

City of Ann Arbor

301 E. Huron St.
Ann Arbor, MI 48104
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Action Minutes

Wednesday, January 24, 2018

6:00 PM

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

Zoning Board of Appeals

A CALL TO ORDER

Chair Briere called the meeting to order at 6:03 p.m.

B ROLL CALL

Present: 9 - Candice Briere, Heather Lewis, David DeVarti, Kirk Westphal, Michael Dobmeier, Michael B. Daniel, Nicole Eisenmann, Todd Grant, and Julie Weatherbee

C APPROVAL OF AGENDA

Approved unanimously as presented.

D APPROVAL OF MINUTES

Present: 9 - Candice Briere, Heather Lewis, David DeVarti, Kirk Westphal, Michael Dobmeier, Michael B. Daniel, Nicole Eisenmann, Todd Grant, and Julie Weatherbee

D-1 [18-0023](#) December 13, 2017 ZBA Minutes with Live Links

Moved by Westphal, seconded by DeVarti, approved unanimously, and forwarded to the City Council.

E HEARINGS AND APPEALS

E-1 [18-0025](#) ZBA17-031; 621 Madison Place
Onna Solomon, property owner, is requesting a variance from Chapter 55 Zoning Section 5:28 (Area, Height and Placement regulations). Applicant is seeking a six (6) foot variance from the required 30 foot setback in order to construct a nine (9) foot nine (9) inch by 19 foot addition to the rear of the existing home. If granted the rear yard setback will be 24 feet.

Moved by DeVarti, seconded by Lewis in petition ZBA17-031; 621 Madison Place

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 variances from Chapter 55, Section 5:28, (Area, Height and Placement regulations) to allow:

A variance of six (6) feet, in order to construct a nine (9) foot nine (9) inch by 19 foot addition to the rear of the residence. The rear yard requirement is 30 feet. The result will be a twenty-four foot rear yard. The addition is to be built 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 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.

On a roll call, the vote was as follows with the Chair declaring the motion approved. Vote 8-1

Variance: GRANTED

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

Nays: 1 - Councilmember Westphal

Absent: 1 - Wilson

E-2 [18-0026](#)

ZBA17-037; 618 Church Street

Mark Chalou, representing the property owner, is requesting a variance of six (6) feet from Chapter 61 Signs and Outdoor Advertising Section 5:502 (2)(a). The ordinance requires signs to be installed a maximum of four (4) feet from a building wall. The variance will enable a business sign to be installed and attached to a steel canopy ten (10) feet from the building wall.

Moved by Daniel, seconded by DeVarti in petition ZBA17-034; 618 Church Street

Chapter 61 Variance:

Based on the following findings of fact and in accordance with the established standards for approval, the Zoning Board of Appelas hereby GRANTS a six (6) foot fatiance from Chapter 61, SEction 5:502 (2)(A) Exterior Business Signs. The subject business will install a wall sign ten (10) feet from the wall.

- a) That the alleged hardships or practical difficulties, or both, are peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the City.

b) 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 variances.

On a roll call, the vote was as follows with the Chair declaring the motion approved. Vote: 9-0

Variance: GRANTED

Yeas: 9 - Chair Briere, Lewis, DeVarti, Councilmember Westphal, Vice Chair Dobmeier, Daniel, Eisenmann, Grant, and Weatherbee

Nays: 0

Absent: 1 - Wilson

0E-3 [18-0027](#)

ZBA17-038 533 South Fourth Avenue
Carl O. Hueter, representing the property owner, is seeking an alteration to a non-conforming structure to an existing duplex. The property is zoned R4C and is non-conforming for lot size. If approved, a new bedroom and interior stairs will be added to the first floor and a new bedroom to the second floor. A new dormer will be added to the attic and a deck will be constructed to the exterior rear yard.

Moved by DeVarti, seconded by Dobmeier in petition ZBA17-038; 533 South Fourth Ave:

Permission to alter a nonconforming 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.

On a roll call, the vote was as follows with the Chair declaring the motion approved. Vote 9-0

Yeas: 9 - Chair Briere, Lewis, DeVarti, Councilmember Westphal, Vice Chair Dobmeier, Daniel, Eisenmann, Grant, and Weatherbee

Nays: 0

Absent: 1 - Wilson

F 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.

G NEW BUSINESS

H UNFINISHED BUSINESS

I REPORTS AND COMMUNICATIONS

I-1 [18-0028](#) Various Communication 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 DeVarti, seconded by Westphal that the meeting be adjourned at 7:04 p.m. On a voice vote, the chair declared the meeting unanimously adjourned

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

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Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

The complete record of this meeting is available in video format at www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>), or is available for a nominal fee by contacting CTN at (734) 794-6150.

Candice Briere
Chairperson of the Zoning Board of Appeals
kvl/