

**MINUTES AS RECORDED**

**MINUTES OF THE MEETING OF February 7, 2018  
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  
Olsen  
Szymczuk  
Trupiano

**MEMBERS ABSENT:** Wienclaw

**ALSO PRESENT:** Peggy Green, Secretary

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A motion was made by Member Olsen, supported by Member Trupiano to approve the minutes of the January 3, 2018, meeting.

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

No: none

Abstain: none

Absent: Wienclaw

Motion passed

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**#3262 – GRANTED**

Michael Yuchuck, 913 Cherry, Wyandotte (owner & appellant)

for a variance to obtain Certificate of Occupancy for an existing front yard fence at 913 Cherry, that part of Lots 2 and 3 Lying E of DT and I RR ROW, Plat of Eureka Iron Co.'s Sub, Block 262, in a RA zoning district, where the proposed conflicts with Section 2406.A.1 of the Wyandotte Zoning Ordinance.

**Section 2406.A.1:**

No residential or nonresidential fence or wall shall be erected in a required front yard, except, that on lots with a side lot line adjacent to an alley or a street, a decorative or ornamental fence shall be allowed, such as, but not limited to, a split-rail or a two-rail fence; but not to include chain link or fences of solid type construction and not exceeding four (4) feet in height, may be constructed along the alley, street line, or extension of the side yard to the front of said lot.

Homeowner has an existing non-conforming front yard fence that was cited by the housing inspector under the Certificate of Approval Inspection that he is appealing to the Zoning Board of Appeals to allow for this fence to remain.

**Existing front yard fence does not hinder or discourage any future development adjacent to current land or buildings, does not hinder pedestrian or vehicular traffic, and does not impair the purpose of the ordinance as written.**

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

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

**#3263 - GRANTED**

Toqueer Hassan, 49165 Rockefeller Drive, Canton (appellant) and Fort Street Plaza, 1806 N. Telegraph, Dearborn (owner)

for a variance to obtain Certificate of Occupancy for a pharmacy at 1209 Fort Street, E 84 FT OF LOTS 152 TO 156 INCL BELMONT SUB, in a B-2 zoning district, where the proposed conflicts with Section 2403.2.c of the Wyandotte Zoning Ordinance.

**SECTION 2403.2.c:**

Pharmacy requires 5 parking spaces. The current parking spaces are taken by the restaurant and the pizzeria.

This site currently has two uses. A certificate of Occupancy was issued September 8, 2016, for a Pizza Restaurant, which requires 10 parking spaces. A Certificate of Occupancy was issued December 22, 2016, for a restaurant which requires 16 parking spaces. There are 26 parking spaces provided.

The pharmacy requires 5 parking spaces for a total requirement of 31, where only 26 are provided.

**Proposed parking at pharmacy will not be detrimental to adjacent land or buildings, will not impede flow of pedestrian or vehicular traffic, and will not impair the intent or purpose of the ordinance as written.**

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

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

Motion passed.

**COMMUNICATIONS:**

A motion was made by Member Trupiano, supported by Member Olsen, to place all communications on file. 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 March 7, 2018.**

  
Peggy Green, Secretary

**Appeal #3262**

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

Mr. Yuchuck explained that he is requesting a variance for the fence for the entire yard. The fence was built in the 1950's, it does not impede traffic, and the house is located on a dead end street by the railroad tracks. There is no obstruction to any driveway. The reason for the fence is for safety, and the property is enclosed, the railroad is 75' from the front door. Mr. Yuchuck added that just last year someone was killed by the train about 150 yards from his house.

Member Gillon asked how long he has owned the home. Mr. Yuchuck replied 3 years. Member Gillon commented that Mr. Yuchuck has done a good job with the improvements to the home.

One communication was received from DTE.

**Appeal #3262**

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

Kal Khalil (owner) and Toqueer Hassan (appellant), present.

Mr. Khalil explained that there are 26 spaces, there are also spaces in front of the building and 3 to 4 parking spots in the back. Mr. Khalil continued that the pharmacy does a lot of deliveries, and has different hours than the restaurants. Mr. Khalil added that the other two tenants have no problem with this use.

Chairperson Duran asked what the hours of the pharmacy would be. Mr. Hassan replied 9:00-5:30 (Monday – Friday), 10:00-2:00 (Saturday), closed on Sundays.

Member DiSanto commented that the building has been vacant for a long time, and a pharmacy is a permissible use.

One communication was received from DTE.

One communication was received in favor of this appeal.

**DTE Gas Company**  
One Energy Plaza – GO-838  
Detroit, MI 48226



**DTE Energy**

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January 31, 2018

City of Wyandotte  
Wyandotte Planning Commission  
3200 Biddle Ave., Suite 200  
Wyandotte, MI 48192

ZBA #3262

Re: Notice of public hearing:  
Variance for front yard fence at 913 Cherry

- Not Involved. See Remarks**
- Involved: but asking you to hold action on this petition until further notice.
- Involved: but no objections to the property change -- provided an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- Involved: the nature of our services, and the estimated costs of abandonment of such all gas mains & services

**REMARKS:**

This letter supersedes the previous letter on the above subject matter dated January 25, 2018. As this request is to maintain an existing condition DTE Gas Company has no involvement or objections to the request.

Please abide by Public Act 174. **Three (3) working days before you dig call MISS DIG at: 1-800-482-7171 or 811**

**DTE Energy's Gas Leak Emergency Phone Number 1-800-947-5000.**

Sincerely,

*David L Gabrielse*

David L Gabrielse

Drafter/SE Region

**DTE Gas Company**  
One Energy Plaza – GO-838  
Detroit, MI 48226



**DTE Energy**

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January 25, 2018

City of Wyandotte  
Wyandotte Planning Commission  
3200 Biddle Ave., Suite 200  
Wyandotte, MI 48192

**ZBA #3263**

Re: Notice of public hearing:  
Certificate of Occupancy 1209 Fort St, Wyandotte, mi.

- Not Involved. See Remarks**
- Involved: but asking you to hold action on this petition until further notice.
- Involved: but no objections to the property change -- provided an easement of the full width of the public right-of-way (street, alley or other public place) is reserved.
- Involved: the nature of our services, and the estimated costs of abandonment of such all gas mains & services

**REMARKS:**

DTE Gas Company has no involvement, nor objection for the Certificate of Occupancy for 1209 Fort St, Wyandotte, mi. or variance for parking requirements

Please abide by Public Act 174. **Three (3) working days before you dig call MISS DIG at:**  
1-800-482-7171 or 811

**DTE Energy's Gas Leak Emergency Phone Number 1-800-947-5000.**

Sincerely,

*David L Gabrielse*

David L Gabrielse

Drafter/SE Region

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appeal # 3263

Feb 3 2018.

Legacy Green.  
zoning Board: Even with the offer of  
6 months "free rent" this place remains vacant.  
Give the man a break and allow the variance.

The Pizzeria is mostly in and out pick-up  
or delivery, few if any diners.

The Sushi Place appears to be on life-support-  
hardly anybody in parking lot

a pharmacy is another in and out operation

26 parking spaces are more than adequate

Joe Brocecki

1259 23rd St.  
Wyandotte Mi