

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

Section 1: Applicant Information

Name of Applicant: David Regensburger _____
 Address of Applicant: 242 Koser Road, Lancaster PA 17543 _____
 Daytime Phone: (717) 344-9688 _____
 Fax: n/a _____
 Email: daver.kaman@yahoo.com _____
 Applicant's Relationship to Property: owner _____

Section 2: Property Information

Address of Property: 316 W. Davis Avenue, Ann Arbor MI 48103 _____
 Zoning Classification: _____
 Tax ID# (if known): _____

Section 3: Request Information
X Variance

Chapter(s) and Section(s) from
which a variance is requested:

_____ 8503 _____

REQUIRED dimension:

_____ 84" ceiling height _____

_____ 2nd floor bedroom _____

PROPOSED dimension:

_____ 81-3/4" _____

Example: Chapter 105, Section 5:26

Example: 6' 8" Basement Ceiling Clearance

Example: 6'6" Basement Ceiling Height

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

Not proposing to do any work _____

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 Code? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

Yes, difficult to raise existing ceiling or lower existing floor? _____

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

Yes

(continued)

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

No _____

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?

difficult to raise existing ceiling or lower existing floor? _____

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

Original construction, circa 1958; _____

Section 5: Time Extension

Current use of the property __rental
property _____

Explain why you are requesting a time extension: __to allow current and future renters to occupy the 2nd floor as a bedroom; _____

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 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 ½" by 11" sheets**. If incomplete, you will be scheduled for the **NEXT MEETING DATE ON THE FOLLOWING MONTH**.

- ☒ 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 possible walk through of the property on the day of the hearing.

Section 7: Acknowledgement

SIGNATURES

I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the City of Ann Arbor Residential Housing Code for the stated reasons, in accordance with the materials attached hereto.

(717) 344-9688 _____ David P.Regensburger _____

Phone Number _____

Signature _____

_____Daver.kaman@yahoo.com	
_____David P. Regensburger_____	_____
Email Address	Print Name

STAFF USE ONLY	
Date Submitted: <u>6-14-17</u>	Fee Paid: _____
File No.: <u>NBA17-006</u>	Date of Public Hearing <u>6-11-17</u>
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: 2017-00061406

Project Number	HBA17-006
Receipt Print Date:	06/19/2017
Address	316 W DAVIS AVE
Applicant	REGENSBURGER DAVID & ROBIN
Owner	REGENSBURGER DAVID & ROBIN
Project Description	2nd flr ceiling height/stair tread 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: Monday, June 19, 2017

PAID BY: LOGOS

PAYMENT METHOD: CHECK 413



City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION

301 East Huron Street | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647
p. 734.794.6264 | f. 734.994.8460 | rentaldepartment@a2gov.org

June 28, 2017

David Regensburger
242 Koser Road
Lancaster, PA 17543

RE: 316 West Davis Avenue, Ann Arbor, MI
Parcel Identification Number (PIN): 09-09-32-204-013

Dear Mr. Regensburger:

Please consider this as an invitation to attend the Ann Arbor Housing Board of Appeals meeting for your Variance Hearing for 316 West Davis Avenue, Ann Arbor, MI.

The meeting will take place on Tuesday, July 11, 2016 at 1:30 PM on the 2nd floor of City Hall in the Council Chambers. Please bring materials and interested parties to the meeting if needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen Dempsey", is written over a horizontal line.

Glen Dempsey
City of Ann Arbor
Building Official



City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION

301 East Huron Street P.O. Box 8647 Ann Arbor, Michigan 48107-8647

☎ 734.794.6264 📠 734.994.8460 rentaldepartment@a2gov.org

August 29, 2017

David Regensburger
242 Koser Road
Lancaster, PA 17543

RE: 316 West Davis Avenue, Ann Arbor, MI
Parcel Identification Number (PIN): 09-09-32-204-013

Dear Mr. Regensburger:

Please consider this as an invitation to attend the Ann Arbor Housing Board of Appeals meeting for your Variance Hearing for 316 West Davis Avenue, Ann Arbor, MI.

