

Board Members

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Director



Robert E. Thomas
Chairperson

Vivian Teague
Vice Chairperson

Robert G. Weed
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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
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MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **AUGUST 13, 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) 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
- (7) Jacqueline Grant, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

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

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

10:00 a.m. **CASE NO.:** 54-19

APPLICANT: LINDSEY HAINES

LOCATION: 61 Clairmount between Second Ave. and Woodward in a R5 zone (**MEDIUM DENSITY RESIDENTIAL DISTRICT**)- City Council District 5

LEGAL DESCRIPTION OF PROPERTY: S CLAIRMOUNT 6HUBBARD & DINGWALLS SUB L10 P84 PLATS, W C R 2/43 100 X 115 SPLIT ON 06/17/2019 WITH 02001415., 02001416., 02001417. INTO 02001414-7;

PURPOSAL: Lindsey Haines requests various dimensional variances to construct 43 residential dwelling units, as well as a 1st floor community health center, nonprofit office space and job vocation/training space including café, community kitchen and salon on 7,035 gross square foot lot in a R5 zone (**MEDIUM DENSITY RESIDENTIAL DISTRICT**). This case is appealed because not more than one (1) principal detached residential building shall be located on a zoning lot in the R1, R2, R3, R4, R5, and R6 Districts. 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 and except when an administrative adjustment may be granted, the Board of Zoning Appeals may modify any use regulation that is specified in **ARTICLE XII DIVISION 4** of this Chapter; front setback (multi-family dwellings) 20' required – 12 feet proposed: 8 feet deficient; loading zone (two) 12x35 loading zones required: one loading zone proposed and Parking 51 spaces required – 21 spaces provided. (Sections 61-12-351 Number of Buildings on a Zoning Lot, 61-4-92(1) Other Variances, Variance of Use Regulations and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: made a motion to Grant various dimensional variances to construct 43 residential dwelling units, as well as a 1st floor community health center, nonprofit office space and job vocation/training space including café, community kitchen and salon on 7,035 gross square foot lot in a R5 zone (**Medium Density Residential District**) Seconded by

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

Negative:

DIMENSIONALVARIANCES GRANTED

10:45 a.m. **CASE NO.:** 57-18 (aka BSEED 66-16)-Rehearing Granted February 5, 2019

APPLICANT: MAHER LAZER

LOCATION: 16060 E. EIGHT MILE RD. Between: Redmond St and Boulder St in a B4 Zone (General Business District)- City Council District #3

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE RD E 14&15 PATERSON BROS & COS RIDGEMONT GARDENS SUB L60 P3 PLATS, W C R 21/943 40 X 100

PROPOSAL: Maher Lazer appeals the decision of the Buildings Safety Engineering and Environmental Department's Corrected Decision Letter dated April 29, 2019, which states; the property is located within a Drug Free Zone. Bringard-Boulder Park 16251 Bringard-935' away in a B4 zone (General Business District). This case is appealed because a revised BSEED decision was rendered on April 29, 2019, which states the subject property is within 1000 feet of a park (Bringard Boulder Park 16251 Bringard 935 feet away) thereby reversing their (BSEED) original decision and rescinding the conditional land use. (Sections 61-4-72 Appeals and 61-3-354(b)(1) Conditional Uses; Procedures; Waivers; Public Nuisance).AP

Action of the Board: made a motion to Affirm the proposed MMCC is located in a Drug Free zone. Seconded by Ms. Grant

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

Negative: Mr. Finn
Ms. Teague

BSEED DECISION AFFIRMED/ DRUG FREE ZONE

11:30 a.m. **CASE NO.:** 48-19 (aka BSEED 116-18)
APPLICANT: SOUTHERN PROVISIONING CENTER, LLC
LOCATION: 14470 Livernois between Doris and Bourke in a M4 (INTENSIVE INDUSTRIAL DISTRICT)-City Council District #2

