

**Zoning Board of Appeals  
February 24, 2021 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 21-004; 1104 South Forest Avenue**

**Summary:**

Scott Klaasen, representing property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure, in order to modify a three-unit eight occupancy rental and convert the structure to a two-unit twelve occupancy residence. The proposed changes include two additions to the rear elevation in order to square off the footprint of the home. The applicant is proposing to add two bedrooms and two bathrooms to both the attic and the basement. The property is zoned R4C, Multiple-Family District.

**Background:**

The residence was built in 1915 and is approximately 1,441 square feet in size. The property is located on the westside of South Forest Avenue in the North Burns Park neighborhood. The property is nonconforming as it does not meet the minimum lot area and lot width requirements for the R4C Zoning district.

**Description:**

The two new additions at the rear of the residence are approximately 42 and 70 square feet respectively. Neither of the additions will encroach further into the side yard setbacks. The property currently holds a Certificate of Rental Registration that expires on March 27, 2021.

**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 petitioner states the property is located primarily in a student housing area and will have minimal impacts to the surrounding neighborhood. The construction proposed at the rear elevation will eliminate structural deficiencies as the existing addition is separating from the main structure. The attic suffered damage from a previous fire and repairs will be made for the safety of the tenants.

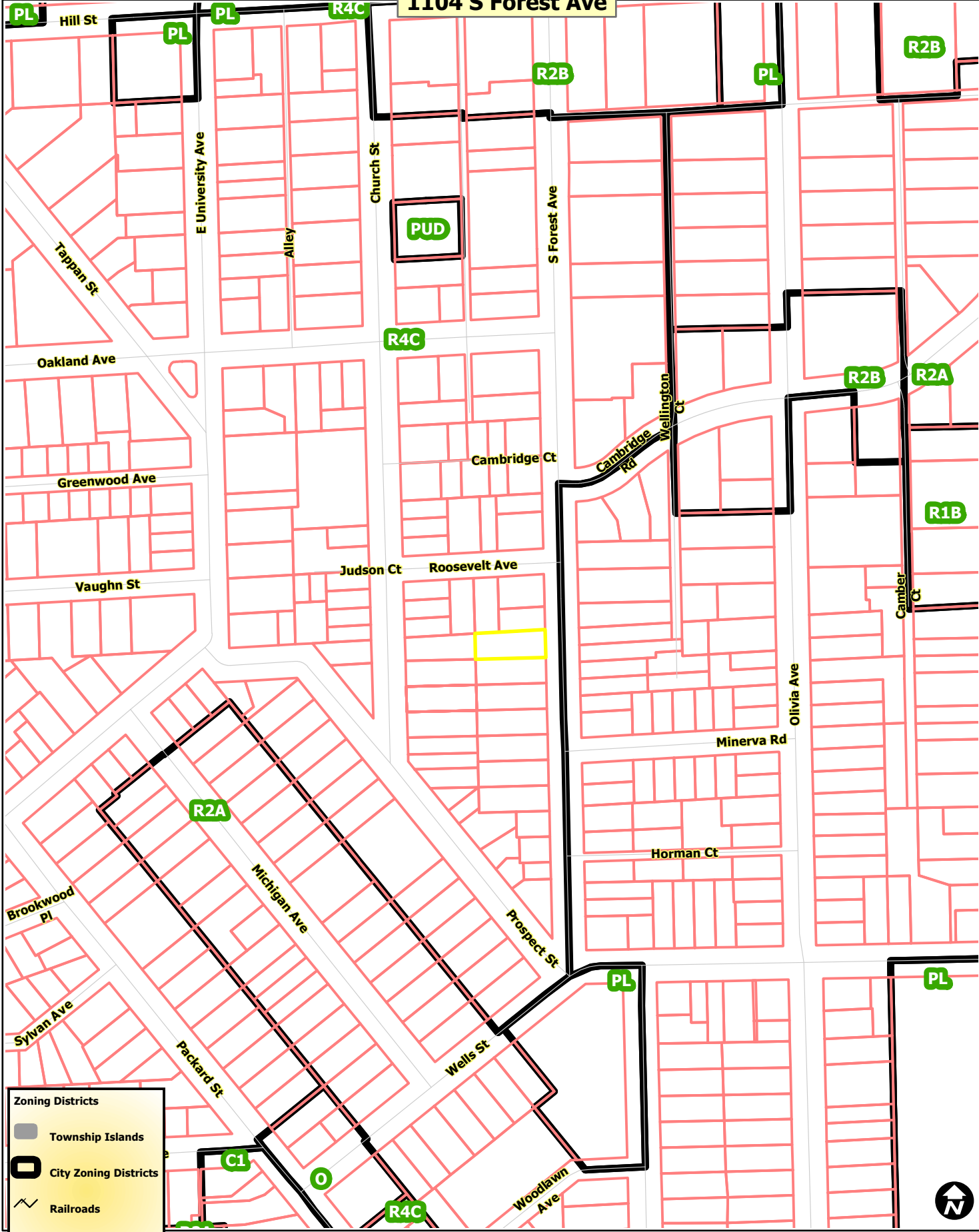
Respectfully submitted,

Zoning Board of Appeals  
February 24, 2021

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large, rounded letters and a cursive flourish at the end.

**Jon Barrett**  
**Zoning Coordinator**

1104 S Forest Ave



**Zoning Districts**

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






Map date: 2/1/2021  
 Any aerial imagery is circa 2020 unless otherwise noted  
 Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)



1104 S Forest Ave



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 2/1/2021  
Any aerial imagery is circa 2020 unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)






**1104 S Forest Ave**

Roosevelt Ave

S Forest Ave



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 2/1/2021  
Any aerial imagery is circa 2020 unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)



# 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>1104 S. Forest</b>		ZIP CODE <b>48104</b>
ZONING CLASSIFICATION <b>R4C</b>	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided <b>1104 S. Forest LLC</b>	
PARCEL NUMBER <b>09-09-33-235-010</b>	OWNER EMAIL ADDRESS <b>srcsoho@gmail.com</b>	

## APPLICANT INFORMATION

NAME <b>Scott Klaassen</b>			
ADDRESS <b>2100 S. Main Street</b>	CITY <b>Ann Arbor</b>	STATE <b>MI</b>	ZIP CODE <b>48103</b>
EMAIL <b>scott@doneriteco.com</b>		PHONE <b>734-677-2222</b>	
APPLICANT'S RELATIONSHIP TO PROPERTY <b>Agent</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 will 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 :   Sate R Ch  

Date:   01/13/2021



# 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.**

The subject rental property now contains 3-units housing up to 8 residents. We are proposing to reduce the unit count to 2 units with 12 residents max. The property is located in a primarily student housing area that will support parking of up to 5 or 6 cars. The proposed changes will have minimal impact to the surrounding neighborhood.

We are seeking to alter the rear footprint of the building by squaring off the rear two corners (proposed changes are contained within the outer envelope of the building footprint). No changes to the footprint to the front of the building are proposed and front/rear & side setbacks remain unchanged.

Also, we are seeking to convert the vacant attic space into 2 bedrooms with attached baths. Changes will bring the building to current code standards and substantially improve safety: First, the changes to the rear will correct deficiencies to a previous addition to the building, which is now pulling away. Second, the attic space shows signs of significant damage from a previous fire in the building, which we hope to fully rebuild.

**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		

1104 S. Forest LLC  
1104 S. Forest Avenue  
Ann Arbor, MI 48104

January 14, 2021

Planning Services  
301 E. Huron Street  
Ann Arbor, MI 48104

To whom it may concern:

My name is Satch Chada and I'm the managing member of 1104 S. Forest LLC, which is the sole owner of the property located at 1104 S. Forest Avenue, Ann Arbor, MI 48104. I certify that I have the legal authority to act on behalf of 1104 S. Forest LLC for which an application for appeal to alter a non-conforming structure is being submitted to the zoning board of appeals.

As such, I authorize Scott Klaassen of Done Rite Contracting to act, sign and to take all steps necessary to obtain an appeal for the alteration to the subject property on behalf of 1104 S. Forest LLC.

Please do not hesitate to contact me at [srcsoho@gmail.com](mailto:srcsoho@gmail.com) or 917 288 4388 should you have any questions or would like to discuss further. Thank you.

Best regards,

A handwritten signature in black ink that reads "Satch R Chada". The signature is written in a cursive, flowing style.

Satch Chada





# CERTIFICATE OF COMPLIANCE AND OCCUPANCY CITY OF ANN ARBOR

HOUSING SERVICES: 301 E. Huron St. Ann Arbor, MI 48104 Phone: (734) 794-6264

**RENTAL LICENSE NUMBER:**

**ISSUE DATE:**

**EXPIRATION DATE:**

CR060711

Aug 2 2019

Mar 27 2021

**MAILING ADDRESS:**

**CERTIFIED ADDRESS:**

MARGOLIS BARRY & ELAINE

9600 CHERRY HILL RD

Ypsilanti , MI 48198

MARGOLIS BARRY & ELAINE

1104 S FOREST AVE

Ann Arbor, MI 48104

THIS IS TO CERTIFY THAT THE BUILDING KNOWN AS: **1104 S FOREST AVE** SUBSTANTIALLY COMPLIES WITH ALL THE REQUIREMENTS OF THE ANN ARBOR CITY CODE AND MAY BE OCCUPIED AND USED FOR THE FOLLOWING PURPOSE: **MULTIPLE FAMILY**

**DWELLING TYPE:**

**ZONING:** R4C

**OWNER OCCUPIED:** NO

**NUMBER OF BUILDINGS:** 1.00

**NUMBER OF FLOORS:**

**NUMBER OF UNITS:**3

**BILLABLE UNITS:** 3.00

**STIPULATIONS:** 2 - efficiency units with 4 occupants max

1 - 2 bedroom unit with 4 occupants max

**FURNACE CLEAN/BOIL:** 11/14/2017 12:00:00AM

**FIRE ALARM:**

**CHIMNEY CLEANING:**

**UNIT 1:** Efficiency

**UNIT 1 UNITS:** 2.00

**UNIT 1 MAX OCC:** 4.00

**UNIT 2:** 2 Bedroom

**UNIT 2 UNITS:** 1.00

**UNIT 2 MAX OCC:** 4.00

**AUTHORIZED BY:**

*Lisha Turner-Tolbert*

*Glen Dempsey*

**Building and Rental Service Manager**

**Building Official**

*Thank you for your co-operation during the inspection of this property under the Ann Arbor Housing Code.*

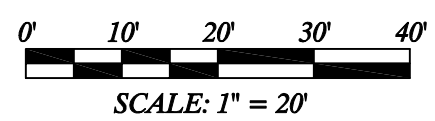
*Please notify us at 734-794-6264 if you change your mailing address or the property is sold.*

