

**Zoning Board of Appeals  
September 22, 2021 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 21-033; 502 North State Street**

**Summary:**

Rob Fowler, representing property owners, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure, in order to allow a covered vestibule over egress stairs to remain in the current location. The home is nonconforming as it does not meet the required setbacks for the R4C district and the parcel does not meet the required 8,500 square feet of lot area for the district. The vestibule will not encroach further into the required side setback. The property is in the Fourth Ward Historic District.

**Background:**

The subject property is located at the Northeast corner of the intersection of North State Street and East Kingsley Street. The home is estimated to have been constructed in the 1880's.

**Description:**

In June 2019, a Rental Housing Inspector observed a new exterior basement stair enclosure had been built without permits or Historic District Commission (HDC) approval. The enclosure replaced an aluminum awning supported by metal poles, which had a tree fall on it and destroyed the structure. In February of 2021 the HDC approved the structure to remain but the walls and window enclosures had to be removed.

**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:

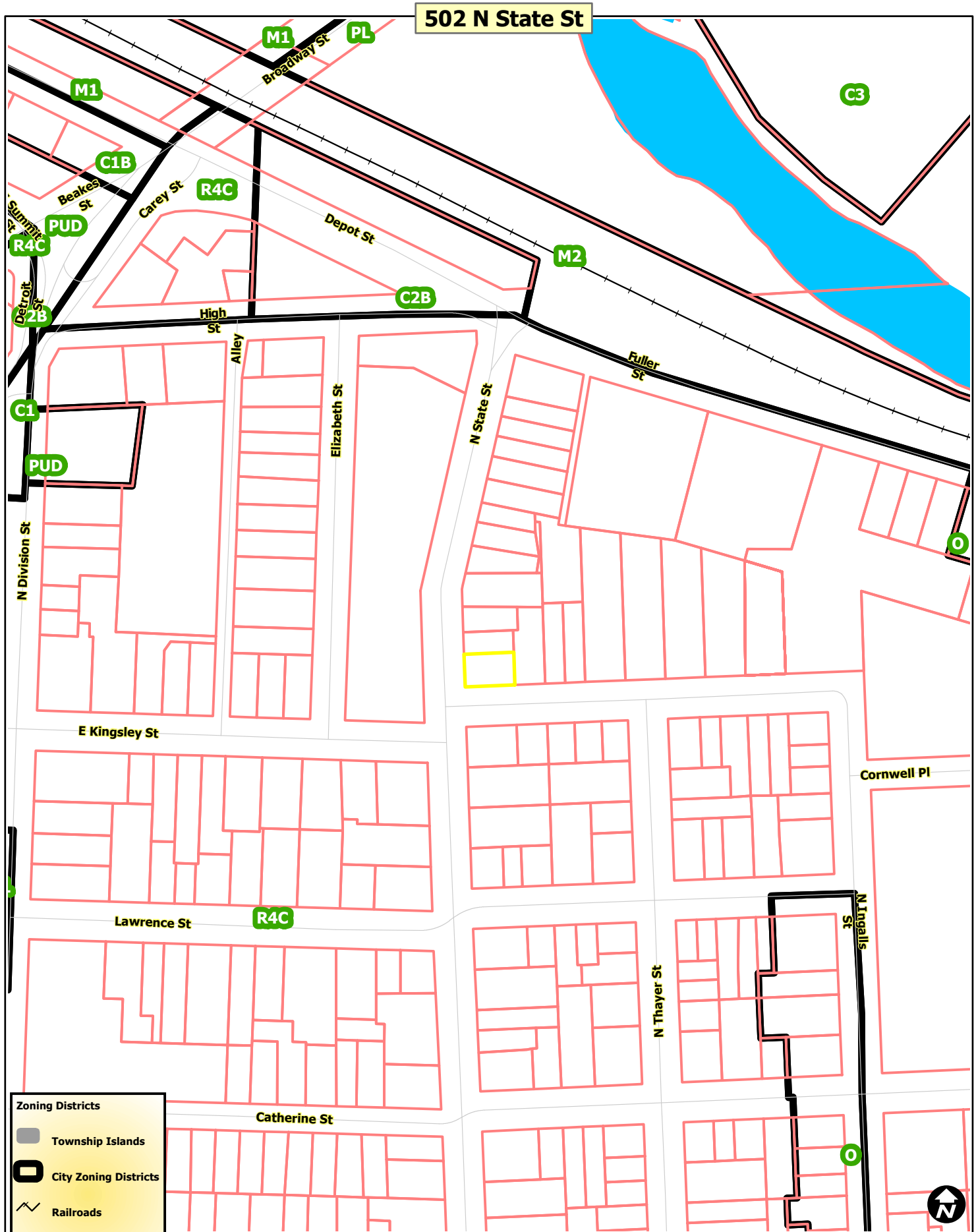
- A) The alteration is approved by the Zoning Board of Appeals upon a finding that it complies as nearly as practicable with the requirements of this chapter and that it will not have a detrimental effect on neighboring property.

