

**Zoning Board of Appeals  
January 23, 2013 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA13-002, 2095 W. Stadium**

**Summary:** Suburban Fiat is requesting one variance from Chapter 61, Signs and Outdoor Advertising, Section 5:502 (2) (b) of 7 feet from the required setback of 15 feet to permit construction of a 7 foot tall monument sign setback 8 feet from the lot line.

**Background:**

The petitioner is requesting a variance from **Chapter 61, Section 5:502 (2)(b)** for the placement of a two-sided monument sign fronting 2095 West Stadium Boulevard. The variance includes a reduction from the required setback from the right-of-way from 15 feet to 8 feet.

A site plan for the construction of a 3,408 square foot building was approved in 2012. The subject parcel is zoned C3 (Fringe Commercial District) and requires a front setback range between 10-25 feet. The newly constructed building is setback 25 feet and has parking and vehicle storage in front of the building. The proposed two-faced monument sign is located in the northeast corner of the site in a landscape area, outside of the vehicular use area.

**Chapter 61** addresses sign height and setback requirements in the following sections:

**5:502 Exterior Business Signs.**

**(2) (b) Ground Signs.**

Signs not structurally attached to the building shall be at least 15 feet from any street or from any lot line of the premises. Such signs shall have a maximum height starting at 3 feet in height at the right-of-way line, and increasing 1 additional foot for each 2 feet the sign is set back from the right-of-way line, provided that, if it is located within 20 feet of the building, it may have the same maximum height as could a sign located on the building, provided that the height of any such sign shall not exceed 25 feet.

**Standards for Approval - Variance**

The Sign Board of Appeals has the power granted by State law and by **Section 5:517(4)**, Application of the Variance Power from the City of Ann Arbor Sign Ordinance. The following criteria shall apply:

**(a) That the alleged hardships or practical difficulties, or both, are peculiar to the property of the person requesting the variance and result from conditions which do not exist generally throughout the city.**

The petitioner states that the setback is impractical at the required 15 foot setback as it places the monument sign in the parking lot and the exiting landscaping and light poles block the view of the sign from the street. From a safety perspective, this is the only sign perpendicular to the street and would alert customers to the business entrance.

Staff agrees there is a light pole and landscaping screening the parking lot and the proposed monument sign would be in the parking lot if setback the required 15 feet. The reduction in the required setback from 15-feet to 8-feet does not impede the flow of on-coming traffic nor create a dangerous viewing situation while either entering or exiting this site per the City Traffic Engineer. There is no effect on neighboring properties as the ground sign does not block other structures in the area.

Staff is currently working on revising the sign code section addressing setbacks. This particular section of code is proposed to be changed to allow a minimum 5 foot setback.

**(b) 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 the failure of the Board to grant a variance and the rights of others whose property would be affected by the allowance of the variance.**

Staff contends that approval of the setback variance would not negatively impact other property owners, and the proposal does not cause negative traffic impacts. The petitioner proposes to setback the monument sign as far as practicable to be seen from traffic while not being located in the parking lot.

Recently a Sign Permit was issued for 3 wall signs for this business totaling 52 square feet. The proposed monument sign meets the sign area and message unit requirements of Chapter 61.

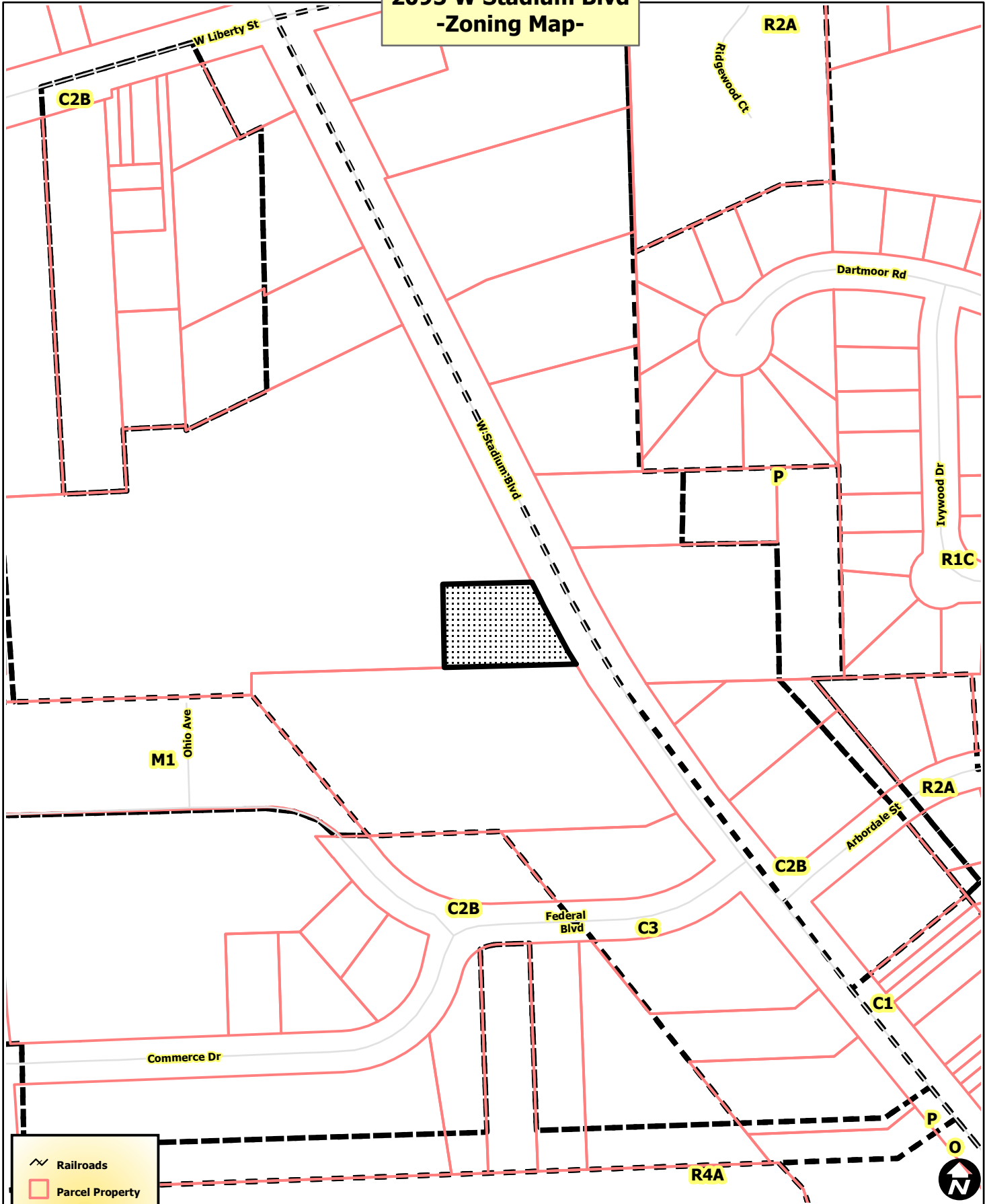
Staff recognizes the challenge presented to the petitioner to promote his business; the proposed reduction in the setback on the property should be sufficient to facilitate business identification and promotion.

Respectfully submitted,

*Chris Cheng*

**Chris Cheng, AICP  
City Planner**

# 2095 W Stadium Blvd -Zoning Map-



Railroads  
 Parcel Property  
**Zoning**  
 Township  
 Zoning





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 Map Created: 6/20/2012



# 2095 W Stadium Blvd -Aerial Map-



-  Railroads
-  Parcel Property




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 Map Created: 6/20/2012





# 2095 W Stadium Blvd -Aerial Map-

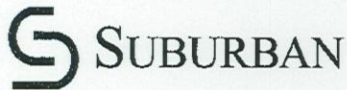


 Railroads  
 Parcel Property



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Map Created: 1/2/2013





The  
Suburban  
Collection

P.O. Box 909  
Troy, Michigan 48099

December 18, 2012

**Members of  
The Suburban Collection**

**California Locations**  
Orange Coast Buick GMC  
Orange Coast Cadillac

**Florida Locations**  
Florida Automotive Distributing  
Suburban Volvo Palm Beach

**Illinois Location**  
Accessories of Chicago

**Michigan Locations**

**Ann Arbor**  
Suburban Chevrolet Cadillac  
Suburban Chrysler Jeep

**Farmington Hills/Novi**  
Audi Farmington Hills  
Fischer Body Refinishing  
Porsche of Farmington Hills  
Suburban Acura  
Suburban Chrysler Dodge Jeep Ram  
Suburban Honda  
Suburban Infiniti  
Suburban Mazda  
Suburban Nissan  
Suburban Volkswagen

