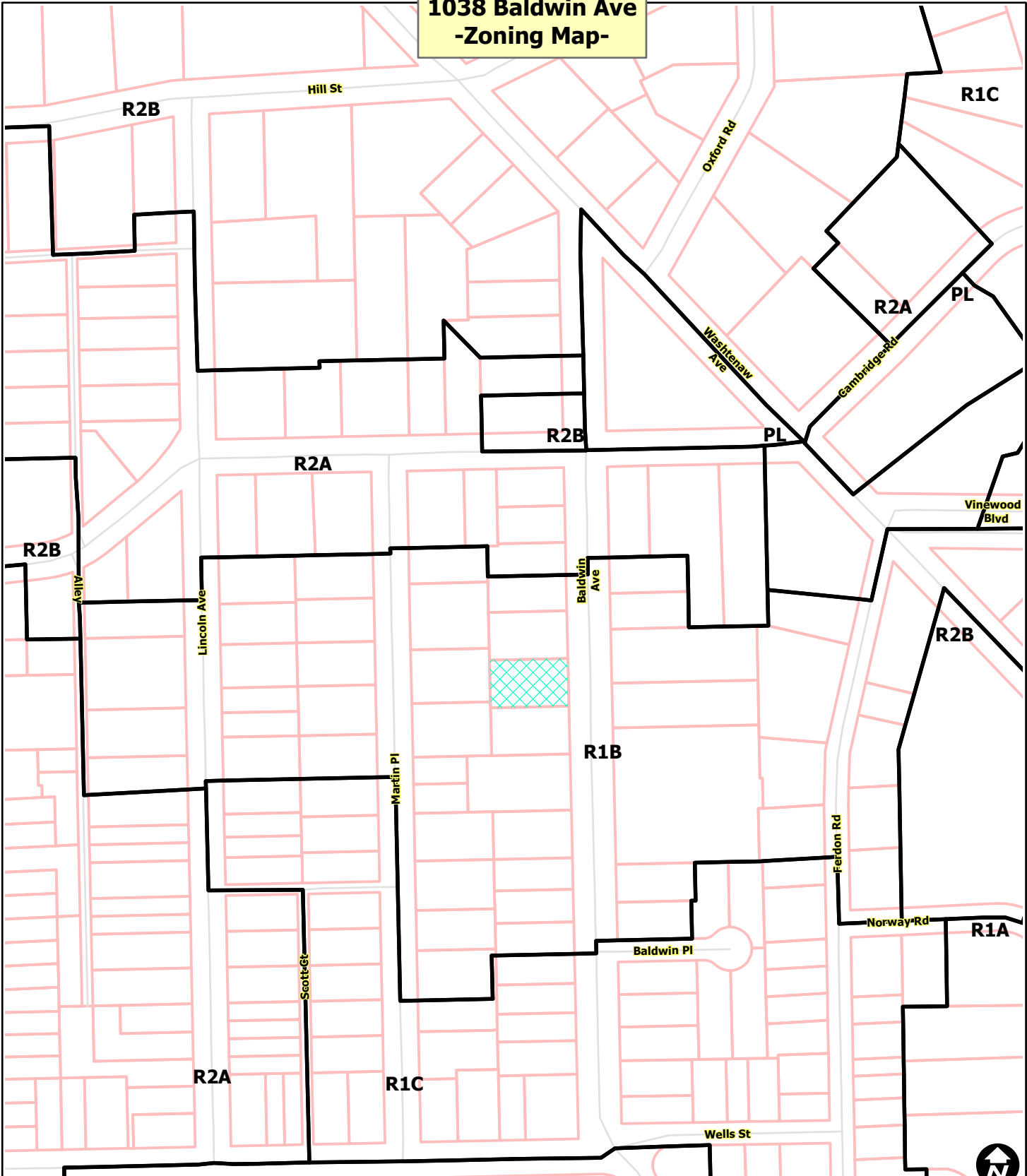


1038 Baldwin Ave -Zoning Map-



Zoning

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



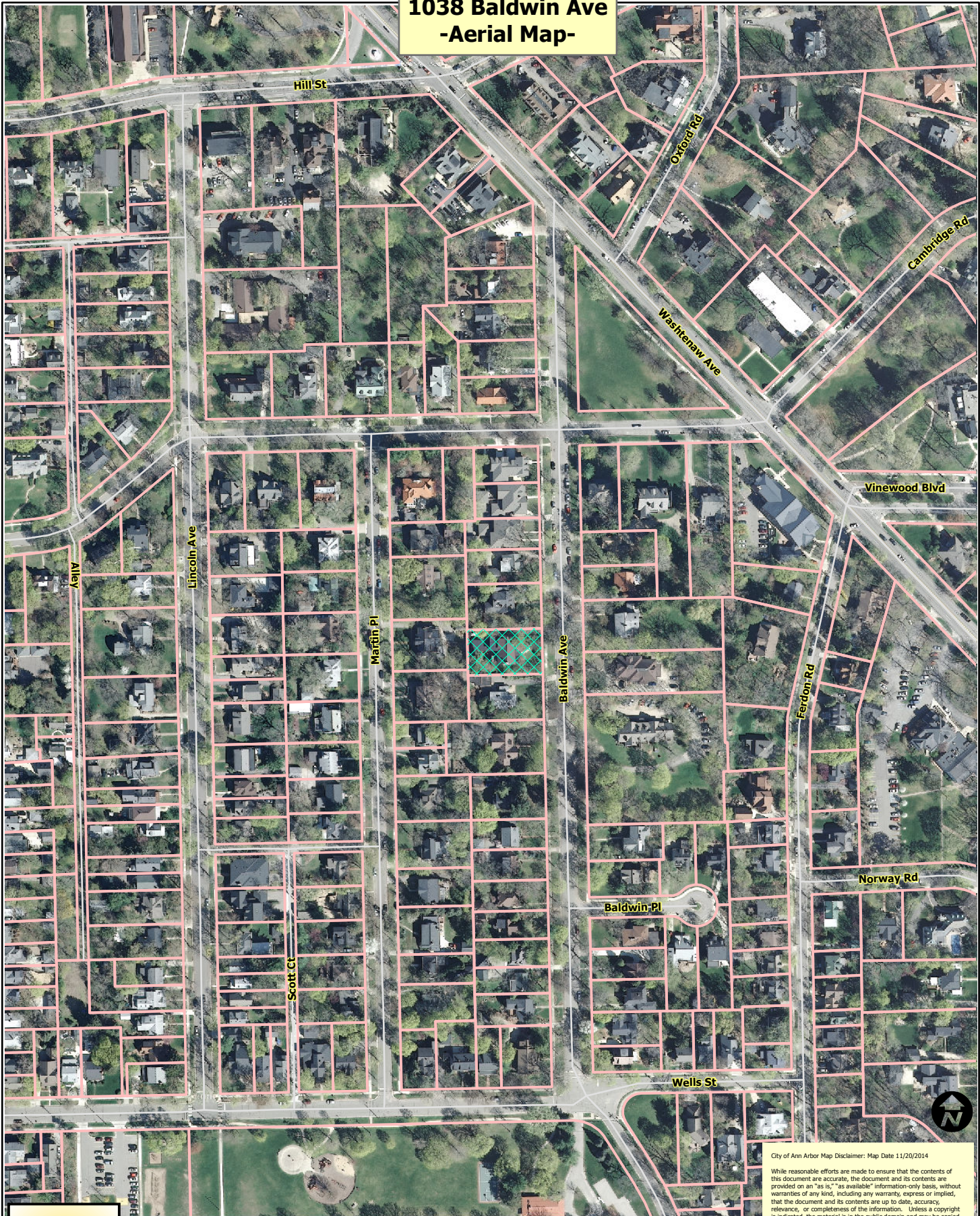
City of Ann Arbor Map Disclaimer: Map Date 11/20/2014

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1038 Baldwin Ave -Aerial Map-