The applicant contends that the wooden vestibule is in the same footprint as the previous awning and does not encroach further into the required side setback. The structure has been approved by the HDC.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett".

**Jon Barrett  
Zoning Coordinator**



502 N State St

**Zoning Districts**

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






Map date: 8/31/2021  
Any aerial imagery is circa 2020 unless otherwise noted  
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502 N State St



-  Railroads
-  Huron River
-  Tax Parcels



City of Ann Arbor




Map date: 8/31/2021  
Any aerial imagery is circa 2020  
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502 N State St

N State St

E Kingsley St

-  Railroads
-  Huron River
-  Tax Parcels



Map date: 8/31/2021  
Any aerial imagery is circa 2020  
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# 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 <b>502 N State</b>		ZIP CODE
ZONING CLASSIFICATION	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided <b>Douglas Milkey</b>	
PARCEL NUMBER	OWNER EMAIL ADDRESS <b>pmsi@pmsiproperties.com</b>	

## APPLICANT INFORMATION

NAME <b>Rob Fowler</b>			
ADDRESS <b>5550 Fox Run</b>	CITY <b>Saline</b>	STATE <b>MI</b>	ZIP CODE <b>48176</b>
EMAIL <b>rfowler17@comcast.net</b>		PHONE <b>734-476-4851</b>	
APPLICANT'S RELATIONSHIP TO PROPERTY <b>Builder</b>			

## REQUEST INFORMATION

<input type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application	<input checked="" type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application
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## 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: Douglas Milkey

Date: 6/5/21



## 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.

An existing roof over basement stairs was damaged in storm. New roof was built to keep elements off basement entry. Roof area is in same footprint as house which is non conforming  
Roof has been approved by HDC

Please complete the table below as it relates to your request

Requirement	Existing Condition	Code Requirement
Lot Area		
Lot Width		
Floor Area Ratio		
Setbacks		
Parking		
Landscaping		
Other		

