

**Zoning Board of Appeals  
September 28, 2022 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 22-2020; 300 Montgomery Avenue**

**Summary:**

Ryan Beekman, property owner, is requesting relief from Section 5.32.2 Alteration to a Nonconforming Structure in order to add a second story to the existing garage. The garage encroaches three inches into the side yard setback and two inches into the rear yard setback. The required setback is 3 feet for accessory buildings. The property is zoned R2A, Two-Family Dwelling District.

**Background:**

The subject property is located on the southwest corner of Montgomery and Abbott Avenue. The existing garage is 400 square feet and located in the southwest corner of the parcel. It is non-conforming for side and rear setbacks. The primary structure was constructed in 1919 and is approximately 1,186 square feet in size.

**Description:**

The petitioner is proposing to alter the existing garage by adding a second story and increasing the footprint. The proposed construction will follow the existing building setbacks and will expand the garage footprint by 80 square feet (480 square feet total structure footprint). The existing garage is 20 feet by 20 feet and after the alteration the structure will measure 24 feet by 20 feet. This addition will not make the structure more non-conforming.

**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:

Applicant Response (regular type), *staff response, if any (italics)*

- 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.

Currently small two car garage with 2 small doors that do not accommodate modern vehicles. plan is to expand footprint of existing foundation and concrete block structure to add a staircase to attic space and expand attic space headroom and access. would remove two small garage doors and utilize a single door that is 8' tall to accommodate vehicles. would add shed dormers to attic space to expand usable footprint and appearance. modifications would not alter existing setbacks expanding the footprint towards our home. it would have no impact on neighboring property other than view of altered structure.

*Proposed alterations when not increase the encroachment and only add 80 square feet of total area. After alteration, the structure will not be any closer to neighboring properties.*

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MK', is written over a faint, illegible background.

**Matt Kowalski AICP**  
**City Planner, City of Ann Arbor**