Zoning Board of Appeals October 25, 2017 Regular Meeting

STAFF REPORT

Subject: ZBA 17-029; 332 E. William Street

Summary:

Gallatin Manor, LLC, represented by Jeffrey R. Gallatin, is requesting an alteration to a nonconforming structure in order to construct two (2) new apartments. Each unit will contain two (2) bedrooms and will be built in the basement. The basement currently contains two (2) storage units and those will be converted into the apartments. Applicant seeks permission from Chapter 55 Zoning Section 5:87 (1) (a).

Background:

The subject parcel is zoned D2 (Downtown district) and is located near the intersection of E. William Street and S. Division Street. The property is non-conforming because of the floor area ratio (FAR). The D2 district has a 200% FAR and the subject parcel contains 13,852 square feet. This would allow for a 27,704 square foot structure and the apartment building currently contains 29,768 square feet of total area. The building is currently 2,064 square feet over the maximum allowable FAR thus requiring approval to alter a non-conforming structure if any new improvements are proposed. The site currently meets and exceeds the parking requirements.

Description:

The building known as the Washtenaw Apartments was constructed in 1925 and replaced a large two-story dwelling. The petitioner would like to convert the two (2) storage lockers in the basement into two (2) bedroom apartments. The apartment building currently contains 38 apartments and the additional units, if granted, would bring the building up to 40 units. The property is in the East William historic district. The exterior changes will be minimal, as four (4) windows will be installed and four (4) existing will be enlarged.

As noted above, Chapter 55, Section 5:87 (1) (a) states that a nonconforming structure may be maintained or restored, but no alteration shall be made to a nonconforming structure unless one of the following conditions are met:

(a) The alteration is approved by the Zoning Board of Appeals upon a finding that it complies as nearly as practicable with the requirements of this chapter and that it will not have a detrimental effect on neighboring property.

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:

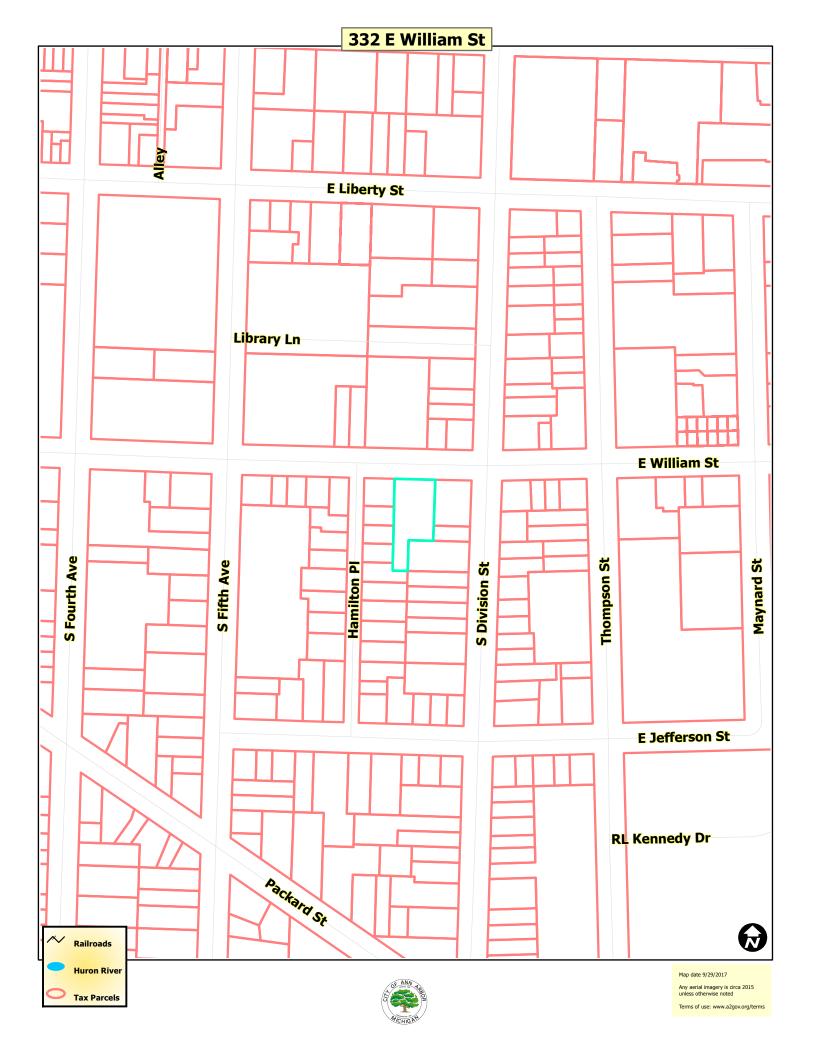
The alteration complies as nearly as practicable with the requirements of the Zoning Chapter and will not have a detrimental effect on neighboring property.

