

**MINUTES AS RECORDED**

**MINUTES OF THE MEETING OF May 4, 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:** Duran  
Flachsmann  
Gillon  
Olsen  
Nevin  
Szymczuk  
Trupiano  
Wienclaw

**MEMBERS ABSENT:** DiSanto

**ALSO PRESENT:** Peggy Green, Secretary

---

A motion was made by Member Trupiano, supported by Member Olsen to approve the minutes of the April 6, 2016, meeting as recorded.

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

No: none

Abstain: none

Absent: DiSanto

Motion passed.

---

**APPEAL #3218 - GRANTED**

Bob Hensley, 2504 – 17<sup>th</sup> Street (owner & appellant)

for a variance **to obtain a mechanical permit for an air conditioner to be located in the sideyard at 2504 – 17<sup>th</sup> Street** (Lots 240 and 241, West Park No. 1 Sub.) 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 not be installed in any front and/or sideyard and shall be located behind the structure and a minimum of 5' from the property line. Proposed relocation of air conditioner unit would be located in the sideyard and 1' from the property line.

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

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

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

No: none

Abstain: none

Absent: DiSanto

Motion passed.

**APPEAL #3219 - GRANTED**

Todd Browning, 2512 – 17<sup>th</sup> Street (owner & appellant)

for a variance **to obtain a mechanical permit for an air conditioner to be located in the sideyard at 2512 – 17<sup>th</sup> Street** (Lot 239, West Park No. 1 Sub.) 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 not be installed in any front and/or sideyard and shall be located behind the structure and a minimum of 5' from the property line. Proposed relocation of air conditioner unit would be located in the sideyard and 1' from the property line.

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

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

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

No: none

Abstain: none

Absent: DiSanto

Motion passed.

**APPEAL #3220 - GRANTED**

Michael & Jennifer Balcom, 2435 – 15<sup>th</sup> Street (owner & appellant)

for a variance **to obtain a building permit for front and rear addition at 2435 – 15<sup>th</sup> Street** (S 20' of Lot 69 also N 20' of Lot 70, Mizner's Sub.) in a RA zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.

**Section 2100:**

A maximum of 35% lot coverage is allowed for structures in a RA zoning district. Proposed front and rear addition will result in the allowable lot coverage being exceeded by 239.72 square feet.

A minimum of a 20' front yard setback is required or the average of the block. Proposed front addition would be located 19.5 feet from the front property line, and the average of the block is 19.90 feet. Note: field measured.

**Proposed front and rear additions will not be detrimental to the development of adjacent buildings or uses, and will not impair the purpose of the ordinance as written.**

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

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

No: none

Abstain: none

Absent: DiSanto

Motion passed.

**APPEAL #3221 - GRANTED**

Austin Sash, 1743 N. Trenton Drive, Trenton (appellant) and Peter Dieringer, 848 Oak, Wyandotte (owner)

for a variance **to obtain a Certificate of Occupancy for a four (4) family multiple dwelling at 848 Oak** (Lots 118, 199, 120, Bishop's Sub.) in a B-1 zoning district, where the proposed conflicts with Sections 2100, 2100.E and 2404.Q of the Wyandotte Zoning Ordinance.

Section 2100.0 – Front Yard: A minimum of a 20 foot front yard is required for a multiple family dwelling. Existing building which is proposed to be converted to a four (4) family dwelling has a 2.92 foot front yard setback to the property line.

Section 2100.E: The following minimum lot area per dwelling shall be provided: Four (4) – two (2) bedroom apartments require 2,200 square feet of lot area each or 8,800 square feet. There is a total lot area of 8,625 square feet and therefore is deficient in the minimum lot area by 175 square feet.

Section 2404.Q – For all new parking areas of six (6) or more spaces or existing parking lots that add additional parking spaces the off street parking area shall have a planting area of at least five (5) feet in width along any street. Additional planting areas shall be required equaling at least ten (10) square feet in area for each parking space. Landscape plan shall be submitted for review by Planning Commission. Nine (9) parking spaces are shown on plan and requirements are not met. Landscape plan has not been submitted.

