

City of Detroit

OFFICE OF THE CITY CLERK

EC
Eng

Jackie L. Currie
City Clerk

Vernon C. Allen
Deputy City Clerk

DEPARTMENTAL REFERENCE COMMUNICATION

January 20, 1999

To: The Department or Commission Listed Below

From: Jackie L. Currie
Detroit City Clerk

The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within the usual time limit.

/PLANNING AND DEVELOPMENT DEPARTMENT AND PUBLIC WORKS - CITY ENGINEERING DIVISION/

1146 Welcome Missionary Baptist Church, requesting alley closing and to purchase property located at 3738 through 3754 Phillip to build a new church.

Welcome Missionary Baptist Church

1146

14625 MACK AVENUE AT PHILIP
DETROIT, MICHIGAN 48215
(313) 881-8095

Rev. Ananias Davis, D.D., Pastor (810) 357-3796

OFFICERS:
Dea. Fitzell Davis, Chairman

January 19, 1999

Sis. Criscilla Livingston, Church Clerk
(313) 368-9375

Sis. Lillian Brown, Booking Clerk
(313) 531-6765

Jackie L. Currie - Clerk
City of Detroit
City-County Bldg.,

YOUR FAX #: (313) 224-1466

In Re: Welcome Missionary Baptist Church
Offer to Purchase property known as 3738 thru 3754 Philip
Detroit, Michigan, Lots 33 thru 36

Dear Ms. Curry:

In an effort to expedite this matter and to move forward on the building of our new church home so that this matter may be signed off. Please be advised that the land (see Offer To Purchase), is owned by the church, and that the land on the side of the alley is considered a package deal.

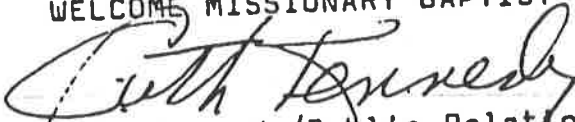
On December 15, 1998, we submitted a letter requesting to purchase the following city-owned lots which to build a parking lot. (See attached drawings), It is to our understanding that once these lots have been purchased, according to Ms. Debbie Lesinski - Project Manager phone #: (313) 224-4219, with Planning & Development, we may move forward with "Exhibit #B". We have petitioned for partial alley closing partial alley closing at Philip & Manistique adj. to Mack including lots. (See attached drawing).

Thanking you in advance for looking into this matter for the purpose of expediting same. Should you have any questions, please do not hesitate to contact the author of this correspondence at (313) 921-1183).

Again, thank you.

Gratefully yours

WELCOME MISSIONARY BAPTIST CHURCH



Ruth Kennedy/Public Relations
Church Project Representative

cc: Pastor A. Davis "The Little Church With The Big Heart"
Faxed pages [12]

OFFER TO PURCHASE

(Expires if not executed on or before June 18, 1997)

(I, We) WELCOME MISSIONARY BAPTIST CHURCH hereby offer to purchase the property known as 3738 thru 3754 Phillip, Detroit, Michigan, Lots 33 thru 36 for the price of \$4,200.00, subject to the Development Agreement for the aforementioned property. (I, We) plan to improve and use the property in the following manner:

To build a new Church which will allow us to continue our outreach mission. Welcome Missionary Baptist Church is committed to improving the physical as well as the spiritual environment in which our members and neighbors live and work. We view our new Church as the anchor of new development projects within the surrounding area. The true revitalization of this great city begins with people, businesses and organizations building in their neighborhoods.

Enclosed is a check or money order, payable to 'Treasurer, City of Detroit', in the amount of ^{4,200.00} \$420.00 dollars, which represents a 'Good Faith Deposit' which will be held by the City until the development has been satisfactorily completed.

