

**Zoning Board of Appeals  
June 22, 2022 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 22-2007; 1211 White Street**

**Summary:**

Aaron Vermeulen of O/X Studios representing property owners, is seeking variances from Table-5.17-3 Multiple-Family Residential District Dimensions and Section 5.18.1 (4) Front Porches to construct a three-unit townhome structure. The building will require a 12 foot 11 inch variance from the required 30 foot rear setback. The second story balconies will require a six foot eight inch variance to encroach into the average front setback. The existing single-family residence is to be demolished. The property is zoned R4C, Multiple-Family Dwelling District.

**Background:**

The subject property is located at the northeast intersection of White Street and Brookwood Place. The neighborhood lies between Packard Road to the east and State Street and the University of Michigan athletic buildings to the west. The existing residence was constructed in 1915 and is approximately 1,050 square feet in size.

**Description:**

The proposed townhome units will be three-stories and consist of six bedrooms in each for a total of 18 bedrooms overall in the structure. The site also provides for six parking spaces at grade. Due to the corner lot configuration the rear yard setback of 30 feet is applied to the north side of the lot. This is the rear yard setback variance of 12 feet 11 inches that is being requested. The proposed structure will have front porches that face White Street. The applicant is requesting a variance for the balconies above with access from the second story that will project into the front setback. Section 5.18.1 (4) allows for front porches to encroach up to 8 feet into the front setback, however, this code provision does not allow for extensions above the first floor (see Code below).

**Section 5.18.1 (4)** Unenclosed porches, decks and platforms covered by a roof or canopy **which do not extend above the first floor** of a residential Structure, nor extend more than eight feet in depth from any point along the Principal Building, and located in an R1A, R1B, R1C, R1D, R1E, R2A, or R4C District may project up to eight feet into the Required Front Setback Area. No unenclosed porch, deck, or platform shall be located within five feet from the Front Lot Line. For premises on which such encroachment occurs, the principal Established Front Building Line will continue to establish the existing Required Front Setback.

**Standards for Approval- Variance**

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the UDC. The following criteria shall apply:

- (a). *That the practical difficulties are exceptional and peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the City.***

**Rear Setback variance response:** The North lot line is currently a side yard. The corner

lot condition changes the side yard to a rear yard condition. We are requesting relief from the 30' setback. This corner lot is unique and the existing structure is a small house facing White Street. with an open lot condition on each side that makes the property look vacant. The existing distance between 1211 and 120-3 White Street is 51.5 feet.

**Balcony variance response:** The proposed covered porch within the allowed projection has an overhead covering above the front door. The request is to utilize the rooftop as a small balcony. The proposed balcony is an architectural feature with a 36" high guardrail. All balconies are limited to 5 ft useable depth. The proposed balcony above the porch covers and protects the tenants below, utilizing the rooftop for access will provide the only area for the occupant to access the outdoors on a living level.

- (b). *That the practical difficulties will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.***

**Rear Setback variance response:** The failure to grant would limit the housing and jeopardize the financial ability to build the project.

**Balcony variance response:** The second floor is the main floor

- (c). *That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this Chapter, the individual hardships that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.***

**Rear setback variance response:** The average house spacing adjacent 1211 white Street is 15 ft 4 inches. Allowing the variance will provide a 20 ft spacing and benefit the current neighborhood context. In addition, the project will remove an existing garage which is 3'-4" from the West property line.

**Balcony variance response:** The public benefit is limited to the architectural appearance, promoting pedestrian interaction and neighborhood alliances.

- (d). *That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.***

**Rear Setback variance response:** The corner lot with a curb cut facing Brookwood Place is an existing condition.

**Balcony variance response:** The circumstance is the utilization of an approved porch rooftop.

- (e). *A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.***

**Rear Setback variance response:** Yes, the variance is for 12'-11"

**Balcony variance response:** The roof top balcony is only 5 feet deep of the permitted

Zoning Board of Appeals  
May 25, 2022

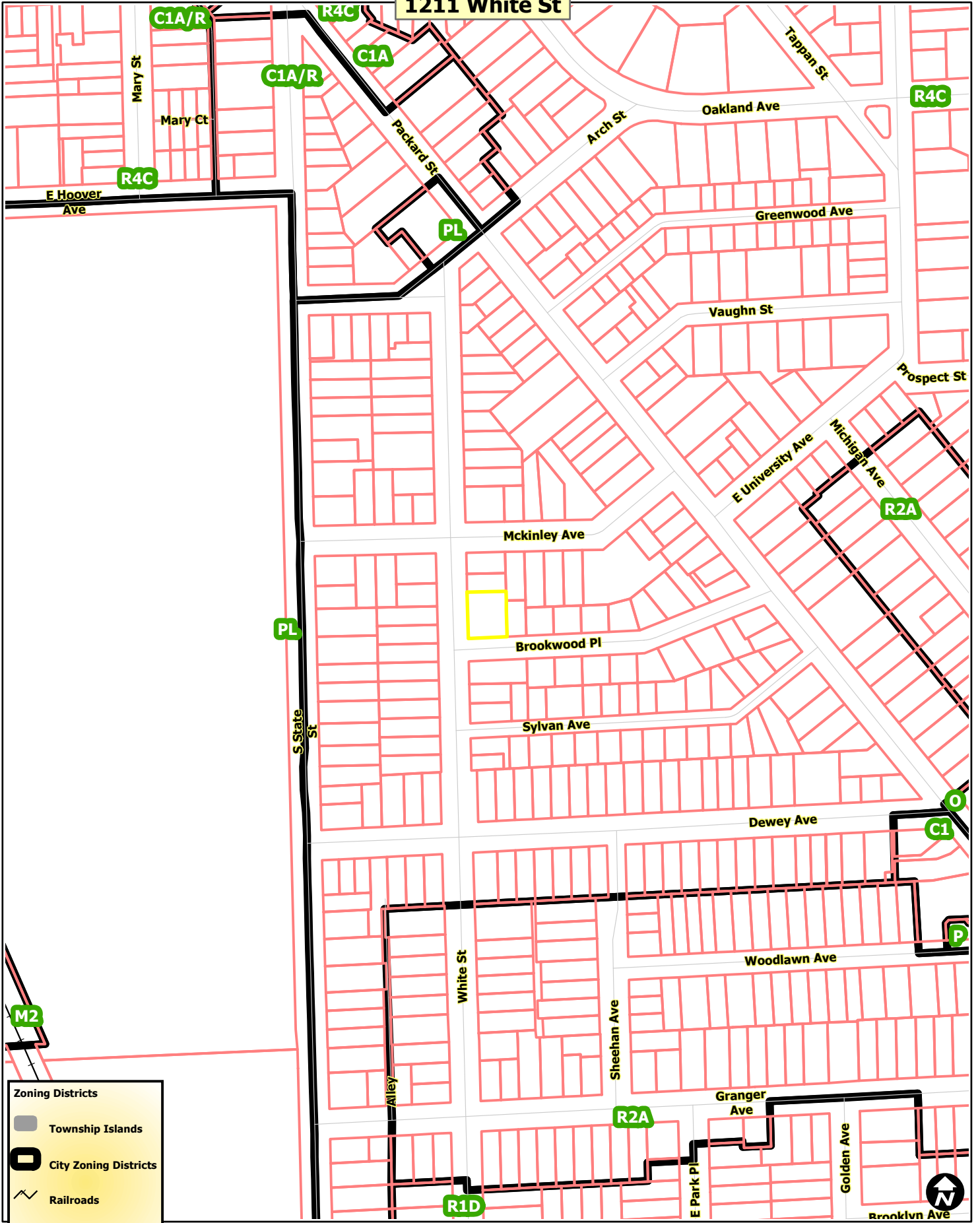
eight foot projection.

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, City of Ann Arbor**

1211 White St





Map date: 4/5/2022  
Any aerial imagery is circa 2020  
unless otherwise noted  
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1211 White St



 Railroads

 Huron River

 Tax Parcels




Map date: 4/5/2022  
Any aerial imagery is circa 2020  
unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)



1211 White St

White St

Brookwood Pl

-  Railroads
-  Huron River
-  Tax Parcels



Map date: 4/5/2022  
Any aerial imagery is circa 2020  
unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)

A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardship when all of the following statements are found to be true by the Zoning Board of Appeals. PLEASE PROVIDE A COMPLETE RESPONSE TO THE STATEMENTS BELOW EXPLAINING THE PRACTICAL DIFFICULTIES OR UNNECESSARY HARDSHIPS IN RELATION TO THIS VARIANCE REQUEST.

#### General

Code Section from which a variance is requested (example: Table 5.17-1 Single Family District Dimensions):

Table 5.17-1 Multiple-Family Residential Zoning District Dimensions Section  
5.18.1 Front Porches

Required Dimension - Feet 30

Required Dimension - Inches 0

Proposed Dimension - Feet 17

Proposed Dimension - Inches 1

30 foot rear setback is required, 17 feet 1 inch proposed 16' 6" average front setback, 9 feet 10 inches for the second floor balcony

Kind of Property Use

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

#### Difficulties or Hardships Related to Request

The north lot line is currently a side yard, the corner lot condition changes the side yard to a rear yard condition. We are requesting relief from a 30 foot setback.

