

**Zoning Board of Appeals
July 25, 2018 Regular Meeting**

STAFF REPORT

Subject: ZBA18-019; 822 W Jefferson Street

Summary:

Cameron Holdings, property owners, are requesting a 13 foot variance from Chapter 55 Zoning Section 5:57 (Averaging an Existing Front Setback Line) in order to construct a new deck on the west side of the residence. The average front setback is 26 feet six inches and the new requested dimension will be 13 feet six inches. If approved, the new deck will be 27 feet wide by ten feet in depth totaling 270 square feet.

Background:

The subject property is located at the corner of Jefferson Street and South Seventh Street. The property is zoned R2A, two-family residential but it is a single-family dwelling. The home was built in 2016 and is approximately 2,384 square feet in size. The property is in the Old West Side Historic district.

Description:

The proposed deck received approval from the Historic District Commission on June 14, 2018. The existing deck and a portion of the front porch on the eastern side of the home are to be removed as a part of this variance request.

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 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 current deck on the east side of the home is less than five feet in width and cannot be used for outdoor recreation. The home is on a corner lot and has two front yards. The only viable option for a deck is the proposed location as the home was constructed to the eastern side of the 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.***

The lot has sloping topography that limits the type of construction to a raised deck.

- (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 granting of the variance will allow the occupants to enjoy the neighborhood and the neighbors. The public benefit will be an outdoor living space that will not have a negative impact on surrounding properties.

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

The owners purchased the home in its current state and are attempting to remedy poor site development.

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

There will not be any negative impacts to adjacent properties. The owners have installed landscaping to help create a buffer from South Seventh Street. The HDC requested the deck be reduced in width from 12 feet to 10 feet. The applicants have accommodated this request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large loops and a cursive-like flow.

**Jon Barrett
Zoning Coordinator**



ZONING BOARD OF APPEALS

PLANNING DEPARTMENT

City Hall: 301 E. Huron St. Ann Arbor, MI 48104-6120
 Mailing: P.O. Box 8647, Ann Arbor, MI 48107-8647
 Phone: 734.794.6265 planning@a2gov.org
 Fax: 734.994.8460

APPLICATION MUST BE FILLED OUT COMPLETELY

Office Use Only	
Fee Paid: <u>\$500</u>	ZBA: <u>18-019</u>
DATE STAMP CITY OF ANN ARBOR RECEIVED JUN 27 2018	
PLANNING & DEVELOPMENT SERVICES	

PROPERTY INFORMATION

ADDRESS OF PROPERTY: 822 W Jefferson	
ZONING CLASSIFICATION: R2A Two Family Dwelling	TAX ID: (if known) 09-09-29-310-019
NAME OF PROPERTY OWNER*: Cameron Holdings	

**If different than applicant, a letter of authorization from the property owner must be provided*

APPLICANT INFORMATION

NAME OF APPLICANT: Cameron Holdings	
ADDRESS OF APPLICANT: 300 N 5th Avenue Suite 100, Ann Arbor, Michigan 48104	
DAYTIME PHONE NUMBER: 734.627.1600	FAX NO: 734.585.5150
EMAIL: bettemarvin@nanr.net	
APPLICANT'S RELATIONSHIP TO PROPERTY: owner	

REQUEST INFORMATION

<input checked="" type="checkbox"/> VARIANCE REQUEST (Complete the section 1 below)	<input type="checkbox"/> ALTERATION TO A NON-CONFORMING STRUCTURE (skip to Section 2)
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Section 1 - VARIANCE REQUEST

CHAPTER(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Chapter 55, Section 5:26) Ch 55; Zoning Section 5.57 Average Setback <u>26.5'</u>	
Required Dimension: (Example: 40' front setback) <u>26.5' AVG. FRONT SETBACK</u>	PROPOSED Dimension: (Example: 32') <u>13'6" = 13' VARIANCE REQUEST</u>
Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary) New deck on West side of house - variance for setbacks	



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Section 1 - VARIANCE REQUEST con't

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.

1. 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. Current deck on E side of house is only 4.9' wide.

This narrow space is not useable for outdoor grilling/sitting

It is a corner lot - having two 'front yard' restrictions

2. That 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.

If deck cannot be built - topography on West side of house prohibits installing patio or other outdoor living space

There is a large sloping hill. The East deck is too narrow at 4.9' to be functional as a grilling/sitting area

3. 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.

An outdoor living space - a deck - will help occupants enjoy neighborhood and neighbors -

Occupants will have space for grilling and seating

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

House was purchased with construction completed - including the 4.9' deck on East side of house

Original owner/builder did not consider actual usage of space

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

There will be no negative impact to adjacent properties - no reduction in visual affects

HDC has already requested width be reduced to 10' from 12'



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Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

Current Use of the Property: *N/A*

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.

REQUIREMENT	EXISTING CONDITION	CODE REQUIREMENT
Lot Area		
Lot Width		
Floor Area Ratio		
Open Space Ratio		
Setbacks		
Parking		
Landscaping		
Other		

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

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:



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Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit:

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 ½" by 11"** sheets:

- One (1) hardcopy and one (1) electronic copy shall be submitted.
- The electronic copy shall include all associated supporting documentation with application submission.

- 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.

ACKNOWLEDGEMENT

I, the applicant, hereby 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.

Phone number:

Signature: *X*

Email address: *bettemarvin@nanr.net*

Print Name: *Bette Marvin*

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

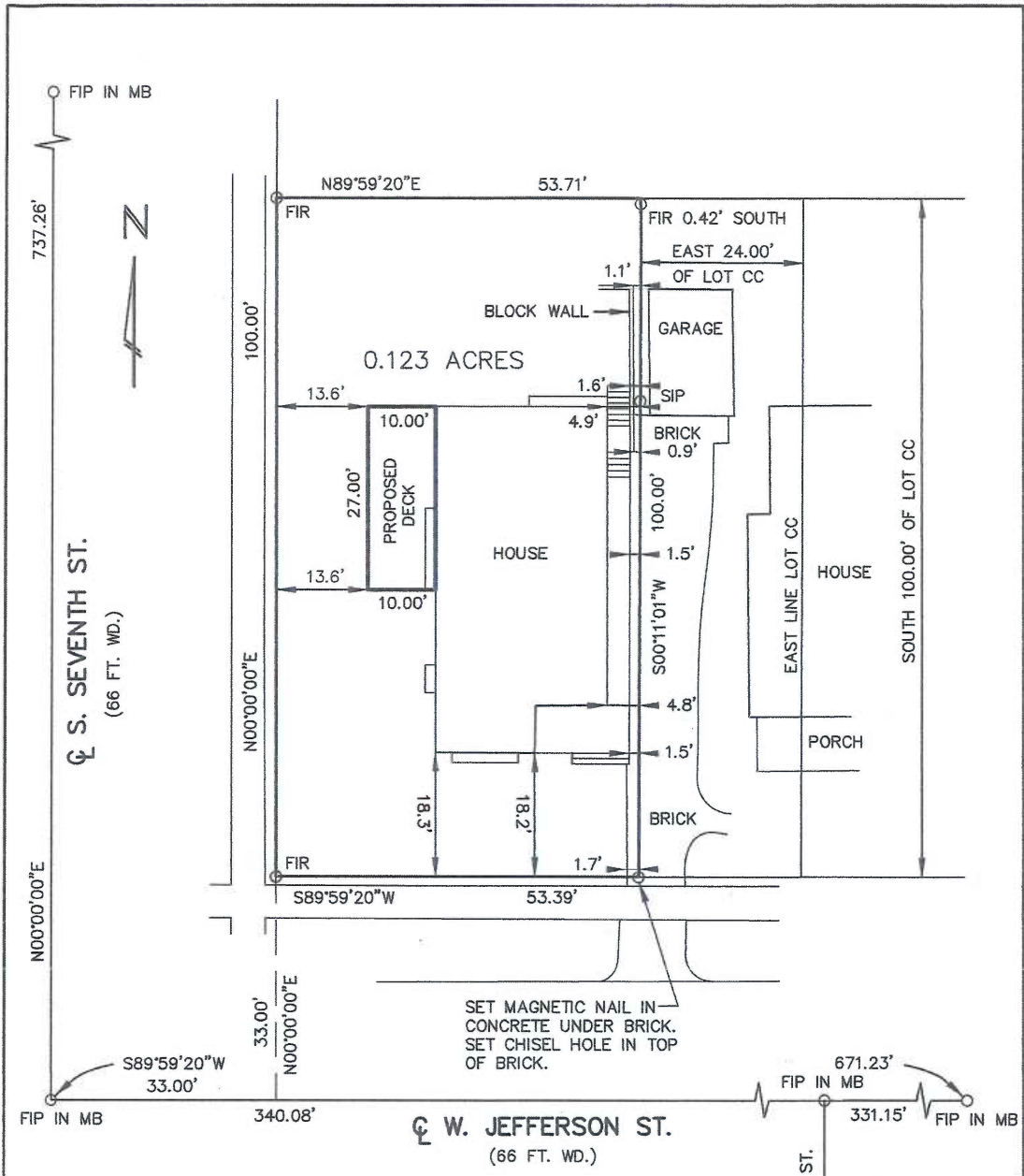
Bette Marvin

Signature

Further, I hereby give the City of Ann Arbor Planning and 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.


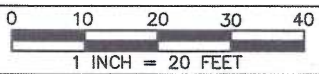
Bette Marvin

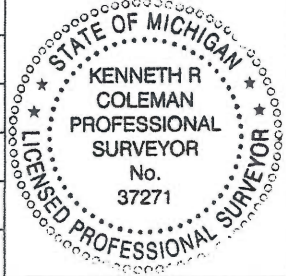
Signature

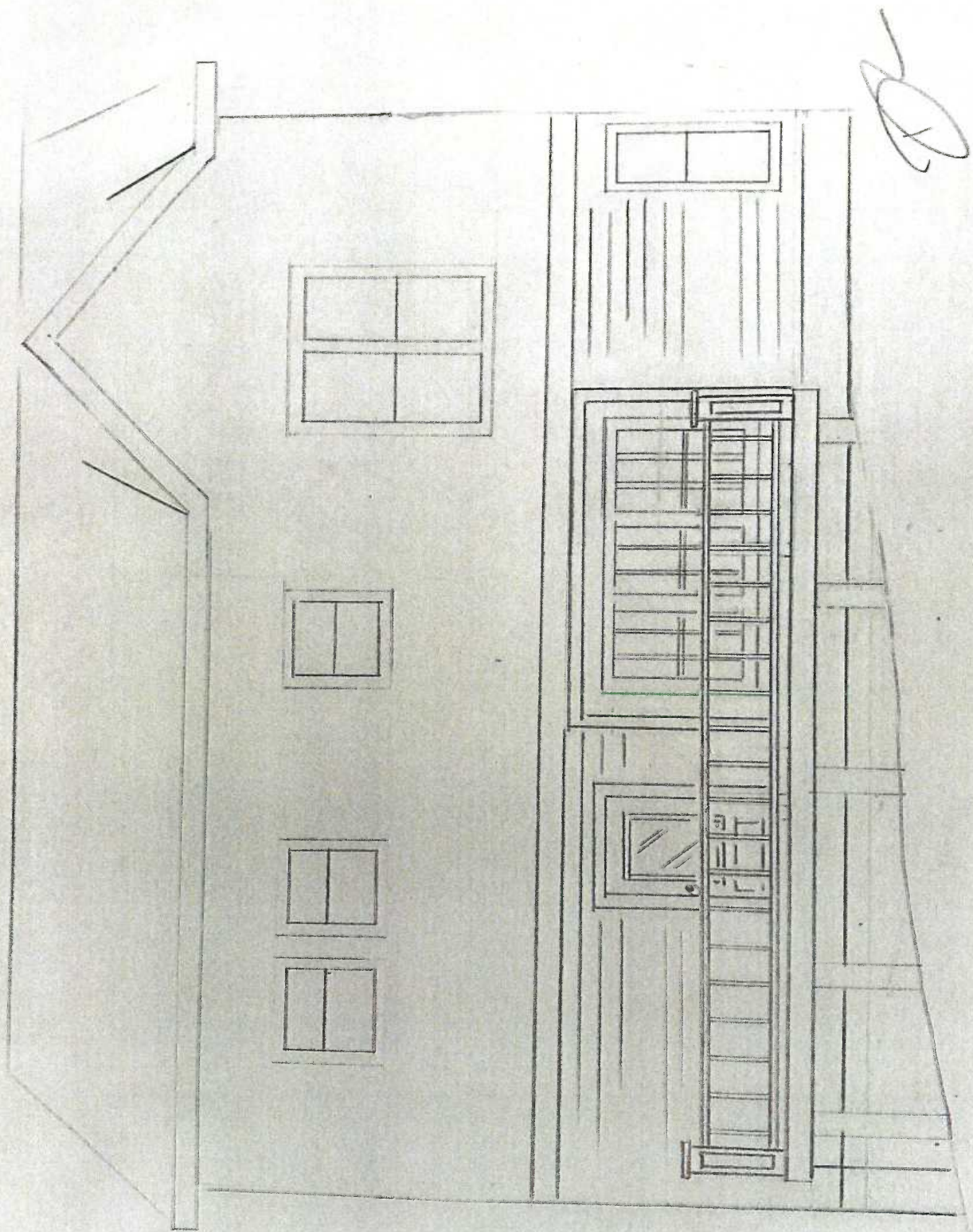


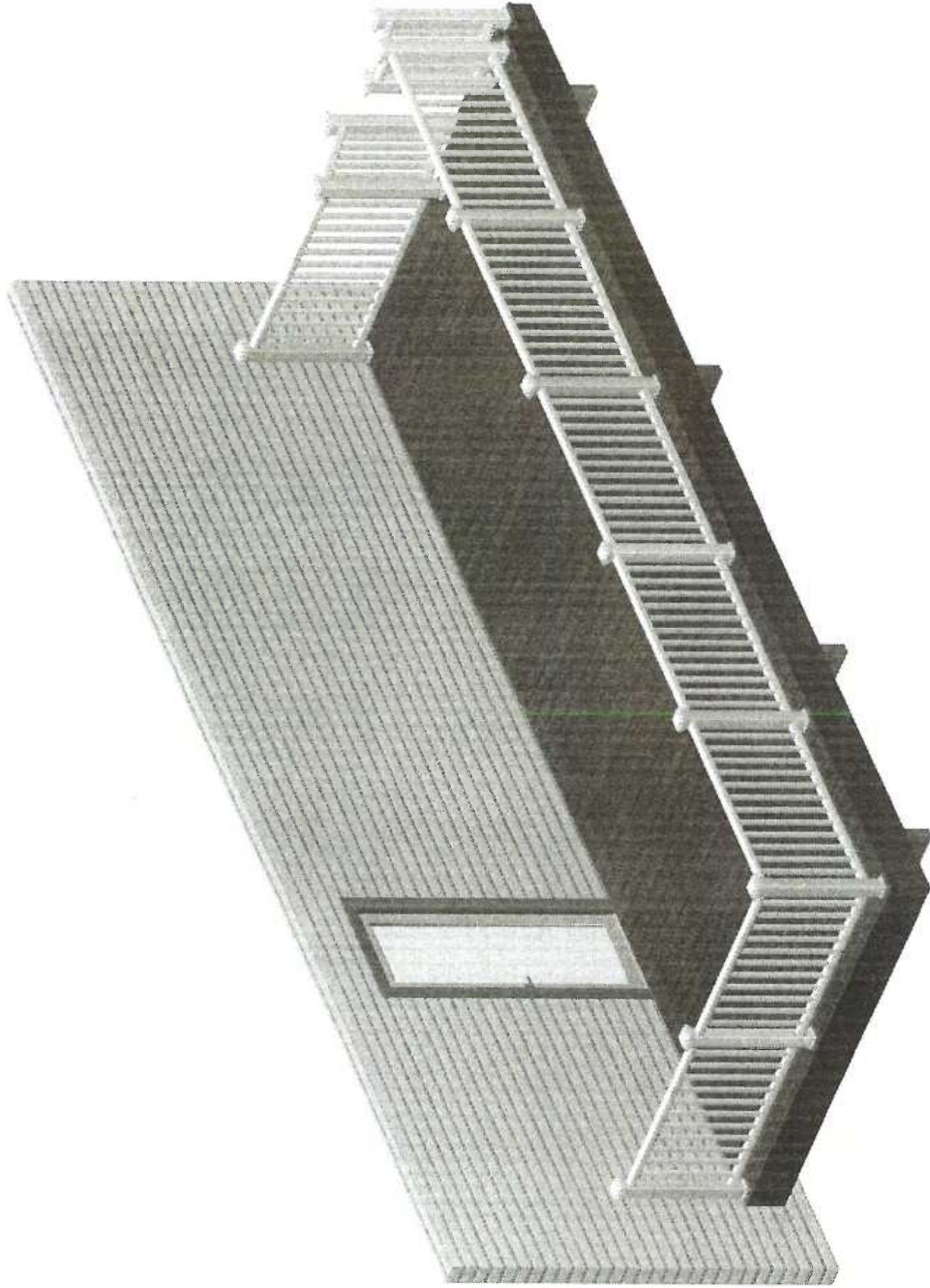
LEGEND

- FIP FOUND IRON PIPE
- FIR FOUND IRON ROD
- MB MONUMENT BOX
- SIP SET IRON PIPE

COLEMAN LAND SURVEYING, PLC 4301 SALINE-WATERWORKS, RD. PH 734-944-3266 SALINE, MI. 48176 FAX 734-944-3263		 KENNETH R. COLEMAN PROFESSIONAL SURVEYOR NO. 37271
CLIENT: BETTE MARVIN	SECTION 29, TOWN 2 SOUTH, RANGE 6 EAST	
BOUNDARY SURVEY OF THE SOUTH 100 FEET OF LOT CC EXCEPT THE EAST 24 FEET, WILLIAM S. MAYNARD'S THIRD ADDITION	CITY OF ANN ARBOR	
	WASHTENAW COUNTY, MICHIGAN	
	DATE 3-27-18 REV. 6-29-18	JOB NO. 2123
	BOOK 27-49	
	SHEET 1 OF 1	FILE NO. 2123

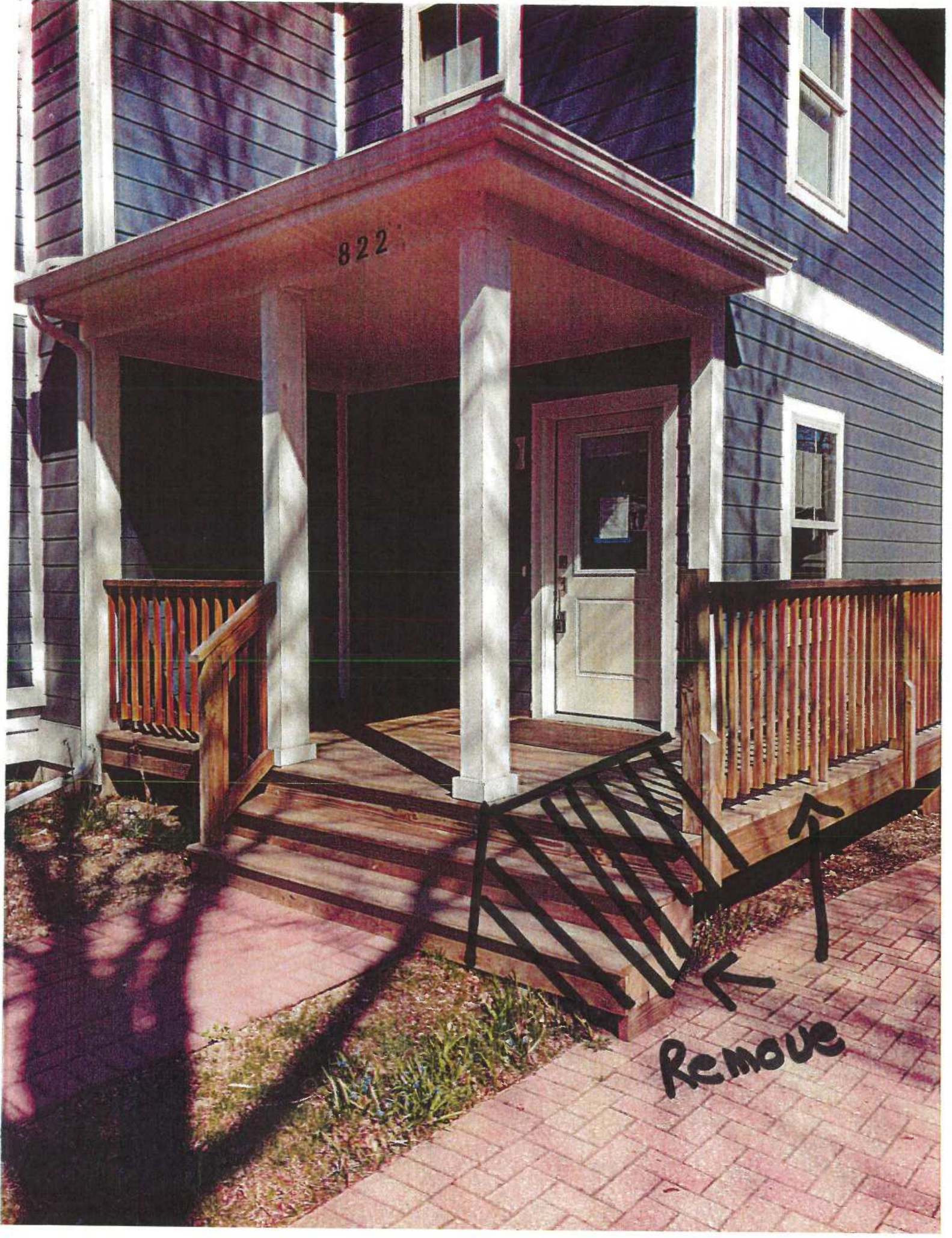






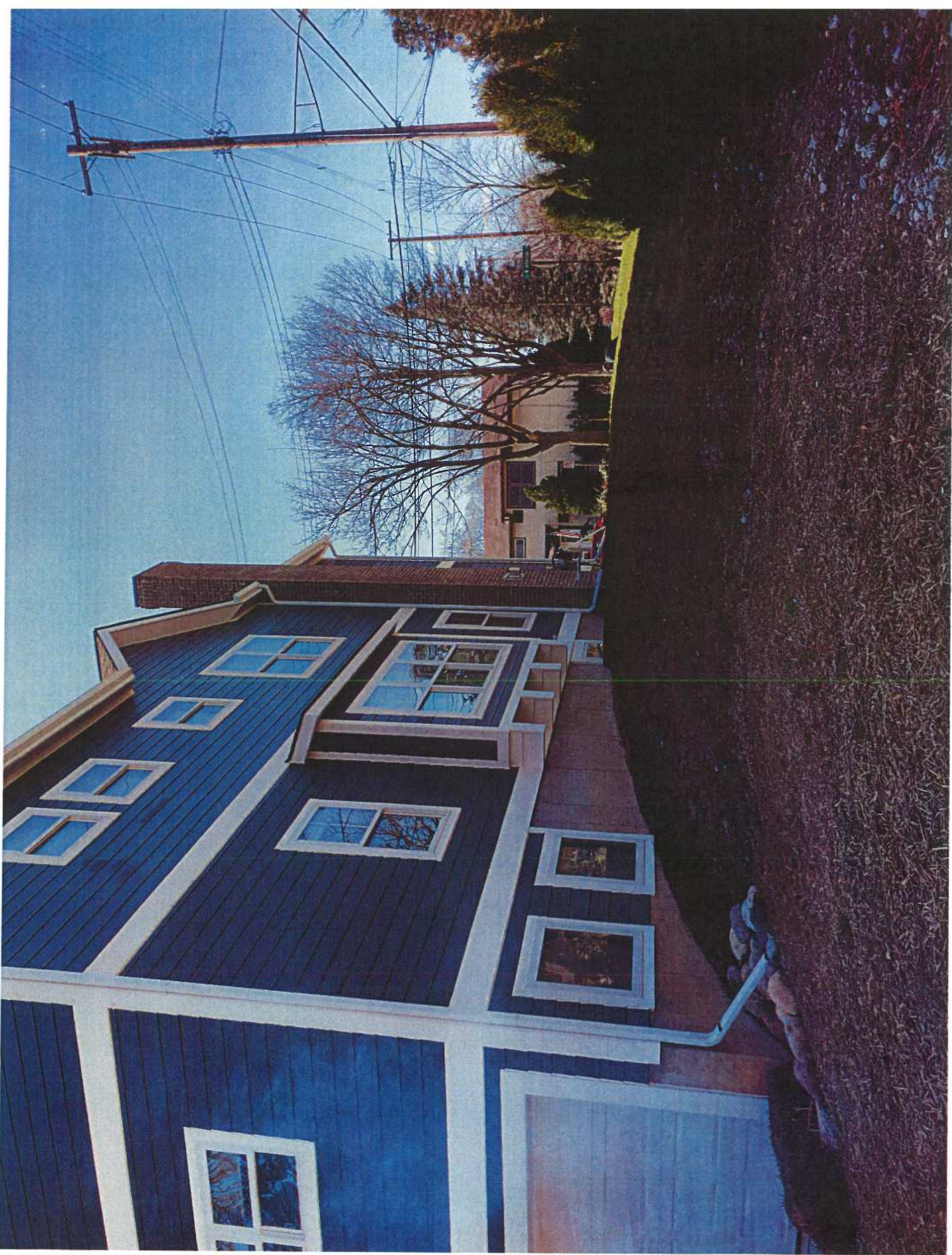


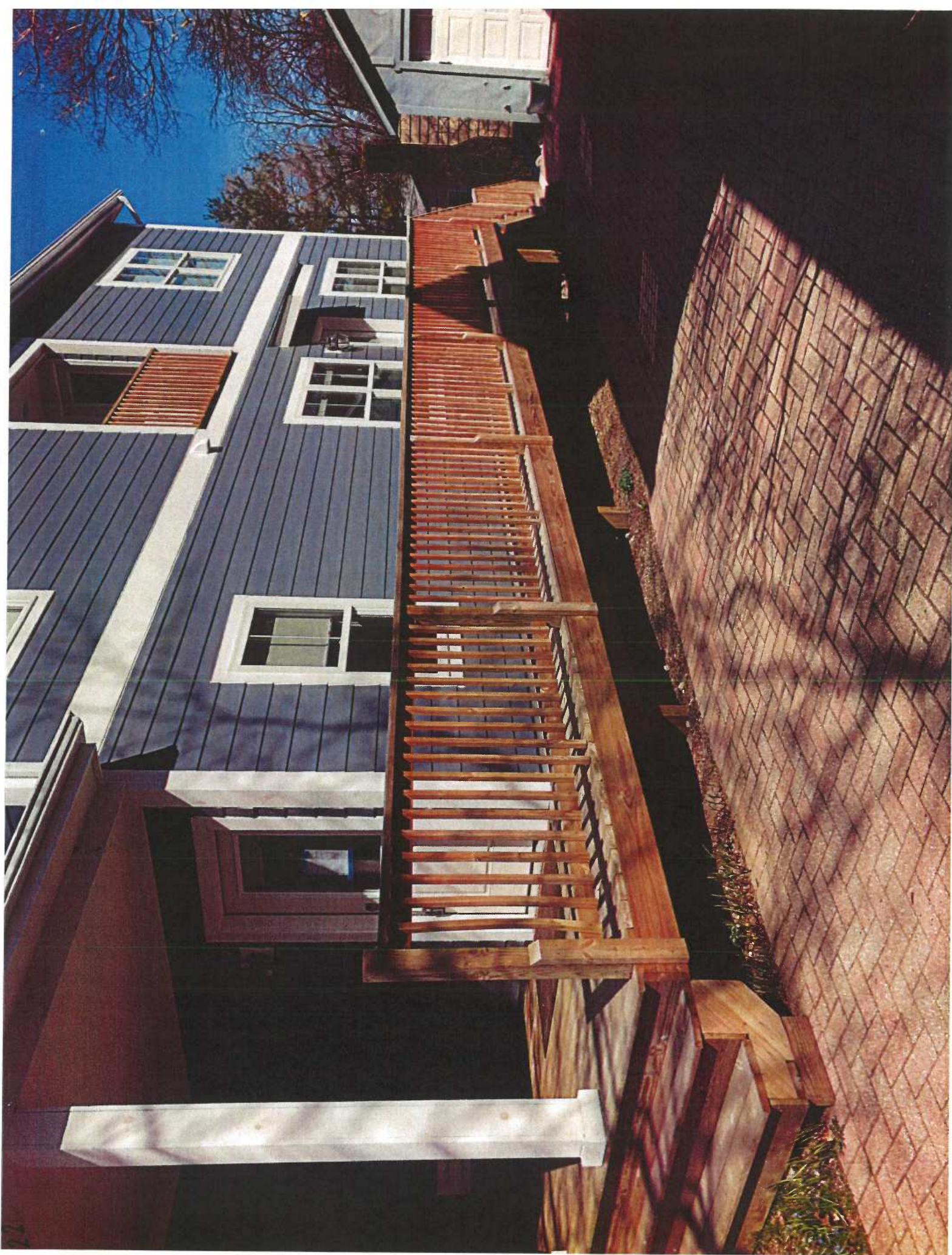
822



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REMOVE





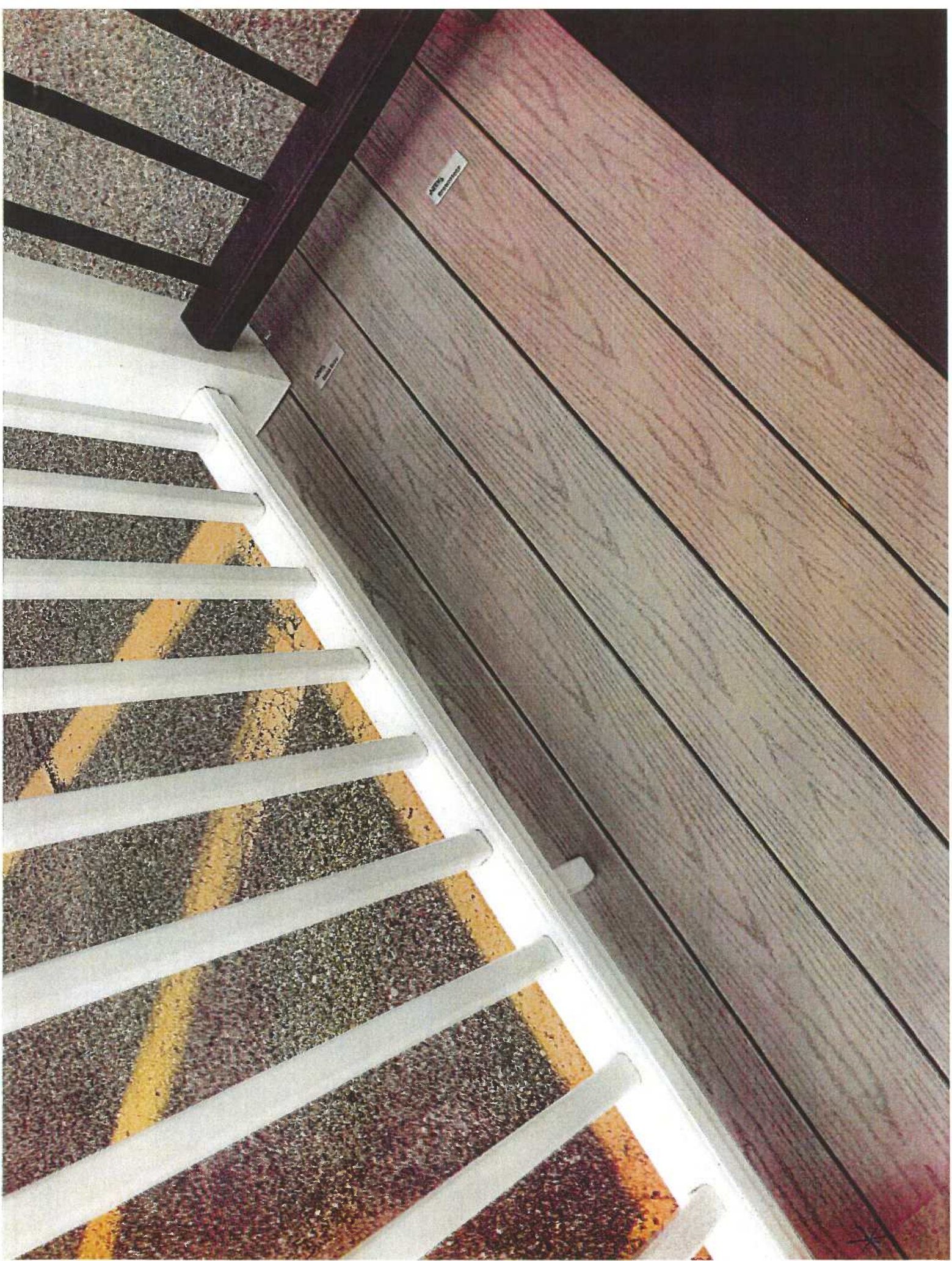




FINGERLE PRODUCT SHOWCASE
ENTRANCE

5

7



Date:6/20/2018

Store Info:
 Salesperson: renaud
 Store Name: Fingerle Lumber
 Address: 617 S. 5th Ave
 Ann Arbor, MI, , 48176
 Phone:(800) 555 1212 Fax:(800) 555 1212



Bill of Materials Deck

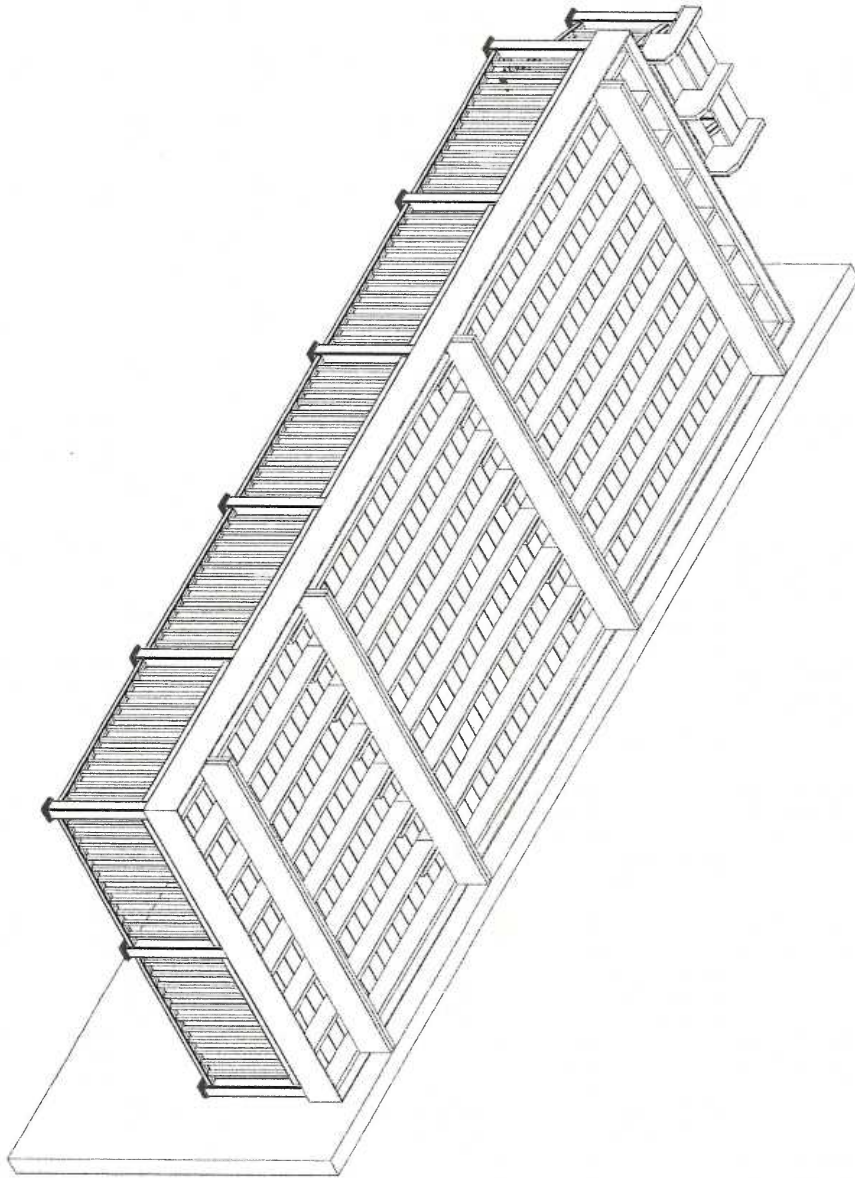
LUMBER MATERIALS						
Name	SKU		Description	Type	Price	Extended
Decking	DT-70515520GSG	28 EA	Harvest, 1"x5-1/2"x20' Grv'd,Slate Gray	AZEK_SLA TEGRAY	0.00	0.00
Decking	DT-70515512GSG	1 EA	Harvest, 1"x5-1/2"x12' Grv'd,Slate Gray	AZEK_SLA TEGRAY	0.00	0.00
Stair Tread	DT-70515516SG	1 EA	Harvest, 1"x5-1/2"x16' Solid,Slate Gray	AZEK_SLA TEGRAY	0.00	0.00
Beams	DT-21210PT	8 EA	2X12 10'	PT	9.99	79.92
Joists	DT-2812PT	7 EA	2X8 12'	PT	11.99	83.93
Joists	DT-2810PT	7 EA	2X8 10'	PT	9.99	69.93
Joists	DT-2808PT	7 EA	2X8 8'	PT	7.99	55.93
J-Splice	DT-2814PT	2 EA	2X8 14'	PT	13.99	27.98
Fascia	DT-7051212SG	8 EA	Fascia, 1/2"x11-3/4"x12',Slate Gray	AZEK_SLA TEGRAY	0.00	0.00
Rim board	DT-2810PT	2 EA	2X8 10'	PT	9.99	19.98
Rim board	DT-2816PT	2 EA	2X8 16'	PT	15.99	31.98
Rim board	DT-2812PT	2 EA	2X8 12'	PT	11.99	23.98
					SubTotal	393.63

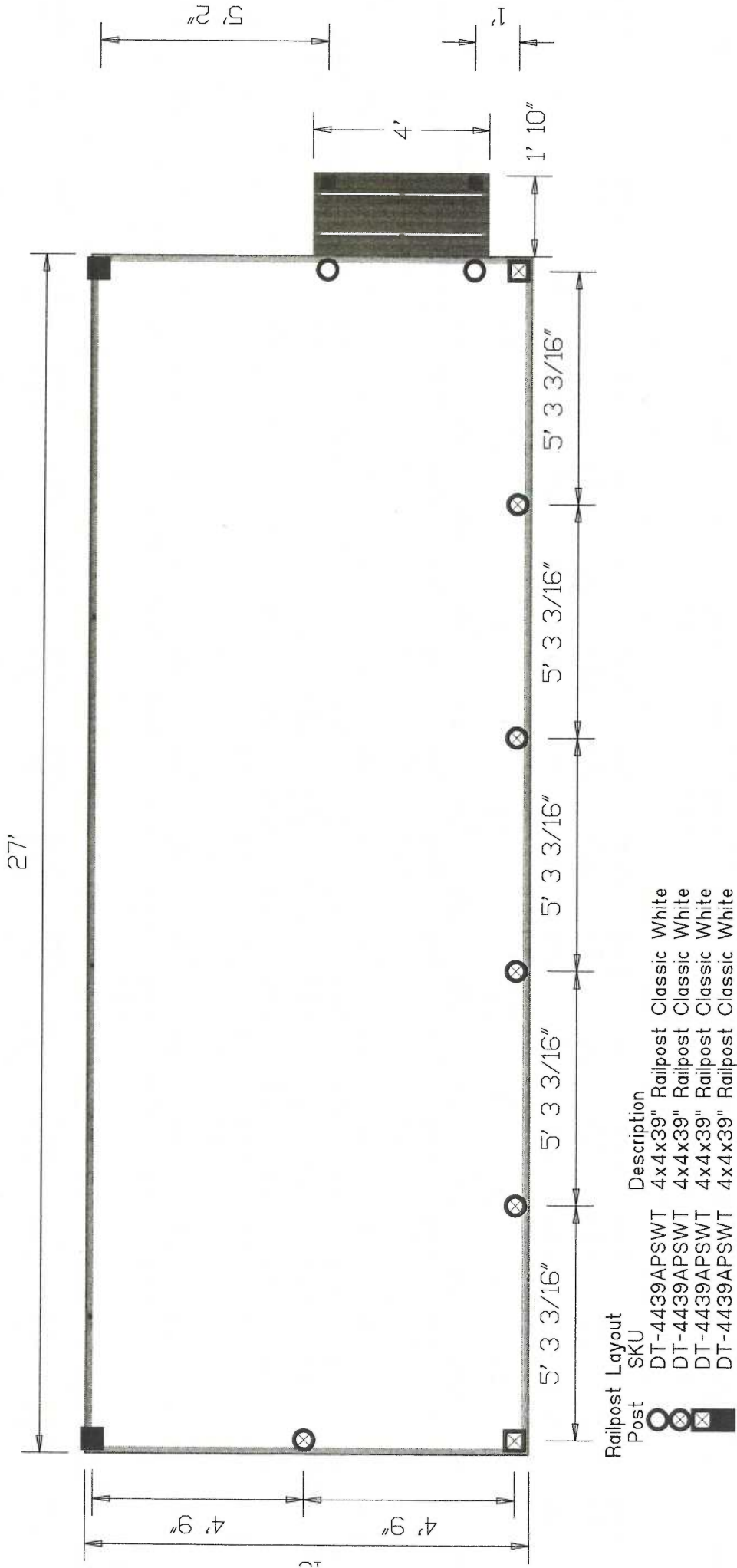
Prepared For :	
Customer Info:(ID:)	
Name:	cameron holdings
Company:	
Address:	
Phone:	Phone:

Date:6/20/2018

OTHER MATERIALS					
Name	Sku	Qty	Description	Price	Extended
JHANGER GALV 8IN	DT-JHG08	42 EA	Galv. 2x8 Joist Hanger	\$ 0.00	\$ 0.00
H125A	DT-H125A	36 EA	H125A Hurricane Tie Galv.	\$ 0.00	\$ 0.00
H1	DT-H1	8 EA	H1 Hurricane Tie Galv.	\$ 0.00	\$ 0.00
PT,4x4,12	DT-4412PT	4 EA	4X4 12'	\$ 11.99	\$ 47.96
PT,4x4,8	DT-4408PT	1 EA	4X4 8'	\$ 7.99	\$ 7.99
TREX_TRAN,4x4x108,PS,WT	DT-44108APSWT	1 EA	4x4x108" Railpost Classic White	\$ 0.00	\$ 0.00
WTHSEL CUT	DT-WTHSEL CUT	1 PK(10)	Select, Mtg Hardware-Horizontal	\$ 0.00	\$ 0.00
WTSSEL CUT	DT-WTSSEL CUT	1 PK(10)	Select, Mtg Hardware-Stair	\$ 0.00	\$ 0.00
WT0636HSELK	DT-WT0636HSELK	8 EA	Select, 6'x36" Rail & Bal Kit, Level	\$ 0.00	\$ 0.00
WT0636SSELK	DT-WT0636SSELK	1 EA	Select, 6'x36" Rail & Bal Kit, Stair	\$ 0.00	\$ 0.00
1/2in x 8 Carraige Bolt,Galv	CARR8x1/2G	26 EA	1/2in x 8 Carraige Bolt,Galv	\$ 0.01	\$ 0.26
1/2in Hex Nut,Galv	HEXNUT1/2G	26 EA	1/2in Hex Nut,Galv	\$ 0.01	\$ 0.26
1/2in Flat Washer,Galv	FWASH1/2G	26 EA	1/2in Flat Washer,Galv	\$ 0.01	\$ 0.26
TREX_TRAN,4x4x39,PS,WT	DT-4439APSWT	11 EA	4x4x39" Railpost Classic White	\$ 0.00	\$ 0.00
TRANS,PS4,WT	DT-44SKIRTWT	13 EA	Post Sleeve Skirt Classic White	\$ 0.00	\$ 0.00
TRANS,FPC4,WT	DT-44SQCAPWT	13 EA	Flat Post Sleeve Cap Classic White	\$ 0.00	\$ 0.00
2 STEP	DT-PCS2	3 EA	PRECUT STRINGER	\$ 3.99	\$ 11.97
STRINGER-RJ BRACKET_G	DT-SB01G	3 EA	Stringer to Rim Bracket, Galv	\$ 0.00	\$ 0.00
TREAD-STRINGER BRACKET_G	DT-SB02G	4 EA	Tread to Stringer Bracket, Galv	\$ 0.00	\$ 0.00
8D NAILS	DT-8D1	2 LBS	2.5" GALV NAILS	\$ 1.79	\$ 3.58
8D15 NAILS	DT-8D151	2 LBS	8D 1.5" GALV NAILS	\$ 1.79	\$ 3.58
10D NAILS	DT-10D1	4 LBS	3" GALV NAILS	\$ 1.49	\$ 5.96
10D15 NAILS	DT-10D151	3 LBS	10D 1.5" GALV NAILS	\$ 1.49	\$ 4.47
16D NAILS	DT-16D1	6 LBS	3.5" GALV NAILS	\$ 2.09	\$ 12.54
2.5SD_SCR_BR	DT-CDS25100SBR	10 LB	Square Drive Decking Screw 2-1/2" x 100, Brown	\$ 0.00	\$ 0.00
3SD_SCR_BR	DT-SDDS3080SBR	1 LB	Square Drive Decking Screw 3" x 80, Brown	\$ 0.00	\$ 0.00
				SubTotal	\$ 98.83

Prepared For :	
Customer Info:(ID:)	
Name:	cameron holdings
Company:	
Address:	
Phone:	Phone:





Railpost Layout Post	SKU	Description
⊗	DT-4439APSWT	4x4x39" Railpost Classic White
⊗	DT-4439APSWT	4x4x39" Railpost Classic White
⊗	DT-4439APSWT	4x4x39" Railpost Classic White
⊗	DT-4439APSWT	4x4x39" Railpost Classic White

Design: Deck18171

STRESS ANALYSIS

CUSTOMER: CAMERON HOLDINGS
 DATE: 06/20/18 DESIGN: DECK18171 REF:
 SALESMAN # RENAUD

MEMBER TYPE	SIZE	STRESS FACTOR	FACTOR LOAD	COMPOSITE LOAD	
JOISTS	2X8 16"	DEFLECTION	154 PSF		
		BENDING	155 PSF		
		SHEAR	133 PSF		
		COMPRESSION	223 PSF	133 PSF	
			TOTAL LOAD		133 PSF
			DEAD LOAD		10 PSF
			LIVE LOAD		123 PSF
STRINGERS	2X12	DEFLECTION	1156 PSF		
		BENDING	610 PSF		
		SHEAR	312 PSF		
		COMPRESSION	1049 PSF		
			TOTAL LOAD		312 PSF
			DEAD LOAD		10 PSF
			LIVE LOAD		302 PSF