

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF August 7, 2019
ZONING BOARD OF APPEALS AND ADJUSTMENT**

A meeting of the Zoning Board of Appeals and Adjustment of the City of Wyandotte was **called to order** by Chairperson Duran **at 6:30 p.m.**, in the Council Chambers of the City Hall, 3200 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: DiSanto
Duran
Flachsmann
Gillon
Nevin
Szymczuk
Wienclaw

MEMBERS ABSENT: Olsen, Trupiano

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Szymczuk, supported by Member Wienclaw to approve the minutes of the July 17, 2019, meeting.

Yes: DiSanto, Duran, Flachsmann, Gillon, Nevin, Szymczuk, Wienclaw

No: none

Abstain: none

Absent: Olsen, Trupiano

Motion passed

Appeal #3304 – GRANTED

Jennifer Zieger, 2319 – 2nd Street, Wyandotte (owner & appellant)

for a variance **to obtain a Certificate of Occupancy for a front yard fence at 2319 – 2nd Street**, Lot 1, Block 64, in a RT zoning district, where the proposed conflicts with Section 2406.8 of the Wyandotte Zoning Ordinance.

Section 2406.8:

When a fence is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said fence shall not be located closer to the street side lot line than the existing front yard setback of the lot to the rear.

Lots 40 feet or less in width the setback shall not exceed 15 feet.

Lots 35 feet or less in width, the setback shall not exceed 10 feet.

Proposed front yard fence does not hinder or discourage additional residential development adjacent to current land or buildings, does not hinder pedestrian or vehicular traffic, and does not impair the purpose of the ordinance as written.

Motion was made by Member Flachsmann, Supported by Member Szymczuk to grant this appeal.

Yes: DiSanto, Duran, Flachsmann, Gillon, Nevin, Szymczuk, Wienclaw

No: none

Abstain: none

Absent: Olsen, Trupiano

Motion passed

Appeal #3305 – see below

Tony Pizzo, AANE Properties, 3865 River Drive, Lincoln Park (owner & appellant)

for a variance **to obtain a building permit for storage units at Vacant Property: Formerly 1420 McKinley and 304 Hudson** (legal description on file), in I-1 and I-2 zoning district, where the proposed conflicts with Section 2100 and Section 2403.R.4.C of the Wyandotte Zoning Ordinance.

SECTION 2100:

(1420 McKinley) In an I-1 zoning district a minimum of a 20' front yard setback is required. The developer is proposing a 5' front yard setback, thereby exceeding the ordinance by 15'.

Granted: Proposed front yard setback requirements will not hinder or discourage the appropriate development or use of adjacent land and buildings, or impair the intent of the ordinance.

Motion was made by Member DiSanto, Supported by Member Wienclaw to **grant** this section of appeal.

Yes: DiSanto, Duran, Flachsmann, Gillon, Nevin, Szymczuk, Wienclaw

No: none

Abstain: none

Absent: Olsen, Trupiano

Motion passed

(304 Hudson) In an I-1 zoning district, a minimum of a 20' front yard setback is required. The developer is proposing a 12'10" front yard setback, thereby exceeding the ordinance by 7'2".

Denied: Motion failed to pass.

Motion was made by Member DiSanto, Supported by Member Wienclaw to grant this section of appeal.

Yes: DiSanto, Duran, Gillon, Wienclaw

No: Flachsmann, Nevin, Szymczuk

Abstain: none

Absent: Olsen, Trupiano

Motion failed to pass

SECTION 2403.R.4.C:

Warehousing and wholesale establishments and related accessory offices, the minimum number of parking spaces per unit measure are: three (3) plus one (1) for each one (1) employee in the largest working shift or five (5) plus one (1) for every 1,700 square feet of useable floor area, whichever is greater.

(304 Hudson): The useable floor area is 700 square feet. A total of six (6) spaces are needed. The proposed has zero (0) parking spaces provided.

Granted: Proposed parking requirements will not hinder or discourage the appropriate development or use of adjacent land and buildings, or impair the intent of the ordinance.

Motion was made by Member DiSanto, Supported by Member Wienclaw to **grant** this section of appeal.

