



**City of Plymouth**  
**Zoning Board of Appeals Meeting Minutes**  
201 S. Main Street Plymouth, MI 48170  
Thursday, February 1, 2018, 7:00 PM

**1. CALL TO ORDER**

Chairman Devine called the meeting to order at 7:00 PM.  
The Board said the Pledge of Allegiance.

PRESENT: Jim Burrows, Mike Gowen, Kara Giummo, Ed Krol, Mike Devine  
ABSENT: Joe Elliott, Scott Silvers

Also present was Community Development Director John Buzuvis.

**2. CITIZEN COMMENTS**

None.

**3. APPROVAL OF THE MEETING MINUTES**

A motion was made by Comm. Krol and seconded by Comm. Burrows for approval of the December 7, 2017 meeting minutes.

MOTION PASSED UNANIMOUSLY

**4. APPROVAL OF THE AGENDA**

A motion was made by Comm. Giummo and seconded by Comm. Krol for approval of the agenda.

MOTION PASSED UNANIMOUSLY

**5. COMMISSIONER COMMENTS**

Comm. Krol wants the ZBA to propose zoning changes to the Planning Commission. He suggested rezoning the properties on Deer Street that are currently zoned O-1, Office to R-1, Single Family Residential and rezoning the cemeteries to Institutional, rather than keeping them as R-1. It was confirmed that the Planning Commission is aware of those inconsistencies and have addressed them in the Future Land Use Map, which is part of the Master Plan.

Comm. Burrows mentioned that many other communities have their cemeteries zoned residential.

Comm. Krol asked about the procedure of changing zoning and the implementation of that portion of the Master Plan. Staff confirmed the procedural requirements to amend the zoning map.

Chairman Devine asked if the Future Land Use Map could be a basis for granting or denying variances. It was confirmed that it could be included in the finding of fact and that the map was located on the city's website.

Comm. Burrows felt that there were discrepancies in the zoning ordinance regarding the fence ordinance.

The board voted to continue the discussion of the discrepancies within the fence ordinance.

Comm. Burrows stated there are two ordinance sections that pertain to fences. He said that they conflict.

Comm. Krol took issue with the language "front yard" and the sketches portrayed in the ordinance.

It was confirmed that the fence ordinance within Chapter 78 supersedes the regulations within Chapter 18.

The board determined that the Planning Commission needed to be made aware of the discrepancies.

**6. ELECTION OF OFFICERS**

John Buzuvis asked for nominations for Chairperson.

Comm. Devine nominated Comm. Giummo as Chairperson.

John Buzuvis asked for any other nominations. There were no other nominations. Nominations were closed and there was a unanimous vote of approval for Comm. Giummo as Chairperson.

MOTION APPROVED UNANMOUSLY.

Chair Giummo asked for nominations for Vice-Chairperson.

Comm. Devine nominated Comm. Elliott as Vice-Chairperson.

Chair Giummo asked for any other nominations. There were no other nominations. Nominations were closed and there was a unanimous vote of approval for Comm. Elliott as Vice-Chairperson.

MOTION APPROVED UNANMOUSLY.

## **7. OLD BUSINESS**

None.

## **8. NEW BUSINESS**

### **A) Z18-01, 199 Hamilton, Non-Use Variance, Fence Exceeding 30" in Front Yard, Zoned R-1, Single Family Residential**

Chair Giummo read the administrative review from the city.

Vincent Mariucci, owner presented his case. He explained that they would like to enclose the back yard with a fence greater than 30 inches. Their desire is to match the existing fence at the rear of their property and provide a consistent aesthetic.

### **Citizen Comments**

Gerry Kilsdonk, 375 Red Ryder spoke in favor of the variance request.

### **Board Discussion**

Chair Giummo stated the board received an email from Mike Criss at 488 Roe and he was in favor of the variance request.

Comm. Gowen clarified that the property has two front yards because the property behind faces Roe Street. He asked if there was a reason why the neighbor's fence was tapered down. Staff suggested that it may be because of sightlines.

Comm. Krol asked about sightlines and backing up out of the driveway. The applicant explained that he chose the picketed fence to alleviate that being an issue. Comm. Krol asked about the sightlines of the neighboring property on Roe and how that impacts the variance request.

The board discussed the required setback of the fence. They discussed the height of the fence.

Comm. Burrows asked the applicant what the side yard setback was for the house and the garage. It was confirmed that the setback from the house was 5.7 feet and the garage was further back. He felt that there were a lot of non-conforming fences throughout town and this variance should be granted. He believed that the rear yard should be able to be enclosed and usable to the homeowner.

Comm. Devine felt that there were some options to still achieve an enclosed yard that did not require a variance.

Comm. Gowen asked about the tapered design of the fence and asked about the height variance. It was confirmed that the highest point was 4 feet.

Comm. Krol asked what the difference would be between the front plane of the neighbor's house and the rear fence line was. It was confirmed that there was a difference, but it was insignificant.

A motion was made by Comm. Burrows, supported by Comm. Krol, to approve the front yard variance request Z18-01, 199 Hamilton as submitted. The variance is for a fence that exceeds 30 inches in the front yard on Roe Street. The variance is conditioned to a four foot tall fence that does not exceed the front plane of the primary structure on Roe Street and that the fence is remains 4 feet from the property line. The findings of fact are that the existing structures on site bisect the property, this variance will allow a reasonable, secure backyard, and the property is unique.

MOTION PASSED 5-0.

## **9. REPORTS AND CORRESPONDENCE**

John Buzuvis told the board that Greta Bolhuis is now full-time.

Gerry Kilsdonk, 375 Red Ryder wanted more information to be included in the ZBA notice.

Comm. Devine asked about having Commissioner Comments in the middle of the agenda.

The board discussed the order of the agenda.

Comm. Devine suggested forwarding the meeting minutes to the Planning Commission for their review.

## **10. ADJOURNMENT**

Hearing no further business, a motion was made by Commissioner Burrows, supported by Commissioner Devine to adjourn the meeting at 8:20 PM.

MOTION PASSED UNANIMOUSLY