



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

HB A16-009

Section 1: Applicant Information

Name of Applicant: Louis A. Breskman
 Address of Applicant: 617 W. Madison Ann Arbor, MI 48103
 Daytime Phone: 610.952.5269 Fax: _____
 Email: louisbreskman@gmail.com
 Applicant's Relationship to Property: owner

Section 2: Property Information

Address of Property: 335 Catherine St. Ann Arbor, MI 48104
 Zoning Classification: 401 Residential
 Tax ID# (if known): _____
 *Name of Property Owner: Louis A. Breskman

**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:

R311.7.9.1
Spiral Stairways

REQUIRED dimension:

clear width below
handrail of 26 inches
with each tread having a
7.5 inch min tread at 12 inches
from the narrow edge.
 Example: 6', 8" Basement
 Ceiling Height Clearance

PROPOSED dimension:

Tread widths 21"
Distance to wall is 25.5'
proposed to grant variance
to keep 21" tread
 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)

The maximum depth of the stairwell is 48" which does not
provide adequate space for 27" treads, without remodeling the house
and masonry walls.

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

The City of Ann Arbor Housing Board of Appeals has the powers granted by City Code Chapter 105. A variance may be granted by the Housing 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 Housing Board of Appeals.

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?

Yes, it is an older home that would require structural changes to comply.

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

Yes, it would require major construction work. The property is in a historic district and the work would need to preserve the character of the house while modernizing the staircase, which may not be possible.

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

There will be no ill effect on the neighboring properties if the variance is granted.

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 depth of the stairwell is 48" max. It is not a large enough space to allow for the size staircase that is desired.

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

The staircase was built in 1978 and passed previous C.O. inspections. After I acquired the property in 2013 the staircase was determined to no longer meet code. I'm applying for the variance in order to keep the staircase.

Section 5: Time Extension

Current use of the property Income Property

Explain why you are requesting a time extension:

To determine whether the variance will be approved.

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 Housing 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.**

- 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.
- A Complete List of Tenant Names so that they can be notified that the HBA will do a 'walk-through' of the property on the day of the hearing.

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.

610.952.5269

Phone Number

[Handwritten Signature]

Signature

Louis Breskman@gmail.com

Email Address

Louis Breskman

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. I acknowledge that I've received all instructions, time, date and place of meeting and will be present to present the appeal. Staff will not send additional notification of meeting times.

[Handwritten Signature]

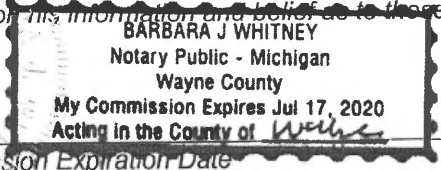
Signature

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

[Handwritten Signature]

Signature

On this 29 day of July, 2016, 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.



[Handwritten Signature]
Barbara J. Whitney

Notary Public Signature

Print Name

Notary Commission Expiration Date

STAFF USE ONLY

Date Submitted: _____ Fee Paid: _____

File No.: _____ Date of Public Hearing: _____

Pre-filing Staff Reviewer & Date: _____ HBA Action: _____

Pre-Filing Review: _____

Staff Reviewer & Date: _____



CITY OF ANN ARBOR

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

Receipt Number: 2017-00016748

Project Number HBA16-009
Receipt Print Date: 09/08/2016
Address 335 CATHERINE ST
Applicant 335 CATHERINE, LLC
Owner 335 CATHERINE, LLC
Project Description Variance for Stairwell Depth

FEES PAID

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

HBA	0010-033-3370-0000-4362	500.00
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Total Fees for Account 0010-033-3370-0000-4362:	500.00
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TOTAL FEES PAID	500.00
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DATE PAID: Thursday, September 8, 2016

