

MINUTES AS RECORDED

**MINUTES OF THE MEETING OF October 1, 2014
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: Duran
Flachsmann
Gillon
Nevin
Olsen
Szymczuk
Trupiano

MEMBERS ABSENT: DiSanto, Wienclaw

ALSO PRESENT: Peggy Green, Secretary

A motion was made by Member Olsen, supported by Member Flachsmann to approve the minutes of the September 3, 2014, meeting as recorded.

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Szymczuk, Trupiano

No: none

Abstain: none

Absent: DiSanto, Wienclaw

Motion passed

APPEAL #3189 - GRANTED

Tittle Construction, 787 Southfield, Lincoln Park (appellant) and Anthony Biasi, 849 Hudson, Wyandotte (owner)

for a variance **to obtain a building permit for a porch at 849 Hudson** (Lots 179 and 180, Welch Brothers Millions Dollar Sub.), in a RA zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.

SECTION 2100:

A minimum of a 4' sideyard is required for a structure. Proposed pergola would be located 3'-1" from the side property line.

Proposed porch will not be detrimental to the development of adjacent districts, buildings or uses, and does not substantially impair the intent and purpose of the ordinance.

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

Yes: Duran, Flachsmann, Gillon, Nevin, Olsen, Szymczuk, Trupiano
No: none
Abstain: none
Absent: DiSanto, Wienclaw
Motion passed

APPEAL #3190 - GRANTED

David Vasher, 931 St. Johns, Wyandotte, (owner & appellant)

for a variance to building permit #PO14-0008 to widen driveway from the street to the front of the dwelling at 931 St. Johns (see file for legal description), in a RA zoning district, where the proposed conflicts with Section 2403.C of the Wyandotte Zoning Ordinance.

SECTION 2403.C:

Requires off street parking be located in a rear or side yard, where the proposed widening of the driveway does not extend in the side yard.

Note: This property received a permit in error for work recently completed.

Driveway widening 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 Gillon to grant this appeal.

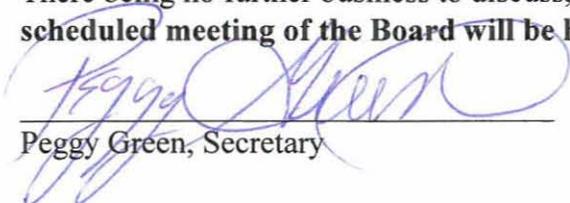
Yes: Duran, Gillon, Nevin, Olsen, Szymczuk, Trupiano
No: none
Abstain: Flachsmann
Absent: DiSanto, Wienclaw
Motion passed

COMMUNICATIONS:

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

OTHER BUSINESS:

There being no further business to discuss, the meeting adjourned at 6:50 p.m. **The next scheduled meeting of the Board will be held on November 5, 2014.**



Peggy Green, Secretary

Appeal #3189

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

Anthony Biasi, owner, present.

Chairperson Duran asked if the pergola would be at the rear of the house. Mr. Biasi replied yes, he wants it for privacy in the rear yard.

Member Nevin asked if it would be enclosed. Mr. Biasi replied no.

Member Gillon asked if it would be open on top. Mr. Biasi replied yes, with blinds that roll upon the sides.

One communication was received from DTE.

Appeal #3190

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

David Vasher, owner, present.

Mr. Vasher explained that he hired a contractor, a permit was obtained, the work was done, and then he received a letter that it was not right.

Chairperson Duran confirmed that there was no neighbor on the west side of the property. Mr. Vasher stated that was correct.

Member Gillon confirmed that the old part of the driveway extended to the rear of the house. Mr. Vasher replied yes. Member Gillon asked if the new part was at the front. Mr. Vasher replied yes. Member Gillon commented that the driveway should extend past the front of the house.

Member Flachsmann commented that the application was approved, and rough inspection was done, and the problem should have been caught, then it was poured, and disapproved on the final inspection. He feels that the Building Department should be appealing this, not the owner of the property and added that he will be abstaining from the voting of the appeal.

Member Olsen commented that he feels the same way.

Member Trupiano stated that he understands enforcement with no hardship, but this does cause a hardship on the owner, and he agrees, that the City did make a mistake. Member Trupiano added that the property to the west is Edison Property and it will not be sold or built on and it is the intent of the ordinance to keep the front of the property clear of cars, but this is not the homeowners mistake, and it would be his hardship

Member Olsen commented that if this is approved, it will send mixed messages. Member Trupiano stated that he would still approve this appeal even if it was not the City's mistake, because of the location, and you have to look at the circumstances for each appeal.

One communication was received from DTE.

DTE Energy Gas Co.
Data Integrity and Technology
One Energy Plaza, WCB-1836
City of Detroit, MI 48226

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ZB 10-1-14
✓ RECEIVED
9-16-14

September 16, 2014

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3189: For a Variance to obtain a building permit for a porch at 849 Hudson (Lots 179 thru 180, Welch Brothers Millions Dollar Sub.), in a RA 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 Gas Company has no involvement, nor objection to the Appeal #3189 as mentioned above. See enclosed strip print and attached notice of public hearing, for your use and information.

Please abide by Public Act 174, three (3) working days before you dig, dial toll free MISS DIG at: 1 - 800 - 482 - 7171.

DTE Energy Gas Leak Emergency Phone Number: 1- 800 - 947 - 5000.

Sincerely,

/s/ Russell E Thornton
Drafter
Data Integrity and Technology

RET/
Enclosure

DTE Energy Gas Co.
Data Integrity and Technology
One Energy Plaza, WCB-1836
City of Detroit, MI 48226

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September 16, 2014

Peggy Green, Zoning Board Secretary
Zoning Board of Appeals and Adjustment
3200 Biddle Avenue, Suite 200
Wyandotte, Michigan 48192

RE: Appeal #3190: For a Variance to building permit #PO14-0008 to widen driveway from the Street to the front of the Dwelling at 931 St. John in a RA 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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