



City of Plymouth Zoning Board of Appeals Regular Meeting Agenda

Thursday, December 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

<https://us02web.zoom.us/j/82278239996>

Passcode: 604240

Webinar ID: 822 7823 9996

- 1) CALL TO ORDER
 - a) Roll Call
- 2) CITIZEN COMMENTS
- 3) APPROVAL OF THE MINUTES
 - a) Approval of the October 6, 2022 study session meeting minutes
 - b) Approval of the November 3, 2022 regular meeting minutes
- 4) APPROVAL OF THE AGENDA
- 5) OLD BUSINESS
- 6) NEW BUSINESS
 - a) Z 22-14: 1180 Hartsough, Non-use variance request for rear yard setback – applicant withdrew
 - b) Zoning Interpretation for floor area ratio, interior modifications
 - c) Z 22-15: 592 Kellogg, Non-use variance request for lot coverage and floor area ratio if deemed necessary
- 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
City Commission Regular Meeting Minutes
Thursday, October 6, 2022 - 6:00 p.m.
201 S. Main Plymouth, MI 48170

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

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

2. RISK MANAGEMENT TRAINING BY CITY ATTORNEY

City Attorney Bob Marzano presented a training that included information on ethics, liability, and indemnity, press and media, the Open Meetings Act, the Freedom of Information Act, and boundaries.

5. ADJOURNMENT

The meeting was adjourned at 6:27 p.m.



City of Plymouth

Zoning Board of Appeals

Regular Meeting Minutes

Thursday, November 3, 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 October 6, 2022, meeting.

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 Pappas, to approve the agenda for the November 3, 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. Z22-13: 948 Maple, non-use variance request for front yard fence height

Applicant Hans Nicholson explained his reasons for requesting the variance. He said he wanted to emulate other fences he observed in the City to keep large dogs from being able to jump over them.

Board Comments

Board members discussed the request and noted that the Planning Commission was working on a revision to the fence height ordinance. They discussed the definition of a picket fence and there was consensus that the fence is necessary for safety.

Motion

Elliott offered a motion, seconded by Devine, to approve Z22-13 for a 1.5 foot fence height variance in the front yard setback along Maple Street.

Findings of Fact

The property is located at a busy intersection.

A higher fence is required for the safety of pets, children, and pedestrians

After a discussion, the following finding of fact was added.

The property is in a unique area with mixed use zoning and the nearby business district.

There was a roll call vote.

Yes: Burrows, Devine, Latawiec, Pappas, Elliott

MOTION PASSED 5-0

7. BOARD MEMBER COMMENTS

Elliott said he was glad the Planning Commission was addressing fence heights, and Latawiec asked whether garage heights would be addressed by them as well. Elliott said garage height would be part of the zoning ordinance audit. Elliott reminded all to take the required City of Plymouth training online.

8. REPORTS AND CORRESPONDENCE

There were no reports or correspondence.

9. ADJOURNMENT

A motion to adjourn was offered at 7:24 p.m. by Burrows. Pappas 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 Notice
Thursday, December 1, 2022 – 7:00 p.m.

Located at Plymouth 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, December 1, 2022, at 7:00 P.M. at City Hall to consider the following:

Z 22-14 Non-Use Variance Request for 1180 Hartsough

Rear yard setback

Zoned: R-1, Single-Family Residential

Applicant: Kelly Goble

Zoning Interpretation for floor area ratio interior modifications

Z 22-15 Non-Use Variance Request for 592 Kellogg

Lot coverage

Floor area ratio (if deemed necessary)

Zoned: R-1, Single-Family Residential

Applicant: Mark Rice

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: Sunday, November 13, 2022



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: November 22, 2022
RE: Zoning Interpretation – Floor Area Ratio

The City Administration is requesting a zoning interpretation for the section of the ordinance pertaining to floor area ratio. Sec. 78-21 defines floor area as “the ratio of the floor area of a building to its lot area.” Sec 78-21 defines floor area residential as “the sum of the horizontal areas of each story of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement shall include any habitable space, bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas, and attached garage.” Section 78-190 references that the maximum floor area ratio is 0.40. Section 78-353 states “Where a lawful structure exists at the effective date of adoption or amendment of this chapter that could not be built under the terms of this chapter by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions: (1) Such structure may be enlarged or altered in a way which does not increase its nonconformity.”

The City Assessor does not consider attached garages as part of a home’s total square footage for purposes of assessment. The conversion of an attached garage to living space would be considered an addition by their standards.

The Administration is asking the Zoning Board of Appeals to determine if converting an attached garage that was built lawfully prior to the adoption of the floor area ratio ordinance to living space triggers floor area ratio review.

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



City of Plymouth Zoning Board of Appeals Memorandum

City of Plymouth
201 S. Main
Plymouth, Michigan 48170

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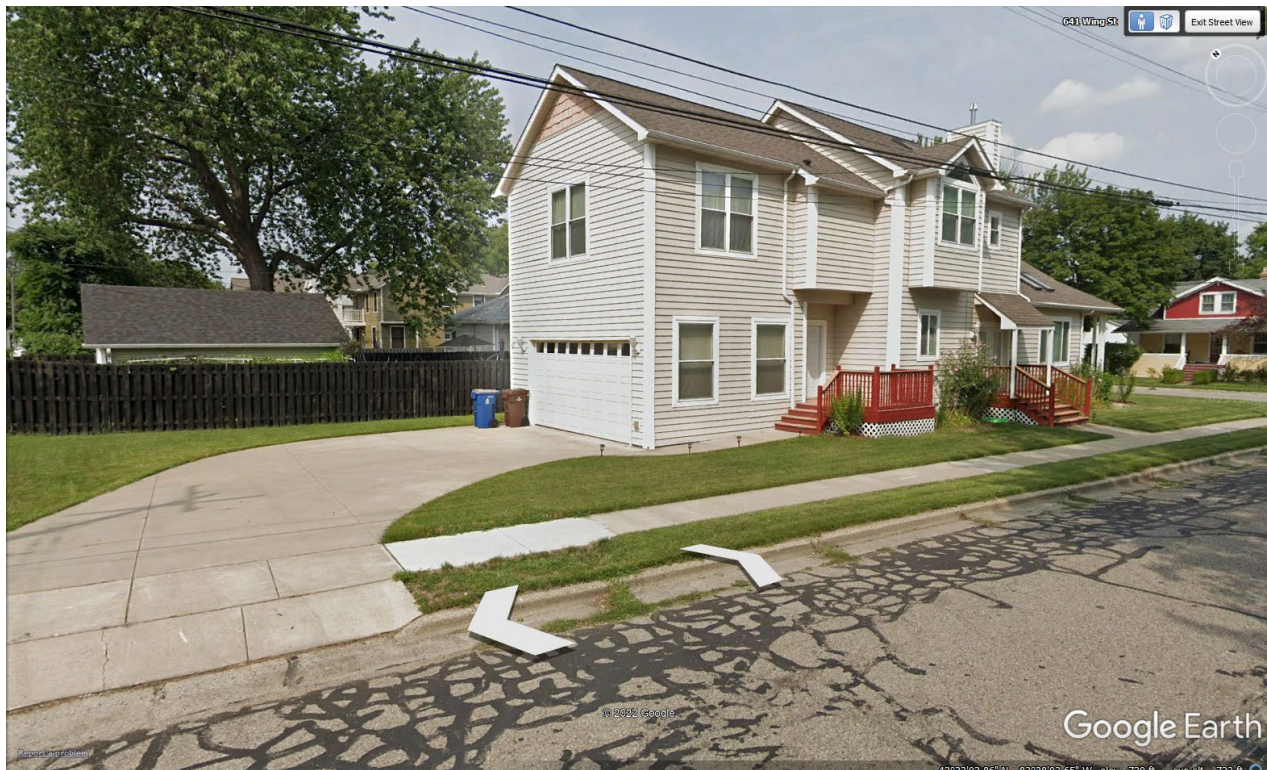
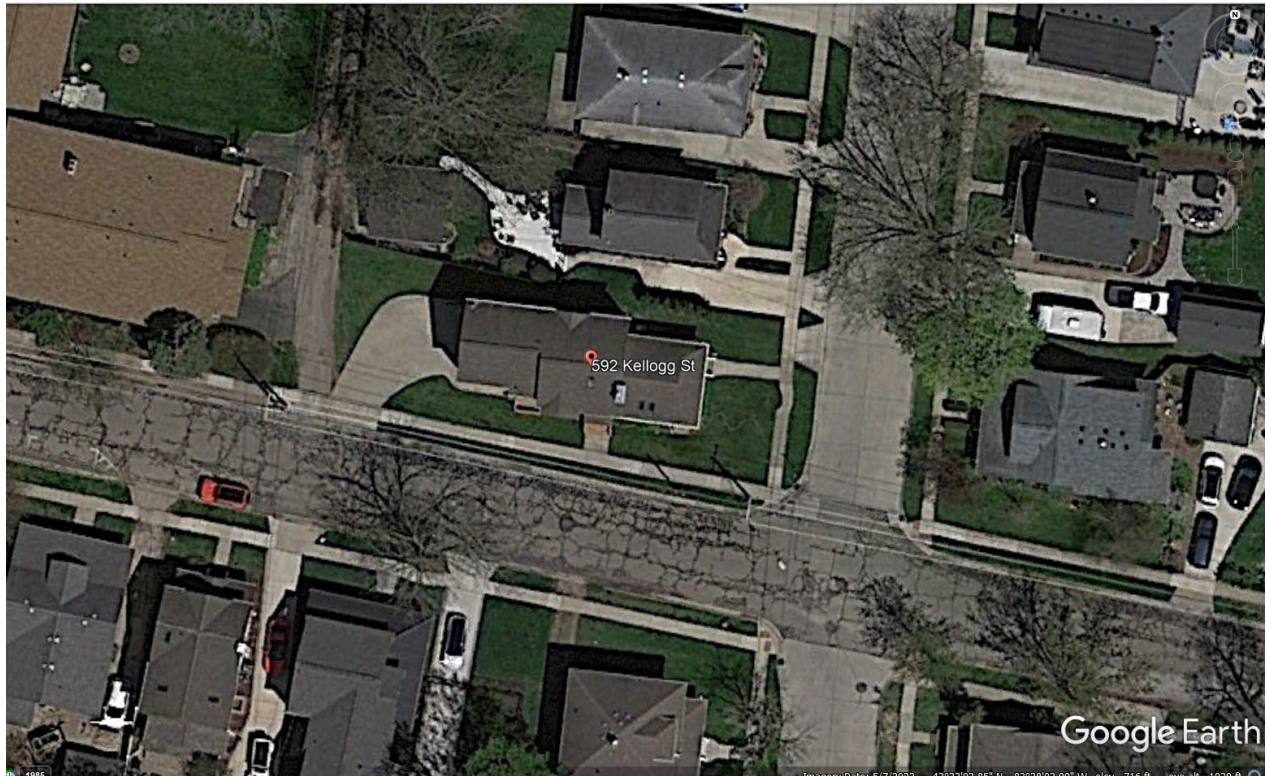
TO: Zoning Board of Appeals Commissioners
FROM: Greta Bolhuis, Planning & Community Development Director
DATE: November 22, 2022
RE: 592 Kellogg, Non-Use Variance Request

