



City of Ann Arbor

Formal Minutes - Draft

Zoning Board of Appeals

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

Wednesday, March 27, 2024

6:00 PM

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

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

Public commentary can be made in person or by calling: 877 853 5247 or 888 788 0099

Enter Meeting ID 938 1648 1007

A. **CALL TO ORDER**

Chair Briere called the meeting to order at 6:04 pm.

B. **ROLL CALL**

Chair Briere called the roll

Jon Barrett, Zoning Coordinator, noted there was a quorum and five affirmative votes were needed to pass an item. If petitioners wanted to postpone their item to the next meeting due to having a quorum, they may do so.

Others present:

Jon Barrett, Zoning Coordinator

Courtney Manor, City Staff

Present: 5 - Candice Briere, David DeVarti, Christopher Madigan, Dharma Akmon, and Grace Whitney

Absent: 4 - Michael B. Daniel, Todd Grant, Kristina A. Glusac, and Sadira Clarke

C. **APPROVAL OF AGENDA**

Moved by Grace Whitney seconded by Chris Madigan. On a voice vote, the agenda was approved unanimously.

D. APPROVAL OF MINUTES

D-1. **24-0374** February 28, 2024 ZBA Meeting Minutes

Attachments: February 28, 2024 ZBA Meeting Minutes.pdf

Moved by Madigan seconded by Whitney to approve the February 28, 2024 meeting minutes. Minutes were unanimously approved as presented and forwarded to City Council.

E. PUBLIC HEARINGS

E-1. **24-0375** **ZBA24-0001; 1294 Jewett Avenue**

Jeffrey Wynes, property owner, is seeking a variance of 63 square feet from Chapter 55, Table 5.17-1 Single-Family Residential Zoning Districts, Lot Area Minimum. The property is zoned R1B, Single-Family Residential, and is 19,937 square feet. Parcels in the R1B district require a minimum lot area of 10,000 square feet. The variance, if granted, will allow for approval of a Land Division and the creation of one 9,937 square foot parcel and one 10,000 square feet parcel.

Attachments: Staff Report ZBA24-0001; 1294 Jewett Avenue.pdf, ZBA24-0001; 1294 Jewett Avenue Survey.pdf, 1294 Jewett Ave Zoning Map.pdf, 1294 Jewett Ave Aerial Map.pdf, 1294 Jewett Ave Aerial Map Zoom.pdf, Survey, land division sketch

APPLICANT/REPRESENTATIVE:

Jeffrey Wynes, property owner, presented the proposed request.

PUBLIC HEARING:

Seeing no speakers Chair Briere closed the Public Hearing.

BOARD DISCUSSION:

The Board took into consideration the presented petition and discussed the matter. [For a complete record of the discussion, please see available video format].

Moved by Dave DeVarti seconded by Dharma Akmon in petition of ZBA24-0001; 1294 Jewett Avenue

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS a 63 square foot variance from Chapter 55, Lot Area minimum of Table 5.17-1 Single-Family Residential Zoning Districts. The variance applies to the forward facing lot adjacent to Jewett Avenue. A variance of 63 square feet is required to complete the proposed Land Division.

On a roll call vote the vote was as follows with the Chair declaring the motion failed. Vote 4-1.

Yeas: 4 - Chair Briere, DeVarti, Councilmember Akmon, and Whitney

Nays: 1 - Madigan

Absent: 4 - Daniel, Grant, Glusac, and Clarke

E-2. [24-0376](#) ZBA24-0006; 618 Stratford Drive

Tony Weil, property owner, is seeking a variance from Section 5.26.2 (A)(1) Fencing Standards to allow an eight foot tall 100 percent opaque fence in the front yard along Hill Street and Avon Road. The maximum allowed fence height and opacity in the front yard is four feet tall and 50% opaque for residential districts. The property is zoned R1B, Single-Family Residential.