-  Railroads
-  Parcels
-  Huron River

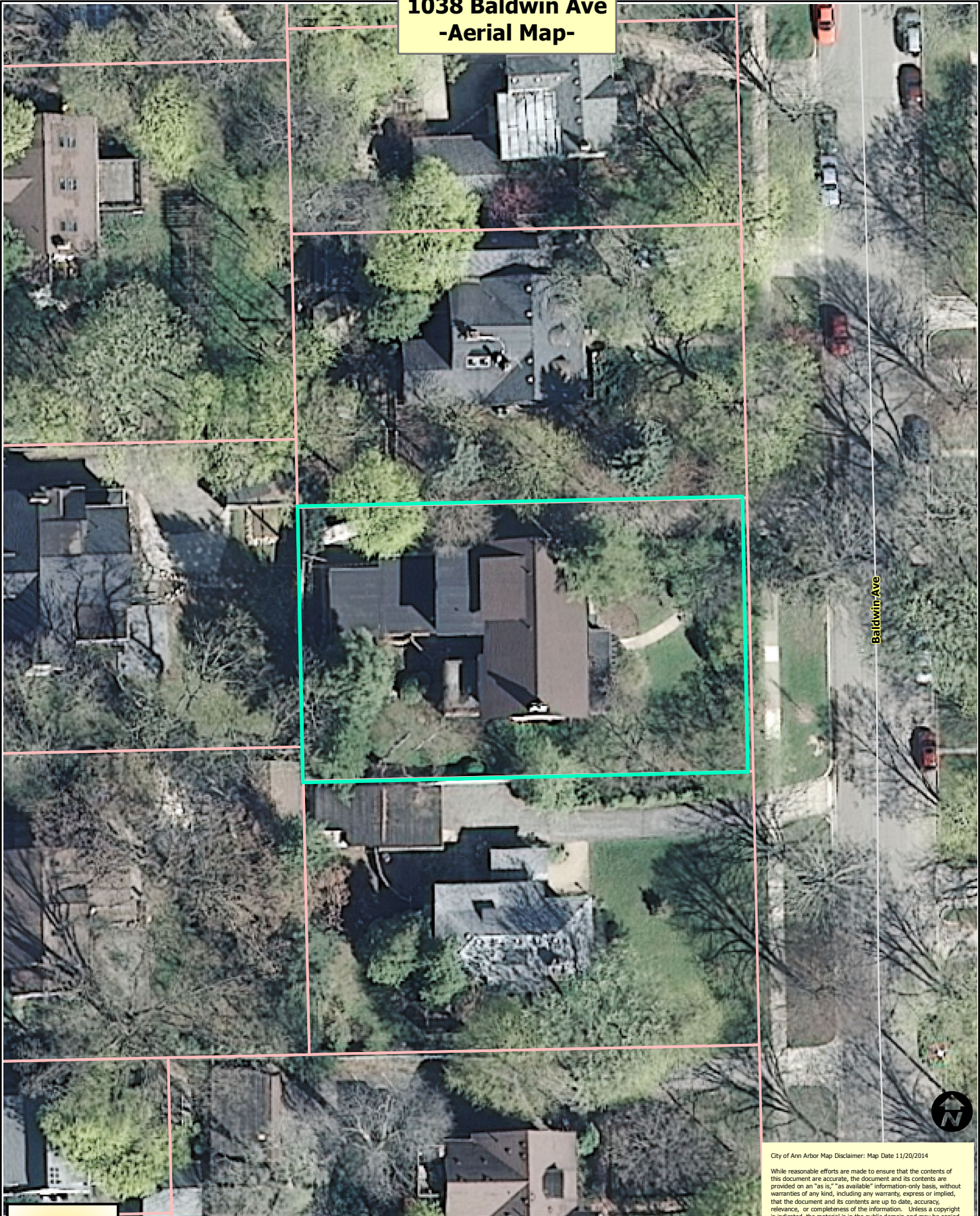


City of Ann Arbor Map Disclaimer: Map Date 11/20/2014

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**1038 Baldwin Ave
-Aerial Map-**



-  Railroads
-  Parcels
-  Huron River



City of Ann Arbor Map Disclaimer: Map Date 11/20/2014

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

Section 1: Applicant Information

Name of Applicant: WINCOLN A. POLEY
Address of Applicant: 234 NICKELS ARCADE . 48104
Daytime Phone: 734.665.0211
Fax: _____
Email: lpoleyaia@ameritech.net
Applicant's Relationship to Property: ARCHITECT

Section 2: Property Information

Address of Property: 1038 BALDWIN AVENUE
Zoning Classification: R1B
Tax ID# (if known): 09-09-33-104.028
*Name of Property Owner: WILLIAM ZIRINSKY + RUTH SCHEKTER

**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 5:24

Required dimension: PROPOSED dimension:

40' REAR SETBACK 23'-3'

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)

SEE ATTACHMENT #1

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)

SEE ATTACHMENT # 2

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 SINGLE FAMILY RESIDENTIAL

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	12,760 S.F.	10,000 S.F.
Lot width	88 FEET	70 FEET
Floor area ratio		
Open space ratio		
Setbacks	48.5' F./19.5' SIDE/17.6'S./40'R.	30' F./5' ONE SIDE/14' TOTAL/40'R.
Parking	3 CARS	1 REQUIRED
Landscaping		
Other		

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

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:

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit _____

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)

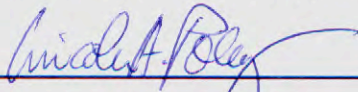
- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written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

Section 7: Acknowledgement

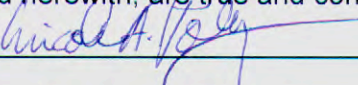
SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

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.

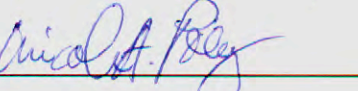
734-665-0211
 Phone Number
LPOLEYAIA@AMERITECH.NET
 Email Address

x  Signature
LINCOLN A. POLEY Print Name

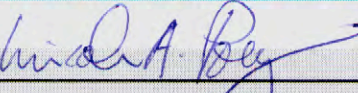
I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.

x  Signature

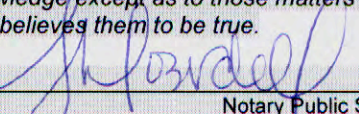
Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

x  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.**

x  Signature

On this 18 day of November, 2014, 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

February 26, 2021 TIARRA DOWDELL Tiarra Dowdell
 Notary Commission Expiration Date NOTARY PUBLIC - STATE OF MICHIGAN County of Washtenaw Print Name
 My Commission Expires Feb. 26, 2021
 Acting in the County of Washtenaw

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: _____

ATTACHMENT #1

SECTION 3: Request Information

Give a detailed description of the work you are proposing and why it will require a variance.

This proposed project includes remodeling the existing kitchen space and the addition of a family space, breakfast area, and rear entry mudroom/stair.

There are currently two attached garages at the rear of the home. One is a 2-car garage and one is a large 1-car garage. The 1-car garage is furthest from the residence.

The proposed plan calls for the new family room, breakfast area, stair and mudroom to be built in the footprint of the 2-car attached garage. The 1-car garage would remain and a carport would be constructed over the entry drive to this garage.

The proposed plan would require a variance, as the new family room/breakfast area/stair and mudroom would be constructed 16'-9" into the rear yard setback. The total area of the addition to be constructed in the rear yard setback is 405 square feet.

ATTACHMENT #2

SECTION 4: Variance Request

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?

The hardship/practical difficulties to complying with the ordinance stem from the layout of the existing home on the lot and the formal 1st floor plan of a residence constructed in 1913. The living spaces are far from the kitchen making it difficult to provide the desired home environment where the family can share more time together during the daily routine of meal preparation. The proposed open plan concept (kitchen /family room/ breakfast room) would create a living space that follows current housing trends where family gathering and family functions are enhanced through open living spaces.

The practical difficulties could be considered somewhat unique to the other newer properties in the city in that they stem from the age of the home. The placement of the home on the property also provides for a considerably larger front yard setback than is required for the current zoning district. The new addition would only be a one story addition that would add a total of 405 square feet beyond the rear yard setback line.

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

The Owners have lived in this home for twenty-three years and intend to stay in the location, but the lifestyle for a family with two young children requires changes to the existing home. The location for the proposed addition is following natural housing trends, where families want kitchen and family spaces open and connected for increased family time together.

This structural modification is not intended to provide the Owners with a higher financial return. The cost of the addition will most likely not garner a full return on investment if sold.

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

There is currently a 2-car garage in the location of the proposed family room addition. The structural modification would maintain the footprint of the existing garage. The modification to the structure would likely add only a half story in height to the existing structure. The walls of the family room addition would only add 6 feet to 7 feet of height to the existing garage, which would only have a minimal impact on the appearance of the existing structure.

Despite the proposed addition being outside of the prescribed building envelope, this option provides less impact on neighboring properties than the option to build to the south side of the existing home. Building to the south side of the home would enlarge the footprint of the home and put the home in closer proximity to its neighbor. The proposed option will maintain the existing footprint of the home while only minimally increasing the height at the location of the addition, 16'-9" into the rear yard setback.

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?

The home is a 100+ year old residence and therefore the room locations and configurations limit the options for creating the kitchen/ family room space. Putting the addition in the available space within the building envelope would negatively impact several rooms and not provide the desired relationship between spaces. Building in the space available in the building envelope will increase the footprint of the home instead of maintaining it as is proposed.

The existing home front yard setback is much larger than required for this zoning district and as a result, pushes the home more towards the rear yard setback than would be required for a new home built in this zoning district.

