

**Zoning Board of Appeals
December 2, 2020 Regular Meeting**

STAFF REPORT

Subject: ZBA 20-022; 18 Heatheridge Avenue

Summary:

Ibrahim Shunnar, property owner, is seeking to alter a nonconforming structure and is requesting relief from Section 5.32.2 Nonconformities. The owner is proposing to construct a 260 (20'x13') square foot sunroom at the back of the existing residence that will be 21.87 feet from the rear lot line if approved. The property is zoned R1B Single-Family and requires a minimum rear yard setback of 40 feet. The single-family dwelling is currently 21.87 feet from the rear lot line.

Background:

The subject property is in the Heatheridge neighborhood on a cul-de-sac lot east of Vinewood Boulevard. The existing residence was built in 1953 and is approximately 3,384 square feet in size. The lot is 13,982 square feet in area.

Description:

The home is nonconforming as it does not meet the 40- foot rear setback. The rear façade of the residence is approximately 22 feet from the rear lot line. The proposed sunroom requires an Alteration to a Nonconforming Structure approval as it will be constructed along the same building line as the rear façade of the home. The sunroom is under construction; however, the Building Department issued a stop work order and the project is in a hold status.

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.

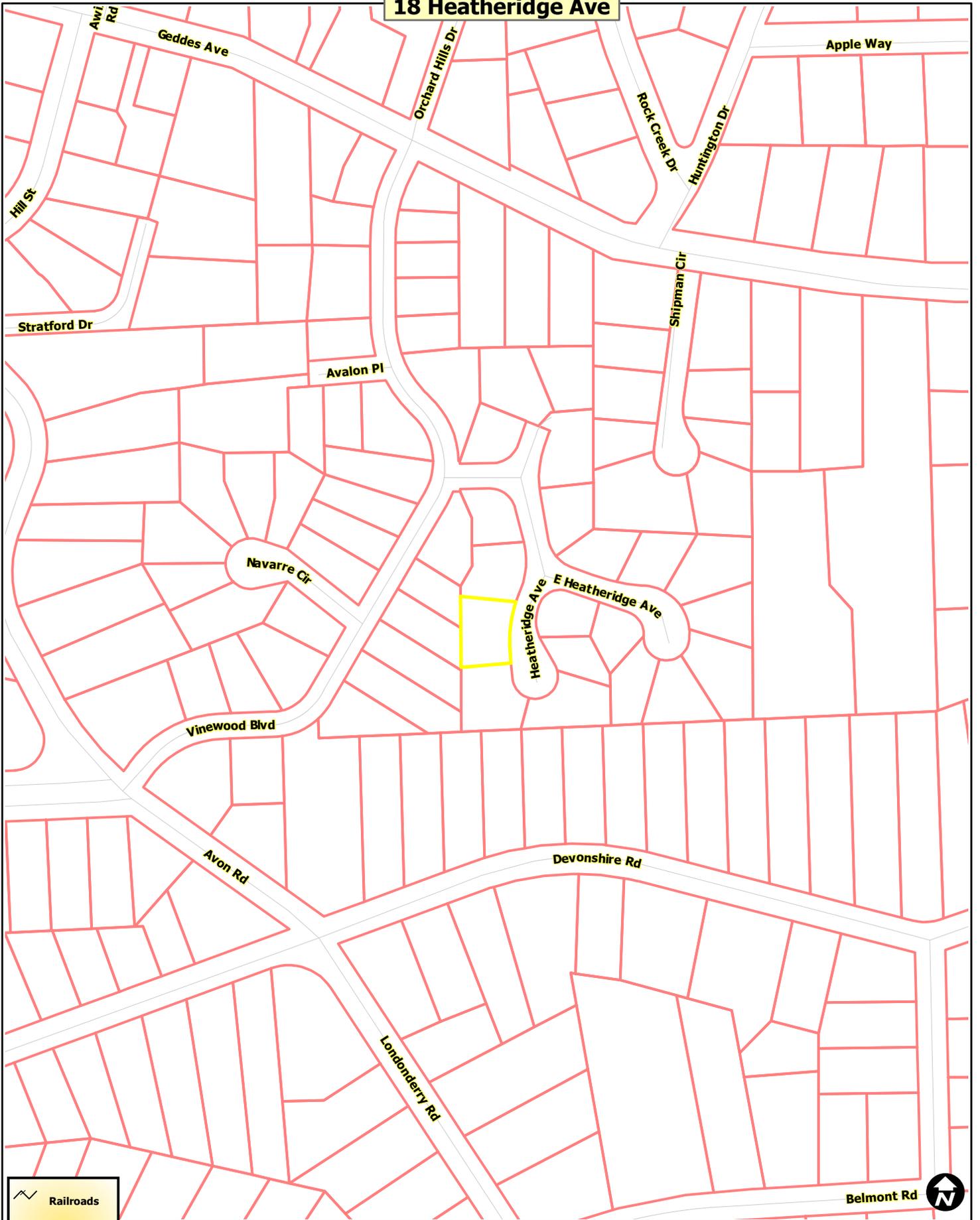
The owner states their will be no detrimental impacts on surrounding properties as the green tarp that was being used for screening purposes to the abutting property has been removed and replaced with evergreen trees. The proposed sunroom will be built over an existing concrete patio.

