

**Zoning Board of Appeals  
May 25, 2022 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 22-2006; 413 South Division Street**

**Summary:**

Chris and Dennis Vessels, property owners are requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure to create habitable living space in the basement of a six unit seven bedroom rental home. The renovation project will reduce the number of units from six units to four units while increasing the number of bedrooms to 20. The property is zoned R4C, Multiple-Family Dwelling District and is nonconforming for lot area, lot width and setbacks.

**Background:**

The subject property is located on the east side of South Division Street due south of East William Street. The structure is the northern property from the University of Michigan's Institute of Social Research. The residence was constructed in 1901 and is approximately 2,955 square feet in size.

**Description:**

The proposed construction will create Unit One in the basement containing five bedrooms and three bathrooms. Unit two is to be located on the first floor as a six bedroom three bathroom unit. Unit three will be on the second floor and consist of six bedrooms and three bathrooms also. The third story will house unit four with three bedrooms and two bathrooms.

All renovations will take place within the current envelope of the home, and there will be no changes to the length, width, or height of the building. Energy efficiency will be upgraded significantly, with spray foam insulation and high efficiency appliances while bringing the building up to all modern building codes.

**Standards for Approval- Alteration to a Nonconforming Structure**

The Zoning Board of Appeals has all the power granted by State law and by Section 5.32.2, Application of the Variance Power from the UDC. The following criteria shall apply:

The applicant states that the boiler system needs a complete replacement which requires significant interior wall replacement. This will be an advantageous opportunity to significantly upgrade the residence. It will have no impact on any of the neighboring properties.

- A) The alteration is approved by the Zoning Board of Appeals upon a 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.

