



CITY OF CHELSEA

Zoning Board of Appeals Meeting Minutes
April 17, 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, George Kinzer, Jamie Lane, Peter Shaw

Members Absent: None

Others Present: LaVon Miller, Stephen McLane, John Thorhauer, John Hass, Christine Linfield (City Staff), Cheri Albertson (City Council Liaison), Rick Catherman (City Council Liaison Alternate)

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

MOVED by King, SECONDED by Kinzer, to approve the minutes of the 12/19/18 ZBA meeting. Motion passed all ayes.

Variance 19-1:

An application was filed by LaVon Miller (Warren Apartments), 705 W. Middle Street, Chelsea, MI (Tax Code: 06-06-12-330-031) for a variance from the requirements of Section 3.10(H.), Ordinance No. 166 (Zoning Ordinance) to exceed the 1,200 sft combined floor area of all accessory buildings on a residential lot greater than 2 acres, in order to demo and reconstruct (move) an existing 1,200 sft maintenance building at the multi-family apartment building.

Chair Osborne opened the public hearing.

John Thorhauer spoke in support of the project and also submitted a written letter of support. (See attached.)

Chair Osborne closed the public hearing.

LaVon Miller presented his request to demolish and reconstruct the apartment complex maintenance building in another location in order to prepare for the construction of another tenant building. All accessory structures (tenant garages, maintenance building, etc.) were constructed prior to the 2010 zoning ordinance revision. He is requesting to reconstruct the same size as the existing structure.

MOVED by Shaw, SECONDED by King, to approve the variance (19-1) as requested for tax code number (06-06-12-330-031) to increase the sft of combined floor area of all accessory buildings, with the contingency that the existing maintenance building be removed within two months of finishing the new building, and due to the fact the building was created pre-ordinance causing a hardship. All Ayes. Motion passed.

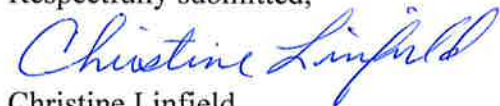
Chair Osborne then asked the applicant their opinion about the 2010 ordinance revision and how it applies to multi-family districts. Mr. Miller explained some of the hardships that occur with trying to balance tenant amenities and the need for maintenance buildings.

Chair Osborne also stated that in his opinion the 1,200 sft maximum for accessory buildings works well for single-family residential (over 2 acres) but has concerns over this being applied to multiple family districts.

Motion by Shaw, Seconded by King, to recommend that the Planning Commission review the ordinance language to differentiate between single-family and multi-family districts as it applies to accessory structures per Section 3.10. All Ayes. Motion passed.

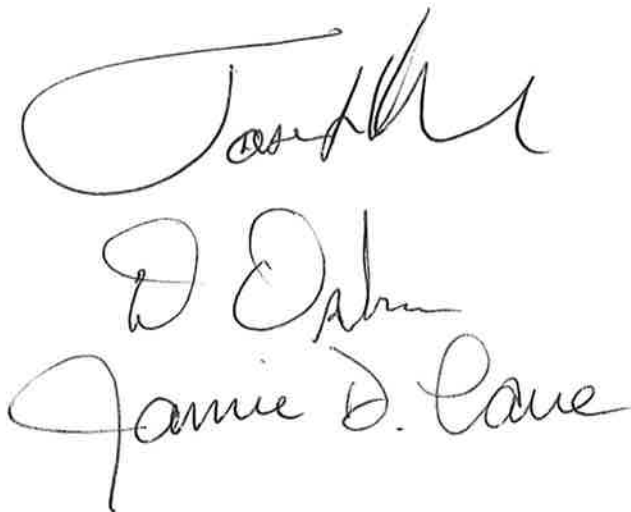
MOVED by Shaw, SECONDED by Lane, to adjourn the meeting at 5:21 pm. All Ayes. Motion passed.

Respectfully submitted,



Christine Linfield

Planning, Engineering, Zoning & Community Dev. Dir.





