

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

**STAFF REPORT**

**Subject: ZBA 21-001; 909 Duncan Street**

**Summary:**

Matthew Robbins of Robbins Construction, representing property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure. A second story addition is being constructed that will add three bedrooms and a bathroom to the existing single-story residence. The home is nonconforming as it does not meet the required average front setback. The proposed construction will not encroach further into any of the required setbacks. The property is zoned R1D, Single-Family Residential.

**Background:**

The residence was built in 1951 and is approximately 1,200 square feet in size. The property is located south of Miller Avenue in the Arborview neighborhood.

**Description:**

The home is nonconforming as it does not meet the 29-foot required average front setback along Duncan Street. The home is approximately 20 feet from the front lot line. A Building permit application was submitted on December 18, 2020 after a Stop Work Order was issued by the Building Department on December 7, 2020.

**Section 5.32.2 (B):** The Alteration is approved by the Planning Manager upon a finding that it 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.

**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 there will be no detrimental impacts on surrounding properties as the new construction will not encroach further into the any of the setbacks and complies with all requirements except the front setback. The owner and contractor have communicated with the neighboring properties and have gained support for the project.

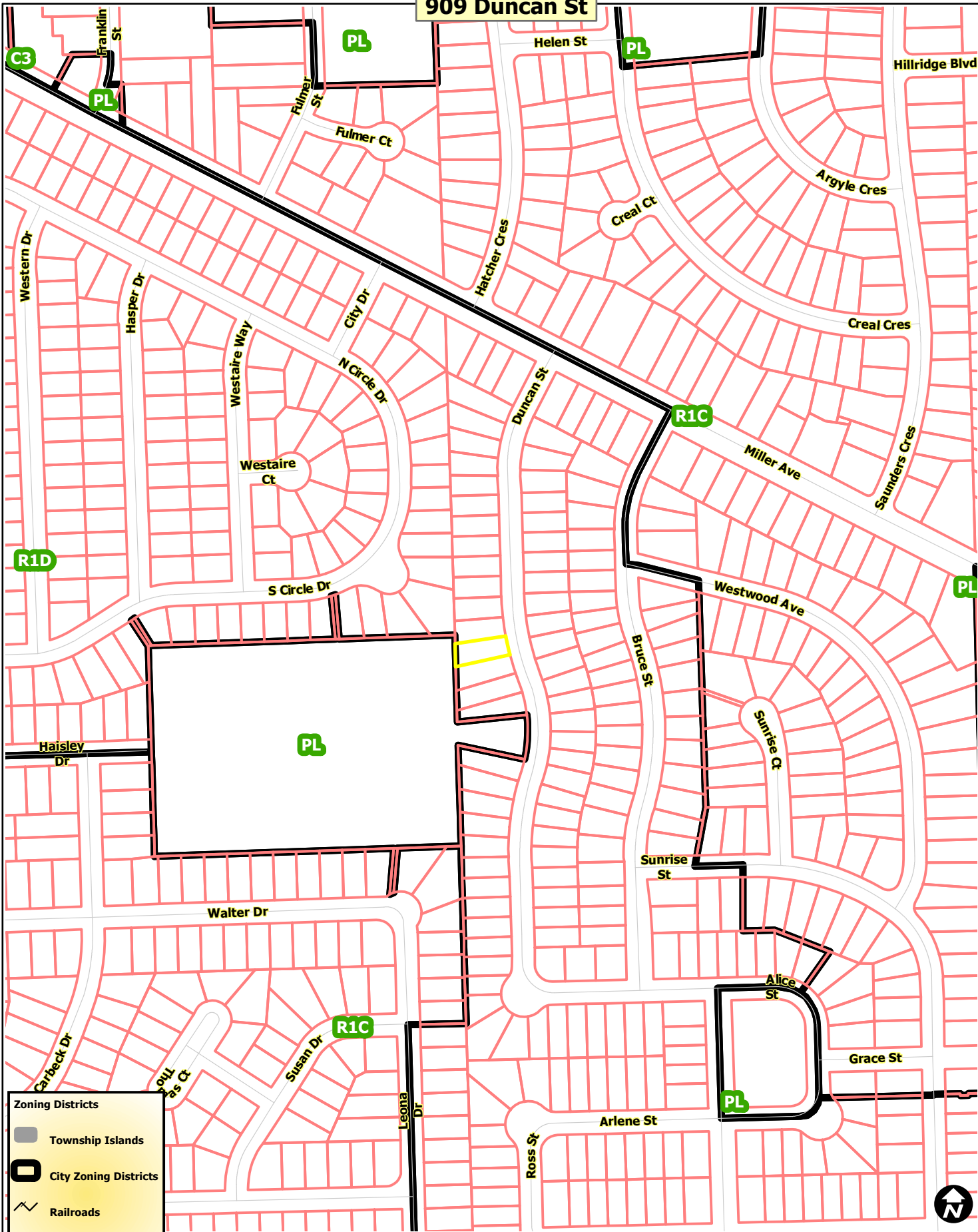
Respectfully submitted,

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**

909 Duncan St



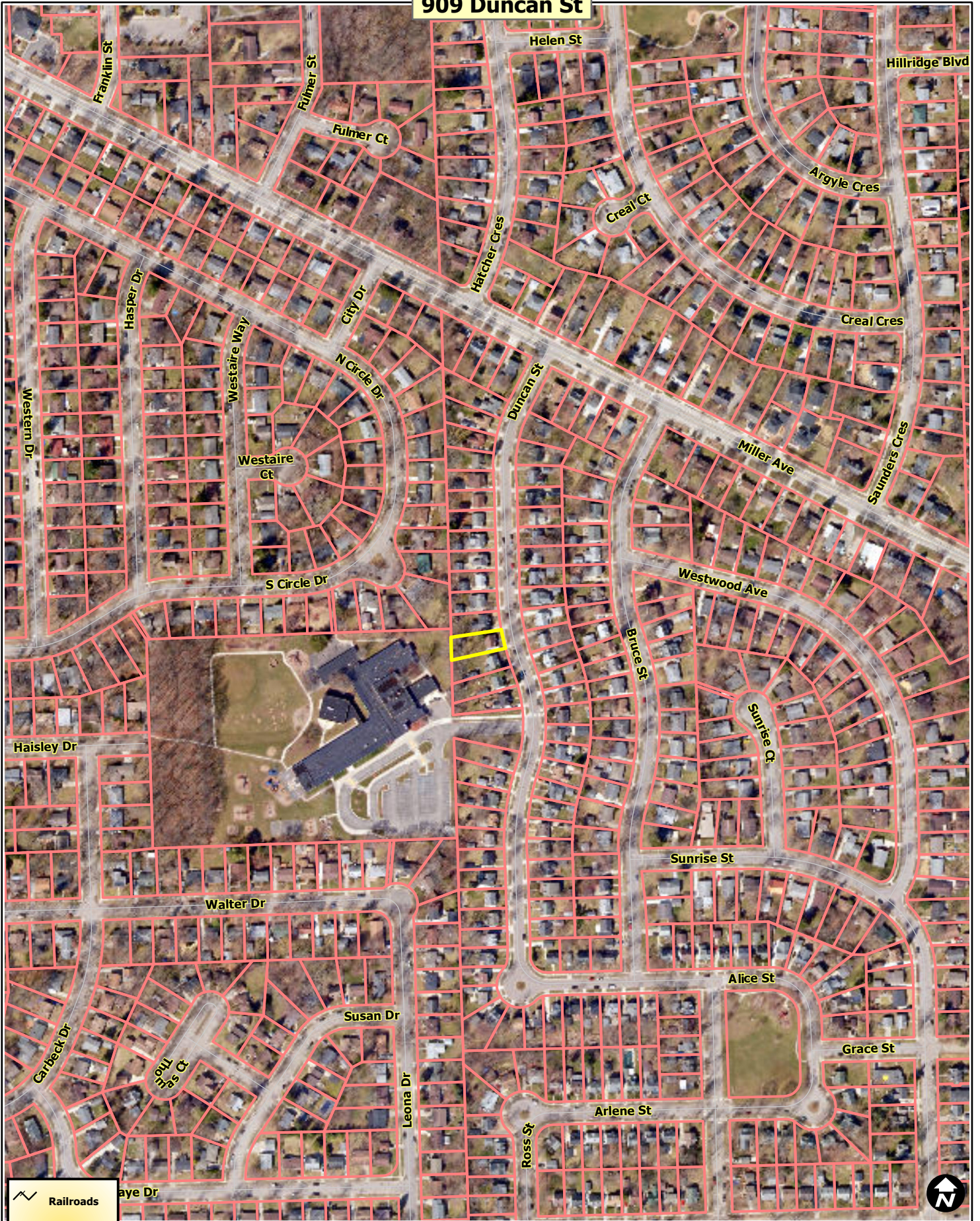
**Zoning Districts**



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



Map date: 2/1/2021  
 Any aerial imagery is circa 2020 unless otherwise noted  
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# 909 Duncan St






