

AGENDA
ZONING BOARD OF APPEALS AND ADJUSTMENT
MEETING DATE: WEDNESDAY, June 7, 2023

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The meeting of the Zoning Board of Appeals and Adjustment will be held at 6:30 p.m. (hybrid format).

You may **come in person** or you may **express your views in writing**, but the letter must be received by the Board at Wyandotte City Hall, 3200 Biddle, Suite 200, Wyandotte, MI 48192, prior to the date of the public hearing. Or you can **participate by phone** by calling **312-626-6799**, Use webinar ID: **992 636 8831 (wyandotte1)**.

Appeal #3390

Wally Kleit, 7919 Harding, Taylor, Michigan (appellant)

for a **Certificate of Occupancy for multiple family dwellings at 213-215-217 Superior** (E 38 FT OF LOT 6 PLAT OF PART OF WYANDOTTE, PART 3, BLOCK 83) in a RT zoning district, where the proposed conflicts with §190.322(C)(3) and (E)(5) and §190.324(R)(1) of the Wyandotte Zoning Ordinance which states:

§ 190.322 NON-CONFORMITIES.

(C) *Non-conforming uses of land.* Where, at the effective date of adoption or amendment of this chapter, lawful use of land exists that is made no longer permissible under the terms of this chapter as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions.

(3) If such non-conforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this chapter for the district in which such land is located.

(E) *Non-conforming uses of structures and land.* If a lawful use of a structure, or of structure and land in combination, exists at the effective date of adoption or amendment of this chapter, that would not be allowed in the district under the terms of this chapter, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions.

(5) When a non-conforming use of a structure, or structure and premises in combination, is discontinued or ceases to exist for six consecutive months, the structure, or structure and premises in combination, shall not thereafter be used, except in conformity with the regulations of the district in which it is located. Structures occupied by seasonal uses shall be excepted from this provision.

The parking required for a multiple family use is set forth in the Zoning Ordinance by §190.324(R)(1): This requires two off street parking spaces for each dwelling with two bedrooms plus one for guest. The off-street parking required for the proposed multiple family use is seven (7) off street parking spaces, where only one (1) off street parking space is currently provided.

§190.322(E)(3): If no structural alterations are made, any non-conforming use of a structure, or structure and premises, may be changed to another non-conforming use; provided that, the Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing non-conforming use. In permitting such change, the Board of Appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this chapter.