

**Zoning Board of Appeals  
January 27, 2021 Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 20-028; 929 Barton Drive**

**Summary:**

Anne Daws-Lazar, representative of Northside Community Church, is requesting a variance from Section 5.24.4 (C)(2) to allow an electronic message sign to exceed the maximum allowable 25% total sign area of a sign. The proposed sign is 47.6 square feet in size and the electronic message center will be 25.6 square feet or 53.8 percent of the total sign area. The property is zoned R1C, Single-Family Residential.

**Background:**

Northside Community Church is located on the northeast corner of Barton Drive and Traver Road in the Northside neighborhood. Ann Arbor STEAM School is across the street due west of the Church.

**Description:**

The existing sign is a double-sided ground mounted sign with a fixed identification panel and a changeable copy area that displays event information for the Church. The proposed sign is a double-sided sign that is 23.8 square feet per face for an overall size of 47.6 square feet. The upper portion will be a solid panel identifying the Church. The lower portion is an electronic video screen that will be 12.8 square feet per side for a total of 25.6 square feet. The proposed electronic panel is 53% of the overall sign exceeding the allowed 25% requirement. The electronic panel will enable the Church to advertise upcoming events and activities.

**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 that the Church has numerous events that require staff to change the message on a frequent basis. The existing glass cover is heavy and challenging for personnel. The new electronic copy technology will be more efficient, especially in the winter months.

- (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 Church contracted with a sign company based in Florida who did not inform

Zoning Board of Appeals  
January 27, 2021

them of the installation and permit requirements. The Church became aware of the permitting and size limitations when a local contractor was obtained in June 2020. Once the Church was notified that the sign did not meet the City of Ann Arbor ordinance the sign had already been manufactured and was ready to ship.

- (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 Church will endure significant hardships if the variance is not granted and the community will not be able to benefit or take advantage of the enhanced messaging.

- (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 the sign is necessary as a lot of outside groups that use the Church, take part in programming and community outreach. The new sign will allow improved messaging and a smaller electronic copy area will make it difficult for pedestrians and motorists to read.

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

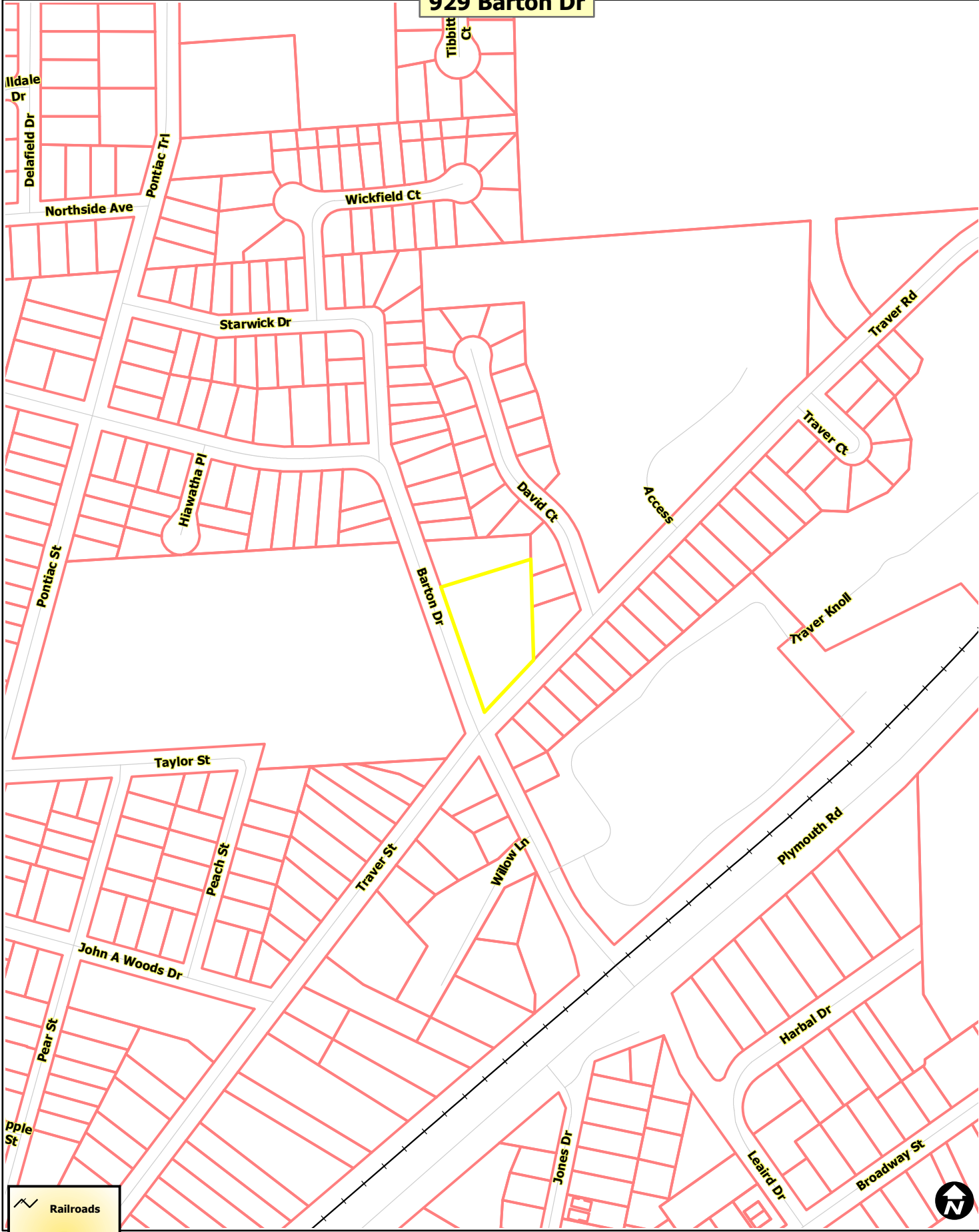
The petitioner requests that they are granted a variance from the previous sign code (prior to December 21, 2020) which would of been a 3.8% variance request rather than a 28% request under the current ordinance.




