



City of Ann Arbor

Formal Minutes

Zoning Board of Appeals

301 E. Huron St.
Ann Arbor, MI 48104
<http://a2gov.legistar.com/Calendar.aspx>

Wednesday, March 28, 2018

6:00 PM

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

A **CALL TO ORDER**

Vice Chair Dobmeier called the meeting to order at 6:02 p.m.

B **ROLL CALL**

Vice Chair Dobmeier called the roll.

Present: 7 - David DeVarti, Kirk Westphal, Michael Dobmeier, Michael B. Daniel, Nicole Eisenmann, Todd Grant, and Julie Weatherbee

Absent: 2 - Candice Briere, and Charlotte Wilson

C **APPROVAL OF AGENDA**

Approved unanimously as presented.

D **APPROVAL OF MINUTES**

D-1 **18-0431** Minutes of the February 28, 2018 ZBA Meeting

Attachments: 2-28-2018 ZBA Minutes .pdf

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

E **HEARINGS AND APPEALS**

E-1 **18-0427** ZBA18-007; 302 West Hoover Avenue
Joseph and Nicole Hubert, property owners, are requesting a seven foot three inch variance from Chapter 55 Zoning Section 5:28 (Area, Height and Placement Regulations). A 30 foot rear yard is required in the R1C Single Family Dwelling district. The existing residence will be demolished and construction of a new 1,885 square foot two story house with enclosed

garage is proposed.

Attachments: ZBA18-007; 302 W Hoover Ave Staff Report with Attachments.pdf

Summary:

Joseph and Nicole Hubert, property owners, are requesting a seven foot three inch variance from Chapter 55 Zoning Section 5:28 (Area, Height and Placement Regulations). A 30 foot rear yard is required in the R1C Single Family Dwelling district. The existing residence will be demolished and construction of a new 1,885 square foot two story house with enclosed garage is proposed.

Background:

The property is zoned R4C, multi-family, and is located west of South Main Street. The home was constructed in 1947 and is approximately 800 square feet in size. The lot is non-conforming as it is just above 3,600 square feet. The R1C district standards apply for this single-family use.

Description:

The owners will be demolishing the existing dwelling and constructing a new single-family residence. The new home is proposed to encroach only seven inches further into the rear setback than the existing home.

Standards for Approval- 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. The following criteria shall apply:

(a). That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city.

The applicants state that the subject lot is half the required size of 7,200 square feet for the R1C district. The subject lot is the second smallest lot in the area and therefore, a more appropriate zoning classification should have been the R1D district. The R1D district requires a 5,000 square foot lot and a 20 foot rear setback. If this lot had a 20 foot rear setback than a variance would not be required for the proposed construction.

(b). That the alleged hardships are practical difficulties, or both, 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.

Without the variance a more modest home would be built and not fit the needs of a growing family.

(c). That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

Granting the variance will alleviate the restrictions on the size and configuration of a new home. Applicants state the newly constructed home will be further from the street and will improve the streetscape for neighboring properties.

(d). That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

The applicants contend that the variance request is not self-imposed as the existing home was built many years ago on a very small lot that does not meet today's zoning requirements.

(e). A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

The new residence will be sited seven inches further into the rear yard and granting the variance will allow the home to be three feet six inches outside of the front setback thereby creating a more uniform streetscape.

Questions from Board to Staff:

Boardmember Dave DeVarti inquired about the non-conforming status of the lot.

Barrett answered that the lot is nonconforming due to the size, stating that conforming lots in the zoning are 7,000 square feet, and that the lot of the applicant is about 3,600 square feet.

Presentation by Petitioner:

Mark Reuter, Architect, described the unusual shapes of the lot sizes in the neighborhood. He explained that nearby houses have shallow front setbacks, unlike the the proposed project. He explained that the proposed encroachment is modest, and the house will only encroach seven inches farther into the rear yard than the current house. He explained that the current house is encroaching three feet into the front setback, and the proposed house will not.

Presentation by Petitioner:

Mark Reuter, Architect, described the unusual shapes of the lot sizes in the neighborhood. He explained that nearby houses have shallow front setbacks, unlike the the proposed project. He explained that the proposed encroachment is modest, and the house will only encroach seven inches farther into the rear yard than the current house. He explained that the current house is three feet encroaching into the front setback, and the proposed house will not.

DeVarti inquired about the setback encroachment on the new house, asking for clarification on the distance encroached into the rear yard setback.

