



City of Plymouth Zoning Board of Appeals Regular Meeting Agenda

Thursday, September 5, 2024 – 7:00 p.m.

City Hall Commission Chambers & Online Zoom Webinar

City of Plymouth
201 South Main Street

www.plymouthmi.gov
Phone 734-453-1234

<https://us02web.zoom.us/j/83435299288>

Passcode: 383718

Webinar ID: 834 3529 9288

- 1) CALL TO ORDER
 - a) Roll Call
- 2) CITIZEN COMMENTS
- 3) APPROVAL OF THE MINUTES
 - a) Approval of the August 1, 2024, regular meeting minutes
- 4) APPROVAL OF THE AGENDA
- 5) OLD BUSINESS
- 6) NEW BUSINESS
 - a) **Z 24-15, 1293 S. Harvey:** Robert Mengel, the owner, is requesting a non-use variance to construct a detached garage within the required front yard setback on Simpson. The property is zoned R-1, Single-Family Residential.
- 7) BOARD MEMBER 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.

Meetings of the City of Plymouth are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, disability, or any other trait protected under applicable law. Any individual planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) should submit a request to the ADA Coordinator at 734-453-1234 ext. 234 at least two working days in advance of the meeting. The request may also be submitted via mail at 201 S. Main St. Plymouth, MI 48170, or email to clerk@plymouthmi.gov.

City of Plymouth Strategic Plan 2022-2026

GOAL AREA ONE - SUSTAINABLE INFRASTRUCTURE

OBJECTIVES

1. Identify and establish sustainable financial model(s) for major capital projects, Old Village business district, 35th District Court, recreation department, and public safety
2. Incorporate eco-friendly, sustainable practices into city assets, services, and policies; including more environmentally friendly surfaces, reduced impervious surfaces, expanded recycling and composting services, prioritizing native and pollinator-friendly plants, encouraging rain gardens, and growing a mature tree canopy
3. Partner with or become members of additional environmentally aware organizations
4. Increase technology infrastructure into city assets, services, and policies
5. Continue sustainable infrastructure improvement for utilities, facilities, and fleet
6. Address changing vehicular habits, including paid parking system /parking deck replacement plan, electric vehicle (EV) charging stations, and one-way street options

GOAL AREA TWO – STAFF DEVELOPMENT, TRAINING, AND SUCCESSION

OBJECTIVES

1. Create a 5-year staffing projection
2. Review current recruitment strategies and identify additional resources
3. Identify/establish flex scheduling positions and procedures
4. Develop a plan for an internship program
5. Review potential department collaborations
6. Hire an additional recreation professional
7. Review current diversity, equity, and inclusion training opportunities
8. Seek out training opportunities for serving diverse communities

GOAL AREA THREE - COMMUNITY CONNECTIVITY

OBJECTIVES

1. Engage in partnerships with public, private and non-profit entities
2. Increase residential/business education programs for active citizen engagement
3. Robust diversity, equity, and inclusion programs
4. Actively participate with multi-governmental lobbies (Michigan Municipal League, Conference of Western Wayne, etc.)

GOAL AREA FOUR - ATTRACTIVE, LIVABLE COMMUNITY

OBJECTIVES

1. Create vibrant commercial districts by seeking appropriate mixed-use development, marketing transitional properties, and implementing Redevelopment Ready Communities (RRC) practices
2. Improve existing and pursue additional recreational and public green space opportunities and facilities for all ages
3. Develop multi-modal transportation plan which prioritizes pedestrian and biker safety
4. Improve link between Hines Park, Old Village, Downtown Plymouth, Plymouth Township, and other regional destinations
5. Maintain safe, well-lit neighborhoods with diverse housing stock that maximizes resident livability and satisfaction
6. Modernize and update zoning ordinance to reflect community vision
7. Implement Kellogg Park master plan

“The government in this community is small and accessible to all concerned.”

-Plymouth Mayor Joe Bida November

City of Plymouth
Zoning Board of Appeals Notice

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, September 5, 2024**, at 7:00 P.M. at Plymouth City Hall and online via Zoom to consider the following:

Z 24-15, 1293 S. Harvey: Robert Mengel, the owner, is requesting a non-use variance to construct a detached garage within the required front yard setback on Simpson. The property is zoned R-1, Single-Family Residential.

