

**Zoning Board of Appeals
April 22, 2020 Regular Meeting**

STAFF REPORT

Subject: ZBA 20-008; 245 Park Lake Avenue

Summary:

J. Bradley Moore & Associates Architects, INC. representing the property owner are requesting a ten-foot variance from Section 5.15.5 Averaging an Established Front Building Line. The property is zoned R1B, Single-Family residential and is a corner lot at the intersection of Park Lake Avenue and Lakeview Drive. The property is directly across the street from the First and Second Sister Lakes and the Dolph Nature Area. The owner is seeking to construct a new single-family home consisting of 2,900 square feet.

Background:

The vacant parcel is 9,757 square feet in size. The average required front setback is calculated on the two parcels to the east on Lakeview Drive and the two parcels to the south on Park Lake Avenue. The parcels to the east have a 40 foot and 30 foot required front setback for a 35 foot average. The same calculation applies to the two parcels to the south on Park Lake Avenue.

Description:

The proposed new single-family home will have three bedrooms with an optional fourth bedroom or a home office. The home will also contain a two car garage.

Standards for Approval- Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the UDC. 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 applicant has stated that the lot is uniquely positioned adjacent to vacant and through lots that apply an additional front setback beyond the district requirement. Additionally, the terrain slopes steeply to the rear of the subject parcel.

- (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 petitioner states the application of the additional setbacks for this corner lot create a shallow building envelope and terrain features which make standard basement construction challenging.

- (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 owners state the application of additional setbacks on this property will not benefit the neighborhood as it is not a traditional neighborhood due to its unique layout.

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

According to the applicant the existing neighborhood layout and the contours of the lots were not self-created.

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

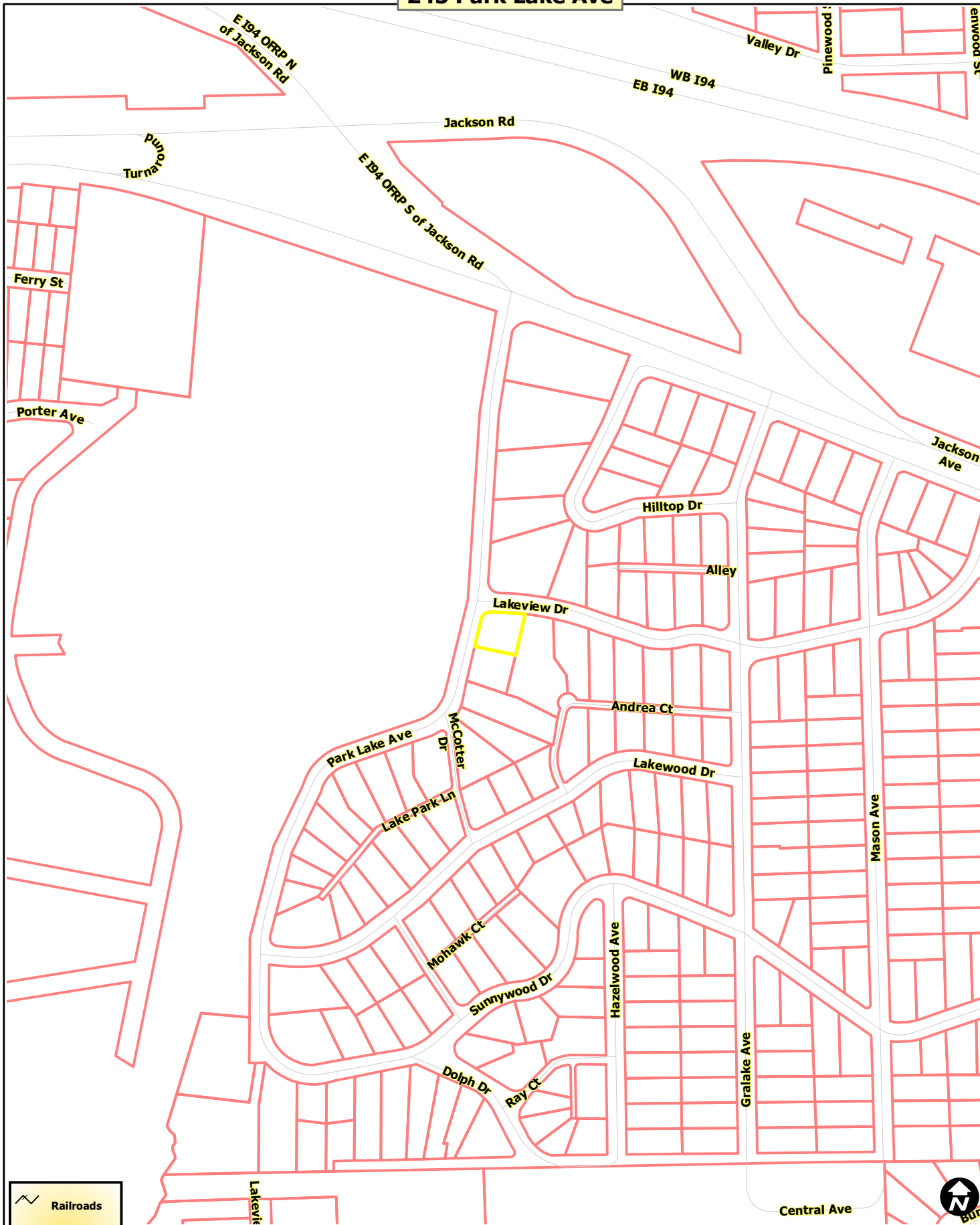
The request is modest and the home will be adequately setback from the public right of way.




Respectfully submitted,

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

**Jon Barrett
Zoning Coordinator**

245 Park Lake Ave






-  Railroads
-  Huron River
-  Tax Parcels



Map date: 3/30/2020
Any aerial imagery is circa 2018 unless otherwise noted
Terms of use: www.a2gov.org/terms

245 Park Lake Ave



-  Railroads
-  Huron River
-  Tax Parcels





Map date: 3/30/2020
Any aerial imagery is circa 2018 unless otherwise noted
Terms of use: www.a2gov.org/terms




245 Park Lake Ave



 Railroads

 Huron River

 Tax Parcels



Map date: 3/30/2020
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

245 Parklake Ave, Ann Arbor, MI

ZIP CODE

48103

ZONING CLASSIFICATION

R1B

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

Saman Kafeei

PARCEL NUMBER

09-08-25-205-020

OWNER EMAIL ADDRESS

sam@kafaeibuildinggroup.com

APPLICANT INFORMATION

NAME

J Bradley Moore & Associates Architects, INC

ADDRESS

4844 Jackson Rd #150

CITY

Ann Arbor

STATE

MI

ZIP CODE

48103

EMAIL

brad@jbradleymoore.com

PHONE

734-930-1500

APPLICANT'S RELATIONSHIP TO PROPERTY

Architect

REQUEST INFORMATION

VARIANCE REQUEST

Complete Section 1 of this application

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: \$750.00 ZBA: ZBA20-008

DATE STAMP

Application Received 3/25/2020

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: 3-18-2020

Section 1 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

VARIANCE REQUEST

ARTICLE(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Article 3, Section 5.26)

5.18.5 averaging an established front building line

REQUIRED DIMENSION: (Example: 40' front setback)

Feet: 35 Inches: 0

PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback)

Feet: 30 Inches: 0

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

Construction of a single family home on an existing vacant lot in a portion of an existing neighborhood that has no established front building line in the classical sense.

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:29. 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 statements are found to be true. Please provide a complete response to each of the statements below.

The alleged practical difficulties are exceptional and peculiar to the property of the Person requesting the variance, and result from conditions that do not exist generally throughout the City.

This lot is an existing lot that is unusually positioned adjacent to a "through-lot" with a home constructed on the opposite side of the through-lot creating an artificially large adjacent second "front" setback required to be included in the required averaging of front building setbacks

The alleged practical difficulties that will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.

Strict Application of the front setback averaging will result in an usually thin building envelope with an unusually small building envelope (as percentage of lot area) leading to more encroachment into the existing steep slopes etc. The existing topography inhibits standard basement construction.

Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the practical difficulties 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.

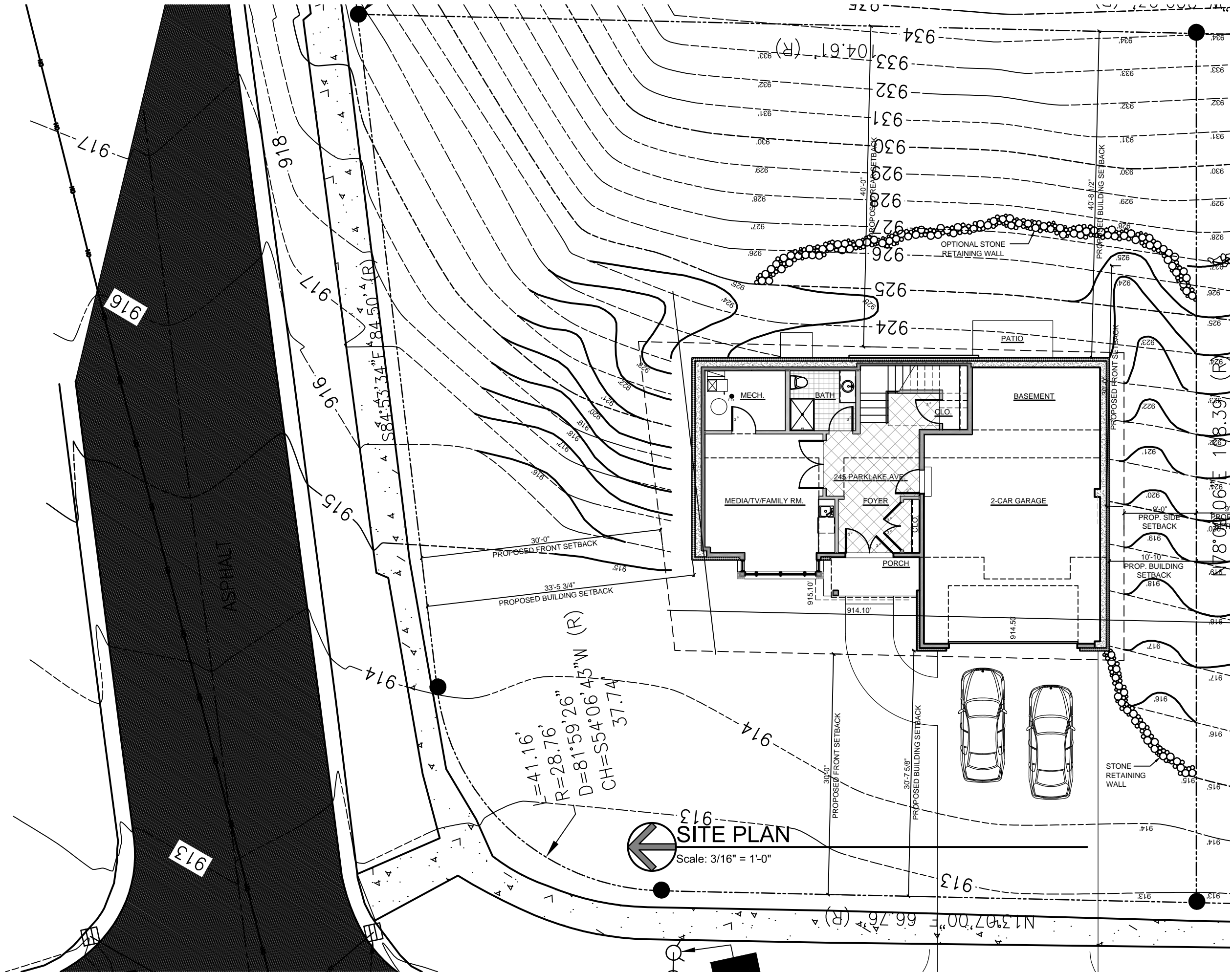
There is no real established neighborhood front building setback to match as in other traditional neighborhoods due to the unique layout of this neighborhood. Setbacks deeper than the standard R1B 30' front setback will not benefit anyone.

