

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF June 17, 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: Alderman
Cusson
Duran
DiSanto
Gillon
Nevin
Olsen
Trupiano

MEMBERS ABSENT: Lapp

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Olsen supported by Member Trupiano to approve the minutes of the June 3, 2009, meeting, as recorded. *correction: Member DiSanto was not present at the June 3, 2009, meeting.

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

No: none

Abstain: DiSanto

Absent: Lapp

Motion passed

Appeal #3082 – GRANTED

William Branson, 2223 – 2nd Street, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy for front yard parking at 2221 & 2223 – 2nd Street, on Lot 1, Block 63, in a RT zoning district, where the proposed conflicts with Section 2403.c of the Wyandotte Zoning Ordinance.

SECTION 2403.c:

Requires off street parking spaces to be located entirely in the rear or side yard, where the proposed parking would be located in the front yard.

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

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

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

No: none

Abstain: none

Absent: Lapp

Motion passed

Appeal #3083 – GRANTED

Joseph Johnston, 29523 Pickford, Livonia, Michigan (owner & appellant)

for a variance to obtain a Certificate of Occupancy to provide no off-street parking at 88 Perry Place, on W 28' of Lot 111, George Perry's Sub., in a RT 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 be provided for a single family dwelling, where zero (0) is proposed.

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

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

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

No: DiSanto

Abstain: none

Absent: Lapp

Motion passed

COMMUNICATIONS

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

OTHER BUSINESS:

A motion was made by Member DiSanto, supported by Member Cusson to elect Member Gillan as Vice Chairman of the Board. Motion carried.

There being no further business to discuss, the meeting adjourned at 6:40 p.m. **The next scheduled meeting of the board will be held on July 15, 2009.**

Peggy Green, Secretary

Appeal #3082

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

William Branson, 2223 – 2nd Street, and William Branson, Sr., 1711 Davis (owners), present.

Mr. Branson presented a packet to the Board explaining his appeal.

Mr. Branson explained that they want to install a 40'x20' parking area on the side of the house. The 20' will give people room for their vehicles to park and room for pedestrians on the sidewalk. If they went back further, that would be larger amount of cement, and with the rain, that would add a lot to the watershed and there would be a large amount of snow removal. Mr. Branson continued that they had purchased the property from the City for green space. It is a two family dwelling (he is on one side, and his sister and her family lives in the other), he has a small nephew next door, and he and his fiancé do want to start a family, and the green space would be used for entertaining and for children to play. Mr. Branson added that he felt a lot of concrete would be an eyesore, and they plan on living there, and there is no backyard.

Member Olsen asked if he eventually planned on fencing in the green space. Mr. Branson replied yes, and he knows that he will probably have to come in front of the Zoning Board for that too.

Member DiSanto and Mr. Branson discussed the location of the concrete from the home.

Member Gillon asked Mr. Branson why he did not want to make the parking go back. Mr. Branson replied that they all work different shifts, and did not want to have to piggyback the cars.

Mr. Branson and Member Gillon discussed the layout.

Member Gillon asked about the curb cut. Mr. Branson replied that he will have to go in front of Mayor and Council for that approval if he is granted tonight by the Zoning Board. Mr. Branson added that actually there is already a 28' curb cut there, he will only be adding 12' more, and he wants to make it look clean.

Member Trupiano commented that nothing indicated where the old lot line was. Mr. Branson replied that it was 91' from the Cedar sidewalk. Member Trupiano asked if the dwelling was a 2 family dwelling. Mr. Branson replied yes, his father owns 2221 and his sister lives there.

Member Alderman commented that the 40' marker lines up with the tree.

Dave Barnosky, 2235 – 2nd Street, present.

Mr. Barnosky stated that the Branson's have done a lot to the property, and he is happy to see them making improvements, it is important to the neighborhood.

One communication from DTE was received stating no involvement .
One letter was received in favor of this appeal.
One petition with five signatures, along with a letter was received in favor of this appeal.

Appeal #3083

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

Joseph Johnston, owner, present.

Chairperson Duran commented that this is a unique spot with no where to put the parking.

Mr. Johnston stated that he explained everything in his application.

Member Alderman commented that he did drive down the alley, and does not see where Mr. Johnston would be able to put the parking spot. Member Alderman added that Mr. Johnson does show a hardship.

Member Nevin asked Mr. Johnston when he purchased the property. Mr. Johnston replied that he bought it in 1999. Member Nevin asked if the parking was brought up at that time. Mr. Johnston replied no.

One communication from DTE was received stating no involvement .

June 17, 2009

5 OF 19

Dear honorable chairperson and fellow board members;

My name is William Branson; I reside at 2223 Second Street. This letter was written with hope for your approval in the matter of improving our home. I am a lifelong resident to the city of Wyandotte and was raised in the house I currently reside in. I have up rooted my fiancée from Plymouth MI just to experience residing in such a great community. Since the home in question is a duplex structure my sister also a lifelong resident and her husband have decided to start her family in the community as well.

