

City of Plymouth Zoning Board of Appeals Regular Meeting Agenda

Thursday, August 5, 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

Please click the link below to join the webinar: https://us02web.zoom.us/j/87244776452 Webinar ID: 872 4477 6452 Passcode: 078646

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
 - a) Approval of the July 1, 2021, meeting minutes
- 4) APPROVAL OF THE AGENDA
- 5) OLD BUSINESS
- 6) NEW BUSINESS
 - a) Z 21-15: 148 E. Spring, non-use variance for side yard and front yard setback for porch
- 7) COMMISSIONER COMMENTS
- 8) REPORTS AND CORRESPONDENCE
- 9) ADJOURNMENT

<u>Citizen Comments</u> - 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 ext. 234 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 Strategic Plan 2017-2021

GOAL I - QUALITY OF LIFE

OBJECTIVES

Support the neighborhoods with high-quality customer service

Engage in collaboration with private entities and surrounding municipalities to implement the Joint Recreation Master Plan

Improve communication with the public across multiple platforms

Maintain a high level of cleanliness throughout the City

Support and host a diverse variety of events that foster community and placemaking

ONE-YEAR TASKS 2021

Restore sports and recreational programs that were halted by COVID-19 as soon as possible

Review and evaluate the special event policy with safety considerations

Address challenges with the Kellogg Park improvements with safety considerations

Move Kellogg Park Fountain project forward

Continue to re-engage service clubs to help enhance parks and public properties Increase

followers by 2,000 on all our communications platforms

Develop an internal and external communications plan

Upgrade City Hall facilities to accommodate remote meetings and remote participation

Continue investigating multi-modal transportation opportunities Revisit noise ordinance

GOAL II - FINANCIAL STABILITY

OBJECTIVES

Approve balanced budgets that maintain fiscal responsibility

Advocate for increased revenue sharing with the State of Michigan

Encourage and engage in partnerships, both public and private, to share costs of services and equipment

Address the issue of legacy costs

Seek out and implement efficient and effective inter-departmental collaboration

Market our successes to attract new economic and investment opportunities

ONE-YEAR TASKS 2021

Identify mechanisms for funding sources for capital improvement projects

Increase funding to the Public Improvement Fund

Create a potential package for financing emergency structural repairs

Develop a comprehensive asset management plan that includes a review of the equipment fleet

Search out other possible revenue streams through continued association with the CWW and the MML Develop a financial

plan for public safety

Continue to make extra payments towards legacy costs

Monitor outside influences on our revenue sources, including unfunded mandates, the 35th District Court and the PCCS Negotiate three labor contracts

GOAL III - ECONOMIC VITALITY

OBJECTIVES

Continue to support and improve active, vibrant downtown branding Support community and economic development projects and initiatives Support a mix of industrial, commercial and residential development Reference the <u>Master Plan</u> in economic decision-making

ONE-YEAR TASKS 2021

Complete Saxton's development

Develop municipal parking lot at Saxton's site

Support development of 23 parcels adjacent to the Starkweather School property

Continue to administer the grant and the brownfield plan to support the Pulte project's completion

Finish Redevelopment Ready Community (RRC) certification by the end of 2021

Develop an annual training calendar for the Planning Commission, the Historic District Commission, the Zoning Board of Appeals and the DDA, and identify a funding source

Implement temporary plans to assist businesses in recovery efforts

GOAL IV - SERVICE AND INFRASTRUCTURE

OBJECTIVES

Support administration and staff by providing professional development opportunities, supplying resources, and maintaining a commitment to recruitment, retention, succession planning Support and deliver safe and responsive emergency services Maintain a sophisticated and responsive technology to communicate and manage data Continually record, maintain, update, and improve City infrastructure

ONE-YEAR TASKS 2021 Explore enhanced pedestrian safety opportunities into targeted intersections Research funding opportunities for ADA compliance at the PCC Implement 2021 infrastructure program Continue training for future career development and succession planning Conduct a traffic study to determine whether to make additional streets one way Update mapping resources including parcel data, completing 50% by the end of the year Update/replace current technology to ensure compliance with new regulations, rules, and operating systems Revisit paid parking



City of Plymouth Zoning Board of Appeals Regular Meeting Minutes Thursday, July 1, 2021 - 7:00 p.m.

