

**Zoning Board of Appeals
February 25, 2015 Regular Meeting**

STAFF REPORT

ZBA15-001, 1511 Wells Avenue

Summary: Summit Homebuilding, Robert McCowan, is requesting permission to alter a non-conforming structure as described in Chapter 55, Zoning, Section 5:87, Structure Nonconformance.

Description and Discussion:

The subject parcel is located at 1511 Wells, in between Lincoln Avenue and Martin Place and across from Burns Park. There is a public alley that borders the parcel on the east side. The parcel is zoned R2A (Two-Family Residential District). The house is two stories and is 1,659 square feet. The house was built in approximately 1915.

The petitioner is proposing to remove a small non-conforming two-story addition on the rear of the house that is 2 feet from the east side (alley) property line and construct a new one-story addition 2 feet from the east side property line and over 12 feet from the west property line. The addition measures approximately 20 wide by 18 feet long.

The parcel is non-conforming for lot area (8,500 sq. ft. required, 4,355 sq. ft. existing) and the house is non-conforming for the east side yard setback (5 feet required, 0 provided). The addition will match the existing architectural form of the house, and will be setback the same distance from the east property line (public alley) as the existing house. A small section of the existing house is setback 0 feet from the east property line. No part of the addition will extend any closer to the side property lines than the existing structure. The footprint of the existing house will be expanded 18 feet toward the rear of the site, but will remain out of the required rear setback.

Standards for Approval

The Zoning Board of Appeals has all the power 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.

The parcel is extremely narrow, 33 feet; the R2A zoning district requires 60 feet for the minimum lot width. The home was constructed before current zoning standards were in effect. Application of the required setbacks leaves 23 feet for a

buildable width of the parcel. The proposed addition will be set back 2 feet from the side property line and be consistent with the existing architecture of the house.

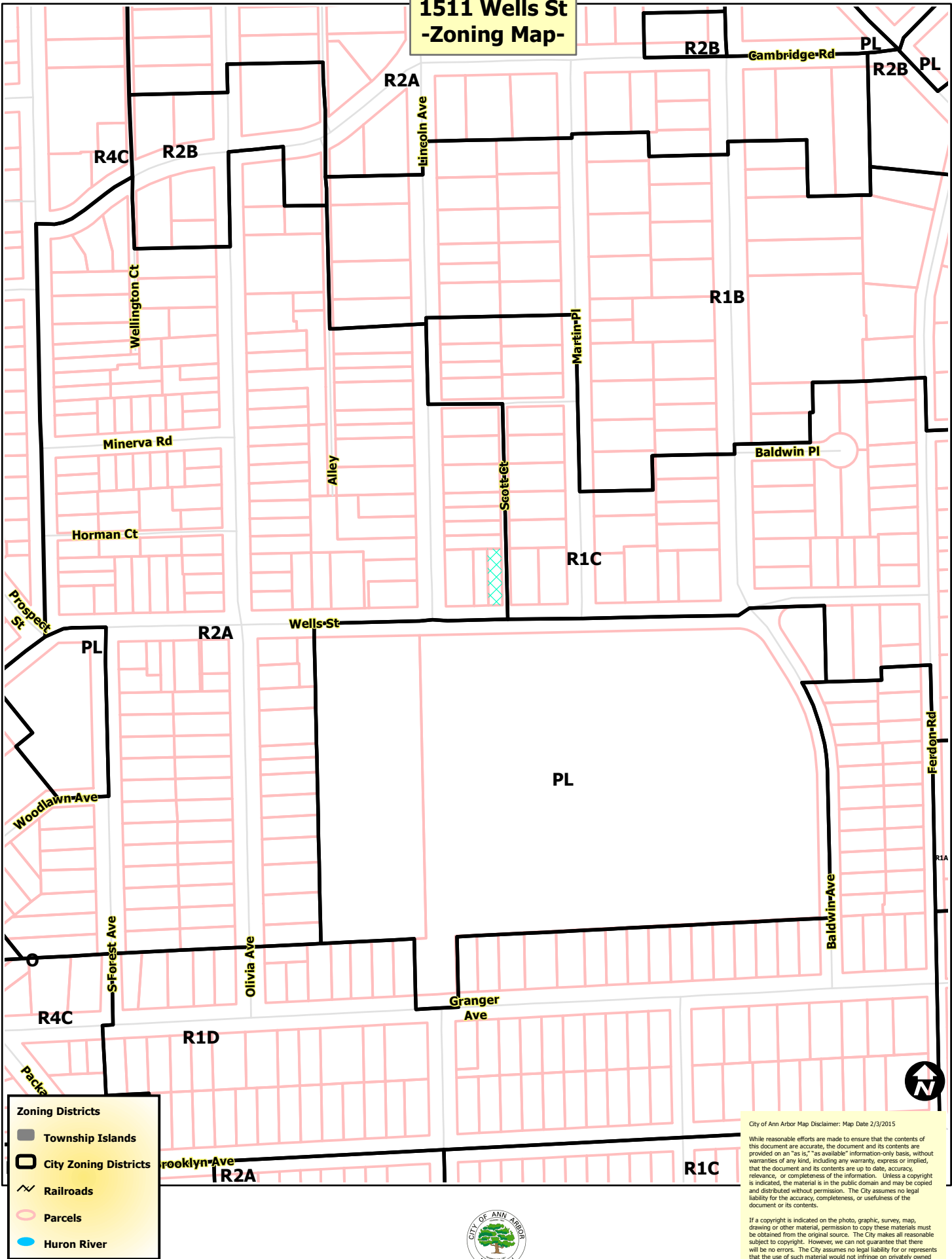
Staff does not feel that the requested variance would negatively affect any surrounding property. The subject house is located in an area of houses with similar density and scale. The house will be enlarged, however the addition will be 50 feet from the rear property line and buffered from adjacent parcels by a shared driveway on one side and an alley on the other side. The proposed addition will not be any closer to the side or front property lines than the existing house and it will remain out of the required rear setback. The new addition will not be visible from the street and surrounding structures are on approximately the same size parcels. The expansion will allow the petitioner to improve their property while respecting the intent of the Zoning Ordinance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. J. Kowalski', written in a cursive style.

