

From: carl hueterarchitects.com <carl@hueterarchitects.com>

Sent: Thursday, September 30, 2021 2:54 PM

To: Kahan, Jeffrey <JKahan@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>; Vander Lugt, Kristen <KVanderLugt@a2gov.org>

Cc: Tom Fitzsimmons <thomasfitzsimmons@comcast.net>; Jeanette Stevens <jstevens@huroncontracting.com>; Ron Jaynes <ron@huroncontracting.com>

Subject: 212 Miller Bay Window

This message was sent from outside of the City of Ann Arbor. Please do not click links, open attachments, or follow directions unless you recognize the source of this email and know the content is safe.

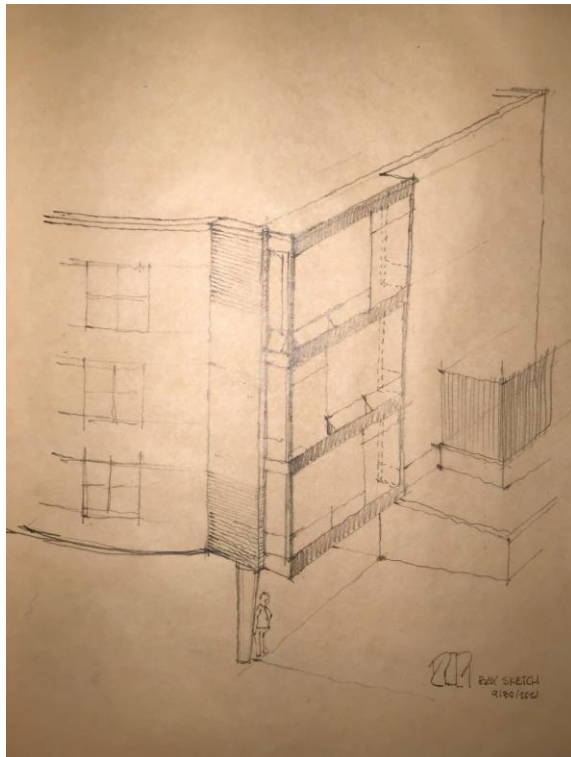
Brett:

Need some help please. Do you all believe this is not a bay window because of the contemporary articulation of the three-story bay element projecting out 2 feet as the UDC allows? I need to know the issue to solve it to compliance.

So, shooting in the dark, but trying to move this towards resolution; Here is a sketch perspective showing the bay window inset from the corner a brick stretcher length and with glass/windows on three sides. Is this a bay window acceptable to planning's mind?

Please respond.

Carl



From: carl hueterarchitects.com <carl@hueterarchitects.com>

Sent: Wednesday, September 29, 2021 9:28 PM

To: Kahan, Jeffrey <JKahan@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>; Vander Lugt, Kristen <KVanderLugt@a2gov.org>

Cc: Tom Fitzsimmons <thomasrfitzsimmons@comcast.net>; Jeanette Stevens <jstevens@huroncontracting.com>; Ron Jaynes <ron@huroncontracting.com>

Subject: 212 Miller DRB review comments from Jeff Kahan

This message was sent from outside of the City of Ann Arbor. Please do not click links, open attachments, or follow directions unless you recognize the source of this email and know the content is safe.

Brett:

Again, trying to move this along to understand.

Jeff Kahan's second review comment indicated that the bay window on the proposed building is not a bay window. I cannot find a definition of "bay window" to work from in the Ann Arbor Uniform Development Code. Where am I missing it. Until one can guide us to this, one must use the common architectural and English language dictionary definition.

We are proposing a three-story height bay window projecting two feet into the front setback area. This architectural projecting element is found fairly common across the country in urban areas in many varied configurations and forms and has been in use since at least since the

nineteenth century on multi-story buildings of all uses. It is one of the key defining elements of the noted Chicago School of Architecture. Then the bays were hailed as great assets to provide light, air and individual street views up and down the urban streetscape. The positive attributes of these bays and the 24-inch projection dimension of these early elements seemed so right that this dimension with these elements became written into most zoning ordinances around the country, as Ann Arbor's.

Section 5.18.1.B.3 of the Ann Arbor UZC allows projections into the property setback lines:

"3. Certain architectural features, such as cornices, eaves, gutters, bay windows, and chimneys may project up to two feet into any Setback Areas."

It is not clear why the proposed bay window at 212 is not a bay window. With a concise reason revealed we can operate on bringing it into that compliance.

Hope to hear back from you soon.

Carl

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From: carl hueterarchitects.com <carl@hueterarchitects.com>

Sent: Wednesday, September 29, 2021 8:51 PM

To: Kahan, Jeffrey <JKahan@a2gov.org>; Lenart, Brett <BLenart@a2gov.org>; Vander Lugt, Kristen <KVanderLugt@a2gov.org>

Cc: Tom Fitzsimmons <thomasrfitzsimmons@comcast.net>; Jeanette Stevens <jstevens@huroncontracting.com>; Ron Jaynes <ron@huroncontracting.com>

Subject: Re: 212 Miller: 2 code issues

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Brett:

Trying to move this along.

Jeff Kahan noted that in his forthcoming review the building street wall height exceeds the 3 story maximum. Indicating that the built garage level below was contributing additional height. This is due to the natural slope of the streetscape. Not a self-imposed condition. Note this building has only 3 stories of principal use.

