

**Zoning Board of Appeals
May 23, 2018 Regular Meeting**

STAFF REPORT

Subject: ZBA 18-016; 812 Henry Street

Summary:

Heidi Mitchell, property owner, is requesting permission to alter a non-conforming structure. Owner is seeking to create habitable floor area in the attic space and attach to the existing second floor unit. The unit is an efficiency and will be expanded to a two bedroom unit. No exterior alterations or additions are proposed for the existing structure which does not meet the lot size, lot width, front and side setbacks for the R4C district.

Background:

The subject parcel is zoned R4C (Multiple-Family Residential District) and is located on Henry Street just south of East Stadium Boulevard. The subject parcel is 7,405 square feet in size. The minimum lot size for the district is 8,500 square feet, and the lot width requirement for the district is 60 feet. The subject property is 50 feet in width. The structure was built in 1901 and is 2784 square feet in size. Currently, the residence houses 11 occupants in four dwelling units.

Description:

If the alteration is approved, the rental home will have ten residents which will be a decrease in overall density. The proposed construction will elevate the living standards of the occupants thereby lessening the number of tenants by one.

As noted above, Chapter 55, Section 5:87 (1) (a) states that a nonconforming structure may be maintained or restored, but no alteration shall be made to a nonconforming structure unless one of the following conditions are met:

- (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.

Standards for Approval- Permission to Alter a Non-Conforming Structure

The Zoning Board of Appeals has all the power granted by State law and by Section 5:98, from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

The alteration complies as nearly as practicable with the requirements of the Zoning Chapter and will not have a detrimental effect on neighboring property.

Zoning Board of Appeals
ZBA18-016 Permission to Alter Non-conforming Structure
May 23, 2018 - Page 2

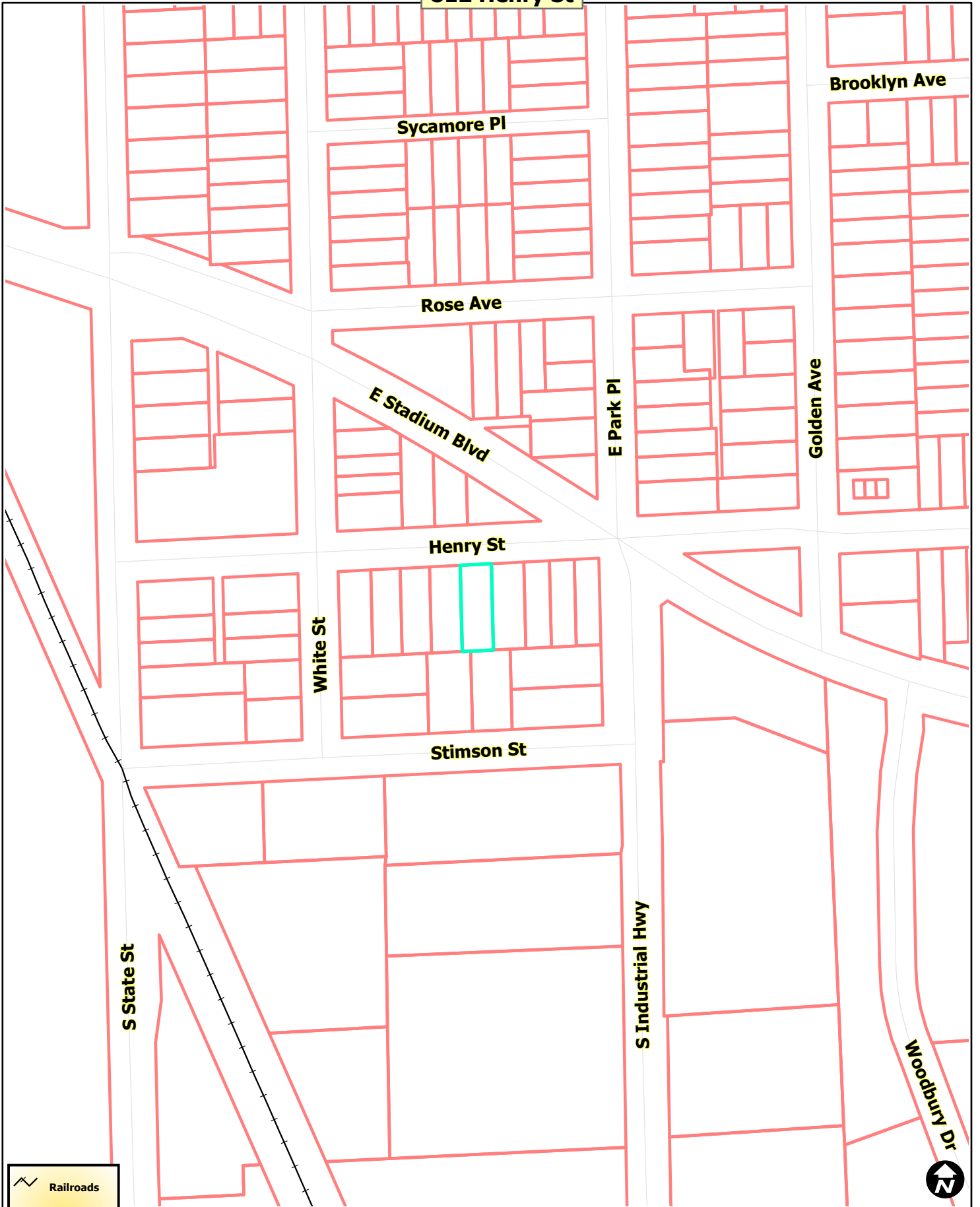
If the alteration is approved, the rental unit will continue to have four units in the property but the total occupants will decrease. The petitioner has stated in their application that the internal modification will not have a negative effect on the neighboring properties due to the similar zoning of the surrounding properties.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large loops and a cursive-like flow.

Jon Barrett
Zoning Coordinator

812 Henry St



-  Railroads
-  Huron River
-  Tax Parcels




Map date 4/30/2018
 Any aerial imagery is circa 2015
 unless otherwise noted
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812 Henry St



