Zoning Board of Appeals
May 22, 2019 Regular Meeting

STAFF REPORT

Subject: ZBA19-010; 2167 Medford Road

Summary:
John Oslin and Five Star Signs, representing Ann Arbor Woods is seeking a variance from Section 5.33.2 (B) Nonconforming Signs. A new sign package is proposed to change the color, fonts and logos of the existing nonconforming monument signs (3), Leasing Center signs (2) and directional signs (11).

Background:
The subject property is a 262 unit apartment complex located south of East Stadium Boulevard and east of Saint Francis Drive. The complex was developed in 1963 and is zoned R4B, Multiple-Family Dwelling district.

Description:
Section 5.33.2 (B) states: No Nonconforming Sign: 1.Shall be changed to another Nonconforming Sign and 2. Shall have any change made in the Structure, shape, size, type, design, or mechanical or electrical equipment of the Sign unless the change brings the Sign into compliance with this chapter." Multi-family developments are allowed a maximum of two monument signs and the code does not address Leasing Center or directional (ancillary) signs.

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 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.

The applicant states the property is unique as there are multiple parking areas and one-way drives which require directional signs.

(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.

The reduction of signage will decrease visibility and create confusion for delivery vehicles, visitors and for emergency vehicles.

(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 signs create a uniform appearance for this property that has buildings that differ in appearance and for the property that is located in a neighborhood and does not front a major thoroughfare.

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

The applicant states that navigating the property and locating different buildings would be difficult without the existing sign package.

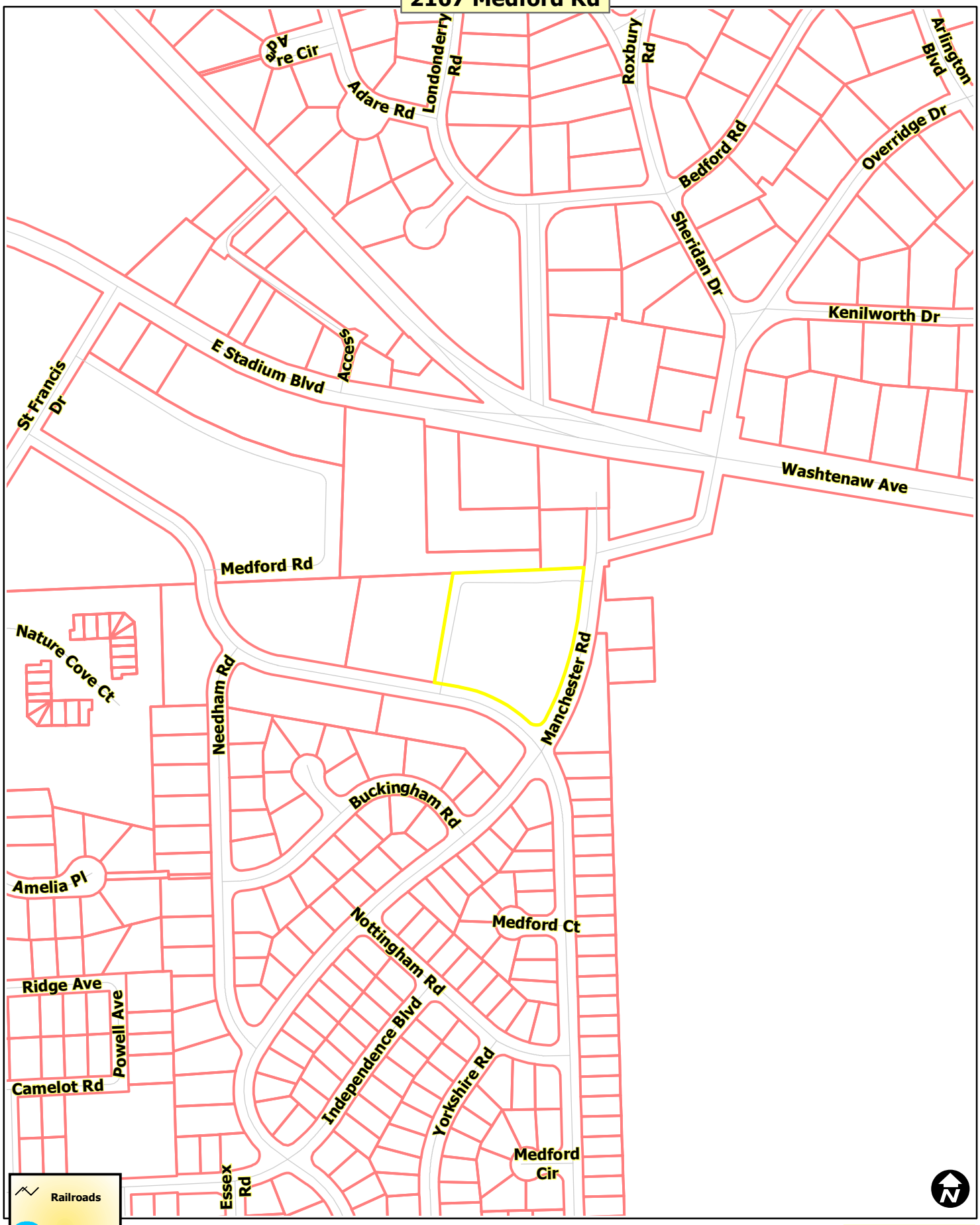
(e). A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure.