Matthew J. Kowalski, AICP
City Planner

1511 Wells St -Zoning Map-



Zoning Districts

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

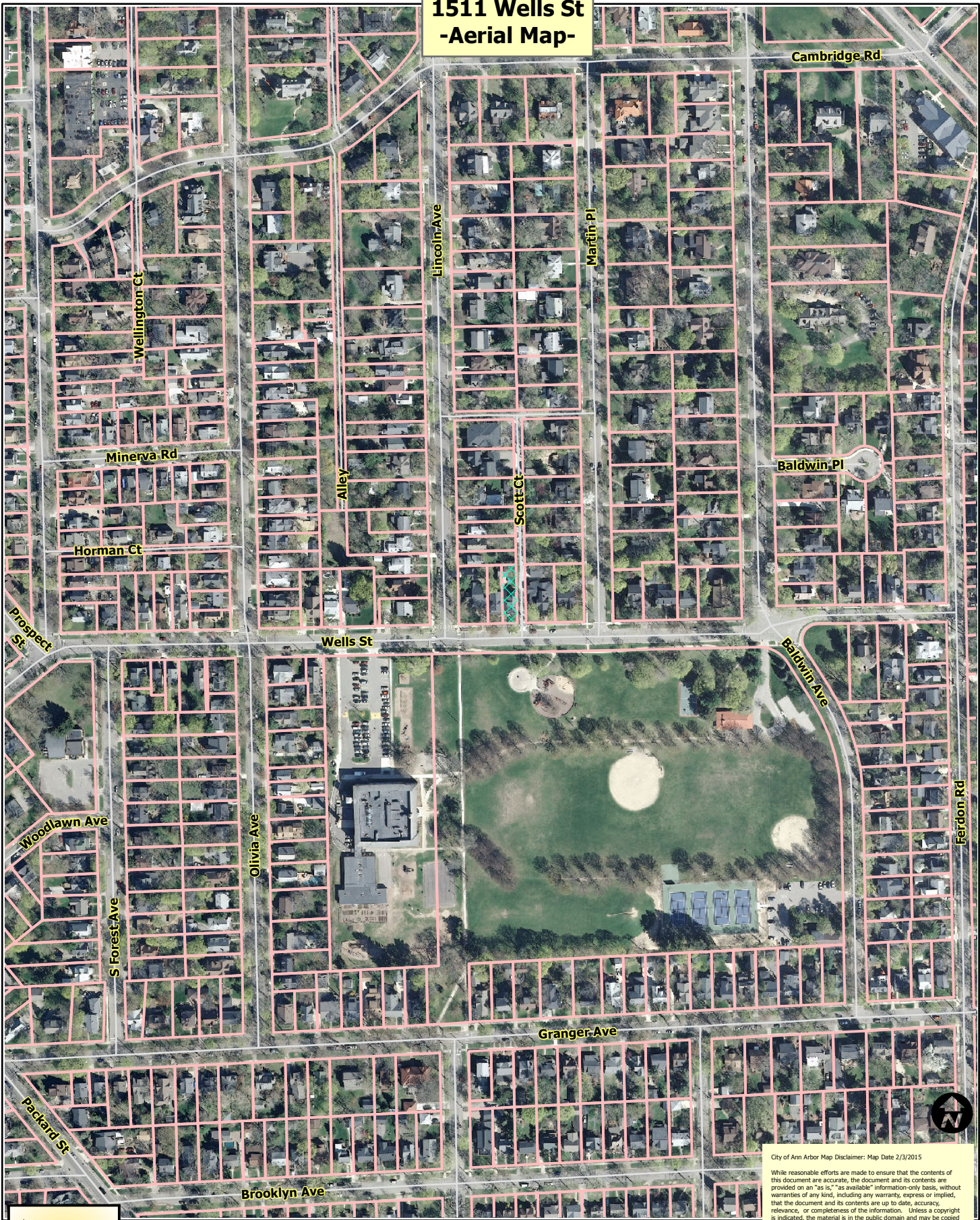
City of Ann Arbor Map Disclaimer: Map Date 2/3/2015

