

**Zoning Board of Appeals
October 23, 2013 Regular Meeting**

STAFF REPORT

Subject: ZBA13-022, 2020 Camelot

Summary: Gary Turner is requesting one variance from Chapter 55(Zoning) Section 5:57 (Averaging an Existing front setback line), of 7 feet for expansion of an existing residential structure into the front setback; 30 feet is required (Averaged Front Setback).

Description and Discussion:

The subject parcel contains a 2,144 square foot, single-family dwelling constructed in 1961. The parcel is zoned R1C (Single-Family) and is located on Camelot, east of Packard. The existing setback measures 30 feet to the main house and 22 feet to the existing uncovered deck. This existing deck measures 8 feet by 10 feet or 80 square feet. The parcel is conforming for lot area; the required minimum lot area for R1C is 7,500 square feet and the parcel is 16,128 square feet.

The petitioner is proposing to remove the existing uncovered deck and construct a new covered, but not enclosed, front porch measuring 7 feet by 29 square feet or 203 square feet. The front setback to the porch will be 23 feet. The porch roof addition will match the rooflines of the structure and will be supported by columns.

Although the required front setback is 25 feet for the R1C zoning district, the averaged front setback at this location results in a required front setback of 30 feet. The total encroachment of the house after the porch addition will be 7 feet.

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.***

The subject parcel is a conforming lot in the R1C Zoning District (required is a minimum lot size of 7,500 square feet; parcel is 16,128 square feet). The existing house was built

in the 1961 before current zoning setbacks. The house, including the uncovered porch, was built 30 feet from the front property line. The R1C required setback is 25 feet, however the averaging of adjacent parcels adjusts the setback to 30 feet. The subject parcel is a rectangular lot and is 50 feet wide at the front property line.

- (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.***

The variance is being requested in order to construct a useable covered front porch. Due to the location of the existing structure at the averaged front setback line of 30 feet a porch could not be constructed on the front of the structure without a variance. A ground level patio could be built, but not covered in the same location.

- (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.***

If the variance is approved, the structure will be consistent with a number of houses in the neighborhood. Although a covered front porch does require a variance, it will not be fully enclosed and is minimal in total size (203 sq ft). This should minimize the impact to the surrounding neighborhood. The porch will not be extended any closer to the side property line or adjacent neighbors.

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

The house was built in 1961 before current zoning standards were established. The house was constructed 30 feet from the front property line with no useable front porch. Although there is a small stoop existing at the front door of the house, any addition to the front including a porch would require a variance.

- (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 covered front porch within the average front setback. The unenclosed porch will have columns supporting it, but should have a minimal impact to the surrounding neighborhood. A covered front porch would be consistent with some porches in the neighborhood.

Although an uncovered front patio could be built without the need for a variance, the

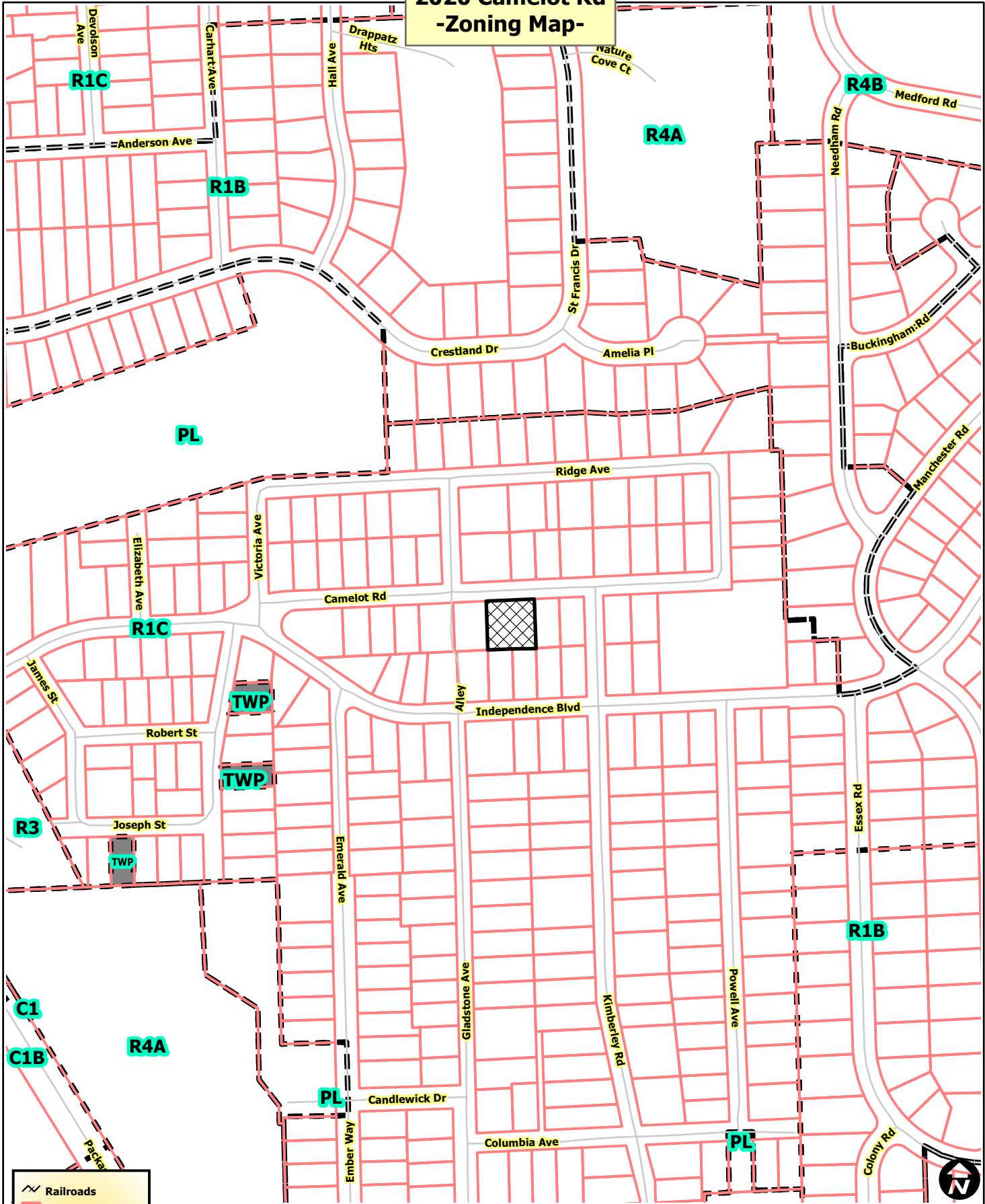
size and encroachment of the covered front porch is minimal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Kowalski', written in a cursive style.

Matthew J. Kowalski, AICP
City Planner

2020 Camelot Rd -Zoning Map-



Railroads
 Parcels
Zoning
 Township Islands
 Zoning Districts



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 Map Created: 10/1/2013

2020 Camelot Rd -Aerial Map-




-  Railroads
-  Parcels



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2020 Camelot Rd -Aerial Map-



 Railroads
 Parcels



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 Map Created: 10/1/2013



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

Section 1: Applicant Information

Name of Applicant: GARY D. TURNER

Address of Applicant: 227 MILES #2 YPSILANTI, MI 48198

Daytime Phone: 734 216 6575

Fax: _____

Email: GARY@GARYBUILDS.COM

Applicant's Relationship to Property: CONTRACTOR (BUILDER)

Section 2: Property Information

Address of Property: 2020 CAMELOT ANN ARBOR

Zoning Classification: R1C

Tax ID# (if known): 09-12-03-205-011

*Name of Property Owner: PELLAE-KOSBAR KYLE

*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: _____

Required dimension: _____ PROPOSED dimension: _____

_____	<u>AVG. SETBACK</u>	<u>23'-0" ±</u>
_____	<u>± 30'-0"</u>	_____

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)

OWNER WANTS A FUNCTIONAL FRONT COVERED PORCH W/ RAILINGS
SWINGING BENCH. MIN. WIDTH REQUIRED IS 7'-10". FRONT SETBACK
IS SKEWED BY A HOUSE (2) PROPERTIES TO THE EAST ON A CORNER FRONTING ANOTHER STREET.

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...)

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?

Most houses on this street have approx. 24' ± front setbacks and have porches. The subject house is a plain box, and owner has always wanted a front porch w/ furniture, swinging chairs, table/chairs. This proposal actually makes the house more like the rest on Camelot.

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

The ordinance as interpreted would make a front porch impossible to use. For functionality of use we need 7'-10" width min., and barrier free future ramp integration needs to be accommodated also.

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

This porch will add to the existing fabric of Camelot and make this property more consistent with existing character of the fronts around it. It will have a positive effect.

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 existing house (2 story) front wall is about 31' ± from sidewalk. The front porch has to be in the front where front door is. There is a 8'x10' deck there now.

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

Ordinance came into effect after main house was built. If original owner had included a reasonable front porch there would be no issue.

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property _____

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)

Existing Condition

Code Requirement

Lot area _____

Lot width _____

Floor area ratio _____

Open space ratio _____

Setbacks _____

Parking _____

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.

X 734 214 6575
Phone Number

Gary D. Turner x
Signature

X GARY@GARYBUILDS.COM
Email Address

GARY D. TURNER x
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.

Gary D. Turner 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.

Gary D. Turner 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.**

Rose-Marie E. Gale
Signature

On this 25th day of September, 2013, 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.

Rose-Marie E. Gale
Notary Public Signature

Oct 19, 2017
Notary Commission Expiration Date

ROSE-MARIE E. GALE
Print Name

Staff Use Only

Date Submitted: 9/25-2013

Fee Paid: 500⁰⁰

File No.: ZBA13-022

Date of Public Hearing: 10/23-2013

Pre-filing Staff Reviewer & Date: _____

ZBA Action: _____

Pre-Filing Review: _____

Staff Reviewer & Date: _____

From: Chris Pellar-Kosbar [mailto:chris.pellarkosbar@gmail.com]
Sent: Wednesday, September 25, 2013 9:30 AM
To: Kyle Pellar-Kosbar
Subject: Authorization to be agent

Gary Turner is authorized to be an agent for my husband, Kyle Pellar-Kosbar, and me, Christine Pellar-Kosbar, for the variance process for a front porch for the house 2020 Camelot Rd.

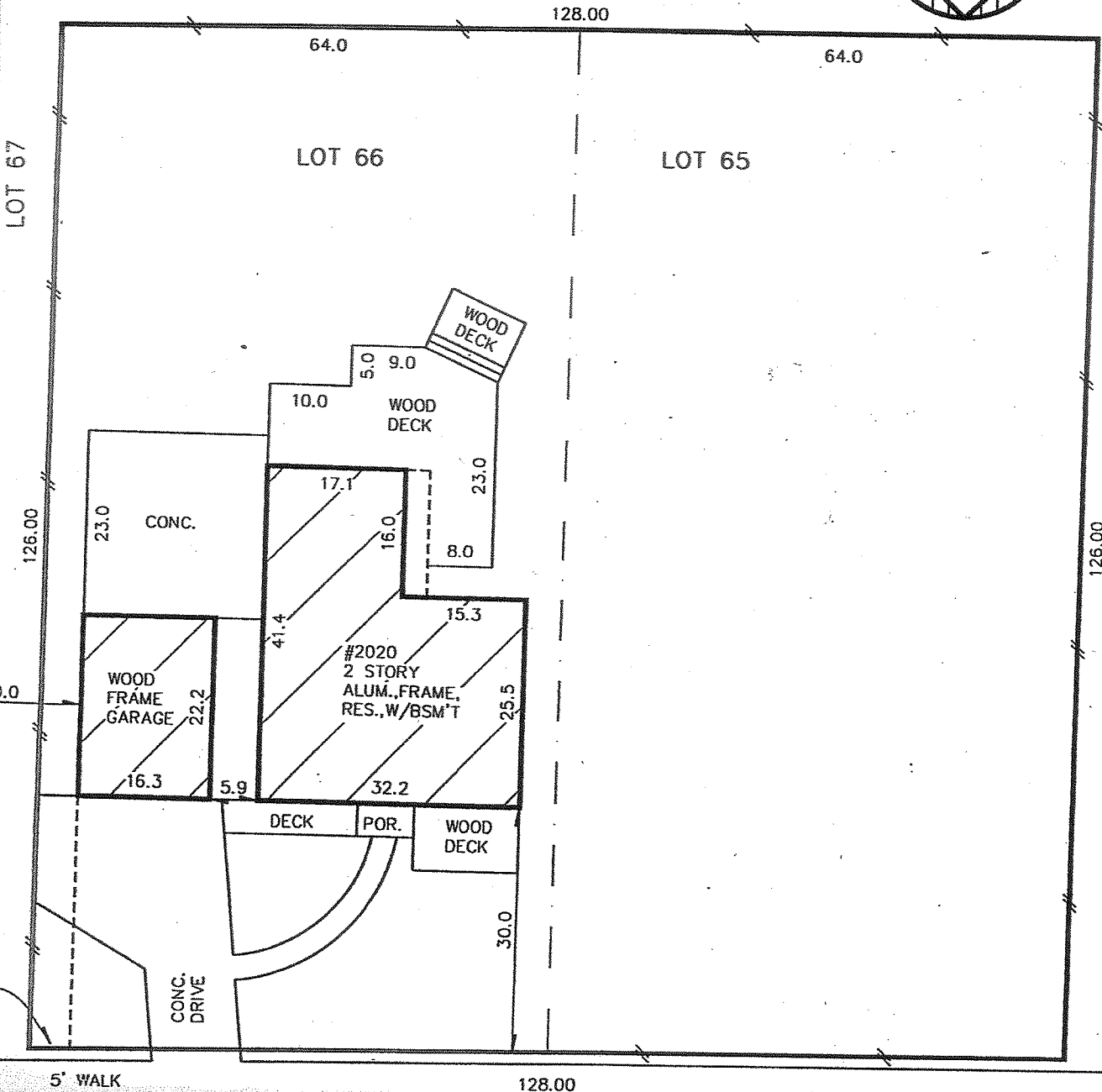
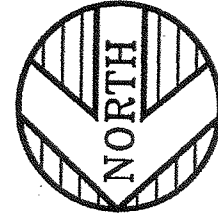
-Christine Pellar-Kosbar

Certified to: COUNTRYWIDE HOME LOANS- VENDOR 19468

Applicant: KYLE AND CHRISTINE PELLAR-KOSBAR

Property Description

Lots 65 and 66; ORCHARD CREST SUBDIVISION, of part of N.W. 1/4 of Section 3, and N.E. 1/4 of Section 4, Pittsfield Township (now City of Ann Arbor), Washtenaw County, Michigan, as recorded in Liber 3 of Plats, Page 47 of Washtenaw County Records.



