



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](http://a2gov.legistar.com/Calendar.aspx)

Wednesday, September 27, 2023

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 6:05 pm.

B. **ROLL CALL**

Chair Briere called the roll.

Others present:

Jon Barrett, Zoning Coordinator

Hank Kelley, Deputy Planning Manager

Present: 8 - Candice Briere, David DeVarti, Michael B. Daniel, Todd Grant, Christopher Madigan, Kristina A. Glusac, Dharma Akmon, and Grace Whitney

Absent: 1 - Sadira Clarke

C. **APPROVAL OF AGENDA**

Chair Briere noted item ZBA23-0023; 416 Long Shore Drive had been withdrawn by the petitioner.

Chair Briere noted she will be recusing herself from ZBA23-0021, 700 Pauline Boulevard due to a conflict of interest.

Moved by Mike Daniel seconded by Chris Madigan to approve the agenda. The agenda was unanimously approved as presented.

D. APPROVAL OF MINUTES**D-1. [23-1524](#)**

Attachments: August 23, 2023 ZBA Meeting Minutes.pdf

Moved by Grace Whitney seconded by Madigan to approve the August 23, 2023 meeting minutes. Minutes were unanimously approved and forwarded to City Council.

E. PUBLIC HEARINGS**ROLL CALL**

Sadira Clarke entered the meeting at 6:08 pm

Present: 9 - Candice Briere, David DeVarti, Michael B. Daniel, Todd Grant, Christopher Madigan, Kristina A. Glusac, Dharma Akmon, Grace Whitney, and Sadira Clarke

E-1. [23-1525](#) **ZBA23-0021; 700 Pauline Boulevard**

Don Thomas, property owner, is requesting variances of two inches from Section 5.16.6 (2)(D) Accessory Uses and Structures to allow an existing garage addition to be two feet ten inches from the side lot line and a 290 square foot variance from Section 5.16.6 (2) (D) to allow the attached garage addition to exceed the allowed 35% rear setback area with a structure. A third variance of ten feet is being requested from Table 5.17-1 Single-Family Dwelling District to allow an existing deck to encroach into the front setback. The variances would allow the garage addition to be used as an approved Accessory Dwelling Unit (ADU). The property is zoned R1D, Single-Family Dwelling District.

Attachments: Staff Report ZBA23-0021; 700 Pauline Blvd.pdf, 700 Pauline Boulevard Boundary Survey.pdf, 700 Pauline Blvd Zoning Map.pdf, 700 Pauline Blvd Aerial Map.pdf, 700 Pauline Blvd Aerial Map Zoom.pdf, Lewis Email of Support 700 Pauline Boulevard.pdf, Butler Email of Support 700 Pauline Blvd.pdf

Chair Briere recused herself.

APPLICANT/REPRESENTATIVE:

Don Thomas, property owners, 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 Whitney in petition of ZBA23-0021; 700 Pauline Boulevard

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS a two-inch variance for the northwest corner of the garage and a 290 square-foot variance from the allowable 35% rear setback area. Both variances apply to Section 5.16.6 (2)(D) Accessory Uses and Structures. A third variance of ten feet from Table 5.17-1 Single-Family Dwelling District is GRANTED to allow an existing deck to encroach into the required front setback. The garage addition is to remain in its current configuration with no further changes or alterations to the exterior of the structure.

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

Yeas: 8 - DeVarti, Daniel, Grant, Madigan, Glusac, Councilmember Akmon, Whitney, and Clarke

Nays: 0

Recused: 1 - Chair Briere

E-2. [23-1526](#) [Withdrawn] ZBA23-0023; 416 Long Shore Drive

Kate Bond of Midwestern Consulting, representing property owner, is requesting a variance from the planting requirements of Section 5.20.4 Conflicting Land Use Buffers. A 15 foot buffer is required on the west side of the property adjacent to Argo Park. The existing 12 inch City sanitary sewer and a pending required easement create difficulties with planting the CLUB. The proposed use of the property is a 15 unit condominium development. The property is zoned Office.

Chair Briere rejoined the meeting.

Public Hearing:

Seeing no speakers Chair Briere closed the Public Hearing.

E-3. 23-1527 ZBA23-0024; 1033 East University Avenue

Rob Fowler, representing property owner, is seeking approval from Section 5.32.2 (C) Alteration to a Nonconforming Structure. The applicants are requesting to convert the basement into a four bedroom unit and to enclose the existing front porch to provide additional living space for the first floor unit. The roof will be altered by the addition of three new gables and a height increase for the third floor unit. The existing four unit rental property contains eight bedrooms. The alterations will increase the number of bedrooms to 17 while the number of units remains at four. The property is zoned R4C Multiple Family Dwelling District and is nonconforming for lot area and the rear yard setback.

Attachments: Staff Report ZBA23-0024; 1033 E University.pdf, 1033 East University Avenue Boundary Survey.pdf, 1033 East University Avenue Elevation Plans.pdf, 1033 E University Ave Zoning Map.pdf, 1033 E University Ave Aerial Map.pdf, 1033 E University Ave Aerial Map Zoom.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 Madigan by in petition of ZBA23-0024;
1033 East University Avenue**

The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming -Structure to allow the basement to be converted to a four bedroom unit and to enclose the

existing front porch to provide additional living space for the first floor unit. The roofline will be altered by the addition of three new gables and a height increase. The number of units for the property are to remain at four. The interior alteration is to be constructed per the submitted plans.

On a roll call vote, the vote was as follows with the Chair declaring the vote carried. **Vote 9-0.**

Yeas: 9 - Chair Briere, DeVarti, Daniel, Grant, Madigan, Glusac, Councilmember Akmon, Whitney, and Clarke

Nays: 0

F. UNFINISHED BUSINESS

None.

G. NEW BUSINESS

None.

H. COMMUNICATIONS

H-1. [23-1528](#) Various Communication to the ZBA

Received and Filed

I. PUBLIC COMMENT (3 minutes per speaker)

No speakers.

J. ADJOURNMENT

Moved by Madigan seconded Whitney to adjourn the meeting at 6:42 pm. Approved unanimously.

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 meetings have transitioned to a hybrid meeting model. The City of Ann Arbor has existing COVID-19 safety rules that are required of visitors entering city facilities.

If you choose to attend a meeting in-person, the following safety rules are expected to be observed.

These include:

Masks - Masks will be required for all meeting participants and guests when the local CDC Community Level in Washtenaw County is HIGH. Check the current level for Washtenaw County through the CDC's website.

Illness - Anyone diagnosed with COVID-19, who has symptoms of COVID-19, or has had recent close contact with someone with COVID-19, should not attend a public meeting.