



REGULAR MEETING AGENDA

WEDNESDAY, December 7, 2022 6:30 P.M.

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 or 734-544-4000.

1. Call Meeting to Order
2. Roll Call – Determination of a quorum
3. Approval of Agenda
4. Approval of the October 5, 2022 regular meeting minutes
5. Public Hearing

ZBA 2022-0010

Applicant: Keith Sharp
Location: 7220 Colchester Lane, Ypsilanti MI 48197
Parcel ID: K-11-35-114-188
Request: Request for variance to the rear yard setback requirement of Section 406 of the Township Zoning Ordinance for an addition to an existing dwelling.

6. Open discussion for issues not on the agenda
 - a. Planning Department report
 - i. 2023 Schedule of Meetings - Zoning Board of Appeals Meeting Dates
 - b. Correspondence received
 - c. Zoning Board of Appeals members
 - d. Members of the audience and public
7. Any other business that may come before the Zoning Board of Appeals
8. Adjournment

(THERE IS NO WORK SESSION)



Zoning Board of Appeals Staff Report

December 7, 2022

RE: ZBA 2022-0010 at 7220 Colchester Ln (K-11-35-114-188)

Applicant:

Keith Sharp
7220 Colchester Ln
Ypsilanti, MI 48197

Variance Request:

Request for variance to the setback requirements of Section 406 of the Township Zoning Ordinance for construction of a home addition (sunroom).

Location and Summary of Request:

The subject site is a 0.220-acre parcel, platted in 2004 in the Tremont Park Subdivision, and is zoned PD – Planned Development with underlying R-3 One Family Residential dimensional requirements. The home was constructed in 2014, and single-family dwellings surround the subject site in all directions; the parcels to the north, south, east, and west are all zoned PD – Planned Development and are located in the same subdivision.

While this site is zoned PD – Planned Development, the setback requirements adhere to the R-3 One Family Residential dimensional requirements found in Sec. 406 of the Township Zoning Ordinance. Any variation in the required setbacks require a variance. The applicant has submitted plans for the construction of a 224 square foot sunroom addition which would project into the rear yard setback of 35 feet. The new sunroom will be encroach into the setback by 7 feet 4 inches (7'4") for an end result of 27 feet 8 inches (27'8") of setback from the property line.

Township Supervisor
Brenda L. Stumbo
Township Clerk
Heather Jarrell Roe
Township Treasurer
Stan Eldridge



**YPSILANTI
TOWNSHIP**
— PLANNING & ZONING DEPARTMENT —

Trustees
John Newman II
Gloria Peterson
Debbie Swanson
Jimmie Wilson Jr

Aerial View – 7220 Colchester Lane



Cross References:

Township Zoning Ordinance – Section 406 (R-1 to R-5 One-Family Residential Districts)
Township Zoning Ordinance – Article XVII (Board of Zoning Appeals)



Analysis:

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 present the use of the property. A finding of practical difficulty shall require demonstration that all of 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.**

The site is zoned for single-family dwelling uses but the setback standards do not contemplate additions large enough to be useful for the residence living there.

- 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.**

7220 Colchester Lane is a corner lot which limits the ability to construct reasonable additions due to dimensional constraints. The R-3 Dimensional Requirements found in Sec. 406 of the Township Zoning Ordinance completely limits the applicant's ability to build an addition on the north elevation, south elevation (Falmouth Drive), and east elevation, (Colchester Lane). The west elevation (where the proposed sunroom would be located) would only allow for an addition to project approximately 5 feet into the rear yard.

- 3. That the authorizing of such variance will not be a substantial detriment to adjacent property, will not be harmful to or alter the essential character of the area, and will not materially impair the purposes of this Ordinance or the public interest.**

Variance relief for this property to allow an addition to project into the rear yard 14 feet and into the required rear yard setback 7 feet 4 inches would not be detrimental to the adjacent property nor be harmful to the character of the neighborhood. 27 feet 8 inches would remain leaving adequate space between neighbors.



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

The need for the variance is not a self-created practical difficulty. The development of the subdivision left many lots with little room for future expansions / additions.

5. The proposed variance will be the minimum necessary and no variance shall be granted where a different solution not requiring a variance would be possible.

