

ANN ARBOR HOUSING BOARD OF APPEALS

HOUSING INSPECTOR STAFF REPORT

Variance Hearing for HBA15-003 at 712 South Main Street, Ann Arbor, MI 48104 (Parcel Identification Number: 09-09-29-416-011).

Hearing Date: November 9, 2016

DESCRIPTION AND DISCUSSION

John B. Hallmann
6404 Birch Creek Drive
Loveland, OH 45140

The owner of the residence located at 712 South Main Street requests a variance from the requirement of a minimum 9" tread depth as required by section **8:504 (B)4**. For the stairs to the second floor. On a first time rental inspection conducted on June 25, 2015 by Terry Root, it was found that the original stairs have a tread depth of only 8", measured nose to nose. Section **8:504 (B)4** of the City's Housing code requires a min.9" tread depth. The house was built in 1905 and appears to be original construction with 3 bedrooms and a bath on the second floor.

Section **8:515 (2)** of the Ann Arbor Housing Code:

The City of Ann Arbor Housing Code allows the Housing Board of Appeals to grant variances on existing structural elements of a building.

Standards for Approval

Practical difficulties or unnecessary hardship.

Per the Applicant

"It would be unreasonable for me to remove this beautiful old staircase and replace it to gain only ½ inch (actually 1") pf tread depth. In addition, it is likely too costly for me to afford."

The variance does not jeopardize the public health and safety. At this time there does not appear to be an immediate health, safety and welfare of residents. Granting this variance as requested by the petitioner will not violate this purpose.

STAFF RECOMMENDATION

Staff recommends the following motion:

MOTION

It is my recommendation to allow the variance for the 8" tread depth, the owner is also installing hardwired interconnected smoke alarms at the top of all stairways due to the ceiling height at the second floor is only 5'- 6-1/4" Section **8:504(4) (B)7** allows a reduction to 5'-6" provided the smoke alarms are installed at the top of each flight of stairs.

Terry Root
Development Services Inspector



City of Ann Arbor
PLANNING & DEVELOPMENT SERVICES — CONSTRUCTION SERVICES

Mailing: 301 E. Huron St. P.O. Box 8647 Ann Arbor, Michigan 48107-8647
P 734.794.6263 F 734.994.8460 building@a2gov.org

APPLICATION FOR VARIANCE AND/OR TIME EXTENSION
HOUSING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: John B. Hallmann
Address of Applicant: 6904 Birch Creek Dr, Loveland, OH 45740
Daytime Phone: 614.419.5399 Fax: _____
Email: John.Hallmann@Kroger.com
Applicant's Relationship to Property: owner

Section 2: Property Information

Address of Property: 712 S. Main St, Ann Arbor, MI 48104
Zoning Classification: R4B
Tax ID# (if known): _____
*Name of Property Owner: John B. Hallmann

**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:
Stair Tread Depth Less than 9" Required only 8.5"

Example: Chapter 105, Section 5:26

Example: 6', 8" Basement Ceiling Height Clearance

Example: 6', 6" Basement Ceiling Height Clearance

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

It would be unreasonable to remove this Beautiful old stair case (see Pic) and Replace it to gain only 1/2 inch of Tread Depth. in addition it is likely to costly for me to afford.

Section 4: Variance Request

The City of Ann Arbor Building Board of Appeals has the powers granted by State law and Building Codes. A variance may be granted by the Building 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 Building Board of Appeals.

1. Are there hardships or practical difficulties to complying with the Code? Are these hardships or practical difficulties an exception or unique to the home compared to other homes in the City?

Very costly to replace a stair case when it has been functioning fine for last 90 years, it would be a financial hardship to replace and may cause additional modifications to home.

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

Yes house would need to be majorly modified to replace stair case.

3. What effect will granting the variance have on the neighboring properties? NONE

many other house have similar stairs

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 Code?

stair tread depth is too short by 1/2 inch

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

The home was built this way

Section 5: 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 Building 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. **If incomplete, you will be scheduled for the NEXT MEETING DATE ON THE FOLLOWING MONTH.**

- State proposed use of property, size of lot and size and type of proposed changes.
- Building floor plans showing interior rooms, including dimensions. (continued....)
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.
- Letter of Authority if being represented by someone other than the property owner.

Section 6: 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 Applicable City Code and/or 2006 Michigan Residential Code and/or 2006 Michigan Building Code for the stated reasons, in accordance with the materials attached hereto.

