

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

Section 1: Applicant Information		
Name of Applicant: <u>MAVEN DEVELOPMENT</u> Address of Applicant: <u>544 Detroit St #1</u> Daytime Phone: <u>734-369-4266</u> Fax: <u>734-527-6048</u> Email: <u>dan@mavendevelopment.com</u> Applicant's Relationship to Property: <u>OWNER</u>		
Section 2: Property Information		
Address of Property: <u>SEE ATTACHMENT (211 W. DAVIS)</u> Zoning Classification: <u>R4C</u> Tax ID# (if known): <u>09-09-32-205-004</u> *Name of Property Owner: <u>MAVEN DEVELOPMENT</u>		
<small>*If different than applicant, a letter of authorization from the property owner must be provided.</small>		
Section 3: Request Information		
<input checked="" type="checkbox"/> Variance		
Chapter(s) and Section(s) from which a variance is requested: <hr/> <hr/> <hr/>	Required dimension: <u>PROPOSED</u> dimension: <hr/> <hr/> <hr/>	
<small>Example: Chapter 55, Section 5:26</small>	<small>Example: 40' front setback</small>	<small>Example: 32'</small>
Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary) <hr/> <hr/> <hr/>		
<u>SEE ATTACHMENT</u>		
Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)		
<p>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...)</p>		

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? N.A.

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

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

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? N.A.

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

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property SEE ATTACHMENT

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 _____	
Lot width _____	
Floor area ratio _____	
Open space ratio _____	
Setbacks _____	
Parking _____	
Landscaping _____	
Other _____	
<p>Describe the proposed alterations and state why you are requesting this approval:</p> <hr/> <hr/> <hr/> <hr/> <hr/>	
<p>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:</p> <hr/> <hr/> <hr/> <hr/>	
<p>Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit _____</p> <hr/> <hr/> <hr/>	

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.

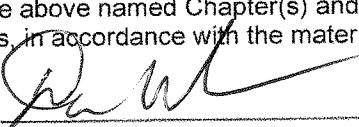
Phone Number

Signature

Email Address

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.



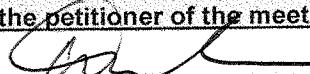
Signature

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 18 day of November, 2015, 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.

MATTHEW JOHN KERK
Notary Public, State of Michigan

County of Washtenaw

Notary Public Signature

My Commission Expires: 04/08/2020

Acting in the County of Washtenaw

Print Name

Notary Commission Expiration Date

Staff Use Only

Date Submitted: 11/18/15
 File No.: ZBA 15-026
 Pre-filing Staff Reviewer & Date: ZBA/11/18/15
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____

Fee Paid: \$500 -

Date of Public Hearing: _____

ZBA Action: _____

■ ■ ■ R U E T E R A S S O C I A T E S ■ ■ ■
A R C H I T E C T S

M E M O R A N D U M

DATE: Nov 18, 2015
TO: Mat Kowalski City of Ann Arbor Planning.
FROM: Marc M Rueter AIA
PROJECT: 211, West Davis Street Ann Arbor, Mi
RE: Variances for reconstructing existing walls of a nonconforming structure.

Section 1: Applicant Information

<i>Name of Applicant:</i>	<i>Maven Development LLC</i>
<i>Address of Applicant:</i>	544 Detroit Street, #1, Ann Arbor, MI 48104
Daytime Phone:	734 945 3603
Fax:	
Email:	dan@mavendevelopment.com
Applicant's Relationship to Property:	Owner

Section 2: Property Information

<i>Address of Property:</i>	211 West Davis Street
<i>Zoning Classification</i>	R4C
<i>Tax ID#:</i>	09-09-32-205-004
Name of Property Owner:	Maven Development LLC

Section 3: Request Information

Variances

Three Variances are required: front setback, west side setback and rear setback.

