

**Zoning Board of Appeals
March 28, 2018 Regular Meeting**

STAFF REPORT

Subject: ZBA18-010; 309 Hiscock Street

Summary:

Matthew Guza, property owner, is requesting a two (2) foot variance from Chapter 55 Zoning Section 5:57 Averaging an Existing Front Setback Line. The average front setback for the subject property is 21 feet six (6) inches. A new front porch that is eight (8) feet wide by 21 feet long is being proposed.

Background:

The property is zoned R2A, however, the R1C setbacks are applied for this single-family residence. The property is located between Main Street and Spring Street. The home was built in 1901 and is situated on a lot containing 4,268 square feet. The approximate size of the structure is 1,656 square feet and is currently under renovation.

Description:

The new porch will be approximately 168 square feet in size and will be consistent with the architecture style and materials of the home.

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 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 states that the neighboring properties on Hiscock Street encroach into the required front setback a similar amount or encroach further than the subject property.

- (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.***

A variance allowing an increased size of front porch will increase the functionality and aesthetics of the home and will not result in any financial gains.

- (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 improvements to the character of the home will contribute to the public benefits of the neighborhood.

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

The home was built in 1901, far in advance of the establishment of the average front setback. The proposed porch will and the new established setback for this property will be consistent with the adjacent properties.

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

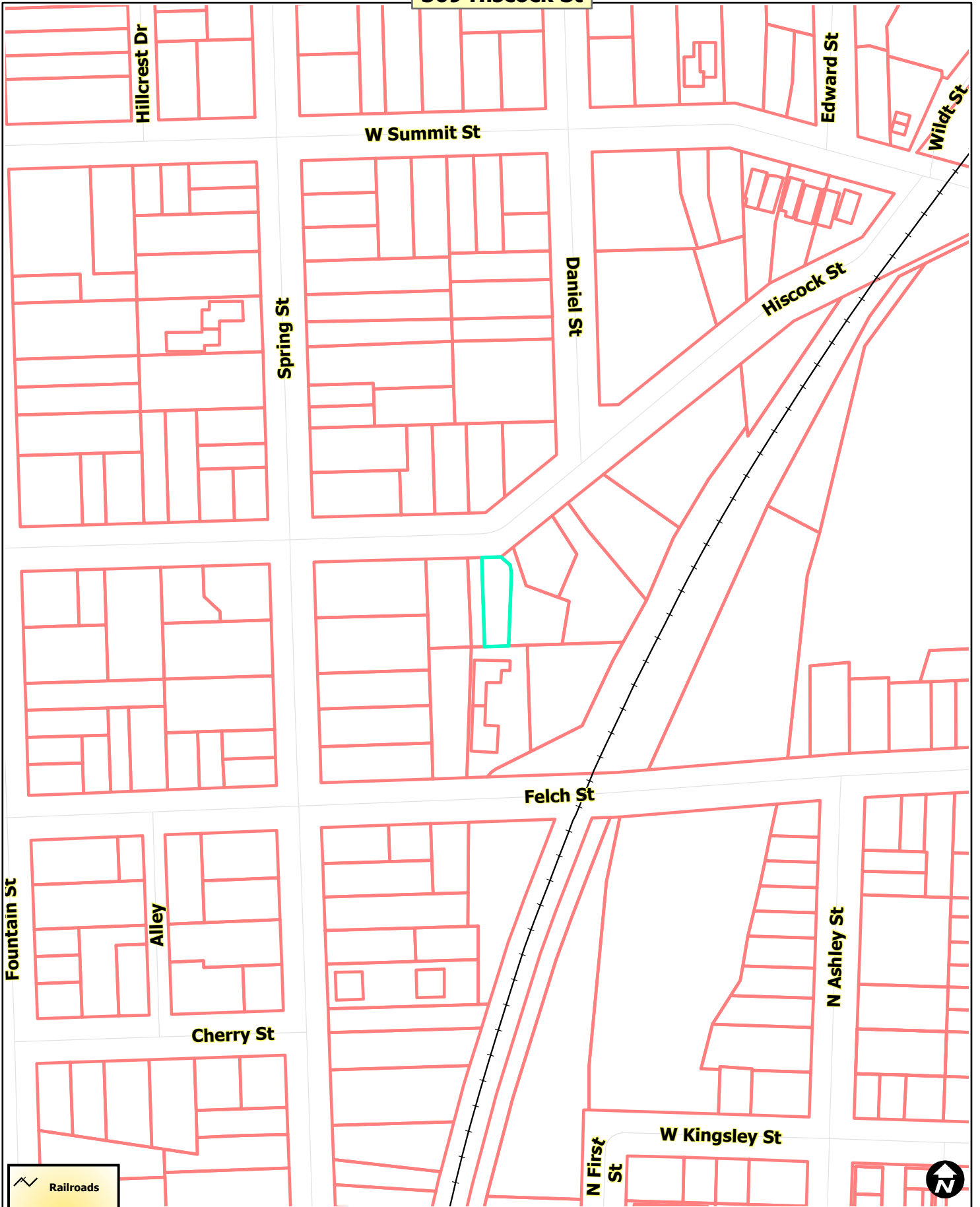
The variance being requested is two (2) feet which is the minimum to construct a fully functional porch.


