

**CHARTER TOWNSHIP OF PLYMOUTH
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING
THURSDAY, MAY 7, 2020**

The meeting was called to order at 6:07 p.m. by Chairman Michael Carlin via Zoom video and conference call, in compliance with Governor Witmer's Executive Order 2020-48 and similar orders regarding the Covid-19 pandemic.

PRESENT: Timothy Boyd
Michael Carlin
Gary Heitman
William Pratt
Don Schnettler

EXCUSED: None

ALSO PRESENT: Mark Lewis, Chief Building Official
Laura Haw, AICP, NCI, Planning Consultant
Alice Geletzke, Recording Secretary

ITEM NO. 1 - APPROVAL OF MINUTES

1. Regular Meeting – October 3, 2019

Moved by B. Pratt and seconded by G. Heitman to approve the minutes of the regular meeting of October 3, 2019. Ayes all.

ITEM NO. 2 – OLD BUSINESS (Tabled from 9/5/19 & canceled meeting from 4/2/2020)

Application No. 1597- Dagher Sign & Graphics (Representing Buddy's Pizza)
22476 Telegraph RD
Southfield MI 48033

Location – 15075 Beck RD

Tax I.D. Tax I.D. #78-005-99-0009-301
IND Zoning District

RE: Zoning Ordinance No. 99, Article 25 Sec 25.9 (1) (b) Sign Regulations, Area, Height and Placement

<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Maximum Monument Sign Area</i>	<i>Proposed Monument Sign Area</i>	<i>Variance Required</i>
1597	Ordinance 99, Article 25, Sec 25.9 (1) (b)	15075 Beck RD	60 square feet	65 square feet	5 square feet of sign area
<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Maximum Monument Sign Height</i>	<i>Proposed Monument Sign Height</i>	<i>Variance Required</i>
1597	Ordinance 99, Article 25, Sec 25.9 (1) (b)	15075 Beck RD	10 feet	12 feet	2 feet of sign height

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Ms. Haw referred to the letter received from the Planning Commission.

Mark Anderson, President and CEO of United Road, and Patrick Riley addressed the Board and answered questions, and Greg Woelfel spoke regarding the lighting of the sign. They discussed their wish to be part of the community and desire to identify their location to their customers without losing the building's historical identification as the "Burroughs" building.

During the discussion, the owner of the building, Kevin Crute, was contacted for clarification of the letter he wrote regarding signage on the building. Mr. Crute stated that United Road and Rivian were by far the largest tenants of the Burroughs Building, that all tenant space is currently leased out, and that accordingly he does not expect any other tenants to request building signage.

Moved by G. Heitman and seconded by T. Boyd to approve the variance for one additional wall sign requested in Application 1600 by United Road for placement on the Burroughs Building at 41100 Plymouth Road.

AYES: Heitman, Boyd, Carlin
NAYS: Pratt, Schnettler

Motion carried.

ITEM NO. 4 – Canceled Meeting Business from April 2, 2020

Application No. 1601- Angela Tzelepis
46226 Forestwood Dr.
Plymouth MI 48170

Location – 46226 Forestwood Dr.

Tax I.D. Tax I.D. #78-056-01-0174-000
R-1-S Zoning District

RE: Zoning Ordinance No. 99, Article 20 Sec 20.1 Height, Area, Lot Coverage, Yard Requirements and Floor Area (as amended 10/25/07).

<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Minimum Rear Yard Setback</i>	<i>Proposed Rear Yard Setback</i>	<i>Variance Required</i>
1601	Ordinance 99, Article 20, Sec 20.1	46226 Forestwood Dr.	Fifty Feet (50')	Forty-Three Feet (43')	Seven Feet (7')

The applicant is requesting one variance:

1. The applicant is in an R-1-S zoning district and is requesting one variance to construct a 13'x19' sunroom that would reduce the rear yard setback to 43' feet whereas 50' feet is required. *Variance requested is Seven (7) feet.*

A gentleman representing Four-Seasons Sunrooms of Ann Arbor addressed the Board and answered questions. He noted the lot is located on a curved road and a deck larger than the proposed glass and screen sunroom is being removed. He also stated that his firm did a similar installation in the past to the house next door, which was also granted a variance.

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Chairman Carlin opened the public hearing at 6:57 p.m. There being no public comment, the hearing was closed at 6:58 p.m.

Moved by B. Pratt and supported by T. Boyd to approve the 7 ft. rear yard setback variance requested in Application 1601 at 46226 Forestwood Drive. Ayes all on a roll call vote.

