

**Zoning Board of Appeals  
December 1, 2021 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 21-036; 1807 Pontiac Street**

**Summary:**

Louisa Abbott, property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure, in order to allow a second story addition to remain in the current configuration. The home is nonconforming as it does not meet the average front setback by approximately two feet. The second story addition is incomplete as construction of stairs, two bedrooms and a bathroom have not been completed. The property is zoned R1C, Single-Family Residential.

**Background:**

The subject property is located on the west side of Pontiac Street and south of Barton Drive. Northside Elementary School is directly across the street from the subject property. The home was built in 1947 and is approximately 1,490 square feet in size.

**Description:**

The home was a single-story until the second story addition was added in 2012. Once the addition is completed it will add two bedrooms and a bathroom to the overall size of the structure. The new addition does not change the footprint of the residence. The home is nonconforming as it does not meet the requirements of Section 5.18.5 Averaging an Existing Front Building Line by approximately two feet.

**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 petitioner states that the home has been nonconforming since it was originally built in 1947. The residence is approximately three-feet eight-inches behind the required front setback for the district. According to the application, there have been four different neighbors since 2012 and they have not received any complaints or concerns regarding the second-story addition or the encroachment of the home into the average front setback. The applicants further state there will be no visual impacts on surrounding properties as the neighborhood is a mix of one, one and a half and two story homes.

- 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.

Zoning Board of Appeals  
December 1, 2021  
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with a large, loopy "J" and "B".

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

# 1807 Pontiac Trl






1807 Pontiac Trl







1807 Pontiac Trl



 Railroads

 Huron River

 Tax Parcels



City of Ann Arbor 

Map date: 11/3/2021  
Any aerial imagery is circa 2020  
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

1807 Pontiac Trail

ZIP CODE

48105

ZONING CLASSIFICATION

R1C

NAME OF PROPERTY OWNER\*If different than applicant, a letter of authorization from the property owner must be provided

Jeff Hayner/Louisa Abbott

PARCEL NUMBER

09-09-21-205-035

OWNER EMAIL ADDRESS

justmusicjeff@gmail.com

## APPLICANT INFORMATION

NAME

Jeff Hayner / Louisa Abbott

ADDRESS

1807 Pontiac Trail

CITY

Ann Arbor

STATE

MI

ZIP CODE

48105

EMAIL

justmusicjeff@gmail.com

PHONE

734-255-6085

APPLICANT'S RELATIONSHIP TO PROPERTY

owner

## REQUEST INFORMATION

☐ VARIANCE REQUEST

Complete Section 1 of this application

☒ REQUEST TO ALTER A NONCONFORMING STRUCTURE

Complete Section 2 of this application

## 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: 10/14/21

# 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.**

This was a single-story residential house, a second story was added in 2012, which when completed will add 2 net bedrooms and a bath. The upstairs-only addition is in an incomplete state. No stairs yet exist. The addition does not go beyond the original footprint of the building. A small screen porch in poor condition was demolished with the full foundation left in place on the north side. The replacement of this porch meets the requirements of 5.32.2 D. The house was built in 1947 and is non-conforming in that it exceeds the average front setback by 16", but is 3'-8" behind the zoning setback. It does not negatively impact neighboring properties, indeed, we have had 4 different sets of neighbors since 2012 with no complaints. It is not visually intrusive or oversized for the neighborhood. We have a mix of 1, 1-1/2, 2 and 2+ story houses on the block, some with smaller front setbacks. We were not aware of the non-conforming placement at time of purchase, nor were we made aware of it when the addition was done in 2012.

**Please complete the table below as it relates to your request**

Requirement	Existing Condition	Code Requirement
Lot Area	est. 8840 square feet	5.17.1 (min. 7200)
Lot Width	est. 59'	(min. 60)
Floor Area Ratio	n/a	n/a
Setbacks	est. F:28'-4" S: 14'-4" R:87'-0" S:15'-4"	5.17.1
Parking	rear 2-car carport/detached	
Landscaping	n/a (rain gardens, pollinator gardens)	
Other	shared driveway agreement recorded w/deed, ref. ver 02/14/21 meets R1C def. 5.11.2, 5.15.2, 5.18.4 application, cover letter & 4 attachments	



10/14/21

Zoning Board of Review  
Jon Barrett, Zoning Coordinator

c/o City of Ann Arbor Planning Services  
301 E. Huron Street  
Ann Arbor, MI 48107

Dear Mr. Barrett,

Please accept this Zoning Board of Appeals Application (attachments) for the property located at 1807 Pontiac Trail, Ann Arbor, MI 48105, parcel number 09-09-21-205-035. I am requesting consideration on the December 2021 ZBA meeting agenda.

