



City of Ann Arbor

Meeting Minutes

Zoning Board of Appeals

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

Wednesday, June 22, 2022

6:00 PM

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

This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at a2gov.org/watchCTN

**Public comment can be made in person or by calling: 877 853 5247 or 888 788 0099
Enter Meeting ID 938 1648 1007**

Members of the public can attend this meeting in person, through the webinar link, or by phone. Both the phone number and weblink are available below:

For phone access, please call 877-853-5247 and Enter Meeting ID: 938 1648 1007

For access via zoom, please click this URL to join:

<https://a2gov.zoom.us/j/93816481007?pwd=Tm1abDFtRnJ3SXZ0L2FvMWNBMBIh6dz09>
Passcode: 070269

A. CALL TO ORDER

Chair Candice Briere called the meeting to order at 6:05 pm.

B. ROLL CALL

Chair Briere called the roll.

Others present:

Jon Barrett, City of Ann Arbor Zoning Coordinator

Courtney Manor, City of Ann Arbor Administrative Assistant

Others present:

Jon Barrett, City of Ann Arbor Zoning Coordinator

Courtney Manor, City Staff

Present: 7 - Candice Briere, David DeVarti, Todd Grant, Elizabeth Nelson, Chris Fraleigh, Julia Goode, and Christopher Madigan

Absent: 1 - Michael B. Daniel

C. APPROVAL OF AGENDA

Moved by Christopher Fraleigh, Seconded by Todd Grant, to approve the agenda with item E - 4 postponed. Agenda was unanimously approved with changes.

D. APPROVAL OF MINUTES**D-1. 22-1101 May 25, 2022 ZBA Meeting Minutes**

Attachments: 5-25-2022 ZBA Draft Minutes.pdf

Moved by Christopher Madigan, Seconded by Chris Fraleigh, to approve the May 25, 2022 meeting minutes. Minutes were unanimously as presented and forwarded to City Council.

E. PUBLIC HEARINGS

E-1. 22-1104 ZBA22-2008; (postponed from 5/25/2022) 3095 Cedarbrook Road
Bob Clark, representing property owners, is seeking a variance from Table 5.17-1 Single-Family Residential District Dimensions to construct a 10 foot by 16 foot sunroom at the rear of the existing residence. The requested variance is nine feet five inches to allow the sunroom to be 20 feet seven inches from the rear lot line. The property is zoned R1C, Single-Family Residential and requires a 30 foot rear setback.

Attachments: ZBA22-2008; 3095 Cedarbrook Staff Report with Attachments-rev.pdf, Neighbors in Support of 3095 Cedarbrook Rd Sunroom.pdf, Email from Seetoo - Opposition to 3095 Cedarbrook Rd Sunroom.pdf, Letter from Carman - Opposition to 3095 Cedarbrook Rd Sunroom.pdf, Email from Charvat - Support of 3095 Cedarbrook Rd Sunroom .pdf

APPLICANT/REPRESENTATIVE:

Bob Clark, representing the property owners, presented the proposed request.

PUBLIC HEARING:

Caller ending in 672: Owners of 3080 Cedarbrook Drive spoke in support.

Caller ending in 711: Wendy Carmen, 2340 Georgetown, spoke in objection.

Caller Amy Seetoo, 3111 Cedarbrook Dr: spoke in objection.

Moved by Dave DeVarti seconded by Chris Fraleigh in Petition ZBA22-2008; 3095 Cedarbrook Rd.

Based on the following findings an in accordance with the established standards for approval, the Zoning Board of Appeals here by grants a 9 foot 5 inch rear yard setback variance from Chapter 55 unified development code Table 5.17-1 single family district dimensions. The applicant is proposing construction of a 10 foot by 16 foot sunroom at the rear of the residence. The sunroom will be 20 feet 7 inches from the rear lot line. The screened porch is to be built per the submitted plans. There is a practical difficulty that is exceptionally peculiar to the property that results from conditions that do not exist generally throughout the city.

Board Discussion:

Fraleigh and DeVarti spoke how the request if granted would effect the rest of the community and said they would vote no.

On a roll call vote the vote was as follows with the Chair declaring the request DENIED. Vote 0 - 7

Yeas: 0

Nays: 7 - Chair Briere, DeVarti, Grant, Councilmember Nelson, Fraleigh, Goode, and Madigan

Absent: 1 - Daniel

- E-2.** [22-1105](#) ZBA22-2007; (postponed from 5/25/2022) 1211 White Street Aaron Vermeulen of O/X Studios representing property owners, is seeking variances from Table-5.17-3 Multiple-Family Residential District Dimensions and Section 5.18.1 (4) Front Porches to construct a three-unit townhome structure. The building will require a 12 foot 11 inch variance from the required 30 foot rear setback. The second story balconies will require a six foot eight inch variance to encroach into the average front setback. The existing single-family residence is to be demolished. The property is zoned R4C, Multiple-Family Dwelling District.

Attachments: ZBA22-2007; 1211 White St Staff Report with Attachments-rev.pdf, Email from Newland - Opposition to 1211 White St Balconies.pdf

PUBLIC HEARING:

Charles Nelson (address unknown) expressed support.

Seeing no other speakers, Chair Briere closed the public hearing.

