

1. Agenda August 15 2019 (Revised)

Documents:

[01- ZBA AGENDA 08-15-19.PDF](#)

2. January 2019 ZBA Draft Minutes

Documents:

[1-23-19 DRAFT ZONING MINUTES.PDF](#)

3. May 2019 ZBA Draft Minutes

Documents:

[5-1-19 DRAFT MINUTES ZONING BOARD OF APPEALS.PDF](#)

4. 772-799 Green - Spiked Fence Variance

Documents:

[799 GREEN.PDF](#)

5. 397 First - Side Yard Variance

Documents:

[397FIRST.PDF](#)

Agenda
Zoning Board of Appeals
Thursday, August 15, 2019 - 7:00 P.M.
City Hall-Council Chambers, 1 S Huron St
Ypsilanti, MI 48197
Amended 8/14/2019

I. Call to Order

II. Roll Call

Jake Albers, Chair	P	A
Heather Khan, Vice Chair	P	A
Jared Talaga	P	A
Jason Ringholz	P	A
Tom Roach	P	A
Georgina Hickey <i>alternate</i>	P	A

III. Approval of Minutes

- May 1, 2019

IV. Purpose of Meeting

- Annual Organizational Meeting

V. Old Business

VI. New Business

- 799 Green Rd, variance
Public Hearing
- 397 First Ave, variance
Public Hearing
- Nomination of Officers
- Election of Officers

VII. Adjournment

**ZONING BOARD OF APPEALS
MEETING MINUTES
JANUARY 23, 2019
CITY COUNCIL CHAMBERS
7:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 7:00 pm.

II. ROLL CALL

Present: J. Albers, H. Khan, T. Roach, J. Ringholz, G. Hickey

Absent: J. Talaga

Staff: C. Kochanek, Preservation Planner
B. Wessler, City Planner
N. Schuette, Executive Secretary

III. APPROVAL OF MINUTES

Commissioner Kahn moved to approve the minutes of August 22, 2018 as written (Support: J. Albers) 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. Election of Officers – Vice Chair vacancy

Chair Albers moved to elect Commissioner Kahn as Vice-Chair (Support: T. Roach) and the motion carried unanimously.

2. 528, 530 and 534 N. Huron – Variances

Sec. 122-607(a), Building entrances, Rights of Way, and Easements

City Planner Wessler stated that this is a request for approval of a variance from Sec 122-607(a), requiring that the building entrance face the street. They are proposing an addition and as part of this, they are changing the appearance of the building and expanding it to the south. They would like to change the door

to an angle to Huron St. The current door is at a similar angle to Huron. This is a unique situation wherein staff is not making a recommendation. A variance for the door was seen by the Zoning Board of appeals back on May 23, 2018, at that time, the door was not angled but fully facing the parking lot to the south of the building. ZBA denied that variance application. At that meeting the ZBA stated that an acceptable compromise for the door may be to have it angled similar to how it is on the building currently. Since the May ZBA meeting, the applicant filed an appeal of the denial of the variances for the door location and the commercial frontages. Included in the packet is a memo from the attorney's office and the stipulation and order to dismiss without prejudice. Therefore no recommendation is provided by staff per the settlement agreement.

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

Jeff Leib - 30445 Northwestern Hwy, Ste 230, Farmington Hills, was in attendance to represent the owner of the property, Mr. Tamou. Mr. Tamou is requesting to renovate and upgrade the store that he has owned for upwards of 15 years. The existing store has been there for over 80 years existing as a party store. Following the May 23, 2018 ZBA meeting, there was a facilitation by the City Attorney, Dan Duchene, of Barr law firm. As a result of that meeting, they met with Ms. Wessler and agreed to come back to the ZBA for this request. The first variance request is for the transparency issue by installing windows on the north and west side of the existing building and propose four panels with brick veneer that can be removed and replaced with glass windows when the applicant, or his successor, changes the use of the building. The second variance request is to allow the new entrance to be at a 45 degree angle at the southwest corner of N. Huron and W. Forest; and the third variance is to approve the variance that was previously approved allowing the addition to be along the same line as existing store along Huron St in terms of setbacks. The practical difficulty relating to the transparency issue relates to the existing party store. Street level windows and liquor stores are inconsistent with each other and are mutually exclusive - strictly for security purposes. If the use changes, the brick veneer can easily be removed in favor of putting in preferred windows. 90% of customers of the keg drive there. He quoted Ms. Wessler's comments on Page 9 on this issue. The 45 degree angle of the entrance is a compromise that is consistent with what currently exists. He stated that they had received 348 signatures on petitions of customers, which he submitted. He added that the Site Plan Review and Special Use had been approved by the Planning Commission.

Maurice Charbonneau - JSN Architects, 3856 12 Mile Road, Berkley, MI, referred to the new site plan and items discussed with revisions. Two items specifically mentioned are a kiosk and relocating the rear bike rack.

Mr. Lieb added that the plan on transparency shows windows that were not on the original building – they are being added.

Since there were no further questions, Commissioner Roach moved to close the public portion of the hearing (H. Khan) and the motion carried unanimously.

Commissioner Roach moved to recess (Support: J. Ringholz) and the motion carried unanimously.

After some discussion by board members, Commissioner Roach moved to re-open the meeting (Support: H. Khan) and the motion carried unanimously.

Discussion was held by board members on their thoughts on the requested variances, after which, Commissioner Khan moved that the Zoning Board of Appeals approve the requested variance from Sec 122-607(a), for the Keg Proposed Addition at 528, 530 & 534 N. Huron, with the following findings that:

- a. Literal enforcement of the ordinance will pose practical difficulties because of the need to serve both a driving customer base and a pedestrian customer base.
- b. It is necessary for the preservation and enjoyment of a substantial property right, as the variance allows a current condition to continue.
- c. The practical difficulties have not been created by any person having an interest in the property.
- d. Granting the variance will not be detrimental to the public welfare or injurious to property.
- e. Substantial justice will be done, as it allows the store to serve a wide customer base while respecting the neighborhood fabric.

The motion was supported by Commissioner Hickey and carried unanimously.

Sec. 122-477, Commercial Frontage Requirements

Planner Wessler gave a brief staff presentation. The applicant is looking to be granted a variance to not adhere to the standards as laid out in Commercial Frontage as required in Sec 122-477 and Sec 122-484. As proposed, they are proposing 7.6% transparency along store front, ordinance requires 60%. There are several liquor stores in the city that can be compared to this site. Ms. Wessler distributed copies of other locations that are not necessarily local. Commissioner Khan asked if we are looking at the site in context of the neighborhood. Commissioner Hickey asked about calculations of transparency. Ms. Wessler responded that staff calculated the transparency differently than the applicant, which she detailed. She recommended that members look at the elevations since that will give them a better reference point, which she reviewed. Chair Albers added that he appreciated the effort, however, while he does not want to negate the support, he questions how much detail or information on the standards was given to the people prior to signing petitions. Commissioner Hickey added that she was "not quite there yet" on the windows. Chair Albers feels that more windows are a deterrent and wants this building to be more in line with Best Practices for a walkable neighborhood. While it may be 90% auto

dominated now, in the future it might not be the case. Commissioner Khan reiterated again that we should look at the site in the context of the neighborhood. She also asked about the process on how the 3% was calculated on the ground floor transparency on the N. Huron side.

Maurice Charbonneau stated that on the 3% calculation, he had gone back and checked it and found the calculation was in error. He added that there had previously been only two windows before and they have now added a third. The 4th area is office. In response to the signatures, they showed people elevations of the proposed layout and asked what their thought was on how it would work and they were very supportive. **Mr. Lieb** added that it was his opinion that they had come a long way in revisions, but have provided for future use but ask the commission to consider there is a practical difficulty.

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

Since there was no input from the public, Commissioner Hickey moved to close the public portion of the hearing (Support: T. Roach) and the motion carried unanimously.

Chair Albers moved that the Zoning Board of Appeals deny the requested variance from Sec 122-477, commercial frontage requirements, for the Keg proposed Additions as the standards of Sec 122-370(b) 1, 2, 4 and 5 are not met, with the following findings:

- a. Literal enforcement of the ordinance will not pose practical difficulties because there are no conditions or circumstances that are unique to the property, per the staff report.
- b. It is not necessary for the preservation and enjoyment of a substantial property right, as it is the same standard for everyone in NC would be held to.
- c. Granting the variance will be detrimental to the public welfare, as it does not foster a walkable, connected neighborhood, which have a positive effect upon public health.
- d. Allowance of a variance will not result in substantial justice being done, as the granting of a variance will not foster walkability or support eyes on the street.

3. 307 N. River – Variances

Sec 122-672, Sidewalks

Ms. Wessler provided a brief staff report on all of these variances which were reviewed and noted on one staff report with a break-out on each variance. She referred to page 25 of the Staff Report dated November 2018. See attachment #1, pages [25 and 26 of the staff report](#) for 307 N River. Staff is recommending

approval on two of the variances, Sec 122-683(b)(7) and Sec 122-683(i), and denial of the others, which she detailed. She also explained “payment of fee-in-lieu of” instead of reconstruction or addition of a sidewalk.

Mark Wright, Architect, 2400 Huron Parkway - stated there were a number of issues with the property and detailed some of the problems they are faced with on the sidewalks. It is his opinion that this would be impractical. Currently, the sidewalk comes in at the entrance of the building and that was where the pedestrian pathway would be.

Ryan Wallace, 907 Grant Street, is one of the owners along with his wife Rebecca – feels that this request is impractical since there is a house at the end of Photo Street that dead ends at the side of their property and the proposed sidewalk would be from the end of the house and then begin the sidewalk to nowhere.

Ms. Wessler explained how the ordinance works and that a finding of fact has to be made. When Planning Commission gives a waiver, they have to give a finding of fact as to why they are giving a waiver, so in this case, it would be telling the applicant they did not have to build a sidewalk because it would be a sidewalk to nowhere but you have to pay a fee or you can do the opposite and give some variation of fact. In other cases where the Planning Commission can grant a waiver, the Zoning Board of Appeals has occasionally tabled it, thus allowing the applicant the opportunity to go before the Planning Commission get a ruling there and then come back to ZBA.

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

Since there was no public comment, Commissioner Hickey moved to close the public portion of the hearing (Support: H. Khan) and the motion carried unanimously.

After discussion on the pros and cons of this issue; regarding granting a variance vs a payment of fee-in-lieu of, Commissioner Khan moved to table this item (Support: G. Hickey) and the motion carried unanimously.

Sec 122-683, Off-Street Parking Layout and Construction

Mark Wright, Architect – there is a power pole there which makes it difficult to get it off-set from Ninde.

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

Since there was no public comment, Commissioner Roach moved to close the public portion of the hearing (Support: J. Ringholz) and the motion carried unanimously.

Commissioner Khan moved that the Zoning Board of Appeals approve the following variance for the Cultivate Coffee and Tap House Improvement project:

A variance from 122-683(b)(7) at the intersection of Photo and Ninde, with the condition that the standards of Sec 122-683(b)(6) shall apply, with the following findings in alignment with Sec 122-320(b):

- a. Photo and Ninde streets are unique in their circulation patterns and low traffic volumes
- b. The granting of this variance will not be detrimental to the public welfare
- c. The granting of this variance will result in substantial justice, as it permits the applicant greater design flexibility on a low-volume street without compromising traffic safety

The motion was supported by Commissioner Hickey and carried unanimously.

Chair Albers moved that the Zoning Board of Appeals approve the following variance for the Cultivate Coffee and Tap House Improvement project:

A variance from Sec 122-683(i), to permit any gravel paving to omit striping, with the following findings in alignment with Sec 122-320(b):

- a. Gravel paving does not hold striping in the long term
- b. the applicant will provide wheel stops to indicate proper parking layout
- c. the granting of this variance will not be detrimental to the public welfare

The motion was supported by Commissioner Khan and carried unanimously.

Sec 122-683(b)(6) Drive Alignment

Ryan Wallace – stated that their property was there prior to the parking lot and when that became a parking lot, the paved parking was still the same as Ted's Auto Garage. He is wondering why they didn't have to conform their parking lot to match their property at that time. Ms. Wessler responded that the previous layout, which is now known as Cultivate is different. Right now the parking is laid out parallel with the building; previously they had been perpendicular with the building so cars could back out on to the street, which is no long allowed. A lot of the Zoning Ordinance was different at that time – i.e. no off-street landscaping was required at the Sidetrack parking lot so it was a very different engineering standard at that time.

A motion was made by Commissioner Hickey to open the public hearing of the building (Support: T. Roach) and the motion carried unanimously.

Since there was no comment from the public, Commissioner Hickey moved to close the public portion of the hearing (Support: T. Roach) and the motion carried unanimously.

Commissioner Hickey asked what would have to be done to the parking lot to have it be in line with the Zoning Ordinance. Ms. Wessler stated that the design would be the responsibility of the design architect. They bring us the design and we either approve or deny. She continued by adding that they could choose to conform to the ordinance or significantly change their site plan. This is a complex site and after further discussion, they agreed that there are a lot of moving parts in this set of variances which do relate to each other. Ms. Wessler added that the Zoning Board of Appeals has the power to table the item and refer back to Planning Commission.

There are a lot of moving parts in this set of variances and they do relate to each other. You have the power to table and refer back to Planning Commission.

Commissioner Roach moved to table the following variance requests for:

Sec 122-683(b)(6)
Sec 122-684, Parking Screening and Landscaping
Sec 122-685, Parking Dimensions

Commissioner Hickey supported the motion and by voice vote, carried unanimously.

4. 708 Pearl – Variance

Sec 122-683(b), Driveway width North side of Pearl St between N. Normal and Perrin

Preservation Planner Cynthia Kochanek presented the staff report stating that is a request for approval of a variance from driveway width requirements. The parcel is currently vacant. The house that previously existed on the site was demolished in 2006. No special use permits have previously been approved for this property. A variance was approved for the driveway back on November 29, 2017 but has since expired along with the site plan that was approved by Planning Commission in September 2017. One of the conditions of the site plan approval in 2017 was that the applicant seek a variance for the driveway width. The applicant will be returning to the Planning Commission for site plan approval in February.

The applicant has proposed a one way drive at 10' instead of the 20', or two-way drive required by the zoning ordinance in Sec 122-683(b) for ingress and egress. The original plans back in 2017 had a 13' wide drive without an access path, which is required by the zoning ordinance. Staff and the Planning Commission required the driveway width, which was already not large enough to accommodate two way traffic, to be decreased to accommodate a 5' access path. Staff is recommending denial with finding listed in the staff report dated January 18, 2019.

Todd Ballou, 3300 Berry Road, architect for the project – stated that they had started with a wider driveway but they couldn't meet the 20'. They would have to go down to 10' to put in a decent sidewalk; the whole issue on the frontage is fine with them.

Chair Albers asked what had happened between when they were approved originally and where we are now.

Mr. Ballou responded that the owner is doing the work and has other projects and just never got around to it and was out of the country for a while also.

Commissioner Hickey asked about the number of parking spaces and Mr. Ballou responded that they are proposing seven with six being required. These are revised plans after they went through the Planning Commission and Zoning Board. Commissioner Roach asked why staff is recommending denial now if it was approved before. Ms. Kochanek responded that staff has a duty to recommend denial unless every one of the variance standards is met.

Commissioner Roach asked if the driveway runs along the sidewalk.

Mr. Ballou stated that there is an entrance in the front and back of building so if you park at the back you have to use this sidewalk to get to the front because they had to stay away from the property line.

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

Since there was no public comment, Commissioner Khan moved to close the public portion of the hearing (Support: G. Hickey) and the motion carried unanimously.

Commissioner Albers moved that the Zoning Board of Appeals approve the variance request from Sec. 122-683 (b) to permit a one-way driveway with a 10' width at 708 Pearl, with the following findings:

- o Per Sec. 122-370(b)(2) such a variance is necessary for the preservation and enjoyment of the property as many properties in this area have a one-way drive or a drive that is narrower than what is currently required by the zoning ordinance. This is expected due to the age of the area.
- o Per Sec. 122-370(b)(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 as the variance is only for the driveway width and it is not expected that the granting of this variance will be detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

- o Per Sec. 122-683(b)(6) the variance shall be the minimum variance that will make possible a reasonable use of the land, buildings, or structure. A 10' drive is reasonable considering the zoning requirements for frontage, pedestrian access and setbacks.

