

**Zoning Board of Appeals
December 19, 2012 Regular Meeting**

STAFF REPORT

Subject: ZBA12-022, 501 Manor

Summary: Robert D. Carroll is requesting one variance from Chapter 55 Section 5:28 (R1C Single-Family) of 3 feet from the side setback of 5 feet to permit construction of a carport addition 2 feet from the side property line.

Description and Discussion:

The subject parcel is located at 501 Manor, just west of Pontiac Trail. The parcel is zoned R1C (Single-Family Residential). The house was built in 1964 and is 920 square feet in floor area. The house does not have a garage or carport.

The request is discussed in detail below:

The petitioner is proposing to construct a 9 by 18 foot, 162 square foot carport. The carport will be 9 feet tall attached to the house on one side, and will be enclosed on the rear and other side adjacent to the property line. The structure will be supported by 4 posts at the corners. It will not extend farther into the front setback than the existing house. The carport will provide cover to the side door of the house.

According to Chapter 55, 5:59, a carport is an accessory building and is not permitted within the required side open space. The proposed carport will extend 9 feet from the side of the house and will result in a two foot side setback, requiring a variance of three feet from the site setback requirement of 5 feet. There is 11 feet between the house and the side property line.

Standards for Approval- Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

- (a). *That 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 parcel is .18 acre (7,622 sq ft) and 60 feet wide by approximately 120 feet deep. The parcel is a conforming R1C lot for both lot width required (60 feet) and lot area required (7,200 square feet). There is an approximately 8 foot decrease in elevation from the front yard to the rear.

- (b). That the alleged hardships or 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 variance is being requested for construction of an attached carport on the side of the existing house. If the variance is not granted, the carport could be constructed to a maximum of 6 feet wide at the proposed location. There is no covered parking area on the parcel.

- (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 proposed carport structure will place two posts and a solid wall two feet from the side property line. According to the Michigan Residential Building code the wall running parallel to the property line is required to have a 1 hour fire rating in order to protect adjacent structures. Similar structures exist in the neighborhood, but the side setback distances cannot be verified by staff. The carport may also allow vehicles and solid waste containers to be screened from adjacent neighbors.

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

The placement of the existing house and the side entrance limit the area available to construct a carport in the side yard. In addition, the slope of the parcel to the rear would require significant grading modifications to construct a structure in the rear yard. The house has historically been used without the benefit of a carport or covered parking/storage area.

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

The requested variance is minimal in area and dimensions however, it would place a structure wall 2 feet from the side property line. The requested size of 9 feet by 18 feet is the size of a standard parking space required by code. This size permits minimal area for covered ingress and egress from a vehicle. In addition, Chapter 55, Section 5:54(c) does permit certain architectural features such as eaves to project two feet into the required open space. The petitioner is

Zoning Board of Appeals
Variance
December 19, 2012 - Page 3

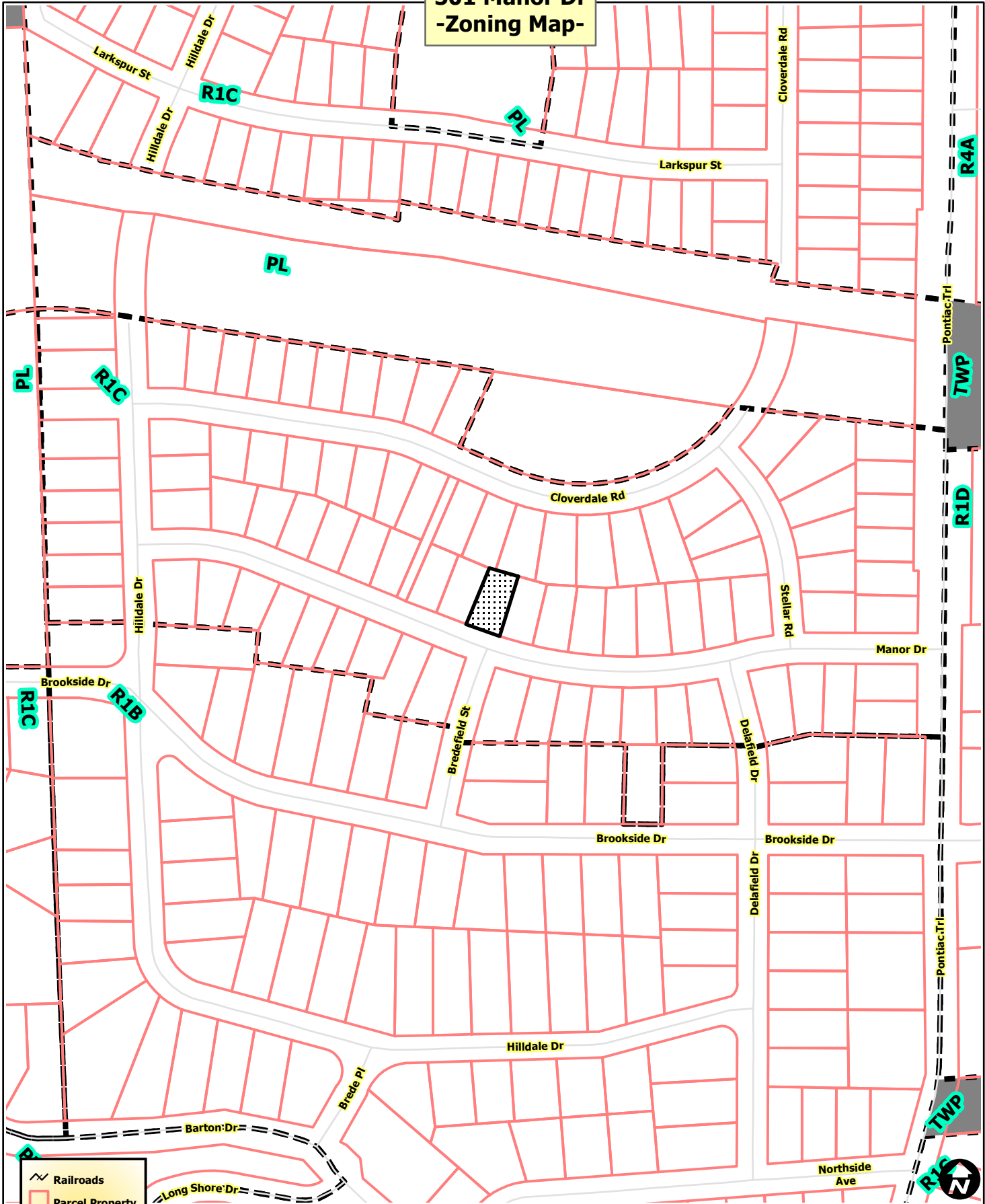
requesting 3 foot variance from the five foot side setback requirement in order to allow placement of the walls and posts within the required side setback.





Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Kowalski', written in a cursive style.

Matthew J. Kowalski, AICP
City Planner

501 Manor Dr -Zoning Map-

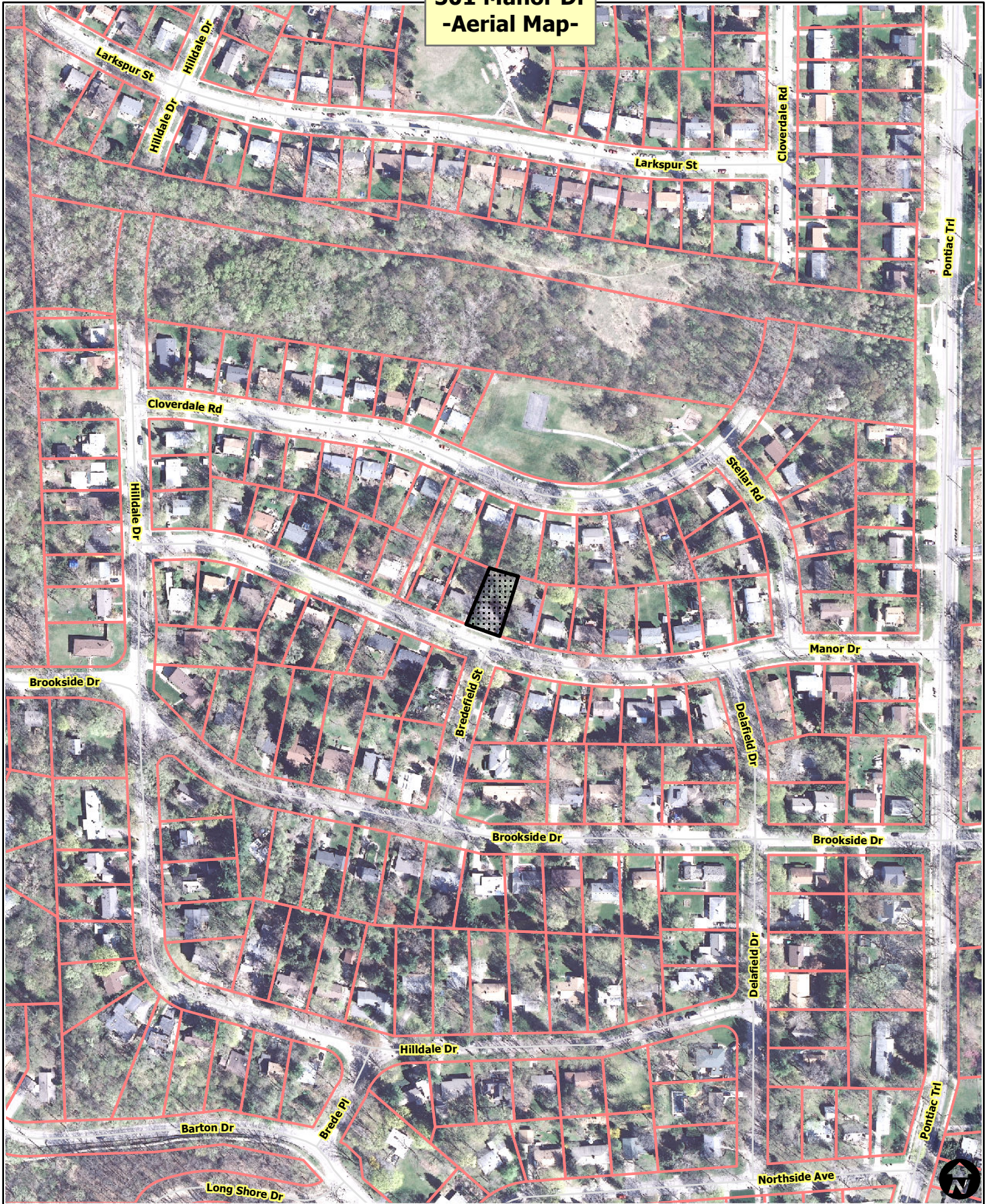


-  Railroads
-  Parcel Property
- Zoning**
-  Township
-  Zoning



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 Map Created: 11/28/2012

501 Manor Dr -Aerial Map-

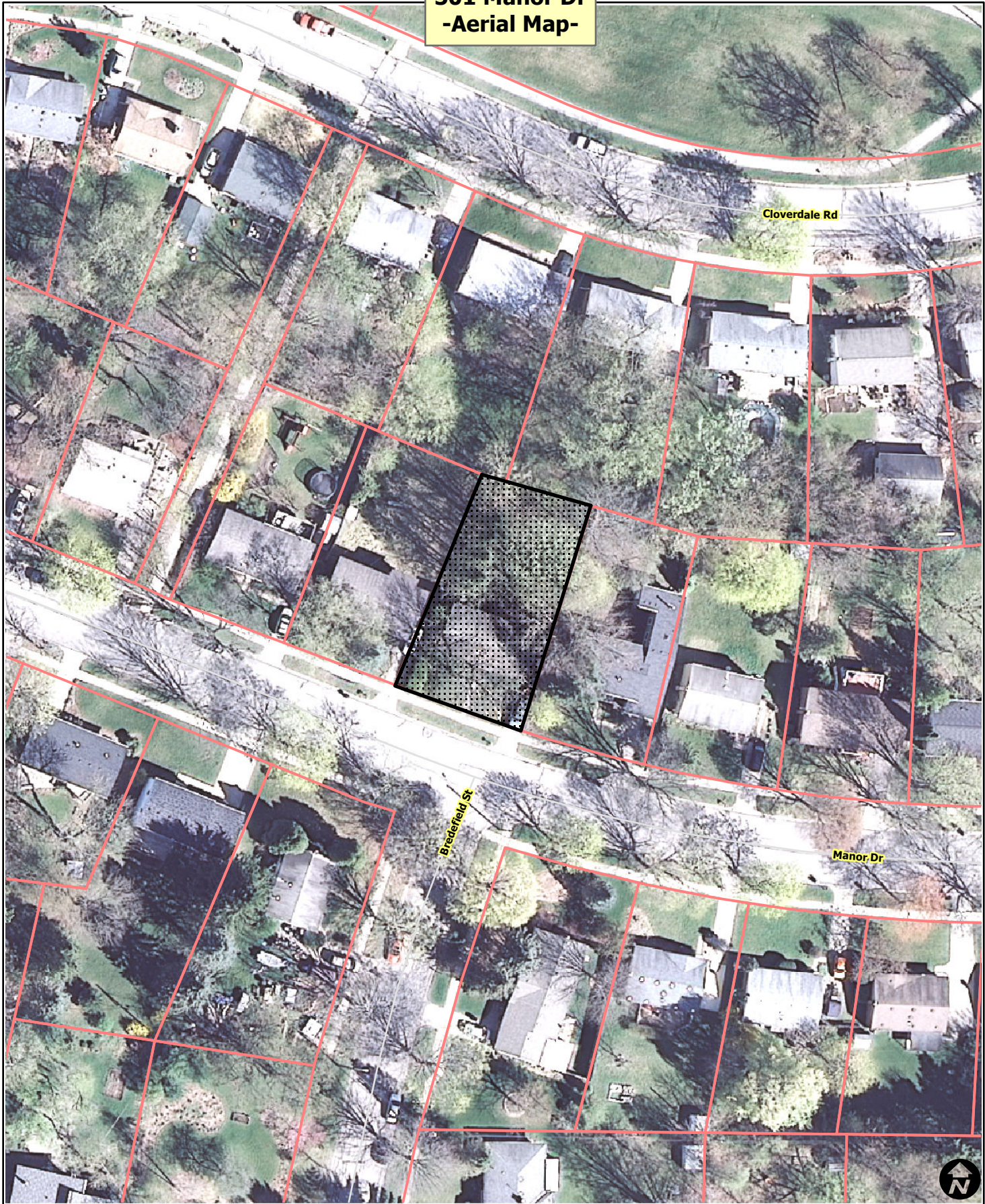


-  Railroads
-  Parcel Property



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501 Manor Dr -Aerial Map-



-  Railroads
-  Parcel Property



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Map Created: 11/28/2012

2 BA 17-022

**APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS**

Section 1: Applicant Information

Name of Applicant: ROBERT D. CARROLL
Address of Applicant: 314 N HARRIS, SALINE, MI 48176
Daytime Phone: 734 972 8933
Fax: 734 761 6767
Email: CARROLL.DAN@SBCGLOBAL.NET
Applicant's Relationship to Property: OWNER

Section 2: Property Information

Address of Property: 501 MANOR, ANN ARBOR, MI
Zoning Classification: RIC
Tax ID# (if known): 090916309009
*Name of Property Owner: _____

**If different than applicant, a letter of authorization from the property owner must be provided.*

Section 3: Request Information

Variance

Chapter(s) and Section(s) from which a variance is requested:

ARTICLE III SECTION 5:24

Required dimension: PROPOSED dimension:

5' FROM PROPERTY LINE 2' FROM PROPERTY LINE

Example: Chapter 55, Section 5:26

Example: 40' front setback

Example: 32'

Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)

STAYING WITHIN THE ORDINANCE DIMENSION WOULD NOT ALLOW BUILDING THE CARPORT

Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:98. 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 is found **TRUE**. Please provide a complete response to each item below. These responses, together with the required materials in Section 5 of this application, will form the basis for evaluation of the request by staff and the Zoning Board of Appeals. (continued...)

1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

THE ORDINANCE PREVENTS THE BUILDING OF A CARPORT ON THE PROPERTY. THIS STRUCTURE WILL SHELTER THE FAMILY MEMBERS WHILE EXITING THEIR CAR AND PROTECT THE CAR IN BAD WEATHER

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)

CAR PORTS AND/OR GARAGES ARE VERY, VERY COMMON IN ANN ARBOR AND GENERALLY CONSIDERED A NECESSITY

3. What effect will granting the variance have on the neighboring properties?

NONE - CAR PORTS ARE COMMON - SEE PHOTO'S

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

THE BACK YARD IS 10 FEET LOWER THAN THE DRIVEWAY PREVENTING A GARAGE FROM BEING BUILT THERE.

