

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF May 6, 2015
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, 3200 Biddle Avenue, Wyandotte.

MEMBERS PRESENT: DiSanto
Duran
Gillon
Nevin
Olsen
Szymczuk
Trupiano
Wienclaw

MEMBERS ABSENT: Flachsmann

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Szymczuk, supported by Member Gillon to approve the minutes of the January 7, 2015, meeting as recorded.

Yes: DiSanto, Duran, Gillon, Nevin, Olsen, Szymczuk, Trupiano, Wienclaw

No: none

Abstain: none

Absent: Flachsmann

Motion passed

APPEAL #3199 - DENIED

Brandy Loggie, PO Box 1477, Dearborn (appellant) and Stephen Ahles, PO Box 1591, Wyandotte (owner)

for a variance to obtain Certificate of Occupancy for a four (4) family dwelling at 2750 – 10th Street (Lot 27, Welch's Ford City Sub.) RA zoning district, where the proposed conflicts with Sections 2403.R.1.b, 400 and 2401.E.1 of the Wyandotte Zoning Ordinance.

SECTION 2403.R.1.b:

Multiple family dwelling require two (2) off street parking spaces for each dwelling, plus one (1) for every eight (8) units, for a total of nine (9) required. Current parking is less than eight (8) spaces.

SECTION 400:

Principal uses permitted. Multiple family units are not permitted in single family zoning districts.

SECTION 2401.E.1:

Nonconforming Use and Structure. No existing structure and use **not** permitted by this ordinance shall be extended.

The issue was self-created when the applicant converted an APPROVED office area into a UN-APPROVED 4th residential dwelling (apartment), which is in violation of Section 2603 Certificate of Occupancy, which was issued for this property, along with numerous complaints from surrounding neighbors on the condition of the property.

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

Yes: DiSanto, Duran, Gillon, Nevin, Olsen, Szymczuk, Trupiano, Wienclaw

No: none

Abstain: none

Absent: Flachsmann

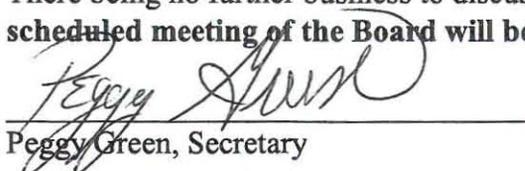
Motion passed

COMMUNICATIONS:

Motion was made by Member Weinclaw to place all communications on file. Motion carried.

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 7:20 p.m. **The next scheduled meeting of the Board will be held on June 3, 2015.**



Peggy Green, Secretary

Appeal #3199

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

Brandy Loggie, present.

Ms. Loggie explained that she does have a post office addresses, but she does live on Vinewood in Wyandotte.

Ms. Loggie explained that she can provide 8 spaces. There is a long driveway, and the area in the back she can park 4 cars. Ms. Loggie added that she could move the staircase to make 10 parking spots.

Chairperson Duran asked how many tenants are in the building. Ms. Loggie replied 4. Chairperson Duran asked how many vehicles total. Ms. Loggie replied 3, one of the tenants does not drive.

Chairperson Duran read the letter from Greg Mayhew, Assistant City Engineer, into the record (attached).

There was discussion between Member Trupiano and Chairperson Duran about the certificate being revoked, how it was approved for 3 units, and would have to meet new requirements for the 4th unit.

Ms. Loggie stated that there were 3 apartments and a lawyer's office. The office had a bathroom, she just put in a kitchen. Ms. Loggie added that the city inspection has been performed.

Member Olsen asked if she converted the lawyers office. Ms. Loggie replied yes, there was already a shower, etc. Member Olsen commented that it was rented out without a permit.

Member Olsen asked if all 4 units were rented. Ms. Loggie replied yes.

Member DiSanto asked if in 2006, was the lawyer the owner. Ms. Loggie replied that he (Steve Ahles) sold it to her on land contract last year.

Member DiSanto asked how many meters there were. Ms. Loggie replied 4.

Member DiSanto asked how many bedrooms. Ms. Loggie replied 2 units have 2 bedrooms, 2 units have 1 bedroom.

Member DiSanto asked if the law office had a kitchen. Ms. Loggie replied yes, she put up cupboards.

Member DiSanto asked Ms. Loggie if this was her only rental. Ms. Loggie replied no, she has 2 in Wyandotte and 2 in other cities.

Member Olsen asked how many tenants she has now. Ms. Loggie replied 4.

Member Trupiano asked how many cars can park in the driveway. Ms. Loggie replied 4.

Member Trupiano asked what prompted the inspection. Ms. Loggie replied that she rented to a family member who did not want to pay rent.

Member Szymczuk commented that if you have 4 cars in the front, and 4 in the back, you would be shuffling the cars getting them in and out. Ms. Loggie replied that the driveway is never full.

Member DiSanto commented that there is a Certificate of Occupancy from 1994 for 3 apartments and a law office.

Dean and Lisa Dezsi, 1000 Chestnut, present.

Mr. Dezsi stated that is inadequate parking, the alley is never plowed, his property is along the alley, and a previous tenant collided with the guardrail, and with more traffic, there is potential for damage to his property. Mr. Dezsi commented that Mayor Peterson had stated at a council meeting that he did not want any more rentals, and he feels the board should stand by him.