Mark Rice, applicant, is requesting a non-use variance to construct a detached garage that would exceed the maximum lot coverage permitted. The property is approximately 46 feet wide by 132 feet deep. The property is approximately 5,790 square feet and is zoned R-1, Single Family Residential.

Section 78-190 references that the maximum lot coverage is 35%. The proposed lot coverage is 37.1%. A variance of 2.1% is required.

Section 78-190 references that the maximum floor area ratio is 0.40. The existing square footage of the home and attached garage is 2,566 square feet. The existing floor area ratio is 0.443. Depending on the outcome of the zoning interpretation, a variance of 0.043 may be required.

Should you have any questions, 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.

592 Kellogg St		11/3/2022
Address of Property		Date of Application
Mark Rice	John Barge	
Applicant Name	Property Owner	
50066 Oak View Ct	Plymouth	mi 48170
Address	City	State Zip
mrice73001@wowway.com	734-576-3053	
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:

I (We) hereby appeal to the Zoning Board of Appeals for a variance to: _____

Description of Property

Current zoning classification: _____

Current use of structure(s) on premises: _____

Is it a corner or interior lot? _____

Size and area of lot: _____

Total square footage of existing main structure(s): _____

Total square footage of accessory structure(s): _____

Existing [lot coverage](#) (percentage) of all buildings and structures: _____

Height of existing main and/or accessory structures: _____

Description of Proposed Structures

Dimensions and area of structure or addition to be constructed: _____

Front yard setback after completion (measured from property line): _____

Rear yard setback after completion (measured from property line): _____

Side yard setback after completion (measured from property line): _____

Height of proposed structure: _____

Lot coverage (percentage) after completion: _____

Residential Only: [Floor Area Ratio](#) (FAR) after completion (shall not exceed 0.4): _____

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

Article and Section of the Zoning Ordinance for which an appeal or variance is being requested:

Please see page 1 attachment

I (We) hereby appeal to the Zoning Board of Appeals for a variance to:

Description of Property

Current zoning classification: See page 1 attachment

Current use of structure(s) on premises:

Is it a corner or interior lot?