City of Plymouth 201 S. Main Plymouth, Michigan 48170 www.plymouthmi.gov Phone 734-453-1234 Fax 734-455-1892

Online Zoom Meeting

1. CALL TO ORDER

Chair Joe Elliott called the meeting to order at 7:00 p.m.

Chair Elliott, Members Jim Burrows, Mike Devine, Ed Krol, Scott Silvers Also present: Assistant Community Development Director Greta Bolhuis

2. CITIZENS COMMENTS

There were no citizen comments.

3. APPROVAL OF THE MEETING MINUTES

Burrows offered a motion, seconded by Silvers, to approve the minutes of the June 3, 2021 meeting. There was a roll call vote. Yes: Burrows, Devine, Elliott, Krol, Silvers MOTION PASSED 5-0

APPROVAL OF THE AGENDA

Krol offered a motion, seconded by Burrows, to approve the agenda for July 1, 2021.There was a roll call vote.Yes: Burrows, Devine, Elliott, Krol, SilversMOTION PASSED 5-0

OLD BUSINESS

There was no old business.

a. Z21-14: 1112 Hartsough – non-use variance for distance between house and garage and side yard setback for a detached garage. Present:

4.

6. NEW BUSINESS

Applicants Jolynne Mercieca and Scott Lachowicz explained their request. They provided documentation stating that DTE Energy denied an easement encroachment request for the project, leading them to ask the City of Plymouth for a variance.

Citizen Comments

Karen Sisolak, 939 Penniman, asked if the applicant used the original home's foundation with their rebuild and whether the driveway was already poured. The applicant answered yes to both questions.

Board Comments

The board discussed the situation faced by the homeowners, who did not put a potential garage on the site plan for the home, thinking they could add a garage at a later date. At the time, they were not aware of the presence of a DTE Energy easement that would prevent them from doing so without a variance from the City.

Krol said he planned to vote no because items A and D on the variance checklist are not being met resulting in the request violating two of the four criteria for granting a variance.

Elliott offered a motion, seconded by Silvers, to approve request Z21-14 for a 0.5-foot side yard setback variance for the garage and a 5-foot variance to allow the garage to be located five feet from the principal structure.

Finding of Fact

The location of the DTE utility easement and the original home's foundation location create a hardship.

Conditions

The approval is conditioned to accommodate a single car garage as described in the packet submitted by the applicant, and that the footprint of said garage is defined in the site plan and the structure height is to be 12 feet or less.

The structure must be designed to follow all recommended features for fire prevention following Michigan Residential Building Code Section 302.

There was a roll call vote. Yes: Burrows, Devine, Elliott, Silvers No: Krol MOTION PASSED 4-1

7. COMMISSIONER COMMENTS

Devine said Z21-14 was a tough decision. There was a discussion about identifying a mechanism to prevent such variances from being requested. It was suggested that staff have a more in-depth discussion with homeowners who submit a site plan without a garage and warning them that trying to add one at a later date might not be possible due to ordinances and easements. Krol said he wished the builder had been more knowledgeable.

The Board discussed tightening up the building height measurement ordinance.

8. REPORTS AND CORRESPONDENCE

Bolhuis said no new ZBA member or alternate has been appointed but that Silvers agreed to serve through the summer and the City Commission is seeking applications.

Bolhuis said it's her understanding that there will be a Zoom option for meetings through the end of the year.

9. ADJOURNMENT

A motion to adjourn was offered at 8:05 p.m. by Burrows and seconded by Krol.

