

BOARD MEMBERS

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Council District 4

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Council District 6


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JAMES W. RIBBRON

Director

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 (213) 338-8477, Meeting ID: 82469728510

If You Are Joining By Web The Link Is:

<https://cityofdetroit.zoom.us/j/82469728510>

If you need additional information regarding this meeting, you can contact either
James Ribbron: (313) 939-1405 or Thomina Davidson: (313) 224-3432

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **DECEMBER 21, 2021** by way of Zoom.

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

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Walker made a motion to approve the minutes for December 14, 2021 with any corrections.

Affirmative: Mr. Weed, Thomas, Sherman
Ms Walker, Moore, 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.:** 75-21 aka SLU2021-00086

APPLICANT: Oren Brandvain/Develop Detroit, Inc.

LOCATION: 8324 Woodward Ave. and 50,60,66,72,78,82,90,96,100 E. Euclid between Woodward and John R in an R3 - (Low Density Residential District)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: E WOODWARD 6 THRU 4LOWES SUB L8 P26 PLATS, W C R 1/110 130 X 170; S EUCLID 9-8-7 LOWES L8 P26 PLATS, W C R 1/110 90 X 120; N EUCLID 5 DUFFIELD & DUNBARS SUB L13 P51 PLATS, W C R 2/31 50 X 125; Property exempt from Ad Valorem taxes and assessed on the Special Act Roll pursuant to PA 261 of 2003 expiring 12/30/2021. S EUCLID 11 LOWES L8 P26 PLATS, W C R 1/110 30 X 120; S EUCLID 12 LOWES L8 P26 PLATS, W C R 1/110 30 X 120; S EUCLID 13 LOWES L8 P26 PLATS 1/110 30 X 120; S EUCLID 14 LOWES L8 P26 PLATS, W C R 1/110 30 X 120; N EUCLID 11 DUFFIELD & DUNBARS SUB L13 P51 PLATS, W C R 2/31 50 X 125; S EUCLID 16 LOWES SUB L8 P26 PLATS, W C R 1/110 30 X 120; N EUCLID 13 DUFFIELD & DUNBARS SUB L13 P51 PLATS, W C R 2/31 50 X 125

PROPOSAL: Oren Brandvain/Develop Detroit, Inc. request dimensional variances for the proposed construction of a grocery/office/rental/banquet hall and culinary school, the development of the roughly 30,000 sf, 2 story building, along with a surface parking for patrons APPROVED by BSEED – (After reviewing your proposed plans, we find the site plan meets the site plan requirements of Section 50-3-171 of the Detroit Zoning Ordinance and has been approved with conditions in an R3 (Low 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 the minimum setbacks; Per Section 50-13-182(3), the proposed parking lot at 50,60,66,72,78,82,90,96,100 E. Euclid, (R3 District) is separated from 8324 Woodward Ave. (B4 District) by an alleyway. As the parcels on E. Euclid are greater than 8,500 square feet in area and more than 70 feet in width, a dimensional variance shall be required from the Board of Zoning Appeals: and Multiple parcels are provided for the proposed parking lot, please combine the parcels into one address with the City of Detroit Assessor's Office; 8324 Woodward Ave. is located within the Woodward Ave. Traditional Main Street Overlay District, Per section 50-14-440 a minimum of 80 percent of any building faade that faces a public street, excluding window and door openings, shall consist of the following building materials: masonry (preferably brick), stone, or porcelain; Please verify the percentage of materials on the facades that face the streets, thus requires design review from the City of Detroit Planning and Development Department prior to issuance of a building permit.

9:15 a.m. **CASE NO.:** 75-21 aka SLU2021-00086 Continued

If this cannot be met, a variance shall be required from the Board of Zoning Appeals. Per 50-14-436 all buildings located on lots abutting a Traditional Main Street that contain a commercial use and all other buildings located on the front property line, a minimum of 60 percent of the street level facade along Traditional Main Streets, major thoroughfares, or secondary thoroughfares between two and eight feet above the grade plane shall consist of transparent windows and doors; all other facades of buildings on lots abutting a Traditional Main Street that face a public street (other than a major or secondary thoroughfare) shall consist of transparent windows or doors covering at least 40 percent of the facade between four and eight feet above the grade plane;(2)For all buildings, minimum of 40 percent of the upper level façade along a Traditional Main Street shall consist of openings for windows or window wall system; If this cannot be met, a variance shall be required from the Board of Zoning Appeals. That a 4' with a maximum 6' masonry wall is required to screening the residential dwellings to the south of the proposed parking lot per section 50-14-342(2)(a). If this can not be included on the site plans a variance is required from the Board of Zoning Appeals. (Sections 50-4-131 - Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

ACTION OF THE BOARD: Ms. Walker made a motion to Grant dimensional variances for for the proposed construction of a grocery/office/rental/banquet hall and culinary school, the development of the roughly 30,000 sf, 2 story building, along with a surface parking. Seconded by Ms. Moore

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

Negative:

Dimensional Variances Granted

10:15 a.m. **CASE NO.:** 74-21

APPLICANT: Paul A. Garrison, II

LOCATION: 6380 Marcus between Mt. Elliott and Pease St. in a (M4 Intensive Industrial District)- City Council District #5

