

**Zoning Board of Appeals
February 27, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA19-003; 2000 Anderson Court

Summary:

Carmel Gerber, property owner, is requesting a variance from Chapter 55 Unified Development Code (UDC) Section 5.18.5 Averaging an Established Front Building Line and Table 5:17-1 Single-Family Residential Zoning District Dimensions. The petitioner is seeking to construct a new front porch and dormers that will require a 12 foot 10 inch variance and to connect the existing detached garage to the residence which results in a two inch variance.

Background:

The subject property is located north of Anderson Avenue and east of Packard Street. The home was built in 1960 and is approximately 1,820 square feet in size.

Description:

The proposed new porch will be six feet in depth and 41'2" in length across the front facade of the home. The new dormer will be installed above the porch and will be an expansion of the second floor that contains two bedrooms and a bathroom. The connector from the main home and the detached garage will consist of a hallway, closet and stairs leading to the second floor of the home.

Standards for Approval- Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

- (a). *That the practical difficulties are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the City.***

The applicant states that the variance is necessary due to the unique shape of the lot. Additionally, the home was built in 1960 prior to the average front setback regulation being adopted in 1988.

- (b). *That the practical difficulties will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.***

The new porch construction is necessary to replace the existing porch which has a cracked foundation. The porch currently does not meet the required front setback the and the proposed porch will encroach an additional seven inches. The dormers are necessary to provide headroom to the second floor. The additional habitable square footage added is approximately 122 square feet.

- (c). ***That allowing 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 Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.***

The property is located at the back of the cul de sac and the new front porch will be open and unenclosed, therefore, it will not have any adverse or negative impacts on the adjacent properties view shed. The existing home was neglected for decades and the proposed construction will benefit the updated homes in this neighborhood.

- (d). ***That the conditions and circumstances on which the variance request is based shall not be a self- imposed hardship or practical difficulty.***

The variance is not self-imposed as the home is currently nonconforming and encroaches into the required front setback.

- (e). ***A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.***

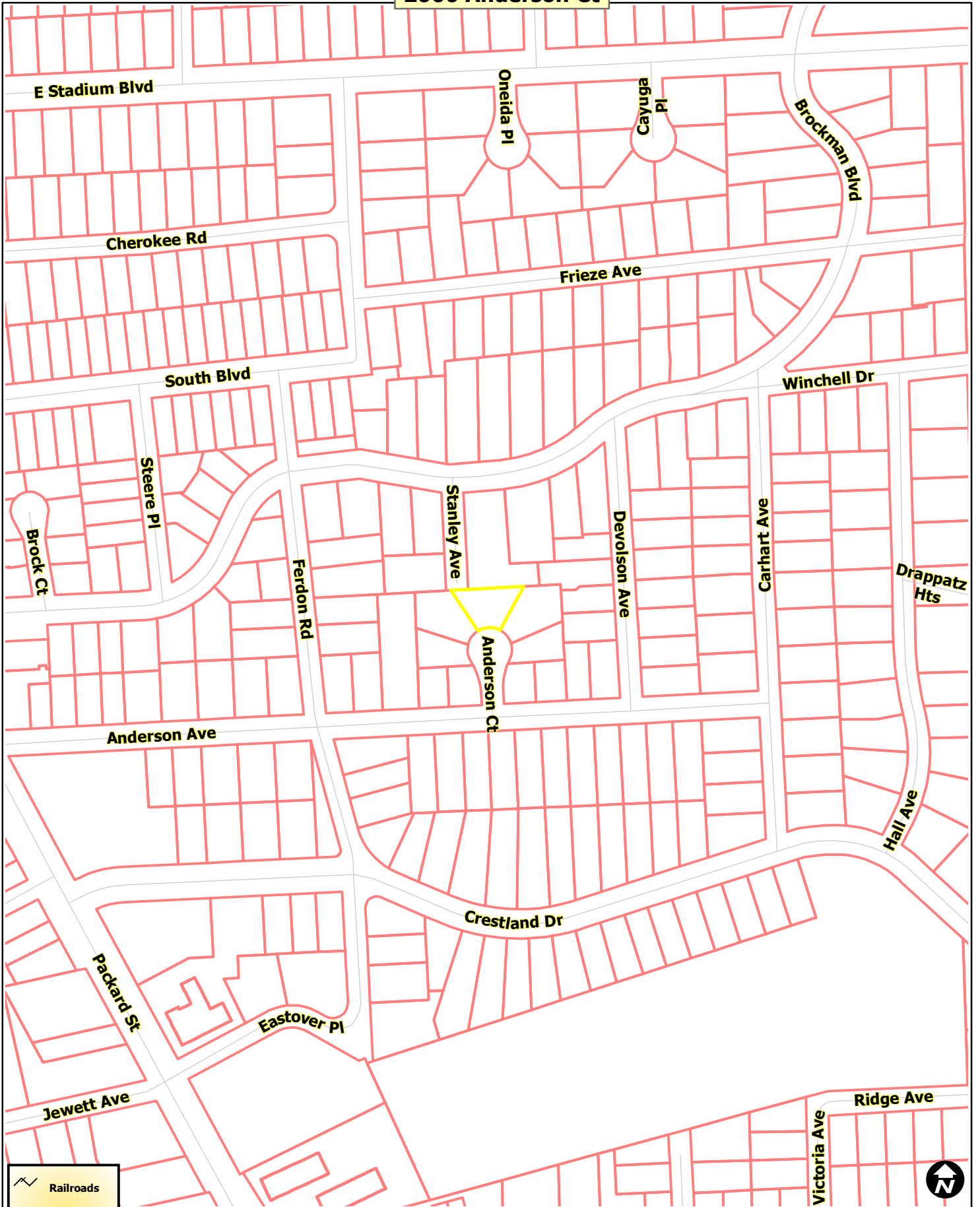
The variance requested is minimal as the existing porch already encroaches into the required front setback and the garage connector request is only two inches.


Respectfully submitted,


A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large loops and a cursive-like flow.


