

**Zoning Board of Appeals
April 26, 2017 Regular Meeting**

STAFF REPORT

Subject: ZBA17-013; 1008 Brooks Street

Summary:

Jesse Chandler and Danielle Shapiro, property owners, are requesting permission to alter a non-conforming structure to enable the construction of a new covered porch over the existing concrete slab.

Background:

The property is zoned R1C, single-family residential and contains 8,712 square feet in lot area. The residence was built in 1912 and is non-conforming, as it does not meet the front setback for the district of twenty-five (25) feet or the average front yard setback requirement of twenty-one (21) feet, six (6) inches. The home currently is eight (8) feet three (3) inches from the front property line. The proposed covered porch will be setback ten (10) feet from the front setback and will not encroach any further than the existing structure.

Description:

The new covered porch will be fifteen (15) by seven (7) feet, four (4) inches for a total of approximately fifty-two (52) square feet. The new covered porch will be on the south side of the home.

Standards for Approval - Permission to Alter a Non-Conforming Structure

The Zoning Board of Appeals has all powers granted by State law and by Section 5:98, from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

The alteration complies as nearly as practicable with the requirements of the Zoning Chapter and will not have a detrimental effect on neighboring property.

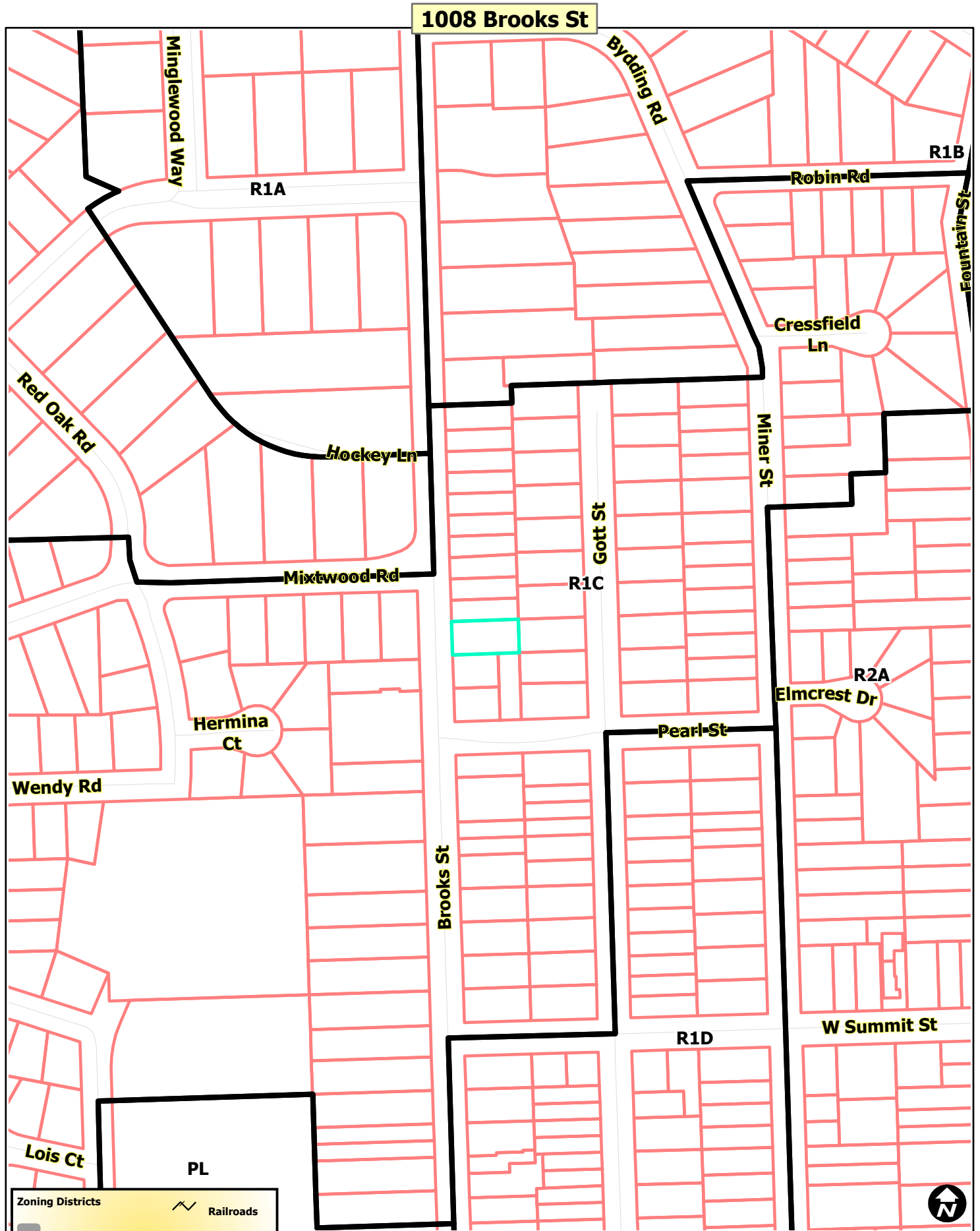
Applicant states that the proposed construction will not have a negative impact on the surrounding properties or have a detrimental effect to the aesthetics of the front yard. The new addition will conform to the R1C side setbacks and will not encroach further into the front setback than the front façade of the home.

