

**Zoning Board of Appeals
September 28, 2011 Regular Meeting**

STAFF REPORT

Subject: ZBA11-016, 808 Greene Street

Summary: David Lewis and Bonnie Greenspoon are requesting permission to alter a non-conforming structure as described in Chapter 55, Zoning, Section 5:87, Structure Nonconformance.

Description and Discussion:

The request is discussed in detail below:

The subject parcel is located at 808 Greene Street, south of Hill Street. The parcel is zoned R4C (Multiple-Family Residential District). The single-family house was built in 1901 and is 1,207 square feet. The house is non-conforming for front and rear setbacks; one parking space exists on the site and one space is required. The existing house has four bedrooms, a kitchen and dining area and a partial second story which extends along the front half of the house. The house has been vacant since 2007.

The petitioner is proposing to extend the second story to the rear of the house with an addition containing 378 square feet for a total floor area of 1,585 square feet. There will be no expansion of the existing footprint of the house; the proposed addition will not extend any closer to the property lines than the existing house. The interior of the house will be re-configured to contain 4 bedrooms on the second floor and a bedroom, dining room, kitchen and living room on the first floor. When completed, the house will contain a total of 5 bedrooms. According to the Zoning Code, the maximum occupancy of the house is 6 unrelated people and will not be increased if the addition is constructed.

Standards for Approval

The Zoning Board of Appeals has all the power granted by State law and by Section 5:98, from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

- (a). *The alteration complies as nearly as practicable with the requirements of the Zoning Chapter.***

The footprint of the existing house will not be expanded; the petitioner is asking to modify an existing non-conforming structure. The addition will add one bedroom; however it will not increase the maximum occupancy of the house (6 people). After construction, the structure will continue to be used as a single-family home and is generally consistent with other surrounding uses.

ZBA11-016 808 Greene Street

Staff considers this request to be minimal in context of the surrounding land uses. The expansion will allow the petitioner to improve their property while respecting the intent of the Zoning Ordinance.

(b). *The alteration will not have a detrimental effect on neighboring property*

The subject parcel lies on Greene Street in an area heavily occupied by student rental housing and larger apartment buildings. The existing house is surrounded on all sides by multi-family buildings of similar density. This existing small single-family house is unique in this area.

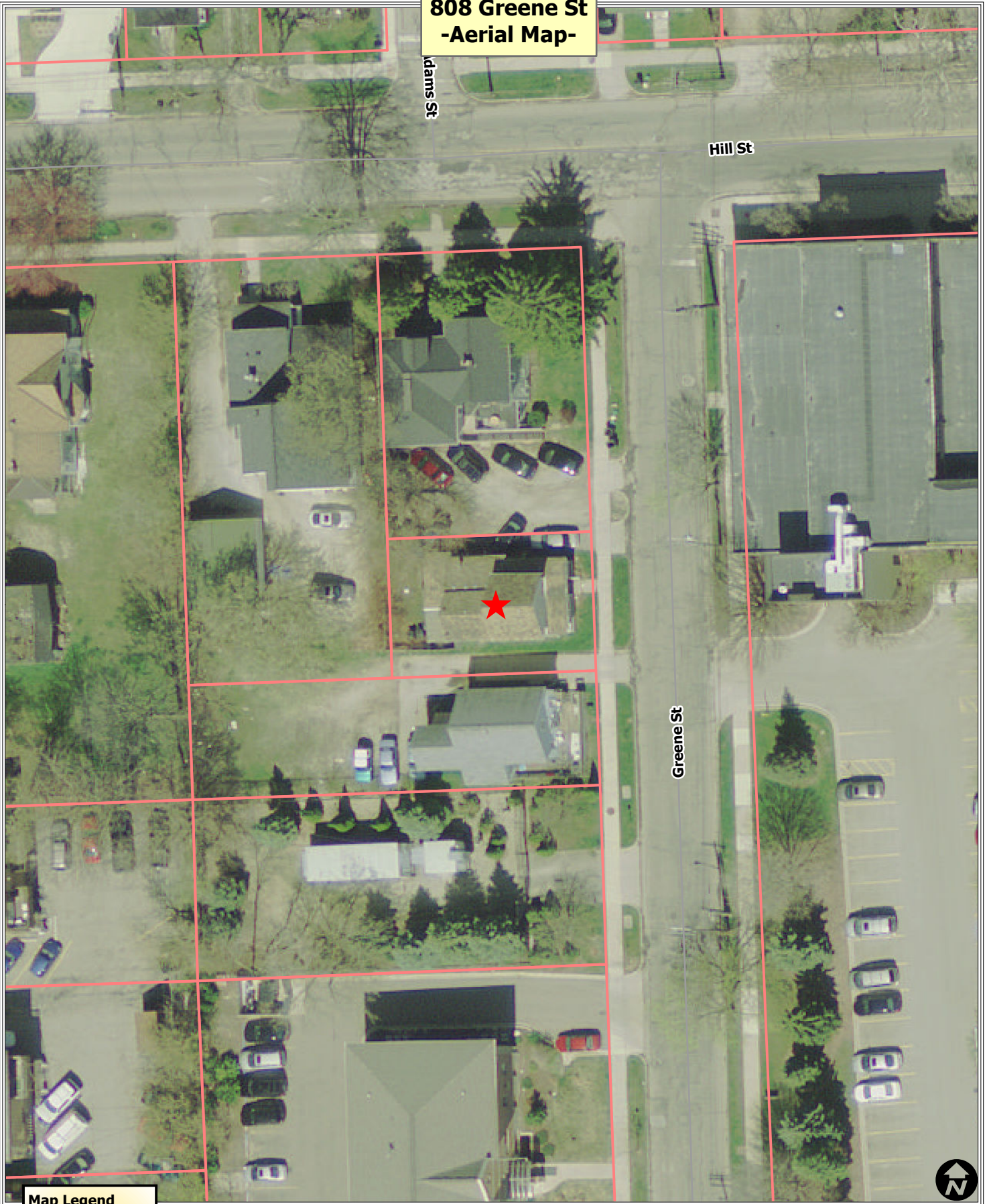
Staff does not feel that the requested alteration would negatively affect any surrounding property. As stated previously the surrounding uses are more intense and this addition will be a positive architectural modification to the structure. The proposed expansion allows re-occupancy of a long vacant structure and will bring the structure into conformance with all Building and Housing codes.