-  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)

909 Duncan St



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 2/1/2021  
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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](mailto:planning@a2gov.org)

## PROPERTY INFORMATION

ADDRESS OF PROPERTY 909 Duncan Street		ZIP CODE 48103	
ZONING CLASSIFICATION R1D	NAME OF PROPERTY OWNER* <i>If different than applicant, a letter of authorization from the property owner must be provided</i> Kanous, Alexander and Megan		
PARCEL NUMBER 09-09-19-305-017	OWNER EMAIL ADDRESS akanous1@gmail.com		

## APPLICANT INFORMATION

NAME Matthew Robbins w/ Robbins Construction			
ADDRESS 6111 Jackson Rd, Suite 101	CITY Ann Arbor	STATE MI	ZIP CODE 48103
EMAIL RobbinsBuilt@gmail.com	PHONE 734-323-1110		
APPLICANT'S RELATIONSHIP TO PROPERTY Contractor representing the property owner			

## 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 : \_\_\_\_\_

Date: \_\_\_\_\_

# 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.

We are requesting relief from section 5.32.2, alteration to a nonconforming structure.

The current use of the property is a single family home. The property is zoned R1D. The proposed alteration to the structure is an addition to the home that will add three bedrooms and one second bathroom for the growing family. The proposed 800 square foot addition is a second floor to the home. The new exterior walls of the second floor addition align directly on top of the existing exterior walls. Thus, all existing setbacks (rear, side, and front yard) remain unchanged.

We are petitioning zoning section 5.18.5 'Averaging an Established Front Building Line'. The existing home complies with nearly all the requirements of zoning requirements, with the exception of the front yard set back, based on the average of the neighboring homes.

The proposed addition does not create any negative impact on neighboring properties. Neighbors have voiced their support of the project.

Please complete the table below as it relates to your request

Requirement	Existing Condition	Code Requirement
Lot Area	7000	5000
Lot Width	50	40
Floor Area Ratio		
Setbacks	Rear: 102'-2" Side (N): 7'-4" Side(S): 8' Front: 26'6"	Rear: 20' Side (N): 3' Side(S): 3' Front: 25' or Average
Parking		
Landscaping		
Other		

Alex & Megan Kanous  
909 Duncan St  
Ann Arbor, MI 48103

January 6, 2021

RE: Authorization for Robbins Construction to Appear on Our Behalf Before the Ann Arbor ZBA

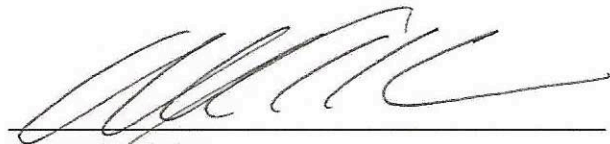
To whom it may concern,

We, Alex and Megan Kanous, owners of the home at 909 Duncan St, through this signed letter, grant Robbins Construction the authority to appear on our behalf before the Ann Arbor Zoning Board of Appeals ("ZBA") to Request To Alter A Nonconforming Structure to permit the desired modifications to our home (the "Purpose").

This authorization is effective as of the above date until all matters before the ZBA regarding the Purpose have been concluded.


If there are any questions about this authorization, please contact Alex Kanous at 616.308.4892 or akanous1@gmail.com.