**NOT TRANSFERABLE TO ANY OTHER PROPERTY**

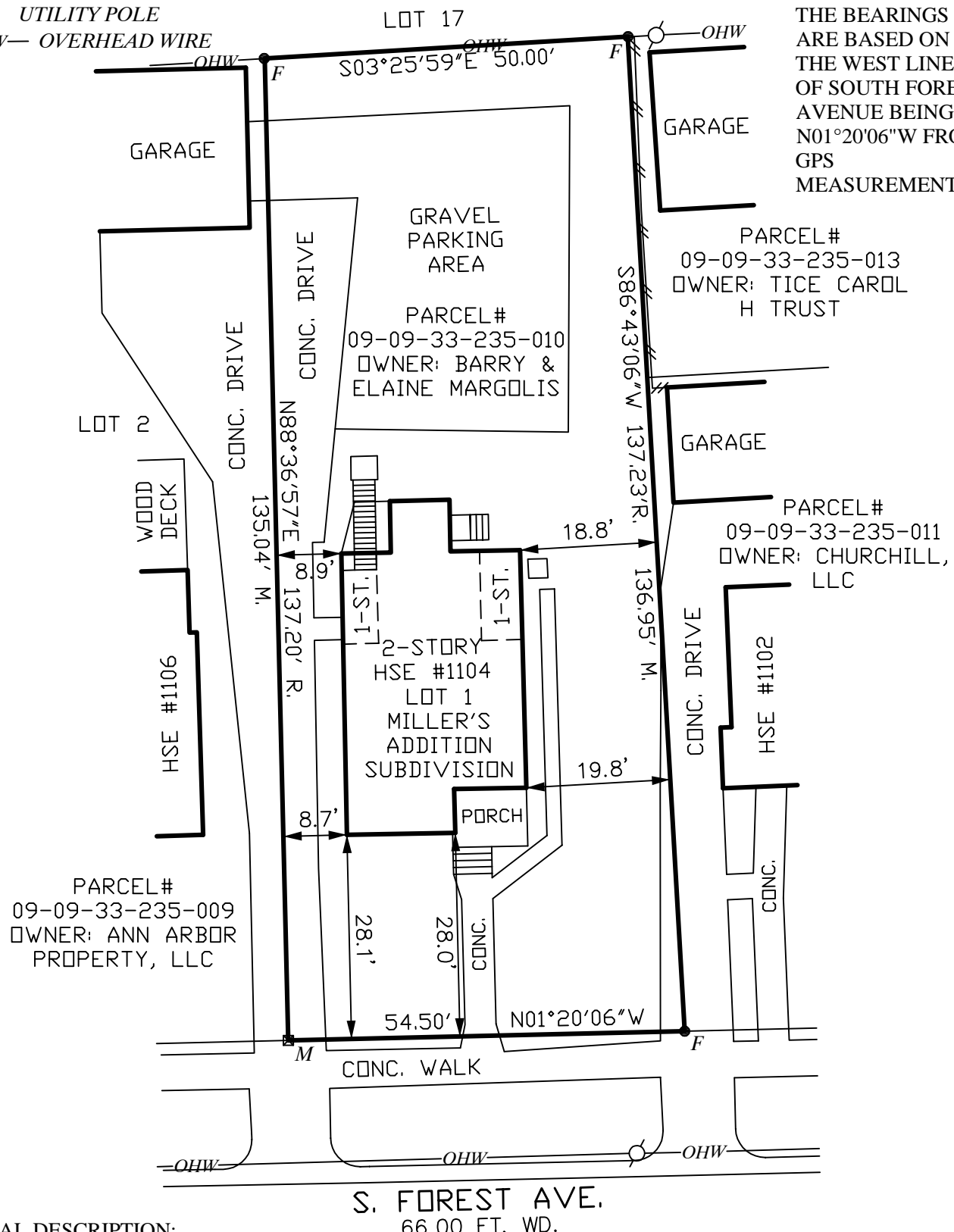
LEGEND CERTIFICATE OF SURVEY 

- IRON
- F FOUND IRON
- S SET IRON
- ⊠ M MARK IN CONCRETE
- //— FENCE
- ⊙ UTILITY POLE
- OHW— OVERHEAD WIRE

PARCEL#  
09-09-33-235-018  
OWNER: 1117  
CHURCH, LLC



THE BEARINGS ARE BASED ON THE WEST LINE OF SOUTH FOREST AVENUE BEING N01°20'06"W FROM GPS MEASUREMENTS.



LEGAL DESCRIPTION:

LOT 1 MILLER'S ADDITION SUBDIVISION, AS RECORDED IN WASHTENAW COUNTY RECORDS, PART OF SECTION 33, TOWN 2 SOUTH, RANGE 6 EAST, ANN ARBOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN,

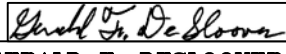
I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE ON OCTOBER 23, 2020 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/19000, AND THAT ALL OF THE REQUIREMENTS OF P.A. 132, 1970, AS AMENDED HAVE BEEN COMPLIED WITH.

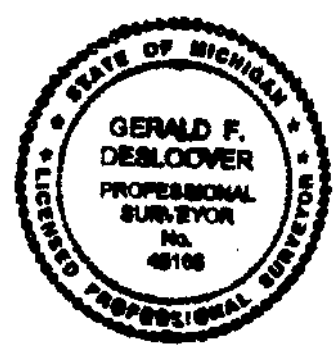
AMERICAN LANDMARK SURVEY P.L.C.

SURVEY OF LOT 1 MILLER'S ADDN. SUBDIVISION, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN.