Respectfully submitted,



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

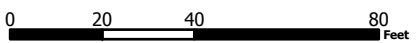
Matthew J. Kowalski, AICP
City Planner

808 Greene St -Aerial Map-



Map Legend

-  Railroads
-  Parcel Property



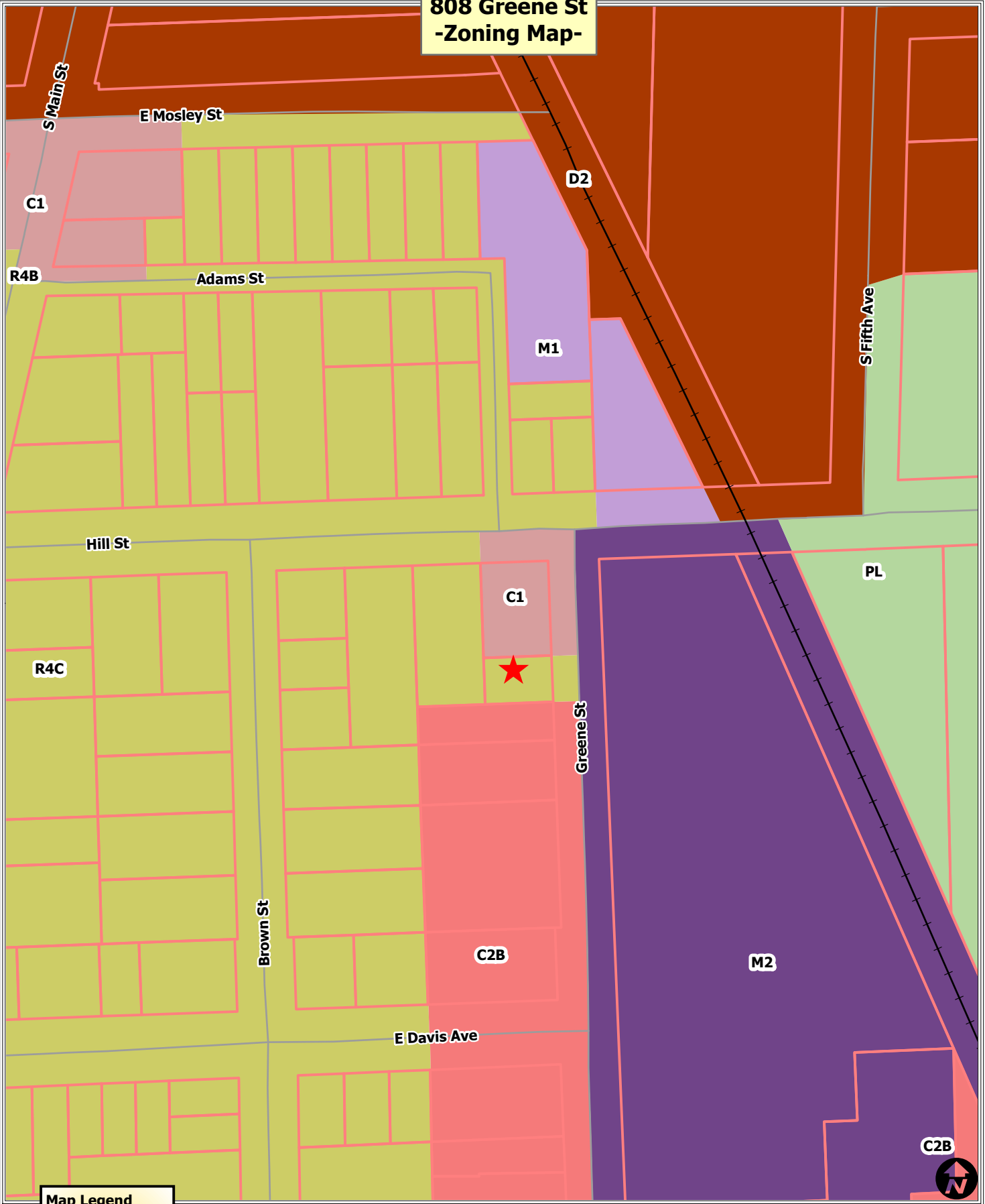
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
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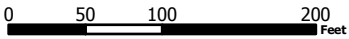
Map Created: 9/20/2011

808 Greene St -Zoning Map-



Map Legend

-  Railroads
-  Parcel Property



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

Section 1: Applicant Information

Name of Applicant: David Lewis / Bonnie Greenspoon, Lewis Greenspoon Architects
 Address of Applicant: 1999 Coronada, Ann Arbor MI 48103
 Daytime Phone: (734) 786-3757
 Fax: _____
 Email: dlewis@lg-architects.com
 Applicant's Relationship to Property: Architect

Section 2: Property Information

Address of Property: 808 Greene Street, Ann Arbor MI 48104
 Zoning Classification: R4C
 Tax ID# (if known): _____
 *Name of Property Owner: Bob Miller

**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:

Required dimension: PROPOSED dimension:

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)

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?

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

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

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?

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

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property single family home (abandoned since 2007)

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)

	<u>Existing Condition</u>	<u>Code Requirement</u>
Lot area	2,970 square feet	8,500 square feet
Lot width	45 feet	60 feet
Floor area ratio		
Open space ratio	70%	40%
Setbacks	15' rear yard	30' rear yard
Parking	3 spaces	1.5 spaces
Landscaping		
Other		

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

The work proposed is a second-story addition on the back of the house, on top of an existing single-story space that is currently within the rear yard setback. There will be no increase in the footprint of the building at grade. The addition will provide more comfortable and livable space within this very small house. The style of the addition will maintain the architectural character of the existing building, while adding value to the property and adjacent properties, as the owner is doing many much-needed repairs to the interior and exterior of the home. These repairs include new interior finishes, new windows and a new roof.

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:

The proposed second floor addition will not increase the existing footprint of the house on the lot. It will not encroach any further into the already legal, non-conforming setback of the rear yard.

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

A 378 square-foot second-story addition above the existing single-story back half of the house.

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.

734 786-3757 _____ Signature
 Phone Number *B. Givens*
 baveenspoon@lg-architects.com _____ Print Name
 Email Address *Bonnie Baveenspoon*

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.

B. Givens
 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.

B. Givens
 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.**

B. Givens
 Signature

On this 23 day of August, 2011, 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.

Suguna Reddy
 Notary Public Signature

2/24/2013 Notary Commission Expiration Date **SUGUNA REDDY**
 Notary Public, Washtenaw County, Michigan
 Acting in Washtenaw County, Michigan **SUGUNA REDDY** Print Name
 My Commission Expires Feb. 24, 2013

Staff Use Only

Date Submitted: 8/24/11. Fee Paid: 500
 File No.: ZBA11-016 Date of Public Hearing: SEPT
 Pre-filing Staff Reviewer & Date: MR ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: BA 8/24/11.



Bob Miller
Miller Building LLC
4660 S Hagadorn Rd. Suit 660
East Lansing, MI 48823

Cellular 734-730-4800
Fax 517-351-3946
Email bob@millerbuildingllc.com

August 18, 2011

To: City of Ann Arbor
Zoning Board of Appeals

From: Miller Building LLC
4660 South Hagadorn Road, suite 660
East Lansing, MI 48823

Re: zoning variance application for 808 Greene Street, Ann Arbor – authorization letter

This letter provides authorization for Lewis Greenspoon Architects to submit an application and represent me for my zoning variance request.