The application is complete with exception of the Boundary Survey. There is a placeholder in the application which includes an agreement for services with a professional surveyor, and copies of the 2 existing mortgage surveys. The contracted company has said the survey and drawing will be ready in time for the December meeting. If this is not the case, I would request a postponement of consideration to the next available meeting, under this same application.

When the plans were reviewed and it was deemed necessary for me to make a request to alter a nonconforming structure, I called over a dozen land survey companies and was unable to find someone willing or able to do this work. I continued to search for a provider, and finally located American Landmark Survey, LLC. I have contracted with them to do the boundary survey and drawing. I would normally not even consider submitting an incomplete application, but have been told by the City of Ann Arbor Planning Department and building officials that I must submit this application by October 15, 2021 or I will be charged with a civil infraction. Since a requirement of the application was only available in the marketplace under these time conditions, it's the best I can do.

Sincerely,

Jeffrey Hayner & Louisa Abbott  
1807 Pontiac Trail  
Ann Arbor, MI 48105-1767  
(734) 255-6085

Louisa Abbott  
Jeffrey Hayner  
1807 Pontiac Trail  
Ann Arbor, MI 48105

3240

Oct 14, 2021

PAY to the order of City of Ann Arbor \$ 1000.00

ONE THOUSAND & 00/100 DOLLARS

UNIVERSITY OF MICHIGAN  
CREDIT UNION  
ANN ARBOR, MICHIGAN 48106

FOR ZBA APPLICATION

1:2724765431: 3240



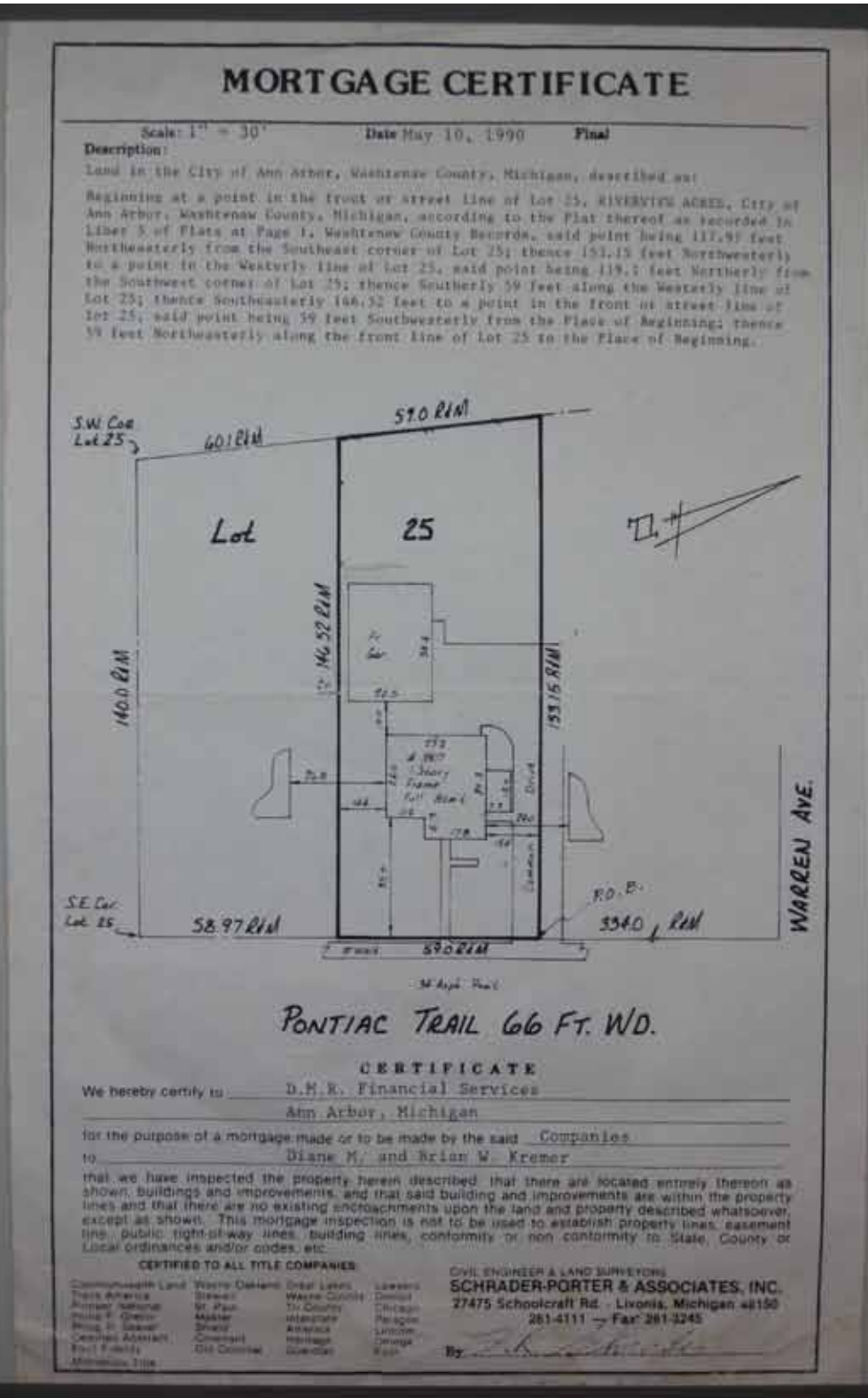
Hayner/Abbott Residence  
1807 Pontiac Trail  
Ann Arbor, MI 48105

