



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 Yaquinito 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

Bolhuis, Greta

From: Connie Hoveland ·
Sent: Thursday, January 25, 2024 8:49 PM
To: Group - Zoning Board of Appeals
Subject: Appeals Meeting Feb 1 agenda item Z 24-02 1270 Main

Dear Zoning Board of Appeals,

We are Robert and Connie Hoveland of 918 Ross and we object to Robert and Jeanne McAllister application to establish use variance for funeral services of any kind, especially those of cremation. This will alter the essential character of our residential neighborhood. Cremation services are known for emitting odors and toxins into the air. Given current Michigan laws, there are none that ensure a clean, healthy atmosphere within 300 feet. A cremation burner requires combustion at 1,600 degrees Fahrenheit. What practices, procedures and proven experience does this couple have to ensure that they will execute cremation with zero impact to our air and safety. Crematoriums we have researched are in industrial areas or in rural locations with residences beyond 300 feet. Considering they are less than 30 feet to residents and eating establishments we can not trust this facility won't emit a smell, toxic odors or visual flames and/or black smoke. We ask the zoning board of appeals NOT to approve the variance.

Thanks you for time in this matter

Connie and Robert Hoveland

Bolhuis, Greta

From: Dairygoround
Sent: Friday, January 26, 2024 3:52 PM
To: Bolhuis, Greta
Subject: Zoning board of appeal

Subject: Zoning board of appeal

Community development department

City of Plymouth
Zoning board of appeals

My name is Karolina Matesic. My husband and I own Dairy Go Round which is located less than 200 feet away from the property seeking variance. It is stated that new business owners are seeking to establish cremation services. This is of a great concern for us as well as many of our neighbors and neighboring businesses.

Cremation process creates air pollutants (nitrogen oxides, carbon monoxide and nitrogen particulate matter and many more) that have adverse effects on human health as well as environment. Cremation fumes (PCDD/Fs and Hg) are known to be toxic to humans and can bioaccumulate in tissues.

Dairy Go Round business is ice cream and happy memories and it is not in our best interest to open such facility just down the street from where people gather to eat and enjoy summer days. We believe that city of Plymouth will take our concerns seriously and evaluate if this project is really in best interest for our community and our residents.

Sincerely,

Karolina and Gordan Matesic

Dairy Go Round
1226 S Main

Bolhuis, Greta

From: Phyllis Smith
Sent: Friday, January 26, 2024 5:54 PM
To: Bolhuis, Greta
Subject: Zoning board of appeals , February 1, 2024, Z-24-02, 1270 Main Street

I can not attend this meeting, but I am opposed to any rezoning of this property that would allow anything other than client information; counseling and preplanning. The request would have to specifically state, at a minimum, that no collection, storage, destruction or disposal of any human or animal remains would be conducted on this site.

Thank you for the opportunity to comment on this issue.

Phyllis Smith
845 Ross St
Plymouth, MI 48170

[Sent from Yahoo Mail on Android](#)

Bolhuis, Greta

From: Dairygoround
Sent: Tuesday, January 30, 2024 4:04 AM
To: Bolhuis, Greta
Subject: Zoning board of appeals

City of Plymouth
Zoning Board of Appeals
201 South Main Street
Plymouth, MI 48170
zoning@plymouthmi.gov
gbolhuis@plymouthmi.gov

Members of the Zoning Board of Appeals:

I am the owner and operator of the Dairy-Go-Round Ice Cream Shop located at 1226 S. Main Street. I am currently out of the country and unable to personally attend the Zoning Board of Appeals meeting on February 1, 2024. I would like to submit this email in opposition to Robert and Jeanne McAllister's Use Variance Application for a Funeral Home at 1270 S. Main Street, Plymouth, Michigan.

Funeral Homes are not permitted in the City's B-1 (Local Business) Zoning District for good reason. It would be very damaging to my business and other neighboring businesses if a Funeral Home is permitted to operate in such close proximity. My customers currently come to the Dairy Go Round to enjoy ice cream with their families, friends, and neighbors. This is a community gathering spot and my customers do not want to be reminded of death or watch funeral home activities while they are trying to relax and socialize.

I respectfully request that this letter be read into the official record at the Zoning Board of Appeals meeting on Thursday, February 1, 2024.

Please feel free to contact me with any questions.

Sincerely,

Karolina and Gordan Matesic

Bolhuis, Greta

From: Bolhuis, Greta
Sent: Monday, January 29, 2024 3:51 PM
To: Group - Zoning Board of Appeals
Subject: FW: Zoning Board of Appeals Meeting Feb 1

From: Susan Wildenhaus
Sent: Monday, January 29, 2024 11:19 AM
To: Bolhuis, Greta <gbolhuis@plymouthmi.gov>
Subject: Re: Zoning Board of Appeals Meeting Feb 1

Sent from my iPhone

Greta,

We are unable to attend the City Variance meeting on February 1. Please forward our comments to the Board prior to the meeting.