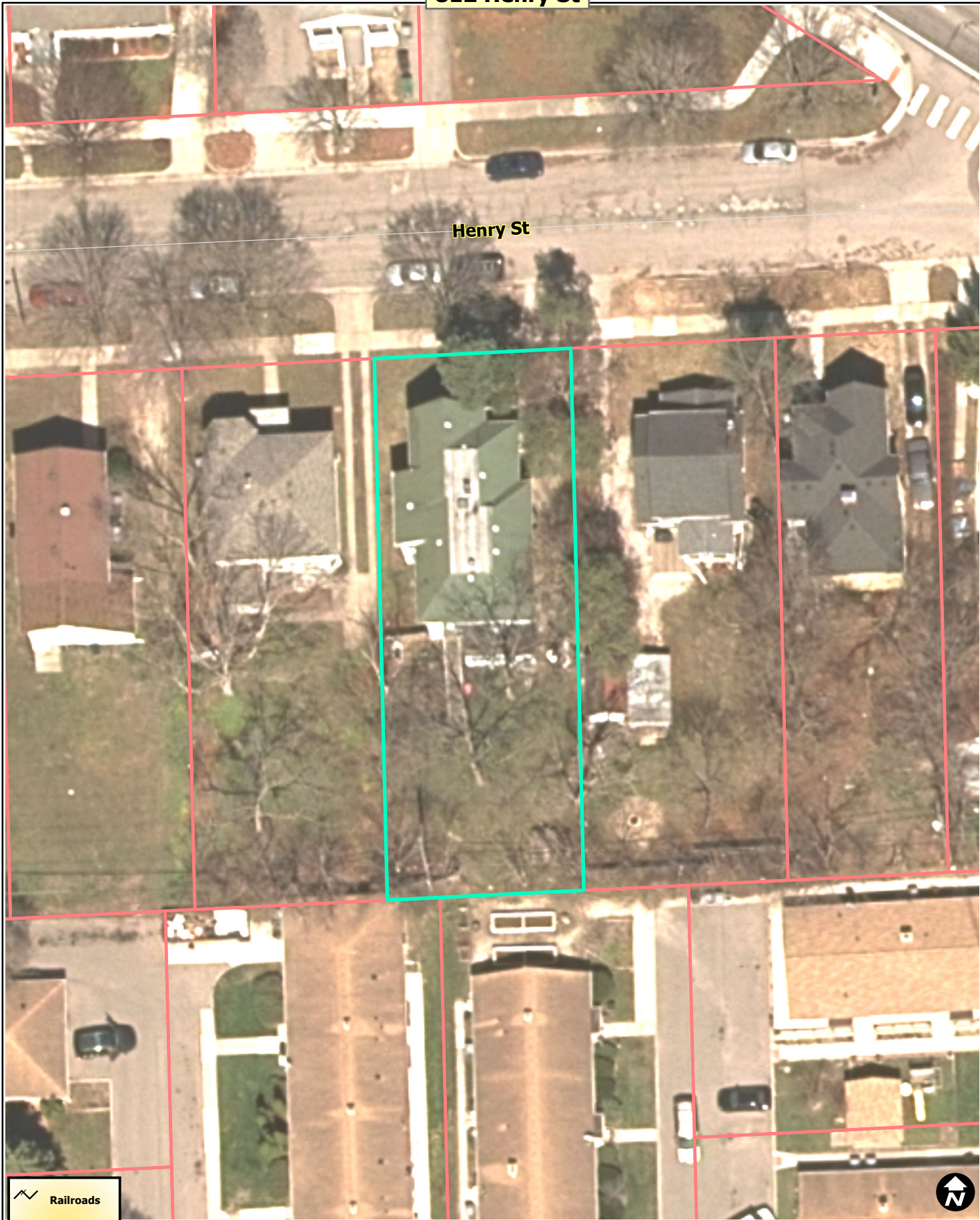
-  Railroads
-  Huron River
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Map date 4/30/2018
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812 Henry St



Henry St

 Railroads

 Huron River

 Tax Parcels



Map date 4/30/2018
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ZONING BOARD OF APPEALS

PLANNING DEPARTMENT

City Hall: 301 E. Huron St. Ann Arbor, MI 48104-6120
 Mailing: P.O. Box 8647, Ann Arbor, MI 48107-8647
 Phone: 734.794.6265 planning@a2gov.org
 Fax: 734.994.8460

APPLICATION MUST BE FILLED OUT COMPLETELY

Office Use Only	
Fee Paid: _____	ZBA: <u>18-016</u>
DATE STAMP	
CITY OF ANN ARBOR RECEIVED	
APR 25 2018	

PLANNING & DEVELOPMENT SERVICES

PROPERTY INFORMATION

ADDRESS OF PROPERTY: 812 HENRY STREET	
ZONING CLASSIFICATION: R4C	TAX ID: (if known) 09-09-33-316-011
NAME OF PROPERTY OWNER*: 812 HENRY, LLC	

**If different than applicant, a letter of authorization from the property owner must be provided*

APPLICANT INFORMATION

NAME OF APPLICANT: HEIDI MITCHELL	
ADDRESS OF APPLICANT: 1424 GOLDEN #2, ANN ARBOR, MI 48103	
DAYTIME PHONE NUMBER: (614) 205-2509	FAX NO:
EMAIL: hcaroline19@gmail.com	
APPLICANT'S RELATIONSHIP TO PROPERTY: MANAGING PARTNER	

REQUEST INFORMATION

<input type="checkbox"/> VARIANCE REQUEST (Complete the section 1 below)	<input checked="" type="checkbox"/> ALTERATION TO A NON-CONFORMING STRUCTURE (skip to Section 2)
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Section 1 - VARIANCE REQUEST

CHAPTER(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: <i>(Example: Chapter 55, Section 5:26)</i>	
Required Dimension: <i>(Example: 40' front setback)</i>	PROPOSED Dimension: <i>(Example: 32')</i>
Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary)	



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Section 1 - VARIANCE REQUEST con't

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.

1. 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.

2. That the alleged hardships are 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.

3. 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.

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

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



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Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

Current Use of the Property: **Multi-family Residential (R4C), no change proposed**

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.

REQUIREMENT	EXISTING CONDITION	CODE REQUIREMENT
Lot Area	7,631 sq ft	8,500 sq ft
Lot Width	53.63 ft	60 ft
Floor Area Ratio		
Open Space Ratio	78.6%	40% min
Setbacks	Front: 20.5 ft, Side: 6.5 ft	Front: 25 ft, Side: 12 ft, Rear: 30 ft
Parking	4	1.5 per Dwelling Unit = 6
Landscaping		
Other		

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

The existing property is non-conforming in its lot area, lot width and setback requirements. The existing attic space is currently not occupied, but has an existing stair from one of the second floor dwelling units. We propose utilizing the attic floor area to update this dwelling unit from an efficiency unit to a two-bedroom unit. No exterior alterations are proposed.

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:

The existing property currently houses up to eleven (11) occupants in four (4) dwelling units. While the overall number of bedrooms is increasing, the proposed work elevates the living standards of the existing units and lowers the number of occupants allowed to ten (10), thereby lessening the density of the property.



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Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

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

Use of the existing attic space as habitable area.

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 ½" by 11"** sheets:

- One (1) hardcopy and one (1) electronic copy shall be submitted.
- The electronic copy shall include all associated supporting documentation with application submission.

- 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.

ACKNOWLEDGEMENT

I, the applicant, hereby 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.

