

## 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](mailto:boardofzoning@detroitmi.gov)

### MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **NOVEMBER 26, 2019** on the 2nd Floor in the BZA Office, 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) Debra Walker, Board Member
- (5) Elois Moore, Board Member
- (6) Jacqueline Grant, Board Member

#### BOARD MEMBERS ABSENT:

- (1) Kwame Finn, Board Member

#### MINUTES:

Board Member Grant made a motion to approve the minutes November 19, 2019 with any corrections.

Affirmative: Mr. Weed, Thomas  
Ms. Moore, Walker, Teague, 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**.

9:15 a.m.      **CASE NO.:**                    76-19

**APPLICANT:**                    PATRICK MEEHAN

**LOCATION:**                            6001 CASS AVE. between York and Burroughs in a SD2-H Zone (Special Development District, Mixed-Use Historic)-City Council District #5

**LEGAL DESCRIPTION OF PROPERTY:**    W CASS LOTS 5 THRU 1, E 12 FT OF S 57.50 FT OF 8 & E 12 FT OF 11 ALSO VAC ALLEYS ADJ BLK 11 CASS FARM CO LTD SUB L19 P35 PLATS W C R 2/27 39,813 SQ FT COMB OF PART OF ITEMS 02001069. & 02002158. LK 12/26/03

**PROPOSAL:**                            Patrick Meehan/6001 Cass, LLC is requesting dimensional variances for a sign projecting into the right of way with electronic message board display (Projecting Sign) 351.4 square feet in area on a 6 story 39,560 square foot building located in a SD2-H (Special Development District, Mixed-Use - 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 and for a variance of the height limitation of signs as provided for in Sec. 61-6-38 of this Code. Said dimensional variances may be granted on the approval criteria of Sec, 50-4-121 of this Code, except as may be limited or restricted by other provisions of this Zoning Ordinance. Also, height of signs, excessive electronic message board coverage and excessive business sign area. (Sections 50-4-131 Permitted dimensional variances, 50-6-20 Sign, projecting and 50-4-121 Approval Criteria). AP

**ACTION OF THE BOARD**    Mr. Weed made a motion to Grant dimensional variances for four (4) business signs projecting into the right of way with electronic message board display (Projecting Sign) on a 6 story 39,560 square foot building located in a SD2-H (Special Development District, Mixed-Use - Historic).. Support by Ms. Grant

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

Negative:

**DIMENSIONAL SIGN VARIANCES GRANTED**

10:00 a.m. CASE NO.: 72-19 (aka BSEED SLU2019-00197)

APPLICANT: ALI AL-ZAGHIR

LOCATION: 14411 JOY RD. between Mark Twain and Strathmoor in a B4 zone (General Business District).-City Council District #7

LEGAL DESCRIPTION OF PROPERTY: S JOY RD 43 THRU 34 CUMBERLAND INVESTMENT CO BONAPARTE-CHASE SUB L59 P23 PLATS, W C R 22/592 200 X 100

PROPOSAL: Ali Al-Zaghir requests permission to establish a Minor Auto Repair in an existing 2,370 sq. ft. building 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 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; (Sections 50-4-131(1) Permitted Dimensional Variances, Location or amount of Off-Street-Parking, 50-14-60 Off-Street Parking and 50-4-121 Approval Criteria).AP

ACTION OF THE BOARD Mr. Weed made a motion to Deny permission to establish a Minor Auto Repair in an existing 2,370 sq. ft. building in a B4 zone (General Business District). Support by Ms. Teague

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

Negative: Ms. Moore

MINOR AUTO REPAIR FACILITY DENIED

**10:45 a.m. CASE NO.:** BSEED SLU2019-00094-COMMUNITY APPEAL  
**APPLICANT:** CHURCH OF OUR FATHER BAPTIST  
**LOCATION:** 4809 E. SEVEN MILE between Healy and Lamont in a B4 (General Business District)-City Council District #3

**LEGAL DESCRIPTION OF PROPERTY:** N SEVEN MILE ROAD 80 81 82 DONDEROS L38 P43 PLATS, W C R 13/268 93 X 100

**PURPOSAL:** Church of Our Father Baptist c/o Pastor Burnard Byles appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED SLU2019-00094) which (Approved with Conditions) permission TO ADD BSEED a Specially Designated Distributor's (SDD) license (Carry-Out Sale of Liquor for off-premise consumption) to an existing SDM establishment (Carry-out Sale of Beer & Wine for off-premise consumption) in an existing 5,415 square foot building in an B4 (General Business 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; Michigan courts have held that in order to meet the "aggrieved person" standard, the appellant must prove that he or she (or it, if the appellant is an organization) has suffered special damages related to the beneficial use and enjoyment of his/her own property that are not common to other property owners similarly situated. The party filing the appeal must be more than a mere resident of the City; he or she must be able to show harm or damages that are unique to him or her, and to his/her property, specifically. (Sections 50-4-102 Appeals, Michigan Case Law on "Aggrieved Person" Standard and 50-3-381 General Approval Criteria (Community Appeals)). AP

**CASE NO.: BSEED SLU2019-00094-COMMUNITY APPEAL**

**ACTION OF THE BOARD**

**Mr. Weed made a motion that the petitioner has standing to bring this community appeal before the Board. Support by Ms. Moore**

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

Negative:

**STANDING ESTABLISHED**

**Ms. Moore made a motion to Grant Community Appeal thereby Reversing the BSEED Decision to add SDD License to existing SDM License. Support by Ms. Walker**

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

Negative:

**BSEED REVERSED, USE DENIED**

10:15 a.m. CASE NO.: 76-19 (aka BSEED 97-18)

APPLICANT: ROMIA KIRMA

LOCATION: 10345 W. EIGHT MILE RD. Between: Birwood Ave. and Griggs Ave. in a B2 Zone (Local Business and Residential District)-City 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). 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 an Outdoor recreation facility; the proposed MMPCF site is located within 950 feet of a "DRUG FREE ZONE" known as Wells Playground located at 20159 Griggs. (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 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 AND adopted by Ordinance No. 20-18 of the Medical Marihuana Section of Chapter 61).AP

**ACTION OF THE BOARD** Ms. Teague made a motion to Deny Re-Hearing Request due to lack of new information. The process of a parcel split not be totally complete is not sufficient. Support by Ms. Walker

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

Negative:

**RE-HEARING REQUEST 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 Grant seconded this motion which was unanimously carried and the meeting adjourned at 12:50 P.M.

**RESPECTFULLY SUBMITTED**



**JAMES W. RIBBRON  
DIRECTOR**

**JWR/atp**

