

**CHARTER TOWNSHIP OF PLYMOUTH  
ZONING BOARD OF APPEALS MINUTES  
REGULAR MEETING  
THURSDAY, MAY 3, 2007**

Meeting called to order at 6:03 p.m. by Chairman Levensgood.

**MEMBERS PRESENT:** Gene Levensgood  
Robert Doroshewitz  
Harry Jachym  
Ray Sturdy, Jr.  
Jim Zdanek

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Mark Lewis, Chief Building Official  
19 members of the public

**ITEM NO. 1 - APPROVAL OF MINUTES**

**1. Regular Meetings – March 1, 2007 and April 5, 2007**

Members did not receive copies of the April 5 minutes.

Moved by Mr. Jachym, supported by Mr. Sturdy, to approve the minutes of the regular meeting of March 1, 2007, as presented and table the minutes of the regular meeting of April 5, 2007, until presented. Ayes all.

**ITEM NO. 2 – NEW BUSINESS**

**1. Application No. 1439- Trowbridge Homes Construction  
2617 Beacon Hill  
Auburn Hills, MI 48326**

**Location – 12285 Wendover Drive  
Plymouth, MI 48170  
Tax I.D. #78-042-04-0030-000**

RE: Zoning Ordinance No. 99, Article 22.10, Single Family Cluster Housing Amendments General Conditions.

| <u>Variance No.</u> | <u>Zoning Ordinance Section/Standard</u> | <u>Location</u>         | <u>Required Side Yard Setback</u> | <u>Proposed Side Yard Setback</u> | <u>Variance Required</u>    |
|---------------------|--|-------------------------|-----------------------------------|-----------------------------------|-----------------------------|
| 1                   | Ordinance 99,<br>Article 22.10           | 12285 Wendover<br>Drive | Sixteen (16)<br>ft.               | Ten (10) ft.<br>six (6) in.       | Five (5) ft.<br>six (6) in. |

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*The applicant is requesting one variance:*

1. The existing residential site has a side yard setback of eleven (11) feet and five (5) feet for a total of sixteen (16) feet. A variance was granted by the Planning Commission and Township Board of Trustees for the original Cluster Housing Option allowing a side yard setback requirement of eleven (11) feet and five (5) feet for a total of sixteen (16) feet between each residence. With the proposed new residential dwelling, the side yard setback between the dwellings would be ten (10) feet six (6) inches. The applicant is ***requesting a side yard variance of five (5) feet six (6) inches.***

Tony Randazzo, representing Trowbridge Homes Construction, addressed the Board and answered questions. He explained the need for the variance on Lot No. 30 because of the storm sewer easement on the east side of the property that goes to the detention pond and the placement of the home by the builder on the lot to the west with only a five foot sideyard setback when it could have been an eleven foot setback. He indicated the minimum square footage for a home in this subdivision allowed by the restrictive covenant is 2400 square feet. He presented drawings of two possible elevations, one with the 2400 square feet and another with larger square footage.

Jeff Dzdyk, the adjacent property owner to the west on Lot 31, registered his objections to the proximity of the proposed neighboring house and presented photographs of the area. Among his concerns were fire safety, noise, and privacy factors.

The following other neighbors also expressed their concerns: Ivan Martinez, president of the homeowners' association, Mohammed Alavedi, resident on Lot 29, and Kurt Panizzoli who is also an architect. Concerns centered on aesthetics, line of sight and encroachment.

Mr. Jachym suggested the parties might work together further to come up with more agreeable solutions.

Chief Building Official Lewis agreed to work with both the neighbors and the builder, at Mr. Doroshewitz' suggestion.

Moved by Mr. Jachym, supported by Mr. Levengood, to table Application 1439, Trowbridge Homes Construction, for a 5-ft., 6-in. variance in sideyard setback at 12285 Wendover Drive for a maximum of sixty days, allowing the applicants and interested parties to return at the next meeting or to request an extension of up to 90 days. Ayes all.

**2. Application No. 1440- Thomas & Jennifer Lawson  
15167 Bradner  
Plymouth, Mi 48170**

**Location- 15167 Bradner  
Plymouth, MI 48170  
Tax I.D. #78-018-01-0058-000**

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RE: Zoning Ordinance No. 99, Article VI, One Family Residential Districts, Amendments:  
R-1-E, R-1-H, R-1-S, & R-1.

| <u>Variance<br/>No.</u> | <u>Zoning<br/>Ordinance<br/>Section/Standard</u> | <u>Location</u> | <u>Allowed<br/>Maximum<br/>Fence<br/>Height</u> | <u>Proposed<br/>Maximum<br/>Fence<br/>Height</u> | <u>Variance<br/>Required</u> |
|-------------------------|--|-----------------|---|--|------------------------------|
| 1                       | Ordinance 99,<br>Article VI                      | 15167 Bradner   | Four (4) feet                                   | Six (6) feet                                     | Two (2) Feet                 |

*The applicant is requesting one variance:*

1. The applicant is proposing a six (6) foot high fence in the rear yard. The required maximum height is four (4) feet. With the proposed variance, the applicant *is requesting a variance of two (2) feet in fence height.*

Mr. and Mrs. Lawson addressed the Board and answered questions. They noted their lack of privacy on their large corner lot, and safety concerns if their large dog could jump a 4-ft. fence. They also had safety concerns for children climbing a 4-ft. fence to gain access to their hot tub.

Board members discussed possible alternatives for increased privacy with Mr. and Mrs. Lawson such as plantings and 6-ft. privacy fence installation at the perimeter of the house, keeping at least 20 ft. from the rear lot line. Mr. Sturdy expressed a concern that the northerly property line running along Parkhurst St., which technically is a “side yard” for the property because of the placement of the recently-built home on this unusually large lot, is in fact a “front yard” for all of the other homes on Parkhurst, including the three homes located directly across the street from Lawson’s property.

Moved by Mr. Sturdy, supported by Mr. Jachym, to grant a portion of the 2-ft. fence height variance requested in Application 1440, Thomas and Jennifer Lawson, at 15167 Bradner, to allow the 6-ft. fence only along the south lot line of Lot 58 between the front of the home and the rear lot line and along westerly lot line to a point no closer than 25 feet from the north lot line along Parkhurst St. The 2-ft. variance for the remaining 25 ft. of the westerly lot line is hereby denied for the reasons that the conditions requiring it are self-created and do not meet the zoning ordinance criteria. Ayes all.

Moved by Mr. Jachym, supported by Mr. Zdanek, to adjourn the meeting. Ayes all.

Meeting adjourned at 7:25 p.m.

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

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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)

Respectfully submitted,

*Raymond O. Sturdy, Jr.*

Raymond O. Sturdy, Jr., Secretary  
Zoning Board of Appeals

**NOTE: Upon granting a zoning variance, a building permit is required.  
If denied, the applicant may appeal to Circuit Court.**

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