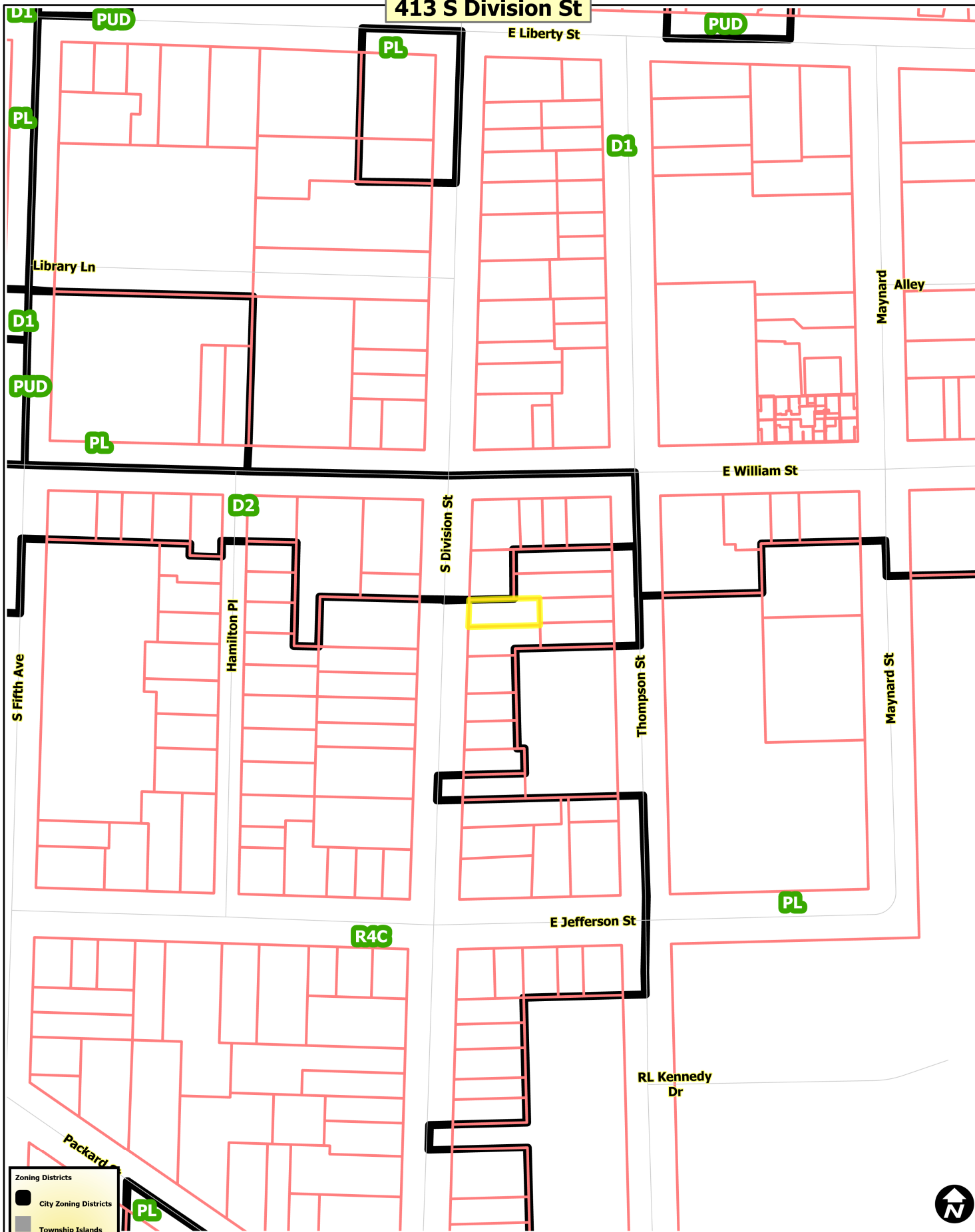
Respectfully submitted,



Zoning Board of Appeals  
May 25, 2022

**Jon Barrett-**  
**Zoning Coordinator, City of Ann Arbor**

# 413 S Division St



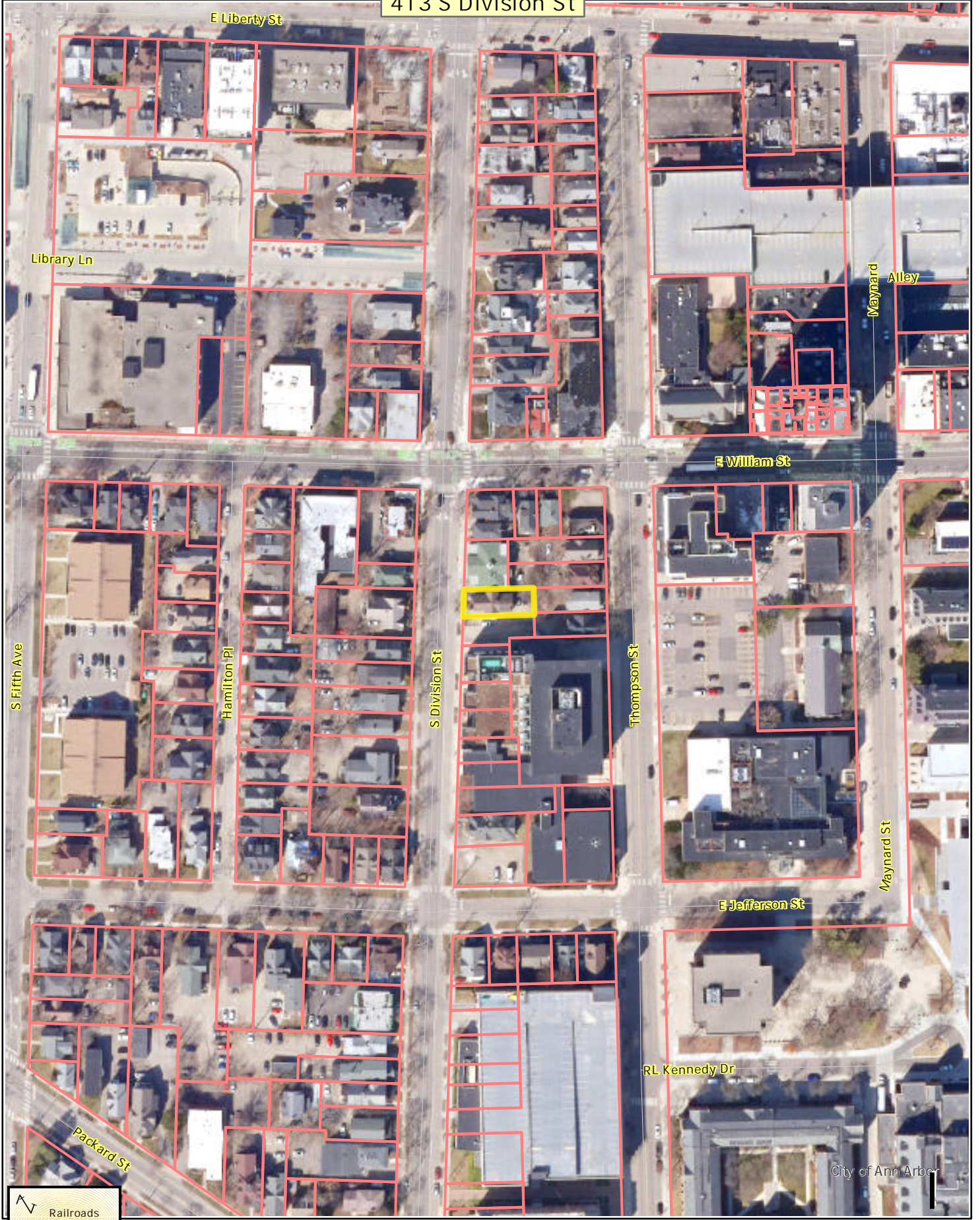
**Zoning Districts**




- City Zoning Districts
- Township Islands
- Railroads
- Huron River
- Tax Parcels



Map date: 4/25/2022  
Any aerial imagery is circa 2020 unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)

413 S Division St



 Railroads  
 Huron River  
 Tax Parcels



City of Ann Arbor




Map date: 4/25/2022  
 Any aerial imagery is circa 2020  
 unless otherwise noted  
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413 S Division St

S Division St



City of Ann Arbor

-  Railroads
-  Huron River
-  Tax Parcels



Map date: 4/25/2022  
 Any aerial imagery is circa 2020  
 unless otherwise noted  
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## General

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## ZBA Non-Conforming Structures

REQUIREMENT	EXISTING CONDITIONS	CODE REQUIREMENTS
Lot Area	3746 sq/ft	8500 sq/ft
Lot Width	36	60
Parking	10	6

Please complete the table below as it relates to your request

Kind of Property Use

<input type="checkbox"/>	2 Family
<input type="checkbox"/>	Commercial
<input checked="" type="checkbox"/>	Multi-Family
<input type="checkbox"/>	Single Family

## Responses

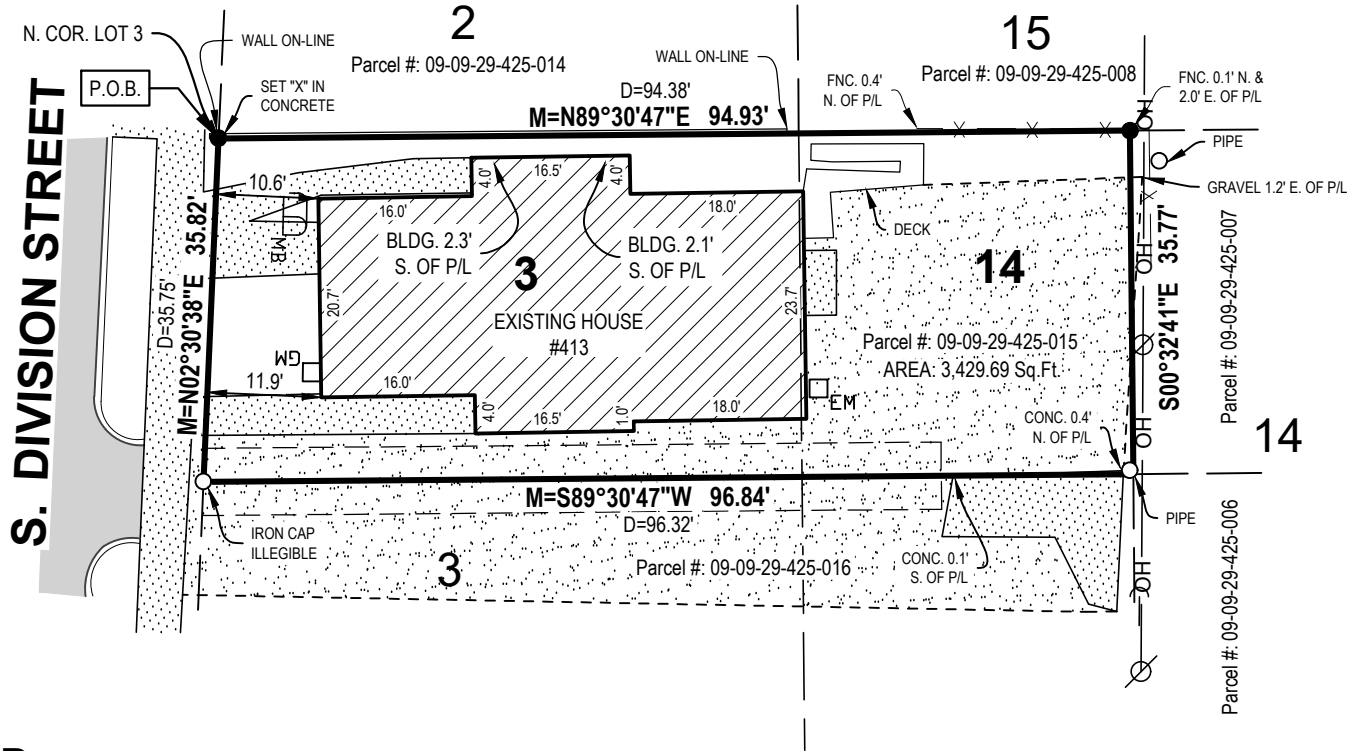
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A nonconforming structure may be maintained or restored, but permission to alter a nonconforming structure will only be approved by the Zoning Board of Appeals upon finding that it complies as nearly as practicable with the requirements of this Chapter 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.

Property is currently a 6 Unit Income Property with a total of 7 Bedrooms. Current property is outdated in many respects, and has interior hallways and a lot of misused space on the interior. Boiler system is in need of a complete replacement, which involves significant work inside the walls of the property, so now is naturally an advantageous time to look into a more significant renovation. We are proposing to decrease the number of dwelling Units to 4, and adding living space in the basement(which is currently unfinished space for laundry and mechanicals). Number of Bedrooms will be increased to 20, and all plumbing electrical, HVAC, windows, and insulation will be replaced. Fire Suppression will be added for resident safety. All renovations will take place within the current envelope of the building, and there will be no changes to the length, width, or height of the current structure. It will have no impact on any of the neighboring properties.

# CERTIFICATE OF SURVEY



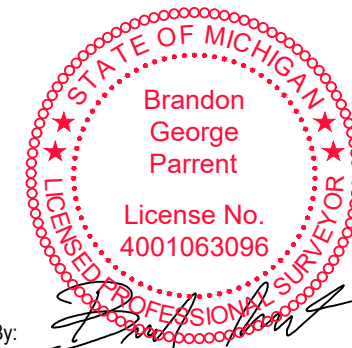
## DESCRIPTION

Beginning at the North corner of Lot 3, Block 4 South, Range 7 East, in the City of Ann Arbor, running thence East along the North line of said Lot 3 and Lot 14 of said Block 94.38 feet for the centerline of said block; thence Southerly along the centerline of said Block 35.77 feet; thence Westerly to West line of Lot 3, 96.32 feet; thence Northerly along the East line of Division Street 35.75 feet to the POINT OF BEGINNING, together with a Right-Of-Way 3 1/2 feet in width over land adjacent said described land on South and reserving a Right-Of-Way over the South 3 1/2 feet in width of land above described to be used as a common driveway for above described land and land adjacent on South said driveway to extend East from East line of Division Street to a point 20 feet West of the East line of the premises above described and premises adjacent on South all being part of Lots 3 and 14, Block 4 South of Huron Street, Range 7 East, ANN ARBOR LAND COMPANY'S ADDITION TO THE VILLAGE (now City) OF ANN ARBOR, according to the plat thereof as recorded in Uber H of Deeds, on page 486, Washtenaw County Records.