Size and area of lot:

Total square footage of existing main structure(s):

Total square footage of accessory structure(s):

Existing lot coverage (percentage) of all buildings and structures:

Height of existing main and/or accessory structures:

Description of Proposed Structures

See page 1 attachment

Dimensions and area of structure or addition to be constructed:

Front yard setback after completion (measured from property line):

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

Side yard setback after completion (measured from property line):

Height of proposed structure:

Lot coverage (percentage) after completion:

Residential Only: Floor Area Ratio (FAR) after completion (shall not exceed 0.4):

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

Article and Section of the Zoning Ordinance for which the variance is being requested:

Article IV, Sec.78-43 as pertaining to R1 zoning for lot coverage

See also **table** listed in **Article XVII – Schedule of Regulations sec 78-190**

We hereby appeal to the Zoning Board of Appeals for a variance of R-1 lot coverage, allowing the construction of a new detached garage. The proposed attached garage would be constructed after converting the existing attached garage into living space. This project will not affect FAR value. The property owner has a purchase agreement contingent on the variance requested by the purchaser. The property owner has been trying to sell the home since 2019. Current real estate market conditions are making it increasingly difficult to sell.

DESCRIPTION OF PROPERTY

Current zoning R1

Current use - single family home

This is a corner lot

Lot size 5790sqft per Brent Strong

Total square foot of existing home 2099sqft

Existing lot coverage 1747

No current accessory structures

Height of existing home is 25ft

Height of main and accessory structures N/A

DESCRIPTION OF PROPOSED STRUCTURES

Dimension and area of structure to be constructed 20 x 20 (400 sqft)

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

Rear yard setback after completion 1 ft (Rear yard has adjacent public alley)

Side yard setback after completion 3 ft

Height of proposed structure 15ft

Lot coverage after completion 37%

FAR value is unchanged

Please answer all the following questions as they relate to the dimensional variance, use additional sheets as necessary:

Please see page 2 attachment

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.) _____

2. What effect will the variance have on neighboring properties? _____

see page 2 attachment

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.) _____

see page 2 attachment

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

see page 2 attachment

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

John L Bange

Signature of Property Owner

Mark V R

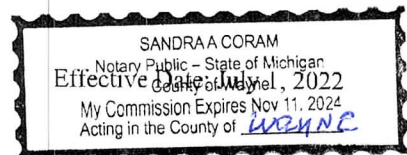
Signature of Applicant

Subscribed and sworn before me this 3 day of Nov, 2022

Sandra A Coram

Notary Public

My Commission expires _____



1) Practical difficulties preventing compliance.

The current lot coverage ordinance prohibits building a detached garage due to it exceeding the 35% limit. Adding a 20 x 20 detached garage would bring the lot coverage up to 37.0%. Building a detached garage would allow modifications to the home. Buyer objections include **living room from original 1913 home lacks functionality**. Additional buyer objection: **the attached garage has the original cellar door access to the basement which limits parking vehicles in the garage**. Finishing the existing attached garage would provide additional living space, by covering the cellar door access with a raised floor. Building the proposed detached garage would improve functionality of home and provide additional green space in the back yard rather than all cement as it is now. Most corner properties in downtown Plymouth have a detached garage.

2) There is no effect on neighboring properties. The proposed structure would be adjacent to a public alley (West), and a neighboring garage to the North.

3) This is not a self-imposed issue. This house was built in 1913, with a remodel from the early 2000's. The original 1913 living room lacks usability. It has a staircase on one wall, fireplace on another wall, and front door on another wall. Existing attached garage has the original cellar door access in garage floor allowing an additional access to the basement. This access prevents parking average sized vehicles. Raising the garage floor to the same height as the house will eliminate the cellar door access and provide usable living space. The proposed detached garage will provide garage parking and added green space in the back yard.

4) The ordinance restriction has limited interested parties in purchasing the property. A variance for lot coverage will solve multiple buyer objections. This house has been for sale on and off since 2019. We have a signed purchase agreement, sale is contingent on the variance. Buyer IS NOT A BUILDER, but rather a long time Plymouth resident interested in moving to the city of Plymouth.

****Please see page 3 attachment for price history and listing dates that the house has been for sale.**

Price history for 592 Kellogg

Date	Event	Price	
10/14/2022	Listing removed	\$549,999	\$262/sqft
8/26/2022	Price change	\$549,999	(0%)\$262/sqft
7/29/2022	Price change	\$550,000	(-5.8%)\$262/sqft
7/19/2022	Price change	\$584,000	(-2.6%)\$278/sqft
6/23/2022	Price change	\$599,777	(0%)\$286/sqft
6/20/2022	Listed for sale	\$600,000	(+15.4%)\$286/sqft
11/9/2020	Listing removed	\$519,900	\$248/sqft
10/15/2020	Price change	\$519,900	(-1%)\$248/sqft
10/3/2020	Price change	\$524,900	(-1.9%)\$250/sqft
8/24/2020	Listed for sale	\$534,900	(-1.8%)\$255/sqft
3/31/2020	Listing removed	\$544,900	\$260/sqft
2/13/2020	Price change	\$544,900	(-0.9%)\$260/sqft
10/23/2019	Price change	\$549,900	(-1.8%)\$262/sqft
9/4/2019	Price change	\$559,900	(-1.8%)\$267/sqft
8/8/2019	Price change	\$569,900	(-5%)\$272/sqft
4/11/2019	Listed for sale	\$599,900	\$286/sqft

