

**Zoning Board of Appeals
September 27, 2017 Regular Meeting**

STAFF REPORT

Subject: ZBA17-026, 710 Taylor Street

Summary:

Elizabeth Vandermark, property owner, requests two (2) variances from Chapter 55 Zoning Section 5:28. A variance of three (3) feet in the front yard and two (2) feet in the rear yard is being requested. The front yard setback requirement is 19 feet six (6) inches and the rear yard setback requirement is 30 feet. The owners are seeking to construct a 915 square foot addition to the rear of their existing 1,100 square foot home.

Background:

The property is zoned R1C, single-family residential and is located on a corner lot that fronts Taylor Street and Pear Street directly across from Northside Park. The property received a variance on June 28, 2006 to reduce the Pear Street setback from 25' to 19'6". Applicants did not receive a rear yard variance at that hearing and are requesting a 2 (two) foot variance in the rear yard for the proposed addition.

Description:

The new addition will be 16' x 24' and contain two stories with a total height of 27' 6". The addition will contain a bathroom, three bedrooms and a new entry area for the house. It will be sited at the rear of the property and will encroach towards the Pear Street road frontage.

Standards for Approval- Variance

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

- (a). *That the alleged hardships or practical difficulties, or both, 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 owners contend that the existing 1100 square foot, three (3) bedroom one (1) bath home has been outgrown for their family of five (5). The home is on a corner lot and has two (2) front setbacks and due to the existing driveway and garage the siting of the addition is difficult without a variance.

- (b). *That the alleged hardships are practical difficulties, or both, which 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 house is small compared to others in the surrounding neighborhood and granting the variance will allow for this addition to be completed and the residence will then be more compatible to the rest of the neighborhood.

- (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 neighborhood has a variety of styles and setbacks and the proposed addition will add to the diversity of the area.

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

Due to the long narrow shaped corner lot and having two front setbacks, the buildable area to the east is limited to a two (2) foot area.

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

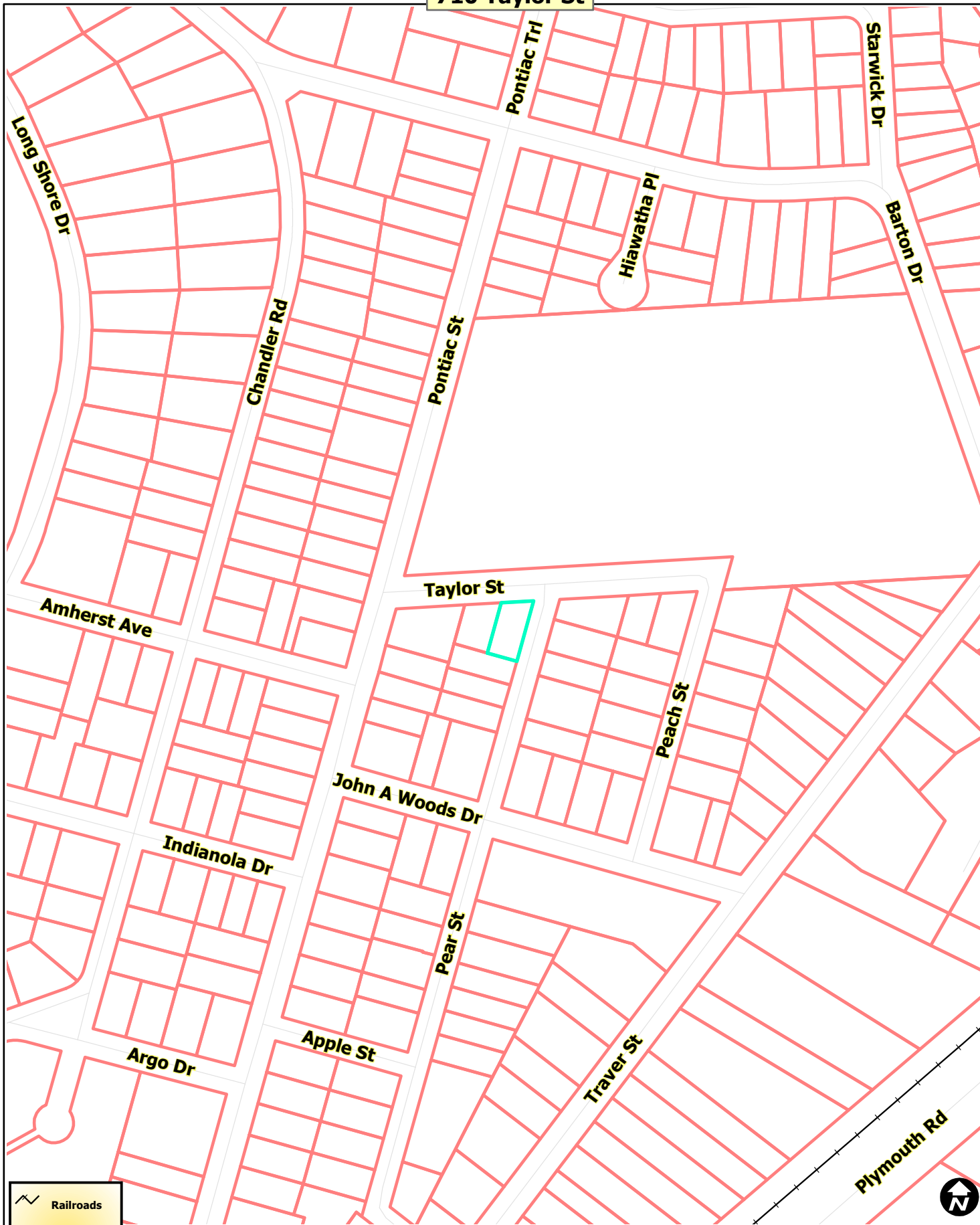
The variance requested is minimal in size and will not have a negative impact on the adjacent properties. The property is heavily vegetated and the addition will not be highly visible from the public street.

Respectfully submitted,

A handwritten signature in blue ink that reads "Jon Barrett". The signature is stylized with a large, circular initial "J" and a cursive "B" that loops back under the "n".

**Jon Barrett
Zoning Coordinator**




710 Taylor St



Map date 8/31/2017
Any aerial imagery is circa 2015
unless otherwise noted
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710 Taylor St