Permission is being requested in order to convert existing basement storage space into apartments. The conversion of the basement will not expand the footprint or maximum height of the structure. The multiple-family use is consistent with the surrounding uses and the additional habitable space should not have a detrimental effect on adjacent properties. If the alteration is approved the building will contain 40 units.

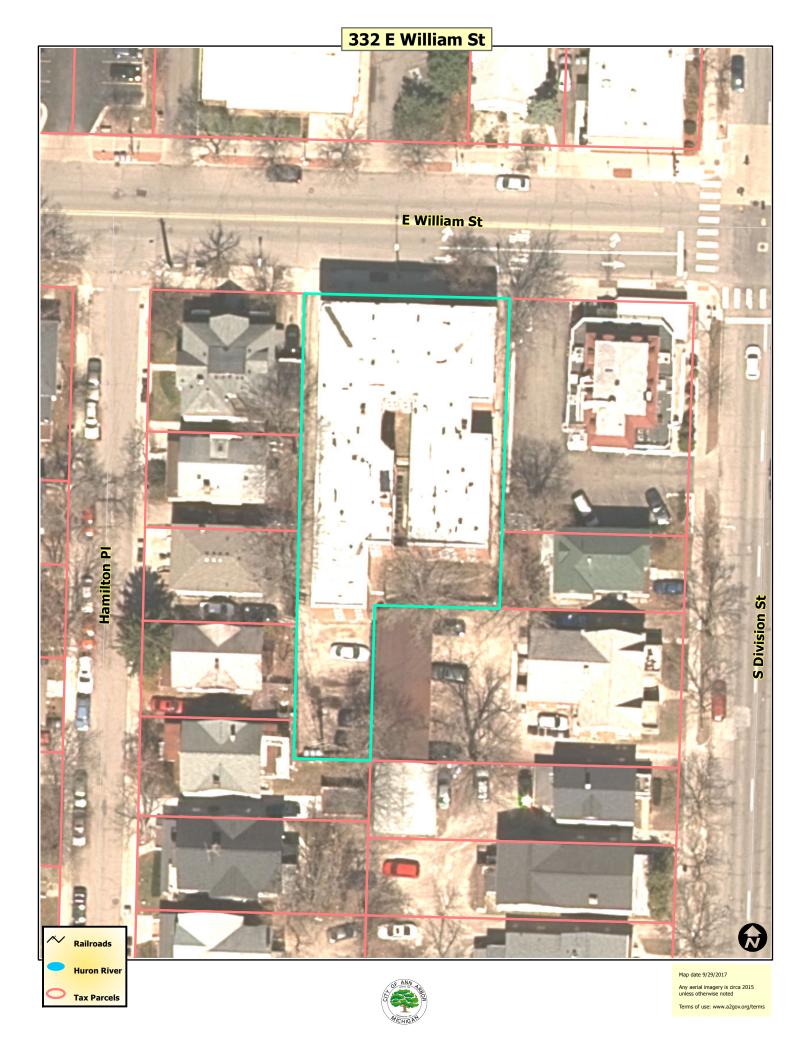
Respectfully submitted,

Jon Barrett

Zoning Coordinator









PLANNING DEPARTMENT

Mailing:

City Hall: 301 E. Huron St. Ann Arbor, MI 48104-6120 P.O. Box 8647, Ann Arbor, MI 48107-8647 734.794.6265

Phone: Fax:

