



# City of Ann Arbor

## Formal Minutes

### Zoning Board of Appeals

301 E. Huron St.  
Ann Arbor, MI 48104  
<http://a2gov.legistar.com/Calendar.aspx>

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Wednesday, August 26, 2020

6:00 PM

Electronic Meeting

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This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at [a2gov.org/watchCTN](http://a2gov.org/watchCTN)

To speak at public comment call: 888 788 0099

Enter Meeting ID: 913 9189 2271

Zoning Board of Appeals meetings are public meetings are held the fourth Wednesday of each month. All persons are encouraged to participate in public meetings. Individuals requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: [cityclerk@a2gov.org](mailto:cityclerk@a2gov.org); or by written request addressed and mailed or delivered to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business days in advance of the meeting. Zoning Board of Appeals meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>)

#### A CALL TO ORDER

*Chair Candice Briere called the meeting to order at 6:00 p.m.*

#### B ROLL CALL

**Present:** 9 - Candice Briere, David DeVarti, Michael B. Daniel, Nicole Eisenmann, Todd Grant, Julie Weatherbee, Elizabeth Nelson, Chris Fraleigh, and Julia Goode

**Absent:** 1 - Charlotte Wilson

#### C APPROVAL OF AGENDA

**Moved by Todd, seconded by DeVarti, approved unanimously.**

**Yeas:** 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Weatherbee, Councilmember Nelson, Fraleigh, and Goode

**Nays:** 0

**Absent:** 1 - Wilson

**D APPROVAL OF MINUTES****D-1**      [20-1288](#)      Minutes of the July 22, 2020 ZBA Meeting**Attachments:**      7-22-2020 ZBA Minutes.pdf**Moved by Fraleigh, seconded by Daniel, approved unanimously as presented and forwarded to the City Council.****Yeas:**    9 -    Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Weatherbee, Councilmember Nelson, Fraleigh, and Goode**Nays:**    0**Absent:**    1 -    Wilson**E PUBLIC HEARINGS**

To speak during any of the Public Hearings please call 1 888 788 0099 and enter meeting ID 913 9189 2271. In order to be called on to speak, callers must press \*9 to raise their hand. Callers will then be called upon by City staff one by one using the last 3 numbers of their phone number.

Comments about a proposed project are most constructive when they relate to: (1) City Code requirements, or (2) additional information about the area around the applicant's property and the extent to which a proposed project may positively or negatively affect the area.

**E-1**      [20-1289](#)      ZBA20-018; 18 Heatheridge Avenue  
Ibrahim Shunnar, property owner, is requesting a variance of 20 feet four inches from Table 5.17-1 Single-Family Residential Zoning District Dimensions. The owner is proposing to construct a 300 (20'x15') square foot sunroom at the rear of the existing residence that will be 19.67 feet from the rear lot line if approved. The property is zoned R1B Single-Family and requires a minimum rear yard setback of 40 feet.**Attachments:**      ZBA20-018; 18 Heathridge Ave Staff Report with Attachments.pdf*City of Ann Arbor Zoning Coordinator Jon Barrett presented the staff report.***QUESTIONS FROM BOARD TO STAFF***Boardmember Dave DeVarti inquired about the need the need for a variance.*

*Barrett answered that because the plans include the construction of a structure, and that its going closer to the property line, that a variance is required.*

*Boardmembers Chris Fraleigh and Todd Grant discussed the applicant's described soil erosion problem at the site.*

*Barrett answered that he has discussed the issue with a soil erosion staff member and that the applicant has other options.*

*Councilmember Elizabeth Nelson inquired about when the discussed area of the home was constructed.*

*Barrett answered, at least 30 or 40 years ago.*

*Grant inquired about the process for the applicant coming to the ZBA.*

*Barrett answered that work was completed without permits, and that when he became aware the applicant stopped work and worked to apply to the ZBA.*

*Ibraheem Shunnar, property owner, presented the application. Shunnar explained the storm water issue and the need for extra space.*

#### *PUBLIC HEARING*

*William Newcomb, 17 Heatheridge, Ann Arbor, expressed support for the proposed variance.*

*Jeff (Last name unknown), 10 Heatheridge, Ann Arbor, expressed support for the proposed variance.*

*Robert Wolfe, Ann Arbor, expressed opposition for the proposed variance,*

*Melissa Dorfman, 15 Heatheridge, Ann Arbor expressed support for the proposed variance.*