There was a roll call vote. Yes: Burrows, Devine, Elliott, Krol, Silvers MOTION PASSED 5-0



City of Plymouth Zoning Board of Appeals Memorandum

City of Plymouth 201 S. Main Plymouth, Michigan 48170

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

TO:	Zoning Board of Appeals Commissioners
FROM:	John Buzuvis, Community Development Director
DATE:	July 27, 2021
RE:	148 E. Spring, Non-Use Variance Request

William Broucek, owner, is requesting a non-use variance to construct a detached garage. The property is 52.85 feet wide by 79.98 feet deep. The property is 4,227 square feet and is zoned MU, Mixed Use District.

Section 78-190 references the front yard setback is 15 feet. The proposed front yard setback is 11.98 feet. A variance of 3.02 feet is required.

Section 78-190 references the side yard setback is 6 feet. The proposed side yard setback is 2.2 feet. A variance of 3.8 feet is required.

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





To: Zoning Board of Appeals

Re: Variances

I want to take one of the worst homes in Old Village and rebuild something the neighborhood would be proud of. I am asking to put the new structure up where the existing structure is already sitting, I have commercial neighbors on the east and west sides of the property, the new structure will not affect them. The commercial neighbor to the east is the fire department, speaking with them, they would love to see a new house go up, along with the commercial neighbors to the west the attorney's office. The neighbor across the street helped me clean up the tree that feel on the fire department property the other day, he has lived across from this house for 14 years he would love to see a new house rebuilt in its place.

Sincerely,

William Brown



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.

148 E Spiring St	Plymouth M5 48	170 7/13	21
Address of Property			f Application
William Brouck	William TS	Szoveck	
Applicant Name	Property Owner		
745 Sandolwood RL	Carton	MT	-18183
Address	City	State	Zip
BBROUCCK@ Approv. Email	Mortabaes. com	(734)	748-4800
Email	Phone d		
Three Basic Functions of the 7BA			

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. Submit ten (10) hardcopies of the application and plans including but not limited to survey, plot map, building plans, and photos. One complete digital set of application materials shall be submitted on a flashdrive or emailed to mailto:plans@plymouthmi.gov (maximum file size is 100 MB).

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.

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: FRONT Setback &
East Side Sel Back
Description of Property
Current zoning classification: Residen Lial & Commercial
Current use of structure(s) on premises: Pes, lestin
Is it a corner or interior lot? <u>Interve</u> lot
Size and area of lot: 4,307 Sq feet
Total square footage of existing main structure(s): 1.224 According to BSA
Total square footage of accessory structure(s):
Existing lot coverage (percentage) of all buildings and structures: 28.42
Height of existing main and/or accessory structures: 25togies 20 Feet

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed:
Front yard setback after completion (measured from property line): 17 Feet
Rear yard setback after completion (measured from property line): 35 Feet
Side yard setback after completion (measured from property line): East 2.2 Feet. West 21
Height of proposed structure: 2 Storms 20 Feet
Lot coverage (percentage) after completion: 29.23
Residential Only: Floor Area Ratio (FAR) after completion (shall not exceed 0.4):

☑ A scaled drawing or boundary survey depicting the above information.

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

- 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.) Lot Srze
- 2. What effect will the variance have on neighboring properties? Zear Effect The Neighbor provide the strength of the letter Supporting the project
- 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.)