Condition:

1. This approval is contingent upon the installation of signage and/or mirrors to promote safe passage of automobile traffic at the site.

The motion was supported by Commissioner Hickey and carried unanimously.

5. 2019 Schedule of Meetings

Chair Albers moved to adopt the Zoning Board of Appeals 2019 Schedule of meetings with the following modification – addition of March 27, 2019 on the calendar (Support: H. Khan) and the motion carried unanimously.

6. Bylaws Revision

Planner Wessler stated that this revision was compiled over several months. The main purpose of the revision is two-fold: to reduce the quorum dropping it from four to three and also proposed other changes to clean it up; adding sections that are also in our other by-laws elsewhere. She reviewed all of the various sections and updates and making it easier.

Commissioner Roach moved to adopt the revisions as noted (Support: H. Khan) and the motion carried unanimously.

VII. ADJOURNMENT

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

The meeting was adjourned at 9:30 pm.

SUMMARY

All Variances

Staff recommends the Zoning Board of Appeals **approve** the following variances for the Cultivate Coffee & Tap House Improvements project:

1. A variance from **§122-683(b)(7)** at the intersection of Photo and Ninde, with the condition that the standards of 122-683(b)(6) shall apply, with the following findings in alignment with 122-320(b);
 - Photo and Ninde streets are unique in their circulation patterns and low traffic volumes;
 - The granting of this variance will not be detrimental to the public welfare;
 - The granting of this variance will result in substantial justice, as it permits the applicant greater design flexibility on a low-volume street without compromising traffic safety.
2. A variance from **§122-683(i)**, to permit any gravel paving to omit striping, with the following findings in alignment with 122-320(b);
 - Gravel paving does not hold striping in the long term;
 - The applicant will provide wheelstops to indicate proper parking layout;
 - The granting of this variance will not be detrimental to the public welfare.

Staff recommends the Zoning Board of Appeals **deny** the following variances for the Cultivate Coffee & Tap House Improvements project:

3. A variance from **§122-672** regarding the installation or fee-in-lieu for sidewalks along Photo, with the following findings in alignment with 122-320(b):
 - The applicant has not shown practical difficulty beyond inconvenience.
 - This variance is not necessary for the preservation &/or enjoyment of a substantial property right.
 - The alleged practical difficulty is self-created with regards to the placement of the graveled lot.
 - The granting of the variance will have a negative impact upon pedestrian safety.
 - The granting of the variance would not result in substantial justice being done.
 - A reasonable use of the land, buildings, or structure is possible without this variance.
4. A variance from **§122-683(b)(6)** regarding the drive alignment with the commercial parking lot to the north, and from **§122-683(j)** regarding the omission of wheel stops, with the following findings in alignment with 122-320(b):
 - The applicant has not shown practical difficulty beyond inconvenience.
 - This variance is not necessary for the preservation &/or enjoyment of a substantial property right.
 - The alleged practical difficulty is self-created.
 - The granting of the variance will have a negative impact upon traffic safety.
 - The granting of the variance would not result in substantial justice being done.
 - A reasonable use of the land, buildings, or structure is possible without this variance.
5. A variance from **§122-684(b)(3)** regarding the provision of curbed aisle-ends for the easternmost two bays of parking, from **§122-684(c)(2)** regarding the provision of

screening between the parking areas and Photo Street, and from **§122-684(d)** regarding the location of wheelstops, with the following findings in alignment with 122-320(b):

- The applicant has not shown practical difficulty beyond inconvenience.
 - This variance is not necessary for the preservation &/or enjoyment of a substantial property right.
 - The alleged practical difficulty is self-created.
 - The granting of the variance will have a negative impact upon traffic safety, aesthetics, stormwater management, pedestrian safety and accessibility, as well as landscaping durability.
 - The granting of the variance would not result in substantial justice being done.
 - A reasonable use of the land, buildings, or structure is possible without this variance.
6. A variance from **§122-685(c)** regarding the percentage of small vehicle spaces and **§122-685(e)** regarding maneuvering aisle dimensions, with the following findings in alignment with 122-320(b):
- The applicant has not shown practical difficulty.
 - This variance is not necessary for the preservation &/or enjoyment of a substantial property right.
 - The alleged practical difficulty is self-created.
 - The granting of the variance will have a negative impact upon traffic safety.
 - The granting of the variance would not result in substantial justice being done.
 - A reasonable use of the land, buildings, or structure is possible without this variance.

Bonnie Wessler
City Planner, Community & Economic Development Division

Cynthia Kochanek
Preservation Planner, Community & Economic Development Division

Sarah Stachnik
Community and Economic Development Intern

c.c. File
 Applicant



MINUTES
Zoning Board of Appeals
Special Meeting
Wednesday, May 1, 2019 - 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	Present
Heather Khan	Present
Jared Talaga	Present
Jason Ringholz	Present
Tom Roach	Present

Georgina Hickey (alternate) Absent

III. Approval of Minutes

- January 23, 2019

Commissioner Roach moved to approve the minutes of January 23, 2019 as written (Support: J. Ringholz) and the motion carried unanimously

IV. Purpose of Meeting

V. Old Business

VI. New Business

Staff Report- Staff was asked earlier in the year to make a determination by the building department regarding the non-conforming status of 472 Second St. It had in the past been used as a duplex and due to the previous owner taking it out of the rental inspection program affirming that they intend to use it as a single family owner-occupied residence, and the zoning ordinance changing at the end of 2014, and the house going into foreclosure, staff did make a determination that the non-conforming two family use had been abandoned. Staff has included information used to make the decision.

Applicant: Ellis Friedman, Attorney

The building was not built as a single family house. This has always been a duplex. The building is divided by a brick wall. The former owner never changed the house from a duplex to a single family home. The ordinance has specific objective criteria. In the state of Michigan abandonment is done voluntarily and with intent. The applicant challenged that foreclosure is not voluntary. The applicants do not believe that the previous owner voluntarily foreclosed his own property as he suffers from dementia, and still has mail sent to 472 Second. The duplex

has two sets of everything- kitchens, bathrooms, entrances, etc. There's no economic viability to blow out the wall and convert it into a single family home.

Commissioner Discussion- This area was zoned R2, two family by right up until 2015 when the down-zoning occurred, so there is about 100 years in which people could have made their homes multifamily. The house was not grandfathered in because it was abandoned, and it has to comply with the single family status.

• *472 Second St- Appeal of Administrative Decision 122-349(e), Abandonment of Nonconforming Use Public Hearing (none present)*

Commissioner Roach motioned to overturn staff decision based on findings that

1. There was no clear intent to abandon, and no letter from the previous owner to abandonment or change the use.
2. Foreclosure is not a voluntary action.

Supported by Commissioner Khan

Approved: Yes – 4; No – 1 (Albers)

VII. Adjournment

Commissioner Talaga moved to adjourn the meeting (Support: J. Ringholz) and the motion carried unanimously.



City of Ypsilanti
Planning and Development Department

August 15, 2019

**Staff Review of Variance Application
Arbor One Fence Project
772-799 Green Rd**

GENERAL INFORMATION

Applicant: Hunter Pizzo
301 W Michigan Ave.
Ypsilanti, MI 48197

Project: Arbor One Fence Project

Application Date: July 3, 2019

Location: 772-799 Green Rd

Zoning: MD, Multi-Dwelling

Action Requested: Approval of a variance from the fence requirement in §122-635(a)

Staff Recommendation: Denial

PROJECT AND SITE DESCRIPTION

The subject property includes two parcels: the Arbor Glen and Arbor North apartment complexes, collectively known as Arbor One. Parcels # 11-11-05-100-007 and 11-11-05-100-001 are bisected by Green Rd, with Clark Rd to the north, Peninsular Park to the south, LeForge Rd to the east, and neighboring apartment complex and undeveloped land to the west. The parcels have a combined size of 10.69 acres with frontage on Green, LeForge, and Clark Rds. Currently, the only fencing on the property includes a privacy fence along the west property boundary of 772 Green Rd, and a chain link fence that is under installation along the south and west property boundaries of 799 Green Rd.

The applicant is proposing to construct a fence enclosure surrounding the property to make the apartment complex a "gated community." The project includes installation of a 4' tall Ameristar Montage Plus Decorative Fence, a two-rail ornamental fence with two swing gates, five man gates, and four sliding gates (2,050' in length) and installation of a 6' tall black vinyl-coated chain-link fence with a top rail, one sliding gate, and one swing-gate (1,450' in length). The Ameristar Montage Plus segment of fencing features "Classic" finials, which are spear-like in design. Staff determined that the "Classic" finials constitute a "sharp point or instrument and thus are prohibited by the Zoning Code of Ordinances, Sec. 122-635 (a).

The applicant requests a variance to this code, citing that the finials are “in the greatest interest of public safety.” The owner states that the property formerly was subject to criminal activity and creating a gated fenced community will deter criminals from easily entering the property, as most criminal activity has occurred from non-residents, according to Eastern Michigan University Police Chief, Robert Heighes. The applicant believes the fence, which features finials, will protect the staff and residents of Arbor One.

Figure 1: Subject Site Location

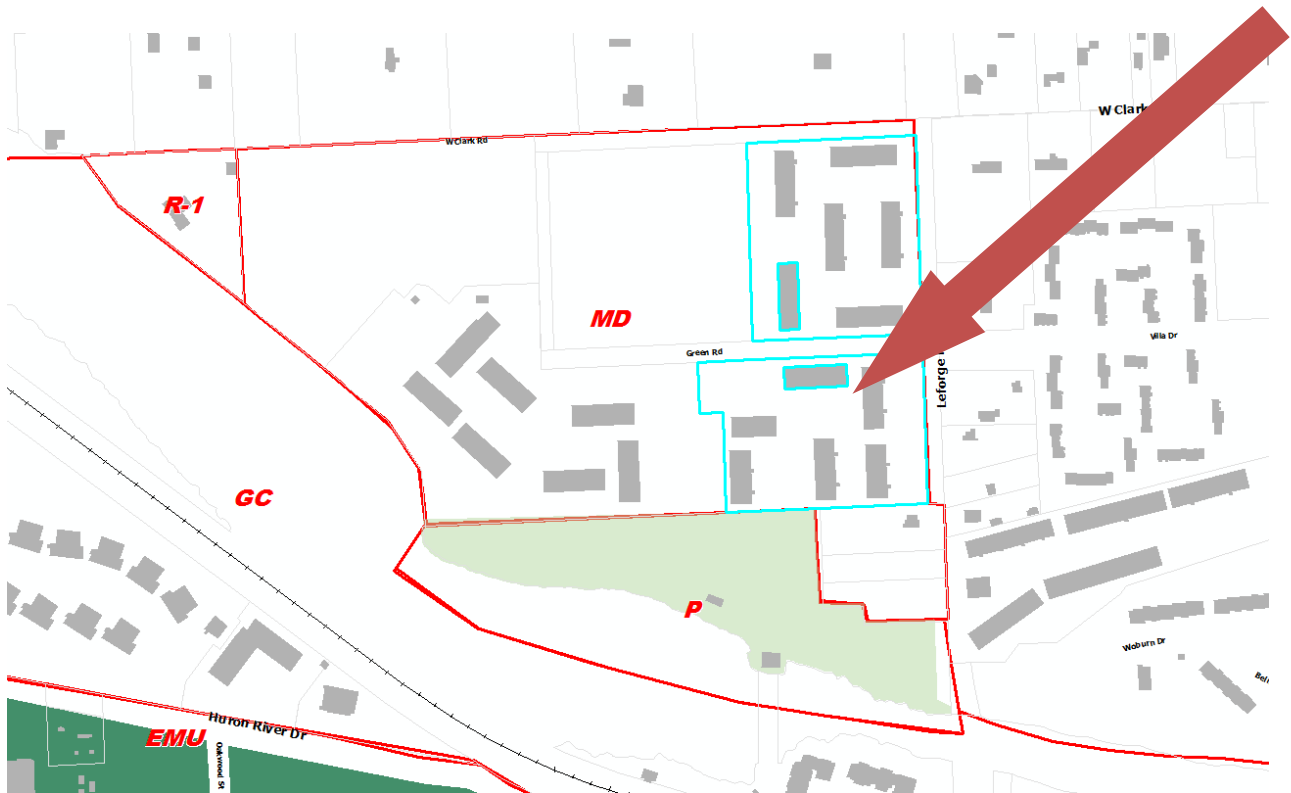


Figure 2: Site Close-up (2015)





Figure 3: 772 Green Rd, facing east-northeast from the main entrance



Figure 4: 772 Green Rd, facing northwest from Green and LeForge Rds, showing Green Rd frontage



Figure 5: 772 Green Rd, facing northwest to LeForge Rd frontage



Figure 6: 772 Green Rd, facing southwest from intersection of LeForge and Clark Rds, showing LeForge Rd frontage



Figure 7: 772 Green Rd, facing west-southwest from intersection of Clark and LeForge Rds, showing Clark Rd frontage



Figure 8: 772 Green Rd, facing east on Clark Rd



Figure 9: 799 Green Rd, facing southwest to west half of property, from Green Rd entrance



Figure 10: 799 Green Rd, facing southeast to east half of property, from Green Rd entrance



Figure 11: 799 Green Rd, facing southeast to LeForge Rd frontage



Figure 12: 799 Green Rd, facing west-northwest to LeForge Rd entrance



Figure 13: 799 Green Rd, facing northwest to LeForge Rd frontage

Figure 4: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Undeveloped land/municipal services	PSP- Pubic/Semi-Public Services District (Superior Township)
EAST	Multi-Dwelling units/undeveloped land	RM-2 Multiple Family Residential (Ypsilanti Township)
SOUTH	Peninsular Park/Single family dwelling	P-Park
WEST	Multi-Dwelling units/undeveloped land	MD- Multi Dwelling

ORDINANCE**§122-427****Sec. 122-427. Non-Use and Dimensional Regulations. (MD)**

(c) DETACHED ACCESSORY STRUCTURES		
Also subject to Article VI, Division 4		
(1) Height		
Maximum height	15 feet	
(2) Size of Accessory Buildings		
Maximum Floor Area	No limitations other than maximum impervious surface lot coverage.	
(3) Fences		
Front Yard	No more than 4' height and 50% opacity	• Opacity is measured by the observation of any two (2) square yard area of fence between one (1) foot above the ground level and the top of the fence. The observation is from a direction perpendicular to the place of the fence. • Subject to §122-635 • Subject to §122-675
Side, Street Side, and Rear Yards	6' height max, no opacity restriction	
(4) Buildings Accessory to Residential Uses		
Front yard	Not allowed	
Side yard	3 feet minimum	1 foot if lot line abuts an alley
Street Side yard	8 feet minimum	
Rear yard	3 feet minimum	1 foot if lot line abuts an alley, 12 feet for a through lot
Distance from principal structure	7 feet minimum	Minimum distance to comply with fire regulations and/or building code, if greater than 7 feet. An attached enclosure or roof over a pathway between structures on a lot, such as a breezeway, is exempt from this setback provided it is 8 feet or less in width and 15 feet or less in height.
(5) Buildings Accessory to Non-Residential Uses		
Front yard	Not allowed	
Side yard	3 feet minimum	1 foot if lot line abuts an alley
Street Side yard	8 feet minimum	

(c) DETACHED ACCESSORY STRUCTURES		
<i>Also subject to Article VI, Division 4</i>		
Rear yard	3 feet minimum	1 foot if lot line abuts an alley, 12 feet for a through lot
Distance from principal structure	5 feet, or minimum to comply with fire regulations and building code, whichever greater.	

ORDINANCE

§122-635

Sec. 122-635. Fences and walls.