**Ferndale**  
Suburban Buick GMC

**Sterling Heights**  
Suburban Ford  
Suburban Mazda

**Troy**  
Bentley Troy  
Bugatti Troy  
Fischer Body Refinishing  
Lamborghini Troy  
Maserati of Troy  
Rolls-Royce Motor Cars Michigan  
Spyker of Troy  
Southeastern Michigan Accessory Center  
Suburban Cadillac Buick  
Suburban Chrysler Dodge Jeep Ram  
Suburban Hyundai  
Suburban Infiniti  
Suburban Mazda  
Suburban Nissan  
Suburban Scion  
Suburban Subaru  
Suburban Toyota  
Suburban Volkswagen  
Suburban Volvo

**Waterford**  
Suburban Ford

**make the choice**

City of Ann Arbor  
Board of Appeals  
301 E. Huron Street  
Ann Arbor, MI 48104

RE: Suburban Stadium, LLC

To Whom It May Concern:

I, Timothy J. LeRoy, hereby confirm that Suburban Stadium, LLC, the owner of the property at 2095 W. Stadium Blvd., Ann Arbor, MI 48103, authorizes Heileman Signs to submit the enclosed sign variance application on our behalf, and authorizes Dan Heileman and/or other Heileman Sign employees to represent Suburban Stadium, LLC at the sign variance meeting.

If you have any questions, please contact me via e-mail at [tleroy@suburbancollection.com](mailto:tleroy@suburbancollection.com) or by telephone at or (248) 519-9888.

Sincerely,

SUBURBAN STADIUM, LLC

Timothy J. LeRoy  
Secretary-Treasurer





## City of Ann Arbor

PLANNING & DEVELOPMENT SERVICES — PLANNING DIVISION

301 East Huron Street | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647

p. 734.794.6265 | f. 734.994.8312 | [planning@a2gov.org](mailto:planning@a2gov.org)

December 20, 2012

Dan Heileman  
Heileman Signs  
4797 Gratiot  
St. Clair, Michigan 48079

Project and Address: **Suburban Fiat at 2095 W. Stadium**

After reviewing the submitted application, drawings, etc. the issue(s) were identified:

1. The proposed ground sign setback on site is 8-feet and the proposed height is 7-feet.

**Per Chapter 61, Signs and Outdoor Advertising, Section 5:502 (2) (b)** states "Signs not structurally attached to the building shall be at least 15 feet from any street or from any lot line of the premises....and increasing 1 additional foot for each 2 feet the sign is setback from the right-of-way...."

This application does not meet code per Chapter 61. Please be advised that you have the right to seek a variance from the Zoning Board of Appeals. Please contact Brenda Acquaviva for additional information at 734-794-6000 x 42666 or email at [Bacquaviva@a2gov.org](mailto:Bacquaviva@a2gov.org). If you need further assistance, please feel free to contact me at 734-794-6000 x 42616 or email at [ccheng@a2gov.org](mailto:ccheng@a2gov.org).

Sincerely,

*Chris Cheng*

Chris Cheng, AICP  
City Planner, Planning and Development Services

c: Brenda Acquaviva, Administrative Support Specialist



**APPLICATION FOR VARIANCE OR ADMINISTRATIVE APPEAL**  
**SIGN BOARD OF APPEALS**

**Section 1: Applicant Information**

Name of Applicant: Heileman Signs  
Address of Applicant: 4797 Gratiot Avenue St. Clair, MI 48079  
Daytime Phone: 810-364-2900  
Fax: 810-364-0900  
Email: dan@heilemansigns.com  
Applicant's Relationship to Property: Sign Contractor

**Section 2: Property Information**

Address of Property: 2095 W. Stadium Blvd., Ann Arbor, MI 48103  
Zoning Classification: C3 Fringe Commercial  
Tax ID# (if known): 09-09-30-318-001  
\*Name of Property Owner: Suburban Stadium, LLC

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

**Section 3: Request Information**

Variance

Chapter(s) and Section(s) from which a variance is requested:

Section 5:502 (2) (b)

Required dimension:

15' setback

PROPOSED dimension:

8' setback

*Example: Chapter 61, Section 5:26*

*Example: 40' Setback from  
Right of Way*

*Example: 36' Setback from  
Right of Way*

Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)

We are requesting to install our ground sign at an 8' setback not at the code required 15' setback.

**Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)**

The City of Ann Arbor Sign Board of Appeals has the powers granted by City Code Chapter 61. A variance may be granted by the Sign 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 will form the basis for evaluation of the request by staff and the Sign Board of Appeals. (continued...)



1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

We are asking for an 8' setback for our ground sign. Code is 15' back. At 15' we will be located in the parking lot with the visibility of the sign being blocked by trees and parking lot poles.

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)

From a safety standpoint, this is the only sign we have perpendicular to the road and would like customers to have enough time to turn into the entrance driveway, as the sign is located next to the driveway.

3. What effect will granting the variance have on the neighboring properties? \_\_\_

None.

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

The light pole and the trees would block the visibility of the sign.

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

NO, the trees were planted years ago.

**Section 5: Administrative Appeal (ONLY – DO NOT COMPLETE IF FILING FOR VARIANCE)**

Current use of the property \_\_\_\_\_

Explain what you were denied and why you are requesting an Administrative Appeal:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**Section 6: Required Materials**

The following materials are required for all variance requests or administrative appeals. Failure to provide these materials will result in an incomplete application and will delay staff review and Sign 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.**

- Building showing frontage dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.
- Property Site Plan showing setbacks, right of ways, etc.

**Section 7: Acknowledgement**

**SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC**

I, the applicant, 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.

810-364-2900  
Phone Number  
dan@heilemansigns.com  
Email Address

*Daniel Heileman*  
Signature  
Daniel Heileman  
Print Name

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct. I acknowledge that I've received all instructions, time, date and place of meeting and will be present to present the appeal. Staff will not send additional notification of meeting times.

*Daniel Heileman*  
Signature

Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Sign Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

*Daniel Heileman*  
Signature

On this 20 day of December, 2012, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

DIANE M SATULLO  
NOTARY PUBLIC - STATE OF MICHIGAN  
OAKLAND COUNTY  
MY COMMISSION EXPIRES 10/11/2013

Notary Commission Expiration Date

*Diane M. Satullo*  
Notary Public Signature  
Diane M. Satullo  
Print Name

**Staff Use Only**

Date Submitted: \_\_\_\_\_

Fee Paid: \_\_\_\_\_

File No.: \_\_\_\_\_

Date of Public Hearing \_\_\_\_\_

Pre-filing Staff Reviewer & Date \_\_\_\_\_

SBA Action: \_\_\_\_\_

Pre-Filing Review: \_\_\_\_\_

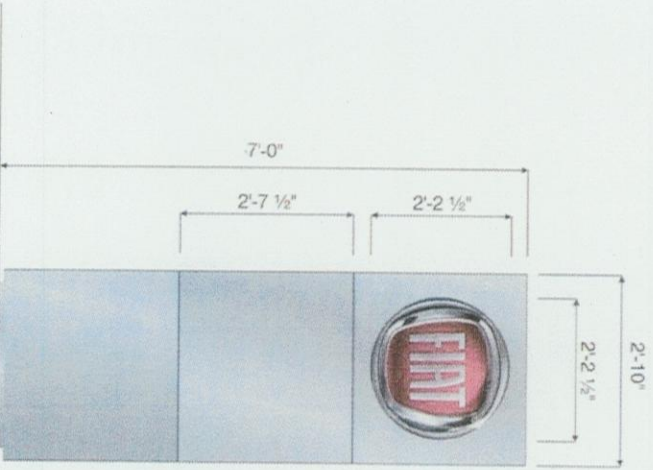
Staff Reviewer & Date: \_\_\_\_\_





# 8' Totem

01



Flat 8' Totem  
 22.67 Square Feet  
 Scale: 3/8" = 1'

- Logo to be .118" formed face with screen printed vinyl on first surface.
- Panels to be .125" curved aluminum cladding
- Base to have .125" aluminum reveal
- Sign illuminated with two (2) F30/T12/DL/HO fluorescent lamps