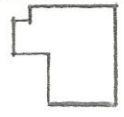
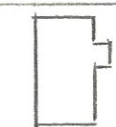
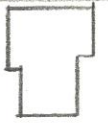
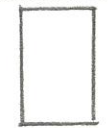
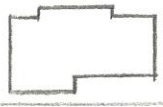
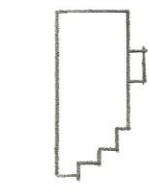
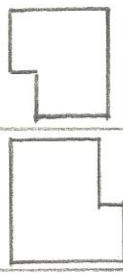
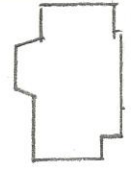
5' WALK

128.00

GLADSTONE

2003 2031 2049 2055

1929 1933 1938 1945 1970

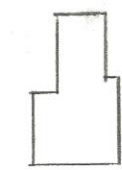
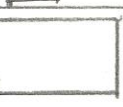
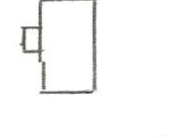
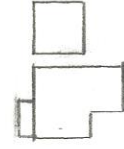
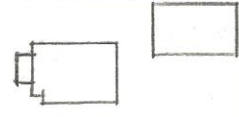
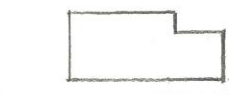
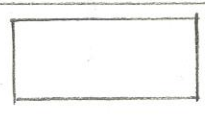


CAMELOT

KIMBERLY

2000 2020 2050

1932 1938 1940 1948



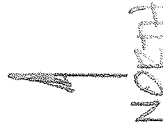
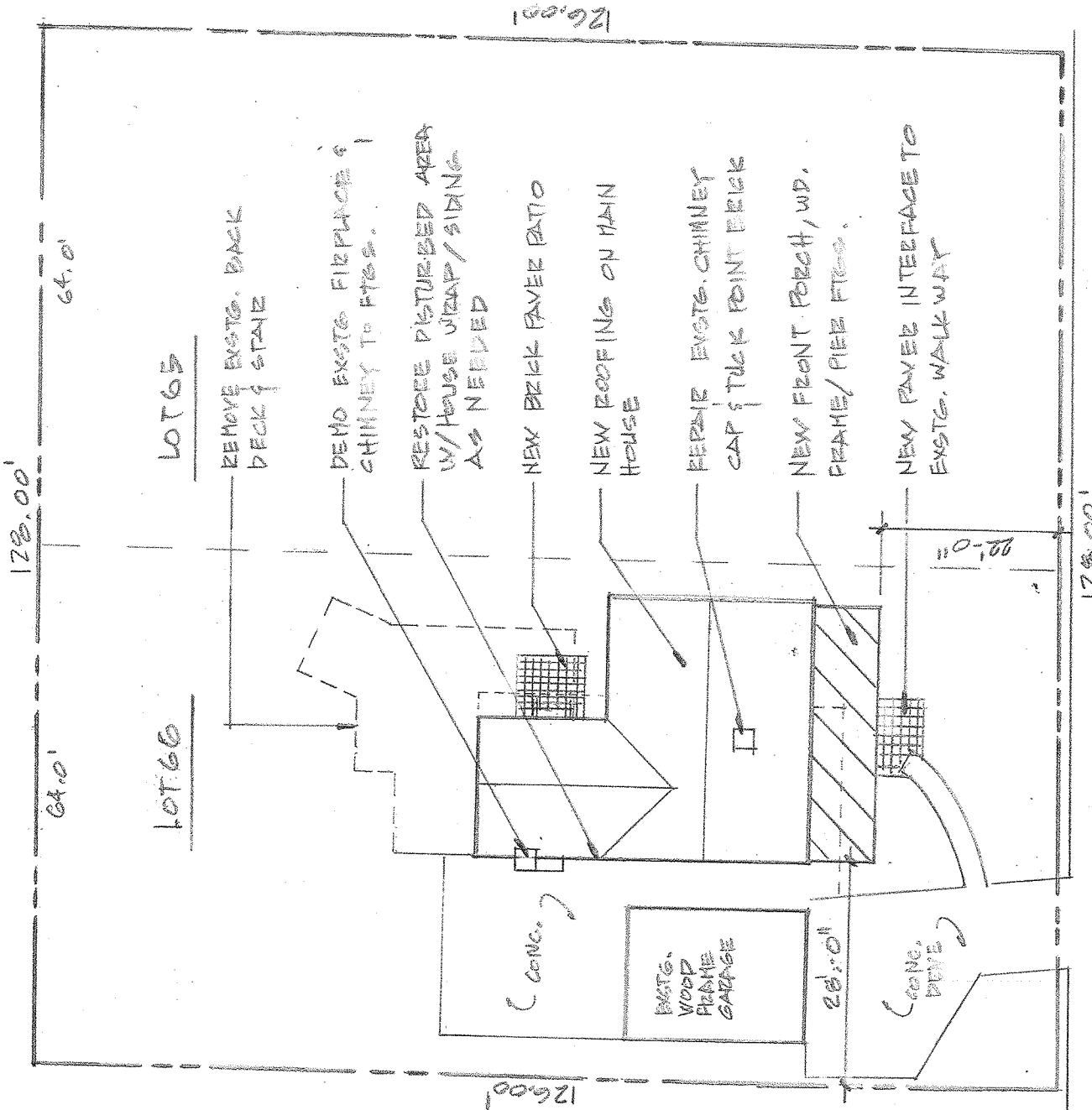
ALLEY



