

**Zoning Board of Appeals
May 28, 2025, Regular Meeting**

STAFF REPORT

Subject: ZBA25-0011; 3310 Washtenaw Avenue

Summary:

James Johnson, representing Chick-fil-A Inc., is requesting a variance of 59 square feet from Table 5.24-3 Other Mixed-Use and Nonresidential and Special Purpose Zoning Districts Permanent Signs. The total sign package includes one Chick-fil-A wall sign at 59 square feet and a 92 square foot monument sign. The property is allowed to have a maximum of 92 square feet of signage and 151 square feet is being requested. The property is zoned TC1, Transit Corridor.

Background:

The subject .88-acre property is on the south side of Washtenaw Avenue near the intersection of Huron Parkway and Washtenaw Avenue. A new 5,240 square foot restaurant building with an outdoor patio dining area is under construction. The building will be set back 15 feet along the Washtenaw Avenue service drive.

Description:

Section 5.24.5 (B) allows two square feet of sign area per linear foot of building frontage up to a maximum of 200 square feet of sign area for permanent signs. The new building will have a width of 46 feet which allows for a total of 92 square feet of sign area.

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 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 variance and result from conditions which do not exist generally throughout the City.***

Applicant response: *"The additional signage requested is necessary due to the location of the building. This building is located off a busy thoroughfare on a parcel that is deep and setback far from the main road with a distinct separation by the adjacent service drive. The building is not easily seen without well lit, visible signage present on all sides of the building. The restaurant has omitted the typical 2 drive thru lanes in favor of a more walkable city friendly layout with a patio, and the additional pedestrian scale welcome signage further contributes to the local area."*

- (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.***

May 28, 2025

Applicant response: *"The practical difficulties resulting from a denial to this variance request will result in an increase in the monument sign base area, which would reduce the changeable area where pertinent information is displayed as well as the removal of the community signage. Inadequate signage would fail to efficiently direct patrons to the establishment and would reduce the welcoming atmosphere the business is known for."*

- (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: *"Allowing the variance will result in substantial justice that would not affect others property. The proposed signage would adequately identify Chick-fil-A to customers 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 response: *"The circumstances of this variance are not self-imposed. Due to the limitations of the ordinance Chick-fil-A has scaled down their typical sign package to come as close to the limitations while still maintaining brand integrity. The brick base on the monument sign has been lowered so that other aspects of the sign meet ordinance requirements, and the addition of a pedestrian oriented wall sign is a feature that tips the proposed signage just over the 200 sq ft limit, but adds an element of community to the dining space."*

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

Applicant response: *"The proposed variance is the minimum reasonable solution for the business to have adequate pedestrian and identification signage to identify the building, their brand, and to allow an ease of introduction into the community in a busy, traffic heavy corridor."*

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
City of Ann Arbor**