

**Zoning Board of Appeals
August 28, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA19-021; 807 South Division Street

Summary:

UM Ann Arbor Properties LLC, are proposing to construct a second story addition to the existing nonconforming single-family residence. Section 5.32.2 Nonconforming Structure requires approval from the Zoning Board of Appeals for any new floor area being fit for occupancy. The new addition will not further encroach into the rear yard setback than the existing first floor. The property is zoned R4C.

Background:

The subject property is located between Hill Street and East Hoover Avenue directly across from Elbel Field. The home was built in 1901 and is approximately 1,420 square feet in size. The lot is 2,352 square feet in size. Currently, the home contains five bedrooms and is undergoing a complete interior remodel. If the alteration is approved the property will increase to six bedrooms.

Description:

The new bump-out on the second story will allow for a larger bedroom #3 and an additional bathroom. If the alteration is not approved the residence will contain the same number of bedrooms that will be smaller in size and one less bathroom.

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.

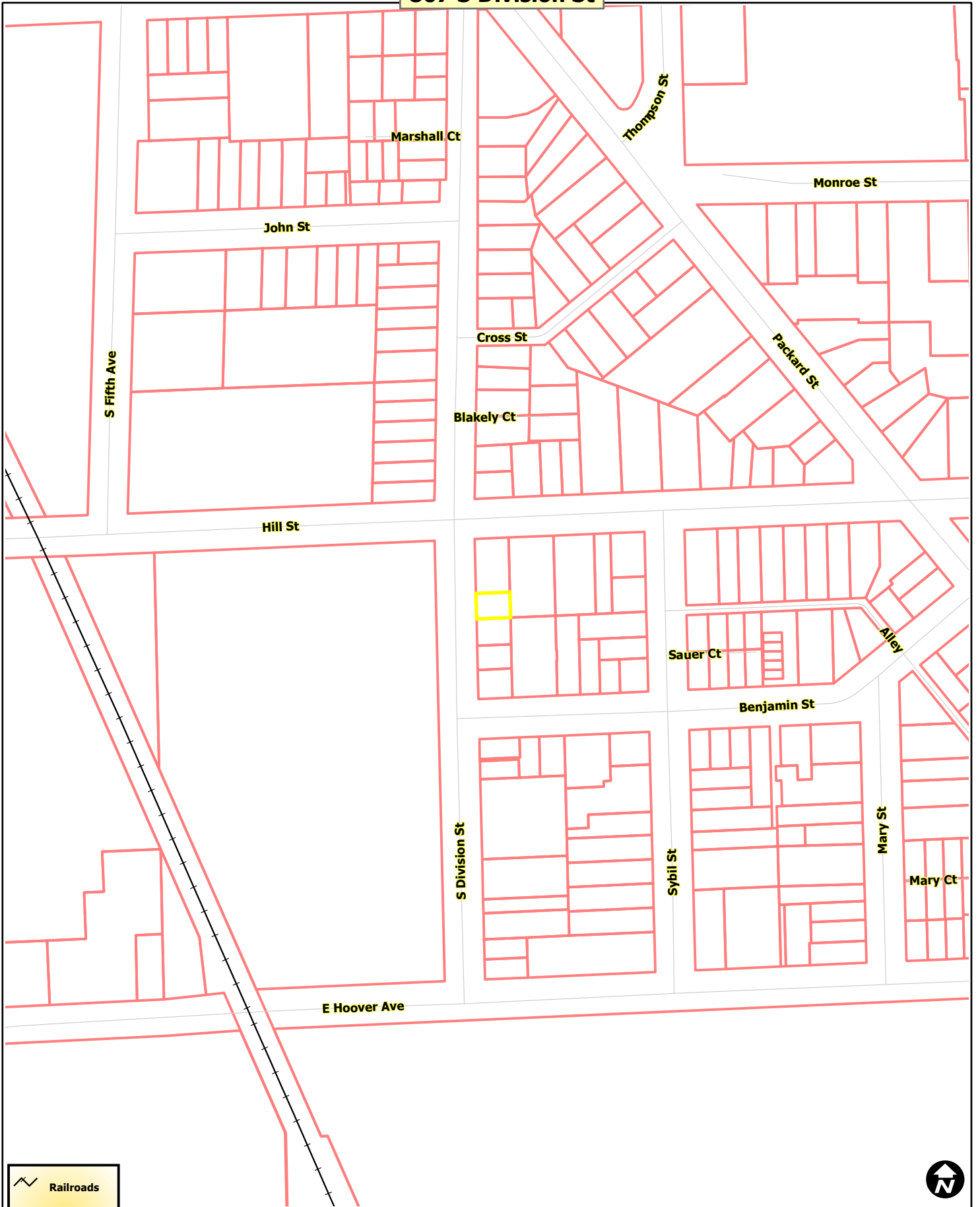
The applicant states that the proposed second story addition will not encroach any further into the rear setback than the existing first floor. The new addition will not impact the abutting properties as they are currently being used as parking lots. The property is small and the home was built prior to the Unified Development Code (UDC). The Zoning Board of Appeals is the only option available to make improvements to the property.




Respectfully submitted,



**Jon Barrett
Zoning Coordinator**

807 S Division St



 Railroads
 Huron River
 Tax Parcels



Map date: 8/6/2019
Any aerial imagery is circa 2018
unless otherwise noted
Terms of use: www.a2gov.org/terms

807 S Division St




- Railroads
- Huron River
- Tax Parcels





Map date: 8/6/2019
Any aerial imagery is circa 2018
unless otherwise noted
Terms of use: www.a2gov.org/terms

807 S Division St



 Railroads

 Huron River

 Tax Parcels



Map date: 8/6/2019
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

807 S. Division Street, Ann Arbor, MI

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

UM Ann Arbor Properties, LLC

PARCEL NUMBER

09-09-32-106-012

OWNER EMAIL ADDRESS

s.darcy@verizon.net

APPLICANT INFORMATION

NAME

UM Ann Arbor Properties LLC

ADDRESS

P.O. Box 1022

CITY

Hermosa Beach

STATE

CA

ZIP CODE

90254

EMAIL

s.darcy@verizon.net

PHONE

310-502-3431

APPLICANT'S RELATIONSHIP TO PROPERTY

owner

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. ZBA: 19-021

DATE STAMP

CITY OF ANN ARBOR
RECEIVED

JUL 29 2019

PLANNING & DEVELOPMENT SERVICES

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:

Susan Darcy

Date:

7-29-19

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.