Regards,



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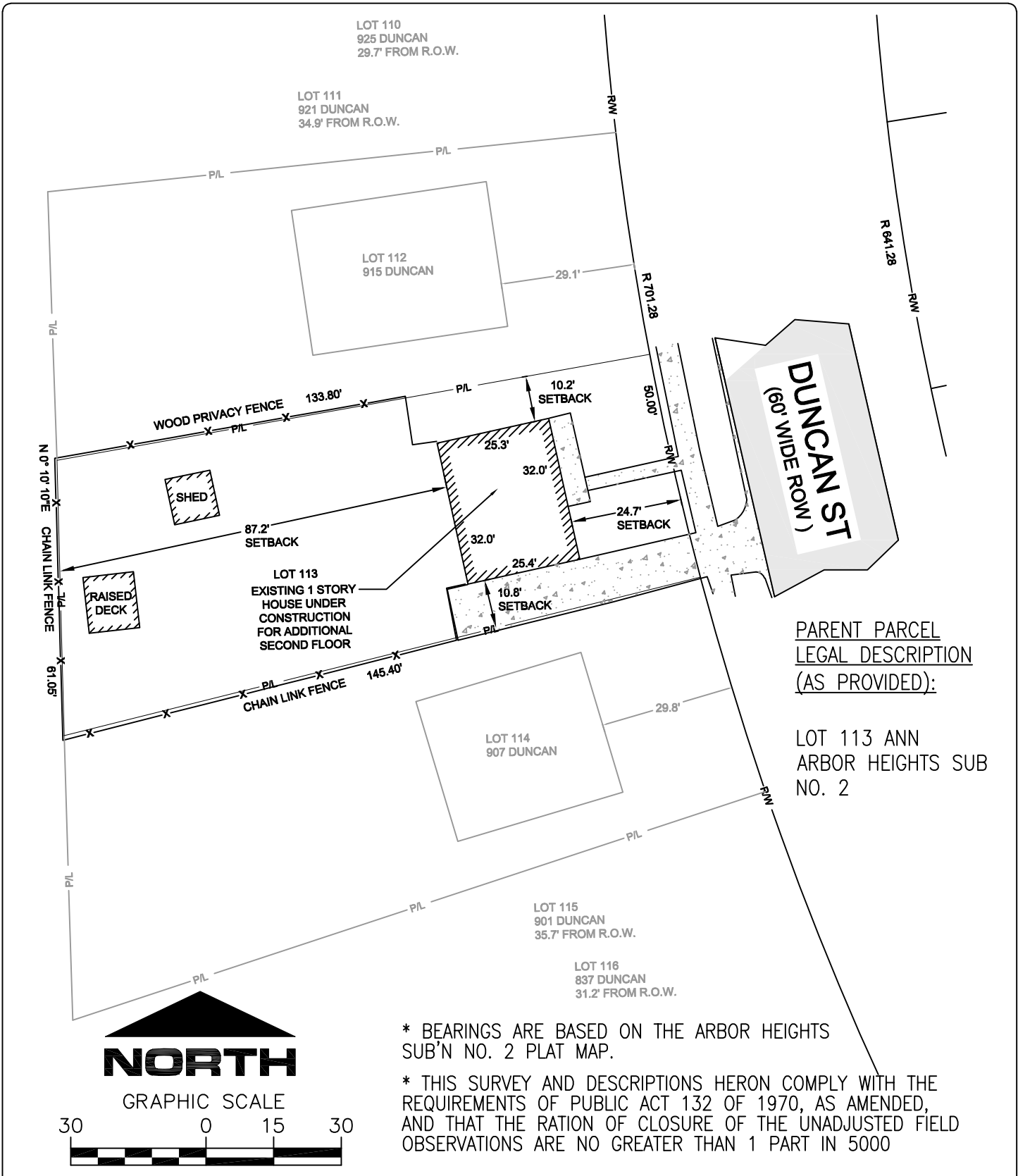
Alexander C Kanous



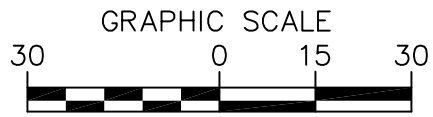
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Megan AH Kanous



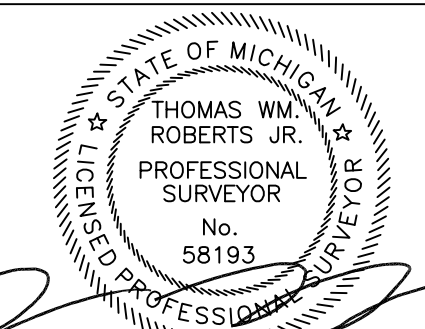


**NORTH**



LEGEND	
EXISTING PAVEMENT	—————
EXISTING FENCELINE	— x — x —
PROPERTY LINE	— P/L —
ROW LINE	— R/W —

BOUNDARY SURVEY		
CLIENT		
ROBINSON CONSTRUCTION 909 DUNCAN STREET ANN ARBOR, MICHIGAN		
		REV
01/25/21	ISSUED TO CLIENT	0
DATE	ISSUED FOR	
SHEET 1 OF 1		





