



City of Ann Arbor

Formal Minutes

Zoning Board of Appeals

301 E. Huron St.
Ann Arbor, MI 48104
[http://a2gov.legistar.com/
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Wednesday, June 24, 2020

6:00 PM

Electronic Meeting

This meeting will be broadcast live on CTN Cable Channel 16, ATT Channel 99, and online at a2gov.org/watchCTN

To speak at public comment call: 888 788 0099

Enter Meeting ID: 983 4215 7975

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A CALL TO ORDER

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

B ROLL CALL

Chris Fraleigh joined the meeting at of 6:15 PM

Present: 9 - Candice Briere, David DeVarti, Michael B. Daniel, Nicole Eisenmann, Todd Grant, Charlotte Wilson, Elizabeth Nelson, Chris Fraleigh, and Julia Goode

C APPROVAL OF AGENDA

Moved by Nelson, seconded by Grant, approved unanimously as presented.

D APPROVAL OF MINUTES

D-1 [20-0934](#) Minutes of the May 27, 2020 ZBA Meeting

Attachments: 5-27-2020 ZBA Minutes.pdf

Moved by Wilson, seconded by DeVarti, approved unanimously as presented and forwarded to the City Council.

E PUBLIC HEARINGS

Comments about a proposed project are most constructive when they relate to: (1) City Code requirements, or (2) additional information about the area around the applicant's property and the extent to which a proposed project may positively or negatively affect the area.

- E-1** **20-0953** ZBA20-005; 7 Ridgeway Street WITHDRAWN
(Returning Item from April 22, 2020)
O/X Studio, c/o Robert Burroughs, representing property owner, is seeking a variance from Section 5.15.5 Averaging an Established Front Building Line and Table 5-17.1 Single-Family Residential Zoning Districts. The applicant is requesting to reduce the required front setback of 40 feet to 30 feet, and the rear yard setback requirement of 30 feet to 20 feet. Currently, there are no plans for new home construction.
- Attachments:** ZBA20-005; 7 Ridgeway St Staff Report with Attachments 6-24-2020.pdf, 7 Ridgeway Communication 4-24-2020 ZBA Meeting.pdf, ZBA20-005; 7 Ridgeway St Staff Report with Attachments 4-24-2020 ZBA Meeting.pdf

Withdrawn

- E-2** **20-0935** ZBA20-012; 508 Elm Street
Scott Klaassen, representing property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure. The subject property is zoned R4C Multiple-Family Dwelling and is nonconforming as it does not meet the required lot area and required rear setback for the district. The applicant is seeking to increase the size and area of an existing dormer at the rear of the home. The required rear yard setback is 30 feet and the residence is located 20 feet from the rear setback
- Attachments:** ZBA20-012; 508 Elm St Staff Report with Attachments.pdf
- City of Ann Arbor Zoning Coordinator Jon Barrett presented the Staff Report.*

QUESTIONS FROM BOARD TO STAFF

Board Member Julia Goode inquired about the current state of subject property, explaining that it appears to be under construction.

Barrett explained that the subject property is an active construction site.

Council Member Elizabeth Nelson inquired where the applicant is in the construction process.

Barrett answered that if the variance is not granted, the applicants can continue their construction, however they will not be permitted to construct the proposed request.

Board Member DeVarti inquired about parking requirements at the site and about the fire escapes and emergency access.

Barrett answered that one parking space is required, and that the applicant meets the requirement.

PRESENTATION BY PETITIONER

Scott Klassen, representing the property owner of 508 Elm Street, explained the proposed request for a rear dormer.

DeVarti inquired about emergency access at the site.

Klassen explained that the existing exterior fire escape is to be removed as it is not required by code, and that there will be compliant egress.

Nelson inquired about the rental process, room configuration, and parking.

Klassen explained that the property is rented to 6 people, and due to being in an area where many students live, not all renters bring cars. Klassen explained that the proposed bathrooms are not attached to the bedrooms.

PUBLIC HEARING

Seeing no callers, Chair Briere closed the Public Hearing.

**Moved by DeVarti, seconded by Eisenmann, in Petition ZBA20-012:
508 Elm Street**

Alteration to a Nonconforming Structure:

The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming Structure to allow the expansion of the existing rear dormer.