Except as otherwise required by this Ordinance, the following regulations apply:

- (a) The use of barbed wire, spikes, nails, or any other sharp point or instrument of any kind on top or on the sides of any fence is prohibited. Planning Commission may waive this restriction with a finding that such materials are in the interest of public safety.
- (b) No fence may be constructed or maintained which is charged or connected with an electrical current.
- (c) Retaining walls must be designed and constructed in accordance with applicable Building Code requirements and the requirements of §122-612.
- (d) Temporary construction fences and fences required for protection around excavations must comply with the Building Code. Such fences must be removed upon the issuance of a Certificate of Occupancy.

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 does not note practical difficulties in compliance of the ordinance. Additionally, staff do not find any practical reason for the applicant not to comply.

- (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.*

The applicant has not identified any right or privilege that would be preserved by installing spiked fencing. The pool enclosure at 772 Green Rd currently has spiked fencing- it is not clear if this was installed prior to the current code. No other property in the near vicinity has spiked fencing.

- (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.*

There are no practical difficulties to comply with the ordinance.

- (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 applicant requests a variance for the safety of its tenants and workers, citing that the spiked finials would deter criminal activity. However, spiked fencing is not allowed for safety purposes. An individual, including tenants who may have locked themselves out, may try to scale the 4' tall fence and risk injury on the spiked finials. The applicant should consider other finial styles, such as ball finials, or simply vertical rails. The ordinance does not preclude the applicant from having a security fence, therefore another fence style that does not include sharp points is encouraged.

- (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 variance will not result in substantial justice being done.

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

The variance does not prohibit installation of a fence or reasonable use of the property, therefore a minimum variance qualification does not apply.

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals *deny* the variance request to permit spiked fence at 772-799 Green Rd, with the following findings:

1. The applicant has shown insufficient practical difficulty under §122-370(b)(1).
2. This variance is not necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district under the terms of the zoning ordinance §122-370(b)(2).
3. There are no practical difficulties to comply with the ordinance under §122-370(b)(3).
4. Spiked fencing poses a risk to individuals who may try to scale the fence, making it a public safety hazard under §122-370(b)(4).

Scott E. Slagor

Preservation 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
www.cityofypsilanti.com

VARIANCE APPLICATION

Applicant*

Name Hunter Pizzo		
Address 301 W. Michigan Ave		
City Ypsilanti	State MI	Zip 48197
Phone / Fax [REDACTED]	E-Mail [REDACTED]	

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

Property

Name of project ArborOne Fence Project	
Address 799 Green Rd Ypsilanti MI	
List all parcel identification numbers included in development: 11-11-05-100-007 (Arbor Glen). 11-11-05-100-001 (Arbor North)	
Legal description of property (may be attached):	
Current Zoning:	Current Use:
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 The purpose of this project is to make Arborone apartments a gated community.
Section of Ordinance (chapter, article, section, subsection format, please) Section 122-635 of the Zoning of Ordinances

How the proposed project is contrary to ordinance: The use of sharp point instruments of any kind on top or on sides of any fence is prohibited.	
Practical difficulties which prevent compliance:	
Unique circumstances regarding the property (i.e. shape, topography, etc) which prevent compliance: The use of the prohibited "sharp point or instrument" on the finials of the fence is in the greatest interest of public safety. This property, which was formerly know as University Green has had many challenges with criminal activities. Turning the property into a gated community will create a safe environment and deter any criminals to openly enter the property. Many of the crimes committed at the property have been found to have been committed by non-residents, according to the Eastern Michigan university police chief Robert Heighes. During meeting a with Robert, he was thrilled to hear the plans of turning the property into a gated community in hopes of turning the properties had reputation to a more positive one, while also deterring future criminals. With the installation of this fence surrounding the perimeter of the property, we strongly believe it will benefit the public safety by protecting the residents and employees of Arbor One.	
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: 6/25/2019
Print Name: Hunter Pizzo	

Fee Schedule	
First variance for single-family property	\$200
Subsequent variance for single-family property	\$200
First variance for all other properties	\$450
Subsequent variance(s) for all other properties	\$450

*****FOR OFFICE USE ONLY*****

Date:	Amount:	Account: 101-4-7210-607-01
☐ Cash ☐ Check payable to City of Ypsilanti ☐ Credit (+ 3.15% surcharge)		Code: 178 Rezone
		Signature of person receiving deposit:
Description of deposit:		



City of Ypsilanti

Community and Economic Development

2 April 2019

George Fulmer
Industrial Fence & Landscaping, Inc.
12030 Pleasant Street
Detroit, MI. 48217

RE: Denial of Fence Permit Application 19-001, 799 Green Rd & 772 Green Rd

Dear Mr. Fulmer,

You have applied for a fence permit for a 4' ornamental fence and a 6' chain link fence for 799 Green Rd and 772 Green Rd, using Ameristar Montage Plus fencing for the 4' ornamental portion, with "Classic" finials. These finials are spearlike in design. Section 122-635 of the Zoning Code of Ordinances provides:

"Sec. 122-635. Fences and walls.

Except as otherwise required by this Ordinance, the following regulations apply:

(a) The use of barbed wire, spikes, nails, or any other sharp point or instrument of any kind on top or on the sides of any fence is prohibited. Planning Commission may waive this restriction with a finding that such materials are in the interest of public safety."

Staff has made a determination that the "Classic" finials proposed constitute a "sharp point or instrument," and are thus prohibited by ordinance.

You have 60 days to appeal this determination. The form to file an appeal of an administrative decision can be found online at cityofypsilanti.com/zba. This appeal is heard by the Zoning Board of Appeals. For more information about the Zoning Board of Appeals please visit cityofypsilanti.com/zba.

Please contact me at bwessler@cityofypsilanti.com or 734-483-9646 with any questions. The full text of the zoning ordinance can be found at cityofypsilanti.com/zoning.

Sincerely,

Bonnie Wessler
City Planner, Community & Economic Development Division

CC: File
Building Department

9/18/2018

Beal Properties
23 N. Washington Street
Ypsilanti, MI. 48197

Attn: Hunter Pizzo
Re: Arbor One-revised

We propose to furnish all labor, material and equipment needed to complete the following scope of work:

4' Tall Ameristar Montage Plus Decorative Fence

Furnish and install approximately 2,050 lf of 4' tall Ameristar Montage Plus 2 rail classic style ornamental fence.

Furnish and install (2) 4' tall x 20' wide montage plus single swing gates with electric operators, loop detectors, photo eyes, auto close timers and (1) pedestal with card reader and intercom.

Furnish and install (5) 4' wide x 4' tall montage plus style man gates with auto close hinges, magnetic locks and proximity card readers.

Furnish and install (4) 4' tall x 25' wide montage plus style sliding gates with electric operators, loop detectors, photo eyes, auto close timers and pedestals with card reader and intercom.

6' Tall black vinyl coated chain link fence

Furnish and install approximately 1,450 lf of 6' tall commercial grade black vinyl coated chain link fence with top rail.

Furnish and install (1) 6' tall x 25' wide black vinyl coated chain link sliding gate with electric operator, loop detectors, photo eye, auto close timer and pedestal with card reader and intercom.

Furnish and install (1) 4' wide x 6' tall black vinyl coated chain link swing gate with auto close hinges, magnetic lock and proximity card reader.

For the sum of: \$ 235,000.00

Power and control wiring and conduits by others.
Layout/survey by others.
Permit fees are not included.

Brush Clearing

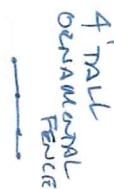
Furnish all labor and equipment needed to clear the small trees and brush along the South fence line.

For the sum of: \$ 5,000.00

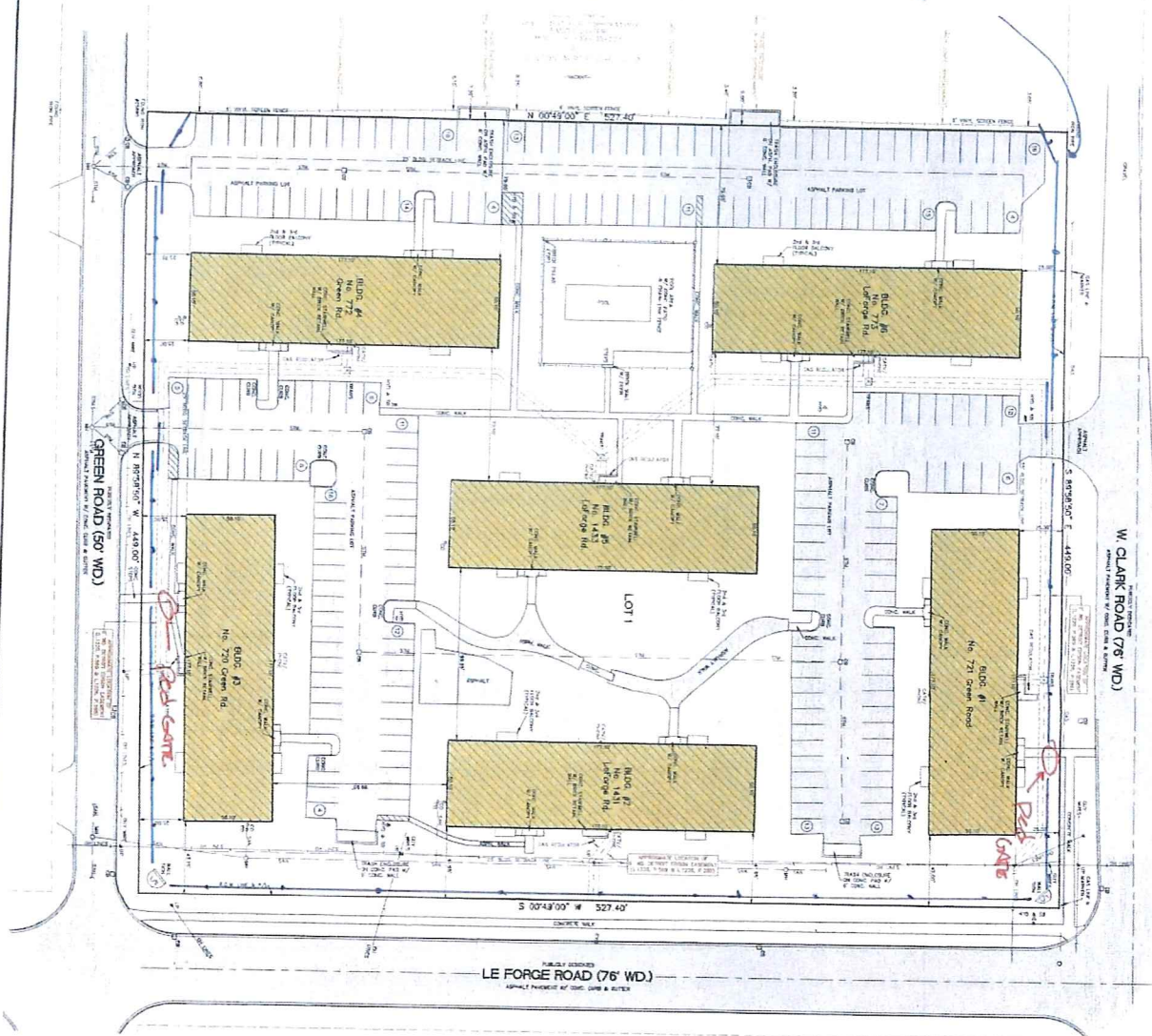
Please call with any questions

Regards,

George Fulmer Jr.

[illegible]

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(N)	(O)	(P)	(Q)	(R)	(S)	(T)	(U)	(V)	(W)	(X)	(Y)	(Z)	(AA)	(AB)	(AC)	(AD)	(AE)	(AF)	(AG)	(AH)	(AI)	(AJ)	(AK)	(AL)	(AM)	(AN)	(AO)	(AP)	(AQ)	(AR)	(AS)	(AT)	(AU)	(AV)	(AW)	(AX)	(AY)	(AZ)	(BA)	(BB)	(BC)	(BD)	(BE)	(BF)	(BG)	(BH)	(BI)	(BJ)	(BK)	(BL)	(BM)	(BN)	(BO)	(BP)	(BQ)	(BR)	(BS)	(BT)	(BU)	(BV)	(BW)	(BX)	(BY)	(BZ)	(CA)	(CB)	(CC)	(CD)	(CE)	(CF)	(CG)	(CH)	(CI)	(CJ)	(CK)	(CL)	(CM)	(CN)	(CO)	(CP)	(CQ)	(CR)	(CS)	(CT)	(CU)	(CV)	(CW)	(CX)	(CY)	(CZ)	(DA)	(DB)	(DC)	(DD)	(DE)	(DF)	(DG)	(DH)	(DI)	(DJ)	(DK)	(DL)	(DM)	(DN)	(DO)	(DP)	(DQ)	(DR)	(DS)	(DT)	(DU)	(DV)	(DW)	(DX)	(DY)	(DZ)	(EA)	(EB)	(EC)	(ED)	(EE)	(EF)	(EG)	(EH)	(EI)	(EJ)	(EK)	(EL)	(EM)	(EN)	(EO)	(EP)	(EQ)	(ER)	(ES)	(ET)	(EU)	(EV)	(EW)	(EX)	(EY)	(EZ)	(FA)	(FB)	(FC)	(FD)	(FE)	(FF)	(FG)	(FH)	(FI)	(FJ)	(FK)	(FL)	(FM)	(FN)	(FO)	(FP)	(FQ)	(FR)	(FS)	(FT)	(FU)	(FV)	(FW)	(FX)	(FY)	(FZ)	(GA)	(GB)	(GC)	(GD)	(GE)	(GF)	(GG)	(GH)	(GI)	(GJ)	(GK)	(GL)	(GM)	(GN)	(GO)	(GP)	(GQ)	(GR)	(GS)	(GT)	(GU)	(GV)	(GW)	(GX)	(GY)	(GZ)	(HA)	(HB)	(HC)	(HD)	(HE)	(HF)	(HG)	(HH)	(HI)	(HJ)	(HK)	(HL)	(HM)	(HN)	(HO)	(HP)	(HQ)	(HR)	(HS)	(HT)	(HU)	(HV)	(HW)	(HX)	(HY)	(HZ)	(IA)	(IB)	(IC)	(ID)	(IE)	(IF)	(IG)	(IH)	(II)	(IJ)	(IK)	(IL)	(IM)	(IN)	(IO)	(IP)	(IQ)	(IR)	(IS)	(IT)	(IU)	(IV)	(IW)	(IX)	(IY)	(IZ)	(JA)	(JB)	(JC)	(JD)	(JE)	(JF)	(JG)	(JH)	(JI)	(JJ)	(JK)	(JL)	(JM)	(JN)	(JO)	(JP)	(JQ)	(JR)	(JS)	(JT)	(JU)	(JV)	(JW)	(JX)	(JY)	(JZ)	(KA)	(KB)	(KC)	(KD)	(KE)	(KF)	(KG)	(KH)	(KI)	(KJ)	(KK)	(KL)	(KM)	(KN)	(KO)	(KP)	(KQ)	(KR)	(KS)	(KT)	(KU)	(KV)	(KW)	(KX)	(KY)	(KZ)	(LA)	(LB)	(LC)	(LD)	(LE)	(LF)	(LG)	(LH)	(LI)	(LJ)	(LK)	(LL)	(LM)	(LN)	(LO)	(LP)	(LQ)	(LR)	(LS)	(LT)	(LU)	(LV)	(LW)	(LX)	(LY)	(LZ)	(MA)	(MB)	(MC)	(MD)	(ME)	(MF)	(MG)	(MH)	(MI)	(MJ)	(MK)	(ML)	(MN)	(MO)	(MP)	(MQ)	(MR)	(MS)	(MT)	(MU)	(MV)	(MW)	(MX)	(MY)	(MZ)	(NA)	(NB)	(NC)	(ND)	(NE)	(NF)	(NG)	(NH)	(NI)	(NJ)	(NK)	(NL)	(NM)	(NN)	(NO)	(NP)	(NQ)	(NR)	(NS)	(NT)	(NU)	(NV)	(NW)	(NX)	(NY)	(NZ)	(OA)	(OB)	(OC)	(OD)	(OE)	(OF)	(OG)	(OH)	(OI)	(OJ)	(OK)	(OL)	(OM)	(ON)	(OO)	(OP)	(OQ)	(OR)	(OS)	(OT)	(OU)	(OV)	(OW)	(OX)	(OY)	(OZ)	(PA)	(PB)	(PC)	(PD)	(PE)	(PF)	(PG)	(PH)	(PI)	(PJ)	(PK)	(PL)	(PM)	(PN)	(PO)	(PP)	(PQ)	(PR)	(PS)	(PT)	(PU)	(PV)	(PW)	(PX)	(PY)	(PZ)	(QA)	(QB)	(QC)	(QD)	(QE)	(QF)	(QG)	(QH)	(QI)	(QJ)	(QK)	(QL)	(QM)	(QN)	(QO)	(QP)	(QQ)	(QR)	(QS)	(QT)	(QU)	(QV)	(QW)	(QX)	(QY)	(QZ)	(RA)	(RB)	(RC)	(RD)	(RE)	(RF)	(RG)	(RH)	(RI)	(RJ)	(RK)	(RL)	(RM)	(RN)	(RO)	(RP)	(RQ)	(RR)	(RS)	(RT)	(RU)	(RV)	(RW)	(RX)	(RY)	(RZ)	(SA)	(SB)	(SC)	(SD)	(SE)	(SF)	(SG)	(SH)	(SI)	(SJ)	(SK)	(SL)	(SM)	(SN)	(SO)	(SP)	(SQ)	(SR)	(SS)	(ST)	(SU)	(SV)	(SW)	(SX)	(SY)	(SZ)	(TA)	(TB)	(TC)	(TD)	(TE)	(TF)	(TG)	(TH)	(TI)	(TJ)	(TK)	(TL)	(TM)	(TN)	(TO)	(TP)	(TQ)	(TR)	(TS)	(TT)	(TU)	(TV)	(TW)	(TX)	(TY)	(TZ)	(UA)	(UB)	(UC)	(UD)	(UE)	(UF)	(UG)	(UH)	(UI)	(UJ)	(UK)	(UL)	(UM)	(UN)	(UO)	(UP)	(UQ)	(UR)	(US)	(UT)	(UU)	(UV)	(UW)	(UX)	(UY)	(UZ)	(VA)	(VB)	(VC)	(VD)	(VE)	(VF)	(VG)	(VH)	(VI)	(VJ)	(VK)	(VL)	(VM)	(VN)	(VO)	(VP)	(VQ)	(VR)	(VS)	(VT)	(VU)	(VV)	(VW)	(VX)	(VY)	(VZ)	(WA)	(WB)	(WC)	(WD)	(WE)	(WF)	(WG)	(WH)	(WI)	(WJ)	(WK)	(WL)	(WM)	(WN)	(WO)	(WP)	(WQ)	(WR)	(WS)	(WT)	(WU)	(WV)	(WW)	(WX)	(WY)	(WZ)	(XA)	(XB)	(XC)	(XD)	(XE)	(XF)	(XG)	(XH)	(XI)	(XJ)	(XK)	(XL)	(XM)	(XN)	(XO)	(XP)	(XQ)	(XR)	(XS)	(XT)	(XU)	(XV)	(XW)	(XX)	(XY)	(XZ)	(YA)	(YB)	(YC)	(YD)	(YE)	(YF)	(YG)	(YH)	(YI)	(YJ)	(YK)	(YL)	(YM)	(YN)	(YO)
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1. L. E. WENTON, *ARCTIC SUBDIVISION*, according to the plot issued as recorded in Case 19 at Public Rooms A and G, Washington County Records.

