

**Zoning Board of Appeals
January 23, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA18-032; 800 Princeton Street

Summary:

Megan and Steven Christ, represented by Dawn Zuber Architect, are seeking a seven foot two inch variance from Chapter 55 Unified Development Code (UDC) Table 5:17-1 to allow for the construction of an attached garage into the required rear yard setback. The property is zoned, R2A Two-Family, however, the R1D Single Family district setbacks apply as the proposed use of the property is single-family. The R1D district requires a 20 foot rear yard setback.

Background:

The subject property is located in the Old Westside neighborhood south of West Madison and east of South Seventh Street. The existing home which was built in 1952 will be demolished. The lot is 6,054 square feet in size.

Description:

The proposed new single-family home will be 2,400 square feet in size and contain four bedrooms and three bathrooms. The garage will be attached and be accessed from the alley at the rear of the property. The variance is required as the garage is attached rather than a detached garage.

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.***

The applicant states that the overall lot size is small for the district. The plans for the home were commenced prior to the adoption of the Unified Development Code in July 2018.

- (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.***

The applicant designed the home so that it would be compatible with the adjacent homes from a massing perspective. There will be no financial gain from the construction of a single family home. The attached garage is a necessity because the future resident uses a wheelchair.

- (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 applicants considered a detached garage but an attached garage was a better option as it would be located further from the rear property line having a reduced impact on neighboring properties and providing better access and maneuverability to the property.

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

The narrow lot width and the proposed structure creates a building footprint that is rectangular in shape and will be constructed in the rear yard setback.

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

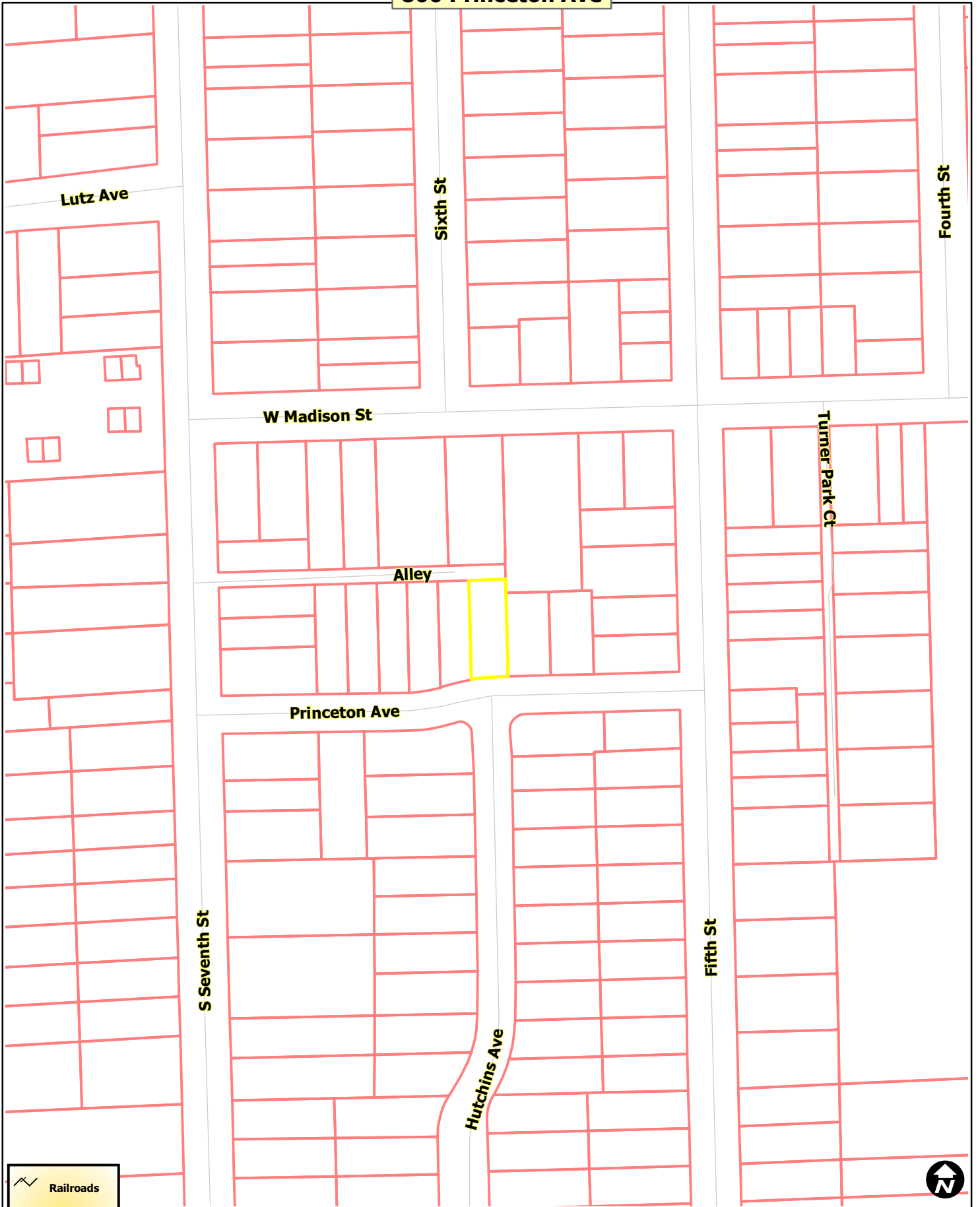
The proposed attached garage will not occupy more than 35% of the rear yard therefore, complying with the same requirement as a detached garage.


