

**Zoning Board of Appeals
September 25, 2019 Regular Meeting**

STAFF REPORT

Subject: ZBA19-025, 3400 Nixon Road

Summary:

Metro Detroit Signs, representing the property owners, are requesting a variance from Section 5.24.6 (C) Residential Development Signs. The variance would allow fourteen non-illuminated directional signs (2'x4') to remain installed within the multi-family community.

Background:

The new apartment complex has installed fourteen (8 square foot) ground mounted address identification signs (see photos). The signs were installed without sign or building permits.

Description:

The Unified Development Code allows for up to two ground mounted entrance signs. The apartment complex has the option to install the address signs on the walls of the buildings.

Standards for Approval - Chapter 55 (Zoning) Variance -

The Zoning Board of Appeals has all the power granted by State law and by Section 5:27.4 Powers, Application of the Variance Power from the City of Ann Arbor Unified Development Code (UDC). The following criteria shall apply:

- (a). *That the alleged hardships or practical difficulties, or both, 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 applicants state the owners of the apartment complex believed the signs were a requirement of the Fire Marshall in order to get their Certificate of Occupancy.

- (b). *That the alleged hardships or practical difficulties, or both, which 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 applicants state the directional signs are not intended for financial gain. The signs were installed to assist with traffic navigation within the property to assist with building identification.

- (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.

The applicants state that the variance is necessary in order to properly navigate the property and identify the different buildings and addresses. The variance will not have a detrimental effect on neighboring properties.

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

The applicants state the hardship was not self-imposed as they believed were a requirement of the Fire Marshall.

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

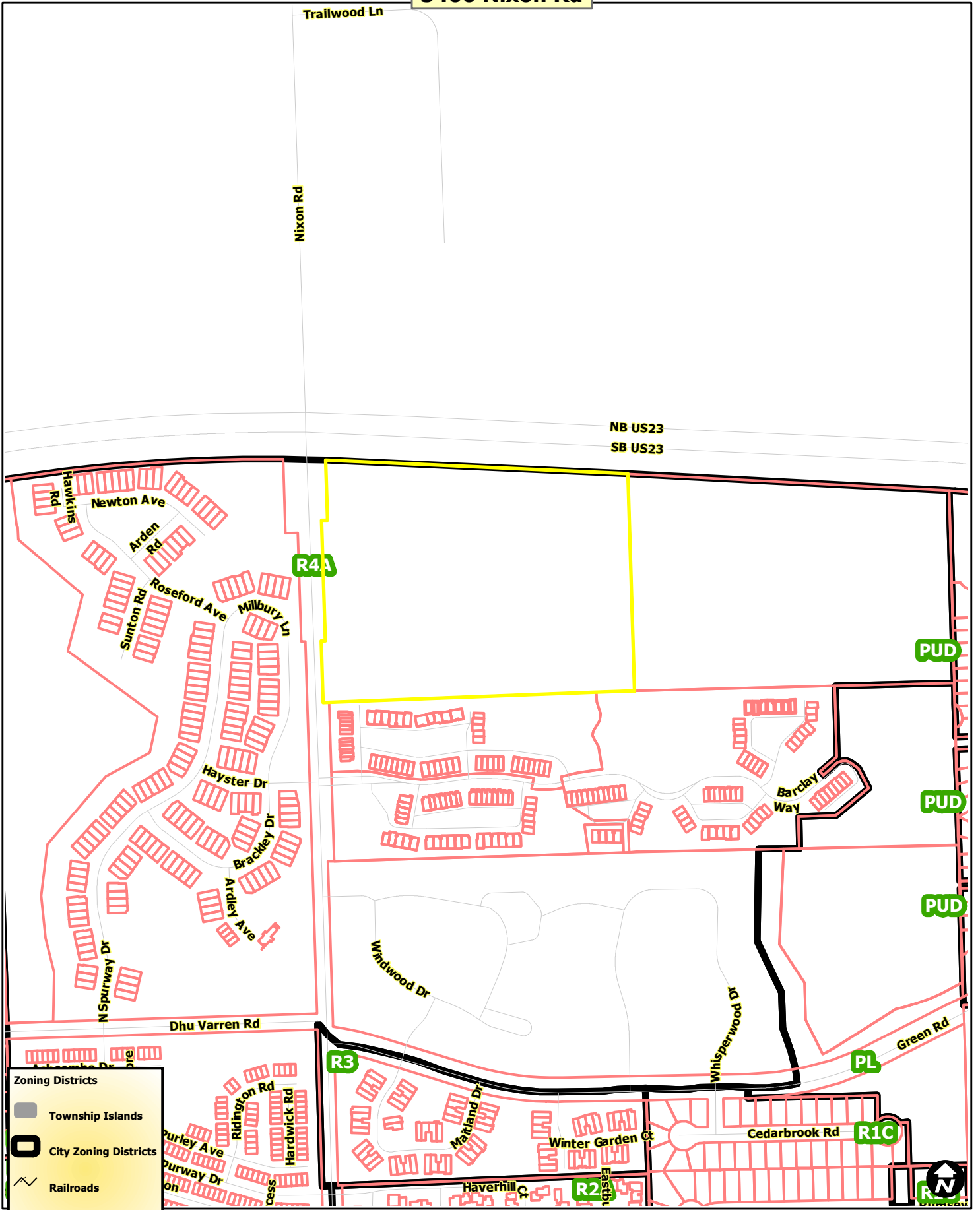
The existing directional signs are essential for wayfinding.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized and cursive.