² Economically, the ratings of conservatism, not shown by the public experts.

526. *Engels, 1981*

527. *Estimated Gini and Distribution of Wealthiness in Europe at the End of the Fifteenth Century*. *Journal of Economic Surveys*, 1981, 1, 1-24. *See also* 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

*Journal of a Well-Kept Family with Devoutly Medicinal
Riding Costume*

Notes: Body length 14.5 mm; head 3.5 mm; eye 1.5 mm; snout 1.5 mm; pectoral fin 1.5 mm; pelvic fin 1.5 mm; anal fin 1.5 mm; caudal fin 1.5 mm. All measurements in mm.

A subsequent research project of classification on the basis of the above results is being undertaken.

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATION
500 5TH AVENUE
NEW YORK 17, N.Y.

...the strength of the relationship between the two variables.

UTILITY NOTE

SYSTEM OF READING NOTE

There are two important advantages of working on a small scale:

Agreement Form 18, LLC, a Michigan limited liability company, incorporated in Michigan, the undersigned hereby agree to contribute to the capital of the company the sum of \$100,000.00.

1. 2. 3. 4. 5(9). 6(9). 7(9). 7(11). 7(11). 8. 9.

6102-02-10 1000



ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & PAJAS ENGINEERS
5310 N. STEPHENSON HWY.
ROYAL OAK, MI 48067-1508
TEL (480) 397-0836
FAX (480) 397-0803

PROJECT
UNIVERSITY GREEN
NORTH APARTMENT

PLOT LOCATION
No. 772
Green Road
Part of the N.E. 1/4 of
Section 5, T. 38, R. 7E,
City of Ypsilanti,
Washtenaw County, MI

PROJECT
ALTA/ACSM
Land Title Survey

KCN/R.FRAUD
APPROVED BY:
K.N./R.FRAUD
INVEST:
rfraud@doynikfraud.com
DATE ISSUED:
03-20-2013
SCALE:
1" = 30'
NOTE: NO NYS
G208
STREET NO.:
1



Bonnie Wessler

From: Bonnie Wessler
Sent: Monday, 03 June, 2019 14:45
To: Hunter Pizzo
Cc: Scott Slagor; Stewart Beal
Subject: RE: Appeal of Administrative decision
Attachments: ZBA_variance.pdf

Hi Hunter-

After reading your application, it looks like it might be better suited to submit as a variance application. An appeal of administrative decision is generally used when you feel the zoning administrator has made a decision incorrectly or without enough information, etc; it appears that the basis of your appeal is that this case should be an exception to the ordinance. In such cases, we generally recommend the applicant pursue a variance.

Please take a look at the attached factsheet and application and let me know if you'd prefer to apply for a variance; to be considered on the July agenda, you'd need to apply before the 26th of June.

Thanks,
Bonnie

--

Bonnie Wessler, AICP
City Planner
Community Development Division, City of Ypsilanti
734/483.9646 (office)
bwessler@cityofypsilanti.com
she/her/hers

Sign up to receive City news and public notices here: <http://cityofypsilanti.com/list.aspx>

--

From: Hunter Pizzo [mailto:hunter@watermarkpre.com]
Sent: Monday, 03 June, 2019 14:01
To: Bonnie Wessler <wesslerb@cityofypsilanti.com>
Cc: Scott Slagor <sslagor@cityofypsilanti.com>; Stewart Beal <stewart@watermarkpre.com>
Subject: Re: Appeal of Administrative decision

Bonnie,

Thanks for the update on this appeal. Please let us know when this is scheduled.

Thank you,

On Mon, Jun 3, 2019 at 1:35 PM Bonnie Wessler <wesslerb@cityofypsilanti.com> wrote:

Hi Hunter-

Just looked over your appeal of administrative decision. It's tentatively slotted for the July Zoning Board of Appeals meeting. I'll let you know when it's scheduled.

Thanks,

Bonnie

--

Bonnie Wessler, AICP

City Planner

Community Development Division, City of Ypsilanti

734/483.9646 (office)

bwessler@cityofypsilanti.com

she/her/hers

Sign up to receive City news and public notices here: <http://cityofypsilanti.com/list.aspx>

--

--

Hunter Pizzo

Watermark Partners Real Estate

Phone: +1 (517) 438-6289

Hunter@watermarkpre.com

www.watermarkpre.com



IMPORTANT: The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email by mistake, please notify the sender immediately and do not disclose the contents to anyone or make copies thereof.

Scott Slagor

From: Stephen Lange Ranzini <ranzini@university-bank.com>
Sent: Wednesday, July 31, 2019 5:52 PM
To: Scott Slagor
Subject: Variance Request: Arbor Glen & Arbor North Apartments: Variance for Fence with Sharp Points

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Scott Slagor & Members of the City of Ypsilanti Zoning Board of Appeals:

A corporation that I personally own, West Pier Corporation, owns 15 acres of developable land situated on the Huron River and also immediately adjacent to the Arbor Glen & Arbor North Apartments. I would like to develop this property, however the run down appearance and run down manner in which the Arbor Glen & Arbor North Apartments are managed is a strong deterrent to potential investors and developers and is the major hindrance to developing our 15 acres of land into perhaps 150 or more housing units. This is because access to our property lies off of Clark Road, and one must pass Arbor Glen & Arbor North Apartments to see our property.

Putting in fencing with Sharp Points on top, and turning this property into an **armed fortress** is an activity associated with high crime areas, and allowing such a variance would be contrary to our shared goal of seeing this parcel developed. If developed, our parcel would bring a material amount of new property taxes to the city of Ypsilanti.

I therefore appeal to you, please do NOT approve this unwise variance.

Best wishes,

Stephen Lange Ranzini

President, CEO & Chairman, West Pier Corporation

Desk: 734-741-5858 xt 9226

P.S. I appreciate receiving notice of this meeting, as the owner of Arbor Glen & Arbor North Apartments did not consult me prior to making their application for this variance.

P.P.S. Please note that my role at West Pier Corporation is purely part-time and that my full-time job is serving as President & CEO of University Bank, which is Washtenaw County's largest Residential 1st Mortgage Lending with local offices, and a major lender in Ypsilanti.

This email and any files transmitted with it are privileged and confidential. This email is intended solely for the use of the individual(s) or entity to which it is addressed. If you are not the named addressee, then any dissemination, distribution, and copying is strictly prohibited. Please notify the sender immediately, by email if you have received this email in error and delete the message from your system. The sender does not accept liability for any errors or omissions in the content of this message that arise as a result of email transmission.



August 2019

**Staff Review of Variance Application
397 First Ave Shed**

GENERAL INFORMATION

Applicant:	Bryan Alfaro 397 First Ave Ypsilanti, MI 48197
Project:	397 First Ave
Application Date:	7 July 2019
Location:	East side of First, south of Michigan Ave
Zoning:	R-1, Single-Family residential
Action Requested:	Approval of a variance from the side setback requirement in <i>OR</i> from the side setback, the front yard prohibition, and the setback from primary structure (all within §122-422(c)(4)).
Staff Recommendation:	Approval

PROJECT AND SITE DESCRIPTION

397 First is a single-family detached home with a carport to the north side and no other accessory buildings. The 0.184 acre site slopes steeply to the rear.

The applicant wishes to add a small shed to their property to store yard equipment. The applicant has proposed two possible locations: one to the north of their home, adjacent to the carport yet within the 3' side setback; the other to the south of their home in the front yard and on a slight slope. The applicant is requesting either a variance from the 3' side yard setback for the north location, or from the prohibition on front yard placement.

Figure 1: Subject Site Location

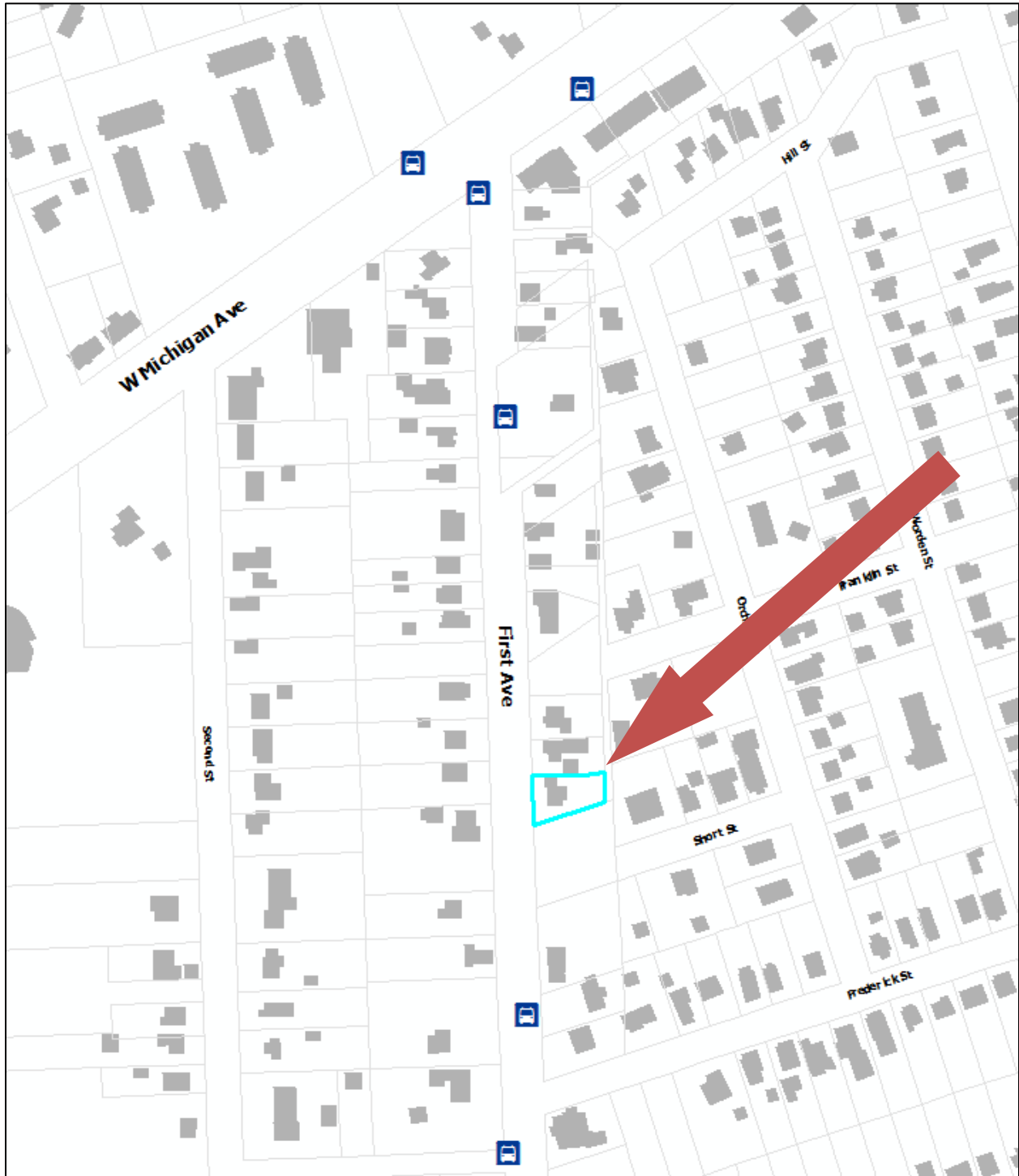


Figure 2: Site Close-up (2015)

