



City of Plymouth Zoning Board of Appeals Regular Meeting Agenda

Thursday, May 7, 2020 - 7:00 p.m.

Online Video Zoom Meeting: <https://us02web.zoom.us/j/96043413024>

City of Plymouth
201 South Main
Plymouth, Michigan 48170

www.plymouthmi.gov
cdd@plymouthmi.gov
Phone 734-453-1234 x 232

To join the meeting visit <https://us02web.zoom.us/j/96043413024>, meeting ID: 960 4341 3024, Password: 211565.

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, MCL 10.31 – 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. Due to the emergency situation and the request of the Governor to not gather in groups of 10 or more it is necessary for some public boards to meet electronically.

- 1) **CALL TO ORDER**
 - a) Roll Call
- 2) **CITIZEN COMMENTS**
- 3) **APPROVAL OF THE MINUTES**
 - a) Approval of the April 2, 2020 Meeting Minutes
- 4) **APPROVAL OF THE AGENDA**
- 5) **OLD BUSINESS**
- 6) **NEW BUSINESS**
 - a) Z 20-03: 480 Sunset, Side 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 Strategic Plan 2017-2022

GOAL I - QUALITY OF LIFE

OBJECTIVES

1. Support the neighborhoods with high-quality customer service
2. Engage in collaboration with private entities and surrounding municipalities to implement the [Joint Recreation Master Plan](#)
3. Improve communication with the public across multiple platforms
4. Maintain a high level of cleanliness throughout the City
5. Support and host a diverse variety of events that foster community and placemaking

ONE YEAR TASKS 2019-2020

- Restore operations for recreation programs after Hines Park bridge repairs are completed
- Explore funding and partnership opportunities to increase and enhance pedestrian crossings
- Finalize [City website](#) update
- Develop and adopt a Master Plan for Kellogg Park, including the fountain
- Develop and implement strategy to market sponsorship opportunities to improve publicly owned assets
- Draft and approve amendments to [Tree Ordinance](#) to clarify implementation, enforcement, and scope

GOAL II - FINANCIAL STABILITY

OBJECTIVES

1. Approve balanced budgets that maintain fiscal responsibility
2. Advocate for increased revenue sharing with the State of Michigan
3. Encourage and engage in partnerships, both public and private, to share costs of services and equipment
4. Address the issue of legacy costs
5. Seek out and implement efficient and effective inter-departmental collaboration
6. Market our successes to attract new economic and investment opportunities

ONE YEAR TASKS 2019-2020

- Continue to support [Michigan Municipal League \(MML\)](#) efforts to [coordinate state initiatives](#) related to revenue sharing with municipalities
- Increase awareness of and support the [MML Save MI City campaign](#)
- Target revenue enhancements that support large capital projects, including grants and millages
- Explore internal and external potential for supplemental funding of legacy costs
- Develop a plan for capital improvement funding projects and purchases
- Explore enhanced investment opportunities

GOAL III - ECONOMIC VITALITY

OBJECTIVES

1. Continue to support and improve active, vibrant downtown branding
2. Support community and economic development projects and initiatives
3. Support a mix of industrial, commercial and residential development
4. Reference the [Master Plan](#) in economic decision-making

ONE YEAR TASKS 2019-2020

- Complete and approve the [DDA Master Plan](#)
- Address and implement recommendations in the [Redevelopment Ready Communities baseline report](#)
- Develop and approve city-wide economic development strategies (Saxton's property, parking system, connections between Old Village and the DDA, Bathey property remediation and development, 240 N. Main, Lumber Mart site)
- Identify other properties of significance to the economic development strategy
- Complete a community survey
- Increase collaborations with partners in the community
- Administer the City's [Master Plan](#) using implementation matrix ([Appendix Table 5](#))

GOAL IV - SERVICE AND INFRASTRUCTURE

OBJECTIVES

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

ONE YEAR TASKS 2019-2020

- Begin implementation of parking recommendations for City parking system
- Develop and utilize consistent message and branding across all platforms
- Develop and approve of plan for future delivery of emergency services
- Implement infrastructure asset management plan
- Approve agreement on sanitary sewer with [Western Township Utilities Authority \(WTUA\)](#)



City of Plymouth

Zoning Board of Appeals Meeting Minutes

Thursday, April 2, 2020 – 7:00 P.M.
Online Zoom Meeting

City of Plymouth
201 S. Main
Plymouth, Michigan 48170

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

1. CALL TO ORDER

Chair Giummo called the meeting to order at 7:00 PM.
The Board said the Pledge of Allegiance.

