

CHARTER TOWNSHIP  
OF YPSILANTI  
ZONING BOARD OF APPEALS

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**MARSHA KRAYCIR, CHAIR**  
**ELIZABETH EL-ASSADI, VICE CHAIR**  
**MORGAN MCGOVERN**  
**GAGE SMITH**  
**JIMMIE WILSON**  
**GARRET WOOD-STERNBURGH – ALT**  
**EDWARD BURNETT - ALT**

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**June 2, 2021**

**Work Session - 6:00 p.m. - Zoom**  
**Regular Meeting – 6:30 p.m. - Zoom**

**Ypsilanti Township Civic Center**  
**7200 S. Huron River Drive**  
**Ypsilanti, MI 48197**

**CHARTER TOWNSHIP OF YPSILANTI**  
**ZONING BOARD OF APPEALS**  
7200 S. Huron River Drive, Ypsilanti, MI 48197

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**REVISED MEETING AGENDA**  
**WEDNESDAY, JUNE 2, 2021**  
**6:30 P.M.**

Due to the COVID-19 pandemic, Ypsilanti Township will be conducting this public meeting virtually in order to comply in compliance with the State of Michigan Open Meetings Act. To view and/or participate in the public meeting, please visit [www.ytown.org](http://www.ytown.org).

To provide input or ask questions regarding business that will be considered at the meeting, please email [planning@ytown.org](mailto:planning@ytown.org) or call 734-485-3943. If you need any assistance due to a disability, please contact the Planning Department at least 48 hours in advance of the meeting at [planning@ytown.org](mailto:planning@ytown.org) or 734-485-3943.

1. CALL MEETING TO ORDER
2. ROLL CALL – DETERMINATION OF A QUORUM
3. APPROVAL OF AGENDA
4. APPROVAL OF THE MAY 19, 2021 REGULAR MEETING MINUTES.
5. PUBLIC HEARING
  - A. APPLICANT: Michele L Myers  
LOCATION: 1636 Bailey St., Ypsilanti MI 48198  
PARCEL: K-11-02-308-020  
REQUEST: To consider a fence variance request subject to Section 2114 – Fences and Walls, on a parcel zoned R-5 – One Family Residential.
6. OLD BUSINESS
7. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA
  - A. PLANNING DEPARTMENT REPORT
  - B. CORRESPONDENCE RECEIVED
  - C. ZONING BOARD OF APPEALS MEMBERS
  - D. MEMBERS OF THE AUDIENCE/PUBLIC
8. ANY OTHER BUSINESS THAT MAY COME BEFORE THE ZONING BOARD
9. ADJOURNMENT

**WORK SESSION STARTING AT 6:00**

# CHARTER TOWNSHIP OF YPSILANTI

## OFFICE OF COMMUNITY STANDARDS

Building Safety • Planning & Zoning • Ordinance Enforcement

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### **Charter Township of Ypsilanti Public Meeting Notice Zoning Board of Appeals Special Meeting June 2, 2021 6:30pm**

**PLEASE TAKE NOTICE** that the Charter Township of Ypsilanti Zoning Board of Appeals will hold a Special Meeting scheduled for June 2, 2021 at 6:30pm. This meeting will be conducted virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19 pursuant to the State of Michigan Open Meetings Act.

Public comment will be handled by the “Raise Hand” method as instructed below within Participant Controls.

If you need any assistance due to a disability please contact the Planning Department at least 48 hours in advance of the meeting at [planning@ytown.org](mailto:planning@ytown.org) or 734-485-3943.

#### **Meeting Information:**

When: Jun 2, 2021 06:00 PM Eastern Time (US and Canada)

Topic: ZBA - June 2, 2021

Please click the link below to join the webinar:

<https://ytown.zoom.us/j/96117984393?pwd=N3ExMDh3Q2txK0FhYTBVTzg4N0hHZz09>

Passcode: 521387

Or One tap mobile :

US: +13017158592,,96117984393# or +13126266799,,96117984393#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 6833

Webinar ID: 961 1798 4393

International numbers available: <https://ytown.zoom.us/j/96117984393>

## Zoom Instructions for Participants

### To join the conference by phone:

1. On your phone, dial the teleconferencing number provided above.
2. Enter the Meeting ID number (also provided above) when prompted using your touch- tone (DTMF) keypad.

