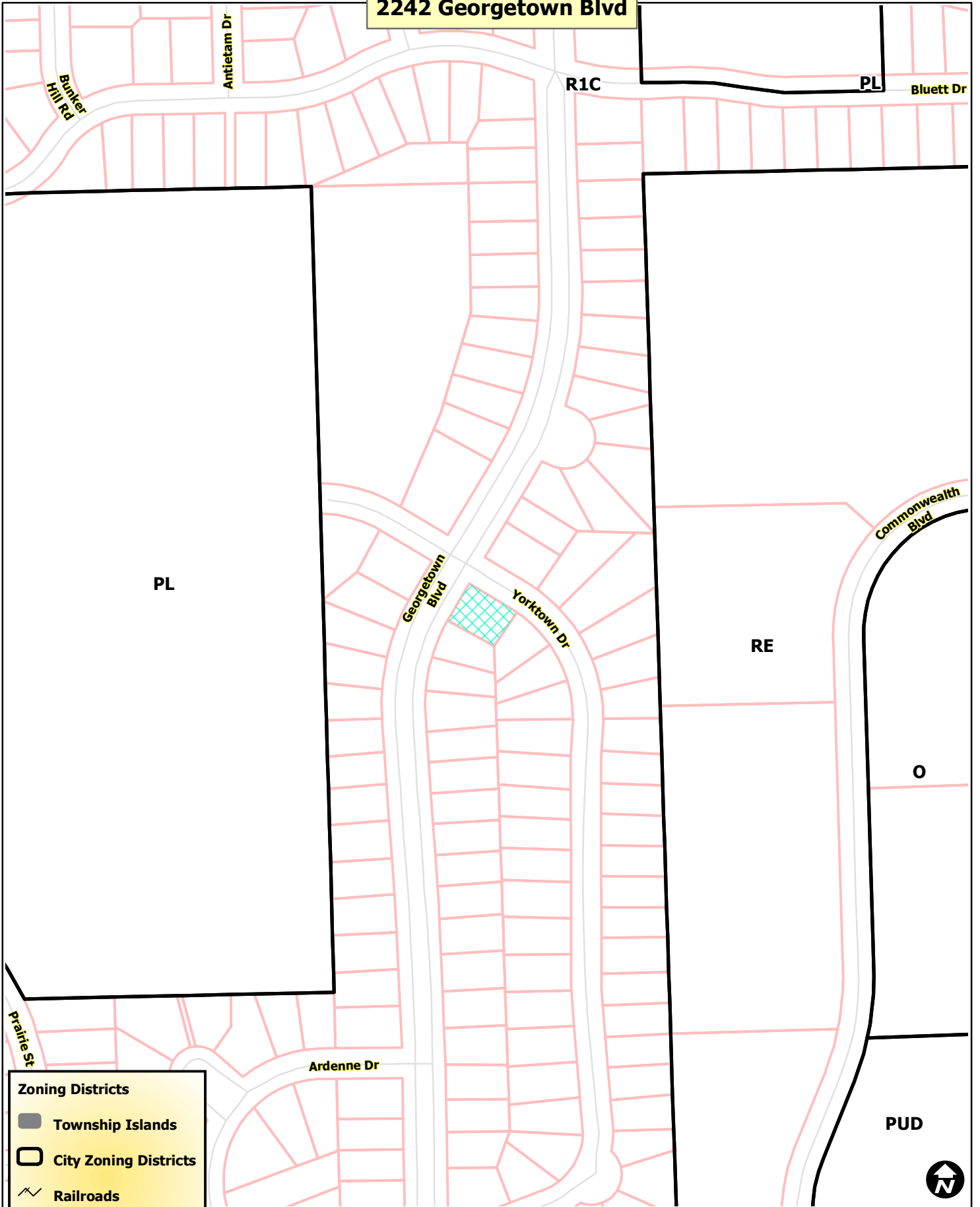



2242 Georgetown Blvd



**Zoning Districts**




-  Township Islands
-  City Zoning Districts
-  Railroads
-  Parcels
-  Huron River



