

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

STAFF REPORT

Subject: ZBA17-014; 1601 Leaird Drive

Summary:

Kamil Krainski, property owner is requesting a variance from Chapter 55 Zoning Section 5:57 Averaging an existing front setback line in order to construct a new two (2) family residential duplex on a corner lot.

Background:

The subject parcel is zoned R2A (Two-family) and the lot is 10,541 square feet in area. There is an existing vacant home, that will be demolished and replaced with a new duplex that will contain 2,500 square feet per unit. The first floor of each unit will comprise 1,175 square feet and the second floor of each unit will consist of 1,329 square feet. The total of the proposed building footprint will be 3,370 square feet and will cover thirty-two (32) percent of the lot.

Description:

The average front setback on Leaird Drive is twenty-eight (28) feet three (3) inches. The applicant is requesting a two (2) foot three (3) inch variance in order to construct the duplex at twenty-six (26) feet from the property line on the Leaird Drive side of the lot. The average front setback on Broadway Street is thirty-three (33) feet. The applicant is requesting a seven (7) foot six (6) inch variance to allow the duplex to be built at twenty-five (25) feet six (6) inches on the Broadway side of the lot.

Standards for Approval - Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

- (a). *That 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.***

Applicant states that due to a corner lot and the zoning ordinance applying two front setbacks, there is an additional average front setback which increases the setback to twenty-eight (28) feet three (3) inches and thirty-three (33) inches instead of the district requirement of twenty-five (25) feet. This additional setback requirement reduces the

building envelope significantly creating a practical difficulty for the construction of a duplex.

- (b). That the alleged hardships or 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.**

Applicant states that the hardships and practical difficulties lie within the lot having two front setbacks.

- (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 applicant states that the variance will have no negative effect on neighboring properties. The request is small and the duplex will have an additional one (1) foot of setback on the side yard from the neighbor on Broadway.

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

The conditions were existing at the property when the current owners purchased the home. The zoning ordinance imposes a double front setback and additional average setback thereby reducing the rear yard buildable area as compared to a lot with single street frontage.

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

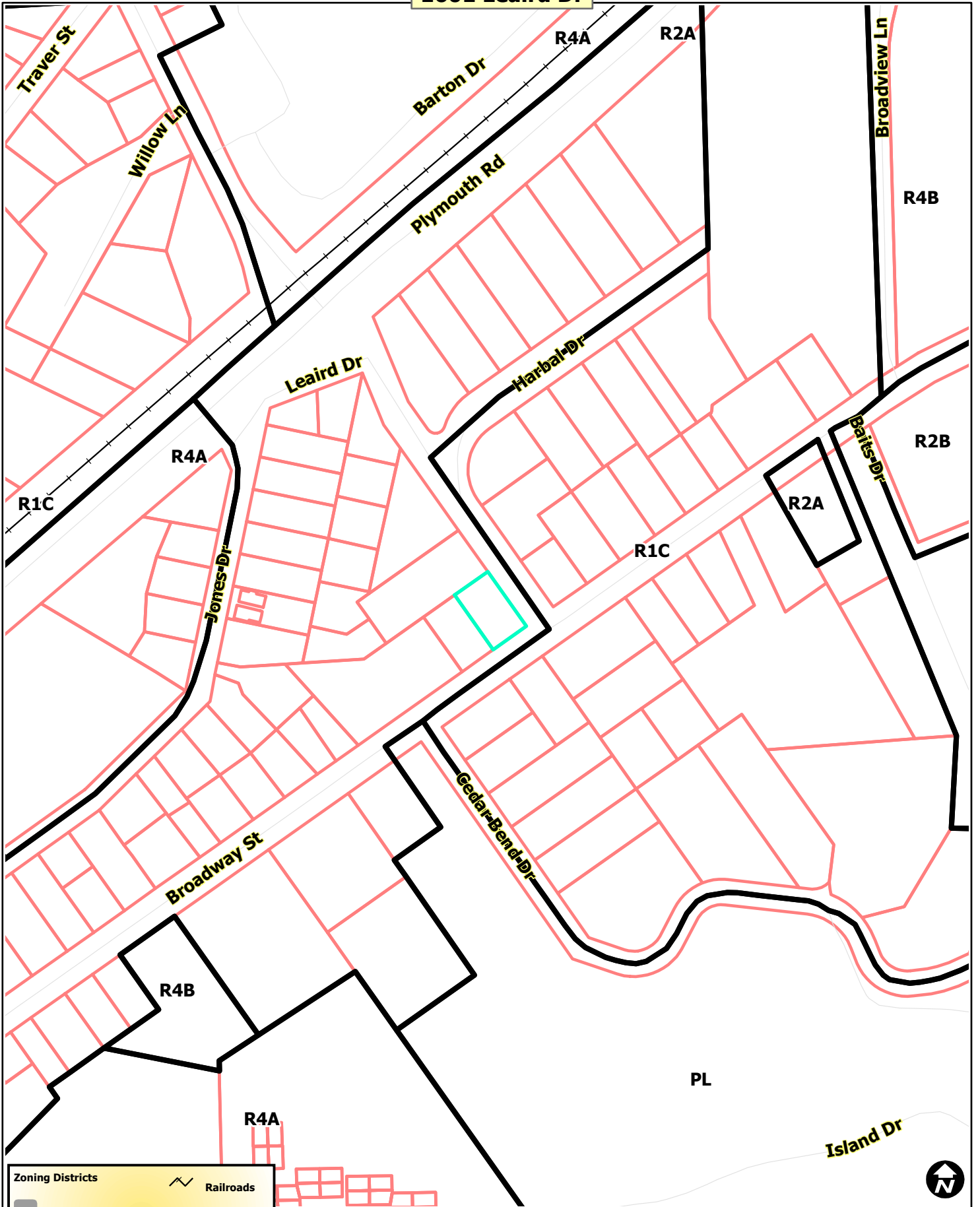
The variance, if approved, will permit construction of a new five thousand (5,000) square foot duplex that will be architecturally compatible with the structures on Leaird Drive.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized and somewhat cursive.