Note: If approved by Planning Commission, as Limited Dwellings under Special Uses Provisions then any site plan deficiencies will require a zoning variance by the Zoning Board of Appeals. If both boards approve this use, then Architectural plans shall be submitted by a State of Michigan Licensed Architect with the building permit application.

Currently 1<sup>st</sup> floor is a business office with the 2<sup>nd</sup> floor having two (2) apartments. The property is zoned B-1, which allows uses permitted as special uses and as regulated in the OS District. (Section 2200.L.Limited Dwellings)

The applicant is proposing to add two 1<sup>st</sup> floor apartments at the rear and front of existing business office area. This would eliminate the business office area, and the 2 upper apartments would remain.

**Proposed addition of two 1st floor apartments in place of the business office area will not hinder or discourage further business or residential development in that area, and will not impair the purpose of the ordinance as written.**

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

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

No: Trupiano

Abstain: none

Absent: DiSanto

Motion passed.

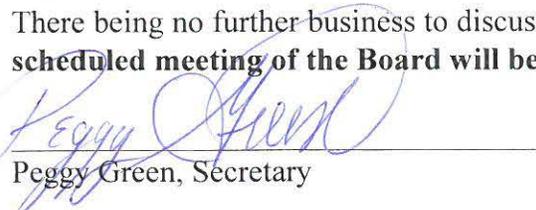
---

#### **COMMUNICATIONS:**

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

#### **OTHER BUSINESS:**

There being no further business to discuss, the meeting adjourned at 7:10 p.m. **The next scheduled meeting of the Board will be held on June 1.**

  
Peggy Green, Secretary

#### **Appeal #3218**

Chairperson Duran read the appeal and asked that it be explained

Bob Hensley, owner, present.

Chairperson Duran asked if they would be moving the existing unit. Mr. Hensley replied yes, they want it in the sideyard because they are wanting to put a deck on the back of the house.

Member Flachsmann commented that a lot of people put decks in the back and go around, enclosing the air conditioner units, and feels that it is a good idea for the unit to be in the sideyard.

One communication was received in favor of this appeal.  
Communication from DTE received.

**Appeal #3219**

Chairperson Duran read the appeal and asked that it be explained

Todd Browning, owner, present.

Chairperson Duran stated that this appeal is the same as the previous appeal. Mr. Browning stated that was correct.

Member Olsen discussed the location of the unit.

Member Flachsmann asked if they would be moving the existing unit. Mr. Browning replied yes.

Two communications were received in favor of this appeal.  
Communication from DTE received

**Appeal #3220**

Chairperson Duran read the appeal and asked that it be explained

Michael and Jennifer Balcom, owner, present.

Mr. Balcom explained that they want to bump out the kitchen flush with the porch and add a bedroom on the back (the garage is on the rear of the property).

Chairperson Duran asked if the front would be a kitchen addition and the rear a bedroom addition. Mr. Balcom replied yes

Member Nevin asked if the building with the stack on it was on their property. Mr. Balcom replied yes and the chimney will be coming down.

Member Flachsmann asked how long they have lived there. Mr. Balcom replied since 2006, they want to stay in Wyandotte, they love the neighborhood. Member Flachsmann commented that he likes to see young couples moving into the city and making improvements.

No communications were received regarding this appeal.  
Communication from DTE received

### Appeal #3221

Chairperson Duran read the appeal and asked that it be explained

Jerry Miller, Downriver Real Estate, representing Peter Dieringer (owner) and Austin Sash (appellant), present.

Mr. Sash explained that it will be a four unit building and he will also be living there, and he wants to restore it back to Victorian, and feels that this will be a good use.

Chairperson Duran asked if the building is currently vacant. Mr. Miller replied yes, it has been on the market for a couple of years.