The adjacent 309 North Ashley fronting Miller Avenue, in the same zoning district, in the same overlay district and with the same Front yard Frontage district. It too has the natural slope of Miller Avenue as the 212 project. 309 has 5 stories of principal use.

Facing directly at both buildings from Miller Avenue the street wall area of the 309 building has below it and additional built solid garage story exposure of an additional 9.6%. The 212 proposed building has 9.1% of built solid garage story exposed below it.

Why is the approved 3 story street wall of the 309 building with more built garage level exposed allowed/acceptable but, the 3 story street wall of the 212 building with less built garage level exposed not?

We hope to hear back from with an answer to this question soon.

Thank you,

Carl

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From: carl hueterarchitects.com <carl@hueterarchitects.com>
Sent: Wednesday, September 29, 2021 2:17 PM
To: Kahan, Jeffrey <JKahan@a2gov.org>; Lenart, Brett <blenart@a2gov.org>
Cc: Tom Fitzsimmons <thomasfitzsimmons@comcast.net>; Jeanette Stevens <jstevens@huroncontracting.com>; Ron Jaynes <ron@huroncontracting.com>
Subject: Re: 212 Miller: 2 code issues

Brett:

Would you also send me a copy of Jeff's DRB review today?

Thank you again,

Carl

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From: carl hueterarchitects.com <carl@hueterarchitects.com>
Sent: Wednesday, September 29, 2021 2:16 PM
To: Kahan, Jeffrey <JKahan@a2gov.org>; Lenart, Brett <blenart@a2gov.org>
Cc: Tom Fitzsimmons <thomasrfitzsimmons@comcast.net>; Jeanette Stevens <jstevens@huroncontracting.com>; Ron Jaynes <ron@huroncontracting.com>
Subject: Re: 212 Miller: 2 code issues

Brett:

We would like to take care of these two issues as soon as possible, so we are hoping for a thoughtful, but timely response from you with the requested answers and details. I will be out of town October 4 & 5 so it would be helpful if we could dispatch this during the business day this week.

I thank you in advance for your kind attention to this matter.

Sincerely,

Carl

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From: carl hueterarchitects.com <carl@hueterarchitects.com>
Sent: Tuesday, September 28, 2021 8:01 PM
To: Kahan, Jeffrey <JKahan@a2gov.org>; Tom Fitzsimmons <thomasrfitzsimmons@comcast.net>
Cc: Lenart, Brett <BLenart@a2gov.org>
Subject: Re: 212 Miller: 2 code issues

Brett:

I see that Jeff has, "left the house" until October 11.

So, we will be expecting an answer from you shortly , as Jeff indicated you would be filling in for him while he was away.

Thanks,

Carl

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From: carl hueterarchitects.com <carl@hueterarchitects.com>
Sent: Tuesday, September 28, 2021 7:49 PM
To: Kahan, Jeffrey <JKahan@a2gov.org>; Tom Fitzsimmons <thomasrfitzsimmons@comcast.net>
Cc: Lenart, Brett <BLenart@a2gov.org>
Subject: Re: 212 Miller: 2 code issues

Jeff/Brett(?):

1. Using the code, the building calculates out to being a three-story building. We will forward those calculation to you. Also, if we modify the front landscaped patio area to go across the entire frontage then the garage wall is no longer an operative in this assessment, correct? Since your answer is short on specifics are you saying that the 4'8" portion of the exposed garage showing to the street is throwing the street wall definition beyond the 3 stories? In addition, in looking at the adjacent 309 North Ashley structure with the same 3 story street wall requirement to Miller, along with the same grade fall angle, and almost the same garage exposure ratio to elevation (it is greater than what 212 has) how is that allowed at 309 and not at 212?
2. Am I correct in my reading, the UDC does not have a definition of "bay window"? I do not see it in the listed definitions. Is it found somewhere else in the city ordinances? Could you please direct me there?

As soon as you can answer these preliminary questions, we can solve the issues with an acceptable solution.

Thank you,

Carl

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From: Kahan, Jeffrey <JKahan@a2gov.org>
Sent: Tuesday, September 28, 2021 5:18 PM
To: carl hueterarchitects.com <carl@hueterarchitects.com>; Tom Fitzsimmons <thomasfitzsimmons@comcast.net>
Cc: Lenart, Brett <BLenart@a2gov.org>; Kahan, Jeffrey <JKahan@a2gov.org>
Subject: 212 Miller: 2 code issues

Gentlemen.

During my review of the project for the October 13 DRB meeting, I determined that the proposed project is inconsistent with City code in two ways:

- a. The Unified Development Code (Section 5.17:6) requires a maximum streetwall height of 3 stories. The south elevation shows that the petitioner is proposing a streetwall that appears to exceed 3 stories. The garage level of the building (which has enclosed garages) adds a portion of a floor to the streetwall height which results in the streetwall height exceeding 3 stories.
- b. The south façade of the building includes a cantilevered portion with a glass wall. Staff does not consider floor to ceiling features such as this to be a bay window (bay windows are allowed to protrude into a setback up to 2 feet). Therefore, if it protrudes into the 15-foot front setback (minimum front setback), it would be inconsistent with City code.

I shared these concerns with other Planning Staff members and they concurred with my assessment.

I raised these issues in the staff report and will be happy to discuss them with you when I get back from being out of town on October 11. Feel free to discuss with Brett in my absence. I've cc'd Brett on this email.

Best wishes.

Jeff