Respectfully submitted,



**Jon Barrett
Zoning Coordinator**

18 Heatheridge Ave

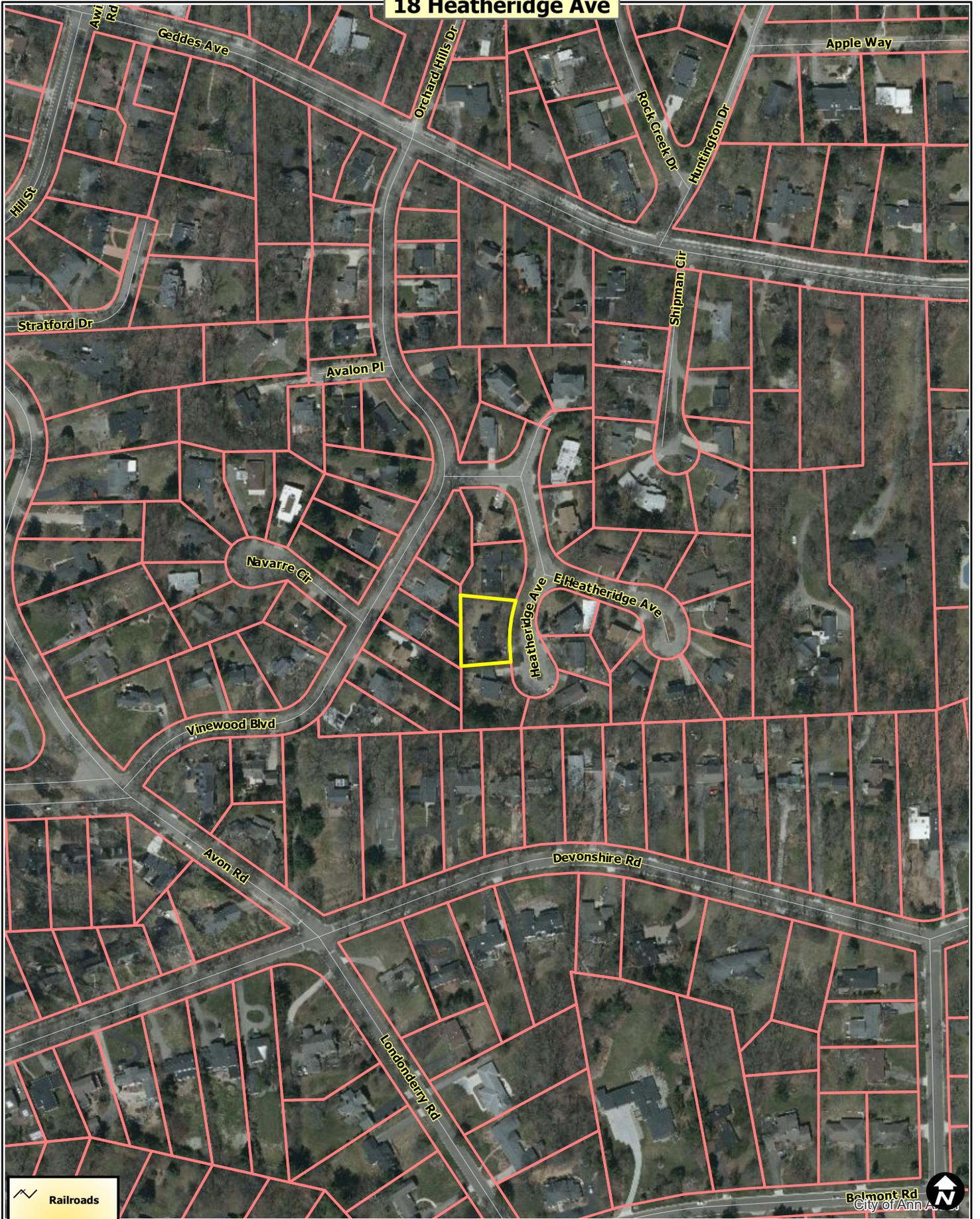


- Railroads
- Huron River
- Tax Parcels



Map date: 7/31/2020
Any aerial imagery is circa 2018
unless otherwise noted
Terms of use: www.a2gov.org/terms

18 Heatheridge Ave



- Railroads
- Huron River
- Tax Parcels



Map date: 7/31/2020
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18 Heatheridge Ave



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 7/31/2020
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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		ZIP CODE	
ZONING CLASSIFICATION	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided		
PARCEL NUMBER	OWNER EMAIL ADDRESS		

APPLICANT INFORMATION

NAME			
ADDRESS	CITY	STATE	ZIP CODE
EMAIL	PHONE		
APPLICANT'S RELATIONSHIP TO PROPERTY			

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 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.

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 : Abraham Shuman Date: _____

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)*

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

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

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

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 practical difficulties are exceptional and peculiar to the property of the Person requesting the variance, and result from conditions that do not exist generally throughout the City.

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

Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the practical difficulties 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 conditions and circumstances on which the variance request is based shall not be a self-imposed practical difficulty.

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

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 current use of the property is residential. The proposed alteration is adding a 13 feet by 20 feet sunroom. The sunroom will maintain the existing back setback as shown on the Boundary Survey. No impact on the neighboring property. Green tarp is being removed and replaced with evergreen trees. The proposed sunroom will be built over an existing concrete patio.

