

CITY OF PLYMOUTH
ZONING BOARD OF APPEALS MEETING
WEDNESDAY, JUNE 2, 2016
7:00 PM
AGENDA

1. Meeting called to order at _____p.m.
2. ROLL CALL: Joshua Birk, Kara Giummo, Dan Mooney, Gloria Poirier,
and Mike Devine

ALTERNATES: Ed Krol, Scott Silvers
3. APPROVAL OF MINUTES:
Regular Meeting – May 5, 2016
4. APPROVAL OF THE AGENDA
5. OLD BUSINESS:
None.
6. NEW BUSINESS:

Z 16-09 197 Arthur
Non-Use Variance Requested
Detached Garage to House 10 Foot Separation
Zoned: R-1, Single-Family Residential
Applicant: Bryan Kammeraad
7. REPORTS AND CORRESPONDENCE:
8. COMMISSIONER COMMENTS
9. MOTION TO ADJOURN

201 S. Main
Plymouth, MI 48170
www.ci.plymouth.mi.us
ZONING BOARD OF APPEALS MEETING MINUTES
Thursday, May 5, 2016

1. - Meeting called to order at 7:00 P.M. by Chairman Devine

2. - ROLL CALL

MEMBERS PRESENT: Kara Giummo, Gloria Poirier, Josh Birk, Mike Devine

MEMBERS ABSENT: Dan Mooney, excused

ALTERNATES PRESENT: Scott Silvers (left at 8:10), Ed Krol

OTHERS PRESENT: Greta Bolhuis, Assistant Community Development Director

3. - APPROVAL OF MINUTES

A motion was made by Comm. Krol, supported by Comm. Giummo to approve the regular minutes of April 7, 2016 as presented.

MOTION CARRIED UNANIMOUSLY.

4. - APPROVAL OF THE AGENDA:

A motion was made by Comm. Poirier and supported by Comm. Krol to approve the agenda.

MOTION CARRIED UNANIMOUSLY.

5. – Old Business:

NONE

6. – New Business:

Z16-04 169 Adams
Non-Use Variance Requested
Front Yard Setback
Zoned: R-1, Single Family Residential
Applicant: John Garrison

John Garrison, applicant, presented his case. He stated that the home sits within the required front setback and is non-conforming. He explained that the owner wishes to improve her home and mask the wings of the home. Mr. Garrison explained the protruding stairway, wider porch, and reverse gable elements of the proposed porch.

Lisa Vendittelli, owner, presented her case. She said she wants to keep the home consistent with historic photos. She explained that the two properties to the south have shallow front yard setbacks.

Public Comment

An unidentified neighbor mentioned an email that was sent from Ms. Malcolm, 187 Adams, in

favor of the project.

Board Discussion

The board discussed the architecture of the porch and home and the neighboring properties. Chairman Devine discussed the additional 2 feet in the reverse gable and asked if it was critical to the porch construction.

Motion

A motion was made by Comm. Krol, supported by Comm. Birk, to approve Z16-04, 169 Adams as presented based on finding of fact that the porch would be in line with the houses directly to the north and south, the front yard setback worksheet skews the allowed setback, and the project promotes walkability.

YES Birk, Giummo, Krol, Poirier, Devine

NO None

MOTION APPROVED UNANIMOUSLY

Z16-05 605 Jener
Non-Use Variance Requested
Rear Yard Setback
Zoned: R-1, Single Family Residential
Applicant: Ronald Adelman

Ronald Adelman, owner and applicant, presented his case. He proposed an unenclosed, covered walkway to connect the two overhangs between his house and garage. He explained how the roofs would be connected together with the same shingling and roof structure.

Public Comment

Dianne Beaupre, 615 Jener, had no objections to the proposal.

Board Discussion

The board discussed the project and unenclosed breezeways throughout the city. Scott Silvers, Planning Commission Liaison & ZBA Alternate, summarized the Planning Commission's recent discussions of breezeways. This included covered breezeways, reduction of width of breezeways, consensus that breezeways do not impose on massing. He believed the project was in-line with what the Planning Commission is proposing. Chairman Devine said that the timing seemed to be the issue and that the ordinance may be amended in the future.