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

THERE AT THE TIME OF PURCHASE

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property SINGLE FAMILY HOME

The proposed change is allowed in accordance with Structure Non-Conformance, Section 5:87 (1) (a) & (b), which reads as follows:

- (1) A non-conforming structure may be maintained or restored, but no alteration shall be made to a non-conforming structure unless one of the following conditions is met:
 - a. The alteration is approved by the Zoning Board of Appeals upon finding that it complies as nearly as practicable with the requirements of this Chapter and that it will not have a detrimental effect on neighboring property.
 - b. The alteration conforms to all the requirements of this Chapter and is made to a building which will be a single-family dwelling on completion of the alteration and is located in an R1, R2, R3, or R4 district.
 - c. The structure is considered non-conforming due to the following reasons

(continued)

Existing Condition

Code Requirement

Lot area 0.13 AC

Lot width 63 FEET

Floor area ratio _____

Open space ratio _____

Setbacks _____

Parking _____

Landscaping _____

Other _____

Describe the proposed alterations and state why you are requesting this approval:

ADD A CARPORT TO THE ^{EAST} SIDE OF THE HOUSE 9' IN WIDTH
WHICH WOULD BE 2.0' FROM PROPERTY LINE

The alteration complies as nearly as is practicable with the requirements of the Chapter and will not have a detrimental effect on neighboring property for the following reasons:

OTHER HOUSES HAVE SIMILAR CARPORTS, GARAGE
CANNOT BE BUILT IN BACK BECAUSE OF DROD OFF

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit

CARPORT TO BE
BUILT

Section 6: Required Materials

The following materials are required for all variance requests. Failure to provide these materials will result in an incomplete application and will delay staff review and Zoning Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application.

All materials must be provided on 8 1/2" by 11" sheets. (Continued.....)

- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.

Section 7: Acknowledgement

SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Ann Arbor City Code for the stated reasons, in accordance with the materials attached hereto.

734 972 8933

Phone Number

CARROLL.DAN@SBCGLOBAL.NET

Email Address

Robert D. Carroll

Signature

ROBERT D. CARROLL

Print Name

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.

Robert D. Carroll

Signature

Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

Robert D. Carroll

Signature

I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that **staff does not remind the petitioner of the meeting date and times.**

Robert D. Carroll

Signature

On this 9 day of NOVEMBER, 2012, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

CYNTHIA J WENTWORTH
 NOTARY PUBLIC - STATE OF MICHIGAN
 COUNTY OF WASHTENAW
 My Commission Expires Dec. 13, 2018