A sunroom without variance relief would not be useful to the resident.

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 variance request at 7220 Colchester Lane to the rear yard setback requirements of Section 406 of the township zoning ordinance for construction of a sunroom addition.

Approve:

I move to approve the variance request at 7220 Colchester Lane to the rear yard setback requirements of Section 406 of the Township Zoning Ordinance for construction of a new sunroom addition within the building envelope as shown on the plot plan dated October 24, 2022 (*ZBA state reasons for approval*).

Denial:

I move to deny the variance request at 7220 Colchester Lane to the rear yard setback requirements of Section 406 of the Township Zoning Ordinance for construction of a new sunroom addition within the building envelope as shown on the plot plan dated October 24, 2022 (*ZBA state reasons for denial*).

Respectfully Submitted,

Fletcher Reyher
Staff Planner

**ZONING BOARD OF
APPEALS APPLICATION**

RECEIVED
BY _____

OCT 24 2022

YPSILANTI TOWNSHIP
OCS

I. APPLICATION TYPE

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

II. PROJECT LOCATION

Address: 7220 COLCHESTER LANE Parcel ID #: K-11- 35-114-188 Zoning R-3
Lot Number: 188 Subdivision: TREMONT PARK SUBDIVISION NO.2

III. APPLICANT INFORMATION

Applicant: KEITH SHARP Phone: [REDACTED]
Address: 7220 COLCHESTER LANE City: YPSILANTI State: MI Zip: 48197
Fax: _____ Email: [REDACTED]
Property Owner: KEITH SHARP Phone: [REDACTED]
Address: 7220 COLCHESTER LANE City: YPSILANTI State: MI Zip: 48197
Fax: _____ Email: [REDACTED]

IV. COST AND FEES

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

V. APPLICANT SIGNATURE

The undersigned Keith Sharp Applicant represents Keith Sharp Property Owner:

1. That Keith Sharp Property Owner is/are the owner(s) of lot(s) 188 Lot located in the TREMONT PARK NO.2 Subdivision Subdivision, Ypsilanti Township, Michigan, otherwise known as 7220 COLCHESTER LANE Address and the property is zoned R-3 Zoning District

2. That the petitioner hereby request VARIANCE under Section 17 Article D of the Ypsilanti Township Zoning Ordinance. Variance/Temporary Use /Regular Meeting Section Article

3. The petitioner further state that [REDACTED] 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).

[Signature]
Applicant Signature

KEITH SHARP
Print Name

10/24/22
Date

Charter Township of Ypsilanti

Office of Community Standards

7200 S. Huron Drive, Ypsilanti, MI 48197

Phone: (734) 485-3943

Website: <https://ytown.org>

OFFICE USE ONLY

All Zoning Board of Appeals Applications

- The application is filled out in its entirety.
- If the applicant is not the property owner, written and signed permission from the property owner is required.
- Fees
- Letter of interest of the applicant in the property

- Plot plan or lot survey to scale showing the following:
 - All property lines and dimensions
 - All existing and proposed structures and dimensions
 - Lot area calculations necessary to show compliance with regulations
 - Easements and dimensions, if applicable
 - Location of drives, sidewalks, and other paved areas on the property and on the adjacent streets.
 - Location and dimensions of the nearest structures on adjacent properties.

ZONING BOARD OF APPEALS
7220 COLCHESTER LANE
YPSILANTI TOWNSHIP
K-35-114-188

REQUESTED VARIANCE

A variance of 7'4" FROM THE 35'-0" REAR YARD SETBACK for 16'feet is requested for the proposed construction of a 224 SF SUNROOM ADDITION to the rear yard of 7220 Colchester Lane Ypsilanti Township, MI. the resulting structure would have a footprint of 2290 SF on a 9,583 SF LOT = 23.9% which is less than the 25% coverage allowed in R-3 zoning.

The property is located on the corner of Colchester Lane & Falmouth Drive. There is a 30'-0" drainage easement which separates this property from the neighboring property to the west. The proposed addition would be 46'-9" from the closest corner of the neighboring house. Per R-3 zoning with a 35' rear yard + 5' side yard the houses could be 40'-0" apart.

