



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, August 22, 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 6:03 p.m.

B ROLL CALL

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

Absent: 1 - Michael B. Daniel

C APPROVAL OF AGENDA

Moved by DeVarti, seconded by Dobmeier, and unanimously approved as presented.

D APPROVAL OF MINUTES

D-1 [18-1434](#) Zoning Board of Appeals Meeting Minutes of July 25, 2018

Attachments: 7-25-2018 ZBA Minutes.pdf

Moved by DeVarti, seconded by Wilson, approved as presented, and forwarded to the City Council.

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

Nays: 0

Absent: 1 - Daniel

E PUBLIC HEARINGS

E-1 [18-1435](#) ZBA18-020; 2505 Londonderry Road

Randy and Kelly Ross, property owners, are requesting relief from Article IV: Nonconformities Section 5.32.2 Nonconforming Structures. The request to alter a non-conforming structure will enable the owners to construct an addition containing a bathroom, mudroom and two bedrooms on a second story. The existing home does not meet the average front setback of 35 feet. The residence is currently 24 feet two inches from the front property line. The new addition will not encroach further into the setback than the existing home.

Attachments: ZBA18-020 2505 Londonderry Staff Report with Attachments .pdf

Summary:

Randy and Kelly Ross, property owners, are requesting relief from Article IV: Nonconformities Section 5.32.2 Nonconforming Structures. The request to alter a non-conforming structure will enable the owners to construct an addition containing a bathroom, mudroom and two bedrooms on a second story. The existing home does not meet the average front setback of 35 feet. The residence is currently 24 feet two inches from the front property line. The new addition will not encroach further into the setback than the existing home.

Background:

The subject parcel is zoned R1B (single-family) and is located at the corner of Londonderry and Sheridan Drive just east of Washtenaw Avenue. The existing home consists of approximately 3,577 square feet and is situated on a lot containing 22,128 square feet. The home was built in 1960.

Description:

The residence is non-conforming as it does not meet the average front setback of 35 feet established by the property at 1532 Sheridan Drive to the southeast.

The applicants are requesting permission to alter the non-conforming structure in order to expand an existing two car garage to a three car garage. The addition to the home will be a mudroom and lavatory on the first floor and two bedrooms on the second story. The property currently has two curb cuts along Sheridan Drive. The garage expansion will allow the owners to eliminate the existing curb cuts and combine the two driveways to form one access point to the property.

As noted above, Chapter 55, Section 5.32.2 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:

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 5.27.4, 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 to increase the size of the existing garage and to allow for first and second story improvements to an existing non-conforming structure. The new construction will not encroach further into the average front setback and will not have any negative impacts on surrounding properties.

QUESTIONS FROM BOARD TO STAFF:

Boardmember Dave DeVarti inquired about the location of the public right-of-way. He also discussed the proposed curb-cut.

Barrett answered that the distance between the property line and the street is roughly six to eight feet. Barrett added that the applicant will acquire a right-of-way permit from the Traffic Engineer.

DeVarti stated that since there is no sidewalk, the house is more than 24 feet from the property line, which makes it seem like the house is set back farther than it is.

PRESENTATION BY PETITIONER:

David Lubin representing applicant, explained that the garage floor will be lowered and landscaping will be added. He also clarified that the home has four existing bedrooms and not five, as stated in the correspondence.

Kelly Ross explained that they are not seeking to expand the existing footprint. She added that the curb-cut is requested to allow exit of the

driveway without needing to back out. She explained that the driveway is steep.

DeVarti inquired about the relocation of the main entrance to the house.

Lubin explained that the front is changing to have three French doors.

Boardmember Mike Dobmeier inquired about making the driveway changes without adding the addition to the house.

Lubin answered that the additions are necessary for making the changes to the driveway.

Seeing no further speakers, Chair Briere closed the Public Hearing.

**Moved by Westphal, seconded by DeVarti, in petition ZBA18-020;
2505 Londonderry**

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.

The board discussed the proposed curb-cuts, the size of the home, the lot line, and the setbacks.

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

Permission Granted.

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

Nays: 0

Absent: 1 - Daniel

F UNFINISHED BUSINESS

G NEW BUSINESS**H REPORTS AND COMMUNICATIONS****H-1 [18-1436](#) Various Communication to the Zoning Board of Appeals**

Attachments: Letter from Kuster and Lucas .pdf, Letter from Lanel .pdf, Letter from Montgomery .pdf, Email from Liu .pdf, Renderings of Plans Submitted by Applicant .pdf, Letter from Ward .pdf, Email From Lyon .pdf

Received and Filed**I PUBLIC COMMENTARY (3 Minutes per Speaker)****J ADJOURNMENT****Unanimously adjourned at 6:29 p.m.**

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Candice Briere, Chairperson of the Zoning Board of Appeals

/kvl