Notary Public in and for the County of Washtenaw State of Michigan

Cynthia J Wentworth

Notary Public Signature

Cynthia J Wentworth

Print Name

Staff Use Only

Date Submitted: _____

Fee Paid: _____

File No.: _____

Date of Public Hearing _____

Pre-filing Staff Reviewer & Date _____

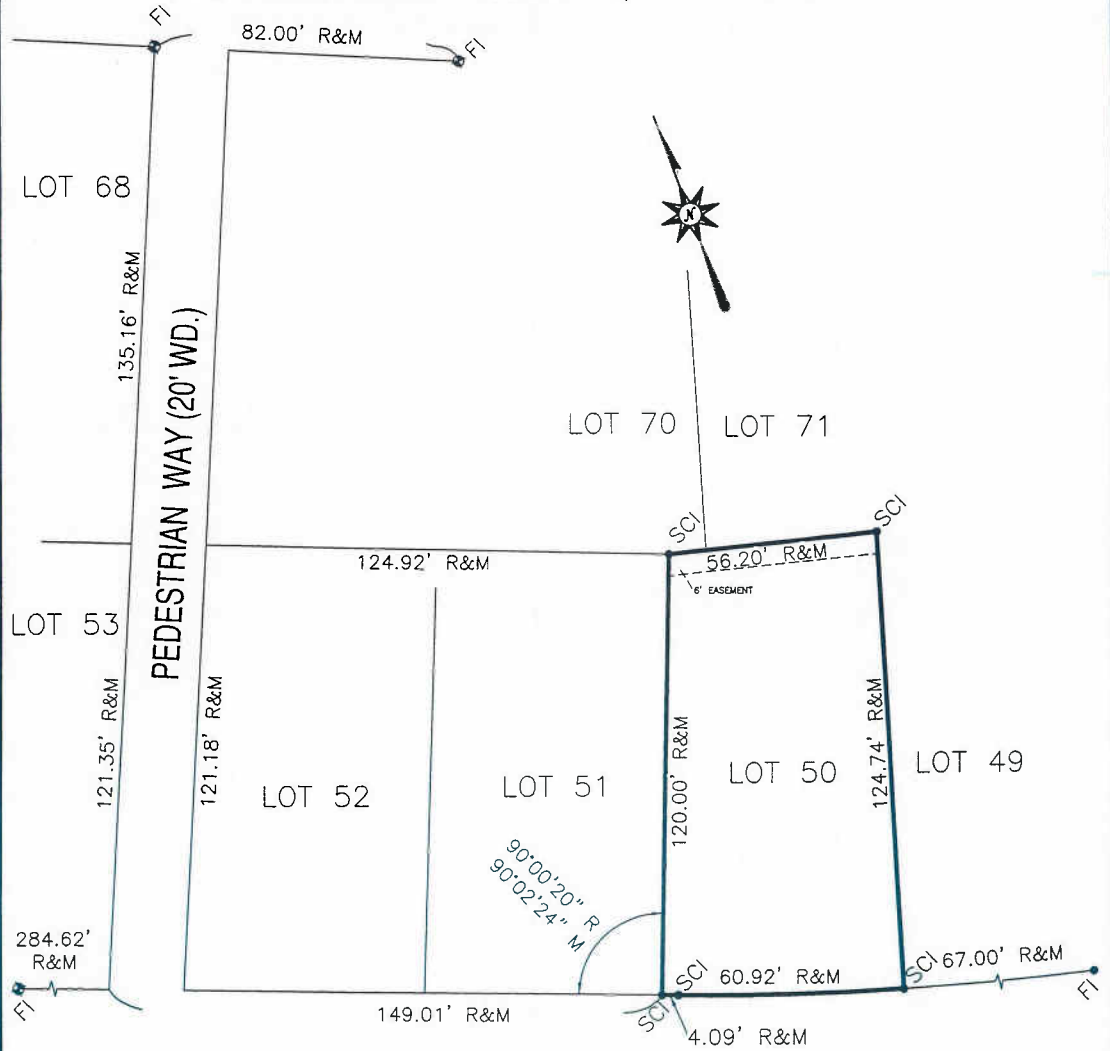
ZBA Action: _____

Pre-Filing Review: _____

Staff Reviewer & Date: _____

CERTIFICATE OF SURVEY

CLOVERDALE ROAD (60' WD.)



MANOR DRIVE (60' WD.)

LEGAL DESCRIPTION

LOT 50 OF HURON HIGHLANDS A SUBDIVISION OF PART OF THE SW 1/4 OF SECTION 16, T. 2 S., R. 6 E., CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN AS RECORDED IN LIBER 15 OF PLATS, PAGES 34 AND 35, WASHTENAW COUNTY RECORDS.

LEGEND

RECORDED	R.
MEASURED	M.
PRORATED	P.
CALCULATED	C.
SET CAPPED IRON	SCI
FOUND IRON	FI
FOUND CONC MON	FCM



SURVEYOR'S CERTIFICATE

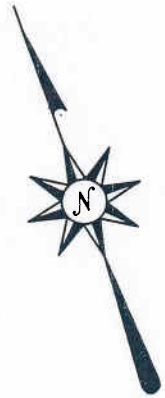
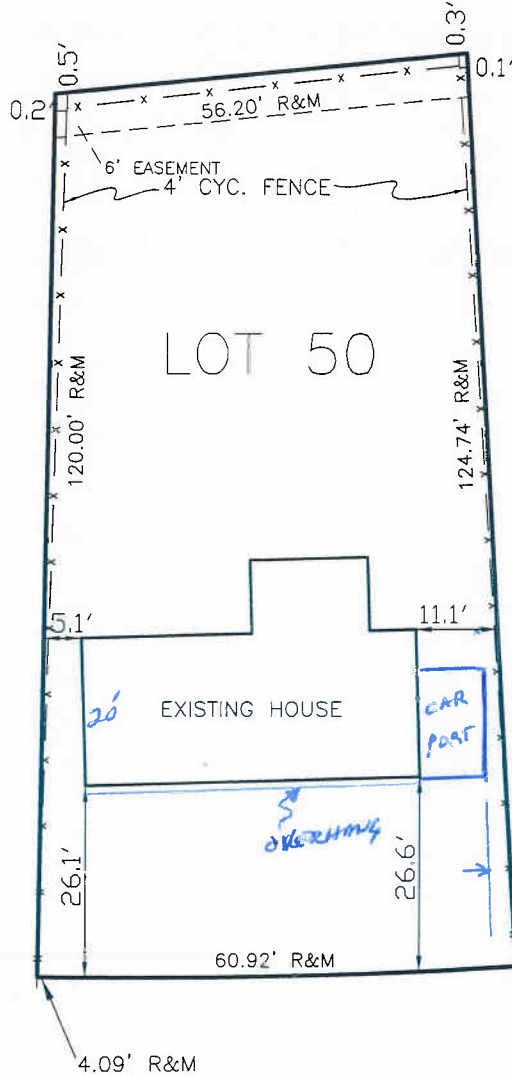
I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 11/26/12 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.

Greg L. Ash
 GREG L. ASH, P.L.S. #28400

	8495 NORTH TERRITORIAL RD. PLYMOUTH, MI 48170 PHONE: (734) 416-9650 FAX: (734) 416-9657 www.glasurveyor.com	CLIENT: DAN CARROLL 501 MANOR DRIVE ANN ARBOR, MI 48105
	DATE: 11/27/12 JOB NO.: 3300-0050 FILE NO.: 3300-0050	SCALE: 1" = 40'