Existing surveys

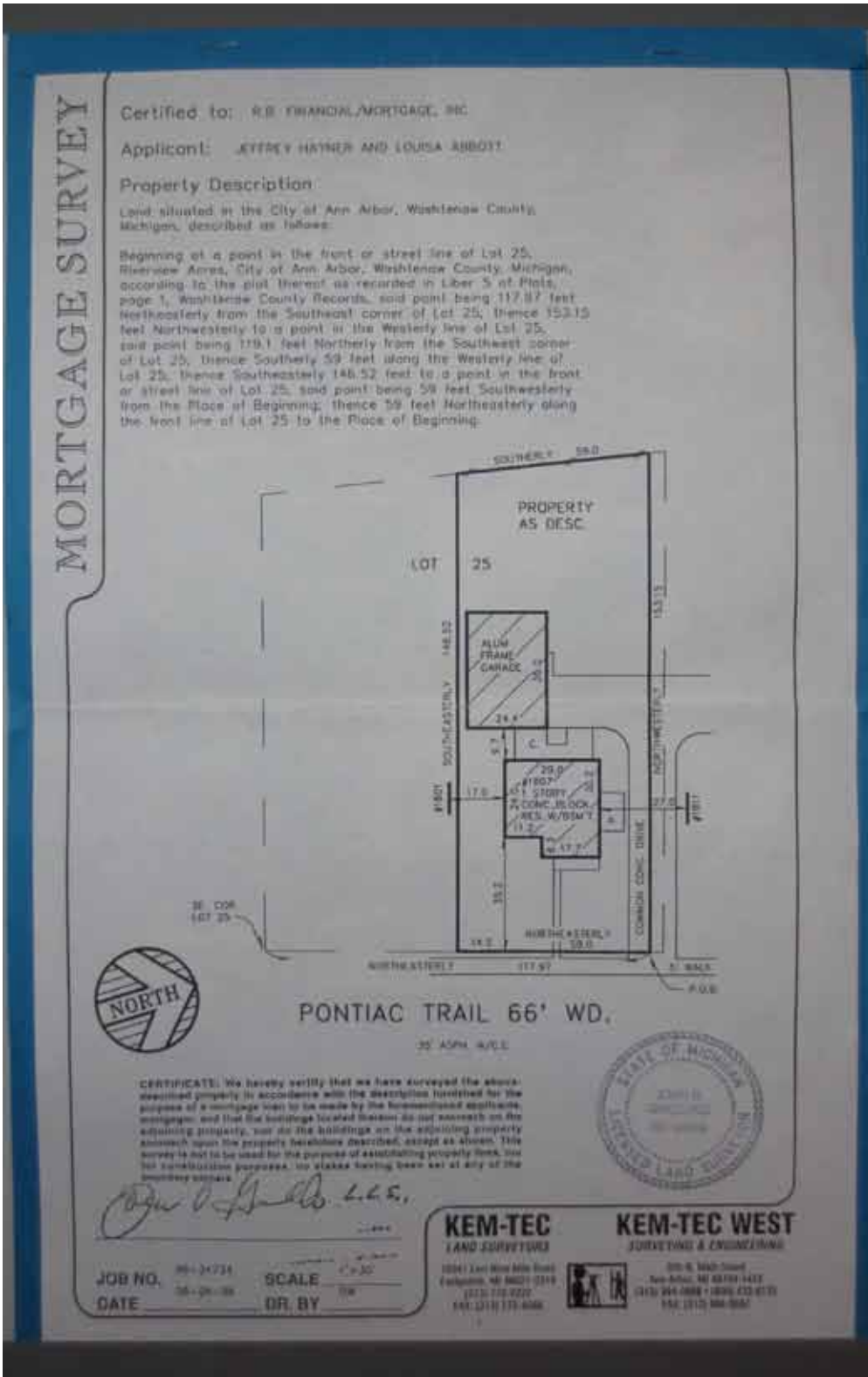
Contracted surveyor:

American Landmark Survey PLC  
P.O. Box 130043, Ann Arbor, MI  
734-677-7000

Gerald DeSloover P.S.



