CITY OF PLYMOUTH
ZONING BOARD OF APPEALS SPECIAL MEETING
TUESDAY, OCTOBER 18, 2016
7:00 PM
AGENDA

1. Meeting called to order at _____p.m.

2. ROLL CALL: Josh Birk, Kara Giummo, Ed Krol, Dan Mooney, and Mike Devine

   ALTERNATES: Gloria Poirier, Scott Silvers

3. APPROVAL OF MINUTES
   None.

4. APPROVAL OF THE AGENDA

5. OLD BUSINESS:
   None.

6. NEW BUSINESS:

   Z 16-20 1725 Lexington
   Non-Use Variance Requested
   Front Yard Setback
   Zoned: R-1, Single-Family Residential
   Applicant: Salvatore Succurro

7. REPORTS AND CORRESPONDENCE

8. COMMISSIONER COMMENTS

9. 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.
- Develop 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.

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: October 10, 2016

RE: 1725 Lexington, Non-Use Variance

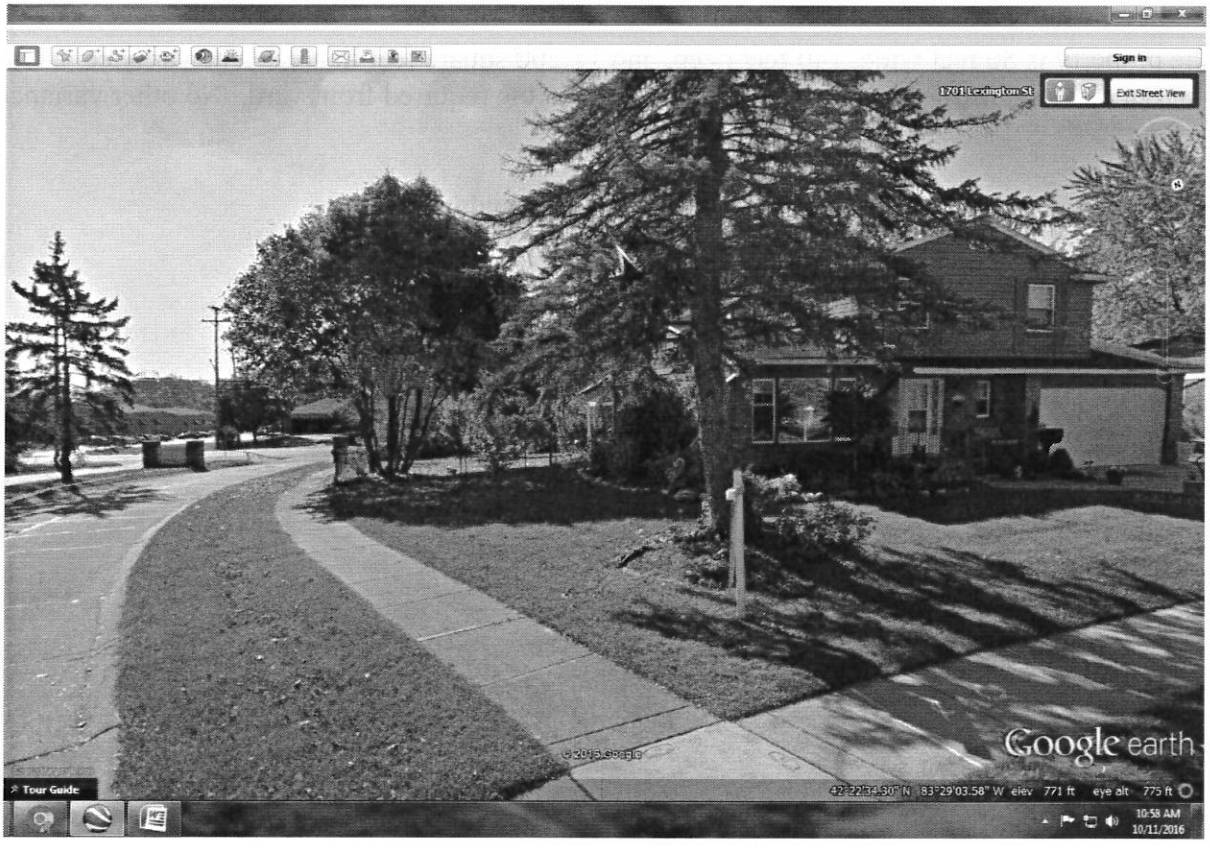
Salvatore Succurro, owner and applicant, seeks a non-use variance to construct a 6 foot high privacy fence in the required front yard setback. The property is zoned R-1, Single Family Residential.

