

720-722 Spring St -Zoning Map-

R2A
Charles St

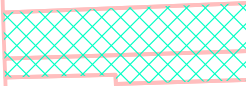
Hillcrest Dr

W Summit St

PL

Fountain St

Spring St



Daniel St

Hiscock St

Alley

M1

Feld St

PL

Zoning

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

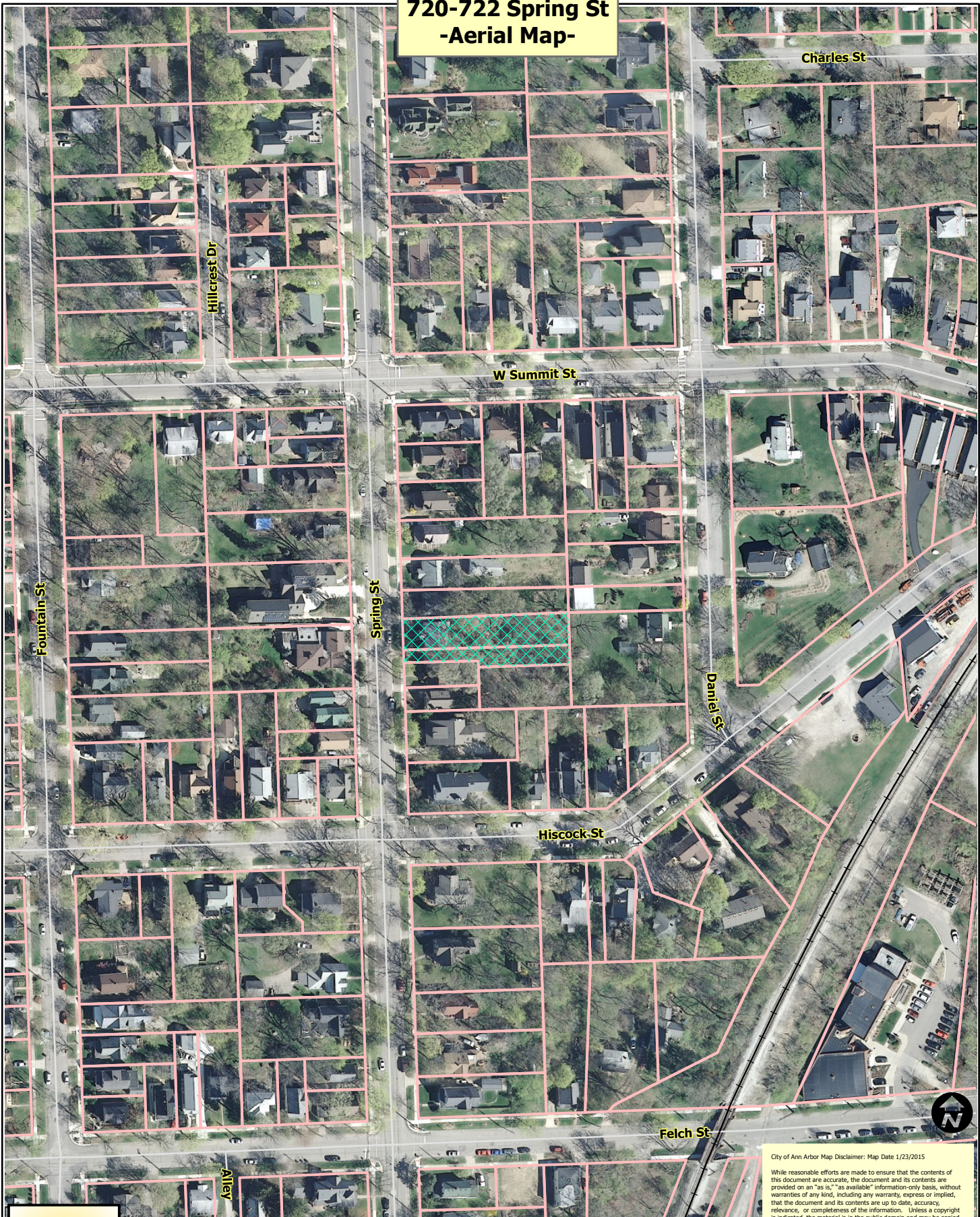


City of Ann Arbor Map Disclaimer: Map Date 1/23/2015

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720-722 Spring St -Aerial Map-