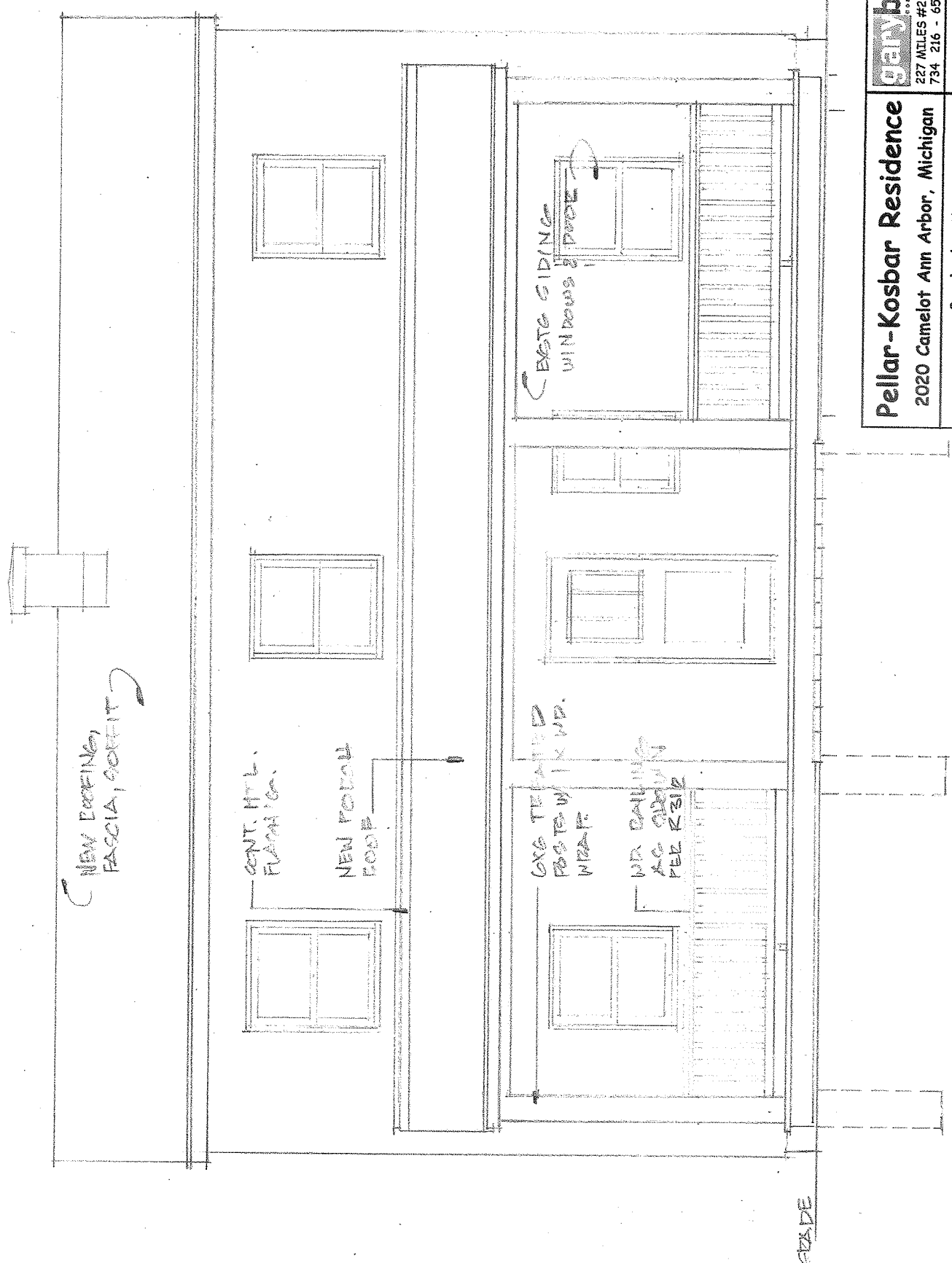
NORTH


2020 CAMELOT - SITE CONTEXT PLAN

1" = 80'-0" FOR PROPOSED FRONT PORCH ADDITION 10.11.13



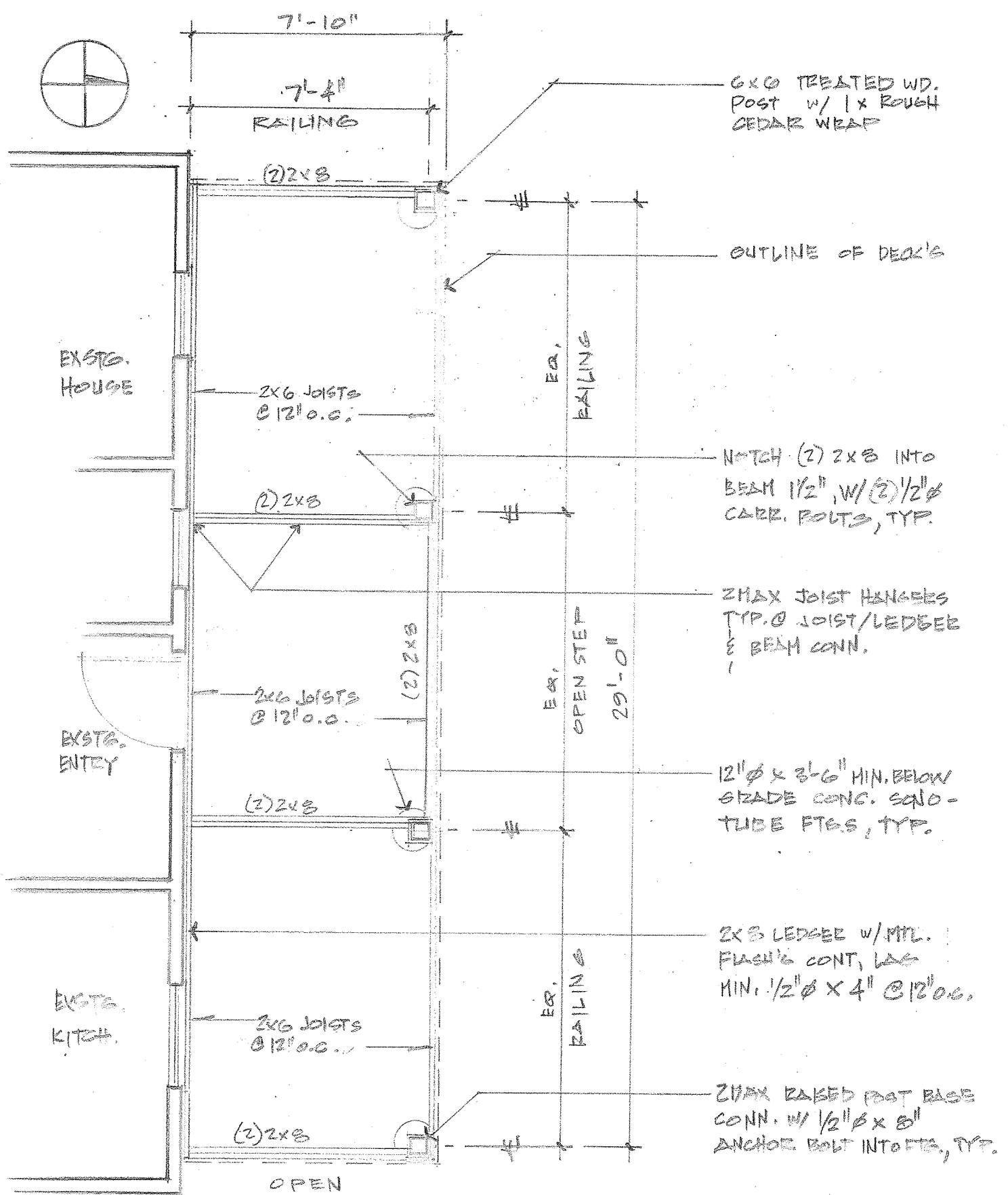
A SITE PLAN
 1" = 20' - 0"



 complete design - build service 227 MILES #2 YPSILANTI MI 48198 734 216 - 6575 gary@garybuilds.com	Pellar-Kosbar Residence 2020 Camelot Ann Arbor, Michigan	Sheet 2 of 4
	Porch elevation Scale as noted	8.20.13

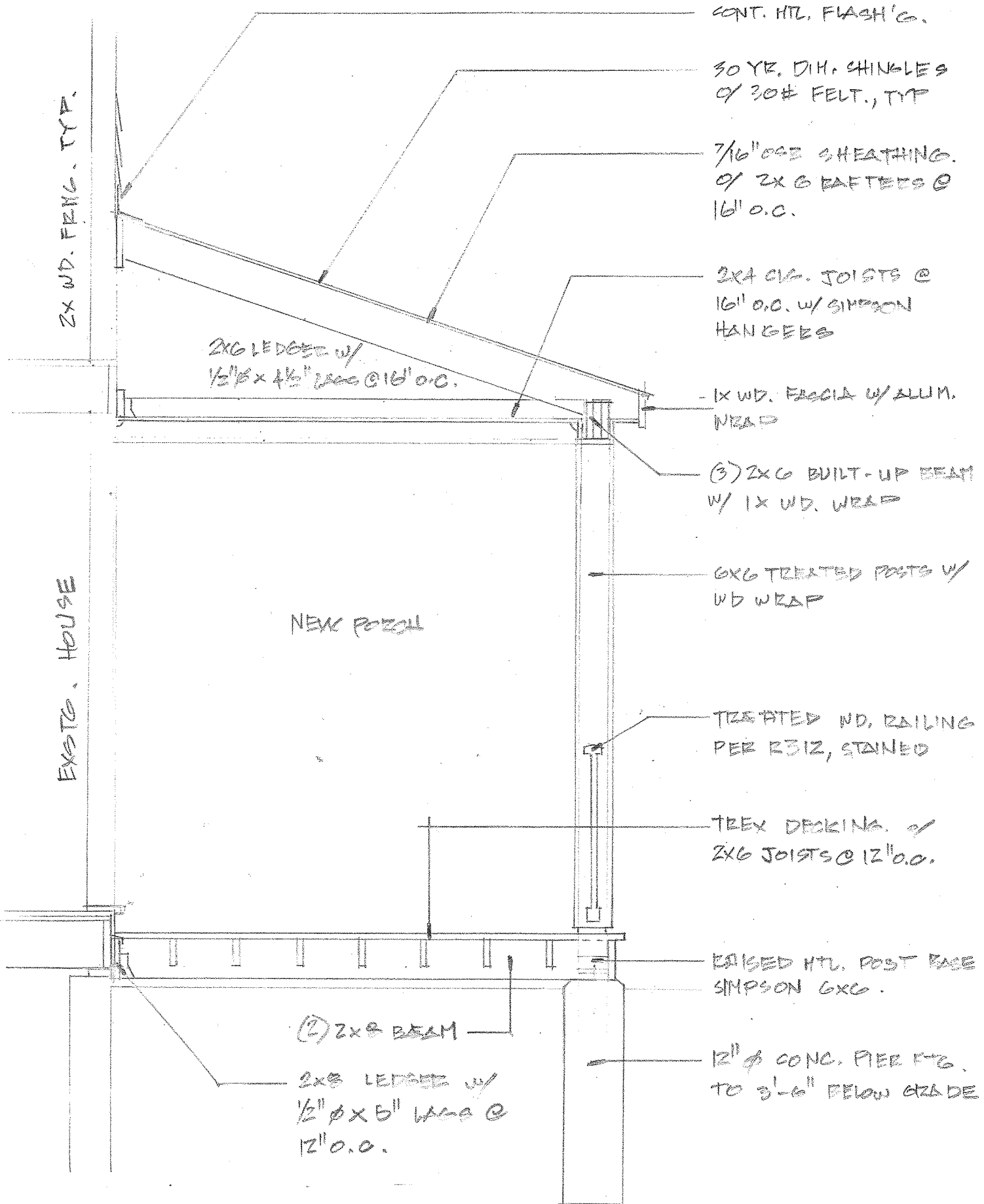
PORCH ADDITION ELEVATION 1/4" = 1' - 0"