We recently acquired the former 165 Cedar Street; a city purchased property, and turned it into a side lot to our existing property. This lot was a long time dream to expand our property for several reasons. First of all as a child there has never been a place to safely play without the risk of being too close to the fast moving traffic of Second Street. Since our long term goal is to raise a family here this will allow our kids to safely do so. Since this is a multiple family structure it will enable several families to congregate while still having the ability to have their own events without interrupting the other. The other reason for our acquisition of this property is to safely park our vehicles off the street allowing a person to enter and exit vehicles without risk of blindly stepping into traffic. It also accommodates the City's DPW by eliminating vehicular obstacles during street maintenance and seasonal clearing procedures.

The issue being presented in front of the variance board, is the size and location of a proposed off street parking area. The area in question will be a concrete slab 40 feet wide by 20 feet deep. It will extend 20 feet past the east side of the city sidewalk. This measurement will permit the parking of a large non commercial vehicle while still allowing a minimum 24 inches from the rear of a vehicle to the east side of the sidewalk. This allowance will ensure sidewalk pedestrian safety. A width of 40 feet will allow 4 vehicles (2 per residence) to safely park without risk of damage to the adjacent vehicle during loading and unloading. Wyandotte City Code section 2403.c states off street parking must be placed entirely in a side yard. This will cause the concrete slab in question to nearly triple in size. The forward most placement of the drive will allow the best possible use of the property for green space and will also eliminate the need for an enormous concrete slab that will cause large amount of water runoff during rain fall and over bearing piles of snow during removal.

In closing, a diagram of the proposed site plan, signed petition from the immediate neighbors, and several pictures of a mock set up have been included. Please consider our request and know that all construction would not be considered if it were a safety issue or considered to be a hindrance on the neighbors. Please don't hesitate contact myself if you may have any questions regarding this request.

Thank You

William Branson

2223 Second Street Wyandotte, MI 48192

Dear Honorable Mayor and City Council;

The following petition was signed by the neighbors of 2223 Second Street (formerly 165 Cedar Street) regarding the improvements presented to them. The property will undergo improvements that will not hinder the safety or the atmosphere of the neighborhood. All the undersigned have agreed upon and have no objections with the improvements that will be done to the above property.

Print Name	Street Address	Signature
1 Elsie Roberts	2228 2nd	Elsie Roberts
2 Laurette Caliguine	205 Cedar	Laurette Caliguine
3 Dan St. Pierre	155 Cedar	Dan St. Pierre
4 Alycia MacDonald	2221 2nd St	Alycia MacDonald
5 DAVE BARNOSKY	2235 2ND	Dave Barnosky

June 2, 2009

Re: Appeal #3082

To Whom It May Concern:

I live at 2214 2nd St. in Wyandotte, MI. I am familiar with Mr. Branson, and what he is petitioning for regarding this appeal. I believe Mr. Branson's request is completely reasonable and acceptable, and I am pleased to support his efforts.

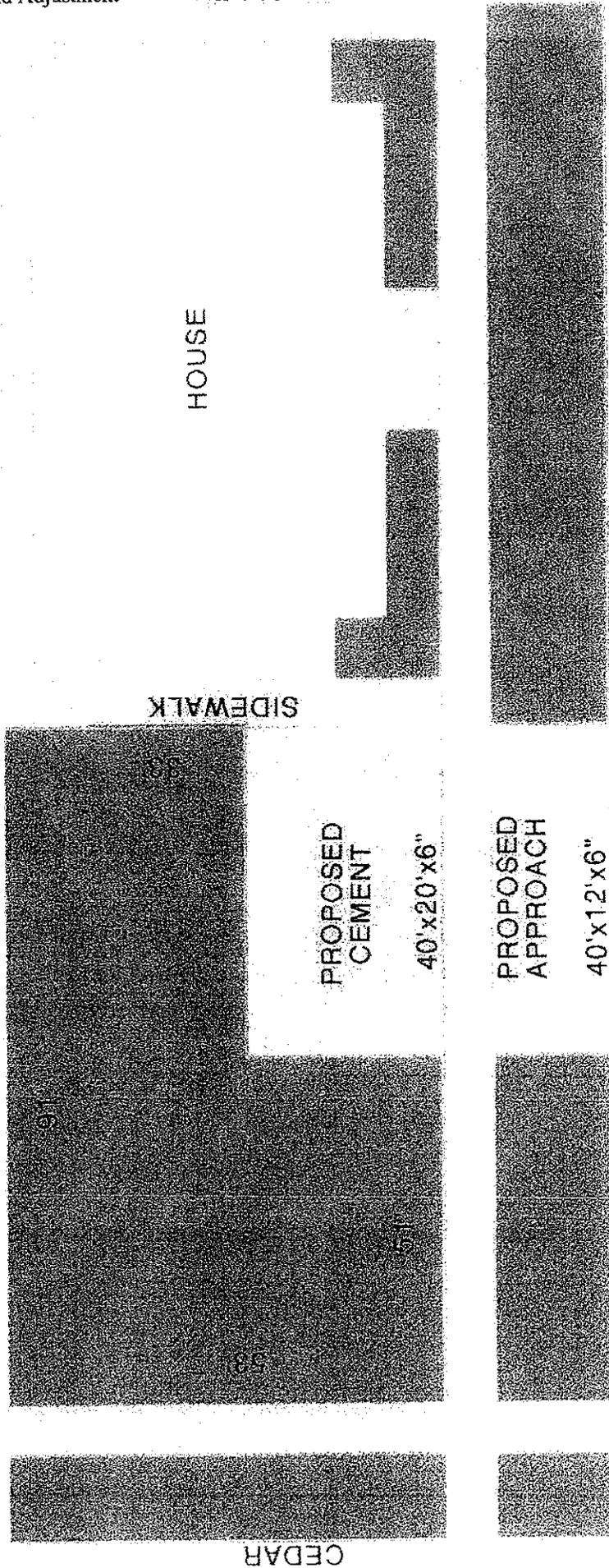
Sincerely,

Michael Richter
2214 2nd St.
Wyandotte, MI 48192
(734 284-8790)