Phone number: (614) 205-2509

Signature:

Email address: hcaroline19@gmail.com

Print Name: HEIDI MITCHELL

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

Signature

Further, I hereby give the City of Ann Arbor Planning and 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

812 Henry Street Renovation

812 Henry Street Ann Arbor MI 48104

Released For: Zoning Board of Appeals

Release Date: 04/25/2018

O|X Project Number: HSP18

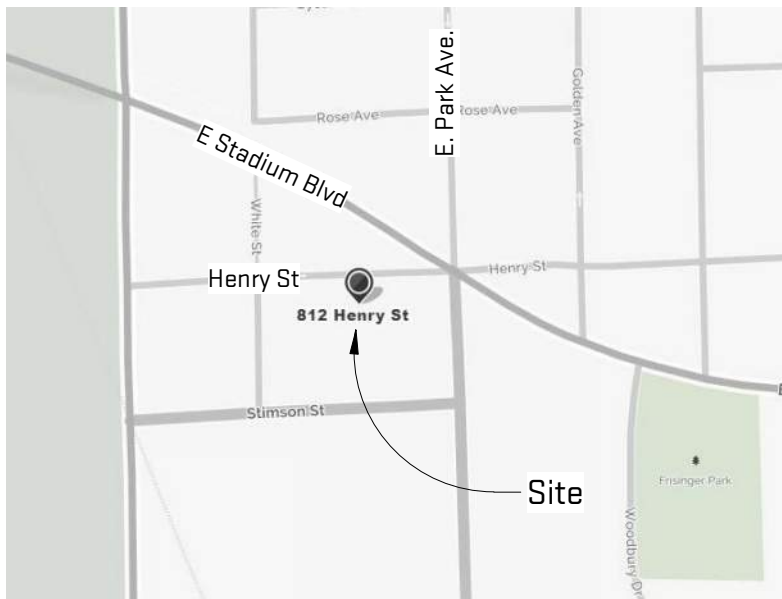
Owner: Prentice Partners of Ann Arbor

Architect: O|X Studio, Inc.
 Contact: Robb Burroughs, RA
 302 S. State St., Suite B, Ann Arbor, MI 48104
 (734) 929-9000
 robb@oxstudioinc.com

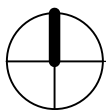
Project Address 812 Henry Street
 Ann ARbor MI 48104

Parcel # 09-09-33-316-011

Legal Description E 13.8 FT LOT 4 & W 37.675 FT LOT 5 BLK 9
 HAMILTON ROSE & SHEEHAN ADDN



<u>No. of Occupants</u>	<u>Existing</u>	<u>Proposed</u>
Unit 1	2	2
Unit 2	4	3
Unit 3	3	2
Unit 4	2	3
TOTAL:	11	10



Vicinity Map

Not to Scale

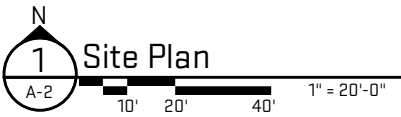
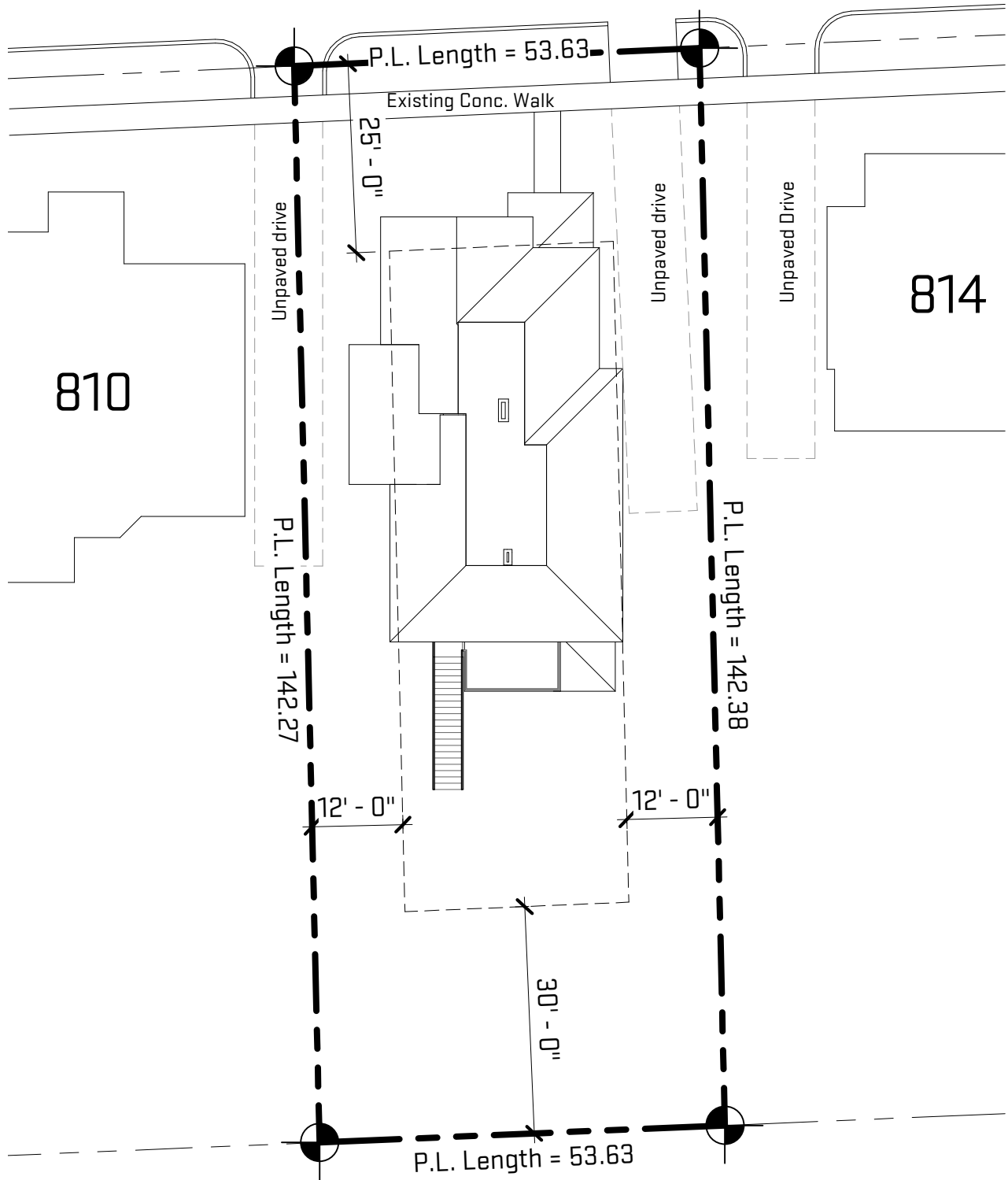


Job Title: 812 Henry Street Renovation
 Sheet Title: Title Sheet

O|X STUDIO
 Inc.