**Jon Barrett
Zoning Coordinator**

2000 Anderson Ct



 Railroads

 Huron River

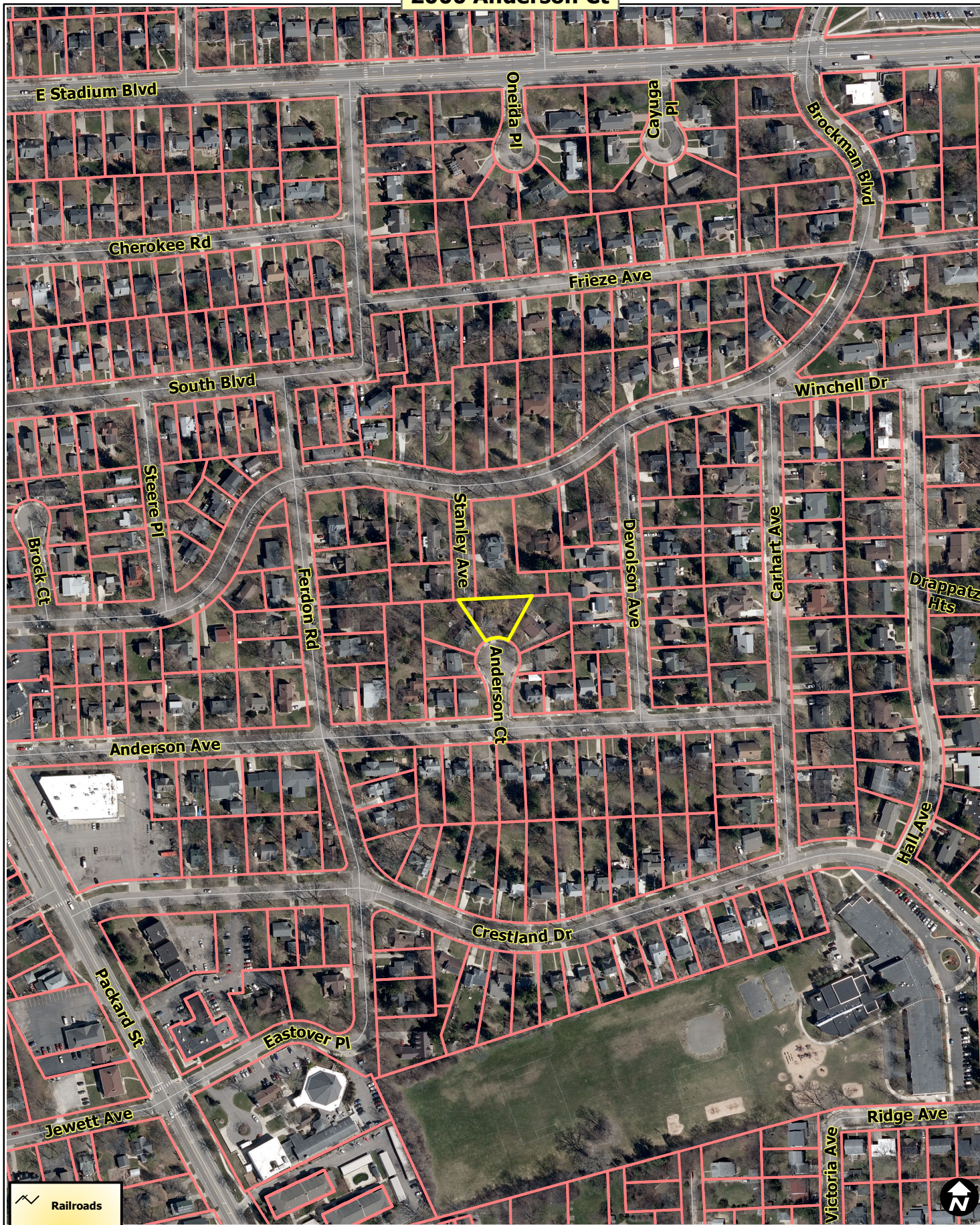
 Tax Parcels



Map date: 2/5/2019
Any aerial imagery is circa 2018
unless otherwise noted
Terms of use: www.a2gov.org/terms

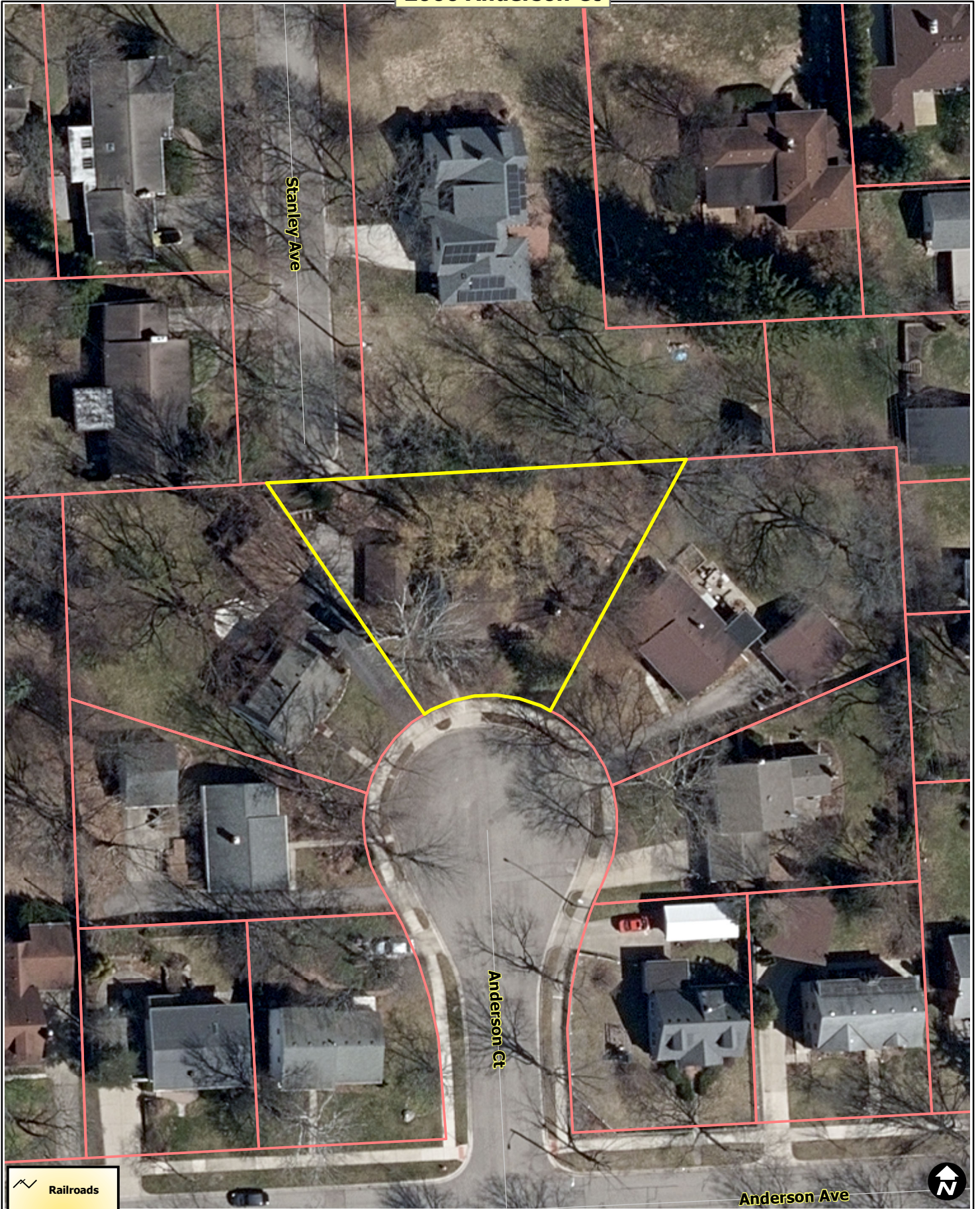





2000 Anderson Ct



Map date: 2/5/2019
Any aerial imagery is circa 2018
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2000 Anderson Ct



