

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF June 1, 2011
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, 3131 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: Alderman
Cusson
DiSanto
Duran
Flachsmann
Gillon
Nevin
Olsen
Trupiano

MEMBERS ABSENT: none

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Alderman, supported by Member Nevin to approve the minutes of the May 4, 2011, meeting.

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

#3127 –

Spectacular Signs, 6056 Norborne, Dearborn Heights, Michigan (appellant) and Elie Khattar, 18650 Wick Road, Allen Park, (owner)

for a variance to obtain a sign permit to reface existing sign and for changeable message sign to be located on an existing pole at *2101 Fort Street Lots 103 to 109, incl., and S 5.50' of Lot 110, Scherer's Westgate Manor Sub., in a B-2 zoning district, where the proposed conflicts with Sections 2408.F.2.(b)(3) and 2408.F.2.(k)(2) of the Wyandotte Zoning Ordinance.

SECTION 2408.F.2.(k)(2):

Changeable message signs shall only be permitted as ground or wall signs.

Second Motion:

A motion was made by Member Flachsmann, supported by Member DiSanto, to get a legal opinion to determine if this is a valid appeal.

Yes: Alderman, Cusson, DiSanto, Duran, Flachsmann, Gillon, Nevin, Olsen, Trupiano

No: none

Abstain: none

Absent: none

Motion passed.

First Motion

A motion was made by Member Gillon, supported by Member Flachsmann, to grant this portion of the appeal pending legal review by the city attorney if this should be considered a use variance.

Yes: Alderman, Duran, Flachsmann, Gillon, Olsen

No: Cusson, DiSanto, Nevin, Trupiano

Abstain: none

Absent: none

The motion failed to pass.

#3128 - GRANTED

Judith Kesler, 1164 Lincoln, Lincoln Park, Michigan (owner & appellant)

for a variance to obtain a Certificate of Occupancy to provide no off street parking at 1263 Lindbergh, Lot 110, Welch's Ford Park Sub., 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:

Which requires one (1) off street parking space per dwelling unit, two (2) off street parking spaces in this case, where it is proposed that no off street parking be provided.

Proposed will be in harmony with the appropriate and orderly development of the district and will not be detrimental to the development of adjacent district or uses.

A motion was made by Member Nevin, supported by Member Alderman, to GRANT this appeal.

Yes: Alderman, Cusson, DiSanto, Duran, Flachsmann, Gillon, Nevin, Olsen, Trupiano

No: none

Abstain: none

Absent: none

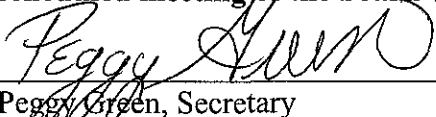
Motion passed

COMMUNICATIONS:

A motion was made by Member Trupiano, supported by Member Cusson to place all communications on file. Motion carried.

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 7:20 p.m. **The next scheduled meeting of the board will be held on July 20, 2011.**



Peggy Green, Secretary

Appeal #3127

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

Chairperson Duran explained the reason for this hearing is due to procedural clarification from the May 4, 2011, meeting. It has been determined that this should have been considered a "use variance" in accordance with Section 2704.C.2.(d)(1), and would require 2/3 vote of the Board, which would be six (6) votes for the appeal to be granted

Mohamad Elfarrad, appellant, and Billy, owner, present.

Mr. Elfarrad explained that he is representing Tire Trax, and they want to put a digital sign on the existing pole.

Chairperson Duran commented that from the last meeting, the Board was informed that the sign would not be blinking, flashing or scrolling. Mr. Elfarrad added that there will be a one (1) minute delay between messages.

Billy stated that the old owner of the building had left a bad taste. Billy continued that he has talked to the neighbors and has a petition with 67 signatures supporting his appeal. Billy added that he has put a lot of money into this shop and the main reason he wants the sign on the pole is because it can't be seen because of the doctor's office. Billy continued that he wants to give the building a fresh look, he has already painted the building white, and he will be doing the awning work after this gets straightened out.