May 5, 1997
Date

Signed America Turner
Address 14625 Mack
Telephone 9819095

May 5, 1997
Date

Signed Frisell Duman
Address 14625 Mack Ave
Telephone 313)881-8095

CORRECTED COPY*

STATE OF MICHIGAN
CITY OF DETROIT
BOARD OF ZONING APPEALS
DECISION AND ORDER



Liber-29681

Page-4446.0

DATED: MAY 27, 1997

CASE NO. 56-97

In Re: Appeal of Petitioner:

RETURN TO:
WELCOME MISSIONARY BAPTIST CHURCH
14617 MACK
DETROIT, MI 48215

\$4.00 REMONUMENTATION
\$25.00 DEED

RECORDED
FOREST E. YOUNGBLOOM, REGISTER OF DEEDS
WAYNE COUNTY, MI
Receipt #16998

RECORDS

Address and legal description:

3730-3754 PHILIP, between Mack and Lozier in a R2 zone (Two-Family Residential District), a.k.a lots 31 thru 36 Edwin Lodge Subdivision. (Liber 35, Page 10 of the Wayne County Records).

\$1.00 COPY 660

District Map No. 34

Petitioner's Proposal:

To construct a *136' x 78' masonry church building with adjacent parking located on Mack across alley, as per lot plot, in a R2 zone.

The application for permit was denied by the Department of Buildings and Safety Engineering on APRIL 16, 1997, because churches are not permitted as a matter of right in an R2 zone and requires a review by a city agency; also deficient front, side and rear yards; deficient off-street parking. (Section 62.0402 (B&G) Parking and Dimensional Variance and Section 65.0400 Standards).

The application for Appeal from this decision was received, numbered and placed on the calendar of the Board on April 21, 1997.

After notices of the hearing were mailed on MAY 6, 1997 to those persons whose name and mailing address appeared in the last assessment roll as owners of property within a 300 foot radius of the exterior boundaries of the property under consideration, to the occupants of all single and two-family dwellings within 300 feet of the property under consideration and to all neighborhood improvement associations known to exist within at least 300 feet of the premises in question, a Public Hearing on the above case was held to consider the application and appeal in the Auditorium of the City-County Building, 2 Woodward Avenue, on Tuesday, MAY 20, 1997, at which time the Board GRANTED this petition.

IMPORTANT
YOU MUST READ THIS DECISION

R ZA
25 4R 7 pgs 5 LL

97248528LS

9/23/1997

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That field inspections of the property in question were made, reports of which were given at the hearing.

WHEREAS, at said hearing, all those who desired to be heard were heard and their testimony was recorded.

WHEREAS, all correspondence and petitions received up to the time of the above hearing on behalf of the applicant; or against the applicant's petition to the Board for consideration in this case.

WHEREAS, all testimony has been carefully considered and the facts and findings determined by the Board of Zoning Appeals are as follows:

- (1) That *WELCOME MISSIONARY BAPTIST CHURCH*, request permission to construct a *136' x 78' masonry church building with adjacent parking located on Mack across alley, as per lot plot, in a R2 zone.
- (2) Staff stated that a field inspection made on May 2, 1997 shows that the property in question has 158.14 feet of frontage on Phillip and a depth on 100 feet.
- (3) Staff also stated that according to Buildings Department Records the present legal use of lots 31, 32, 33, 35 and 36 is vacant land, lot 34 is a dwelling.
- (4) The petitioner testified that the church will face the commercial alley south of Mack.
- (5) The petitioner also testified that the church would not be detrimental to the area because they have been there for a number of years.
- (6) The petitioner further testified that the reestablishment of the store will be an asset to the community because at the present time this building is the only business occupied on the entire block.
- (7) The petitioner further testified that they will continue to pursue additional land for additional parking spaces.
- (8) The opposition testified that there is not enough parking spaces in the area.