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large, rounded loops for the letters "J" and "B".

Jon Barrett
Zoning Coordinator



1008 Brooks St

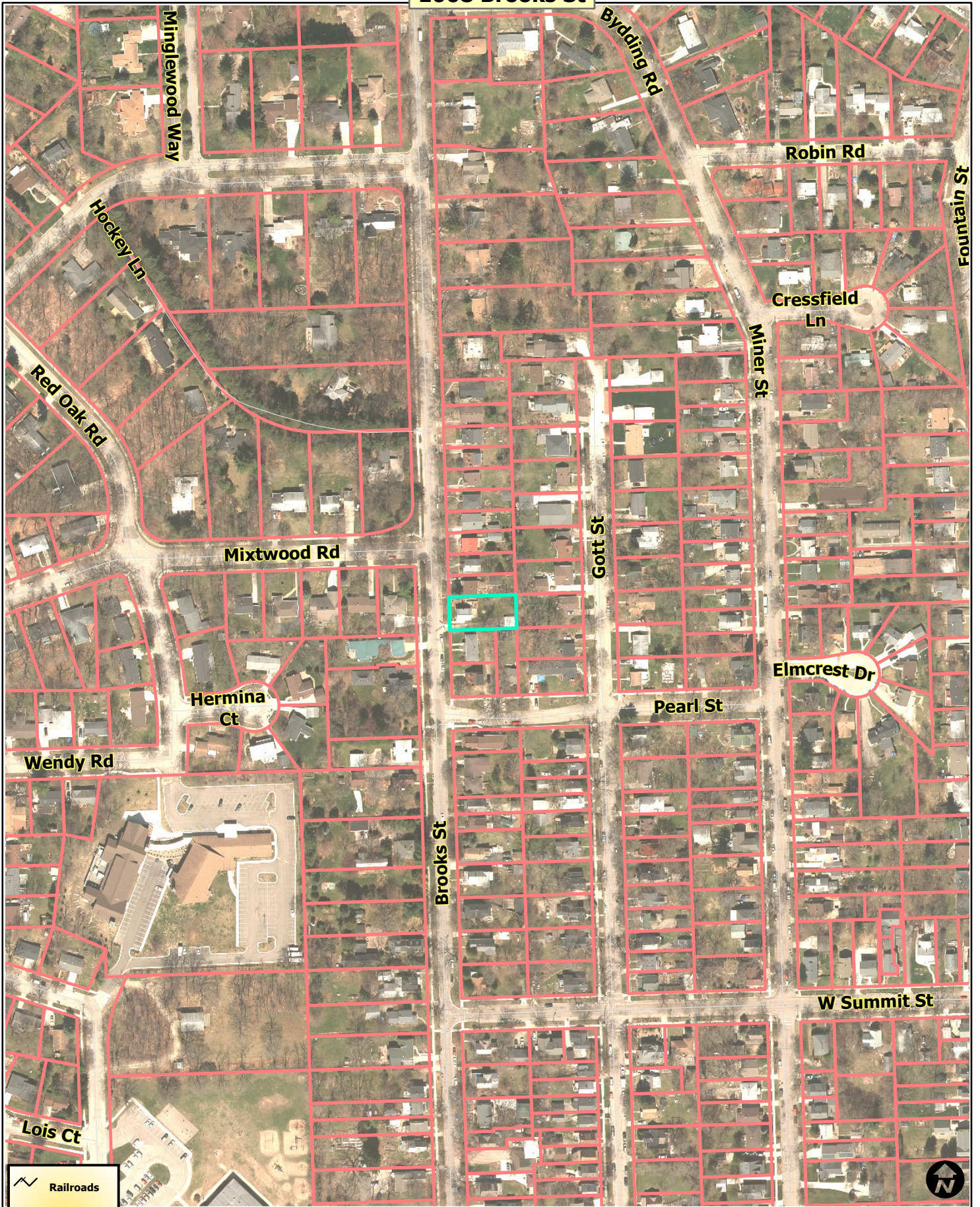
Zoning Districts	Railroads
Township Islands	Huron River
City Zoning Districts	Tax Parcels



Map date 3/30/2017
 Any aerial imagery is circa 2015 unless otherwise noted
 Terms of use: www.a2gov.org/terms



1008 Brooks St



- Railroads
- Huron River
- Tax Parcels






Map date 3/30/2017
Any aerial imagery is circa 2015
unless otherwise noted
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1008 Brooks St

Mixtwood Rd

Brooks St

 Railroads
 Huron River
 Tax Parcels



Map date 3/30/2017
Any aerial imagery is circa 2015
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APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: Jesse Chandler and Danielle Shapiro
 Address of Applicant: 1008 Brooks St
 Daytime Phone: 734-330-0104
 Fax: _____
 Email: j.j.b.chandler@gmail.com, shapiro.dn@gmail.com
 Applicant's Relationship to Property: Owners

Section 2: Property Information

Address of Property: 1008 Brooks St
 Zoning Classification: R1C
 Tax ID# (if known): APN 09-09-20-305-056
 *Name of Property Owner: JESSE CHANDLER AND DANIELLE SHAPIRO

**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:	Required dimension:	PROPOSED dimension:
<u>5:57 Averaging and existing setback</u>	<u>21'-6" front setback</u>	<u>10'-0" front setback</u>
_____	_____	_____
_____	_____	_____

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)

We propose to add a new porch cover over the existing concrete slab/basement foundation on the side of our house. The cover will encroach into the front setback by 11'-6".

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?

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

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

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?

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

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property _____ Residential: single-family dwelling

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)

<u>Existing Condition</u>	<u>Code Requirement</u>
Lot area _____	_____
Lot width _____	_____
Floor area ratio _____	_____
Open space ratio _____	_____
Setbacks 10' front setback	21'6" front setback
Parking _____	_____
Landscaping _____	_____
Other _____	_____

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

We propose restoring our uncovered porch to its preexisting condition as a covered porch.
 We are requesting approval to do this for the following reasons: i.) the current cover of the front entrance is inadequate to protect a stroller from the rain; ii.) the porch slab sits atop a full basement foundation which causes snow that falls on the porch to rapidly melt and refreeze as ice, iii.) the use of the front porch as outdoor living space is limited to times when there is no rain and to a lesser extent no direct sun.

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:

The alteration will not exceed the setback of the current slab porch, thus it is no worse than the current structure. The porch faces the south side of the lot and thus has the largest potential impact on this property. The porch is well within the side setback zoning requirements that apply to the souther property boundary. Covering the porch will increase its use as an outdoor living space, which will facilitate interaction with neighbors and community members.

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit _____
 construction of a covering for an existing porch.

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.

