

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

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MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **OCTOBER 29, 2019** on the 13th Floor in the Committee of the Whole, 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 Grant made a motion to approve the minutes October 22, 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.: 68-19 (aka BSEED SLU2019-00042)

APPLICANT: ALI NASSAR

LOCATION: 11318 Woodward Ave. between Rosedale Ct and Harmon St in a B4 zone (General Business District).City Council District #5

LEGAL DESCRIPTION OF PROPERTY: E WOODWARD W 110 FT OF LOTS 3&4 HUNT AND LEGGETTS SUB L10 P40 PLATS, W C R 1/128 130 X 110

PROPOSAL: Ali Nassar appeals the decision of the Buildings Safety and Engineering and Environmental Department (SLU2019-00042) which DENIED the establishment of a Used Motor Vehicle Sales Lot Facility in an existing 3,380 square foot building in a B4 zone (General Business District). This case is appealed because 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. Also, there is one (1) legally established Used Auto Sales Lot within 1,000 feet of the proposed Used Auto Sales Lot located at 11615-21 (Universal Auto Repair) 600 feet away, that must be addressed at an additional hearing if the Board choses grant this request for the use and reverse the Building Department’s decision. (Sections 50-3-281 General Approval Criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Reverse the BSEED decision **establish a Used Motor Vehicle Sales Lot Facility in an existing 3,380 square foot building** in a B4 zone (General Business District). Seconded by Ms. Grant

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

Negative: Mr. Thomas

Mr. Finn was not present for the vote

BSEED DECISION REVERSED, USE GRANTED

10:00

CASE NO. 80-19

APPLICANT: BEN MONAVELLI (FCA US LLC)

LOCATION: 4000 St. Jean between Freud and Lysette in a B4 (GENERAL BUSINESS DISTRICT) & R4 (THOROUGHFARE RESIDENTIAL DISTRICT)-City Council District #5

LEGAL DESCRIPTION OF PROPERTY: Multiple parcels generally bounded by St. Jean, E. Warren & Kercheval (description provided by petitioner)

PROPOSAL: BEN MONACELLI (FCA US LLC) request variances to expand their current operations at the 2,261,000 square foot Chrysler Jefferson Assembly Plant Complex located at 11509 Mack by adding a 358,000 square foot Paint Shop Facility in an B4 (General Business District) & R4 (Thoroughfare 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; 50-14-343 Interior Landscaping requirements. Sections 50-4-131 Permitted Dimensional Variances, General Dimensional Standards, Interior Landscaping and 50-4-121 Approval Criteria.)AP**

ACTION OF THE BOARD: Ms. Weed made a Grant dimensional variance to waive interior landscaping requirements. Seconded by Ms. Grant

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

Negative:

Mr. Finn not present for the vote

DIMENSIONAL VARIANCE GRANTED

10:45 a.m. **CASE NO.:** 69-19 (aka BSEED 119-18)

APPLICANT: URBAN MEDICAL FARMS

LOCATION: 9700 E. Eight Mile (aka 8600 E. Eight Mile) between Veach and Hoover in a M4 Zone (Intensive Industrial District).-City Council District #3

LEGAL DESCRIPTION OF PROPERTY: AVAILABLE UPON REQUEST

PURPOSAL: Urban Medical Farms appeals the decision of the Buildings Safety Engineering and Environmental Department’s BSEED 119-18 dated June 28, 2019 which DENIED permission to establish a Medical Marihuana Grower Facility (MMGF) and Medical Marihuana Processor Facility (MMPG) in an 11,253 square foot square foot unit of an existing 112,021 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; A] the Nortown Community Development Corp and Hearing Officer identified that the majority of the 50 letters of support were not from residents, B) the conditional use is not consistent with the intent and purpose of this chapter the conditional use will be injurious to the use and enjoyment of other properties. (Sections 50-4-102 Appeals and 50-3-281 General approval criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Reverse the BSEED Denial to establish a Medical Marihuana Grower Facility (MMGF) and Medical Marihuana Processor Facility (MMPG) in an 11,253 square foot square foot unit of an existing 112,021 square foot building in a M4 Zone (Intensive Industrial District). Seconded by Mr. Finn

Affirmative: Mr. Thomas, Finn, Weed
Ms. Grant

Negative: Ms. Walker, Moore, Teague

BSEED DENIAL REVERSED, USE GRANTED

11:30 a.m. CASE NO.: 70-19 (aka BSEED 108-18)

APPLICANT: SKKO, LLC

LOCATION: 12400 Evergreen between Fitzpatrick and I-96 Service Dr. in a M2 Zone (Restricted Industrial District)-City Council District #1

LEGAL DESCRIPTION OF PROPERTY: AVAILABLE UPON REQUEST

PURPOSAL: SKKO, LLC appeals the decision of the Buildings Safety Engineering and Environmental Department’s BSEED 108-18 dated June 26, 2019 which DENIED permission to establish a Medical Marihuana Grower Facility (MMGF) and Medical Marihuana Processor Facility (MMPG) in an existing 9,541 square foot building in a M2 Zone (Restricted 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; A) the subject property is dilapidated, B) the site has environmental concerns, C) conditional use will be detrimental and D) citizens spoke in opposition. (Sections 50-4-131 Appeals and 50-3-281 General approval criteria).AP

ACTION OF THE BOARD: Mr. Weed made a motion to Reverse the BSEED Denial to establish a Medical Marihuana Grower Facility (MMGF) and Medical Marihuana Processor Facility (MMPG) in an 11,253 square foot square foot unit of an existing 112,021 square foot building in a M4 Zone (Intensive Industrial District). Seconded by Ms. Grant

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

Negative: Ms. Moore, Teague

BSEED DENIAL REVERSED, USE GRANTED

ADVISEMENTS CONTINUED INDEFINITELY UNTIL FURTHER NOTICE.

There being no further business to be transacted, Board Member Fin motioned that the meeting be adjourned. Board Member Grant seconded this motion which was unanimously carried and the meeting adjourned at 12:30 P.M.

RESPECTFULLY SUBMITTED

**JAMES W. RIBBRON
DIRECTOR**

JWR/atp