

**Zoning Board of Appeals
May 22, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA19-007; 707 S Division

Summary:

Mustafa Ali, property owner, is requesting an alteration to a nonconforming structure in order to construct an eighteen square foot addition to an existing non-conforming duplex. The addition is at the basement level grade and will allow for a second bedroom and expanded first floor front porch. The addition will meet the R4C district setbacks, but an alteration is required as the property does not meet the lot size and lot width requirements.

Background:

The subject property is located between Packard Road and on the eastern side of South Division. The home was built in 1935 and is approximately 2,112 square feet in size. Currently, the home has a one bedroom apartment in the basement and a five-bedroom apartment on the first and second floors.

Description:

The alteration will allow for a new 103 square foot second bedroom in the basement with an egress window to the front patio. The occupancy will not increase as it will remain as two.

Standards for Approval- Alteration to a Nonconforming Structure

The Zoning Board of Appeals has all the power granted by State law and by Section 5.32.2, Application of the Variance Power from the UDC. The following criteria shall apply:

- A) The alteration is approved by the Zoning Board of Appeals upon a 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.

The applicant states that the 18 square foot addition to the exterior dimension of the existing duplex is minimal and will have no impact the adjacent properties. The addition will comply with the required front setback and height requirements for the district. The basement unit has two occupants and the additional bedroom will not increase the occupancy. The owner intends to keep the same occupancy. The owner states that the size and scale of the addition and front porch will resemble the neighboring properties.

