



City of Plymouth Zoning Board of Appeals Regular Meeting Agenda

Tuesday, February 16, 2021 – 7:00 p.m.
ONLINE Zoom Webinar

City of Plymouth
201 South Main Street
Plymouth, Michigan 48170

www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-1892

Due to technical difficulties with the City's website that is no fault of the City the regularly scheduled Zoning Board of Appeals meeting was postponed from Thursday, February 4 to Thursday, February 11 at 7:00 p.m. and Tuesday, February 16 at 7:00 p.m.

Join the Webinar: <https://us02web.zoom.us/j/81154336849>

Webinar ID: 811 5433 6849

Passcode: 519499

Statement of explanation of the reason why the public body is meeting electronically:

On March 10, 2020 the Governor of the State of Michigan declared a State of Emergency across the State of Michigan under section 1 of Article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401 – 421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL10.31 – 33. These sections provide the governor with broad powers and duties to cope with dangers to this state or to the people of the state.

As a part of the response to the emergency, the Governor has deemed it reasonable and necessary to temporarily suspend rules and procedures relating to physical presence at meetings and hearings of public bodies and other governmental entities in Michigan. These public bodies and entities must continue to conduct public business during this emergency.

- 1) **CALL TO ORDER**
 - a) Roll Call
- 2) **CITIZEN COMMENTS**
- 3) **APPROVAL OF THE MINUTES**
- 4) **APPROVAL OF THE AGENDA**
- 5) **OLD BUSINESS**
- 6) **NEW BUSINESS**
 - a) **Z 21-04: 925 Fairground, non-use variance for front yard setback**
- 7) **COMMISSIONER COMMENTS**
- 8) **REPORTS AND CORRESPONDENCE**
- 9) **ADJOURNMENT**

Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.

Persons with disabilities needing assistance should contact the City Clerk's office at 734-453-1234 Monday through Friday from 8:00 a.m. -4:30 p.m., at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.

**City of Plymouth
Zoning Board of Appeals Notice
Thursday, February 4, 2021 – 7:00 p.m.
Online ZOOM**

201 S. Main Street Plymouth, Michigan 48170
Website: www.plymouthmi.gov Phone: (734) 453-1234 ext. 232

A regular meeting of the Zoning Board of Appeals will be held on Thursday, February 4, 2021 at 7:00 P.M. online via Zoom to consider the following:

Z21-03 Non-Use Variance Request for 696 Forest
Front yard setback along Linden
Zoned: R-1, Single-Family Residential
Applicant: Renee Plant

Z21-04 Non-Use Variance Request for 925 Fairground
Front Yard Setback
Zoned: R-1, Single-Family Residential
Applicant: Paul Albanese

All interested persons are invited to attend.

In compliance with the Americans with Disabilities Act, the City of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting/hearing, to individuals with disabilities. Requests for auxiliary aids or services may be made by writing or calling the following:

Maureen Brodie, ADA Coordinator
201 S. Main Street
Plymouth, MI 48170, (734) 453-1234, Ext. 234

Publish: Sunday, January 24, 2021



**CITY OF PLYMOUTH
COMMUNITY DEVELOPMENT**
201 South Main Street Plymouth, MI 48170
Ph. 734-453-1234 ext. 232
Website: www.plymouthmi.gov

TO: Zoning Board of Appeals Commissioners
FROM: Greta Bolhuis, Assistant Community Development Director
DATE: January 27, 2021
RE: Z21-02, 925 Fairground, Non-Use Variance

Paul Albanese, applicant, is requesting a non-use variance to a construct a new front porch. The property is approximately 65 feet wide and approximately 112 feet deep. The property is approximately 7,402 square feet and is zoned R-1, Single Family Residential.

Section 78-191 (o) states “The established front setbacks for structures [...] shall be at least 90 percent of the average front yard setback of surrounding buildings. [...] If the resulting setback is less than 15 feet, then the allowed setback shall be no less than the allowed setback average.” A variance of 4.76 feet is required.

Should you have any questions regarding this agenda item, please contact me directly.



Z 21-04 925 Fairground
 Front Yard setback.
 ZBA Mtg 2/4/21



JAN 14 2021
 CITY OF PLYMOUTH
 COMMUNITY DEVELOPMENT

DIMENSIONAL (NON-USE) VARIANCE APPLICATION
Community Development Department
 201 S. Main Street Plymouth, MI 48170 Ph. 734-453-1234 ext. 232
 Website: www.plymouthmi.gov

Type of Variance Request: DIMENSIONAL – Common regulations subject to dimensional (non-use) variance requests: setbacks, signs, height, parking regulations, lot coverage, and bulk or landscaping restrictions. Uniqueness: odd shape, small size, wetland, creek, natural features, big trees or slopes.

925 Fairground St.	January 7th, 2013		
Address of Property	Date of Application		
Paul Albanese	Paul Albanese		
Applicant Name	Property Owner		
925 Fairground St	Plymouth	MI	48170
Address	City	State	Zip
pvagolfer@Hotmail.com	734.604.4972		
Email	Phone		

Three Basic Functions of the ZBA:

1. Interpreting the zoning ordinance (text and map) and nonconforming situations.
2. Deciding appeals on administrative decisions, special land uses, or PUDs.
3. Granting variance requests.