MORTGAGE SURVEY

Certified to: NORWEST MORTGAGE INCORPORATED

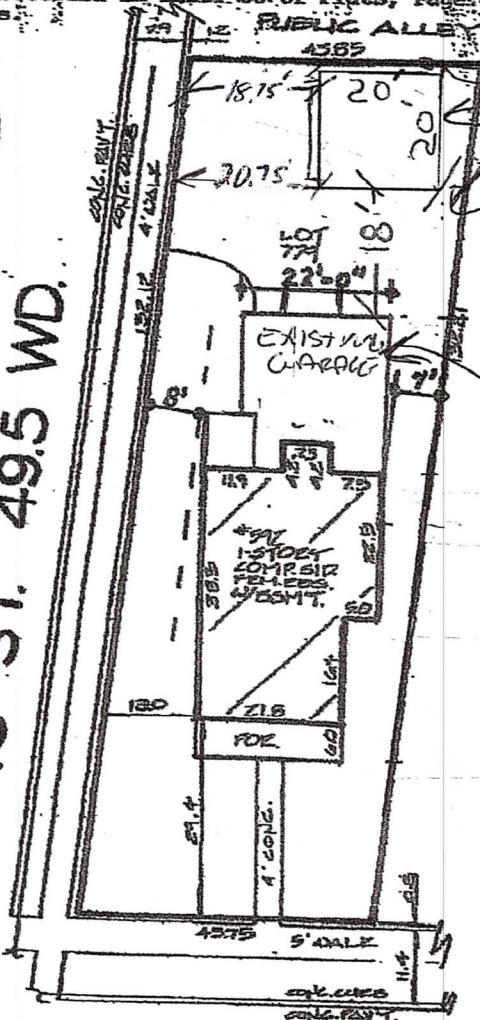
Applicant: JOHN L. BARGE

Property Description:

Lot 779, ASSESSOR'S PLYMOUTH PLAT NO. 20, of part of S.W. 1/4 of Sec. 26, T.1 S., R.6 E., of Plymouth, Wayne County, Michigan, as recorded in Liber 68 of Plats, Page 42 of Wayne County Records.

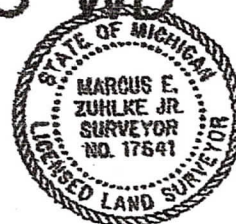


WING ST. 49.5 WD.



592 KELLOGG ST. 49.5' WD

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the aforementioned applicants, mortgagee, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, as stakes having been set at any of the boundary corners.