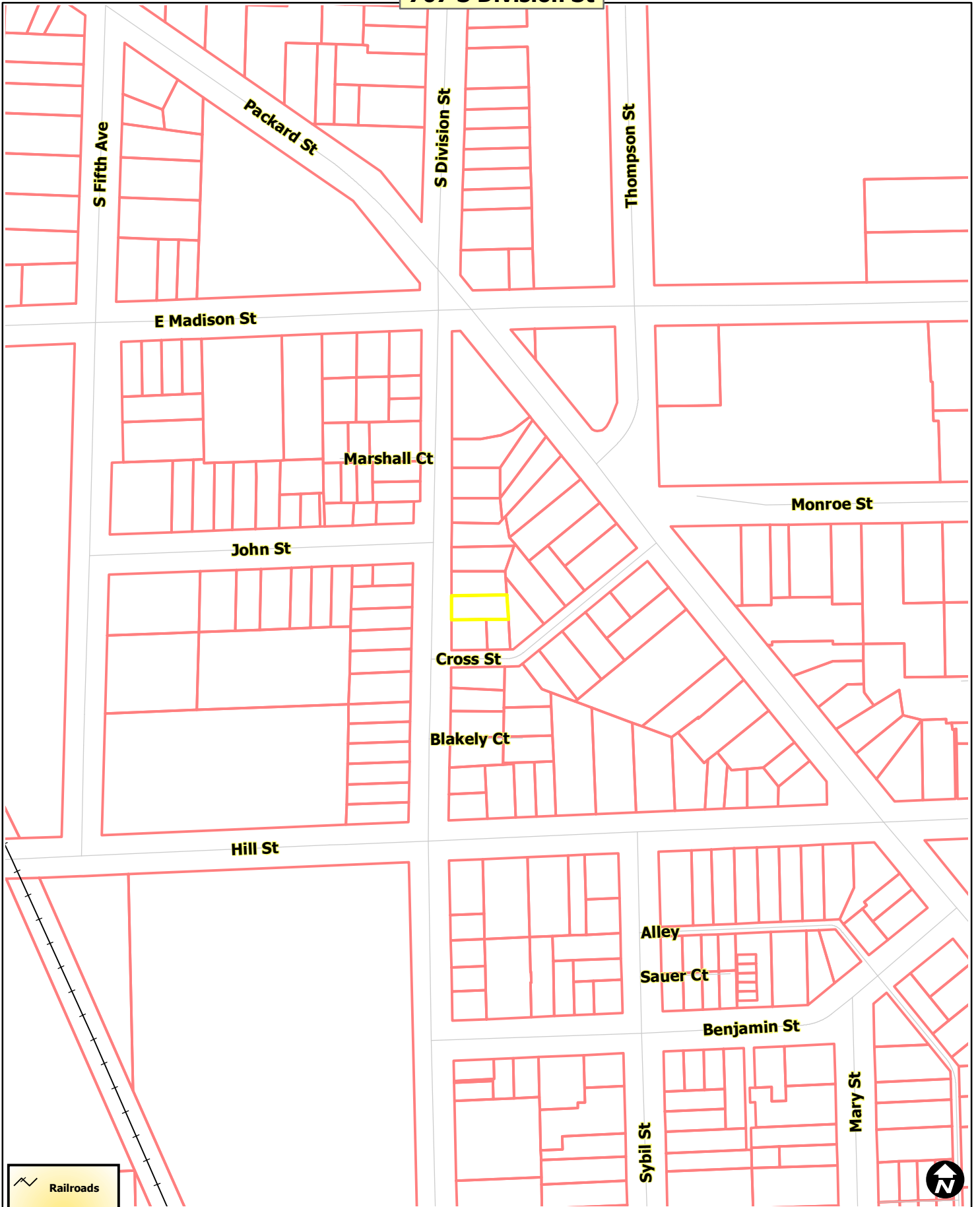
Respectfully submitted,






Zoning Board of Appeals
May 22, 2019

Jon Barrett
Zoning Coordinator

707 S Division St



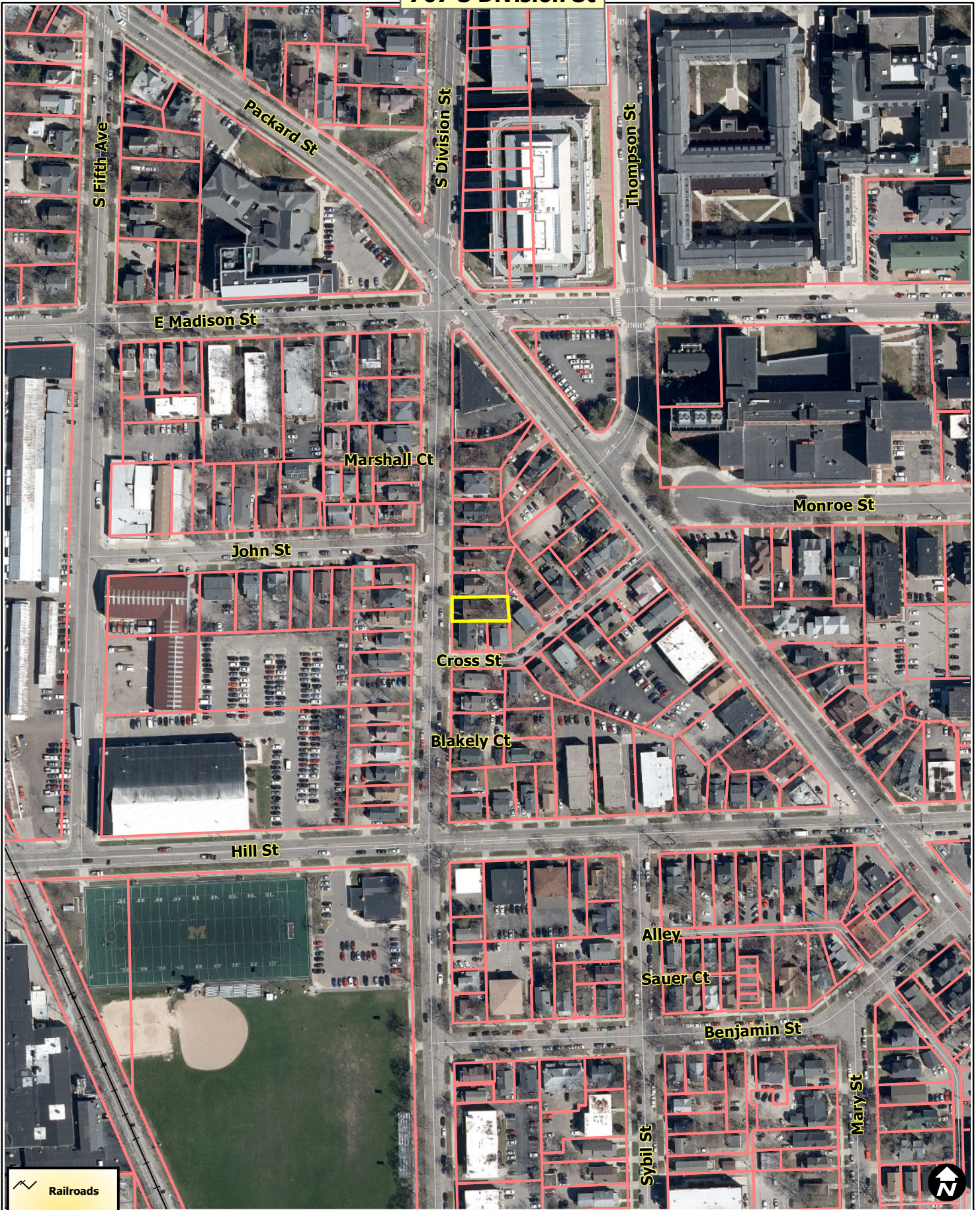
 Railroads
 Huron River
 Tax Parcels






Map date: 5/1/2019
Any aerial imagery is circa 2018 unless otherwise noted
Terms of use: www.a2gov.org/terms



707 S Division St



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 5/1/2019
Any aerial imagery is circa 2018
unless otherwise noted
Terms of use: www.a2gov.org/terms





707 S Division St


John St

S Division St

Cross St

 Railroads

 Huron River

 Tax Parcels



Map date: 5/1/2019
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 707 s. Division | | ZIP CODE 48104 |
| ZONING CLASSIFICATION R4C | NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided Mustafa Ali | |
| PARCEL NUMBER | OWNER EMAIL ADDRESS careone Rental@gmail.com | |

APPLICANT INFORMATION

| | | | |
|--|--------------------------|----------------------------|--------------------------|
| NAME Mustafa Ali | | | |
| ADDRESS 5046 Doral Dr | CITY Ann Arbor | STATE MI | ZIP CODE 48108 |
| EMAIL careonerental@gmail.com | | PHONE 7348914167 | |
| APPLICANT'S RELATIONSHIP TO PROPERTY Owner | | | |

REQUEST INFORMATION

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

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

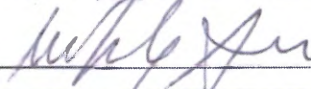
Fee Paid: ZBA: **19-007**

DATE STAMP

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:  Date: **2/26/2019**

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.

