

**Zoning Board of Appeals
March 22, 2017 Regular Meeting**

STAFF REPORT

Subject: ZBA17-008, 400 East Stadium Boulevard

Summary: Ann Arbor Golf & Outing Club is requesting a variance from Chapter 104 Fences, Section 8.434(2) in order to install a forty (40) foot tall fence (netting system) along the northern property line. The fence will be approximately six hundred and fifty (650) feet in length and is adjacent to East Stadium Boulevard directly across the street from the University of Michigan football stadium.

Description and Discussion:

The subject parcel is located at the southeast corner of East Stadium and Main Street intersection. It is bounded on two (2) sides by public rights-of-way. A front lot line is defined as any lot line abutting a right-of-way. The property is zoned AG Agricultural open-space district.

The new sidewalk project being installed by the City was started on November 21, 2016 and is scheduled to be completed on August 21, 2017. The approximate length of the sidewalk will be one thousand two hundred (1,200) lineal feet. This will complete the final sidewalk gap along Stadium Boulevard. Approximately one hundred and nine (109) trees six (6) inches in diameter or greater have been removed along with brush and undergrowth for the project. The estimated cost of the project when complete will be twelve (12) million dollars.

The following requirements are excerpts from Chapter 104, Section 8:434(2):

In other than residential districts, fences may be extended to twelve (12) feet in height without restriction as to solid matter or closed construction.

The proposed fence would reduce the decibel level by 4dba according to a third-party engineering firm specializing in residential and commercial acoustics.

Standards for Approval (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. The following criteria shall apply:

The Zoning Board of Appeals of the City of Ann Arbor may, after a hearing in accordance with the established procedures of the Board, in its sound discretion and in the interests of the public health, safety or welfare of the inhabitants of the community, reduce or remit the requirements of this Chapter in individual cases.