734.994.8460

planning@a2gov.org

APPLICATION MUST BE FILLED OUT COMPLETELY

Office Use Only

Fee Paid: \$600.00

DATE STAMP

CITY OF ANN ARBOR RECEIVED

SEP 26 2017

PLANNING & DEVELOPMENT SERVICES

PROPERTY INFORMATION				
ADDRESS OF PROPERTY:				
332 E, WILLIAM				
ZONING CLASSIFICATION:	TAX ID: (if known)			
D-2	09-29-426-015			
NAME OF PROPERTY OWNER*:				
*If different than applicant, a letter of authorization from the				
*If different than applicant, a letter of authorization from the	property owner must be provided			
APPLICANT INFORMATION				
NAME OF APPLICANT:				
JEFFREY R, GALLATIA				
SEFFREY R, GALLATIA) ADDRESS OF APPLICANT:				
DAYTIME PHONE NUMBER: FAX NO:				
DAYTIME PHONE NUMBER:				
(c) 734-3680256	N/A			
EMAIL:				
JEFF @ GALLATIN-ENTERPRISE	ES: COM			
APPLICANT'S RELATIONSHIP TO PROPERTY:				
MANAGING MEMBER OF GALLATIN A	IANOR, LLC			
REQUEST INFORMATION				
☐ VARIANCE REQUEST (Complete the section 1	ALTERATION TO A NON-CONFORMING STRUCTURE			
below)	(skip to Section 2)			
Section 1 - VARIANCE REQUEST				
CHAPTER(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Chapter 55, Section 5:26)				
Required Dimension: (Example: 40' front setback)	PROPOSED Dimension: (Example: 32')			
Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary)				
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Section 1 - VARIANCE REQUEST con't

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:98. A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when **ALL** of the following is found **TRUE**. 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 Zoning Board of Appeals.

1.	That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city.
_	
2.	That the alleged hardships are practical difficulties, or both, 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.
3.	That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.
4.	That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.
5.	A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.



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Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

Current Use of the Property:

The proposed change is allowed in accordance with Structure Non-Conformance, Section 5:87 (1) (a) & (b), which reads as follows:

- (1) A non-conforming structure may be maintained or restored, but no alteration shall be made to a non-conforming structure unless one of the following conditions is met:
 - a. The alteration is approved by the Zoning Board of Appeals upon finding that it complies as nearly as practicable with the requirements of this Chapter and that it will not have a detrimental effect on neighboring property.
 - b. The alteration conforms to all the requirements of this Chapter and is made to a building which will be a single-family dwelling on completion of the alteration and is located in an R1, R2, R3, or R4 district.
 - c. The structure is considered non-conforming due to the following reasons.

REQUIREMENT	EXISTING CONDITION	CODE REQUIREMENT
Lot Area	CITY ASSESSOR 13,852 ATTACHED SURVEY 13,529	.98
Lot Width	86	
Floor Area Ratio	20090 OR 2 TO 1	
Open Space Ratio		
Setbacks		
Parking		
Landscaping		
Other		

Describe the proposed alterations and state why you are requesting this approval:

CONVERT STORAGE LOCKER SPACE INTO 2-2 BEDROOM APARTMENTS, I PURPURCHASED THE BUILDING APPROXIMATELY 40 YEARS AGO AND HAVE SPENT THE ENTIRE TIME SLOWLY RESTORAGE THE BUILDING AND NOW IT'S TIME TO COMPLETE THE PROJECT BY COMPLETING THE ORIGINAL DESIGN, WHICH WAS A 40 UNIT APARTMENT BLOCKS, 36 UNITS WERE FIVISHED IN 1929 WHEN IT WAS BUILT, 2 UNITS WERE ADDED LATER MAKING IT 38 UNITS, AND NOW IT'S TIME TO ADD THE REMAINING 2 UNIT TO MAKE IT 40 UNITS. THE alteration complies as nearly as is practicable with the requirements of the Chapter and will not have a detrimental effect on neighboring property for the following reasons:

- I OTHER THEN ADDING 4 WINDOWS AND ENLARGING 4 WINDOW TO COMPLY WITH EMERGENCY ESCAPE REGULAEMENT, NOTHING WILL BE SCEN FROM THE OUTSIDE; AND THE WINDOWS ARE ALL AT THE VERY REAR OF THE PROPERTY
- 2. ALL THE WORK IS INSIDE AND I'M JUST CONVERTING STORAGE LOCKER SPACETO 2 2 BEDACON APARTMENTS
- 3, AT PRESENT THE ALLOWABLE OCCUPANCY FOR THE ENTIRE BUILDING IS 79 Version 1-08/2017 IF I'M GLANTED PERMISSION I COULD ADD 8 MORE PAGE 5 of 6 OCCUPANT TOTALIAGE 87. HOWEVER, MY OCCUPANT FOR THE ENTIRE YOYEARS FIVE OWNED THE BUILDING HAS BEEN APPROXIMATELY 64. I COULD ADD 8 PEOPLE UNDER THE DADINANCE, BUT I ONLY ALLOW 2 PEOPLE PER 2 BEDROOM APARTMENT SO OCCUPANCY WOULD ONLY BE G8 NOT THE 79 TO 87, WHICH IS ABOUT THE SAME AS NOW WITHOUT THE ADDITIONAL UNITS