Thank you,

Bob Miller
Miller Building LLC
Property Owner
808 Greene Street
Ann Arbor, MI 48104

MORTGAGE SURVEY

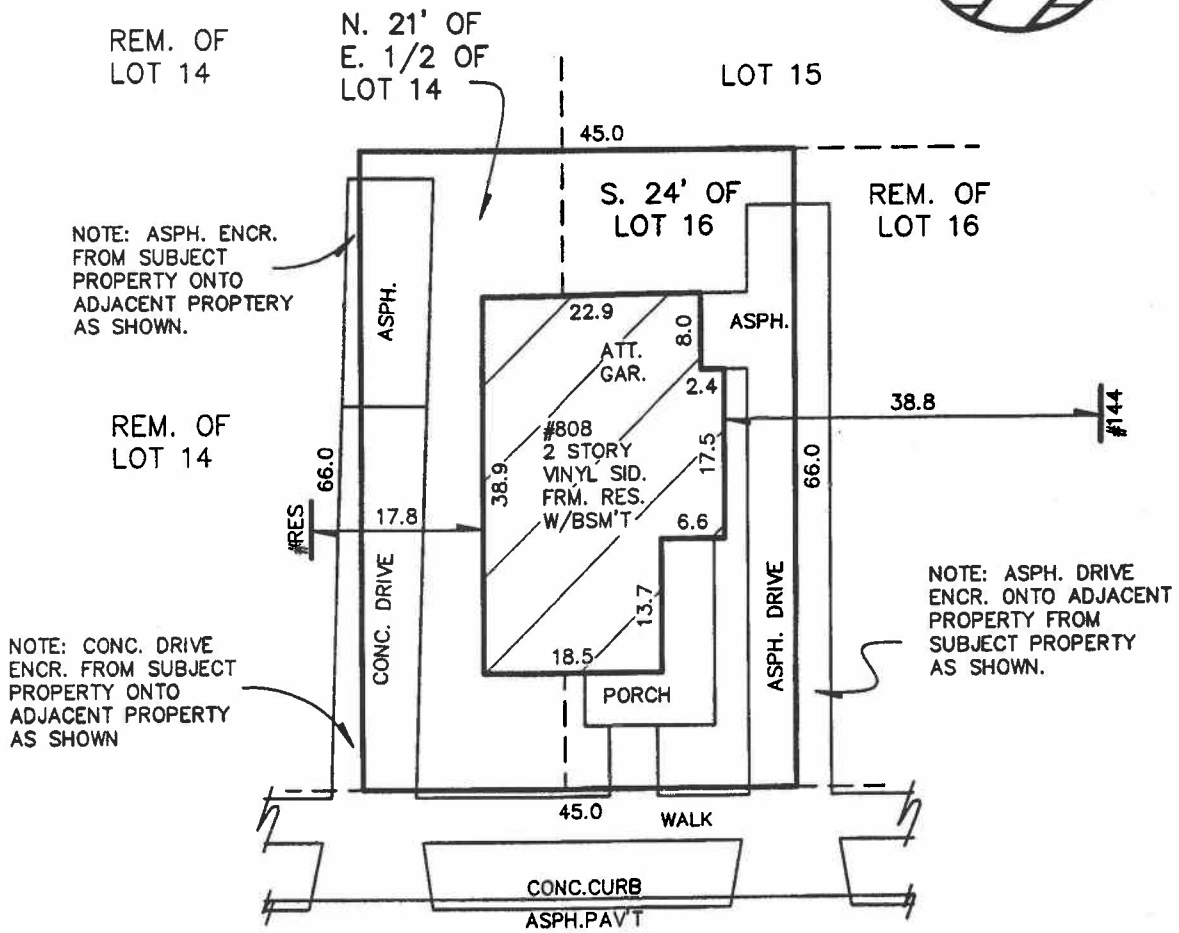
Certified to: CHAS. REINHART

Applicant: MILLER BUILDING, LLC

Property Description:

The South 24 feet of Lot 16 and the North 21 feet of the East 1/2 of Lot 14; WILLIAM A. BENEDICT'S PLAT, City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 44, Page 748 of Washtenaw County Records.

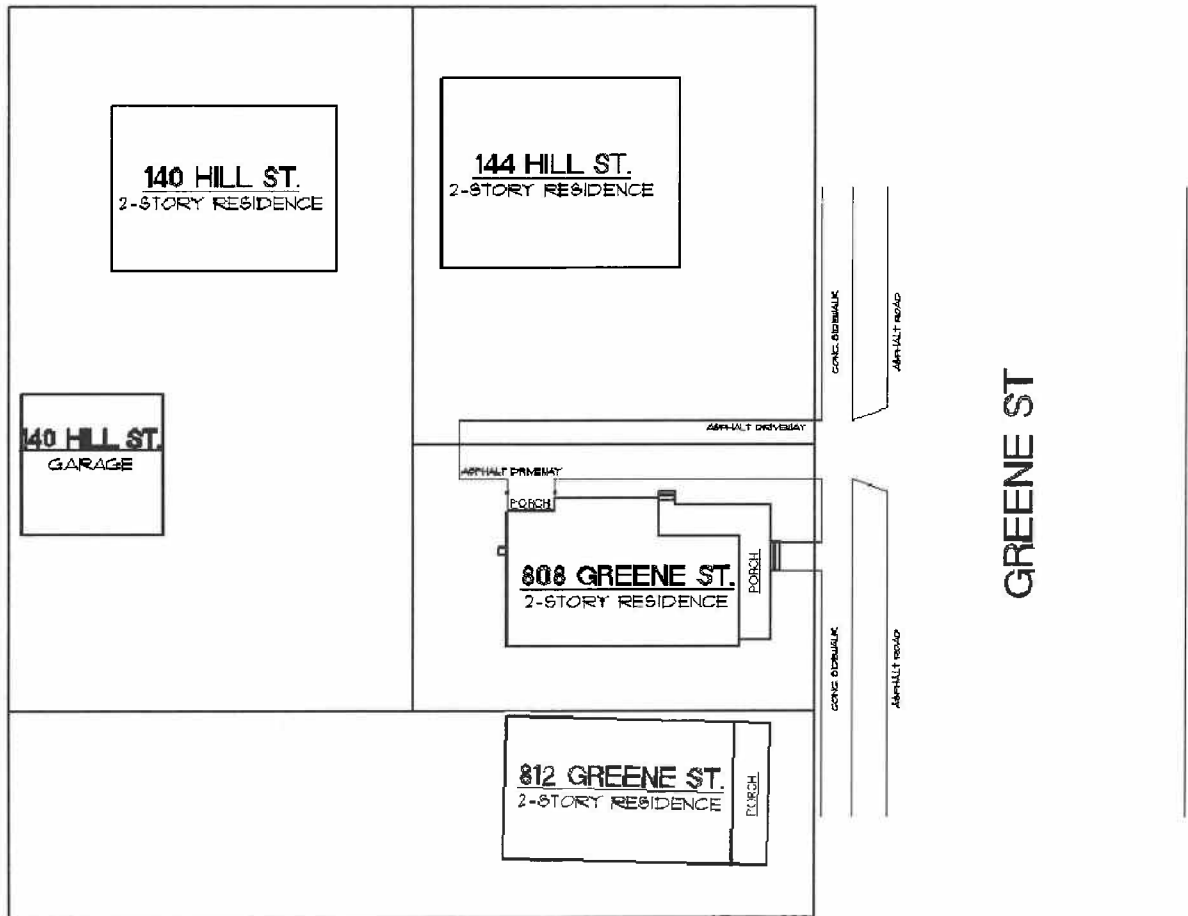
NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND TO DETERMINE THE EXACT AMOUNT OF ENCROACHMENT.