Respectfully submitted,

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

**Jon Barrett-  
Zoning Coordinator**

929 Barton Dr



-  Railroads
-  Huron River
-  Tax Parcels






Map date: 1/4/2021  
 Any aerial imagery is circa 2020 unless otherwise noted  
 Terms of use: [www.a2gov.org/terms](http://www.a2gov.org/terms)





929 Barton Dr



-  Railroads
-  Huron River
-  Tax Parcels






Map date: 1/4/2021  
 Any aerial imagery is circa 2020 unless otherwise noted  
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929 Barton Dr



-  Railroads
-  Huron River
-  Tax Parcels



Map date: 1/4/2021  
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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](mailto:planning@a2gov.org)

## PROPERTY INFORMATION

ADDRESS OF PROPERTY <b>929 Barton Dr</b>		ZIP CODE <b>58105</b>
ZONING CLASSIFICATION	NAME OF PROPERTY OWNER *If different than applicant, a letter of authorization from the property owner must be provided <b>Northside Community Church</b>	
PARCEL NUMBER <b>09-90-00-075-514, 09-09-21-200-01</b>	OWNER EMAIL ADDRESS <b>northsidecommunitya2@gmail.com</b>	

## APPLICANT INFORMATION

NAME <b>Anne Daws-Lazar</b>			
ADDRESS <b>3307 Turnberry Lane</b>	CITY <b>Ann Arbor</b>	STATE <b>MI</b>	ZIP CODE <b>48108</b>
EMAIL <b>annedawslazar@gmail.com</b>		PHONE <b>734-649-7948</b>	
APPLICANT'S RELATIONSHIP TO PROPERTY <b>Office Manager, Advisory Board Chair</b>			

## 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	OFFICE USE ONLY
<p>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.</p> <p><b>Required Attachments:</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Boundary Survey of the property including all existing and proposed structures, dimensions of property, and area of property.</li> <li><input type="checkbox"/> Building floor plans showing interior rooms, including dimensions.</li> <li><input type="checkbox"/> Photographs of the property and any existing buildings involved in the request.</li> </ul>	<p>Fee Paid: _____ ZBA: _____</p> <p>DATE STAMP</p>

## 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: 12/18/2020



# 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 5.24.4 (C)(2)

REQUIRED DIMENSION: (Example: 40' front setback)  
Feet:                      Inches:

PROPOSED DIMENSION: (Example: 32 foot 8 inch front setback )  
Feet:                      Inches:

### DESCRIPTION OF PROPOSED WORK AND REASON FOR VARIANCE:

The size of the sign is 47.6 sq ft total. The message center is 25.6 sq ft total. Per the last city code our electronic center was 53.8% of the total size of the sign's total sq footage which was 3.8% too large. We understand that the sign code just changed - however, our application was first submitted in June of this year - under the old sign statute.