The requested change to this non-conforming structure is minimal and will have no impact on the neighboring properties. The lower level addition is only 18 SQFT and complies with the current zoning requirements (setback, height etc)

The existing structure is currently a rental duplex. The finished basement is one unit, the first and second floors are the second unit. The basement unit is currently one bedroom, and this addition will provide a second bedroom. The lower unit is currently approved for two people and there will still be two people in the two bedroom proposed so the total number of occupants will not change.

The addition will also expand foot print of existing front porch of the upper unit. The size and scale of the new porch will be more in line of neighboring properties front porch. This addition adds great improvement and rights to the unit.

Please complete the table below as it relates to your request

| Requirement | Existing Condition | Code Requirement |
|------------------|--------------------|------------------|
| Lot Area | | |
| Lot Width | | |
| Floor Area Ratio | | |
| Setbacks | | |
| Parking | | |
| Landscaping | | |
| Other | | |
| | | |
| | | |

MORTGAGE SURVEY

Certified to: MUSTAFA ALI

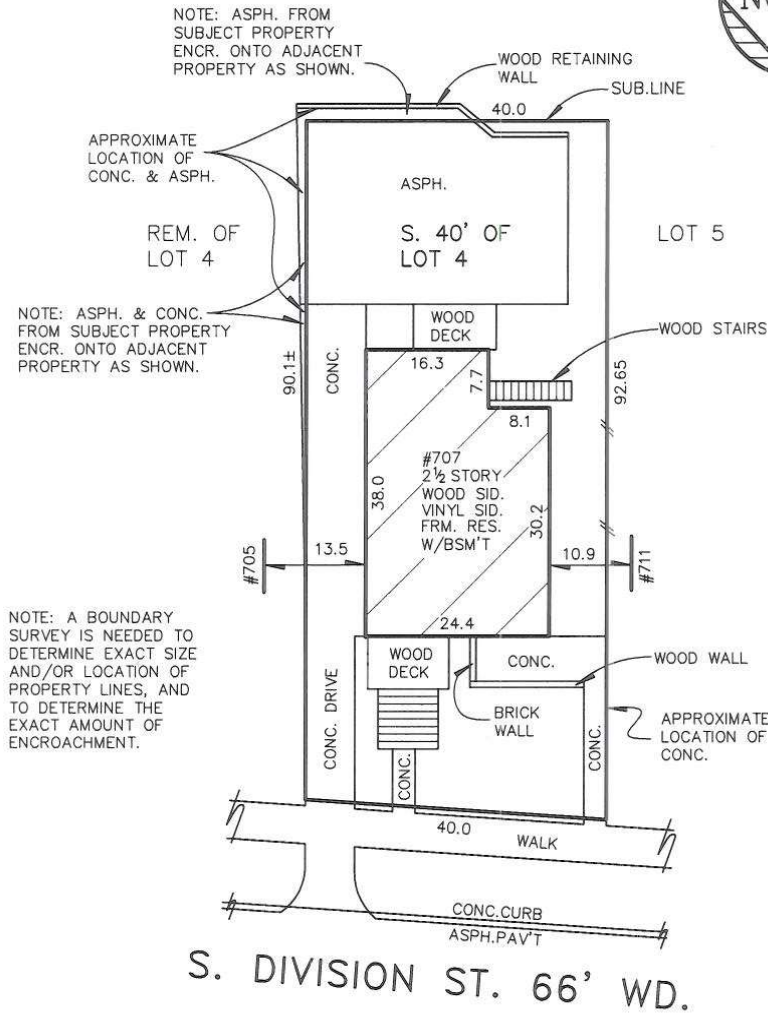
Applicant: MUSTAFA ALI

Property Description:

The South 40 feet of Lot 4; WEINBERG'S SUBDIVISION, in the City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 3 of Plats, Page 8 of Washtenaw County Records.

NOTE:

Due to snow cover some surface level features may not be shown, such as Conc. & Asp. etc.



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND TO DETERMINE THE EXACT AMOUNT OF ENCROACHMENT.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

(Signature)

JOB NO: 19-00480 SCALE: 1"=20'
DATE: 02/21/19 DR BY: BQ

THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.