Application No. 1602- Plymouth Park & Eats (Tommy Haji)
39411 Schoolcraft
Plymouth MI 48170

Location – 39411 Schoolcraft

Tax I.D. Tax I.D. #78-024-99-0049-000
IND Zoning District

RE: Zoning Ordinance No. 99, Article 25 Sec 25.9 (2) (e) (1) Sign Regulations, Area, Height & Placement.
Zoning Ordinance No. 99, Article 25 Sec. 25.6 (3) (a) (d) (e) Banners, Pennants, Spinners, and Streamers.
Zoning Ordinance No. 99, Article 25 Sec. 25.8 (16) Signs Prohibited in All Districts

<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Maximum Signable Area 30%, 25.2 Square Feet</i>	<i>Proposed Signable Area</i>	<i>Variance Required</i>
1602	Ordinance 99, Article 25, Sec 25.1 (2) (e) (1)	39411 Schoolcraft	30% or 25.2' Square Feet	63.6' Square Feet of Dumpster Wall	Thirty-eight .4' (38.4') Square Feet of 7x12' Dumpster Wall
<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Banner Signs Shall Be Temporary</i>	<i>Proposed Banner Sign Shall Be Permanent</i>	<i>Variance Required</i>
1602	Ordinance 99, Article 25, Sec 25.6 (3) (a)	39411 Schoolcraft	Banner Signs Shall Be Temporary	Banner Sign Shall Be Permanent	One (1) Permanent Banner Sign
<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Banner Signs Shall Not Exceed 72 Hours</i>	<i>Proposed Banner Sign Shall Be Permanent</i>	<i>Variance Required</i>
1602	Ordinance 99, Article 25, Sec 25.6 (3) (d)	39411 Schoolcraft	Banner Signs Shall Not Exceed 72 Hours	Banner Sign Shall Be Permanent	One (1) Permanent Banner Sign
<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Banner Signs Shall Only Be Granted (4) Times Per Year</i>	<i>Proposed Banner Sign Shall Be Permanent</i>	<i>Variance Required</i>
1602	Ordinance 99, Article 25, Sec 25.6 (3) (e)	39411 Schoolcraft	Banner Signs Shall Only Be Granted (4) Times Per Year	Banner Sign Shall Be Permanent	One (1) Permanent Banner Sign
<i>Variance</i>	<i>Zoning Ordinance</i>		<i>String or Rope</i>	<i>Proposed</i>	<i>Variance</i>



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<i>No.</i>	<i>Section/Standard</i>	<i>Location</i>	<i>Lights to Not Highlight Architectural Features</i>	<i>Rope Lights Strung Along Top of Fence</i>	<i>Required</i>
1602	Ordinance 99, Article 25, Sec 25.8 (16)	39411 Schoolcraft	Prohibited Rope Lights Used to Highlight Architectural Feature	Rope Lights Strung Along Top of 4' Aluminum Fence	Allow Rope Lights to Be Strung Along Top of 4' Aluminum Fence

RE: Zoning Ordinance No. 99, Article 28 Sec 28.8 (1) (b) Exterior Lighting, General Requirements. Zoning Ordinance No. 99, Article 28 Sec 28.8 (3) (b) Prohibited Exterior Lighting.

<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>All Exterior Lighting Shall Be Directed Downward & Shielded</i>	<i>Proposed Rope Lighting</i>	<i>Variance Required</i>
1602	Ordinance 99, Article 28, Sec 28.8 (1) (b)	39411 Schoolcraft	Rope Lighting Shall Be Shielded & Directed Downward	Rope Lighting (Christmas Lights) & Festoon Lights (String Lights) Non-Shielded & No Downward Direction	Rope Lighting & Festoon Lighting with No Shielding & No Downward Direction
<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Prohibited Exterior Lighting</i>	<i>Proposed Exterior Lighting</i>	<i>Variance Required</i>
1602	Ordinance 99, Article 28, Sec 28.8 (3) (b)	39411 Schoolcraft	Unshielded Illumination of Landscaping Shall be Prohibited	Fence & Festoon Lighting Unshielded	Fence & Festoon Lighting to Be Unshielded

RE: Zoning Ordinance No. 99, Article 28 Sec 28.9 (1) Waste Receptacle Requirements. Zoning Ordinance No. 99, Article 28 Sec 28.9 (2) (a) Waste Receptacle Enclosures.