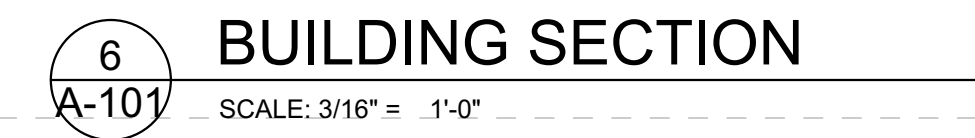
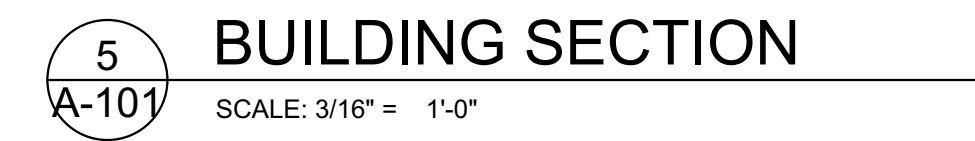
1990 Mortgage Survey



1996 Mortgage Survey

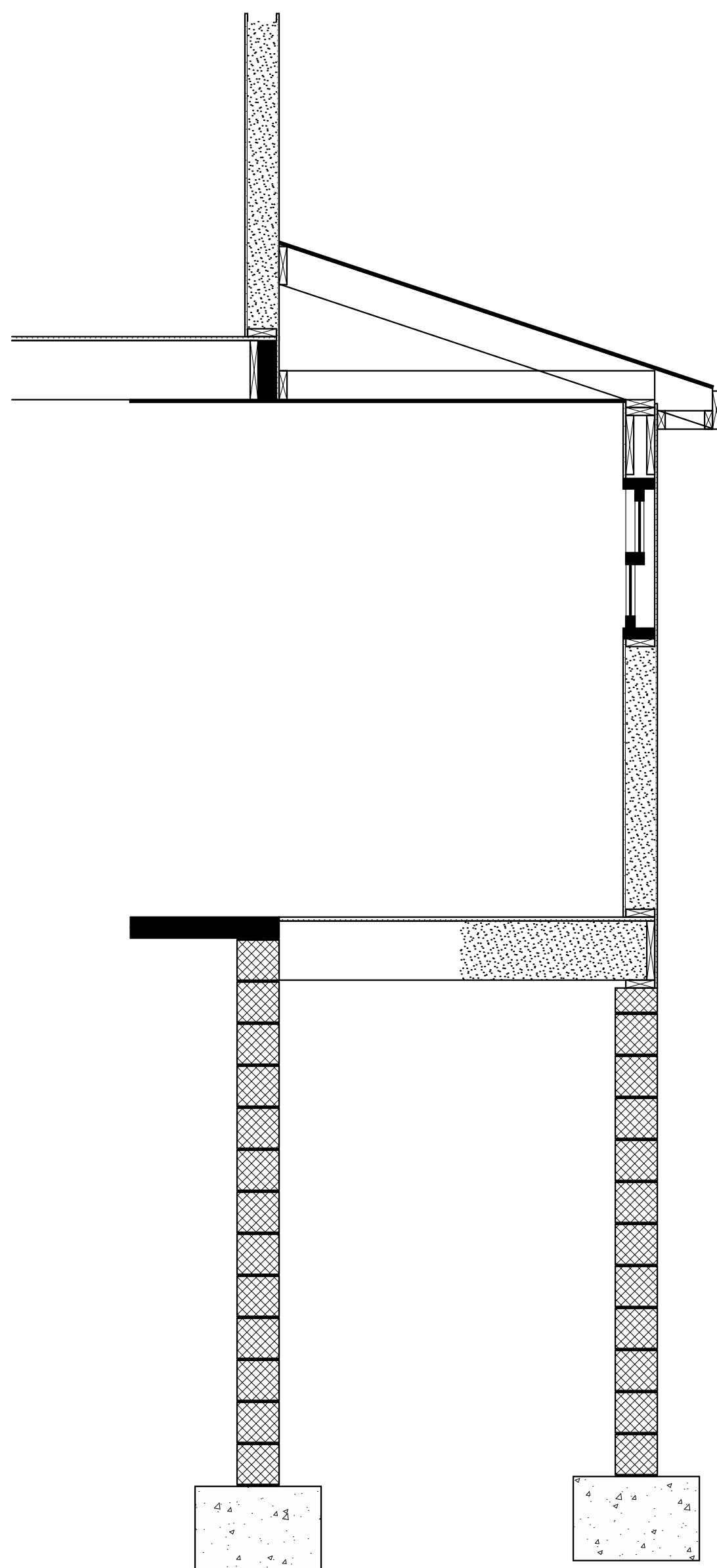
[illegible]

