

**Zoning Board of Appeals
April 27, 2016 Regular Meeting**

STAFF REPORT

Subject: ZBA16-009 3900 Research Park Drive

Summary: Mannik Smith Group and Zoller Properties are requesting the following variances:

1. One variance from Chapter 47 (Streets) Section 4:20, a variance to permit a 25 foot approach radii, 15 feet is required.
2. One variance from Chapter 47 (Streets) Section 4:20, a variance to permit a 70 foot and 70.3 foot wide curb cuts, 60' wide curb cuts are required.
3. One variance from Chapter 47 (Streets) Section 4:20, a variance to permit a 31 foot and a 32 foot driveway opening, 30' is required.

Description and Discussion:

The site is currently two vacant lots located on the Research Park Drive. The petitioner is proposing to construct a 44,525 square foot single-story research and sales office with a product display area and warehouse. The new building will contain 29,850 square feet of research and office, 13,500 square feet of warehouse and 1,175 square feet of garage area. Zoller designs and manufactures precision tools for measuring, presetting and balancing machines. This building is designed to be the North American headquarters of the company and will supply some limited small parts and will provide product training and display of Zoller equipment.

The project site plan currently proposes 88 exterior vehicle parking spaces, with an additional 3 parking spaces located in a small attached garage. There will be 11 covered Class A bicycle parking spaces provided within the enclosed garage. A loading dock area and truck well for deliveries and pickups will be located at the rear of the building.

The project proposes a total of three curb cuts (two requiring variances) leading to Research Park Drive. All curb cuts will be used to access the vehicle parking as well as the loading dock area. Variances (width and turning radius), for the two southern curb cuts are required in order to construct the requested driveways. The variances are supported by Engineering staff to help preserve landscaping as well as increase safe turning radius by large trucks.

Standards for Approval - Chapter 47 (Streets) 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 and Chapter 47(Streets), Section 4:20(9). The following criteria shall apply:

The Zoning Board of Appeals shall have the authority to interpret this Chapter and may, in specific cases involving practical difficulty or unnecessary hardship, grant variances or exceptions from the requirements of this Chapter providing such a variance or exception is in harmony with the general purpose and intent of this Chapter.

All of the variances requested will be in harmony with the general purpose and intent of Chapter 47 because they will allow for safer access to and from the site. The modifications proposed will assist delivery vehicles as well as large emergency vehicles navigate the site efficiently and minimize potential conflicts with passenger vehicles.

