



City of Plymouth Zoning Board of Appeals

Regular Meeting Agenda

Thursday, July 2, 2020 – 7:00 p.m.
ONLINE Zoom Meeting

City of Plymouth
201 South Main Street
Plymouth, Michigan 48170

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

Join Zoom Meeting

<https://us02web.zoom.us/j/86444437767?pwd=QlY4NE0ySHNyaTV3b29uRUxmRzlQZz09>

Meeting ID: 864 4443 7767

Password: 658597

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.

- 1) **CALL TO ORDER**
 - a) Roll Call
- 2) **CITIZEN COMMENTS**
- 3) **APPROVAL OF THE MINUTES**
 - a) Approval of the May 7, 2020 Meeting Minutes
- 4) **APPROVAL OF THE AGENDA**
- 5) **OLD BUSINESS**
- 6) **NEW BUSINESS**
 - a) Z 20-04: 235 Adams, Projection into rear 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 2020-21

- Liquor/marijuana license review
- Rooftop seating review
- Adopt Downtown Development Authority (DDA) Master Plan and identify funding sources for implementation
- Begin implementation of Kellogg Park Master Plan with fountain replacement
- Establish format & requirements for public parks sponsorship
- Resident education programs on zoning basics, ordinance change and update, services, and recycling
- City webpage - create city-wide F.A.Q. "Index" page and push out link
- Increase social media presence - 1k new followers/subscribers/etc.
- Review and evaluate City truck routes
- Complete update to Special Events Policy

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 2020-21

- Actively promote and participate in the 2020 census
- Explore internal and external supplemental funding of legacy costs
- Target revenue enhancements for large-scale capital projects, including grants and millage
- Assist the Michigan Municipal League (MML) in facilitating and increasing support for state revenue sharing initiatives
- Redesign Capital Improvement Plan and evaluate future funding process for Equipment Fund
- Create a rate card for payment in lieu of paid parking
- Develop financial plan for public safety model
- Identify cost estimates, timeframe and potential funding sources for central parking deck
- Complete road bond sale - phase one

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 2020-21

- Continued administration of development projects and proposals including Wilcox Mill, Saxton's, Pulte, Starkweather School, Lumber Mart, and various residential builds
- Branding - consistency across all communications (email, letterhead, agenda)
- Provide annual process and risk-management training to all boards and commissions
- Continue implementing Redevelopment Ready Community (RRC) plan to achieve certification
- Develop list of transitional properties and utilize Michigan Economic Development Corporation (MEDC), Wayne County, others to market
- Explore marketing partnerships (schools, Chamber, hotels, available publications etc.)

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 2020-21

- Administration to make parking recommendation to City Commission by end of first quarter
- Implement updates to parking system according to direction given by City Commission
- Actively engage employees for further career development for succession planning with special focus on the depth of Cultural Center staffing
- Continue Asset Management Plan
- Review Insurance Services Office (ISO) Report and International City/County Management Association (ICMA) Study & begin meeting to discuss viable options for the future delivery of emergency services
- Approve third version of agreement on sanitary sewer with Western Township Utilities Authority (WTUA) based on delay by Wayne County
- Develop multi-modal transportation policy to City Commission
- Implement 2020 street repairs
- Restore Commercial Motor Vehicle (CMV) enforcement
- Continue geographic information system (GIS) mapping of the City
- Define process/educate citizenry/pursue adoption/Implement form-based codes



City of Plymouth

Zoning Board of Appeals Meeting Minutes

Thursday, May 7, 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.

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. Krol and seconded by Comm. Burrows for approval of the April 2, 2020 meeting minutes.

MOTION APPROVED 5-0

4. APPROVAL OF THE AGENDA

A motion was made by Comm. Burrows and seconded by Comm. Krol for approval of the agenda as presented.

MOTION APPROVED 5-0

5. OLD BUSINESS

None.

6. NEW BUSINESS

a) Z20-03, 480 Sunset

Chair Giummo read the administrative review.

Jeff Burch, owner, presented his case. He explained that his home is out of square with the setback. He explained the design is hard to modify the shape and it affects the constructability of the addition.

Citizen Comments

None.

Board Discussion

Comm. Elliott believed that the request was minor, and it was minimum dimension possible. He felt that there was a unique situation with the house being out of square.

Comm. Burrows believed that the variance request was not self-imposed. He believed that the applicant had the ability to cantilever the corner.

