

1. Agenda Aug 2018

Documents:

[01- ZBA AGENDA 8-22-18.PDF](#)

2. Draft Minutes June 2018

Documents:

[6-27-2018 DRAFT ZONING MINUTES \(AUTOSAVED\).PDF](#)

3. 539-569 S Huron

Documents:

[03- 539569SHURON.PDF](#)

4. 2 N Normal Review Aug 2018

Documents:

[04- 2 N NORMAL .PDF](#)

5. Full Packet

Documents:

[2018-08 ZONING BOARD OF APPEALS FULL PACKET.PDF](#)

Agenda
Zoning Board of Appeals
Wednesday, August 22, 2018 - 7:00 P.M.
City Hall-Council Chambers, 1 S Huron St
Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Jake Albers, Chair	P	A
Cisco Garcia, Vice Chair	P	A
Heather Khan	P	A
Jennifer Symanns	P	A
Jared Talaga	P	A

III. Approval of Minutes

- June 27, 2018

IV. Purpose of Meeting

V. Old Business

- Elections

VI. New Business

- 539-569 S Huron- Variance
Public Hearing
- 2 N Normal- Variance
Public Hearing

VII. Adjournment

**ZONING BOARD OF APPEALS
MEETING MINUTES
June 27 2018
CITY COUNCIL CHAMBER
7:00 P.M.**

1. CALL TO ORDER

The meeting was called to order at 7:04 pm.

II. ROLL CALL

Present: J. Albers, C. Garcia, H. Khan, J. Symanns, J. Talaga

Staff: C. Kochanek, Preservation Planner
Nan Schuette, Executive Director

III. APPROVAL OF MINUTES

Commissioner Talaga moved to approve the minutes of May 23, 2018 (Support: J. Symanns) and the motion carried unanimously.

IV. PURPOSE OF MEETING

Chairman Albers stated the purpose of the meeting.

V. OLD BUSINESS

None

VI. NEW BUSINESS

1. 32 Photo – Variance

Staff report was presented by C. Kochanek, Preservation Planner, who stated that this is a request for approval of a variance to permit a detached accessory structure in the front yard. The parcel is on the south side of Photo Street west of N. River at the end of Photo just east of the Huron River. The parcel is 0.54 acres with frontage on Photo St. There is an existing 2,046 sq. ft. structure on site with one existing accessory structure, a shed, on site.

The applicant is looking to add a garage to the site in the front yard, at the end of Photo St. The structure is addressed to and faces Photo St. Staff determined that the area just west of Photo St, where the applicant is proposing to building a detached garage, is

in the front yard, thus the need for a variance from Sec 122-651(b)(3). The lot is a non-traditional lot in that it has a substantial front yard due to how the structure is oriented on the site and where Photo St ends. There is very little rear yard on the property and the only other option for a location in which to build the detached accessory structure is in the side yard to the west of the structure creating the need for a substantial driveway in which to access the garage.

Ms. Kochanek reviewed the land use and surrounding area. She also reviewed the standards for variances noting that all standards had been met.

Commissioner Garcia moved to open the public portion of the hearing (Support: H. Kahn) and the motion carried unanimously.

Janelle Sterling, 32 Photo – stated that they had purchased the home approximately three years ago without a garage knowing we would like to build one. Their house faces Photo Street and there is one existing structure in the yard.

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

Chair Albers informed staff that he had a family emergency and had to leave.

Since there were no comments or questions by board members, Commissioner Symanns moved that the Zoning Board of Appeals approve the variance request from Sec. 122-651(b)(3) to permit a detached accessory structure in the front yard at 32 Photo St, with the following findings:

Findings:

1. The location of the lot and orientation of the house with respect to both Photo and the Huron river pose practical difficulty under Sec 122-370(b)(1).
2. The granting of this variance will not confer upon the applicant any special privileges that are denied to others in this district, under Sec 122-370(b)(2).
3. the practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property, as the house was constructed in the 1920s under previous ownership, under Sec 122-370(b)(3).
4. the granting of the 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 Sec 122-370(b)(4).
5. The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance, under Sec 122-370(b)(5).
6. This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure, under Sec 122-370(b)(6).

And the following conditions:

1. The detached accessory structure be set back at least 5' from the north property line.
2. The detached accessory structure be no closer to the east property line than the westernmost side of the existing house.

The motion was supported by Commissioner Talaga and carried unanimously 4:0.

Vice-Chair Garcia took over the role as Chair adding that the next item was another variance request.

2. **831 Oak - Variance**

Preservation Planner Kochanek stated that this is a request for approval of a variance from Sec. 122-422(c)(4) to permit a detached accessory structure in the street side yard. The property is located on the north side of Oak St. just east of Osband St on a corner lot. The parcel is 0.163 acres with frontage on Oak and Osband in the Prospect Park area. There is an existing 1,036 sq. ft. structure on site with a 400 sq. ft. detached garage. City records list the garage at 280 sq. ft.

The applicant has added a 98 sq. ft. detached accessory structure in the street side yard. The accessory structure is 6' in from the fence on the Osband St side; this fence appears to be inside the west side property line. The structure is 6' from the fence at the rear of the property.

A letter was mailed to the homeowner in September 2017 after receiving a complaint and verifying that the accessory structure had been built in the street side yard. Accessory structures are not permitted to be built in the street side yard in R-1, thus the applicant is seeking a variance from Sec 122-422(c)(4) for the structure to remain as built. Structures less than 200 s. f. do not require a building permit, however, they must still comply with the zoning ordinance.

Planner Kochanek reviewed the standards for variances and noted that only one of the standards had been met.

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

Michael Bergeron, 712 Virginia Place – has no problems with this shed and supports the variance request.

Jared Meeks, 831 Oak – is the applicant. He stated that he was not aware of the topographic requirements. He did not feel he would be getting special privilege since he recently drove around other areas and counted 14 houses with street side sheds, etc. The actual rule he is violating is 2-3 years old, not that he is using this as an excuse. He misinterpreted the rules and he did not know that the street side yard superseded.

There is 20'-30' shrubs behind the shed so approaching from the north, the shed can't be seen. He can't move the shed – would have to call in professional movers or a crane.

Catherine Rector, 616 Osband - stated that the shed is at the side of her driveway – it is an old neighborhood – the shed has been hand crafted, one of the nicest structures in the area, including some of the houses– doesn't block any views. She stated that the applicant contacted the city and he either misconstrued information or was misinformed. The couple are great neighbors and are so helpful. She doesn't feel that this structure affects anyone and supports granting a variance.

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

Commissioner Symanns asked staff about past zoning ordinance and Planner Kochanek referred to previous years for comparison. In 1998, they were not permitted in the side yard but the street side yard requirement was 8'. This shed is at 6' but the current zoning ordinance does not allow anything in the street side yard. Commissioner Khan asked the applicant if all the 14 houses he visited were in the city, and he stated they were. Vice-Chair Garcia stated the shed would be difficult to move. Staff reviewed the photo of the lot in question which was included in the staff report to explain in detail what is the actual side yard and back yard. Commissioner Symanns stated that on corner lots, there is limited back yard.

Commissioner Khan stated that while it could have been placed differently, the neighbors feel it is acceptable and the applicant is limited. She approved of the structure and was inclined to support a variance. Commissioner Talaga would have liked more information on previous variances, however, Planner Kochanek responded that previous zoning ordinances are not under consideration; it is what is under the current ordinance that is.

After further discussion, Commissioner Talaga moved that the Zoning Board of Appeals approve the variance from Sec. 122-422(c)(4) to permit a detached accessory structure in the street side yard at 831 Oak, with the following findings:

1. The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property [*per §122-370(b)(3)*].
2. The granting of the 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 [*per §122-370(b)(4)*].

The motion was supported by Commissioner Khan and carried unanimously 4:0.

3. **Elections**

Some discussion was held on possible election of officers, however, due to the absence of Chair Albers, it was agreed that this item would be postponed until the following

month. Commissioner Symanns moved to table elections until the July meeting (Support: H. Khan) and the motion carried unanimously.

4. **Future Business**

Planner Kochanek stated that there will be a meeting next month – the Patient Station.

VII. ADJOURNMENT

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

The meeting was adjourned at 7:49 pm.

DRAFT



July 2018

**Staff Review of Variance Applications
The Patient Station New Build
539-569 S. Huron**

GENERAL INFORMATION

Applicant: Kenzy Consulting, Inc.
539 S. Huron
Ypsilanti, MI 48197

Project: The Patient Station

Application Date: June 25, 2018

Location: East side of S. Huron St between I-94 and Spring St

Zoning: GC – General Corridor

Action Requested: Approval of a variance from:
122-477(H), Frontage Buildout
122-477, Private frontages

Staff Recommendation: Denial

PROJECT AND SITE DESCRIPTION

539/569 S Huron is approximately one and a quarter acres, with more than 500 feet of frontage on South Huron, immediately north of I-94. There is an existing 540 square foot single story building on site. The applicant is proposing to build an almost 10,000 square foot structure, south of the existing, along with associated parking and site improvements, and to demolish the existing structure. In June 2018, the Planning Commission approved a special use for the existing layout and the proposed new build. The additional parking lot to the north was granted a special use for a parking lot as a principal use at the Planning Commission meeting on August 14, 2018.

Due to the proposed use's need for quite a bit of parking and its unique location, they are requesting a variance from 122-477(H), Frontage Buildout, as quite a bit of their frontage is occupied by parking or landscaping.

Due to the proposed use's need for site security, the lack of walkability in the general area due to the proximity of I-94, and the non-perpendicular frontage to the street, they are requesting a variance from the strict requirements of 122-477, Private frontages.

Figure 1: Subject Site Location



Figure 2: Site Close-up (2015)



Figure 3: Proposed site layout (5/4/2018)

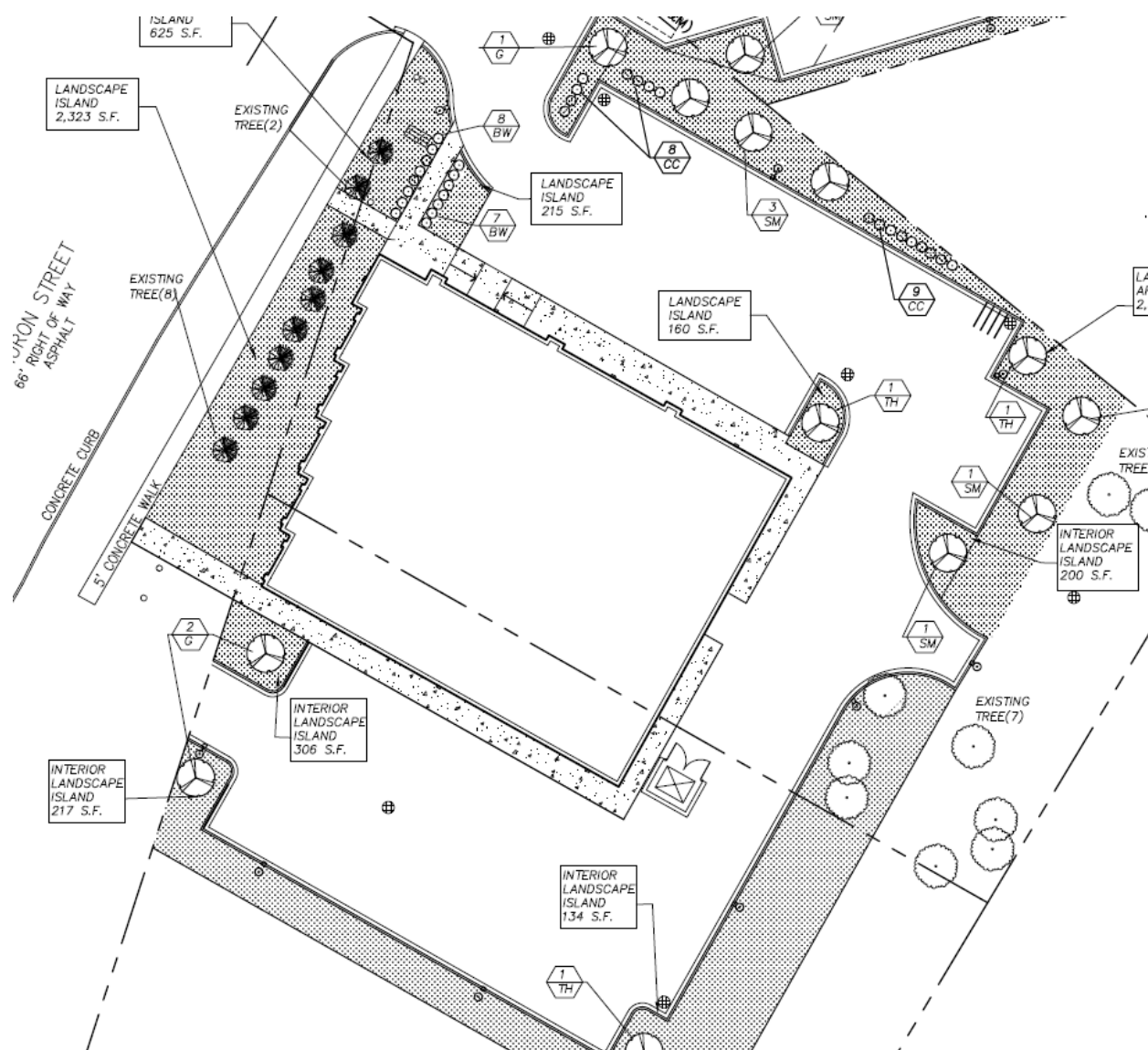


Figure 4: Proposed Frontage (5/4/2018)

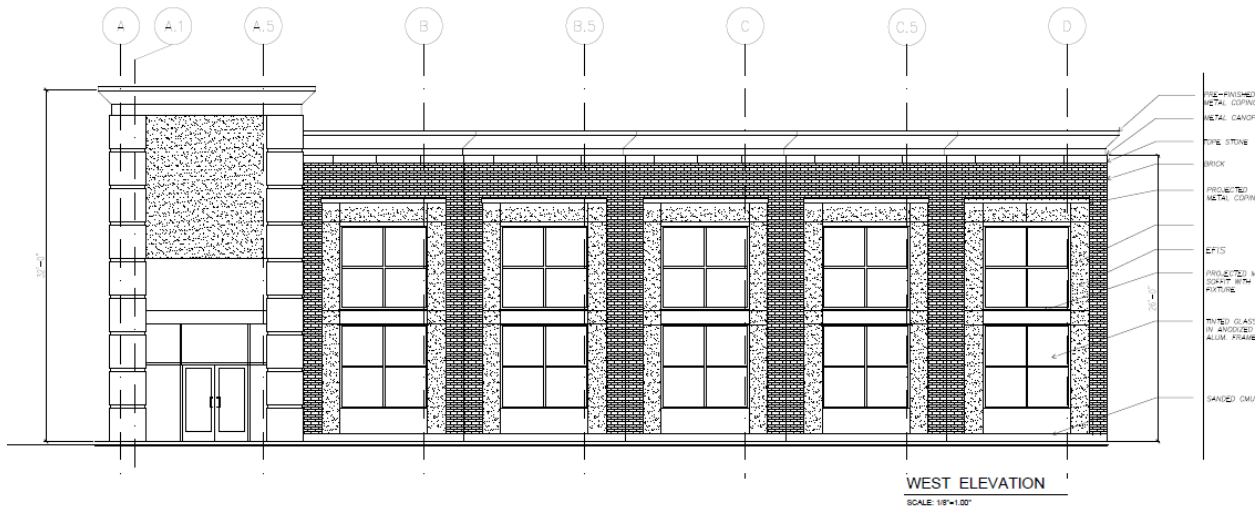


Figure 5: Land Use and Zoning of Surrounding Area

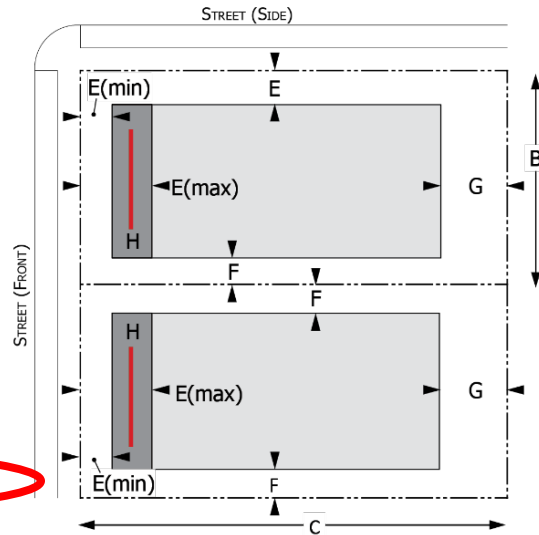
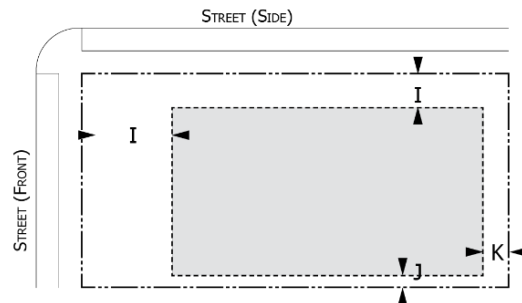
	LAND USE	ZONING
NORTH	Proposed Parking lot, gas station	NC
EAST	Vacant land, residential	P, CN-Mid
SOUTH	I-94	n/a
WEST	G.W. Kent (equipment manufacturer)	PMD

ORDINANCE**§122-477****Sec. 122-477. SC Single Story Commercial Building****SC****SINGLE STORY COMMERCIAL BUILDING**

These are generally designed for a single commercial use, located in lots that accommodate accessory parking, loading, and waste disposal areas.

LOT REQUIREMENTS		MIN	MAX
A	Lot size (sf)	7,500	90,000
B	Lot width (ft)	50	300
C	Lot depth (ft)	100	300
D	Lot coverage (%)	--	60
BUILDING ENVELOPE		MIN	MAX
E	Street setback (front or side) (ft)	5 ⁽¹⁾	15 ⁽¹⁾
F	Side setback (interior lot line) (ft)	0	--
G	Rear setback (ft)	15 ⁽²⁾	--
H	Frontage buildout (%)	50	100
ACCESSORY BUILDING ENVELOPE		MIN	MAX
I	Street setback (ft)	30	--
J	Side setback (ft)	10	--
K	Rear setback (ft)	10	--
L	Building footprint (sf)	--	800
BUILDING HEIGHT		MIN	MAX
M	Principal building (stories)	1	1
N	Accessory structure(s) (ft)	--	15
PARKING LOCATION		Permitted in the side, street side, and rear yards.	
PRIVATE FRONTAGES		Commercial required.	

- (1) If located on Washtenaw Avenue, must build no more than ten feet from future right-of-way line as defined in the ReImagine Washtenaw plan.
 (2) When adjacent to existing detached single-family homes, the rear setback shall be a minimum of 25 feet.

LOT REQUIREMENTS AND BUILDING ENVELOPE**ACCESSORY BUILDING ENVELOPE****BUILDING HEIGHT**

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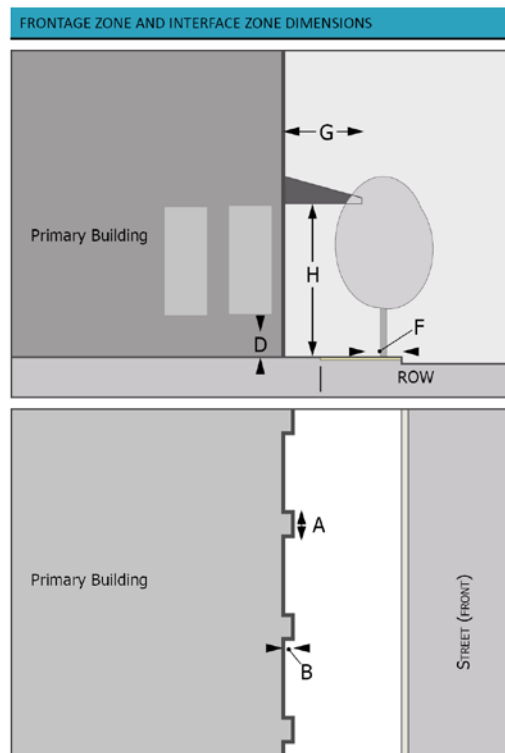
ORDINANCE**§122-477/ 122-484**

Adherence to this section is required by 122-477, Private Frontages.

Sec. 122-484. Commercial**C****COMMERCIAL**

The façade is set back from the front lot line per applicable street setback requirements, typically at or near the front lot line with the entrance at sidewalk grade. The façade may include an awning, shed roof, or gallery (a lightweight colonnade with no habitable building space above it) that covers the sidewalk and may extend into the right-of-way. The façade has a substantial amount of glazing at the sidewalk level. Recessed entrances are acceptable.

FAÇADE DIMENSIONS		MIN	MAX
A	Distance between openings (ft)	--	2
B	Door recess (ft)	--	5
C	Ground floor transparency (%)	60	--
D	Height to bottom of window (ft)	--	2.5
YARD REQUIREMENTS			
E	Must be landscaped/pervious, with a path at least 6 feet wide connecting the building entrance to the sidewalk.		
OPTIONAL AWNING OR GALLERY			
F	Setback from curb (ft)	2	--
G	Clear depth - awning (ft)	4	10
	Clear depth - gallery (ft)	8	10
H	Clear height (ft)	8	--



STANDARDS **§122-370(b)**
Standards for Variances. A variance from the literal enforcement of this Ordinance may be granted by the Zoning Board of Appeals only if all of the following standards are met.

Variance 1: Frontage Buildout. The lot is boomerang-shaped, shallow, and hilly, with significantly curved frontage, very little pedestrian activity, and a high volume of high-speed traffic due to the location adjacent to the freeway off-ramp. Because of the shallowness and topography, it is difficult to locate the parking strictly to the rear of the building, which makes it difficult to adhere to the 50% minimum. The applicant notes that practical difficulty lies in the shape of the lot that does not run parallel to the MDOT ROW and that if they were to meet the ordinance requirements in regards to the frontage buildout that they would eliminate onsite parking that is needed. **This standard is met.**

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on the block; on frontages with more than 15,000 vehicles per day by latest count, on frontages with speed limits set at 35 mph or more; all must be met). **This standard is met.**

- (2) *Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.*

Variance 1: Frontage Buildout. This is the first new construction building in the General Corridor district. Buildings constructed prior to 2014- the vast majority- did not have to adhere to the buildout standards. All new buildings, however, do. Thus this is the first real test of this requirement in GC. The applicant notes that the project is 85% compliant with the frontage buildout requirement and that this will allow the applicant to maximize the parking. As this is a very odd shaped lot, and the applicant has come close to the requirement, this will not confer a special privilege. **This standard is met.**

Variance 2: Private Frontage Design. This is the first new construction building in the General Corridor district. Buildings constructed prior to 2014- the vast majority- did not have to adhere to the buildout standards. All new buildings, however, do. Thus this is the first real test of this requirement for GC. As a zoning text amendment is in the works for the private frontage design to allow for the Planning Commission to loosen the requirements and possibly even waive them entirely for a property in the specific situation that this property is in, this variance does not convey a special privilege. **This standard is met.**

- (3) *The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.*

Variance 1: Frontage Buildout. The lot's odd shape was created due to the street configuration and MDOT right-of-ways. The applicant did not create these issues and is simply trying to build a larger building on site. **This standard is met.**

Variance 2: Private Frontage Design. The applicant's use of a stepped frontage design was a creative approach in order to more closely align with requirements of the zoning ordinance in regards frontage design. **This standard is met.**

- (4) *The granting of the 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.*

Variance 1: Frontage Buildout. & Variance 2: Private Frontage Design.

As the building is currently situated close to S. Huron, at about the midpoint on the site, and the proposed building has met the height to the bottom of opening requirement and has about 50 % of the ground floor transparency requirement, this should help with fostering walkability in the area. It is not expected that the granting of this variance will be detrimental to public welfare; this design does not discourage pedestrians or bicyclists. **This standard is met.**

- (5) *The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.*

Variance 1: Frontage Buildout. As noted elsewhere, this is the first single-story commercial new construction in the GC district, thus the first to be subject to this frontage buildout requirement. Other buildings have not had to meet this standard, but this is a standard all future designs will have to meet. This is a significant regulatory change since the last “building boom” in the 1970s-80s. The applicant is less than 8% from meeting this requirement. The applicant argues that the meeting the frontage buildout will result in less parking on site and thus may create the trickle-down effect of customers having to park in the adjacent neighborhood. **This standard is met.**

Variance 2: Private Frontage Design. This requirement is currently being revisited with a zoning amendment, however the applicant does not fully meet the proposed changes in the requirements (*“Thoroughfare Commercial,” maximum distance between openings be raised to 5’; minimum ground floor transparency be reduced to 50%; and that max height to bottom of window be increased to 3’*) but the applicant might be eligible for planning commission to waive some or all of the requirements. **This standard is met.**

- (6) *A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.*

Variance 1: Frontage Buildout. As this variance is for only falls short of the 50% minimum buildout by 7.6% this is the minimum variance that males possible a reasonable use. **This standard is met.**

Variance 2: Private Frontage Design. The applicant's distance between façade openings exceeds the maximum by 4’8”; the door exceeds the recess requirement be 5’9”; and the ground floor transparency falls short by 29%. With the design of the door recess, the applicant is attempting to address the need to both accommodate customers and workers who arrive from the parking lot as well as the sidewalk, and this location on a trunkline adjacent to the freeway is, in general, not particularly well-traversed by pedestrians. As staff has pointed out previously that with a creative stepped façade design which attempts to follow the front property line but limits the width of the openings on the front of the façade. **This standard is met.**

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals **approve** the 7.6% variance request from §122-477(H) for a frontage buildout for the Patient Station New Build at 539-569 S Huron, with the following findings per 122-370(b):

- (1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of the curved front of the lot and overall shallowness of the lot.
- (2) Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district; this is a new requirement and this is the first entirely new construction proposal put forth in this district with this building type.
- (3) The practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.
- (4) The granting of the 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.
- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.
- (6) This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure.

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals **approve** the variance request from §122-477-Private Frontages for the Patient Station New Build at 539-569 S Huron, with the following findings with the following findings per 122-370(b):

- (1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of the curved front of the lot.
- (2) Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district; this is a new requirement and this is the first entirely new construction proposal put forth in this district with this building type, on a challenging lot.
- (3) The practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.
- (4) The granting of the 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.
- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.
- (6) This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure.

Bonnie Wessler

City Planner, Community & Economic Development Division

Cynthia Kochanek

Preservation Planner, Community & Economic Development Division

CC: Applicant



City of Ypsilanti
Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646 • Fax: (734) 483-7260
www.cityofypsilanti.com

**Non-refundable
Planning Fee:**
Single-family application
fee: \$200
All others: \$450

VARIANCE APPLICATION

Applicant*

Name Kenzy Consulting, Inc. d/b/a The Patient Station		
Address 539 S. Huron		
City Ypsilanti	State MI	Zip 48197
Phone / Fax (248) 901-4029		E-Mail dcowan@plunkettcooney.com

*If applicant is not owner of property, a written, notarized statement from the owner authorizing this application must be included.
(See attached Consent from owner.)

Property

Name of project Patient Station - New Building	
Address 539 and 569 S. Huron	
List all parcel identification numbers included in development: 11-37-101-202; 11-37-101-006	
Legal description of property (may be attached): See attached.	
Current Zoning: GC - General Corridor	Current Use: Medical Marihuana Dispensary
Attach an accurate, scaled drawing, of the property showing: *Please utilize the drawings submitted to Planning Commission for "Patient Station New Build" Site Plan Review, as approved on 6/20/2018. • all property lines and dimensions correlated with the legal description • the location and dimensions of all existing and proposed structures and uses on property • any roads, alleys, easements, drains, or waterways which cross or abut the property and the lot area and setback • dimensions necessary to show compliance with the regulations of this Ordinance	

Request for Variance

Description of proposed project New 9,918 square foot building for medical marihuana provisioning center.

Section of Ordinance (chapter, article, section, subsection format, please)
Section 122-477(H), Frontages and Private Frontages
How the proposed project is contrary to ordinance:
The proposed project: (1) contains 42.4% of the required minimum of 50% of frontage build-out; (2) does not comply with private frontage standards which were designed for multi-story, mixed use buildings.
Practical difficulties which prevent compliance:
1) Building Frontage: The lot is an odd shape, which does not run parallel to S. Huron due to MDOT rights-of-way. The New Building was situated to meet and exceed parking ordinance requirements. Meeting ordinance requirements will result in eliminating needed project parking.
2) Private frontages: The New Building is one story with single use. The ordinance was intended for multi-story, mixed use buildings. Planning Department intends to correct this error with text amendment.
Unique circumstances regarding the property (i.e. shape, topography, etc) which prevent compliance:
1) The lot is an odd and irregular shape, which does not run parallel to S. Huron due to MDOT rights-of-way.
2) Property is bordered by I-94 to the south and S. Huron, a major thoroughfare on the west.
3) Variances requested are not detrimental to neighborhood; siting of building was intended to maximize parking to avoid any conflict with adjacent properties to north and east.

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.

Signature:

Date:

June , 2018

Print Name: Dennis Cowan, Plunkett Cooney
Attorney representing Kenzy Consulting, Inc.

**CONSENT TO FILE VARIANCE APPLICATION
FOR 539-569 S. HURON, YPSILANTI, MICHIGAN**

STATE OF MICHIGAN)
)§
COUNTY OF WASHTENAW)

The undersigned, being first duly sworn, deposes and states:

We, the undersigned, are the owners of 539 and 569 S. Huron, Ypsilanti, Michigan and we hereby authorize the Variance Application being submitted by Kenzy Consulting, Inc. d/b/a The Patient Station in connection with its new building recently granted site plan approved by the Ypsilanti Planning Commission.

ASAD KHAILANY

Subscribed and sworn to before me this
24th day of June, 2018.

Lana H. Oakland Notary Public
Oakland County, Michigan
acting in Washtenaw County, Michigan
My Commission Expires: 08/28/2023

LAURA KHAILANY

Subscribed and sworn to before me this
24th day of June, 2018.

Lana H. Oakland Notary Public
Oakland County, Michigan
acting in Washtenaw County, Michigan
My Commission Expires: 08/28/2023



July 18, 2018

Zoning Board of Appeals
City of Ypsilanti
1 S. Huron St.
Ypsilanti, MI 48197

Re: The Patient Station / New Construction
539 – 569 S. Huron

Dear Chairman Albers and ZBA Members:

Our client, The Patient Station, is seeking two modest variances in connection with the construction of a new building for The Patient Station. The new facility will be nearly 10,000 square feet and house a medical marijuana provisioning center. This new construction will replace the current approximately 550 square foot building, which will be demolished, along with the canopy that is a remnant of a former gas station on the site.

The Patient Station has been working diligently to comply with the State's new medical marijuana laws as well as prepare for the future with its new building. Earlier this year, upon the recommendation of the Planning Commission, the City Council, on April 3, 2018, approved new zoning amendments to allow medical marijuana facilities in a General Corridor (GC) District. This action allowed The Patient Station to submit a Site Plan for the new building. On June 20th, the Planning Commission approved the Special Use request and Site Plan application for the new building. We are very pleased and grateful for the support of the City of Ypsilanti and look forward to finalizing our variance requests.

The Patient Station has complied with the six standards that you are required to review under Ordinance Section 122-370. Attached to this letter is a listing of our compliance with each requirement. In brief, the variance request concerning private frontage design is due to the fact is that the Ordinance was designed for multi-story, mixed-use buildings. The Patient Station new construction is a single story building with only one use. So, it is not possible to comply with this requirement. It is our understanding that the Planning Department is going to recommend a zoning text change in the near future to resolve this "error in the text."

With respect to the frontage build out percentage variance, we are not asking for a significant change. Currently, we meet 42.4% of the minimum 50% requirement. The

Zoning Board of Appeals
City of Ypsilanti
July 18, 2018
Page 2

"shortfall" was primarily due to trying to preserve as much on-site parking as possible. Strict compliance with this requirement would have eliminated an entire row of parking (10 spaces) behind the building, which The Patient Station firmly believes would be detrimental to the project.

The Patient Station is seeking a Special Use for an additional parking lot north of the building, which will allow them to provide 95 parking spaces. While the current approved Site Plan "maxes out" the parking at 48 spaces, in order that we do not adversely impact our commercial and residential neighbors, The Patient Station desires to have additional parking lot of 47 spaces. It would have been easy to avoid this additional cost and expense, but The Patient Station wants to ensure it is a "good neighbor" and is putting its "money where its mouth is" when it comes to providing additional parking.

On balance, given the significant change and upgrade to this property with the new 10,000 square foot building, being able to design and place the building on an irregular shaped building with only two modest variances is a very significant accomplishment. In order to allow us to move forward with the Site Plan, as approved, we respectfully request that you approve the two requested variances.

As always, if anyone has any questions, please feel free to contact me at your earliest convenience. We look forward to appearing before you at the July 25th meeting.

Sincerely,



Dennis G. Cowan
Direct Dial: (248) 901-4029
Email: dcowan@plunkettcooney.com

DGC/cmw
Attachment
Open.26776.74384.20632623-1

The Patient Station

539 S. Huron Street and 569 S. Huron Street

Compliance with Standards for Variance Pursuant to City Ordinance Sec. 122-370

- 1. Literal enforcement of this chapter will pose practical difficulties to the applicant because of special conditions or circumstances which are unique to the specific property such as: exceptional shallowness or shape of the property, exceptional topographic conditions, extraordinary situation of a building or structure, use or development of an adjacent property, or difficulties relating to construction or structural changes on the site. Mere inconvenience or a desire to attain higher financial return shall not itself be deemed sufficient to warrant a variance.**

As the Site Plan review prepared by the Planning Department stated, we are dealing with a difficult lot for new construction:

The lot is an odd space that does not run parallel to S. Huron due largely to MDOT rights of way. The Applicant has innovatively use a "stepped" frontage to align with this and adhere to the setbacks; this works well with the fenestration.

The Applicant is able to place the proposed entrance to the building on the Huron Street frontage, as required. Consequently, with the exceptional shape of the property and need to preserve the row of parking (10 spaces), compliance with the frontage build-out percentage will pose a practical difficulty to the Applicant. The request is not motivated by mere inconvenience or desire to attain higher financial return. In fact, the Applicant is taking on additional cost by seeking a Special Use approval to build an additional 47-space parking lot north of the proposed building.

- 2. Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same effect.**

The Applicant has complied with the spirit of the regulation in having 42.4% of the minimum 50% frontage along S. Huron Street. The project is 85% compliant with this requirement! The variance will allow the Applicant to maximize parking and does not confer upon the Applicant any special privilege denied to others.

3. **The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest [sic] in the property.**

The practical difficulties have not been created by the Applicant, but have more to do with the unique and irregular shape of the property, as previously stated.

4. **The granting of the 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.**

The placement of the building is not detrimental to the adjoining residential or commercial neighborhood. No impediments to either set of neighbors will occur due to the grant of the variance. The building has been situated as close to S. Huron as possible. The applicant did reach out to neighbors at a meeting on June 18th and many of those neighbors attended the Planning Commission meeting of June 20th.

5. **The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the zoning board of appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.**

The denial of the variance would result in public benefits being diminished as a row of parking (10 spaces) would need to be eliminated. The "domino effect" will be that it is possible customers would seek to park on the street or in other areas and adversely affect nearby residential and commercial businesses. Granting the variance will result in substantial justice and a maximum amount of parking to be allowed on the site.

6. **A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.**

As stated, we are 85% compliant with the frontage build out percentage. This is not the case where the Applicant seeks a total waiver of the requirement. Granting the variance will make possible a reasonable use of the land and building.

Open.26776.74384.20635258-1

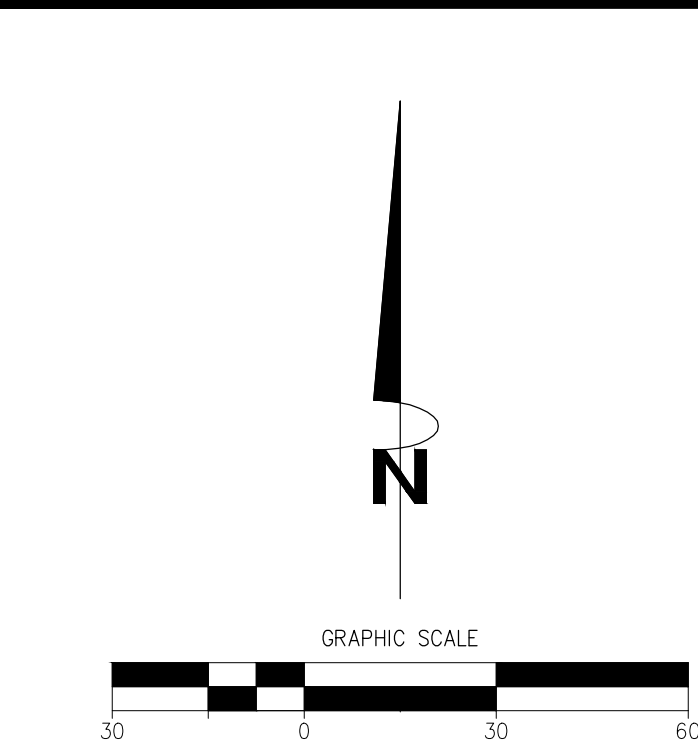
Project Name: Patient Station Medical Marijuana Dispensary

539 / 569 East Huron Ypsilanti, Michigan

ZONING CLASSIFICATION AND DATA:

ZONING REGULATION:	PERMITTED	PROPOSED	
ZONING: ADJACENT ZONING: PROPOSED LAND USE: GROSS SITE AREA: LOT REQUIREMENTS AND BUILDING ENVELOP: LOT WIDTH: LOT DEPTH: LOT COVERAGE : STREET SET BACK: MINIMUM SIDE SETBACK: MINIMUM REAR SETBACK: LANDSCAPING , GREENBELTS: SITE LANDSCAPING: GROSS BUILDING AREA: PARKING REQUIREMENTS: CARS: BICYCLE : LOADING SPACE PROVIDED:	GC- General Corridor PMD-Production , Manufacturing, Distribution NC- Neighborhood Corridor, GC General Corridor PARCEL 1,2 and 3 : 94,644.0 S.F. Or 2.17 ACRES 50 FEET MINIMUM 300 FEET MAXIMUM 100 FEET MINIMUM 300 FEET MAXIMUM 60 PERCENT OR 33,453 S.F.ZX.6 = 20,071 S.F. MINIMUM 5 FEET, MAXIMUM 15 FEET NONE 15 FEET 1 TREE FOR 30 FEET OF FRONTAGE OR 165 / 30 =6 10% OF SITE AREA 70,732 S.F.ZX.10 = 7,073 S.F. 1 SPACE PER 250 SQUARE FEET OF GROSS AREA 6 BICYCLE RACK 1 SPACE 10'X50'	244.35 FEET LOT WIDTH 269.08 FEET LOT DEPTH 7,000. S.F. 15 FEET AVERAGE 13 FEET AND 4 FEET 95 FEET 4 WITH CREDIT FOR EXISTING 10,370 S.F. 9,918 S.F. 40 SPACES 6 BICYCLE RACK 1 SPACE 10'X50' 97 SPACES	 LOCATION MAP:

PROPERTY DESCRIPTION:	PLAN DISTRIBUTION LIST:						DRAWING INDEX:
PARCEL 2: PART OF LOT 3 PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, AND PART OF FRENCH CLAIM 680, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET WITH THE CENTERLINE OF MONROE AVENUE (NOW ABANDONED); THENCE NORTHEASTERLY 76.89 FEET ALONG THE CENTERLINE OF HURON STREET; THENCE SOUTHEASTERLY DEFLECTING 98 DEGREES 14 MINUTES TO THE RIGHT 271.80 FEET; THENCE SOUTHWESTERLY DEFLECTION 81 DEGREES 46 MINUTES TO THE RIGHT 121.83 FEET; THENCE NORTHWESTERLY DEFLECTING 88 DEGREES 33 MINUTES TO THE RIGHT 269.07FEET TO THE CENTER OF HURON STREET; THENCE NORTHEASTERLY DEFLECTING 91 DEGREES 27 MINUTES TO THE RIGHT 90.67 FEET ALONG THE CENTER OF HURON STREET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PURPOSES AS SET FORTH IN DECLARATION OF TAKING RECORDED IN LIBER 1296, PAGE 428, WASHTENAW COUNTY RECORDS.	AGENCY:	DEPARTMENT:	CONTACT:	EMAIL ADDRESS	TELEPHONE:	DATE:	COVER SHEET - SURVEY SP-1 SITE PLAN L-1 LANDSCAPE PLAN C-1 GRADING , SITE UTILITY PLAN E-1 SITE PHOTOMETRIC PLAN T-1 TRUCK ROUTE DIAGRAM A-1 BUILDING FLOOR PLAN A-2 BUILDING ELEVATIONS A-3 BUILDING ELEVATIONS
	CITY OF Ypsilanti	Cmmunity and Economic Development	Bonnie Wessler City Planner	bwessler@cityofypsilanti.com	734.483.9646	05/05/2018	
PETITIONER AND OWNER:	ARCHITECT: / ENGINEER:				CONSTRUCTION MANAGER:		STATE OF MICHIGAN FAREED MOJARADI ARCHITECT No. 1301038465 LICENSED ARCHITECT 1ST SITE PLAN APPROVAL 2ND SITE PLAN APPROVAL 01/18/2017 05/04/2018 COVER SHEET
PETITIONER : Kenzy Consulting Inc. 539 East Huron Ypsilanti, MI 48197 (734) 544-9999 OWNER : asad and Laura Khailany. c/o . Kurdo Associates, 311 Jarvis Suite 204 Ypsilanti, MI 48197	A Atelier Architect, Inc. 1368 Cole St. Birmingham MI 48322 PHONE: 248-790-1639 EMAIL : mojaradifareed@gmail.com				Metro General Contractor. Inc, 48155 West Rd, Wixom, MI 48393 PHONE: 248 -615-1111 metrogeneralcontractorsinc.com Metro General Contractors, Inc.		