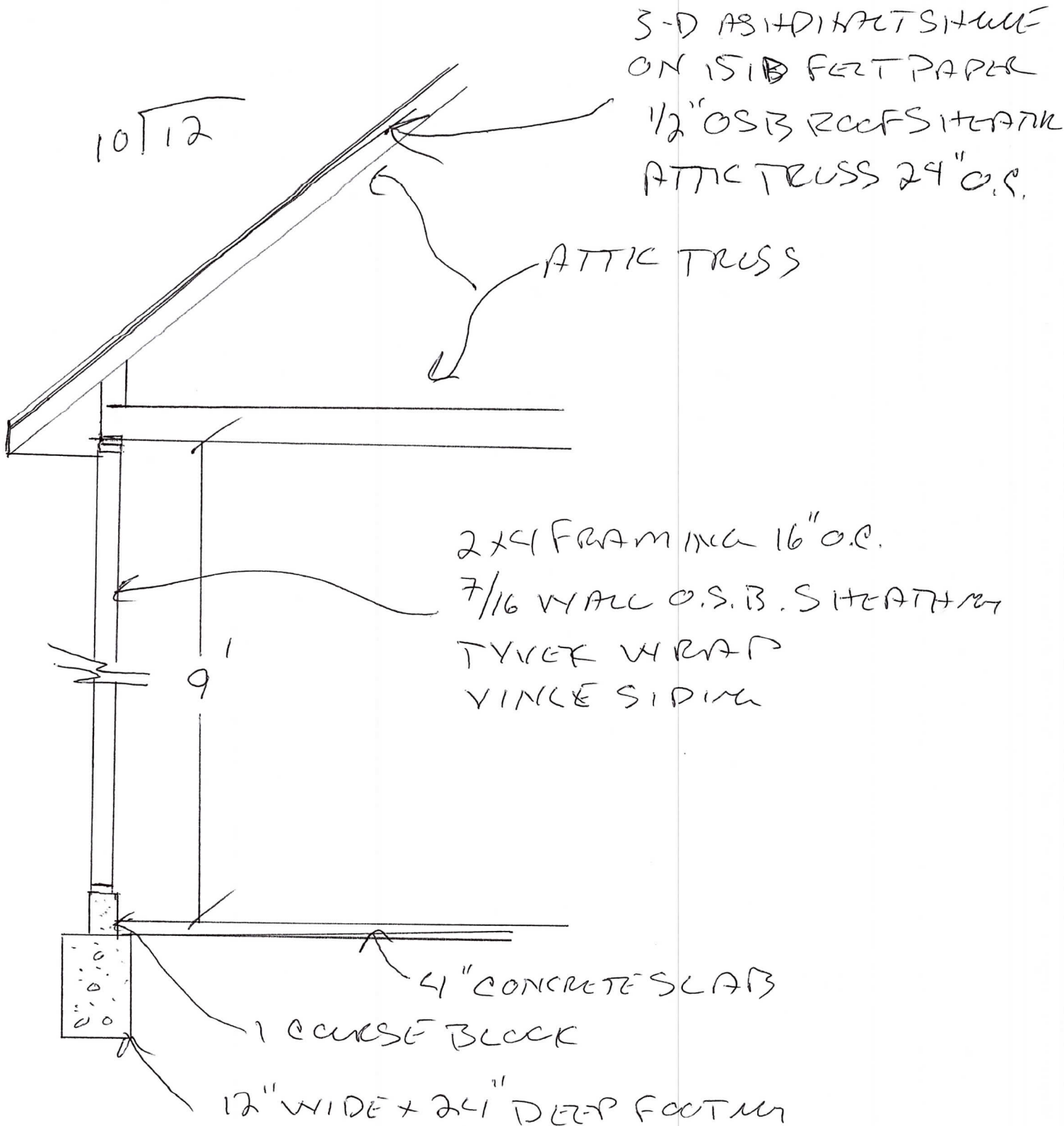
Marcus E. Zuhlke Jr.
 JOB NO. 93-03129 SCALE 1"=20'
 DATE 02/13/93 DR. BY GN