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Publish: Wednesday, August 21, 2024



City of Plymouth
Zoning Board of Appeals
Regular Meeting Minutes
Thursday, August 1, 2024 - 7:00 p.m.

City of Plymouth
201 S. Main
Plymouth, Michigan 48170-1637

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

1. CALL TO ORDER

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

Present: Chair Elliott, Vice Chair Jim Burrows, Members Mike Devine, Rob Mengel, Rebecca Smith

Excused: Member Mike Pappas

Also present: Planning and Community Development Director Greta Bolhuis

2. CITIZENS COMMENTS

There were no citizen comments.

3. APPROVAL OF THE MEETING MINUTES

Smith offered a motion, seconded by Mengel, to approve the minutes of the July 2, 2024 meeting.

There was a roll call vote.

YES: Devine, Mengel, Smith, Elliott

ABSTAIN: Burrows

MOTION PASSED

4. APPROVAL OF THE AGENDA

Burows offered a motion, seconded by Smith, to approve the agenda for the August 1, 2024 meeting.

There was a roll call vote.

YES: Burrows, Devine, Mengel, Smith, Elliott

MOTION PASSED UNANIMOUSLY

5. OLD BUSINESS

There was no old business.

6. NEW BUSINESS

a. Z 24-12, 520 Blunk: Phil Lywood, the applicant, is requesting a non-use variance to construct a single-story addition within the side yard setback.

Lywood explained that the building was already situated in the side yard setback, and the addition would square off the existing non-conformity.

Citizen Comments

Jeremy Nicholson, 540 Blunk, spoke in support of the variance.

Board Member Discussion

The group discussed the request and asked the applicant about the air conditioner placement. He said the air conditioner and the pool equipment would be moved, but that they would not be closer to the neighboring property.

Motion

Devine offered a motion, seconded by Burrows, to approve Z24-12 to allow a variance of 8 feet along the north side yard setback based on the following findings of fact:

Findings of Fact

There is an existing nonconformity that matches this dimension.
The existing interior layout benefits from the addition.

Conditions

The setback variance does not run the length of the property but is limited to the area defined in the site plan.

There was a roll call vote.

YES: Burrows, Devine, Mengel, Smith, Elliott

MOTION PASSED UNANIMOUSLY

b. 24-13, 909 N. Sheldon: Jim Byrd of Fuyao Automotive, the applicant, is requesting a non-use variance to install a ground sign on a property with an existing wall sign.

Byrd explained that trucks often drive past the building because they aren't able to see the wall sign under the viaduct on Sheldon. He said they then turn around on the adjacent residential street, causing a disruption and a safety hazard.

Board Member Discussion

Several board members stated they drove past the building and confirmed that they were unable to see the wall sign coming from the direction of the freeway. It was suggested that the sign ordinance that would prohibit a ground sign was not suited to an industrial site such as Fuyao.

Motion

Burrows offered a motion, seconded by Smith, to approve Z24-13 at 909 N. Sheldon, for the requested ground sign.

Findings of Fact

This is a safety feature for neighboring properties.
The sign is more appropriate for an industrial site.

Friendly Amendment

Devine offered a friendly amendment to state the following finding of fact:
The physical characteristics of the entry point to the site warrant the need for additional signage.

Burrows and Smith accepted the friendly amendment.

There was a roll call vote.

YES: Burrows, Devine, Mengel, Smith, Elliott

MOTION PASSED UNANIMOUSLY

c. Z 24-14, 689 N. Mill St.: Patrick O'Neill of Plymouth Mill LLC, the owner, is requesting a non-use variance to construct a two-story building within the front yard setbacks and to exceed the permitted building height

Architect George Hartman described the project and reviewed other projects completed by O'Neill in Old Village.

Citizen Comments

Will Dennison, owner of a business at 689 N. Mill, expressed support for the variance.

Heather Doughty, 557 N. Mill, spoke in opposition to the variance.

Tony Roko, owner of properties on Liberty, spoke in support of the variance.

Kristy Holmes, 633 Starkweather, sent an email in support of the variance.

