

**MINUTES AS RECORDED**

**MINUTES OF THE MEETING OF April 6, 2016  
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  
Flachsmann  
Gillon  
Olsen  
Nevin  
Szymczuk  
Trupiano

**MEMBERS ABSENT:** Wienclaw

**ALSO PRESENT:** Kelly Roberts, Secretary

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A motion was made by Member Szymczuk, supported by Member Trupiano to approve the minutes of the March 2, 2016, meeting as recorded.

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

No: none

Abstain: none

Absent: Wienclaw

Motion passed.

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**APPEAL #3215 - GRANTED**

Mike Flachsmann, 2440 – 17<sup>th</sup> Street, Wyandotte (owner & appellant)

or a variance **to obtain a mechanical permit for an air conditioner to located in the side yard at 2440 – 17<sup>th</sup> Street** (Lots 251, 252 and S 25' of Lot 253, West Park Sub. No. 1) in a RA zoning district, where the proposed conflicts with Section 2500.F.9 of the Wyandotte Zoning Ordinance.

**Section 2500.F.9:** Mechanical equipment installed outside of one or two family dwellings and their attached structures shall be located in the rear yard. Proposed air conditioner unit would be located in the side yard.

**Proposed location of air conditioning unit will not be detrimental to the development of adjacent buildings or uses, or impair the value of the ordinance as written.**

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

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

No: none

Abstain: Flachsmann,

Absent: Wienclaw

Motion passed.

### **APPEAL #3216 – WITHDRAWN**

Carl Holloway (Iron Bandogs LE/MC), 22299 Derby Road, Woodhaven (appellant) and Fort Street Plaza, 1806 N. Telegraph Road, Dearborn (owner)

for a variance **to obtain a Certificate of Occupancy for a business office and once a month for charity events at 1217 Fort Street** (E 84' of Lots 152 to 156, Belmont Sub.) in a B-2 zoning district, where the proposed conflicts with Section 2403.R.3k of the Wyandotte Zoning Ordinance.

#### **Section 2403.R.3k:**

Dance halls, roller rinks, exhibition halls and assembly halls without fixed seats; one (1) parking space required for each seventy five (75) square feet of usable floor area. In those instances where patrons are served without seating, one (1) parking space for each twenty (20) square feet of standing room area in addition to the above requirements shall be provided.

Applicant is proposing to use building for a business office and once a month for charity events. The zoning ordinance would require a minimum of 20 parking spaces based on one (1) parking space per 75 square feet of usable floor area for these events.

The parking lot has 21 parking spaces with 8 spaces allocated to proposed new tenant at Unit 1231 for Pizza King. Therefore, 13 parking spaces remain for this proposed use (20 parking spaces) and the vacant unit (unknown parking spaces) at 1209 Fort Street.

NOTE: There are three (3) commercial units at this location:

1209 Fort Street:	1,980 sq.ft. vacant
1217 Fort Street:	1,980 sq.ft. 21 parking spaces required
1231 Fort Street:	1,980 sq.ft. 8 parking spaces required

**Appeal withdrawn by appellant.**

### **APPEAL #3217 - GRANTED**

Sheldon Smiley, 21676 Knudsen, Grosse Ile (owner & appellant)

for a variance **to obtain a building permit for a carport at 1728 Electric** (N 15' of Lot 141 also Lot 142, Ford Estates Sub.) in a RA zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.

**Section 2100:**

Minimum side yard setback of 4' is required. Proposed carport only has a 1'-0" side yard setback. A combined side yard setback of 12'-0" is required. Proposed carport would have a 9'-0" total side yard.

**Carport sideyard setback will not be detrimental to the development of adjacent buildings or uses, or impair the value of the ordinance as written.**

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

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

No: none

Abstain: None

Absent: Wienclaw

Motion passed.

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**COMMUNICATIONS:**

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

**OTHER BUSINESS:**

There being no further business to discuss, the meeting adjourned at 6:55 p.m. **The next scheduled meeting of the Board will be held on May 4, 2016.**

  
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Kelly Roberts, Secretary

**Appeal #3215**

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

Michael Flachsmann, owner and appellant present.

Mr. Flachsmann stated that he is going to be building an addition to the rear of the property and the air conditioning unit needs to be moved eight (8) feet from its current location into the side yard.

Chairperson Duran stated that the current unit was located in the side yard, but it has been removed.

Mr. Flachsmann stated that was correct.

Member Szymczuk stated that this is self-explanatory and he could see where the old unit was located and there is enough space between the neighbor's house and Mr. Flachsmann.

Chairperson Duran read the communication received from the adjacent property owner into the record.

Member Trupiano indicated that there is a lot of room between the properties and he has no issues with this request.

Two (2) communications were received.

### **APPEAL #3217**

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

Sheldon Smiley, owner and appellant present

Mr. Smiley indicated that when he purchased the property the inspection report indicated that a permit was required for the existing carport. Mr. Smiley indicated that the carport has been there since 1978 and Mr. Smiley does not understand why it could not be approved.

Chairperson Duran asked Mr. Smiley if this property was going to be a rental.

Mr. Smiley indicated that he recently purchased the property and he is using the property as a rental.

Member Nevin asked Mr. Smiley if he has been in contact with the Engineering Department.

Mr. Smiley indicated that is how all this has come about, it was a violation on the inspection report. Mr. Smiley did indicate that if the inspection report indicated that the carport did not have the proper setbacks he might not have bought the property. Mr. Smiley continued that the inspection report just indicated that a permit was required.

Member Flachsmann indicated that back in 1978 there might have been a lack of enforcement and Member Flachsmann indicated that the carport was a good idea at that location.

Member DiSanto asked Mr. Smiley if he would be enclosing the carport.

Mr. Smiley indicated that he has no plans to enclose the carport.

Member Gillon asked Mr. Smiley if he is going to rebuild the carport or is this appeal for the existing carport on the property.

Mr. Smiley indicated that this is for the existing carport that is currently on the property.

Member Gillon and Member Trupiano both indicated that they thought that a new carport was going to be built.

Chairperson Duran indicated that this was an existing carport that a permit was never secured for.

Chairperson Duran read the communication received into the record.

Two (2) communications were received.



3215  
5 OF 9

RECEIVED 4-6-16  
4-4-16 ZB

March 26, 2016

Zoning Board of Appeals & Adjustment  
City of Wyandotte  
3200 Biddle Avenue  
Wyandotte MI 48192

RE: APPEAL #3215

TO WHOM IT MAY CONCERN:

My name is Stanley Ostrowski. My home is located immediately south of 2440 – 17<sup>th</sup> Street, the subject property of the above-referenced Appeal.

I am writing to advise you that I have no objection to the request by Mike Flachsmann to obtain a mechanical permit for an air conditioner to be located in the sideyard of his home at 2440 – 17<sup>th</sup> Street.

Sincerely,

Stanley Ostrowski  
2452 – 17<sup>th</sup> Street  
Wyandotte MI 48192



6 of 9

DTE Energy Gas Co.  
Data Integrity and Technology  
One Energy Plaza, GO-838  
City of Detroit, MI 48226

3215 4-6-16  
ZB

✓ RECEIVED  
4-5

April 5, 2016

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

RE: Appeal #3215: For a Variance to obtain a permit for an air conditioner to be located in the side yard at 2440 17<sup>th</sup> Street (Lots 251, 252 and S 25' of Lot 253, West Park Sub. No. 1) in a RA zoning district, where the proposed conflicts with Section 2500.F.9 of the Wyandotte Zoning Ordinance.

- 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 #3215 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

7 OF 9

I CARL HOLLOWAY, PM WITH DRAWING  
4-6-16  
MY APPEAL SCH, FOR 4-6-16, DUE TO ZB  
OWNER LEASING BUILDING. APP. # 3216

 3-29-16.

1217 FORT STREET,

734-512-6754  
CARL HOLLOWAY

# 3216

Engineering1

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8 OF 9  
4-6-16

**From:** Engineering1 [engineering1@wyan.org]  
**Sent:** Wednesday, March 23, 2016 3:56 PM  
**To:** 'Megan Michael'  
**Subject:** RE: Appeal #3217

RECEIVED ZB  
3-23-16

Communication has been received and will be presented to the Zoning Board.  
Thank you.

#3217

**From:** Megan Michael [mailto:1heavengazer@gmail.com]  
**Sent:** Wednesday, March 23, 2016 2:50 PM  
**To:** engineering1@wyan.org  
**Subject:** Appeal #3217

To whom it may concern,

My name is Megan Michael. I am the property owner of 1760 10th Street in the Ford Estates sub. I cannot make it in person to the meeting regarding the request to add a carport at 1728 Electric. As a neighbor, I have no issue with this addition as long as it is done tastefully and passes building codes for safety. If you have any questions please feel free to contact me at my address or by phone at (734) 363-4358. Thank you.

Megan Michael  
1760 10th St.  
Wyandotte, MI 48192



DTE Energy Gas Co.  
Data Integrity and Technology  
One Energy Plaza, GO-838  
City of Detroit, MI 48226

9 OF 9  
3217 4-6-16  
28  
✓  
RECEIVED  
4-5-16

April 5, 2016

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

**RE: Appeal #3217: For a Variance to obtain a building permit for a carport at 1728 Electric (N 15' of Lot 141 also Lot 142, Ford Estates Sub.) in a RA zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.**

- 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.
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Sincerely,

*/s/ Russell E Thornton*  
Drafter  
Data Integrity and Technology

RET/  
Enclosure

**FYI: An Existing Gas Service (1-1/4"-STL 1951) is located at 2' WEBW on the South Side of 1728 Electric that crosses the Driveway.**