BRETT RUECKERT DESIGNS INC.

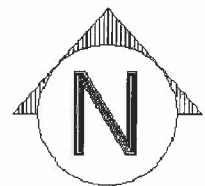
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OFFICE & FAX (517) 394-0601

HILL ST.



EXISTING NEIGHBORHOOD PLAN

1/32" = 1'-0"

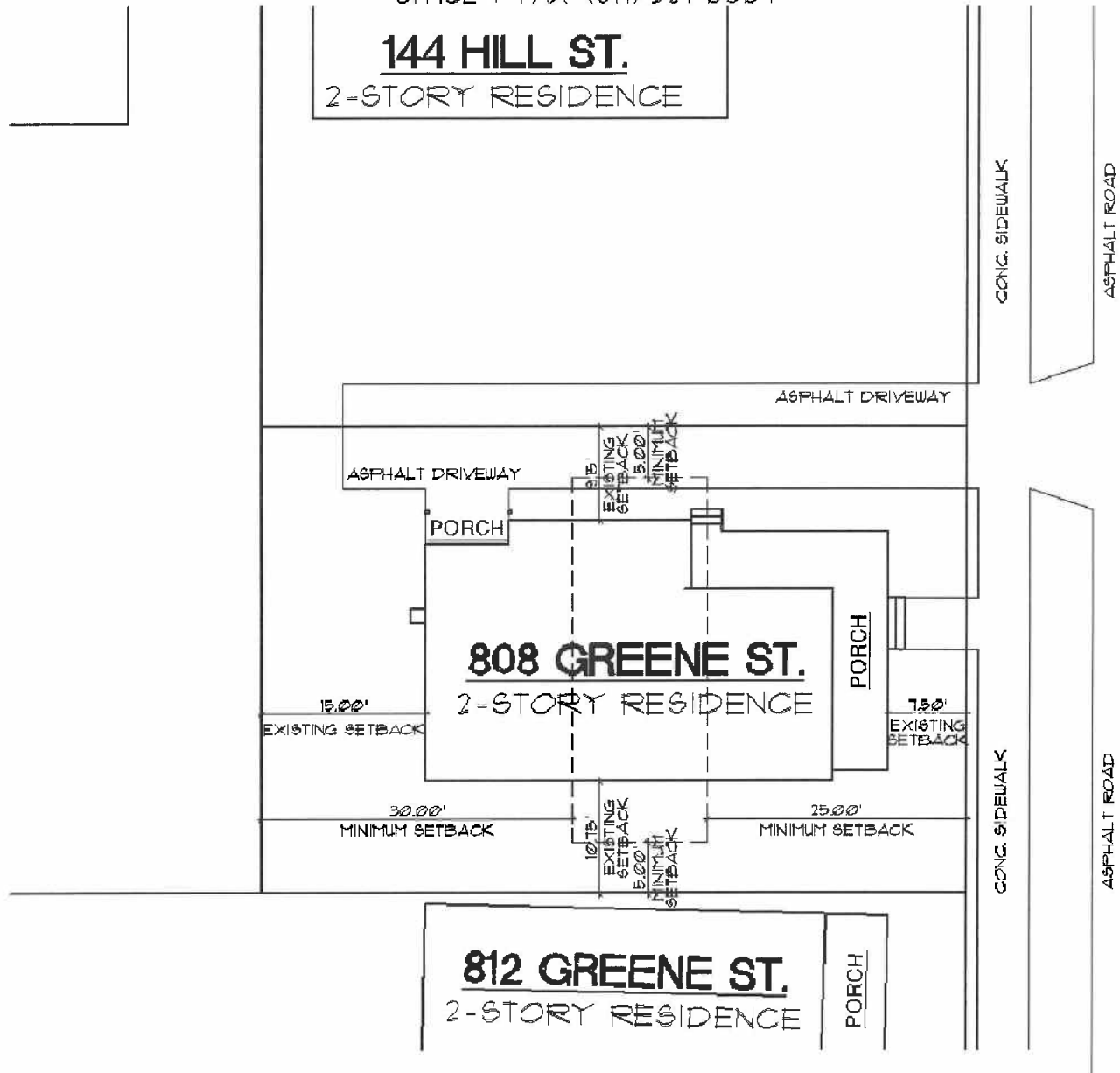


MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

BRETT RUECKERT DESIGNS INC.

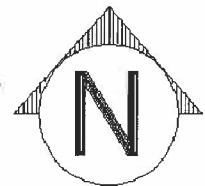
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144 HILL ST.
2-STORY RESIDENCE



**EXISTING
SITE PLAN**

1/16" = 1'-0"



MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

BRETT RUECKERT DESIGNS INC.

