

**Zoning Board of Appeals
July 31, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA19-013; 3250 Woe-Be-Tide

Summary:

Ann Arbor Sunrooms Kitchen & Bath, representing the property owners, are requesting a variance from Table 5:17-1 Single-Family Residential Zoning District Dimensions. A 13 foot three inch variance from the required 20 foot rear yard setback is requested in order to construct a 160 square foot sunroom to the existing residence. The resulting rear yard setback is proposed to be six feet nine inches. The property is zoned R1D single family residential.

Background:

The subject property is located on a cul-de-sac lot west of Turnberry Lane and south of Packard Road. The home was built in 1996 and is approximately 1,521 square feet in size.

Description:

The sunroom will be an all glass enclosure that will replace an existing deck.

Standards for Approval- Variance

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 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.***

The applicant contends that the lot is unique in the fact that it is small (5401 square feet) and the rear yard abuts the side yard of the property at 3246 Roon The Ben.

- (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.***

The sunroom will not have a detrimental effect on the neighboring property as it will face the garage of the neighbors.

- (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.***

The proposed sunroom will be located within the footprint of an existing deck and

Zoning Board of Appeals
July 31, 2019

Will not encroach further into the rear yard setback.

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

The applicants have stated the hardship is related to the size of the lot and the setbacks that have been applied on a corner lot.

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

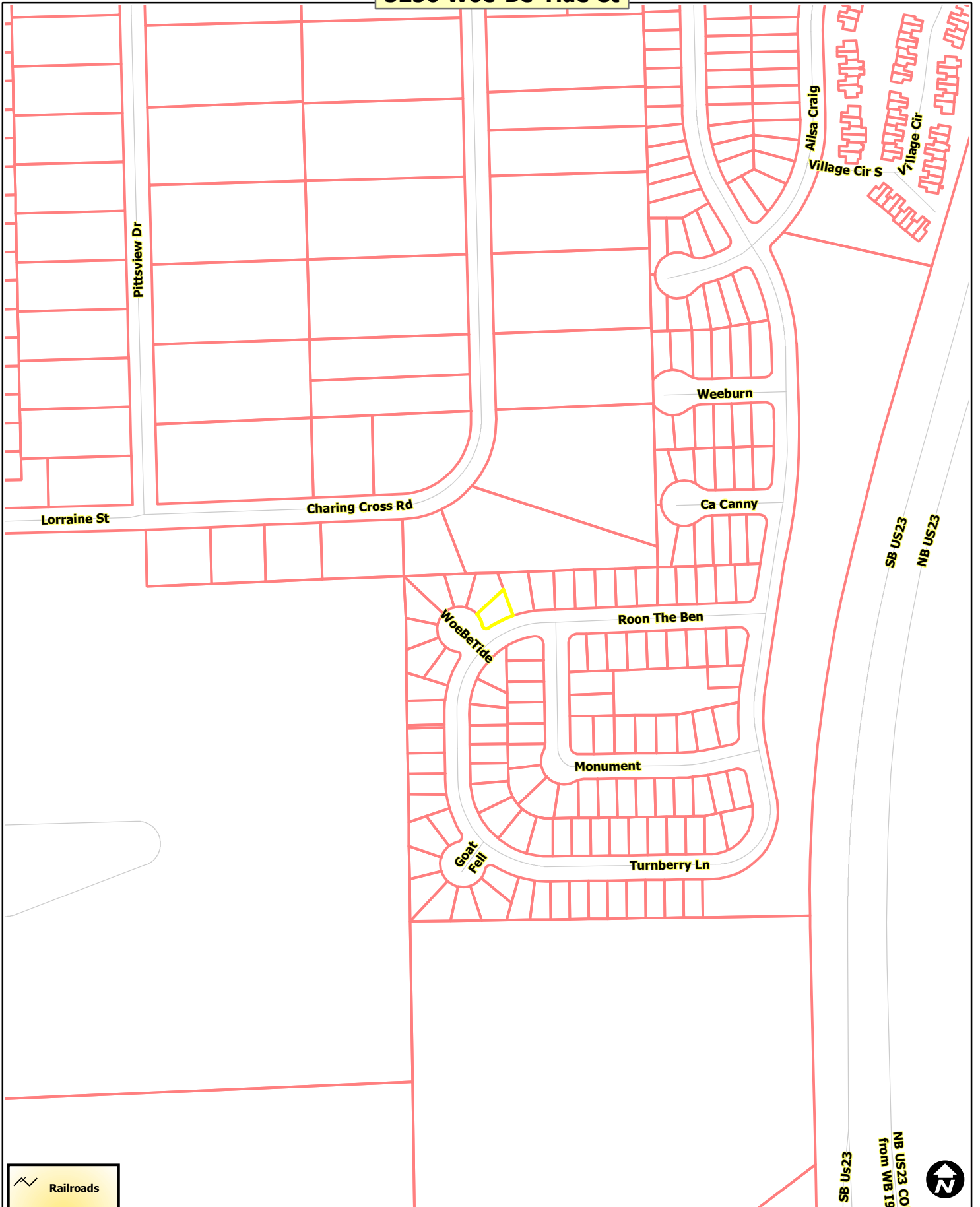
The applicants state that the variance is minimal due to the fact that a deck is existing and the new sunroom will be utilizing this footprint. The conditions of the property will not change.