BENCHMARK DATA:

SITE BENCHMARK:
TOP NUT ON FIRE HYDRANT ON THE WEST SIDE OF SOUTH HURON STREET.
ELEVATION = 732.83 NAVD83

TITLE REPORT EXCEPTIONS:

ONLY THOSE EXCEPTIONS CONTAINED WITHIN ATA NATIONAL TITLE GROUP, LLC TITLE REPORT FILE NO. 81-16494244-FHR, DATED AUGUST 28, 2016 AND RE-LISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

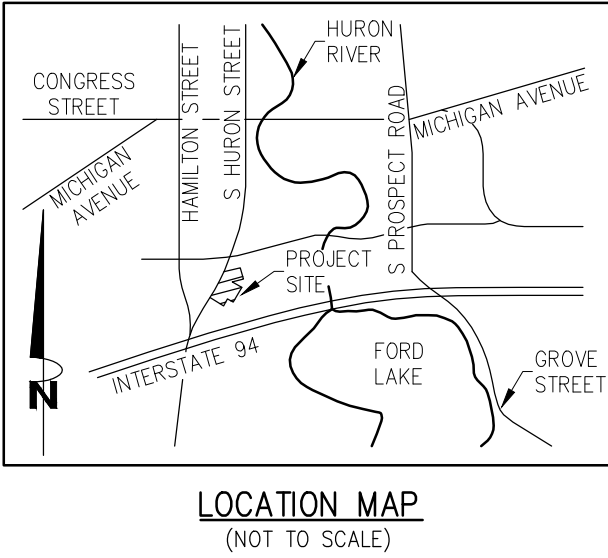
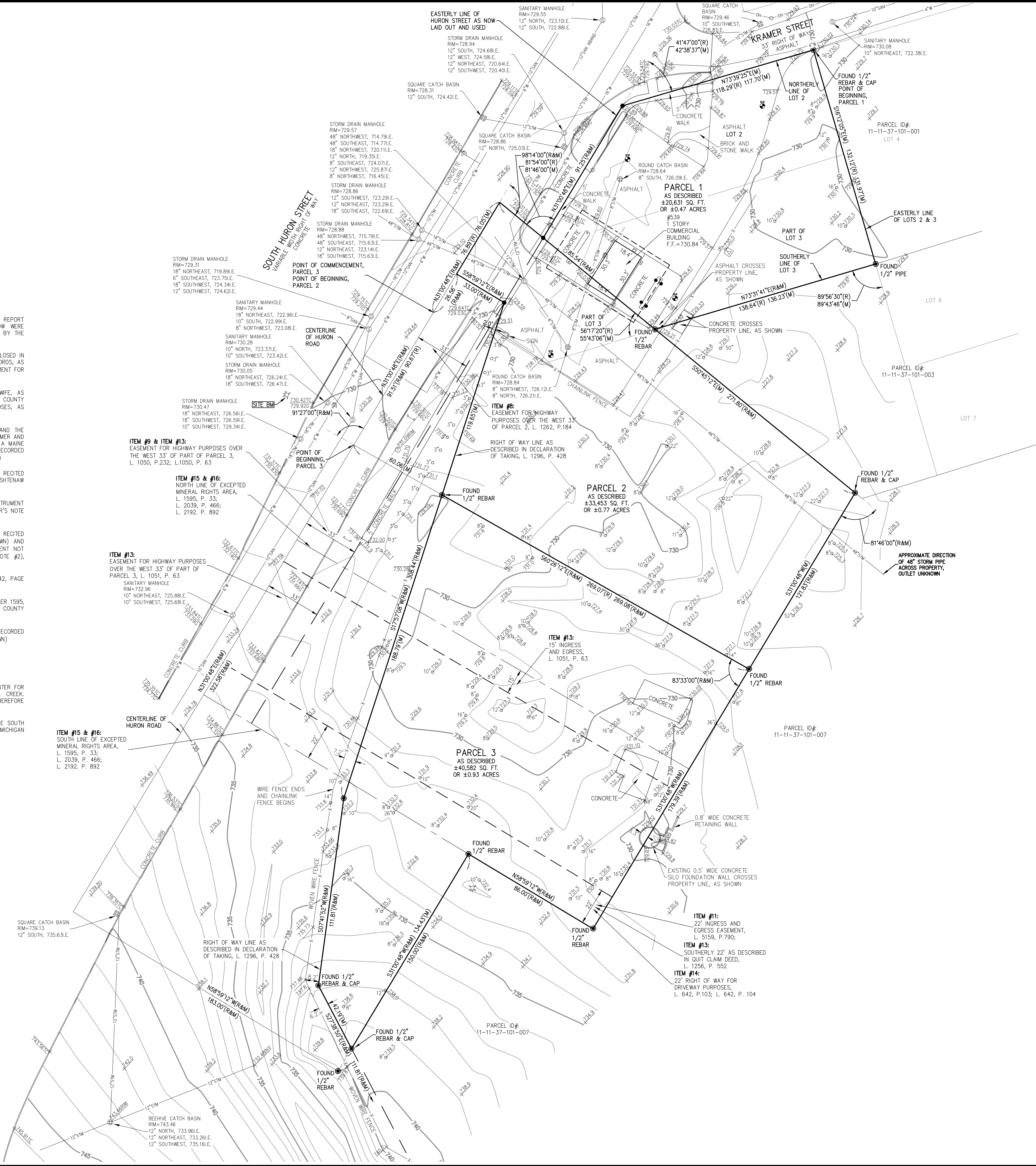
8. INTEREST OF THE AMERICAN OIL COMPANY, A MARYLAND CORPORATION, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1262, PAGE 184, WASHTENAW COUNTY RECORDS, AS TO PARCEL 2. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN) (SEE DOCUMENT FOR ADDITIONAL INTERESTS)
9. INTEREST OF GEORGE R. MASSEY AND CARRIE D. MASSEY, HUSBAND AND WIFE, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1050, PAGE 232, WASHTENAW COUNTY RECORDS, AS TO PART OF PARCEL 3. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN)
10. LESSEE'S INTEREST OF SINCLAIR REFINING COMPANY, A MAINE CORPORATION AND THE TERMS CONDITIONS AND PROVISIONS CONTAINED IN THE LEASE BETWEEN J.J. HAMMER AND MARTHELYN HAMMER, HIS WIFE, AS LESSOR AND SINCLAIR REFINING COMPANY, A MAINE CORPORATION, AS LESSEE. SAID LEASE BEING DISCLOSED BY THE INSTRUMENT RECORDED IN LIBER 658, PAGE 444, WASHTENAW COUNTY RECORDS. (NO EASEMENTS LISTED)
11. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE REITED IN GRANT OF PERPETUAL EASEMENTS RECORDED IN LIBER 5159, PAGE 790, WASHTENAW COUNTY RECORDS. (AS SHOWN)
12. RIGHT OF WAY FOR SEWERS PURPOSES VESTED IN CITY OF YPSILANTI BY INSTRUMENT RECORDED IN LIBER 337, PAGE 8, WASHTENAW COUNTY RECORDS. (SEE SURVEYOR'S NOTE #1)
13. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE REITED IN GRANT OF RIGHT OF WAY RECORDED IN LIBER 1051, PAGE 63 (AS SHOWN) AND FURTHER EVIDENCED IN DEEDS RECORDED IN LIBER 1260, PAGE 393 (DOCUMENT NOT PROVIDED) AND IN LIBER 1236, PAGE 552 (AS SHOWN) (SEE SURVEYOR'S NOTE #2), WASHTENAW COUNTY RECORDS.
14. RIGHT OF WAY FOR DRIVEWAY AS SET FORTH IN DEEDS RECORDED IN LIBER 642, PAGE 103 AND IN LIBER 642, PAGE 104, WASHTENAW COUNTY RECORDS. (AS SHOWN)
15. RESERVING FLUID AND MINERAL RIGHTS AS DISCLOSED IN DEEDS RECORDED IN LIBER 1595, PAGE 33, IN LIBER 2039, PAGE 466 AND IN LIBER 2192, PAGE 892, WASHTENAW COUNTY RECORDS. (AS SHOWN)
16. TERMS AND CONDITIONS CONTAINED IN THE DEED DATED MAY 11, 1977 AND RECORDED MAY 25, 1977 IN LIBER 1595 PAGE 33, WASHTENAW COUNTY RECORDS. (AS SHOWN)

SURVEYOR'S NOTES:

1. ITEM #12, LIBER 337, PAGE 8 CALLS FOR A 25 FOOT WIDE EASEMENT, THE CENTER FOR THE PROPOSED RIGHT OF WAY TO FOLLOW THE CENTER OF THE NATURAL CREEK. EVIDENCE TO THE LOCATION OF THE NATURAL CREEK WAS NOT OBSERVED, THEREFORE SAID EASEMENT IS NOT SHOWN HEREON.
2. ITEM #13, LIBER 1256, PAGE 552 IS A QUIT CLAIM DEED THAT QUIT CLAIMS THE SOUTH 22 FEET OF THE PARCEL AS DESCRIBED FROM THE CITY OF YPSILANTI TO THE MICHIGAN STATE HIGHWAY DEPARTMENT.

LEGEND:

- FOUND MONUMENT (AS NOTED)
- PROPERTY CORNER
- SQUARE CATCH BASIN
- ⊙ STORM MANHOLE
- ⊕ ROUND CATCH BASIN
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ SEWER MANHOLE
- ⊕ GAS METER
- ⊕ EXISTING ELEVATION
- TREE WITH DIAMETER IN INCHES
- LIGHT POLE BASE
- UTILITY POLE
- ELECTRIC METER
- ⊕ ELECTRIC TRANSFORMER
- ⊕ TELEPHONE MANHOLE
- BOLLARD
- DOUBLE POST SIGN
- MONITORING WELL
- ADJOINING BOUNDARY LINE
- EDGE OF ASPHALT
- BOUNDARY LINE
- BUILDING
- BUILDING OVERHANG
- EDGE OF CONCRETE
- 800 CONTOUR MAJOR
- CONTOUR MINOR
- CONCRETE CURB
- EASEMENT
- OVERHEAD UTILITY LINE
- FENCE (AS NOTED)
- PLATTED SUBDIVISION
- RIGHT OF WAY
- SEWER LINE
- EDGE OF SIDEWALK
- STORM DRAIN LINE
- WALL (AS NOTED)
- WATER MAIN



LEGAL DESCRIPTION

LAND SITUATED IN THE COUNTY OF WASHTENAW, CITY OF YPSILANTI, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

PARCEL 1:
LOT 2 AND PART OF LOT 3, PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTHERLY 132.12 FEET ALONG THE EASTERLY LINE OF LOTS 2 AND 3; THENCE WESTERLY DEFLECTING 89 DEGREES 56 MINUTES 30 SECONDS TO THE RIGHT 138.64 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 3; THENCE NORTHWESTERLY DEFLECTING 56 DEGREES 17 MINUTES 20 SECONDS TO THE RIGHT 85.54 FEET; THENCE NORTHWESTERLY DEFLECTING 81 DEGREES 54 MINUTES TO THE RIGHT 91.25 FEET ALONG THE EASTERLY LINE OF HURON STREET AS NOW LAID OUT AND USED; THENCE EASTERLY DEFLECTING 41 DEGREES 47 MINUTES TO THE RIGHT 118.29 FEET ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

PARCEL 2:
PART OF LOT 3 PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, AND PART OF FRENCH CLAIM 680, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET WITH THE CENTERLINE OF MONROE AVENUE (NOW ABANDONED); THENCE NORTHEASTERLY 76.89 FEET ALONG THE CENTERLINE OF HURON STREET; THENCE SOUTHEASTERLY DEFLECTING 98 DEGREES 14 MINUTES TO THE RIGHT 271.80 FEET; THENCE SOUTHWESTERLY DEFLECTING 81 DEGREES 46 MINUTES TO THE RIGHT 121.83 FEET; THENCE NORTHWESTERLY DEFLECTING 88 DEGREES 33 MINUTES TO THE RIGHT 269.07 FEET TO THE CENTER OF HURON STREET; THENCE NORTHEASTERLY DEFLECTING 91 DEGREES 27 MINUTES TO THE RIGHT 90.67 FEET ALONG THE CENTER OF HURON STREET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PURPOSES AS SET FORTH IN DECLARATION OF TAKING RECORDED IN LIBER 1296, PAGE 428, WASHTENAW COUNTY RECORDS.

PARCEL 3:
ALL THAT PART OF FRENCH CLAIM 680, CITY OF YPSILANTI, WASHTENAW COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET AND MONROE AVENUE; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 91.51 FEET ALONG THE CENTERLINE OF HURON STREET TO THE POINT OF BEGINNING; THENCE SOUTH 60 DEGREES 26 MINUTES 12 SECOND EAST A DISTANCE OF 269.08 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 179.39 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST A DISTANCE OF 86.00 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST, A DISTANCE OF 183.00 FEET TO THE CENTERLINE OF HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST A DISTANCE OF 322.58 FEET TO THE POINT OF BEGINNING, WHICH LIES SOUTHEASTERLY OF A LINE DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF MONROE AVENUE AND HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST ALONG THE CENTERLINE OF HURON STREET A DISTANCE OF 26.56 FEET; THENCE SOUTH 58 DEGREES 59 MINUTES 12 SECONDS EAST A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 17 DEGREES 57 MINUTES 08 SECONDS WEST A DISTANCE OF 308.44 FEET; THENCE SOUTH 07 DEGREES 41 MINUTES 52 SECONDS WEST A DISTANCE OF 111.81 FEET; THENCE SOUTH 27 DEGREES 38 MINUTES 50 SECONDS EAST A DISTANCE OF 111.81 FEET TO A POINT OF ENDING.

NOTES:

1. SURVEY IN ACCORDANCE WITH TITLE COMMITMENT FILE NO. 81-16494244-FHR PREPARED BY ATA NATIONAL TITLE GROUP, LLC, AN AGENCY FOR STEWART TITLE GUARANTY COMPANY, DATED AUGUST 28, 2016.
2. TELEPHONE, GAS, ELECTRIC, AND CABLE TV UTILITY MAPS WERE NOT AVAILABLE AT THE TIME OF SURVEY.
3. TREE SIZES ARE THE BEST ESTIMATION OF THE FIELD SURVEYOR. SPECIFIC QUESTIONS REGARDING INDIVIDUAL TREES SHOULD BE DIRECTED TO A QUALIFIED FORESTER.
4. BY GRAPHIC PLOTTING ONLY, THIS PARCEL IS LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA ZONE X - OTHER AREAS (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) OF THE FLOOD INSURANCE RATE MAP, MAP NUMBER 26161C0426E, EFFECTIVE DATE OF APRIL 3, 2012. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THE ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

UTILITY NOTES:

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.
2. PRIOR TO ANY BUILDING IMPROVEMENTS, AND/OR CONSTRUCTION, THE RESPECTIVE UTILITY COMPANIES MUST BE NOTIFIED TO STAKE THE PRECISE LOCATION OF THE UTILITIES.

DESCRIPTION

REVISION

DATE

BY

CORE
CORE LAND CONSULTING
PROFESSIONAL SURVEYING
59445 Northwestern Hwy., Suite 320
Southfield, MI 48034
Phone: (248) 932-7124
Fax: (248) 932-7124
Email: info@corelandconsulting.com
www.corelandconsulting.com

CLIENT:
ATELIER ARCHITECT, PC

PROJECT LOCATION:
539 S. HURON STREET
YPSILANTI, MICHIGAN

DRAWN BY: NEM

CHECKED BY: NEM

FIELD WORK BY: MDL

811
Know what's below.
Call before you dig.

Terms and Conditions for Electronic Data:
This document is provided in electronic format for the referenced project. It is understood and agreed that any use or reuse of original or altered files will be at the user's own risk and legal responsibility. It is also agreed that the electronic files provided by Core Land Consulting, LLC (CLC) are being provided for general information purposes only. Neither the electronic files nor any CAD versions are to be relied upon for design purposes, the user expressly indemnifies and holds CLC harmless for any and all claims, suits, liability, demands or other costs arising out of or resulting from the unauthorized use of these materials. CLC makes no representation as to the accuracy of the information provided by the electronic media. Data on electronic media can deteriorate or be modified without the knowledge of CLC.

SHEET:

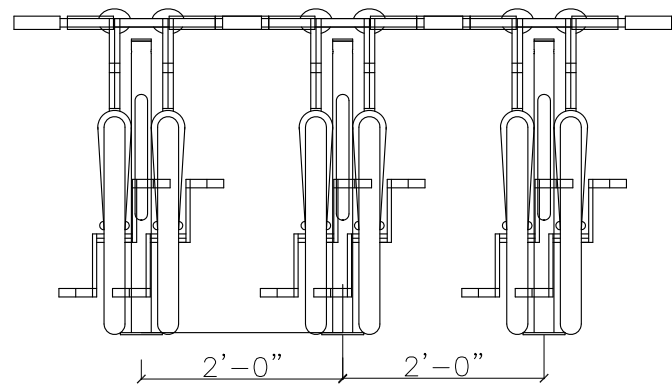
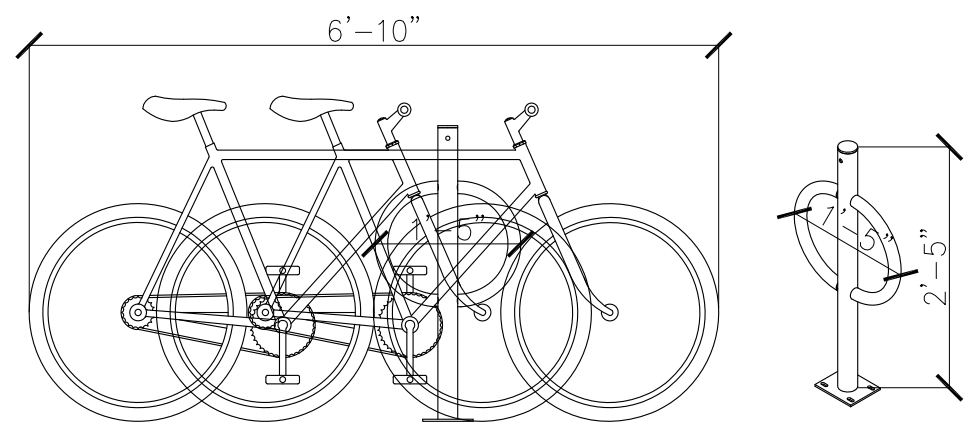
ARCHITECTURAL SURVEY

DATE: 09/21/2016

SCALE: 1"=30'

PROJECT NO: 2794-178

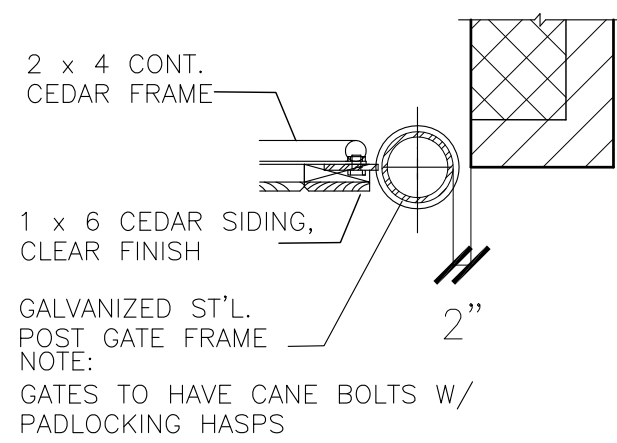
1
SHEET 1 OF 1



DERO BIKE RACK AS MANUFACTURED BY DERO BIKE RACKS
CENTER BEAM : 2" SCHEDULE 40 BEAM
RING 1.5" OD 11 GA. BEAM

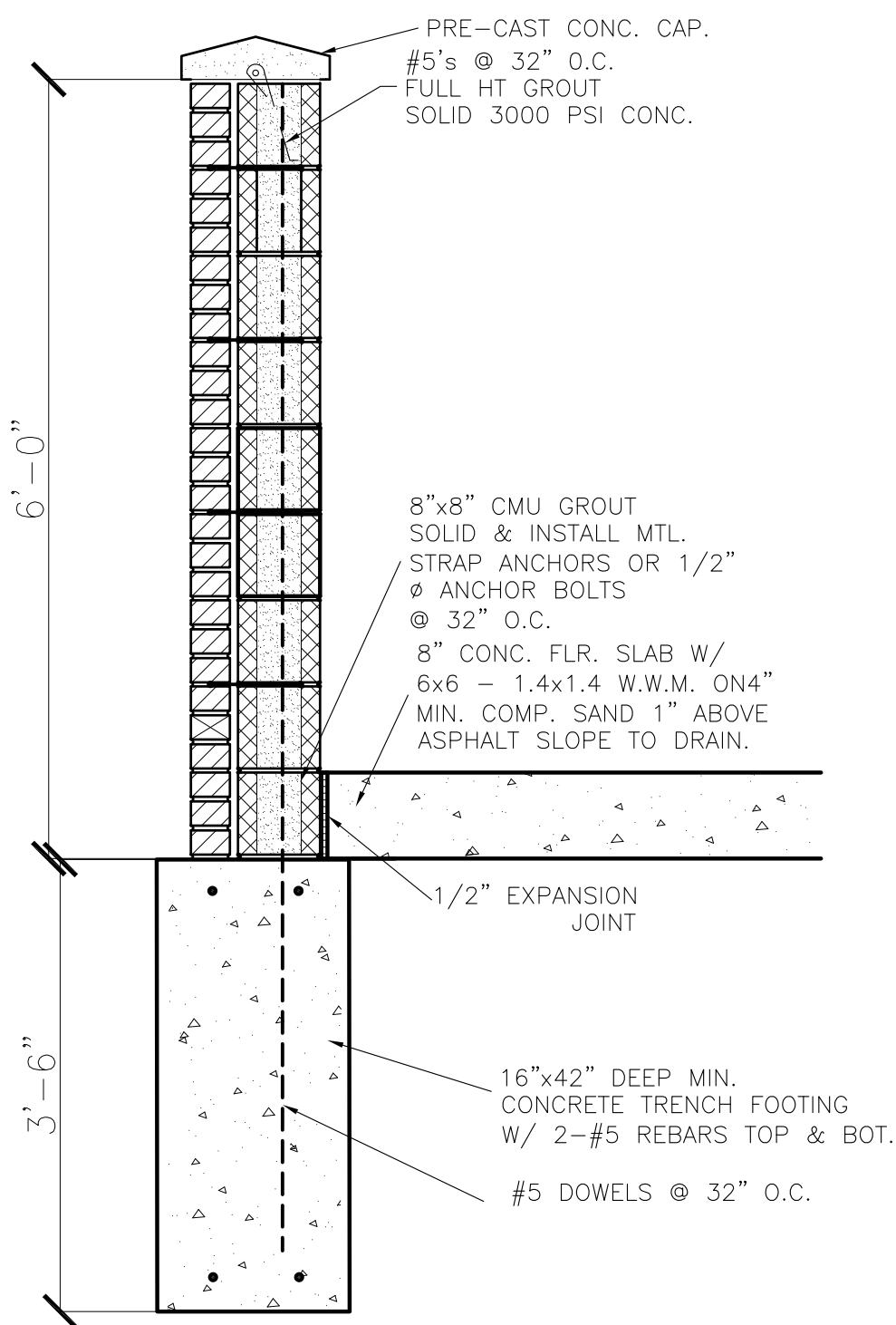
BIKE RACK DETAIL

SCALE:AS
DIMENSIONED



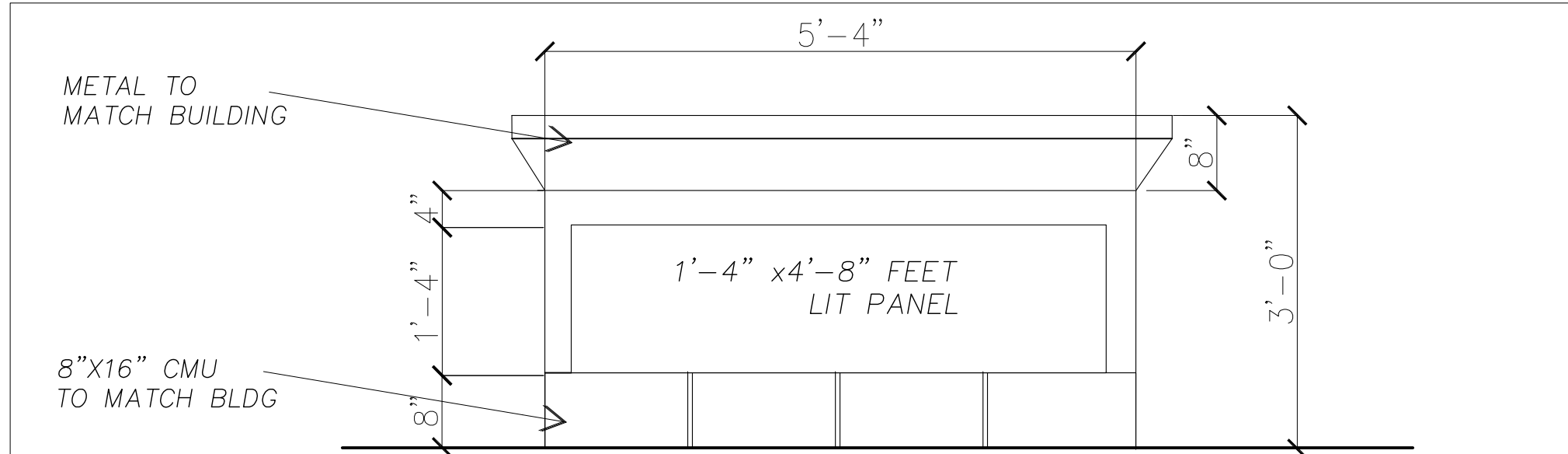
HINGE SECTION

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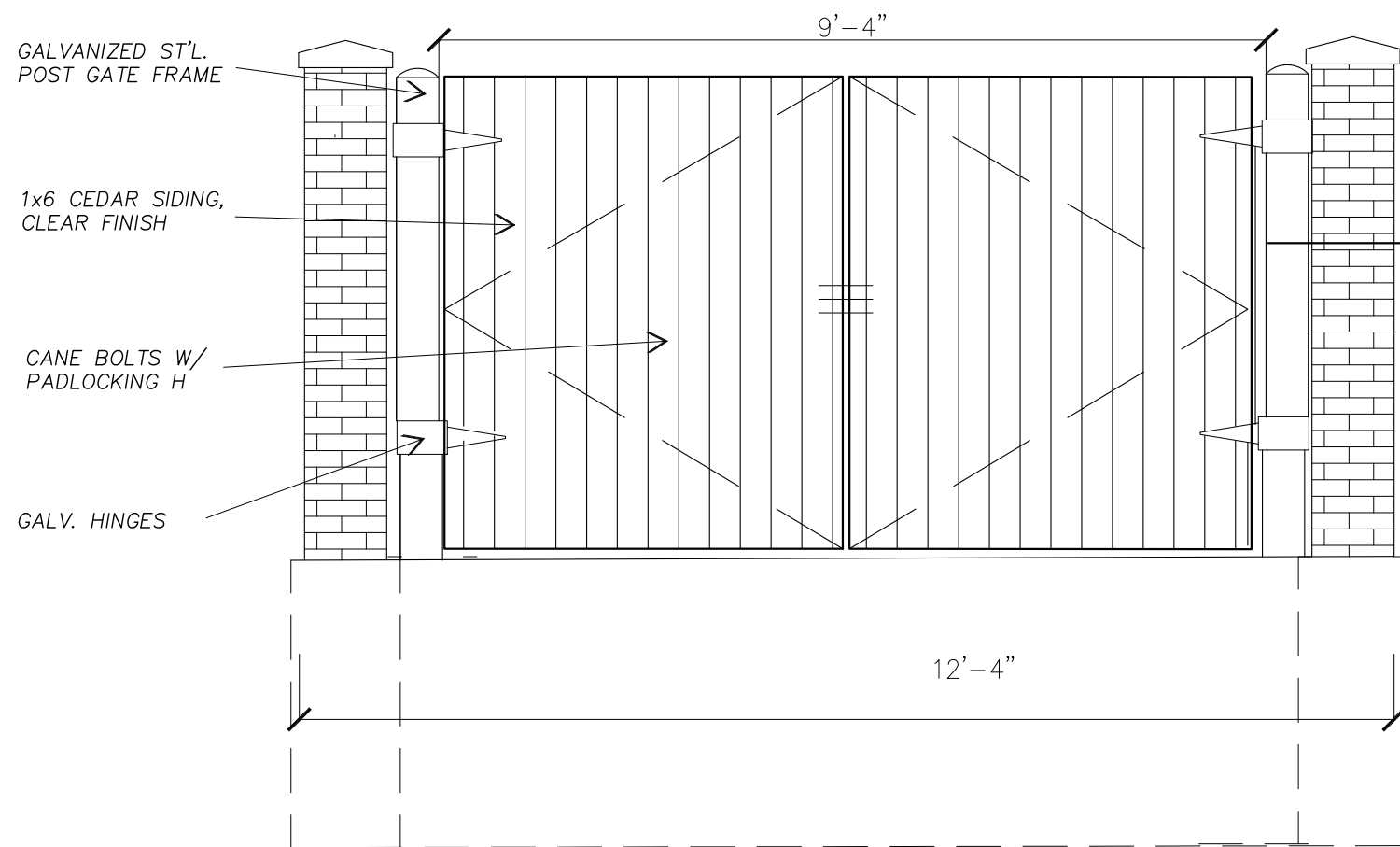
WALL SECTION

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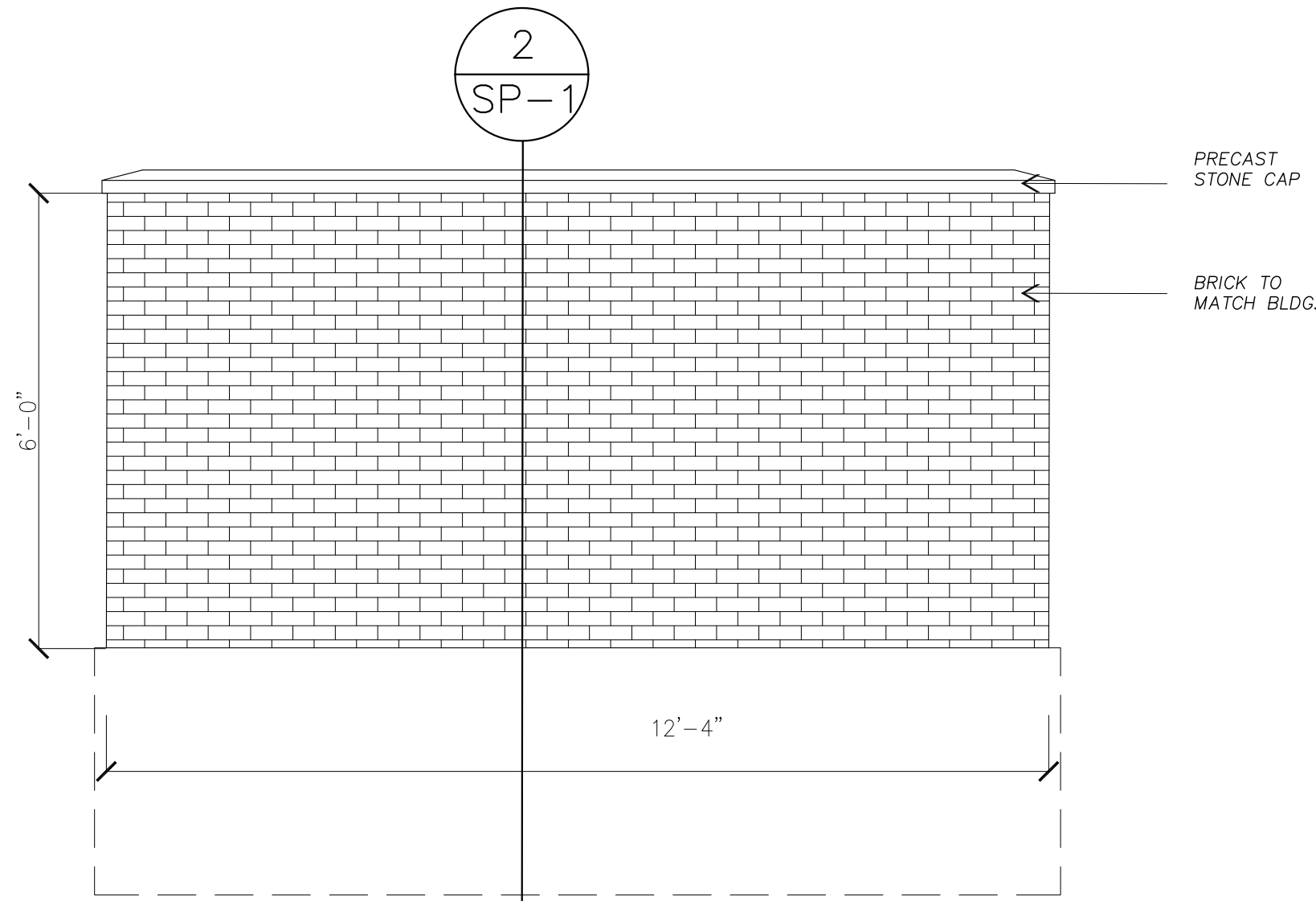
MONUMENT SIGN ELEVATION

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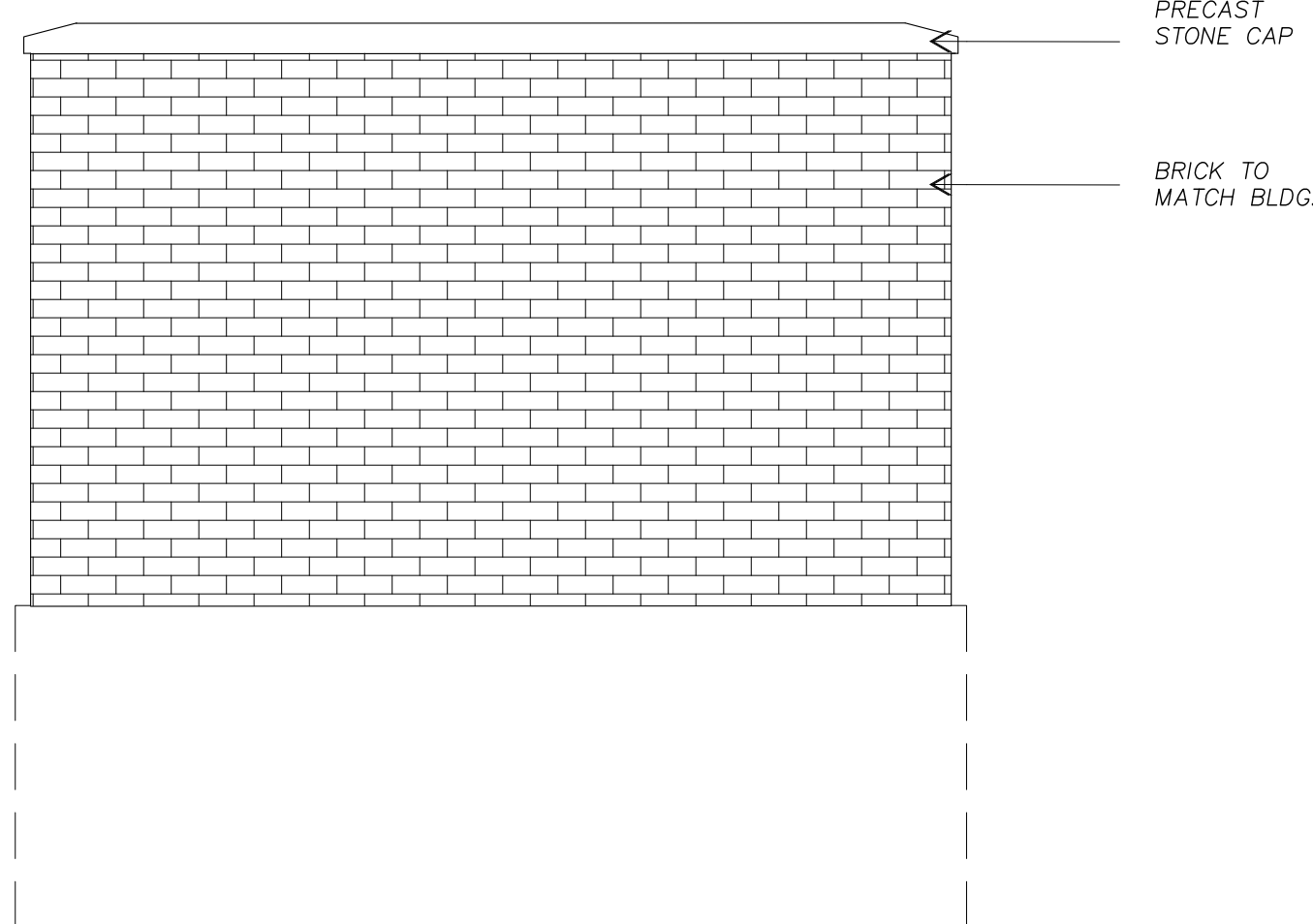
FRONT ELEVATION

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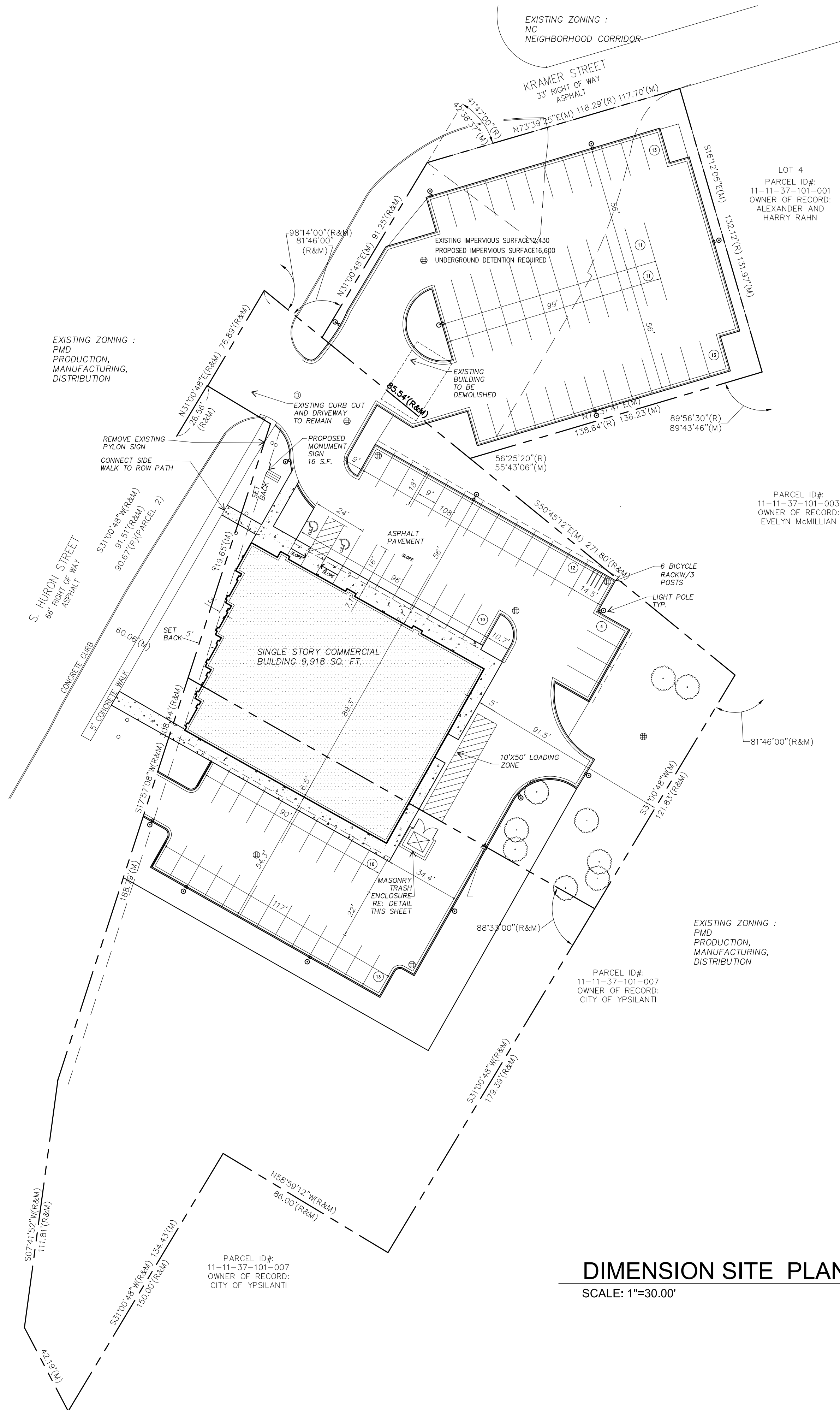
REAR ELEVATION

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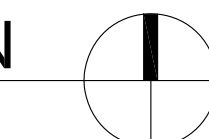
SIDE ELEVATION

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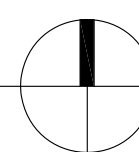


DIMENSION SITE PLAN

SCALE: 1"=30.00'



LOCATION MAP



Atelier Architect, P.C.

6346 Orchard Lake Rd Suite 16
West Bloomfield, MI 48322-2327
Phone: 248-885-8286
Fax: 248-885-8287
e-mail: Info@atelierarchitect.com

Project

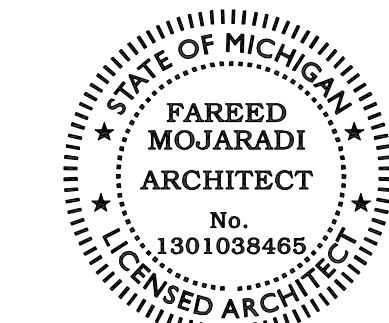
PATIENT STATION

Project No.

2016-25

Certification

I here by certify that the construction documents contained herein were prepared under my direct supervision and I am a registered architect under the laws of the State of Michigan.



