

**CITY OF WYANDOTTE  
PLANNING COMMISSION**

Agenda for Thursday, February 21, 2019, at 6:30 p.m.  
Council Chambers, Wyandotte City Hall

**CALL TO ORDER:**

**COMMISSIONERS:**

Adamczyk	Parker
Benson	Pasko
Duran	Rutkowski
Lupo	Sarnacki
Mayhew	

**ALSO PRESENT** \_\_\_\_\_

**COMMUNICATIONS:**

None

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING**

Motion by Commissioner \_\_\_\_\_, supported by Commissioner \_\_\_\_\_ to approve the minutes of the regular Meeting of December 20, 2018 (no meeting January 17, 2019).

**OLD BUSINESS:**

- None

**NEW BUSINESS:**

**1. PUBLIC HEARING** – A request from Jason Ptak, Owner and Applicant, for a Certificate of Occupancy for a two (2) family dwelling at 1267 Oak Street, Wyandotte, in a O-S Zoning District where the proposed conflicts with Section 1101 and 2202.L of the City of Wyandotte Zoning Ordinance which states:

**Section 1101 Special Uses:** The following use **may be permitted by the Planning Commission subject to the conditions hereinafter imposed in Article XX11 for each use and subject** to the review and approval of a site plan in accord with Section 2607 and after a public hearing in accord with Section 2608 by the Planning Commission for the use of limited dwellings.

**Section 2202 L. Special Land Use, Limited dwelling construction in O-S Districts (conditions for review and approval of two family Special Use).**

1. The provision of the RT District (Article V) shall apply for single and two family dwelling (all of the following are existing conditions).
  - a) A minimum of 5,000 sq. ft. of lot area required per dwelling unit, or 10,000 q. ft. of lot area for a two family. This property is 7000 sq. ft. in area.
  - b) A minimum of 35' of lot width required per dwelling unit or a 70' wide lot. This property is 50' in with.
  - c) A minimum of 20' front yard setback is required or the average of the block. This existing commercial building has a zero (0) foot front yard setback.
  - d) A minimum of a 5' sideyard setback is required when a sideyard abuts a street. This existing commercial building has a zero (0) sideyard setback at the street side.
2. This requirement does not apply.
3. Such use shall be suitably located with relation to abutting uses.
4. Adequate site shall be provided for such buildings and proper screening shall be provided so that adverse effects due to noise, traffic, or parking of adjacent uses will not result.
5. This requirement does not apply

This is an existing commercial building used as an office lower and an apartment upper. The Owner/Applicant is proposing to convert the lower office area into a dwelling unit.

**CITY OF WYANDOTTE  
PLANNING COMMISSION**  
Agenda for Thursday, February 21, 2018  
Page 2

**PERSONS IN THE AUDIENCE:**

**OTHER BUSINESS:**

- Monthly Report from the City Planner.

**BILLS AND ACCOUNT:**

Motion by Commissioner \_\_\_\_\_, supported by Commissioner \_\_\_\_\_, to:

1. Pay Beckett & Raeder for Planning Consultant fee for: December and January 2019 - \$1,400.00

**MOTION TO ADJOURN:**

NEXT SCHEDULED MEETING IS THURSDAY, March 21, 2019

**City of Wyandotte**  
**PLANNING COMMISSION**  
***Minutes of the Thursday, December 20, 2018, Meeting***  
**MINUTES AS RECORDED**

The meeting was called to order by Chairperson Pasko at 6:30 p.m.

COMMISSIONERS PRESENT: Lupo, Mayhew, Parker, Pasko, Rutkowski, Sarnacki

COMMISSIONERS EXCUSED: Adamczyk, Benson, Duran

ALSO PRESENT: Ben Tallerico, Planning Consultant  
Kelly Roberts, Recording Secretary

**COMMUNICATIONS:**

None

**APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:**

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Lupo to approve the minutes of the Meeting of October 18, 2018 and November 15, 2018. MOTION PASSED

**OLD BUSINESS:**

None

**NEW BUSINESS:**

- 1. PUBLIC HEARING** – A request from 1<sup>st</sup> Metro-Wyandotte, LLC, Applicant and owner, for a Certificate of Occupancy for two (2) apartments on the 2<sup>nd</sup> floor at 2909 Biddle Avenue, Wyandotte, in a CBD Zoning District where the proposed conflicts with Section 1301.D of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER RUTKOWSKI, Supported by Commissioner Mayhew  
WHEREAS, the Planning Commission received a request from 1<sup>ST</sup> Metro-Wyandotte, LLC, Owner and Appellant, for a Certificate of Occupancy for two (2) residential units on the second floor at 2909 Biddle Avenue, Wyandotte in the Central Business District (CBD);  
AND

WHEREAS, the Planning Commission held the required public hearing on December 20, 2018, where comments were heard and made part of the file;

NOW, THEREFORE BE IT RESOLVED that the Planning Commission approves the Certificate of Occupancy for two (2) residential units on the second floor at 2909 Biddle Avenue, Wyandotte, provided the Zoning Board of Appeals approves a parking variance.

