

**ANN ARBOR CHARTER TOWNSHIP
ZONING BOARD OF APPEALS
MINUTES OF MEETING
JUNE 21, 2006**

I. ROLL CALL

The meeting of the Ann Arbor charter Township Zoning Board of Appeals was called to order by Chair Mitchell at 3:00 PM at the Township Hall, 3792 Pontiac Trail, Ann Arbor, Michigan, 48105.

Present: Chair Richard Mitchell, Clerk Rena Basch, Douglas Price, Larry Burgess.

Absent: William Dutil

Also present: Township Supervisor Michael Moran, Building Inspector and zoning Official Gary Dresselhouse.

II. APPROVAL OF MINUTES

Mitchell requested an addition to the minutes on page 2. A copy of the written change is attached.

Doug Price moved to accept the minutes of the meeting of April 19, 2006 as drafted with the Mitchell addition; Burgess seconded the motion and the motion was unanimously adopted.

III. OLD BUSINESS

There was no old business.

IV. NEW BUSINESS

ZBA 3-06 Solid Rock Church

Dale Sass from JJR presented for petitioner. He indicated that because of a misunderstanding, the canopy over the entrance was constructed too low to permit emergency and fire vehicles under it. In addition, the layout of the parking lot made it difficult for fire trucks to maneuver. He stated that the Planning Commission had permitted him to reconfigure the parking lot to permit emergency and fire vehicles to attend to the site but that reconfiguration caused the loss of some parking spaces. He stated that the redesign would give a total of 52 parking spaces if the ZBA were to grant a variance from 10 feet to 9 feet in parking space width, and 10 feet to 9 feet in front and rear island width. Sass represented that the experience of the church was a 3:1 ratio of attendees to cars and the 52 spaces would match their maximum capacity of 150,

Zoning Official's Report: Dresselhouse stated that the number of spaces that would be permitted if the variances were granted would then accommodate the

maximum capacity. In addition, the variances would better permit the use of emergency and fire vehicles. He recommended approval.

Mitchell noted that a row of end spaces were only 18 feet long and that the ordinance required 19 feet. Dresselhouse stated that the plan allowed for a one foot overhang of vehicles on the end row, and that was appropriate.

Public Hearing: Mitchell called the Public Hearing to order at 3:09 PM. No public comment was made and the hearing was closed at 3:09 PM.

Burgess moved to grant the variances requested, finding that the conditions of Section 130.2411 were met because the parking would otherwise be inadequate for the facility, and that the trees and wetlands restricted other solutions for expanding the parking lot.

Price seconded the motion, which was unanimously adopted.

ZBA 4-06 Sharon Stetz, 3444 E. Huron River Drive.

Kurt Fedewa presented for petitioner. He is the General Contractor for the proposed residential addition. He requested a variance from the required 20 foot side yard setback, to permit construction within to 9 feet from the property line. He said that the property would be annexed to the City of Ann Arbor under the 1994 Boundary Agreement.

Mitchell asked if the house was on well and septic, and was told that there was a well, which would have to be relocated even if the variance was granted and that the house was already on the central sewer system.

Zoning Official's Report: Dresselhouse said that this is a large lot and there are other designs that would give the same amount of space but not need a variance. He did not see any practical difficulty or hardship.

Public Hearing: Mitchell opened the public hearing at 3:26 PM, but there were no comments and the public hearing was closed at 3:26 PM.

Mitchell asked for and was given a description of which were the side yards and which the rear yard. The rear yard would require a 30 foot setback.

Every ZBA member asked why alternative designs could not accomplish petitioner's goals. Fedewa indicated that the owners wanted to preserve the view from the kitchen and that there was some water in the rear of the residence. The ZBA members suggested several redesigns that would not require a variance. Mitchell noted that the well was not an obstacle as it would have to be moved anyway. Moran asked how far from the rear of the existing structure was from the area where water was present and noted that there were other solutions to water and that there was no topographical sheet to show the lay of the land.

Mitchell moved to deny the variance because of an insufficient showing of practical difficulty and hardship. Burgess seconded the motion which was unanimously adopted.

A discussion ensued between ZBA members which resulted in Mitchell moving to rescind the earlier motion. Burgess again seconded the motion, which was unanimously adopted.

Price then moved to table the request for variance to permit the submission of additional evidence to show hardship and practical difficulty. Burgess seconded the motion, which was unanimously adopted.

Mitchell asked if there were any public comments, hearing none.

Price moved to adjourn and Burgess seconded the motion, which was unanimously adopted. The meeting was adjourned at 3:49 PM.