment is granted, excluding all Adult Uses, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87, between land uses as provided for in the table in Sec. 61-12-91 of this Code and in accordance with the procedures in Sec. 61-12-95 of this Code and any use regulation that is specified in ARTICLE XII DIVISION 3 of this code. Also, Used Motor Sales Lots cannot be established within 1,000' of another Used Motor Vehicle Sales Lot. There is one existing used auto sales lot within 1,000 feet of this property: 10025 Joy Rd (directly south of the subject property across joy Rd.). (Sections 61-4-92(1&3) Other Variances, Variance of Use Regulation and Variance of Spacing/Locational Regulation, 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 Deny spacing variance to change non conforming use to Used Auto Sales lot. **Support by Ms. Teague**

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

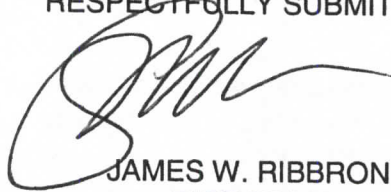
Negative:

SPACING VARAINCE DENIED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Moore motioned that the meeting be adjourned. Board Member Teague seconded this motion which was unanimously carried and the meeting adjourned at 1:40 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp