

**Zoning Board of Appeals
August 28, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA19-022; 2335 Hill Street

Summary:

Susan Edwards, property owner, is requesting an 18 foot six inch variance from the rear yard setback. The property is zoned R1A, Single Family Dwelling and requires a 50 foot rear yard setback. The owners are proposing to construct a 21'x12'4" sunroom with a connecting mudroom to the rear of the residence.

Background:

The subject property is located south of Geddes Avenue in the Angell neighborhood. The home was built in 1953 and is approximately 2,094 square feet in size.

Description:

The existing three-season sunroom is 33 feet eight inches from the rear property line. The new all season sunroom and adjoining mudroom is proposed to be 31 feet five inches from the rear property 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 applicant contends that a variance is required to make any improvements as the home was originally constructed 37 feet 3 inches from the rear property line and has never complied with the 50 foot setback requirement. Many of the adjacent properties do not meet the R1A setback requirements as they were built prior to the current requirements.

- (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The petitioner states that the home is outdated and requires many updates and modern amenities.

- (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 public benefit will be gained if the variance is granted as the character and value improvements to the home will have a positive impact on the surrounding 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 applicant has pursued other options to improve the home but there is no other avenue than to request a variance. The existing stone retaining wall and steep hill in the rear yard create a limited building envelope.

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

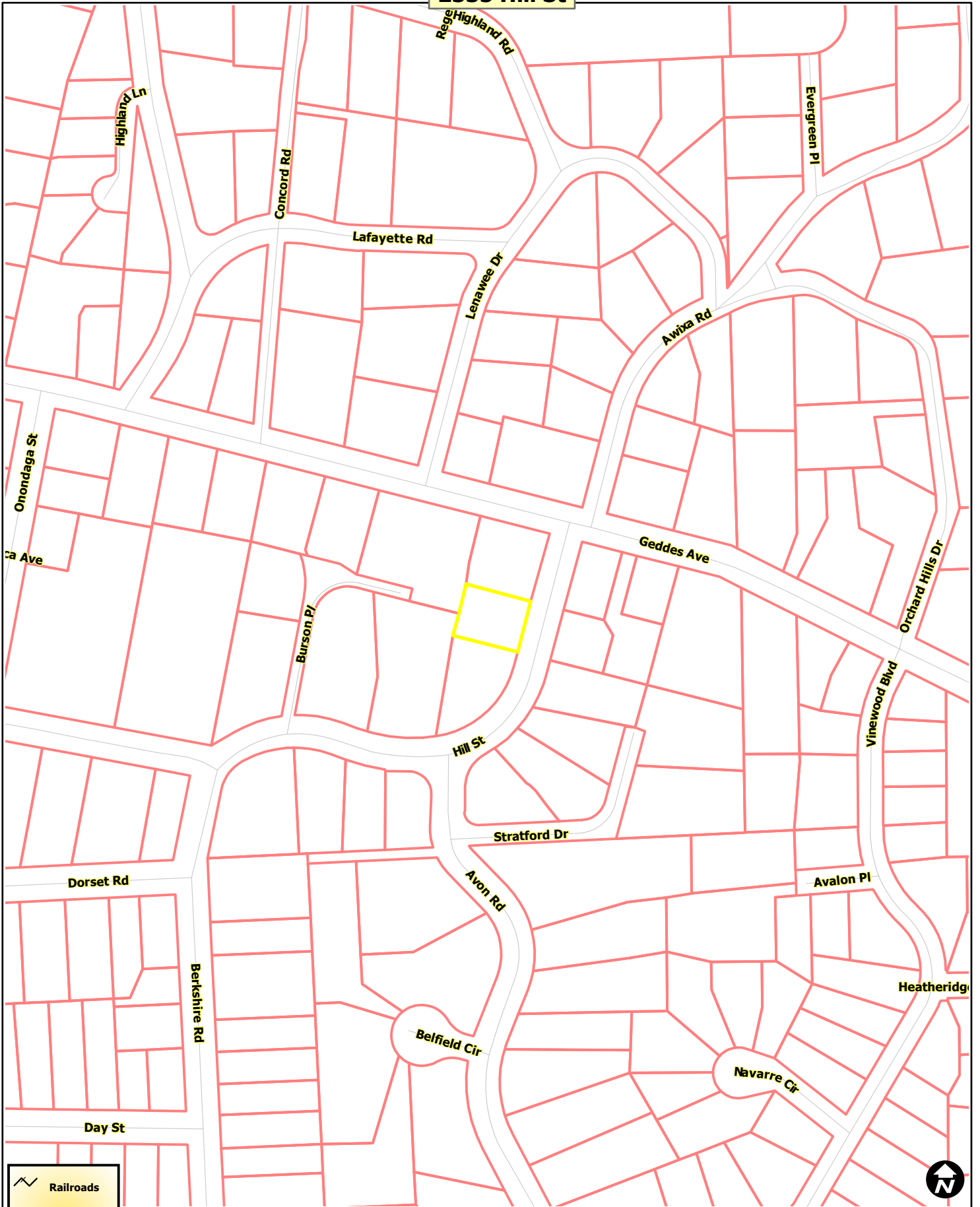
The variance request is only two feet three inches from where the existing sunroom is currently located. The applicant states that this request is the minimum necessary to make the necessary upgrades. The new sunroom will not have a negative impact as the adjacent properties cannot see the back of the home due to the significant slope of the property.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with a large initial "J" and "B".

Jon Barrett
Zoning Coordinator

2335 Hill St



Map date: 8/6/2019
Any aerial imagery is circa 2018 unless otherwise noted
Terms of use: www.a2gov.org/terms

2335 Hill St



- Railroads
- Huron River
- Tax Parcels



Map date: 8/6/2019
Any aerial imagery is circa 2018
unless otherwise noted
Terms of use: www.a2gov.org/terms

2335 Hill St

...udes Ave



Hill St



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 8/6/2019
 Any aerial imagery is circa 2018
 unless otherwise noted
 Terms of use: www.a2gov.org/terms



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 <i>2335 HILL ST.</i>		ZIP CODE <i>48104</i>
ZONING CLASSIFICATION <i>R1A</i>	NAME OF PROPERTY OWNER*If different than applicant, a letter of authorization from the property owner must be provided <i>HOMESPUN PROPERTIES, LLC OWNER: SUSAN EDWARDS</i>	
PARCEL NUMBER <i>09-09-27-311-011</i>	OWNER EMAIL ADDRESS <i>SUSANJOHN91@YAHOO.COM</i>	

APPLICANT INFORMATION

NAME <i>SUSAN EDWARDS, HOMESPUN PROPERTIES, LLC</i>			
ADDRESS <i>2124 DEVONSHIRE RD</i>	CITY <i>ANN ARBOR</i>	STATE <i>MI</i>	ZIP CODE <i>48104</i>
EMAIL <i>SUSANJOHN91@YAHOO.COM</i>		PHONE <i>734-649-1595</i>	
APPLICANT'S RELATIONSHIP TO PROPERTY <i>OWNER</i>			

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
--	---

REQUIRED MATERIALS	OFFICE USE ONLY
<p>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.</p> <p>Required Attachments:</p> <p><input type="checkbox"/> Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property.</p> <p><input type="checkbox"/> Building floor plans showing interior rooms, including dimensions.</p> <p><input type="checkbox"/> Photographs of the property and any existing buildings involved in the request.</p>	<p>Fee Paid: <i>\$750</i> ZBA: <i>19-022</i></p> <p>DATE STAMP</p> <p>CITY OF ANN ARBOR RECEIVED</p> <p>JUL 29 2019</p> <p>PLANNING & DEVELOPMENT SERVICES</p>

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: *Susan M. Edwards* Date: *7-15-19*

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)

TABLE 5:17-1 PSF RESIDENTIAL ZONING DISTRICT DIMENSIONS

REQUIRED DIMENSION: (Example: 40' front setback)

Feet: 50' Inches:

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

Feet: 31 Inches: 5" FROM SETBACK

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

Replace existing 3-season porch with all season sunroom addition and mudroom. The present structure is 33'8" from the rear lot line and the new room will be 31'5". The zoning requires 50'.

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.

The property is zoned to require a 50' setback, but the lot is only 37'3" from the main house. None of the lots in the surrounding neighborhood have 50' deep lots, so a variance is needed for any improvements.

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 home is in dire need of updates and modern amenities to attract a modern family, and to maintain the value of the property. Improving this home will help support the values of local properties and maintain the family atmosphere of the neighborhood.

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 public benefit will be served by the variance being granted because the character & value of this home affects surrounding properties. Updating the house will be attractive to families and will help attract families to the neighborhood in general.

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

We are working within the conditions of the lot to the best of our ability, but there is simply no other recourse than to request a variance.

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

We are requesting a 2'3" variance from the existing structure. It will be a significant upgrade in quality from the existing structure, which also greatly improves the function of the house. It will have no impact on anyone else, as no one can see it from their properties. It is the smallest dimension that will serve the purpose.

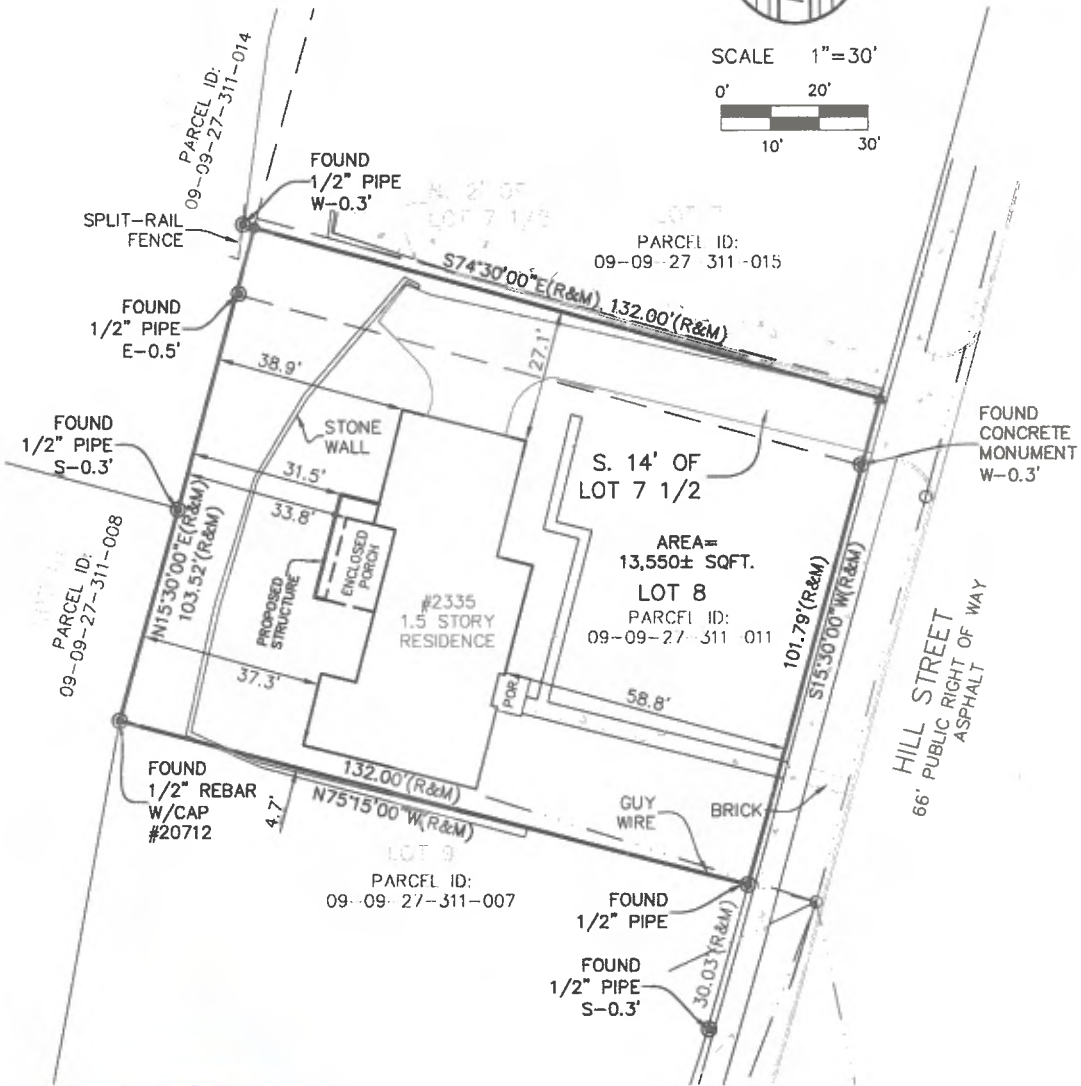
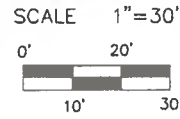
CERTIFIED SURVEY

PROPERTY DESCRIPTION:

SOUTHERLY 14 FEET OF LOT 7 1/2 AND ALL OF LOT 8, BURSLEY-PATTERSON RESUBDIVISION, PART OF THE SOUTHWEST QUARTER OF SECTION 27, TOWN 2 SOUTH, RANGE 6 EAST, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN, AS RECORDED IN LIBER 10 OF PLATS, PAGE 16 OF WASHTENAW COUNTY RECORDS.

NOTE:

A CURRENT TITLE POLICY HAS NOT BEEN FURNISHED AT TIME OF SURVEY, THEREFORE EASEMENTS AND/OR ENCUMBRANCES AFFECTING SUBJECT PARCEL MAY NOT BE SHOWN.



LEGEND

- SET 1/2" REBAR WITH CAP, #47976
- ▲ SET MAGNAIL
- ⊙ FOUND MONUMENT (AS NOTED)
- (M) MEASURED DIMENSION
- (R) RECORD DIMENSION

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND HEREIN PLATTED AND DESCRIBED AND THAT THE RATIO OF CLOSURE MEETS THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970.

Anthony T. Sycko, Jr.
 ANTHONY T. SYCKO, JR., P.S. NO. 47976

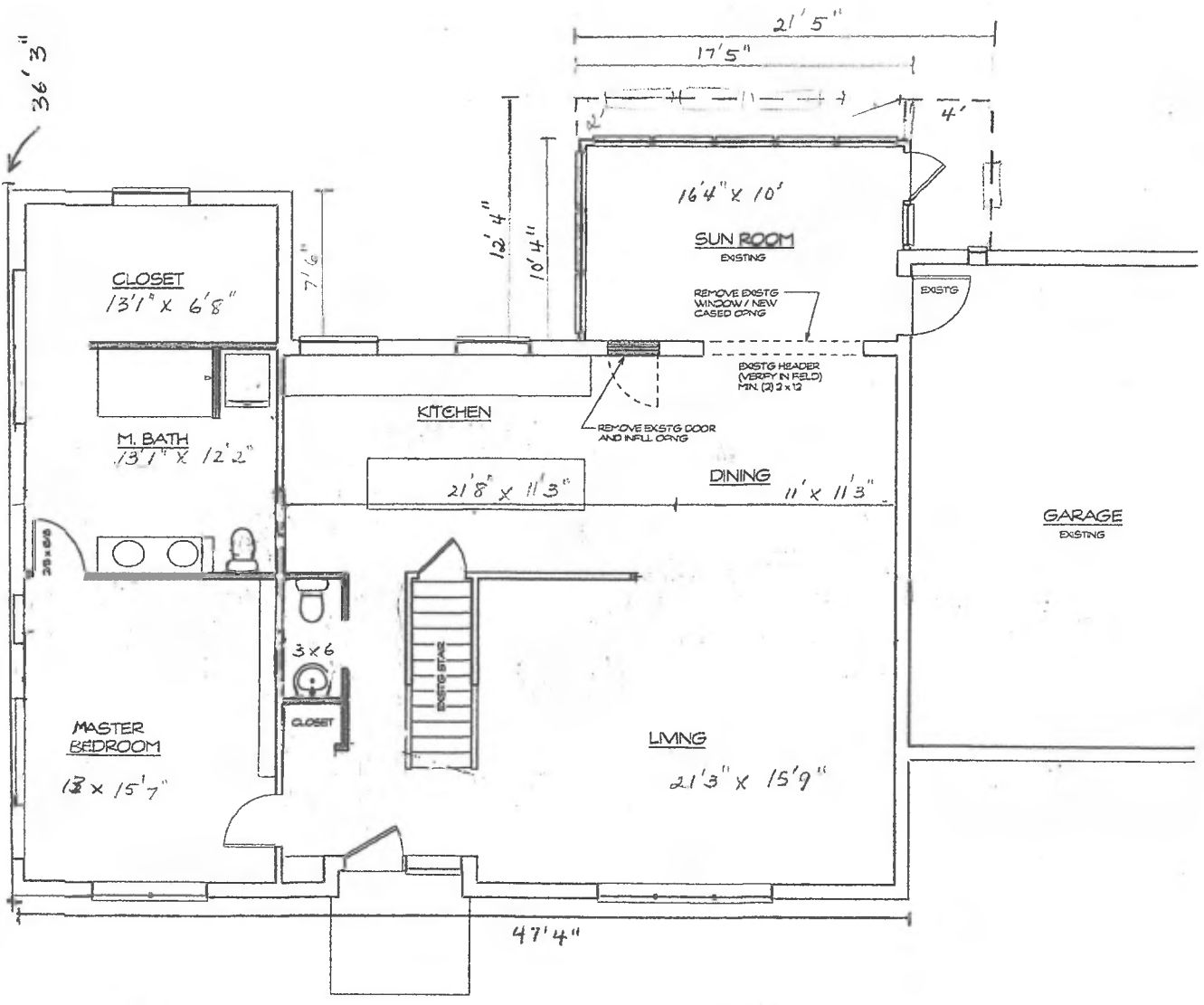
KEM-TEC PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES

A GROUP OF COMPANIES

Eastpointe (800) 295.7222	Detroit (313) 758.0677	Ann Arbor (734) 994.0888	Grand Blanc (888) 694.0001
FAX: (586) 772.4048		FAX: (810) 694.9955	

www.kemtecagroupofcompanies.com

CERTIFIED TO: HOMESPUN PROPERTIES, LLC	
FIELD SURVEY: MP PM	DATE: JULY 11, 2019
DRAWN BY: DLD	SHEET: 1 OF 1
SCALE: 1" = 30'	JOB NO.: 19-02092



Edwin R. Wier ARCHITECT
 Ann Arbor, MI 48104
 1503 Shadford Rd.
 EdWier@aol.com
 Tel: 734-761-3015