Jon Barrett
Zoning Coordinator

1601 Leaird Dr



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



1601 Leaird Dr



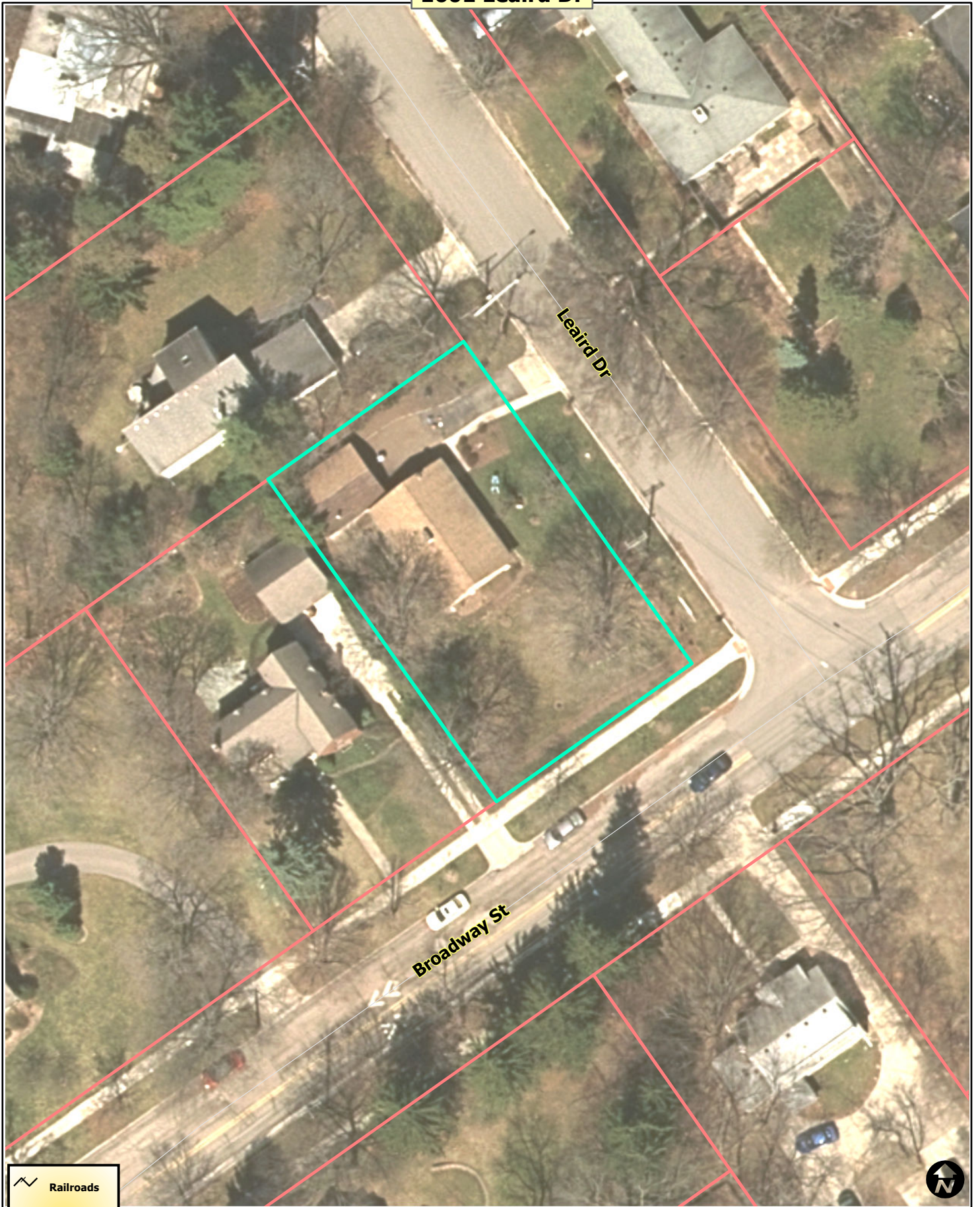
-  Railroads
-  Huron River
-  Tax Parcels



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



1601 Leaird Dr



-  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: KAMIL KRAINSKI
 Address of Applicant: 23140 Meadowbrook Rd, Novi MI 48375
 Daytime Phone: 248 971 0704
 Fax: 800 557 9120
 Email: KKRAINSKI@GMAIL.COM
 Applicant's Relationship to Property: OWNER

Section 2: Property Information

Address of Property: 1601 Leaird Dr.
 Zoning Classification: R2A
 Tax ID# (if known): 09-09-21-102-011
 *Name of Property Owner: Kamil Kraincki

**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:

Chapter 55
section 5:57

Required dimension: PROPOSED dimension:

Leaird 28.33

26

Broadway 33

25.5

Averaging an existing front setback line

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)

Proposing to construct a new duplex / 2 family residential dwelling on a corner lot.