(Quit Claim Deed, dated, July 29, 2009, Liber: 4745, Page:32, Washtenaw County Register of Deeds)

## LEGEND

●	Iron - Set 1/2" X 18" iron rebar with NED Cap	— OH —	Overhead Utility	M=	Measured Dimension
○	Iron - Found as noted	— X — X —	Fence	D=	Described Dimension
⊙	Utility Pole		Asphalt		
□ EM	Electric Meter		Concrete		
□ GM	Gas Meter		Gravel		
	Mailbox		Existing Building		



By: *[Signature]*  
 Brandon G. Parrent Licensed Professional Surveyor No. 4001063096

This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

### SURVEYOR'S CERTIFICATE:

I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying.

BASIS OF BEARING: NAD83 Michigan State Planes, South Zone, International Foot

SCALE: 1" = 20'      0'      10'      20'      NORTH

Chris Vessels  
 124 W. Summit Street, Suite A  
 Ann Arbor, MI 48103

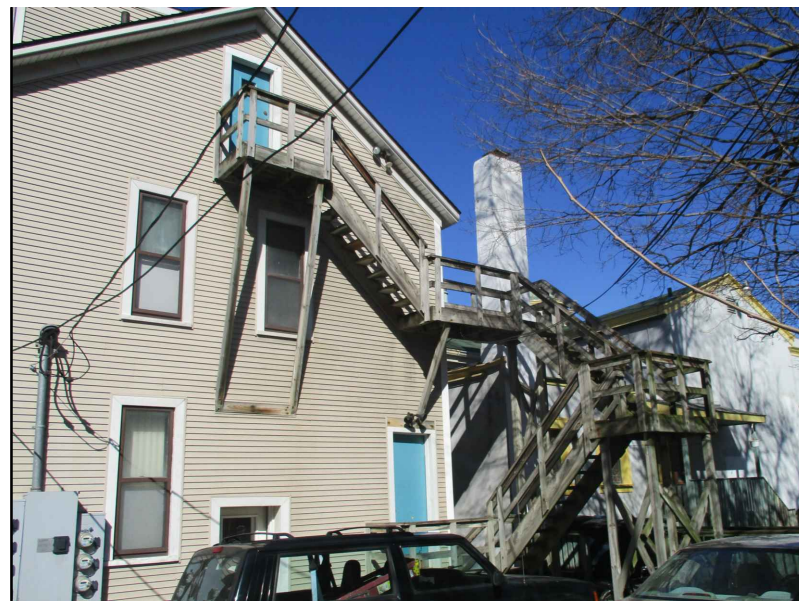
413 South Division Street

**NEDERVELD**  
 www.nederveld.com • 800.222.1868  
 Ann Arbor  
 3037 Miller Rd.  
 Ann Arbor, MI 48103  
 Chicago, Columbus, Grand Rapids,  
 Holland, Indianapolis, St. Louis

DRAWN BY: RP      DATE: 04.07.22      PRJ #: 22500070  
 REV. BY:      REV. DATE:      1 OF 1  
 REV.:      1 OF 1



EX.PHOTO 1



EX.PHOTO 2

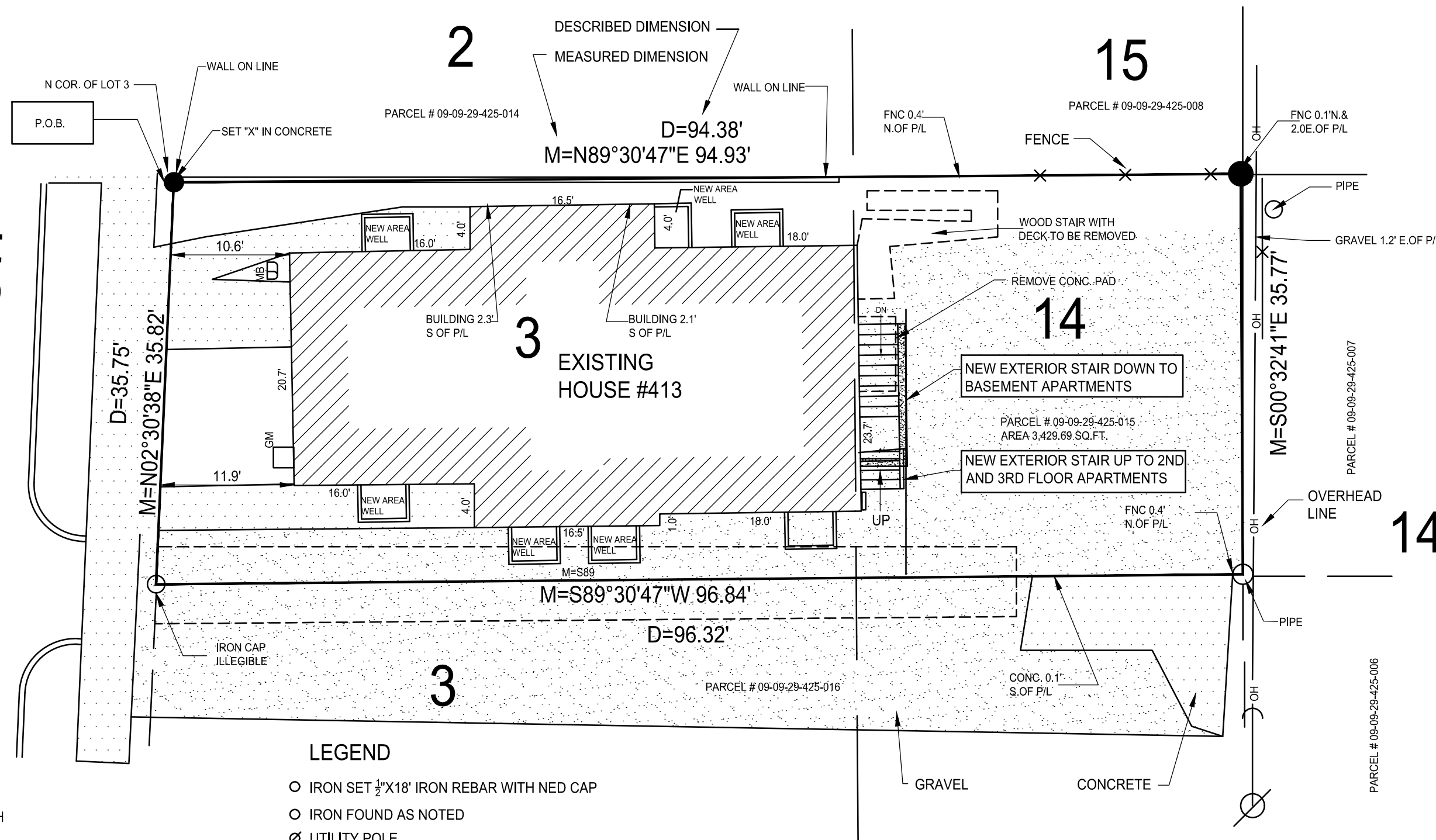


EX.PHOTO 3



EX.PHOTO 4

**S. DIVISION ST.**



TRUE NORTH

**SITE PLAN**  
SCALE: 1"=10'-0"

- LEGEND**
- IRON SET 1/2"X18' IRON REBAR WITH NED CAP
  - IRON FOUND AS NOTED
  - ⊗ UTILITY POLE
  - EM □ ELECTRIC METER
  - GM □ GAS METER
  - MB □ MAIL BOX

**NOTE**  
FOR LEGAL DESCRIPTION OF PROPERTY, SEE NEDERVELD SURVEY PREPARED FOR CHRIS VESELLS

PROPERTY ZONED R4C

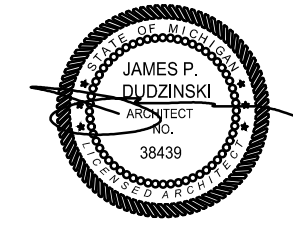
**PROJECT DESCRIPTION:**  
METRO PROPERTIES PROPOSES TO BUILD 4 SEPARATE APARTMENT UNITS, 1 ON EACH FLOOR WITH THE FOLLOWING NUMBER OF BEDROOMS PER FLOOR:

	NO. BED RMS
APT 1 BASEMENT	5
APT 2 GROUND FLOOR	6
APT 3 2ND FLOOR	6
APT 4 3RD FLOOR	3

THE BUILDING WILL BE CLASSIFIED UNDER R-2 MULTIFAMILY, WITHOUT A SPRINKLER SYSTEM.