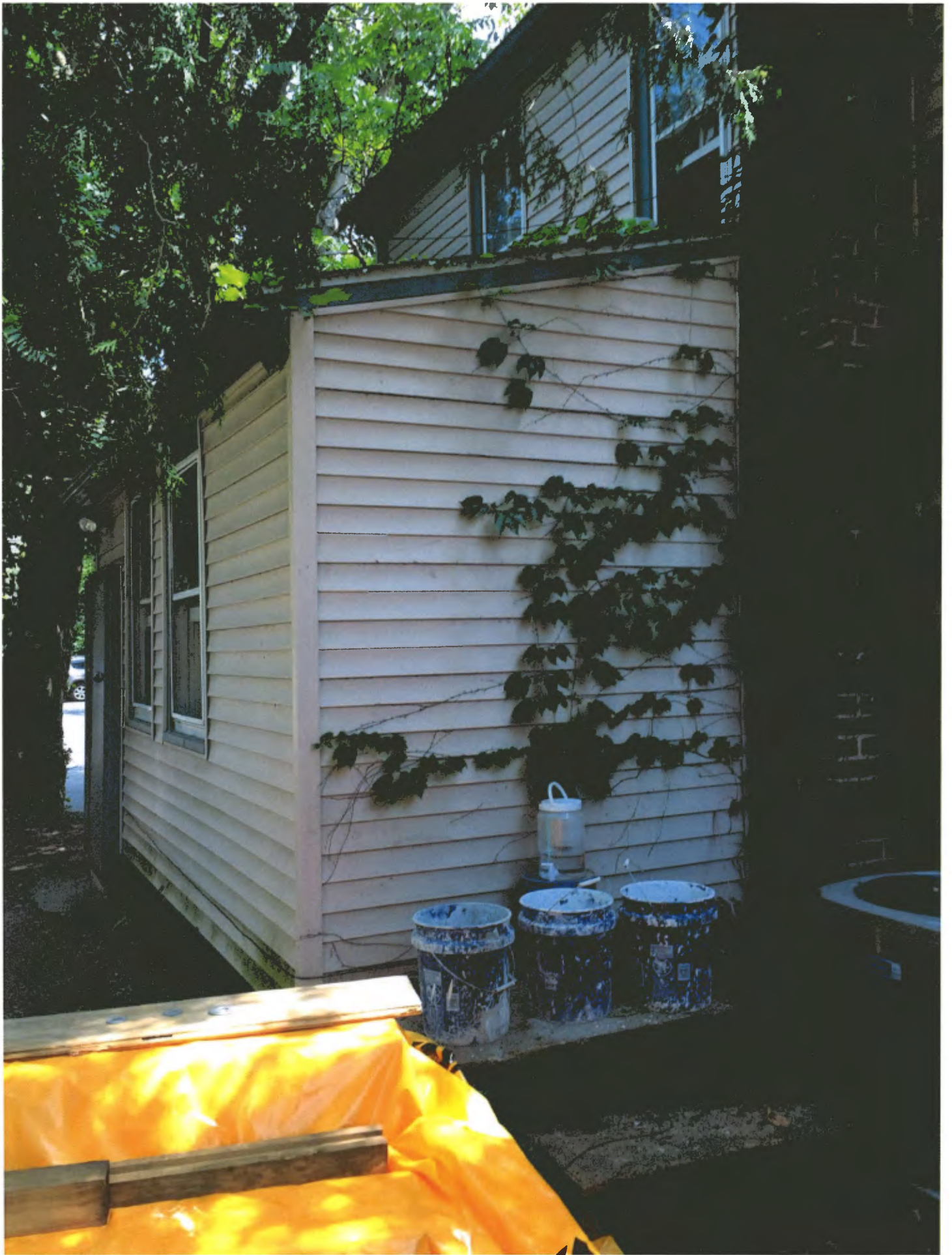
In the space below, describe the current use of the property, the proposed alteration, and the impact it would have on neighboring property.

We are not encroaching any further on the rear setback. We are merely constructing a second story on the existing footprint. The adjacent properties are parking lots and we will not be impacting adjacent properties. The property is on a small lot and was built in 1951 prior to zoning. It would not be possible to add improvements without going to the ZBA. We are reducing the number of units from 2 to 1.

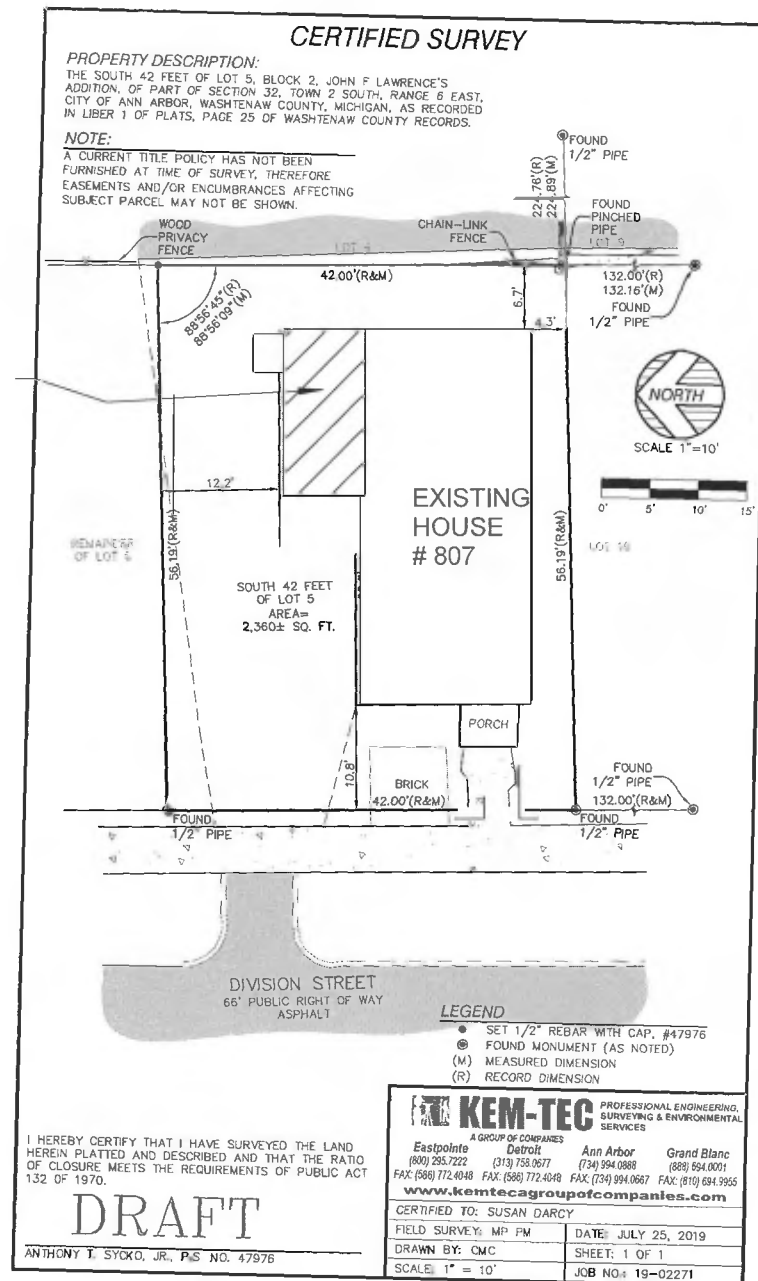
Please complete the table below as it relates to your request

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









2 3D Front View

Dennis Berry And Associates
Waterford, Mi. and Boulder, Co.
ph: 313 - 407-8027

Susan Darcy
807 South Division
Ann Arbor, Mi.

| No. | Description | Date |
|-----|-------------|------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