Comm. Krol agreed with Comms. Elliott and Burrows and did not have any issues with the request.

Comm. Devine believed that because the request was for a few inches, the plans could be adjusted. He believed that the variance request was so minor it was not warranted.

Mr. Burch explained that elevation drawings were provided digitally. It was confirmed the elevations did not make it into the packet.

A motion was made by Comm. Elliott, supported by Comm. Krol, to approve Z20-03, 480 Sunset, based on the finding of fact that the proposed variance is small, the existing home is slightly askew from the property line, and the variance request is minimal.

MOTION APPROVED 4-1

7. COMMISSIONER COMMENTS

None.

8. REPORTS AND CORRESPONDENCE

Mr. Buzuvis explained that the Governor extended the permission for online meetings through the end of June 2020.

9. ADJOURNMENT

Hearing no further business, a motion was made by Comm. Krol, supported by Comm. Elliott to adjourn the meeting at 7:17 PM.

MOTION APPROVED 5-0

City of Plymouth
Zoning Board of Appeals Notice
Thursday, July 2, 2020 – 7:00 p.m.
Meeting Location: Kiwanis Park
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, July 2, 2020 at 7:00 P.M. in Kiwanis Park, 700 Auburn, Plymouth, MI, to consider the following:

Z20-04 Non-Use Variance Request for 235 Adams
Projection into rear yard setback
Zoned: R-1, Single-Family Residential
Applicant: Derek Caveney

The rain location shall be City Hall Commission Chambers, 201 S. Main Street, Plymouth, MI if in-person meetings are permitted or Online Zoom meeting if the State of Michigan Executive Orders are extended.

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: Thursday, June 18, 2020



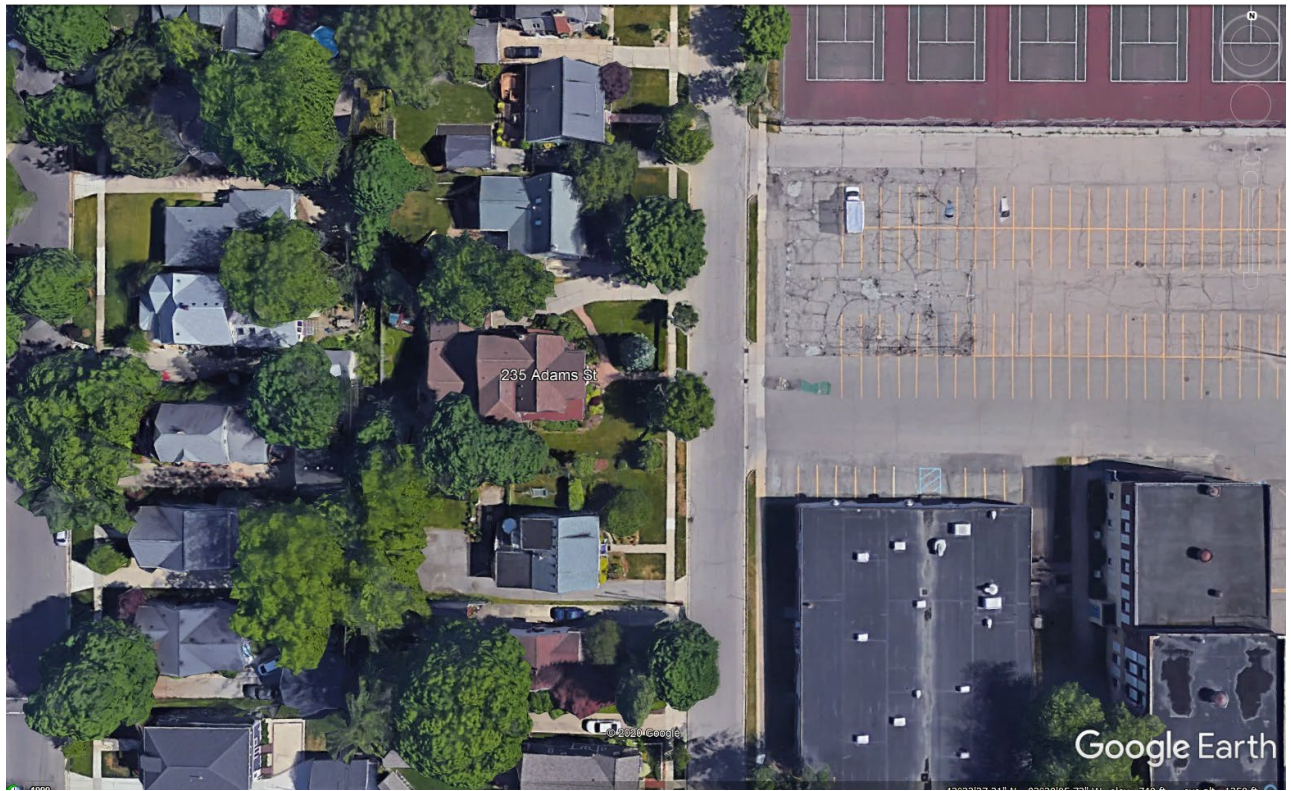
**CITY OF PLYMOUTH
COMMUNITY DEVELOPMENT**
201 South Main Street Plymouth, MI 48170
Ph. 734-453-1234 ext. 232
Website: www.plymouthmi.gov