YES: Lupo, Mayhew, Parker, Pasko, Rutkowski, Sarnacki

NO: None ABSENT: Adamczyk, Benson, Duran

MOTION PASSED



- 2. PUBLIC HEARING** - A request from 4 Tech Signs (Appellant) and Jonathan Hutchinson, (Owner) for a Building Permit for a Pole Sign at 939 Ford Avenue, Wyandotte in a B-2 Zoning District, per Section 2408.F.1.2.b.1 of the City of Wyandotte Zoning Ordinance.

MOTION BY COMMISSIONER MAYHEW, Supported by Commissioner Parker Whereas the Commission reviewed the request of 4 Tech Signs (Appellant) and Jonathan Hutchinson (Owner) for a LED Pole Sign at 939 Ford Avenue, Wyandotte in a B-2 Zoning District;

WHEREAS, the Planning Commission held the required public hearing on December 20, 2018, where comments were heard and made part of the file;

NOW THEREFORE BE IT RESOLVED that the Commission **APPROVES** the request of 4 Tech Signs for an LED Pole Sign at 939 Ford Avenue, Wyandotte, Michigan based on the following reason:

Due to the location of the building on the property and the lot constraints

YES: Lupo, Mayhew, Parker, Pasko, Rutkowski, Sarnacki

NO: None ABSENT: Adamczyk, Benson, Duran

MOTION PASSED

- 3. 2019 Capital Improvements Plan.**

MOTION BY COMMISSIONER SARNACKI, Supported by Commissioner Rutkowski, that the 2019 Capital Improvements Plan for the City of Wyandotte dated November 21, 2018, is hereby received: AND

BE IT FURTHER RESOLVED that the Commission forward said 2019 Capital Improvements Plan to the City Council.

YES: Lupo, Mayhew, Parker, Pasko, Rutkowski, Sarnacki

NO: None ABSENT: Adamczyk, Benson, Duran

MOTION PASSED

- 4. Final DRAFT Master Plan.**

MOTION BY COMMISSIONER RUTKOWSKI, Supported by Commissioner Sarnacki, that the Draft 2018 Master Plan for the City of Wyandotte dated December 2018, is hereby received: AND

BE IT FURTHER RESOLVED that the Commission forwards the Draft 2018 Master Plan to the City Council.

YES: Lupo, Mayhew, Parker, Pasko, Rutkowski, Sarnacki

NO: None ABSENT: Adamczyk, Benson, Duran

MOTION PASSED

#### **OTHER BUSINESS:**

- Approval of the 2019 Meeting and Filing Deadline Dates.

MOTION BY COMMISSIONER LUPO, supported by Commissioner Parker to approve the 2019 Meeting and Filing Deadline dates.

MOTION PASSED



- Monthly Report from the City Planner.

Mr. Tallerico reviewed the monthly report with the Commission.

**PERSONS IN THE AUDIENCE:**

None

**BILLS AND ACCOUNT:**

MOTION BY COMMISSIONER PARKER, supported by Commissioner Rutkowski to: Pay Beckett & Raeder for Planning Consultant fee for December 2018 in the amount of \$700

YES: Lupo, Mayhew, Parker, Pasko, Rutkowski, Sarnacki

NO: None ABSENT: Adamczyk, Benson, Duran

MOTION PASSED

**MOTION TO ADJOURN:**

MOTION BY COMMISSIONER RUTKOWSKI, supported by Commissioner Parker to adjourn the meeting at 7:25 PM.

---

PUBLIC HEARING – A request from 1st Metro-Wyandotte, LLC, Applicant and owner, for a Certificate of Occupancy for two (2) apartments on the 2nd floor at 2909 Biddle Avenue, Wyandotte, in a CBD Zoning District where the proposed conflicts with Section 1301.D of the City of Wyandotte Zoning Ordinance.

Chairperson Pasko opened the hearing and asked if there was anyone present who wished to speak about this hearing.

Hussein Mazloun, Owner present.