Motion

A motion was made by Comm. Poirier, supported by Comm. Krol, to approve Z16-05, 605 Jener as presented based on finding of fact that creating protection from the elements is not sufficient hardship.

YES Krol

NO Birk, Giummo, Poirier, Devine

MOTION DOES NOT PASS

Z16-06 1071 Beech
Non-Use Variance Requested
Garage to exceed 50% of the front façade
Zoned: R-1, Single Family Residential
Applicant: Dylan and Kathryn Propst

Dylan Propst, owner and applicant, presented his case. He explained that they are remodeling their entire house and want to put a third stall on their garage. Mr. Propst discussed that a third stall would not be out of place in the neighborhood as there are others throughout the neighborhood. He explained that the third stall is deemphasized which would still contribute to walkability and allow for interactions with neighbors at the sidewalk. He discussed the desire to improve the original home by adding to the character and features of the existing structure.

Public Comment

Heike Krause, 729 S Harvey, submitted an email opposing the variance request.

Paulette Longe, 690 Forest, spoke on behalf of Heike Krause. She had concern with a lack of hardship presented and the number of large garages being constructed.

Scott Silvers, Planning Commission Liaison & ZBA Alternate, stated that the third stall went against the grain of the Planning Commission's goals. He explained the Planning Commission's intent is to have more house than garage.

Board Discussion

Comm. Krol explained his proximity to the applicant and explained that they had made significant efforts not to discuss the proposal. No motion was made to require Comm. Krol to abstain.

The board discussed front-facing attached garages and the lack of hardship provided.

Motion

A motion was made by Comm. Krol, supported by Comm. Birk, to approve Z16-06, 1071 Beech as presented based on finding of fact to exceed the 50-50 ratio.

YES Krol

NO Birk, Giummo, Poirier, Devine

MOTION DOES NOT PASS

Z16-07 305 Pacific
Non-Use Variance Requested
Rear yard setback and setback between house and garage
Zoned: R-1, Single Family Residential
Applicant: Bill Cowdin

Bill Cowdin, applicant, presented his case. He explained that they tried different dimensions and configurations to make a modest addition. The addition could not be moved over due to the electric and gas meters as well as the generator placed in the back corner of the house. Mr. Cowdin explained the shallow depth of their property and existing front yard setback that is 30 feet.

Public Comment

None.

Board Discussion

The board discussed the existing conditions of the property and the situation of the house on the lot.

Motion

A motion was made by Comm. Poirier, supported by Comm. Birk, to approve Z16-07, 305 Pacific as presented, 1' 11" rear yard setback and 1' 11" between the house and the garage, based on finding of fact that the shallow lot depth is smaller than the average lot in Plymouth and the existing front yard setback is exceptionally large.

YES Krol, Birk, Giummo, Poirier, Devine

NO None

MOTION PASSES UNANIMOUSLY.

Z16-08 623 Herald
Non-Use Variance Requested
Front yard setback
Zoned: R-1, Single Family Residential
Applicant: Matt Thurber

Matt Thurber, applicant, presented his case. He explained that he wants to put an addition on an existing 1000 square foot ranch home. Mr. Thurber explained that because it is a remodel he does not qualify for the incentive porch, like he would if he were to do a tear down and rebuild. He discussed the benefits of a remodel and addition, compared to a complete rebuild.

Public Comment

Bill Ramsay, 635 Herald, spoke against the variance request.

Cory Sultana, 641 S Harvey, discussed the benefits of the variance request.

Board Discussion

The board discussed the existing driveway. The driveway is 7.5 feet wide and if the house were torn down the driveway would have to meet the 9 foot wide driveway requirement. They discussed the front setback if it were to be torn down, standard garage door sizes, and walkability.

Motion

A motion was made by Comm. Poirier, supported by Comm. Birk, to approve Z16-08, 623 Herald as presented, for a variance of 4.13 feet encroaching into the front yard setback, based on finding of fact that the setback is necessary to promote walkability.

