

**PLYMOUTH CHARTER TOWNSHIP
BOARD OF TRUSTEES
PLANNING COMMISSION
ZONING BOARD OF APPEALS
JOINT MEETING
TUESDAY, APRIL 24, 2007**

Meeting called to order at 7:05 p.m.

MEMBERS PRESENT

MEMBERS EXCUSED

BOARD OF TRUSTEES:

Richard Reaume, Supv.
Kay Arnold, Trustee
(also Planning Comm. liaison)
Charles Curmi, Trustee
Steve Mann, Trustee

Ron Edwards, Treasurer
Marilyn Massengill, Clerk
Robert Doroshewitz, Trustee
(also Zoning Board liaison)

PLANNING COMMISSION:

Kendra Barberena
Dennis Cebulski
Carol Davis
Janice Litwin
Keith Postell
William Pratt
Ray Sturdy (also Zoning Board liaison)

Dennis Siedlaczek

ZONING BOARD OF APPEALS:

Harry Jachym
Gene Levensgood
Jim Zdanek

ALSO PRESENT:

James Anulewicz, Director of Public Services
Michael Bailey, Dietrich Bailey Associates
Patrick Fellrath, Township Civil Engineer
Sally Hodges, McKenna Associates
Mark Lewis, Chief Building Official
Seth Shpargel, McKenna Associates

Approval of Agenda

Moved by Ms. Arnold, supported by Mr. Mann, to approve the agenda for the Joint Meeting of April 24, 2007, as presented. Ayes all.

Public Comment – There was none.

ITEM NO. 1– Ann Arbor Road Architectural Design Standards

Desired Outcome: Reach consensus regarding the use and adoption of Architectural Design Standards for the Ann Arbor Road Corridor.

Mr. Anulewicz, Director of Public Services, addressed the group regarding recommendations for having specific architectural design standards for the Ann Arbor Road Corridor. He indicated a need for a purpose and objective beyond aesthetics is recommended. These standards are recommended to be part of the ordinance, having to go through public hearing with approval necessary by the Board, rather than simple adoption by the Planning Commission.

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Ms. Arnold, Mr. Cebulski, and Mr. Postell discussed with Mr. Curmi his objections to the Planning Commission specifying colors and design features.

Mr. Mann hopes the Planning Commission, during the interim before the ordinance is changed, would not be discouraged from negotiating to get the best for the community and he agrees with their philosophy.

Mr. Reaume appreciates that chain store operators are providing pictures of their various models in other communities to assist the Planning Commission.

The consensus was that the Planning Commission will continue to review the architecture and color of buildings for compliance with community standards. Care will be taken to make sure the process remains equitable and based on community standards. The draft text amendments establishing architectural standards for the Ann Arbor Road Corridor will be sent to the Board for comments prior to establishing a public hearing. Upon receipt of Board comments the Planning Commission will make final amendments and hold a public hearing. After the public hearing the Planning Commission will make changes to the proposed ordinance to address the concerns of the public and forward the document to the Board for approval.

ITEM NO. 2 – Gas Station Canopies

Desired Outcome: Reach consensus regarding the need to amend the Zoning Ordinance related to Gas Station Canopies. Determine major areas to be addressed.

Mr. Anulewicz noted the gas stations are seeking to make their gas station necessities, such as their canopies, a means of calling attention to the business. Height, color, band width, and signage on the canopy need to be considered for ordinance standards.

The group reached a consensus to proceed with ordinance amendment.

ITEM NO. 3 – Variances Granted by the Zoning Board of Appeals

Desired Outcome: Reach consensus regarding variances.
Liberal, moderate or conservative approach.
Suggestions for approving the process and overview.

Mr. Anulewicz said there are two types of variances the Zoning Board is asked to address:

- 1) All questions related to the specific requirements of the Zoning Ordinance such as building heights, building setbacks, yard requirements, etc.
- 2) Use variances.

Two schools of thought—variances granted for either should be rare or that height, setback, yard requirements should have more flexibility than use variances provided the general intent and rules of the Zoning Ordinance are not essentially voided by the action. Use variances should be a very rare occasion and only if all criteria listed in the Zoning Ordinance are met.

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Purpose of the consensus is to make sure the intent of the Master Plan and the overall planning objectives for the community are achieved through the Zoning Ordinance without placing an undue amount of burden on the property owners.

He suggested the Zoning Board, in conjunction with the Building Department, establish a concise reporting process that gives the type of variance requested, the total number of said requests as of the date of the report, the number requested, number granted, number denied, number withdrawn, etc. The report must distinguish between actual requests and those that are administrative as required by the Zoning Ordinance.

He recommended the ZBA send to the Planning Commission and Board of Trustees their proposal for the reporting process within 60 days after it is established for their recommendations.

