



City of Plymouth Zoning Board of Appeals

Regular Meeting Agenda

Thursday, March 7, 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/81447167728>

Passcode: 901234

Webinar ID: 814 4716 7728

- 1) CALL TO ORDER
 - a) Roll Call
- 2) CITIZEN COMMENTS
- 3) APPROVAL OF THE MINUTES
 - a) Approval of the February 1, 2024, regular meeting minutes
- 4) APPROVAL OF THE AGENDA
- 5) OLD BUSINESS
- 6) NEW BUSINESS
 - a) **Z 24-06, 840 Beech Ct:** front and rear setbacks for a proposed addition.
- 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

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

Z 24-06, 840 Beech: David Jensen, the owner, is requesting a non-use variance to construct an addition on the existing building footprint located within the front and rear setbacks.

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.

Publish: Wednesday, February 21, 2024



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

City of Plymouth www.plymouthmi.gov
201 S. Main Phone 734-453-1234
Plymouth, Michigan 48170-1637 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, Mike Pappas, Scott Silvers
Excused: Member Rebecca Smith

Also present: Mayor Suzi Deal, Community Development and Planning Director Greta Bolhuis

2. CITIZENS COMMENTS

There were no citizen comments.

3. APPROVAL OF THE MEETING MINUTES

Pappas offered a motion, seconded by Burrows, to approve the minutes of the January 4, 2024 meeting.

There was a roll call vote.

YES: Burrows, Devine, Pappas, Silvers, Elliott

MOTION PASSED

4. APPROVAL OF THE AGENDA

Burrows offered a motion, seconded by Pappas, to approve the agenda for the February 1, 2024 meeting.

There was a roll call vote.

YES: Burrows, Devine, Pappas, Silvers, Elliott

MOTION PASSED

5. OLD BUSINESS

There was no old business.

6. NEW BUSINESS

a. Z 24-02, 1270 S. Main: use variance to establish a funeral home.

Megan, daughter of Bob and Jeanne McAllister provided background information. She said the business would not be a traditional funeral home or crematorium but would house decedents prior to them being transferred to a cremation location.

Citizen Comments

Sam Kilburg, attorney for Tom and April Dono, 882 Simpson, spoke in opposition to the variance. Matt Landes, 1370 Hartsough, said there was no harm in having the business at this location and spoke in support of the variance.

Kristen Michie, 845 Simpson, spoke in opposition to the variance.
Robert Hoveland, 918 Ross, spoke in opposition to the variance.
Rob Mengel, 1293 Harvey, spoke in opposition to the variance.
Tara Batzer, 917 Ross, spoke in opposition to the variance.
Vince Collins, 973 Ross, spoke in opposition to the variance.
Laura Bleecker, 844 Simpson, spoke in opposition to the variance.
Kendall, on behalf of the owners of Dairy Go Round, spoke in opposition to the variance.
Michele Potter, 917 Simpson, spoke in opposition to the variance.
Nina MacLean, 881 Simpson, spoke in opposition to the variance.

Board Member Discussion

Board members discussed the criteria for granting a use variance and agreed that they were not met in this request.

Motion

Elliott offered a motion, seconded by Burrows, to deny Z24-02 for a use variance to establish a funeral home at 1270 S. Main in the B-1 zoning district.

Findings of Fact

There is nothing preventing the property from being reasonably used for permitted purposes.
There is nothing unique about this property with respect to others in this zoning district.
The requested use would alter the character in this B-1 area.
The alleged hardship is self-created – funeral businesses are allowed in other zoning districts.

There was a roll call vote.

YES: Burrows, Devine, Pappas, Silvers, Elliott

MOTION PASSED

b. Z 24-03-165 W. Liberty: non-use variance for the required number of off-street parking spaces.

Applicant Sharon Watson described her request and rationale.

Board Member Discussion

Board members discussed the criteria for granting the non-use variance and agreed that granting it would not negatively impact other properties. They also mentioned the incompatibility of parking requirements in Old Village.

Motion

Silvers offered a motion, seconded by Burrows, to approve Z24-03 for a non-use variance to reduce the number of off-street parking spaces.

Findings of Fact

The parking requirements are incompatible with the dense urban fabric of the area.
The hardship was not generated by the applicant but instead generated by the incompatibility with parking requirements.

There was a roll call vote.

YES: Burrows, Devine, Pappas, Silvers, Elliott

MOTION PASSED

b. Z 24-04-1050 W. Ann Arbor Rd.: non-use variance to construct a canopy over an outdoor patio area within the front yard setback.

Devine requested a motion to allow him to abstain since he is working on the project. Elliott offered a motion, seconded by Burrows, to recuse Devine.

There was a roll call vote.

YES: Burrows, Devine, Pappas, Silvers, Elliott

MOTION PASSED

Devine left the meeting.

Elliott informed the applicant that the decision would be made based on three of the four board members present and offered him the option of waiting until a full board was present. The applicant said he would like to move forward.

Applicant Ryan Yaquinto said the variance would not change the existing seating area.

Motion

Elliott offered a motion, seconded by Pappas, to approve Z24-04 for 1050 W. Ann Arbor Rd. to allow for the construction of a canopy over an outdoor patio within the front yard setback.