CLIENT: DONE RITE CONTRACTING

DATE: 10/27/2020
DRAWN BY: GFD
SCALE: 1" = 20'
SHEET 1 OF 1
JOB# 20175

  
GERALD F. DESLOOVER  
PROFESSIONAL SURVEYOR  
NO. 45166  
P.O. BOX 130043  
ANN ARBOR, MI 48113  
734-677-7000



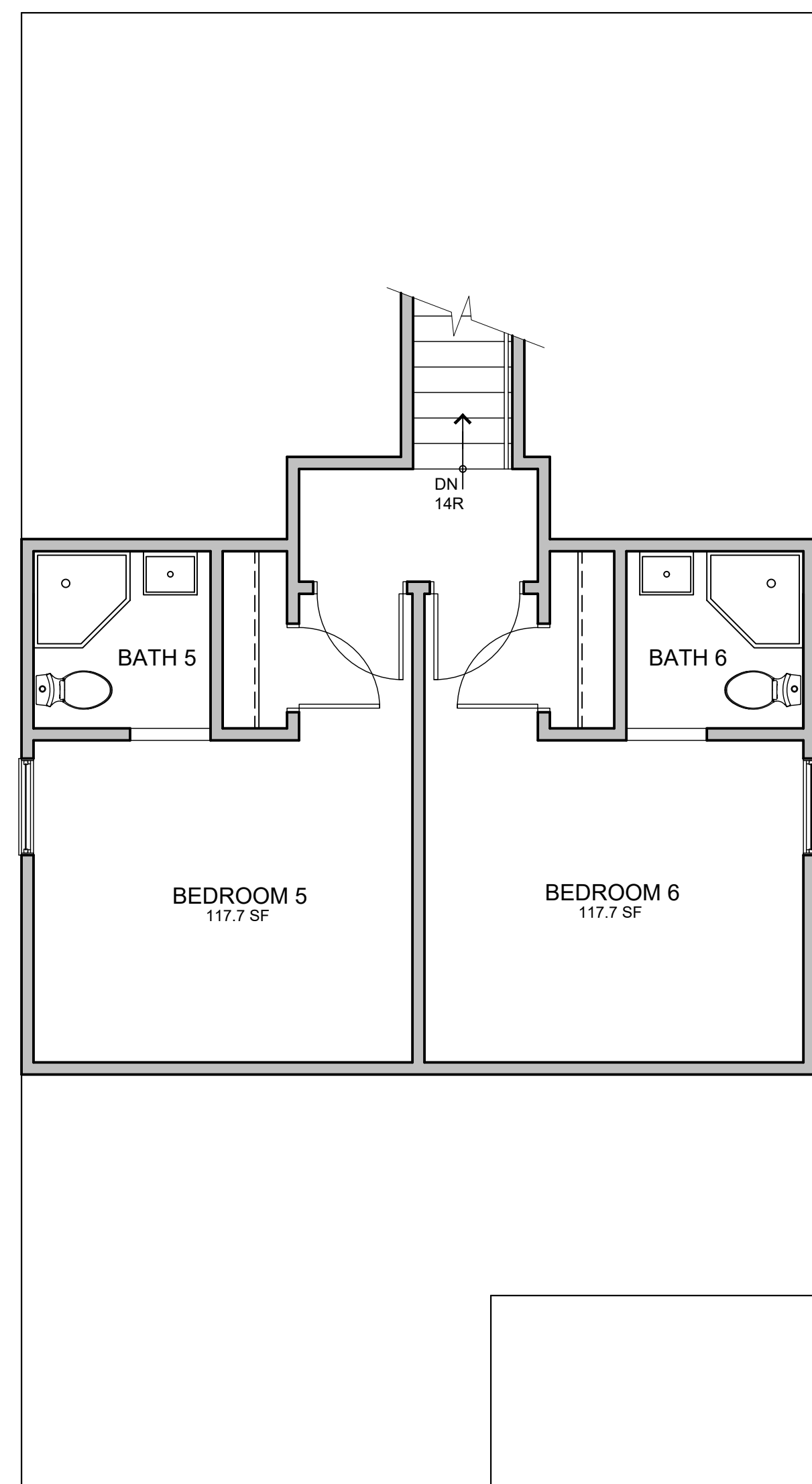




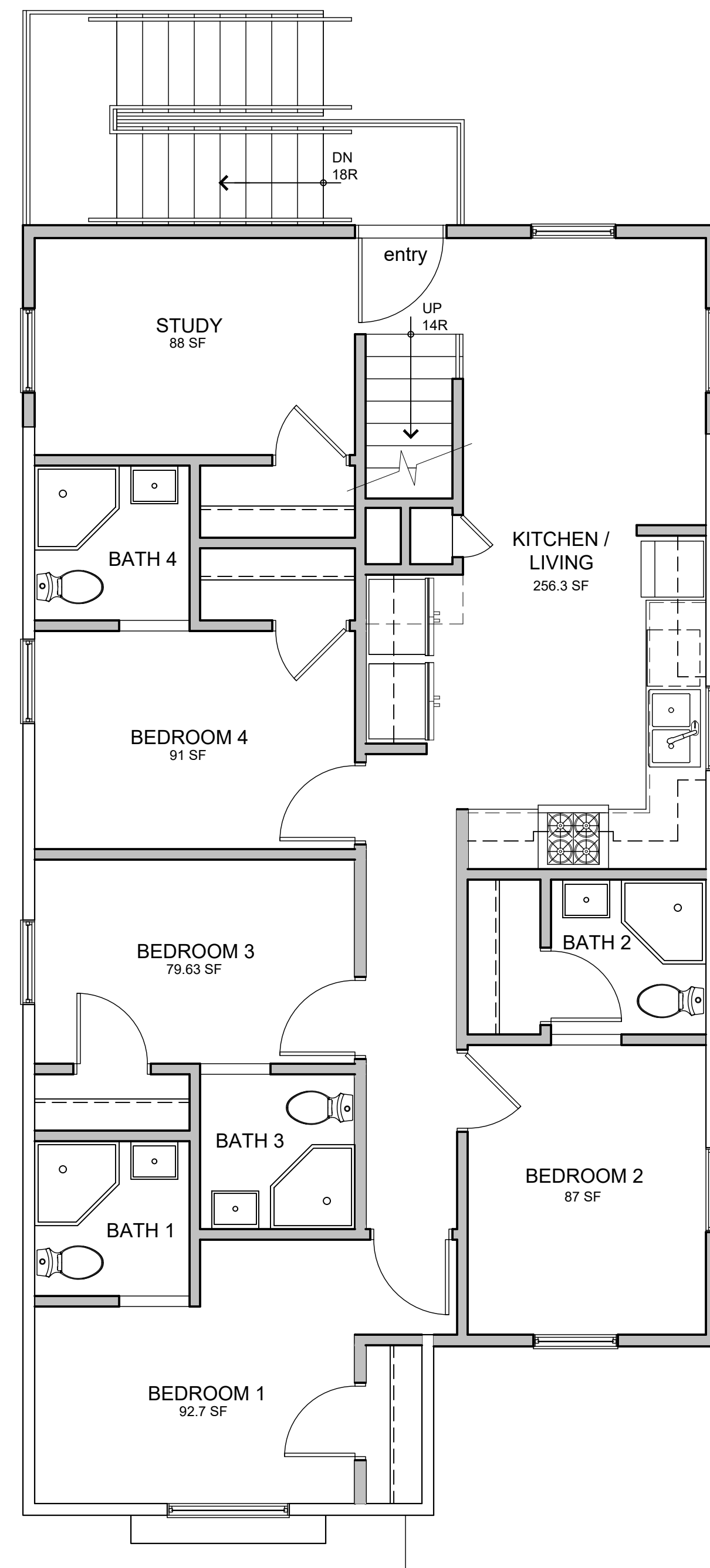








2/A201 attic level plan SCALE: 1/4"=1'-0"



1/A201 upper level plan SCALE: 1/4"=1'-0"

UNIT 2 DATA

MAIN LEVEL:	1,077 SF
LOWER LEVEL:	402 SF
UNIT TOTAL:	1,479 SF

6 BEDROOM / 6 BATH

ZBA SUBMITTAL DESCRIPTION	DATE

SHEET TITLE:  
ALTERATION  
FLOOR PLANS-  
UNIT 2

PROJECT NUMBER:  
2020-132

DRAWN BY:  
KMB

CHECKED BY:  
--

SHEET NUMBER:

# A201





front image



front image



rear left side image



front left side image



front right side image



rear right side image



rear image

PROJECT:

1104 S Forest Ave.  
 Apt. Conversion  
 1108 Packard Avenue  
 Ann Arbor, MI 48104

CLIENT:

1104 S Forest, LLC  
 393 W. Broadway, Ste. 3WB  
 New York, NY 10012

ZBA SUBMITTAL	01/05/21
DESCRIPTION	DATE

SHEET TITLE:  
**EXISTING  
 ELEVATION IMAGES**

PROJECT NUMBER:  
 2020-132

DRAWN BY:  
 KMB

CHECKED BY:  
 --

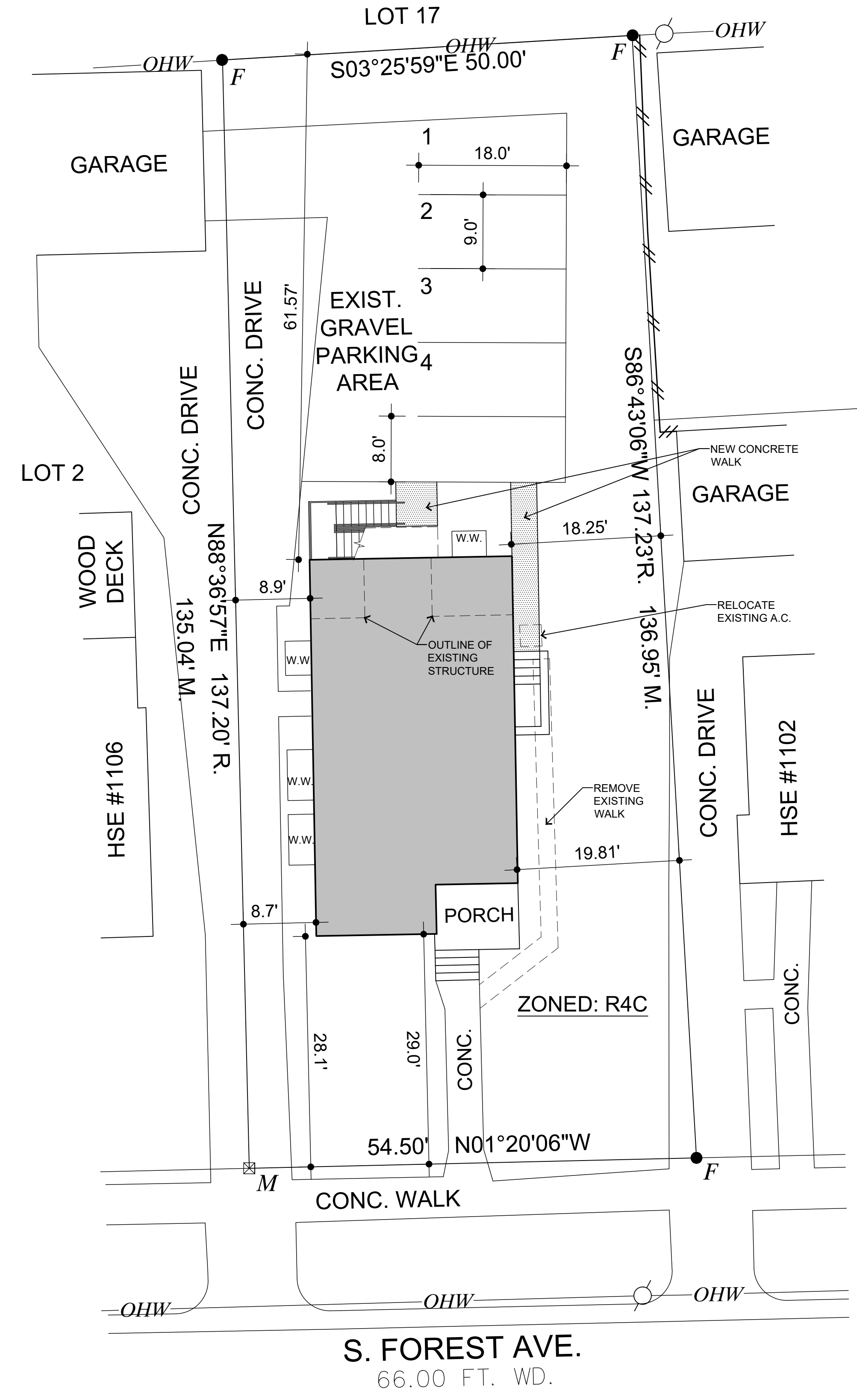
SHEET NUMBER:  
**A300**





**LEGEND**

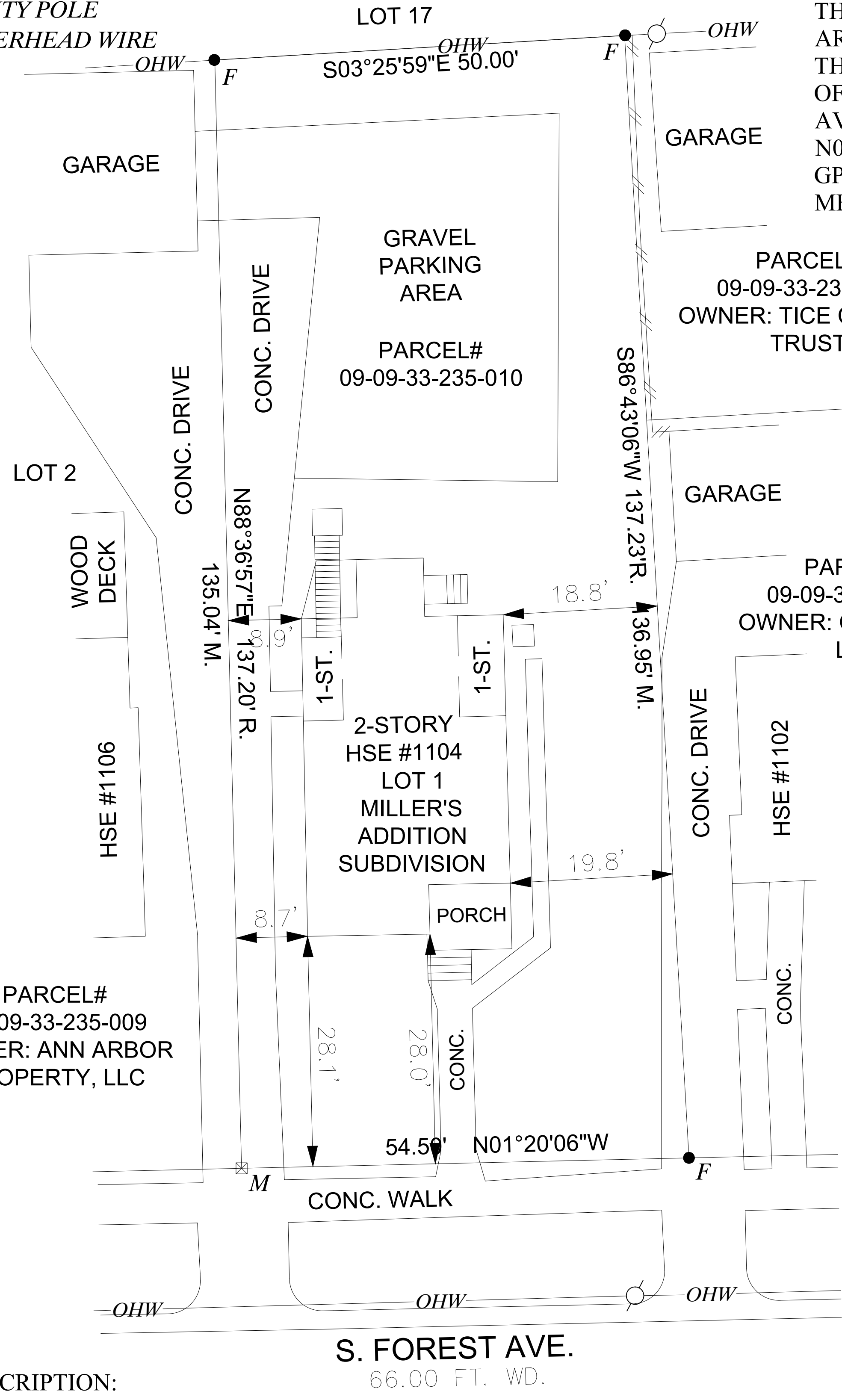
- IRON
- F FOUND IRON
- S SET IRON
- ☒ M MARK IN CONCRETE
- FENCE
- ⊙ UTILITY POLE
- OHW OVERHEAD WIRE



BUILDING FOOTPRINT  
 EXISTING: 955 SF  
 PROPOSED: 1,070 SF

PARKING  
 REQUIRED:  
 1.5 SPACE PER DU: 1.5 x 2 = 3 SPACES  
 PROVIDED: 4 SPACES

PARCEL# 09-09-33-235-018  
 OWNER: 1117 CHURCH, LLC



PARCEL# 09-09-33-235-009  
 OWNER: ANN ARBOR PROPERTY, LLC

LEGAL DESCRIPTION:  
 LOT 1 MILLER'S ADDITION SUBDIVISION, AS RECORDED IN WASHTENAW COUNTY RECORDS, PART OF SECTION 33, TOWN 2 SOUTH, RANGE 6 EAST, ANN ARBOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN,

THE BEARINGS ARE BASED ON THE WEST LINE OF SOUTH FOREST AVENUE BEING N01°20'06"W FROM GPS MEASUREMENTS.

PARCEL# 09-09-33-235-013  
 OWNER: TICE CAROL H TRUST

PARCEL# 09-09-33-235-011  
 OWNER: CHURCHILL, LLC

PROJECT:

1104 S Forest Ave.  
 Apt. Conversion  
 1108 Packard Avenue  
 Ann Arbor, MI 48104

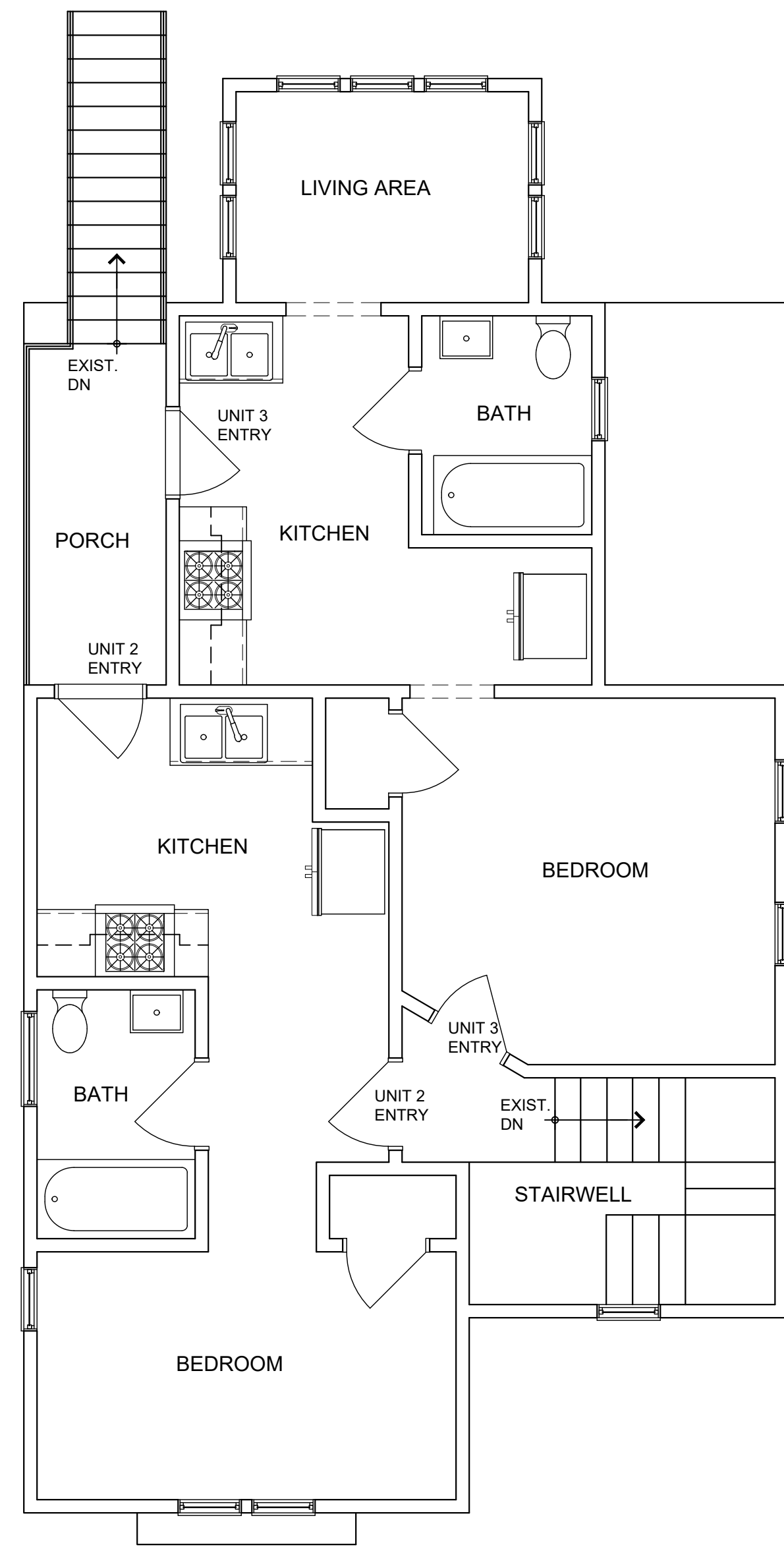
CLIENT:

1104 S Forest, LLC  
 393 W. Broadway, Ste. 3WB  
 New York, NY 10012

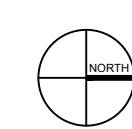
ZBA REVISIONS	DATE

SHEET TITLE: EXISTING / NEW SITE PLANS	
PROJECT NUMBER: 2020-132	
DRAWN BY: KMB	
CHECKED BY: 	
SHEET NUMBER: 	

**AS100**



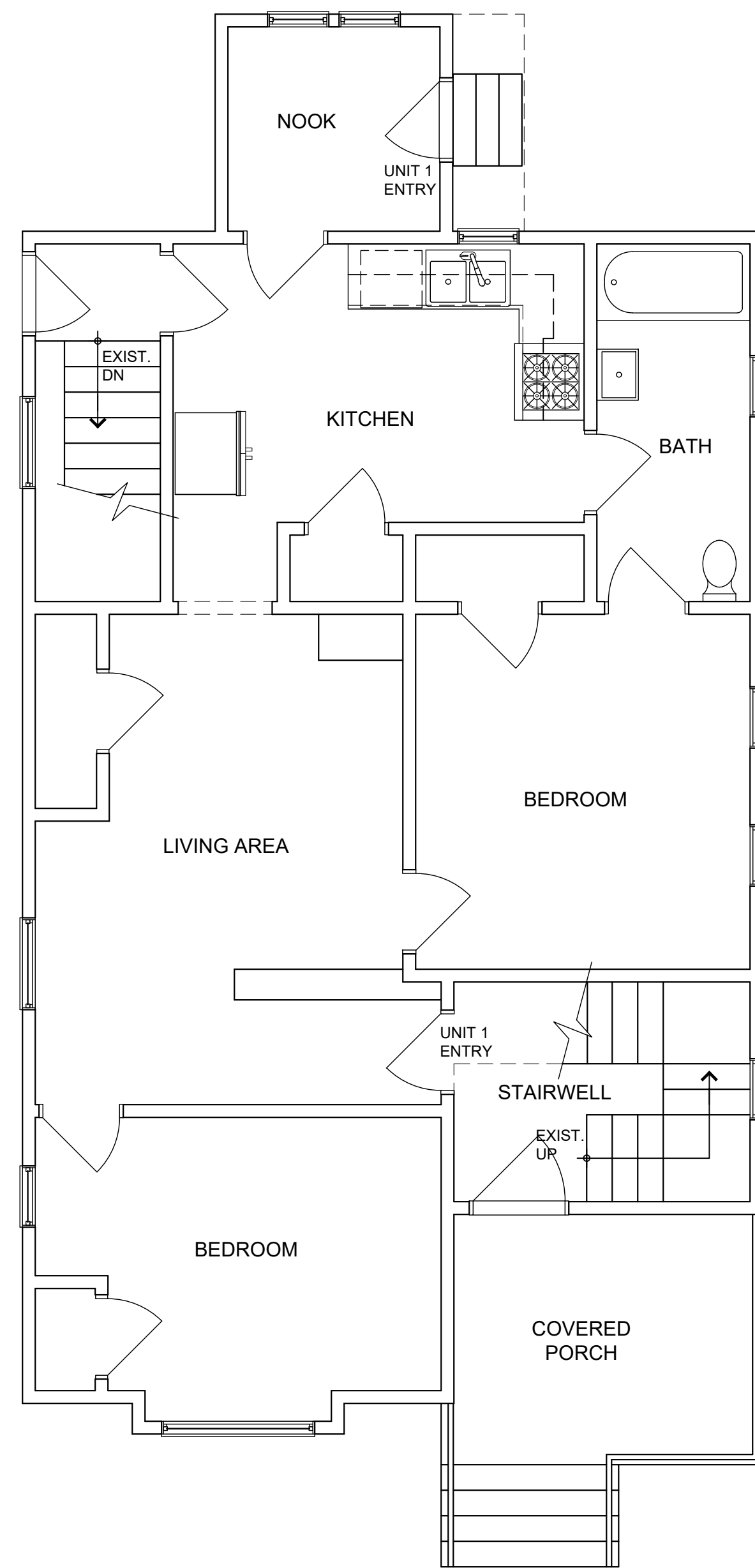
809 GROSS SF



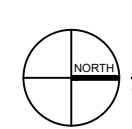
**3/A100 upper level plan**

(2) 1 BEDROOM UNITS

SCALE: 1/4"=1'-0"



