

**Zoning Board of Appeals
January 24, 2018 Regular Meeting**

STAFF REPORT

Subject: ZBA17-031, 621 Madison Place

Summary:

Onna Solomon, property owner, is requesting a variance from Chapter 55 Zoning Section 5:28 (Area, Height and Placement regulations). Applicant is seeking a six (6) foot variance from the required 30 foot setback in order to construct a nine (9) foot nine (9) inch by 19 foot addition to the rear of the existing home. If granted the rear yard setback will be 24 feet.

Background:

The property is zoned R1C, single-family residential, and is located between South Seventh Street and Eberwhite Elementary school. The home was built in 1948 and is approximately 1,224 square feet in size.

Description:

The new two (2) story addition will contain an entryway and mudroom along with a dining area for an approximate total of 197 square feet on the first floor. The second floor will be 125 square feet and will accommodate a new closet for an existing bedroom and a new bathtub for an existing bathroom. The combined square footage of both floors will be 322 square feet.

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 applicant states that the addition and renovation to the residence will result in improved access and modernization to the back entryway to the home. The addition will also create a safe and functional space. Without the variance, much needed repairs to the wood deck and windows will not move forward.

- (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 front entrance to the home is farther than the rear entrance and is halfway down a steeply sloped drive that presents access challenges in poor weather conditions. The home is also small and lacks key necessities for this growing family.

- (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 applicant states the variance will have little impact on surrounding properties as detached garages and vegetation help eliminate any visual impacts that the addition may have. The addition could be built at the front of the residence, however, the home would be in front of the neighbors and would change the visual aesthetics of the street.

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

The applicants contend that the variance request is not self-imposed as the front yard has topography and sloping issues. The back of the house currently is located almost to the 30 foot rear setback which would require a variance with any type of addition.

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

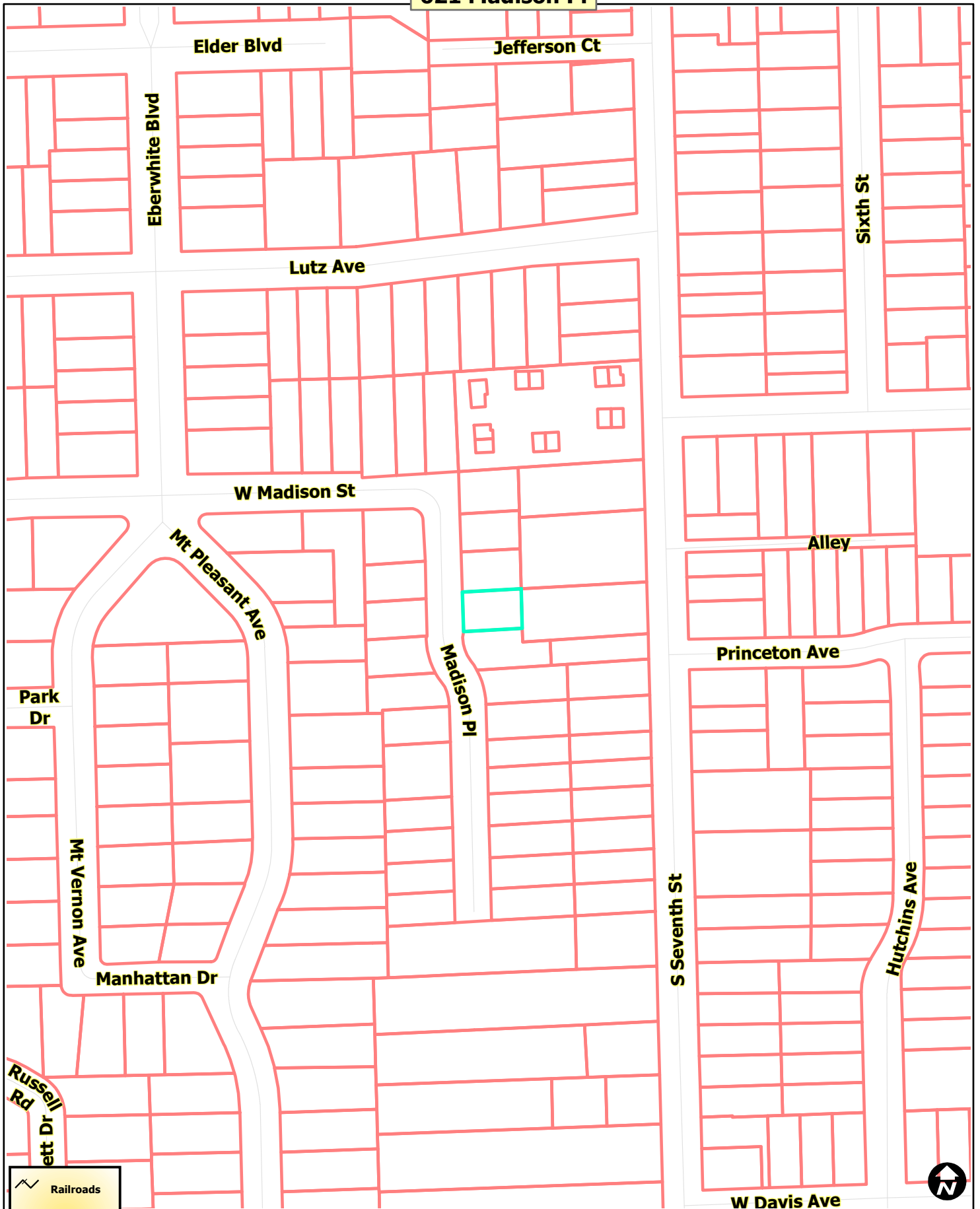
The variance requested is for six (6) feet or 20 percent of the total rear yard setback requirement. The applicants state that this is a minimal request and still affords them the opportunity to make a reasonable use of the land.




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

621 Madison Pl

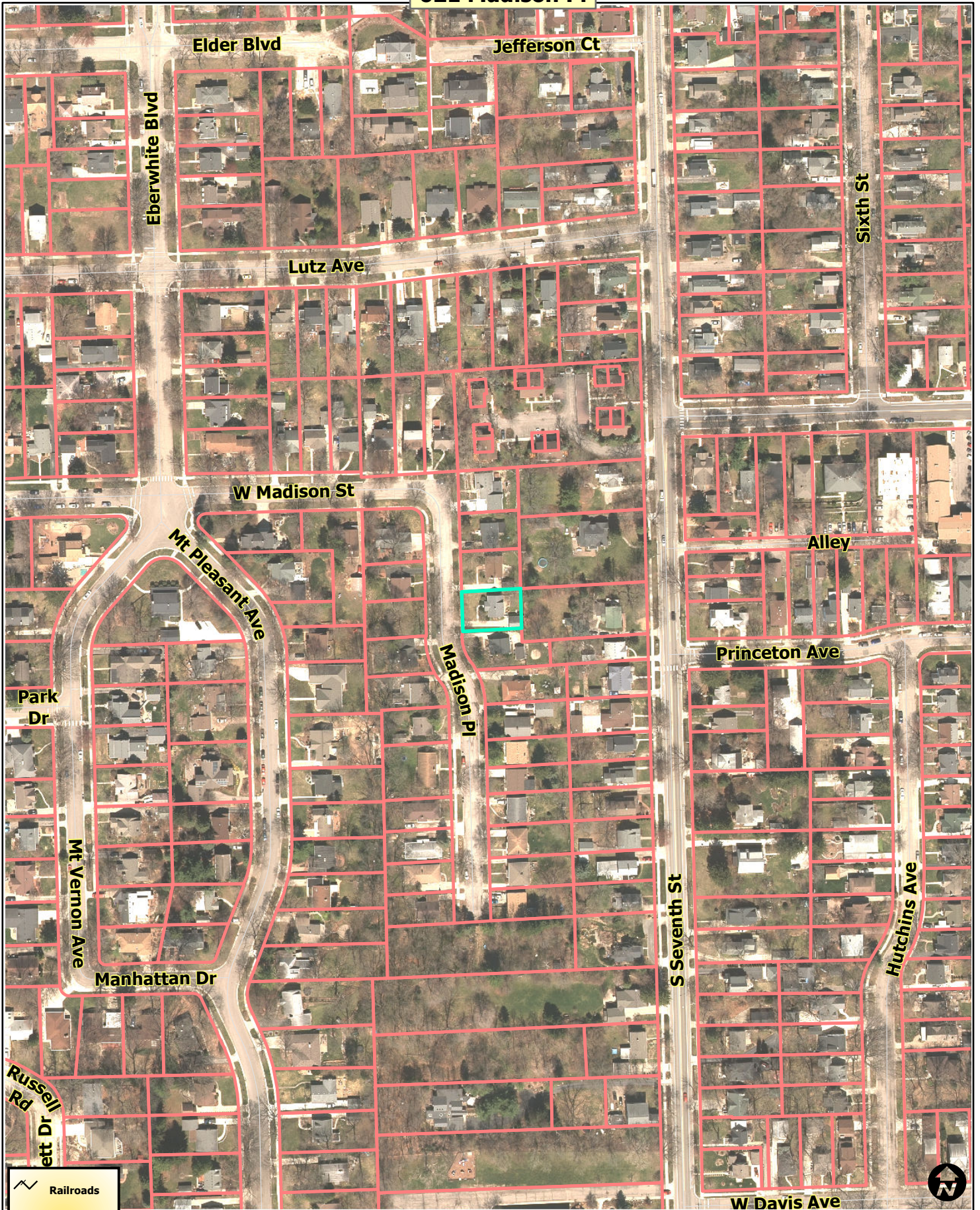


 Railroads
 Huron River
 Tax Parcels



Map date 10/19/2017
Any aerial imagery is circa 2015
unless otherwise noted
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621 Madison Pl