Map date 11/19/2015  
 Any aerial imagery is circa 2012  
 unless otherwise noted  
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2242 Georgetown Blvd



-  Railroads
-  Parcels
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**Zoning Board of Appeals  
December 16, 2015 Regular Meeting**

**STAFF REPORT**

**Subject:** ZBA15-027, 2242 Georgetown

**Summary:** Robert Clark (Contractor) is requesting one rear yard setback variance (R1C, Section 5:28) of 10 feet to allow a reconstruction of an enclosed porch. A 20 foot rear setback is proposed; 30 feet is required (Required Rear Setback).

**Description and Discussion:**

The subject parcel is located on the corner of Georgetown Boulevard and Yorktown Drive. The parcel is zoned R1C (Single-Family Residential). The house is 1,318-square feet and was constructed in 1965. The house is conforming to all zoning setback standards but currently has an attached 12 foot by 12 foot enclosed porch that encroaches 10 feet into the rear setback of 30 feet. The main house is set back 32 feet from the rear property line, the setback to the enclosed porch is 20 feet.

The petitioner is proposing to demolish the existing enclosed porch and reconstruct a new foundation and enclosed porch in the exact same foot print. The existing porch appears to have been constructed before zoning setbacks were enacted, no variance or building permit was found. The 1966 aerial photo was too blurry to reveal the porch, but the existing porch is clearly visible in the 1979 aerial of the parcel.

The dimensions of the new porch will remain 12 feet by 12 feet for a total square footage of 144 square feet. The proposed porch will be located behind the structure and will not be built any closer to the any property line than the existing unenclosed deck along the rear of the house. The new porch will be 20 feet (required setback is 30 feet) from the rear property line and will match the architectural style and roofline of the existing structure.

**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 parcel is a corner lot which is not unusual in the City; however it is required to have two front setbacks of 25 feet. While the proposed porch does not encroach into a front setback, having two front setbacks does limit the area available for construction. The existing porch appears to have been constructed before zoning setbacks were in place, no variance or building permit was found, the proposed porch will be the same size as the existing porch..

- (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 to reconstruct a new 144 sq ft enclosed porch. If the variance is not granted, an unenclosed deck or patio could be constructed at this location. While there is some area available on the site for a conforming addition to the structure, the interior layout, including doorwall, would need to be significantly altered.

- (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 porch will be the exact same size as the current porch. Allowing the variance will result in reconstruction of a new porch that will not encroach any further into the any required open space than the existing enclosed porch. The porch is visible from a public street and from adjacent attached residences. Staff has not received any objections from neighbors at this time. If the variance is approved, the structure will not have a negative impact on surrounding structures.

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

The existing porch appears to have been completed shortly after the building was constructed in 1965. The existing porch is deteriorated, but could be removed and a deck or patio could be constructed that would not 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 requested setback encroachment of 10 feet for the proposed porch is the same as

the existing porch encroachment. It is the minimum necessary to enable the desired improvements to the structure. A smaller deck could be proposed, but would still require a variance due to the location of the building 2 feet from the required rear setback.

Respectfully submitted,

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

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

## Petition ZBA15-027; 2242 Georgetown

### Variance:

**Based on the following findings of fact and in accordance with the established standards for approval, the Zoning Board of Appeals hereby GRANTS a variance from Chapter 55, Section 5:28 (R1C, Single-Family) of 10 feet from the required rear setback of 30 feet in order to permit a building addition 20 feet from the rear property line.**

- a) The alleged hardships are peculiar to the property and results from conditions which do not exist generally throughout the City
- 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.
- c) The variance, if granted, will not significantly affect surrounding properties.
- d) The circumstances of the variance request are not self-imposed.
- e) The variance request is the minimum necessary to achieve reasonable use of the structure.