Section 78-208 (1) of the Zoning Ordinance requires 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 of the district and no fence shall project into this area. The property is located facing Lexington and has a side yard facing Scituate. There is no home behind the subject property, but homes across the street face Scituate, which classifies the property as having two front yards. It is apparent from the siting of the home on the lot that the property has two front yards.

The property is 80 feet wide, 140 feet deep, and 11,200 square feet in area. The variance requested is to construct a 6 foot tall privacy fence in the required front yard. No other variances are required.

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

Sign in
1725 Lexington St
Google earth
Tour Guide
1999
Imagery Date: 4/13/2016 42°22'34.14" N 83°29'03.62" W elev 767 ft eye alt 1199 ft
10:56 AM
10/11/2016


Sign in
1701 Lexington St
Exit Street View
Google earth
Tour Guide
42°22'34.30" N 83°29'03.58" W elev 771 ft eye alt 775 ft
10:58 AM
10/11/2016

ZBA APPLICATION–DIMENSIONAL (NON-USE) VARIANCE

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: 1725 Lexington Street

Salvatore Succurro
Applicant Name — Property Owner

1725 lexington St. — Plymouth — MI — 48170
Address — City — State — Zip

Sal@innovativedrywallservices.com — 313-220-1741
Email — Phone

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

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: Section 78-208 To Construct A fence taller than 30" in a front yard.

Description of Property

Current zoning classification: R-1

Is it a corner or interior lot? Corner Size and area of lot: 80'x140'

Total sq. footage of existing main buildings: 2200 accessory structures: N/A

Current use of buildings on premises: Primary residence

Percentage of lot coverage of *all* buildings, decks, and porches 30" above grade: N/A

Height and area of existing main and/or accessory structures: N/A

Description of Proposed Structures

Height of proposed structure: 6Ft

Dimensions and area of structure or addition to be constructed: 235 lin. Ft.

Percentage of lot coverage of all buildings including proposed: NO Change to lot Coverage

Front yard setback after completion (measured from lot line): NO Change

Back yard setback after completion (measured from lot line): NO change

Side yard setback after completion (measured from lot line): NO Change

☒ A scaled drawing or boundary survey depicting the above information.

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 letter.

2. What effect will the variance have on neighboring properties? I have no neighbors to the South and just a couple neighbors across the road to the east.

3. Is the practical difficulty which prevents you from complying with the ordinance self-imposed? How did the practical difficulty come about? NO

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

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

Signature of Property Owner

Signature of Applicant

Subscribed and sworn before me this 26 day of September, 2016

MARIA FARRIS
Notary Public - Michigan
Wayne County
My Commission Expires Sep 1, 2019
ting in the County of Wayne

Maria Farris
Notary Public

My Commission expires Sept 1, 2019

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

9-26-2016

To Whom It May Concern:

Greetings, we are writing the following correspondence as we are trying to be granted a variance approval for a privacy fence that involves the following practical differences in which we believe are an exception or made unique for the following reasons.

Our parcel is situated on a busy corner lot. Our fence and fence line will not be an intrusion or obstruction to a neighbor's property or home directly behind us, as our parcel backs up to North Territorial. Nor do we feel that this will ever be a future problem with a neighbor directly behind us, as our parcel backs up to North Territorial road.