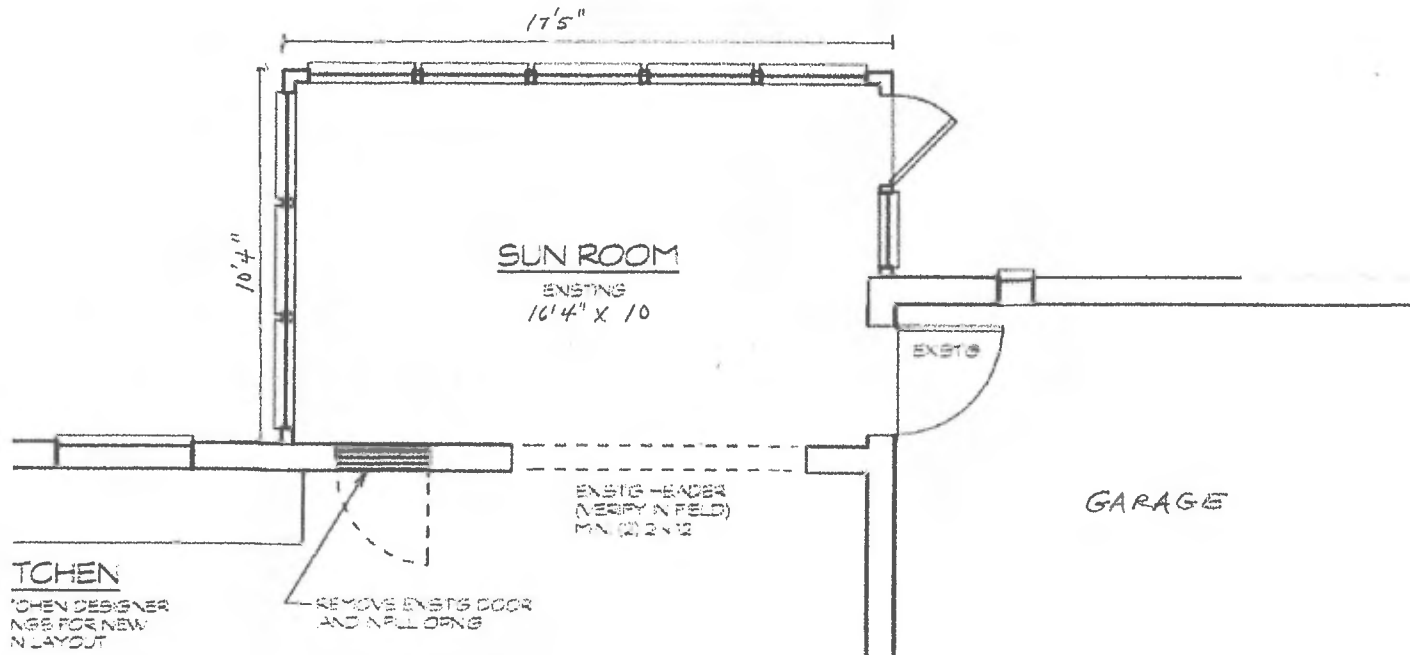
2335 HILL STREET Ann Arbor, MI

FIRST FLOOR PLAN



7-1-0
 A-1

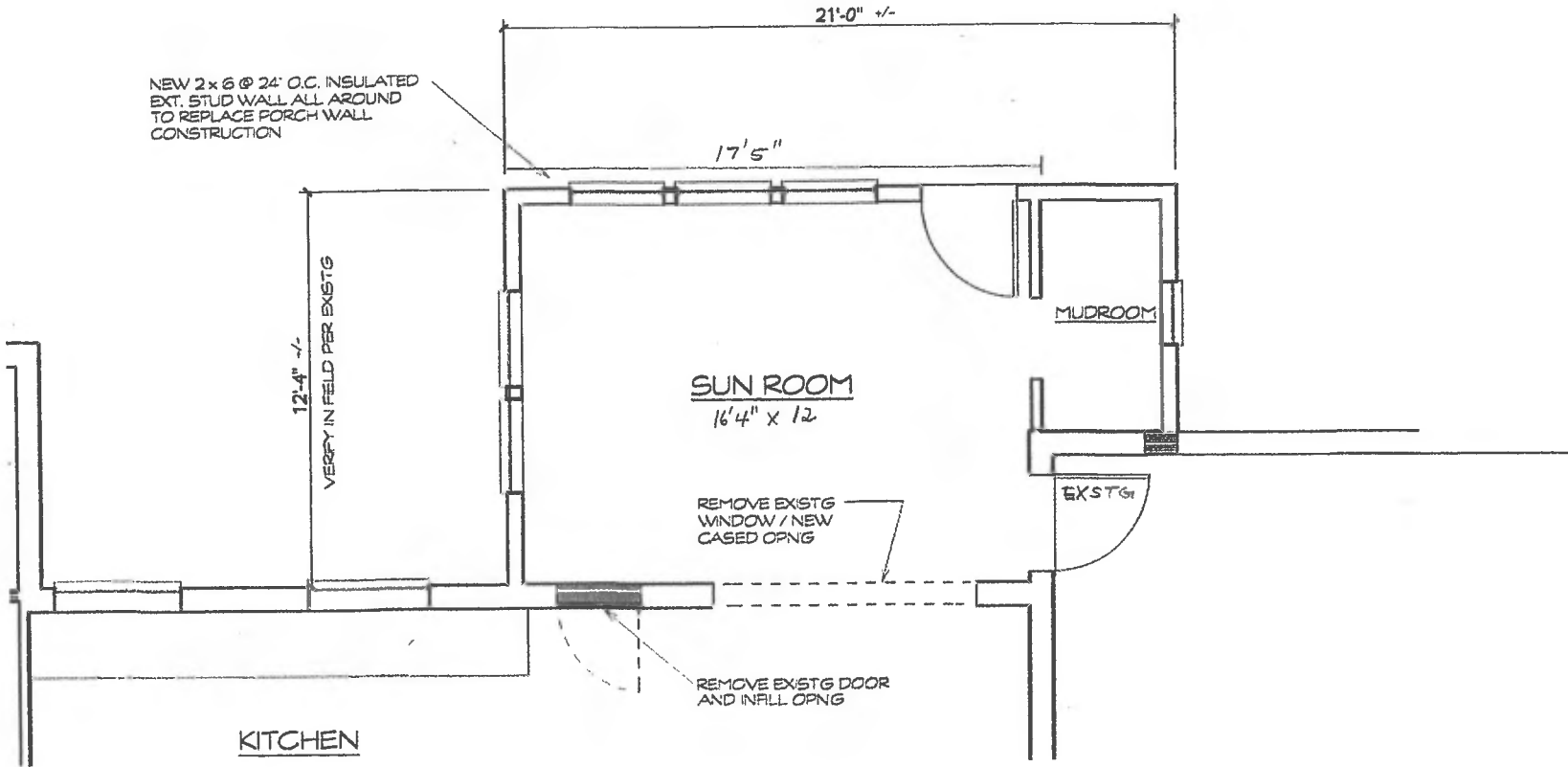
CURRENT SUN ROOM



Edwin R. Wier ARCHITECT

1503 Shadford Rd.
Ann Arbor, MI 48104
Tele: 734-761-3015
EdWier@aol.com

PROPOSED SUNROOM



Edwin R. Wier ARCHITECT

Ann Arbor, MI 48104
EdWier@aol.com

1503 Shadford Rd.
Tele: 734-761-3015

2335 Hill Street



The backyard has a long stone retaining wall and steep hill on both the rear and west side of the property. The house sits at the bottom of the hill and is not visible from either rear neighbor. The house is set far away from either side neighbor.



These pictures show the present, somewhat unsightly, 3-season sunroom. It provides access from the garage to the house, as well as access to the backyard.



View from 2335 Hill Street to the rear northwest neighbor (not visible)



View from 2335 Hill Street to the rear northeast neighbor (not visible)



View from 2335 Hill Street to the east side neighbor. Visible, but there is a large distance between the houses, and, the neighbor is excited about the upgrade to the exterior of my house, especially the proposed changes to the sunroom.



View from 2335 Hill Street to the west side neighbor. Visible, but far away and separated by a large, steep hill.