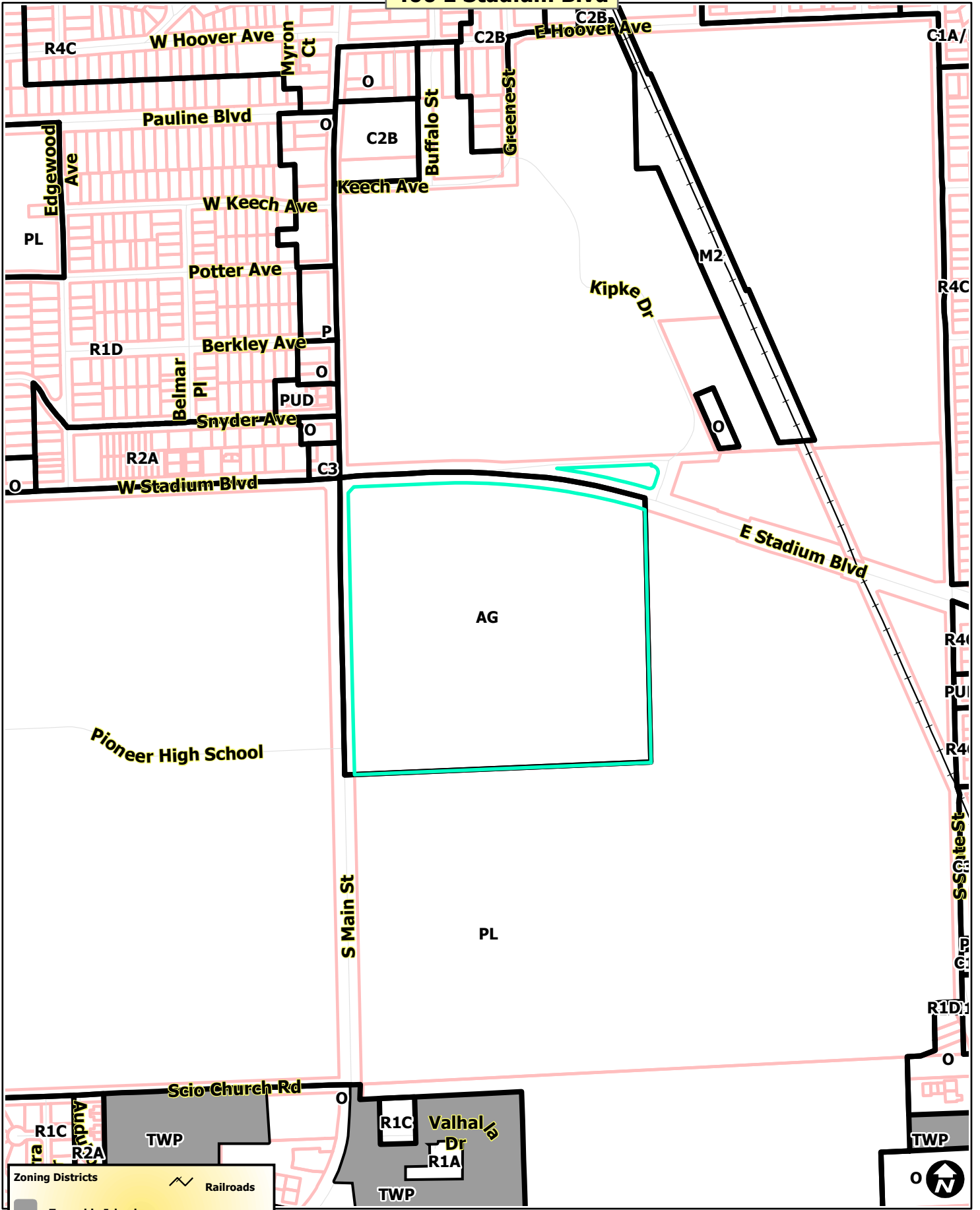
The petitioner states that allowing the forty (40) foot tall fence will not have a negative impact on the surrounding properties as the stadium directly across the street is the only property that could be affected from a visual standpoint. The fence will improve safety for pedestrians and motorists along the corridor. Additionally, the Public Services Area is in support of this variance request.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with a large, loopy "J" and "B".

Jon Barrett
Zoning Coordinator

400 E Stadium Blvd



Zoning Districts

Township Islands

City Zoning Districts

Railroads

Huron River

Tax Parcels



Map date 2/28/2017
 Any aerial imagery is circa 2015
 unless otherwise noted
 Terms of use: www.a2gov.org/terms

400 E Stadium Blvd



~ Railroads
● Huron River
○ Tax Parcels



Map date 2/28/2017
Any aerial imagery is circa 2015
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


400 E Stadium Blvd

Snyder Ave

E Stadium Blvd

Kipke Dr

S Main St

-  Railroads
-  Huron River
-  Tax Parcels



Map date 2/28/2017
Any aerial imagery is circa 2015
unless otherwise noted
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APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE
ZONING BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: ANN ARBOR GOLF & OUTING CLUB
Address of Applicant: 400 E. STADIUM BLVD.
Daytime Phone: 734.663.4044
Fax: 734.663.5064
Email: brian@aagoc.org or mjpreiner@gmail.com
Applicant's Relationship to Property: MEMBER, BOARD OF DIRECTORS

Section 2: Property Information

Address of Property: 400 E. STADIUM BLVD.
Zoning Classification: AG - AGRICULTURE
Tax ID# (if known): 09-90-00-003-210
*Name of Property Owner: ANN ARBOR GOLF & OUTING CLUB (AAGO)

*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 104,
SECTION 8.434 (2)

Required dimension: PROPOSED dimension:

12' HEIGHT 40' HEIGHT

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)

AAGO IS PROPOSING INSTALLING A 40' HEIGHT
NET ALONG STADIUM BLVD. TO ACT AS A
BARRIER TO PREVENT GOLF BALLS FROM LEAVING COURSE.

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?