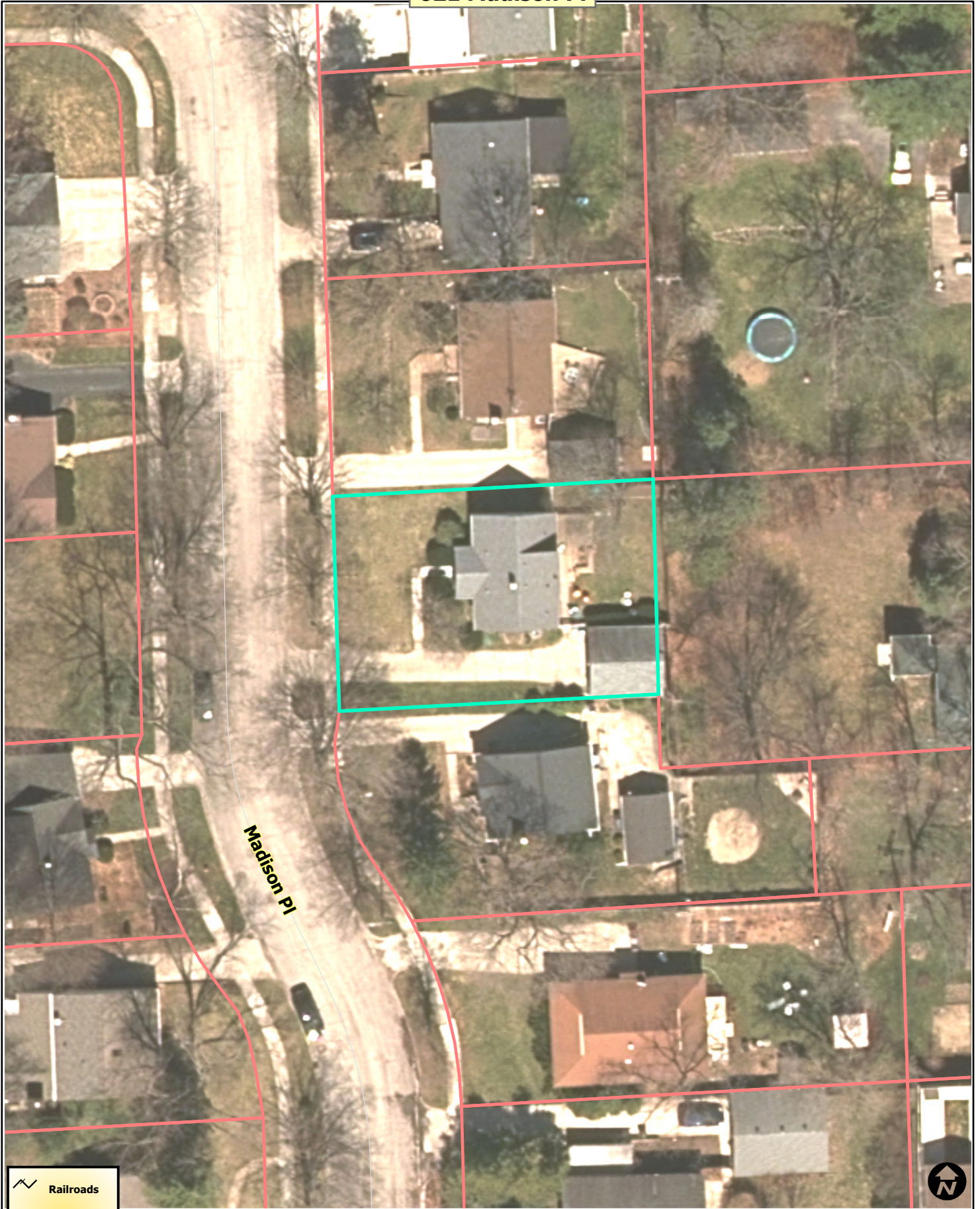





- Railroads
- Huron River
- Tax Parcels



Map date 10/19/2017
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621 Madison Pl



-  Railroads
-  Huron River
-  Tax Parcels



Map date 10/19/2017
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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: _____	ZBA: _____
DATE STAMP CITY OF ANN ARBOR RECEIVED DEC 27 2017 PLANNING & DEVELOPMENT SERVICES	

PROPERTY INFORMATION		
ADDRESS OF PROPERTY: 621 Madison Place, Ann Arbor, MI 48103		
ZONING CLASSIFICATION: Residential, District R1C	TAX ID: (if known) 09-09-29-324-035	
NAME OF PROPERTY OWNER*: Onna Solomon & Jonathan Schwartz		

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

APPLICANT INFORMATION	
NAME OF APPLICANT: Onna Solomon	
ADDRESS OF APPLICANT: 621 Madison Place, Ann Arbor, MI 48103	
DAYTIME PHONE NUMBER: 734-645-9918	FAX NO:
EMAIL: onnalyn@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) Chapter 55, Section 5:28	
Required Dimension: (Example: 40' front setback) 30' back setback	PROPOSED Dimension: (Example: 32') 24' back setback
Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary) Please see document attached	



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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.

Please see document
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.

Please see document 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.

Please see document attached

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

Please see document attached

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

Please see document 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.

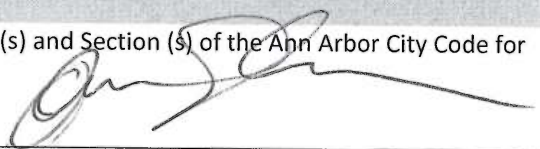
All materials must be provided on **8 ½" by 11"** sheets:

- 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.

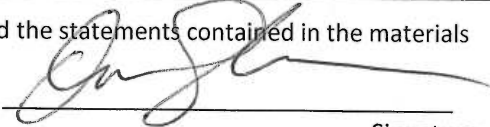
Phone number: **734-645-9918**

Signature: X 

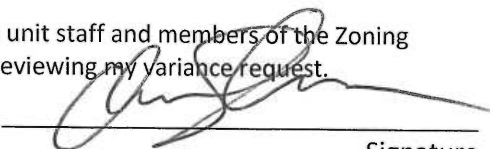
Email address: **onnalyn@gmail.com**

Print Name: **Onna Solomon**

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


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.


Signature

Section 1:

Give a detailed description of the work you are proposing and why it will require a variance:

- Our proposed one story light-wood framed **addition will extend 10' 4"** east into the fenced-in backyard and occupy less space than is currently occupied by a wood deck, maintaining outdoor play space. The massing will be minimal in profile to remain unseen from Madison Place and the neighboring yards. The addition will contain a mudroom to provide a safe space for changing and storing winter apparel at the house's primary entrance as well as additional living space to accommodate the needs of the family. The second level portion of the addition will reclaim existing attic area to add walk-in closet space, and will *not* extend into the requested variance. With this small addition we can alleviate the house's practical difficulties and unsafe functionality while maintaining the neighborhood scale and character.
- The existing rear yard setback is 30' and **this project requests a 6' rear yard setback variance, making the requested rear yard setback 24"**. The 6' variance is the minimal amount of space necessary to provide the entry and mudroom's functional requirements while proportionally fitting with the existing neighborhood, house, and yard.

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.

- The plan for an addition and renovation to the house aims to solve multiple problems, hardships and practical difficulties that are peculiar to the property:
 - Replace a decade-old deck that is in bad disrepair
 - Replace windows and doors that have rotting wood
 - Improve and modernize the back entryway, which serves as the main entry into the house for our family with small children
 - Provide a safe, functional space to change in and out of outdoor gear in the winter and rain
- The lot is exceptional for the neighborhood due to its combination of a **shallow rear setback** and a **steeply inclined driveway**, which makes access from the garage to the front door difficult in winter weather.

2. That the alleged hardships or 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 main entrance to our home is in the rear of the house, directly into a small galley kitchen. In winter and in wet weather, **this entrance is hazardous**; we and our two young children will stand in the middle of the kitchen to take off all of our wet things, and we need to mop our kitchen floor several times per day to remove slip hazards, salt, and other debris from the outdoors.
- The front entrance sits far from the garage, halfway down a **steeply sloped drive that is slippery in bad weather**; stairs connect the driveway to the front of the house. We rely on the back door, which is at the same grade as the entrance to the garage; the short walk from the garage to the back door is an advantage in bad weather. Our renovation would allow us to make this the main functional entrance into our home.

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.

- The variance will **allow our family to comfortably and safely stay in our beloved home and neighborhood**, where we have created a rich community. We believe that the variance will have little to no effect on the neighboring properties, as the view to the addition will be blocked on both sides by detached garages. Nearest the addition, our neighbor's garage extends further than the variance, and on the far side of our lot, our own garage will block the view our other next-door neighbors would have.
- One reason we are seeking the variance is because it allows us to **pursue renovations that will keep the aesthetic of the neighboring properties** and be the least disruptive way to solve the problems at hand. (Please see **neighbors' letters of support** included.)
- We are **allowed to build approximated 10' out into our front yard without a variance**, but would prefer not to do this for many reasons. An addition in the front of house 1) does not cost-effectively solve the problem of the rear entry; 2) would put our house out of line with the neighboring houses; 3) could change the aesthetic in a way that would not match the neighbors; 4) would be counter to the preferences of our neighbors who support the plan to build onto the back of the house.