PRESENT: Ed Krol, Jim Burrows, Mike Devine, Joe Elliott, Kara Giummo
Also present was Assistant Community Development Director Greta Bolhuis and City Commission Liaison Tony Sebastian.

2. CITIZEN COMMENTS

None.

3. APPROVAL OF THE MEETING MINUTES

A motion was made by Comm. Burrows and seconded by Comm. Elliott for approval of the March 10, 2020 meeting minutes.
MOTION APPROVED 5-0

4. APPROVAL OF THE AGENDA

A motion was made by Comm. Krol and seconded by Comm. Burrows for approval of the agenda as presented.
MOTION APPROVED 5-0

5. OLD BUSINESS

None.

6. NEW BUSINESS

a) Z20-02, 575 Blunk
Chair Giummo read the administrative review.

James Fedewa, owner, presented his case. He explained that they want to extend the existing footprint to add square footage to the home. He explained the addition would be straight back from what currently exists. Jim, contractor, explained that the setback is existing non-conforming and they are looking to extend that setback to for a first floor kitchen addition and mudroom and a second floor master bedroom.

Citizen Comments

Chris Wunch, 599 Blunk, was not in favor of the variance request. He was concerned that the addition, as proposed, would negatively impact his property including property value and grade.

Board Discussion

Comm. Burrows believed that the proposed rear yard porch would also require a variance from Section 78-217.

Ms. Bolhuis read the section of the ordinance and clarified that porches are not permitted in the side yard setback.

Comm. Devine agreed and believed that if it were an issue it could be handled administratively.

Comm. Krol asked for clarification on the side yard setback dimension.

The Board discussed the location of the proposed chimney and bay window.

Comm. Devine clarified that a survey is required for the permit and the dimension could be clarified at that time. He suggested that, if approved, the variance could be tied to the specific survey dimension or conditioned upon the existing home location or could be limited to a specific setback from the property line. He did not feel like a practical difficulty existed and that everything that was desired could be accommodated while maintaining the 6-foot required setback.

Comm. Elliott asked about the total square footage for the floor area ratio calculation. The owner confirmed that with the addition the total area would be about 1,900 square feet. He did not feel that there were unique circumstances on this property.

A motion was made by Comm. Devine, supported by Comm. Elliott, to deny Z20-02, 575 Blunk, based on the finding of fact that there is no practical difficulty and no unique circumstances on the property.

MOTION APPROVED; VARIANCE DENIED 5-0

7. COMMISSIONER COMMENTS

Chair Giummo asked about the City email addresses. Ms. Bolhuis stated she would reach out to IT.

8. REPORTS AND CORRESPONDENCE

None.

9. ADJOURNMENT

Hearing no further business, a motion was made by Comm. Krol, supported by Comm. Elliott to adjourn the meeting at 6:30 PM.

MOTION APPROVED 5-0



**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: April 28, 2020
RE: Z20-03, 480 Sunset, Non-Use Variance

Jeff Burch, owner is requesting a non-use variance to construct an addition on the existing home. The property is 50 feet wide and 140 feet deep. The property is 7,000 square feet and is zoned R-1, Single Family Residential.

Section 78-190 references that the minimum side yard setback is 6 feet. The applicant is proposing a side yard setback of 5.71 feet for the addition. A variance of 0.29 feet is required.

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



RECEIVED

MAR 30 2020

CITY OF PLYMOUTH
COMMUNITY DEVELOPMENT

Z 20-03 480 Sunset
Side yard setback
ZBA Mtg

5/7/20



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.

