

**Zoning Board of Appeals  
October 25, 2017 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA17-030, 1500 Chandler Road**

**Summary:**

Jennifer Chapman and Matthew Solomon, property owners, are requesting a variance from Chapter 55 Zoning Section 5:28 (Area, Height, and Placement regulations). The owners are proposing to construct a 28 foot wide by 26 foot eight (8) inch deep addition to the north side of the residence. The rear yard requirement is 30 feet and the variance request is 19 feet six (6) inches. The result will be a ten (10) foot six (6) inch rear yard setback. The addition will contain a handicap accessible bedroom and bathroom. The subject property is a corner lot and the addition will be located in the rear yard which serves as the side yard for the property.

**Background:**

The property is zoned R1C, single-family residential, and is located on a corner lot that fronts Chandler Road and Argo Drive and is located across from Beckley Park.

**Description:**

The new addition will be 28 feet wide by 26 feet 8 inches deep for an approximate total of 750 square feet. The addition will contain a master bedroom, master bathroom, laundry room and a connecting hallway. There will be two (2) decks, one (1) in the front and one (1) in the rear.

**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 home is on a corner lot and has two (2) front setbacks. The home is 11 feet from the property along the east side which has a five (5) foot setback. The only option for an addition is the 30 foot rear yard which serves as the side yard due to the positioning of the home. The purpose of the addition is to provide handicapped bath and bedroom for the homeowner.

- (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 proposed location is the only alternative for an addition to the home and without the variance the owners needs will not be accommodated.

- (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 addition will not impact the adjacent property to the north. The neighbor's garage is sited between their living area and the proposed addition. Any visual impacts will be minimal to 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 lot is small and located on a corner lot and the two (2) front setbacks limit the building envelope and any future additions will have to be constructed in the location the owners are proposing.

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

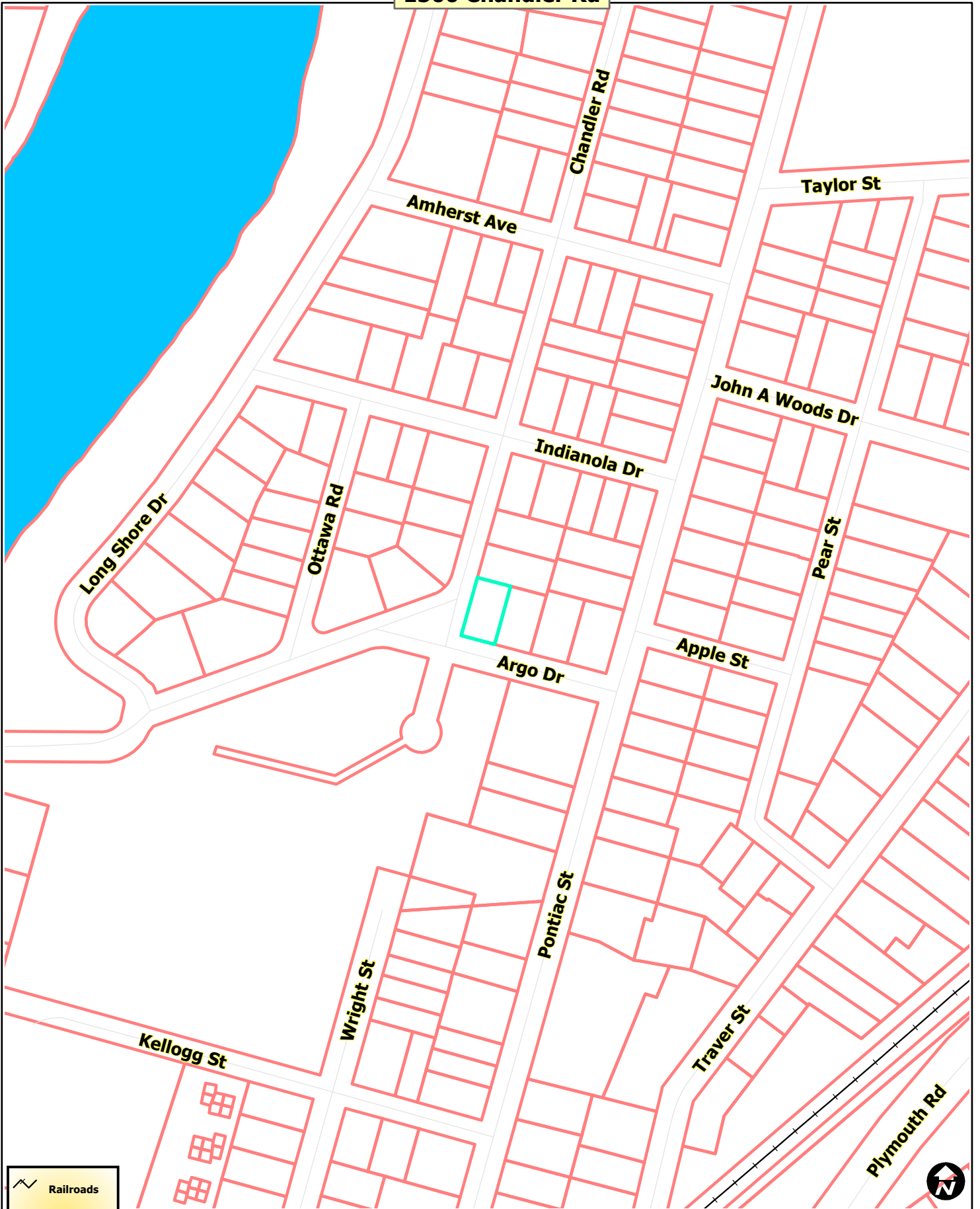
The variance requested is the smallest request to allow for a reasonable living area for the owners. The location of the addition will have the least impacts on the surrounding properties.