Respectfully submitted,

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

Jon Barrett
Zoning Coordinator

800 Princeton Ave

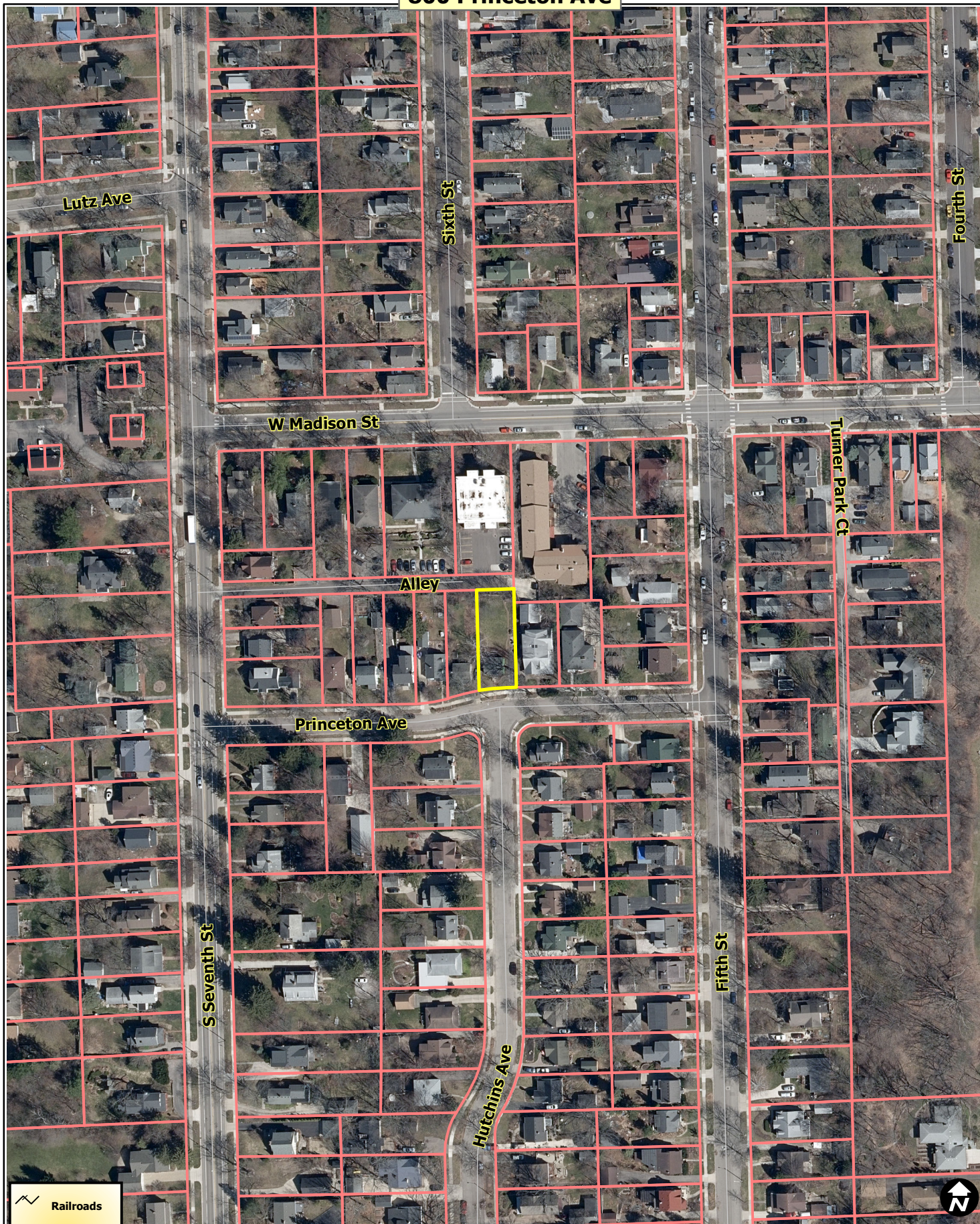





 Railroads
 Huron River
 Tax Parcels



Map date: 1/7/2019
Any aerial imagery is circa 2018
unless otherwise noted
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800 Princeton Ave