Standards for Dimensional (Non-Use) Variance: [Click here to see full ordinance language.](#)

1. Ordinance unreasonably prevents the owner from using the property for what it is zoned
2. Variance will do substantial justice to the applicant, and the surrounding community
3. Problem is due to the unique circumstances of the property
4. Problem is not self-created

A quorum (3 members) is required for approval of all non-use variance requests.

The Zoning Board of Appeals meets the first Thursday of each month at 7:00PM. The completed application and necessary/applicable plans must be filed with a fee of \$250.00 for single family projects or \$500.00 for multi-family and non-residential. Visit the City’s website for submittal deadlines and meeting dates: [Zoning Board of Appeals](#). Ten (10) copies of the application and plans including but not limited to survey, plot map, building plans, and photos are encouraged at submittal.

The Zoning Board of Appeals will not accept incomplete applications. Signature of property owner and applicant, as well as notarization is required for every application. There are notaries located in City Hall. The Community Development Department has the right to remove an item from the agenda due to incompleteness.

Article and Section of the Zoning Ordinance for which an appeal or variance is being requested:

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: _____

Enable the creation of a front porch that will extend 6 feet over the current setback ordinance

Description of Property

Current zoning classification: Residential

Current use of structure(s) on premises: Single Family Home

Is it a corner or interior lot? Interior

Size and area of lot: 67'x112'x64'x112' —7402SF

Total square footage of existing main structure(s): 1760 SF

Total square ^{Text} footage of accessory structure(s): 0 SF

Existing lot coverage (percentage) of all buildings and structures: 22% (Includes Exist House/Garage) Footprint and Proposed Covered Front Porch

Height of existing main and/or accessory structures: 17'-8" +/- Highest Peak to Grade

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed: 17.3' x 6' — 103 SF

Front yard setback after completion (measured from property line): 19'

Rear yard setback after completion (measured from property line): 35'

Side yard setback after completion (measured from property line): 6"

Height of proposed structure: 17'-8" +/- Highest Peak to Grade

Lot coverage (percentage) after completion: 22% (Inc exist house/garage footprint and prop covered front porch)

Residential Only: Floor Area Ratio (FAR) after completion (shall not exceed 0.4): FAR - .21

A scaled drawing or boundary survey depicting the above information.

FRONT YARD SETBACK WORKSHEET

House Address: 345	House Address: 885	House Address: 905	Your House Address: 925	House Address: 955	House Address: 975
25'	25'	25'	DO NOT INCLUDE SETBACK	27'	30'
1 FOOT BETWEEN SIDEWALK AND PROPERTY LINE			1 FOOT BETWEEN SIDEWALK A		
SIDEWALK			SIDEWALK		

BURROUGHS
STREET

HARTSOUGH
STREET

Please label all addresses and front yard setbacks on a above picture.

What you need to do is get all the front yard setbacks within 200 ft. of your property and on the same side of the street. Add up all then divide by how many homes you used. Then multiply by .90. You must provide this information along with your building applications and plans.

**Front yard property begins one foot in from the sidewalk.

*** If there is a porch on the home:

Covered porch: measure to the porch.

Uncovered porch: measure to the house foundation

****There may be more or less homes in your equation than shown in the above picture depending on the width of lots in your area. Be sure to measure all setbacks within 200 ft. of your property.

Total sum of neighboring front yard setbacks = 132'