DRAWN BY:
 GLA

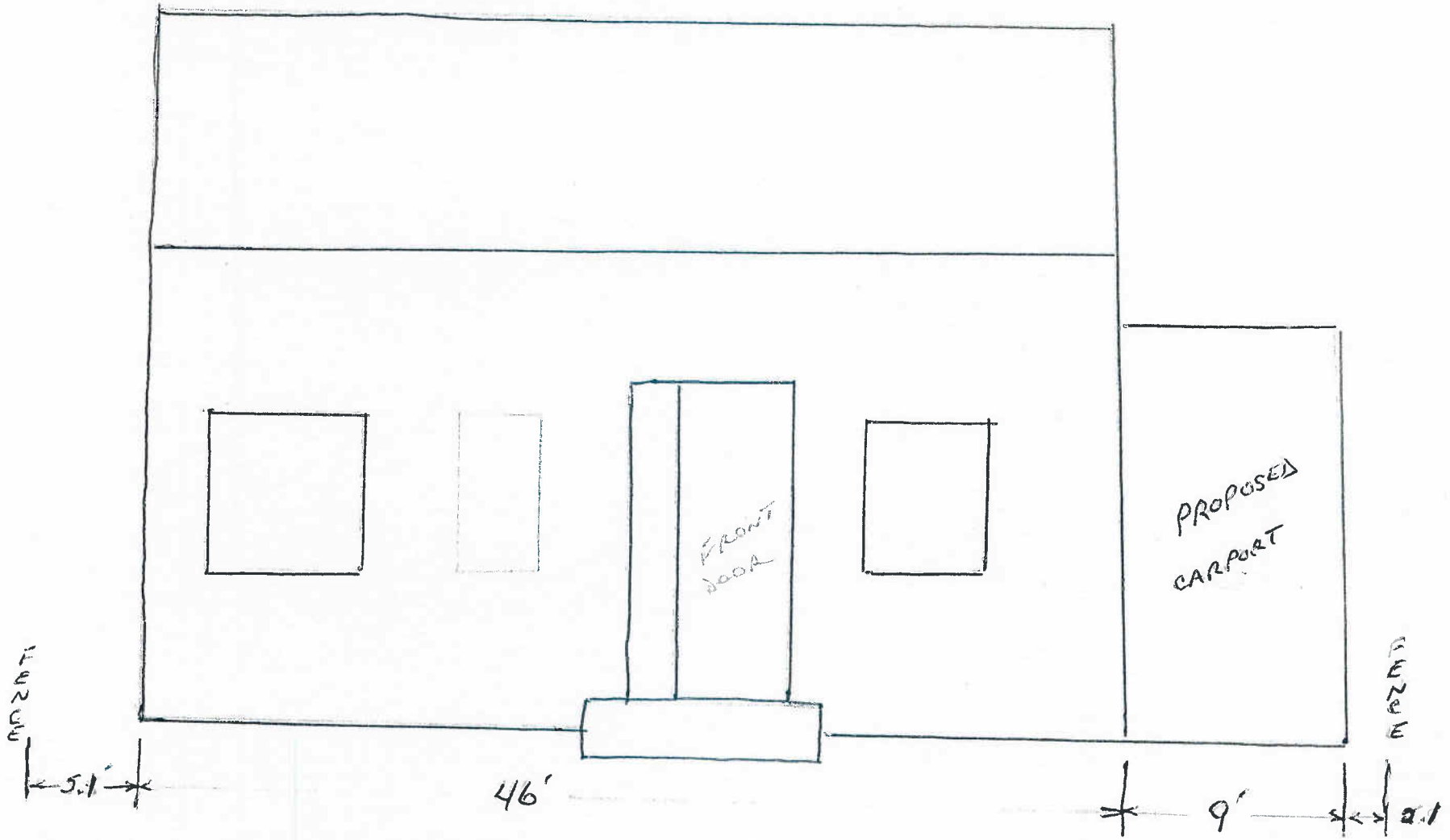
HOUSE LOCATION



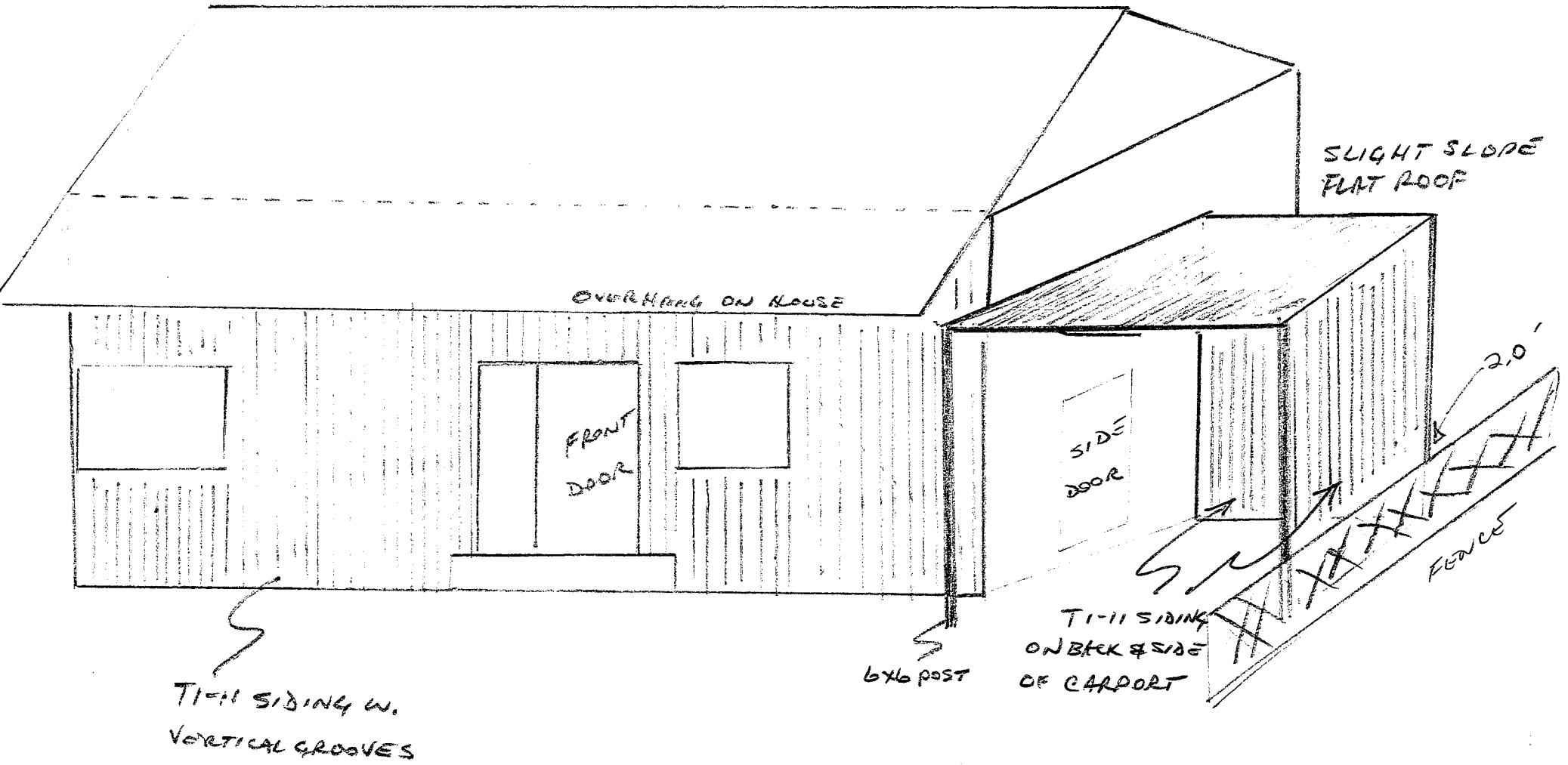
MANOR DRIVE (60' WD.)