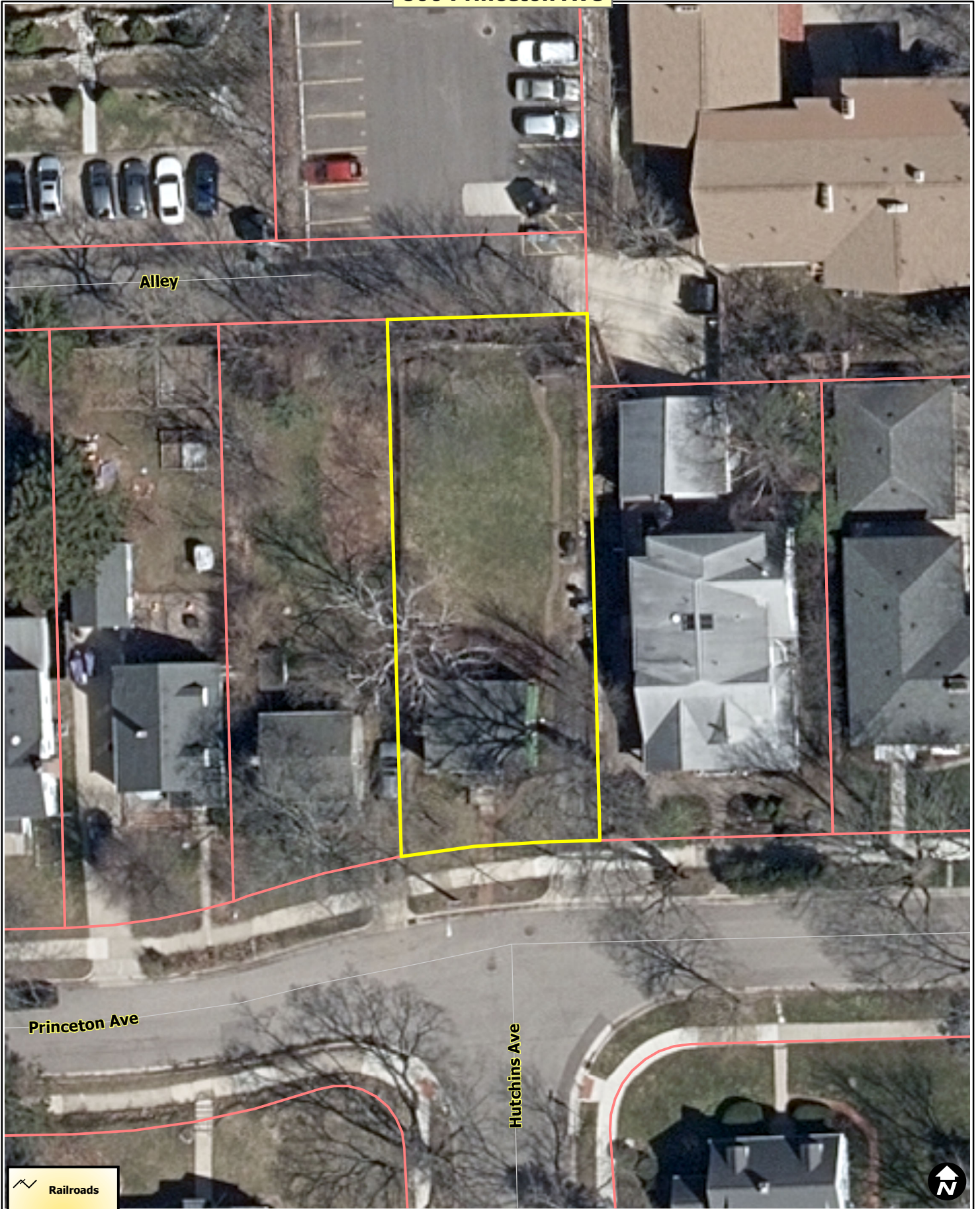





-  Railroads
-  Huron River
-  Tax Parcels



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800 Princeton Ave



-  Railroads
-  Huron River
-  Tax Parcels



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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

PROPERTY INFORMATION

ADDRESS OF PROPERTY 800 Princeton Street		ZIP CODE 48103	
ZONING CLASSIFICATION R2A *	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided Megan and Steven Christ		
PARCEL NUMBER 09-09-29-327-007	OWNER EMAIL ADDRESS meganzchrist@gmail.com; schrist@gmail.com		

APPLICANT INFORMATION

NAME Dawn Zuber, FAIA - Studio Z Architecture			
ADDRESS 409 Plymouth Road, Suite 130	CITY Plymouth	STATE MI	ZIP CODE 48170
EMAIL dzuber@studiozarch.com	PHONE (734) 394-9400		
APPLICANT'S RELATIONSHIP TO PROPERTY Architect			

REQUEST INFORMATION

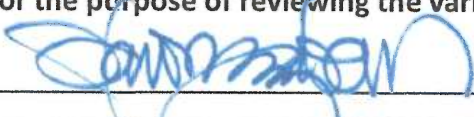
<input checked="" type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application	<input type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application
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REQUIRED MATERIALS	OFFICE USE ONLY
<p>One hard copy 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.</p> <p>Required Attachments:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property. <input checked="" type="checkbox"/> Building floor plans showing interior rooms, including dimensions. <input checked="" type="checkbox"/> Photographs of the property and any existing buildings involved in the request. 	<p>Fee Paid: \$500 - ZBA: 18-032</p> <p>CITY OF ANN ARBOR RECEIVED</p> <p>DEC 21 2018</p> <p>PLANNING & DEVELOPMENT SERVICES</p>

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: 12/26/18

Section 1 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

VARIANCE REQUEST

ARTICLE(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: *(Example: Article 3, Section 5.26)*

Article III, Section 5.17: Area, Height, and Placement Regulations

REQUIRED DIMENSION: *(Example: 40' front setback)*

Feet: 20 Inches: 0 Rear setback

PROPOSED DIMENSION: *(Example: 32 foot 8 inch front setback)*

Feet: 12 Inches: 10 rear setback

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

We propose to construct a two-story home with an attached garage as shown on the drawings. This project was started in early 2017, and the design would have been permitted under the old Zoning Ordinance. We feel that it should be allowed because the overall lot size (5,974 SF) is significantly smaller than the 8,500 SF minimum lot area required by the Ordinance, and because the overall lot width (48.11') is significantly narrower than the minimum lot width required by the Ordinance (60'). In addition, we would like to preserve the existing 12" diameter tree at the northwest corner of the property. We believe the request meets the spirit and intent of the ordinance.