### Before a videoconference:

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provided below. The details include a link to “Join via computer” as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

### To join the videoconference:

1. At the start time of your meeting, enter the link to join via computer. You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](https://join.zoom.us) on any browser and entering the Meeting ID provided.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number.
2. Enter the Meeting ID number (also provided above) when prompted using your touch- tone (DTMF) keypad.
3. If you have already joined the meeting via computer, you will have the option to enter your 2- digit participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen, you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- Invite other participants
- View Participant list – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between “speaker” and “gallery” view. “Speaker view” shows the active speaker. “Gallery view” tiles all of the meeting participants.

If you have any further questions or concerns, please email or call the Planning Department at [planningtown.org](http://planningtown.org) or 734-485-3943.

**CHARTER TOWNSHIP OF YPSILANTI  
ZONING BOARD OF APPEALS  
MINUTES OF THE MAY 19, 2021 SPECIAL MEETING**

Chair Marsha Kraycir called the meeting to order at approximately 6:48 p.m. via Zoom due to COVID-19.

Commissioners Present: Chair Marsha Kraycir present in Ypsilanti Township; Vice-Chair Elizabeth El-Assadi, present in Ypsilanti Township; Commissioners: Jimmie Wilson Jr. present in Ypsilanti Township; Gage Smith present in Ypsilanti Township; Morgan McGovern present in Ypsilanti Township; Alternate Commissioner: Garret Wood-Sternberg present in Ypsilanti Township.

Commissioners Not Present: None; however Morgan McGovern left the meeting at approximately 7:05 p.m., and was replaced as a voting member by Alternate Wood-Sternburgh.

Others in Attendance: Dennis McLain, Township Attorney; Jason Iacoangeli, Planning Director; Belinda Kingsley; Planning & Development; Mark Chaput; American Center for Mobility.

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF AGENDA**

**A motion by El-Assadi, supported by Smith, was made to approve the agenda. The motion carried unanimously.**

**4. APPROVAL OF THE MAY 5, 2021 REGULAR MEETING MINUTES**

**A motion was made by El-Assadi and supported by Smith, to approve the minutes of the May 5, 2021 Regular Meeting. The motion carried unanimously.**

**5. PUBLIC HEARING**

- A. APPLICANT: American Center for Mobility c/o Mark Chaput  
VARIANCE LOCATION: 2701 Airport Drive, Ypsilanti MI 48198/2930 Ecorse Road,  
Ypsilanti MI 48198  
PARCEL: K-11-12-100-006  
REQUEST: To consider the request for a temporary use for the outdoor storage of  
vehicles on the American Center for Mobility property.**

Jason Iacoangeli, Planning Director, stated that before you tonight is a request from the American Center for Mobility, they are asking to use 35 acres of property for the temporary outdoor storage of motor vehicles that are awaiting microchips. All of these areas are currently graded and are flat pieces of property inside the fencing for the American Center for Mobility. They have provided to staff plans to review the parking areas and to identify the hydrant locations the fire department will be using in the event of a fire. (Pictures were provided to the Zoning Board of Appeals of the area in question.) A four foot wide circular aisle near one of the drainage ditches where the parking is going to take place The Planning Department is recommending that this temporary use be approved.

Commissioner McGovern asked how many cars would be located there, and how will they be parked. Mr. Iacoangeli stated that they will start with 1 lot first and on an as needed basis fill up lots as they get more cars. They will use all 35 acres if necessary.

Chair Kraycir asked about the Fire Lockbox at the site. Mr. Iacoangeli stated there is a piece of safety equipment that Fire Departments across the country rely on it's called a Knox Box. It is a lock for a building that only the Fire Department has a key for. It's a proprietary lock, actually one key is used for all the Knox Boxes in the Township, they are fabricated in such a way that the Fire Department doesn't have a mass of keys they have to search through for each building.

(Issues with connection for Property Owner, Mark Chaput)

Mark Chaput, ACM, stated that they were approached by a representative of Ford Motor Company to house vehicles that are in transit in between the production line and dealers. Due to some COVID challenges, there is a national microchip shortage. The vehicles cannot be delivered to the dealerships until microchips are installed and their computer systems are fully functional so they are in a position to sell the vehicles. Dealerships don't have the capacity for these vehicles, nor do the plants themselves. Ford is having logistic management groups find locations to do this interim parking so they can free up space at the production lot so they can still produce their vehicles, and have a transitional area until microchips are available and they can move the vehicles to the dealerships. ACM was approached by a dealership primarily because we do have some vacant land and they thought it was a good location and the proximity to where they are going to be moving the cars from.