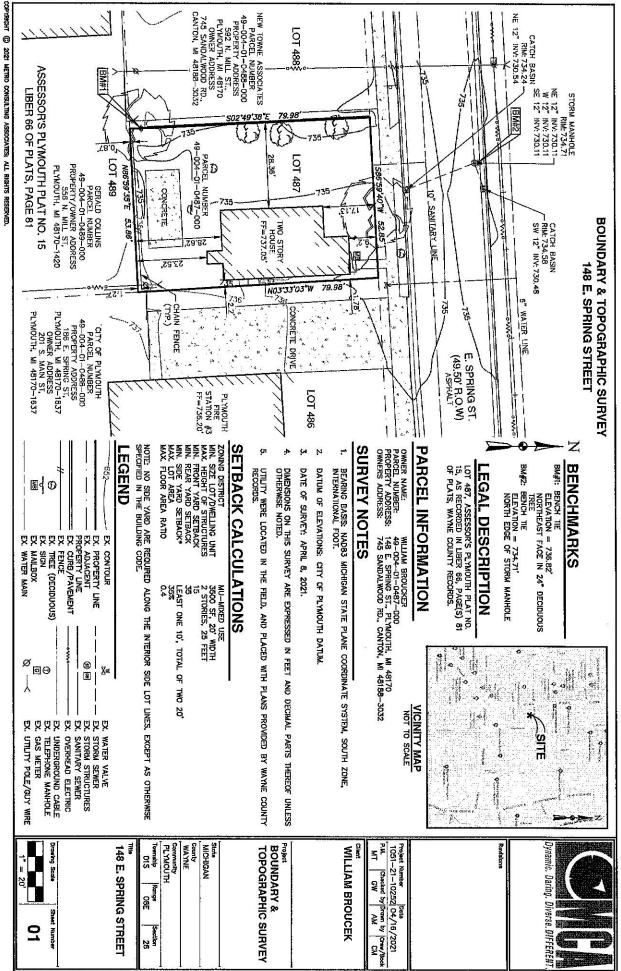
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4. Why do the ordinance restrictions unreasonably prevent the owner from using the property for a permitted purpose? Last 5.2-

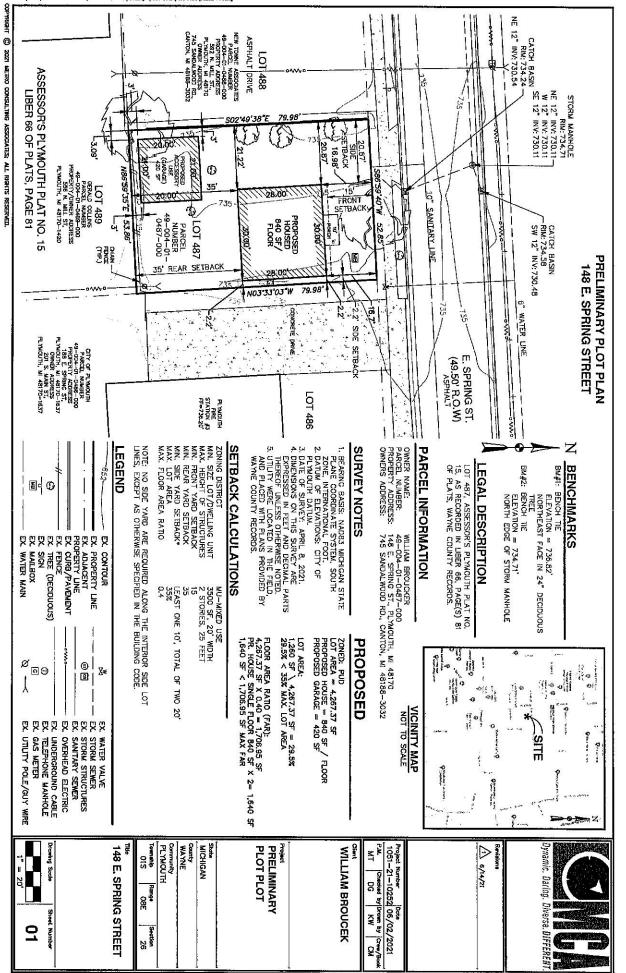
I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct:

Walling 13 Signature of Property Owner Signature of Applicant 3TH Subscribed and sworn before me this <u>, 20</u>] day of JILLIAN KNOPPE NOTARY PUBLIC, STATE OF MI iblic COUNTY OF WAYNE MY COMMISSION EXPIRES Sep 8, 2023 My Commission expires 9-8-2023 ACTING IN COUNTY OF Wayne

