

**Zoning Board of Appeals
AGENDA
August 21, 2019 (5:00 pm)
Council Chambers, 311 S. Main Street
Chelsea, MI 48118**

Call to Order

Approval of the Minutes

Approval of the Meeting Minutes for 05/15/19

New Business – Public Hearing and Action

Variance 19-3

An application has been filed by William O'Reilly (Chelsea Area Historical Society), 128 Jackson St., Chelsea, MI for a variance from the requirement of Article 3, Section 3.10 (D.) Ordinance No. 166 (Zoning Ordinance), to reduce the required building separation for a detached accessory building from 10 feet to 7 feet 5 inches. (Tax Code: 06-06-12-182-024)

Adjournment

Zoning Board of Appeals Meeting Minutes
May 15, 2019 5:00 pm
City of Chelsea Municipal Building (Council Chambers)
311 S. Main Street, Suite 100, Chelsea, MI

Members Present: Tom Osborne (Chair), Jasen King, Jamie Lane

Members Absent: George Kinzer, Peter Shaw

Others Present: Matthew & Jennifer Baghdoian, Cheri Albertson (City Council Liaison)

Chair Osborne called the meeting to order at 5:01 pm.

MOVED by Lane, SECONDED by King, to approve the minutes of the 04/17/19 ZBA meeting. Motion passed all ayes.

Variance 19-2:

An application was filed by Matthew & Jennifer Baghdoian (146 E. Middle Street, Chelsea, MI) for a variance from the requirements of Article 3, Section 3.10 (G), Ordinance No. 166 (Zoning Ordinance), to increase the maximum accessory building height from (14 ft) to (16 ft 7.5 inches) in order to replace their carriage barn with a smaller structure. (Tax Code: 06-06-12-183-003)

Chair Osborne opened the public hearing. No public comments were received. Chair Osborne then closed the public hearing.

Matthew & Jennifer Baghdoian presented their request to demolish and reconstruct the carriage barn with a smaller structure. Currently, the existing carriage barn exceeds the maximum sft for an accessory structure, exceeds the maximum height, does not meet the minimum 5 ft setback from both the side and rear property lines and also is located less than 10 ft away from the neighbor's carriage barn. This structure was constructed pre-ordinance and has numerous non-conformity issues.

The property owner also informed the ZBA that their home is a large historic Queen Anne structure and their neighbors also have large carriage barns on either side of their barn. The proposed redesign of the carriage barn would fit well in the historic character of the neighborhood and would remove all the non-conformities except for the building height. It was also noted that the request height variance of 16 ft 7.5 inches is less than the current building

height of 18 ft.

MOVED by King, SECONDED by Lane, to approve variance (19-2) from the requirements of Article 3.10 (G.) of Ordinance No. 166, to increase the maximum building height from (14 ft) to (16 ft 7.5 inches) due to the replacement structure being more conforming to the ordinance than the existing pre-ordinance carriage barn, and will be more aesthetically pleasing to historic home and blending with historic character of surrounding structures nearby. All Ayes. Motion passed.

MOVED by King, SECONDED by Lane, to adjourn the meeting at 5:17 pm. All Ayes. Motion passed.

Respectfully submitted,

Christine Linfield
Planning, Engineering, Zoning & Community Dev. Dir.



CITY OF CHELSEA

CHELSEA ZONING BOARD OF APPEALS Notice of Meeting Cancellation

Notice is hereby given that the Zoning Board of Appeals has **canceled** their regularly scheduled meeting for **Wednesday, June 19, 2019** at 5:00 pm.



CITY OF CHELSEA

CHELSEA ZONING BOARD OF APPEALS Notice of Meeting Cancellation

Notice is hereby given that the Zoning Board of Appeals has **canceled** their regularly scheduled meeting for **Wednesday, July 17, 2019** at 5:00 pm.