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 2/5/2019
Any aerial imagery is circa 2018
unless otherwise noted
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ZONING BOARD OF APPEALS APPLICATION


City of Ann Arbor Planning Services

City Hall: 301 E Huron Street Ann Arbor, MI 48107-8647

Phone: 734-794-6265 Fax: 734-794-8460 Email: planning@a2gov.org

ZBA19-003 FEB 01 2019

PLANNING & DEVELOPMENT SERVICES

PROPERTY INFORMATION			
ADDRESS OF PROPERTY 2000 Anderson Court		ZIP CODE 48104	
ZONING CLASSIFICATION R1C	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided Carmel Gerber		
PARCEL NUMBER 09-12-04-107-010	OWNER EMAIL ADDRESS carmelg@gmail.com		
APPLICANT INFORMATION			
NAME Carmel Gerber			
ADDRESS 3060 Overridge	CITY Ann Arbor	STATE MI	ZIP CODE 48104
EMAIL carmelg@gmail.com		PHONE 415-361-2355	
APPLICANT'S RELATIONSHIP TO PROPERTY Owner			
REQUEST INFORMATION			
<input checked="" type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application		<input checked="" type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application	
REQUIRED MATERIALS		OFFICE USE ONLY	
<p>One hard copy application complete with all required attachments must be submitted. Digital copies of supportive materials included in the submitted hard copy will only be accepted in PDF format by email or accompanying the hard copy application on a USB flash drive.</p> <p>Required Attachments:</p> <p><input type="checkbox"/> Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property.</p> <p><input type="checkbox"/> Building floor plans showing interior rooms, including dimensions.</p> <p><input type="checkbox"/> Photographs of the property and any existing buildings involved in the request.</p>		Fee Paid: \$500 ZBA: 19-003 DATE STAMP	
ACKNOWLEDGEMENT			
<p>All information and materials submitted with this application are true and correct.</p> <p>Permission is granted to City of Ann Arbor Planning Services and members of the Zoning Board of Appeals to access the subject property for the purpose of reviewing the variance request.</p> <p>Property Owner Signature: <u></u> Date: <u>2/1/19</u></p>			

Section 1 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

VARIANCE REQUEST	
ARTICLE(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Article 3, Section 5.26) SECTION 5.18.5 AVERAGING AN ESTABLISHED FRONT BLDG. LINE TABLE 5:17-1 REQ. D SIDE SETBACK	
REQUIRED DIMENSION: (Example: 40' front setback) Feet: 31 Inches: 10 front setback	PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback) Feet: 21 19 Inches: 7 front setback
DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE: <p>The scope of work for the project includes replacing the existing cracked concrete front porch, adding dormers at the front, and connecting the garage to the house. The house was built in 1960 prior to the new setback code of 1988. Necessary repair and updates will be approximately within the same foot print and bring the house up to the same standard of quality as the neighborhood.</p> <hr/> <p>The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:29. A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when all of the following statements are found to be true. Please provide a complete response to each of the statements below.</p> <p>The alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the city. The house was built before the district set back was put in place, so I'm being held to a higher standard. I am trying to beautify the property, but it is difficult given the awkward shaped lot.</p> <hr/> <p>The alleged hardships are practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both. The house is already within the new setback code by 13 feet 3 inches. The requested work is necessary to give access to the home. I am requesting to replace the existing cracked front porch with one that extends an additional 7 inches toward the street and stretches along the front of the house. The dormers provide necessary headroom on the 2nd floor. The additional square footage is 122.75.</p> <hr/> <p>Allowing 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 board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance. The house was neglected for decades, is a blight on the neighborhood and is not in keeping with the other updated, houses in the neighborhood. The porch will be open. The dormers will not extend beyond the current house footprint. Neither will affect the neighbors' view shed.</p> <hr/> <p>The conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty. The variance request is not self-imposed as the existing house and the concrete front porch (which needs to be replaced) are already located in the current setback. The house and porch already violates the new setback code by 13 feet, 3 inches.</p> <hr/> <p>A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure. The variance being requested is the minimum necessary to allow for entry into the house, bring the structure to the standard of the neighborhood and allow for adequate habitable space on the second floor. The dormer will not extend beyond the current footprint of the house and will not affect the neighbors view shed.</p>	

SKETCH OF SURVEY

"UNIVERSITY HEIGHTS"
(L. 2, P. 45)

C/L 4" WOOD
POST 0.3' N.
OF CORNER

N90°00'00"E

170.18'

80.00'

"EASTOVER PLACE SUB'N"
(L. 11, P. 54)

114.49'
S34°04'33"W

114.37'
N33°58'54"W

4.83'

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DIMENSIONS ARE TO
EXTERIOR SIDING OF
BUILDINGS



ANDERSON CT.
(VARIABLE WIDTH, PUBLIC)

R=50.00
L=43.47
Δ=49°48'27"
LCB=N90°00'00"W
LC=42.11



[Handwritten Signature]

ANDERSON AVE.

LOT 7, "EASTOVER PLACE SUBDIVISION" ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 11 OF PLATS, PAGE 54, WASHTENAW COUNTY RECORDS.

CLIENT: GERBER

BOUNDARY SURVEY
OF A PARCEL OF LAND
IN THE NE 1/4 OF
SECTION 4, T3S, R6E
CITY OF ANN ARBOR,
WASHTENAW COUNTY,
STATE OF MICHIGAN.