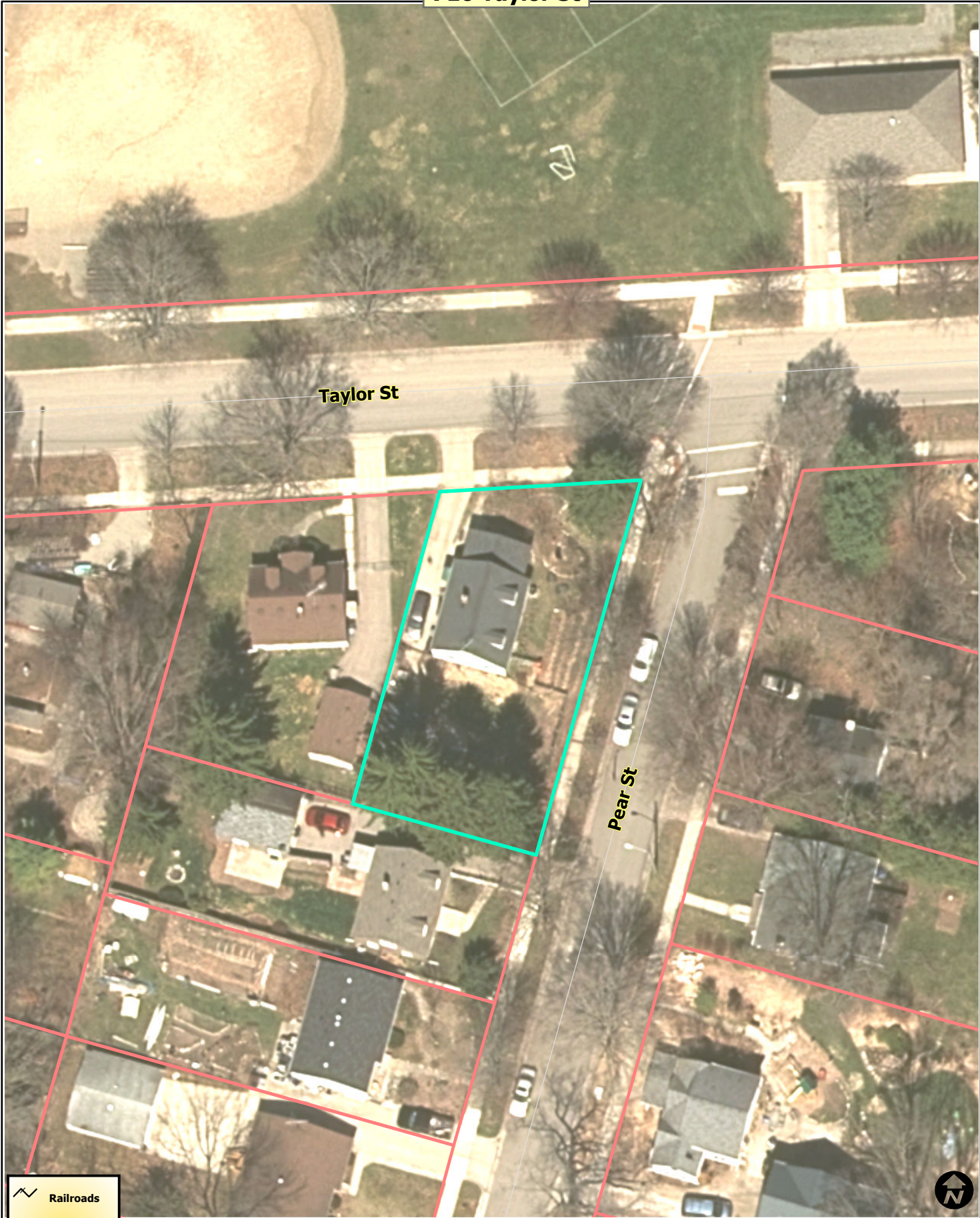
-  Railroads
-  Huron River
-  Tax Parcels



Map date 8/31/2017
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710 Taylor St



-  Railroads
-  Huron River
-  Tax Parcels



Map date 8/31/2017
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**ZONING BOARD OF APPEALS
PLANNING DEPARTMENT**

City Hall: 301 E. Huron St. Ann Arbor, MI 48104-6120
 Mailing: P.O. Box 8647, Ann Arbor, MI 48107-8647
 Phone: 734.794.6265 planning@a2gov.org
 Fax: 734.994.8460

APPLICATION MUST BE FILLED OUT COMPLETELY

Office Use Only	
Fee Paid: \$500	ZBA: 17-026
DATE STAMP	
CITY OF ANN ARBOR RECEIVED AUG 24 2017	

PROPERTY INFORMATION	
ADDRESS OF PROPERTY: 710 Taylor Street	
ZONING CLASSIFICATION: R1C single Family Residential	TAX ID: (if known)
NAME OF PROPERTY OWNER*: Elizabeth and John David Vandermark	

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

APPLICANT INFORMATION	
NAME OF APPLICANT: Elizabeth Vandermark	
ADDRESS OF APPLICANT: 710 Taylor Street	
DAYTIME PHONE NUMBER: 734 717 6702	FAX NO: na
EMAIL: evandermark@gmail.com	
APPLICANT'S RELATIONSHIP TO PROPERTY: owner	

REQUEST INFORMATION	
<input checked="" type="checkbox"/> VARIANCE REQUEST (Complete the section 1 below)	<input type="checkbox"/> ALTERATION TO A NON-CONFORMING STRUCTURE (skip to Section 2)

Section 1 - VARIANCE REQUEST	
CHAPTER(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Chapter 55, Section 5:26) Article III Area Height & Placement	
Required Dimension: (Example: 40' front setback) 19'6" Front Setback (Pear Street)*	PROPOSED Dimension: (Example: 32') 16'6" Front Setback (Pear Street)*
Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary) See attached.	

An additional of 2' Rear setback is requested (30' Rear setback is required).



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Section 1 - VARIANCE REQUEST con't

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.

1. That the alleged hardships or practical difficulties, or both, 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. See attached

2. That the alleged hardships are practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both. See attached

3. 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. See attached

4. That the conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty. See attached

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



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Section 2 – 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.

REQUIREMENT	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:



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Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

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

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:

- One (1) hardcopy and one (1) electronic copy shall be submitted.
- The electronic copy shall include all associated supporting documentation with application submission.

- 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.

ACKNOWLEDGEMENT

I, the applicant, hereby 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.

Phone number:

734 717 6702

Signature: X

Elizabeth Vanderjawn

Email address:

EVANDERJAWN @ GMAIL . COM

Print Name:

ELIZABETH VANDERJAWN

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

Elizabeth Vanderjawn
Signature

Further, I hereby give the City of Ann Arbor Planning and 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.

Elizabeth Vanderjawn
Signature

Attachment to the Zoning Board of Appeals Variance Application

Elizabeth and David Vandermark

710 Taylor Street Ann Arbor, Michigan 48105

Original Application 06.28.2006

Proposed Revision 08.15.2017

Section 1 Variance Request

The proposed addition will provide us with a modern and water efficient bathroom, a half bath, three bedrooms and a new entry area for the house. This will allow the vacated spaces in the original house to be used as a dining room and breakfast/study. The addition square footage will provide our family of five space to live more comfortably and enable us to stay in the neighborhood. This addition in concept was planned and approved ten years ago but proved difficult to fund given our financial circumstances then. We are now in a position to construct a smaller addition that will still meet our original needs.

Section 1 Variance Request (continued)

1. We live in a post war cape cod that is about 1100SF with one full bathroom and three bedrooms. The house is a perfect starter house for a couple. However we are now a family of five and need additional space. We love our neighborhood and do not wish to move. We are proposing an addition of 915SF total (27'-6" High with two floors). The size of the addition to the side and rear is constrained by the placement of the existing garage and driveway leading to the garage (see description below). Our proposed addition encroaches on the Pear Street set back by 82SF and the Rear setback by 7SF on two floors.

When the house was constructed it was a very basic economical box without any front porch to make the transition to the street. In 2006 we sought and received a variance to add a porch on the front of our house. At the same time we sought at was granted a variance to the Pear Street set back (86SF on two floors)) however due to economic hardship we were not able to construct the addition as planned. At this point we would like to construct a downsized addition at the rear of the house.

2. The house was designed to be a starter house during the post WWII housing boom. The house is bisected by a stair running up to a finished attic. The ground floor has a kitchen, small bathroom, small bedroom on one side and the living dining room and bedroom on the other. We propose to rework the small and enclosed rooms in the main house to make the space more flexible. The addition to the rear of the house would add three bedrooms and a full and a half bath. The design of the addition is a simple 16' x 24' box on two floors with a connector to the main house. In the intervening years, the property values of the houses in our area have increased significantly. However at 1100SF our house is undersized for the area. By adding the proposed 915SF we will make the house consistent with most of the houses selling in the area.