Attachments: Staff Report ZBA24-0006; 618 Stratford Drive.pdf, Boundary Survey - 618 Stratford.pdf, Fence Elevation.pdf, 618 Stratford Dr Zoning Map.pdf, 618 Stratford Dr Aerial Map.pdf, 618 Stratford Dr Aerial Map Zoom.pdf, Proposed Fence Plan - 618 Stratford.pdf, Site Plan - 618 Stratford.pdf

Due to a quorum, the applicant requested to postpone to the April 24, 2024 ZBA meeting.

E-3. [24-0377](#) ZBA24-0007; 2119 Devonshire Road

Robert Clark, representing the property owner, is seeking a variance of 7.5 feet from Chapter 55, Table 5.17-1 Single-Family Residential Zoning Districts. The variance, if granted, will allow for a new enclosed glass sunroom addition in the rear yard of the parcel. The new addition is approximately 21.5 feet by 16 feet and will be a total of 344 total square feet. When finished, the sunroom will be 32.5 feet from the rear lot line. The property is zoned R1B, Single-Family Residential and requires a 40 foot rear yard setback.

Attachments: Staff Report ZBA24-0007; 2119 Devonshire Road.pdf, Marked Up Survey.pdf, 2119 Devonshire Rd Zoning Map.pdf, 2119 Devonshire Rd Aerial Map.pdf, 2119 Devonshire Rd Aerial Map Zoom.pdf, KaulFoundation12-23-23.pdf

Due to a quorum, the applicant requested to postpone to the April 24, 2024 ZBA meeting.

E-4. 24-0378 ZBA24-0008; 909 Vaughn Street

Rob Fowler, representing the property owner, is requesting relief from Section 5.32.2 Nonconforming Structure to construct new dormers on the third floor attic space of the existing nonconforming rental building. The residence is an existing four bedroom unit. The proposed alteration will increase the building to six bedrooms with additional bedrooms in the basement and the attic space. The property is nonconforming for lot area and lot width. The third story dormer additions will not encroach further into the required setbacks. The property is zoned R4C, Multiple Family Dwelling District.

Attachments: Staff Report ZBA24-0008; 909 Vaughn Street.pdf, 909 Vaughn Survey.pdf, 909 Vaughn St Zoning Map.pdf, 909 Vaughn St Aerial Map.pdf, 909 Vaughn St Aerial Map Zoom.pdf, 909 VAUGHN OCT 21, 2023 MERGED OCT 26, 2023.pdf

APPLICANT/REPRESENTATIVE:

Rob Fowler, representing property owner, presented the proposed request.

PUBLIC HEARING:

Seeing no speakers Chair Briere closed the Public Hearing.

BOARD DISCUSSION:

The Board took into consideration the presented petition and discussed the matter. [For a complete record of the discussion, please see available video format].

Moved by DeVarti seconded by Madigan in petition of ZBA24-0008; 909 Vaughn Street

The Zoning Board of Appeals hereby GRANTS relief from Section

5.32.2 Alteration to a Nonconforming Structure to allow construction of third story with dormers on the existing nonconforming rental building. The residence is an existing four bedroom unit. The proposed alteration will allow for new habitable space in the basement and attic. The new third story dormers will not encroach further into the required setbacks. The alteration is to be built per the submitted plans.

On a roll call vote the vote was as follows with the Chair declaring the motion carried. Vote 5-0.

Yeas: 5 - Chair Briere, DeVarti, Madigan, Councilmember Akmon, and Whitney

Nays: 0

Absent: 4 - Daniel, Grant, Glusac, and Clarke

E-5. [24-0379](#) ZBA24-0009; 1114 Judson Court

Rob Fowler, representing the property owner, is requesting relief from Section 5.32.2 Nonconforming Structure to construct a new third floor and new habitable living area in the basement of the existing nonconforming rental building. The residence is an existing six bedroom unit. The proposed alteration will increase the living space and bathrooms for each bedroom. The property is nonconforming for lot area and lot width. The new third story will not encroach further into the required setbacks. The property is zoned R4C, Multiple Family Dwelling District.