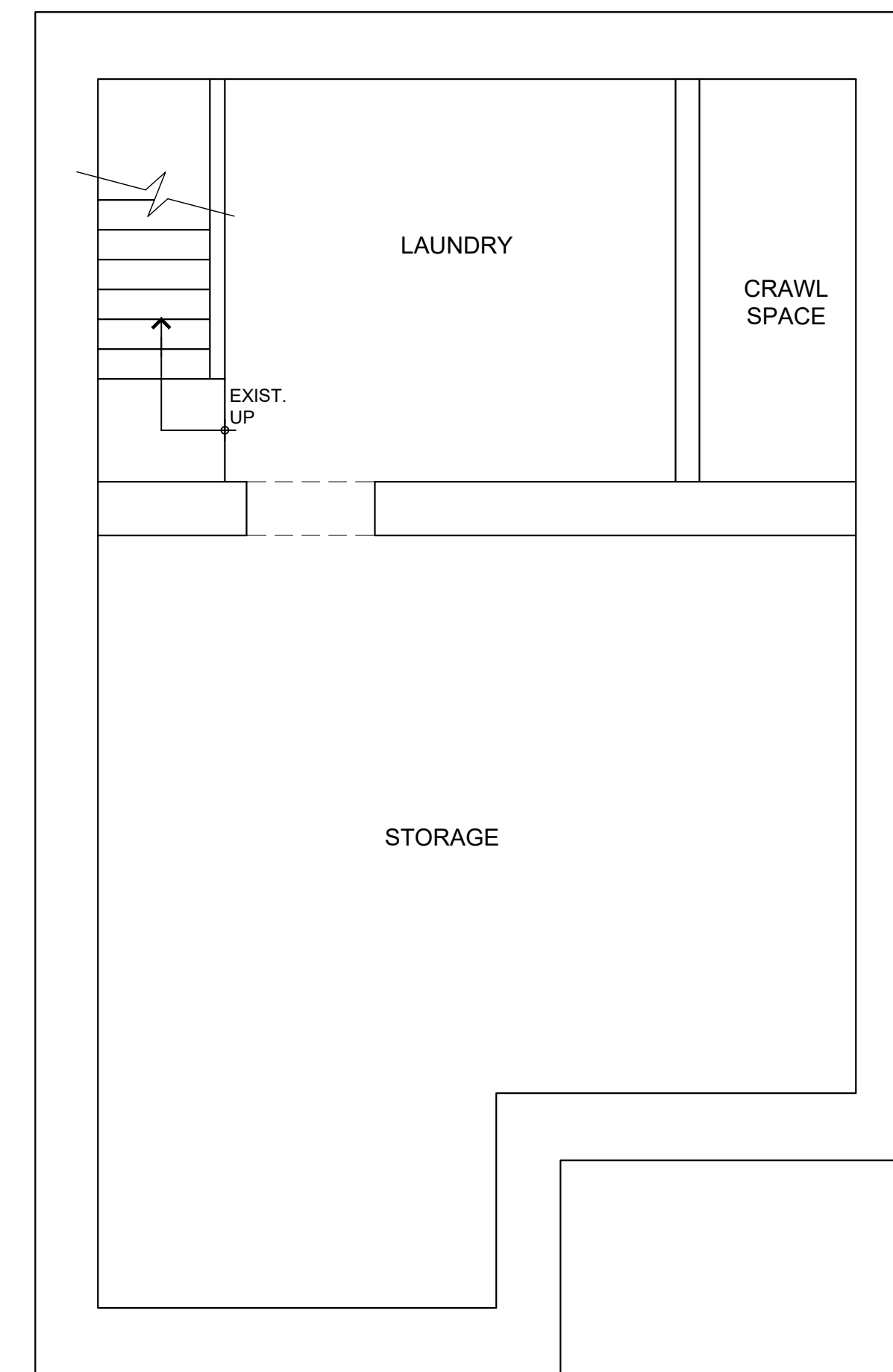
924 GROSS SF



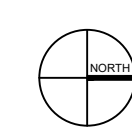
**2/A100 main level plan**

(1) 2 BEDROOM UNIT

SCALE: 1/4"=1'-0"



667 NET SF



**1/A100 basement level plan**

SCALE: 1/4"=1'-0"

PROJECT:

**1104 S Forest Ave.  
Apt. Conversion**

1108 Packard Avenue  
Ann Arbor, MI 48104

CLIENT:

**1104 S Forest, LLC**

393 W. Broadway, Ste. 3WB  
New York, NY 10012

DESCRIPTION	DATE
ZBA SUBMITTAL	01/05/21
ZBA REVISIONS	01/20/21

SHEET TITLE:

**EXISTING CONDITION  
FLOOR PLANS**

PROJECT NUMBER:  
2020-132

DRAWN BY:  
KMB

CHECKED BY:  
--

SHEET NUMBER:

**A100**









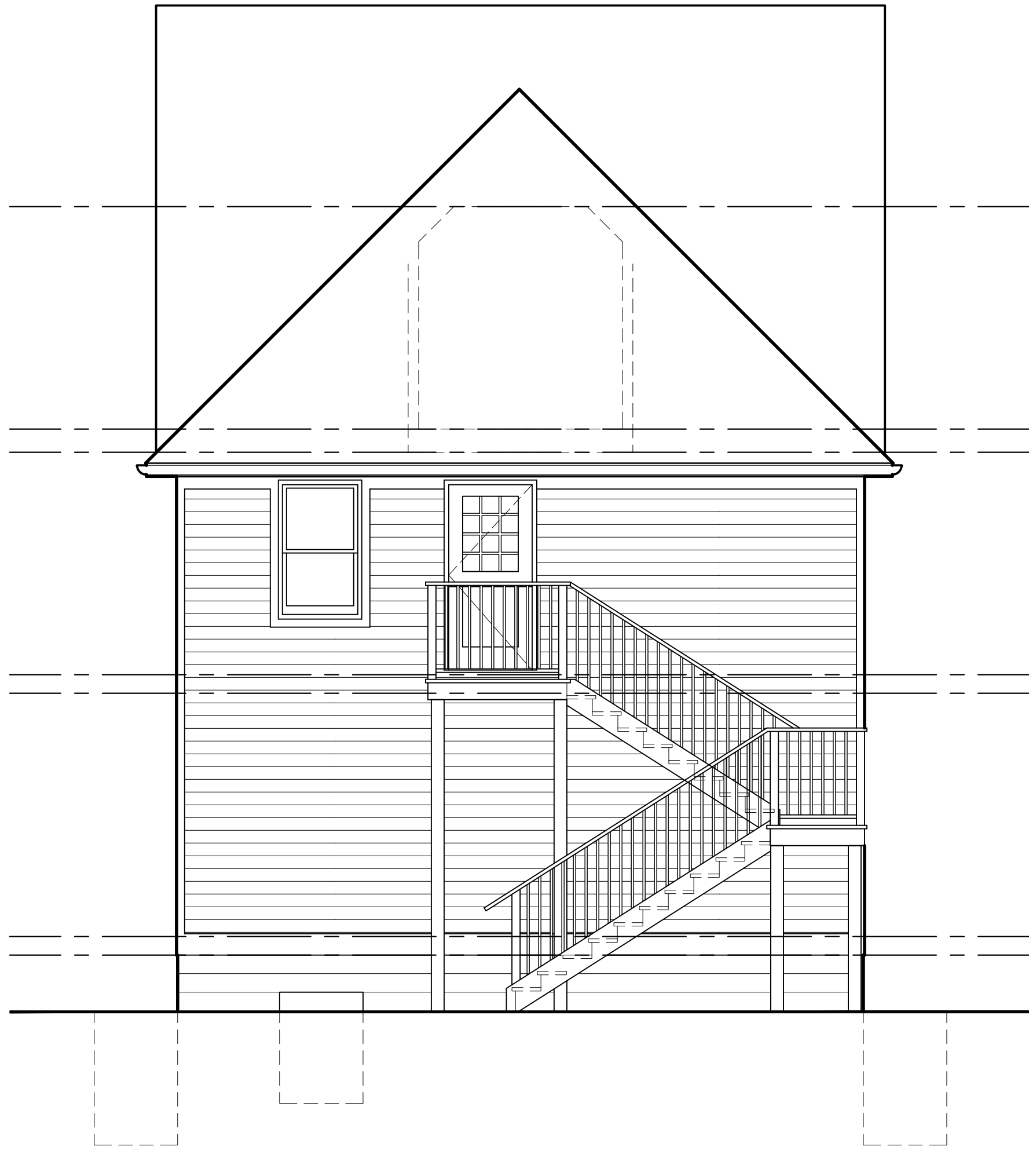






4/A301 left (south) elevation

SCALE: 1/4"=1'-0"



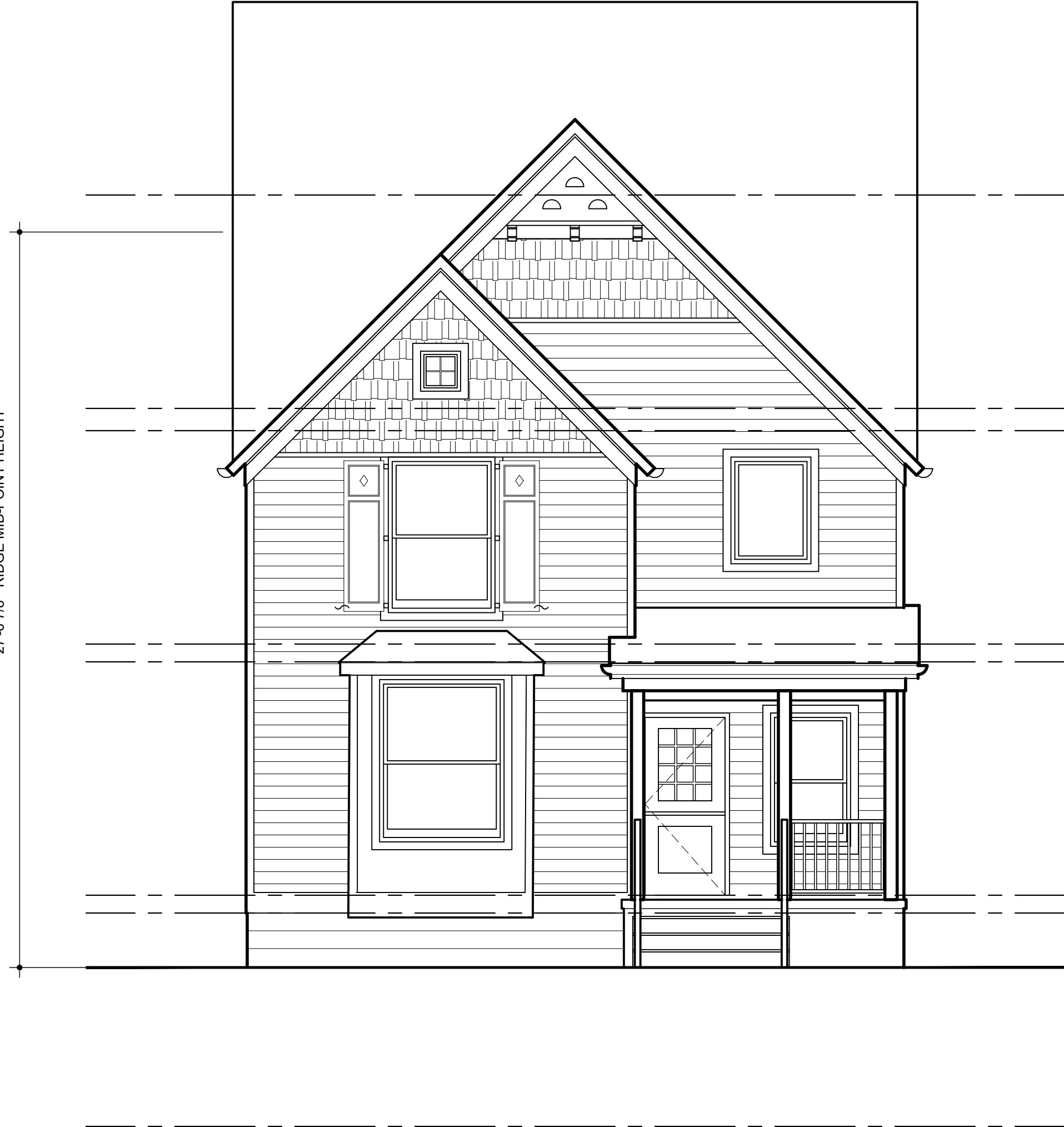
3/A301 rear (west) elevation

SCALE: 1/4"=1'-0"



2/A301 right (north) elevation


SCALE: 1/4"=1'-0"



1/A301 front (east) elevation

SCALE: 1/4"=1'-0"

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**Bmk**   
DESIGN+PLANNING

**Bmk DESIGN + PLANNING, LLC**  
122 South Laurel Street - Royal Oak - Michigan - 48067  
Ph 248.303.1446  
kmb@bmkdp.com

PROJECT:  
**1104 S Forest Ave.  
Apt. Conversion**  
1108 Packard Avenue  
Ann Arbor, MI 48104

CLIENT:  
**1104 S Forest, LLC**  
393 W. Broadway, Ste. 3WB  
New York, NY 10012

ZBA REVISIONS	DATE
ZBA SUBMITTAL	01/05/21
DESCRIPTION	DATE

SHEET TITLE:
<b>NEW EXTERIOR ELEVATIONS</b>

PROJECT NUMBER:
2020-132
DRAWN BY: KMB
CHECKED BY: --

SHEET NUMBER:  
**A301**