614-419-5399
Phone Number
John.Hallman@kroger.com
Email Address

[Signature]
Signature
John B. Hallman
Print Name

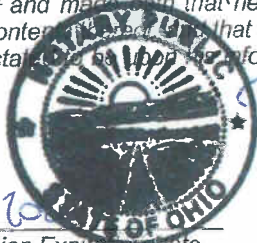
I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith are true and correct and have received all coversheets with dates, deadlines and instructions. Applicant acknowledges that they are aware of these meeting dates and will not receive further notification of meeting dates and times. All applicants are expected to know when and where the meeting is and to appear to present their appeal in a timely fashion:

[Signature]
Signature

Further, I hereby give City of Ann Arbor Planning and Development Services unit staff and members of the Building Board of Appeals permission to access the subject property for the purpose of reviewing my variance request. As a condition of granting any variance, the property owner is also responsible for reinstating, paying fees for or acquiring new permits to inspect and final out any outstanding work at this property:

[Signature]
Signature

On this 21 day of July, 2015, 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 based on information and belief as to those matters, he/she believes them to be true.



ROBIN M. SIMON
Notary Public, State of Ohio
My Commission Expires June 13, 2020
[Signature]
Notary Public Signature
Robin M Simon
Print Name

June 13, 2020
Notary Commission Expiration Date

STAFF USE ONLY

Date Submitted: 7-24-15 Fee Paid: \$250.00
File No: HBA 15-003
Pre Filing Review Person & Date: _____
Secondary Staff Review Person & Date: _____
Date of Public Hearing: _____
BBA Action: _____
OUTSTANDING PERMITS: _____

Variance request for 712 south main Ann arbor Michigan


Section 5 materials

#1 Propose of Property House will be used for rental income

#2 Building floor plan attached (1)

#3 Photos of stair case attached (2)

#4 Support for request It would be unreasonable to replace a perfectly good functioning stair case and may cause additional structural modifications to house. In addition is would cause a huge financial hardship to myself own of house.

Also the Head cleance is only 5'-8" city inspector
SAID it needed to be 6ft. Also was SAID this
maybe ok if I install A interconnected smoke ALARM.
I will Be Having this work Done,




CITY OF ANN ARBOR

100 N. FIFTH AVE • ANN ARBOR, MI 48104
(734) 794-6267

Receipt Number: 2016-00005425

Project Number HBA15-003
Receipt Print Date: 07/24/2015
Address 712 S MAIN ST
Applicant
Owner HALLMANN JOHN B & MACHA DOROTH
Project Description

FEES PAID

0010-033-3370-0000-4362
P&D - APPEAL FEES 15/16

HBA	0010-033-3370-0000-4362	250.00
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Total Fees for Account 0010-033-3370-0000-4362:	250.00
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TOTAL FEES PAID	250.00
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DATE PAID: Friday, July 24, 2015
PAID BY: LOGOS
PAYMENT METHOD: CHECK 97



CITY OF ANN ARBOR

100 N. FIFTH AVE • ANN ARBOR, MI 48104
(734) 794-6267

Receipt Number: 2017-00005892

Project Number HBA15-003
Receipt Print Date: 07/26/2016
Address 712 S MAIN ST
Applicant HALLMANN JOHN B & MACHA DOROTH
Owner HALLMANN JOHN B & MACHA DOROTH
Project Description VARIANCE FOR STAIRS & TOP LANDING

FEES PAID

0010-033-3370-0000-4362

P&D - APPEAL FEES 15/16

HBA

0010-033-3370-0000-4362

250.00

Total Fees for Account 0010-033-3370-0000-4362:

250.00

TOTAL FEES PAID

250.00

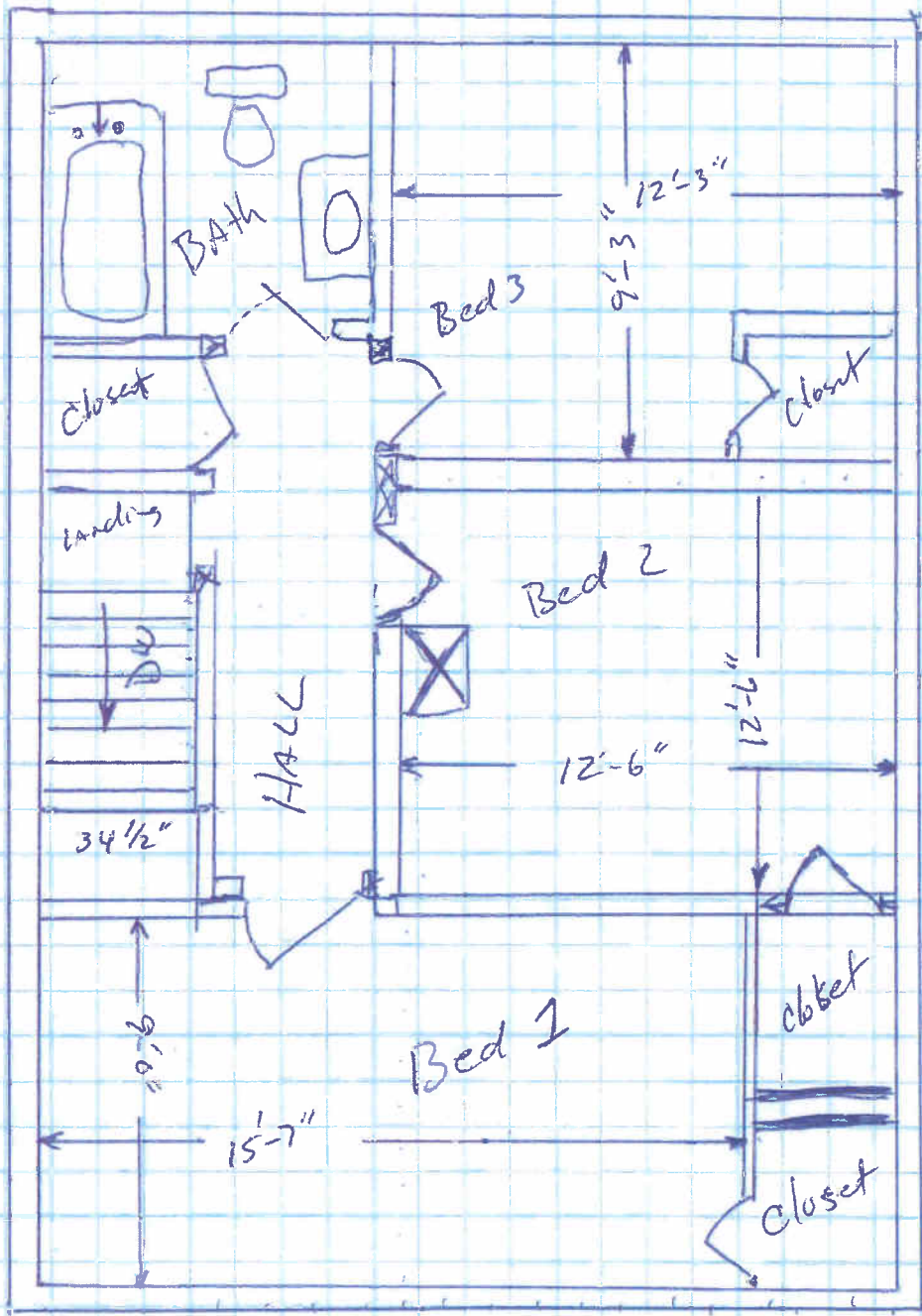
DATE PAID: Tuesday, July 26, 2016

PAID BY: LOGOS

PAYMENT METHOD: CREDIT CARD TYPE NOT





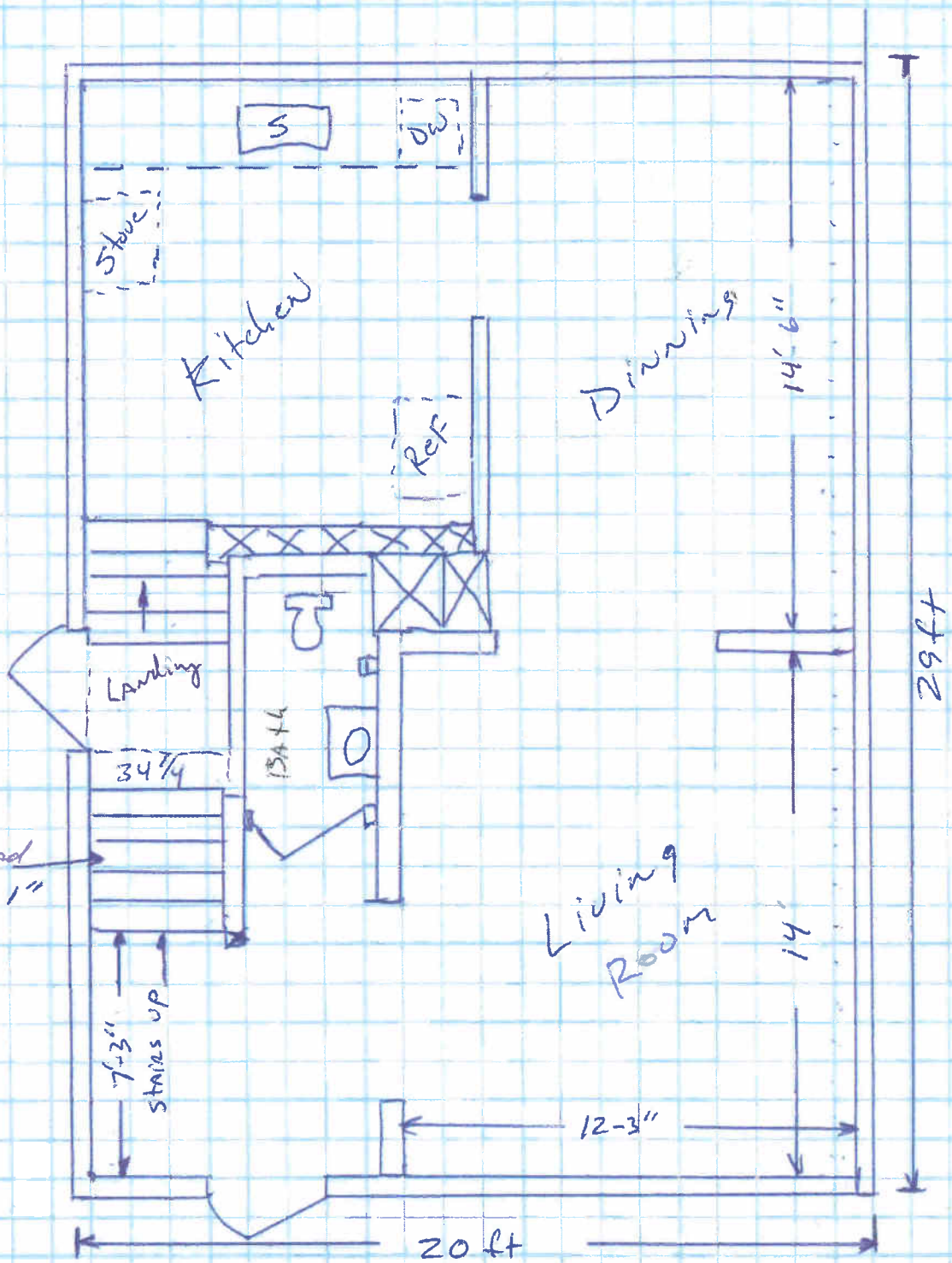


Second Floor PLAN

20 ft

29 ft

First Floor
712 S. MAIN



each STAIR Tread
in 9 1/2 inches w/ 1"
NOSE
13 STAIRS
TOTAL
See PIC'S



CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 E. Huron St, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
Phone: (734) 794-6264
Fax: (734) 994-8460

October 19, 2016

John B. Hallmann
6404 Birch Creek Drive
Loveland, OH 45140

Re: 712 South Main Street, Ann Arbor, Michigan, 48104
Parcel Identification Number ("PIN"): 09-09-29-416-011

Dear Mr. Hallmann:

Please consider this as a notice to attend the Ann Arbor Housing Board of Appeals meeting for your variance request. You will have the opportunity to address the Board.

This meeting will take place on Wednesday, November 9, 2016 at 1:30 PM on the 2nd floor of City Hall in the Council Chambers.