Sheet Title

DIMENSION SITE PLAN

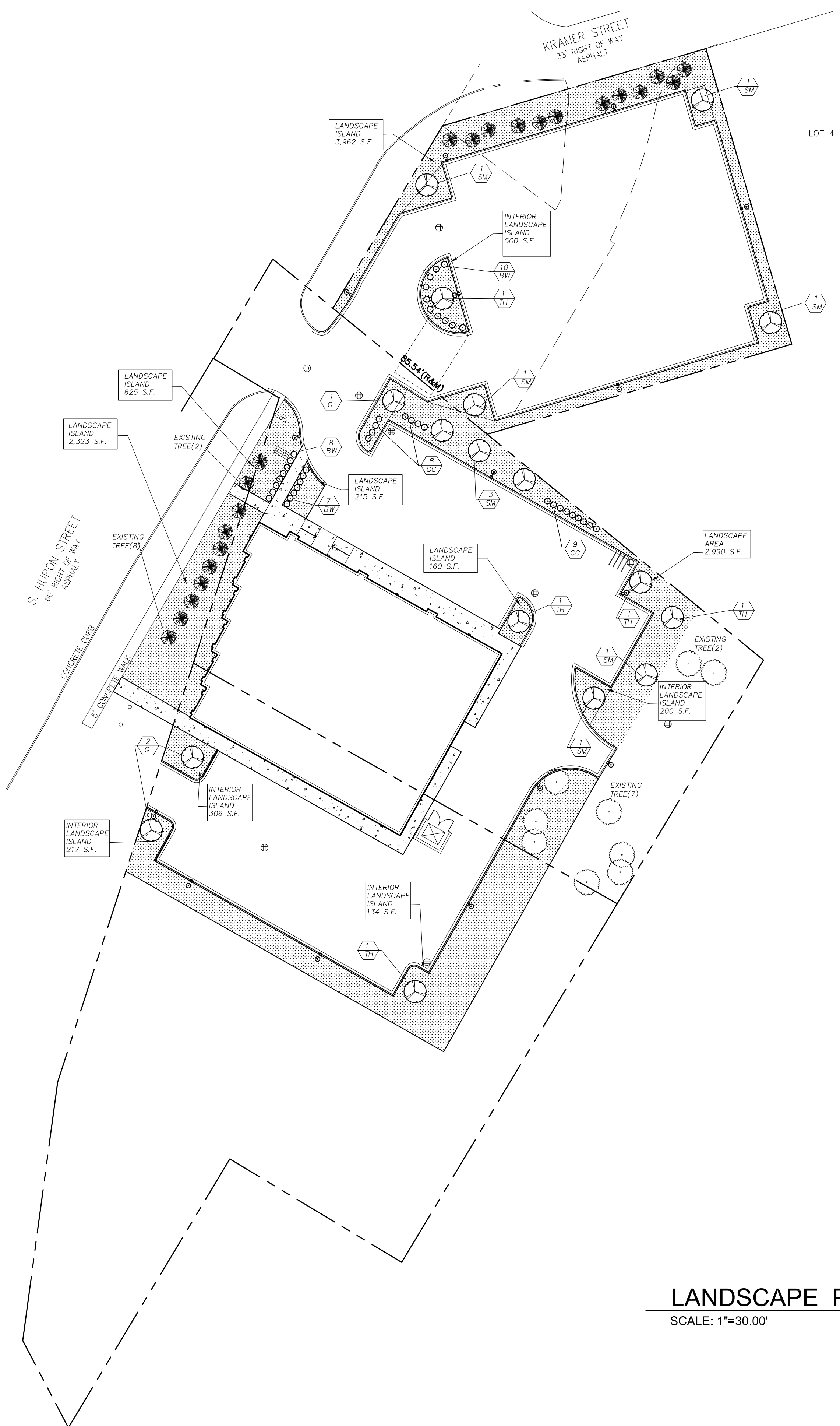
Issued Date

SITE PLAN APP. 05 / 04 / 2018

Sheet No.

SP-1

PLANT MATERIAL LIST					
CODE	QTY.	COMMON NAME	BOTANICAL NAME	ROOT TYPE	CULTIVAR
Canopy Trees					
G	1	Ginkgo	Ginkgo Biloba	2.5" B & B	'Jade Butterfly'
TH	5	Thornless Honeylocust	Gleditsia Triacanthos Inermis	3" B & B	'Christie'
SM	8	Sugar Maple	Acer Saccharum	3" B & B	'Bonfire'
Shrubs					
BW	25	Wintergreen Boxwood	Buxus sinica var	3 GAL.	
CC	17	Cranberry Cotoneaster	Cotoneaster Apiculatus	3 GAL.	



LOCATION MAP



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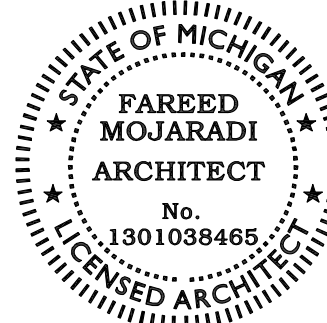
PATIENT STATION

Project No.

2016-25

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Sheet Title

LANDSCAPE PLAN

Issued Date

SITE PLAN APP 05 / 04 / 2018

Sheet No.

L-1

LANDSCAPE PLAN

SCALE: 1"=30.00'



LOCATION MAP



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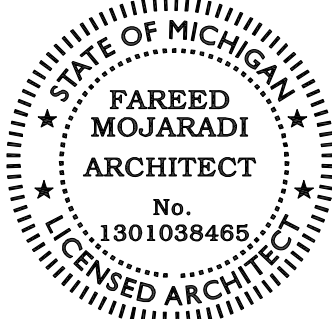
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Sheet Title

DIMENSION SITE PLAN

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SITE PLAN APP. 05 / 04 / 2018

Sheet No.
SP-1

DETERMINATION OF UNDERGROUND DETENTION VOLUME

DEVELOPED AREA = 63,549 SQ.FT.= 1.459 ACRES

A(LAWN) = 12,461 SQ.FT. = 0.286 ACRES

A(PAVING+BUILDINGS) = 51,088 SQ.FT. = 1.173 ACRES

C(BUILDING)= 0.95, C(PAVEMENT)= 0.95 , C(LAWN)= 0.25

C(AVE.)= (1.173X0.95+0.286X0.25)/1.459 = 0.81

C(AVE.)= 0.81

Qa=0.15X1.459= 0.219 CFS

$$Q_o = \frac{Q_a}{CA} = \frac{0.219}{0.81 \times 1.459} = 0.185$$
$$T_{100} = -25 + \sqrt{\frac{10312.5}{Q_o}} = -25 + \sqrt{\frac{10312.5}{0.185}} = 211 \text{ MIN.}$$
$$V_{s100} = \frac{16500T}{T+25} - 40Q_oT = \frac{16500 \times 211}{211+25} - 40 \times 0.185 \times 211$$

Vs= 13,191 CU. FT./ ACRE IMPERVIOUSNESS

Vt=VsAC = 13,191X1.459X0.81= 15,589

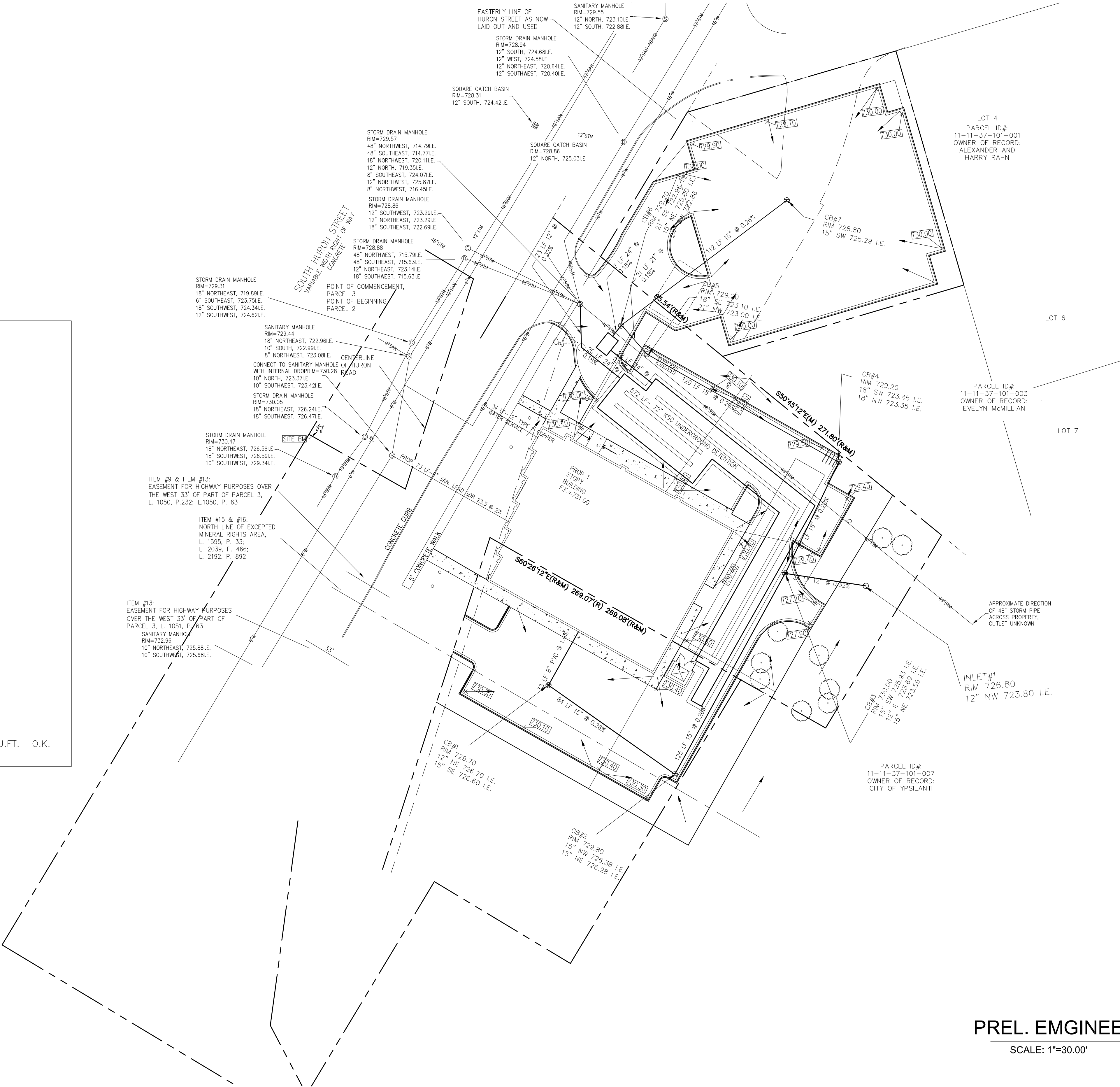
TOTAL VOLUME REQUIRED = 15,589 CU.FT.

REQUIRED 72" PIPES LENGTH= 15,589/28.29 = 551 LF

USE 572 LF- 72" KSC PIPES

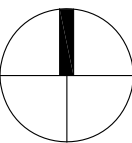
VOL. = 572X28.29 = 16,182 CU.FT.

TOTAL STORAGE AVAILABLE = 16,182 CU.FT. > 15,589 CU.FT. O.K.



PREL. ENGINEERING PLAN

SCALE: 1"=30.00'



LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A	15	KSF1 175M R4SC (PROBE)	Specification Area Luminaire, 175W Metal Halide, R4SC Sharp Cutoff Reflector, Full Cutoff MEETS THE NIGHTTIME FRIENDLY CRITERIA	ONE 175-WATT CLEAR B7-28 METAL HALIDE, HORIZONTAL POSITION.	KSF1_175ML_R4SC_(PROBE).ies	12000	0.81	213
	B	10	TWF1 100M	CONTOUR SERIES BUILDING MOUNTED WALLPACK WITH VERTICAL LAMP AND GLASS LENS	ONE 100-WATT CLEAR E17 PULSE START METAL HALIDE, VERTICAL BASE UP POS.	TWF1_100M.ies	8500	0.81	129

LUMINAIRE LOCATIONS										
No.	Label	X	Location Y	Z	MH	Orientation	Tilt	X	Alm Y	Z
1	A	368.5	475.9	15.0	15.0	208.5	0.0	367.9	474.8	0.0
2	A	418.0	351.2	15.0	15.0	-57.8	0.0	416.9	351.9	0.0
3	A	425.5	424.3	15.0	15.0	261.7	0.0	424.2	424.2	0.0
4	A	348.2	610.8	15.0	15.0	166.7	0.0	348.4	609.6	0.0
5	A	420.3	632.2	15.0	15.0	168.6	0.0	420.5	630.9	0.0
6	A	305.7	553.2	15.0	15.0	125.1	0.0	306.8	552.4	0.0
7	A	283.9	491.0	15.0	15.0	69.0	0.0	285.0	491.5	0.0
8	A	352.2	552.1	15.0	15.0	72.1	0.0	353.4	552.5	0.0
9	A	475.6	589.3	15.0	15.0	251.9	0.0	474.4	588.9	0.0
10	A	422.1	512.5	15.0	15.0	-16.3	0.0	421.8	513.7	0.0
11	A	388.4	340.8	15.0	15.0	-31.6	0.0	387.8	341.8	0.0
12	B	287.5	449.2	12.0	12.0	33.3	0.0	288.2	450.3	0.0
13	B	320.8	430.0	12.0	12.0	32.4	0.0	321.4	431.1	0.0
14	B	363.7	406.1	12.0	12.0	27.7	0.0	364.3	407.3	0.0
15	B	256.8	420.6	12.0	12.0	-60.2	0.0	255.7	421.3	0.0
16	B	265.5	448.5	12.0	12.0	-60.4	0.0	264.4	449.1	0.0
17	B	363.2	379.9	12.0	12.0	120.9	0.0	364.3	379.3	0.0
18	B	245.4	367.5	12.0	12.0	213.7	0.0	244.7	366.5	0.0
19	B	282.2	345.9	12.0	12.0	203.4	0.0	281.7	344.7	0.0
20	A	358.8	290.1	15.0	15.0	-65.3	0.0	357.6	290.6	0.0
21	A	238.6	300.4	15.0	15.0	32.7	0.0	239.3	301.4	0.0
22	A	294.1	268.9	15.0	15.0	30.5	0.0	294.7	270.0	0.0
23	A	223.3	329.4	15.0	15.0	29.0	0.0	223.9	330.5	0.0
24	B	320.7	324.8	12.0	12.0	203.4	0.0	320.2	323.6	0.0
25	B	247.5	391.3	12.0	12.0	-60.2	0.0	246.4	392.0	0.0

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	1.5 fc	7.9 fc	0.1 fc	79.0:1	15.0:1
Residential	+	0.0 fc	0.1 fc	0.0 fc	N / A	N / A
Sidewalk	+	0.2 fc	1.4 fc	0.0 fc	N / A	N / A

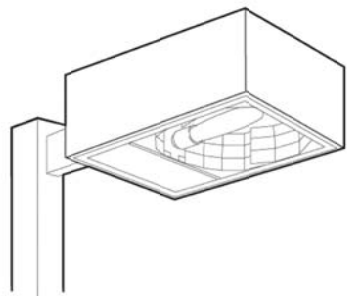
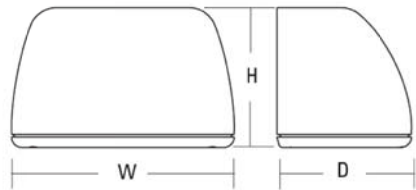


Wall-Mounted Luminaire

TWF1

METAL HALIDE: 100W

Specifications
Width: 16 (40.6)
Height: 10 1/16 (25.6)
Depth: 9-5/8 (24.4)
*Weight: 24 lbs (10.9 kg)
All dimensions are inches (centimeters) unless otherwise indicated.
*Weight as configured in example below.

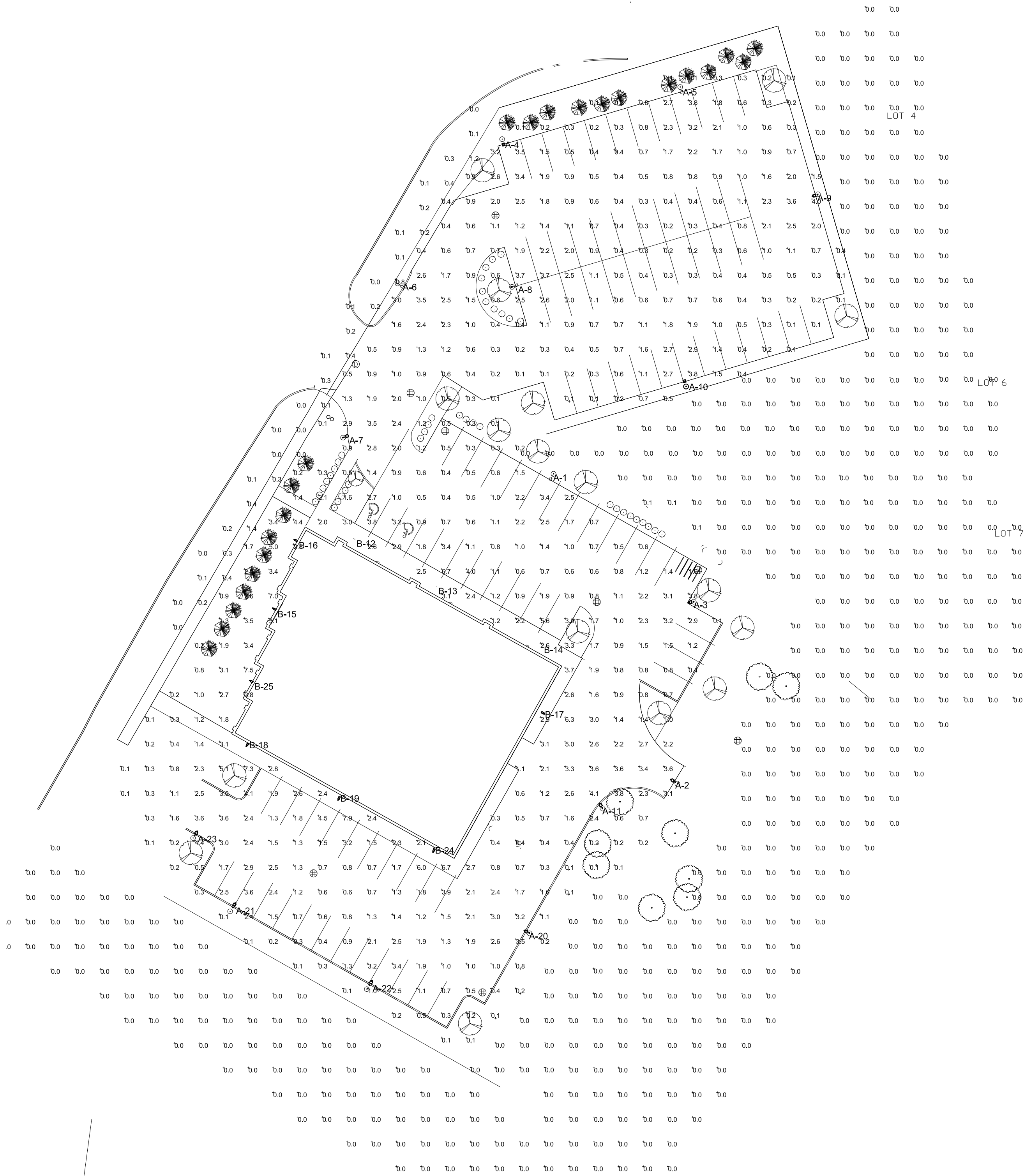
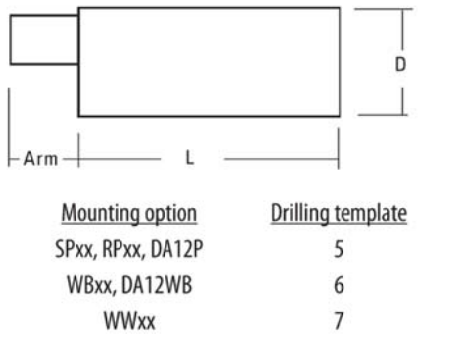


Area Lighting

KSF1

METAL HALIDE: 100-250W

Specifications
EPA: 1.5 ft² (1.4 m²) (includes arm)
Length: 21-1/4 (54.0)
Width: 15-15/32 (39.3)
Depth: 7-1/4 (18.4)
Arm: 4 (10.2)
*Weight: 35 lbs (15.9 kg)
*Weight as configured in example below.
All dimensions are inches (centimeters) unless otherwise specified.



PHOTOMETRIC PLAN

SCALE: 1"=30.00'



LOCATION MAP



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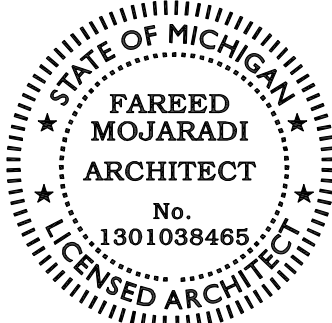
PATIENT STATION

Project No.

2016-25

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Sheet Title

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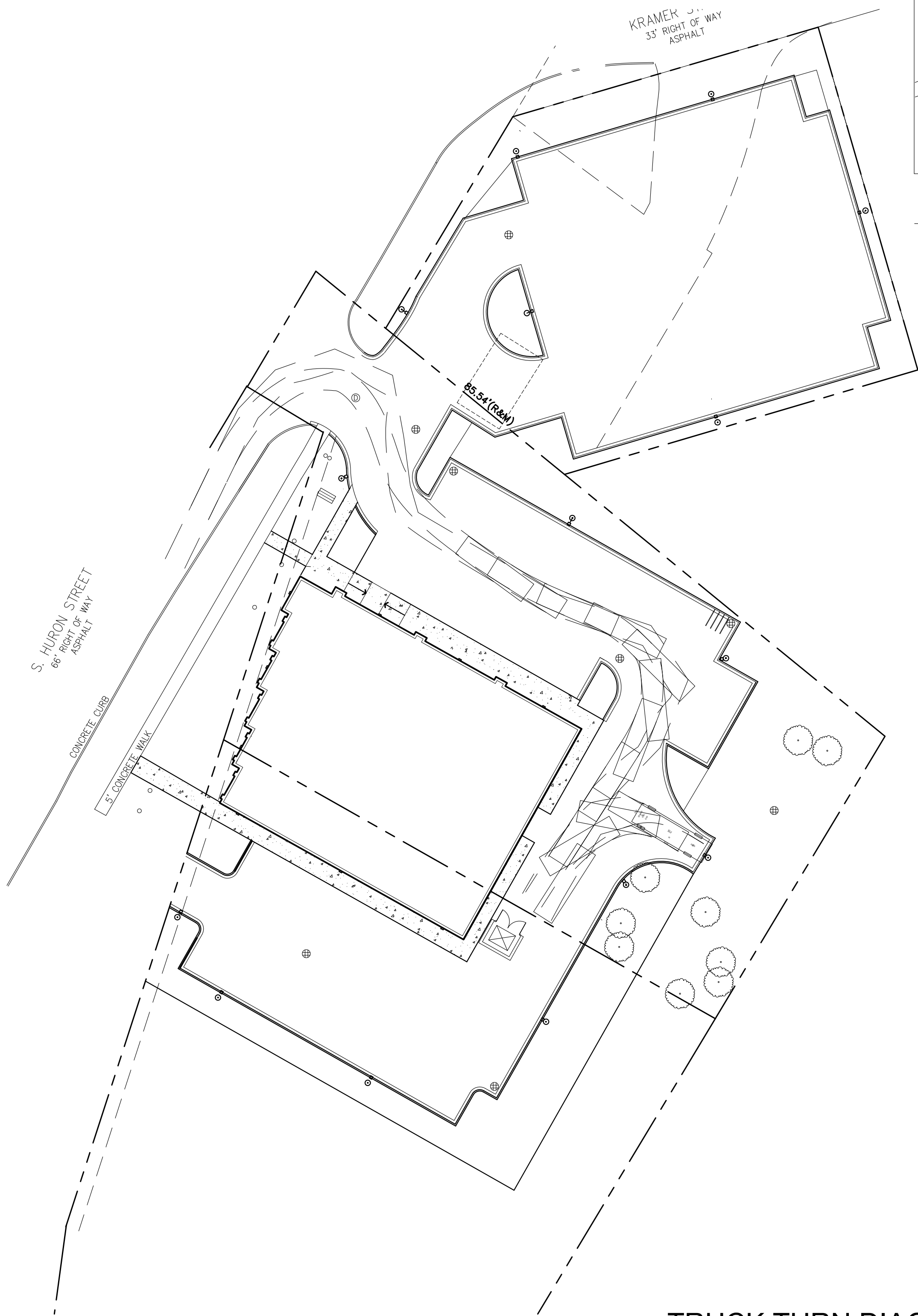
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Date

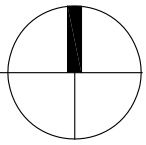
SITE PLAN APP 05 / 04 / 2018

Sheet No.

E-1



LOCATION MAP



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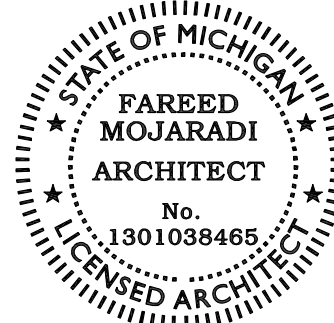
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Sheet Title

TRUCK TURN DIAGRAM

Issued Date

SITE PLAN APP 05 / 04 / 2018

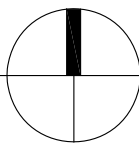
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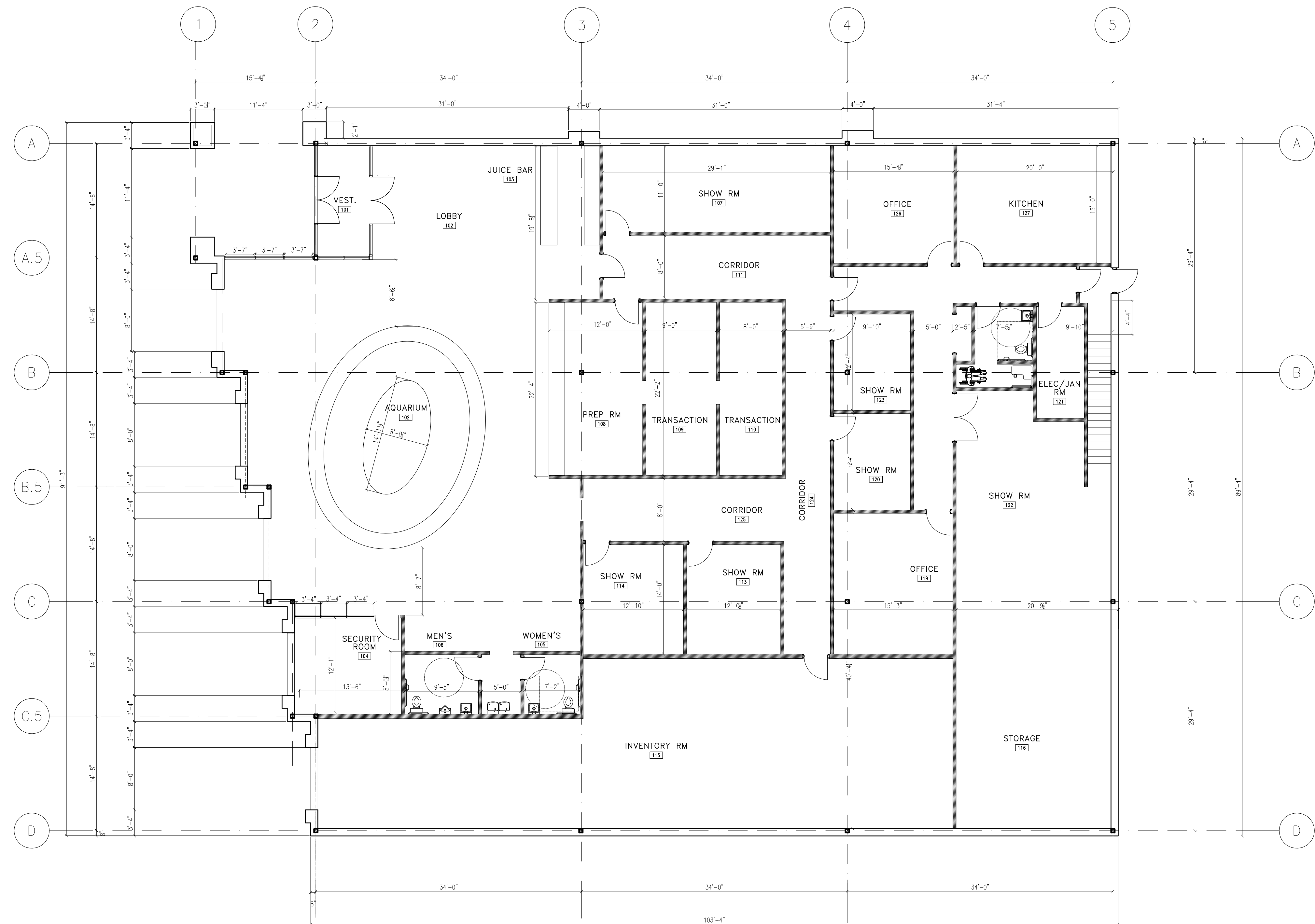
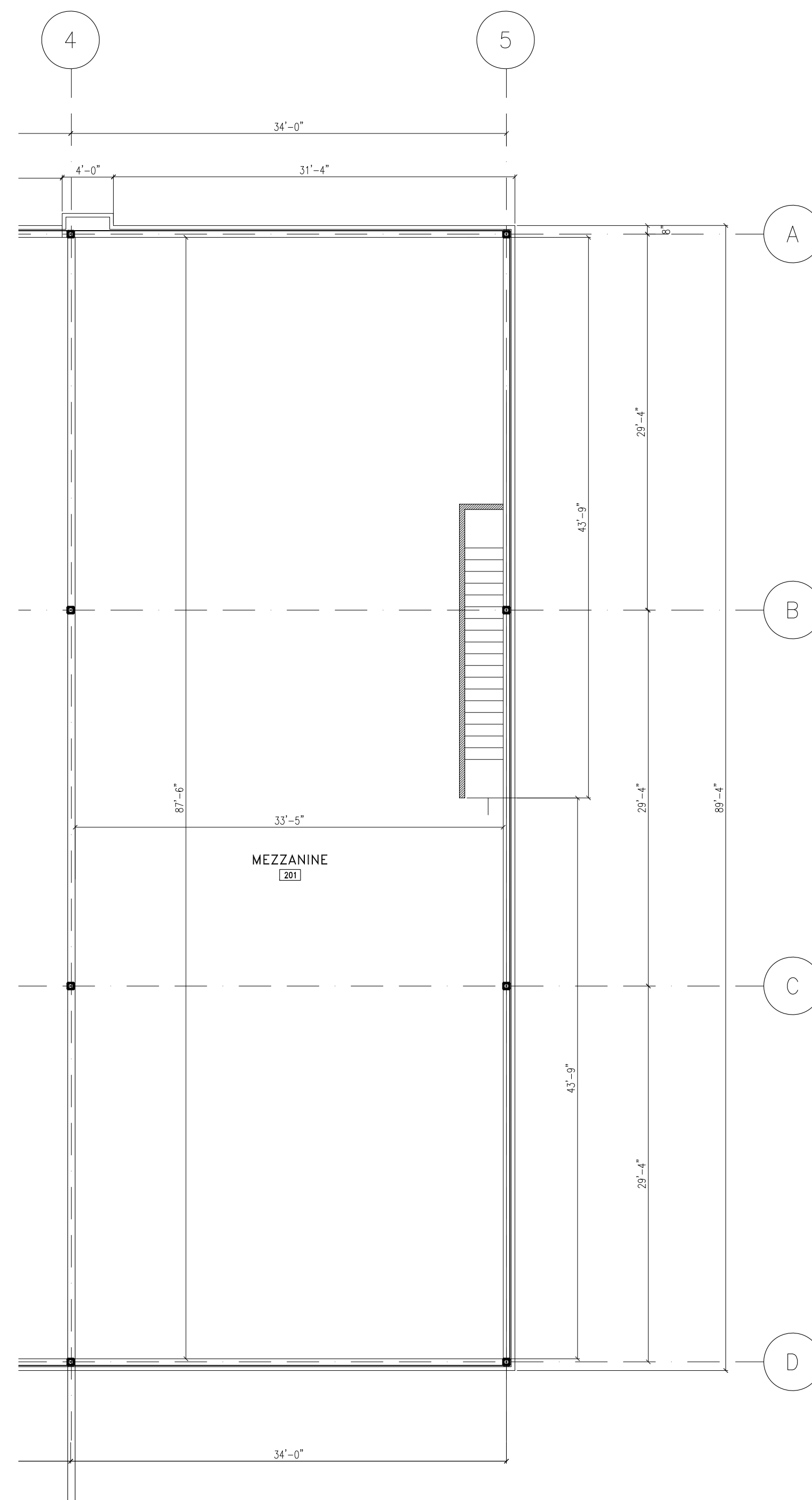
T-1

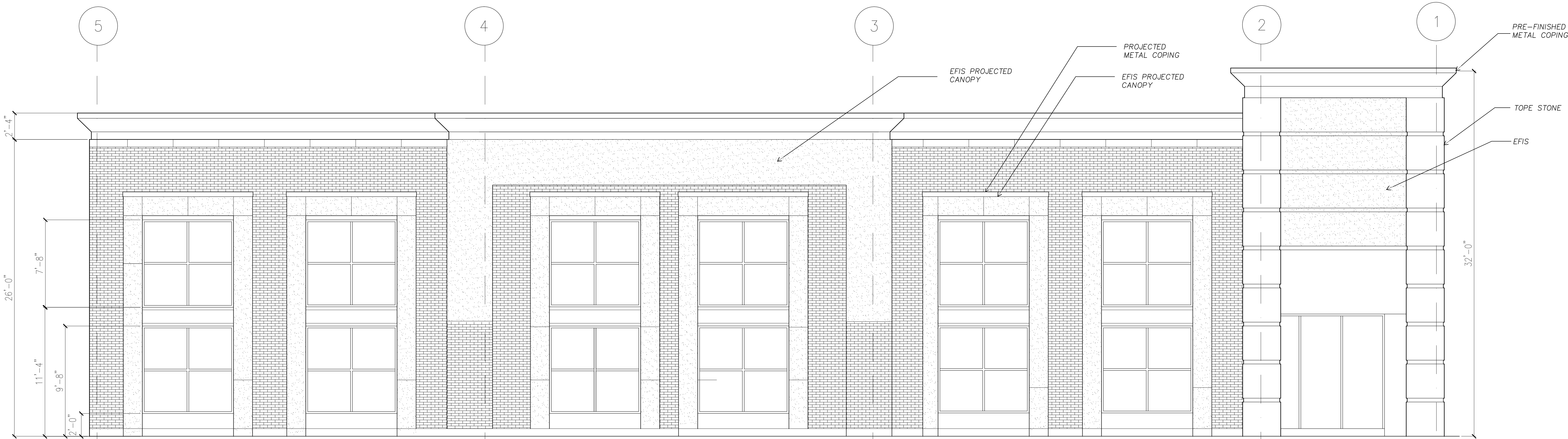
TRUCK TURN DIAGRAM

SCALE: 1"=30.00'

SU-30 TRUCK 30 FEET
WHEEL TO WHEEL DIM.
45 FEET TOTAL LENGTH

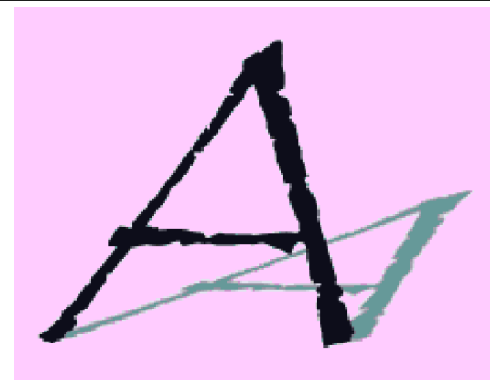






NORTH ELEVATION

SCALE: 1/4"=1.00"



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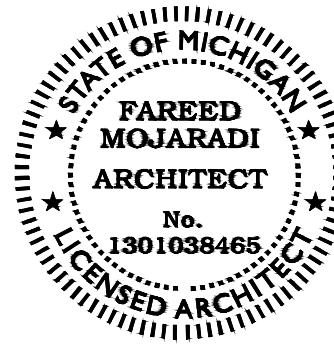
PATIENT STATION

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Sheet Title

ELEVATIONS

Issued

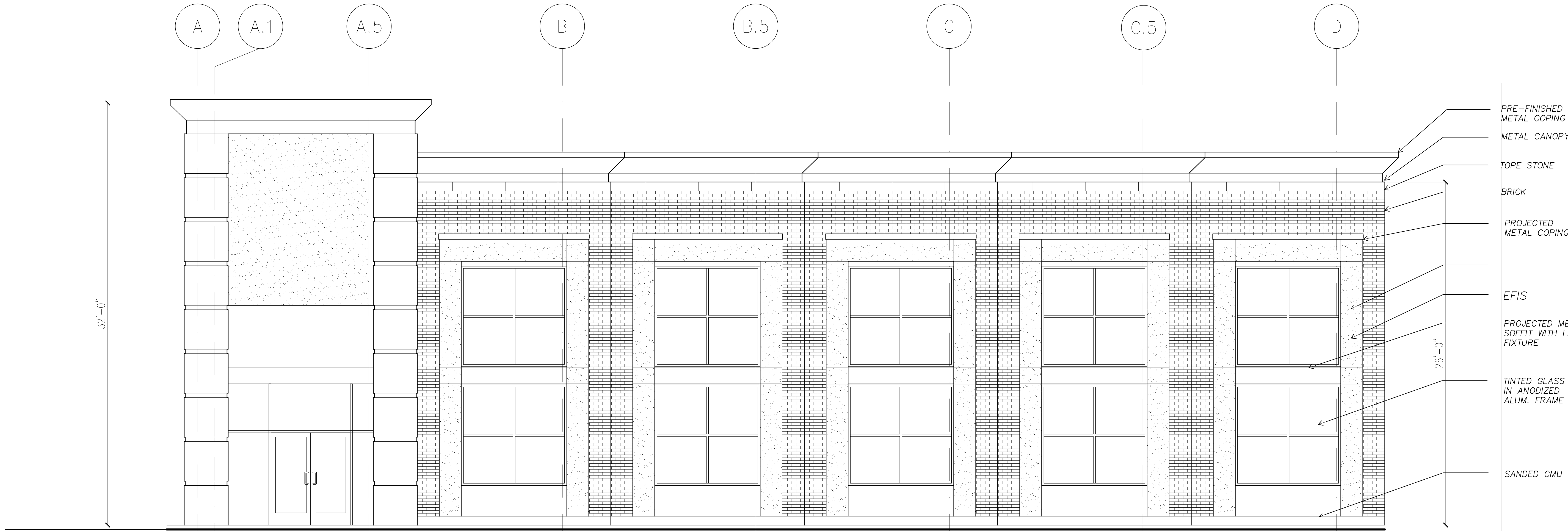
SITE PLAN APP

Date

05 / 04 / 2018

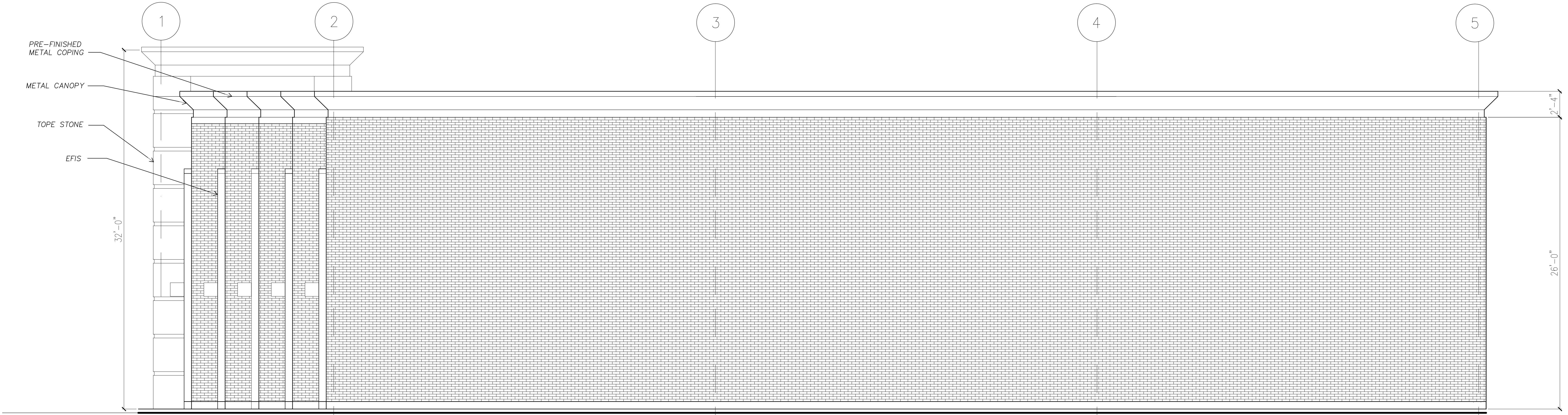
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A-2



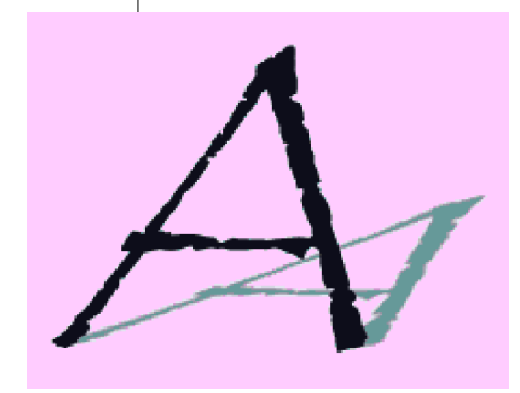
WEST ELEVATION

SCALE: 1/8"=1.00"



SOUTHELEVATION

SCALE: 1/4"=1.00"



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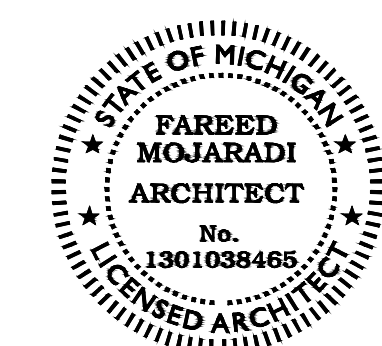
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ELEVATIONS

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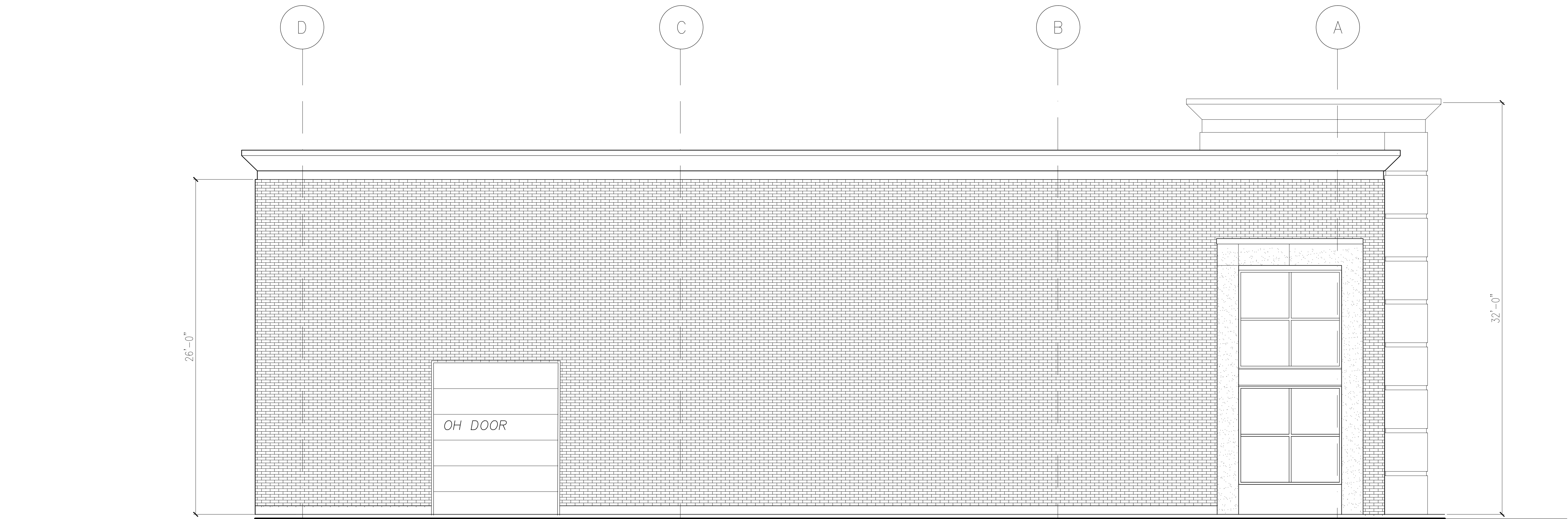
SITE PLAN APP

Date

05 / 04 / 2018

Sheet No.