NOTICE OF VARIANCE HEARING

An application has been filed by **WILLIAM O'REILLY (CHELSEA AREA HISTORICAL SOCIETY), 128 JACKSON ST., CHELSEA, MI** for a variance from the requirements of **ARTICLE 3, SECTION 3.10 (D.)** Ordinance No.166 (Zoning Ordinance), to **REDUCE THE REQUIRED BUILDING SEPARATION FOR A DETACHED ACCESSORY BUILDING FROM 10 FEET TO 7 FEET 5 INCHES.**

The property is described as follows:

TAX CODE: # 06-06-12-182-024
128 JACKSON ST., CHELSEA, MI

Pursuant to the procedure for a variance request: a Notice of Hearing shall be at least fifteen (15) days prior to the date of such hearing, upon the party or parties making the request for appeal, and all owners of record of property and occupants of property located within three-hundred (300) feet of such premises in question.

You are herein notified that a hearing will be held by the Chelsea Zoning Board of Appeals on **Wednesday, August 21, 2019**, at 5:00 o'clock P.M. or as soon thereafter as possible, in the Chelsea City Council Chambers, located in the Chelsea Municipal Building, 311 S. Main Street, to consider objections to said request.

The petition is on file in the office of the Planning and Zoning Department, 305 S. Main St., Suite 100, Chelsea and may be examined prior to the date of the hearing.

Persons requiring reasonable accommodations to disabilities in order that the hearing be accessible to them, are requested to notify the Zoning Board of Appeals Chairman no later than five (5) business days prior to the date of the hearing of such disability.

DONALD T. OSBORNE, CHAIRMAN
ZONING BOARD OF APPEALS

Zoning Boards of Appeals Application City of Chelsea Washtenaw County, Michigan

Date 7/15/2019

APPLICANT(S) NAME (print) Chelsea Area Historical Society / William O'Reilly - President

APPLICANT(S) ADDRESS 128 Jackson Street
Chelsea, MI 48118 PHONE# 734-646-5038

Type of Appeal – The Appeal made herewith is for:

- A Variance from the Zoning Ordinance
- An interpretation of the Zoning Ordinance

For the following reasons: Our new structure would be in compliance if our neighbor's structure did not encroach on our property. See attached.

NOTE: By signing this appeal application, you are stating that you have had the opportunity to read the Automatic Stay Rule governing the Board of Review's decision and that you understand the rule.

Date: 7/15/2019 Applicants signature: William O'Reilly, CAHS President

THE APPLICANT(S) ARE: OWNER(S) OF THE PROPERTY INVOLVED.
 ACTING ON BEHALF OF THE OWNER(S) OF PROPERTY INVOLVED.

Fee received: \$ 225 by the Planning & Zoning Inspector Jules Upshaw

For Variances from the Zoning Ordinance

Address of the Property involved: 128 Jackson Street

Indicate the provisions(s) of the Zoning Ordinance that are being addressed in this appeal. **DO NOT** Quote the Ordinance. Indicate the Article, Section, Subsection and Paragraph in question:

Article 3, Section 3.10(D) - "A detached accessory building or structure shall not be located closer than ten (10) feet away from any other structure or building."



128 Jackson St. Chelsea, MI 48118

July 15, 2019

Chelsea Zoning Board of Appeals
City of Chelsea

To who it may concern –

On behalf of the Chelsea Area Historical Society, I am requesting a variance to Article 3, Section 3.10 (D.) to reduce the required building separation for a detached accessory building from 10 ft to 7' 5".

We have been awarded a grant which, among other things, will allow us to construct a small (9' 9" x 19' 9") carriage house immediately to the west of museum / towards the rear of our driveway. This structure, which we are currently calling "The Firehouse", will house a number of historical items but most prominently will be an antique man-drawn fire wagon which was in service in Chelsea in the late 1800s & early 1900s – see next page for now & then photos. We cannot currently display this item.

Regulations call for a 10' setback from any current structures and a 20' setback from the rear of the property. To stay 10' from our neighbor's structure, a metal bump-out from Chelsea Farmer's Supply, puts us just under 8' from our own structure, the museum. **This would NOT be an issue if it wasn't for the fact that the Farmer's Supply structure is encroaching by about 15' on to our property.**

As noted in the attached drawings which were submitted to you by the previous owner of our property in 1996 AND by the current owners of the Farmer's Supply in 1992, the back half of their structure sits on our property. While we are not asking for our good neighbors to remove their structure from our property, we are asking for you to allow us to place our new structure approximately 7 ½' from our existing structure (staying 10' from the neighbor's structure).

