

**Zoning Board of Appeals  
August 26, 2020 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 20-018; 18 Heatheridge Avenue**

**Summary:**

Ibrahim Shunnar, property owner, is requesting a variance of 20 feet four inches from Table 5.17-1 Single-Family Residential Zoning District Dimensions. The owner is proposing to construct a 300 (20'x15') square foot sunroom at the rear of the existing residence that will be 19.67 feet from the rear lot line if approved. The property is zoned R1B Single-Family and requires a minimum rear yard setback of 40 feet.

**Background:**

The subject property is in the Heatheridge neighborhood on a cul-de-sac lot east of Vinewood Boulevard. The existing residence was built in 1953 and is approximately 3,384 square feet in size. The lot is 13,982 square feet in area.

**Description:**

The home is nonconforming as it does not meet the 40- foot rear setback. The rear façade of the residence is approximately 22 feet from the rear lot line. The proposed sunroom requires a variance because it further encroaches into the required rear setback.

The sunroom is under construction; however, the Building Department issued a stop work order and the project is in a hold status.

**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 UDC. 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 property is nonconforming because it does not meet the front and rear setbacks which make it difficult to construct an addition to either of these two sides of the home.

- (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 home was constructed in 1953 prior to the current setback requirements making any necessary improvements difficult to meet today's current ordinance. The owner states that the sunroom will assist in diverting stormwater away from the garage and kitchen.

- (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 homeowner states that the abutting properties views of the sunroom are protected by a vegetated buffer between the properties.

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

With the home being nonconforming and having persistent stormwater issues these are two factors that were not self-created by the current owner.

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

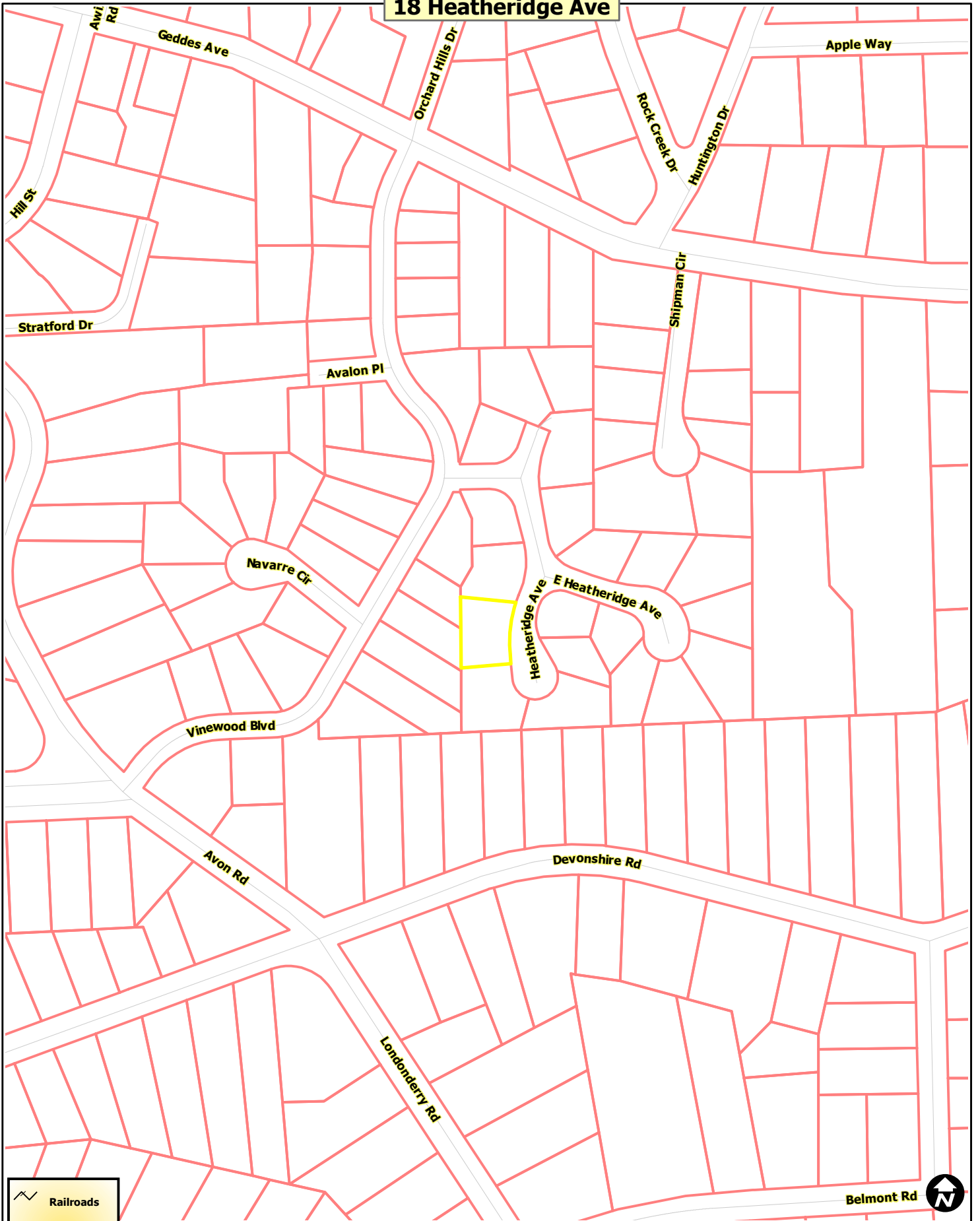
The requested variance is an additional two feet of encroachment into the rear setback than what is the existing nonconforming distance to the rear lot line.




Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized and cursive.