A-3



EAST ELEVATION

SCALE: 1/4"=1.00"



August 22, 2018

**Staff Review of Variance Application
2nd floor expansion (parking)
2 N Normal**

GENERAL INFORMATION

Applicant: Vincent Zhang
Daisy Rentals LLC
800 Cliffs Drive #308
Ypsilanti, MI 48198

Project: 2 N Normal – 2nd floor addition

Application Date: 18 July 2018

Location: North-east corner of Congress and Normal

Zoning: CN-Mid, Core neighborhood mid

Action Requested: Approval of a variance from 122-683 (off street parking construction), 684 (parking landscaping), and 691 (parking quantity)

Staff Recommendation: Approval

PROJECT AND SITE DESCRIPTION

2 N Normal is an existing three-unit home. There was a fire at the property earlier this year, causing extensive damage. The owners are interested in expanding the second story by approximately 200 square feet, over an existing first-story addition. The use of the property for three units is an existing legal nonconforming use; nonconformities may not be expanded; thus, they sought a Special Use Permit for the use of the property as a three-unit with the expanded second story.

As they are a “new” use, the current requirements for parking kick in. For three units, they would be required to have 5 parking spaces. The site currently only has one, located in the front yard off Normal, and no room for another. The applicant is requesting a set of variances to permit this parking space to continue.

An AAATA bus route 6 stop is nearby at the corner of Congress and Summit. The area is within the Residential Permit Parking program and part of Area 4. There is on-street parking available on both sides of Normal and on the north side of Congress. There are plentiful sidewalks in the area, and sidewalks connect the building entrances to the street.

The single space onsite in the front yard is paved. Front yard spaces are no longer permitted. It could be possible to place a space in the rear yard, off Congress, however, this would pose some logistical and setback challenges. Relocating the drive would not be able to provide any more than one total space due to the limited width.

Figure 1: Subject Site Location



Figure 2: Site Close-up (2015)



Figure 3: photograph of site (google street view)



Figure 4: Current Photographs (Normal frontage)



Figure 5: Current Photograph (Congress frontage)



Figure 6: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Multi-family residential	CN-Mid, Core Neighborhood-Mid
EAST	Single, Two, & Multi-family residential	CN-Mid, Core Neighborhood-Mid
SOUTH	Single & Multi-family residential	CN-Mid, Core Neighborhood-Mid
WEST	Multi-family residential	CN-Mid, Core Neighborhood-Mid

ORDINANCE

Sec. 122-683. Off-street Parking layout and construction for all other uses.

Off-street parking facilities required for multiple-family and nonresidential uses shall be located on the same lot or parcel as the building or use they are intended to serve, or within 300 feet of such building or use, measured from the nearest point of the building to the nearest point of the off-street parking lot. A shared parking agreement or use easement for the land intended for shared parking must be on file with the county register of deeds, in order for the shared parking spaces to satisfy the quantity requirement. Parking spaces may be located within buildings or structures consistent with the Building Code.

- (a) **Review and approval requirements.** Except for off-street parking accessory to single- or two-family dwelling units, review and approval is required for off-street parking areas in accordance with Article III of this chapter.
- (b) **Ingress and egress.** Adequate ingress and egress to such parking lot shall be provided by means of clearly defined and limited drives having a minimum width of 20 feet for two-way traffic and 10 feet for one-way traffic, with a maximum of 30 feet. All such drives shall be located so as to minimize traffic congestion.
 - (1) On lots with a lot width of 100 feet or less, no more than one curb cut to a single street is permitted.
 - (2) All curb cuts accessing Washtenaw Avenue (M-17) must comply with the Michigan Department of Transportation M-17 Access Management Plan and the ReImagine Washtenaw Corridor Improvement Study.
 - (3) All curb cuts and approaches to such parking lots shall comply with adopted City standards for curb cuts.
 - (4) Ingress and egress for the parking area in an area zoned CN-Mid, CN, HC, NC, GC, C, HHS, PMD shall not cross land zoned for P, R1 or CN-SF.
 - (5) Parking lot driveways shall be situated so as to minimize vehicle headlights from shining on residential dwellings.
 - (6) Where possible, curb cuts shall be located across from any existing curb cuts on the opposite side of the street, or shall be offset from any opposite-side curb cuts by at least 25 feet.
 - (7) No curb cut for a parking lot may be closer than 50 feet to the intersection of any two streets as measured along the street right-of-way line. However, the Planning Commission may allow a curb cut for a parking lot situated on a small land parcel located no closer than 20 feet to the intersection of any two streets, upon finding that no other access points in compliance with City Ordinances is possible due to the size of the parcel.
- (c) **Access.** All parking spaces shall be provided adequate access by pedestrians and vehicles:
 - (1) Walkways in Parking Lots. Paved walkways a minimum of 5 feet in width shall be provided for access to adjacent parks, commercial areas, transit stops, anticipated walkways and institutions. Pedestrian movement shall be accommodated within parking lots through raised walkways, marked crosswalks or similar methods.
 - (2) Vehicular Access. All parking spaces must be accessible to vehicles by means of maneuvering aisles. Except for one- and two-family uses, maneuvering or backing from a parking space directly onto a street or walkway shall be prohibited, and all parking spaces shall be designed so that any motor vehicle may be parked or unparked without moving another vehicle.
- (d) **Maneuvering drives.** Each driveway providing access to an off-street parking lot containing five or more parking spaces shall be a minimum of ten feet in width. Where a turning radius is necessary, it shall be an arc that allows unobstructed vehicle flow.
- (e) **Surfacing.** All parking and loading facilities and access drives shall be paved with a durable bonded material in accordance with accepted engineering standards, or alternative surfacing materials to minimize impervious surface and stormwater runoff, employ environmental and other best practices, and achieve low impact design, at the discretion of the City Engineer. Use of pervious alternative surfaces is encouraged in proximity to the Huron River and Paint Creek. Paving materials proposed to improve aesthetics may also be considered by the City Planner and the Planning Commission. Alternative surfaces proposed shall be reviewed by the City's consulting engineer.
- (f) **Drainage.** All off-street parking and loading areas shall be graded and drained to public storm sewers. As an alternative, if in the opinion of the City's consulting engineer, the soils are of a type which will allow for efficient drainage, the use of drywells, infiltration trenches, swales, bio-retention or other best management practices for controlling urban runoff quality are permitted. No surface water shall be permitted to drain onto adjoining properties, unless there is a common engineered drainage system shared with the adjoining property.

or an appropriate watershed easement has been obtained. No surface water drainage from an off-street parking lot shall be permitted to drain across a public sidewalk.

- (c) **Setback from street.** Parking lot setbacks are designated by the zoning district in which they are located. An allowed exception are circular drives, which may be located in a required minimum front yard or street side yard, provided that such drives shall be designed so that no parking space is located closer than 25 feet to any street right-of-way line.
- (d) **Setback from adjacent lot.** Parking areas are required to be 10' from any adjacent lot. Planning Commission may waive this requirement in whole or in part with a finding that the lot shares a common access and common parking with the adjoining lot, or that stormwater, landscaping, and other similar concerns have been adequately addressed with other methods.
- (g) **Striping.** For parking lots containing five or more spaces, all spaces shall be outlined with three-inch wide strips of white or yellow paint, except that barrier-free spaces shall be blue, with a symbol of compliance in blue, and signed in accordance with the State Barrier-Free Code.
- (h) **Wheel stops.** For parking lots containing five or more spaces or accessory to commercial uses, wheel stops or curbing shall be provided for all parking spaces to prevent any vehicle from projecting beyond the parking lot area, bumping any wall or fence, or encroaching upon any landscaping. In all cases where parking lots abut public or private sidewalks, continuous concrete curbing or bumper stops, at least six inches high, shall be placed so that a motor vehicle cannot be driven or parked on, or hang over, any part of any sidewalk.
- (i) **Lighting.** With the exception of multiple-family dwellings on individual lots containing no more than four units, parking and loading facilities utilized during night-time hours shall be artificially illuminated. All such outdoor lighting shall meet the requirements of §122-609.
- (j) **Maintenance.** All off-street parking areas, including striping, shall be maintained in good usable condition, and when necessary shall be treated to prevent dust or other nuisances. Such parking areas and drives shall also be kept free of litter, debris, and refuse.
- (k) **Additional requirements.** In addition to the above requirements, parking areas shall comply with additional requirements or conditions which may be deemed as reasonably necessary by the Planning Commission for the protection of abutting lots.

Sec. 122-684. Parking screening and landscaping.

- (a) **Intent.** Separate landscape areas shall be provided within parking lots so as to break up the broad expanse of pavement, mitigate heat island effect, support storm water management, and guide the circulation of vehicular and pedestrian traffic.
- (b) **Required landscaping within off-street parking areas.** Separate landscape areas shall be provided within off-street parking areas in accordance with the following requirements:
 - (1) There shall be a minimum of one (1) tree for every eight (8) parking spaces, provided that a landscape island shall be provided for no more than sixteen (16) continuous spaces.
 - (2) Landscape islands must meet the following size requirements:
 - (i) Landscape islands containing a tree shall be a minimum of 160 square feet and a minimum of nine (9) feet wide.
 - (ii) Landscape islands containing a pedestrian pathway shall be a minimum of eleven (11) feet wide, with a pathway of a minimum width of five (5) feet and minimum three (3) feet wide landscape area on both sides.
 - (iii) If landscaped islands are not used for storm water infiltration, the islands must be raised and curbed.
 - (3) The ends of all parking aisles and corners shall be protected with a curbed island.
 - (4) A minimum distance of three (3) feet from the backside of the curb and the proposed landscape plantings shall be provided. Where vehicles overhang a landscape island or strip, a minimum distance of five (5) feet from the backside of the curb and the proposed landscape plantings shall be provided.
 - (5) Shrubs and/or ground covers which will not impede vehicular visibility in accordance with this Ordinance may also be included.
- (c) **Required Landscaping at the Perimeter of Off-Street Parking Areas, Loading Zones, and Access Drives.** Separate landscape areas shall be provided at the perimeter of off-street parking areas in accordance with the following requirements. This landscaping cannot be counted toward any other landscaping requirement except for the "site landscaping" minimum percentage.
 - (1) Off-street parking areas in the side and rear yard which abut a R-1, MD, CN, CN-Mid, CN-SF zoning district must be screened in accordance with §122-634.

- (2) All off-street parking areas that are visible from a public road shall be screened from view with a solid wall or landscape planting achieving at least 80% opacity year-round at least three (3) feet in height but no more than four (4) feet in height, in conformance with §122-675.
- (3) All land between a parking lot and any street right-of-way shall be kept free from refuse and debris and must be landscaped. The ground area shall be planted in lawn or other live ground covering. All such landscaping and plantings shall be maintained in a healthy, growing condition, neat and orderly in appearance.
- (d) Landscaped areas, walls, structures, and walks shall be properly protected from vehicular encroachment or overhang through appropriate wheel stops or curbs, as well as a distance of at least 3 feet.

Sec. 122-691. Minimum and maximum number of parking spaces.

USE	AUTOMOBILE SPACES PER UNIT OF MEASURE
RESIDENTIAL	
Multiple-family dwellings, including townhouses	1.5 for each dwelling unit, plus 1 for each 10 dwelling units for guest parking.

STANDARDS **§122-370(b)**

Standards for Variances. A variance from the literal enforcement of this Ordinance may be granted by the Zoning Board of Appeals only if all of the following standards are met.

- (1) *Literal enforcement of this chapter will pose practical difficulties to the applicant because of special conditions or circumstances which are unique to the specific property such as: exceptional shallowness or shape of the property, exceptional topographic conditions, extraordinary situation of a building or structure, use or development of an adjacent property, or difficulties relating to construction or structural changes on the site. Mere inconvenience or a desire to attain higher financial return shall not itself be deemed sufficient to warrant a variance.*

The applicant notes that practical difficulty is found in attempting to add or change any additional parking spaces, due to the positioning of the existing building on the lot and the slope of the lot eastward. The only location on the front of the lot to place a parking space is where it currently is; the only place on the rear of the lot would be behind the building, accessed off Congress- but would result in overall more paved surface, present grading challenges, be difficult to access due to the narrowness of the space, and be directly adjacent to the neighbor's lot. There would be no net gain.

- (2) *Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.*

This is an uncommon challenge for this use in this zoning district, but not unheard-of. In other zoning districts, such as Center, it is common to have a building/use that was constructed without interest in parking or open space. In this district, this is rare; most homes (single family or multifamily) have room for at least some parking beside or behind the building. There are, however, a handful of properties that, in the 1970s, were granted variances to permit front-yard parking; two of these are in the 900 block of West Cross.

- (3) The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.*

The owner did not construct the existing building nor did they plat or subdivide the lot upon which it is built.

- (4) The granting of the 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.*

The front yard parking has existed there for many, many years. We have no records of complaints or other issues arising from its placement.

- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.*

This variance would allow the property to retain one parking space. Generally speaking, the area is walkable enough and has ample public parking to possibly allow for no onsite parking at this location. However, provision of one parking space does allow for the possibility of a person with a disability to have relatively convenient access to a personal vehicle.

- (6) A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.*

Yes. Permitting the applicant to have one space allows the applicant to maintain the current density; it also provides potential accommodations should a future resident have a disability.

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals *approve* the variance requests from 122-683 (off street parking construction), 684 (parking landscaping), and 691 (parking quantity) to permit the existing single parking space in the front yard to remain at 2 N Normal, with the following findings per 122-370(b):

- (1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of the grading of the lot and the footprint of the existing building.
- (2) Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district; several other properties owners in the CN-Mid district of the north side of the 900 block of West Cross have the ability to park in their front yards due to a historical set of variances.
- (3) The practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.
- (4) The granting of the 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.
- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.
- (6) This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure.

Bonnie Wessler
City Planner, Community & Economic Development Division

c.c. File
 Applicant



City of Ypsilanti
Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646 • Fax: (734) 483-7260
www.cityofypsilanti.com

Non-refundable
Planning Fee:
Single-family application
fee: \$200
All others: \$450
PER VARIANCE
REQUESTED

VARIANCE APPLICATION

Applicant*

Name Daisy Rentals LLC (Vincent Zhang)		
Address 800 Cliffs Drive #308, Ypsilanti, MI 48198		
City Ypsilanti	State MI	Zip 48198
Phone / Fax 615-957-4320	E-Mail daisyrentals@gmail.com	

*If applicant is not owner of property, a written, notarized statement from the owner authorizing this application must be included.

Property

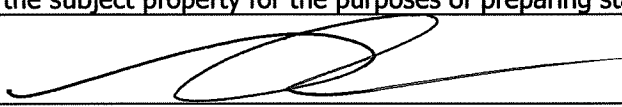
Name of project 2 North Normal - 2nd Floor Addition	
Address 2 North Normal Street	
List all parcel identification numbers included in development: 11-11-40-464-024	
Legal description of property (may be attached): OLD SID - 11 11-175-008-20 YP CITY 21W-10 S 47 FT OF W 4 1/2 RDS OF LOT 8 CROSS & BAGLEY'S ADDITION	
Current Zoning: CN-Mid	Current Use: Residential: multi-family (3 units)
Attach an accurate, scaled drawing, of the property showing: • all property lines and dimensions correlated with the legal description • the location and dimensions of all existing and proposed structures and uses on property • any roads, alleys, easements, drains, or waterways which cross or abut the property and the lot area and setback • dimensions necessary to show compliance with the regulations of this Ordinance	

Request for Variance

Description of proposed project 206 sq. ft. second floor addition to an existing two-story, 3-unit, apartment building. Existing building has 1 off-street parking space.

Section of Ordinance (chapter, article, section, subsection format, please) 122-683, 122-684, 122-691
How the proposed project is contrary to ordinance: Parking for 1.5 cars per unit is required (5 cars for 3 units). 1 space is currently provided, which has been the condition on this property for several years.
Practical difficulties which prevent compliance: There is not space on the existing lot (with the existing building) to provide parking for 5 cars. This condition is existing and has been for years. The proposed work will have no impact on this condition.
Unique circumstances regarding the property (i.e. shape, topography, etc) which prevent compliance: The existing building, existing use, and existing parking have all existed for several years. No change (other than 206 sq. ft. 2nd floor addition) is proposed.

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.	
Signature: 	Date: 18 July 2018
Print Name: Vincent Zhang	

FOR OFFICE USE ONLY

Date	Amount	Cash	Check
Account: 101-4-7210-607-01		Code: 178 Rezone	
Description of deposit:			
Signature of person receiving deposit:			



Addition for Existing Apartment Building

2 North Normal Street - Ypsilanti, MI 48197

Planning Department

18 July 2018

Owner:
Daisy Rentals LLC - Vincent Zhang
800 Cliffs Drive #308
Ypsilanti, MI 48198
615.957.4320

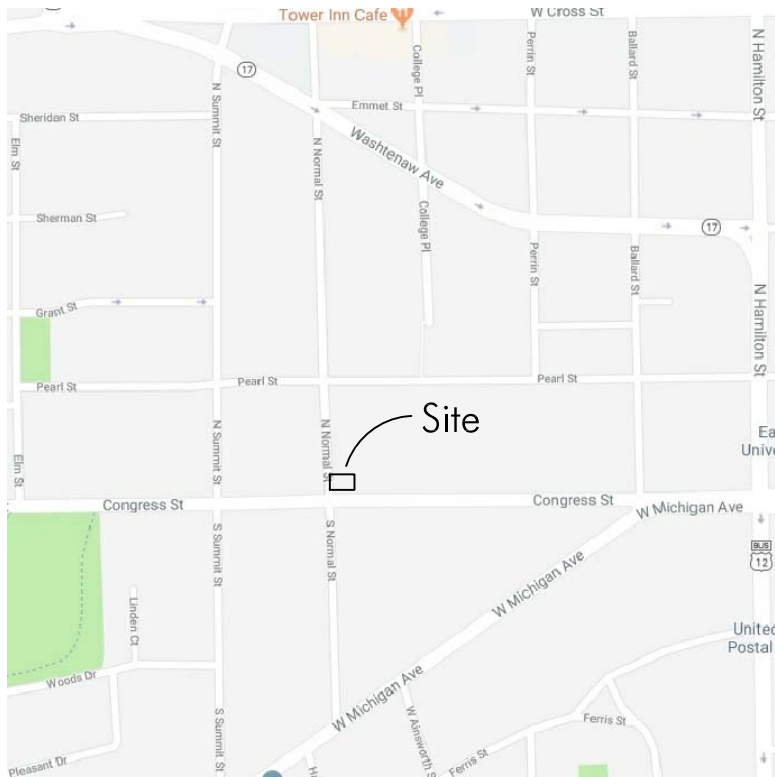
Architect:
Lewis Greenspoon Architects LLC
440 South Main Street, suite 2
Ann Arbor, MI 48104
contact: David Lewis (734.786.3757)

Scope of Work:

2nd Floor Addition over existing
one-story portion of building.
Repair fire damage to existing building.

Sheet Index:

A1.1 Cover Sheet & Site Plan
A2.1 Existing and Proposed Floor Plans



VICINITY MAP
N.T.S.

Planning Department Notes:

Zoning: CN-Mid
Lot Size: 47.0' x 74.25' = 3,489.75 sq. ft.

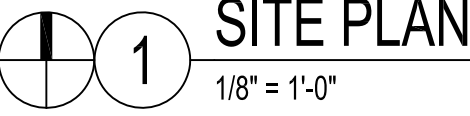
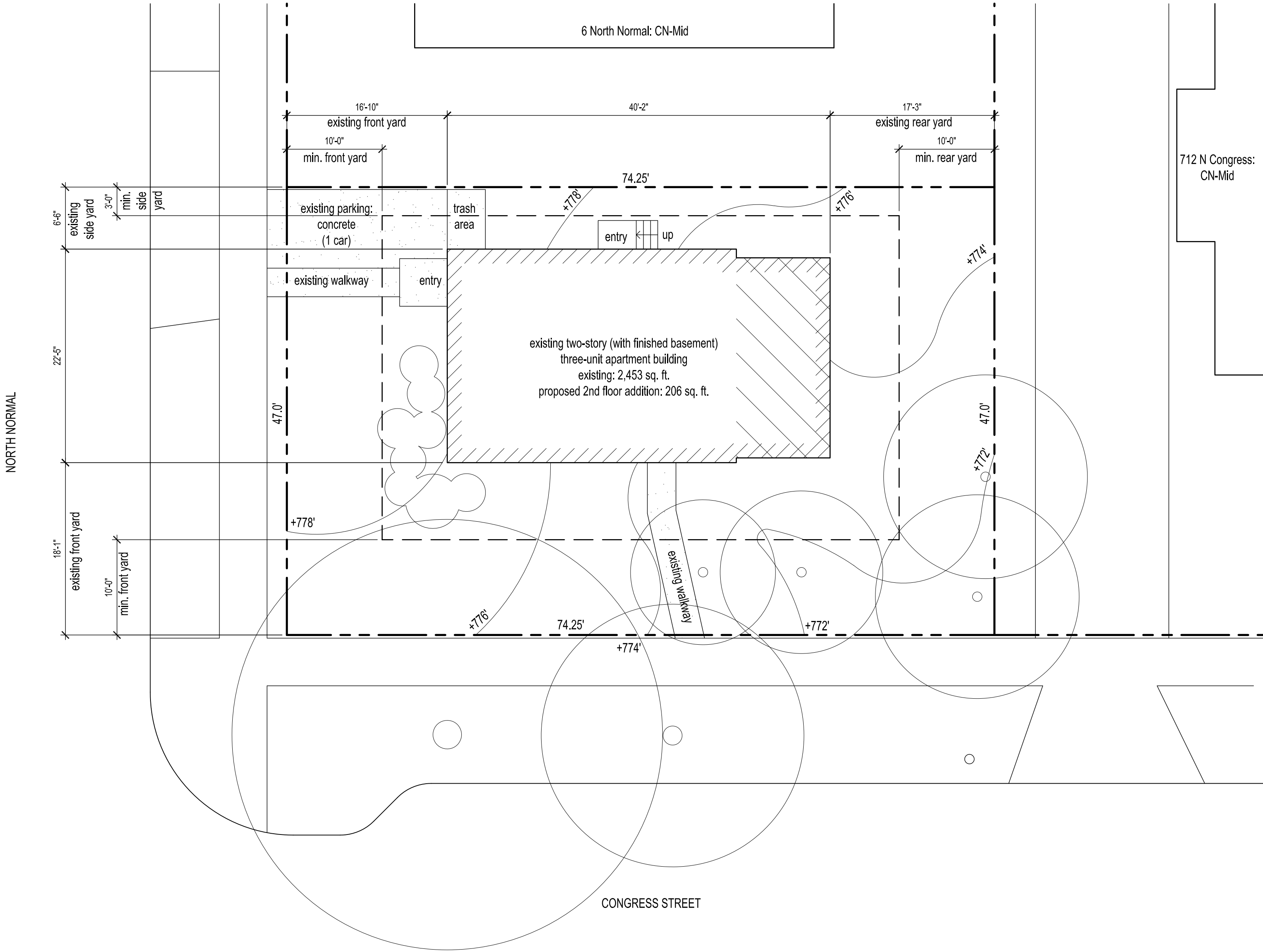
Existing Building Use: Multi-Family Housing, 3 units
Proposed Building Use: No Change

Existing Building Size: two-stories / 2,453 sq. ft. (includes finished basement)
Proposed Building Size: two-stories / 2,659 sq. ft. (includes finished basement)

Existing Bldg Footprint: 886 sq. ft. (25% of lot)
Proposed Bldg Footprint: 886 sq. ft. (25% of lot)

Existing Parking Provided: 1 car
Proposed Parking Provided: 1 car

Variance Request: reduce the required off-street parking from 5 to 1 car



SITE PLAN
1/8" = 1'-0"

**Daisy
Rentals**

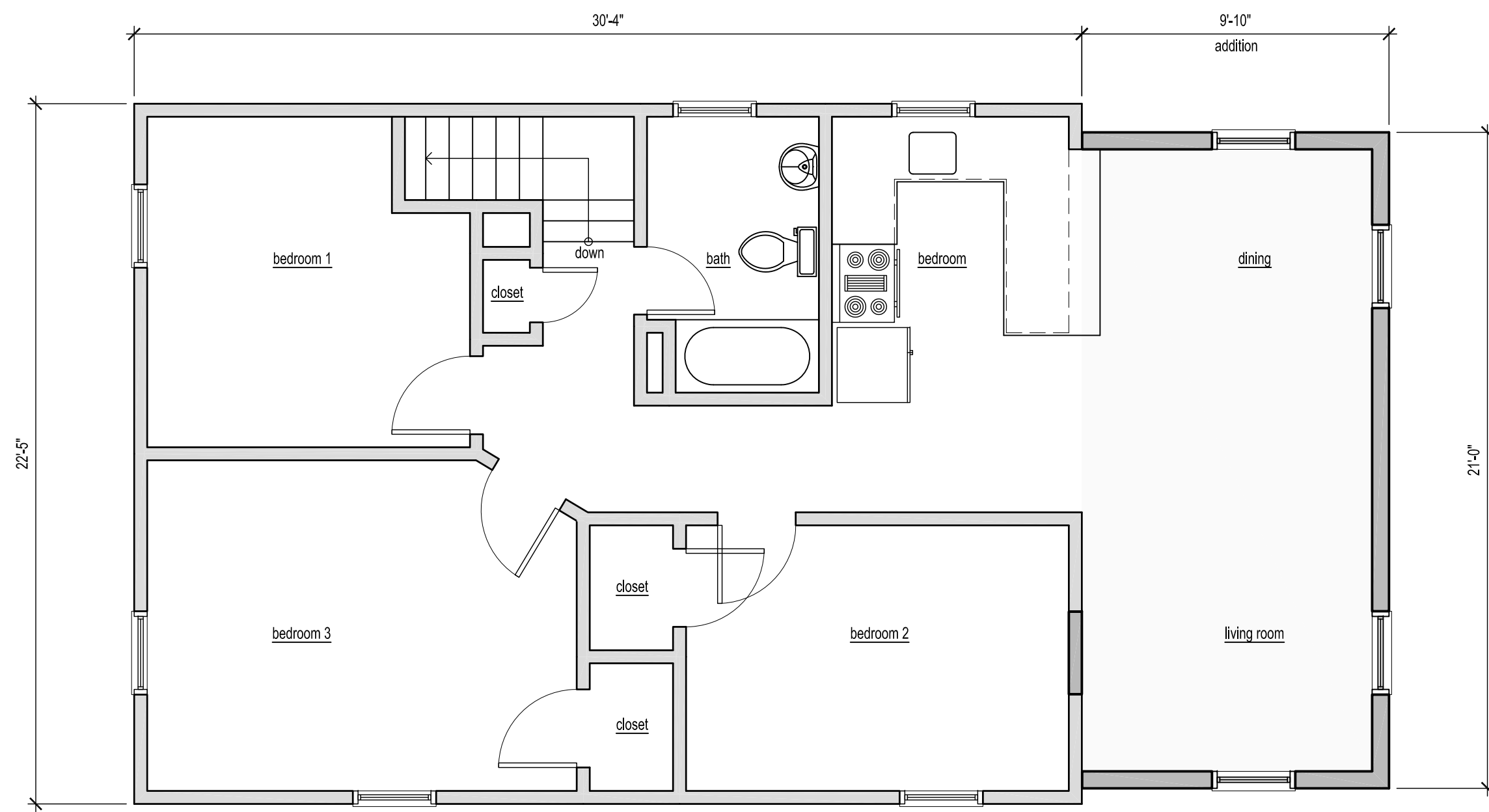
Second Floor
Addition

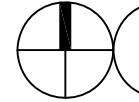
2 North Normal Street
Ypsilanti MI 48197

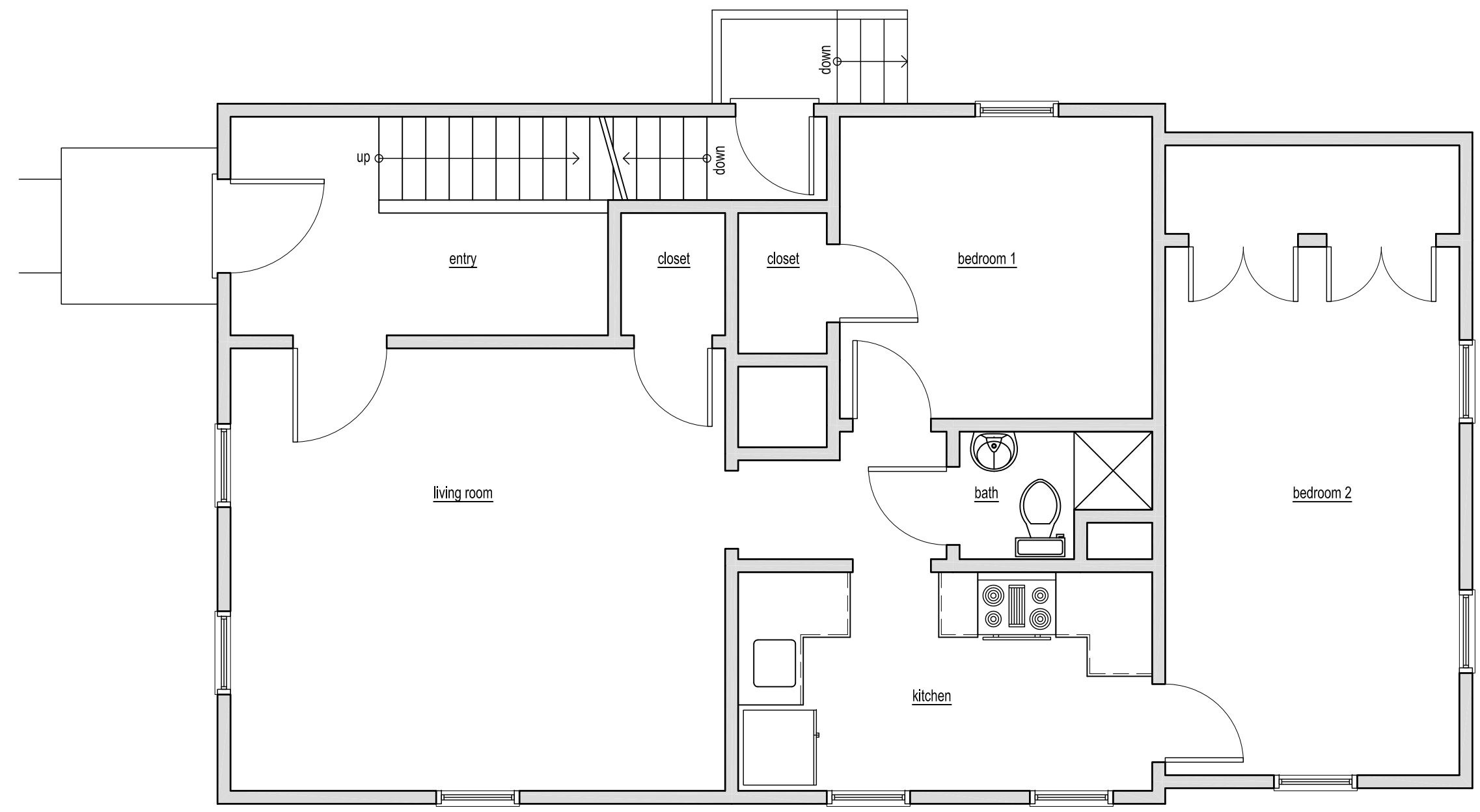
project no: 10036

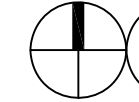
issue no:
planning dept. 18 Jul'18

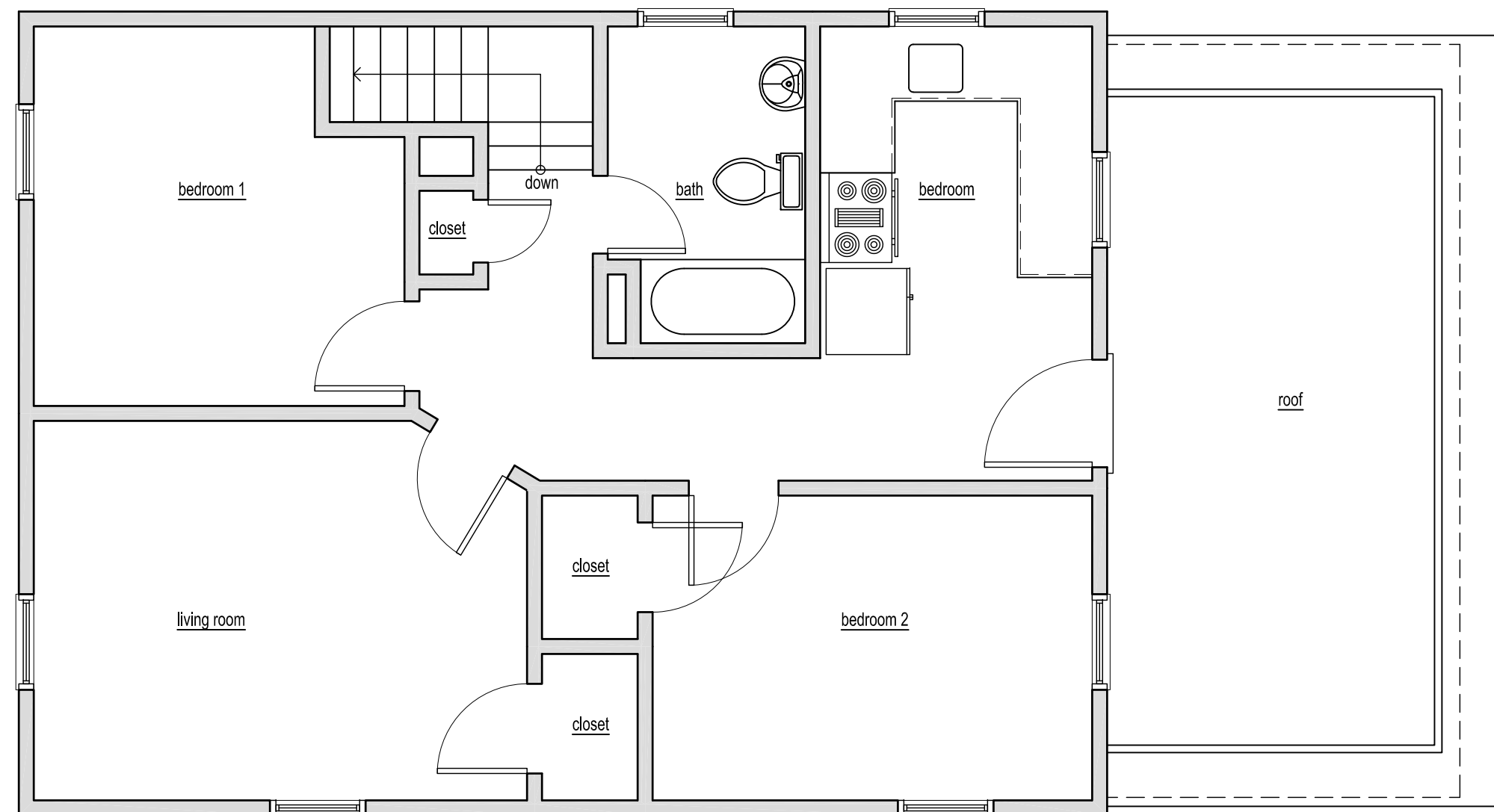
A1.1
COVER SHEET
SITE PLAN

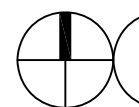


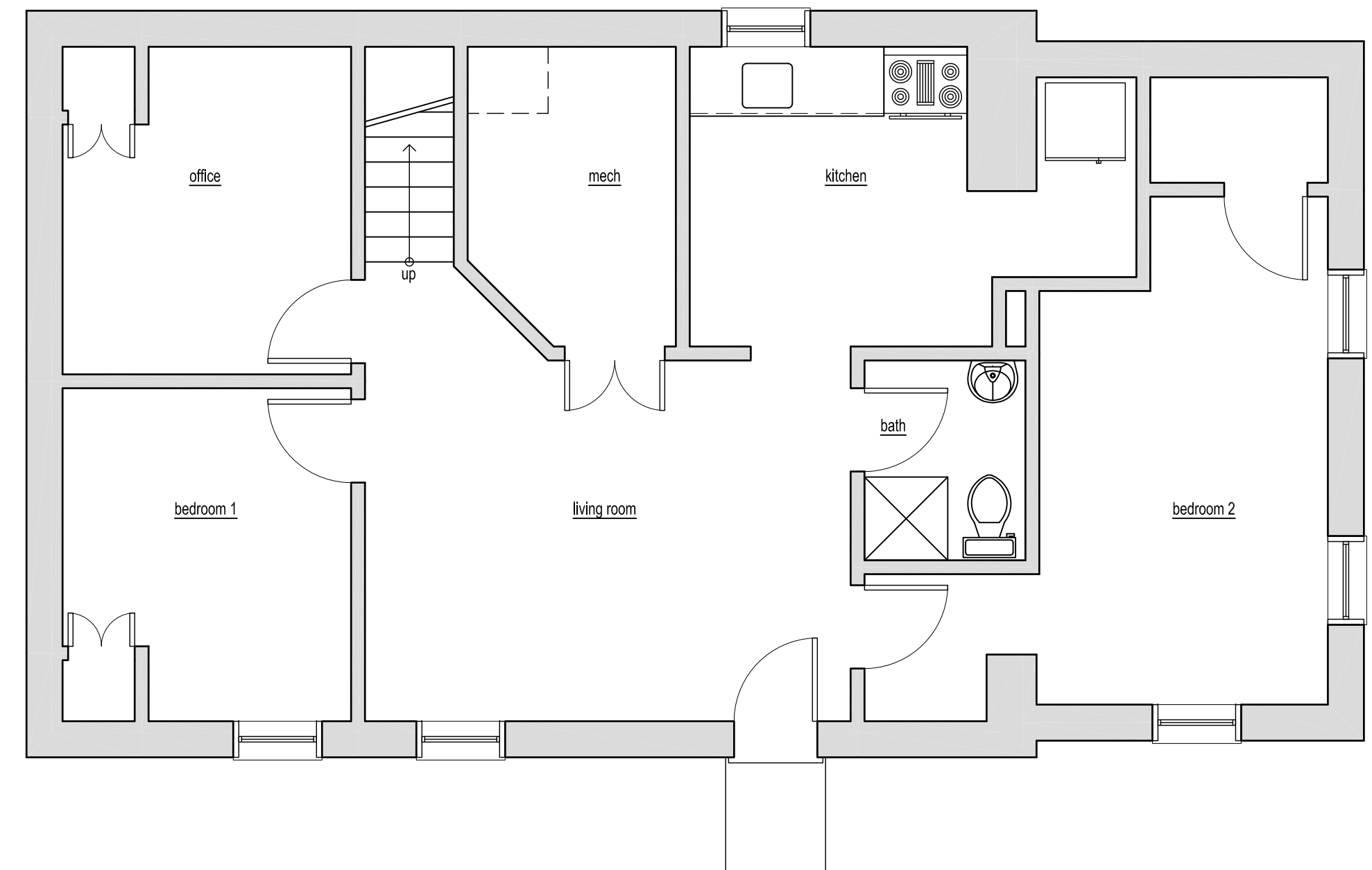
 4 **SECOND FLOOR - PROPOSED**
1/4" = 1'-0"

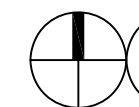


 2 **FIRST FLOOR - EXISTING**
1/4" = 1'-0"



 3 **SECOND FLOOR - EXISTING**
1/4" = 1'-0"



 1 **BASEMENT - EXISTING**
1/4" = 1'-0"

**D a i s y
R e n t a l s**

**Second Floor
Addition**

2 North Normal Street
Ypsilanti MI 48197

project no: 10036

issue no:
planning dept. 18 Jul 18

Agenda
Zoning Board of Appeals
Wednesday, August 22, 2018 - 7:00 P.M.
City Hall-Council Chambers, 1 S Huron St
Ypsilanti, MI 48197

I. Call to Order

II. Roll Call

Jake Albers, Chair	P	A
Cisco Garcia, Vice Chair	P	A
Heather Khan	P	A
Jennifer Symanns	P	A
Jared Talaga	P	A

III. Approval of Minutes

- June 27, 2018

IV. Purpose of Meeting

V. Old Business

- Elections

VI. New Business

- 539-569 S Huron- Variance
Public Hearing
- 2 N Normal- Variance
Public Hearing

VII. Adjournment

**ZONING BOARD OF APPEALS
MEETING MINUTES
June 27 2018
CITY COUNCIL CHAMBER
7:00 P.M.**

1. CALL TO ORDER

The meeting was called to order at 7:04 pm.

II. ROLL CALL

Present: J. Albers, C. Garcia, H. Khan, J. Symanns, J. Talaga

Staff: C. Kochanek, Preservation Planner
Nan Schuette, Executive Director

III. APPROVAL OF MINUTES

Commissioner Talaga moved to approve the minutes of May 23, 2018 (Support: J. Symanns) and the motion carried unanimously.

IV. PURPOSE OF MEETING

Chairman Albers stated the purpose of the meeting.

V. OLD BUSINESS

None

VI. NEW BUSINESS

1. 32 Photo – Variance

Staff report was presented by C. Kochanek, Preservation Planner, who stated that this is a request for approval of a variance to permit a detached accessory structure in the front yard. The parcel is on the south side of Photo Street west of N. River at the end of Photo just east of the Huron River. The parcel is 0.54 acres with frontage on Photo St. There is an existing 2,046 sq. ft. structure on site with one existing accessory structure, a shed, on site.