Yes: DiSanto, Duran, Gillon, Nevin, Szymczuk, Wienclaw

No: Flachsmann

Abstain: none

Absent: Olsen, Trupiano

Motion passed

Appeal #3306 – GRANTED

Martin Kolakowski, 2440 – 23rd Street, Wyandotte (owner & appellant)

for a variance **to obtain a concrete permit for a driveway at 2440 – 23rd Street**, Lot 184 & N 17.50' of lot 185, Scherer's Westgate Manor Sub., in a RA zoning district, where the proposed conflicts with Section 2403 and Section 2403.C of the Wyandotte Zoning Ordinance.

Section 2403. Parking requirements:

There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile off-street parking with adequate access to all spaces. the number of off-street parking spaces and improvements shall be in accordance with this section, in conjunction with all land or building uses prior to the issuance of a Certificate of Occupancy, a Certificate of Compliance, Certificate of Approval or Certificate of Conformity as hereinafter prescribed. refer to Wyandotte Code of Ordinances for regulations for parking on city streets and in residential areas (Chapter 35, Article (iii)).

Section 2403.C:

Off-street parking spaces may be located within a side or rear yard. Off-street parking shall not be permitted within a required front yard unless otherwise provided for in this ordinance.

Front yard parking is not permitted according to the zoning of this address. Therefore the driveway extension must also extend 20' past the front of the house. The proposed driveway does not extend 20' past the front of the home.

Proposed front yard driveway will not hinder or discourage the appropriate development or use of adjacent land and buildings, will not impede flow of pedestrian or vehicular traffic, or impair the intent of the ordinance.

Motion was made by Member Nevin, Supported by Member Szymczuk to grant this appeal.

Yes: DiSanto, Duran, Flachsmann, Gillon, Nevin, Szymczuk, Wienclaw

No: none

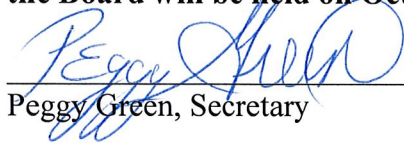
Abstain: none

Absent: Olsen, Trupiano

Motion passed

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 7:40 p.m. **The next scheduled meeting of the Board will be held on October 2, 2019 (no appeals were received for the September 4, 2019, meeting)**


Peggy Green, Secretary

Appeal #3304

Chairperson Duran read the appeal and asked that it be explained.

Jennifer Zieger, owner, present.

Ms. Zieger explained that there was a chainlink fence there, she thought she would build the new fence to the ordinance, she added that she did not change the post line or the post, then she received a letter from the City indicating the fence was in violation of the zoning ordinance. Ms. Zieger added that some of the neighbors even helped her build the fence, and her neighbor at 159 Mulberry is in full support of the fence and even helped built. Ms. Zieger added that she had brought in letter of support from her neighbors.

Chairperson Duran asked if the chainlink fence was still there. Ms. Zieger replied no, it was removed but the posts are the same, the fence was replaced with a wooden fence.

Member DiSanto and Ms. Zieger discussed where the fence was chamfered .

Member Flachsmann commented that he pulled in the neighbors driveway and backed out with no problem, there was an existing fence there, the new fence is very nice, and if she did follow the ordinance, the children's play area would be about 1/3 the size it is now.

Jennifer Warrow, 2324 – 2nd Street, present.

Ms. Warrow explained that she lives across the street and helped built the fence and she sees no issues with it. It is nicer than the chainlink fence, and added that it was her idea to build the fence. Ms. Warrow added that they changed the look of the fence, and did not move the posts.

Six (6) communications were received in favor of this appeal.
Communication received from DTE.

Appeal #3305

Chairperson Duran read the appeal and asked that it be explained.

Angela Pizzo, owner, present.

Mrs. Pizzo explained that they have done many projects throughout the City and feels that the 5' setback is sufficient and they will provide a greenbelt. Mrs. Pizzo continued that to the north of the property are transforms with chainlink fence with barbed wire, and there are no homes facing the property. The business will be operated out of their office at 349 Antoine. Mrs. Pizzo also discussed the parking requirements.

Member Nevin asked the zoning of the property. Mrs. Pizzo replied industrial.

Member Flachsmann stated that the drawings explains everything, and he does not see anything wrong with the plans, but he does not live on Hudson.

Crystal Lewis, 293 Hudson, present.

Ms. Lewis stated that she looks out her kitchen window at the property, and she does see wildlife there, she doesn't want to see this in her neighborhood, it will make the property values go down, and she has been there for 23 years.

Rebecca, 250 Hudson, present.