Findings of Fact

The property at 1050 W. Ann Arbor Rd. is unique in that it surrounds the neighboring property at 1020 W. Ann Arbor Rd.

With the variance, the setback is still consistent with existing properties on the north side on Ann Arbor Rd.

Condition

The variance is constrained to the approximately 450 square foot patio described in the application and does not run the entire width of the property.

There was a roll call vote.

YES: Burrows, Pappas, Silvers, Elliott

MOTION PASSED

Devine re-entered the meeting.

d. Z24-05 - 502 Ann: non-use variance to construct a second story addition within the side yard setback.

The applicant described the request, which included a second-floor balcony as part of the addition.

Motion

Elliott offered a motion, seconded by Devine, to approve Z24-05 to construct a second-floor addition in the north side yard setback at 502 Ann.

Findings of Fact

The original structure was placed very close to the north property line.
The proposed addition will not extend the existing nonconformance.
The lot is narrow, and being on a corner lot further reduces the buildable area.

Condition

A second floor balcony is not allowed in the area created by this variance.
This north side yard setback variance only extends for the existing house footprint and does not extend along the length of the property.

There was a roll call vote.
YES: Burrows, Devine, Pappas, Silvers, Elliott

MOTION PASSED

7. BOARD MEMBER COMMENTS

There were no board member comments.

8. REPORTS AND CORRESPONDENCE

Mayor Deal thanked board members for their thoughtful consideration of the variance requests.
Mayor Pro Tem Kelly O'Donnell said a new ZBA alternate would be named soon.
Elliott asked that ZBA members receive notification when a notice is sent to residents to help them prepare for future meetings.

9. ADJOURNMENT

Burrows offered a motion, seconded by Pappas, to adjourn the meeting at 8:20 p.m.

There was a roll call vote.
YES: Burrows, Devine, Pappas, Silvers, Elliott

MOTION PASSED



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

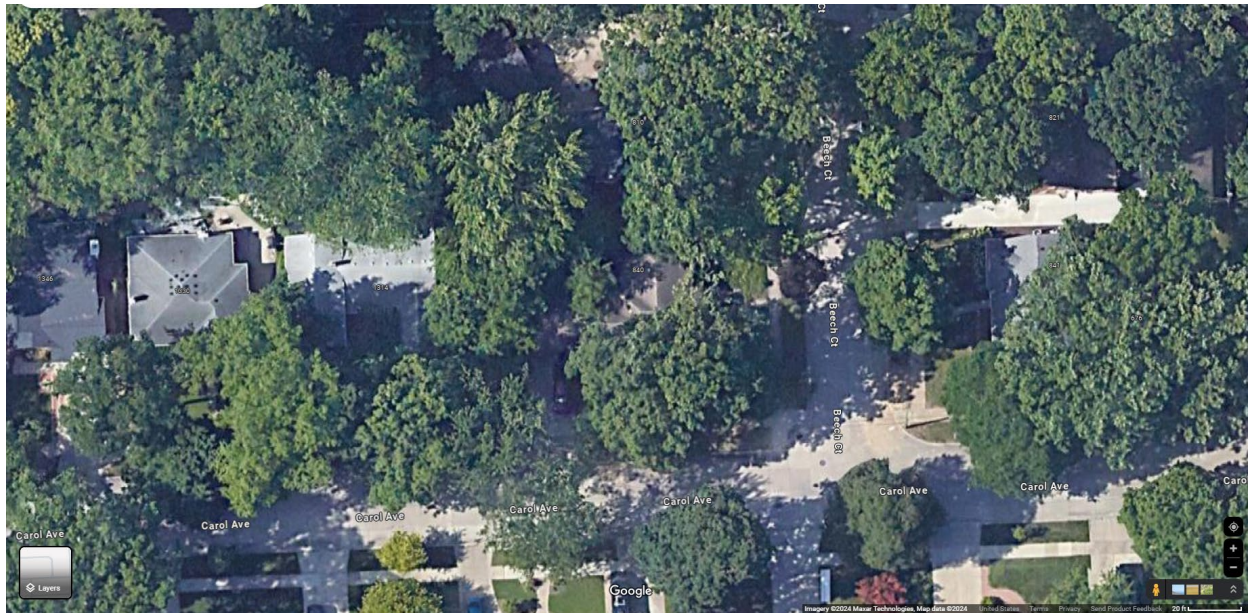
TO: Zoning Board of Appeals Commissioners
FROM: Greta Bolhuis, Planning & Community Development Director
DATE: February 29, 2024
RE: 580 Beech Ct., Non-Use Variance Request

David Jensen, the owner, is requesting a non-use variance to construct an addition onto an existing home. The property is 75 feet wide by 120 feet deep, totaling 9,000 square feet.

Section 78-190 references the minimum rear yard setback is 35 feet. The proposed rear yard setback is 26.9 feet. A variance of 8.1 feet is required.

Section 78-191 (o) states "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 proposed front yard setback is 28.1 feet. A variance of 3.3 feet is required.

Should you have any questions, please contact me directly.





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.