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Section 2 - ALTERATION TO A NON-CONFORMING STRUCTURE

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit:

THE CONVERSION OF THE CURRENT STORAGE LOCKER SPACE TO 2-Z BEDROOM APARTHENTS

REQUIRED MATERIALS

The following materials are required for ALL variance requests. Failure to provide these materials will result in an incomplete application and will delay staff review and Zoning 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 1/2" by 11" sheets:

- One (1) hardcopy and one (1) electronic copy shall be submitted.
- The electronic copy shall include all associated supporting documentation with application submission.
- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.

ACKNOWLEDGEMENT

I, the applicant, hereby request a variance from the above nar	med Chapter (s) and Section (s) of the Ann Arbor	City Code for
the stated reasons, in accordance with the materials attached	d hereto.	
Phone number:	Signature: X	+

Email address:

Print Name: JEFFO GALLATIN-ENTERPRISES: COM JEFFRE

I, applicant, hereby depose and say that all the aforementioned statements, and the statements contained in the materials submitted herewith, as true and correct.

Further, I hereby give the City of Ann Arbor Planning and Development Services unit staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

W. GALLATIN Signature

Gallatin Realty Co.

Gallatin Building Co.



Gallatin Mortgage Co.

Gallatin Investment Co.

"Total Home Service Under One Roof"

September 26, 2017

To Whom It May Concern:

Gallatin Manor, LLC is the legal owner of 332 E. William, Ann Arbor, Michigan 48104.

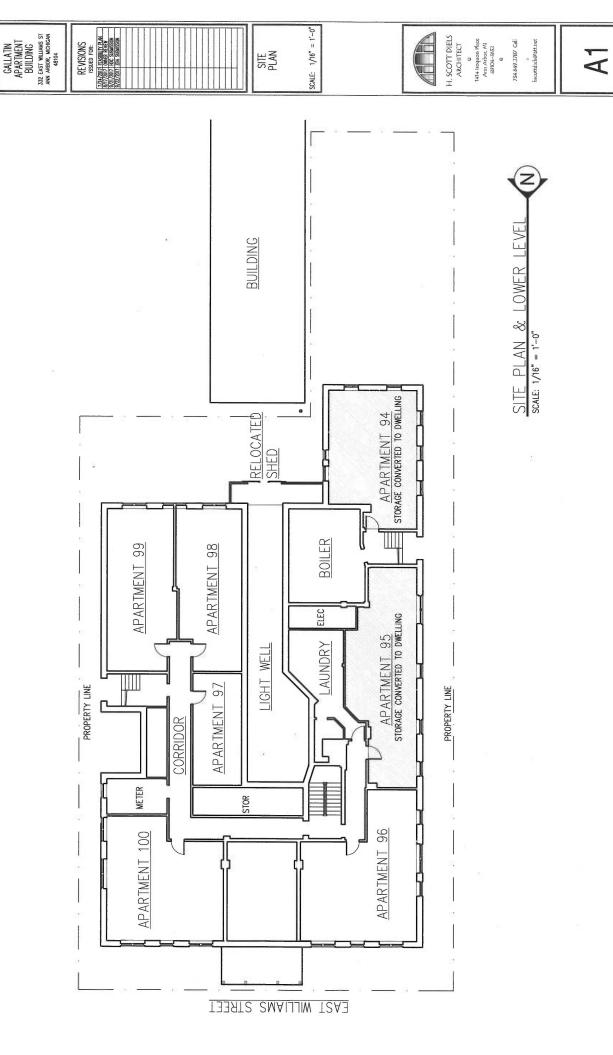
Jeffrey R. Gallatin is the Managing Member who has complete authority to represent the LLC in what ever is necessary to operate the business, including making all legal decisions.

