

**CHARTER TOWNSHIP OF PLYMOUTH
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING
THURSDAY, AUGUST 2, 2007**

Meeting called to order at 6:00 p.m. by Chairman Levensgood.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Ted Kloc, Building Inspector
Alice Geletzke, Recording Secretary
2 members of the public

ITEM NO. 1 - APPROVAL OF MINUTES

1. Regular Meeting – July 12, 2007

Mr. Sturdy proposed the minutes of the regular meeting of July 12, 2007, be modified in the following manner which is intended to provide a more clear explanation of exactly what it was the Board considered and granted:

On the top of Page 2 of the first item of New Business, Application No. 1441, which begins with “*The applicant is requesting one variance.*” he proposed inserting the following sentences before the words “Board members...”

The Board noted that the proposed fence section location was behind the home along the projected sideline of the building and a distance of more than 40 feet back from the sidewalk and 73 feet from the Ann Arbor Trail roadway. In reality, the variance requested was more in the nature of an extension of a permissible 6-foot privacy screen into the rear 20 foot of the property.

He then proposed to add another explanatory sentence after “...behind theirs which fronts Ann Arbor Trail.”

Applicants indicated a hardship in trying to obtain privacy using shrubs for screening at this location because of the constant shade caused by the large mature trees in the area which they did not wish to cut.

**CHARTER TOWNSHIP OF PLYMOUTH
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING
THURSDAY, AUGUST 2, 2007**

In the following paragraph he proposed the following adjustment to read as follows:

Moved by Mr. Sturdy, supported by Mr. Jachym, to deny the variance requested, but instead approve only that portion of the 6-foot fence requested in Application 1441 at 11569 Haggerty Road along the extension of the north building line parallel to Ann Arbor Trail to a point approximately six feet from the westerly property line, thence southwesterly along a line approximately 45 degrees west southwest to the westerly property line. Ayes all.

For Application 1442, he proposed an additional modification which would begin at the bottom of page 2, following the first sentence which begins "Mr. Pfau addressed the Board..." He proposed the insertion of the following new sentence:

Applicant claimed a hardship due to his property being 13 inches below the existing street level and indicated a 4-foot fence would give him less than three feet above the street level.

On the third page, he proposed that the motion read as follows:

Moved by Mr. Sturdy, supported by Mr. Jachym, to deny the 6-foot fence requested by the applicant, but instead permit a lesser variance in fence height for Application 1442 at 9211 Elmhurst from a 4-foot level to a maximum 5-foot height for the fencing to be installed along the south side of the property line on Judson Avenue all the way to the rear lot line and, if desired, a 5-foot fence as proposed between the property line at Judson Avenue and the south side of the home. Ayes all.

He believed those modifications reflect the discussions and considerations that were made at the meeting and provide a better explanation of the actions that were taken by the Board.

Moved by Mr. Jachym, supported by Mr. Levengood, to approve the minutes of the regular meeting of July 12, 2007, as modified. Ayes all, with Mr. Doroshewitz abstaining because he was not present at the meeting.

**CHARTER TOWNSHIP OF PLYMOUTH
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING
THURSDAY, AUGUST 2, 2007**

ITEM NO. 2 – NEW BUSINESS

**1. Application No. 1443- David & Patricia Gutuskey
42444 Hammill
Plymouth, MI 48170**

**Location – 42444 Hammill
Plymouth, MI 48170
Tax I.D. #78-018-02-0034-000**

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 No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Maximum Percentage Lot Coverage</u>	<u>Proposed Lot Coverage</u>	<u>Variance Required</u>
1	Ordinance 99, Article VI, 4.8 (a) 3	42444 Hammill RD	7% or 650 Sq Ft	779 Sq Ft	129 Sq Ft

The applicant is requesting one variance:

- The applicant is proposing a 779 square foot garage addition. The required maximum is 7% or 650 square feet, whichever is larger. The applicant is requesting a variance of 129 square feet.

Mr. and Mrs. David Gutuskey addressed the Board, indicating they were able to store their 21-ft. boat in a canvas covered domed structure adjacent to their garage for the past 12 years. They were now told by the Township that this is no longer acceptable. They intend to add onto the garage and remove the canvas structure. The removal would open up and improve the visibility of the sideyard area.

Mr. Sturdy noted the Gutuskey’s house faces south and as you continue up Garland the houses face west. Their garage addition would extend back to where all the neighbors on Garland have their garages. Because of the nature of the platting of the lots, they have an unusual situation. Also, a hardship was created by the previous owner who built a wide garage instead of a long garage. Also, the proposal would leave the garage 12 feet from the neighbor’s rear property line and 40 feet from their rear property line. What is being dealt with are square footage requirements that are applicable to lots as they’re zoned now,

**CHARTER TOWNSHIP OF PLYMOUTH
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING
THURSDAY, AUGUST 2, 2007**

but they're being applied to this property which is actually a lot and one-half. It would be a different situation if all the lots and houses were similar.

It was also that noted this is one of the locations in the Township where current zoning restrictions are somewhat transitional because of property line alterations caused by the M-14 right of way and recent multi-family housing development.

In answer to Mr. Jachym's question regarding finishing materials, Mr. Gutuskey indicated he will be using the same vinyl siding material as is on the existing garage.

Mr. Doroshewitz noted that in terms of percentages, the proposed increase in lot coverage is very small.

Moved by Mr. Doroshewitz, supported by Mr. Jachym, to approve the variance of 129 square feet requested in Application 1443 at 42444 Hammill, to enable the extension of the garage, subject to the removal of the canvas structure, and that the finishing materials used for the extension match the existing garage. Ayes all.

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

Meeting adjourned at 6:30 p.m.

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.**

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 Human Resource Office, Charter Township of Plymouth, 9955 N. Haggerty Road, Plymouth, Michigan, 48170, (734) 453-3202, TDD users: 1-800-649-3777 (Michigan Relay Service)-