

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

Section 1: Applicant Information

Name of Applicant: DANIEL PRESSEL & PATRICIA LASKOWSKY
Address of Applicant: 712 GOTT ST.
Daytime Phone: 734-678-1723
Fax: _____
Email: dpressel@gmail.com
Applicant's Relationship to Property: OWNERS

Section 2: Property Information

Address of Property: 712 GOTT ST.
Zoning Classification: R1D
Tax ID# (if known): 09-09-20-312-018
*Name of Property Owner: DANIEL PRESSEL & PATRICIA LASKOWSKY

**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 5:29

Required dimension:

10' front setback

PROPOSED dimension:

8'-7 3/4"

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)

THE PROPOSAL IS TO EXTEND THE WIDTH OF THE EXISTING NON-CONFORMING COVERED FRONT PORCH TO MATCH THE WIDTH OF THE HOUSE. THE NEW PORTION WILL BE LESS NON-CONFORMING THAN THE EXISTING FRONT PORCH

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?

THE EXISTING DEPTH OF THE FRONT PORCH IS 4' 11" AND REBUILDING THE PORCH TO MEET THE REQUIRED 10' MINIMUM SETBACK WILL RESULT IN AN UNUSABLE SPACE

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

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

GRANTING THE VARIANCE WILL HAVE NO NEGATIVE EFFECT ON THE NEIGHBORING PROPERTIES. THE PROPOSAL DOES NOT SEEK TO ENCRoACH ANY FURTHER INTO THE EXISTING FRONT ^{Set Back} ~~AREA~~ than the existing front porch and the neighboring home's front setbacks.

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 variance is not self-imposed, but pre-existing and needed due to the proximity of the front of the home to the front property line. Without the variance, the porch will not be sized ^{adequately} to be usable space.

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

The house is pre-existing structure and can't change its proximity to the front of the property line. The proposed porch will be less non-conforming than the existing front porch.

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property FRONT PORCH

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 exst 4488 sf req'd 5000sf

Lot width exst 34' req'd 40'

Floor area ratio exst .41 req'd N/A

Open space ratio exst 77.6 % req'd N/A

Setbacks front 8' 7 3/4" req'd - 10' min. (any of adjacent lots is less than 10')

Parking _____

Landscaping _____

Other _____

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

The proposal is to extend the width of an existing non-conforming covered front porch to match the width of the house (23' - 4 3/4" wide). The new area will be less non-conforming than the existing portion of the front porch. The existing depth of the front porch is 4' 11" and rebuilding the front porch to meet the required 10' minimum setback would result in unusable space.

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 proposal does not seek to encroach any further into the front setback than the existing front porch & the neighboring homes front setbacks are within the minimum required 10'.

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 extension of the

width of an existing non-conforming covered front porch to match the width of the house (23' - 4 3/4" wide). Where the new setback (proposed dimension being 8' - 7 3/4".

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.....)

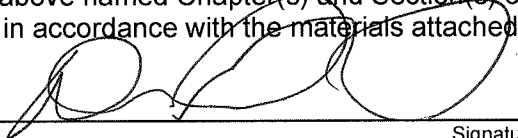
- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written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

Section 7: Acknowledgement

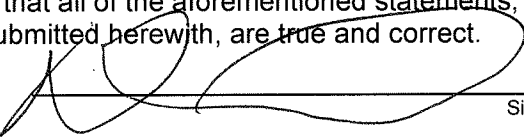
SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

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.

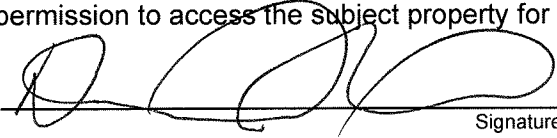
734-678-1723
 Phone Number
dpressel@gmail.com
 Email Address


 Signature
DANIEL PRESSEL
 Print Name

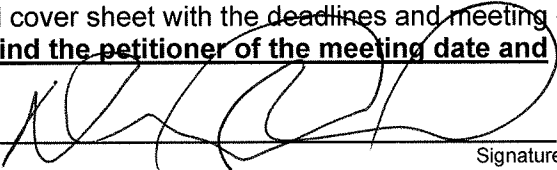
I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.


 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.

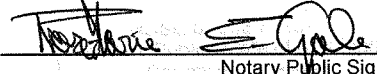

 Signature

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 25th day of February, 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.

ROSE-MARIE E. GALE
 Notary Public, State of Michigan
 County of Lenawee
 My Commission Expires Oct. 19, 2017
 Acting In Washtenaw County


 Notary Public Signature
ROSE-MARIE E. GALE
 Print Name

October 19, 2017
 Notary Commission Expiration Date

Staff Use Only

Date Submitted: 2/25-15
 File No.: ZBA15-003
 Pre-filing Staff Reviewer & Date _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____

Fee Paid: 500⁰⁰
 Date of Public Hearing 3/25-15
 ZBA Action: _____