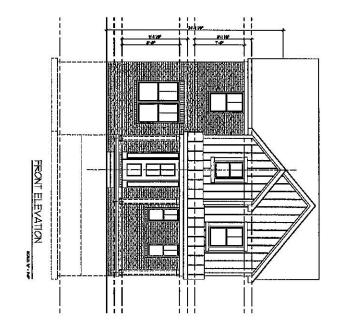
Effective Date: 4/14/2021

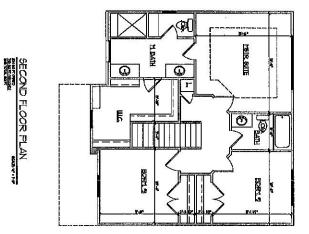


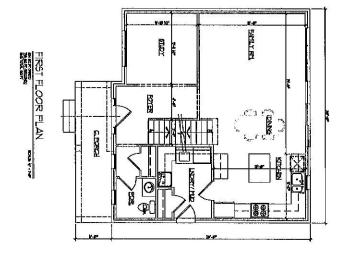
CURRENT house



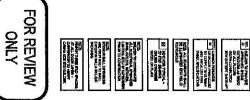


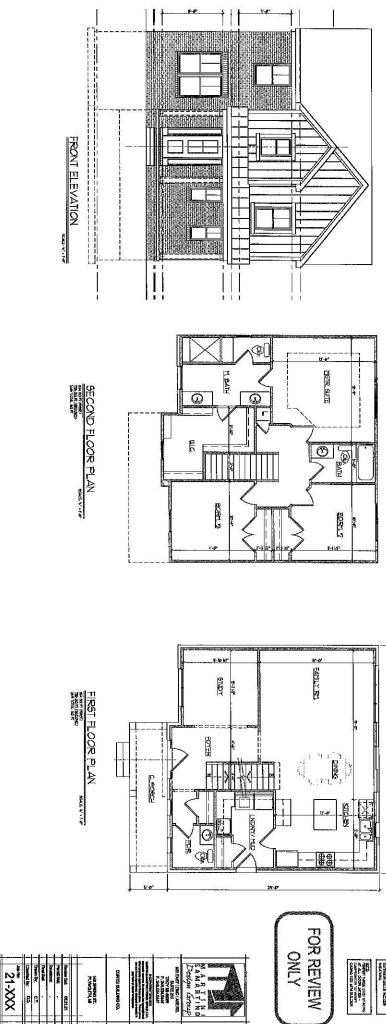












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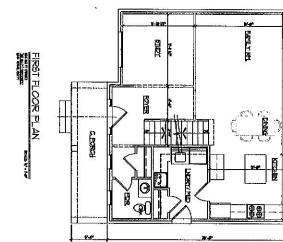


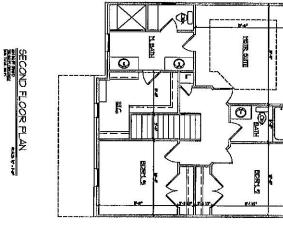
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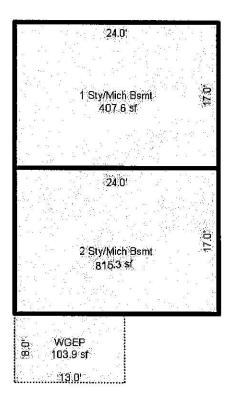
148 E SPRING PLYMOUTH Parcel Number: 004 01 0487 000 Loca	ner and and an and an and a second second second	ess)	1999 - Hanning Marine, 1999 - Hanning State (1999 - Hanning State (1999 - Hanning State (1999 - Hanning State (1	n yn arwyn yn generad yn all y gebru, y y taan y pyf yn yn ddillin yn arman, y gan ar
	Property C Summary In > Residential - Year Bu - Full Bat - Sq. Feel	Building Summary ih: N/A - Bedrooms: 3 hs: 1 - Half Baths: 0	M > Assessed Value: \$88,600 > Property Tax informatio > 8 Building Department r	n found
Owner and Taxpayer Infor	mation			
Owner	BROUCEK, WILLIAM 148 E SPRING PLYMOUTH, MI 48170	Taxpayer	SEE OWNER INFORMATION	
General Information for Ta	ax Year 2021			
Property Class School District MAP # TEMP CODES PROP USE CODES CITY AREA Historical District PP STMT STATUS	RESIDENTIAL-IMPROVED PLYMOUTH CANTON COMM SCHS W/SCC Not Available Not Available Not Available No No Available No Not Available	Unit Assessed Value Taxable Value State Equalized Value Date of Last Name Change Notes Census Block Group Exemption	49 CITY OF PLYMOUTH \$88,600 \$88,600 03/04/2020 Not Available Not Available No Data to Display	
Principal Residence Exem	ption Information			
Homestead Date	05/01/1994			······································
Principal Residence Exemptio)	<u> </u>	June 1st 0.0000 %	Final 0.0000 %
Land Information		anna an	a na ann an an ann an ann ann ann ann a	un terrent and a state of the second seco
Zoning Code Land Value Renaissance Zone	MU \$47,200 * No	Total Acres Land Improvements Renaissance Zone Expiration Date	0.097 \$1,880 No Data to Display	÷
ECF Neighborhood Lot Dimensions/Comments	LOWER TOWN/OLD VILLAGE No Data to Display	Mortgage Code Neighborhood Enterprise Zone	No Data to Display No	
Lot(s)		Frontage		Depth
Lot 1		52.85 ft		80.00 ft
	ar de la sel de suis-ry : ye dynamouraine, i wit de annerer a honten, py lata an an	otal Frontage: 52.85 ft	a an	Average Depth: 80.00 ft
Legal Description				
26A487 LOT 487 ASSESSORS PI Land Division Act Informa	YMOUTH PLAT NO 15 TIS R8E LE	66 P81 WCR		
Date of Last Split/Combine Date Form Filed Date Created Acreage of Parent Split Number Parent Parcel	No Data to Display No Data to Display No Data to Display 0.00 0 No Data to Display	Number of Splits Left Unallocated Div.s of Parent Unallocated Div.s Transferred Rights Were Transferred Courtesy Split	Not Available 0 0 Not Available Not Available	