Mr. Mazloun indicated that they would like to convert the upper commercial area into two (2) residential units.

Susan Zeal, Architect for project. Ms. Zeal indicated that the upper units were not occupied and they were offices.

Commissioner Lupo asked if the items listed on the letter from the City Engineer dated February 2<sup>nd</sup> have been addressed.

Ms. Zeal indicated that every issue has been addressed.

Commissioner Lupo asked if the City has reviewed it.

Mr. Mazloun stated that the work has not started nor have any permits been issued.

Chairperson Pasko indicated that the owner is here for special approval for the use.

Mr. Mazloun stated that he does not want the area to stay vacant and once the units are converted to residential they will be very nice.

Commissioner Rutkowski asked what the square footage of the units will be.

Mr. Mazloun stated just under 800 square feet with two (2) bedrooms.

There being no other discussion the hearing was closed.

No communications were received regarding this hearing.

---

**PUBLIC HEARING** - A request from 4 Tech Signs (Appellant) and Jonathan Hutchinson, (Owner) for a Building Permit for a Pole Sign at 939 Ford Avenue, Wyandotte in a B-2 Zoning District, per Section 2408.F.1.2.b.1 of the City of Wyandotte Zoning Ordinance.

Mr. Tallerico reviewed the Ordinance and requirements and indicated that a pole sign is allowed only when the applicant cannot provide a ground sign. Mr. Tallerico further indicated that there is currently a pole sign at this location.

Chairperson Pasko opened the hearing and asked if there was anyone present who wished to speak about this hearing.

Commissioner Mayhew indicated that the Section that the sign is in violation of should be Section 2408.2.b.1.

Mike Abueida, 4 Tech Sign present.

Mr. Abueida stated that they are requesting to replace a 24 square foot pole sign with a 28 square foot pole sign. The current pole sign is pleasing and there is really no other location for a ground sign that would not interfere with entering or existing the property.

Commissioner Rutkowski asked if the green area just past the current sign could be considered for a ground sign.

Tyler Hutchinson, owner, present.

Mr. Hutchinson indicated that placing a ground sign in that area would obstruct traffic on Electric Street.

Commissioner Rutkowski asked if the driveway on to the property is one-way.

Mr. Hutchinson stated that the driveway just exists onto Ford Avenue.

Commissioner Mayhew indicated that with the right of way on Electric the Owner might not meet the setbacks for a ground sign.

Commissioner Rutkowski asked about the green space on the east side of the building.

Mr. Hutchinson indicated that they are planning to have a survey of the property done because they are not sure where the property lines are on that side of the building.

Commissioner Lupo indicated that the proposed sign will be higher than the building.

Mr. Abueida indicated that the new pole sign could be lowered to be the same height as the building.

Mr. Tallerico asked what the measurement on east side lot line is.

Mr. Hutchinson indicated that they have picnic tables and trash cans on that side, but they are not sure where the property line is.

Commissioner Lupo indicated that this appeal could be held in abeyance until a survey is completed on the property.

Commissioner Parker stated that he does not think there is enough room on the east side and further it would not really serve the business on that side of the property.

There being no other discussion the hearing was closed.

No communications were received regarding this hearing.



Date 1-23-19

**Instruction to APPLICANT:** Appeals to come before the Commission must be submitted on this form with all information typewritten or written legibly in ink. Additional pages may be attached and any other information furnished which the applicant feels will aid the Commission in reaching its decision. Appeals must be filed with the secretary of the Planning and Rehabilitation Commission at least 3 weeks prior to the time of the meeting at which they are to be considered. Notice of the action taken by the Commission will be sent to the person designated to receive such notice on this form. You have the right to appear before the Commission in person or by a representative. A **\$125.00 fee for residential OR a \$200.00 fee for commercial** must be paid at time of filing application.

[illegible]

- h/specapp.doc

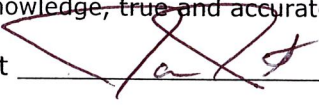
This appeal is respectfully submitted to your Commission for hearing because:

☐ It is my understanding and belief that the City Engineer has erred in finding that the building and/or use covered by the application is not in conformity with all the provisions of the zoning ordinance.

☒ It is my understanding and belief that the Commission is expressly given the power to authorize the Certificate under Section \_\_\_\_\_ of the zoning ordinance.

☐ It is my understanding and belief that unusual conditions applying to my land render the strict application of the provisions of the ordinance unduly harsh and unreasonable to an extent not intended by the ordinance and not generally suffered by others.