Chairperson Duran asked Billy if he would be making the building look cleaner. Billy replied yes. Billy added that he might put some flags out during the day, and bring them in at night.

Member Gillon asked about the free towing sign, and if it was going to be removed. Billy replied that he could remove it, but he is offering free towing for 3 miles, and he had a hard time starting out, and this was an incentive to get customers.

Member DiSanto asked the purpose of the higher sign if you have the message sign. Billy replied that if the sign was lowered, you would not be able to see it and that there is only a window to see the digital sign.

Member DiSanto and Mr. Elfarrad discussed the building.

Billy added that it seems like a personal issue with the building, he inherited someone else's problem.

Two (2) communications were received in opposition to this appeal.
One petition with 67 signatures was received in favor to this appeal.
One communication was received from DTE.

Appeal #3128

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

Judith Kessler, owner, present.

Chairperson Duran asked if this was a rental. Ms. Kessler replied yes. Chairperson Duran asked if the dwelling was occupied or vacant. Ms. Kessler replied that both units are occupied.

Ms. Kessler added that she did not want to install the parking pad because the lot is small, and there is a huge deck in the rear yard, and if she put in 2 parking spots, it would take up the whole rear yard.

Member Nevin asked if any communications were received regarding this appeal.
Chairperson Duran replied no, just a communication from DTE.

Member Nevin commented that there are extenuating circumstances on this appeal, there are places to park on the street, and he does not think it would be practical to put a parking pad in the rear yard.

Member Flachsmann asked if this was brought up because of the rental inspection. Ms. Kessler replied yes. Member Flachsmann asked if the last rental inspection required the parking pad. Ms. Kessler replied no, she has owned it for 18 years.

Member Gillon commented that the alley is in poor condition.

Member Trupiano commented that he drove down the alley, and it is in poor condition, and if the city continues to require this, the alleys should be maintained better.

Tenant of 1164 Lindbergh, present.

The tenant stated that you would have to drive through the alley and it would be hard to get into a parking spot.

One communication from DTE was received regarding this appeal.

ZONING BOARD
6-1-11

#3127

DTE Energy



RECEIVED
5-25-11

50-12

May 20, 2011

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3131 Biddle Avenue, City of Wyandotte
Michigan 48192

RE: Appeal #3127: A variance to obtain a Sign Permit to reface existing sign and for changeable message sign to be located on existing pole at #2101 Fort Street in a B-2 Zoning District.

- Not involved. See Remarks!
- Involved: but asking you to hold action on this petition until further notice.
- Involved but have no objection to the property change -- provided that 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 removing, rerouting or abandonment of such all gas mains and/or services

REMARKS:

DTE Energy-MichCon Gas Company has no involvement, nor objection to the Appeal No. 3127 as mentioned above. See enclosed strip print and attached notice of public hearing, for your use and information.

Please abide by Public Act 53, three (3) working days before you dig, dial toll free MISS DIG at: 1-800-482-7171.

Michcon Gas Leak Emergency Phone Number: 1-800-947-5000.

Sincerely,

Eddie A. Reyes
Senior Drafter
Data Integrity and Technology

EAR/
Enclosure

ZONING BOARD
6-1-11

#3127

Zoning Board Wyandotte, Michigan
3131 Biddle Ave.
Wyandotte, Mi. 48192

May 18, 2011
2218 23rd Street
Wyandotte, Mi
48192

Attn: Peggy Green
Zoning Board Secretary

Ref: Appeal #3127

RECEIVED
MAIL
5-19-11

Second reply to May 13, 2011 mailing.

Although 2218 23rd is lot#150, we feel that there are enough signs already taking up the Landscape, without making them larger and distracting (moving). We are definitely against this appeal and want to go on record accordingly. Why not have the sign made to fit the law, rather than change the law which has been fine until now. Wyandotte's zoning ordinances are very liberal with respect to sign size and location.