480 Sunset Street				3/16/2020
Address of Property				Date of Application
Jeff Burch	Jeff and Jacqueline Burch			
Applicant Name	Property Owner			
480 Sunset Street	Plymouth	MI	48170	
Address	City	State	Zip	
jeffburch@yahoo.com	(616) 893-2372			
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: _____
Extend house footprint roughly 3 1/2" into the setback area on the north side of lot to
accommodate new home addition. _____

Description of Property

Current zoning classification: Residential
Current use of structure(s) on premises: Single Family Residence
Is it a corner or interior lot? No
Size and area of lot: 7,000 sf
Total square footage of existing main structure(s): 750 sf - residence main floor
Total square footage of accessory structure(s): 530sf - proposed garage currently permitted
Existing lot coverage (percentage) of all buildings and structures: 18% - including home and garage
Height of existing main and/or accessory structures: 24'

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed: roughly 20'x30'
Front yard setback after completion (measured from property line): 31.1'
Rear yard setback after completion (measured from property line): roughly 65'
Side yard setback after completion (measured from property line): 6' 6" (front of home), 5' 9.5" (back of home)
Height of proposed structure: 28'
Lot coverage (percentage) after completion: 27% - including home and garage
Residential Only: Floor Area Ratio (FAR) after completion (shall not exceed 0.4): Compliant

A scaled drawing or boundary survey depicting the above information.

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.) _____

The existing home is built out of square and not parallel with the lot lines. Construction of new addition adhering to building standards may not be possible by remaining within the existing setback.

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

The new home addition would extend 3 1/2" into the existing lot setback. Existing homeowner to north of 480 Sunset does not object to imposing on the lot setback.

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 that prevents compliance with the ordinance is self imposed. The issue of imposing on the setback ordinance was not found upon completion of construction drawings. The lot survey was not properly overlaid on the new construction drawings to identify that the existing structure is not parallel with the lot lines.

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

The ordinance does not allow for the new home addition to be built as designed for the intended purpose. Growing family size requiring additional livable space is needed to fulfill the intended purpose.

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

[Signature]

Signature of Property Owner

[Signature]

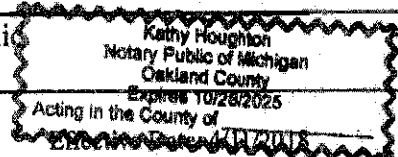
Signature of Applicant

Subscribed and sworn before me this 16th day of March, 20 20

[Signature]