Allowing the signs to be refaced will create a continuity between the multiple buildings in the development and will not have any impacts on surrounding properties.

Respectfully submitted,

Jon Barrett
Zoning Coordinator

2167 Medford Rd



Map date: 5/1/2019

Any aerial imagery is circa 2018 unless otherwise noted

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2167 Medford Rd

Map date: 5/1/2019

Any aerial imagery is circa 2018 unless otherwise noted

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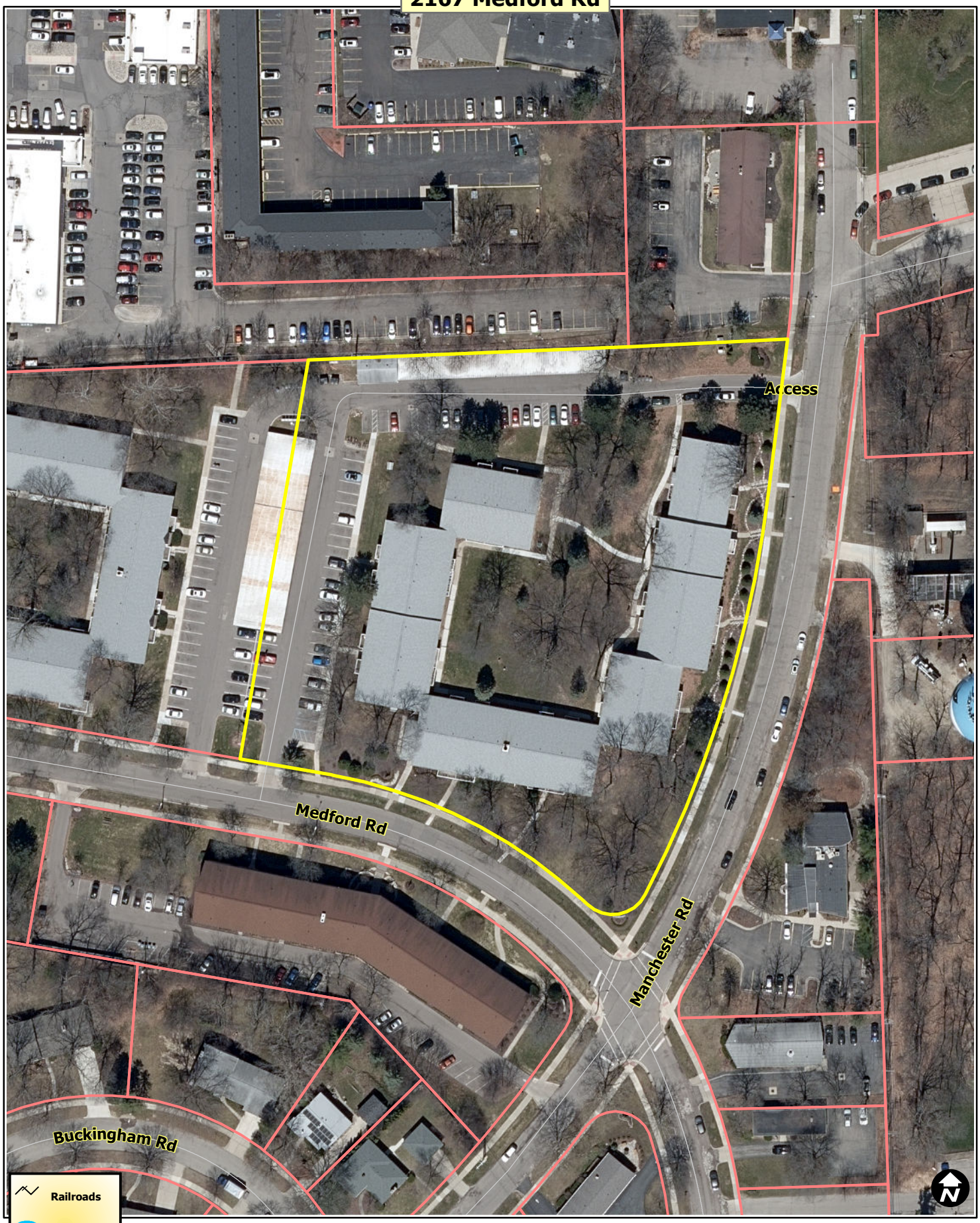
2167 Medford Rd



