



Legislation Text

File #: 19-0841, Version: 1

An Ordinance to Amend Section 5.18.1 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Front Porch Exception from Front Yard Setback) (Ordinance No. ORD-19-17)

The Zoning Board of Appeals (ZBA) has heard nearly 50 petitions for front porch variances over the past 10 years. Many of these requests have been granted to allow encroachment into the average front setback (currently code prohibits such encroachment).

The proposed amendment would allow unenclosed, covered porches, decks, and platforms to encroach into a required front yard setback by up to eight feet, with additional limitations.

Based on a request from the ZBA, this text amendment was considered and recommended for approval by the Planning Commission on November 20, 2018.

Prepared by: Brett Lenart, Planning Manager
Reviewed by: Derek Delacourt, Community Services Area Administrator
Approved by: Howard S. Lazarus, City Administrator

ORDINANCE NO. ORD-19-17

First Reading: June 3, 2019 Approved: July 1, 2019
Public Hearing: July 1, 2019 Published: July 11, 2019
Effective: July 21, 2019

FRONT PORCH EXCEPTION FROM FRONT YARD SETBACK

AN ORDINANCE TO AMEND SECTION 5.18.1 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor Ordains:

Section 1. That Section 5.18.1 Special Dimensional Standards and Site Layout Standards - Within Yards and Setback Areas of Chapter 55 of Title V of the Code of the City of Ann Arbor be amended to read as follows:

5.18.1 Within Yards and Setback Areas

A. General

Except as specifically provided in this chapter, Setback Areas shall be open, unoccupied, and unobstructed by any permanent Structure or any part of a Structure from the ground to the sky.

B. Exceptions

1. The following types of Structures may be located anywhere on a Lot, including in any Setback Area:
 - a. open and unroofed terraces, patios, stoops and steps, ramps for Building access
 - b. Awnings
 - c. flagpoles
 - d. trellises
 - e. retaining walls
 - f. fountains

- g. outdoor cooking equipment
 - h. Sidewalks
 - i. mailboxes
 - j. light poles
 - k. Fences in accordance with Section 5.26.
 - l. Parking Lots and drives if permitted by Sections **Error! Reference source not found.** and 5.21.
2. In residential zoning districts, the following types of Structures may be located anywhere on a Lot except in the required Front Setback Area:
- a. Solid waste containers (unless approved under Section 2:4 of Chapter 26);
 - b. Fire escapes; and
 - c. Mechanical Equipment.
3. Certain architectural features, such as cornices, eaves, gutters, bay windows, and chimneys may project up to two feet into any Setback Areas.
- C. Front Porch Setback Exception**
Unenclosed porches, decks and platforms covered by a roof or canopy which do not extend above the first floor of a residential structure, nor extend more than eight feet in depth from any point along the principal building, and located in an R1A, R1B, R1C, R1D, R1E, R2A, or R4C District may project up to eight feet into the Required Front Setback Area. No unenclosed porch, deck, or platform shall be located within five feet from the Front Lot Line. For premises on which such encroachment occurs, the principal Established Front Building Line will continue to establish the existing Required Front Setback.

Section 2. This ordinance shall take effect and be in force on and after ten days from legal publication.

CERTIFICATION

I hereby certify that the foregoing ordinance was adopted by the Council of the City of Ann Arbor, Michigan at its regular session of July 1, 2019.

(Date)

Jacqueline Beaudry, Ann Arbor City Clerk

Christopher Taylor, Mayor

I hereby certify that the foregoing ordinance received legal publication in the Washtenaw Legal News on July 11, 2019.

Jacqueline Beaudry, Ann Arbor City Clerk