

**Zoning Board of Appeals
August 26, 2015 Regular Meeting**

STAFF REPORT

Subject: ZBA15-019 & ZBA15-020; 303-307 West Davis Avenue

Summary: Maven Development is requesting:

1. One variance from Chapter 59 (Off-Street Parking) Section 5:68 (6), a variance to permit tandem parking within a garage to satisfy parking requirement of 1.5 spaces per unit; a total of 2 spaces per unit are provided with the tandem design
2. One variance from Chapter 47 (Streets and Sidewalks) Section 4:20 (3) (a), a variance to permit a driveway with 0 foot offset (directly opposite a public street) from the adjacent intersection, 15 feet is required.

Description and Discussion:

The site is composed of two parcels, 303 West Davis and 307 West Davis. Each parcel has an existing single-family home that will be demolished. The petitioner seeks to construct a new four-unit townhome structure. The site currently is zoned R4C (Multiple-Family Dwelling District).

The site currently has two driveways to West Davis, one for each house. The two drives will be re-located and widened with each drive servicing two townhomes. The shared drives will access two garages each. Each garage will fit two cars in a tandem (front to back) formation. A total of 6 vehicle parking spaces are required for construction of the new building, there will be 8 spaces provided (two per unit) inside garages. A variance is being requested in order to permit this parking arrangement. A variance is also required in order to permit the west drive to line up directly with the terminus of First Street at West Davis.

The site plan was recommended for approval at the August 18, 2015 Planning Commission meeting. If the variances are granted, it will proceed to City Council for final site plan approval.

Standards for Approval - Chapter 47 (Streets) Variance -

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power, from the City of Ann Arbor Zoning Ordinance and Chapter 47(Streets), Section 4:20(9). The following criteria shall apply:

The Zoning Board of Appeals shall have the authority to interpret this Chapter and may, in specific cases involving practical difficulty or unnecessary hardship, grant variances or exceptions from the requirements of this Chapter providing such a variance or exception is in

harmony with the general purpose and intent of this Chapter.

The variances requested will be in harmony with the general purpose and intent of Chapter 47 because it corrects an existing negative offset driveway and will allow for continued safe and efficient access to and from the site. Modifications required to shift the drive or use the existing curb cut will result in an offset drive similar to the existing condition which is not recommended by the City's Traffic Engineer. This residential driveway serves 2 units and will not have a high volume of traffic. Most visitors or deliveries will be able to park on the public street in the immediate vicinity. Due to the fact that the proposed plan was designed for a drive to line up directly with the opposing public street, and the low volume of traffic, the City's Traffic Engineer has reviewed and supports the variance requests as proposed.

Standards for Approval - Chapter 59 (Off-Street Parking) Variance -

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power, from the City of Ann Arbor Zoning Ordinance and Chapter 59, Section 5:566. The following criteria shall apply:

The Zoning Board of Appeals shall have authority to interpret this chapter and may in specific cases and after public notice and hearings in accordance with Chapter 55 of this Code grant variances and exceptions to these requirements, providing such variance or exception is in harmony with the general purpose and intent of the requirements. The procedural requirements for appeals under Chapter 55 shall be applicable to appeals under this chapter.

In the R4C Zoning District, the parking requirement is 1.5 spaces per unit for a total of 6 spaces required. The project will provide 2 spaces for each unit in a tandem, front to back arrangement. With a tandem arrangement only one vehicle will be able to be moved without moving the other vehicle. The structure will contain 4 residential condominium units that contain 2-3 bedrooms each. The intent of Chapter 59 is to ensure all developments have safe and sufficient parking for residents. The units are likely to be occupied by families that can coordinate vehicle movement and not a group of unrelated residents. Street parking is also available along West Davis as well as along First Street.

Respectfully submitted,



**Matthew J. Kowalski, AICP
City Planner**