

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF October 21, 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
Duran
Gillon
Green (alte)
Olsen
Trupiano

MEMBERS ABSENT: Cusson, DiSanto, Lapp, Nevin

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Trupiano supported by Member Alderman to approve the minutes of the October 7, 2009.

Yes: Alderman, Green, Trupiano

No: none

Abstain: Duran, Gillon, Olsen

Absent: Cusson, DiSanto, Lapp, Nevin

Motion passed

APPEAL #3095 – GRANTED w/stipulations

Trinity Lutheran Church, 465 Oak Street, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy for a screening chain link fence at NE Corner of 5th & Oak Streets (Lots 13 & 14, Block 123) in a RM-1 zoning district, where the proposed conflicts with Section 2404.L of the Wyandotte Zoning Ordinance.

SECTION 2404.L:

Which states in part, that when a parking lot abuts property used or designated as residential, it shall be required to have a continuous and completely obscuring wall or fence of brick, block or poured concrete, or other approved material as determined by the Zoning Board of Appeals. The applicant is proposing a screening chain link fence along the property lines abutting residential property.

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

STIPULATIONS: 1. Fencing on the east side of the parking lot, post to post (by the apartment building), the cyclone fencing is to have screened slats for light protection 2. All existing fencing to be replaced.

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

Yes: Alderman, Duran, Gillon, Green, Olsen, Trupiano

No: none

Abstain: none

Absent: Cusson, DiSanto, Lapp, Nevin

Motion passed

COMMUNICATIONS

A motion was made by Member Trupiano to place all communication 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 November 4, 2009.**

Peggy Green, Secretary

Appeal #3095

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

Pastor Kenneth Spence, 2962 – 22nd Street, and Willy (church maintenance), present

Pastor Spence explained that there was a plan submitted years ago showing a screened fence. The parking lot abuts King Apartment, and half of it is already divided by a screened fence, but it is covered by a wood fence. They would just like to do what other churches have done. They plan to attach the fence to the corners, and have a 5' screened fence.

Pastor Spence added that he feels a cyclone fence between the alley and the apartments will be longer lasting and more durable. It was felt that that there needed to be a division, and was advised to appeal for the screening fence.

Chairperson Duran asked what material would be used to screen the fence. Pastor Spence replied that it would be an open fence.

Pastor Spence added that it would be the same type of fence that St. Pat's and Mt. Carmel have. Willy commented that a number of other parking lots are not even fenced in.

Member Olsen asked how many feet of fencing they would be replacing. Pastor Spence 75' along the back, there is 60' on the side, but half of the fence is already there, so it would be 30' on that side.

Member Olsen asked how high the fence would be, and what type of slats would be used. Pastor Spence replied it would be 5' and they prefer to leave it open.

Member Gillon asked what the neighbors on the other side of the alley have. Pastor Spence replied 3' chain link fence, plus there are two garages facing the alley.

Member Trupiano expressed concern about the head lights facing the apartment building.

Pastor Spence stated that the parking lot is used 2 days week by the church, other than that, it is used by the community. Pastor Spence added that residents use the lot during snow emergencies to get their vehicles off the street.

Member Trupiano asked if there were evening services. Pastor Spence replied yes, it is between 5 and 6, but he does not see anyone using the parking lot from that service.

Member Trupiano asked when the fence that is there now was installed. Pastor Spence replied that it was existing.

Member Trupiano asked Pastor Spence if they had received a pricing on solid fencing. Pastor Spence replied yes, but it is hard to tell the church what it will cost for a privacy fence, they are trying to fix the issue without making it too costly.

Member Alderman commented that the Board needs to consider the apartments and the noise.

Pastor Spence commented that they would prefer to leave the fence as chain link. Pastor Spence commented that they could make the parking lot a private lot, but they try to accommodate the community. Pastor Spence added that during the Oak Street construction, the residents of the apartments used the lot.

Chairperson Duran commented that the tenants of the apartment building would not have been notified, only the owner of the building due to the number of units.

Pastor Spence commented that there is about 15' from the parking lot to the apartment windows.

Member Olsen commented that if they could not put up a privacy fence and they put up a cyclone fence, maybe slats could be put in on the side by the apartments and have the open cyclone fence along the alley.

Member Alderman asked Pastor Spence if this suggestion would jeopardize their budget. Pastor Spence replied that they would prefer chain link, it would cost a little more with slats, but they would agree if they had to.

One (1) communication was received regarding this appeal.

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

Received
10-21-09

DTE Energy



October 19, 2009

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

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Zoning Board
10-21-09

RE: Notice of Public Hearing (Appeal #3095); Variance to obtain a Certificate of Occupancy for a screening chain link fence at NE corner of 5th Street and Oak Street in a RM - I 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 #3095. See enclosed strip prints 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,

Eddie A. Reyes
Senior Drafter
Data Integrity and Technology

EAR
Enclosure