**Jon Barrett**  
**Zoning Coordinator**

# 18 Heatheridge Ave



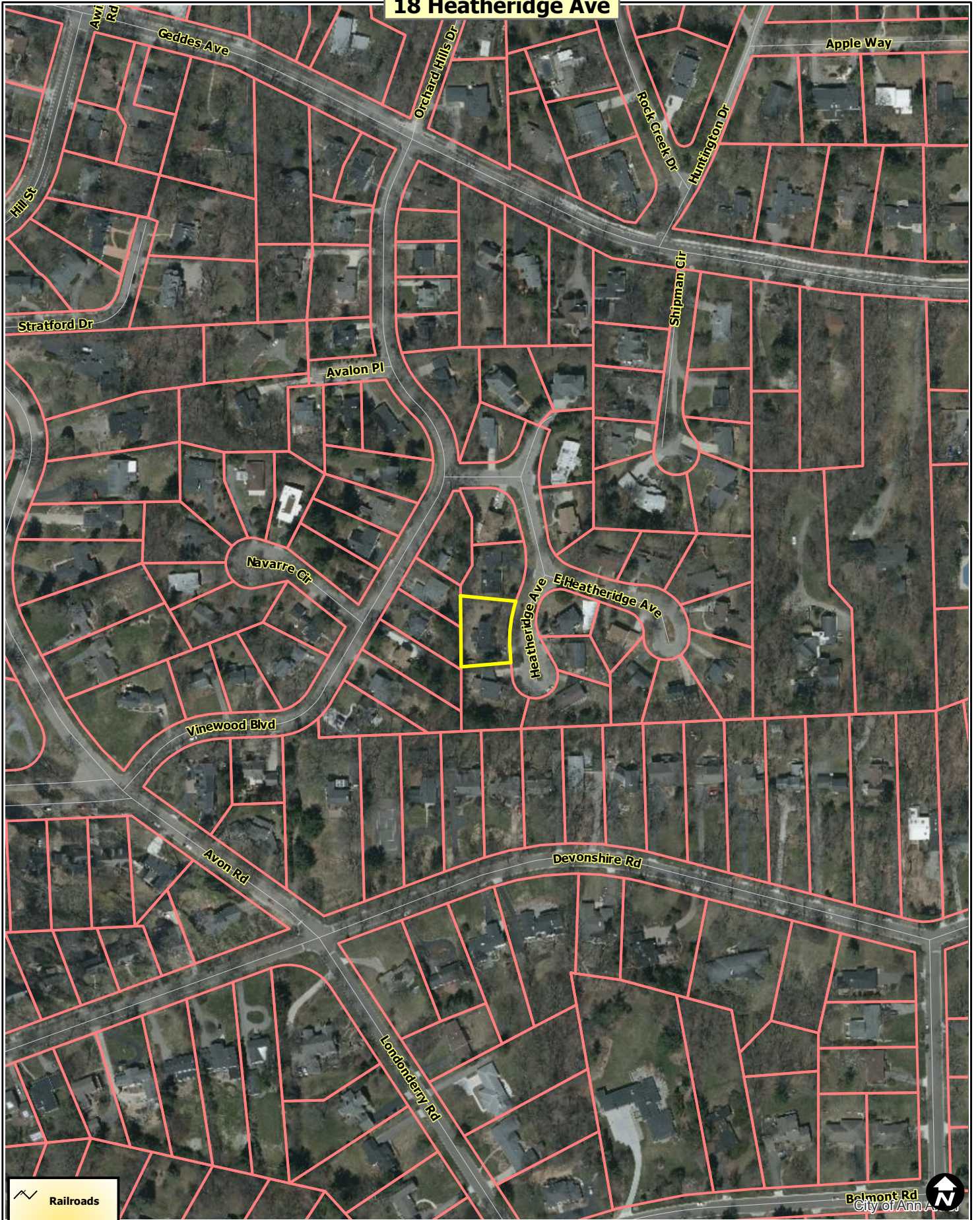
-  Railroads
-  Huron River
-  Tax Parcels






Map date: 7/31/2020  
Any aerial imagery is circa 2018 unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)



# 18 Heatheridge Ave



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 7/31/2020  
Any aerial imagery is circa 2018 unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)






18 Heatheridge Ave



E Heatheridge Ave

Heatheridge Ave

-  Railroads
-  Huron River
-  Tax Parcels



Map date: 7/31/2020  
 Any aerial imagery is circa 2018 unless otherwise noted  
 Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)



# 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](mailto:planning@a2gov.org)

## PROPERTY INFORMATION

ADDRESS OF PROPERTY		ZIP CODE	
ZONING CLASSIFICATION	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided		
PARCEL NUMBER	OWNER EMAIL ADDRESS		

## APPLICANT INFORMATION

NAME			
ADDRESS	CITY	STATE	ZIP CODE
EMAIL	PHONE		
APPLICANT'S RELATIONSHIP TO PROPERTY			

## REQUEST INFORMATION

<input type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application	<input type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application
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## REQUIRED MATERIALS

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.

**Required Attachments:**

- Boundary 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.

### OFFICE USE ONLY

Fee Paid:

ZBA:

DATE STAMP

## ACKNOWLEDGEMENT

All information and materials submitted with this application are true and correct.

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.

Property Owner Signature : \_\_\_\_\_

Date: \_\_\_\_\_

# 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)

REQUIRED DIMENSION: (Example: 40' front setback)  
Feet:                      Inches:                      Back setback

PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback )  
Feet:                      Inches:                      Back setback

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

room will also solve storm water problem which seeps below existing kitchen and garage.  
House was built in 1948. Front meets the 40 feet Side setbacks are more than 30 and 17 feet.  
House was not built with 40 feet front and back setbacks.

**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.**

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.

This house was built in 1948 before current setback requirements. The lot is about 104 feet deep at the location of the sun room with about 44 feet of front setback. With the 40 feet back setback, this leaves only 20 feet deep house. This is why the existing house is not conforming with the back setback.

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.

Failure to manage stormwater will result in seepage into the kitchen/garage areas which may cause damage to the subfloor in the kitchen

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 sunroom will have the same setback as the existing house. We are separated by trees and vegetation.

The conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

The storm water issue has been going on for along time. I attempted to solve several times using concrete to increase slope and cuts through the foundation but the problem persisted  
See pictures.

A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

The sunroom does not result in a decrease in the minimum existing setback.



# Section 2 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

## REQUEST TO ALTER A NONCONFORMING STRUCTURE

For the purposes of Article VI: Nonconformities Section 5.32.2 Nonconforming Structure, **alteration** is defined as any change in a Building that results in additional Floor Area being fit for occupancy, a greater number of dwelling or rooming units or an increase in the exterior dimensions of the Building.

**A nonconforming structure may be maintained or restored, but permission to alter a nonconforming structure will only be 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.**

**In the space below, describe the current use of the property, the proposed alteration, and the impact it would have on neighboring property.**