Map date: 5/1/2019

Any aerial imagery is circa 2018 unless otherwise noted

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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	ZIP CODE
2167 Medford Road, Ann Arbor MI	48197

ZONING CLASSIFICATION	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided*
R4B	Ann Arbor Woods - Hayman

PARCEL NUMBER	OWNER EMAIL ADDRESS
09-12-03-209-001	

APPLICANT INFORMATION

NAME
John Oslin - Five Star Signs

ADDRESS	CITY	STATE	ZIP CODE
10099 Bergin Road	Howell	MI	48843

EMAIL	PHONE
john@fivestarsignsmi.com	810.632.0562

APPLICANT'S RELATIONSHIP TO PROPERTY
Contractor

REQUEST INFORMATION

✔ VARIANCE REQUEST
Complete Section 1 of this application

☐ REQUEST TO ALTER A NONCONFORMING STRUCTURE
Complete Section 2 of this application

REQUIRED MATERIALS

One hard copy application complete will 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:

☒ Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
☐ Building floor plans showing interior rooms, including dimensions.
☒ Photographs of the property and any existing buildings involved in the request.

OFFICE USE ONLY

Fee Paid: $600- ZBA: 19-010

DATE STAMP
CITY OF ANN ARBOR
RECEIVED
APR 24 2019
PLANNING & DEVELOPMENT SERVICES

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: 04.24.2019

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: (*Example: Article 3, Section 5.26*)

SECTION 5.33.2 (B) NONCONFORMING SIGNS

REQUIRED DIMENSION: *(Example: 40' front setback)*	PROPOSED DIMENSION: (*Example: 32 foot 8 inch front setback*)
Feet: N/A *Inches:*	*Feet:* N/A *Inches:*

DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

SCOPE OF PROJECT IS TO REFACE EXISTING SIGNAGE TO UPDATE APPEARANCE AND PROVIDE BETTER CURB APPEAL. NO CHANGES TO SIGN SIZE / CONSTRUCTION / QTY. SIGNS WILL GET A NEW APPLICATION TO CHANGE COLOR, FONT & LOGO.

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.

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.

THIS IS A UNIQUE PROPERTY AS THERE ARE SEVERAL ROADS FRONTING THE PROPERTY WITH MULTIPLE PARKING AREAS FOR DIFFERENT BUILDINGS. MANY ARE ONE WAY PARKING AREA WHICH REQUIRE THE DIRECTIONAL SIGNS

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.

ELIMINATING CURRENT SIGNS WOULD DECREASE VISIBILITY OF BUILDINGS AND COULD CAUSE CONFUSION & DIFFICULTY IN LOCATING A BUILDING OR APARTMENT. NOT ONLY FOR DELIVERIES & VISITORS BUT EMERGENCY VEHICLES AS WELL.

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.

SIGNS ARE WAYFINDING AND INTENDED TO HELP WITH DELIVERIES VISITORS & EMERGENCY VEHICLES. THE PROPERTY IS IN A NEIGHBORHOOD SETTING AND THE BUILDING VARY IN APPEARANCE. THE SIGNS PROVIDE A UNIFORM APPEARANCE FOR THE PROPERTY.

The conditions and circumstances on which the variance request is based shall not be a self-imposed hardship or practical difficulty.

NAVIGATION OF PROPERTY AND LOCATING BUILDINGS WOULD BE DIFFICULT W/O SIGNS. MANY OF THE BUILDING CAN NOT BE SEEN FROM THE MAIN THROUGH ROADS SO THEY REQUIRE IDENTIFICATION AND DIRECTIONAL SIGNS.