THE 12' HEIGHT FENCE THAT IS ALLOWED IN AN AG DISTRICT IS NOT OF SUFFICIENT HEIGHT TO EFFECTIVELY BE A DETERRENT FOR GOLF BALLS LEAVING GOLF COURSE INTO

STADIUM
BLVD.
R.O.W.

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

IT IS STRICTLY A PRACTICAL DIFFICULTY. 12' HEIGHT FENCE OR BARRIER IS NOT AS EFFECTIVE AS A 40' HEIGHT NET.

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

THE ONLY NEIGHBORING PROPERTY, UM STADIUM WILL NOT BE EFFECTED ONE WAY OR ANOTHER. ALL USERS OF STADIUM BLVD. WILL BENEFIT.

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?

AAG'S NUMBER TWO FAIRWAY RUNS PARALLEL AND IN CLOSE PROXIMITY TO STADIUM BLVD. A 40' HEIGHT NET WILL PROVIDE SECURITY TO GENERAL PUBLIC.

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

THIS CONDITION IS NOT SELF-IMPOSED. THE CITY OF ANN REMOVED EXISTING MATURE TREES AS PART OF STADIUM BLVD. ROAD IMPROVEMENTS. THOSE MATURE TREES ACTED AS A NATURAL BARRIER.

Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE

Current use of the property 9 HOLE GOLF COURSE

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 _____

Lot width _____

Floor area ratio _____

Open space ratio _____

Setbacks _____

Parking _____

Landscaping _____

Other _____

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

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:

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

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 ½" 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.

734.429.0645

Phone Number

mjpreiner@gmail

Email Address

Michael J. Rein

Signature

MICHAEL J. REIN

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.

Michael J. Rein

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.

Michael J. Rein

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.

Michael J. Rein

Signature

On this 25th day of February, 2017, 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.