YES Krol, Birk, Poirier

NO Giummo, Devine

MOTION PASSES, VARIANCE GRANTED.

7. Reports and Correspondence:

NONE

8. Commissioner Comments:

Comm. Krol asked for clarification of Findings of Fact.

**A motion was made by Comm. Giummo, supported by Comm. Poirier, to adjourn.
MOTION CARRIED UNANIMOUSLY.**

Meeting adjourned at 8:45 p.m.

Respectfully Submitted,

Greta Bolhuis,
Assistant Community Development Director

**ZONING BOARD OF APPEALS
MEETING NOTICE
CITY OF PLYMOUTH, MICHIGAN
(734) 453-1234**

A regular meeting of the Zoning Board of Appeals will be held on Thursday,
June 2, 2016 at 7:00 P.M. in the Commission Chambers of the City Hall,
201 S. Main Street, Plymouth, MI, to consider the following:

1. Z 16-09 197 Arthur
Non-Use Variance Requested
Detached Garage to House 10 Foot Separation
Zoned: R-1, Single-Family Residential
Applicant: Bryan Kammeraad

All interested persons are invited to attend.

In compliance with the Americans with Disabilities Act, the City of Plymouth will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting/hearing, to individuals with disabilities. Requests for auxiliary aids or services may be made by writing or calling the following:

Maureen Brodie, ADA Coordinator
201 S. Main Street
Plymouth, MI 48170, (734) 453-1234, Ext. 206



**CITY OF PLYMOUTH
COMMUNITY DEVELOPMENT**
201 South Main Street Plymouth, MI 48170
Ph. 734-453-1234 ext. 232 Fax 734-455-1824
Website: www.ci.plymouth.mi.us

TO: Zoning Board of Appeals Commissioners
FROM: Greta Bolhuis, Assistant Community Development Director
DATE: May 26, 2016
RE: 197 Arthur, Non-Use Variance Request

Bryan Kammeraad, owner and applicant, seeks a dimensional variance for the required minimum distance between the house and detached garage. The property is zoned R-1, Single Family Residential.

Section 78-260 (12) of the Zoning Ordinance requires that detached accessory structures must be located a minimum of ten feet from the principle structure on site. There is currently no accessory structure on the property. The dimensions of the proposed garage are 22 feet by 22 feet. The proposed distance between the house and garage is 4 feet.

The applicant is requesting a variance of 6 feet to construct a detached garage. No other variances are required.

I will be glad to answer any questions regarding this agenda item.

ZONING BOARD OF APPEALS

Date Received: May 12, 2016

Case # Z 16-09

Applicant: Bryan Kammeraad

Address: 197 Arthur

Project Name:

Variance Request: Detached Garage to House 10 Foot Separation

Agenda Date: June 2, 2016

Publication Date: 5/29/16

Notices Sent: 5/27/16

Reviewed By: Greta Bolhuis, Comm. Dev. Coordinator

Disposition:

Comments:

RECEIVED

Z16-09 197 Arthur
Det. Garage to House
10 Foot Separation
ZBA Mtg 6/2/16

ZBA APPLICATION – DIMENSIONAL (NON-USE)

MAY 12 2016

CITY OF MARSHFIELD
COMMUNITY DEVELOPMENT

Type of Variance Request: DIMENSIONAL – Common regulations subject to dimensional (non-use) variance requests: setbacks, signs, height or parking regulations, lot coverage, bulk or landscaping restrictions. Uniqueness: odd shape, small size, wetland, creek, natural features, big trees or slopes.

Address of Property: 197 ARTHUR

BRYAN KAMMERAAD (SAME)
Applicant Name Property Owner

(SAME) PLYMOUTH MI 48170
Address City State Zip

BKAMMERAAD@GMAIL.COM 313.400.5629
Email Phone

Article and Section of the Zoning Ordinance that is being appealed or variance requested:

ARTICLE XXI - ACCESSORY BUILDINGS AND USES / SECTION 78-260 - REGULATIONS

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: _____

DETACHED ACCESSORY STRUCTURES MUST BE LOCATED A
MINIMUM OF TEN FEET FROM THE PRINCIPLE STRUCTURE
ON SITE. APPLICANT REQUESTS REDUCING THE SETBACK TO FOUR FEET.

