

**Zoning Board of Appeals
December 7, 2022 Regular Meeting**

STAFF REPORT

Subject: ZBA 22-2030; 545 S. Main St.

Summary:

Mallory Waring, Union Joints, representing property owner, is requesting variances from Sections 5.24.5 A (1) and Table 5.24-2 to install a 266 square foot (19-ft x 14-ft) wall sign exceeding the maximum allowable 200 square feet of sign area. This site currently has 166.5 sq. feet of sign area and combined with the proposed wall sign area totals 432.5 sq ft. A sign area variance of 232 sq ft is requested. The property is zoned D2, Downtown Interface District.

Background:

This site was heard by the Design Review Board (DRB) in 2019 for a plan to redevelop 545 South Main Street into a brewery restaurant. The 45,000-square foot site currently contains two multi-bay sheds and a one story now-vacant lumber and millwork building.

Description:

The petitioner proposes to install a 266-square foot wall sign on the north face of a shed structure to be seen by south moving traffic. The actual "Union Rec" circular logo sign on the shed wall is approximately 20 sq ft and complies with the maximum sign area allowed. The petitioner is requesting to paint tree rings around this logo totaling 266 sq ft.

Staff determined the tree rings fall under Sign Area and a Sign with the following definitions provided.

Sign Area is the area of a rectangle or rectangles enclosing the extreme limits of writing, representation, emblem, or any figure similar character of a sign, regardless of opacity or missing space within the rectangle or rectangles.

A Sign is defined as any display or object which is primarily used to identify or display information about or direct or attract attention to a Person, institution, organization, Business, product, event, or location, or any religious, political, social, ideological, or other message, by any means which is visible from any public street, Sidewalk, Alley, park or public property and is located or set upon in a building, Structure, or piece of land.

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 UDC. 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 former Fingerle mill building and site is unique to the City of Ann Arbor as the commercial structure has an unusually deep setback from both Main Street and Madison. The site is also unique as it is surrounded by legacy storage buildings that encompass the building and create a fort-like perimeter.

- (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.***

The purpose for this variance is to activate one end surface of one of the lumber sheds to make southbound Main Street traffic aware of the repurposing of the building beyond these structures (and behind the Japanese Auto Repair shop). By activating this end panel with a mural, Union Rec would be giving patrons an opportunity to enter the site before passing the primary entrance on Main Street and avoid possibly being redirected through residential streets.

- (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.***

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

The conditions the variance is requested is due to deep set-backs of the building and surrounding buildings encompassing it.

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

Yes.

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Respectfully submitted,

Chris Cheng

**Chris Cheng -
City Planner**