

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF MARCH 2, 2022
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 Acting Chairperson DiSanto **at 6:30 p.m.**, in the Council Chambers of the City Hall, 3200 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: DiSanto
Flachsmann
Olsen
Szymczuk
Trupiano
Wienclaw

MEMBERS ABSENT: Duran, Gillon, Nevin

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Olsen, supported by Member Szymczuk to approve the minutes of the February 2, 2022, meeting.

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

Appeal #3370 – GRANTED

David Martin, 109 Vinewood, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy for a music recording studio in garage at 109 Vinewood (Lots 6 and 7, Block 67) in a RT zoning district, where the proposed conflicts with Section 190.035.I.1g of the Wyandotte Zoning Ordinance.

Section 190.035.I.1g:

Home occupations that occupies more than 25% of the floor area of the dwelling or 50% of a detached garage are prohibited.

Applicant is proposing to utilize 100% of the garage as a music recording studio.

The requested variance has no adverse affect to the adjoining properties.

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

Yes: DiSanto, Flachsmann, Olsen, Szymczuk, Trupiano, Wienclaw
No: none
Abstain: none

Absent: Duran, Gillon, Nevin
Motion passed

Appeal #3371 – GRANTED

Joseph Ballard, 2980 23rd Street, Wyandotte (owner & appellant)

for a variance to obtain a building permit for a garage at 2980 23rd Street (E 158' of N 65' of Lot 431, Assessor's Wyandotte Plat No. 12) in a RA zoning district, where the proposed conflicts with Sections 190.323.C and 190.290 of the Wyandotte Zoning Ordinance.

Section 190.323.C:

Accessory residential buildings shall not be erected in any required yard, except a rear yard. The proposed garage will be located in a required side yard.

Section 190.290:

Requires 12 feet of sideyard setbacks. A portion of the proposed detached garage is located in the side yard, reducing the total side yards to 7.6 feet.

Detailed building drawings will be submitted if the zoning variance is granted.

The applicant cannot meet dimensional requirements due to property characteristics and given dimensions.

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

Yes: DiSanto, Flachsmann, Olsen, Szymczuk, Trupiano, Wienclaw

No: none

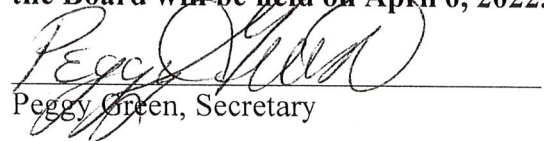
Abstain: none

Absent: Duran, Gillon, Nevin

Motion passed

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 6:50 p.m. **The next scheduled meeting of the Board will be held on April 6, 2022.**



Peggy Green, Secretary

Appeal #3370

Acting Chairperson DiSanto read the appeal and asked that it be explained.

David Martin, owner, present.

Mr. Martin explained that he is a retired music teacher and working as a professional musician and with the choir in Grosse Ile. In the garage there will be a recording section, and he will also be giving lessons. Mr. Martin continued that the Planning Commission approved the use. Mr. Martin explained his hours and the parking.

Member Szymczuk asked about sound barriers. Mr. Martin stated that it will be sound proof, there will be no disturbance. Member Szymczuk asked about the garage doors. Mr. Martin replied they will be permanently fixed, they will not be useable. Member Szymczuk asked about the parking. Mr. Martin stated there are 2 spaces behind the garage, and on 1st Street, there is parking for 5.

Member Trupiano asked Mr. Martin when he was doing this in his home, had there been any complaints. Mr. Martin replied no, the difference is that he just had a small room in his home and just him recording. The studio will allow a higher level of recording. Mr. Martin explained how he would stop the sound, and added that the neighbors are aware of what he does and will be doing. Member Trupiano asked if there will be open rafters or drop ceiling. Mr. Martin replied one room will have drywall ceiling with storage, the other room (recording room) he will leave open rafters, this will be better results for sound. Member Trupiano asked if the modifications could be reversable. Mr. Martin replied that it could be, but he will not be choosing to do that.

Member Olsen asked about the stairs on the drawing. Mr. Martin stated that had changed, and there will be pull down stairs. Member Olsen asked if there will be a bathroom. Mr. Martin replied no, they will use the one in the house.

No communications were received regarding this appeal.

Appeal #3371

Acting Chairperson DiSanto read the appeal and asked that it be explained.

Mr. Ballard explained that Aldi's had purchased his back yard and bought the home to the south of him, which was demolished. Mr. Ballard continued that he wants a garage and that he has also added an addition and put in a pool. There will be a bathroom in the garage (seasonal room), firewall on the side and back (if granted).