The uniqueness of this lot and the additional setback granted by the easement makes this condition unlike other conditions in this neighborhood. The minimal incursion into the rear yard will not have any detrimental affect on neighboring properties. There are no windows in the neighboring house to the west that would be affected by this proposed addition.

Sect 17 D. Findings. 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;

- *The property has unique features in that it is a corner lot with a 30 foot easement that separates it from the neighboring house.*

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 an exceptional constraint. *The land is unique in having a 30 foot drainage easement in the rear / side 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;

This addition would be allowed in most of the adjacent properties

(3) That the authorizing of such variance will not be a substantial detriment to adjacent property, will not be harmful to or alter the essential character of the area, and will not materially impair the purposes of this Ordinance or the public interest;

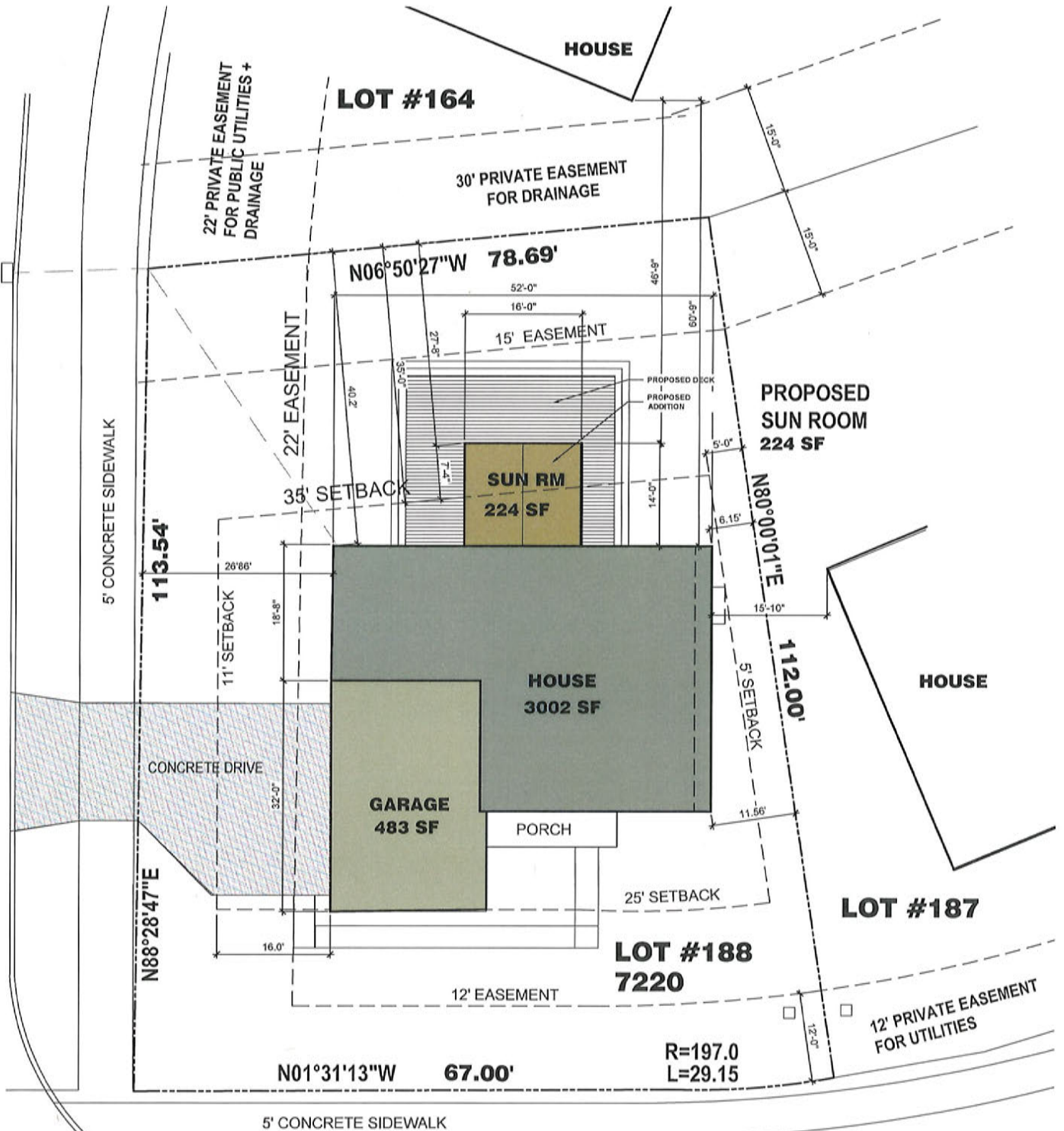
- *This proposed addition has no detrimental impact on the neighboring properties and will not impact views or enjoyment of the other properties. The requested variance is minimal to create a desirable amenity to the house.*