A-1

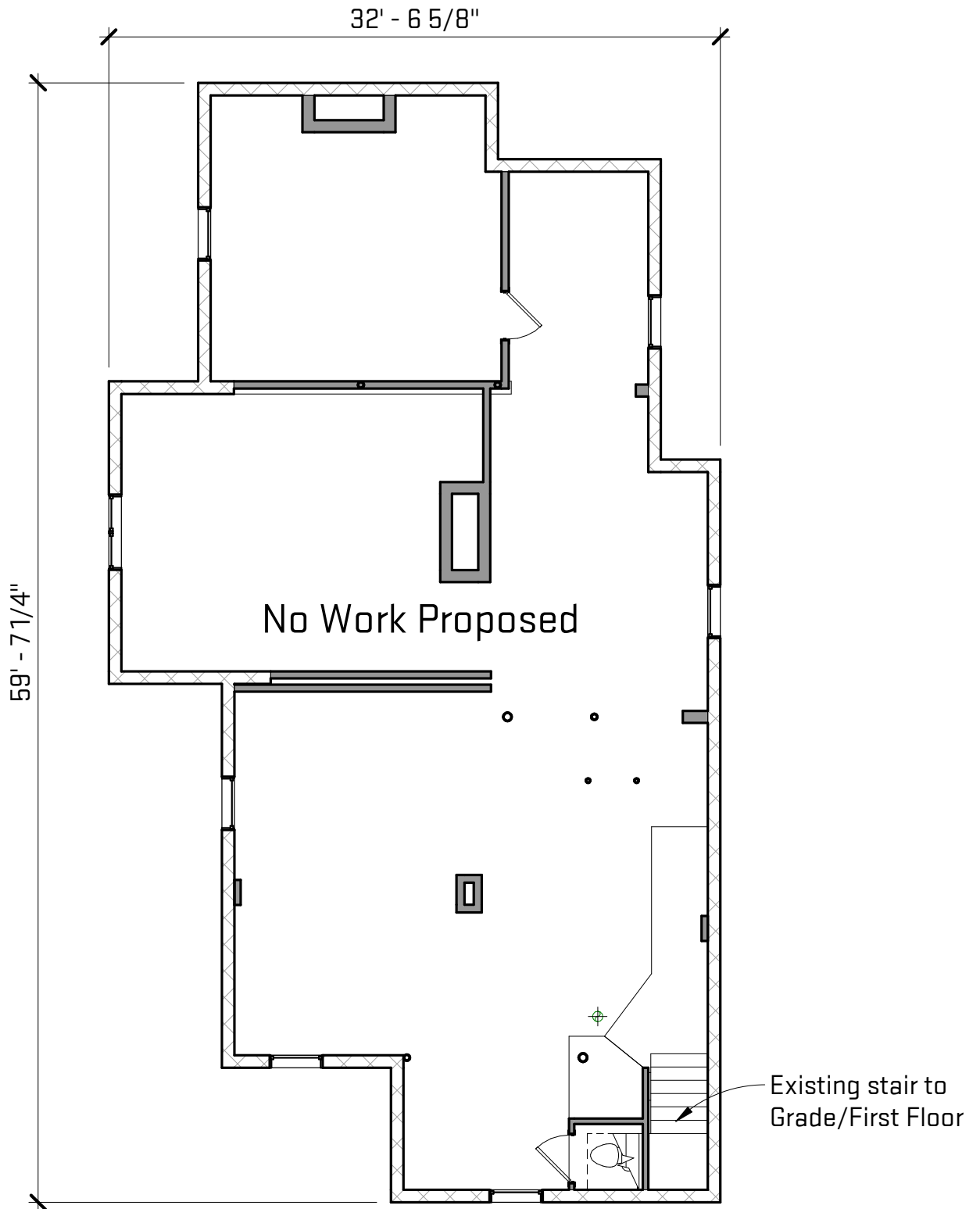
Henry Street

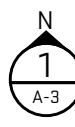


Job Title: 812 Henry Street Renovation
Sheet Title: Architectural Site Plan

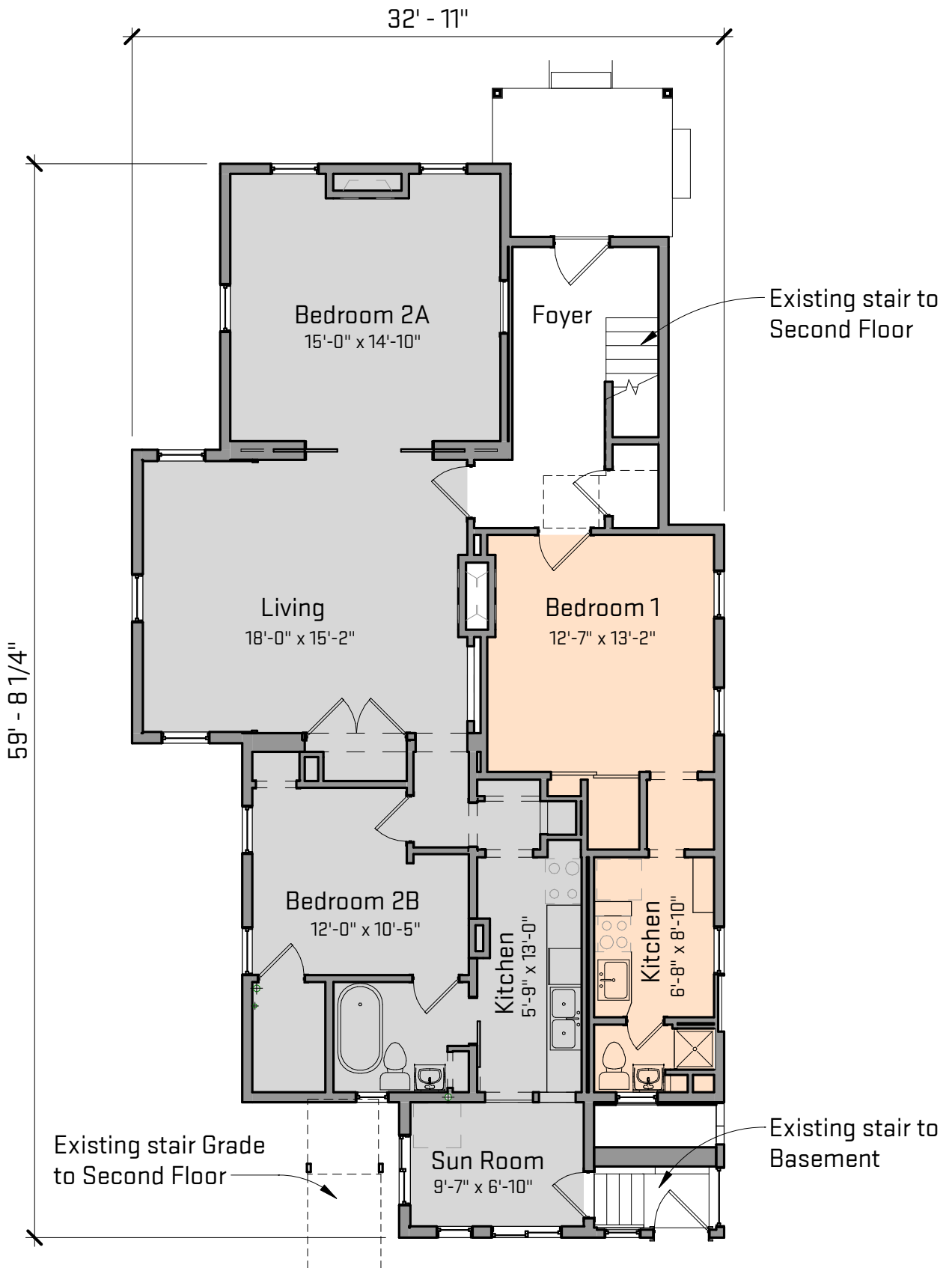
OXSTUDIO
Inc.

