

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF January 2, 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
Trupiano

MEMBERS ABSENT: Olsen, Wienclaw

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Gillon, supported by Member Trupiano to approve the minutes of the December 5, 2018, meeting.

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

No: none

Abstain: none

Absent: Olsen, Wienclaw

Motion passed

Appeal #3287 – DENIED

Christopher Petty, 23262 Bluegrass, Brownstown, Michigan (owner & appellant)

for a variance **to obtain a Certificate of Occupancy to provide no off street parking at 3686 – 19th Street**, S 5' of Lot 809 and also Lot 810, Taylor Park Sub. No. 1, in a RA zoning district, where the proposed conflicts with Section 2403.R.1.A of the Wyandotte Zoning Ordinance.

SECTION 2403.R.1.A:

A minimum of one (1) off street parking space is required for a single family dwelling. Homeowner was cited on City Certification inspection to install required off street parking space.

Proposed off street parking request does not constitute a hardship by the applicant based on the current use variance requirements of the zoning ordinance.

A motion was made by Member DiSanto, supported by Member Trupiano to deny this appeal.

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

No: none

Abstain: none

Absent: Olsen, Wienclaw

Motion passed

Appeal #3289 – GRANTED

1st Metro Wyandotte, LLC, PO Box 1156, Grand Blanc, Michigan (owner & appellant)

for a variance **to obtain a building permit for *two (2) residential units on second floor at 2909 Biddle**, S 38.48FT OF LOT 1 EXC E 60FT OF S 35FT, BLOCK 31, in a CBD zoning district, where the proposed conflicts with Section 2202.T.4 of the Wyandotte Zoning Ordinance.

SECTION 2202.T.4:

Requires all residential dwellings provide off street parking. The two proposed units would require two parking spaces. No parking spaces are accounted for on the plans. Any variance from the required parking requirements would require approval from the Zoning Board.

Proposed off street parking located in the CBD district will not be detrimental to the adjacent, land and buildings, or impair the intent of the ordinance.

A motion was made by Member DiSanto, supported by Member Szymczuk to grant this appeal.

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

No: none

Abstain: none

Absent: Olsen, Wienclaw

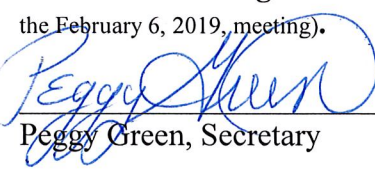
Motion passed

COMMUNICATIONS:

A motion was made by Member Trupiano, supported by Member Szymczuk to place communication on file.

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 6:55 p.m. **The next scheduled meeting of the Board will be held on March 6, 2019** (no appeals were received for the February 6, 2019, meeting).


Peggy Green, Secretary

Appeal #3287

Chairperson Duran read the appeal and asked that it be explained. Chairperson Duran also stated that this appeal had been tabled from the December 5, 2018, meeting.

Christopher Petty, owner, present.

Mr. Petty explained that he needed to complete the inspection checklist for the rental, and a driveway is required. Mr. Petty continued that he actually receives no profit from the rental and does not have the funds to install the driveway. Mr. Petty explained that he has owned the property for 16 years, and he is trying not to foreclose on it. He has friends that live there now, and that pays the mortgage. He did receive a quote of \$4100 for the driveway, but does not have the funds to have it done.

Mr. Petty discussed a study of U of M, that zoning stays with the property, and the Board can make a decision when more facts are obtained, and added that hopefully the Board will allow him to not have to install the driveway until the next inspection.

Member Szymczuk asked Mr. Petty when he purchased the home. Mr. Petty replied in 2002 and lived there until 2013. Member Szymczuk confirmed that this was a corner lot.

Member Trupiano commented that the rental inspection is from 8-27-13. Mr. Perry explained that the property is underwater, and he can't sell it, that is why he is renting it. Member Trupiano asked where the driveway would be placed. Mr. Petty replied off of Orchard. Member Trupiano asked if this came up when he purchased the home. Mr. Petty replied no, not in 2002.

Member Gillon commented that it was not cited on the 2002 inspection, but is required on the 2013 inspection.

Member DiSanto stated that he does respect the financial hardship, but a financial hardship is not for the Zoning Board, and suggested that he discuss with the Engineering Department, and maybe work out a time frame. Mr. Petty stated that the Engineering Department told him that he had to appeal to the Zoning Board.

There was discussion if money was in escrow, Mr. Petty stated that no money was being held in escrow.

Member Flachsmann stated that he agreed with Member DiSanto and discussed ordinance changes and research with Mr. Petty.

No communications were received regarding this appeal.

Appeal #3289

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

Hussein Mazloun, owner, present.

Mr. Mazloun explained that the upper units use to be an office, but the Planning Commission approved for residential at the December 20, 2018, meeting. Mr. Mazloun commented that people love to live downtown and the parking is impossible for him to provide, but there is available parking in the back. Mr. Mazloun added that parking has never been an issue in town.

Member DiSanto asked if it had ever been occupied. Mr. Mazloun replied that he purchased the building in 2010 and had tried to rent as office, but it was impossible and added that people love to live downtown.

Chairperson Duran asked if there would be two (2) one (1) bedroom units. Mr. Mazloun replied yes.

Member Gillon asked if there had been any tenant upstairs since he owned the building. Mr. Mazloun replied no. Member Gillon asked who was the last tenant. Mr. Mazloun replied that he was not sure.

Gilbert Rose, 2894 VanAlstyne, Wyandotte, present.

Mr. Rose stated that he owns Chelsea, Willow Tree, Cecilia Melody Building, and another building downtown, and he supports the project. Mr. Rose continued that 8 years ago he made four (4) apartments above the Willow Tree, and there has never been a vacancy. Mr. Rose continued that he hopes the Board grants this variance.

One (1) communication was received regarding this appeal (resolution from the Planning Commission).

Planning Commission
Wyandotte, Michigan

5 of 5
ZB
1-2-19 mte

RESOLUTION

December 20, 2018

WHEREAS, the Planning Commission received a request from 1ST 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.

I move the adoption of the foregoing resolution.

Motion By Commissioner Rutkowski
Supported by Commissioner Mayhew

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

MOTION PASSED