



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](http://a2gov.legistar.com/Calendar.aspx)

Wednesday, September 28, 2022

6:00 PM

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

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

Public commentary can be made in person or by calling: 877 853 5247 or 888 788 0099

Enter Meeting ID 938 1648 1007

Members of the public can attend this meeting in person, through the webinar link, or by phone. Both
the phone number and weblink are available below:

For phone access, please call 877-853-5247 and Enter Meeting ID: 938 1648 1007

For access via zoom, please click this URL to join:

<https://a2gov.zoom.us/j/93816481007?pwd=Tm1abDFtRnJ3SXZ0L2FvMWNBMIh6dz09>
Passcode: 070269

A **CALL TO ORDER**

Chair Briere called the meeting to order at 6:01 PM.

B **ROLL CALL**

Chair Briere called the roll.

Others present:

Matt Kowalski, City Planner

Courtney Manor, City Staff

Present: 8 - Candice Briere, David DeVarti, Michael B. Daniel, Todd
Grant, Elizabeth Nelson, Julia Goode, Christopher
Madigan, and Kristina A. Glusac

C **APPROVAL OF AGENDA**

**Moved by Dave DeVarti, seconded by Julia Goode, to approve
agenda. Agenda was unanimously approved as presented.**

D **APPROVAL OF MINUTES****D-1** **22-1496**

August 24,2022 ZBA Meeting Minutes

Attachments: August 24 2022 ZBA Meeting Minutes.pdf

Moved by Kristina Glusac, seconded by DeVarti to Approve the August 24, 2022 ZBA meeting minutes.

Minutes were unanimously approved and forwarded to City Council.

E **PUBLIC HEARINGS****E-1** **22-1497** **Enactment No:**

Attachments: Staff Report ZBA22-2016; 700 Barton Dr.pdf, 700 Barton Dr Zoning Map.pdf, 700 Barton Dr Aerial Map.pdf, 700 Barton Dr Aerial Map Zoom.pdf, Email in support of 700 Barton Drive 9-7-2022.pdf

Moved by DeVarti, seconded by Chris Madigan in Petition of ZBA22-2016; 700 Barton Drive.

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS a variance of 14 feet 9 inches from Section 5.18.5 (Averaging an existing front setback) to construct a detached single-car garage along Chandler Road. The required averaged setback is 35 feet. The addition is to be built per the submitted plans.

ZBA22-2016; 700 Barton Drive; [Postponed from August ZBA Meeting]

Rodger Bowser, property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure and a variance of 14 feet 9 inches from Section 5.18.5 (Averaging an existing front setback) to construct a detached single-car garage along Chandler Road. The required averaged setback is 35 feet. The property is zoned R1C, Single-Family Dwelling District.

APPLICANT/REPRESENTATIVE:

Rodger Bowser, owner, presented the proposed request.

PUBLIC HEARING:

Seeing no speakers, Chair Briere closed the Public Hearing.

22-1497

Enactment No:

**Approved by the
Commission**

On a roll call vote the vote was as follows with Chair Briere declaring the request GRANTED. 8-0.

Yeas: 8 - Chair Briere, DeVarti, Daniel, Grant, Councilmember Nelson, Goode, Madigan, and Glusac

Nays: 0

BOARD DISCUSSION:

Board members Glusac, Grant and Madigan expressed support of proposed request and stated they would be voting yes. Board member Daniel expressed he would be voting yes.

Board member DeVarti expressed he was torn on voting yes.

E-2

22-1498

Enactment No:

Attachments: Staff Report ZBA22-2018; 2394 Winewood.pdf, 2394 Winewood Ave Zoning Map.pdf, 2394 Winewood Ave Aerial Map.pdf, 2394 Winewood Ave Aerial Map Zoom.pdf, Solar consultant report.pdf

Moved by DeVarti, seconded by Elizabeth Nelson in Petition of ZBA22-2018, 2394 Winewood Avenue.

Based on the following findings and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS a variance from Section 5.16.3.G.7 Use Specific Standards of 6% from the requirement that 10% of a grow facilities energy use must come from Solar Panels on the site. Petitioner can only provide 4% of total energy use via solar panels on site.

ZBA22-2018; 2394 Winewood Avenue

Eric Parkhurst, Parkhurst Services, LLC., is requesting a variance from Section 5.16.3.G.7 Use Specific Standards. A requested variance of 6% from the requirement that 10% of a grow facilities energy use must come from Solar Panels on the site. Petitioner can only provide 4% of total energy use via solar panels on site. The property is zoned M1, Industrial District.

APPLICANT/REPRESENTATIVE:

Eric Parkhurst, business owner, presented the proposed request.

PUBLIC HEARING:

Seeing no speakers, Chair Briere closed the Public Hearing.

22-1498

Enactment No:

**Approved by the
Commission**

On a roll call vote the vote was as follows with Chair Briere declaring the request GRANTED. Vote 6-2.

Yeas: 6 - Chair Briere, DeVarti, Daniel, Grant, Councilmember Nelson, and Glusac

Nays: 2 - Goode, and Madigan

BOARD DISCUSSION:

Board member Madigan states request doesn't meet required standards and that he will vote no.

Board member DeVarti and Goode discussed the proposed request.