840 BEECH COURT JANUARY 31, 2024
Address of Property Date of Application

DAVID JENSEN DAVID Jensen
Applicant Name Property Owner

31130 STAFFORD BEVERLY Hills, MI 48025
Address City State Zip

djensen40@gmail.com 248-515-4100
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:

ARTICLE XVI Schedule of Regulations
SECTION 78-190

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: THERE ARE (2)
PARTS OF THE EXISTING FOOTPRINT THAT ARE LEGAL
NON-CONFORMING. THEY ARE: WEST (8.1') OF THE GARAGE,
THE EAST (4.3') OF THE LIVING ROOM. WE ARE NOT EXPANDING THE
HABITABLE SPACE. Description of Property

Current zoning classification: R-1

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

Is it a corner or interior lot? CORNER

Size and area of lot: 75' x 120'

Total square footage of existing main structure(s): 1500 S.F.

Total square footage of accessory structure(s): N/A

Existing ~~lot coverage~~ (percentage) of all buildings and structures: ~~XXXXXX~~ 22.4%

Height of existing main and/or accessory structures: 15'-0" - 16'-0" ±

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed: 68.3' x 44.2'
2365 S.F. (INC. 865 S.F. NEW)

Front yard setback after completion (measured from property line): 24.8' Beech Ct, 22.4' Carol Ave

Rear yard setback after completion (measured from property line): 26.9'

Side yard setback after completion (measured from property line): 5.9'

Height of proposed structure: 24.0' ±

Lot coverage (percentage) after completion: 22.4%

Residential Only: ~~Floor Area Ratio~~ (FAR) after completion (shall not exceed 0.4): 32.2%

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.)

SEE ANSWERS ON FOLLOWING PAGE.

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

See Answer ON FOLLOWING PAGE

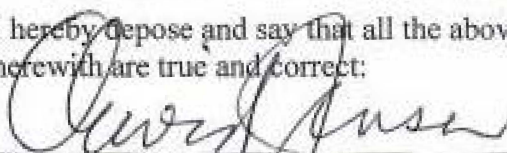
3. Is the practical difficulty which prevents you from complying with the ordinance self-imposed? How did the practical difficulty come about? (NOTE: The ZBA has generally found that purely aesthetic consideration and self-created hardships are unacceptable grounds for a variance.)

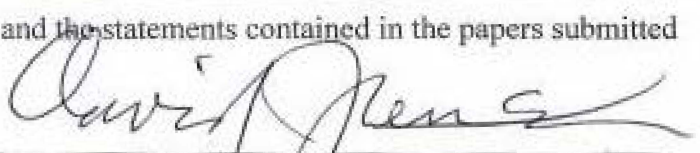
See Answer ON FOLLOWING PAGE

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

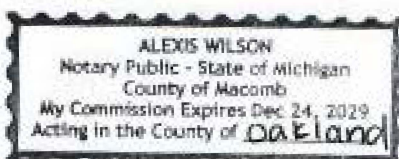
See Answer ON FOLLOWING PAGE

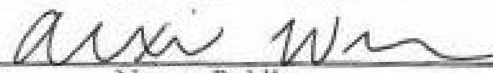
I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct:


Signature of Property Owner


Signature of Applicant

Subscribed and sworn before me this 30 day of Jan, 20 24




Notary Public
My Commission expires 12/24/2029

#1. What are the practical difficulties preventing compliance with the ordinance? Are the practical difficulties an exception or unique to the property compared to other properties in the City?

ANSWER: The practical difficulties are unique to the property. This is an existing house, built in 1959, which has been in full compliance from the time it was built, and now the changes to the ordinance that require the front yard setbacks to be the average of houses within 200' in both directions). That ordinance now makes one (1) specific front yard area (a small part of the living room) to be non-conforming. There is also a portion of the garage, (8.1') that now does not meet the 35-0' rear yard setback that also requires ZBA approval. These two parts of the footprint that are legal non-conforming, the west end of the garage, and part of the living room are NOT being expanded as habitable space, however their existence is preventing us from being able to apply for a building permit so that we are able to go up and expand the architectural volume above the existing first floor.

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

ANSWER: No impact at all, we are not expanding the habitable space in the two areas that are non-conforming.