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1511 Wells St -Aerial Map-



-  Railroads
-  Parcels
-  Huron River

City of Ann Arbor Map Disclaimer: Map Date 2/3/2015

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

Section 1: Applicant Information

Name of Applicant: SUMMIT HOMEBUILDING, LLC
Address of Applicant: 4672 WILLOWBROOK LAKE
Daytime Phone: 734-260-9210
Fax: 734-527-6197
Email: rjmc92@gmail.com
Applicant's Relationship to Property: GENERAL CONTRACTOR

Section 2: Property Information

Address of Property: 1511 WELLS ST. ANN ARBOR MI 48104
Zoning Classification: R2-A
Tax ID# (if known): 09-09-33-103-022
*Name of Property Owner: THOMAS W. CUNNINGHAM

**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:

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

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)

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

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	4356	8500'
Lot width	33'	60'
Floor area ratio		
Open space ratio	^{EXISTING}	
Setbacks	4" = 8-0" (NEW ADDITION)	5-0"
Parking	2	
Landscaping	FULLY LANDSCAPED	
Other		

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

ADD AN 18x19'4" FAMILY ROOM AND 6'x19'4" COVERED REAR PORCH. TO REAR OF HOME TO IMPROVE THE LIVING SPACE FOR A FAMILY IN A SMALL HOME.

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:

- ① IT IS THE SAME SIDE SETBACK AS ORIGINAL STRUCTURE
- ② IT IS NOT VISIBLE FROM WELLS ST.
- ③ IT IS A ONE STORY ADDITION
- ④ IT MEETS THE REAR AND WEST SIDE SETBACK
- ⑤ IT DOES NOT IMPACT OFF-STREET PARKING REQUIREMENTS
- ⑥ THE ARCHITECTURE WILL BLEND SEAMLESSLY

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit A SINGLE STORY ADDITION WITH ATTACHED COVERED PORCH AT THE REAR YARD AREA OF THE PROPERTY

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.

134-266-9210
 Phone Number _____ Signature
 rjmc92@gmail.com _____
 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.