**Moved by, DeVarti seconded by Fraleigh in petition: ZBA22-2007;
1211 White St.**

In accordance with the established standards for approval the Zoning Board of Appeals here by grants a 6 foot 8 inch variance from Section 5.18.1 (4) Front Porches to allow second story balconies to encroach into the average front setback. The applicant is proposing construction of a new three-unit townhome. The townhome building is to be built per the submitted plans. Also in accordance with the established standards for approval, the Zoning Board of Appeals here by grants a 12 foot 11 inch rear setback variance from Chapter 55 Unified Development Code Table 5.17-3, Multi Family Residential District Dimensions. The applicant is proposing construction of a new three-unit townhome. The new townhome will be 17 feet 1 inch from the required 30 foot rear setback. The townhome is to be built per the submitted plans.

BOARD DISCUSSION:

DeVarti and Grant expressed a variance isn't needed and they would not support the request.

On a roll call vote, the vote was as follows with the Chair declaring the motion approved. Vote 5 - 2.

Variance GRANTED.

Yeas: 5 - Chair Briere, Councilmember Nelson, Fraleigh, Goode, and Madigan

Nays: 2 - DeVarti, and Grant

Absent: 1 - Daniel

- E-3. [22-1106](#) ZBA22-2011; 831 Avon Road**
Bonnie Greenspoon, representing property owners, are requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure to construct a second story addition over an existing nonconforming single-family residence. The existing residence does not meet the required 50 foot rear yard setback. The home is located 47 feet from the rear lot line. The

second story addition will contain three bedrooms, two bathrooms and a sitting area. The property is zoned R1A, Single-Family Residential District.

Attachments: Staff Report ZBA22-2011; 831 Avon Rd w Attachments.pdf

Bonnie Greenspoon presented the proposed request.

PUBLIC HEARING:

Seeing no speakers, Chair Briere closed the Public Hearing.

Moved by DeVarti, seconded by Fraleigh in Petition: ZBA22-2011; 831 Avon Road.

The Zoning Board of Appeals hereby grants relief from sections 5.32.2 Alteration to a Non-Conforming Structure to allow construction of a second story addition over an existing non-conforming single family residence. The existing residence does not meet the required 50 foot rear yard setback. The home is located 47 feet from the rear lot line. The second story addition will contain 3 bedrooms 2 bathrooms and a sitting area. The construction must comply with the submitted plans.

BOARD DISCUSSION:

The Board took into consideration the presented requests and discussed the matter. [For a complete record of the discussion, please see available video format]

On a roll call vote the vote was as follows with the Chair declaring the request granted. Vote: 7 - 0

Yeas: 7 - Chair Briere, DeVarti, Grant, Councilmember Nelson, Fraleigh, Goode, and Madigan

Nays: 0

Absent: 1 - Daniel

**E-4. 22-1107 ZBA22-2012; 521 South Fourth Avenue - Postponed
PUBLIC HEARING ONLY**

PUBLIC COMMENT:

Dennis Burke, 528 S Fourth Avenue spoke in objection.

F. UNFINISHED BUSINESS

F-1. 22-1103 Review of Bylaws

Attachments: ZBA Rules -DRAFT 4-27-22.pdf

Moved by Fraleigh, seconded by Goode, to approve the ZBA Bylaws.

Bylaws were approved unanimously as presented.

Yeas: 7 - Chair Briere, DeVarti, Grant, Councilmember Nelson,
Fraleigh, Goode, and Madigan

Nays: 0

Absent: 1 - Daniel

G. NEW BUSINESS

None

H. COMMUNICATIONS**H-1. 22-1102 Various Communication to the ZBA**

Attachments: Email from Charvat - Support of Rear Yard Sunroom.pdf,
Email from Newland - Opposition to 1211 White St
Balconies.pdf, Letter from Carman - Opposition to 3095
Cedarbrook Rd Sunroom.pdf, Neighbors in Support of
3095 Cedarbrook Rd Sunroom.pdf, Seetoo - Opposition
to 3095 Cedarbrook Rd Sunroom.pdf

Received and Filed

I. PUBLIC COMMENT (3 Minutes per Speaker)

No speakers.

J. ADJOURNMENT

**Moved by: Fraleigh Seconded by: Madigan to adjourn the meeting
at 7:50 pm.**

Approved unanimously.

Candice Briere, Chairperson

Jon Barrett, Zoning Coordinator

/courtney manor

eComments for the Board may be left via our Legistar calendar page (column to the very right)
<http://a2gov.legistar.com/Calendar.aspx>

Zoning Board of Appeals meetings are typically held the fourth Wednesday of each month. All persons are encouraged to participate in public meetings. Persons requiring translation or sign language services or other accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org ; or by written request addressed and mailed 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>).

Zoning Board of Appeals meetings have transitioned to a hybrid meeting model. The City of Ann Arbor highly encourages the public to view and participate in public meetings remotely due to the high COVID-19 transmission rate in Washtenaw County. In order to prevent the transmission of COVID-19, protect the health of meeting attendees, minimize the possibility of disrupting the meeting, and thereby promote public participation by creating a safer meeting environment, City Council has established a regulation that all in-person attendees at meetings are required to wear a mask. See the Mask Requirement signage that is posted throughout City Hall. The City of Ann Arbor has existing COVID-19 safety rules that are required of visitors entering city facilities. If you choose to attend a meeting in-person, the following safety rules are expected to be observed. These include:

Masks - Required in Council Chambers. Masks are available at the guest services desk in the lobby of Larcom City Hall.

Physical Distancing - Individuals should be physically distanced from one another at least 6 feet.

Illness - Anyone diagnosed with COVID-19, who has symptoms of COVID-19, or has had recent close contact with someone with COVID-19, should not attend a public meeting.