BBA15-028



# City of Ann Arbor //-/2-/5 PLANNING & DEVELOPMENT SERVICES — CONSTRUCTION SERVICES

Mailing: 301 E. Huron St. | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647 p. 734.794.6263 | f. 734.994.8460 | building@a2gov.org

### **APPLICATION FOR VARIANCE - BUILDING BOARD OF APPEALS**

Section 1: Applicant	Information		
Name of Applicant:I	Bill Brinkerl	noff	
Address of Applicant:	325 W. Lit	perty, Ann Arbor, MI 48103	
Daytime Phone: 734	-846-6663	Fax: None	
Email: bill@argusfa	armstop.com	1	
Applicant's Relationshi	p to Property:	Owner	
Section 2: Property In	nformation		A LEGA
Address of Property:	325 W. Lib	erty, Ann Arbor, MI 48103	
Zoning Classification:	D2		
Tax ID# (if known): 46	5-5289030		
*Name of Property Ow	ner: Bill Br	inkerhoff atter of authorization from the prope	rty owner must be provided.
Section 3: Request In	formation		Participant of the Control of the Co
☐ Variance			
Chapter(s) and Section which a variance is req		REQUIRED dimension:	PROPOSED dimension:
Section 602; specif	ically	30' or greater	0'
602.1 and Table 60			
705.5 & 705.8		• •	* * * * * * * * * * * * * * * * * * *
Example: 2003 Building Section 5:26	g Code,	Example: 7' Ceiling Clearance	Example: 6'5" under landing
Give a detailed descripti	on of the work	you would need this variance for (at	tach additional sheets if necessary)
See attached de	scription		

Section 4: Variance Request
The City of Ann Arbor Building Board of Appeals has the powers granted by State law and Building Codes. A variance may be granted by the Building Board of Appeals only in cases involving practical difficulties or unnecessary hardships when <b>ALL</b> of the following is found <b>TRUE</b> .
Please provide a complete response to each item below. These responses, together with the required materials in Section 5 of this application, will form the basis for evaluation of the request by staff and the Building Board of Appeals.
1. Are there hardships or practical difficulties to complying with the Code? Are these hardships or practical difficulties an exception or unique to the home compared to other homes in the City?
To limit visual impacts of the addition (benefits expressed elsewhere in this application).
an all glass structure was decided to be the most appropriate. A two-hour fire resistance
rating in accordance with Table 602 of the building code, which for the most part,
prohibits using glass along the property line.
2. Are the hardships or practical difficulties more than mere inconvenience or inability to obtain a higher financial return, or both? (explain) Two-hour rated glazing is a highly specialized
building material and as such, is extremely expensive. Other fire rated options that are
affordable, such as masonry, are opaque and obstruct the visual connection to the downtown
which is a valued feature of this location on the edge of a residential neighborhood.
3. What effect will granting the variance have on the neighboring properties?
The transparency afforded by the fully glazed greenhouse will maintain the current
openness of the gathering area on this small corner site. Several residences will not have
part of their view of downtown blocked.
4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the Code?
The site is small and placing the enclosure in another location would affect site accessibility
block the entry, block pedestrian movement, and/or complicate vehicular parking. The
proposed building location is on the east side the least active area and currently a gathering
1 location.  5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about? The original site design of the former gas station limits the
location for this proposed greenhouse. From the onset of the project, the primary design
feature of the structure has centered around the desire to be as transparent as possible;
to be seen as a window to downtown instead of a barrier.
Section 5: Required Materials
The following materials are required for all variance requests. Failure to provide these materials will result in an <b>incomplete application</b> and will delay staff review and Building Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application. All materials must be provided on 8 ½" by 11" sheets. If incomplete, you will be scheduled for the NEXT MEETING DATE ON THE FOLLOWING MONTH.
☐ State proposed use of property, size of lot and size and type of proposed changes.
☐ Building floor plans showing interior rooms, including dimensions. (continued)
☐ Photographs of the property and any existing buildings involved in the request.
☐ Any other graphic or written materials that support the request.
☐ Letter of Authority if being represented by someone other than the property owner.

Section 6: Acknowledgement
SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC
I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Applicable City Code and/or 2006 Michigan Residential Code and/or 2006 Michigan Building Code for the stated reasons, in accordance with the materials attached hereto.  Phone Number  Signature  WILLIAM F. BRINKPLIOFE  Email Address  Print Name
I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith are true and correct and have received all coversheets with dates, deadlines and instructions. Applicant acknowledges that they are aware of these meeting dates and will not receive further notification of meeting dates and times. All applicants are expected to know when and where the meeting is and to appear to present their appeal in a timely fastion:  Signature
Further, I hereby give City of Ann Arbor Planning and Development Services unit staff and members of the Building Board of Appeals permission to access the subject property for the purpose of reviewing my variance request. As a condition of granting any variance, the property owner is also responsible for reinstating, paying fees for or acquiring new permits to inspect and final out any outstanding work at this property:
On this
Victoria Rose Bruce
Notary Public Signature
9.14-2017 VICTORIA ROSE BREWER
9.14-2017 Notary Commission Expiration Date  VICTORIA ROSE BREWER  Print Name
STAFF USE ONLY  Date Submitted: 1/-12-15 Fee Paid: \$500.00  File No.: 88815-028
Pre-Filing Review Person & Date:
Secondary Staff Review Person & Date
Date of Public Hearing:
BBA Action:
OUSTANDING PERMITS:

#### **Variance Request Background and Description**

Argus Farm Stop is a relatively new market providing locally sourced food and products to consumers. The overwhelming response from the community and our customers has provided the opportunity to expand our business and provide a meeting and training location. We have received site plan approval for the addition of a greenhouse structure off the front of our existing building adjacent to the property line. Code would require the greenhouse wall adjacent to the existing property line to be 2-hr fire rated.