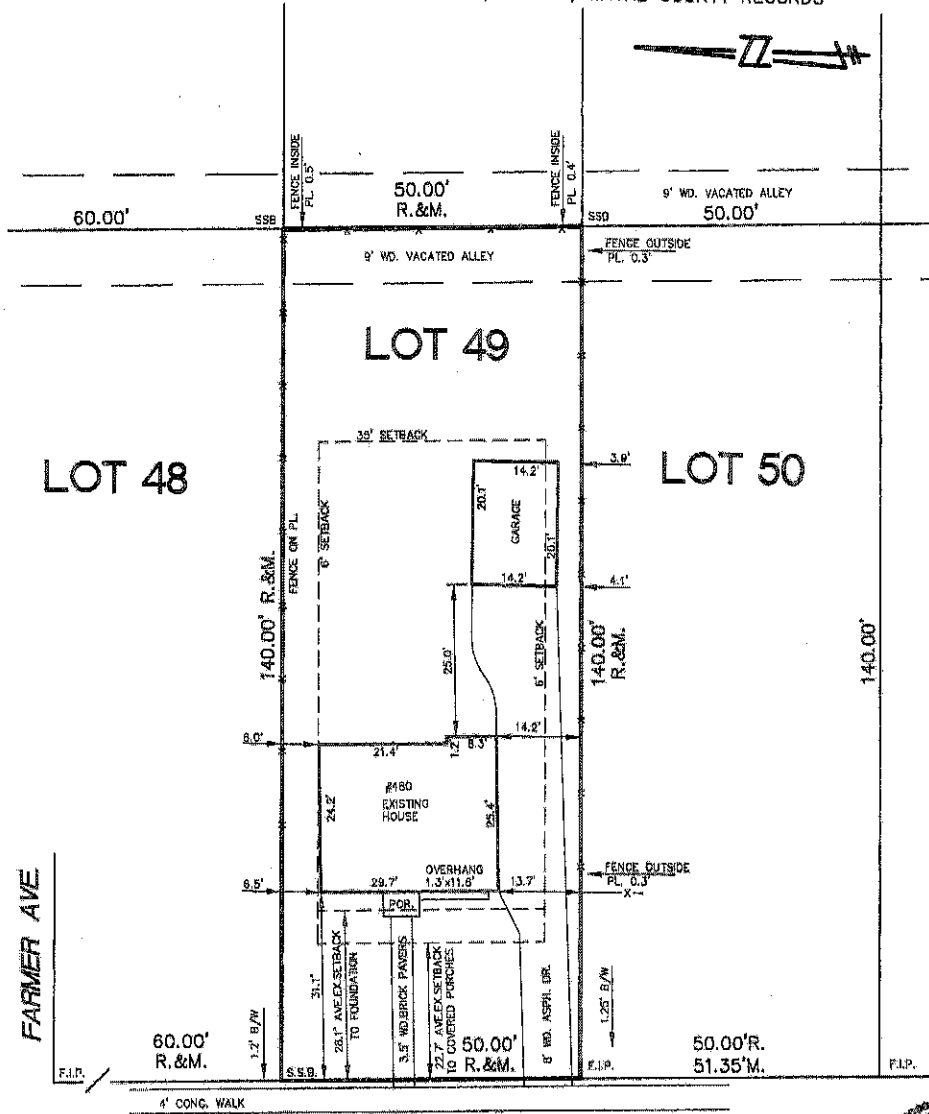
Notary Public

My Commission expires _____



LOT 49 AND THE WEST 1/2 ADJACENT VACATED ALLEY "SUNSET ADDITION"

A PART OF THE NORTHEAST 1/4 OF SECTION 27
TOWN 1 SOUTH, RANGE 8 EAST, CITY OF PLYMOUTH, WAYNE COUNTY, MICHIGAN
AS RECORDED IN LIBER 42 OF PLATS, PAGE 3, WAYNE COUNTY RECORDS



SUNSET AVE.

50' WD. R.O.W.



AVERAGE FRONT SETBACK: MEASURED TO HOUSE FOUNDATIONS	AVERAGE FRONT SETBACK: MEASURED TO: IF COVERED PORCH
ADDRESS #850 = 33.9'	ADDRESS #550 = 22.3'
ADDRESS #488 = 29.6'	ADDRESS #488 = 26.4'
ADDRESS #480 = SITE	ADDRESS #480 = SITE
ADDRESS #484 = 31.0'	ADDRESS #484 = 25.0'
ADDRESS #448 = 31.0'	ADDRESS #448 = 25.3'
ADDRESS #432 = 31.0'	ADDRESS #432 = 25.2'
ADDRESS #416 = 31.1'	ADDRESS #416 = 25.9'
TOTAL / 6 HOMES = 187.6 / 6 = 31.3'	TOTAL / 6 HOMES = 151.1 / 6 = 25.2'
X 0.9 = AVERAGE FRONT SETBACK 28.1'	X 0.9 = AVERAGE FRONT SETBACK 22.7'

25' MAX. AVE. ROOF HEIGHT
LOT 7,000 S.F.
ZONE R-1
MINIMUM SETBACKS:
FRONT = 25 FEET
REAR = 35 FEET
SIDE = 6' MIN.
SEE AVE. EX. FRONT SETBACK

LOT COVERAGE:
7000 x 0.35 = 2450 S.F. MAX.
XXX PR. HOUSE + XX GARAGE / 7000 = 2XX < 35X
FLOOR AREA RATIO (FAR)
7000 LOT AREA x 0.4 = 2800 S.F. MAX.
1ST. FLOOR AREA = XXX S.F.
2ND. FLOOR AREA = XXX S.F. VERIFY
TOTAL = XXX S.F. < 2800 MAX.

UTILITY WARNING
UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THE PLAN, WERE OBTAINED FROM UTILITY OWNER AND NOT FIELD LOCATED.

811 Know what's below.
Call before you dig.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF AND/OR RELOCATION OF ALL UTILITIES THAT MAY INTERFERE WITH CONSTRUCTION.