E-3

22-1499

Enactment No:

Attachments: Staff Report ZBA22-2020; 300 Montgomery Ave.pdf, 300 Montgomery Ave Zoning Map.pdf, 300 Montgomery Ave Aerial Map.pdf, 300 Montgomery Ave Aerial Map Zoom.pdf, Email in support 300 Montgomery 9-7-2022.pdf

Moved by DeVarti, seconded by Madigan in Petition of ZBA22-2020; 300 Montgomery Avenue.

The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming -Structure to add a second story to the existing garage. The garage encroaches three inches into the side yard setback and two inches into the rear yard setback. The construction must comply with the submitted plans.

ZBA22-2020; 300 Montgomery Avenue

Ryan Beekman, property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure in order to add a second story to the existing garage. The garage encroaches three inches into the side yard setback and two inches into the rear yard setback. The required setback is 3 feet for accessory buildings. The property is zoned R2A, Two-Family

Dwelling District.

APPLICANT/REPRESENTATIVE:

Ryan Beekman, property owner, presented the proposed request.

PUBLIC HEARING:

Seeing no speakers, Chair Briere closed the Public Hearing.

22-1499

Enactment No:

**Approved by the
Commission**

On a roll call vote the vote was as follows with Chair Briere declaring the request GRANTED. Vote 8-0.

Yeas: 8 - Chair Briere, DeVarti, Daniel, Grant, Councilmember Nelson, Goode, Madigan, and Glusac

Nays: 0

BOARD DISCUSSION:

Board member Madigan expressed his support for the proposed request.

E-4

22-1500

Enactment No:

Attachments: Staff Report ZBA22-2022; 912 Mary.pdf, 912 Mary St Zoning Map.pdf, 912 Mary St Aerial Map.pdf, 912 Mary St Aerial Map Zoom.pdf, Email of support 912 Mary St 9-7-2022.pdf

Moved by DeVarti, seconded by Glusac in Petition of ZBA22-2022; 912 Mary Street.

The Zoning Board of Appeals hereby GRANTS relief from Section 5.32.2 Alteration to a Nonconforming -Structure to allow for additions to the existing nonconforming structure. The building is currently a certified five-unit rental which will be reduced to four units and is nonconforming for lot area and side setbacks. The construction must comply with the submitted plans.

ZBA22-2022: 912 Mary Street

Satch Chada, property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure to allow for additions to the existing nonconforming structure. The building is currently a certified five-unit rental that is nonconforming for lot area and side setbacks. The owners seek to renovate the entire structure with complete interior alterations and several

small additions that will decrease the number of existing units by one unit for a total of four units. The additions will not encroach further into the side setbacks. All setbacks will remain unchanged. The property is zoned R4C, Multiple- Family.

APPLICANT/REPRESENTATIVE:

Satch Chada, property owner, presented the proposed request.

PUBLIC HEARING:

Seeing no callers, Chair Briere closed the Public Hearing.

22-1500

Enactment No:

**Approved by the
Commission**

On a roll call vote the vote was as follows with Chair Briere declaring the request GRANTED. Vote 8-0.

Yeas: 8 - Chair Briere, DeVarti, Daniel, Grant, Councilmember Nelson, Goode, Madigan, and Glusac

Nays: 0

BOARD DISCUSSION:

Board member Nelson expressed concern of housing competition between owners of rental housing in City. Board member Goode expressed support for Nelson's concern.

Board members Daniel, DeVarti, Grant, Madigan and Goode expressed support for the proposed request.

F UNFINISHED BUSINESS

None.

G NEW BUSINESS

None.

H COMMUNICATIONS

H-1

22-1501

Enactment No:

Received and Filed

Received and Filed

Various communication to the ZBA

I PUBLIC COMMENTARY - (3 Minutes per Speaker)

No Speakers.

J ADJOURNMENT

Moved by DeVarti Seconded by Goode to adjourn the meeting at 7:46 PM.

Candice Briere, Chairperson

Matt Kowalski, City Planner
/courtney manor

eComments for the Board may be left via our Legistar calendar page (column to the very right)
<http://a2gov.legistar.com/Calendar.aspx>

Zoning Board of Appeals meetings are typically held the fourth Wednesday of each month. All persons are encouraged to participate in public meetings. Persons requiring translation or sign language services or other accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org ; or by written request addressed and mailed to: City Clerk's Office, 301 E. Huron St., Ann Arbor, MI 48104. Requests need to be received at least two (2) business days in advance of the meeting.

Zoning Board of Appeals meeting agendas and packets are available from the Legislative Information Center on the City Clerk's page of the City's website (<http://a2gov.legistar.com/Calendar.aspx>). Zoning Board of Appeals meetings have transitioned to a hybrid meeting model. The City of Ann Arbor highly encourages the public to view and participate in public meetings remotely due to the high COVID-19 transmission rate in Washtenaw County. In order to prevent the transmission of COVID-19, protect the health of meeting attendees, minimize the possibility of disrupting the meeting, and thereby promote public participation by creating a safer meeting environment, City Council has established a regulation that all in-person attendees at meetings are required to wear a mask. See the Mask Requirement signage that is posted throughout City Hall. The City of Ann Arbor has existing COVID-19 safety rules that are required of visitors entering city facilities. If you choose to attend a meeting in-person, the following safety rules are expected to be observed. These include:

Masks - Required in Council Chambers. Masks are available at the guest services desk in the lobby of Larcom City Hall.

Physical Distancing - Individuals should be physically distanced from one another at least 6 feet.

Illness - Anyone diagnosed with COVID-19, who has symptoms of COVID-19, or has had recent close contact with someone with COVID-19, should not attend a public meeting.