

BOARD MEMBERS

Robert E. Thomas

Chairperson
Council District 5

Vivian Teague

Vice Chairperson
Council District 2

Robert G. Weed

Council District 1

Elois Moore

Council District 3

Michelle L. West

Council District 4

Debra T. Walker

Council District 6

Anthony Sherman

Council District 7



JAMES W. RIBBRON

Director

City of Detroit
Board of Zoning Appeals
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In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4),
The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web.
We encourage the public to use one of the following:

The Telephone Numbers Are:

(312) 626-6799 or (929) 436-2866, Meeting ID: 83992865544

If You Are Joining By Web The Link Is:

<https://cityofdetroit.zoom.us/j/571081730?pwd=c1UvYUtwVlBUNmhlaitZbVdrTGk5dz09>,

Meeting ID: 571 081 730 and meet ID: 376542

If you need additional information regarding this meeting, our director
James Ribbron can be reached at (313) 939-1405.

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **April 20, 2021** by way of Zoom.

Vice-Chairperson of the Board Walker called the meeting to order and Director Ribbron called the roll at 9:00 a.m.

BOARD MEMBERS PRESENT:

- (1) Robert E. Thomas, Board Member
- (2) Elois Moore, Board Member
- (3) Debra T. Walker, Board Member
- (4) Robert G. Weed, Board Member
- (5) Anthony Sherman, Board Member
- (6) Michelle L. West, Board Member
- (7) Vivian Teague, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Moore made a motion to approve the minutes for April 13, 2021 with any corrections.

Affirmative: Mr. Weed, Thomas, Sherman
Ms. Moore, Walker, West, 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.:** 19-21 aka SPR2020-0080

APPLICANT: Left Field 2020 Limited Dividend Housing Association LLC

LOCATION: 2610 Cochrane between W Fisher Service Drive and Michigan Ave in an R1 (Single-Family Residential District)- City Council District #6

LEGAL DESCRIPTION OF PROPERTY: PT OF PC 22 AND 27 BG PT OF 116 AND ALL OF LOTS 109 THRU 115 OF PLAT P.C.27 L2 P5, ALSO PT OF LOTS 47 THRU 53 AND 63, ALL OF LOTS 64 THRU 69 JULIANA T ABBOTTS SUB L5 P 36 INCL VAC KALINE DR, VAC CHERRY ST AND ALL ALLYS WITHIN THE DESC PARCEL; ALSO DESC AS: COMM AT N LINE MICHIGAN AVE (120 FT WD) AND E LINE LINE OF COCHRANE AVE (65 FT WD) TH N 23D 42M 59S W 458.48 FT TO POB; TH N 23D 42M 59S W 198.31 FT; TH N 68D 48M 15S E 100.84 FT; TH N 66D 14M 47S E 20 FT; N 66D 27M 12S E 184.76 FT; TH S 23D 38M 17S E 194.25 FT; TH S 66D 27M 12S W 305.24 TO POB IRRG 1.366 ACRES SPLIT/COMBINED ON 06/08/2017 FROM 08000574.,08006416-36, 08000580-91;

PROPOSAL: Left Field 2020 Limited Dividend Housing Association LLC requests dimensional variances to construct a four unit, 4,260 square foot Townhouse on an existing vacant land approved w/conditions in BSEED case SLU2020-0027 on March 12, 2020. A Special Land Use Grant was issued on April 1, 2020). At that time, no building permits were pulled by the applicant (grant expired on October 1, 2020), however, a time extension was granted by BSEED; in an R2 (Two-Family 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 the minimum setbacks; Four-story building a) Side Setback (20' required, 14'.35" proposed, 2'.65" deficient) b) Rear Setback (30' required, 9'.73" proposed, 20'.27" deficient)and; Six-story building: a) Front Setback (20' required, 0" proposed, 20' deficient) b) Side Setback (17' required, 0" proposed, 17' deficient). (Sections 50-4-131(1&6) Permitted Dimensional Variances, and 50-4-121 Approval Criteria.) AP

ACTION OF THE BOARD: Mr. Weed made a motion to **Grant dimensional variances to construct 2 multiple family dwellings consisting of 120 total units on vacant land in a R1 (Single-Family Residential District). which was approved w/conditions in BSEED case SLU2020-00080.** Seconded by Mr. Sherman