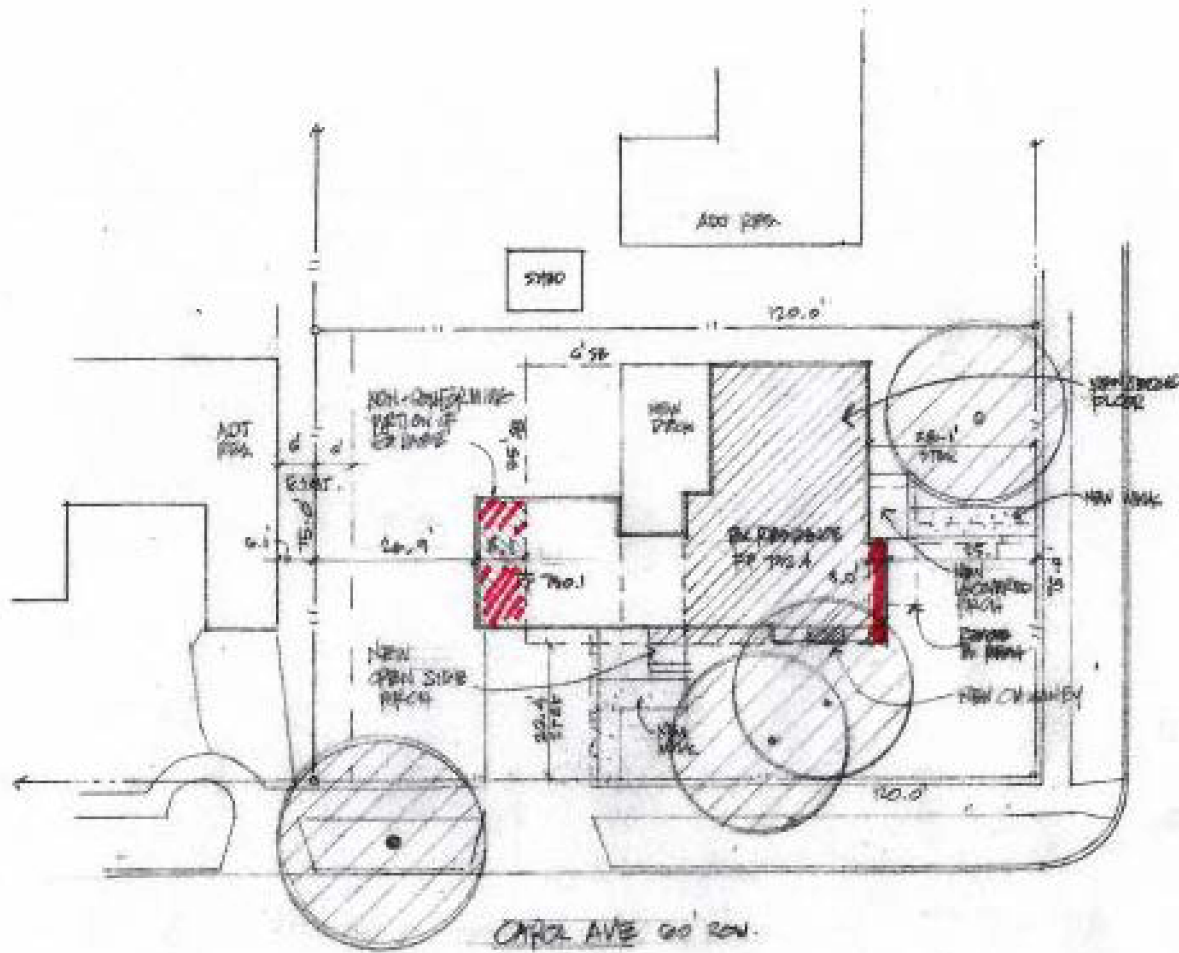
#3. Is the practical difficulty which prevents you from complying with the ordinance self-imposed?

ANSWER: No, to the contrary, the imposition is the result of the changes to the City zoning ordinance that changed the allowable setback when the house was built, to a method that requires new front setback to comply with the average of the houses within 200', which in our case varies significantly from ours at 28.1 feet to 35.00 a few doors away. Thus, a **3.3'** piece of the living room along Beech Ct. does not meet the current ordinance requirements. Although our rear yard setback is 26.9' on Carol Ave., 8'-0" of the existing garage does not meet the new standard of 35-0' setback requirement. IN NEITHER OF THESE CASES ARE WE REQUESTING TO EXPAND THE HABITABLE SPACE.

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

ANSWER: If it were not for the changes to the zoning ordinance that established a new way of determining front yard setbacks, and the changed the requirements to 35-0' rear yard setback instead of what we assume were once 25-0', the house that exists at 840 Beech Court would be considered fully compliant, as it must have been when it was permitted, constructed and granted a certificate to occupy some 65 years ago. Our plan is to not expand habitable space in the two areas of non-compliance, rather to architecturally expand the volume above the first floor existing rooms.

