

**MINUTES AS RECORDED**

**MINUTES OF THE MEETING OF December 4, 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:** Duran  
Flachsmann  
Nevin  
Olsen  
Szymczuk  
Trupiano

**MEMBERS ABSENT:** DiSanto, Gillon, Wienclaw

**ALSO PRESENT:** Peggy Green, Secretary

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A motion was made by Member Olsen, supported by Member Szymczuk to approve the minutes of the October 2, 2019, meeting. (There was no meeting held on November 6, 2019, due to lack of a quorum)

Yes: Duran, Flachsmann, Nevin, Olsen, Szymczuk, Trupiano

No: none

Abstain: none

Absent: DiSanto, Gillon, Wienclaw

Motion passed

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**Appeal #3311 – DENIED**

Philip Schuck, 3441 – 23<sup>rd</sup> Street, Wyandotte (owner & appellant)

for a variance **to obtain a concrete permit for a driveway at 3441 – 23<sup>rd</sup> Street**, Lots 131 thru 134, Eureka Highland No. 1 Resub., in a RA zoning district, where the proposed conflicts with Section 2403.C of the Wyandotte Zoning Ordinance.

**Section 2403.C:**

The proposed parking pad is denied as it is in violation of Zoning Article 2403.C which states off-street parking spaces may be located within a side or rear yard.

The proposed parking pad is in the front yard, between the existing picket fence and the city sidewalk.

**The owner was unable to provide a sufficient hardship for the addition of a parking pad in front yard adjacent to the neighbor's property line, and off-street parking (a garage and driveway) is already available on the north side of the property.**

Motion was made by Member Olsen, Supported by Member Flachsmann to deny this appeal.

Yes: Duran, Flachsmann, Nevin, Olsen, Szymczuk, Trupiano  
No: none  
Abstain: none  
Absent: DiSanto, Gillon, Wienclaw  
Motion passed

**Appeal #3312 – WITHDRAWN**

**Appeal #3313 – GRANTED**

Jerry & Julie Rushlow, 3440 – 23<sup>rd</sup> Street, Wyandotte (owner & appellant)

for a variance **to obtain a building permit a garage at 3440 – 23<sup>rd</sup> Street**, S 10' of Lot 125 also Lot 126 Eureka Highland No. 1 Resub., in a RA zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.

**SECTION 2100:**

A maximum of 35% lot coverage is allowed for structures in a RA zoning district. The proposed 26'x24' detached garage will result in the allowable lot coverage being exceeded by 121 square feet.

**Proposed garage will not be detrimental to adjacent land or buildings, will not impede flow of pedestrian or vehicular traffic, and will not impair the intent of the ordinance.**

Motion was made by Member Trupiano, Supported by Member Olsen to grant this appeal.

Yes: Duran, Flachsmann, Nevin, Olsen, Szymczuk, Trupiano  
No: none  
Abstain: none  
Absent: DiSanto, Gillon, Wienclaw  
Motion passed

**APPEAL #3314 – Tabled until the January 8, 2020 meeting**

John Evans, 3213 VanAlstyne, Wyandotte (owner & appellant)

for a variance to obtain a **Certificate of Occupancy to convert from existing nonconforming single family dwelling (front) and accessory structure (rear) to a multiple three family (front) and a one family dwelling (rear) at 3213 VanAlstyne**, S ½ of Lot 117 and also Lot 118, Eureka Iron and Steel Works Resub., in a RM-3 zoning district, where the proposed conflicts with Section 900, Section 2100 and Section 2403 of the Wyandotte Zoning Ordinance.

**SECTION 900:**

Single family dwellings are not permitted use in a RM-3 District. The existing 14'x36' garage is proposing to be converted to a single family dwelling.

**SECTION 2100:**

The minimum sideyard setback in an RM-3 District is: a minimum 3' sideyard setback and a total sideyard setback of a minimum of 10'. The current sideyard setbacks are 3' and 5'5", for a total of 8'5".

**SECTION 2403:**

The required off street parking for a multiple family dwelling is 1-1/2 parking spaces for each dwelling unit of 1 bedroom plus 1 additional parking space for guests. Proposed use, including the proposed conversion of the storage building, will require  $1\text{-}1/2 \times 4 = 6$  offstreet parking spaces plus 1 guest space for a total of 7 offstreet parking spaces required. Currently, no offstreet parking spaces are provided.

Note: Stamped and sealed drawings will be required for conversion to a multiple family dwelling if approved.

**At the request of the appellant, due to the total lack of members present, he asked to have the appeal postponed until the next meeting to be held on January 8, 2020.**

Motion was made by Member Flachsmann, Supported by Member Olsen to table this appeal.

Yes: Duran, Flachsmann, Nevin, Olsen, Szymczuk, Trupiano

No: none

Abstain: none

Absent: DiSanto, Gillon, Wienclaw

Motion passed

**OTHER BUSINESS:**

A motion was made by Member Trupiano, supported by Member Szymczuk to approve 2020 schedule.

There being no further business to discuss, the meeting adjourned at 7:30 p.m. **The next scheduled meeting of the Board will be held on January 8, 2020.**



Peggy Green, Secretary

**Appeal #3311**

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

Philip Schuck, owner, present

Mr. Schuck explained that he wants to put in a parking area next to his house.