Also, on application 96-6 you allowed our building's previous owner to have 2 parking spaces. We are asking that this be carried forward to our re-aligned driveway. Should the new structure we are asking to build go in, the two parking spots at the back of the driveway will be reduced to one, which will be beside the new structure. However we will continue to have parking in front of the new structure for two vehicles parked end to end for at least 3 vehicles total (end to end). Further, since the variance was granted in 1996, the city has added the nearby "Livery" parking lot thus increasing nearby parking capacity.

Thank you for your consideration!

Bill O'Reilly
President, Chelsea Area Historical Society.



CAT'S Museum
128 Jackson

Approximate location
of new structure

PROPOSED
VEHICULAR DRIVE
AND PARKING



12' 15' width

Drive-way



EXISTING BUILDING

Farmer's
Supplies

NEW WALK
NEW UNDECKING
NEW B.F.
RECURB - 1/2" MAX
GRADE 1:20
MAX. RLY 4.20

EXISTING EVERGREEN
TREES TO REMAIN

JACKSON ST.

0.80%



APPLICATION FOR APPEAL

PLEASE PRINT OR TYPE (If additional space is needed, use back)

I/We GREG RAYE & H.K. LEONARD of FARMERS SUPPLY CO.

122 JACKSON ST
Hereby Appeal to the Zoning Board of Appeals from the decision of the ZONING INSPECTOR () VILLAGE OF CHELSEA on Application No. 92-15, Date: 7-10, 1992, whereby the

- ZONING INSPECTOR
- () Granted
- () VILLAGE OF CHELSEA
- Denied

TO: Can not meet set back and wishes to erect 3 signs only permitted (2)
Total of 80 sq ft

- A Zoning Compliance Permit
- () A Conditional Use Permit
- () A Certificate of Occupancy
- () A Zoning Change
- () A Site Plan Cert.

Address of property involved: 122 JACKSON ST

Legal description: SEE ATTACHED
#06-12-182-006

PROVISION(S) OF THE ZONING ORDINANCE APPEAL (Indicate the Article, Section, Subsection, and paragraph of the Zoning Ordinance being appealed by number).

DO NOT QUOTE THE ORDINANCE. 15.608-D - 15.626 Sec 5.2.6-D

_____ of Ordinance No. 79 (Zoning Ordinance)

TYPE OF APPEAL - Appeal is made herewith for:

- A variance from Zoning Ordinance
- () An Interpretation of the Zoning Ordinance
- () A temporary use permit

For the following reasons: UNDER THE ORDINANCE, WE ARE NOT ALLOWED A SIGN WITHIN THE FRONT 30 FT. OF OUR SITE. OUR BUILDING FACE IS LESS THAN 15' FROM OUR FRONT PROPERTY LINE. NOT HAVING A VISABLE SIGN WITH OUR NAME ON OUR BUILDING FACE HAS MADE IT HARD FOR CUSTOMERS TO FIND US AND HAS HURT OUR BUSINESS

Date: 7-10-92 Appellant: [Signature] (G.A. RAYE)

Fee Received: \$ 75.00
PR

Zoning Inspector: [Signature] (signature)