Please complete the table below as it relates to your request

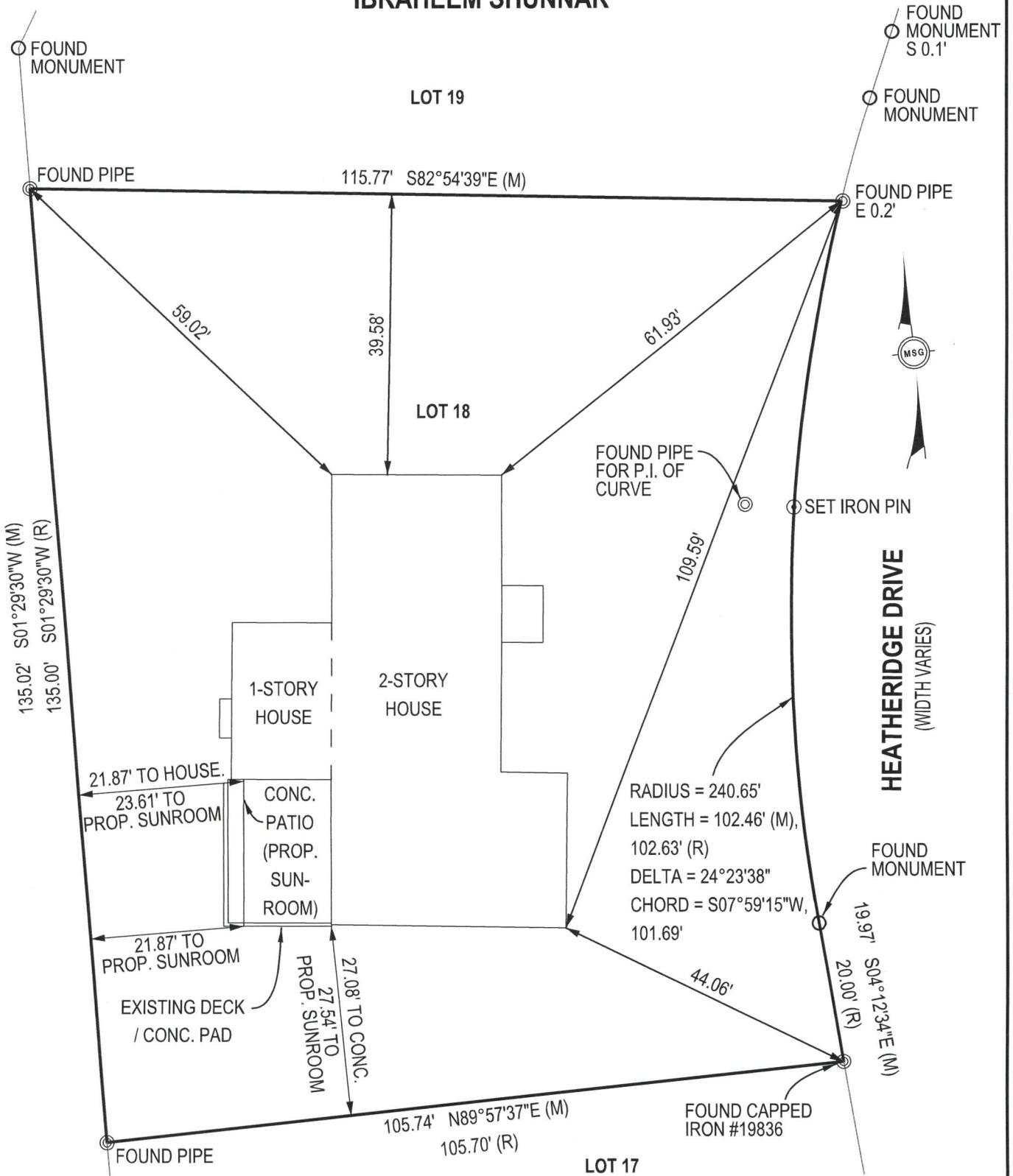
Requirement	Existing Condition	Code Requirement
Lot Area	13,982 ft ²	10,000 ft ²
Lot Width	132-135 ft	70 ft
Floor Area Ratio	0.242	
Setbacks	21.87 ft	40.00
Parking	2 Car Garage	
Landscaping	Lawn and Trees 4 sides, Berm along back	
Other	The proposed sunroom has been reduced in size to maintain the existing setback	
	Evergreen trees are being added to maintain privacy	

CERTIFICATE OF SURVEY

PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 34,
T. 2 S., R. 6 E., CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

CERTIFIED TO:

IBRAHEEM SHUNNAR



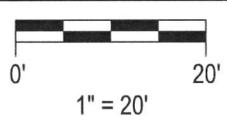
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE CITY OF ANN ARBOR, COUNTY OF WASHTENAW, STATE OF MICHIGAN, DESCRIBED AS: LOT 18, HEATHERIDGE