Site Plan

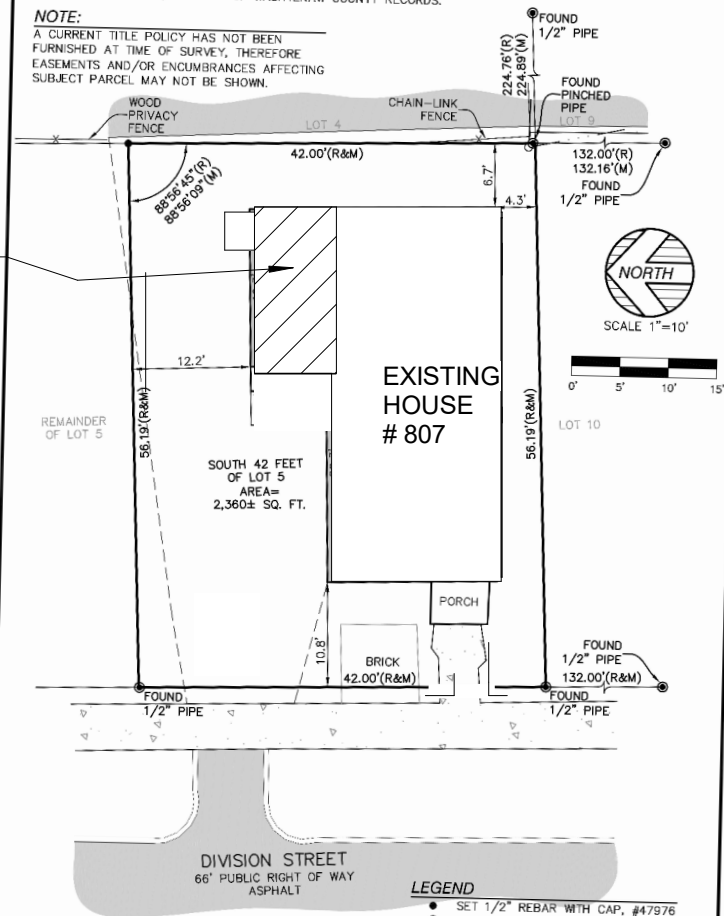
| | | |
|----------------|-----------|-------------------|
| Project number | | A0.1 |
| Date | 7-25 2019 | |
| Drawn by | Author | |
| Checked by | | |
| | | Scale 1" = 20'-0" |

CERTIFIED SURVEY

PROPERTY DESCRIPTION:
 THE SOUTH 42 FEET OF LOT 5, BLOCK 2, JOHN F LAWRENCE'S ADDITION, OF PART OF SECTION 32, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 1 OF PLATS, PAGE 25 OF WASHTENAW COUNTY RECORDS.

NOTE:
 A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.

PROPOSED
 2 ND FLOOR ADDITION



- LEGEND**
- SET 1/2" REBAR WITH CAP, #47976
 - ⊙ FOUND MONUMENT (AS NOTED)
 - (M) MEASURED DIMENSION
 - (R) RECORD DIMENSION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

KEM-TEC PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES
 A GROUP OF COMPANIES

| | | | |
|-------------------------------------|----------------------------------|------------------------------------|--------------------------------------|
| Eastpointe (800) 285-7222 | Detroit (313) 758-1677 | Ann Arbor (734) 994-0888 | Grand Blanc (888) 694-0001 |
| FAX: (800) 772-4048 | FAX: (313) 772-4048 | FAX: (734) 994-0887 | FAX: (810) 694-9955 |

www.kemtecgroupofcompanies.com

| | | |
|-----------|---------------------|--|
| DR | CY | |
| | DATE: JULY 25, 2019 | |
| | SHEET: 1 OF 1 | |
| | JOB NO.: 19-02271 | |

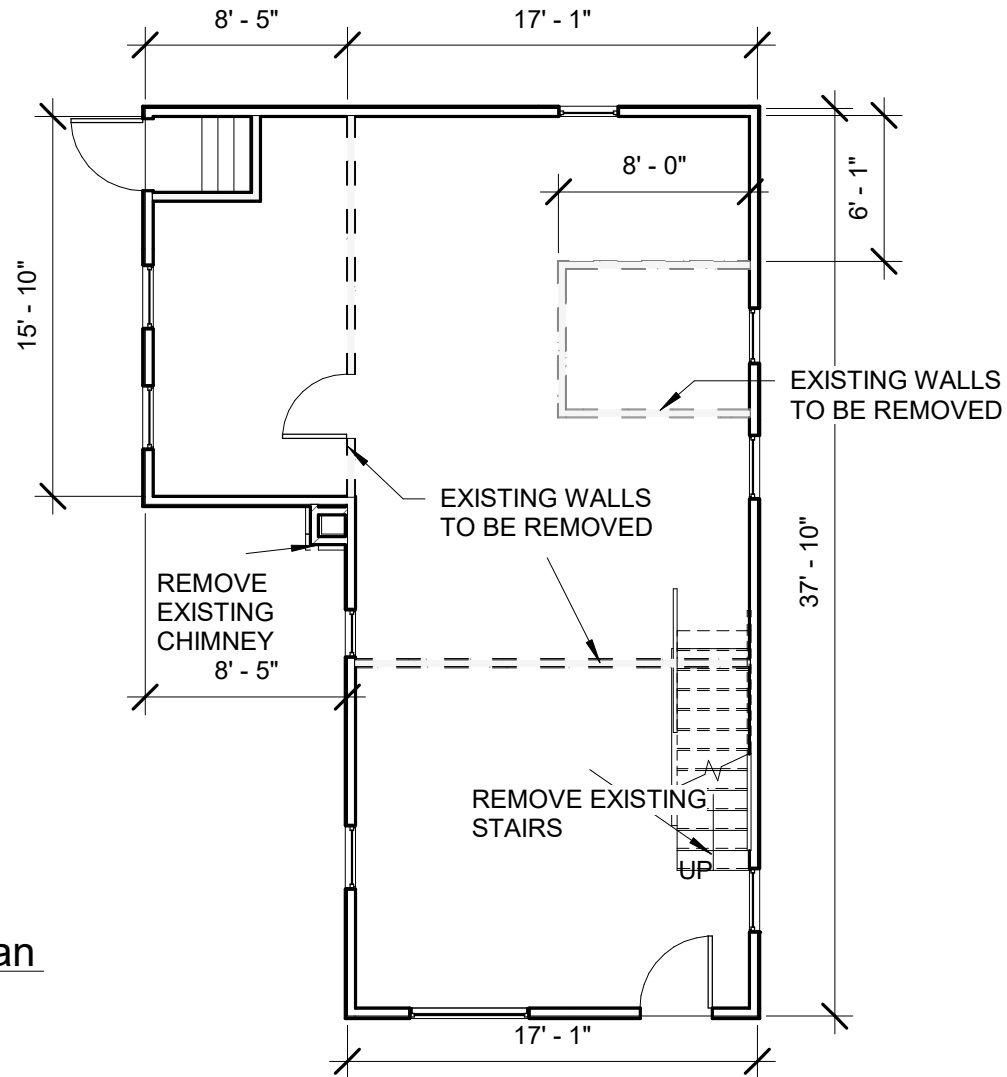
Dennis Berry And Associates
 Waterford, Mi. and Boulder, Co.
 ph: 313 - 407-8027

Susan Darcy
 807 South Division
 Ann Arbor, Mi.