Commissioner Wilson asked how many cars? Mr. Chaput stated that they would be parking 120 vehicles per acre. They asked to start with 10 acres, but will have 35 available.

Commissioner Smith asked if Ford has other temporary use permits for the same type of lot in Ypsilanti Township. Mr. Iacoangeli stated that he didn't believe so. Only passenger vehicles will be parked there.

Commissioner Smith does this expire? Mr. Iacoangeli stated that yes this is only for six months. He and Mr. Chaput have spoken more about trying to get a special conditional use for vehicle storage, which the Ordinance will potentially allow them to do. They will need Site Plan approval and Conditional Use approval from the Planning Commission, in order to have the flexibility to store vehicles as needed in the future without having to come before the Zoning Board of Appeals.

Alternate-Commissioner Wood-Sternburgh - will the roads around the property handle this, how will this many vehicles be moved? Mr. Iacoangeli stated that the roads are county roads, built to the county road standards and this is an industrial area of the township and it lightly trafficked at this time. Temporary truck volumes should not be an issue.

Commissioner Smith would like to have a process for this in the future for this type of request.

**Public Hearing opened at approximately 7:25 p.m. – seeing no one from the public wishing to speak, the Public Hearing was closed at approximately 7:26 p.m.**

**A motion was made by Commissioner El-Assadi, with support from Commissioner Wilson to approve the request for Temporary Use for the Outdoor Storage of Vehicles pursuant to Ordinance Section 2404 3.e.**

**The Temporary Parking approval will have the following conditions:**

- 1. The Temporary Use of the property for the Outdoor Storage of Vehicles will be for a time period not to exceed six (6) months from the date of this approval.**
- 2. The applicant will provide the Township with a \$500,000.00 removal bond as a surety from an Insurance Company Licensed in the State of Michigan that meets the terms and conditions of the Township.**
- 3. All conditions of the Ypsilanti Township Fire Marshalls review will be adhered too including providing a twenty-four (24) foot separation area in Parking Area three (3) along the drainage ditch for access to fire hydrants.**
- 4. A Knox Box will be provided for the entrance gate located on Airport Drive for access near Parking Area One (1).**
- 5. All comments and concerns from the Township Engineer (Stantec) to be addressed.**
- 6. Ypsilanti Township will have the right to inspect the Parking Areas at any time and require vehicles to be moved on or off site for Health, Safety, and Welfare concerns.**
- 7. All Parking Areas will be maintained to the standards highlighted in the letter dated May 4, 2021 from the American Center for Mobility outlining the parking arrangement and numbers of vehicles.**
- 8. No additional Parking Areas can be added to the Temporary Parking arrangement without the approval of the Township by means consistent with the Zoning Ordinance.**
- 9. The ACM will notify the Township monthly of the number of cars being parked on-site and which Parking Areas are being utilized.**



**Kraycir: Yes   Wilson: Yes   El-Assadi: Yes   Smith: Yes**  
**Wood-Sternberg: Yes**

**6. OTHER BUSINESS**

Commissioner Wilson stated that there is a non-profit school in Ann Arbor that contacted him, and they are looking for another location.  
Mr. Iacoangeli stated that the Planning department will look into it.

**7. OPEN DISCUSSION FOR ISSUES NOT ON THE AGENDA**

**A. CORRESPONDENCE RECEIVED**

None

**B. ZONING BOARD OF APPEALS MEMBERS**

None

**C. MEMBERS OF THE AUDIENCE**

None

**8. ANY OTHER BUSINESS THAT MAY COME BEFORE THE ZONING BOARD**

None

**9. ADJOURNMENT**

**A motion by Smith, supported by Wilson, was made to adjourn the meeting. The motion carried unanimously.**

The meeting was adjourned at approximately 7:35 p.m.

