

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
Coleman A. Young Municipal Center
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Detroit, Michigan 48226
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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 24, 2018** on the 13th Floor in the Auditorium, 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) Vivian Teague, Board Member
- (2) Robert G. Weed, Board Member
- (3) Jacqueline Grant, Board Member
- (4) Emmanuel Calzada, Board Member
- (5) Elois Moore, Board Member
- (6) Kwame Finn, Board Member

BOARD MEMBERS ABSENT:

- (1) Robert E. Thomas, Board Member

MINUTES:

Board Member Weed made a motion to approve the minutes for April 17, 2018 and with corrections

Affirmative: Mr. Calzada, Finn, Weed
Ms. Moore, Grant, Teague
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.:** 5-18

APPLICANT: 603 EDESEL FORD DR.

LOCATION: 603 E. Edsel Ford Dr. Between: Harper Ave and Edsel Ford Fwy in a M2 Zone (General Industrial District) – Council District #5

LEGAL DESCRIPTION OF PROPERTY: N EDESEL FORD N 103 FT ON W LINE
 BG N 55 FT ON E LINE 5&6 WM H BREARLEYS L8 P3 PLATS,
 W C R 3/74 119.58 IRREG

PROPOSAL: 603 Edsel Ford LLC request to re-establish an 8 Unit Multiple Family Apartment Building/nonconforming use to construct a 21 Unit Multiple Family Housing Unit/nonconforming on a 21, 120 square foot lot in a 14, 095 square foot building that has been abandoned for over 6 months in an M3 zone (General Industrial District). This case is appealed because once abandoned, a nonconforming use shall not be re-established or resumed, except in accordance with the provisions of Sec. 61-15-18 of this Code. Any subsequent use or occupancy of the structure or open land must comply with the regulations of the district where it is located and all other applicable requirements of this Zoning Ordinance. Evidence that a use has been discontinued, vacant or inactive for a continuous period of at least six (6) months, and thereby abandoned: (Utility service has been shut off and Any license, required by this Code, that is necessary for the operation of the nonconforming use; Has not been renewed; A presumption of abandonment based on the evidence of abandonment, as provided for in Subsection (2) of this section, may be rebutted upon a showing of all of the following, to the satisfaction of the Board of Zoning Appeals, that the owner: (a) Has been maintaining the land and structure in accordance with all applicable regulations, including the Michigan Building Code, and did not intend to discontinue the use; (b) Has been maintaining all applicable licenses; and (c) Has filed all applicable tax documents; and (d) In addition, the owner of the nonconforming use shall be required to demonstrate, to the satisfaction of the Board of Zoning Appeals, that during the period of inactivity or discontinuance the owner: (i) Has been actively and continuously marketing the land or structure for sale or lease; or (ii) Has been engaged in other activities that would affirmatively prove there was no intent to abandon. (Sections 61-15-18. Eligibility for re-establishment, 61-15-20. Change of nonconforming use to other nonconforming use, and Approval Criteria 61-15-21. Loss of nonconformity status; abandonment).AP

ACTION OF THE BOARD: Mr. Weed made a motion to determine the property has not been abandoned. **Support by Ms. Grant**

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

Negative:

ABANDONMENT OVERCOME

ACTION OF THE BOARD: Mr. Weed made a motion to Grant Dimensional Waivers.
Support by Ms. Grant

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

Negative:

DIMENSIONAL VARAINCES GRANTED

10:15 a.m.

CASE NO.: 12-18

APPLICANT: Tricia Demarco

LOCATION: 5935 Cass Ave Between: York St and Antoinette St in a SD2 Zone (Special Development District, Mixed Use) – Council District #5

LEGAL DESCRIPTION OF PROPERTY: W CASS 5 N 10 FT 4 BLK 10--
CASS FARM CO LTD SUB L19 P35 PLATS, W C R 2/27
55 X 145

PROPOSAL: Tricia DeMarco requests dimensional variances to construct a Multiple Family Mixed-use Development on a proposed 1.87 acre parcel with a 15,644 square foot first floor commercial and 50 unit residential (By-Right-Uses) in a SD2 zone (Special Development District, Mixed Use). 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 lot area, minimum lot width, minimum setbacks and the dimensional variances or adjustments of which are provided for in this Chapter, provided: (a) That the open space needs of the potential occupants are adequately served; and (b) That said facility complies with all appropriate federal and state statutes, Wayne County Code of Ordinances, this Code and their accompanying regulations that control or regulate such use, including all applicable standards of this Zoning Ordinance; Said dimensional variances may be granted on the approval criteria of Sec. 61-4-81 of this Code; per Sec. 61-11-195(c) a thirty (30) foot rear setback is required; zero (0) is provided. (Sections 61-13-70 Multiple-Family Dwellings, 61-4-91. Permitted dimensional variances and General Dimensional Standards and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant dimensional variance to construct a Multiple Family Mixed-use Development on a proposed 1.87 acre parcel with a 15,644 square foot first floor commercial and 50 unit residential (By-Right-Uses) in a SD2 zone (Special Development District, Mixed Use). Support by Mr. Moore