A-2



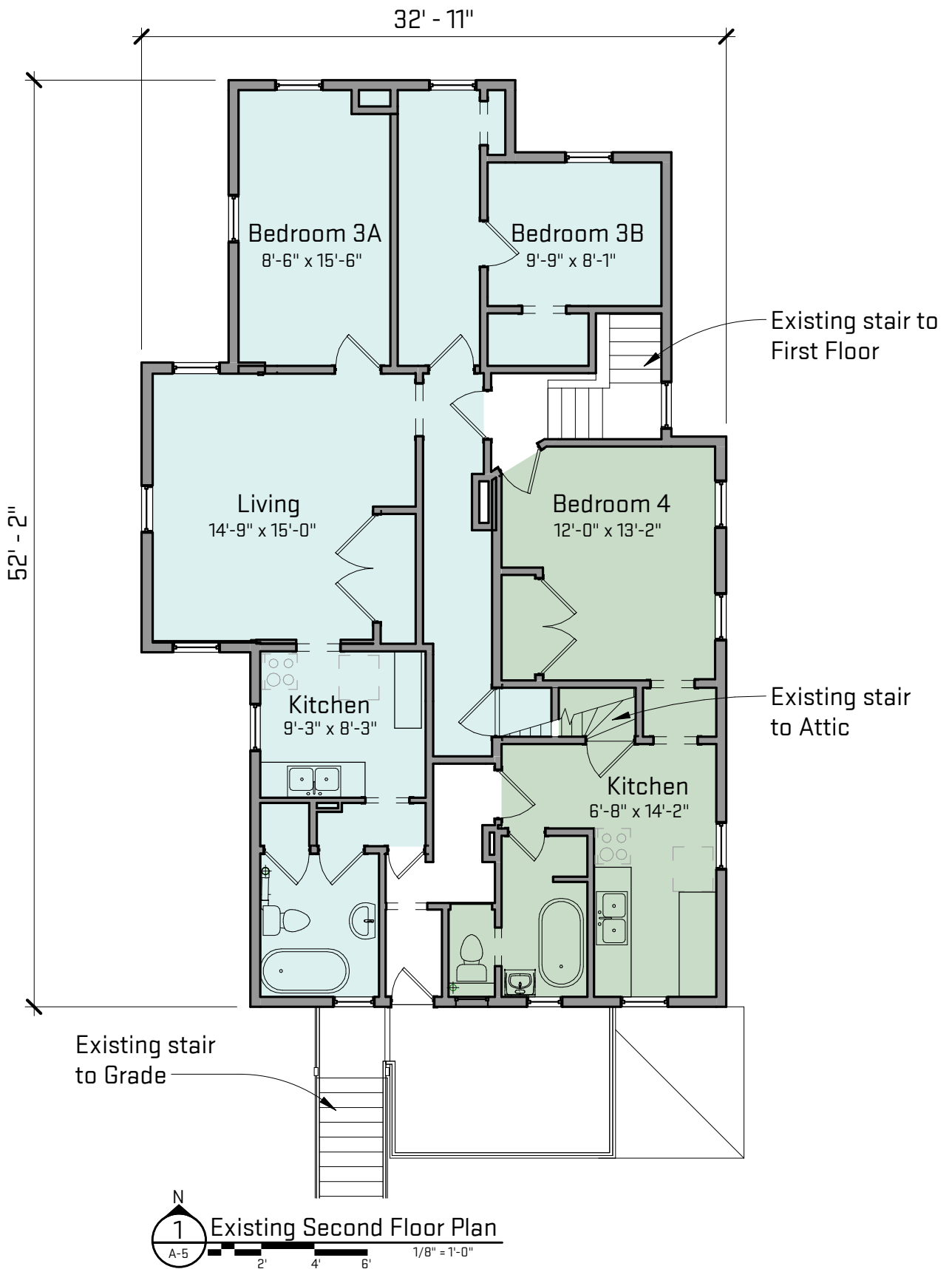

Existing Basement Plan
 1'-4" 2'-8" 5'-4" 1/8" = 1'-0"

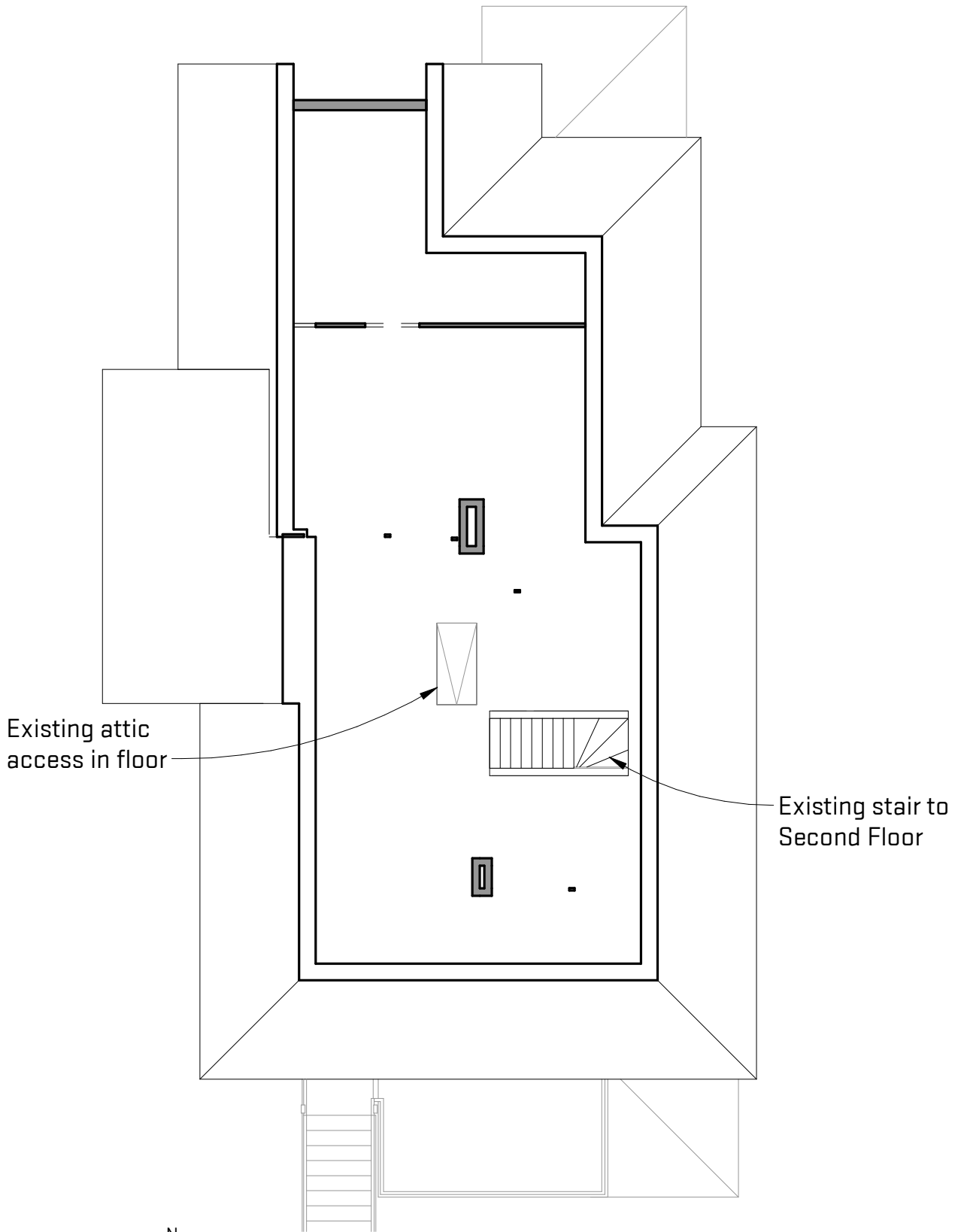





 Existing First Floor Plan
 1/8" = 1'-0"
 1'-4" 2'-8" 5'-4"