DRAFT

# ZONING BOARD OF APPEALS APPLICATION

## I. APPLICATION TYPE

- Variance  
 Exceptions and Special Approvals (Includes: Temporary Uses and Structures)  
 Administrative Review Appeal

## II. PROJECT LOCATION

Address: 1636 Bailey St. Parcel ID #: K-11-02-308-020 Zoning R-5  
Lot Number: 150 Subdivision: Lay garden

## III. APPLICANT INFORMATION

Applicant: Michele L. Myers Phone: (269) 271-2719  
Address: 1636 Bailey St. City: Ypsilanti State: MI Zip: 48198  
Fax: \_\_\_\_\_ Email: MLMYERS17@YAHO.COM (All lower case)  
Property Owner: Michele L. Myers Phone: (269) 271-2719  
Address: 1636 Bailey St. City: Ypsilanti State: MI Zip: 48198  
Fax: \_\_\_\_\_ Email: MLMYERS17@YAHO.COM (All lower case)

## IV. COST AND FEES

Total: \$ \_\_\_\_\_ Breakdown of fee: Residential: \$ 125.00  
Non-residential: \$ 500.00

## V. APPLICANT SIGNATURE

The undersigned Michele L. Myers Applicant represents Michele L. Myers Property Owner

1. That Michele L. Myers Property Owner is/are the owner(s) of lot(s) 150 Lot located in the Lay Gardens Subdivision, Ypsilanti Township, Michigan, otherwise known as 1636 Bailey St. Address and the property is zoned R-5 Zoning District

2. That the petitioner hereby request Variance under Section 2114 Article 3c of the Ypsilanti Township Zoning Ordinance.  
Variance/Temporary Use /Regular Meeting Section Article

3. The petitioner further state that MLM Applicant Initial have/has read and understands the provisions of said zoning ordinance as it applies to this petition.

4. That the following is submitted in support of the petition (attach all pertinent data to support the request).

Michele L. Myers Applicant Signature Michele L. Myers Print Name 05/02/2021 Date

**All Zoning Board of Appeals Applications**

|   |  |
|---|--|
| <input type="checkbox"/> The application is filled out in its entirety.   | <input type="checkbox"/> Plot plan or lot survey to scale showing the following:   |
| <input type="checkbox"/> If the applicant is not the property owner, written and signed permission from the property owner is required. | <input type="checkbox"/> All property lines and dimensions   |
| <input type="checkbox"/> Fees   | <input type="checkbox"/> All existing and proposed structures and dimensions   |
| <input type="checkbox"/> Letter of interest of the applicant in the property  | <input type="checkbox"/> Lot area calculations necessary to show compliance with regulations                               |
|   | <input type="checkbox"/> Easements and dimensions, if applicable   |
|   | <input type="checkbox"/> Location of drives, sidewalks, and other paved areas on the property and on the adjacent streets. |
|   | <input type="checkbox"/> Location and dimensions of the nearest structures on adjacent properties.                         |

## **Zoning Board of Appeals**

### **Letter of Intent/ Work to be performed**

**Michele L. Myers 1636 Bailey St., Ypsilanti, MI 48198**

Hello. My intention is to fence my property in alliance with all the current zoning requirements except for Section 2114, Article 3c.

First, I am planning to build a Wood Privacy Fence (dog eared styled) 6' on the North facing Bailey Street, to match my neighbors to the West Property line. I would like to put the fence forward to the street beyond the front corner of the garage (that would also match my neighbors back yard line) based on the reasons stated in the letter of practical difficulty conditions that apply. Please see diagrams 2 + 3 for measurements and details.

Second, I am planning to build a 3 1/2' wood picket fence along the East and North Street property lines in front of the house, allowing for all other necessary street, corner and driveway requirements based on the practical difficulty conditions of my property. Please see diagrams 1+2 for measurements and detail.

#### **The work to be performed will be...**

hole digging, cemented posts in holes, wood pickets attached to frames and posts.

Install 65' of 6' high treated wood ( dog eared privacy fence) with one 4' wide gate on Bailey St. side of the house and one 4' wide gate on back side of the house at the East end.

Install 135' of 3 1/2' high treated wood picket fence with one 12' wide double gate along driveway on Bailey St..