*Chapter(s) and Section(s)
from which a variance
is requested:*

Required dimension:

PROPOSED dimension:

Section 5:87 (1) (a) & (b)	front: 25', sides: 5 ft, rear 30 ft (using R1C zoning)	front: 1'4" sides: 1'5" & 12'6", rear: 5ft
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Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)

The intent of this project is to preserve an unusual 19th century warehouse with now rare, wood bowstring trusses. The building will be repurposed as a single-family residence. This is a unique property with the building occupying almost the entire site and having virtually no front or rear setback. The building's walls are constructed with concrete masonry units which are deteriorating. The building was constructed on inadequate foundations with inadequate or no reinforcing. The rear wall is collapsing from soil pressure. See attached architectural drawings for a further description.

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?

This property is one of the unique properties in the City. It is similar to many of the older mercantile store-fronts attached to single family houses in the Old West Side and in the Water Hill Neighborhood built before the advent of modern zoning.

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

Complying with the ordinance would require the complete demolition of this unusual existing building and the loss of a neighborhood landmark.

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

Granting the variance would allow for the renovation of what is presently a deteriorating and dangerous building. It would turn an unoccupied storage building into a new unusual single family residence.

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 property is very small and would require multiple variances for the construction of a residence and required parking. The property slopes up steeply to the rear which makes the rear yard unusable even for a replacement single family residence.

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

The condition is not self-imposed as the building was built many years ago in the early 20th century.

Section 5: Alteration to a Non-Conforming Structure

Current use of the property:

Storage

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:

	Existing Condition	Code Requirement
Lot area	4945 sf	use R1C zoning-7200 sf
Lot width:	75 sf	use R1C zoning-60 ft
Floor area ratio:	79%	not applicable

Open space ratio	21%	
Setbacks:	front: 0', w. side: 1'5" e. side: 12'6", rear 1'4	front: 25', side: 5', rear: 30'
<i>Parking Landscaping:</i>	<i>No parking</i>	<i>1 car for R1C</i>
<i>Other</i>		

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

The proposal is to convert the existing structure into a single family dwelling with a footprint of approximately 2400 square feet with a loft containing two bedrooms and a bath. Two parking spaces will be provided within a courtyard defined by the existing.

The existing walls are collapsing and will be rebuilt on their present footprint. Most of the unique bowstring trusses will be preserved.

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 mass of the present building will be reduced along the sidewalk, a neighborhood eyesore will be eliminated, on-site parking will be provided and an unoccupied building will have a new single family residential use.

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

The renovation and partial reconstruction of a non conforming building.