In my support of this claim, I submit the facts and information contained herein, which are made a part of this appeal, and are to the best of my knowledge, true and accurate.

Signature of Applicant  Address 1267 Oak St

In what way does the applicant represent the owner? I am the owner

Indicate below any person in addition to applicant to whom notices of the date of the hearing and decision in the case should be sent.

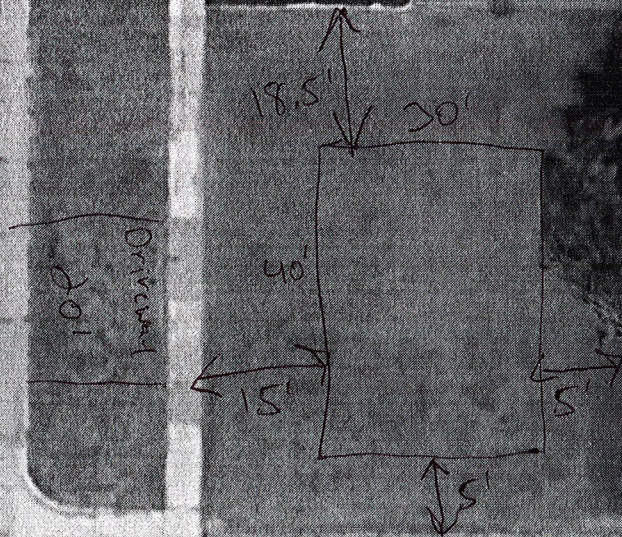
Name \_\_\_\_\_ Address \_\_\_\_\_

Use the space below or attach an additional sheet for a sketch of the land and the buildings thereon.

NOTE: The Commission shall fix a reasonable time for hearing of the appeal and shall give due notice thereof to the parties including all owners of record of property within 300 feet of the premises in question, such notice to be delivered personally or by mail addressed to the respective owners at the address given in the last assessment roll, and shall decide the same within a reasonable time. (Act 207 of the Public Acts of Michigan for 1921, as amended.)



1267 Oak St





**DEPARTMENT OF ENGINEERING AND BUILDING  
CITY OF WYANDOTTE, MICHIGAN**

**NOTIFICATION**

**Nonconformance of Proposed Building or Occupancy**

Date: January 24, 2019

**Appellant:**

Jason Ptak  
1267 Oak  
Wyandotte, MI 48192

**Owner:**

same

**RE: 1267 Oak**

In accordance with Section 2600 of the Zoning Ordinance, you are hereby notified that your application, dated January 24, 2019, for a **Certificate of Occupancy for a two family dwelling** on LOT 1, HURST AND POST'S SUB BLOCK 339, in a O-S zoning district does not comply with Section 1101.1 and 2202 of the Zoning Ordinance, which requires:

**Section 1101.1 Special Uses.**

The following use **may be permitted by the Planning Commission subject to the conditions hereinafter imposed in Article XX11 for each use and subject** to the review and approval of a site plan in accord with Section 2607 and after a public hearing in accord with Section 2608 by the Planning Commission for the use of limited dwellings.

This existing commercial building has been used as an office lower and an apartment upper. The applicant is proposing to convert the commercial lower into a dwelling on the first floor.

**Article XX11, 2202 L. Special Land Use, Limited dwelling construction in O-S Districts (conditions for review and approval of two family Special Use).**

1. The provision of the RT district (Article V) shall apply for single and two family dwelling (all of the following are existing conditions).

- a) A minimum of 5000 sq. ft. of lot area required per dwelling unit, or 10,000 sq. ft. of lot area for a two family. This property is 7000 sq. ft. in area.
- b) A minimum of 35' of lot width required per dwelling unit or a 70' wide lot. This property is 50' in with.
- c) A minimum of 20' front yard setback is required or the average of the block. This existing commercial building has a zero (0) foot front yard setback.

- d) A minimum of a 5' sideyard setback is required when a sideyard abuts a street. This existing commercial building has a zero (0) sideyard setback at the street side.
2. Does not apply.
3. Such use shall be suitably located with relation to abutting uses.
4. Adequate site shall be provided for such buildings and proper screening shall be provided so that adverse effects due to noise, traffic, or parking of adjacent uses will not result.
5. Does not apply



---

Mark A. Kowalewski  
City Engineer

**Proposed Resolution**  
Planning Commission  
Wyandotte, Michigan

RESOLUTION

February 21, 2019

WHEREAS, the Planning Commission received a request from Jason Ptak, Owner and Appellant, for a Certificate of Occupancy for a two (2) family dwelling at 1267 Oak Street, Wyandotte in the Office Service District (O-S);  
AND

WHEREAS, the Planning Commission held the required public hearing on February 21, 2019, where comments were heard and made part of the file;

NOW, THEREFORE BE IT RESOLVED that the Planning Commission **approves/ denies** the Certificate of Occupancy for two (2) family dwelling at 1267 Oak Street, Wyandotte, Michigan based on the following:

[place reason here ]

I move the adoption of the foregoing resolution.

