

**Zoning Board of Appeals
March 27, 2013 Regular Meeting**

STAFF REPORT

Subject: ZBA13-008, 1200 Wright Street

Summary: Randall Velikan is requesting permission to alter a non-conforming structure in order to expand the non-conforming structure by constructing a building addition 19 feet 2 inches from the front property line; existing structure is 11 feet 2 inches from front property line, required setback is 31 feet 8 inches.

Background:

The subject parcel is zoned R2A (Two-Family Residential District) and located on Wright Street, north of Long Shore Drive. The parcel is conforming for required lot size: subject parcel is 12,371 square feet; minimum lot size is 8,500 square feet. The structure was built in 1918 and is 1,010 square feet.

Description:

The petitioner would like to construct a 288 square foot single-story addition to the south side of the house. The existing house is setback 11 feet 2 inches to the covered front porch and 18 feet 2 inches to the front wall of the house. The proposed addition will be inset 1 foot from the existing front wall for a front setback to the new addition of 19 feet 2 inches. The required front setback is based on averaging of existing properties which is 31 feet 8 inches. A variance is not required because the new addition will not encroach any further into the front setback than the existing house.

Standards for Approval- Permission to Alter a Non-Conforming Structure

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:

The alteration complies as nearly as practicable with the requirements of the Zoning Chapter and will not have a detrimental effect on neighboring property.

While the subject parcel is large, the placement of the house near the front property line limits the area available for an addition to the rear of the house. The home was

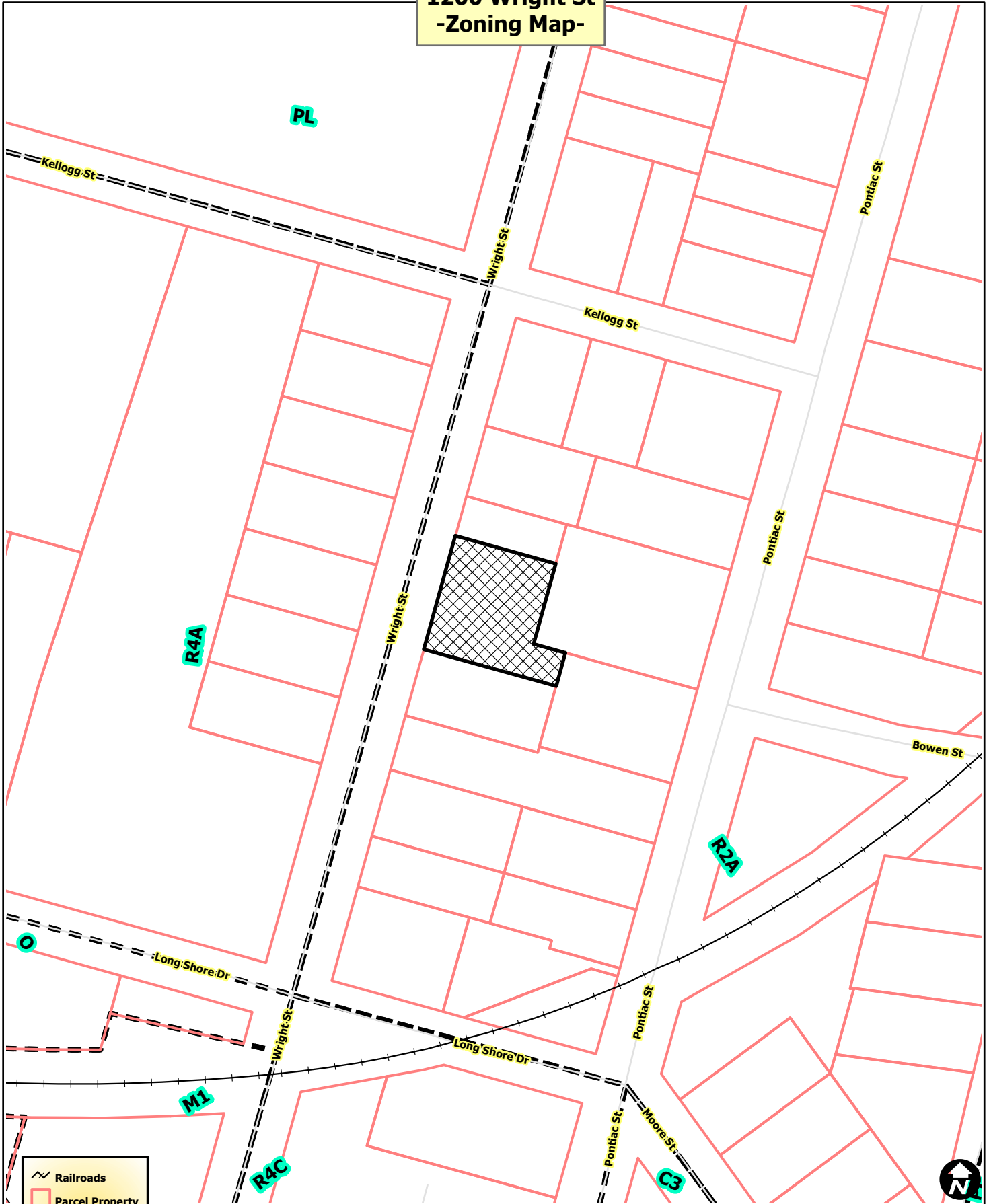
constructed before current zoning standards were in effect and the existing house is only 20 feet wide. The proposed addition will be set back 1 foot from the existing front wall of the house and be consistent with the existing architecture of the house. The house will be enlarged; however the addition will be over 30 feet from the closest side property line. The expansion will allow the petitioner to improve their property while respecting the intent of the Zoning Ordinance. Staff does not feel that the requested variance would negatively affect any surrounding property. The subject house is located on a large lot in an area of houses with similar density and scale.