SUBDIVISION, PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 34, T. 2 S., R. 6 E., AS RECORDED IN LIBER 10 OF PLATS, PAGE 59, WASHTENAW COUNTY RECORDS.

NOTE:

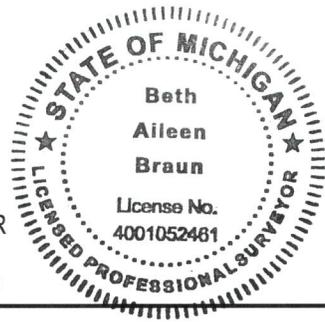
BEARINGS BASED ON THE WEST LINE OF LOT 18 PER PLAT OF HEATHERIDGE

We hereby certify that we have surveyed and mapped the land above platted and or described, and that the closure meets or exceeds a ratio of closure of 1/5000, or the positional accuracy of all property corners does not exceed 0.08 feet, and that this survey meets the requirements of P.A. Act 132 of 1970, as amended.



PREPARED FOR:
IBRAHEEM SHUNNAR
18 HEATHERIDGE DRIVE
ANN ARBOR, MICHIGAN

DRAWN BY: MMB
CHECKED BY: BAB
JOB No.: I2030001
SHEET 1 OF 1



Beth Aileen Braun
BETH AILEEN BRAUN, P.S.
LICENSED PROFESSIONAL SURVEYOR
MICHIGAN LICENSE NO. 4001052461
DATE: 07/09/2020, REVISED 09/04/2020

