

**Zoning Board of Appeals  
February 27, 2019 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA19-001; 2750 Pontiac Trail**

Commercial Property Investors of Pontiac Trail, LLC are requesting a variance from Chapter 55 Unified Development Code (UDC) Section 5.19.2 Parking Requirements. The 69- unit three-story townhome development is required to supply two parking spaces per unit for a total of 138 parking spaces. The petitioner is proposing to install 94 parking spaces resulting in a 44 parking space variance. The property is zoned R4A Multiple Family.

**Summary:**

The petitioner will demolish the existing vacant structures on site and combine the three adjacent parcels totaling 7 acres and will construct 69 three-story townhouse units in 11 buildings. The estimated cost of construction is \$8,400,000. Construction is expected to commence in one phase.

**Background:**

The site is located on the east side of Pontiac Trail and south of Dhu Varren Road. The two story home located at 2750 Pontiac was built in 1950. The abutting parcel at 2730 is currently vacant. The property to the south at 2710 contains three storage buildings that were constructed 35-40 years ago and are currently vacant.

**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 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 petitioner states that the parking space deficiency results from the preservation of natural features on-site which renders portions of the property undevelopable. This is unique to some properties in the City.

- (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.***

If the variance is denied, the result could be the removal of woodland areas and additional impervious surfaces being established for the construction of a surface parking lot.

The applicant states the variance request is not financially motivated.

- (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 variance will be beneficial to the preservation of woodland features and reduced impervious surfaces. This results in less required storm detention area.

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

The proposed site layout provides 94 legal parking spaces on site (69 garage and 25 surface parking spaces) falling short of the minimum required parking by 44 spaces. The petitioner included 34 tandem parking spaces in garages along with 69 driveway parking spaces bringing the revised parking total to 197 parking spaces (103 additional parking spaces that cannot be counted per the parking ordinance per Section 5.19.8 (D) Design of Vehicle Parking Facilities).

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

The applicant states the variance being requested is the minimum based on the design of the development.

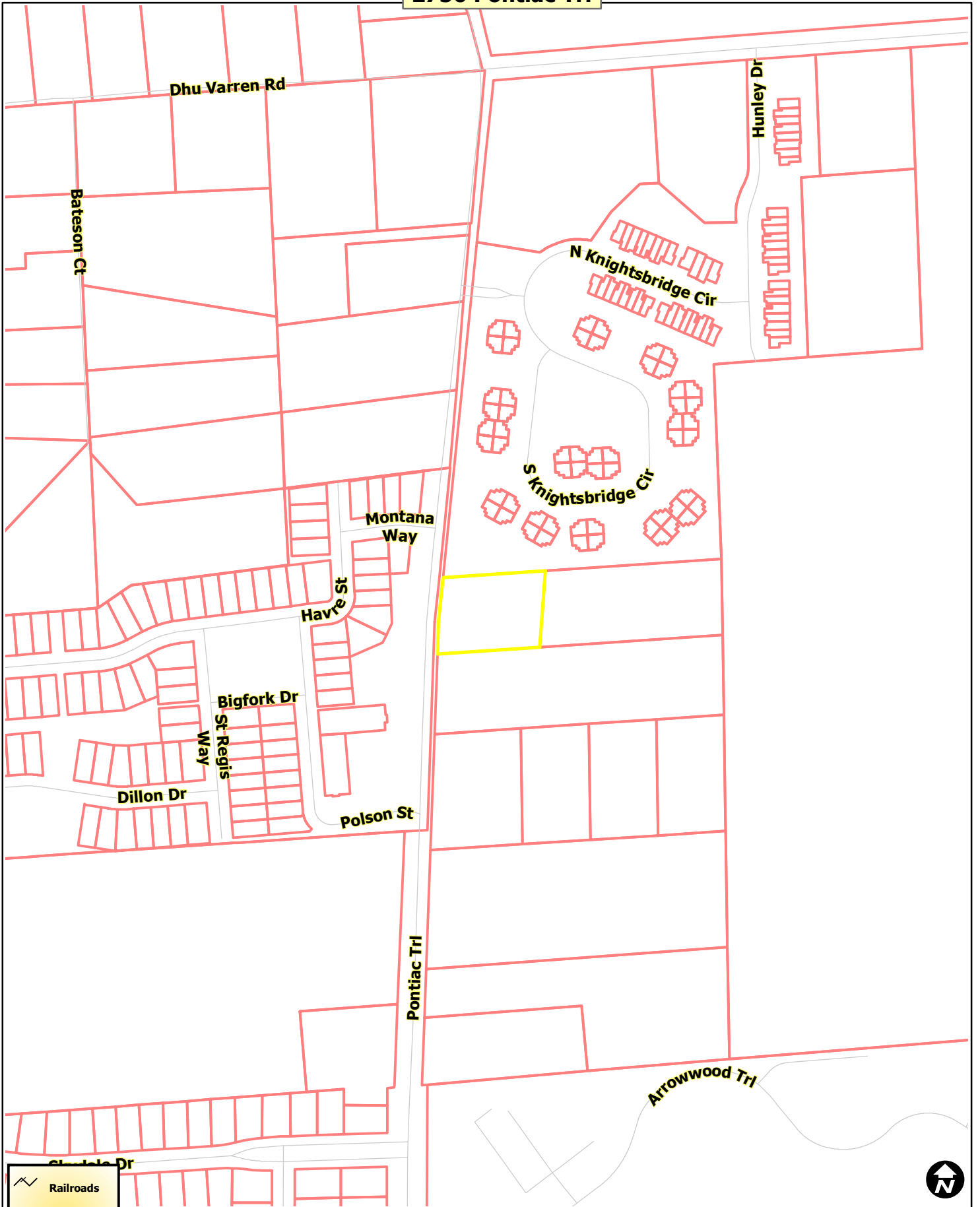
The development (Bristol Ridge) received recommendation from the City Planning Commission on February 5, 2019.