GRADE



B FLOOR/FRAMING PLAN
 1/4" = 1' - 0"

Pellar-Kosbar Residence 2020 Camelot Ann Arbor, Michigan		garybuilds.com <small>complete design • build service</small> 227 MILES #2 YPSILANTI MI 48198 734 216 - 6575 gary@garybuilds.com	
Framing Plan Scale as noted		8.20.13	Sheet 3 of 4

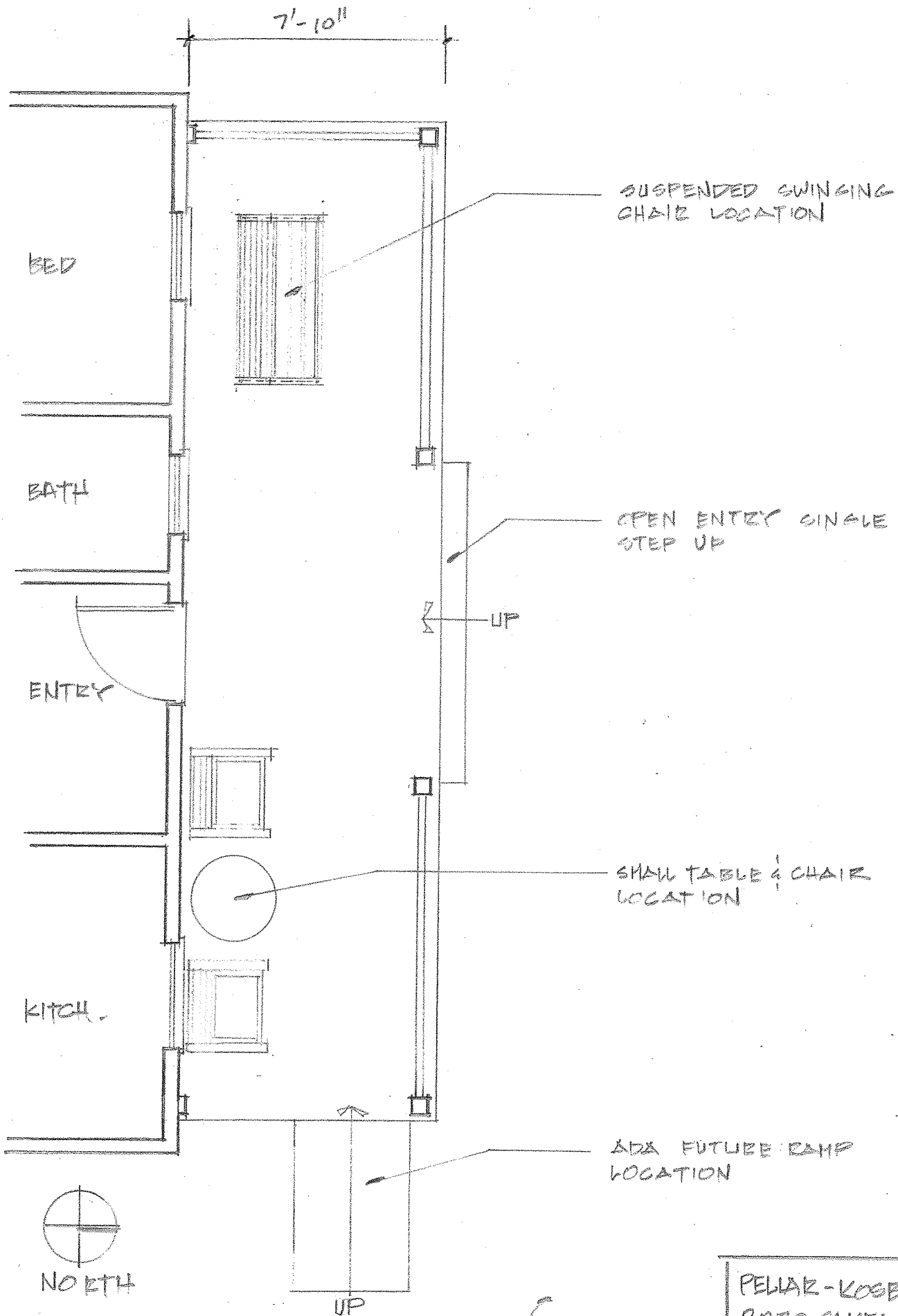


- CONT. HTL. FLASH'G.
- 30 YR. DIM. SHINGLES
OF 30# FELT., TYP
- 3/16" OSB SHEATHING.
OF 2X6 RAFTERS @
16" O.C.
- 2X4 CG. JOISTS @
16" O.C. W/ SIMPSON
HANGERS
- 2X6 LEDGES w/
1/2" x 4 1/2" LAGS @ 16" O.C.
- 1X WD. FACIA w/ ALUM.
WRAP
- (3) 2X6 BUILT-UP BEAM
w/ 1X WD. WRAP
- 6X6 TREATED POSTS w/
WD WRAP
- TREATED WD. RAILING
PER R312, STAINED
- TREX DECKING. OF
2X6 JOISTS @ 12" O.C.
- RAISED HTL. POST BASE
SIMPSON 6X6.
- 12" Ø CONC. PIER FTG.
TO 3'-6" BELOW GRADE

DETAIL SECTION

1/2" = 1'-0"

Pellar-Kosbar Residence 2020 Camelot Ann Arbor, Michigan	garybuilds.com <small>complete design - build service</small> 227 MILES #2 YPSILANTI MI 48198 734 216 - 6575 gary@garybuilds.com
	Detail Section Scale as noted
8.20.13	Sheet 4 of 4



NORTH

9/24/13

1/4" = 1'-0"

DRIVEWAY

PELLAR-KOSBAE
2020 CAHELOT
ZBA FLOOR PLAN

Attached I have recent photos of the adjoining properties and street for this front porch request.

The first photo is the existing condition at 2020 Camelot with a 8'-0" x 13'-0" existing wood deck on the front.

The second photo is of the next house to the West, 2000 Camelot which has a front porch that is covered and with railings like we are proposing. This is 6'-0" x 8'-0" and is 25' from the sidewalk.

The third photo is a zoom in on a part of the second photo showing the existing wood deck at 2020 Camelot next door.

The fourth photo is of the second house to the West, 1948 Camelot with an enclosed front porch. This porch is 7'-0" x 8'-0" and is also 25' from the sidewalk.

