



City of Plymouth Zoning Board of Appeals

Regular Meeting Agenda

Thursday, September 1, 2022 – 7:00 p.m.

City Hall Commission Chambers & Online Zoom Webinar

City of Plymouth
201 South Main Street
Plymouth, Michigan 48170

www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-1892

Please click the link below to join the webinar: <https://us02web.zoom.us/j/85051604282>

Webinar ID: 850 5160 4282 **Passcode:** 847361

- 1) CALL TO ORDER
 - a) Roll Call
- 2) CITIZEN COMMENTS
- 3) APPROVAL OF THE MINUTES
 - a) Approval of the August 4, 2022, regular meeting minutes
- 4) APPROVAL OF THE AGENDA
- 5) OLD BUSINESS
- 6) NEW BUSINESS
 - a) Z 22-11: 383 N. Harvey, Non-use variance request for generator location.
- 7) BOARD MEMBER COMMENTS
- 8) REPORTS AND CORRESPONDENCE
- 9) ADJOURNMENT

Citizen Comments - This section of the agenda allows up to 3 minutes to present information or raise issues regarding items not on the agenda. Upon arising to address the Commission, speakers should first identify themselves by clearly stating their name and address. Comments must be limited to the subject of the item.

Persons with disabilities needing assistance should contact the City Clerk's office at 734-453-1234 ext. 234 Monday through Friday from 8:00 a.m. -4:30 p.m., at least 24 hours prior to the meeting. An attempt will be made to make reasonable accommodations.

City of Plymouth Strategic Plan 2022-2026

GOAL AREA ONE – SUSTAINABLE INFRASTRUCTURE

OBJECTIVES

1. Identify and establish sustainable financial model(s) for major capital projects, Old Village business district, 35th District Court, recreation department, and public safety
2. Incorporate eco-friendly, sustainable practices into city assets, services, and policies; including more environmentally friendly surfaces, reduced impervious surfaces, expanded recycling and composting services, prioritizing native and pollinator-friendly plants, encouraging rain gardens, and growing a mature tree canopy
3. Partner with or become members of additional environmentally aware organizations
4. Increase technology infrastructure into city assets, services, and policies
5. Continue sustainable infrastructure improvement for utilities, facilities, and fleet
6. Address changing vehicular habits, including paid parking system /parking deck replacement plan, electric vehicle (EV) charging stations, and one-way street options

GOAL AREA TWO – STAFF DEVELOPMENT, TRAINING, AND SUCCESSION

OBJECTIVES

1. Create a 5-year staffing projection
2. Review current recruitment strategies and identify additional resources
3. Identify/establish flex scheduling positions and procedures
4. Develop a plan for an internship program
5. Review potential department collaborations
6. Hire an additional recreation professional
7. Review current diversity, equity, and inclusion training opportunities
8. Seek out training opportunities for serving diverse communities

GOAL AREA THREE – COMMUNITY CONNECTIVITY

OBJECTIVES

1. Engage in partnerships with public, private and non-profit entities
2. Increase residential/business education programs for active citizen engagement
3. Robust diversity, equity, and inclusion programs
4. Actively participate with multi-governmental lobbies (Michigan Municipal League, Conference of Western Wayne, etc.)

GOAL AREA FOUR – ATTRACTIVE, LIVABLE COMMUNITY

OBJECTIVES

1. Create vibrant commercial districts by seeking appropriate mixed-use development, marketing transitional properties, and implementing Redevelopment Ready Communities (RRC) practices
2. Improve existing and pursue additional recreational and public green space opportunities and facilities for all ages
3. Develop multi-modal transportation plan which prioritizes pedestrian and biker safety
4. Improve link between Hines Park, Old Village, Downtown Plymouth, Plymouth Township, and other regional destinations
5. Maintain safe, well-lit neighborhoods with diverse housing stock that maximizes resident livability and satisfaction
6. Modernize and update zoning ordinance to reflect community vision 7. Implement Kellogg Park master plan