GASpy

Notary Public Signature

February 22, 2020

Notary Commission Expiration Date

GREGORY A. SPALY

Print Name

Staff Use Only

Date Submitted: _____

Fee Paid: _____

File No.: _____

Date of Public Hearing: _____

Pre-filing Staff Reviewer & Date: _____

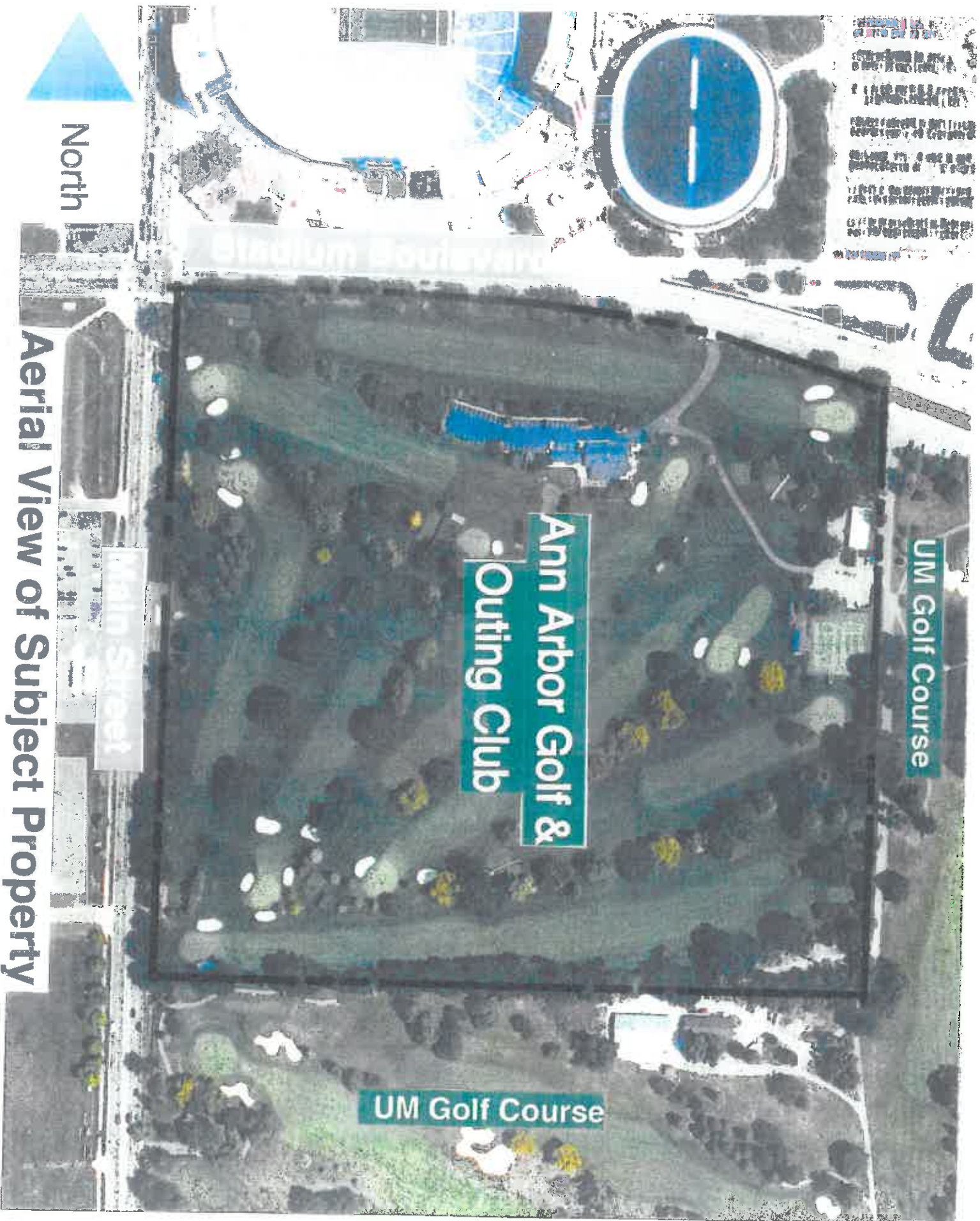
ZBA Action: _____

Pre-Filing Review: _____

Staff Reviewer & Date: _____

Parcel and Zoning Map