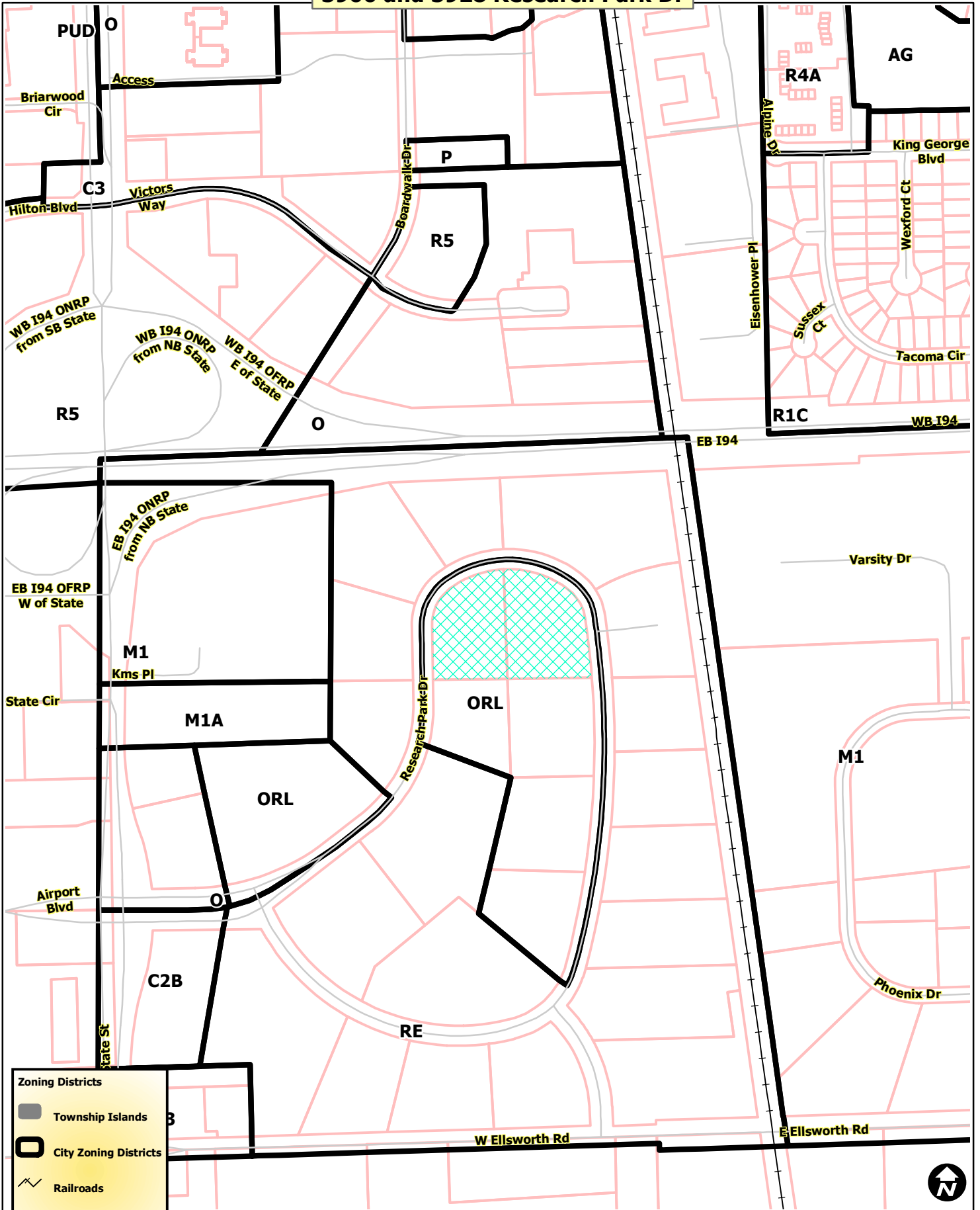
The proposed drive configuration will allow for more direct access to the proposed loading area in the rear of the building. Utilizing the proposed curb cuts will result in increased efficiency for the customers of Zoller by requiring that trucks both enter and exit from the southern curb cuts leading to Research Park Drive. Given the existing layout of the site and surrounding land uses, all of the requested variances are reasonable.

The City's Traffic Engineer has reviewed and supports the variance requests as proposed.






Respectfully submitted,

Jon Barrett
Zoning Coordinator

3900 and 3928 Research Park Dr



Zoning Districts

-  Township Islands
-  City Zoning Districts
-  Railroads
-  Parcels
-  Huron River



Map date 4/8/2016
 Any aerial imagery is circa 2015
 unless otherwise noted
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3900 and 3928 Research Park Dr



-  Railroads
-  Parcels
-  Huron River



Map date 4/8/2016
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APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: Mannik Smith Group - Timothy Walther, P.E.
Address of Applicant: 2365 Haggerty Rd South, Canton MI 48188
Daytime Phone: (734) 397-3100
Fax: (734)397-3131
Email: twalther@manniksmithgroup.com
Applicant's Relationship to Property: Civil Engineer Consultant

Section 2: Property Information

Address of Property: Lots 27 & 28 of "Research Park" subdivision.
Zoning Classification: ORL (Office/Research/Limited Industrial)
Tax ID# (if known): 09-12-09-303-002 (Lot 27) & 09-12-09-303-001 (Lot 28)
*Name of Property Owner: Zoller Properties 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:

Chapter 47, Section 4:20

Required dimension: PROPOSED dimension:

15' approach radii 25'

60' Wide Curb Cut 70' / 70.3'

30' Driveway opening 31' / 32'

Example: Chapter 55, Section 5:26

Example: 40' front setback

Example: 32'

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

See the attached information.

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

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. (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?

See attached

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

See attached

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

See attached

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?

See attached

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

See attached

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE N/A

Current use of the property N/A

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

(continued)

Existing Condition

Code Requirement

Lot area _____ N/A _____ N/A _____

Lot width _____

Floor area ratio _____

Open space ratio _____

Setbacks _____

Parking _____

Landscaping _____

Other _____

Describe the proposed alterations and state why you are requesting this approval:

N/A _____

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:

N/A _____

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit _____

N/A _____

Section 6: 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.** (Continued.....)

- 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.

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.

(734) 397-3100

Phone Number
 Email Address
 T.WALTHER@MANAIKSMITHGROUP.COM

[Handwritten Signature]

TIMOTHY E WALTHER

Signature
 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.

[Handwritten Signature]

Signature

Further, I hereby give City of Ann Arbor Planning & 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.

[Handwritten Signature]

Signature

I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that **staff does not remind the petitioner of the meeting date and times.**

[Handwritten Signature]

Signature

On this 17 day of MAR, 2016, 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.

[Handwritten Signature]
 Notary Public Signature

VICKIE LYNNE WILLIAMS

4.22.2019 NOTARY PUBLIC - STATE OF MICHIGAN VICKIE LYNNE WILLIAMS

Notary Commission Expiration Date

COUNTY OF MONROE

Print Name

My Commission Expires 4/22/2019

Acting in the County of Wayne

Staff Use Only

Date Submitted: _____ Fee Paid: _____
 File No.: _____ Date of Public Hearing _____
 Pre-filing Staff Reviewer & Date _____ ZBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____

SP15-047 - Variance Application Lots 27 & 28, Zoller Properties, LLC

Supplemental information as requested:

Give a detailed description of the work you are proposing and why it will require a variance.

There are two proposed driveway approaches that exceed the maximum allowable radius, proposed curb cuts and driveway width (see attached Plan C4.0). The southwest drive approach deviates as follows:

- The curb radius exceeds the 15' maximum on the south curb line, to a 25' radius.
- The driveway exceeds the maximum width of 30' to a proposed 32'.
- The existing curb cut will exceed the allowable length of 60' to approximately 70.3'.

The east approach deviates as follows:

- The curb radius exceeds the 15' maximum on the south curb line, to a 25' radius.
- The driveway exceeds the maximum width of 30' to a proposed 31'.
- The existing curb cut will exceed the allowable length of 60' to approximately 70'

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 believe that there will be practical difficulties complying with the ordinance in this case due to the delivery design truck turning radius. We believe this practical difficulty is unique to this site.

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

We believe that the safe and adequate flow of daily truck deliveries is an essential part to keeping operations running smoothly at the new facility along with maintaining traffic flow on Research Park Drive.