**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.

We wanted to replace our old style sign with an electronic sign so that, in the middle of the winter, our office manager (who has MS) would not have to trek thru the snow and lift the heavy glass cover in order to change letters by hand. Numerous community events are held at our church requiring frequent sign changes.

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.

This was our first time dealing with electronic signage. We had the sign built by a company (Signs Plus) based in Florida who led us to believe that there would be no problem replacing our existing sign with the new one because they are roughly the same size. They even suggested that we have a member of the congregation just install the new sign. No mention was made of needed permits or codes until the sign was built and ready to ship. We then hired a local company to install the sign and they submitted the application for permit in June of 2020.

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.

We have invested over \$20,000 in private donations for this elect. sign(our annual budget is less than \$90,000). We might pursue legal action against the sign building company since they failed to check local ordinances or advise us to do so, but the cost of attorney and court fees will be prohibitive. Even the \$1000 fee to file this appeal was a stretch for us. Without your waiver, we are facing the possibility of all these costs and still no viable signage

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

The signage is necessary as we have a lot of outside groups that use the church, take part in our programming as well as doing a lot of outreach in the community. Our current outdated sign is not sufficient to let people know what opportunities are available to them from us and what we have to offer as a church and community member. We are concerned that if the electronic portion of the sign were any smaller it would be difficult to read by passers-by.

A variance approved shall be the minimum variance that will make possible a reasonable use of the land or structure. Our request would be that we are granted a variance of the last sign code (which we were working under until December 21, 2020) which would have meant that the electronic portion of our sign was 3.8% larger than that allowed by THAT statute.





NORTHSIDE  
COMMUNITY  
CHURCH

SUNDAY WORSHIP  
10 AM  
ALL ARE  
WELCOME!