B O A R D F I N D I N G S

The Board Members, after listening to all of the sworn testimony from the petitioner and the opposition, and after weighing all the Land Use Factors in this case, made the following findings and Decisions:

Case No. 56-97

Liber-23004

- (1) The Board found that the construction of a new church would be compatible with the surrounding residential neighborhood because the site will be developed in a manner that complies with all appropriate state, county and local codes ordinance and regulations controlling said use.
- (2) The Board also found that a new church would aesthetically enhance the area and would not alter the essential characteristics of the surrounding residential community.
- (3) The Board further found that a new church would not be detrimental or injurious because the church as been on Mack for a number of years working in the community.
- (4) The Board further found that there is additional vacant land in the area to provide additional parking in the near future.
- (5) The Board further found that the church not increase the seating capacity to 688, until additional parking is found.
- (6) The Board further found that to permit the construction of a new church with certain conditions to protect the surrounding community would not be contrary to the spirit and purpose of the Zoning Ordinance.

The Board, therefore in accord with its Rules of Procedure, and in order that the spirit, intent and purpose of the Zoning Ordinance shall be observed and substantial justice done, resolved that this appeal from the mandatory actions on the part of the Department of Buildings and Safety Engineering Department's Hearing Officer to construct a 136' x 78' masonry church building with adjacent parking located on Mack across alley, as per lot plot in a R2 zone.

ORDER be hereby GRANTED, with the following conditions that must be complied with at all times.

- (a) That the appellant agrees to abide by and comply with all of the ordinances of the City of Detroit and the regulations of every lawful agency or public authority now or hereafter in force, it being understood that this grant only authorizes a variance or exception of the regulations of the Zoning Ordinance and is not intended to waive the provisions of any other existing statute, ordinance rule or regulation.
- (b) Any decision of the Board will remain valid only as long as the information or data relating there to are found to be correct and the conditions upon which the resolution was based are maintained.
- (c) That a Building Permit covering this grant **MUST** be secured from the Department of Buildings and Safety Engineering, 4th Floor City-County Building. This grant shall automatically become null and void if this permit is not secured by **DECEMBER 12, 1997**.

Case No. 56-97

- (d) Acceptance, of these conditions, in writing by the owner or the petitioner shall be binding on the petitioner, or operator and shall be incorporated into any existing or future lease or purchase agreement for this site.
- (c) That the construction, additions, alterations or use shall be in accordance with the conditions accompanying this grant.
- (f) That before the Director of Buildings and Safety Engineering Department shall issue a Building Permit for this use, the appellant, **WELCOME MISSIONARY BAPTIST CHURCH, shall record this grant with the Wayne County Register of Deeds Office.**
- (g) This Grant is only to erect a 136' x 78' irregular shaped one-story church with 480 seats. Accessory uses are neither permitted nor implied. This grant cannot be expanded, enlarged, altered or modified in any manner unless proper written permission is given by the Board of Zoning Appeals.
- (h) The appellant **MUST** comply with all other Zoning Codes and Regulations and obtain the required permit within **SIX (6) MONTHS** of the date of approval for this use or this grant shall become null and void pursuant to Section 40.0700 and Section 40.0800 of the Detroit Zoning Ordinance.

40.0700 Termination of Permits

Where a permit has been approved for a permitted as a matter-of-right use, a permitted-with approval use, or a permit for a variance pursuant to the provisions of this Ordinance or pursuant to an approval by the Buildings and Safety Engineering Department, Council, or Board, such permit shall become null and void unless work thereon is substantially underway within six (6) months of the date of approval of such permit. The same applies to Controlled Uses in Section 48.0700.

40.0800 Permitted-with Approval or Regulated Use Permits

A Permitted-with-Approval or Regulated Use Permit shall be deemed to authorize only one specific permitted-with-approval or regulated use shall cease for more than six (6) consecutive months for any reason.

- (i) This use is permitted as long as no nuisance is created by this operation and all conditions are complied with.
- (j) It is ordered that all conditions pertaining to this Grant shall be binding on the petitioner, assignees, purchasers, partnership, firm, corporation, tenant or any other similar entity.