LEGEND:	
	SECTION CORNER
	FOUND IRON PIPE
	FOUND IRON ROD
	FOUND MAG NAIL
	FOUND MONUMENT
	SET IRON PIPE
	SET WOOD LATH
(R)	RECORDED
(C)	CALCULATED

**Arbor Land
Consultants, Inc.**
Professional Land
Surveyors



2936 S. Madrono
Ann Arbor, MI 48103
(734) 669-2960
Fax 669-2961

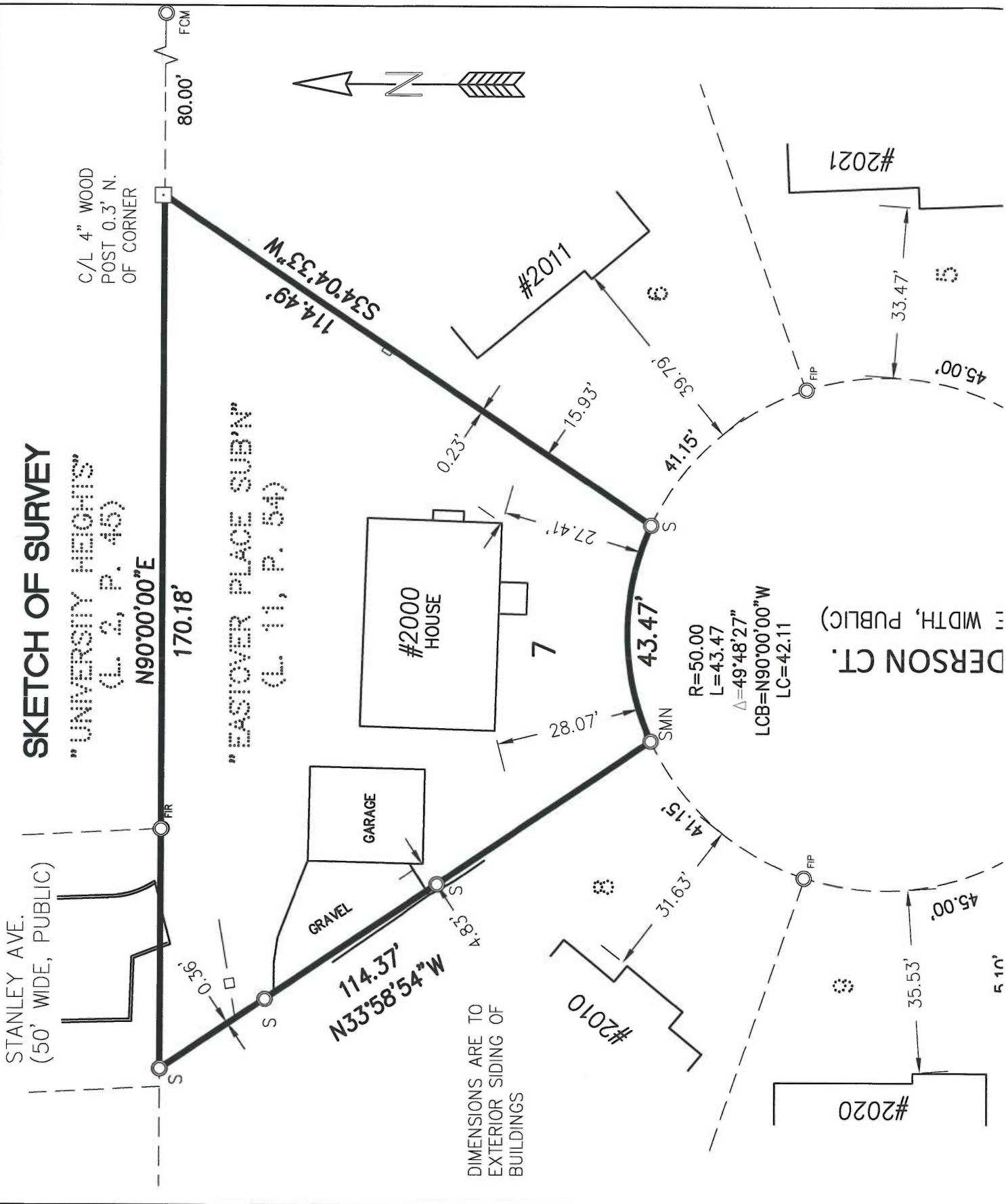
www.arborlandinc.com

JOB NO.: 00519	DATE: 1-9-2019
FLD. BOOK: -	REVISED: -
SHEET 1 OF 1	BY: KJG

SCALE: 1" = 30'



SKETCH OF SURVEY



C/L 4" WOOD POST 0.3' N. OF CORNER

N90°00'00"E
170.18'

"EASTOVER PLACE SUB'N"
(L 11, P. 54)

