

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 **June 18, 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) Emmanuel Calzada, Board Member
- (3) Vivian Teague, Board Member
- (4) Robert E. Thomas, Board Member
- (5) Kwame Finn, Board Member
- (6) Elois Moore, Board Member

BOARD MEMBERS ABSENT:

- (1) Jacqueline Grant, Board Member

MINUTES:

Board Member Moore made a motion to approve the minutes June 11, 2019 with any corrections.

Affirmative: Mr. Weed, Thomas, Finn
Ms. Teague, Moore
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.:** 33-19 (aka BSEED SLU2018-00123)

APPLICANT: PANDA EASLY

LOCATION: 20136 Briarcliff Rd. between Bloomfield and Norfolk in a R1 Zone (Single-Family Residential District) - City Council District #2

LEGAL DESCRIPTION OF PROPERTY:E BRIARCLIFF RD 180 WOODWARD SUB L48 P89 PLATS, WCR 2/155 40 X 120

PROPOSAL: Panda Easly seeks to construct an accessory structure (garage) by modifying BSEED Permit # BLD 2018-02603 (May 21, 2018) with excessive height in a Single 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 and for a variance from the required location of off-street parking facilities or the amount of off-street parking facilities required, or both, where, after investigation by the Board, it is found that such modification is necessary to secure an appropriate development of a specific parcel of land, provided, that any such modification will not be inconsistent with other requirements and general purpose of this Zoning Ordinance. Sec. 61-13-129. Height of accessory buildings. (a) No detached accessory building or structure in any R1 or R2 District shall exceed the height of the principal building or structure, or fifteen (15) feet, whichever is less. (b) The height of buildings accessory to single-family and two-family detached dwellings shall be limited to one (1) story, and shall not exceed fifteen (15) feet; the height of garage exceeds the maximum height for an accessory structure. (Sections 61-4-91(1) Permitted Dimensional Variances, Location or Amount of Off-Street-Parking, 61-13-129. Height of accessory buildings and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Ms. Teague made a motion to Grant Dimensional Variance to construct an accessory structure (garage) with excessive height in a Single Family Residential District). Seconded by Mr. Finn

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

Negative: Mr. Weed, Calzada

DIMENSIONAL VARIANCE GRANTED

10:00 a.m.

CASE NO.: 31-19

APPLICANT: NEHA VEDPATHAK FOR CHARLEVOIX STUDIO & GARDENS

LOCATION: 6811 Charlevoix between Canton and Concord in a R2 Zone (Two-Family Residential District) City Council District #4

LEGAL DESCRIPTION OF PROPERTY: N CHARLEVOIX 85 MILLS SUB L26 P12 PLATS, W C R 15/32 108.14 X 40.69

PROPOSAL: Neha Vedpathak for Charlevoix Studio and Gardens requests permission to change a non-conforming Retail Grocery Confectionary (permit 71461 issued April 4, 1952) to an Art Studio and Technology Start Up Rental Space in a R2 Zone (Two Family Residential District). 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 and Any increase in the gross floor area of a building that houses a nonconforming use shall be deemed an expansion of the nonconforming use. Any increase in the area of a zoning lot where a nonconforming use is located shall be deemed an expansion of the nonconforming use; (2) Any change to the site plan of a nonconforming use involving a structure; (3) The addition of any by-right or conditional land use to a nonconforming use upon the same zoning lot and within the same gross floor area shall be deemed an intensification of the nonconforming use. **(Sections 61-15-16 Intensification of Nonconforming Uses, 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, 61-15-17 Required Findings and 61-4-81 Approval Criteria).AP**

ACTION OF THE BOARD: Mr. Weed made a motion to Grant permission to change a non-conforming Retail Grocery Confectionary (permit 71461 issued April 4, 1952) to an Art Studio and Technology Start Up Rental Space in a R2 Zone (Two Family Residential District). Seconded by Mr. Moore

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

Negative:

CHANGE OF NON CONFORMING USE GRANTED

10:45 a.m.

CASE NO.: 29-19 (aka BSEED 128-17)
APPLICANT: NABIL AL REFAAI
LOCATION: 13224 Joy Rd. (aka 13200 Joy Rd.) between Littlefield and Cheyenne in a B2 Zone (Local Business and Residential District)-City Council District #7

LEGAL DESCRIPTION OF PROPERTY: N JOY RD 242&243
 ROBERT OAKMAN LAND COS MC FARLANE SUB L53
 P54 PLATS, W C R 22/561 40 X 100

PROPOSAL: Nabil Al Refaai requests permission to expand a non-conforming Minor Motor Vehicle Repair (1054 square feet) by adding a 3,480 square foot building in a B2 zone (Local Business and Residential District). 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. Any increase in the gross floor area of a building that houses a nonconforming use shall be deemed an expansion of the nonconforming use. Any increase in the area of a zoning lot where a nonconforming use is located shall be deemed an expansion of the nonconforming use; (2) Any change to the site plan of a nonconforming use involving a structure; (3) The addition of any by-right or conditional land use to a nonconforming use upon the same zoning lot and within the same gross floor area shall be deemed an intensification of the nonconforming use; landscape buffer, dimension of driveway not included on site plan, height and fencing material of the right of way and gravel material is not an approved material for resurfacing lots. (Sections 61-15-16 Intensification of Nonconforming Uses, 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, 61-15-17 Required Findings and 61-4-81 Approval Criteria).AP

Action of the Board: Ms. Teague made a motion to Dismiss requests permission to expand a non-conforming Minor Motor Vehicle Repair (due to needing to file a Hardship Relief Petition. Seconded by Ms. Moore

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

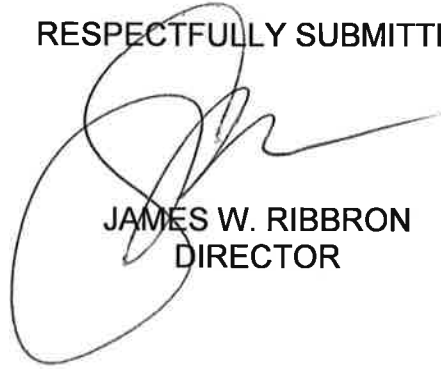
Negative:

CASE DISMISSED

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 Moore seconded this motion which was unanimously carried and the meeting adjourned at 11:21 A.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to read 'J. Ribbron', is written over the typed name and title.

JAMES W. RIBBRON
DIRECTOR

JWR/atp