Site Plan

Date 7-25 2019

Scale 1" = 20'-0"



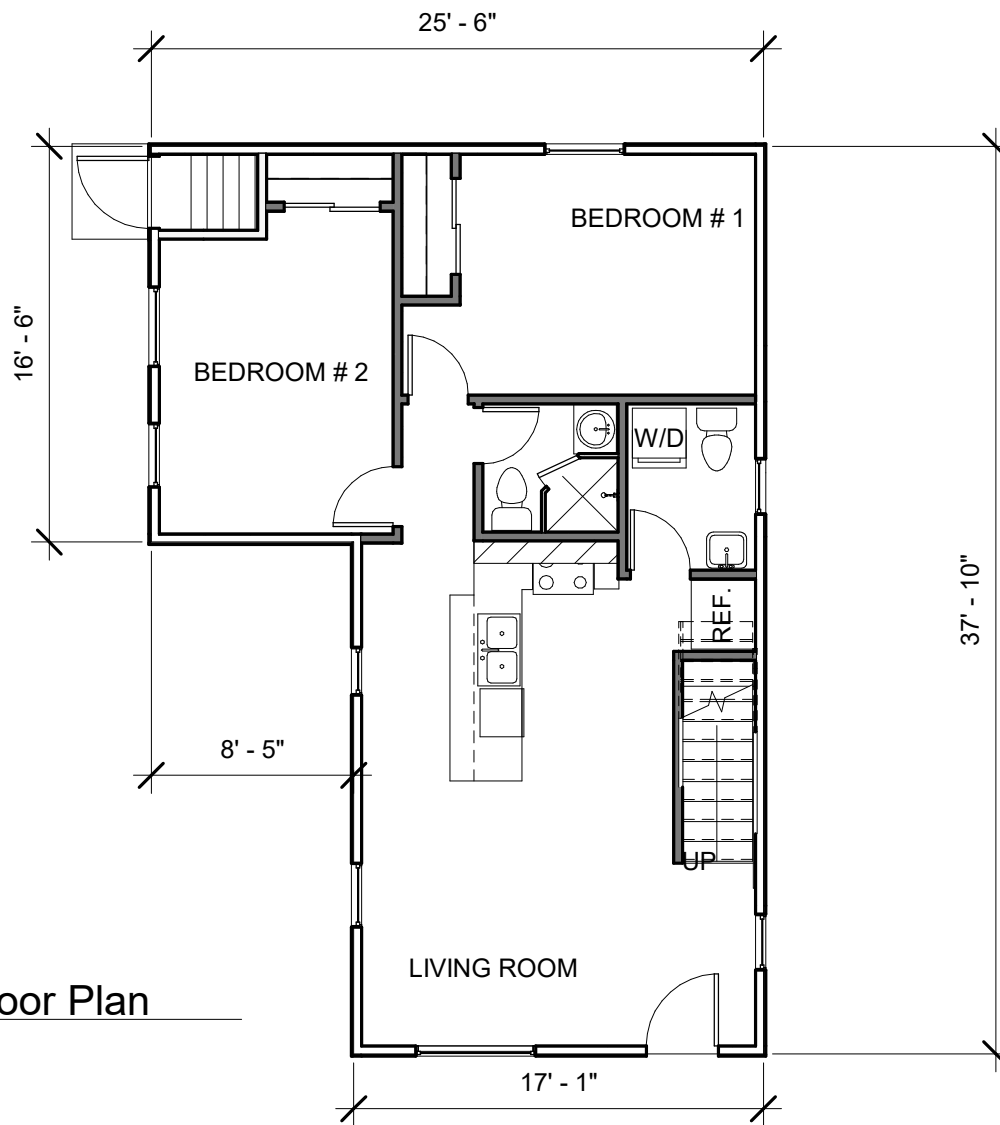
2 Existing Floor Plan
 1/8" = 1'-0"

Dennis Berry And Associates
 Waterford, Mi. and Boulder, Co.
 ph: 313 - 407-8027

Susan Darcy
 807 South Division
 Ann Arbor, Mi.

As Built 1 st Plan

| | |
|-------|--------------|
| Date | 7-25 2019 |
| Scale | 1/8" = 1'-0" |



1 Proposed 1 st Floor Plan
1/8" = 1'-0"

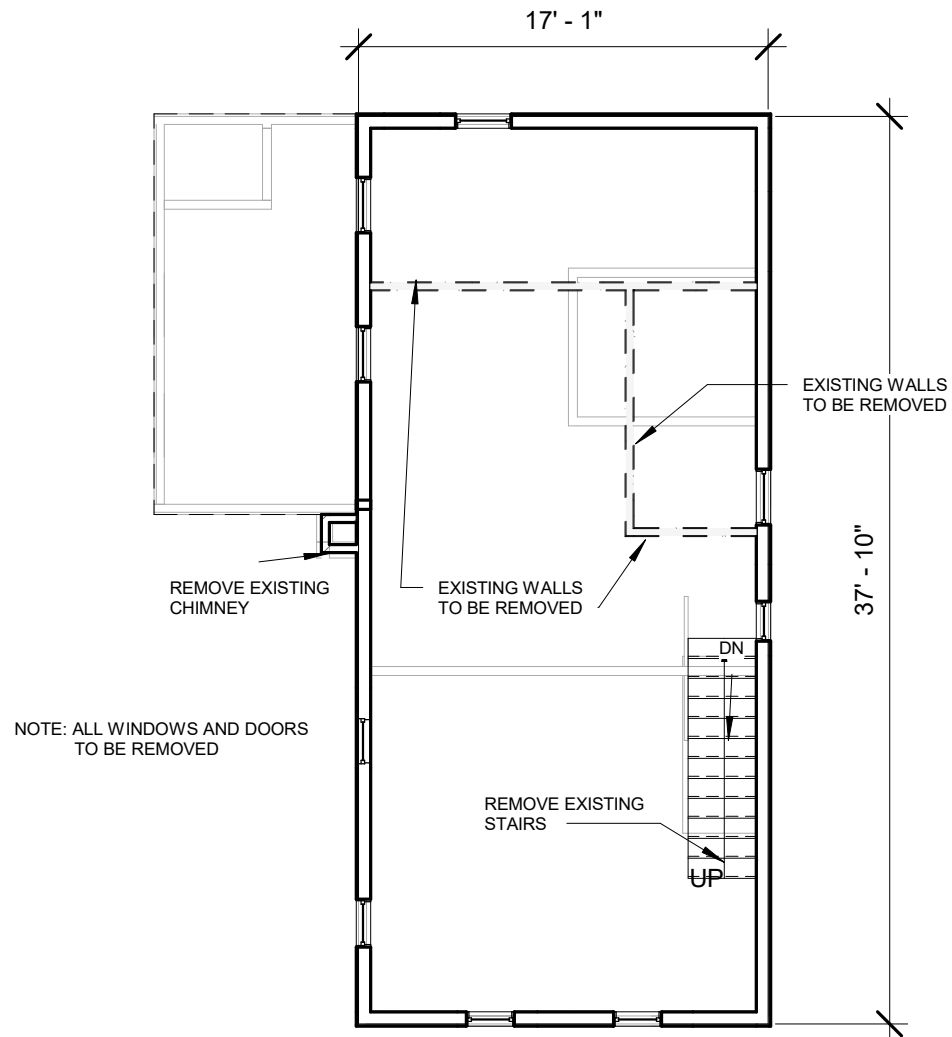
Dennis Berry And Associates
Waterford, Mi. and Boulder, Co.
ph: 313 - 407-8027

Susan Darcy
807 South Division
Ann Arbor, Mi.