<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Prohibited Waste Receptacles in Open Yards or Lots</i>	<i>Proposed Waste Water Receptacle in Open Lot</i>	<i>Variance Required</i>
1602	Ordinance 99, Article 28, Sec 28.9 (1) (a)	39411 Schoolcraft	No Waste Receptacles in Open Yard or Lots	Waste Water Receptacle in Open Lot	Waste Water Receptacle in Open Lot
<i>Variance</i>	<i>Zoning Ordinance</i>		<i>Waste</i>	<i>Proposed</i>	<i>Variance</i>

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No.	Section/Standard	Location	Receptacle Enclosures	Waste Receptacle	Required
1602	Ordinance 99, Article 28, Sec 28.9 (2) (a)	39411 Schoolcraft	Waste Receptacles Shall be Completely Enclosed	Unenclosed & Free-Standing Waste Water Receptacle	Waste Water Receptacle Free Standing & Unenclosed

The applicant is requesting nine variances:

1. The applicant does not have a building on site, so he has used the 7'x12' (84' square foot) dumpster wall for his wall sign (aka mural). The mural painting is 63.6' square feet whereas the maximum signable area is 30% or 25.2' square feet. *The one variance requested is 38.4' square feet of signable area.*
2. Banner signs shall be temporary, not to exceed 72 hours and not to exceed 4 times per year. The applicant has no place on the property where a monument sign can be constructed so the banner has been installed on the 4' aluminum fence. *The three variance requests are: (1) to be allowed the banner to stay attached to the fence permanently hence (2) exceeding the 72 hours and (3) more than the 4 times per year.*
3. The string lights (Christmas lights) attached to the top of the 4' fence around the property are prohibited to highlight architectural features. *The one variance requested is to allow string lights (Christmas lights) to be used as an architectural feature.*
4. All exterior lighting shall be directed downward and shielded; if not the lighting is prohibited. The applicant has the rope lighting (Christmas lights) and festoon lighting (string lights) both of which are not shielded or directed downward. *The two variance requests are: (1) to allow both the rope & string lights be allowed to stay permanently even though (2) they are not shielded or downward directed.*
5. The waste water receptacle is a free-standing tank sitting on the court pavement whereas the ordinance states it is prohibited to be in an open lot and should be enclosed within a structure. *The two variances requested are: (1) to allow the waste water tank to remain free standing with (2) no enclosure.*

Board members discussed the variances with Mr. Haji, expressed their concerns with different aspects, and suggested alternative ways of solving problems.

Chairman Carlin opened the public hearing at 7:29 p.m. There being no public comment, the hearing was closed at 7:30 p.m.

Action was taken on the variances requested in Application No. 1602, Plymouth Park and Eats at 39411 Schoolcraft, as follows:

1. Moved by B. Pratt and seconded by D. Schnettler to approve the variance requested for 38.4' square foot of signable area (mural painting). Ayes all on a roll call vote.
2. Moved by B. Pratt and seconded by D. Schnettler to allow the banner to stay attached to the fence permanently, hence exceeding the 72 hours and more than the four times per year, only if it is lit by spotlights.

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AYES: Pratt, Schnettler, Carlin, Heitman
NAYS: Boyd

Motion carried.

3. Moved by B. Pratt and seconded by G. Heitman to deny the use of string lights on the fence.

AYES: Pratt, Heitman, Boyd, Carlin
NAYS: Schnettler

Motion carried.

4. Moved by B. Pratt and seconded by D. Schnettler to approve the variance for festoon lighting (string lights) as presented. Ayes all on a roll call vote.

5. Moved by B. Pratt and seconded by D. Schnettler to approve the variances requested to allow the waste water tank to remain free-standing with no enclosure. Ayes all on a roll call vote.

ITEM NO. 5 – New Business

Application No. 1603- Boleski Funeral Home
25509 W Warren RD
Dearborn Heights MI 48127

Location – Vacant Land S 5 Mile RD/E Haggerty RD Corner Lot

Tax I.D. Tax I.D. #78-021-99-0008-701 & #78-021-99-0008-702
OS (Consent Judgement) Zoning District

RE: Zoning Ordinance No. 99, Article 20 Sec 20.2 (o) (r) Height, Area, Lot Coverage, Yard Requirements and Floor Area (as amended 10/25/07).