PAID BY: LOGOS

PAYMENT METHOD: CREDIT CARD TYPE NOT

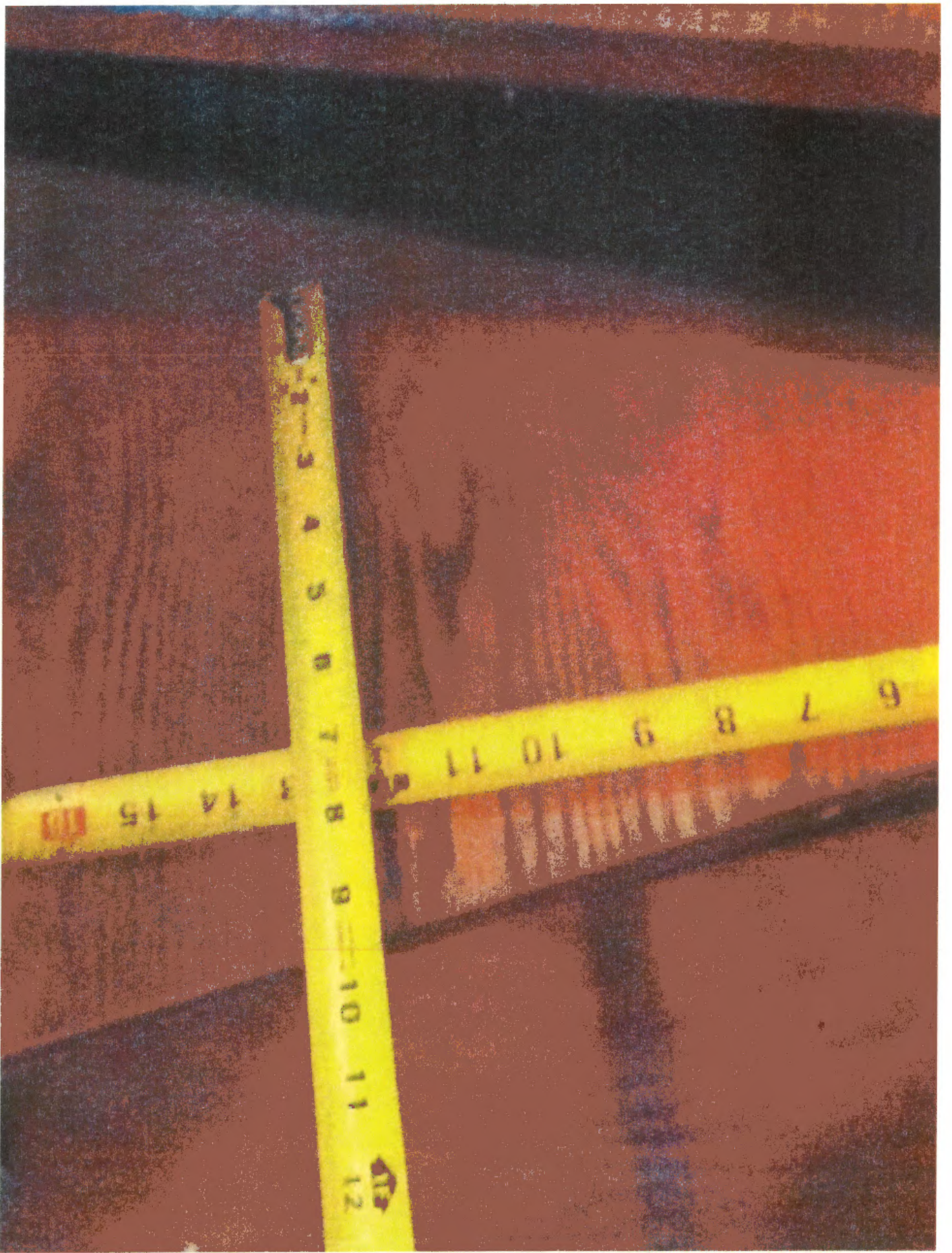


#1 stairwell width is 49", 27" long treads would require serious frame modification to the adjacent wall and stairwell, and also moving a bedroom door.

#2 minimum headroom is 77 1/2" ; only 1/2" below code. Also the front of tread measured from (3rd from bottom) is not parallel with landing, and angles away from landing. The stair below it measured to 86 1/4" headroom.



