Zoning Board of Appeals Minutes
January 6, 2005

Meeting called to order at 5:02 p.m. by Chairman Levengood.

MEMBERS PRESENT:
Bob Doroshewitz
Gene Levengood
Harry Jachym
Ray Sturdy, Jr.
Jim Zdanek

MEMBERS ABSENT: None

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

ITEM NO. 1 - APPROVAL OF MINUTES
1. Regular Meeting - December 2, 2004

Moved by Mr. Jachym, supported by Mr. Zdanek, to approve the minutes of the Regular Meeting of December 2, 2004, as presented.

Ayes all.

ITEM NO. 2 - OLD BUSINESS
1. Application No. 1378 - Patricia & Dale Adams
   (tabled from October 7, 2004) 9657 Tennyson
   Plymouth, MI 48170

   Location - Patricia & Dale Adams
   9657 Tennyson
   Plymouth, MI 48170
   Tax I.D. #78053-01-0442-000


   Variance
   Zoning Ordinance Section/Standard Location Required Minimum Rear Yard Setback Proposed Minimum Rear Yard Setback Variance Required
   1 20.1, Article XX Tennyson 50 feet 38 feet, 7 inches 11 feet, 5 inches

   The applicant is requesting one variance:

   1. The existing residential property has a rear yard setback of more than the minimum fifty (50) foot rear yard setback. With the proposed seventeen (17) x twenty (20) foot sunroom addition, the rear yard setback would be forty five point six (45.6) feet. The applicant is requesting a variance for rear yard setback of four point four (4.4) feet.

   Mr. James Fisher, representing Patricia and Dale Adams, addressed the Board and answered questions. Mr. Fisher noted the brick-covered concrete foundation was already in existence with the rear yard setback of 38 feet, 7 inches.

   Chief Building Official Lewis said open decks are allowed up to 20 feet of the rear lot line; however the minimum rear yard setback is 50 feet for an enclosed addition.

   The Board discussed the limitation in the ordinance allowing the ZBA to grant variances only up to 10 feet. They suggested the applicant might pursue requesting an ordinance change with the Board of Trustees.

   The Board also felt that other than the amount of the variance, the request met the additional ordinance criteria.

   Moved by Mr. Sturdy, supported by Mr. Jachym, to grant Application 1378, Patricia and Dale Adams, a 10 ft. maximum variance within the authority of the Zoning Board of Appeals permitting
construction of an addition at 9657 Tennyson, leaving a rear yard setback of 40 feet.

Ayes all.

2. Application No. 1382 - G.S. Kirkman
   (tabled from December 2, 2004) 5923 Rouge Circle
   Dearborn Hts, MI 48127

   Location - Sy Cohen
   9294 Northern Ave
   Plymouth, MI 48170
   Tax I.D. #78059-03-0160-000


The applicant is requesting one variance:

1. The existing residential property has a rear yard setback of more than the minimum fifty (50) foot rear yard setback. With the proposed twelve (12) foot x fourteen (14) foot addition, the rear yard setback would be thirty nine (39) feet, six (6) inches. The applicant is requesting a variance for rear yard setback of ten (10) feet, six (6) inches.

Mr. Bob Novak, representing G.S. Kirkman and Sy Cohen, addressed the Board and answered questions. He indicated the addition could be turned 90 degrees and it would still not exceed 40 percent of the width of the house.

The Board felt the request met the other ordinance criteria.

Moved by Mr. Jachym, supported by Mr. Sturdy, to grant a variance of 10 feet for Application 1382 at 9294 Northern Avenue, and that the addition be built of the same building materials and not exceed 40 percent of the width of the house.

Ayes all.

ITEM NO. 3 - NEW BUSINESS

1. Application No. 1384 - Dennis P. Robare, ALA
   45000 Joy Rd
   Plymouth, MI 48170

   Location - James A. Leventis
   46821 Brooks Lane
   Plymouth, MI 48170
   Tax I.D. #78054-01-0004-000


The applicant is requesting one variance:

1. The existing residential property has a rear yard setback of more than the minimum fifty one point three (51.3) feet, bordering with a commons wetland area. With the proposed twenty (20) foot x twenty four point seventy five (24.75) foot addition, the rear yard setback would be twenty four (24) feet. The applicant is requesting a variance for rear yard setback of twenty six (26) feet.

Building Official Lewis indicated the home in question is located in an RUD District, thus the 50 ft. minimum rear yard setback does not apply.

Mr. Dennis Robare and Mr. James A. Leventis addressed the Board and answered questions. Mr. Leventis presented letters from his neighbors in support of his request and pointed out two officers
of his homeowners’ association had signed the plans.

Moved by Mr. Jachym, supported by Mr. Sturdy, to grant a 24-ft. minimum rear yard setback for Application 1384 at 46821 Brooks Lane.

Ayes all.

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

Ayes all.

Meeting adjourned at 5:45 p.m.

Respectfully submitted,

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.