Member Trupiano asked Mr. Schuck if he had considered extending it past the front of the house. Mr. Schuck stated that he did not feel that was needed, he can go 25' in the yard now for the parking, and it will only be used seasonally. Member Trupiano asked if he had ever received a ticket for parking. Mr. Schuck replied no, but had been told not to park there.

Member Szymczuk asked if there was ever a parking pad there. Mr. Schuck replied no, there was a house there, but it had been torn down.

Member Flachsmann asked about the parking pad being on the side of the property. Mr. Schuck stated that it would be 25' up to the fence line. Member Flachsmann asked the reason for the pad. Mr. Schuck replied it will



only be used for seasonal parking, and asked what the reasoning was that he could not have it. Member Flachsmann replied that the Ordinance has to be abided by, you would have to show a hardship, or a reason why you cannot abide by the Ordinance. Member Flachsmann asked Mr. Schuck why he can't go 20' past the front of the house to comply with the Ordinance. Mr. Schuck replied that he doesn't feel that it needed for a seasonal parking pad.

Wayne and Anna Villarreal, 3459 – 23<sup>rd</sup> Street, Wyandotte, present.

Mr. Villarreal presented images to the Board showing his house and the parking.

Mr. Villarreal stated that the pad will be on the lot line next to his house, the driveway will be built right by their window.

Mrs. Villarreal added that you cannot park close to the intersection of 23<sup>rd</sup> Street it is a one way, Pine Street is a two way street, and both are very busy.

Mr. Villarreal stated that if this was granted, he would not have enough room to be able to park in front of his own house, and will create an unsafe scenario for the neighbors. Mr. Villarreal added that he has church members come over, and if kids are by the driveway, it will create a hazard. Mr. Villarreal added that there is 107' of parking in front of Mr. Schuck's house and asked why he can't put the pad in the back yard with alley access, why can't it be on the opposite side of Mr. Schuck's house, why by his property line. Mr. Villarreal continued that parking spaces will be lost from the street if this is granted. Mr. Villarreal also added that on Tuesday's, the church on Fort and Pine, has a lot of traffic, and sometimes he can't even parking by his house, and this parking pad will take away more street parking. Mr. Villarreal stated that he wants to be able to park in front of his house safely and members of his church to be safe. Mr. Villarreal stated that he feels that this would offset property values having a driveway right by his house. Mr. Villarreal added that he is not trying to deny his neighbor, but Mr. Schuck has a 2 car driveway, 2 car garage, and 107' of parking in front of house.

Mrs. Villarreal stated that if this is approved, parking spaces will be lost. Mrs. Villarreal added that they followed the codes when they bought the house and when they rented it out, but they moved back to Wyandotte, it is a great City. Mrs. Villarreal continued that she is concerned about safety.

Jerry Rushlow, 3440 – 23<sup>rd</sup> Street, Wyandotte, present.

Mr. Rushlow stated that the house and garage line up now with a driveway in front of the garage. Member Trupiano explained how a driveway must extend 20' past the front of the house, and how the existing driveway leads to the existing garage.

Member Flachsmann added that the approach is wider than the driveway, and that the property line starts behind the sidewalk and that Police and Traffic rules would also apply, he would see this pad as being used for storage, if it was closer to the house, he could see the owner using it more. Member Flachsmann added that the Engineering Department would have to look at losing a spot on the street to install an approach, and also it would have to be addressed with the Traffic Ordinances.

Chairperson Duran asked Mr. Schuck the reason for the parking pad. Mr. Schuck replied that the approach has been there for 40-50 years, and he wants to use the pad for seasonal, to keep car off the road in the winter time.

No communications were received regarding this appeal.

**Appeal #3313**

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

Jerry and Julie Rushlow, owner, present.

Mr. Rushlow explained that currently they have a 1-1/2 car garage, and want a 24'x26' garage with it pushed back more. Mr. Rushlow added that they abut a commercial alley, and this will also block out some noise, and the up resale value.

Member Flachsmann asked if the garage would have alley access. Mr. Rushlow replied probably not, for security reasons. Member Flachsmann reminded Mr. Rushlow to secure a permit for the demolition of the existing garage.

Member Olsen commented that as long as the existing garage is being removed, the driveway is 8' side, and the garage is 1' off the alley, he sees no problem.

No communications were received regarding this appeal.

**Appeal #3314**

Joseph Voszatka, 3166 VanAlstyne.  
Tom Kaul, 3115 VanAlstyne.

Were present to speak, but was informed by the Board that the Appeal will be heard on January 8, 2020.

# Zoning Board of Appeals and Adjustment 2020 Schedule

<b>Deadline</b>		<b>Meeting at 6:30 p.m.</b>	
December 27, 2019		<b>February</b>	<b>5</b>
January	24	<b>March</b>	<b>4</b>
February	21	<b>April</b>	<b>1</b>
March	20	<b>May</b>	<b>6</b>
April	24	<b>June</b>	<b>3</b>
June	5	<b>July</b>	<b>15</b>
June	26	<b>August</b>	<b>5</b>
July	24	<b>September</b>	<b>2</b>
August	21	<b>October</b>	<b>7</b>
September	25	<b>November</b>	<b>4</b>
October	23	<b>December</b>	<b>2</b>
November	20	<b>January</b>	<b>6, 2021</b>

Meetings of the Zoning Board of Appeals and Adjustment are held in the Council Chambers of the City Hall, 3200 Biddle, Avenue, Wyandotte, Michigan