Respectfully submitted,





Jon Barrett
Zoning Coordinator

3250 Woe-Be-Tide Ct



 Railroads

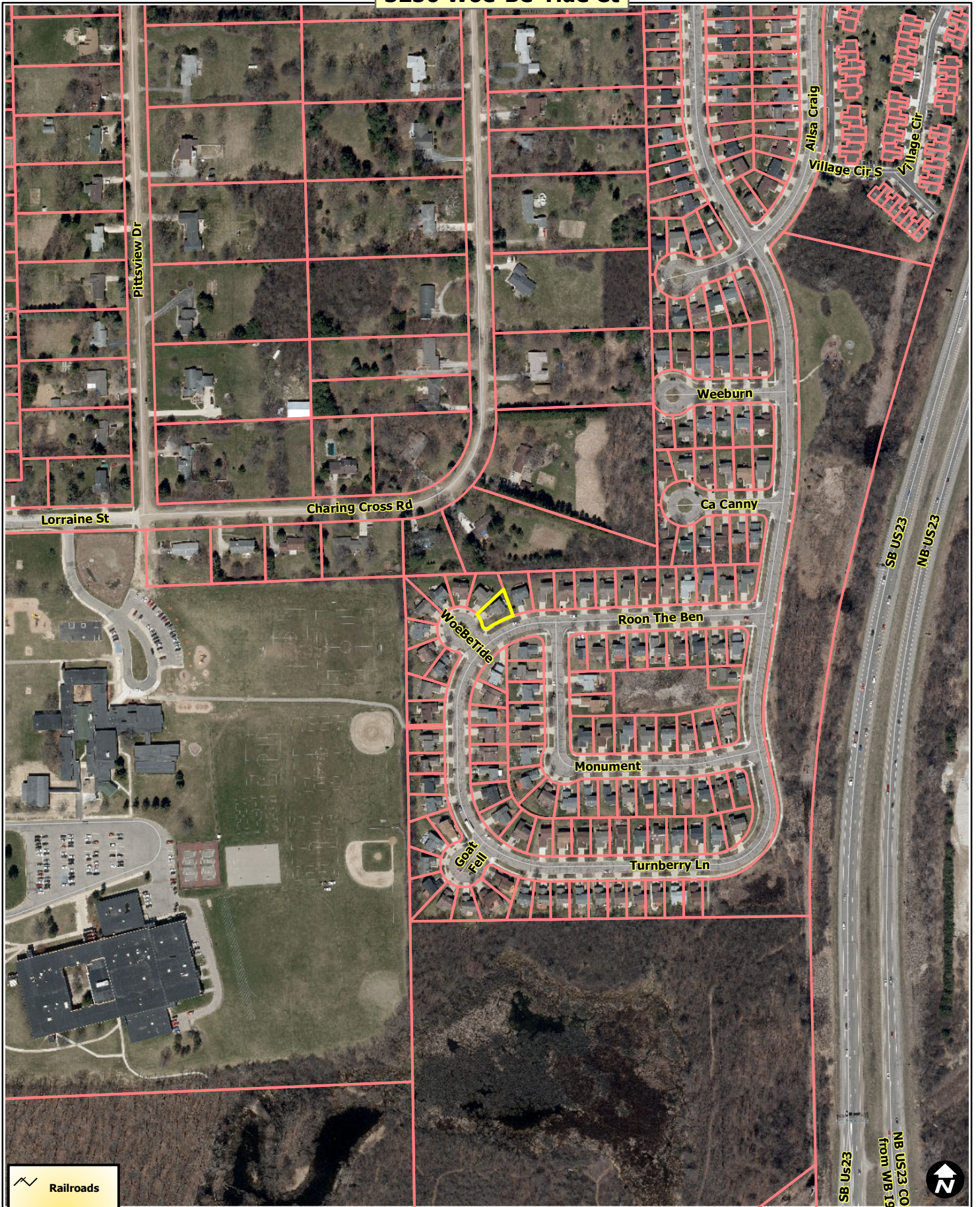
 Huron River

 Tax Parcels



Map date: 7/12/2019
Any aerial imagery is circa 2018 unless otherwise noted
Terms of use: www.a2gov.org/terms

3250 Woe-Be-Tide Ct






- Railroads
- Huron River
- Tax Parcels



Map date: 7/12/2019
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3250 Woe-Be-Tide Ct



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 7/12/2019
Any aerial imagery is circa 2018 unless otherwise noted
Terms of use: www.a2gov.org/terms



ZONING BOARD OF APPEALS APPLICATION

City of Ann Arbor Planning Services

City Hall: 301 E Huron Street Ann Arbor, MI 48107-8647

Phone: 734-794-6265 Fax: 734-794-8460 Email: planning@a2gov.org

PROPERTY INFORMATION

ADDRESS OF PROPERTY 3250 Woe Be Tide		ZIP CODE 48108
ZONING CLASSIFICATION R1D	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided Jamil & Dyan Ali	
PARCEL NUMBER 09-12-11-400-014	OWNER EMAIL ADDRESS dyanali@hotmail.com	

APPLICANT INFORMATION

NAME Ann Arbor Sunrooms Kitchen & Bath/ Four Seasons Sunrooms			
ADDRESS 6055 Jackson rd	CITY Ann Arbor	STATE MI	ZIP CODE 48103
EMAIL sunroomclark@gmail.com		PHONE 248-787-6306	
APPLICANT'S RELATIONSHIP TO PROPERTY Contractor			

REQUEST INFORMATION

<input checked="" type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application	<input type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application
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REQUIRED MATERIALS

One hard copy application complete with all required attachments must be submitted. Digital copies of supportive materials included in the submitted hard copy will only be accepted in PDF format by email or accompanying the hard copy application on a USB flash drive.

Required Attachments:

- Boundary 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.

OFFICE USE ONLY	
Fee Paid \$500.00	ZBA: 19-013
CITY OF ANN ARBOR RECEIVED	
JUN 21 2019	
PLANNING & DEVELOPMENT SERVICES	

ACKNOWLEDGEMENT

All information and materials submitted with this application are true and correct.

Permission is granted to City of Ann Arbor Planning Services and members of the Zoning Board of Appeals to access the subject property for the purpose of reviewing the variance request.