Thank you.

Kevin and Sue Wildenhaus

City of Plymouth Variance Board
Re:Zoning Board of Appeals Notice
Z-24-02 1270 S Main

We are unable to attend the February 1 Variance meeting regarding the location of a Funeral Home on 1270 S Main and are writing to oppose the proposed use of the property.

We have been a residents of Plymouth for over 40 years and reside at 882 Ross Street, a block away from the proposed funeral home site.

We understand the need to fill vacant buildings in the city, however, when the proposed business is a funeral home in a residential area, this is of concern. The proposed business is not cohesive to our neighborhood and does not even fit the Class B 1 status of this property.

We strongly oppose this variance application.

Kevin and Sue Wildenhaus

Bolhuis, Greta

From: Sarab Weiss
Sent: Tuesday, January 30, 2024 4:52 AM
To: Bolhuis, Greta; Group - Zoning Board of Appeals
Subject: 1270 S Main Steet Use Variance- Strongly Oppose!

Adding zoning@plymouthmi.gov

City of Plymouth
Zoning Board of Appeals
201 S. Main Street
Plymouth, MI 48170
zoning@plymouthmi.gov
gbolhuis@plymouthmi.gov

Members of the Zoning Board of Appeals:

We would like to submit this email in opposition to Robert and Jeanne McAllister's Use Variance Application for a Funeral Home at 1270 S. Main Street, Plymouth, Michigan. We have reviewed a copy of the letter from Samuel R. Kilberg at Dykema Gossett PLLC, dated January 25, 2024, which was submitted on behalf of Thomas and April Dono. We would like the Zoning Board of Appeals to know that we adopt and agree with the analysis and argument in Mr. Kilberg's Letter.

We would like to stress to the Zoning Board of Appeals that allowing a Funeral Home in the B-1 Business District that abuts our neighborhood, Sunshine Acres, would forever alter the essential character of our neighborhood. Sunshine Acres is a family friendly, walkable neighborhood. The nearby businesses provide community gathering places like the Dairy-Go-Round ice cream shop and Hungry Howie's pizza, and essential services like Colonial Dry Cleaners and Canzano's hair salon. If a funeral home is placed in such close proximity to our homes and in the middle of these businesses, our quality of life will be severely diminished since we will no longer be able to stroll down Main Street or frequent these nearby businesses without the constant reminder of death. Please do not allow this to happen.

I respectfully request that this letter be provided to all members of the Zoning Board of Appeals and be read into the official record at the meeting on Thursday, February 1, 2024.

Please feel free to contact us with any questions.

Sincerely,

Sarab and Mark Weiss
866 Ross Street

Sarab Weiss (she/her)

Bolhuis, Greta

From: Bolhuis, Greta
Sent: Tuesday, January 30, 2024 8:03 AM
To: Group - Zoning Board of Appeals
Subject: FW: Letter of opposition

From: Nina MacLean
Sent: Monday, January 29, 2024 9:18 PM
To: Bolhuis, Greta <gbolhuis@plymouthmi.gov>
Subject: Letter of opposition

Hi Greta,

I am writing to express our strong objection to the use variance request for a Funeral Home/Funeral Services Business at 1270 S. Main Street, Plymouth, formerly known as the Town Locksmith location.

This proposed business is not suitable for our residential neighborhood, Sunshine Acres, and I request you to carefully consider the following points:

Aesthetic and Emotional Impact:

Our residential neighborhood is a place where families gather, enjoy local businesses like the Dairy Go Round, and engage in everyday activities. The type of business the McAllisters want to introduce will not contribute to the family-friendly environment our community enjoys.

We have a young child and frequently walk with her on Main Street toward Kellogg park. We love supporting the small businesses in the area and the building requested to be used as a funeral home could be used in much better ways to enhance our community character.

Failure to Meet Use Variance Standards:

The McAllisters use variance application does not meet the stringent standards set forth in Section 78-411. Granting a use variance is an exceptional measure, and the application fails to demonstrate:

- The property cannot reasonably be used for permitted purposes in the B-1 Local Business District.
- The problem results from circumstances unique to the property, not the neighborhood.
- The variance will not alter the essential character of the neighborhood.

- The problem is not self-created.

Considering these deficiencies, I strongly urge you to reject the use variance request. The proposed funeral services business does not align with the character and spirit of our residential community, and approving such a variance would significantly compromise the harmony of our neighborhood.

I appreciate your time and attention to this matter. I trust you will make the decision that best serves the interests of our community.

Sincerely,

Jeff and Nina MacLean
881 Simpson street
Plymouth MI 48170

Bolhuis, Greta

From: Jacqueline Burkowski
Sent: Tuesday, January 30, 2024 11:18 AM
To: Bolhuis, Greta
Subject: Re: Request for funeral home variance

To the Zoning Board of Appeals:

What is the variance that they are asking for? Also, what are the current laws or ordinances that a funeral home or crematory must follow?