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:29. 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 statements are found to be true. Please provide a complete response to each of the statements below.

The alleged hardships or practical difficulties, or both, 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.

The lot is nonconforming. The overall lot size (5,974 SF) is only 70% of the 8,500 SF minimum lot area required by the Ordinance, and the overall lot width (48.11') is significantly narrower than the minimum lot width required by the Ordinance (60'). If the lot met the minimum conditions spelled out in the Ordinance, we would have no problem designing a single-family home with an attached garage. In addition, the project would have complied with the Zoning Ordinance had we submitted plans prior to July 2018, when the UDC was adopted.

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

This variance will not permit a structure that is larger than what would be permitted on a conforming lot. In fact, we took great pains to design a home that, from the street, would not be taller than or overwhelm the adjacent structures.

In addition, this variance will not provide gain or income that exceeds levels of adjacent, conforming properties.

The house--with its attached garage--is designed to make the home more accessible because one of the future residents uses a wheelchair.

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.

We considered designing a detached garage for the home, but we felt that an attached garage, which would be set much farther from the north property line than a detached garage might have been, would improve sight lines from the alley to the detached garage behind 708 Princeton. In addition, having the face of the garage farther from the alley will make maneuverability in and out of the garage easier and safer. There is an existing public alley immediately north of the subject property, which will provide access to the driveway and garage. There is a parking lot for an apartment building on the other side of the alley, so we do not feel that granting this variance will alter the character of the district in which it is located.

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

The lot is nonconforming. We did not cause the nonconformity.

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

We are requesting a 7'-2" variance to the rear setback, which we feel is reasonable. In fact, the structure was designed to comply with the old Ann Arbor Zoning Ordinance, which permitted an attached accessory structure to be built within the required rear yard as long as it didn't occupy more than 35% of the required rear yard. Unfortunately, the Zoning Ordinance was changed before we could submit the drawings for a building permit.

Megan and Steven Christ
2317 Devon Circle
Ann Arbor, MI 48105
(847) 702-2507 (Megan)

December 17, 2018

Members of the Zoning Board of Appeals
C/O Ann Arbor City Hall
100 N. Fifth Avenue, 1st Floor
Ann Arbor, MI 48104

Re. Zoning variance – 800 Princeton St.

Members of the ZBA:

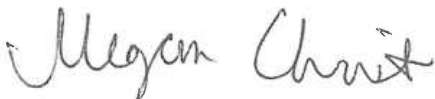
We are the owners of 800 Princeton Street, property tax ID #09-09-29-327-007.

We hereby authorize Dawn Zuber of Studio Z Architecture to apply for variances to the Zoning Ordinance. We also authorize Dawn to appear before the Zoning Board of Appeals on our behalf.

If you have any questions, you may contact us at the phone number above.

Thank you.