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

It could be considered a partially self-imposed condition because the layout of the rooms within the home was an existing condition at the time of the purchase. However, the Owners purchased the home twenty-three years ago and their needs have changed over that period of time.

Bill Zirinsky + Ruth Schekter
1038 Baldwin Avenue
Ann Arbor, Michigan 48104

November 14, 2014

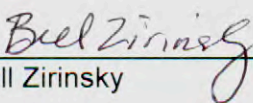
Zoning Board of Appeals
City of Ann Arbor
Larcom City Hall
301 East Huron Street
Ann Arbor, Michigan 48104

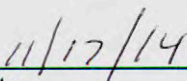
RE: LETTER of AUTHORIZATION
FOR: Zoning Board of Appeals Application for 1038 Baldwin Avenue, Ann Arbor
PROPERTY OWNERS: Bill Zirinsky and Ruth Schekter

Dear ZBA Members:

We, Bill Zirinsky and Ruth Schekter, are writing this letter to indicate that we give our permission for Lincoln Poley, Architect to appear on our behalf, before the Ann Arbor Zoning Board of Appeals, with respect to seeking a variance to construct a small addition within the rear setback of our property at 1038 Baldwin Avenue.

Sincerely,

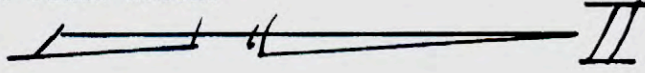

Bill Zirinsky


Date

Ruth Schekter

Date

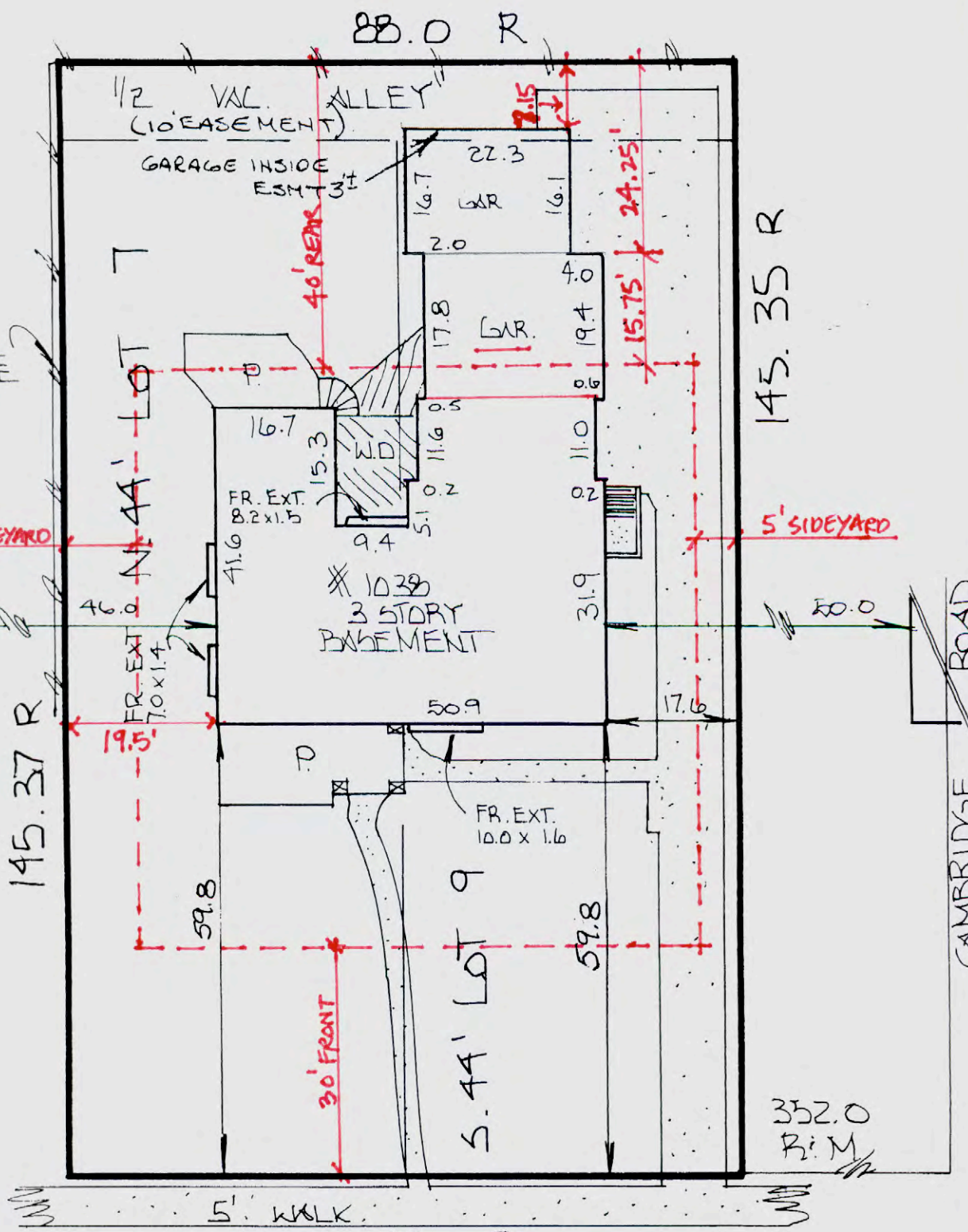
Description North 44 feet Lot 7 and South 44 feet Lot 9 including 1/2 adjacent vacated alley, Olivia B. Hall's Second Subdivision, City of Ann Arbor, Washtenaw County, Michigan. Recorded in Liber 1, Page 46 Plats W.C.R.



Northville, MI 48167

459 E. Cady

& LINCOLN ASSOCIATES, INC.

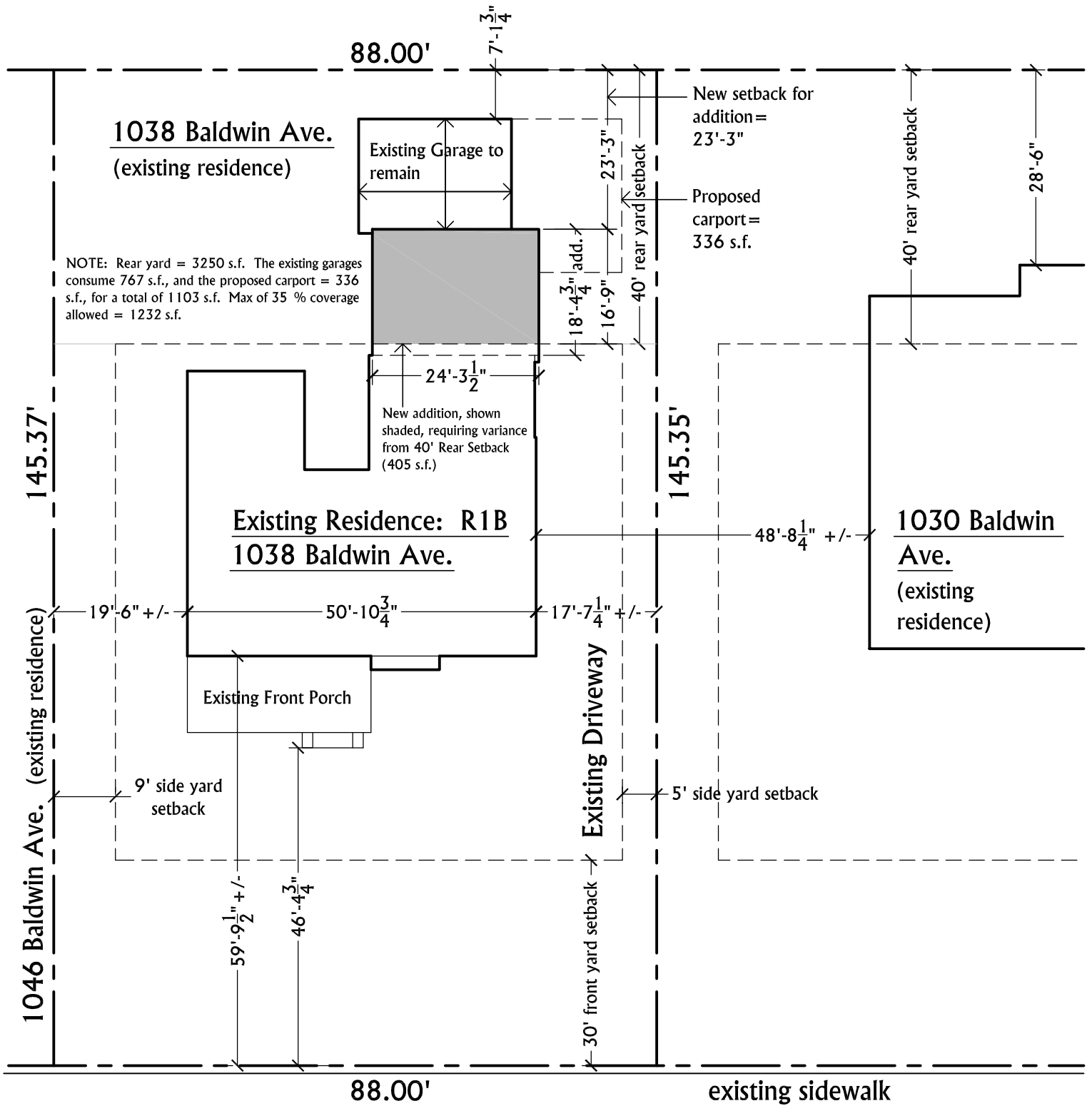


SCHKETER-ZIRINSKY RESIDENCE

BALDWIN AVE. 79.86' WD.
35' ABPH.