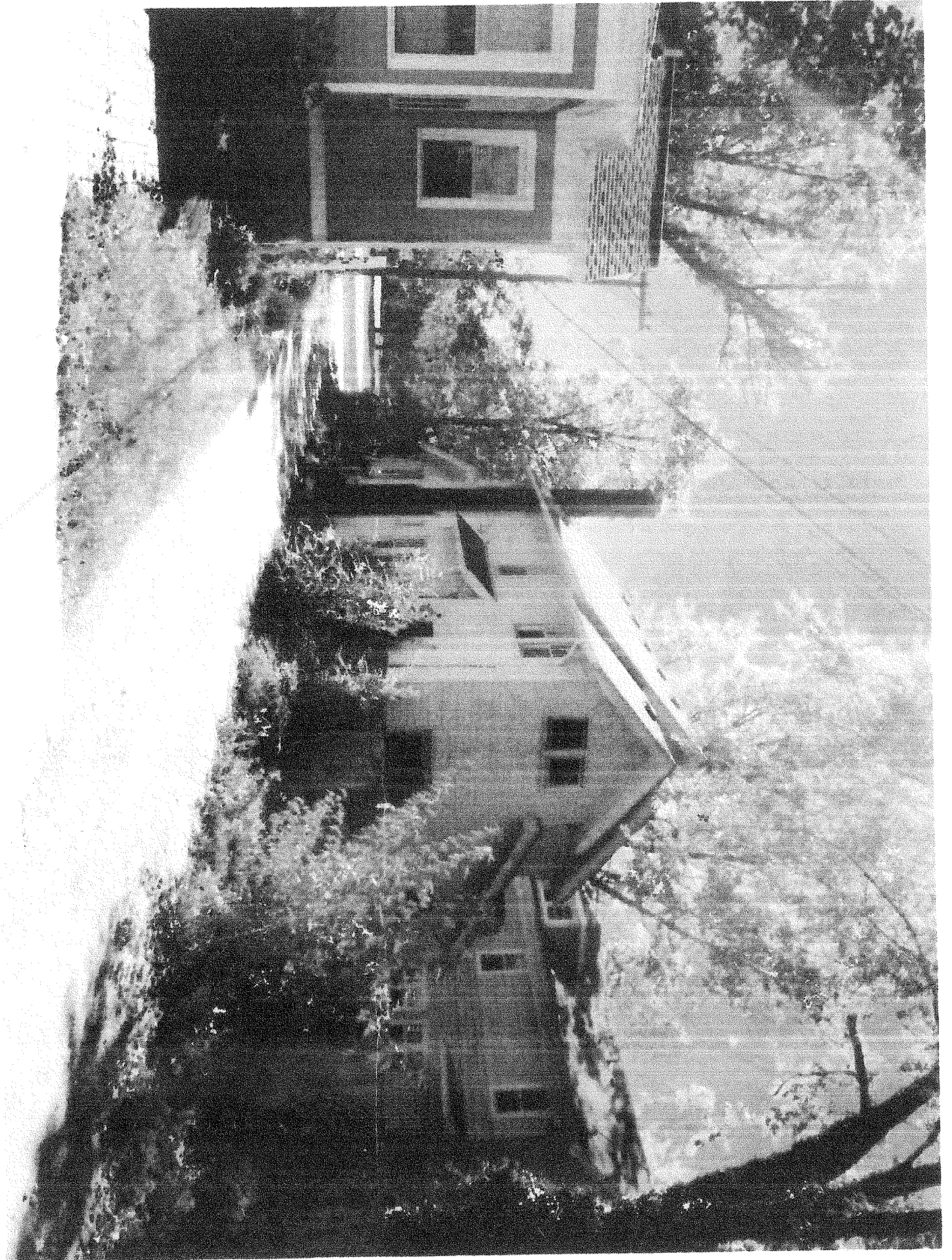
 Signature

On this 27th day of JANUARY, 2015 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
Aug. 6 - 2021
 Notary Commission Expiration Date
 PAMELA SILVA
 Notary Public - Michigan
 Washtenaw County
 My Commission Expires Aug 6, 2021
 Acting in the County of WASHTENAW
 PAMELA SILVA
 Print Name

Staff Use Only

Date Submitted: 1/28/15 Fee Paid: \$ 500
 File No.: ZBA 15 - 001 Date of Public Hearing: 2/25-15
 Pre-filing Staff Reviewer & Date: (BA) - 1/28/15 ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____



Image/Sketch for Parcel: 09-09-33-103-022

City of Ann Arbor

[Back to Non-Printer Friendly Version] [[Send To Printer](#)]

