

BOARD OF ZONING APPEALS
JULY 23, 2007

9:30

Calendar No. 07-109:

7405 Herman Avenue

Ward 17

**Matthew Zone
5 Notices**

Detroit Shoreway Community Development Organization, owner and Jeff Marks, agent, appeal to erect a 14' x 20' one-story frame, accessory garage, situated on a 59.58' x 87' corner parcel located in a Two-Family District on the southwest corner of Herman Avenue and West 74th Street at 7405 Herman Avenue; and contrary to the Side Street Yard Regulations, on the rear of a corner lot in any use district where the rear lot line of the corner lot is also the side line of a butt lot in the rear or a boundary line, and a setback building line is established, no building shall be erected in the building setback line for the butt lot, and an 8 foot setback is provided where 21.9 foot is required according to the provisions of Section 357.05(b)(2) of the Codified Ordinances. (Filed 6-15-07)

9:30

Calendar No. 07-110:

7814 Cedar Avenue

Ward 5

**Phyllis Cleveland
8 Notices**

Mahmoud Jaber, owner, appeals to construct a new car wash to be situated on a 98.93' x 156.33' corner parcel located in a General Retail Business District on the northwest corner of Cedar Avenue and East 79th Street at 7814 Cedar Avenue, where an automobile laundry may not be located less than 100 feet from a Residence District, and the proposed new car wash abuts a Multi-Family District, contrary to Section 343.11(b)(2)(1) of the Codified Ordinances. (Filed 6-18-07)

9:30

Calendar No. 07-112:

722-730 Starkweather Avenue

Ward 13

**Joe Cimperman
24 Notices**

Valleyview Tremont, Inc., owner, appeals to erect 7 buildings with 14 units of single family attached townhomes, proposed to be situated on a consolidated corner parcel in split zoning between a Local Retail Business District and a Two-Family District on the northwest corner of Starkweather Avenue and Thurman Court at 722-730 Starkweather Avenue; subject to Section 327.02(e) lot consolidation approval is required by Engineering and Construction; and subject to the limitations of Section 337.02 in a Two-Family District, 11 units are proposed and not more than 2 are allowed; and under Section 349.07(c), access to accessory parking shall be located and arranged to minimize traffic congestion pursuant to the Division of Traffic Engineering; a maximum gross floor area of 25,146 square feet exceeds 50 percent of the lot size, or 22,974 square feet; the minimum lot area per dwelling unit being 4,800 square feet; and contrary to Section 357.04(a) a front yard distance of 13 feet is provided where 36 feet is required; and the provisions of Section 357.05(b) require there to be a building line of not less than 10 feet, where the side street on the rear third of a corner lot in a Local Retail Business District abuts a Residence District; and contrary to Section 357.13(b)(4), a projection of 8 feet and 10 feet are provided where open porches and trellises may not exceed a 6 foot projection, and may not extend to within 10 feet of the property line; and the distance between rear buildings shall not be less than 40' feet according to Section 357.15(a) of the Codified Ordinances. (Filed 6-19-07)

9:30

Calendar No. 07-113:

736-754 Starkweather Avenue

Ward 13

Joe Cimperman

24 Notices

Valleyview Tremont, Inc., owner, appeals to erect 7 buildings with 14 units of single family attached townhomes, proposed to be situated on a consolidated parcel at the northwest corner of Starkweather Avenue and West 7th Street in split zoning between a Local Retail Business and Two-Family Districts identified as 736-754 Starkweather Avenue; subject to Section 327.02(e) lot consolidation approval is required by Engineering and Construction; and subject to the limitations of Section 337.02, more than two single family dwellings are first permitted in a Multi-Family District; and contrary to Section 357.04(a) a front yard distance of 13 feet is provided where 35 feet is required; and the provisions of Section 357.05(b) require there to be a building line of not less than 10 feet, where the side street on the rear third of a corner lot in a Local Retail Business District abuts a Residence District; and the distance between rear buildings shall not be less than 40' feet according to Section 357.15(a); and contrary to Section 357.13(b)(4), a 6.5 foot projection is provided where open porches and trellises may not exceed a 6 foot projection, and extends from the property line in a range of zero to 7 foot and 8 foot where not less than 10 feet from the property line is allowed; and contrary to Section 355.04(b), a maximum gross floor area of 11,286 square feet is provided where 10,617 square feet is allowed, with a minimum floor area of 683 square feet per dwelling provided where 950 square feet is required, and access to accessory parking being located and arranged to minimize traffic congestion, pursuant to the Division of Traffic Engineering according to Section 349.07(c) of the Codified Ordinances.

