

**Zoning Board of Appeals  
July 23, 2025, Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 25-0019; 504 Concord Pines Drive**

**Summary:**

Phillip Miller, property owner, is requesting a six-foot variance from Table 5.17-1 Single-Family Residential Districts. The owners are proposing to construct a new 175 square foot screened porch in the rear yard. The property is zoned R1B and requires a minimum 40-foot rear yard setback.

**Background:**

The subject property is located on the north side of Concord Pines Drive and east of Earhart Road just north of Concordia University. The house was built in 2024 and is 3,249 square feet in size. The home is on a conforming lot for the R1B district and is 10,010 square feet in size, according to the survey submitted by the applicant.

**Description:**

The subject property is seeking a variance to build a new 175 square foot screened porch in the rear yard. The proposed sunroom will include space for a table and seating. The new addition will be constructed in the rear yard 34 feet from the lot line. The proposed construction requires a variance from the ZBA.

**Standards for Approval- Alteration to a Nonconforming Structure**

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the Unified Development Code (UDC).

The following criteria shall apply:

- (a). ***That the practical difficulties 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.***

**Applicant response:** *"We would like to build a screen porch on the rear of our house, measuring 12' 6-1/4" wide x 14' deep. Given the location at which the developer sited our house on the lot, absent a variance, any addition could only be 8' deep, which would not create a usable space. The area immediately beyond our rear lot line is a common element in the Concord Pines development, planted with many trees - a condition that is unique to our property and does not exist generally throughout the City. Consequently, building a screen porch extending 6' into the 40' rear setback would not negatively affect any adjoining property."*

- (b). ***That the practical difficulties will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.***

**Applicant response:** *"Absent a variance, any addition to the rear of our home could only be 8' deep. That limitation would render any addition unusable, not*

*merely inconvenient. Our family plans to use the screen porch as a space for dining and sitting to enjoy the warm weather. This use would be impossible without a small variance. We do not envision the screen porch as a vehicle to attain a higher financial return."*

- (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.***

**Applicant response:** *"The benefits of granting a variance substantially outweigh any drawbacks. Since the rear of the property adjoins a common element in our development, a screen porch that extends 6' into the rear setback would not encroach on the rights of any other property owners. Without the requested variance, there would be no practical way for our family to make use of an addition to the rear of our home. Permitting this small variance is consistent with the goals of the Unified Development Code in that the variance would allow enhanced use of the property to enjoy outdoor space without negatively affecting neighboring property owners."*

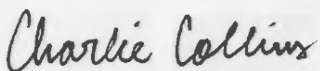
- (d). ***That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.***

**Applicant response:** *"The developer sited our home on the lot in a location such that no addition to the rear of the home could be built without a variance. Our proposed screen porch would be 14' deep, extending 6' into the rear setback. Without the variance, the screen porch could not accommodate a dining table and seating for our family."*

- (e). ***A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.***

**Applicant response:** *"The requested variance would permit the addition of a screen porch that would measure 12' 6-1/4" wide x 14' deep. The proposed dimensions of the screen porch are reasonably sized to accommodate a dining table and seating for our family to enjoy the warm weather. If the variance is approved, the screen porch would extend 6' into the 40' setback, which is the minimum variance to allow reasonable use of the space."*

Respectfully submitted,



**Charlie Collins- Zoning Coordinator  
City of Ann Arbor**