



**APPROVED MINUTES OF THE REGULAR MEETING OF  
THE ZONING BOARD OF APPEALS OF THE CITY OF ANN ARBOR  
October 27, 2010**

The Regular Session of the Zoning Board of Appeals was held on Wednesday, October 27, 2010 at 6:00 p.m. in City Council Chambers, 100 N. Fifth Avenue, A2, MI. The meeting was called to order at 6:00 p.m. by Chairperson Carol Kuhnke.

**ROLL CALL**

Members Present: (9) D. Gregorka, S. Briere, C. Briere, E. Brigg8\, C. Kuhnke, D. Gregorka, J. Boggs, W. Carman and A. Milshteyn (arr. @ 6:13 p.m.)

Members Absent: (0)

Staff Present: (1) M. Kowalski

Introductions – The Board welcomed its newest member, Mr. Jason Boggs

**A – APPROVAL OF AGENDA**

A-1 - The Agenda was approved as presented.

**B - APPROVAL OF MINUTES -**

B-1 Draft Minutes of the July 28, 2010 Regular Session – Moved by D. Gregorka, Seconded by S, Brier, “To accept the July 28, 2010 minutes as presented.”

**On a Voice Vote – MOTION TO APPROVE – *PASSED - Unanimous***

**C - APPEALS & ACTION**

**C-1 ZBA10-011 – 1201 South Revena**

**Description and Discussion**

Alice Michael is requesting Permission to Alter a Non-Conforming Structure and one variance from **Chapter 55 (Zoning) Section 5:29** (R1D, Single Family): a reduction of 8 feet 4 inches for expansion of an existing residential structure into the front setback; 16 feet 2 inches is the front setback required (Chapter 55, Section 5:58 allows a minimum 25 feet for building width on corner lots).

The house was built in 1927 and is 1,650 square feet. The house is non-conforming for the Washington Street front setback. The house is conforming for the South Revena front setback, as well as the side and rear setbacks. The parcel is a corner lot, and the minimum front setback for the R1D district is 25 feet, but application of this setback along Washington would result in less than a 25 foot wide building envelope. Chapter 55, Section 5:58 states that “Any corner lot shall have a minimum required open space on the side street equal to the required front open space of the zoning district in which it is located; provided, however, that this does not reduce the width suitable for a building on any lot of record to less than 25 feet.”

- 103 1. This particular lot is very narrow and is an unusual condition within the city;
- 104
- 105 2. The hardships and practical difficulties in this situation do include more than just
- 106 a mere inconvenience or ability to obtain a higher financial return;
- 107
- 108 3. This project has strong neighborhood support as is evidenced by sixteen letters
- 109 of support;
- 110
- 111 4. The house will still occupy the same footprint as it currently occupies;
- 112
- 113 5. The circumstances are not self-imposed; and
- 114
- 115 6. The variance request is the minimum necessary to achieve reasonable use of the
- 116 structure.
- 117

118 **On a Voice Vote – MOTION TO APPROVE – PASSED – UNANIMOUS**  
 119 ***Variance Granted***

120

121

122 **MOTION #2**

123

124 Moved by D. Gregorka, Seconded by S. Briere, “That in the case of ZBA10-011,

125 201 South Revena Boulevard, the Board grants Permission to Alter a Non-Conforming

126 Structure with the following findings of fact, based on the submitted plans:

- 127
- 128 1. This alteration complies as nearly as practicable with the requirements of the
- 129 Zoning Chapter;
- 130
- 131 2. This structure was built well before the current requirements and given that the
- 132 new structure is being built within the footprint that it meets that standard; and
- 133
- 134 3. It will not have a detrimental effect on the neighboring properties as evidenced by
- 135 the neighborhood support.”
- 136

137 **On a Voice Vote – MOTION TO APPROVE – PASSED – UNANIMOUS**  
 138 ***Permission to Alter a Non-Conforming Structure - Approved.***

139

140 **D. OLD BUSINESS** – Rules discussion. Still awaiting the ‘approved’ version of the

141 changes to the ZBA rules. These were submitted in July of 2010.

142

143 **E. NEW BUSINESS** – None.

144

145 **F. REPORTS & COMMUNICATIONS** – None.

146

147 **AUDIENCE PARTICIPATION – GENERAL** – None.

148

149 **ADJOURNMENT**

150

151 Moved by C. Briere, Seconded by A. Milshteyn “that the meeting be adjourned.”

152

153 **On a Voice Vote – MOTION TO ADJOURN - PASSED - UNANIMOUS**

154

155 Adjournment – 6:20 p.m. (Submitted by: Brenda Acquaviva, Administrative Support  
156 Specialist V – Zoning Board of Appeals)

157  
158  
159

160 *Carol Kuhnke*

161 ~~Carol Kuhnke~~, Chairperson

12/15/10

Dated ZBA Minutes

162 *Kathryn L. Lomis, Vice Chair*

163 \*Note: The complete record of this meeting is available in video format at  
164 <http://a2govtv.pegcentral.com/index.php> or is available for a nominal fee by contacting CTN at  
165 (734) 794-6150.