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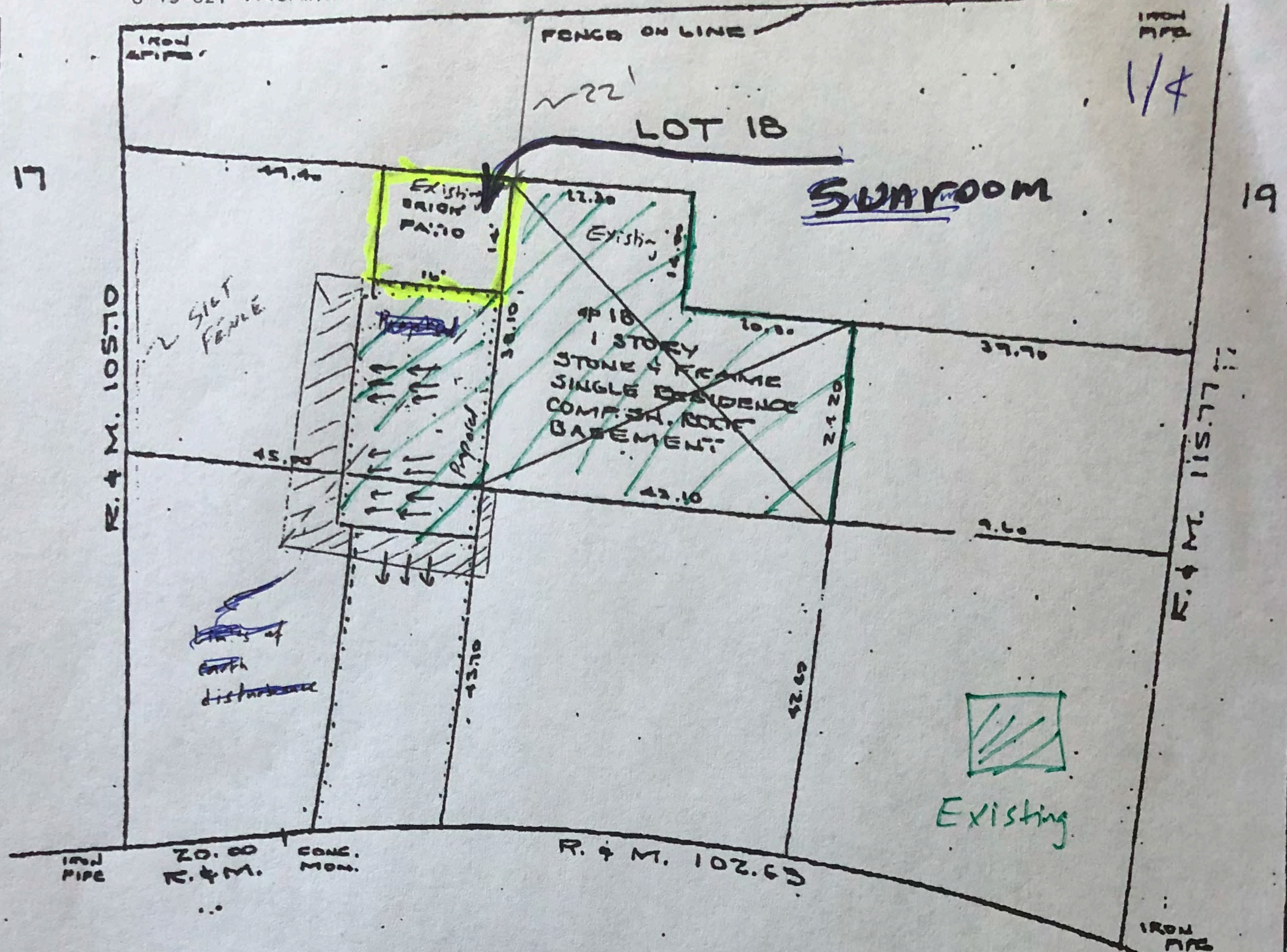
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Please complete the table below as it relates to your request

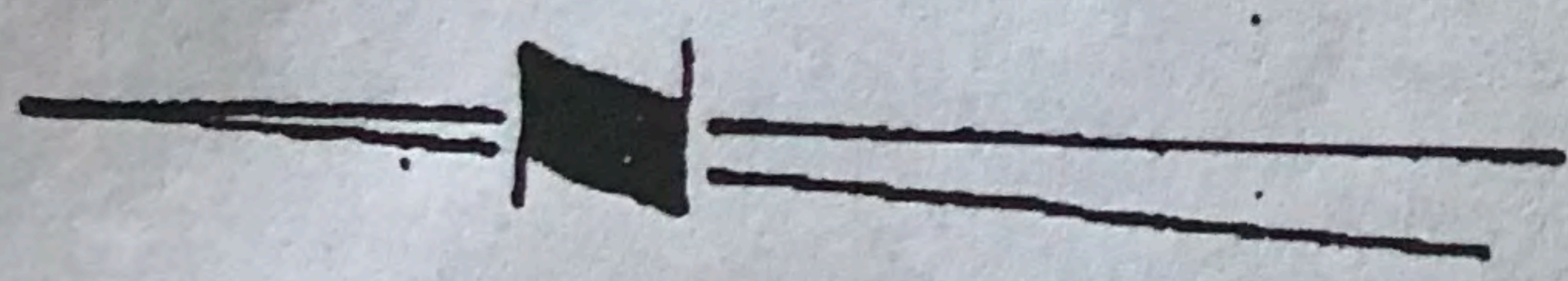
Requirement	Existing Condition	Code Requirement
Lot Area		
Lot Width		
Floor Area Ratio		
Setbacks		
Parking		
Landscaping		
Other		





Existing and Proposed Run off Pattern ←

No grade changes is proposed ~~(only excavation of lot)~~



### HEATHERIDGE

DIRECT ROOF RUNOFF AT HEATHERIDGE ROAD, NOT AT ADJACENT PROPERTY

R. = RECORDED  
M. = MEASURED



### PLAT OF SURVEY

IN THE CITY OF ANN ARBOR, COUNTY OF WASH-TENAW, STATE OF MICHIGAN.  
PREPARED FOR: MAYFLOWER MORTGAGE AND DONALD B. AND ELIZABETH A. OLSON

DATE 7-16-88  
JOB NO. 88-3-40  
SCALE 1" = 20'

**R**OSKELLY, JERABSON & ASSOCIATES, P.C.  
Registered Land Surveyors  
888 Sheldon Road  
Plymouth, Michigan 48170  
Telephone 455-8000