114.37'
N33°58'54"W

114.49'
S34°04'33"W

GARAGE

#2000 HOUSE

DIMENSIONS ARE TO EXTERIOR SIDING OF BUILDINGS

R=50.00
L=43.47
 $\Delta=49^{\circ}48'27''$
LCB=N90°00'00"W
LC=42.11

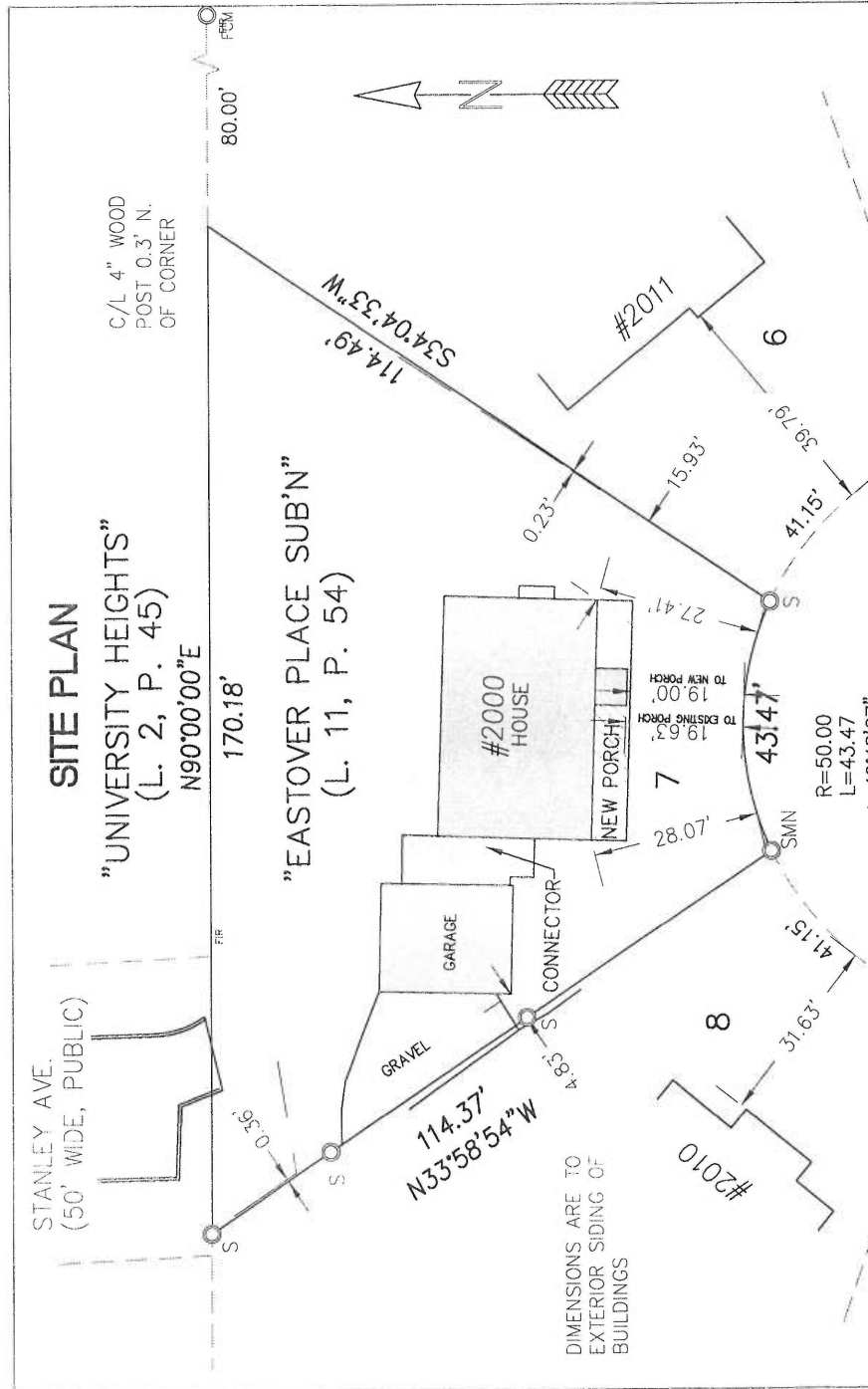
DERSON CT.
5' WIDTH, PUBLIC

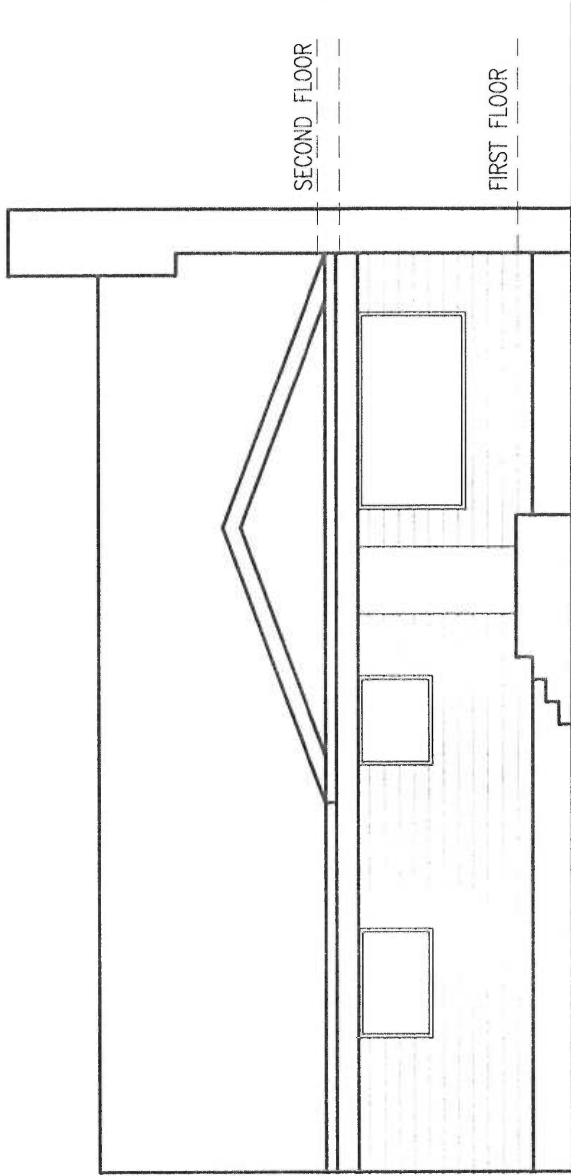
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#2020

