

APPLICATION FOR VARIANCE OR ADMINISTRATIVE APPEAL
SIGN BOARD OF APPEALS

Section 1: Applicant Information

Name of Applicant: Brownie Signs, LLC
Address of Applicant: 8791 Earhart, South Lyon, MI 48178
Daytime Phone: (248) 437-0800
Fax: (810) 900-3040
Email: browniesigns8791@yahoo.com
Applicant's Relationship to Property: sign contractor

Section 2: Property Information

Address of Property: 3945 S. State Street
Zoning Classification: C3-Fringe Commercial
Tax ID# (if known): 09-12-09-301-012
*Name of Property Owner: SCL Jag Briarwood (Jimmy John's, tenant)

**If different than applicant, a letter of authorization from the property owner must be provided.*

Section 3: Request Information

Variance

Chapter(s) and Section(s) from which a variance is requested:

Chapter 61, 5:502

Required dimension:
48.6 Sq. Ft.

PROPOSED dimension:
(see attached)

Example: Chapter 61, Section 5:26

Example: 40' Setback from Right of Way

Example: 36' Setback from Right of Way

Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)

Signage with commercial logo and lettering on north and south sides of building, logo and lettering on front of building. Pole sign in front of building. See attached.

Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)

The City of Ann Arbor Sign Board of Appeals has the powers granted by City Code Chapter 61. A variance may be granted by the Sign Board of Appeals only in cases involving practical difficulties or unnecessary hardships when **ALL** of the following is found **TRUE**. Please provide a complete response to each item below. These responses will form the basis for evaluation of the request by staff and the Sign Board of Appeals. (continued...)

1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?

See attachment A.

2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)

See attachment A.

3. What effect will granting the variance have on the neighboring properties? _____

See attachment A.

4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?

See attachment A.

5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?

See attachment A.

Section 5: Administrative Appeal (ONLY – DO NOT COMPLETE IF FILING FOR VARIANCE)

Current use of the property _____

Explain what you were denied and why you are requesting an Administrative Appeal:

Section 6: Required Materials

The following materials are required for all variance requests or administrative appeals. Failure to provide these materials will result in an incomplete application and will delay staff review and Sign Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application.

All materials must be provided on 8 1/2" by 11" sheets.

- Building showing frontage dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.
- Property Site Plan showing setbacks, right of ways, etc.

Section 7: Acknowledgement

SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC

I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Ann Arbor City Code for the stated reasons, in accordance with the materials attached hereto.

248 437 0800
 Phone Number
Brown Ave Signs 8771@yahoo.com Brad Brown
 Email Address Signature
 Print Name

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct. I acknowledge that I've received all instructions, time, date and place of meeting and will be present to present the appeal. Staff will not send additional notification of meeting times.

Brad A Brown
 Signature

Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Sign Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

Brad A Brown
 Signature

On this 20th day of April, 2015, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

6/15/2016
 Notary Commission Expiration Date

David M. Regnier
 Notary Public Signature
David M. Regnier
 Print Name

Staff Use Only

Date Submitted: 4/29/15 Fee Paid: \$600.00
 File No.: ZBA-15-009 Date of Public Hearing: _____
 Pre-filing Staff Reviewer & Date: BRW 4/29/15 SBA Action: _____
 Pre-Filing Review: _____
 Staff Reviewer & Date: _____



Letter of Authorization

This letter serves as an approval to the attached signage provided by Bendsen Signs & Graphics and authorizes Brownie Signs to apply for a variance and secure permits to perform sign installations, removals or any sign maintenance necessary at our property located at:

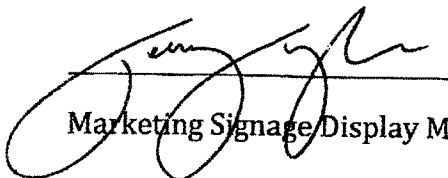
Jimmy John's
3945 S. State Street
Ann Arbor, MI 48108

Property Owner Name: JJE

Address: 2212 Fox Dr. Champaign, IL 61820

Phone: 217-356-9900 Fax: 217-359-2956

Parcel/Tax Folio Number: 09-12-09-301-012


Tommy Tomnyko
Marketing Signage/Display Manager

APPLICATION FOR VARIANCE OR ADMINISTRATIVE APPEAL
SIGN BOARD OF APPEALS

ATTACHMENT A

1. The practical difficulty with complying with the ordinance involves adequate company signage on what will likely be a high-volume, Jimmy John's drive through restaurant business on State Street, which is a divided roadway with fast moving traffic. Because the dimensions of the lot are narrow (82.5 feet by 528 feet), the "front" of the building is much narrower than the sides of the building. Per the city of Ann Arbor code, allowable exterior business signage is measured using the linear feet of store frontage. Due to the location and uniqueness of the narrow land lot, the front of this drive-through business facing the roadway is narrow. As it is in close proximity to the highway exit, there is the potential that limited signage could prevent motorist heading in the opposite direction from locating the business. Traditionally, Jimmy John's restaurants are not of the drive-through variety, which could also be considered as a unique characteristic of this property.
2. Yes. The particular hardship or practical difficulty can be considered to be more than mere inconvenience or inability to obtain higher financial returns as this restaurant will most certainly have a higher traffic volume its neighbors in addition to the fast moving State Street traffic. There are always traffic safety concerns with a business such as this. As such, the proposed pole sign or monument sign is integral to the visibility of the business. Aesthetics should also be considered with regard to the building signage as the length and shape of the building is long and narrow. Strict compliance with the ordinance would make for low-visibility signage and bare space on a long, narrow building, making identification of the business difficult for motorists and customers.
3. The requested variance would have minimal effect on neighboring businesses as this property abuts a parking lot on the south side with an area of trees and natural foliage that includes a raised "mound" of earth which partially obscures the view of the building to northbound traffic. The neighboring business to the south, an oil change business, would not be impacted adversely by granting the requested variance.
4. As indicated, this business location has a narrow lot width dimension. Though zoned commercial, the lot formerly had a residential home prior to construction of the Jimmy John's restaurant. There are a number of mature trees that were left intact during construction which also could have the potential to limit visibility of the business signage to motorists heading north or south.
5. The condition which would suggest the granting of a variance for signage is the location of the business and lot dimensions, along with the requirements of the code requiring signage to be measured using the business "frontage", which creates the hardship.