Respectfully submitted,

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

Matthew J. Kowalski, AICP
City Planner

1200 Wright St -Zoning Map-



	Railroads
	Parcel Property
Zoning	
	Township
	Zoning



City of Ann Arbor Map Disclaimer:



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Map Created: 3/7/2013

1200 Wright St -Aerial Map-



-  Railroads
-  Parcel Property



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Map Created: 3/7/2013

1200 Wright St -Zoning Map-



-  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: Randall Velikan
Address of Applicant: 1212 Wright St., Ann Arbor, MI 48105
Daytime Phone: 734-747-1130
Fax: _____
Email: rvelikan@gmail.com
Applicant's Relationship to Property: Owner (along with wife, Karla Velikan)

Section 2: Property Information

Address of Property: 1200 Wright St., Ann Arbor, MI 48105
Zoning Classification: R2A
Tax ID# (if known): _____
*Name of Property Owner: Randall Velikan (and wife, Karla Velikan)

**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 Vacant house, uninhabited since approximately 2006.

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 _____

Lot width _____

Floor area ratio _____

Open space ratio _____

Setbacks 11'2" front setback (porch) 31'8" (average setback)

Parking _____

Landscaping _____

Other _____

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

The proposed alteration includes a first-floor addition that will be positioned 19'2" from the front property line, whereas the existing setback is 11'2" from the front property line (measured at the roof-line of the front porch). Further, the front wall of the proposed addition will be positioned 1' back from the front wall of the house, which is positioned 18'2" from the front property line.

We are requesting approval because it would be cost-prohibitive to move the house. The house was built in 1918, long before the current zoning ordinance went into effect, and the existing setback is 11'2". The current zoning ordinance (5:57) requires a setback of 31'8" based on the average setback of the structures on adjacent lots at 1206 Wright St., which has a setback of 12'4" and 1126 Wright St., which has a setback of 51'.

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:

- a. The alteration will not reduce the existing setback. The proposed addition will be positioned approximately 8' further back from the existing setback, at 19'2".
- b. The proposed addition will not have a detrimental effect on neighboring properties because they also have non-conforming setbacks. The house next door at 1206 Wright Street has a setback of 12'4". Houses across the street at 1201 and 1205 Wright have setbacks of approximately 21'.
- c. While some of the houses on our block do conform to the setback requirement, including the house at 1126 Wright St., there are many that do not, and our house will not stand out or look out of place in the context of the neighborhood.

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

Construction of a first-floor addition on the South side of the house, to be positioned 19' from the front property line.

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.

734 747 1130
 Phone Number
rvelikan@gmail.com
 Email Address

[Signature]
 Signature
Randy Velikan
 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.

[Signature]
 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.

[Signature]
 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.**

[Signature]
 Signature

On this 26th day of February, 2013, 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.

[Signature]
 Notary Public Signature

July 30, 2018
 Notary Commission Expiration Date

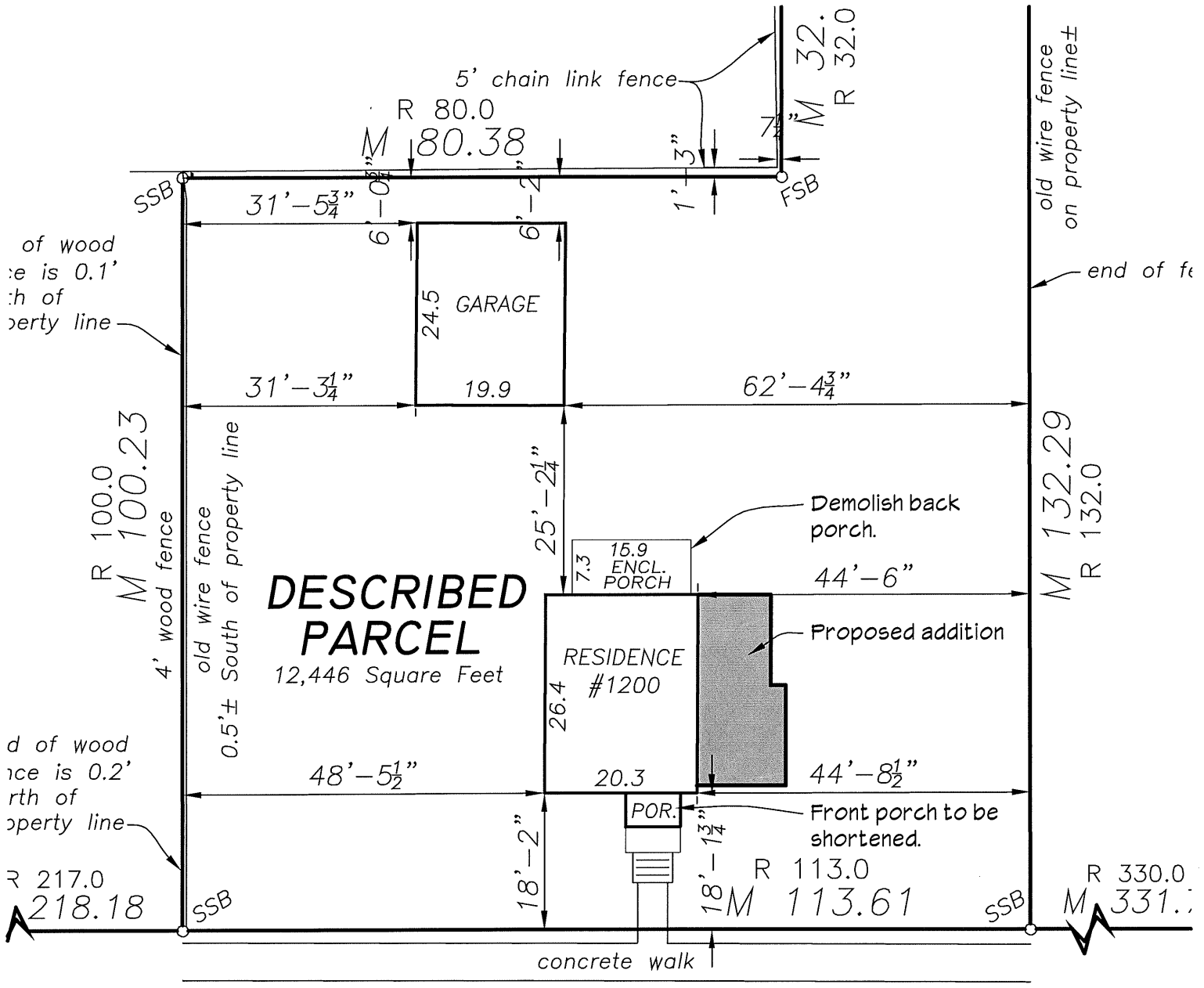
Michelle R. Rood
 Print Name



Michelle R. Rood
 MICHELE R. ROOD
 NOTARY PUBLIC, STATE OF MI
 COUNTY OF WASHTENAW
 MY COMMISSION EXPIRES Jul 30, 2018
 ACTING IN COUNTY OF Washtenaw