Member Trupiano asked Mr. Sash if he has already purchased the building. Mr. Sash replied no, it is contingent upon it being a four unit.

Member Gillon asked that the Planning Commission meeting be reviewed. Mr. Miller stated that the 4 unit was approved by the Planning Commission, and they just had to appeal to the Zoning Board for approval, and the architectural renderings would have to be approved.

Mr. Miller continued that the pool needs to come out to meet the parking. Mr. Miller added that it is a corner lot with an alley entrance, and they will have to work with the landscaping plans.

Member Gillon and Member Flachsmann discussed the Planning Commission's approval and landscaping. Member Flachsmann stated that they need three items approved for a variance, and if granted, they can proceed. Member Flachsmann discussed how the landscaping ordinance is not written for every situation, but you still have to go through the steps. This building is the same, it will be landscaped, and someone will be living there.

Member Flachsmann stated that they are asking for a 2.92 setback, it is an existing nonconforming building, 175 square feet is minimal, and asking for variance on one parking spot.

Chairperson Duran commented that the building will just set vacant, or someone else will need to come before the board asking for a variance.

Member Flachsmann commented that the longer it is vacant, the worse it will get, and the appellant is going to be undertaking some major improvements and he is willing to do it.

Mr. Miller commented that the lower level handicap unit would probably enter from the front and will probably park on Oak Street.

Member Gillon commented that there are 4 units, and at least 8 off street parking, and feels that the parking is sufficient.

Member Trupiano commented that he is struggling with it being vacant, and is not crazy about 4 units.

Member Flachsmann commented that the appellant is probably working on a balance sheet where he needs the 4 units, the Planning Commission already allowed the 4 units, it is not the Zoning Board's call.

Member Trupiano commented that a variance will still be required no matter what.

Member Flachsmann stated the building needs a lot of work, and the appellant will need 4 units to make it pay off, and he will be living there.

Member Wienclaw discussed Section 2404.Q referring to the planting area. Member Flachsmann stated that the parking ordinance is very confusing.

Donald Streeter, 849 Chestnut, present.

Mr. Streeter stated that there are apartments across the street, there is a fire hydrant in front of this building, and there is the bingo hall, he doesn't see how you will get the parking. Member Flachsmann stated that the parking spots will be 8x18.

Mr. Streeter stating that getting in and out of the parking is going to be a problem.

Chris Lukitsh, 831 Chestnut, present.

Mr. Lukitsh stated that he has been in his home for 20 years. The pool at 848 Oak needs to go. The alley is horrible especially if the parking is going to be off the alley. There are 3 rental properties now in the area, with no parking. The alley needs to be paved and sewers put in. The City does not plow the alley, and you get stuck in it in when there is snow.

Member Flachsmann stated that the City does have a program for alley paving, but some commercial properties didn't want the alley paved because they would have to pay for it. There was discussion regarding the alley paving program.

Mr. Lukitsh stated that the FOP disconnected their downspouts and the water now drains into the alley. Member Flachsmann suggested to Mr. Lukitsh to contact the Engineering Department. Mr. Lukitsh stated that has already sent emails. Member Flachsmann suggested that he petition to get the alley paved. There was discussion regarding a petition.

Mr. Lukitsh stated that he is all for the appeal except for the alley and the parking.

One communication was received in opposition to this appeal.  
Communication from DTE received

March 22, 2016

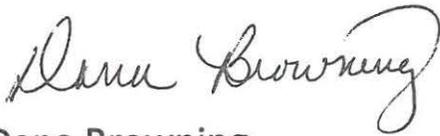
8 OF 15  
3218

To: Zoning Board of Appeals

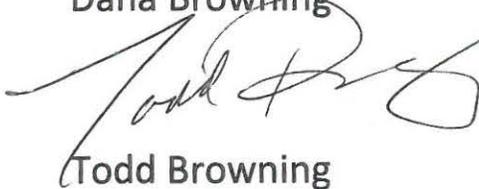
We, the neighbors of Bob and Chris Hensley of 2504 — 17<sup>th</sup> Street, give our consent to allow them to place their air conditioning unit in between our houses. We are their neighbors on the south side where the unit would be place.