Respectfully submitted,



Jon Barrett  
**Zoning Coordinator**

# 2750 Pontiac Trl



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 2/5/2019  
Any aerial imagery is circa 2018  
unless otherwise noted  
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# 2750 Pontiac Trl

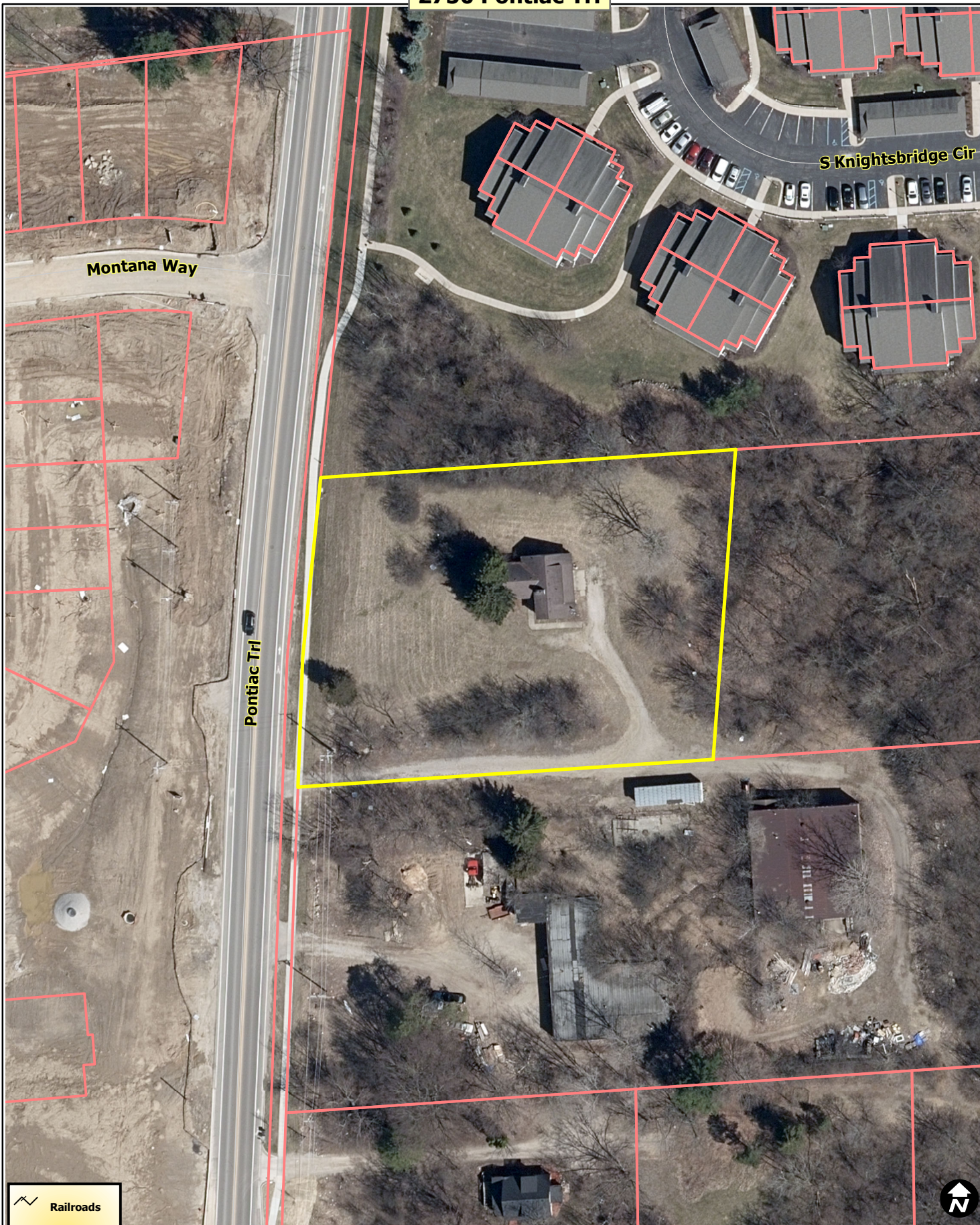



- Railroads
- Huron River
- Tax Parcels





Map date: 2/5/2019  
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2750 Pontiac Trl



 Railroads

 Huron River

 Tax Parcels



Map date: 2/5/2019  
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# ZONING BOARD OF APPEALS APPLICATION

City of Ann Arbor Planning Services

City Hall: 301 E Huron Street Ann Arbor, MI 48107-8647

Phone: 734-794-6265 Fax: 734-794-8460 Email: [planning@a2gov.org](mailto:planning@a2gov.org)

PROPERTY INFORMATION			
ADDRESS OF PROPERTY <b>2750 PONTIAC TRAIL</b>			ZIP CODE <b>48105</b>
ZONING CLASSIFICATION <b>R4A</b>	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided <b>COMMERCIAL PROPERTY INVESTORS OF PONTIAC TRAIL, LLC</b>		
PARCEL NUMBER <b>09-09-16-200-170/171/172</b>	OWNER EMAIL ADDRESS <b>SLEFEREC@NORFOLK-HOMES.COM</b>		
APPLICANT INFORMATION			
NAME <b>COMMERCIAL PROPERTY INVESTORS OF PONTIAC TRAIL, LLC</b>			
ADDRESS <b>8178 JACKSON ROAD, A<sup>2</sup>, MI, STE D</b>	CITY <b>ANN ARBOR</b>	STATE <b>MI</b>	ZIP CODE <b>48103</b>
EMAIL <b>SLEFEREC@NORFOLK-HOMES.COM</b>		PHONE <b>734-216-6157</b>	
APPLICANT'S RELATIONSHIP TO PROPERTY <b>OWNER</b>			
REQUEST INFORMATION			
<input checked="" type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application		<input type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application	
REQUIRED MATERIALS		OFFICE USE ONLY	
<p>One hard copy application complete with all required attachments must be submitted. Digital copies of supportive materials included in the submitted hard copy will only be accepted in PDF format by email or accompanying the hard copy application on a USB flash drive.</p> <p><b>Required Attachments:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property.</li> <li><input checked="" type="checkbox"/> Building floor plans showing interior rooms, including dimensions.</li> <li><input checked="" type="checkbox"/> Photographs of the property and any existing buildings involved in the request.</li> </ul>		Fee Paid: <b>\$600</b> ZBA: <b>19-001</b>  DATE STAMP	
ACKNOWLEDGEMENT			
<p>All information and materials submitted with this application are true and correct.</p> <p>Permission is granted to City of Ann Arbor Planning Services and members of the Zoning Board of Appeals to access the subject property for the purpose of reviewing the variance request.</p> <p>Property Owner Signature : _____ Date: _____</p>			

# Section 1 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

## VARIANCE REQUEST

ARTICLE(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: (Example: Article 3, Section 5.26)

5.19.2 - PARKING REQUIREMENTS

REQUIRED DIMENSION: (Example: 40' front setback)

Feet: Inches: 2 SP/UNIT = 138 TOTAL

PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback )

Feet: Inches: 1.36 SP/UNIT = 94 TOTAL

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

UDC DOES NOT RECOGNIZE TANDEM GARAGE SPACES OR PARKING SPACES IN FRONT OF THE GARAGE AS CONFORMING TO CODE

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:29. 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 statements are found to be true. Please provide a complete response to each of the statements below.