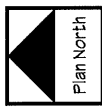
Staff Use Only

Date Submitted: _____ Fee Paid: _____
 File No.: _____ Date of Public Hearing _____
 Pre-filing Staff Reviewer & Date _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____



WRIGHT STREET

(66' wide)



Partial Site Plan

1" = 20'-0"

STUDIO Z
ARCHITECTURE

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 CANTON, MICHIGAN 48187
 TELEPHONE: (734) 394-9400
 FACSIMILE: (734) 394-9401

Project:

Velikan Residence

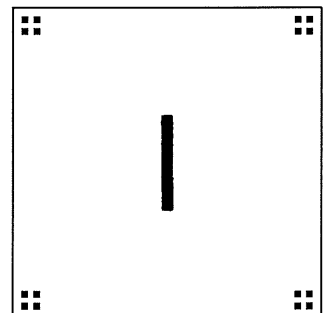
1200 Wright Street, Ann Arbor, MI 48105

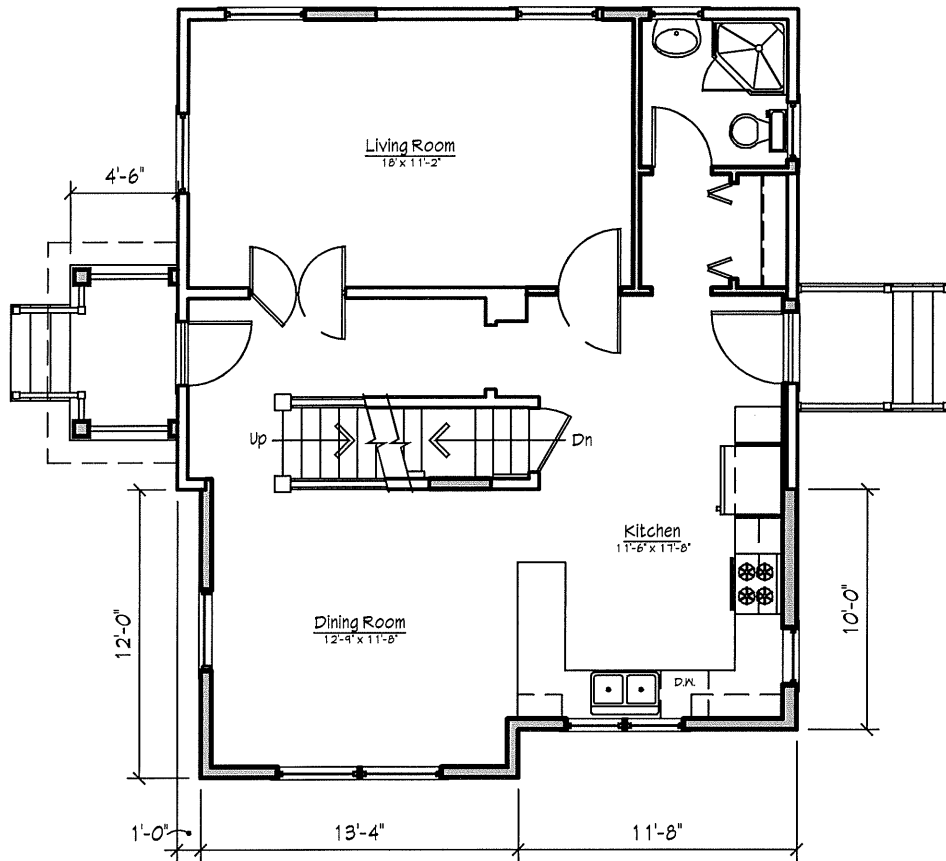
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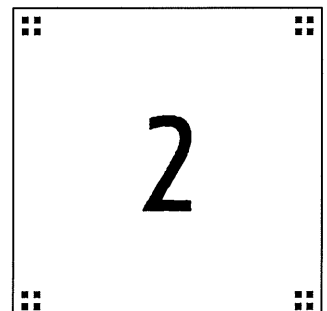