# MORTGAGE SURVEY

Certified to: HABITAT FOR HUMANITY OF HURON VALLEY

Applicant: HABITAT FOR HUMANITY OF HURON VALLEY

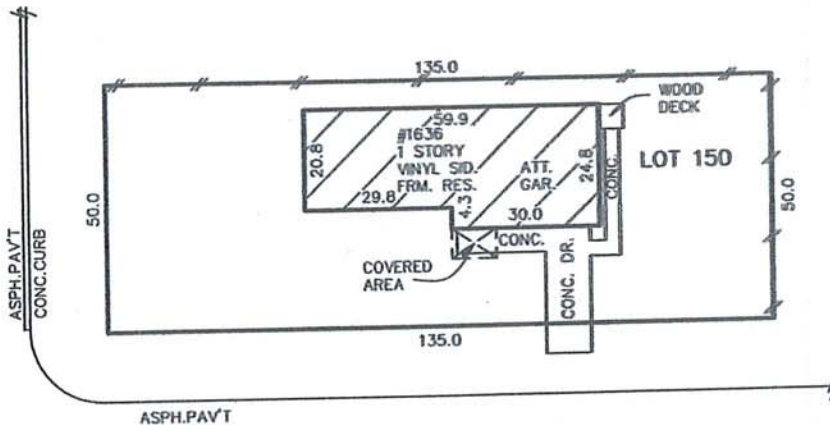
**Property Description:**

Lot 150; LAY GARDEN SUBDIVISION, a part of Sections 2 and 11, Ypsilanti Township, Washtenaw County, Michigan, as recorded in Liber 6 of Plats, Page 31 of Washtenaw County Records.

NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.



JEROME AVE. 60' WD.



BAILEY AVE. 50' WD.



CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

*[Handwritten Signature]*

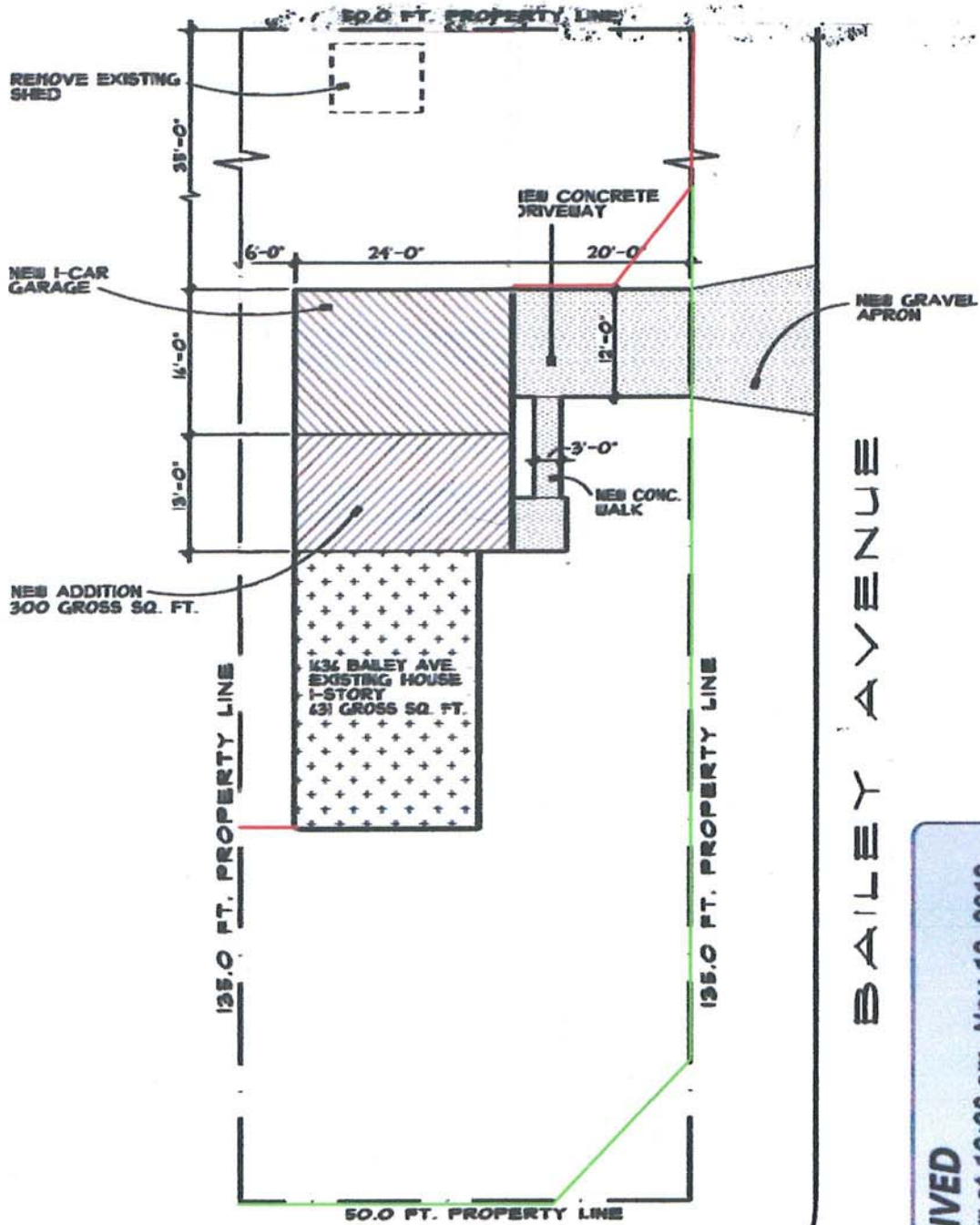
JOB NO: 20-02451      SCALE: 1"=30'  
DATE: 09/10/20      DR BY: CS