The former gas station is located along the east property line on this small corner site with currently active on-site open areas created by the existing original customer vehicular access areas on the north and west of the existing building. With the increase in popularity of the business as a gathering spot for patrons and passersby's, a need for a new four-season congregating space became apparent. In an effort to maintain the open areas that currently support the building entrance, pedestrian circulation, visibility, produce deliveries, vehicular parking, and various outdoor activities, a relatively quiet location currently used for seating along the east property line became the logical spot for the four-season enclosure. To limit the visual impact of the addition, an all-glass greenhouse structure was selected. Being on the fringe of a residential neighborhood, views of the city to the east are an important visual link from the Argus Farm Stop to the downtown. 100% building transparency has always been a major design concern for this project.

Consistent with past variances, we are respectfully asking to waive the current 2-hr fire rating until such time that the adjacent property use changes requiring us to comply with the 2-hr fire rating. At that time Argus Farm Stop would comply with the 2-hr fire rating required.

The variance requested is similar, but on a much smaller scale, to several others that the city approved for 101 North Main, 301 E. Liberty, and Sloan Plaza. At the time they were built, all three had sufficient fire separation from any adjacent buildings to mitigate fire leaping from the new building to the existing adjacent building. The variances were approved by the BBA with the stipulation that if any new structures were built on the adjacent property that the variance properties would block up their openings. We are asking for the same consideration.



## CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 E. Huron St, P.O. Box 8647, Ann Arbor, Michigan 48107-8647
www.a2gov.org
1-734-794-6263

November 16, 2015

Building Board of Appeals City of Ann Arbor

Re:

New Greenhouse Addition

Argus Farm Stop 325 W. Liberty St. Ann Arbor, MI 48103

Applicant:

Bill Brinkerhoff

325 W. Liberty St. Ann Arbor, MI 48103

Dear Board Members:

The City has received an application requesting that the Building Board of Appeals consider an exception to the 2012 Michigan Building Code described as follows:

Chapter 6, Table 602 requires mercantile buildings to be set back at least 30' from an adjacent property line without requiring the exterior wall of the building to be fire rated construction. Per the enclosed site plan, the neighboring adjacent lot has a parking lot at the property line and the nearest building is approximately 89' away from the proposed greenhouse. The applicant has received site plan approval from the Planning Commission to construct their greenhouse up to the lot line and is now asking the BBA to grant an exception to the Building Code with regard to fire separation. Granting this variance would effectively exclude the applicant from complying with the 30' setback requirement.

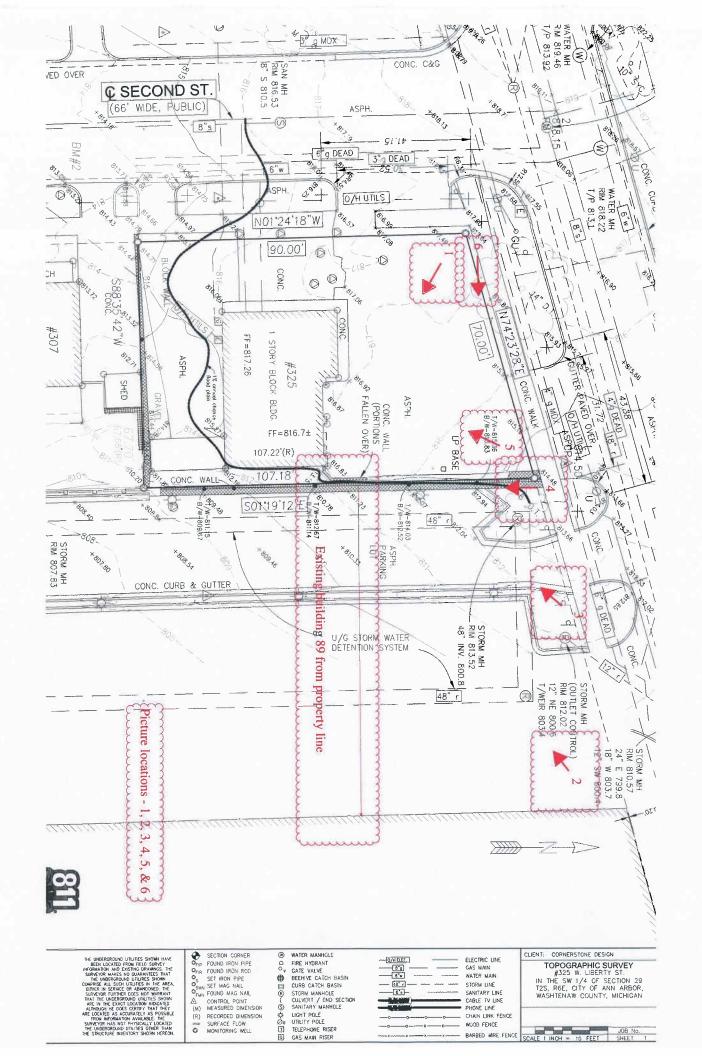
Based on earlier variances granted for zero lot line construction against lots with no buildings, and if the Board considers approving this variance, I would suggest the following stipulation: If the owner of the adjacent property decides to construct a building on their lot then it shall be the applicants responsibility to properly rate the exterior of the greenhouse per the Code in effect at that time.

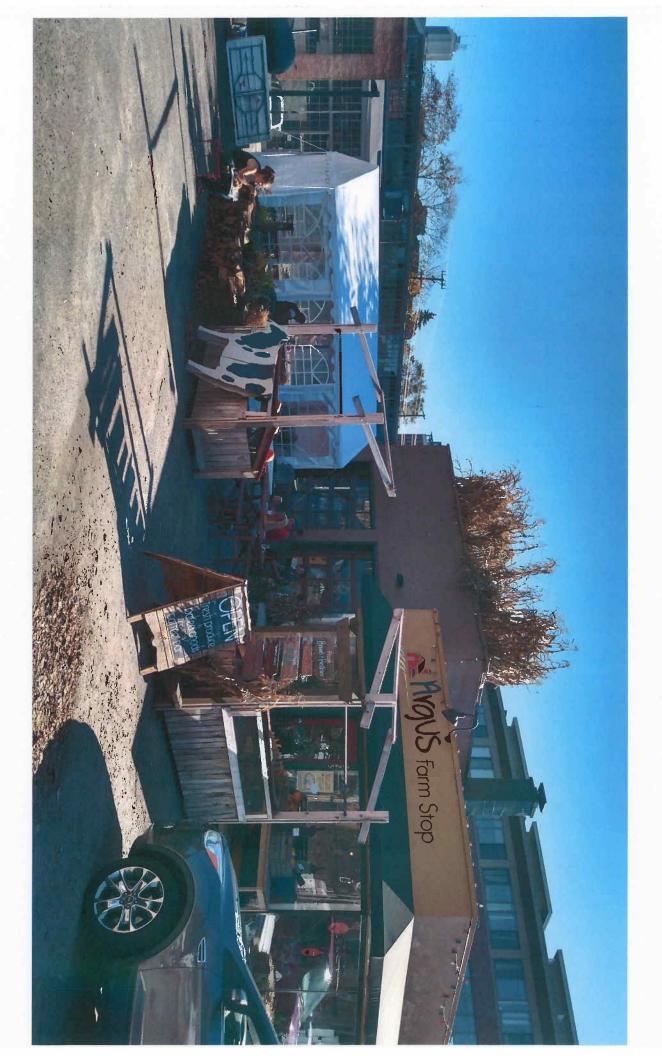
If you have any questions, please call me at 734 652-6813.