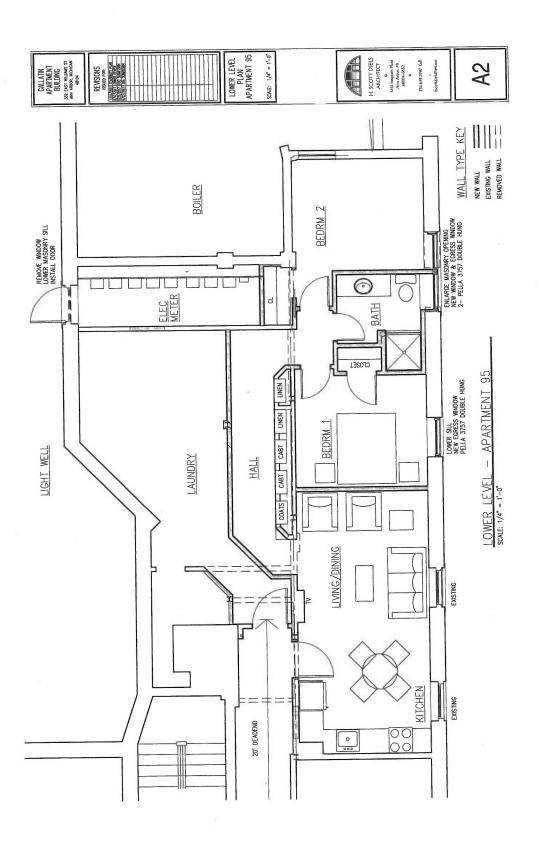
Sincerely Yours

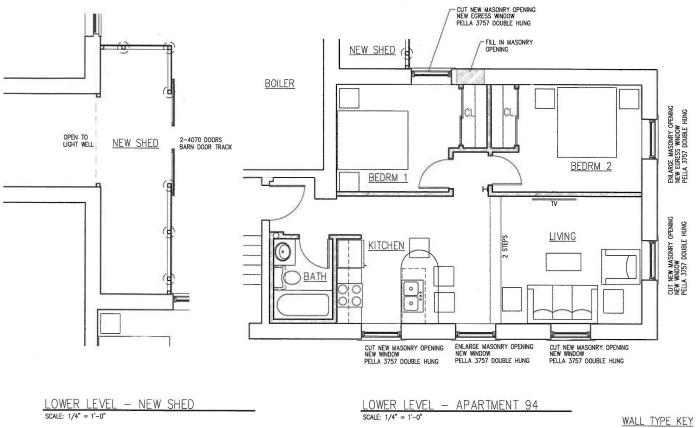
Jeffrey R. Gallatin, as Managing Member of Gallatin Manor,LLC [c] 734-3680256











