

From: Markley Jr, John <jmmjr@med.umich.edu>
Sent: Thursday, June 18, 2020 12:29 PM
To: Vander Lugt, Kristen <KVanderLugt@a2gov.org>
Subject: ZBA20-005:7 Ridgeway Street

re:ZBA20-005:7 Ridgeway Street

Dear Ms. Vander Lugt,
Please forward the following to the members of ZBA for the hearing of 24 June.

Dear ZBA members,

My wife Barbara and I live at 21 Ridgeway Street (East) and our lot which is a through lot from East to West Ridgeway shares a common border with the 7 Ridgeway lot.

We wrote two letters of opposition to you for the initial hearing on this matter which are appended to this one and we hope you will read them again before the June 24 meeting of the board.

However, since then additional information regarding this property has come to light which we believe makes it mandatory that you do not approve this appeal for setback variances. You will have received a detailed discussion of this information from Mr. Kraig Salvesen of 3 Ridgeway (West). We wish to emphasize three parts of this information.

- 1) The Planning Department stated categorically, in 1994, that further variances for development on the lot would not be supported (lot division file p 46) subsequent to the lot division of that year.
- 2) There is a legally enforceable deed restriction common to 3 Ridgeway and 7Ridgeway that establishes a 40-foot setback.
- 3) In May 1994, in support of her desire to have the Malcomson lot split, Margaret McKinley, the appellant of the current appeal before you, wrote that “the Malcolmson house and any house that may someday be built on the adjacent property are required by deed restriction to be set back on the property farther than the 25 foot city requirement (40 feet from the extension of the westerly line of Lot 13). The setbacks would allow for ample parking and **would restrict the size of the dwelling to one that would be compatible with the neighborhood.**”

Based on this, the appeal to split the lot was granted, with the proviso barring further variances noted in (1) above. Now in the current appeal Ms. McKinley is ignoring her own 1994 assurances to the ZBA and the deed restriction and 1994 ZBA variance restriction.

In addition please note that if the 40 foot deed restriction is honored that does not address the current request to change the rear setback as well. This is however covered by the 1994 stricture on the granting of **any** further variances. This latter is of great importance to my wife and me and to the other East Ridgeway neighbors who border the sides and back of the 7 Ridgeway property.

We believe that this information requires that this variance appeal be denied in its entirety. We join the rest of our Ridgeway neighbors in urgently requesting that you do so. This will still allow Ms. McKinley to gain from the sale of her lot and will ensure that it will, as she and the Zoning Board envisioned in 1994, “restrict the size of the dwelling to one that would be compatible with the neighborhood.”

Sincerely,
John Markley Jr.
Barbara C. Markley

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