

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF August 4, 2010
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: Duran
Gillon
Green (alternate member)
Nevin
Roberts (alternate member)
Trupiano

MEMBERS ABSENT: Alderman, Cusson, DiSanto, Lapp

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Gillon, supported by Member Trupiano to approve the minutes of the July 21, 2010, meeting.

Yes: Duran, Gillon, Green, Nevin, Roberts, Trupiano

No: none

Abstain: none

Absent: Alderman, Cusson, DiSanto, Lapp

Motion passed

#3113 - DENIED

Linda Ard, 279 Kings Highway, Wyandotte (owner & appellant)

for a variance to obtain a Certificate of Occupancy to provide no off street parking at 279 Kings Highway (Lot 312, Emmons Orchard Sub.) in a RT zoning district, where the proposed conflicts with Section 2403 of the Wyandotte Zoning Ordinance.

SECTION 2403:

Which requires that one (1) off street parking be provided, where the applicant has provided no off street parking.

Proposed does not exhibit undue hardship or practical difficulty, based on availability and access to parking pad.

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

Yes: Gillon, Nevin

No: Duran, Green, Roberts, Trupiano

Abstain: none

Absent: Alderman, Cusson, DiSanto, Lapp

Motion failed to pass.

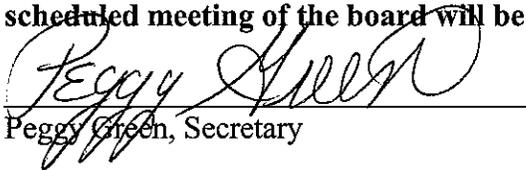
COMMUNICATIONS:

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

OTHER BUSINESS:

none

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 1, 2010.**



Peggy Green, Secretary

Appeal #3113

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

Linda Ard, owner, present.

Ms. Ard explained that she purchased the house in April and she knew what had to be done. Her concern was about the parking pad and when it snowed, because the alley is not plowed, how would she get in and out. That is why she is asking for a variance. Ms. Ard added that all other violations have been taken care of.

Member Roberts asked Ms. Ard how many houses were to the east of her to Alfred Street. Ms. Ard replied that she is not sure. Member Roberts asked Ms. Ard if she ever intended to build a garage. Ms. Ard replied that she had considered it, but not this year.

Member Nevin asked how many people lived in the home. Ms. Ard replied just herself.

Member Trupiano commented that he drove down the alley and there are some garages and a couple of parking pads.

Ms. Ard stated again that she was informed that the city does not plow alleys.

Nancy Sutton, 269 Kings Highway, present.

Ms. Sutton stated that she did send a letter in support of this appeal.

Ms. Sutton explained that she lives alone and she has a garage that she does not use and she also has a driveway and she is willing to let Ms. Ard use the driveway in case of a snow emergency. Ms. Sutton added that the previous owner did have handicap parking. Ms. Sutton continued that there has never been a problem with a neighbor using her driveway. Ms. Sutton stated that it is common courtesy not to park in front of someone's house. Ms. Sutton added that she had put in a parking pad for a camper, but never parked a car there. Ms. Sutton stated again that she would share her driveway with Ms. Ard during a snow emergency.

Joyce Corte, 305 Kings Highway, Wyandotte, present.

Ms. Corte stated that she has lived in her house for 42 -1/2 years, and she is responsible for making the street a one way street. There is difficulty parking, cars are not moved during snow emergencies, they have nowhere to go. Ms. Corte added that one of her neighbors has been waiting 4 years for his neighbor to put in a parking pad. Ms. Corte added that there is also a parking problem down by 4th Street, however, the neighbors are courteous at their end, and will share driveways, the problem is at the 4th Street end.

Ms. Corte continued that duplex homes are a bad situation, and the city needs to take a look at the zoning and accommodating parking. Ms. Corte stated that a neighbor across the street was made by the City to put in a parking pad.

Ms. Corte stated that she did bring in a petition in opposition to this appeal.

Ms. Corte stated that she feels that there are too many exceptions and it is getting away from enforcing the codes.

George Corte, 305 Kings Highway, Wyandotte, present.

Mr. Corte stated that it looks like there was a two strip driveway, but a curb was put in. Mr. Corte continued that he is fortunate to have a driveway and if you make an exception for one, you will have to do it for everyone and added that he is still waiting for a neighbor to install a concrete pad, instead of the gravel one. Mr. Corte stated that he sells real estate, and the City has a large amount of money in escrow. Mr. Corte added that his concern is that there is a lot of cars, and you rarely see people using the alley for driving.

Charlene Trevino, 311 Kings Highway, Wyandotte, present.

Ms. Trevino stated that she did sell her home and had to have money deducted for the same thing.