The alleged practical difficulties are exceptional and peculiar to the property of the Person requesting the variance, and result from conditions that do not exist generally throughout the City.

The corner lot is unique and the existing structure is a small house facing White St with an open lot condition on each side that makes the property look vacant. The existing distance between 1211 and 1203 White St is 51.5 feet. t

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The alleged practical difficulties that will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

The failure to grant would limit the housing and jeopardize the financial ability to build the project.

Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the practical difficulties that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.

The average house spacing adjacent to 1211 White St is 15 feet 4 inches. Allowing the variance will allow 20 feet of spacing and benefit the current neighborhood context. In addition, the project will remove an existing garage which is 3 feet 4 inches from the west property line.

The conditions and circumstances on which the variance request is based shall not be a self-imposed practical difficulty.

The corner lot with a curb cut facing Brookwood Place is an existing condition.

A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

#### GIS Info

Is this a Rental Property? YES

23 March 2022

Jon Barrett  
City of Ann Arbor Planning Services  
301 E. Huron Street, Ann Arbor, MI 48107



RE: 1211 White St. Letter of Authorization for ZBA

Dear Jon,

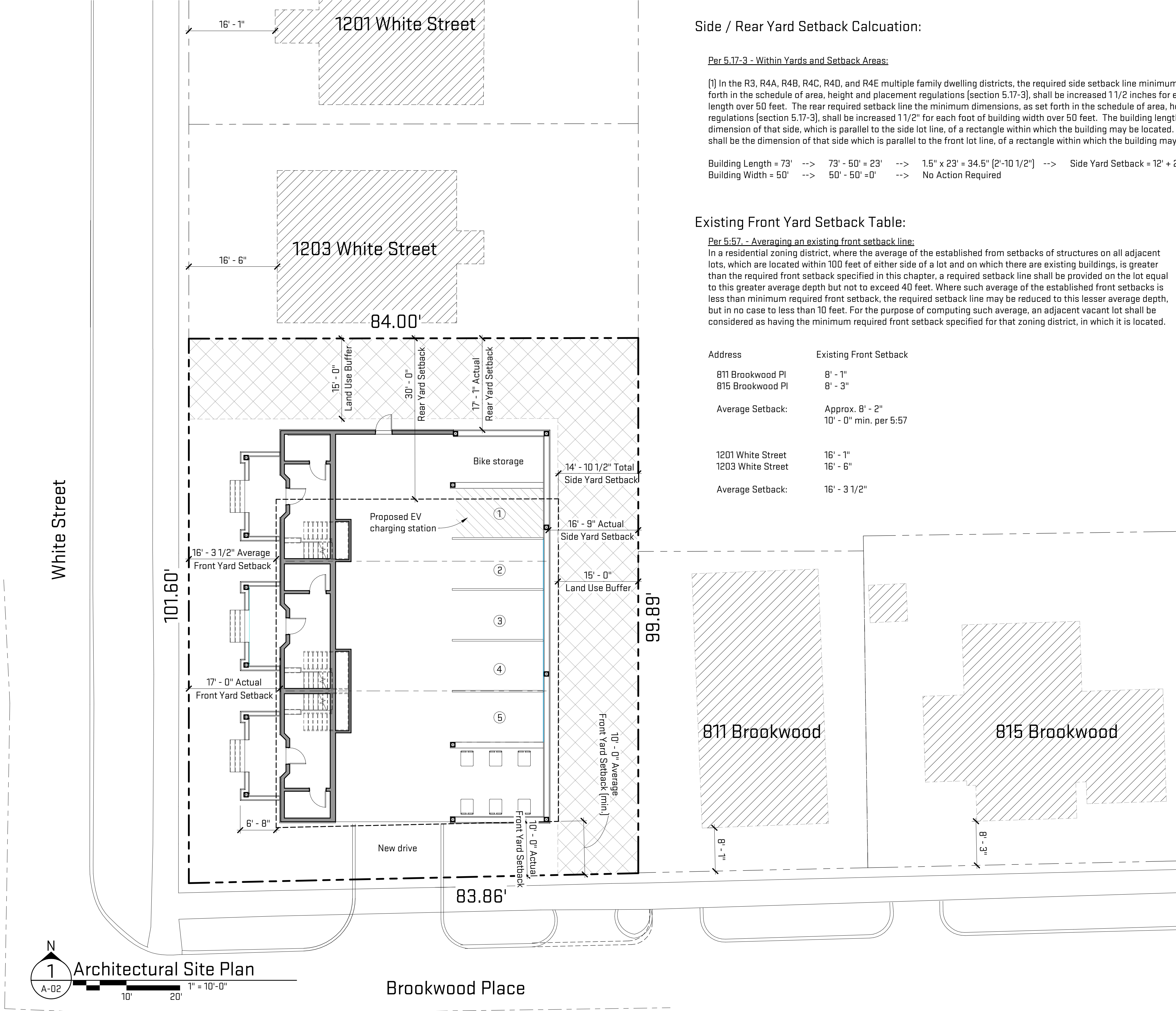
I hereby authorize the members of O-X Studio, Inc. to act as applicant to present 1211 White St. for the April 27<sup>th</sup> ZBA Meeting Date

Sincerely,

Marty Nyrkkanen  
Owner

Cc: File





Side / Rear Yard Setback Calculation:

Per 5.17-3 - Within Yards and Setback Areas:

[1] In the R3, R4A, R4B, R4C, R4D, and R4E multiple family dwelling districts, the required side setback line minimum dimension, as set forth in the schedule of area, height and placement regulations (section 5.17-3), shall be increased 1 1/2 inches for each foot of building length over 50 feet. The rear required setback line the minimum dimensions, as set forth in the schedule of area, height and placement regulations (section 5.17-3), shall be increased 1 1/2" for each foot of building width over 50 feet. The building length shall be the dimension of that side, which is parallel to the side lot line, of a rectangle within which the building may be located. The building width shall be the dimension of that side which is parallel to the front lot line, of a rectangle within which the building may be located.

Building Length = 73' --> 73' - 50' = 23' --> 1.5" x 23' = 34.5" [2'-10 1/2"] --> Side Yard Setback = 12' + 2' - 10 1/2" = 14' - 10 1/2"

Building Width = 50' --> 50' - 50' = 0' --> No Action Required

PROJECT SCOPE		
Location	Ann Arbor, Michigan	
Parcel #	09-09-33-217-003	
Parcel Description	S 40 FT OF LOTS 73 & 74 & W 84 FT OF LOT 76 & W 84 FT OF THAT PART OF LOT 77 N OF BROOKWOOD PLACE WHITES ADDN	
Address	1211 White Street, Ann Arbor, MI 48104	
Lot Acreage	.27 acres	

Existing Front Yard Setback Table:

Per 5.57, - Averaging an existing front setback line:

In a residential zoning district, where the average of the established from setbacks of structures on all adjacent lots, which are located within 100 feet of either side of a lot and on which there are existing buildings, is greater than the required front setback specified in this chapter, a required setback line shall be provided on the lot equal to this greater average depth but not to exceed 40 feet. Where such average of the established front setbacks is less than minimum required front setback, the required setback line may be reduced to this lesser average depth, but in no case to less than 10 feet. For the purpose of computing such average, an adjacent vacant lot shall be considered as having the minimum required front setback specified for that zoning district, in which it is located.