Barrett clarified that if the house is torn down, the new building must to come into compliance with current standards. He stated that the proposed house will encroach seven inches farther into the backyard than the current house does. He explained that the current house encroaches three feet into the front setback and the proposed house will not.

Ken Graf, 200 West Hoover Avenue, neighbor to the petitioner, explained that he supports the project, he explained that he would be excited to see an updated house in the neighborhood, and he would hate to see the home turn into a rental.

Moved by DeVarti, seconded by Westphal, in petition ZBA18-007 302 W Hoover Avenue

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 variances from Chapter 55, Section 5:28, (Area, Height and Placement regulations) to allow:

A variance of seven feet three inches in order to construct a new residential dwelling. The rear yard requirement is 30 feet. The result will be a twenty-two foot rear yard. The residence 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.

Board Discussion:

The board discussed affordable housing in Ann Arbor, alternatives to tearing down and rebuilding the home, the encroachment into the rear yard, and the standards for the variance to be approved.

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion denied. Vote: 3-4

Variance DENIED.

Yeas: 3 - Daniel, Grant, and Weatherbee

Nays: 4 - DeVarti, Councilmember Westphal, Vice Chair Dobmeier, and Eisenmann

Absent: 2 - Chair Briere, and Wilson

E-2

18-0428

ZBA18-008; 2510 Elmwood Avenue

Daryl and Simone McDaniel, property owners, are requesting a seven foot variance from Chapter 55 Zoning Section 5:57 Averaging an Existing Front Setback Line. The average front setback for the subject property is 40 feet. An enclosed front porch that is seven feet wide by 21 feet long is being

proposed.

Attachments: ZBA18-008; 2510 Elmwood Ave Staff Report with Attachments .pdf

Summary:

Daryl and Simone McDaniel, property owners, are requesting a seven foot variance from Chapter 55 Zoning Section 5:57 Averaging an Existing Front Setback Line. The average front setback for the subject property is 40 feet. An enclosed front porch that is seven feet wide by 21 feet long is being proposed.

Background:

The property is zoned R1C, single-family residential, and is located east of Platt Road and south of Scheffler Park. The residence was built in 1942 and is approximately 1,026 square feet in size. The subject parcel is a corner lot and consists of over 17,700 square feet.

Description:

The new porch will be approximately 147 square feet in size and will be consistent with the architecture style and materials of the home. A new 15 foot by 27 foot addition consisting of 405 square feet will be constructed on the north side of the home. The addition is not a part of this variance request as it meets the setbacks.

Standards for Approval- 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. The following criteria shall apply:

(a). That the practical difficulties are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the City.

The two houses to the south are setback further than the subject property and have created an average front setback of 40 feet. Therefore, any proposed additions to the home will require a variance. The proposed porch meets the required 25 foot front setback for the R1C district.

(b). That the practical difficulties will result from a failure to grant the variance, include substantially more than mere inconvenience, inability

to attain a higher financial return, or both.

The applicants state the porch is not related to any financial gain or yield any financial benefits.

(c). That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

The residence is located on a large corner lot with a detached garage and a thick vegetative barrier to the neighboring properties providing a buffer that will not create any negative impacts to the surrounding properties.

(d). That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

The owners state that the average front setback was established after their home and neighborhood was established.

(e). A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

The variance requested is the minimum footprint to comfortably enjoy a front porch. The project will not be a detriment to the neighborhood.

Questions by Board to Staff:

None.

Presentation by Petitioner:

Daryl and Simone McDaniel explained that they have lived in the neighborhood for 14 years. They explained that the porch will create more neighborhood interaction and provide a variety of conveniences for them. They explained that they want to improve their neighborhood and believe that the porch will allow them to do so.

DeVarti inquired about foot traffic in the neighborhood.

Simone McDaniel answered that the neighborhood receives a significant amount of foot traffic due to the nearby park.

**Moved by DeVarti, Seconded by Westphal, in petition ZBA18-008,
2510 Elmwood Avenue**

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 variances from Chapter 55, Section 5:57, Averaging an Existing Front Setback Line to allow:

A variance of seven feet in order to construct a new front porch that is seven feet wide by 21 feet long. The average front setback is forty feet. The front porch 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.

Board Discussion:

The Board discussed foot traffic in the area and the benefits that front porches have to neighborhoods,

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion approved. Vote: 7-0

Variance APPROVED.