NEW WALL EXISTING WALL

REMOVED WALL

GALLATIN APARTMENT BUILDING 332 EAST WILLIAMS ST ANN ARBOR, MICHIGAN 48104

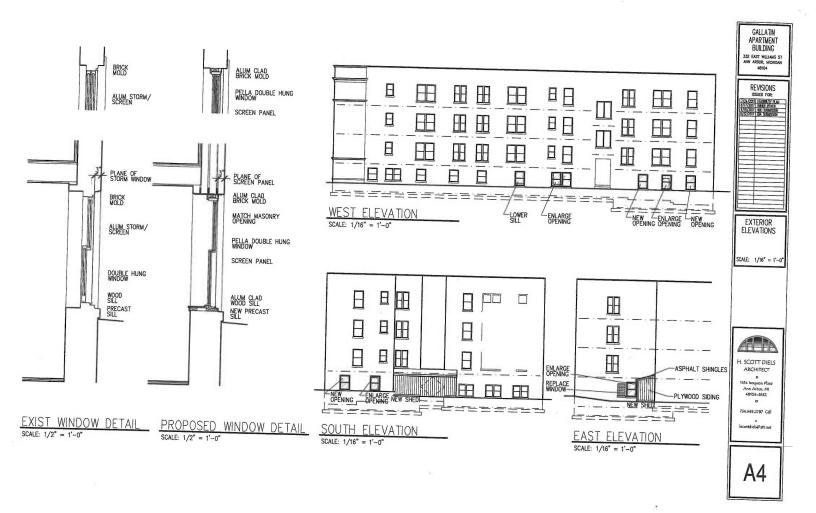
REVISIONS

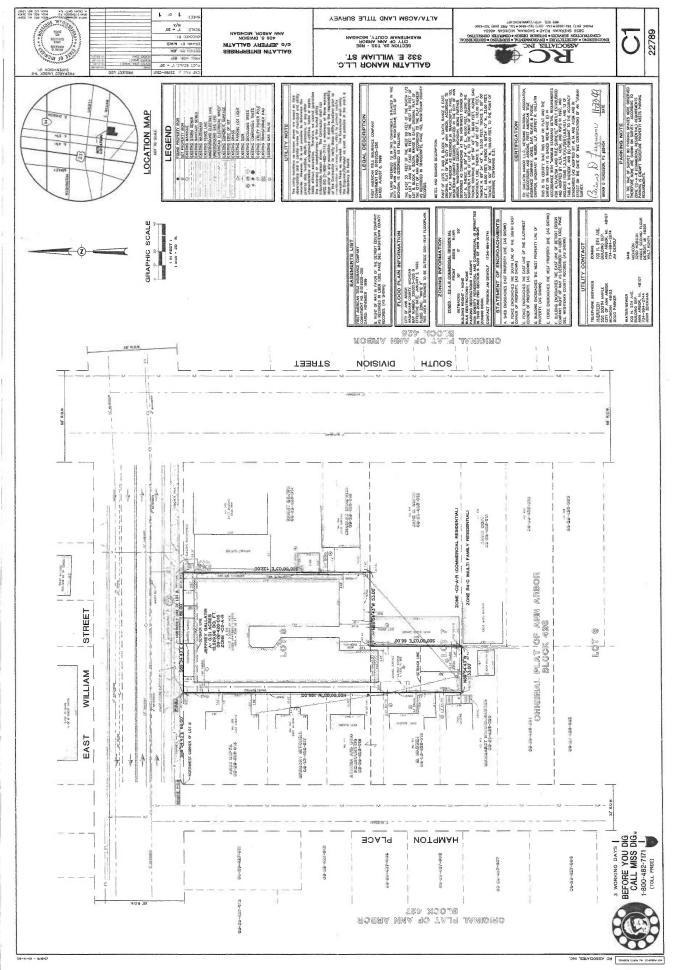
LOWER LEVEL PLAN APARTMENT 94 NEW SHED SCALE: 1/4" = 1'-0"

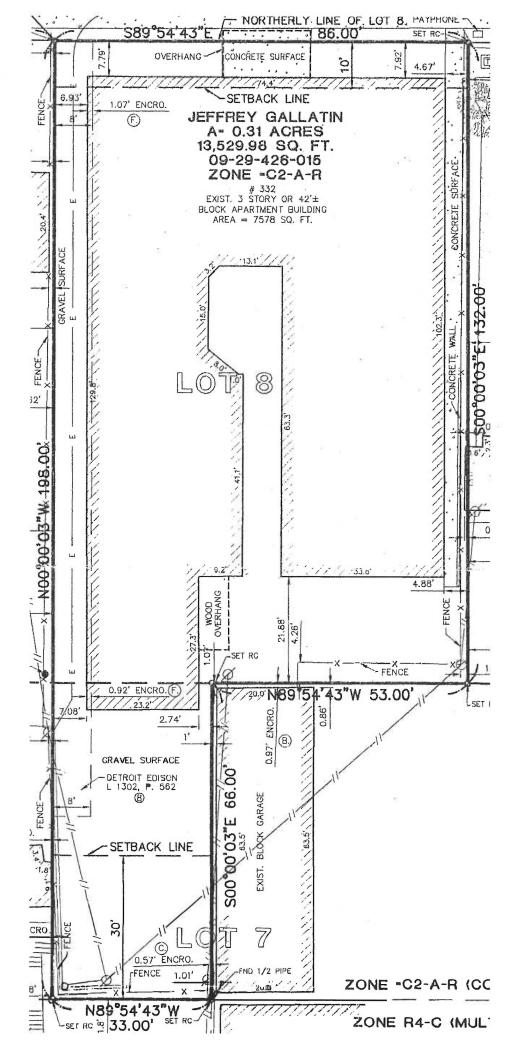
H. SCOTT DIELS ARCHITECT 6 1414 Iroquois Place Ann Arbor, MI 48104-3652

754.649.2787 Cell

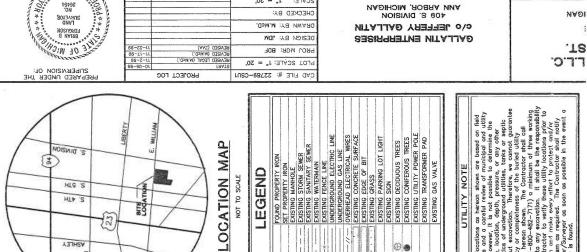
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	GRAPHIC %
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SURVEY

SECTION 29, T35 - R6E CITY OF ANN ARBOR WASHITENAW COUTY, MICHIGAN

WEB BIE HILL: // NAMEGICHE!