City of Plymouth
Zoning Board of Appeals Notice
Thursday, September 1, 2022 – 7:00 p.m.
Located at City Hall

201 S. Main Street Plymouth, Michigan 48170
Website: www.plymouthmi.gov Phone: (734) 453-1234 ext. 232

A regular meeting of the Zoning Board of Appeals will be held on Thursday, September 1, 2022,
at 7:00 P.M. at City Hall to consider the following:

Z 22-11 Non-Use Variance Request for 383 N. Harvey
Generator Location
Zoned: R-1, Single-Family Residential
Applicant: Loretta & Louis Brugman

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. 234

Publish: Thursday, August 18, 2022



City of Plymouth
Zoning Board of Appeals
Regular Meeting Minutes
Thursday, August 8, 2022 - 7:00 p.m.

City of Plymouth
201 S. Main
Plymouth, Michigan 48170-1637

www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-1892

1. CALL TO ORDER

Chair Joe Elliott called the meeting to order at 7:00 p.m.

Present: Chair Elliott, Vice Chair Jim Burrows, Members Mike Devine, Dave Latawiec, Mike Pappas

Also present: Planning and Community Development Director Greta Bolhuis

2. CITIZENS COMMENTS

There were no citizen comments.

3. APPROVAL OF THE MEETING MINUTES

Burrows offered a motion, seconded by Latawiec, to approve the minutes of the July 7, 2022, meeting. Devine requested an amendment to the minutes. Burrows and Latawiec agreed to amend the motion for approval.

There was a roll call vote.

Yes: Burrows, Devine, Latawiec, Pappas, Elliott

MOTION PASSED 5-0

Burrows offered a motion, seconded by Devine, to approve the July 13, 2022, special meeting minutes.

There was a roll call vote.

Yes: Burrows, Devine, Latawiec, Pappas, Elliott

MOTION PASSED 5-0

4. APPROVAL OF THE AGENDA

Burrows offered a motion, seconded by Devine, to approve the agenda for the August 4, 2022, meeting.

There was a roll call vote.

Yes: Burrows, Devine, Latawiec, Pappas, Elliott

MOTION PASSED 5-0

5. OLD BUSINESS

There was no old business.

6. NEW BUSINESS

- a. Z22-09: 860 Penniman – Westborn Market – non-use variance request for signage

Elliott read the request, noting that the sign ordinance permits banners, and the building official considers the proposed banners wall signs that require a variance due to the number and size.

A representative of Phillips Light and Signage described the project further.

Citizen Comments

Sam Fullerton, 855 Penniman, said he had no issue with the banners, but hoped that no additional lighting was included. He was told lighting was not part of the project.

Board Comments

Board members discussed the variance request. It was suggested that perhaps this project should be referred to the Planning Commission due to the lack of parameters for banners in the sign ordinance. Others stated this was rightly before the ZBA due to the building official's statement that the banners were, in effect, wall signs. There was further discussion about a possible contingency limiting the banners' appearance to those submitted.

Motion

Devine offered a motion, seconded by Burrows, to grant the variance for the signage presented for 860 Penniman based on the following findings of fact.

Findings of Fact

The signage proposed is internal to the site and doesn't face any right of way.

The scale and size of the business warrants additional signage above and beyond what is allowed in the ordinance.

The historic significance of the Post Office façade on Penniman results in an inability to place a sign on the building.

There was a roll call vote.

Yes: Burrows, Devine, Latawiec, Pappas, Elliott

MOTION PASSED 5-0

b. Z22-10: 960 Carol – non-use variance request for front yard setback along S. Harvey and lot coverage

Applicant Matthew McNulty described his request.

Board Comments

Board members discussed the project and whether an enclosed porch should be treated differently than an open porch.

Motion

Elliott offered a motion, seconded by Devine, to approve Z22-10 for the front yard setback of 1.5 feet on the Harvey side of the property.

Findings of Fact

The property shape and location are unique.

The S. Harvey setback doesn't encroach on any neighbors.

There was a roll call vote.

