



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

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Online Zoom Meeting

1. CALL TO ORDER

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

Present: 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

4. 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, Silvers

MOTION PASSED 5-0

5. OLD BUSINESS

There was no old business.

6. NEW BUSINESS

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

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