LEGEND:

- 0x00 = EXISTING GRADE
- 0.00 = PROPOSED GRADE
- 0.00 = ADJUSTED PROP. GRADE
- = DRAINAGE
- (0.00) = AS-BUILT GRADE
- F.F. = FINISHED FLOOR
- F.G. = FINISHED GRADE
- BSMT.FLR. = BASEMENT FLOOR
- T/FTG. = TOP OF FOOTING
- T/SLAB = TOP OF SLAB
- T/W = TOP OF WALK
- DAYLIGHT = DAYLIGHT FINISH GRADE

LOT SURVEY

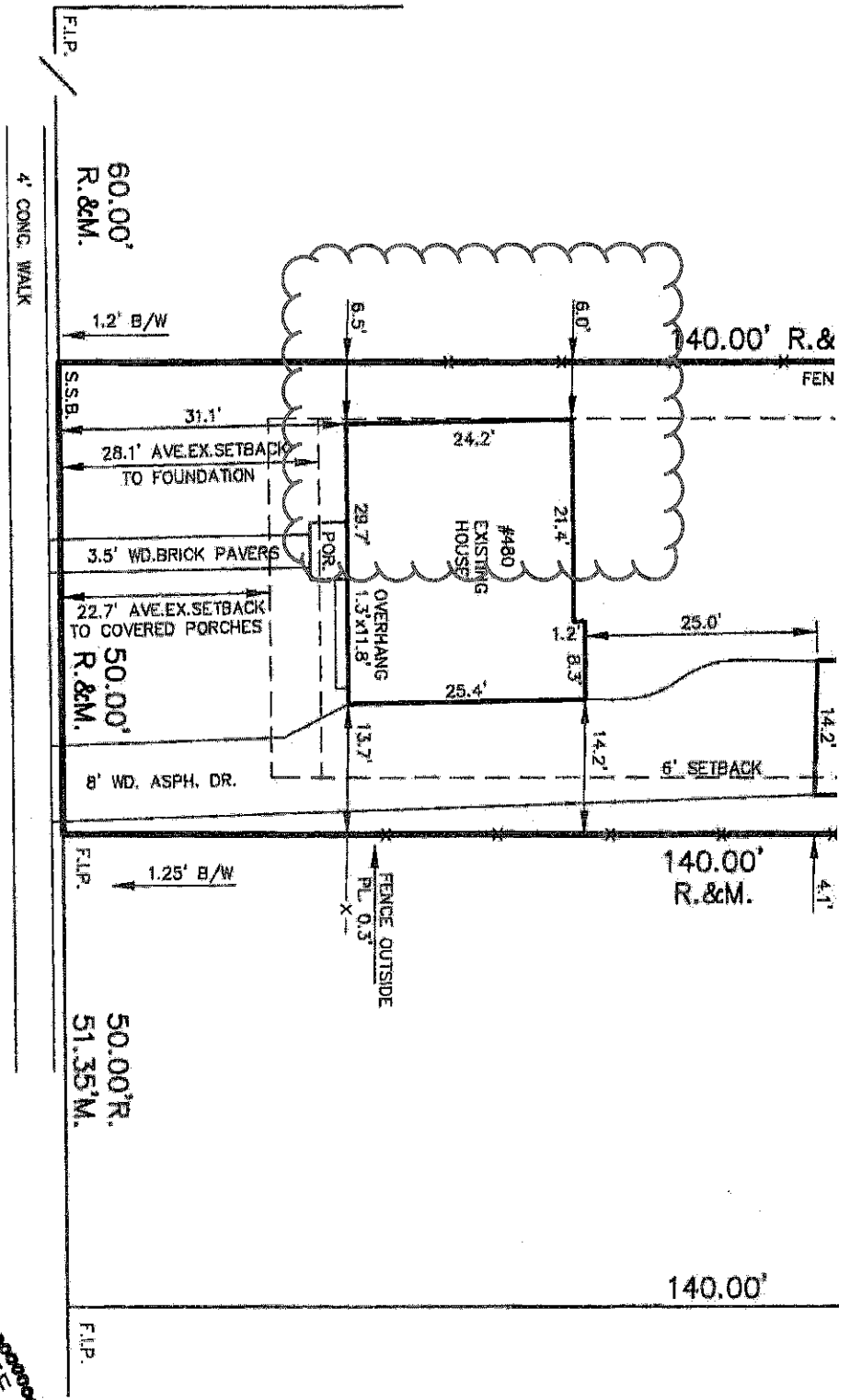
CLIENT: JEFF & JACQUELINE BURCH
480 SUNSET
PLYMOUTH, MICHIGAN 48170
jeffpburch@yahoo.com