SASSOCIATIONS - ENGINE BESIGN - SOLUTIES (886) 752-6500

CONSTRUCTOR SENGLES - INTENDED BESIGN - SOLUTION ASSOCIATION BESIGN - SOLUTION BENDER -

332 E. WILLIAM ST. GALLATIN MANOR L.L

CERTIFICATION

TO: GALLATIN MANOR LLC., KEYBANK NATIONAL ASSOCIATION, ITTS SUCCESSORS AND ASSIGNS, FRET AMERICAN TITE INSURANCE COMPAY, JONES, DAY, REANS & POGUE, CRIPPEN, URQUHART & WEBER, LLP, JEFFREY R. GALLATIN

11-23-49 DATE (Baran D FREGUSON, PS #26464

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHIGH OF ITS BASED WREE MADE (I).

ACCORDANCE WITH "MINIMUM STANDOMED THAL EXCUINERMENTS FOR ALTA-ACCSM LAND THE SURVEY"S, WONTHY, ESTRABLISHED AND ADDOPTED BY ALTA, ACSM, AND NSPS IN 1997, AND INCLUDES ITEMS 1, 2, 2, 5, 7/A/T/(8/10/2), 8, 10, 11, 4, AND 13 OF TRAILE A THEREOF, AND (II) PURSUANT TO THE ACCUBACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN SPREED IN HE DATE OF THIS CERTIFICATION) OF AN "URBAN SURVEY.

PARKING NOTE

ATTHE TIME OF SURVEY NO PARKING SPACES WERE OBSERVED THEFORE NOW, NO SURVEY. TO COORDING TO ZONE C2-A-R (COMMERCIAL, RESIDENTIAL), REQUIREMENTS DESMANG IS EXEMPT HEREFORE PROPERTY WEETS PARKING REQUIREMENTS.

us soun as possions an discrepancy is found.

EASEMENTS LIST

FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 01016525--250
DATED: NOVEMBER, 1999

LEGAL DESCRIPTION FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 01016525-250 DATED: AUGUST 6, 1999

B. RIGHT OF WAY IN FAVOR OF THE DETROIT EDISON COMPANY AS RECORDED IN LIBER 1302, PAGE 562, WASHTENAW COUNTY RECORDS. (AS SHOWN)

FLOOD PLAIN INFORMATION

THE EAST 33 FEET OF THE WEST 99 FEET OF THE NORTH 1/2 OF LOT 7 AND THE EAST 86 FEET OF THE WEST 152 FEET OF TOOR 8.0 OF LOT 8. BLOCK 4, SOUTH, RANGE 6 EAST, ORIGINAL PLAT OF THE CITY OF ANN ARBOR, ACCORDING TO THE PLAT THEREOF AS RECORDED IN TRANSCRIPTS, PAGE 152, WASHTENAW COUNTY RECORDS. THE LAND REFERRED TO IN THIS COMMITMENT, SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW, STATE OF MICHIGAN, IS DESCRIBED AS FOLLOWS:

METES AND BOUNDS DESCRIPTION:

PART OF LOTS 7 AND 8, BLOCK 4, SOUTH, RANGE 6 EAST, ORGINAL PLAT OF THE CITY OF ANN ARBOR, ACCORDING TO THE PLAT THERCE AS RECORDED IN TRANSCRIPTS, PAGE 152, WASHTENAW COUNTY, MICHARDED IN TRANSCRIPTS, PAGE 154, ASHTENAW COUNTY, MICHARDED IN GOWERNER OF COMMENCE AS GOWERT, ALCHOR THE CORPUSE AS GOWERT, ALCHOR THE CONTINUE S. 89° 54° 43° E. 66.00 FEET, ALCHOR THENCE CONTINUE S. 89° 54° 43° E. 66.00 FEET, ALCHOR SAND NORTHENEY LUBE: THENCE S. 90° 00° 35° 41° 2500 FEET; THENCE S. 90° 00° 35° 41° 1500 FEET; THENCE NORTHENEY OF SAND FEET; THENCE NORTHENEY OF STAND FEET; THENCE NORTHENEY OF SAND FEET; TO THE POINT OF EGENNING, CONTAINING O.31.