TO: Zoning Board of Appeals Commissioners
FROM: Greta Bolhuis, Assistant Community Development Director
DATE: June 23, 2020
RE: Z20-04, 235 Adams, Non-Use Variance

Derek Caveney, owner is requesting a non-use variance to expand the existing rear yard deck. The property is 90 feet wide and 131.75 feet deep. The property is 11,858 square feet and is zoned R-1, Single Family Residential.

Section 78-217 references that decks may project into the rear yard setback up to 12 feet, so long as the height does not exceed 3 feet. Section 78-190 references the rear yard setback is 35 feet. The applicant is proposing a deck addition that is 16.17 feet from the rear property line. A variance of 6.83 feet is required.

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



7/2/20



RECEIVED

JUN 10 2020

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.

235 Adams St.

Address of Property

Date of Application

Derek J. Caveney

Margaret and Derek Caveney

Applicant Name

Property Owner

235 Adams St.

Plymouth

MI 48170

Address

City

State Zip

Peggy. Caveney@gmail.com

734-604-7538

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:

ARTICLE XVIII, SEC 18-217 PROJECTIONS INTO SETBACKS

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: ALLOW THE RENOVATION AND EXPANSION OF AN EXISTING NON-CONFORMING, REAR YARD DECK, WHICH WOULD REQUIRE AN 11'-2" VARIANCE TO THE REQ'D 23'-0" REAR YARD "DECK SETBACK"

Description of Property

Current zoning classification: R-1 SINGLE FAMILY RESIDENTIAL

Current use of structure(s) on premises: SINGLE FAMILY RESIDENTIAL

Is it a corner or interior lot? INTERIOR

Size and area of lot: 90' x 131.75' 11,858 SQ. FT

Total square footage of existing main structure(s): 2,945 SQ. FT

Total square footage of accessory structure(s): NA

Existing lot coverage (percentage) of all buildings and structures: 24.8%

Height of existing main and/or accessory structures: MAIN STRUCTURE 23'±

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed: 95 SQ. FT. DECK ADDITION AS INDICATED ON ATTACHED SITE DIAGRAM

Front yard setback after completion (measured from property line): 36'-4"

Rear yard setback after completion (measured from property line): EX. DECK 11'-10" DECK ADDITION 16'-2"

Side yard setback after completion (measured from property line): 18'-8"

Height of proposed structure: 3'-0" ABOVE GRADE

Lot coverage (percentage) after completion: 25.6%

Residential Only: Floor Area Ratio (FAR) after completion (shall not exceed 0.4): 31.3%

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 NON-CONFORMING DECK IS IN NEED OF REPAIR AND BECAUSE IT PROVIDES LITTLE MORE THAN REAR EGRESS FROM THE HOUSE DUE TO ITS SIZE AND SHAPE, WE WOULD LIKE TO EXPAND THE DECK TO THE SOUTH & EAST. THIS WOULD ALLOW A SPACE FOR AN OUT DOOR DINING AREA FOR OUR FAMILY OF FIVE THAT DOESN'T REQUIRE THAT WE TRAVEL DOWN THE NINE STEPS IT TAKES TO GET FROM THE HOUSE DOWN TO GRADE. THE EXISTING LOCATION OF THE HOUSE ON THE PROPERTY COUPLED WITH THE UNUSUAL HEIGHT OF THE FINISH FLOOR ABOVE GRADE ARE PRACTICAL DIFFICULTIES PREVENTING COMPLIANCE

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

THE ALTERATIONS DO NOT ENCROACH ANY CLOSER TO THE REAR NEIGHBORS THAN THE EXISTING DECK AND THE RESULTING SIDE YARD SETBACK IS STILL GREATER THAN THE MINIMUM REQUIRED.