Address	Existing Front Setback
811 Brookwood Pl	8' - 1"
815 Brookwood Pl	8' - 3"
Average Setback:	Approx. 8' - 2"
	10' - 0" min. per 5.57
1201 White Street	16' - 1"
1203 White Street	16' - 6"
Average Setback:	16' - 3 1/2"

PROJECT SCOPE		
Location	Ann Arbor, Michigan	
Parcel #	09-09-33-217-003	
Parcel Description	S 40 FT OF LOTS 73 & 74 & W 84 FT OF LOT 76 & W 84 FT OF THAT PART OF LOT 77 N OF BROOKWOOD PLACE WHITES ADDN	
Address	1211 White Street, Ann Arbor, MI 48104	
Lot Acreage	.27 acres	

ZONING ORDINANCES	Required	Actual
Zoning District	R4C Multiple-Family Residential	
Min. Lot Area	8,500 sf	11,800 sf
Min. Lot Width	60'	83.86'
Setbacks		
Minimum Front	16' - 1" average at White St.	17' - 0" at White St.
	10' - 0" average at Brookwood Pl.	10' - 0" at Brookwood Pl.
Minimum Side	16' - 1 1/2"	17' - 1"
Minimum Rear	30' - 0"	37' - 3"
Max. Height	30'	30'
Min. Open Space	40%	56%
Proposed New Work Area		3,657 sf

	Allowed	Actual
Units	11,800 sf / 2,175 sf per unit = 5.4	3 units
Vehicle Parking	3 units x 1.5 spaces per unit = 4.5	5 spaces
Bike Parking	1 space per 5 units = 2 spaces	4 spaces

Released For: ZBA Submittal



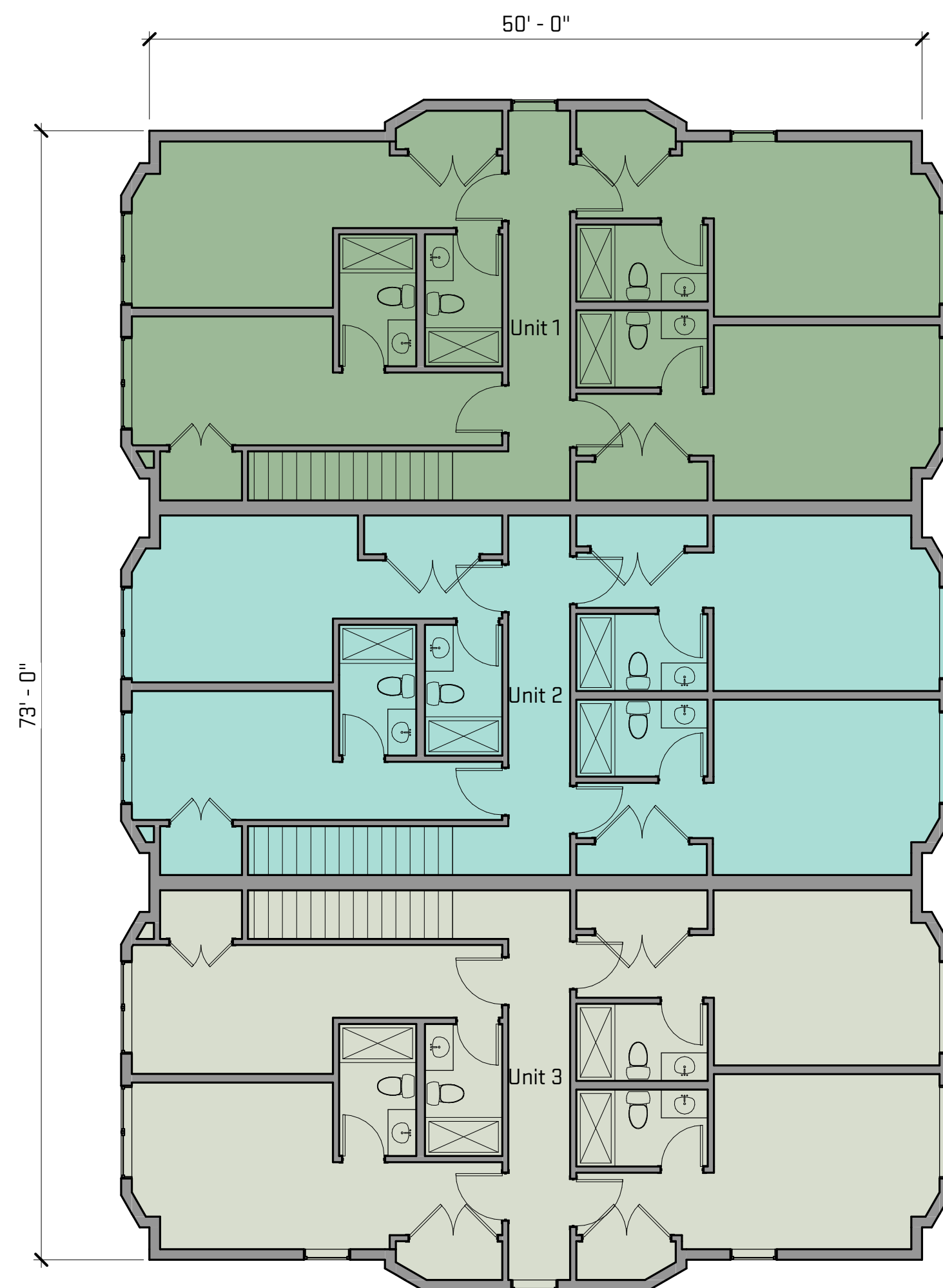
Job Title:  
1211 White Street

Plot Date/Time4/26/2022 3:40:33 PM File PathC:\Revit Local Files\WSR21\_cogriffi.rvt

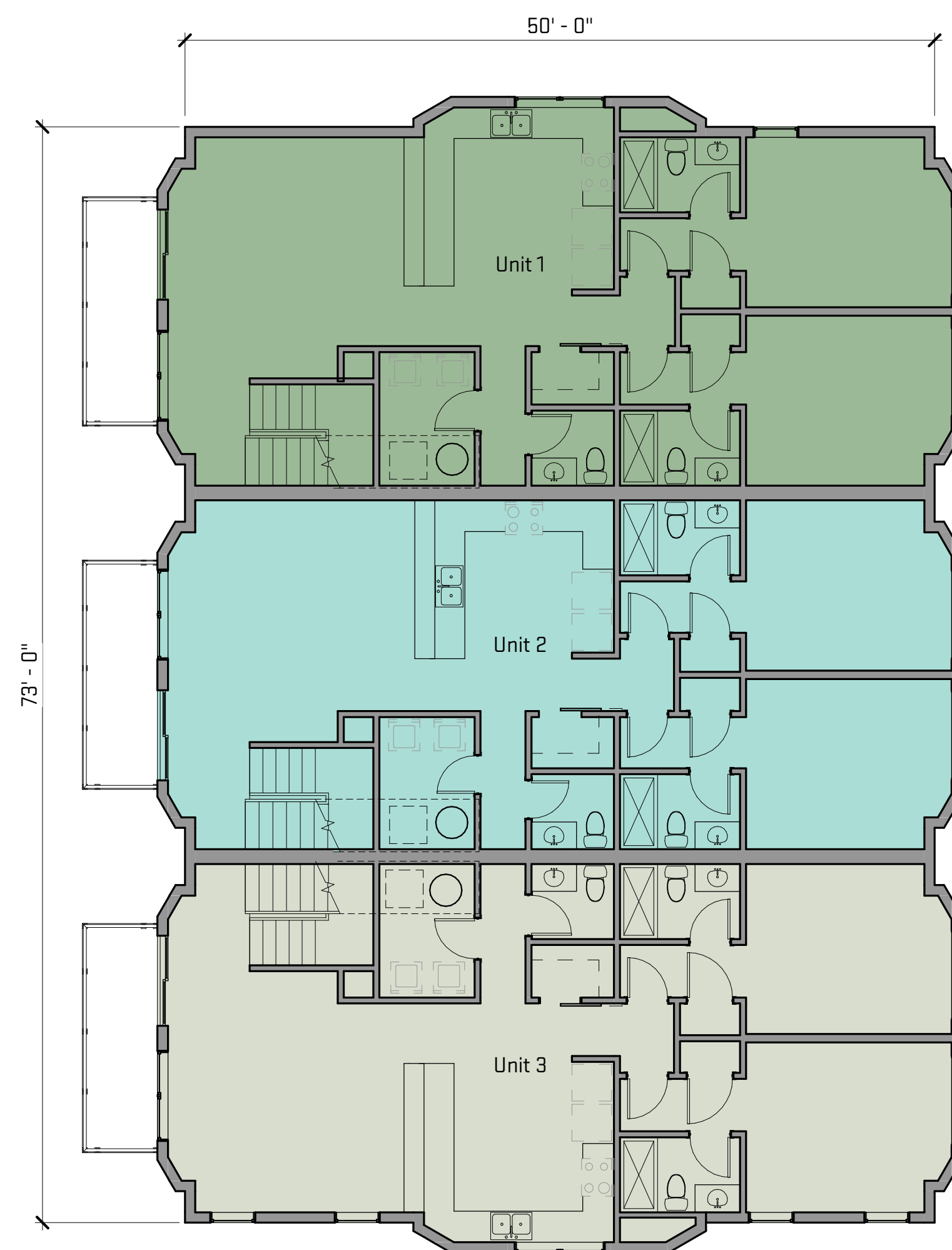
Sheet Title:  
Architectural Site Plan

OXSTUDIO  
INC.

