

**Zoning Board of Appeals  
April 24, 2024, Regular Meeting**

**STAFF REPORT**

**Subject: ZBA 24-0015; 3635 Washtenaw Avenue**

**Summary:**

Kevin Deters of Metro Detroit Signs, representing the business and property owners is seeking a variance from Table 5.24-3 Other Mixed Use and Nonresidential and Special Purpose District Permanent Signs. The request of eight feet nine inches would allow a permanent wall sign to be installed above the maximum allowable height of 20 feet. The property is zoned C3, Fringe Commercial.

**Background:**

The subject property is located at the northwest quadrant of Washtenaw Avenue and Highway U.S. 23 in the Arborland Shopping Center. The center was constructed in 1991 and contains five buildings. The total square footage of the center is 407,374 square feet in area.

**Description:**

The current tenant space is undergoing interior renovations, and the front façade is being altered as well. A new channel letter wall sign with the business name “Marshalls” is to be installed. The sign is 190 square feet in area. The sign is to be installed directly above the entrance doors at a height of eight feet nine inches (28’ 9”) above the maximum height of 20 feet. The current sign ordinance was adopted in December of 2020.

**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, “This site is unique in that it is currently under construction and is part of a multi-tenant shopping center. If the Marshalls wall sign were to be installed at 20 feet from grade to the top of the sign, it would be too low and not centered on the sign band. Installing the wall sign at 28’-9” from grade to the top of the sign would center the sign on the sign band. Also, the placement of the Marshalls sign would be consistent with the other stores in the shopping center.”*

- (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 size of the proposed sign meets the ordinance. This variance is not a request for a larger Marshalls sign in order to make more money. Rather, we are simply asking for the wall sign to be centered on the sign band properly and to look visually consistent with the other stores in the shopping center.”*

- (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, *“This variance, if it is granted, would allow the Marshalls sign to be installed properly centered on the sign band. The Marshalls sign would then look uniform with the other signs in the shopping center. It would not negatively impact any 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 site is currently under construction, and we are asking for the Marshalls sign to be centered on the sign band just like the other existing signs in the shopping center. Therefore, this hardship was not self-created by Marshalls.”*

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

Applicant states, *“We are asking for the wall sign to be 28'-9" from grade to the top of the sign, which is the required height for the sign to be centered on the sign band properly.”*

Respectfully submitted,

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

**Jon Barrett-  
Zoning Coordinator**