Mr. Sturdy handed out a sheet on which he had collaborated with Mr. Jachym denoting the process the Zoning Board uses for consideration of items since the Zoning Ordinance was changed. They consider step by step for each case practical difficulty, substantial justice, public safety and welfare, exceptional circumstance, not of a general or recurrent nature, conditions not self created and is the purpose of the variance to increased financial return. He indicated no use cases have appeared before them.

Mr. Anulewicz noted the ZBA has already established a kind of reporting process. He suggested they take that data and send it to the Board and Planning Commission every other month or so. Every 90 days or a lengthier period, the ZBA should inform the Planning Commission regarding the kind of cases they've ruled upon with an eye for possible ordinance change.

It was decided a six month report would be submitted by the ZBA to the Planning Commission to be reviewed on a yearly basis unless something is really outstanding.

Mr. Curmi questioned the significance of the fence height approvals in recent years.

Mr. Sturdy said the changed ordinance specifically gave the ZBA authority for changed fences when before that fences were not mentioned at all. They will sometimes suggest more attractive material and landscaping and will consider what abuts the fence and lack of objections by adjoining neighbors.

Mr. Anulewicz said there are people who are adjacent to highly traveled areas, so it may be necessary to go back to the Planning Commission for ordinance amendment, preferably with specifics as to style of fence and landscaping.

Mr. Levengood noted his reluctance to deny long-time residents with existing six-foot fences who now need to replace them.

Mr. Sturdy noted the difficulty of setting generalized rules. Each case seems to have specifics.

Mr. Lewis indicated the difficulty in older neighborhoods with replacement of portions of six-foot fences when the remainder of the fence is six feet.

Consensus was to maintain the status quo on six-foot fences along major thoroughfares and to have the Building Department and Mr. Anulewicz look at existing six-foot fences.

ITEM NO. 5 – General Discussion of Boardwalks

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Desired Outcome: Reach consensus regarding establishing an ordinance to require all boardwalks to be Trex material or equivalent.

Mr. Anulewicz cited areas where difficult terrain makes it impossible to install sidewalk such as along the east side of McClumpha between Joy and Ann Arbor Roads and North Territorial along the wetlands. These boardwalks become the responsibility of the Township to maintain. Mr. Edwards suggested that Trex material or equivalent be required for less maintenance cost. There will be a limited number of boardwalks going in, but an ordinance requirement is needed to fall back on.

Consensus was to upgrade the current boardwalk on McClumpha, negotiate and reach a compromise with the Township contributing some dollars. Also to proceed with an ordinance amendment to limit future boardwalks, but in cases of no alternative the material will be upgraded to reduce maintenance.

ITEM NO. 4 – General Discussion of Video Signs

Desired Outcome: Reach consensus regarding the significance of these types of signs. Permit, encourage or not permit. Determine next action.

Mr. Anulewicz' perspective is that there is a place for video signs, but as an exception such as the arena. In areas such as Ann Arbor Road, if allowance is made for one it has to be done for everyone which would cause great distraction.

In the case of LCD (liquid crystal display) and LED (light emitting diode) signs, could a portion be a reader board which is a section where you could advertise various prices?

Price signs at gas stations also should be considered as to whether they can use changeable electronic copy.

Consensus was not to allow any video signs or reader boards. Electronic gas station price signs would be allowed with limitations. Whether or not mechanical reader boards are currently allowed will be researched and information distributed.

Public Comment

Mr. Daniel Calcaterra sent a letter inquiring about sidewalk extending in the industrial parks and along the Beck Road overpass for bike riding. The group discussed areas where bicycle and foot traffic is discouraged because of safety issues.

Mr. Pratt noted various areas where sidewalk has not been required because it would not be used. In his opinion, the perspective of the Planning Commission is that they take the developer's desire and blend it into the community's goals to arrive at a solution.

Other Comments

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In answer to Mr. Curmi's question regarding who would take responsibility for ZBA reporting, the Building Department agreed to the responsibility. Mr. Anulewicz agreed to look at the data from ZBA with Mr. Lewis to make sure it is the data they want. Every six months that information will be supplied to the Planning Commission and the Board; and on a yearly basis, or at other times if something arises, they will examine the information to determine if ordinance amendment action might be required.

Mr. Curmi thought the meeting was very useful and thanked everyone for attending. He thought it should be done once a year.

Adjournment

Ms. Arnold moved to adjourn the meeting. Seconded by Mr. Curmi. Ayes all.

Mr. Reaume adjourned the meeting at 9:07 p.m.

Respectfully submitted,

Richard M. Reaume, Supervisor
Plymouth Charter Township

The Charter Township of Plymouth will provide necessary reasonable auxiliary 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, Plymouth, MI 48170, 734-354-3201, TDD users: 1-800-649-3777 (Michigan Relay Service).