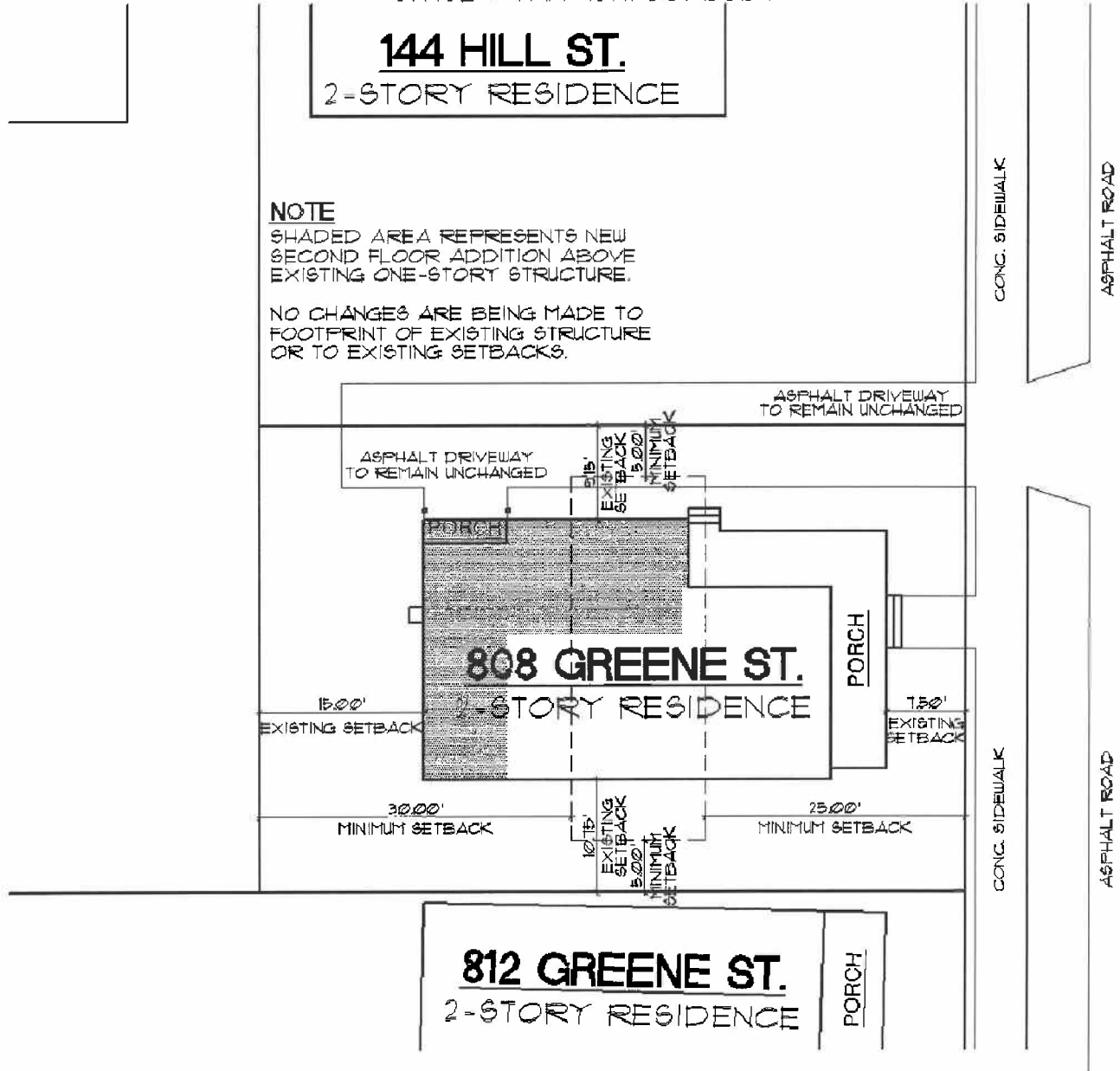
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144 HILL ST.
2-STORY RESIDENCE

NOTE

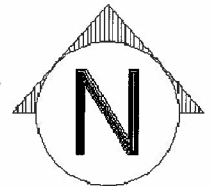
SHADED AREA REPRESENTS NEW SECOND FLOOR ADDITION ABOVE EXISTING ONE-STORY STRUCTURE.

NO CHANGES ARE BEING MADE TO FOOTPRINT OF EXISTING STRUCTURE OR TO EXISTING SETBACKS.



**PROPOSED
SITE PLAN**

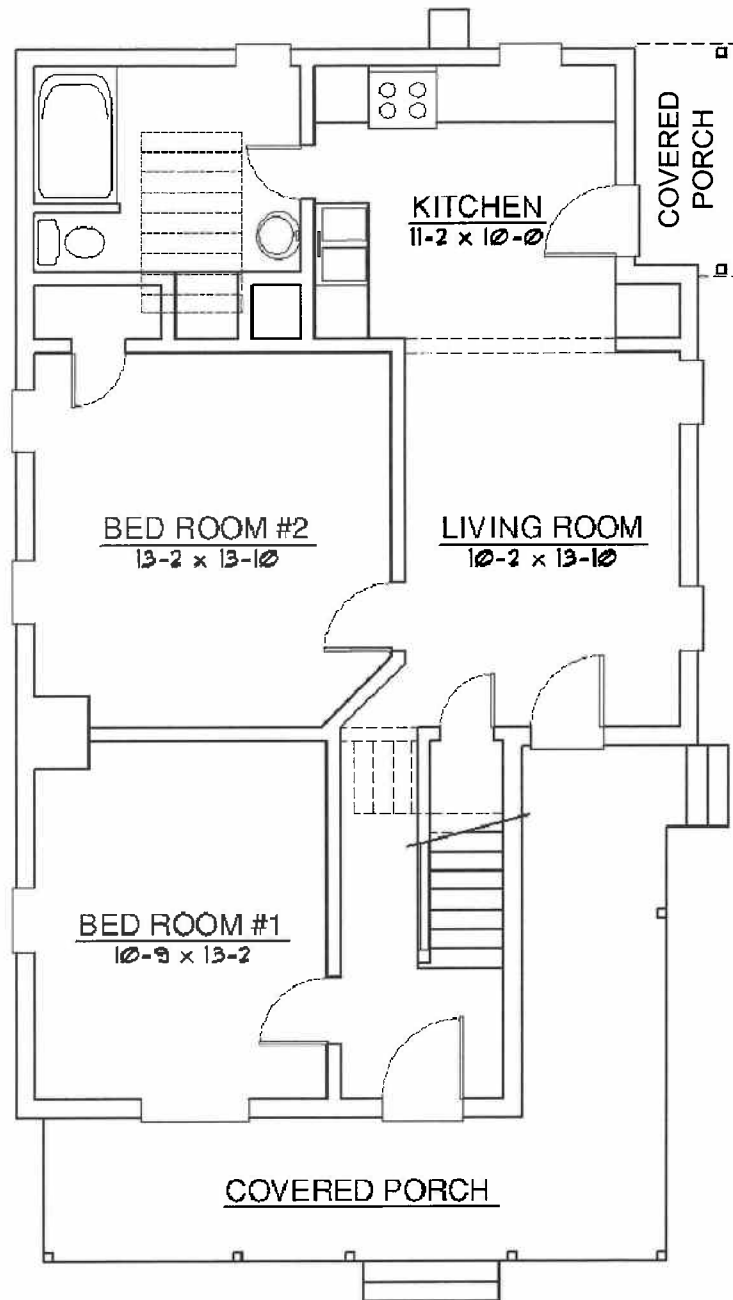
1/16" = 1'-0"



MILLER BUILDING
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ANN ARBOR, MI

BRETT RUECKERT DESIGNS INC.