Sincerely,

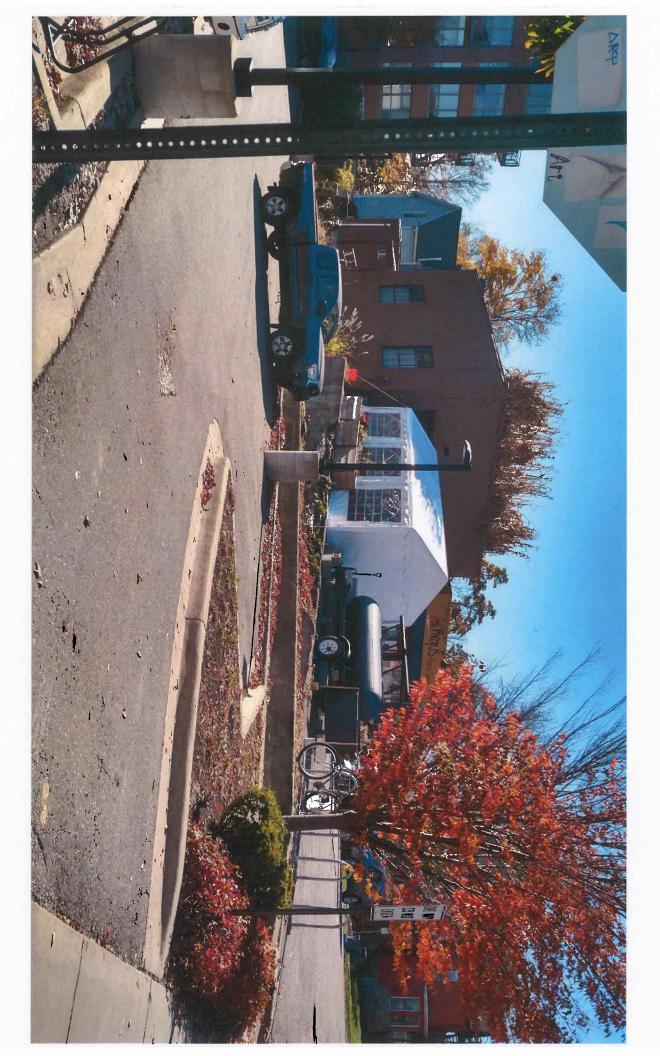
Craig E. Strong, Building Official

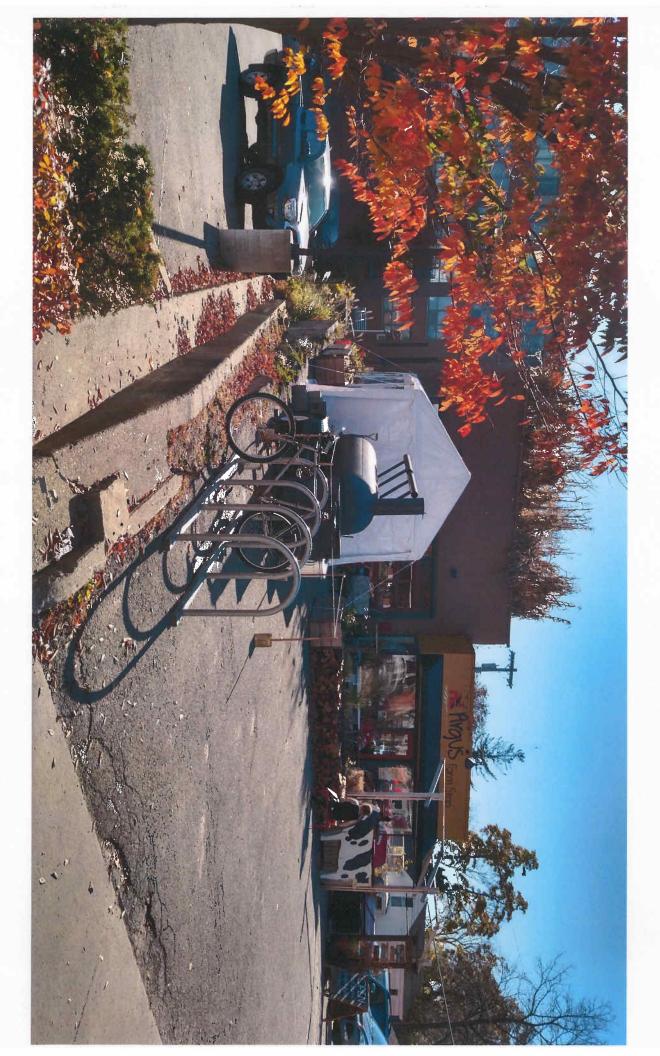
City of Ann Arbor

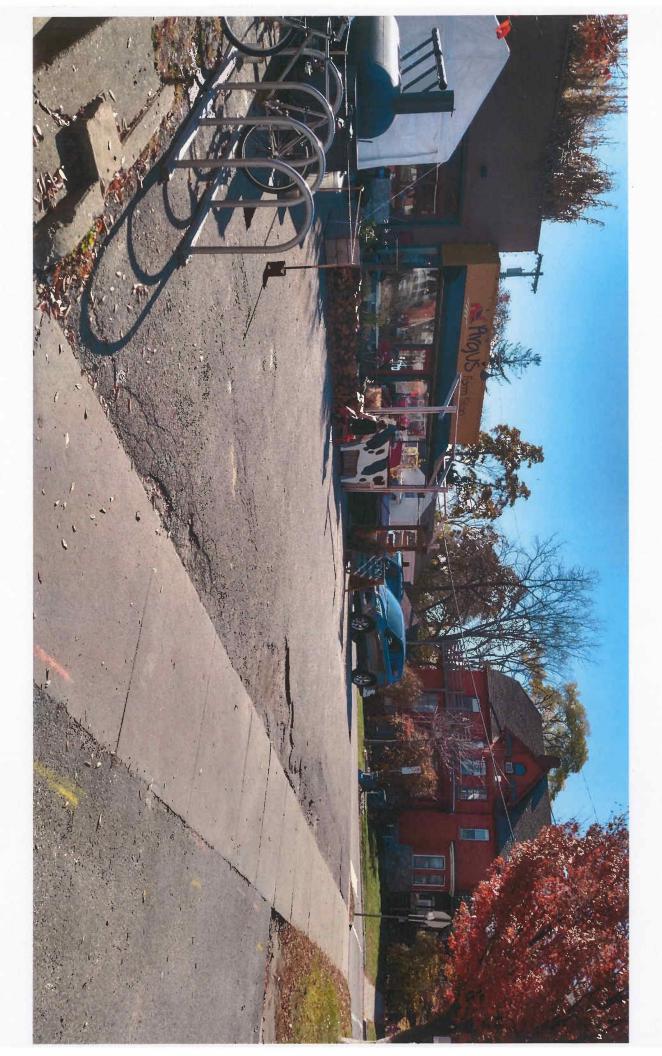


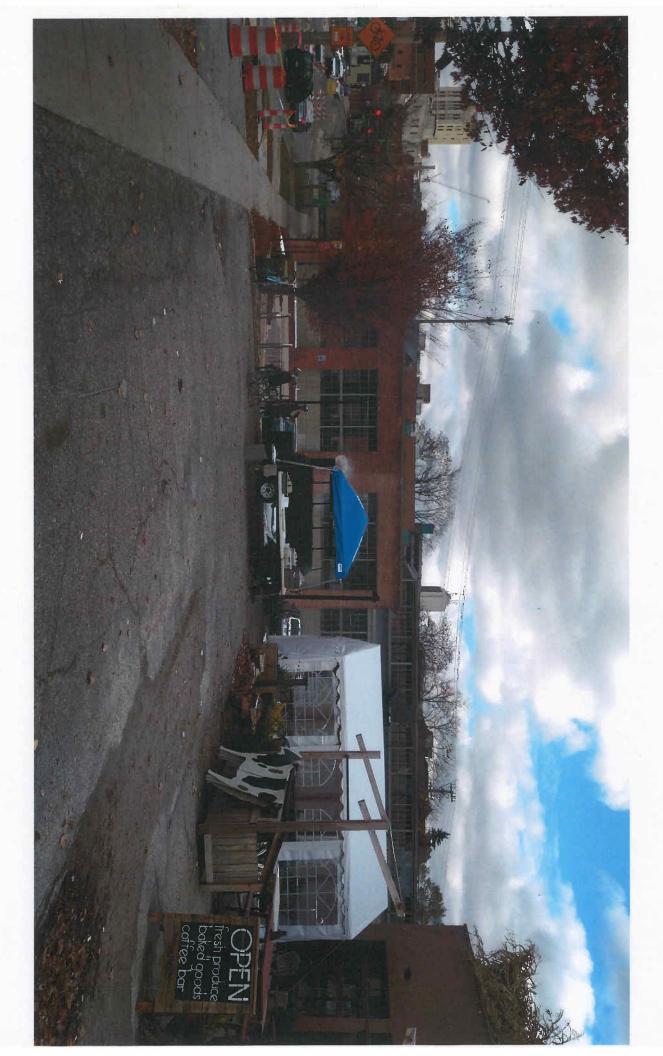












# PROJECT INFORMATION 1. Development Program: a. The popied site is on the southeast context on the southeast context on the southeast context on the southeast on the southeast

ructed in one phase. Probable construction cost is

osed development on public schools: None if the proposed addition will not freended use to neighboring areas. The proposed addition will not properly's use which is compatible with the neighboring uses in

jacent uses on the proposed development. None
posed development on all rand water quality and existing natural
posed development on all rand water quality and existing natural
ne site and neighboring areas. There will be no negative impact on
to These will be no negative impact to natural features. There will be no
notice and market.

historic sites or structures which are located within ne National Register of Historic Places: The s will provide a high level of transparency allowing a

species habitat None
of food plant the 1% ACFC, et. 814.25,
uikting's foundation: it is below the finish floor
work is proposed in the flood plain. The

ing requirements. is all landmark mass: None on the property. A 14° is all landmark mass: None on the property. A 14° is all landmark mass.

RIM 819 46

ocation of existing waterbolites; None boundary and character of all weldents; None boundary and baset area estimate, based on field samples, of any woodands;

valural Features Statement of Impact. No impact on natural features, traffic impact. The site is served by sidewalks, streets, and bike lanss. The addition was not increase the crips per hour nor will it increase the trips per peak

ugs and other sets improvements. The building was originally designed as a alone, was abandoned for several years, authend a failed attempt to be a alone was abandoned for several years, authend a failed attempt and a in antiquated adspartment, and to work provides from the produce and college to seld exactling to fail and ususide easing for 10 is provided. Outside solving to the above with untriveless. The underground fue storage tanks and pump to a human control.

Features locations. Flood plain and floodway at southeest corner of existing

CONC. C&G

GRADING CHANGE

ASPH.