# CERTIFIED SURVEY

## PROPERTY DESCRIPTION:

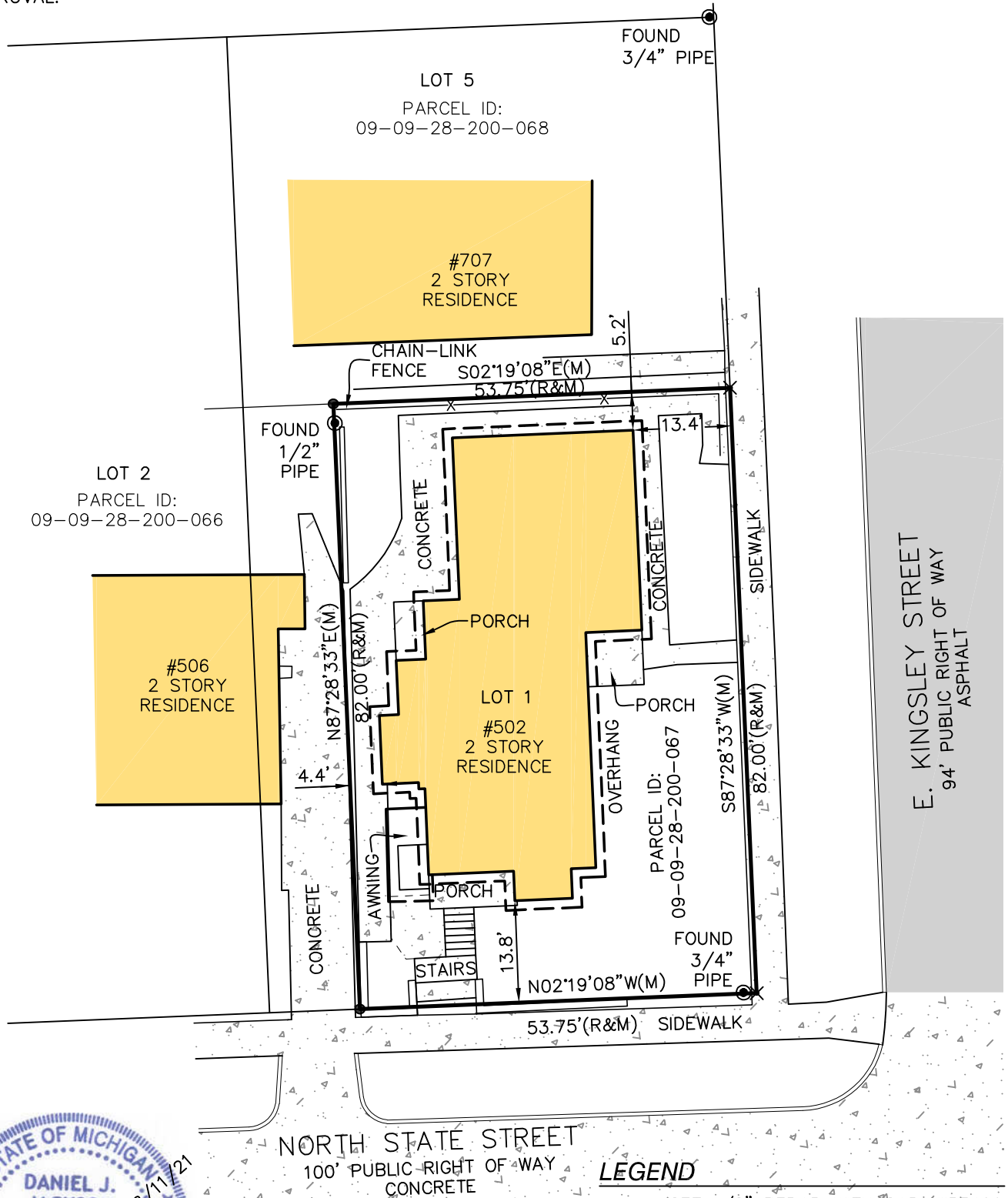
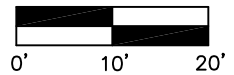
SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW, STATE OF MICHIGAN,  
DESCRIBED AS:  
THE SOUTH 53.75 FEET OF THE WEST 82 FEET OF LOT 1, BLOCK 5, LAWRENCE AND  
MAYNARDS ADDITION, AS RECORDED IN LIBER 27 OF PLATS, PAGE 471, WASHTENAW  
COUNTY RECORDS

## NOTES:

1. A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE  
EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.
2. ALL PROPERTY SPLITS REQUIRE PRIOR CITY, TOWNSHIP, COUNTY, AND/OR STATE  
APPROVAL.



SCALE: 1"=20'



I CERTIFY THAT THE REQUIREMENTS FOR 1970 PA 132,  
MCL 54.213 HAVE BEEN MET, AND THAT THE RELATIVE  
POSITIONAL PRECISION IDENTIFIED FOR THIS SURVEY AND  
SHOWN ON THE MAP ARE WITHIN THE LIMITS ACCEPTED  
BY THE ENGINEERING BOARD.

*D. Jackson*

DANIEL J. JACKSON, P.S. NO. 53499

## LEGEND

- SET 1/2" REBAR WITH CAP, #53499
- × SET PAINT MARK X
- FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION



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CERTIFIED TO: ROB FOWLER

FIELD SURVEY: AG RC

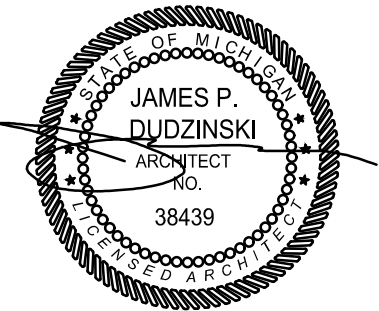
DATE: JULY 7, 2021

DRAWN BY: GST

SHEET: 1 OF 1

SCALE: 1" = 20'

JOB NO.: 21-01858


$$1/4" = 1'-0"$$
$$1/4" = 1'-0"$$


 <div><b>James Dudzinski</b> ARCHITECT 12306 Volpe Sterling Heights, Mi. PH. (586) 864-6930</div>	PROJECT TITLE: <b>STAIR COVER</b>	PROJECT LOCATION: <b>502 N STATE ST ANN ARBOR, MI</b>	SHEET TITLE: <b>ELEVATIONS</b>	MARK:	DATE:	ISSUED FOR:	MARK:	DATE:	ISSUED FOR:	SHEET NO: 1 OF 2
					4/28/20	DRAWN				<b>A-1</b>
					12/18/20	REVISED				



