

## 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

**Debra Walker**

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 **OCTOBER 8, 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) Robert E. Thomas, Board Member
- (3) Vivian Teague, Board Member
- (4) Kwame Finn, Board Member
- (5) Debra Walker, Board Member
- (6) Jacqueline Grant, Board Member
- (7) Elois Moore, Board Member

#### BOARD MEMBERS ABSENT:

#### MINUTES:

Board Member Teague made a motion to approve the minutes October 1, 2019 with any corrections.

Affirmative: Mr. Weed, Thomas  
Ms. Moore, Grant, Walker, 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.:** 78-19 – (AKA BSEED SLU2019-00060)  
**APPLICANT:** HOPE HOUSE DETROIT – GARY GENTRY  
**LOCATION:** 12830 ESSEX between Kitchner and Continental in a R2 zone (Two-Family Residential District)-City Council District #4

**LEGAL DESCRIPTION OF PROPERTY:** W CONTINENTAL 342 ST CLAIR PARK SUB L27 P90 PLATS, W C R 21/291 30 X 100

**PROPOSAL:** Hope House Detroit represented by Gary Gentry request a parking variance to establish a Nonprofit Neighborhood Center on the first floor of an existing, two-story multifamily dwelling along with two residential units on the second floor in an R2 zone (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; Location or Amount of Off-Street Parking. 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; 25 parking spaces (one per square foot) are required, Zero (0) have been provided. (Sections 50-4-131.(1). Permitted dimensional variances; Location or Amount of Off-Street Parking, 50-14-34. Household Living, 50-14-38 Community Service and Sec. 50-4-121. Approval criteria).AP).AP

**ACTION OF THE BOARD:** Ms. Moore made a motion Grant Dimensional Variance (parking) to establish a Nonprofit Neighborhood Center on the first floor of an existing, two-story multifamily dwelling along with two residential units on the second floor in an R2 zone (Two Family Residential District). . Seconded by Ms. Grant

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

Negative:

**DIMENSIONAL PARKING VARIANCES GRANTED**

10:00 a.m. **CASE NO.:** 58-19 – (AKA BSEED 255-16)

**APPLICANT:** DR. TARIK NAJIB

**LOCATION:** 7235 GREENVIEW between W. Warren and Sawyer in a R1 zone (Single-Family Residential District)-City Council District #1

**LEGAL DESCRIPTION OF PROPERTY:** W GREENVIEW 825 & 824 WARRENDALE NO 1 SUB L45 P14 PLATS, W C R 22/263 80 X 124.01

**PROPOSAL:** Dr. Tarik Najib request dimensional variances to establish a 22-space Accessory Parking Lot to serve a School located at 18600 thru 18624 W. Warren approved in BSEED 255-16 in a R1 Zone (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 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; Front Yard Set Back – 20 ft. required: 7 ft. provided, Residential Side Setback – 10 ft. required: 3 ft. provided and Interior Landscaping – 1,260 sq. ft and 5 shade trees required: 392 sq. ft. and 4 shade trees provided. (Sections 50-4-131.(1). Permitted dimensional variances; Location or Amount of Off-Street Parking, 50-14-342, Residential screening, 50-14-223 Layout and Set Back, 50-14-353 Interior Landscaping and Sec. 50-4-121. Approval criteria).AP

**ACTION OF THE BOARD:** Mr. Weed made a motion Grant Dimensional Variances to establish a 22-space Accessory Parking Lot to serve a School located at 18600 thru 18624 W. Warren approved in BSEED 255-16 in a R1 Zone (Single-Family Residential District). . Seconded by Ms. Grant

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

Negative:

**DIMENSIONAL VARIANCES GRANTED**

10:45 a.m. **CASE NO.:** 61-19 – (AKA BSEED 141-18)  
**APPLICANT:** DETROIT LOFTS, LLC  
**LOCATION:** 3325 MICHIGAN between 22<sup>nd</sup> and 23<sup>rd</sup> in a B4 Zone (General Business District) City Council District #7

**LEGAL DESCRIPTION OF PROPERTY:** S MICHIGAN W25 FT 1 GEO L BEECHERS FACTORY SITE L22 P93 PLATS, W C R 12/38 25X112.98 SPLIT ON 01/04/2019 WITH 12000315-6 INTO 12000315-7

**PURPOSAL:** Detroit Lofts, LLC requests variances to convert two adjacent vacant buildings encompassing a combined 5,500 sq. ft. building into one to establish a Cabaret and Office in a Traditional Main Street Overlay District 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 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; a Cabaret Use is a regulated use and is not allowed within 1000 ft. of other regulated uses – there are 3 regulated uses within 1000 ft., and the proposed use requires 45 parking spaces, the current use is Retail providing a 20 space credit – 0 spaces provided. (Sections 50-4-131. (1). Permitted dimensional variances; Location or Amount of Off-Street Parking, 50-2-321 Regulated Uses and 50-3-281 and Sec. 50-4-121. Approval criteria).AP

**ACTION OF THE BOARD:** Mr. Weed made a motion to Grant Dimensional Variance request to convert two adjacent vacant buildings encompassing a combined 5,500 sq. ft. building into one to establish a Cabaret and Office in a Traditional Main Street Overlay District in a B4 zone (General Business District). Seconded by Ms. Grant

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

Negative:

Mr. Weed recused himself from the case

**PARKING VARIANCE GRANTED**

11:30 a.m. CASE NO.: 60-19 – (AKA BSEED SLU2019-00116)

APPLICANT: PURA VIDA MANAGEMENT

LOCATION: 12727 GREENFIELD between Glendale and Fullerton in a M4 Zone (Intensive Industrial District)-City Council District #2

LEGAL DESCRIPTION OF PROPERTY: W GREENFIELD THAT PT OF N E 1/4 SEC 25 T 1 S R 10 E DESC AS BEG AT INTSEC S LINE GLENDALE & W LINE GREENFIELD WEST SERVICE RD TH ALG SD W LINE 267.20 FT TH N 89D 32M W 419.63 FT TH N 0D 08M 30S E 264.48 FT TH S 89D 37M 06S E 453.78 FT TO PTE OF BEG 22/--- 114,706 SQ FT

PROPOSAL: Pura Vida Management appeals the decision of the Buildings Safety Engineering and Environmental Department’s BSEED Case SLU2019-00116 dated May 28, 2019 which DENIED permission to establish a Medical Marihuana Provisioning Center Facility, a Medical Marihuana Grower Facility and a Medical Marihuana Processor Facility in a 42,303 square foot square foot building in a M4 zone (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. Medical marihuana facilities may be permitted on a conditional basis in the following zoning districts in accordance with this Article, subject to the provisions of this Division and any other applicable provisions of this Code, and all applicable state of Michigan requirements: the subject property is within 1000 ft. of a Religious Institution and school (Dunamis Outreach Ministries located at 13220 Greenfield) – 600 ft. away, there creating a Drug Free Zone. (Sections 50-4-102 Appeals and 50-3-534(b) (1) (2). Conditional uses, procedures; waivers; public nuisance; Drug-free zone. Where located in a drug-free zone, as defined in Sec. 50-3-533 of this Code, or where located within a Gateway Radial Thoroughfare overlay area or Traditional Main Street overlay area (as provided in Article 6. Division 14 of this chapter; and Where located in a zoning lot in a B2, B4, M1, M3 or M4 district less than 1,000 radial feet from any zoning lot occupied by any religious institution, another MMCC or a controlled use).AP

ACTION OF THE BOARD: Ms. Teague made a motion to Uphold the BSEED Decision that the subject property is in a Drug Free Zone. Seconded by Ms. Moore

Affirmative: Mr. Weed, Mr. Teague, Moore, Walker

Negative: Mr. Thomas, Finn

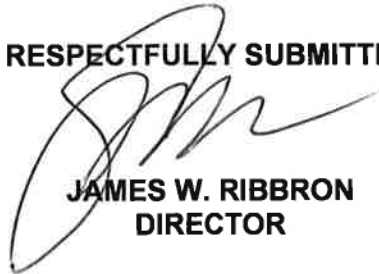
Ms. Grant was not present for the hearing

BSEED DENIAL UPHOLD USE DENIED

**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 1:15 P.M.

**RESPECTFULLY SUBMITTED**

A handwritten signature in black ink, appearing to read 'JWR', is written over the printed name and title.

**JAMES W. RIBBRON  
DIRECTOR**

**JWR/atp**