929



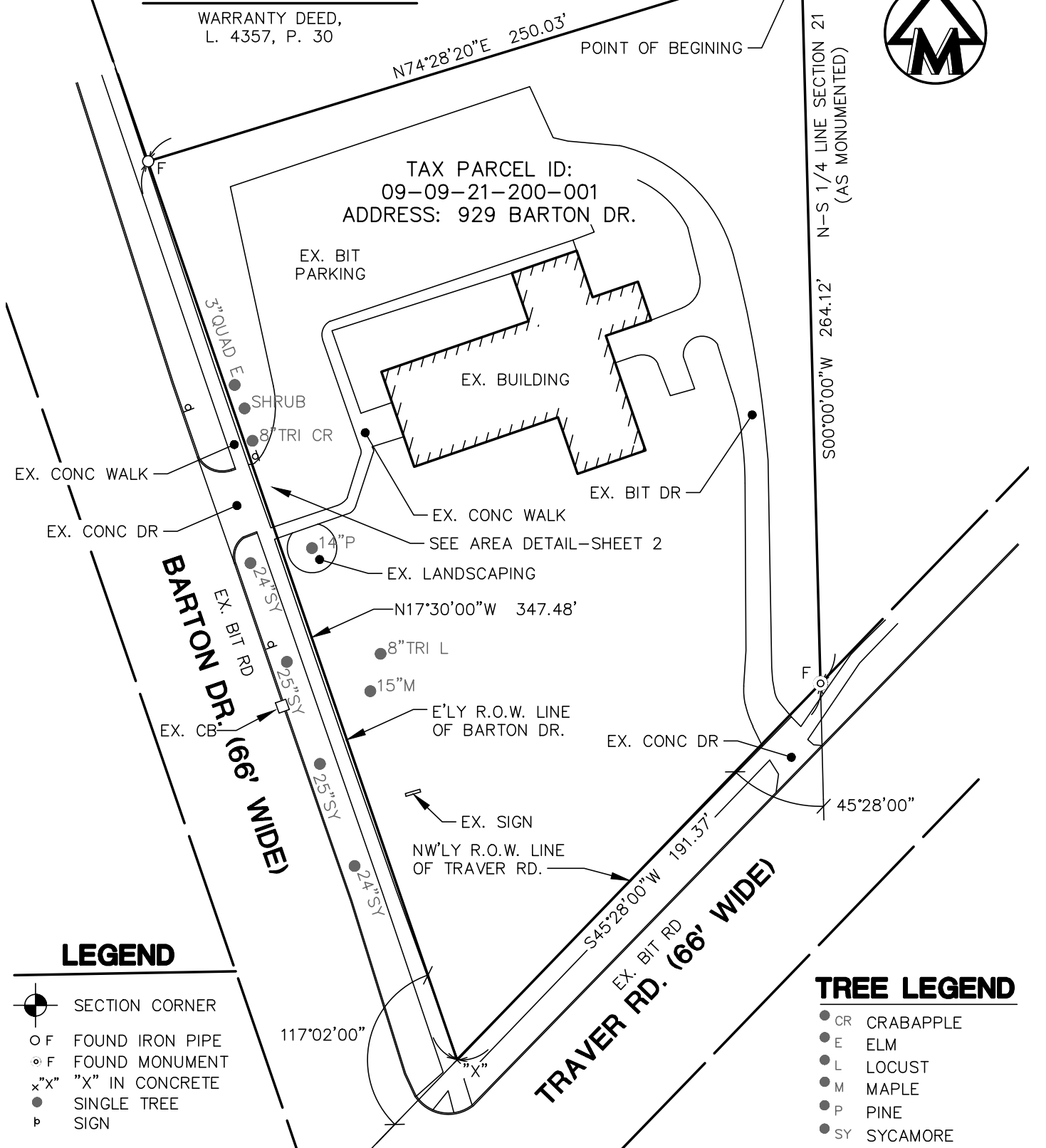
# CERTIFIED SURVEY

CERTIFIED SURVEY OF AN EXISTING PARCEL OF LAND  
 LOCATED IN THE NW 1/4 OF SECTION 12, T2S, R6E, CITY OF  
 ANN ARBOR, WASHTENAW COUNTY, MI

## BASIS OF BEARING

WARRANTY DEED,  
 L. 4357, P. 30

N 1/4 CORNER  
 SECTION 21  
 T2S, R6E  
 S00°00'00"W  
 837.90'(M) 873.9'(R)



## LEGEND

- SECTION CORNER
- FOUND IRON PIPE
- FOUND MONUMENT
- "X" IN CONCRETE
- SINGLE TREE
- SIGN

## TREE LEGEND

- CR CRABAPPLE
- E ELM
- L LOCUST
- M MAPLE
- P PINE
- SY SYCAMORE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL HEREON DESCRIBED ON December 16, 2020 AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING AND THAT ALL REQUIREMENTS OF SURVEYING AND THAT ALL REQUIREMENTS OF P.A. 132 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

CLIENT: NORTHSIDE COMMUNITY CHURCH	DATE: 12/16/20
JOB NO.: <b>20295</b>	SHEET 1 OF 3
SECTION: 21 TOWN: 2S RANGE: 6E	SCALE: 1in. = 50 ft.
CITY OF ANN ARBOR	BOOK: 1033
WASHTENAW COUNTY, MICHIGAN	BY: HLE