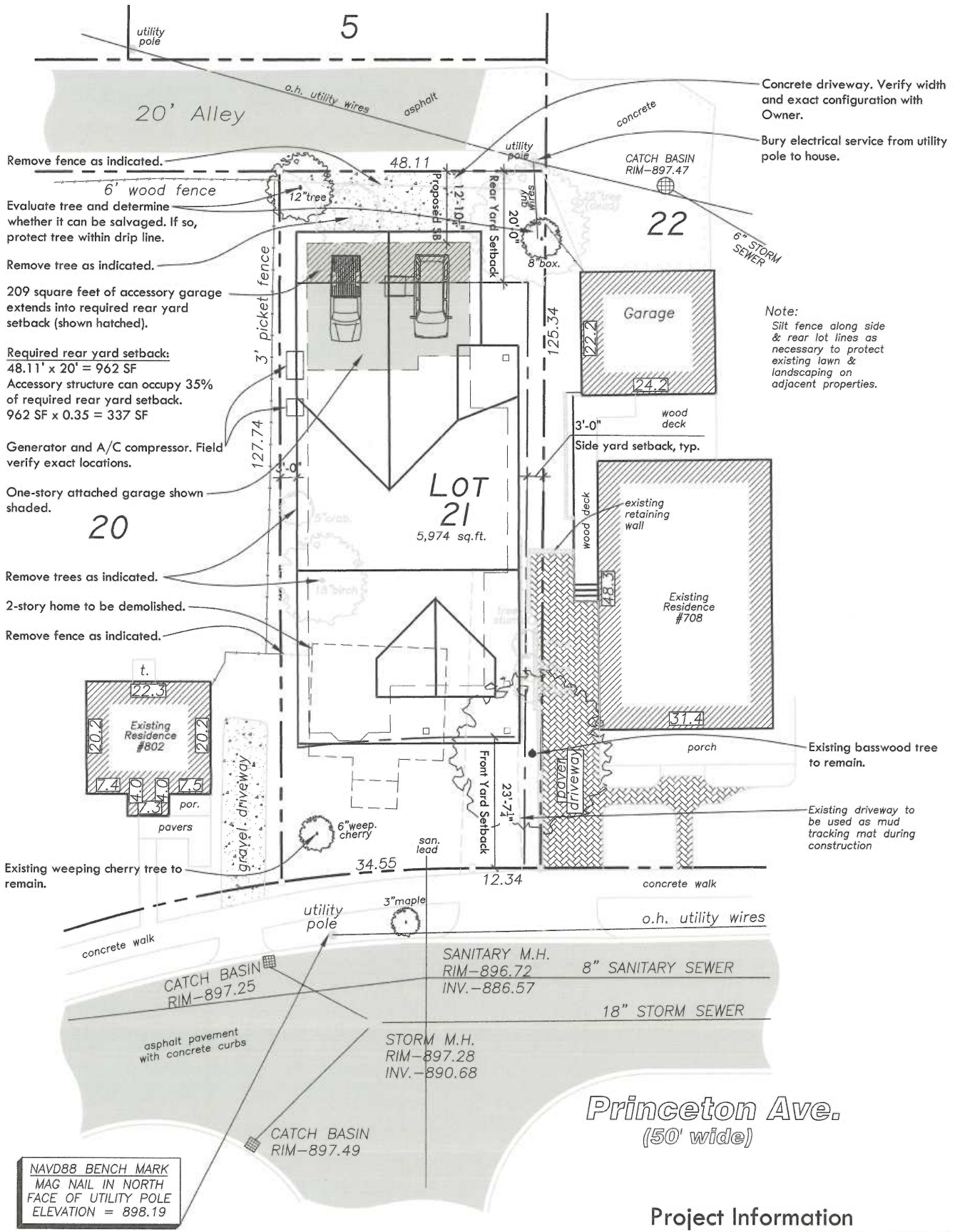
Sincerely,



Megan Christ



Steven Christ



Site Plan
 1" = 16'-0"

Project Information	
Jurisdiction:	City of Ann Arbor
Zoning District:	R-2A - Single Family Residential
Setbacks:	23.6' Front (Existing Average) 3' Side (10' total of 2) 20' Rear
Lot Area:	5,974 SF

Project Number	1435
Client	DMZ
Design/Architect	Studio Z
Contract Value	\$ 879,718
Construction Start	5/27/18
Construction End	6/27/18
Architectural/Engineering/Construction	10/27/18
Project	10/27/18

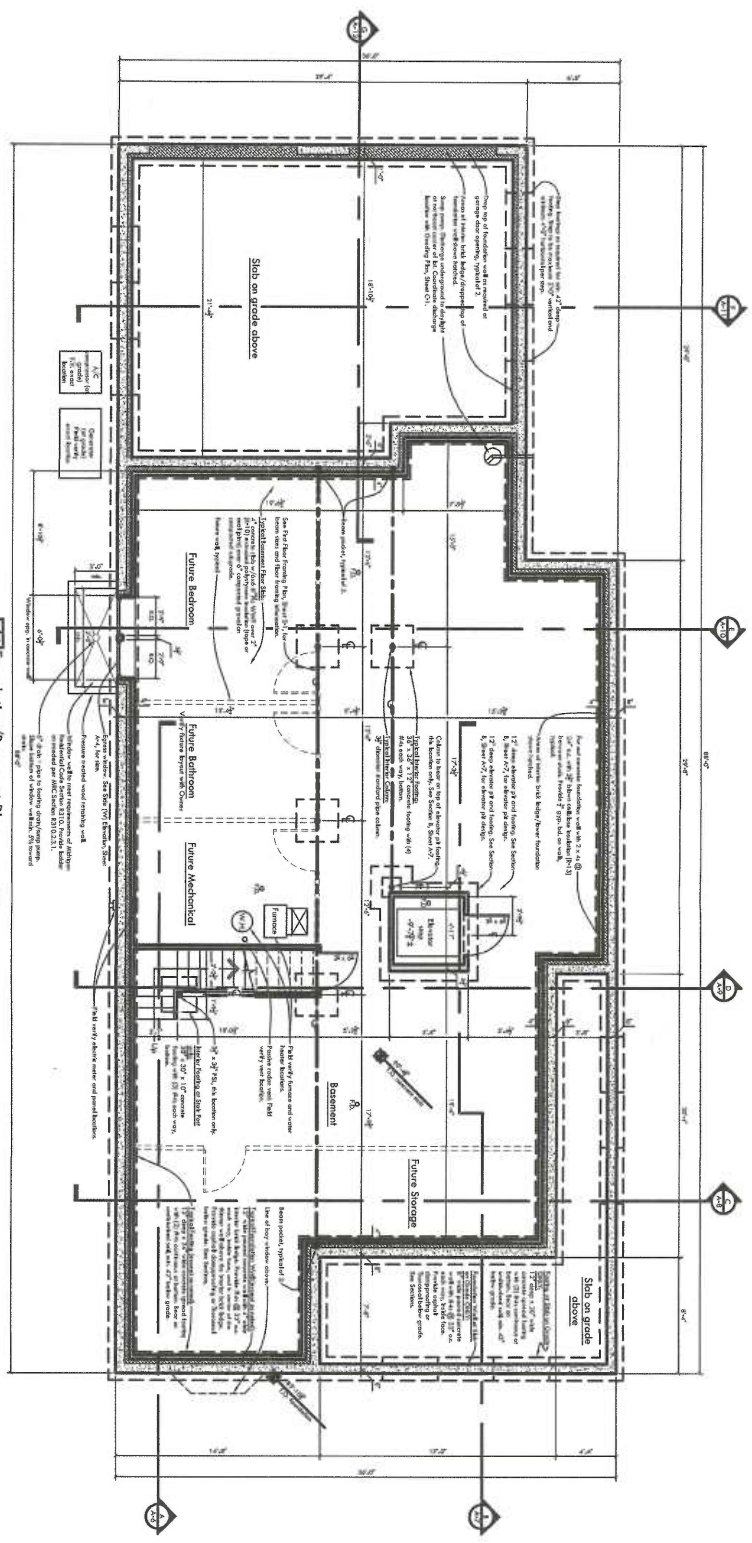
Per: City of Plymouth, 10/27/18
 City of Plymouth, 10/27/18

