

**ZONING BOARD OF APPEALS
MEETING MINUTES
October 26, 2016
CITY COUNCIL CHAMBER
7:00 P.M.**

1. CALL TO ORDER

The meeting was called to order at 7:03 pm.

II. ROLL CALL

Present: J. Bailey, T. Roach, J. Albers, J. Talaga, H. Khan

Staff: C. Kochanek, Associate Planner
N. Schuette, Executive Secretary

Chairman Bailey welcomed a new member, Cisco Garcia, to the board.

III. APPROVAL OF MINUTES

Commissioner Albers moved to approve the minutes of September 28, 2016 (Support: T. Roach) and the motion carried unanimously.

IV. PURPOSE OF MEETING

Chairman Bailey stated the purpose of the meeting.

V. OLD BUSINESS

None

VI. NEW BUSINESS

1. Variance – 213 S. Hamilton

Ms. Kochanek, Associate Planner, gave a presentation in which she stated that this is a request for approval of a dimensional variance, to allow the garage to be expanded over the maximum size allowed for an accessory structure. Staff is recommending denial and she detailed her findings on the reason for denial.

She stated that this property is on 0.28 acres with frontage on the east side of Hamilton St. There is an existing 2,100 sq. ft. single story duplex with driveway access north of

the structure and a 440 sq. ft. accessory building to the northeast of the house. No variances have previously been approved for this property.

The structure is zoned CN Core Neighborhood. The owner would like to expand the current garage horizontally as well as vertically to accommodate additional parking, storage and studio space. The addition would add 748 sq. ft. to the south and the east of the current structure thus increasing the total footprint to 1188 sq. ft., more than half of the building footprint of the main dwelling – 800 sq. ft. is the maximum allowed building footprint for an accessory structure, thus the proposed expansion will make the structure a total of 388 feet more than allowed.

The apartment house building type chart indicates that “there is a maximum of two accessory buildings”. There is no mention that both of the accessory structures together need to be less than 800 sq. ft., so this could be interpreted to mean that two accessory structures can be placed on the lot of up to 800 sq. ft. each, or a total of 1600 sq. ft.

Commissioner Roach confirmed that the request is asking for a larger building in relation to the lot size and Ms. Kochanek responded you can build up to a 800 sq. ft. for an accessory structure and they could have two 800 sq. ft. accessory structures but their request is substantially over the limit. Chairman Bailey asked the size of the lot, which Ms. Kochanek detailed.

Commissioner Albers moved to open the public portion of the hearing (Support: J. Talaga) and the motion carried unanimously.

Ben Westbrook, 213 S. Hamilton – is the owner of the property. He stated that both he and his partner are artists and when he originally bought the property, it was his plan to continue to work as artists in the area and look for usable space as a studio; his initial plan was to expand to within 800 sq. ft. and put on a second story but he recently discovered that there is a height limit on accessory structures, which is 15 ft. and that doesn't allow for a very large room. They changed their plan when they found out about the height limit for the building to expand it to a larger footprint and they decided to apply for a variance for that.

Commissioner Talaga asked if they had checked on the cost for a second 800 ft. structure and Mr. Westbrook responded that it would make more sense to expand the current building than adding another structure from a cost standpoint.

Carolyn Clayton, 213 S. Hamilton – trying to decide if Ypsilanti is the place to settle down as an artist so looking for an environment that would work for them for the type of work they do.

Commissioner Roach moved to close the public portion of the hearing (Support: J. Albers) and the motion carried unanimously.

Commissioner Khan appreciates what the applicant wants to do, but states that since they don't meet five of the six standards, it's tough. She agrees that one structure is preferable to two and preserving green space is important. Further discussion on

various options was made, after which, Commissioner Talaga moved that the Zoning Board of Appeals approve the dimensional variance request at 213 S Hamilton to allow an accessory structure to be expanded over the allowed maximum square footage, as submitted on September 27, 2016, with the following condition and findings:

Condition

1. That the current and any future owners of the property are restricted from building a second accessory structure on the lot.

Findings

1. That the granting of this variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located, under §122-94(b)(4).
2. The variance granted is the minimum variance that will make possible a reasonable use of the land, buildings, or structure, under §122-94(b)(6).
 - a. That this expansion preserves the existing green space on the property.

The motion was supported Commissioner Albers. A roll call vote was taken and carried unanimously – 5:0.

VII. ADJOURNMENT

Since there was no further business, Commissioner Roach moved to adjourn the meeting (Support: H. Kahn) and the motion carried unanimously.

The meeting adjourned at 7:48 p.m.