-  Railroads
-  Parcels
-  Huron River

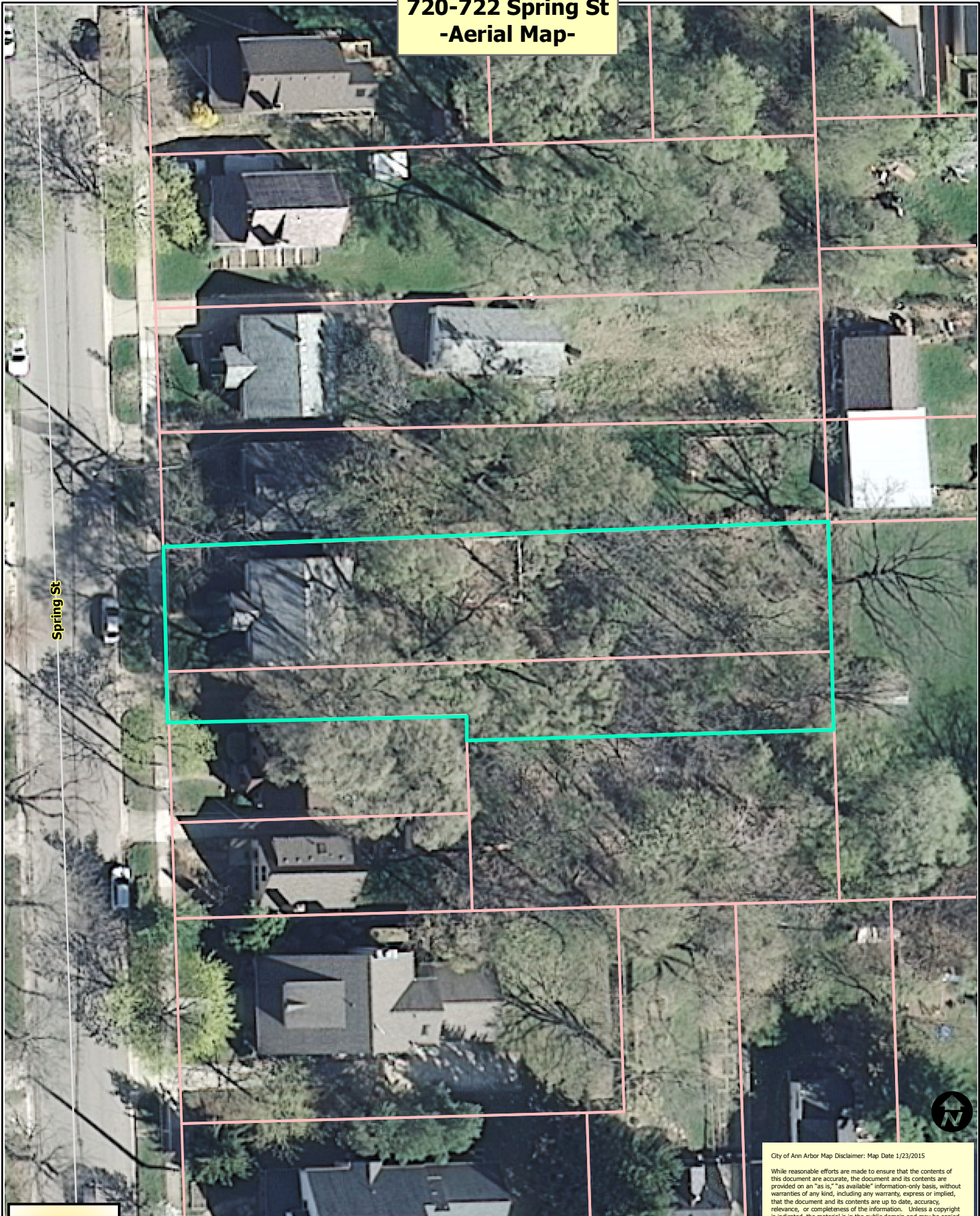


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720-722 Spring St -Aerial Map-



- Railroads
- Parcels
- Huron River



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APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: DOUG SELBY, MEADOWLARK BUILDERS, LLC
Address of Applicant: 3250 W. LIBERTY ROAD, ANN ARBOR, MI 48102
Daytime Phone: 734-262-0825
Fax: 734-332-1515
Email: doug@homewithMeadowlark.com
Applicant's Relationship to Property: GENERAL CONTRACTOR FOR OWNER

Section 2: Property Information

Address of Property: 720 & 722 SPRING STREET, ANN ARBOR
Zoning Classification: R2A
Tax ID# (if known): 09-09-20-317-023 & 09-09-20-317-022
*Name of Property Owner: 722 SPRING STREET, LLC - CHIARA & PETER BARBIER

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

Section 3: Request Information

Variance

Chapter(s) and Section(s) from which a variance is requested:

ARTICLE III, 5:24

Required dimension: PROPOSED dimension:

60' FRONTAGE 55' FRONTAGE

Example: Chapter 55, Section 5:26

Example: 40' front setback

Example: 32'

Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)

SEE ATTACHED NARRATIVE

Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)

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. (continued)

1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

SEE ATTACHED NARRATIVE

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)

SEE ATTACHED NARRATIVE

3. What effect will granting the variance have on the neighboring properties?

SEE ATTACHED NARRATIVE

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

SEE ATTACHED NARRATIVE

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

SEE ATTACHED NARRATIVE

Section 5: 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

(continued . . .)

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:

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

Section 6: 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 1/2" by 11" sheets.** (Continued)

- 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.

Section 7: Acknowledgement

SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

I, the applicant, 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.

(734) 262-0825
Phone Number

[Signature]
Signature

doz@homewithmeadowlark.com
Email Address

DOUGLAS SELBY
Print Name

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

[Signature]
Signature

Further, I hereby give City of Ann Arbor Planning & 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.

[Signature]
Signature

I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that **staff does not remind the petitioner of the meeting date and times.**

[Signature]
Signature

On this 26th day of December, 2014, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

TALIN TIMAS
Notary Public - Michigan
Washtenaw County
My Commission Expires Sep 23, 2020
Acting in the County of Washtenaw

[Signature]
Notary Public Signature
TALIN TIMAS
Print Name

Staff Use Only

Date Submitted: _____ Fee Paid: _____
 File No.: _____ Date of Public Hearing _____
 Pre-filing Staff Reviewer & Date _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____

ZONING BOARD OF APPEALS APPLICATION QUESTIONS

Section 4: Variance Request Questions:

- 1. Are there any hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the city?**

The ordinance without a variance would require 2 separate houses to be built, one on an extremely un-conforming lot (720 Spring Street) which would severely constrain the ability to make a home that would fit the neighborhood. This option would not be consistent with the intent of current zoning laws.

Building 2 homes would also require a separate driveway and utilities that would go right through the root structures of two landmark healthy and mature American Elm trees, killing trees that are valued by the neighbors, and creating much more impervious surface area on the lots.

This is a very unique situation in the way these lots were split, and a unique situation in that one of the lots has only 15 feet of frontage to the street. It is unlikely that a similar situation exists in the city of Ann Arbor.

For the porch setback, we are asking for a variance that is more in line with the houses that have projecting porches on the block so that we have less chance of impacting the root structure of the trees, and a more consistent look with the other homes on the block. Of the homes within 100 feet, only 2 have projecting front porches, which throws off the average from those that have projecting front porches.

- 2. Are the hardships or practical difficulties more than mere inconvenience, or inability to obtain a higher financial return?**

The practical difficulties with building 2 separate home have little to do with economics or inconvenience, and more to do with a desire to avoid creating an ugly and destructive presence that would be a detriment to the neighborhood.

In some ways, killing the trees and building 2 separate homes would be the easiest way to develop these lots, but the results would not be desirable to anyone in the area. The owner's desire is to build pretty homes that match the neighborhood, protect the neighbor's views and promote a healthier ecology on the lot, both for forest and water management.

The porch setback being more consistent with the neighboring homes is meant to protect the trees to every extent possible while also keeping a consistent look on the street.

The positive aspects of granting the variances far outweigh the relative benefits of using the existing zoning as it currently exists. Combining the lots with a variance to

allow a duplex would be far more in keeping with the intent of the zoning, and with the neighborhood character, where there are many connected duplex homes, and of this block, which has several similar projecting front porches.

3. What effect will granting the variance have on the neighboring properties?

The only effect granting the variance would have on the neighboring properties is a positive one. The neighborhood would keep two landmark trees and the forest ecology in the middle of the block would remain intact. The streetscape would remain similar to the way it is currently and a curb-cut would be removed at the street. The property would maintain more water-pervious area and an adjacent lot that is at-risk would be taken off the market.

Several neighbors have signed a letter in support of granting the variance, and the project has a high level of support among the affected neighbors.

4. What physical characteristics of the property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

Nothing would prevent the owners from developing 2 homes on the lots as they are at present, but it would be more detrimental to the neighborhood than combining the lots and granting a variance to build a 2-unit home.

If 720 and 722 Spring Street were combined, at 55 feet the combined lot would lack 5 feet of frontage on Spring Street for a legal 2-unit home, although the *average* width of the lot is 60.1 feet wide. At nearly 12,976 square feet total, the lot is 35% larger than the minimum 8500 square feet required to build a 2-unit home. No other zoning variances are needed for this project.

The zoning variance is being requested to create one lot with a duplex that is more conforming with the neighborhood and more consistent with the intent of the zoning ordinance.

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

This condition affecting the duplex arose as an offshoot of an extremely unconventional lot split, followed by a change in zoning in later years. The owners would like to make these lots become a single lot that will support 2 connected homes, like many others in the neighborhood. This would be far less detrimental to the neighborhood in many respects than building two separate houses, and more in keeping with the intent of the zoning ordinances.

The issue affecting the front setback arose as a result of the nearest homes having mostly indented front porches, or none at all. We are requesting a variance to be more conforming with the homes on the block that have projecting front porches.

December 26th, 2014

Chiara & Peter Barbier
722 Spring Street, LLC
7750 Partlo Road
Whittemore, MI 48770

To The Ann Arbor Zoning Board of Appeals,

We hereby authorize Doug Selby and Meadowlark Builders to represent 722 Spring Street, LLC in all matters regarding our application for variance to the Zoning Board of Appeals. Meadowlark Builders is our General Contractor for this project, and as such will be responsible for all city approvals and permits.

Thank you,

Chiara Barbier



Peter Barbier