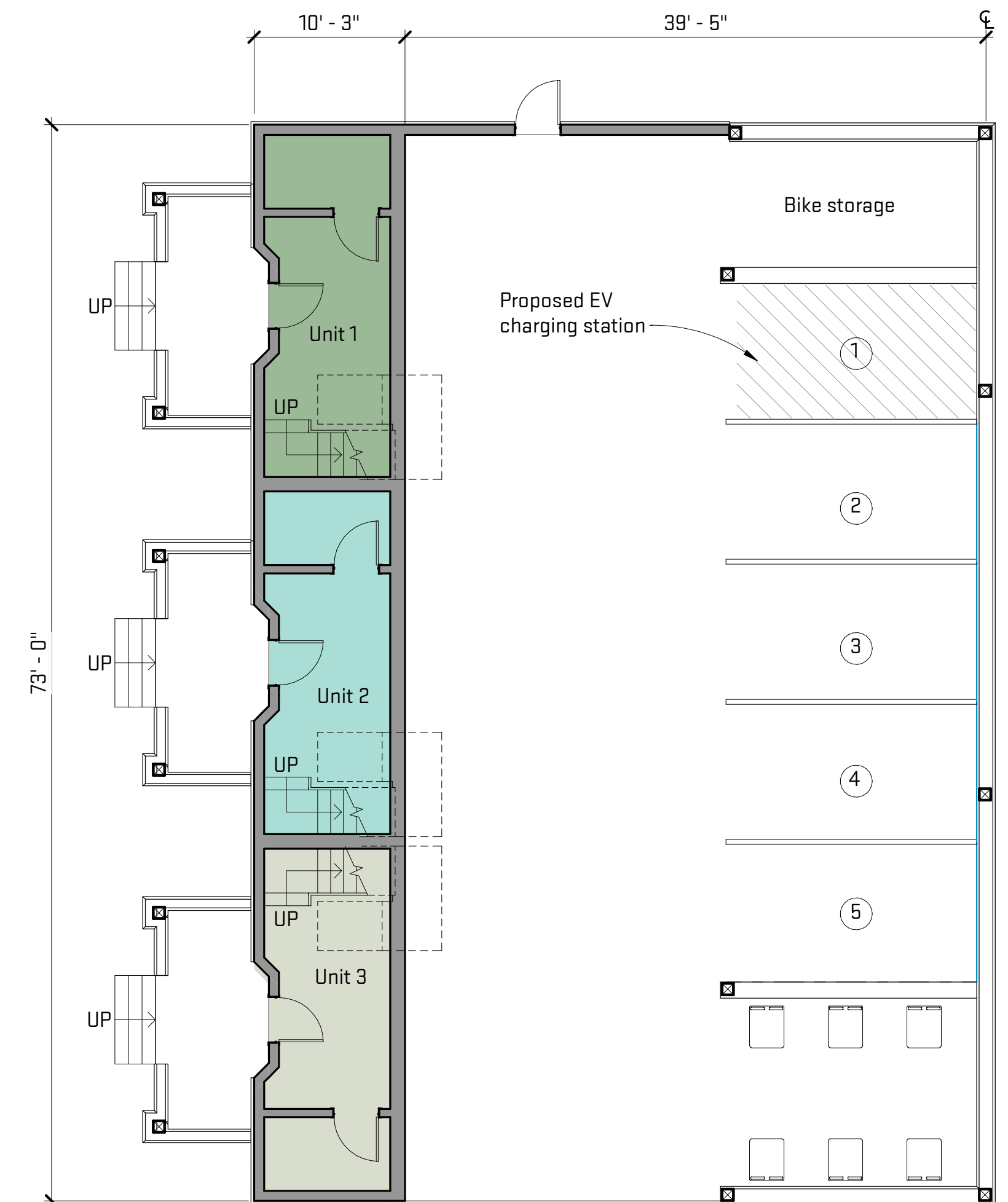
A-02



3 Overall Level 3 Floor Plan  
A-03 1/8" = 1'-0"



2 Overall Level 2 Floor Plan  
A-03 1/8" = 1'-0"



1 Overall Level 1 Floor Plan  
A-03 1/8" = 1'-0"

Released For: ZBA Submittal



Job Title:  
1211 White Street

Sheet Title:  
Unit Plans

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INC.

A-03

Unit 2-4 Daylighting & Ventilation Calculations

**Bedroom 1 = 198 sf**  
Required daylighting (8%) = 15.84 sf  
Required ventilation (4%) = 7.92 sf  
Provided daylighting = 21.48 sf  
Provided ventilation = 21.48 sf