(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; and

(5) The proposed variance will be the minimum necessary and no variance shall be granted where a different solution not requiring a variance would be possible.

- *This variance is the minimal to create the desired living space – the narrow and elongated area that is permitted does not provide the same level of enjoyment.*

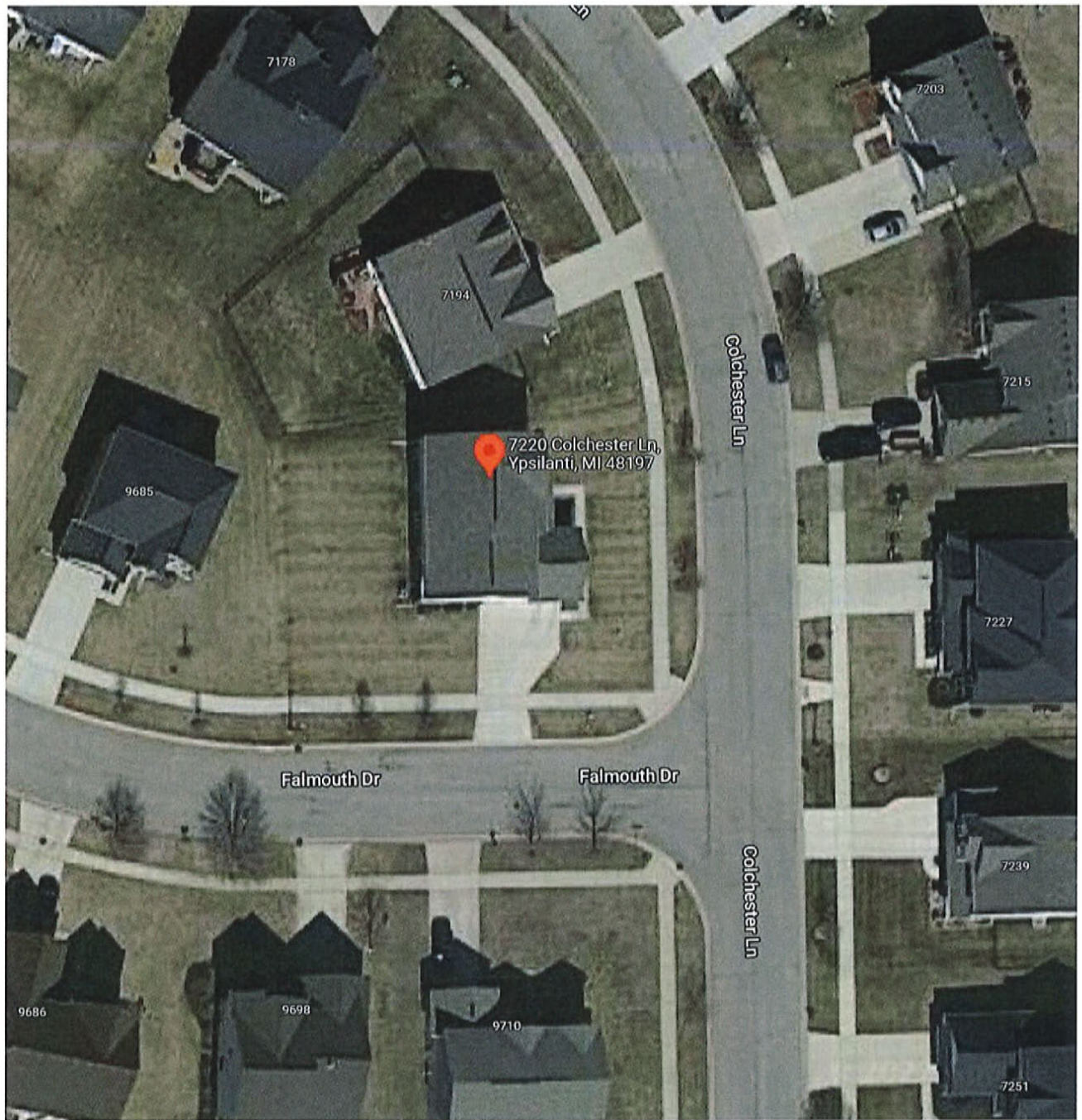
FALMOUTH DRIVE
66' R.O.W.