Property Owner Signature: *Dyan Ali* Date: 6/20/2019

Section 1 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

VARIANCE REQUEST

ARTICLE(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Article 3, Section 5.26)

ARTICLE IV . TABLE 5:17-1 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT DIMENSIONS

REQUIRED DIMENSION: (Example: 40' front setback)

Feet: **20'** Inches:

PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback)

Feet: **6** Inches: **9"** **TOTAL VARIANCE: 13'3"**

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

Replace an existing deck structure with the same size foundation and Three Season Sunroom.

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:29. 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 statements are found to be true. Please provide a complete response to each of the statements below.

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.

This is a corner house of Woe Be Tide & Turnberry dr. The rear of the home faces the side of the neighbors house on Turnberry.

The house was built on a very tight lot and the neighbors on Wo Be Tide do not suffer from the small lot or such a rear yard

Restriction. Therefore we seek the Boards approval as the lot is unique.

The alleged hardships are 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 homeowner is seeking an enclosed porch that will replace the existing deck. This structure will not

impede the view of any of the neighbors and will not effect the privacy of the neighbor on Turnberry as it

will face the garage of their home. If the neighboring homes had a same and like lot it could set a residence. This will not be the case.

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.

With the statements said above the new structure will only aid the Homeowner to enjoy their yard in a bug free

enviroment. Not changeing the depth of the already existing deck will not increase an already non conforming

situation. For this reason we believe this to be a fair request.

The conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

Stated as above the existing deck structure is already there by granting the variance we feel the Sunroom is not

creating an already existing situation therefore we feel it is a minimum variance.

Section 2 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

REQUEST TO ALTER A NONCONFORMING STRUCTURE

For the purposes of Article VI: Nonconformities Section 5.32.2 Nonconforming Structure, **alteration** is defined as any change in a Building that results in additional Floor Area being fit for occupancy, a greater number of dwelling or rooming units or an increase in the exterior dimensions of the Building.

A nonconforming structure may be maintained or restored, but permission to alter a nonconforming structure will only be 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.

In the space below, describe the current use of the property, the proposed alteration, and the impact it would have on neighboring property.

As stated on Page 2. The deck that already is in place the Sunroom will take its place. It is a corner lot and the Sunroom will not cause any line of site or view to the only neighbor that is next to them on Wo Be Tide. For all of the reasons stated above we will hope that the board finds in favor of our request. Line of site photos are taken and placed with this application.

Please complete the table below as it relates to your request

Requirement	Existing Condition	Code Requirement
Lot Area	7178 sq. ft.	
Lot Width	75' average	
Floor Area Ratio		
Setbacks		
Parking		
Landscaping		
Other		




ANN ARBOR SUNROOMS KITCHEN & BATH
6055 JACKSON RD.
ANN ARBOR MI 48103
734-769-9700

Letter of Authorization

Dyan Ali
3250 Woe be Tide
Ann Arbor MI 48108

We give Robert Clark/ Four Seasons Sunrooms of A2 our permission to represent us for the needed ZBA case with the city of Ann Arbor.

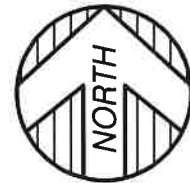
Best Regards,


Dyan Ali

CERTIFIED SURVEY

PROPERTY DESCRIPTION:

LOT 210, TURNBERRY NO. 2, PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 11, TOWN 3 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN.



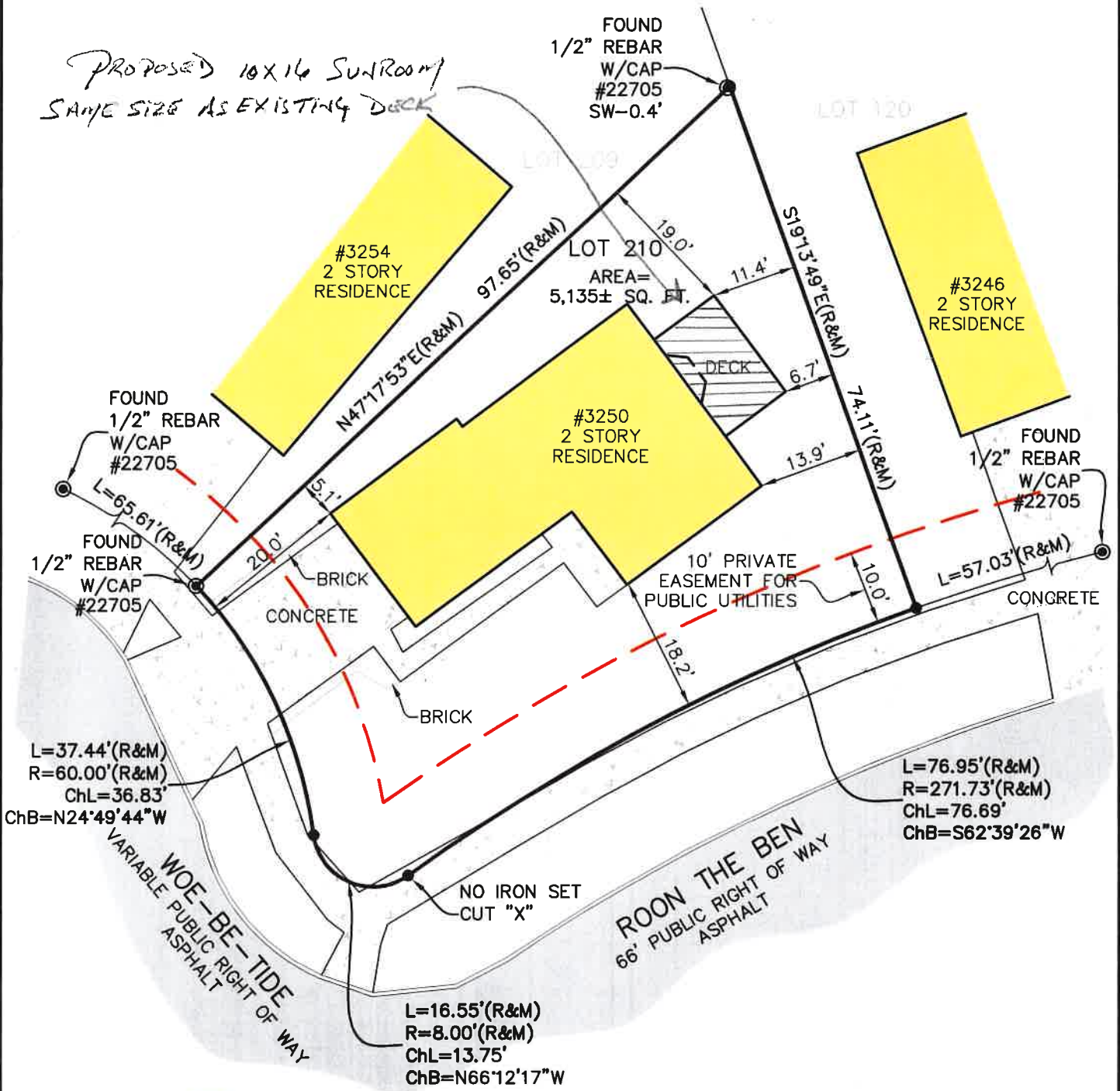
SCALE: 1"=20'