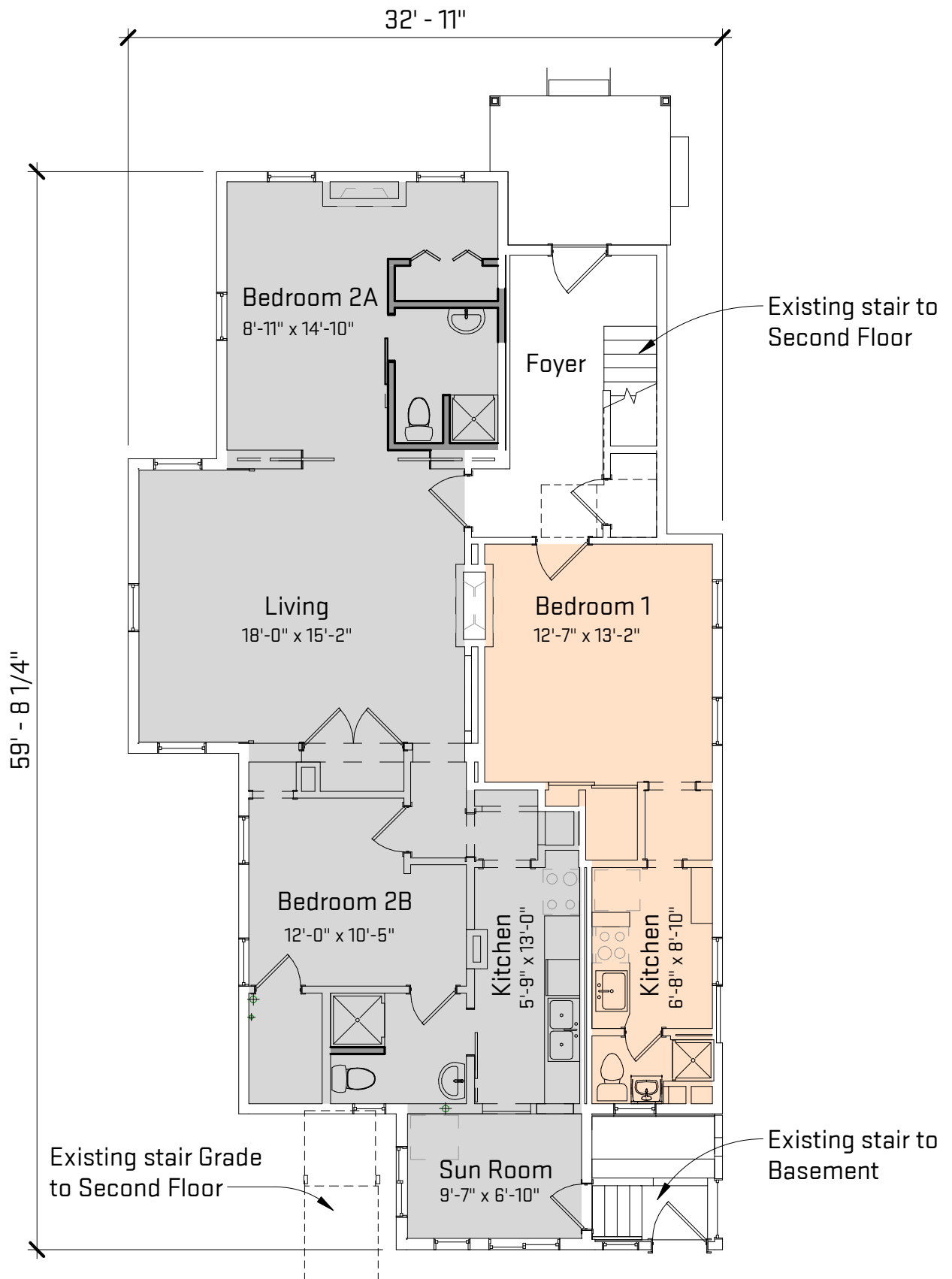


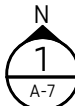




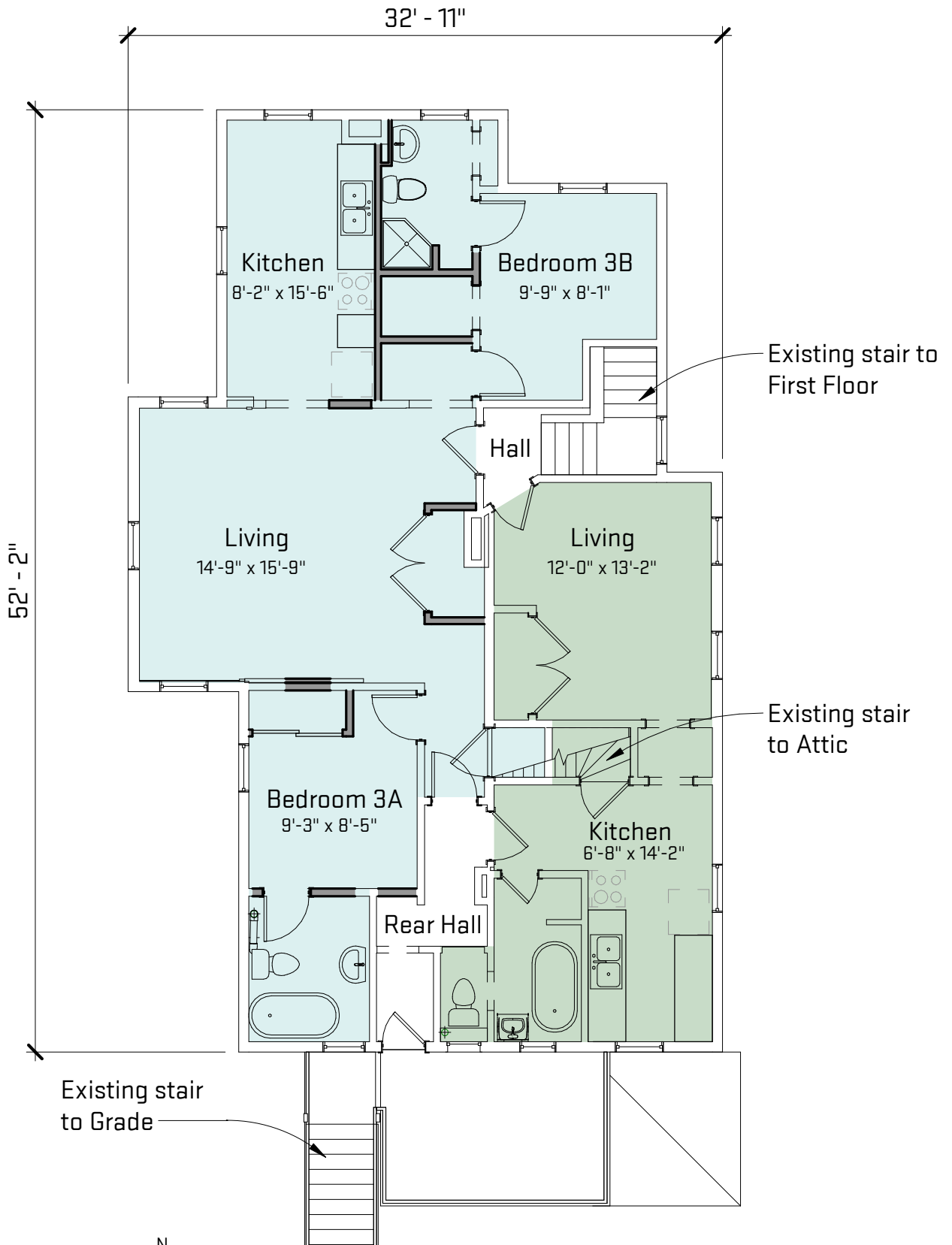

Existing Attic Plan
 1'-4" 2'-8" 5'-4" 1/8" = 1'-0"





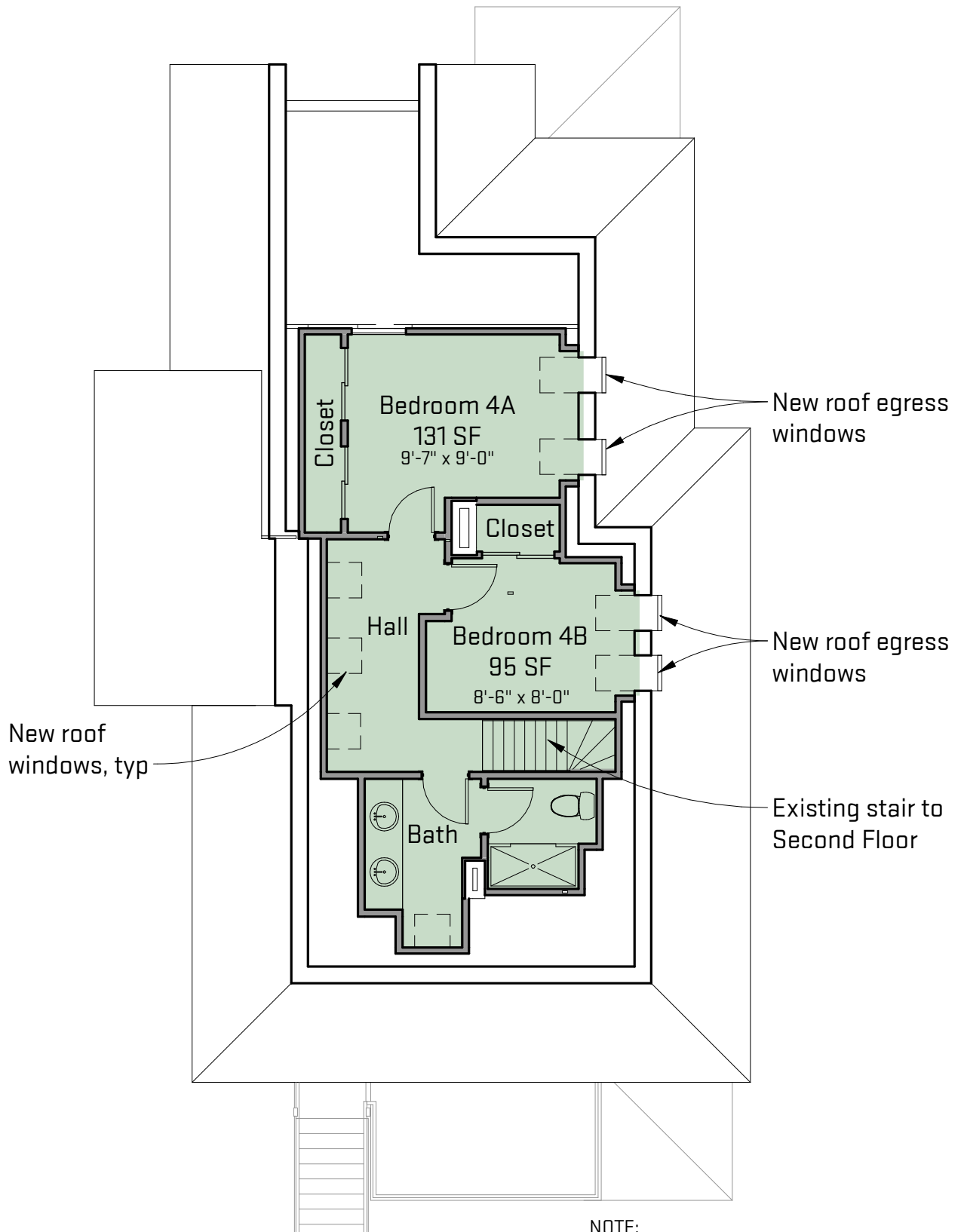

1 New Work First Floor Plan
 4' 8' 16' 1/8" = 1'-0"






1 New Work Second Floor Plan
 A-B  1/8" = 1'-0"






1 New Work Attic Plan
 A-9 2' 4' 8' 1/8" = 1'-0"

NOTE:
 All proposed work lies within building setback requirements. No exterior improvements proposed except for the addition of new windows flush with roof framing system.