Page 5

Case No. 56-97

- (k) The appellant shall comply with all applicable provisions of Ordinance 47-H and shall maintain the exterior of the building in a subdued color that is aesthetically compatible with the surrounding development and in a good state of repair and appearance at all times.
- (l) The entire parcel, including the adjoining public areas between the sidewalk and curb shall be kept of rubbish, debris and weeds. The entire parcel shall be maintained in a neat and orderly manner at all times.
- (m) That fully dimensioned final plans be submitted to the Detroit Fire Department, Office of the Fire Marshal, the Detroit Health Department and the Air Pollution Control Division of the Wayne County Department of Health for proper review and approval.
- (n) The appellant is prohibited from engaging in any commercial activities on the outside of the building, including barbecues or similar commercial activities.
- (o) That there be no open storage, of any kind, including rubbish or debris generated by this operation. All such materials shall be kept within the building until removed off site or be kept within on-site covered dumpster-type containers of sufficient size and quantity to properly contain all discarded items resulting from this operation.
- (p) The appellant shall provide commercial-type receptacles, of sufficient size, to contain all rubbish or debris generated by the operation.
- (q) The appellant shall comply with all applicable provisions of 46-II regulating the installation and maintenance of all signs exposed to the public view.
- (r) The appellant is prohibited from having any signs on the sidewalk or on the berm area (between the sidewalk and curb).
- (s) The appellant shall maintain the berm area (the area between the sidewalk and curbs), landscaping (sod and/or trees, planters, ground cover or mulch).
- (t) The appellant shall maintain the side yard along Phillip Ave in landscaping (Sod and trees, planters or ground cover).
- (u) There shall be no banners, of any nature pasted on the building. Signage shall exceed 25% of any exterior wall.

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- (v) A hardtop surface, consisting of concrete or asphalt, shall be provided and maintained on the portion of the lot designated as the parking area. Secure the approval of the Department of Transportation for location and design of all points of ingress and egress to the parking lot. All unpaved areas of the site shall be landscaped, sodded and maintained in a healthy growing condition at all times. The grass shall be cut at regular intervals during the growing season.
- (w) The appellant shall maintain the parking area in a good state of repair and appearance at all times.
- (x) The parking lot shall be graded and drained in conformance with the requirements of the City Plumbing Code so as to dispose of all surface water accumulation within the parking area.
- (y) The appellant may provide gates, chains or locking devices across the access points and secure the parking area to prevent trespassing after business hours.
- (z) The appellant may provide security lights that shall be so directed and shaded so as not to create a nuisance by shining into the windows of the adjoining residences.
- (aa) The appellant shall keep all walls or fences surrounding the parking lot clean and free from all posters, and pasted up advertising materials and signage.
- (bb) Temporary or overnight parking or storage of junked, wrecked or unlicensed vehicles are strictly prohibited.
- (cc) That absolutely no church members vehicles shall be stored or parked on adjoining public property (alley, area between curb and sidewalk, etc.).
- (dd) That all steps, as necessary, be taken by the owner/operator to prevent loitering in the vicinity of this use.
- (ee) The appellant shall take all measures necessary to prevent the inhabitation of rodents on the property.
- (ff) That final plans be in general accord with the preliminary plans submitted to and approved by the Board at the BZA hearing and shall meet all conditions of the grant.
- (gg) The appellant is prohibited from expanding the scope and area of the site or increasing the type of activities beyond the scope and nature of the operation without prior approval of the Board of Zoning Appeals.
- (hh) The occupancy of the premises, without full compliance with all of the conditions, is unlawful and subject to penalties as provided in Section 69.0000 of the Ordinance which may include the revocation of the grant and/or daily fine of \$250-500.

Case No. 56-97

(ii)

That this Grant from the Board of Zoning Appeals is valid pursuant to the petitioner complying with all of the above stated conditions at all times.

BOARD OF ZONING APPEALS

Tyrone U. Miller

TYRONE U. MILLER
DIRECTOR

Tyrone U. Miller
act

TUM/SFM: mv

DATE OF
ENTRY: 5-28-97

I acknowledge that I have received and read my Grant under Case No. 56-97, and agree to comply with all of the conditions contained therein.