Respectively

Richard Godette Marcia Godette

6 OF 12

Richard and Marcia Godette

ZONING BOARD
6-1-11

#3127

Engineering1

From: Mark Warren [mtwarren512@yahoo.com]
Sent: Thursday, May 26, 2011 8:08 PM
To: engineering1@wyan.org
Subject: Appeal#3127

7 OF 12

Peggy Green,

I talked to you briefly on the phone yesterday. I was the organizer of the previous letter from 23rd Street residents who object to any variance of the current city ordinance regarding changeable message signs.

I'm writing to inform the Board that we are still opposed to any variance as before. We feel that the current ordinance pertaining to these signs are more than adequate and need not be changed. There are no apparent obstructions on Fort Street that would necessitate a variance request. Furthermore, a larger sign not on the ground or wall may prove to be a distraction for motorists and residents.

Thank you in advance for your consideration on this matter. If you need any further information, please feel free to contact me by email or phone at 313.300.0772.

Sincerely,

Mark Warren
2076 23RD Street
Wyandotte, MI 48192

Zoning Board
6-1-11

Tire Traxx LLC.

2101 Fort Street
Wyandotte, MI

3127
80F12

This petition is in regards to Tire Traxx LLC, located at 2101 Fort Street in Wyandotte, MI obtaining permission to digitally display a 3ft by 8ft sign. This is an up to date brand new sign designed to beautify the business and surrounding areas by minimizing writing on buildings and excessive signage, this sign is no brighter than a traffic light with minimal flipping of messages throughout the day. By signing you show no objection to Tire Traxx LLC. digitally displaying their business.

Name	Address	Phone	Signature
1. John Sokac	2087 22nd St.	734-682-1396	[Signature]
2. Jason Reese	2079 22nd St	734-512-8565	[Signature]
3. Mary Thero	2094 22nd	2844901	[Signature]
4. Deanna Thompson	2100 22nd	284-6458	[Signature]
5. M's Ally	2073 22nd	(734) 250-0981	Geoff S. Arnold
6. Jamie Cline	2062 22nd	(313) 485-0127	Jamie Cline
7. Beverly Beaudette	2050 22nd	282-1953	[Signature]
8. J. Hart	2048 22nd	(734) 281-2740	[Signature]
9. Matt Shuman	2034 22nd	313-602-6757	[Signature]
10. David Konianz	2086 22nd	734-777-1108	[Signature]
11. SPENCER SLINGLAND	2109 22nd St.	734-246-4819	[Signature]
12. Kelly Slingland	2109 22nd	734-246-4819	[Signature]
13. Jennifer Voss	2035 23rd	734-646-5686	[Signature]
14. Debra Saewick	2045 23rd	734-934-1826	[Signature]
15. Cindy Fiolek	2259 23rd	734 -313-549-7119	[Signature]
16. Jasa Krzejewski	2229 23rd	734-285-7065	[Signature]
17. HEIDI LOSZEWSKI	2266 23RD	734-285-6350	[Signature]
18. Joan May	2283 23rd	734-281-8527	[Signature]

Zoning Board
6-1-11

9 of 12 3/27

Name	Address	Phone	Signature
19. Judean Bulchak	2294 23rd	734-620-5532	Judea Bulchak
20. David Bulchak	2294 23rd	734-620-5532	David Bulchak
21. Donald Garvin	2309 23rd	734-285-7415	Donald Garvin
22. Melissa Pratt	2325 23rd	734-250-3290	Melissa Pratt
23. Jim Matzo	23132 23rd	284-3019	Jim Matzo
24. Jenna Frodyma	2331 - 22nd	556-2318	Jenna Frodyma
25. Dan Thero	2331 - 22nd	624-7701	Dan Thero
26. Dave Roblenz	2095 - 22nd	284-6879	Dave Roblenz
27. Shirley Roblenz	2095 - 22nd	734-284-6879	Shirley Roblenz
28. Steve Merson	2100 22nd	284-6458	Steve Merson
29. Joe Conella	313-383-1193	363 Kings Hwy. E.P.	Joe Conella
30. Jimmie Merson	708 8th	734-775-8987	Jimmie Merson
31. Paul Merson	708 8th	734-765-1705	Paul Merson
32. RONALD TAYLOR	708 8th	313-648-4448	Ronald Taylor
33. Gregory Tucker	632 Maple	734-281-9026	Gregory Tucker
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ZONING BOARD
6-1-11

10 OF 12

Tire Traxx LLC.