The applicant is looking to add a garage to the site in the front yard, at the end of Photo St. The structure is addressed to and faces Photo St. Staff determined that the area just west of Photo St, where the applicant is proposing to building a detached garage, is

in the front yard, thus the need for a variance from Sec 122-651(b)(3). The lot is a non-traditional lot in that it has a substantial front yard due to how the structure is oriented on the site and where Photo St ends. There is very little rear yard on the property and the only other option for a location in which to build the detached accessory structure is in the side yard to the west of the structure creating the need for a substantial driveway in which to access the garage.

Ms. Kochanek reviewed the land use and surrounding area. She also reviewed the standards for variances noting that all standards had been met.

Commissioner Garcia moved to open the public portion of the hearing (Support: H. Kahn) and the motion carried unanimously.

Janelle Sterling, 32 Photo – stated that they had purchased the home approximately three years ago without a garage knowing we would like to build one. Their house faces Photo Street and there is one existing structure in the yard.

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

Chair Albers informed staff that he had a family emergency and had to leave.

Since there were no comments or questions by board members, Commissioner Symanns moved that the Zoning Board of Appeals approve the variance request from Sec. 122-651(b)(3) to permit a detached accessory structure in the front yard at 32 Photo St, with the following findings:

Findings:

1. The location of the lot and orientation of the house with respect to both Photo and the Huron river pose practical difficulty under Sec 122-370(b)(1).
2. The granting of this variance will not confer upon the applicant any special privileges that are denied to others in this district, under Sec 122-370(b)(2).
3. the practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property, as the house was constructed in the 1920s under previous ownership, under Sec 122-370(b)(3).
4. the granting of the 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 Sec 122-370(b)(4).
5. The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance, under Sec 122-370(b)(5).
6. This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure, under Sec 122-370(b)(6).

And the following conditions:

1. The detached accessory structure be set back at least 5' from the north property line.
2. The detached accessory structure be no closer to the east property line than the westernmost side of the existing house.

The motion was supported by Commissioner Talaga and carried unanimously 4:0.

Vice-Chair Garcia took over the role as Chair adding that the next item was another variance request.

2. **831 Oak - Variance**

Preservation Planner Kochanek stated that this is a request for approval of a variance from Sec. 122-422(c)(4) to permit a detached accessory structure in the street side yard. The property is located on the north side of Oak St. just east of Osband St on a corner lot. The parcel is 0.163 acres with frontage on Oak and Osband in the Prospect Park area. There is an existing 1,036 sq. ft. structure on site with a 400 sq. ft. detached garage. City records list the garage at 280 sq. ft.

The applicant has added a 98 sq. ft. detached accessory structure in the street side yard. The accessory structure is 6' in from the fence on the Osband St side; this fence appears to be inside the west side property line. The structure is 6' from the fence at the rear of the property.

A letter was mailed to the homeowner in September 2017 after receiving a complaint and verifying that the accessory structure had been built in the street side yard. Accessory structures are not permitted to be built in the street side yard in R-1, thus the applicant is seeking a variance from Sec 122-422(c)(4) for the structure to remain as built. Structures less than 200 s. f. do not require a building permit, however, they must still comply with the zoning ordinance.

Planner Kochanek reviewed the standards for variances and noted that only one of the standards had been met.

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

Michael Bergeron, 712 Virginia Place – has no problems with this shed and supports the variance request.

Jared Meeks, 831 Oak – is the applicant. He stated that he was not aware of the topographic requirements. He did not feel he would be getting special privilege since he recently drove around other areas and counted 14 houses with street side sheds, etc. The actual rule he is violating is 2-3 years old, not that he is using this as an excuse. He misinterpreted the rules and he did not know that the street side yard superseded.

There is 20'-30' shrubs behind the shed so approaching from the north, the shed can't be seen. He can't move the shed – would have to call in professional movers or a crane.

Catherine Rector, 616 Osband - stated that the shed is at the side of her driveway – it is an old neighborhood – the shed has been hand crafted, one of the nicest structures in the area, including some of the houses– doesn't block any views. She stated that the applicant contacted the city and he either misconstrued information or was misinformed. The couple are great neighbors and are so helpful. She doesn't feel that this structure affects anyone and supports granting a variance.

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

Commissioner Symanns asked staff about past zoning ordinance and Planner Kochanek referred to previous years for comparison. In 1998, they were not permitted in the side yard but the street side yard requirement was 8'. This shed is at 6' but the current zoning ordinance does not allow anything in the street side yard. Commissioner Khan asked the applicant if all the 14 houses he visited were in the city, and he stated they were. Vice-Chair Garcia stated the shed would be difficult to move. Staff reviewed the photo of the lot in question which was included in the staff report to explain in detail what is the actual side yard and back yard. Commissioner Symanns stated that on corner lots, there is limited back yard.

Commissioner Khan stated that while it could have been placed differently, the neighbors feel it is acceptable and the applicant is limited. She approved of the structure and was inclined to support a variance. Commissioner Talaga would have liked more information on previous variances, however, Planner Kochanek responded that previous zoning ordinances are not under consideration; it is what is under the current ordinance that is.

After further discussion, Commissioner Talaga moved that the Zoning Board of Appeals approve the variance from Sec. 122-422(c)(4) to permit a detached accessory structure in the street side yard at 831 Oak, with the following findings:

1. The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property [*per §122-370(b)(3)*].
2. The granting of the 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 [*per §122-370(b)(4)*].

The motion was supported by Commissioner Khan and carried unanimously 4:0.

3. **Elections**

Some discussion was held on possible election of officers, however, due to the absence of Chair Albers, it was agreed that this item would be postponed until the following

month. Commissioner Symanns moved to table elections until the July meeting (Support: H. Khan) and the motion carried unanimously.

4. **Future Business**

Planner Kochanek stated that there will be a meeting next month – the Patient Station.

VII. ADJOURNMENT

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

The meeting was adjourned at 7:49 pm.

DRAFT



July 2018

**Staff Review of Variance Applications
The Patient Station New Build
539-569 S. Huron**

GENERAL INFORMATION

Applicant: Kenzy Consulting, Inc.
539 S. Huron
Ypsilanti, MI 48197

Project: The Patient Station

Application Date: June 25, 2018

Location: East side of S. Huron St between I-94 and Spring St

Zoning: GC – General Corridor

Action Requested: Approval of a variance from:
122-477(H), Frontage Buildout
122-477, Private frontages

Staff Recommendation: Denial

PROJECT AND SITE DESCRIPTION

539/569 S Huron is approximately one and a quarter acres, with more than 500 feet of frontage on South Huron, immediately north of I-94. There is an existing 540 square foot single story building on site. The applicant is proposing to build an almost 10,000 square foot structure, south of the existing, along with associated parking and site improvements, and to demolish the existing structure. In June 2018, the Planning Commission approved a special use for the existing layout and the proposed new build. The additional parking lot to the north was granted a special use for a parking lot as a principal use at the Planning Commission meeting on August 14, 2018.

Due to the proposed use's need for quite a bit of parking and its unique location, they are requesting a variance from 122-477(H), Frontage Buildout, as quite a bit of their frontage is occupied by parking or landscaping.

Due to the proposed use's need for site security, the lack of walkability in the general area due to the proximity of I-94, and the non-perpendicular frontage to the street, they are requesting a variance from the strict requirements of 122-477, Private frontages.

Figure 1: Subject Site Location



Figure 2: Site Close-up (2015)



Figure 3: Proposed site layout (5/4/2018)

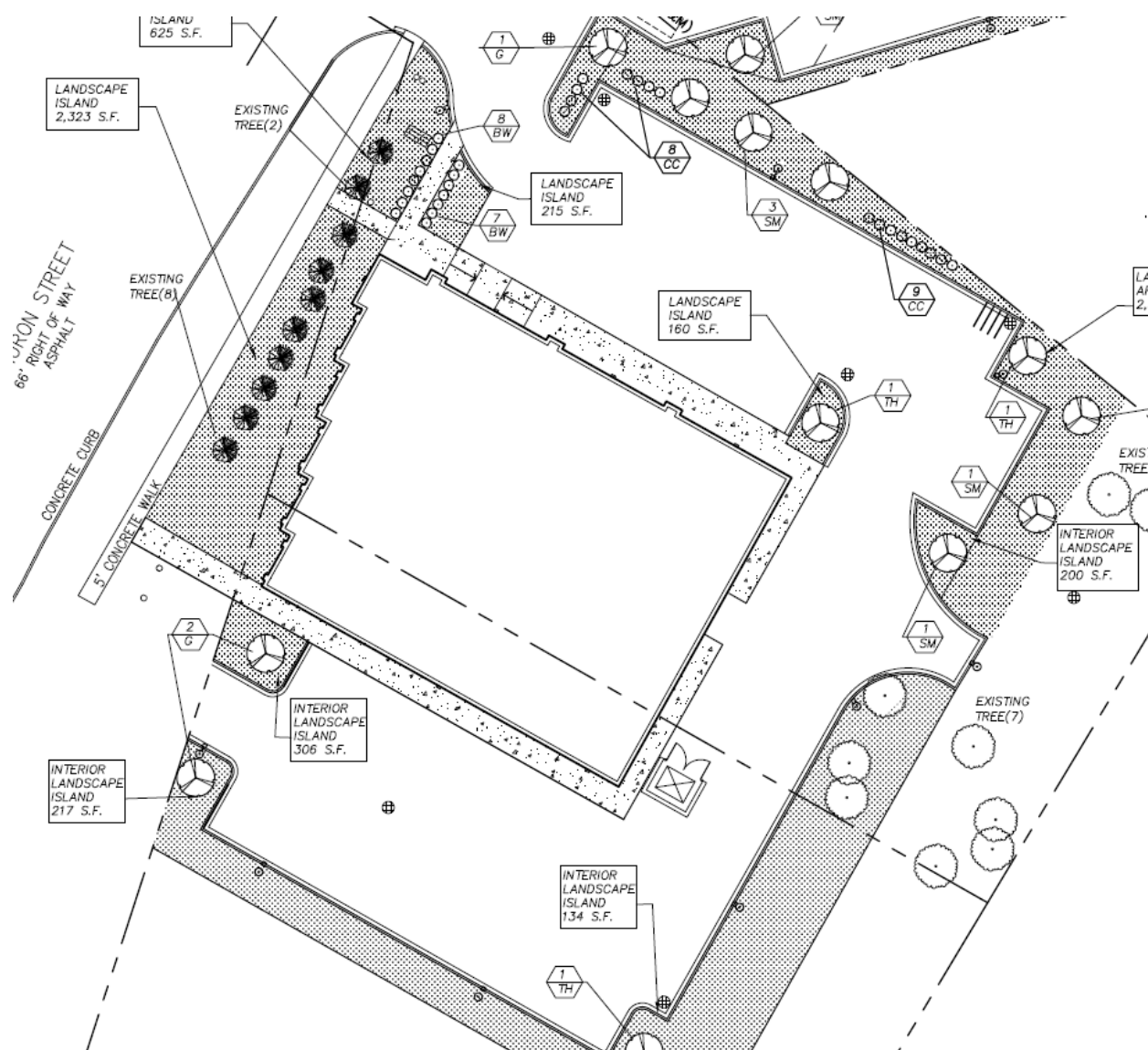


Figure 4: Proposed Frontage (5/4/2018)

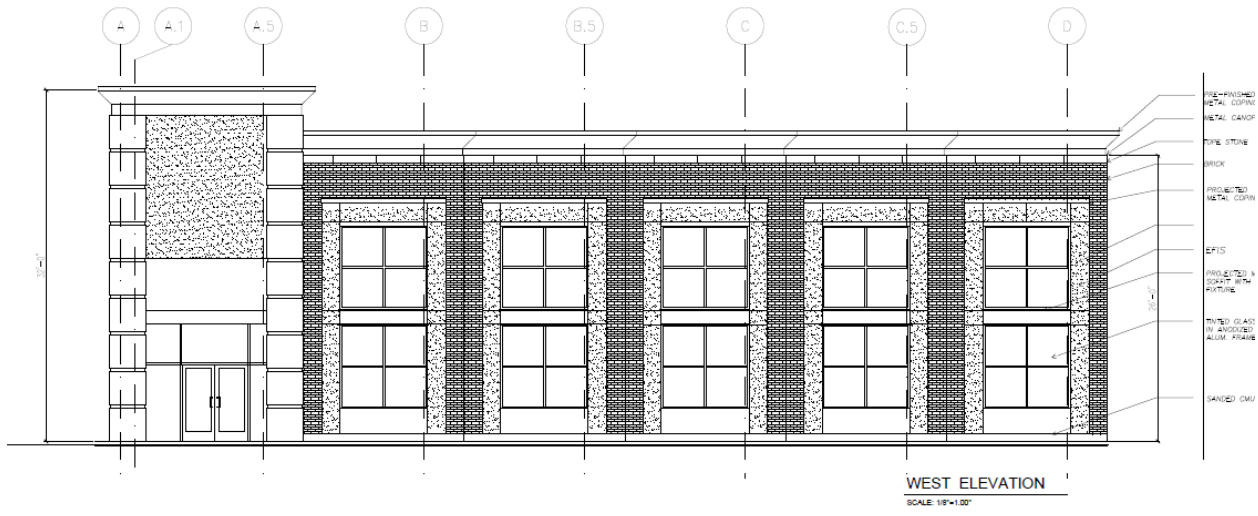


Figure 5: Land Use and Zoning of Surrounding Area

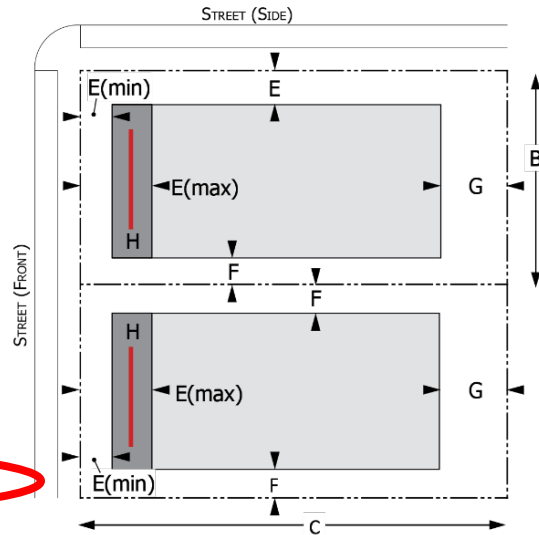
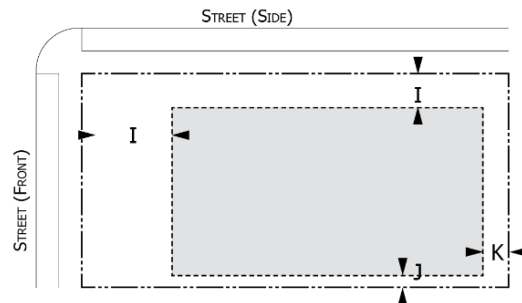
	LAND USE	ZONING
NORTH	Proposed Parking lot, gas station	NC
EAST	Vacant land, residential	P, CN-Mid
SOUTH	I-94	n/a
WEST	G.W. Kent (equipment manufacturer)	PMD

ORDINANCE**§122-477****Sec. 122-477. SC Single Story Commercial Building****SC****SINGLE STORY
COMMERCIAL
BUILDING**

These are generally designed for a single commercial use, located in lots that accommodate accessory parking, loading, and waste disposal areas.

LOT REQUIREMENTS		MIN	MAX
A	Lot size (sf)	7,500	90,000
B	Lot width (ft)	50	300
C	Lot depth (ft)	100	300
D	Lot coverage (%)	--	60
BUILDING ENVELOPE		MIN	MAX
E	Street setback (front or side) (ft)	5 ⁽¹⁾	15 ⁽¹⁾
F	Side setback (interior lot line) (ft)	0	--
G	Rear setback (ft)	15 ⁽²⁾	--
H	Frontage buildout (%)	50	100
ACCESSORY BUILDING ENVELOPE		MIN	MAX
I	Street setback (ft)	30	--
J	Side setback (ft)	10	--
K	Rear setback (ft)	10	--
L	Building footprint (sf)	--	800
BUILDING HEIGHT		MIN	MAX
M	Principal building (stories)	1	1
N	Accessory structure(s) (ft)	--	15
PARKING LOCATION		Permitted in the side, street side, and rear yards.	
PRIVATE FRONTAGES		Commercial required.	

- (1) If located on Washtenaw Avenue, must build no more than ten feet from future right-of-way line as defined in the ReImagine Washtenaw plan.
 (2) When adjacent to existing detached single-family homes, the rear setback shall be a minimum of 25 feet.

LOT REQUIREMENTS AND BUILDING ENVELOPE**ACCESSORY BUILDING ENVELOPE****BUILDING HEIGHT**

7

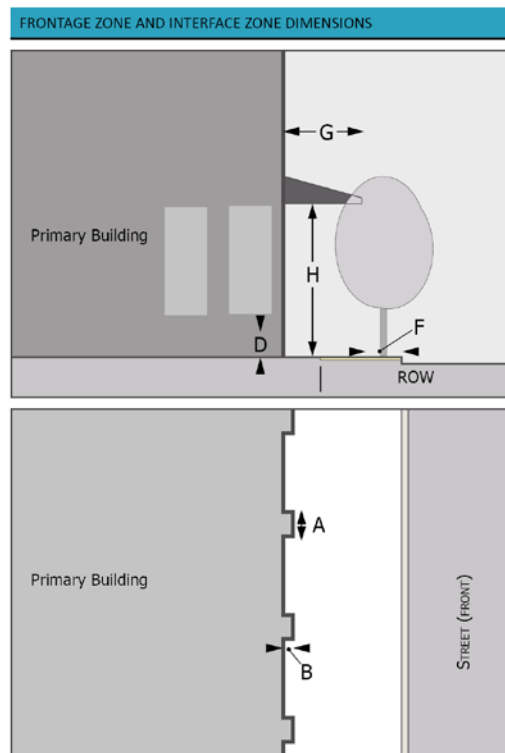
ORDINANCE**§122-477/ 122-484**

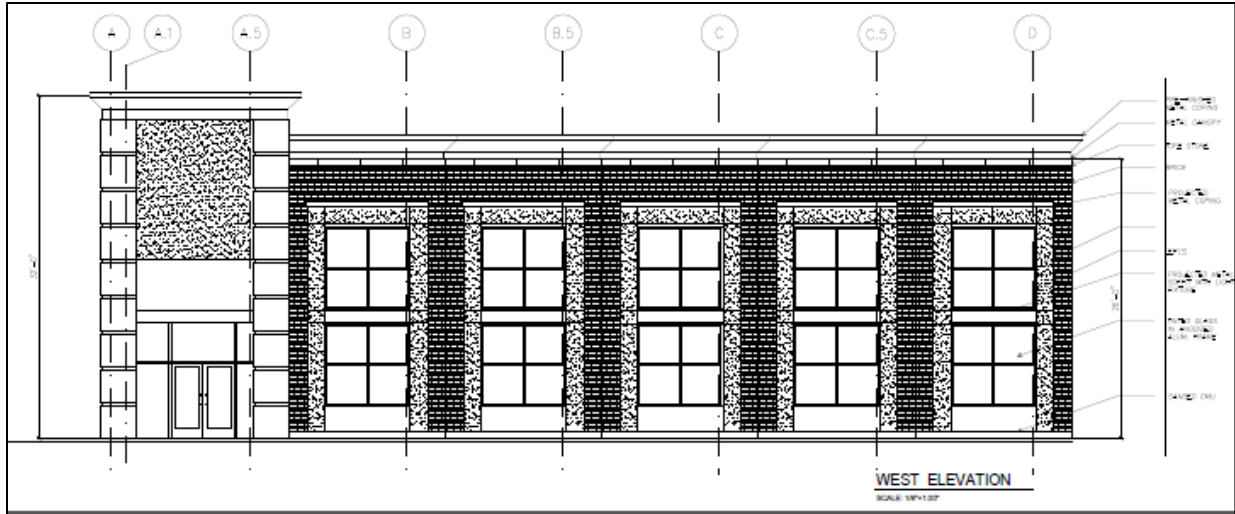
Adherence to this section is required by 122-477, Private Frontages.

Sec. 122-484. Commercial**C****COMMERCIAL**

The façade is set back from the front lot line per applicable street setback requirements, typically at or near the front lot line with the entrance at sidewalk grade. The façade may include an awning, shed roof, or gallery (a lightweight colonnade with no habitable building space above it) that covers the sidewalk and may extend into the right-of-way. The façade has a substantial amount of glazing at the sidewalk level. Recessed entrances are acceptable.

FAÇADE DIMENSIONS		MIN	MAX
A	Distance between openings (ft)	--	2
B	Door recess (ft)	--	5
C	Ground floor transparency (%)	60	--
D	Height to bottom of window (ft)	--	2.5
YARD REQUIREMENTS			
E	Must be landscaped/pervious, with a path at least 6 feet wide connecting the building entrance to the sidewalk.		
OPTIONAL AWNING OR GALLERY			
F	Setback from curb (ft)	2	--
G	Clear depth - awning (ft)	4	10
	Clear depth - gallery (ft)	8	10
H	Clear height (ft)	8	--





The applicant's "distance between façade openings" exceeds the maximum of 2' by 4'8"; the door is recessed by 10'9", exceeding the maximum by 5'9"; the ground floor transparency is 31%, and does not meet the minimum of 60%. The applicant has met the height to bottom of window requirement, as well as met the terms of the interface zone buildout.

STANDARDS

§122-370(b)

Standards for Variances. A variance from the literal enforcement of this Ordinance may be granted by the Zoning Board of Appeals only if all of the following standards are met.

(1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of special conditions or circumstances which are unique to the specific property such as: exceptional shallowness or shape of the property, exceptional topographic conditions, extraordinary situation of a building or structure, use or development of an adjacent property, or difficulties relating to construction or structural changes on the site. Mere inconvenience or a desire to attain higher financial return shall not itself be deemed sufficient to warrant a variance.

Variance 1: Frontage Buildout. The lot is boomerang-shaped, shallow, and hilly, with significantly curved frontage, very little pedestrian activity, and a high volume of high-speed traffic due to the location adjacent to the freeway off-ramp. Because of the shallowness and topography, it is difficult to locate the parking strictly to the rear of the building, which makes it difficult to adhere to the 50% minimum. The applicant notes that practical difficulty lies in the shape of the lot that does not run parallel to the MDOT ROW and that if they were to meet the ordinance requirements in regards to the frontage buildout that they would eliminate onsite parking that is needed. **This standard is met.**

Variance 2: Private Frontage Design. Due to the curved frontage of the lot and corresponding stepped frontage of the building, it's structurally challenging to space the openings any closer together or to provide more window space. The applicant argues that the ordinance, as written, was intended for multi-story, mixed use buildings. Planning staff has revisited this requirement and planning Commission has recommended to city council a proposed a text amendment to loosen this requirement under specific circumstances *(for frontages less than 15' from the edge of the roadway; with no on-street parking permitted*

on the block; on frontages with more than 15,000 vehicles per day by latest count, on frontages with speed limits set at 35 mph or more; all must be met). **This standard is met.**

- (2) *Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.*

Variance 1: Frontage Buildout. This is the first new construction building in the General Corridor district. Buildings constructed prior to 2014- the vast majority- did not have to adhere to the buildout standards. All new buildings, however, do. Thus this is the first real test of this requirement in GC. The applicant notes that the project is 85% compliant with the frontage buildout requirement and that this will allow the applicant to maximize the parking. As this is a very odd shaped lot, and the applicant has come close to the requirement, this will not confer a special privilege. **This standard is met.**

Variance 2: Private Frontage Design. This is the first new construction building in the General Corridor district. Buildings constructed prior to 2014- the vast majority- did not have to adhere to the buildout standards. All new buildings, however, do. Thus this is the first real test of this requirement for GC. As a zoning text amendment is in the works for the private frontage design to allow for the Planning Commission to loosen the requirements and possibly even waive them entirely for a property in the specific situation that this property is in, this variance does not convey a special privilege. **This standard is met.**

- (3) *The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.*

Variance 1: Frontage Buildout. The lot's odd shape was created due to the street configuration and MDOT right-of-ways. The applicant did not create these issues and is simply trying to build a larger building on site. **This standard is met.**

Variance 2: Private Frontage Design. The applicant's use of a stepped frontage design was a creative approach in order to more closely align with requirements of the zoning ordinance in regards frontage design. **This standard is met.**

- (4) *The granting of the 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.*

Variance 1: Frontage Buildout. & Variance 2: Private Frontage Design.

As the building is currently situated close to S. Huron, at about the midpoint on the site, and the proposed building has met the height to the bottom of opening requirement and has about 50 % of the ground floor transparency requirement, this should help with fostering walkability in the area. It is not expected that the granting of this variance will be detrimental to public welfare; this design does not discourage pedestrians or bicyclists. **This standard is met.**

- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.*

Variance 1: Frontage Buildout. As noted elsewhere, this is the first single-story commercial new construction in the GC district, thus the first to be subject to this frontage buildout requirement. Other buildings have not had to meet this standard, but this is a standard all future designs will have to meet. This is a significant regulatory change since the last “building boom” in the 1970s-80s. The applicant is less than 8% from meeting this requirement. The applicant argues that the meeting the frontage buildout will result in less parking on site and thus may create the trickle-down effect of customers having to park in the adjacent neighborhood. **This standard is met.**

Variance 2: Private Frontage Design. This requirement is currently being revisited with a zoning amendment, however the applicant does not fully meet the proposed changes in the requirements (*“Thoroughfare Commercial,” maximum distance between openings be raised to 5’; minimum ground floor transparency be reduced to 50%; and that max height to bottom of window be increased to 3’*) but the applicant might be eligible for planning commission to waive some or all of the requirements. **This standard is met.**

- (6) A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.*

Variance 1: Frontage Buildout. As this variance is for only falls short of the 50% minimum buildout by 7.6% this is the minimum variance that males possible a reasonable use. **This standard is met.**

Variance 2: Private Frontage Design. The applicant's distance between façade openings exceeds the maximum by 4’8”; the door exceeds the recess requirement be 5’9”; and the ground floor transparency falls short by 29%. With the design of the door recess, the applicant is attempting to address the need to both accommodate customers and workers who arrive from the parking lot as well as the sidewalk, and this location on a trunkline adjacent to the freeway is, in general, not particularly well-traversed by pedestrians. As staff has pointed out previously that with a creative stepped façade design which attempts to follow the front property line but limits the width of the openings on the front of the façade. **This standard is met.**

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals **approve** the 7.6% variance request from §122-477(H) for a frontage buildout for the Patient Station New Build at 539-569 S Huron, with the following findings per 122-370(b):

- (1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of the curved front of the lot and overall shallowness of the lot.
- (2) Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district; this is a new requirement and this is the first entirely new construction proposal put forth in this district with this building type.
- (3) The practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.
- (4) The granting of the 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.
- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.
- (6) This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure.

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals **approve** the variance request from §122-477-Private Frontages for the Patient Station New Build at 539-569 S Huron, with the following findings with the following findings per 122-370(b):

- (1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of the curved front of the lot.
- (2) Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district; this is a new requirement and this is the first entirely new construction proposal put forth in this district with this building type, on a challenging lot.
- (3) The practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.
- (4) The granting of the 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.
- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.
- (6) This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure.

Bonnie Wessler

City Planner, Community & Economic Development Division

Cynthia Kochanek

Preservation Planner, Community & Economic Development Division

CC: Applicant



City of Ypsilanti Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646 • Fax: (734) 483-7260
www.cityofypsilanti.com

**Non-refundable
Planning Fee:**
Single-family application
fee: \$200
All others: \$450

VARIANCE APPLICATION

Applicant*

Name Kenzy Consulting, Inc. d/b/a The Patient Station		
Address 539 S. Huron		
City Ypsilanti	State MI	Zip 48197
Phone / Fax (248) 901-4029		E-Mail dcowan@plunkettcooney.com

*If applicant is not owner of property, a written, notarized statement from the owner authorizing this application must be included.
(See attached Consent from owner.)

Property

Name of project Patient Station - New Building	
Address 539 and 569 S. Huron	
List all parcel identification numbers included in development: 11-37-101-202; 11-37-101-006	
Legal description of property (may be attached): See attached.	
Current Zoning: GC - General Corridor	Current Use: Medical Marihuana Dispensary
Attach an accurate, scaled drawing, of the property showing: *Please utilize the drawings submitted to Planning Commission for "Patient Station New Build" Site Plan Review, as approved on 6/20/2018. • all property lines and dimensions correlated with the legal description • the location and dimensions of all existing and proposed structures and uses on property • any roads, alleys, easements, drains, or waterways which cross or abut the property and the lot area and setback • dimensions necessary to show compliance with the regulations of this Ordinance	

Request for Variance

Description of proposed project New 9,918 square foot building for medical marihuana provisioning center.

Section of Ordinance (chapter, article, section, subsection format, please)
Section 122-477(H), Frontages and Private Frontages
How the proposed project is contrary to ordinance:
The proposed project: (1) contains 42.4% of the required minimum of 50% of frontage build-out; (2) does not comply with private frontage standards which were designed for multi-story, mixed use buildings.
Practical difficulties which prevent compliance:
1) Building Frontage: The lot is an odd shape, which does not run parallel to S. Huron due to MDOT rights-of-way. The New Building was situated to meet and exceed parking ordinance requirements. Meeting ordinance requirements will result in eliminating needed project parking.
2) Private frontages: The New Building is one story with single use. The ordinance was intended for multi-story, mixed use buildings. Planning Department intends to correct this error with text amendment.
Unique circumstances regarding the property (i.e. shape, topography, etc) which prevent compliance:
1) The lot is an odd and irregular shape, which does not run parallel to S. Huron due to MDOT rights-of-way.
2) Property is bordered by I-94 to the south and S. Huron, a major thoroughfare on the west.
3) Variances requested are not detrimental to neighborhood; siting of building was intended to maximize parking to avoid any conflict with adjacent properties to north and east.

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.

Signature:

Date:

June , 2018

Print Name: Dennis Cowan, Plunkett Cooney
Attorney representing Kenzy Consulting, Inc.

**CONSENT TO FILE VARIANCE APPLICATION
FOR 539-569 S. HURON, YPSILANTI, MICHIGAN**

STATE OF MICHIGAN)
)§
COUNTY OF WASHTENAW)

The undersigned, being first duly sworn, deposes and states:

We, the undersigned, are the owners of 539 and 569 S. Huron, Ypsilanti, Michigan and we hereby authorize the Variance Application being submitted by Kenzy Consulting, Inc. d/b/a The Patient Station in connection with its new building recently granted site plan approved by the Ypsilanti Planning Commission.

ASAD KHAILANY

Subscribed and sworn to before me this
24th day of June, 2018.

Laura H. Oakland Notary Public
Oakland County, Michigan
acting in Washtenaw County, Michigan
My Commission Expires: 08/28/2023

LAURA KHAILANY

Subscribed and sworn to before me this
24th day of June, 2018.

Laura H. Oakland Notary Public
Oakland County, Michigan
acting in Washtenaw County, Michigan
My Commission Expires: 08/28/2023



July 18, 2018

Zoning Board of Appeals
City of Ypsilanti
1 S. Huron St.
Ypsilanti, MI 48197

Re: The Patient Station / New Construction
539 – 569 S. Huron

Dear Chairman Albers and ZBA Members:

Our client, The Patient Station, is seeking two modest variances in connection with the construction of a new building for The Patient Station. The new facility will be nearly 10,000 square feet and house a medical marijuana provisioning center. This new construction will replace the current approximately 550 square foot building, which will be demolished, along with the canopy that is a remnant of a former gas station on the site.

The Patient Station has been working diligently to comply with the State's new medical marijuana laws as well as prepare for the future with its new building. Earlier this year, upon the recommendation of the Planning Commission, the City Council, on April 3, 2018, approved new zoning amendments to allow medical marijuana facilities in a General Corridor (GC) District. This action allowed The Patient Station to submit a Site Plan for the new building. On June 20th, the Planning Commission approved the Special Use request and Site Plan application for the new building. We are very pleased and grateful for the support of the City of Ypsilanti and look forward to finalizing our variance requests.

The Patient Station has complied with the six standards that you are required to review under Ordinance Section 122-370. Attached to this letter is a listing of our compliance with each requirement. In brief, the variance request concerning private frontage design is due to the fact is that the Ordinance was designed for multi-story, mixed-use buildings. The Patient Station new construction is a single story building with only one use. So, it is not possible to comply with this requirement. It is our understanding that the Planning Department is going to recommend a zoning text change in the near future to resolve this "error in the text."

With respect to the frontage build out percentage variance, we are not asking for a significant change. Currently, we meet 42.4% of the minimum 50% requirement. The

Zoning Board of Appeals
City of Ypsilanti
July 18, 2018
Page 2

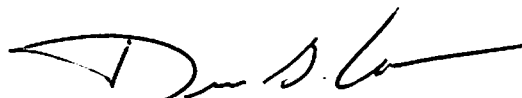
"shortfall" was primarily due to trying to preserve as much on-site parking as possible. Strict compliance with this requirement would have eliminated an entire row of parking (10 spaces) behind the building, which The Patient Station firmly believes would be detrimental to the project.

The Patient Station is seeking a Special Use for an additional parking lot north of the building, which will allow them to provide 95 parking spaces. While the current approved Site Plan "maxes out" the parking at 48 spaces, in order that we do not adversely impact our commercial and residential neighbors, The Patient Station desires to have additional parking lot of 47 spaces. It would have been easy to avoid this additional cost and expense, but The Patient Station wants to ensure it is a "good neighbor" and is putting its "money where its mouth is" when it comes to providing additional parking.

On balance, given the significant change and upgrade to this property with the new 10,000 square foot building, being able to design and place the building on an irregular shaped building with only two modest variances is a very significant accomplishment. In order to allow us to move forward with the Site Plan, as approved, we respectfully request that you approve the two requested variances.

As always, if anyone has any questions, please feel free to contact me at your earliest convenience. We look forward to appearing before you at the July 25th meeting.

Sincerely,



Dennis G. Cowan
Direct Dial: (248) 901-4029
Email: dcowan@plunkettcooney.com

DGC/cmw
Attachment
Open.26776.74384.20632623-1

The Patient Station

539 S. Huron Street and 569 S. Huron Street

Compliance with Standards for Variance Pursuant to City Ordinance Sec. 122-370

- 1. Literal enforcement of this chapter will pose practical difficulties to the applicant because of special conditions or circumstances which are unique to the specific property such as: exceptional shallowness or shape of the property, exceptional topographic conditions, extraordinary situation of a building or structure, use or development of an adjacent property, or difficulties relating to construction or structural changes on the site. Mere inconvenience or a desire to attain higher financial return shall not itself be deemed sufficient to warrant a variance.**

As the Site Plan review prepared by the Planning Department stated, we are dealing with a difficult lot for new construction:

The lot is an odd space that does not run parallel to S. Huron due largely to MDOT rights of way. The Applicant has innovatively use a "stepped" frontage to align with this and adhere to the setbacks; this works well with the fenestration.

The Applicant is able to place the proposed entrance to the building on the Huron Street frontage, as required. Consequently, with the exceptional shape of the property and need to preserve the row of parking (10 spaces), compliance with the frontage build-out percentage will pose a practical difficulty to the Applicant. The request is not motivated by mere inconvenience or desire to attain higher financial return. In fact, the Applicant is taking on additional cost by seeking a Special Use approval to build an additional 47-space parking lot north of the proposed building.

- 2. Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same effect.**

The Applicant has complied with the spirit of the regulation in having 42.4% of the minimum 50% frontage along S. Huron Street. The project is 85% compliant with this requirement! The variance will allow the Applicant to maximize parking and does not confer upon the Applicant any special privilege denied to others.

3. **The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest [sic] in the property.**

The practical difficulties have not been created by the Applicant, but have more to do with the unique and irregular shape of the property, as previously stated.

4. **The granting of the 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.**

The placement of the building is not detrimental to the adjoining residential or commercial neighborhood. No impediments to either set of neighbors will occur due to the grant of the variance. The building has been situated as close to S. Huron as possible. The applicant did reach out to neighbors at a meeting on June 18th and many of those neighbors attended the Planning Commission meeting of June 20th.

5. **The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the zoning board of appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.**

The denial of the variance would result in public benefits being diminished as a row of parking (10 spaces) would need to be eliminated. The "domino effect" will be that it is possible customers would seek to park on the street or in other areas and adversely affect nearby residential and commercial businesses. Granting the variance will result in substantial justice and a maximum amount of parking to be allowed on the site.

6. **A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.**

As stated, we are 85% compliant with the frontage build out percentage. This is not the case where the Applicant seeks a total waiver of the requirement. Granting the variance will make possible a reasonable use of the land and building.

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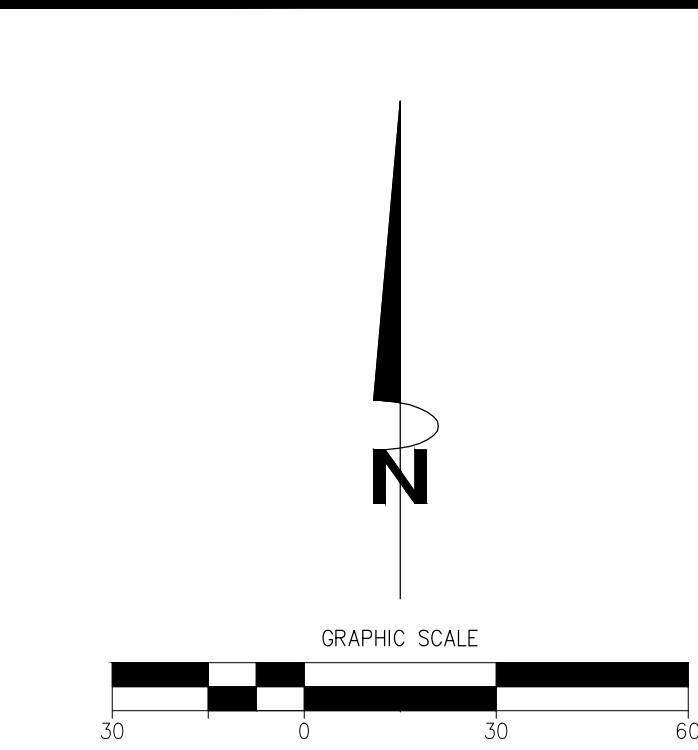
Project Name: Patient Station Medical Marijuana Dispensary

539 / 569 East Huron Ypsilanti, Michigan

ZONING CLASSIFICATION AND DATA:

ZONING REGULATION:	PERMITTED	PROPOSED	
ZONING: ADJACENT ZONING: PROPOSED LAND USE: GROSS SITE AREA: LOT REQUIREMENTS AND BUILDING ENVELOP: LOT WIDTH: LOT DEPTH: LOT COVERAGE : STREET SET BACK: MINIMUM SIDE SETBACK: MINIMUM REAR SETBACK: LANDSCAPING , GREENBELTS: SITE LANDSCAPING: GROSS BUILDING AREA: PARKING REQUIREMENTS: CARS: BICYCLE : LOADING SPACE PROVIDED:	GC- General Corridor PMD-Production , Manufacturing, Distribution NC- Neighborhood Corridor, GC General Corridor PARCEL 1,2 and 3 : 94,644.0 S.F. Or 2.17 ACRES 50 FEET MINIMUM 300 FEET MAXIMUM 100 FEET MINIMUM 300 FEET MAXIMUM 60 PERCENT OR 33,453 S.F.ZX.6 = 20,071 S.F. MINIMUM 5 FEET, MAXIMUM 15 FEET NONE 15 FEET 1 TREE FOR 30 FEET OF FRONTAGE OR 165 / 30 =6 10% OF SITE AREA 70,732 S.F.ZX.10 = 7,073 S.F. 1 SPACE PER 250 SQUARE FEET OF GROSS AREA 6 BICYCLE RACK 1 SPACE 10'X50'	244.35 FEET LOT WIDTH 269.08 FEET LOT DEPTH 7,000. S.F. 15 FEET AVERAGE 13 FEET AND 4 FEET 95 FEET 4 WITH CREDIT FOR EXISTING 10,370 S.F. 9,918 S.F. 40 SPACES 6 BICYCLE RACK 1 SPACE 10'X50' 97 SPACES	 LOCATION MAP:

PROPERTY DESCRIPTION:	PLAN DISTRIBUTION LIST:						DRAWING INDEX:
PARCEL 2: PART OF LOT 3 PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, AND PART OF FRENCH CLAIM 680, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET WITH THE CENTERLINE OF MONROE AVENUE (NOW ABANDONED); THENCE NORTHEASTERLY 76.89 FEET ALONG THE CENTERLINE OF HURON STREET; THENCE SOUTHEASTERLY DEFLECTING 98 DEGREES 14 MINUTES TO THE RIGHT 271.80 FEET; THENCE SOUTHWESTERLY DEFLECTION 81 DEGREES 46 MINUTES TO THE RIGHT 121.83 FEET; THENCE NORTHWESTERLY DEFLECTING 88 DEGREES 33 MINUTES TO THE RIGHT 269.07FEET TO THE CENTER OF HURON STREET; THENCE NORTHEASTERLY DEFLECTING 91 DEGREES 27 MINUTES TO THE RIGHT 90.67 FEET ALONG THE CENTER OF HURON STREET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PURPOSES AS SET FORTH IN DECLARATION OF TAKING RECORDED IN LIBER 1296, PAGE 428, WASHTENAW COUNTY RECORDS.	AGENCY:	DEPARTMENT:	CONTACT:	EMAIL ADDRESS	TELEPHONE:	DATE:	COVER SHEET - SURVEY SP-1 SITE PLAN L-1 LANDSCAPE PLAN C-1 GRADING , SITE UTILITY PLAN E-1 SITE PHOTOMETRIC PLAN T-1 TRUCK ROUTE DIAGRAM A-1 BUILDING FLOOR PLAN A-2 BUILDING ELEVATIONS A-3 BUILDING ELEVATIONS
	CITY OF Ypsilanti	Cmmunity and Economic Development	Bonnie Wessler City Planner	bwessler@cityofypsilanti.com	734.483.9646	05/05/2018	
PETITIONER AND OWNER:	ARCHITECT: / ENGINEER:				CONSTRUCTION MANAGER:		STATE OF MICHIGAN FAREED MOJARADI ARCHITECT No. 1301038465 LICENSED ARCHITECT 1ST SITE PLAN APPROVAL 2ND SITE PLAN APPROVAL 01/18/2017 05/04/2018 COVER SHEET
PETITIONER : Kenzy Consulting Inc. 539 East Huron Ypsilanti, MI 48197 (734) 544-9999 OWNER : asad and Laura Khailany. c/o . Kurdo Associates, 311 Jarvis Suite 204 Ypsilanti, MI 48197	A Atelier Architect, Inc. 1368 Cole St. Birmingham MI 48322 PHONE: 248-790-1639 EMAIL : mojaradifareed@gmail.com				Metro General Contractor. Inc, 48155 West Rd, Wixom, MI 48393 PHONE: 248 -615-1111 metrogeneralcontractorsinc.com Metro General Contractors, Inc.		