Caption: 5-23-13 FRONT



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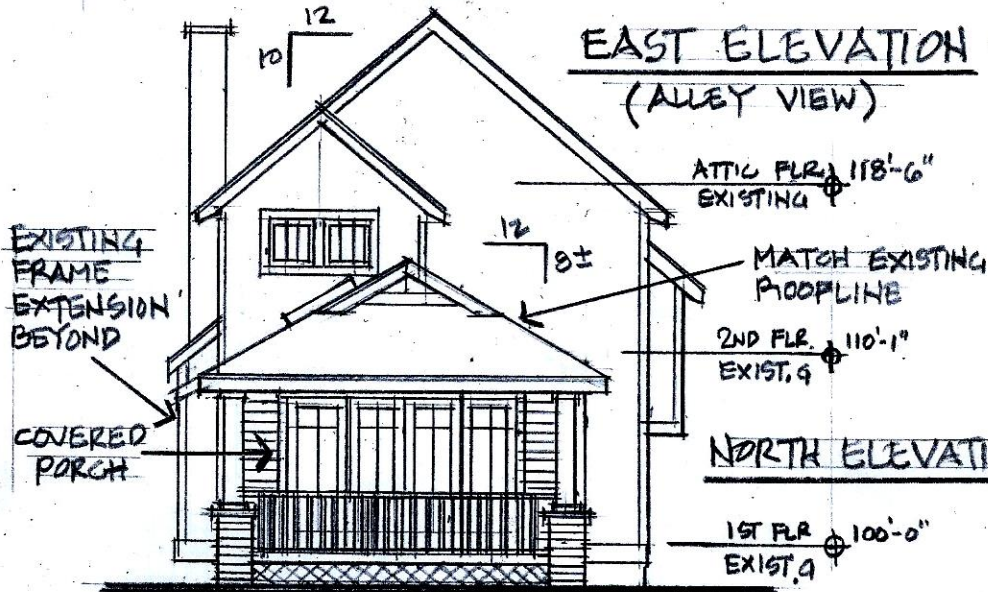
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CUNNINGHAM ADDITION 1511 IVELLS AVE, ANN ARBOR



EAST ELEVATION (ALLEY VIEW)

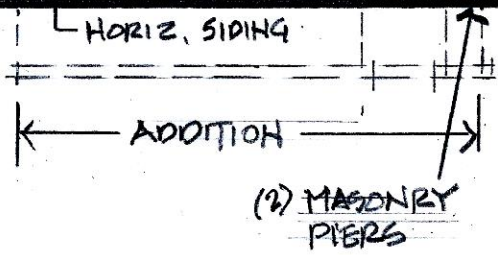


ATTIC FLR. 118'-6" EXISTING

2ND FLR. 110'-1" EXIST. G

NORTH ELEVATION

1ST FLR. 100'-0" EXIST. G



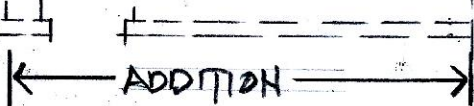
PRELIMINARY ELEVATIONS

SCALE = 1" = 10'-0"