Description of Property

Current zoning classification: R1 - SINGLE FAMILY RESIDENTIAL

Is it a corner or interior lot? INTERIOR Size and area of lot: 0.2 ACRES

Total sq. footage of existing main buildings: 2,290 accessory structures: X

Current use of buildings on premises: SINGLE FAMILY RESIDENTIAL

Percentage of lot coverage of all buildings, decks, and porches 30" above grade: 12%

Height and area of existing main and/or accessory structures: 1,250 SF, 24' HEIGHT

Description of Proposed Structures

Height of proposed structure: 15'

Dimensions and area of structure or addition to be constructed: 22' x 22' STANDARD 2-STALL GARAGE

Percentage of lot coverage of all buildings including proposed: 18%

Front yard setback after completion (measured from lot line): 80' (TO GARAGE)

Back yard setback after completion (measured from lot line): 3'

Side yard setback after completion (measured from lot line): 3'

A scaled drawing or boundary survey depicting the above information.

ATTACHED

NOTE: The Zoning Board of Appeals meets the first Thursday of each month at 7:00PM. The completed application and necessary/applicable plans must be filed with a fee of \$250.00 by 4:00 PM on the third Tuesday of the month. Visit the City's website for submittal deadlines and meeting dates: www.ci.plymouth.mi.us. Twelve (12) copies of the application and plans including but not limited to survey, plot map, building plans, and photos are needed at submittal.

Please answer all of the following questions as they relate to the dimensional variance, use additional sheets as necessary:

1. What are the practical difficulties preventing compliance with the ordinance? Are these practical difficulties an exception or unique to the property compared to other properties in the City? (PLEASE SEE ATTACHED)

2. What effect will the variance have on neighboring properties? (PLEASE SEE ATTACHED)

3. Is the practical difficulty which prevents you from complying with the ordinance self-imposed? How did the practical difficulty come about? (PLEASE SEE ATTACHED)

4. Why do the ordinance restrictions unreasonably prevent the owner from using the property for a permitted purpose? (PLEASE SEE ATTACHED)

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

[Signature]

Signature of Property Owner

[Signature]

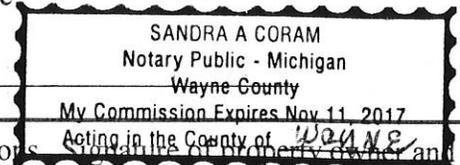
Signature of Applicant

Subscribed and sworn before me this 12 day of MAY, 2016

[Signature]