Motion By Commissioner \_\_\_\_\_  
Supported by Commissioner \_\_\_\_\_

<u>Yeas</u>	<u>Members</u>	<u>Nays</u>
	Adamczyk	
	Benson	
	Duran	
	Lupo	
	Mayhew	
	Parker	
	Pasko	
	Rutkowski	
	Sarnacki	



*Monthly Report*

Date: February 08, 2019

From: Benjamin J. Tallerico, AICP, CNU-A, HDFP, NCI-M&FCT, FBCi

To: **Stanely Pasko, Chair**  
Members of the Wyandotte Planning Commission  
Mr. Mark Kowalewski, City Engineer  
Ms. Kelly Roberts, Development Coordinator  
Mr. Todd Drysdale, City Administrator  
Other Interested Parties  
3200 Biddle Avenue  
Wyandotte MI 48192

Re: **the *URBAN* notebook**  
February 2019 Planning Consultant's Report

***“The internet and cell phones  
have ended the isolation of  
small cities and villages.”***

----- Joel Kotkin

*Bills*

**SB 894 of 2018** (now PA 0366 of 2018, with immediate effect).

Zoning Subject to the Small Wireless Communications Facilities Deployment Act  
Zoning is subject to the Small Wireless Communications Facilities Deployment Act (SWCFDA). It amends sections 205 (1) and 514 of the Michigan Zoning Enabling Act (MCL 125.3205 and 125.3514).

The SWCFDA is a lengthy and detailed bill which, among other things, allows for the placement of small cell wireless facilities within the right of way (ROW). A small cell wireless facility is defined as a wireless facility that meets both of the following requirements: 1) Each antenna is located inside an enclosure of not more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements would fit within an imaginary enclosure of not more than six cubic feet. 2) All other wireless equipment associated with the facility is cumulatively not more than 25 cubic feet in volume.

The purpose of the Act is to 1) increase investment in wireless networks that will benefit citizens of this state by providing better access to emergency services, advanced technology, and information. 2) allow wireless services providers and wireless infrastructure providers access to the public rights-of-way and the ability to attach to poles and structures in the public rights-of-way to enhance their networks and provide next generation services

**SB 894** (passed, now PA 513 of 2018 with immediate effect).

**Residential Use of Property—Adult Foster Care**

Amends the Michigan Zoning Enabling Act, MCL 125.3206 (1). The act currently specifies that a state-licensed residential facility is a residential use of property for the purpose of zoning, is a permitted use in all residential zones, and is not subject to any permits or procedures other than those required for other dwellings of similar density in the same zone. Under the bill, these provisions would also apply to a private residence with the capacity to receive up to four adults who all receive benefits from a community mental health services program if the services being delivered in the residential setting are monitored by the local community mental health services program.

HB 5505 (not MZEA, but instructive) revises the definitions of adult foster care family home and adult foster care small group home to require that each of these facility types must have the approved capacity to receive at least three adults to be provided with foster care. (The act does not currently specify a minimum capacity for either facility type.) The bill would stipulate that an adult foster care facility does not include a private residence with the capacity to receive up to four adults who all receive benefits from a community mental health services program if the services being delivered in the residential setting are monitored by the local community mental health services program.

**HB 6499** (now PA 506 of 2018, with immediate effect).

**Zoning Shall Not Regulate or Prohibit Certain Commemorative Signs**

This bill amends the Michigan Zoning Enabling Act (MCL 125.3205) by adding section “205d”.

*The People of the State of Michigan enact:* Sec. 205d. (1) A zoning ordinance shall not regulate or prohibit a sign that is located on or within a building and that commemorates any of the following: (a) Any of the following who die in the line of duty: (i) Police officers. (ii) Firefighters. (iii) Medical first responders. (iv) Members of the United States Armed Forces. (v) Corrections officers. (b) Veterans of the United States Armed Forces. (2) As used in this section, “medical first responder” means that term as defined in section 20906 of the public health code, 1978 PA 368, MCL 333.20906.