by Robert P. Roskelly

DRAWN RPR  
CHECKED LJJ  
SHEET 1

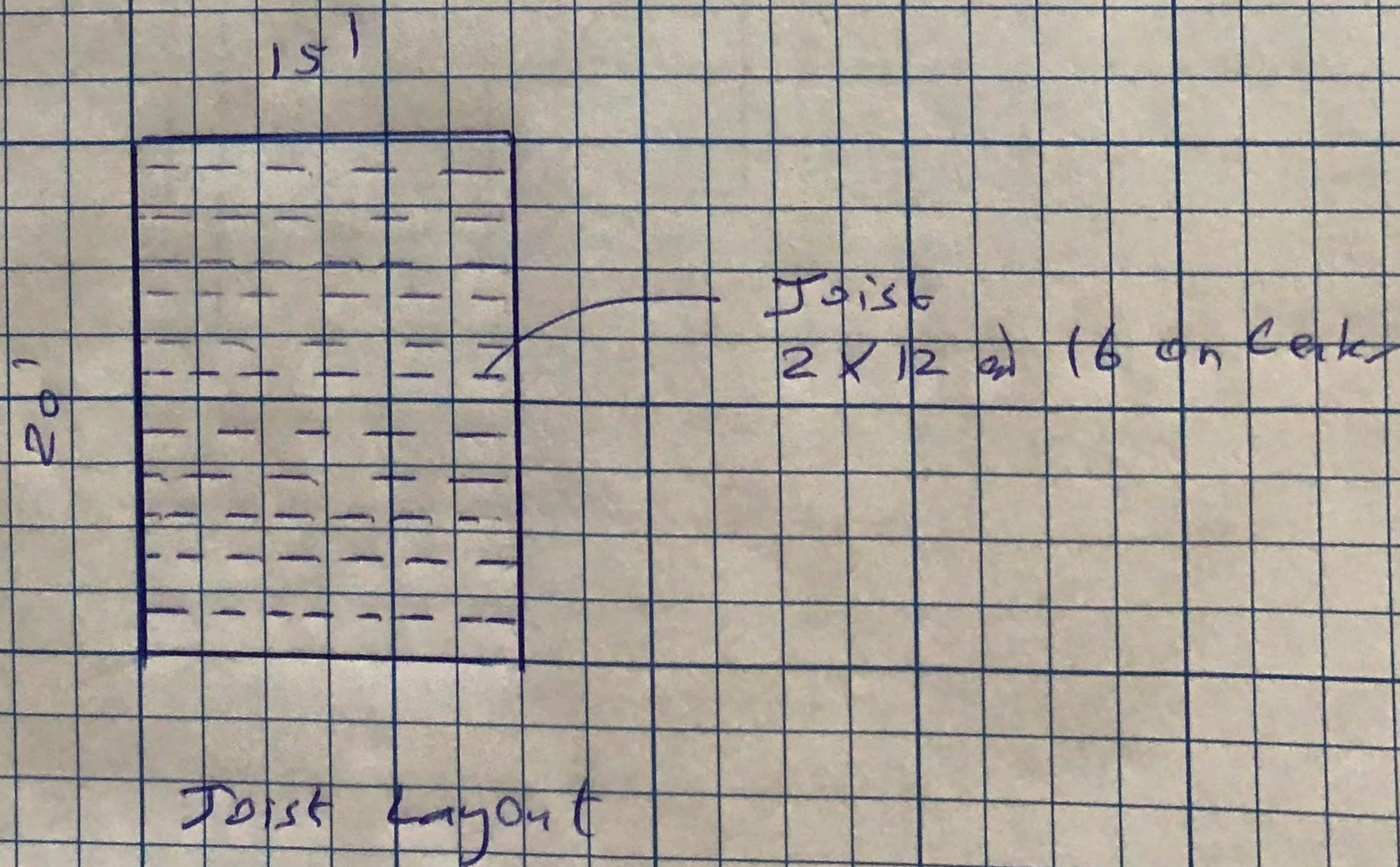
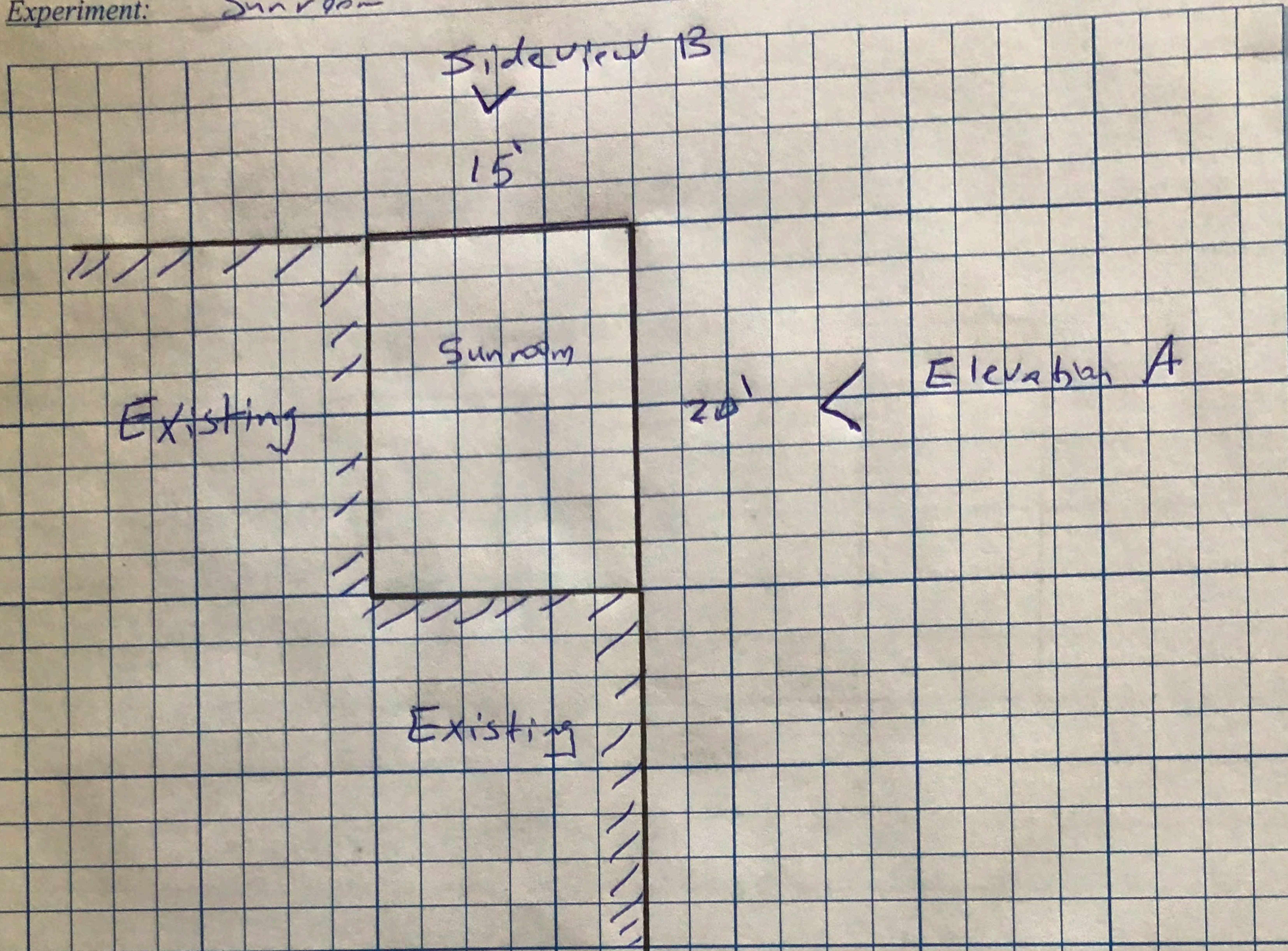