2066 SF FOOTPRINT + 224 SF ADDITION = 2,290 SF 2066 SF FOOTPRINT : 21.5%
 .220 ACRES = 9,583.2 SF 2290 SF FOOTPRINT : 23.9%

COLCHESTER LANE
66' R.O.W.

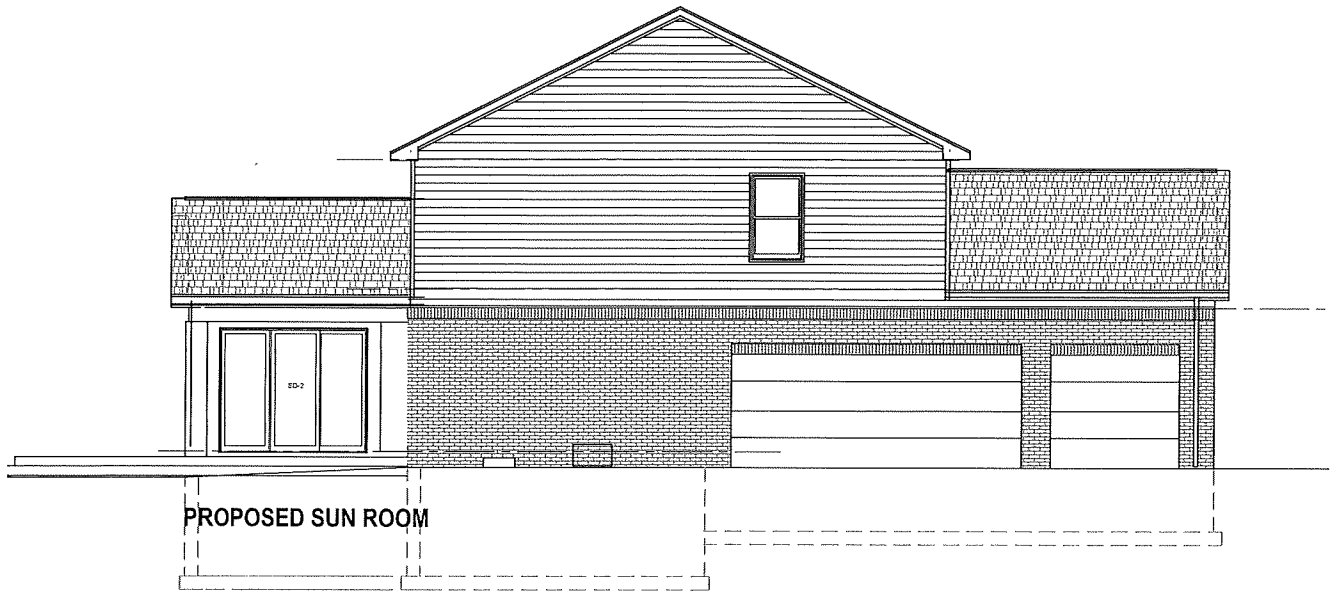
SITE PLAN
SCALE: 1/8" = 1'-0"
K-11-35-114-188
R-3 ZONING