First Floor Plan
 Plan North $\frac{1}{8}'' = 1'-0''$

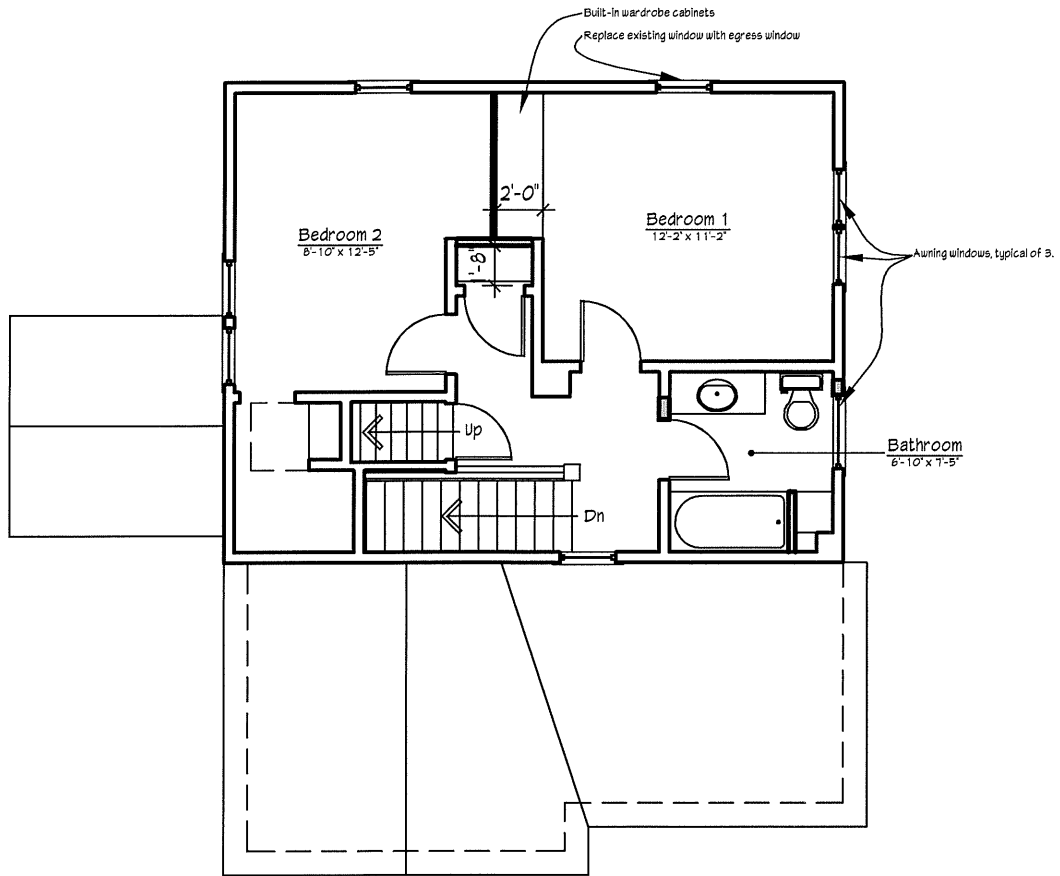
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Second Floor Plan

Plan North $\frac{1}{8}'' = 1'-0''$

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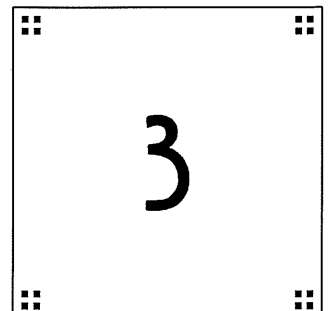
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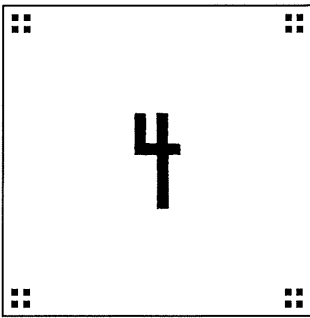


W Proposed Front Elevation
 $\frac{1}{8}'' = 1'-0''$

PRELIMINARY
 Not for construction

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S Proposed Side Elevation
 $\frac{1}{8}'' = 1'-0''$