ALLEY

7 OF 19

Plot Plan



HOUSE

SIDEWALK

PROPOSED
CEMENT

40'x20'x6"

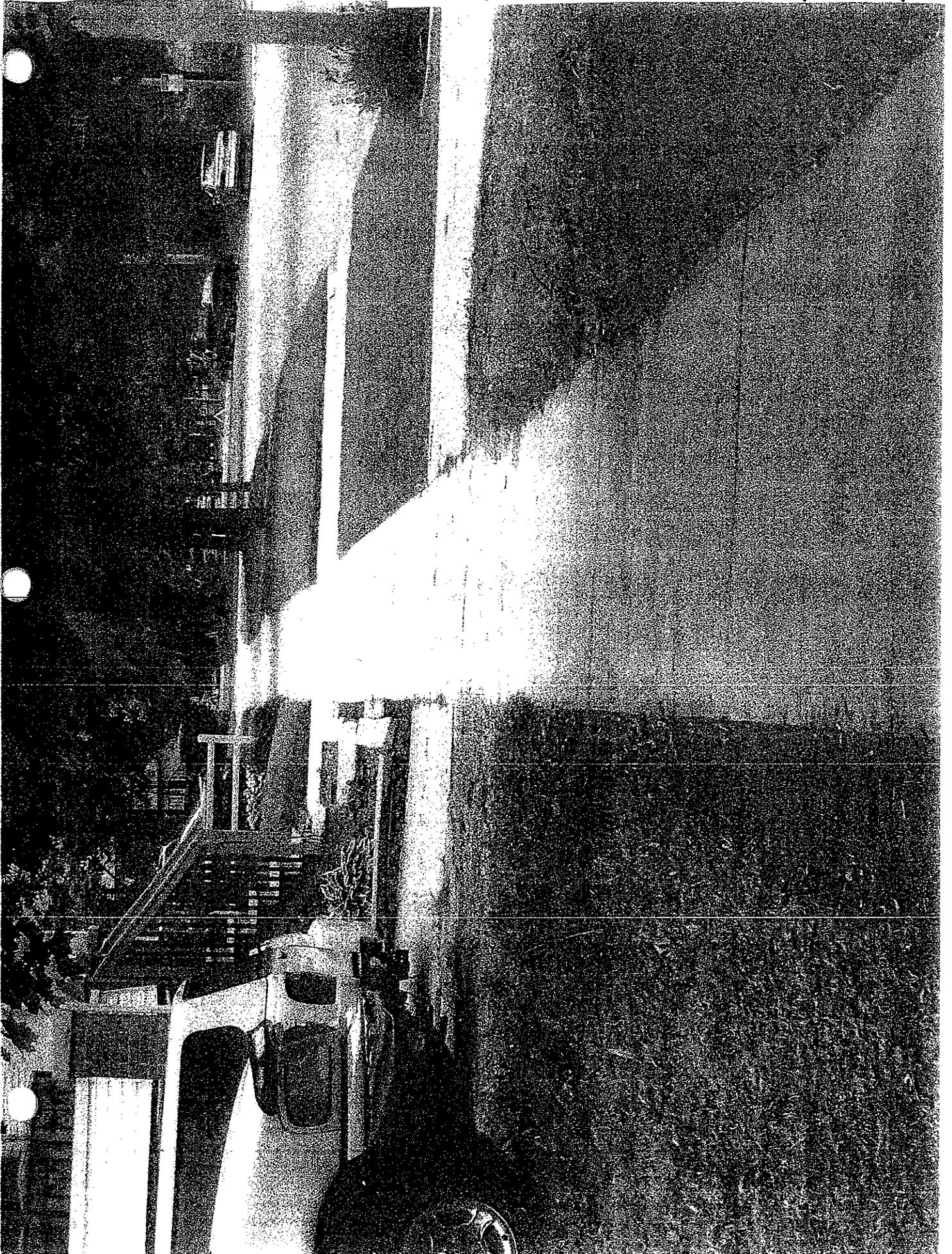
PROPOSED
APPROACH

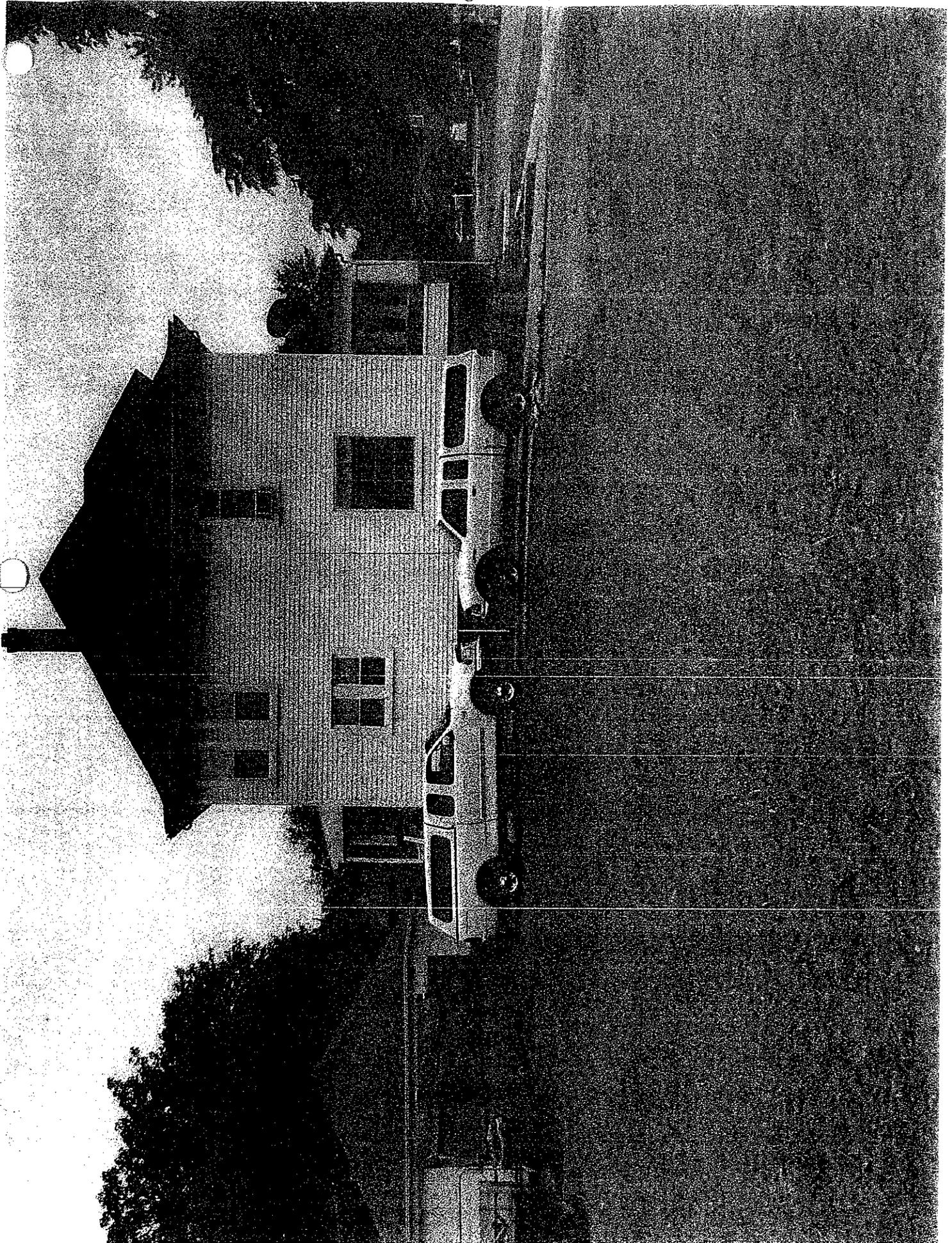
40'x12'x6"