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

ALLOWING THE SIGNS TO BE UPDATED BY REFACING ALLOWS FOR IDENTIFICATION & LOCATION OF BUILDINGS. IT ALSO PROVIDES CONTINUITY BETWEEN BUILDINGS. THERE ARE 202 UNITS IN THE PROPERTY SO IT IS IMPORTANT PEOPLE CAN LOCATE THEIR DESTINATION

Section 2 City of Ann Arbor Planning Services – Zoning Board of Appeals Application

REQUEST TO ALTER A NONCONFORMING STRUCTURE

For the purposes of Article VI: Nonconformities Section 5.32.2 Nonconforming Structure, **alteration** is defined as any change in a Building that results in additional Floor Area being fit for occupancy, a greater number of dwelling or rooming units or an increase in the exterior dimensions of the Building.

A nonconforming structure may be maintained or restored, but permission to alter a nonconforming structure will only be approved by the Zoning Board of Appeals upon finding that it complies as nearly as practicable with the requirements of this Chapter and that it will not have a detrimental effect on neighboring property.

In the space below, describe the current use of the property, the proposed alteration, and the impact it would have on neighboring property.

N/A

Please complete the table below as it relates to your request

Requirement	Existing Condition	Code Requirement
Lot Area		
Lot Width		
Floor Area Ratio		
Setbacks		
Parking		
Landscaping		
Other		

HAYMAN COMPANY

Authorization letter:

I, Kristen Diamond authorize John Oslin of Five Star Signs Inc. to complete and submit Ann Arbor ZBA application 19-010 on behalf of Ann Arbor Woods Apartments and the Hayman Company.

Signature: _____

Title: VICE PRESIDENT OF MULTIFAMILY

Date: 04/25/19

29100 Northwestern Hwy
Suite 410
Southfield, MI 48034
248.879.7777
www.haymancompany.com

1

Existing main ID signs #1 - (3) locations
face size is 105" x 20"
overall monument size is approximately 125" x 60"

2

Stand alone large building address signs #2 - (3) locations
face size is 48" x 48"
sign height is approximately 72"

3

Building address directional/entrance/exit signs #3 - (8) locations
face size is 48" x 24"
sign height is approximately 48"

4

Leasing office directional #4 - (1) location
face size is 60" x 48"
sign height is approximately 72"

5

Leasing office directional #5 - (1) location
face size is 38" x 28"
sign height is approximately 36"

They want to replace this sign with a larger sign possibly more like signs 1 or 4. We want to know if a larger sign would be permissible and if so how large could we make the sign?

Signs will get new faces in the existing monument or frame structure as shown below. Sign 5 is the sign in question - if possible, they would like a larger sign for that location.

1

Existing main ID signs #1 - (3) locations
face size is 105" x 20"
overall monument size is approximately 125" x 60"

2

Stand alone large building address signs #2 - (3) locations
face size is 48" x 48"
sign height is approximately 72"

3

Building address directional/entrance/exit signs #3 - (8) locations
face size is 48" x 24"
sign height is approximately 48"

4

Leasing office directional #4 - (1) location
face size is 60" x 48"
sign height is approximately 72"