BENCHMARK DATA:

SITE BENCHMARK:
TOP NUT ON FIRE HYDRANT ON THE WEST SIDE OF SOUTH HURON STREET.
ELEVATION = 732.83 NAVD83

TITLE REPORT EXCEPTIONS:

ONLY THOSE EXCEPTIONS CONTAINED WITHIN ATA NATIONAL TITLE GROUP, LLC TITLE REPORT FILE NO. 81-16494244-FHR, DATED AUGUST 28, 2016 AND RE-LISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER RECORDS RESEARCH WAS PERFORMED BY THE CERTIFYING SURVEYOR.

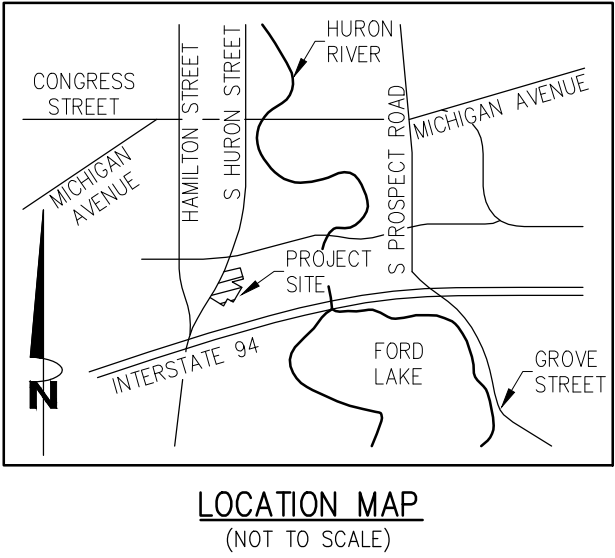
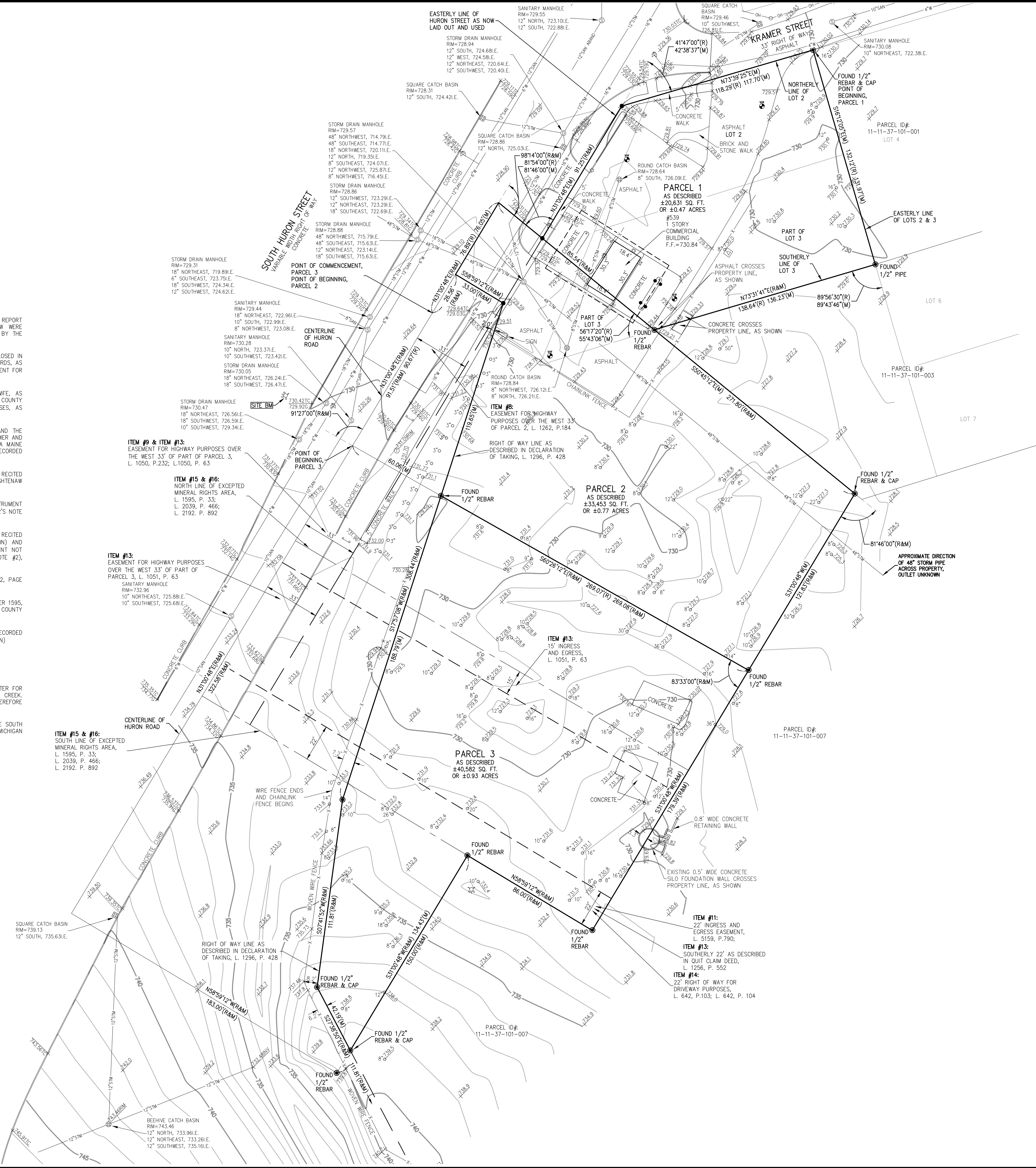
8. INTEREST OF THE AMERICAN OIL COMPANY, A MARYLAND CORPORATION, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1262, PAGE 184, WASHTENAW COUNTY RECORDS, AS TO PARCEL 2. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN) (SEE DOCUMENT FOR ADDITIONAL INTERESTS)
9. INTEREST OF GEORGE R. MASSEY AND CARRIE D. MASSEY, HUSBAND AND WIFE, AS DISCLOSED IN WARRANTY DEED RECORDED IN LIBER 1050, PAGE 232, WASHTENAW COUNTY RECORDS, AS TO PART OF PARCEL 3. (33' EASEMENT FOR HIGHWAY PURPOSES, AS SHOWN)
10. LESSEE'S INTEREST OF SINCLAIR REFINING COMPANY, A MAINE CORPORATION AND THE TERMS CONDITIONS AND PROVISIONS CONTAINED IN THE LEASE BETWEEN J.J. HAMMER AND MARTHELYN HAMMER, HIS WIFE, AS LESSOR AND SINCLAIR REFINING COMPANY, A MAINE CORPORATION, AS LESSEE. SAID LEASE BEING DISCLOSED BY THE INSTRUMENT RECORDED IN LIBER 658, PAGE 444, WASHTENAW COUNTY RECORDS. (NO EASEMENTS LISTED)
11. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE REITED IN GRANT OF PERPETUAL EASEMENTS RECORDED IN LIBER 5159, PAGE 790, WASHTENAW COUNTY RECORDS. (AS SHOWN)
12. RIGHT OF WAY FOR SEWERS PURPOSES VESTED IN CITY OF YPSILANTI BY INSTRUMENT RECORDED IN LIBER 337, PAGE 8, WASHTENAW COUNTY RECORDS. (SEE SURVEYOR'S NOTE #1)
13. EASEMENTS AND THE TERMS, CONDITIONS AND PROVISIONS THEREOF WHICH ARE REITED IN GRANT OF RIGHT OF WAY RECORDED IN LIBER 1051, PAGE 63 (AS SHOWN) AND FURTHER EVIDENCED IN DEEDS RECORDED IN LIBER 1260, PAGE 393 (DOCUMENT NOT PROVIDED) AND IN LIBER 1236, PAGE 552 (AS SHOWN) (SEE SURVEYOR'S NOTE #2), WASHTENAW COUNTY RECORDS.
14. RIGHT OF WAY FOR DRIVEWAY AS SET FORTH IN DEEDS RECORDED IN LIBER 642, PAGE 103 AND IN LIBER 642, PAGE 104, WASHTENAW COUNTY RECORDS. (AS SHOWN)
15. RESERVING FLUID AND MINERAL RIGHTS AS DISCLOSED IN DEEDS RECORDED IN LIBER 1595, PAGE 33, IN LIBER 2039, PAGE 466 AND IN LIBER 2192, PAGE 892, WASHTENAW COUNTY RECORDS. (AS SHOWN)
16. TERMS AND CONDITIONS CONTAINED IN THE DEED DATED MAY 11, 1977 AND RECORDED MAY 25, 1977 IN LIBER 1595 PAGE 33, WASHTENAW COUNTY RECORDS. (AS SHOWN)

SURVEYOR'S NOTES:

1. ITEM #12, LIBER 337, PAGE 8 CALLS FOR A 25 FOOT WIDE EASEMENT, THE CENTER FOR THE PROPOSED RIGHT OF WAY TO FOLLOW THE CENTER OF THE NATURAL CREEK. EVIDENCE TO THE LOCATION OF THE NATURAL CREEK WAS NOT OBSERVED, THEREFORE SAID EASEMENT IS NOT SHOWN HEREON.
2. ITEM #13, LIBER 1256, PAGE 552 IS A QUIT CLAIM DEED THAT QUIT CLAIMS THE SOUTH 22 FEET OF THE PARCEL AS DESCRIBED FROM THE CITY OF YPSILANTI TO THE MICHIGAN STATE HIGHWAY DEPARTMENT.

LEGEND:

- FOUND MONUMENT (AS NOTED)
- PROPERTY CORNER
- SQUARE CATCH BASIN
- ⊙ STORM MANHOLE
- ⊕ ROUND CATCH BASIN
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ SEWER MANHOLE
- ⊕ GAS METER
- ⊕ EXISTING ELEVATION
- TREE WITH DIAMETER IN INCHES
- LIGHT POLE BASE
- UTILITY POLE
- ELECTRIC METER
- ⊕ ELECTRIC TRANSFORMER
- ⊕ TELEPHONE MANHOLE
- BOLLARD
- DOUBLE POST SIGN
- MONITORING WELL
- ADJOINING BOUNDARY LINE
- EDGE OF ASPHALT
- BOUNDARY LINE
- BUILDING
- BUILDING OVERHANG
- EDGE OF CONCRETE
- 800 CONTOUR MAJOR
- CONTOUR MINOR
- CONCRETE CURB
- EASEMENT
- OVERHEAD UTILITY LINE
- FENCE (AS NOTED)
- PLATTED SUBDIVISION
- RIGHT OF WAY
- SEWER LINE
- EDGE OF SIDEWALK
- STW STORM DRAIN LINE
- WALL (AS NOTED)
- WATER MAIN



LEGAL DESCRIPTION

LAND SITUATED IN THE COUNTY OF WASHTENAW, CITY OF YPSILANTI, STATE OF MICHIGAN, DESCRIBED AS FOLLOWS:

PARCEL 1:
LOT 2 AND PART OF LOT 3, PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTHERLY 132.12 FEET ALONG THE EASTERLY LINE OF LOTS 2 AND 3; THENCE WESTERLY DEFLECTING 89 DEGREES 56 MINUTES 30 SECONDS TO THE RIGHT 138.64 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 3; THENCE NORTHWESTERLY DEFLECTING 56 DEGREES 17 MINUTES 20 SECONDS TO THE RIGHT 85.54 FEET; THENCE NORTHWESTERLY DEFLECTING 81 DEGREES 54 MINUTES TO THE RIGHT 91.25 FEET ALONG THE EASTERLY LINE OF HURON STREET AS NOW LAID OUT AND USED; THENCE EASTERLY DEFLECTING 41 DEGREES 47 MINUTES TO THE RIGHT 118.29 FEET ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.

PARCEL 2:
PART OF LOT 3 PLAN OF CLARKSVILLE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 3, PAGE 1, WASHTENAW COUNTY RECORDS, AND PART OF FRENCH CLAIM 680, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET WITH THE CENTERLINE OF MONROE AVENUE (NOW ABANDONED); THENCE NORTHEASTERLY 76.89 FEET ALONG THE CENTERLINE OF HURON STREET; THENCE SOUTHEASTERLY DEFLECTING 98 DEGREES 14 MINUTES TO THE RIGHT 271.80 FEET; THENCE SOUTHWESTERLY DEFLECTING 81 DEGREES 46 MINUTES TO THE RIGHT 121.83 FEET; THENCE NORTHWESTERLY DEFLECTING 88 DEGREES 33 MINUTES TO THE RIGHT 269.07 FEET TO THE CENTER OF HURON STREET; THENCE NORTHEASTERLY DEFLECTING 91 DEGREES 27 MINUTES TO THE RIGHT 90.67 FEET ALONG THE CENTER OF HURON STREET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART TAKEN FOR HIGHWAY PURPOSES AS SET FORTH IN DECLARATION OF TAKING RECORDED IN LIBER 1296, PAGE 428, WASHTENAW COUNTY RECORDS.

PARCEL 3:
ALL THAT PART OF FRENCH CLAIM 680, CITY OF YPSILANTI, WASHTENAW COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF HURON STREET AND MONROE AVENUE; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 91.51 FEET ALONG THE CENTERLINE OF HURON STREET TO THE POINT OF BEGINNING; THENCE SOUTH 60 DEGREES 26 MINUTES 12 SECOND EAST A DISTANCE OF 269.08 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 179.39 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST A DISTANCE OF 86.00 FEET; THENCE SOUTH 31 DEGREES 00 MINUTES 48 SECONDS WEST A DISTANCE OF 150.00 FEET; THENCE NORTH 58 DEGREES 59 MINUTES 12 SECONDS WEST, A DISTANCE OF 183.00 FEET TO THE CENTERLINE OF HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST A DISTANCE OF 322.58 FEET TO THE POINT OF BEGINNING, WHICH LIES SOUTHEASTERLY OF A LINE DESCRIBED AS COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF MONROE AVENUE AND HURON STREET; THENCE NORTH 31 DEGREES 00 MINUTES 48 SECONDS EAST ALONG THE CENTERLINE OF HURON STREET A DISTANCE OF 26.56 FEET; THENCE SOUTH 58 DEGREES 59 MINUTES 12 SECONDS EAST A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 17 DEGREES 57 MINUTES 08 SECONDS WEST A DISTANCE OF 308.44 FEET; THENCE SOUTH 07 DEGREES 41 MINUTES 52 SECONDS WEST A DISTANCE OF 111.81 FEET; THENCE SOUTH 27 DEGREES 38 MINUTES 50 SECONDS EAST A DISTANCE OF 111.81 FEET TO A POINT OF ENDING.

NOTES:

1. SURVEY IN ACCORDANCE WITH TITLE COMMITMENT FILE NO. 81-16494244-FHR PREPARED BY ATA NATIONAL TITLE GROUP, LLC, AN AGENCY FOR STEWART TITLE GUARANTY COMPANY, DATED AUGUST 28, 2016.
2. TELEPHONE, GAS, ELECTRIC, AND CABLE TV UTILITY MAPS WERE NOT AVAILABLE AT THE TIME OF SURVEY.
3. TREE SIZES ARE THE BEST ESTIMATION OF THE FIELD SURVEYOR. SPECIFIC QUESTIONS REGARDING INDIVIDUAL TREES SHOULD BE DIRECTED TO A QUALIFIED FORESTER.
4. BY GRAPHIC PLOTTING ONLY, THIS PARCEL IS LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD AREA ZONE X - OTHER AREAS (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN) OF THE FLOOD INSURANCE RATE MAP, MAP NUMBER 26161C0426E, EFFECTIVE DATE OF APRIL 3, 2012. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THE ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

UTILITY NOTES:

1. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE.
2. PRIOR TO ANY BUILDING IMPROVEMENTS, AND/OR CONSTRUCTION, THE RESPECTIVE UTILITY COMPANIES MUST BE NOTIFIED TO STAKE THE PRECISE LOCATION OF THE UTILITIES.

DESCRIPTION

REVISION

DATE

BY

CORE LAND CONSULTING

PROFESSIONAL SURVEYING

59445 Northwestern Hwy., Suite 320

Southfield, MI 48034

Phone: (248) 932-7124

Fax: (248) 932-7124

Email: info@corelandconsulting.com

www.corelandconsulting.com

CLIENT:

ATELIER ARCHITECT, PC

PROJECT LOCATION:

539 S. HURON STREET

YPSILANTI, MICHIGAN

DRAWN BY: NEM

CHECKED BY: NEM

FIELD WORK BY: MDL

811

Know what's below.

Call before you dig.

Terms and Conditions for Electronic Data:

This document is provided in electronic format for the referenced project. It is understood and agreed that any use or reuse of original or altered files will be at the user's own risk and legal responsibility. It is also agreed that the electronic files provided by Core Land Consulting, LLC (CLC) are being provided for general information purposes only. Neither the electronic files nor any CAD versions are to be relied upon for design purposes, the user expressly indemnifies and holds CLC harmless for any and all claims, suits, liability, demands or other costs arising out of or resulting from the unauthorized use of these materials. CLC makes no representation as to the accuracy of the information provided by the electronic media. Data on electronic media can deteriorate or be modified without the knowledge of CLC.

SHEET:

ARCHITECTURAL SURVEY

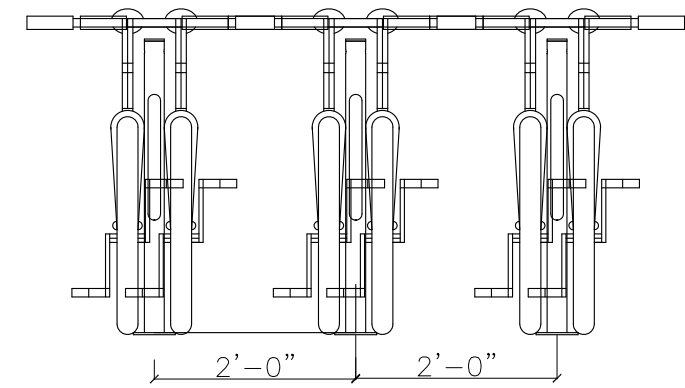
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SCALE: 1"=30'

PROJECT NO: 2794-178

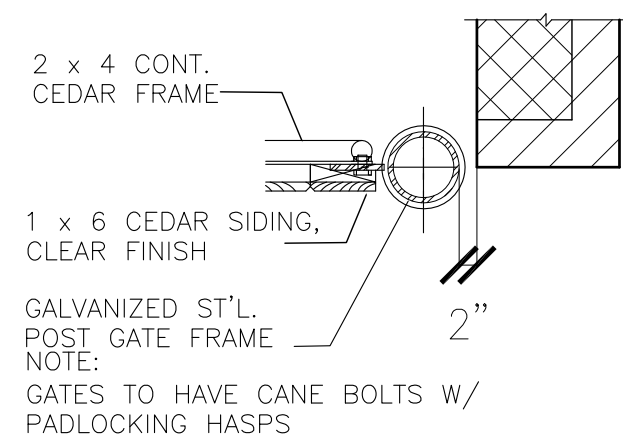
1

SHEET 1 OF 1



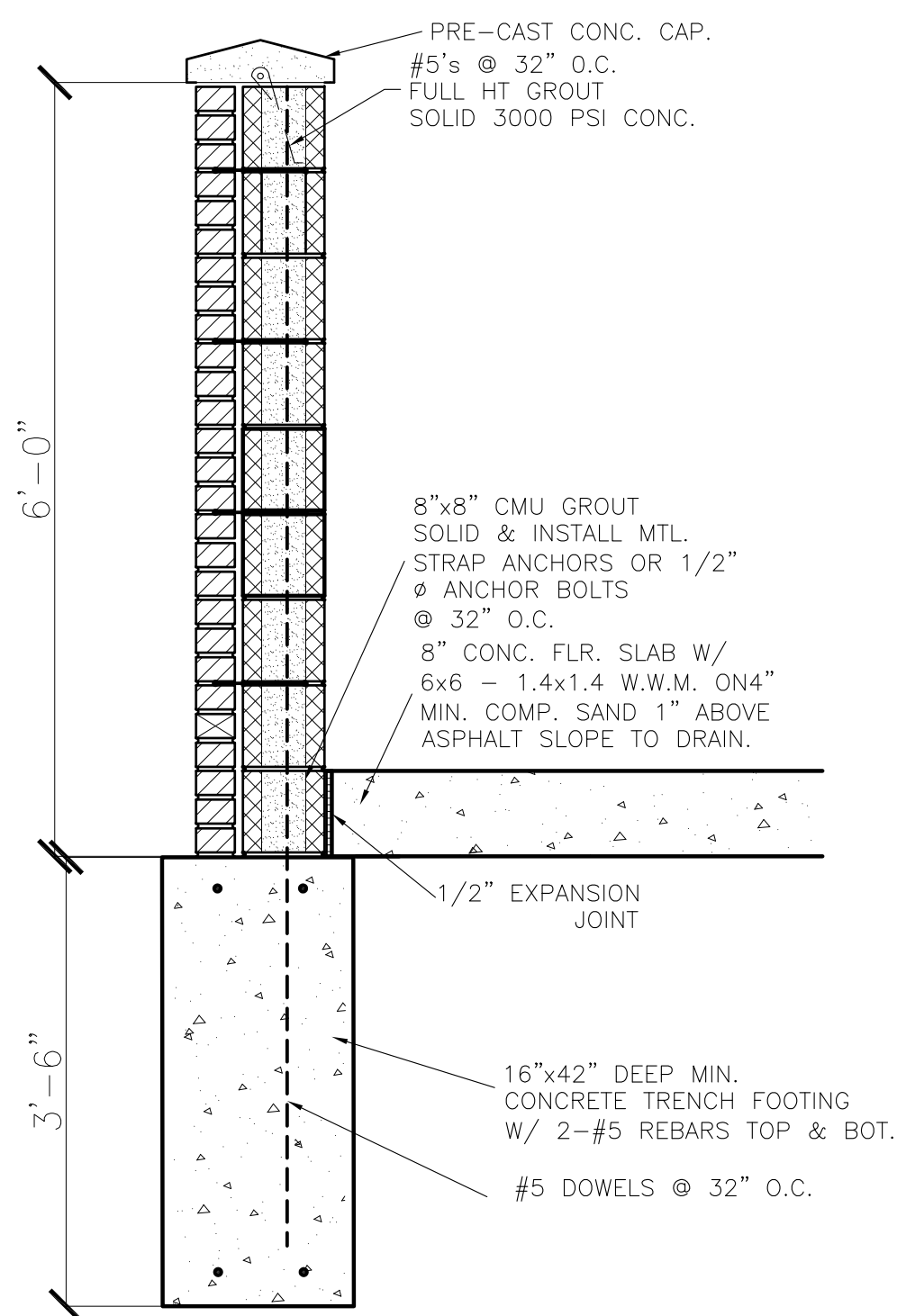
DERO BIKE RACK AS MANUFACTURED BY DERO BIKE RACKS
CENTER BEAM : 2" SCHEDULE 40 BEAM
RING 1.5" OD 11 GA. BEAM

BIKE RACK DETAIL

SCALE:AS
DIMENSIONED

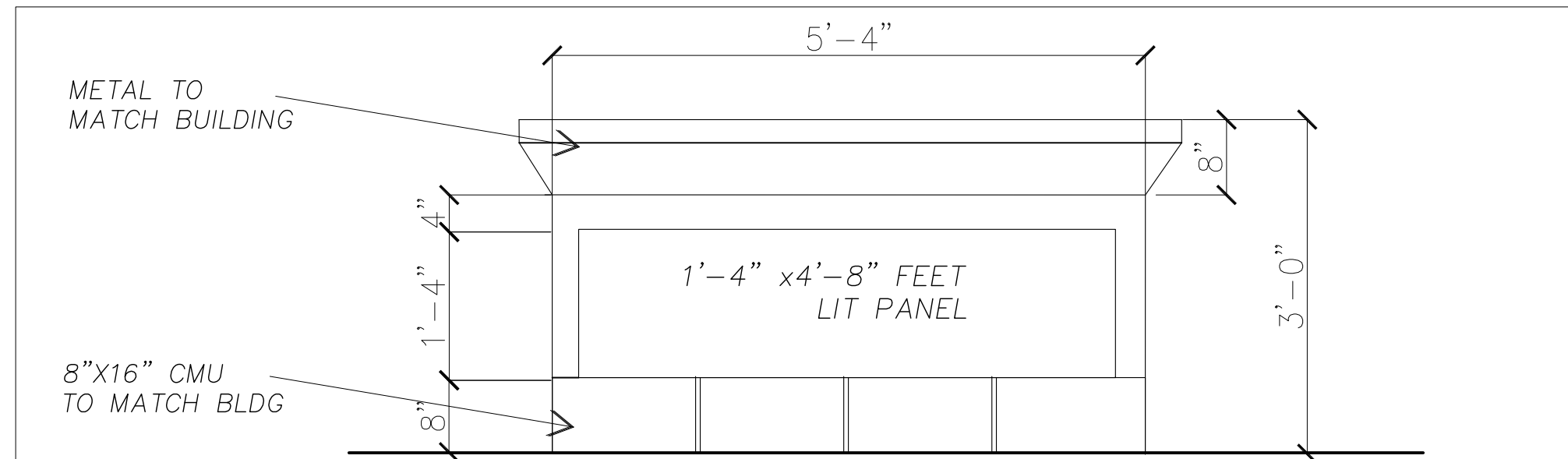
1 HINGE SECTION

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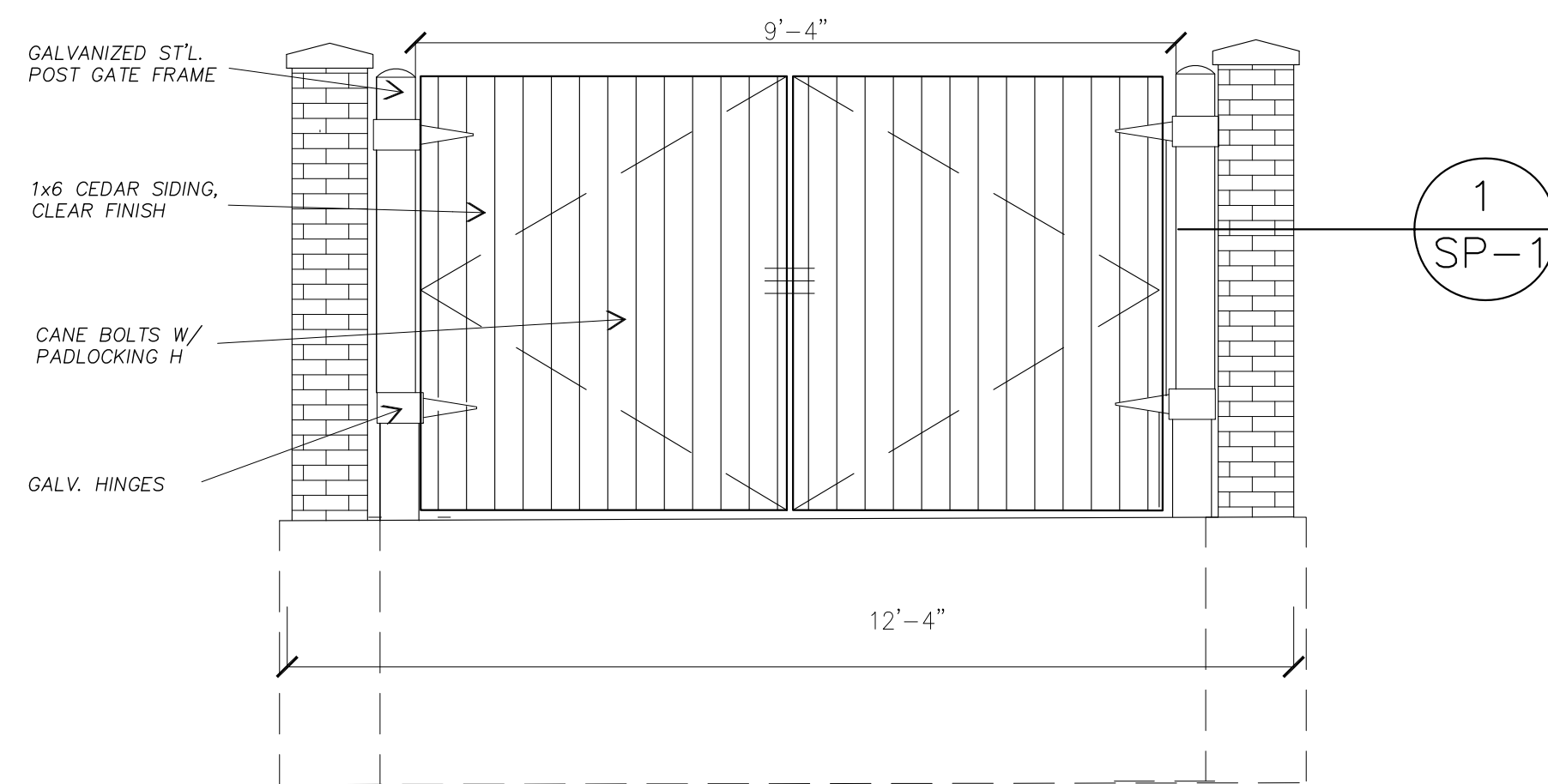
2 WALL SECTION

SCALE: $\frac{3}{4}"=1'-0"$



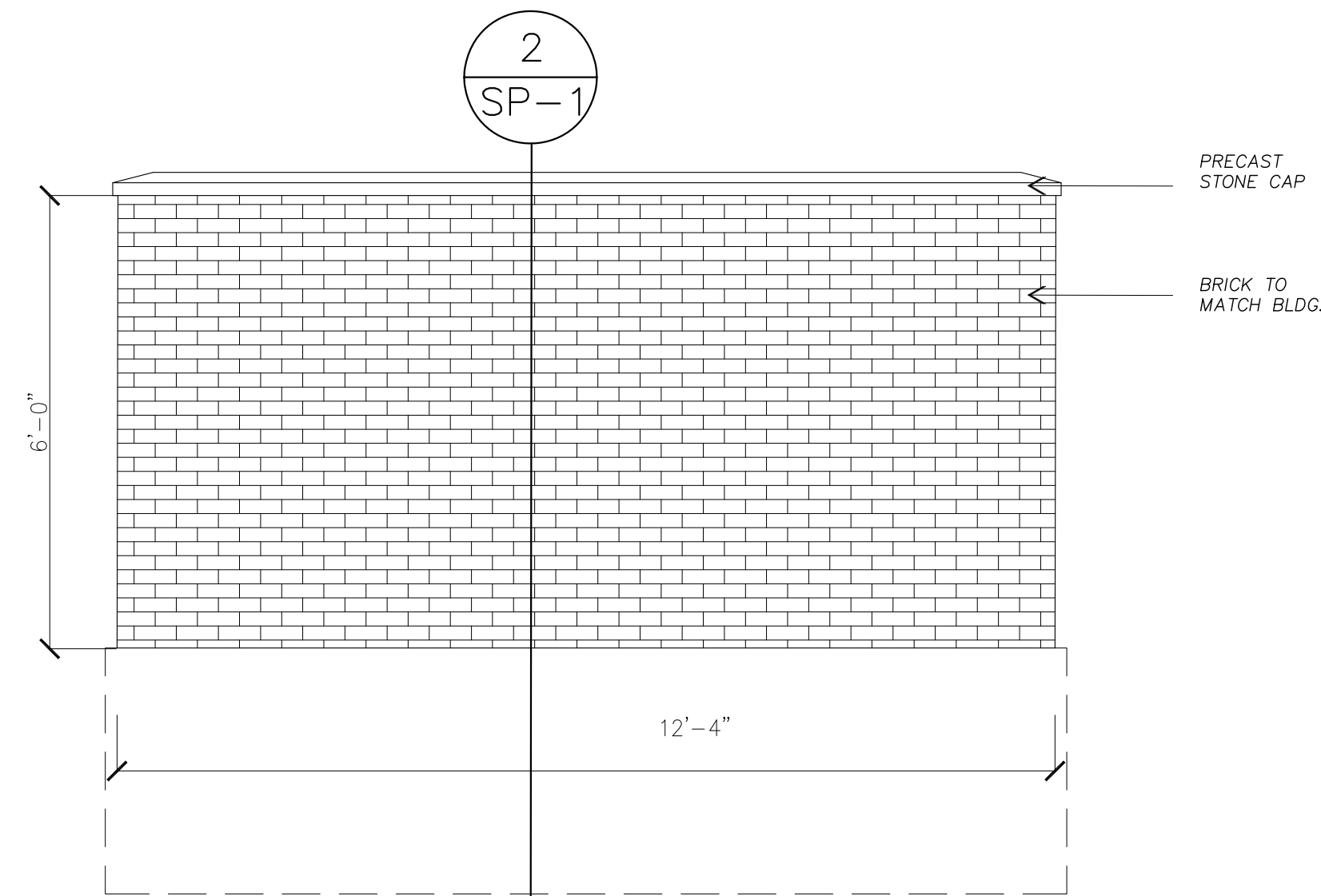
MONUMENT SIGN ELEVATION

SCALE: $\frac{3}{4}"=1'-0"$



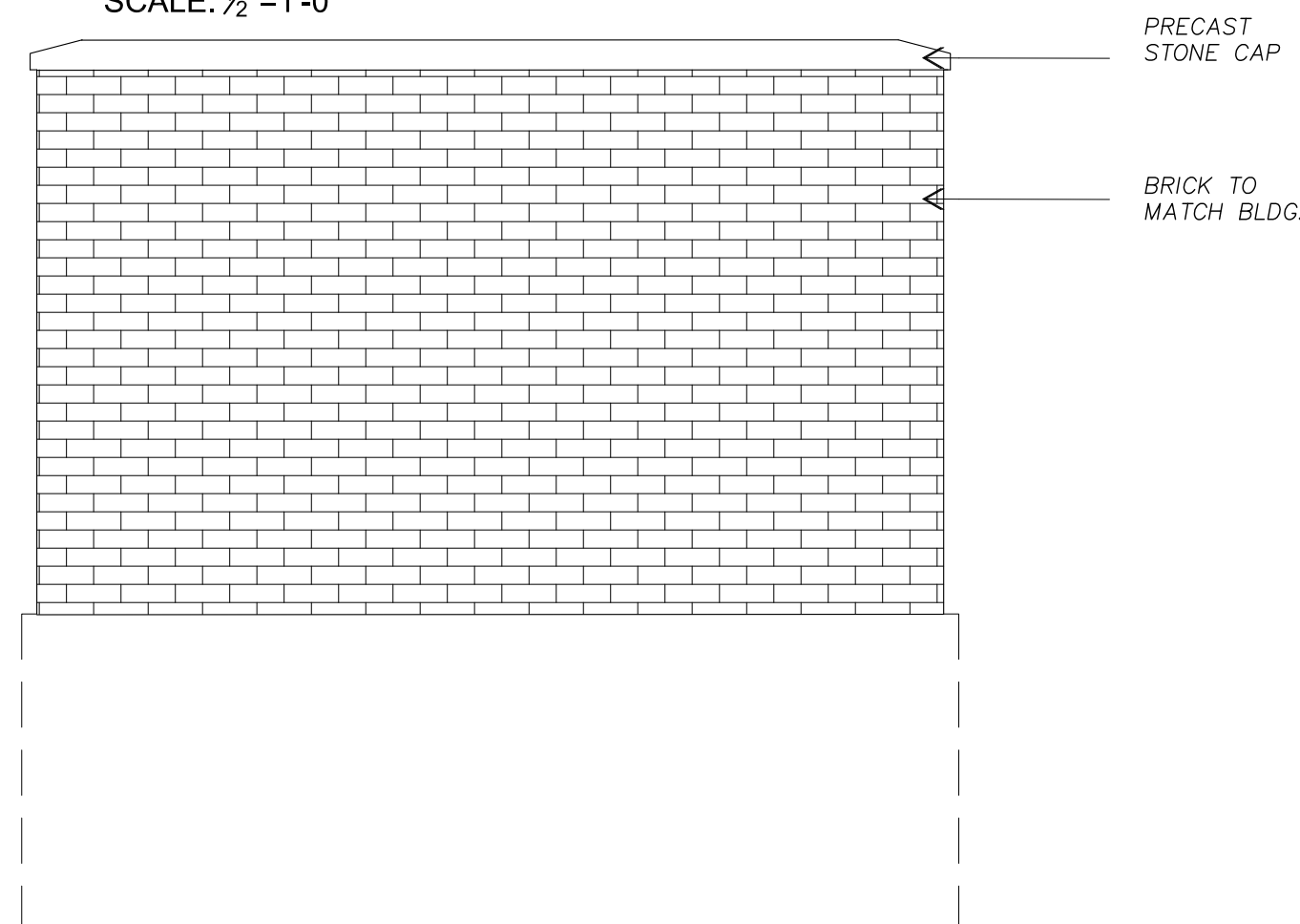
FRONT ELEVATION

SCALE: $\frac{1}{2}"=1'-0"$



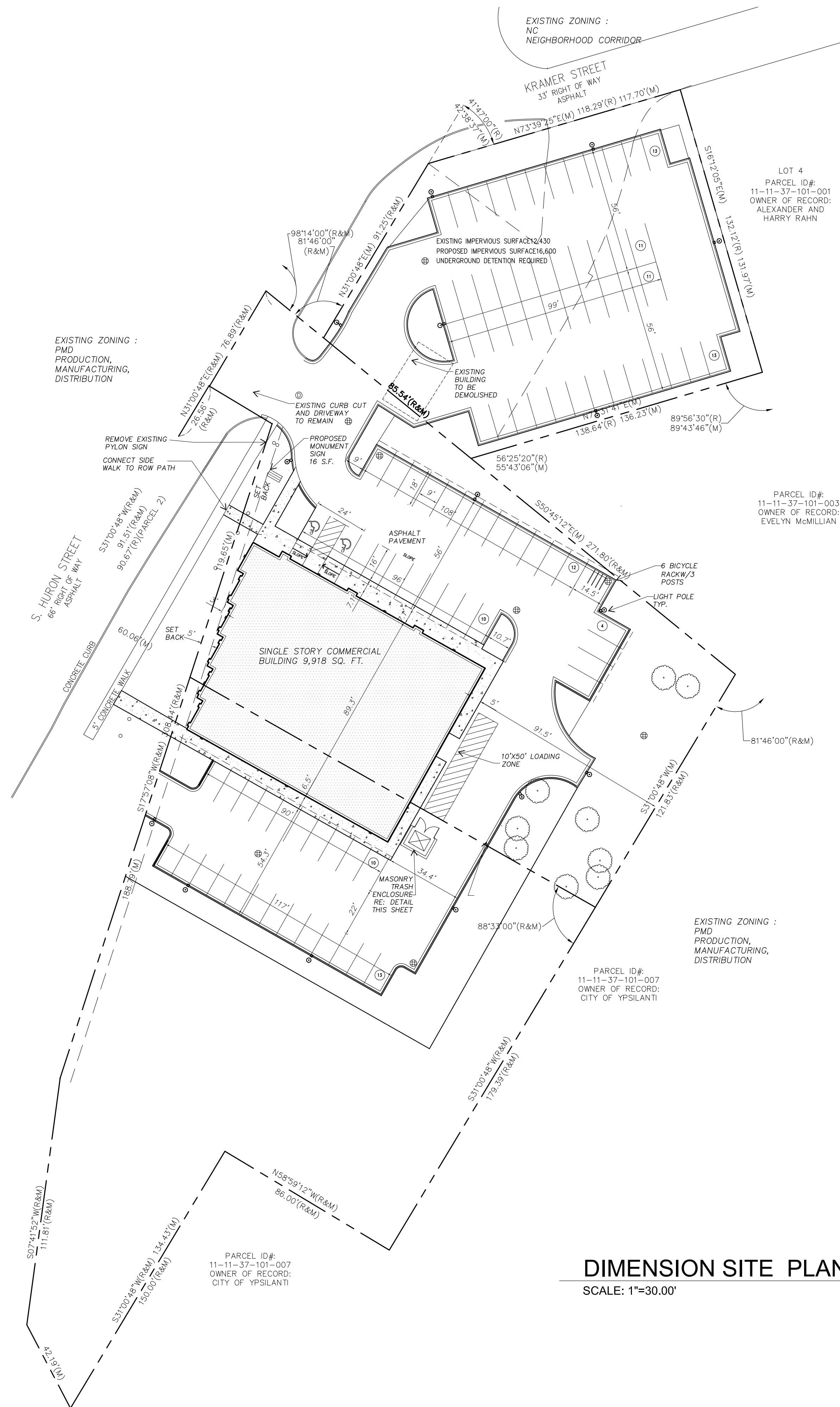
REAR ELEVATION

SCALE: $\frac{1}{2}"=1'-0"$



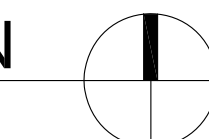
SIDE ELEVATION

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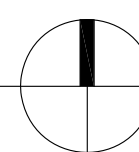


DIMENSION SITE PLAN

SCALE: 1"=30.00'



LOCATION MAP



Atelier Architect, P.C.

6346 Orchard Lake Rd Suite 16
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Project

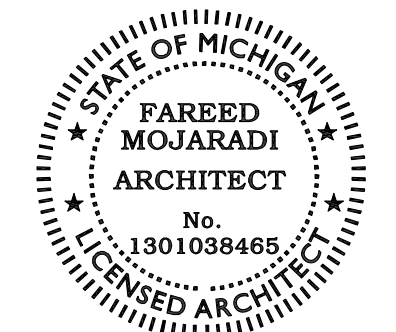
PATIENT STATION

Project No.

2016-25

Certification

I hereby certify that the construction documents contained herein were prepared under my direct supervision and I am a registered architect under the laws of the State of Michigan.



