

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF August 19, 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
Gillon
Nevin
Olsen
Trupiano

MEMBERS ABSENT: DiSanto, Lapp

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Olsen supported by Member Nevin to approve the minutes of the August 5, 2009, with the following amendment to Appeal #3087 (304 Chestnut), Section 2402.E: No detached accessory building shall be located closer than ten (10) feet to any main building. The proposed shed would be located four (4) feet from the main building; .

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

No: none

Abstain: none

Absent: DiSanto, Lapp

Motion passed

APPEAL #3086 - GRANTED

Sandra Hanna, 3923 – 15th Street, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy for a front yard fence at 3923 – 15th Street, on S 14' of Lot 79, also Lot 80, Taylor Park Sub., in a RA zoning district, where the proposed conflicts with Section 2406.a.1 of the Wyandotte Zoning Ordinance.

SECTION 2406.a.1:

No residential or nonresidential fence or wall shall be erected in a required front yard, except, that on lots with a side lot line adjacent to an alley or a street, a decorative or ornamental fence shall be allowed, such as, but not limited to, a split-rail or a two rail fence; but not to include chain link or fences of solid type construction and not exceeding four (4) feet in height, may be constructed along the alley, street line, or extension of the

side yard to the front of said lot. Decorative fence extends past front of home into the front yard.

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

A motion was made by Member Trupiano, supported by Member Alderman to grant this appeal.

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

No: none

Abstain: none

Absent: DiSanto, Lapp

Motion passed

Appeal #3088 - GRANTED

Zion Freewill Baptist Church, 1570 Oak Street, Wyandotte (owner & appellant)

for a variance to obtain a sign permit for a ground sign at 1570 Oak Street, on Lot 14, Block 1, Dewey Place Sub., in an OS zoning district, where the proposed conflicts with Sections 2408.F.2.(a)(1) and 2408.F.2.(a)(3) of the Wyandotte Zoning Ordinance.

SECTION 2408.F.2.(a)(1):

Ground Sign. One (1) ground sign shall be permitted having a sign area of not more than 40 square feet for each sign face. On corner lots, two (2) such signs are permissible where business fronts both streets. Such sign shall not exceed 6' height. Proposed ground sign would be 60.67 sq. ft. in area and 7.42 feet in height.

SECTION 2408.F.2.(a)(3):

No ground sign shall be located nearer than 5' to any existing or proposed right-of-way line. Proposed ground sign would be located 3.6' from the right of way line.

Proposed does not pose substantial detriment to public good and does not impair intent or purpose of the ordinance.

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

Yes: Alderman, Cusson, Duran, Gillon, Nevin

No: Trupiano

Abstain: Olsen

Absent: DiSanto, Lapp

Motion passed

Appeal #3089 - GRANTED

Josephine Clark, 423 Superior, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy to provide no off street parking at 423 Superior, on West 50.0 feet of Lot 5, Block 122 Sub of Blks 121 and 122, 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:

One and two family dwelling Wyandotte Zoning Ordinance. A minimum of one off street parking space is required for a one or two family dwelling unit. Home was cited during an upon sale inspection to comply with the ordinance and is requesting an exception from this requirement.

Proposed does not impair the intent or purpose of the ordinance

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

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

No: none

Abstain: none

Absent: DiSanto, Lapp

Motion passed

Appeal #3090 - GRANTED

Sam DiSanto Cement Co., 26272 King Road, Brownstown Twp., (appellant)
and Diane Grahl, 2410 – 22nd Street, Wyandotte (owner)

for a variance to obtain a variance to Permit #09-861 for front yard parking at 2410 – 22nd Street, on Lot 310, Scherer's Westgate Manor Sub., in a RA zoning district, where the proposed conflicts with Section 2403.C of the Wyandotte Zoning Ordinance.

SECTION 2403.C:

Which requires off street parking be located in a side or rear yard, where proposed off street parking will only be in the front yard and not extend into the side yard.

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

A motion was made by Member Alderman, supported by Member Trupiano to grant this appeal.

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

No: none

Abstain: none

Absent: none
Motion passed

Appeal #3091 - GRANTED

Robert Barnhart, 109 Walnut, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy for 6' high sideyard fence at 109 Walnut, on N 70' of Lot 7, Block 65 in a RT zoning district, where the proposed conflicts with Section 2406.A.8 of the Wyandotte Zoning Ordinance.