EACH APARTMENT WILL BE HAVE ITS OWN HEATING SYSTEM AND WILL BE BILLED SEPARATELY FOR ITS OWN UTILITY CONSUMPTION

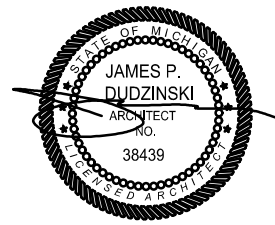
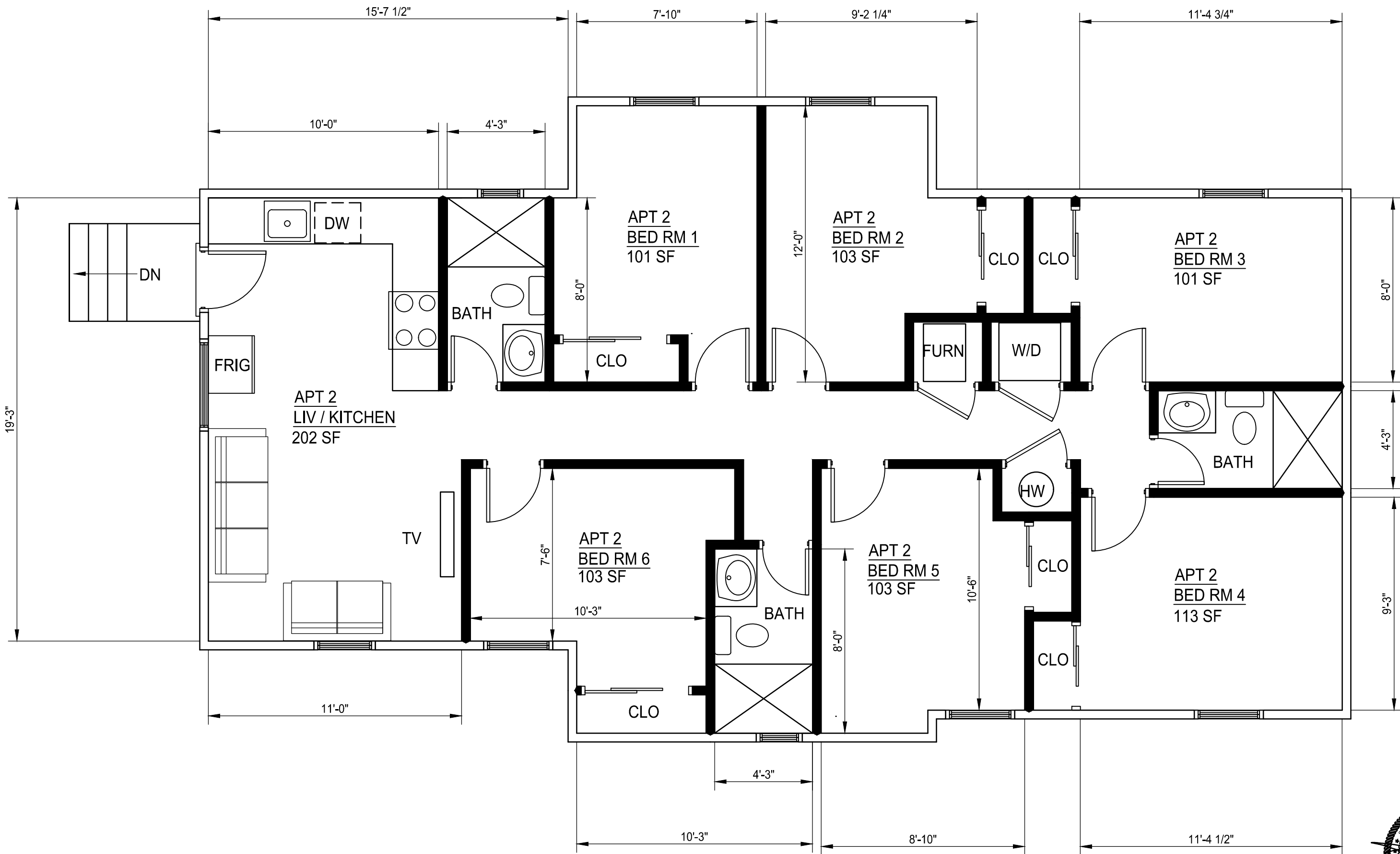
THE OUTSIDE ENVELOPE OF THE BUILDING WILL HAVE NEW BOARD AND BATTEN SIDING AND NEW WINDOWS IF NEEDED TO SUIT THE NEW FLOOR PLANS





**WALL LEGEND**

- NEW WALL
- EXISTING WALL
- FURNACE
- HOT WATER HEATER
- WASHER / DRYER



SHEET SIZE 13X19

**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, MI.  
 PH. (586) 864-6930

SHEET TITLE:  
**NEW 1ST FLOOR**  
 SCALE: 1/4"=1'-0"

PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:	DRAWN
DATE:	4/26/22
MARK:	

SHEET NO:  
 2 OF 15

**A-2**

**WALL LEGEND**

NEW WALL   
 EXISTING WALL 

FURNACE

FURN 

WASHER / DRYER

WD 

HOT WATER HEATER 



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, MI.  
 PH. (586) 864-6930

SHEET TITLE:  
**NEW 2ND FLOOR**  
 SCALE: 1/4"=1'-0"

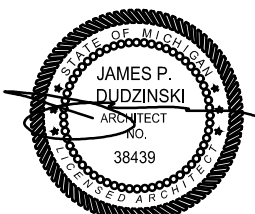
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**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:	
DATE:	4/26/22
MARK:	

SHEET NO:  
 3 OF 15

A-3



SHEET SIZE 13X19

**WALL LEGEND**

NEW WALL 

EXISTING WALL 

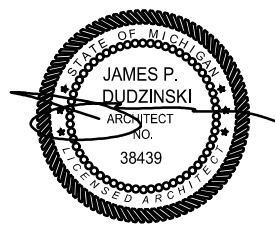
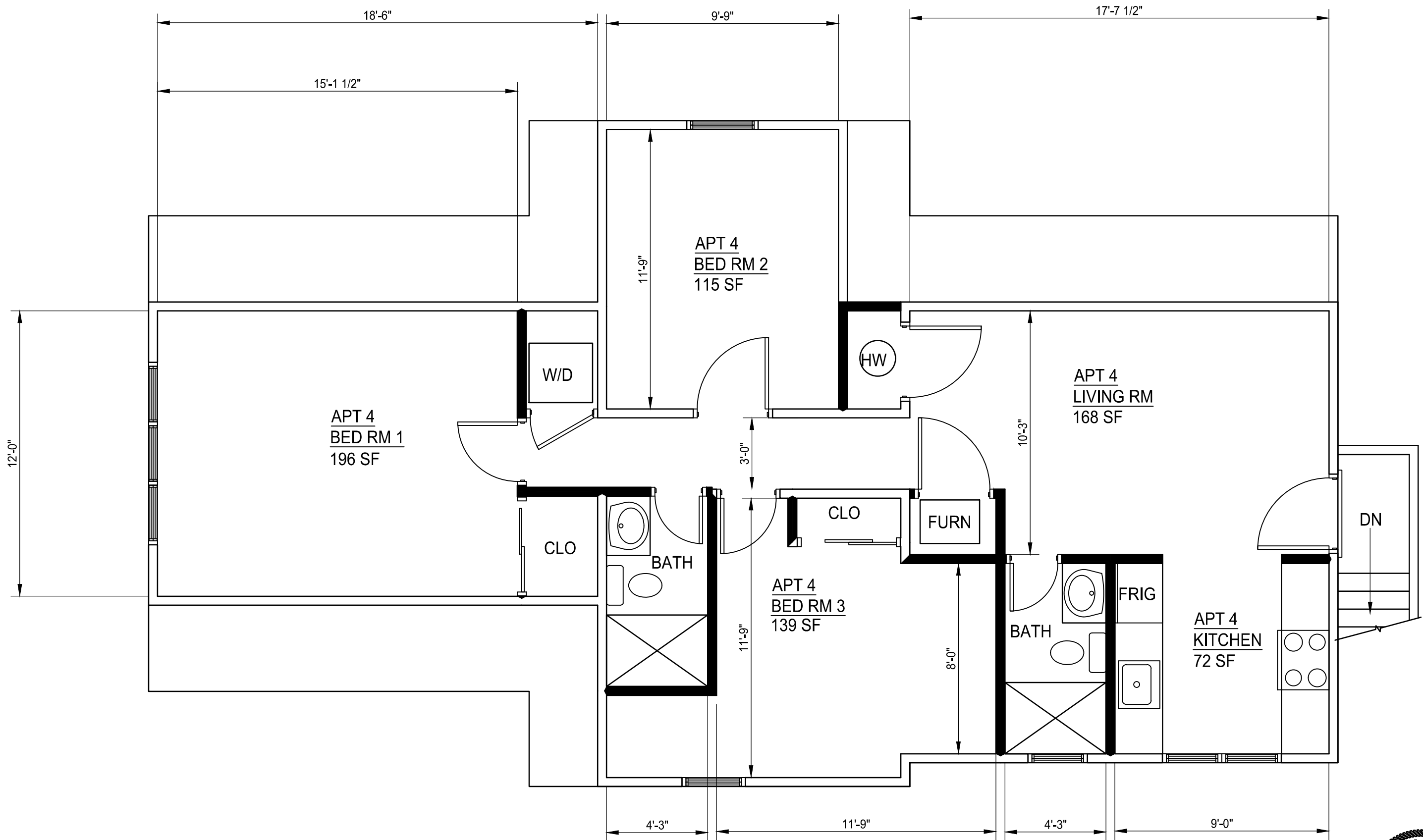
WASHER / DRYER 