8/20/97
(DATE)

6208 Schaafs Rd, Dec.
(ADDRESS)

[Signature]
(SIGNATURE)

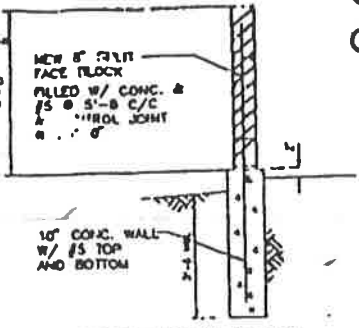
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COMMENCING ANY SITE EXCAVATION.

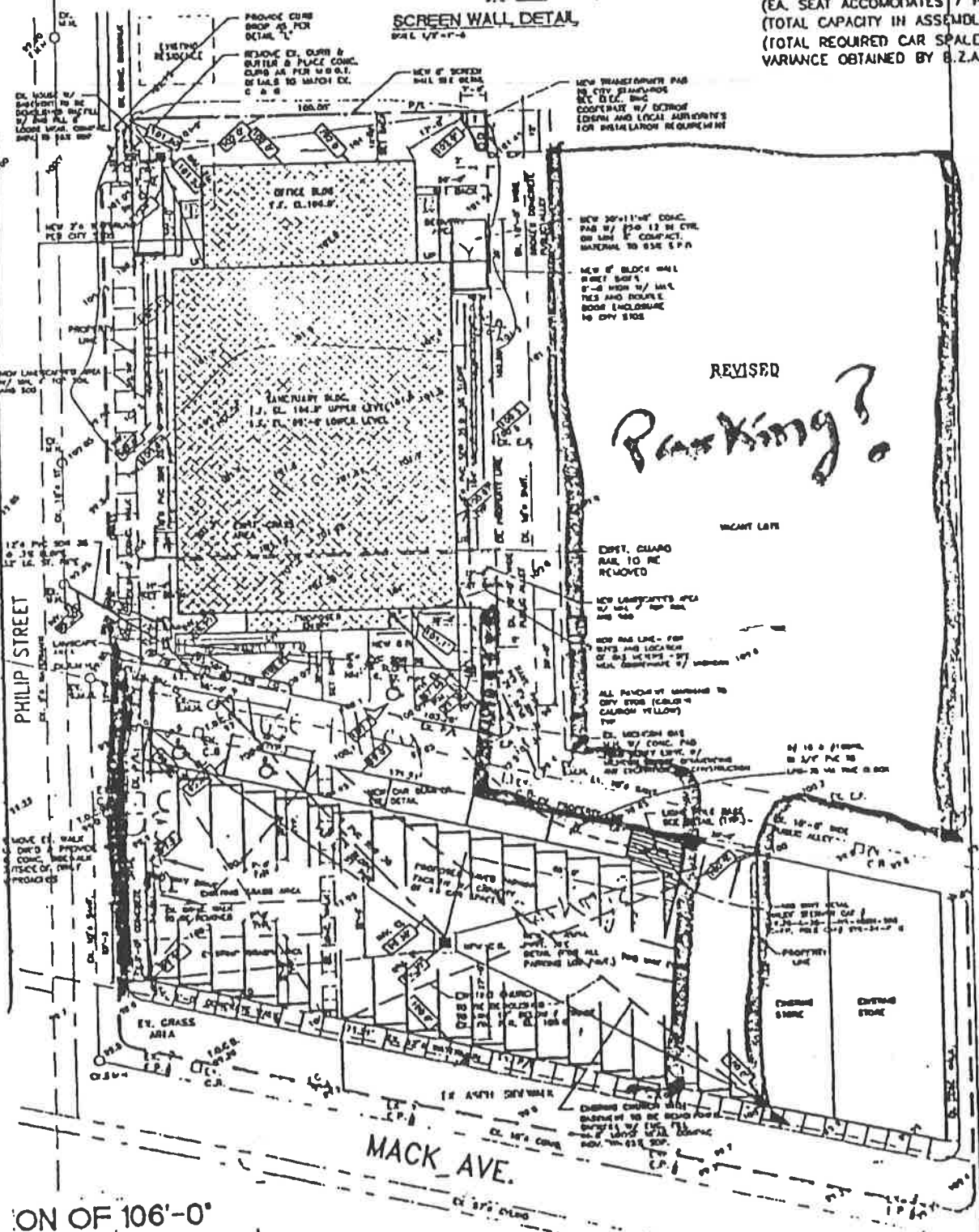
SITE DATA

ZONING R2
 GROUP CLASSIFICATION A-4
 TOTAL SITE AREA (CHURCH) .39 ACRES
 TOTAL SITE AREA (PARKING) .286 ACRES
 PROPOSED BUILDING AREA 9,840 SQ. FT.
 PROPOSED PARKING SPACES 42 SPACES
 TYP. PARKING DIM. 9'-0" x 20'-0"
 I.C. PARKING SPACE PARALLEL 12' x 20' (2)
 PARALLEL PARKING SPACE 9' x 23' (4)
 REQUIRED PARKING SPACES (1 SPACE FOR EA. SIX PEOPLE) 77 SPACES
 (TOTAL NUMBERS OF SEAT 85) (77)
 (EA. SEAT ACCOMMODATES 7 PEOPLE) 110
 (TOTAL CAPACITY IN ASSEMBLY AREA 470 PEOPLE) 470
 (TOTAL REQUIRED CAR SPACES 470/6=67 CARS) 78
 VARIANCE OBTAINED BY B.Z.A.



REMARKS:
 EXCAVATED AREA TO BE BACKFILL WITH 10% SAND TO FINISH GRADE LANDSCAPING BY OWNER.
