

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 16, 2019** on the 13th Floor in the Auditorium, Coleman A. Young Municipal Building, 2 Woodward Avenue.

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

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Grant made a motion to approve the minutes April 9, 2019 with any corrections.

Affirmative: Mr. Weed, Thomas, Calzada, Finn
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.: 25-19

APPLICANT: NEUMANN/SMITH ARCHITECTURE/ STEVE GEDERT

LOCATION: One Energy Plaza between 2nd Ave. and 3rd Ave. in a B4 zone (General Business District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: AVAILABLE UPON REQUEST

PROPOSAL: Neumann / Smith Architecture / Steve Gedert requests permission to construct an Electrical System Operation Center to monitor and control electrical distribution and sub transmission system and Headquarter Energy Center to generate steam and chilled water for DTE Energy’s headquarters’ buildings on at 90,500 square foot lot in a 50,923 square foot building 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 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: excessive height and deficient side yard setback. (Sections 61-4-91(6,a&b) Permitted Dimensional Variances, General Dimensional Standards and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Ms. Teague made a motion to Grant Dimensional Variances to construct an Electrical System Operation Center to monitor and control electrical distribution and sub transmission system and Headquarter Energy Center to generate steam and chilled water for DTE Energy’s headquarters’ buildings on at 90,500 square foot lot in a 50,923 square foot building in a B4 zone (General Business District).Seconded by Ms. Grant

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

Negative:

Mr. Calzada abstained from the vote

DIMENSIONAL VARIANCES GRANTED

10:00 a.m. **CASE NO.:** 26-19

APPLICANT: SPECTRUM NEON / JOHN HADDAD

LOCATION: 4126 Woodward between E. Willis and E. Alexandrine in a B5 zone (Major Business District) City Council District #6

LEGAL DESCRIPTION OF PROPERTY: E WOODWARD W 127.81 FT ON S LINE BG W 116.25 FT ON N LINE OF PARK LOT 28 LYG E & ADJ WOODWARD AVE 120 FT WD AND S & ADJ WILLIS AVE 100 FT WD EXC N 45.12 FT PLAT OF PARK LOTS L34 P542 DEEDS, W C R 1/59 116 IRREG;

PROPOSAL: Spectrum Neon/John Haddad requests permission to **establish a Business Identification Sign internally lit BY seeking waivers from developmental standards, use regulations and dimensional variances for a sign with electronic message board display.** Per Sec. 61-6-12, Electronic Message Board signs are considered flashing signs and not permissible within this Traditional Main Street Overlay District (all zoning lots abutting Woodward Avenue between the center line of Temple Avenue/Alfred Street and the city limits of Highland Park) in a B5 zone (Major Business District). 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. 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(13) Illumination of Signs in TMSO area, 61-6-14 Identification Sign, 61-4-92(2) and 61-4-81 Approval Criteria).AP**

ACTION OF THE BOARD: Mr. Weed made a motion to permission to **establish a Business Identification Sign internally lit BY seeking waivers from developmental standards, use regulations and dimensional variances for a sign with electronic message board display.** Seconded by Ms. Moore

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

Negative:

DIMENSIONAL VARIANCE GRANTED

10:45 a.m. **CASE NO.:** 13-19 (AKA BSEED 133-17)
APPLICANT: ALI ZEINEDDINE
LOCATION: 12730 Joy Rd (aka 12726, 12734 & 12738 Joy Rd.)
 between Appoline St and Meyers in a B4 zone (General Business District)-City Council District #7

LEGAL DESCRIPTION OF PROPERTY: N JOY RD 7 THRU 11 B E TAYLORS QUEENSBORO SUB L35 P26 PLATS, W C R 22/562 100 X 100 10,000 SQFT SPLIT/COMBINED ON 11/29/2018 FROM 22003264., 22003261-2, 22003263., 22003265.; N JOY RD 8 B E TAYLORS QUEENSBORO SUB L35 P26 PLATS, W C R 22/562 20 X 100 Split on 11/29/2018 with 22003261-2, 22003263., 22003265. into 22003261-5;

PROPOSAL: Ali Zeineddine request to change a nonconforming (current legal use of 12730 Joy Road a Motor Vehicle Car Wash, by permit number 95834, issued January 16, 2007 while the current legal use of 12726, 12734 and 12738 Joy Rd. is vacant land) to a nonconforming Major Motor Vehicle Repair Facility in a 1,400 square foot building established via rezoning (BSEED Case No. 133-17) to B2 Zone (Local Business and Residential District) in a B4 Zone (General Business District). This case is appealed because a nonconforming use may be changed to another nonconforming use only where reviewed and approved by the Board of Zoning Appeals in accordance with the procedures that are specified in Section 61-2-46 of this Code and the Board of Zoning Appeals may approve such change of use only where the Body determines that the new proposed use will be less injurious to the surrounding area than the previous nonconforming use. (Sections 61-15-20 Change of Use to Other Nonconforming Use, 61-15-17 Required Findings).AP

Action of the Board: Ms. Weed made a motion to Adjourn without date for petitioner to work on site plan. Seconded by Mr. Finn

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

Negative:

ADJOURNED WITHOUT DATE

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 10:49 P.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to be 'JWR', written over a circular stamp or mark.

JAMES W. RIBBRON
DIRECTOR

JWR/atp