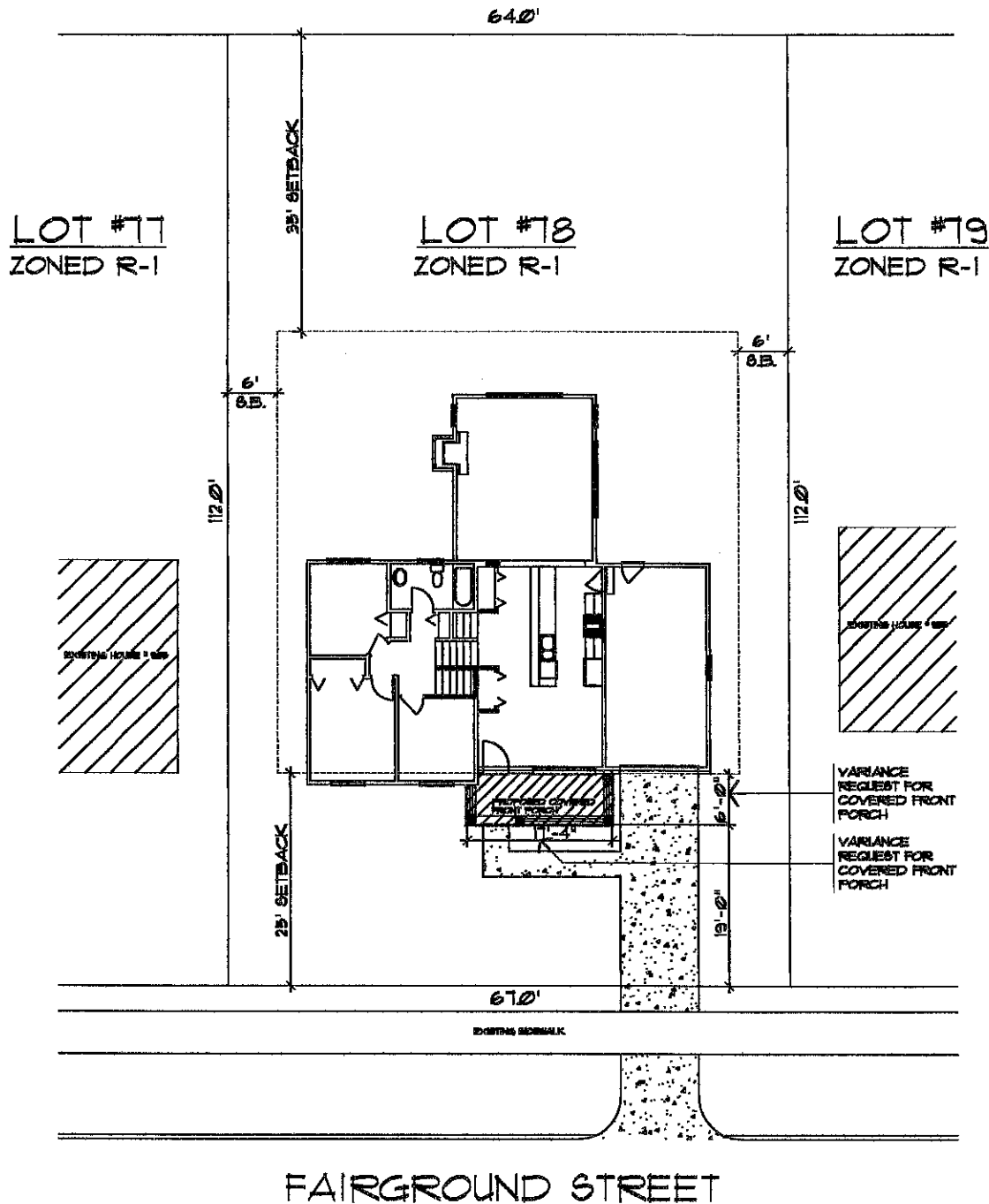
Total number of homes used = 5

Sum of setbacks divided by homes used = 26.4'

Then multiply this number by .90

PROPOSED FRONT YARD SETBACK: 19' **The allowed front yard setback for your property = 23.76'**

Excerpt from the City of Plymouth Ordinance: The established front setbacks for structures within established R-1, RT-1, MU O-1 and O-2 zoning districts shall be at least 90 percent of the average front yard setback of surrounding buildings. The average setback and front building line shall be determined by examining existing buildings located on the same side of the street and within 200 feet of the subject parcel. If the resulting setback is less than 15 feet, then the allowed setback shall be no less than the allowed setback average. The building official may exclude structures used in calculating average front setbacks when the structures deviates by more than 25 feet forward or back from the average setbacks of other structures found within 200 ft.



SCHMATIC PLOT PLAN

SCALE: 1"=20'



LOT #18 OF SYMAR SUBDIVISION, PLYMOUTH, WAYNE COUNTY, MICHIGAN

NOTE: THIS PLOT PLAN IS FOR SCHEMATIC AND PRESENTATION PURPOSES ONLY. IT IS ADVISED THAT HOME OWNER SHALL OBTAIN THE SERVICES OF A PROFESSIONAL SURVEYOR FOR SIGNED AND SEALED DRAWINGS FOR THE PURPOSE OF OBTAINING A BUILDING PERMIT. DESIGNER SHALL NOT BE HELD RESPONSIBLE.

Please answer all of the following questions as they relate to the dimensional variance, use additional sheets as necessary:

1. What are the practical difficulties preventing compliance with the ordinance? Are these practical difficulties an exception or unique to the property compared to other properties in the City? (NOTE: The ZBA cannot grant a variance because it is inconvenient or more expensive to build to ordinance or solely to satisfy aesthetic concerns.) _____

Unable to create a functional front porch

2. What effect will the variance have on neighboring properties? _____

As one of the essential character features of Plymouth are front porches, this will add to the character of the neighborhood; and neighbor across the street just created a beautiful front porch; many houses on this street have front porches; (I have lived in three houses in this neighborhood already, a main reason being the front porches)

3. Is the practical difficulty which prevents you from complying with the ordinance self-imposed? How did the practical difficulty come about? (NOTE: The ZBA has generally found that purely aesthetic consideration and self-created hardships are unacceptable grounds for a variance.) _____

No.....not enough space at front of house to create porch

4. Why do the ordinance restrictions unreasonably prevent the owner from using the property for a permitted purpose? _____

Porch would not fit into the setback

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct:

Signature of Property Owner

Signature of Applicant

Subscribed and sworn before me this _____ day of _____, 20____

Notary Public

My Commission expires _____