UM Golf Course

Ann Arbor Golf & Outing Club

UM Golf Course

Main Street

Stadium Boulevard

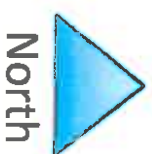
North

Aerial View of Subject Property



Proposed 40' Height Netting

Ann Arbor Golf & Outing Club- Proposed Netting Plot Plan



Front S 40 Feet

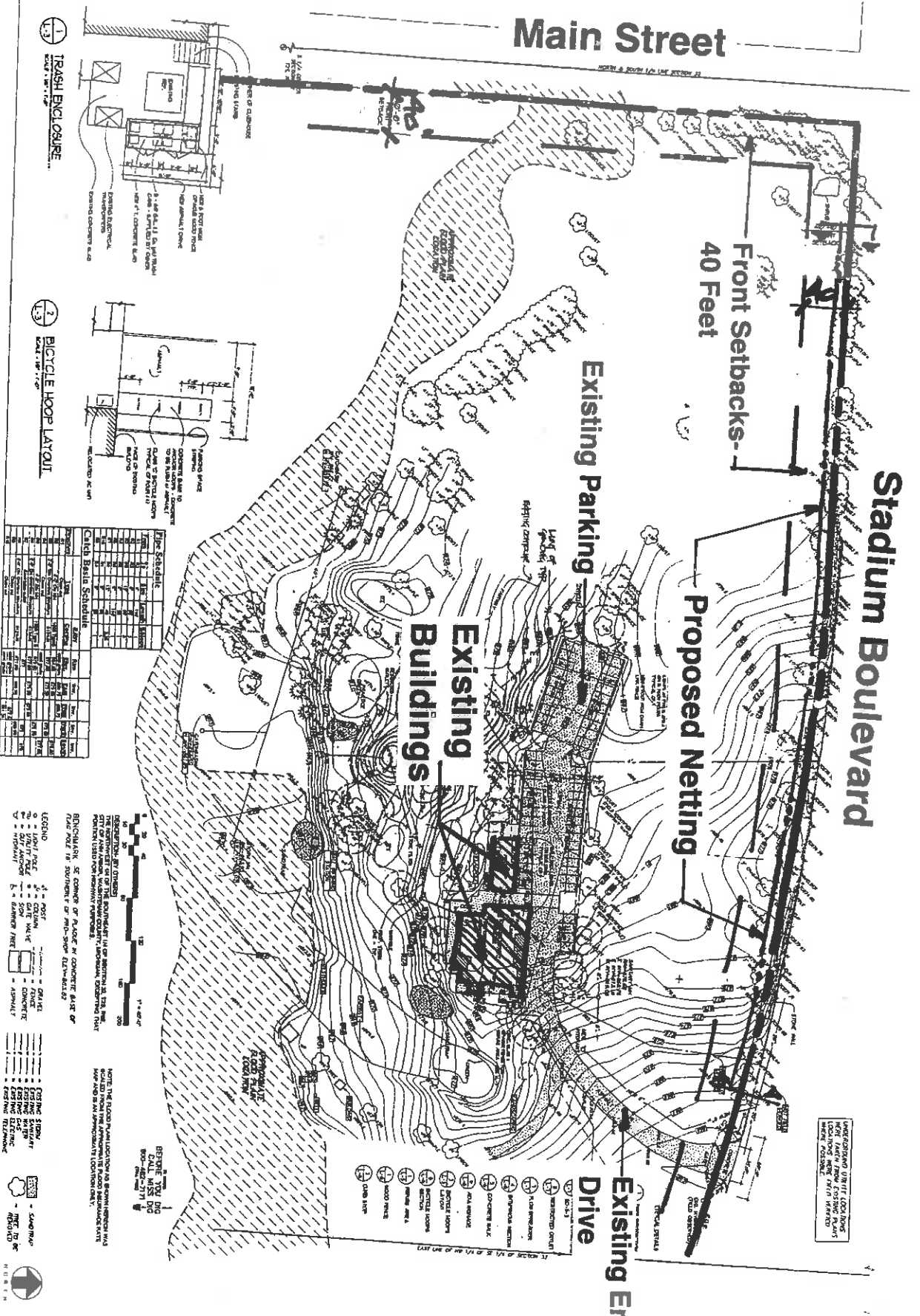
Proposed Netting

Existing Parking

Existing Buildings

Main Street