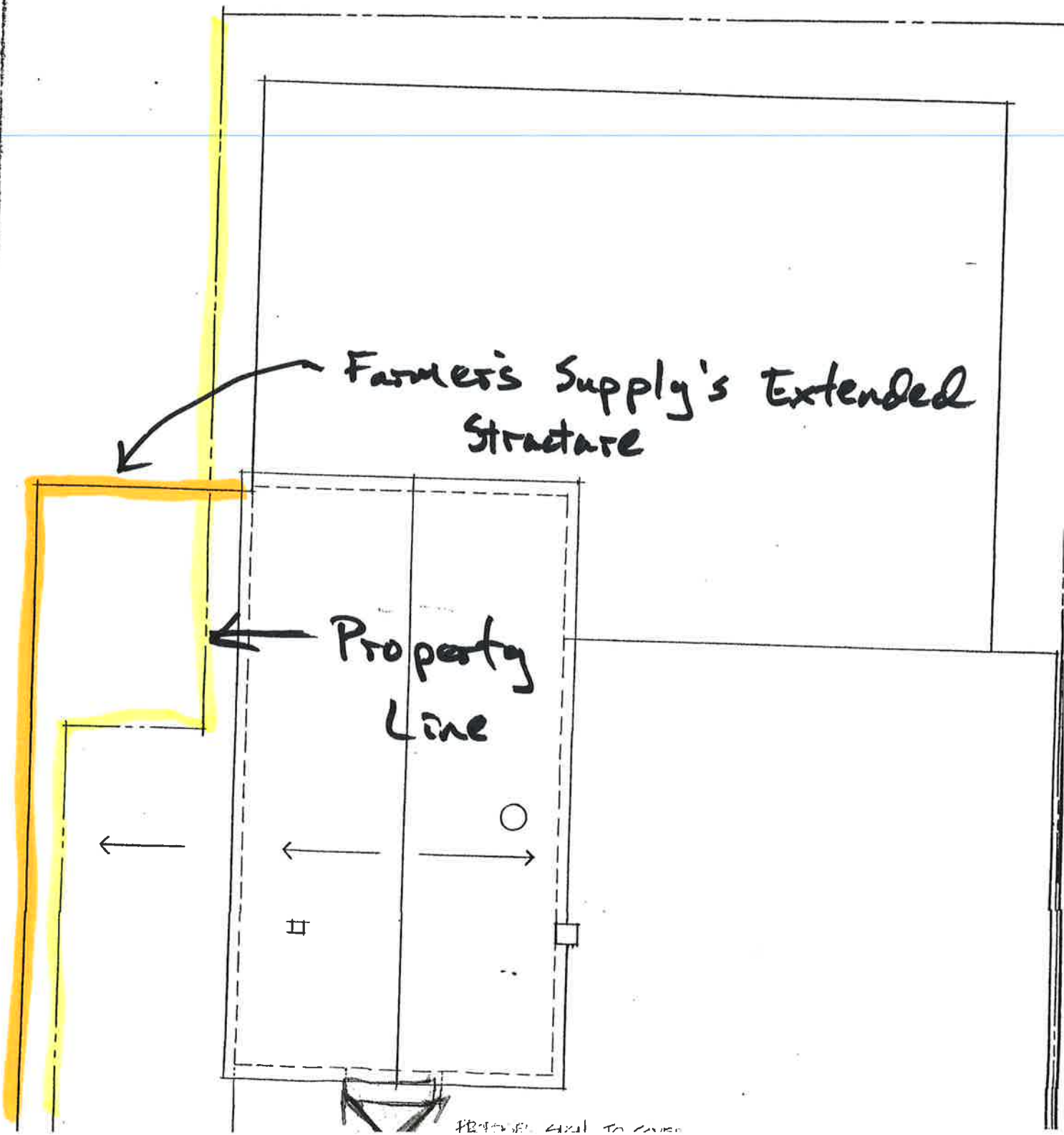
I. AUTOMATIC STAY OF BOARD OF APPEALS DECISION; TIME FOR APPEAL TO COURT; PROVISION FOR SECURITY.

The Board of Appeals' decision shall be in the form of a resolution, approved by the Board of Appeals, and filed with the minutes of the Board of Appeals. However, no zoning permit, building permit or certificate of occupancy shall issue for twenty-one (21) days after the date of filing. Within said twenty-one (21) days any interested party may file a appeal or complaint with the Washtenaw County Circuit Court, or any other Court of competent jurisdiction.

Zoned I-1
(Total of 80 sq ft for the 3 signs)
Greg Raye - 994-9317

Farmers Supply's Extended
Structure

Property
Line



FRONT SIDE TO CURB