*Barb McQuaid, 14 Heatheridge, Ann Arbor, expressed support for the proposed variance.*

*Seeing no further callers, Chair Briere closed the public hearing.*

**Moved by DeVarti, seconded by Eisenmann in petition ZBA20-018;  
18 Heatheridge Ave**

**Variance**

**Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS the following variance from Chapter 55 Unified Development Code Section 5.15.5 Averaging an Established Front Building Line and Table 5-17.1 Single-Family Residential Zoning Districts.**

**A variance of 20 feet 4 inches from the required 40 foot rear yard setback, resulting in a 19.67 foot rear setback.**

*COMMISSION DISCUSSION*

*The board discussed the standards for granting a variance, the condition of the site, neighborhood support, and the proposed plans.*

**On a roll call vote the vote was as follows with the Chair declaring the ruest denied.**

**VARIANCE DENIED**

**Yeas:** 0

**Nays:** 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Weatherbee, Councilmember Nelson, Fraleigh, and Goode

**Absent:** 1 - Wilson

**E-2**      **20-1290**      ZBA20-019; 712 Miner Street  
Terrafirma Inc., representing property owner, is requesting a variance of three feet from Table 5.17-1 Single-Family Residential Zoning District Dimensions. The parcel is a nonconforming R2A property that does not meet the lot area and width requirements for the district. The R1D district setbacks are applied which require a minimum three-foot side yard. The owners are seeking to construct a 162 (9'x18') square foot deck that will extend to the side property line.

**Attachments:**      ZBA20-019; 712 Miner St Staff Report with Attachments.pdf

*Barrett presented the Staff Report.*

#### QUESTIONS FROM BOARD TO STAFF

*Boardmember Chris Fraleigh inquired about the owner of the wood fence.*

*Barrett answered, the applicant.*

*Councilmember Nelson inquired about the need for a variance.*

*Barrett answered that due to the request to remove the entire porch, and then construct another porch in the same footprint, that a variance is required. Barrett also clarified that a permit was approved for the porch in 2007, and Barrett explained he believes that approval was in error.*

*Boardmember DeVarti discussed the grade of the site.*

*Boardmember Julia Goode inquired about the proposed work bringing the fence closer to compliance.*

#### PRESENTATION BY PETITIONER

*Alex Glasser, applicant representing the property owner. Glasser presented the proposed project, explaining that replacing the porch is needed due to the condition of the porch, and that the intention of the proposed work is to replace the porch with the same materials, but better construction.*

#### PUBLIC HEARING

*Seeing no callers, Chair Briere closed the public hearing.*

**Moved by DeVarti, seconded by Goode in petition  
ZBA20-019; 712 Miner Street**

#### **Variance:**

**Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS the following variance from Chapter 55 Unified Development Code Section 5.15.5 Averaging an Established Front Building Line and Table 5-17.1 Single-Family Residential Zoning Districts.**

**A variance of 3 feet from the required 3 foot side yard setback, in order to construct a 162 (9’x18’) square foot deck that will extend to the side property line.**

*The board discussed the conditions of the site and the standards for granting approval.*

**On a roll call vote the vote is as follows with the Chair declaring the request denied.**

**VARIANCE DENIED**

**Yeas:** 0

**Nays:** 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Weatherbee, Councilmember Nelson, Fraleigh, and Goode

**Absent:** 1 - Wilson

**F UNFINISHED BUSINESS**

**G NEW BUSINESS**

**H COMMUNICATIONS**

**H-1 [20-1295](#) Various Communication to the ZBA**

**Attachments:** Email from Wolf.pdf, Email from Howrani.pdf, Email from Turner-Sheerin .pdf, Letter from Boklye Kim 8-26-2020.pdf, Letter from Bokyle Kim 8-21-2020.pdf, Letter from Shunnar 8-26-2020.pdf

**Received and Filed**

**I PUBLIC COMMENTARY - (3 Minutes per Speaker)**

*No speakers.*

To speak during Public Commentary please call 1 888 788 0099 and enter meeting ID 913 9189 2271. In order to be called on to speak, callers must press \*9 to raise their hand. Callers will then be called upon by City staff one by one using the last 3 numbers of their phone number.

**J ADJOURNMENT**

*Unanimously adjourned at 8:23 p.m.*

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Candice Briere, Chairperson of the Zoning Board of Appeals

/kvl