SECTION 2406.A.8:

When a fence is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said fence shall not be located closer to the street side lot line than the existing front yard setback of the lot to the rear, provided in those instances where lots are forty (40) or less in width, the setback need not exceed fifteen (15) feet. Where lots are thirty five (35) feet or less, the setback need not exceed ten (10) feet.

The applicant requests installing a fence up to the street side property line which will be beyond the existing front yard setback of the house to the rear.

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

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

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

OTHER BUSINESS:

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 September 16, 2009. (No appeals were received for the scheduled meeting of September 2).**

Peggy Green, Secretary

Appeal #3086

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

Sandra Hanna, owner, present.

Ms. Hanna explained that there has been a fence there for years, the old one was removed because it was in disrepair and she wanted to replace it. Ms. Hanna continued that she came to city hall and was told that it was ok to replace. She purchased the materials, and someone complained about it, she is not sure who was offended by the fence, but she was told it was ok to replace the fence.

Chairperson Duran asked when the fence was replaced. Ms. Hanna replied in June (2009). Chairperson Duran asked what material the fence was. Ms. Hanna replied vinyl.

Member Nevin commented that he has no objections to the fence, you can see through it, it is decorative, and adds to the property.

Ms. Hanna commented that it differentiates the properties, there is no driveway dividing the property.

Member Olsen asked when the old fence was taken down. Ms. Hanna commented that she did not remember exactly, maybe last fall. Ms. Hanna added that she had saved money to replace the fence, and the neighbor had no objection.

Member Gillon commented that the fence looks nice, it is well maintained, it is not enclosing, and does not go all the way to the sidewalk. Member Gillon commented that he understands how there could have been a miscommunication at the city, since a permit is not required for a fence.

Member Trupiano commented that the property looks nice.

Member Alderman commented that it looks wonderful.

No communications were received regarding this appeal.

Appeal #3088

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

Pastor Tim Daniels, present.

Chairperson Duran asked if the sign would be next to Dependable Door. Pastor Daniels replied yes, the Church had purchased the lot. Pastor Daniels continued that it is hard to see the sign on the front of the church, and this sign would help to advertise events being held at the church. Pastor Daniels added that they would have liked a smaller sign, but they were offered this sign from another church and could not pass it up.

Chairperson Duran asked if the sign would be facing so that you could see it from the east/west. Pastor Daniels replied yes. The neighbor next to them is very good, and does not have a problem with the sign. The sign would let people know that the parking lot is there, and it does not belong to Dom Polski's.

Member Alderman asked if the sign would be on a base or two poles, and what they were going to do to clean up the sign. Pastor Daniels replied that they were going to paint the sign, and it will be on cemented tubular poles, the sign will be between the poles. Member Alderman asked how high the sign would be. Pastor Daniels replied 7'-4". Pastor Daniels continued that the building inspector told him not to set the sign on the ground. The large sign would have events, the smaller would have the church's name, and there will be a couple feet clearance to the ground.

Member Trupiano asked if there would be a brick base. Pastor Daniels replied no. Member Trupiano expressed concern about the size and condition of the sign. Pastor Daniels commented that they could put parking blocks around the sign, like Dom Polski has.

Member Nevin commented that cements blocks around the sign might be a good idea, especially for when it snows, people are always running into signs.

Pastor Daniels commented that they want to make the sign look good, the church as been there for 38 years, and it is growing.

Member Nevin asked if the sign would have fluorescent lighting and letter that can be changed. Pastor Daniels replied yes.

Member Gillon asked how far does the parking lot go from Dependable Doors. Pastor Daniels replied that the lot is 60 x 140.

There was discussion among the members and Pastor Daniels regarding the parking area.

No communications were received regarding this appeal.

Appeal #3089

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

Josephine Clark (owner), Sheri Fricke, Real Estate One, One Heritage, Southgate (real estate agent).

Ms. Clark explained that she does not want to have to install the off street parking. It would be a hardship for her, she is retired and on a fixed income, and the off street parking would make her yard very small, and it would be difficult to put in.

Ms. Fricke stated that she does have a vested interest in this appeal, and she is a councilwoman.