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...)

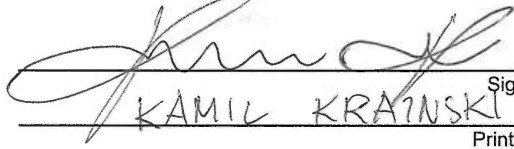
- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.

Section 7: Acknowledgement

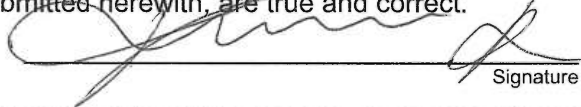
SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

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.

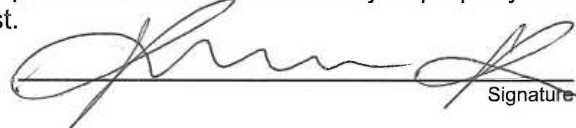
734 276 3455
 Phone Number
KKrainiski@gmail.com
 Email Address


 Signature
KAMIL KRAINISKI
 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.

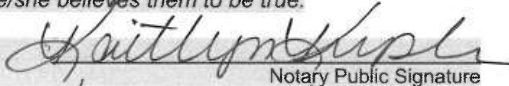

 Signature

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 29 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.

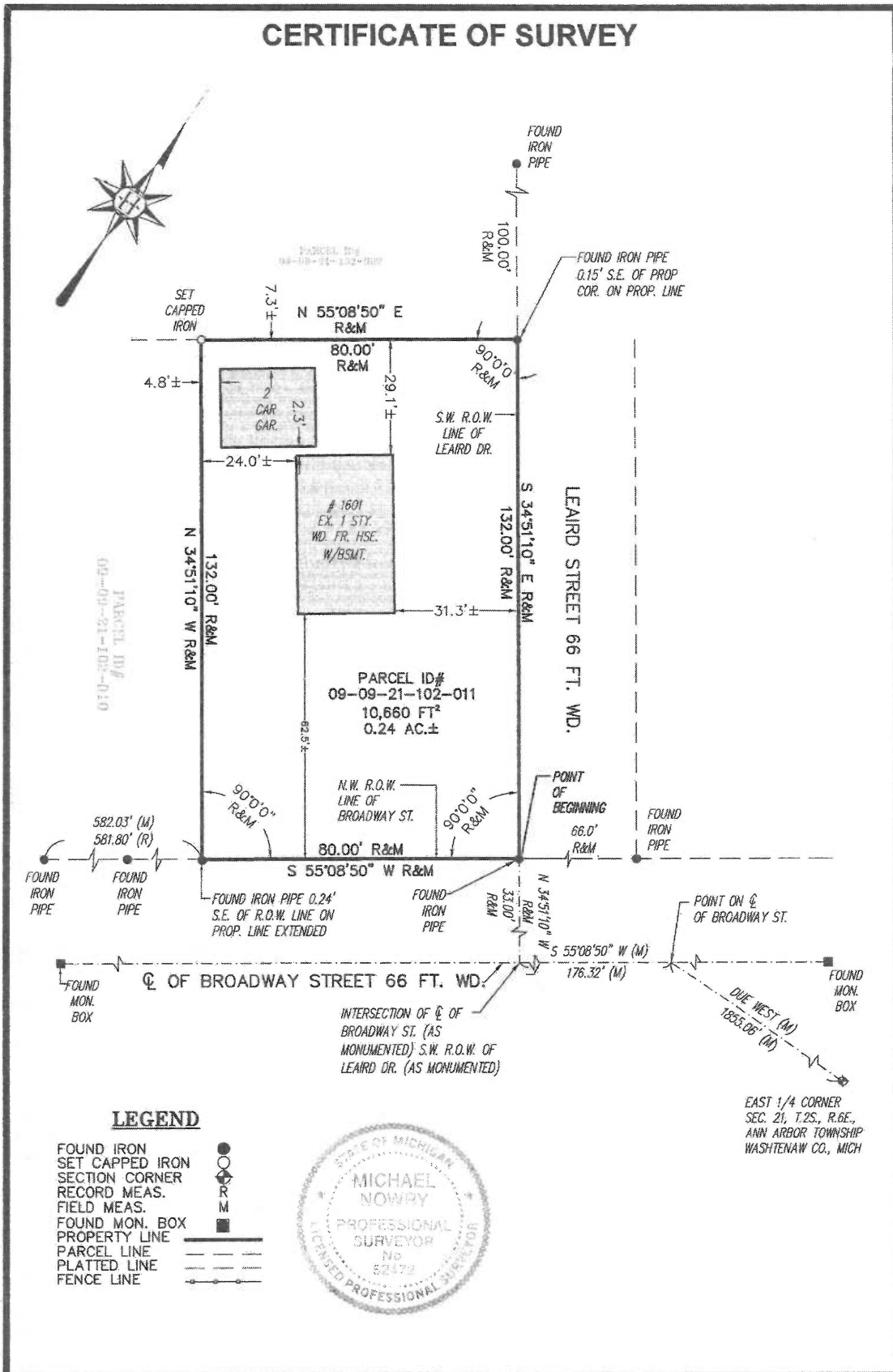
KAITLYN L. KUPLER
 Notary Public, State of Michigan
 My Commission Expires Sept. 22, 2020
 Notary Commission Expiration Date


