

**MINUTES AS RECORDED**

**MINUTES OF THE MEETING OF January 7, 2015  
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  
Szymczuk  
Wienclaw

**MEMBERS ABSENT:** Olsen, Trupiano

**ALSO PRESENT:** Peggy Green, Secretary

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A motion was made by Member Flachsmann, supported by Member Trupiano to approve the minutes of the December 3, 2014, meeting as recorded.

Yes: DiSanto, Duran, Flachsmann, Gillon, Nevin, Szymczuk, Wienclaw

No: none

Abstain: none

Absent: Olsen, Trupiano

Motion passed

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**APPEAL #3197 - GRANTED**

Richard Cieslowski, 1024 – 8<sup>th</sup> Street, Wyandotte (owner & appellant)

for a variance **to obtain a building permit for a covered porch at 1024 – 8<sup>th</sup> Street** (Lot 278, Ford Centre Sub.) in a RA zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.

**SECTION 2100:**

States that the maximum allowable lot coverage equals 35% of the total lot. The proposed covered porch exceeds the allowable lot coverage by 65 square feet.

**Proposed covered rear porch shall be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent uses and buildings.**

A motion was made by Member Flachsmann supported by Member Nevin to grant this appeal.

Yes: DiSanto, Duran, Flachsmann, Gillon, Nevin, Szymczuk, Wienclaw

No: none

Abstain: none

Absent: Olsen, Trupiano

Motion passed

**APPEAL #3198 - GRANTED**

David & Martha Beaudrie, 3800 – 9<sup>th</sup> Street, Wyandotte (owner & appellant)

for a variance to obtain **Certificate of Occupancy for an open front yard fence at 3800 – 9<sup>th</sup> Street** (N 70' of Lots 15 to 19, Inc., Garfield Place Sub.) RA zoning district, where the proposed conflicts with Section 2406.A.1 of the Wyandotte Zoning Ordinance.

**SECTION 2406.A.1:**

Which states, in part, "No residential or nonresidential fence or wall shall be erected in a required front yard, except that on lots with a sideyard adjacent to an alley or a street, a decorative or ornamental fence shall be allowed." The proposed open fence extends into the required front yard along an interior side property line.

**Proposed front yard fence shall be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent uses and buildings.**

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

Yes: DiSanto, Duran, Flachsmann, Gillon, Szymczuk, Wienclaw

No: none

Abstain: Nevin

Absent: Olsen, Trupiano

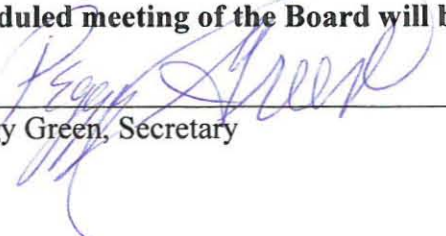
Motion passed

**COMMUNICATIONS:**

Motion was made by Member DiSanto to place all communications on file. Motion carried.

**OTHER BUSINESS:**

There being no further business to discuss, the meeting adjourned at 6:55 p.m. **The next scheduled meeting of the Board will be held on March 4, 2015.**

  
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Peggy Green, Secretary

## Appeal #3197

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

Richard Cieslowski, owner, present.

Mr. Cieslowski explained that originally he was going to build a grit type roof for plants, but then he added the roof, then he needed to clean up the yard, and this brought up other issues. He has went in front of the magistrate, and this is the last thing to take care of.

Chairperson Duran asked if the porch was built at the back of the home. Mr. Cieslowski replied yes.

Member Flachsmann commented that he has no problem with the 65 square feet, but the structure is not to code. Mr. Cieslowski stated that he needs to correct a few things. Member Flachsmann stated that he will need to pull a permit and make corrections to code. Mr. Cieslowski stated that he will.

Anthony Harrison, 1034 – 8<sup>th</sup> Street, Wyandotte, present.

Mr. Harrison stated that he has lived next door for 3 years, and Richard promised that he would clean the yard up. Mr. Harrison stated that he has continued to watch debris accumulate up to the top of the porch, which is poorly made, the fence is different materials and looks tacky, and it is bringing down is property value. More stuff keeps piling up and nothing gets done.

Chairperson Duran stated that Mr. Cieslowski is asking for a variance and would have to bring the porch up to code.

Mr. Harrison stated that it looks like he lives next to a junk yard.

Chairperson Duran suggested that he keep working with the Engineering Department to see if it can get cleaned up, if not satisfied with them, he could write a letter to Mayor and Council.

Mr. Harrison stated that the addition looks hideous.

Member Flachsmann commented that if granted, the structure would have to be brought up to code.

Mr. Cieslowski stated that he has had the City Engineer and Ordinance Officers out to determine what has to be done. He has done what was asked, and he does plan to install new proper fencing.

