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

MEMBERS PRESENT: Robert Doroshewitz
Thomas Dueweke
Harry Jachym
Ray Sturdy, Jr.

MEMBERS EXCUSED: Robert Harris

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

ITEM NO. 1 - APPROVAL OF MINUTES

1. Regular Meetings – September 27, 2012 (Special Meeting)

Moved by Mr. Dueweke, supported by Mr. Sturdy, to approve the minutes of the Board of Trustees special meeting of September 27, 2012 as presented. Ayes all.

ITEM NO. 2 – NEW BUSINESS

1. Application No. 1502- Curtis Building Company
Mark Menuck
12296 Hubbard
Livonia MI 48150

Location – 9209 Corinne
Plymouth MI 48170
Tax I.D. #78-059-03-0096-000

R-1 Zoning District

RE: Zoning Ordinance No. 99, Article 20 Sec 20.1 Height, Area, Lot Coverage, Yard Requirements and Floor Area (as amended 10/25/07)

<table>
<thead>
<tr>
<th>Variance No.</th>
<th>Zoning Ordinance Section/Standard</th>
<th>Location</th>
<th>Minimum Lot Area</th>
<th>Proposed Lot Area</th>
<th>Variance Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1502</td>
<td>Ordinance 99, Article XX, Sec 20.1</td>
<td>9209 Corrine</td>
<td>7200 Square Feet</td>
<td>6400 Square Feet</td>
<td>800 Square Feet</td>
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<tr>
<td>Variance No.</td>
<td>Zoning Ordinance Section/Standard</td>
<td>Location</td>
<td>Minimum Side Yard Abutting a Street</td>
<td>Proposed Side Yard Abutting a Street</td>
<td>Variance Required</td>
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<tr>
<td>1502</td>
<td>Ordinance 99, Article XX, Sec 20.1</td>
<td>9209 Corinne</td>
<td>House Twenty-five (25) Feet</td>
<td>House Fourteen (14) Feet</td>
<td>House Eleven (11) Feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Variance No.</th>
<th>Zoning Ordinance Section/Standard</th>
<th>Location</th>
<th>Minimum Lot Width</th>
<th>Existing Lot Width</th>
<th>Variance Required</th>
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<tbody>
<tr>
<td>1502</td>
<td>Ordinance 99, Article XX, Sec 20.1</td>
<td>9209 Corinne</td>
<td>Sixty (60) Feet</td>
<td>Fifty (50) Feet</td>
<td>Ten (10) Feet</td>
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</table>

<table>
<thead>
<tr>
<th>Variance No.</th>
<th>Zoning Ordinance Section/Standard</th>
<th>Location</th>
<th>Maximum Lot Coverage</th>
<th>Proposed Lot Coverage</th>
<th>Variance Required</th>
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<tr>
<td>1502</td>
<td>Ordinance 99, Article XX, Sec 20.1</td>
<td>9209 Corinne</td>
<td>25%</td>
<td>31.7%</td>
<td>6.7%</td>
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</table>

<table>
<thead>
<tr>
<th>Variance No.</th>
<th>Zoning Ordinance Section/Standard</th>
<th>Location</th>
<th>Minimum Side Yard Abutting a Street</th>
<th>Proposed Side Yard Abutting a Street</th>
<th>Variance Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1502</td>
<td>Ordinance 99, Article XX, Sec 20.1</td>
<td>9209 Corinne</td>
<td>Detached Garage Twenty-five (25) Feet</td>
<td>Detached Garage Fourteen (14) Feet</td>
<td>Detached Garage Eleven (11) Feet</td>
</tr>
</tbody>
</table>

The applicant is requesting five variances:

1. The applicant is an R-1 zoning district and is requesting five variances. This is an existing non-conforming parcel asking to be able to construct a new home with a detached garage that is aesthetically pleasing to the neighborhood.
   - First variance is a request for a proposed lot area of 6400 sq ft where 7200 sq ft is required. *Variance requested is 800 sq. ft.*
   - Second variance is for a proposed side yard abutting a street of 14 feet where 25 feet is required for the house. *Variance requested is 11 feet.*
   - Third variance is for the minimum lot width. This lot is a non-conforming lot of only fifty (50) feet while sixty (60) feet is required. *Variance requested is ten (10) feet.*
Fourth variance is for proposed lot coverage of 31.7% where maximum allowed lot coverage is 25%. **Variance requested is 6.7%**.