18-

70.00

1/W-815.36 B/W-813.83

Argus Farm Stop Addition

JENB ASE

ASPH.
PARKING

pes Fox Sandy Loam, classified as hydraulic soils group B with a typical on rate of 2 to 6 inches per hour.

aphy: The site slopes slightly from north to south. I foot confours are shown

safe and recycling are kept in stancard city refuse/recycling outdoarts (2) on in side (rear) of the building. The addition will not increase the current wive! I proposed vericular, pedastrian and boyde ways and access points: will be maintained for vehicular traffic. Sidewalk access is on both Street and theirty Street sides of the alte. Bitses will access the alte sidewalks. Liberty bike lanes, or the crives or the west and north.

SAN MH RIM 816.53 8" S 810.5

6"w

ASPH.

FF=817.26

1 STORY BLOCK BLDG. #325 42.79

S0K19'12"E

N01,24'18"W 90.00 CONC.

PROJECT LOCATION

C SECOND ST.

813.88

S88.35,42,W

CHED

67.70° 67.68'(R)

ASPH. MINING

CHED

CONC. CURB & GUTTER

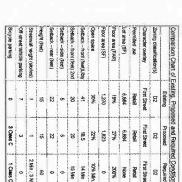
SHED



ER

EXISTING CONDITIONS

C. 10-0



	Existing	Proposed	Required
ng classification(s)	D2	92	82
racter overlay	First Street	First Street	First Street
rifled use	Pariosi	Petal	Retail
area (SF)	6,964	6,684	None
r area (FAR)	19%	27%	200%
rarea(SF)	1,270	1,823	0
n space	30%	22%	10% Min.
ack - front (feet)Liby	4.	18.5	14 Min
ack - front (feet) 2nd	૪	8	15 Min
ack -side (feet)	თ	cn .	0
ack rear (feet)	22	z	0
rt (feet)	25	15	8
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Cornerstone Design Inc

325 W. Liberty, Ann Arbor, MI 48104

Owner/Petitioner: Bill Brinkerhoff 534 Glendale Ann Arbor MI 48103 734-846-6663

Agent/Architect: Cornerstone Design Inc. 310 Depot Street Ann Arbor MI 48104 734-663-7580 Richard Henes

Surveyor: Arbor Land Consultants, Inc. Kevin Gingras 734-669-2960 Ann Arbor, MI 48103 2936 Madrono Ct.

534 Glendale Ann Arbor, MI 48103

Brinkerhoff

₿

325 W, Liberty Ann Arbor, MI 48103

SP-5 EVILDING	SP-4 STORINA	SP-3 LAYOUT PLAN	SP-2 SURVEY	YCINITY Y	SP-I TITLE SHEET /	SHEET INDEX
PLAN PLAN	STORMWATER/PAVING	LAN		VICINITY MAP / NOTES	ET /	

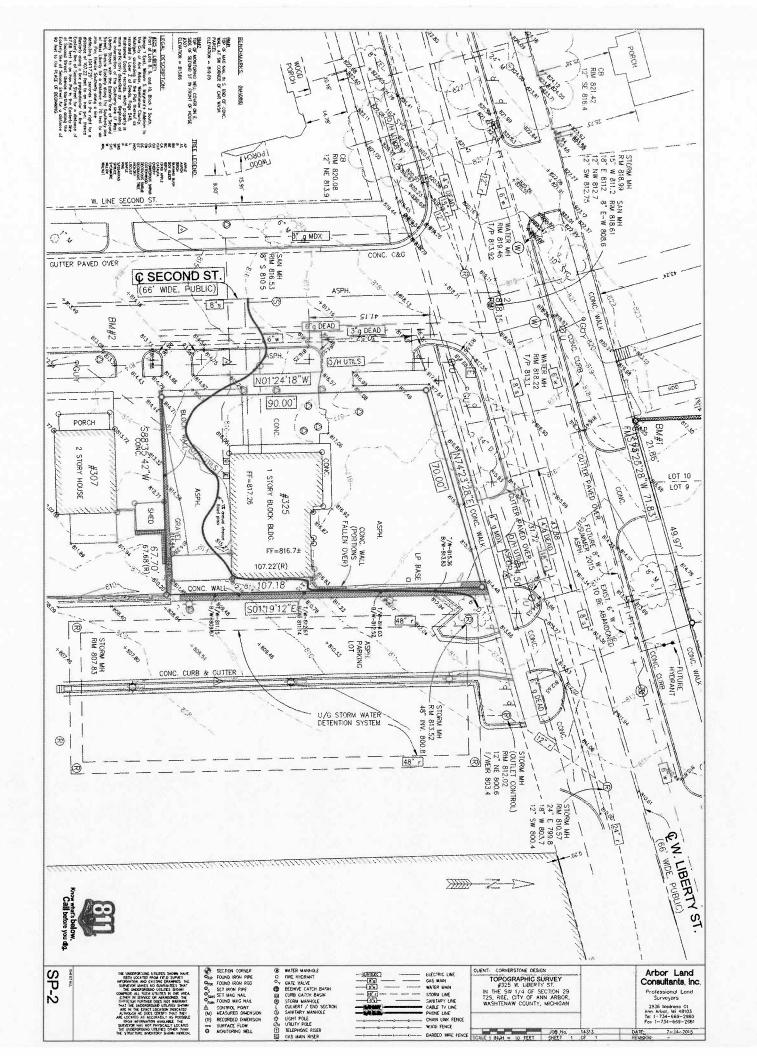
nt <b>\</b>	
LEGEND:  SECTION  SEC	д (у
END:  SECTION CORNER SOUND HONE ROUND HONE R	BULDING ELEVATIONS
	VATIONS