The fifth photo is the first house to the East, 2050 Camelot which has an enclosed front entry and adjoining stoop. This front entry/stoop is 6'-0" x 9'-0" and is 25'-6" from the sidewalk.

The sixth photo shows the view across the street, with the setbacks on these houses as follows: 2049 Camelot @ 24'-0". 2031 Camelot @ 24'-6", and 2003 Camelot @ 22'-0".

I am making a site plan that shows the context of the street and helps to see the existing fabric better.

This might not be ready until Monday, I hope this still can be included in our presentation.

Thanks,

Gary Turner
Community Builders LC





2020





2051

2020



2000



We, the undersigned, support the Pellar-Kosbars in their request to build a covered porch, 7'-10" x 29'-0" with a 24'-2" setback from the existing sidewalk. Since the average setback for the houses adjacent and across the street is 24'-4" (when the corner house facing Kimberly is not included), this porch will fit into the existing fabric and setback character of Camelot Rd.

10/3/2013

Name Marsha Skoman
Marsha Sherman

Address
2460 Kimberley Rd AA 48104

Molly V. Walker
Molly V. Walker

2050 Camelot Rd A2 48104

James C. Walker
James C. Walker

2050 Camelot Rd. A2 48104

Barbara Kroecker
Barbara Kroecker

2049 Camelot Rd AA 48104

Smilka Zdravkorska

2003 Camelot Rd A2 48104

Dan Burns

2003 Camelot Rd.

Juan Moreno

1938 Camelot Rd

Dorothy Moreno

1938 Camelot Rd.

CAROLINA TYPALDOS
Carolina Typaldos

2000 Camelot Rd.

Dear Ms. Gale,

We support the request for the variance ZBA13-022 on parcel I.D 09-12-03-205-011 at 2020 Camelot Road, Ann Arbor, MI 48104.

As neighbors, we find the request to be entirely reasonable and do not believe it will do anything negative to their property, our property, or the neighborhood in general.

We request that the Zoning Board of Appeals grant this request.

Signed,

James C. Walker
Molly V. Walker
2050 Camelot Road
Ann Arbor, MI 48104