



City of Ann Arbor

Formal Minutes

Zoning Board of Appeals

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
Calendar.aspx](http://a2gov.legistar.com/Calendar.aspx)

Wednesday, October 24, 2018

6:00 PM

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

A CALL TO ORDER

Chair Briere called the meeting to order at 6:04 P.M.

B ROLL CALL

Chair Briere called the roll.

Present: 8 - Candice Briere, David DeVarti, Michael Dobmeier,
Michael B. Daniel, Nicole Eisenmann, Todd Grant, Julie
Weatherbee, and Charlotte Wilson

Absent: 1 - Kirk Westphal

C APPROVAL OF AGENDA

**Moved by Wilson, seconded by Eisenmann, and approved
unanimously as presented.**

Present: 8 - Candice Briere, David DeVarti, Michael Dobmeier,
Michael B. Daniel, Nicole Eisenmann, Todd Grant, Julie
Weatherbee, and Charlotte Wilson

Absent: 1 - Kirk Westphal

D APPROVAL OF MINUTES

D-1 [18-1794](#) Minutes of the September 26, 2018 ZBA Meeting

Attachments: 9-26-2018 ZBA Minutes .pdf

**Moved by Dobmeier, seconded by Grant, approved unanimously,
and forwarded to the City Council.**

Yeas: 8 - Chair Briere, DeVarti, Vice Chair Dobmeier, Daniel,
Eisenmann, Grant, Weatherbee, and Wilson

Nays: 0

Absent: 1 - Councilmember Westphal

E PUBLIC HEARINGS

E-1 [18-1854](#) ZBA18-024; 132 Hill Street
Miller Building LLC, property owner, is requesting a 15 foot variance from Section 5.20.4 (B) Conflicting Land Use Buffers. The property is zoned R4C Multiple Family Dwelling. The property has submitted a site plan to install a shared driveway along the eastern border with the adjacent property at 140 Hill Street. The proposed driveway will require the variance to enable the construction of the drive between the two properties.

Attachments: ZBA18-024; 132 Hill Street Staff Report and Application .pdf

Zoning Coordinator, Jon Barrett, presented the Staff Report.

QUESTIONS FROM BOARD TO STAFF:

Boardmember Dave DeVarti asked for clarification on the variance request.

Barrett answered that ordinance requires a buffer, and that the applicant is requesting relief from needing to have a conflicting land use buffer.

Boardmember Julie Weatherbee inquired about the length of the proposed buffer variance.

Barrett answered that it is only for the portion of the shared driveway.

DeVarti asked if the parking requirement is being met by the applicant.

Barrett answered that the parking requirement is met with the eight provided spaces.

PRESENTATION BY PETITIONER:

Bob Miller, Owner and Applicant, explained that the proposed building will be five units, intended for student housing. He explained that the shared housing style of the proposed project hits a different price point than other new development in town, which he explained is beneficial. He explained that he and his neighbor have come to an agreement to share the driveway which will benefit each of them. He explained that the driveway would be wider than the existing driveway.

Moved by Daniel, seconded by DeVarti, in Petition ZBA18-024; 132 Hill Street

Based on the following findings of fact and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS the following variance from Section 5.20.4 (B):

A variance of fifteen feet from the conflicting land use buffer to allow a shared driveway along the eastern property line. This variance provides a relief from the width and planting requirements of the buffer. The residential building and driveway are to be constructed per the submitted plans.

- a) The alleged practical difficulties are peculiar to the property and result from conditions which do not exist generally throughout the City.**
- b) That the practical difficulties, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.**
- c) The variance, if granted, will not significantly affect the surrounding properties.**
- d) The circumstances of the variance request are not self-imposed.**
- e) The variance request is the minimum necessary to achieve reasonable use of the land or structure.**

BOARD DISCUSSION:

The board discussed the length of the conflicting land use buffer request, expressing concern with the possibility of the buffer not existing along the property line behind the driveway if the variance is granted.

Barrett clarified that the buffer will need to exist behind the driveway, and that the variance is only for the length of the driveway.

On a roll call vote, the vote was as follows with the Chair declaring the motion passed.

Variance GRANTED.

Yeas: 8 - Chair Briere, DeVarti, Vice Chair Dobmeier, Daniel, Eisenmann, Grant, Weatherbee, and Wilson
Nays: 0
Absent: 1 - Councilmember Westphal

F UNFINISHED BUSINESS

G NEW BUSINESS

H REPORTS AND COMMUNICATIONS

H-1 [18-1796](#) Various Communication to the ZBA
Received and Filed

I PUBLIC COMMENTARY - (3 Minutes per Speaker)

J ADJOURNMENT

Unanimously adjourned at 6:22 P.M.

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Candice Briere, Chairperson of the Zoning Board of Appeals

/kvl