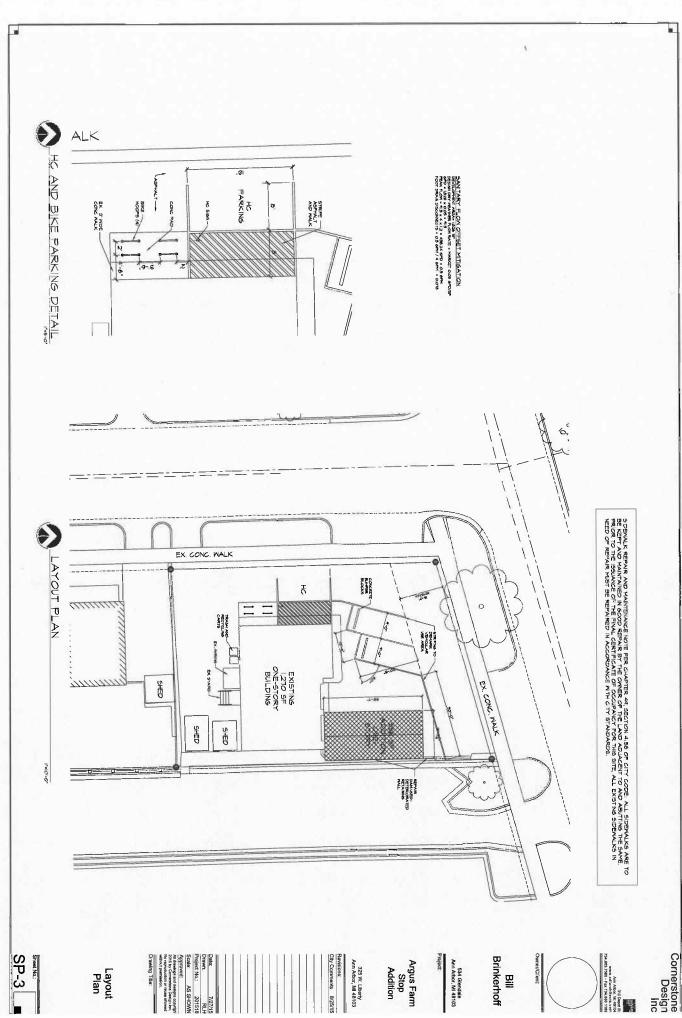
Vicinity Map, Title Sheet, Notes

1% ANNUAL CHANCE FLOODPLAIN
1% ANNUAL CHANCE FLOODPLAIN (FRM)
FLOODWAY BOUNDARY (FIRM)

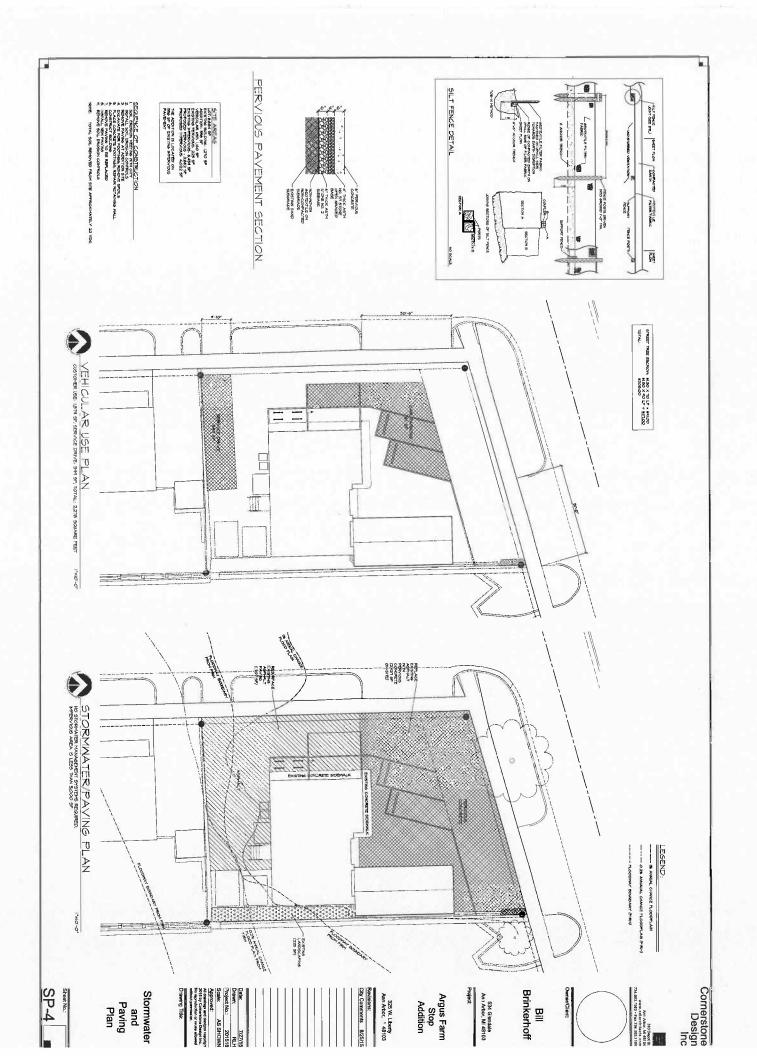
Sheet No.:

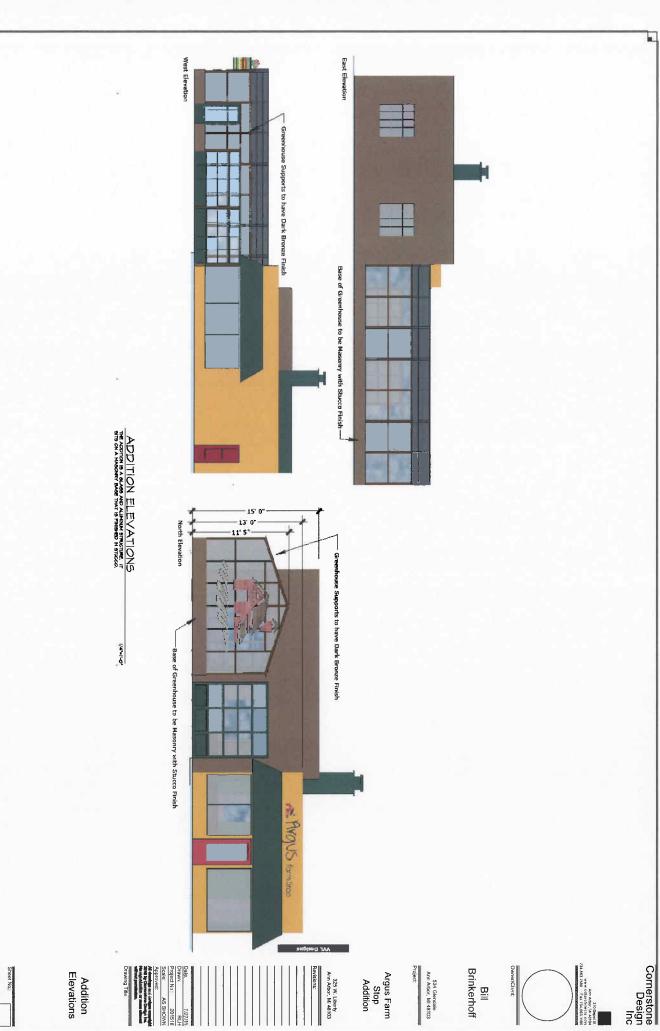
SP-1



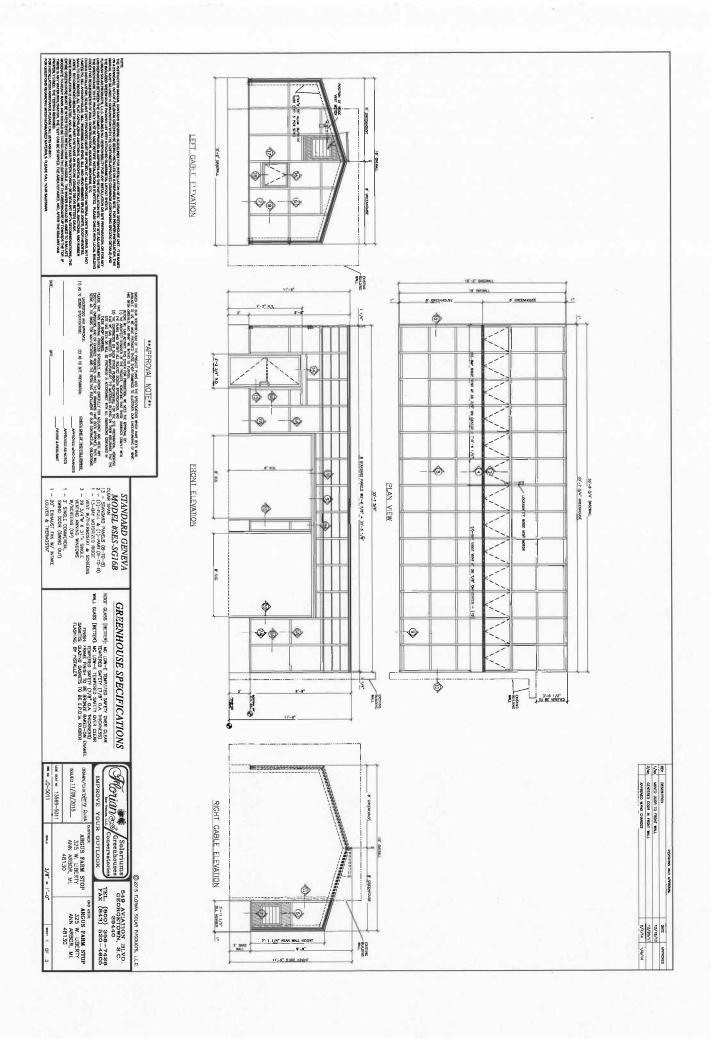


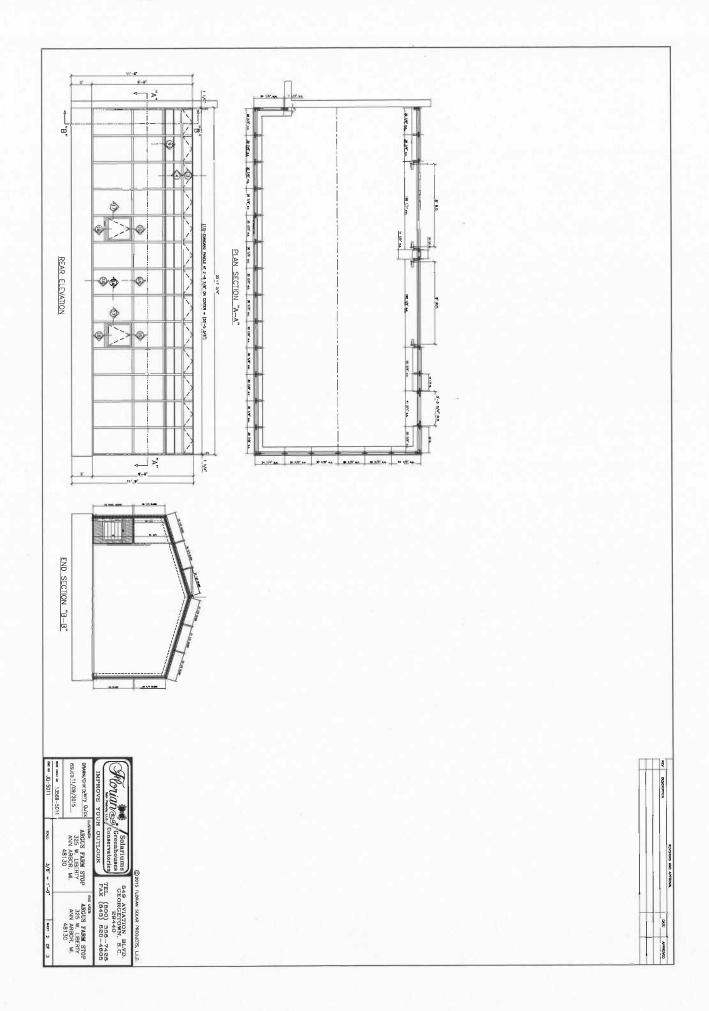
310 Depot St. Ann Arbor, Mr. 48104 www.cdfarchitects.com 734,663,7669 - Fax 734,863 1160