Proposed New Plan



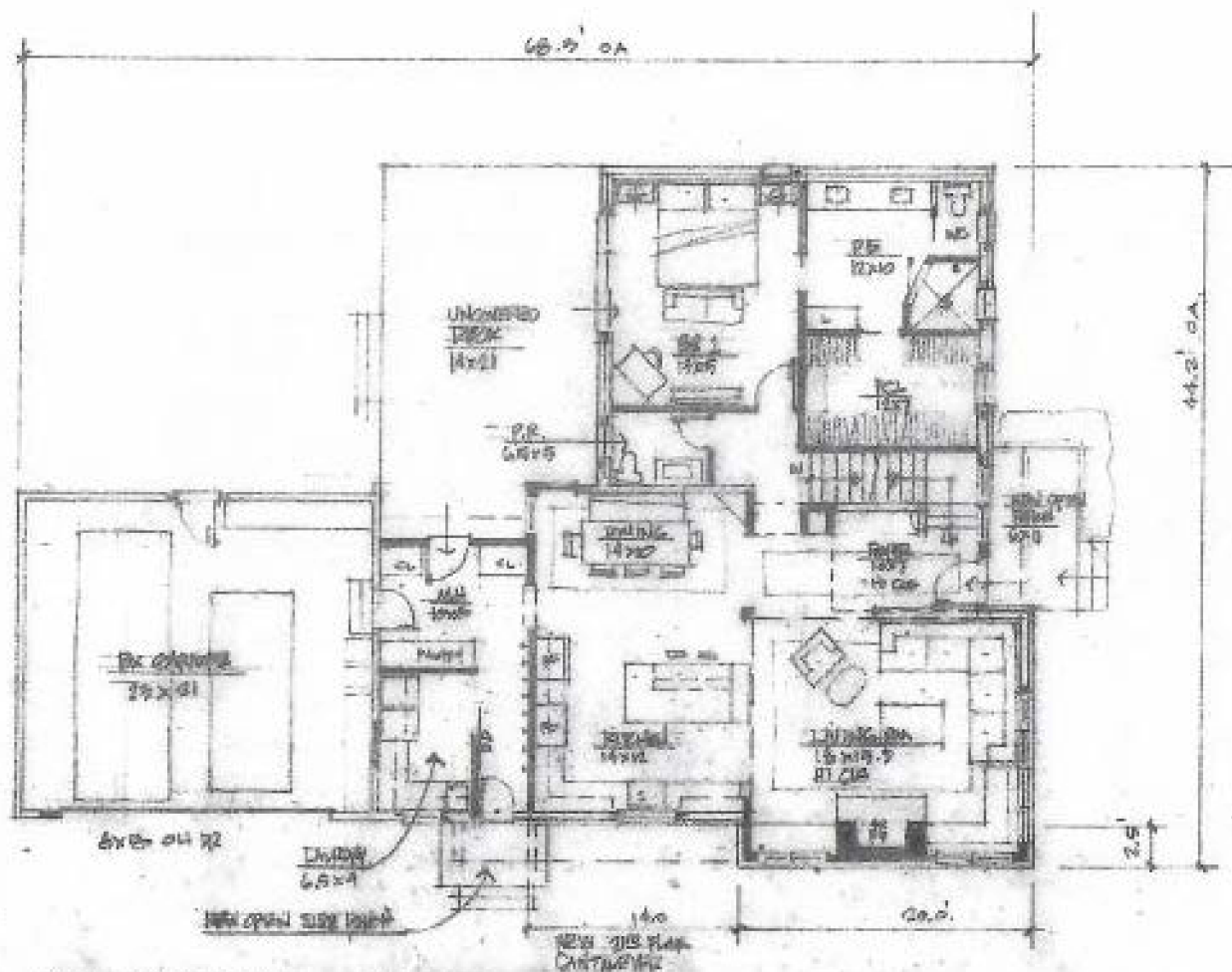
PROJECT INFORMATION

- LOT COVERAGE:
 $2016 \text{ SF} / 9000 \text{ SF LOT}$
 $= 22.4\%$ (100% ALLOWED)

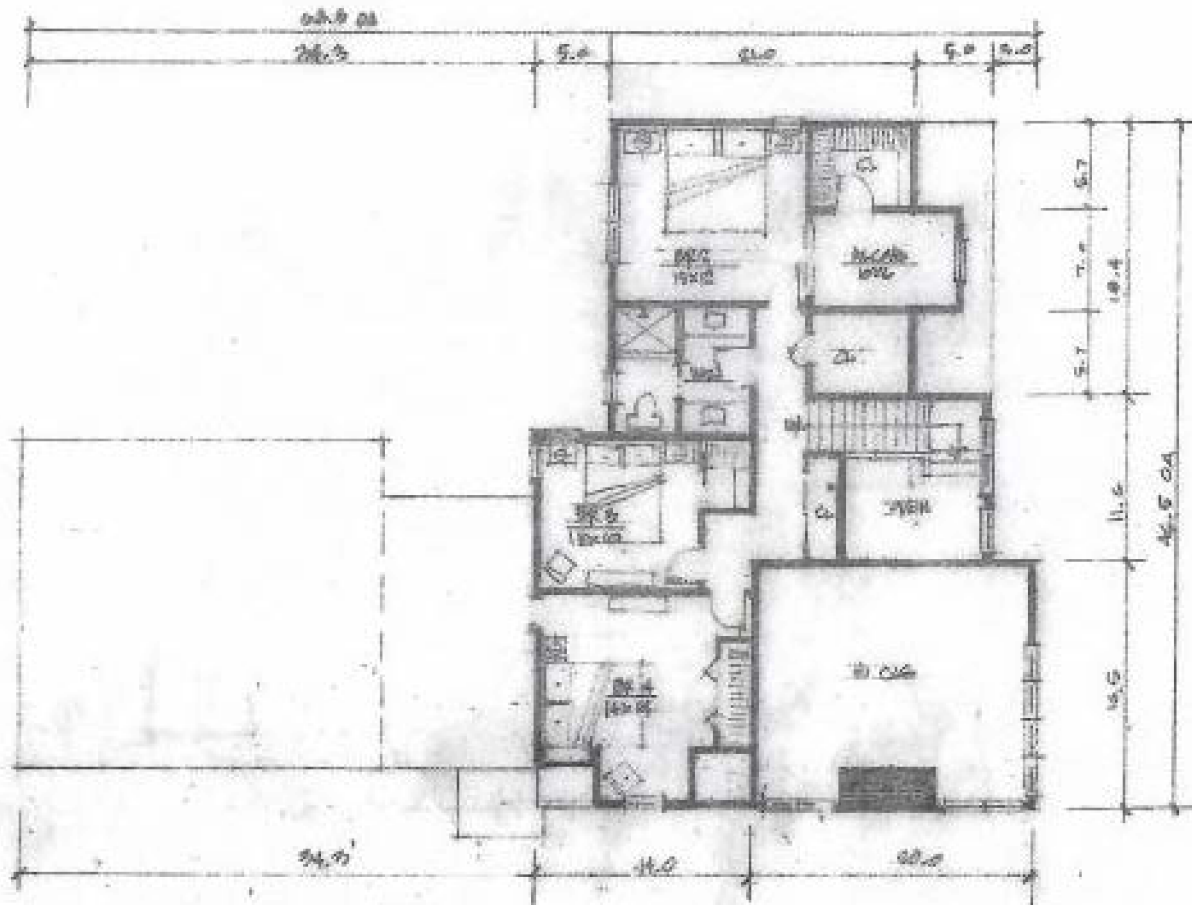
- FAR:
 FLOOR AREA
 DENSITY = $\frac{532}{2845 \text{ SF}}$
 18.7% (100% ALLOWED)