Rebecca stated that she does not want this project, there are constantly big trucks Pizzo's property, and now they are parking in alley, semi's are constantly going down the street, there is a lot of traffic.

Rebecca continued that on McKinley and Antoine there is a vacant building for sale, and they should buy and use that.

Jason and Angela Bury, 333 Hudson, present.

Mrs. Bury stated that they objected to them buying property at end of street, building materials are stored there. Mrs. Bury added that Mr. Pizzo did offer to help neighbor build a fence. Mrs. Bury stated that there are constant semi's on the street, they don't have driveways, and where are the employees going to park. Mrs. Bury added that if they are going to build a building, then they can build a parking lot.

Pauline Kulcsar, 292 Hudson.

Ms. Kulcsar stated that a semi backed into her tree, there are a lot of semi's up and down the street, she has been there since 1983, and wanted to know why houses could not be built there.

Chairperson Duran explained that the area was zoned industrial. Ms. Kulcsar stated that it should be made back into a thriving neighborhood, make the area better. Chairperson Duran explained that she would have to petition to and make her case in front of the City Council.

Chairperson Duran commented that they need a 20' setback, and they are requesting a 12'10" setback, if they met the 20' setback, they wouldn't have to appeal. They are not in front of the Board appealing the use.

Ms. Kulcsar added that the Pizzo's trucks start up at 7 in the morning up and down the alley. Ms. Kulcsar added that the parking lot at 1410 McKinley has been cleaned up a little.

Susan Sekmistrz, 286 Hudson, present.

Ms. Sekmistrz stated that she has lived there for 46 years, she does not see McKinley, but hears the noise from the trucks and sees the trash in the alley, and she objects. She does not think that the area should be industrial, and does not want to see a warehouse.

Communication received from DTE.

Appeal #3306

Chairperson Duran read the appeal and asked that it be explained.

Martin and Bonnie Kolakowski, owners, present.

Mrs. Kolakowski explained that they have lived there for 35 years and parking has always been an issue. With the houses in the immediate area, there are 26 cars fighting for spots and tempers flare. Mrs. Kolakowski added that they do have a one car garage, but keep a classic car in there. They do want to build a new garage with a patio attached in front of it. Mrs. Kolakowski added that they do have a shed, and would like to keep it, if they build a new garage and a patio, they would only have a little bit of grass left. They do have a larger lot, and would be able to get 2 cars off the street. Parking is very bad in the neighborhood, and is an issue. Mrs. Kolakowski continued that during a snow emergency it is a challenge, they do use the emergency lot, and have been plowed in. Mrs. Kolakowski added that they do not want to leave Wyandotte. Mrs. Kolakowski added that they are going away for 6 weeks, and don't know what they will do with their car.

Mr. Kolakowski added that the driveways on 23rd Street are very narrow. He continued that he will not leave the house at certain times because he knows that he will not have a spot to park, and if he extends the driveway 20' and builds a new garage with a patio, he will only have about 5' of grass. Mr. Kolakowski added that there is an AirB&B on 23rd Street, and that does make parking worse.

Mrs. Kolakowski added that if they do build a garage, they would want to enter from the alley.

Member Flachsmann confirmed that the existing garage is off the alley, and if they build a new one, they would also enter off the alley. Mrs. Kolakowski replied that was correct. They now have 1 parking spot in the garage, and the driveway would give them 2 more spaces. Member Flachsmann commented that if you did have an attached garage, you could park in the driveway. Or if the drive was extended past the house, and gates were installed, you could park there if you needed it. Member Flachsmann asked if the hardship was inadequate parking on the street. Mr. Kolakowski replied yes.

Member Gillon asked if they would be keeping the bushes on the south side. Mr. Kolakowski replied that they would like to keep them.

Elaine Pero, 2434 – 23rd Street.

Ms. Pero stated that neighbors still yell at her if she parks in their spot, she tries to park in her garage, but being on a commercial alley, trucks block the entrance to her garage.

Mr. Kolakowski stated that he is trying to do neighbors a favor by taking cars off the street.

John Kruso, 2470 – 23rd Street, present.

Mr. Kruso stated that the homes in that area were built in the 1940's, no one had 2 cars at that time, soon he will be having 5 cars in front of his house.

Communication from DTE received.

8 OF 17

Supporting Neighbor Letter Regarding Fence at 2319 2nd St.

