

201 S. Main
Plymouth, MI 48170
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ZONING BOARD OF APPEALS MEETING MINUTES
Thursday, August 4, 2016

1. Meeting called to order at 7:00 P.M. by Comm. Poirier

2. Roll Call

Members Present: Dan Mooney, Gloria Poirier, Josh Birk
Members Absent: Kara Giummo, excused, Mike Devine, excused
Alternates Present: Scott Silvers
Alternates Absent: Ed Krol
Others Present: John Buzuvis, Community Development Director
Greta Bolhuis, Assistant Comm. Development Director

3. Approval of the Meeting Minutes:

A motion was made by Comm. Silvers, supported by Comm. Mooney to approve the regular minutes of June 2, 2016 as presented.

MOTION CARRIED UNANIMOUSLY.

4. Approval of the Agenda

A motion was made by Comm. Birk and supported by Comm. Silvers to approve the agenda as amended.

MOTION CARRIED UNANIMOUSLY.

5. Old Business

None.

6. New Business

Z16-13 1302 Maple
Non-Use Variance Requested
Side Yard Setback
Zoned: R-1, Single Family Residential
Applicant: Jeff and Nicole Wassel

Jeff Wassel, owner and applicant, presented his case. The applicant explained that the current home presents design challenges to the modern family and they are proposing a modest addition. He discussed the uniqueness of the property lines and that there is usable space past the property marker due to the placement of the neighbor's fence.

Public Comment

Steve Ribar, 655 Forest, expressed support for the project.

Nathan Johns, 1298 Maple, expressed full support for the project. He explained it would not impact his property as the proposed addition would be adjacent to their garage.

Board Discussion

Comm. Silvers believed there was sufficient separation between the two buildings.

Comm. Mooney liked the step in the floor plan. He believed there was a hardship in the uniqueness of the corner clipped.

Comm. Silvers agreed and believed there was effort made to accommodate the uniqueness of the side property line.

Comm. Birk spoke about putting a contingency on the approved variance for the northeast corner only.

The board discussed the angle of the property line and the corner of the proposed addition.

Motion

A motion was made by Comm. Silvers, supported by Comm. Birk, to approve Z16-13, side yard setback for the northeast corner of the proposed addition.

Finding of Fact: The lot is odd shaped which causes a hardship.

YES Mooney, Poirier, Birk, Silvers

NO None

MOTION APPROVED UNANIMOUSLY

The variance granted is for 1.5 feet to allow for a 4.5 foot side yard setback with the contingency that the variance only applies to the northeast corner of the proposed addition.

Z16-15 1133 Linden
Non-Use Variance Requested
Rear Yard Setback
Zoned: R-1, Single Family Residential
Applicant: Matt Thurber

The applicant was given the option to withdraw because only four board members were present. The applicant decided to proceed.

Mike Ladmer, 26030 Pontiac Trail, South Lyon, applicant, presented his case. He explained that there are 98 lots within three blocks and they average 132 feet deep. It was explained that strict adherence to the setbacks on this lot with a depth of 83 feet would allow for a 31.7 foot deep house. The intent of coming back to the board was to redesign the house to fit within the current setbacks and have a front porch. He explained that Mr. Thurber has built 11 homes on lots with an average depth of 124 feet. Mr. Ladmer explained that the variance would increase walkability and the neighborhood effect by pushing the house back 4 feet. He said adjacent homes sit only 28 feet from the rear property line and the variance would allow for more attractive landscaping.

Public Comment

Tom Robert, 1117 Beech, stated that reasonable people doing reasonable things with their properties was okay. He stated the Code exists so that the unique appeal of the city remains. He opposed the variance request. He also discussed the number and condition of properties under construction throughout the city.

Steve Ribar, 655 Forest, discussed the property under construction near his home and the condition of properties under construction throughout the city.

Travis Reeder, 1121 Linden, only neighbor directly next to this property. He was appalled that the neighbors were asked back for another variance request. He believed that Mr. Thurber should have known the regulations before purchasing the property. He opposed the variance request.

Jim Elias, 1128 Beech, discussed walkability and the lack of correlation with front porches. He produced a petition with 34 signatures opposing the variance request.

Board Discussion

The board discussed a potential conflict of interest with Comm. Birk.

A motion was made by Comm. Silvers, supported by Comm. Mooney, to allow Comm. Birk to remain on the board.

NO Mooney, Poirier, Silvers
YES None

Comm. Mooney believed that it wouldn't do any good to rehash the July 7 discussion.

Comm. Birk said that the city is divided against new homes. He believed height was the biggest issue rather than the footprint. He explained that all the lots on Linden have shallow lots and are non-conforming, many of which are considered grandfathered in or legal non-conforming.

Comm. Silvers didn't understand why or how the house was designed not in compliance with the setback requirements. He believed that using other sites as a precedent doesn't apply to this application.

Comm. Poirier received a letter prior to the start of the meeting and the citizen was against the variance request.

Comm. Silvers explained front porches and walkability as an urban design concept. He said it creates an interaction between people walking on the sidewalks, puts eyes on the street, and is a public-private interaction. He believed that because the house has already been designed, that is not a hardship.

Comm. Birk wanted the board to be careful when discussing individuals purchasing a property and knowing it was insufficient. He had reservations changing an opinion from last month's meeting.

Comm. Silvers believed no new information had been received to prove a hardship.

Comm. Mooney stated that the board treats each application as a separate petition.

The applicant requested to be tabled until a full board would be present. The request was denied.

Motion

A motion was made by Comm. Mooney, supported by Comm. Silvers, to approve Z16-15, 1133 Linden as requested.

Finding of Fact: There is no hardship.

NO Mooney, Poirier, Birk, Silvers

YES None

MOTION NOT GRANTED

The variance denied is for 4 feet, to allow for a 31 foot rear yard setback.

7. Reports and Correspondence

The board and members of the audience were encouraged to participate in the Master Plan Survey.

8. Commissioner Comments

None.

A motion was made by Comm. Birk, supported by Comm. Silvers, to adjourn.

MOTION CARRIED UNANIMOUSLY.

Meeting adjourned at 8:02 p.m.

Respectfully Submitted,

Greta Bolhuis,
Assistant Community Development Director