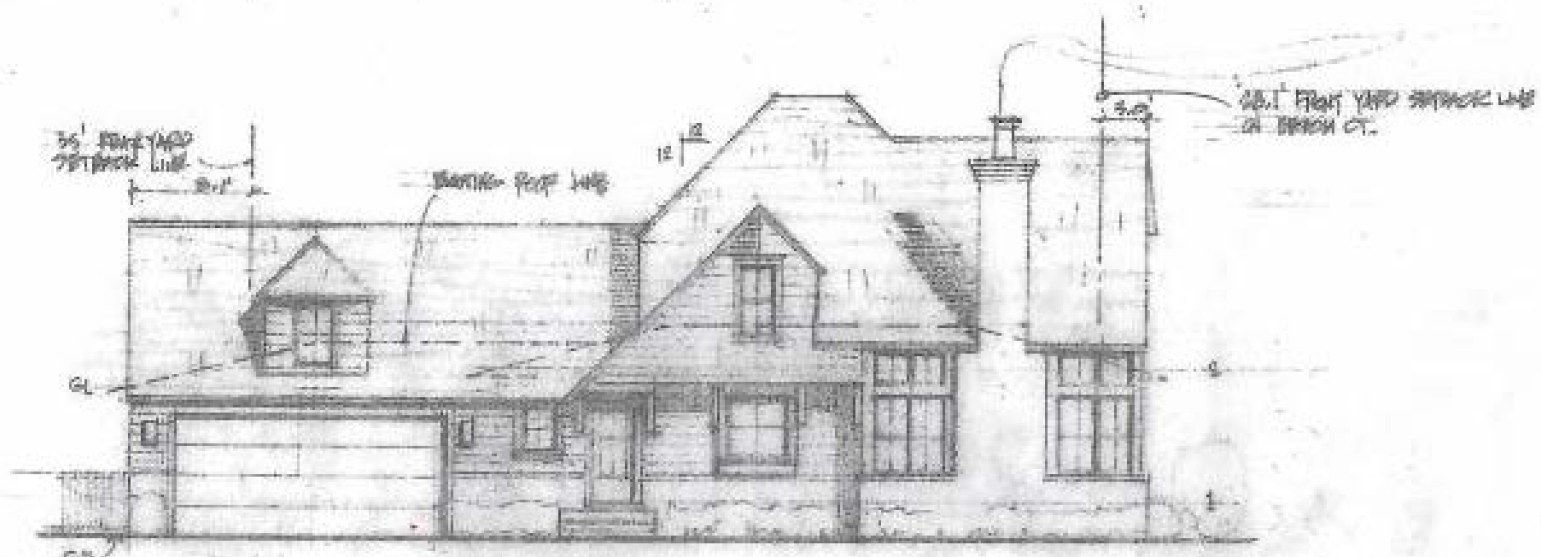
SITE PLAN
 15-20 1.30-24



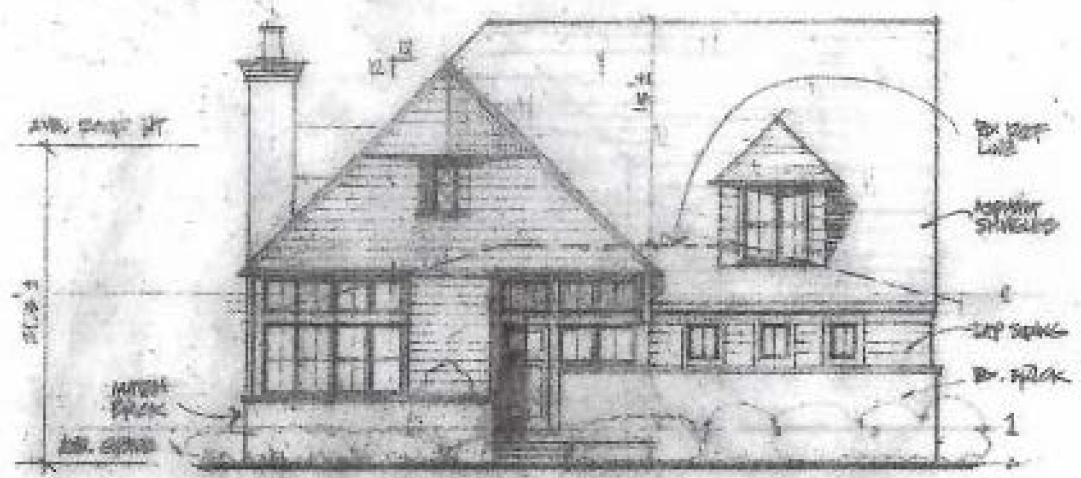
FIRST FLOOR PLAN
 1-27-24
 150 SF
 1-20-24