**Jon Barrett
Zoning Coordinator**

3400 Nixon Rd



Zoning Districts

- Township Islands
- City Zoning Districts
- Railroads
- Huron River
- Tax Parcels



Map date: 9/5/2019
Any aerial imagery is circa 2018 unless otherwise noted
Terms of use: www.a2gov.org/terms

3400 Nixon Rd

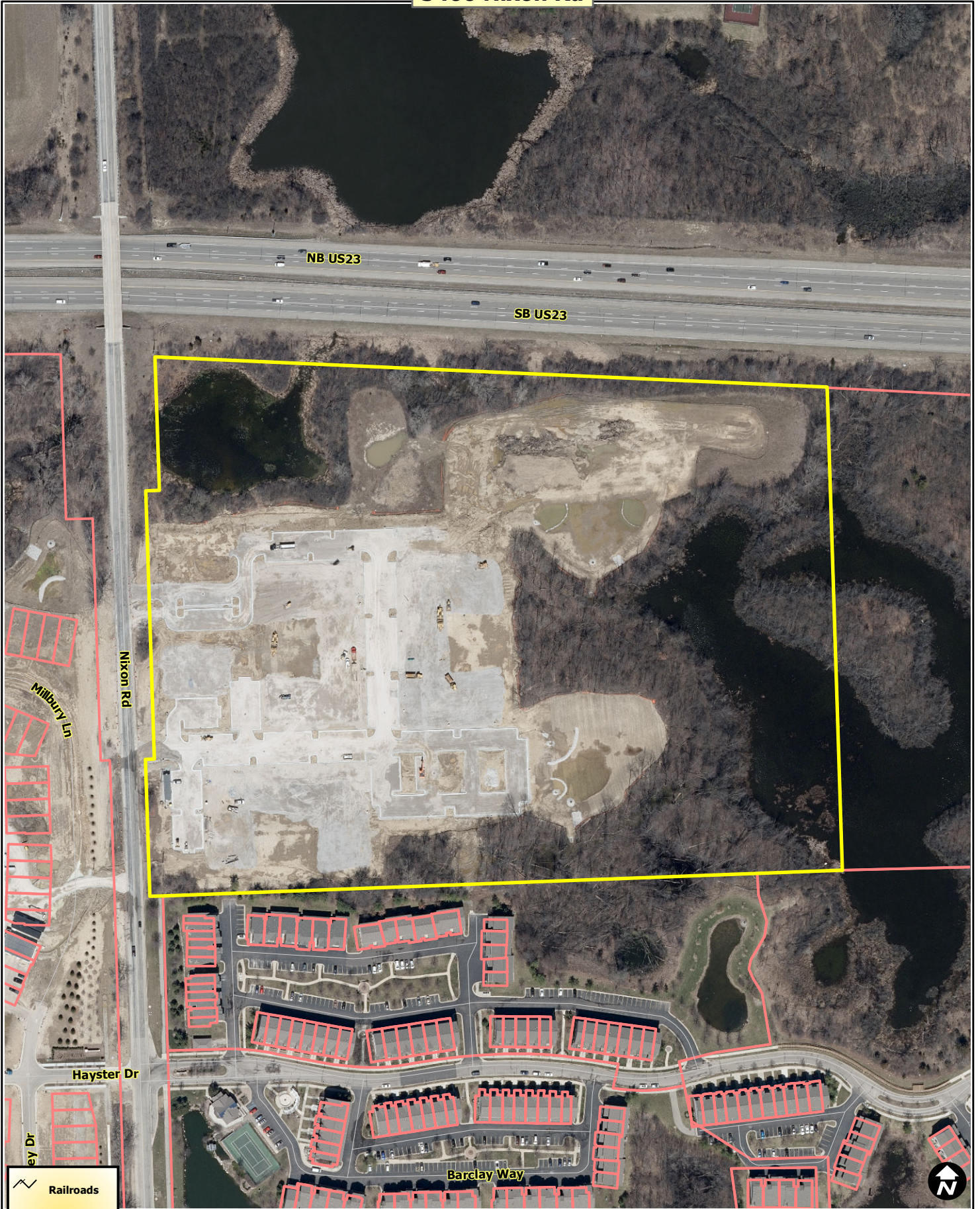


- Railroads
- Huron River
- Tax Parcels



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3400 Nixon Rd



- Railroads
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ZONING BOARD OF APPEALS APPLICATION

City of Ann Arbor Planning Services

City Hall: 301 E Huron Street Ann Arbor, MI 48107-8647

Phone: 734-794-6265 Fax: 734-794-8460 Email: planning@a2gov.org

PROPERTY INFORMATION

ADDRESS OF PROPERTY 3400 Nixon Rd		ZIP CODE 48105
ZONING CLASSIFICATION R4A-Multiple Family Dwelling	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided Adam Bleznak	
PARCEL NUMBER 09-09-10-401-001	OWNER EMAIL ADDRESS ableznak@bleznak.com	

APPLICANT INFORMATION

NAME Metro Detroit Signs			
ADDRESS 11444 Kaltz Ave	CITY Warren	STATE MI	ZIP CODE 48089
EMAIL kdeters@metrodetroitsigns.com		PHONE 586-759-2700	
APPLICANT'S RELATIONSHIP TO PROPERTY Sign Contractor			

REQUEST INFORMATION

<input checked="" type="checkbox"/> VARIANCE REQUEST Complete Section 1 of this application	<input type="checkbox"/> REQUEST TO ALTER A NONCONFORMING STRUCTURE Complete Section 2 of this application
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REQUIRED MATERIALS One hard copy application complete with all required attachments must be submitted. Digital copies of supportive materials included in the submitted hard copy will only be accepted in PDF format by email or accompanying the hard copy application on a USB flash drive. Required Attachments: <input type="checkbox"/> Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property. <input type="checkbox"/> Building floor plans showing interior rooms, including dimensions. <input type="checkbox"/> Photographs of the property and any existing buildings involved in the request.	OFFICE USE ONLY Fee Paid: \$1000 ZBA: 19-025 CITY OF ANN ARBOR RECEIVED AUG 27 2019 PLANNING & DEVELOPMENT SERVICES
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ACKNOWLEDGEMENT

All information and materials submitted with this application are true and correct.

Permission is granted to City of Ann Arbor Planning Services and members of the Zoning Board of Appeals to access the subject property for the purpose of reviewing the variance request.

Property Owner Signature : Date: 8/22/19

Section 1 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

VARIANCE REQUEST	
ARTICLE(S) AND SECTION(S) FROM WHICH A VARIANCE IS REQUESTED: <i>(Example: Article 3, Section 5.26)</i> Section 5.24.6 C	
REQUIRED DIMENSION: <i>(Example: 40' front setback)</i> Feet: Inches:	PROPOSED DIMENSION: <i>(Example: 32 foot 8 inch front setback)</i> Feet: Inches:
DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE: Permission to retain fourteen existing 2' x 4' non-illuminated directional signs at 4' overall height. This site is allowed two ground-signs total, and there is also an existing monument sign at the site currently.	
<p>The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:29. 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 statements are found to be true. Please provide a complete response to each of the statements below.</p> <p>The alleged hardships or practical difficulties, or both, 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.</p> <p><u>These directional signs were installed because Owl Creek Apartments believed they were a requirement from the Fire Marshall in order for them to get their Certificate of Occupancy. Then they found out that these signs require sign permits and that they do not meet the sign ordinance.</u></p> <p>The alleged hardships are practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, inability to attain a higher financial return, or both.</p> <p><u>These directional signs are not intended for financial gain at all. They are intended to assist traffic navigation within the property and to identify the different buildings and addresses.</u></p> <p>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.</p> <p><u>This variance, if granted, will result in justice in that they will be able to keep the directionals that they thought were required by the Fire Marshall. Furthermore, these directionals are necessary in order to properly navigate the property and identify the different buildings and addresses. This variance will also not affect neighboring properties negatively.</u></p> <p>The conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.</p> <p><u>This hardship was not self-imposed in that Owl Creek Apartments believed that these directionals were a requirement of the Fire Marshall in order for them to get their Certificate of Occupancy. Then they found out that these directionals do not meet the sign ordinance.</u></p> <p>A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.</p> <p><u>The existing directional signs are all essential in order to identify the different buildings and addresses within the property.</u></p>	

OWL CREEK APARTMENTS
3400 NIXON RD
ANN ARBOR, MI

August 19, 2019

City of Ann Arbor
Zoning Board of Appeals
301 E. Huron St
Ann Arbor, MI 48104

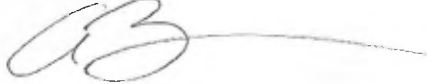
RE: Owl Creek Signage Variance Request

Zoning Board of Appeals:

Please accept this letter as authorization for Metro Detroit Signs to process and represent the owners of the Owl Creek Apartments for a variance request for signage at the property.