Mannik Smith GROUP
www.MannikSmithGroup.com

2365 HAGGERTY ROAD S.
CANTON, MICHIGAN 48188
TEL: (734) 397-3100
FAX: (734) 397-3131

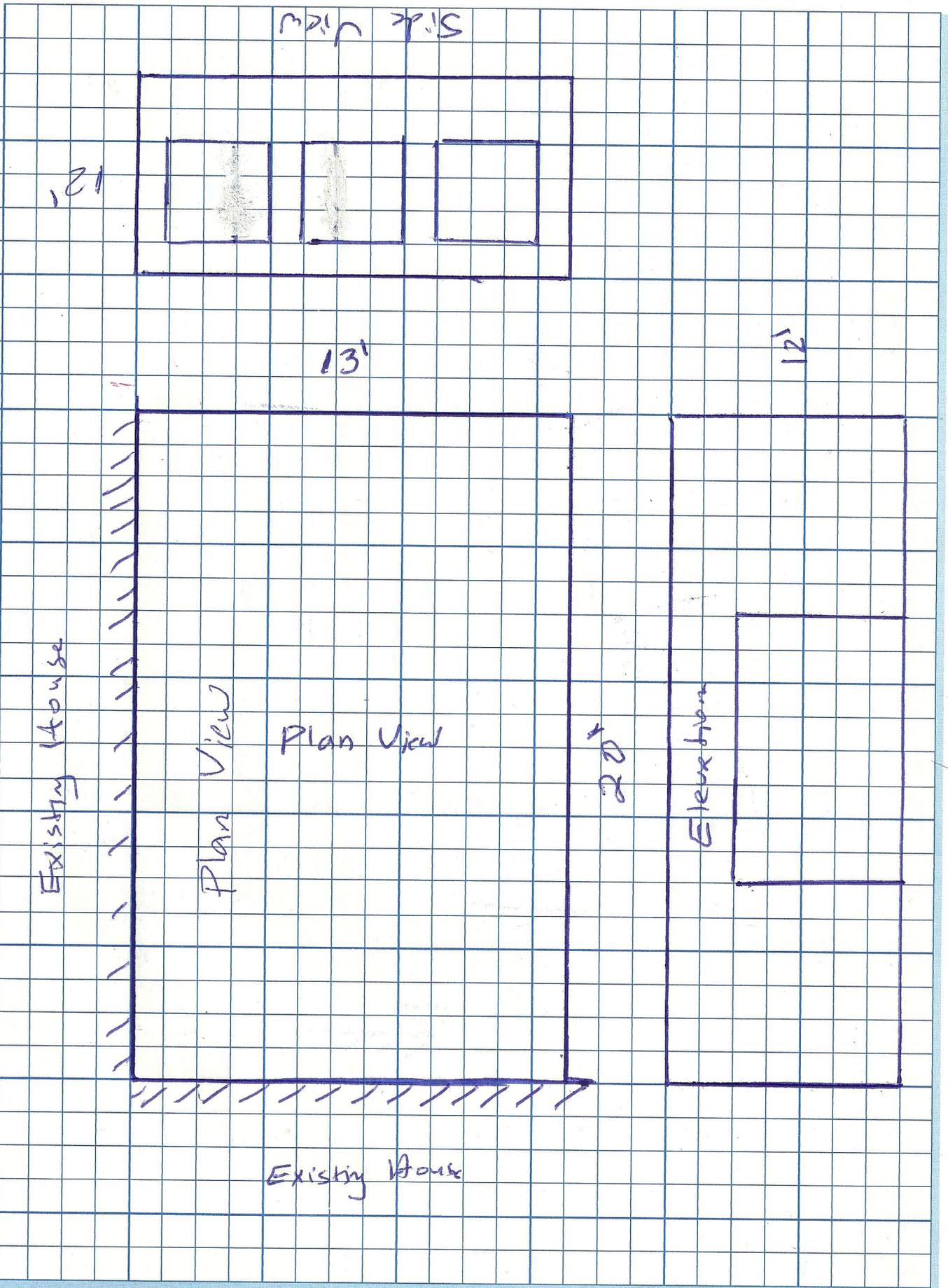
9/4/2020 1:19:45 PM W:\Projects\Projects_F\I2030001\CAD\SURVEY\I2030001_Certificate of Survey.dgn

Name: 18 Heatheridge

Date:

56

Experiment: Sunroom



Important: Place card under blue copy.