

**Zoning Board of Appeals
June 23, 2021 Regular Meeting**

STAFF REPORT

Subject: ZBA 21-021; 801 Amherst Avenue

Summary:

R. Thomas Bray and Jeri S. Hollister, property owners, are requesting an 11 percent variance from Section 5.16.6 (2D) Accessory Uses and Structures in order to construct a 24'x26' (624 square foot) detached garage in the rear yard. The maximum allowable garage is 470 square feet or 35 percent of the rear yard. The property is zoned R1C, Single-Family Dwelling District.

Background:

The subject property is located on the northeast corner of Chandler Road and Amherst Avenue in the Northside neighborhood. The home was built in 1937 and is approximately 1,284 square feet in size.

Description:

The owners are proposing to construct a new 624 (24"x26') square foot detached garage in the northeast corner of the rear yard. The garage will replace an existing shed. The detached garage will be accessed by a new driveway and curb-cut from the Amherst right of way.

Section 5.16.6 (2D) states: Accessory Buildings may occupy Rear Setback Areas provided that such Buildings do not occupy more than 35% of the required Rear Setback Area and are not closer than three feet to any Lot Line.

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 applicants state that the rear yard is smaller in area due to the property located on a corner lot and having two front yards.

- (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.***

The removal of the tool shed to accommodate the two car garage will result in the loss of storage of personal items thereby requiring a larger garage than the

standard two-car 20'x20' structure.

- (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 applicants state they intend to remain at the residence long-term and would like their vehicles to be parked off-street and not in the right of way.

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

The petitioner states that if they were not located on a corner lot, a larger rear yard would easily accommodate a 24'x26' garage.

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

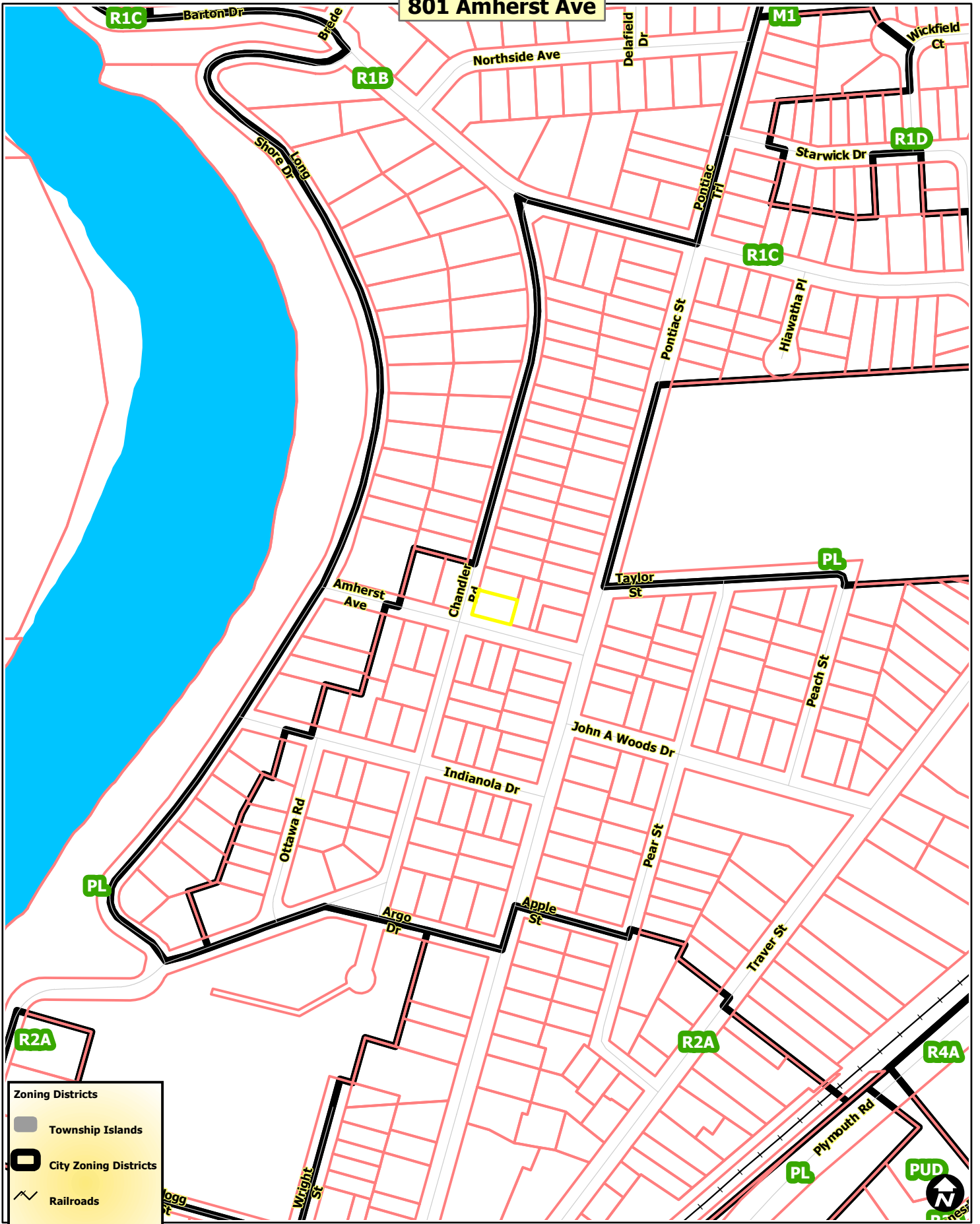
Modern garages accommodate two cars and additional storage area for personal items.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized and somewhat cursive.