#2010

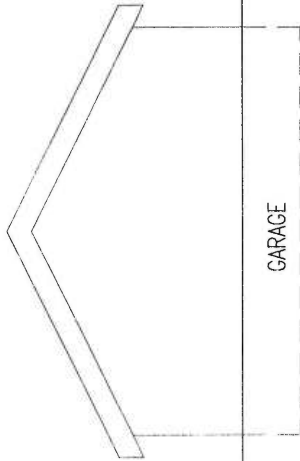


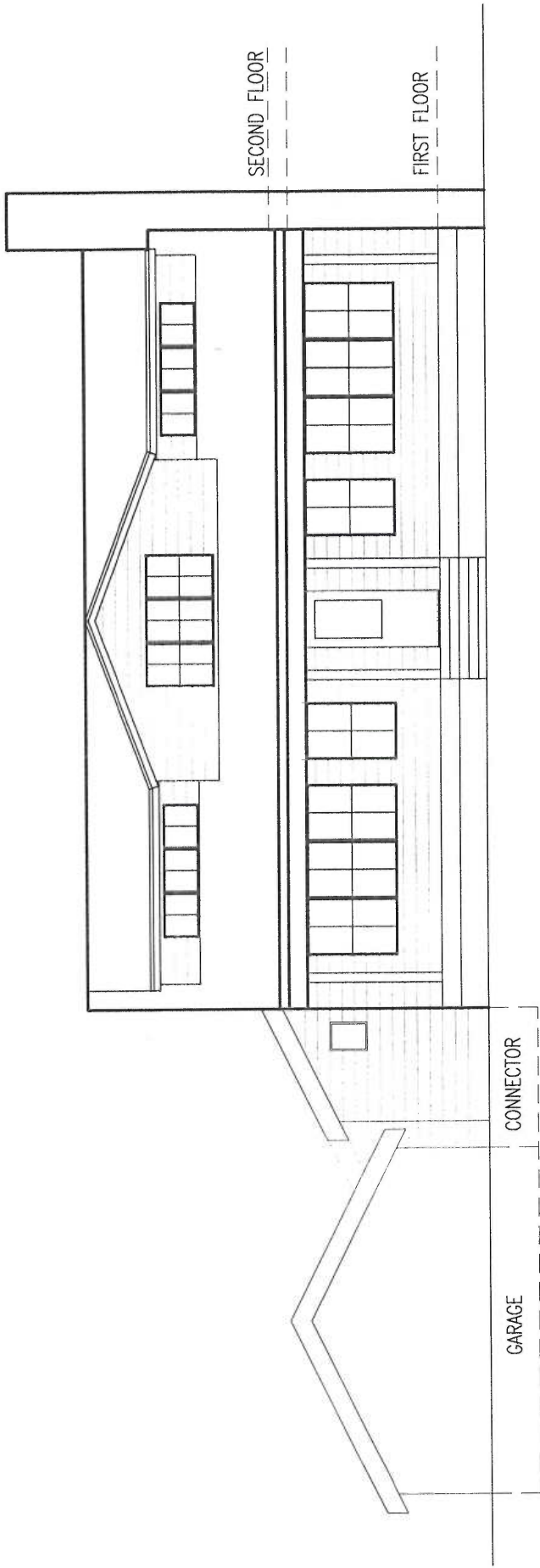




Existing South Elevation

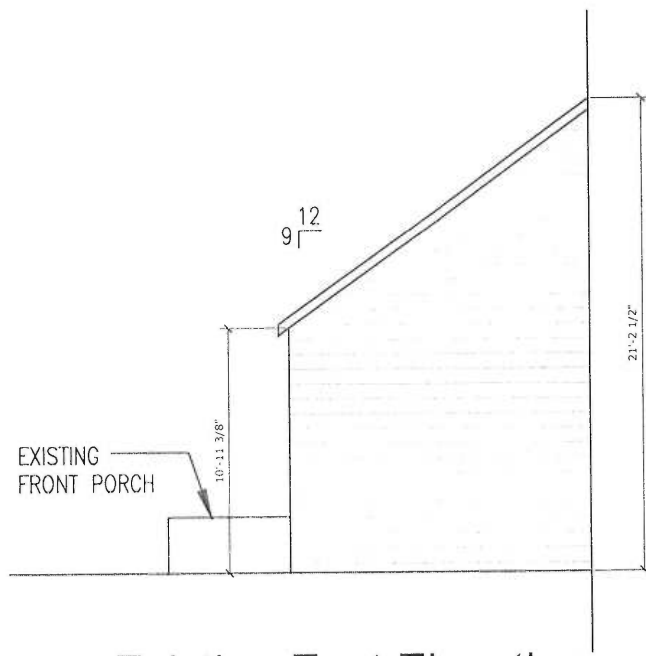
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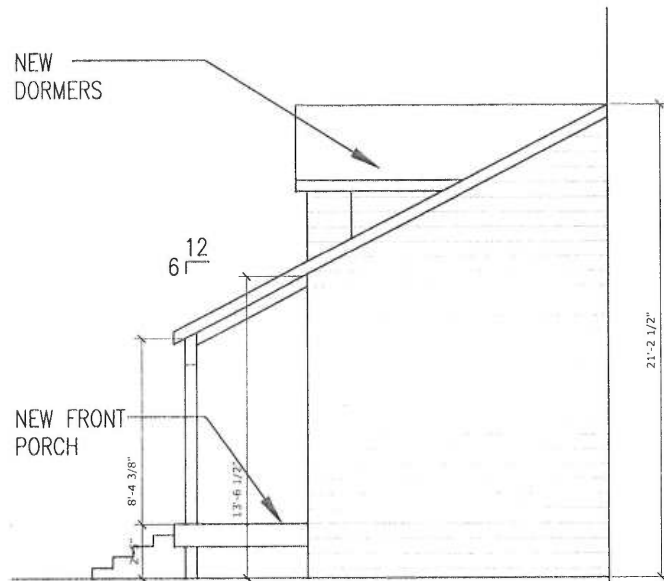
Proposed South Elevation

SCALE : 1/8" = 1'-0"



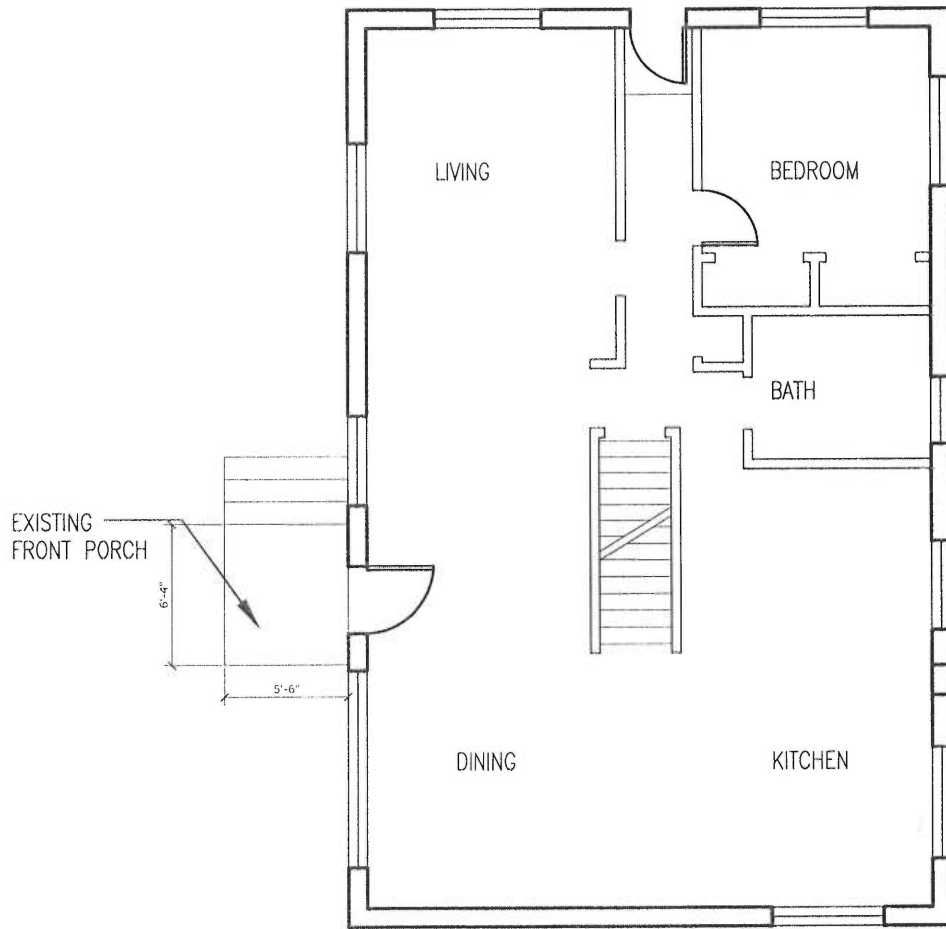
Existing East Elevation

SCALE : 1/8" = 1'-0"