 Notary Public Signature
Kaitlyn Kupler
 Print Name

Staff Use Only

Date Submitted: _____ Fee Paid: _____
 File No.: _____ Date of Public Hearing _____
 Pre-filing Staff Reviewer & Date _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____

CERTIFICATE OF SURVEY



LEGEND

- FOUND IRON
- SET CAPPED IRON
- SECTION CORNER
- RECORD MEAS.
- FIELD MEAS.
- FOUND MON. BOX
- PROPERTY LINE
- PARCEL LINE
- PLATTED LINE
- FENCE LINE



I, Michael J. Nowry, a Professional Surveyor in the State of Michigan do hereby Certify that the parcel of land described and delineated hereon has been surveyed under my supervision, that the plat hereon is a true representation of the survey as performed, that the error of closure is no greater than 1 in 5000 and that I have fully complied with the requirements of Section 3, Public Act 132 of 1970.

Michael J. Nowry

	SECTION: E 1/2 Sec. 21	DATE: 11/18/16	CLIENT:
	TN./RGE.: 2N./6E.	PROJ. #: 016-306	Kamil Krański
	CITY/TWP: Ann Arbor	DWG. BY: JCP/MJN	23140 Meadowbrook
	COUNTY: Washtenaw	1 INCH - 30 FEET	Novi, MI 48375
			PAGE # 1 OF 2

LEGAL DESCRIPTIONS

PARCEL# 09-09-21-102-011
 PER WARRANTY DEED LIBER 5175, PAGE 82, OF WASHTENAW COUNTY RECORDS

COMMENCING AT THE MONUMENT AT THE INTERSECTION OF THE CENTERLINE OF BROADWAY WITH THE EAST AND WEST 1/4 LINE OF SECTION 21, TOWN 2 SOUTH, RANGE 6 EAST, ANN ARBOR TOWNSHIP; THENCE WESTERLY ALONG SAID 1/4 LINE, 63.31 FEET TO THE NORTHWESTERLY LINE OF BROADWAY FOR A PLACE OF BEGINNING; THENCE NORTHWESTERLY AT RIGHT ANGLES TO BROADWAY 132.00 FEET; THENCE DEFLECTING 90 DEGREES 00 MINUTES 00 SECONDS TO THE RIGHT AND PARALLEL TO BROADWAY, 80.00 FEET TO THE SOUTHWESTERLY LINE OF LEAIRD DRIVE; THENCE DEFLECTING 90 DEGREES 00 MINUTES 00 SECONDS TO THE RIGHT 132.00 FEET TO THE NORTHWESTERLY LINE OF BROADWAY; THENCE SOUTHWESTERLY IN THE NORTHWESTERLY LINE OF BROADWAY, 80.00 FEET TO THE PLACE OF BEGINNING, BEING A PART OF THE NORTHEAST 1/4 OF SECTION 21, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, MICHIGAN.

PARCEL# 09-09-21-102-011
 AS SURVEYED ON 11/04/2016

A PARCEL OF LAND BEING PART OF THE EAST 1/2 OF SECTION 21, TOWN 2 SOUTH, RANGE 6 EAST, ANN ARBOR TOWNSHIP (NOW THE CITY OF ANN ARBOR), WASHTENAW COUNTY, MICHIGAN, MORE PARTICULARLY DESCRIBED AS COMMENCING FROM THE EAST 1/4 CORNER OF SAID SECTION 21; THENCE DUE WEST 1855.06 FEET TO A POINT ON THE CENTERLINE OF BROADWAY STREET (66.00 FEET WIDE) AS MONUMENTED; THENCE SOUTH 55 DEGREES 08 MINUTES 50 SECONDS WEST 176.32 FEET ALONG SAID CENTERLINE TO THE INTERSECTION OF SAID CENTERLINE WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF LEAIRD DRIVE (66.00 FEET WIDE) AS MONUMENTED AND EXTENDED SOUTH; THENCE NORTH 34 DEGREES 51 MINUTES 10 SECONDS WEST 33.00 FEET PERPENDICULAR TO THE CENTERLINE OF SAID BROADWAY STREET ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF LEAIRD DRIVE AS EXTENDED TO THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID BROADWAY STREET SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 55 DEGREES 08 MINUTES 50 WEST 80.00 FEET ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE; THENCE NORTH 34 DEGREES 51 MINUTES 10 SECONDS WEST 132.00 FEET PERPENDICULAR TO SAID BROADWAY STREET; THENCE NORTH 55 DEGREES 08 MINUTES 50 SECONDS EAST 80.00 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF SAID LEAIRD DRIVE; THENCE SOUTH 34 DEGREES 51 MINUTES 10 SECONDS EAST 132.00 FEET ALONG SAID LEAIRD STREET PERPENDICULAR TO SAID BROADWAY STREET TO THE POINT OF BEGINNING. CONTAINING 0.24 ACRES MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS OR RIGHT OF WAYS OF RECORD IF ANY.



