

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF January 7, 2009
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: Calvin
DiSanto
Duran
Gillon
Lapp
Nevin
Olsen
Trupiano
Wilkie

MEMBERS ABSENT: none

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Lapp supported by Member Calvin to approve the minutes of the December 3, 2008, meeting, as recorded.

Yes: Calvin, Duran, Gillon, Lapp, Nevin, Trupiano, Wilkie

No: none

Abstain: DiSanto, Olsen

Absent: none

Motion passed

Appeal #3073 – GRANTED

Joseph Strusinski, 33948 Sleepy Hollow, Livonia (appellant) and Tom Sherman, 2297 – 19th Street, Wyandotte (owner)

for a variance to obtain a Certificate of Occupancy to keep existing roof top sign at 2441 Fort, on Lots 38, 39 and S 15' of Lot 40, Scherer's Westgate Manor Sub., in a B-2 zoning district, where the proposed conflicts with Sections 2408G.10 and 2408.I the Wyandotte Zoning Ordinance.

Section 2408.G.10, which prohibits roof signs

Section 2408.I:

All existing signs that do not conform to the provisions of this ordinance shall be permitted to continue as nonconforming signs until such time as they are removed or until there is a change in occupancy, at which time they shall conform to the provisions of this ordinance.

The existing roof top sign is nonconforming, the former occupant has vacated the building, and a change in occupancy is proposed. Therefore, the roof top sign shall be removed.

Proposed will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to adjacent buildings or their use.

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

Yes: Calvin, DiSanto, Duran, Lapp, Trupiano, Wilkie

No: Gillon, Nevin, Olsen

Abstain: none

Absent: none

Motion passed

Appeal #3074 – GRANTED w/stipulation

Daniel O'Neill, 2891 Biddle, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy to keep existing gravel parking area and maneuvering lanes at 847 – 4th Street, on N 12' of Lot 83, Lots 84 and 85, Assessor's Wyandotte Plat #5, in a I-1/B-2 zoning district, where the proposed conflicts with Sections 2403 and 2404 of the Wyandotte Zoning Ordinance.

SECTION 2403:

Parking Requirements, of the Zoning Ordinance, requires off street parking.

SECTION 2404:

Off Street Parking Space Layout, Standards, Construction and Maintenance, of the Zoning Ordinance requires that when parking is required by Section 2403, the parking area and maneuvering lanes be constructed of asphalt or concrete. The applicant proposed not to pave the gravel parking area or maneuvering lane.

Proposed will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.

Stipulation: Grade and gravel the lot to alleviate standing water, the gravel area is not to be sublet for additional storage.

A motion was made by Member Lapp, supported by Member Trupiano to grant w/stipulation this appeal.

Yes: Calvin, DiSanto, Duran, Gillon, Lapp, Nevin, Olsen, Trupiano, Wilkie

No: none

Abstain: none

Absent: none

Motion passed

COMMUNICATIONS:

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

OTHER BUSINESS:

It was discovered that a quorum will not be present at the January 21, 2009, and Chairperson Duran requested that the owner/appellant for the scheduled appeal for this meeting be notified that the appeal will be heard on February 4, 2009.

There being no further business to discuss, the meeting adjourned at 7:15 p.m. **The next scheduled meeting of the board will be held on February 4, 2009.**

Peggy Green, Secretary

Appeal #3073

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

Joseph Strusinski, appellant, present.

Mr. Strusinski explained that it is important to his retail business to have this sign. There is limited space on Fort Street for a sign, this sign is existing, and it would be a financial hardship to remove it.

Chairperson Duran asked if the letters would be changed on the sign. Mr. Strusinski replied yes. Chairperson Duran asked how. Mr. Strusinski replied that each area where the letter is, will have different items listed, for example, jewelry, antiques. Chairperson Duran asked if this was a retail business. Mr. Strusinski replied yes

Mr. Strusinski added that the sign has been inspected, and it is sound.

Tom Sherman, owner, present.

Mr. Sherman stated that he had 2 contractors look at the sign, and they stated that it was in great shape. Mr. Sherman explained that Mr. Strusinski is trying to establish a computer based business, if you see something on the computer, you could come into the store to look at it. He is leasing the building to Mr. Strusinski for 6 months. Mr. Sherman added that it would cost \$1,500 to \$2,000 to take the sign down.

Mr. Strusinski commented that the sign has been there for at least 30 years, Westgate is an icon, and people know where the sign is.

Member Trupiano asked Mr. Strusinski if he had had a price comparison for a new sign and changing the existing sign. Mr. Strusinski replied that it will benefit them to use the existing sign.

Member Trupiano asked who inspected the sign. Mr. Sherman replied Townsend Sign and Jan Signs.

Member Calvin asked if the sign would be backlit at night. Mr. Strusinski replied that it would be on a timer. Member Calvin asked if there would be any other signage except where the letters are. Mr. Strusinski replied no and added that the structure will be painted.

Chairperson Duran read a letter received in opposition to this appeal.

Colleen Horner, 14345 Cooper, Taylor, present.

Ms. Horner stated that they will just be changing the panels and the integrity will not be comprised at all. Ms. Horner continued that it will be less to replace the letters than to replace the sign.

