

**Zoning Board of Appeals  
January 23, 2019 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA18-033; 3309 Edgewood Drive**

**Summary:**

Allison and Benjamin Tatum, property owners, are requesting a 10 foot one inch variance from Chapter 55 Unified Development Code (UDC) Table 5:17-1 to allow for the construction of an attached garage into the required front yard setback. The property is zoned R1C Single-Family and has an average front setback of 40 feet.

**Background:**

The subject property is located on a corner lot in the Pittsfield neighborhood at the intersection of Edgewood Drive and Parkwood Avenue. The home was built in 1942 and is approximately 1,000 square feet in size.

**Description:**

The owners are proposing to construct a 24'x24' attached two car garage along with a 24'x15' two-story addition. The first story of the addition will consist of a dining room. The second story will contain a new bathroom, two bedrooms and a bonus room above the 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 states that the proposed location is the best possible use of the property. The parcel is a corner lot with average front setbacks that are larger than the R1C district on both sides facing public right of ways. The rear yard is densely vegetated with a large slope. The main power line to the home also extends to the northeast corner of the lot making the rear yard more difficult to complete any construction or additions to the home.

- (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.***

This growing family needs a home that is larger than the current 1,000 square foot home. There will be no financial return as a result of this residential addition.

- (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 variance request of 10 feet ensures that the garage will meet the district requirement of 30 feet. The garage will not meet the average setback requirement. The home currently does not have a garage and this is the most beneficial location without any impacts on adjacent properties.

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

The subdivision and homes in the neighborhood were designed at a time which did not account for average front setbacks. The applicant did not create the hardship of sloping terrain and power lines in the rear yard.

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

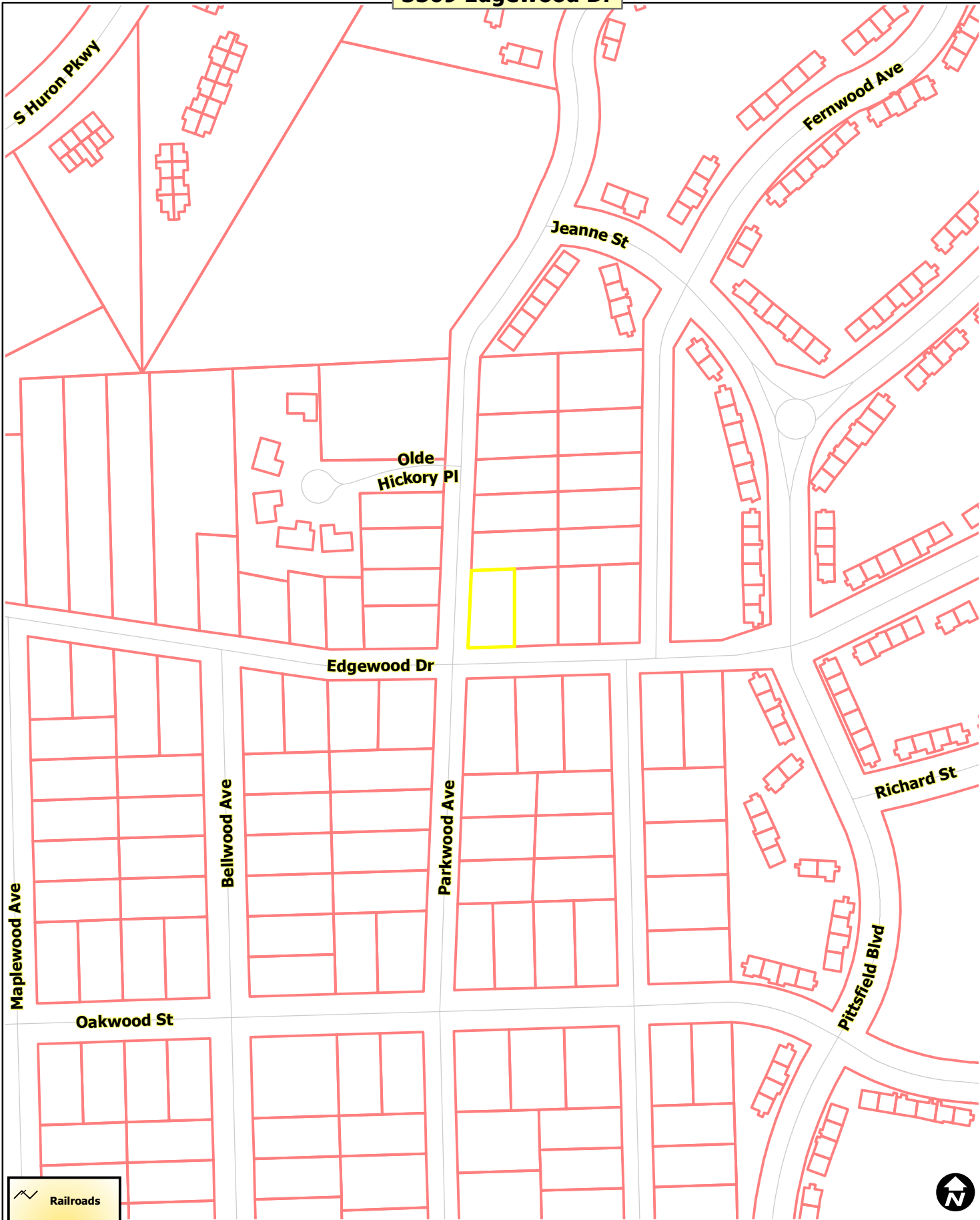
The variance being requested is 10 feet one inch which is a reasonable use of the land with limited or no impact on adjacent properties.