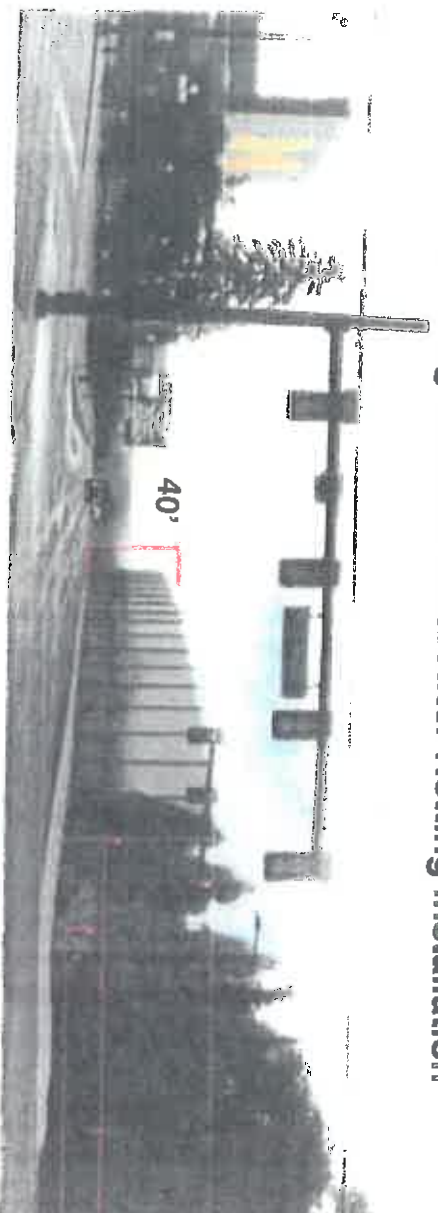
-Existing Entrance Drive



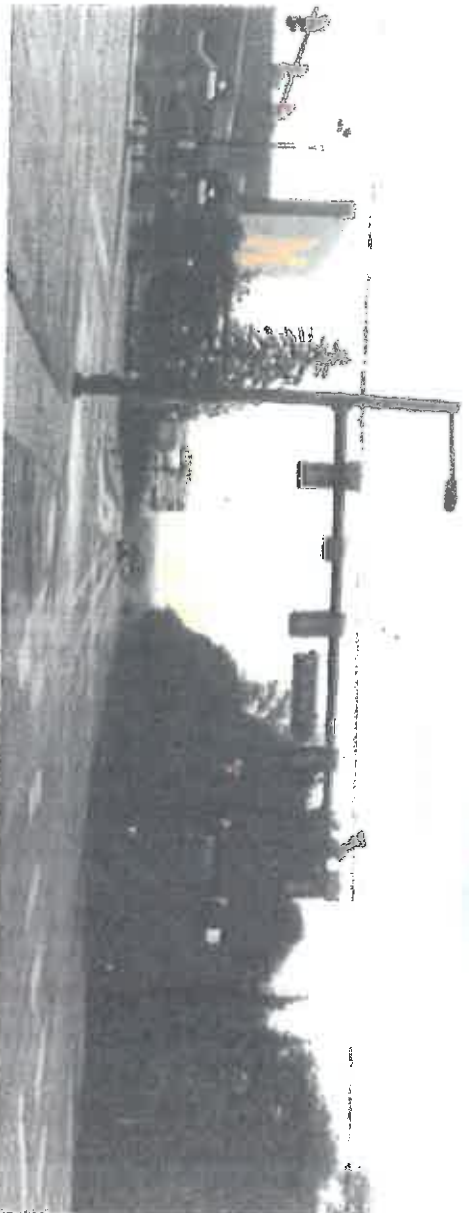
Partial Site Plan- Ann Arbor Golf & Outing

Ann Arbor Golf & Outing ZBA Request- Proposed Netting Project

Proposed View Along Stadium Blvd. After Netting Installation



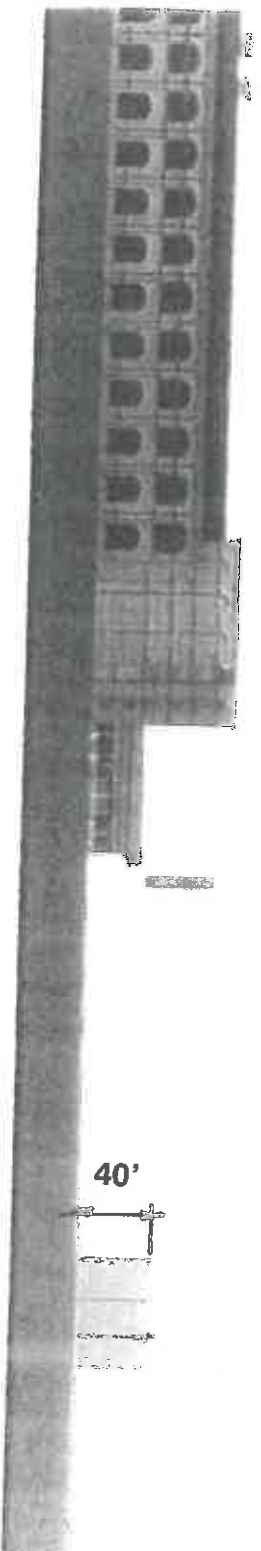
**Proposed 40' Height Netting
10' Height Cyclone Fence (by City)**