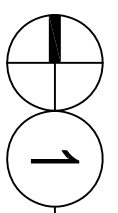
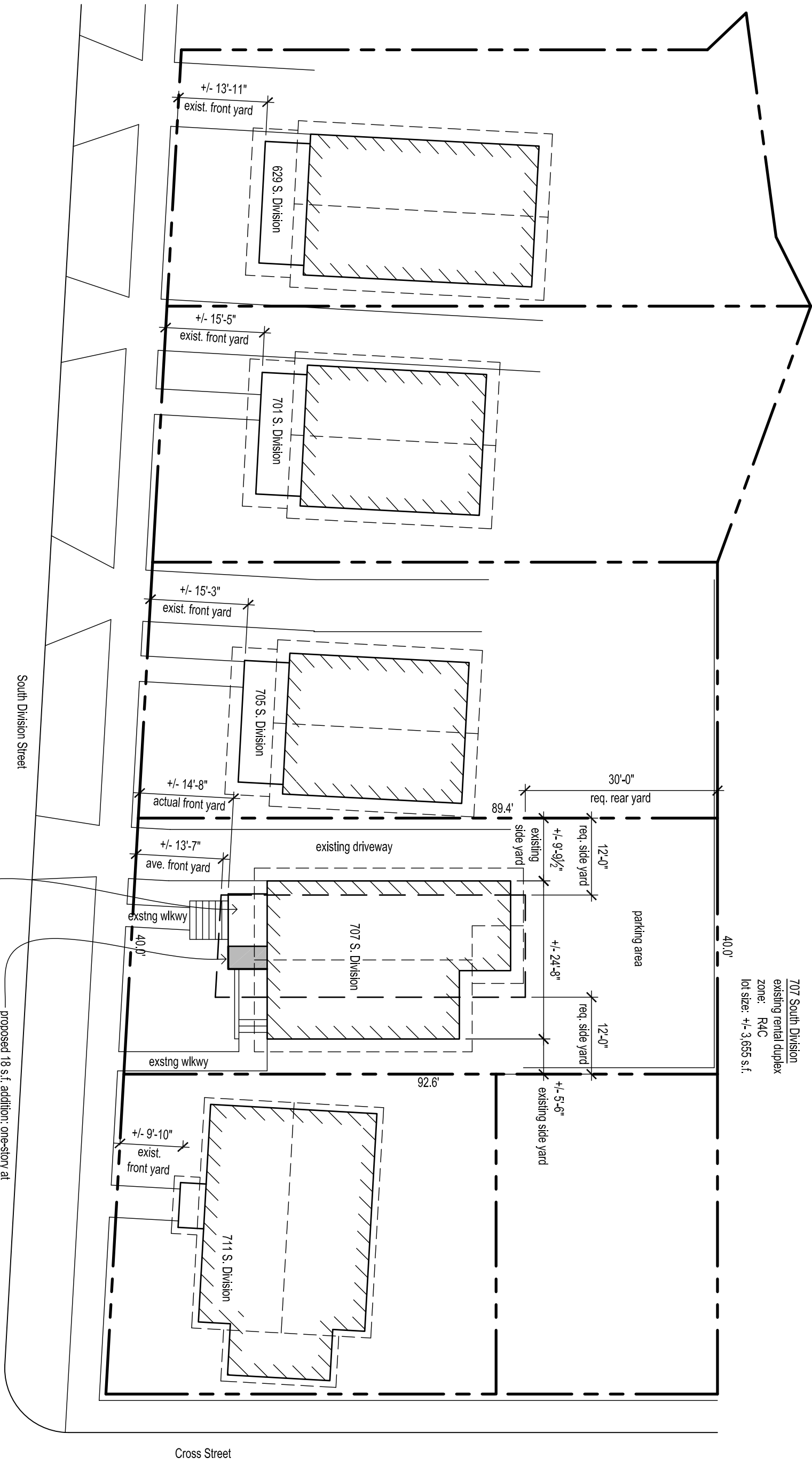
KEM-TEC