① 1038 BALDWIN - EXISTING SITE PLAN/SURVEY ARCHITECT: LINCOLN A. POLEY, AIA ANN ARBOR, MI. SCALE: 1" = 20'-0"

MORTGAGE CERTIFICATE



Tree Lawn

SCHEKTER-ZIRINSKY RESIDENCE

BALDWIN AVE.

2

1038 BALDWIN AVE.

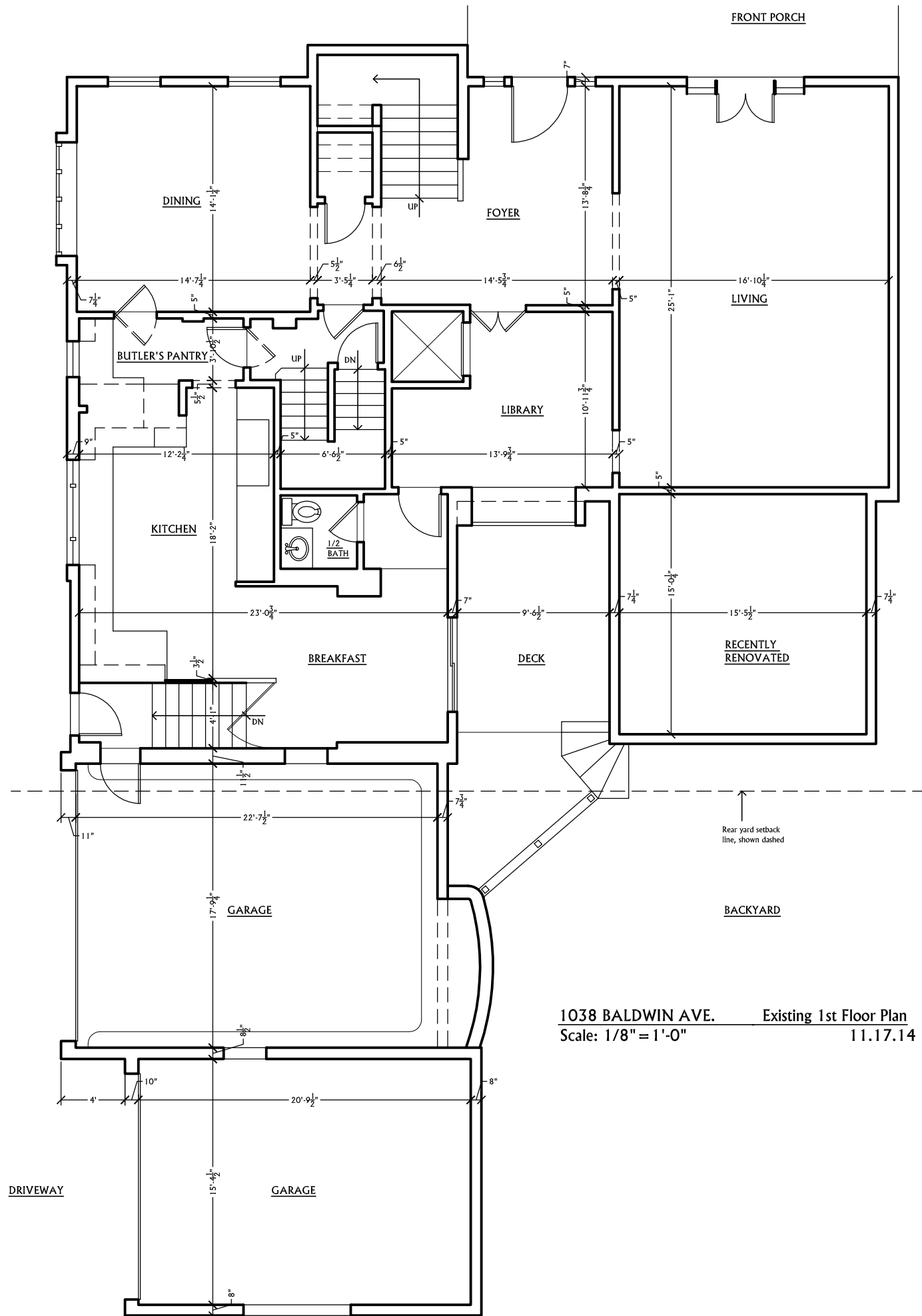
Proposed Site Plan

Scale: 1" = 20'-0"