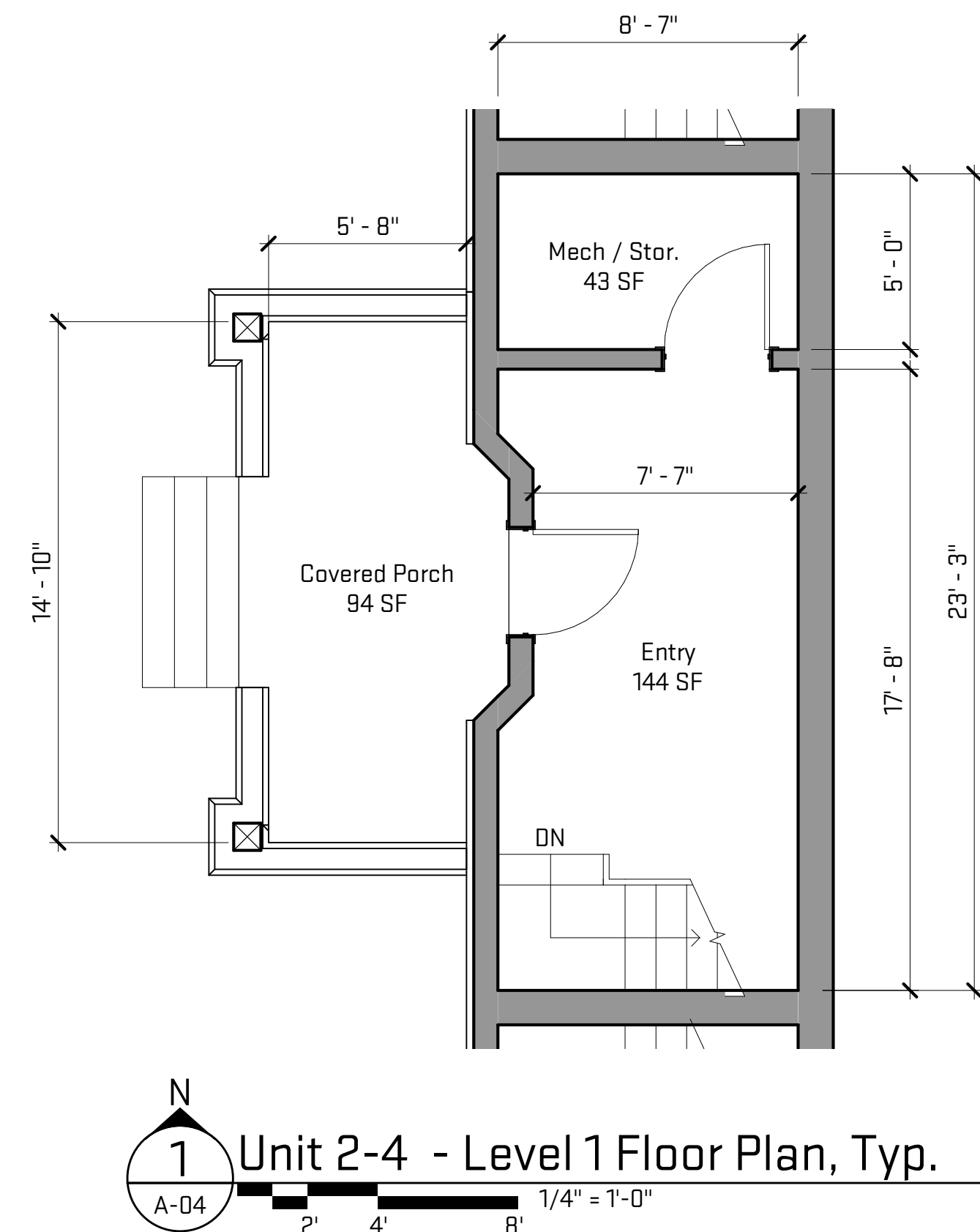
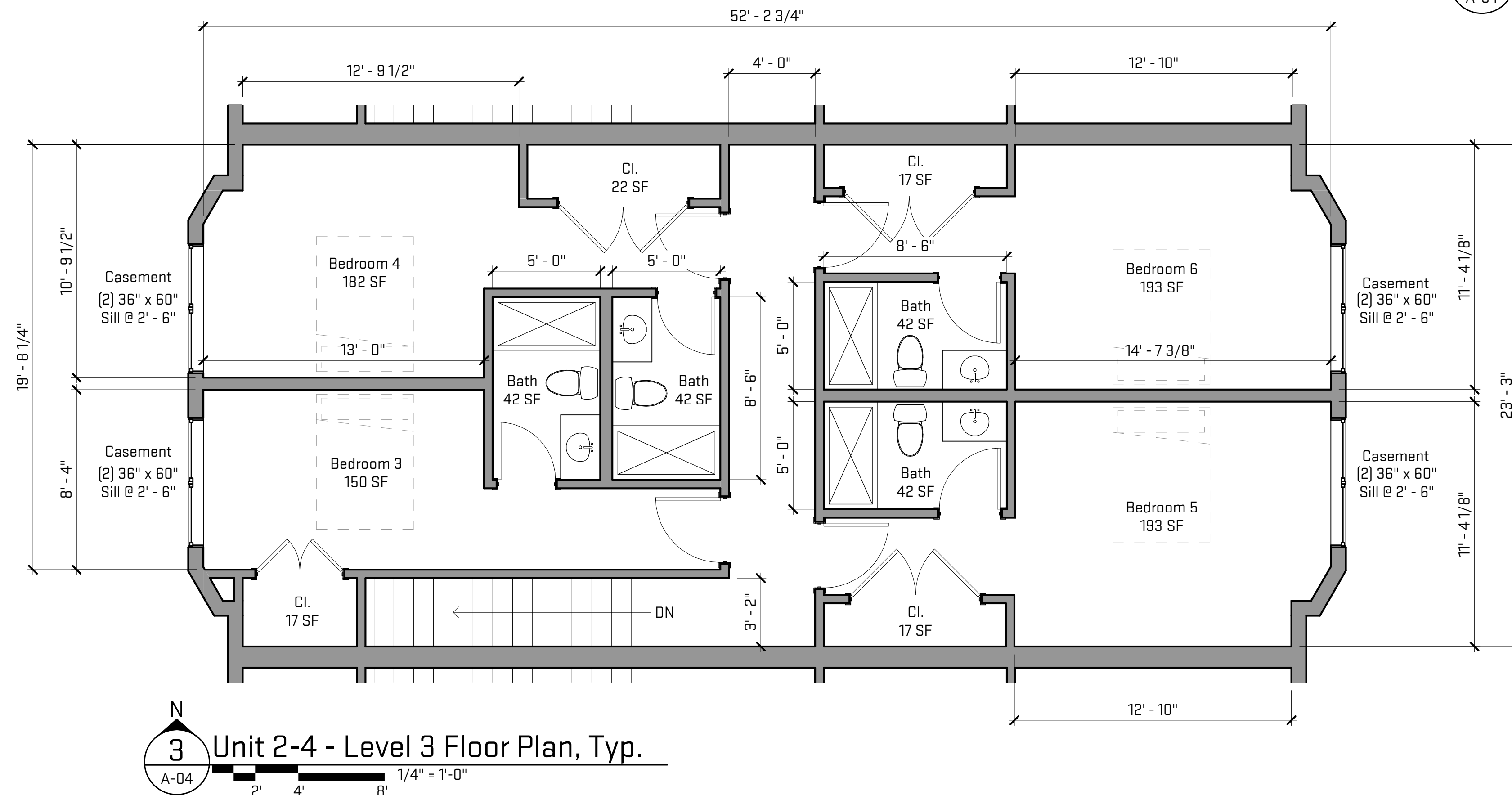
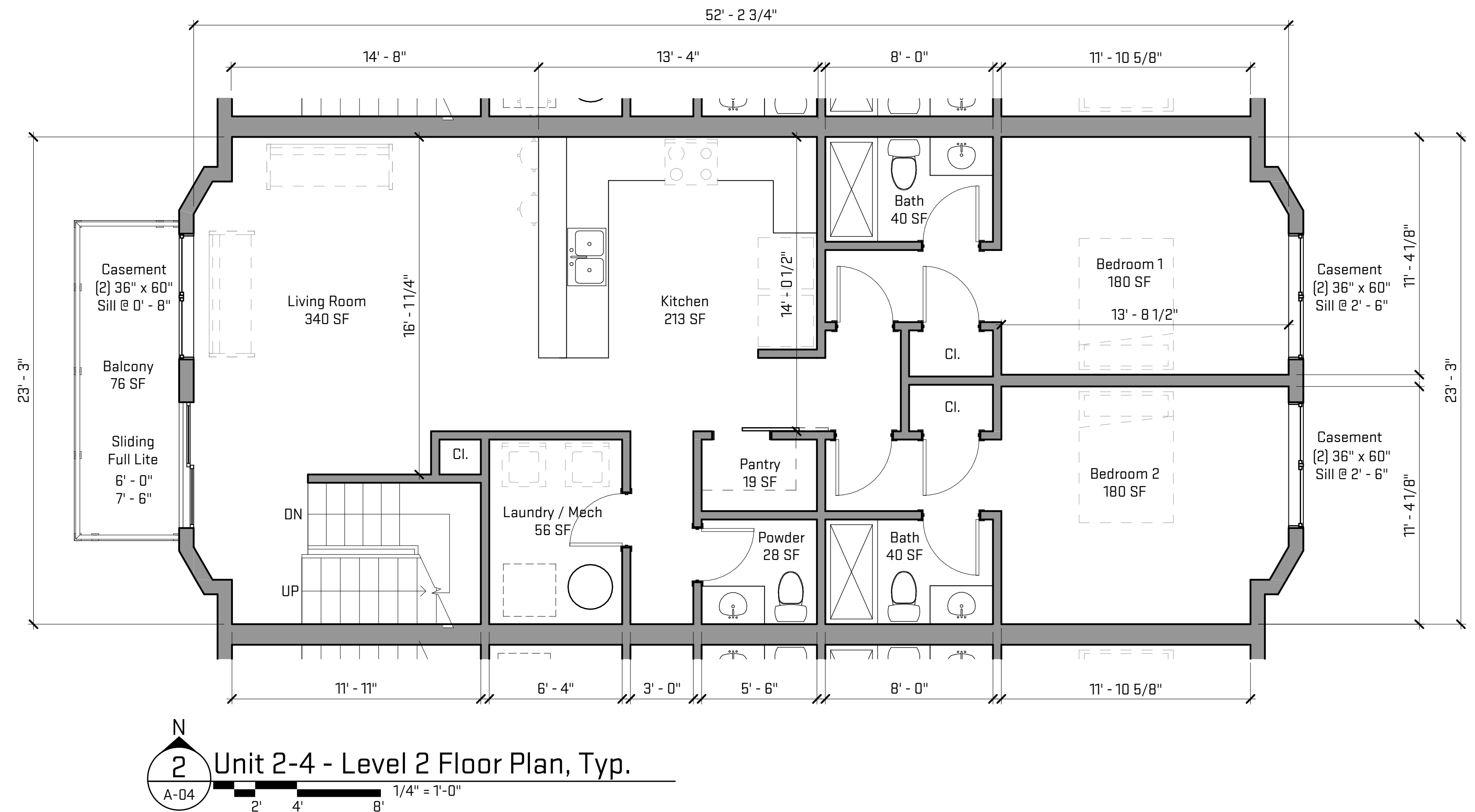
**Bedroom 2 = 198 sf**  
Required daylighting (8%) = 15.84 sf  
Required ventilation (4%) = 7.92 sf  
Provided daylighting = 21.48 sf  
Provided ventilation = 21.48 sf

**Bedroom 3 = 178 sf**  
Required daylighting (8%) = 14.24 sf  
Required ventilation (4%) = 7.12 sf  
Provided daylighting = 21.48 sf  
Provided ventilation = 21.48 sf

**Bedroom 4 = 207 sf**  
Required daylighting (8%) = 16.56 sf  
Required ventilation (4%) = 8.28 sf  
Provided daylighting = 21.48 sf  
Provided ventilation = 21.48 sf

**Bedroom 5 = 216 sf**  
Required daylighting (8%) = 17.28 sf  
Required ventilation (4%) = 8.64 sf  
Provided daylighting = 21.48 sf  
Provided ventilation = 21.48 sf

**Bedroom 6 = 212 sf**  
Required daylighting (8%) = 16.96 sf  
Required ventilation (4%) = 8.48 sf  
Provided daylighting = 21.48 sf  
Provided ventilation = 21.48 sf



Released For: ZBA Submittal



Job Title:  
1211 White Street

Sheet Title:  
Typical Unit 2-4 Floor Plans

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INC.