**915 Bruce St**  
**ECF Neighborhood 008 ARBOR HEIGHTS 1,2,3**



**925 Bruce St  
ECF Neighborhood 008 ARBOR HEIGHTS 1,2,3**



**303 Doty Ave**  
**ECF Neighborhood 008 ARBOR HEIGHTS 1,2,3**



**909 DUNCAN ST - SUBJECT PROPERTY**



**907 DUNCAN ST - NEIGHBOR TO SOUTH**

909 DUNCAN ST - ZBA APPLICATION



**901 DUNCAN ST - 2ND NEIGHBOR TO SOUTH**

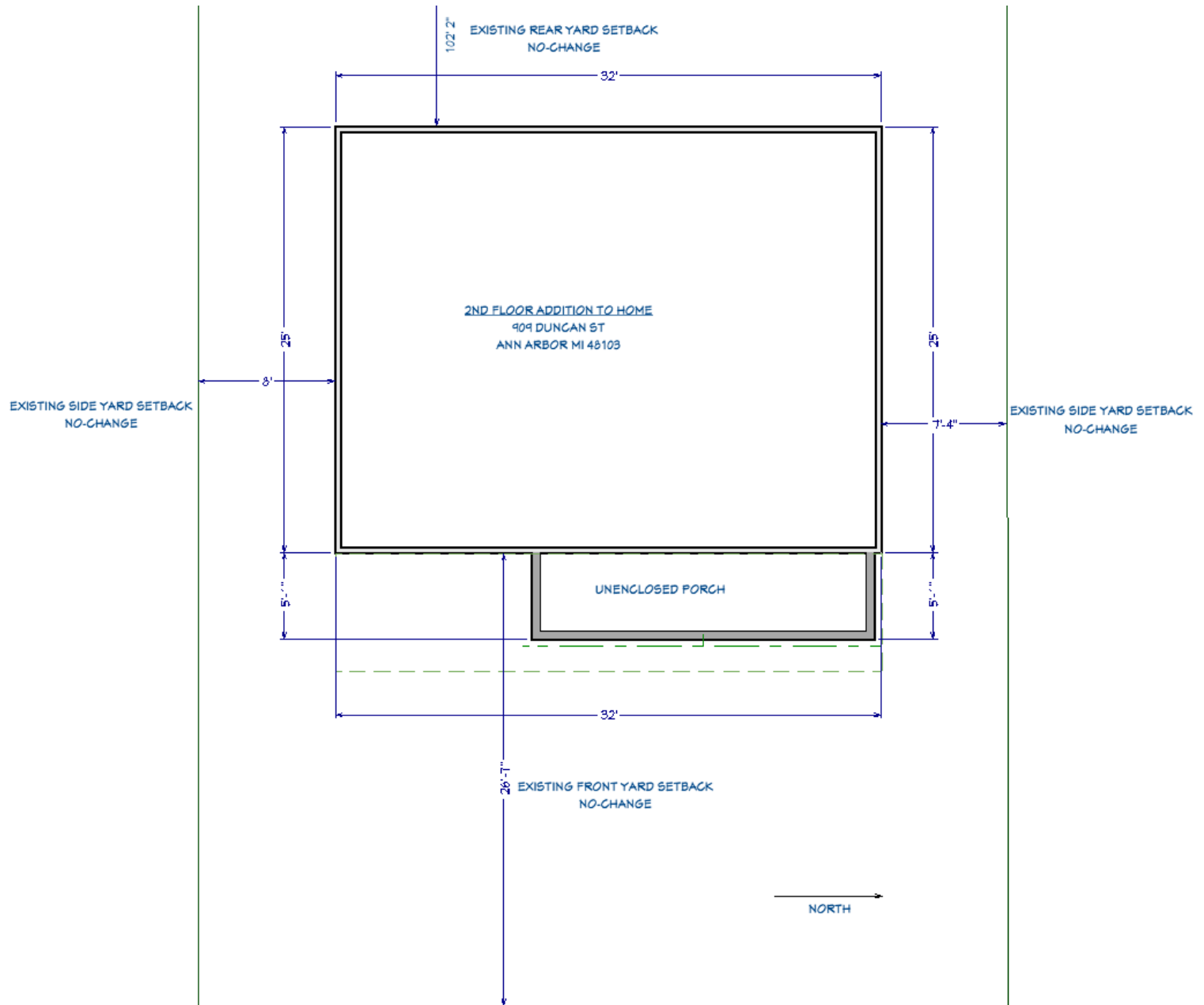


**915 DUNCAN ST - NEIGHBOR TO NORTH**

**909 DUNCAN ST - ZBA APPLICATION**

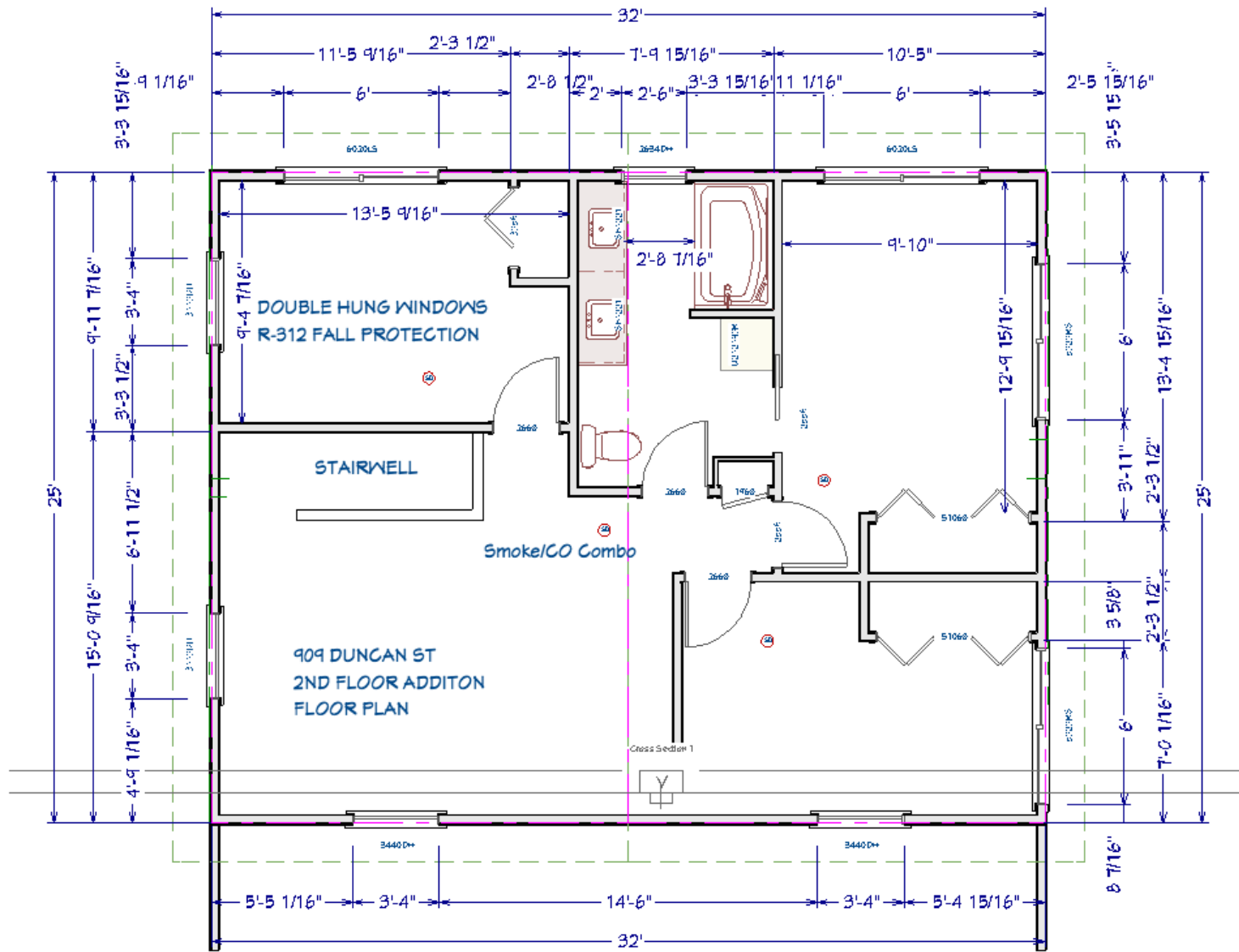