I, Michael J. Nowry, a Professional Surveyor in the State of Michigan do hereby Certify that the parcel of land described and delineated hereon has been surveyed under my supervision, that the plat hereon is a true representation of the survey as performed, that the error of closure is no greater than 1 in 5000 and that I have fully complied with the requirements of Section 3, Public Act 132 of 1970.

Michael J. Nowry Professional Surveyor # 52472



**Nowry & Hale
 Land Surveying LLC**

192 N. Main, Suite D, Plymouth, MI, 48170
 ph. 734.446.3501 email. info@nowryandhalelandsurveying.com

SECTION:	E 1/2 Sec. 21	DATE:	11/10/16	CLIENT:
TN./RGE.:	2N./6E.	PROJ. #:	016-306	Kamil Krainski
CITY/TWP:	Ann Arbor	DWG. BY:	JCP/MJN	23140 Meadowbrook Novi, MI 48375
COUNTY:	Washtenaw	1 INCH - 20 FEET	PAGE # 2 OF 2	

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NOT FOR CONSTRUCTION

9% CONCEPT
25 MAR 2017
14 FEB 2017
PRELIMINARY
7 FEB 2017
5 JAN 2017
PRELIMINARY
25 NOV 2016
PRELIMINARY
18 OCT 2016
CONCEPT

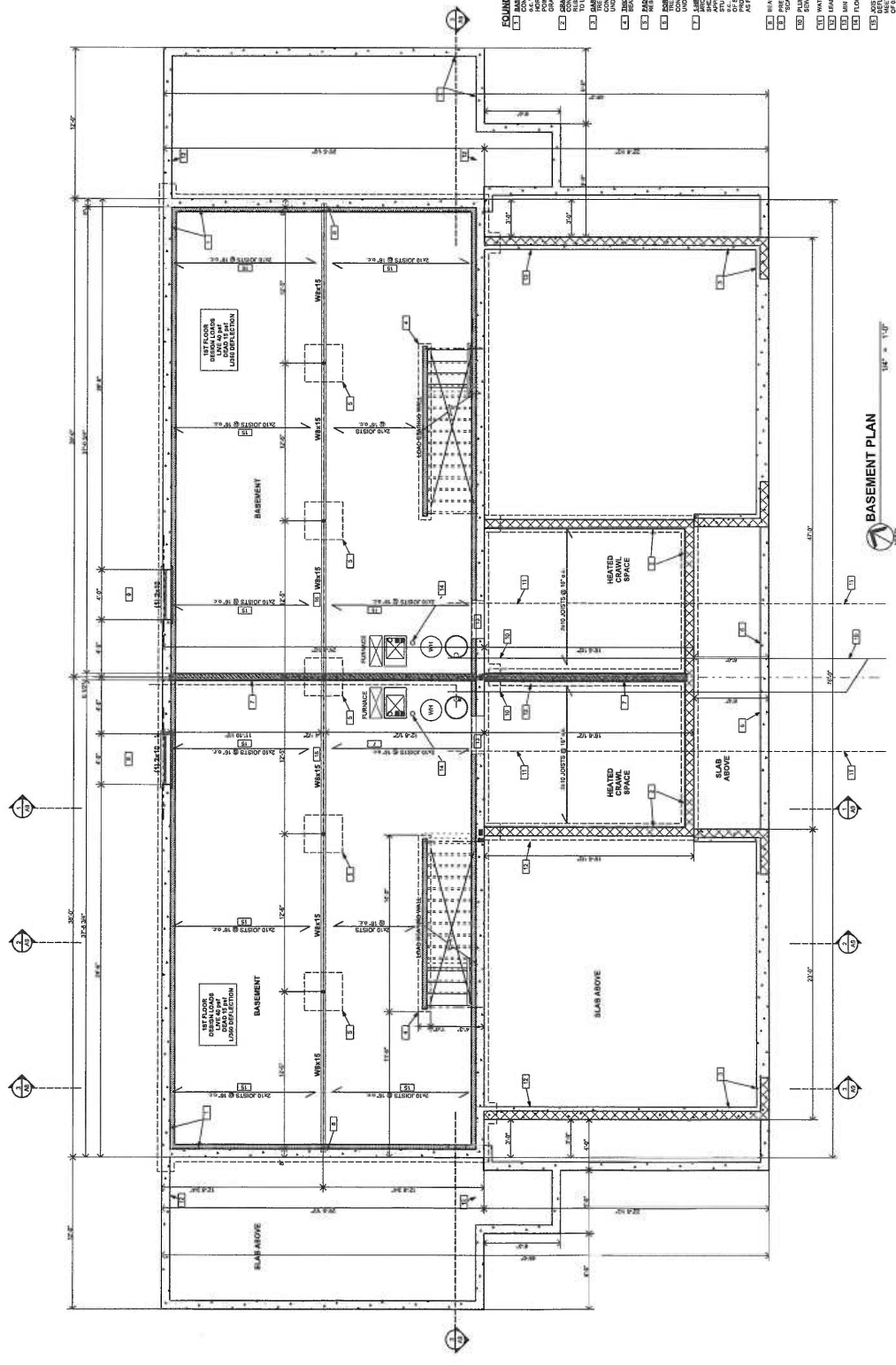
focus / design
Todd Ballou, Registered Architect
www.focusdesign.us
734.276.2110
3500 Bury Rd, Ypsilanti, MI 48198