One communication was received from DTE.



### **Appeal #3198**

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

David & Martha Beaudrie, owners, present.

Chairperson Duran explained that a fence had been in front of the Board before and was not approved.

Mr. Beaudrie explained that they would like an open fence, the same that is on the north side. Mr. Beaudrie added that the neighbor to the south is in agreement, but he has nothing in writing.

There was discussion regarding the letter that Mr. Darin had sent at the last meeting stating that the neighbors did not approve of a fence, and Mr. and Mrs. Beaudrie stated that they had spoken to the neighbors, and they said that they never spoke to Mr. Darin. However, the letter that Mr. Darin submitted for this meeting, does not mention that.

Mrs. Beaudrie stated that the fence will add to the beauty of the home, improve the neighborhood, and no harm to anyone.

Member DiSanto commented that the Beaudrie's do maintain their property and asked if the fence would be the same that is on the corner and would it be 4' high. Mr. Beaudrie replied that it would slope from 6' to 4'.

Member Gillon commented that the other fence stops 1' from the sidewalk and asked if the proposed fence would be even with it. Mr. Beaudrie replied yes.

Member Szymczuk asked if the fence would be the same as the opposite side. Mr. Beaudrie replied yes.

One communication was received in opposition.  
One communication was received from DTE.

DTE Energy – Gas  
Data Integrity and Technology  
1 Energy Plaza  
WCB 1836  
Detroit, MI., 48226

**DTE Energy**



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ZB  
1-7-15

December 23, 2014

City of Wyandotte  
Zoning Board of Appeals  
3200 Biddle Ave., Suite 200  
Wyandotte, MI 48192

**APPEAL # 3197**

**RE: Notice of Public Hearing – To obtain building permit for a covered porch at 1024 8<sup>th</sup> Street, Wyandotte, MI.**

**( X ) 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 Energy- Gas Company has no involvement, nor objection to obtain a building permit for a covered porch 1024 8<sup>th</sup> sreet**

**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,

*Mike Harrison*

Drafter DTE Energy

DTE Energy – Gas  
Data Integrity and Technology  
1 Energy Plaza  
WCB 1836  
Detroit, MI., 48226

**DTE Energy**



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ZB  
1-7-15

January 5, 2015

City of Wyandotte  
Zoning Board of Appeals  
3200 Biddle Ave., Suite 200  
Wyandotte, MI 48192

**APPEAL # 3198**

**RE: Notice of Public Hearing – To obtain Certificate of Occupancy for an open front yard fence at 3800 – 9<sup>th</sup> Street, Wyandotte, MI.**

**( X ) 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 Energy- Gas Company has no involvement, nor objection to obtain a Certificate of Occupancy for an open front yard fence at 3800 9<sup>th</sup> street.**

**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,

*Mike Harrison*

Drafter DTE Energy

## Engineering1

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**From:** Engineering1 [engineering1@wyan.org]  
**Sent:** Tuesday, January 06, 2015 12:44 PM  
**To:** 'John Darin'  
**Subject:** RE: Zoning Board Variance Appeal #3198

Received. Will forward to members.  
Peg

✓

7 OF 7  
ZB  
1-7-15

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**From:** John Darin [mailto:jdarin@wyan.org]  
**Sent:** Tuesday, January 06, 2015 12:14 PM  
**To:** Engineering1  
**Cc:** John Darin  
**Subject:** Re: Zoning Board Variance Appeal #3198

### Zoning Board of Appeals and Adjustment:

This communication is in regards to the Zoning Board of Appeals and Adjustment Variance Appeal #3198, to obtain a Certificate of Occupancy for an interior front yard fence at 3800 9th Street.

I understand that the property owners have revised their original plan, and are now requesting installation of a 48" (4-feet) tall fence, marketed as 'Colonial Fence'. Upon comparison, this fence is virtually identical to their existing barrier fencing on their north front yard lot line, which was originally proposed for their interior front yard fence. This is not an "ornamental or decorative fence" integrated into a landscape plan, but is, in fact, a barrier fence mirroring what is on the other side of the yard. This proposed interior front yard barrier fence at 3800 9th Street will not promote good relationships between the property owners, and their new neighbors to the south. It will also set an undesirable precedent for the McKinley Neighborhood.

Although the property owners have done a lot over the years to improve the McKinley neighborhood, this requested fence variance does not appear to be necessary. There are no compelling public health or safety issues involved. There are no "unusual conditions" applying to this property that justify this fence, and the continued absence of this fence will not create any other negative conditions for this property. I am respectfully requesting that the Zoning Board of Appeals and Adjustment deny the Variance Appeal #3198, and deny the property owners the COO for an interior front yard fence at 3800 9th Street. Thank you very much for your consideration.

John Darin

851 Orchard Street  
Wyandotte, MI 48192