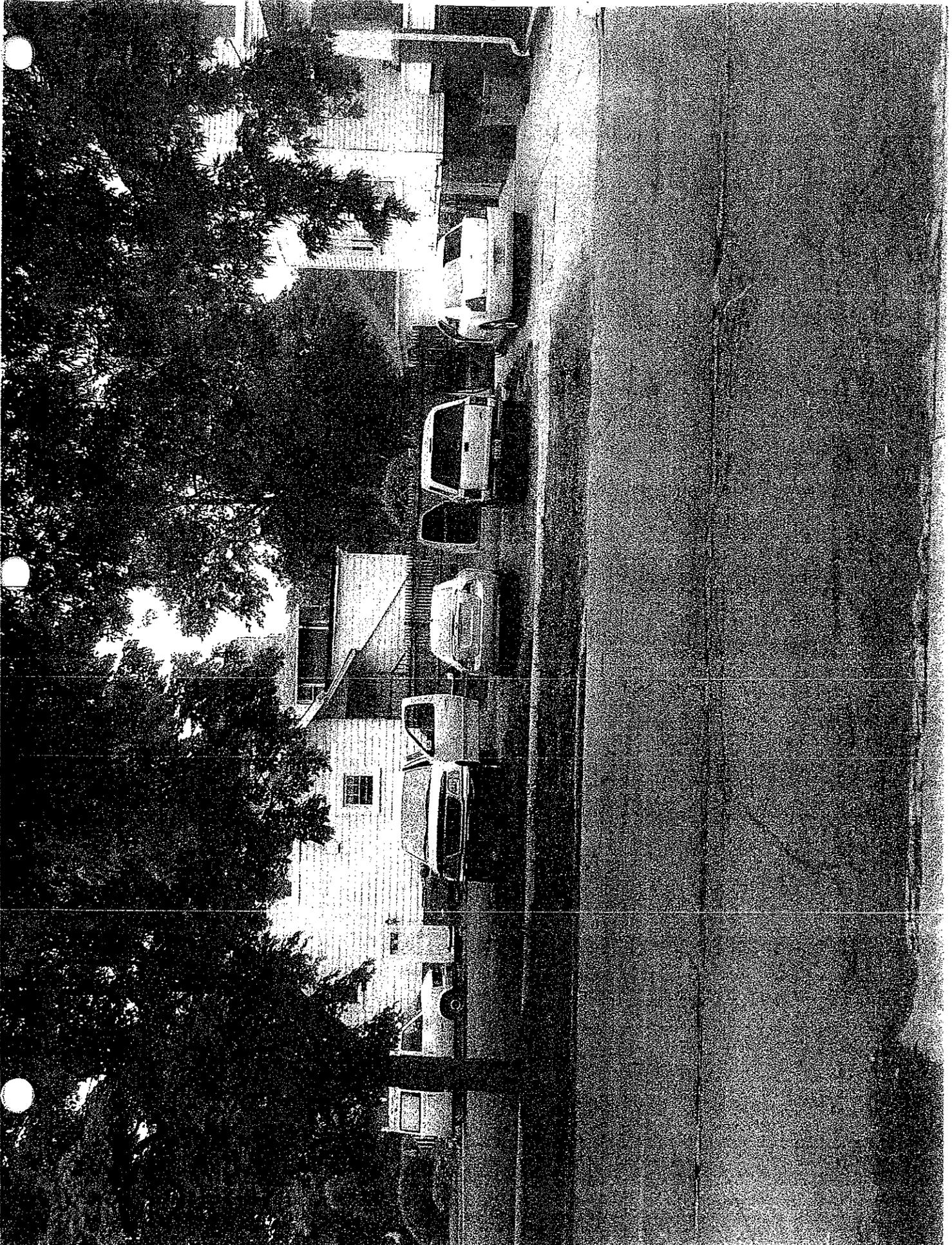
CEGAR

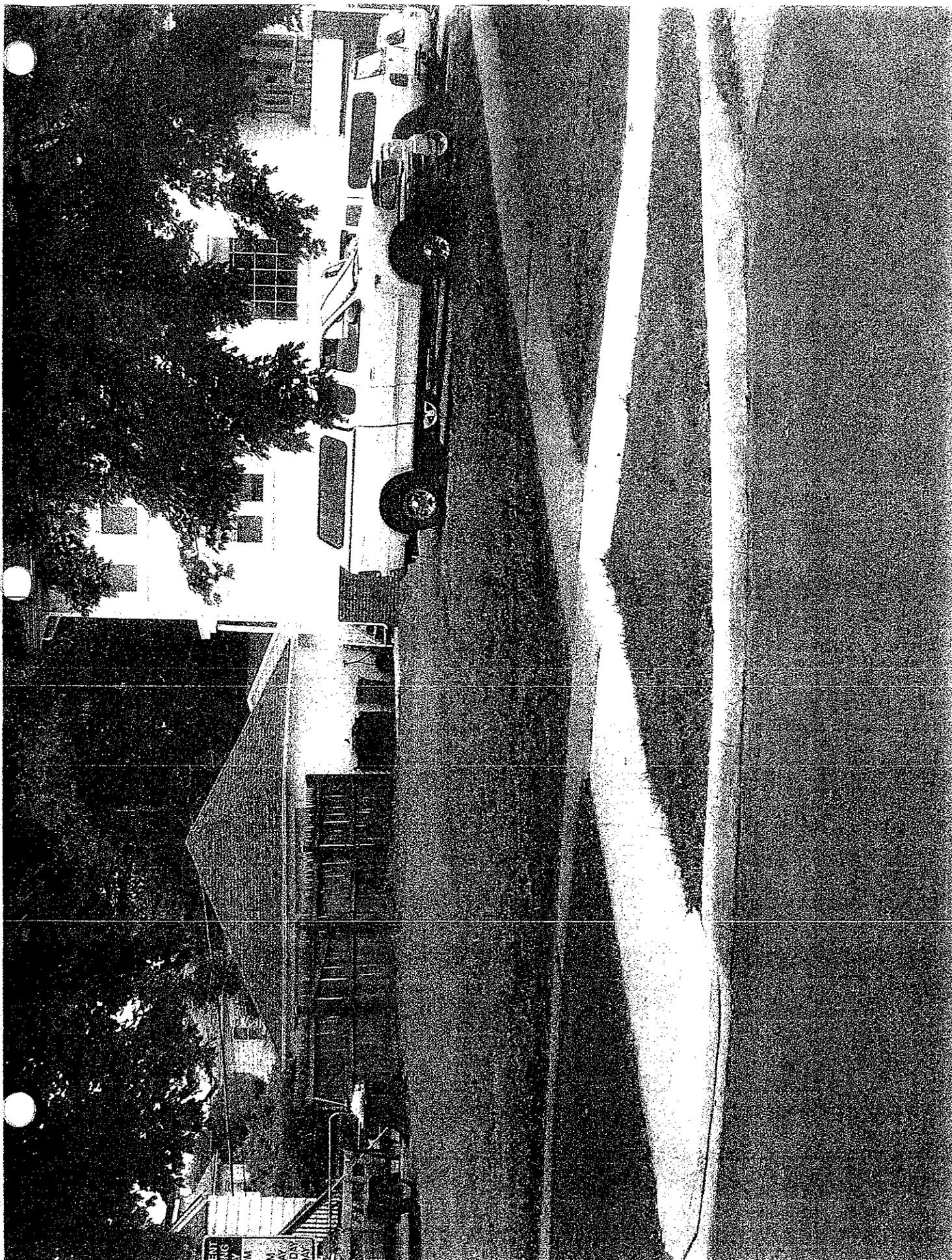
SECOND



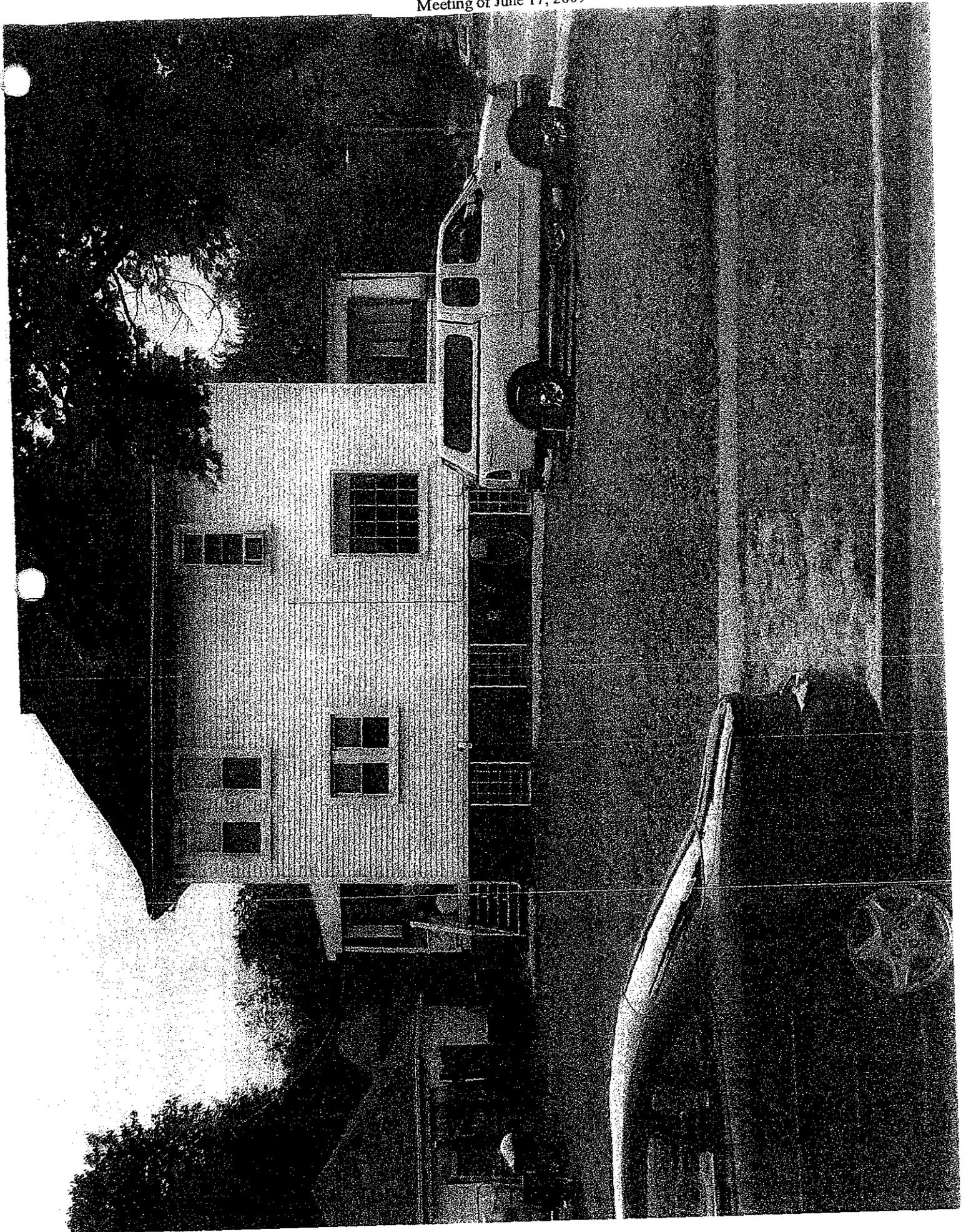


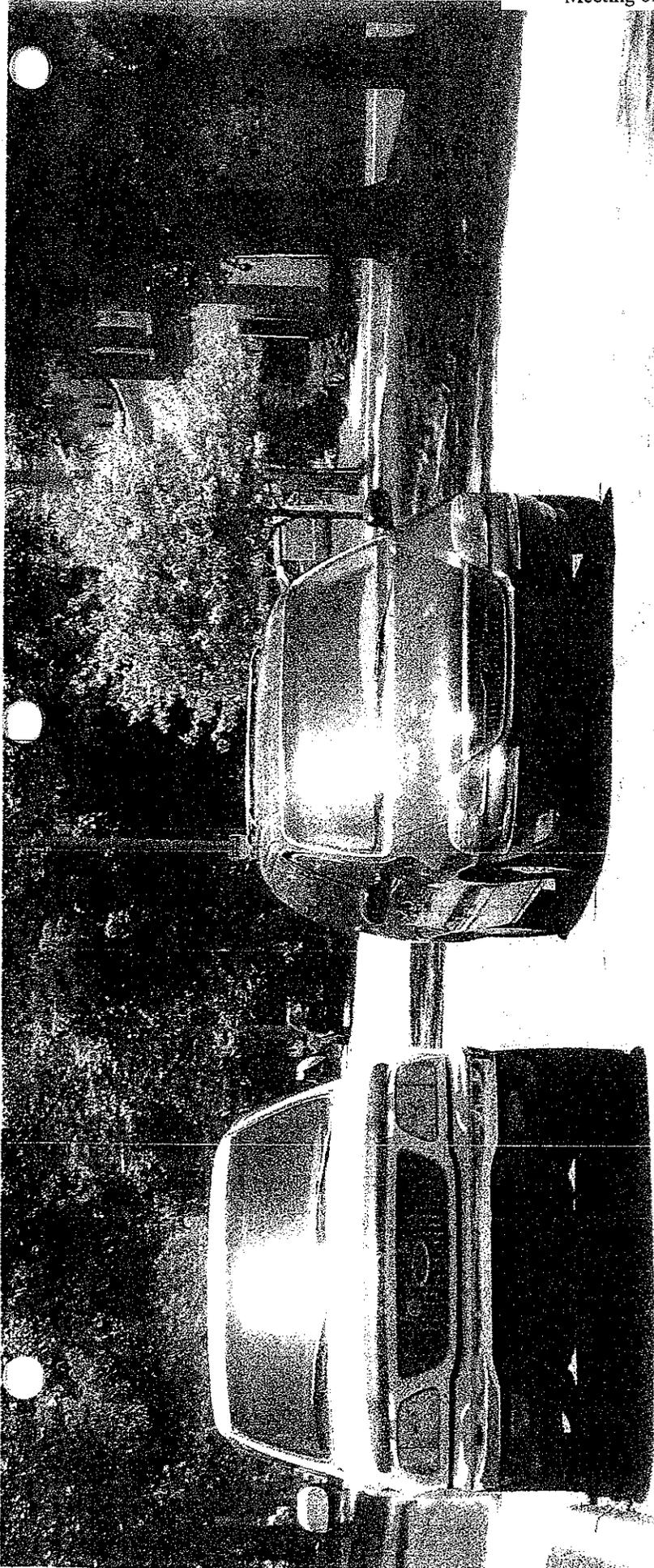






NO PARKING
ANY DAY
ANY DAY
ANY DAY
ANY DAY





15 OF 19

June 2, 2009

Re: Appeal #3082

To Whom It May Concern:

I live at 2214 2nd St. in Wyandotte, MI. I am familiar with Mr. Branson, and what he is petitioning for regarding this appeal. I believe Mr. Branson's request is completely reasonable and acceptable, and I am pleased to support his efforts.

Sincerely,



Michael Richter
2214 2nd St.
Wyandotte, MI 48192
(734 284-8790)

✓ RECEIVED
6-4-09

Zoning Board of Appeals and Adjustment
Meeting of June 17, 2009

16 OF 19
DTE Energy – MichCon Gas Co.
Data Integrity and Technology
Drafting Department, WCB-1836
One Energy Plaza, 18TH. Floor
City of Detroit, MI 48226

Rec'd
6-12-09

DTE Energy



#3082

June 10, 2009

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

