



**APPROVED MINUTES OF THE REGULAR SESSION OF
THE SIGN BOARD OF APPEALS OF THE CITY OF ANN ARBOR
CITY COUNCIL CHAMBERS – SEPTEMBER 8, 2009**

The meeting was called to order at 3:05 p.m. by Chair Steve Schweer.

ROLL CALL

Members Present: (6) S. Schweer, C. Brummer, G. Barnett, Jr.,
E. Adenekan, A. Milshteyn and S. Olsen

Members Absent: (1) D. Eyl

Staff Present: (2) C. Cheng & B. Acquaviva

A - APPROVAL OF AGENDA

Moved by C. Brummer, Seconded by G. Barnett, **“To Approve the Agenda as Presented.”**

On a Voice Vote – MOTION PASSED - *Unanimous*

B - APPROVAL OF MINUTES

B-1 Draft Minutes of the February 10, 2009 Regular Session.

B-2 Draft Minutes of the March 10, 2009 Regular Session.

Moved by G. Barnett, Seconded by C. Brummer, **“To Approve the Minutes of the February 10 and March 10, 2009 Regular Session Minutes as Presented.”**

On a Voice Vote – MOTION TO APPROVE - *PASSED - UNANIMOUS*

C – APPEALS & ACTION

C-1 SBA09-006 – 2425 West Stadium Blvd. (Aldi’s)

The petitioner, Stadium Holdings L.L.C., is requesting two variances from **Chapter 61, Section 5:502 2(b)** for the placement of a two-sided monument sign fronting W. Stadium Blvd. The proposed location of the sign is west of Stadium Blvd. south of Maple Road. The variances include a reduction from the required setback from the right-of-way from 15 feet to 5 feet and to exceed the allowable sign height of 5.5 feet to 7 feet.

Description & Petitioner Presentation

C. Cheng – The petitioner is requesting two variances from **Chapter 61, Section 5:502 (2)(b)** for the placement of a two-sided monument sign fronting West Stadium Blvd. The proposed location of the sign is west of Stadium Blvd. south of Maple Road. The variances include a reduction from the required setback from the right-of-way from 15-feet to 5-feet and to exceed the allowable sign height from 5.5-feet to 7-feet.

There are a lot of signs along Washtenaw that are probably (in Staff’s opinion) that were erected in the 1960’s so they don’t necessarily comply with the current code.

53 The petitioner states that the setback and height is impractical due to the 18 foot building setback.
54 Many of the existing ground signs along W. Stadium are also within this 15 foot setback. There is
55 no effect on neighboring properties as ground signs are prominent in the area.
56

57 Staff agrees that a reduction in the required setback from 15-feet to 5-feet does not impede the flow
58 of on-coming traffic nor create a dangerous viewing situation while either entering or exiting this
59 site. Staff supports the proposed 10-foot setback reduction since the site is surrounded by
60 commercial and office uses and the building is setback 18 feet from the right-of-way.
61

62 Staff is currently working on revising the sign code section addressing setbacks. This particular
63 section of code is proposed to be changed to allow a minimum 5 foot setback.
64

65 The proposed 7 foot illuminated sign would exceed the allowable height by 1.5 feet. Staff does not
66 support the 1.5 foot height increase variance. If the sign is setback 8 feet, it would be allowed to
67 have a height of 7'.
68

69 **Recommendation**

70
71 Staff contends that approval of the setback variance would not negatively impact other property
72 owners, and the proposal does not cause negative traffic impacts. Staff does **not** support the
73 **height variance** since the sign could be setback 8 feet and allow for the additional height - and
74 approval of the variance may set precedent for future similar appeals that would not be based on a
75 practical difficulty or undue hardship.
76

77 **Questions of Staff by the Board**

78
79 C. Cheng explained the requests. The board discussed the setback and suggested ways to make
80 this work for the petitioner while staying within the code.
81

82 **Discussion amongst the Board**

83
84 C. Brummer – I don't think that I have a problem with the setback, but I'm not sure why you would
85 need to make a sign higher. (Petitioner explained that it would be set on a concrete base because
86 when it snows the area is shoveled and without being elevated by the concrete base, it can
87 become buried in the large snowfalls that we receive.)
88

89 It was determined after additional discussion that further information may benefit the petitioner and
90 the board, so the following motions were made:
91

92 **MOTION #1**

93
94 Moved by S. Olsen, Seconded by C. Brummer, **“In regard to Appeal Number SBA09-006,**
95 **2425 W. Stadium Blvd. (Aldi's), the Sign Board of Appeals proposes a postponement for**
96 **the request for a setback variance of 10 feet from the public ROW for a new monument**
97 **sign.”**
98