Member Flachsmann commented that there is no backyard, and the sideyard is by the neighbors' rear yard and added that it would be nice for a garage.

Member Olsen asked if the pool was existing. Mr. Ballard replied yes. Member Olsen asked if there would be space between the shed and garage. Mr. Ballard replied at least 36".

Member Wienclaw asked size of garage. Mr. Ballard replied 15' wide, long, and L shaped.

Member Trupiano asked Mr. Ballard if he would be close on lot coverage and had discussion regarding this. Member Trupiano asked about lot drainage. Mr. Ballard explained that when Aldi's put up the wall, it trapped water, and he has to pump it into the storm system, and added that the neighbors yards are low.

Henry Lee (representing Christopher Lee), 2947 23rd Street, present.

Mr. Lee stated that the Ballard's are the best neighbors they have ever had, Mr. Ballard snow blows and edges for the neighbors, and he supports the project. Mr. Yee added that the house next door to Mr. Ballard has an attached garage, and there has never been a problem and it is hard to park on the street, and he supports any off street parking.

Acting Chairperson DiSanto commented that the applicant is addressing the drainage, and that he had also spoken with the City Engineer, and the Engineering Department will address also.

One communication was received in opposition to this appeal.

From: Peggy Green
Sent: Tuesday, March 01, 2022 7:35 AM
To: khowlett@mkwcpa.com
Subject: RE: Appeal #3371 - Joe Ballard

Received.
Thank you

From: khowlett@mkwcpa.com <khowlett@mkwcpa.com>
Sent: Monday, February 28, 2022 6:24 PM
To: Engineering1@wyandottemi.gov
Subject: Appeal #3371 - Joe Ballard

You don't often get email from khowlett@mkwcpa.com. [Learn why this is important](#)

Presently, I would NOT AGREE that the WHOLE proposed detached garage (you mentioned only a portion of the garage will be in the side yard in your letter) or any garage be located in the side yard for the following reasons:

- DRAINAGE, DRAINAGE, DRAINAGE

Since the completion of the " Aldi / Ballard " conversion of residential property to commercial property I have experienced flooding in the rear of my property as well as my neighbor to my east. Both Aldi and Ballard both have increased the grade of their respective improved properties to the point that my backyard and my neighbors backyard has become a retention pond. This past week I had a pond that was 10 inches deep at the fence line. The area covered a 15 foot strip along the fence line stretching approximately 40 feet long.

Aldi needs to rework the green space so that it drains (North) toward their parking lot along side their expanded building. Presently the grade is mounded approx.. 30 inches in the center tapering off to all sides of the green space hence the flooding. Aldi even covered the last 9 inches of a wood fence that the former residence had erected years ago which butts up to my property.

The flooding in Joe's yard, this past summer, was so bad that I have seen him pumping water over the beautiful red brick wall Aldi constructed for Joe. I wondered why Aldi did not construct the same brick wall across their side yard facing the back of my house as Daly had to do for the residents on the South side of Maple behind their homes. My understanding is that Aldi did not want to spend the additional money for a wall separating the back of Joe's house and side yard.

Until the drainage issue is resolved I see no point for further development on Joe's property as it will only increase flooding in my yard as well as my neighbor to my east.

- HARD SURFACE AREA

Joe has completely covered his side yard in concrete and created a flooding situation as the rain water has no where to go except the lowest point in the area...My and my neighbors backyard. By adding a garage (more surface area) I can see it only making things worse regardless of whether it

is a 12 ft. set back or a 7.6 ft. set back. Joe's needs to rework his back yard so that things will drain towards 23rd Street (East) and NOT drain (South) towards Maple St.

Lastly, I blame my city officials for allowing this to happen on their watch. Can you spell **INPECTION** before signing off on new construction. It is my hope that the City did not issue a Certificate of Occupancy to Joe or Aldi.

Thank you,

Kevin Howlett
2320 Maple St.

6 of 6

[Click here](#) to upload files.

Morris, Kalish + Walgren, P.C.
26877 Northwestern Hwy., Suite 200
Southfield, MI 48033

Phone: (248) 352-6300
Fax: (248) 352-1030

NOTICE: This e-mail message and all attachments transmitted with it may contain legally privileged and confidential information intended solely for the use of the addressee. If you are not the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this message or its attachments are strictly prohibited. If you have received this message in error, please notify the sender immediately by telephone (248) 352-6300 or by e-mail (Reply to the sender), and delete this message and all copies and backups thereof. Thank you. Morris, Kalish + Walgren, P.C.