734 330 0104 _____ Signature
 Phone Number
 j.b.chandler@gmail.com _____ JESSE CHANDLER
 Email Address _____ Print Name

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

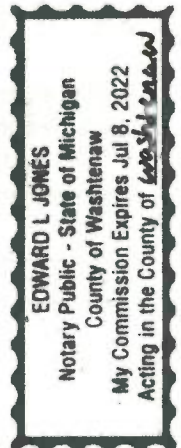
I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that **staff does not remind the petitioner of the meeting date and times.**

 Signature

On this 24 day of March, 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.

 Notary Public Signature

7-8-2022 _____ Edward Jones _____
 Notary Commission Expiration Date _____ Print Name



Staff Use Only

Date Submitted: 3/28-2017 Fee Paid: 500⁰⁰
 File No.: ZBA17-013 Date of Public Hearing: 4/26-2017
 Pre-filing Staff Reviewer & Date: _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____

CERTIFIED SURVEY

PROPERTY DESCRIPTION:

LAND SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW, AND STATE OF MICHIGAN, TO WIT:

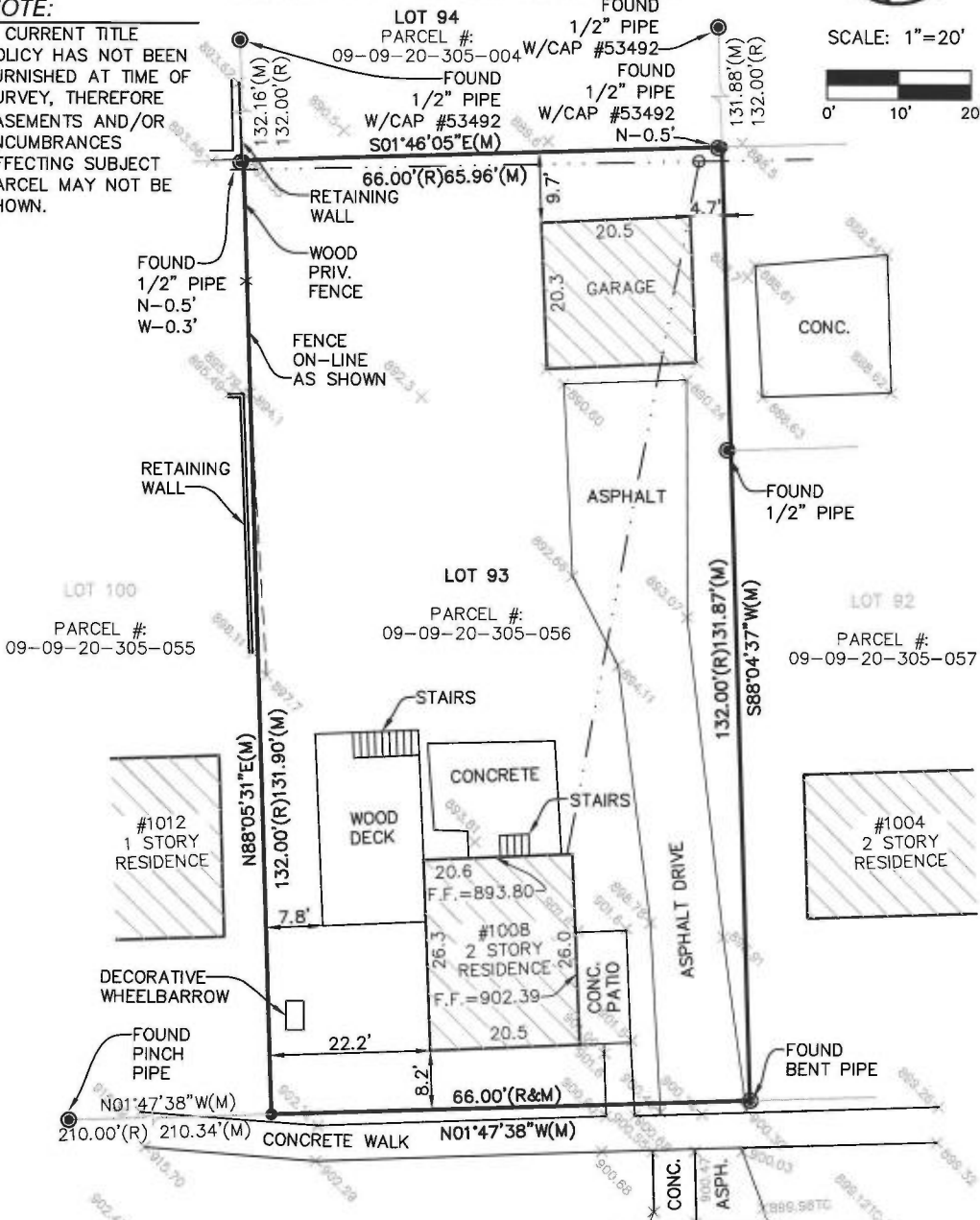
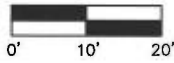
LOT 93, JAMES B. GOTT'S 2ND ADDITION, ACCORDING TO THE PLAT OF THEREOF AS RECORDED IN LIBER 67 OF DEEDS, PAGE 60, WASHTENAW COUNTY RECORDS.