Name: 18 Heatheridge

Date: 5-29-20

~~4/4~~  
2/4

Experiment: Sun room

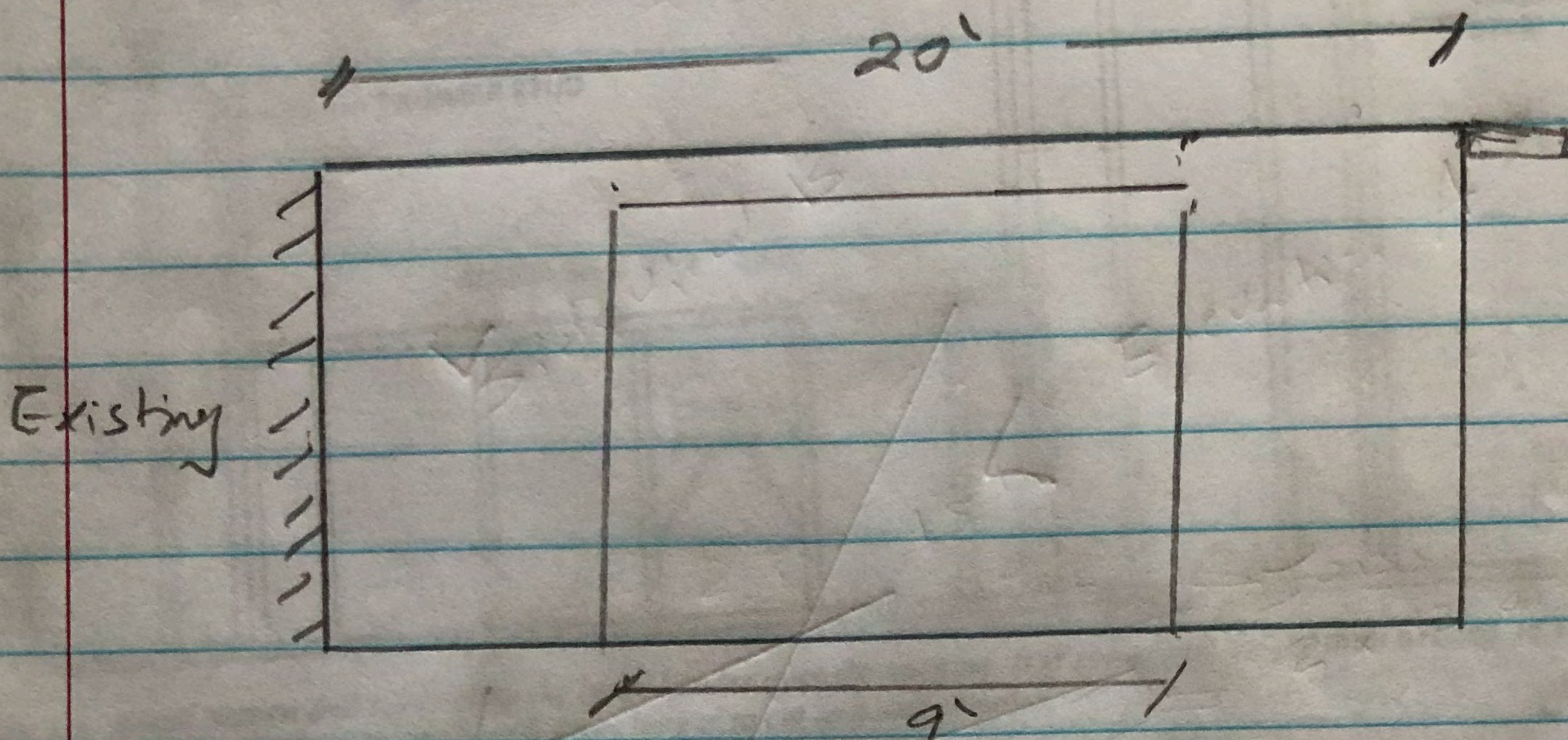


Important: Place card under blue copy.

