

CITY OF PLYMOUTH  
PLANNING COMMISSION – REGULAR MEETING  
WEDNESDAY, APRIL 13, 2016  
7:00 P.M.

**AGENDA**

Planning Commission Mission Statement:

The Planning Commission considers the development and current and future land use within the City of Plymouth so as to preserve the health, safety and welfare of our residents and business owners. We are an unpaid volunteer body of City residents appointed by the City Commission. We act as an advisory body considering land use, zoning and planned developments making recommendations for the City Commission to vote upon to become policy.

Meeting called to order at \_\_\_\_\_ P.M.

1. PLEDGE OF ALLEGIANCE

ROLL CALL

Jennifer Frey	Jim Frisbie	Jennifer Kehoe
Charles Myslinski	Joseph Philips	Conrad Schewe
Scott Silvers	Karen Sisolak	Jim Mulhern

2. CITIZEN COMMENTS

3. APPROVAL OF MINUTES

Regular Meeting – March 9, 2016

4. APPROVAL OF AGENDA

5. PUBLIC HEARINGS

None.

6. NEW BUSINESS:

1. SITE PLAN REVIEW FOR:

SP16-02      Sal's Pizzeria  
584 Starkweather  
Zoned: MU-Mixed Use  
Applicant: DJ Maltese Construction Company

2. Training Discussion – Planning Commissioners roles and responsibilities
3. Open Meetings Act information
4. Discussion – Summary vision of appropriate home building envelopes
  - Floor area ratio
  - Roof angle/pitch
  - Lot coverage percentage, concrete/impervious surfaces
  - Maximum height & calculation
  - Design guidelines

7. OLD BUSINESS:

1. Zoning Ordinance Amendments 78-43 and 78-53, Front Porches in front setback (new and existing homes)
2. Ordinance Revision- Adjacent Driveways
3. Ordinance Revision- Porte Cocheres
4. Zoning Ordinance Amendments 78-21-Definitions, 78-191- Notes to Schedule, 78-205-Residential Entranceway, 78-208- Residential Fences, 78-260- Regulations, 78-270-Off –Street Parking Requirements, and 78-291, Automobile Car Wash.  
(Required Yard and Non-Required Yard modified to setback)
5. Potential Ordinance Amendment - Double fences on property lines
6. Potential Ordinance Amendment - Finished grade must match the original grade

8. REPORTS AND CORRESPONDENCE:  
Master Plan Review Update

9. COMMISSIONER COMMENTS:

10. MOTION TO ADJOURN

City of Plymouth  
2016 Goals

The City Commission met on January 4th to conduct a formal goals setting session for 2016. These goals were formally adopted on January 18th. Below are the goals adopted by the City Commission for all City Boards, Commissions and Administration members.

- \* Resolve Last Issues Regarding Dissolution of Plymouth Community Fire Department Agreement (Primarily Pension issues)
- \* Work Collaboratively with Plymouth Arts & Recreation Complex (PARC) organization, the Plymouth Canton School Board, and the greater Plymouth Community to continue the repurposing of Central Middle School into a high quality Arts & Recreation Complex.
- \* Developing a succession plan for the city's key employees, especially considering the long tenures of many of our senior staff.
- \* Develop funding plan for future capital improvements
- \* Work collaboratively with the DDA, community leaders, and other organizations to plan for Plymouth's 150th Birthday in 2017. This includes obtaining funding for new Kellogg Park Fountain and Kellogg Park upgrades.

**2016 Planning Commission Goals:**

1. Deliver to the City Commission a revised & modernized Master Plan and collaborate with City Commission on the Capital Improvement plan process.
2. Recommend a sustainable reforestation plan.
3. Review Residential, Single Family Ordinances.
4. Review Lighting Ordinances for required updating.
5. Develop and participate in new and ongoing Planning Commissioner training.



CITY OF PLYMOUTH  
201 S. Main  
Plymouth, MI 48170  
www.ci.plymouth.mi.us  
PLANNING COMMISSION - REGULAR MEETING MINUTES  
Wednesday, March 9, 2016

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The regular meeting was called to order at 7:00 P.M. by Chairperson Mulhern.

1. ROLL CALL

MEMBERS PRESENT: Jennifer Frey, Jim Frisbie, Jennifer Kehoe, Charles Myslinski, Joseph Philips, Conrad Schewe, Scott Silvers, Karen Sisolak and Jim Mulhern

OTHERS PRESENT: John Buzuvis, Community Development Director  
Sally Elmiger, City of Plymouth Planner

2. CITIZEN COMMENTS:

None.

3. APPROVAL OF MINUTES

A motion was made by Comm. Philips supported by Comm. Schewe, to approve the meeting minutes from the February 10, 2016, as amended.

**MOTION CARRIED UNANIMOUSLY.**

4. APPROVAL OF AGENDA:

A motion was made by Comm. Schewe supported by Comm. Kehoe, to approved the agenda as presented.

**MOTION CARRIED UNANIMOUSLY.**

5. PUBLIC HEARINGS:

None.

6. NEW BUSINESS:

1. CHANGE OF USE: From Office to Dance School/Studio

SP16-01 Pure Barre Plymouth  
585 Forest  
Zoned: B-2- Central Business District  
Applicant: Paul Salloum, Owner

Sally Elmiger, Planner, explained the applicant proposes a change of use to operate an exercise business on the first floor of an existing building. This business uses a ballet barre and offers a 55-minute, isometric workout to classes with 10-15 participants. This use is more similar to a dance school/studio than a typical gym. Dance schools are a permitted use in the B-2, Central Business District and requires additional five on-site parking spaces (without the use of public parking) and an additional one space per employee.

The applicant will need to provide the following information:

1. The amount of employees at largest shift.
2. To accommodate the parking requirements- obtain an agreement with adjacent property owner (within 300 feet), permitting use of excess parking spaces, and written information indicating that excess spaces are not required for the adjacent property owner's use.
3. To provide a description of how refuse will be handled.

Paul Salloum, Owner/Applicant, spoke about the parking issue and explained back in 1988 he Received a C of O with a document showing he has nine parking spaces. Mr. Salloum stated that if needed, he can obtain an additional five parking spaces. Mr. Salloum explained he has a letter of parking use from the B Ella Bridal Store Owner, located directly behind them, that currently has fourteen parking spaces. The bridal store hours are 10-6 pm, closed on Sunday & Mondays with Thursday evenings until 8PM. Mr. Salloum explained the only tenant of his, lives upstairs and is gone from 7-7PM and also gone on the weekends. Mr. Salloum spoke about owning other businesses with twelve extra parking spaces but they're not within the 300 feet. Mr. Salloum felt the new tenants can't afford the cost of five parking spaces at \$10,000 each. Mr. Salloum also explained that the new business will be using the existing dumpster currently located on site.

Rebecca Lictawa & Elizabeth Hynes, Pure Barre Plymouth tenant, explained that a total of two people would be the maximum employees on site at one time. Ms. Lictawa explained their business experience and explained the business will be more of an exercise class with Pilates equipment using the ballet bar.

Sally Elmiger, Planner, explained to the applicant that the City Commission will determine if they have enough parking or will need more. They will determine how many spaces are required with B Ella Bridal and if there will be enough parking for both businesses. The bridal shop needs nine and the applicant needs five, without the maximum number of employees. Ms. Elmiger explained that the 736 square foot use of the studio will allow fifteen (15) people maximum, per the building code.

The Planning Commissioners had discussion regarding the following subjects:

1. Comm. Kehoe asked how the parking is acquired for the downtown businesses? Ms. Elmiger explained there is opportunity for the property owner to buy parking spaces from the City(these spaces will remain with the building as businesses come and go), Mr. Buzuvis explained as businesses change and intensify, "Payment-in-Lieu-of" (formally: parking credits) can be added onto the existing credits. Such as the 789 W. Ann Arbor Trail development used the payment in lieu of for sixteen parking spaces. "Payment-in-lieu-of" money is held in escrow by the DDA, to be used by the DDA (such as the purchase of Saxton's property).

2. Comm. Frisbie asked about the document stating that one parking space is missing and then asked if those spaces provided by the B Ella Bridal Store could apply to the five? Mr. Buzuvis explained Yes, if we can confirm them, and there maybe two ways to resolve the parking problem.
3. Comm. Philips asked the applicant to provide a legal document stating the parking spaces are available for use.
4. Comm. Schewe asked if the document of five parking spots given from the owner of B Ella Bridal Store would be recorded with the County. Ms. Elmiger responded that it could be, and possibly adding language for any future owner to modify the document as needed.

**A motion was made by Comm. Frisbie, supported by Comm. Philips to approve SP16-01, 585 Forest, Change of Use, conditioned upon the deficient parking spaces being satisfied.**

**YES FREY, FRISBIE, KEHOE, MYSLINSKI, PHILIPS, SCHEWE, SILVERS, SISOLAK AND MULHERN.**

**NO NONE.**

**MOTION CARRIED UNANIMOUSLY.**

2. Discussion of Potential Ordinance Amendments for:

1. Elimination of double fences on property lines

Comments from the audience

Adriana Jordan, 970 Sutherland, spoke about two issues that arose after a new home was recently built next door to hers. In addition a home recently built behind her put up a solid fence alongside her existing fence creating a one-foot gap between the fences. Ms. Jordan explained the double fence gap has leaves/weeds accumulating and can be seen on her side of the fence. Also the new home's grade is now one foot higher, (a curb and French drain were installed by the builder to prevent rain water from going into her basement) but with the install of the curb she now can no longer mow her lawn in that area and needed to add additional landscaping on her side of the driveway. Ms. Jordan stated the weeds are her major complaint, explaining her yard abuts three fence areas that have created huge weed areas that can grow up to two feet tall.

Ms. Elmiger spoke about researching other Communities and most of the Communities allow each property owner to have a fence. Ms Elmiger described the one exception was Pittsfield Township, requiring each property owner to give permission on the shared property line of a fence, if no agreement can be made between both parties, then the property fence would be moved two feet away from property line, but Pittsfield Township does have much larger lots than here in Plymouth. Ms. Elmiger has spoken to Plymouth's building inspector asking if this was a large problem in the City and Mr. Strong responded No, that it was not.

Ms. Elmiger suggested researching this topic more and returning with some suggestions.

Planning Commission Comments:

Comm. Frisbie asked if the double fence has grass and debris growing up to twelve inches or more couldn't the property owner be cited? Mr. Buzuvis responded that, it is an Ordinance violation that could be resolved through the City's Ordinance Officer.

Comm. Kehoe asked Ms. Jordan what was her suggestion to remedy the double fence issue? Ms. Jordan suggested looking up the City of Dearborn's Ordinance against the weed issue.

Comm. Kehoe asked what would a property owner do if they move into a home with an existing chain link fence that the new property owner does not care for? Ms. Jordan responded that both parties would need to sign off on the request for a new fence on the property line and if she had been asked to sign off on this fence next door, she could have then suggested a wooden fence, instead of the shiny vinyl fence.

Comm. Silvers spoke about some communities that require the shared fence owners to both pay for the fence replacement or if a new neighbor puts in a fence alongside an existing fence they are deemed "spike fences" but also felt even if the fence is put two or three feet away there would still be a weed problem.

Comm. Myslinski spoke about new fencing being double sided, so that no hardware would be visible and our current fence ordinance suggests facing the good side towards the neighboring property. Comm. Myslinski felt with the double fence it would create a uniformity in each property owner's back yards due to preference of types of fences by each individual property owner being allowed to choose a fence to suit their taste.

Comm. Frisbie stated that the property owner will have to maintain the weeds occurring between the fences, (even if it means taking the fence down to accomplish it) but there should be an amount of separation so that it can be maintained by the property owner.

Mr. Buzuvis stated some property owners put down the weed preventer fabric with rocks and spray the rocks occasionally to kill the weeds.

Comm. Schewe was against the double fence, and suggested removing her cyclone fence and therefore adding to her own property.

Comm. Frisbie suggested making the separation between fences wide enough to maintain the weeds or the property owner will have to remove the fence each time to maintain the weeds located on their property, and stated the City has an Ordinance to maintain the weeds between the fences or the property owner gets cited.

Comm. Myslinski spoke about a situation in Dearborn where the neighbors could not come to an agreement on the fence type, and that fence was one style on one side with the other side different, but both attached to the same support posts that are on the same property line.

Comm. Sisolak spoke about wanting to grandfather for existing fences, so that if the Ordinance changes it would not make the existing fence owner have to change their fence.

Comm. Philips would like only one fence allowed along the property line.

Sally Elmiger, Planner, to return with some suggestions for fences at the next meeting.

1. Finished grade must match the original grade

Sally Elmiger-Carlisle Wortman, Planner, spoke about new homes with higher elevations than the existing homes and a new proposed Ordinance change, (used recently for the City of Northville; initiated for new homes that seem too large for the neighborhood), to accomplish first floor elevations that will fit in with the neighborhood. Ms. Elmiger found that the builder instead of digging deeper, builds up higher, creating a new home much taller, that is not in step with the existing homes. The new Ordinance would require using the adjoining properties existing elevations along with the new first floor elevations.

The following would be required by the builder:

1. The new first floor elevation would be determined by using the existing grade, (not the built up grade),
2. The building height would be determined by an average grade plane (averaged six foot out each side, then divided by four),
3. Require a certified grading plan from the builder, with a maximum grade, no more than 25 % adjacent to the home, with language-for flexibility of the building official for steep lots.

Ms. Elmiger suggested looking at a number of items such as:

1. The percentage of impervious surface
2. Floor area ratios
3. The lot coverage reduced to 30 % or a sliding scale
4. The infiltration of rain water

Mr. Buzuvis explained the current Ordinance states that what you do on your own property cannot adversely impact your neighbor's property. The City currently requires a certified grade survey showing the planned route of storm drainage and Brent Strong, building inspector, already uses the (six foot out) average grade plane and regarding drainage, when the final inspection is being done, Mr. Strong looks at the downspouts extenders being pointed towards their own property instead of the neighbor's property. The downspouts and sump pumps can also be directed into the storm drainage with a reduced rate for the tap in fee.

Planning Commission Comments:

Comm. Schewe felt when the new homes are built they are changing the existing characteristics of the neighborhood and encouraged the rainwater to remain on the site instead of going into the storm water system, if possible.

Comm. Philips would like to measure at the house wall, instead of using the average.

Comm. Myslinski spoke about drainage from new driveways, that are created by slopes measured from the new wall, creating a problem.

Comm. Schewe would like this Ordinance looked at to prevent the foundation's grade starting two feet up, instead of using the average/or existing grade plane.

Comm. Myslinski spoke about lot coverage exclusive from driveways, patios, etc., and suggested instead including them in the total lot coverage.

Comm. Frey and Chair Mulhern spoke about the unintended consequences of these changes.

### Comments from the audience

Adriana Jordan, 970 Sutherland, talked about the problem of rainwater from the neighbor's driveway running against her basement window and neighbors that have most of the backyard taken up by brick pavers. Comm. Kehoe responded the Ordinance changes are a process that takes time and that Ms. Jordan will need to address these complaints to be cited with the Ordinance Officer.

Mike Vaz, 1075 Roosevelt, wanted to discuss sheet flow caused from a grade change of new construction. Mr. Vaz felt the new construction changed the existing grade to a higher grade causing the sheet flow and felt it was a totally unacceptable situation and would like the Commissioners to consider the impact of sheet flow and new construction grades impact onto a neighbor's property, before there is an incident.

### 7. OLD BUSINESS:

1. Zoning Ordinance Amendments 78-43 and 78-53, Front Porches in front setback (new and existing homes)
2. Ordinance Revision- Adjacent Driveways
3. Ordinance Revision- Porte Cocheres

Sally Elmiger-Carlisle Wortman, Planner, explained the first three ordinance changes (above) were revised, the old language is in red and the new language is in blue. Ms. Elmiger explained the language was revised with images based upon the previous month's discussion, the front porch exception was added to single & two- family dwellings and the modifications to the residential driveways were also added. Ms. Elmiger suggested putting the words if you want a Porte Cochere, within the side yard setback, it must meet the standards.

There was discussion amongst the Commissioners regarding the Porte Cochere requirements: Comm. Myslinski suggested keeping three of the four images, and removing the one showing two columns.

Comm. Philips would like the language added, if the Porte Cochere is located outside of the side yard setback the owner could build whatever type of Porte Cochere they would like within Ordinance allowance.

Comm. Silvers felt this Ordinance was changed to allow you to maximize your lot by allowing the roof & columns to be in the side yard setbacks. Comm. Philips suggested adding for Porte Cochere's within side yard setbacks, "on lots 60 feet wide or less", to the Ordinance.

Mr. Buzuvis stated and " If the lot is greater than 60 feet it (Porte Cocheres) cannot occupy any part of the setback.

Comm. Philips suggested changing the wording on page 3, 11.a. 2<sup>nd</sup> line (highlighted in red) to: "or retain an existing ordinance conforming garage at the rear" and also on Page 5, adding "a minimum nine foot clear width driveway", for clarity.

There was discussion regarding if the rear garage was non-conforming (not meeting the setbacks) should they still get the front yard setback allowance or not. It was decided that the applicant should not need to go to the Zoning Board of Appeals for the allowance if they had a non-conforming garage.

Comm. Myslinski suggested changing the wording on page 2. (10) & page 6, to: "four foot behind" , (removing "covered porch") and in no case be closer than 30 feet to the front property line.

Ms. Elmiger clarified this sentence to be: "Attached garages shall be located at least four feet behind the front façade of the residential dwelling but in no case shall be closer than 30 feet to the front property line."

There was discussion regarding front porches on new and existing homes.

4. Zoning Ordinance Amendments 78-21-Definitions, 78-191- Notes to Schedule, 78-205-Residential Entranceway, 78-208- Residential Fences, 78-260- Regulations, 78-270-Off –Street Parking Requirements, and 78-291, Automobile Car Wash.

(Required Yard and Non-Required Yard modified to setback)

Tabled to next month's meeting.

#### 8. Reports and Correspondence:

##### Master Plan Review Update

Mr. Buzuvis spoke about receiving the updated scope of work for the Master Plan review from Carlisle /Wortman & Assoc., and it is currently under review.

Ms. Elmiger stated that it is required to review the Master Plan every five years, the sub-committee determined some changes were needed to be made such as how the document is organized and how it relates to the lay person, with these and the other proposed changes this proposal was put together to make these changes.

Chair Mulhern spoke about the Open Meetings Act and the sub-committee meetings held may need to be publically posted prior to the meetings. John Buzuvis and Sally Elmiger to research the requirements for this. Comm. Philips suggested automatically scheduling the Master Plan meetings each month that can be cancelled; as needed.

#### 9. Commissioner Comments:

Comm. Frey asked if the City has Engineering and/or Design Standards and would this be a more appropriate location for changing certain requirements that do not seem to be zoning. Mr. Buzuvis stated for single family they do not, but Commercial does. The City Engineer was also suggested to also look at new residential requirements.

Sally Elmiger asked the Commissioners to consider what topics they would wish to be trained on, so that they could be done at one of the regular meetings.

Comm. Frisbie would like listed on the next Agenda: Discussion of our roles and responsibilities and should health, safety and welfare be the key to our work? Comm. Frisbie asked Mr. Buzuvis how many open construction permits does the Community Development Department have for residential.

Comm. Schewe disclosed that the Company he works for has under contract the 909 Sheldon Road building.

Mr. Buzuvis stated the Starkweather lofts are currently doing their underground work and the Starkweather school project is currently processing the PUD Agreement.

Chair Mulhern would like the following discussed at next month's meeting:  
Floor area ratio, massing, existing maximum height calculation, design guidelines for new residential homes.

**Comm. Frisbie made a motion, seconded by Comm. Philips, to approve the 2016 Planning Commission Goals:**

- 1. Deliver to the City Commission a revised & modernized Master Plan and collaborate with City Commission on the Capital Improvement plan process.**
- 2. Recommend a sustainable reforestation plan.**
- 3. Review Residential, Single Family Ordinances.**
- 4. Review Lighting Ordinances for required updating.**
- 5. Develop and participate in new and ongoing Planning Commissioner training.**

**To be attached to future agendas.**

**YES FREY, FRISBIE, MYSLINSKI, PHILIPS, SCHEWE, SILVERS, SISOLAK AND MULHERN.**

**NO NONE.**

**MOTION CARRIED UNANIMOUSLY.**

Comm. Philips spoke about new home heights being unchanged but the average grade which may have made it appear much taller than most new homes. Comm. Philips supplied information illustrating the different roof types, showing the perceived heights. There was discussion regarding the different type of roof structures and possible changing the height according to the type of roof. The Commissioners discussed different new builds and also various types of roofs within the City.

Public Comments:

Michael Vaz, 1075 Roosevelt , Citizen was not at podium and comments were not able to be transcribed.

Adriana Jordan, 970 Sutherland, talked about a City Ordinance that allows homes to increase their height with wider lots and explained in Dearborn their Ordinance has an actual maximum height.

10. MOTION TO ADJOURN

**A motion was made by Comm. Frisbie and supported by Comm. Silvers to adjourn.**

Meeting adjourned at 10:21 PM.

Respectfully Submitted,  
Marleta S. Barr,  
Community Development Department,  
Office Manager

MAR 28 2016

CITY OF PLYMOUTH  
APPLICATION FOR SITE PLAN REVIEW

CITY OF PLYMOUTH  
COMMUNITY DEVELOPMENT

- A. THE FOLLOWING INFORMATION IS TO BE COMPLETED BY THE BUILDING AND ENGINEERING DEPARTMENT AT THE TIME OF APPLICATION SUBMITTAL:

SITE PLAN NUMBER: \_\_\_\_\_

- B. THE FOLLOWING IS TO BE COMPLETED BY APPLICANT PRIOR TO SUBMITTAL OF SITE PLAN (PLEASE PRINT OR TYPE).

**ADDRESS OF PROPOSED DEVELOPMENT** 584 STARKWEATHER

1. Developers Name D. J. MALTESE CONSTRUCTION CORPORATION  
Address 412 N. MAIN ST., PLYMOUTH, MI 48170  
Phone/Fax Number 734-737-0500 734-737-0505  
Email Address BUILDERTOOL @ AOL.COM

**(ALL CORRESPONDENCE FROM THE CITY WILL BE MAILED TO THIS ADDRESS)**

2. Legal Property Owner JOE VENTURA  
Address 49791 COOKE AVE., PLYMOUTH 48170  
Phone/Fax Number 734-260-2722  
Email Address \_\_\_\_\_

3. Site Plan Designers Name IVAN BENDA  
Firm Name BENDA & ALESSANDRI ARCHITECTS  
Address 120 E. SUNNYBROOK DR., ROYAL OAK 48073  
Phone/Fax Number 248-890-4000  
Registration No 15348  
Email Address IBENDA @ SBCGLOBAL.NET

**Applicant MUST receive invoice from Comm. Dev. Dept. before payment**

4. Description of Proposed Development.      New               Addition        ✓  

EXISTING MARKET & RESTAURANT INTO  
A PIZZA RESTAURANT WITH  
PIZZA OVEN ADDITION

5. Address and General Location of Property.

584 STARKWEATHER

6. Legal Description of Property.

LOT 11, ASSESSOR'S PLYMOUTH SUBDIVISION  
NO. 2., LIBER 63 OF PLATS, P. 77  
WAYNE COUNTY RECORDS

7. Provide the following data:

a. For churches, temples, stadium and sports arenas or indoor or similar outdoor place of assembly.

Seating capacity or length of proposed pews or benches.

         Seats        NA  

         Feet

b. For hospitals, sanitariums, homes for the aged, convalescent homes.

Number of beds.        NA  

         Beds

c. For fraternities or sororities.

Number of permitted active members \_\_\_\_\_ NA  
Members \_\_\_\_\_

d. For private clubs, lodges, theaters, auditoriums, multi-purpose rooms, pool halls, establishments for sale and consumption on premises of beverages, food or refreshment, dance halls, and assembly halls without fixed seats.

Number of persons allowed within the maximum occupancy load as established by the fire marshal.

\_\_\_\_\_ People NA

e. For auto washes.

Number of employees and the number and length of wash lines.

\_\_\_\_\_ Employees NA

\_\_\_\_\_ Feet of lines

f. For beauty parlors, barbershops, bowling alleys, laundromats and coin operated dry cleaners, motels or hotels, motor vehicle sales and service establishments and banks.

\_\_\_\_\_ Number of chairs NA

\_\_\_\_\_ Number of lanes

\_\_\_\_\_ Number of washing (or dry-cleaning) and drying machines

\_\_\_\_\_ Number of auto service stalls in the service room

\_\_\_\_\_ Number of teller cages/windows

g. For gasoline/service stations.

Number of lubrication stalls, racks or pits and number of gasoline pump stands.

\_\_\_\_\_ Lubrication stalls      NA  
\_\_\_\_\_ Pump stands

h. For professional offices of doctors, dentists or similar professions.

Number of examining rooms, dental chairs or similar use areas.

\_\_\_\_\_ Chairs      NA

i. For industrial, furniture and appliance, household equipment, repair shops, showroom of a plumber, decorator, electrician or similar trade, shoe repair and other similar uses.

Maximum number of shift employees per shift.

\_\_\_\_\_ Employees      NA

Prior to submittal of a site plan, the applicant shall review the following elements for inclusion, where applicable, on the proposed plan. All such required information shall be clearly noted on the site plan, and not on any attachment to the site plan, and shall be in sufficient detail to meet the intent and purpose of the review process.

The applicant shall make a check mark in the left hand column marked "Applicant" only and shall mark all applicable elements. If a particular item is not applicable to the site plan, the letters "n/a" should be written in the space. A check mark by the applicant for each of the applicable elements shall indicate that the applicant has checked that element against the site plan and that the information called for in that particular element is properly noted on the site plan.

If the applicant is satisfied that all such information required herein is properly noted on the site plan, the applicant shall sign and date the check list in the place provided and submit the signed application with the site plan to the Building and Engineering Department.

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

1. Name of Development SAL'S PIZZA
2. Name, address & phone number of:
- a. Developer P. J. MALTESE 734-306-0606
  - b. Legal owner JOEY ENMA 734-260-2727
  - c. Designer/firm IVAN BENOR 248-890-4000
  - d. Designer's registration number and seal (\*) 15348

(\*) If the designer is a registered professional, the site plan shall include the designer's seal. For projects of less than \$15,000 and single family residential buildings of less than 3,500 square feet, the designer need not be a registered professional, but should have sufficient experience and knowledge of site plan design to satisfactorily prepare a plan in accordance with the guidelines set forth herein. A seal of a registered professional is required on all Multiple Residential and all Non-Residential projects greater than \$15,000.

3. Scale of Drawing/Paper Size
- a. Scale - Engineers scale on plan view appropriate to size of site to adequately detail the layout but in no case less than 1"=100'. Building elevations (exterior wall facade) drawings and floor plans may use architects scale of 1/8"=1' or a suitable scale of similar size.
  - b. Paper size – **not to exceed 24" x 36**
4. Date

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

- 
5. North Point \_\_\_\_\_
6. Complete legal description of the entire site (i.e. Metes and Bounds) description if acreage parcel, lot number(s), and subdivision name. All legal descriptions shall include:
- a. Gross number of acres \_\_\_\_\_
  - b. Net usable acres \_\_\_\_\_
  - c. Section Number \_\_\_\_\_
7. Vicinity sketch or site location map which does not have to be drawn to scale.
8. The location of all existing and proposed in ground and above ground on site utility easements including their connection capability to off-site utility easements. The applicant shall provide a statement verifying that he has researched the availability of all public utilities involved in the site development and is satisfied that same is available and of adequate capacity to meet development needs (\*).

(\*) The applicant may want to retain the services of a professional engineer to conduct a utility feasibility survey for the site. When such studies are made, a copy shall be submitted as a part of this check list. The site plan should also include a dimensional survey

9. The provision of a water supply adequate to serve the development for both potable water and for fire emergency use shall be satisfactorily shown to exist or to be provided for.

The location of all existing fire hydrants within 300 feet of the development shall be shown on the site plan.

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

10. Grading plan and floor elevations.  
Drainage of the site shall be shown to  
adequately assure storm water run-off  
will not adversely effect off-site  
properties

\_\_\_\_\_

\_\_\_\_\_

11. Water retention or detention ponds  
are designed to provide a natural  
appearing pond with side slopes of no  
greater than 6 on 1 appropriately  
landscaped and without fencing

\_\_\_\_\_

\_\_\_\_\_

12. Location of woodlands, wetlands and  
waterways shall be shown on the site  
plan and on property immediately  
abutting the site under consideration  
at the adjacent property line

\_\_\_\_\_

\_\_\_\_\_

13. Existing zoning classification

\_\_\_\_\_

\_\_\_\_\_

14. Existing zoning classification of  
adjacent parcels

\_\_\_\_\_

\_\_\_\_\_

15. Existing land use on adjacent parcels

\_\_\_\_\_

\_\_\_\_\_

16. The location of all existing buildings  
and structures within 100' of the  
parcel

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

17. The location of all buildings and  
structures on site including photos of  
such structures if they are to remain  
(\*).

(\*). Photographs are optional - they will be useful in the review process if provided.

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

- |     |   |       |       |
|-----|---|-------|-------|
| 18. | All building structure heights.<br>(Existing & Proposed)  |       |       |
| 19. | Location of all off-street parking spaces, including required handicapped spaces, vehicle maneuvering lanes, and service drives.  | _____ | _____ |
| 20. | Location of all loading/unloading facilities.   | _____ | _____ |
| 21. | Location of all driveways, drives and turning lanes.  |       |       |
| 22. | Location of all drives, driveways and intersections across abutting streets from parcel.  | _____ | _____ |
|     |   | _____ | _____ |
| 23. | Names, locations, existing and projected right-of-way widths as shown on City, County thoroughfare ROW plans, centerline, and pavement widths of all bordering roads, streets, and easements. | _____ | _____ |
|     |   | _____ | _____ |
| 24. | Location of all sidewalks, footpaths and bikeways.  | _____ | _____ |

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

- |     |  |                |       |       |
|-----|--|----------------|-------|-------|
| 25. | Critical site dimensions:  | the site plan. |       |       |
|     | a. Along property lines.   |                | _____ | _____ |
|     | b. Between buildings.  |                | _____ | _____ |
|     | c. Between parking and buildings.  |                | _____ | _____ |
|     | d. Between parking and parcel lines.   |                | _____ | _____ |
|     | e. Between principal and accessory buildings.  |                | _____ | _____ |
|     | f. Parking space width and length (typical).   |                | _____ | _____ |
|     | g. Vehicle maneuvering lane/service drive widths.  |                | _____ | _____ |
|     | h. Curb radius (entrances).  |                | _____ | _____ |
|     | i. Between buildings and parcel lines.   |                | _____ | _____ |
|     | j. Between buildings and retention/detention ponds.  |                | _____ | _____ |
| 26. | Building layouts (typical floor plan) including:   |                |       |       |
|     | a. Principal entrances and service entrances.  |                | _____ | _____ |
|     | b. The relationship between units within a building.   |                | _____ | _____ |
|     | c. Exterior building wall facade drawings of all exposed walls.  |                | _____ | _____ |
| 27. | The type and color of exterior building wall facade materials to be used.  |                | _____ | _____ |
| 28. | The location and extent of any outdoor storage areas noted on site plan. If no outdoor storage is proposed it shall be so noted on |                | _____ | _____ |

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

- |     |   |       |       |
|-----|---|-------|-------|
| 29. | The type, height and extent of screening for outdoor storage areas.   | _____ | _____ |
| 30. | The type and height of screening for trash receptacles including the types of materials to be used in the screen and the color of the material, and the location of the receptacle and screen on the site.  | _____ | _____ |
| 31. | The location, type and extent of any required screening devices. When architectural masonry walls are used a section drawing of the wall shall be provided detailing footings, the type of wall materials to be used, color and height. When landscaped earth berms are used, they shall be shown on the site plan. | _____ | _____ |
| 32. | A complete landscape planting plan identifying all landscape plantings by location, type and height. Where earth berms are used, their height and width shall be noted and a cross section of the berm included. Plant material sizes shall be noted on the site plan.  | _____ | _____ |
| 33. | The location and type of all outdoor lighting by symbol denoting location or by a typical detail drawing of the lighting standard proposed, its lumination power, its height and color of standard, including a photometric layout of the site  | _____ | _____ |

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

34. If a site is to be developed in phases each phase shall be clearly identified on the site plan.

\_\_\_\_\_

\_\_\_\_\_

35. This section is for Multiple Dwelling and Cluster Housing Developments.

a. The maximum lot coverage of all buildings shown

\_\_\_\_\_

\_\_\_\_\_

b. Formula for distances between buildings shown

\_\_\_\_\_

\_\_\_\_\_

c. Site density computations including total number of dwelling units and number of bedrooms per unit. When development is in phases, the requirements for b. and c. above shall be shown for each phase. Each phase shall meet density requirements or an appropriate guarantee acceptable to the City shall be provided assuring that suitable open space shall be reserved and improved to meet density requirements for the phase under development.

\_\_\_\_\_

\_\_\_\_\_

36. The size, and location of any and all signs to be used on the site are clearly noted on the site plan.

\_\_\_\_\_

\_\_\_\_\_

**Element to be included on  
Site Plan**

**Checked by  
Applicant**

37. FOR NON-RESIDENTIAL USES

- |    |  |       |       |
|----|--|-------|-------|
| a. | Proposed use   | _____ | _____ |
| b. | Gross and net usable square<br>footage of floor area   | _____ | _____ |
| c. | Seating capacity or<br>maximum occupancy<br>permitted  | _____ | _____ |
| d. | Number of medical<br>examining rooms, dental<br>chairs, and square footage<br>of waiting rooms or beds | _____ | _____ |
| e. | Number of employees in<br>largest working shift  | _____ | _____ |

I certify hereon that I have read and understand the above check list items and that those items that apply are included on the site plan submitted.



\_\_\_\_\_  
Signature of Applicant

3-28-16

\_\_\_\_\_  
Date

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APR 01 2016



CARLISLE

WORTMAN  
associates, inc.

605 S. Main Street, Ste. 1  
Ann Arbor, MI 48104

(734) 662-2200  
(734) 662-1935 Fax

CITY OF PLYMOUTH  
COMMUNITY DEVELOPMENT

Date: April 1, 2016

## Site Plan Review For Plymouth, Michigan

**Applicant:** D.J. Maltese Construction Company  
412 N. Main St.  
Plymouth, MI 48170

**Project Name:** 584 Starkweather – San Giovanni Deli & Cafe

**Plan Date:** March 10, 2016

**Location:** 584 Starkweather

**Zoning:** MU, Mixed Use District

**Action Requested:** Site Plan Approval for Change of Use in Existing Building

**Required Information:** Any deficiencies are noted in the report.

### PROJECT AND SITE DESCRIPTION

The applicant proposes to operate a deli and cafe, with pizza oven, on the first floor of an existing building. These uses are replacing two similar uses (a restaurant and retail store). The existing uses being replaced are special land uses in the MU, Mixed Use District. However, since the new uses are very similar to the existing uses, we consider the process for “change of use” more appropriate than requiring a “special land use” process. We consider the impact of the new uses to be the same as the existing uses, and therefore, the special land use criteria would not discover any new impacts to neighboring properties.

Section 78-242 requires site plan review for any change of use, except single-family or two-family residential. Since this change of use requires additional off-street parking, the Planning Commission must review the request.

An aerial of the subject site is shown below.



The existing property has two floors. The second floor is currently leased as two apartments.

**AREA, WIDTH, HEIGHT, SETBACKS**

A summary of the MU Schedule of Regulations is provided below:

	<b>Required</b>	<b>Provided</b>
<b>Lot Area</b>	3,500 s.f.	Existing – 9,500 s.f.
<b>Lot Width</b>	30 ft.	Existing – 98 ft.
<b>Building Height</b>	2 stories / 25 ft. max.	2 stories
<b>Setbacks</b>		
<b>Front</b>	15 ft.	Existing – 6.5 ft. (Starkweather Ave.) Existing - ??? (Spring St.)
<b>Side</b>	10 ft.	Existing – 19.16 ft. Proposed – 11.5 ft.
<b>Rear</b>	35 ft.	Existing – 21.5 ft. Proposed – 12.5 ft.

The front setback along Spring Street isn't known, as the road right-of-way is not indicated on the plans. However, the applicant is not proposing to change the exterior of the building on this side, so the existing setback won't change.

The applicant is proposing to modify the south side of the building by adding a small addition for a pizza oven. The proposed side setback meets ordinance requirements. The applicant is also proposing to modify the east side (or rear) of the building by adding a small addition for a cooler. The proposed rear setback increases the non-conformity of the existing building, which will require a variance.

***Items to be Addressed:*** *Variance required for cooler addition.*

### **EXISTING CONDITIONS/REQUIRED INFORMATION**

Section 78-248 provides a checklist of required information for site plan approval.

The applicant has submitted a site plan. The existing building will maintain its general shape except for two small additions to accommodate a pizza oven and cooler. As mentioned above, the addition for the cooler will require a variance.

***Items to be Addressed:*** *None.*

### **PARKING, LOADING**

This lot has seven parking spaces on site.

This site will have two separate uses, the apartment use on the second floor (2 units), and the proposed deli/café on the first floor. The parking requirements in section 78-271 for each use are shown in the table on the next page:

<b>Use</b>	<b>Required</b>	<b>Provided</b>
Residential, multiple-family	Two for each dwelling unit having two or less bedrooms Two dwelling units = 4 spaces	4 spaces
Establishments for sale and consumption on the premises of beverages, food and refreshments	Outside of the downtown development district: One space for each 75 square feet of usable floor area or one for each three persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, whichever is greater Usable floor area = 916 / 75 = 12 spaces OR Max. occ. = 60; 60/3 = 20 spaces	3 spaces on site plus remainder at Church parking lot to the east

The applicant should confirm the maximum occupancy with the Building Official.

The Planning Commission will need to discuss required parking with the applicant to determine if the standards above meet their needs. Section 78-270(10)(c) states that the Planning Commission may modify the numerical requirements for off-street parking, based on evidence provided by the applicant that another standard would be more reasonable because of the level of current or future employment and/or the level of current or future customer traffic.

The applicant has stated that the additional parking will be provided through an agreement with the Church to the east. The ordinance allows use of existing private parking to meet requirements if that parking is within 300 feet of this site. The aerial photo on the next page shows existing parking within 300 feet of this site. If the applicant has been able to obtain an agreement from the Church, documentation of this agreement is required. Written information stating that these spaces are in excess of those required for the adjacent owner's use or that the operating times do not overlap also needs to be supplied.



The plans show a loading/unloading area to the rear of the building. The size of the area should accommodate any type of delivery truck.

**Items to be Addressed:** 1. Confirm maximum occupancy with Building Official. 2. Planning Commission to discuss required number of parking spaces. 3. Agreement with Church permitting use of excess parking spaces. 4. Written information indicating that excess spaces are not required for adjacent property owner's use, or operating times don't overlap.

**SITE ACCESS AND CIRCULATION**

As on-site parking for this use is accessed from a maneuvering lane on the north side of the building. The building is also accessible from public sidewalks on both the west and north side.

*Items to be Addressed: None.*

### **LANDSCAPING, DUMPSTER/REFUSE, AND LIGHTING**

The proposed change of use proposes to modify the exterior of the building with two small additions. Both additions are being made into existing paved areas. Therefore, landscaping provisions do not apply.

New light fixtures are proposed along the front (west) elevation. These lights are downward facing. Will a light fixture be added to the new pedestrian door on the north elevation?

Regarding refuse, the applicant should describe how this will be handled.

*Items to be Addressed: 1. Light fixture at new pedestrian door on north elevation. 2. Description of how refuse will be handled.*

### **SIGNS**

Information regarding proposed signage has not been provided. Any sign erected must receive a sign permit from the Building Official.

*Items to be Addressed: None.*

### **FLOOR PLAN AND ELEVATIONS**

Existing and proposed floor plans have been provided. The plans show interior renovations to create the cafe and deli area. It also shows the addition of an espresso bar with four chairs. The site plan also shows outdoor seating along the north elevation.

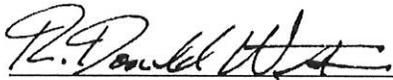
*Items to be Addressed: None.*

### **RECOMMENDATIONS**

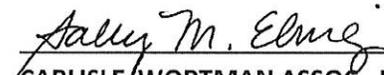
In our opinion, the proposed use is consistent with the intent of the MU, Mixed Use District as long as the parking issue can be resolved, and the applicant can obtain a variance for the cooler. We would recommend that information to address parking, satisfactory to the Planning Commission, be provided before any approval of the change of use is granted.

In summary, the applicant needs to address the following:

- A. Variance required for cooler addition.
  - B. 1. Confirm maximum occupancy with Building Official. 2. Planning Commission to determine required number of parking spaces. 3. Agreement with Church permitting use of excess parking spaces. 4. Written information indicating that excess spaces are not required for adjacent property owner's use, or operating times don't overlap.
  - C. 1. Light fixture at new pedestrian door on north elevation. 2. Description of how refuse will be handled.
- 



CARLISLE/WORTMAN ASSOC., INC.  
R. Donald Wortman, PLA, AICP  
Principal



CARLISLE/WORTMAN ASSOC., INC.  
Sally M. Elmiger, AICP, LEED AP  
Principal

cc: John Buzuvis, Community Development Director  
Marleta Barr, Building Department  
D.J. Maltese Construction Co. ([buildertoo@aol.com](mailto:buildertoo@aol.com))



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**MEMORANDUM**

**TO:** City of Plymouth Planning Commission

**FROM:** Don Wortman  
Sally M. Elmiger

**DATE:** April 5, 2016

**RE:** Single-Family and Two-Family Dwelling Standards

Per our conversation at the March, 2016 Planning Commission meeting, we have revised the draft ordinance language as follows. The new language for this round of changes is shown in blue text.

- Page 1: Eliminated one photo as an example of a “porte cochere”
- Page 2 (Section 78-43(10)) and page 7 (Section 78-53(10)): Changed the location of attached garages to four feet behind the front façade of a residential dwelling, and no closer than 30 feet from the front property line.
- Page 3 (Section 78-43(11)) and page 8 (Section 78-53(11)): Added language stating that a front porch exception cannot be located in an averaged front yard setback.
- Page 5 (Section 78-43(13)) and page 9 (Section 78-53(13)): Added requirements for placing a porte cochere in a side yard setback.
- Page 10 (Section 74-191(o)): Added new language to the front yard averaging section stating that a front porch exception cannot be located in an averaged front yard setback. Note the text in red in this same section; I would like to discuss this, as I don’t think it is necessary any longer.

We look forward to discussing this with you further.

---

CARLISLE/WORTMAN ASSOC., INC.

R. Donald Wortman, PLA, AICP

Principal

CARLISLE/WORTMAN ASSOC., INC.

Sally M. Elmiger, AICP, LEED AP

Principal

cc: John Buzuvis

**ARTICLE II. – DEFINITIONS**

Porte Cochere means an unenclosed, roofed structure located on the same lot, which extends from the principal building over an adjacent driveway that is designed to let vehicles pass under and used for the shelter of those getting in and out of vehicles.



**(NOTE TO COMMISSIONERS: EXAMPLE ILLUSTRATIONS TO CHOOSE FROM)**

**ARTICLE IV. – R-1 SINGLE FAMILY RESIDENTIAL DISTRICTS**

***[No changes proposed to Sections 78-40 through 78-42]***

Sec. 78-43. - Single family dwellings unit standards.

No residential structure, garage (attached or detached), mobile home, manufactured home, modular home or prefabricated home shall be built unless the dwelling unit has been reviewed by the building official subject to the following conditions:

- (1) Dwelling units shall conform to all applicable city codes and ordinances and state and federal requirements with respect to the construction of the dwelling.
- (2) Dwelling units shall be permanently attached to a perimeter foundation. In instances where the applicant elects to set the dwelling on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction and necessary foundations below the frost line. Any such wall shall also provide an appearance which is compatible with the dwelling and other homes in the area.
- (3) Dwelling units shall be provided with exterior finish materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
- (4) Dwelling units shall be provided with roof designs and roofing materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
- (5) Dwelling units shall be provided with an exterior building wall configuration which represents an average width to depth or depth to width ratio which does not exceed three to one, or is in reasonable conformity with the configuration of dwelling units on adjacent properties or in the surrounding residential neighborhood.
- (6) The dwelling shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten percent of the square footage of the dwelling or 100 square feet, whichever is less.
- (7) The building official may request a review by the planning commission of any dwelling unit with respect to subsections (3), (4), and (5) of this section. The building official or planning commission shall not seek to discourage architectural variation, but shall seek to promote the reasonable compatibility of the character of dwelling units, thereby protecting the economic welfare and property value of surrounding residential uses and the city at large. In reviewing any such proposed dwelling unit, the building official may require the applicant to furnish such plans, elevations and similar documentation as is deemed necessary to permit a complete review and evaluation of the proposal. When comparing the proposed dwelling unit to similar types of dwelling areas, consideration shall be given to comparable types of homes within 300 feet. If the area within 300 feet does not contain any such homes, then the nearest 25 similar type dwellings shall be considered.
- (8) Attached garages that face the street are allowed on lots that are 60 feet wide or greater.
- (9) The total width of a garage attached to a single family dwelling shall:
  - a. Not exceed 50 percent of the width of the entire front façade of the residential dwelling; and
  - b. Is a minimum of 22 feet wide, measured from the exterior of the garage walls.
- (10) Attached garages shall ~~not protrude more than six~~ be located at least four feet ~~in front of~~ behind the front façade ~~or covered porch~~ of the living area for the residential dwelling, but in no case shall be closer than thirty (30) feet from the front property line.

(11) **Front Porch Exception for New Single Family Dwellings:**

New single family homes are encouraged to positively contribute toward neighborhood enhancement and the walkability of the city. Walkability is the extent to which walking is readily available as a safe, connected, accessible and pleasant mode of transport. One way to accomplish walkability is to locate garages at the rear of a lot. Garages at the rear of a lot (whether attached to the home or as a free-standing detached garage) help to support walkability by:

- Minimizing the width of the driveway at the front of the house, allowing more space in the front yard for trees and vegetation, and more space along the street for street trees;
- Minimizing the potential of parked cars left in front of the garage door to block the sidewalk;
- Allowing space on the home's front façade for windows and other human-scaled architectural elements; and
- Allowing space on the home's front façade for a porch, where residents can interact with neighbors on the sidewalk and observe activities on the street.

**a.** To encourage locating garages at the rear of a lot, new single family residential projects that locate the garage in the rear, or retain an existing garage at the rear, may also locate a covered front porch in the front yard setback by up to four feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the proposed construction must meet all of the following standards:

- a1.** The project includes construction of a new single family residence on the lot; and
- b2.** The project includes construction of a new garage which is located either in the rear of the new building (attached) or in the rear third of the lot (detached), or retains an existing detached garage for futurecontinued use as a garage which is located in the rear third of the lot; and ~~Projects that do not include a new garage are not eligible for the front yard porch exception.~~
- e3.** The front porch that is located in the front yard setback must be:
  - i4.** Single-story in height, no higher than fifteen (15) feet, and as measured per the procedures described in section 78-21 of the zoning ordinance for building height; and
  - ii2.** No less than four inches or more than eight and one-quarter inches from the elevation of the front door (i.e., at-grade decks and patios are not eligible for the front yard porch exception); and
  - iii3.** A minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and
  - iv4.** Covered with a roof; and
  - v5.** Unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades.; and
- d4.** The front setback line used to determine where the front porch can be located on the lot shall be established using all of the following standards:
  - i.** The front setback line shall equal the setback required by sections 78-190 and 78-191, and
  - ii.** Front yard setback averaging, as described in section 78-191(o) shall not apply. If the property owner chooses to apply front yard setback averaging, then the outside

edge of the porch shall be at the average front setback line, and shall not project into the front yard setback.

- e5. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in "a1" through "d4" above.

#### **(12) Front Porch Exception for Existing Single Family Dwellings**

To support walkability throughout the city as described in (11) above, existing single family homes which construct a new garage in the rear, or have an existing garage in the rear, may also locate a covered front porch in the front yard setback by up to six feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the existing home must be occupied as of January 1, 2016. Also, the proposed construction must meet all of the following standards:

- a. The project includes construction of a new garage which is located either in the rear of the existing residential building (attached) or in the rear third of the lot (detached), or retains an existing detached garage for futurecontinued use as a garage which is located in the rear third of the lot; and
- b. The front porch that is located in the front yard setback shall be:
1. Single-story in height, no higher than fifteen (15) feet, and as measured per the procedures described in section 78-21 of the zoning ordinance for building height; and
  2. No less than four inches or more than eight and one-quarter inches from the elevation of the front door (i.e. at-grade decks and patios are not eligible for the front yard porch exception); and
  3. A minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and
  4. Covered with a roof; and
  5. Unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades; and
  6. NDoes not exceed 80 percent of the width of the existing front elevation of the dwelling.
- c. The front setback line used to determine where the front porch can be located on the lot shall be established using all of the following standards:
1. The front setback line shall equal the setback required by sections 78-190 and 78-191; and
  2. Front yard setback averaging, as described in section 78-191(o) shall not apply; and
  3. For existing dwellings whose front exterior wall closest to the street is greater than the minimum front yard setback required in Section 78-190, then the distance between the front setback line and the exterior wall shall be subtracted from the width of porch

allowed in the front setback. For example, if a residential dwelling is setback 27-feet (or two-feet more than the 25-foot minimum front yard setback), then two feet shall be subtracted from the porch width allowed within the front yard setback. This results in a maximum width porch in the front yard setback of four feet.

- d. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in "a" through "c" above.
- e. Existing residential buildings with an existing attached garage that faces the street are not eligible for this front porch exception.

### **(13) Porte-Cocheres on Single Family Residential Dwellings**

One porte cochere, as defined by this ordinance, may be attached to a single family dwelling over a driveway to provide shelter for passengers entering and existing vehicles parked in the driveway. A porte cochere may only be attached to a residential dwelling if the residential dwelling is set back a minimum of twelve (12) feet from the front property line. A porte cochere shall be included in the lot coverage calculation and shall be constructed to meet all of the following standards:

- a. Only one porte cochere is allowed per lot.
- a-b. The porte cochere shall not be greater than 250 square feet in area.
- bc. The porte cochere shall meet the front yard setback requirement.
- d. The porte cochere may be located within a side yard setback if the following requirements are met:
  - i. The existing lot width is sixty (60) feet wide or less, and
  - ii. The porte cochere is placed over a driveway that has a minimum width of nine (9) feet, and
  - iii. No element of the porte cochere shall be located no closer than two feet from the side property line, including overhangs and similar elements, but excluding gutters.
- ede. The clearance between the ground and the ceiling of the porte cochere shall be a minimum of eight (8) feet.
- def. The maximum overall height to the top of the roof shall not exceed 11 feet, but shall be no taller than the finished floor elevation of the second floor. The roof structure shall be no more than two feet deep shall not exceed a 3/12 pitch.
- efg. The porte cochere shall be entirely open and shall be supported only by the residential dwelling on one side and modest columns on the other. It shall be unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future not be enclosed in any way by walls or other barriers other than the residential dwelling wall.

feh. The roof of the porte cochere shall not be enclosed with railings, shall not be accessible from an opening in the residential dwelling, and shall not be used as a porch, balcony, or similar use.

ghi. On corner lots, only one porte cochere is allowed per lot. The porte cochere shall be constructed of materials consistent with the main structure.

## **ARTICLE V. – RT-1 TWO FAMILY RESIDENTIAL DISTRICTS**

### ***[No changes proposed to Sections 78-50 through 78-52]***

Sec. 78-53. - Single family dwellings unit standards.

No residential structure, garage (attached or detached), mobile home, manufactured home, modular home or prefabricated home shall be built unless the dwelling unit has been reviewed by the building official subject to the following conditions:

- (1) Dwelling units shall conform to all applicable city codes and ordinances and state and federal requirements with respect to the construction of the dwelling.
- (2) Dwelling units shall be permanently attached to a perimeter foundation. In instances where the applicant elects to set the dwelling on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction and necessary foundations below the frost line. Any such wall shall also provide an appearance which is compatible with the dwelling and other homes in the area.
- (3) Dwelling units shall be provided with exterior finish materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
- (4) Dwelling units shall be provided with roof designs and roofing materials similar to the dwelling units on adjacent properties or in the surrounding residential neighborhood.
- (5) Dwelling units shall be provided with an exterior building wall configuration which represents an average width to depth or depth to width ratio which does not exceed three to one, or is in reasonable conformity with the configuration of dwelling units on adjacent properties or in the surrounding residential neighborhood.
- (6) The dwelling shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten percent of the square footage of the dwelling or 100 square feet, whichever is less.
- (7) The building official may request a review by the planning commission of any dwelling unit with respect to subsections (3), (4), and (5) of this section. The building official or planning commission shall not seek to discourage architectural variation, but shall seek to promote the reasonable compatibility of the character of dwelling units, thereby protecting the economic welfare and property value of surrounding residential uses and the city at large. In reviewing any such proposed dwelling unit, the building official may require the applicant to furnish such plans, elevations and similar documentation as is deemed necessary to permit a complete review and evaluation of the proposal. When comparing the proposed dwelling unit to similar types of dwelling areas, consideration shall be given to comparable types of homes within 300 feet. If the area within 300 feet does not contain any such homes, then the nearest 25 similar type dwellings shall be considered.

- (8) Attached garages that face the street are allowed on lots that are 60 feet wide or greater.
- (9) The total width of a garage attached to a single family dwelling shall:
  - a. Not exceed 50 percent of the width of the entire front façade of the residential dwelling; and
  - b. Is a minimum of 22 feet wide, measured from the exterior of the garage walls.
- (10) Attached garages shall ~~not protrude more than six~~ be located at least four feet ~~in front of~~behind the front façade ~~or covered porch~~ of the living area for the residential dwelling, but in no case shall be closer than thirty (30) feet from the front property line.

(11) **Front Porch Exception for New Single Family and Two Family Dwellings**

New single family and two family homes are encouraged to positively contribute toward neighborhood enhancement and the walkability of the city. Walkability is the extent to which walking is readily available as a safe, connected, accessible and pleasant mode of transport. One way to accomplish walkability is to locate garages at the rear of a lot. Garages at the rear of a lot (whether attached to the home or as a free-standing detached garage) help to support walkability by:

- Minimizing the width of the driveway at the front of the house, allowing more space in the front yard for trees and vegetation, and more space along the street for street trees;
- Minimizing the potential of parked cars left in front of the garage door to block the sidewalk;
- Allowing space on the home's front façade for windows and other human-scaled architectural elements; and
- Allowing space on the home's front façade for a porch, where residents can interact with neighbors on the sidewalk and observe activities on the street.

a. To encourage locating garages at the rear of a lot, new single family residential projects that locate the garage in the rear, or retain an existing garage at the rear, may also locate a covered front porch in the front yard setback by up to four feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the proposed construction must meet all of the following standards:

- a1. The project includes construction of a new single family or two family residence on the lot; and
- b2. The project includes construction of a new garage which is located either in the rear of the new building (attached) or in the rear third of the lot (detached), or retains an existing detached garage for future continued use as a garage which is located in the rear third of the lot; and ~~Projects that do not include a new garage are not eligible for the front yard porch exception.~~
- e3. The front porch that is located in the front yard setback must be:
  - 4i. Single-story in height, no higher than 15 feet, and as measured per the procedures described in section 78-21 of the zoning ordinance for building height; and
  - 2ii. No less than four inches or more than eight and one-quarter inches from the elevation of the front door (i.e., at-grade decks and patios are not eligible for the front yard porch exception); and
  - 3iii. A minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and

- 4iv. Covered with a roof; and
- 5v. Unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades.; and
- d4. The front setback line used to determine where the front porch can be located on the lot shall be established using all of the following standards:
  - i. The front setback line shall equal the setback required by section 78-190 and 78-191, and
  - ii. Front yard setback averaging, as described in section 78-191(o) shall not apply. If the property owner chooses to apply front yard setback averaging, then the outside edge of the porch shall be at the average front setback line, and shall not project into the front yard setback.
- e5. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in "a1" through "d4" above.

#### (12) Front Porch Exception for Existing Single Family and Two Family Dwellings

To support walkability throughout the city as described in (11) above, existing single family and two family homes which construct a new garage in the rear, or have an existing garage in the rear, may also locate a covered front porch in the front yard setback by up to six feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the existing home must be occupied as of January 1, 2016. Also, the proposed construction must meet all of the following standards:

- a. The project includes construction of a new garage which is located either in the rear of the existing residential building (attached) or in the rear third of the lot (detached), or retains an existing detached garage for futurecontinued use as a garage which is located in the rear third of the lot; and
- b. The front porch that is located in the front yard setback shall be:
  - 1. Single-story in height, no higher than fifteen (15) feet, and as measured per the procedures described in section 78-21 of the zoning ordinance for building height; and
  - 2. No less than four inches or more than eight and one-quarter inches from the elevation of the front door (i.e. at-grade decks and patios are not eligible for the front yard porch exception); and
  - 3. A minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and
  - 4. Covered with a roof; and
  - 5. Unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades.; and
  - 6. NDoes not exceed 80 percent of the width of the existing front elevation of the dwelling.

- c. The front setback line used to determine where the front porch can be located on the lot shall be established using all of the following standards:
1. The front setback line shall equal the setback required by sections 78-190 and 78-191; and
  2. Front yard setback averaging, as described in section 78-191(o) shall not apply; and
  3. For existing dwellings whose front exterior wall closest to the street is greater than the minimum front yard setback required in Section 78-190, then the distance between the front setback line and the exterior wall shall be subtracted from the width of porch allowed in the front setback. For example, if a residential dwelling is setback 27-feet (or two-feet more than the 25-foot minimum front yard setback), then two feet shall be subtracted from the porch width allowed within the front yard setback. This results in a maximum width porch in the front yard setback of four feet.
- d. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in "a" through "c" above.
- e. Existing residential buildings with an existing attached garage that faces the street are not eligible for this front porch exception.

#### **(13) Porte-Cocheres on Single Family Residential Dwellings**

One porte cochere, as defined by this ordinance, may be attached to a single family dwelling over a driveway to provide shelter for passengers entering and existing vehicles parked in the driveway. A porte cochere may only be attached to a residential dwelling if the residential dwelling is set back a minimum of twelve (12) feet from the front property line. A porte cochere shall be included in the lot coverage calculation and shall be constructed to meet all of the following standards:

- a. Only one porte cochere is allowed per lot.
- b. The porte cochere shall not be greater than 250 square feet in area.
- bc. The porte cochere shall meet the front yard setback requirement.
- d. The porte cochere may be located within a side yard setback if the following requirements are met:
  - i. The existing lot width is sixty (60) feet wide or less, and
  - ii. The porte cochere is placed over a driveway that has a minimum width of nine (9) feet, and
  - iii. No element of the porte cochere shall be located no-closer than two feet from the side property line, including overhangs and similar elements, but excluding gutters.
- ede. The clearance between the ground and the ceiling of the porte cochere shall be a minimum of eight (8) feet.

def. The maximum ~~overall~~ height to the top of the roof shall ~~not exceed 11 feet, but shall be no taller than the finished floor elevation of the second floor. The roof structure shall be no more than two feet deep shall not exceed a 3/12 pitch.~~

efg. The porte cochere shall be entirely open and shall be supported only by the residential dwelling on one side and modest columns on the other. ~~It shall be unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future not be enclosed in any way by walls or other barriers other than the residential dwelling wall.~~

fgh. The roof of the porte cochere shall not be enclosed with railings, shall not be accessible from an opening in the residential dwelling, and shall not be used as a porch, balcony, or similar use.

gi. ~~On corner lots, only one porte cochere is allowed per lot. The porte cochere shall be constructed of materials consistent with the main structure.~~

## **ARTICLE XVII. – SCHEDULE OF REGULATIONS**

### ***[No changes proposed to Sections 78-190]***

Sec. 78-191. – Notes to schedule.

### ***[No changes proposed to Sub-sections (a) through (n)]***

- (o) 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 average setback and front building line shall be determined by examining existing buildings located on the same side of the street and within 200 feet of the subject parcel. If the resulting setback is less than 15 feet, then the allowed setback shall be no less than the allowed setback average. For a single family residential project that meets the "front porch exception" standards listed in 78-43(11) or (12), or 78-53(11) or (12), the average front setback shall be calculated using the front wall of the surrounding buildings rather than the edge of any existing porches, and the outside edge of the front porch shall be located at the average front setback line. A front porch may not be placed within an averaged front yard setback. In any case, the minimum average front yard setback for an incentive porch shall not be less than fifteen (15) feet. The building official may exclude structures used in calculating average front setbacks when the structure deviates by more than 25 feet forward or back from the average setbacks of other structures found within 200 feet.

### ***[No changes proposed to Sub-sections (p) through (u)]***

- (v) For projects that meet the standards listed in section 78-43(11) or (12), or section 78-53(11) or (12) and construct an eligible front porch, the area of the eligible front porch located in the front yard setback shall be excluded from the lot coverage calculation.

**ARTICLE XVIII. – MISCELLANEOUS PROVISIONS**

*[No changes proposed to Sections 78-200 – 78-216]*

**Sec. 78-217. – Projections into setbacks.**

Projections into setbacks shall be permitted as follows:

Projection...	...Into Front Yard Setback	...Into Side Yard Setback	...Into Rear Yard Setback
<b>At or Below Grade:</b>			
Egress window/areaway recess*	Not permitted	3 feet from face of structure (interior dimension)	3 feet from face of structure (interior dimension)
Stairs from basement	Not permitted	Not permitted	4 feet (interior dimension)
Patios	4 feet, but no closer than 10 feet from the front property line	Not permitted	10 feet from property line
<b>Above Grade but Below Roof:</b>			
Architectural features, as defined	4 inches	4 inches	4 inches
Awning/canopy	3 feet	Not permitted	3 feet
Balcony	4 feet	Not permitted	4 feet
Bay window (limited to 8 feet in width; maximum 2 per side)	2 feet	Not permitted	2 feet
Cantilevered floor area (Box Out)	2 feet	Not permitted	2 feet
Cellar door	Not permitted	Not permitted	8 feet
Chimney (limited to 8 feet in width)	1 foot	Not permitted	1 foot
Deck**	Not permitted	Not permitted	12 feet, but limited to three feet high
Mechanical equipment (i.e. air conditioning condensers, generators)	Not permitted	Not permitted	4 feet
Porch, uncovered	6 feet	Not permitted	12 feet, but limited to three feet high
Porte cochere	Not permitted	2 feet from property line	Not permitted
<b>Roof Area:</b>			
Cornices, eaves, overhangs, brackets, soffits (excluding gutters)	2 feet	2 feet	2 feet
Dormers	Not permitted	Not permitted	Not permitted

\*Areaway construction can project above grade no more than 12 inches.

\*\*The portion of a deck which occupies the rear yard setback shall not be converted into any enclosed habitable spaces.

- (1) Projections containing floor area, including decks, shall be included in the lot coverage calculation. See Sections 78-43 and 78-53 for the front porch exclusion from lot coverage.

**ARTICLE XXII. – PARKING, LOADING REQUIREMENTS**

***[No changes proposed to Sections 78-270 – 78-272]***

**Sec. 78-273. - Residential driveways.**

(1) ~~Driveways used~~ New driveways constructed for residential access within the R-1 and RT-1 Districts shall meet all the following standards:

- a. be Shall be a minimum of nine feet in width and clear of encumbrances such as columns.
- b. Shall be located on the side of the new dwelling that is opposite any existing driveway on an adjacent parcel, when possible.
- c. Shall be located at least one foot from the side property line. The one-foot buffer area shall be landscaped with appropriate plant material such as turf grass, perennials or shrubs.
- d. ~~To block stormwater runoff from discharging onto the neighboring property, a curb shall be installed along the outer edge of the driveway.~~

(2) Existing driveways within the R-1 and RT-1 Districts may be reconstructed in the same location. Where two existing driveways abut one another, they may continue but shall be relocated if possible; continuation of this condition is discouraged.



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**MEMORANDUM**

**TO:** City of Plymouth Planning Commission

**FROM:** Don Wortman  
Sally M. Elmiger

**DATE:** April 6, 2016

**RE:** Graphic Updates – Fences and Accessory Buildings

We have revised the graphics for “fences” and “accessory buildings,” as requested by the Planning Commission. We have inserted them into the appropriate ordinance section so that you can review them within the context of the language. Note that we’ve included the proposed changes from “required yard” to “setback” in these sections.

We look forward to discussing this with you further.

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CARLISLE/WORTMAN ASSOC., INC.

R. Donald Wortman, PLA, AICP

Principal

CARLISLE/WORTMAN ASSOC., INC.

Sally M. Elmiger, AICP, LEED AP

Principal

cc: John Buzuvis

**Sec. 78-208. - Residential fences.**

Fences or walls are permitted, subject to the paramount provisions of the City of Plymouth Fence Ordinance (Chapter 18, Building Regulations Article X, Fences 18-371—18-380) and subject to the further provisions of this section. If any of the provisions of this section should conflict with the City of Plymouth Fence Ordinance, such provisions shall be controlling on the question of fences. It is the intent, however, that the following provisions be construed harmoniously with the fence ordinance where possible.

- (1) Fences on all lots of record in all residential districts which enclose property and/or are within a required side or rear yard setback shall not exceed six and one-half feet in height, measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard setback, whichever is greater. In the case of a rear yard abutting a side yard, the side yard abutting a street shall be continuation of the required front setback on the lot to the rear, and no fence shall project into this area. When side yards abut on frontages across a common street, the side yard abutting a street shall not be less than the required front yard setback of the district and no fence shall project into this area. (See Figures 1, 2, and 3)

Figure 1. Fence Location

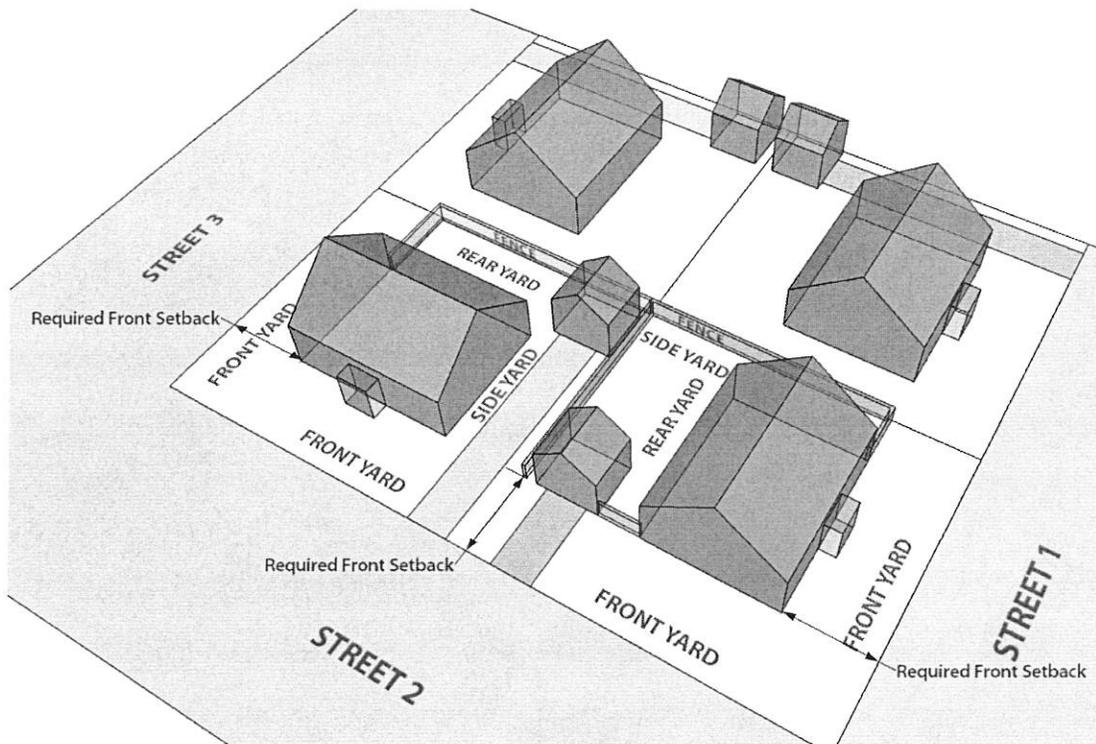


Figure 2. Fence Location

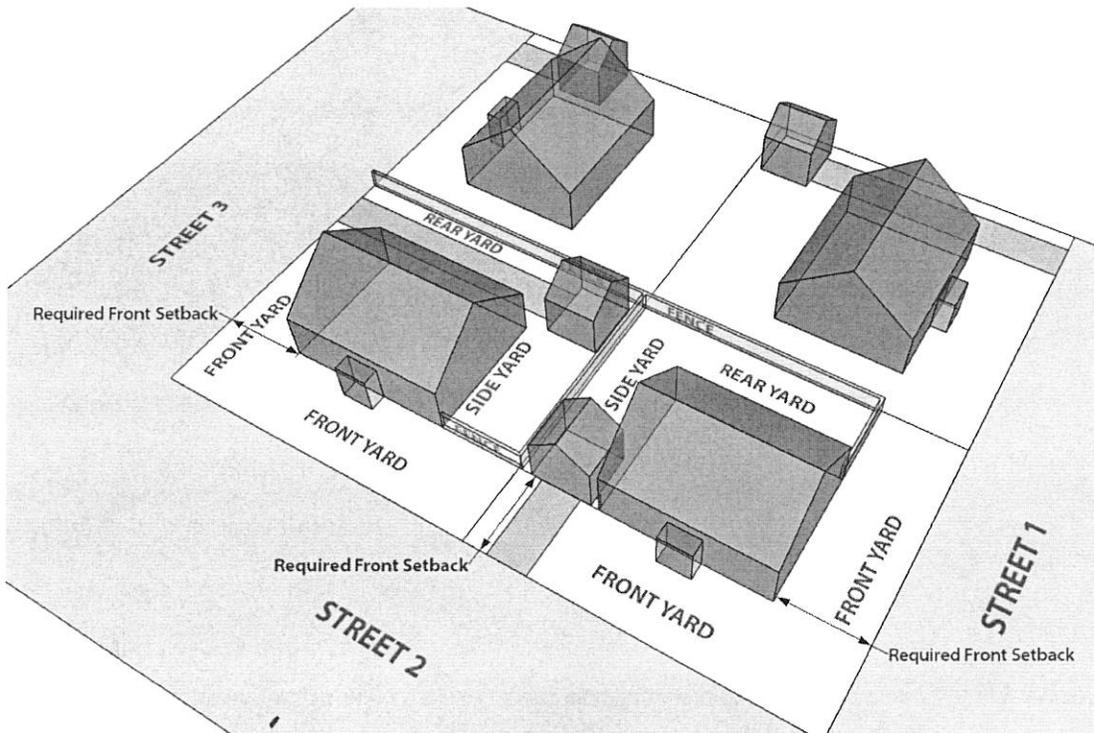
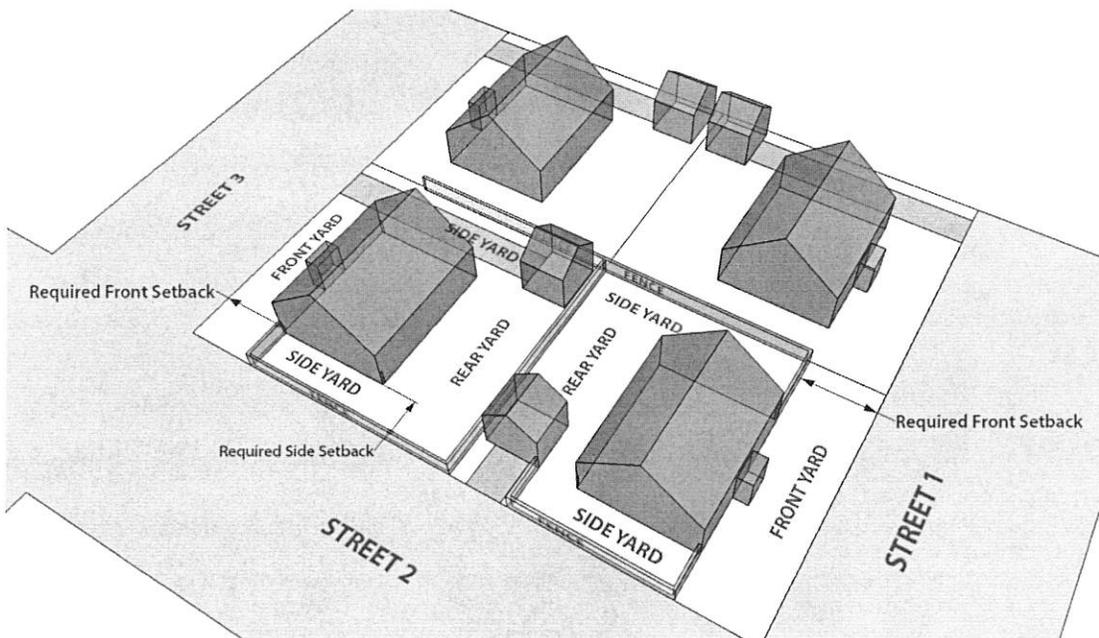


Figure 3. Fence Location



- (2) Recorded lots having a lot area in excess of two acres and a frontage of at least 200 feet, and acreage or parcels not included within the boundaries of a recorded plat, in all residential districts, are excluded from these regulations.

- (3) Fences on lots of record shall not contain barbed wire, electric current, or charge of electricity. This shall exclude underground electric fences used for pet containment.
- (4) All fences or walls shall be constructed with the finished side exposed to neighboring properties, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- (5) Posts and finials may extend no more than six inches above the maximum permitted height of a fence.
- (6) Fences for swimming pools shall comply with the regulations of the state construction code.
- (7) No fence, wall, or plantings shall interfere with visibility from a driveway, alley or intersection. All fences, walls, or plantings shall comply with the corner clearance requirements of section 78-207.
- (8) Fences which enclose public or institutional parks, playgrounds, or public landscaped areas, situated within an area developed with recorded lots, shall not exceed eight feet in height measured from the surface of the ground, and shall not obstruct vision to an extent greater than 25 percent of their total area.
- (9) Fences or walls within a required front yard setback area shall be decorative style only consisting of wrought iron, metal, or picket fences and masonry or stone walls. Decorative fences or walls placed within a front yard shall not exceed 30 inches in height. A decorative fence or wall shall contribute to the identification and beauty of the principal building. Chain link fences are not allowed within a required front yard setback area.
- (10) Walls constructed of masonry, stone or pre-cast materials and constructed within a side or rear yard shall have a maximum height of 30 inches. This shall exclude screening walls constructed between conflicting land uses as specified in section 78-206.

**Sec. 78-260. - Regulations.**

Accessory buildings, structures, and uses except as otherwise permitted in this chapter, shall be subject to the following regulations:

- (1) Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this chapter applicable to the main building.
- (2) An accessory building shall not be erected in any front or required yard setback except as allowed by this article.
- (3) No accessory building, structure or use may be placed on a lot without a principal building.
- (4) The height of the accessory structure having a dormer(s), which occupies ten percent or more of the total roof area, shall be determined by measuring the average height between the eaves and the ridge of the dormer(s).
- (5) No more than two detached accessory buildings in residential districts shall be permitted on any lot.
- (6) No detached accessory building in residential districts shall be located closer than three feet to any side or rear lot line. In those instances where the rear lot line is coterminous with an alley right-of-way, the accessory building shall be no closer than one foot to such rear lot line. In no instance shall an accessory structure be located within a dedicated easement right-of-way.
- (7) All accessory buildings, structures and uses combined shall cover no more than 35 percent of any required rear yard setback.
- (8) No detached accessory building in any residential district shall exceed 1½ stories or 15 feet in height. The minimum eave height for an accessory building shall not be less than seven feet from the average grade. Where an accessory structure is located on sloping terrain, the eave height shall be measured from the average ground level of the grade at building walls.
- (9) When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, such building shall not project beyond the front yard line required on the lot in rear of such corner lot. When an accessory building is located on a corner lot the side lot line of which is substantially a continuation of the side lot line of the lot to its rear, such building shall not project beyond the side yard line of the lot in the rear of such corner lot.

Figure 1. Accessory Building Location for Corner Lots with Front-Side Yard Situation

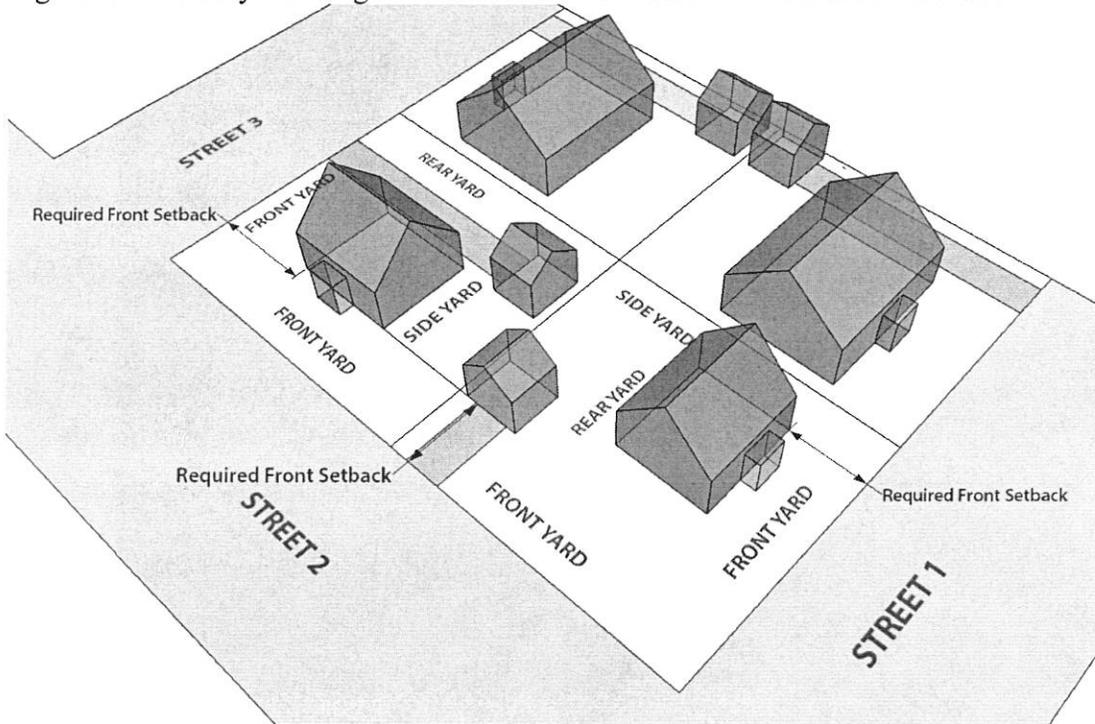


Figure 2. Accessory Building Location for Corner Lots with Side-Side Yard Situation

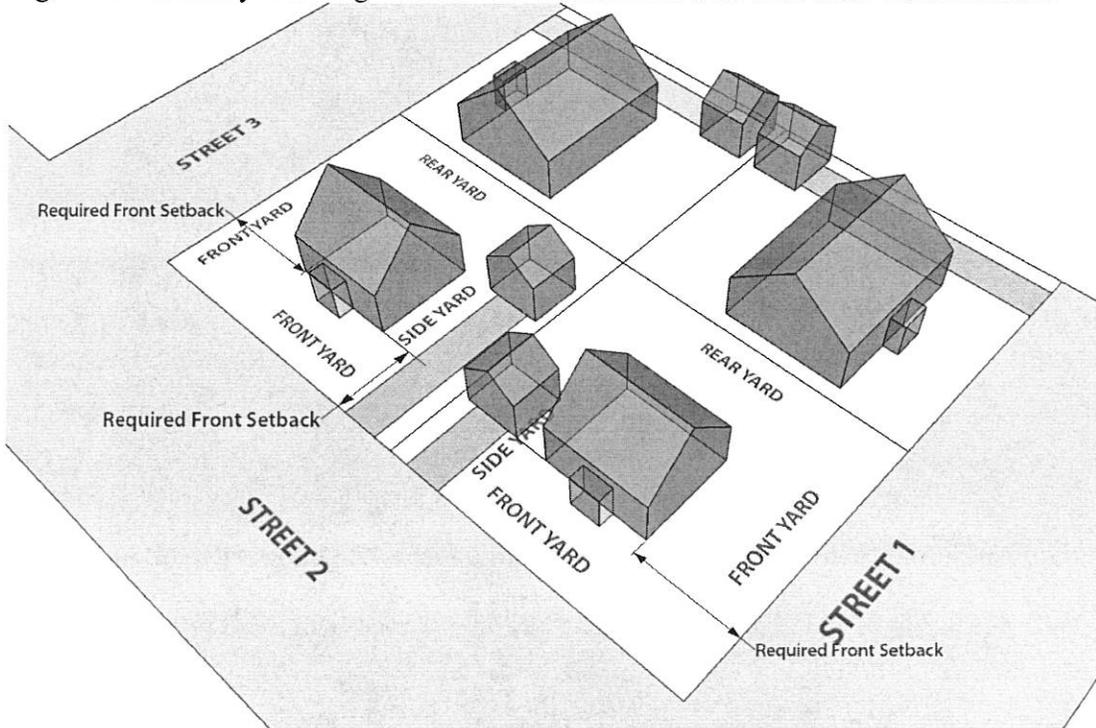
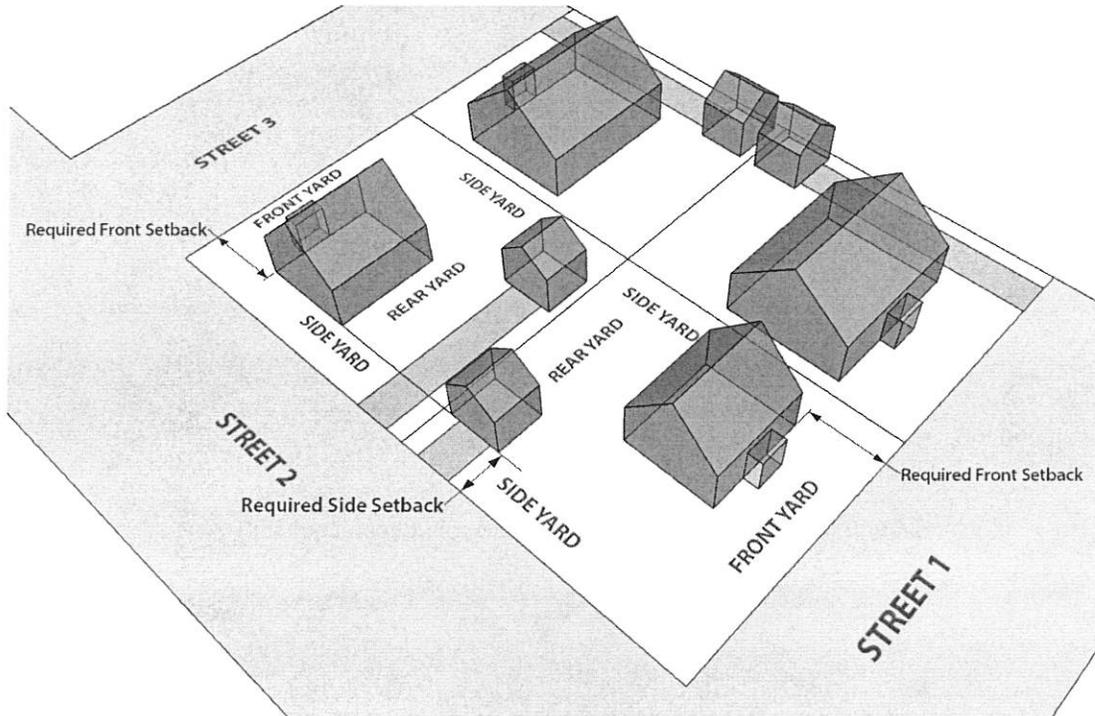


Figure 3. Accessory Building Location for Corner Lots with Side-Side Yard Situations



- (10) Accessory buildings within all other nonresidential districts shall comply with applicable setback and height restrictions specified for the zoning district wherein the accessory use or structure is located.
- (11) Detached accessory buildings shall not be used as habitable space.
- (12) Detached accessory structures must be located a minimum of ten feet from the principle structure on site.
- (13) Private wind energy conversion systems shall be subject to regulations contained in section 78-261.
- (14) No detached accessory building in any residential district shall be constructed with an attached deck or balcony which exceeds thirty-two (32) square feet.