Affirmative: Mr. Weed, Sherman, Thomas
Ms. Moore, Walker, West, Teague

Negative:

DIMENSIONAL VARIANCES GRANTED

10:15 a.m. CASE NO.: 13-21

APPLICANT: Steven Barcus

LOCATION: 2257 Parker between E. Vernor and Durand in an R2 Zone Two-Family Residential District.-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: W PARKER 23 BEWICKS SUB L22 P80 PLATS, WCR 17/216 30 X 99.44

PROPOSAL: Stephen Barcus is requesting a side setback dimensional variance to relocate an existing, 1,450 square foot, single-family dwelling on a 30' X 99' (2,970 square foot) vacant lot in an R2 Two-Family 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 the minimum setbacks; Sec. 50-13-3 Intensity and Dimensional Standards-R2- Single- Family Dwellings; Per the Zoning Ordinance, side setbacks for Single-family dwellings require a 4' minimum side setback, 14' combined; Per the site plan, a 1'6" north side setback has been provided, which is deficient 2'6" for minimum side setback required. A 4' south side setback has been provided which meets the minimum setback allowed, but when combined with the proposed 1'6" north side setback is deficient 8'6" for the combined setback minimum of 14' that is required. The constraints of the existing site and the width of the building prevent compliance with this dimensional standard. The petitioner will need to petition the BZA for a variance of this dimensional standard. (Sections 50-4-132 - Other variances, 50-4-131 - Permitted dimensional variances and 50-4-121 Approval Criteria.) AP

ACTION OF THE BOARD: Ms. Teague made a motion to Grant a side setback dimensional variance to relocate an existing, 1,450 square foot, single-family dwelling on a 30' X 99' (2,970 square foot) vacant lot in an R2 Two-Family Residential District. **Seconded by Ms. Moore**

Affirmative: Mr. Weed, Thomas, Sherman
Ms. Walker, Moore, West, Teague

Negative:

DIMENSIONAL VARIANCE GRANTED

11:15 a.m. CASE NO.: 26-17 aka BSEED 30-16 (Rehearing granted November 5, 2019) (Remanded by Circuit Court March 22, 2021)

APPLICANT: Adam MacDonald

LOCATION: 15831 Mack between Berkshire and Buckingham in a B4 zone (General Business District)-City Council District #4

LEGAL DESCRIPTION OF PROPERTY: N MACK 100 THRU 102 EXC MACK AVE AS WD E DETROIT DEVELOPMENT COS SUB NO 1 L36 P19 PLATS, W C R 21/427 70.83 X 72.90AG

PROPOSAL: Adam MacDoanld requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing 2,900 square foot building which was APPROVED with conditions in (BSEED 30-16) and Remanded by Circuit Court March 22, 2021 in a B4 zone (General Business District). The Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center: One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use or a Religious Institution. The proposed use is within 1,000 radial feet of one (1) Controlled Use (Devonshire Liquor & Drugs) located at 16003 Mack – 399’ ft. away, and one (1) Religious Institutions (Spirit of Love MBC) located at 15635 Mack Ave. – 864’ ft. away. Also, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 50-12-127 of this Code. (Sections 50-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 50-12-132 Other uses-Spacing, 50-12-127 SPC (Spacing), 50-4-132(3) Other Variances, Variance of Spacing/Locational Regulation, 50-12-135 Waiver of General cing Requirements and 50-4-121 Approval Criteria.) AP

ACTION OF THE BOARD: Mr. Weed made a motion to Grant Variances of Spacing / Locational Regulations TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing 2,900 square foot building which was APPROVED with conditions in (BSEED 30-16) and Remanded by Circuit Court March 22, 2021 in a B4 zone (General Business District) **Seconded by Ms. West**

Affirmative: Mr. Weed, Thomas, Sherman
Ms. West

Negative: Ms. Teague

Ms. Moore and Ms. Walker abstained from the vote

SPACING/LOCATIONAL VARIANCES GRANTED

There being no further business to be transacted, Board Member Moore motioned that the meeting be adjourned. Board Member Sherman seconded this motion which was unanimously carried and the meeting adjourned at 12:10 P.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to be 'JWR', written in a cursive style.

JAMES W. RIBBRON
DIRECTOR

JWR/atp