 TOP SOIL FOUND TO BE IN GOOD CONDITION TO BE STORED ON SITE OR FROM EXTREME WEATHER CONDITIONS, AND SOIL TO BE REAPPLIED TO 10% SAND.
 WITHIN WISCONSIN COUNTY ROAD RIGHT-OF-WAY SHALL COMPLY WITH THE CURRENT STANDARDS AND SPECIFICATIONS, INCLUDING SOIL PROVISION AND TYPICAL CROSS-SECTION OF THE WISCONSIN DEPARTMENT OF TRANSPORTATION.

A BEARING CAPACITY OF SOIL TEST WILL BE PROVIDED DURING CONSTRUCTION.



LEGEND
 STORM MAINLINE
 CALCULATED
 UTILITY POLE
 BUY DATE
 WAS PVE
 SIGN
 1" DIA. METAL POST
 1/2" DIA. METAL POST
 1/2" DIA. METAL POST
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 1/2" DIA. METAL POST

ON OF 106'-0"
 SITE = ELEV.
 ON DWG. C-1,
 AND S-3

PROPOSED SITE PLAN
 SCALE 1"=20'-0"

REVISED SHEET

BR. DE. CC
 NTF 8200 DEAF
 FAX
 SEAL
 MO
 7 WET COME MISSIONARY BAPTIST CHURCH
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

LOZIER

AV.

LOZIER

AV.

MARLBOROUGH AV.

PHILIP AV.

MANISTIQUE AV.



