



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, October 23, 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 6:02 pm.

B. ROLL CALL

Chair Briere called the roll.

Present: 8 - Candice Briere, David DeVarti, Michael B. Daniel, Todd Grant, Kristina A. Glusac, Dharma Akmon, Julie Weatherbee, and Drew Denzin

Absent: 1 - Patricia Laskowsky

Others present:

Jon Barret, Zoning Coordinator

C. APPROVAL OF AGENDA

Chair Briere noted that ZBA24-0034; 1500 Jackson Avenue has withdrawn their petition.

Moved by Todd Grant seconded by Julie Weatherbee. On a voice vote the agenda was approved unanimously.

D. APPROVAL OF MINUTES

D-1. 24-1831 September 25, 2024 ZBA Meeting Minutes

Attachments: September 25, 2024 ZBA Meeting Minutes.pdf

Moved by Grant seconded by Drew Denzin to approve the September 25, 2024 ZBA meeting minutes. Minutes were unanimously approved as presented and forwarded to City Council.

E. PUBLIC HEARINGS

E-1. 24-1834 ZBA24-0030: 516 East Liberty Street

Mark Chalou, representing the business, is seeking a seven foot seven inch variance from Table 5.24-2 D1 District Permanent Signs to install a wall sign at 27 feet seven inches above the maximum allowed height of 20 feet. The applicants are also seeking a variance of 17 square feet above the maximum allowable wall sign square footage of 140 square feet. Section 5.24.5 Permanent Signs allows two square feet of sign area per linear foot of building frontage. The building is 70 feet in width. The property is zoned D1, Downtown District.

Attachments: Staff Report ZBA24-0030; 516 East Liberty Street.pdf, Boundary Survey.pdf, Elevation Plans.pdf, 516 E Liberty St Zoning Map.pdf, 516 E Liberty St Aerial Map.pdf, 516 E Liberty St Aerial Map Zoom.pdf

APPLICANT/REPRESENTATIVE:

Mark Chalou, representing the property owner, presented the proposed request.

PUBLIC HEARING:

Scott Greg, owner of the NECTO, spoke in support of the petition.

Ted Arnold, owner of Pinball Pete's, spoke in support of the petition.

Russ Collins, Executive Director of the State Michigan Theatre, spoke in support of the petition.

Seeing no additional 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 David Devarti seconded by Dharma Akmon in petition of

ZBA24-0030; 516 East Liberty Street:

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby **GRANTS** a seven foot seven inch variance from Table 5.24-2 D1 District Permanent Signs to install a wall sign 27 feet seven inches above grade. The maximum wall sign height for the property is 20 feet. The Board also grants a 17 square foot variance from Section 5.24.5 Permanent Signs to allow 157 square feet of signage for the three tenant spaces. The signs are to be installed per the submitted plans.

On a roll call vote the vote was as follows with the Chair Briere declaring the motion carried. **Vote 7-1.**

Yeas: 7 - Chair Briere, DeVarti, Daniel, Glusac, Councilmember Akmon, Weatherbee, and Denzin

Nays: 1 - Grant

Absent: 1 - Laskowsky

E-2. [24-1835](#) **ZBA24-0034; 1500 Jackson Avenue [WITHDRAWN]**

Terrance Ulch from Aver Sign Company, representing the property owner, is seeking a variance from Section 5.32.2 (B) Nonconforming Signs and Table 5.24-3 Other Mixed Use and Nonresidential and Special Purpose Districts Permanent Signs. A 16 foot variance is required to allow the existing pylon sign to remain in its current location and to be replaced with a cabinet that will have new lighting and electrical components. The property is zoned C1, Local Business District

Attachments: ZBA24-0034; 1500 Jackson Avenue Withdrawl Email.pdf

PUBLIC HEARING:

Seeing no speakers Chair Briere closed the Public Hearing.