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.

THE INABILITY TO PROVIDE ADDITIONAL SPACES IS DUE TO NATURAL FEATURES PRESERVATION RENDERING A PORTION OF THE PROPERTY UN-DEVELOPABLE. THIS IS UNIQUE TO SOME PROPERTIES IN THE CITY.

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.

NO VARIANCE WOULD REQUIRE THE REMOVAL OF WOODLANDS AND THE CREATION OF ADDITIONAL IMPERVIOUS SURFACES

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.

ALLOWING THE VARIANCE WILL RESULT IN THE PRESERVATION OF NATURAL FEATURES AS DESIRED BY CITY STAFF

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

IT IS A RESULT OF CITY STAFF REQUEST

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

THIS IS THE MINIMUM REASONABLE REQUEST





**LEGEND**

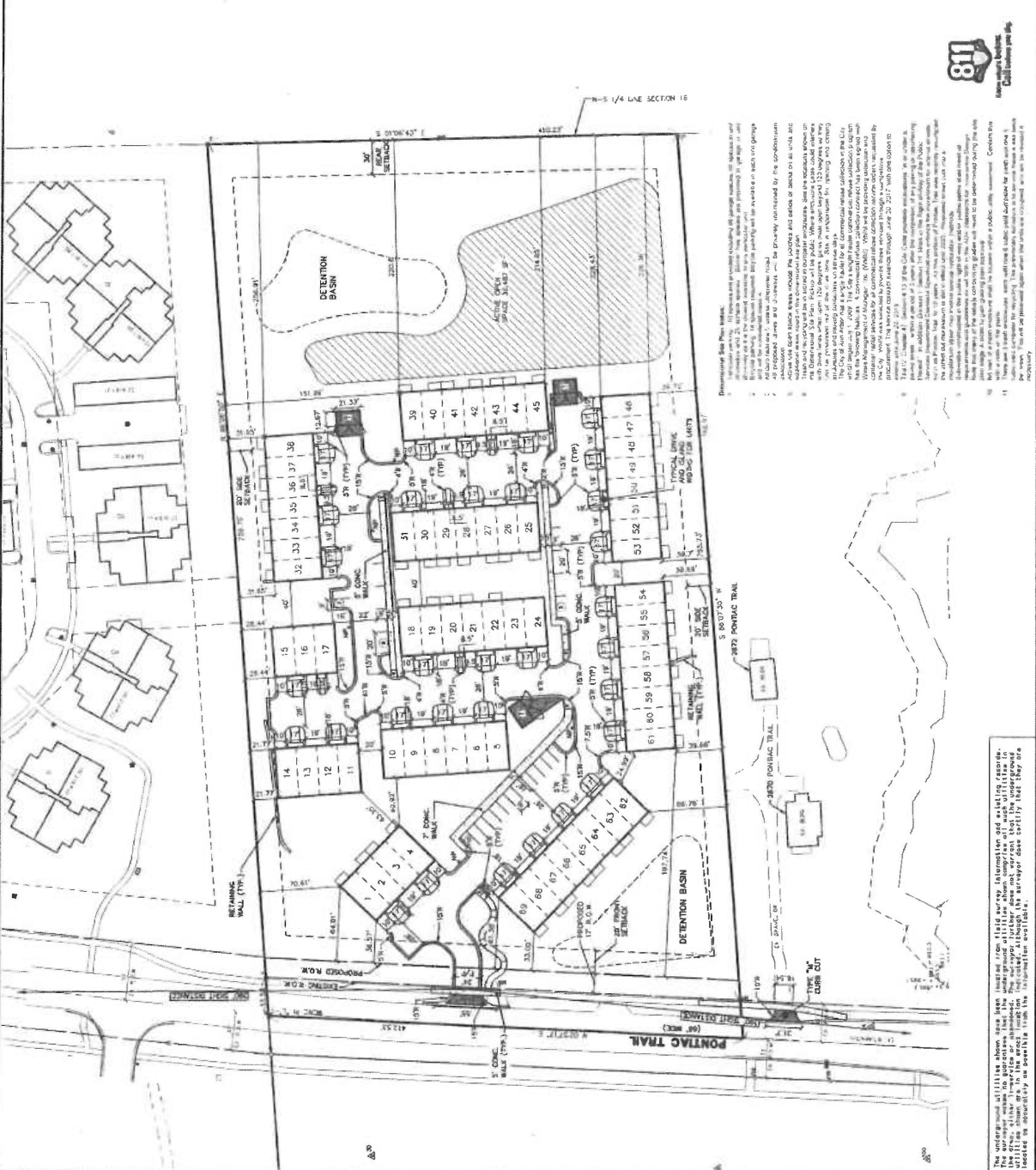
- NUMBER OF STANDARD PARKING SPACES IN ROW
- NUMBER OF BARRIER FREE PARKING SPACES IN ROW
- NUMBER OF BARRIER FREE PARKING SPACES IN ROW
- VAN ACCESSIBLE BARRIER FREE PARKING SIGN
- BARRIER FREE SIDEWALK RAMP
- RAMP CURB & BUTTER
- PCCP BITUMINOUS PAVEMENT
- PCCP CONCRETE PAVEMENT
- PCCP HEAVY DUTY CONCRETE
- HD PAVING/PAVEMENT SIGN
- HD SIGN/PAVEMENT SIGN
- HD SIGN/PAVEMENT SIGN