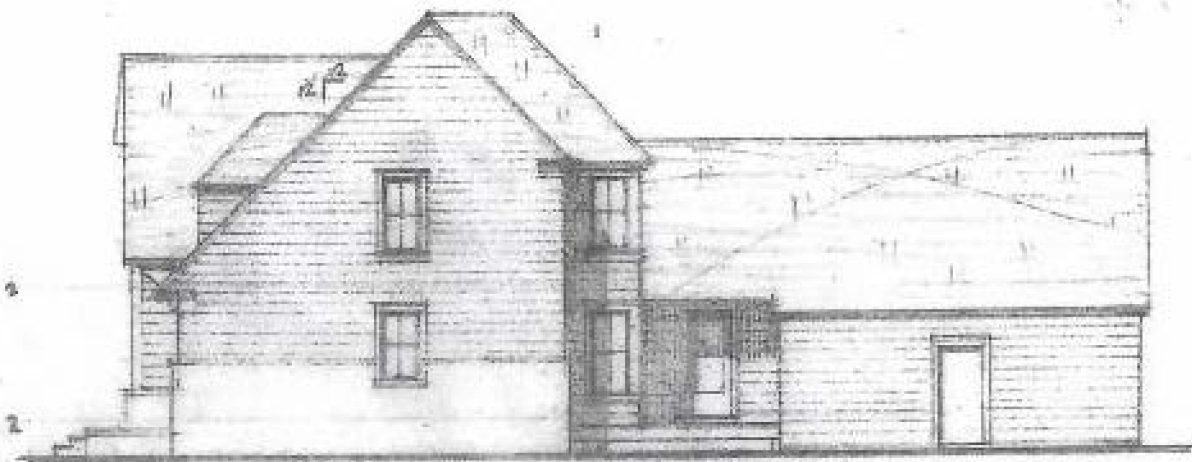
SECOND FLOOR PLAN 165 SF
 1/20" 1-30-24



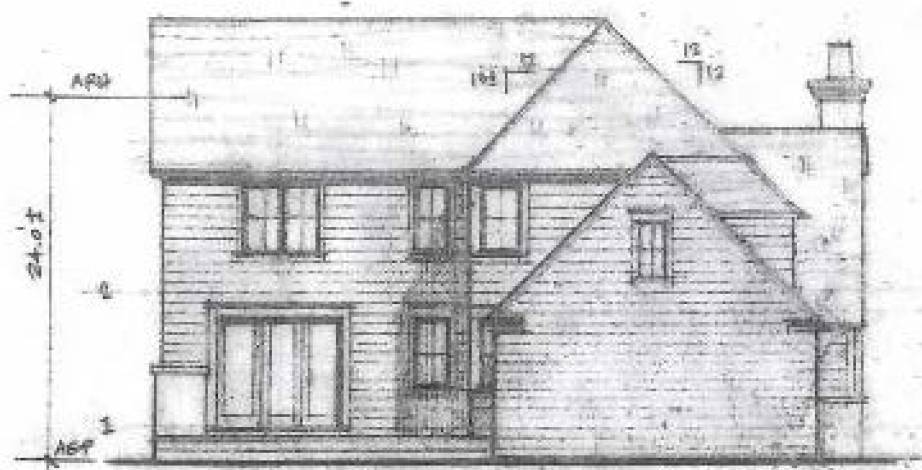
SOUTH ELEVATION
1-25-04



EAST ELEVATION
1-25-04



NORTH ELEVATION
188-10 1-20-24



WEST ELEVATION
188-10 1-20-24

BOUNDARY SURVEY

Setback information on houses with 200' - on Carol Ave.

Address	Setback
#880	35.5
#901	35.5
#1314	28.5
#1330	25.5
#1348	28.5
#1367	25.5
Average	28.8
20% of Average	28.4

Setback information on houses with 200' - on Beach St.