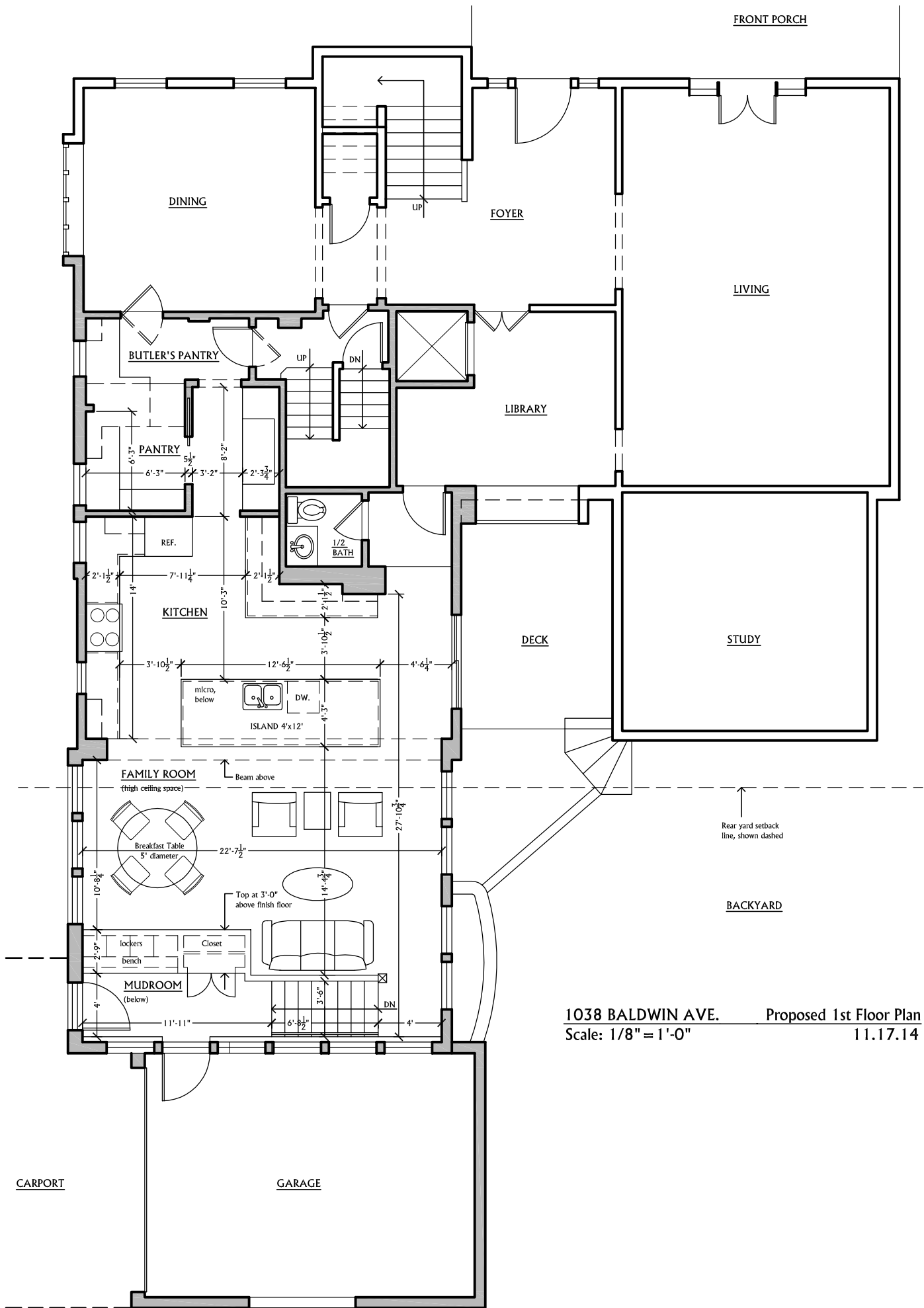
11.17.14

Architect: Lincoln A. Poley, AIA

Ann Arbor, MI

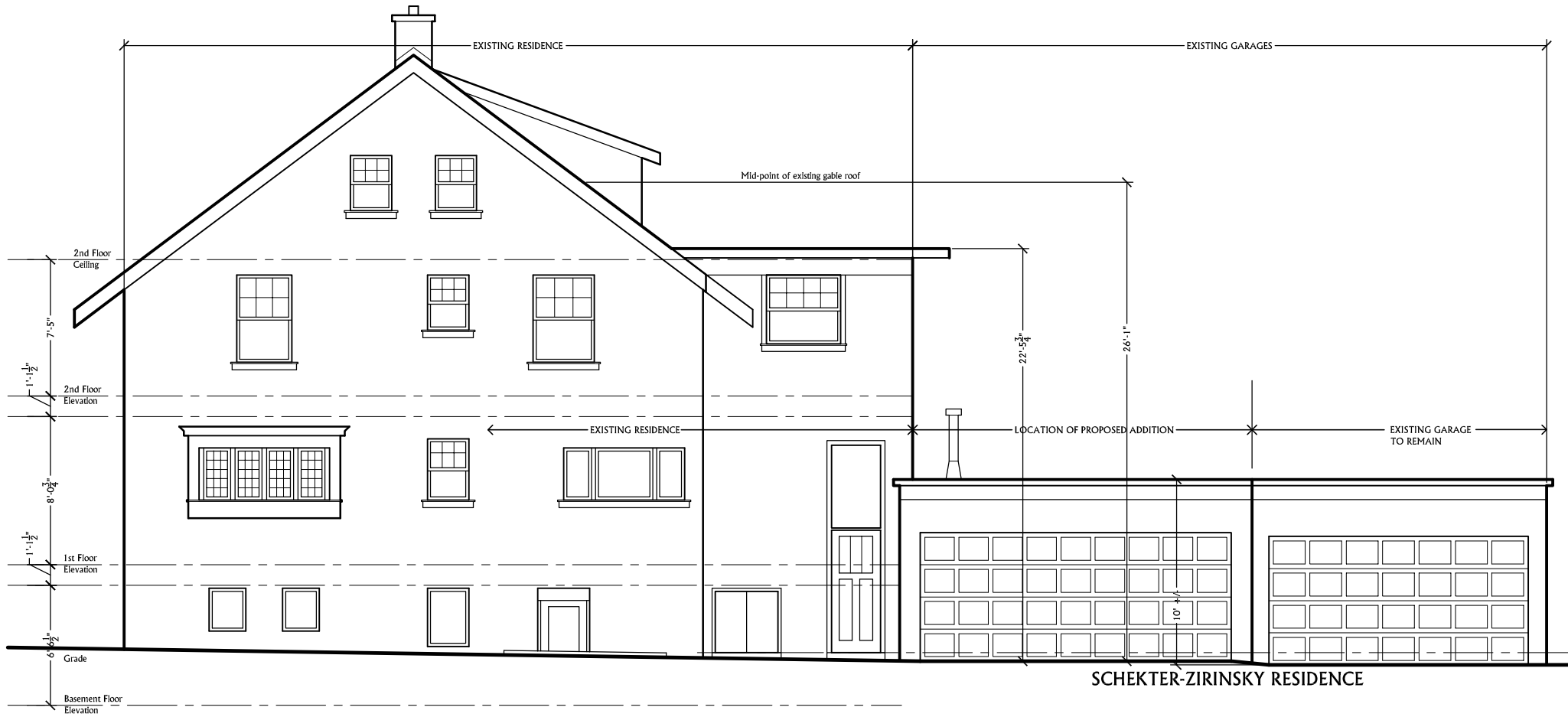


1038 BALDWIN AVE. Existing 1st Floor Plan
 Scale: 1/8" = 1'-0" 11.17.14



1038 BALDWIN AVE.
 Scale: 1/8" = 1'-0"

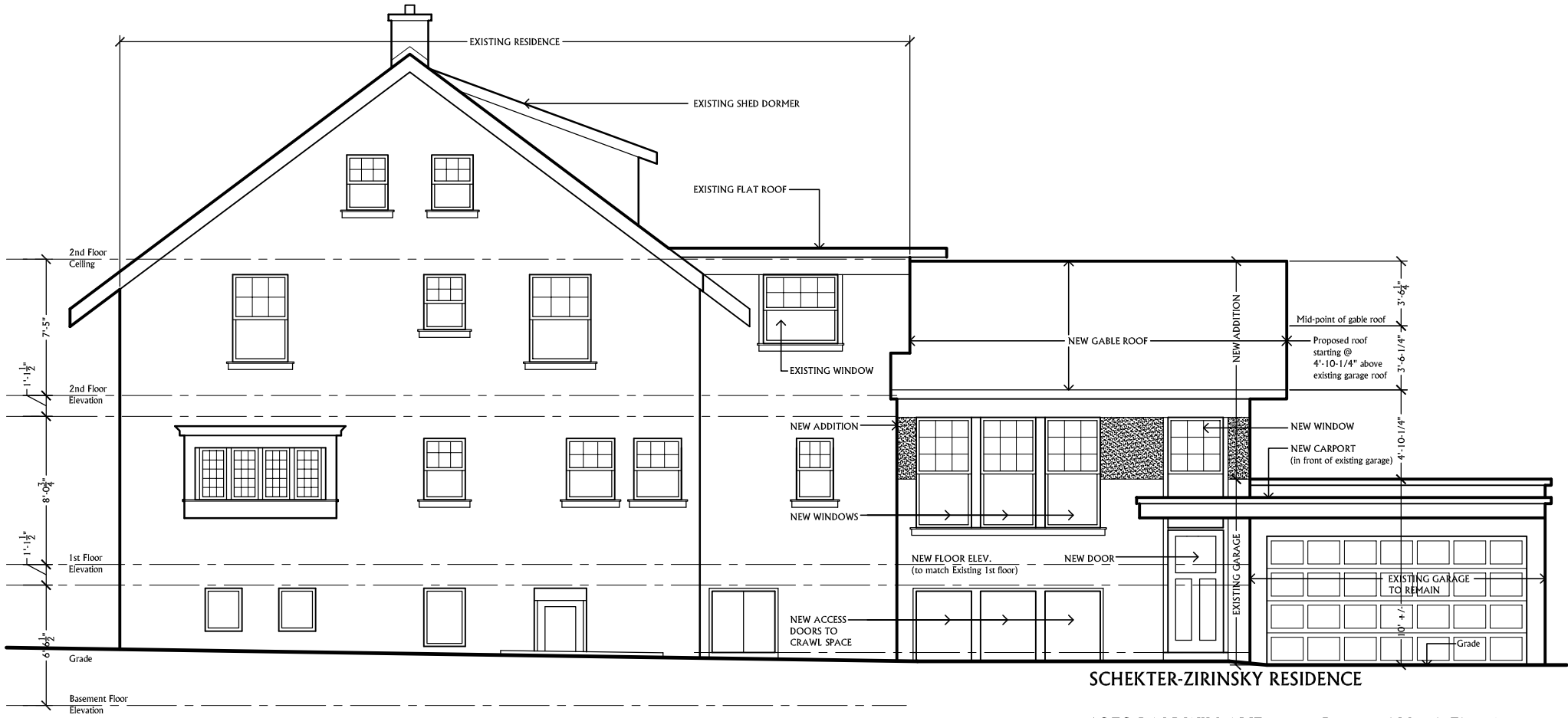
Proposed 1st Floor Plan
 11.17.14



SCHEKTER-ZIRINSKY RESIDENCE