5

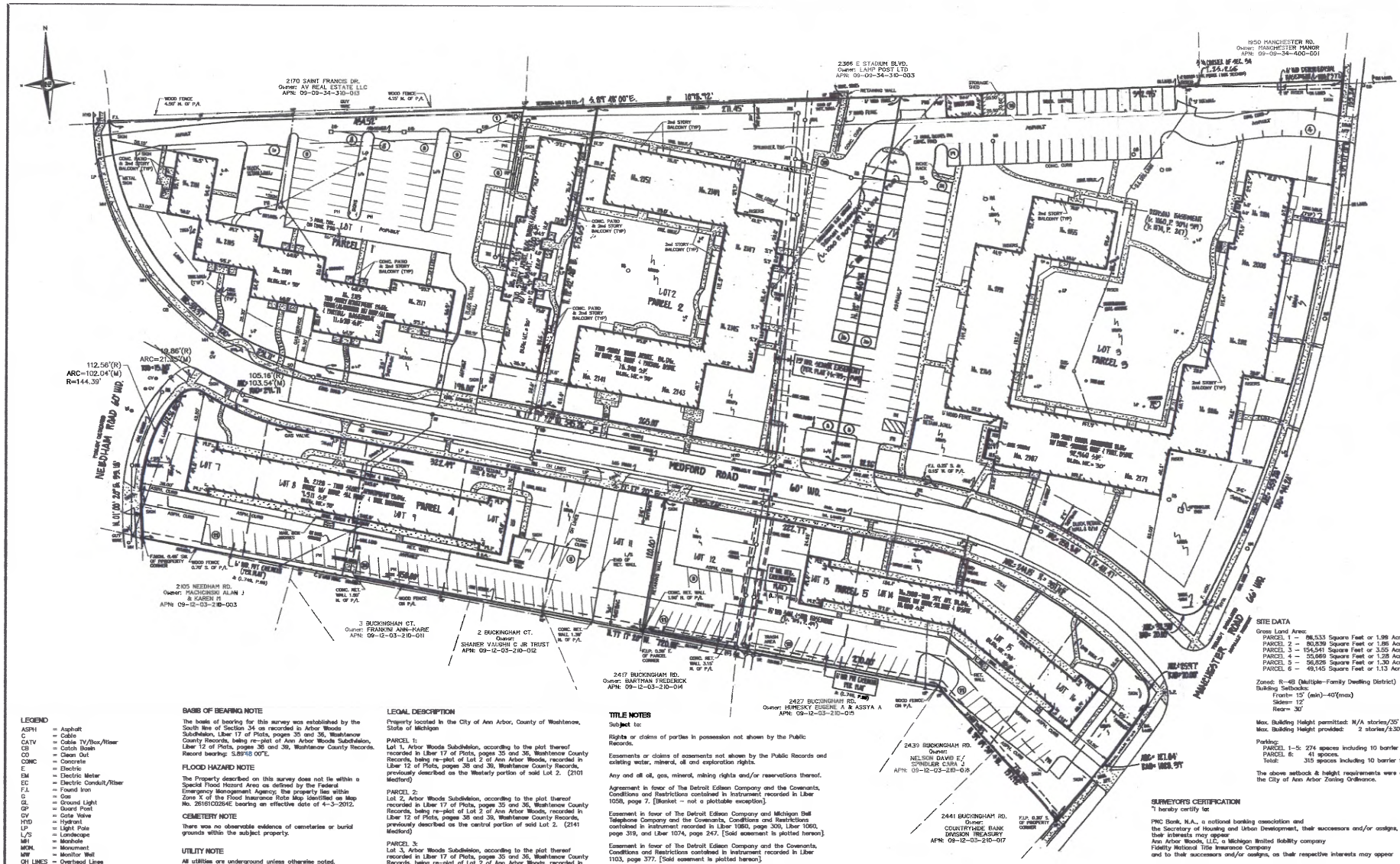
Leasing office directional #5 - (1) location
face size is 38" x 28"
sign height is approximately 36"

They want to replace this sign with a larger sign possibly more like signs 1 or 4. We want to know if a larger sign would be permissible and if so how large could we make the sign?

The directional parking signs (signs identified as #3) for stand alone buildings with addresses 2180, 2120 & 2016 are due to one way parking areas.

The remaining directional parking signs (#3) identify buildings that can not be seen from the main roads which would make it difficult for visitors, deliveries or emergency vehicles to locate the buildings without the directional signs.

Address signs identified as #2 could be eliminated by putting the address on the buildings but a minor concern would be that the current signs are branded to tie the property together. The 3 buildings on the south side of Medford do not have the same appearance as the other buildings and the address on these buildings could be difficult to see when trees have full foilage.



LEGEND

ASPH	= Asphalt
C	= Cable
CATV	= Cable TV/Box/Riser
CB	= Catch Basin
CO	= Clean Out
CONC	= Concrete
E	= Electric
EM	= Electric Meter
EC	= Electric Conduit/Riser
F.I.	= Found Iron
G	= Gas
GL	= Ground Light
GP	= Guard Post
GV	= Gate Valve
HYD	= Hydrant
LP	= Light Pole
L/S	= Landscape
MH	= Manhole
MON.	= Monument
MW	= Monitor Well
OH LINES	= Overhead Lines
P	= Phone/Box/Riser
PH	= Physically Handicapped
PIV	= Post Indicator Valve
P/L	= Property Line
PM	= Parking Meter
ROW	= Right of Way
SAN	= Sanitary Sewer
SB	= Stop Box (Water)
S.I.	= Set Iron
SO	= Shutoff (Water)
STM	= Storm Sewer
TRANS	= Transformer
UP	= Utility Pole
WM	= Water Main
(R)	= Record Measurement
(M)	= Surveyed Measurement
(C)	= Calculated

