

**CHARTER TOWNSHIP OF PLYMOUTH
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING
THURSDAY, MARCH 6, 2008**

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

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

MEMBERS ABSENT: Robert Doroshewitz, Excused

OTHERS PRESENT: Mark Lewis, Chief Building Official
Alice Geletzke, Recording Secretary
3 members of the public

ITEM NO. 1 - APPROVAL OF MINUTES

1. Regular Meeting – January 3, 2008.

Moved by Mr. Jachym, supported by Mr. Zdanek, to approve the minutes of the regular meeting of January 3, 2008, as presented. Ayes all.

ITEM NO. 2 – NEW BUSINESS

- 1. Application No. 1455- Chris & Kelly Connolly
40810 Ann Arbor Trail
Plymouth, MI 48170**

Location – **40810 Ann Arbor Trail
Plymouth, MI 48170**

Tax I.D. #78-027-01-0021-000

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RE: Zoning Ordinance No. 99, Article XX, Schedule of Regulations; Height, Area, Lot Coverage, Yard Requirements and Floor Area 20.1

<u>Variance No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Minimum Lot Area</u>	<u>Existing Lot Area</u>	<u>Variance Required</u>
1455	Ordinance 99, Article XX, Sec 20.1	40810 Ann Arbor Trail	7,200 Square Feet	5,532 Square Feet	1,668 Square Feet
<u>Variance No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Maximum Lot Coverage</u>	<u>Lot Coverage with addition</u>	<u>Variance Required</u>
1455	Ordinance 99, Article XX, Sec 20.1	40810 Ann Arbor Trail	25% Percent	29% Percent	4% Percent
<u>Variance No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Minimum Lot Width</u>	<u>Existing Lot Width</u>	<u>Variance Required</u>
1455	Ordinance 99, Article XX, Sec 20.1	40810 Ann Arbor Trail	60 Feet	46.1 Feet	13.9 Feet
<u>Variance No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Minimum Front Yard</u>	<u>Existing Front Yard Setback</u>	<u>Variance Required</u>
1455	Ordinance 99, Article XX, Sec 20.1	40810 Ann Arbor Trail	25 Feet	11 Feet	14 Feet
<u>Variance No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Minimum Side Yard</u>	<u>Existing Side Yard Setback</u>	<u>Variance Required</u>
1455	Ordinance 99, Article XX, Sec 20.1	40810 Ann Arbor Trail	5 Feet	3.9 Feet	1.1 Feet
<u>Variance No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Minimum Side Yard abutting a street</u>	<u>Existing Side Yard Setback Abutting a Street</u>	<u>Variance Required</u>
1455	Ordinance 99, Article XX, Sec 20.1	40810 Ann Arbor Trail	25 Feet	8.6 Feet	16.4 Feet

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The applicant is requesting five variances:

- This applicant is in an R-1 zoning district. The applicant is requesting five variances. This subdivision was platted in 1921 and the home is more than 85 years old. This existing home does not meet any of the zoning requirements by today's standards. The applicant is proposing a family room addition (11x16) on the back of the home.

Mr. Lewis explained that the house has been highly remodeled and if all the variances were granted today, if there was a fire in this house it would basically grandfather in the location on this lot so they could rebuild. He thinks the architect took the viewpoint that there are so many non-conformities here that they just want to make this house "legal."

Mr. Sturdy confirmed that what the applicant proposes is to simply put a small addition on the northwest corner of the home in an area that is currently occupied by a deck. In order to do this, applicant needs a variance for lot coverage and for sideyard setback and authorization to expand a non-conforming structure.

He noted that the current home sits on a lot that was platted at a time when there were no formal zoning controls. The original use contemplated for the property under common platting practice in the 1920's was commercial because the lot fronted on a major roadway. The current zoning ordinance, however, designates permitted use as residential resulting in a situation where there is now a conforming use but a non-conforming structure. The existing structure is lawful because it's grandfathered, but it's an unusual circumstance where residential use has been imposed on lots initially platted for small commercial purposes.

Mr. and Mrs. Connolly addressed the Board regarding the addition they are proposing, which is to build an addition which would extend a couple of feet beyond their current deck. This is to be enclosed with the same materials as on the rest of the house.

Mr. Jachym commented that it appears all the variance criteria have been met as to not being self-created, not being of a recurring nature, having exceptional circumstances, causing no danger to public safety, and substantial justice. He felt the proposed addition would add charm and character to the area and increase the value of the property.

A communication was presented indicating no objection from Mr. Frederick Honke, the neighbor immediately adjacent to the westerly side yard at 40790 E. Ann Arbor Road.

Moved by Mr. Sturdy, supported by Mr. Jachym, to grant the 4% variance requested in maximum lot coverage, and the 1.1 ft. existing sideyard variance on the west side of the property necessary to add the one-story residence addition on the northwest corner of their home as proposed, along with a variance from the provisions of Article 27 of the Zoning Ordinance which would otherwise prevent the expansion, enlargement or extension of the

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non-conforming use for Application 1455, Chris and Kelly Connolly at 40810 Ann Arbor Trail. Ayes all.

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

Chairman Levensgood adjourned the meeting 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)-