



DEPARTMENT OF
Buildings, Safety Engineering &
Environmental

22 AUG-26 PM 3:22

Bernard J. Youngblood
Wayne County Register of Deeds
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Coleman A. Young Municipal Center Phone 313-224-2733 TTY:711
2 Woodward Avenue, Fourth Floor Fax 313-224-1467
Detroit, Michigan, 48226 www.detroitmi.gov

BSEED Case No.: SLU2021-00147
Property Address: 8029 Grinnell
Decision Date: August 1, 2022
Effective Date: August 15, 2022

Applicant

Dykema
Samuel Kilberg
39577 Woodward Ave
Suite 300
Bloomfield Hills, MI 48304

Owner

9700 Van Dyke LLC
Ryan Riddle
1936 W. 12 Mile Rd
Royal Oak MI 48073



Request: Construct an eight space Accessory Parking Lot on an existing 4,114 square foot vacant lot for an adjacent Medical Marihuana Provisioning Center Facility.

Location: 8029 Grinnell between Van Dyke Avenue and Murat Street in a R1 (Single Family Residential) Zoning District and legally described as: *N GRINNELL 6 GRUEBNERS VAN DYKE EST SUBDIVISION LIBER 8 PAGE 83 PLATS, W.C.R. (PIN 17002137)*

The current legal land use of the above site is 'Vacant Land'. The applicant proposes to use the accessory parking lot to serve an existing Marihuana Provisioning Facility located at 9700 Van Dyke.

This request has been processed in accordance with the provisions of Sections 50-3-241, 50-8-22(1), and 50-12-159 of the Official Zoning Ordinance Chapter 50 and the following was considered as part of this request:

1. Preliminary plans prepared by Angle Design & Construction, submitted on 12/7/2021 and approved by BSEED on 2/22/2022; and
2. Recommendation to approve the use from the Detroit Planning & Development Department received on May 4, 2022.

Buildings, Safety Engineering & Environmental Department held a public hearing on 4/27/2022. Notice of this hearing was published in the Detroit Legal News on 4/12/2022 and mailed to 15 property owners within 300' of the subject site. Two notices were returned as undeliverable. Besides City of Detroit staff, two people attended the hearing: the applicant, and his lawyer no one spoke in opposition or support, however one person was neutral to this request. One letter of support was received. No letters of opposition were received.



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After careful consideration, the required findings of fact were made per Section 50-3-281, specifically:

- A) That per the Planning & Development Department, the conditional use is consistent with the City of Detroit Master Plan designations of *Light Industrial (IL)*.
- B) That the accessory parking lot will reduce congestion and minimize parking on residential streets, thereby positively impacting the surrounding neighborhood.
- C) The Conditional Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose permitted through the adherence of strict design standards.

Thereby, the ordinance requirements have been satisfied in this case and the proposed site plan and conditional use have been APPROVED WITH CONDITIONS.

This conditional approval will become effective **August 15, 2022**.

However, Section 50-3-302 of the Zoning Ordinance provides the right to appeal this decision to the Board of Zoning Appeals prior to the effective date of this decision. A fee may be required for an appeal to the Board of Zoning Appeals. **All appeals must be made in person at the Zoning Counter, 4th Floor, Coleman A. Young Municipal Center.**

It shall be the responsibility of the person or organization who files an appeal, or his/her duly authorized representative, to attend and testify at the Board of Zoning Appeals hearing as to why the original decision of this Department should not take effect.

If no written appeal is filed prior to the effective date of this decision, the conditional approval shall be deemed final.

NOTE: THIS LETTER IS NOT A PERMIT

If no appeal is made within the prescribed time, you must:

1. Pick up the official decision letter from the Buildings, Safety Engineering and Environmental Zoning Office, 4th Floor, Room 407, Coleman A. Young Municipal Center.



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2. Record the official decision letter with the Wayne County Register of Deeds and present proof of registration to the BSEED Zoning Counter when applying for the necessary permit.
3. Submit electronically fully dimensioned, drawn to scale, signed & sealed, construction drawings for the proposed development, electronically prior to the issuance of the necessary permits by the Buildings, Safety Engineering and Environmental Department. Final construction drawings shall be substantially similar to the submitted preliminary plans submitted for zoning approval.

Please call 224-1317 (on or after the effective date of this grant) before coming down to pick up your verified copy of this letter. If someone else is to secure your letter and permits, they must provide a signed and notarized letter of authorization granting them the authority to act on your behalf.

CONDITIONS OF APPROVAL

Occupancy of the premises without full compliance with all of the following conditions is unlawful and contrary to the provisions of the Zoning Ordinance and is subject to penalties as provided in the Ordinance, which may include the revocation of this grant and/or daily fine of \$250-500, for not complying with these conditions.

1. That this grant is only to establish a 4,114 square feet, eight space Accessory Parking Lot and cannot be further expanded, enlarged, altered, or modified in any manner without the prior approval of the BSEED or Board of Zoning Appeals.
2. That the owner/occupant of said premises abides by all of the provisions of the Detroit Property Maintenance Code, Article 1, Chapter 9 of the Detroit City Code which includes maintaining the entire parcel free of rubbish, debris, weeds and graffiti. That this operation be conducted in such a manner as to not create a nuisance of any kind to the surrounding neighborhood.
3. That the proper permit be secured from the Buildings, Safety Engineering and Environmental Department before making use of the premises as herein described and further, that failure to secure such permit by **February 1, 2023** will thereby invalidate and terminate this grant.
4. **That if vehicular access/off-street loading through the open twenty two foot wide public alley is needed, a maintenance agreement will be required with the Department of Public Works, City Engineering Division at time of permit.**



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5. **That the 10-foot side set back be provided from the residential dwelling located on Grinnell. If not provided a waiver from the Board of Zoning appeals is required.**
6. That per Section 50-14-237, all points of proposed vehicular ingress and egress shall be approved by Department of Public Works, Traffic Engineering Division in accordance with the provisions of Chapter 50, Article IV of this Code prior to issuance of building permits.
7. That the surface parking lot shall have an asphalted or Portland cement binder so as to provide a permanent, durable and dustless surface, be stripped, graded and drained in conformance with the requirements of the Michigan Plumbing Code so as to dispose of all surface water accumulation within the parking area.
8. That there shall be no open storage of any kind including any rubbish or debris generated by this operation. All such refuse materials shall be stored on the adjacent property located at 9700 Van Dyke or within a masonry dumpster enclosure onsite until removed from the site.
9. That all signs, including temporary signs and banners, shall abide by the requirements of Article VI of the Detroit Zoning Ordinance and Chapter 4 of the Detroit City Code.
10. That a "Certificate of Maintenance of Grant Conditions" be obtained annually by the owner/operator of the subject premises/use; and further, that the proper application for such Certificate be filed with the Buildings, Safety Engineering and Environmental Department no later than each annual anniversary of the effective date of this grant.

Sincerely,

David Bell
Director

DB/JSP