Fifth variance is for a proposed side yard abutting a street of 14 feet where 25 feet is required for a detached garage. **Variance requested is 11 feet**.

Mr. Menuck of Curtis Building Company addressed the Board and answered questions regarding the proposed house to be built at 9209 Corrine. The lot size is 50 ft. by 128 ft. He believes the house will be harmonious to the neighborhood.

One letter was received in support of the proposal and two neighboring property owners, one next door and one three houses down on the north side were present to lend their support to the project. They stated a belief that the proposed new home would be a substantial improvement to the local neighborhood and the community. The owners of the property located directly behind also appeared and expressed concern regarding the proposed placement of a new garage and the proximity to the fence and existing garage on their property. They had not seen any plans for the proposal. A brief recess was taken to permit the applicant to describe his proposed plans with these neighbors. The location of the garage proposed by the applicant is consistent with rear yard setback requirements and only a side yard variance is requested.

The Commission considered first its authority to grant variances to enlarge or modify structures in non-conforming situations. In this instance, the entire 24-block subdivision is non-conforming because the R-1 zoning district rules were applied long after the area was subdivided and developed. Under the ordinance, the ZBA is directed to interpret provisions in a way that makes sense and carries out the intent and purpose of the ordinance. If variances were not permitted to be considered in this area, then eventually most or all of the homes in this 24-block area would be eliminated or fall to ruin. That would not be in the public interest or consistent with the intent or purpose of the ordinance. Moreover, in several places in the ordinance the authority of the ZBA is expressly limited but no such limitation is made with regard to the consideration of variances in non-conforming situations.

Chairman Jachym expressed his thoughts regarding the character of the neighborhood and how this proposed house will fit in. The only way ordinance compliance could be met would be to tear a house down next door. He believes an effort is being made to improve the area with a house harmonious to the neighborhood.

It was noted that the variances requested were not modest, but neither were they extreme given the circumstances of this lot and surrounding properties in the subdivision. It was apparent that Applicant had developed his proposed plans with a view to minimize the impact of his proposal and was respecting existing rear yard and front yard setback requirements. With regard to the proposed 6 ft. setback request on this northerly property line, it was explained that the structure to structure distance at this side of the lot was 21 feet and the property owner to the north believed that was entirely satisfactory.
Mr. Sturdy, supported by Mr. Doroshewitz, moved to grant the variances requested in Application 1502 to permit the construction of new home as specifically proposed in Applicant’s plans, elevations and photographs, for the property located at 9209 Corinne, based on findings that practical difficulty existed that would unreasonably prevent the use of the property for a permitted purpose; that substantial justice has been shown; that public safety and welfare criteria have been met; that there are exceptional circumstances; that this is not a situation of a general or recurring nature as this particular structure on this particular lot is being considered; that the conditions are not self-created; that the possibility of financial return is not an issue; and that granting the variances requested in this particular case would enhance the community and neighborhood. Ayes all.

ITEM NO. 3 – OLD BUSINESS

1. Alternate Board Membership

Chairman Jachym again introduced the possibility of having an alternate member appointed to the Zoning Board to fill in for any absence if it would result in the lack of a quorum. Mr. Doroshewitz agreed to bring up the question at the next Board of Trustees meeting.

Moved by Mr. Doroshewitz, supported by Mr. Dueweke, to adjourn the meeting at 6:40 p.m. Ayes all.

Respectfully submitted,

Raymond O. Sturdy, Jr.

Raymond O. Sturdy, Jr.
Zoning Board of Appeals

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 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)