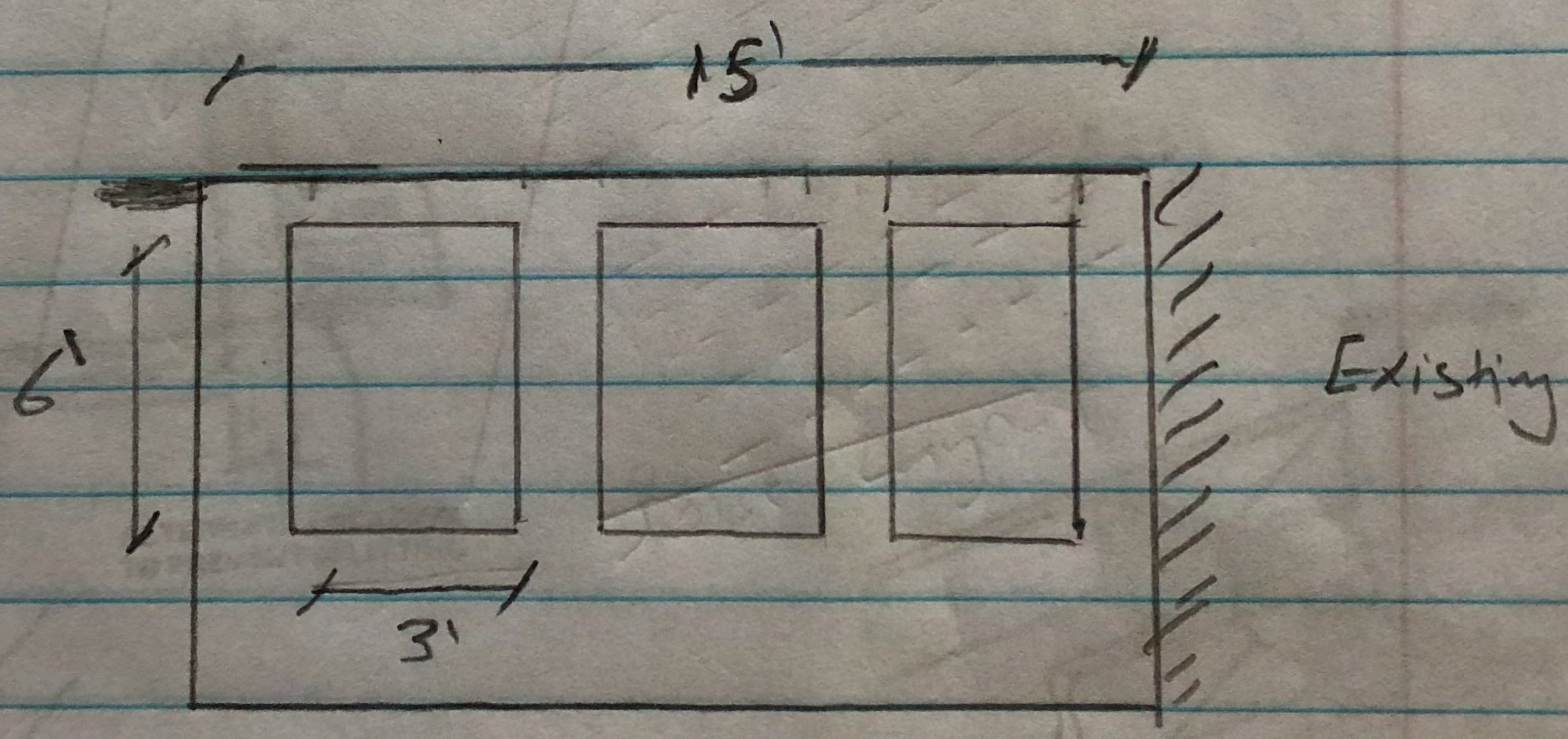


18 Heatheridge

Elevation / Side view



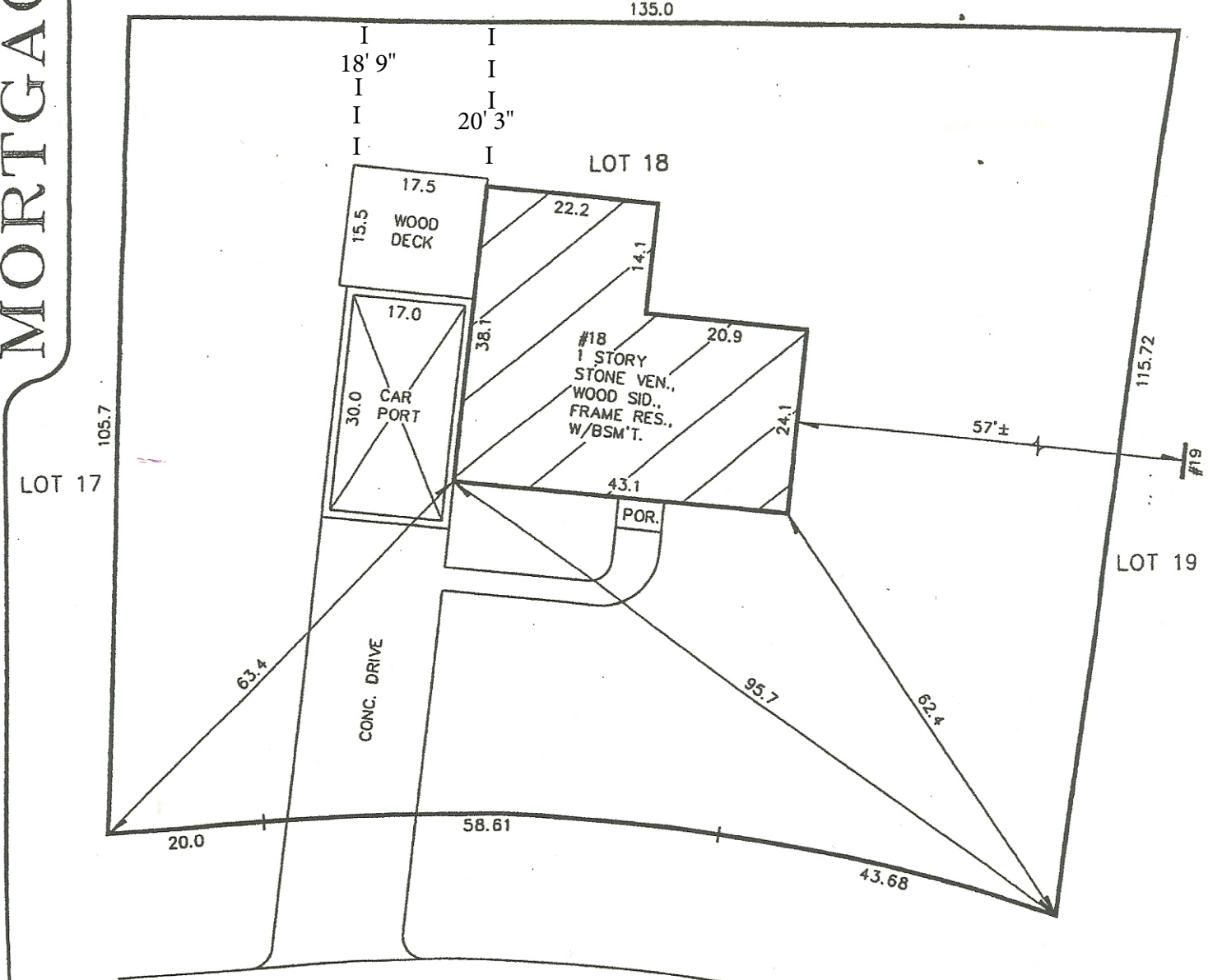
Elevation A



Sideview B



MORTGAGE

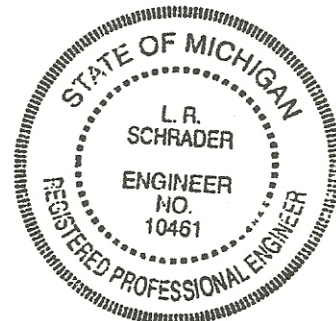


# HEATHER RIDGE

(VARIABLE WIDTH)

27' ASPHALT PAVEMENT

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.



*L.R. Schrader P.E.*

JOB NO: 01-63985

SCALE: 1"=20'

DATE: 6/18/01

DR BY: SLD

**KEM-TEC**  
LAND SURVEYORS

22558 Grevot Avenue  
Eastpointe, MI 48021-2312  
(810) 772-2222  
FAX: (810) 772-4048



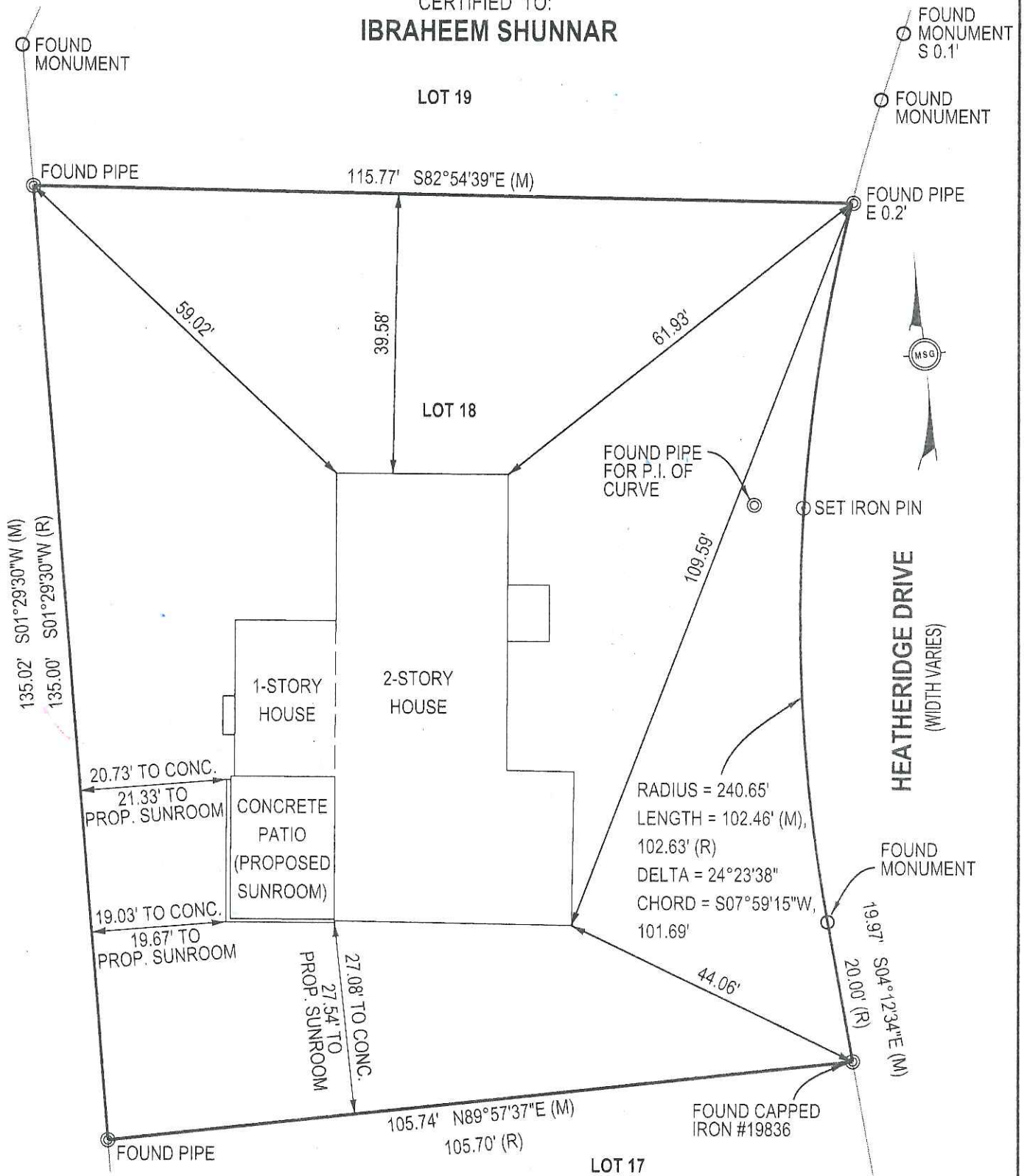
**KEM-TEC WEST**  
LAND SURVEYORS

800 E. STADIUM  
Ann Arbor, MI 48104-1412  
(734) 994-0888 \* (800) 433-6133  
FAX: (734) 994-0887

# CERTIFICATE OF SURVEY

PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 34,  
T. 2 S., R. 6 E., CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