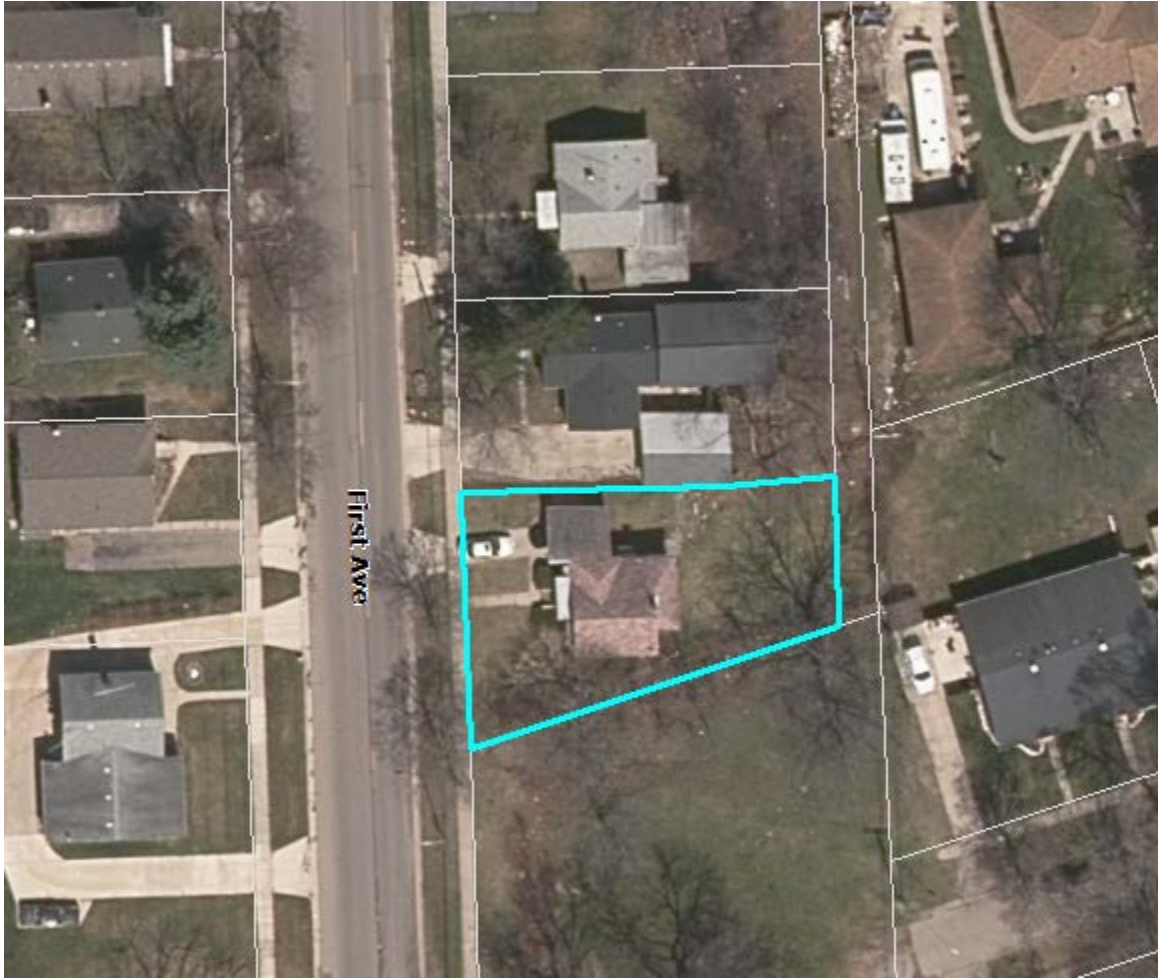


Figure 2: Site Close-up with 2 foot contours

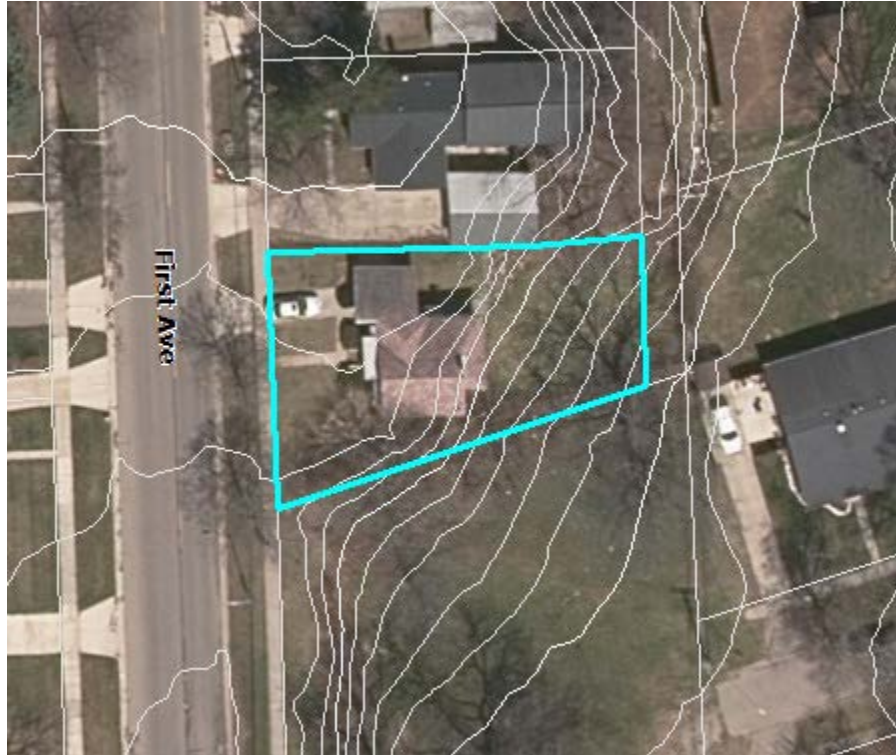


Figure 4: photograph of site (from southwest)



Figure 5: photograph of site (from northwest)



Figure 4: Land Use and Zoning of Surrounding Area

	LAND USE	ZONING
NORTH	Single family homes	R-1, Single family residential
EAST	Single family homes	R-1, Single family residential
SOUTH	Immediate south: vacant further south: Single family homes	R-1, Single family residential
WEST	Single family homes	R-1, Single family residential

ORDINANCE**§122-422****Sec. 122-422. Non-Use and Dimensional Regulations. (R-1)****(c) DETACHED ACCESSORY STRUCTURES***Also subject to Article VI, Division 4***(1) Height**

Maximum height

15 feet

(2) Size of Accessory Buildings

Maximum Floor Area

The gross ground floor area of all accessory buildings must not exceed gross floor area of the ground floor of the principal structure, nor cause lot coverage regulations for all buildings and paved surfaces on-site to be exceeded.

(3) Fences

Front Yard

No more than 4' height and 50% opacity

- Opacity is measured by the observation of any two (2) square yard area of fence between one (1) foot above the ground level and the top of the fence. The observation is from a direction perpendicular to the place of the fence.
- Subject to §122-635
- Subject to §122-675

Side, Street Side, and Rear Yards

6' height max, no opacity restriction

(4) Buildings Accessory to Residential Uses

Front yard

Not allowed

Side yard minimum

3 feet

1 foot if lot line abuts an alley

Street Side yard

Not allowed

Rear yard minimum

3 feet

1 foot if lot line abuts an alley, 12 feet for a through lot

Distance from principal structure, minimum

7 feet

Minimum distance to comply with fire regulations and/or building code, if greater than minimum listed. An attached enclosure or roof over a pathway between buildings on a lot, such as a breezeway, is exempt from this setback provided it is 8 feet or less in width and 15 feet or less in height.

(5) Buildings Accessory to Non-residential uses

Front yard

Not allowed

Side yard minimum

3 feet

1 foot if lot line abuts an alley

Street Side yard minimum

8 feet

Rear yard minimum

3 feet

1 foot if lot line abuts an alley, 12 feet for a through lot

Distance from principal structure minimum

5 feet or minimum to comply with fire regulations and building code, whichever greater.

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 an accessory structure to the lot in which to store yard and gardening equipment. Due to its steep slope and lack of access from the rear, staff believes that this is indeed a practical difficulty.

- (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.*

It is more common than not for single-family detached homes to have either a garage (attached or detached) or a shed (generally detached) in which to store lawn and garden equipment. An accessory structure is indeed a property right enjoyed by many under the terms of this chapter.

- (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 create the steep slope, nor the placement of the home.

- (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 minimum variance, from the north side yard setback, would conceal the shed from public view and allow for better access by the property owner. The other variance suggested by the applicant, from the front yard prohibition etc, would result in a highly visible shed, and make the retrieval of equipment rather challenging.

- (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.*

Staff believes that substantial justice would be done.

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

The first variance suggested, to allow for the placement of a shed along the north property line within the 3' side yard setback, is the minimum variance that would allow the placement of a small shed.

STAFF RECOMMENDATION

Staff recommends the Zoning Board of Appeals **approve** the variance request to permit the proposed 48 square foot shed to encroach on the side setback requirement at 397 First Ave, with the following findings:

1. The applicant has shown sufficient practical difficulty.
2. This variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the same district.
3. The owner did not create the practical difficulty of the slope or the building placement.
4. The side yard setback variance is the minimum that would allow placement of an accessible detached shed on the lot.
5. Substantial justice would be done.

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

VARIANCE APPLICATION

Applicant*

Name Bryan Alfaro		
Address 397 First Ave		
City Ypsilanti	State MI	Zip 48197
Phone / Fax	E-Mail	

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

Property

Name of project Tool shed (Tough Shed: Keystone Series KR-600 8'x6'x7'10")	
Address 397 First Ave	
List all parcel identification numbers included in development: Property identification number: 11-11-39-165-014 (sidewell number) (parcel code #)	
Legal description of property (may be attached): See attached documentation	
Current Zoning: R1 Zone	Current Use: Primary residence
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 Install 8'x6'x7'10" tool shed to store \$1,500 worth of equipment (lawnmower, snowblower, bicycle, grill, and other various tools).
Landscape of property doesn't allow for installation in backyard: requesting permission to either install closer than 3 feet of ———→ (over)
Section of Ordinance (chapter, article, section, subsection format, please) Section 122-422 Subsection C, Subsection 4

How the proposed project is contrary to ordinance:

Option #1 (side yard) structure closer than 3' from property line

option #2 (front yard) structure is in front yard

Practical difficulties which prevent compliance:

Carport, fence, and side door to house restrict side yard compliance, and backyard angle wouldn't allow for shed installation (see below for more info).

Unique circumstances regarding the property (i.e. shape, topography, etc) which prevent compliance:

Backyard is at a 30° angle, and equipment (snow blower) is too heavy, cumbersome to transport up 10 stairs from backyard.

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 purpose of preparing staff reports and/or evaluating this application.

Signature

Date:

7/19/19

Print Name

Bryan Altaro

Fee Schedule

First variance for single-family property	\$200
Subsequent variance for single-family property	\$200
First variance for all other properties	\$450
Subsequent variance(s) for all other properties	\$450

***** FOR OFFICE USE ONLY *****

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

August 7, 2019

Dear Ypsilanti City Zoning Board,

I apologize for not being present for the scheduled public hearing, but I bought airline tickets months ago for my son and I to visit his grandfather and uncle from August 13-20 in California for his 30th birthday. Further still, unfortunately, I was unable to secure a proxy to attend the hearing on my behalf.

To further contextualize my zoning variance request, please consider the following information along with my application materials:

- In order to maintain my property to comply with city ordinances and keep my walkways and driveway safe, I need equipment like my lawnmower, snow thrower, weed whip, etc., which is expensive equipment (\$350, \$600, \$280, respectively)
- In order to protect and maintain said equipment, I need a secure, weather proof, and accessible/usable structure (item of interest is a Tuff Shed brand 8'x6'x7'10" [LxWxH] Keystone Series KR-600; \$1,500 retail)
- Allowing me to install this shed will improve the beauty of the neighborhood, as it will mean my snow thrower won't be chained to the pole of my carport, and my lawnmower won't be chained to the bars of my basement window
- I only have a .34-acre lot to begin with, and a good chunk of that is my backyard, which due to its angle and inaccessibility (maybe a 25-degree pitch after going down a set of 10 steps) negates it as a possible location for the toolshed (even in my youth, I couldn't get a 187-lb. snow thrower up and down those stairs in the summer time, much less during Michigan winters)
- I only have a small plot of usable land between my front and side yards for the shed, and I've been informed by your department that my front yard would also be considered a zoning variance issue because of the type of porch my house has doesn't qualify for front yard placement of a structure; the front yard would actually be problematic in using and storing my snow thrower anyway, as the self-driven device would tear up my wet yard during the winter months going back and forth between the shed and the concrete walkways and driveway
- As far as my very small side yard (15'x15') is concerned, I have already rototilled a small plot I had intended for a little garden, as that section of my property is the only one I have that has premium sunshine and adequate irrigation without erosion or tainted silt runoff concerns

All that being said, not being allowed to put the proposed shed closer than 3 feet to the northern property line abutting my neighbor at 393 First Avenue would impact me in the following ways:

- my car would have to hang out the back of my carport a foot or so because I couldn't pull as far forward due to the shed extending 3' past the northeast support pole of my carport; if I parked as I normally do with my car fully under the structure, my walkway would then be constricted, which would especially be troublesome when carrying groceries and the like
- the toolshed would also be subjected to additional wear and tear affecting its life expectancy due to rain runoff from the rain gutter placement on the northeastern support pole of the carport: the gutter run-off would run directly through the middle of the wooden foundation of the shed causing it to rot at an accelerated rate; whereas, the proposed placement closer to the property line against my chain-link fence would have the shed "uphill" from the gutter run-off
- it would effectively waste a 3'x8' section of my side yard [the space between the back of the shed and the property line/my fence], and this wasted space would also make my summer lawncare maintenance more difficult because I'd have a swath of grass and weeds to contend with behind the shed
- the sunlight hours of half of my intended garden will be significantly impacted due to the angle of the sun and the height of the shed in relation to its positioning

Thank you for your time and consideration. Please let me know if you have any questions or concerns.

Sincerely,



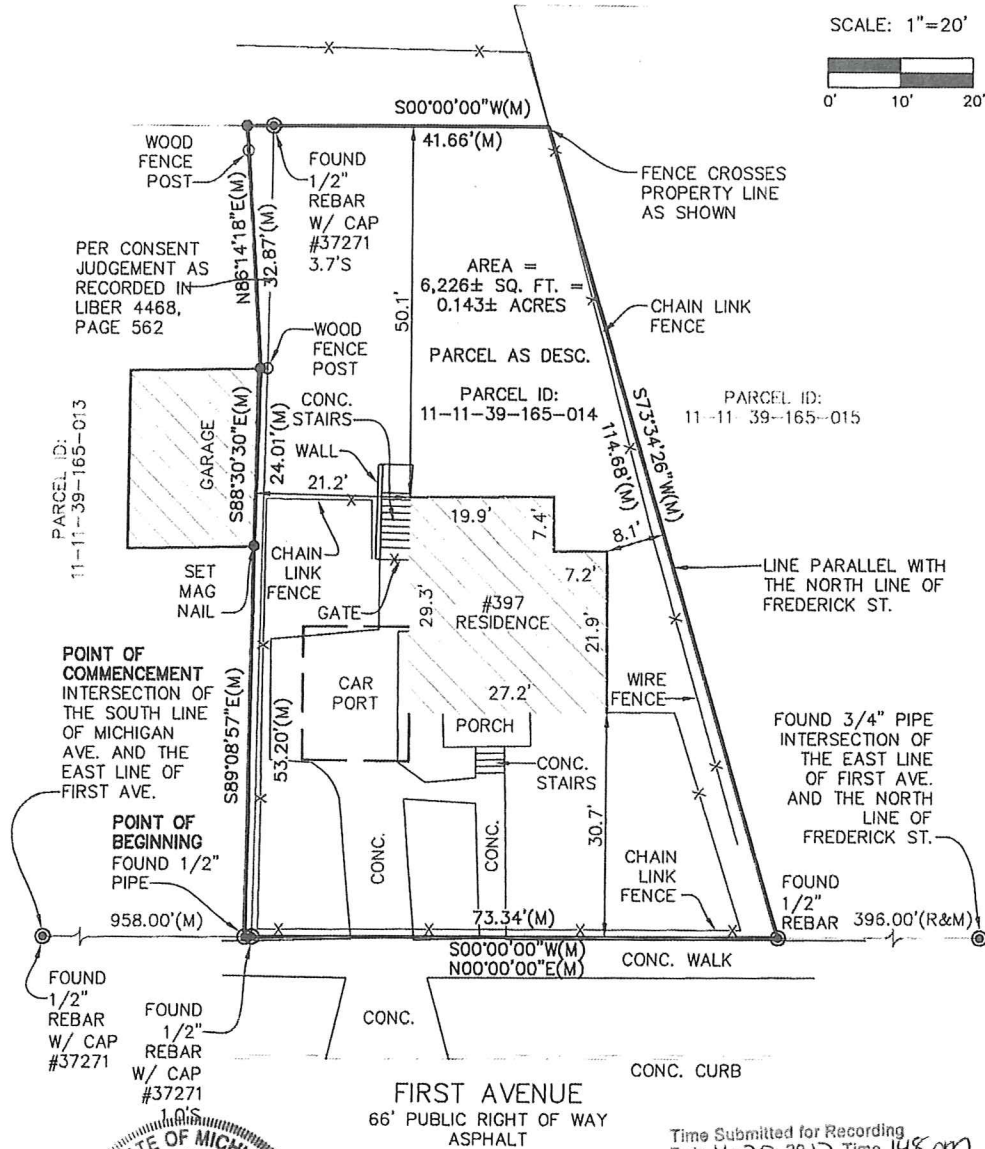
Bryan Alfaro
balfaro@emich.edu
734-223-3920

Affare

L: 5233 P: 428 6400100 SUR
11/20/2017 02:18 PM Total Pages: 2
Lawrence Kestenbaum, Washtenaw Co



A number line from 0 to 20 with a midpoint at 10. The top bar is shaded from 0 to 10, and the bottom bar is shaded from 10 to 20.