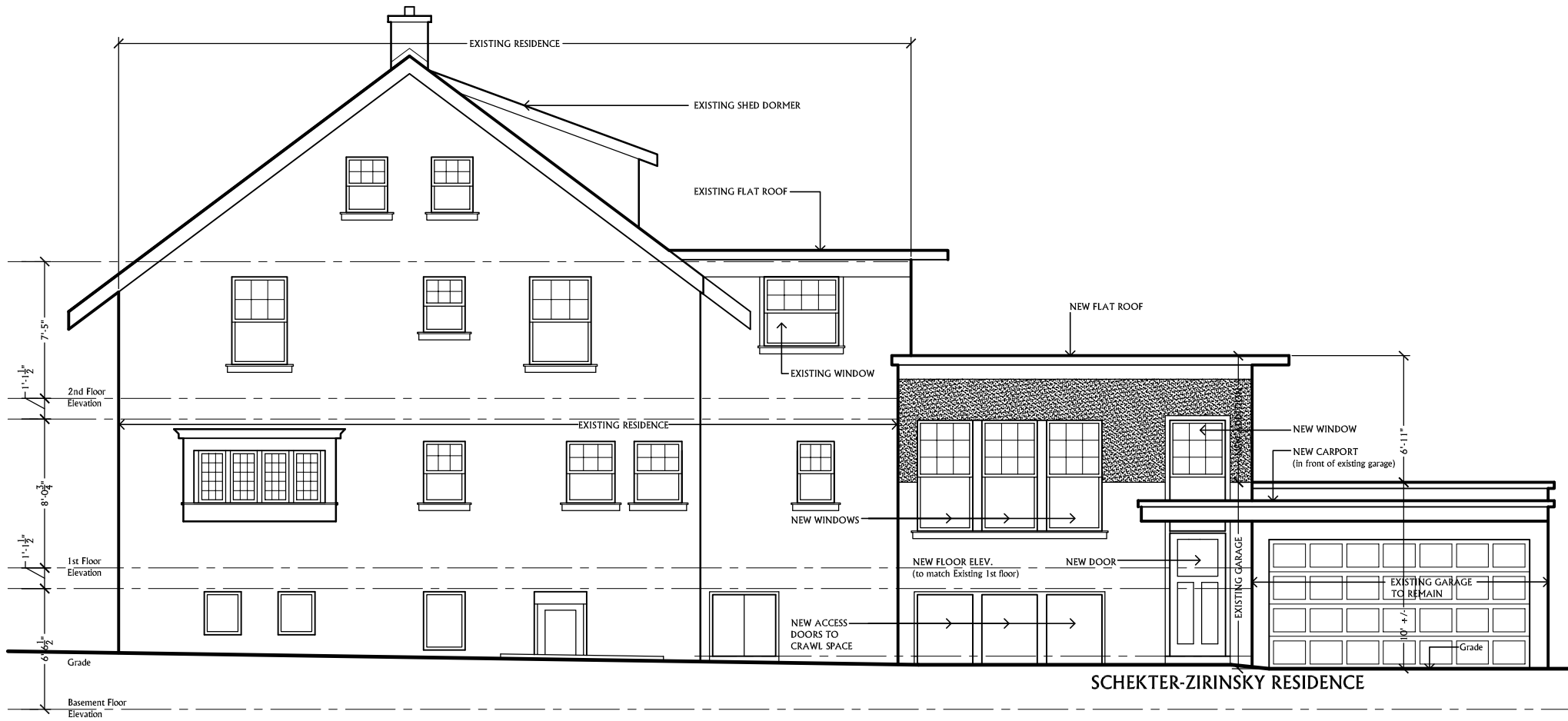
5

1038 BALDWIN AVE. Existing North Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI

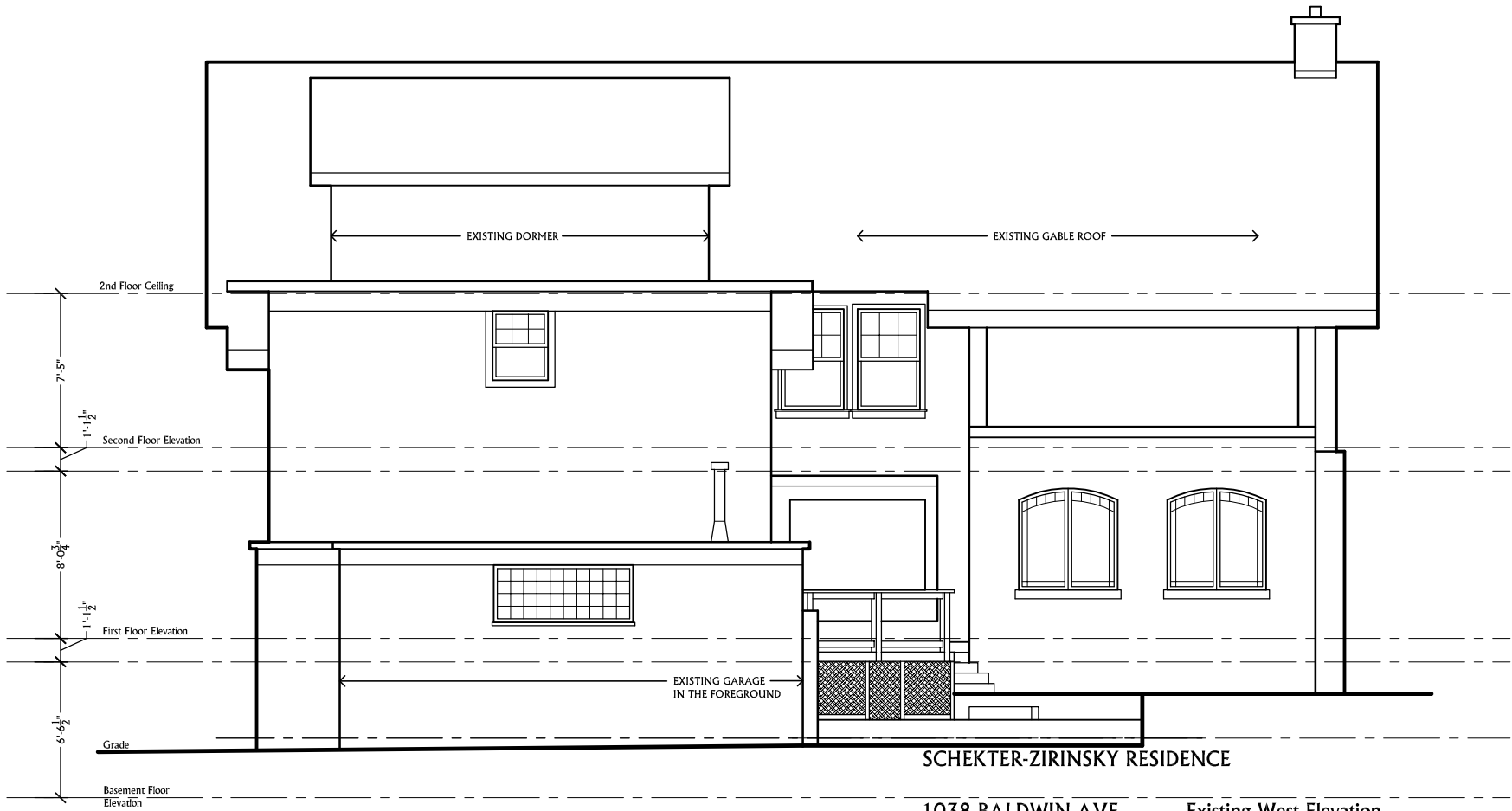


6

1038 BALDWIN AVE. Proposed North Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI

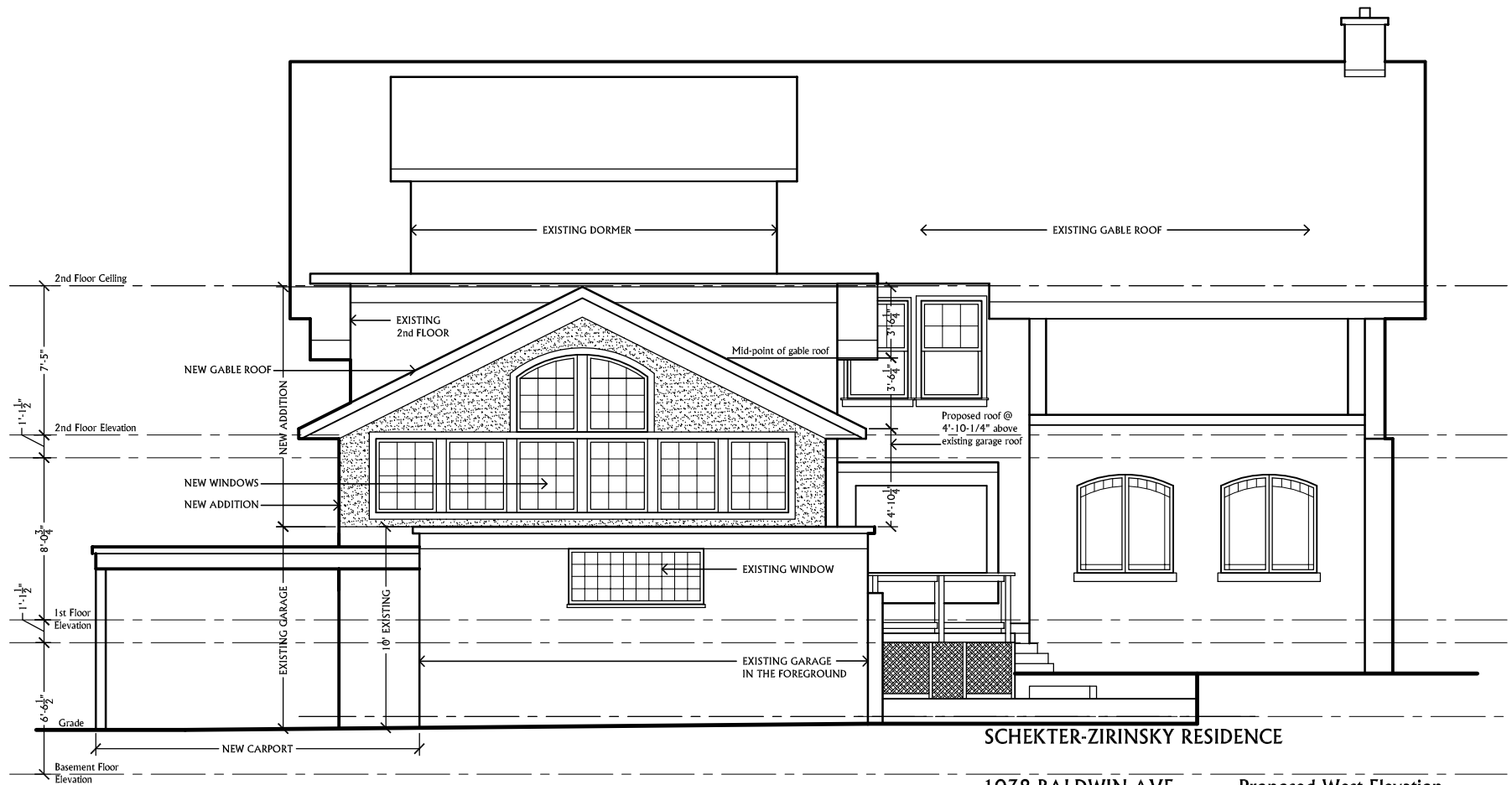


6.1 **1038 BALDWIN AVE.** **Proposed North Elevation**