Date: 6-29-19

Property Owner Name: Kristopher + Tara Frania

Address: 159 Mulberry St. Wyandotte, MI 48192

Dear City of Wyandotte Building & Engineering Zoning Board:

I, Kristopher Frania, am writing on behalf of Jennifer Zieger. I was informed of a
(name)

neighbor complaint. As a resident in proximity of her property and fence, I am reporting that I approve

of the privacy fence that was recently replaced at 2319 2nd Street.

Should you need further information, please contact me at 313-595-7542.
(phone number)

Regards,

Kristopher Frania
(name)

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Supporting Neighbor Letter Regarding Fence at 2319 2nd St.

Date: 07/11/19

Property Owner Name: Jane Sandecki

Address: 147 Mulberry St. Wyandotte, MI 48192

Dear City of Wyandotte Building & Engineering Zoning Board:

I, Jane Sandecki, am writing on behalf of Jennifer Zieger. I was informed of a
(name)

neighbor complaint. As a resident in proximity of her property and fence, I am reporting that I approve

of the privacy fence that was recently replaced at 2319 2nd Street.

Should you need further information, please contact me at 313-408-6161.
(phone number)

Regards,

Jane Sandecki
(name) Jane Sandecki

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Supporting Neighbor Letter Regarding Fence at 2319 2nd St.

Date: 6/30/19

Property Owner Name: Chris Williamson

Address: 139 Mulberry Wyandotte, MI 48192

Dear City of Wyandotte Building & Engineering Zoning Board:

I, Chris Williamson, am writing on behalf of Jennifer Zieger. I was informed of a
(name)

neighbor complaint. As a resident in proximity of her property and fence, I am reporting that I approve

of the privacy fence that was recently replaced at 2319 2nd Street.

Should you need further information, please contact me at 734 282 7260.
(phone number)

Regards,

Chris Williamson
(name)

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Supporting Neighbor Letter Regarding Fence at 2319 2nd St.

Date: 7-2-19

Property Owner Name: Alvin + Carolyn Taylor

Address: 2255 2nd Wyandotte, MI 48192

Dear City of Wyandotte Building & Engineering Zoning Board:

I, Carolyn Taylor, am writing on behalf of Jennifer Zieger. I was informed of a
(name)

neighbor complaint. As a resident in proximity of her property and fence, I am reporting that I approve

of the privacy fence that was recently replaced at 2319 2nd Street.

Should you need further information, please contact me at 734 771-2834
(phone number)

Regards,

Carolyn Taylor
(name)

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Supporting Neighbor Letter Regarding Fence at 2319 2nd St.

Date: 7.3.2019

Property Owner Name: Linda Gordon

Address: 2310 · 2nd St. Wyandotte, MI 48192

Dear City of Wyandotte Building & Engineering Zoning Board:

I, Linda Gordon, am writing on behalf of Jennifer Zieger. I was informed of a
(name)

neighbor complaint. As a resident in proximity of her property and fence, I am reporting that I approve
of the privacy fence that was recently replaced at 2319 2nd Street.

Should you need further information, please contact me at 248·636·0422
(phone number)

Regards,

Linda K. Gordon
(name)

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LINDA GORDON
2310 - 2nd Street
Wyandotte, MI 48192
(248) 636-0422

August 5, 2019

HAND DELIVERED

City of Wyandotte
Department of Engineering and Building
Attn: Zoning Board of Appeals and Adjustment
3200 Biddle Avenue
Wyandotte, Michigan 48192

Re: Appeal #3304
2319 - 2nd Street
Wyandotte, MI 48192
Mrs. Jennifer Zieger
In Re: Certificate of Occupancy for Front Yard Fence

To Whom It May Concern:

This letter is in response to the City's letter to me dated July 19, 2019 regarding the above-referenced matter. A hearing on this matter is scheduled before the Zoning Board of Appeals and Adjustment on August 7, 2019 at 6:30 p.m.

Please be advised that **I have no objection to the privacy fencing Mrs. Zieger had installed around the parameters of her property.** If anything, I believe **it has greatly enhanced the appearance of the property.**

If you have any questions or need any further information from me, please do not hesitate to contact me.

Thank you for your time and consideration regarding this matter.

Sincerely,


Linda K. Gordon

:lg

attachment (for reference) letter dated July 19, 2019 from the City to me
cc: Mrs. Jennifer Zieger (hand delivered)

✓
RECEIVED
8-5-19

OFFICIALS

Theodore H. Galeski
CITY ASSESSOR

Lawrence S. Stec
CITY CLERK

Todd M. Browning
TREASURER



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MAYOR
Joseph R. Peterson

COUNCIL
Robert Alderman
Chris Calvin
Robert A. DeSana
Megan Maiani
Leonard T. Sabuda
Donald Schultz Jr.