NOTE:

A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.



SCALE: 1"=20'



LEGEND

- SET 1/2" REBAR WITH CAP, #32341
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION
- X 000.0 GROUND ELEVATION

CONCRETE CURB
BROOKS ST.
66' RIGHT OF WAY
ASPHALT

SITE BENCHMARK
MAG NAIL E. FACE OF
UTILITY POLE
ELEV.=901.07(NAVD88)



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

Thomas G. Smith

THOMAS G. SMITH, P.S. NO. 32341



KEM-TEC & ASSOCIATES

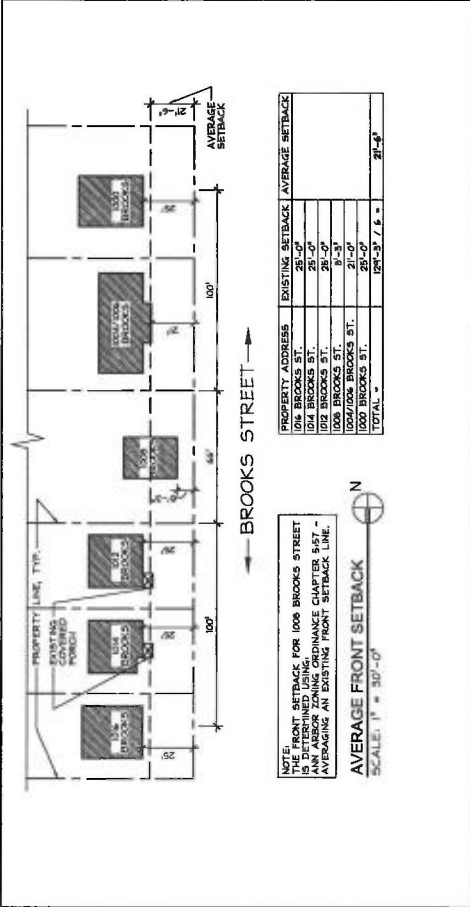
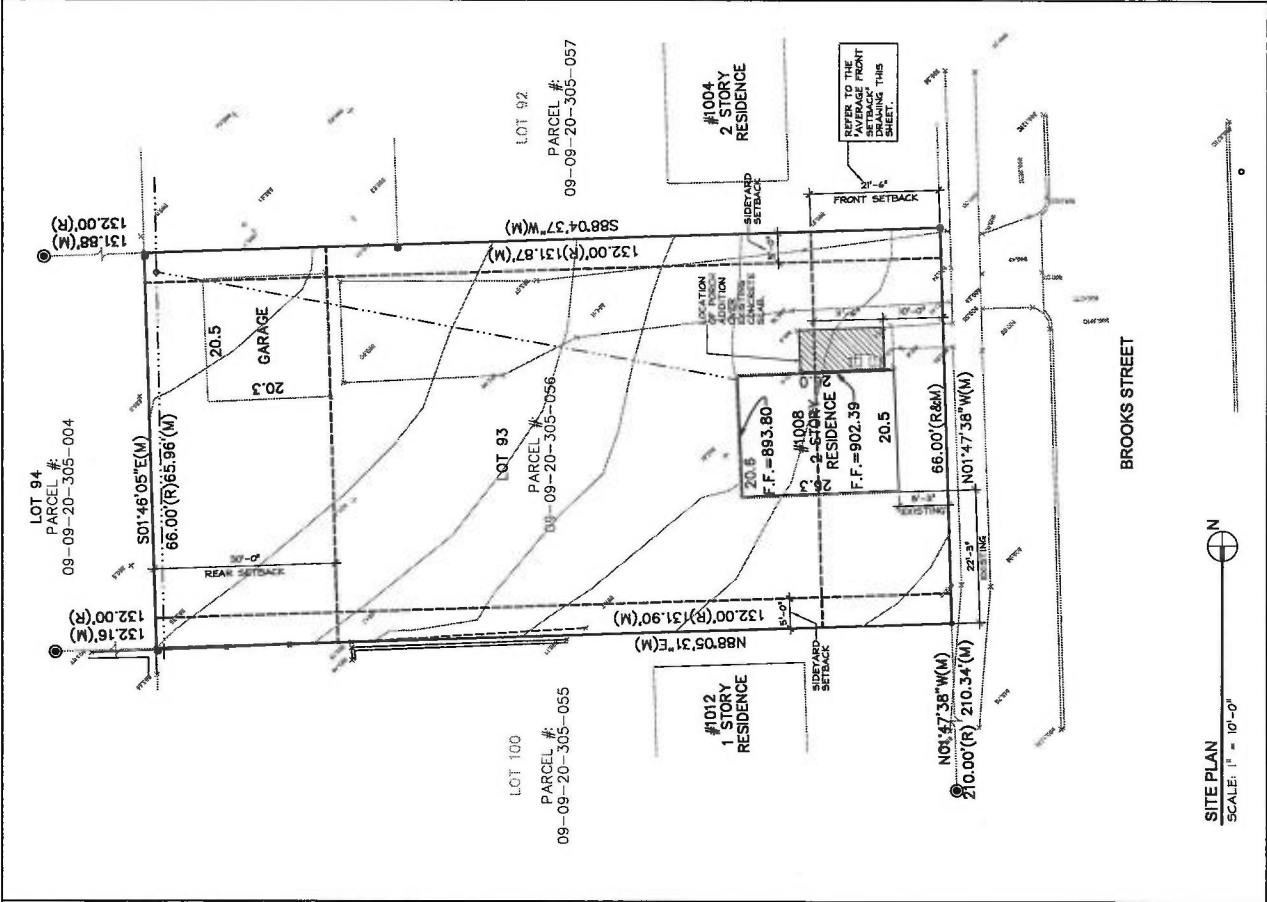
22556 GRATIOT AVE. EASTPOINTE, MI 48021
PROFESSIONAL SURVEYORS - PROFESSIONAL ENGINEERS
(586)772-2222 * FAX (586)772-4048