**Jon Barrett-
Zoning Coordinator**

801 Amherst Ave



Zoning Districts

- Township Islands
- City Zoning Districts
- Railroads
- Huron River
- Tax Parcels



Map date: 6/3/2021
Any aerial imagery is circa 2020 unless otherwise noted
Terms of use: www.a2gov.org/terms

801 Amherst Ave



- Railroads
- Huron River
- Tax Parcels






Map date: 6/3/2021
Any aerial imagery is circa 2020 unless otherwise noted
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801 Amherst Ave



Chandler Rd

Amherst Ave

-  Railroads
-  Huron River
-  Tax Parcels



Map date: 6/3/2021
Any aerial imagery is circa 2020 unless otherwise noted
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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

PROPERTY INFORMATION

ADDRESS OF PROPERTY 801 Amherst Ave		ZIP CODE 48105	
ZONING CLASSIFICATION R1C	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided R Thomas Bray and Jeri S Hollister		
PARCEL NUMBER 09-09-21-205-021	OWNER EMAIL ADDRESS jerih@umich.edu		

APPLICANT INFORMATION

NAME R Thomas Bray and Jeri S Hollister			
ADDRESS 801 Amherst Ave	CITY Ann Arbor	STATE MI	ZIP CODE 48105
EMAIL jerih@umich.edu	PHONE 734-417-0219		
APPLICANT'S RELATIONSHIP TO PROPERTY Owners			

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.

OFFICE USE ONLY

Fee Paid: ZBA:

DATE STAMP

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: R Thomas Bray Jeri S Hollister

May 10, 2021

Date: _____

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)
5.16.6

REQUIRED DIMENSION: (Example: 40' front setback)
Feet: Inches:

PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback)
Feet: Inches:

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

We plan to build a garage in our back yard. The largest garage we could build is 470 sq. ft., or 23.5' x 20'. We are asking to build a larger garage that would still fit within our legal set back.

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 practical difficulties are exceptional and peculiar to the property of the Person requesting the variance, and result from conditions that do not exist generally throughout the City.

We live on a corner and our legal back yard is determined by having two "front" yards, therefore smaller than if we did not live on a corner.

The alleged practical difficulties that 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 will lose our current 120 sq. ft. shed when we build a garage. We store our tools, bicycles, lawn care machines, and snow blower. The minimum size for a two-car garage is 20' x 20' or 400 sq. ft. but that would no room to store what we have in our shed.

Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the practical difficulties 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.

We want to stay in our house long term, and as we age, we want to have our cars off of the street and be able to have useful storage space for our household tools, bicycles, lawn care machines, and snow blower.

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

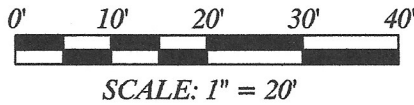
Our request for a variance would not be necessary if we did not live on a corner. We would have a large enough back yard to build a 24' x 26' garage.

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

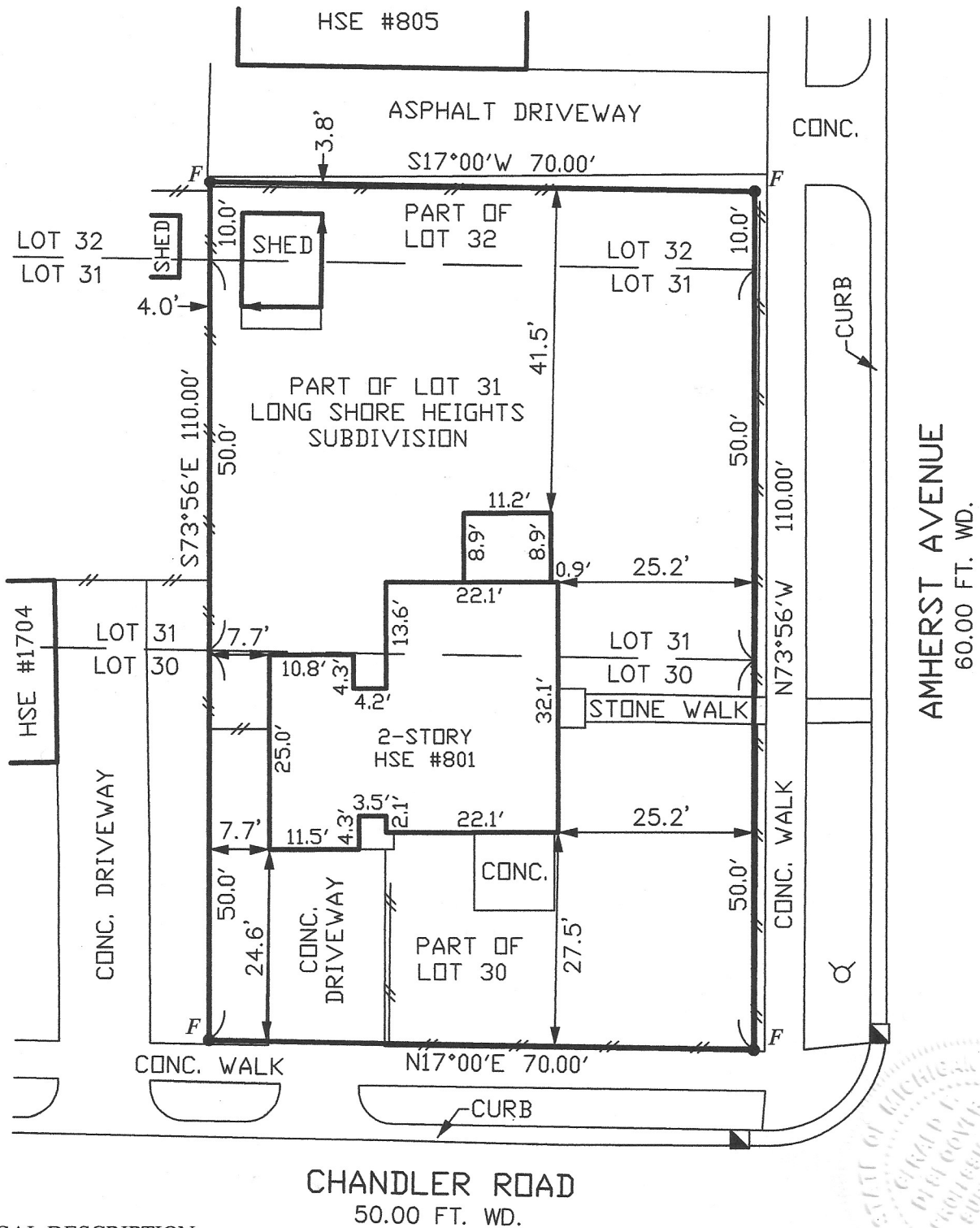
Modern garages accommodate two cars and space to store the things it takes to care for our home and gardens, as well as recreational items like bicycles, etc.

