

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF March 7, 2012
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 Vice Chairperson Gillon at **6:30 p.m.**, in the Council Chambers of the City Hall, 3131 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: Alderman
DiSanto
Gillon
Nevin
Trupiano
*Green
*Roberts

*alternate members

MEMBERS ABSENT: Cusson, Duran, Flachsmann, Olsen

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Nevin, supported by Member Trupiano to approve the minutes of the February 1, 2012, meeting.

Yes: Alderman, DiSanto, Gillon, Nevin, Trupiano, Green, Roberts

No: none

Abstain: none

Absent: Cusson, Duran, Flachsmann, Olsen

Motion passed

#3145 – GRANTED w/stipulation

William Steinke, 8817 Thorntree, Grosse Ile (owner & appellant)

for a variance **to obtain a Certificate of Occupancy to not pave existing off street parking at 209 Antoine** (E ½ of Lot 24 and all of Lot 25, George Clark Estate Sub.), in a RT zoning district, where the proposed conflicts with Section 2404 of the Wyandotte Zoning Ordinance.

SECTION 2404:

Requires off street parking be constructed with asphalt or concrete surface.

The request does not impair the intent of the ordinance.

Stipulation: Gravel must be maintained.

A motion was made by Member DiSanto, supported by Member Alderman to grant with stipulation this appeal.

Yes: Alderman, DiSanto, Gillon, Nevin, Green, Roberts

No: Trupiano
Abstain: none
Absent: Cusson, Duran, Flachsmann, Olsen
Motion passed

COMMUNICATIONS:

A motion was made by Member Nevin to place all communications on file. Motion carried.

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 7:00 p.m. **The next scheduled meeting of the board will be held on April 4, 2012.**


Peggy Green, Secretary

Appeal #3145

Vice Chairperson Gillon read the appeal and asked that it be explained.

William Steinke, owner, present.

Mr. Steinke presented pictures to the Board of the property (on file).

Mr. Steinke explained that he purchased the property in 1993 and has had 4 or 5 rental inspections done on the property. The 5th inspection is requiring of street parking to be paved and he sees no benefit to this and is pleading a hardship. The gravel parking pad joins a gravel alley, and there are pot holes in the alley, and dust is created by the alley. Mr. Steinke continued that he and his tenants have no problem with the way the parking is now.

Mr. Steinke continued that he feels that this is a hardship, it is going to cost \$5,000 and there are no benefit, why should he be concerned about his dust and the City is not concerned about theirs. He sees no function or beautification for the paved parking pad. Mr. Steinke stated that the market has went down, and he has lost money, he is an appraiser, and it is not reasonable to ask him to spend \$5,000 when it will not be benefitting anyone.

Member DiSanto asked if he purchased the property in 1993. Mr. Steinke replied yes.

There was discussion between Member DiSanto and Mr. Steinke regarding the previous inspections.

Member DiSanto asked if the previous inspection required the paved parking. Mr. Steinke replied yes, but the prior inspection had been lost in the process (about 3 or 4 years ago) and that is when the reinspection issue came up. Mr. Steinke added that he had completed all the violations from the previous inspection except for the pavement, and he was hoping the City would see that the ordinance did not benefit anyone.

There was discussion between Member DiSanto and Mr. Steinke regarding the value of the property and the inspection 4 years ago.

Member DiSanto asked where the tenants park now. Mr. Steinke replied that they park in the front and rear, and parking is not an issue.

Member DiSanto commented that there seemed to be some resentment from Mr. Steinke, and added that the pot holes could be caused from his tenants backing up, and the alley does provide a benefit to the tenants.

Mr. Steinke stated that the alley is in bad shape, and he has discussed his resentment with the inspectors, he is working hard and does not want to lose tenants, and is asking for a break.

Member Trupiano commented that the investment may not be a return, but it does add value to the property and cleans the yard up.

Mr. Steinke stated that the parking pad has a gravel base, and it does not get muddy.

Mr. Steinke asked how the City can ask him to pave his parking when the alley is not paved.

Member Nevin asked how he shoveled the parking pad when it snowed. Mr. Steinke replied that he uses his snow blower when the snow is over 2".

Member Trupiano commented that he did not know if the intent was to keep dust down, but it is intended to provide an adequate parking surface.

Member Alderman stated that the Board is enforcing rules for parking.

Mr. Steinke stated that it is creating a hardship.

Member Alderman asked if there was a dust problem in the summer. Mr. Steinke replied no. Member Alderman stated that the Ordinance requires pavement. Mr. Steinke stated that it does not make sense to pay \$5,000 to pave that area.

Mr. Steinke presented a picture of one of his properties on 2nd Street (picture on file) showing that the parking pad has no benefit, and adds no more value to the property.

Mr. Steinke stated that the parking pad will be a hardship, and the Zoning Board is too look at hardships and do what is reasonable.

Member DiSanto asked Mr. Steinke to show a hardship rather than financial. Mr. Steinke stated that the hardship is money, the City is asking something of him, and that City is not providing, and there are unreasonable circumstances.

One communication was received from DTE regarding this appeal.



DTE Energy

DTE Energy - Michcon Gas Co.
Data Integrity and Technology
One Energy Plaza, WCB-1836
City of Detroit, MI 48226

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Zoning Board
3-7-12

February 29, 2012

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

RE: Appeal #3145: for a variance to obtain a Certificate of Occupancy to not pave existing off street parking at #209 Antoine (E ½ of Lot 24 and all of Lot 25, George Clark Estate Sub.), in a RT 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. 3145 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,

/s/ Eddie A. Reyes
Senior Drafter
Data Integrity and Technology

EAR/
Enclosure