If you have any questions please feel free to contact me at your earliest convenience. Thank you in advance for your continued help on the project.

Sincerely Yours,



Adam Bleznak

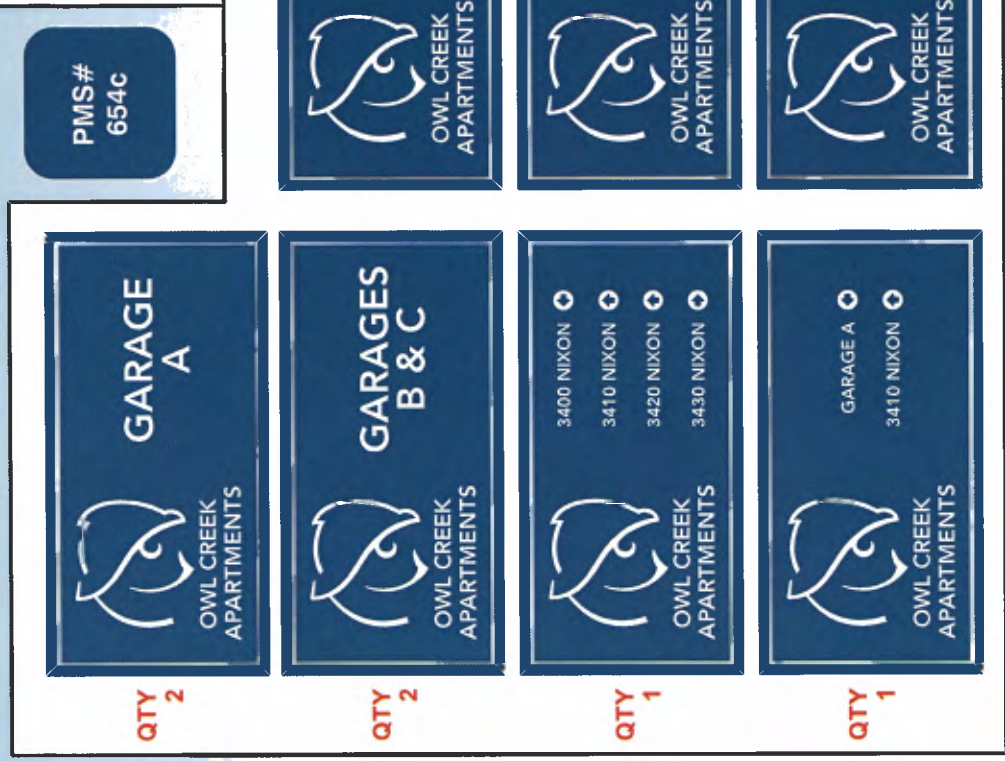
SIGN DIMENSIONS

24"x48" Sign Face - 8 Sq. Ft.

PMS#
654C

NOTES

- Single Sided, Non-Illuminated Post and Panel Signs



Revision: 5/31/19 #8

File Name: Owl Creek Apartments.cdr
Post and Panel Pg 2

Date: 5/6/19

Drawn By: Connie Fotu

Sales Person: Eric Ropelewski



Work Order#: XXX

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Customer Signature _____

Date _____

Customer Signature _____

Date _____

11444 Kaltz Ave
Warren, MI 48089
Phone: 586-759-2700
Fax: 586-759-2703

Photos of existing site - 2 pages



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

Fri, Jun 14, 2019 2:51 PM
by Mike Deters



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

Fri, Jun 14, 2019 2:51 PM
by Mike Deters



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

Fri, Jun 14, 2019 2:52 PM
by Mike Deters



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

Fri, Jun 14, 2019 2:52 PM
by Mike Deters



Owl Creek
3400 nixon rd • Ann arbor, MI
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Fri, Jun 14, 2019 2:54 PM
by Mike Deters



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Fri, Jun 14, 2019 2:54 PM
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Owl Creek
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Fri, Jun 14, 2019 2:55 PM
by Mike Deters



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by Mike Deters



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Fri, Jun 14, 2019 2:55 PM
by Mike Deters



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

Fri, Jun 14, 2019 2:56 PM
by Mike Deters



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

*Fri, Jun 14, 2019 2:59 PM
by Mike Deters*



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

*Fri, Jun 14, 2019 2:59 PM
by Mike Deters*



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

*Fri, Jun 14, 2019 2:59 PM
by Mike Deters*



Owl Creek
3400 nixon rd • Ann arbor, MI
48089

*Fri, Jun 14, 2019 3:01 PM
by Mike Deters*