Respectfully submitted,

A handwritten signature in blue ink that reads "Jon Barrett". The signature is stylized with large loops and a cursive font.

**Jon Barrett  
Zoning Coordinator**

**1500 Chandler Rd**



 Railroads  
 Huron River  
 Tax Parcels





Map date 9/29/2017  
Any aerial imagery is circa 2015  
unless otherwise noted  
Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)



1500 Chandler Rd



 Railroads  
 Tax Parcels





Map date 9/29/2017  
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**1500 Chandler Rd**



-  Railroads
-  Tax Parcels



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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](mailto:planning@a2gov.org)  
 Fax: 734.994.8460

**APPLICATION MUST BE FILLED OUT COMPLETELY**

Office Use Only	
Fee Paid: <u>\$500</u>	ZBA: <u>17-030</u>
DATE STAMP	
CITY OF ANN ARBOR RECEIVED	
SEP 27 2017	

**PROPERTY INFORMATION** PLANNING & DEVELOPMENT SERVICES

ADDRESS OF PROPERTY:  
1500 Chandler Rd., Ann Arbor, MI 48105

ZONING CLASSIFICATION: R1B TAX ID: (if known)

NAME OF PROPERTY OWNER\*:  
Jennifer Chapman + Matthew Solomon

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

**APPLICANT INFORMATION**

NAME OF APPLICANT:  
Jennifer Chapman + Matthew Solomon

ADDRESS OF APPLICANT:  
3456 Yellowstone Dr., Ann Arbor, MI 48105

DAYTIME PHONE NUMBER: 734-369-6415 FAX NO:

EMAIL:  
jenniferchapman588@gmail.com/msolomon2@juno.com

APPLICANT'S RELATIONSHIP TO PROPERTY:  
Owner

**REQUEST INFORMATION**

VARIANCE REQUEST (Complete the section 1 below)  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)  
CH. 55 SECTION 5:28 AREA HEIGHT AND PLACEMENT REGS.