View from NE corner looking SW



View from NW corner looking SE

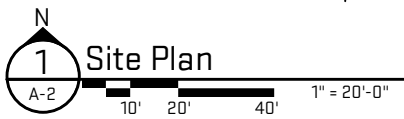
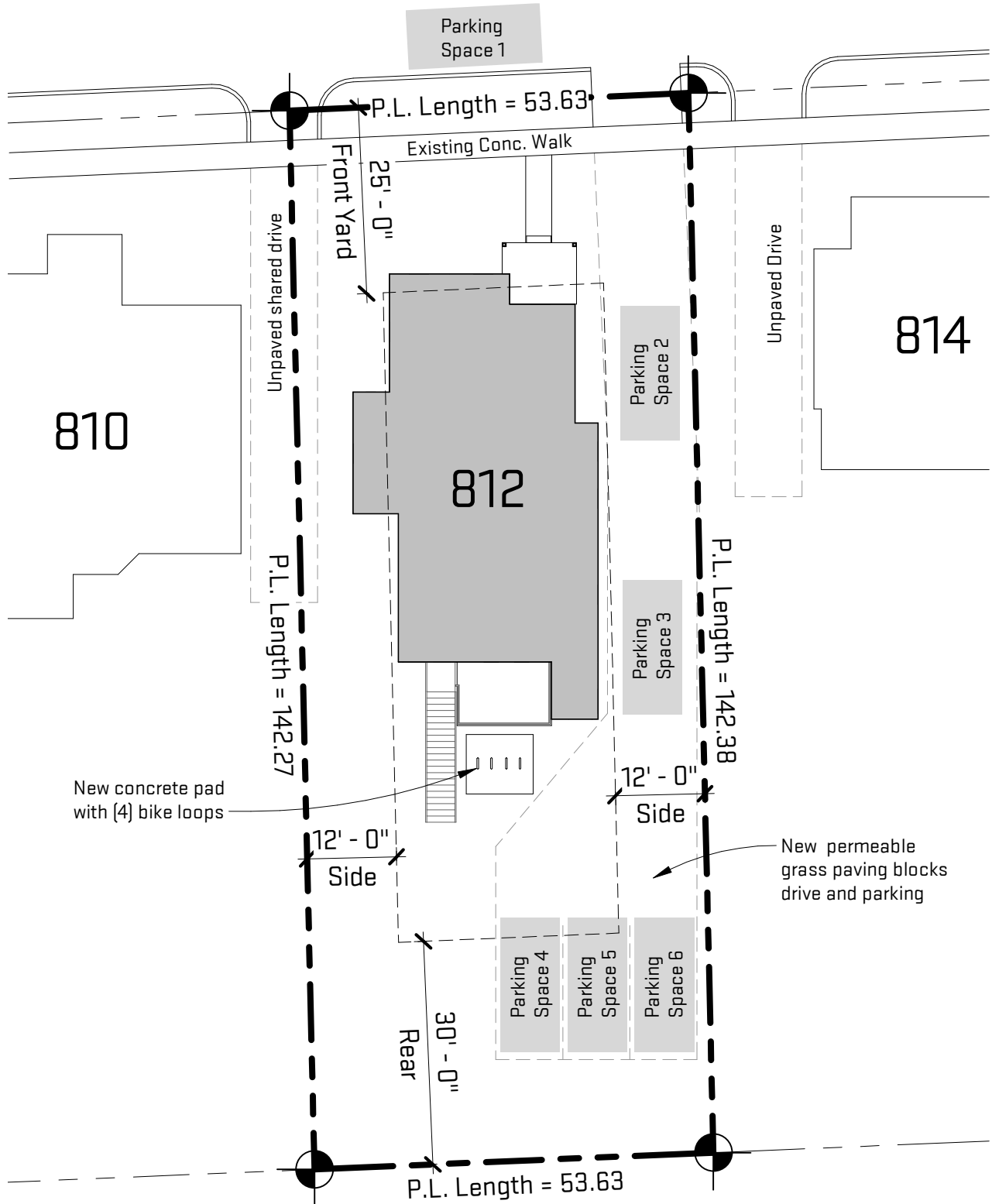


Rear of House



Front Yard

Henry Street



Job Title: 812 Henry Street Renovation
Sheet Title: Architectural Site Plan

OXSTUDIO
Inc.

A-2



RCP BLOCK & BRICK

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Interlocking Concrete Pavers: Turf Block



Recommended Products:



Paver Edging

Excellent for supporting the edge of your paver project.



Paver Sealer

Protect and enhance your paver project with sealers.



RCP Joint Sand

Fill and lock the joints between the pavers.



Class II Road Base

Use as base material beneath your paver project.



Concrete Sand

Used for the sand bedding on which the pavers are laid.

Turf Block

The Bella Vista Turf Block grass paving unit allows you to turn your driveway, parking area, and emergency access lane into a beautiful greenbelt that is easily mowed and cared for. This product allows driving over planted grass areas. The Turf Block unit is a manufactured concrete unit that provides soil chambers for planting and raised grids for wheel contact.

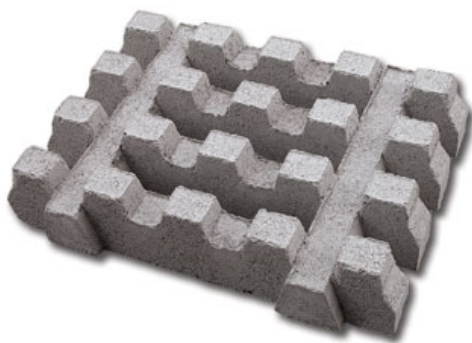
- Easily create drivable grassy areas
- Maintenance is the same as any lawn
- For occasional use and light parking applications

Available Colors:



Natural

NOTE: Actual colors may vary. Please visit an RCP Block & Brick location near you to view samples.



Piece	Thickness:	Width:	Depth:	Weight:	Pallet:
Turf Block	4.75"	23.5"	17.5"	90lbs	32pcs

Product Notes:

Related Products:

- All sizes are nominal.
- Special order colors require minimum quantity order and lead time. Call for more information.
- Products may not be stocked at all RCP Block & Brick locations. Please call for availability.



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'U' Rack | Bicycle Storage Rack



Secure and Easy Bicycle Storage

The 'U' Rack provides economical, safe and convenient bicycle storage which is ideal for apartment buildings, retail outlets, office malls or other settings where appearance is important but economy is a consideration.

Matching Products



Extended 'U' Rack
Bike Storage Racks

U Racks on Rails
Bicycle Storage Racks

Meets Class II guidelines by providing exceptional support for the whole bicycle, frame and wheel, using just a single U-lock. This storage rack supports each bicycle in a stable upright position and holds up to two bicycles, one on each side. Constructed with 1-7/8" O.D. or 2-3/8" O.D. Schedule 40 steel tubing.

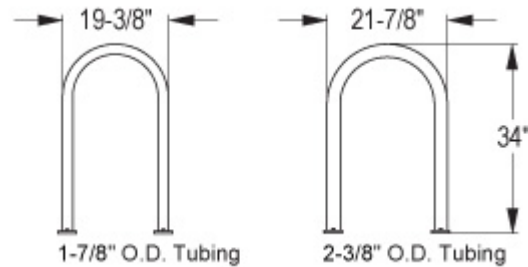
Choose from the best selling finish styles of galvanized, powder-coated or stainless steel to create the ideal bicycle storage rack to meet all the needs and requirements it's environment demands.

Galvanized Finish

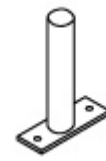
The hot dip galvanizing process results in an effective corrosion resistant surface with multi-varied spangle appearance.



Model U190-SF-P | Black



In-ground Mount



Surface Mount



Grout Cover
(Two Piece)

Optional Grout Covers

The 2 piece Grout Cover is the ideal aesthetic solution to conceal in-ground mount insertion point. Galvanized finish racks are paired with Spun Aluminum covers. Powder-Coated finish racks are paired with color matched Powder-Coated Cast Aluminum covers.