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[www.kemtecagroupofcompanies.com](http://www.kemtecagroupofcompanies.com)

Michele Myers  
1636 Bailey St., Ypsilanti, MI 48198



BAILEY AVENUE

RECEIVED  
By Jcarr at 10:08 am, Nov 18, 2019

JEROME AVENUE

SITE PLAN → N  
1636 BAILEY AVENUE  
SCALE: 1/16" = 1'-0" 11/13/2019



Michele Myers

6' Privacy Wood Fence

Dog Eared

West Property Line to  
Bailey St.



Michele Myers

3 1/2' Wood Fence

Flat top Picket

East + North Property Line.

Bailey + Jerome  
Street.



**ZONING BOARD OF APPEALS APPLICATION**

May 2, 2021 Michele Myers

1636 Bailey St., Ypsilanti, MI 48198

The following will demonstrate that the findings of practical difficulty conditions are all met.

1

A) Exceptional narrowness, shallowness or shape of a specific property:

Our property is a corner lot that is long + narrow. (50.0 FT x 135 FT x 50.0 FT x 135 FT).

The property direction is (West x South x East x North)

The house alignment is (side Rear Side Facing )

B) Exceptional topographic conditions:

The West end of the property has a hill that is approximately 24' long and 7-9' wide x 3.5-4' high. This hill is too sloping for my daughter using a power wheelchair, she should not go down the side of the hill. She needs to go forward towards Bailey St. (North) to where the ground starts to level off more before turning into the yard.

C) Any other physical situation on land, building or structure deemed by the zoning board of appeals to be extraordinary, or

The rear length of house is only 6' from the South property line. My daughter cannot turn around behind the house in her power wheelchair. Which, is a severe safety issue, so she should not go back there at all.

Because we live on the corner, more than half of the property is considered "Front Yard." The East end and North facing are much flatter ground than what the West end is. My daughter can access these areas safer and easier with her power wheelchair.

D) Development characteristics of land immediately adjoining the property in question that creates a exceptional constraint:

The house on my South property line faces Jerome St. and the house on my West property line faces Allen St. The house across Bailey St. faces Jerome St. and the house to their back line also faces Allen St.

Please see Diagram #1.

2 The variance is necessary for the preservation and enjoyment of our substantial property right possessed by other properties in the same zoning district and in the vicinity.

I believe this is our right just like all my neighbors to use our property safely and to it's fullest potential for my daughter (using a wheelchair) and I playing and caring for her service dog.

3 By authorizing this variance will not be a substantial detriment to adjacent property and will not materially impair the purposes of this ordinance or the public interest.

I believe this variance will not be a detriment to the neighborhood. Our neighborhood has a mix of chain link fences and wood fences and many extend beyond the fronts of the homes towards the street they are facing. I believe our all wood fencing will enhance the neighborhood and the neighboring property aesthetics.

4

The problem and resulting need for the variance has not been self-created by us nor a result of our Applicants predecessors.

No. This property was set this way many, many years ago. Our property sat for 15 years prior to our rebuild with Habitat for Humanity of Huron Valley.