Marc Rueter
Rueter Associates Architects

211 Davis Residence

211 West Davis Street, Ann Arbor, Michigan 48103

DRAWING INDEX ■ INDICATES DRAWINGS IN THIS SET

- T-1 SITE PHOTOS AND TITLE PAGE
- C-1 SURVEY
- C-2 SITE PLAN
- A-1 1ST FLOOR PLAN



photo above:
North Elevation of 211 W. Davis



photo above:
Storage Warehouse at 211 W. Davis



photo above:
Rear Elevation of 211 W. Davis

Site Photos

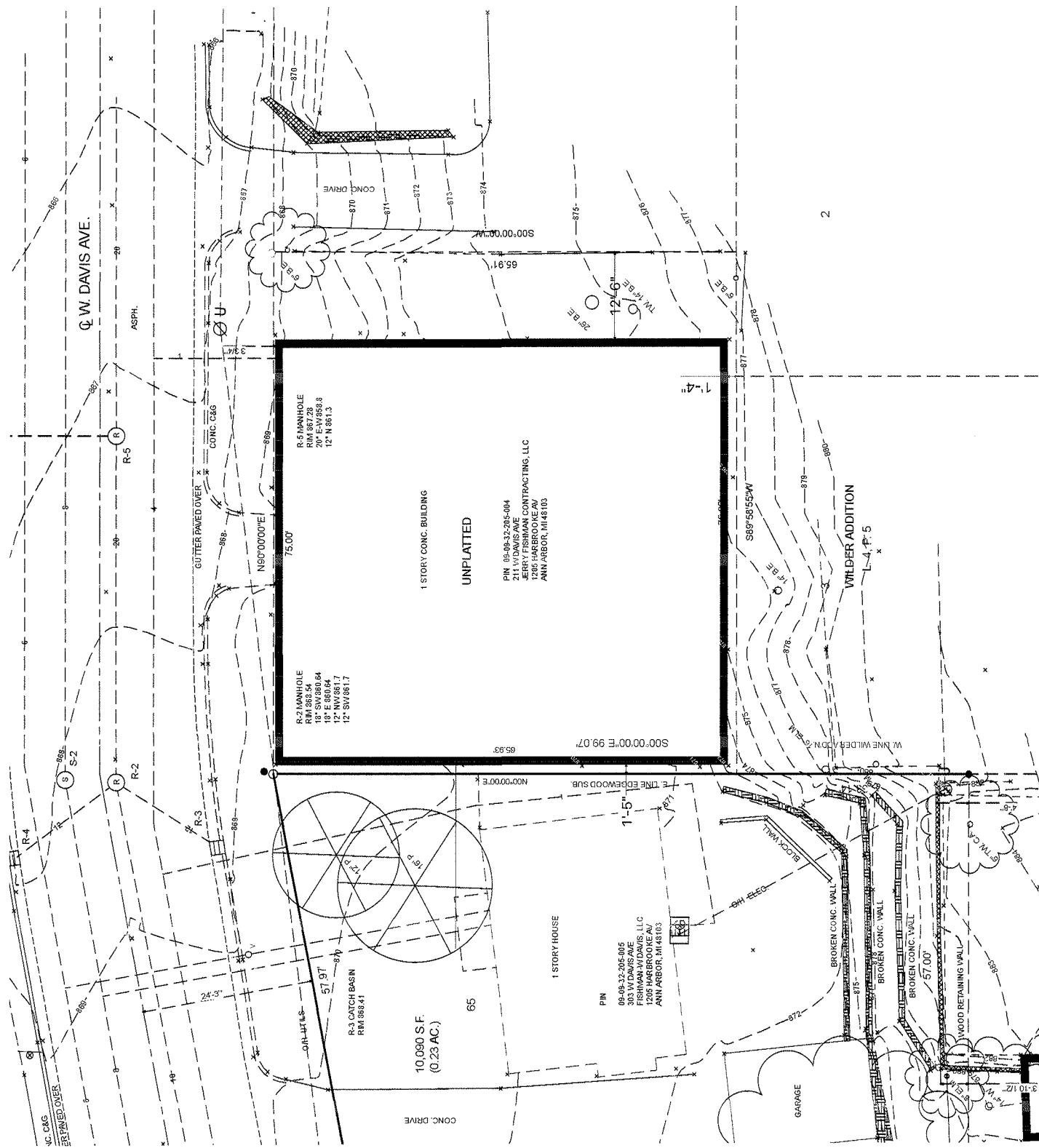
No Scale

■ RUETER ASSOCIATES ■
ARCHITECTS
515 Fifth Street, Ann Arbor, Michigan 48103
phone: (734) 769-0070, fax: (734) 769-0167

■ 211 WEST DAVIS STREET 11.18.15

Ann Arbor MI 48103

T1



RIETTER ASSOCIATES

ROBERTSON & SONS
ARCHITECTS
515 Fifth Street, Ann Arbor, Michigan 48103
phone: (734) 769-0070, fax: (734) 769-0167

WEST DAVIS S
Ann Arbor MI 48111

WIS STREET 11.18.15

Survey Scale: 1 = 200

5

211 WEST DAVIS STREET 11 18 15

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Proposed Site Plan Scale : 1" = 20' 0"