BOARD DISCUSSION

The Board discussed that no increase in bedrooms is proposed.

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

Yeas: 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Nays: 0

- E-3** [20-0944](#) ZBA20-013; 625 North Fourth Avenue
Rob Fowler, representing property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure. The subject property is zoned R4C Multiple-Family Dwelling and is a nonconforming duplex that does not meet the required lot area, lot width and setbacks for the district. The applicant is seeking to add habitable space in the basement to construct two new bedrooms and a bathroom to each unit. The proposed construction will alter each unit from a one-bedroom one-bathroom to a three-bedroom two-bathroom.

Attachments: ZBA20-013; 625 N Fourth Ave Staff Report with Attachments.pdf

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

QUESTIONS FROM BOARD TO STAFF

Board Member Chris Fraleigh inquired about the building footprint.

Barrett answered that the building foot print is not proposed to be increased, and that the applicant is seeking to add habitable space.

Goode inquired about the location of the basement egress windows.

PRESENTATION BY PETITIONER

Rob Fowler, representing the property owner of 625 North Fourth Ave,

explained that the request is to increase habitable space at the site by finishing the basement. Fowler also explained that the front porch will be reconfigured to allow for the proposed egress windows.

Board Member Nicole Eisenmann clarified the basement window location.

DeVarti inquired about the basement ceiling height.

Fowler answered, 7 feet.

PUBLIC HEARING

Alicia Judit, 536 N Main Street, Ann Arbor, expressed concern with the maintenance of the subject property, explaining that it has not been maintained well in the past. Judit further expressed concern with the quality of the construction.

Caller ending in 102 inquired about the exterior materials for the proposed project.

John Beranek, 620 N Fourth Ave, Ann Arbor, clarified that the neighborhood is not exclusively a student neighborhood, that young families and young professionals also live there. Beranek also expressed concern with parking, and with the quality of the rental that is proposed to be constructed.

Fowler responded, explaining that the intention is to do a complete exterior remodel with vinyl siding, new windows, and a new roof.

Goode inquired about the possibility of asbestos siding.

Fowler answered that siding will be tested, and then if needed, taken care of per the requirements.

**Moved by Eisenmann, seconded by Fraleigh, in Petition ZBA20-013;
625 North Fourth Avenue**

Alteration to a Nonconforming Structure:

**The Zoning Board of Appeals hereby GRANTS relief from Section
5.32.2 Alteration to a Nonconforming Structure to allow the**

construction of 4 bedrooms and 2 bathrooms in the existing duplex basement. This construction will result in a total of 2 units each with 3 bedrooms and 2 bathrooms.

BOARD DISCUSSION

The board discussed the exterior materials, the neighborhood composition, and density of the site.

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

Yeas: 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Nays: 0

- E-4** **20-0945** ZBA20-014; 1502 Long Shore Drive
Wladyslaw Fuchs, property owner, is seeking a variance from Section 5.18.5 Averaging an Established Front Building Line. The subject property is zoned R1B, Single-Family and the average front setback is 37 feet 6 inches. The applicant is seeking to reduce the front setback to 30 feet in order to complete an addition that will increase the existing home from 1,016 square feet in size to 2,178 square feet in size with a 200 square foot terrace above the garage.

Attachments: ZBA20-014; 1502 Long Shore Dr Staff Report with Attachments.pdf

Barrett presented the Staff Report

QUESTIONS FROM BOARD TO STAFF

DeVarti inquired about the required setback for the zoning, if the property was not required to have an averaged setback.

Barrett answered 30 feet.

Goode inquired about efficiency at the site as it relates to the applicant's listed hardship.

Fraleigh inquired about the demolition of the existing garage.

PRESENTATION BY PETITIONER

Wladyslaw Fuchs, property owner, explained that there are design

limitations due to the property being a corner lot and subject to two front yard setback requirements. Fuchs explained that 23% of the property is available for construction, compared to neighboring properties having 30% to 50% of their lots able to be developed. Fuchs further explained that the proposed design is energy efficient due to having fewer exterior walls, and that adding height to the building would not be efficient or consistent with the neighborhood character.

Grant inquired about alternate building plans, and if a two story home would impact the view of the neighbors.

Fuchs answered that a variance would still be needed, and that some view would be impacted.

Fraleigh discussed two story construction, and inquired about building height.