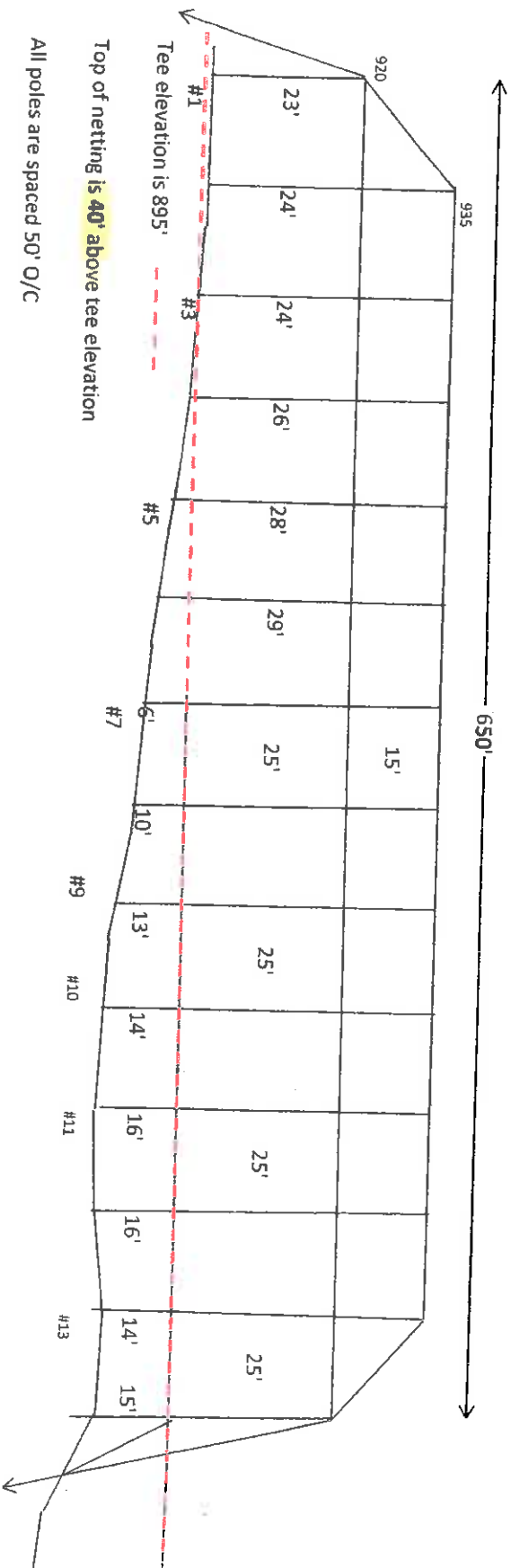
Previous Conditions Along Stadium Blvd. Before Mature Trees Removed.

(Images looking Eastward from corner of Stadium and Main Street)

Ann Arbor Golf & Outing ZBA Request- Proposed Netting Project



West Elevation of University of Michigan Stadium and the Proposed 40' Netting.



Ann Arbor Golf & Outing Netting on Fairway #2

Drawings are representational and not to scale.



Net Connection

SPORT AND GOLF NETTING

3037-A Queenstown Road

Birmingham, AL 35210

1.877.818.0871

Project Designer

Bob Watson

© netconn 11.17.16

STADIUM BLVD.

MAIN STREET

UM GOLF COURSE

UM GOLF COURSE

100 0 100 200 Feet

1997 Aerial Photo

ANN ARBOR GOLF AND OUTING CLUB
COURSE LAYOUT



INDICATES DIRECTION OF PLAY
INDICATES GREENS

D-3