Yeas: 7 - DeVarti, Councilmember Westphal, Vice Chair Dobmeier, Daniel, Eisenmann, Grant, and Weatherbee

Nays: 0

Absent: 2 - Chair Briere, and Wilson

E-3

18-0429

ZBA18-010; 309 Hiscock Street

Matthew Guza, property owner, is requesting a two foot variance from Chapter 55 Zoning Section 5:57 Averaging an Existing Front Setback Line. The average front setback for the subject property is 21 feet six inches. A new front porch that is eight feet wide by 21 feet long is being proposed.

Attachments: ZBA18-010; 309 Hiscock St Staff Report with Attachments .pdf

Summary:

Matthew Guza, property owner, is requesting a two foot variance from Chapter 55 Zoning Section 5:57 Averaging an Existing Front Setback Line. The average front setback for the subject property is 21 feet six inches. A new front porch that is eight feet wide by 21 feet long is being proposed.

Background:

The property is zoned R2A, however, the R1C setbacks are applied for this single-family residence. The property is located between Main Street and Spring Street. The home was built in 1901 and is situated on a lot containing 4,268 square feet. The approximate size of the structure is 1,656 square feet and is currently under renovation.

Description:

The new porch will be approximately 168 square feet in size and will be consistent with the architecture style and materials of the home.

Standards for Approval- 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. The following criteria shall apply:

(a). That the practical difficulties are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the City.

The applicant states that the neighboring properties on Hiscock Street encroach into the required front setback a similar amount or encroach

further than the subject property.

(b). That the practical difficulties will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

A variance allowing an increased size of front porch will increase the functionality and aesthetics of the home and will not result in any financial gains.

(c). That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

The improvements to the character of the home will contribute to the public benefits of the neighborhood.

(d). That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

The home was built in 1901, far in advance of the establishment of the average front setback. The proposed porch will and the new established setback for this property will be consistent with the adjacent properties.

(e). A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

The variance being requested is two feet which is the minimum to construct a fully functional porch.

Questions by Board to Staff:

None.

Presentation by Petitioner:

Mathew Guza, petitioner, explained that the plan for the property is to construct a modest porch that is consistent with others in the neighborhood. He added that the proposed completed porch will be set back farther than the porches of other houses on the street.

DeVarti inquired if the petitioner was planning to live in the house.

Guza answered that he is not.

**Moved by Westphal, seconded by Weatherbee, in petition
ZBA18-010 309 Hiscock Street**

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 variances from Chapter 55, Section 5:57, Averaging an Existing Front Setback Line to allow:

A variance of two feet in order to construct a new front porch that is eight feet wide by 21 feet long. The average front setback is 23 feet one-half inch. The front porch 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.

Board Discussion:

The Board discussed porches in the neighborhood as they relate to the proposed porch.

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion approved. Vote: 7-0

Variance GRANTED.

Yeas: 7 - DeVarti, Councilmember Westphal, Vice Chair Dobmeier, Daniel, Eisenmann, Grant, and Weatherbee

Nays: 0

Absent: 2 - Chair Briere, and Wilson

E-4

18-0430

ZBA18-009; 403 West Liberty Street

Carl O. Hueter AIA, representing the property owner, is requesting a variance from Chapter 55 Section 5:34 (Area, Height and Placement Regulations). A 137 square foot variance from the required 8,500 square foot lot size requirement in the R4C is being requested. The size of the lot is 8,363 square feet. The proposed ten bedroom rooming house is being converted to a six bedroom duplex. A second variance of five feet eight inches is being requested from Section 5:57 Averaging an Existing Front Setback Line to reduce the average front setback from 17 feet eight inches to 12 feet.

Attachments: ZBA18-009; 403 West Liberty Staff Report with Attachments .pdf

Summary:

Carl O. Hueter AIA, representing the property owner, is requesting a variance from Chapter 55 Section 5:34 (Area, Height and Placement Regulations). A 137 square foot variance from the required 8,500 square foot lot size requirement in the R4C is being requested. The size of the lot is 8,363 square feet. The proposed ten bedroom rooming house is being converted to a six bedroom duplex.

Background:

The subject parcel is zoned R4C (multiple family) and is located on a corner lot at the intersection of West Liberty and Second Street. The home was built in the 1880's and is approximately 2,060 square feet in size. The property is in the Old West Side historic district and received approval from the Historic District Commission (HDC) in January to construct a new carport and complete restoration work to the main residence.

Description:

The owner desires to convert this former grand single family residential property from its current ten bedroom rental rooming house to a two unit duplex. The proposed units would be a lower level (walk-out basement) two bedroom unit apartment and the first, second and third floors as a four

bedroom townhouse unit. The conversion would reduce the number of bedrooms (and occupants) from ten to six.