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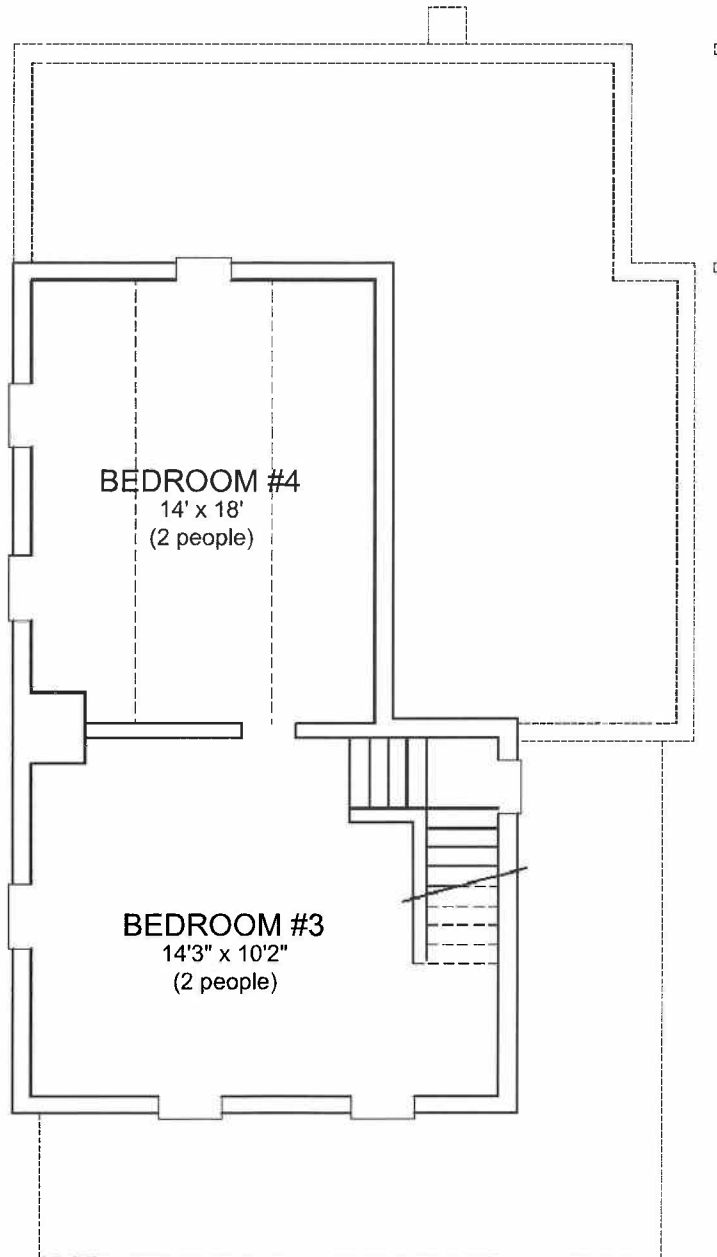


**EXISTING
FIRST FLOOR PLAN**

MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

BRETT RUECKERT DESIGNS INC.

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OFFICE & FAX (517) 394-0607



EXISTING
SECOND FLOOR PLAN

MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

BRETT RUECKERT DESIGNS INC.

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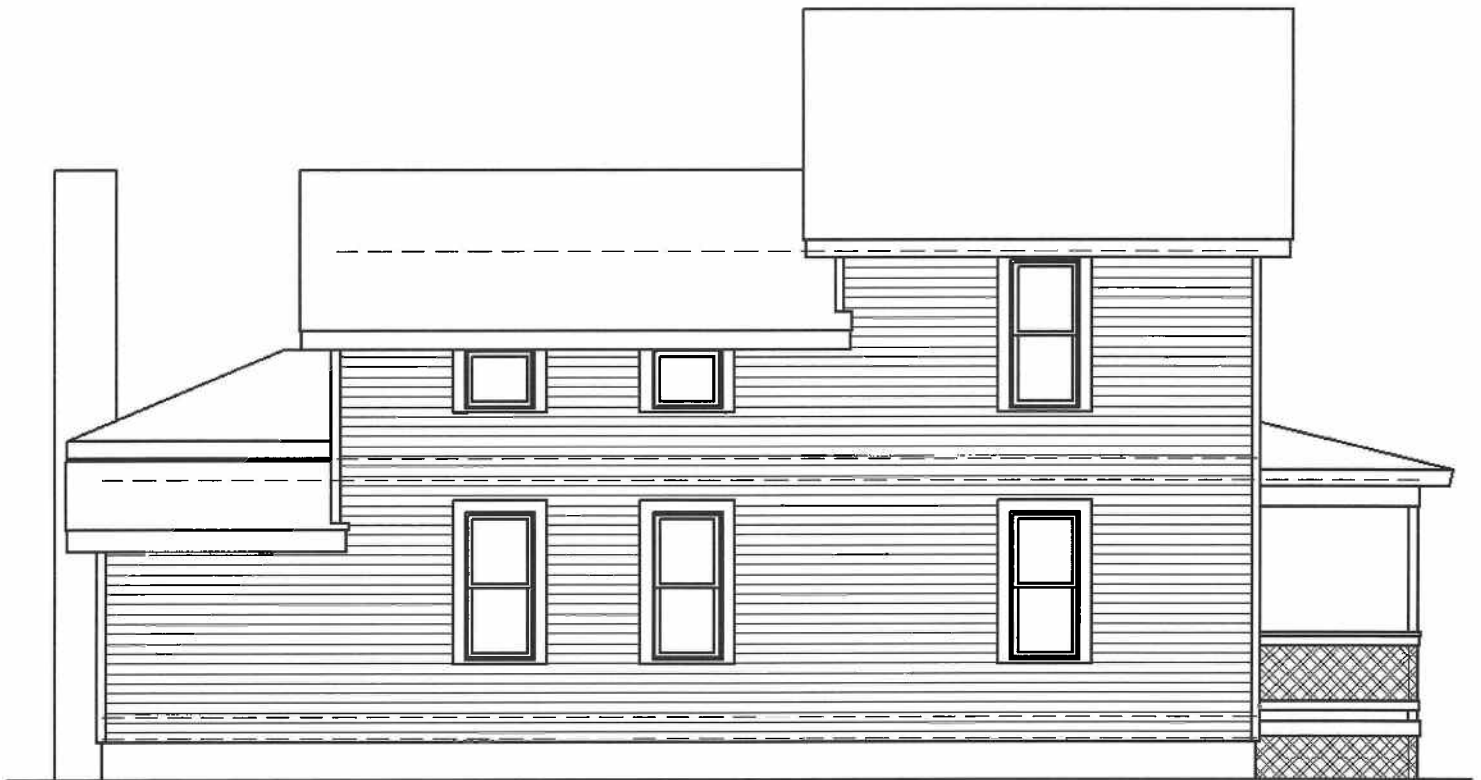


**EXISTING
FRONT ELEVATION**

MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

BRETT RUECKERT DESIGNS INC.