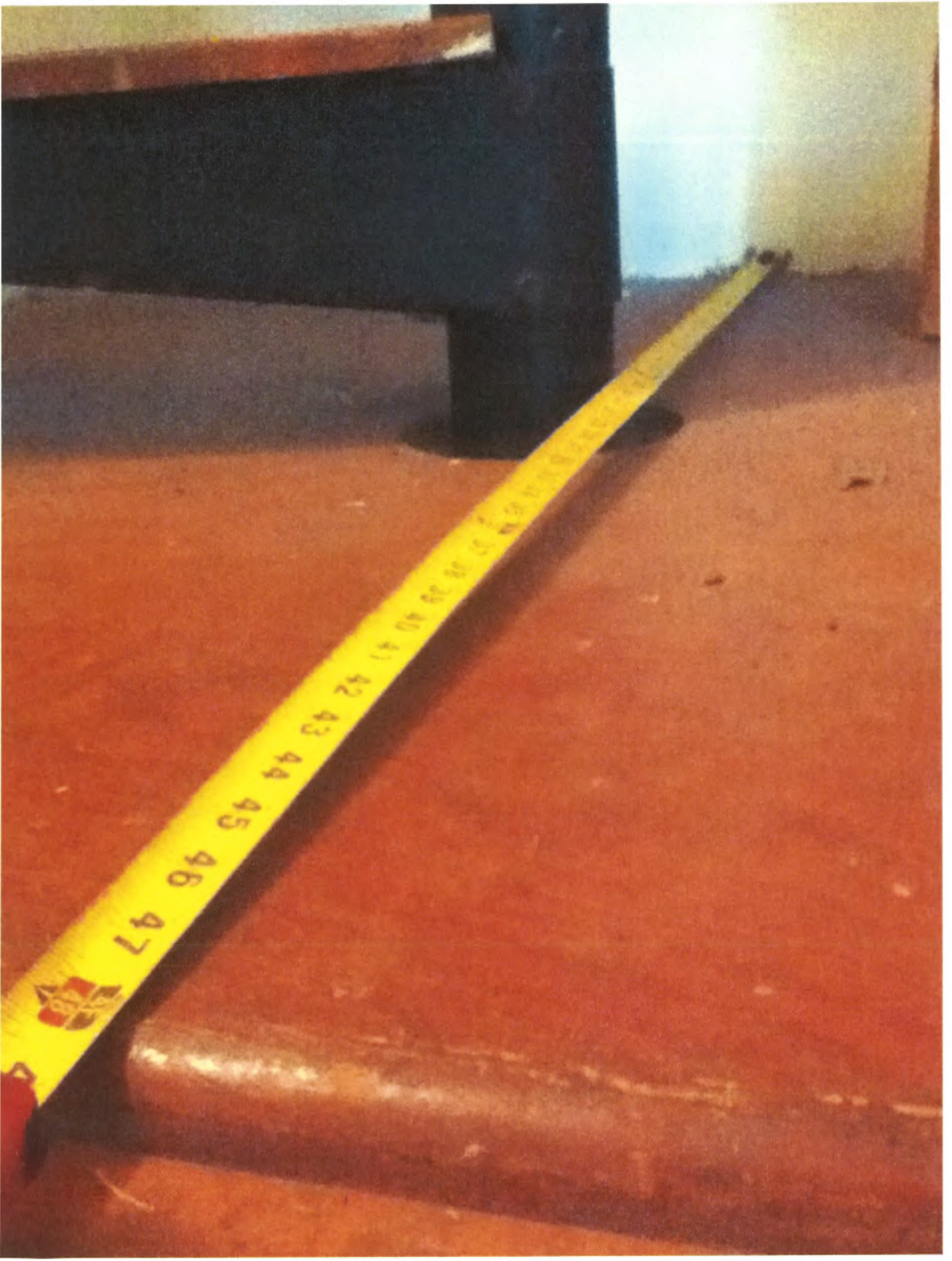
#3 tread depth exceeds requirement, 9 3/4" @ 12" from narrower edge.



#4 stair rise requirement is met at 8 3/4"



#5 maximum depth of stairwell is 48", again this is not adequate space for 27" treads without serious modification to the framework of the house. This type of hardship is the perfect example of what constitutes a variance.





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

November 23, 2016

Louis Breskman
617 West Madison Street
Ann Arbor, MI 48103

Re: 335 Catherine Street, Ann Arbor, Michigan, 48104
Parcel Identification Number ("PIN"): 09-09-29-116-024

Dear Mr. Breskman:

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 Tuesday, December 13, 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