

**Zoning Board of Appeals
July 24, 2024, Regular Meeting**

STAFF REPORT

Subject: ZBA 24-0026; 1000 East Stadium Boulevard

Summary:

Elton Topalli, representing the property owner, is seeking variances from Section 5.24.5 (B)(1) Other Mixed Use and Nonresidential and Special Purpose Districts and Table 5.24-3 Other Mixed Use and Nonresidential and Special Purpose District Permanent Signs. The existing building has approximately 201 square feet of existing signage and two freestanding signs. One of the freestanding signs is fronting along East Stadium Boulevard and South Industrial Highway. The variance request will allow an additional freestanding sign along East Stadium Boulevard and 68 square feet of signage over the maximum 200 square foot allowance. The property is zoned O, Office District.

Background:

The subject property is located at the southeast corner of East Stadium Boulevard and South Industrial Highway in the Lower Burns Park neighborhood. The building was constructed in 1982. The current use of the property is office and medical with three tenants (Urgent Care Clinic, an Aesthetics Center and a Plastic Surgery Clinic).

Description:

The property currently has 10 wall signs and two freestanding signs totaling 201 sf (see chart below). The Unified Development Code (UDC) allows the property to have a maximum of 200 square feet of signage. The property is permitted to have one freestanding sign per street frontage. One of the freestanding signs is installed at the northwest corner of the building and is visible from both East Stadium and South Industrial Highway. The variance request is to allow a third freestanding sign at the northeast corner of the property at the driveway entrance leading to the Venue restaurant. The sign will advertise the Venue restaurant. The proposed freestanding sign will be seven feet tall and contain 34 square feet of advertising area on each side (face) totaling 68 square feet. The sign is required to be installed a minimum of seven feet behind the lot line. If the variance is approved the property will total 269 square feet of signage.

Location	Reading	Type	Size (sq ft)		Linear feet	
East Facade					102	
	BOYD ENTRANCE	wall	2			
	URGENT CARE	wall	35			
North Facade					70	
	A2 URGENT CARE	wall	35			
	BOYD	wall	14			
	Aesthetic Center	wall	9			
	BOYD	wall	9			
West Facade					102	
	A2 URGENT CARE	wall	35			
	BOYD	wall	9			
	BOYD	freestanding	21	this includes both sides of sign*		
South Facade					70	
	BOYD	wall	9			
	Aesthetic Center	wall	9			
	BOYD	freestanding	14	this includes both sides of sign*		
			201	existing signage	344	building frontage

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 Unified Development Code (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.***

Applicant response: *“Unlike most restaurants in the city, Venue sits back roughly 160' from E Stadium Blvd, which is considered a main entrance. Without the ability to sit a free standing sign near this main entrance, it presents confusion and difficulty to patrons looking for the Venue entrance while driving on a high-traffic street.”*

- (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.***

Applicant response: *“The inability to alert patrons to the Venue entrance is dangerous due to the high traffic of E Stadium near the intersection with S Industrial. Venue attracts a handful of events a week, and its patrons are often unfamiliar with the location and therefore struggle to determine where to turn.”*

- (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.***

Applicant response: *“This variance would allow for the appropriate placement of a sign which directs Venue patrons safely from E Stadium to their parking lot. The property owner agrees this would benefit the flow of traffic around their neighboring businesses.”*

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

Applicant response: *“Venue was a reinvention of an existing building. It's location and placement as it relates to the main roads was not self-imposed by the business owner.”*

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

Applicant response: *“The signage proposed is a very appropriate size - just enough to be seen if you're looking for it. This size requested is smaller than what would be requested for a*

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freestanding sign by a typical commercial park or retail bank.”

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large, overlapping loops.

**Jon Barrett- Zoning Coordinator
City of Ann Arbor**