Time Submitted for Recording
Date 11-20-2017 Time 1:48 pm
Lawrence Kestenbaum
Washtenaw County Clerk/Register



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND
HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO
OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT
132 OF 1970.

ANTHONY T. SYCKO, JR., P.S. NO. 47976

- SET 1/2" REBAR WITH CAP, #47976 (AS NOTED)
- ◎ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

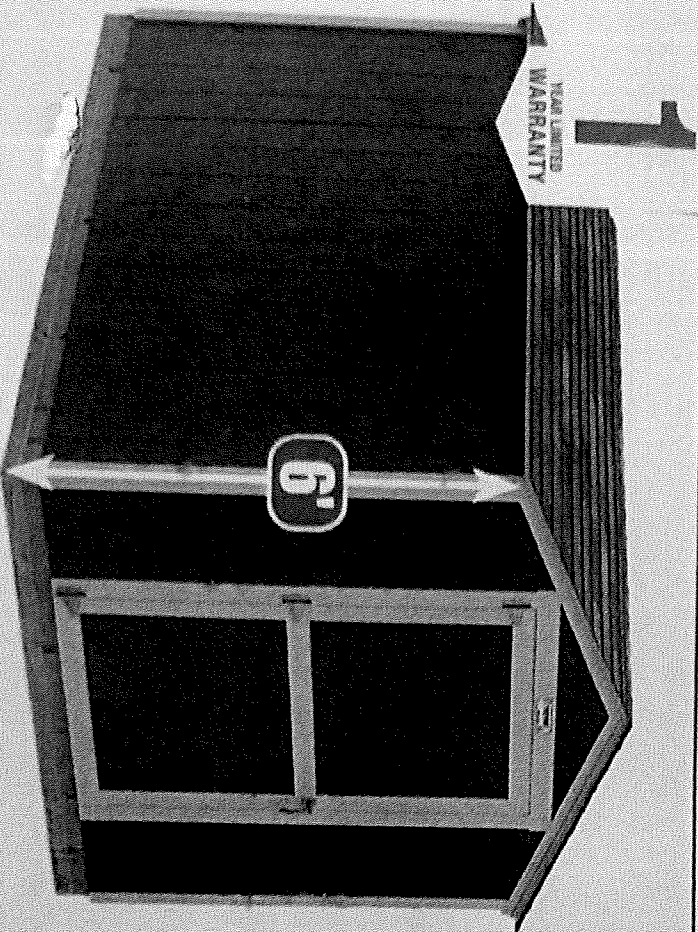


22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

FIELD SURVEY: TS ZM	DATE: AUGUST 15, 2017
DRAWN BY: QF DLD JDM	SHEET: 1 OF 2
SCALE: 1" = 20'	JOB NO.: 17-02818

RANCH STYLE SHEDS

All buildings in this brochure shown with optional upgrad



Keystone Series KR-600

This is our most affordable ranch style building.
Shown here with paint upgrade.

WxLxH	Base	w/Paint	Monthly (base)
8'x6'x7'10"	\$999	\$1,199	\$16
8'x8'x7'10"	\$1,325	\$1,525	\$21
8'x10'x7'10"	\$1,525	\$1,725	\$24
8'x12'x7'10"	\$1,710	\$1,910	\$27
10'x10'x8'1"	\$1,819	\$2,104	\$29
10'x12'x8'1"	\$2,099	\$2,384	\$33
10'x16'x8'1"	\$2,545	\$2,830	\$40

01 June 11 2011

Backyard

↑
N

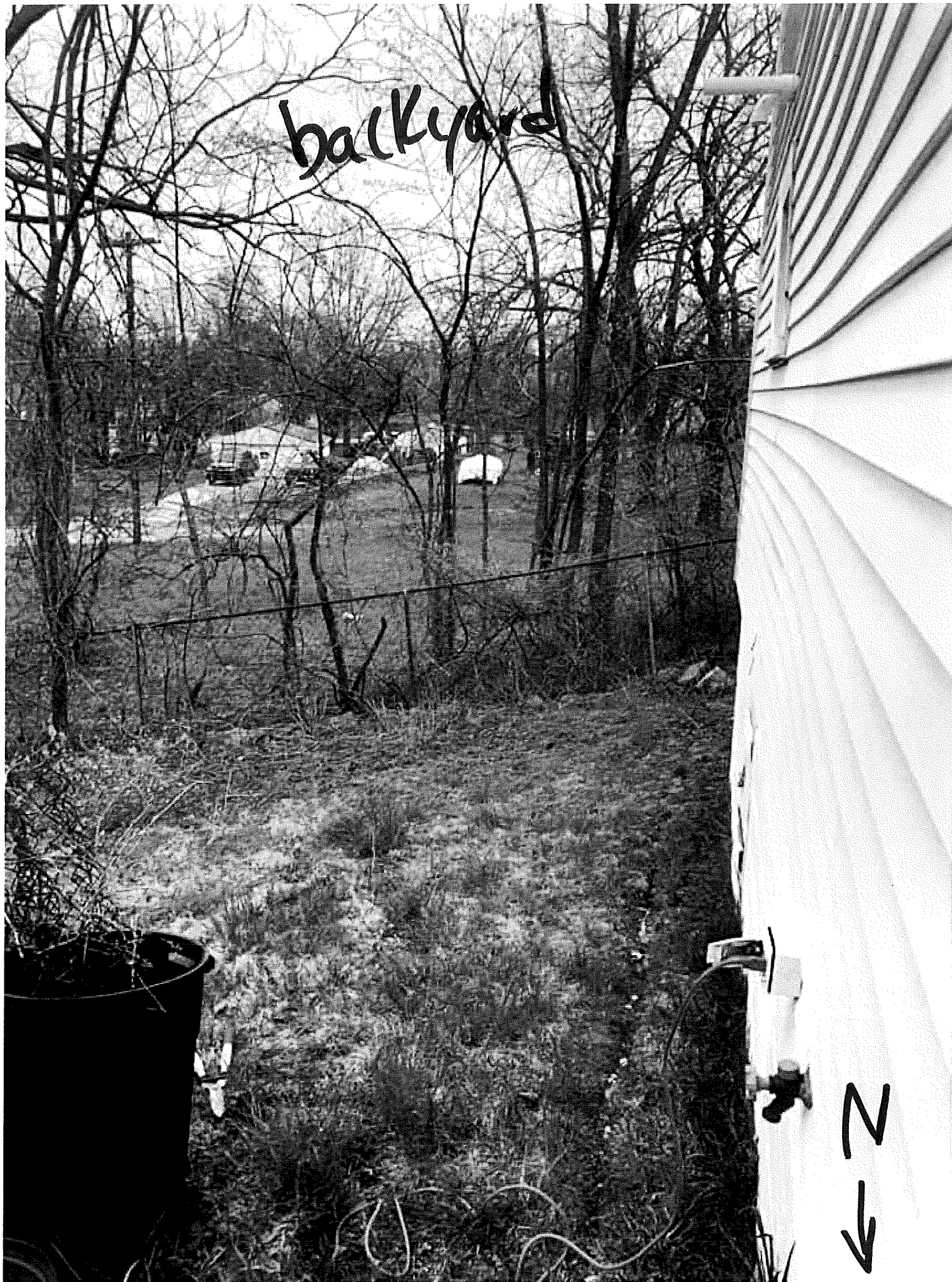


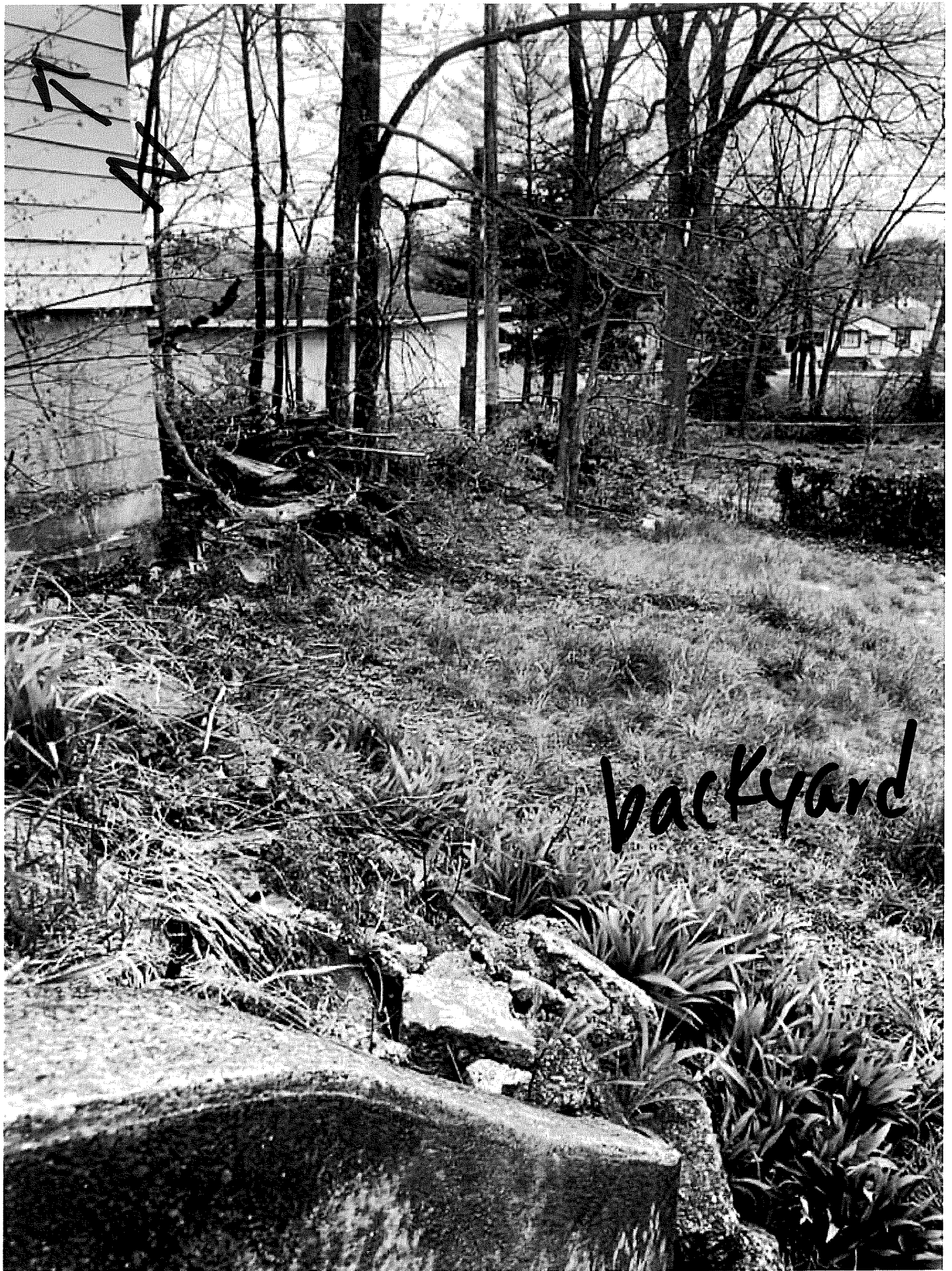
Backyard



backyard

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backyard

Backyard

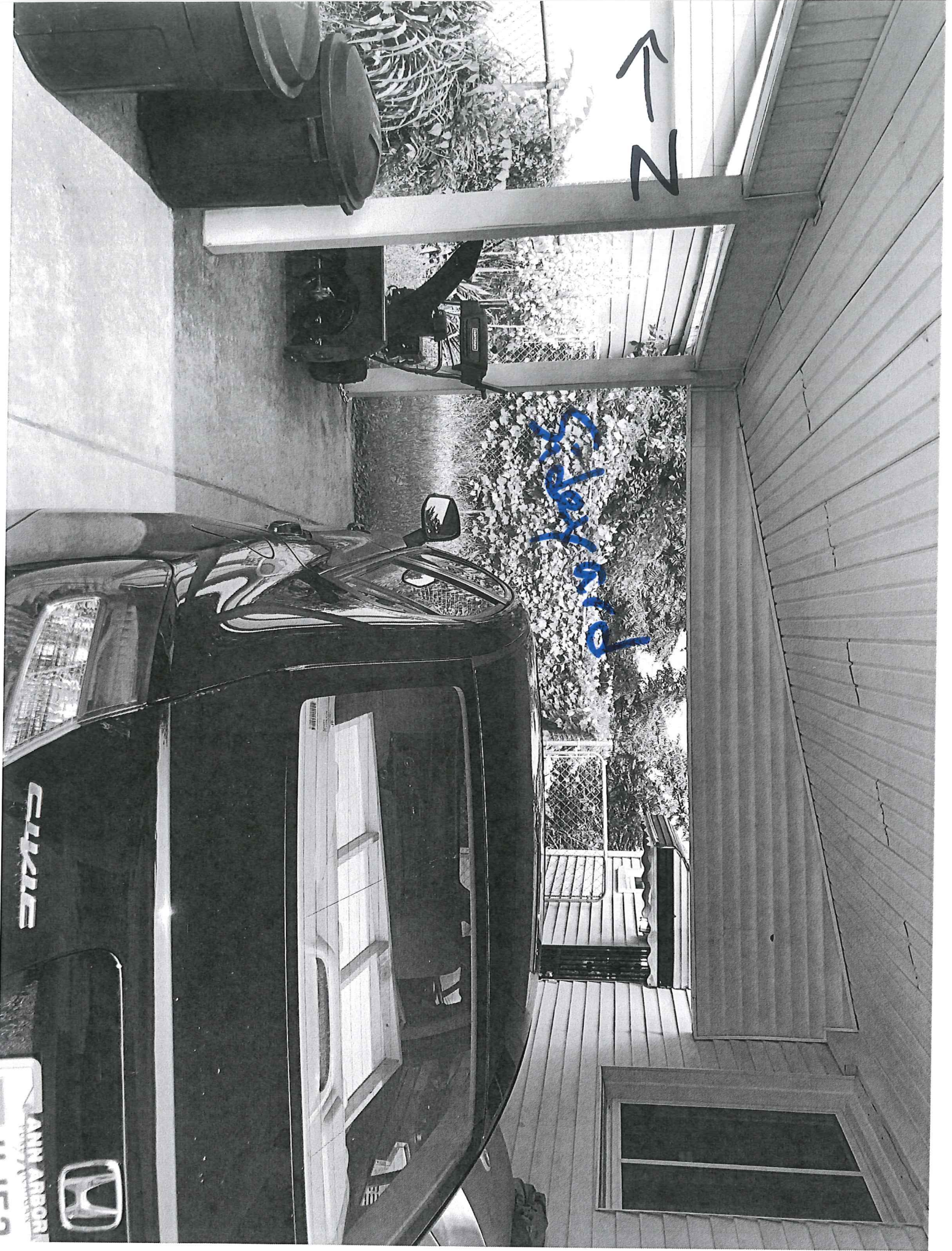
N





↑
N

5/26/2019



S-Jeyard

↗
N



↑
N

Sidewalk

Front Yard





front yard

Front Yard

→ N



Neighbor's garage
(closer than 3'
from property
line?)