ZONING BOARD OF APPEALS AND ADJUSTMENT

APPEAL #3304

To Neighborhood Owner
Or Party-in-Interest

July 19, 2019

NOTICE IS HEREBY GIVEN that Jennifer Zieger, 2319 – 2nd Street, Wyandotte (owner & appellant) has appealed to the Zoning Board of Appeals and Adjustment of the City of Wyandotte for a variance to obtain a Certificate of Occupancy for a front yard fence at 2319 – 2nd Street, Lot 1, Block 64, in a RT zoning district, where the proposed conflicts with Section 2406.8 of the Wyandotte Zoning Ordinance.

Section 2406.8:

When a fence is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said fence shall not be located closer to the street side lot line than the existing front yard setback of the lot to the rear.

Lots 40 feet or less in width the setback shall not exceed 15 feet.

Lots 35 feet or less in width, the setback shall not exceed 10 feet.

On **Wednesday, August 7, 2019 at 6:30 p.m.**, a public hearing will be held on this appeal in the Council Chambers of the City Hall, 3200 Biddle Avenue, Wyandotte, Michigan.

This notice is for the purpose of giving you and every other neighbor-in-interest this opportunity if you care to appear or to have your opinion expressed at this hearing in support or in opposition to this appeal. You may come in person, or you may authorize anyone else in writing to represent you; or you may express your views and reason in favor or in opposition in writing, but the letter must be received by the Board **before** the date of the hearing.

The City of Wyandotte will provide auxiliary aids and service to individuals with disabilities at the meeting upon one week notice to the City of Wyandotte. Individuals with disabilities requiring auxiliary aids or services should contact the City of Wyandotte by writing or calling the following: Department of Engineering and Building, 3200 Biddle Avenue, Suite 200, Wyandotte, Michigan 48192, phone (734)324-4551.

Peggy Green
Zoning Board Secretary

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DTE Energy Gas Co.
Data Integrity and Technology
One Energy Plaza, 1710 WCB
City of Detroit, MI 48226

August 7, 2019

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3304: Variance to obtain a Certificate of Occupancy for a front yard fence at 2319-2nd Street

- ☒ Not involved. See Remarks
- ☐ Involved: but asking you to hold action on this petition until further notice.
- ☐ Involved but have no objection to the property change - - provided that an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- ☐ Involved: the nature of our services, and the estimated costs of removing, rerouting or abandonment of such all gas mains and/or services

REMARKS:

DTE Energy Gas Company has no involvement, nor objection to the Appeal #3304 as mentioned above. See enclosed strip print and attached notice of public hearing, for your use and information.

Please abide by Public Act 174, three (3) working days before you dig, dial toll free MISS DIG at: 1 – 800 – 482 – 7171.

DTE Energy Gas Leak Emergency Phone Number: 1- 800 – 947 – 5000.

Sincerely,

Karl Schneider
Drafter
Data Integrity and Technology

DTE Energy Gas Co.
Data Integrity and Technology
One Energy Plaza, 1710 WCB
City of Detroit, MI 48226

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RECEIVED
8-7-19
7:38 PM

August 7, 2019

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

**RE: Appeal #3305: Variance to obtain a building permit for storage units at Vacant Property: Formerly
1420 McKinley and 304 Hudson**

- ☒ Not involved. See Remarks
- ☐ Involved: but asking you to hold action on this petition until further notice.
- ☐ Involved but have no objection to the property change - - provided that an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
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Sincerely,

Karl Schneider
Drafter
Data Integrity and Technology

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DTE Energy Gas Co.
Data Integrity and Technology
One Energy Plaza, 1710 WCB
City of Detroit, MI 48226

August 7, 2019

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3306: Variance to obtain a concrete permit for a driveway at 2440-23rd Street

- ☒ Not involved. **See Remarks**
- ☐ Involved: but asking you to hold action on this petition until further notice.
- ☐ Involved but have no objection to the property change - - provided that an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- ☐ Involved: the nature of our services, and the estimated costs of removing, rerouting or abandonment of such all gas mains and/or services

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Karl Schneider
Drafter
Data Integrity and Technology