FURNACE



HOT WATER HEATER





  
**James Dudzinski**  
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 PH. (586) 864-6930

SHEET TITLE:  
**NEW 3RD FLOOR**  
 SCALE: 1/4"=1'-0"

PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:	
DATE:	4/26/22
MARK:	




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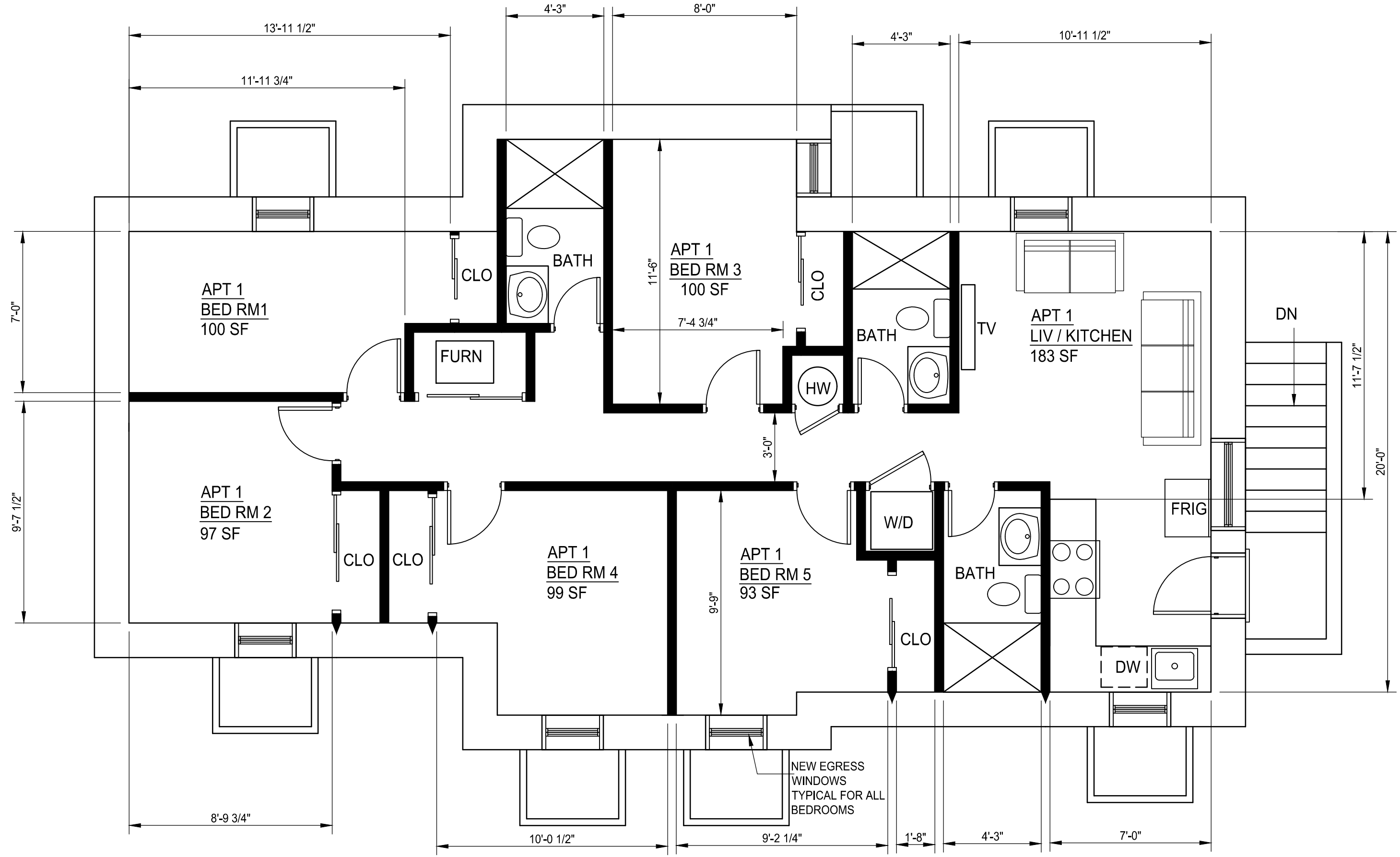
**A-4**

SHEET SIZE 13X19

**WALL LEGEND**

NEW WALL   
 EXISTING WALL 

FURNACE   
 HOT WATER HEATER   
 WASHER / DRYER 



NEW EGRESS  
 WINDOWS  
 TYPICAL FOR ALL  
 BEDROOMS

  
**James Dudzinski**  
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SHEET TITLE:  
**NEW BASEMENT**  
 SCALE: 1/4"=1'-0"

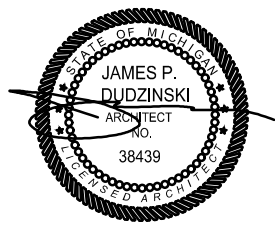
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PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

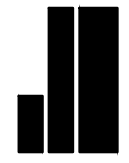
ISSUED FOR:	DRAWN
DATE:	4/26/22
MARK:	

SHEET NO:  
 5 OF 15

**A-5**



SHEET SIZE 13X19



**James Dudzinski**  
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 Sterling Heights, MI.  
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SHEET TITLE:  
**NEW ELEVATIONS**  
 SCALE: 1/4"=1'-0"

PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:  
 DRAWN

DATE:  
 4/26/22

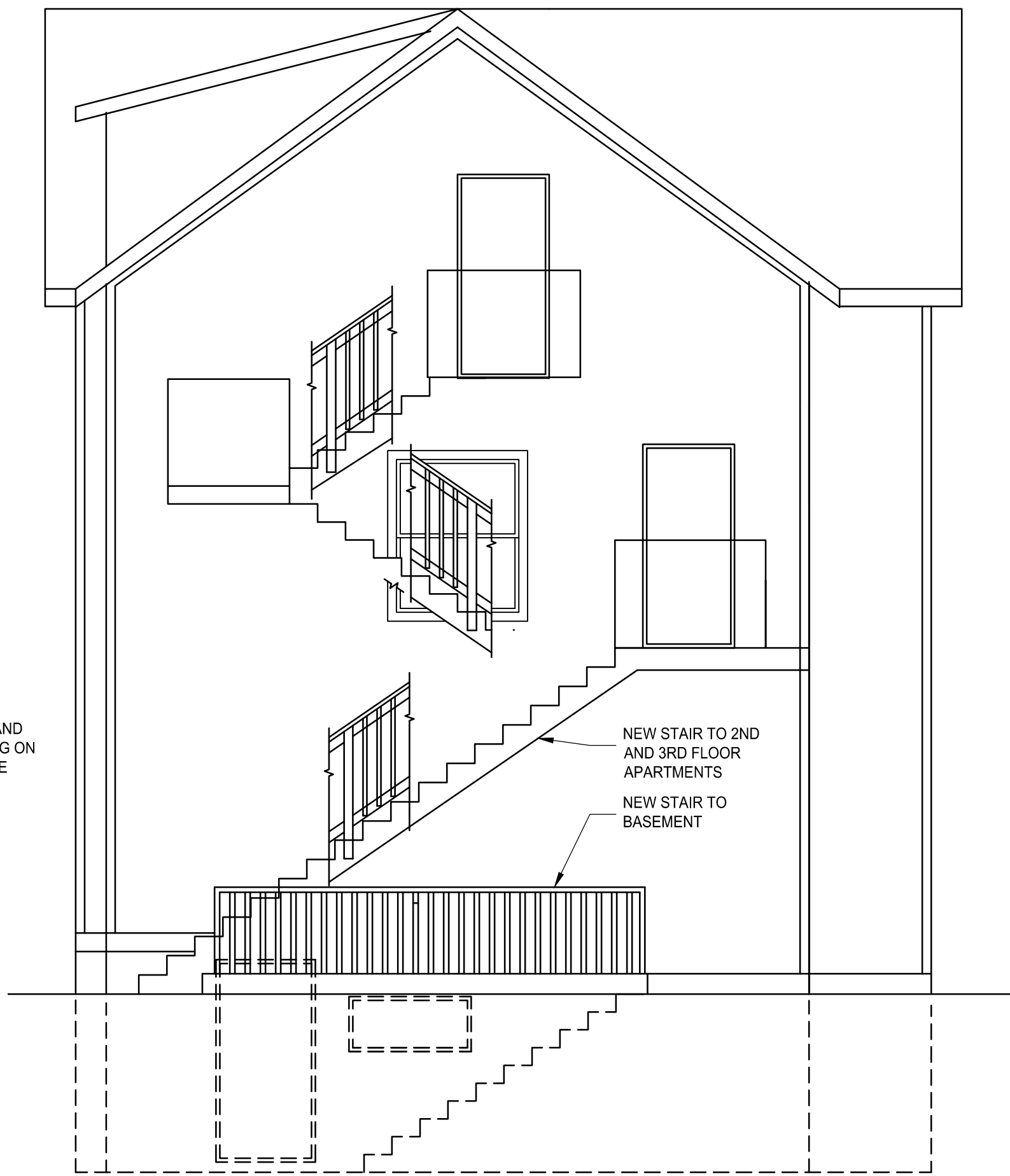
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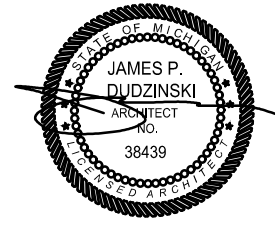
A-6



**NEW FRONT ELEVATION**  
 SCALE: 1/4"=1'-0"



**NEW REAR ELEVATION**  
 SCALE: 1/4"=1'-0"



SHEET SIZE 13X19



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, MI.  
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SHEET TITLE:  
**NEW ELEVATIONS**  
 SCALE: 1/4"=1'-0"

PROJECT LOCATION:  
**413 S DIVISION ANN**  
**ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR**  
**ZBA**

ISSUED FOR:  
 DRAWN

DATE:  
 4/26/22

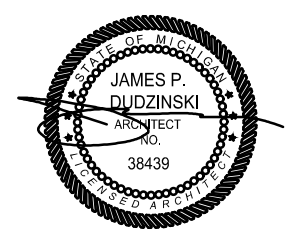
MARK:

SHEET NO:  
 7 OF 15

**A-7**



**NEW RIGHT SIDE ELEVATION**  
 SCALE: 1/4"=1'-0"



SHEET SIZE 13X19



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, MI.  
 PH. (586) 864-6930

SHEET TITLE:  
**NEW ELEVATIONS**  
 SCALE: 1/4"=1'-0"

PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:	DRAWN
DATE:	4/26/22
MARK:	

SHEET NO:  
 8 OF 15

A-8



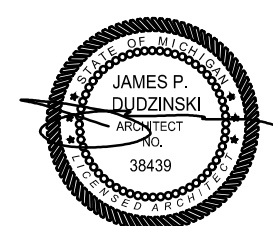
NEW STAIR TO 2ND  
 AND 3RD FLOOR  
 APARTMENTS

NEW STAIR TO  
 BASEMENT  
 APARTMENT

NEW  
 EGRESS  
 WINDOWS  
 TYPICAL

**NEW LEFT SIDE ELEVATION**

SCALE: 1/4"=1'-0"



SHEET SIZE 13X19



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, MI.  
 PH. (586) 864-6930

SHEET TITLE:  
**EX 1ST FLOOR**  
 SCALE: 1/4"=1'-0"

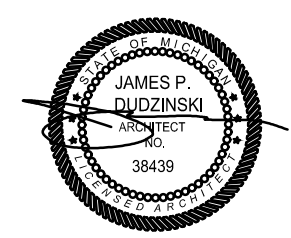
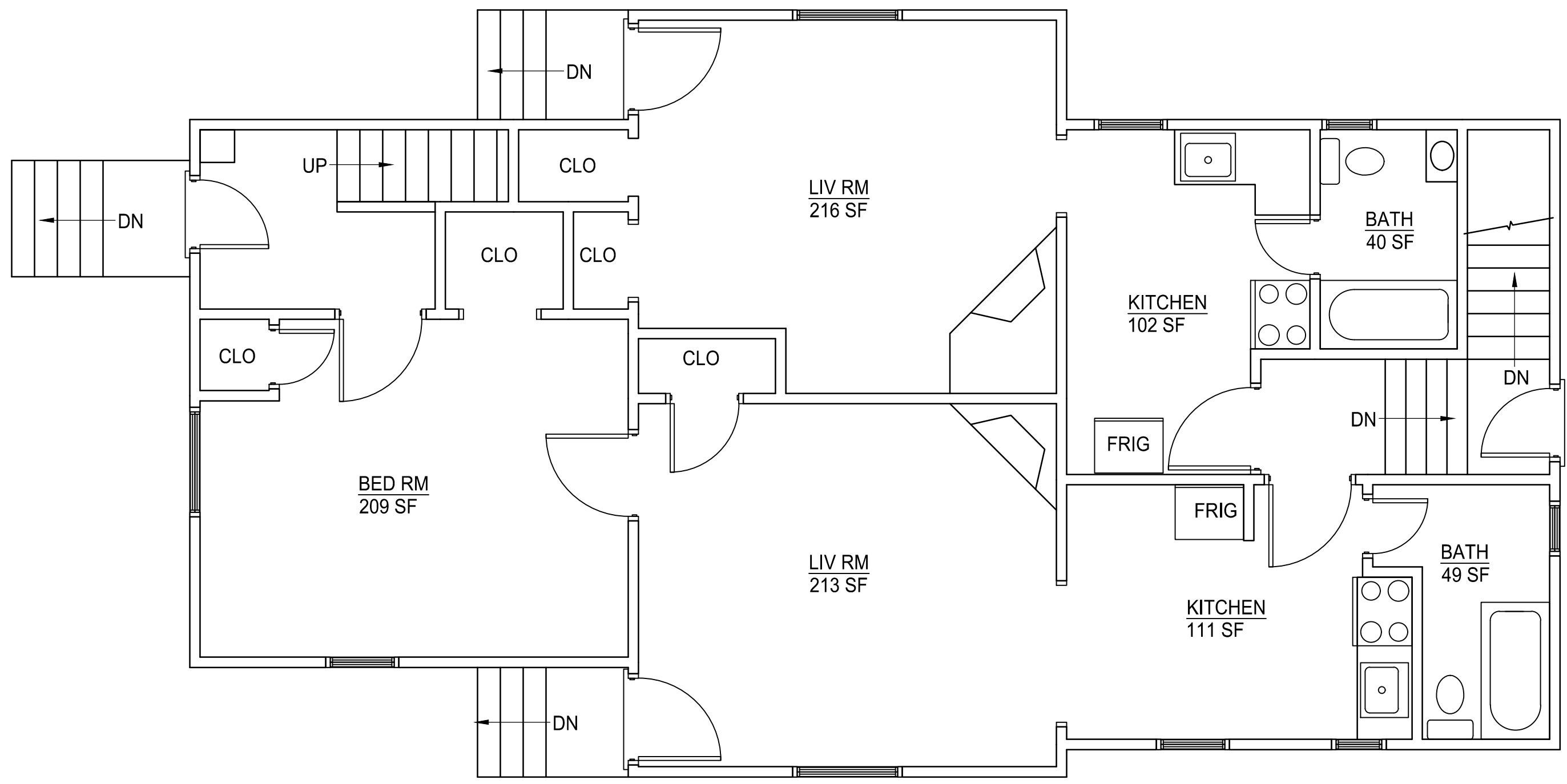
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 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