1 st Floor Plan

Date 7-25 2019

Scale 1/8" = 1'-0"

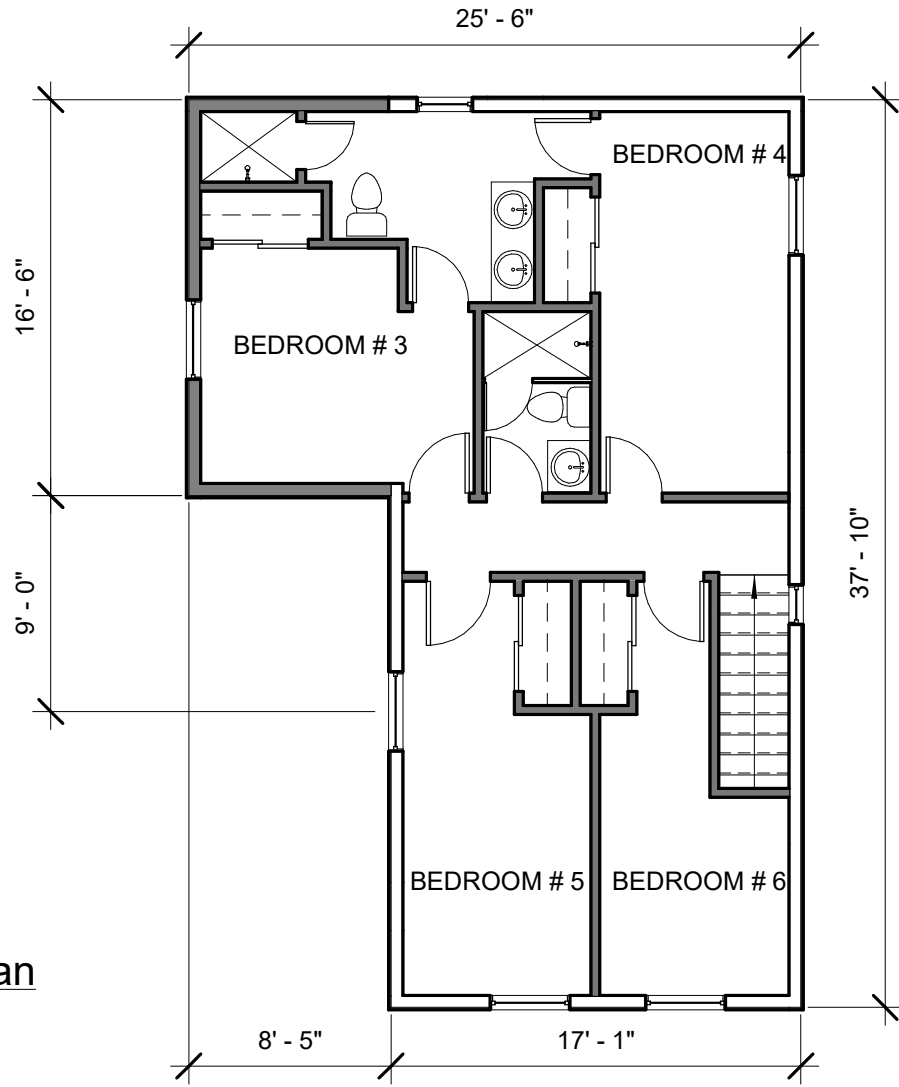


1 Existing Upper Floor Plan
 1/8" = 1'-0"

Dennis Berry And Associates
 Waterford, Mi. and Boulder, Co.
 ph: 313 - 407-8027

Susan Darcy
 807 South Division
 Ann Arbor, Mi.

| | |
|----------------------------|--------------|
| 2 nd Floor as Built | |
| Date | 7-25 2019 |
| Scale | 1/8" = 1'-0" |

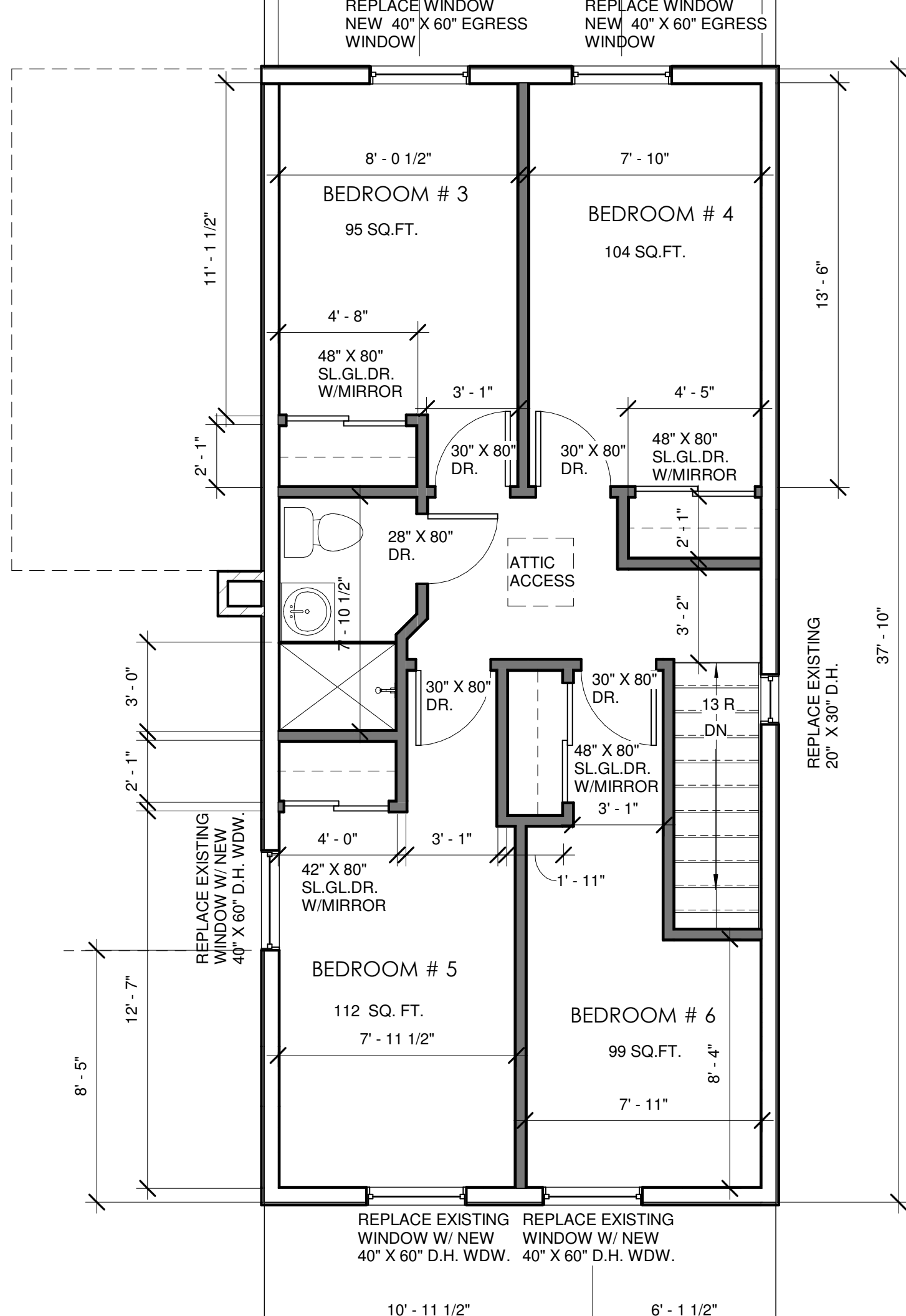


1 2 nd Level Floor Plan
1/8" = 1'-0"

Dennis Berry And Associates
Waterford, Mi. and Boulder, Co.
ph: 313 - 407-8027

Susan Darcy
807 South Division
Ann Arbor, Mi.

| | |
|------------------------|--------------|
| 2 nd Floor Plan | |
| Date | 7-25 2019 |
| Scale | 1/8" = 1'-0" |



REPLACE WINDOW
NEW 40" X 60" EGRESS
WINDOW

REPLACE WINDOW
NEW 40" X 60" EGRESS
WINDOW

8' - 0 1/2"
BEDROOM # 3
95 SQ.FT.

7' - 10"
BEDROOM # 4
104 SQ.FT.

4' - 8"
48" X 80"
SL.GL.DR.
W/MIRROR

4' - 5"
48" X 80"
SL.GL.DR.
W/MIRROR

30" X 80"
DR.

30" X 80"
DR.

