

**Zoning Board of Appeals
May 24, 2017 Regular Meeting**

STAFF REPORT

Subject: ZBA17-017; 302 Pauline Boulevard

Summary:

Lee Hollander, property owner, is requesting a variance from Chapter 55 Zoning Section 5:59 (1) (c) Accessory Buildings. The owner seeks to construct a new detached garage on the existing foundation. The zoning ordinance requires a three (3) foot setback from the rear property line. The variance request is for less than three (3) inches from the required setback, thereby allowing the new detached garage to be located a total distance of two (2) feet nine (9) inches from the rear property line.

Description and discussion:

The subject parcel is zoned R1D (Single-family) and the lot is 3,800 square feet in area. The new garage will be twenty (20) feet by eighteen (18) feet with two (2) stories for a total of seven hundred twenty (720) square feet.

Standards for Approval- Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power from the City of Ann Arbor Zoning Ordinance. 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.***

Applicant states that the foundation has been in existence for approximately one hundred (100) years and is structurally sound and can be used for the new detached garage.

- (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.***

Applicant states that the foundation is poured concrete and cannot easily be moved.

- (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.

The variance is three (3) inches and a minimal request.

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

The parcel is unusually small (3800 square feet) and limits the applicants ability to relocate the detached garage.

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

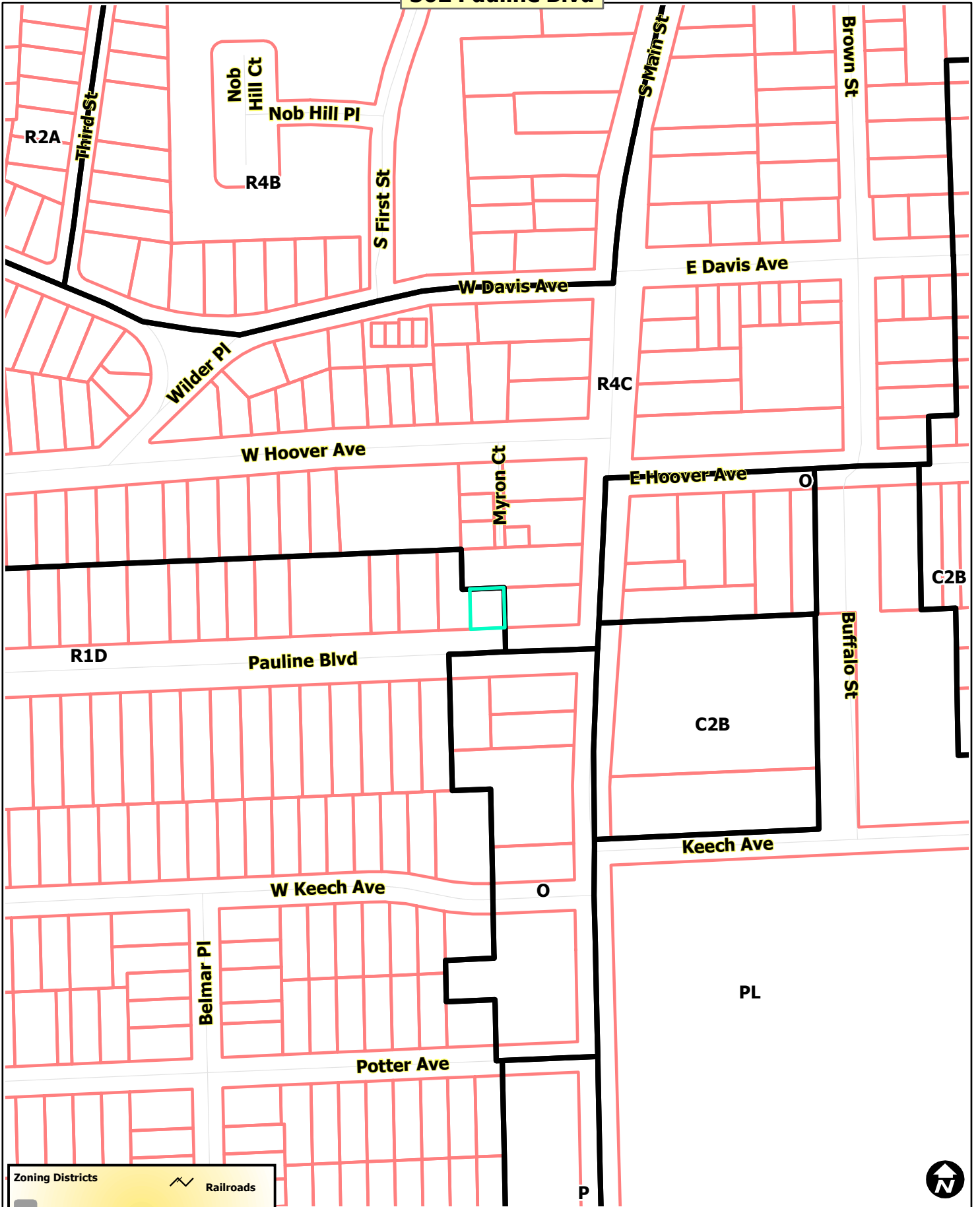
The variance requested is minimal in size and will not have a negative impact on the abutting property. There two (2) existing garages that abut one another are in close proximity to the property line and will not pose a detrimental situation.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large loops and a cursive-like flow.