STATEMENT OF ENCROACHMENTS

SETBACKS 10' 30' 30' BULDING HEGHT - NONE
BULDING HEGHTGITION - NONE
PARKING RESTRICTIONS - RXEMPT
HIGH DENSITY RESIDENTIAL AND COMMERCIAL IS PERMITTED
IN THIS ZONE PEH SECTION 6' 1020 OF ANN ANBOR CONTACT PERSON JIM DEWOLF (734)-994-2674)

B. FENCE ENCROACHES THE SOUTH LINE OF THE SOUTH EAST CORNER OF PROPERTY. (AS SHOWN) SHED ENCROACHES EAST PROPERTY LINE. (AS SHOWN)

C. FENCE ENCROACHES THE EAST LINE OF THE SUUTHWEST CORNER OF PROPERTY. (AS SHOWN)

). BUILDING ENCROACHES THE WEST PROPERTY LINE OF PROPERTY. (AS SHOWN)

FENCE ENCROACHES THE WEST PROPERTY LINE. (AS SHOWN) F. BUILDING ENDROACHES THE EAST LINE OF DETKOIT EDISON COMPANY RIGHT OF WAY AS DESCRIBED IN LIBER 1302, PAGE 562, WASHTENAW COUNTY RECORDS. (AS SHOWN)

UTILITY CONTACT

MICHCON 3200 HOBSON NOBLE SECOND FLOOR DETROIT, MI. 48201 WALT KUNTH ZONING 100 N, \$TH AVE. BUILDING DEP. ANN ARBOR, MI. 734-994-2674 JIM DEWOLF 48107 AMERITECH 550 SOUTH MAPLE CITY OF ANN ARBOR MICHIGAN 48103 DOUG PARKER TELEPHONE SERVICES WATER/SEWER 100 N. 5TH AVE. BUILDING DEP. ANN ARBOR, MI. 734–994–2744 JOHN ZEICKMAN

48107

GITY OF ANN ARBOR WASHINGHWAN WASHINGHWAN COUNTY, MICHIGAN MAP NUMBER, 2260213—006. D EFFECTIVE DATE, JANUARY 2, 1992. ELOOD ZONE, "WHITE X" THIS AREA DETERMINED TO BE OUTSIDE 500—YEAR FLOODPLAIN. ZONED - C2-A-B COMMERCIAL RESIDENTIAL FRONT SIDES REAR SETBACKS 10' 0' 30'

ZONING INFORMATION

























From: Steve Fei Hou []

Sent: Saturday, October 14, 2017 3:13 PM **To:** Barrett, Jon < <u>JBarrett@a2gov.org</u>>

Subject: Fwd: Late check

Dear Ann Arbor City Official,

I am currently a tenant in 332 E William St. I am an Economics Phd student at the University of Michigan and have been a tenant at 332 E William since 2012. I recently received a notice regarding the landlord Jeff Gallatin's request to build additional units in basement of the apartment building. I write in strong opposition to this request. Through my personal interactions with Jeff, I have found him to be the most unpleasant, petty, greedy and bigoted person I have ever dealt with. Many of the other fellow tenants agree. I am forwarding beneath my most recent correspondence with Jeff for your reference. Please see the last paragraph. This isn't the first time he has made condescending and derogatory remarks with respect to my ethnic heritage knowing full well that I am from China and I have a fluent command of the English language. In addition, Jeff intentionally underinvests in the building, takes forever to fix reported issues. He understaffs, uses only one handyman, Balu, for all his properties and overworks him. The corridors are in a state of hopeless disrepair. The carpet and emergency lights were replaced under Cabrio, the caretaker management during Jeff's bankruptcy when he lost control of the building. Since he took back the building, he hasn't made any improvements in the common areas, yet he has raised the rent. It is clear to me and the many tenants I know that Jeff is merely trying to squeeze out every last cent out of the building. It is for this reason, I strongly urge, for the welfare of any future potential tenants, that the requested building alteration for new apartment units be declined.

I may be contacted for further information at 434-906-5385 or by replying to this email.

Yours Respectfully, Steve