



# City of Ann Arbor

## Formal Minutes - Final

### Zoning Board of Appeals

301 E. Huron St.  
Ann Arbor, MI 48104  
[http://a2gov.legistar.com/  
Calendar.aspx](http://a2gov.legistar.com/Calendar.aspx)

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Wednesday, May 22, 2019

6:00 PM

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

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**A CALL TO ORDER**

Meeting called to order at 6:03 p.m.

**B ROLL CALL**

**Present:** 7 - Candice Briere, David DeVarti, Michael Dobmeier,  
Michael B. Daniel, Julie Weatherbee, Charlotte Wilson,  
and Elizabeth Nelson

**Absent:** 2 - Nicole Eisenmann, and Todd Grant

**C APPROVAL OF AGENDA**

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

**D APPROVAL OF MINUTES**

**D-1** [19-0939](#) Zoning Board of Appeals Meeting Minutes of April 24, 2019

**Attachments:** 4-24-2019 ZBA Minutes.pdf

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

**E PUBLIC HEARINGS**

**E-1** [19-1279](#) ZBA19-007; 707 S Division  
Mustafa Ali, property owner, is requesting an alteration to a nonconforming  
structure in order to construct an eighteen square foot addition to an  
existing non-conforming duplex. The addition is at the basement level  
grade and will allow for a second bedroom and expanded first floor front  
porch. The addition will meet the R4C district setbacks, but an alteration is  
required as the property does not meet the lot size and lot width

requirements.

**Attachments:** ZBA19-007; 707 S Division Staff Report w Attachments .pdf

*City of Ann Arbor Zoning Coordinator Jon Barrett presented the Staff Report.*

**PRESENTATION BY PETITIONER**

*Mustafa Ali, property owner, explained that the lower unit is permitted by Rental Housing for two people, explaining that the second bedroom will be added to the basement unit, and that occupancy will not increase. He explained that the addition will be an overall convenience to the tenants as well as allow the property to become more in line with the neighboring properties.*

*Boardmember Dave DeVarti inquired about cars allowed in the back.*

*Ali answered that four or five cars park in the back, explaining a shared driveway with the neighbors.*

*Barrett added that three parking spaces are required.*

**PUBLIC HEARING:**

*Seeing no speakers, Chair Briere closed the Public Hearing*

**Moved by DeVarti, seconded by Dobmeier in Petition ZBA19-007;  
707 S Division**

**Variance:**

**Based on the following findings of fact and in accordance with the established standards for approval the Zoning Board of Appeals hereby grants permission from Section 5.32.2 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.**

**BOARD DISCUSSION:**

*Boardmember Julie Weatherbee explained that the apartment was previously rented by a friend of hers several years ago, and that the apartment is a great location for a student and a great improvement for the unit, extra space like an office for one person is always beneficial. She expressed support for the variance explaining that the alteration will serve as an improvement.*

*DeVarti expressed that the alteration will be an improvement to the home.*

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

**Yeas:** 7 - Chair Briere, DeVarti, Vice Chair Dobmeier, Daniel, Weatherbee, Wilson, and Councilmember Nelson

**Nays:** 0

**Absent:** 2 - Eisenmann, and Grant

**E-2**      [19-1281](#)      ZBA19-009; 2829 Catalpa Circle  
Masoud Ahmadmehrabi, property owner, is requesting a variance from Table 5:17-1 Single-Family Residential Zoning District Dimensions. A ten foot four inch variance from the required 30 foot rear yard setback is needed in order to construct a 218 square foot addition and sunroom to the existing residence. The property is zoned R1C single family residential.

**Attachments:**      ZBA18-033; 3309 Edgewood Drive Staff Report w Attachments .pdf

*City of Ann Arbor Zoning Coordinator, Jon Barrett presented the Staff Report.*

**QUESTIONS FROM BOARD TO STAFF:**

*Councilmember Elizabeth Nelson inquired about the location of the proposed addition in relationship to the neighboring property*

*Barrett answered that the addition is proposed to be 19 feet eight inches from the neighboring property.*

*Boardmember Mike Daniel inquired about the rear of the house meeting the setbacks.*

*Barrett answered that the house does not currently meet the setback as it is at a 22 foot setback when the required setback is 30 feet.*

*PRESENTATION BY PETITIONER:*

*Masoud Ahmadmehrabi property owner explained that the house is the smallest house in the neighborhood, and that due to the size and windows and the house receives little natural light on the inside. He explained that the addition would make the house proportional to others in the neighborhood and make it more comfortable for the people living there.*