**Jon Barrett
Zoning Coordinator**

302 Pauline Blvd



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



Map date 5/3/2017
 Any aerial imagery is circa 2015
 unless otherwise noted
 Terms of use: www.a2gov.org/terms

302 Pauline Blvd






-  Railroads
-  Huron River
-  Tax Parcels



Map date 5/3/2017
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302 Pauline Blvd



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APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: Lee Hollander
 Address of Applicant: 302 Pauline Blvd.
 Daytime Phone: 313-806-5239 (cell)
 Fax: _____
 Email: ldhollan@sbcglobal.net
 Applicant's Relationship to Property: Owner

Section 2: Property Information

Address of Property: 302 Pauline Blvd.
 Zoning Classification: R1D
 Tax ID# (if known): 09-09-32-229-024
 *Name of Property Owner: Lee Hollander

**If different than applicant, a letter of authorization from the property owner must be provided.*

Section 3: Request Information

Variance

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

5:59 1(c)

Required dimension:

3'0"

PROPOSED dimension:

2'9 1/2" (2.8ft)

Example: Chapter 55, Section 5:26

Example: 40' front setback

Example: 32'

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

Demolish existing 100 year old garage and rebuild on existing foundation.

Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:98. A variance may be granted by the Zoning 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 Zoning Board of Appeals. (continued...)

1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

Garage has been in current location for ~100 years.
Foundation is sound and can be reused.
Non-conformance is less than 3 inches.

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

Garage foundation at rear of property is poured concrete and cannot be easily moved or altered.

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

None - new garage will be in same location as previous with respect to property line

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 ordinance?

None. I want to reuse existing foundation to avoid unnecessary creation of waste and use of new raw materials.

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

No. Original garage built ~100 years ago may have predated current zoning requirement or was built to an inaccurate measurement to property line.

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property _____

The proposed change is allowed in accordance with Structure Non-Conformance, Section 5:87 (1) (a) & (b), which reads as follows:

- (1) A non-conforming structure may be maintained or restored, but no alteration shall be made to a non-conforming structure unless one of the following conditions is met:
 - a. The alteration is 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.
 - b. The alteration conforms to all the requirements of this Chapter and is made to a building which will be a single-family dwelling on completion of the alteration and is located in an R1, R2, R3, or R4 district.
 - c. The structure is considered non-conforming due to the following reasons

(continued)

Existing Condition

Code Requirement

Lot area _____
Lot width _____
Floor area ratio _____
Open space ratio _____
Setbacks _____
Parking _____
Landscaping _____
Other _____

Describe the proposed alterations and state why you are requesting this approval:

The alteration complies as nearly as is practicable with the requirements of the Chapter and will not have a detrimental effect on neighboring property for the following reasons:

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit _____

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 Zoning 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 1/2" by 11" sheets**. (Continued.....)

- 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.
- Any other graphic or written materials that support the request.

Section 7: Acknowledgement

SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

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

313-806-5239
 Phone Number _____ Signature
 ldhollan@sbcglobal.net
 Email Address _____ Print Name
 Lee Hollander

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.