A-04

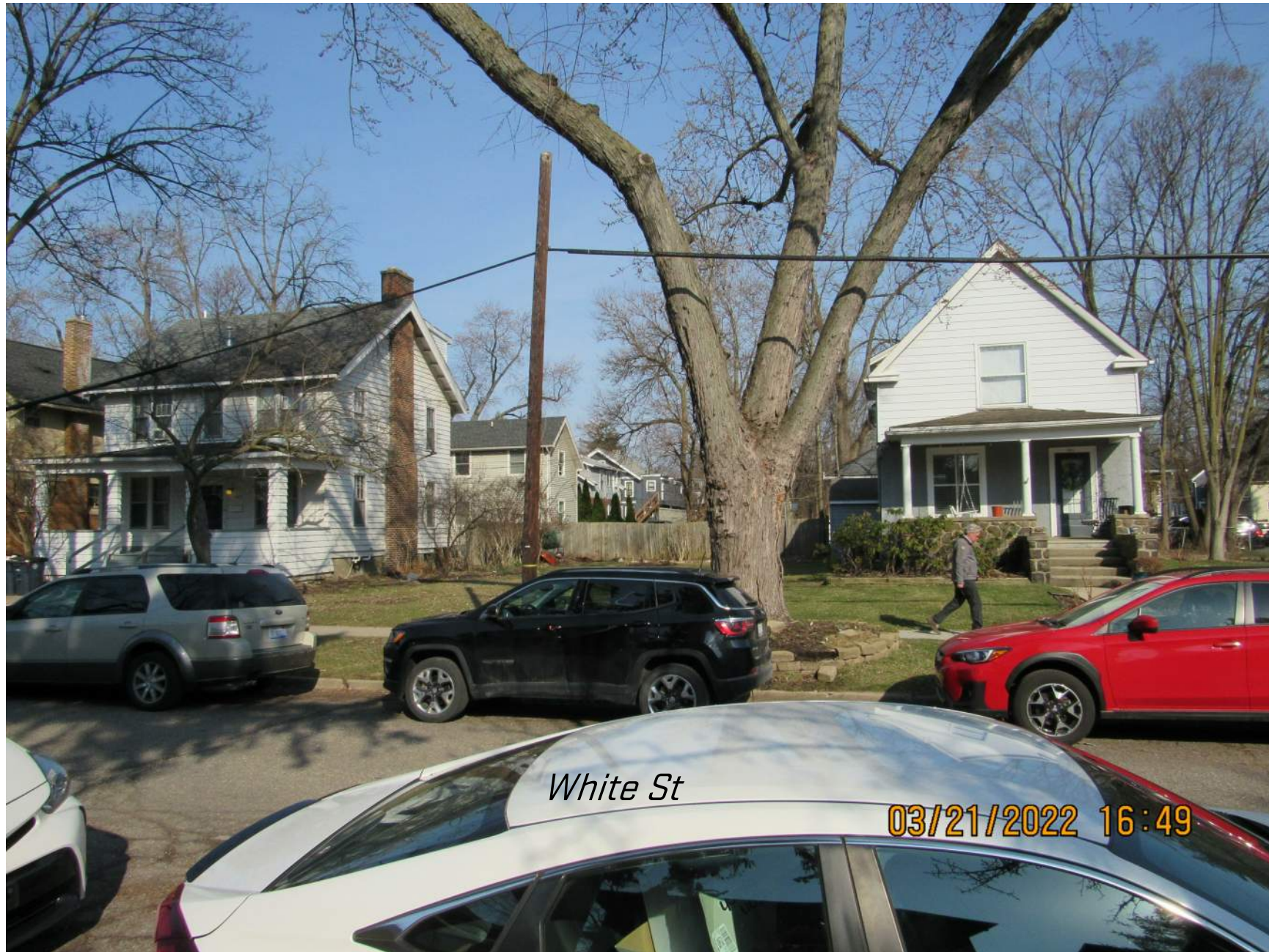




1203 White St / 1211 White St - NorthEast Facades



1203 White St / 1211 White St - NorthWest Facades



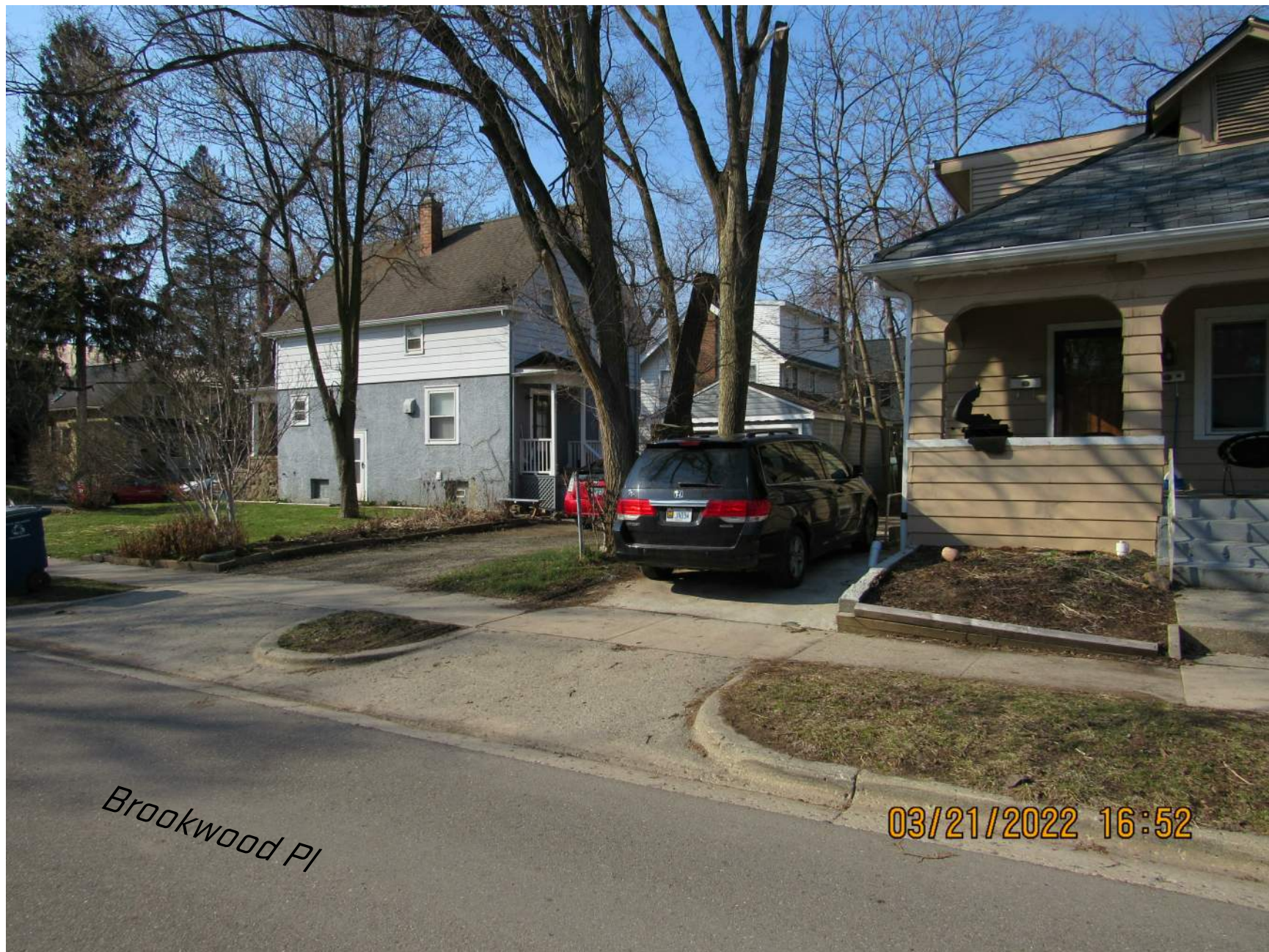
1203 White St / 1211 White St - West Facades



1203 White St / 1211 White St - SouthWest Facades



1211 White St - Existing South Facade



1211 White St - Existing South East Facade

Released For: ZBA Submittal



Job Title:

1211 White Street

Sheet Title:

Existing Site Photos

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INC.

A-07

Plot Date/Time: 4/26/2022 3:21:42 PM

File Path: C:\Revit Local Files\WSR21\_cogriffi.rvt



2373 Oak Valley Drive, Suite 180  
Ann Arbor, MI 48103

Drawn: R.Paramo Date: 03.18.2

Rev: Additional topo #1203	
Drawn: RP	Date: 06.21.2
Rev: Update tree names	
Drawn: RP	Date: 08.26.2
Rev: Text Edits	
Drawn: BP	Date: 04.18.2

