

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

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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 27, 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 Inspector Purofoy 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) Emmanuel Calzada, Board Member

BOARD MEMBERS ABSENT:

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

MINUTES:

Board Member Weed made a motion to approve the minutes August 13, 2019 and August 20, 2019 with any corrections.

Affirmative: Mr. Weed, Thomas, Calzada, 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.: 65-19

APPLICANT: TIGER STADIUM PARTNERS, LLC

LOCATION: 1620 Michigan Ave. between Trumbull Ave. and
Cochrane St. in a B4 zone (General Business
District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: N MICHIGAN 1
THRU 22 109 THRU 112 S 1 FT 113 AND VAC ALLEYS
ADJ SD LOTS PLAT OF P C 27 L2 P5 PLATS, WCR
8/29 THAT PT LYG N & ADJ MICHIGAN AVE W & ADJ
TRUMBULL AVE S & ADJ JULIANA T ABBOTTS SUB
INCL VAC CHERRY ST WOODBRIDGE FARM 8/12 S
34 FT 59 60 S 83 FT OF 61 THRU 69 AND VAC ALLEY
ADJ LOT 61 JULIANA T ABBOTTS SUB L5 P36
PLATS, W C R 8/30 370,344 SQ FT SPLIT ON
06/08/2017 WITH 08006416-36, 08000580-91 INTO
08000580-3, 08000584-6, 08000587-9, 08000590-1;

PROPOSAL: Tiger Stadium Partners, LLC requests permission to modify a previous BZA Grant (BZA 81-17) which granted Mixed-Use Retail & Residential Development with a Roof Sign externally lit BY changing the sign to a Roof Mounted Neon Sign located on the corner of Michigan and Cochran in a B4 zone (General Business District). (Located within a Traditional Main Street Overlay Area). This case is appealed because roof Signs are not allowed in the Traditional Main Street Overlay area. However, the Board of Zoning Appeals may modify this developmental standard specified in this article (Article XIV of this Chapter; Traditional Main Street Overlay Area) and after a public hearing, a variance may be granted by the Board based on the approval criteria of Section 61-4-81 of this Code in this instance. Also, excessive sign height may be waived by the Board under Section 61-6-38 of this Code. (Sections 61-6-42.Roof signs, 61-6-7 Business Sign, 61-14-300(13) Illumination of Signs in TMSO area, 61-6-14 Identification Sign, 61-4-92(2) Other Variances, Variance of Development Standard, 61-6-38(a.1&2) Sign Height Variances and 61-4-81 Approval Criteria.)AP

CASE NO.: 65-19 Continued:

Motion 1

ACTION OF THE BOARD: Mr. Calzada made a motion to **Adjourn this Case without date for the petitioner to meet with the community to discuss the proposed signage.** Seconded by Mr. Weed

Affirmative: Mr. Thomas, Weed, Calzada

Negative: Ms. Teague
Mr. Finn

MOTION FAILS DUE TO VOTE COUNT

Motion 2

ACTION OF THE BOARD: Mr. Weed made a motion to **Deny Roof Mounted Neon Sign.** Seconded by Mr. Calzada

Affirmative: Mr. Weed, Calzada

Negative: Ms. Teague
Mr. Finn, Thomas

MOTION FAILS DUE TO VOTE COUNT

Motion 3

ACTION OF THE BOARD: Ms. Teague made a motion to **Approve Roof Mounted Neon Sign.** Seconded by Mr. Calzada

Affirmative: Mr. Weed, Calzada

Negative: Ms. Teague
Mr. Finn, Thomas

MOTION FAILS DUE TO VOTE COUNT

Motion 4

ACTION OF THE BOARD: Mr. Finn made a motion to **Adjourn this Case without date for the petitioner to meet with the community to discuss the proposed signage.** Seconded by Mr. Calzada

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

Negative:

ADJOURNED WITHOUT DATE

9:45 a.m. **CASE NO.:** 67-18

APPLICANT: JAMES PAPPAS

LOCATION: 13300 Syracuse St (aka 13291 Mound) between Rupert and Luce in a R5 (Medium-Density Residential District) City Council District #3

LEGAL DESCRIPTION OF PROPERTY: W MOUND 55 THRU 60 AND ALL VAC ALLEY ADJ-20' 147 THRU 156 AND ALL VAC ALLEY ADJ-18' A MEYERS & SON NO 1 L56 P84 PLATS, W C R 13/317 ALSO N 233.85 FT OF THAT PART OF SE 1/4 OF NE 1/4 SEC 17 T1S R12E LYG S OF AND ADJ LUCE AVE BTWN SYRACUSE AVE & A MEYERS & SON SUB# 1 13/--- 123.2 IRREG

PURPOSAL: James Pappas requests dimensional variances TO construct a (BY-RIGHT) Multi-family, dwelling containing 19 Affordable Housing Units (A-1 Bedrooms) on a 19,296 square foot lot in a 10,624 square building in a R5 (Medium-Density Residential District). 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 a variance of parking and recreational space provided: That the open space needs of the potential occupants are adequately served; and that said facility complies with all appropriate federal and state statutes, Wayne County Code of Ordinances, this Code and their accompanying regulations that control or regulate such use, including all applicable standards of this Zoning Ordinance; Parking spaces required 24 – spaces proved 2 and recreational space ratios for R5 0.085 – no indication on site plan. (Sections 61-4-91. Permitted Dimensional Variances, General Dimensional Standards and 61-4-81 Approval Criteria)

ACTION OF THE BOARD: Mr. Weed made a motion to Grant dimensional variances TO construct a (BY-RIGHT) Multi-family, dwelling containing 19 Affordable Housing Units (A-1 Bedrooms) on a 19,296 square foot lot in a 10,624 square building in a R5 (Medium-Density Residential District). Seconded by Mr. Calzada

Affirmative: Mr. Thomas, Weed, Finn

Negative: Mr. Calzada,
Ms. Teague

MOTION FAILS DUE TO VOTE COUNT

Case No. 67-18 Continued:

ACTION OF THE BOARD: Ms. Teague made a motion to **take this case under Advisement for the absent Board members to hear the auto/transcript and participate in the vote** Seconded by Mr. Calzada

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

Negative:

ADVSEMENT

10:15 a.m. **CASE NO.:** 46-19

APPLICANT: 4130 TRUMBULL DEVELOPMENT, LLC JASON JONES

LOCATION: 4130 Trumbull between W. Willis St and W Alexandrine St Ave in a R3-H Zone (Low-Density Residential District-Historic)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: E TRUMBULL N 10 FT OF 97 98 HODGES BROS SUB L1 P308 PLATS, W C R 6/53 60 X 124

PROPOSAL: 4130 Trumbull Development, LLC requests dimensional variances TO construct a (BY-RIGHT) 6 unit 8,305 square foot, Multifamily dwelling with a 1,242 square foot accessory garage in a R3-H (Low-Density Residential District - Historic). 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: a. Minimum lot width required 35% – 54% proposed; b. Lot coverage required 70 ft. – 40 ft. proposed; and c. Max floor area required – 5,208 sq. ft. – 8,350 sq. ft. proposed. (Sections 61-4-91. Permitted Dimensional Variances, General Dimensional Standards and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant dimensional variances TO construct a (BY-RIGHT) 6 unit 8,305 square foot, Multifamily dwelling with a 1,242 square foot accessory garage in a R3-H (Low-Density Residential District - Historic). Seconded by Mr. Finn

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

Negative:

DIMENSIONAL VARIANCES GRANTED

10:45 a.m. **CASE NO.:** 49-19 (aka BSEED 2019-00025)
APPLICANT: BRIAN HURTTIENNE
LOCATION: 4218 & 4228 Fourth Street between W. Willis and Calumet in an R2 zone (Two-Family Residential District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: E FOURTH 11 BLK 9 CRANE FARM SUB L60 P58 DEEDS, W C R 4/108 40 X 95 E FOURTH 12 BLK 9 CRANE FARM SUB L60 P58 DEEDS, W C R 4/108 40 X 95

PROPOSAL: Brian Hurttienne request to construct two (2) separate three unit townhouses encompassing a combined 14,235 square foot site with accessory residential parking Approved w/conditions in BSEED Case SLU2019-00025 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; Front Setback – 20 feet required: Bldg. A 0 ft and Bldg. B 4 ft; Maximum lot coverage – 35% permitted: 54% proposed. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, 61-8-65. Intensity and dimensional standards, 61-8-40. Conditional residential uses, 61-12-126. Town houses and 61-4-81 Approval Criteria.).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant dimensional variances construct two (2) separate three unit townhouses encompassing a combined 14,235 square foot site with accessory residential parking Approved w/conditions in BSEED Case SLU2019-00025 in an R2 zone (Two Family Residential District). Seconded by Mr. Weed

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

Negative:

DIMENSIONAL VARIANCES GRANTED

11:15 a.m. **CASE NO.:** 50-19 (SLU2019-00026)

APPLICANT: BRIAN HURTTIENNE

LOCATION: 4213, 4219 and 4225 Fourth Street between W. Willis and Calumet in an R2 zone (Two Family Residential District)-City Council District #6

LEGAL DESCRIPTION OF PROPERTY: W FOURTH E 63 FT OF N 35 FT OF S 85 FT OF O L 11 LYG N & ADJ W WILLIS 50 FT WD CRANE FARM SUB REAR CONCESSION OF P C 247 L1 P117 PLATS, W C R 4/103 35 X 63 W FOURTH E 63 FT 4 WEITZELS SUB L1 P244 PLATS, W C R 4/114 40 X 63 W FOURTH 3 WEITZELS SUB L1 P244 PLATS, WCR 4/114 40 X 95

PROPOSAL: Brian Hurttienne request dimensional variances to construct a five unit 13,901 square foot Townhouse building with accessory residential parking Approved w/conditions in BSEED Case SLU2019-00026 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; Front Setback – 20 feet required: 4 feet proposed; Maximum lot coverage – 35% permitted: 49% proposed. (Sections 61-4-91(6) Permitted Dimensional Variances, General Dimensional Standards, 61-8-65. Intensity and dimensional standards, 61-8-40. Conditional residential uses, 61-12-126. Town houses and 61-4-81 Approval Criteria.).AP

ACTION OF THE BOARD: Mr. Calzada made a motion to Grant dimensional variances TO construct a five unit 13,901 square foot Townhouse building with accessory residential parking Approved w/conditions in BSEED Case SLU2019-00026 in an R2 zone (Two Family Residential District). Seconded by Mr. Weed

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

Negative:

DIMENSIONAL VARIANCES GRANTED

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

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

On Friday, August 16, 2019 at 3:42PM Board Member Emmanuel Calzada contacted the BZA Office via e-mail that he wishes to move for a reconsideration of the decision that BZA Case 57-18 is in a DRUG FREE ZONE. I advise the BZA Board that such motion will be made and considered today August 20, 2019.

Mr. Calzada made a motion to reconsider the vote made on August 13, 2019 and allow another hearing on the Matter of the subject property being in a Drug Free Zone based on new information. Supported by Ms. Teague

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

Negative:

CASE BEING REHEARD DUE TO NEW INFORMATION

CASE NO.: 37-19

APPLICANT: METRO SIGNS

LOCATION: 15400 Grand River between Greenfield and Sussex in a B3 zone SHOPPING DISTRICT- City Council District 1

LEGAL DESCRIPTION OF PROPERTY: N GRAND RIVER W UNIT 2 WAYNE COUNTY CONDO PLAN NO. 218 "TOWER CENTER CONDOMINIUM" RECORDED L23256 P748-788 DEEDS, WCR 22/ 36.72%

PROPOSAL: Metro Signs requests permission to ADD identification sign to the front wall of a building (Forman Mills) with an existing Rear Entrance Sign and Projecting Signs in a B3 zone SHOPPING DISTRICT. This case is appealed because an identification sign is a business sign, not less than seventy-five percent (75%) of the area of which identifies the name of the individual, profession, occupation, organization, hotel, or motel occupying the premises, or the name or street number of the building. Information directly related to principal or accessory uses of the property may also be included, provided, that not more than twenty-five percent (25%) of the area of the sign is devoted to such information; proposed sign 680 square feet – 302 square feet excessive. (Sections 61-6-23. Signs, wall, roof, or ground, 61-6-14 Identification Sign, 61-4-92(2). Other variances and 61-4-81 Approval Criteria).AP

ACTION OF THE BOARD: Mr. Finn made a motion to Dismiss this case due to information from the Planning Department stating that the Board doesn't have jurisdiction to hear this case due to the City Code. Seconded by Ms. Teague

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

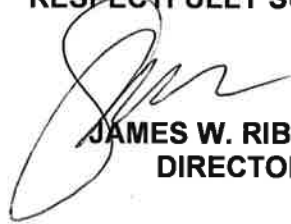
Negative:

CASE DISMISSED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Moore motioned that the meeting be adjourned. Board Member Grant seconded this motion which was unanimously carried and the meeting adjourned at 1:17 P.M.

RESPECTFULLY SUBMITTED



**JAMES W. RIBBRON
DIRECTOR**

JWR/atp