CERTIFIED TO:  
**IBRAHEEM SHUNNAR**



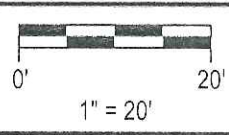
**LEGAL DESCRIPTION**

A PARCEL OF LAND SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW, STATE OF MICHIGAN, DESCRIBED AS:  
LOT 18, HEATHERIDGE SUBDIVISION, PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, T. 2 S., R. 6 E., AS  
RECORDED IN LIBER 10 OF PLATS, PAGE 59, WASHTENAW COUNTY RECORDS.

**NOTE:**

BEARINGS BASED ON THE WEST LINE OF  
LOT 18 PER PLAT OF HEATHERIDGE

We hereby certify that we have surveyed and mapped the land above platted and or described, and that the closure meets or exceeds a ratio of closure of 1/5000, or the positional accuracy of all property corners does not exceed 0.08 feet, and that this survey meets the requirements of P.A. Act 132 of 1970, as amended.



PREPARED FOR:  
**IBRAHEEM SHUNNAR**  
18 HEATHERIDGE DRIVE  
ANN ARBOR, MICHIGAN

DRAWN BY: MMB  
CHECKED BY: BAB

JOB No.: I2030001  
SHEET 1 OF 1



*Beth A. Braun 7/9/2020*  
**BETH A. BRAUN, P.S.**  
LICENSED PROFESSIONAL SURVEYOR  
MICHIGAN LICENSE NO. 52461  
DATE: 07/09/2020



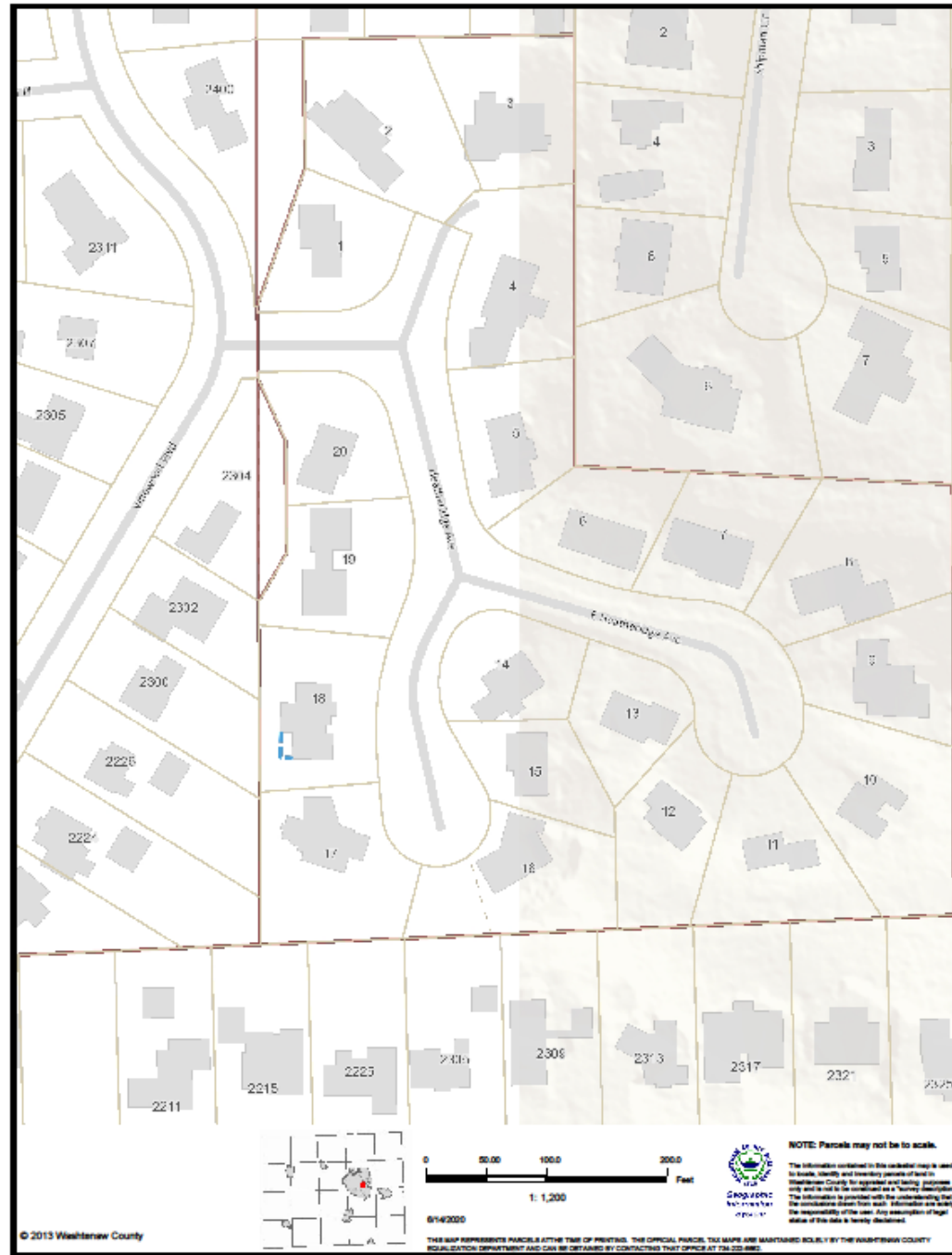
2365 HAGGERTY ROAD S.  
CANTON, MICHIGAN 48188  
TEL: (734) 397-3100  
FAX: (734) 397-3131

7/9/2020 10:36:19 AM W:\Projects\Projects F:\I2030001\CAD\SURVEY\I2030001\_Certificate of Survey.dgn