RE: Notice of Public Hearing (Appeal #3082): Variance to obtain a Certificate of Occupancy for a front yard parking at 2221 & 2223 2nd Street, Lot 1, Block 63, 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 Public Hearing Appeal #3082. See enclosed strip prints and attached notice of public hearing, for you 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

#3083

5/15/2009

Members of the Zoning Board of Appeals:

I believe the ordinance (ZO1804/CO35.46) requiring off-street parking on my property at 88 Perry Place is unduly harsh and unreasonable because of the dimensions of the lot, the condition of the one-way alley it would connect to, and the similarity to the neighboring homes.

In order to comply with the ordinance requiring an off-street parking pad of at least 8 feet by 20 feet on my property located at 88 Perry Place in Wyandotte I would have to:

- Tear up a majority of the back yard
- Remove the lilac tree at the rear of the yard (the only desirable vegetation extant)
- Remove the clothesline
- Remove the cyclone fence exposing my yard to the boat launch parking lot during the day and the patrons of the My Place Neighborhood Bar and Grill who use the boat ramp parking lot at night

The houses on this part of Perry Place are too close to one another for driveways between them so the only access to a parking pad is the alley behind the house. This would render the parking pad useless because the alley:

- Is not paved
- Is poorly graded and full of potholes
- Is not plowed during the winter
- Has only one way in and out
- Is extremely narrow.

It is not easy to maneuver a vehicle up and down this alley. Were a parking pad to be placed behind the house instead of a grassy yard, it would never be used. Additionally, the presence of a back yard almost entirely paved or graveled would lower the property value of my house considerably. Children would not be able to use the yard to play, nor would pets be safe because the lack of a fence would allow them escape into the alley and beyond.

