

**Zoning Board of Appeals
January 22, 2014 Regular Meeting**

STAFF REPORT

Subject: ZBA13-025, 305 West Keech

Summary: David Bona is requesting one variance from Chapter 55(Zoning) Section 5:29 (R1D), of 12 feet 2 inches feet for expansion of an existing residential structure into the front setback; 25 feet is required.

Description and Discussion:

The subject parcel contains a 1,176 square foot, single-family dwelling constructed in 1926. The parcel is zoned R1D (Single-Family) and is located on West Keech, just west of South Main. The existing setback measures 18 feet 3 inches to the main house, required setback is 25 feet. As a result the existing house is non-conforming for encroachment into the front setback. The parcel is conforming for lot area; the required minimum lot area for R1D is 5,000 square feet and the parcel is 5,265 square feet.

The petitioner is proposing to construct a new covered, but not enclosed, front porch measuring 6 feet by 22 feet or 132 square feet. The front setback to the porch will be 12 feet 10 inches. The porch roof addition will match the rooflines of the structure and will be supported by columns. Previously, the house had a covered front porch that extended along the entire front line of the house. Sometime before 1988 that porch was enclosed as shown in the attached picture from the 1988 City Assessor records. The petitioner will be incorporating this enclosed space into the living area and will be adding the new porch to the front of this. The total encroachment of the house after the porch addition will be 12 feet 2 inches.

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 R1D Zoning District (required minimum lot size of 5,000 square feet; parcel is 5,265 square feet). The existing house was built in the 1926 before current zoning setbacks. The house, including the previous covered porch, was built 18 feet 3 inches from the front property line. The R1C required setback is 25 feet.

- (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 covered front porch. Due to the location of the existing structure with the front setback line, 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.***

Although a covered front porch does require a variance, it will not be fully enclosed and is minimal in total size (132 sq ft). The existing front line of the house is consistent with structures located along the south side of Keech. The house is located on the curve of Keech and the proposed porch will extend further into the front setback. 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 1926 before current zoning standards were established. The house was constructed 18 feet 3 inches from the front property line. Historical records indicate that the house did have a covered front porch at one time, but it was enclosed before 1988 by a previous owner.

- (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 front setback. The unenclosed porch will have a depth of 6 feet and will have a total area of 132 square feet. The front porch will have columns supporting it and encroach further into the front setback than adjacent structures. A covered front porch would be consistent with some porches in the neighborhood.

Respectfully submitted,



**Matthew J. Kowalski, AICP
City Planner**

Historic Name

USGS Map Title
Area Map Title

Site No.

Common Name

District Name

Street and Number 305 Keech

Block Number

Sub-unit

Municipal Unit Ann Arbor

County Washtenaw

Original Usage Residential

Present Usage Residential

Ownership

Photography: Neg. No. 9:6

Date 1988

View North facade/
facing south

Survey/Date Fall 1988

Surveyor Ann Walding

Recorder/Date Walding/88



NR__ SR__ NHL__ CF__ G__ TR__ ER__ WF__ SF__