Required Dimension: (Example: 40' front setback) 30 feet PROPOSED Dimension: (Example: 32') 10 feet 6 inches (19' 6")

Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary)  
We are proposing to add a handicapped-accessible bedroom and bathroom on the north side of our home. We are required to apply for a variance because we live on a corner lot and our side yard is subject to the 30-foot setback for rear yards.



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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 attached sheet.

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.

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.

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

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

## Section 1

Chapman/Solomon – 1500 Chandler Rd.

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 property at 1500 Chandler is a small corner lot with two front setbacks. The house is set 11 feet from the property line along the rear (where there is a 5-foot setback). The only place to build is the side yard on the north, which is subject to the 30-foot setback for rear yards. The home on the property does not have a handicapped-accessible bedroom or bathroom, and the owner (Matthew Solomon) is disabled.

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.

Without a variance, there is no way to add universally accessible space to this home. The homeowner's condition is progressive, and failure to build accessible space will ultimately result in an inability to live in the 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.

There is a dearth of accessible one-story homes in Ann Arbor. Given that we ALL will eventually be dis-abled in some way, it makes sense that as the homes age and are renovated that they be made more, not less, accessible. This will allow for more people to age-in-place. This property will greatly benefit from remaining a one-story home and having a fully accessible bedroom and bathroom. We have the full support of our neighbors on either side, who would absolutely prefer that we keep the house one story. Furthermore, the plans will leave a 10.5-foot setback on our north side, which is effectively a side yard for the neighbors (with a garage in between). It will not impact their living space at all.

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

Due to the challenging housing market in Ann Arbor, we spent months and months trying to buy a one-story home near Matthew's work at UofM and the University Hospital where he frequently goes for testing and procedures. This house came the closest to meeting our needs and we were able to win the inevitable bidding war to get it. No small feat. While we were disappointed to learn about the challenging setback issues with our lot, we have every intention of finding a way to make the house accessible and comfortable for all.



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

The requested variance is absolutely the minimum amount of space needed for a handicapped-accessible bedroom and bathroom.



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**Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE**

Current Use of the Property: Single family, owner-occupied home.

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:

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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 1/2" 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: 734-369-6415