Respectfully submitted,

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

**Jon Barrett  
Zoning Coordinator**

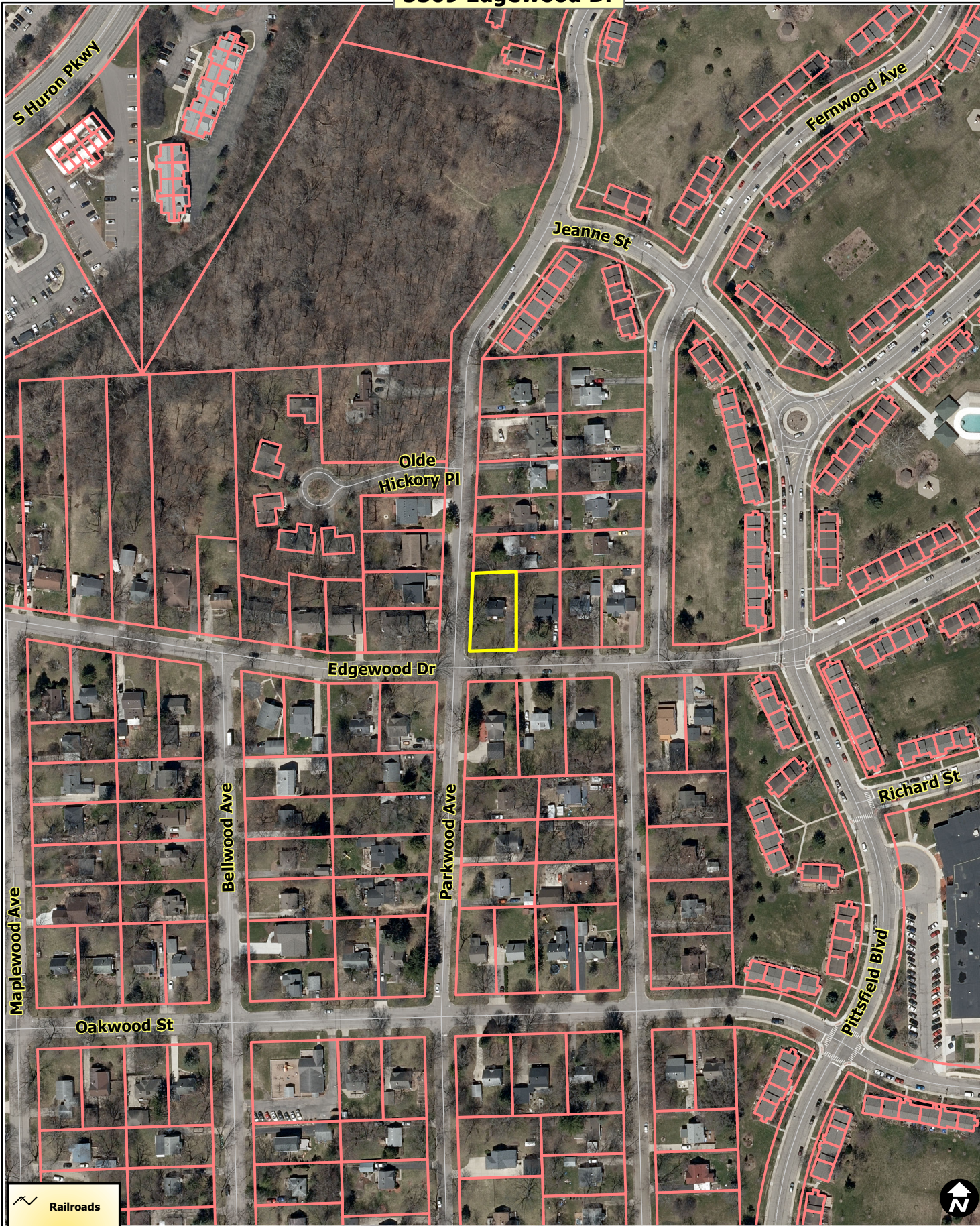
**3309 Edgewood Dr**



Map date: 1/7/2019  
Any aerial imagery is circa 2018  
unless otherwise noted  
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# 3309 Edgewood Dr