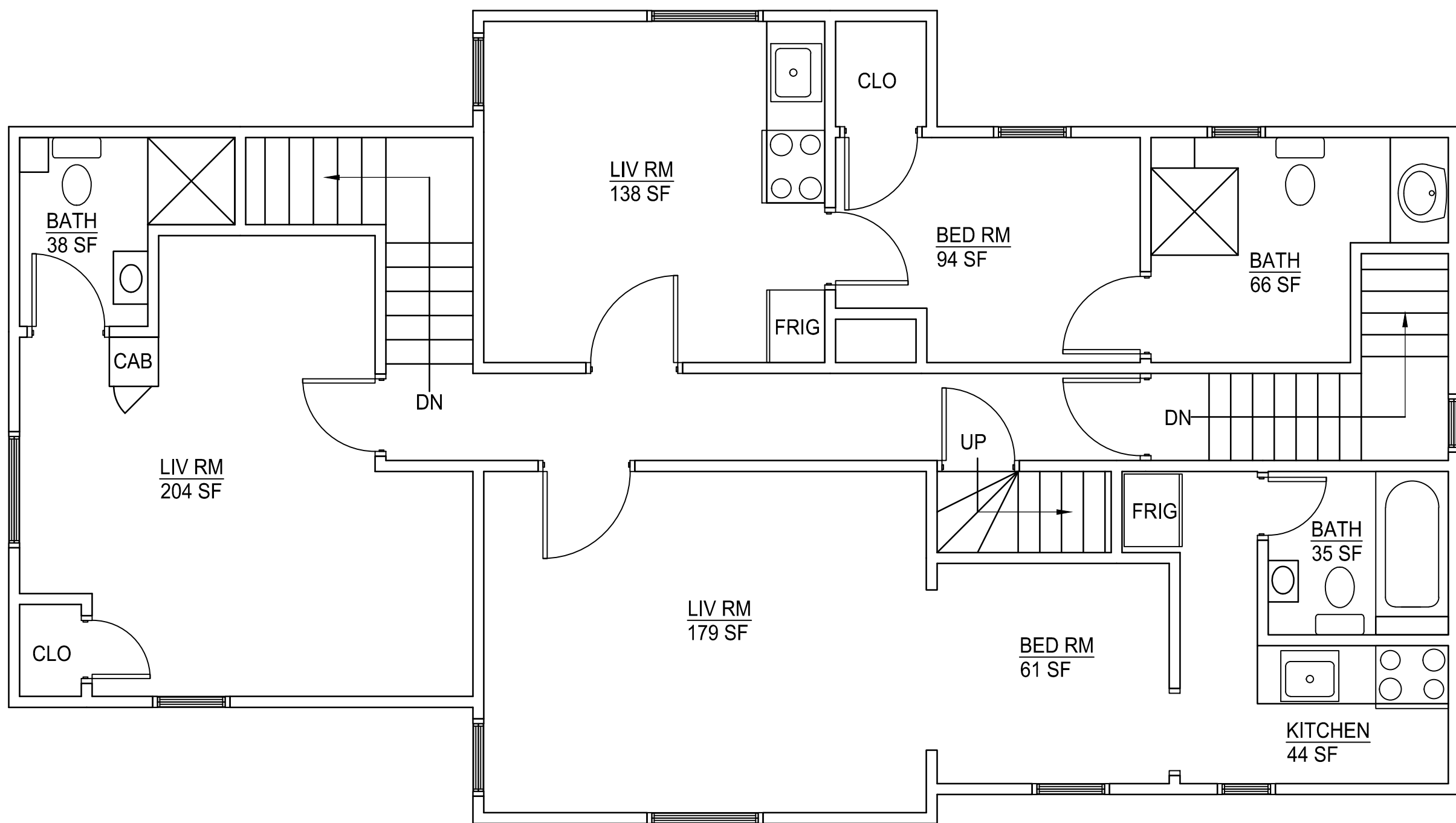
ISSUED FOR:	
DATE:	4/26/22
MARK:	


SHEET NO:  
 9 OF 15

**A-9**







  
**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, Mi.  
 PH. (586) 864-6930

SHEET TITLE:  
**EX 2ND FLOOR**  
 SCALE: 1/4"=1'-0"

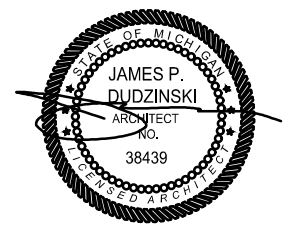
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 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

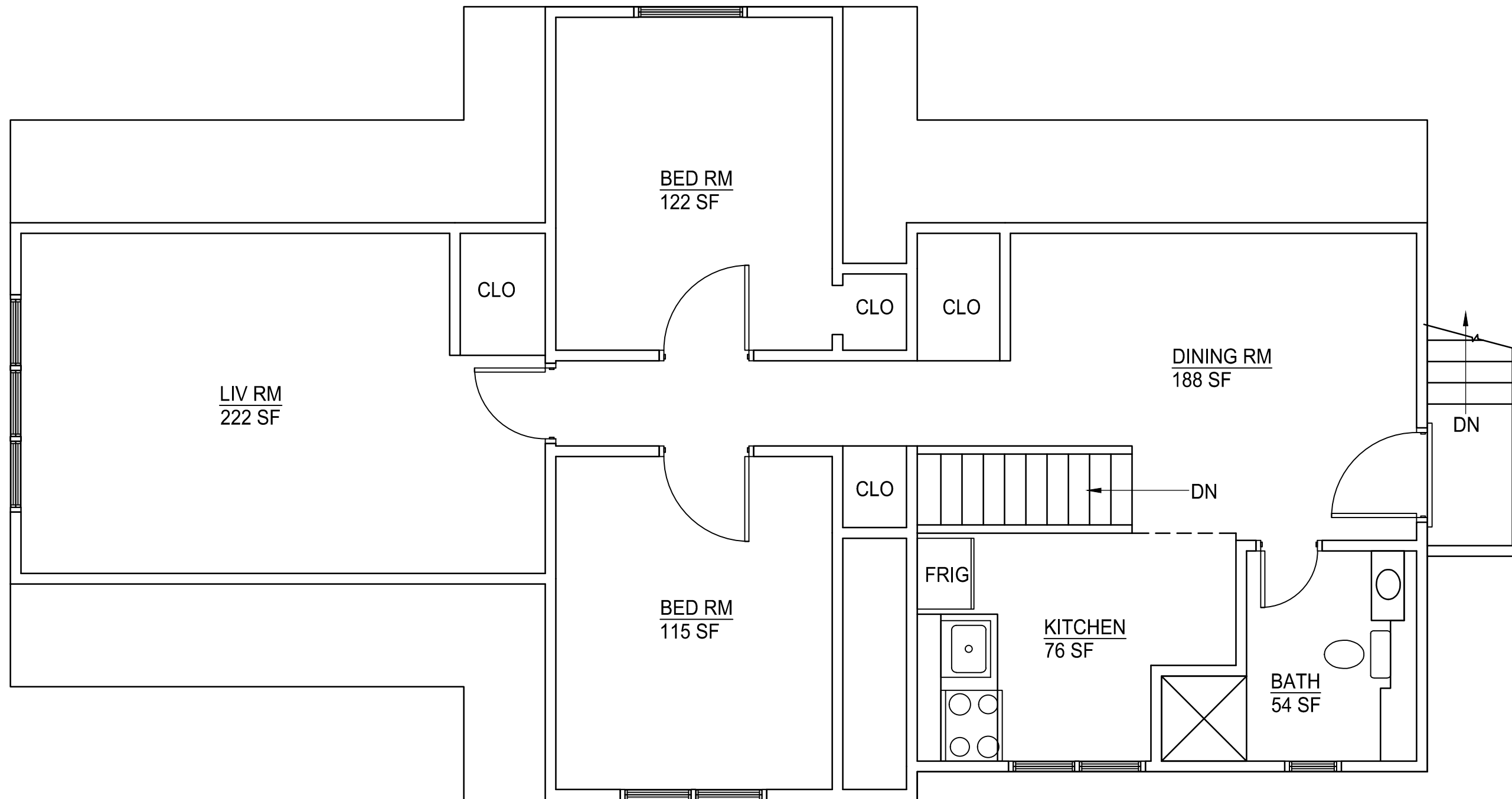
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	4/26/22	DRAWN