I understand the reason for this ordinance, but it is unduly harsh and unreasonable for the board to enforce this ordinance on this particular property because of its narrow lot, nearly unusable alley, and for the fact that it would more than cut in half the grassy yard, force me to remove the one pretty tree that grows and render my yard useless to children for play. Please examine the attached photo and waive the ordinance for 88 Perry Place.

Please note that I am currently trying to sell this home. It has been on the market since February of 2008. Last month I received the first offer which was almost immediately withdrawn because the prospective buyer did not want a paved or graveled backyard which he would never use to park a car.

Sincerely,

Joseph Johnston, owner
88 Perry Place

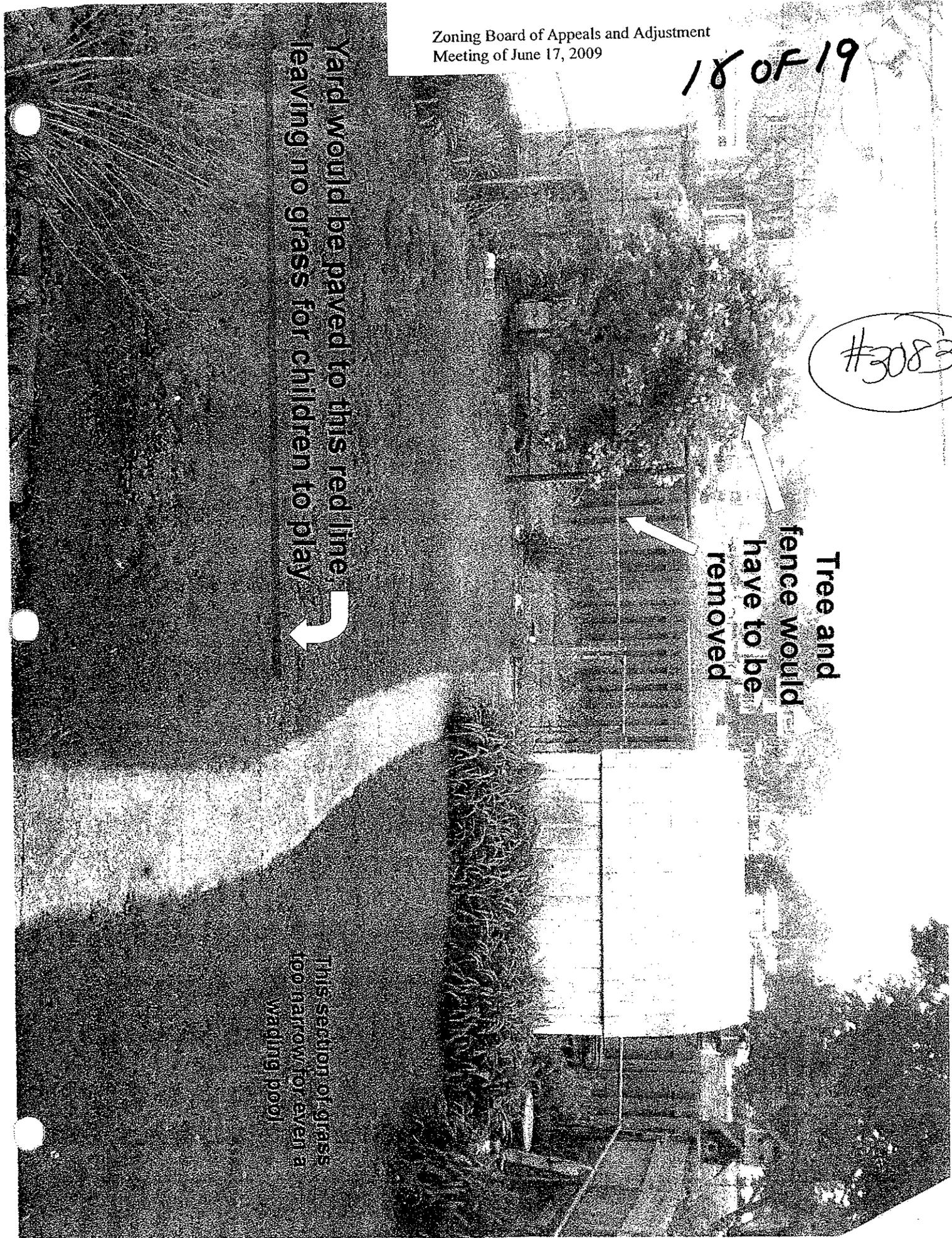
18 of 19

#3083

Tree and
fence would
have to be
removed

Yard would be paved to this red line
leaving no grass for children to play

This section of grass
too narrow for even a
wading pool



Zoning Board of Appeals and Adjustment
Meeting of June 17, 2009

19 OF 19
DTE Energy - MichCon Gas Co.
Data Integrity and Technology
Drafting Department, WCB-1836
One Energy Plaza, 18TH. Floor
City of Detroit, MI 48226

Rec'd
6-12-09

DTE Energy



#3083

June 10, 2009

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

RE: Notice of Public Hearing (Appeal #3083): Variance to obtain a Certificate of Occupancy to provide no off-street parking at 88 Perry Place, Lot 111, George Perry's Subdivision 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

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