Ms. Fricke stated that Ms. Clark did not want to come to the meeting alone and asked her to come with her. Ms. Fricke continued that they are close to a sale, the home sets on an alley, which is used by 2 people. It is possible that is could be requested to close the alley in the future. There is no rear yard, just a side yard, and there is a possibility in the future that the city may purchase the property next to this. Ms. Fricke continued that there is

new construction in the area, and this house was built in 1915. The home across the alley has a 2 car garage and a driveway. Ms. Fricke added that they hope this appeal is granted.

Member Alderman commented that he looked at the property, and feels that the parking would take away from the neighborhood, the yard is small, and doesn't see where it would affect anyone.

Member Cusson also commented that the yard is small.

Member Gillon asked Ms. Clark how long she has lived in the house. Ms. Clark replied 42 years, she is selling to be with her daughters.

Chairperson Duran read the two letters that were received regarding this appeal (one in favor, one in opposition).

Ms. Clark stated that she would like to comment that the letter from the neighbor in opposition doesn't live in the home, it is vacant.

Appeal #3090

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

Diane Grahl, owner, present.

Ms. Grahl explained that there is alley access to the garage that was built in 1970, but they did keep the partial driveway. There is a very small sideyard, and it is landscaped, and she is asking for consideration for the partial driveway to stay.

Member Nevin asked how long it has been there. Ms. Grahl replied 1930 -- 1970, the ribbons has been there since 1930.

Member Nevin asked how long the existing driveway has been there. Ms. Grahl replied that it was replaced in July, there was some misunderstanding, but permission was given to replace it.

Member Cusson asked if there is enough room to keep a vehicle off the sidewalk. Ms. Grahl replied yes.

Member Alderman commented that the lot is small, and if the driveway was extended, you would not be able to get out of the car.

No communications were received regarding this appeal.

Appeal #3091

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

Bob Barnhart, owner, present.

Mr. Barnhart explained that the only yard is the property along First Street. It is a noisy corner, they want their privacy. Mr. Barnhart presented a letter from his neighbor stating that there was no objection to the fence.

Member Alderman asked what type of fence it would be. Mr. Barnhart replied dog eared privacy fence and when it gets to the existing fence, it will drop down to 4'.

Member Trupiano asked if the portion on Walnut will be 6'. Mr. Barnhart replied yes. Member Trupiano confirmed that it will taper to meet the existing fence. Mr. Barnhart stated that was correct.

There was discussion between the Members and Mr. Barnhart regarding the drawing showing the location of the fence.

Member Gillon asked if the chainlike fence will be staying. Mr. Barnhart replied yes.

Member Olsen asked if the fence will be vinyl or wood. Mr. Barnhart replied wood.

Member Nevin asked if the neighbor ran a business, there were a lot of toys in the yard. Mr. Barnhart replied that he thinks that his neighbor's daughter lives there with a lot of kids. Member Nevin asked if that was the reason they wanted the fence. Mr. Barnhart replied no, not at all, they want privacy from the lot across the street.

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Member Nevin asked if it will all be privacy fence. Mr. Barnhart replied yes.

One (1) communication was received in favor of this appeal and was read by Chairperson Duran.

#3089

RECEIVED
8-19-09

IN regards to the
letter you sent out about
the request from the
address of 423 Superior

I feel every home needs
to have a driveway so they
always have a place to
park their cars off the
street. And when the city
workers are doing snow
removal, street cleaning
or even construction is
going on they have less
obstacles in the way & they
can get the job done alot
quicker.

THANK YOU FOR
ASKING HOW I FEEL?

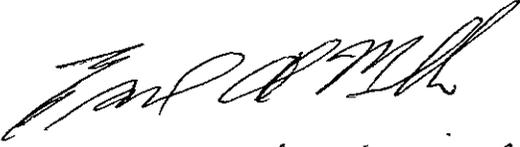
Virginia Longley
2702 4th
Wyandotte

Re Appeal # 3089

August 12 2009

My wife Donna AND I are both in favor of granting this variance. If the variance is not granted providing off street parking would take up to much of the yard. As the home is for sale We think this Would be a big detriment to the sale of the property, especially if a family with children were interested As there would not be much of a yard with play area left. Most of the properties on this block and the block To the east though they do have off street parking most of them are not using it and parking on the street.

Thank You
Donna and Earl Miller
2640 4th St
Wyandotte, Mi 48192


Donna M. Miller