CERTIFICATE OF SURVEY

LEGEND



- IRON
- F FOUND IRON
- S SET IRON
- /// FENCE
- ⊕ FIRE HYDRANT
- CATCH BASIN



LEGAL DESCRIPTION:

THE SOUTHERLY 70.0 FEET OF LOTS 30, 31 AND THE SOUTH 70.0 FEET OF THE WESTERLY 10.0 FEET OF LOT 32 OF LONG SHORE HEIGHTS SUBDIVISION, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 5 OF PLATS, PAGE 44, WASHTENAW COUNTY RECORDS. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE LAND ABOVE ON DECEMBER 15, 2020 AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/19000, AND THAT ALL OF THE REQUIREMENTS OF P.A. 132, 1970, AS AMENDED HAVE BEEN COMPLIED WITH.

AMERICAN LANDMARK SURVEY P.L.C.

SURVEY PART OF LOTS 30, 31, AND 32 LONG SHORE HEIGHTS SUBDIVISION, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN.

CLIENT: JERI HOLLISTER

DATE: 12/18/2020

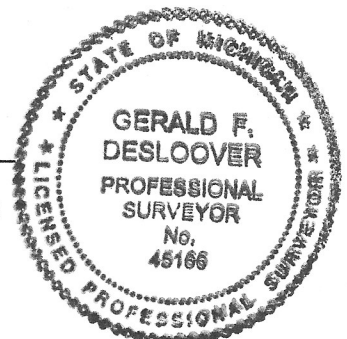
DRAWN BY: GFD
SCALE: 1" = 20'

