

Minutes
Zoning Board of Appeals
Wednesday, February 26 2020 - 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	
Heather Khan, Vice Chair		A
Jared Talaga		A
Jason Ringholz	P	
Tom Roach	P	
Georgina Hickey <i>alternate</i>	P	

III. Approval of Minutes

- November 21, 2019
Motion to approve November 21, 2019 minutes as presented.
Offered by: Roach; **Seconded by:** Ringholz
Approved: Yes-5 ; No-0; Absent-1 (Khan)

IV. Purpose of Meeting

V. Old Business

VI. New Business

- 472 S. Hamilton St., variance

City Planner Andy Aamodt presented the staff report. The variance request is to provide relief from §122-682(d) and §122-468.HS to permit parking in the front yard of the single-family dwelling. In doing so, the applicant wishes to pave a semi-circular driveway which will connect to the existing common driveway.

Mr. Aamodt explained property is unique; it's a relatively narrow lot to begin with but also shares a narrow common driveway with the property adjoining to the north. The occupant of the property is wheelchair bound and the reason for the application is to provide for better accessibility for a medical transport van as well as relieving conflicts with the shared driveway.

Staff went over the ordinance standards the variance is seeking relief from. Staff then summarized the standards for variances. Staff explained the Zoning Board of Appeals may determine the sixth standard to be a reasonable accommodation for a person with a disability and discussed the American Disabilities Act in regards to reasonable accommodations.

Staff also discussed conditions that might be considered, including limiting the proposed driveway's runoff through grading and landscaping methods, such as raingardens or vegetated swales.

ZBA asked staff relevant questions.

Applicant Jerry Daugherty spoke about the request.

Motion to open the public hearing

Offered by: Ringholz; **Seconded by:** Hickey

Approved: Yes-5 ; No-0; Absent-1 (Khan)

Washington Osler, 466 S. Hamilton St.: Spoke in favor of the request. Lives two houses down. As a case worker, thinks it will be beneficial to the occupant as there are probably multiple trips a week for medical appointments alone.

Motion to close the public hearing

Offered by: Hickey; **Seconded by:** Roach

Approved: Yes-5 ; No-0; Absent-1 (Khan)

The ZBA discussed possible conditions, such as limiting the proposed driveway's width in order to create less impervious surface and more landscaping to deal with runoff.

Motion to approve variance request from §122-682(d) and §122-468.HS to permit parking in the front yard of the single-family dwelling, with the following findings and conditions:

Findings

1. *The applicant has shown sufficient practical difficulty under §122-370(b)(1).*
2. *The 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 the zoning ordinance §122-370(b)(2).*
3. *The applicant has demonstrated that the practical difficulties of the property are not created by the applicant under §122-370(b)(3).*
4. *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 under §122-370(b)(4).*
5. *Substantial justice will be achieved for the applicant that they may enjoy a similar opportunity as others in the neighborhood §122-370(b)(5).*
6. *The proposed variance is a minimum variance to reasonably accommodate the property owner's needs §122-370(b)(6).*

Conditions

1. *Driveway must be designed to limit runoff onto the adjoining properties and the right-of-way, through grading and landscaping methods such as raingardens or vegetated swales.*
2. *Proposed plan is subject to Sketch Plan Review approval.*
3. *Driveway width is limited to a maximum of 10 feet.*

Offered by: Roach; **Seconded by:** Hickey

Approved: Yes-5 ; No-0; Absent-1 (Khan)

VII. Adjournment

Motion to adjourn.

Offered by: Hickey; **Seconded by:** Ringholz

Approved: Yes-5 ; No-0; Absent-1 (Khan)