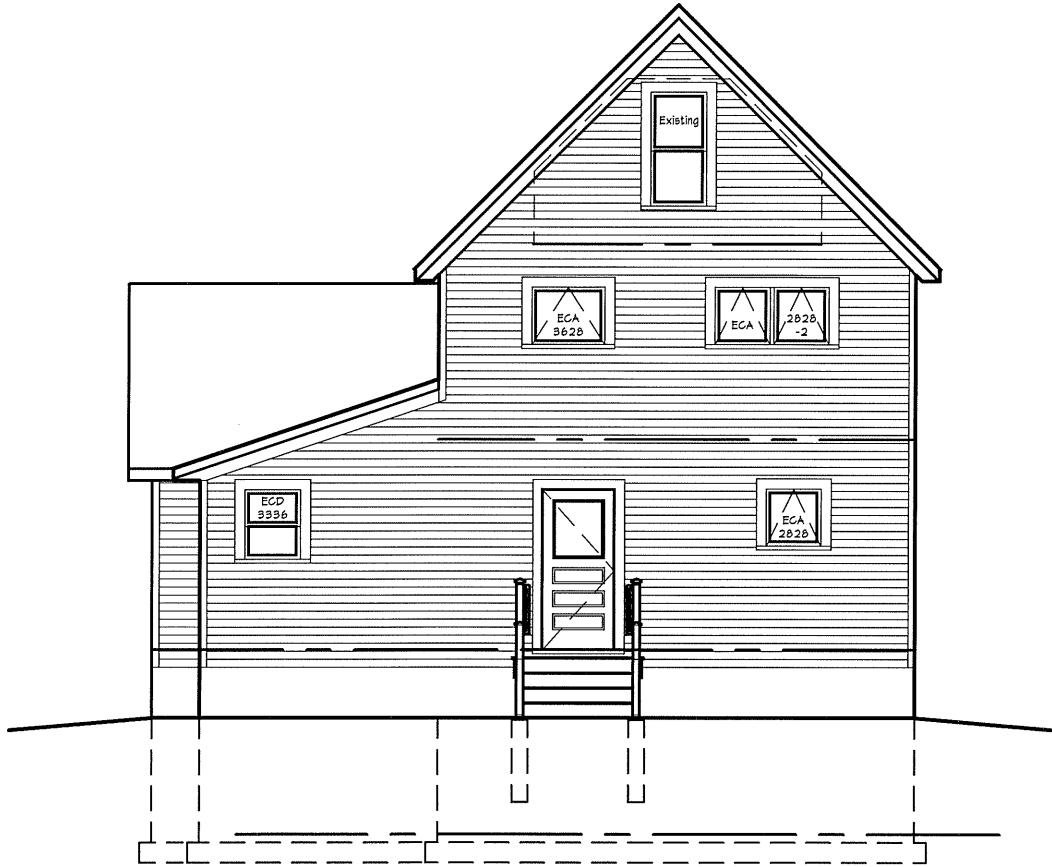
PRELIMINARY
 Not for construction

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E Proposed Back Elevation
 $\frac{1}{8}'' = 1'-0''$

