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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



City of Detroit Board of Zoning Appeals Coleman A. Young Municipal Center 2 Woodward Avenue, Suite 212 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 June 11, 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
- Vivian Teague, Board Member (3)
- Robert E. Thomas, Board Member (4)
- Kwame Finn, Board Member (5)

BOARD MEMBERS ABSENT:

- (1) Elois Moore, Board Member
- **(2)** Jacqueline Grant, Board Member

MINUTES:

Board Member Finn made a motion to approve the minutes June 4, 2019 with any corrections.

Affirmative: Mr. Weed, Thomas, Finn

Ms. 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.:

24-19 (aka BSEED 69-18)

APPLICANT:

ALEX PEREIA

LOCATION:

1786 W. WILLIS between Rosa Parks Blvd. and Avery St. in a R2 Zone (Two-Family Residential District)-City Council

District #6

LEGAL DESCRIPTION OF PROPERTY: N WILLIS W E 87.5 FT 8&9 TAFTS

SUB L3 P13 PLATS, W C R 8/63 87.5 X 62.5

PROPOSAL:

Secure Realty, LLC request variances TO convert an existing single-family dwelling into a six-unit Multiple Family Dwelling with Accessory Parking Approved with conditions in BSEED Case #69-18 in an R2 zone (Two Family Residential). 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. Section 61-12-121(1) indicates in the R2 District, such uses shall have a maximum of eight (8) dwelling units, except where developed under the "School building adaptive reuses" provision as defined in Sec. 61-16-171 of this Code;, the petitioner is requesting 10 units: there are several dimensional variances needed - Lot size required 7000 sq. ft. - 5,489 proposed; Side Lot Setback required 10 ft. - 0 proposed west property line: Rear Setback required 39 ft. - 20ft. 8in proposed and Parking Lot Front Setback 20 ft. required – 0 ft. proposed. (Sections 61-4-92(1, 2 &3) Other Variances, Variance of Use Regulation. Development Standard, 61-4-91(6) General Dimensional Standard, 61-8-40(2) Conditional residential uses, 61-12-121(1) Multi-Family Dwellings and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant Dimensional Variance to construct a 528 square foot 2-car detached garage in the rear of the home on 3,976 square foot lot in an SD2 (Special Development District Mixed Use). Seconded by Mr. Finn

Affirmative:

Mr. Weed, Thomas, Finn

Ms. Teague

Negative:

DIMENSIONAL VARIANCE GRANTED

10:00 a.m.

CASE NO.:

27-19 (aka BSEED 173-16)

APPLICANT:

JAR Capital, LLC

LOCATION:

611 HILLGER between E. Jefferson Ave. and

Freud St. in a M4 Zone (Intensive Industrial

District) City Council District #5

LEGAL DESCRIPTION OF PROPERTY:

W LYCASTE 12 EXC N 149.64

FT OF E 193.57 FT TERMINAL SUB L26 P80 PLATS, W C R 21/372 28 THRU 32 HUTTON TIGHON & NALL SUB L24 P18

PLATS, W C R 21/263 82,985 Sq Ft

PROPOSAL:

JAR Capital, LLC appeals the decision of the Buildings Safety Engineering and Environmental Department's Special Land Use Review dated February 6, 2019 which states; the subject property has been identified as being within 1000 radial feet of a Drug Free Zone in a M4 (Intensive industrial District). This case is appealed because Appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. Also, the Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center in a Drug Free Zone. The locational specifications related to drug-free zones of subsection 354(b)(1) of this section may not be waived or modified by the Buildings, Safety Engineering and Environmental Department, nor the Board of Zoning Appeals. Applications that are not consistent with the locational specifications of subsection (b)(1) of this section shall be considered ineligible and shall be dismissed. Also, the proposed MMCC located at 611 Hillger has been identified as being in a Drug Free Zone (DFZ) based on its proximity to Pathways Academy located at 11200 (aka 11340) E. Jefferson. Pathways Academy is a legally, operating, public charter school located approximately 539 radial feet from the subject property at 611 Hillger, therefore becomes ineligible to establish a Medical Marihuna Growers (Sections 61-4-72 Appeals and 61-3-355 Permitted districts for medical marihuana facilities; Conditional Uses; Restrictions(c)(d).).AP

ACTION OF THE BOARD: Ms. Teague made a motion to Adjourn hearing with fee and without date at petitioners request. Seconded by Mr. Finn

Affirmative:

Mr. Thomas, Weed, Calzada

Ms. Teague

Negative:

ADJOURNED WITH FEE AND WITHOUT DATE

10:45 a.m.

CASE NO.:

28-19 (AKA BSEED SLU2019-00004)

APPLICANT:

JOHN RODGERS

LOCATION:

14415 FORDHAM between Chalmers St and

Celestine Ave. in a R2 Zone (Two-Family Residential District)-City Council District #4

LEGAL DESCRIPTION OF PROPERTY:

N FORDHAM 2 SEYMOUR

& TROESTERS CHALMERS AVE SUB L46 P50 PLATS,

W C R 21/269 40 X 102.38A

PROPOSAL:

John Rogers request to construct a seven space surface parking lot on the 4,095 square foot lot which will serve an adjacent multiple-family dwelling owned by the applicant located at 19000 Chalmers in a R2 (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 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. 61-14-222. Residential screening - the width of the proposed lot is inadequate for the parking spaces, aisle and required setback from the adjacent residentially-zoned property. (Sections 61-4-91(1) General Dimensional Standard (Parking), Sec. 61-14-222, Residential screening and 61-4-81 Approval Criteria).AP

Action of the Board:

d: Mr. Calzada made a motion to Grant request to construct a seven space surface parking lot on the 4,095 square foot lot which will serve an adjacent multiple-family dwelling owned by the applicant located at 19000 Chalmers in a R2 (Two Family Residential District. Seconded by Ms. Teague

Affirmative:

Mr. Weed, Calzada, Thomas, Finn

Ms. Teague

Negative:

DIMENSIONAL VARIANCE GRANTED

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 11:15 A.M.

RESPECTFULLY SUBMITTED

JAMES W. RIBBRON DIRECTOR

JWR/atp