Thank you.

Sincerely,



Dana Browning



Todd Browning

2512 — 17<sup>th</sup> Street

Wyandotte, MI 48192



9 OF 15

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

May 9, 2016

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

**RE: Appeal #3218: For a Variance to obtain a mechanical permit for an Air Conditioner to be located in the sideyard at 2504 17<sup>th</sup>, Street (Lots 240 and 241, West Park No. 1 Sub.) 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 #3218 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,

*LS Russell E Thornton*  
Drafter  
Data Integrity and Technology

RET/  
Enclosure

March 22, 2016

10 OF 15

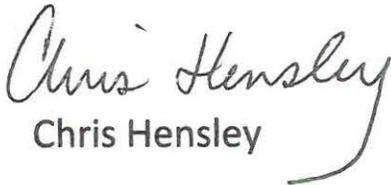
3219

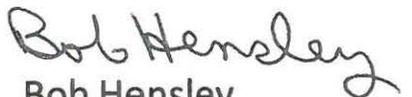
To: Zoning Board of Appeals

We, the neighbors of Dana and Todd Browning of 2512 – 17<sup>th</sup> Street, give our consent to allow them to place their air conditioning unit in between our houses. We are their neighbors on the north side where the unit would be place.

Thank you.

Sincerely,

  
Chris Hensley

  
Bob Hensley  
2504 – 17<sup>th</sup> Street  
Wyandotte, MI 48192

11 OF 15

# 32 19

April 21, 2016

I am in favor of allowing Todd Browning of 2512 17<sup>th</sup> Street, in Wyandotte, to obtain a mechanical permit for an air conditioner to be located at his address stated in this letter.

There are many lots in Wyandotte, that do not have a 5' side yard.

Sincerely,

Carol Brewer

1532 Superior

Wyandotte, MI



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

12 OF 15

May 9, 2016

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

**RE: Appeal #3219: For a Variance to obtain a mechanical permit for an Air Conditioner to be located in the sideyard at 2512 17<sup>th</sup>, Street (Lots 239, West Park No. 1 Sub.) 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 #3219 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,

*RS Russell & Thornton*  
Drafter  
Data Integrity and Technology

RET/  
Enclosure



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

13 OF 15

May 9, 2016

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

**RE: Appeal #3220: For a Variance to obtain a building permit for front and rear addition at 2435 15<sup>th</sup> Street (S 20' of Lot 69 also N 20' of Lot 70, Mizner's 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.
- 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 #3220 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,

*IS Russell E Thornton*  
Drafter  
Data Integrity and Technology

RET/  
Enclosure

**Engineering1**

---

14 OF 15

**From:** Engineering1 [engineering1@wyan.org]  
**Sent:** Tuesday, May 03, 2016 7:03 AM  
**To:** 'dl48192@wyan.org'  
**Subject:** RE: zoning appeal 3221. 848 oak

3221

Received and will present to the Zoning Board.  
Thank you.

---

**From:** dl48192@wyan.org [mailto:dl48192@wyan.org]  
**Sent:** Tuesday, May 03, 2016 5:38 AM  
**To:** engineering1@wyan.org  
**Subject:** zoning appeal 3221. 848 oak

To whom it concerns,

I am opposed to the variance for 848 oak street. the area already has to many rentals. Thank you .

Dave long

2941 9th street



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

15 OF 15

May 9, 2016

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

**RE: Appeal #3221: For a Variance to obtain a Certificate of Occupancy for a four (4) family multiple dwelling at 848 Oak (Lots 118, 199, 120, Bishop's Sub.) in a B-1 zoning district, where the proposed conflicts with Sections 2100, 2100.E and 2404.Q 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 #3221 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,

*RS Russell E Thornton*  
Drafter  
Data Integrity and Technology

RET/  
Enclosure