We just recently moved from the city of Brighton to the city of Plymouth and we are ecstatic about the move. We love your city and are honored to be a part of it now. Our family was used to living on a private 6 acre parcel without having to worry much about our public privacy and safety while at home. We have a now 4 year old daughter and hope to consummate another child in the near future. We have a lot of family and friends that visit us quite often. We baby sit nephews and nieces 3 days a week. Our family and kids are used to just being free without having to worry much about yard boundaries. Our 4 year old daughter is a climber and enjoys climbing on top and over things now, mimicking her older cousins. Just last month our nephew Giovanni climbed over the fence to chase after a soccer ball and we almost encountered a tragic accident. Giovanni almost got hit by a school bus driving down the road. Cars just turn the corner onto scituate and speed down to meet the stop sign at north territorial, often ignoring the stop sign and turning the corner speeding off and away onto north territorial. Our daughter now has a fence which is foreign to her and thinks it's fun to try and climb over it. This is a continuous problem for us as well.

Additionally, for one reason or another, people tend to turn off of north territorial onto scituate and do a loop around on scituate road and want to park their vehicle on the east side of our house facing south. Or they turn off of Lexington street and park on the side of our house on scituate facing north territorial. They sit in their car either on the phone talking or texting, on a tablet/computer, sometimes even reading the newspaper wasting time. This makes us very uncomfortable and we often feel that our privacy is being invaded. They are often starring into our home and/or yard as they are parked. We installed a surveillance system around the house thinking that this will help us feel safer but it has limited effectiveness. Just a short while ago I noticed a black ford fusion parked on the side of the house on the surveillance system as I was inside the home. There was a gentleman leaning on the hood of his car talking on his cell phone and he often would stare into our yard. Not a very good feeling as our 4 year old daughter was playing in the back yard. This was an extremely unsettling feeling, even to this day. I immediately went out into the yard to greet my fiancé and daughter, only to be continued to be watched and stared at by a complete stranger that apparently didn't want to leave. It came to the point where we all just went inside due to the awkwardness. A family should not have to endure these types of feelings in the comfort and privacy of their own back yard. Car's parking on the side of our house

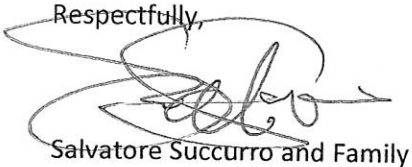
happens almost on a daily basis. I'm not trying to pass judgment but nonetheless, it's uncomfortable for us.

We are home bodies and really enjoy staying at home and entertaining ourselves, family and friends. We enjoy being outside in our back yard, barbequing, playing, relaxing on the hammock, reading... We recently landscaped our entire property and installed a brick paver patio and fire pit in the back yard as an addition to our home. We intend to add a swing set, trampoline, and other playful items for the kids to enjoy come spring time. We looked into a privacy fence before even beginning our home improvement project and it never came to our attention that a height restriction would be an issue along the current property line. We recently hired a tree company to clean up over a dozen trees along the back of our property line in order to accommodate the new fence. We have signed a contract with Upright Fence Company and have ordered our fence to be installed, finishing off our summer project. We were just notified of this dilemma as they were applying for a permit today. Having a 6ft privacy fence would really help our family feel more comfortable and safe at home. Not to mention it will help reduce the traffic noise a little bit.

For the following reasons listed above, we ask that you please grant us our variance approval so we can, without having to interrupt our current space, install a 6ft privacy fence along our property line that now accommodates a chained link fence that is falling apart and damaged in some areas. A standard height for a privacy fence is 6ft and we are not asking for anything that is not standard in height. We respect the city of Plymouth and understand that there are rules and regulations set for good reasons and my apologies if this letter seems like we are trying to break the rules, definitely not our intention. But given the following reasons listed above, we ask that you please approve this variance so my family can feel more at ease, safe and private as we continue to enjoy ourselves in our own back yard.

Thank you for your time and consideration regarding this issue.