211 WEST DAVIS STREET 11:18.15

Ann Arbor MI 48103

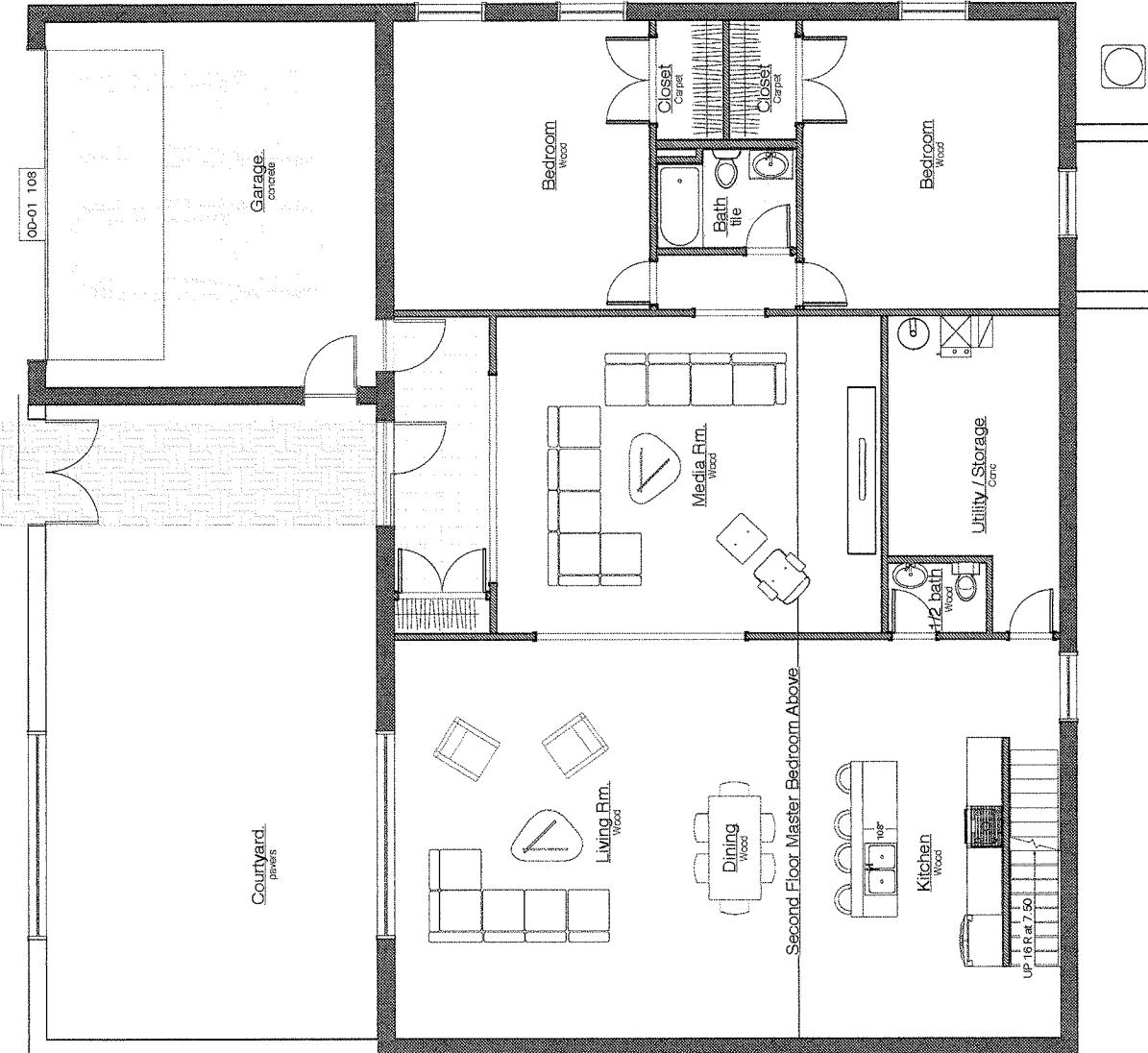
■
RUETER ASSOCIATES
ARCHITECTS

515 Fifth Street, Ann Arbor, Michigan 48103
(313) 764-2370, (313) 764-2371, (313) 764-2372

5115 Fifth Street, Ann Arbor, Michigan 48103
phone: (734) 769-0070, fax: (734) 769-0167

C2

Proposed First Floor Plan Scale : 3/32" = 1' 0"



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211 WEST DAVIS STREET 11.18.15

A1

Ann Arbor MI 48103