Pictures of other signs in the area was presented to the Board.

Ms. Horner stated that there will always be birds (referring to the letter received).

Ms. Horner continued that they want to update the sign and be in the community and be remembered for years to come like Westgate was.

Member DiSanto and Mr. Strusinski discussed the interior of the building and that it was not being changed.

Member Olsen expressed concern that if you take down the letters and put up words, it would be hard for people to see driving, they would not be able to see it clearly.

Mr. Strusinski stated that the wording will be on an angle, and will be visible with the lighting.

Ms. Horner stated that she is a graphic artist, if there is a problem, she can make the name "ADVANCED", it has the same amount of letters as Westgate. Member Olsen commented that you would be able to see that. Ms. Horner stated that if they did it that way, they would put banners in the windows.

Member Lapp commented that the Board has been informed that the sign is structurally sound, and will have an updated look.

Member Nevin asked if there was anything in writing stating that the sign was structurally sound. Mr. Sherman replied no, it was verbal. They are appealing to see if the sign will be allowed to stay, if granted, they will get something in writing, and will come up with what to do with the panels of the sign.

Mr. Strusinski stated that the building was inspected, and that is how they found out about the sign not being to code of there is an occupancy change.

Member DiSanto confirmed that they were not changing the interior, and it will be retail. Mr. Strusinski stated that was correct.

Member Calvin stated that he would be more agreeable with the larger letters for the sign.

One (1) communication was received in opposition to this appeal.

Appeal #3074

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

Daniel O'Neill, owner/appellant, present.

Chairperson Duran asked if the area was occupied now. Mr. O'Neill replied it is being used for storage. Chairperson Duran asked if the vehicles were pulled in and out. Mr. O'Neill replied that he runs a concession business, and he needs the area for storage. Mr. O'Neill added that the vehicles are stored on the concrete, and the rest of the lot is gravel. Mr. O'Neill continued that this is not a retail business where people come and go. People can park in the front of the building on concrete. People are not driving in and out on a daily basis. Mr. O'Neill added that

he is in and out on daily business, sometimes he is going a week or a month. Mr. O'Neill added again that the vehicles are parked on concrete.

Chairperson Duran read the letter that was received in opposition to this appeal.

Member Nevin and Mr. O'Neill discussed the area of the appeal.

Member Nevin stated that this was a large area. Mr. O'Neill stated that when it rains and snows, some water does collect, and he would like to add more gravel to address this issue, he wants to address the problem, because it does affect him.

Mr. O'Neill stated that he uses the empty area of the lot for maneuvering his trailers.

Member Lapp asked if the gravel area is used for maneuvering, and not for parking. Mr. O'Neill stated that was correct.

Member Lapp commented that the areas that are flooding, need grading. Mr. O'Neill stated that heavy equipment had been parked there, and that caused the damage.

Member Lapp asked how this matter came up. Mr. O'Neill replied that it was the result of the city inspection.

Member Lapp and Mr. O'Neill discussed the inspection and the remaining violations.

Member Lapp commented that the flooding is a problem, and if the appeal were allowed, the lot should be graded so that the water would not stand. Mr. O'Neill stated that he would.

Member Olsen asked how often Mr. O'Neill goes in and out. Mr. O'Neill replied at the most a couple dozen times a year. Mr. Olsen asked Mr. O'Neill if he is the only person using the lot. Mr. O'Neill replied himself and his wife.

Member Calvin asked if he would be subletting. Mr. O'Neill replied no. Mr. O'Neill stated that he used to let a neighbor have space, but that did not work out, he needs all of the area for maneuvering.

Member Gillon asked if there would be any retail business out of the main building. Mr. O'Neill replied no, it is used for storage and equipment repair.

Member Trupiano asked how the flooding effects the neighbors besides being an eyesore. Mr. O'Neill replied that the one neighbor is higher and paved, the other has shrubs, he is not sure, maybe it is the people across the street who are affected.

Mr. O'Neill added that he does want to correct the problem.

Mr. Trupiano confirmed that there will be no other parking on the gravel area. Mr. O'Neill stated that was correct.

One (1) communication was received in opposition to this appeal.

January 5, 2009

RECEIVED
1-5-09
12:20

Dear Zoning Board Members,

In regards to (APPEAL #3073) the existing roof top sign at 2441 Fort St., we as owners of the adjacent building to the north of said property, (2433 Fort St.) are opposed to leaving this sign in place. The sign is outdated, unsightly and could be unsafe, and also serves as a perch for birds and pigeons. This sign has been there for many many years and could be getting weaker over time. It may fall and cause damage to our roof and also the sidewalk below putting passers by in danger.

These are our concerns and beleive for the safety and improvement of the community this sign should be removed.

Thank You,

Anthony Mastrodonato



Linda Mastrodonato



Note: sign structure is aprox. 20ft. tall, made of angle iron and is positioned about 5ft from the property line of our building.

Jan 7, 09.

Zoning Board of Appeals,

Due to the property at
847 4th we are concerned
the owner should asphalt or
concrete the whole area when
it rains the whole area floods

Thank you
Mr + Mrs. Merwin Bottenhorn
888 4th St
Wyandotte Mi

Re: APPEAL # 3074

RECEIVED
1-7-09