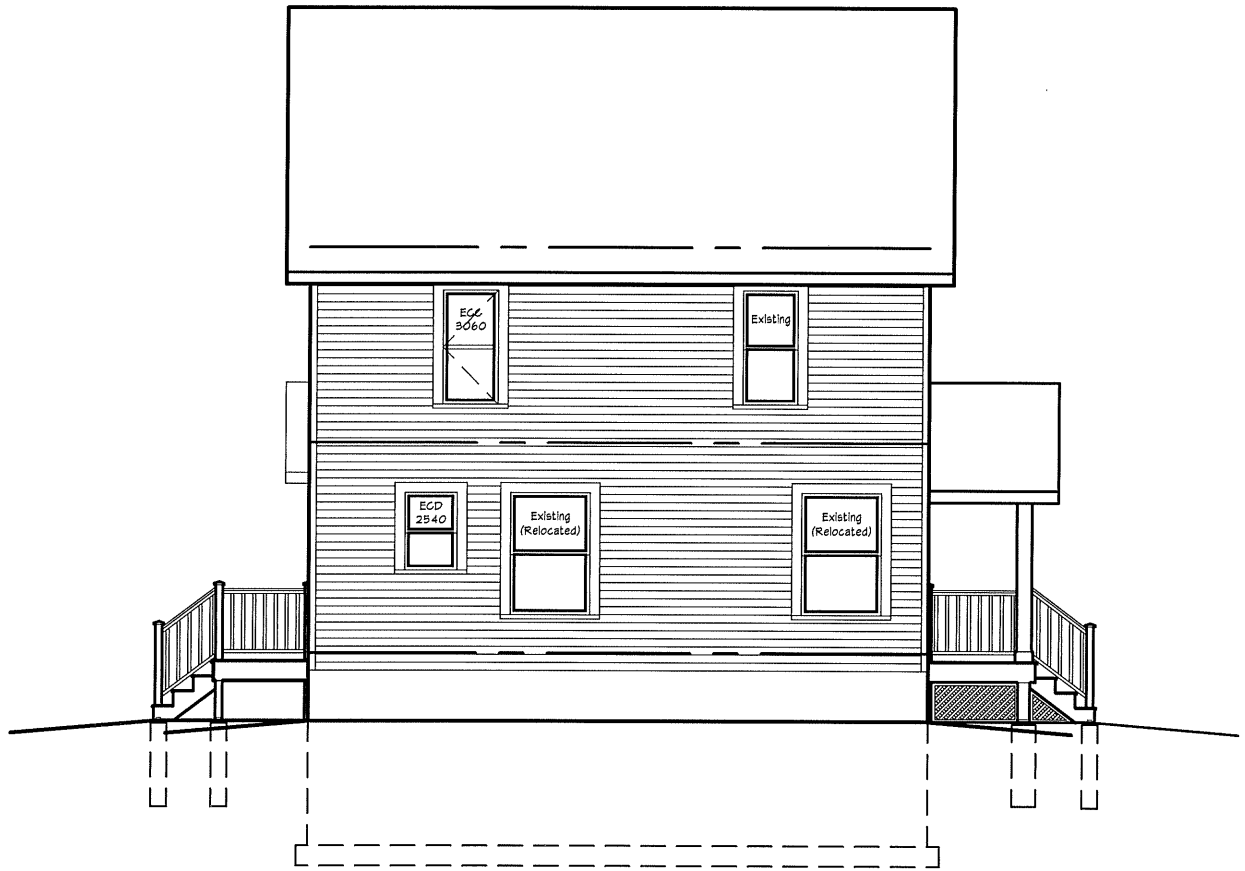
PRELIMINARY
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N Proposed Side Elevation
 $\frac{1}{8}'' = 1'-0''$

PRELIMINARY
 Not for construction

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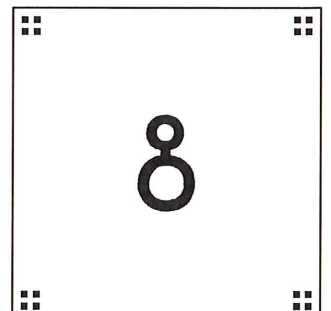


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—Original Message—

From: David Cohen [<mailto:dwcohen@umich.edu>]

Sent: Tuesday, March 12, 2013 8:57 PM

To: Kowalski, Matthew

Subject: Zoning Board of Appeals ZBA 13-008

We write here, attached, at your request for comment, in support of the application of R Velikan for permission to construct an addition at 1200 Wright Street.

We strongly recommend your approval of their application.

We are the most neighbors located most closely to the proposed addition.

David William Cohen and Gretchen Elsner-Sommer

From: Susanna Hapgood [<mailto:susanna.hapgood@gmail.com>]

Sent: Tuesday, March 12, 2013 10:25 PM

To: Kowalski, Matthew

Cc: Jeff Kupperman

Subject: RE: Appeal ZBA 13-008

Dear Mr. Kowalski,

My husband and I are writing to express our support for the requested zoning appeal to 1200 Wright Street. We live directly behind the property in question and are happy that the property will be renovated and occupied soon. We think that the plans, as far as we understand them, are reasonable and in keeping with the character of the property.

Sincerely,

Susanna Hapgood & Jeff Kupperman
1205 Pontiac Trail/Street
Ann Arbor, MI 48105