CERTIFIED SURVEY

A Haro

PROPERTY DESCRIPTION:
SEE PAGE 2 OF 2

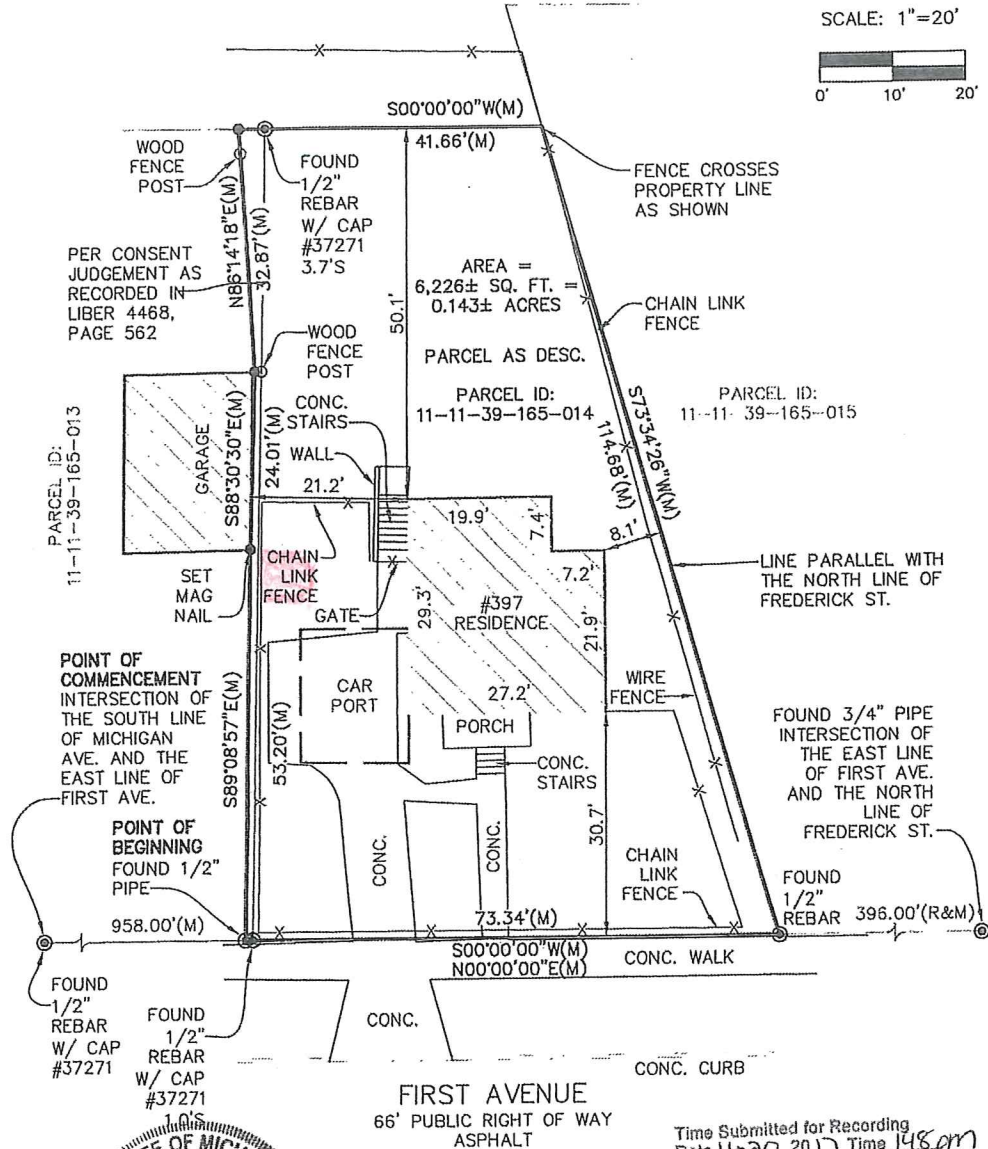
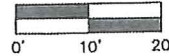
L: 5233 P: 428 6400100 SUR

11/20/2017 02:18 PM Total Pages: 2

Lawrence Kestenbaum, Washtenaw Co



SCALE: 1"=20'



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND
HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO
OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT
132 OF 1970.

ANTHONY T. SYCKO, JR., P.S. NO. 47976

Time Submitted for Recording
Date 11-30-2017 Time 1:48 pm
Lawrence Kestenbaum
Washtenaw County Clerk/Register

LEGEND

- SET 1/2" REBAR WITH CAP, #47976 (AS NOTED)
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION



KEM-TEC & ASSOCIATES

22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

CERTIFIED TO: LISA BARFIELD

FIELD SURVEY: TS ZM

DATE: AUGUST 15, 2017

DRAWN BY: QF DLD JDM

SHEET: 1 OF 2

SCALE: 1" = 20'

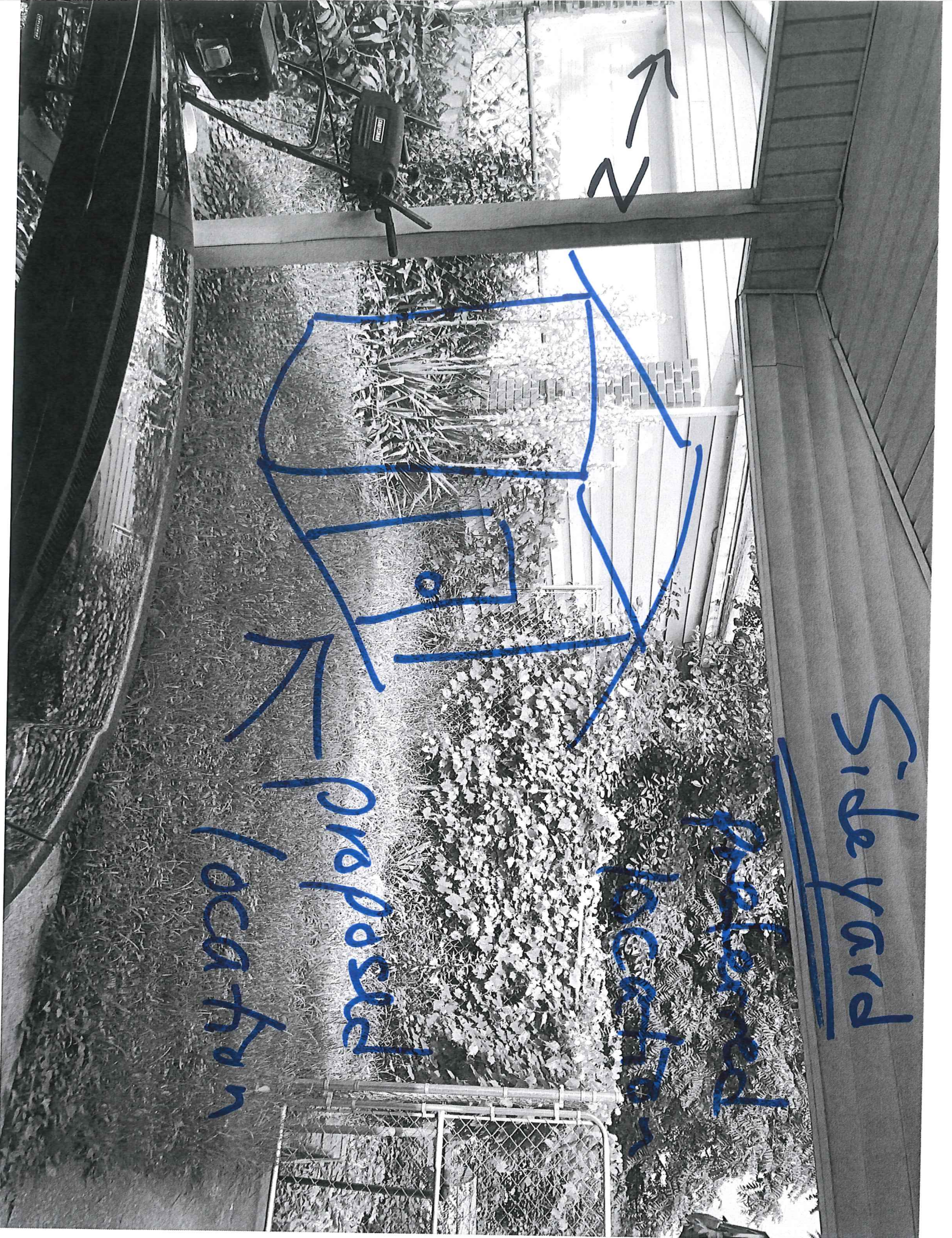
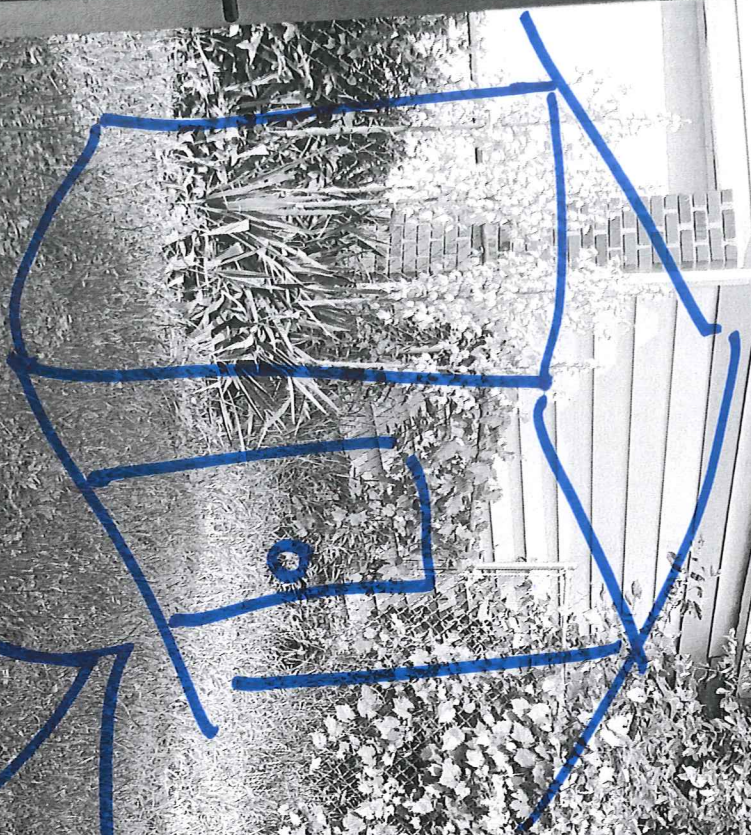
JOB NO.: 17-02818