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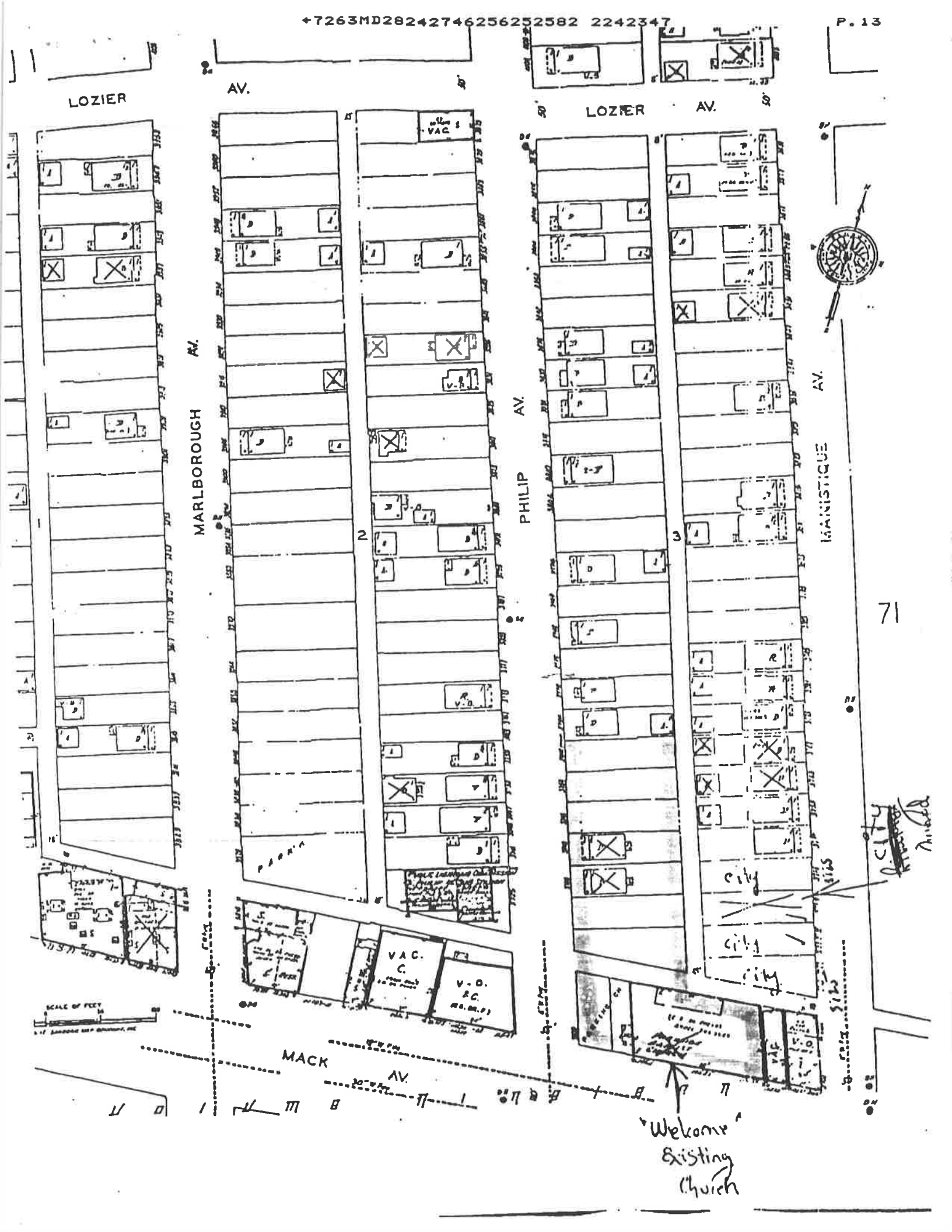
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

MACK

AV.

“Welcome”
Existing
Church

~~CITY~~
Mack
Manistiquette



Ruth Kennedy
5403 Crane Street
Detroit, MI 48213

FAX TRANSMISSION

DATE:

January 19, 1999

TO:

Jackie L. Curry - Clerk

FAX NO:

(313) 224-1466

RE:

Welcome Missionary
Baptist Church

This transmission contains 12 page(s), in addition to this cover sheet. Please contact the undersigned, if you do not receive all 13 pages.

NOTICE;

Please note that this transmission is solely for the person or persons listed above. It is confidential and privilege information and should be given to the person listed above immediately upon receipt. If you are not the intended recipient, copies nor dissemination of this facsimile message should be made.

NAME OF SENDER:

Ruth Kennedy

TELEPHONE NUMBER: (313) 921-4827

FAX TELEPHONE #: (313) 921-5258
(Manually operated, should be preceded by a telephone call). Thank you!