



City of Ann Arbor

Formal Minutes - Final

Zoning Board of Appeals

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

Wednesday, April 24, 2019

6:00 PM

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

A CALL TO ORDER

Chair Briere called the meeting to order at 6:00 p.m.

B ROLL CALL

Present: 9 - Candice Briere, David DeVarti, Michael Dobmeier, Michael B. Daniel, Nicole Eisenmann, Todd Grant, Julie Weatherbee, Charlotte Wilson, and Elizabeth Nelson

C APPROVAL OF AGENDA

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

D APPROVAL OF MINUTES

D-1 [19-0714](#) Zoning Board of Appeals Meeting Minutes of March 27, 2019

Attachments: 3-27-2019 ZBA Minutes .pdf

Moved by Eisenmann, seconded by Wilson, approved by the Board and forwarded to the City Council.

E PUBLIC HEARINGS

E-1 [19-0715](#) ZBA19-008; 2115 Woodside Road
Giraffe Design Build, representing the property owners, are requesting a variance from Chapter 55 Unified Development Code (UDC) Table 5:17-1 Single-Family Residential Zoning District Dimensions. The petitioners are seeking to demolish an existing non-conforming garage and replace with an 890 square foot garage, storage area and mudroom connecting to the main residence. The new garage would be 15 feet from the rear property line resulting in a 25 foot variance from the required 40 foot rear setback.

Attachments: ZBA19-008; 2115 Woodside Staff Report with Attachments .pdf

City of Ann Arbor Zoning Coordinator Jon Barrett presented the Staff report.

QUESTIONS FROM BOARD TO STAFF:

None.

PRESENTATION BY PETITIONER:

Jason Ennis, representing the property owner explained that the proposal is to demolish the existing garage and rebuild a larger garage attached to the home. Due to a power line placement, the garage would be approximately three feet from the existing home, so the request is to attach the garage. He explained that he believes there would be no visual impact to the neighboring properties and that the garage construction location would keep the garage in the character of the neighborhood.

Boardmember Mike Dobmeier inquired about the powerline issue.

Ennis explained that a 15 foot setback is required by DTE otherwise DTE does not provide power to the structure.

Elizabeth Nelson inquired if the new garage would have power.

Ennis explained that DTE said new structures must be greater than 15 feet from the power line.

Barrett explained the DTE easement

DeVarti explained that he does not believe that DTE has easements on properties.

Dobmeier inquired about why the garage is being replaced.

Ennis explained the need for an update to the garage and patio, the only other option is having a garage very close to the front of the home, which would leave a three foot gap, and further explained that from a character of the neighborhood standpoint it is the best solution to attach the garage.

PUBLIC HEARING:

Seeing no speakers, Chair Briere closed the Public Hearing.

**Moved by Daniel, seconded by Dobmeier in petition ZBA19-008;
2115 Woodside Road**

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 variance from Chapter 55 Unified Development Code Table 5:17-1 Single-Family Residential Zoning District Dimensions:

A variance of 25 feet from the 40 foot required rear setback to allow construction of an 890 square foot garage, storage area and mudroom connection to the main residence. The variance will result in a 15 foot rear yard setback. The construction 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 the DTE easement and the standards for granting variances.

On a roll call vote, the vote was as follows with the Chair declaring

the motion denied.

Yeas: 0

Nays: 9 - Chair Briere, DeVarti, Vice Chair Dobmeier, Daniel, Eisenmann, Grant, Weatherbee, Wilson, and Councilmember Nelson

F UNFINISHED BUSINESS

G NEW BUSINESS

G-1 Election of Officers

Candice Briere was appointed to Chair. DeVarti was appointed to Vice Chair.

Approved as presented

G-2 [19-0804](#) ZBA Bylaws

Attachments: ZBA Bylaws .pdf

Moved by Weatherbee, seconded by Daniel, to approve the ZBA Bylaws as presented.

Approved Unanimously.

H REPORTS AND COMMUNICATIONS

H-1 [19-0716](#) Various Communication to the ZBA

Received and Filed

I PUBLIC COMMENTARY - (3 Minutes per Speaker)

J ADJOURNMENT

Moved by Wilson, seconded by Daniel, to adjourn at 6:30 p.m.

Unanimously adjourned.

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Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.

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Candice Briere, Chairperson of the Zoning Board of Appeals

/kvl