Attachments: Staff Report ZBA24-0009; 1114 Judson Court.pdf, 1114 Judson Court Survey.pdf, 1114 Judson elevations.pdf, 1114 Judson Ct Zoning Map.pdf, 1114 Judson Ct Aerial Map.pdf, 1114 Judson Ct Aerial Map Zoom.pdf, 1114 Judson plans Feb14.pdf

APPLICANT/REPRESENTATIVE:

Rob Fowler, representing property owner, presented the proposed request.

PUBLIC HEARING:

Seeing no speakers Chair Briere closed the Public Hearing.

BOARD DISCUSSION:

The Board took into consideration the presented petition and discussed

the matter. [For a complete record of the discussion, please see available video format].

**Moved by DeVarti seconded by Madigan in petition of ZBA24-0009;
1114 Judson Court**

The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming Structure to allow construction of a new third story and new habitable living space in the basement. The new third story will not encroach further into the required setbacks. The alteration is to be built per the submitted plans.

On a roll call vote the vote was as follows with the Chair declaring the motion carried. Vote 5-0.

Yeas: 5 - Chair Briere, DeVarti, Madigan, Councilmember Akmon, and Whitney

Nays: 0

Absent: 4 - Daniel, Grant, Glusac, and Clarke

E-6. [24-0380](#) ZBA24-0010; 216 North State Street

Scott Klaasen, representing the property owner, is requesting relief from Section 5.32.2 Nonconforming Structure to create new habitable space in the basement for a three bedroom unit. The existing nonconforming rental home is a seven unit building that is being reduced to four units. Three of the units will be converted to six bedroom units and the proposed three bedroom unit in the basement. The property is nonconforming for lot area. The property is zoned R4C, Multiple Family Dwelling District.

Attachments: Staff Report ZBA24-0010; 216 North State Street.pdf, Survey 216 N State A2.pdf, 216 N State St Zoning Map 2.pdf, 216 N State St Aerial Map 2.pdf, 216 N State St Aerial Map Zoom 2.pdf, 216 N STATE ST DEC7, 2022 REVISION 2-DEC 14, 2023 MERGED.pdf

APPLICANT/REPRESENTATIVE

The applicant was not present to present the proposed request. A motion to postpone to allow the applicant an opportunity to present before the board was suggested.

PUBLIC HEARING:

Lisa Walsh, resident 216 S State Street, spoke in opposition to the

proposed request.

Seeing no additional speakers Chair Briere closed the Public Hearing

Moved by DeVarti seconded by Madigan to postpone to the April 24, 2024 ZBA meeting due to the applicant not being present

F. UNFINISHED BUSINESS

None

G. NEW BUSINESS

G-1. [24-0440](#) Reports From Council

None

H. COMMUNICATIONS

H-1. [24-0381](#) Various Communication to the ZBA

Attachments: Crispin letter of support ZBA24-0007; 2119 Devonshire.pdf, Harrington_2125_Devonshire.pdf, Heben email of support ZBA24-0007; 2119 Devonshire.pdf, Hightower email of support ZBA24-0007; 2119 Devonshire.pdf, Michener-2115 Devonshire.pdf, Schmitter_2116_Vinewood.pdf, ZBA24-0006; 618 Stratford Drive Letters of support from Neighbors .pdf

Received and filed

I. PUBLIC COMMENT (3 minutes per speaker)

Jeff Wynes, 1294 Jewett, spoke to his ZBA application

Seeing no additional speakers Chair Briere closed the Public Comment

J. ADJOURNMENT

Moved by Madigan seconded by DeVarti. On a voice vote the board voted to unanimously adjourn the meeting at 7:00 pm.

Candice Briere, Chairperson
Jon Barrett, Zoning Coordinator
/courtney manor

eComments for the Board may be left via our Legistar calendar page (column to the very right)
<http://a2gov.legistar.com/Calendar.aspx>

Zoning Board of Appeals meetings are typically held the fourth Wednesday of each month. All persons are encouraged to participate in public meetings. Persons requiring translation or sign language services or other accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org ; or by written request addressed and mailed to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business days in advance of the meeting.

Zoning Board of Appeals meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>).