Notary Public

My Commission expires _____



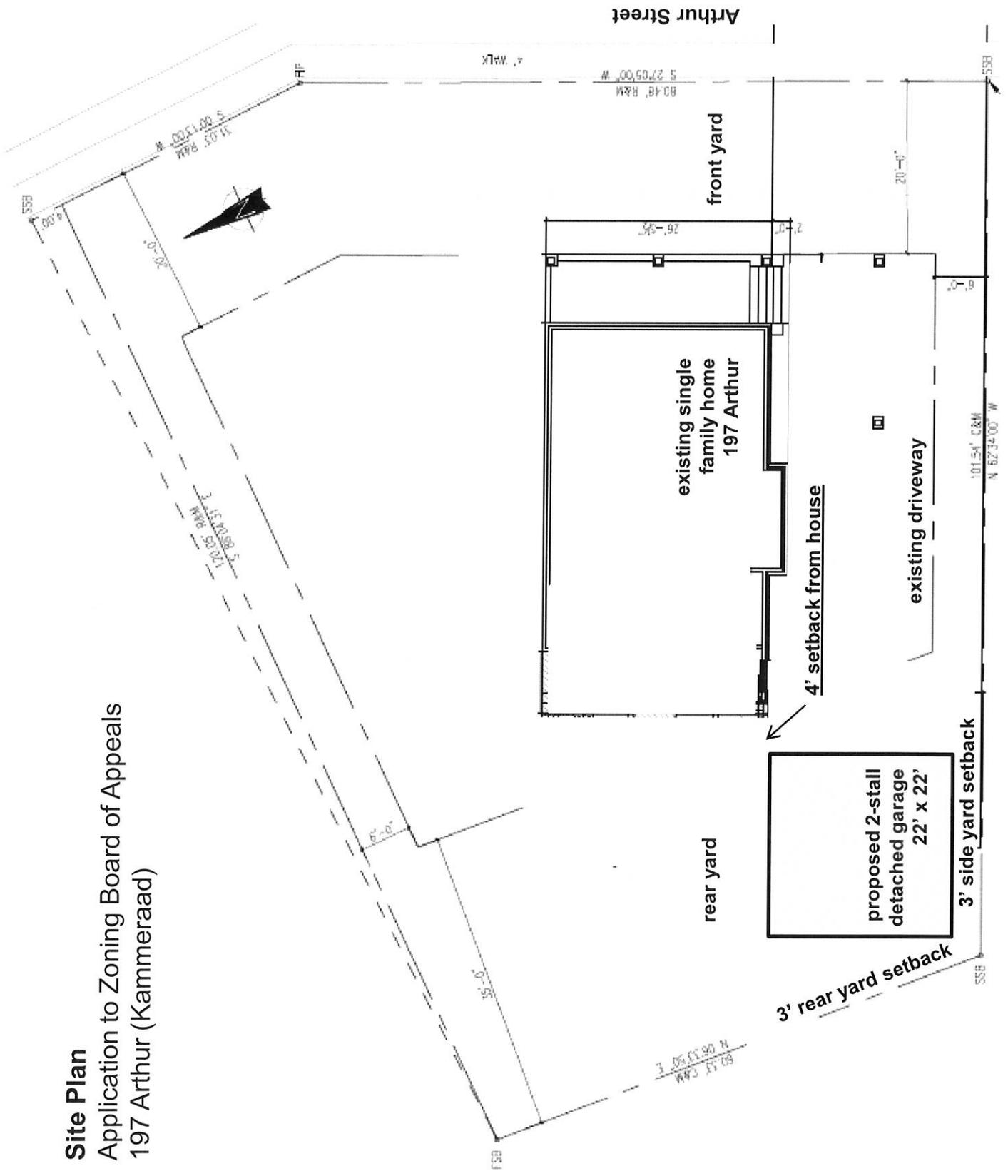
NOTE: The Zoning Board of Appeals will not accept incomplete applications and applicant, as well as notarization is required for every application. There are notaries located in City Hall. The Community Development Department has the right to remove an item from the agenda due to incompleteness.

Application to Zoning Board of Appeals

197 Arthur (Kammeraad)

1. The depth of the rear yard is insufficient to add a standard 2-stall detached garage in compliance with the 10 foot setback requirement from the primary structure. The current homeowners seek to improve the property by adding a garage; there is currently no garage on the property. The proposal is to add a detached garage in the rear yard in adherence to the existing character of the neighborhood (see attached site plan). Applicant requests a non-use variance to reduce the setback requirement from the primary structure from 10 feet to 4 feet.
2. The variance will have no effect on neighboring properties.
3. The need for a variance was created by a land recombination by the previous owner (see building permit attached). The original lot had a much deeper rear yard which accommodated a detached garage in compliance with setback requirements (see attached aerial photo). The 2011 land recombination removed a large portion of the rear yard of 197 Arthur and combined that portion with an adjacent lot (1251 William Street). Due to the land recombination the remaining rear yard at 197 Arthur is insufficient to add a standard 2-stall detached garage in compliance with setback requirements.
4. The setback requirements in the ordinance do not allow for adding a standard 2-stall detached garage. Applicant requests a non-use variance to reduce the setback requirement from the primary structure from 10 feet to 4 feet.

Site Plan
 Application to Zoning Board of Appeals
 197 Arthur (Kammeraad)



Building and Engineering Department

201 South Main

Plymouth, Michigan 48170

Phone: (734) 453-1234 Ext 232

Fax: (734) 455-1824

e-mail building@ci.plymouth.mi.us

Hours: Monday-Friday 8 am - 4:30 pm

197 ARTHUR
08-04-0019-002

Location

FAYBRICK, DONALD-ELLEN

Owner

197 ARTHUR

PLYMOUTH MI 48170

(734) 395 9529

Issued: 10/24/11 Expire Date: 04/21/12

Page Number 1

Contractor

**PLEASE CALL (734) 453-1234 Ext 232
FOR AN INSPECTION 24 HOURS IN ADVANCE**

Description / Conditions: LAND RECOMBINATION

Permit Item	Work Type	No. of Items	Item Total
 Land Reconfiguration	Residential	1.00	\$100.00

J. H. [Signature]
Building Official

Amount Paid:
\$0.00

Permit Balance Due:
\$100.00

I agree this permit is only for the work described, and does not grant permission for additional or related work which requires separate permits. I understand that this permit will expire, and become null and void if work is not started within 180 days, or if work is suspended or abandoned for a period of 180 days at any time after work has commenced; and, that I am responsible for assuring all required inspections are requested in conformance with the applicable code.

I certify that the proposed work is authorized by the owner, and that I am authorized by the owner to make this application as his authorized agent. I agree to conform to all applicable laws of the State of Michigan and the local jurisdiction. All information on the permit application is accurate to the best of my knowledge.

Payment of permit fee constitutes acceptance of the above terms.