DATE: 2-OCT-17
JOB NO.: 17-09-17
SCALE: 1" = 20'

ambit
land surveyors, inc.
891 WING STREET
Plymouth, MI. 48170
ph. 800.221.5283
ph. 734.455.5501
fax 877.837.5267
www.ambiturveyors.com

DRAWN BY: DSW
CHECK: PPP
SHEET: 1

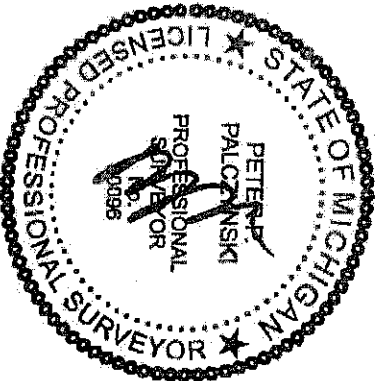
FARMER AVE.



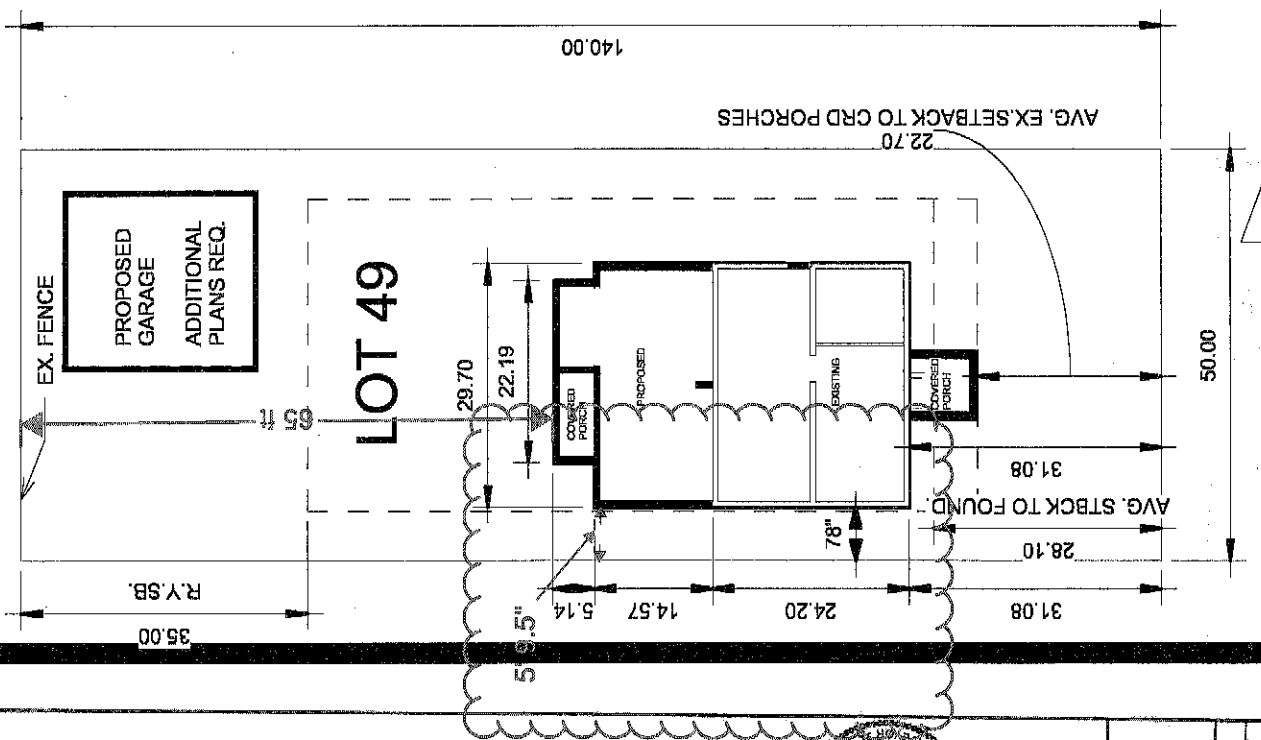
SUNSET AVE.