 GLA SURVEYORS & ENGINEERS	8495 NORTH TERRITORIAL RD. PLYMOUTH, MI 48170 PHONE: (734) 416-9650 FAX: (734) 416-9657 www.glasurveyor.com	CLIENT: DAN CARROLL 501 MANOR DRIVE ANN ARBOR, MI 48105	
	DATE: 11/27/12 JOB NO.: 3300-0050 FILE NO.: 3300-0050	SCALE: 1" = 20' 	SHEET: 2 OF 2

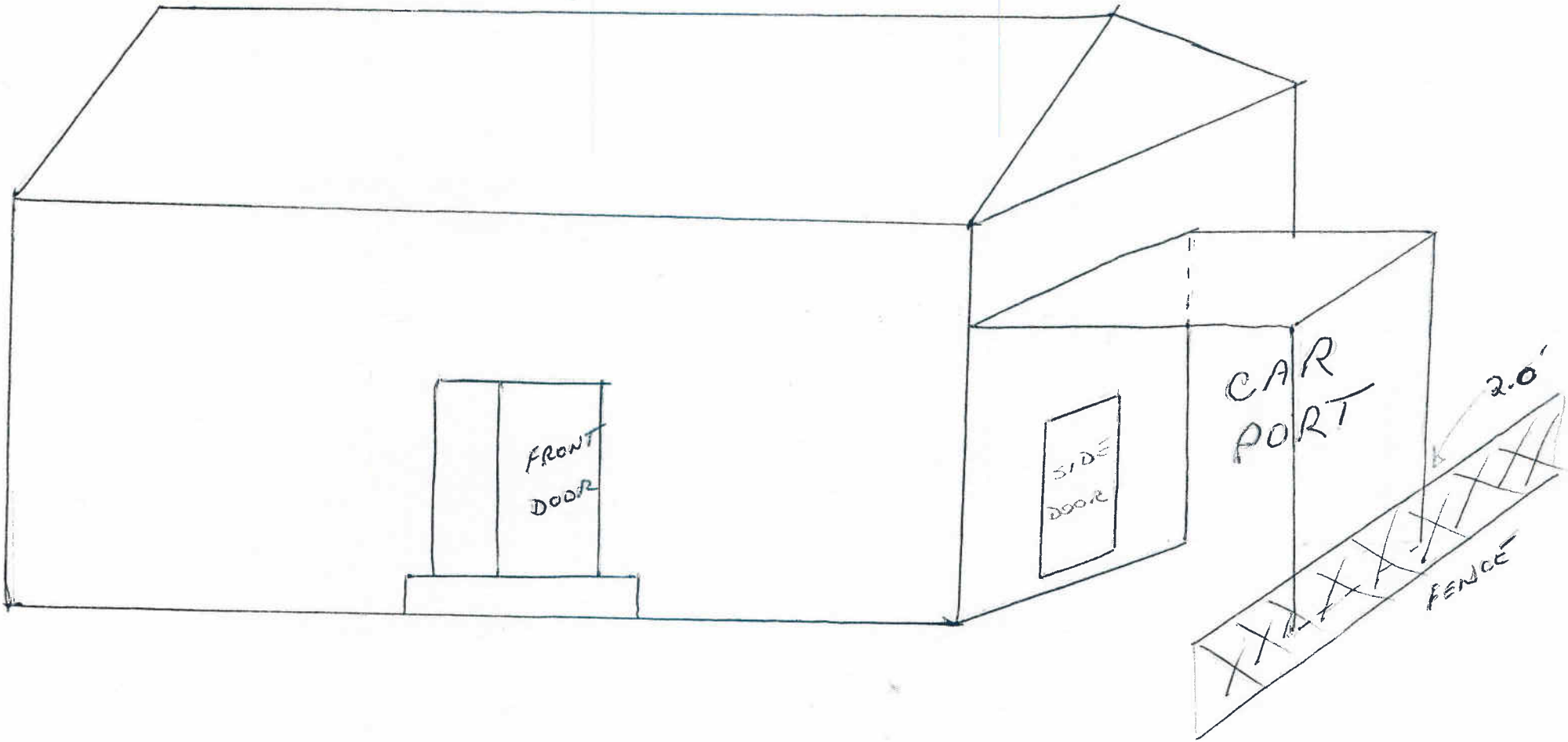
501 MANOR



501 MANOR



501 MANOR



General Property Information

City of Ann Arbor

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 09-09-16-309-009 Unit: City of Ann Arbor Data Current As Of: 10/29/2012 10:44:42 PM

Property Address	[collapse]
501 MANOR DR Ann Arbor, MI 48105	

Owner Information	[collapse]
FANNIE MAE 14221 DALLS PARKWAY, SUITE 1000 Dallas, TX 75254	Unit: 09

Taxpayer Information	[collapse]
SEE OWNER INFORMATION	

General Information for Tax Year 2012				[collapse]
Property Class:	401 - Residential	Assessed Value:	\$69,400	
School District:	81010 - Ann Arbor	Taxable Value:	\$69,400	
State Equalized Value:	\$69,400	Map #	N/A	
User Number Indx:		Date of Last Name Chg:	02/24/2012	
		Date Filed:		
Historical District:	N/A	Notes:	N/A	
		Census Block Group:	N/A	
Principal Residence Exemption	June 1st	Final		
2013	0.0000 %	-		
2012	0.0000 %	0.0000 %		
Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable	
2011	\$66,800	\$66,800	\$66,800	
2010	\$71,900	\$71,900	\$71,900	