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. THE PLACEMENT OF THE HOME, WHEN MOVED FROM MAIN ST. TO ADAMS RESULTED IN THE REAR YARD SETBACK INTRUSIONS AND UNUSUAL GRADE DIFFERENTIAL. AT THE TIME OF THE MOVE, THE FRONT OF THE HOUSE WAS ALIGNED WITH OTHERS ON ADAMS STREET.

4. Why do the ordinance restrictions unreasonably prevent the owner from using the property for a permitted purpose? STRICT COMPLIANCE WITH ORDINANCE WOULD PREVENT

THE ABILITY TO SAFELY UTILIZE THE REAR YARD FOR OUTDOOR DINING AS A FAMILY, AN ACTIVITY THAT IS ENJOYED AND EXPECTED BY MOST HOME OWNERS

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

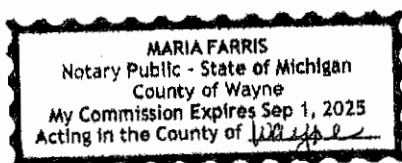
[Signature]

Signature of Property Owner

[Signature]

Signature of Applicant

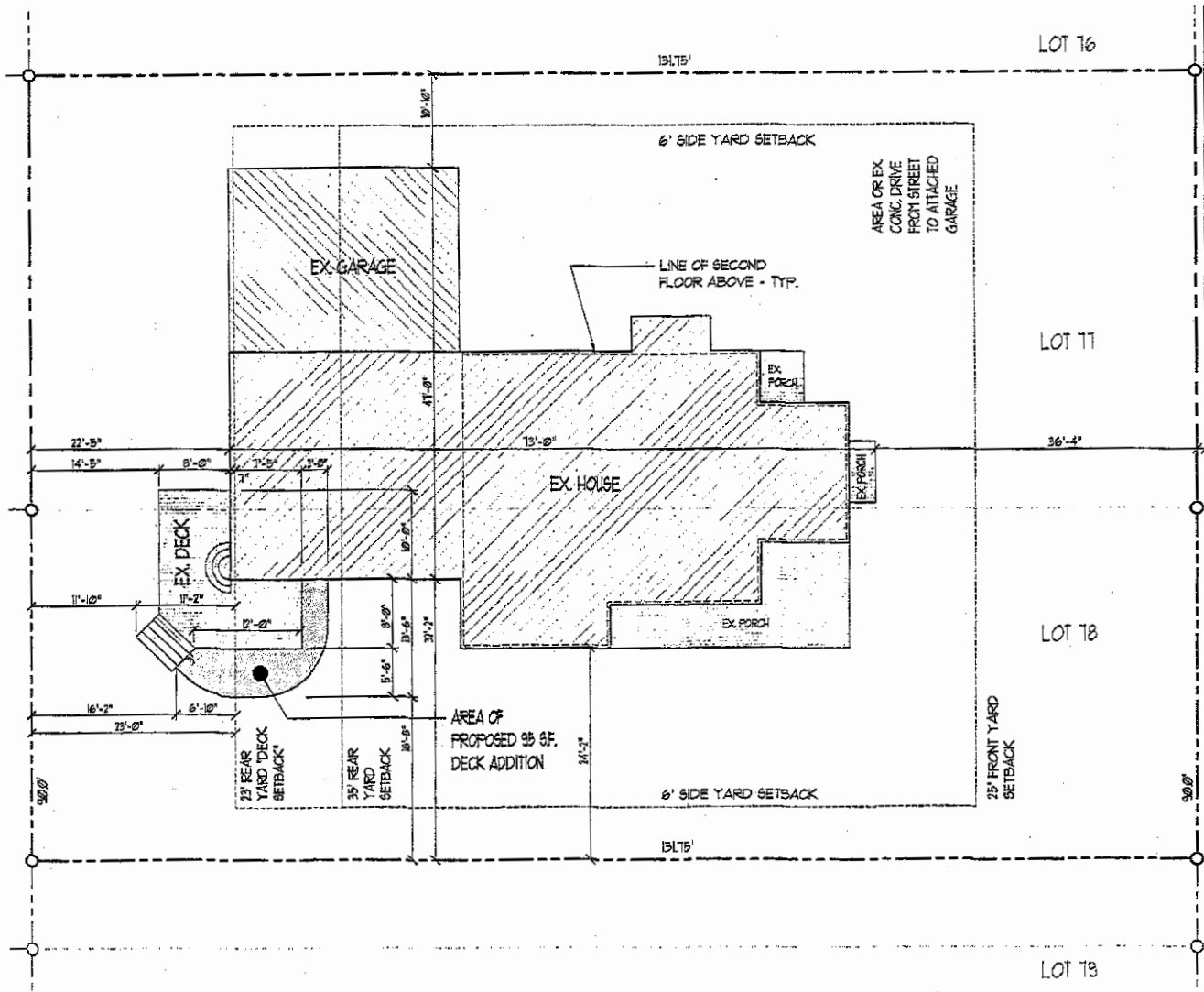
Subscribed and sworn before me this 9th day of June, 2020