Board Member Discussion

There was a discussion about how the building height ordinance is applied when there is a parapet. Bolhuis confirmed that the height ordinance refers to the top of the building, not the top of the parapet. Board members also discussed the setback and stated that Liberty St. and Mill St. are like the Central Business District where setbacks are smaller than in B-1 zoning.

Owner Patrick O'Neill, via Zoom, stated that he wanted to mirror the setback of his previous project at 696 Mill.

Motion

Elliott offered a motion, seconded by Burrows, to approve Z24-14 for a north front yard setback variance of 8 feet, an east front yard setback of 8 feet, and a building height variance of 3.3 feet.

Findings of Fact

Liberty St. in Old Village is a unique region of the city and is more like the Central Business District. Granting the requested variance allows the structure to be more consistent with the existing building stock on Liberty St.

Friendly Amendment

Devine offered a friendly amendment adding the following finding of fact:

This is a corner lot with two front yard setbacks.

Elliott and Burrows accepted the friendly amendment.

There was a roll call vote.

YES: Burrows, Devine, Mengel, Smith, Elliott

MOTION PASSED UNANIMOUSLY

7. BOARD MEMBER COMMENTS

Elliott said he researched Roberts Rules and confirmed that as the chair, he was not prohibited from offering motions.

8. REPORTS AND CORRESPONDENCE

City Commission Liaison Brock Minton offered to answer questions, but the group had none.

9. ADJOURNMENT

Burrows offered a motion, seconded by Mengle, to adjourn the meeting at 7:49 p.m.

There was a roll call vote.

YES: Burrows, Devine, Mengel, Smith, Elliott

MOTION PASSED UNANIMOUSLY



City of Plymouth Zoning Board of Appeals Memorandum

City of Plymouth
201 S. Main
Plymouth, Michigan 48170

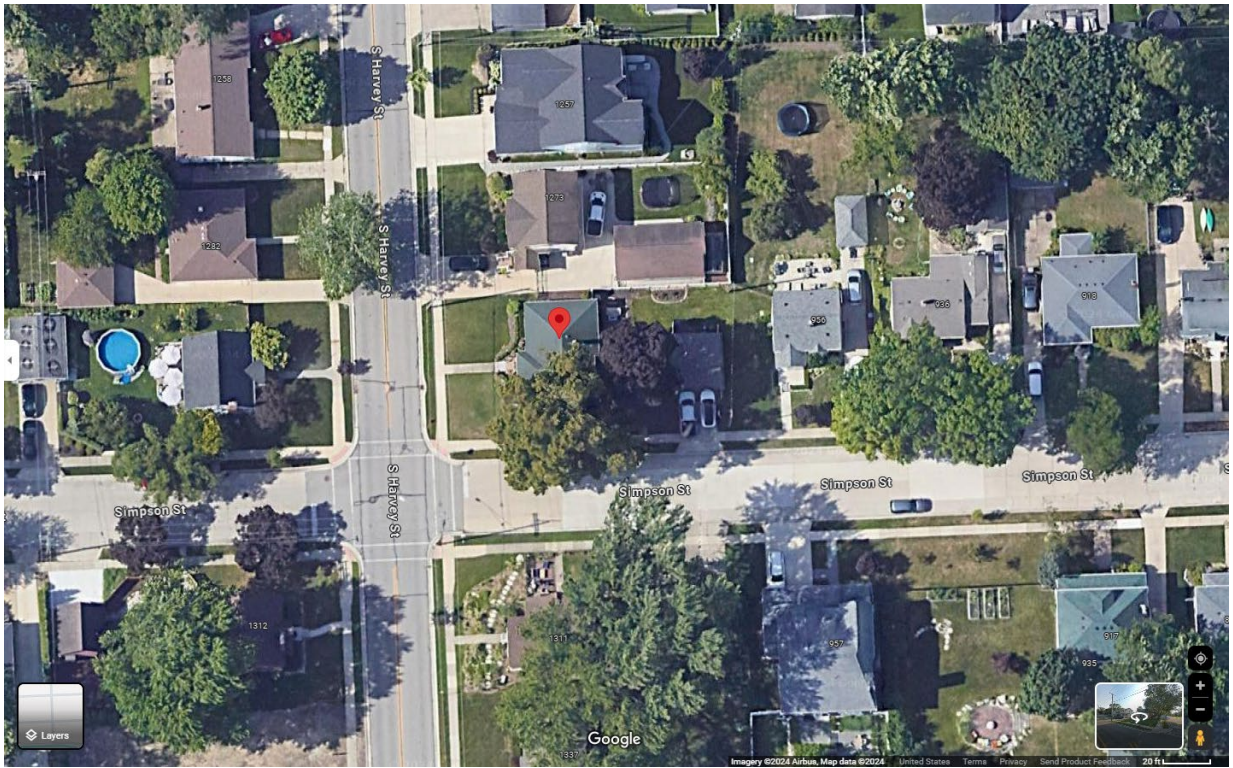
www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-1892