 Scale: 1/8" = 1'-0" **11.17.14**
 Architect: Lincoln A. Poley, AIA **Ann Arbor, MI**



7

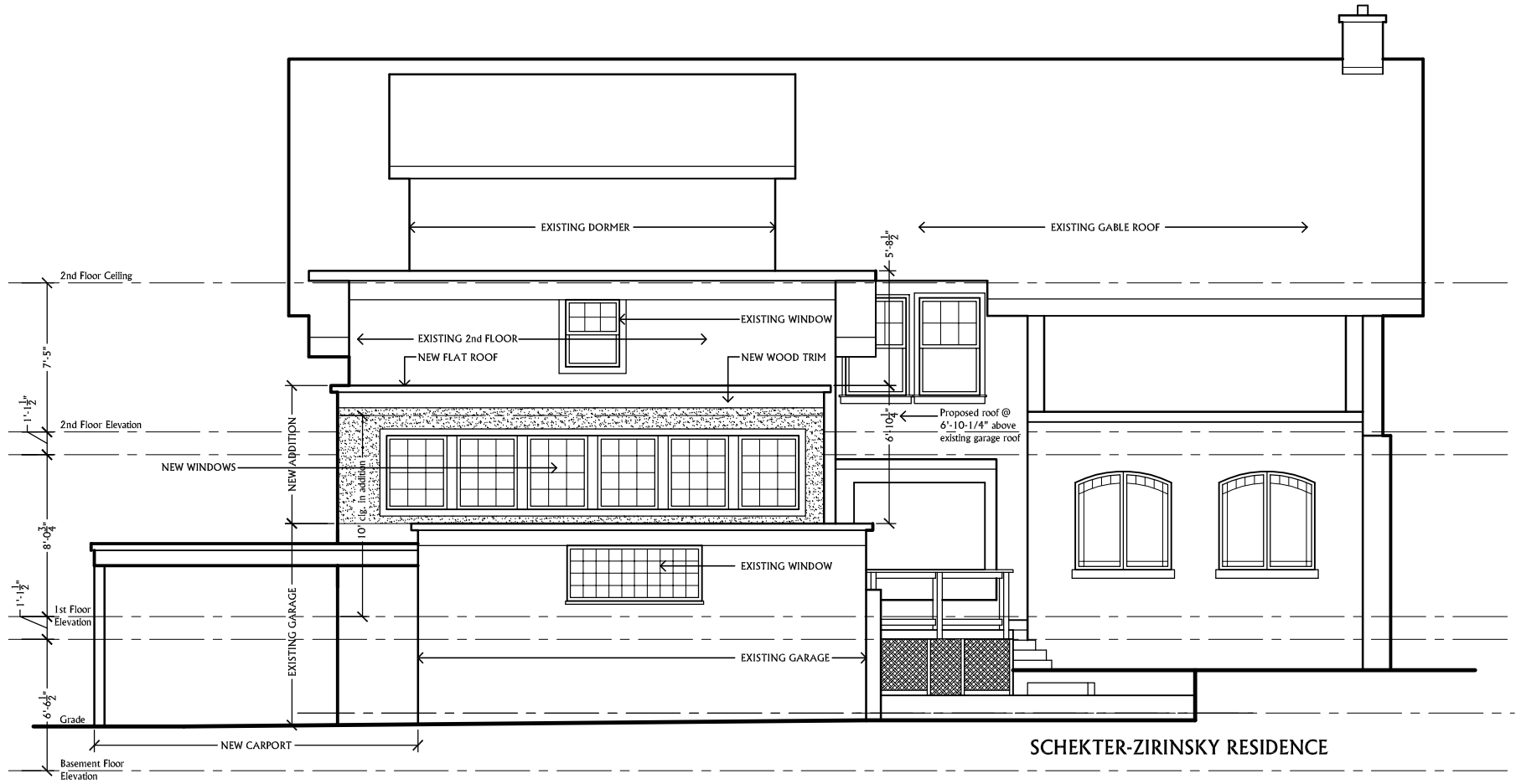
1038 BALDWIN AVE. Existing West Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI



SCHEKTER-ZIRINSKY RESIDENCE

8

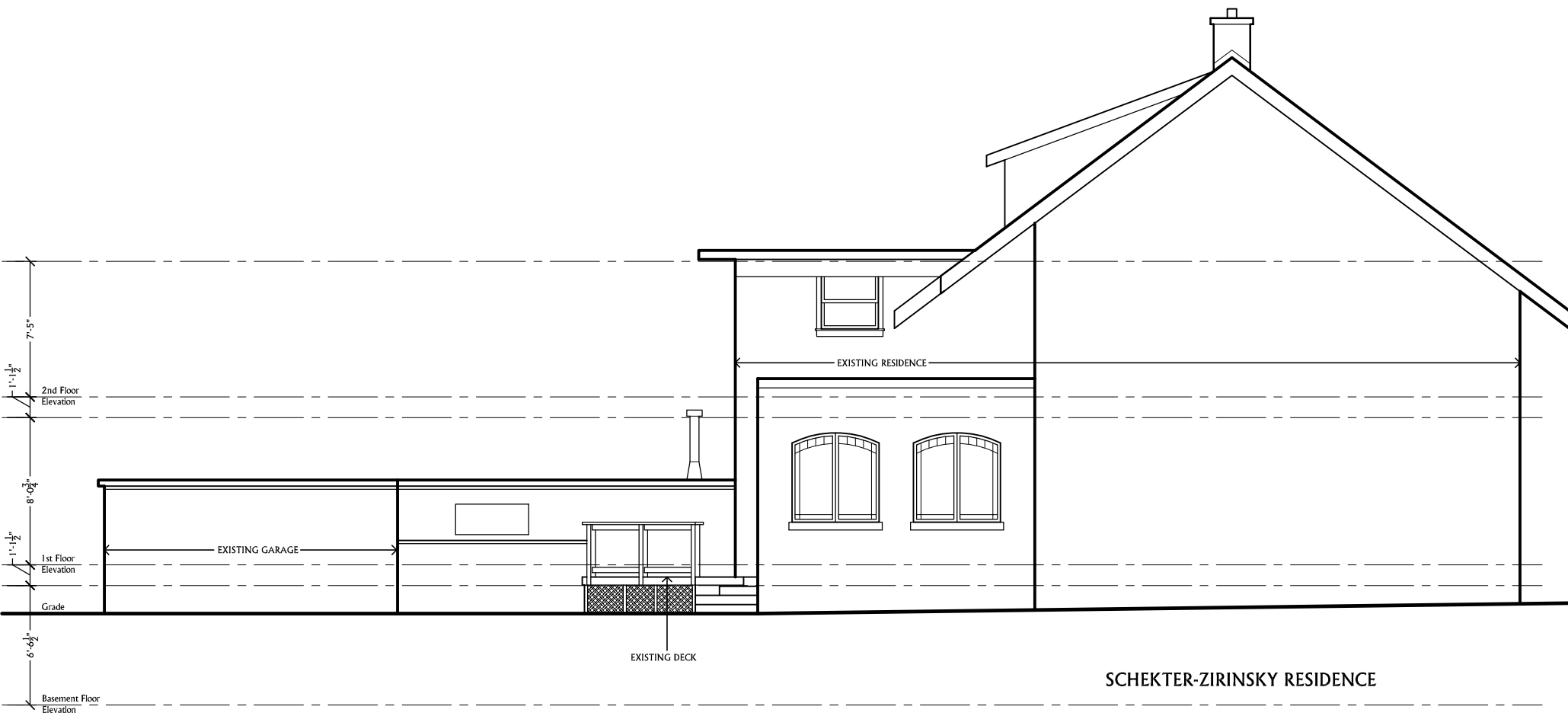
1038 BALDWIN AVE. Proposed West Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI



SCHEKTER-ZIRINSKY RESIDENCE

8.1

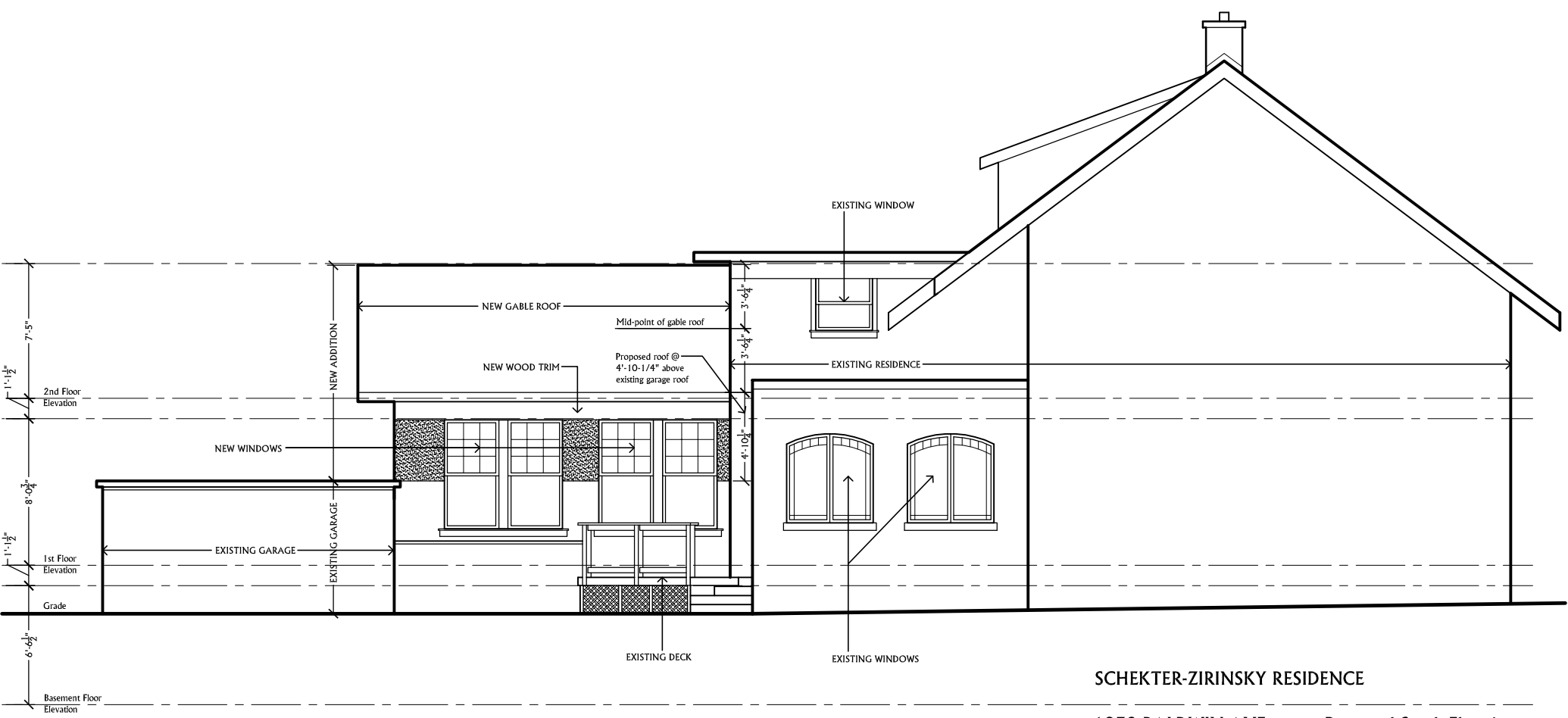
1038 BALDWIN AVE. Proposed West Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI



SCHEKTER-ZIRINSKY RESIDENCE

9

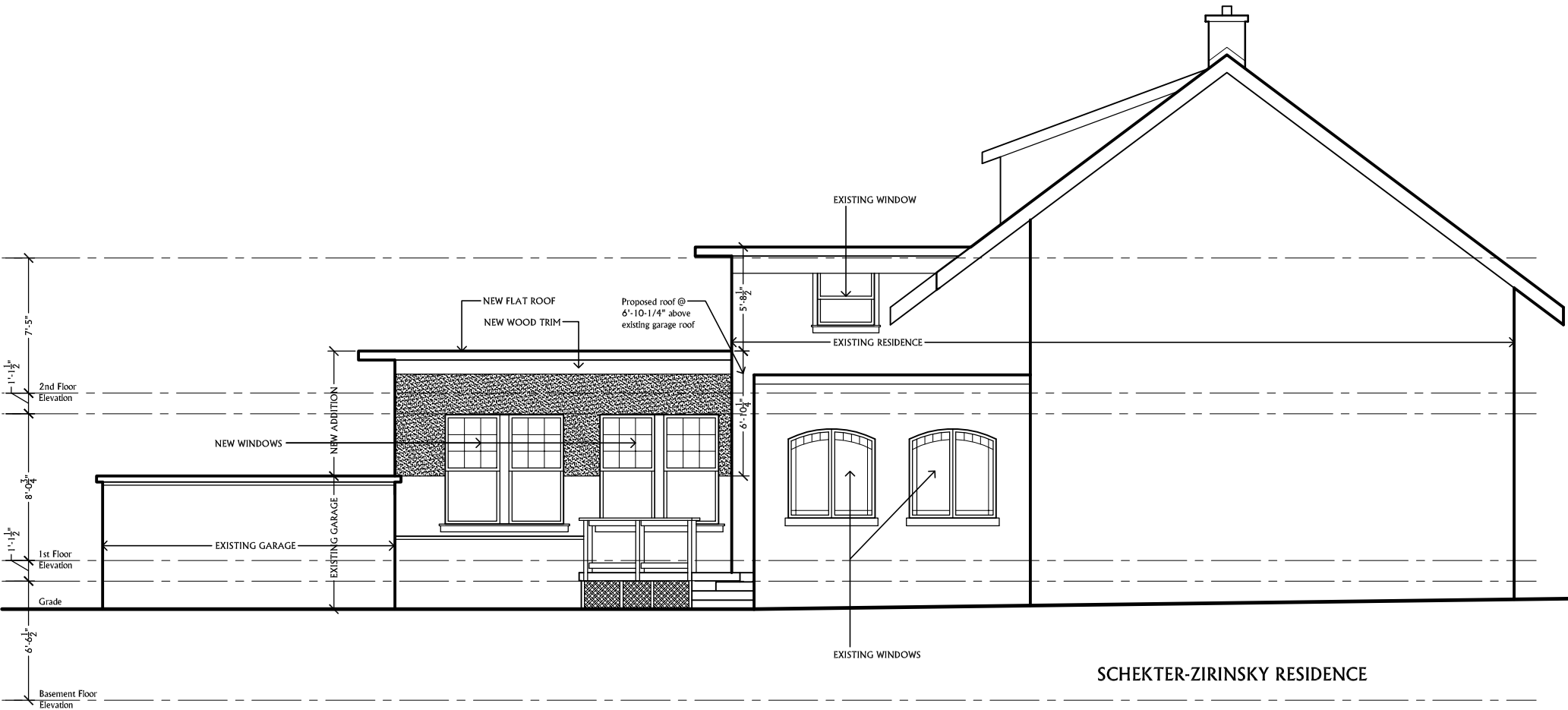
1038 BALDWIN AVE. Existing South Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI



SCHEKTER-ZIRINSKY RESIDENCE

10

1038 BALDWIN AVE. Proposed South Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI



SCHEKTER-ZIRINSKY RESIDENCE

10.1

1038 BALDWIN AVE. Proposed South Elevation
 Scale: 1/8" = 1'-0" 11.17.14
 Architect: Lincoln A. Poley, AIA Ann Arbor, MI



1038

