PROJECT:
LEARD RD DUPLEX
ANN ARBOR, MI

FOUNDATION PLAN

JOB NO:
1622

SHEET NO.
A3



- FOUNDATION PLAN NOTES:**
- 1. EXTERIOR WALLS SHALL BE 16" WIDE, 24" HIGH, CONCRETE BLOCK WITH 2" POLYSTYRENE INSULATION ON THE EXTERIOR AND 2" POLYSTYRENE INSULATION ON THE INTERIOR.
 - 2. INTERIOR WALLS SHALL BE 12" WIDE, 8" HIGH, CONCRETE BLOCK WITH 2" POLYSTYRENE INSULATION ON BOTH SIDES.
 - 3. FOUNDATION SHALL BE 12" WIDE, 8" HIGH, CONCRETE BLOCK WITH 2" POLYSTYRENE INSULATION ON BOTH SIDES.
 - 4. FOUNDATION SHALL BE 12" WIDE, 8" HIGH, CONCRETE BLOCK WITH 2" POLYSTYRENE INSULATION ON BOTH SIDES.
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 - 20. FOUNDATION SHALL BE 12" WIDE, 8" HIGH, CONCRETE BLOCK WITH 2" POLYSTYRENE INSULATION ON BOTH SIDES.

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

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HALLO ENTERPRISES P.L.L.C.

**NOT FOR
CONSTRUCTION**

30 MAR 2017	REV. CONCEPT
14 FEB 2017	PRELIMINARY
27 JAN 2017	PRELIMINARY
16 JAN 2017	PRELIMINARY
22 DEC 2016	PRELIMINARY
22 DEC 2016	PRELIMINARY
31 OCT 2016	CONCEPT

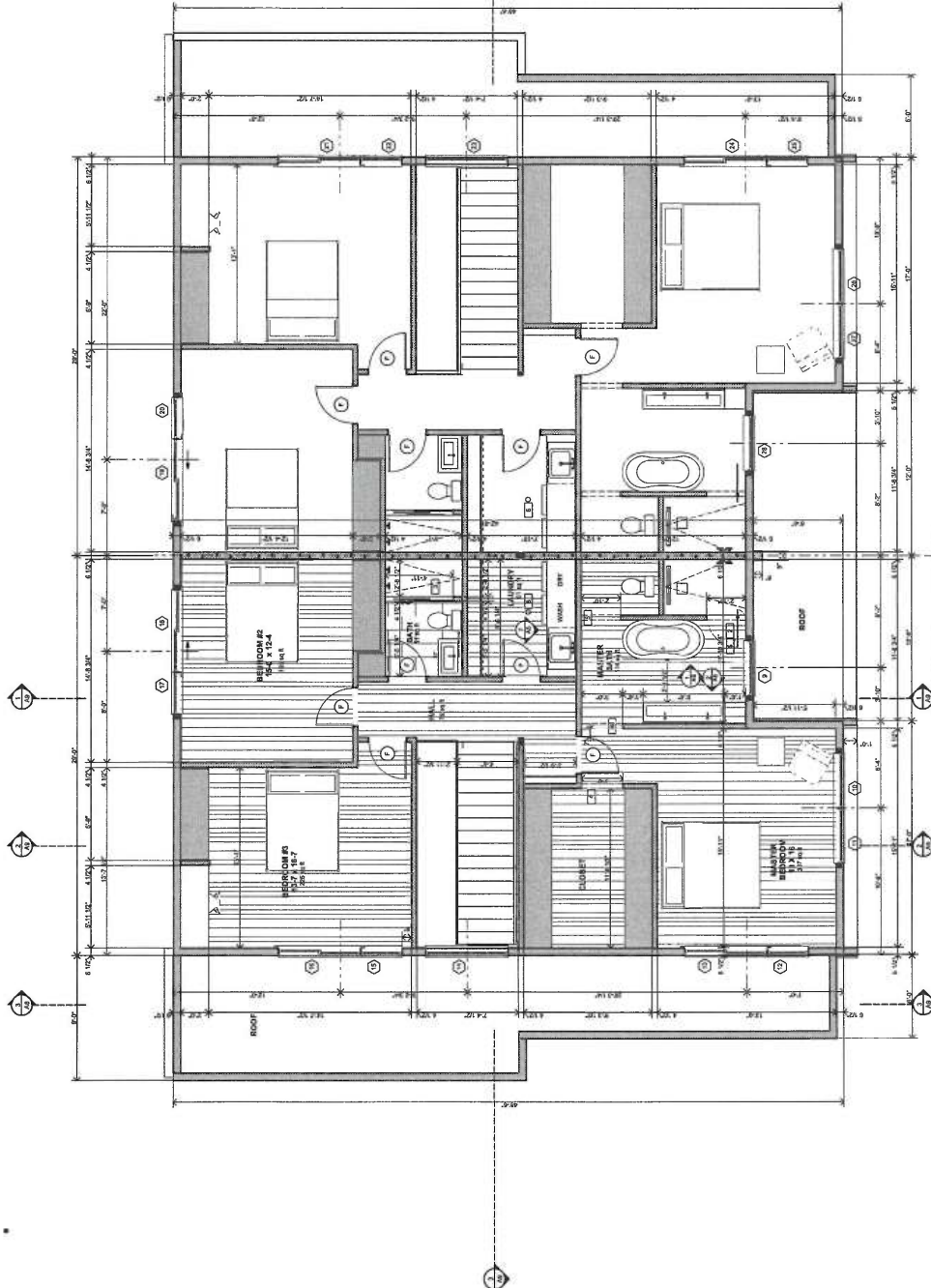
focus / design
Todd Ballew, Registered Architect
(734) 276-2110
www.focusdesign.net
focusdesign@comcast.net
3300 Barry Rd, Ypsilanti, MI 48198