Arial view of neighboring properties

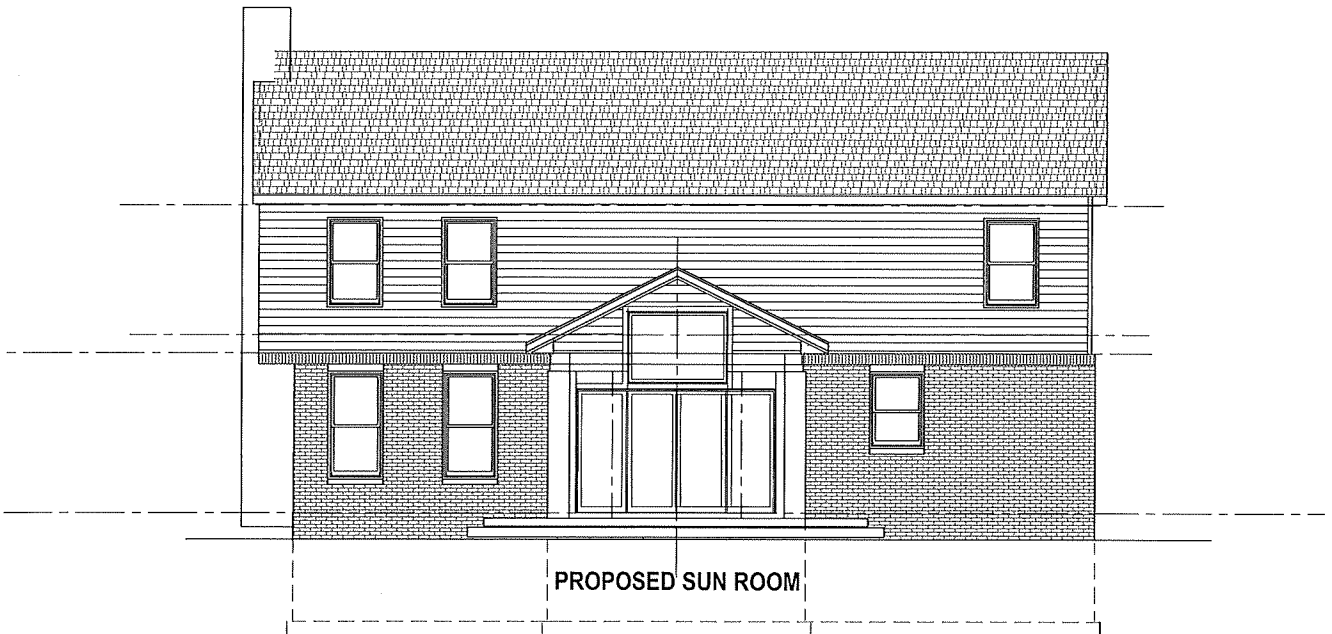


View of rear yard looking north from Falmouth Drive



SOUTH ELEVATION

SCALE: 1/8" = 1' - 0"



WEST ELEVATION

SCALE: 1/8" = 1' - 0"

Variance Application - Memo (7220 Colchester Ln.)

Neighbor Statement

"I have reviewed the proposal for a zoning variance of 7'-4" from the 35'-0" rear setback for the purpose of constructing a Sunroom addition to 7220 Colchester Ln. I support this proposal as it will have no negative affect on my property."

Home Owner Name	Address	Date	Signature
Kamy Hicks	9685 Falmouth Dr.	10/15/22	Kamy Hicks
Lawrence Finley	9710 Falmouth Dr.	10/21/2022	
Michael Lavadain	9698 Falmouth Dr.	10.15.2022	Michael Lavadain
Desunda Dodd	9686 Falmouth Dr.	10.15.2022	Desunda Dodd
Charles D. Spont	7194 Colchester Ln.	10/15/22	Charles D. Spont
Jerry Wright	7178 Colchester Ln.	10/15/22	Jerry Wright

CHARTER TOWNSHIP OF YPSILANTI

OFFICE OF COMMUNITY STANDARDS

Building Safety • Planning & Zoning • Ordinance Enforcement

2023 Schedule of Meetings

Zoning Board of Appeals Charter Township of Ypsilanti

<u>Meeting Date</u>	<u>Application Deadline</u>
January 4	December 1, 2022
February 1	January 4, 2023
March 1	February 1
April 5	March 1
May 3	April 5
June 7	May 3
July 5	June 7
August 2	July 5
September 6	August 2
October 4	September 6
November 1	October 4
December 6	November 1

**Work Session – 6:00 p.m.

Meeting Time – 6:30 p.m.

**Work session may or may not be necessary due to the length of the agenda. Please see posted agenda for Work Session time.