**921 DUNCAN ST - 2ND NEIGHBOR TO NORTH**

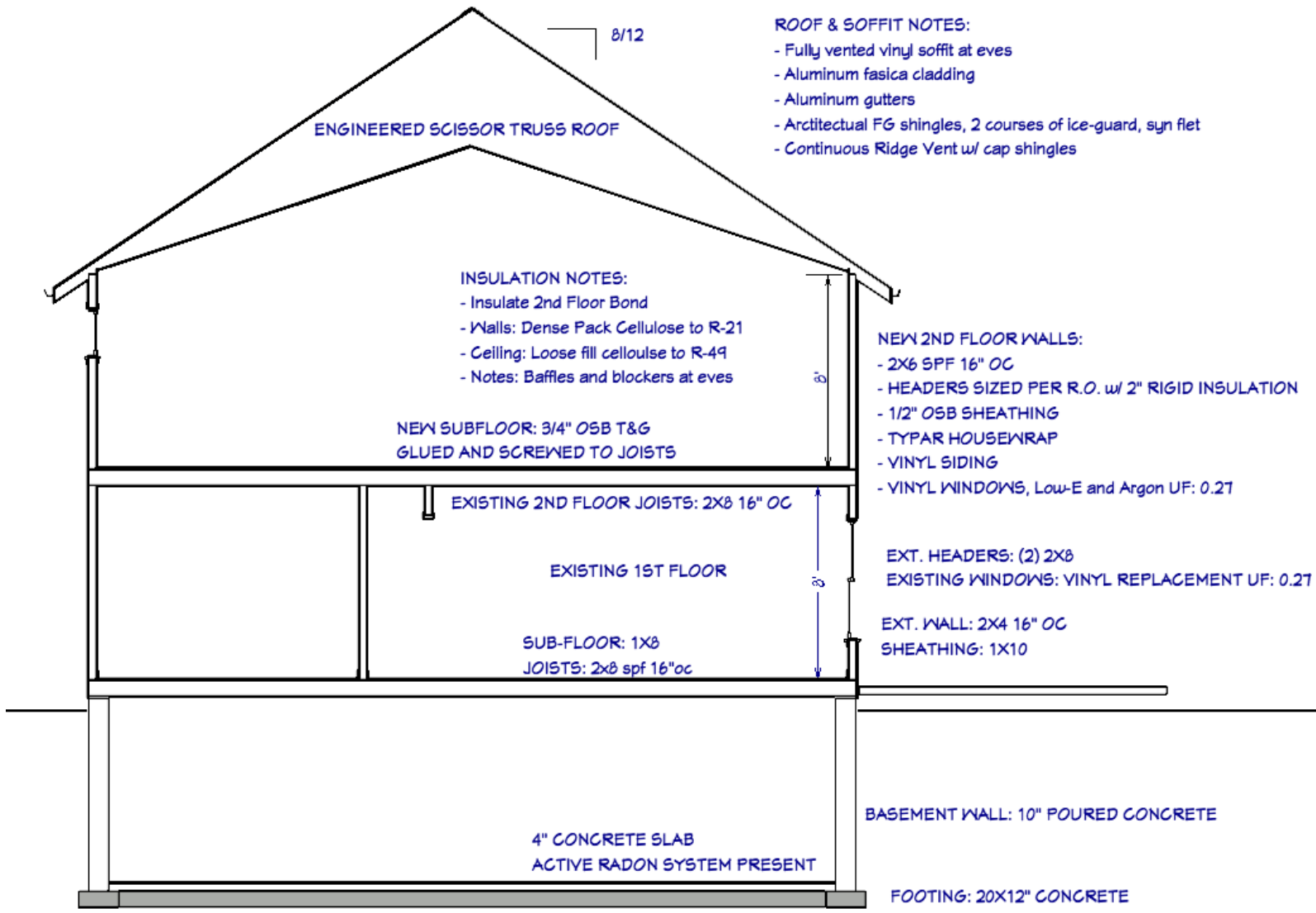


**SITE PLAN**





**2ND FLOOR ADDITION - INTERIOR LAYOUT**



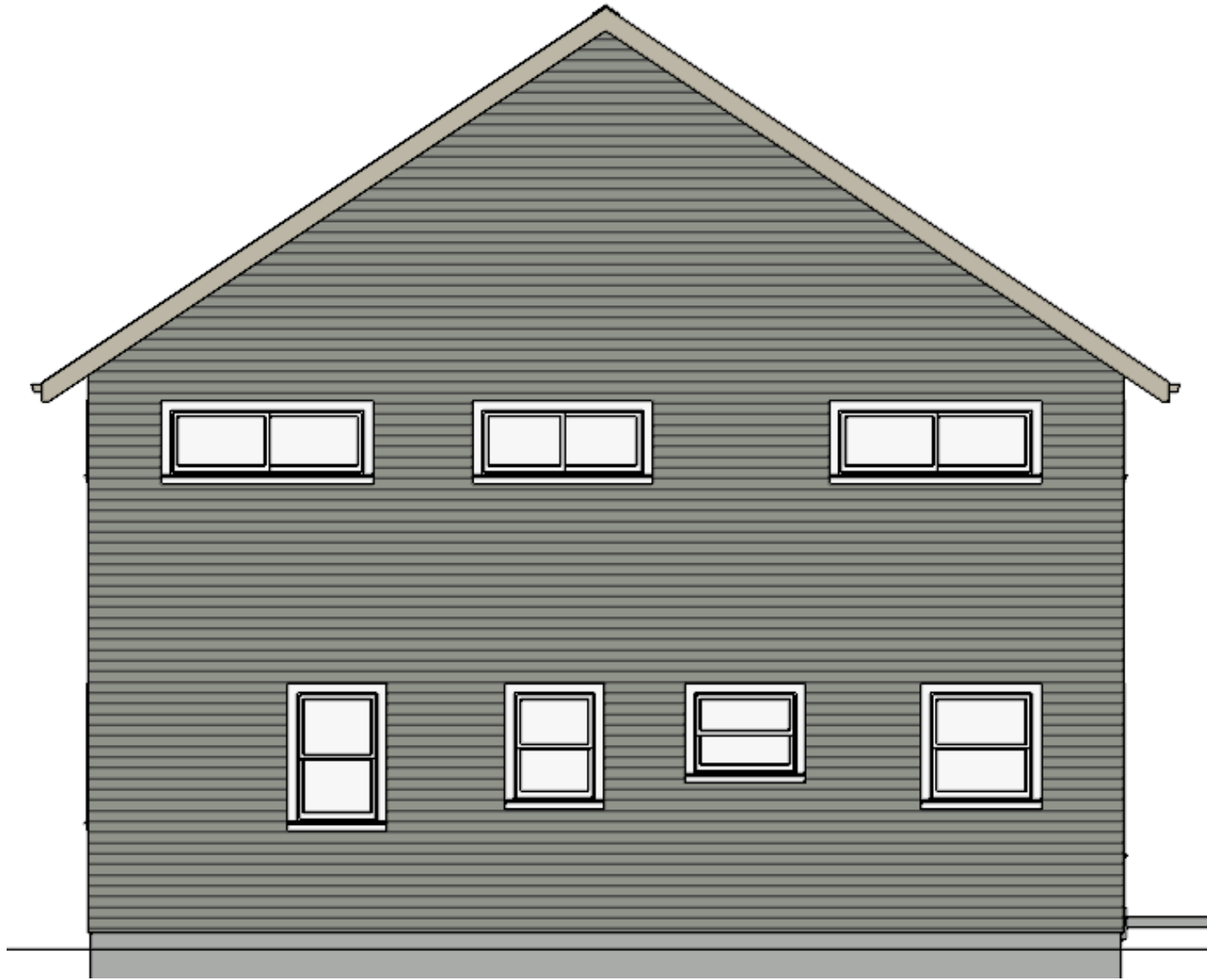
**BUILDING CROSS SECTION AND DETAILS**



**2ND FLOOR ADDITION - FRONT ELEVATION**



**2ND FLOOR ADDITION - NORTH ELEVATION (SIDE YARD FACING)**



**2ND FLOOR ADDITION - WEST ELEVATION (REAR YARD FACING)**



**2ND FLOOR ADDITION - SOUTH ELEVATION (SIDE YARD FACING)**