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

Negative:

DIMENSIONAL VARAINCE GRANTED

11:15 a.m. CASE NO.: 119-17

APPLICANT: BRIAN HURTTIENNE

LOCATION: 3013 Cochrane St Between: Butternut St and Elm St in a R2 Zone (Two-Family Residential District) – Council District #6

LEGAL DESCRIPTION OF PROPERTY: W COCHRANE 342 PLAT OF LOGNON FARM L2 P5 PLATS, W C R 8/29 31 X 100

PROPOSAL: Brian Hurttienne request dimensional variances to construct a Single Family Detached Dwelling, 1300 sq. ft., 1 story dwelling with wood frame walls, face brick, shingle siding and basements, consisting of energy efficient materials, with attached and detached garages (By-Right) on a 3,100 sq. ft. lot in an R2 zone (Two-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 of the minimum setbacks; minimum lot dimensions – Deficient lot area, 5,000 square feet required, 3100 square feet provide, 1,900 square feet deficient; deficient lot width, 50 feet required, 31 feet provided, 19 feet deficient and deficient front yard setback, 20 feet required, 10 feet provided, 10 feet deficient. (Sections 61-4-92(1,2 &3) Other Variances, Variance of Use Regulation, Development Standard, 61-4-91(6) General Dimensional Standard, 61-13-4 Minimum Lot Dimensions, 61-13-142 Lot measurement and requirements, 61-13-105(2) Single-family dwellings and religious residential facilities, 61-14-266 Residential compatibility requirement; appearance and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant dimensional variances to construct a Single Family Detached Dwelling, 1300 sq. ft., 1 story dwelling with wood frame walls, face brick, shingle siding and basements, consisting of energy efficient materials, with attached and detached garages (By-Right) on a 3,100 sq. ft. lot in an R2 zone (Two-Family Residential District). Support by Ms. Moore

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

Negative:

DIMENSIONAL VARAINCES GRANTED.

12:15 p.m.

CASE NO.: 120-17

APPLICANT: MICHAEL SKLENKA

LOCATION: 1577 Ash St Between: Trumbull Ave and Cochrane St
in a R2 Zone (Two-Family Residential District) –
Council District #6

LEGAL DESCRIPTION OF PROPERTY: S ASH 68 MCKEOWNS
SUB L3 P50 PLATS, WCR 8/43 35 X 115

PROPOSAL: Michael Sklenka request dimensional variances to construct a Single Family Detached Dwelling, 1300 sq. ft., 1 story dwelling with wood frame walls, face brick, shingle siding and basements, consisting of energy efficient materials, with attached and detached garages (By-Right) on a 3,100 sq. ft. lot in an R2 zone (Two-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 of the minimum setbacks; minimum lot dimensions – Deficient Lot Area 5000 sq. ft. required; 4025 sq. ft. proposed: 975 feet deficient and Deficient Lot Width 50 sq. ft. required; 35 sq. ft. proposed: 15 feet deficient and Deficient Front yard setback 20 sq. ft. required; 10 sq. ft. proposed: 10 sq. ft. deficient. (Sections 61-4-92(1,2 &3) Other Variances, Variance of Use Regulation, Development Standard, 61-4-91(6) General Dimensional Standard, 61-13-4 Minimum Lot Dimensions, 61-13-142 Lot measurement and requirements, 61-13-105(2) Single-family dwellings and religious residential facilities, 61-14-266 Residential compatibility requirement; appearance and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant dimensional variances to construct a Single Family Detached Dwelling, 1300 sq. ft., 1 story dwelling with wood frame walls, face brick, shingle siding and basements, consisting of energy efficient materials, with attached and detached garages (By-Right) on a 3,100 sq. ft. lot in an R2 zone (Two-Family Residential District). Support by Ms. Moore

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

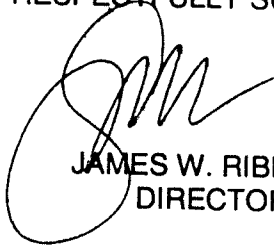
Negative:

DIMENSIONAL VARAINCES GRANTED.

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Calzada motioned that the meeting be adjourned. Board Member Finn seconded this motion which was unanimously carried and the meeting adjourned at 12:45 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp