Zoning Board of Appeals August 22, 2018 Regular Meeting

STAFF REPORT

Subject: ZBA 18-020; 2505 Londonderry Road

Summary:

Randy and Kelly Ross, property owners, are requesting relief from Article IV: Nonconformities Section 5.32.2 Nonconforming Structures. The request to alter a nonconforming structure will enable the owners to construct an addition containing a bathroom, mudroom, and two bedrooms on a second story. The existing home does not meet the average front setback of 35 feet. The residence is currently 24 feet two inches from the front property line. The new addition will not encroach further into the setback than the existing home.

Background:

The subject parcel is zoned R1B (single-family) and is located at the corner of Londonderry and Sheridan Drive just east of Washtenaw Avenue. The existing home consists of approximately 3,577 square feet and is situated on a lot containing 22,128 square feet. The home was built in 1960.

Description:

The residence is non-conforming as it does not meet the average front setback of 35 feet established by the property at 1532 Sheridan Drive to the southeast.

The applicants are requesting permission to alter the non-conforming structure in order to expand an existing two car garage to a three car garage. The addition to the home will be a mudroom and lavatory on the first floor and two bedrooms on the second story. The property currently has two curb cuts along Sheridan Drive. The garage expansion will allow the owners to eliminate the existing curb cuts and combine the two driveways to form one access point to the property.

As noted above, Chapter 55, Section 5.32.2 states that a nonconforming structure may be maintained or restored, but no alteration shall be made to a nonconforming structure unless one of the following conditions are met:

Standards for Approval- Permission to Alter a Non-Conforming Structure

The Zoning Board of Appeals has all the power granted by State law and by Section 5.27.4, from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

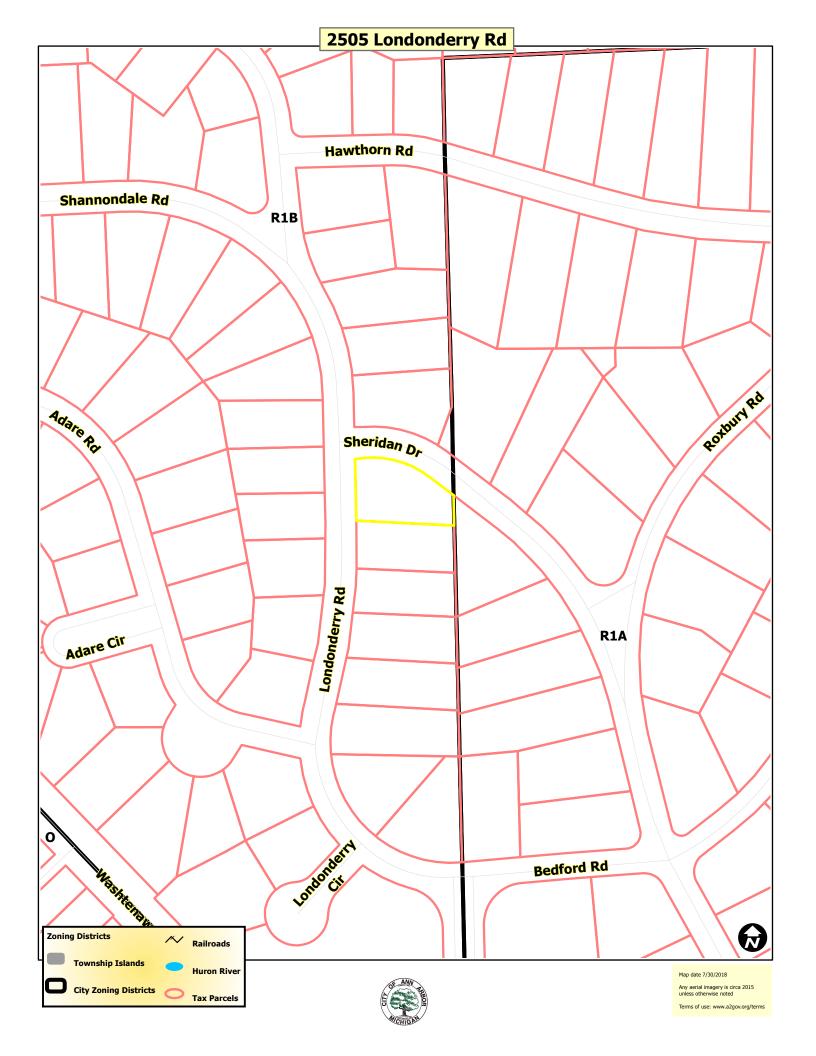
The alteration complies as nearly as practicable with the requirements of the Zoning Chapter and will not have a detrimental effect on neighboring property.

Permission is being requested to increase the size of the existing garage and to allow for first and second story improvements to an existing non-conforming structure. The new construction will not encroach further into the average front setback and will not have any negative impacts on surrounding properties.

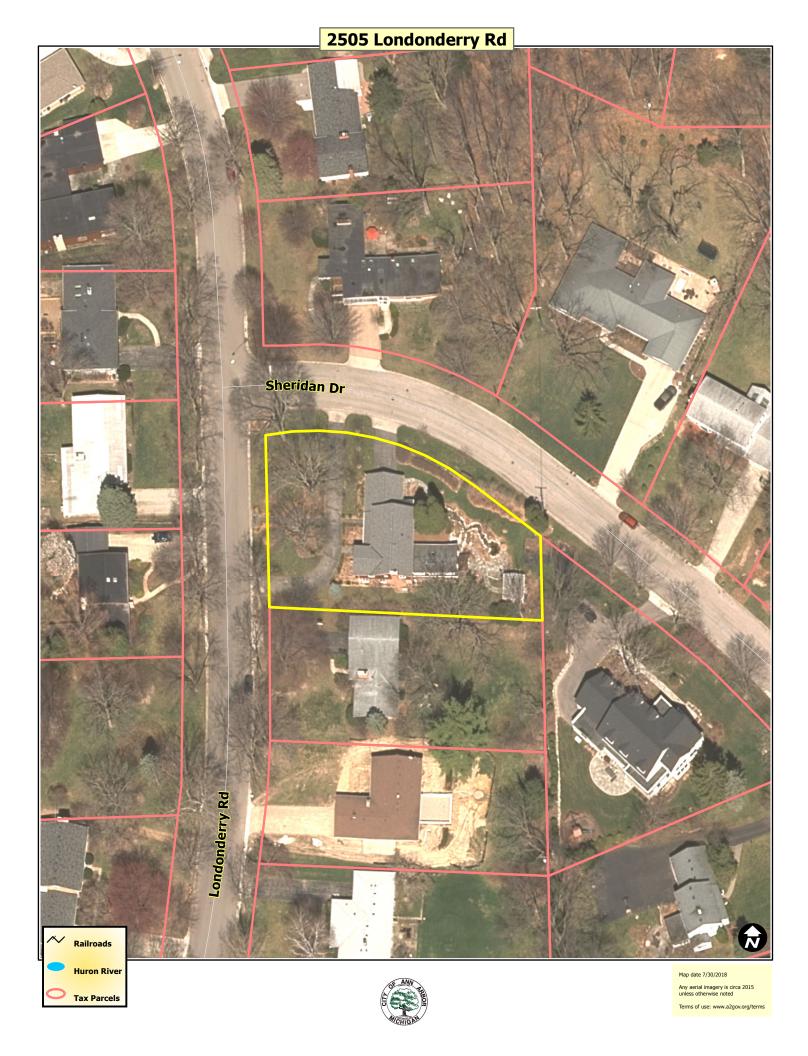
Respectfully submitted,

Jon Barrett

Zoning Coordinator









ZONING BOARD OF APPEALS

PLANNING DEPARTMENT

City Hall: Mailing: 301 E. Huron St. Ann Arbor, MI 48104-6120 P.O. Box 8647, Ann Arbor, MI 48107-8647

Phone:

Fax:

ne: 734.794.6265

planning@a2gov.org

734.994.8460

APPLICATION MUST BE FILLED OUT COMPLETELY

Office Use Only

Fee Paid: \$500

ZBA: 18-020

CITY PATE STANDER RECEIVED

JUL 25 2018

PLANNING & DEVELOPMENT SERVICES

PROPERTY INFORMATION				
ADDRESS OF PROPERTY: 2505 Londonderry				
ZONING CLASSIFICATION: R1B	TAX ID: (if known) 09-09-34-307-001			
NAME OF PROPERTY OWNER*: Randy and Kelly Ross				
*If different than applicant, a letter of authorization from the property owner must be provided				
APPLICANT INFORMATION				
NAME OF APPLICANT: Randy and KellyRoss				
ADDRESS OF APPLICANT: 2505 Londonderry				
DAYTIME PHONE NUMBER: 734-735-6221	FAX NO:			
EMAIL: kellyaross36@gmail.com				
APPLICANT'S RELATIONSHIP TO PROPERTY: OWNERS				
REQUEST INFORMATION				
☐ VARIANCE REQUEST (Complete the section 1 below)	ALTERATION TO A NON-CONFORMING STRUCTURE (skip to Section 2)			
Section 1 - VARIANCE REQUEST				
CHAPTER(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Chapter 55, Section 5:26)				
Required Dimension: (Example: 40' front setback)	PROPOSED Dimension: (Example: 32')			
Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary)				

ZONING BOARD OF APPEALS

PLANNING DEPARTMENT

City Hall: *Mailing:*

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

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.
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.
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.
4.	That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.
5.	A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

ZONING BOARD OF APPEALS

PLANNING DEPARTMENT

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

Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

Current Use of the Property:

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	19,561 sq. ft.	
Lot Width	189.43 ft.	
Floor Area Ratio		
Open Space Ratio		
Setbacks		
Parking		
Landscaping		
Other		

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

Proposed three car garage from 2 car garage and addition of back lavatory and mudroom, additi

of second story bedrooms

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:

changing from two curb cuts to one. Changing from a straight side entrance garage to a landsca

entrance. The reason for these revisions is to eliminate the dangerous pitch of the existing

driveway

AMAY S

ZONING BOARD OF APPEALS

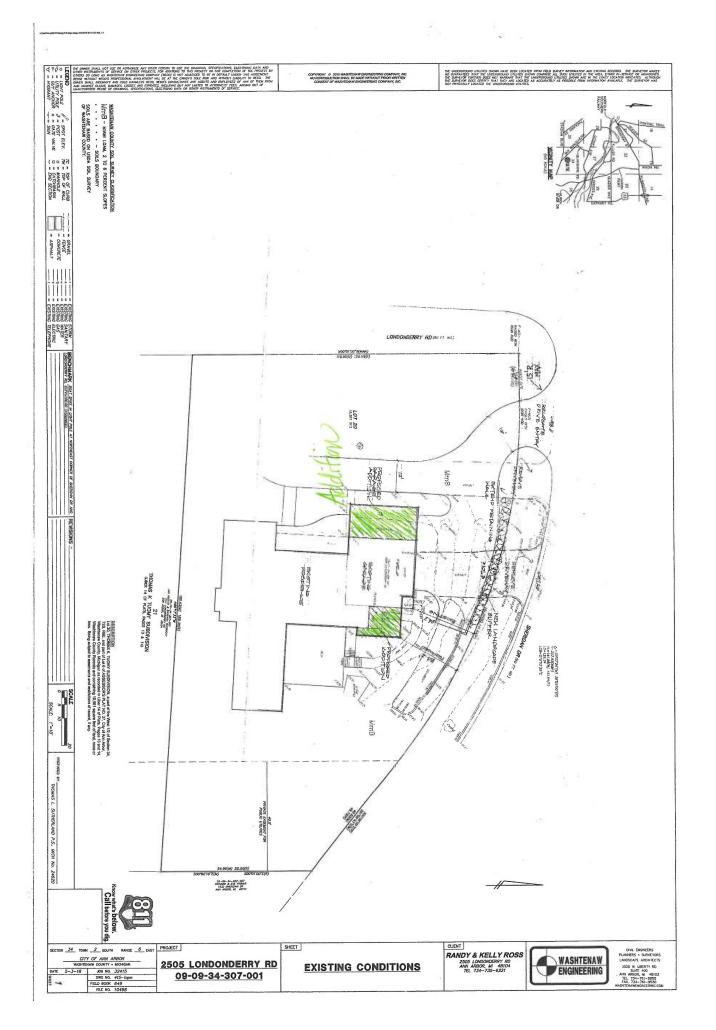
PLANNING DEPARTMENT

City Hall: *Mailing:*

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

Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

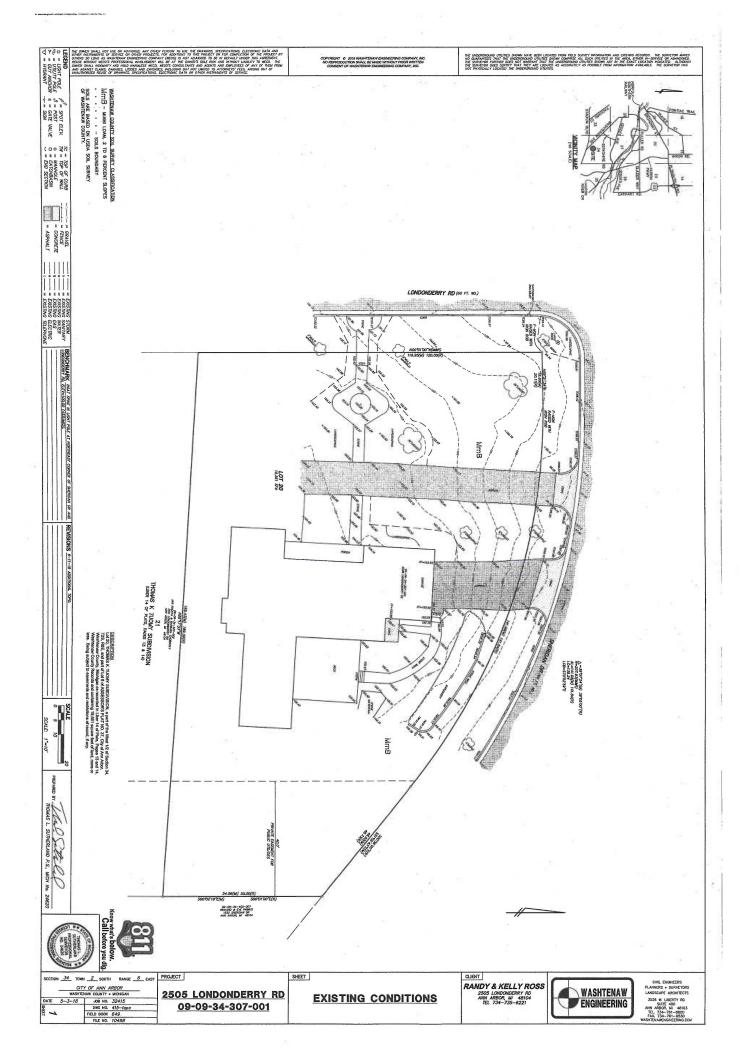
	erefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Arbor City Code in order to permit:
REC	QUIRED MATERIALS
an i The	following materials are required for <u>ALL</u> variance requests. Failure to provide these materials will result in incomplete application and will delay staff review and Zoning Board of Appeals consideration of the request. materials listed below must accompany the application and constitute an inseparable part of the blication.
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.
ACK	CNOWLEDGEMENT
the s	e applicant, hereby request a variance from the above named Chapter (s) and Section (s) of the Ann Arbor City Code for stated reasons, in accordance with the materials attached hereto. Signature: X Signature: X
Emai	il address: kellyaross36@gmail.com
	plicant, hereby depose and say that all the aforementioned statements, and the statements contained in the materials mitted herewith, as true and correct. Signature
	her, I hereby give the City of Ann Arbor Planning and Development Services unit staff and members of the Zoning rd of Appeals permission to access the subject property for the purpose of reviewing my variance request.

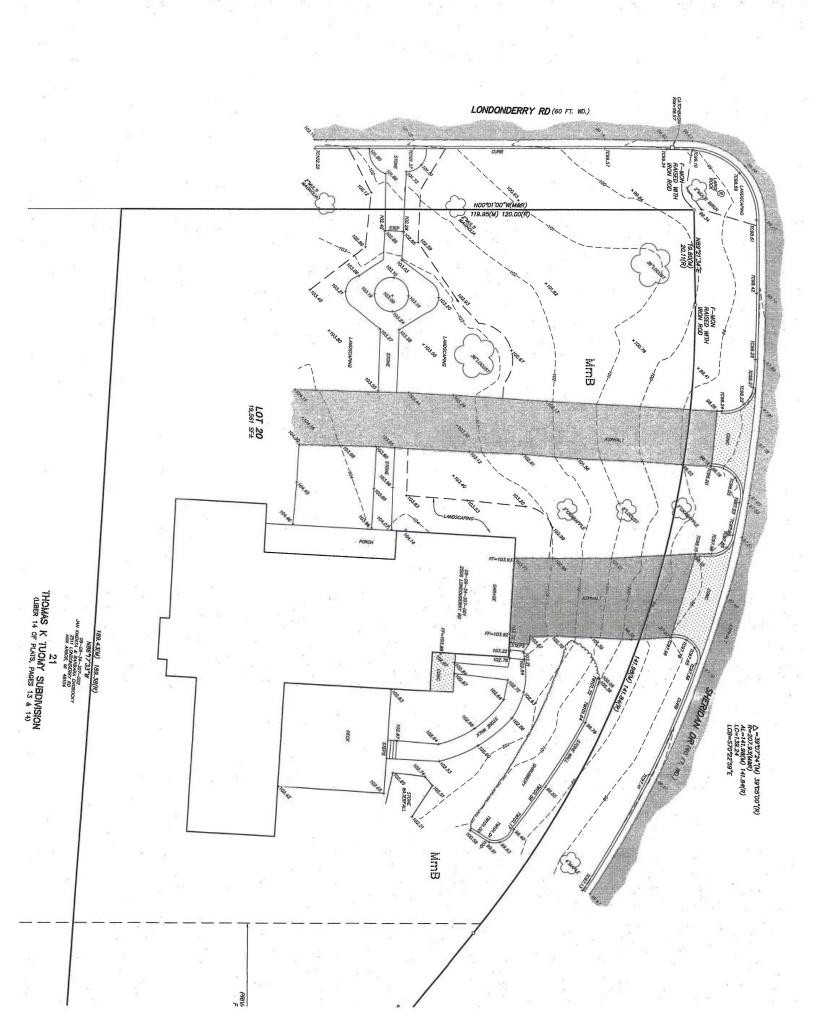


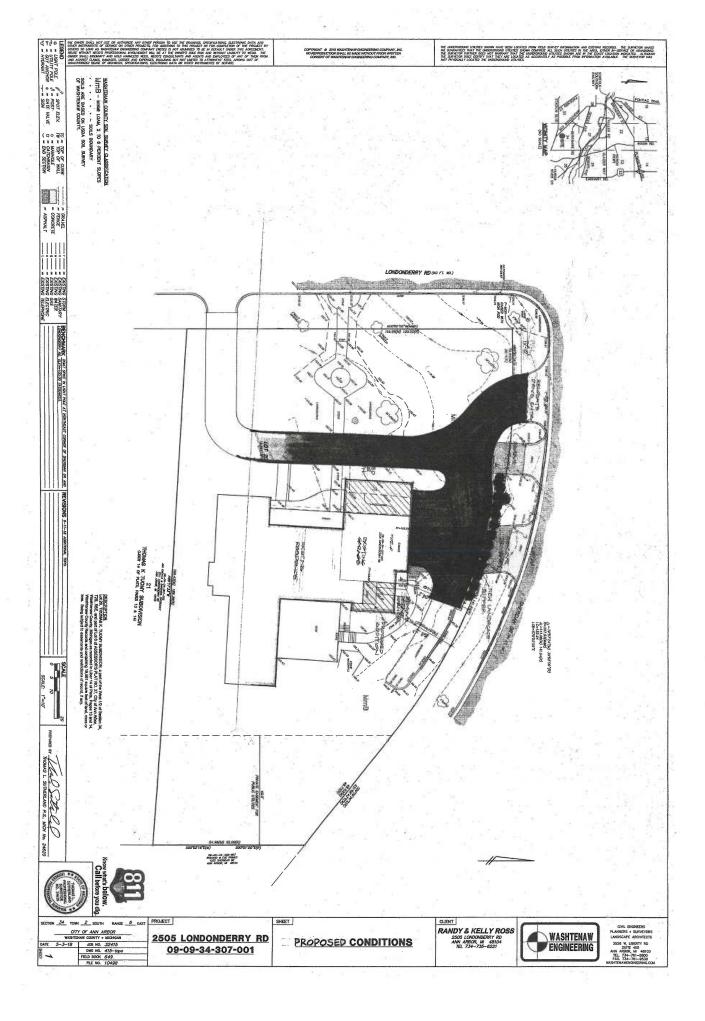
LINBAP RUSTS Sheridan

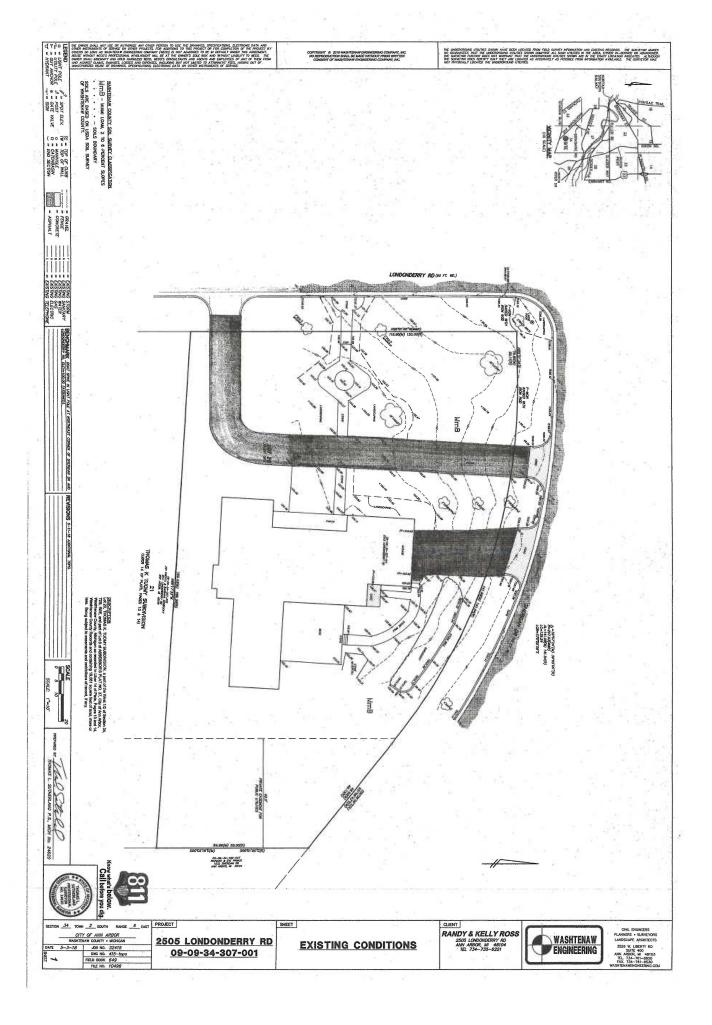
Circlular drive stays

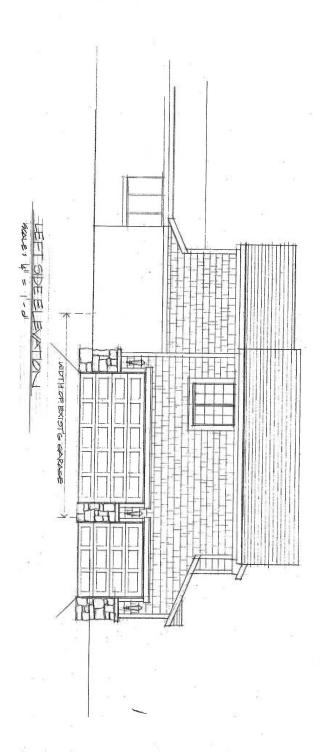
Londonderry

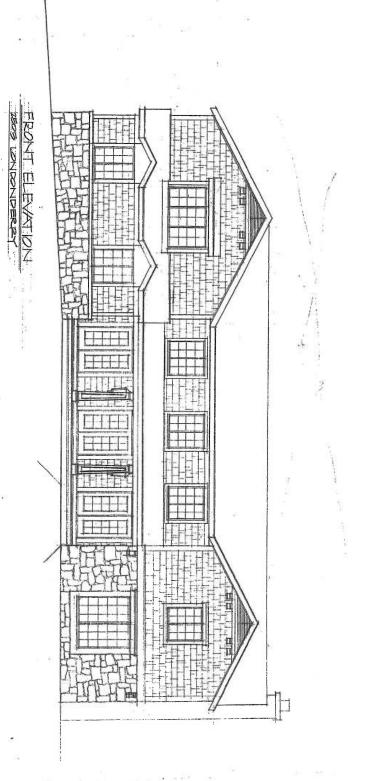












FRONT ELEVATION



FRONT ELEVATION
1805 CNENDERRY