TO: Zoning Board of Appeals Commissioners
FROM: Greta Bolhuis, Planning & Community Development Director
DATE: August 15, 2024
RE: 1293 S Harvey, Non-Use Variance Requests

Robert Mengel, the owner, is requesting a non-use variance to construct a detached garage within the required front yard setback on Simpson. The property is zoned R-1, Single-Family Residential. The property is 60 feet wide by 121.9 feet deep totaling 7,314 square feet.

Section 78-260 (9) states "When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, such building shall not project beyond the front yard line required on the lot in rear of such corner lot." The front yard line required on the rear of such corner lot (956 Simpson) is 23.4-feet. A 16.7-foot front yard setback is proposed. A variance of 6.7-feet is required.

Should you have any questions, please contact me directly.



Bolhuis, Greta

From: M.D. THOMPSON
Sent: Sunday, August 25, 2024 11:01 AM
To: Bolhuis, Greta
Subject: RE: Variance @ 1293 S. Harvey

I am in support of the variance to construct a detached garage at 1293 S. Harvey. In reality the owner, Robert Mengel, is replacing an old outdated garage that is in need of repair. The new garage will be an improvement to the neighborhood, increasing the property value of neighbors, thus adding revenue to the city of Plymouth.

Respectfully submitted,
M. Dean Thompson
866 Simpson St.
Plymouth, MI 48170

****CAUTION:This email originated from outside of your organization. Use caution when clicking on links or opening attachments. Contact the sender by phone to validate the contents.****



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.

1293 S Harvey St

August 12, 2024

Address of Property

Date of Application

1293 S Harvey St

Robert Mengel

Applicant Name

Property Owner

1293 S Harvey St

Plymouth

MI 48170

Address

City

State Zip

mengel.rob@gmail.com

313 550 9792

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 \$300.00 for single family projects or \$550.00 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 flash drive or emailed to 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.

**Article and Section of the Zoning Ordinance for which an appeal or variance is being requested:
78-260 (9)**

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: Construct a new garage
using the foundation from an existing (yet to be torn down) garage within a
(secondary-corner lot) front yard setback. I am asking for a variance of 8.1 feet.

Description of Property

Current zoning classification: R-1
Current use of structure(s) on premises: Single Family Home
Is it a corner or interior lot? Corner
Size and area of lot: 7314 sqft, 60x121.9
Total square footage of existing main structure(s): 1136
Total square footage of accessory structure(s): 440
Existing [lot coverage](#) (percentage) of all buildings and structures: 21.5%
Height of existing main and/or accessory structures: 9.5 (garage), 13.5ft (house)

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed: 20x30, 600sqft
Front yard setback after completion (measured from property line): 16.7
Rear yard setback after completion (measured from property line): n/a
Side yard setback after completion (measured from property line): 6.2ft
Height of proposed structure: 13ft as measured per ordinance (8ft eave, 18ft peak)
Lot coverage (percentage) after completion: 23.7%
Residential Only: [Floor Area Ratio](#) (FAR) after completion (shall not exceed 0.4): 0.155

A scaled drawing or boundary survey depicting the above information.

Please answer all 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.) My intent is to add an 8ft addition to the back of my garage, but the existing structure is not sound. It has 2x4 rafters which are sagging. The building is also twisted and out of square, lacking adequate shear bracing. The only practical option is to demolish and rebuild with a new structure on the existing foundation

2. What effect will the variance have on neighboring properties? This will have a positive impact on neighboring properties. The nonconformance already exists, but the existing building is in poor condition. This will replace the building with one that improves curb appeal.