If you are planning to support your request with information or evidence not included with your application, please submit your additional information to City Housing Department staff either by email at a2rentalhousing@a2gov.org or in person no later than the Friday before the meeting to allow time for distribution to the Board members. If you bring additional materials to the meeting, please bring 10 hard copies for the Board members and City staff.

Sincerely,

Lisha Turner-Tolbert
Rental Housing Services Manager



CITY OF ANN ARBOR, MICHIGAN

Community Services Area
Planning & Development Services Unit
301 East Huron, P.O. Box 8647,
Ann Arbor, Michigan 48107-8647
Phone: (734) 794-6261
Fax: (734) 994-8460

July 7, 2016

John B. Hallman
6404 Birch Creek Dr.
Loveland, OH 45140

Re: 712 South Main Street, Ann Arbor, Michigan
Parcel Identification Number ("PIN"): 09-09-29-416-011

Dear Mr. Hallman:

Please consider this as a reminder to attend the Ann Arbor Housing Board of Appeals meeting for your variance request in regards to the stair tread depth.

The meeting will take place on Tuesday, July 12, 2016 at 1:30 PM on the 2nd floor of City Hall in the Council Chambers. Please bring materials to the meeting for your presentation of the variance request if needed.

Sincerely,

Lisha Turner-Tolbert
Rental Housing Services Manager