2564 WINDBREAK LANE LANSING, MI 48910
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**EXISTING
LEFT ELEVATION**

MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

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2564 WINDBREAK LANE LANSING, MI 48910
OFFICE & FAX (517) 394-0601



**EXISTING
REAR ELEVATION**

MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

BRETT RUECKERT DESIGNS INC.

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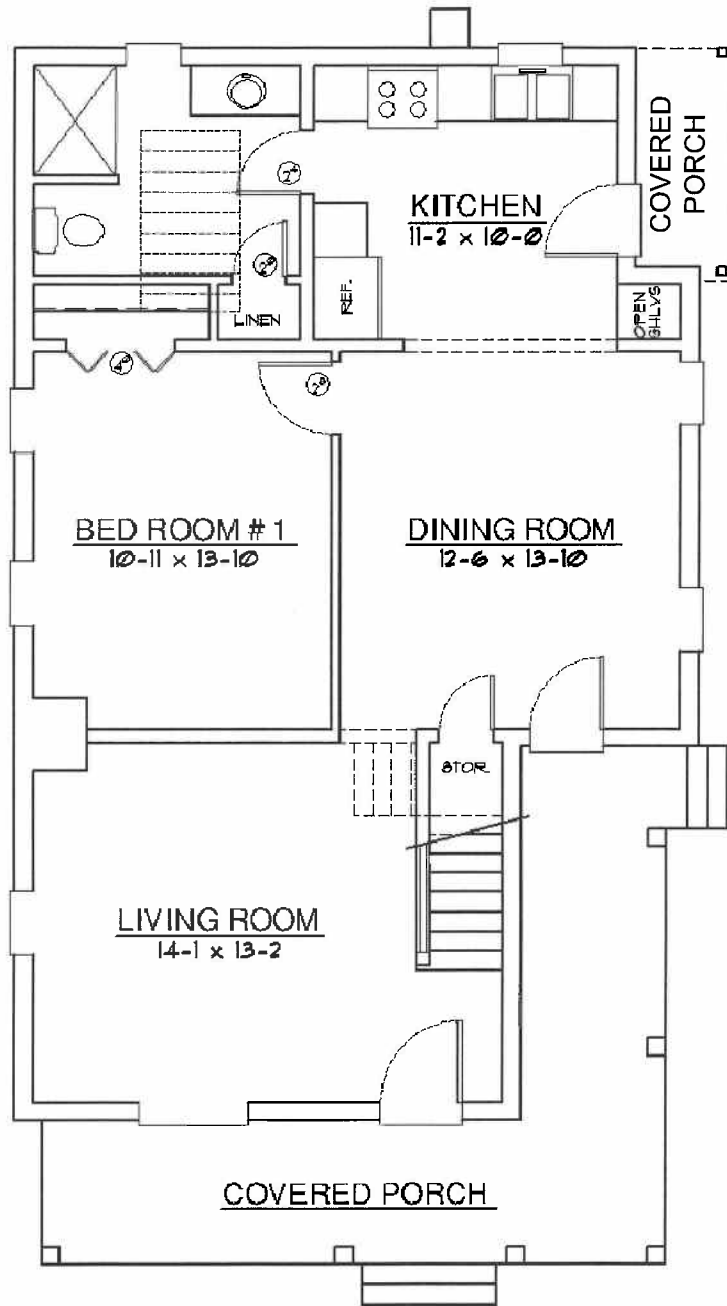


**EXISTING
RIGHT ELEVATION**

MILLER BUILDING
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ANN ARBOR, MI

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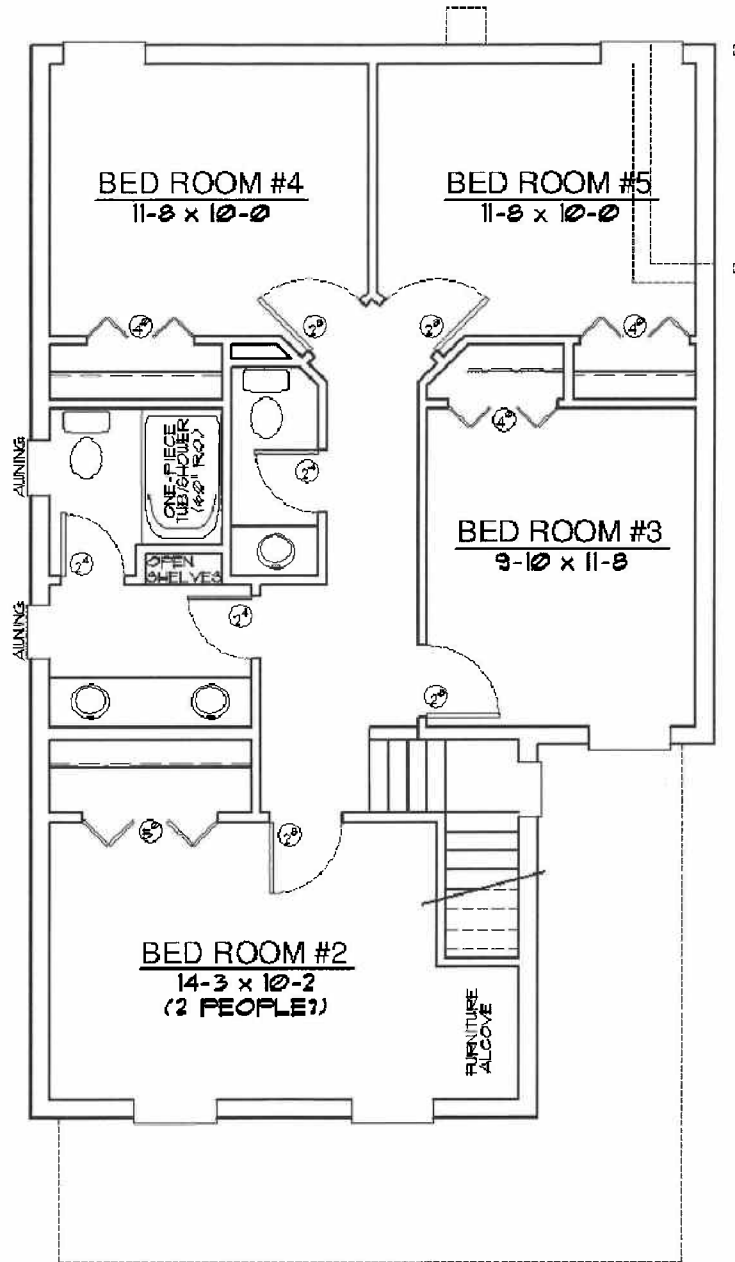