E-3. [24-1836](#) **ZBA24-0035; 1207 Roosevelt Avenue**

James Smiley, property owner, is seeking a variance from Table 5.17-3 Multiple-Family Residential Zoning District Dimensions. The property is zoned R4C, Multiple-Family Residential District and requires a minimum lot area of 8,500 square feet and a side yard setback of 12 feet. The subject parcel is 6,926 square feet in area. The applicants are proposing to construct a two-story, six bedroom rental house that will require a 1,574 square foot area variance and a seven foot variance from the side lot line

Attachments: Staff Report ZBA24-0035; 1207 Roosevelt Avenue.pdf, ZBA24-0035; 1207 Roosevelt Avenue Boundary Survey.pdf, ZBA24-0035; 1207 Roosevelt Avenue Elevation Plans.pdf, 1207 Roosevelt Ave Zoning Map.pdf, 1207 Roosevelt Ave Aerial Map.pdf, 1207 Roosevelt Ave Aerial Map Zoom.pdf

APPLICANT/REPRESENTATIVE:

James Smiley, 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 Kristina Glusac in petition of ZBA24-0035; 1207 Roosevelt Avenue:

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS 1,574 square foot area variance and a seven foot required side yard setback variance from Table 5.17-3 Multiple-Family Residential Districts. The variances will allow construction of a new two-story six bedroom single-family residence. The building is to be constructed per the submitted plans.

On a roll call vote the vote was as follows with the Chair Briere declaring the motion carried. Vote 8-0.

Yeas: 8 - Chair Briere, DeVarti, Daniel, Grant, Glusac, Councilmember Akmon, Weatherbee, and Denzin

Nays: 0

Absent: 1 - Laskowsky

E-4. [24-1837](#) **ZBA24-0036; 2281 Delaware Drive**

Adrian Fazecas, representing the property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure, to construct a second story addition to the existing nonconforming residence. The

second floor will contain a new bedroom and bathroom. The residence is nonconforming for the average front setback along Delaware Drive. The property is zoned R1C, Single-Family Residential.

Attachments: Staff Report ZBA24-0036; 2281 Delaware Drive.pdf, ZBA24-0036; 2281 Delaware Drive Boundary Survey.pdf, ZBA24-0036; 2281 Delaware Drive Elevation Plans.pdf, 2281 Delaware Dr Zoning Map.pdf, 2281 Delaware Dr Aerial Map.pdf, 2281 Delaware Dr Aerial Map Zoom.pdf

APPLICANT/REPRESENTATIVE:

Jeff Snyder, the property owner, and Adrian Fazecas, representing the 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 Weatherbee in petition of ZBA24-0036; 2281 Delaware Drive:

The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming Structure to allow construction of a second story addition to the existing nonconforming residence. The nonconforming residence is 24.2 feet from the front lot line and the average front setback is 28 feet. The new addition will not encroach further into the front setback. The addition is to be built per the submitted plans.

On a roll call vote the vote was as follows with the Chair Briere declaring the motion carried. Vote 8-0.

Yeas: 8 - Chair Briere, DeVarti, Daniel, Grant, Glusac, Councilmember Akmon, Weatherbee, and Denzin

Nays: 0

Absent: 1 - Laskowsky

F. UNFINISHED BUSINESS

None.

G. NEW BUSINESS

None.

G-1. 24-1838 Communication from Council

Councilmember Akmon reported:

Adjustments were made to the TC1 category that address building size, curb cut limits, building frontage requirements.

H. COMMUNICATIONS

H-1. 24-1839 Various Communication to the ZBA

Attachments: Xu Email about Impact.pdf

Received and filed.

I. PUBLIC COMMENT (3 minutes per speaker)

Seeing no speakers at this time Chair Briere closed the Public Hearing.

J. ADJOURNMENT

Moved by Grant seconded by DeVarti. On a voice vote the board voted to unanimously adjourn the meeting at 7:31 pm.

Candice Briere, Chairperson

Jon Barrett, Zoning Coordinator

Brittany Alexander, Administrative Assistant

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>).