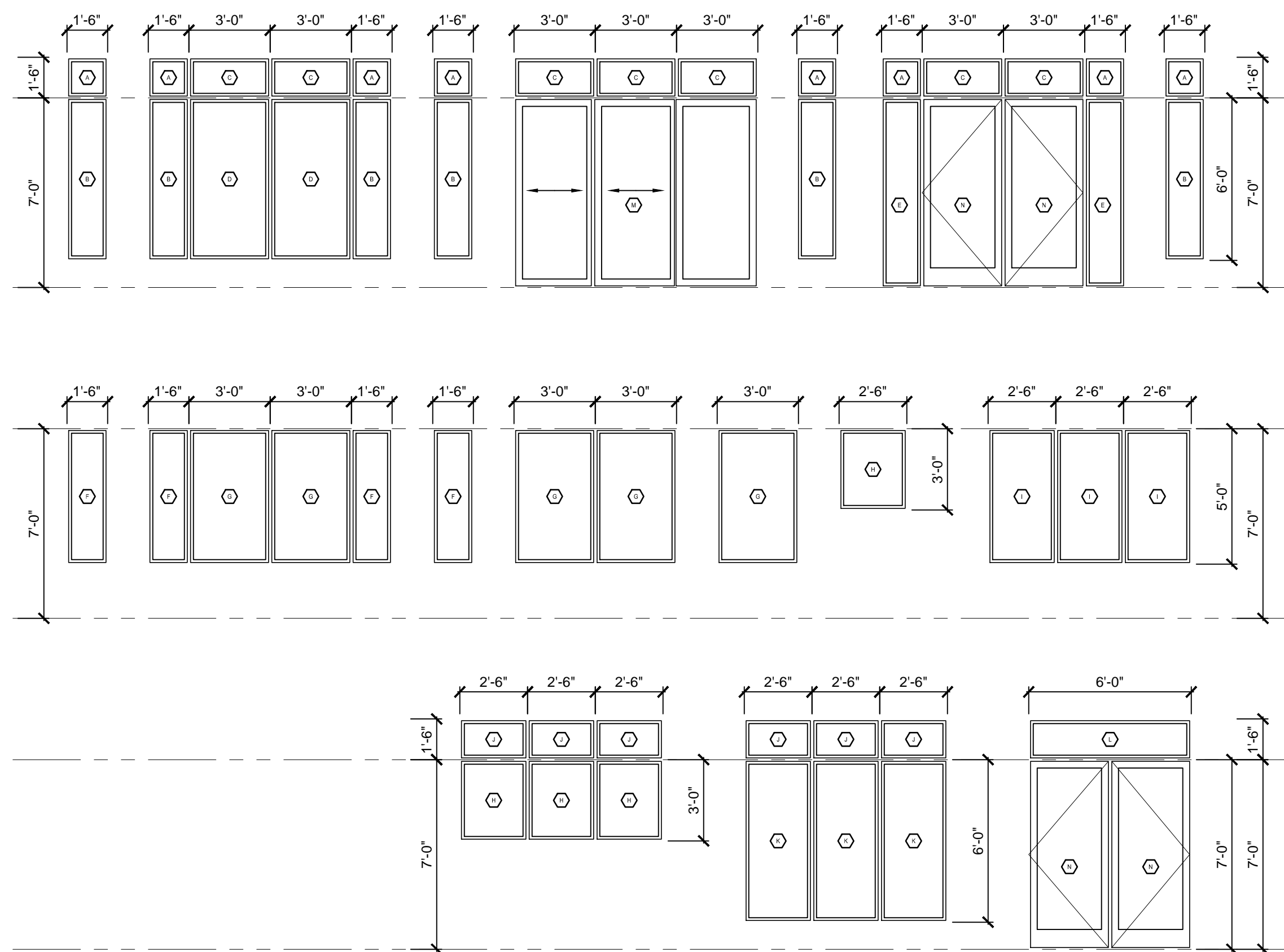
The conditions and circumstances on which the variance request is based shall not be a self-imposed practical difficulty.

The existing neighborhood lot layout and site contours/topography were not created by the Owner

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

the 30 foot front setback will make possible the construction of a modest single family home appropriately set back from the public street.