*Nelson asked if the house is a rental.*

*Ahmadmehrabi explained that friends live in the home until his children graduate from college next year.*

*Dobmeier inquired about other addition options.*

*Ahmadmehrabi explained that the option proposed is the best option.*

*PUBLIC HEARING:*

*Seeing no speakers, Chair Briere closed the Public Hearing*

**Moved by Daniel seconded by DeVarti Petition ZBA19-009; 2829 Catalpa Circle**

**Variance:**

**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 variance from Chapter 55 Unified Development Code Table 5:17-1 Single-Family Residential Zoning District Dimensions:**

**A variance of ten feet four inches from the 30 foot required rear setback to allow construction of a 218 square foot addition and sunroom to the existing residence. The construction 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 vote, the vote was as follows with the Chair declaring the motion defeated.

**Yeas:** 0

**Nays:** 7 - Chair Briere, DeVarti, Vice Chair Dobmeier, Daniel, Weatherbee, Wilson, and Councilmember Nelson

**Absent:** 2 - Eisenmann, and Grant

**BOARD DISCUSSION:**

*The board discussed the standards for approval, possible options for additions on the property other than proposed.*

**E-3**

**19-0938**

ZBA19-010; 2167 Medford Road

John Oslin and Five Star Signs, representing Ann Arbor Woods is seeking a variance from Section 5.33.2 (B) Nonconforming Signs. A new sign package is proposed to change the color, fonts and logos of the existing nonconforming monument signs (3), Leasing Center signs (2) and directional signs (11).

**Attachments:** ZBA19-010; 2167 Medford Road Staff Report w Attachments .pdf

*City of Ann Arbor Zoning Coordinator, Jon Barrett presented the Staff Report.*

**QUESTIONS FROM BOARD TO STAFF:**

*DeVarti inquired about the existing nonconformities.*

*Barrett answered that the intent of the code is to bring non-conforming signs into conformity.*

*Nelson inquired about modifying the variance request and about the material of the sign.*

*Barrett answered that the signs are proposed to be made of metal and*

*that the Board can modify their motion to partially grant the request.*

**PRESENTATION BY PETITIONER:**

*Ron Sabourm, representing the property owner, explained that the signs are proposed to be improved and updated, and that the signs are needed due to the existing configuration of the property, as it was built in the 1960s. He further explained that there is a similar development very near to the Arbor Woods Apartment and that the signs are important to distinguish between the developments.*

*Nelson inquired about the landscaping around the building and mounting the signs on the building.*

*Sabourm answered that they are mounted, but they are hard to identify because of how far the building is set back. He explained that for emergency response the signs are necessary.*

*Dobmeier inquired about adding signage to the buildings, one way signs, and monument signs.*

*Sabourm explained that due to the configuration of the units, the sign out front makes more sense, he also explained that the parking is angled and the drive is narrow which indicates it is a one way. He explained further that there is a monument sign at each exit.*

**PUBLIC HEARING:**

*Seeing no speakers, Chair Briere closed the Public Hearing*

**Moved by DeVarti seconded by Dobmeier in Petition ZBA19-010;  
2167 Medford Road**

**Variance:**

**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 variance from Chapter 55 Unified Development Code Section 5.33.2 (B) Nonconforming Signs:**

**A variance to allow a new sign package that changes the color, fonts and logos of the existing nonconforming monument signs (3),**

**Leasing Center signs (2) and directional signs (11).**

- 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.

**BOARD DISCUSSION:**

*The Board discussed the neighborhood where Ann Arbor Woods is located, the standards for granting the approval, the layout of the development and the need for the signs, and the lack of opposition for the proposal.*

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

**Yeas:** 0

**Nays:** 7 - Chair Briere, DeVarti, Vice Chair Dobmeier, Daniel, Weatherbee, Wilson, and Councilmember Nelson

**Absent:** 2 - Eisenmann, and Grant

**F UNFINISHED BUSINESS****G NEW BUSINESS****H COMMUNICATIONS****H-1 [19-1065](#) Various Communication to the Zoning Board of Appeals**

**Attachments:** Email from Judy Federbush - Catalpa Circle .pdf, Email from Judy Federbush 2 - Catalpa Circle .pdf, Email from McCarthy and Schwab -2829 Catalpa Circle .pdf, Email from Kubacki - 2829 Catalpa Circle .pdf

**Received and Filed**

**I PUBLIC COMMENTARY - (3 Minutes per Speaker)**

**J ADJOURNMENT**

**Unanimously adjourned at 7:04 p.m.**