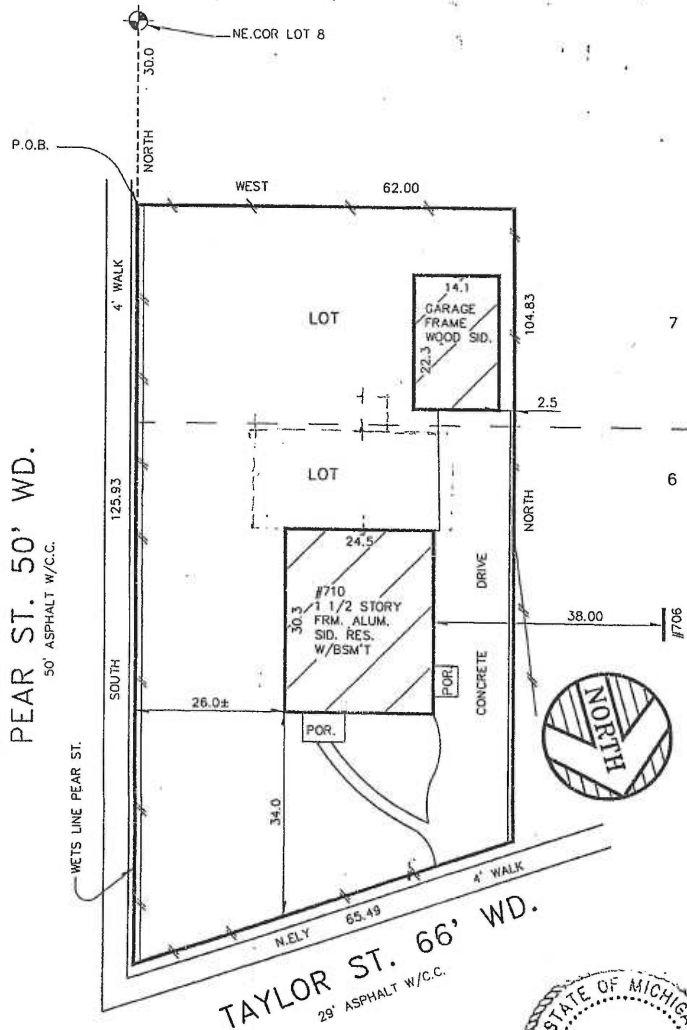
3. Our neighborhood is an eclectic mix of housing styles with varied setbacks. Many of us have been here a long time and are committed to making the necessary changes to our houses to accommodate our families. I believe that the addition that we are proposing will reinforce this diversity in housing styles. Being able to add onto our house rather than buying a new house will allow us to continue to be a part of this community (we have now been here over 20 years). On the whole, having different sizes of houses allows families of different sizes and stages of life to live together in one community. The post war cape cod we live in is a house that is replicated all over our neighborhood with many different examples of different ways people have adapted them. We believe that the proposed addition will improve the appearance and function of our house and add to the desirability of our neighborhood as a whole.
4. Our house is located on a long narrow corner lot with an irregular front boundary to the North. The buildable area to the West is occupied by a driveway leading to an existing garage. The buildable area to the East is limited to within two feet of the house due to a twenty-five foot double front yard setback.
5. The original siting of the house on a corner lot creates a hardship of two twenty-five foot setbacks. While we recognize the value of keeping the house off the street, the oblique siting of the addition helps minimize its perception from the street.

MORTGAGE SURVEY

Certified to: MMS MORTGAGE SERVICES

Applicant: JOHN D. VANDERMARK AND ELIZABETH K. VANDERMARK

Property Description (SEE PAGE 2 OF 2)



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.

John O. Groshko L.L.S.



PAGE: 1 of 2

JOB NO. 97-35523 SCALE 1"=20'
 DATE 07/24/97 DR. BY JAS

KEM-TEC
 LAND SURVEYORS
 16041 East Nine Mile Road
 Eastpointe, MI 48021-2319
 (810) 772-2222
 FAX: (810) 772-4048



KEM-TEC WEST
 LAND SURVEYORS
 800 East Stadium
 Ann Arbor, MI 48104-1412
 313 994 0888 * 800 433 6133
 FAX: 313 994 0667

MORTGAGE SURVEY

Certified to: MMS MORTGAGE SERVICES

Applicant: JOHN D. VANDERMARK AND ELIZABETH K. VANDERMARK

Property Description

Land situated in the City of Ann Arbor, County of Washtenaw, State of Michigan, and is described as follows:

Beginning at a point in the East line of Pear Street 30 feet North of the Northeast corner of Lot 8, in Block 3, PARTRIDGE'S ADDITION TO THE CITY OF ANN ARBOR, Michigan; thence West 62 feet parallel to the North line of Lot 8; thence North 104.83 feet parallel to the West line of Pear Street to the North line of PARTRIDGE'S ADDITION; thence Northeasterly along said North line 65.49 feet to the West line of Pear Street; thence South in the West line of Pear Street 125.93 feet to the Place of Beginning, being part of Lots 6 and 7, in Block 3, PARTRIDGE'S ADDITION TO THE CITY OF ANN ARBOR, Washtenaw County, Michigan, as recorded in Liber 60 of Deeds on Page 317 in the office of the Register of Deeds for Washtenaw County, Michigan.

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.



PAGE: 2 of 2

John O. Groshko L.L.S.

JOB NO. 97-35523 SCALE 1"=20'
DATE 07/24/97 DR. BY JAS

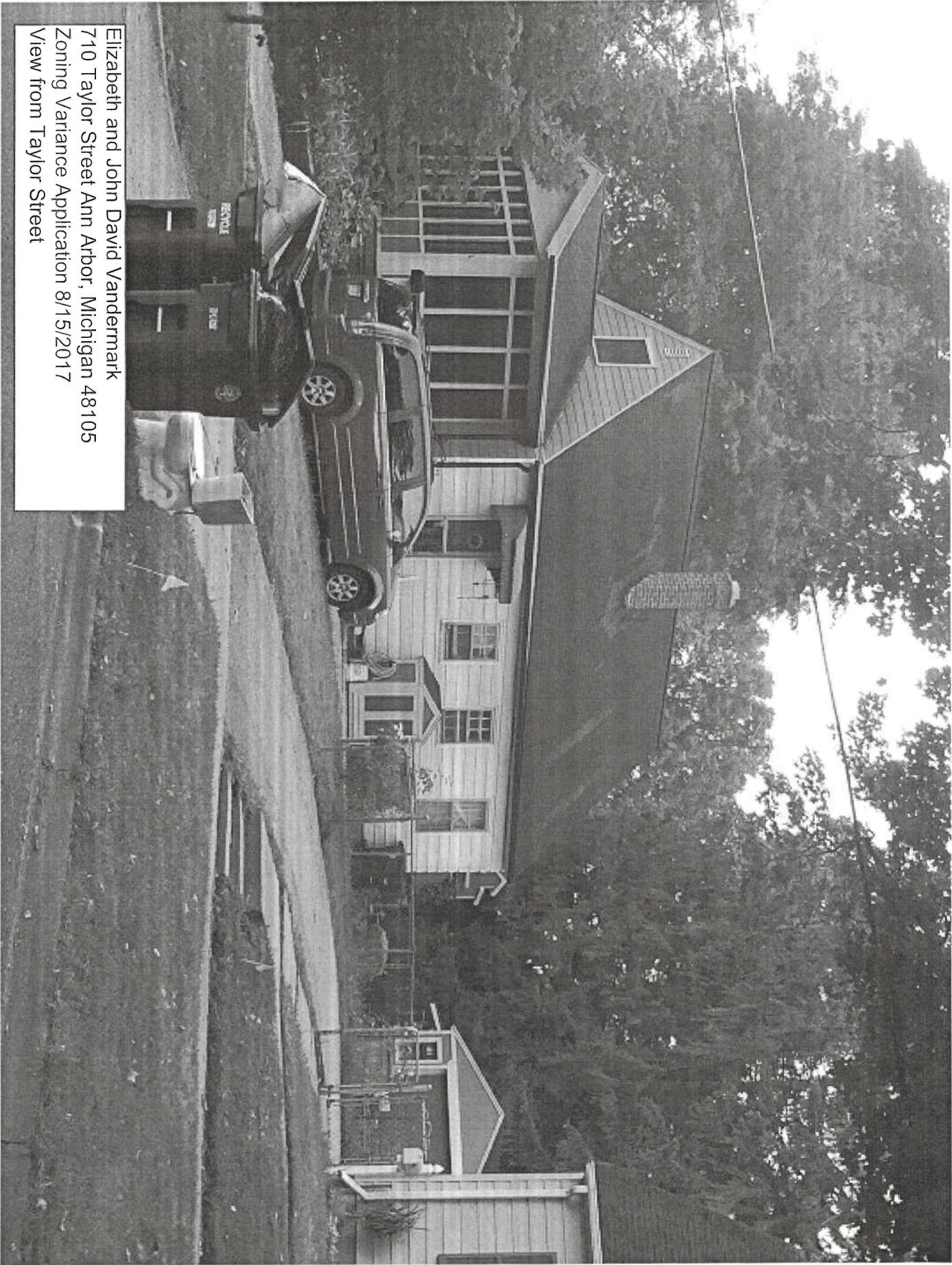
KEM-TEC
LAND SURVEYORS

16041 East Nine Mile Road
Eastpointe, MI 48021-2319
(810) 772-2222
FAX: (810) 772-4048

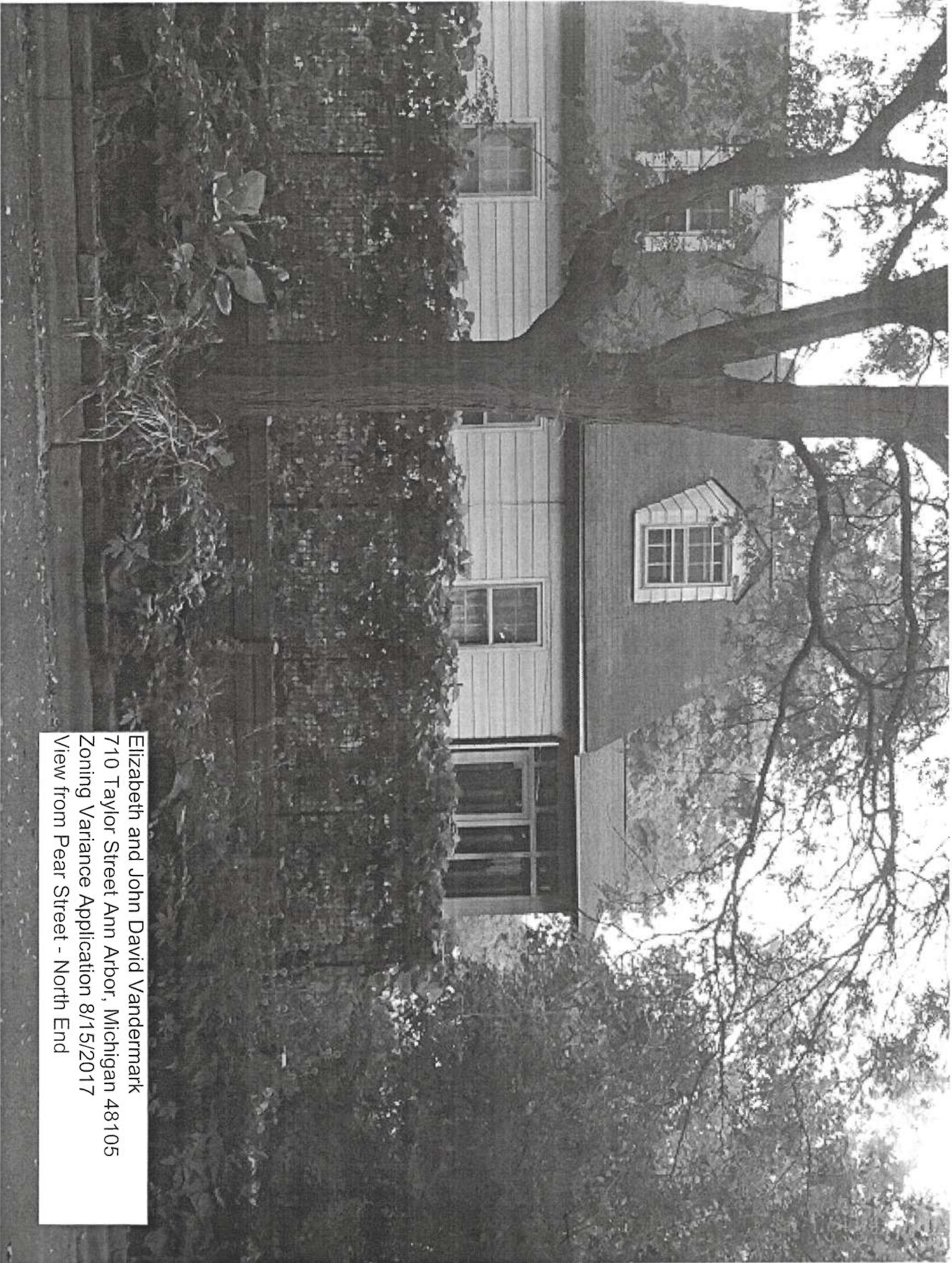


KEM-TEC WEST
LAND SURVEYORS

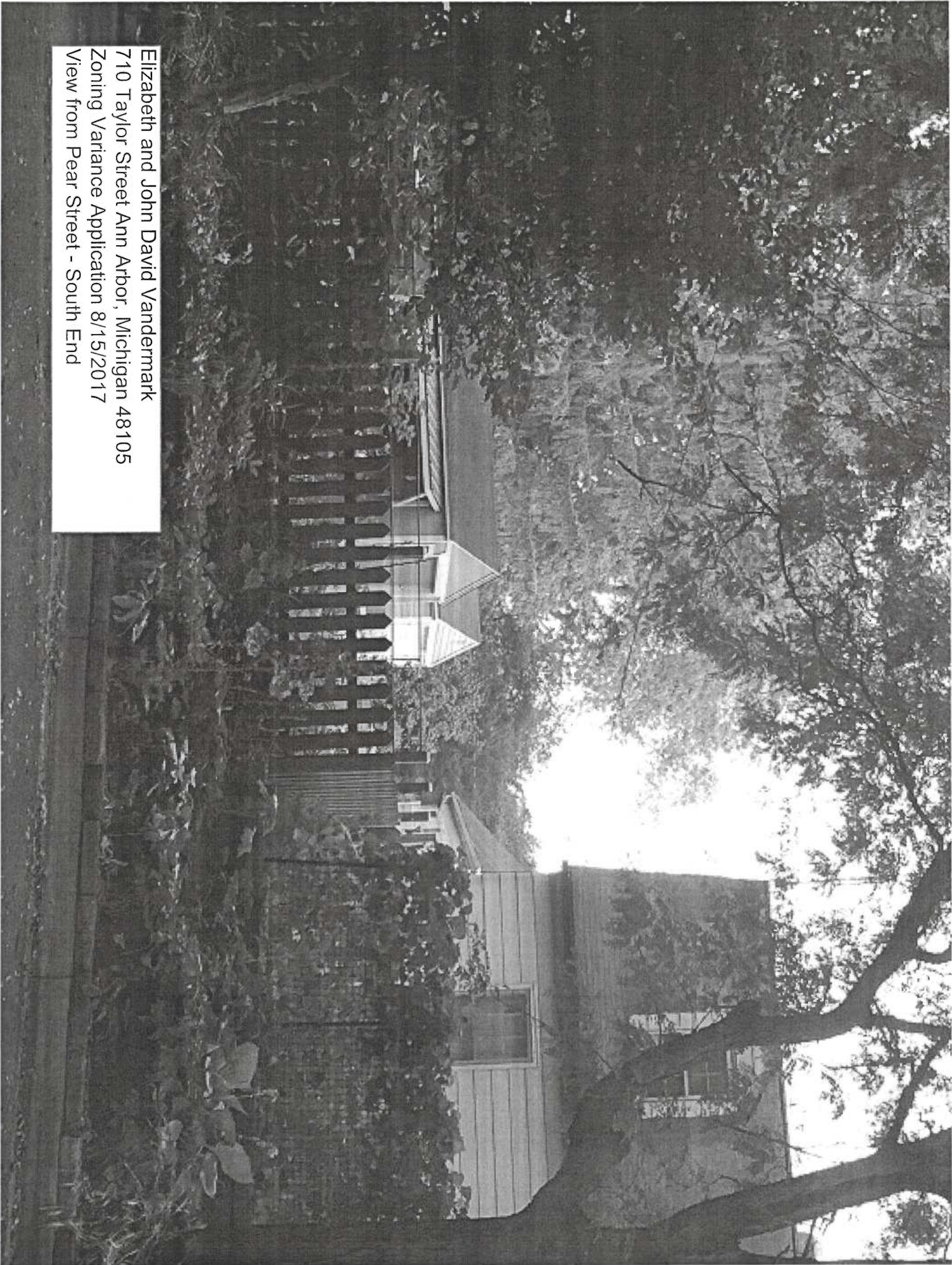
800 East Stadium
Ann Arbor, MI 48104-1412
313 994 0888 • 800 433 6133
FAX: 313 994 0667



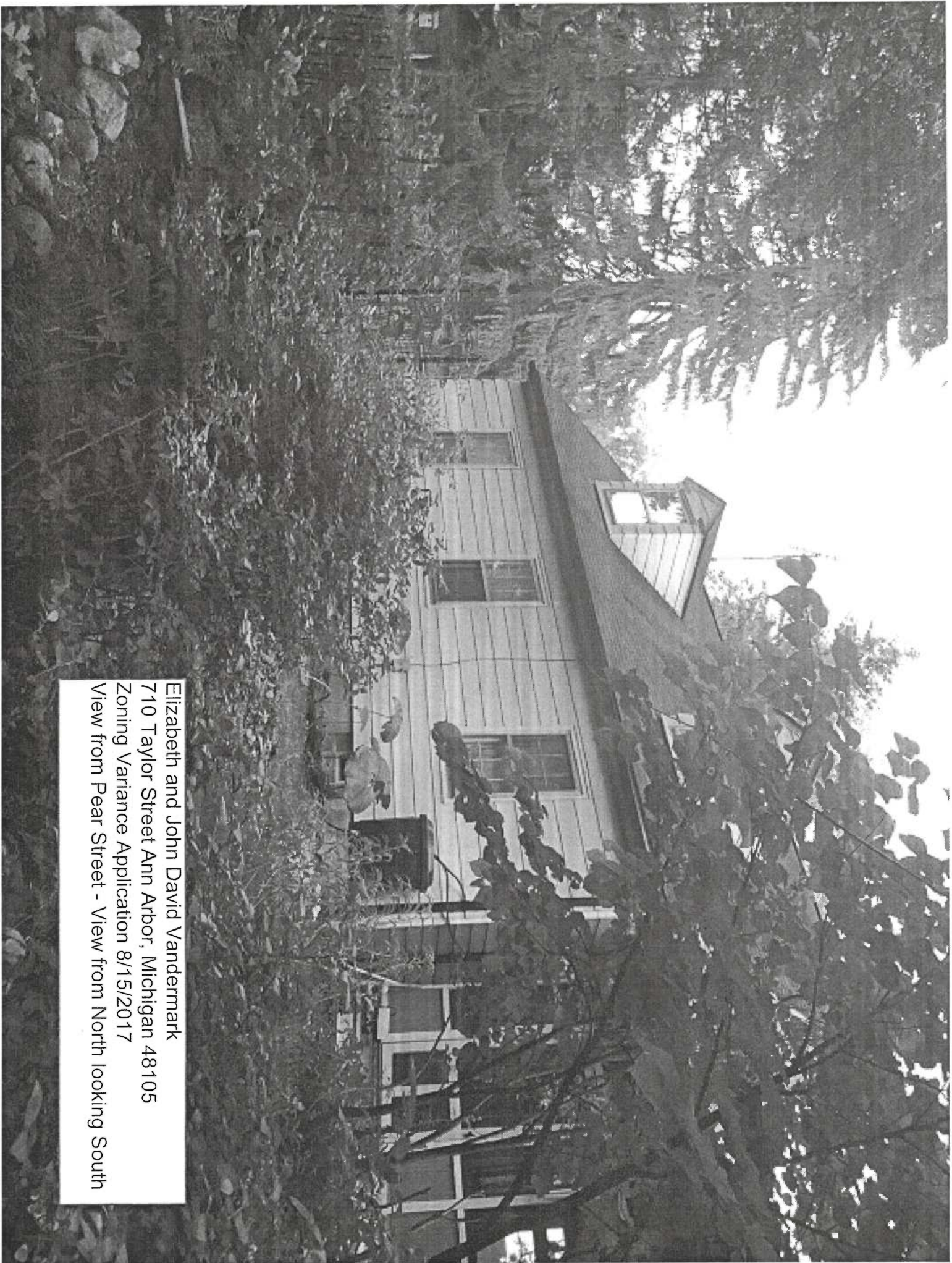
Elizabeth and John David Vandermark
710 Taylor Street Ann Arbor, Michigan 48105
Zoning Variance Application 8/15/2017
View from Taylor Street



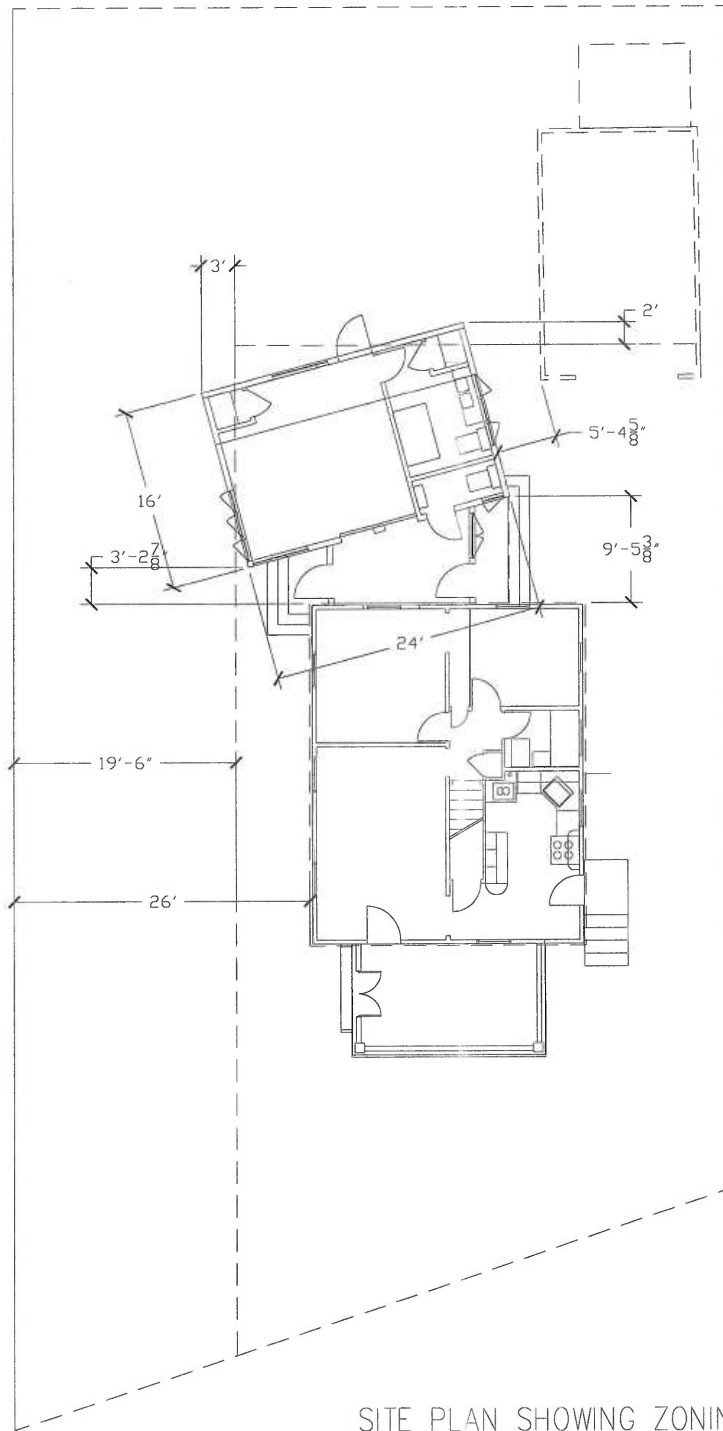
Elizabeth and John David Vandermark
710 Taylor Street Ann Arbor, Michigan 48105
Zoning Variance Application 8/15/2017
View from Pear Street - North End



Elizabeth and John David Vandermark
710 Taylor Street Ann Arbor, Michigan 48105
Zoning Variance Application 8/15/2017
View from Pear Street - South End



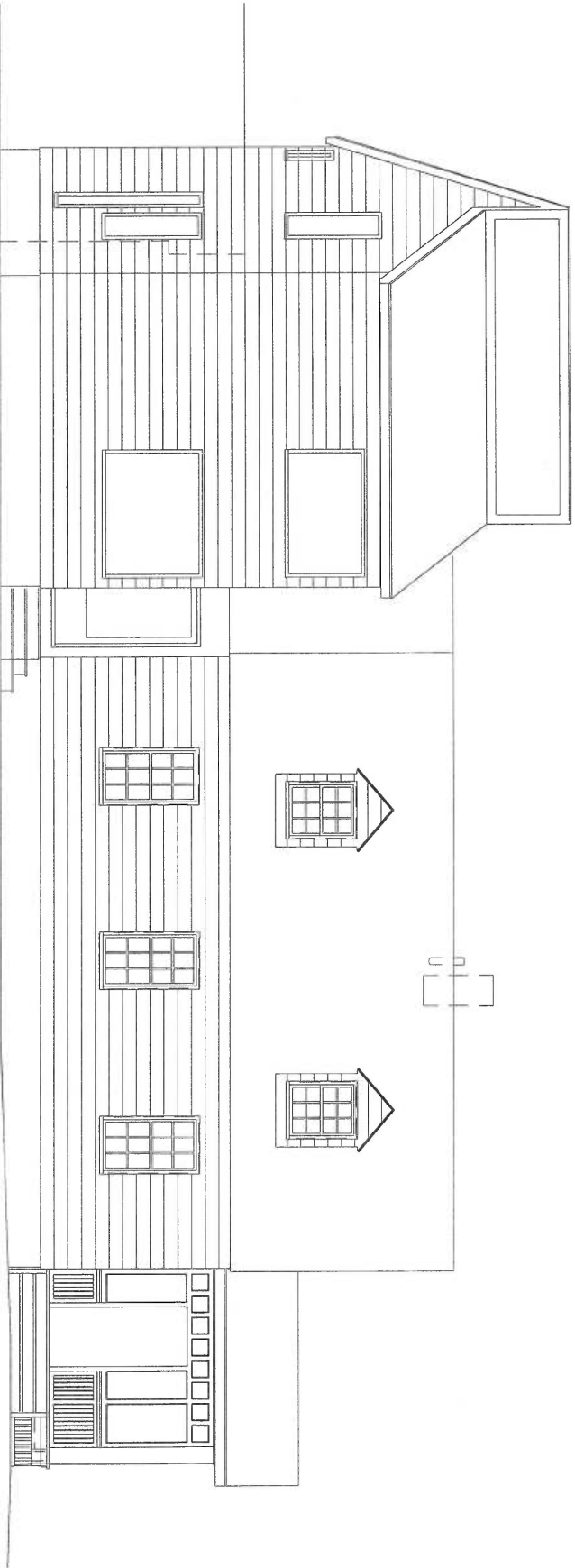
Elizabeth and John David Vandermark
710 Taylor Street Ann Arbor, Michigan 48105
Zoning Variance Application 8/15/2017
View from Pear Street - View from North looking South



SITE PLAN SHOWING ZONING SETBACKS
 ZONING BOARD OF APPEALS VARIANCE APPLICATION
 1/8" = 1'-0"

VANDERMARK ADDITION
 710 TAYLOR STREET
 ANN ARBOR, MI 48105
 08.24.2017

A1

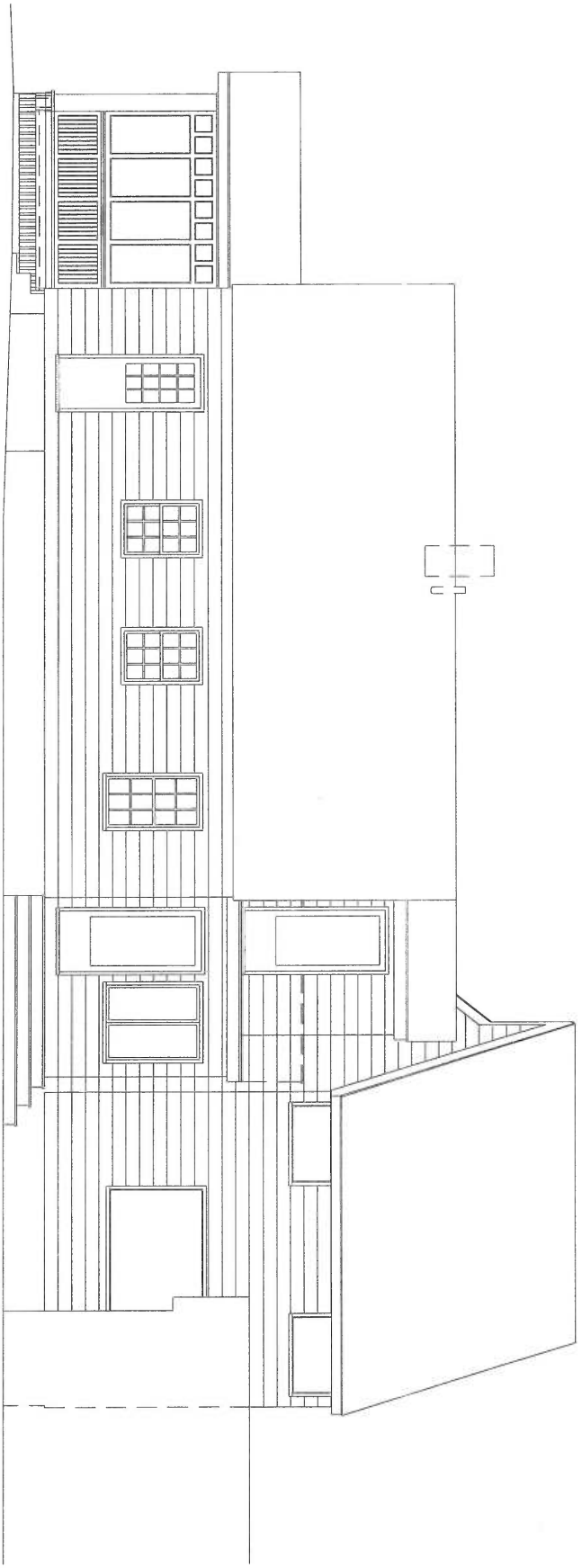


EAST ELEVATION
1/4" = 1'-0"

VANDERMARK ADDITION
710 TAYLOR STREET
ANN ARBOR, MI 48105

08.24.2017

A2

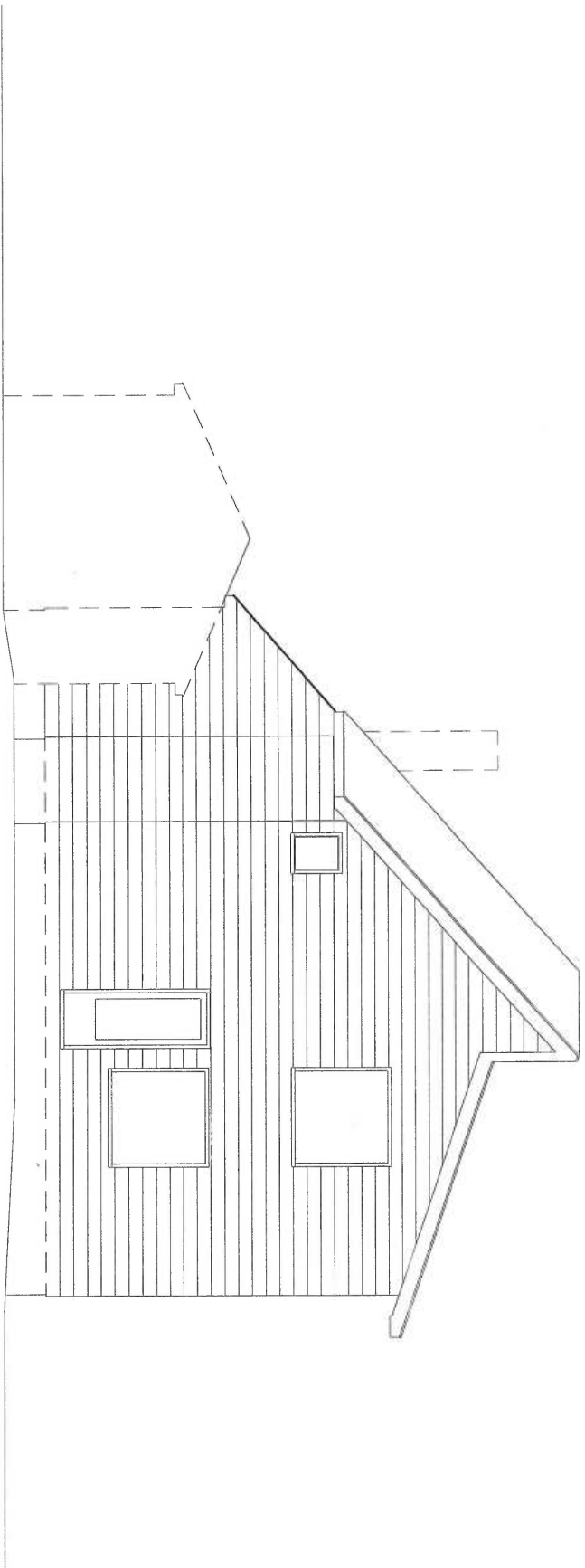


A3

WEST ELEVATION

1/4" = 1'-0"

VANDERMARK ADDITION
710 TAYLOR STREET
ANN ARBOR, MI 48105
08.24.2017

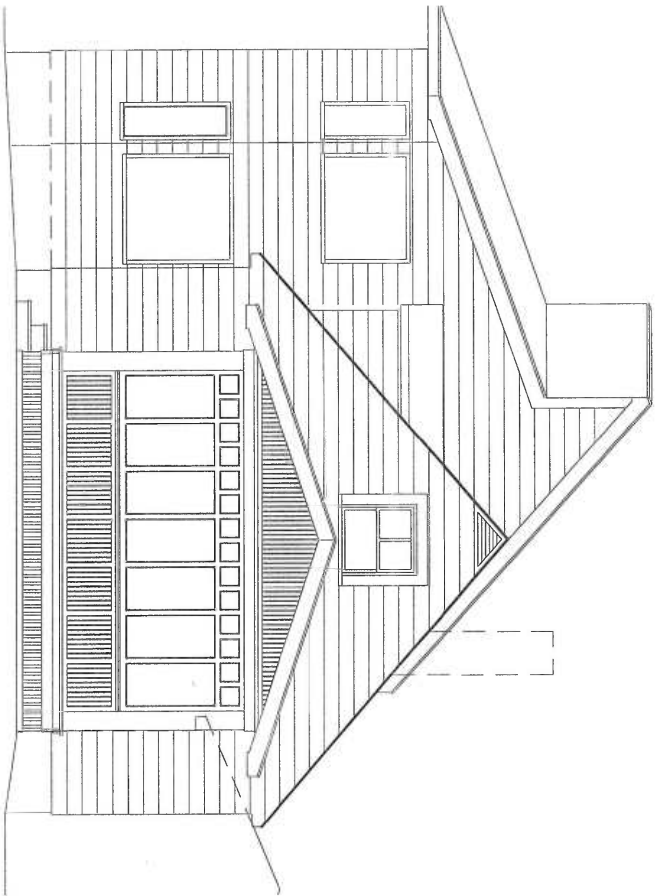


SOUTH ELEVATION
1/4" = 1'-0"

VANDERMARK ADDITION
710 TAYLOR STREET
ANN ARBOR, MI 48105

08.24.2017

A4



NORTH ELEVATION

1/4" = 1'-0"