50' WD. R.O.W.

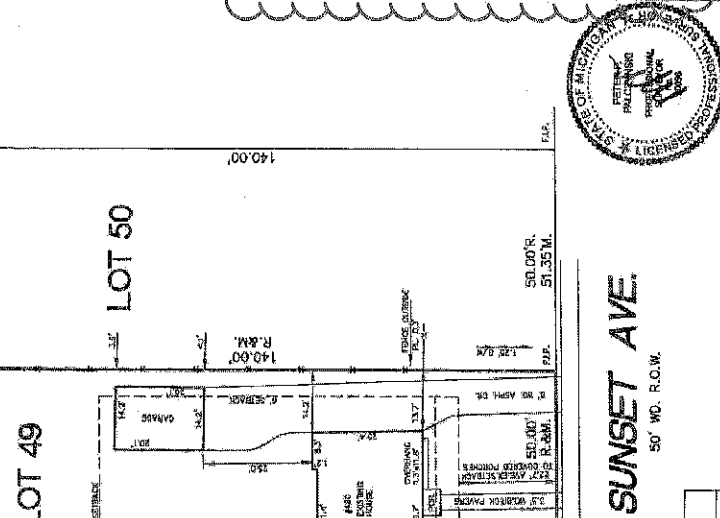
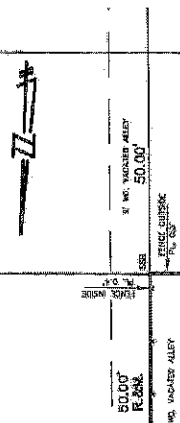
ICE FRONT SETBACK: MEASURED TO HOUSE FOUNDATIONS	AVERAGE FRONT SETBACK: MEASURED TO: IF COVERED PORCH
SS #498 = 29.6'	ADDRESS #498 = 26.4'
SS #550 = 33.9'	ADDRESS #550 = 22.3'



PAVING, ETC. WHICH MAY BE DESIRED/REQUIRED.



THE NORTHEAST 1/4 OF SECTION 27
 51. CITY OF PLYMOUTH, WAYNE COUNTY, MICHIGAN
 1 OF PLATS, PAGE 3, WAYNE COUNTY RECORDS



LOT SURVEY

CLIENT: JEFF & JACQUELINE BURCH
 480 SUNSET
 PLYMOUTH, MICHIGAN 48170
 jeff@burcharchitect.com

DATE: 2-OCT-17
 JOB NO.: 17-09-17

DRAWN BY: DSR
 CHECKED: PPP

650 WING STREET
 PLYMOUTH, MI 48170
 PH: 313.225.5261

- All contractors shall verify and confirm all dimensions, sections, and details prior to construction.
- If dimensional errors or conflicts occur, the contractor shall consult the architect of record before proceeding.
- Contractors who fail to verify, re-measure, and/or construct.
- Do not scale drawings.
- All work shall conform to 2015 International Building Code.
- Exterior dimensions are measured to exterior of brick.
- Windows and doors are dimensioned to exterior face.
- Interior dimensions are measured to interior face of stud walls.
- Interior doors and casings are dimensioned to 4" off walls, unless noted otherwise.
- Foundation dimensions are measured to exterior face of masonry.
- Zoned: [Blank]
- Use Group: [Blank]
- Construction Type: [Blank]
- Review Under: [Blank]
- Construction Notes:
 1. Draft Stopping:
 2. Floor Live Load Sleeping:
 3. Floor Live Load Other Areas:
 4. Roof Snow Load:
 5. Wind Load:
 6. Soil Capacity:

STRUCTURAL DESIGN GATE