Project
Christ Residence
 800 Piquette St.
 Ann Arbor, MI 48103

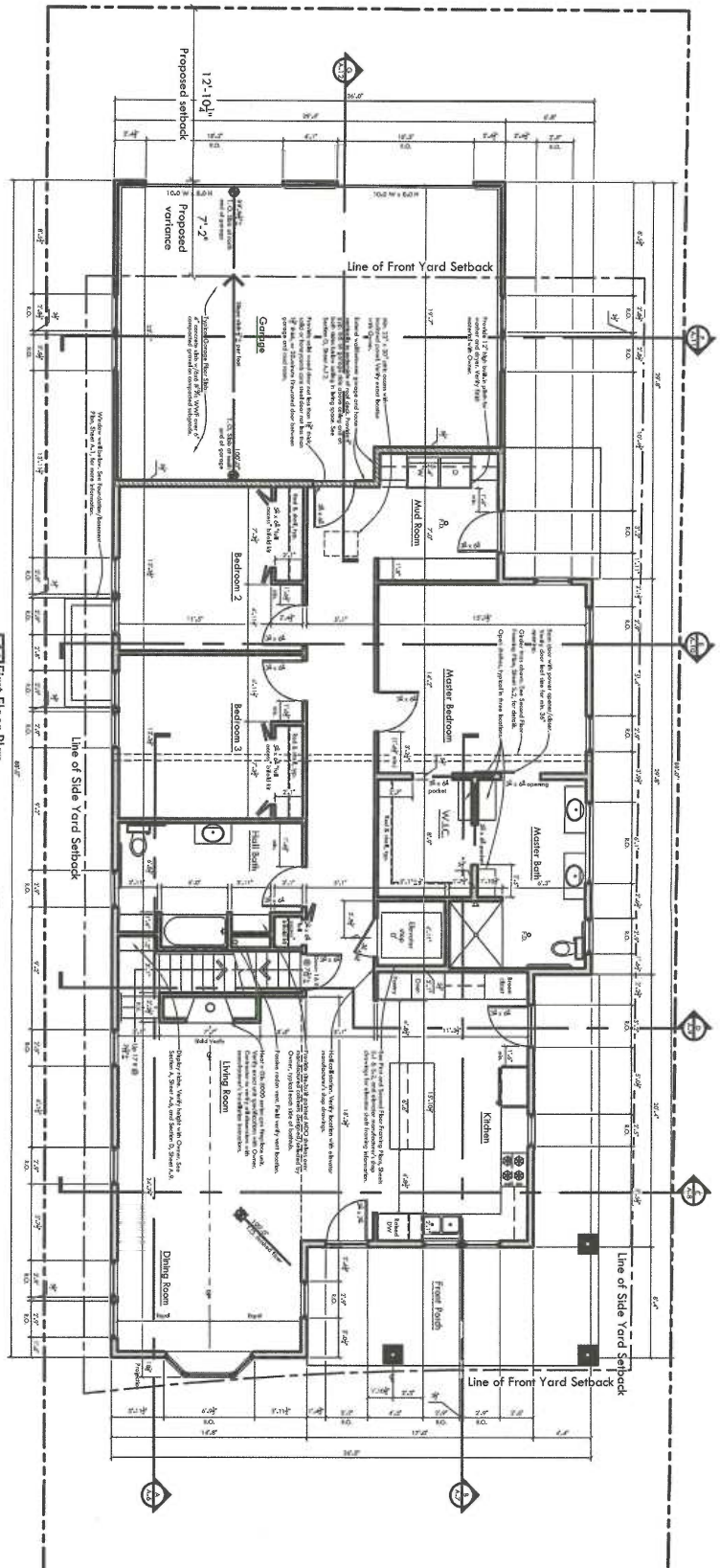
Foundation/Basement Plan

A-1

SHEET 4 OF 21



Foundation/Basement Plan
 Reduced



Reduced

1030	Project	Christ Residence
1040	Client	Beechwood Building & Design
1050	Architect	Studio 7 Architecture
1060	Project No.	1000000000
1070	Sheet No.	5 of 21
1080	Date	12/21/18
1090	Scale	1/2" = 1'-0"
1100	Drawn by	JD
1110	Checked by	JD
1120	Project Location	800 Pinceton St., Ann Arbor, MI 48103
1130	Project Description	First Floor Plan
1140	Project Status	Final
1150	Project Phase	Final
1160	Project Type	Residential
1170	Project Value	\$1,000,000
1180	Project Start	12/21/18
1190	Project End	12/21/18
1200	Project Manager	JD
1210	Project Designer	JD
1220	Project Architect	JD
1230	Project Engineer	JD
1240	Project Contractor	JD
1250	Project Subcontractor	JD
1260	Project Consultant	JD
1270	Project Specialist	JD
1280	Project Coordinator	JD
1290	Project Assistant	JD
1300	Project Contact	JD