Sale Date	Sale Price Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
02/29/2020	\$118,000.00 WD	MICHOL, EUGENE	BROUCEK, WILLIAM	21-NOT USED	
uilding Informatio	n - 1224 sq ft 2.00 STORY	(Residential)			·····
General	<u>x</u>				
Floor Area	1,224 sq ft	Estimated TCV	Not Availat	le	
Garage Area	0 sq ft	Basement Area	816 sq ft		
Foundation Size	816 sq ft				
Year Built	No Data to Display	Year Remodeled			
Occupancy	Single Family	Class	D		
Effective Age	48 yrs	Tri-Level	No	·	
Percent Complete	0%	Heat	Forced Air	w/ Ducts	
AC w/Separate Ducts	No	Wood Stove Ad		1. L.	
Basement Rooms	0	Water	Public Wate	100 A 2	
1st Floor Rooms	3	Sewer	Public Sewe		
2nd Floor Rooms Bedrooms	3	Style	2.00 STORY		
Aven Detell Dest	Duilding Augar				
Area Detall - Basic	Building Areas				
Height	Foundation	Exterior	1979 Maa Marina Maria amatana (1976 - 19	Area H	eated
2 Story	Mich. Bsmnt	Siding		408 sq ft 2	Story
1 Story	Mich. Bsmnt	Siding		408 sq ft 1	Story
Basement Finish					
Recreation	0 sq ft	Recreation % G	ood 0%	53	
Living Area	0 sq ft	Living Area % G			
Walk Out Doors	0	No Concrete Flo	oor Area 0 sq ft		
Plumbing Informa	tion				
3 Fixture Bath	. 1	,			
Built-In Informatic	on .				
Appliance Allow.	1				
Porch Information					
WGEP (1 Story)	104 sq ft	Foundation	Standard		
ALL REPORT AND AND ALL REPORT AND ALL REPORT	80.80.00 E30.80 E30.80 E			-	

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Image/Sketch for Parcel: 004 01 0487 000



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To whom it may concern,

I William Joke live across the street at 151 E Spring St. Plymouth MI, 48170. We have lived here for 14 years, the prior owners of 148 E Spring never kept the house up, we would love to see a brand-new house go up across the street, and hope you folks will support the project, it would be a nice addition to the neighborhood.

Sincerely,

William Jøker