PROJECT:
LEARD RD DUPLEX
ANN ARBOR, MI
TITLE: 2ND FLOOR PLAN

JOB NO:
1622

SHEET NO.
A5

- FLOOR PLAN NOTES:**
- 1. USE PREPARED WALL SEPARATED OVERLAPPING UNITS PER SPECIFICATIONS. WALL JOINTS SHALL BE 1/4" OFFSET FROM CORNER JOINTS.
 - 2. ALL WALLS SHALL BE 5/8" THICK CONCRETE BLOCK.
 - 3. ALL WALLS SHALL BE FINISHED WITH 1/2" TYPE X WATER RESISTANT BOARD STAPLED 8" ON CENTER TO ALL WALLS.
 - 4. ALL WALLS SHALL BE FINISHED WITH 5/8" TYPE X GYPSUM BOARD. ALL CEILING SHALL BE FINISHED WITH 5/8" TYPE X GYPSUM BOARD.
 - 5. ALL CEILING SHALL BE FINISHED WITH 5/8" TYPE X GYPSUM BOARD.
 - 6. ALL CEILING SHALL BE FINISHED WITH 5/8" TYPE X GYPSUM BOARD.
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 - 98. 1/2" X 1/2" X 1/2" MODULAR JOISTEER FLOOR JOIST BY MAXX 16-24
 - 99. 1/2" X 1/2" X 1/2" MODULAR JOISTEER FLOOR JOIST BY MAXX 16-24
 - 100. 1/2" X 1/2" X 1/2" MODULAR JOISTEER FLOOR JOIST BY MAXX 16-24



2ND FLOOR PLAN
1/4" = 1'-0"