 Signature

Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

 Signature

I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that **staff does not remind the petitioner of the meeting date and times.**

 Signature

On this 26 day of APRIL, 2017, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

KAITLYN L. KUPLER
 Notary Public, State of Michigan
 My Commission Expires Sept. 22, 2020

 Notary Commission Expiration Date

 Notary Public Signature
 Kaitlyn Kupler

 Print Name

Staff Use Only

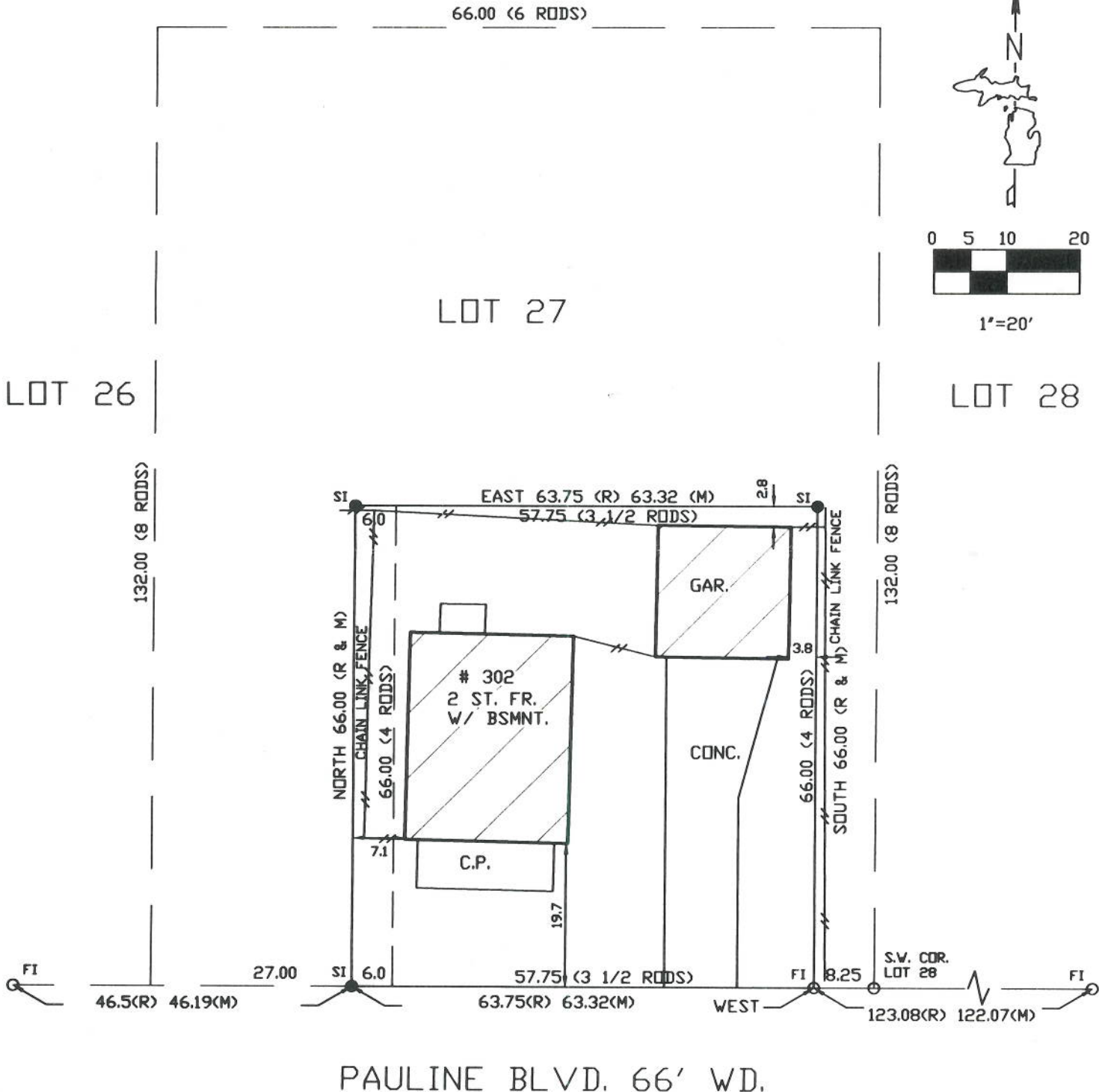
Date Submitted: _____ Fee Paid: _____
 File No.: _____ Date of Public Hearing _____
 Pre-filing Staff Reviewer & Date _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____