KEM-TEC
 LAND SURVEYORS

16944 Eastline Rd.
 Eastpointe, MI 48021-3313
 (313) 772-2222
 FAX: (313) 772-0040

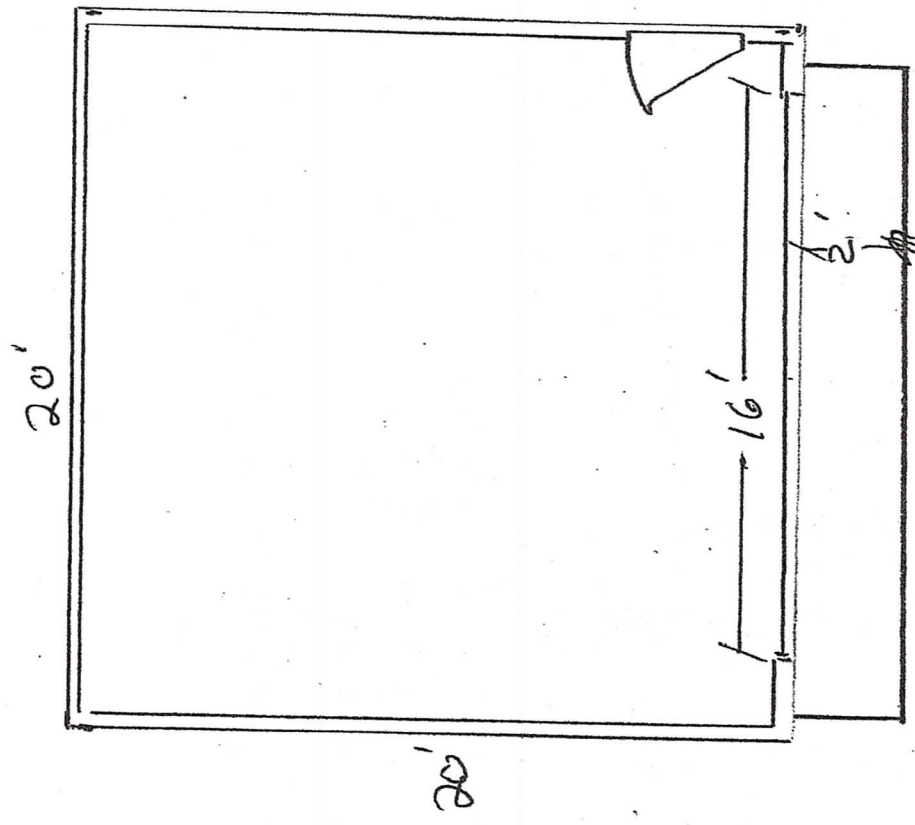
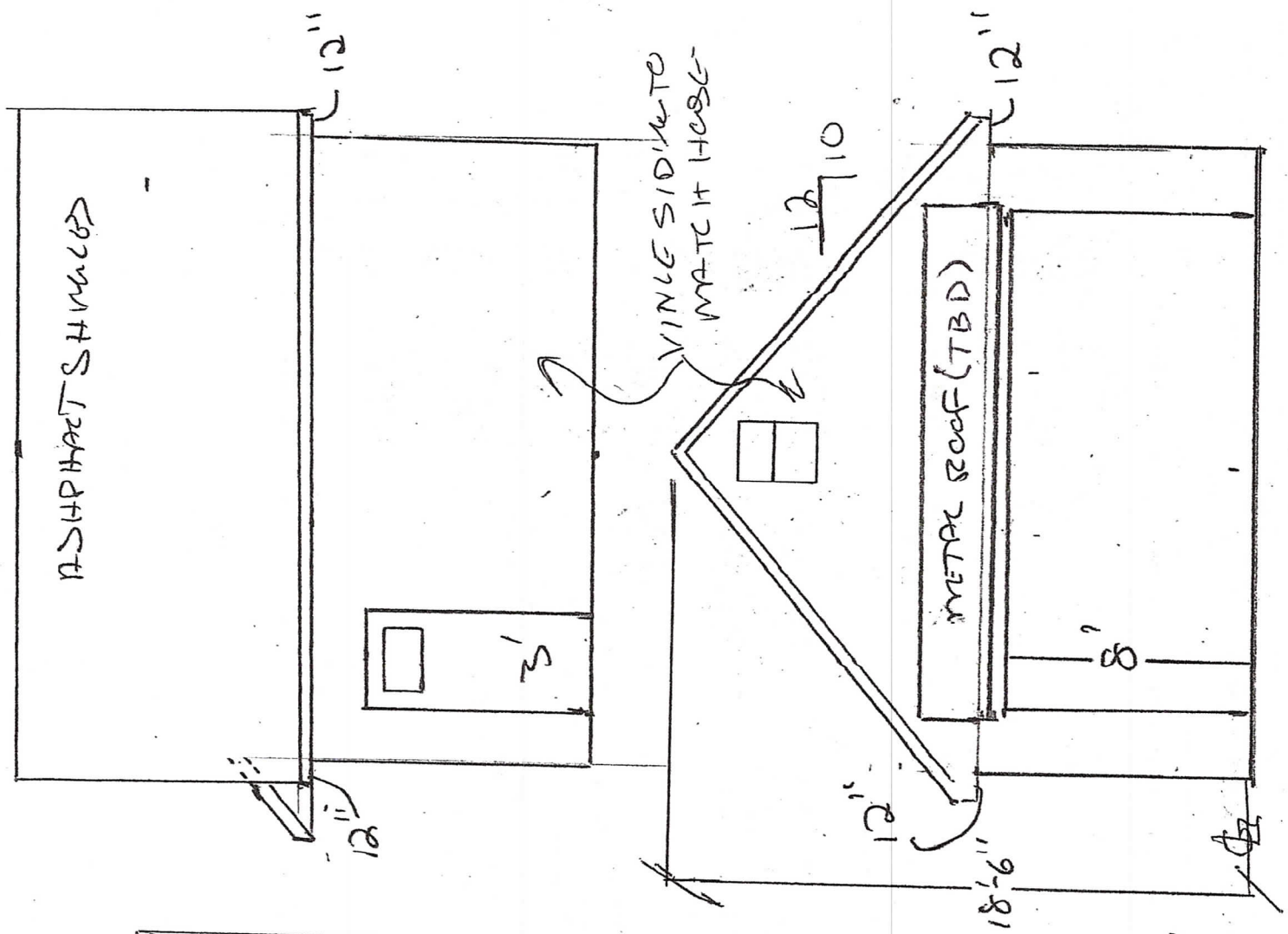
KEM-TEC WEST
 SURVEYING & ENGINEERING

