



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, January 24, 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**

Vice Chair Grant called the meeting to order at 6:02 p.m.

Jon Barrett, Zoning Coordinator, noted technical issues with Zoom and if anyone listening wanted to participate in the meeting to send an email to planning@a2gov.org as City Staff would be monitoring for comments.

B. **ROLL CALL**

Vice Chair Grant called the roll.

Others present:

Jon Barrett, Zoning Coordinator

Courtney Manor, City Staff

Present: 7 - David DeVarti, Todd Grant, Christopher Madigan, Kristina A. Glusac, Dharma Akmon, Grace Whitney, and Sadira Clarke

Absent: 2 - Candice Briere, and Michael B. Daniel

C. **APPROVAL OF AGENDA**

The agenda was unanimously approved as presented.

D. **APPROVAL OF MINUTES**

- D-1. **24-0052** December 6, 2023 ZBA Meeting Minutes

Attachments: December 6, 2023 ZBA Meeting Minutes.pdf

Moved by Grace Whitney seconded by Chris Madigan to approve the December 6, 2023 meeting minutes. Minutes were unanimously approved as presented and forwarded to City Council.

E. PUBLIC HEARINGS

- E-1. **24-0053** **ZBA23-0034; 421 Church Street**

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

Attachments: Staff Report ZBA23-0034; 421 Church Street.pdf, 421 Church Survey.pdf, 421 CHURCH OCT 30, 2023-MERGED.pdf, 421 Church St Zoning Map.pdf, 421 Church St Aerial Map.pdf, 421 Church St Zoning Map Zoom.pdf

APPLICANT/REPRESENTATIVE:

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

PUBLIC HEARING:

Seeing no speakers Vice Chair Grant 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 Chris Madigan in petition of

ZBA23-0034; 421 Church St: 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 construction of a third story with dormers on the existing nonconforming rental building. The residence is an existing four bedroom unit. The proposed alteration will increase the building to a six bedroom with additional bedrooms in the basement and the newly proposed third story. The alteration is to be built per the submitted plans.

On a roll call vote the vote was as follows with Vice Chari Grant declaring the motion carried. Vote

Yeas: 7 - DeVarti, Grant, Madigan, Glusac, Councilmember Akmon, Whitney, and Clarke

Nays: 0

Absent: 2 - Chair Briere, and Daniel

E-2. [24-0054](#) ZBA23-0036; 421 Benjamin Street

Rob Fowler, representing property owner, is requesting relief from Section 5.32.2 Nonconforming Structure to construct a third story with dormers on the existing nonconforming rental building. The residence is an existing four bedroom unit. The proposed alteration will increase the building to a six bedroom with additional bedrooms in the newly proposed third story. The property is nonconforming for lot area, lot width and side setbacks on the west side of the parcel. The property is zoned R4C, Multiple Family Dwelling District.

Attachments: Staff Report ZBA23-0036; 421 Benjamin Street.pdf, 421 Benjamin Survey.pdf, 22-03602 Boundary, 12-15-2022 SIGNED.pdf, 421 BENJAMIN NOV 10, 2023-MERGED.pdf, 421 Benjamin St Zoning Map.pdf, 421 Benjamin St Aerial Map.pdf, 421 Benjamin St Aerial Map Zoom.pdf

APPLICANT/REPRESENTATIVE:

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

PUBLIC HEARING:

Seeing no speakers Vice Chair Grant 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 Madigan seconded by Whitney in petition of ZBA23-0036;
421 Benjamin St: 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 construction of a third story with dormers to the existing nonconforming rental building. The residence is an existing four bedroom unit. The proposed alteration will increase the building to a six bedroom with additional bedrooms in the newly proposed third story. The alteration is to be built per the submitted plans.

On a roll call vote the vote was as follows with the Vice Chair declaring the motion carried. Vote 7-0.

Yeas: 7 - DeVarti, Grant, Madigan, Glusac, Councilmember Akmon, Whitney, and Clarke

Nays: 0

Absent: 2 - Chair Briere, and Daniel

E-3. [24-0055](#) ZBA23-0035; 2501 Avant Avenue

Araneae Inc., representing property owners, are requesting a variance from Table 5.24-4 Residential Zoning Districts Permanent Signs. The owners are proposing to install 13 illuminated logo signs approximately 35 feet from the ground. The maximum height for wall signs for a multiple-family dwelling district is 10 feet from the ground. The applicants are also seeking to install two logo signs on six buildings for the development. The sign ordinance allows for one wall sign per building. The property is zoned R4B, Multiple-Family Dwelling District.

Attachments: Staff Report ZBA23-0035; 2501 Avant Avenue.pdf, Submittal Package_Avant.pdf, ZBA APPLICATION AND ANSWERS.pdf, 2501 Avant Ave Zoning Map.pdf, 2501 Avant Ave Aerial Map.pdf, 2501 Avant Ave Aerial Map Zoom.pdf, ZBA23-0035; 2501 Avant Avenue Drawings.pdf

APPLICANT/REPRESENTATIVE:

Mike Engerer and Pete Kemp, representing property owners, presented the proposed request.

During the hearing, the applicant presented additional project photos to the board. The photos have been added to the agenda packet.

PUBLIC HEARING:

Joanne Pawlick, resident, spoke in opposition to the proposed request.

Seeing no additional speakers Vice Chair Grant 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 ZBA23-0035;
2501 Avant Avenue**

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS a variance from Table 5.24-4 Residential Zoning District Signs to allow 13 illuminated logo signs 35 feet from the ground when a maximum of 10 feet in height is permitted. The variance also allows the installation of two logo signs on six buildings when the ordinance allows for one wall sign per building. The signs are to be installed per the application.

On a roll call vote the vote was as follows with the Vice Chair declaring to motion denied. Vote 0-7.

Yeas: 0

Nays: 7 - DeVarti, Grant, Madigan, Glusac, Councilmember Akmon, Whitney, and Clarke

Absent: 2 - Chair Briere, and Daniel

F. UNFINISHED BUSINESS

None.

G. **NEW BUSINESS**

G-1. **24-0056** 2024 Calendar Review

Attachments: 2024 ZBA Meeting Calendar Schedule Clerks For Posting.pdf

Jon Barrett, Zoning Coordinator, presented to the board cancelling the April meeting due to Council Chambers being unavailable on the scheduled meeting date.

The board discussed and decided to revisit the item in February.

Councilmember Akmon provided City Council zoning updates noting:

-Passed the rezoning of Plymouth corridor to Transit Orientated Development including 57 unique parcels, 107 unique addresses and 197 acres.

-Made a change to Unified Development Code to allow personal solar in front yards and back yards in residential districts.

H. **COMMUNICATIONS**

H-1. **24-0057** Various Communication to the ZBA

Attachments: Belle Isle email of opposition ZBA23-0035; 2501 Avant Avenue.pdf, Hanke email of opposition.pdf, Email of support of 2501 Avant Avenue.pdf

Received and filed.

I. **PUBLIC COMMENT (3 minutes per speaker)**

No speakers.

J. **ADJOURNMENT**

On a voice vote the board voted to unanimously adjourn the meeting at 7:17 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>). Zoning Board of Appeals meeting have transitioned to a hybrid meeting model. Persons can attend either in person at City Hall or via Zoom.