PROFESSIONAL ENGINEERING,
SURVEYING & ENVIRONMENTAL
SERVICES

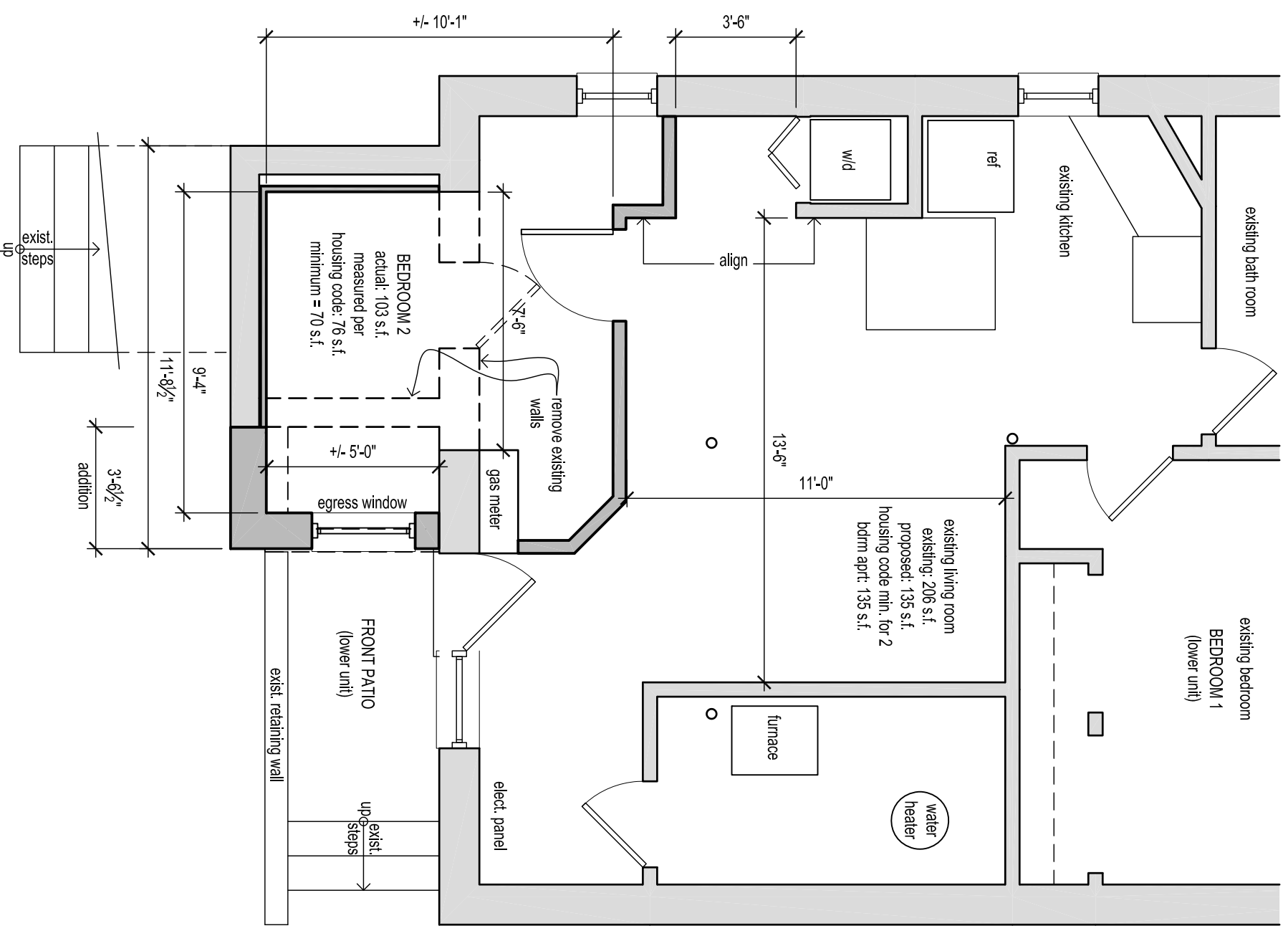
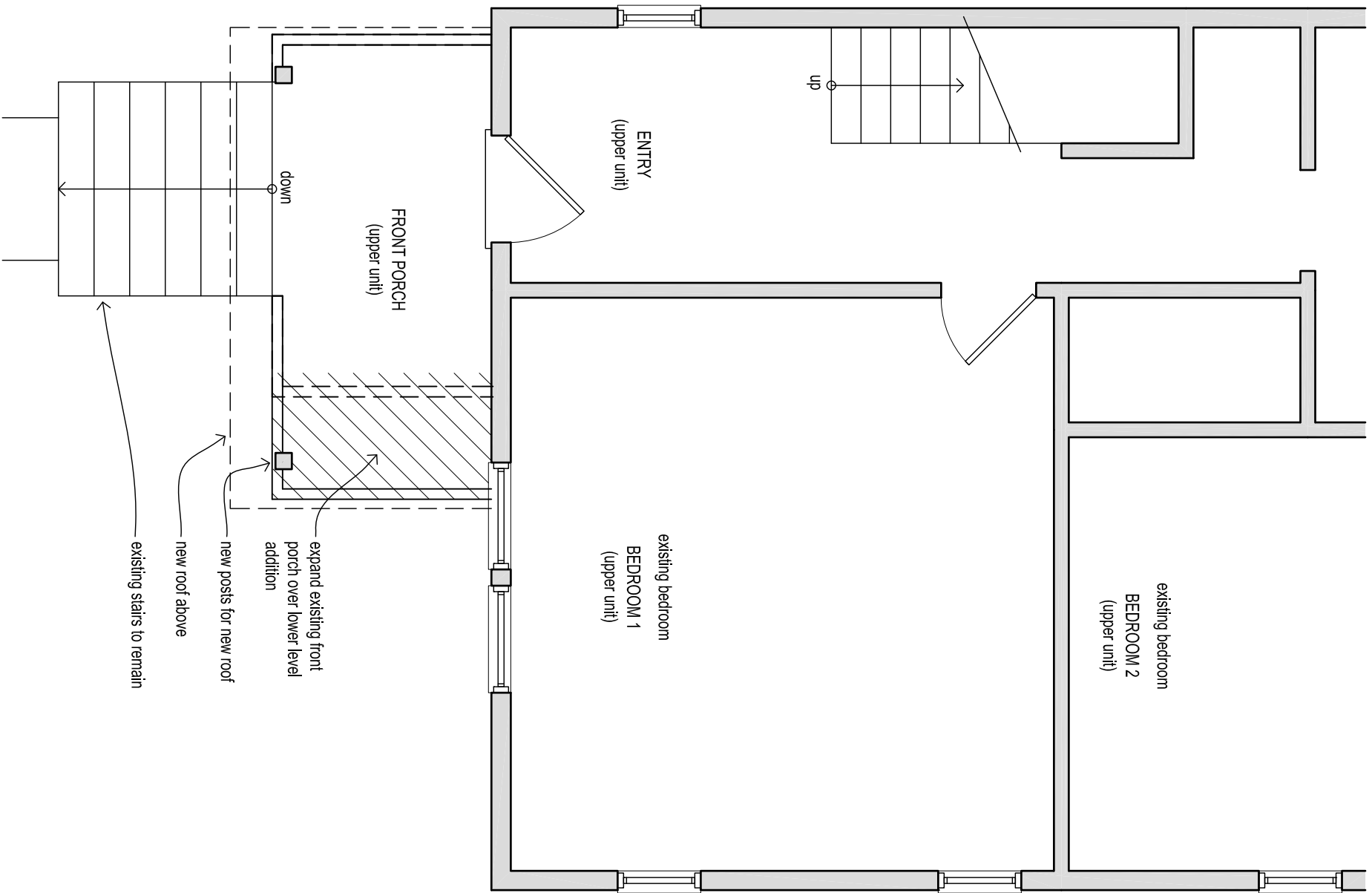
A GROUP OF COMPANIES

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



SITE PLAN / FRONT YARD SETBACKS
1/16" = 1'-0"



**CareOne
Rental**

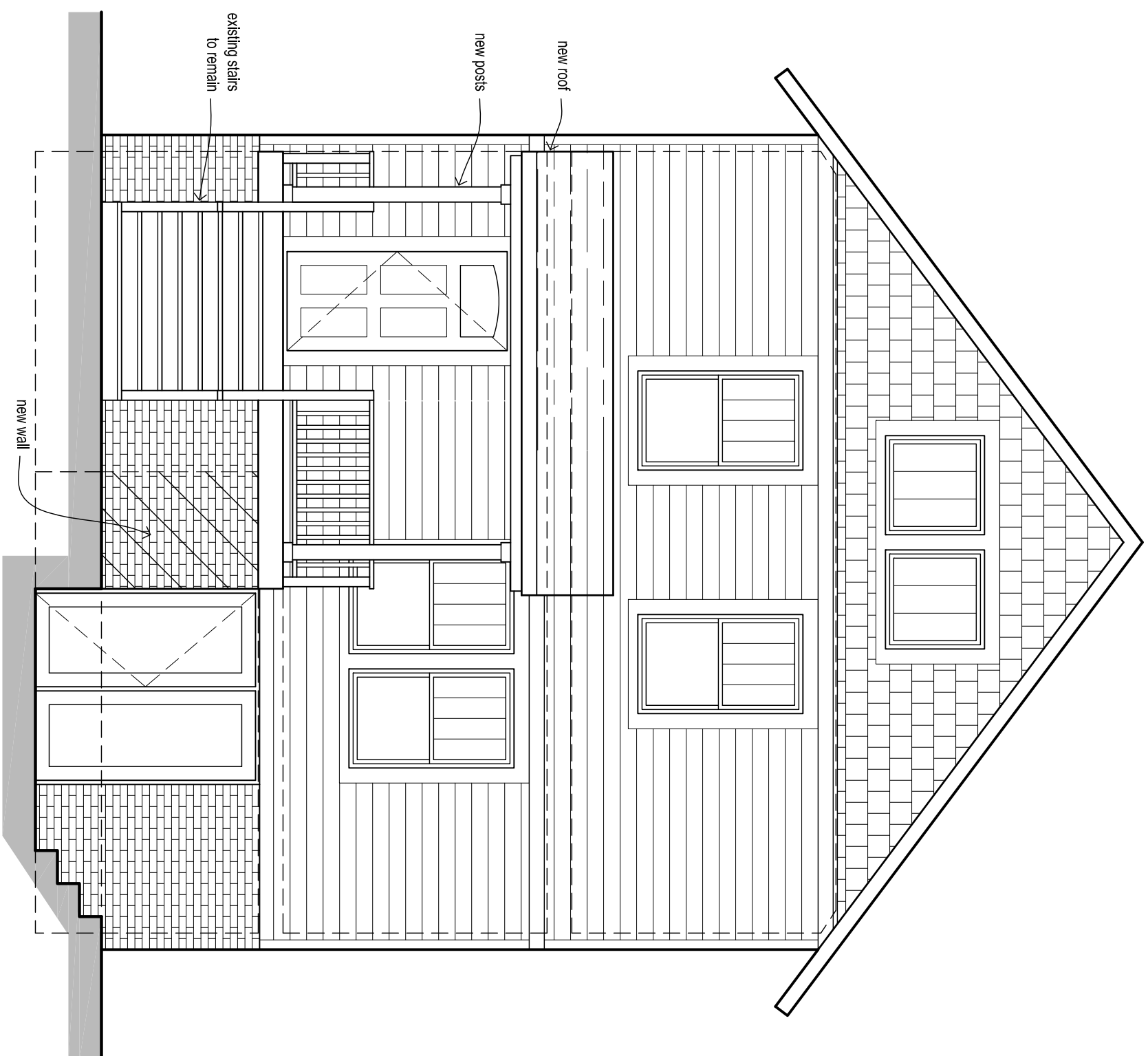
**lower level
addition**

707 South Division Street
Ann Arbor MI 48104

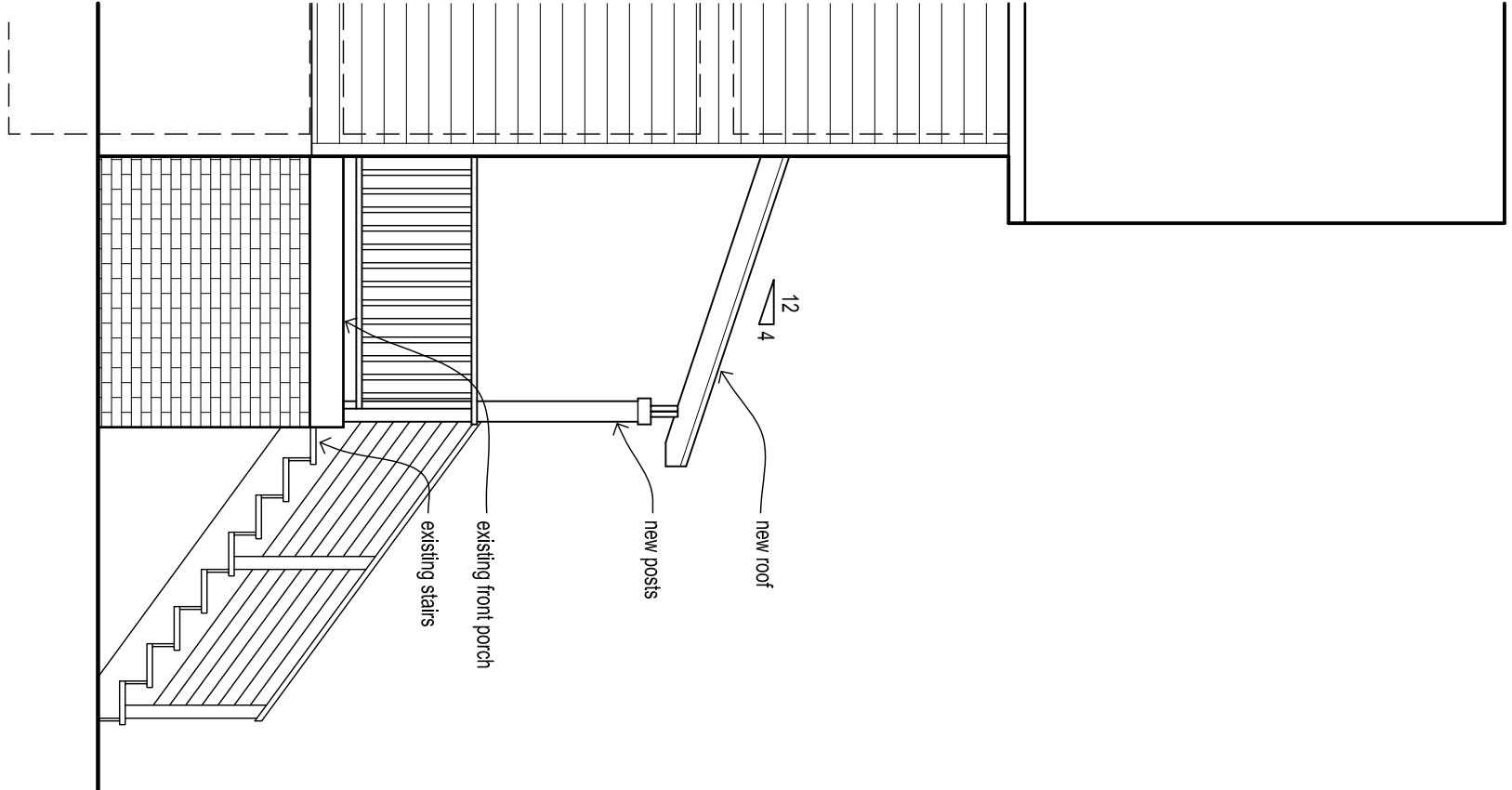
13 FEB 2019

A3.1

ELEVATIONS
project no. 18043



1 WEST ELEVATION (FRONT)
1/4" = 1'-0"



2 NORTH ELEVATION (SIDE)
1/4" = 1'-0"

REAR PARKING LOT



707 S.Division - Ann Arbor, 48104

First Floor Plan

2016

Stated dimensions and square footages are approximate and should not be used as representation of the home's precise or actual size.

Showing a double bed on the plan does not mean tenant will be provided with a double bed. Some rooms have double beds, others have singles. Double or single beds may be requested, but cannot be guaranteed, depending on availability in stock and room size.



CareOne
Rental



707 S.Division - Ann Arbor, 48104

Basement Floor Plan

2016

Stated dimensions and square footages are approximate and should not be used as representation of the home's precise or actual size.

Showing a double bed on the plan does not mean tenant will be provided with a double bed. Some rooms have double beds, others have singles. Double or single beds may be requested, but cannot be guaranteed, depending on availability in stock and room size.



**CareOne
Rental**



707 S.Division - Ann Arbor, 48104

Second Floor Plan

2016

Stated dimensions and square footages are approximate and should not be used as representation of the home's precise or actual size.