NOTE:

A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

*PROPOSED 10x16 SUNROOM
SAME SIZE AS EXISTING DECK*



LEGEND

- SET 1/2" REBAR WITH CAP, #53499
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

D. Jackson





DANIEL J. JACKSON, P.S. NO. 53499

KEM-TEC PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES

A GROUP OF COMPANIES
Eastpointe (800) 295.7222
Detroit (313) 758.0677
Ann Arbor (734) 994.0888
Grand Blanc (888) 694.0001
 FAX: (586) 772.4048 FAX: (586) 772.4048 FAX: (734) 994.0667 FAX: (810) 694.9955
www.kemtecagroupofcompanies.com

CERTIFIED TO: FOUR SEASONS SUNROOMS	
FIELD SURVEY: MP PM	DATE: MAY 9, 2019
DRAWN BY: CMC	SHEET: 1 OF 1
SCALE: 1" = 20'	JOB NO.: 19-01164

JAMIL & DYAN ALI
 3250 WOE BE TIDE
 ANN ARBOR, MI 48108
 (734) 353-5045

	DESIGN:	APPROVAL	DATE
	SALES REP.:	_____	_____
	SUPERINTENDENT:	_____	_____
	CUSTOMER:	_____	_____
	CUSTOMER:	_____	_____

DATE: 12/12/18
 MODEL: 230 SUN & STARS CATHEDRAL GRAPHIS II

WALL FRAME COLOR: SANDTONE ALUMINIUM INT. & EXT.
 ROOF FRAME COLOR: SANDTONE ALUMINIUM INT. & EXT.

FLOOR SYSTEM: 4" CONCRETE SLAB
 FOUNDATION TYPE: 12"X42" CONCRETE FOOTING W/ 1/2" STEEL REBAR, 8" BLOCK & L-BLOCK

ROOF SYSTEM: CONSERVAGLASS PLUS CODE 78 GLAZING, DOUBLE TEMPERED
 SKYLIGHTS: NONE

TRANSOMS: (4) 5'x1' GLASS, (2) 4'x1' GLASS, (2) 3'x1' GLASS, (4) STD. GLASS TRAPEZOIDS- CONSERVAGLASS PLUS CODE 7E GLAZING, DOUBLE TEMPERED

WINDOWS: (2) 5'x5' SLIDERS, (1) 5'x5' SLIDER, (2) 4'x5' SLIDERS, (1) 3'x5' SLIDER- CONSERVAGLASS PLUS CODE 7E GLAZING, DOUBLE TEMPERED