The meeting will take place on Tuesday, September 12, 2016 at 1:30 PM on the 2nd floor of City Hall in the Council Chambers. Please bring materials and interested parties to the meeting if needed.

Sincerely,

Marc Howell
Deputy Building Official
City of Ann Arbor

ANN ARBOR HOUSING BOARD OF APPEALS

STAFF REPORT

Meeting Date: July 11, 2017

Type of Request: VARIANCE

Housing Board of Appeals Request HBA17-006 at 316 W Davis Ave, ANN ARBOR, MI 48104.

(Parcel Identification Number: **09-09-32-204-013**)

DESCRIPTION AND DISCUSSION

Property Owners Name and Address:

David Regensburger
242 Koser Road
Lancaster, PA 17543

BACKGROUND

The house at 316 W Davis Ave was built in 1947 and appears to be original construction with 2 bedrooms on the first floor and a finished attic on the second floor.

The owner of the residence located at 316 W Davis Ave., Ann Arbor, MI requests a variance:

1. Second floor ceiling.

Variance from 8:503(3)(c): All of the required area of habitable rooms, other than cellar, sloped ceiling and basement rooms, shall have a ceiling height of at least 7 feet (84 inches).

Inspection found that the ceiling is 81 ¾ inches.

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 from the requirements of Chapter 105.

Standards for Approval:

1. *Practical difficulties or unnecessary hardship;*
2. *The variance does not violate the intent of this chapter; and*
3. *The variance does not jeopardize public health and safety.*

STAFF RECOMMENDATION

Staff recommends that the variance should be granted.

PROPOSED MOTION

I move to approve the following variance at 316 W Davis Ave:

- (1) Ceiling in the second floor finished attic that is 81 $\frac{3}{4}$ inches high, which does not comply with section 8:503(3)(c).

The board finds that:

- (1) Practical difficulties or unnecessary hardship exist because the home was constructed around 1947, the correction would entail a substantial remodel at significant cost and the health and safety benefit is not proportional to the cost.
- (2) The variances do not violate the intent of the chapter because the deviation from the requirements is not excessive, will not cause deterioration of the building, and saves costs to the owner and renter.
- (3) The variances do not jeopardize public health and safety because the deviations are minimal and are not health- or safety-critical.

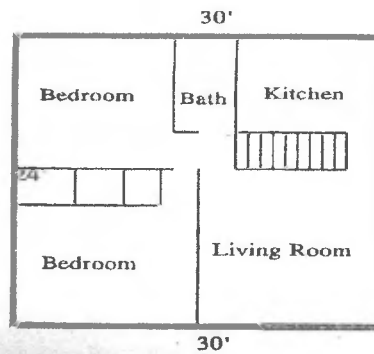
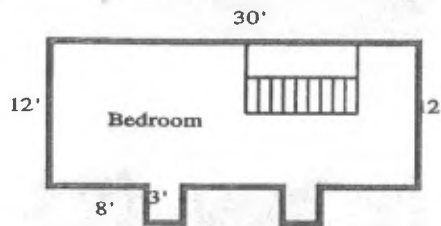
SKETCH/AREA TABLE ADDENDUM

File No: 5-9465.rap

S U B J E C T	Borrower/Client Robin A Regensburger			
	Property Address 316 Davis			
	City Ann Arbor	County Washtenaw	State Mi	Zip Code 48104
	Lender Homelight Central Livonia			

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SCALE: 1 inch = 15 feet

AREA CALCULATIONS SUMMARY

Area	Name of Area	Size	Totals
GLA1	First Floor	720.00	720.00
GLA2	Second Floor	378.00	378.00
BSMT	Basement	720.00	720.00

LIVING AREA CALCULATIONS

Breakdown			Subtotals
30.00	X	24.00	720.00
30.00	X	15.00	450.00
-8.00	X	3.00	-24.00
-8.00	X	3.00	-24.00
-8.00	X	3.00	-24.00

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