CITY OF CHELSEA

**Zoning Board of Appeals
AGENDA
April 17, 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 12/19/18

New Business – Public Hearing and Action

Variance 19-1

An application has been filed by Lavon Miller (Warren Apartment), 705 W. Middle Street, Chelsea, MI (Tax Code: 06-06-12-330-031) for a variance from the requirements of **SECTION 3.10 (H.)** Ordinance No.166 (Zoning Ordinance), to **EXCEED THE 1,200 SQFT COMBINED FLOOR AREA OF ALL ACCESSORY BUIDINGS ON A RESIDENTIAL LOT GREATER THAN 2 ACRES** in order to demo and reconstruct (move) an existing 1,200 sft maintenance building at the multi-family apartment complex.

Adjournment



CITY OF CHELSEA

**Zoning Board of Appeals Meeting Minutes
December 19, 2018 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, George Kinzer, Peter Shaw

Members Absent: Jamie Lane

Others Present: Christine Linfield (City Staff)

Chair Osborne called the meeting to order at 5:04 pm.

Motion by Shaw, seconded by King, to approve the agenda. Motion passed all ayes.

Motion by Shaw, seconded by Kinzer, to approve the minutes of the 6/20/18 ZBA meeting.
Motion passed all ayes.

Motion by Osborne, seconded by King, to approve the 2019 meeting calendar. Motion passed all ayes.

Motion by King, seconded by Shaw, to adjourn the meeting at 5:05 pm. Motion passed all ayes.

Respectfully submitted,

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



CITY OF CHELSEA

NOTICE OF VARIANCE HEARING

An application has been filed by **LAVON MILLER (WARREN APARTMENTS), 705 W. MIDDLE STREET, CHELSEA, MI** for a variance from the requirements of **SECTION 3.10 (H.) Ordinance No.166 (Zoning Ordinance)**, to **EXCEED THE 1,200 SQFT COMBINED FLOOR AREA OF ALL ACCESSORY BUIDINGS ON A RESIDENTIAL LOT GREATER THAN 2 ACRES IN ORDER TO DEMO AND RECONSTRUCT (MOVE) AN EXISTING 1,200 SQFT MAINTENANCE BUILDING AT THE MULTI-FAMILY APARTMENT COMPLEX.**

The property is described as follows:

TAX CODE: # 06-06-12-330-031
705 W. MIDDLE 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, April 17, 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 3-19-19

APPLICANT(S) NAME (print) Middle Street Apartments LLC

APPLICANT(S) ADDRESS 705 W Middle St
Chelsea MI PHONE# 734.276.4936

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: see attachments

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: 3-19-19 Applicants signature: LAVON D. MILLER, manager
LAVON D. MILLER,

- 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 Christine Linfield
(PROPERTY ZONED RM-2)

For Variances from the Zoning Ordinance

Address of the Property involved: 705 W Middle St, Chelsea

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, Paragraph H

In regards to the property

Address: 705 W Middle St, Chelsea, MI 48118

Parcel Number: 06-06-12-330-031

Legal Description: OWNER REQUEST CV 6-56A W 33.74 FT OF LOT 19, LOT 20 & E 73.26 FT OF LOT 21 BLK 2 JAMES M. CONGDON'S ADDITION, ALSO COM AT SW COR BLK 2, JAMES M. CONGDON'S ADDITION, TH N 70-00-00 E 360.36 FT, TH SOUTH 118.93 FT TO A POB, TH NORTH 118.93 FT, TH N 70-00-00 E 360.36 FT, TH SOUTH 206.60 FT, TH W'LY TO THE POB, ALSO THE W 341.24 FT OF THE FOLLOWING PARCEL: COM AT W 1/4 COR SEC 12, TH SOUTH 1313.83 FT TO N/LN ABANDONED RR/RW, TH N 84-43-50 E 341.00 FT TO POB, TH CONT N 84-43-50 E 998.93 FT TO C/L WILKINSON ST, TH S 00-30-15 E 33.11 FT TO S/LN RR/RW, TH S 84-43-50 W 999.28 FT, TH N 00-05-45 E 33.14 FT TO THE POB. PT OF SW 1/4 SEC 12, T2S-R3E. SPLIT ON 10/17/2006 FROM 06-06-12-330-015, 06-06-12-330-019;