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.) The difficulty is that the existing building was not built correctly and therefore cannot be expanded out the back in a safe manner. The only option is to demolish and rebuild on the existing foundation.

4. Why do the ordinance restrictions unreasonably prevent the owner from using the property for a permitted purpose? My objective is to build a garage addition which would not normally need a variance, but it cannot be done safely without rebuilding. The property has two front yards, resulting in over 50% of the land is not buildable due to deep setbacks on both streets. The setback on Simpson street works well for the neighboring house who has 160 ft of depth; for my garage, this would awkwardly pin it to the back corner of the property.

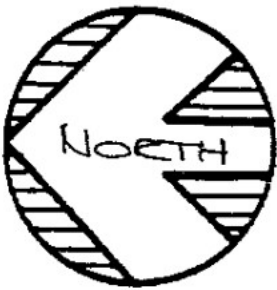
I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct:

Signature of Property Owner

Signature of Applicant

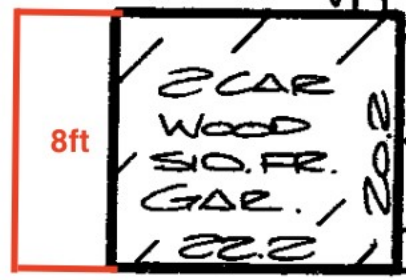
Subscribed and sworn before me this _____ day of _____, 20_____

Notary Public
My Commission expires _____

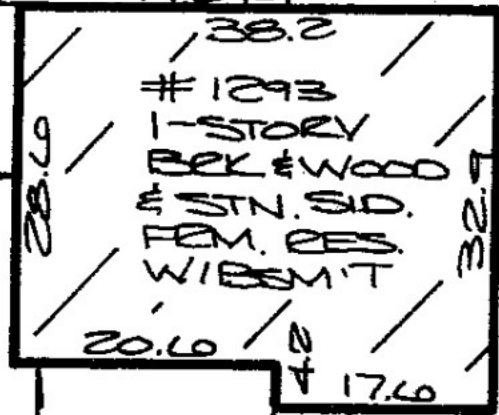
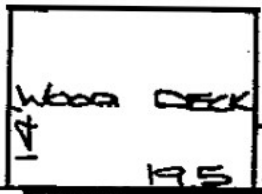


REM. OF LOT 64
60.0

REM. OF LOT 64
121.90



5.60' OF THE W. 121.90' OF LOT 64



#1273

22.0

121.90

121.90

4' WALK

CONC. CURB
CONC. PAV'T

NOTE:

CONC. DR. FROM ADJ. PROPERTY ENCR. ONTO DESCRIBED PROPERTY BY LOT AS SHOWN.

ENCR 1.0'

4' WALK 60.0

CONC. CURB
CONC. PAV'T

HARVEY ST. 50' WD.

SIMPSON AVE. 50' WD.

FRONT YARD SETBACK WORKSHEET

			Simpson Frontage	" "				
House Address: <u>N/A</u>	House Address: <u>N/A</u>	House Address: <u>N/A</u>	House Address: <u>1293 S. Harvey</u>	Your House Address: <u>956</u>	House Address: <u>936</u>	House Address: <u>918</u>	House Address: <u>912</u>	House Address: <u>882</u>
			<u>16</u>	DO NOT INCLUDE SETBACK	<u>30.8</u>	<u>29.8</u>	<u>29.6</u>	<u>23.7</u>
1 FOOT BETWEEN SIDEWALK AND PROPERTY LINE				1 FOOT BETWEEN SIDEWALK AND PROPERTY LINE				
SIDEWALK	SIDEWALK		SIDEWALK		SIDEWALK		SIDEWALK	

Please label all addresses and front yard setbacks on 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.

Total sum of neighboring front yard setbacks = 129.9

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

Covered porch: measure to the porch.

Uncovered porch: measure to the house foundation

Total number of homes used = 5

**** 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.

Sum of setbacks divided by homes used = 25.98

Then multiply this number by .90

PROPOSED FRONT YARD SETBACK: _____

The allowed front yard setback for your property = 23.382

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 structure deviates by more than 25 feet forward or back from the average setbacks of other structures found within 200 ft.

Premier Pro Ranch Garage - 20' wide