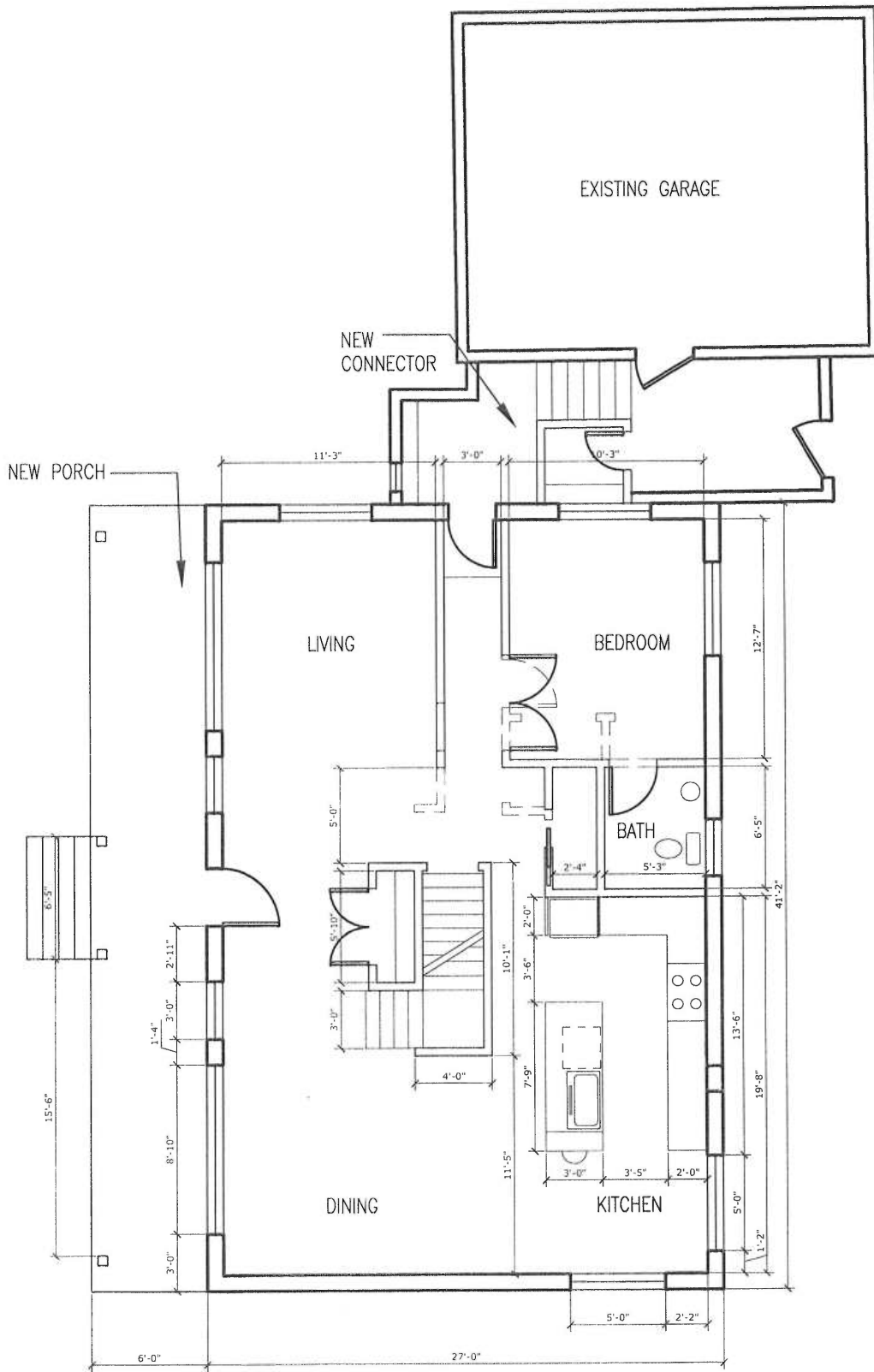
Proposed East Elevation

SCALE : 1/8" = 1'-0"



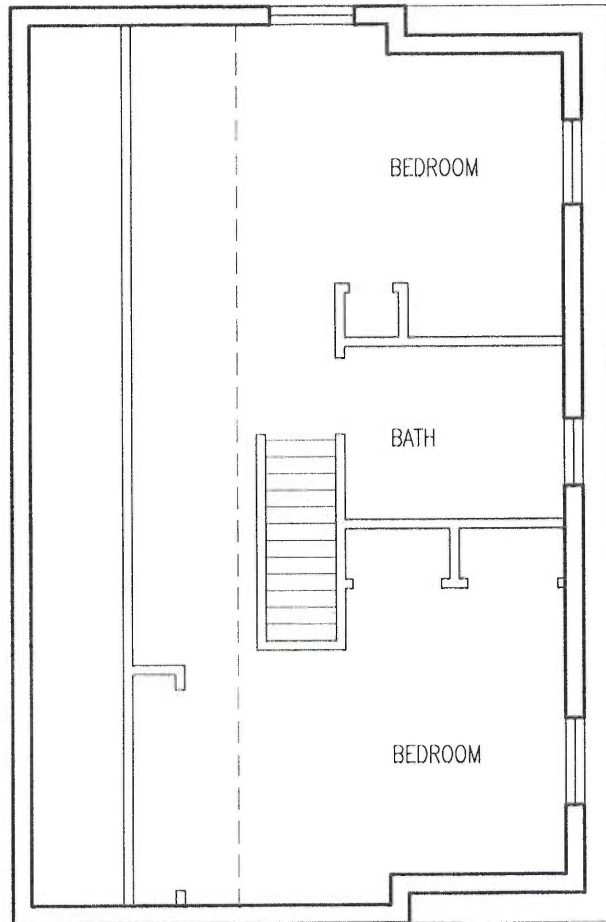
Existing First Floor Plan

SCALE : 1/8" = 1'-0"