Diagram #1

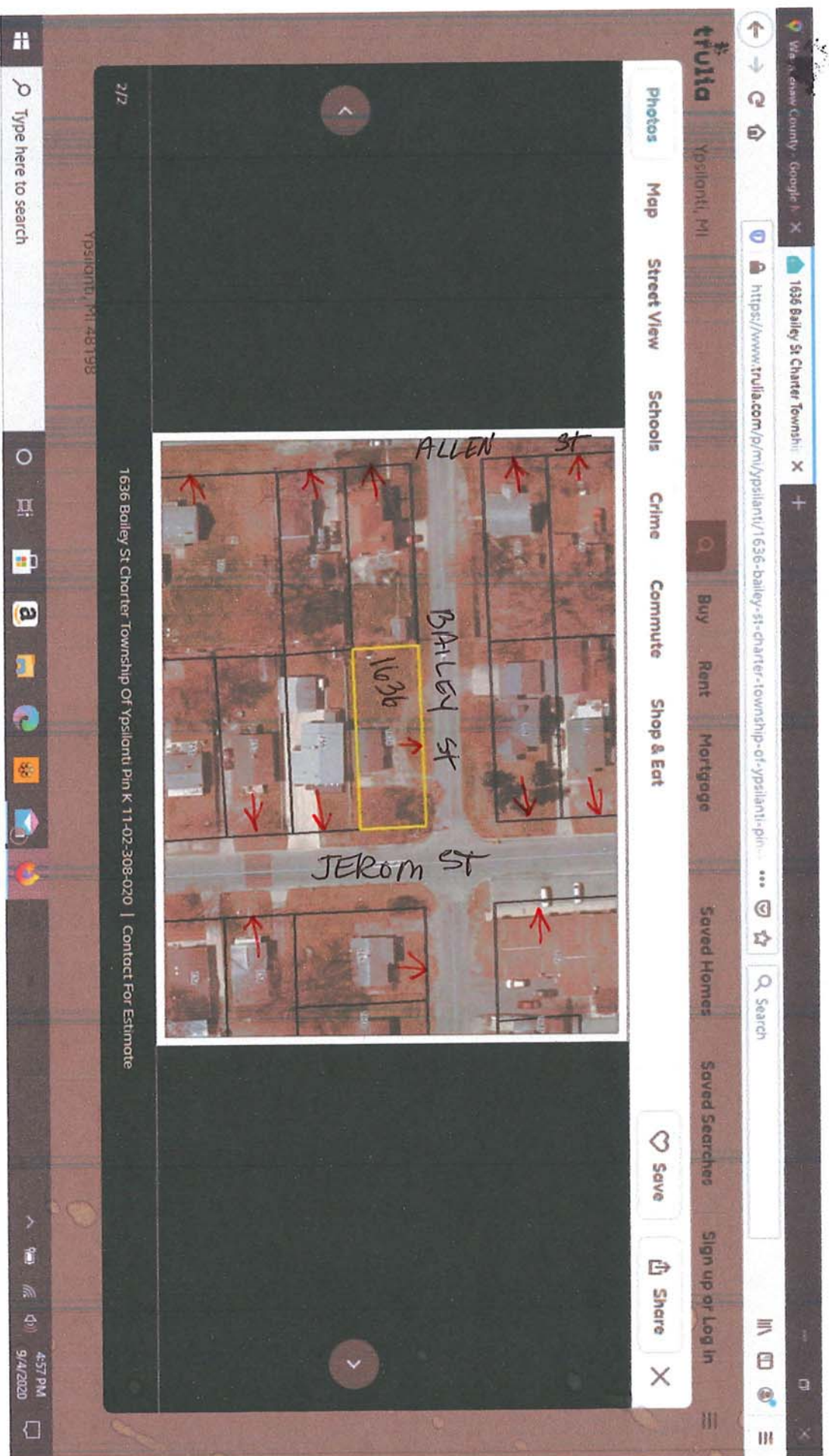
Michele Myers

1636 Bailey St, Ypsilanti, MI 48198

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# CHARTER TOWNSHIP OF YPSILANTI

## OFFICE OF COMMUNITY STANDARDS

Building Safety • Planning & Zoning • Ordinance Enforcement

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**Zoning Board of Appeals  
Staff Report  
Variance – 1636 Bailey St.  
ZBA 2021-07**

June 2, 2021

*CASE*

The applicant is requesting consideration of a variance from Zoning Ordinance Section 2114, Fences and Walls, to permit the installation of a 6-foot tall wood privacy fence in the front yard at 1636 Bailey St. for a site zoned R-5, One-Family Residential, parcel K-11-02-308-020.

*APPLICANT*

Michele L. Myers  
1636 Bailey St.  
Ypsilanti, MI 48197

*LOCATION AND SUMMARY OF REQUEST*

The property known as 1636 Bailey St. is located at the SW corner of Bailey St. and Jerome Ave. In her variance request dated May 2, 2021 the applicant is proposing a 6-foot wood fence within the front yard of the property. Privacy fences greater than 3.5 feet are not permitted within the front yard of a residential property.

*CROSS REFERENCES*

Township Zoning Ordinance – Section 2114 (Fences and Walls)  
Township Zoning Ordinance – Article XXIV (Board of Zoning Appeals)

*Aerial Photograph – 1636 Bailey St.*

*\*\*Not to scale*



*SUBJECT SITE ZONING AND COMPREHENSIVE PLAN*

The parcel is currently zoned R-5, One-Family Residential, and the future land use is Neighborhood Preservation.

