

**Zoning Board of Appeals  
February 28, 2024, Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 24-0005; 805 Third Street**

**Summary:**

Martin Clarke, representing the property owner, is requesting relief from Section 5.32.2 Nonconforming Structure to allow an alteration to a nonconforming structure. The owners are proposing an approximate 460 square foot one-story addition with a walk-out basement below to the rear of the existing home. The addition will maintain the same 5.2 foot side yard setback. The property is zoned R4B, Multiple-Family Dwelling District and has a 12 foot required side yard setback.

**Background:**

The subject property is located on the east side of Third Street, south of Koch Avenue and north of West Davis Avenue. The home was constructed in 1933 and is approximately 1,124 square feet in size.

**Description:**

The owners plan on removing the existing rear deck and replacing with the single-story addition with a walkout basement and four skylights. The floor plan for the addition will allow for a new bedroom, bathroom, closet, mud room and extension to the existing kitchen. The basement area will contain a family room, bathroom, hallway and kitchenette. The plans received approval from the Historic District Commission (HDC) on February 28, 2024.

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

The Zoning Board of Appeals has all the power granted by State law and by Section 5.32.2, Application of the Variance Power from the UDC. The following criteria shall apply:

- A) The alteration is approved by the Zoning Board of Appeals upon a 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.

The applicants had the following response regarding potential detrimental effects to neighboring properties:

*“Current use is single family residential. The proposed alteration would add a 16'x29' 1-story addition in the rear of existing house. The proposed addition would have little to no impact on neighboring properties. The addition will be screened to the south by an existing garage and screened to the north by a heavily vegetated fence line.”*

Respectfully submitted,

Zoning Board of Appeals  
January 24, 2024

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

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