**PARKING REQUIREMENTS:**

Minimum: 1.5 spaces per 1,000 sq ft of building area  
 Total Required: 120 spaces  
 10 spaces reserved for disabled persons  
 10 spaces reserved for van accessible parking  
 10 spaces reserved for barrier free parking

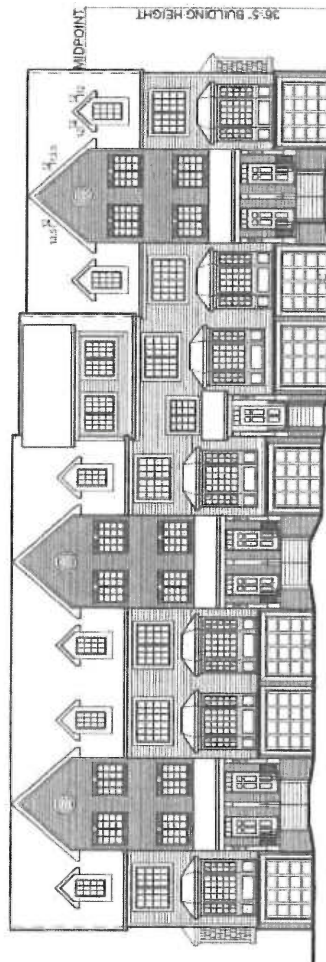
**REQUIREMENTS:**

1. All parking spaces shall be paved with concrete or asphalt.  
 2. All parking spaces shall be marked with white lines.  
 3. All parking spaces shall be marked with white lines and painted with the appropriate color.  
 4. All parking spaces shall be marked with white lines and painted with the appropriate color.  
 5. All parking spaces shall be marked with white lines and painted with the appropriate color.