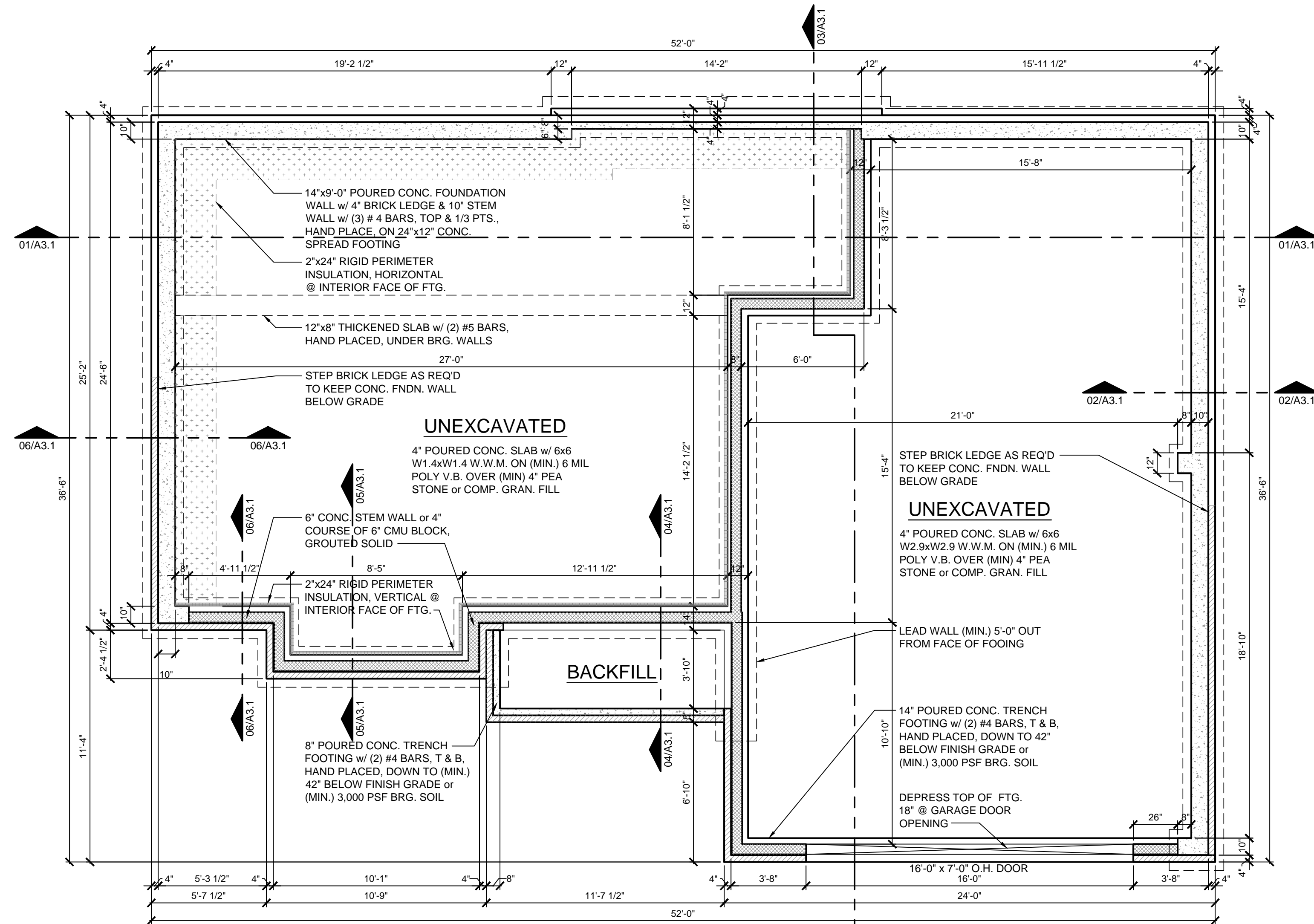




TAG	NOMINAL SIZE	WINDOW		FACTORY MULLED ACTUAL UNIT SIZE	QTY	REMARKS
		TYPE	FRAME			
A	1'-6" x 1'-6"	FIXED - TRANSOM	ALUM. CLADWD.	----	12	
B	1'-6" x 6'-0"	FIXED	ALUM. CLADWD.	----	12	
C	3'-0" x 1'-6"	FIXED - TRANSOM	ALUM. CLADWD.	----	9	
D	3'-0" x 6'-0"	CASEMENT	ALUM. CLADWD.	----	4	
E	1'-6" x 7'-0"	FIXED	ALUM. CLADWD.	----	2	
F	1'-6" x 5'-0"	FIXED	ALUM. CLADWD.	----	8	
G	3'-0" x 5'-0"	CASEMENT	ALUM. CLADWD.	----	11	
H	2'-6" x 3'-0"	CASEMENT	ALUM. CLADWD.	----	4	
I	2'-6" x 5'-0"	FIXED	ALUM. CLADWD.	----	3	
J	2'-6" x 1'-6"	FIXED - TRANSOM	ALUM. CLADWD.	----	6	
K	2'-6" x 6'-0"	CASEMENT	ALUM. CLADWD.	----	3	
L	6'-0" x 1'-6"	FIXED - TRANSOM	ALUM. CLADWD.	----	2	
M	9'-0" x 7'-0"	3 PANEL SLIDER	ALUM. CLADWD.	----	1	
N	3'-0" x 7'-0"	GLASS DOOR	ALUM. CLADWD.	----	2 PR	

WINDOW SCHEDULE NOTES:

- PATIO DOORS TO BE FITTED WITH EXTRNALLY MOUNTED RETRACTABLE SCREEN SYSTEM.
- ALL OPERABLE WINDOWS TO HAVE SECONDARY LCKING DEVICES, IF REQUIRED BY LOCAL CODE.
- ALL WINDOWS TO MEET THE CURRENT MICHIGAN MODEL ENERGY CODE REQUIREMENTS FOR WASHTENAW COUNTY.
- ALL WINDOWS TO HAVE A MAX. 0.40 SOLAR HEAT GAIN COEFFICIENT (S.H.G.C.)
- 'U' VALUE TO BE 0.60. OR PER MODEL ENERGY CODE ANALYSIS. COORDINATE WITH MEP ENGINEER.
- COORDINATE ALL ROUGH OPENINGS SIZES WITH WINDOW MANUFACTURER.
- DIMENSIONS ON WINDOW TYPES ON THIS SHEET ARE NOMINAL. NOT ROUGH OPENING SIZES. VERIFY ALL DIMENSIONS BASED UPON FINAL WINDOW MANUFACTURER SELECTED.



Foundation Plan
Scale: 1/4" = 1'-0"



Fdn. Permit	10.11.18
Permit	03.14.20

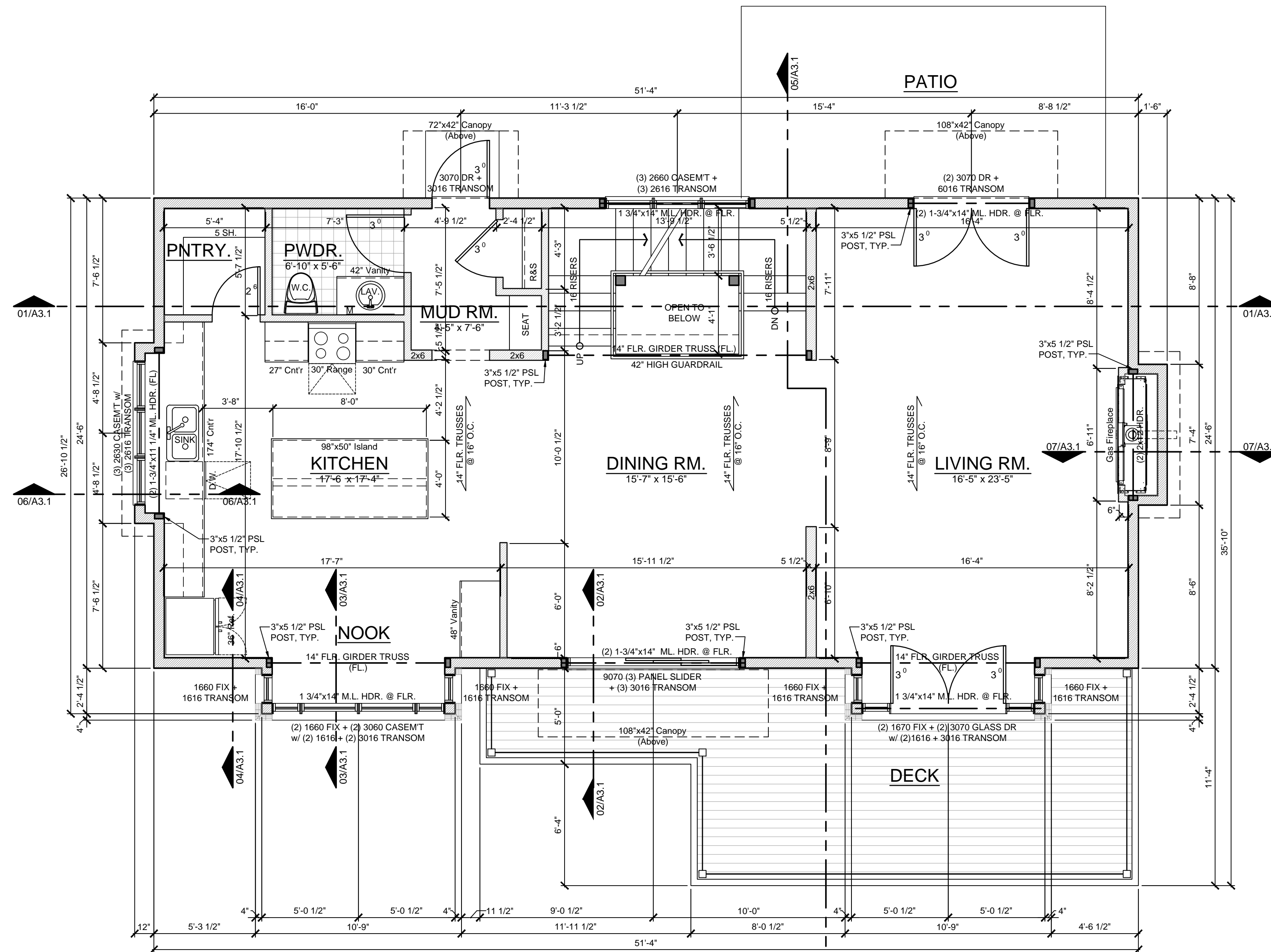
Foundation Plan

JBMA Project No.

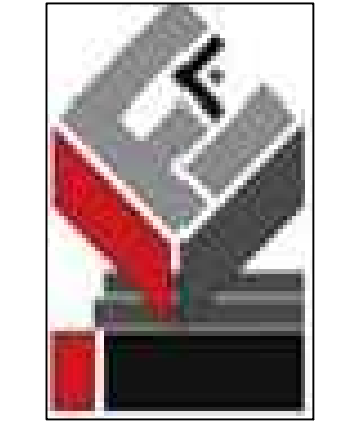
218170

© 2020

A1.0



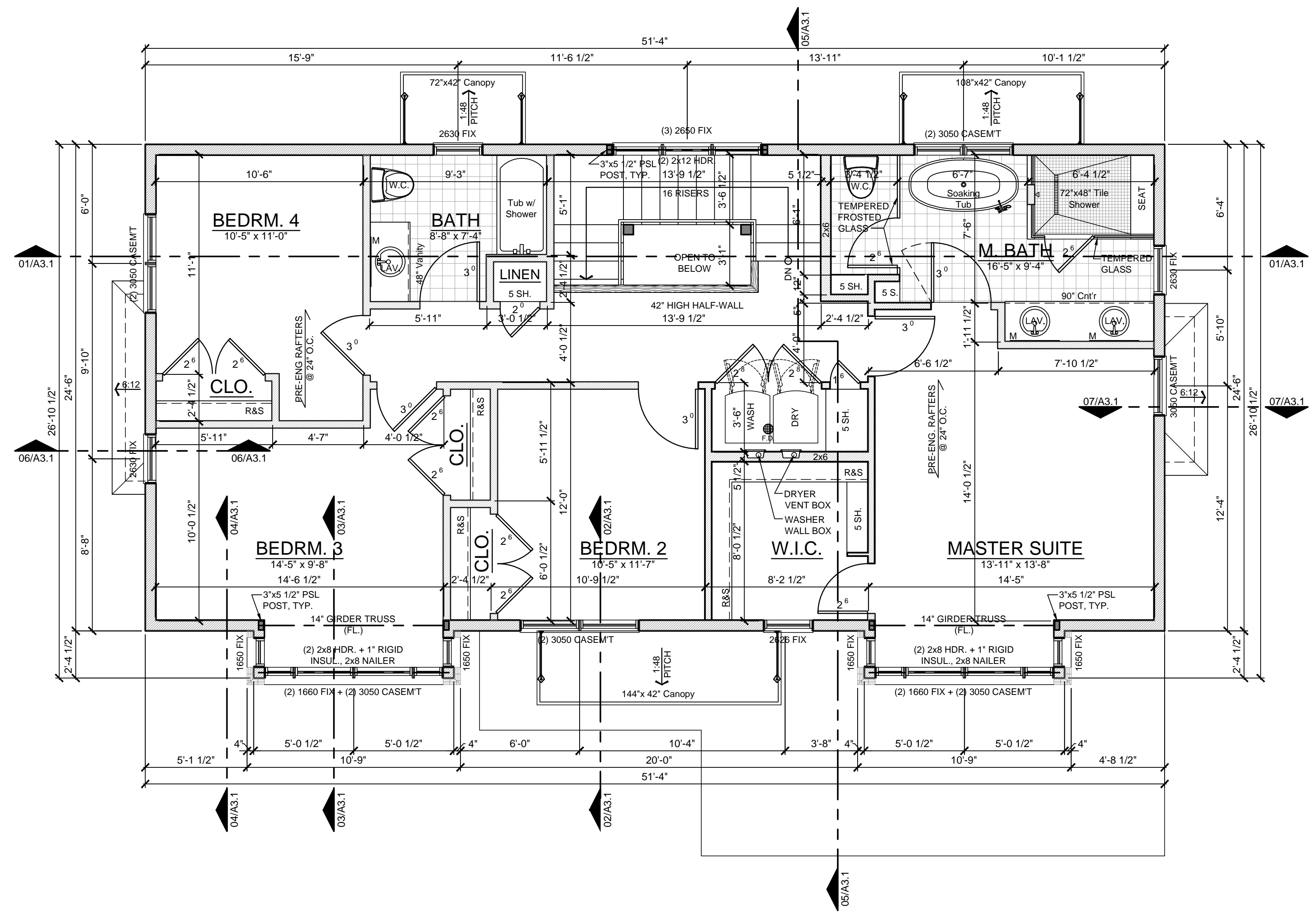
SECOND FLOOR PLAN
 Scale: 3/16" = 1'-0"
 GROSS SQ. FT. = 1,210



Fdn. Permit	10.11.18
Permit	03.14.20

Second Floor Plan

JBMA Project No.
218170
 ©2020



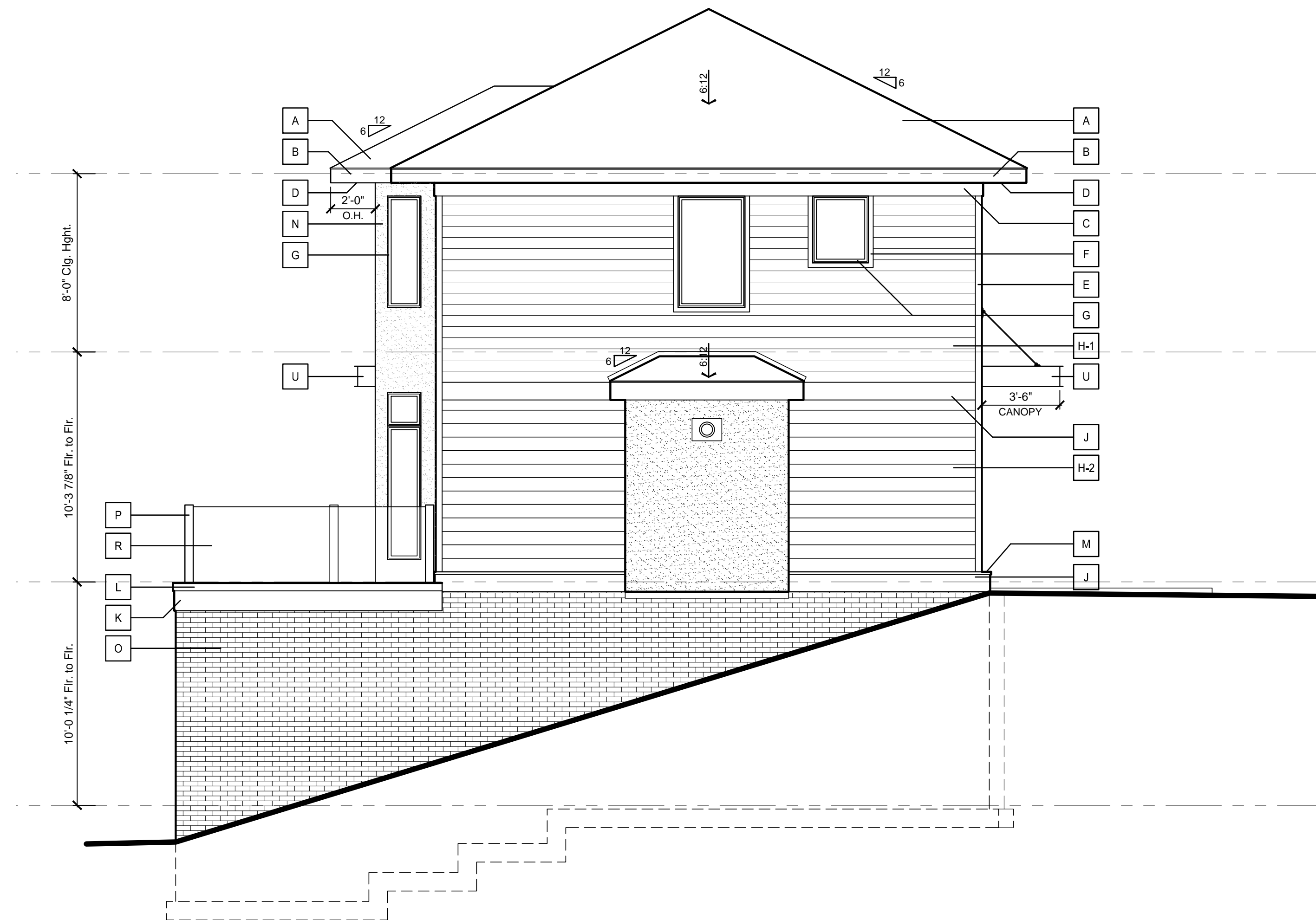
THIRD FLOOR PLAN
 Scale: 3/16" = 1'-0"
 GROSS SQ. FT. = 1,211



Fdn. Permit	10.11.18
Permit	03.14.20

Third Floor Plan

JBMA Project No.
218170
 © 2020



South Elevation
Scale: 1/4" = 1'-0"

Materials Legend	
A	Architectural Shingle Roof
B	1x8 Fascia
C	1x8 Frieze Bd.
D	4" Wood Panel Soffit w/ 2" Vent
E	1x4 Smooth Bd. Corner/Trim
F	1x3 Smooth Bd. Window Trim
G	Anod. Alum. Clad Wood Windows
H-1	6" Hardie Panel Siding
H-2	8" Hardie Panel Siding
J	1x10 Smooth Bd. Band Bd.
K	1X12 Smooth Bd. Band Bd.
L	2x4 Smooth Bd. Trim
M	2x6 Smooth Bd. Cap
N	Exterior Insulated Finish System
O	4" Brick Veneer
P	4x4 Post w/ Smooth Bd. Finish
R	Tempered Glass Guardrail
S	4" Panel Wood Siding
T	Glass Panel O.H. Garage Door
U	Metal Channel Canopy w/ 3/4"Ø Anchors
V	Sliding Glass/Glass Door System



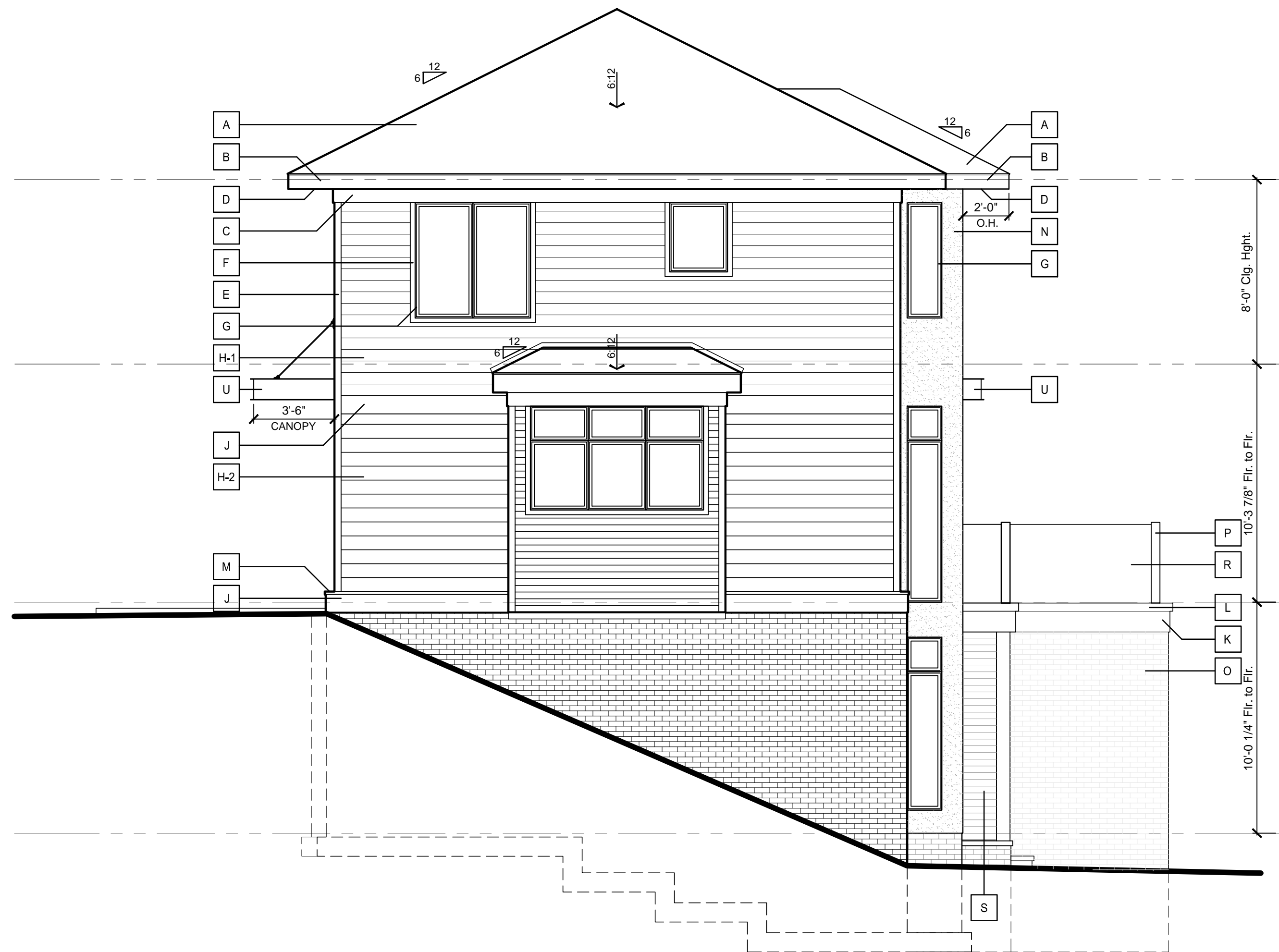
West Elevation
Scale: 1/4" = 1'-0"



Fndn. Permit	10.11.18
Permit	03.14.20

West/South Elevations

JBMA Project No.
218170
© 2020

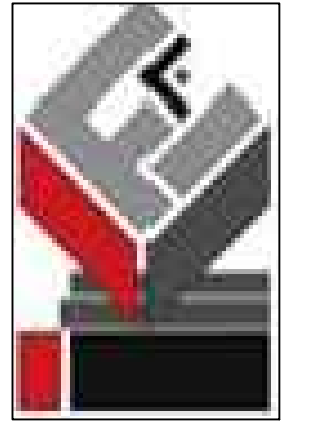


North Elevation
Scale: 1/4" = 1'-0"



East Elevation
Scale: 1/4" = 1'-0"

Materials Legend	
A	Architectural Shingle Roof
B	1x8 Fascia
C	1x8 Frieze Bd.
D	4" Wood Panel Soffit w/ 2" Vent
E	1x4 Smooth Bd. Corner/Trim
F	1x3 Smooth Bd. Window Trim
G	Anod. Alum. Clad Wood Windows
H-1	6" Hardie Panel Siding
H-2	8" Hardie Panel Siding
J	1x10 Smooth Bd. Band Bd.
K	1X12 Smooth Bd. Band Bd.
L	2x4 Smooth Bd. Trim
M	2x6 Smooth Bd. Cap
N	Exterior Insulated Finish System
O	4" Brick Veneer
P	4x4 Post w/ Smooth Bd. Finish
R	Tempered Glass Guardrail
S	4" Panel Wood Siding
T	Glass Panel O.H. Garage Door
U	Metal Channel Canopy w/ 3/4"Ø Anchors
V	Sliding Glass/Glass Door System