We are seeking a variance to exceed the 1200 sqft combined floor area of all accessory buildings on residential lots greater than 2 acres as stated in Article 3, Section 3.10, Paragraph H of the City of Chelsea zoning ordinance. This is creating a hardship for the following reasons:

- 1) This property is a 36 unit multi-family apartment complex which has significantly different needs than a single family residence. Unfortunately Ordinance 3.10 applies universally to all Residential properties without addressing the unique differences between single-family and multi-family properties.
- 2) All of our current accessory buildings were constructed prior to 2010 when this ordinance first came into effect. The combined square footage of the existing buildings already totals 5,745 sqft. Of this total area, 4,545 sqft are designated tenant garages currently under lease with existing tenants. The remaining 1,200 sqft is a 30' x 40' maintenance building used by management for storing the tools and equipment needed for the daily operations and maintenance of the entire complex.
- 3) We will not be adding any additional accessory building square footage beyond what already exists. We are only looking to relocate the existing 1,200 sqft maintenance building to a different location on the property. The existing building will be torn down as soon as the new building is complete.
- 4) The new maintenance building location will be further away from existing tenant buildings and property lines and will make room for some additional tenant housing which is badly needed in Chelsea.

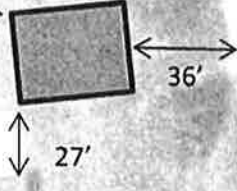
For these reasons, we kindly request that we be allowed to move our existing maintenance building to a new location on the property without the need to come into compliance with the 1200 sqft maximum Ordinance implemented in 2010.

Middle Street Apartments LLC
705 W Middle Street
Chelsea, MI 48118
Parcel:# 06-06-12-330-031

Remove existing
30' x 40' building



New 30' x 40' pole barn





UNITED METHODIST
RETIREMENT COMMUNITIES

Received @ 4/17/19
ZBA mtg
C.L.

April 12, 2019

Chelsea Planning Commission:

This letter serves as an endorsement of Warren Apartments plan to expand at 705 West Middle Street in Chelsea. Mr. Von Miller, owner of Warren Apartments recently met with me to review the plans for ten townhouse units on his property, adjacent to our Garden Apartment Homes.

The plans appear to be well conceived with consideration for the privacy and needs of both Chelsea Retirement Community and Warren Apartment residents. The planned landscape improvements will enhance the appearance of Mr. Miller's property as well as the property owned by UMRC (Chelsea Retirement Community).

Mr. Miller shared his expected price point for the new townhouses and the size and layout of the units. I believe additional multi-family housing at this price point is necessary for the continued strength of the workforce in the community. As you know, high quality, reasonably priced housing options in Chelsea are in short supply and Mr. Miller's project helps to alleviate some of the demand. We encourage the city to seek additional, creative ways to meet this need.

Warren Apartments has and continues to be a good neighbor and we welcome Mr. Miller's new project to the community.

Should you have any questions or would like additional information, please feel free to contact me at 734-475-1020 or via email at jthorhauer@umrc.com.

Sincerely,

A handwritten signature in black ink, appearing to read "John Thorhauer".

John Thorhauer
President and Chief Strategy Officer
United Methodist Retirement Communities and Porter Hills
805 West Middle Street
Chelsea, Michigan 48118

Cc: Mr. Von Miller, Owner, Warren Apartments

SIGN IN Sheet

ZBA

4/17/19

<u>NAME</u>	<u>ADDRESS</u>
LaVon Miller	1819 N Lima Center, Dexter
Stephen McLane	699 W. Middle St. Apt. 4, Chelsea
John Thorhauer	725 W Middle st. Apt 22, Chelsea
John Hass	5090 Queen Oaks, Chelsea, MT