Yes: Burrows, Devine, Latawiec, Pappas, Elliott

MOTION PASSED 5-0

7. BOARD MEMBER COMMENTS

Burrows said he would be out of town for the following month's meeting.

Devine suggested sending a note to the Planning Commission about defining parameters for banners in the sign ordinance.

8. REPORTS AND CORRESPONDENCE

Elliott reminded board members to check their emails for information about a training they needed to attend. Bolhuis said City Attorney Bob Marzano would also be providing a risk management training in September.

9. ADJOURNMENT

A motion to adjourn was offered at 7:48 p.m. by Burrows. Devine seconded the motion.

There was a roll call vote.

Yes: Burrows, Devine, Latawiec, Pappas, Elliott

MOTION PASSED 5-0



City of Plymouth Zoning Board of Appeals Memorandum

City of Plymouth
201 S. Main
Plymouth, Michigan 48170

www.plymouthmi.gov
Phone 734-453-1234
Fax 734-455-1892

TO: Zoning Board of Appeals Commissioners
FROM: Greta Bolhuis, Planning & Community Development Director
DATE: August 22, 2022
RE: 383 N. Harvey, Non-Use Variance Request

Loretta and Louis Brugman, owners, are requesting a non-use variance to install a generator in the rear yard setback. The property is 50 feet wide by 162.5 feet deep. The property is 8,188 square feet and is zoned R-1, Single Family Residential.

Section 78-217 references that a generator is not permitted to be installed in any required setback. The generator is proposed to be located in the rear yard setback. A variance is required to place the generator in the rear yard setback.

Should you have any questions regarding this agenda item, please contact me directly.





DIMENSIONAL (NON-USE) VARIANCE APPLICATION

Community Development Department

201 S. Main Street Plymouth, MI 48170 Ph. 734-453-1234 ext. 232

Website: www.plymouthmi.gov

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

383 N Harvey St	August 8, 2022		
Address of Property	Date of Application		
Loretta and Louis Brugman	Loretta and Louis Brugman		
Applicant Name	Property Owner		
383 N Harvey St	Plymouth	MI	48170
Address	City	State	Zip
loribrugman@gmail.com	248-982-5674		
Email	Phone		

Three Basic Functions of the ZBA:

1. Interpreting the zoning ordinance (text and map) and nonconforming situations.
2. Deciding appeals on administrative decisions, special land uses, or PUDs.
3. Granting variance requests.

Standards for Dimensional (Non-Use) Variance: [Click here to see full ordinance language.](#)

1. Ordinance unreasonably prevents the owner from using the property for what it is zoned
2. Variance will do substantial justice to the applicant, and the surrounding community
3. Problem is due to the unique circumstances of the property
4. Problem is not self-created

A quorum (3 members) is required for approval of all non-use variance requests.

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 \$300.00 for single family projects or \$550.00 for multi-family and non-residential. Visit the City's website for submittal deadlines and meeting dates: [Zoning Board of Appeals](#). Submit ten (10) hardcopies of the application and plans including but not limited to survey, plot map, building plans, and photos. One complete digital set of application materials shall be submitted on a flash drive or emailed to plans@plymouthmi.gov (maximum file size is 100 MB).

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.

Article and Section of the Zoning Ordinance for which an appeal or variance is being requested:
Article XVIII. - Miscellaneous Provisions; Section 78-217. - Projections into setbacks.

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: _____
install a whole house gas generator within the rear yard setback.

Description of Property

Current zoning classification: **R-1**

Current use of structure(s) on premises: **Residence and garage**

Is it a corner or interior lot? **Interior**

Size and area of lot: **50' x 162.57' 8188 SF**

Total square footage of existing main structure(s): **3247 SF**

Total square footage of accessory structure(s): **550 SF**

Existing [lot coverage](#) (percentage) of all buildings and structures: **32.27%**

Height of existing main and/or accessory structures: **Main: ~24.5' Garage: ~14.5'**

