

June 12, 2014

Ann Arbor Planning Commission
City of Ann Arbor
301 E. Huron Street
Ann Arbor, MI

Ms. Alexis DiLeo
City of Ann Arbor Planning Department
301 E. Huron Street
Ann Arbor, MI

Re: Opposition to Application for Special Exception-1919 Wayne Street

Dear Members of the Planning Commission and Ms. DiLeo:

I represent the Oxbridge Neighborhood Association (ONA) and on its behalf, I object to the Special Exception application submitted by the Society of Jesus, Saint Ignatius Trust (Society) for 1919 Wayne Street (the Property). ONA objects to this application for two significant reasons:

- 1) The Society does not qualify as a “functional family” as that term is defined in the Zoning Ordinance, and therefore the Society is not eligible for a special exception use;
- 2) The Society’s application fails to meet the standards for approval required for a special exception because it will be incompatible with this neighborhood.

I. The Society does not qualify as a “functional family”

Section 5:7(4) says that “functional family” means a group of people “...having a relationship which is **functionally equivalent** to a family.” In ONA’s thinking, a family is a unit where the individuals (that are not children) make vows **to each other**. The Society says that the residents will all be Jesuits, and members of the Society, and will have taken lifelong vows to be members of the Society. *It is important to note that the Society’s website describes the vows as being of “poverty, chastity, and of obedience” particularly obedience with regard to whatever mission the Pope requires.* Thus, upon analysis, the commitment of each of the residents will not be **to each other**, but rather to the larger group, the Jesuit Society. Thus, the group of individuals residing at the Property will not have a relationship with **each other** that is functionally equivalent to a family, even if they have a strong long term relationship with the Society.

Section 5:7(4) continues that the relationship must be of a “permanent and distinct character” with a bond characteristic of a cohesive unit. Again, the commitment of each of the residents is not permanently to each other, but rather to the Jesuit Society.

Finally, Section 5:7(4) gives examples of what groups do not qualify as a “functional family” (FF), including any “society... association... or group of students.” It is clear that the Jesuit Society is a “society.” *According to its website, this particular applicant operates 4 universities, 11 high schools, and has a publishing company, all under its umbrella as a “society.” It is certainly more than simply a group of Jesuit individuals who take vows to the Catholic Church; it is an actual “society,” one of the groups specifically excluded as qualifying as a FF.*

What is clear from a thoughtful analysis of the definition of FF and the Society’s application is that what is being proposed does not qualify as a “functional family.” Notwithstanding their ties to the Jesuit Society, the residents of the Property will not be making a commitment to each other, as in a family or FF.

II. The Society fails to meet the standards required for approval for a special exception

Even if the Society qualifies as a FF, its application fails to meet the standards required for approval of a special exception. Section 5:104(3)(a) requires that the use be compatible with the relevant zoning district, in particular whether the use is consistent with the general objectives of the City Master Plan, is compatible with the character of the vicinity, and will not be detrimental to the neighborhood.

The area around the Property is a single family, residential neighborhood with low turnover of residents, and homes that were built for moderate size families. It does not contain group homes, cooperatives, or any appreciable amount of student housing with more than four occupants. While perhaps somewhat subjective, it is clear that a group of Jesuits, one of whom might be a graduate student and all of whom may be transient, will relate differently to the neighborhood than would a different grouping of individuals that qualify to reside at the Property without special exception approval (i.e. a “traditional” extended family or a group on 4 or fewer unrelated individuals). The application notes that there will be six vehicles at the Property, which is more than might typically be expected. There may well be changes to the Property which could preclude its return to single-family use, thus inviting a destabilizing force in to this neighborhood. The R1 districts are designed to enhance single-family low-density neighborhoods, and to preserve the “longstanding residential fabric” of these neighborhoods. A special exception allowing six unrelated individuals to reside at the Property would be counter to the City’s goals and Zoning Ordinance, and would not be compatible with this neighborhood.

Finally, it is not that the Society could not find appropriate housing for its members. The R4 zoning district allows six unrelated individuals to reside together. The City has a large area zoned R4, with a substantial number of structures. The Society should pursue options in the R4 areas.

Thank you for considering the views of the ONA on this matter.

Paul Morel
Oxbridge Neighborhood Association