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

- The condition is not self-imposed; rather, the existing house sits quite close to the rear 30' setback line such that, without this variance, we would not be able to add a small room and renovated rear entrance to the structure. The grade drops steeply in the front yard, making the transition from the garage to the front door treacherous during inclement weather. This condition is a result of the design and build of the original

house, which was constructed in 1948. The lot is exceptionally shallow for the neighborhood.

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

- We do believe that this variance is the minimum variance that will make possible a reasonable use of the land and existing structure of our home. In order to add an extra room that honors the architectural style and proportions of our original 1948 home, we believe that **adding a room that is approximately 9'9" x 19'** is ideal, as this additional room would solve both our space and entrance issues. This addition will also allow us to retain the usable backyard space we currently have, as our addition will fill less than the footprint of the wooden deck that is currently in place (and in disrepair).
- The original structure, built in 1948, sits only four feet from the 30' setback line in the rear of the house. This setback naturally limits our ability to build outward. A four-foot addition would not solve either the cramped living space or the poor main entry issues we face in our current home.

ONNA SOLOMON AND JONATHAN SCHWARTZ | 621 Madison Place, Ann Arbor, MI.
RESIDENTIAL VARIANCE APPLICATION DESIGN PROPOSAL

NOT FOR CONSTRUCTION

UPDATED: DECEMBER 20, 2017

DRAWINGS PREPARED BY:
KASEBUILDERS
INNOVATIVE DESIGN + CONSTRUCTION



EXISTING HOUSE - SIDE OF PROPOSED REAR YARD ADDITION
NOT FOR CONSTRUCTION

NEIGHBORHOOD FRONT SETBACKS



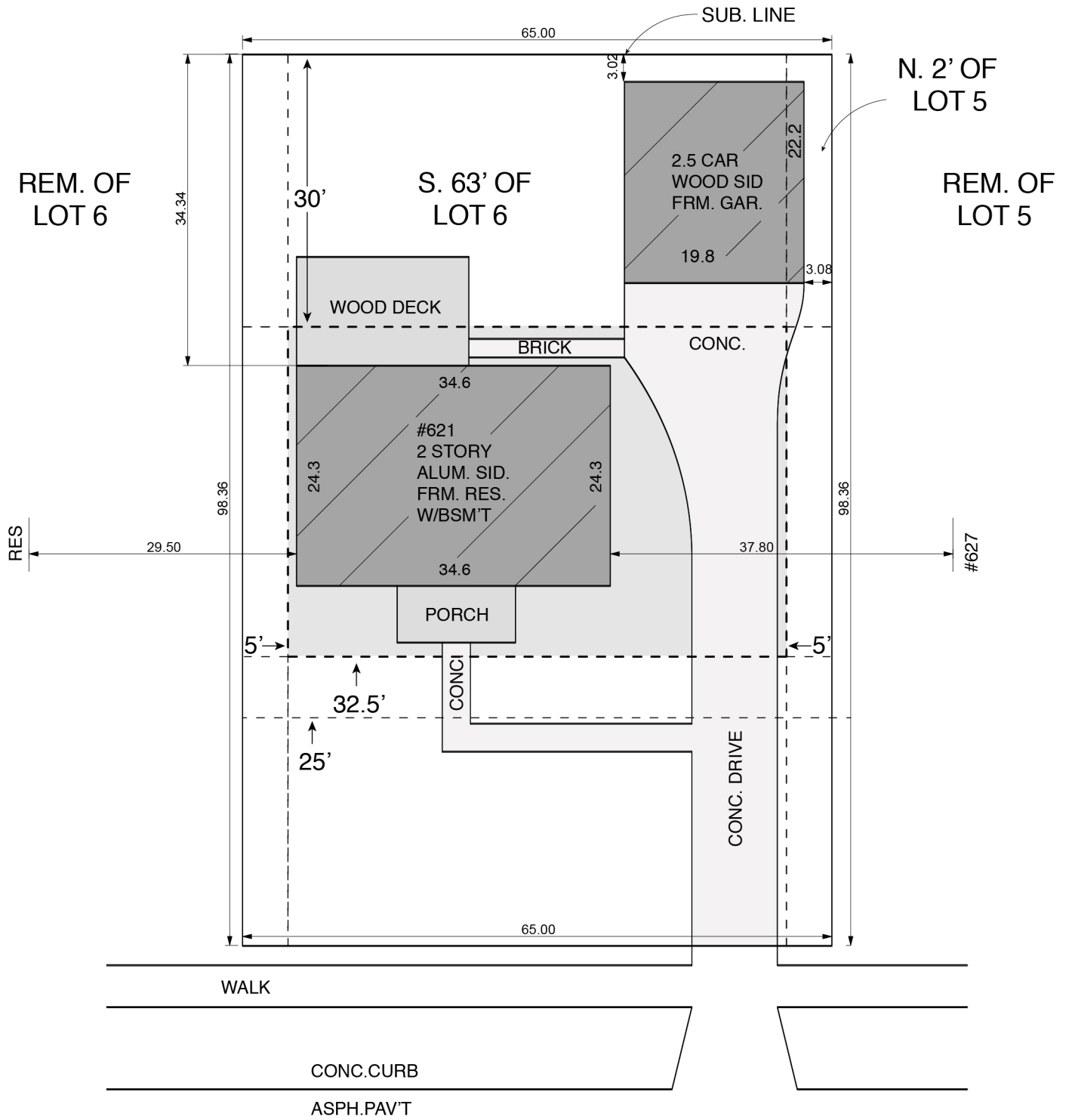
MADISON PLACE 60' WD.