Mr. Dezsi continued that the property is not maintained. Trash sets out and blows all over, and he is always cleaning it up. The police have been called for domestic disputes, and he has 2 children and a handicap mother living with him, and he is worried about their safety.

Alfredo Gutierrez, 1031 Superior, present.

Mr. Gutierrez stated that he agrees with Mr. Dezsi, there is trash and alley traffic. Mr. Gutierrez added that he recently had a theft and fire in his home, and he and his family still want to stay there, and this makes them not want to.

Rita Bloomfield, 2758 – 10th Street.

Ms. Bloomfield explained that her husband had lived there all his life, and her since 2000, and they have seen changes. They saw Steve move out and Brandy came, and someone lived in the front, now someone else is there. There is a rat problem, and the trash needs to be picked up.

Ms. Bloomfield stated that she does not see how there will be 8 or 10 parking spaces available. There is a wide driveway, but her yard has been damaged from people using the driveway. The more people you have, the more problems you have. Ms. Bloomfield stated that she is against this appeal.

Member DiSanto asked what her experience was when the law office was there. Ms. Bloomfield replied that Steve was there occasionally.

Jerry Sabatowich, 2776 – 10th, present.

Mr. Sabatowich stated that he lived there for 12 years, and was surprised, because he never knew that there was a law office there, but he has noticed the noise, garbage, drug addicts, and the police being called for domestic disputes. Mr. Sabatowich stated that he is concerned about his grandson and granddaughter going out when they are over to visit him. Mr. Sabatowich stated that are enough rentals, they don't need any more. There are more rental units than owner occupied now. Mr. Sabatowich commented that he did not feel that people parking in line by the house will work, how will they get in and out. Mr. Sabatowich stated that he felt the Board should deny this appeal.

Member DiSanto asked Ms. Loggie about the trash. Ms. Loggie stated that each tenant has a toter from the City. Ms. Loggie added that she has cleaned the place up, and takes

pride in the dwelling, and she has owned it over a year. Ms. Loggie added that she purchased a dwelling on 2nd Street in January, and been on Vinewood since 2012, all of her family is from Wyandotte, and she feels that a business would be more traffic than a rental unit. Ms. Loggie added that she has hired people to clean up trash, and there has been no issue the last 6 to 8 weeks.

Member Olsen asked if she has owned it for 2 years. Ms. Loggie replied yes. Member Olsen asked when Steve moved out. Ms. Loggie replied October or November 2013. Member Olsen asked when the tenant moved in. Ms. Loggie replied last August.

Member DiSanto asked who did the work. Ms. Loggie replied she did.

Ms. Loggie stated that she is willing to clean up, she feels a business would be more traffic, and she tries to rent to 1 or 2 disabled people who don't drive.

Member DiSanto asked if each tenant had their own entrance. Ms. Loggie replied yes.

Mr. Dezsi stated that in regards to the cleanup, that was only in the last 3 to 4 weeks, and Ms. Loggie has owned it for almost 2 years.

Mr. Sabatowich stated that talking about vehicles now, won't be the same situation in the future. There will be parking problems in the future.

No communications were received regarding this appeal.

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OFFICIALS

William R. Griggs
CITY CLERK

Todd M. Browning
CITY TREASURER

Thomas R. Woodruff
CITY ASSESSOR



MARK A. KOWALEWSKI, P.E.
CITY ENGINEER

MAYOR
Joseph R. Peterson

COUNCIL
Sheri Sutherby Fricke
Daniel E. Galeski
Ted Miciura, Jr.
Leonard T. Sabuda
Donald C. Schultz
Lawrence S. Stec

ZB
5-6-15 MTC

ONLY NOTICE

February 5, 2015

Stephen and Judy Ahles
P. O. Box 1591
Wyandotte, Michigan 48192

RE: 2750 10th Street
Wyandotte, MI

Dear Stephen and Judy Ahles:

Complaints have been received by the City of Wyandotte Department of Engineering and Building regarding the condition of the referenced property. Upon a site inspection and review of the address files it has been determined that there are four (4) apartments at this address. The current Certificate of Compliance was issued for three (3) apartments. In addition, the latest issued Certificate of Occupancy approves the use of the structure for three (3) apartments. The addition of the fourth apartment is a violation of Section 2603 Certificate of Occupancy, of the Wyandotte Zoning Ordinance. The renting of the fourth unit without a Certificate of Compliance is in violation of the City of Wyandotte Code of Ordinances Sec. 31.1-11 Certificate of compliance required.

Because of the ordinance violations noted above, and in accordance with the City of Wyandotte Code of Ordinance Sec. 31.1-11, the Certificate of Compliance that has been issued to 2750 10th Street is now hereby revoked. A new Certificate of Compliance, with a new inspection and approval, is required, along with an approved Certificate of Occupancy. Set up and pay for the new Certificate of Compliance inspection and submit a Certificate of Occupancy application within thirty (30) days of the date of this notice. Failure to comply in the time frame specified will result in enforcement of Sec. 31.1-20 Violations; penalty.

If you have any questions, kindly contact the undersigned at 734-324-4558, or by email at gmayhew@wvan.org.

Very truly yours,

Gregory J. Mayhew
Assistant City Engineer