**HAYNER/ABBOTT  
ADDITION**  
1807 PONTIAC TR.  
ANN ARBOR MI  
48105



**HAYNER/ABBOTT  
ADDITION**  
1807 PONTIAC TR.  
ANN ARBOR MI  
48105

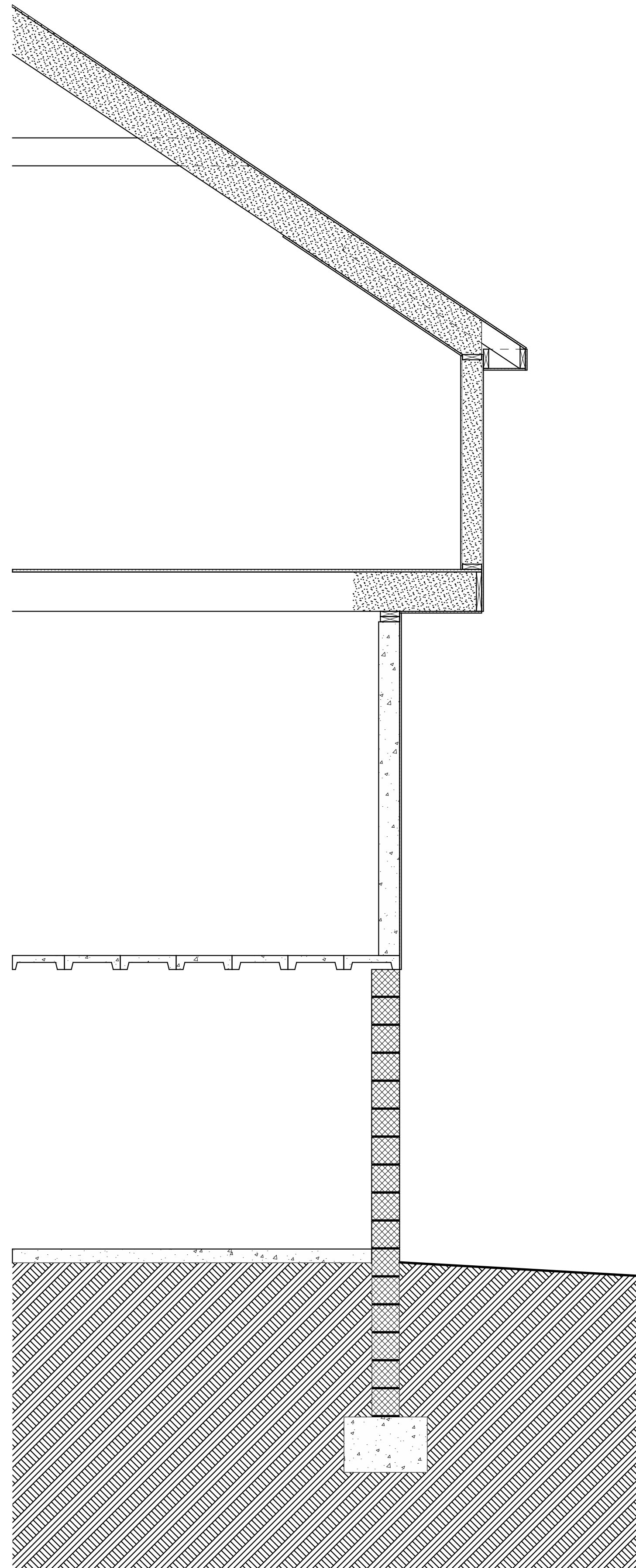




2  
A-102

DETAIL

SCALE: 1/2" = 1'-0"



1  
A-102

DETAIL

SCALE: 1/2" = 1'-0"





East side on Pontiac Trail



North side on shared driveway



West side facing backyard with carport



South side

Hayner/Abbott Residence  
1807 Pontiac Trail  
Ann Arbor, MI 48105

Photographs of the property



Front Door detail