DOORS: (1) 5' SLIDING DOOR- CONSERVAGLASS PLUS CODE 7E GLAZING, DOUBLE TEMPERED

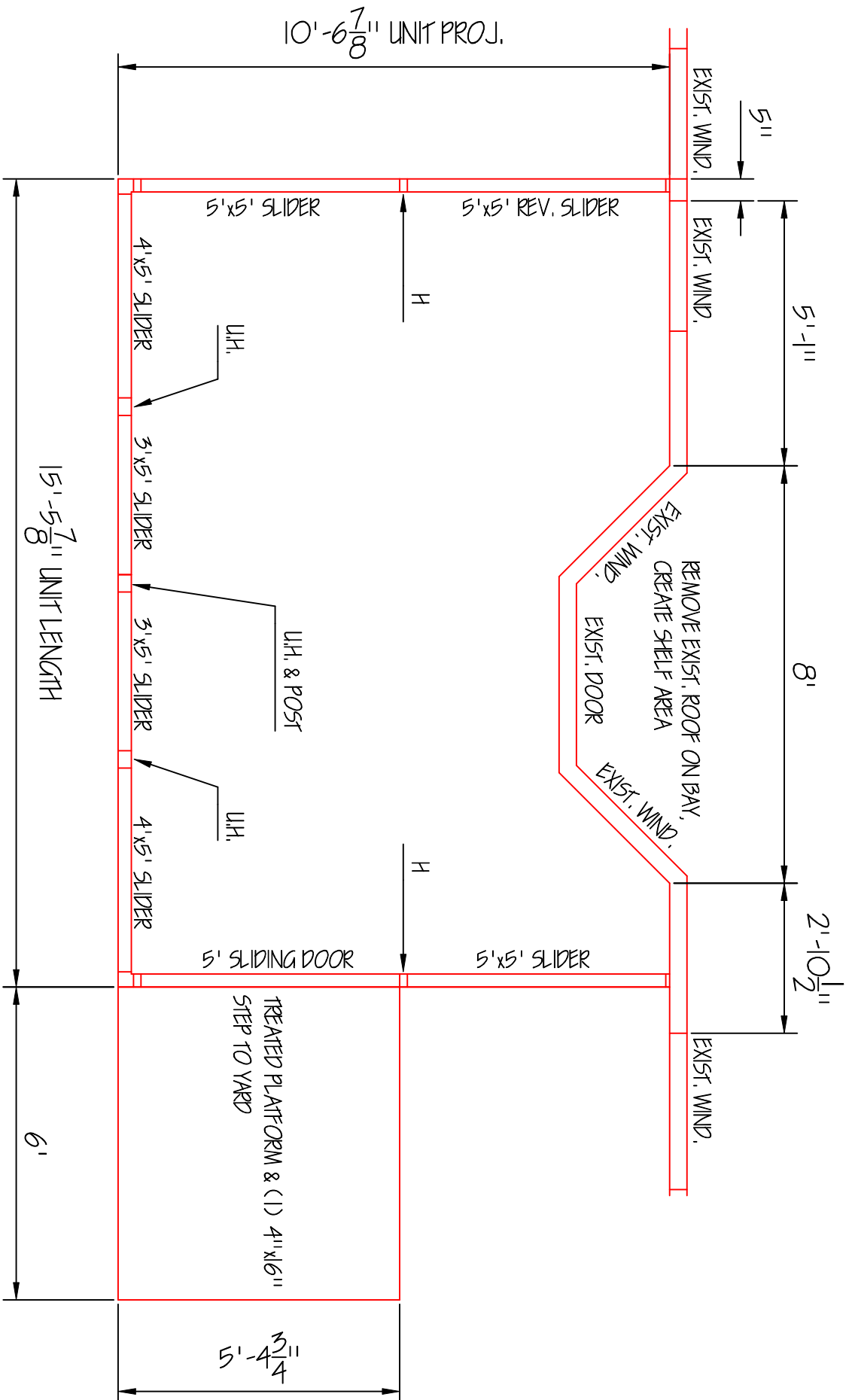
KNEEWALL: 2x6 KNEEWALL @16" O.C., R-19 INSULATION, 1/2" SHEATHING W/ TYVEC HOUSE WRAP & VINYL SIDING, DRYWALL & TRIM INT.

FANS & VENTS: (1) CEILING FAN (PROVIDED BY OTHERS)

ELECTRIC: OUTLETS TO CODE, (1) EXT. LIGHT W/ SWITCH, (1) CEILING FAN (PROVIDED BY HOMEOWNER) W/ SWITCH

HEAT: BY OTHERS

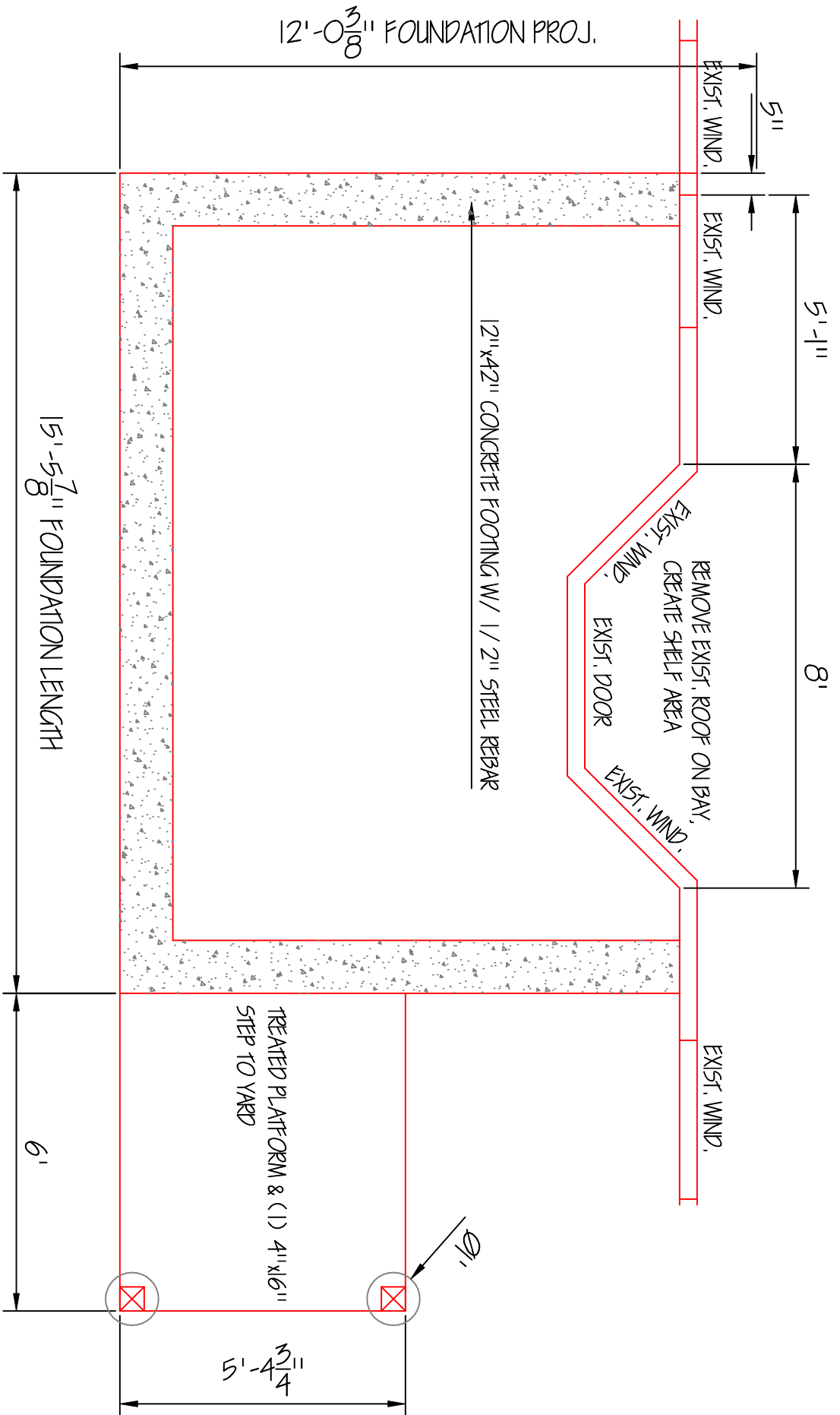
FINISH WORK: REMOVE EXIST. BAY ROOF & CREATE SHELF AREA



