

**Zoning Board of Appeals
July 23, 2025, Regular Meeting**

STAFF REPORT

Subject: ZBA 25-0013; 2525 Ann Arbor-Saline Road

Summary:

Rob Wagner, representing property owner, is requesting a variance of 18 feet from Table 5.17-3: Multiple-Family Residential Districts. The variance will allow construction of a building with 262 residential units to encroach into the required side setback of 51.2 feet. The property is currently zoned Office and is proposed to be rezoned R4E Multiple-Family Dwelling District.

Background:

The subject property is located southeast of Ann Arbor-Saline Road, southwest of Oakbrook Drive, and north of Eisenhower Parkway, adjacent to the Cranbrook Village shopping center. The 4.16-acre site is vacant.

Description:

The applicants are proposing to rezone 2525 Ann Arbor-Saline Road from Office District to R4E Multi-Family Dwelling District and construct a multi-family residential building with 262 units. The building will be 58.5 feet tall and 332 feet wide, with 379,459 square feet of floor area. The subject property is triangular with two front lot lines (along Ann Arbor-Saline Road and Oakbrook Drive) and a side lot line. Per footnote B of Table 5.17-3, the building is subject to an additional side setback of 41.2 feet (for a total of 51.2 feet) because of the proposed height and width.

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: *"The parcel is bound by Ann Arbor-Saline Road and W. Oakbrook Drive on the west, north, and east sides and is subject to front yard setback requirements on three sides. Additionally, the existing drainage easement and stormwater basin on the north end of the property and the existing Cranbrook Village access easement for ingress/egress severely reduce and limit the area on site that the building can occupy. Because of the unique shape of the parcel, the proposed building is not rectangular. The UDC requires that building length be measured as the dimension of the side parallel to the side lot line of a rectangle within which the building may be located. The proposed building is a C shape and*

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the side of the building adjacent to the south property line is 192 feet in length, however, when measuring the length of a rectangle which completely encompasses the building, the building side parallel to the south property line is approximately 332 feet in length Thus yielding an excessive setback requirement.”

- (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 requested variance is not the result of mere inconvenience or inability to attain a higher financial return. The unique shape of the parcel, combined with the existing drainage easement/stormwater basin and Cranbrook Village access easement, limit the available building area on the site beyond reason. Additionally, the UDC requires that building length be measured as the dimension of a rectangle within which the building may be located. For nonrectangular buildings such as the proposed C-shaped building, this creates an artificially excessively large setback requirement. The side of the proposed building adjacent to the south property line is 192 feet in length, however, when measuring the length of a rectangle which completely encompasses the building, the building side parallel to the south property line is approximately 332 feet in length. If the required side setback was based on a building length of 192 feet and not 332 feet, the required side setback would be approximately 33 feet and not 51 feet.”

- (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: “The existing site is vacant, and granting the requested variance will allow for a new development that will bring over 260 residential units to the City. Additionally, the southern property line is adjacent to the existing Cranbrook Village parking lot and the nearest building to the south (Whole Foods) is approximately 100 feet from the property line, so the requested variance will have minimal impact on adjacent properties. Denying the variance would result in an unjustifiable inefficiency of land use at a time when the city is experiencing a housing crisis.”

- (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: “The unusual geometry of the site with three required front yards, the drainage easement and stormwater basin, and the Cranbrook Village access easement are existing site conditions that are not self-imposed. These elements limit the available building area on the site that, without relief, would do an injustice to the city’s goals of providing more housing through increased efficiency of land use.

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

Applicant response: *“The requested variance is the minimum needed to construct the proposed building while maintaining the existing drainage easement/stormwater basin and access easement. To accommodate the required 51.2-foot setback, an 18-foot no-build easement will be provided on the adjacent property to create the required 51.2-foot setback distance between the proposed building and any future building(s) that may be constructed on the adjacent property to the south-west.”*

Respectfully submitted,

**Mariana Melin-Corcoran, City Planner
City of Ann Arbor**