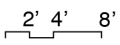
AVERAGE SETBACK = 31-1/2'

↑ NORTH

MORTGAGE SURVEY - EXISTING



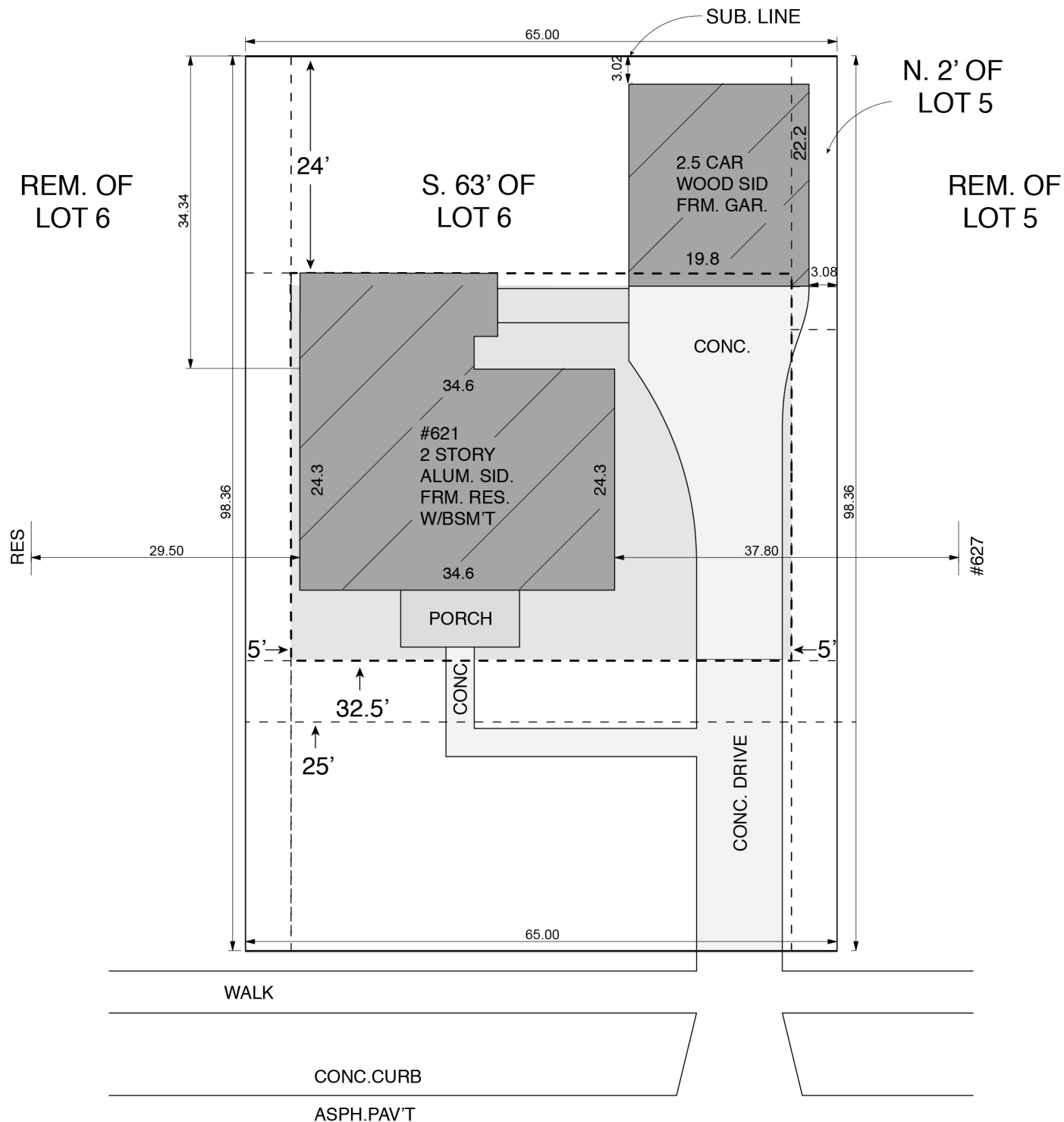
MADISON PLACE 60' WD.



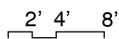
SETBACK

← NORTH

MORTGAGE SURVEY - PROPOSED

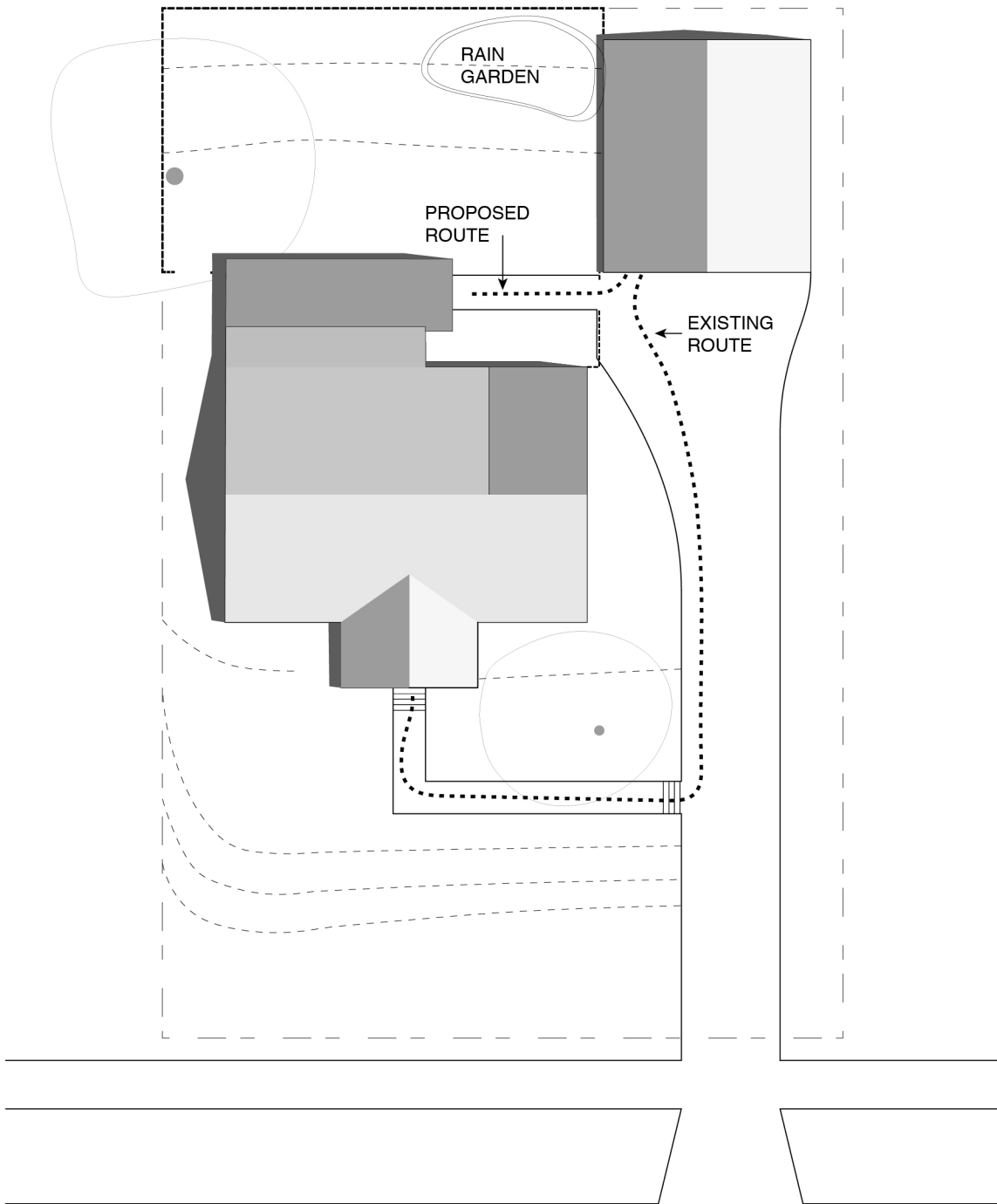


MADISON PLACE 60' WD.



SETBACK

← NORTH



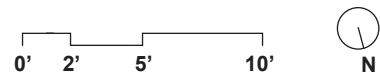
MADISON PLACE 60' WD.

2' 4' 8'

← NORTH



GROUND FLOOR PLAN - EXISTING
NOT FOR CONSTRUCTION



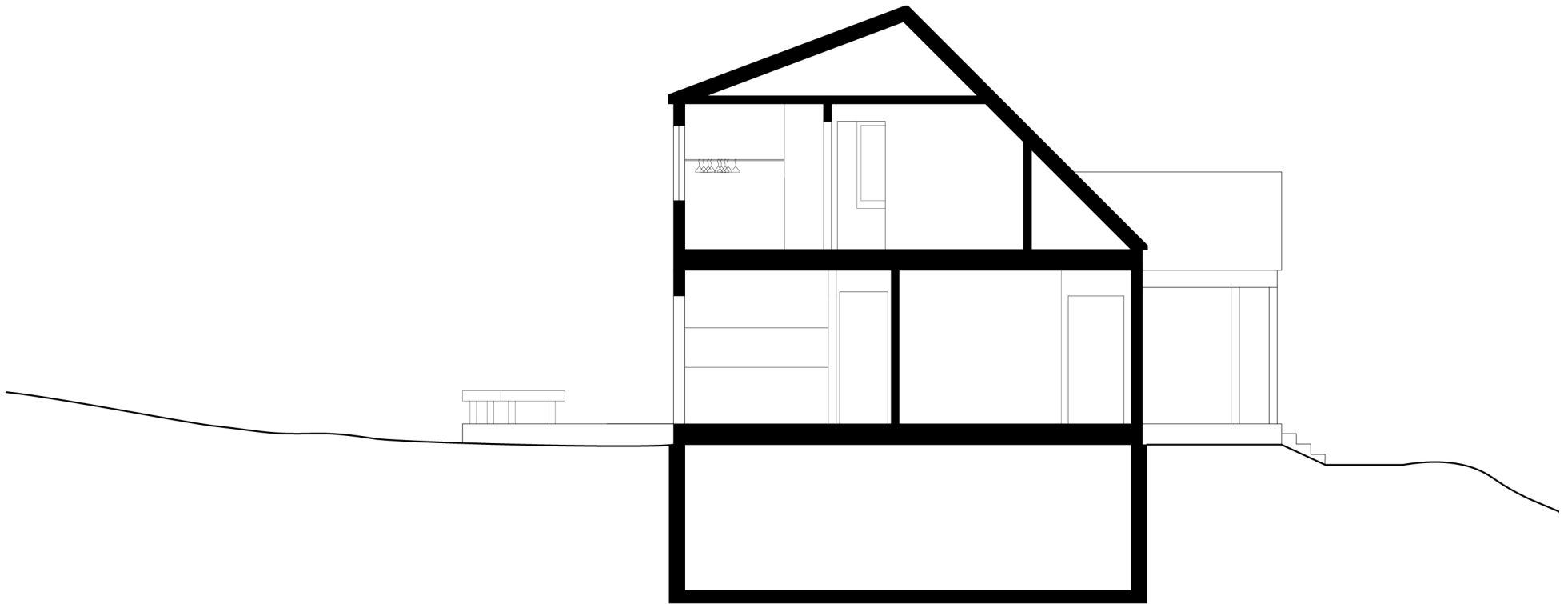
DRAWINGS PREPARED BY:
KASEBUILDERS
INNOVATIVE DESIGN + CONSTRUCTION



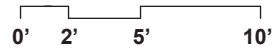
UPPER FLOOR PLAN - EXISTING
NOT FOR CONSTRUCTION



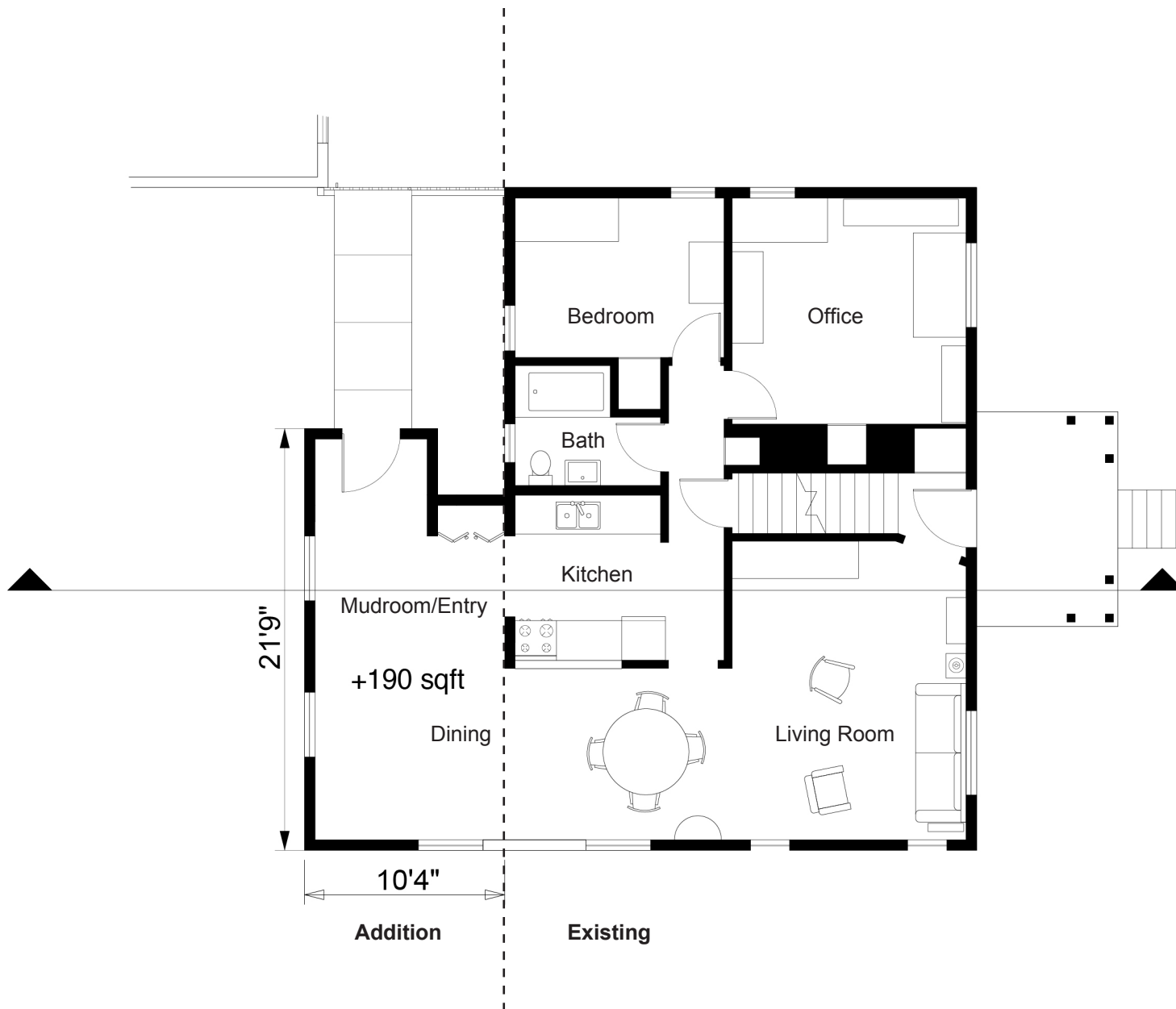
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KASEBUILDERS
INNOVATIVE DESIGN + CONSTRUCTION



VERTICAL SECTION - EXISTING
NOT FOR CONSTRUCTION



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INNOVATIVE DESIGN + CONSTRUCTION



GROUND FLOOR PLAN - VARIANCE, 24' SETBACK
 NOT FOR CONSTRUCTION



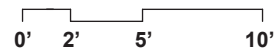
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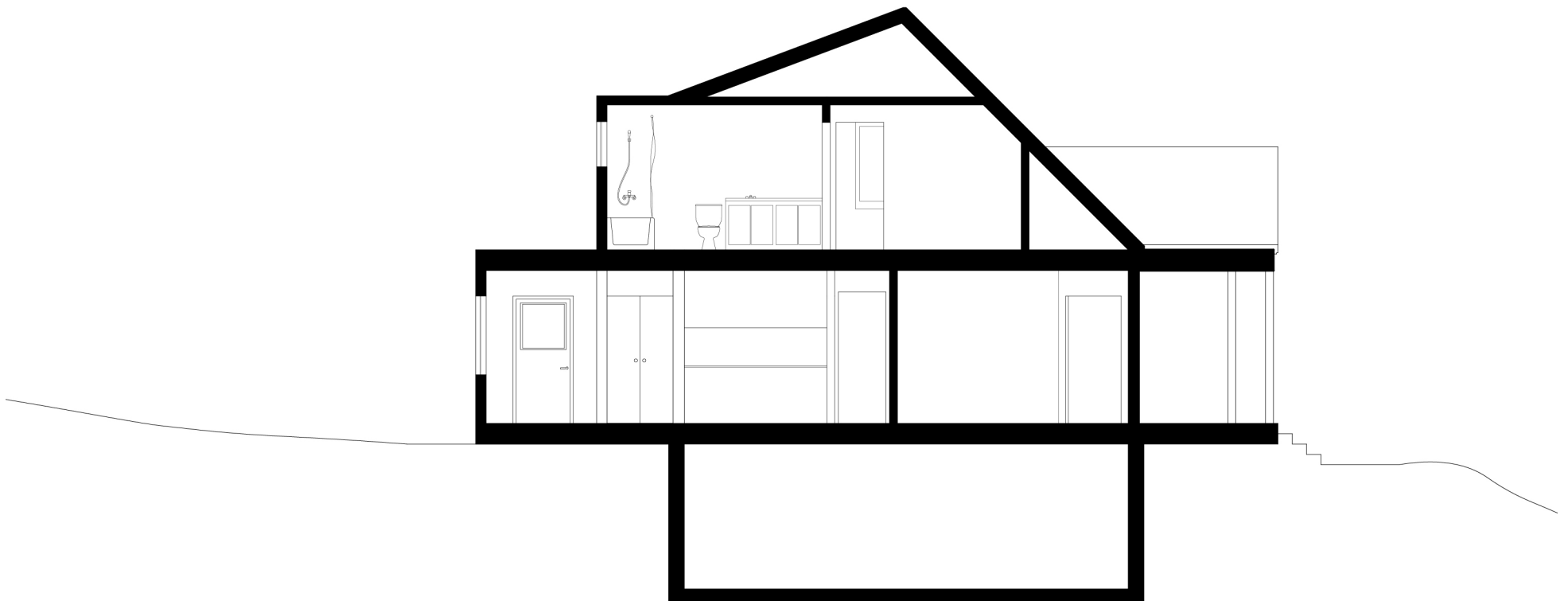
Addition

Existing

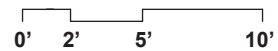
UPPER FLOOR PLAN - VARIANCE, 24' SETBACK
NOT FOR CONSTRUCTION



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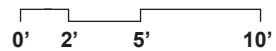
VERTICAL SECTION - VARIANCE, 24' SETBACK
NOT FOR CONSTRUCTION



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KASEBUILDERS
INNOVATIVE DESIGN + CONSTRUCTION



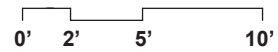
NORTH ELEVATION - VARIANCE, 24' SETBACK
NOT FOR CONSTRUCTION



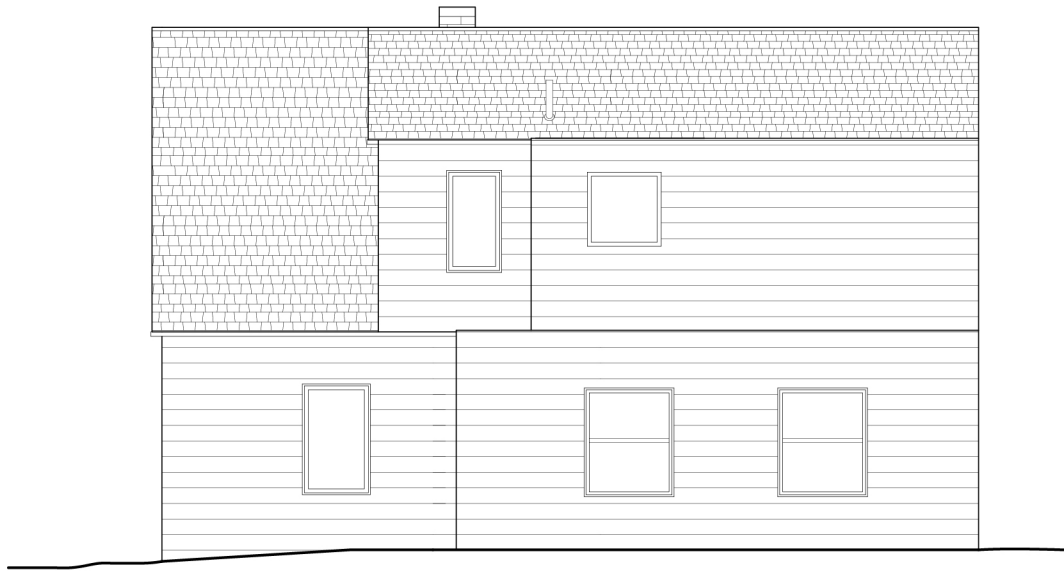
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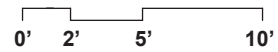
SOUTH ELEVATION - VARIANCE, 24' SETBACK
NOT FOR CONSTRUCTION



DRAWINGS PREPARED BY:
KASEBUILDERS
INNOVATIVE DESIGN + CONSTRUCTION



EAST ELEVATION - VARIANCE, 24' SETBACK
NOT FOR CONSTRUCTION



DRAWINGS PREPARED BY:
KASEBUILDERS
INNOVATIVE DESIGN + CONSTRUCTION

From: Naomi Levin
Sent: Friday, December 29, 2017 12:06 PM
To: Barrett, Jon <JBarrett@a2gov.org>
Subject: support of variance for neighbor

To Whom It May Concern,

My neighbors at 621 Madison Place have shared that their variance application was not approved at the recent Zoning Board Meeting. They have also shared with us that while they are allowed to build onto the front of their house without a variance, they would prefer to build back in order to keep their house in line with the look and placement of the neighboring houses.

As their neighbor at 626 Madison Place, we would strongly prefer that they build onto the back of their house, rather than the front. We hope that you can consider this when considering their request for a variance and the positive impact it would have for us and our neighborhood.

Sincerely,
Naomi Levin and Ben Passey

626 Madison Place
Ann Arbor, MI 48103

From: Bethany Skinner
Sent: Monday, January 08, 2018 9:21 PM
To: Barrett, Jon
Cc: Onna Solomon
Subject: 621 Madison Place

To Whom It May Concern,

My neighbors at 621 Madison Place have shared that their variance application was not approved at the recent Zoning Board Meeting. They have also shared with me that while they are allowed to build onto the front of their house without a variance, they would prefer to build onto the back in order to keep their house in line with the look and placement of the neighboring houses .

As their next-door neighbor, I would strongly prefer that they build onto the back of their house, rather than the front. Thank you for considering the positive impact that the variance would have for me and our neighborhood.

Sincerely,

Beth Skinner
627 Madison Place

From: Kris Steinhoff [
Sent: Thursday, December 28, 2017 5:03 PM
To: Barrett, Jon <JBarrett@a2gov.org>
Cc: Jen McDonald
Subject: 621 Madison Place

To Whom It May Concern,

My neighbors at 621 Madison Place have shared that their variance application was not approved at the recent Zoning Board Meeting. They have also shared with me that while they are allowed to build onto the front of their house without a variance, they would prefer to build back in order to keep their house in line with the look and placement of the neighboring houses .

As their next-door neighbor at 615 Madison Place, I would prefer that they build onto the back of their house, rather than the front. Thank you for considering the positive impact that the variance would have for me and our neighborhood.

I would also like to reiterate my general support of the Solomon-Schwartz's renovation plans (see my email November 6, 2017 to Kristen VanderLugt).

thank you
-kris

Kris Steinhoff & Jen McDonald
615 Madison Place
Ann Arbor, MI 48103

-----Original Message-----

From: Kris Steinhoff

Sent: Monday, November 06, 2017 8:35 AM

To: Vander Lugt, Kristen <KVanderLugt@a2gov.org>

Cc: Jen McDonald

Subject: zoning variance for 621 Madison Place

Dear Ms. VanderLugt,

My name is Kris Steinhoff, and my family and I live at 615 Madison Place, the house next door to Onna Solomon and Jonathan Schwartz at 621 Madison Place.

I am writing to convey my full support of the Solomon-Schwartz's renovation plans. We have seen the plans for the addition and we feel that the renovation would have little to no impact on our enjoyment of our own home and property. The Solomon-Schwartz plan is modest and, my family and I strongly encourage you to approve this variance application.

Thank you for your time and consideration!

best

-kris