Address	Setback
#1761	26.0
#810	26.0
#1281	20.4
Average	24.2
20% of Average	22.1

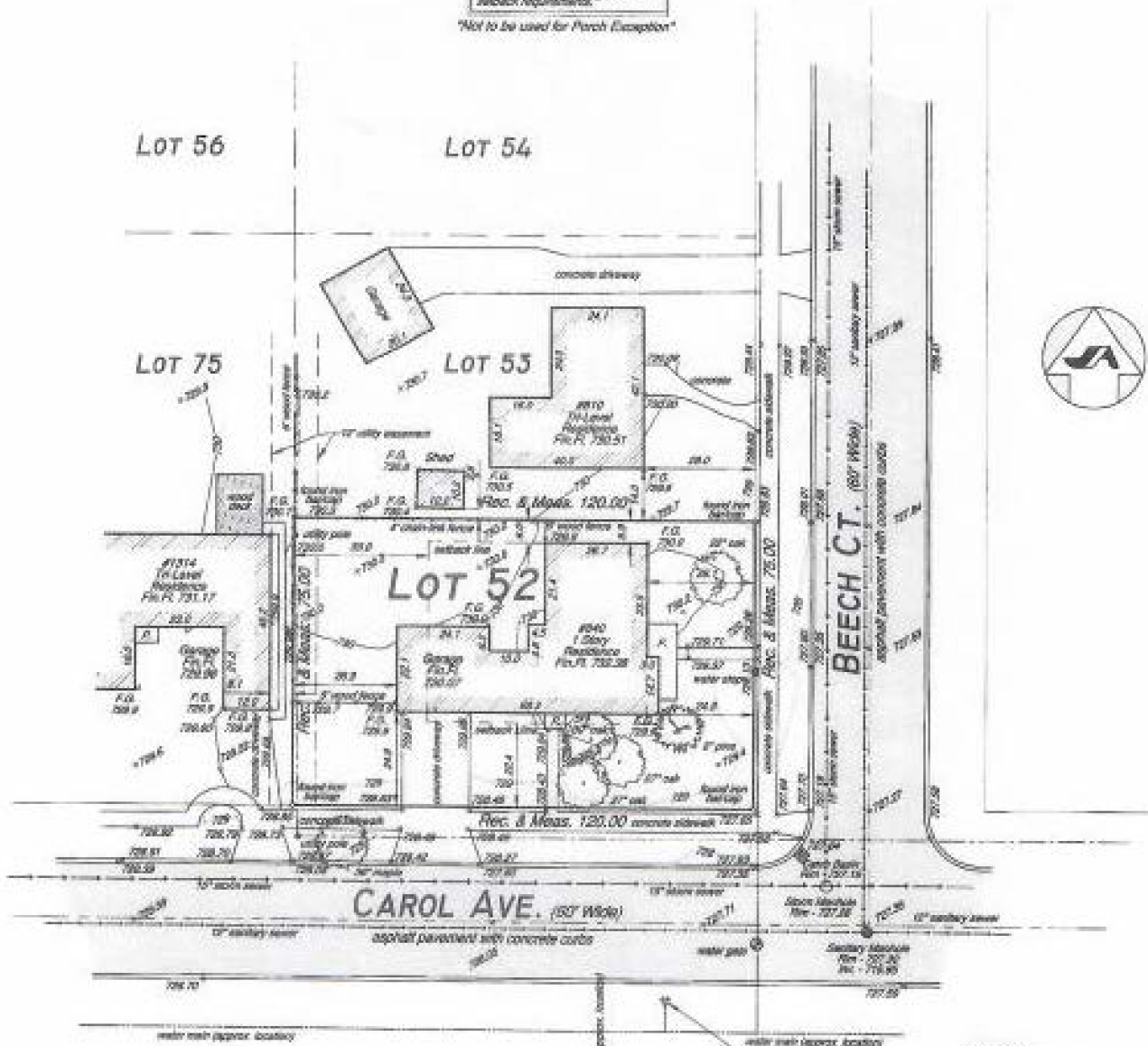
confirm minimum setbacks with municipality

Zoning: R-1 Single Family Residential
 Setbacks:
 Front - Carol - 20.4'
 Front - Beach - 26.1'
 Side - 5'
 Side total - 12'
 Rear - 20'

*Check the policy for subdivision deed restrictions that may affect setback requirements.
 Not to be used for Parcel Exception



Know what's below.
Call before you dig.



LEGEND

- 200.00 = Existing elevation
- 190.00 = Proposed elevation
- - - - - = Drainage course
- = 5/8" line
- F.O. = Finish Grade
- = Existing contour
- X--- = To be Removed
- = As-built information

LEGAL DESCRIPTION

LOT 52 OF "PARKLANE SUBDIVISION", PART OF THE NORTHEAST 1/4 OF SECTION 34, TOWN 1 SOUTH, RANGE 8 EAST, CITY OF PLYMOUTH, WAYNE COUNTY, MICHIGAN, AS RECORDED IN LIBER 79 OF PLATS ON PAGE 70, WAYNE COUNTY RECORDS. LOT CONTAINS 9001 SQUARE FEET, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

TOPOGRAPHIC SURVEY

Prepared For: David Jackson
 Westwood Common LLC
 (248) 815-4100

Date	29 DEC 2022
Job no.	22-12-004
Scale	1" = 20'
Drawn	AAH
Checked	JRE
Sheet	1 OF 1

Jakubson & Associates, P.C.
 Professional Land Surveyors
 1320 Goldsmith, Plymouth, MI 48170
 (734) 414-7200 (734) 455-8000



By:



SECTION AT FRONT YARD SETBACK
NON-CONFORMING.



Beech Ct & Carol Ave

1297 Carol Ave
Plymouth, Michigan
Google Street View
Aug 2018 See more dates

26.9'
to Lot Line

SECTION (8'-0") OF GARAGE
DOES NOT MEET
REAR YARD SETBACK