*Mark Vander Veen*  
 Mark Vander Veen PS NO. 56788

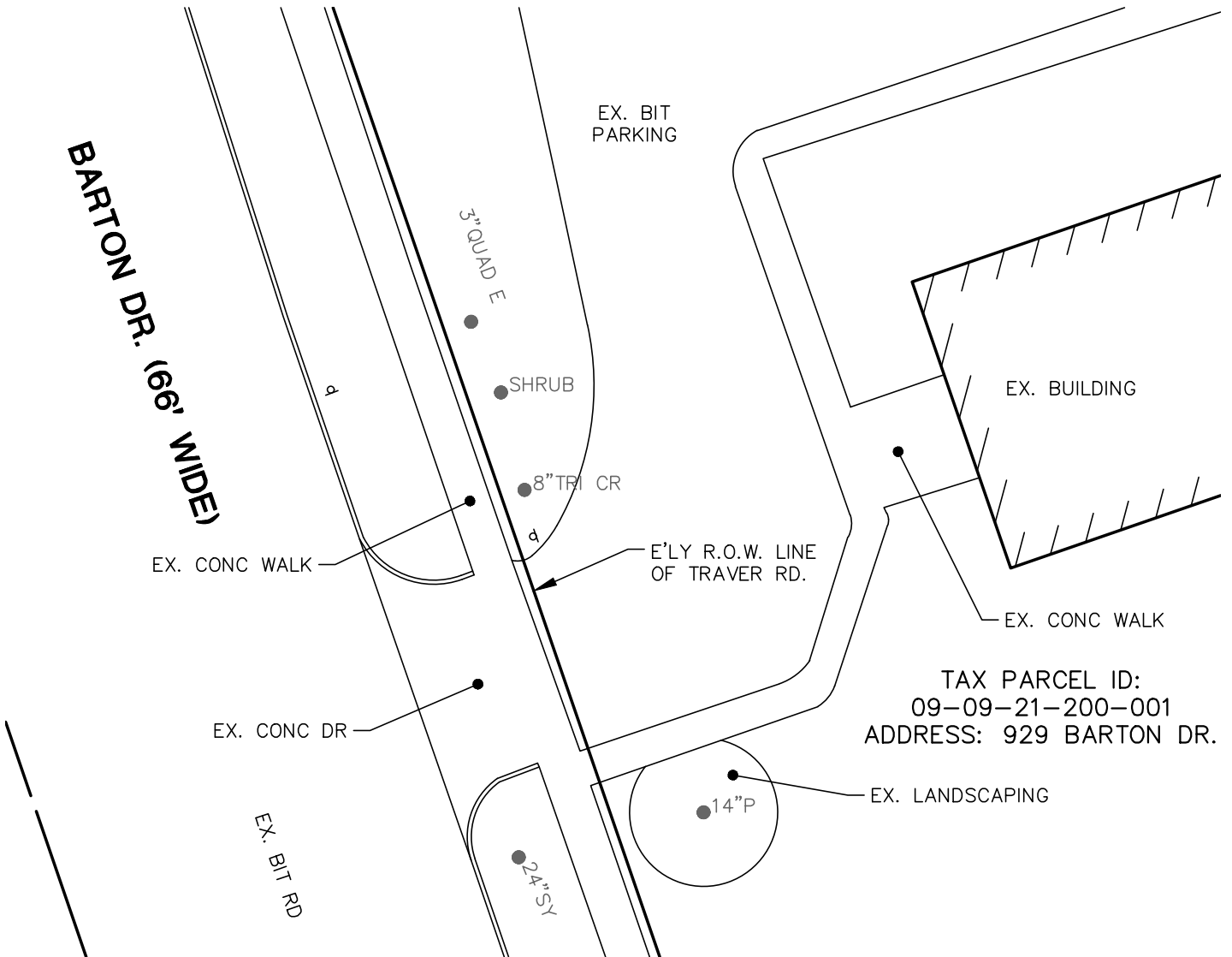


**MIDWESTERN**  
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 Wireless Communications • Transportation • Landfill Services



# DETAIL SHEET



TAX PARCEL ID:  
09-09-21-200-001  
ADDRESS: 929 BARTON DR.

## LEGEND

- SECTION CORNER
- FOUND IRON PIPE
- FOUND MONUMENT
- "X" IN CONCRETE
- SINGLE TREE
- SIGN

## TREE LEGEND

- CR CRABAPPLE
- E ELM
- L LOCUST
- M MAPLE
- P PINE
- SY SYCAMORE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL HEREON DESCRIBED ON December 16, 2020 AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING AND THAT ALL REQUIREMENTS OF SURVEYING AND THAT ALL REQUIREMENTS OF P.A. 132 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

CLIENT: NORTHSIDE COMMUNITY CHURCH	DATE: 12/16/20
JOB NO.: <b>20295</b>	SHEET 2 OF 3
SECTION: 21 TOWN: 2S RANGE: 6E	SCALE: 1in. = 20 ft.
CITY OF ANN ARBOR	
WASHTENAW COUNTY, MICHIGAN	BOOK: 1033
	BY: HLE

*Mark Vander Veen*

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Mark Vander Veen
PS NO. 56788



**M I D W E S T E R N**  
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# LEGAL DESCRIPTION

(per Warranty Deed, as recorded in Liber 4357, Page 30, Washtenaw County Records)

Land situated in the City of Ann Arbor, County of Washtenaw, and the State of Michigan, to wit:

Commencing at the north quarter corner of Section 21, Ann Arbor, township, Washtenaw County, Michigan and running thence south along the north and south quarter line of said Section 837.9\* feet for a place of beginning; thence continuing south along said quarter line 264.12 feet; thence southwesterly deflecting 45° 28' 00" to the right 191.37 feet along the northwesterly line of Traver Road; thence northwesterly deflecting 117° 02' 00" to the right 347.48 feet; thence easterly to the place of beginning, being a part of the northwest quarter of said Section 21, in the City of Ann Arbor, Washtenaw County, Michigan.

\*Typographical error: the distance of 873.9 feet was measured as 837.9 feet.

Being more particularly described as follows:

Commencing at the N 1/4 corner Section 21, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S00°00'00"W 837.90 feet along the N-S 1/4 line of Said Section 21 (as monumented) to the POINT OF BEGINNING;

thence continuing S00°00'00"W 264.12 feet along said N-S 1/4 line of Section 21;

thence S45°28'00"W 191.37 feet along the Northwesterly right-of-way line of Traver Road (66' wide)

thence N17°30'00"W 347.48 feet along the Easterly right-of-way of Barton Drive (66' wide);

thence N74°28'20"E 250.03 feet to the POINT OF BEGINNING. Being part of the NW 1/4 of Section 21, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, and containing 1.41 acres of land, more or less. Being subject to any easements and restrictions of record, if any.

## WITNESS

N 1/4 CORNER, SECTION 21, T2S, R6E (found remon)

WEST 8.0'	C/L OLD 2 1/2" FENCE POST
WEST 25.92'	F IRON ROD IN 4" CONC MONUMENT
WEST 46.79'	SET MAG NAIL & TAG S. SIDE OF POWER POLE
EAST 5.9'	C/L OLD 2 1/2" FENCE POST
N05°E 0.7'	C/L 2" FENCE

I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL HEREON DESCRIBED ON December 16, 2020 AND THAT THE RELATIVE POSITIONAL PRECISION OF EACH CORNER IS WITHIN THE LIMITS ACCEPTED BY THE PRACTICE OF PROFESSIONAL SURVEYING AND THAT ALL REQUIREMENTS OF SURVEYING AND THAT ALL REQUIREMENTS OF P.A. 132 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

CLIENT: NORTHSIDE COMMUNITY CHURCH	DATE: 12/16/20
JOB NO.: <b>20295</b>	SHEET 3 OF 3
SECTION: 21 TOWN: 2S RANGE: 6E	SCALE: 1in.= N/A ft.
CITY OF ANN ARBOR	BOOK: 1033
WASHTENAW COUNTY, MICHIGAN	BY: HLE

*Mark Vander Veen*

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Mark Vander Veen
PS NO. 56788



