

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF October 7, 2020
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.**, this was a virtual audio-only meeting.

MEMBERS PRESENT: Duran Olsen
 Flachsmann Szymczuk
 Gillon Trupiano

MEMBERS ABSENT: DiSanto, Nevin, Wienclaw

ALSO PRESENT: Kelly Roberts, Secretary

A motion was made by Member Szymczuk, supported by Member Gillon to approve the minutes of the September 2, 2020, meeting.

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

No: none

Absent: DiSanto, Nevin, Wienclaw

Motion passed

Appeal #3334 – TABLED

Felnagrace Yoder, 244 Elm, Wyandotte (owner and appellant) **for a variance to obtain a building permit for a front porch at 244 Elm**, (LOT 12 PLAT OF PART OF WYANDOTTE, PART 2, BLOCK 85), in an CBD zoning district, where the proposed conflicts with Sections 2500.F.6 and 2401.D.. of the Wyandotte Zoning Ordinance.

Section 2500.F.6

An unenclosed terrace porch may project 6' into a required front yard and may include a fixed canopy or awning, but this shall not be determined to include enclosed sides. Proposed 6' front porch would be encroaching into the required front yard. A legal front porch encroachment would be encroaching 6' with a house setback of 20' from the front lot line. This porch would be encroaching 6' into a Zoning Board of Appeals and Adjustment approved 11' front yard setback for the house.

Section 2401.D.1

Nonconforming structures. Where a lawful structure exists at the effective date of adoption or amendment of this ordinance by reasons of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following revisions. No structure may be enlarged or altered in a way which it increases its nonconformity. The existing nonconforming single family dwelling in the CBD zoning district is not allowed, thereby, no altering or enlarging of the existing structure is allowed. Previous Zoning Board of Appeals and Adjustment (Appeal #3282) meeting on November 7, 2018, granted a variance for an addition.

This Appeal is tabled until November 4, 2020 meeting, to allow for the Board Members to receive additional information regarding the location of the porches to the property line.

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

Yes: Duran, Flachsmann, Gillon, Olsen, Szymczuk

No: Trupiano

Absent: DiSanto, Nevin, Wienclaw

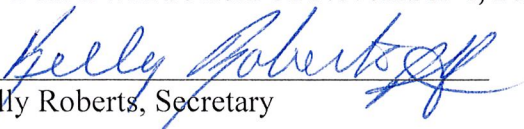
Motion passed

OTHER BUSINESS:

A motion was made by Member Flachsmann, supported by Member Olsen to place communications on file.
Motion passed.

It was also determined by the Board that the meeting of November 4, 2020, will also be held as a virtual audio-only meeting.

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 November 4, 2020.**


Kelly Roberts, Secretary

Appeal #3334

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

Felnagrace Yoder, owner, participated.

Ms. Yoder indicated that she had been before the Zoning Board for a variance to construct an addition to the home. Ms. Yoder is requesting to construct a side and front porch to help with the water pooling from the addition. Ms. Yoder indicated that she is only encroaching into the front yard area by 6 feet for the front porch. Ms. Yoder indicated that her neighbor only has 1 foot to the front property line and Ms. Yoder sees no reason she can't construct a front porch.

Member Olsen asked if the original site plan when the addition was approved, had a front porch on the drawings.

Ms. Yoder indicated there has been no front porch on the home just a side porch.

Member Olsen asked if the front porch will be 9 feet from the sidewalk and stated it looks like 2 or 3 feet not 9 feet.

Ms. Yoder stated there is a lot of fill in the front yard to make it look like only 2 or 3 feet.

Member Olsen asked if the porch will be 6 feet wide.

Ms. Yoder indicated yes.

Member Flachsmann indicated that he did not measure the home to the sidewalk but it does not look like 9 feet, it appears that the porch will be constructed on the sidewalk.

Member Szymczuk indicated that he agrees it looks like the porch will extend to the sidewalk. Member Szymczuk indicated that he is fine with the side porch.

Member Flachsmann indicated that the measurement should be to the property line not the sidewalk.

Member Trupiano stated that the ZBA approved the addition at 11 feet and the Owner wants the porch to help with the water pooling and asked if it wouldn't a simple fix be to grade the property to fix any water pooling.

Member Flachsmann stated that he agreed 100% and keeping the gutter clean should take care of any water pooling.

The Members discussed the location of the new porch and were unable to determine the exact measurement as to how far the front porch would extend into the front yard. The drawings were not clear.

The Members asked Ms. Yoder to supply additional drawings with clear measurements.

Two (2) communications were received against this appeal.