LEGAL DESCRIPTION OF PROPERTY: S MARCUS 828 THRU 834 E 12 FT 821 822 THRU 827 AND VAC ALLEY ADJ BESSENGER & MOORES MT ELLIOTT AVE SUB L33 P19 PLATS, WCR 15/169 ALSO W 5 FT 845&930 AND VAC ALLEY ADJ BESSENGER & MOORES MT ELLIOTT AVE SUB NO 1 L35 P40 PLATS, W C R 15/179 47,593 SQ FT SPLIT ON 03/17/2020 WITH 15001777., 15001787-93, 15001811-2 INTO 15001914.001;

PROPOSAL: PAUL GARRISON request to overturn the BSEED DENIAL (BSEED Case # SLU2021-00082 Decision Date: November 5, 2021 – Effective Date: November 19, 2021) to expand an existing Towing Service Storage Yard by combing it within two adjacent parcels to increase the storage capacity from 100 to 350 cars in an M4 Intensive Industrial District. The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department. (Sections 50-4-101 Jurisdiction over Appeals of Administrative Decisions and 50-3-281 General approval criteria.)AP

ACTION OF THE BOARD: Ms. Moore made a motion to Overturn the BSEED’s Decision to expand an existing Towing Service Storage Yard by combing it within two adjacent parcels to increase the storage capacity from 100 to 350 cars in an M4 Intensive Industrial District. Seconded by Ms. Teague

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

Negative:

Mr. Thomas was not present for the vote

BSEED DECISION REVERSED, EXPANSION GRANTED

11:15 a.m. **CASE NO.:** 73-21 (aka SLU2021-00012)

APPLICANT: Intersection Consulting Group, LLC

LOCATION: 6600 Mt. Elliott between Strong and Harper in (M4 Intensive Industrial District)- City Council District #5

LEGAL DESCRIPTION OF PROPERTY: E MT ELLIOTT PT OF LOTS 28&29 LYG WLY OF MCRR R/W ALSO PT OF LOT 30 S OF & ADJ STRONG AVE EXC ELY 30 FT PLAT & SURVEY OF THE N 1/2 OF SEC 28 & THE N E FRAC OF SEC 29 T1S R12E L243 P517 DEEDS, W C R 15/176 606,007 SQ FT

PROPOSAL: Intersection Consulting Group, LLC, request variances to establish a Marijuana Grower Facility (MGF) in a 38,326 square foot portion of an existing 231,686 square foot building APPROVED w Conditions in BSEED Case No: SLU2021-00012 effective date September 24, 2021 in a M4 Intensive Industrial District. The Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses, Regulated Uses, or Controlled Uses, or any denial of a site plan by the Planning and Development Department; that the applicant must apply with the Board of Zoning Appeals for a waiver of excessive square footage, footprint and acreage before applying for a building permit. A copy of the decision must be uploaded when applying for the building permit. (Sections 50-4-131 - Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

ACTION OF THE BOARD: Ms. Walker made a motion to Grant establish a Marijuana Grower Facility (MGF) in a 38,326 square foot portion of an existing 231,686 square foot building APPROVED w Conditions in BSEED Case No: SLU2021-00012dimensional variance to case without fee and without date at petitioners request. Seconded by Ms. Moore

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

Negative:

DIMENSIONAL VARIANCE GRANTED

12:15 p.m.

CASE NO.: 40-21
APPLICANT: Jonah Inc.
LOCATION: 422 E. Grand Blvd. between Kercheval and St. Paul in a R5 - (Medium Density Residential District)- City Council District #5

LEGAL DESCRIPTION OF PROPERTY: E WEST GRAND BLVD 26 BLK 3 HUBBARDS SUB L5 P49 PLATS, W C R 12/288 40 X 135

PROPOSAL: Jonnah Inc. is requesting dimensional variances to construct an 8-space parking lot located in an R5 (Medium Density Residential) zoning district 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 the minimum setback. Per the Zoning Ordinance, an opaque wall shall be placed at the edge of the parking area to screen the parking area. The nearest parking space, drive aisle, or other paved surface within the parking area shall be located at least ten feet from the abutting residential lot. Said setback area shall be landscaped, per the site plan, a 4'6" opaque masonry wall is proposed along the eastern property line, but no setback has been provided. The constraints of the 35' wide lot width prevent the petitioner from providing an adequate drive aisle for the proposed parking and a landscaped setback. In order to come into compliance, the petitioner will need to obtain a dimensional variance from the Board, per the Zoning Ordinance. When parking is proposed immediately adjacent to a building, a pedestrian walkway, that is not less than five feet in width, shall be provided to separate the parking area from the building served. This provision shall not apply to single- and two-family dwellings. Sections 50-4-131(6) - Permitted dimensional variances and 50-4-121 Approval Criteria.)AP

ACTION OF THE BOARD: Mr. Thomas made a motion to ADJOURN this case without date and without fee due to lack of quorum. Seconded by Ms. Teague

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

Negative:

ADJOURNED WITHOUT DATE AND WITHOUT FEE

There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 1:06 P.M.

RESPECTFULLY SUBMITTED



JAMES W. RIBBRON
DIRECTOR

JWR/atp