ALIGN FOUND. TYPICAL

WEST ELEVATION



2/18/15

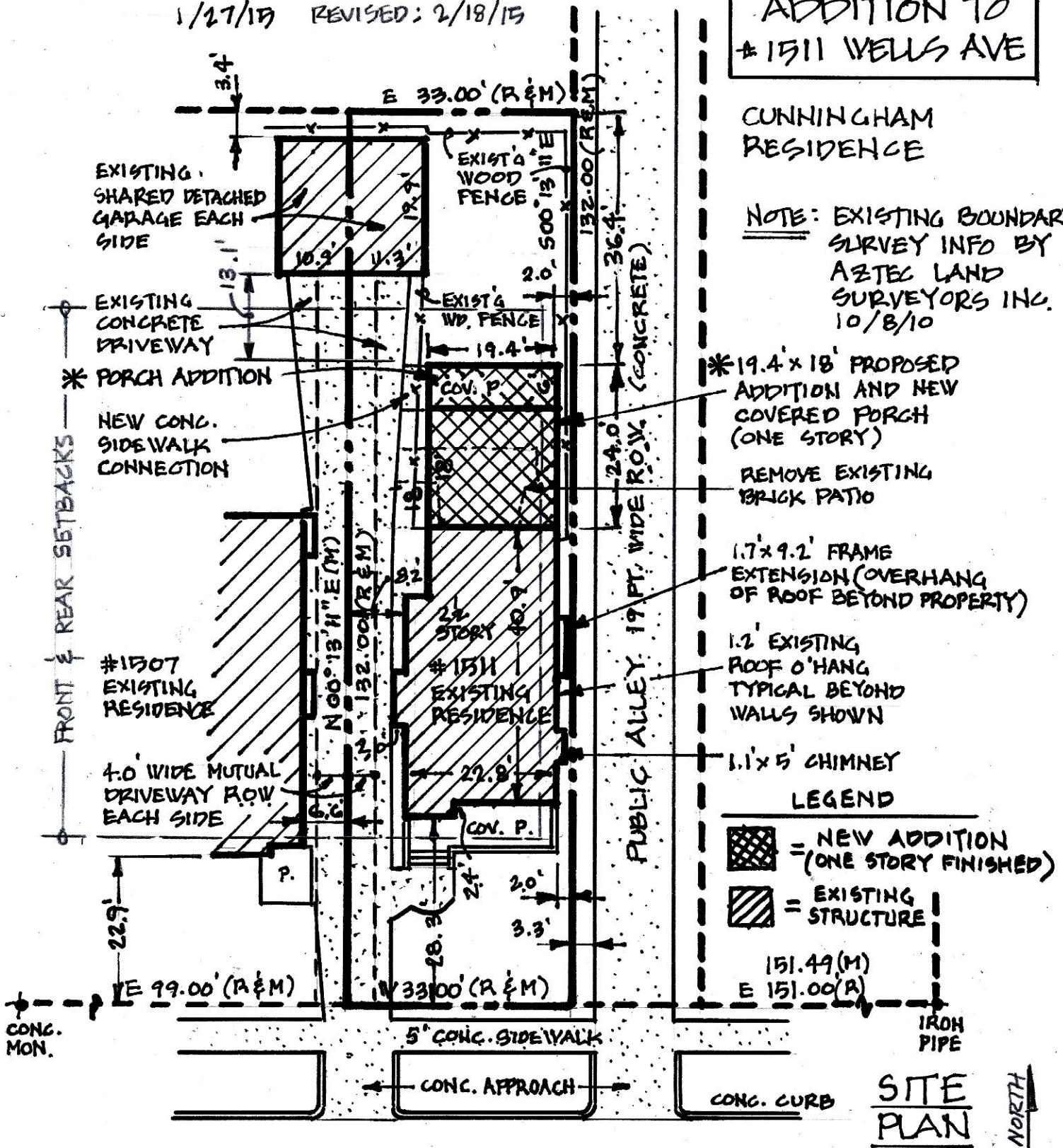
DRAWN BY: SCOTT D. KOCH
ARCHITECT L.L.C.

1/27/19 REVISED: 2/18/19

**PROPOSED
ADDITION TO
#1511 WELLS AVE**

CUNNINGHAM
RESIDENCE

NOTE: EXISTING BOUNDARY
SURVEY INFO BY
AZTEC LAND
SURVEYORS INC.
10/8/10



*19.4' x 18' PROPOSED
ADDITION AND NEW
COVERED PORCH
(ONE STORY)

REMOVE EXISTING
BRICK PATIO

1.7' x 9.2' FRAME
EXTENSION (OVERHANG
OF ROOF BEYOND PROPERTY)

1.2' EXISTING
ROOF O'HANG
TYPICAL BEYOND
WALLS SHOWN

1.1' x 5' CHIMNEY

LEGEND

= NEW ADDITION
(ONE STORY FINISHED)

= EXISTING
STRUCTURE

151.49 (M)

E 151.00 (R)

IRON
PIPE

**SITE
PLAN**

NORTH

WELLS AVENUE 66 FT. WIDE R.O.W.

SCALE: 1" = 20'-0"

EXISTING NON-CONFORMING LOT
ZONED R2-A

SETBACKS: FRONT - 25'
SIDE - 5'
REAR - 30'

∞ CORNER LOT DESIGNATION DOES NOT REFLECT EXIST'G!?

Thomas W Cunningham
1511 Wells St.
Ann Arbor Mi 48104

Zoning Board of Appeals
Ann Arbor Mi

Jan 25, 2015

To Whom it May Concern,

I am the owner of 1511 Wells St, Ann Arbor Mi 48104 and I grant permission to Robert McCowan of Summit Homebuilding, LLC to submit the appeal on my behalf for the addition to the home.

Sincerely,

Thomas W Cunningham

A handwritten signature in black ink, appearing to be 'TWC', written over the typed name 'Thomas W Cunningham'.