

**Zoning Board of Appeals  
February 26, 2025, Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 25-0004; 2661 Essex Road**

**Summary:**

Theresa Angelini, representing property owner, is requesting a variance of 14 feet four inches from the 40-foot required rear yard setback to construct a 381 square foot addition to the rear of the existing nonconforming residence. The existing nonconforming screened porch will be demolished and replaced with the new addition. The property is zoned R1B Single-Family Residential District.

**Background:**

The subject property is located on the east side of Essex Road between Independence Boulevard and Manchester Road in the Allen neighborhood just west of Buhr Park and Allen Elementary School. The house was built in 1961 and is approximately 1,935 square feet in size. The home is on a nonconforming lot as the R1B district minimum lot size is 10,000 square feet and the actual lot size is 8,929 square feet, according to City Assessor's records.

**Description:**

The subject property is seeking a variance to remove a 253 square foot screened porch and build a 381 square foot new handicapped accessible bathroom. The proposed addition will also include space for a first-floor bedroom. The new addition will be constructed in the rear yard 25 feet 8 inches from the lot line. The proposed construction requires a variance from the ZBA.

**Standards for Approval- Alteration to a Nonconforming Structure**

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the Unified Development Code (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.***

**Applicant response:** *"The 40 ft rear yard setback already overlaps the footprint of this house due to the geometry of this lot and the placement of the house. The parcel is described on the city website as 85 ft wide x 105 ft deep. The average rectangular lots nearby in this neighborhood are listed as 90 feet wide x 140 ft deep. If this lot was deeper and rectangular, it would not require a variance to build on a 14'-8" deep addition."*

- (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.***

**Applicant response:** *“Failure to grant the variance would require the owners to leave their home of over 30 years in a very stable neighborhood due to the lack of a first floor bathroom and first floor bedroom that would provide handicapped accessibility and the ability to age in place.”*

- (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.**

**Applicant response:** *“Allowing the variance would enable the owners to replace their structurally unsound screened porch with a useful first floor bathroom and bedroom addition in roughly the same area as the screened porch, added to the rear of the home that would have no negative affect on the neighbor’s views or natural light.”*

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

**Applicant response:** *“Allowing the variance would enable the owners to replace their structurally unsound screened porch with a useful first floor bathroom and bedroom addition in roughly the same area as the screened porch, added to the rear of the home that would have no negative affect on the neighbor’s views or natural light.”*

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

**Applicant response:** *“The variance requested is minimal for a first floor handicapped accessible bathroom and a first floor bedroom. Most primary suites are well over 390 SF and would include more amenities than it is possible to include here.”*

Respectfully submitted,



**Jon Barrett- Zoning Coordinator  
City of Ann Arbor**