INITIALS

FLOOR PLAN - A1

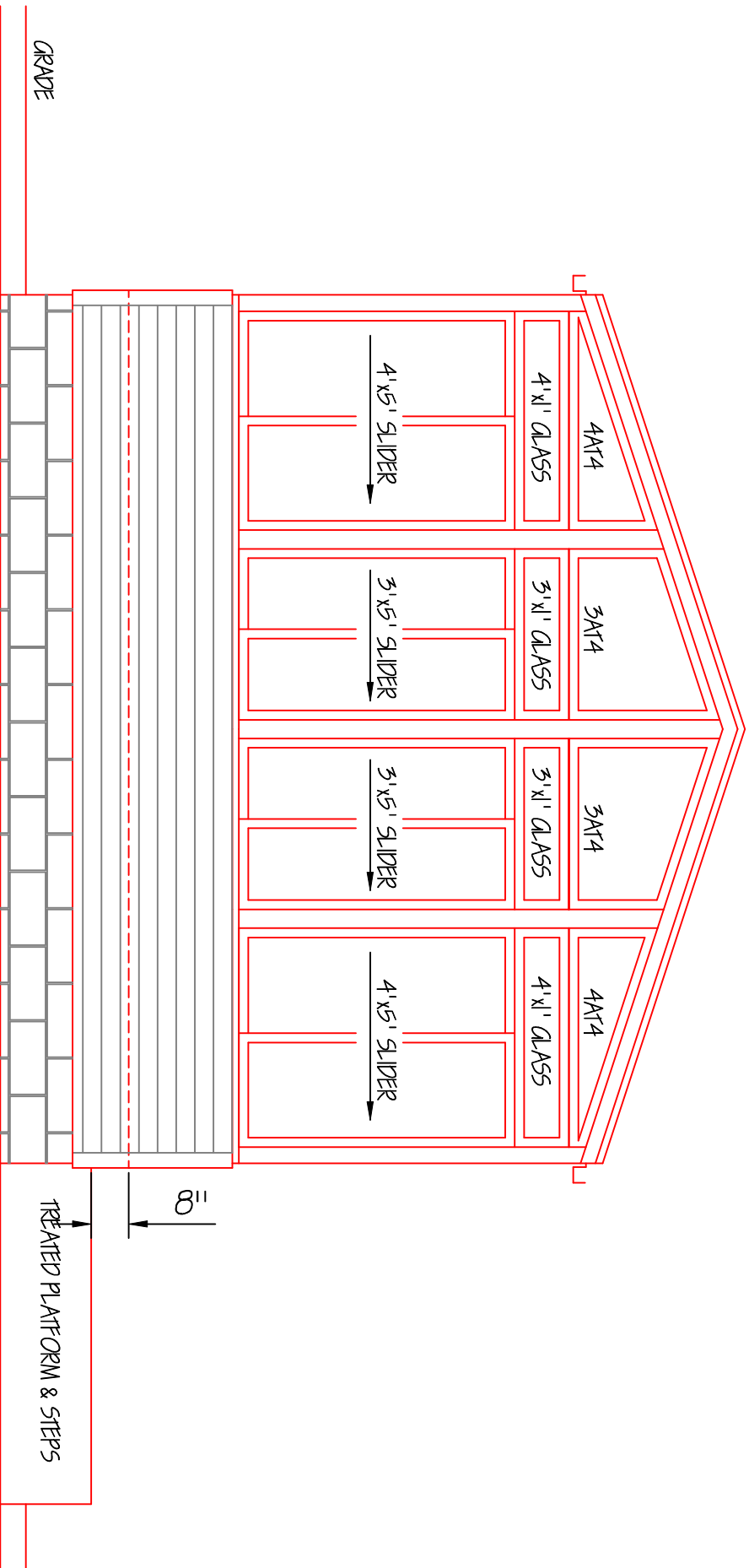
SCALE: 1/4" = 1'-0"



INITIALS

FOUNDATION PLAN - ALI

SCALE: 1/4" = 1'-0"