28" X 80"
DR.

ATTIC
ACCESS

7' - 10 1/2"

30" X 80"
DR.

30" X 80"
DR.

48" X 80"
SL.GL.DR.
W/MIRROR

13 R
DN

42" X 80"
SL.GL.DR.
W/MIRROR

BEDROOM # 5
112 SQ. FT.
7' - 11 1/2"

BEDROOM # 6
99 SQ.FT.
7' - 11"

REPLACE EXISTING
WINDOW W/ NEW
40" X 60" D.H. WDW.

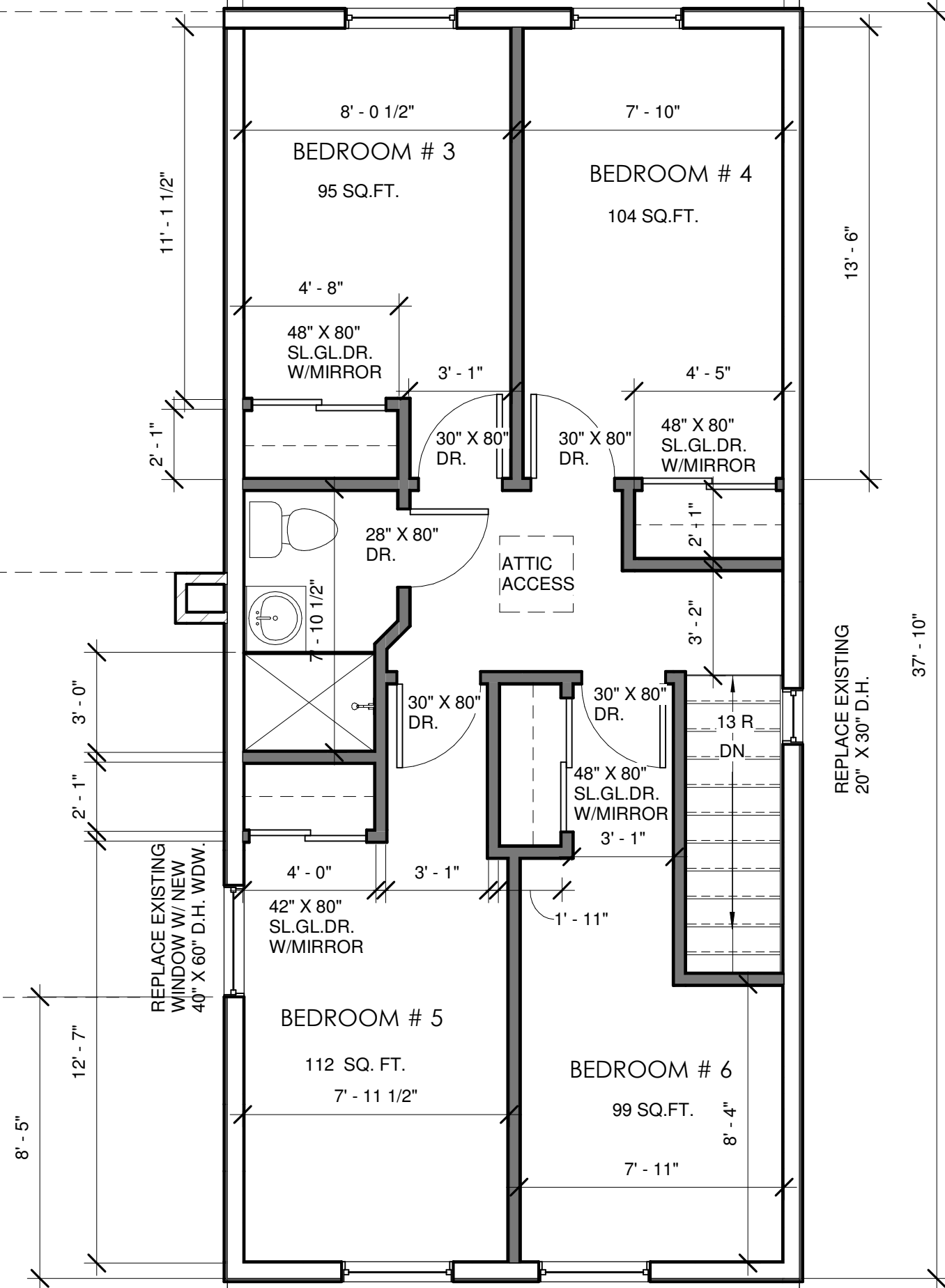
REPLACE EXISTING
20" X 30" D.H.

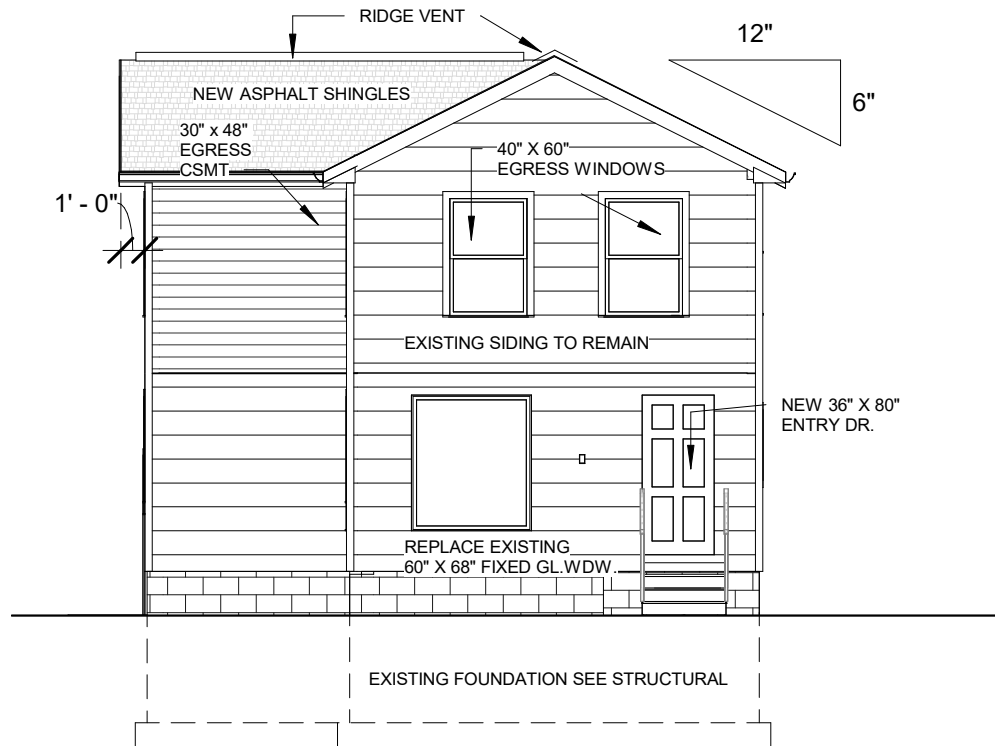
REPLACE EXISTING
WINDOW W/ NEW
40" X 60" D.H. WDW.

REPLACE EXISTING
WINDOW W/ NEW
40" X 60" D.H. WDW.