LOT SURVEY

PART OF LOT 27 'J.H. BROWN'S SECOND ADDITION' TO THE CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 60 OF DEEDS, PAGE 479, WASHTENAW COUNTY RECORDS, BEING FURTHER DESCRIBED AS:

COMMENCING AT A FOUND IRON AT THE S.E. CORNER OF LOT 28 'J.H. BROWN'S SECOND ADDITION'; THENCE WEST ALONG THE NORTH LINE OF PAULINE BOULEVARD, 122.07 FEET TO A FOUND IRON AND THE POINT OF BEGINNING;
 THENCE CONTINUING WEST 63.32 FEET (63.75 FEET RECORDED);
 THENCE NORTH 66.00 FEET;
 THENCE EAST 63.32 FEET (63.75 FEET RECORDED)
 THENCE SOUTH 66.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4179.12 SQ. FT. MORE OR LESS.



SURVEYOR'S CERTIFICATE - I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, THAT I AM A PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF MICHIGAN.

Joseph C. Kapelczak
 JOSEPH C. KAPELCZAK P.S. #24598

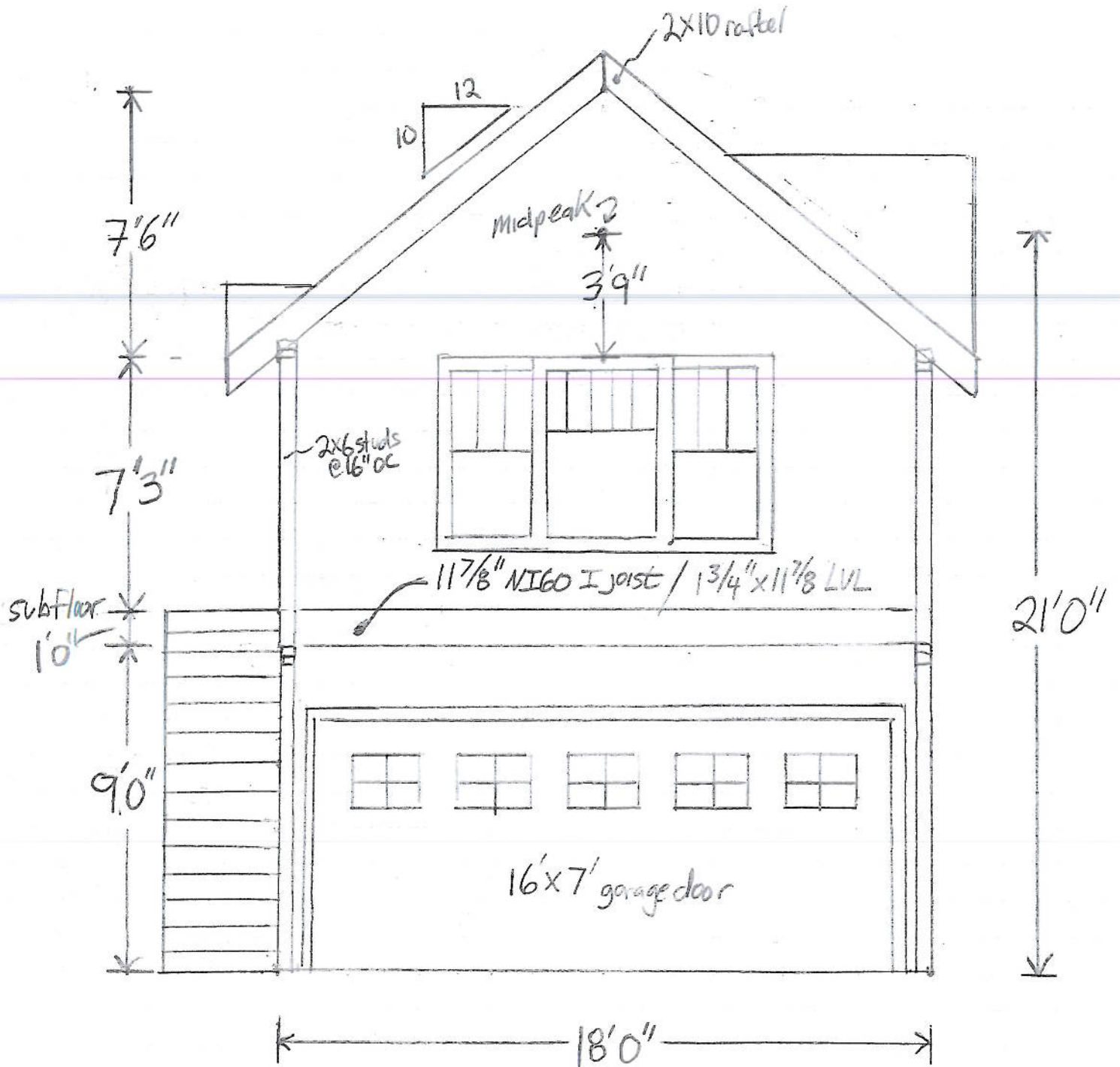


LEGEND	
○	FI = Found Iron
●	SI = Set Iron
⊙	FCI = Fnd. Capped Iron
(R)	= Recorded
(M)	= Measured

CLIENT: L. HOLLANDER

E.P. KUBISKE & ASSOCIATES, INC. 1430 E. MICHIGAN YPSILANTI, MICHIGAN 48198-5906 (734) 481-1322 FAX (734) 481-2215	JOB #02-031	1"=20'
	DATE 4-12-02	SCALE
	DWG. BY MWD	BK PG
SHEET <u>1</u> OF <u>1</u>		

Front Elevation



Scale $\frac{1}{4}'' = 1'0''$

Left Side Elevation

2/10



stairs
8" rise 3-2
9" run 4-3
 $10' = 120''$
 $\frac{120''}{8''} = 15 \text{ steps}$
(14 to landing)

↑
exterior
stairs

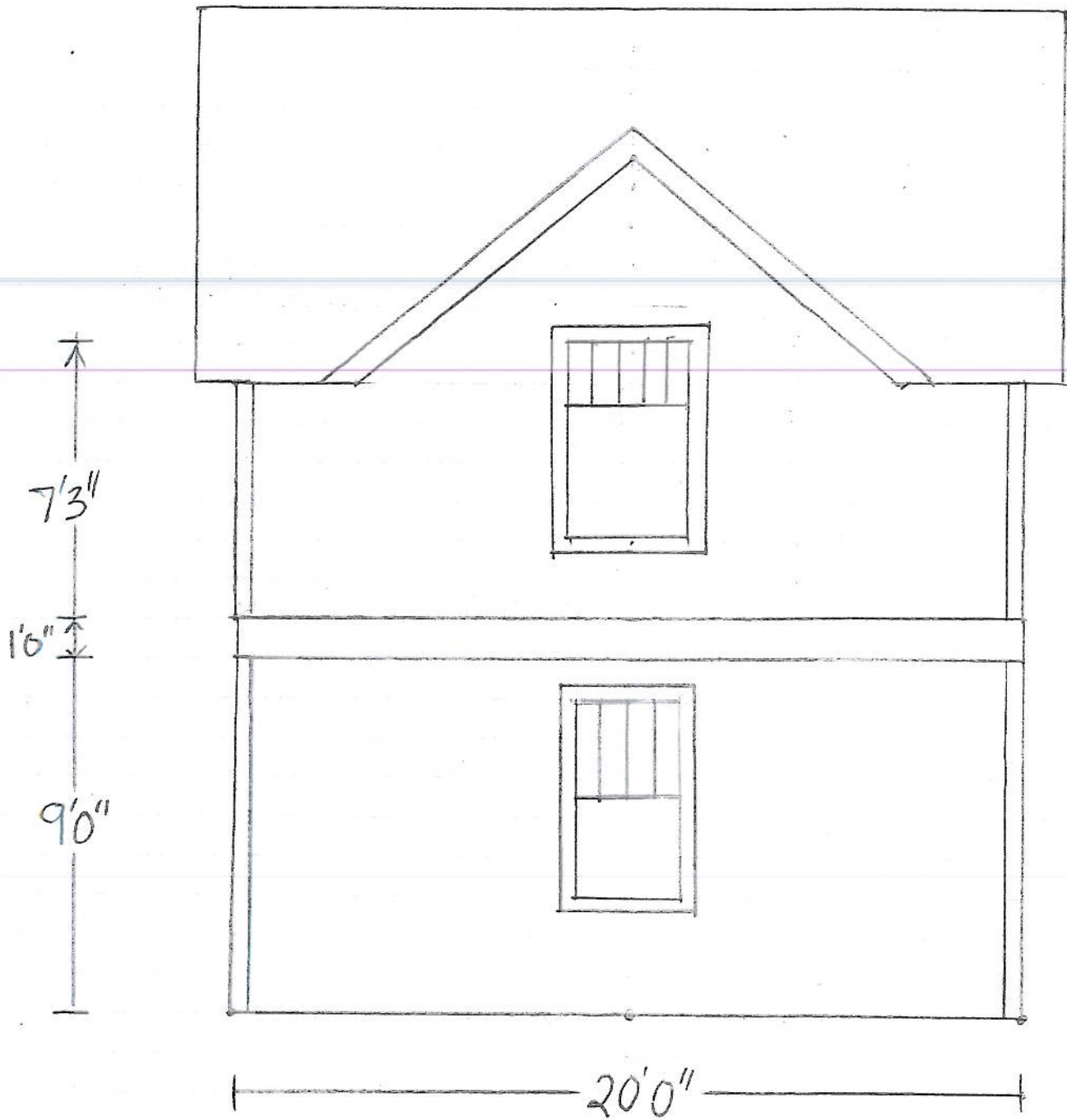
7'3"