PROPOSED
FIRST FLOOR PLAN

MILLER BUILDING
808 GREENE ST.
ANN ARBOR, MI

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PROPOSED
SECOND FLOOR PLAN

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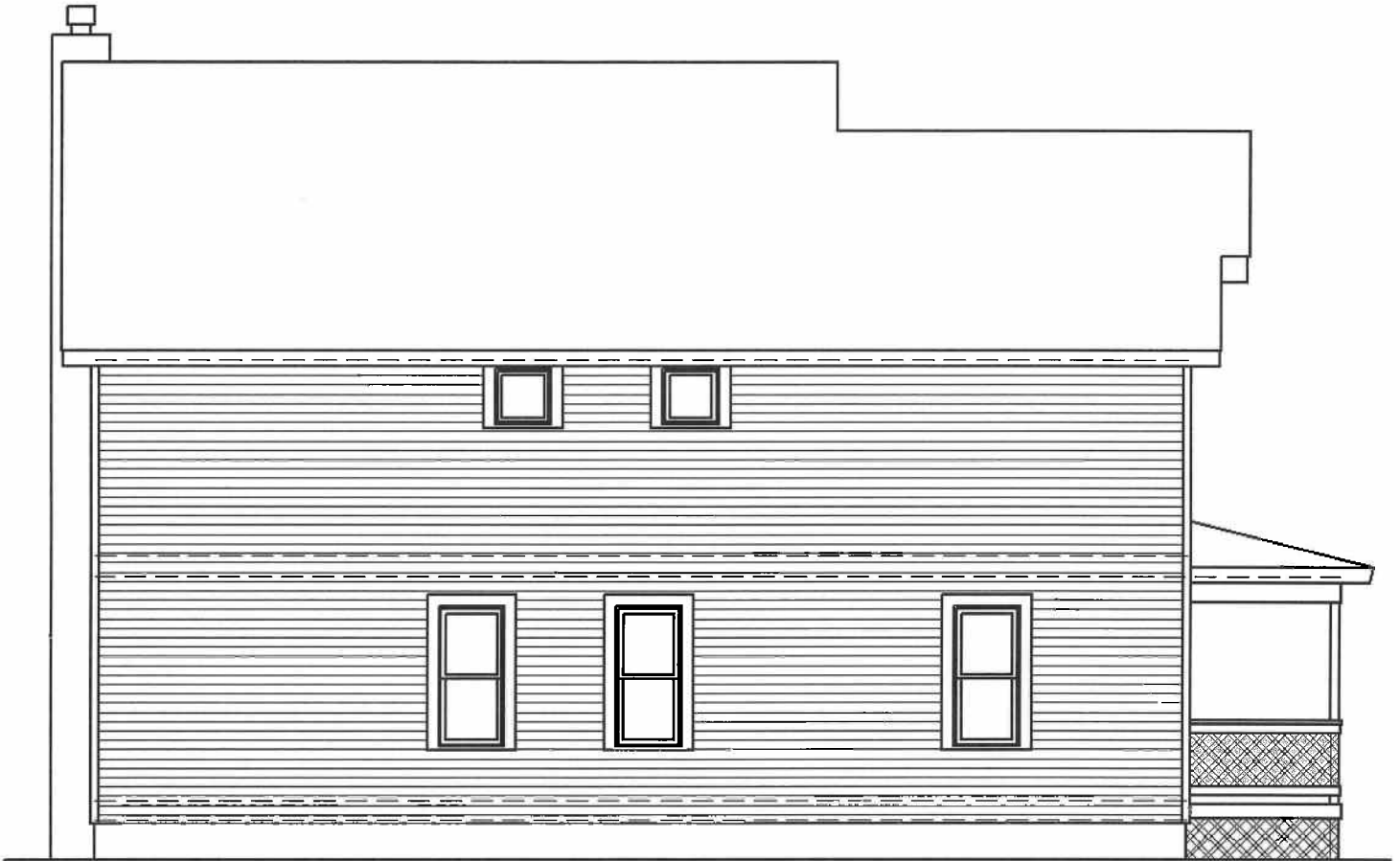


**PROPOSED
FRONT ELEVATION**

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ANN ARBOR, MI

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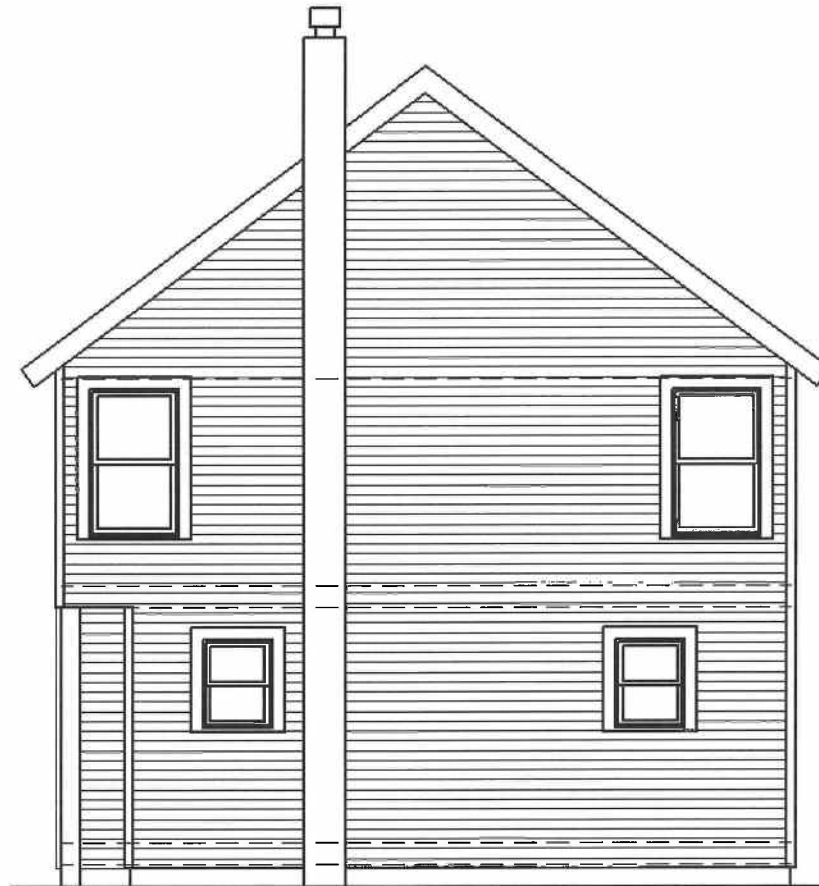


**PROPOSED
LEFT ELEVATION**

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**PROPOSED
REAR ELEVATION**

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**PROPOSED
RIGHT ELEVATION**

MILLER BUILDING
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MILLER RESIDENCE
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ANN ARBOR, MI 48104