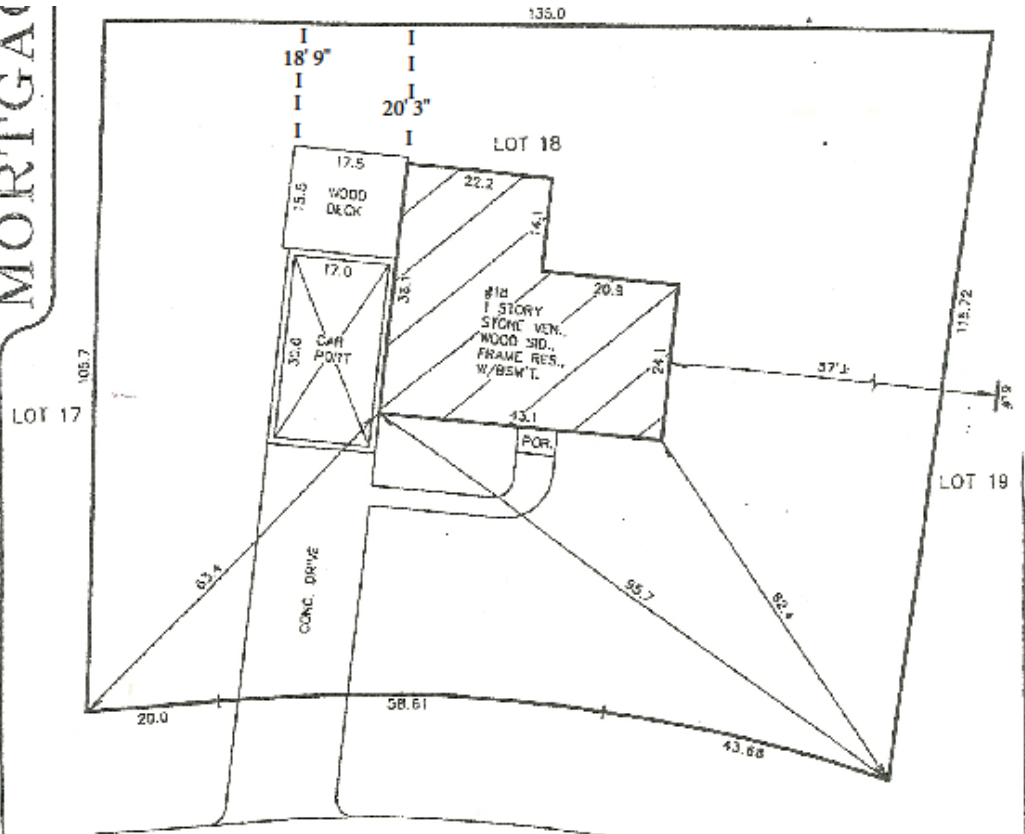
18 Heatheridge

# Neighborhood Lots and Building



# Survey and Setback

MORTGAGE



**HEATHER RIDGE**  
(VARIABLE WIDTH)  
27' ASPHALT PAVEMENT

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicant, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.



*L.R. Schraeder P.E.*

JOB NO: 01-63985      SCALE: 1"=20'  
DATE: 6/18/01      DR BY: SLD

**KEM-TEC**  
LAND SURVEYORS  
22006 Gretna Avenue  
Eastpointe, MI 48021-2012  
(810) 772-2222  
FAX: (810) 772-4048

**KEM-TEC WEST**  
LAND SURVEYORS  
800 E. STONHAM  
Apt. 400, MI 48104-1412  
(734) 804-0888 • (800) 439-8788  
FAX: (734) 804-0887

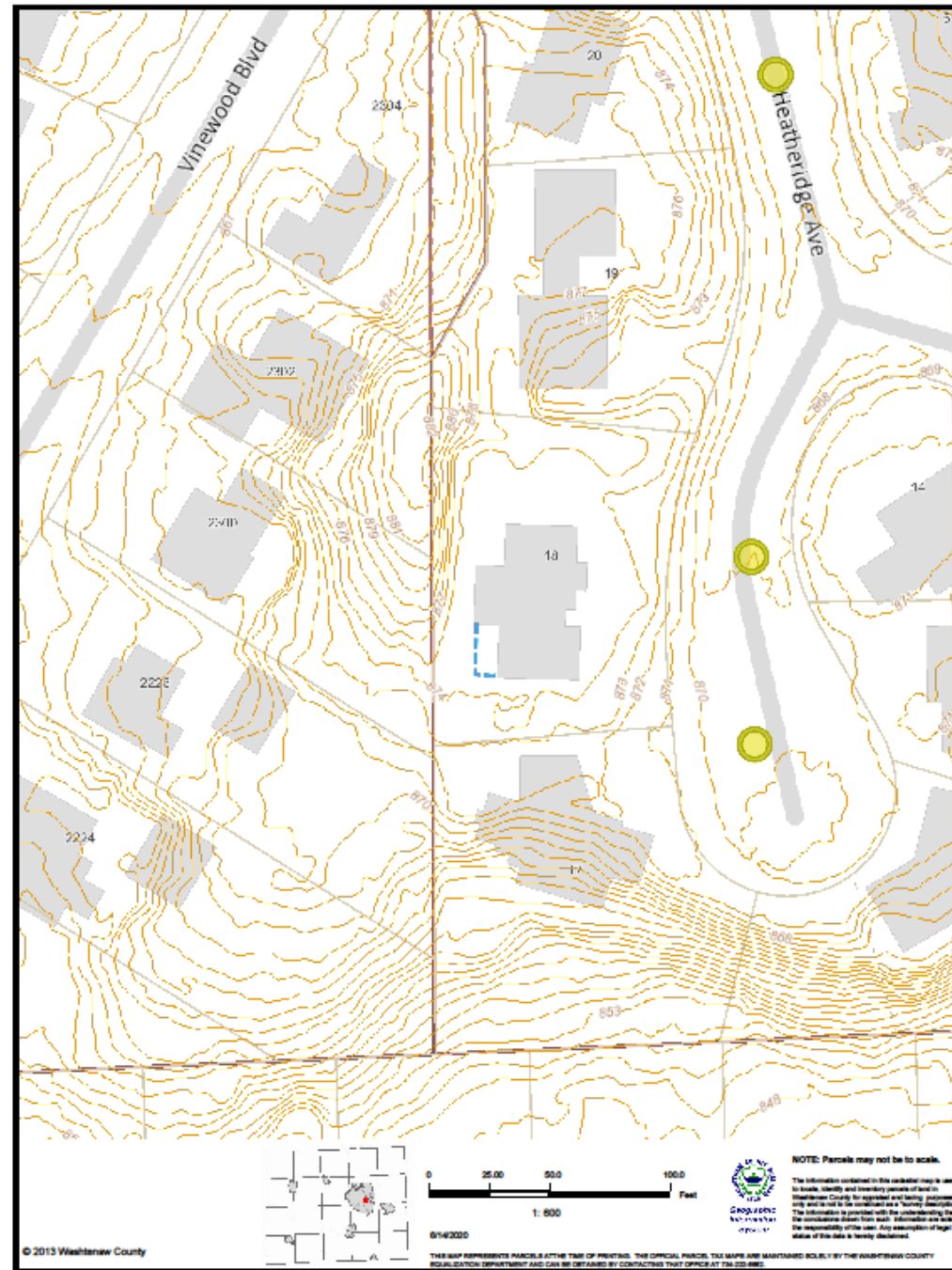




# Natural Cover Between Houses



# Natural Topography



# Front View Before and After



# Side View Before





# Side View After



# Stormwater Issues



# Moisture in Garage





# Moisture in Garage







2020/05/28



DUPONT Tyvek HomeWrap

HomeWrap



DUPONT Tyvek HomeWrap

DUPONT Tyvek HomeWrap

MADE IN THE USA



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HomeWra

Call 1-800-465-4654

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609-666-9835 tyvek.com/homewrap  
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2020/05/28