2101 Fort Street
Wyandotte, MI

31271

This petition is in regards to Tire Traxx LLC, located at 2101 Fort Street in Wyandotte, MI obtaining permission to digitally display a 3ft by 8ft sign. This is an up to date brand new sign designed to beautify the business and surrounding areas by minimizing writing on buildings and excessive signage, this sign is no brighter than a traffic light with minimal flipping of messages throughout the day. By signing you show no objection to Tire Traxx LLC. digitally displaying their business.

Name	Address	Phone	Signature
1. Laurie Yurkovich	2355 FORT ST.	734-283-2300	Laurie Yurkovich
CHRISTINE SMITH	2325 FORT ST	734-281-6752	C. Smith
JANET LAW	2317 FORT ST	285-2609	Janet Law
4. Sam M...	22-11 FORT ST WYANDOTTE MI 48192	(574) 870-	
5. Krista Jones	5597 18th ST 1503 WYANDOTTE, MI		
6. Jeff Morelli	2245 FORT		Wyandotte
7. Mysha Conroy	2291 FORT	(734) 282-3341	M. Conroy
8. David Schraumburger	2405 FORT	734 284 6770	
9. Daniel Simpson	2360 23rd Street	734-285-1071	D.S.
10. Anthony S. Mendez	2075 FORT ST	313-420-8235	A. Mendez
11. Daniel Konieczny	15404 CAMERON ST SOUTHGATE		
12. [Signature]	2205 23rd	(734) 284-7359	[Signature]
13. Way Caskey	17440 FORT STREET EMMONS ST	734 444 820	
14. Amy Kellogg	17420 FORT STREET CHAMBERS ST	734 444 6821	
15. Lucas Gymbas	657 HUDSON	(7) 301 7281	
16. Doris Pate	994 elm wyandotte	(7) 512-6798	
17. Desmond Brown	1548 10th WYANDOTTE	(7) 286-4533	
18. RICHARD FAVOT	661 6TH ST WYANDOTTE MI	1-734 284 0914	

ZONING BOARD
6-1-11

11 OF 12

3127

Name	Address	Phone	Signature
19. Ed Becky	-4076 -18th	(734) 285-6218	Ed Becky
20. MARY Jo HARRIS	213 Superior Blvd	(313) 412-9857	Mary Jo Harris
21. Meagan Weschler	1036 23rd street	(734) 365-2093	Meagan Weschler
22. Louis George	2715 Fort	734-283-8440	Louis George
23. Clayton	2725 Fort St	734-282-4488	
24. James Price	2729 Fort Street	734-282-4434	
25. Gregg Rowson	2689 Fort	284-6860	
26. James J. Castleman	28466 2699 Park		
27. Anita Westmoreland	2735 Fort ^{lower}	734 324 9000	
28. Heather Summer	2735 Fort ^{upper}	734 301 1044	
29. Vivian Richey	713 Cherry St. Wyan.	734 283-3445	
30. Brett Marchel	2455 Fort	734-284-5991	
31. Patrick	435 Pine Wyan.		
32. Bob Bell	George Atkins 405 Sycamore	283-3852	
33. Tom Bohan	1123 14th St Wyan		
34. VINCE MABARD	2977 Fort St Wyan	734 3245797	
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Zoning Board
6-1-11

12 of 12 #3128
DTE Energy



RECEIVED
6-25-11

May 20, 2011

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3131 Biddle Avenue, City of Wyandotte
Michigan 48192

RE: Appeal #3128: A variance to obtain a Certificate of Occupancy to provide no off street parking at #1263 Linbergh, in a RA Zoning District.

- Not involved. See Remarks!
- Involved: but asking you to hold action on this petition until further notice.
- Involved but have no objection to the property change - - provided that 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 removing, rerouting or abandonment of such all gas mains and/or services

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Sincerely,

Eddie A. Reyes
Senior Drafter
Data Integrity and Technology

EAR/
Enclosure