SHEET NO:  
 10 OF 15

**A-10**



SHEET SIZE 13X19



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, MI.  
 PH. (586) 864-6930

SHEET TITLE:  
**EX 3RD FLOOR**  
 SCALE: 1/4"=1'-0"

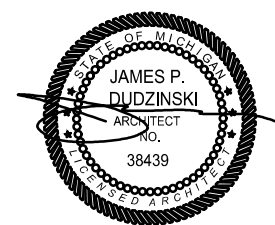
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 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

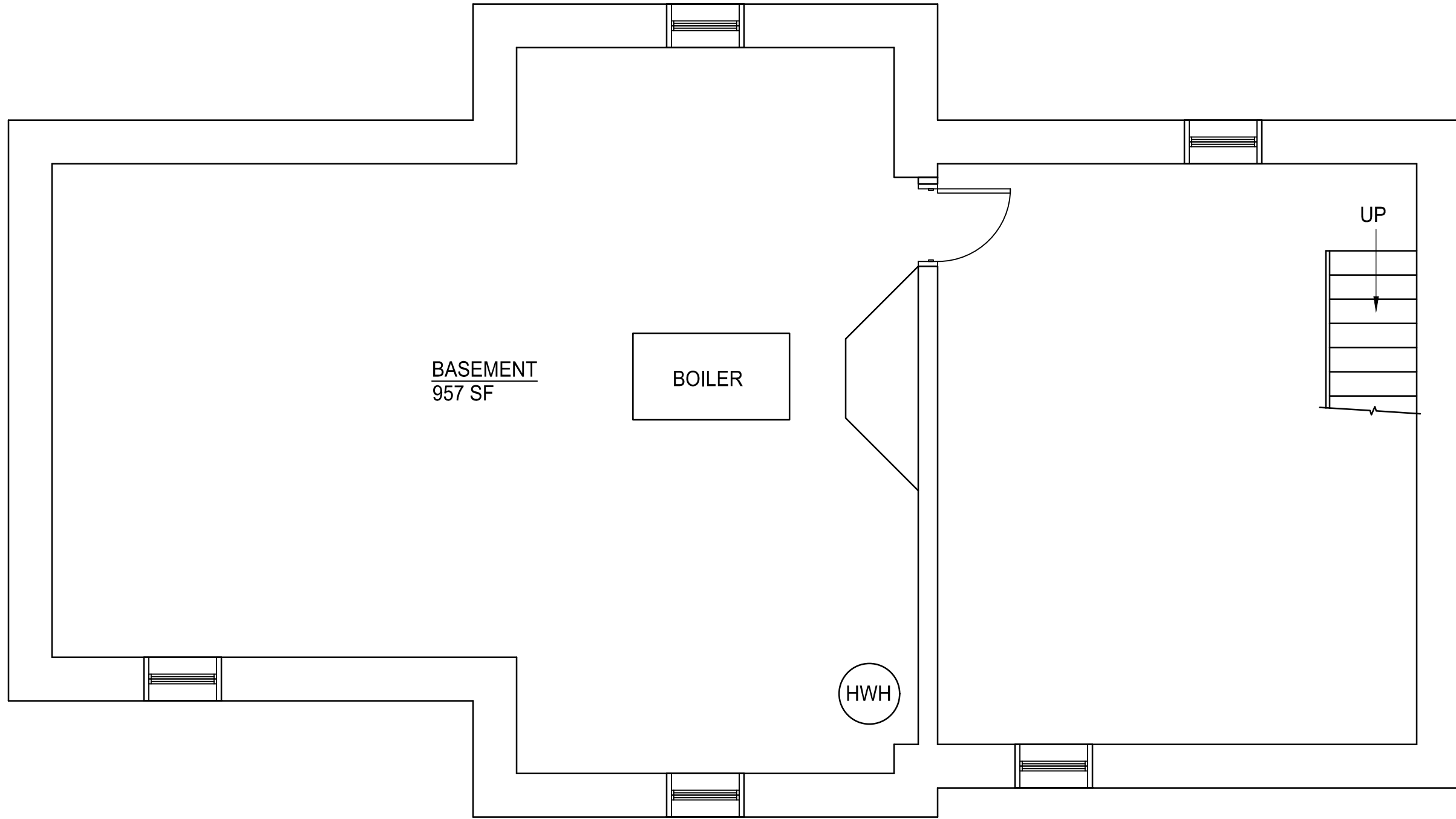
MARK:	DATE:	ISSUED FOR:
	4/26/22	DRAWN

SHEET NO:  
 11 OF 15

**A-11**



SHEET SIZE 13X19



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, MI.  
 PH. (586) 864-6930

SHEET TITLE:  
**EX BASEMENT**  
 SCALE: 1/4"=1'-0"

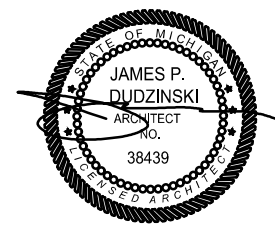
PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

MARK:	DATE:	ISSUED FOR:
	4/26/22	DRAWN

SHEET NO:  
 12 OF 15

**A-12**



SHEET SIZE 13X19



**James Dudzinski**  
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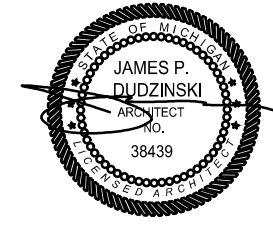
**EXISTING FRONT ELEVATION**

SCALE: 1/4"=1'-0"



**EXISTING REAR ELEVATION**

SCALE: 1/4"=1'-0"



SHEET SIZE 13X19

SHEET TITLE:  
**EX ELEVATIONS**  
 SCALE: 1/4"=1'-0"

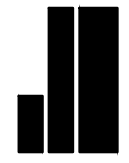
PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:	
DATE:	4/26/22
MARK:	
ISSUED FOR:	DRAWN

SHEET NO:  
 13 OF 15

A-13



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, Mi.  
 PH. (586) 864-6930

SHEET TITLE:  
**EX ELEVATIONS**  
 SCALE: 1/4"=1'-0"

PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:  
 DRAWN

DATE:  
 4/26/22

MARK:

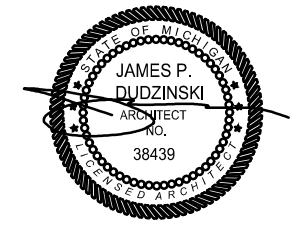
SHEET NO:  
 14 OF 15

A-14



**EXISTING RIGHT SIDE ELEVATION**

SCALE: 1/4"=1'-0"



SHEET SIZE 13X19



**James Dudzinski**  
 ARCHITECT  
 12306 Volpe  
 Sterling Heights, Mi.  
 PH. (586) 864-6930

SHEET TITLE:  
**EX ELEVATIONS**  
 SCALE: 1/4"=1'-0"

PROJECT LOCATION:  
**413 S DIVISION ANN  
 ARBOR, MI**

PROJECT TITLE:  
**DRAWINGS FOR  
 ZBA**

ISSUED FOR:

DRAWN

DATE:  
 4/26/22

MARK:

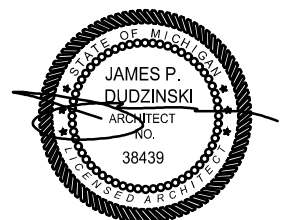
SHEET NO:  
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A-15



**EXISTING LEFT SIDE ELEVATION**

SCALE: 1/4"=1'-0"



SHEET SIZE 13X19