SHEET 1 OF 1

JOB# 20192

Gerald F. Deslover
GERALD F. DESLOOVER
PROFESSIONAL SURVEYOR
NO. 45166

P.O. BOX 130043
ANN ARBOR, MI 48113
734-677-7000

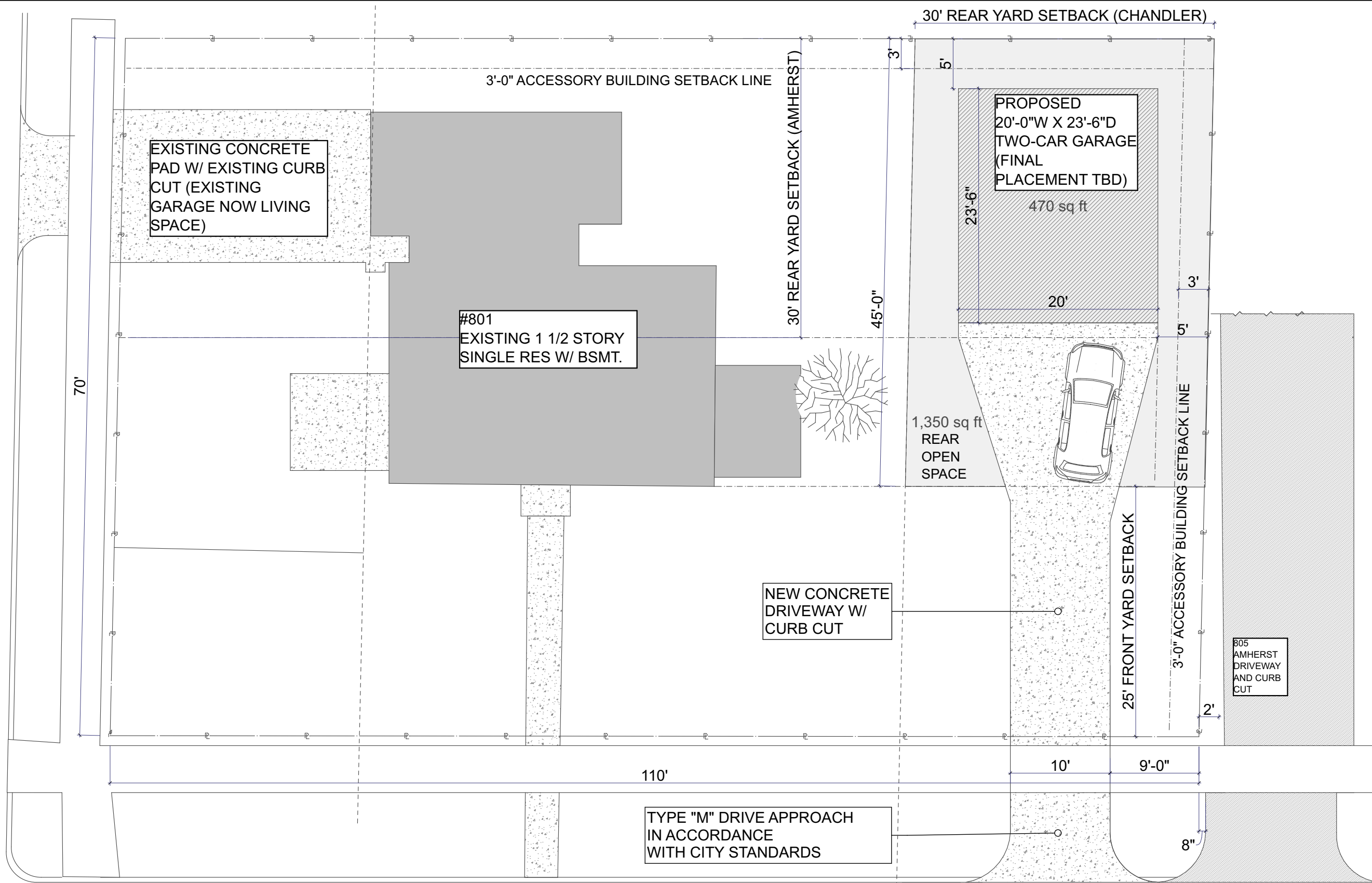


Garage Sizes from website:

<https://earlyexperts.net/two-car-garage-dimensions/>



(50' WIDE)
CHANDLER



mka

MICHAEL KIRCHNER ARCHITECT
210 S. REVENA BLVD.
ANN ARBOR, MI 48103
734.834.1945
MSK@MICHAELKIRCHNERARCHITECT.COM

5		
4		
3		
2		
1	1.10.21	REV2
NO.	DATE	ISSUE

BRAY + HOLLISTER

801 AMHERST AVE.
ANN ARBOR, MI
48103

CURB CUT +
DRIVEWAY

SITE PLAN

AMHERST

(60' WIDE)

PROPOSED SITE PLAN W/ NEW CURB CUT

SCALE: 1" = 10'

