

**MINUTES AS RECORDED**

**MINUTES OF THE MEETING OF July 20, 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  
Gillon  
Nevin  
Szymczuk  
Trupiano  
Wienclaw

**MEMBERS ABSENT:** Flachsmann, Olsen

**ALSO PRESENT:** Peggy Green, Secretary

\*Chairperson Duran excused herself for Appeal #3227 and Vice Chairperson Gillon chaired the remainder of the meeting.

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A motion was made by Member Gillon, supported by Member Wienclaw to approve the minutes of the June 1, 2016, meeting as recorded.

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

No: none

Abstain: none

Absent: Flachsmann, Olsen

Motion passed.

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**APPEAL #3224 - GRANTED**

Jay-Bilt Construction, 34038 Glendale, Livonia (appellant) and Matt and Tylene Farkas, 975 Elm, Wyandotte (owner)

for a variance to obtain a building permit attached garage at 975 Elm (Lot 7, Debo's Sub Block C, also E .50' of Lot 51, John P Hehl's Sub.) in a RT zoning district, where the proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance.

**Section 2100:**

A minimum of 12' is required for the total sideyard setbacks on both sides of the structure. The proposed attached garage will result in a total of 7'-7" for the total of both sideyard setbacks

**Proposed attached garage 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 Wienclaw to grant this appeal.

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

No: none

Abstain: none

Absent: Flachsmann, Olsen

Motion passed.

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**APPEAL #3225 – GRANTED w/stipulation**

Cindy Beard/Faford, 4264 – 17<sup>th</sup> Street, Wyandotte (owner & appellant)

for a variance to obtain a building permit for a porch at 4264 – 17<sup>th</sup> Street (S 25' of Lot 10, also Lot 11, Klett's Sub.) in a RA zoning district, where the proposed conflicts with Section 2500.F.6 of the Wyandotte Zoning Ordinance.

**Section 2500.F.6:**

An unenclosed porch may project 6' into a "required" front yard but this shall not be interpreted to include close sides. An existing porch within a required front yard or required sideyard may be replaced.

Homeowner is proposing to install a wood porch projecting 6' out with a front yard setback to the home of approximately 11'-4". A front yard setback of 20' to the property line would be required for a porch to encroach a 6' distance into the required front yard.

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

**STIPULATION: There must be at least 6' from the sidewalk to the porch**

A motion was made by Member Trupiano supported by Member Wienclaw to grant w/stipulation this appeal.

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

No: DiSanto

Abstain: none

Absent: Flachsmann, Olsen

Motion passed.

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**APPEAL #3226 - GRANTED**

Mark Swistak, 2444 Electric, Wyandotte (owner & appellant)

for a variance to obtain a building permit for a garage addition at 2444 Electric (Lot 26, Rich Welch Sub, Block 13) 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. Proposed 220 square feet addition to garage will result in the allowable lot coverage to be exceeded by 252 square feet.

**Proposed garage addition 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 DiSanto supported by Member Szymczuk to grant this appeal.

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

No: none

Abstain: none

Absent: Flachsmann, Olsen

Motion passed.

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**APPEAL #3227 - GRANTED**

Royal Cement, 3372 Dix, Lincoln Park (appellant) and Bill Duran, 3326 – 12<sup>th</sup> Street, Wyandotte (owner)

for a variance to obtain a building permit for a garage at 3326 – 12<sup>th</sup> Street (Lots 45 & 46, Whitcomb Sub.) in a RA zoning district, where the proposed conflicts with Sections 2100, 2402C, 2402E, 2402F of the Wyandotte Zoning Ordinance.

**Section 2100:** Side yard setback must be a minimum of 4 feet and the sum of the two side yards must be a minimum of 12 feet. As proposed, the south side yard is only 2 feet and the sum of the side yards is 10.5 feet. Note no dimension for the north side yard was provided so the dimension was calculated as 8.5 feet from the other dimensions provided.

**Section 2402C:** A structure cannot be constructed in a required yard except the rear yard. As proposed the garage will be constructed in the south side yard.

**Section 2402E:** No accessory structure can be located less than 10 feet to any main building. The garage is proposed to be 7.5 feet from the house.

**Section 2402F:** Exterior walls shall not be located less than 3 feet from an interior lot line. The proposed garage will be constructed 2 feet from the south lot line.

**Proposed garage 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 DiSanto supported by Member Trupiano to grant this appeal.

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

No: none

Abstain: none

Absent: Flachsmann, Olsen

Motion passed.

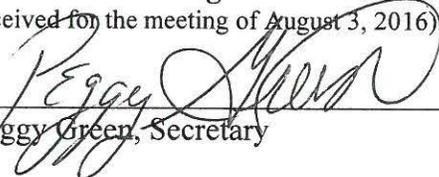
\*Chairperson Duran removed herself from the Board regarding this appeal.

**COMMUNICATIONS:**

A motion was made by Member DiSanto, supported by Member Wienclaw 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 September 7, 2016** (no appeals were received for the meeting of August 3, 2016)

  
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Peggy Green, Secretary

**Appeal #3224**

Chairperson Duran read the appeal and asked that it be explained

Tylene Farkas, owner present.

Jim Hall, Jay-Built, appellant, present.

Ms. Farkas explained that they wanted to attach a garage to their existing home.

There was discussion between Member Gillon and Mr. Hall regarding the driveway.

