

201 S. Main
Plymouth, MI 48170
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ZONING BOARD OF APPEALS MEETING MINUTES
Thursday, September 1, 2016

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

2. Roll Call

Members Present: Dan Mooney (arrived at 7:02), Gloria Poirier, Josh Birk,
Kara Giummo, Mike Devine
Alternates Present: Ed Krol
Alternates Absent: Scott Silvers
Others Present: Greta Bolhuis, Assistant Comm. Development Director

3. Approval of the Meeting Minutes:

A motion was made by Comm. Birk, supported by Comm. Giummo to approve the regular minutes of August 4, 2016 as presented.

MOTION CARRIED UNANIMOUSLY.

4. Approval of the Agenda

A motion was made by Comm. Poirier and supported by Comm. Giummo to approve the agenda as amended.

MOTION CARRIED UNANIMOUSLY.

5. Old Business

None.

6. New Business

Z16-16 199 Hamilton
Non-Use Variance Requested
Side Yard Setback
Zoned: R-1, Single Family Residential
Applicant: Ty Sasena

The applicant was not present. Case Z16-16 postponed.

The board returned to Case Z16-16 and the applicant was present.

Ty Sasena, owner and applicant, presented his case. He explained his home was built in the early 1900s and he wants to add approximately 1,000 square feet as a second floor addition. Mr. Sasena stated that because the home was built so long ago the variance is needed.

Citizen Comments

Ed Krol, asked if the basement walls could take the added load of an addition. It was confirmed that the Building Inspector would confirm those calculations.

Board Discussion

Comm. Birk asked if the second floor addition laid directly over the current structure or if it

extended into the rear yard.

It was confirmed that the addition would not be expanding the footprint.

Chairman Devine asked if the variance was for the front porch.

It was confirmed that because the home behind faces Roe, the property is considered to have two front yards.

Comm. Birk did not see a problem with the request because of the distance to the next house (on Roe) and because of longstanding situation of the house on the lot.

The board discussed the bay window and if it was calculated into the setback. The board and the applicant determined the original calculations were correct.

Motion

A motion was made by Comm. Poirier, supported by Comm. Mooney, to approve Z16-16, 199 Hamilton as requested.

Finding of Fact: The addition does not increase the existing non-conformity and it does not increase the footprint of the home.

MOTION GRANTED UNANIMOUSLY

The variance granted is for 5.8 feet to allow a 9.6 foot front yard setback on Roe Street.

Z16-17 898 S. Main
 Use Variance Requested
 Used Car Dealer License
 Zoned: B-1, Local Business
 Applicant: Jeff Bejma

Jeff Bejma, applicant, presented his case. He explained that his business is antique, classic cars that is online based and over the phone and shipped. He has 3-4 vehicles in the building at one time and said the vehicles do not stay outside. He discussed that he only has a small volume and his business is unlike a traditional used car dealer. Mr. Bejma explained that without the license he is only allowed to transfer 5 titles per year, is unable to obtain Michigan Fleet Insurance, is burdened with sales tax, and is excluded from dealer auctions without the license. He explained that he contacted the city initially to ensure his business was a permitted use (it was) and after he leased the building he found out that the city could not sign the Zoning and Municipal Approval forms.

Public Comment

Nancy Caviston, 864 S. Main, shared parking lot space with 898 S. Main and expressed concerns with the look of a used car dealership.

Tracy Moran, 853 Sutherland, did not want the look of a used car lot and discussed issues with other business parking there.

Gerri Kilsdonk, 375 Red Ryder, was opposed to a traditional used car dealership, but was not opposed to keeping vehicles inside.

Ed Krol, 1107 Beech, asked if there were other businesses like Mr. Bejma's in the metro Detroit area.

Board Discussion

Comm. Giummo asked if there could be a condition to only allow online sales.

It was confirmed that a used car dealership was not allowed in the B-1 zoning classification.

Comm. Poirier asked if the variance would stay with the property or the business.

Comm. Birk did not see a hardship because Mr. Bejma leased the building. Chairman Devine asked about the confusion between the city's approval and the State license. He said the State license is vague and does not accommodate the applicant's use. The board received three letters in regards to the application. Two were in support, one was opposed.

Motion

A motion was made by Comm. Birk, supported by Comm. Poirier, to approve Z16-17, 898 S. Main as requested with the conditions that the display of vehicles will be limited to the interior of the building, no inventory parking on the surface lot, and there will be no additional marketing or signage related to vehicle sales.

Finding of Fact: The use is unique from what is defined in the ordinance for used car dealerships.

YES Mooney, Giummo, Poirier, Birk, Silvers
NO None

MOTION GRANTED UNANIMOUSLY

The variance granted is to allow a used car dealer license to be approved for 898 S. Main.

7. Reports and Correspondence
None.

8. Commissioner Comments
Chairman Devine recognized and thanked Comm. Poirier for her 18 years of service to the Zoning Board of Appeals Board.

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

Meeting adjourned at 7:42 p.m.

Respectfully Submitted,

Greta Bolhuis,
Assistant Community Development Director