205 N. Main Street
 Ann Arbor, MI 48104-1412
 (313) 994-6663 • (800) 433-6133
 FAX: (313) 994-0557



592 KELLOGG ST PLYMOUTH

SCALE $\frac{3}{8}" = 1'$



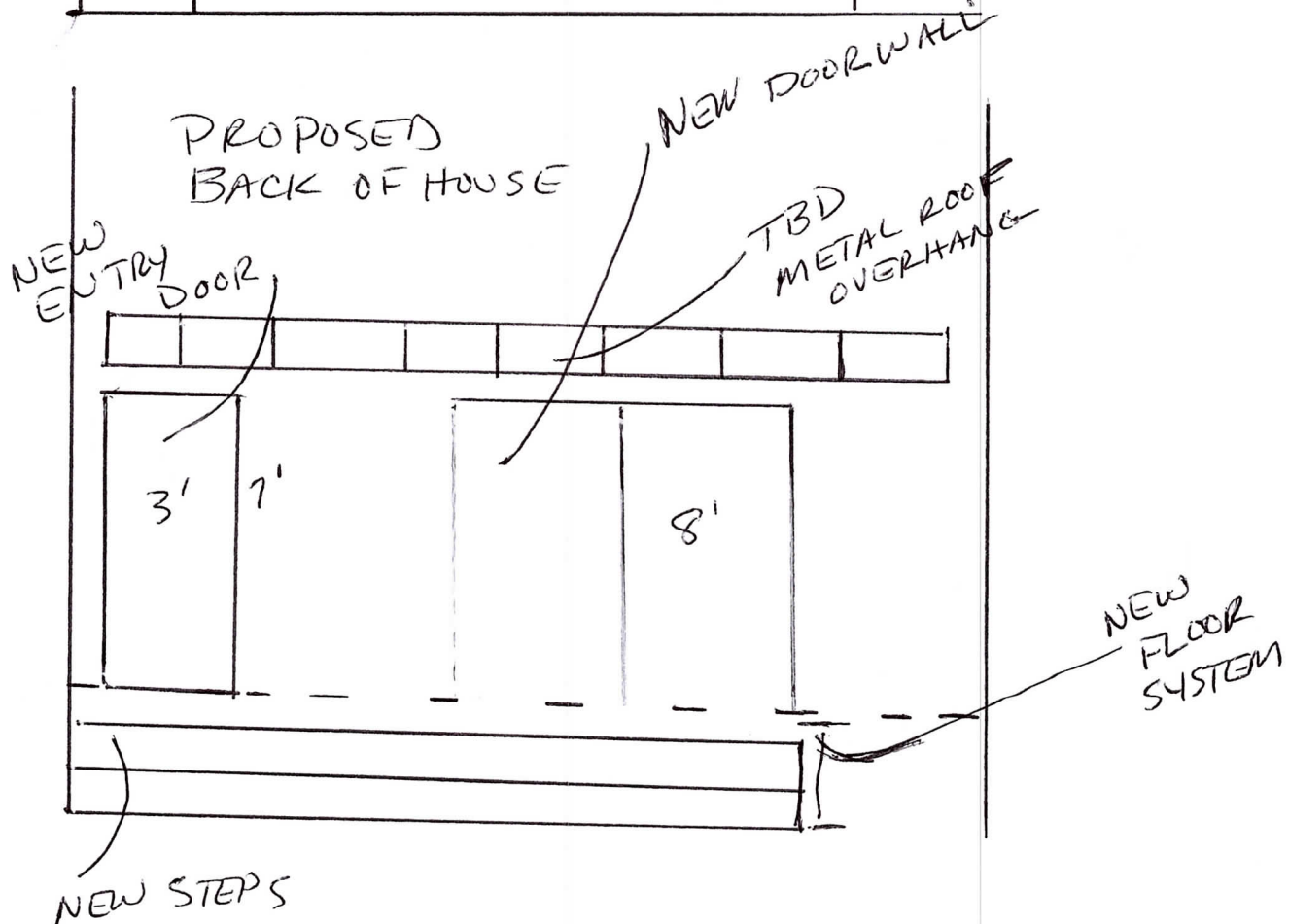
TBD METAL ROOF

S92 KEZLOG-ST.
PLYMOUTH MI

DETERMINED
GRADE
SCALE $\frac{3/16"}{1"} = 1'$

BACK OF HOUSE

EXISTING GARAGE



592 KELLOGG ST PLYMOUTH
NEW LIVING SPACE IN
EXISTING GARAGE

Mark Rice

From: Mark Rice
Sent: Thursday, November 3, 2022 4:09 PM
To: Mark Rice
Subject: Pic



592 KELLOGG ST PLYMOUTH