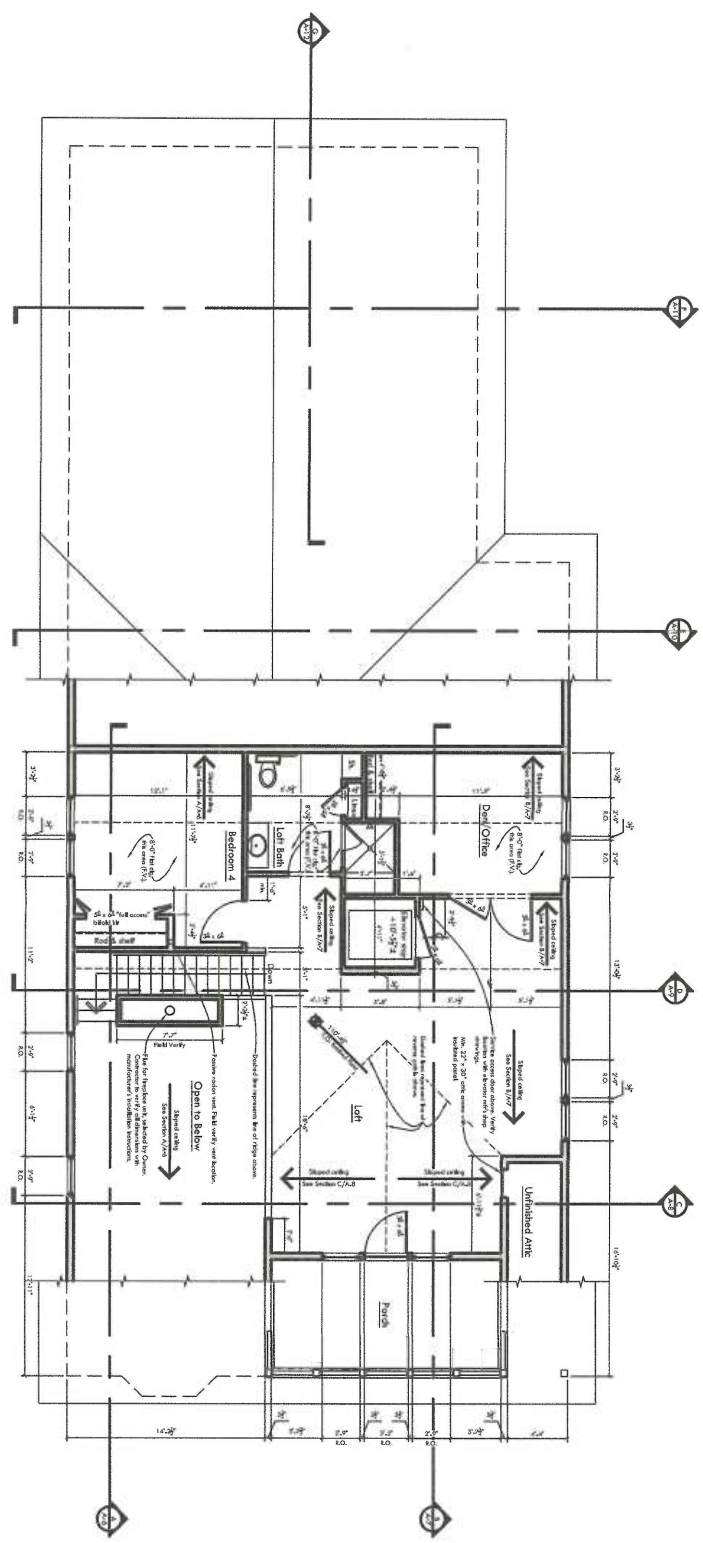
studio 7
 ARCHITECTURE
 409 Plymouth Rd., Suite 130
 Plymouth, MI 48170
 (734) 324-4900
 info@studio7arch.com

General Contractor:
Beechwood Building & Design
 P.O. Box 51
 Chelsea, MI 48118
 (734) 320-3449

Project Name: 1830
 Project No: 202
 Architect: Beechwood Building & Design
 Project Start: 12/2018
 Project End: 12/2018
 Drawing Set: 4/2019
 Drawing Title: Second Floor Plan
 Drawing No: 1830-202-19
 Drawing Date: 12/19/18