CONTRACTOR: BULLDOG CONTRACTORS

NOT FOR CONSTRUCTION

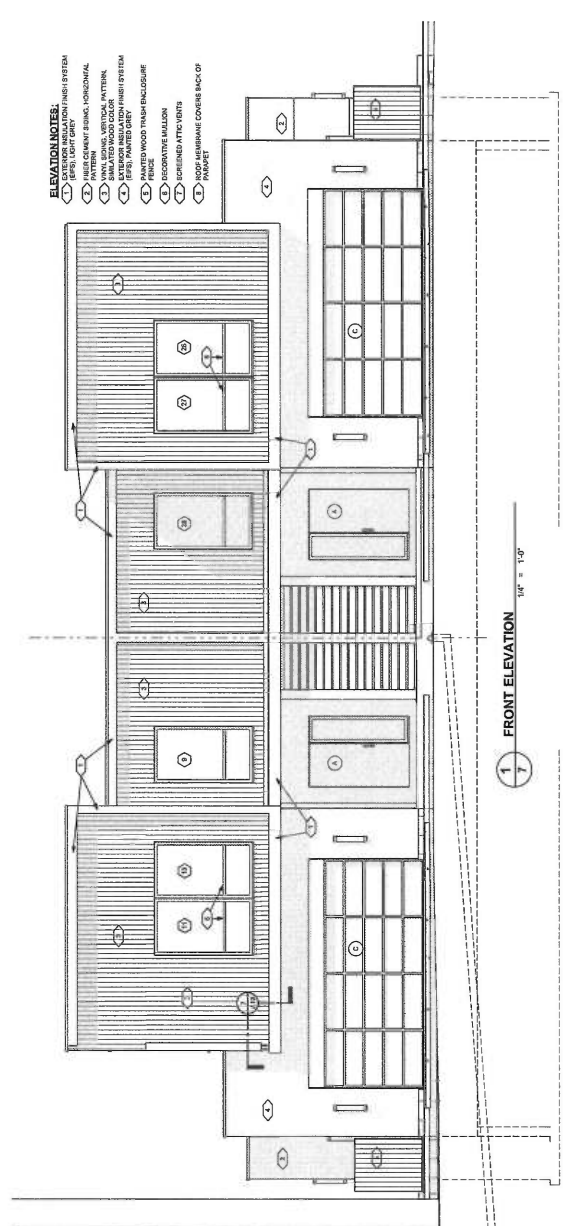
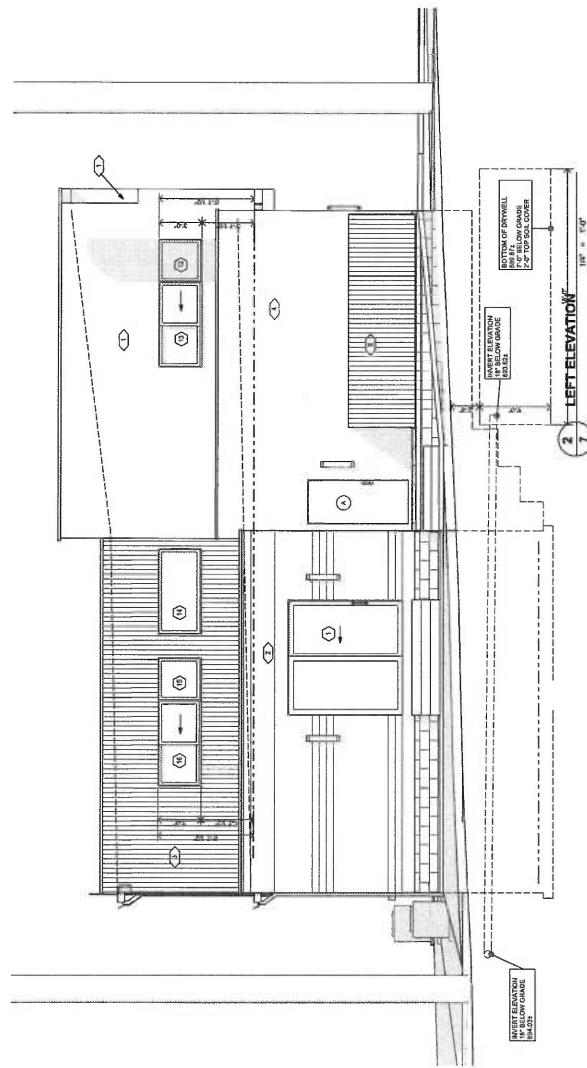
9% COUNT DOOR
25 MAR 2017
10% COUNT DOOR
17 FEB 2017
PRELIMINARY
74 FEB 2017
15% COUNT DOOR
8 JAN 2017
PRELIMINARY
25 NOV 2016
PRELIMINARY
13 OCT 2016
CONCEPT

focus / design
Todd Ballou, Registered Architect
www.focusdesign.us
focusdesign@comcast.net
(734) 276-2110
3000 Berry Rd, Ypsilanti, MI 48198

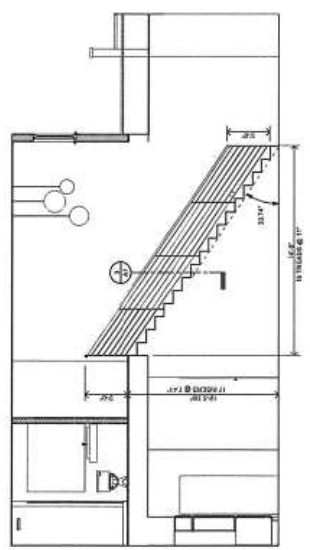
PROJECT: LEARD RD DUPLEX
ANN ARBOR, MI
TITLE: ELEVATIONS

JOB NO: 1622

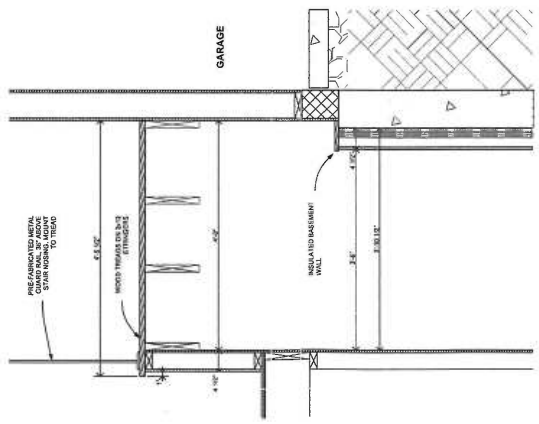
SHEET NO. A7



- ELEVATION NOTES:
- 1. EXTERIOR FINISHES: SYSTEM
 - 2. INSULATION: HORIZONTAL
 - 3. INSULATION: HORIZONTAL
 - 4. INTERIOR FINISHES: SYSTEM
 - 5. INTERIOR FINISHES: SYSTEM
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 - 100. INTERIOR FINISHES: SYSTEM



4 STAIR ELEVATION 1/4" = 1'-0"



3 STAIR DETAIL 1/4" = 1'-0"

