

**CHARTER TOWNSHIP OF PLYMOUTH
ZONING BOARD OF APPEALS MINUTES
REGULAR MEETING
THURSDAY, AUGUST 7, 2008**

Meeting called to order at 6:02 p.m. by Chairman Levensgood.

MEMBERS PRESENT: Gene Levensgood
Harry Jachym
Ray Sturdy, Jr.
Robert Doroshewitz
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 10, 2008.

Moved by Mr. Jachym, supported by Mr. Doroshewitz, to approve the minutes of the regular meeting of July 10, 2008, as presented. Ayes all.

In the absence of the applicant, the Board proceeded with consideration of Item No. 3.

ITEM NO. 3 - APPROVAL OF 2009 ZBA MEETING DATES

1. Approval of the ZBA 2009 Meeting Dates.

Board members discussed moving the July 2 meeting date to July 9 so as not to interfere with the July 4th holiday week.

Moved by Mr. Jachym, supported by Mr. Sturdy, to adopt the following meeting dates for the Plymouth Township Zoning Board of Appeals for 2009:

January 8	February 5	March 5	April 2	May 7
June 4	July 9	August 6	September 3	October 1
November 5	December 3	January 7, 2010		

Ayes all.

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At 6:07 p.m., it was moved by Mr. Sturdy, supported by Mr. Jachym, to recess the meeting for 15 minutes to attempt to contact the applicant. Ayes all.

At 6:17 p.m., the Board returned to open session.

ITEM NO. 2 – NEW BUSINESS

**1. Application No. 1460- Robert & Mary Hovansian
45475 Ann Arbor RD
Plymouth MI 48170**

Location –**45475 Ann Arbor RD
Plymouth, MI 48170**

Tax I.D. #78-056-99-0022-000

RE: Zoning Ordinance No. 99, Article VI, One Family Residential Districts; Section 6.4 (f)
(1) (a)

<u>Variance No.</u>	<u>Zoning Ordinance Section/Standard</u>	<u>Location</u>	<u>Allowed Maximum Fence Height</u>	<u>Proposed Maximum Fence Height</u>	<u>Variance Required</u>
1460	Ordinance 99, Article VI, Sec 6.4 (f) (1) (a)	45475 Ann Arbor RD	Four (4) Feet	Six (6) Feet	Two (2) Feet

The applicant is requesting one variance:

- This application is in an R-1-S zoning district along with being in the Ann Arbor Road Corridor. The applicant is requesting a variance in maximum fence height for a fence along the back property line. The ordinance allows a maximum four (4) feet, the applicant is proposing a maximum six (6) feet, the applicant is requesting *a variance of two (2) feet in fence height*

Mr. Robert Hovansian addressed the Board and answered questions. He indicated that behind his property they are building 16 condo units, a combination of single-story and two-story units. Directly behind him they will be building units 25 ft. high, which will be able to look directly into his back yard and pool area, leaving him no privacy. When the condo property was excavated for the installation of a cistern, fifteen 25-ft. spruce trees were destroyed 6 feet inside his property line. The current chain link fence is grandfathered and is 10 feet inside his property line. Children also travel along there, using it as a conduit from Isbister School.

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The decks from the condos will be on a plane with his property, because a great deal of the earth was also removed and the grade changed when the trees were destroyed.

Mr. Sturdy noted the smaller spruce trees since planted on the condo property as part of a negotiated solution. He also clarified with Mr. Hovansian that the plan is to install the 6 ft. fence only on the rear property line, rather than enclosing the entire yard.

Mr. Sturdy commented that he was struck by the proximity to the rear lot line of the foundation for the condos, approximately only 35 feet. He also noted a couple of six-foot fences already in existence in the area which were not visible from the road. Immediately east is an area of dense brush, 8 to 10 feet high. With a fence installed there, it would not be visible except to the property owner on the north side. If there's another two-story unit put in there 35 ft. from the property line, which would constitute exceptional circumstances. It's not of a general or recurrent nature, and in this circumstance you cannot depend on landscaping. There's also a safety issue with the proximity to Isbister and Pioneer Schools.

Moved by Mr. Sturdy, supported by Mr. Doroshewitz, to grant the variance requested in Application 1460, Robert & Mary Hovansian at 45475 Ann Arbor Road, to permit the two foot increase in maximum fence height from four to six feet for the rear lot line of the property for the reasons that there are exceptional circumstances and practical difficulties involved in this situation where all seven criteria of the Zoning Ordinance are met. Ayes all.

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

Chairman Levensgood adjourned the meeting at 6:40 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)-