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed: **N/A**

Front yard setback after completion (measured from property line): **N/A**

Rear yard setback after completion (measured from property line): **21.5'**

Side yard setback after completion (measured from property line): **N/A**

Height of proposed structure: **N/A**

Lot coverage (percentage) after completion: **N/A**

Residential Only: [Floor Area Ratio](#) (FAR) after completion (shall not exceed 0.4): **N/A**

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

Please answer all 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? (NOTE: The ZBA cannot grant a variance because it is inconvenient or more expensive to build to ordinance or solely to satisfy aesthetic concerns.) There is no suitable location on the property that complies with the ordinance. A generator is required to operate medical equipment and the basement sump pump, as well as maintain work-from-home communications during the area's frequent power outages.
2. What effect will the variance have on neighboring properties? The proposed location is surrounded on all sides by garages and sheds. This is the best location on our property to protect surrounding residences from noise and keep the generator out of line of sight.
3. Is the practical difficulty which prevents you from complying with the ordinance self-imposed? How did the practical difficulty come about? (NOTE: The ZBA has generally found that purely aesthetic consideration and self-created hardships are unacceptable grounds for a variance.) The whole house generator is required by the manufacturer to be located no less than 5' from the nearest window, door, or fresh air intake. There is no location on the property that complies with both the manufacturer safety requirements and the city ordinance.
4. Why do the ordinance restrictions unreasonably prevent the owner from using the property for a permitted purpose? The proposed location is the best and only suitable location on the property for a standby generator. We currently use a portable generator, but storing fuel, late night refills in the dark, running extension cords throughout the house, and trying to prevent CO fumes from entering the house are among the challenges that make it difficult to stay in our property during power outages.

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

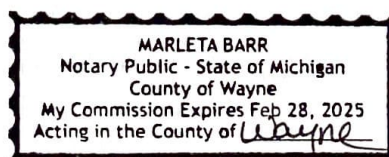
Loretta Brugman
Signature of Property Owner

Loretta Brugman
Signature of Applicant

Subscribed and sworn before me this 8th day of August, 2022

Marleta Barr
Notary Public

My Commission expires Feb 28, 2025





Blanche St

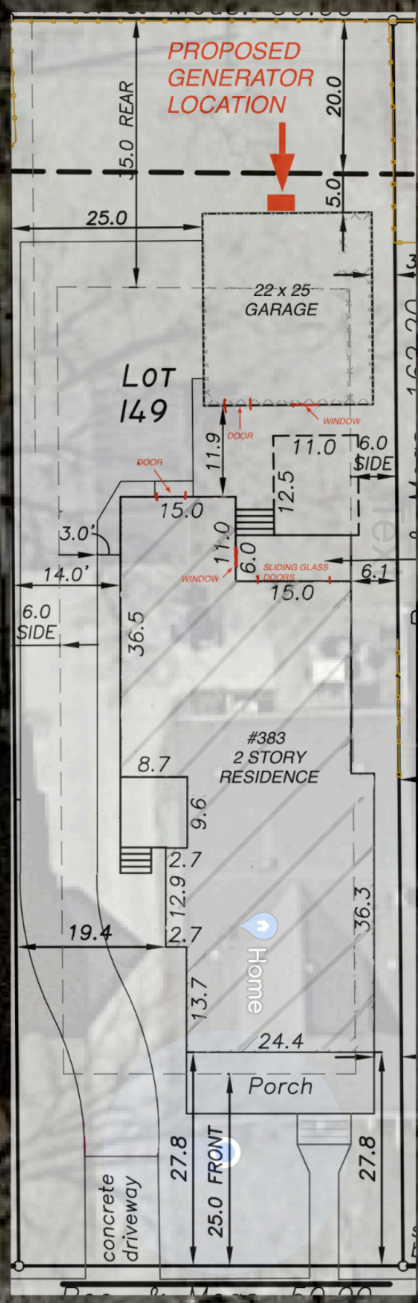
Blanche St

Blanche St

Blanche St

Blanche St

N Harvey St.



GARAGE

SHED

GARAGE

GARAGE

GARAGE

Proposed location