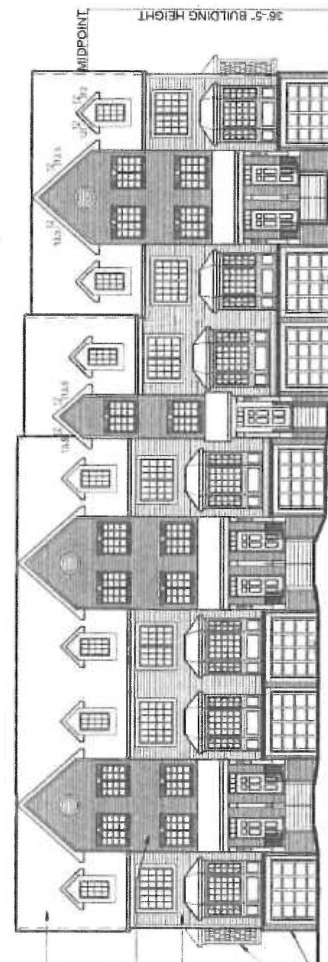


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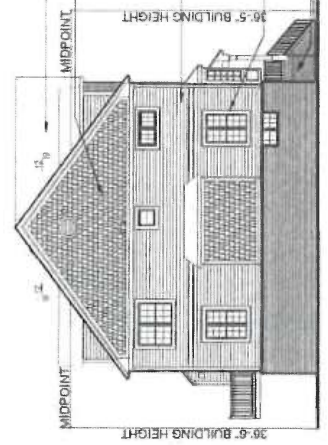




ALTERNATE FRONT ELEVATION - BLDG. H  
SCALE: 1/8" = 1'-0"  
DATE: 08/11/10

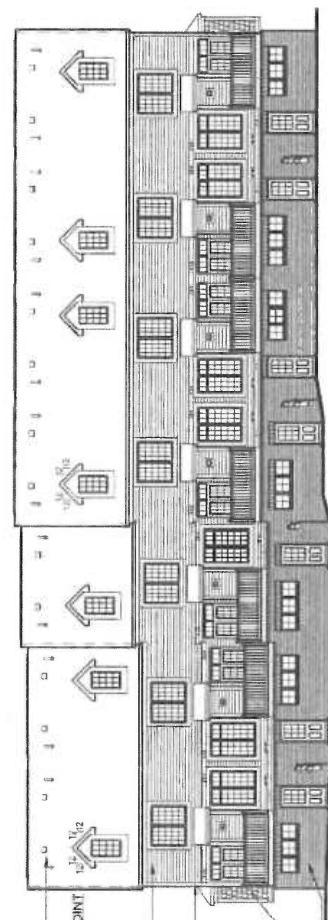


FRONT ELEVATION - BLDG. H  
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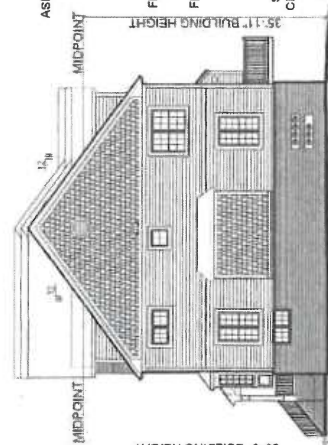


SIDE ELEVATION - BLDG. H  
SCALE: 1/8" = 1'-0"  
DATE: 08/11/10

ASPHALT SHINGLE ROOFING  
SHAKE FIBER CEMENT SIDING  
FACE BRICK  
FIBER CEMENT LAP SIDING  
FIBER CEMENT TRIM  
FACE BRICK



REAR ELEVATION - BLDG. H  
SCALE: 1/8" = 1'-0"  
DATE: 08/11/10



SIDE ELEVATION - BLDG. H  
SCALE: 1/8" = 1'-0"  
DATE: 08/11/10

ASPHALT SHINGLE ROOFING  
FIBER CEMENT LAP SIDING  
FIBER CEMENT TRIM  
SHAKE FIBER CEMENT SIDING  
FACE BRICK

**2** AIR RESISTANCE SEPARATION WALL  
 2" MIN. RIGID INSULATION  
 1/2" AIR SPACE  
 2" MIN. RIGID INSULATION  
 2" MIN. RIGID INSULATION

**3** INTERIOR WALL  
 1/2" GYPSUM BOARD  
 4" CMU  
 1/2" GYPSUM BOARD

**4** EXTERIOR WALL  
 1/2" GYPSUM BOARD  
 4" CMU  
 1/2" GYPSUM BOARD  
 4" CMU  
 1/2" GYPSUM BOARD

**5** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**6** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**7** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**8** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**9** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**10** CONCRETE FOUNDATION WALL  
 12" CONCRETE

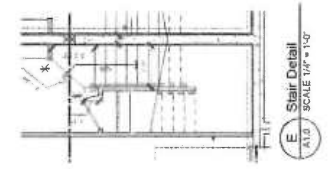
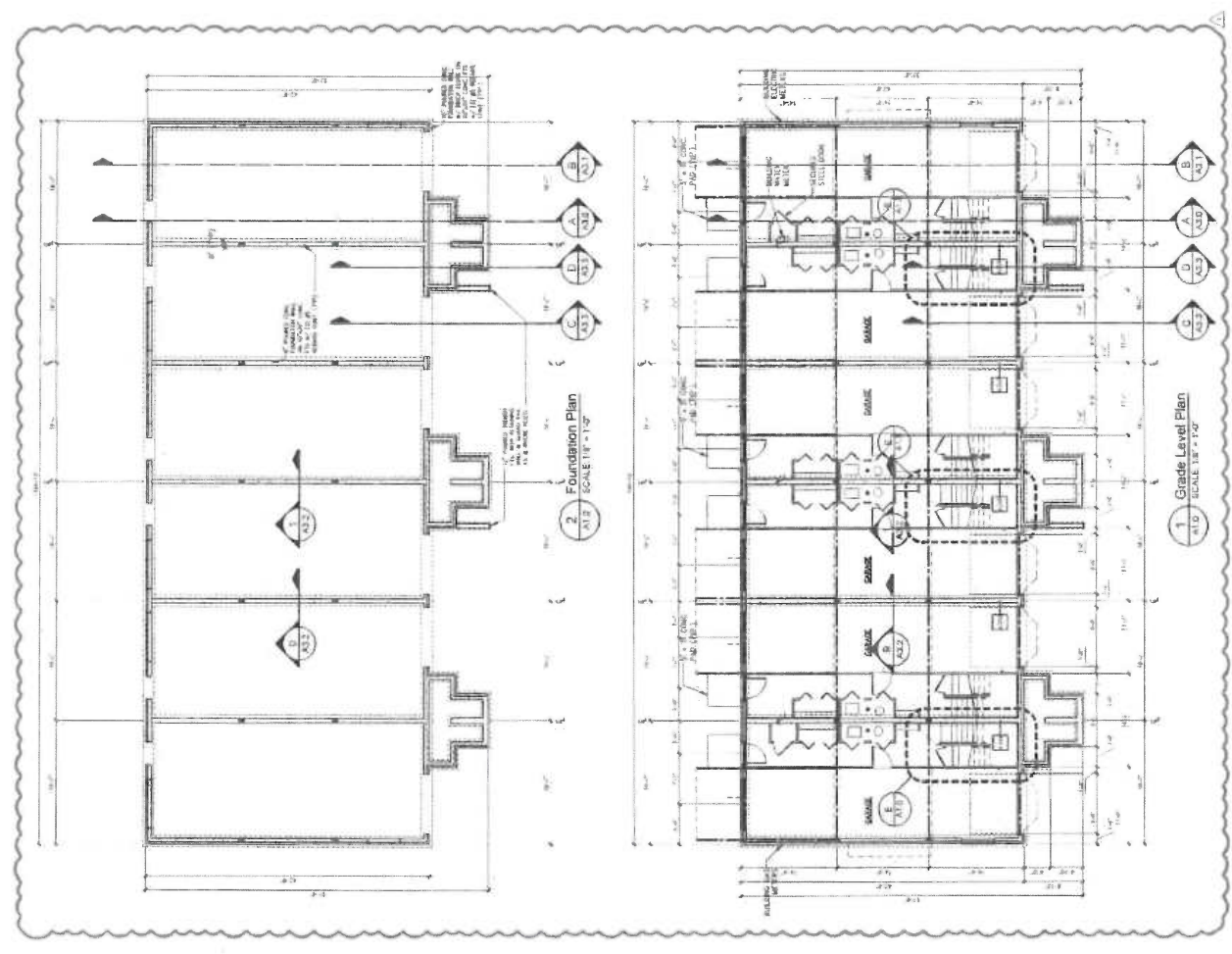
**11** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**12** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**13** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**14** CONCRETE FOUNDATION WALL  
 12" CONCRETE

**15** CONCRETE FOUNDATION WALL  
 12" CONCRETE



J BRADLEY MOORE & ASSOCIATES  
 10011 Lakeside Road, #200 • Ann Arbor, MI 48103 • (734) 930-1000

Blue Heron Townhomes  
 West Liberty St Ann Arbor, MI  
 Building H

FOUNDATION PLAN  
 217050  
 A1.0