Signature: X

Email address: jenniferchapman588@gmail.com

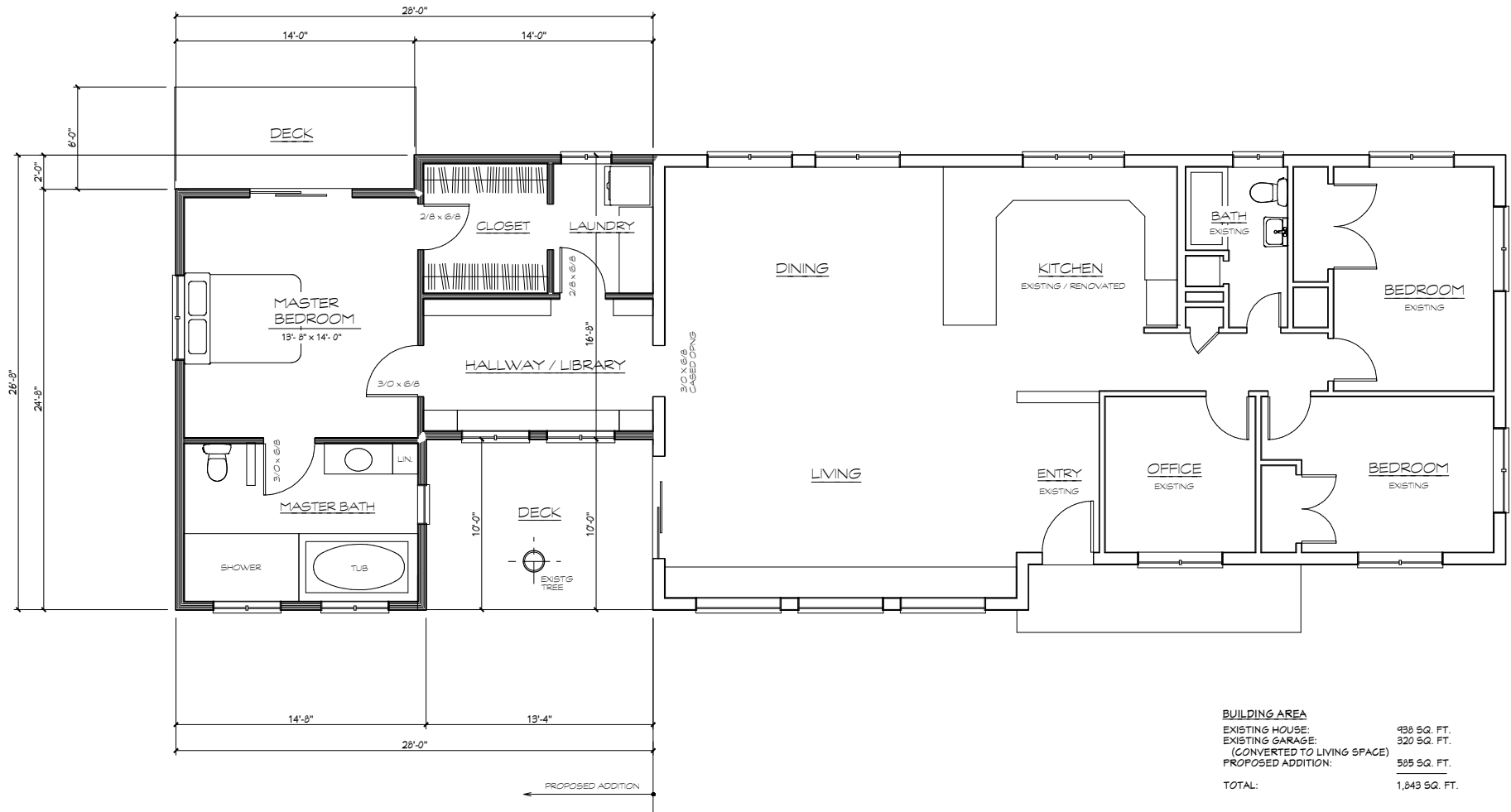
Print Name: Jennifer Chapman

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



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

Edwin R. Wier

ARCHITECT

1503 Shadford Rd.

Ann Arbor, MI

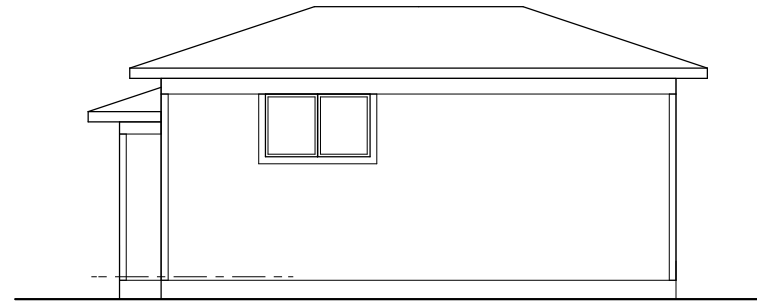
Tele: 734-761-3015

EdWier@aol.com

Chapman-Solomon Residence

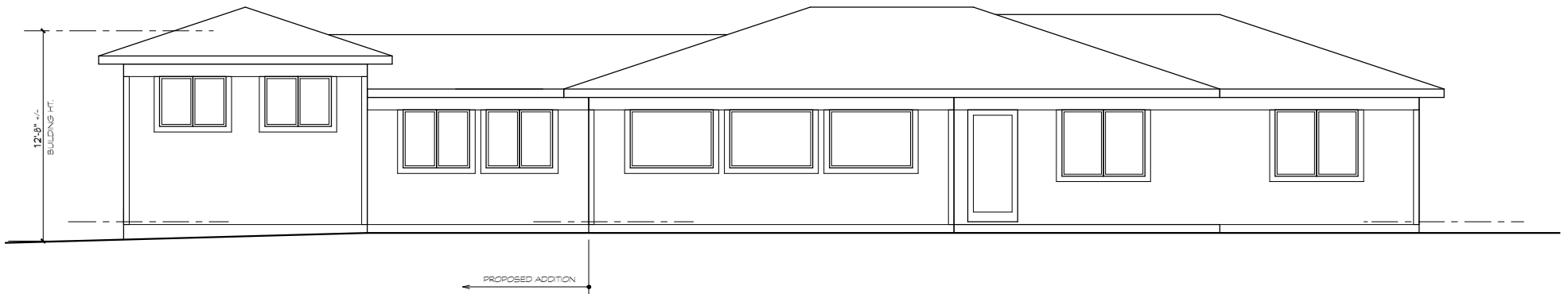
1500 Chandler Rd. / Ann Arbor, MI

9 - 27 - 17



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



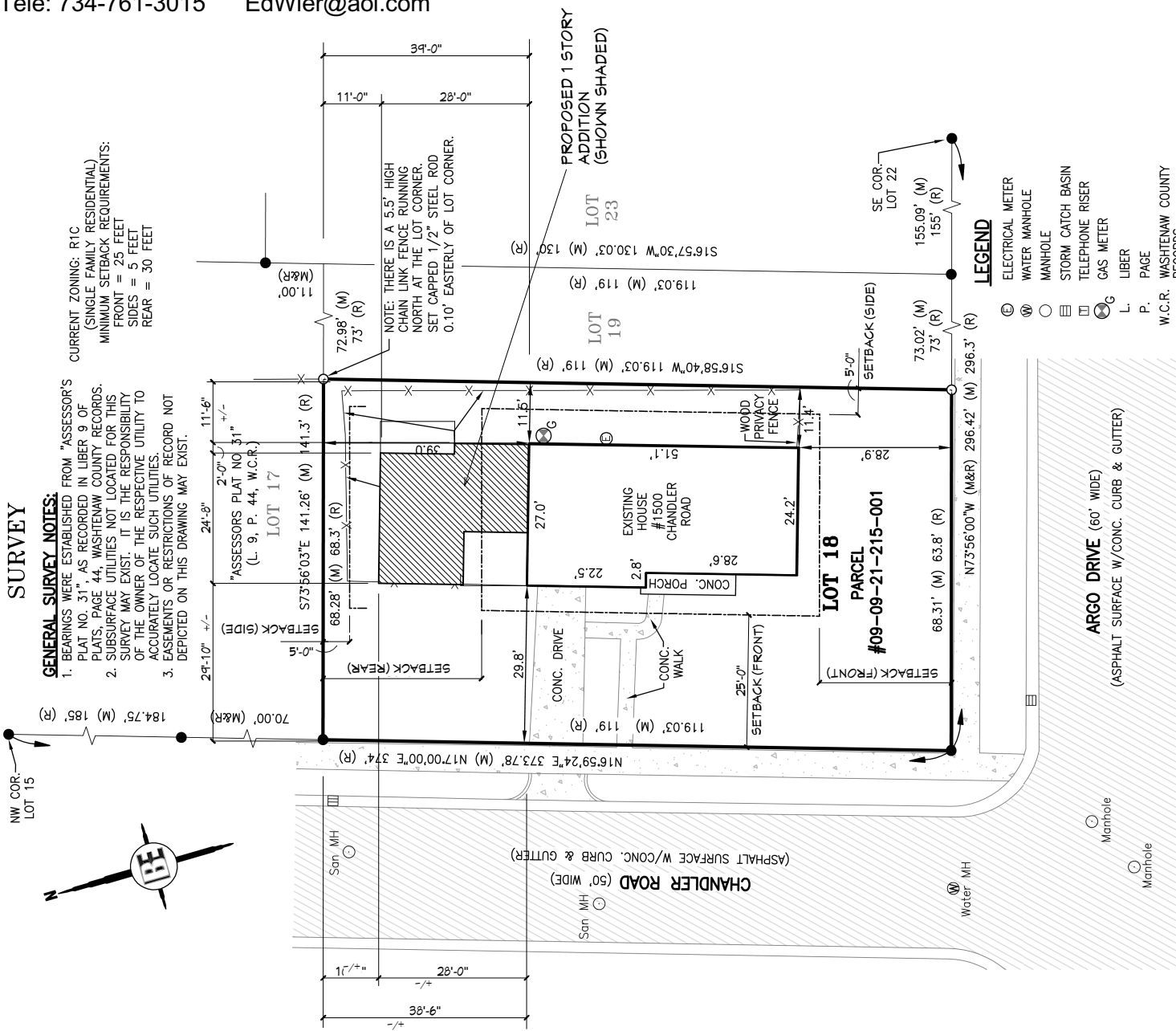
FRONT ELEVATION

SCALE: 1/4" = 1'-0"

1503 Shadford Rd.  
 Tele: 734-761-3015

Ann Arbor, MI  
 EdWier@aol.com

Chapman-Solomon Residence  
 1500 Chandler Rd. / Ann Arbor, MI  
 9 - 27 - 17



**DEBOSS Engineering**  
 Engineers Surveyors Planners Landscape Architects  
 3121 E. GRAND RIVER AVE.  
 HOWELL, MI, 48843  
 800.246.6735 FAX: 517.548.1670

**DESCRIPTION:**  
 LOT 18 OF "ASSESSOR'S PLAT NO. 31", AS RECORDED IN LIBER 9 OF PLATS, PAGE 44, WASHTENAW COUNTY RECORDS, BEING PART OF THE NORTHWEST 1/4 OF SECTION 21, T2S-R6E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

**CLIENT:** CHAPMAN

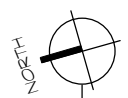
**JOB NO.:** 17-365  
**DATE:** 9-21-17  
**SHEET:** 1 OF 1  
**FB 581 CREW GFD DR. AEB CK.**

**SCALE:** 1 INCH = 20 FEET

**LEGEND**

- = STEEL ROD SET
- = STEEL ROD/PIPE FD.
- ⊙ = MONUMENT FOUND
- ⊛ = FENCE
- \* = RECORDED
- (M) = MEASURED

**PARCEL ID:** 09-09-21-215-001  
**ZONING:** R1C  
**SETBACKS (R1C)**  
 FRONT: 25'  
 SIDE: 5' MIN / 10' TOTAL  
 REAR: 30'



**SITE PLAN**  
 SCALE: 1" = 20'-0"

1500 Chandler Rd.



Front Elevation



Left side and yard



North Yard



North side of house

**From:** Thomas Cook  
**Sent:** Saturday, October 14, 2017 1:26 PM  
**To:** Barrett, Jon <[JBarrett@a2gov.org](mailto:JBarrett@a2gov.org)>  
**Subject:** RE ZBA variance for 1500 Chandler ZBA17-030

We can't make the meeting on Oct 25 but we're cool with the variance request.

Thomas Cook and Kathy Van Alstine  
719 Argo Drive  
Ann Arbor MI 48105-1605  
734-272-5068 (cell)



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## 1500 Chandler Rd

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Andrea Jones <andmj46@gmail.com>  
To: jenniferchapman588@gmail.com

Sun, Sep 24, 2017 at 4:32 PM

To Whom it may concern,

I reside at 1504 Chandler Rd, Jennifer Chapman has informed me of the renovation/construction plan for her property at 1500 Chandler Rd, I am in full support of the project.

If you have any questions please feel free to contact me.

Best regards,

Andrea L Mack-Jones

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## Next Door

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**Loriandpaul** <loriandpaul@comcast.net>  
To: Jennifer Chapman <jenniferchapman588@gmail.com>

Sun, Sep 24, 2017 at 8:30 PM

Hi Jennifer

Yes Paul and I support the one story plan. You can tell the city planner we are in favor of the plan. Good luck.

Lori and Paul

Sent from my iPhone

[Quoted text hidden]