<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Minimum Front Yard Setback with Parking</i>	<i>Proposed Front Yard Setback with Parking</i>	<i>Variance Required</i>
1603	Ordinance 99, Article 20, Sec 20.2 (o)	Vacant Land Corner of 5 Mile RD/Haggerty RD	Seventy-five Feet (75')	Sixty-six.6 Feet (66.6')	Eight.6 Feet (8.6')
<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Minimum Side Yard Setback with Parking</i>	<i>Proposed Side Yard Setback with Parking</i>	<i>Variance Required</i>
1603	Ordinance 99, Article 20, Sec 20.2 (r)	Vacant Land Corner of 5 Mile RD/Haggerty RD	Seventy-five Feet (75')	Sixty-six.6 Feet (66.6')	Eight.6 Feet (8.6')

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The applicant is requesting two variances:

The applicant is in an OS (Consent Judgement) zoning district and is requesting two variances to construct a 11,621' square foot new commercial funeral home with parking located front & side yards:

1. To reduce the front yard (5 Mile RD) setback to 66.6' feet whereas 75' feet is required. *Variance requested is eight.6 feet (8.6) front yard setback.*
2. To reduce the side yard (Haggerty RD) setback to 66.6' feet whereas 75' feet is required. *Variance requested is eight.6 feet (8.6) side yard setback.*

Board members discussed the request with Jeff Boleski and Jesse Parkinson, Architect. Particularly of interest was whether the building would face Haggerty Road, and the applicant confirmed it would.

Chairman Carlin opened the public hearing at 8 p.m. There being no public comment, the hearing was closed at 8:01 p.m.

Moved by D. Schnettler and supported by T. Boyd to approve the 8.6 ft. front yard setback variance requested in Application 1603, for the vacant land located at the corner of 5 Mile and Haggerty Roads. Ayes all on a roll call vote.

Application No. 1604- Rayyan Center
 46441 5 Mile RD
 Plymouth MI 48170

Location - 46441 5 Mile RD

Tax I.D. Tax I.D. #78-010-99-0002-712
 IND Zoning District

RE: Zoning Ordinance No. 99, Article 19 Sec 19.3 (5) IND District, Uses Specifically Prohibited

<i>Variance No.</i>	<i>Zoning Ordinance Section/Standard</i>	<i>Location</i>	<i>Uses Specifically Prohibited</i>	<i>Proposed Use</i>	<i>Variance Required</i>
1604	Ordinance 99, Article 19, Sec 19.3	46441 5 Mile RD	School	Montessori Pre-school	Allow Montessori Pre-school

The applicant is requesting one variance:

1. The applicant is in an IND zoning district and is requesting one variance to allow a Montessori Pre-school whereas schools are specifically prohibited. *Variance requested is to allow a Montessori Pre-school within an existing building in an IND district.*

Board members discussed with Mamnoon Siddiqui the possibility of allowing a Montessori pre-school in an existing room within the recently-built Rayyan Center, which is located in industrial zoning which specifically prohibits schools.

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Mr. Siddiqui noted that the school would serve 20-25 children of the parishioners. They would range in age from 3-6 years old. In addition to the room, an outside playground area would be involved. Establishment of a school would also include passing various state inspections.

Chairman Carlin opened the public hearing at 8:20 p.m. There being no public comment, the hearing was closed at 8:21 p.m.

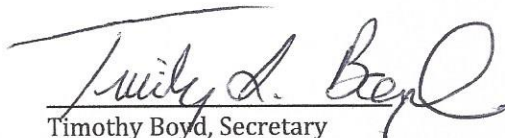
Moved by B. Pratt and supported by D. Schnettler to refer Application 1604, establishment of a Montessori Preschool at the Rayyan Center, 46441 5 Mile Road, to the Planning Commission at their next regular meeting for their consideration and direction.

AYES:	Pratt, Schnettler, Boyd, Carlin
NAYS:	Heitman

Motion carried.

ADJOURNMENT

Moved by B. Pratt and seconded by G. Heitman to adjourn the meeting at 8:20 p.m. Ayes all on a roll call vote.


Timothy Boyd, Secretary
Zoning Board of Appeals

If denied, the applicant may appeal to Circuit Court.

The Charter Township of Plymouth will provide necessary reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon two weeks' notice to the Charter Township of Plymouth. Individuals with disabilities requiring auxiliary aids or services should contact the Charter Township of Plymouth by writing or calling the Supervisor's Office, Charter Township of Plymouth, 9955 N. Haggerty Rd, Plymouth, Michigan, 48170, (734) 354-3211, TDD users: 1-800-649-3777 (Michigan Relay Service)