Barrett answered that there are height limitations.

DeVarti inquired about the garage, and about communication between the applicant and neighbors about the proposed project.

Fuchs answered that he is proposing to keep the garage to be used as an art studio, and that he spoke to neighbors and neighbors were supportive.

Goode clarified the variance request.

PUBLIC HEARING

Tom Craft, (Address unknown) explained that he is a neighbor of 1502 Long Shore Drive and expressed support for the proposed addition.

ZBA20-014; 1502 Long Shore Drive

Variance:

Based on the following findings and in accordance with the established standards for approval, the Zoning Moved by DeVarti, seconded by Daniel, in Petition ZBA20-014; 1502 Long Shore Drive, the Zoning Board of Appeals hereby GRANTS the following variance from Chapter 55 Unified Development Code Section 5.18.5 Averaging an Established Front Building Line

A variance 7 feet and 6 inches from the required front setback in order to construct a 1,162 square foot addition with a 200 square foot terrace above the garage.

BOARD DISCUSSION

The board discussed the building envelope at the site , the size of the site, and the standards for approving a variance.

On a roll call vote the vote was as follows with the Chair declaring the motion failed.

Variance Denied.

Yeas: 3 - Daniel, Councilmember Nelson, and Fraleigh

Nays: 6 - Chair Briere, DeVarti, Eisenmann, Grant, Wilson, and Goode

E-5 [20-0946](#) ZBA20-015; 120 Packard Street
Satyanarayan Chada, property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure. The subject property is zoned R4C Multiple-Family Dwelling. The structure is a single-family home that is

Attachments: ZBA20-015; 120 Packard St Staff Report with Attachments.pdf, Porch Dimensions.pdf

Barrett presented the Staff Report.

QUESTIONS FROM BOARD TO STAFF

Eisenmann inquired about porch access from the inside of the house.

Barrett confirmed that there is access to the porch from the inside of the house.

Wilson asked if the porch is original to the house.

DeVarti clarified that the request is to keep the existing porch.

Fraleigh expressed support for the alteration.

Grant and Goode inquired about the history of this request.

Barrett answered that due to the use change, and the proposed plans that

were previously approved that included removing the porch, permission from the ZBA to keep the porch is needed.

PRESENTATION BY PETITIONER

Satyanarayan Chada, property owner, explained the proposed request. He explained that he intended to remove the porch, but after living in the home after the building plans were approved, he realized that the porch is an asset to the home and requested to keep it.

Eisenmann inquired if applicant has any plans to enclose the porch.

Chada answered that there are no plans to enclose the porch.

PUBLIC HEARING

Seeing no speakers, Chair Briere closed the Public Hearing.

Moved by DeVarti, seconded by Fraleigh in Petition ZBA20-015; 120 Packard Street

Alteration to a Nonconforming Structure:

The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming Structure to allow the existing 22 foot by 11 foot covered porch on the east side of the home to remain in it's current location.

The board discussed the conditions of the site, the proposed plans, and the process of the request.

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

Yeas: 9 - Chair Briere, DeVarti, Daniel, Eisenmann, Grant, Wilson, Councilmember Nelson, Fraleigh, and Goode

Nays: 0

F UNFINISHED BUSINESS

G NEW BUSINESS

H COMMUNICATIONS**H-1 [20-0947](#) Various Communication to the Zoning Board of Appeals**

Attachments: Email from Salvesen 6-7-2020.pdf, Email from Salvesen 6-18-2020.pdf, Email from Salvesen 6-19-2020.pdf, Email from Coffin 6-19-2020.pdf, Email from Lebold 6-19-2020.pdf, Email from Bass 6-19-2020 with attached 4-2020 letter.pdf, Email from Markley 6-18-2020.pdf, Email from Borkin 6-18-2020.pdf, Email from Freeley-Harnik 6-19-2020.pdf, Email from Shore 6-22-2020.pdf, Email from Pieknik.pdf

Received and Filed**I PUBLIC COMMENTARY - (3 Minutes per Speaker)**

Seeing no speakers, Chair Briere closed audience participation.

J ADJOURNMENT

Moved by Nelson, seconded by DeVarti to adjourn the meeting at 8:34 p.m.

Unanimously adjourned.

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Candice Briere, Chairperson of the Zoning Board of Appeals

/kvl