Respectfully submitted,

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

**Jon Barrett
Zoning Coordinator**

309 Hiscock St



-  Railroads
-  Huron River
-  Tax Parcels






Map date 3/6/2018
Any aerial imagery is circa 2015
unless otherwise noted
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309 Hiscock St



-  Railroads
-  Huron River
-  Tax Parcels




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309 Hiscock St

Hiscock St



 Railroads

 Huron River

 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
 Fax: 734.994.8460

APPLICATION MUST BE FILLED OUT COMPLETELY

Office Use Only	
Fee Paid: \$500.-	ZBA: 18-010
DATE STAMP CITY OF ANN ARBOR RECEIVED FEB 28 2018	
PLANNING & DEVELOPMENT SERVICES	

PROPERTY INFORMATION

ADDRESS OF PROPERTY: 309 Hiscock St Ann Arbor	
ZONING CLASSIFICATION: RIC	TAX ID: (if known) 09-09-20-318-011
NAME OF PROPERTY OWNER*: Matthew Guza	

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

APPLICANT INFORMATION

NAME OF APPLICANT: Matthew Guza	
ADDRESS OF APPLICANT: 5884 Leland Dr Ann Arbor MI 48105	
DAYTIME PHONE NUMBER: 734 545 8446	FAX NO:
EMAIL: mtgz2000@yahoo.com	
APPLICANT'S RELATIONSHIP TO PROPERTY: Owner	

REQUEST INFORMATION

<input checked="" type="checkbox"/> VARIANCE REQUEST (Complete the section 1 below)	<input type="checkbox"/> ALTERATION TO A NON-CONFORMING STRUCTURE (skip to Section 2)
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Section 1 - VARIANCE REQUEST

CHAPTER(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Chapter 55, Section 5:26) Ch. 55 ZONING SECTION 5:57	
Required Dimension: (Example: 40' front setback) 23.5'	PROPOSED Dimension: (Example: 32') 20'-6" setback
Give a detailed description of the work you are proposing and why it will require a variance (Attach additional sheets if necessary) Reconstruct front porch. Change from 6' deep 8' wide to 8' deep 21' wide.	



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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.

Neighboring Like properties on both sides of Hiscock street & nearby streets encroach to the street a similar amount or more.

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.

An enlarged front Porch will greatly increase the function of porch & Estetic beauty Thus Value of 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.

The porch is a significant reason for this property value increasing, adding beauty to the neighborhood

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

Home built in 1901 before The Avg front setbacks was established. Proposed porch would encroach less than Neighbor to E & W

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

2' variance will allow for a fully functional porch.



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Section 2 – ALTERATION TO A NON-CONFORMING STRUCTURE

Current Use of the Property:

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:

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: 734 545-8446

Signature: X

Email address: mtg22000@yahoo.com

Print Name: Matthew Corza

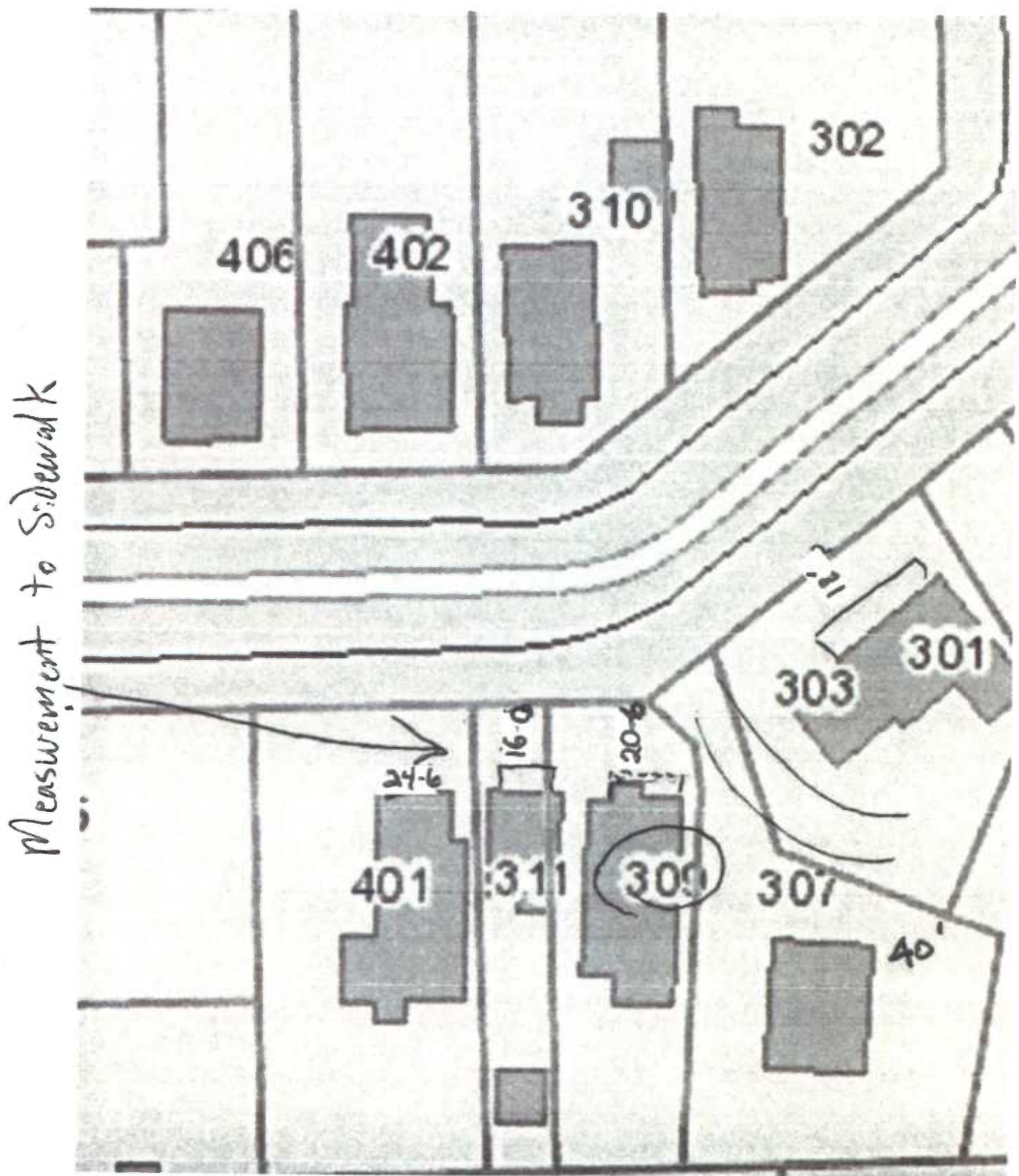
I, applicant, hereby depose and say that all the aforementioned statements, and the statements contained in the materials submitted herewith, as true and correct.

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.

