

**Zoning Board of Appeals
March 26, 2025, Regular Meeting**

STAFF REPORT

Subject: ZBA 25-0008; 2103 Copley Avenue

Summary:

Terrafirma Inc., representing property owner, is seeking a seven-foot five-inch variance from the required 40-foot rear yard setback. The proposed construction includes the demolition of the existing screened porch and new construction of an approximately 123 square foot screened porch in the same footprint. The property is zoned R1B Single Family Dwelling District.

Background:

The subject property is located on the north side of Copley Avenue between Woodside Road and Brockman Boulevard in the Burns Park neighborhood. The house was built in 1953 and is approximately 1,428 square feet in size. The home is on a nonconforming lot as the R1B district minimum lot size is 10,000 square feet and the actual lot size is 9,583 square feet, according to City Assessor's records.

Description:

The subject property is seeking a variance to remove a 123 square foot screened porch and build a new 123 square feet screened porch in the same location. The new addition will be constructed in the rear yard 32 feet and 7 inches from the lot line. The proposed construction requires a variance from the ZBA.

Standards for Approval- Alteration to a Nonconforming Structure

The Zoning Board of Appeals has all the power granted by State law and by Section 5.29.12, Application of the Variance Power from the Unified Development Code (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.***

Applicant response: *"This condition is particular to our home and property. Part of the structure of our home is non-conforming. From the aerial photos provided on the Washtenaw Country GIS site, this part of our home was built sometime in the 1960's and has been in place for 60+ years. This portion of our home is in need of repair."*

- (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.***

Applicant response: *"We have been advised that this part of our home needs repair. Granting us a variance will allow us to ensure that all parts of our home are safe and sound."*

- (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.***

Applicant response: *"In terms of impact on the public, if the variance is not granted, our property will not be at the standard of safety, maintenance and upkeep expected by our neighborhood. Given that this is an existing structure, there will be no negative impact on our neighbor's property if the variance is granted."*

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

Applicant response: *"We purchased this property with this condition existing and given its age it is in need of repair."*

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

Applicant response: *"We are not asking for an expansion of the existing non-conforming structure. We are simply seeking to upgrade the quality of the existing structure that is currently part of our home to ensure it is safe and sound."*

Respectfully submitted,

A handwritten signature in black ink that reads "Charlie Collins". The signature is written in a cursive, slightly slanted style.

**Charlie Collins- Zoning Coordinator
City of Ann Arbor**