1'0"

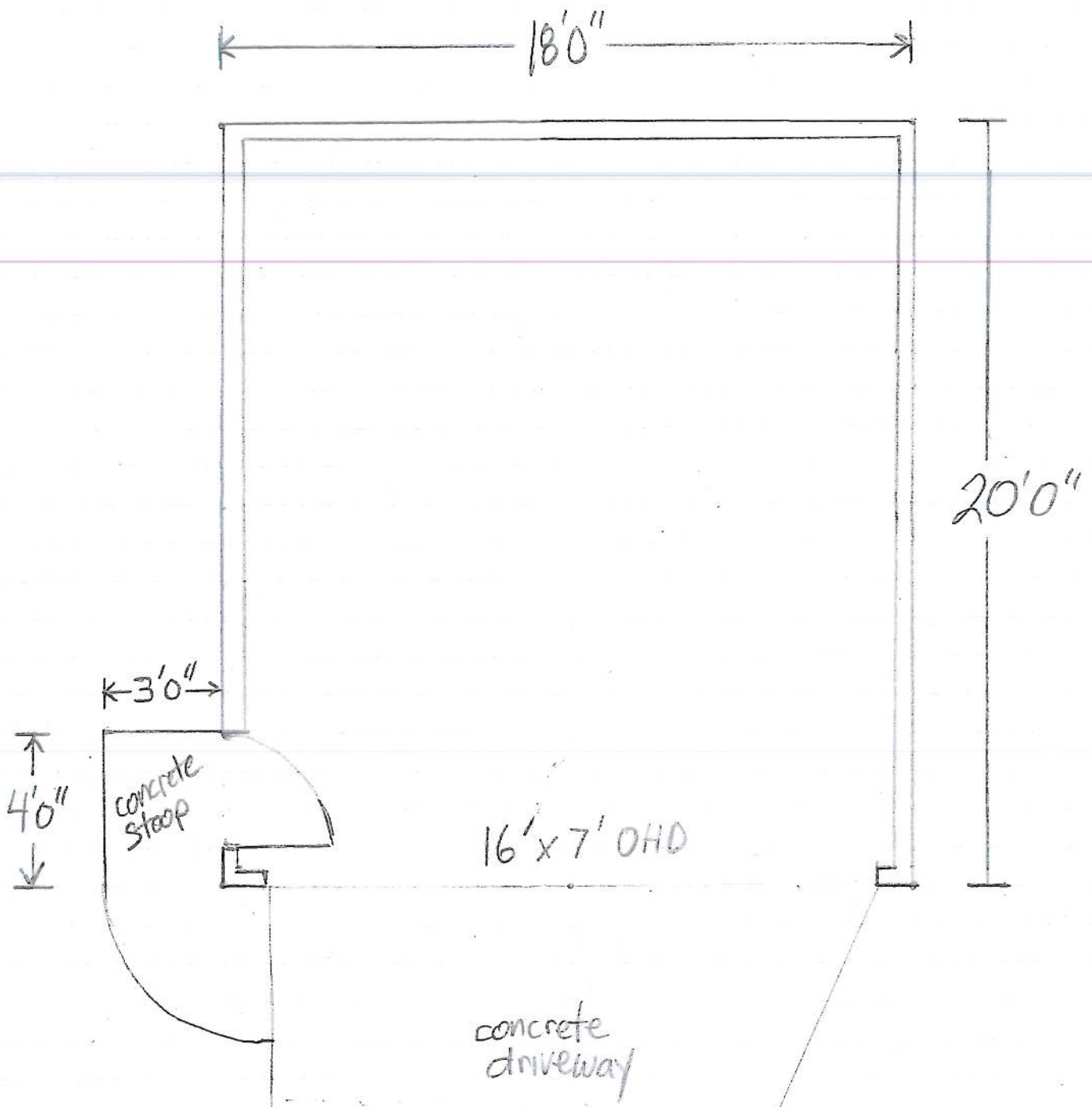
9'0"