*ADJACENT USES, ZONING AND COMPREHENSIVE PLAN*

| Direction | Use                       | Zoning | Future Land Use Designation |
|-----------|---------------------------|--------|-----------------------------|
| North     | Single Family Residential | R-5    | Neighborhood Preservation   |
| South     | Single Family Residential | R-5    | Neighborhood Preservation   |
| East      | Single Family Residential | R-5    | Neighborhood Preservation   |
| West      | Single Family Residential | R-5    | Neighborhood Preservation   |

*VARIANCE DETERMINATION PER SECTION 2404.2.D.*

The Zoning Board of Appeals may grant a dimensional or non-use variance only upon a finding that compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create a practical difficulty and unreasonably prevent the use of the property. A finding of practical difficulty shall require demonstration that all the following conditions are met:

1. That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties or classes of uses in the same zoning district. Exceptional or extraordinary circumstances or conditions include but may not be limited to:
  - a. exceptional narrowness, shallowness or shape of a specific property;
  - b. exceptional topographic conditions;
  - c. any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; or,
  - d. development characteristics of land immediately adjoining the property in question that creates a exceptional constraint.

*Staff comment: The property is long and narrow and has two street frontages/front yards. In addition, the home is closer to the rear of the property than the front, creating a larger front yard and substantially unusable back yard.*

2. That a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity;

*Staff comment: The fence height variance is necessary for the preservation and enjoyment of a substantial property right as possessed by other properties in the same vicinity.*

3. That the authorizing of such variance will not be a substantial detriment to adjacent property and will not materially impair the purposes of this ordinance or the public interest; and

*Staff comment: The variance will not be substantially detrimental to the neighboring properties. The residence on the opposing side of Bailey St. does not front Bailey St., where the fence would be constructed. Additionally, it will join an existing similarly constructed fence already in place in the neighbor's yard to the west on Bailey St.*

4. The problem and resulting need for the variance has not been self-created by any action of the applicant or the applicant's predecessors.

*Staff comment: The problem and resulting need for the variance is due to the shape of the lot, long and narrow, with no substantial usable back yard.*

#### ANALYSIS

Township Zoning Ordinance, Section 2114, states that privacy fences greater than 3.5 feet in height may not be permitted in the front yard. According to Township Zoning Ordinance, Section 201, Definitions, the front yard is, "An open depth of which is the minimum horizontal distance between the front lot line and the nearest point of the main building." The main building is the home, and in this situation there are two front yards since the house is located on a corner.



If the Zoning Board of Appeals chooses to approve this request, the applicant will be issued a zoning permit from the Office of Community Standards, and should verify that the fence will be located outside of the Washtenaw County Road Commission right-of-way.

**Suggested motions:** *The following suggested motions and conditions are provided to assist the Zoning Board of Appeals in making a complete and appropriate motion for this application. The ZBA may utilize, add or reject any portion of the suggested motion or any conditions suggested herein, as deemed appropriate.*

### **Table**

“I move to table the request for a variance from Zoning Ordinance Section 2114, Fences and Walls, to permit the installation of a 6-foot tall wood privacy fence in the front yard at 1636 Bailey St. for a site zoned R-5, One-Family Residential, parcel K-11-02-308-020, to consider comments presented during this public hearing.”

### **Approve**

“I move to approve the request for a variance from Zoning Ordinance Section 2114, Fences and Walls, to permit the installation of a 6-foot tall wood privacy fence in the front yard at 1636 Bailey St. for a site zoned R-5, One-Family Residential, parcel K-11-02-308-020, as the following practical difficulties have been noted:

1. \_\_\_\_\_
2. The applicant shall obtain the necessary zoning permit from the Office of Community Standards. An application has already been submitted.
3. The applicant shall verify that the fence will be located outside of the Washtenaw County Road Commission right-of-way.

### **Denial**

“I move to deny the request for a variance from Zoning Ordinance Section 2114, Fences and Walls, to permit the installation of a 6-foot tall wood privacy fence in the front yard at 1636 Bailey St. for a site zoned R-5, One-Family Residential, parcel K-11-02-308-020 , due to the following reason(s):

*Please provide reasons for denial in the motion”*

Respectfully Submitted,

Belinda Kingsley  
Planning & Development Coordinator