

**Zoning Board of Appeals  
May 22, 2024, Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 24-0019; 305 East Eisenhower Parkway**

**Summary:**

Jim Johnson, representing the property owner, is seeking a variance from Section 5.24.5 (B) Permanent Signs, Other Mixed Use and Nonresidential and Special Purpose Districts. The total signage for the property currently is nonconforming. The office building has 416 square feet of signage involving a double sided freestanding sign and three wall signs. The applicant is seeking to install two new wall signs totaling 85 square feet. The property is permitted a maximum of 200 square feet of signage. The property is zoned TC1, Transit Corridor District.

**Background:**

The subject property is located at the northeast corner of South Main Street and East Eisenhower Parkway north of Briarwood Mall. The three-story office building was constructed in 1988.

**Description:**

The property currently has three wall signs (1) Andrews Hooper Pavlik; 80.75 square feet and (2) Preferred Title; 89.3 square feet and (3) Burlington Office Cener; 22 square feet. The three wall signs total 192 square feet. The freestanding sign along East Eisenhower contains 112 square feet on two sides for a total of 224 square feet. The applicants are proposing to install two wall signs for Bank Michigan. One of the wall signs is 70 square feet and the other is 15 square feet in size.

The existing wall signs were installed in 2017 and 2018. The freestanding sign was installed in September of 2005.

**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 states, "The practical difficulty that this variance request would remedy stems from multiple customer service entities occupying one office building where signage was installed under the previous ordinance which allowed wall signage per ground floor tenant instead of per building. The current imposed ordinance does not allow for adequate signage for large multi-tenant buildings with multiple ground floor tenants. The conditions for this variance are unusual in that there are*

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*other large buildings in the city but where many of those building are downtown, each separate entity is designated as it's own lot, while this building does have separate units, it is on the outer perimeter and has land surrounding so is not split into separate lots."*

- (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 states, *"The practical difficulties resulting from a denial to this variance request will result in inadequate signage to direct patrons to the establishment."*

- (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 states, *"Allowing the variance will result in substantial justice that would not affect others property. The proposed signage would adequately identify Bank Michigan for drive through and pedestrian clients without imposing on surrounding 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 states, *"The circumstances of this variance are not self-imposed. Previous versions of the sign ordinance, under which the existing building signage was installed, listed allowance as 200 sq ft per ground floor tenant based on frontage, whereas the existing ordinance lists the maximum signage as per building."*

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

Applicant states, *"The proposed variance is the minimum reasonable solution for the proportional and adequate signage to identify Bank Michigan in the large office building. Approval of this variance would provide signage that would allow an appropriate reaction time for drivers looking for the business and mitigate any unnecessary traffic risks in the busy Briarwood corridor."*

Respectfully submitted,



**Jon Barrett-**

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**Zoning Coordinator**