



City of Ann Arbor

Formal Minutes

Zoning Board of Appeals

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
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Wednesday, December 14, 2016

6:00 PM

Larcom City Hall, 301 E Huron St, Second
floor, City Council Chambers

A **CALL TO ORDER**

Vice Chair Dobmeier called the meeting to order at 6:05 p.m.

B **ROLL CALL**

Vice Chair Dobmeier called the roll.

Staff Present: City of Ann Arbor Zoning Coordinator, Jon Barrett

Present: 7 - Nickolas Buonodono, Heather Lewis, David DeVarti, Kirk Westphal, Michael Dobmeier, Michael B. Daniel, and Nicole Eisenmann

Absent: 2 - Candice Briere, and Jeremy Peters

C **APPROVAL OF AGENDA**

Moved by Westphal, seconded by Lewis, that the Agenda be Approved as presented. On a voice vote, the Vice Chair declared the motion carried.

D **SPECIAL PRESENTATIONS**

E **APPROVAL OF MINUTES**

E-1 **[16-1751](#)** August 24, 2016 ZBA Minutes with Live Links

Moved by Westphal, seconded by DeVarti, to Approve the 8/24/2016 ZBA Minutes as presented. On a voice vote, the Vice Chair declared the motion passed.

E-2 **[16-1752](#)** September 28, 2016 ZBA Minutes with Live Links

Moved by DeVarti, seconded by Westphal, to Approve the 9/28/2016

ZBA Minutes as presented. On a voice vote, the Vice Chair declared the motion passed.

E-3 [16-1753](#) November 16, 2016 ZBA Minutes with Live Links

Buonodono pointed out an error on the applicant and summary information on Page 2.

Moved by Daniels, seconded by Eisenmann to Approved the 11/16/2016 ZBA Minutes as presented. On a voice vote, the Vice Chair declared the motion defeated.

F **APPEALS AND HEARINGS**

Public Hearings: Individuals may speak for three minutes. Please state your name and address for the record.

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 petitioner's property and the extent to which a proposed project may positively or negatively affect the area.

F-1 [16-1750](#) ZBA16-026; 1503 Shadford Road
Edwin R. Wier, property owner of 1503 Shadford Road is requesting permission to alter a non-conforming structure. Applicant is proposing to construct an 8-foot x 14 foot 9 inch covered porch area adjacent to the existing porch which is currently 23 feet 6 inches from the front property line. The porch will be located at the front of the residence and will total 118 square feet. The property is zoned R1D which requires a 25-foot front setback.

City of Ann Arbor Zoning Coordinator. Jon Barrett, provided the following staff report:

SUMMARY:

Edwin R. Wier, property owner, requests permission to alter a non-conforming structure. Applicant is proposing to construct an 8-foot x 14 foot 9 inch covered porch area adjacent to the existing porch which is currently 23 feet 6 inches from the front property line. The porch will be located at the front of the residence and will total 118 square feet.

BACKGROUND:

The property is zoned R1D which requires a 25-foot front setback. The

size of the lot is 6,621 square feet in area. The home was built in 1929 and is approximately 1,528 square feet in size. The residence contains four bedrooms and two bathrooms. There is also a two car detached garage that sits at the rear of the property.

DESCRIPTION:

The new roof and porch area will be constructed to the east of the existing porch. The new construction will be over an existing concrete footprint and there will be no new impervious surface added to the property. Applicant states that the new porch areas desired location over the existing foundation is to prevent moisture infiltration into the basement area below.

Standards for Approval - Permission to Alter a Non-Conforming Structure

The Zoning Board of Appeals has all the power granted by State law and by Section 5:98, from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

The alteration complies as nearly as practicable with the requirements of the Zoning Chapter and will not have a detrimental effect on neighboring property.

Applicant states that the proposed construction will not have a negative impact on the surrounding properties or have a detrimental effect to the existing streetscape. The new porch will be constructed on the same building line as the existing porch and will not encroach any further into the front setback.

QUESTIONS BY BOARD TO STAFF:

No questions.

PRESENTATION BY PETITIONER:

Ed Wier, property owner, 1503 Shadford Road, Ann Arbor, was present and explained the application.

PUBLIC HEARING:

Noting no public speakers, the Vice Chair closed the public hearing.

LIST OF EXHIBITS PRESENTED:

The Vice Chair noted the Board had received the following communications:

*Anne and Tom Borda, 1505 Shadford Road, Ann Arbor; Support
Janice Lieberman, 1504 Shadford Road, Ann Arbor; Support*

Moved by DeVarti, seconded by Westphal, in Petition ZBA16-026; 1503 Shadford Road, Permission to Alter a Non-conforming Structure; Based on the following findings of fact and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS permission to alter a non-conforming structure, per submitted plans.

a) The alteration complies as nearly as practicable with the requirements of the Zoning Chapter and will not have a detrimental effect on neighboring property.

BOARD DISCUSSION:

The members of the Board took into consideration the presented application and discussed the matter.

On a roll call, the vote was as follows, with the Vice Chair declaring the motion approved. Vote: 7-0

Permission to Alter a Non-Conforming Structure GRANTED

Yeas: 7 - Buonodono, Lewis, DeVarti, Councilmember Westphal, Vice Chair Dobmeier, Daniel, and Eisenmann

Nays: 0

Absent: 2 - Chair Briere, and Peters

G UNFINISHED BUSINESS**H NEW BUSINESS****I REPORTS AND COMMUNICATIONS**

16-1754 Various Correspondences to the ZBA

Received and Filed**J PUBLIC COMMENTARY - (3 Minutes per Speaker)**

(Please state your name and address for the record and sign in.)

K ADJOURNMENT

Moved by Buonodono, seconded by DeVarti to adjourn the meeting at 6:27 p.m. The motion was unanimously passed.

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Mike Dobmeier
Vice Chairperson of the Zoning Board of Appeals

Mia Gale
Recording Secretary