The meeting was called to order at 6:00 p.m. by Chairman Carlin.

MEMBERS PRESENT:  
Timothy Boyd  
Michael Carlin  
Jack Dempsey  
William Pratt

MEMBERS ABSENT:  
Don Schnettler, Excused

OTHERS PRESENT:  
Mark Lewis, Chief Building Official  
Kevin Bennett, Township Attorney  
Alice Geletzke, Recording Secretary  
5 members of the public

ITEM NO. 1 - APPROVAL OF MINUTES

1. Regular Meeting – July 5, 2018

Moved by Mr. Pratt and supported by Mr. Carlin to approve the minutes of the regular meeting of July 5, 2018 as submitted. Ayes all.

ITEM NO. 2 – NEW BUSINESS

Application No. 1577-  
Scott & Jennifer Still  
11200 Terry  
Plymouth MI 48170

Location –  
11200 Terry  
Plymouth MI 48170

Tax I.D. #78-063-03-0187-000

R-1 Zoning District

RE: Zoning Ordinance No. 99, Article 6, Sec 6.4 (f) (1) (a) (c) (2)One Family Residential Districts, Fences, maximum height

<table>
<thead>
<tr>
<th>Variance No.</th>
<th>Zoning Ordinance Section/Standard</th>
<th>Location</th>
<th>Maximum Fence Height</th>
<th>Proposed Fence Height</th>
<th>Variance Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1577</td>
<td>Ordinance 99, Article VI, Sec 6.4 (f) (1) (a)</td>
<td>11200 Terry</td>
<td>Four (4) foot</td>
<td>Six (6) foot</td>
<td>Two (2) feet</td>
</tr>
</tbody>
</table>
The applicant is requesting four variances:

The applicant is in an R-1 zoning district with a corner lot and is requesting four variances to allow:
1) A six (6) foot fence around the rear yard property line whereas a four (4) foot fence height is the maximum allowed. The variance requested is two (2) feet of fence height.

2) To allow for installation on the corner lot side yard property line whereas a minimum of (3) feet off the property line is required. The variance requested is (3) feet of side yard location.

3) To allow for the rear yard fence location to come within 1 foot of the side lot line and the side lot line to be on the property line meeting the rear corner property intersection, whereas a 45 degree angle is required on corner lots starting at a point not nearer than 20 feet from the rear lot line and 3 feet off the side lot line. The variance requested is side and rear property line intersection be allowed on the property line itself.

4) To allow the fence to come to the back of the garage whereas the fence is only allowed to come to the rear building line on corner lots. The variance requested is to be allowed to come to the back of the garage.

Jennifer Still addressed the Board and answered questions, noting that some of the reasons for wanting the 6 ft. privacy fence to be installed in place of the existing chain link fence are for further swimming pool safety and privacy and privacy from foot traffic in the area near the communal mail boxes. She indicated they have no objections to installing the fence at a 45-degree angle at the northeast corner and to end the fence at the rear building line. Also, neighbors compliment them on the cosmetic improvements made to their property.

After further discussion regarding placement of the fence in relationship to the house, the unusual configuration of the lot, and other fence installations in the neighborhood, it was moved by Mr. Pratt and supported by Mr. Boyd to grant the following fence variances requested in Application 1577 at 11200 Terry:

Allow the 2-ft. height variance requested, from a 4-ft. fence to a 6-ft. fence.

Allow the applicant to install the fence on the north property line, granting a 3-ft. variance.

And the applicant has agreed to install the fence at a 45-degree angle at the northeast corner of the property.

Ayes all on a roll call vote.

Application No. 1578- Younan & Marine Sabbagh
36312 Grandon
Plymouth MI 48170

Location – 40600 Ann Arbor TR
Plymouth MI 48170

Tax I.D. #78-027-01-0119-000
C-1 Zoning District

RE: Zoning Ordinance No. 99, Article 31, Sec 31.12 Use Variance
The applicant is requesting one variance:

The applicant is in an C-1 zoning district and is requesting a use variance to the C-1 zoning district to allow a motor vehicle repair shop whereas this type of business is not allowed within the C-1 district. Variance requested a use variance to the C-1 Zoning District.

Ryan Dobson, representing the property owner who has owned the property since the late 80's, addressed the Board and answered questions regarding their request for a Use Variance. He indicated that the property owner’s position is that there was no abandonment for six months in 2014, but proof has thus far been unattainable in order to continue use of the building under the original Use Agreement of 1994, thus the reason for seeking a Use Variance. He maintained that it would cause hardship to the property owner to remove the hydraulic lifts installed for auto repair in order to use the building for other purposes.

Board members discussed other aspects regarding use of the property, among them parking in front of the building, cars for sale, and aesthetics and maintenance.

Roy Darell, a resident of the area, spoke about conditions he had observed regarding parking, noise, and car sales. He did say he would have no objections to a car repair facility in the area if stipulations were met.

A letter was also received from Ronald and Valaria Jones who also didn’t object to a repair shop if no cars were being sold.

Mr. Pratt spoke of the Planning Commission’s recommendation to the ZBA to consider incompatibility with the current permitted uses in a C-1 District, essential neighborhood character and incompatibility and not meeting goals and objectives of the Master Plan.

Attorney Bennett gave a comprehensive explanation of the differences between a Use Agreement, such as that signed in 1994, and a Use Variance which is now the procedure allowed by the Zoning Ordinance passed in 2004.
Board members discussed allowing additional time for the applicant’s research into whether issues regarding the Use Agreement are still in play.

Moved by Mr. Pratt and supported by Mr. Carlin to defer a decision for up to 90 days on Application 1578, Request for a Use Variance for a Motor Vehicle Repair Shop in the C-1 Zoning District at 40600 Ann Arbor Trail. Ayes all on a roll call vote.

Moved by Mr. Pratt and supported by Mr. Boyd to adjourn the meeting at 7:07 p.m. Ayes all.

Respectfully submitted,

Timothy Boyd, Secretary
Plymouth Twp. 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)