99 **On a Voice Vote – MOTION TO POSTPONE – PASSED - UNANIMOUS**
100 ***Postponed until the next regular session.***
101
102
103

104 **MOTION #2**

105
106 Moved by S. Olsen, Seconded by C. Brummer, “In regard to Appeal Number SBA09-006,
107 **2425 W. Stadium Blvd., the Sign Board of Appeals grants a height Variance of 5.5 feet for**
108 **the newly proposed Aldi’s monument sign.”**

109
110 **On a Voice Vote – MOTION TO APPROVE – *FAILED - UNANIMOUS***
111 ***Variance Denied***

112
113
114 **C-2 - SBA09-007 - 1621 Plymouth Road (Penske)**

115
116 The petitioner (Penske) is requesting two variances from Chapter 61, Section 5:502 (2)(b) for
117 the placement of a two-sided pole sign fronting Plymouth Road. The proposed location of the
118 sign is east of the existing drive south of the parking lot. The variances include a reduction from
119 the required setback from the right-of-way from 15 feet to 1 foot and to exceed the allowable
120 sign height from 3 feet to 15.5 feet.

121
122 **Description and Petitioner Presentation**

123
124 The petitioner states that the setback and height variances are needed to advertise their
125 company to customers on Plymouth Road and provide them time to safely enter the business.
126 Per the topographical survey, the property is at a lower elevation than Plymouth Road, which
127 prevents visibility of the sign.

128
129 The existing sign on site is located in the public right-of-way. The petitioner proposes removing
130 this sign and installing a new sign outside of this right-of-way. This right-of-way is
131 approximately 44 feet wide, measured from the curb line of Plymouth Road to the Property line..
132 Staff agrees that a reduction in the required setback from 15 feet to approximately one foot
133 does not impede the flow of on-coming traffic nor create a dangerous viewing situation while
134 either entering or exiting this site. Staff supports the proposed 14 foot setback reduction since
135 the site is approximately 44 feet from Plymouth Road.

136
137 The proposed 15 foot illuminated sign would exceed the allowable height by 12 feet. Staff
138 supports this 12 foot height increase variance due the extensive 44 foot setback, existing
139 vegetation on site fronting Plymouth Road as well as the slope of the site below Plymouth
140 Road. If the right-of-way were measured from the back of the existing walkway, the proposed
141 setback would be 27 feet. A 27 foot setback allows for a 16.5 feet tall sign.

142
143 Staff contends that approval of the setback variance would not negatively impact other property
144 owners, and the proposal does not cause negative traffic impacts. Staff supports the height
145 variance since the sign is setback approximately 44 feet from Plymouth Road and the additional
146 height is needed for the sign to be visible from the road and not be visually impaired from the
147 existing vegetation and decreasing grades on site.

148
149 Mr. Tim Fortin was present to speak on behalf of the appeal.

150
151 He explained the grade of the property and the other hardships associated with the appeal in
152 question. “Penske moved in when this was Ann Arbor Township, and they were told that the
153 municipality would work with them on the visibility issues.”

154
155

156 Discussion Amongst the Board

157
158 **MOTION #1**

159
160 Moved by S. Olson, Seconded by A. Milshteyn – “In regard to Appeal Number SBA09-007,
161 1621 Plymouth Road, the Sign Board of Appeals grants a setback variance of 14 feet in
162 order to facilitate signage on this property.”

163
164 **On a Voice Vote – MOTION PASSED – UNANIMOUS**
165 ***Setback Variance Granted.***

166
167
168 **MOTION #2**

169
170 Moved by C. Brummer, Seconded by E. Adeneken, “In regard to Appeal Number SBA09-
171 007, 1621 Plymouth Road, the Sign Board of Appeals grants a height variance of 12 feet,
172 6 inches, in order to facilitate the requested signage on this property per the submitted
173 plans.”

174
175 **On a Voice Vote – MOTION PASSED – UNANIMOUS**
176 ***Height Variance Granted.***

177
178 **D - OLD BUSINESS - None.**

179
180 **E - NEW BUSINESS –***Wendy Rampson spoke about the Ordinance revision committee.*

181
182 *(Extensive discussion between the board and staff).*

183
184 **F - REPORTS and COMMUNICATIONS –**

185
186 **G - AUDIENCE PARTICIPATION –** *None.*

187
188 **ADJOURNMENT**

189
190 Moved by S. Olsen, A. Milshteyn “**that the meeting be adjourned.**”
191 Chair adjourned the meeting at 3:50 p.m. without objection.”

192
193 **On a Voice Vote – MOTION TO ADJOURN – PASSED – UNANIMOUS**

194
195 ***Submitted by: Brenda Acquaviva, Administrative Support Specialist V***