20'0"

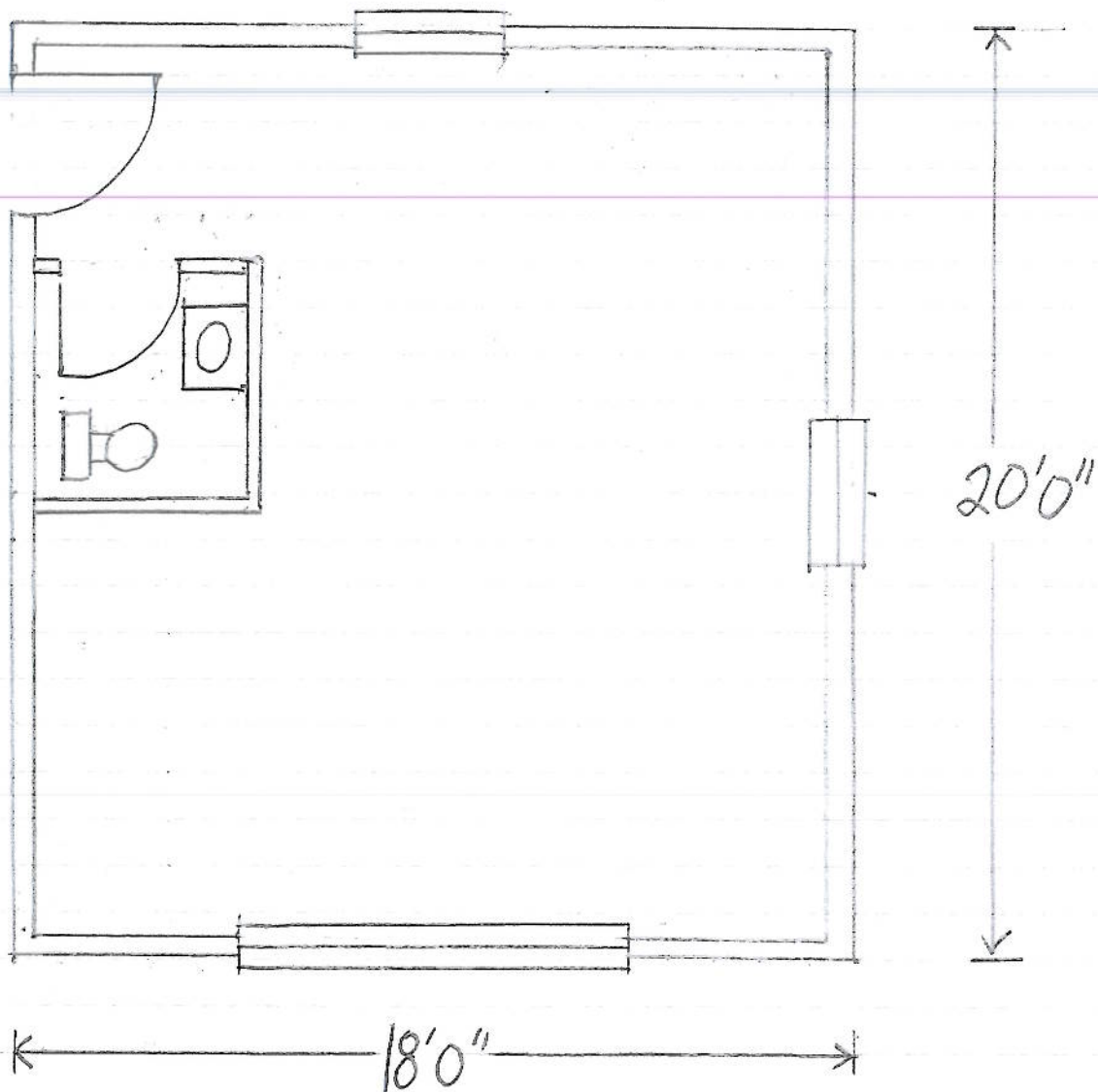
Right Side Elevation