GRADE

4x11' GLASS

4'x5' SLIDER

3x11' GLASS

3'x5' SLIDER

3x11' GLASS

3'x5' SLIDER

4x11' GLASS

4'x5' SLIDER

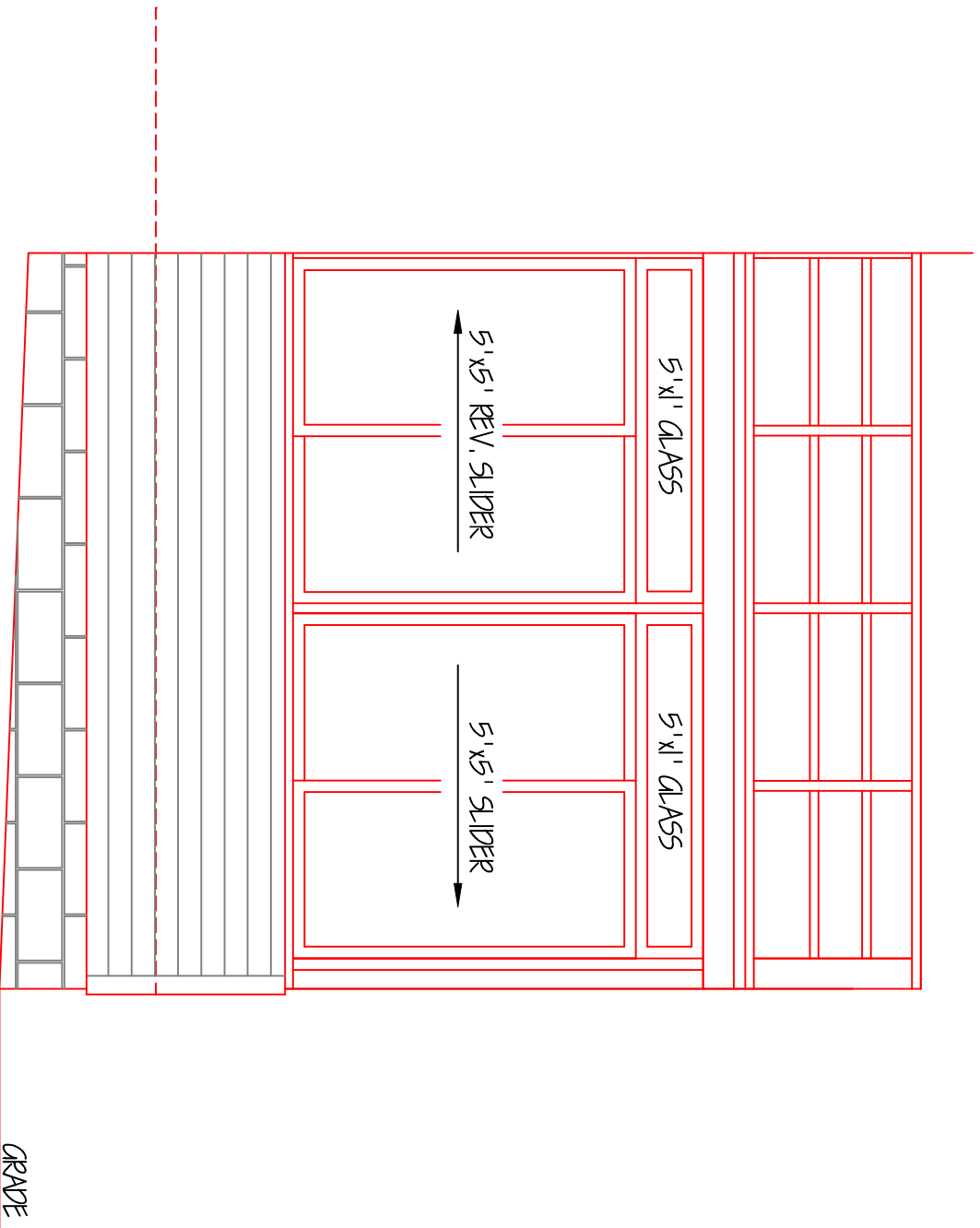
8"

TREATED PLATFORM & STEPS

FRONT ELEVATION - ALI

INITIALS

SCALE: 1/4" = 1'-0"

