

**ANN ARBOR CHARTER TOWNSHIP
ZONING BOARD OF APPEALS MINUTES
TUESDAY, FEBRUARY 21, 2017**

I. ROLL CALL

At 4:00 pm the meeting was called to order by Chair Lee Gorman.

Present: Chair Lee Gorman, Commissioners Bud Collins and Bill Burlingame, and Clerk Rena Basch

Absent: Commissioner Margaret Hedstrom

Also present: Township Supervisor Michael Moran, Township Engineer Eric Humesky, and Zoning Administrator Sally Elmiger from Carlisle/Wortman Associates

II. APPROVAL OF MINUTES – Basch pointed out two typos on page 2 of the January minutes. **Burlingame moved to approve the meeting minutes of January 17, 2017 with the corrections. Collins seconded. Motion passed.**

III. OLD BUSINESS - None

IV. NEW BUSINESS

A. ZBA-1-2017: Applicant Ann Arbor Charter Township proposes to construct seventeen new parking spaces and a driveway at Township Hall/Fire Station 1, 3792 Pontiac Trail, Ann Arbor, MI 48105 (parcel ID I -09-09-100-022) and on a portion of the adjacent property to the north (parcel ID I -09-09-100-021). The petitioner is requesting two variances to construct the parking lot and driveway: 1) from Section 74-762(b)(2) to allow construction of two parking spaces in the front yard setback; 2) from Section 74-762, to permit location of the driveway within 50-feet of a parcel zoned for single-family detached residential use.

1. Petitioner presentation: Supervisor Moran presented the application and gave some background on the parking expansion project which adds 17 spaces and a driveway access to improve traffic flow. During elections every two years, and especially every 4 years, and for some large attendance meetings, parking at Township Hall is extremely challenging and somewhat dangerous particularly at night. The Township has investigated acquiring more land for parking. Recently a parcel with Pontiac Trail access just north of the Township parcel was purchased by a company owned by Gary Kade, Board of Review member and husband to Township Treasurer Della DiPietro. They are likely to build residences on this 11 acre parcel in the future, and so are interested in working jointly with the Township to put in a private road to access the land. The Township has already worked with the County Water Resources department to manage the storm water, digging test pits, etc. before agreeing to a final design of an enlarged retention pond and swale. Two large trees on the Township property will have to be removed, and the Township Board has already voted to contribute \$30k in what would have been tree mitigation to

landscaping for the Dixboro Road Shared Use Trail project. Moran confirmed that the road commission has given approval and does not require addition of a turn lane or wider shoulder. Moran displayed a large scale drawing of the project, and went through the special circumstances and conditions that exist on this parcel which basically necessitates the proposed parking design and location.

2. Zoning Official's report: Sally Elmiger reviewed her written report. She evaluated the two variance requests against the Zoning Ordinances and requirements. The first variance from Section 74-762(b)(2) is to allow construction of 2 parking spaces in the front yard setback. Elmiger said the current parking lot is in the front yard setback, creating a special condition unique to this site. The design does not extend the parking lot any closer to Pontiac Trail, hence the existing nonconformity remains the same, as does safety. There is really no other location to put these 2 parking spaces. The second variance request from Section 74-762 is for a 20-foot setback variance to locate the driveway within 50-feet of a neighboring residential parcel. In this case the parcel in question is only 66-feet wide. The current property owner would need a variance to put in any access drive or private road. Elmiger's report indicates that special circumstances exist on site due to the existing configuration of the parking lot and the narrowness of the neighboring parcel, and the proposed project will provide a safer vehicle environment and not have adverse impacts.
3. Public Hearing: Gorman opened the public hearing at 4:18 pm
 - a. Gary Kade, 121 N. Dixboro Road. Thanked neighbor to the north, Dan Rohraff, for cutting the grass for the last 20 years. His company, Green Communities, owns the property, not him personally. Gary reported he has been at the Township Hall for busy meetings and people were parked everywhere. He believes the proposed design seems like a very good solution to several problems, and fully supports it.
 - b. Dan Rohraff, 3816 Pontiac Trail. Mr. Rohraff is concerned about water running into his drain field. Township Engineer Humesky reviewed the storm water management design plans, which should reduce the amount of water ending up on Rohraff's land.
 - c. John Wurster, 3788 Pontiac Trail. Mr. Wurster owns the adjoining properties to the east and south of the subject parcel and the Township Hall. He is concerned with 1) water running over his property, 2) what tree removal will be happening and whether tree mitigation will take place, and 3) whether driver site line issues along Pontiac Trail have been addressed. Moran and Humesky addressed and answered his concerns.

Gorman closed the public hearing at 4:29 pm

4. Board questions were mostly addressed during the public hearing and presentations. Concerns about stormwater management were reviewed. Burlingame confirmed that maintenance will be assumed by the Township in the

future. Basch shared that for the November 8, 2018 election, over 800 voters came in person to Township Hall.

5. Zoning Board of Appeals actions

- a. **Collins moved to grant a 28 ft. front yard setback variance to locate two new parking spaces within the front yard setback along Pontiac Trail from Zoning Code Section 74-762(b)(1) that states that off street parking spaces shall not be located in the required front yard or within the required yard along any street. Burlingame seconded. Motion passed unanimously.**
- b. **Collins moved to grant a 20 ft. setback variance to locate the driveway within 50 ft. of a residentially-zoned parcel from Zoning Code Section 74-762(b)(2) which states that a driveway servicing properties zoned or used for other than single-family residential uses shall be located a minimum of 50 ft. away from any property line which is adjacent to a parcel zoned for single-family detached residential use. Burlingame seconded. Motion passed unanimously.**

V. **PUBLIC COMMENT** – None.

VI. **NON-AGENDA or INFORMATIONAL ITEMS** – None.

VII. **ADJOURNMENT**

Collins moved to adjourn at 4:34; Burlingame seconded. Motion passed.