Sheet Title

DIMENSION SITE PLAN

Issued

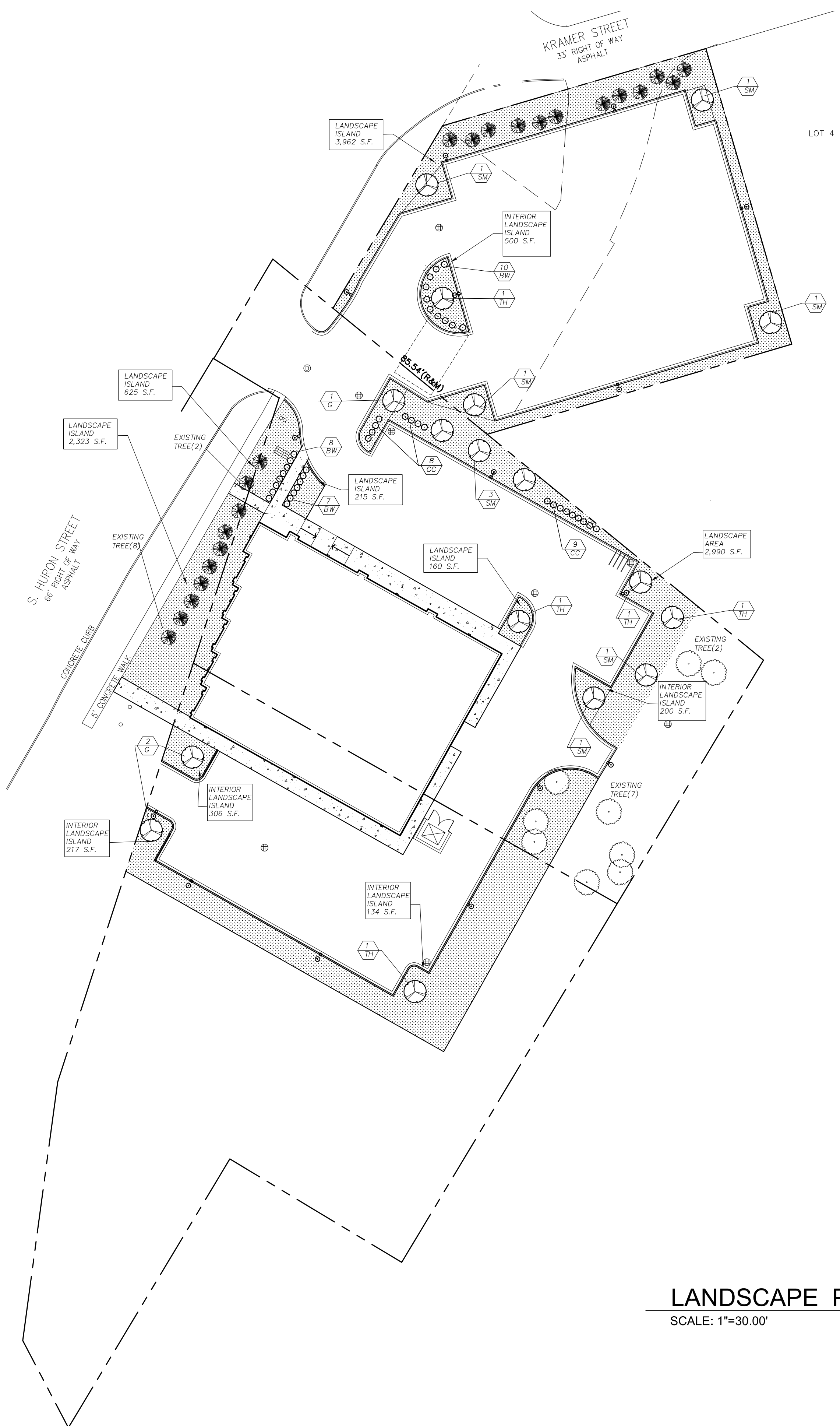
Date

SITE PLAN APP. 05 / 04 / 2018

Sheet No.

SP-1

PLANT MATERIAL LIST					
CODE	QTY.	COMMON NAME	BOTANICAL NAME	ROOT TYPE	CULTIVAR
Canopy Trees					
G	1	Ginkgo	Ginkgo Biloba	2.5" B & B	'Jade Butterfly'
TH	5	Thornless Honeylocust	Gleditsia Triacanthos Inermis	3" B & B	'Christie'
SM	8	Sugar Maple	Acer Saccharum	3" B & B	'Bonfire'
Shrubs					
BW	25	Wintergreen Boxwood	Buxus sinica var	3 GAL.	
CC	17	Cranberry Cotoneaster	Cotoneaster Apiculatus	3 GAL.	



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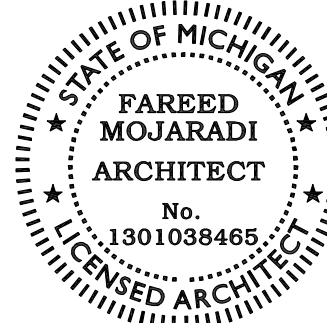
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Sheet Title

LANDSCAPE PLAN

Issued Date

SITE PLAN APP 05 / 04 / 2018

Sheet No.

L-1



LOCATION MAP



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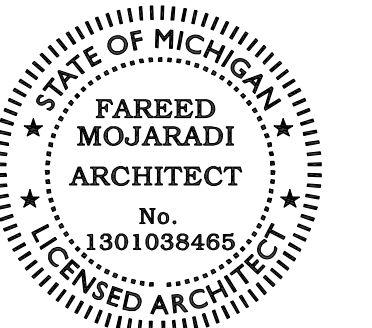
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Project No.

2016-25

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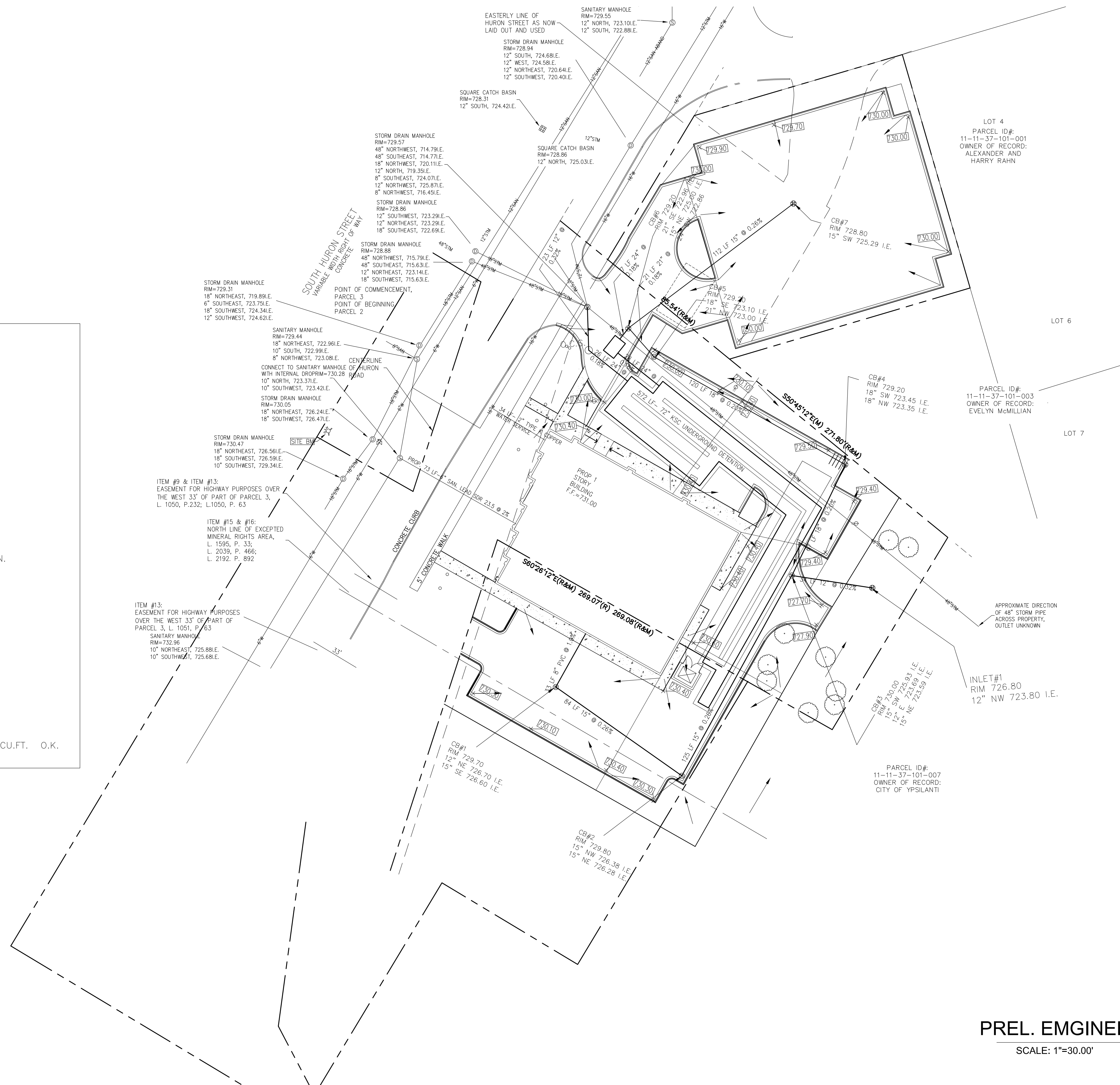
DIMENSION SITE PLAN

Issued	Date
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SITE PLAN APP. 05 / 04 / 2018

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Sheet No.
SP-1



DETERMINATION OF UNDERGROUND DETENTION VOLUME

DEVELOPED AREA = 63,549 SQ.FT.= 1.459 ACRES

$$A(\text{LAWN}) = 12,461 \text{ SQ.FT.} = 0.286 \text{ ACRES}$$

A(PAVING+BUILDINGS) = 51,088 SQ.FT. = 1.173 ACRES

$$C(\text{BUILDING})= 0.95, C(\text{PAVEMENT})= 0.95 , C(\text{LAWN})= 0.25$$
$$C(AVE.) = (1.173 \times 0.95 + 0.286 \times 0.25) / 1.459 = 0.81$$
$$C(AVE.) = 0.81$$
$$Q_a = 0.15 \times 1.459 = 0.219 \text{ CFS}$$

$$Q_o = \frac{Q_a}{CA} = \frac{0.219}{0.81 \times 1.459} = 0.185$$

$$T_{100} = -25 + \sqrt{\frac{10312.5}{Q_0}} = -25 + \sqrt{\frac{10312.5}{0.185}} = 211 \text{ MIN.}$$

$$V_{s_{100}} = \frac{16500T}{T+25} - 40Q_0T = \frac{16500 \times 211}{211 + 25} - 40 \times 0.185 \times 211$$

$V_s = 13,191$ CU. FT./ ACRE IMPERVIOUSNESS

$$V_t = V_{sAC} = 13,191 \times 1.459 \times 0.81 = 15,589$$

TOTAL VOLUME REQUIRED = 15,589 CU.FT.

REQUIRED 72" PIPES LENGTH= $15,589/28.29 = 551$ LF

USE 572 LF- 72" KSC PIPES

$$\text{VOL.} = 572 \times 28.29 = 16,182 \text{ CU.FT.}$$

TOTAL STORAGE AVAILABLE = 16,182 CU.FT. > 15,589 CU.FT. O.K.

LUMINAIRE SCHEDULE									
Symbol	Label	Qty	Catalog Number	Description	Lamp	File	Lumens	LLF	Watts
	A	15	KSF1 175M R4SC (PROBE)	Specification Area Luminaire, 175W Metal Halide, R4SC Sharp Cutoff Reflector, Full Cutoff MEETS THE NIGHTTIME FRIENDLY CRITERIA	ONE 175-WATT CLEAR B7-28 METAL HALIDE, HORIZONTAL POSITION.	KSF1_175ML_R4SC_(PROBE).ies	12000	0.81	213
	B	10	TWF1 100M	CONTOUR SERIES BUILDING MOUNTED WALLPACK WITH VERTICAL LAMP AND GLASS LENS	ONE 100-WATT CLEAR E17 PULSE START METAL HALIDE, VERTICAL BASE UP POS.	TWF1_100M.ies	8500	0.81	129

LUMINAIRE LOCATIONS										
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Y	Z
1	A	368.5	475.9	15.0	15.0	208.5	0.0	367.9	474.8	0.0
2	A	418.0	351.2	15.0	15.0	-57.8	0.0	416.9	351.9	0.0
3	A	425.5	424.3	15.0	15.0	261.7	0.0	424.2	424.2	0.0
4	A	348.2	610.8	15.0	15.0	166.7	0.0	348.4	609.6	0.0
5	A	420.3	632.2	15.0	15.0	168.6	0.0	420.5	630.9	0.0
6	A	305.7	553.2	15.0	15.0	125.1	0.0	306.8	552.4	0.0
7	A	283.9	491.0	15.0	15.0	69.0	0.0	285.0	491.5	0.0
8	A	352.2	552.1	15.0	15.0	72.1	0.0	353.4	552.5	0.0
9	A	475.6	589.3	15.0	15.0	251.9	0.0	474.4	588.9	0.0
10	A	422.1	512.5	15.0	15.0	-16.3	0.0	421.8	513.7	0.0
11	A	388.4	340.8	15.0	15.0	-31.6	0.0	387.8	341.8	0.0
12	B	287.5	449.2	12.0	12.0	33.3	0.0	288.2	450.3	0.0
13	B	320.8	430.0	12.0	12.0	32.4	0.0	321.4	431.1	0.0
14	B	363.7	406.1	12.0	12.0	27.7	0.0	364.3	407.3	0.0
15	B	256.8	420.6	12.0	12.0	-60.2	0.0	255.7	421.3	0.0
16	B	265.5	448.5	12.0	12.0	-60.4	0.0	264.4	449.1	0.0
17	B	363.2	379.9	12.0	12.0	120.9	0.0	364.3	379.3	0.0
18	B	245.4	367.5	12.0	12.0	213.7	0.0	244.7	366.5	0.0
19	B	282.2	345.9	12.0	12.0	203.4	0.0	281.7	344.7	0.0
20	A	358.8	290.1	15.0	15.0	-65.3	0.0	357.6	290.6	0.0
21	A	238.6	300.4	15.0	15.0	32.7	0.0	239.3	301.4	0.0
22	A	294.1	268.9	15.0	15.0	30.5	0.0	294.7	270.0	0.0
23	A	223.3	329.4	15.0	15.0	29.0	0.0	223.9	330.5	0.0
24	B	320.7	324.8	12.0	12.0	203.4	0.0	320.2	323.6	0.0
25	B	247.5	391.3	12.0	12.0	-60.2	0.0	246.4	392.0	0.0

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	1.5 fc	7.9 fc	0.1 fc	79.0:1	15.0:1
Residential	+	0.0 fc	0.1 fc	0.0 fc	N / A	N / A
Sidewalk	+	0.2 fc	1.4 fc	0.0 fc	N / A	N / A

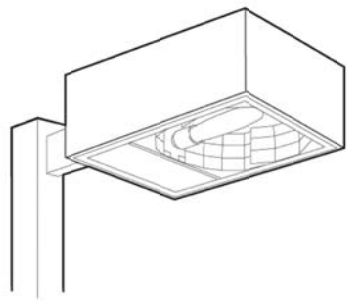
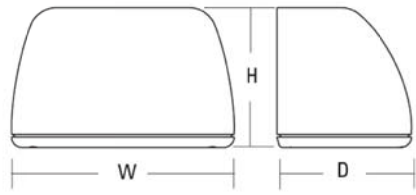


Wall-Mounted Luminaire

TWF1

METAL HALIDE: 100W

Specifications
Width: 16 (40.6)
Height: 10 1/16 (25.6)
Depth: 9-5/8 (24.4)
*Weight: 24 lbs (10.9 kg)
All dimensions are inches (centimeters) unless otherwise indicated.
*Weight as configured in example below.

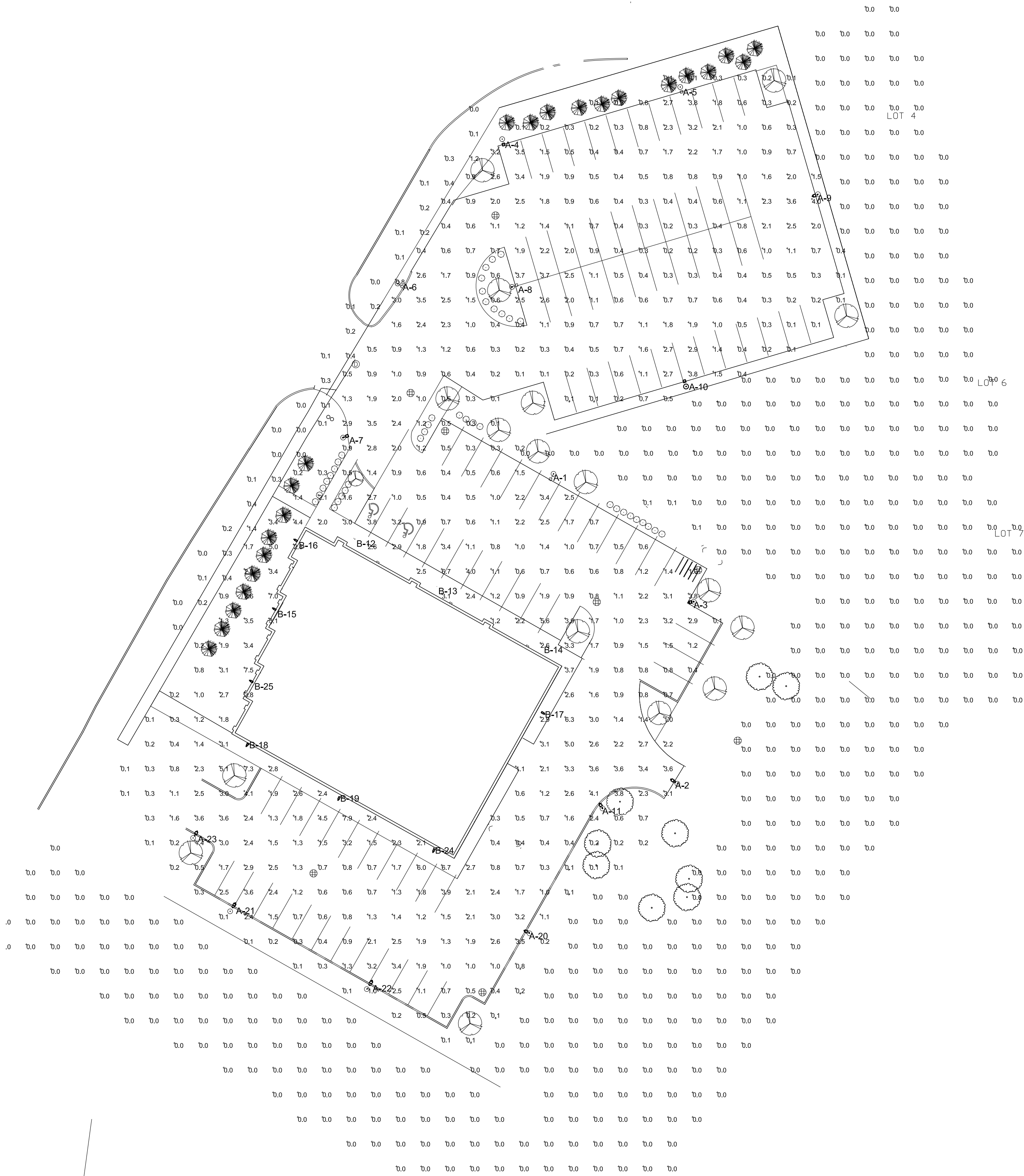
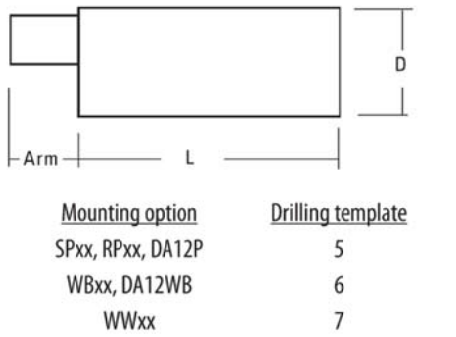


Area Lighting

KSF1

METAL HALIDE: 100-250W

Specifications
EPA: 1.5 ft² (1.4 m²) (includes arm)
Length: 21-1/4 (54.0)
Width: 15-15/32 (39.3)
Depth: 7-1/4 (18.4)
Arm: 4 (10.2)
*Weight: 35 lbs (15.9 kg)
*Weight as configured in example below.
All dimensions are inches (centimeters) unless otherwise specified.



PHOTOMETRIC PLAN

SCALE: 1"=30.00'



LOCATION MAP



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Project

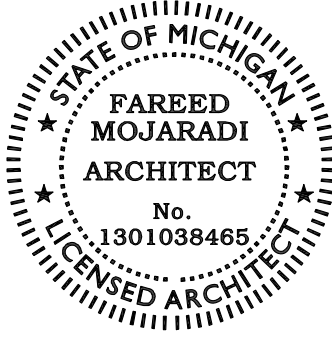
PATIENT STATION

Project No.

2016-25

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Sheet Title

PHOTOMETRIC PLAN

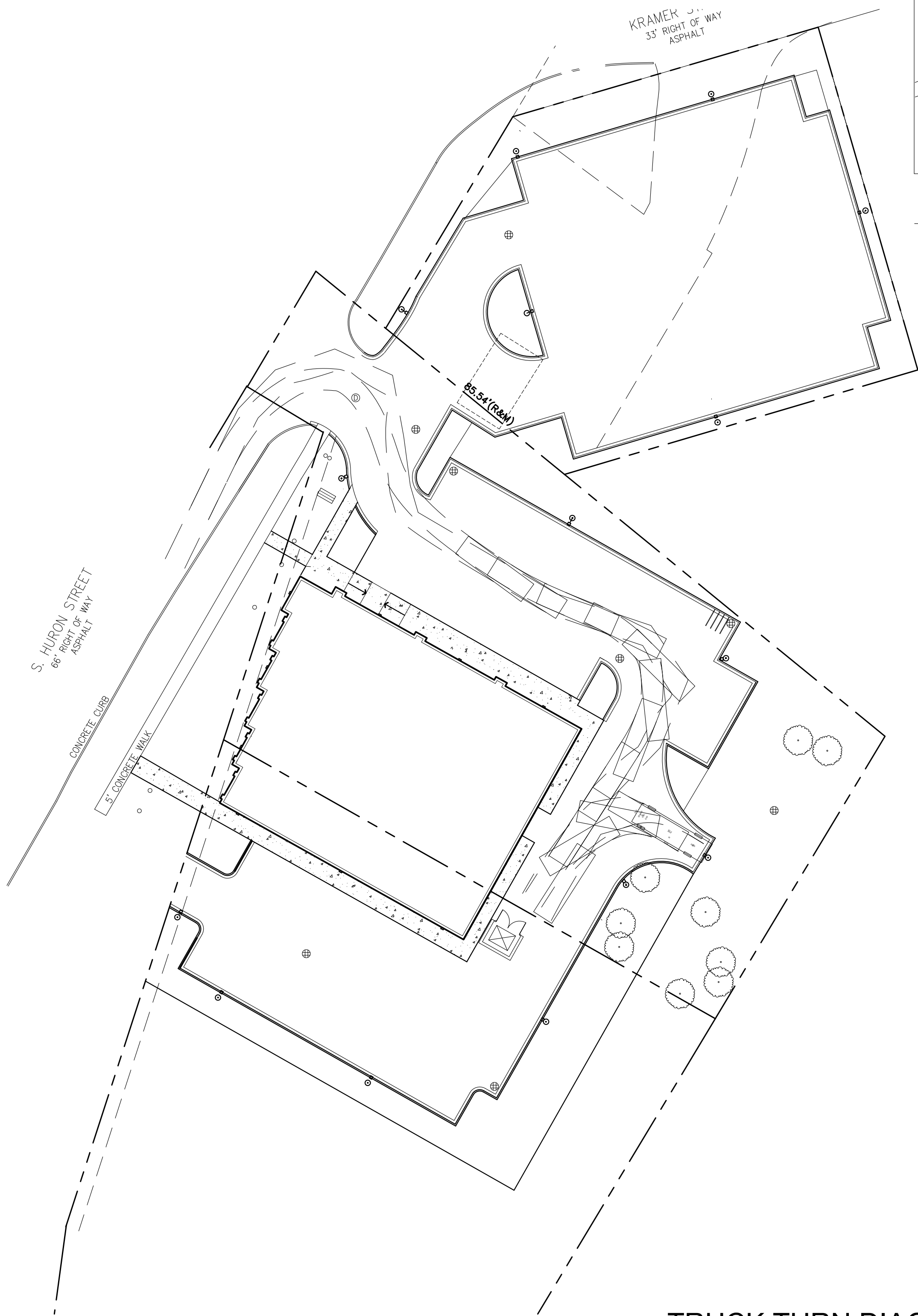
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Date

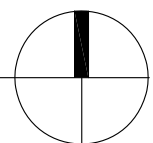
SITE PLAN APP 05 / 04 / 2018

Sheet No.

E-1



LOCATION MAP



Atelier Architect, P.C.

6346 Orchard Lake Rd Suite 16
West Bloomfield, MI 48322-2327
Phone: 248-885-8286
Fax: 248-885-8287
e-mail: Info@atelierarchitect.com

Project

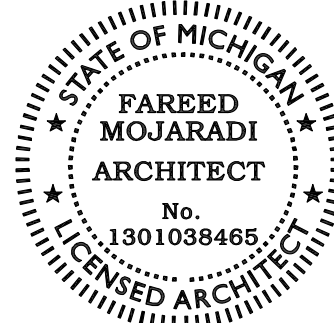
PATIENT STATION

Project No.

2016-25

Certification

I here by certify that the construction documents contained herein were prepared under my direct supervision and I am a registered architect under the laws of the State of Michigan.



Sheet Title

TRUCK TURN DIAGRAM

Issued Date

SITE PLAN APP 05 / 04 / 2018

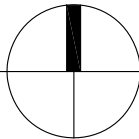
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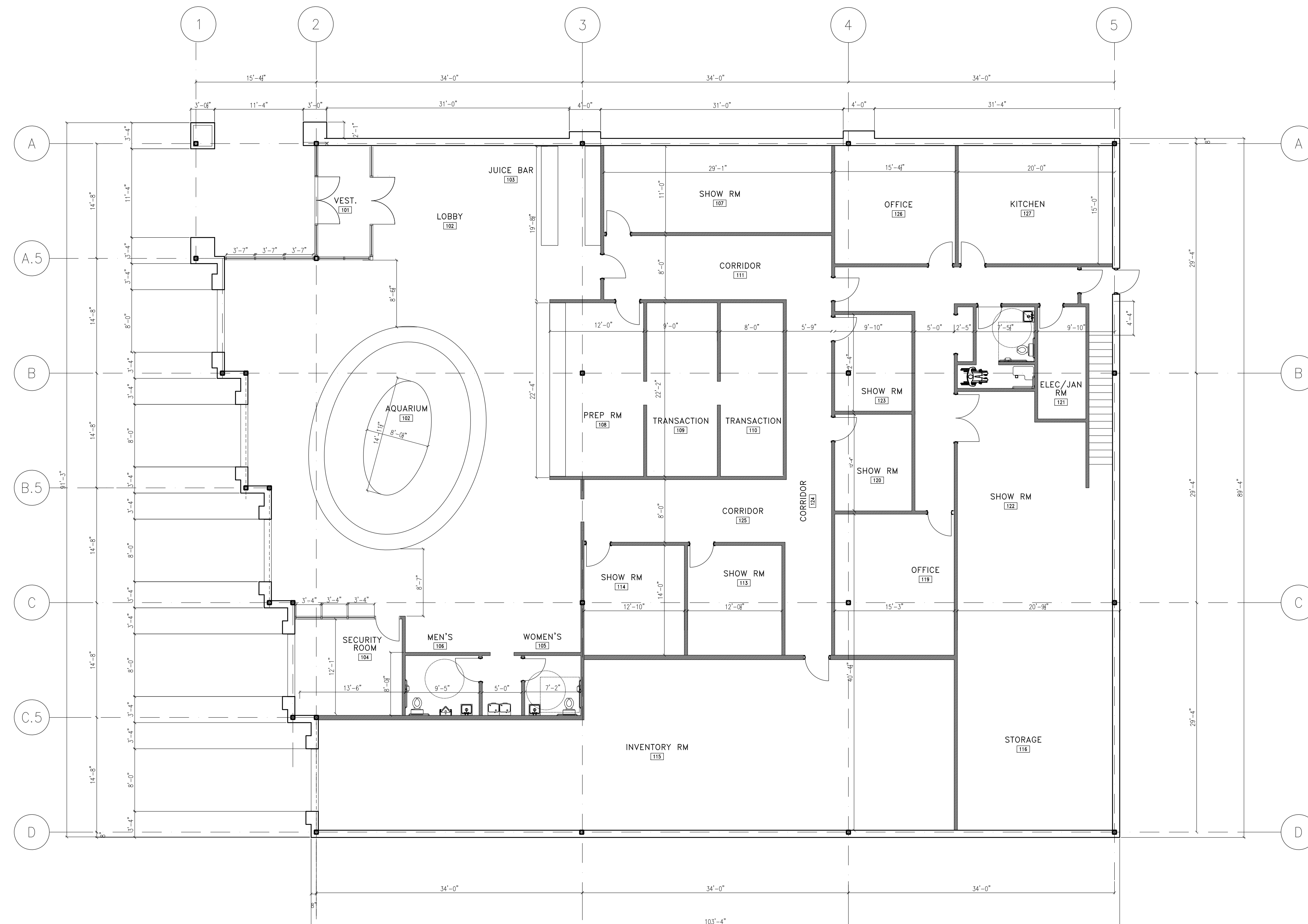
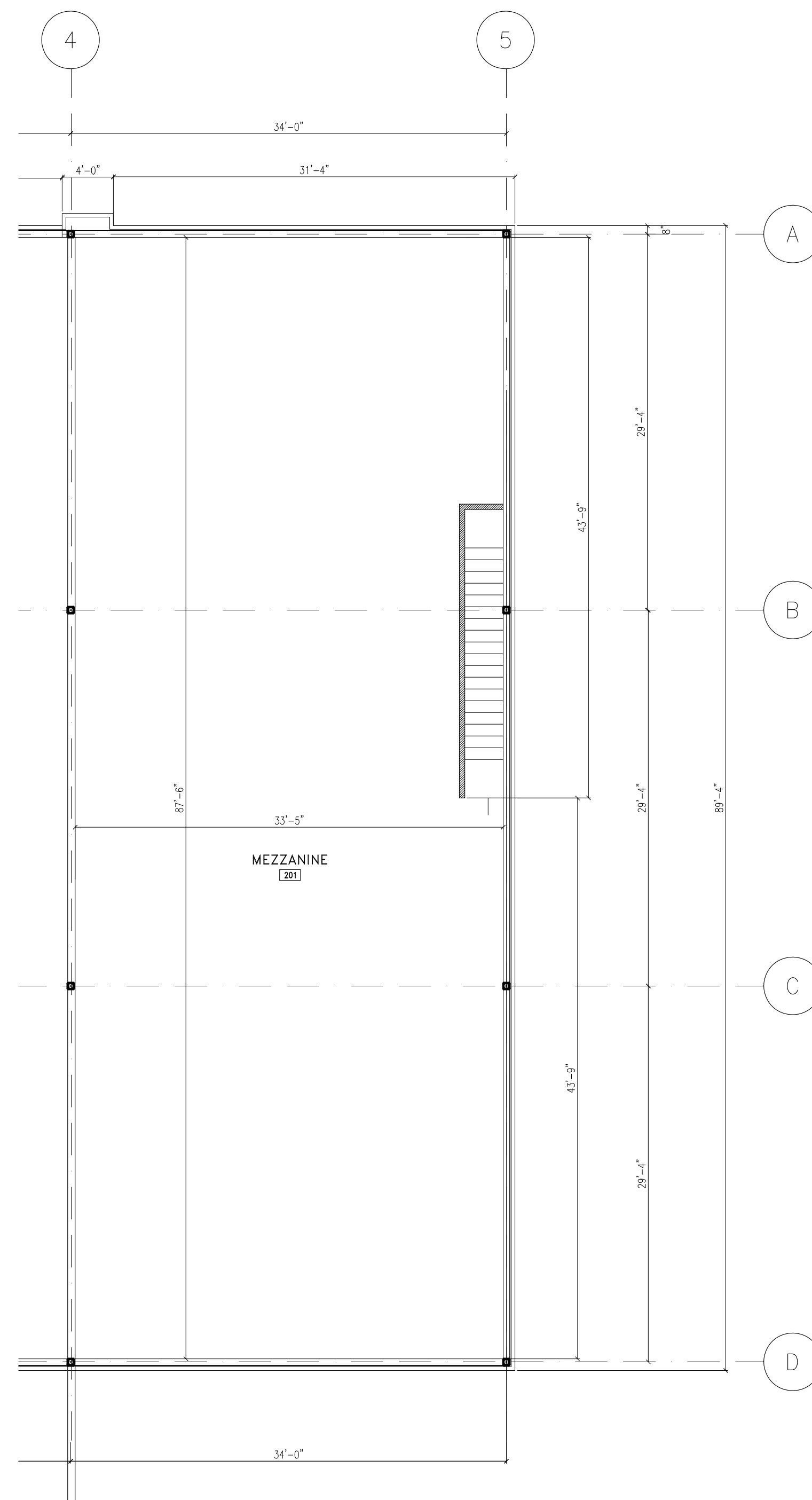
T-1

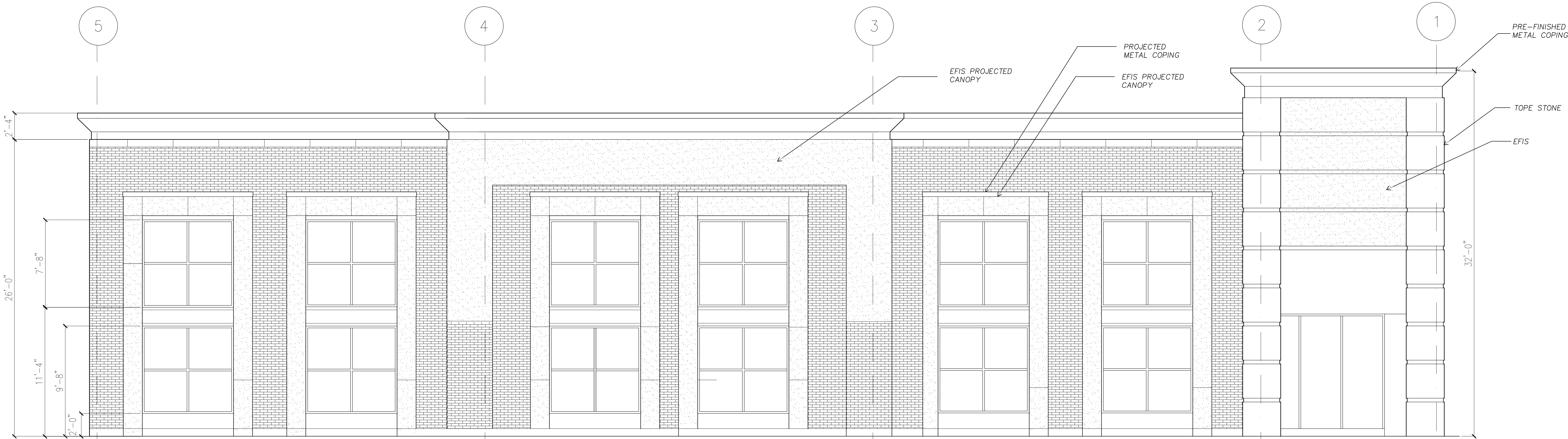
TRUCK TURN DIAGRAM

SCALE: 1"=30.00'

SU-30 TRUCK 30 FEET
WHEEL TO WHEEL DIM.
45 FEET TOTAL LENGTH

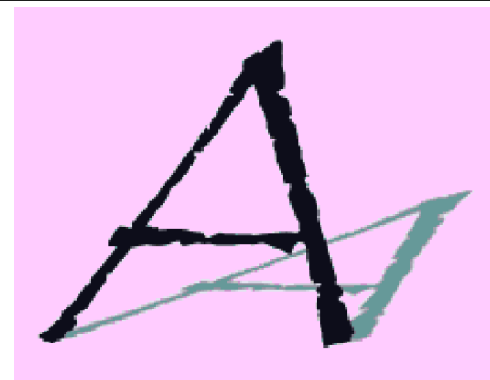






NORTH ELEVATION

SCALE: 1/4"=1.00"



Atelier Architect, P.C.

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West Bloomfield, MI 48322-2327
Phone: 248-885-8286
Fax: 248-885-8287
e-mail: info@atelierarchitect.com

Project

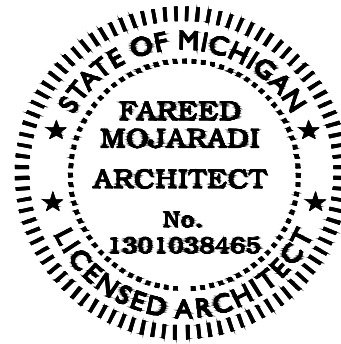
PATIENT STATION

Project No.

2016-25

Certification

I hereby certify that the construction documents contained herein were prepared under my direct supervision and I am a registered architect under the laws of the State of Michigan.



Sheet Title

ELEVATIONS

Issued

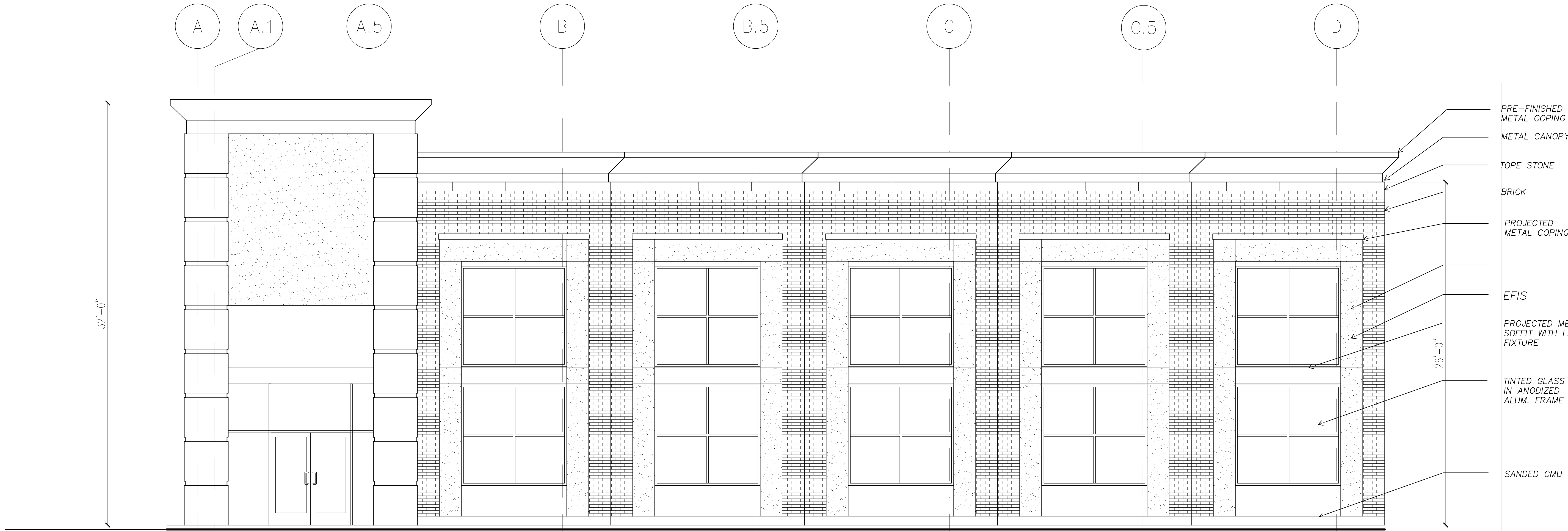
SITE PLAN APP

Date

05 / 04 / 2018

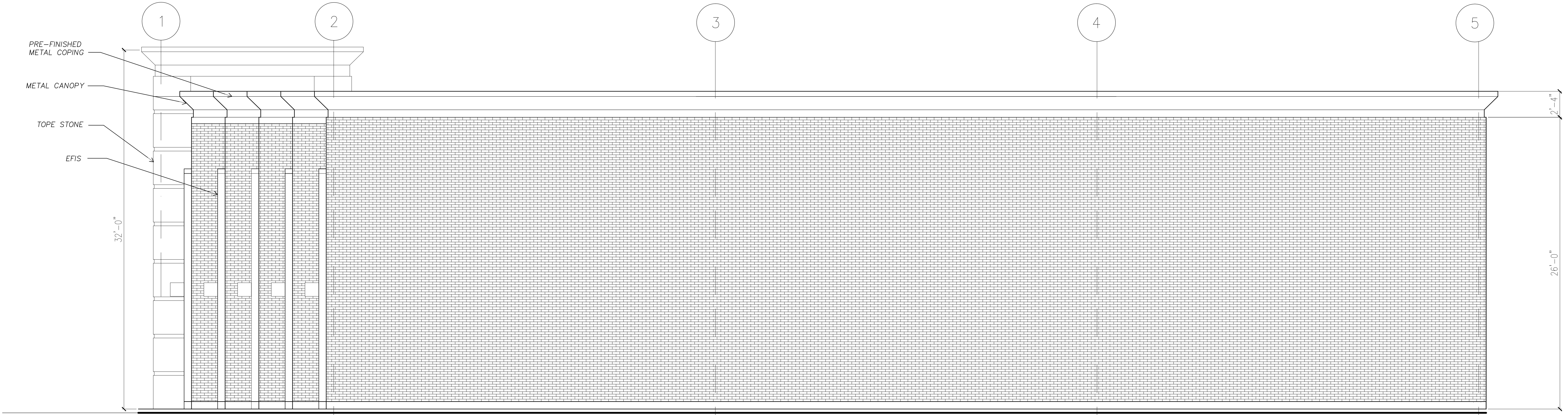
Sheet No.

A-2



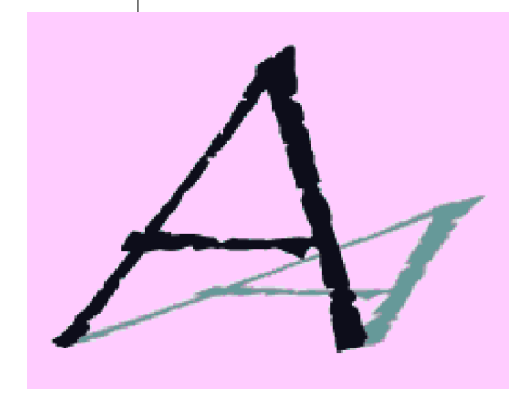
WEST ELEVATION

SCALE: 1/8"=1.00"



SOUTHELEVATION

SCALE: 1/4"=1.00"



Atelier Architect, P.C.
6346 Orchard Lake Rd Suite 16
West Bloomfield, MI 48322-2327
Phone: 248-885-8286
Fax: 248-885-8287
e-mail: Info@atelierarchitect.com

Project

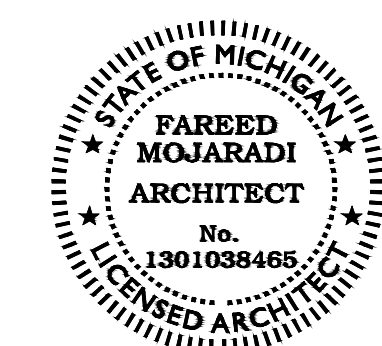
PATIENT STATION

Project No.