10' - 11 1/2"

6' - 1 1/2"



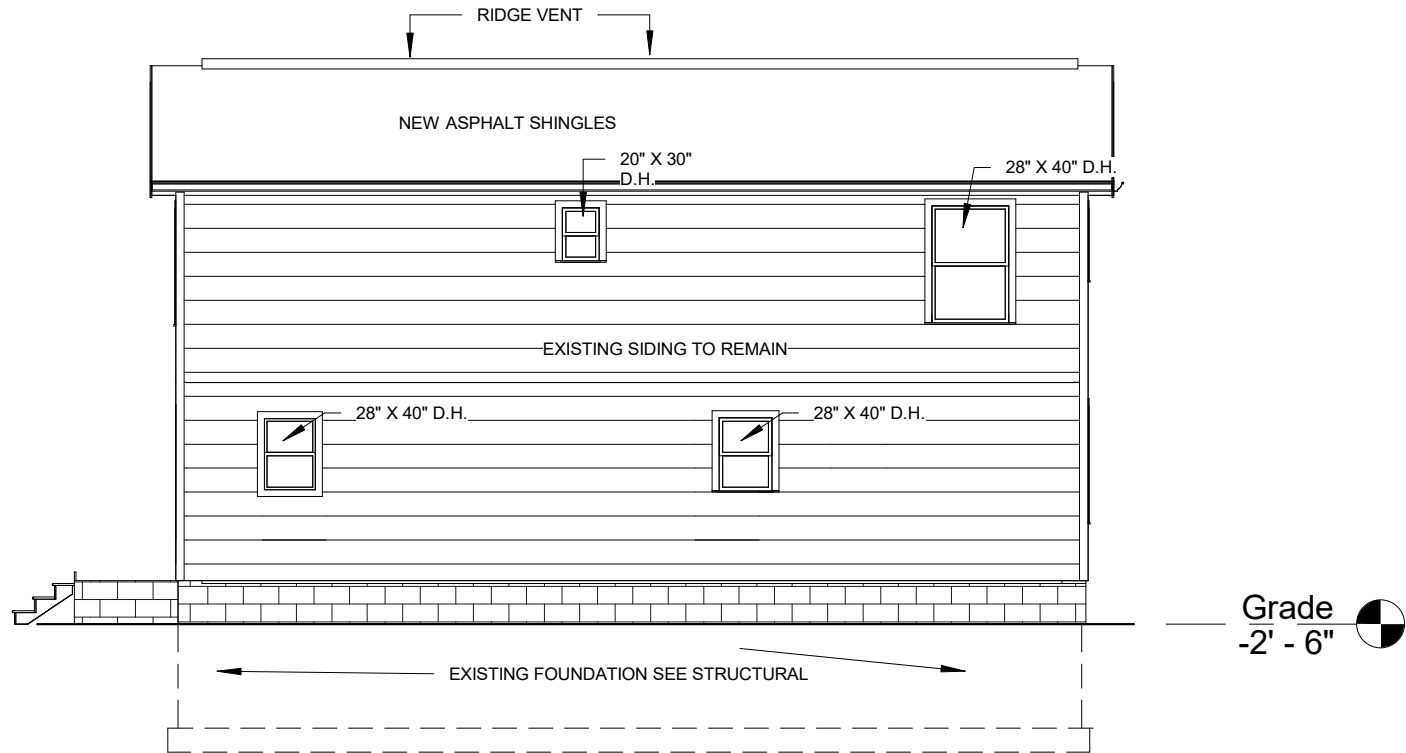


4 West Elevation
 1/8" = 1'-0"

Dennis Berry And Associates
 Waterford, Mi. and Boulder, Co.
 ph: 313 - 407-8027

Susan Darcy
 807 South Division
 Ann Arbor, Mi.

| | |
|-----------------------|--------------|
| West Elevation | |
| Date | 7-25 2019 |
| Scale | 1/8" = 1'-0" |

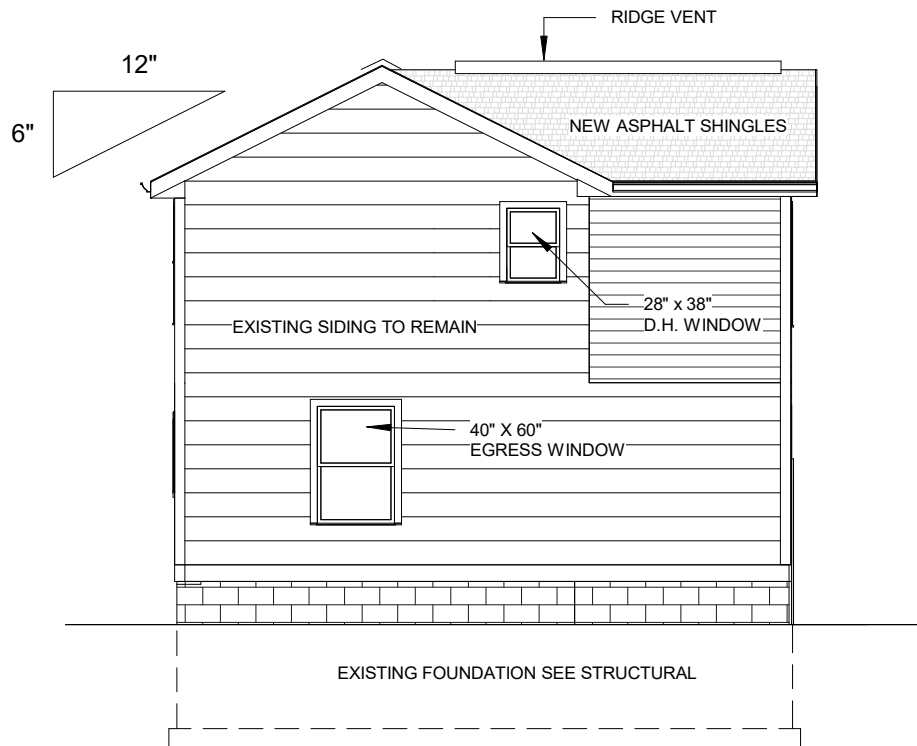


1 South Elevation
 1/8" = 1'-0"

Dennis Berry And Associates
 Waterford, Mi. and Boulder, Co.
 ph: 313 - 407-8027

Susan Darcy
 807 South Division
 Ann Arbor, Mi.

| | |
|------------------------|--------------|
| South Elevation | |
| Date | 7-25 2019 |
| Scale | 1/8" = 1'-0" |