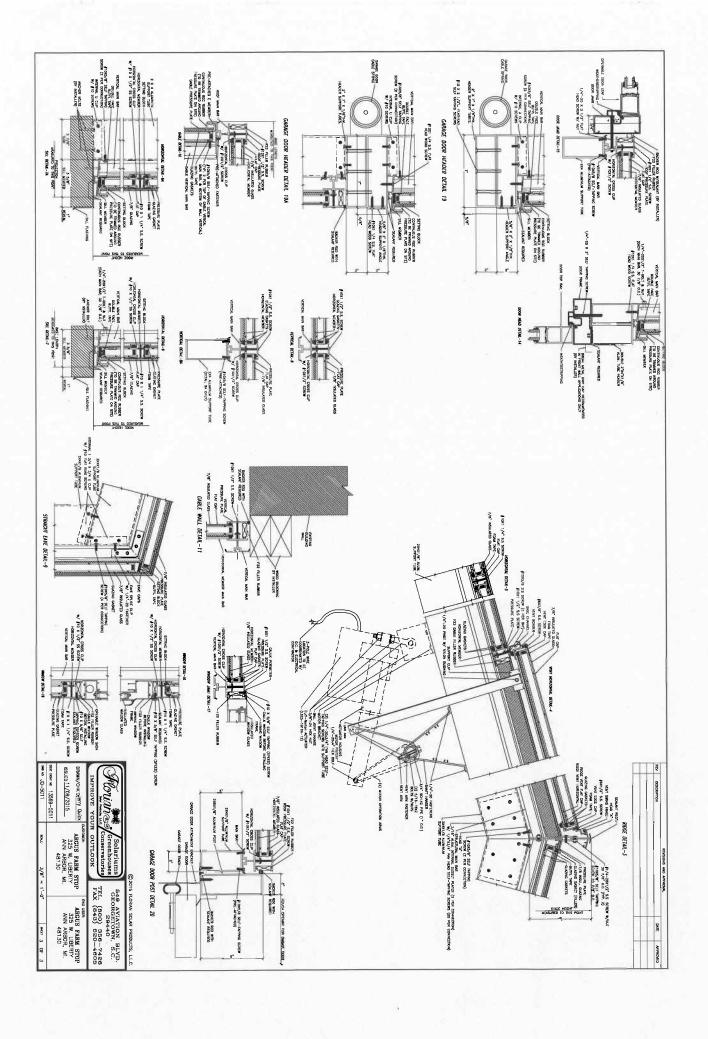


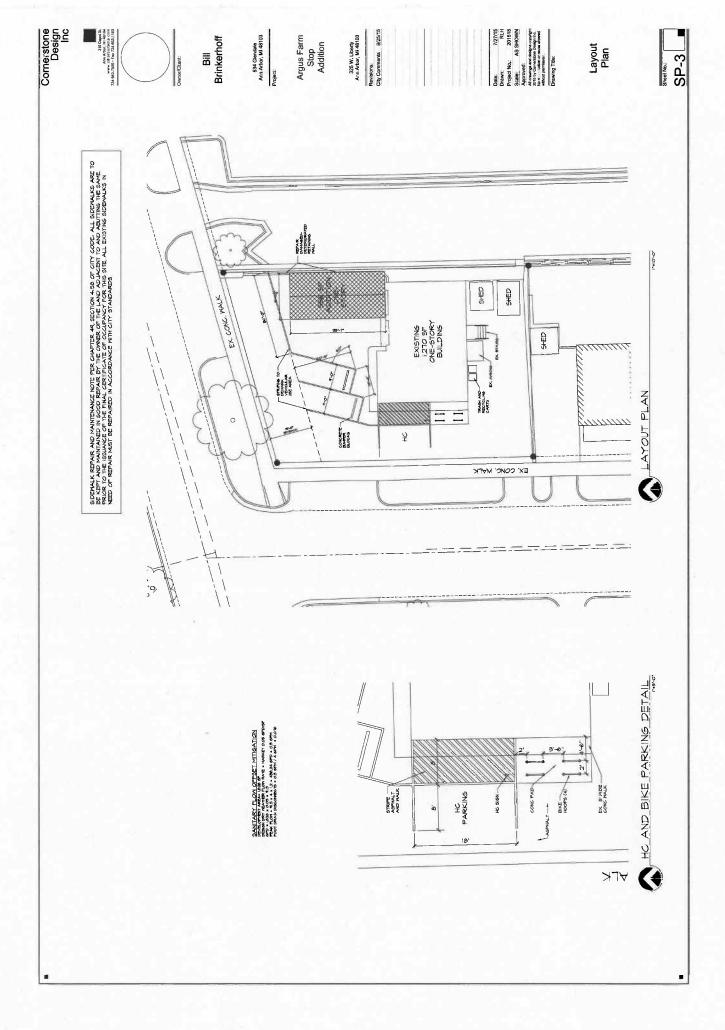


SP-5











#### CITY OF ANN ARBOR, MICHIGAN

Community Services Area Planning & Development Services Unit 301 East Huron, P.O. Box 8647, Ann Arbor, Michigan 48107-8647 Phone: (734) 794-6261

Fax: (734) 994-8460

December 7, 2015

Bill Brinkerhoff 325 West Liberty Street Ann Arbor, MI 48103

Re:

325 West Liberty Street, Ann Arbor, Michigan

Parcel Identification Number ("PIN"): 09-09-29-225-022

Dear Mr. Brinkerhoff:

Please consider this as a reminder to attend the Ann Arbor Building Board of Appeals meeting for your variance request in regards to the 2hr fire resistance separation at 325 West Liberty.

The meeting will take place on Friday, December 18, 2015 at 1:30 PM in the Basement of City Hall. Please bring materials and interested parties to the meeting for your presentation of the variance request if needed.

Sincerely,

Craig Strong, Building Official

City of Ann Arbor Construction Services

cstrong@a2gov.org



# CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 East Huron, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
Phone: (734) 794-6261

Fax: (734) 994-8460

January 4, 2016

Bill Brinkerhoff 325 West Liberty Street Ann Arbor, MI 48103

Re:

325 West Liberty Street, Ann Arbor, Michigan

Parcel Identification Number ("PIN"): 09-09-29-225-002

Dear Mr. Brinkerhoff:

Please consider this as a reminder to attend the Ann Arbor Building Board of Appeals meeting for your variance hearing for 325 West Liberty Street.

The meeting will take place on Wednesday, January 13, 2016 at 1:30 PM on the 2<sup>nd</sup> floor of City Hall in the City Council Chambers. Please bring materials and interested parties to the meeting for your presentation to the Board if needed.

Sincerely.

Craig Strong, Building Official
City of Ann Arbor Construction Services
cstrong@a2gov.org
(734)794-6261