Standards for Approval- 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. The following criteria shall apply:

(a). That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city.

The applicant states that the non-conforming conditions being requested for relief are unique to this property being that the site pre-dates the current zoning requirements for lot size and front setbacks for the R4C zoning district standards. The proposed changes only affect the interior of the structure in room configurations and occupancy.

(b). That the alleged hardships are practical difficulties, or both, 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.

The request to allow the internal conversion of the existing ten bedroom rooming house to a two bedroom and a four bedroom duplex would provide a more compatible unit mix to the neighborhood, rather than a large six bedroom single family rental.

(c). That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

The applicant states that the granting of the variances will allow the building to be restored to its original historic character which will enhance the Old West Side Historic District. The rooming house which is viewed as a less desirable use will also be eliminated and provide for two additional dwelling units in close proximity to the Downtown.

(d). That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

The noted requests are for issues regarding the property which are existing and predate those imposed by the zoning district applied by the City and not the property owner.

(e). A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

The applicants feel that the overall improvements to the exterior of the home and property that were granted by the HDC are minimal and will not have any negative impacts on the surrounding properties.

Questions by Board to Staff:

None.

Presentation by Petitioner:

Carl O. Hueter, Architect, gave a brief history of the property, explaining that it was built in the late 1800's. He explained that the owner is interested in restoring the home.

DeVarti inquired about the Historic District Commission (HDC) and their review of the property.

Hueter explained that the property has been before the HDC and received the required approval for the improvements.

Moved by Westphal, seconded by Grant in petition ZBA18-009 403 W Liberty Street

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 variances from Chapter 55, Section 5:34, (Area, Height and Placement regulations) and Chapter 55, Section 5:57 (Averaging an Existing front Setback Line) to allow:

A variance of 137 square feet from the required 8,500 square foot lot size in the R4C district is requested. The size of the subject property is 8,363 square feet. The existing ten bedroom rooming house is being converted to a six bedroom duplex. A variance of five feet

eight inches to reduce the front setback from 17 feet eight inches to 12 feet.

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 improvements to the exterior of the home.

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion approved. Vote:7-0

Variance GRANTED.

Yeas: 7 - DeVarti, Councilmember Westphal, Vice Chair Dobmeier, Daniel, Eisenmann, Grant, and Weatherbee

Nays: 0

Absent: 2 - Chair Briere, and Wilson

- E-5** [18-0539](#) ZBA18-012; 220 Felch Street
Ann Arbor Distilling Company, property owners, are requesting a 28 parking space variance from Chapter 59 Off-Street Parking Section 5:167 Required Parking. The owners are converting 2,305 square feet of production space to event space. The change of use requires additional parking spaces. The property received special exception use approval from the City Planning Commission in July 2017.

Attachments: ZBA18-012; 220 Felch Street Staff Report with Attachments .pdf

Summary:

Ann Arbor Distilling Company, property owners, are requesting a 28 parking space variance from Chapter 59 Off-Street Parking, Section 5:167 Required Parking. The owners are converting 2,305 square feet of production space to event space. The change of use requires additional off-street parking spaces. The property received special exception use approval from the City Planning Commission in July 2017.

Description:

The subject parcel is zoned M1 Limited Industrial district. The overall size of the parcel is approximately 51,000 square feet and the industrial building located on-site is 15,000 square feet. The current parking lot contains 20 off-street parking spaces. Access to the site is enabled by a driveway on Felch Street. The majority of the property is located in a floodplain and is surrounded on three sides by a six foot tall wood fence.

Discussion:

The petitioner is seeking to hold events within its existing production space to include live music, meetings, classes, poetry and book readings, art exhibits and tastings. This change of use increases the parking requirement from 39 spaces to 67 spaces. In November of 1999, the property received a 19 space variance from the Zoning Board of Appeals for a proposed 5,890 square foot addition to the existing building. The additions were never constructed.

Based on the floor plan provided, the current uses require 37 off-street parking spaces as follows:

*4,349 sq. ft. Manufacturing-8 spaces
1,033 sq. ft. Tavern-11 spaces
5,259 sq. ft. Office-16 spaces
4,177 sq. ft. Storage-2 spaces*

Under the current conditions, the site has 2 extra parking spaces (including the 19 space variance)

The proposed uses will require 67 off-street parking spaces as follows:

*788 sq. ft. Manufacturing-2 spaces
1,033 sq. ft. Tavern-11 spaces
3,561 sq. ft. Assembly Hall-36 spaces*

5,259 sq. ft. Office-16 spaces

4,177 sq. ft. Storage-2 spaces

Under the proposed conditions, the site is deficient 28 parking spaces.

