



City of Ann Arbor

Formal Minutes

Zoning Board of Appeals

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

Wednesday, May 26, 2021

6:00 PM

Electronic Meeting

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

To speak at public comment call 206-337-9723 or 213-338-8477 or Toll Free 877-853-5247 or 888-788-0099 Enter Meeting ID: 938 1648 1007

A CALL TO ORDER

Chair Candice Briere called the meeting to order at 6:00 PM

B ROLL CALL

Chair Briere called the roll.

All ZBA members attended the meeting from Ann Arbor, Michigan.

Staff present:

Brett Lenart, Planning Manager

Jon Barrett, Zoning Coordinator

Chris Cheng, City Planner

Jeff Kahan, City Planner

Present: 9 - Candice Briere, David DeVarti, Michael B. Daniel, Nicole Eisenmann, Todd Grant, Charlotte Wilson, Elizabeth Nelson, Chris Fraleigh, and Julia Goode

C APPROVAL OF AGENDA

Moved by DeVarti, seconded by Fraleigh, approved unanimously as presented.

D APPROVAL OF MINUTES

D-1 [21-1000](#) Minutes of the April, 28 2021 Zoning Board of Appeals Meeting

Attachments: 4-28-2021 ZBA Minutes.pdf

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

E PUBLIC HEARINGS

- E-1** [21-1001](#) ZBA21-008; 903 East Huron Street
Scott Klaassen, representing property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure. A bedroom, bathroom and study area are proposed for the basement to expand the existing first floor unit in order to make a six- bedroom rental apartment. The property is a nonconforming duplex and is zoned R4C Multiple-Family Dwelling.

Attachments: ZBA21-008; 903 E Huron St Staff Report with Attachments.pdf

Scott Klaassen, representing the property owner, described the request.

PUBLIC HEARING

Seeing no callers, Chair Briere closed the Public Hearing.

**Moved by DeVarti, seconded by Grant in petition
ZBA21-008; 903 East Huron Street Alteration to a Nonconforming Structure: The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming Structure to allow a bedroom, bathroom and study area for the basement to expand the existing first floor unit to make a six-bedroom rental apartment. The new construction will not encroach any further into any of the required setbacks.**

On a roll call vote the vote was as follows with the Chair declaring the request granted.

Yeas: 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Nays: 0

- E-2** [21-1002](#) ZBA21-019; 1108 Hill Street
O/X Studios, representing property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure. The property is a five-unit rental containing eight bedrooms. The request is to reduce the number of units to four and to convert the basement into habitable space. The property is nonconforming for lot area, lot width and the eastern side setback. The

property is zoned R4C, Multi-Family Residential.

Attachments: ZBA21-019; 1108 Hill St Staff Report with Attachments.pdf

Sarah Rowse, architect for the proposed project, presented the request.

PUBLIC HEARING:

Seeing no callers Chair Briere closed the Public Hearing

Moved by DeVarti, seconded by Fraleigh, in petition: ZBA21-019; 1108 Hill Street Alteration to a Nonconforming Structure: The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming Structure to allow an existing five-unit rental to reduce the number of units to four and to convert the existing basement into habitable space. The structure will not encroach any further into the setbacks.

On a roll call vote, the vote was as follows with the Chair declaring the request granted.

Yeas: 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Nays: 0

E-3 **21-1003** ZBA21-016; 2150 Frieze Avenue
Robert Kehn CMA, representing property owner, is requesting a variance from Chapter 55 Section 5.19.1(A) Parking Standards Applicability. Saint Francis of Assisi is proposing to construct a new Parish Hall to the existing Church. The new construction will allow the current dining area to be dedicated to school cafeteria use. The site plan and SEU project requires 91 Electric Vehicle Parking stations. The owners are requesting a variance from all electric vehicle requirements. The property is zoned R1C, Single-Family Residential.

Attachments: ZBA21-016; 2150 Frieze Ave Staff Report with Attachments.pdf

Chair Briere was recused from this item due to a conflict of interest.

Robert Kehn, representing the property owner, presented the request.

Seeing no callers, Vice Chair Fraleigh closed the Public Hearing.

Moved by DeVarti, seconded by Grant to postpone Item E-3 to the July 28, 2021 ZBA Meeting

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion to postpone approved.

Yeas: 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Nays: 0

- E-4** [21-1004](#) ZBA21-018; 3010 Hickory Lane
Scott Betzoldt Midwestern Consulting, representing property owner, is requesting a 24- foot variance from Table 5.17-1 Single-Family Residential District Dimensions. The Ann Arbor Racquet Club is proposing to construct a 9'x24' (234 sq. ft.) hot tub spa in the front setback at the southwest intersection of Geddes Road and South Huron Parkway. The property is zoned AG ,Agricultural-Open Space District.

Attachments: ZBA21-018; 3010 Hickory Lane Staff Report with Attachments .pdf

Scott Betzoldt, representing the property owner, presented the proposed project.

PUBLIC HEARING

Seeing no callers, Chair Briere closed the Public Hearing

Moved by DeVarti, seconded by Wilson,

ZBA21-018; 3010 Hickory Lane Variance:

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS the following variance from Chapter 55 Unified Development Code Table 5.17-1 Single-Family Residential District Dimensions.

A 24-foot variance to allow a 9'x24' (234sf) hot tub spa in the front setback at the southwest intersection of Geddes Road and South Huron Parkway.

There is practical difficulty that is exceptional and peculiar to the property and results from conditions that do not exist generally throughout the city

Allowing the variance will result in substantial justice being done, considering the public benefits of the zoning ordinance, the

practical difficulties that will be suffered by a failure to grant a variance, and the rights of others whose property would be affected by allowing the variance

On a roll call vote, the vote was as follows with the Chair declaring the request granted.

Yeas: 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Nays: 0

E-5 **21-1005** ZBA21-017; 3389 Plymouth Road
James R. Bruinsma McShane& Bowie, P.L.C., representing Fifth Third Bank, is appealing the City of Ann Arbor's Planning and Development Services email determination on March 25, 2021. The appeal disagrees with the determination that Fifth Third Bank does not have authorization to apply for a rezoning without the approval of all said ownership in the planned unit development (Plymouth Green Crossings). The property is zoned PUD (Planned Unit Development).

Attachments: ZBA21017; 3389 Plymouth Rd Staff Report with Attachments.pdf, COMM re 3389 Plymouth Rd.pdf

James Bruinsma, representing the petitioner, explained the proposed request.

PUBLIC HEARING

Mark Wilson, Arbor Hills Animal Clinic, 2717 Plymouth Rd, explained the history of the clinic and described the intention to open at 3389 Plymouth Rd.

Bill Schlecty, representing Plymouth Green Crossings, LLC, described the determination process relating to item E-5.

Seeing no further callers, Chair Briere closed the public hearing

Moved by DeVarti, seconded by Grant

To uphold the determination of Planning Staff ZBA21-017; 3389 Plymouth Road Appeal:

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby UPHOLDS the determination of the Planning and

Development Services Unit that Fifth Third Bank does not have authorization to apply for a rezoning without the approval of all said ownership in the Planned Unit Development (Plymouth Green Crossings).

On a roll call vote, the vote was as follows with the Chair declaring the determination of Planning Staff upheld.

Yeas: 0

Nays: 8 - Chair Briere, DeVarti, Daniel, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Absent: 1 - Eisenmann

F UNFINISHED BUSINESS

G NEW BUSINESS

H COMMUNICATIONS

H-1 [21-1006](#) Various Communication to the ZBA

Attachments: COMM re 3389 Plymouth Rd.pdf

I PUBLIC COMMENT

J ADJOURNMENT