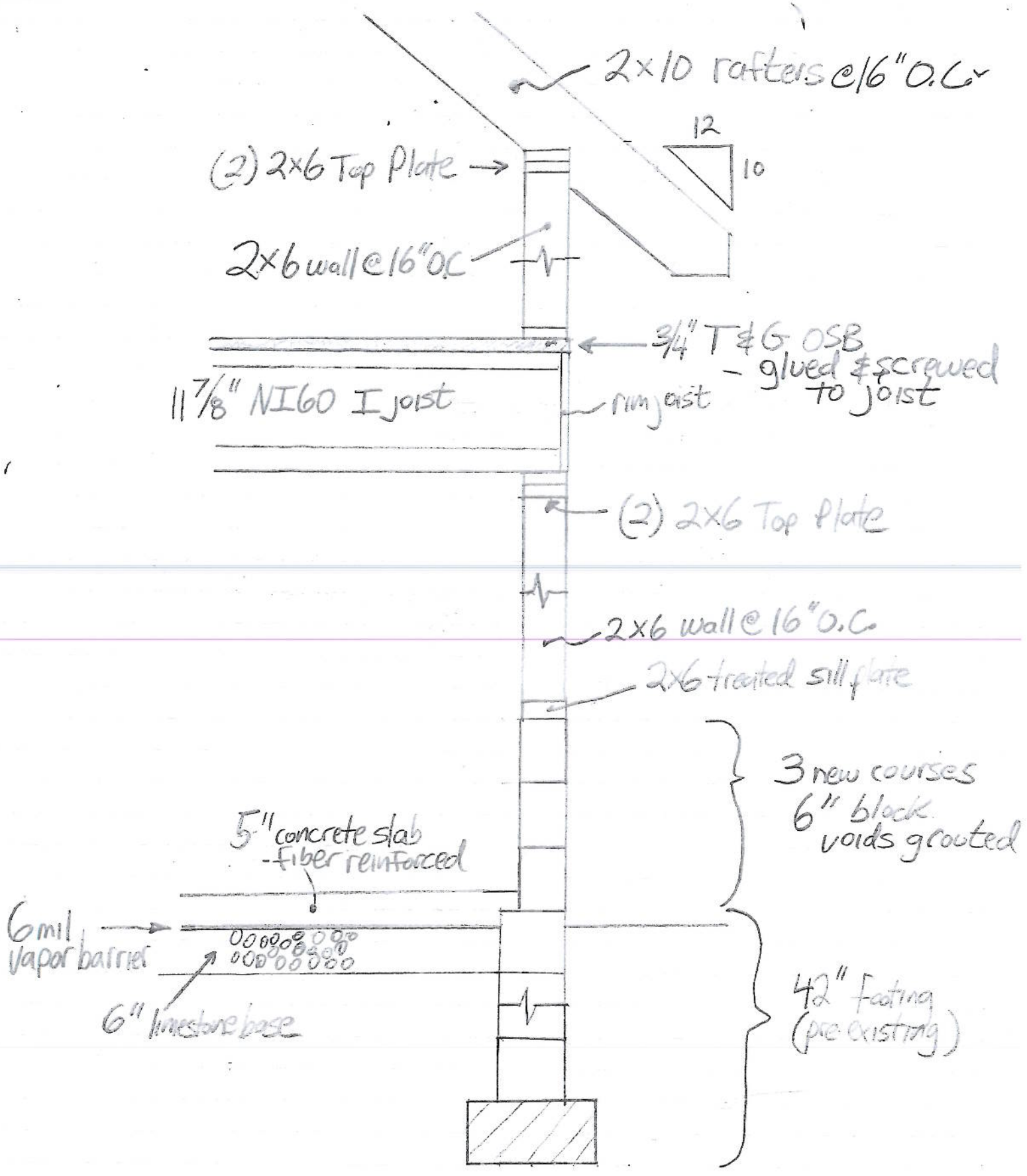


1st Floor Plan



2nd Floor Plan





scale 1/4" = 4"