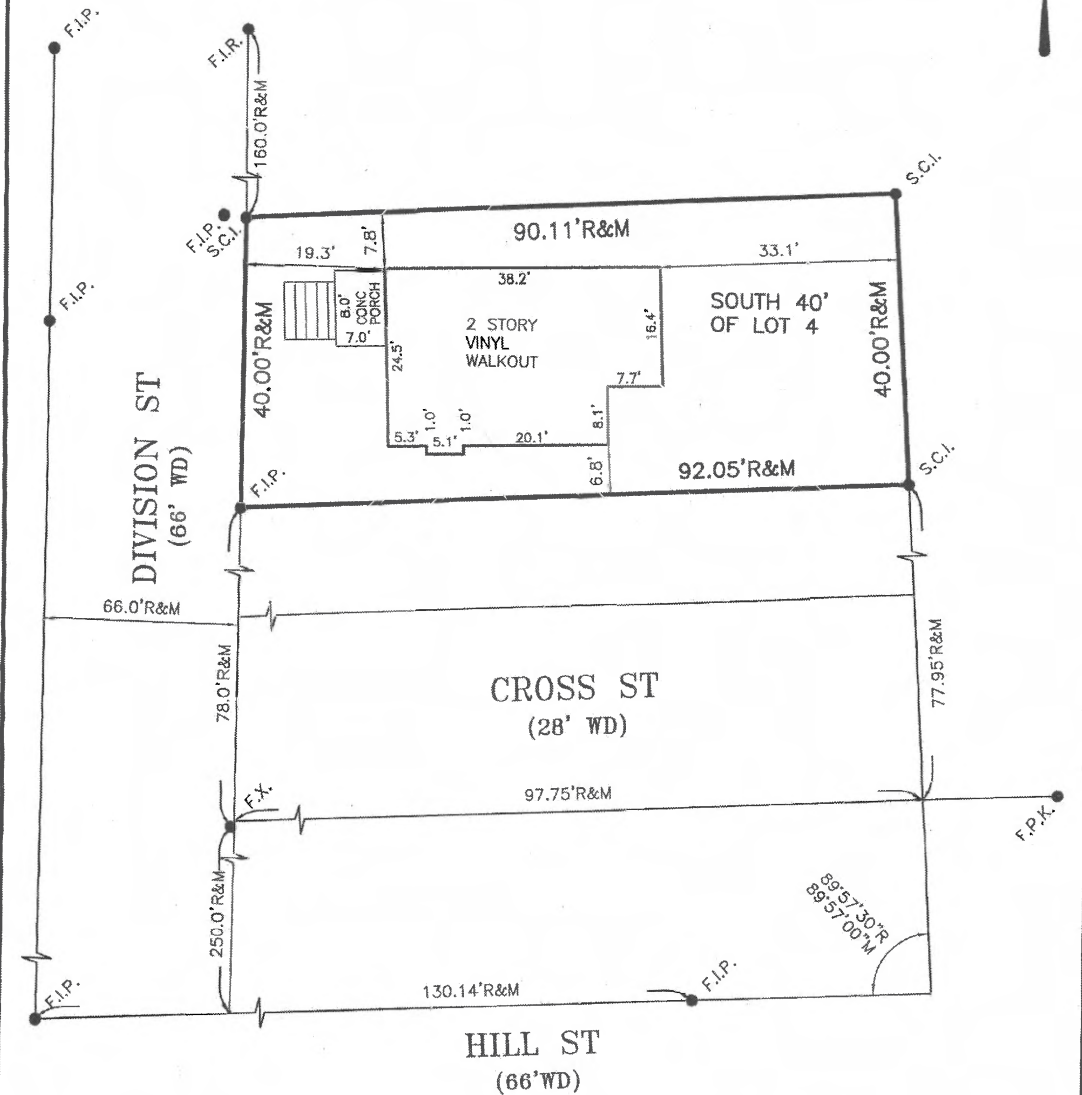
Showing a double bed on the plan does not mean tenant will be provided with a double bed. Some rooms have double beds, others have singles. Double or single beds may be requested, but cannot be guaranteed, depending on availability in stock and room size.



**CareOne
Rental**

72 HOURS
BEFORE YOU DIG
CALL MISS DIG
800-482-7171
(TOLL FREE)

CERTIFICATE OF SURVEY



LEGAL DESCRIPTION

SOUTH 40' OF LOT 4 OF WEINBERG'S SUB-DIVISION, IN THE CITY OF ANN ARBOR, MICHIGAN, AS RECORDED IN LIBER 3 OF DEEDS, PAGE 8, WASHTENAW COUNTY RECORDS.

LEGEND

| | |
|--------------------|--------|
| RECORDED | R. |
| MEASURED | M. |
| FOUND P.K. NAIL | F.P.K. |
| SET CAPPED IRON | S.C.I. |
| SET IRON | S.I. |
| FOUND IRON | F.I. |
| FOUND CONC. MON. | F.C.M. |
| POINT OF BEGINNING | P.O.B. |



SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE PLATTED AND/OR DESCRIBED ON 04/03/19 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS LESS THAN 1/5000 AND THAT ALL REQUIREMENTS OF P.A. 132 OF 1970 HAVE BEEN COMPLIED WITH.

Greg L. Ash
GREG L. ASH, P.L.S. #28400



8495 N. TERRITORIAL RD.
PLYMOUTH, MI 48170
PHONE: (734) 416-9650
FAX: (734) 416-9657
www.glasurveyor.com

CLIENT:
MUSTAFA ALI
5046 DORAL DR
ANN ARBOR, MI 48108

DATE: 04/10/19
JOB NO.: 3838-004
FILE NO.: 3838-004

SCALE: 0' 20' 40'
1" = 20'

SHEET:
1 OF 1

DRAWN BY:
BGW