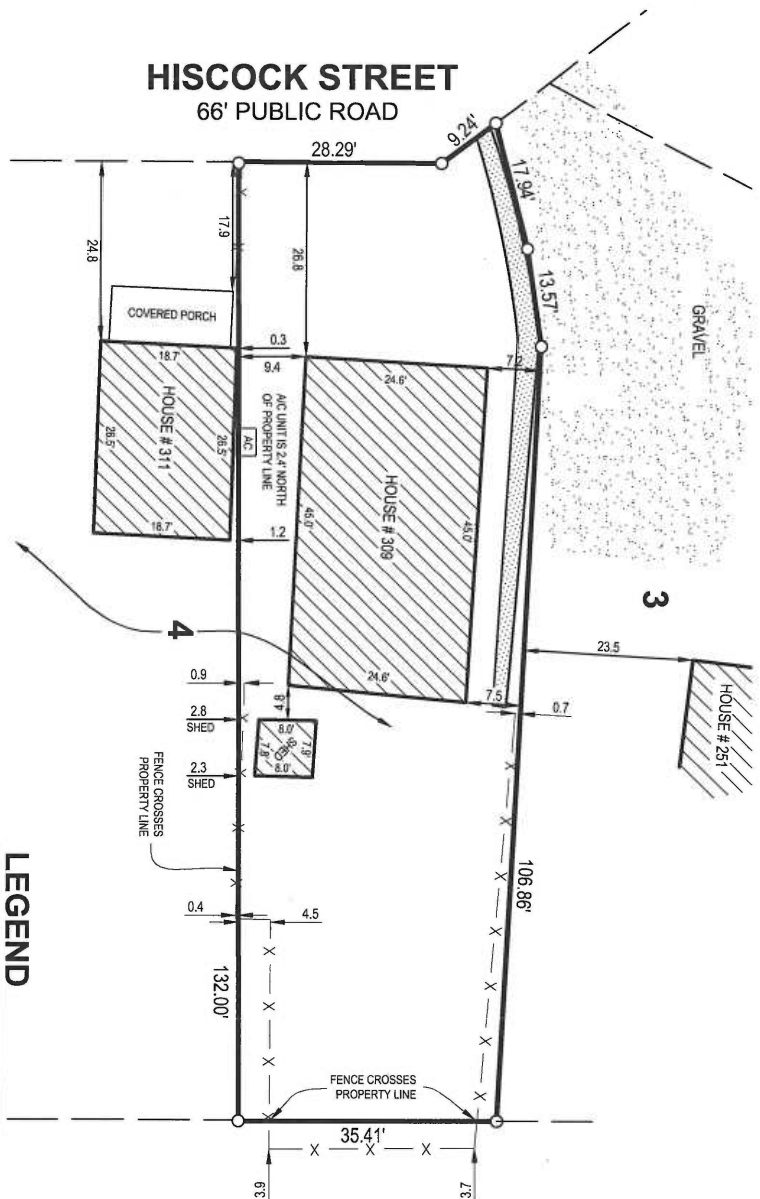
Signature

Matt Guza
734 515 8446
309 Hancock St



DESCRIPTION PARCEL 09-09-20-318-011

PART OF LOT 4 OF BLOCK 11 OF THE PLAT "HISCOCKS ADDITION", as recorded in Liber 45 OF DEEDS, PAGE 160, WASHTEENAW COUNTY, MICHIGAN RECORDS. DESCRIBED AS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID LOT THAT IS 82.5 FEET EASTERLY OF THE NORTHWEST CORNER OF SAID LOT; THENCE CONTINUING EASTERLY ALONG SAID NORTH LINE, 28.29 FEET; THENCE N52°53'E, 9.24 FEET; THENCE S13°56'E, 17.94 FEET; THENCE S08°12'E, 13.57 FEET; THENCE S03°19'W, 106.86 FEET; THENCE WEST, 35.41 FEET; THENCE N00°02'30"W, 132.00 FEET TO THE POINT OF BEGINNING. PART OF THE SOUTHWEST QUARTER OF SECTION 20, T2S, R6E, CITY OF ANN ARBOR, WASHTEENAW COUNTY, MICHIGAN.



This survey was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

LEGEND

- Iron - Found
- X — X — Fence
- ▨ Concrete
- ▨ Gravel
- ▨ Building

By: *[Signature]*
 William J. Angus Licensed Professional Surveyor No. 44281

SCALE: 1" = 20'

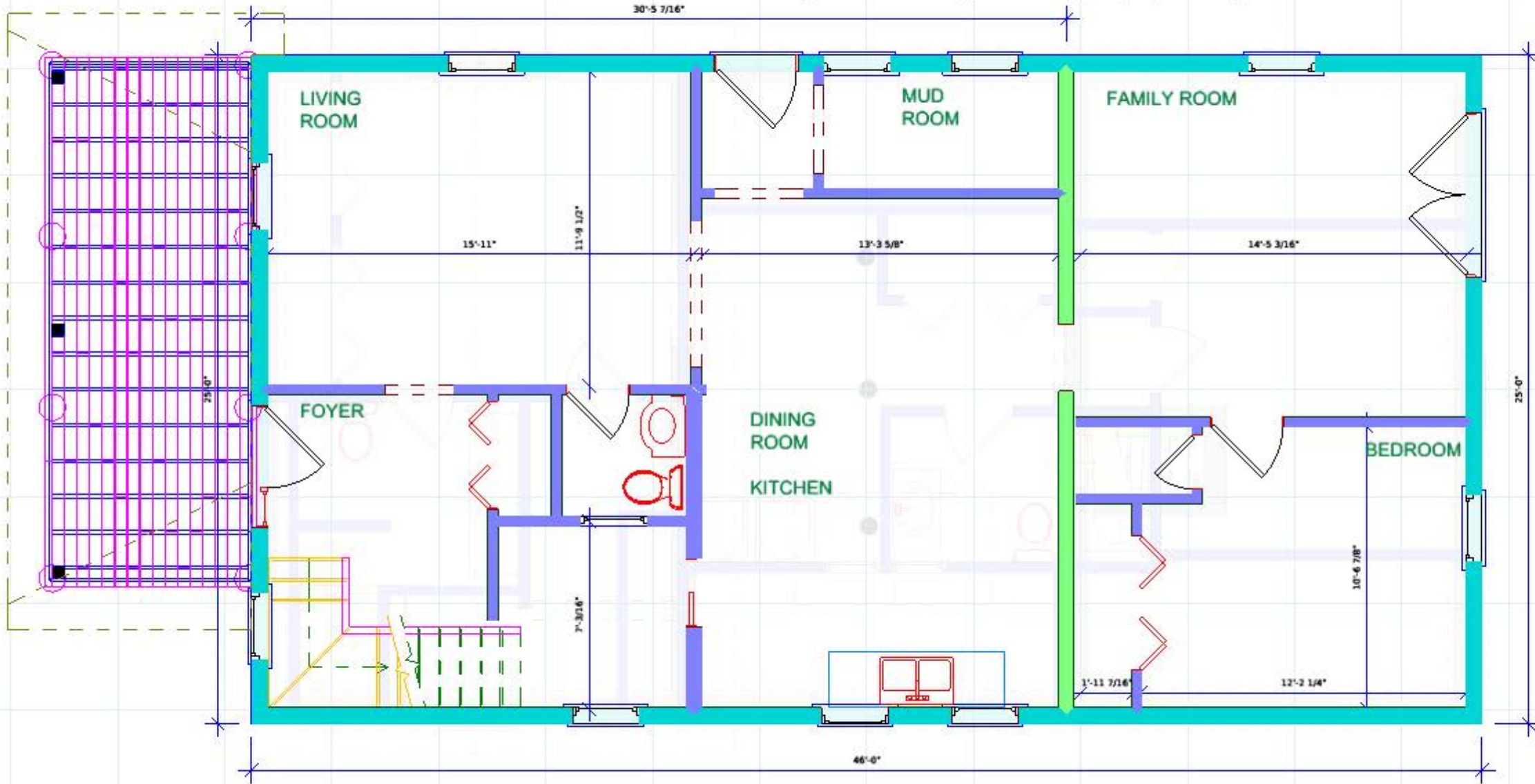
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 Matt Guza
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 ANN ARBOR MICHIGAN 48105

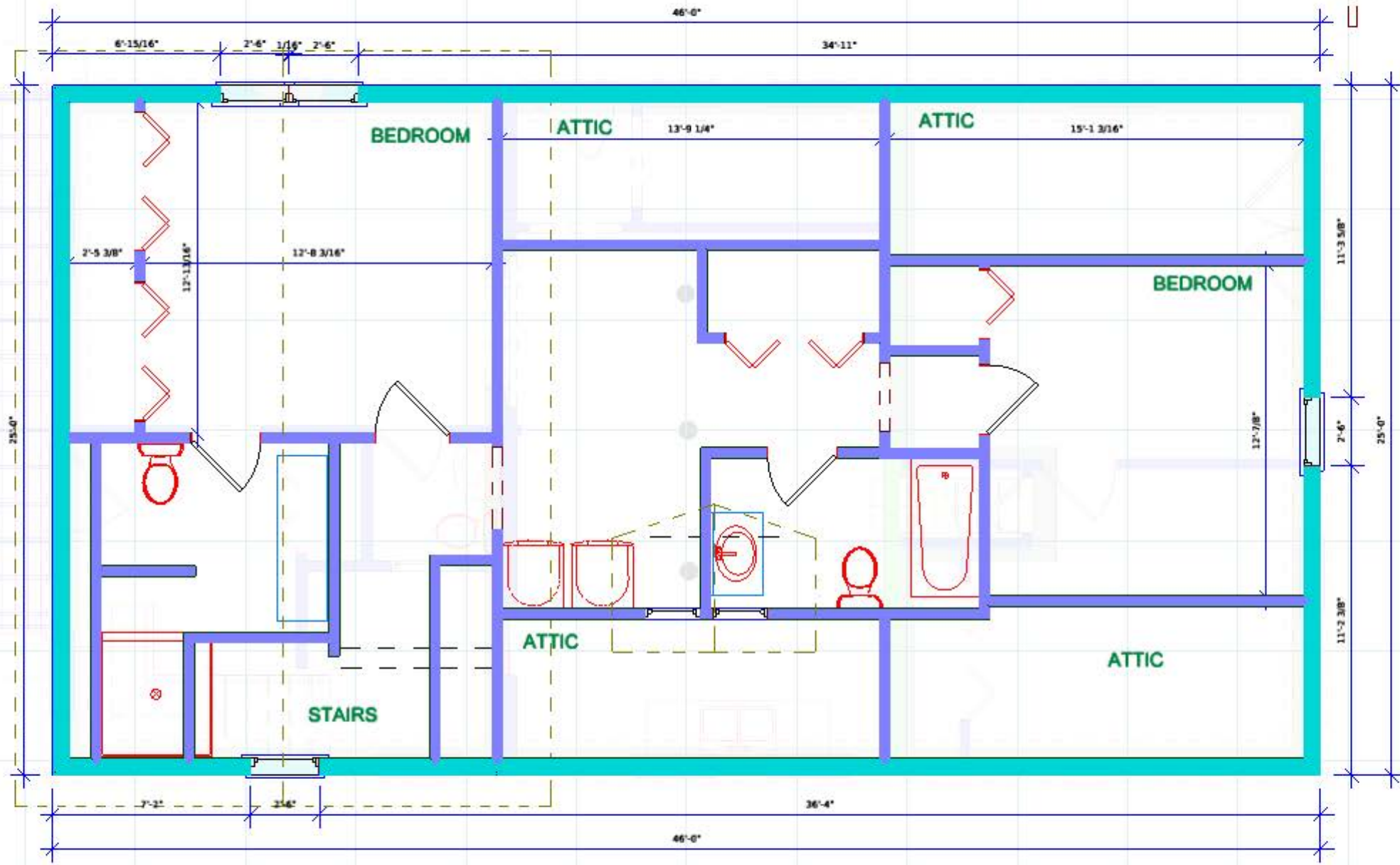
Ann Arbor
NEDERVELD
 www.nederveld.com • 800.222.1888
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DEANN BY: RM DATE: 2/26/2018 PRJ #: 18500045K
 REV BY: REV DATE: 1 OF 1

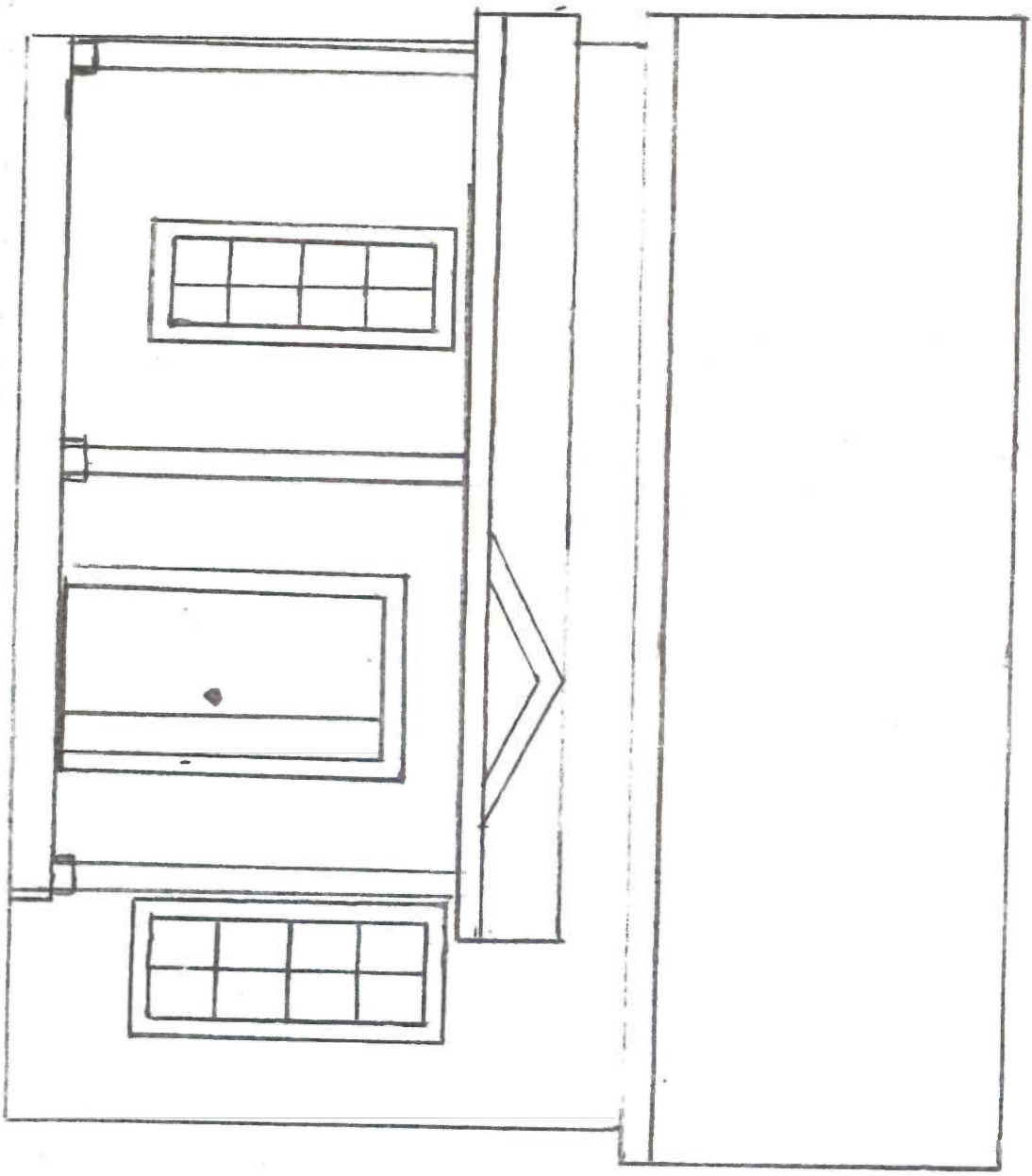
MATT GUZA 734 545-8446
MTGZ2000@YAHOO.COM
309 HISCOCK ST. ANN ARBOR

Much of the interior to be demo'd as it is plaster and lath. Exterior walls to be insulated to R13. Wall openings in supporting walls to be headered as required. New stairs to be built with clearances as required. Point loading to 2'x2'x1' pads. Bedroom windows to be changed to meet egress code. Front porch to be replaced using 6x6 treated supports, 5/4 decking, Secrued to house with appropriate methods. Roof framing materials tbd by lumber supplier/engineering.









FRONT ELEVATION

SIDE ELEVATION