Ms. Ard stated that she would like to ask for an extension to correct her code violations and would like some of her escrow money refunded. Chairperson Duran informed Ms. Ard that she would have to check with the Engineering Department.

Ms. Sutton stated that she thinks there is an exception to every rule, they live in a good neighborhood and are accommodating.

Ms. Corte stated that Ms. Sutton is the sweetest neighbor, but she is looking at it from a business view. If she wanted to sell her home now, she would have to put about \$20,000 into it. Ms. Corte expressed concern about the parking and added that there is probably about five other homes that might be wanting this same kind of variance.

Chairperson Duran explained that the Board looks at each case individually.

One (1) communication was received in favor of this appeal.

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

One (1) petition with 8 signatures was received in opposition to this appeal.

One (1) communication from DTE was received regarding this appeal.

Zoning Board
8-4-10 meeting

3113

RECEIVED
7-21-10
5058

July 18, 2010

RE: Appeal #3113

Attn: Peggy Green, Secretary, Zoning Board

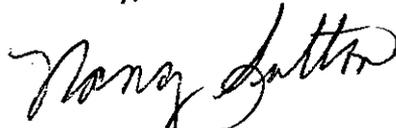
Dear Ms. Green:

I am writing in reference to a letter I received regarding the above appeal submitted by Linda Ard, 279 Kings Highway, on off street parking due to any emergencies requested by the city.

My name is Nancy Sutton, living next door at 269 Kings Highway. I have told Linda that she can park in my driveway at these times. I will pull my car further into my driveway to allow for her car or if I am not home at the time to park her car leaving room for me when I get home. I do not use my garage for my car.

This will create no problem for me and I feel is in compliance with the off street parking situation.

Sincerely,


Nancy Sutton

734-285-6238

3113

3113

Zoning Board
8-4-10 MEETING

RECEIVED
7-22-10

July 21, 2010

6 OF 8

TO: Peggy Green
Zoning Board Secretary
Wyandotte, MI 48192

In regards to a letter I received from the zoning board (Appeal #3113), about off street parking at 279 Kings Hwy. I believe city codes are for all city residence to follow and no exceptions unless their is a **dangerous safety issue or the person or families are handicap.**

Because of this same issue, I know of others that had to pay the expense to put in a parking pad in their back yard and enter to it from the alley. Therefore, unless the city changes the code for all residences, **changes of city codes should no be allowed unless for safety or handicap reasons.**

I also believe that the city should look at this issue closer and keep the alleys plowed from snow in the winter if they expect residence to use the alley in order to park their vehicles. Especially when there is Snow emergencies announced.

Ken Holeczi
Ken Holeczi
318 Kings Hwy.
Wyandotte, MI 48192

ZONING BOARD 8-4-10 MEETING

July 28, 2010

✓ RECEIVED
8-3-10

Ms. Peggy Green
Zoning Board Secretary
Department of Engineering and Building
3131 Biddle Avenue
Wyandotte, Michigan 48192

7 OF 8

Re: **APPEAL #3113**
Linda Ard, 279 Kings Highway, Owner & Appellant

We, the undersigned residents of Kings Highway, are unable to attend the meeting on Wednesday, August 4, 2010. We therefore are indicating to the zoning board that we are in opposition to allowing preferential zoning at the above referenced address. We feel this resident should comply with city code and provide a parking pad in the back of her house (access through alley).

<u>Resident</u>	<u>Address</u>	<u>Phone Number</u>
Hankly D. Heim	365 Kings Hwy Wyandotte	734-284-9913
Paul Pietras	368 Kings Hwy Wyandotte	734 624-0257
Clara Jawn Miller	368 Kings Hwy Wyandotte	(734) 624-8569
Joe Fording	390 Kings Hwy WYANDOTTE	734-286-4627
Mary Cadavette	347 Kings Hwy Wyandotte	734-284-2609
John Belancello	293 Kings Hwy Wyandotte	7/282-7008
Rod Weibach	256 King Hwy "	734 286 3579
Rachel Schell	265 Kings Hwy Wyandotte	734 286 4884

This letter is forwarded in compliance with the request of the city. A copy will be available with residents attending the meeting next week.

Sincerely,

Joyce A. Corte
305 Kings Highway
Wyandotte, MI 48192

Zoning Board
8-4-10 Meeting

3113
DTE Energy



8 of 8

July 27, 2010

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

RE: Appeal #3113: A variance to obtain a Certificate of Occupancy to provide no off street parking at 279 Kings Highway (Lot No. 312, Emmons Orchard Subdivision) in a RT Zoning Distric .

- 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 Appeal No. 3113 as mentioned above. See enclosed strip print 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