

**Zoning Board of Appeals
April 23, 2025, Regular Meeting**

STAFF REPORT

Subject: ZBA25-0010; 910 Briarwood Circle

Summary:

James Johnson, representing the DBS Group, is requesting a variance of 38.73 square feet from Table 5.24-3 Other Mixed-Use and Nonresidential and Special Purpose Zoning Districts Permanent Signs. The total sign package includes seven wall signs for a new retail grocer at the Briarwood Mall. The property is zoned C2B, Business Service District.

Background:

This subject property is located west of State Street, north of Interstate 94 in the Malletts Creek Watershed. The original site plan for Briarwood Mall was approved in 1972. The current redevelopment project includes 354 multi-family residential units in a four-story building next to a two-story grocery store, a two-story retail store and an adjacent sporting field.

Description:

Table 5.24-3: Other Mixed-Use and Nonresidential and Special Purpose Zoning Districts Permanent Signs limits sign area to a maximum 200 hundred square feet. The applicant requests a variance of 38.73 square feet more than the allowed 200 square feet, which includes 238.73 total square feet of sign area. The sign package includes the following wall signs: 1) Harvest Market logo sign (63.62 sq. ft.), 2) Harvest Market identification sign (69.27 sq. ft.), 3) Welcome sign (23.33 sq. ft), 4) Parcel Pickup sign (19.41 sq. ft), 5) and 6) two Farmhouse Restaurant signs (5.27 sq. ft. and 34.62 sq. ft.), and 7) Coffee Window sign (2.29 sq. ft.).

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 response: *“The practical difficulty that this variance request would remedy stems from a discord in the intention of the ordinance, to limit signage above the 2nd story except on high rise buildings, and the location of the subject building: at the juncture of a busy main road and highway adjacent to a busy shopping center and medical offices, where there is no foot traffic, no upper story residential tenants, and where visibility for timely travel to avoid unnecessary traffic congestion is essential. The variance would also allow a modest adjustment to the*

April 23, 2025

amount of signage permitted, allowing for defined areas of service as well as established branding standards.”

- (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 response: “The practical difficulties resulting from a denial to this variance request will result in inadequate signage to direct patrons to the appropriate area of the establishment of which they wish to visit, creating confusion and congestion around the new development, as well as an inability to appropriately place signage on the main facade at a height that is ideal for visibility and aesthetic architectural use.”

- (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 other properties. The proposed signage would adequately identify Harvest Market, it's pick up zones, and the attached restaurant without imposing on surrounding businesses.”

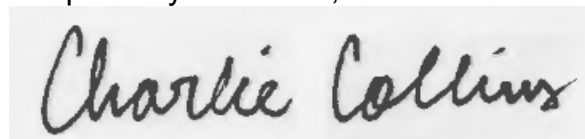
- (d). That the conditions and circumstances on which the variance request is based shall not be a self- imposed hardship or practical difficulty.**

Applicant response: “The circumstances of this variance are not self-imposed, but a result of a new development with multiple customer service aspects in a high traffic area.”

- (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 proportional and adequate signage to identify Harvest Market, it's pick up zones, and the attached restaurant. Approval of this variance would provide a modest amendment to signage allowances and mounting height, allowing Harvest Market to operate without confusion to patrons.”

Respectfully submitted,

A handwritten signature in black ink that reads "Charlie Collins". The signature is written in a cursive, slightly slanted style.

Charlie Collins- Zoning Coordinator

April 23, 2025
City of Ann Arbor