LEGAL DESCRIPTION OF PROPERTY: E LIVERNOIS PART OF SECTION 22, T1S, R11S, BEGINNING AT THE POINT OF INTERSECTION OF THE EASTERTLY LINE LIVERNOIS AVE (120 FT WD) AND THE NORTHERLY LINE OF DETROIT TERMINAL RAILROAD RIGHT OF WAY (66 FT WD) THENCE THE FOLLOWING COURSES: N01D30'00"E 41.35FT, THENCE S78D43'08"E 11.51 FT, THENCE N66D41'27"E 218 FT, THENCE N18D58'24"W 141.07 FT, THENCE N67D45'48"E 104.70 FT, THENCE N01D30'00"E 222.09 FT, THENCE N78D36'10"E 555.01 FT, THENCE S15D45'30"E 245.70 FT, THENCE N78D11'47"E 66.04 FT, THENCE S66D41'27"W ALONG NORTHERLY LINE OF DETROIT TERMINAL RAILROAD RIGHT OF WAY 1028.84 FT TO POB (218275.68 SF) MORE OR LESS.

PROPOSAL: Southern Provisioning Center, LLC request to establish a Medical Marijuana Provisioning Center Facility (MMPCF) in a 4,423 square foot unit (Suite A), a Medical Marijuana Processor Facility (MMPF) in 2112 square units (Suite B (1,076 square feet) & Suite C (1,036 square foot units (Suite D (21,188 square feet) & Suite E (10,509 square feet)) of an existing 88,082 square foot building APPROVED with CONDITION in BSEED Case No. 116-18 Decision Date: May 3, 2019 – Effective Date May 17, 2019 in a M4 (INTENSIVE INDUSTRIAL 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 variances provided: *the proposed medical marihuana facilities are excessive in square footage and acreage. 88,082 square feet proposed, 5 acres permitted, 475 feet excessive.* (Sections 61-4-91. Permitted Dimensional Variances, General Dimensional Standards, Sec. 61-3-355. Permitted districts for medical marihuana facilities; Conditional Uses; Restrictions and 61-4-81 Approval Criteria.).AP

Action of the Board: made a motion to waive acreage and square footage to establish marijuana facilities in proposed location. Seconded by Ms. Moore

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

Negative:

Case No. 39-19 Property located at 11630 Russell
36-19 Property located at 1563 & 1575 Hale St.

Director Ribbron read into record letters from each petitioner stating they would like to withdraw their application and have cases dismissed.

Action of the Board: Mr. Thomas made a motion to Dismiss above cases with prejudice. Seconded by Ms. Moore

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

Negative:

CASES DISMISSED

RE-HEARING REQUEST

10:45 a.m. CASE NO.: 76-18 (BSEED 97-18)

APPLICANT: ROMIA KIRMA

LOCATION: 10345 W. Eight Mile between Birwood and Griggs in a B2 zone (Local Business And Residential District) – Council District #2

PROPOSAL: Romia Kirma appeals and requests to reverse the decision of the Buildings Safety Engineering and Environmental Department (PIN: 16009481-2 BSEED #97-18) which DENIED the establishment of a Medical Marihuana Provisioning Center Facility (MMPCF) in an existing building located at 10345 W. Eight Mile in a B2 zone (LOCAL BUSINESS AND RESIDENTIAL DISTRICT).

ACTION OF THE BOARD: Mr. Weed made a motion to Grant Re-Hearing Request. Seconded by Ms. Moore.

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

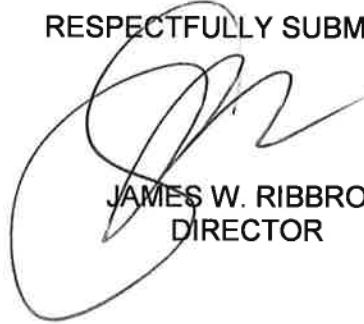
Negative: Mr. Thomas
Ms. Teague

RE-HEARING REQUEST GRANTED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Finn motioned that the meeting be adjourned. Board Member Grant seconded this motion which was unanimously carried and the meeting adjourned at 1:25 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp