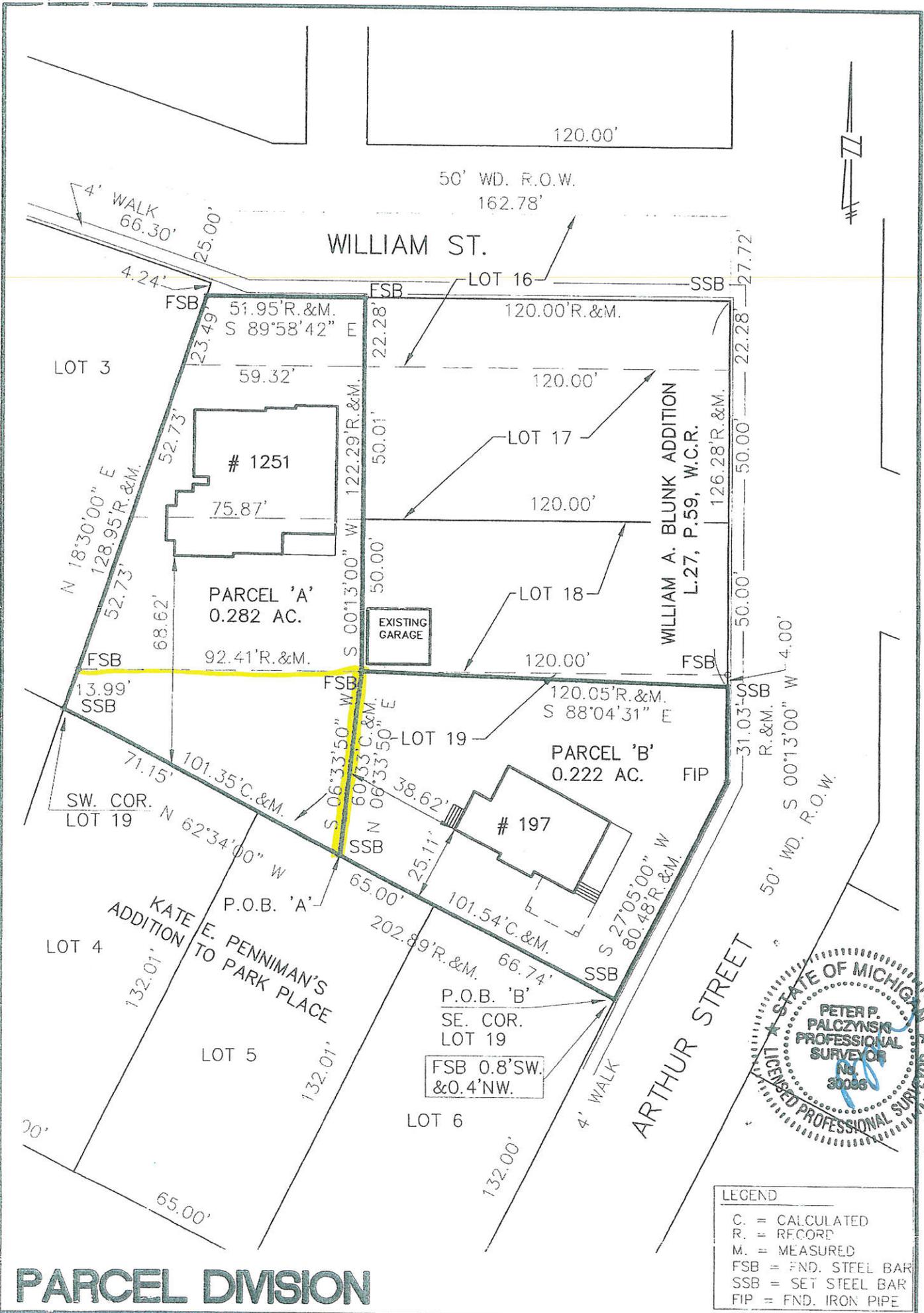
NO REFUND FOR EXPIRED PERMITS

POST PERMIT SO IT IS VISIBLE FROM THE STREET

Inspection Record **PB11-0336** 197 ARTHUR

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____

Payment Validation



PARCEL DIVISION

LEGEND	
C.	= CALCULATED
R.	= RECORD
M.	= MEASURED
FSB	= FND. STEEL BAR
SSB	= SET STEEL BAR
FIP	= FND. IRON PIPE





Permit #

PB11-0336

RECEIVED

OCT 20 2011

CITY OF PLYMOUTH
BUILDING DEPARTMENTCITY OF PLYMOUTH
BUILDING PERMIT APPLICATION201 S. Main Street Plymouth, MI 48170
Ph. 734-453-1234 x 232 Fax 734-455-1824
Website: www.ci.plymouth.mi.us

3 copies

1. The undersigned hereby applies for a permit to build, construct, remodel and occupy or to install according to the following statement:

Street Address of Work 197 ARTHUR		Date of Application 10/20/11	
Name (Contractor's Company Name / Home Owner) DONALD FAYBRICK		Telephone Number 734 395 9529	
Address 1251 WILLIAM		Fax Number	
City PLYMOUTH	State MI	Zip Code 48170	Email donf@sedona90.com
Estimated Total Cost of New Structure or Addition:		\$ 0	
Submit to Building Dept:		Residential - 3 sets of stapled & folded plans Commercial - 4 sets of stapled & folded plans	
Description of Work:		DRAWN TO SCALE Land Recombination	
If Remodeling- square footage of the remodeled area:			
Square footage of new area only:			
Square footage of all structures (1 st floor) including accessory bldgs:			

2. PROPERTY OWNER INFORMATION

Name			
Address			
City	State	Zip Code	Phone Number

3. CONTRACTOR INFORMATION - To be filled out by all contractors:

Contractor's License Number	
Expiration Date	
Contractor's Driver's License Number	
Federal Employee ID Number (or reason for exemption)	
Worker's Comp Insurance Carrier (or reason for exemption)	
MESC Employer Number (or reason for exemption)	
Section 23a of the State Construction Code Act of 1972, Act No. 230 of the Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure: Violators of Section 23a are subject to civil fines.	
Contractor's / Applicant Signature	Date

4. ARCHITECT INFORMATION

Name			
Address			
City	State	Zip Code	Phone Number

SEE FEE CHART ON REVERSE SIDE

1997 Aerial Photo