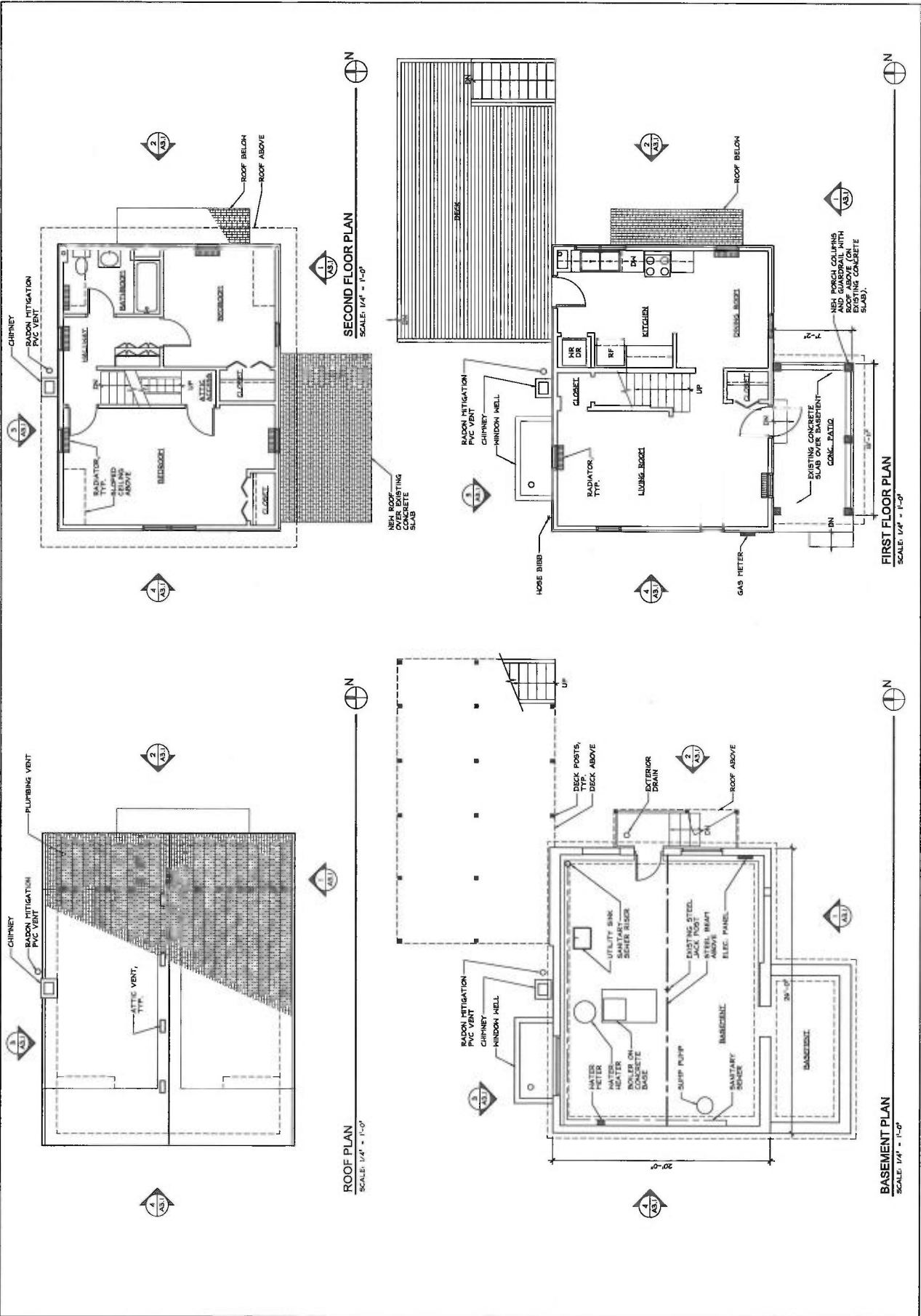
CERTIFIED TO: JESSIE CHANDLER	
FIELD SURVEY: TS MR	DATE: JANUARY 23, 2017
DRAWN BY: NS	SHEET: 1 OF 1
SCALE: 1" = 20'	JOB NO.: 17-00119

Revisions:

Project No. 1701
Date: 03/27/17

A1.1



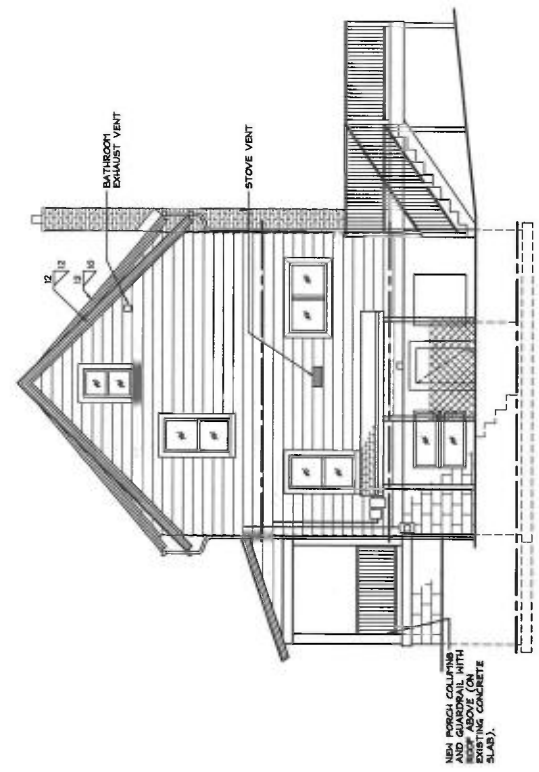


Revision:

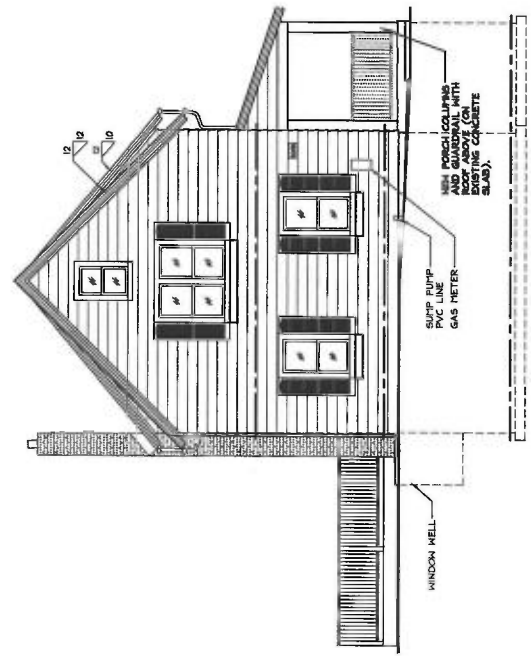
Project No. 1701

Date: 08/27/17

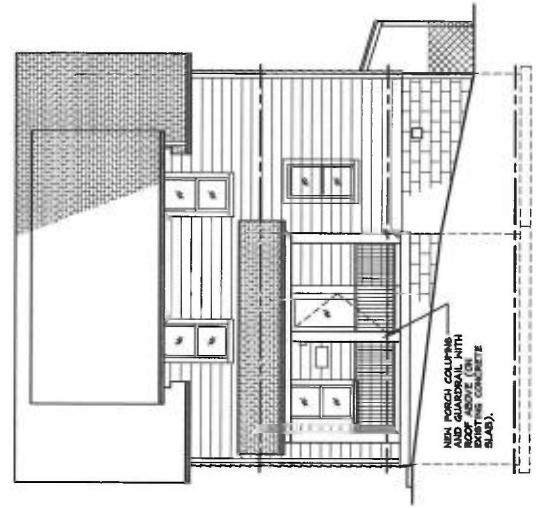
A3.1



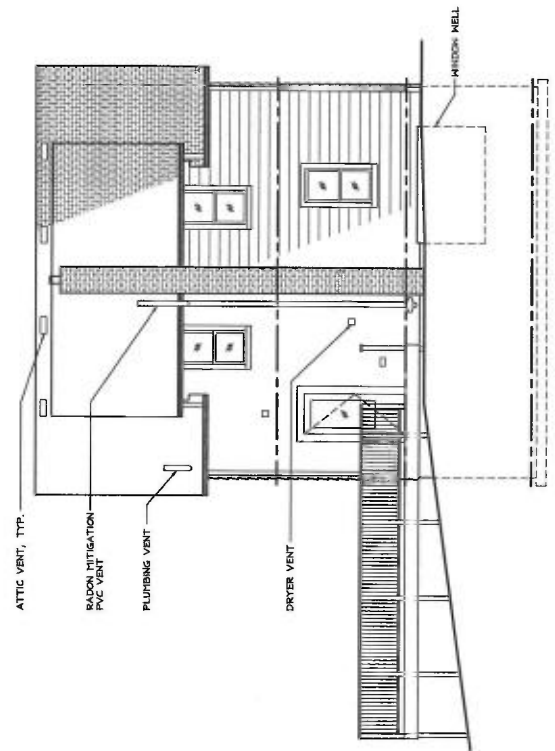
2 EAST ELEVATION
 SCALE 1/4" = 1'-0"



4 WEST ELEVATION
 SCALE 1/4" = 1'-0"



1 SOUTH ELEVATION
 SCALE 1/4" = 1'-0"



3 NORTH ELEVATION
 SCALE 1/4" = 1'-0"