(Filed 6-19-07)

9:30

Calendar No. 07-114:

16800 Waterloo Road

Ward 11

Michael Polensek

11 Notices

Musmor Properties LLC and Commercial Alloys appeal for an expansion of use at an existing metals recycling center, situated on acreage located in zoning for Semi-Industry and General Industry Districts on the south side of Waterloo Road at 16800 Waterloo Road; and no expansion of an existing nonconforming use shall be permitted except as a variance under the terms of Chapter 329, and no substitution or other change in such nonconforming use to other than a conforming use shall be permitted except by special permit from the Board of Zoning Appeals. Such special permit may be issued only if the Board finds after public hearing that such change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied, in volume of trade or production, in kind of goods sold or produced, in daily hours or other period of use, in the type or number of persons to occupy or be attracted to the premises or in any other characteristic of the new use as compared with the previous use, according to Section 359.01(a) of the Codified Ordinances. (Filed 6-20-07)

BOARD OF ZONING APPEALS
JULY 23, 2007

9:30

Calendar No. 07-115:

19142 Davinwood Drive

Ward 21

Martin Keane

3 Notices

Rodica Cocan, owner, appeals to install a 5 foot x 7 foot hot tub on a 7 foot x 7 foot deck at the rear of a one-story brick dwelling, situated on an approximate 50' x 145' parcel located in an A1 One-Family District on the east side of Davinwood Drive at 19142 Davinwood Drive; the proposed accessory use measures 71.5 feet, an overage of 11.4 feet, where 60.1 foot is allowed, according to the provisions of Section 337.23(a) of the Codified Ordinances. (Filed 6-21-07)

POSTPONED FROM JUNE 18, 2007

10:30

Calendar No. 07-76:

2700 East 47th Street

Ward 5

Phyllis Cleveland

4 Notices

Willkoff & Sons, LLC, owners and Jim Willkoff, appeal to use as a scrap yard an acreage parcel and existing building located in a General Industry District on the east side of East 47th Street at 2700 East 47th Street; subject to the requirements of Section 345.04(a)(3) the use is permitted provided that it is enclosed within a minimum 7' high solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence set not closer to the street line than the setback building line; and Section 347.06(d) requires that the height of material shall not be piled higher than 3' above the height of wall or fence enclosing the scrap yard, provided that, at any point closer then 5' from the enclosure, the scrap yard material shall not be piled above the height of the wall or fence; with accessory off-street parking spaces, driveways and maneuvering areas required to be properly graded for drainage, so that all water is drained within the lot providing the parking spaces, surfaced with concrete, asphaltic concrete, asphalt or similar surfacing material, maintained in good condition and free of debris and trash, as stated in Section 349.07(a) of the Codified Ordinances. (Filed 5-14-07; testimony taken.)

First postponement taken at the request of the Board for additional Building and Housing inspection and photos of the overall fencing at the property and for the appellant to submit an accurate plan showing the site boundaries, adjacent properties (use) and type(s) of existing fence that surrounds the property.

**BOARD OF ZONING APPEALS
JULY 23, 2007**

POSTPONED FROM JULY 2, 2007

10:30

Calendar No. 07-86:

12106-12112 Mayfield Road

Ward 6

Patricia Britt

16 Notices

Flynn Properties LLC, owner, and Terry Tarantino, tenant, appeal to renovate an existing restaurant on the ground floor of a three-story building and include the addition of an 80 seat outdoor patio area, and an additional 34 indoor seats, situated on a 65.80' x 136' corner parcel located in a General Retail Business District on the southwest corner of Mayfield and Murray Hill Roads at 12106-12112 Mayfield Road; the proposed expansion being subject to the provisions of Section 349.04(f) and accessory off-street parking that is required at the rate of one space for every four seats, plus one for each employee, or an additional 29 accessory off-street parking spaces to accommodate the additional 114 seats; with the Board of Zoning Appeals approval required for the expansion of an existing nonconforming use, according to the provisions of Section 359.01 of the Codified Ordinances. (Filed 5-18-07; no testimony taken.)

First postponement requested by Little Italy Redevelopment Corporation to meet with the applicant and possibly find a way to remedy the parking shortage.
