

**Zoning Board of Appeals
May 24, 2023 Regular Meeting**

STAFF REPORT

Subject: ZBA 23-0016; 980 Sherwood Street

Summary:

Race Lamkin of Lamkin Group LLC, representing property owners, are requesting a 10-foot variance from Section 5.18.5 Averaging an Established Front Building Line. The average front setback is 31 feet, and the request is to reduce the front setback to 21 feet. The owners are proposing to construct a 324 square foot (27'x12') addition to the northwest corner of the residence. The proposed addition will contain a master bedroom, bathroom, and kitchen addition. The subject property is zoned R1C, Single-Family Residential Dwelling District.

Background:

The subject property is located at the corner of Sherwood Street and Sherwood Circle north of Pauline Boulevard in the Eberwhite Neighborhood. The property is at the entrance to a cul-de-sac street. The home was built in 1955 and is approximately 1,283 square feet in size.

Description:

The proposed addition will be at the northwest corner of the home facing Sherwood Circle. The owners were notified that the home was the original sales model structure to the neighborhood during construction of the subdivision. The home does not have a basement or a garage.

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 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: My lot is a rather unusual lot and not the norm throughout the city. It is a corner lot, which creates challenges when attempting to add on to the back of the house, as the current backyard of the house is also considered the side, and side yard is also considered another front.

Additionally, my lot also sits on a cul-de-sac, causing adjacent properties to sit further back from the sidewalk, making mine appear to sit closer to the sidewalk. My house is a very modest 50s ranch, surrounded by other 50s ranches. According to the realtor who sold me the house because my house was the demo home/sales office when the neighborhood was being built, my house does not have either a basement or a garage, which are features and amenities that all my surrounding

neighbors get to enjoy in their similar ranches. I'm simply in need of bringing my property up to the same conditions of neighboring homes.

I believe that the variance request is a fair and reasonable request given the unusual circumstances and placement of my property lot.

- (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 proposed addition is a modest 324 square feet (12x27 = 324sq ft.). We are clearly not building out of luxury, excessive lifestyle or to attain a higher financial return. As newly-weds and growing family, we are asking to increase square footage minimally out of sheer necessity to be able to stay in the house that I have owned since 2004, first as a single woman and then as a single mom up to this point.

All other comparable homes in the neighborhood have basements and garages - this addition would bring my "demo" home up to similar standards to those my neighbors already enjoy. It will also considerably reduce our daily space hardships. Failure to grant the variance will force us to continue to live in a home that is below the standards of the --already modest-- neighborhood ranches.

As a newly-wed and growing family, the practical difficulties we live under are well beyond a mere inconvenience: we live under daily hardship having to store non-essentials in a storage space that adds an unnecessary monthly expense, also generating several monthly, sometimes weekly, trips to and from the storage space. Even worse, we store essentials in boxes, and are surrounded by boxes daily that we move around the house according to need, making our already small living space cluttered and not functional, even causing emotional distress, to the point that we have stopped socializing or entertaining in the home because our living environment is no longer conducive to those activities. These practical difficulties are the result of limitations that my exceptionally peculiar lot puts me under.

- (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.***

All of the above:

The adjacent lots are roughly 5 feet higher in elevation than mine. As a result, the proposed addition will have no negative impact on neighbors' view or sunlight. We are only looking to expand out and not to build up.

My property already has a row of mature trees between my lot and the neighbor's, which obscures their view of my yard and therefore will obscure the new construction. My modest addition will not affect the properties around us in a negative manner for the aforementioned reasons. The adjacent house to the

Zoning Board of Appeals
May 24, 2023

proposed addition is a rental. 3 or 4 out of the 5 homes on the cul-de-sac are also rentals.

I care deeply about my property and am committed to having the proposed addition maintain the aesthetic of the house and visually match style and color, while also enhancing my modest mid-century ranch with mid-century modern elements that will only elevate the property and neighborhood.

I love my house and neighborhood and after living in the house for 19 years I would like to be able to stay. My daughter attends Eberwhite Elementary just two blocks away from the house. I have been on staff at U-M uninterruptedly since 1999 after I graduated from U-M in 1998. If any of you are familiar with the U-M system you will understand the financial reality of having had very modest U-M salaries over the years, and purchasing a new larger property with reassessed taxes within the city limits and current interest rates is simply not an option for my family. I believe my variance request is a just request.

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

The daily space hardships we are living under are not self-imposed difficulties. Aside from bedroom closets, the only other closets and/or storage space I have in the entire house is a 2ftx4ft entrance hall closet, a 2ftx2ft pantry outside of the minute galley kitchen, and a 1.5ftx1.5ft linen closet outside the 6ftx8ft miniscule and only bathroom in the entire house. This arrangement worked when I initially bought the house by myself as a younger woman and as my first home. I then worked hard to maintain the property when I became a single mom despite the property's limitations, such as lack of storage space for everything that goes with having kids. I am now newly married and as a result we are a growing family and we simply do not fit in my current home. I must request a variance because of the unusual circumstances in which my lot sits, not because of self-imposed practical difficulties.

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

Owner responded that the request for a 10 foot variance is indeed the minimum increase we need to bring the addition to simply meet the existing walls of the rest of the property to make a reasonable use of the structure possible.

Respectfully submitted,



Jon Barrett- Zoning Coordinator