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**1211 WHITE STREET**

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**Topographic Survey**

1211 White Street, Ann Arbor, MI 48104

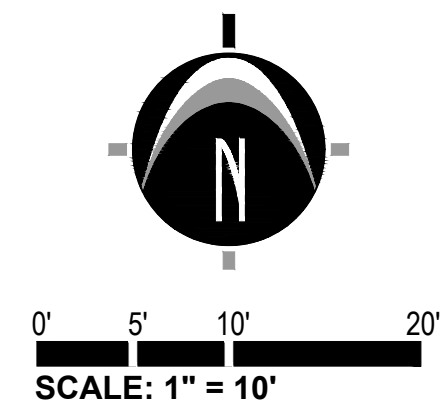
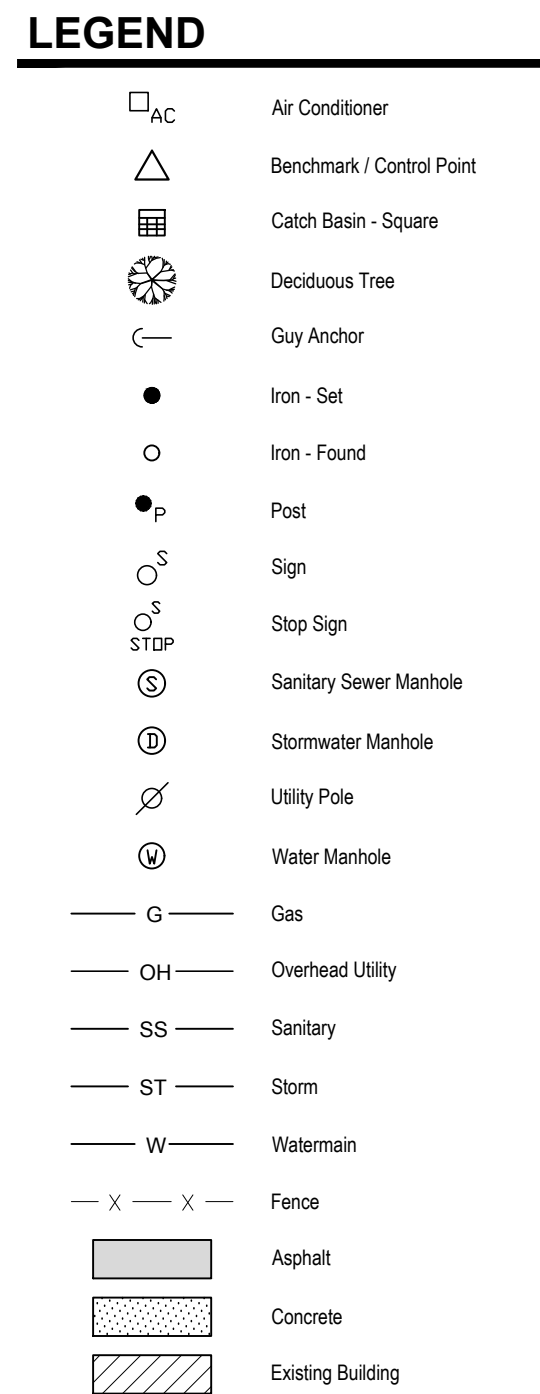
PART OF THE NORTHWEST 1/4 OF SECTION 33, T2S, R8E,  
CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

**STAMP:**

**PROJECT NO:**  
21500051

SHEET NO: **TO 2**

**SHEET: 1 OF 1**

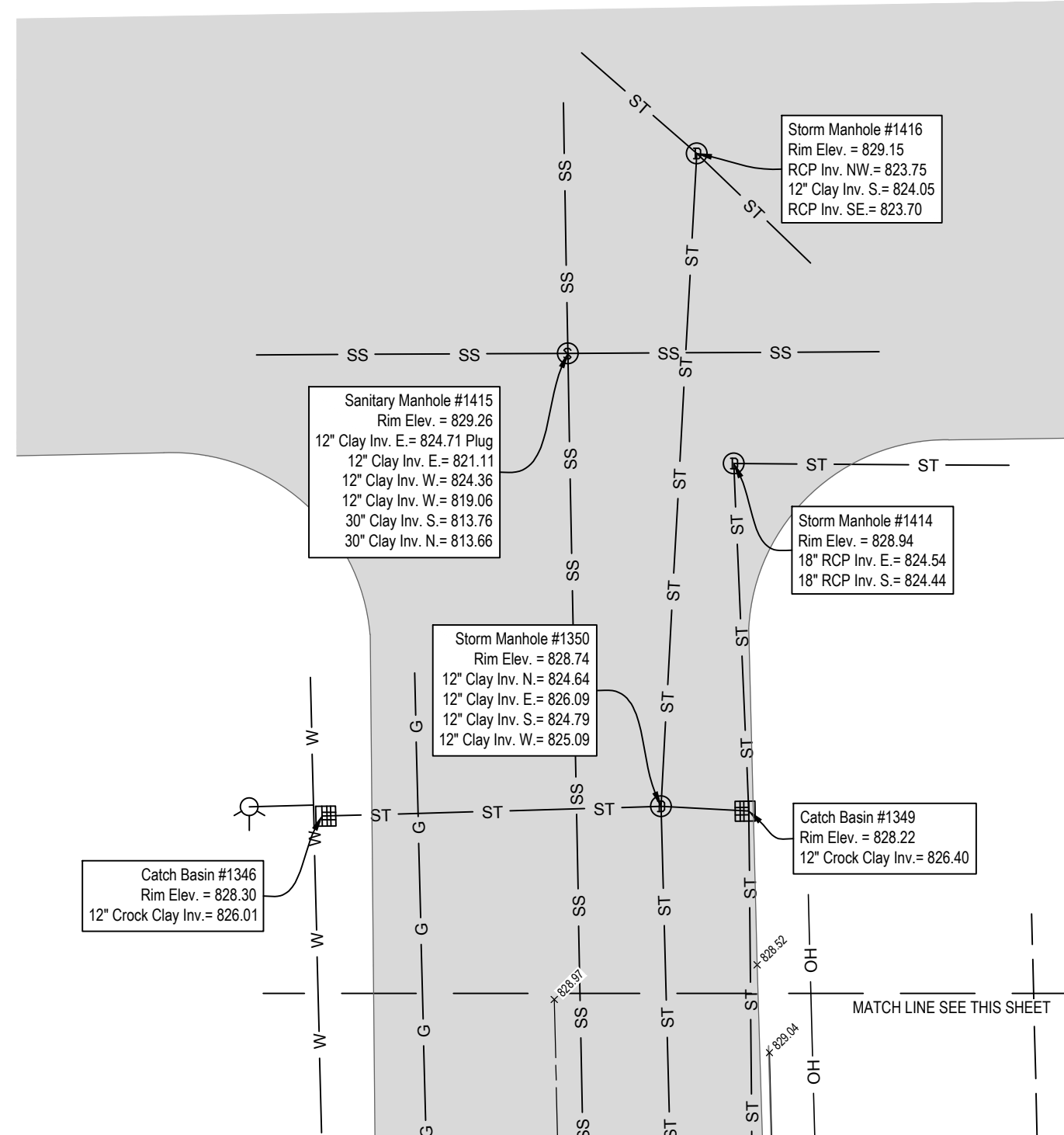
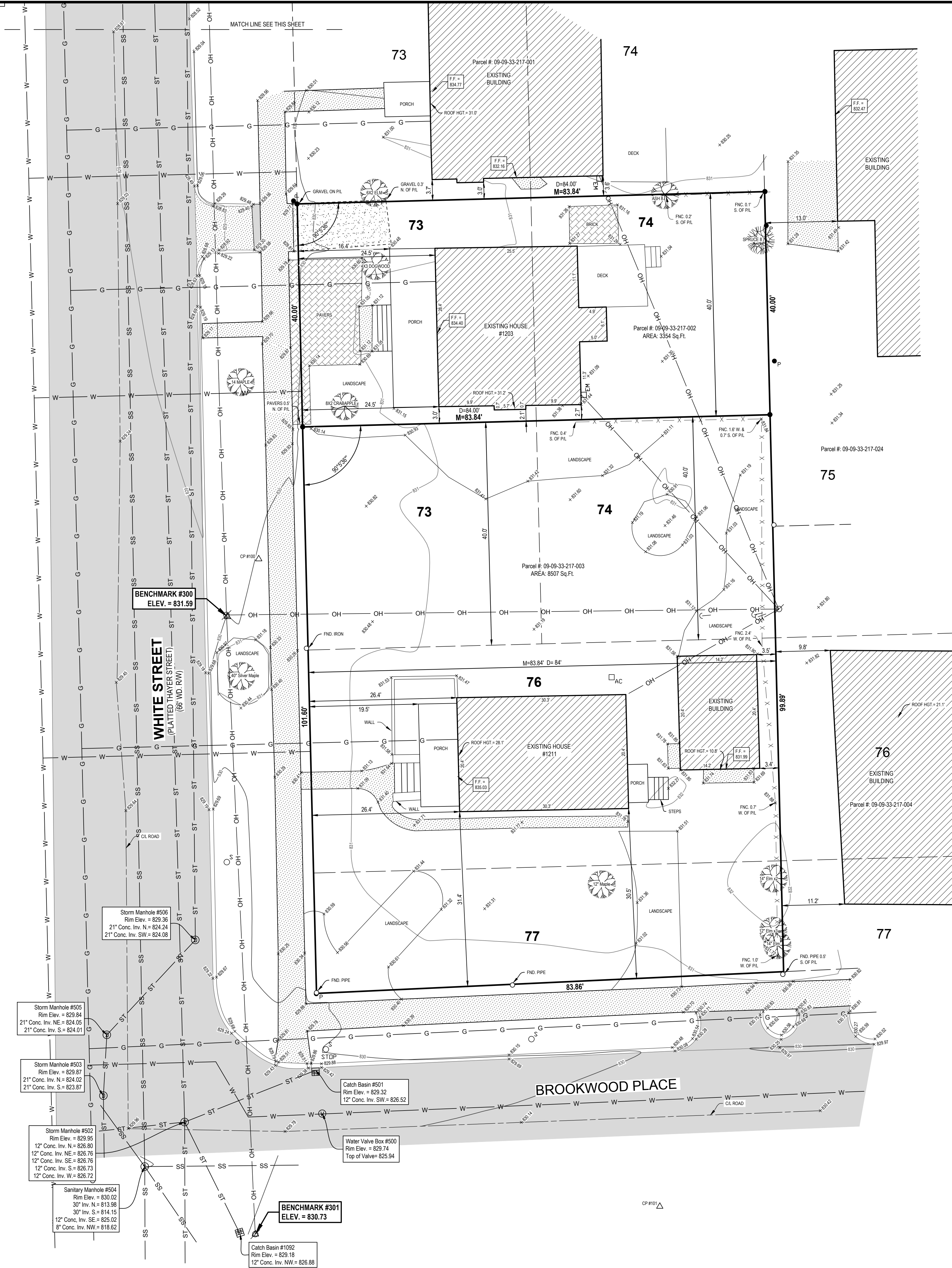