Land Information				[collapse]
	Frontage	Depth		
Lot 1:	63.00 Ft.	121.00 Ft.		
Lot 2:	0.00 Ft.	0.00 Ft.		
Lot 3:	0.00 Ft.	0.00 Ft.		
Total Frontage:	63.00 Ft.	Average Depth:	121.00 Ft.	
Total Acreage:	0.18			
Zoning Code:	R1C			
Land Value:	\$57,200	Mortgage Code:	N/A	
Land Improvements:	N/A	Lot Dimensions/Comments:		
Renaissance Zone:	NO			
Renaissance Zone Expiration Date:				
ECF Neighborhood Code:	0023 - 023 Huron Highlands			

Legal Information for 09-09-16-309-009	[collapse]
LOT 50 HURON HIGHLANDS	

Sales Information

6 sale record(s) found.							
Sale Date	Sale Price	Adj Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
12/31/2011	\$0.00	\$0.00	U	FANNIE MAE	FANNIE MAE	Other	9999/0001
03/18/2010	\$117,588.00	\$117,588.00	U	PARDY JANICE E & SHEPPARD GORDON J	WELLS FARGO BANK, NA	Sheriff's Deed	4782/620
03/18/2010	\$0.00	\$0.00	U	WELLS FARGO BANK, NA	FANNIE MAE	Sheriff's Deed	4784/584
11/02/2005	\$132,000.00	\$132,000.00	Q	GROY JUDITH A	PARDY JANICE E & SHEPPARD GORDON J	Warranty Deed	4519/411
05/26/2000	\$1.00	\$1.00	U	GROY JUDITH A & EVELYN	GROY JUDITH A	Quit Claim Deed	3950/699
12/07/1989	\$1.00	\$1.00	U	GROY JUDITH	GROY JUDITH A & EVELYN	Warranty Deed	2369:0754

Building Information

1 building(s) found.				
Description	Floor Area	Yr Built	Est. TCV	
<input checked="" type="checkbox"/> Residential Building 1	920 Sq. Ft.	1964	\$83,362	
General Information				
Floor Area:	920 Sq. Ft.	Estimated TCV:	\$83,362	
Garage Area:	0 Sq. Ft.	Basement Area	920 Sq. Ft.	
Foundation Size:	920 Sq. Ft.			
Year Built:	1964	Year Remodeled:	0	
Occupancy:	Single Family	Class:	CN/A	
Effective Age:	37	Tri-Level?:	NO	
Percent Complete:	100%	Heat:	Forced Heat & Cool	
AC w/Separate Ducts:	NO	Wood Stove Add-on:	NO	
1st Floor Rooms:	6	Water:	Public Water	
Bedrooms:	3	Sewer:	Public Sewer	
Style:	RANCH, C-BC			
Area Detail - Basic Building Areas				
Height	Foundation	Exterior	Area	Heated
1 Story	Full Bsmnt.	Siding	920 Sq. Ft.	1 Story
Area Detail - Overhangs				
Height	Exterior	Area	Included in Size for Rates	
Exterior				

Brick Veneer:	0 Sq. Ft.	Stone Veneer:	0 Sq. Ft.
Basement Finish			
Recreation:	460 Sq. Ft.	Recreation % Good:	0
Living Area:	0 Sq. Ft.	Living Area % Good:	0
Walk Out Doors:	0	No Concrete Floor Area:	0 Sq. Ft.
Plumbing Information			
3-Fixture Baths:	1		
Extra Sink:	2		
Ceramic Tub Alcove:	1		
Porch Information			
CSEP (1 Story):	160 Sq. Ft.	Foundation:	Standard

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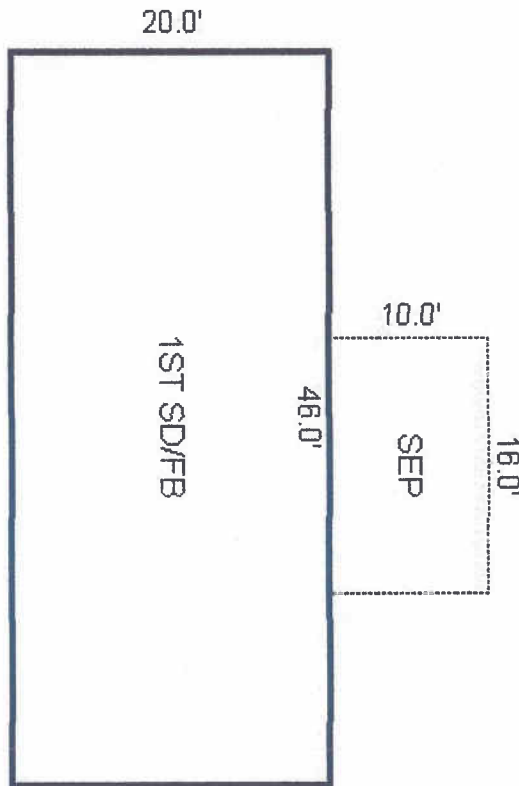
Image/Sketch for Parcel: 09-09-16-309-009

City of Ann Arbor

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Caption: No caption found

Sketch by Apex I/m



1080 SQ FT

LOT = 7623 SQ FT

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415 Manor –
Carport < 5 feet
from lot line



380 Cloverdale – Garage < 5 feet from lot line



396 Cloverdale



464 Cloverdale



478 Cloverdale



515 Manor



East side of 501 Manor where proposed carport will be added



Front and side of house



COMPOST