**MARK VANDER VEEN**  
 PROFESSIONAL SURVEYOR  
 No. 4001056788

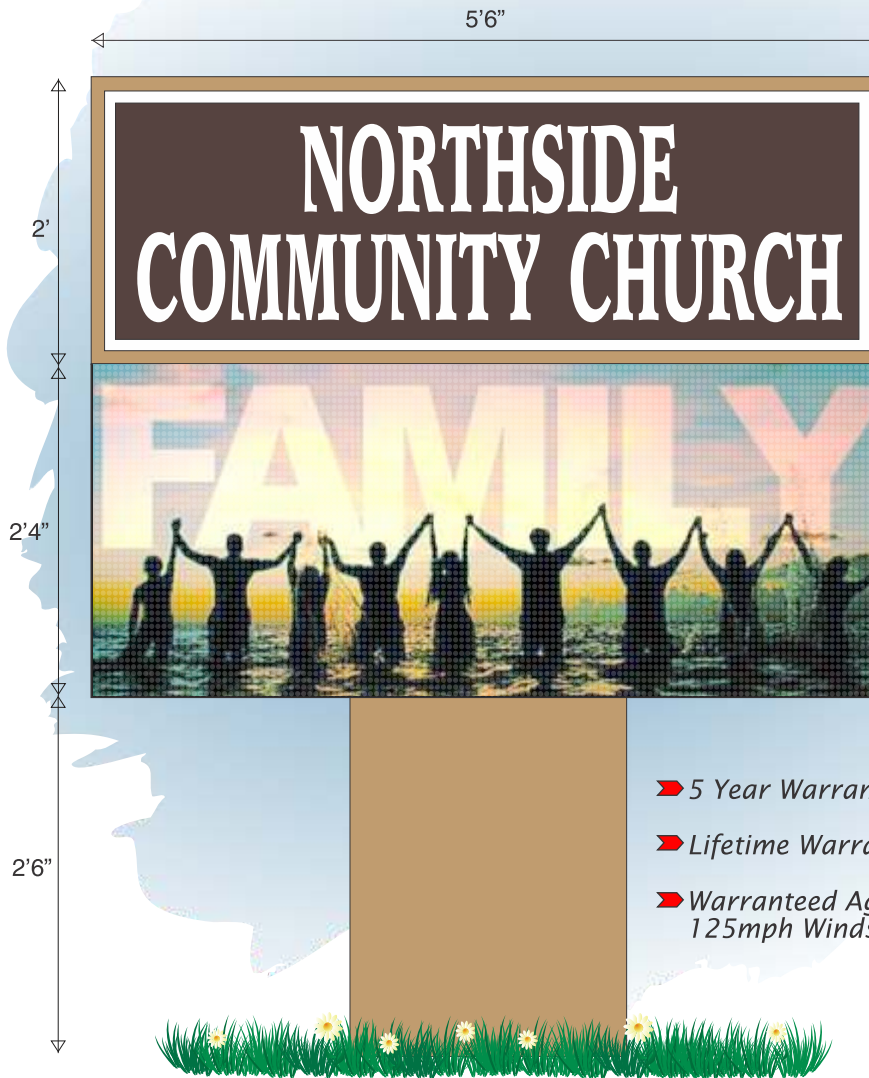
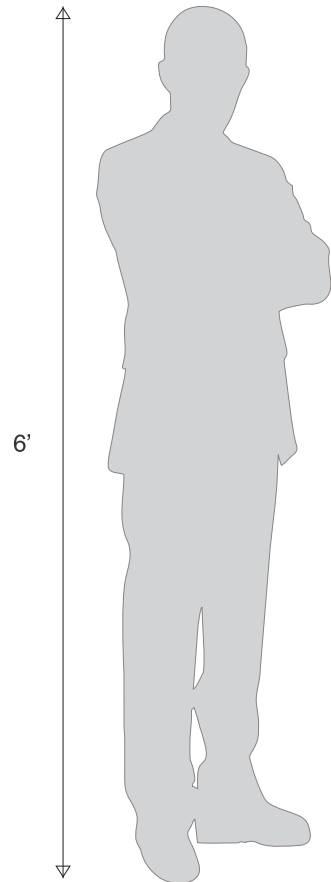


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HI DEF LED, INF MOD Model #20mm-36x84 RGB  
 2'x5'6" ID Cabinet, 2'4"x5'6" LED Cabinet, 2'6" Leg



- 5 Year Warranty on LED Sign!
- Lifetime Warranty on Sign!
- Warranted Against 125mph Winds!

Reference #: 136798

Sketch #: 3

Date: October 23, 2019

### SPECIFICATIONS

Cabinet/Leg: PMS465c Almond  
 (LED Cabinet Black)

Sign Face: PMS448c Dark Brown

ID Letters: 403W White

LED: Full Color

Draft: 403W White

Fonts: UsherwoodlTcTBla (of italic)

Mascot/Symbol: #N/A

### SIGN CAPABILITIES

	20	36	84
# of Lines		Character Size (in)	# of characters per Line
4		6.3	14
3		8.7	8
2		13.4	6
1		27.6	3



### APPROVAL

DATE

PRINT NAME

SIGNATURE

A FAX SIGNATURE IS BINDING UPON BOTH PARTIES



800-848-4262

SignsPlusSigns.com

4242 McIntosh Lane, Sarasota, FL 34232