

# 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**  
**2 Woodward Avenue, Suite 212**  
**Detroit, Michigan 48226**  
Phone: (313) 224-3595  
Fax: (313) 224-4597  
Email: boardofzoning@detroitmi.gov

## MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **May 7, 2019** on the 13th Floor in the Committee of the Whole, 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) Robert E. Thomas, Board Member

### BOARD MEMBERS ABSENT:

- (1) Emmanuel Calzada, Board Member

### MINUTES:

Board Member Grant made a motion to approve the minutes April 23, 2019 with any corrections.

Affirmative: Mr. Weed, Finn, Thomas  
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.:**            **16-19 (aka BSEED 68-18)**

**APPLICANT:**            **MOUNIF SIKLAWL**

**LOCATION:**                **18900 Woodward** between W. Hollywood and W. Brentwood in a B4 Zone (General Business District)-City Council District #2

**LEGAL DESCRIPTION OF PROPERTY:**    E    WOODWARD    166    165  
 WOODWARD PARK L28 P37 PLATS, W C R 1/175 78.94  
 X 120

**PROPOSAL:**                    **Mounif Siklawl requests variances to construct a 1,138 sq. ft. addition to an existing 1,680 sq. ft. building housing a Motor Vehicle Washing and Steam Cleaning Facility which was Approved/conditions in (BSEED 68-18) 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 Modifications of ten percent (10%) or less of any numeric standard that is set forth in ARTICLE XIII of this Chapter or any numeric development standard that is set forth in ARTICLE XIV of this Chapter; a) insufficient stacking space (20 ft. required – 0 provided: 20 ft. deficient), b) distance of motor vehicle washing areas from residentially zoned district (25 ft. required – 18 ft. provided: 7 ft. deficient). (Sections 61-4-91(1) Permitted Dimensional Variances, Sec. 61-4-82 Administrative adjustments; applicability. and 61-4-81 Approval Criteria).AP**

**ACTION OF THE BOARD:** Ms. Teague made a motion to **Dimensional Variance to construct a 1,138 sq. ft. addition to an existing 1,680 sq. ft. building housing a Motor Vehicle Washing and Steam Cleaning Facility which was Approved/conditions in (BSEED 68-18) in a B4 zone (General Business District). Seconded by Ms. Moore**

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

Negative:

**DIMENSIONAL VARIANCE GRANTED**

10:00 a.m.      **CASE NO.:**                    17-19 (aka BSEED 191-18)

**APPLICANT:**                    NEW EXECUTIVE TOWING C/O AARON SMITH

**LOCATION:**                        6445 E. Hildale between Filer Ave. and Sherwood St in a M4 Zone (Intensive Industrial District) City Council District #3

**LEGAL DESCRIPTION OF PROPERTY:**            N E HILDALE PT OF NW 1/4 SEC 9 T 1 S R 12 E DESC AS BEG AT A PTE IN N LINE HILDALE AVE 60 FT WD DIST DUE E 74 FT FROM INTSEC E LINE LIVINGSTONE HEIGHTS SUB L35 P60 PLATS W C R TH N 02D 13M 42S W 104.48 FT TH N 00D 46M 31S W 70.50 FT TH N 89D 13M 29S E 25 FT TH N 06D 17M 48S E 88.90 FT TH N 00D 10M 34S W 65.30 FT TH DUE E 108.19 FT TO W LINE M C RR R O W 50 FT WD TH S 00D 53M E ALG SD W LINE 268.86 FT TH S 03D 24M 16S W60.11 FT TO N LINE SD HILDALE AVETH DUE W ALG SD N LINE 138.30 FT TO P O B 15/--- 42,081 SQ FT

**PROPOSAL:**                    **New Executive Towing/c/o Aaron Smith request a waiver of developmental standards and use regulations to MODIFY a previous BSEED Grant (BSEED 191-08) which legalized a Police "A-BAN" Towing and Vehicle Storage Yard in an M4 zone (Intensive Industrial District). This case is appealed because no modification of any provision of any zoning grant, that is issued by the Buildings and Safety Engineering Department or the Board of Zoning Appeals, shall be permitted, unless such modification shall have been approved subsequent to a public hearing and 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 of modifying any development standard in ARTICLE XIV and ARTICLE II, Subdivision C of this Chapter; condition #19 of BSEED Grant, (BSEED 191-18) states, opaque masonry wall 10 ft. in height on proper footings shall be erected along the petitioner of the subject property – a metal wall is proposed along the southern portion of the property on Hildale. (Sections 61-4-92(1&2) Other Variances, Variance of Use Regulations and Variance of Development Standards and 61-4-81 Approval Criteria).AP**