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

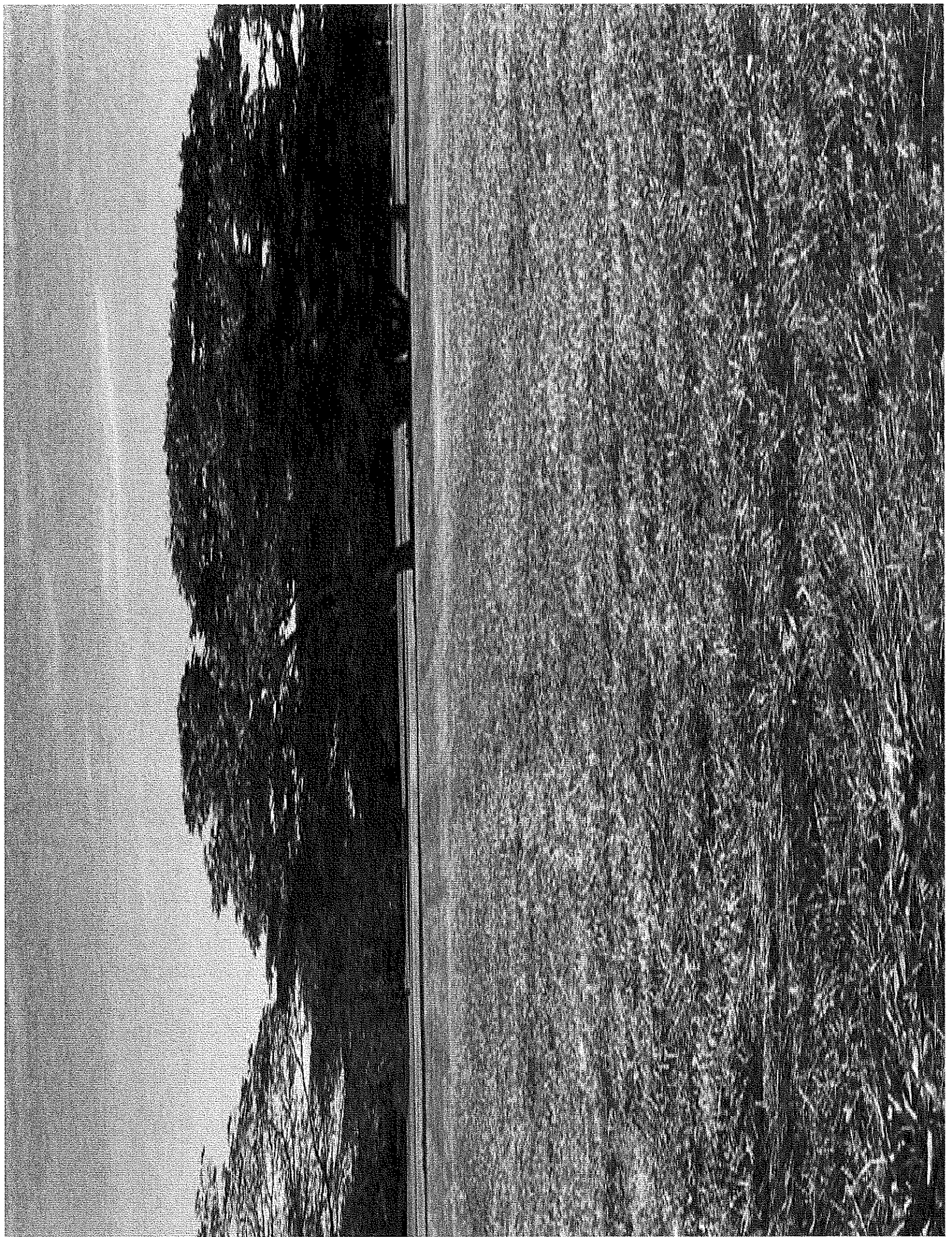
We believe that this will be a positive effect by eliminating possible delivery congestion on to Research Park Drive by accommodating the needed truck turning radius.

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 shape and location of the properties do present a minor challenge with keeping consistent with the ordinance in order to provide the needed truck turning radius to maintain an optimum truck delivery flow.

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

The design of the site is facilitated to accommodate semi-truck deliveries by entering the southwest driveway, backing into the truck well and then exiting out through the east driveway, this will help to separate the delivery traffic and the ongoing day to day traffic and is how the condition came about. The tapered approaches along with the increased radius in both locations facilitate the needed turning radius of semi-truck deliveries safely off and onto Research Park Drive.



November 17, 2015

RE: Property Owner's Letter of Authorization
Ann Arbor, Michigan: Parcel Numbers 09-12-09-303-001 and 09-12-09-303-002
Physical Address: 3928 & 3900 Research Park Drive, Ann Arbor, Michigan 48108

To Whom It May Concern:

I am the authorized representative of Zoller Properties, LLC (Owner), the property owner of tax parcels 09-12-09-303-001 & 09-12-09-303-002 located at 3900 & 3928 Research Park Drive, Ann Arbor, Michigan 48108. (Property)

Owner hereby authorize Timothy Walther of Mannik & Smith Group, Inc., and David Gebhardt of David R Gebhardt Architect P.C., to act as the Owner's agent to pursue the entitlement and permitting process for the proposed development of the Property, including but not limited to submitting applications for site plan review, zoning and variance approvals, soil erosion control permits, building permits and other items related to the proposed development of the Property, as well as appearing before the Planning Commission, Zoning Board of Appeals and City Council.

Contact Information is as follows:


Timothy Walther, Project Manager
Mannik & Smith Group, Inc.
2365 Haggerty Road South
Canton, MI 48188
734.397.3100
twalther@manniksmithgroup.com

David Gebhardt, President
David R Gebhardt Architect PC
176 Saline River Dr
Saline, MI 48176
734.355.8992
dgebhardt@drga.com

Please contact me if you should have any questions regarding this authorization.

Sincerely,

ZOLLER Properties, LLC

By: 

(Authorized Signer)

Alexander Zoller, President
(Printed Name and Title)

11/18/15
(Date)

734-531-5805
(Phone Number)