1 East Elevation
1/8" = 1'-0"

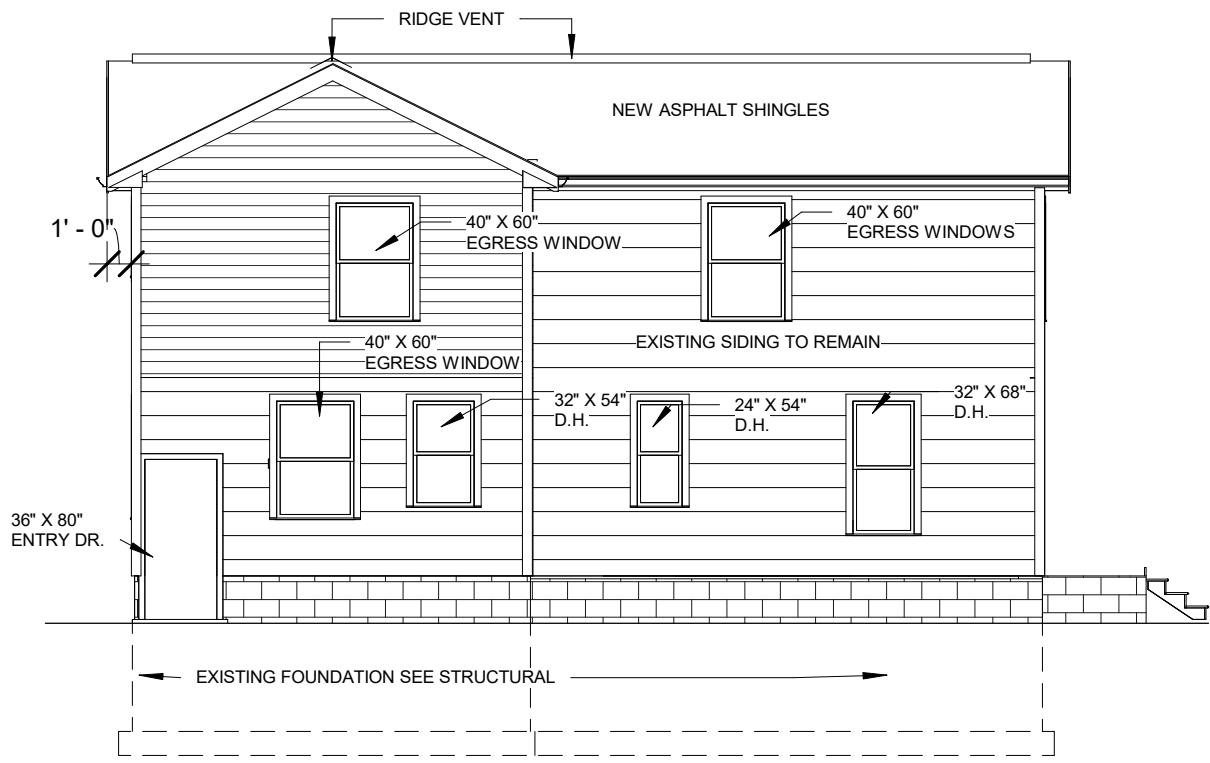
Dennis Berry And Associates
Waterford, Mi. and Boulder, Co.
ph: 313 - 407-8027

Susan Darcy
807 South Division
Ann Arbor, Mi.

East Elevation

Date 7-25 2019

Scale 1/8" = 1'-0"



1 North Elevation
 1/8" = 1'-0"

Dennis Berry And Associates
 Waterford, Mi. and Boulder, Co.
 ph: 313 - 407-8027

Susan Darcy
 807 South Division
 Ann Arbor, Mi.

| | |
|------------------------|--------------|
| North Elevation | |
| Date | 7-25 2019 |
| Scale | 1/8" = 1'-0" |

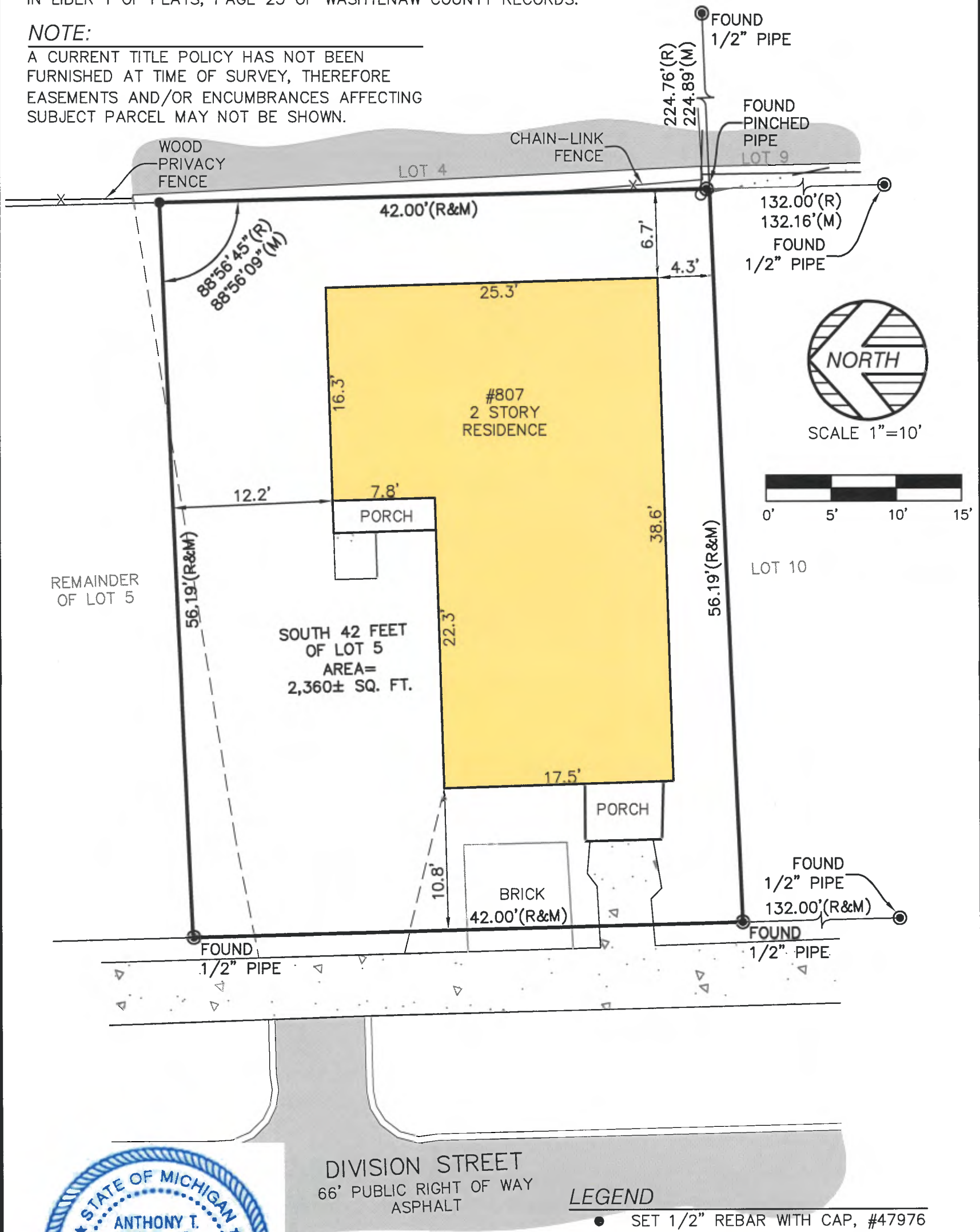
CERTIFIED SURVEY

PROPERTY DESCRIPTION:

THE SOUTH 42 FEET OF LOT 5, BLOCK 2, JOHN F LAWRENCE'S ADDITION, OF PART OF SECTION 32, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 1 OF PLATS, PAGE 25 OF WASHTENAW COUNTY RECORDS.

NOTE:

A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

Anthony T. Sycko, Jr.

ANTHONY T. SYCKO, JR., P.S. NO. 47976

LEGEND

- SET 1/2" REBAR WITH CAP, #47976
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

| | | | |
|---|---|---|---|
| KEM-TEC PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES | | | |
| <small>A GROUP OF COMPANIES</small> | | | |
| Eastpointe <small>(800) 295.7222</small> | Detroit <small>(313) 758.0677</small> | Ann Arbor <small>(734) 994.0888</small> | Grand Blanc <small>(888) 694.0001</small> |
| <small>FAX: (586) 772.4048</small> | | <small>FAX: (586) 772.4048</small> | |
| <small>FAX: (734) 994.0667</small> | | <small>FAX: (810) 694.9955</small> | |
| www.kemtecagroupofcompanies.com | | | |
| CERTIFIED TO: SUSAN DARCY | | | |
| FIELD SURVEY: MP PM | | DATE: JULY 25, 2019 | |
| DRAWN BY: CMC | | SHEET: 1 OF 1 | |
| SCALE: 1" = 10' | | JOB NO.: 19-02271 | |