**ACTION OF THE BOARD:** Ms. Moore made a motion to **Grant Modification of BSEED Grant 191-08 Condition #19 to waive required masonry wall and allow existing screening with landscape buffer adjacent from residentially zoned land.** Seconded by Ms. Grant

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

Negative:                    Mr. Thomas

**MODIFICATION GRANTED**

10:45 a.m. CASE NO.: 94-17 (aka BSEED 145-16) – Rehearing Granted February 12, 2019

APPLICANT: MANAR ABBO / PLYBURT, LLC.

LOCATION: 13624 E. EIGHT MILE RD. between Schoenherr st and Reno st in a B4 zone (General Business District)-City Council District #3

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE E 297 THRU 300 EXC EIGHT MILE RD AS WD HUNDS REGENT PARK SUB L55 P8 PLATS, W C R 21/898 80 X 58

PROPOSAL: Manar Abbo / Plyburt, LLC. requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing approximate 1,434 square foot building, which was APPROVED conditionally in (BSEED 145-16) in a B4 zone (General Business District). This case is appealed because 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 (other than arcade). The proposed use is within 1,000 radial feet of one Controlled Use, (Rainbow Market) located at 13510 E. Eight Mile Rd. – 357.7' feet away. Also, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87 of this Code. (Sections 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 61-12-92 Other uses- Spacing, 61-12-87 SPC (Spacing), 61-4-92(3) Other Variances, Variance of Spacing/Locational Regulation, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

Action of the Board: Mr. Weed made a motion to Deny a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center. Seconded by Ms. Moore

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

Negative: Mr. Thomas

Ms. Grant abstained from the vote

**SPACING VARIANCE DENIED**

11:30 a.m. **CASE NO.:** 49-18 (aka BSEED 88-17) – Adjourned by BZA

**APPLICANT:** A & Z 13510, LLCC

**LOCATION:** 13510 E. Eight mile rd. between Pelkey and Schoenherr in a B4 zone (General Business District)-City Council District #3

**LEGAL DESCRIPTION OF PROPERTY:** S--E EIGHT MILE RD 19 THRU 14 EXC EIGHT MILE RD AS WD SCHOENHERR MANOR SUB L54 P98 PLATS, W C R 21/885 120 X 58.62A 58.78 R 58.47

**PROPOSAL:** A&Z 13510, LLCC requests a **Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing one-story, 2,226 square foot building which was APPROVED w/Conditions in (BSEED 88-17) in a B4 zone (General Business District). This case is appealed because 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. The proposed use is within 1,000 radial feet of two (2) Controlled Uses; Forest Wolf aka Puff Detroit located at 388' feet away – 632' feet away and Plyburt, LLC located at 13624 E. Eight Mile – 356' feet away. Also, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87 of this Code. (Sections 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 61-12-92 Other uses-Spacing, 61-12-87 SPC (Spacing), 61-4-92(3) Other Variances, 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 Grant a **Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center**. Seconded by Ms. Teague

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

Negative:

**SPACING/LOCATIONAL VARIANCE GRANTED**

**Action of the Board:** Ms. Teague made a motion to have Cases 94-17 and Case 49-18 have immediate effect. Seconded by Ms. Grant

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

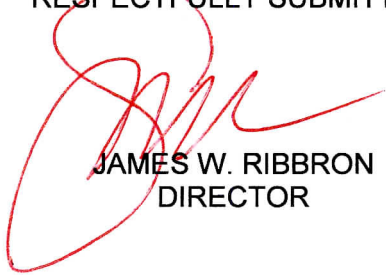
Negative:

**IMMEDIATE EFFECT GRANTED FOR CASES 94-17 AND 49-18**

**ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.**

There being no further business to be transacted, Board Member Grant motioned that the meeting be adjourned. Board Member Finn seconded this motion which was unanimously carried and the meeting adjourned at 1:33 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON  
DIRECTOR

JWR/atp