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C1

C1

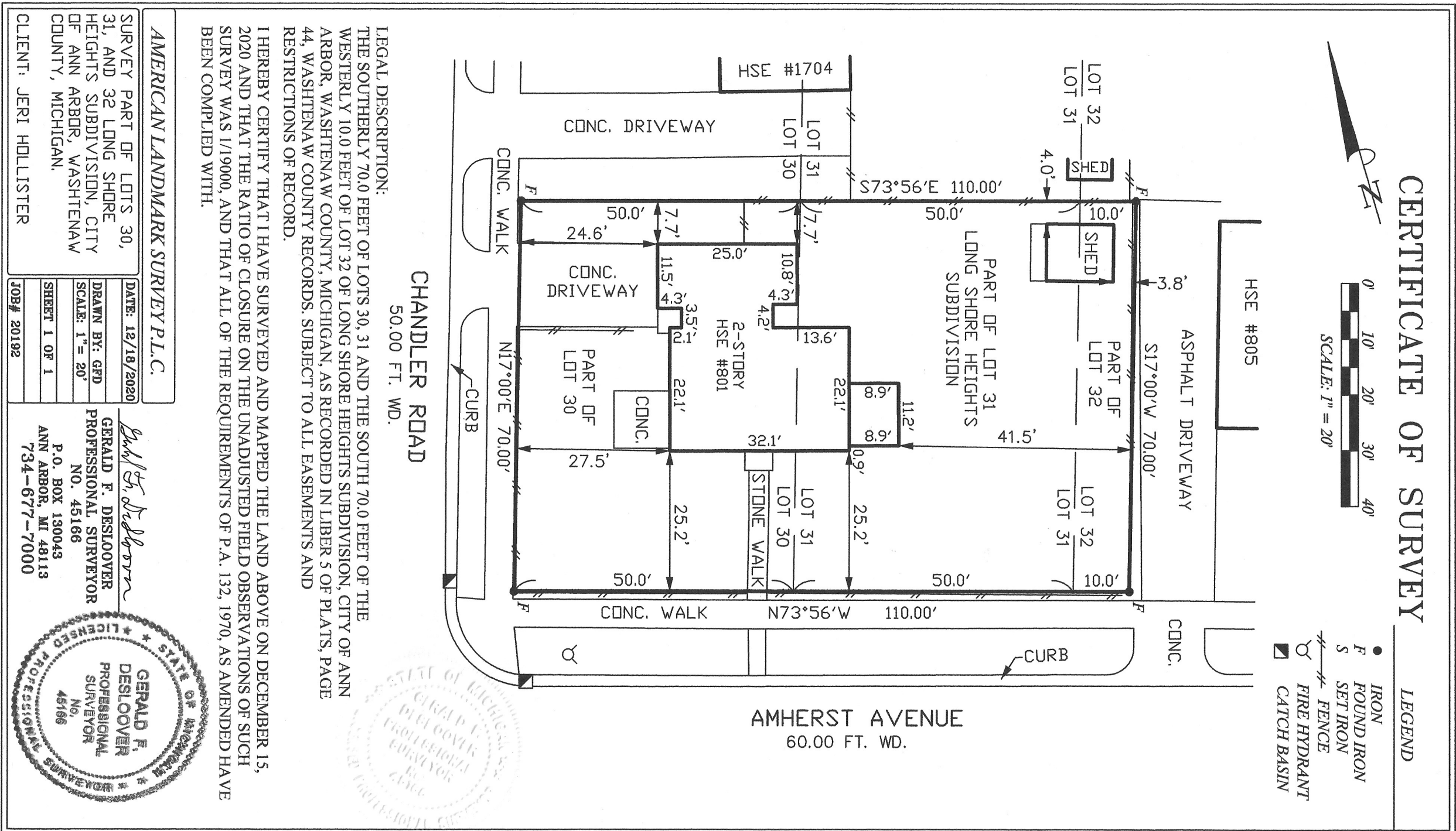
NO.	DATE	ISSUE
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BRAY + HOLLISTER

801 AMHERST AVE.
ANN ARBOR, MI
48103

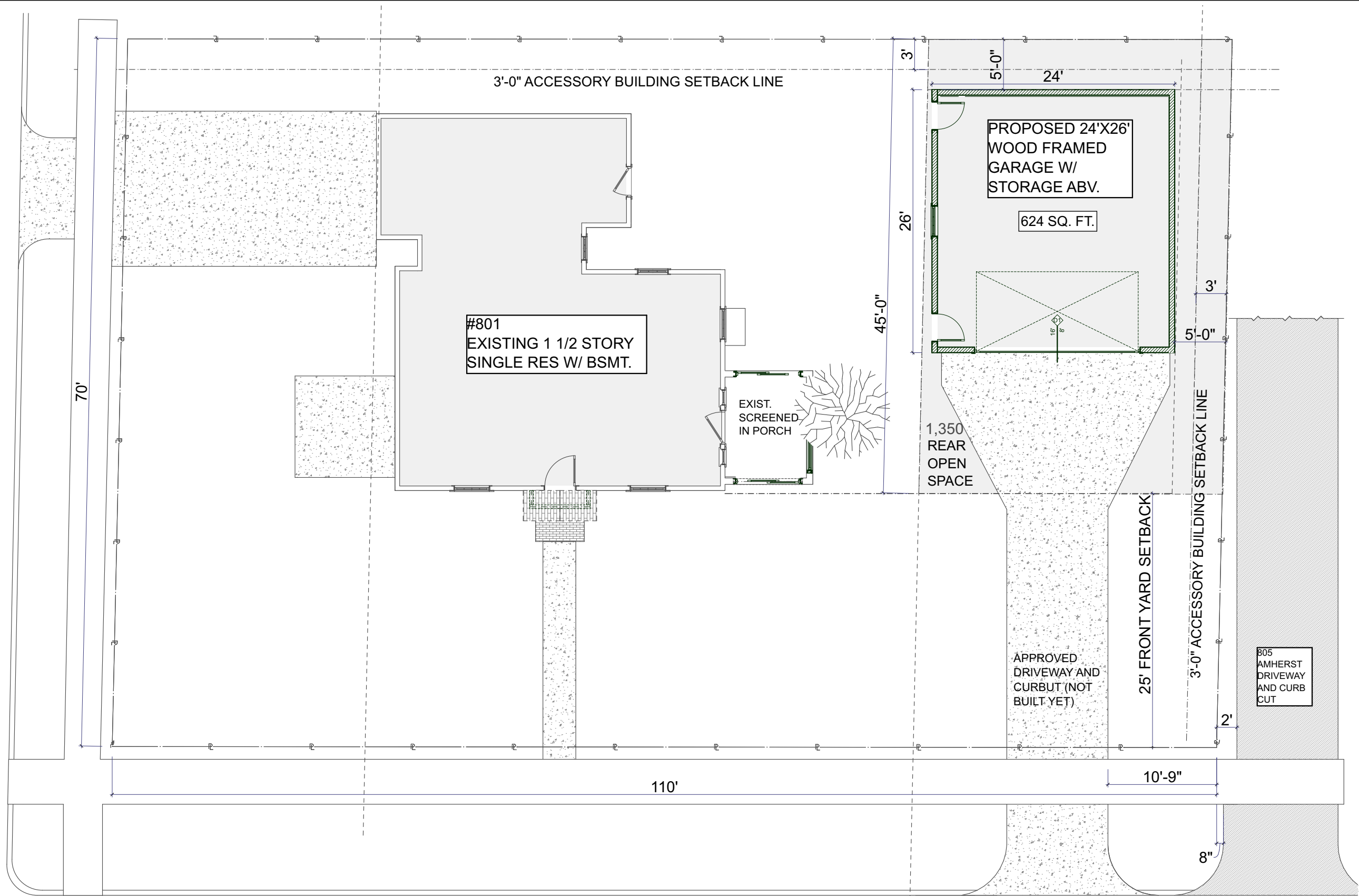
CURB CUT +
DRIVEWAY

SURVEY



/Users/MSK777/Dropbox/3 - mka SERVER/Hollister_GARAGE/Hollister_AMHERST 3 ALT.pln

(50' WIDE)
CHANDLER



AMHERST
(60' WIDE)

SITE PLAN W/ NEW GARAGE

SCALE: 1" = 10'

1
C1

mka

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1	5.7.21	ZBA
NO.	DATE	ISSUE

BRAY+ HOLLISTER

801 AMHERST
ANN ARBOR, MI
48105

SITE PLAN

SHEET 5 of x

C1





Lisa Blach

Blue and white sign