 PMS 7427
  Aluminum

# principle



Sign | Light | Power | Low Voltage | Kiosks | Cabling

2060 Lakeside Centre Way  
 Knoxville, TN 37922  
 865.692.4058  
 www.principle-groundus.com

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Revision #: 1

Date: 10-9-12

Designer: AMF

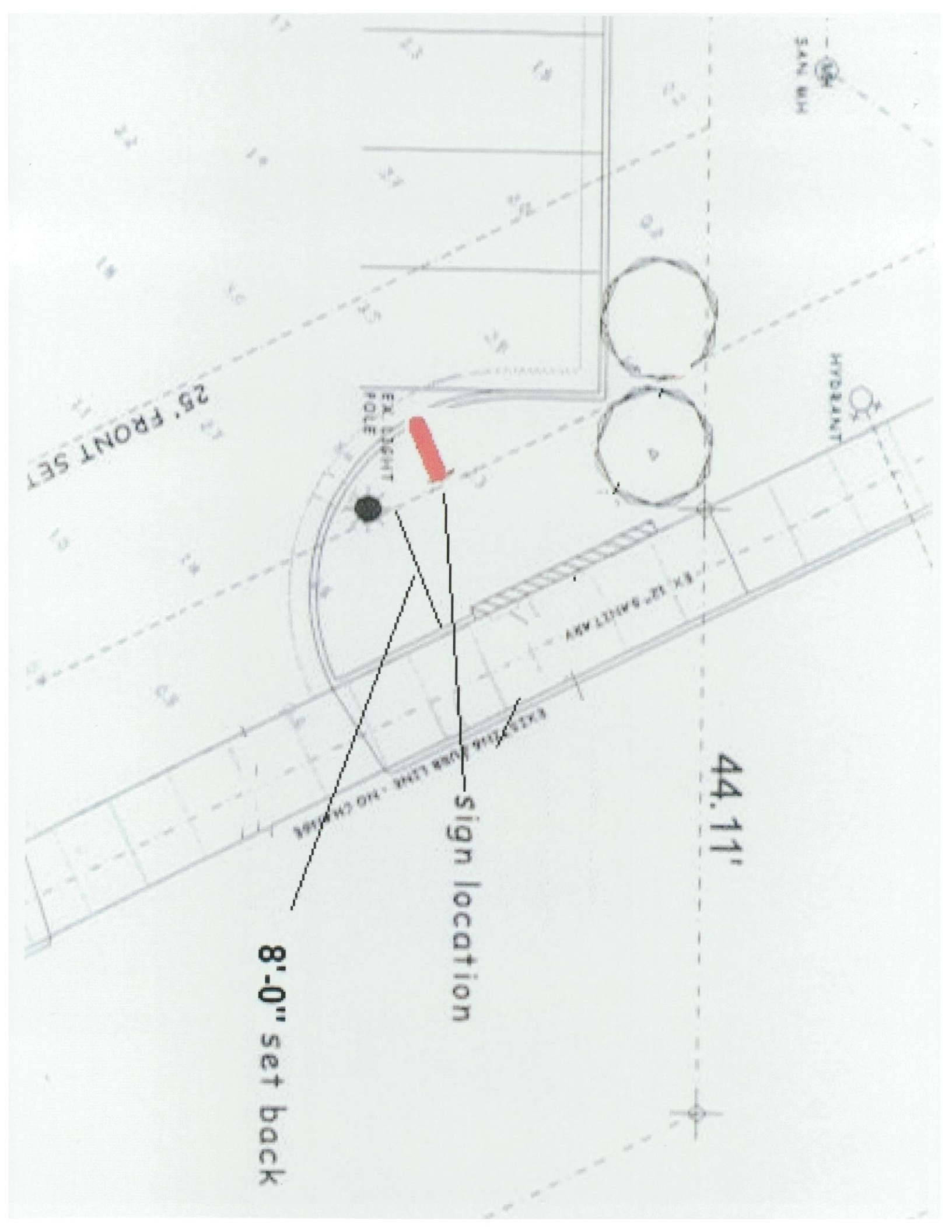
Address: 2095 W. Stadium Blvd.

City, ST: Ann Arbor, MI 48103

Dealer Name: Suburban







SAN. RM

HYDRANT

25' FRONT SET

EX. LIGHT POLE

EX. 12" SANITARY

EXIST. 12" GAS LINE - NO CHANGE

44.11'

sign location

8'-0" set back