2016-25

Certification

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Sheet Title

ELEVATIONS

Issued

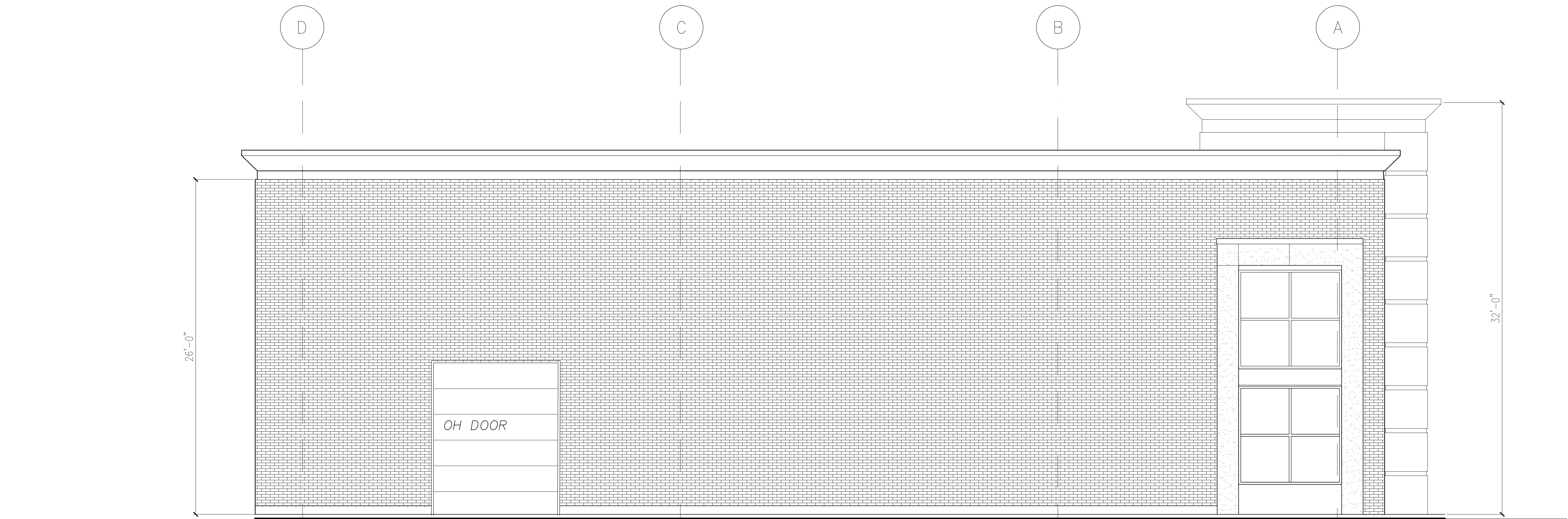
SITE PLAN APP

Date

05 / 04 / 2018

Sheet No.

A-3



EAST ELEVATION

SCALE: 1/4"=1.00"



August 22, 2018

Staff Review of Variance Application
2nd floor expansion (parking)
2 N Normal

GENERAL INFORMATION

Applicant: Vincent Zhang
Daisy Rentals LLC
800 Cliffs Drive #308
Ypsilanti, MI 48198

Project: 2 N Normal – 2nd floor addition

Application Date: 18 July 2018

Location: North-east corner of Congress and Normal

Zoning: CN-Mid, Core neighborhood mid

Action Requested: Approval of a variance from 122-683 (off street parking construction), 684 (parking landscaping), and 691 (parking quantity)

Staff Recommendation: Approval

PROJECT AND SITE DESCRIPTION

2 N Normal is an existing three-unit home. There was a fire at the property earlier this year, causing extensive damage. The owners are interested in expanding the second story by approximately 200 square feet, over an existing first-story addition. The use of the property for three units is an existing legal nonconforming use; nonconformities may not be expanded; thus, they sought a Special Use Permit for the use of the property as a three-unit with the expanded second story.

As they are a “new” use, the current requirements for parking kick in. For three units, they would be required to have 5 parking spaces. The site currently only has one, located in the front yard off Normal, and no room for another. The applicant is requesting a set of variances to permit this parking space to continue.

An AAATA bus route 6 stop is nearby at the corner of Congress and Summit. The area is within the Residential Permit Parking program and part of Area 4. There is on-street parking available on both sides of Normal and on the north side of Congress. There are plentiful sidewalks in the area, and sidewalks connect the building entrances to the street.

The single space onsite in the front yard is paved. Front yard spaces are no longer permitted. It could be possible to place a space in the rear yard, off Congress, however, this would pose some logistical and setback challenges. Relocating the drive would not be able to provide any more than one total space due to the limited width.

Figure 1: Subject Site Location



Figure 2: Site Close-up (2015)



Figure 3: photograph of site (google street view)



Figure 4: Current Photographs (Normal frontage)



Figure 5: Current Photograph (Congress frontage)



Figure 6: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Multi-family residential	CN-Mid, Core Neighborhood-Mid
EAST	Single, Two, & Multi-family residential	CN-Mid, Core Neighborhood-Mid
SOUTH	Single & Multi-family residential	CN-Mid, Core Neighborhood-Mid
WEST	Multi-family residential	CN-Mid, Core Neighborhood-Mid

ORDINANCE

Sec. 122-683. Off-street Parking layout and construction for all other uses.

Off-street parking facilities required for multiple-family and nonresidential uses shall be located on the same lot or parcel as the building or use they are intended to serve, or within 300 feet of such building or use, measured from the nearest point of the building to the nearest point of the off-street parking lot. A shared parking agreement or use easement for the land intended for shared parking must be on file with the county register of deeds, in order for the shared parking spaces to satisfy the quantity requirement. Parking spaces may be located within buildings or structures consistent with the Building Code.

- (a) **Review and approval requirements.** Except for off-street parking accessory to single- or two-family dwelling units, review and approval is required for off-street parking areas in accordance with Article III of this chapter.
- (b) **Ingress and egress.** Adequate ingress and egress to such parking lot shall be provided by means of clearly defined and limited drives having a minimum width of 20 feet for two-way traffic and 10 feet for one-way traffic, with a maximum of 30 feet. All such drives shall be located so as to minimize traffic congestion.
 - (1) On lots with a lot width of 100 feet or less, no more than one curb cut to a single street is permitted.
 - (2) All curb cuts accessing Washtenaw Avenue (M-17) must comply with the Michigan Department of Transportation M-17 Access Management Plan and the ReImagine Washtenaw Corridor Improvement Study.
 - (3) All curb cuts and approaches to such parking lots shall comply with adopted City standards for curb cuts.
 - (4) Ingress and egress for the parking area in an area zoned CN-Mid, CN, HC, NC, GC, C, HHS, PMD shall not cross land zoned for P, R1 or CN-SF.
 - (5) Parking lot driveways shall be situated so as to minimize vehicle headlights from shining on residential dwellings.
 - (6) Where possible, curb cuts shall be located across from any existing curb cuts on the opposite side of the street, or shall be offset from any opposite-side curb cuts by at least 25 feet.
 - (7) No curb cut for a parking lot may be closer than 50 feet to the intersection of any two streets as measured along the street right-of-way line. However, the Planning Commission may allow a curb cut for a parking lot situated on a small land parcel located no closer than 20 feet to the intersection of any two streets, upon finding that no other access points in compliance with City Ordinances is possible due to the size of the parcel.
- (c) **Access.** All parking spaces shall be provided adequate access by pedestrians and vehicles:
 - (1) Walkways in Parking Lots. Paved walkways a minimum of 5 feet in width shall be provided for access to adjacent parks, commercial areas, transit stops, anticipated walkways and institutions. Pedestrian movement shall be accommodated within parking lots through raised walkways, marked crosswalks or similar methods.
 - (2) Vehicular Access. All parking spaces must be accessible to vehicles by means of maneuvering aisles. Except for one- and two-family uses, maneuvering or backing from a parking space directly onto a street or walkway shall be prohibited, and all parking spaces shall be designed so that any motor vehicle may be parked or unparked without moving another vehicle.
- (d) **Maneuvering drives.** Each driveway providing access to an off-street parking lot containing five or more parking spaces shall be a minimum of ten feet in width. Where a turning radius is necessary, it shall be an arc that allows unobstructed vehicle flow.
- (e) **Surfacing.** All parking and loading facilities and access drives shall be paved with a durable bonded material in accordance with accepted engineering standards, or alternative surfacing materials to minimize impervious surface and stormwater runoff, employ environmental and other best practices, and achieve low impact design, at the discretion of the City Engineer. Use of pervious alternative surfaces is encouraged in proximity to the Huron River and Paint Creek. Paving materials proposed to improve aesthetics may also be considered by the City Planner and the Planning Commission. Alternative surfaces proposed shall be reviewed by the City's consulting engineer.
- (f) **Drainage.** All off-street parking and loading areas shall be graded and drained to public storm sewers. As an alternative, if in the opinion of the City's consulting engineer, the soils are of a type which will allow for efficient drainage, the use of drywells, infiltration trenches, swales, bio-retention or other best management practices for controlling urban runoff quality are permitted. No surface water shall be permitted to drain onto adjoining properties, unless there is a common engineered drainage system shared with the adjoining property.

or an appropriate watershed easement has been obtained. No surface water drainage from an off-street parking lot shall be permitted to drain across a public sidewalk.

- (c) **Setback from street.** Parking lot setbacks are designated by the zoning district in which they are located. An allowed exception are circular drives, which may be located in a required minimum front yard or street side yard, provided that such drives shall be designed so that no parking space is located closer than 25 feet to any street right-of-way line.
- (d) **Setback from adjacent lot.** Parking areas are required to be 10' from any adjacent lot. Planning Commission may waive this requirement in whole or in part with a finding that the lot shares a common access and common parking with the adjoining lot, or that stormwater, landscaping, and other similar concerns have been adequately addressed with other methods.
- (g) **Striping.** For parking lots containing five or more spaces, all spaces shall be outlined with three-inch wide strips of white or yellow paint, except that barrier-free spaces shall be blue, with a symbol of compliance in blue, and signed in accordance with the State Barrier-Free Code.
- (h) **Wheel stops.** For parking lots containing five or more spaces or accessory to commercial uses, wheel stops or curbing shall be provided for all parking spaces to prevent any vehicle from projecting beyond the parking lot area, bumping any wall or fence, or encroaching upon any landscaping. In all cases where parking lots abut public or private sidewalks, continuous concrete curbing or bumper stops, at least six inches high, shall be placed so that a motor vehicle cannot be driven or parked on, or hang over, any part of any sidewalk.
- (i) **Lighting.** With the exception of multiple-family dwellings on individual lots containing no more than four units, parking and loading facilities utilized during night-time hours shall be artificially illuminated. All such outdoor lighting shall meet the requirements of §122-609.
- (j) **Maintenance.** All off-street parking areas, including striping, shall be maintained in good usable condition, and when necessary shall be treated to prevent dust or other nuisances. Such parking areas and drives shall also be kept free of litter, debris, and refuse.
- (k) **Additional requirements.** In addition to the above requirements, parking areas shall comply with additional requirements or conditions which may be deemed as reasonably necessary by the Planning Commission for the protection of abutting lots.

Sec. 122-684. Parking screening and landscaping.

- (a) **Intent.** Separate landscape areas shall be provided within parking lots so as to break up the broad expanse of pavement, mitigate heat island effect, support storm water management, and guide the circulation of vehicular and pedestrian traffic.
- (b) **Required landscaping within off-street parking areas.** Separate landscape areas shall be provided within off-street parking areas in accordance with the following requirements:
 - (1) There shall be a minimum of one (1) tree for every eight (8) parking spaces, provided that a landscape island shall be provided for no more than sixteen (16) continuous spaces.
 - (2) Landscape islands must meet the following size requirements:
 - (i) Landscape islands containing a tree shall be a minimum of 160 square feet and a minimum of nine (9) feet wide.
 - (ii) Landscape islands containing a pedestrian pathway shall be a minimum of eleven (11) feet wide, with a pathway of a minimum width of five (5) feet and minimum three (3) feet wide landscape area on both sides.
 - (iii) If landscaped islands are not used for storm water infiltration, the islands must be raised and curbed.
 - (3) The ends of all parking aisles and corners shall be protected with a curbed island.
 - (4) A minimum distance of three (3) feet from the backside of the curb and the proposed landscape plantings shall be provided. Where vehicles overhang a landscape island or strip, a minimum distance of five (5) feet from the backside of the curb and the proposed landscape plantings shall be provided.
 - (5) Shrubs and/or ground covers which will not impede vehicular visibility in accordance with this Ordinance may also be included.
- (c) **Required Landscaping at the Perimeter of Off-Street Parking Areas, Loading Zones, and Access Drives.** Separate landscape areas shall be provided at the perimeter of off-street parking areas in accordance with the following requirements. This landscaping cannot be counted toward any other landscaping requirement except for the "site landscaping" minimum percentage.
 - (1) Off-street parking areas in the side and rear yard which abut a R-1, MD, CN, CN-Mid, CN-SF zoning district must be screened in accordance with §122-634.

- (2) All off-street parking areas that are visible from a public road shall be screened from view with a solid wall or landscape planting achieving at least 80% opacity year-round at least three (3) feet in height but no more than four (4) feet in height, in conformance with §122-675.
- (3) All land between a parking lot and any street right-of-way shall be kept free from refuse and debris and must be landscaped. The ground area shall be planted in lawn or other live ground covering. All such landscaping and plantings shall be maintained in a healthy, growing condition, neat and orderly in appearance.
- (d) Landscaped areas, walls, structures, and walks shall be properly protected from vehicular encroachment or overhang through appropriate wheel stops or curbs, as well as a distance of at least 3 feet.

Sec. 122-691. Minimum and maximum number of parking spaces.

USE	AUTOMOBILE SPACES PER UNIT OF MEASURE
RESIDENTIAL	
Multiple-family dwellings, including townhouses	1.5 for each dwelling unit, plus 1 for each 10 dwelling units for guest parking.

STANDARDS **§122-370(b)**

Standards for Variances. A variance from the literal enforcement of this Ordinance may be granted by the Zoning Board of Appeals only if all of the following standards are met.

- (1) *Literal enforcement of this chapter will pose practical difficulties to the applicant because of special conditions or circumstances which are unique to the specific property such as: exceptional shallowness or shape of the property, exceptional topographic conditions, extraordinary situation of a building or structure, use or development of an adjacent property, or difficulties relating to construction or structural changes on the site. Mere inconvenience or a desire to attain higher financial return shall not itself be deemed sufficient to warrant a variance.*

The applicant notes that practical difficulty is found in attempting to add or change any additional parking spaces, due to the positioning of the existing building on the lot and the slope of the lot eastward. The only location on the front of the lot to place a parking space is where it currently is; the only place on the rear of the lot would be behind the building, accessed off Congress- but would result in overall more paved surface, present grading challenges, be difficult to access due to the narrowness of the space, and be directly adjacent to the neighbor's lot. There would be no net gain.

- (2) *Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of this chapter. Granting of the variance shall not confer upon the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.*

This is an uncommon challenge for this use in this zoning district, but not unheard-of. In other zoning districts, such as Center, it is common to have a building/use that was constructed without interest in parking or open space. In this district, this is rare; most homes (single family or multifamily) have room for at least some parking beside or behind the building. There are, however, a handful of properties that, in the 1970s, were granted variances to permit front-yard parking; two of these are in the 900 block of West Cross.

- (3) The alleged practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.*

The owner did not construct the existing building nor did they plat or subdivide the lot upon which it is built.

- (4) The granting of the 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.*

The front yard parking has existed there for many, many years. We have no records of complaints or other issues arising from its placement.

- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.*

This variance would allow the property to retain one parking space. Generally speaking, the area is walkable enough and has ample public parking to possibly allow for no onsite parking at this location. However, provision of one parking space does allow for the possibility of a person with a disability to have relatively convenient access to a personal vehicle.

- (6) A variance granted shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure.*

Yes. Permitting the applicant to have one space allows the applicant to maintain the current density; it also provides potential accommodations should a future resident have a disability.

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals *approve* the variance requests from 122-683 (off street parking construction), 684 (parking landscaping), and 691 (parking quantity) to permit the existing single parking space in the front yard to remain at 2 N Normal, with the following findings per 122-370(b):

- (1) Literal enforcement of this chapter will pose practical difficulties to the applicant because of the grading of the lot and the footprint of the existing building.
- (2) Such variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district; several other properties owners in the CN-Mid district of the north side of the 900 block of West Cross have the ability to park in their front yards due to a historical set of variances.
- (3) The practical difficulties on which the variance request is based have not been created by any person presently having an interest in the property.
- (4) The granting of the 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.
- (5) The allowance of the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual hardships that will be suffered by a failure of the Zoning Board of Appeals to grant the variance, and the rights of others whose property would be affected by the allowance of the variance.
- (6) This variance is the minimum variance that will make possible a reasonable use of the land, buildings, or structure.

Bonnie Wessler
City Planner, Community & Economic Development Division

c.c. File
 Applicant



City of Ypsilanti Planning & Development Department

One South Huron • Ypsilanti, MI 48197
Phone: (734) 483-9646 • Fax: (734) 483-7260
www.cityofypsilanti.com

**Non-refundable
Planning Fee:**
Single-family application
fee: \$200
All others: \$450
**PER VARIANCE
REQUESTED**

VARIANCE APPLICATION

Applicant*

Name Daisy Rentals LLC (Vincent Zhang)		
Address 800 Cliffs Drive #308, Ypsilanti, MI 48198		
City Ypsilanti	State MI	Zip 48198
Phone / Fax 615-957-4320	E-Mail daisyrentals@gmail.com	

*If applicant is not owner of property, a written, notarized statement from the owner authorizing this application must be included.

Property

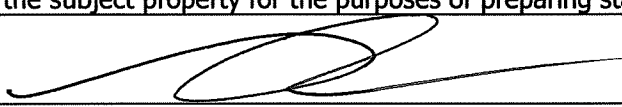
Name of project 2 North Normal - 2nd Floor Addition	
Address 2 North Normal Street	
List all parcel identification numbers included in development: 11-11-40-464-024	
Legal description of property (may be attached): OLD SID - 11 11-175-008-20 YP CITY 21W-10 S 47 FT OF W 4 1/2 RDS OF LOT 8 CROSS & BAGLEY'S ADDITION	
Current Zoning: CN-Mid	Current Use: Residential: multi-family (3 units)
Attach an accurate, scaled drawing, of the property showing: • all property lines and dimensions correlated with the legal description • the location and dimensions of all existing and proposed structures and uses on property • any roads, alleys, easements, drains, or waterways which cross or abut the property and the lot area and setback • dimensions necessary to show compliance with the regulations of this Ordinance	

Request for Variance

Description of proposed project 206 sq. ft. second floor addition to an existing two-story, 3-unit, apartment building. Existing building has 1 off-street parking space.

Section of Ordinance (chapter, article, section, subsection format, please) 122-683, 122-684, 122-691
How the proposed project is contrary to ordinance: Parking for 1.5 cars per unit is required (5 cars for 3 units). 1 space is currently provided, which has been the condition on this property for several years.
Practical difficulties which prevent compliance: There is not space on the existing lot (with the existing building) to provide parking for 5 cars. This condition is existing and has been for years. The proposed work will have no impact on this condition.
Unique circumstances regarding the property (i.e. shape, topography, etc) which prevent compliance: The existing building, existing use, and existing parking have all existed for several years. No change (other than 206 sq. ft. 2nd floor addition) is proposed.

Signature

I hereby attest that the above information is accurate. I am authorized to and grant permission to the City of Ypsilanti staff to be on the subject property for the purposes of preparing staff reports and/or evaluating this application.	
Signature: 	Date: 18 July 2018
Print Name: Vincent Zhang	

FOR OFFICE USE ONLY

Date	Amount	Cash	Check
Account: 101-4-7210-607-01		Code: 178 Rezone	
Description of deposit:			
Signature of person receiving deposit:			



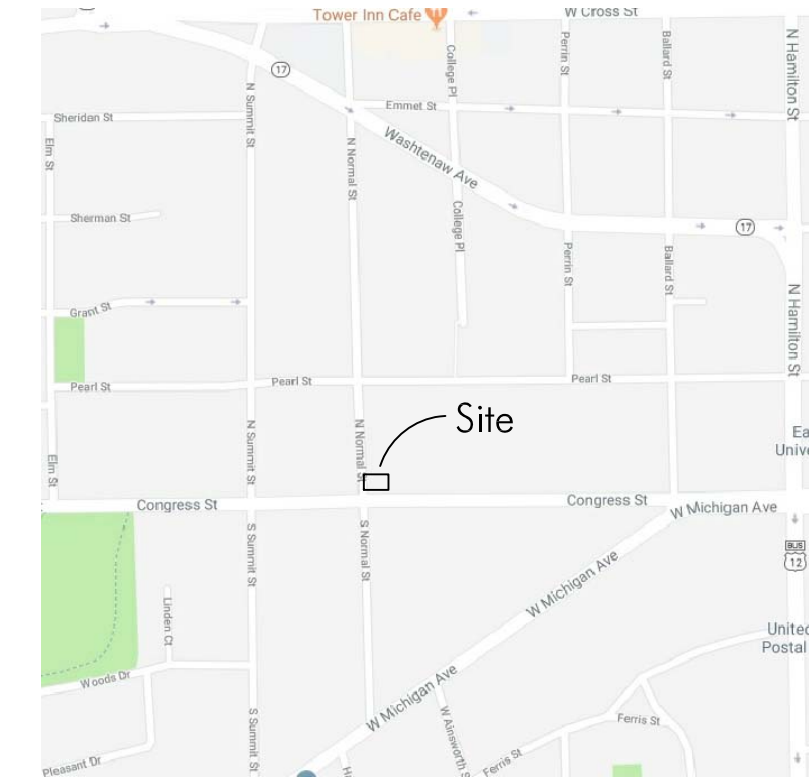
2 North Normal Street - Ypsilanti, MI 48197

18 July 2018

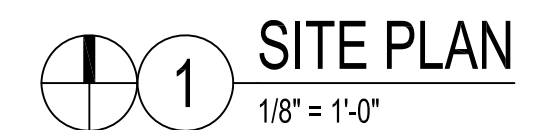
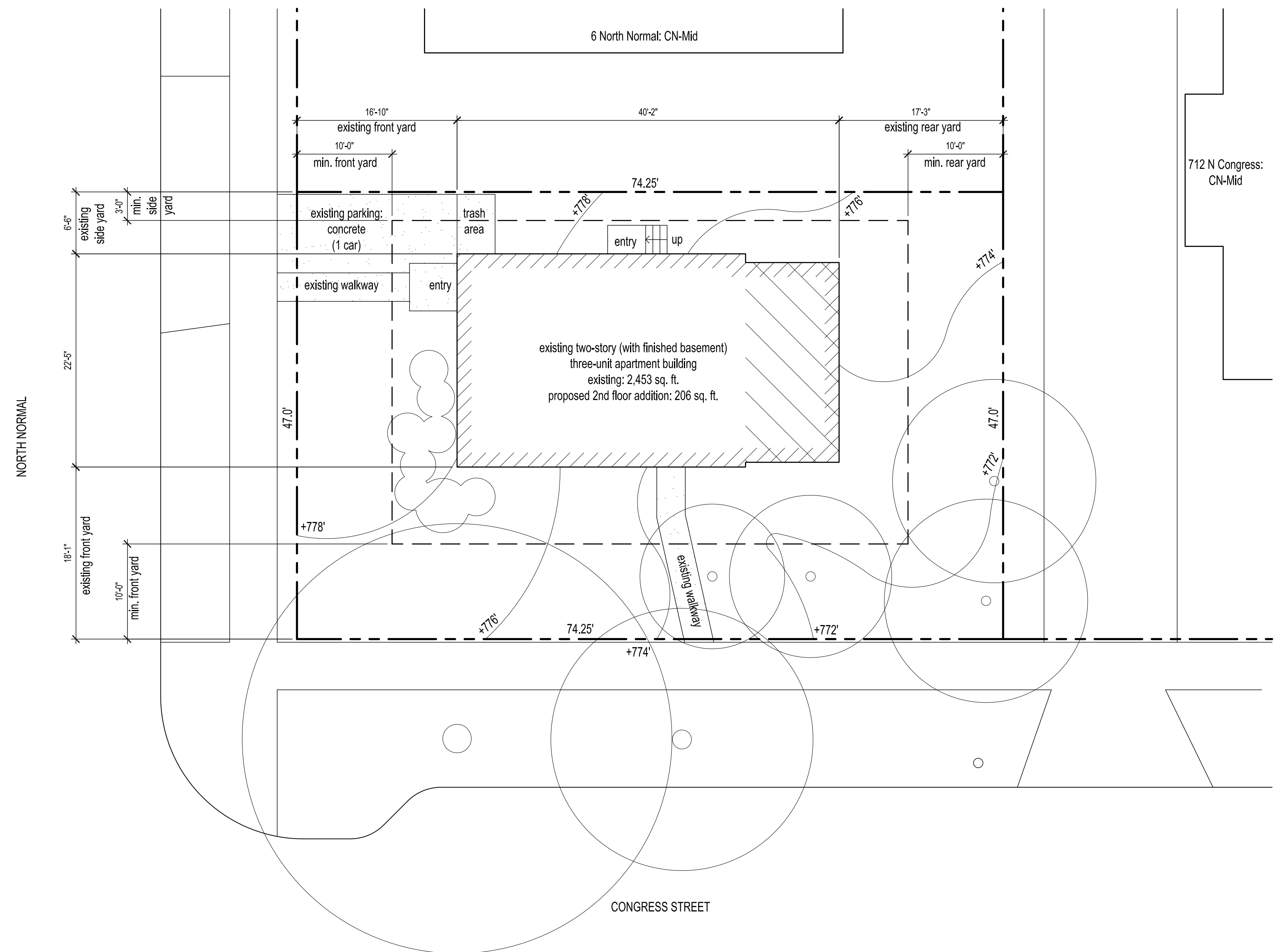
Architect:
Lewis Greenspoon Architects LLC
440 South Main Street, suite 2
Ann Arbor, MI 48104
contact: David Lewis (734.786.3757)

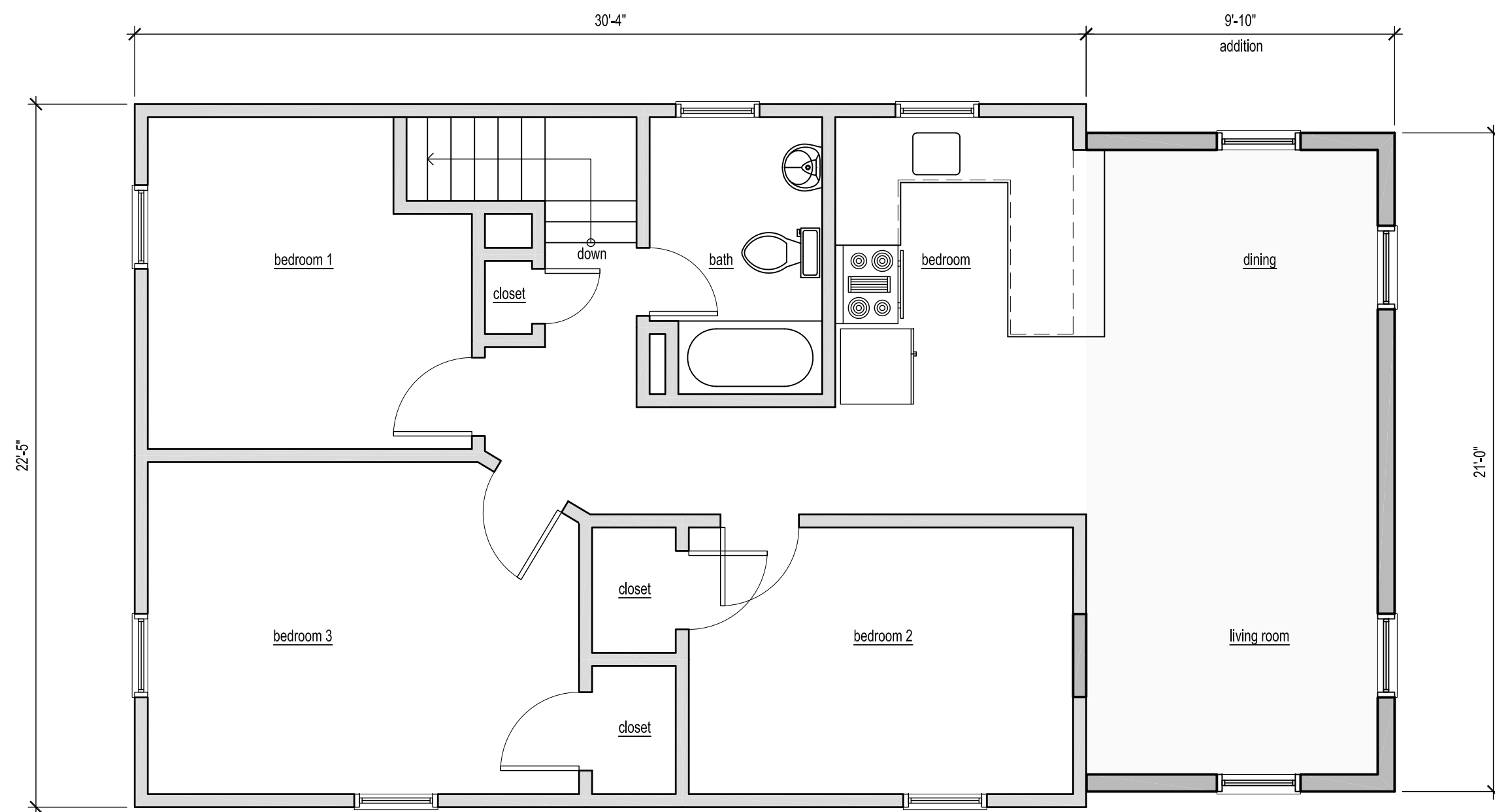
2nd Floor Addition over existing
one-story portion of building.
Repair fire damage to existing building.

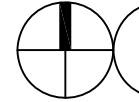
A1.1	Cover Sheet & Site Plan
A2.1	Existing and Proposed Floor Plans

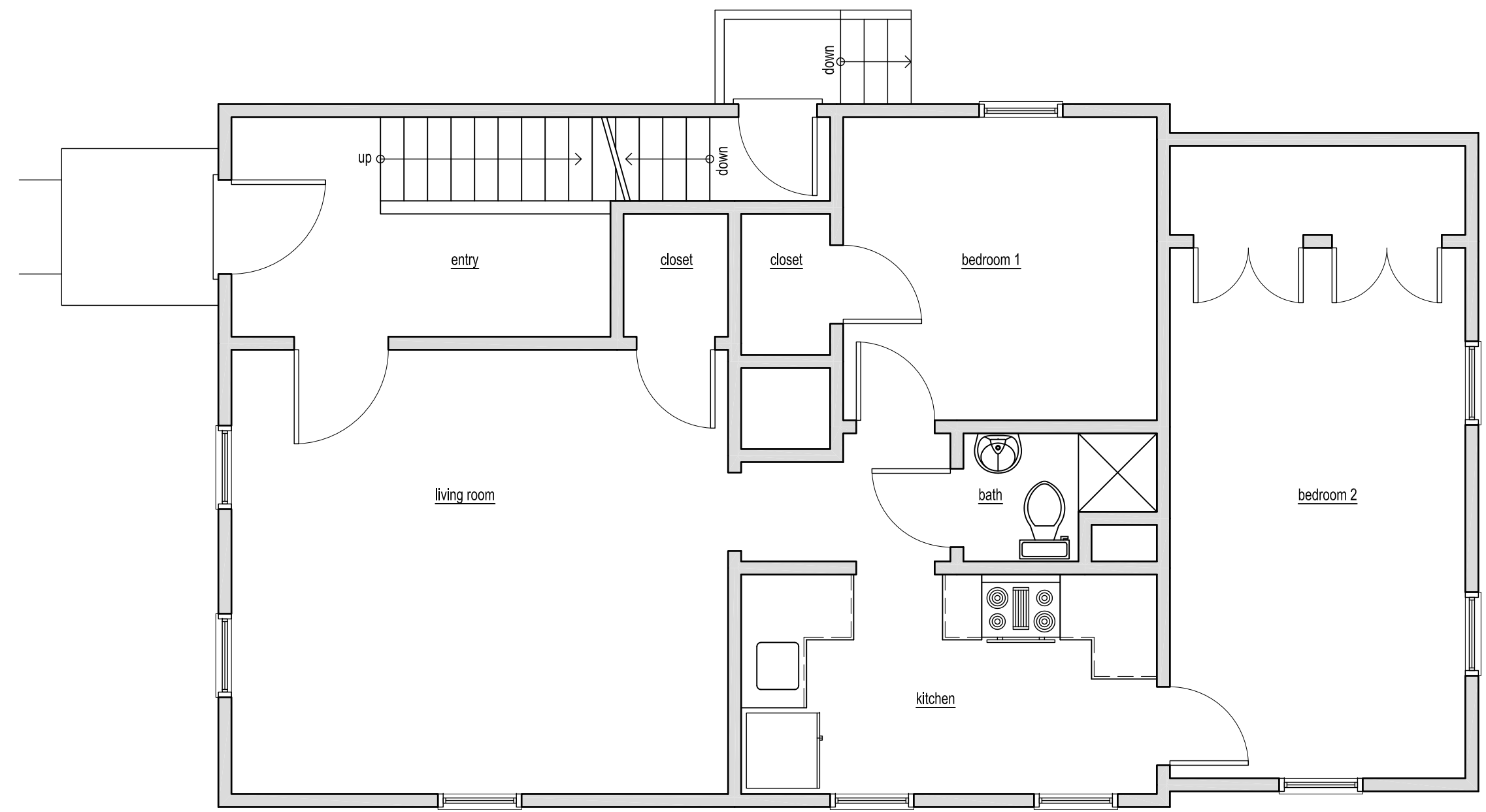


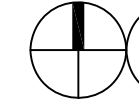
Variance Request: reduce the required off-street parking from 5 to 1 car

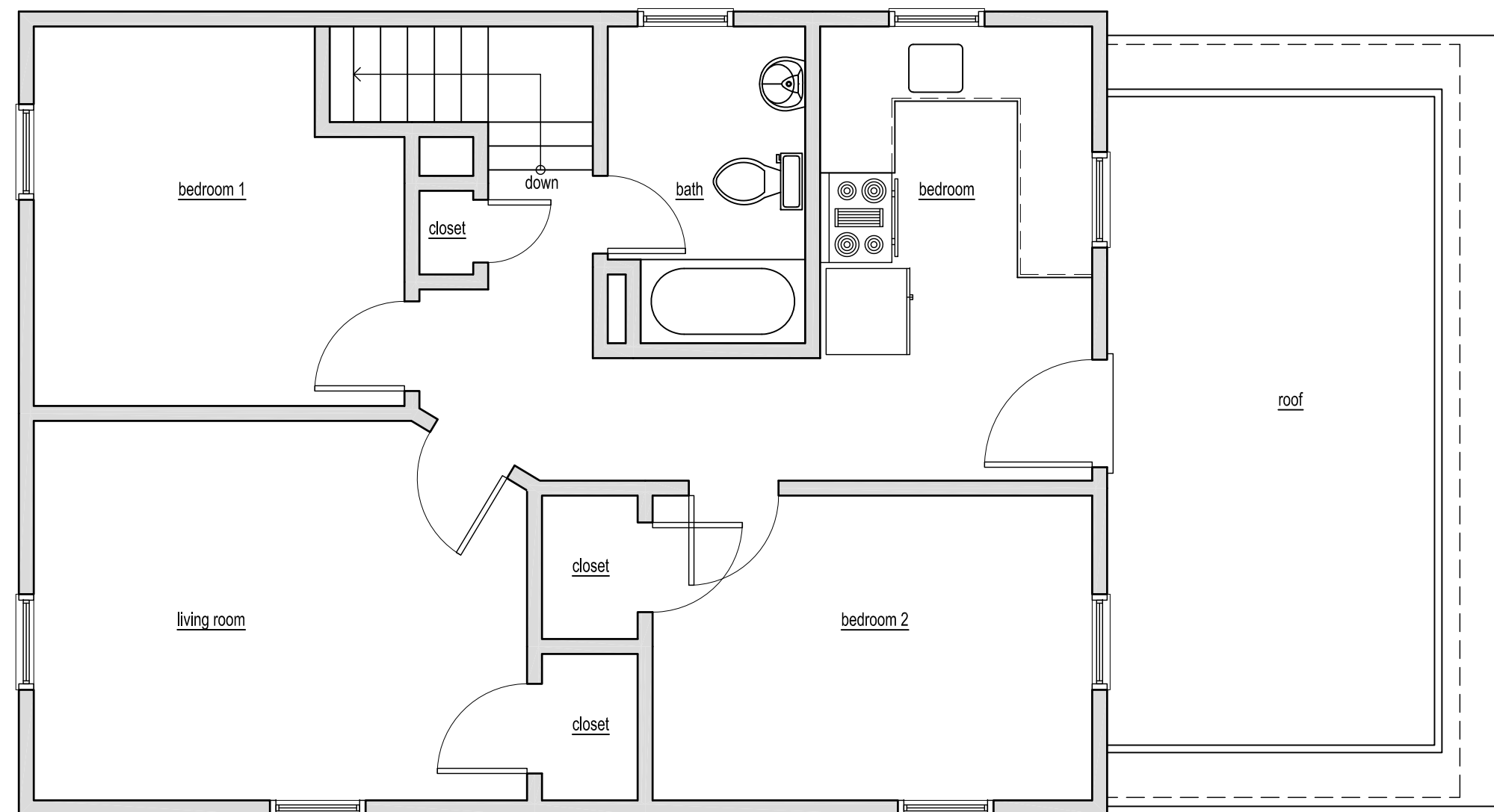


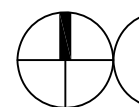


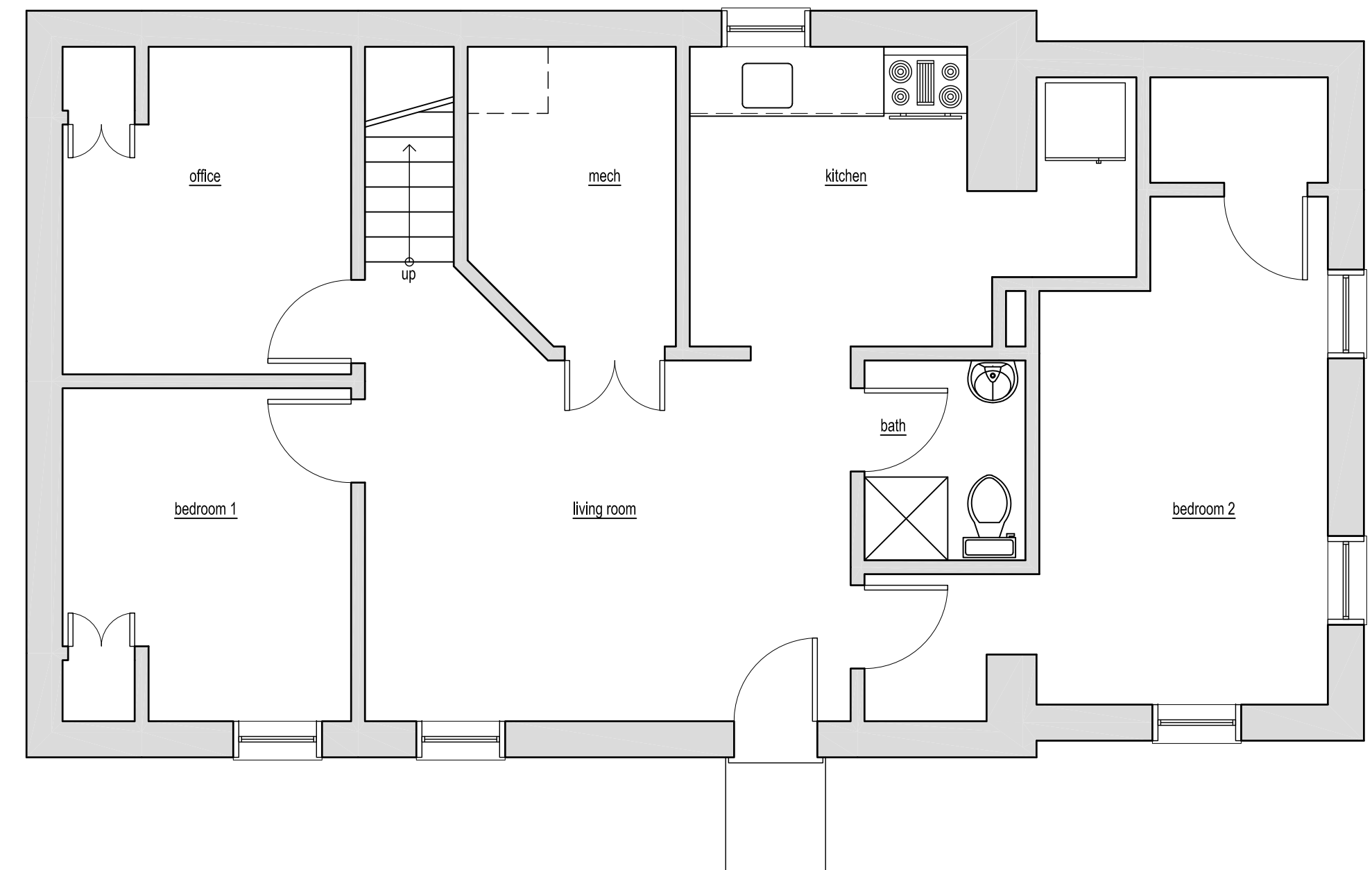
 4 **SECOND FLOOR - PROPOSED**
1/4" = 1'-0"

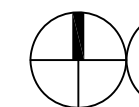


 2 **FIRST FLOOR - EXISTING**
1/4" = 1'-0"



 3 **SECOND FLOOR - EXISTING**
1/4" = 1'-0"



 1 **BASEMENT - EXISTING**
1/4" = 1'-0"

**D a i s y
R e n t a l s**

**Second Floor
Addition**

2 North Normal Street
Ypsilanti MI 48197

project no: 10036

issue no:
planning dept. 18 Jul 18