Maria Farris *[Signature]*

Notary Public

My Commission expires Sept 1, 2025



SITE DIAGRAM
SCALE: 1" = 20'-0"

ZONING SUMMARY :

1. ZONING DISTRICT :	R-1 : SINGLE FAMILY RESIDENTIAL		
2. REQUIRED MAIN BUILDING SETBACKS :	FRONT (CALC. F.Y.S.B. N/A)	25'-0"	
	REAR	35 FT.	
	LEAST ONE SIDE	6 FT.	
	TOTAL BOTH SIDES	12 FT.	
	NOTE : DECKS (3'-0" OR LESS IN HEIGHT) ARE ALLOWED TO PROJECT 12' INTO REAR YARD SETBACK		
3. REQUIRED LOT COVERAGE :	LOT SIZE	11,858 SQ. FT.	
	MAXIMUM COVERAGE ALLOWED	35% (4,150 SQ. FT.)	
4. EXISTING LOT COVERAGE :	2,945 SQ. FT. / 11,858 SQ. FT.		24.8%
	HOUSE FIRST FLOOR	1,943 SQ. FT.	
	COVERED ENTRY PORCH	71 SQ. FT.	
	COVERED SIDE ENTRY PORCH	30 SQ. FT.	
	COVERED SIDE PORCH	205 SQ. FT.	
	ATTACHED GARAGE	546 SQ. FT.	
	DECK	200 SQ. FT.	
	TOTAL SQUARE FOOTAGE AT GRADE	2,945 SQ. FT.	
5. PROPOSED LOT COVERAGE :	3,040 SQ. FT. / 11,858 SQ. FT.		25.6%
	HOUSE FIRST FLOOR	1,943 SQ. FT.	
	COVERED ENTRY PORCH	71 SQ. FT.	
	COVERED SIDE ENTRY PORCH	30 SQ. FT.	
	COVERED SIDE PORCH	205 SQ. FT.	
	ATTACHED GARAGE	546 SQ. FT.	
	DECK	200 SQ. FT.	
	DECK ADDITION	95 SQ. FT.	
	TOTAL SQUARE FOOTAGE AT GRADE	3,040 SQ. FT.	
6. REQUIRED FLOOR AREA RATIO (FAR) :	LOT SIZE	11,858 SQ. FT.	
	MAXIMUM FLOOR AREA RATIO	40% (4,743 SQ. FT.)	
7. EXISTING FLOOR AREA RATIO :	3,120 SQ. FT. / 11,858 SQ. FT.		31.4%
	HOUSE FIRST FLOOR	1,943 SQ. FT.	
	HOUSE SECOND FLOOR	1,231 SQ. FT.	
	ATTACHED GARAGE	546 SQ. FT.	
	TOTAL FLOOR AREA	3,720 SQ. FT.	

ADAMS ST. (50'-WIDE ROW)

EX CONC. WALK

SHEET:	DATE:	STATUS:
1	06/08/20	<input checked="" type="checkbox"/> PRELIM.
		<input type="checkbox"/> REVIEW
		<input type="checkbox"/> PERMIT
		<input type="checkbox"/> CONSTR.
		<input type="checkbox"/> REVISED
CAVENEY_CD_02		

CAVENEY RESIDENCE - DECK ALTERATIONS
235 ADAMS STREET
PLYMOUTH, MICHIGAN

TITLE SHEET