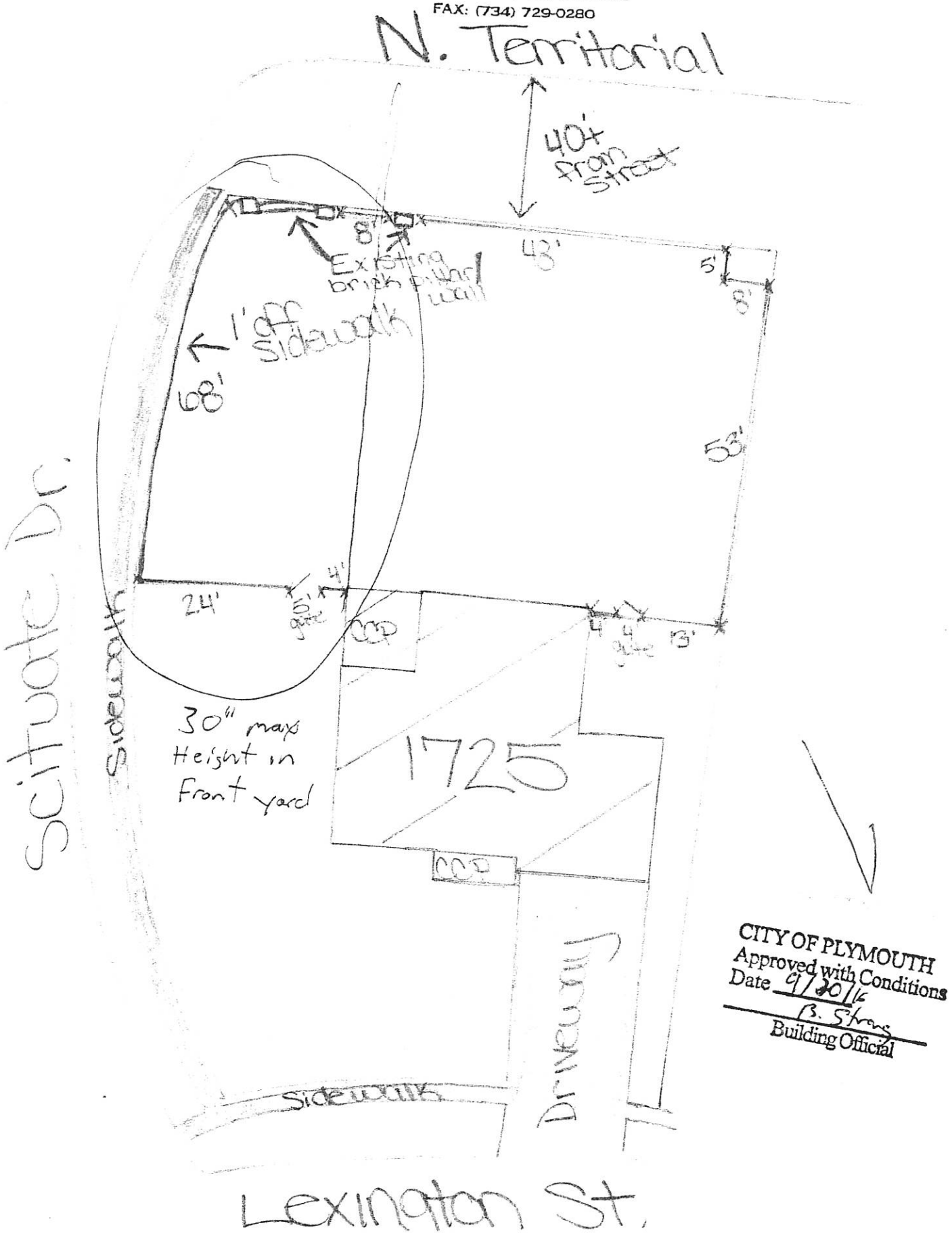
Respectfully,



Salvatore Succurro and Family

UPRIGHT FENCE, INC.
37915 FORD ROAD
WESTLAND, MICHIGAN 48185

TELEPHONE: (734) 729-5172
FAX: (734) 729-0280



CITY OF PLYMOUTH
Approved with Conditions
Date 9/30/16
B. Strong
Building Official