VANDERMARK ADDITION

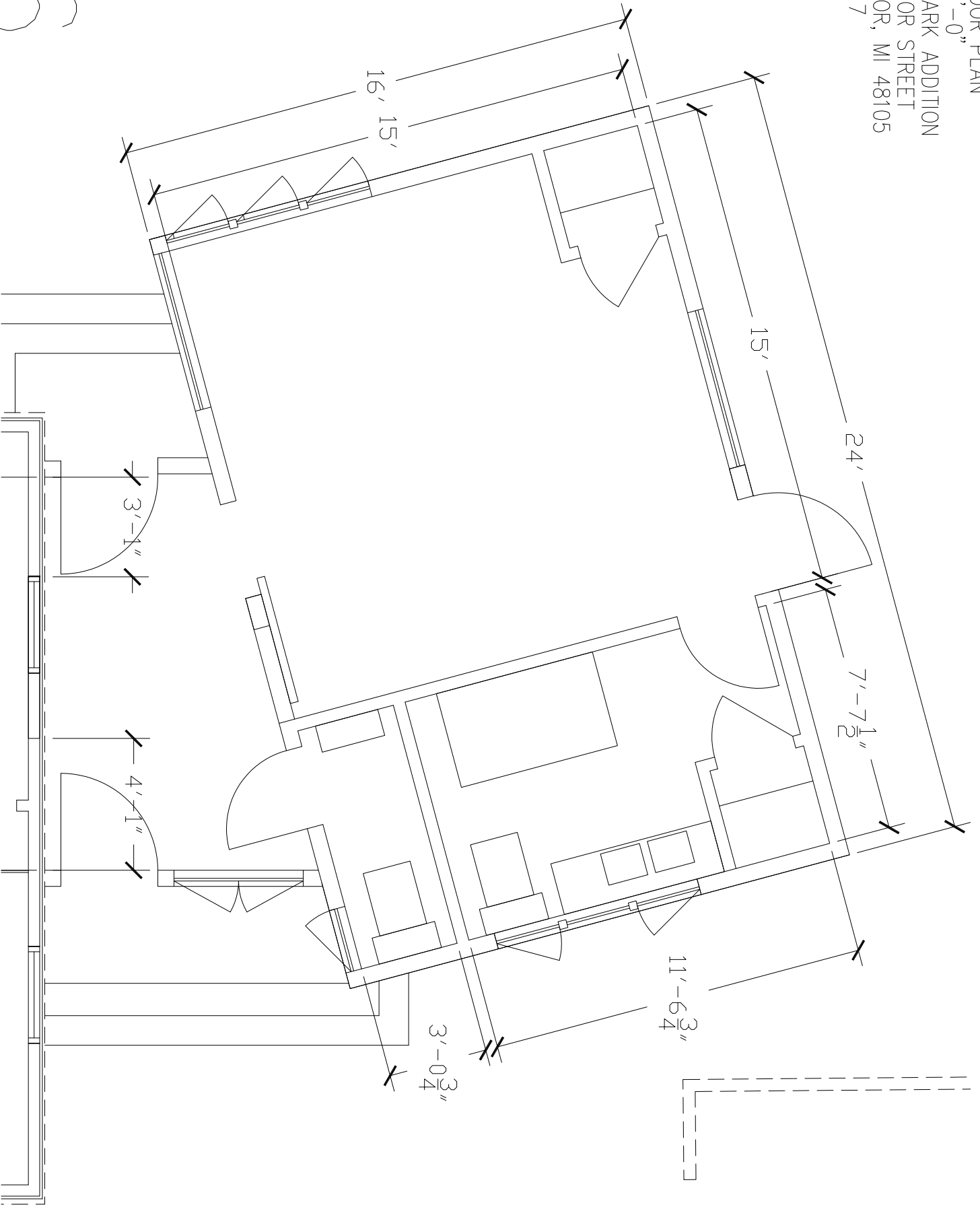
710 TAYLOR STREET

ANN ARBOR, MI 48105

08.24.2017

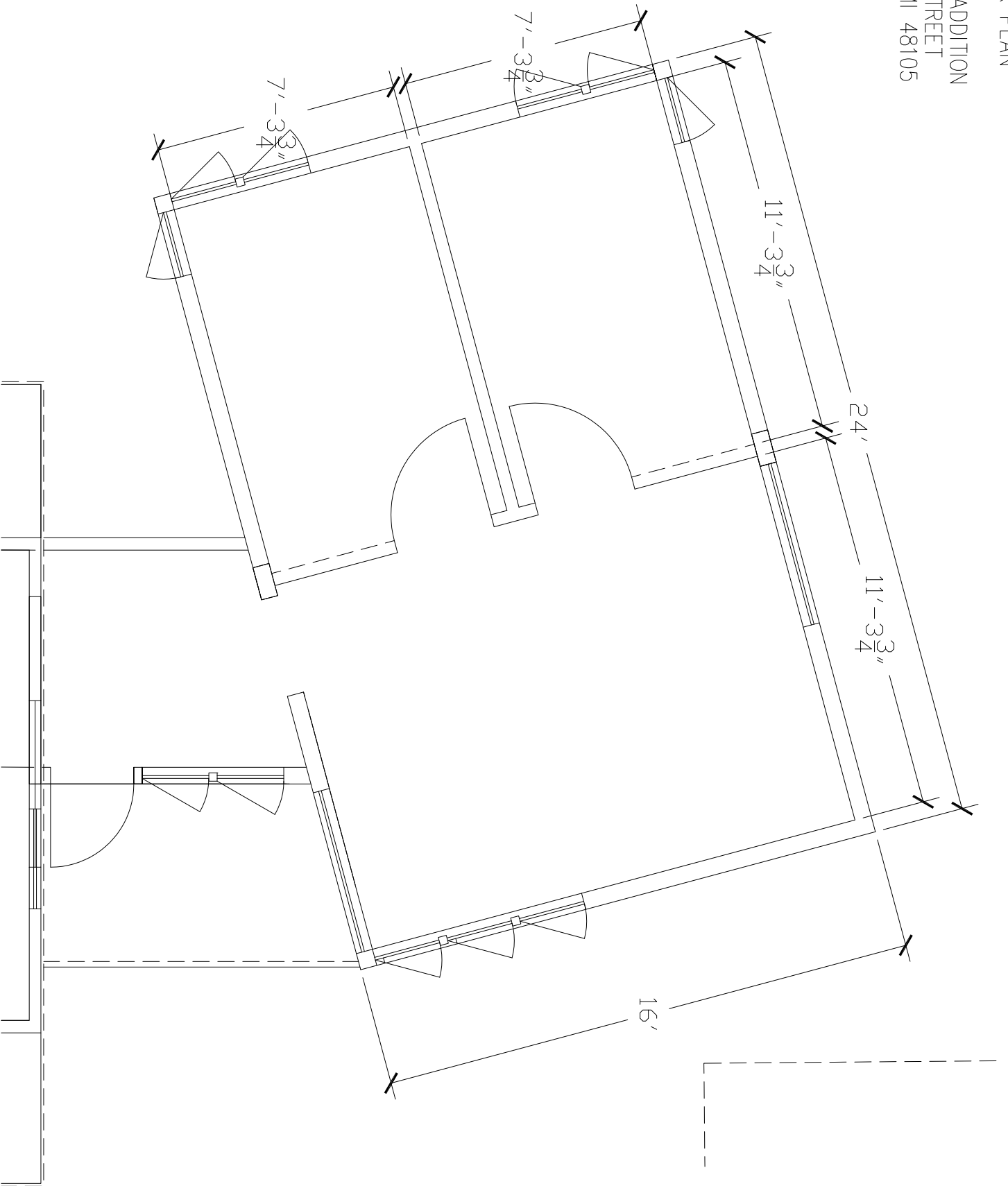
A5

FIRST FLOOR PLAN
1/4" = 1'-0"
VANDERMARK ADDITION
710 TAYLOR STREET
ANN ARBOR, MI 48105
08.24.2017



AG

SECOND FLOOR PLAN
1/4" = 1'-0"
VANDERMARK ADDITION
710 TAYLOR STREET
ANN ARBOR, MI 48105
08.24.2017



A7