**811** Know what's **below.**  
**CALL** before you dig

UTILITY LOCATIONS ARE DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

NOTE:  
EXISTING UTILITIES AND SERVICE LINES IDENTIFIED AS "PLAN" WERE  
OBTAINED FROM AVAILABLE CITY AS-BUILT RECORD DRAWINGS. THE  
CONTRACTOR SHALL VERIFY THE LOCATION, DEPTH AND STATUS OF ALL  
UTILITIES AND SERVICE LINES PRIOR TO NEW CONNECTIONS.

———— Land Planning ———— Landscape Architecture ———— Civil Engineering ———— Land Surveying ———— High Definition Scanning ———— Forensic Engineering ———— Fire Investigation



**BENCHMARK #300** ELEV. = 831.59 (NAVD88)  
Bentlie East side power pole, located 24' +/- East of centerline of White Street and 37' +/- Northwest of Northwest porch corner at house #1211.

**BENCHMARK #301 ELEV. = 830.73 (NAVD88)**  
Railroad spike in Northwest side of power pole, located 17' +/- East of the centerline of White Street and 25' +/- South of centerline of Brookwood Place.

The Title Description and Schedule B items hereon are from Liberty Title, Commitment No. LIB153059, dated April 6, 2021

The land referred to in this Commitment is located in the City of Ann Arbor, County of Washtenaw, State of Michigan, and described as follows:

The South 40 feet of Lot(s) 73 and 74 and the West 84 feet of Lot 76 and the West 84 feet of all that part of Lot 77 lying North of Brookwood Place, all being part of White's Addition to the City of Ann Arbor, according to the recorded Plat thereof, as recorded in Liber 2 of Plat(s), Page 14, Washtenaw County Records.

No easements listed.

1) Flood Zone Classification: An examination of the National Flood Insurance Program's Flood Insurance Rate Map for Community Number 260213, Map Number 26161C0263E, with an Effective Date of April 3, 2012, shows this parcel to be located in Zone X (subject to map scale uncertainty).

2) Lacking excavation, the exact location of underground features cannot be accurately, completely, and reliably depicted. In addition, in some jurisdictions, 811 or other similar utility call requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is needed, clients are advised that excavation and/or private utility location request may be necessary. These locations should not be interpreted to be exact locations nor should it be assumed that they are the only utilities in this area.

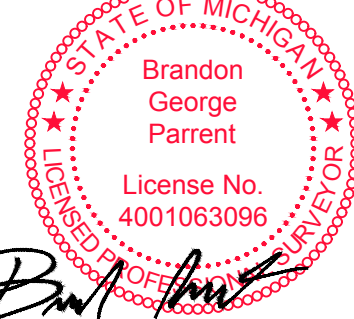
3) NOTE TO CONTRACTORS: 3 (THREE) WORKING DAYS BEFORE YOU DIG. CALL MISS DIG AT TOLL FREE 1-800-492-7171 FOR UTILITY LOCATIONS ON THE GROUND.

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

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.

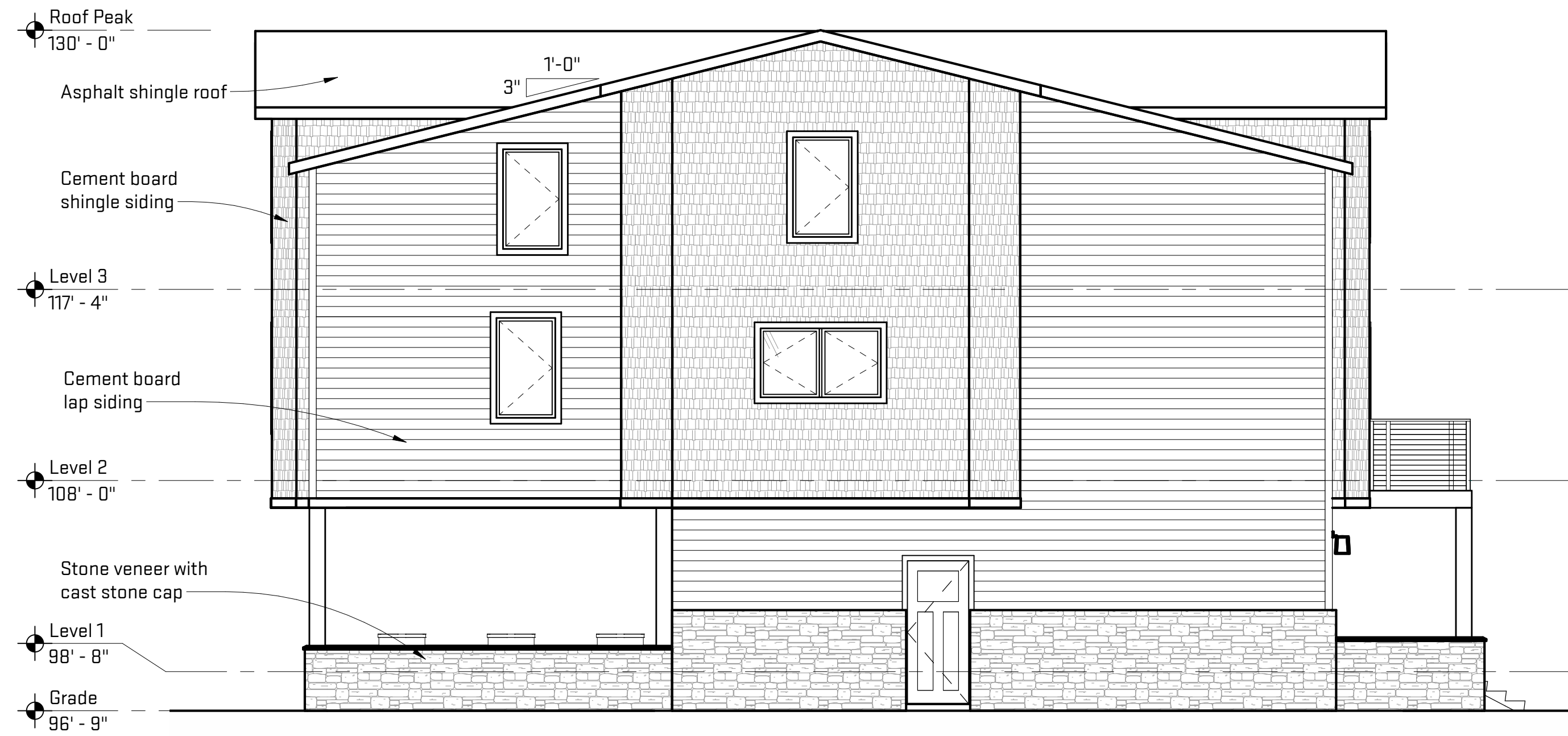
**SURVEYOR'S CERTIFICATE:**  
I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the practice of professional surveying.

Date of Plat or Map: August 26, 2021



Brandon G. Parrent  
Professional Surveyor No. 4001063096  
Nederveld, Inc.  
bparrent@nederveld.com





**3 North Elevation**  
A-05 4' 8' 12' 3/16" = 1'-0"



**4 West Elevation**  
A-05 4' 8' 12' 3/16" = 1'-0"



**2 South Elevation**  
A-05 4' 8' 12' 3/16" = 1'-0"



**1 East Elevation**  
A-05 4' 8' 12' 3/16" = 1'-0"

Released For: ZBA Submittal



Job Title:  
**1211 White Street**

Sheet Title:  
**Exterior Elevations**

**OXSTUDIO**  
INC.

**A-05**





Asphalt Roof Shingle

Basis of Design:  
GAF  
Timberlie HDZ  
Shingles  
Mission Brown



Ledgestone Veneer

Basis of Design:  
Stonewood Products  
Ledgestone Veneer  
Colonial Tan



Cedar Lap Siding

1x4, Tongue & Groove



Cement board shingle siding

Basis of Design:  
James Hardie HardieShingle  
Staight Edge Panel  
Cobble Stone



Cement board lap siding

Basis of Design:  
James Hardie HardiePlank  
Select Cedarmill  
Heathered Moss