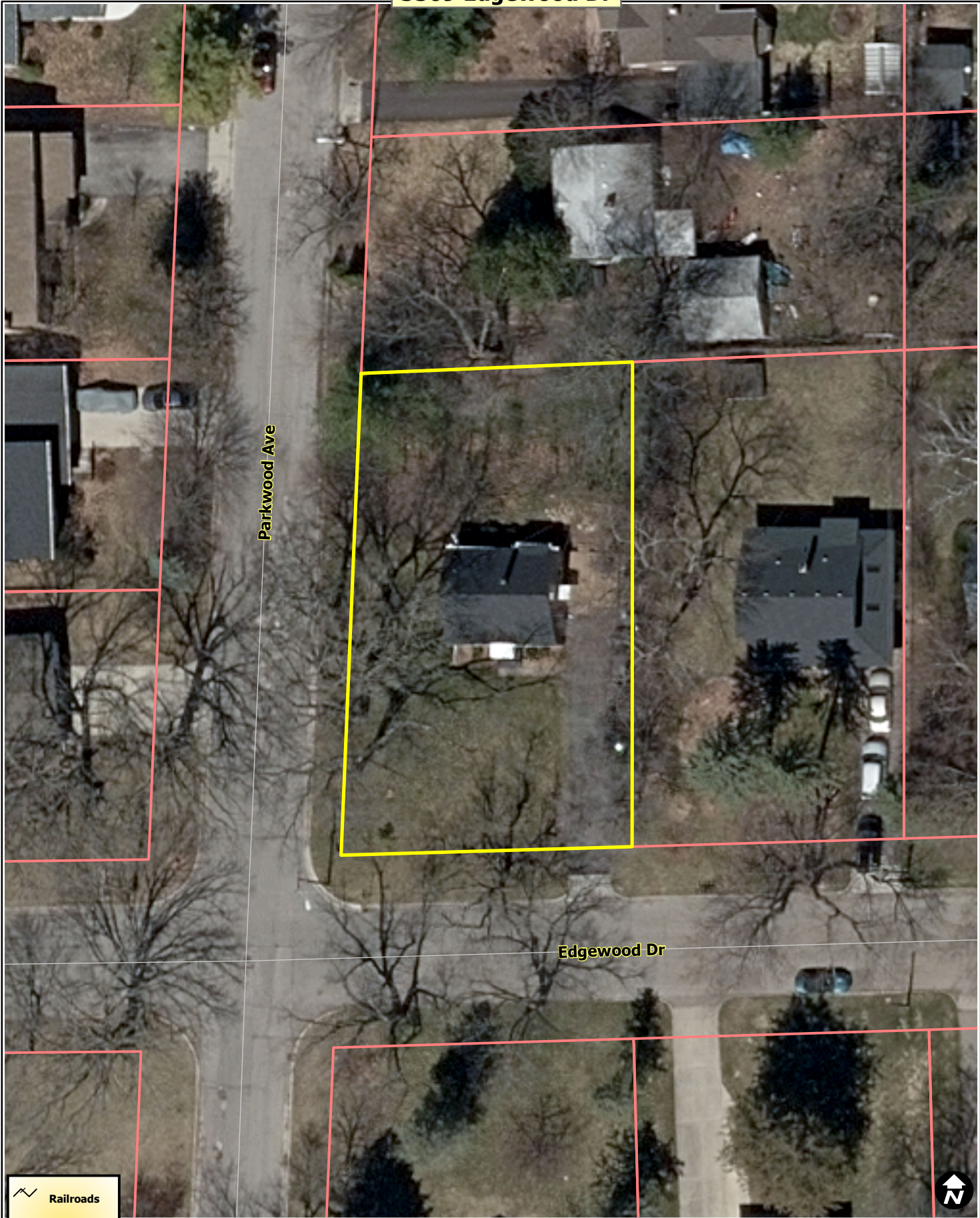
- Railroads
- Huron River
- Tax Parcels





Map date: 1/7/2019  
Any aerial imagery is circa 2018  
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3309 Edgewood Dr



 Railroads

 Huron River

 Tax Parcels



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# 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](mailto:planning@a2gov.org)

ZBA18-033

CITY OF ANN ARBOR  
RECEIVED

DEC 21 2018

PLANNING & DEVELOPMENT SERVICES

## PROPERTY INFORMATION

ADDRESS OF PROPERTY 3309 Edgewood Drive		ZIP CODE 48104
ZONING CLASSIFICATION RIC	NAME OF PROPERTY OWNER* <i>If different than applicant, a letter of authorization from the property owner must be provided</i> Allison and Benjamin Tatum	
PARCEL NUMBER 09-12-02-301-006	OWNER EMAIL ADDRESS mail@allietatum.com	

## APPLICANT INFORMATION

NAME Allison and Benjamin Tatum			
ADDRESS 3309 Edgewood Drive	CITY Ann Arbor	STATE MI	ZIP CODE 48104
EMAIL ADDRESS mail@allietatum.com		PHONE 517-902-8310	
APPLICANT'S RELATIONSHIP TO PROPERTY Owner			

## REQUEST INFORMATION

<input checked="" type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application	<input type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application
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## 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.

## 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: Allie Tatum Digitally signed by Allie Tatum  
Date: 2018.11.24 12:55:46 -05'00'

Date: 11/24/18

Zoning Board of Appeals Application  
Allison and Benjamin Tatum  
3309 Edgewood Drive, 48104

Section 1:

**DESCRIPTION OF PROPOSED WORK AND REASON FOR VAIANCE:**

- Adding an addition onto our existing home. The addition will consist of extra living space for our growing family as well as an attached two vehicle garage. Based on owning a corner lot, the setback limits for our property have greatly limited our options for a location of a two garage. Based on conversations with the zoning office, we are required to be 40 feet from the property line to the South and West (both street facing), as well as 30 feet from the neighbor to the north and 5 feet from our boarding neighbor to the East. While some in our neighbors have been successful in adding a detached garage behind their home, it is impractical to do so based on the slope of our backyard as well as a power line running overhead.

***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.***

- Living on a corner lot reduces the area where we can work within our property to add a garage that would be accessible without obstacle.
- Our back (north) yard is currently a wooded area that slopes down a consider amount making it impractical to have a detached garage in that location.
- The power line attached to our home is attached from the north east corner of the property. If a detached garage were added in the back we would have the hazard of walking under this main line every day.

***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.***

- We are building this addition so we can remain in our home. We have a growing family and love our neighborhood and neighbors. We both work in Ann Arbor and would like to remain in our home while accommodating the needs of our growing family. In talking with our immediate neighbors, they are supportive of our current floorplan, which they are aware includes a requested variance.

***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 current setback limit of 40 feet from Edgewood Drive is determined by only taking into consideration the adjacent properties. Our request of 10 feet would keep us within the average

# 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)*

**CH. 55 ZONING ARTICLE III TABLE 5:17.1 SINGLE-FAMILY RESIDENTIAL ZONING**

REQUIRED DIMENSION: *(Example: 40' front setback)*

PROPOSED DIMENSION: *(Example: 32' front setback)*

40' front setback

'30 front setback

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

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**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 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.

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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.

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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.

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

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

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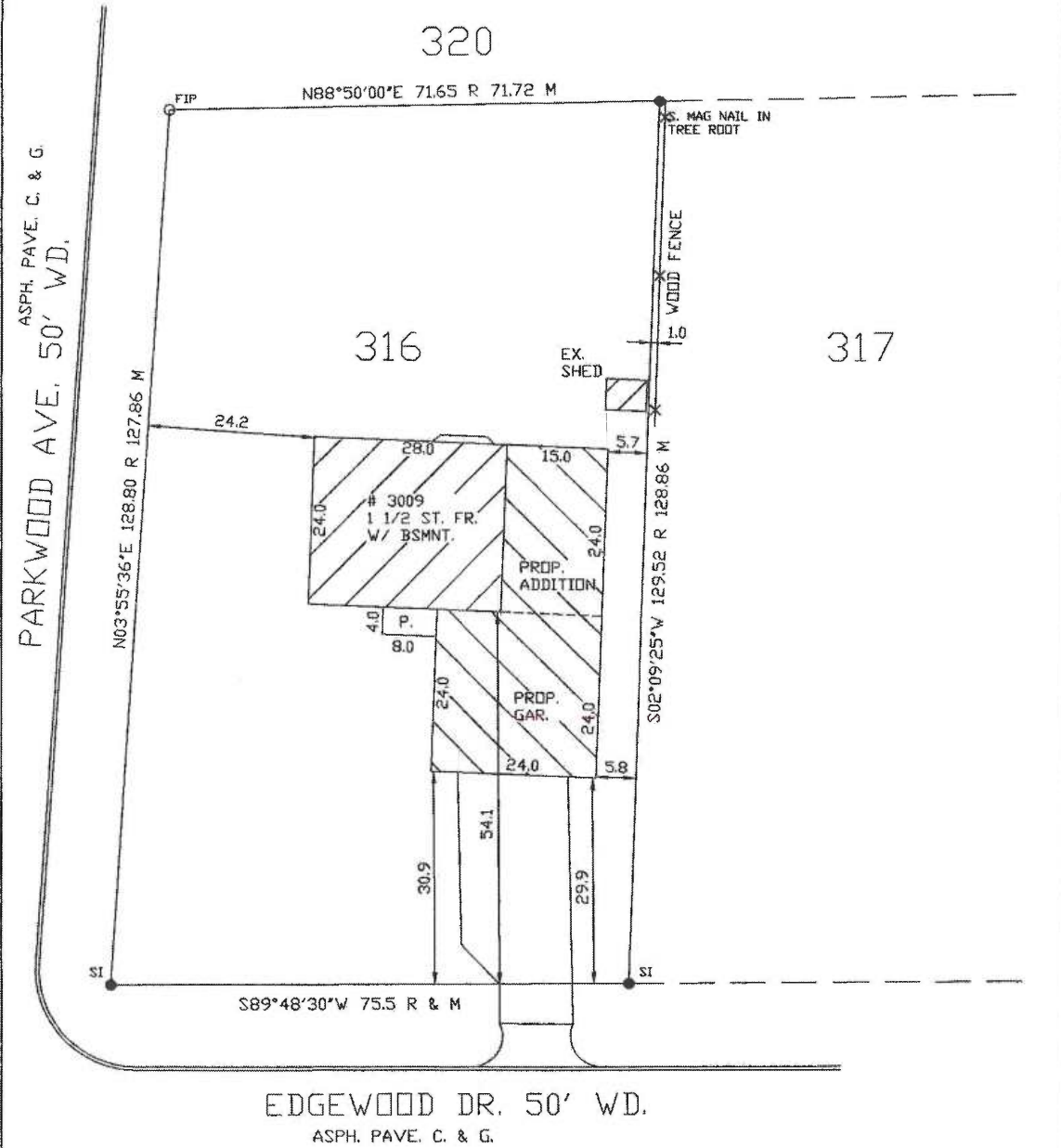


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# PLOT PLAN

LOT 316 "DARLINGTON NUMBER ONE" A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 2, PITTSFIELD TOWNSHIP (NOW CITY OF ANN ARBOR), WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 6 OF PLATS, PAGE 39, WASHTENAW COUNTY RECORDS.



### LEGEND

- FI = Found Iron
- SI = Set Iron
- Fence ---
- x 92.5 = EX. GRADE
- x [P93.6] = PROP. GRADE

734-755-9035

MARC W. DAVIS P.E. #54580

CLIENT: A. TATUM

### APEX SURVEY

36554 GRANDON  
LIVONIA MICHIGAN 48150  
LAND SURVEYOR # 27446  
(734) 634-3591  
EMAIL: mwdavispe07@yahoo.com

JOB # 18-123	1"=20'
DATE 12-14-18	SCALE
DWG. BYMWD	BK PG

SHEET 1 OF 1