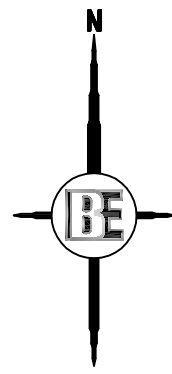


Fdn. Permit	10.11.18
Permit	03.14.20

East/North Elevations

JBMA Project No.
218170
© 2020

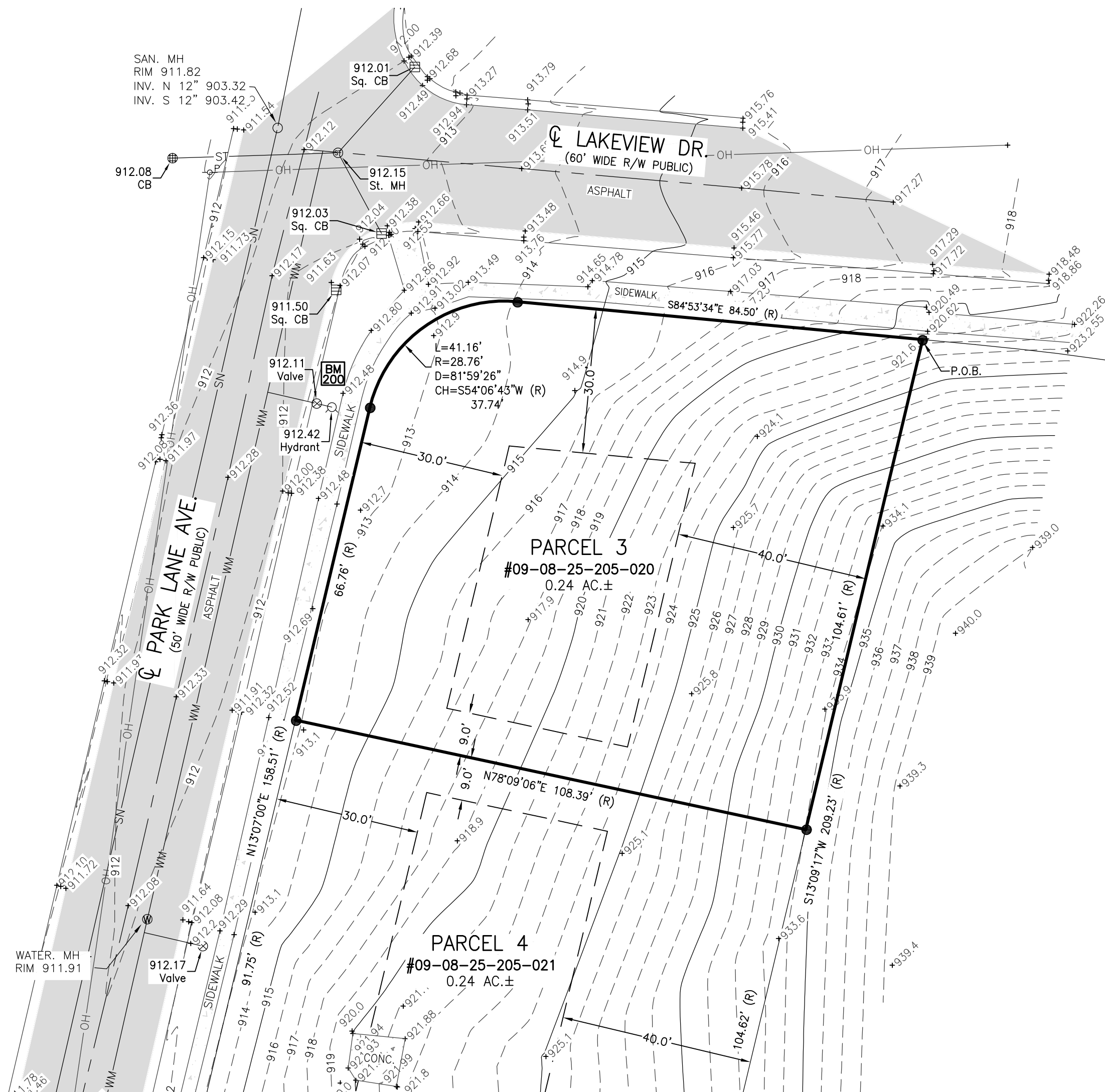
TOPOGRAPHICAL SURVEY PARCEL 3



SCALE: 1 INCH = 20 FEET

LEGEND

- 900 --- EXISTING CONTOUR
- + 922.00 EXISTING SPOT ELEVATION
- ⊙ POWER POLE
- ⊙ HYDRANT
- ⊗ GATE VALVE
- ⊙ WATER MANHOLE
- ⊙ MANHOLE
- ⊕ STORM CATCH BASIN (BEEHIVE)
- ⊕ STORM CATCH BASIN (SQUARE)
- STEEL ROD OR PIPE FOUND
- SN— SANITARY SEWER
- WM— WATER MAIN
- ST— STORM SEWER
- OH— OVERHEAD WIRES
- SAN MH SANITARY MANHOLE
- ST MH STORM MANHOLE
- ⊕ CENTERLINE
- (R&M) RECORD AND MEASURED
- P.O.B. POINT OF BEGINNING



CURRENT ZONING: R1B
MINIMUM SETBACK REQUIREMENTS:
FRONT = 30 FEET
SIDES = 5/14 FEET
REAR = 40 FEET

GENERAL SURVEY NOTES:

1. BEARINGS ARE BASED ON MICHIGAN STATE PLANE COORDINATE SYSTEM - SOUTH ZONE. RECORD BEARINGS WERE ESTABLISHED FROM A PREVIOUS SURVEY BY ARBOR LAND CONSULTANTS, INC., JOB NO. 14517, DATED 01-04-18.
2. SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
3. EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
4. ELEVATIONS WERE ESTABLISHED WITH GPS USING OPUS DATA, DATED 07-19-18. (NAVD88 DATUM)
5. CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
6. ALL ELEVATIONS ARE SHOWN TO THE NEAREST 0.01 FOOT; HOWEVER SOFT-SURFACE ELEVATIONS CAN ONLY BE PRESUMED ACCURATE TO THE NEAREST 0.1 FOOT.
7. THE LOCATIONS OF STORM SEWER, SANITARY SEWER & WATERMAIN, AS SHOWN ON THIS DRAWING ARE APPROXIMATE. THE LOCATIONS ARE BASED ON PHYSICAL FIELD LOCATIONS OF STRUCTURES.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
9. ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.

SITE BENCHMARKS (NAVD88 DATUM):
-BM #200 = X ON HYD. ROAD SIDE
STEM ±50 SOUTH OF Ⓞ OF PARK LAKE AVE.. ELEV.=914.68

PROPERTY DESCRIPTION:

PARCEL 3:

A part of Lot 213, "Lake Wood", according to the plat thereof as recorded in Liber 6 of Plats, Page 12, Washtenaw County records described as: Commencing at the southeast corner of Lot 214 of said "Lake Wood"; thence along the east line of said Lot 214 North 00°41'04" West 183.36 feet to the south line of Lakeview Drive (formerly know as Lake View Drive); thence along said South line in the following three (3) courses: North 70°24'43" West 15.58 feet, 144.58 feet along the arc of a 571.94 feet radius circular curve to the left, said curve having a central angle of 14°29'00" and a chord which bears North 77°39'04" West 144.19 feet, and North 84°53'34" West 10.94 feet to the POINT OF BEGINNING; thence South 13°09'17" West 104.61 feet; thence North 78°09'06" West 108.39 feet to the east line of Park Lake Avenue (formerly know as Park Avenue); thence along said east line North 13°07'00" East 66.76 feet; thence 41.16 feet along the arc of a 28.76 feet radius circular curve to the right, said curve having a central angle of 81°59'26" and a chord which bears North 54°06'43" East 37.74 feet; thence along the south line of Lakeview Drive South 84°53'34" East 84.50 feet to the POINT OF BEGINNING, containing 0.241 acres of land, more or less. Being a part of the Northwest 1/4 of Section 25, Town 2 South, Range 5 East, City of Ann Arbor, Washtenaw County, Michigan.

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY CONFLICTS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.



BEBOSS
Engineering
Engineers Surveyors Planners Landscape Architects
3121 E. GRAND RIVER AVE.
HOWELL, MI. 48843
800.246.6735 FAX 517.548.1670

PROJECT: 245 PARK LAKE COURT
PREPARED FOR: KAFAEI BUILDING GROUP
8132 CREEK BEND DRIVE
ANN ARBOR, MI 48104
(734) 660-2266
TITLE: TOPOGRAPHICAL SURVEY

NO	BY	REVISION PER	DATE

DESIGNED BY:
DRAWN BY: KJ
CHECKED BY:
SCALE 1" = 20'
JOB NO. 18-222
DATE 07-25-18
SHEET NO. 1 OF 1
BOSS Engineering