40 0 20 40 80

GRAPHIC SCALE 1"=40'

BASIS OF BEARING NOTE

The basis of bearing for this survey was established by the South line of Section 34 as recorded in Arbor Woods Subdivision, Liber 17 of Plats, pages 35 and 36, Washtenaw County Records, being re-plat of Ann Arbor Woods Subdivision, Liber 12 of Plats, pages 38 and 39, Washtenaw County Records. Record bearing: S.89°48' 00"E.

FLOOD HAZARD NOTE

The Property described on this survey does not lie within a Special Flood Hazard Area as defined by the Federal Emergency Management Agency; the property lies within Zone X of the Flood Insurance Rate Map identified as Map No. 26161C0264E bearing an effective date of 4-3-2012.

CEMETERY NOTE

There was no observable evidence of cemeteries or burial grounds within the subject property.

UTILITY NOTE

All utilities are underground unless otherwise noted.

The utilities shown on this survey were determined by field observation. All locations are approximate. The location of any other underground services which may exist can only be depicted if a Utility Plan is furnished to the surveyor.

SURVEY NOTES

There was no observable evidence of current earth moving work, building construction or building additions.

There are no known proposed changes in street right-of-way lines available from the controlling jurisdiction.

There was no observable evidence of recent street or sidewalk construction or repairs.

There was no observable evidence of site use as a solid waste dump, sump or sanitary landfill.

LEGAL DESCRIPTION

Property located in the City of Ann Arbor, County of Washtenaw, State of Michigan

PARCEL 1:
Lot 1, Arbor Woods Subdivision, according to the plat thereof recorded in Liber 17 of Plats, pages 35 and 36, Washtenaw County Records, being re-plat of Lot 2 of Ann Arbor Woods, recorded in Liber 12 of Plats, pages 38 and 39, Washtenaw County Records, previously described as the Westerly portion of said Lot 2. (2101 Medford)

PARCEL 2:
Lot 2, Arbor Woods Subdivision, according to the plat thereof recorded in Liber 17 of Plats, pages 35 and 36, Washtenaw County Records, being re-plat of Lot 2 of Ann Arbor Woods, recorded in Liber 12 of Plats, pages 38 and 39, Washtenaw County Records, previously described as the central portion of said Lot 2. (2141 Medford)

PARCEL 3:
Lot 3, Arbor Woods Subdivision, according to the plat thereof recorded in Liber 17 of Plats, pages 35 and 36, Washtenaw County Records, being re-plat of Lot 2 of Ann Arbor Woods, recorded in Liber 12 of Plats, pages 38 and 39, Washtenaw County Records, previously described as the Easterly portion of said Lot 2. (2155 Medford)

PARCEL 4:
Lots 7 through 11, both inclusive, Ann Arbor Woods, according to the plat thereof recorded in Liber 12 of Plats, pages 38 and 39, Washtenaw County Records. (2120 Medford)

PARCEL 5:
Lots 12 through 16 both inclusive, Ann Arbor Woods, according to the plat thereof recorded in Liber 12 of Plats, pages 38 and 39, Washtenaw County Records. (2180 Medford)

TITLE NOTES

Subject to:

Rights or claims of parties in possession not shown by the Public Records.

Easements or claims of easements not shown by the Public Records and existing water, mineral, oil and exploration rights.

Any and all oil, gas, mineral, mining rights and/or reservations thereof.

Agreement in favor of The Detroit Edison Company and the Covenants, Conditions and Restrictions contained in instrument recorded in Liber 1058, page 7. [Blanket – not a plottable exception].

Easement in favor of The Detroit Edison Company and Michigan Bell Telephone Company and the Covenants, Conditions and Restrictions contained in instrument recorded in Liber 1060, page 309, Liber 1060, page 319, and Liber 1074, page 247. [Said easement is plotted hereon].

Easement in favor of The Detroit Edison Company and the Covenants, Conditions and Restrictions contained in instrument recorded in Liber 1103, page 377. [Said easement is plotted hereon].

Terms and Conditions contained in Right of Way granted to the City of Ann Arbor for storm and sanitary sewer, as disclosed by instrument recorded in Liber 713, page 49. [Said easement is plotted hereon].

Easement for public utilities as disclosed by instruments recorded in Liber 749, page 96 and Liber 749, page 94, and as shown on the recorded plats. [Said documents are Affidavits; the easements shown on the recorded Plat are plotted hereon].

Rights of tenants, if any, under unrecorded residential leases.

All exceptions shown or noted on this survey were obtained from File No. 01400, PRO FORMA Title Policy, issued by Fidelity National Title Insurance Company and received by Nowak & Fraus on 02-06-2013.

SITE DATA

Gross Land Area:
PARCEL 1 – 86,533 Square Feet or 1.99 Acres.
PARCEL 2 – 80,839 Square Feet or 1.86 Acres.
PARCEL 3 – 154,541 Square Feet or 3.55 Acres.
PARCEL 4 – 55,669 Square Feet or 1.28 Acres.
PARCEL 5 – 56,825 Square Feet or 1.30 Acres.
PARCEL 6 – 49,145 Square Feet or 1.13 Acres.

Zoned: R-4B (Multiple-Family Dwelling District)
Building Setbacks:
Front= 15' (min)–40'(max)
Sides= 12'
Rear= 30'

Max. Building Height permitted: N/A stories/35'
Max. Building Height provided: 2 stories/±30'

Parking:
PARCEL 1-5: 274 spaces including 10 barrier free spaces.
PARCEL 6: 41 spaces.
Total: 315 spaces including 10 barrier free spaces.

The above setback & height requirements were obtained from the City of Ann Arbor Zoning Ordinance.

SURVEYOR'S CERTIFICATION

"I hereby certify to:

PNC Bank, N.A., a national banking association and
the Secretary of Housing and Urban Development, their successors and/or assigns, as their interests may appear
Ann Arbor Woods, LLC, a Michigan limited liability company
Fidelity National Title Insurance Company
and to their successors and/or assigns, as their respective interests may appear

that:

I made an on the ground survey per record description of the land shown hereon located in the City of Ann Arbor, Washtenaw County, Michigan, on 12-17-2012; and that it and this map was made in accordance with the HUD Survey Instructions and Report HUD 92457M, and the requirements for an ALTA/ACSM Land Title Survey, as defined in the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys.

To the best of my knowledge, belief and information, except as shown hereon: There are no encroachments either way across property lines; title lines and lines of actual possession are the same; and the premises are free of any 100/500 year return frequency flood hazard, and such flood free condition is shown on the Federal Flood Insurance Rate Map, Community No. 260535."

Kevin Navaroli, P.S.
No. 53503
Dated: 12-20-2012
Rev. 02-11-2013

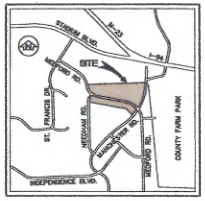
STATE OF MICHIGAN
KEVIN NAVAROLI
PROFESSIONAL SURVEYOR
NO. 53503
LICENSED PROFESSIONAL SURVEYOR

HUD Project No. 044-11272

NF ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
1310 N. STEPHENSON HWY.
ROYAL OAK, MI 48067-1308
TEL. (248) 399-0886
FAX. (248) 399-0805

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVENUE
PONTIAC, MI 48342
TEL. (248) 332-7931
FAX. (248) 332-8257



LOCATION MAP

PROJECT
ANN ARBOR WOODS APARTMENTS

PROJECT LOCATION
Part of "Arbor Woods" & "Ann Arbor Woods" Subdivision
City of Ann Arbor, Washtenaw County, MI

SHEET
ALTA/ACSM Land Title Survey

REVISIONS
01-16-1996 ORIGINAL SURVEY
01-29-1996 REVISED
08-03-2001 UPDATE
09-28-2001 REVISED PER LENDER
10-05-2001 REVISED CERTIFICATION
06-21-2011 UPDATE
11-16-2011 Revised certified to only
12-20-2012 UPDATE
01-07-2013 REVISED
02-04-2013 REVISED
02-11-2013 REVISED

DRAWN BY: R.F./A.G.
APPROVED BY: K.N./R.FRAUS
EMAIL: rfraus@nowakfraus.com
DATE ISSUED: 12-20-2012
SCALE: 1"=40'
NFE JOB NO. 3693-01
SHEET NO. 1 of 2