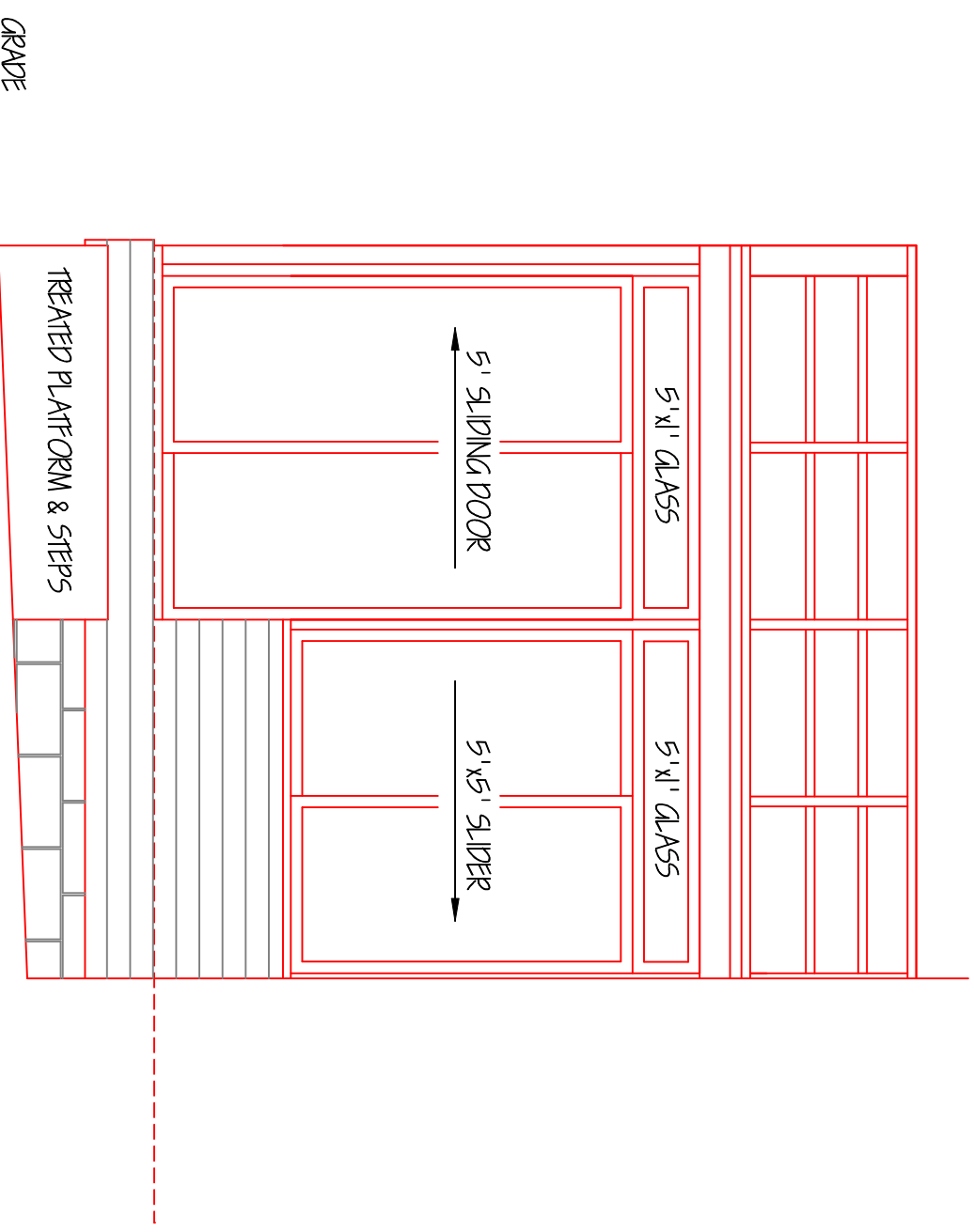


INITIALS

LEFT ELEVATION - ALI

SCALE: 1/4" = 1'-0"

GRADE



RIGHT ELEVATION - ALI

INITALS

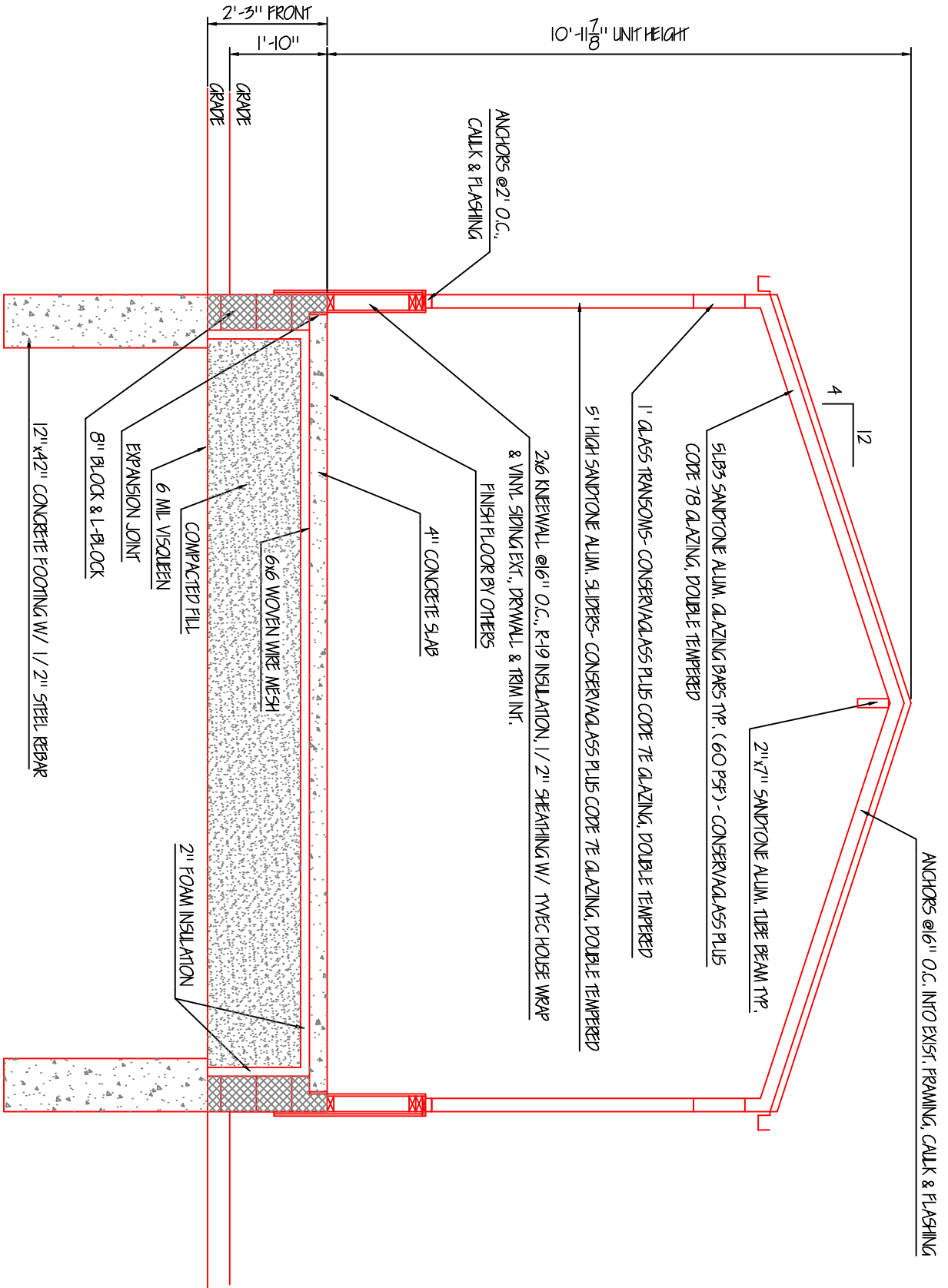
SCALE: 1/4" = 1'-0"

34	31	31	31	31	31	34
34	31	31	31	31	31	34
34	31	31	31	31	31	34
34	31	31	31	31	31	34

ROOF PLAN-ALL

INITIALS

SCALE: 1/4" = 1'-0"



INITIALS

SECTION- A11

SCALE: 1/2" = 1'-0"





04/05/2013 13:30



04/05/2013 13:30