Communication from DTE received stating they were involved. (copy given to owner and contractor)

**Appeal #3225**

Chairperson Duran read the appeal and asked that it be explained

Cindy Beard, owner, present.

Ms. Beard explained that originally she was going to put a cement porch, but she can't do that now, and she wants to put a wood porch that is 6' wide. Ms. Beard continued that she had spoken with the Building Inspector (Claude) a few years ago about a porch, and now the Ordinance has change.

Chairperson Duran informed Ms. Beard of DTE involvement, and a copy of the communication was given to Ms. Beard.

Member Nevin asked if it would be an open porch. Ms. Beard replied yes, with lattice skirting. Ms. Beard asked if it would be ok to put an awning over the porch. Chairperson Duran informed Ms. Beard that she should check with the Engineering Department.

Member DiSanto asked if the steps would be going towards the driveway. Ms. Beard replied yes. Member DiSanto asked if the porch size could be reduced, it looks like it will be close to the sidewalk. Ms. Beard replied that the porch will be 5' or 6'.

There was discussion regarding the location of the porch and the pictures that were submitted with the application. Ms. Beard clarified that the stakes in the picture show where the stakes are at 8'.

Member Gillon discussed the dimensions of the porch and it would be 6' from the front door. Ms. Beard stated that was correct. Member Gillon commented that the porch will be close to the sidewalk.

Member DiSanto stated 42" guardrails will be required, and there will be skirting around the porch.

Member Wienclaw asked the front part of the house was at one time a porch. Ms. Beard replied that she was not sure.

Member Trupiano asked Ms. Beard why she could not have a concrete porch. Ms. Beard replied that the porch could not be enclosed. Member Trupiano stated that maybe she misunderstood enclosed porch, enclosed being the skirting of the porch.

There was discussion regarding moving the porch to the side and moving the front door.

Ms. Beard stated that she would have no problem making the porch 5'.

Communication from DTE received stating they were involved. (copy given to owner)

### **Appeal #3226**

Chairperson Duran read the appeal and asked that it be explained

Mark Swistak, owner, present.

Mr. Swistak explained that he wants to add a 10'x22' addition to existing garage. Mr. Swistak added that he had spoken to the neighbors, and there were no objections. Mr. Swistak stated that you are allowed to cover 35% of your lot, and with the addition he will be covering 37.42%. The addition will match the existing garage.

Member Trupiano asked if the addition would be standard construction. Mr. Swistak replied yes.

There was discussion regarding the slope of roof and the pitch.

Chairperson commented that a communication was received from DTE that they were not involved.

Communication from DTE received.

**Appeal #3227**

Vice Chairperson Gillon read the appeal and asked that it be explained

Bill Duran, owner, present.

Mr. Duran explained that they purchased the lot from the City next to them to build a garage. If they put the garage in the rear of the yard, it would be too far back, and they would have no back yard, and the garage would be close to the neighbors garage. Mr. Duran added that that the sideyards have been moved as much as possible, and the garage can't be made smaller because it would not be usable. Mr. Duran continued that the parking is terrible in the neighborhood, they live by the bar, and their car has been hit 9 times, and they want their vehicles off the street.

Member DiSanto asked Mr. Duran if he had considered reducing the garage to 20', and that would eliminate 2 sections of the appeal. Mr. Duran replied that he has a truck, and then it would not fit in the garage.

Member DiSanto discussed the fire wall and asked if there would be gutters on the garage. Mr. Duran replied yes, on both sides. Member DiSanto asked if there would be 12" overhangs. Mr. Duran replied yes.

Member Gillon asked if the rear of the garage would end before the start of the neighbors garage. Mr. Duran replied yes.

Communication from DTE received.

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

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ZB

7-20-16

July 18, 2016

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

RE: Appeal #3224

Dated: 7/1/2016

- 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:**

**Involved: the nature of our services, and the estimated costs of rerouting and abandonment of the service is for a Variance to obtain a building permit attached garage at 975 Elm, Wyandotte (Lot 7, Debo's Sub Block C, also E .50' of Lot 51, John R Hehl's Sub.) in RT zoning district, where proposed conflicts with Section 2100 of the Wyandotte Zoning Ordinance. Reason being is that, DTE Energy Gas Co. has an existing Gas Service (1"-STL-1962) Located at 1' EEBW of 975 Elm, Wyandotte. Otherwise, contact DTE Energy Gas Company Public Improvement Department: Michael Fedele at 313-389-7211 (Supervisor) or Laura Forrester at 313-389-7261 (Gas Planner), for the estimated cost of our services in abandoning/removing/ and/or relocating/rerouting, including the survey, design and drawing of our utilities. See enclosed strip prints for your use and information regarding our gas main locations.**

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

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

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ZB

7-20-16

July 18, 2016

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

RE: Appeal #3225

Dated: 7/1/2016

- 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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7-20-16

July 18, 2016

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3200 Biddle Avenue, Suite 200  
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**RE: Appeal #3227: For a Variance to obtain a building permit for a garage at 3326 12<sup>th</sup> Street (Lots 45 & 46, Whitcomb Sub) in a RA zoning district where the proposed conflicts with Sections 2100, 2402C, 2402E, 2402F of the Wyandotte Zoning Ordinance.**

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**REMARKS:**

DTE Energy Gas Company has no involvement, nor objection to the Appeal #3227 as mentioned above. See enclosed strip print and attached notice of public hearing, for your use and information.

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