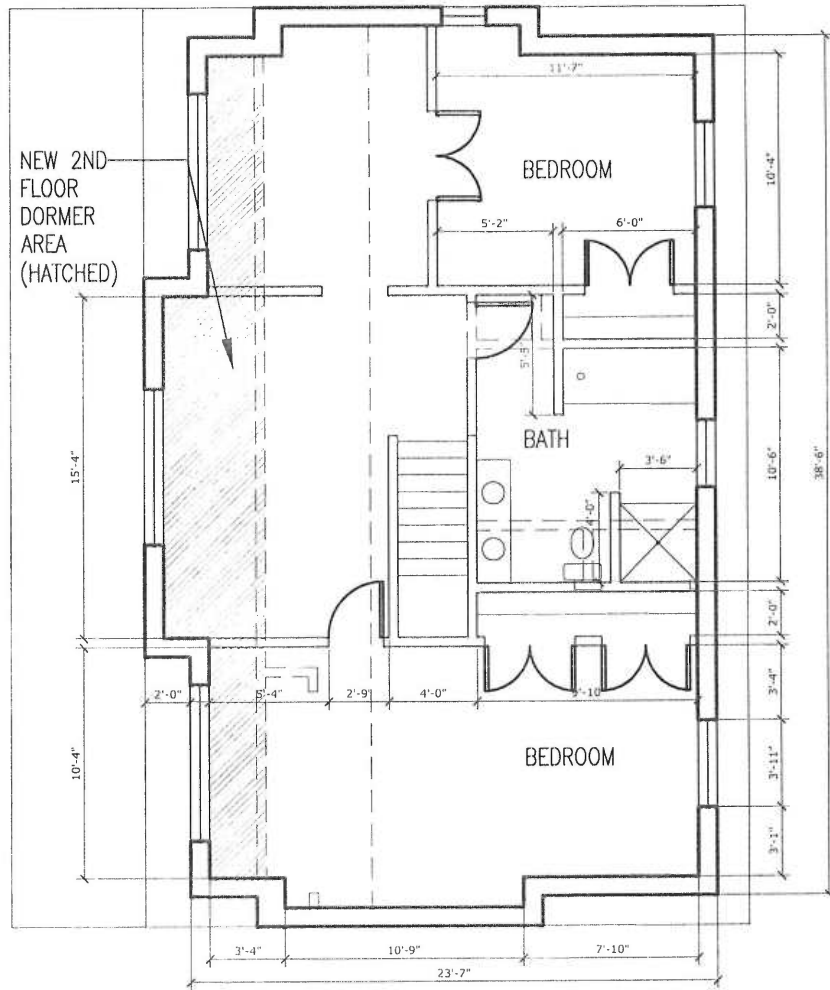
Proposed First Floor Plan

SCALE : 1/8" = 1'-0"



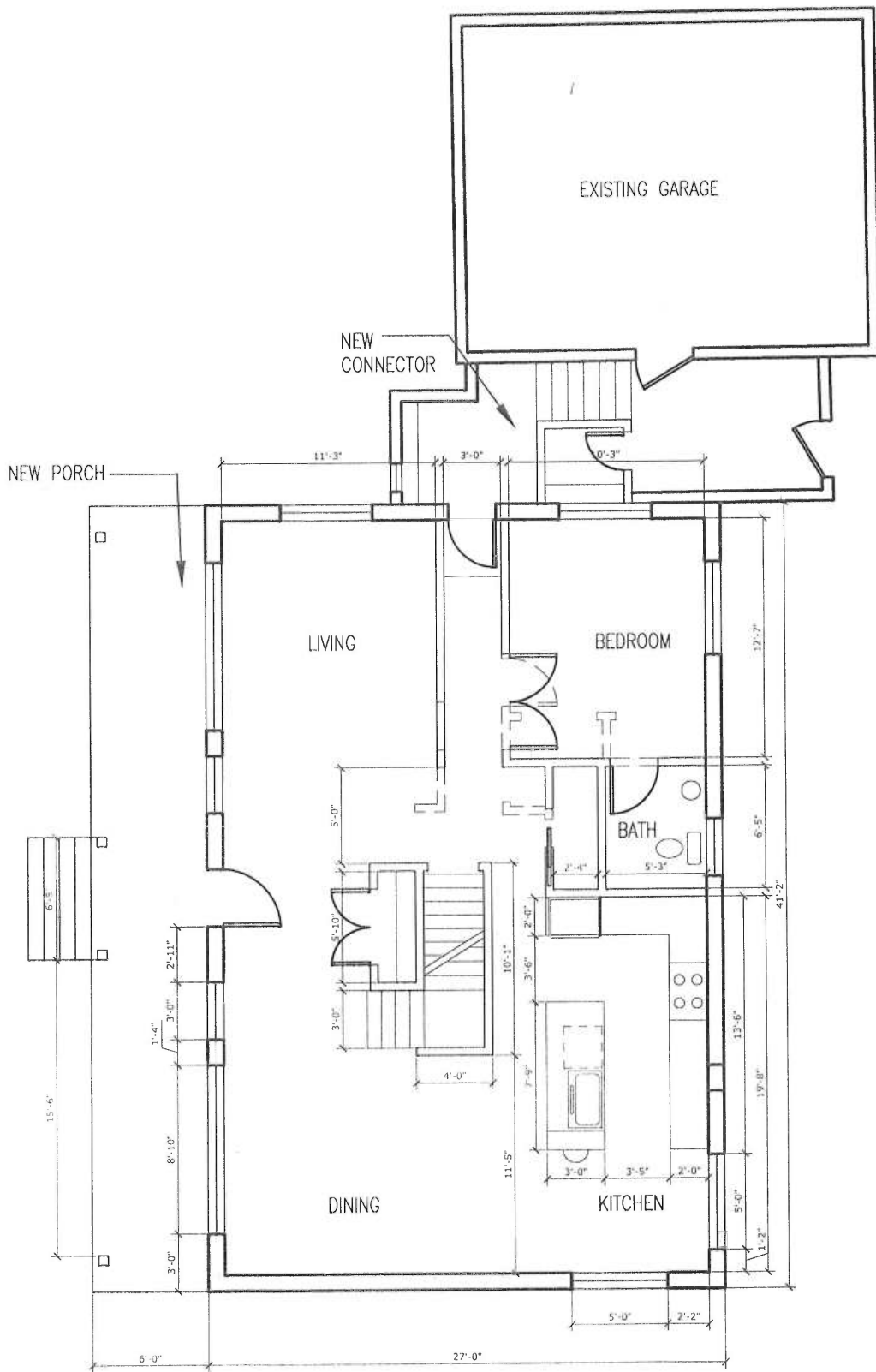
Existing Second Floor Plan

SCALE : 1/8" = 1'-0"



Proposed Second Floor Plan

SCALE : 1/8" = 1'-0"



Proposed First Floor Plan

SCALE : 1/8" = 1'-0"