Side yard

proposed

location

proposed
location

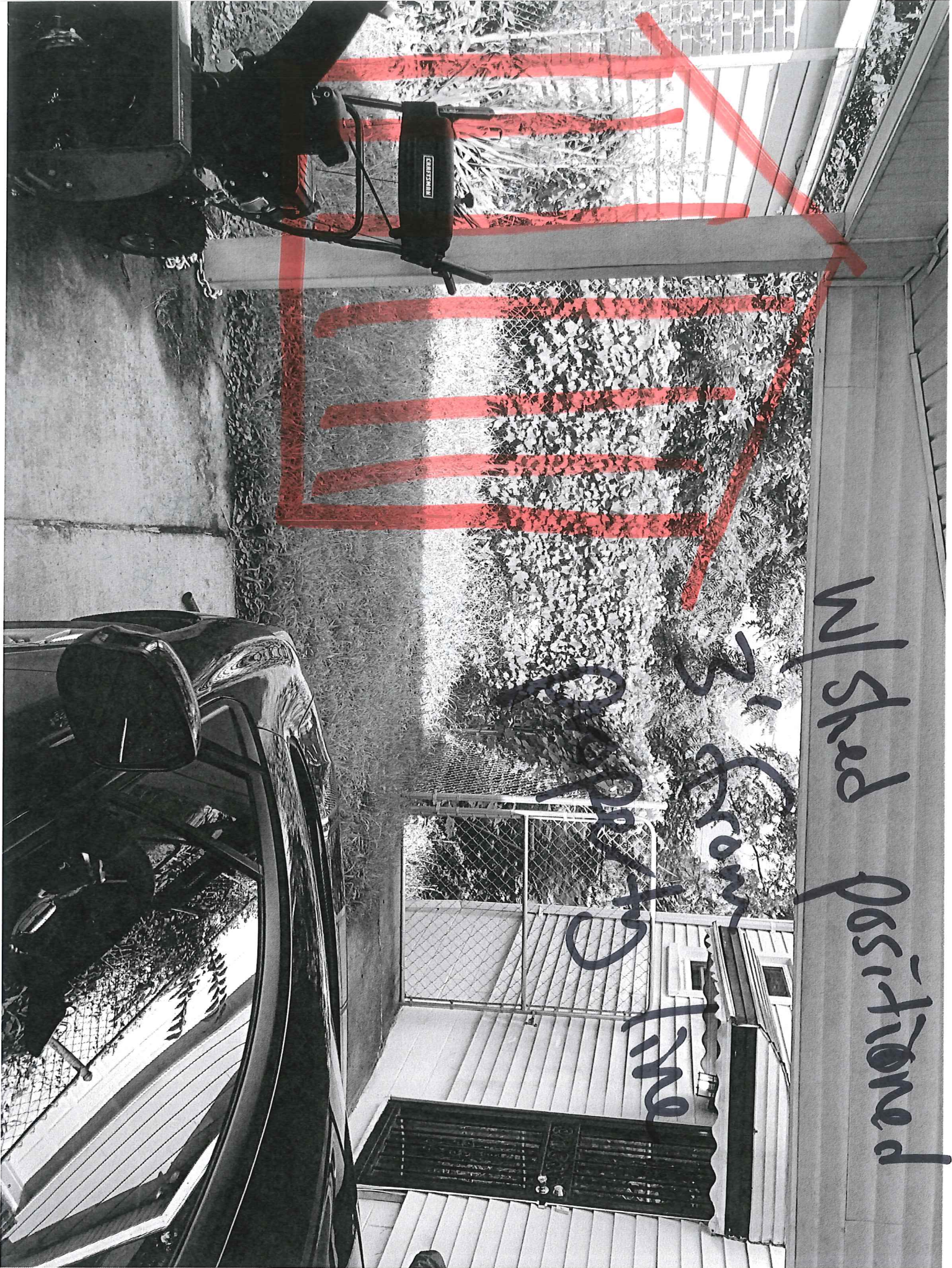


this is where the shed would lay if placed against
my fence

Organic
in the
fence
instead
of
from
line

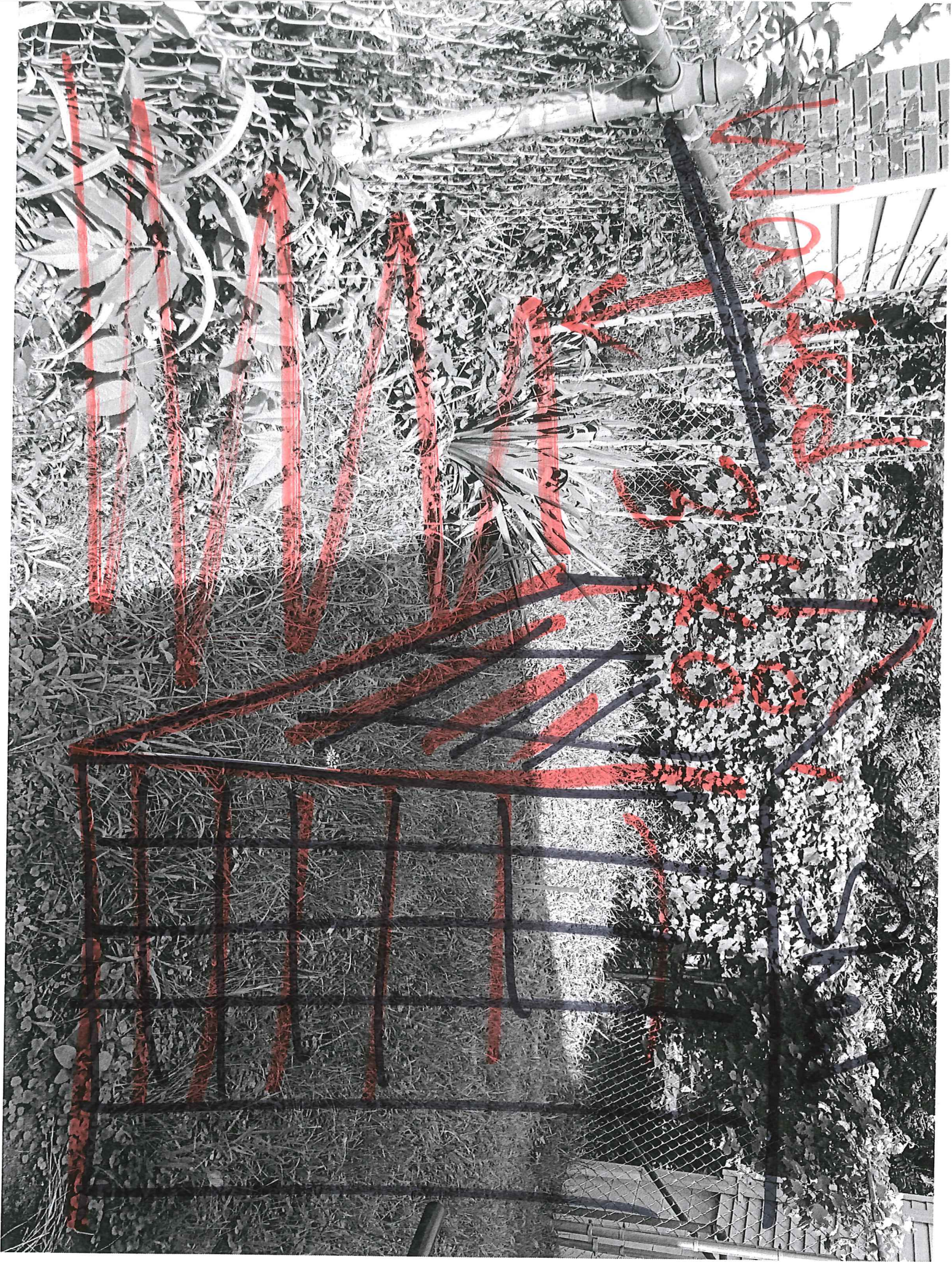
This is where the shed would lay if placed 3' from
the property line

3' from
shed
from property
line



W/ shed positioned

3' from
get past line



= proposed garden area

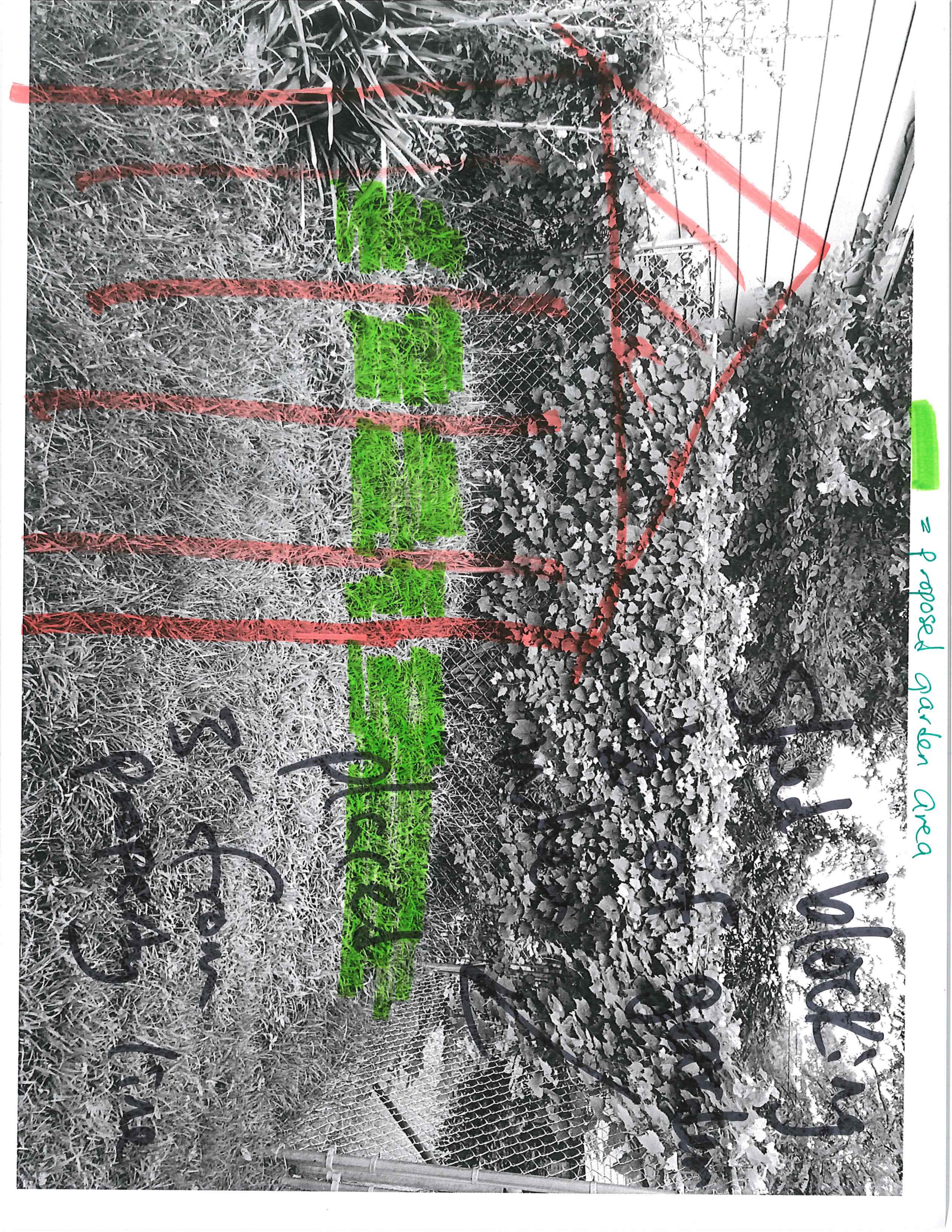
Just blocking

view of garden

block

5-10m

perfor line



Shed

3' Corridor by
Property Line

Access to
backyard: house
Staircase







Alfaro

SEE PAGE 2 OF 2

Lawrence Kestenbaum, Washtenaw Co



ANTHONY T. SYCKO, JR., P.S. NO. 47976

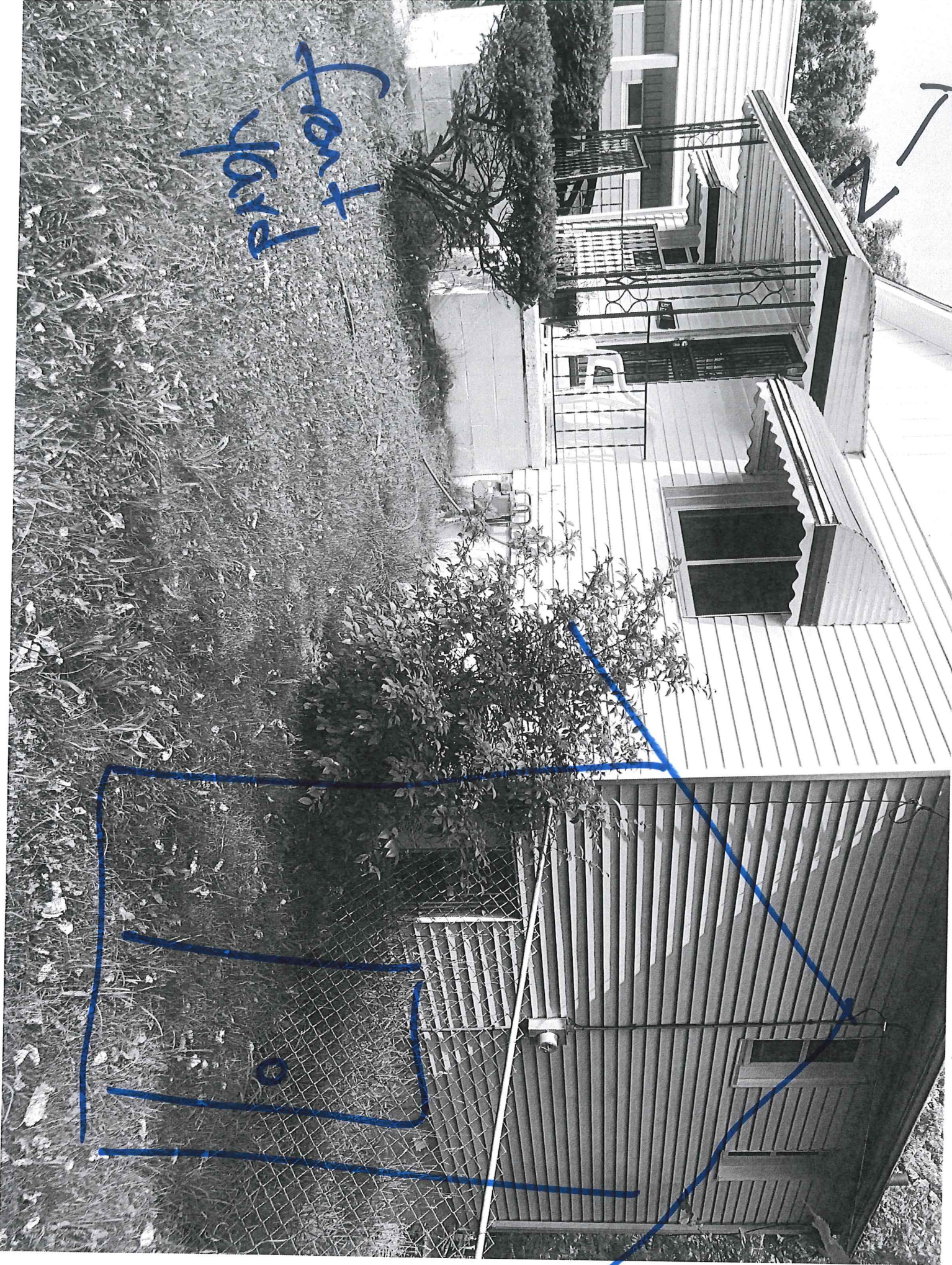
- SET 1/2" REBAR WITH CAP, #47976 (AS NOTED)
- ◎ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
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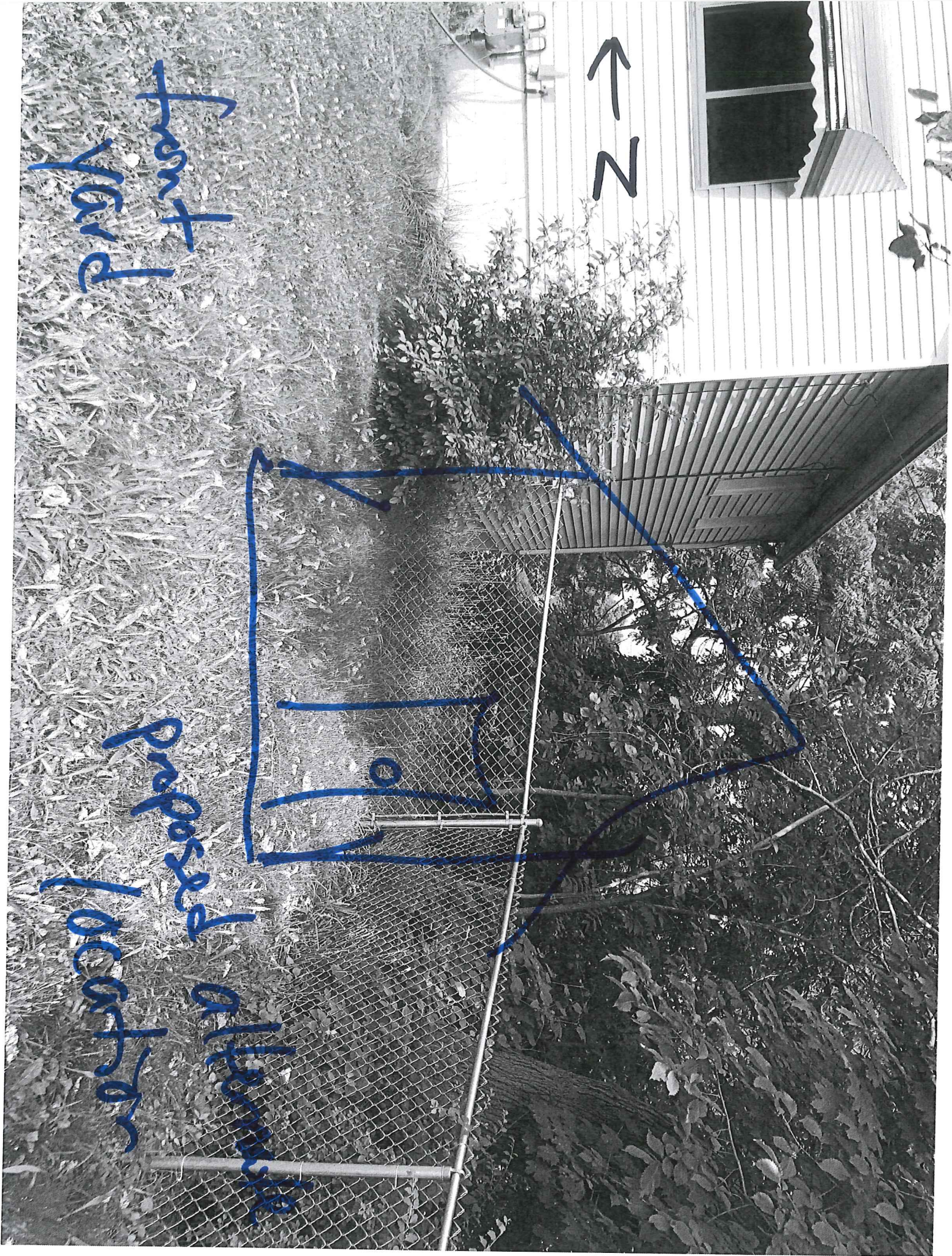
Front yard



front
yard

↗
N

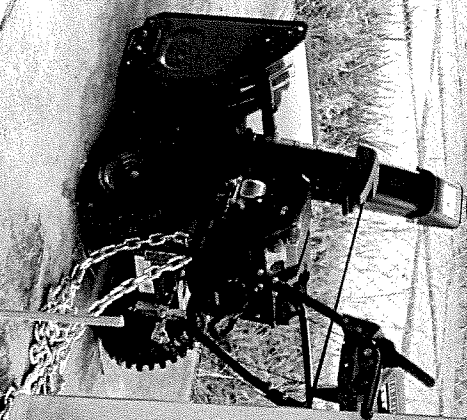
proposed alternate
location





397 First Ave - Affaro

See how "junky" my property
looks due to not having a shed



This is what I'm forced to
do without a tool shed



Exposure to elements also not good
for equipment





Scott Slagor

From: Joyce M <jongmiin@gmail.com>
Sent: Tuesday, August 06, 2019 1:18 AM
To: Scott Slagor
Subject: Fwd: Your tool shed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Scott,

This is Jong a.k.a Joyce, the owner of 393 First Ave, Ypsilanti, MI 48197, the neighbor of 397 First Ave; I prefer following city's guidelines regarding my neighbor's tool shed. See the following forwarding email.

Thanks,
Joyce/Jong

Begin forwarded message:

From: Joyce M <jongmiin@gmail.com>
Date: August 6, 2019 at 1:06:35 AM EDT
To: balfaro@emich.edu
Subject: Your tool shed

Bryan,

Thanks for texting me. I have no objection about your tool shed but I prefer following city guidelines regarding three feet rules.

Thanks,
Joyce
Property owner of 393 First Ave