The term "funeral home" is very broad and includes viewing dead bodies and cremating dead bodies. The property for the proposed "funeral home services" is unacceptable for this type of business. The building, property and lot are too small to have client viewings and funeral services.

Traffic on Main St. is already too busy and congested. The recent changes in the lanes of traffic, from 4 to 2 lanes with a left turn lane has slowed traffic down considerably, affecting left turns in and left turns out of my establishment.

My Salon runs on a timely schedule and interruptions in traffic flow make it hard to maintain customer and client appointments.

Funeral processions have the right of way, as I mentioned I have a small business and a tight and timely schedule each day. It is important that my clients arrive on time, so any additional interruption in traffic flow could have a domino effect and throw off my client's arrival for their scheduled appointments.

So in conclusion, the term "funeral home services" is just too broad to allow a variance.

Thank you,

Jacqueline Burkowski
Artistic Permanent Makeup, Inc.
1257 S. Main St., Plymouth 48170

Bolhuis, Greta

From: Thomas Dono
Sent: Wednesday, January 31, 2024 11:22 AM
To: Group - Zoning Board of Appeals; Bolhuis, Greta
Cc: Kilberg, Samuel; April Dono
Subject: Opposition Petition to Use Variance Application - 1270 S. Main Street, Plymouth, MI- Z 24-02
Attachments: 1270 S. Main Street - Petition Against Use Variance.pdf

Dear Members of the Zoning Board of Appeals:

On behalf of the adjacent and nearby residents listed below, please find the attached petition in opposition to the Use Variance Application ;to establish a Funeral Home at 1270 S. Main Street.

Sunshine Acres Residents in Opposition of Proposed Use Variance Application

1292 S. Main Street
1275 S. Main Street (Colonial Cleaners)
844 Simpson Street
845 Simpson Street
863 Simpson Street
866 Simpson Street
881 Simpson Street
882 Simpson Street
912 Simpson Street
845 Ross Street
853 Ross Street
866 Ross Street
881 Ross Street
882 Ross Street
899 Ross Street
918 Ross Street
936 Ross Street
958 Ross Street

We respectfully request that the attached petition be entered into the official record and read at the meeting on Thursday, February 1, 2024.

Thank you.

City of Plymouth
 Zoning Board of Appeals
 201 South Main Street
 Plymouth, MI 48170

Dear Members of the Board,

The undersigned neighbors hereby oppose Robert and Jeanne McAllister's Use Variance Application for a Funeral Home at 1270 S. Main Street, Plymouth, Michigan.

| Printed Name | Address | Signature | Date |
|------------------------|------------------|-------------------|---------|
| Thomas Dono | 882 Simpson | Thomas M. Dono | 1/27/24 |
| Emma Sample | 1275 S MAIN | Emma Sample | 1/27/24 |
| CHARLIE NYHUS | 1292 S. MAIN ST. | Charlie Nyhus | 1/27/24 |
| Kathryn Thompson | 866 Simpson St | Kathryn Thompson | 1/27/24 |
| M. Jean Thompson | 866 Simpson | M. Jean Thompson | 1/27/24 |
| LAURA BLEECKER | 844 SIMPSON ST. | L. Blecker | 1/27/24 |
| Kristen Michie | 845 Simpson St. | Kristen Michie | 1-27-24 |
| James R. Bulvo | 863 Simpson St. | James R. Bulvo | 1-29-24 |
| Marc Weiss | 866 Ross St. | Marc Weiss | 1-29-24 |
| Sue Wildenhans | 882 Ross | Sue Wildenhans | 1-29-24 |
| KEVIN WILDENHANS | " " | Kevin Wildenhans | 1-27-24 |
| Rachel Frenger (Dugan) | 881 Ross | Rachel Frenger | 1-27-24 |
| Marc Frenger | 881 Ross | Marc Frenger | 1/27/24 |
| Jason Stegall | 899 Ross | Jason Stegall | 1/27/24 |
| Conni Hordley | 918 Ross | Conni Hordley | 1/27/24 |
| Rachel Hordley | 918 Ross | Rachel Hordley | 1/27/24 |
| Margaret Rodworne | 853 Ross | Margaret Rodworne | 1/27/24 |
| PHYLLIS M SMITH | 845 Ross ST | Phyllis M Smith | 1/27/24 |
| KAREN M. HOFBAUER | 936 ROSS ST. | Karen M. Hofbauer | 1/27/24 |
| CARIE WEBB | 958 ROSS ST | Carie Webb | 1/27/24 |
| Meghan McCann | 912 Simpson St. | Meghan McCann | 1/29/24 |
| Nina MacLean | 881 Simpson St. | Nina MacLean | 1/29/24 |
| April Dono | 882 Simpson St. | April Dono | 1/29/24 |