

**CHARTER TOWNSHIP OF YPSILANTI
ZONING BOARD OF APPEALS
Wednesday, October 6, 2021
6:30pm**

COMMISSIONERS PRESENT

Morgan McGovern, Commissioner
Gage Smith, Commissioner
Jimmie Wilson, Commissioner
Edward Burnett, Alternate

COMMISSIONERS ABSENT

Marsha Kraycir, Chair
Elizabeth El-Assadi, Vice-Chair

MANAGEMENT PRESENT

Jason Iacoangeli, Planning Director

I. CALL TO ORDER/ESTABLISH QUORUM

MOTION: Mr. Smith called the meeting to order at 6:44 pm.

II. APPROVAL OF AGENDA

MOTION: Mr. Smith **MOVED** to approve the agenda as presented. The **MOTION** was **SECONDED** by Ms. McGovern and **PASSED** by unanimous consent.

III. APPROVAL OF SEPTEMBER 1st MEETING MINUTES

MOTION: Mr. Wilson **MOVED** to approve the previous Board Meeting Minutes as presented. The **MOTION** was **SECONDED** by Ms. McGovern and **PASSED** by unanimous consent.

IV. PUBLIC HEARING

APPLICANT: Latoria Wilkerson

LOCATION: 1234 Ruth Ave, Ypsilanti MI 48198

PARCEL : K-11-15-160-026

REQUEST: To consider a fence variance request subject to Section 2114 –Fences and Walls parcel zoned R-5 –One Family Residential.

Mr. Iacoangeli presented the request for the installation of a 6 feet wood privacy fence in the required front yard at 1234 Ruth Ave for a site zoned R-5. He mentioned that 1234 Ruth Ave is located on the corner of Ruth and Gulf Drive and because this home is on a corner lot it has two

required front yards, one on Ruth Ave and one on Gulf Drive, each with a 20-foot set back requirement. In the variance request dated September 14th, the applicants proposed to install a 6-foot wood fence within the front yard of the property, but any fence greater than 3 1/2 Feet are not permitted within the front yard of a residential property, so thus the request for the variance.

Mr. Iacoangeli request the following conditions are met due to the practical difficulty faced by the applicant.

1. The home was placed on the lot in such a way that it does not have a backyard. The home is located approximately 7.83 feet at its closest point to the property line.
2. The variance is necessary for the preservation and enjoyment of the property by creating a larger yard consistent with other rear yards in the neighborhood.
3. The authorizing of such a variance will not be a substantial detriment to adjacent property owners. The applicant has submitted a letter from the property owners at 1219 Gold Drive and 2010 Hall Ave, accepting the fence location.

Mr. Iacoangeli also points out on Page 13, in the packet, the red line on the map illustrates where the applicant is proposing to place the fence as per their submittal. Jason also clarifies that installing this fence would not pose any site issue for vehicles, because this fence is on the East side and is also further away from the intersection.

APPLICANT: Latoria Wilkerson request the board for the approval of the variance based on her concerns with regards to the safety of her kids.

MOTION: Mr. Wilson **MOVED** to approve the request for a variance from zoning Ordinance section 2114. Fences and walls to permit the installation of a 6-foot-tall privacy fence in the front yard at 1234 Ruth Ave for a site zoned R-5 One family Residential located on K-11-15-160-026.

Mr. Wilson also states that there was an extraordinary circumstances and conditions applying to the property, as the home has no rear yard based on the placement of the home on the lot.

- The installation of the fence is necessary for preservation of enjoyment.
- Safety of the children.
- There is no detriment to the adjacent property properties due to those property owners submitting their letters of acceptance for the fence and also that this problem was not self-created.
- The applicant should obtain the necessary zoning permit from the Office of Community Standards.
- The applicant shall verify the fence will be located outside of the Washtenaw County Road Commission right of way.

The **MOTION** was **SECONDED** by Ms. McGovern and **PASSED** by unanimous consent.

APPLICANT: Angela Hoops -Cossey

LOCATION: 7690 Oxford Ct., Ypsilanti MI 48197

PARCEL : K-11-33-310-427

REQUEST: To consider a fence variance request subject to Section 2114 –Fences and Walls, parcel zoned PD–Planned Development.

Mr. Iacoangeli presented the request for the installation of a 6 feet wood shadow box privacy fence in the required front yard at 7690 Oxford Ct for a site zoned PD. He mentioned that 7690 Oxford Ct is located on the corner of Oxford Court and Crest Drive and since this home is on a corner lot, it has two required front yards, one on Oxford Ct and one on Crest drive, each with a 25-foot set back requirement. In the variance request dated September 14th, the applicants proposed to install a 6-foot shadow box fence within the front yard of the property, but any fence greater than 3 1/2 Feet are not permitted within the front yard. The only exception being if the homes on the adjacent side of the street do not face the home erecting the fence. Thus, the request for the variance

Mr. Iacoangeli request the following conditions are met due to the practical difficulty/ exceptional or extraordinary circumstances or conditions applying faced by the applicant.

1. The lot is consistent with other homes in the neighborhood and does not have an exceptional characteristic. The home is placed on the lot consistent with the neighborhood and the setback requirements for the district.
2. Necessary for the preservation and enjoyment of a substantial property right.
3. The variance isn't necessary as a privacy fence can be installed at the home that would encapsulate the rear yard.
4. The authorizing of such a variance will not be a substantial detriment to adjacent property.
5. The need for the variance has not been self-created.
6. The problem and resulting need for a variance is based on the fence not meeting the location requirement for a 6-foot privacy fence.

Mr. Iacoangeli also clarifies that installing this fence would not pose any site issue for vehicles, since any traffic that would be exiting would be on the opposite side of the street to make either a left or a right-hand turn, and the fence wouldn't be in conflict at all.

APPLICANT: Angela Hoops –Cossey request the board for the approval of the variance based on the following concerns.

- Need for privacy and safety of her children and animals.
- Invasion of her property by neighbors.

The shadow box fence was approved by the HOA. The fence would be towards the sidewalk, 3 feet back from the sidewalk. Since it is a 25-foot setback, the fence would only run 22 feet out. The fence would come up just 10 feet on the north side.

MOTION: Ms. McGovern **MOVED** to approve the request for a variance from zoning Ordinance section 2114. Fences and walls to permit the installation of a 6-foot-tall privacy fence in the front yard at 7690 Oxford Ct for the site zoned Planned Development parcel K-11-33-310-427.

Ms. McGovern also states that there are extraordinary circumstances or conditions/practical difficulty applying to the property based on the home having roads on three sides of the lot and leading to foot traffic in Ms Cossey's yard.

- The installation of the fence is necessary for preservation of enjoyment.
- Safety of the children and pets.
- The applicant should obtain the necessary zoning permit from the Office of Community Standards.
- The applicant shall verify the fence will be located outside of the Washtenaw County Road Commission right of way.

The **MOTION** was **SECONDED** by Mr. Wilson and **PASSED** by unanimous consent.

V. OPEN DISCUSSION FOR ISSUES NOT ON AGENDA

None

VI. OTHER BUSINESS

The American Center for Mobility might be looking for an extension to the temporary parking permit, as the Ford Motor Company still doesn't have enough computer chips for the vehicles that are being stored on their property, so there is a potential for an extension for the temporary parking permit.

VII. ADJOURNMENT

MOTION: Mr. Smith **MOVED** to adjourn at 7:25pm. The **MOTION** was **SECONDED** by Ms. McGovern and **PASSED** by unanimous consent.

Respectfully Submitted by Minutes Services