Standards for Approval- Variance

The Zoning Board of Appeals shall have the 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 petitioner states that the majority of the patrons that frequent their establishment utilize alternative forms of transportation (walking, biking and ride-sharing). The owners also encourage and promote Uber and Lyft as other forms of transportation. The parking garage located at Miller and Ashley is located 0.3 miles away or an approximate five minute walk.

Questions by Board to Staff:

Boardmember Kirk Westphal inquired about the received correspondence.

Boardmember Julie Weatherbee inquired about any complaints received from the community.

Barrett answered that the correspondence provided was from the July 5, 2017 Planning Commission meeting and explained that since then there have been no complaints or additional correspondence.

DeVarti asked for clarification on the proposed variance.

Barrett explained that the current parking lot has 20 parking spaces. He explained the required amount of parking spaces at the property is 39 spaces, and that the property was granted a 19 space variance in 1999. He then explained that because of the use change in the building, the parking requirement increased from 39 spaces to 67 spaces. The petitioner is requesting a variance of 28 spaces, which would allow them to continue using the parking lot with 20 spaces.

Grant asked if the 19 space variance is valid due to the related projects not being completed.

Barrett answered that the Zoning Board of Appeals is the body with the power to rescind the variance.

Presentation by Petitioner:

Phil Atee, Ann Arbor Distilling Company, explained that the company is seeking to convert a portion of their production space to event space to hold events for the community. He explained that the majority of the events held will be for nonprofits such as the Moth, Jazz Fest, and the Water Hill Music festival. He explained that they have hosted a wedding in the past and do not intend to do so in the future. He explained that the distillery operates later then the office nearby, which allows 14 additional parking spaces. He explained that the space behind the property would not be feasible to construct parking. He also explained that as a business that sells alcohol, they do not promote driving. He added that there is a parking structure within 1000 feet of the business.

DeVarti inquired about the ownership of the concrete structure behind the distillery. He also encouraged enhancing the wetland area behind the distillery. He also suggested creating more parking where the existing building is.

Weatherbee described the support from the community for the Distillery's Site Plan. She expressed support for the requested variance.

Westphal inquired about complaints by patrons regarding parking.

Atee answered that there have not been any complaints from patrons regarding parking.

Carl O. Hueter, 1321 Franklin Boulevard, Ann Arbor, explained that the use of the building is changing, increasing the intensity and that parking is reducing. He expressed opposition for the proposed variance.

Moved by Westphal, seconded by Daniel, in petition ZBA18-012 220 Felch Street

Variance:

Based on the following findings of fact and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS variances and exceptions to these requirements,

providing such variance or exception is in harmony with the general purpose and intent of the requirements.

The following variance from Chapter 59, Section 5:167 per the submitted plans:

1. To allow a variance of 28 parking spaces from the parking requirements.

Board Discussion:

The discussed the surrounding properties, accessible parking spaces, time period of use, parking requirements in Ann Arbor, and walkability.

On a roll call vote, the vote was as follows with the Vice Chair declaring the motion approved. Vote 7-0

Variance GRANTED.

F **PUBLIC HEARINGS**

None.

G **NEW BUSINESS**

None.

H **UNFINISHED BUSINESS**

None.

I **REPORTS AND COMMUNICATIONS**

I-1 **[18-0432](#)** Various Communication to the Zoning Board of Appeals

Attachments: Letter from Graf -Regarding 302 Hoover.pdf, Letter from Krajcovic -Regarding 302 Hoover.pdf, Letter from Law -Regarding 302 Hoover .pdf, Signed letter from members of 2510 Elmwood Ave neighborhood .pdf, Letter from Bawcom -Regarding 2510 Elmwood Ave .pdf, Correspondence from 7-5-2017 Planning Commission Meeting Regarding 220 Felch Street .pdf, Article from DeVarti .pdf

Received and Filed**J PUBLIC COMMENTARY - (3 Minutes per Speaker)****K ADJOURNMENT****Unanimously adjourned.**

Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

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Video on Demand: Replay public meetings at your convenience online at www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.asp
Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

The complete record of this meeting is available in video format at www.a2gov.org/ctn, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>), or is available for a nominal fee by contacting CTN at (734) 794-6150.

Candice Briere
Chairperson of the Zoning Board of Appeals
kvI/