Project:
Christ Residence
 800 Pincerton St.
 Ann Arbor, MI 48103

Second Floor Plan
A-3
 SHEET 6 OF 21



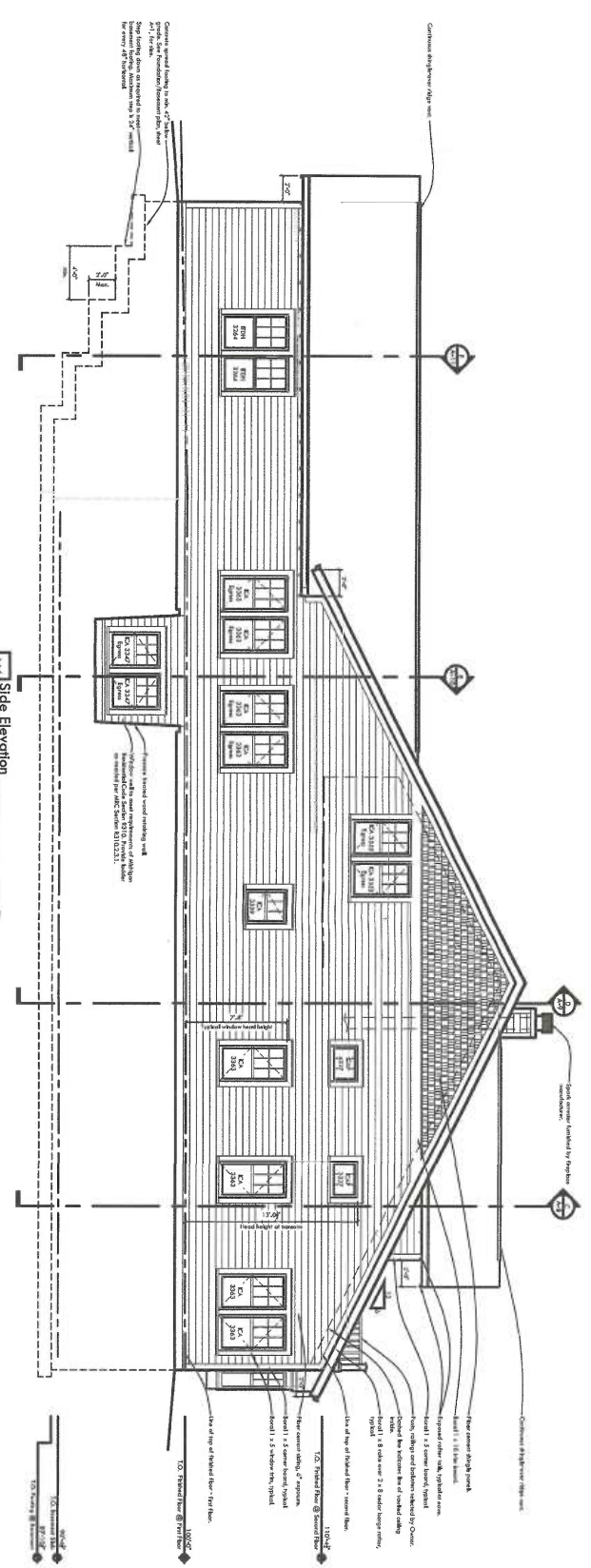
Second Floor Plan
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Owner/Client
Beechwood Building & Design
 P.O. Box 51
 Chelsea, MI 48118
 (734) 320-3469

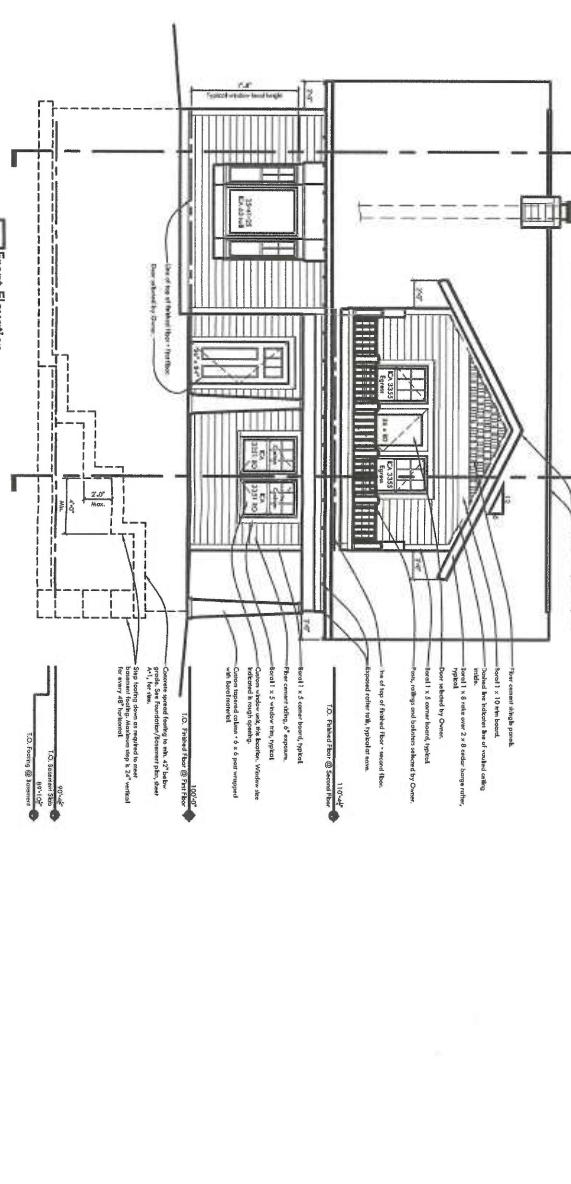
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Project
Christ Residence
 800 Princeton St.
 Ann Arbor, MI 48103

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W Side Elevation
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S Front Elevation
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