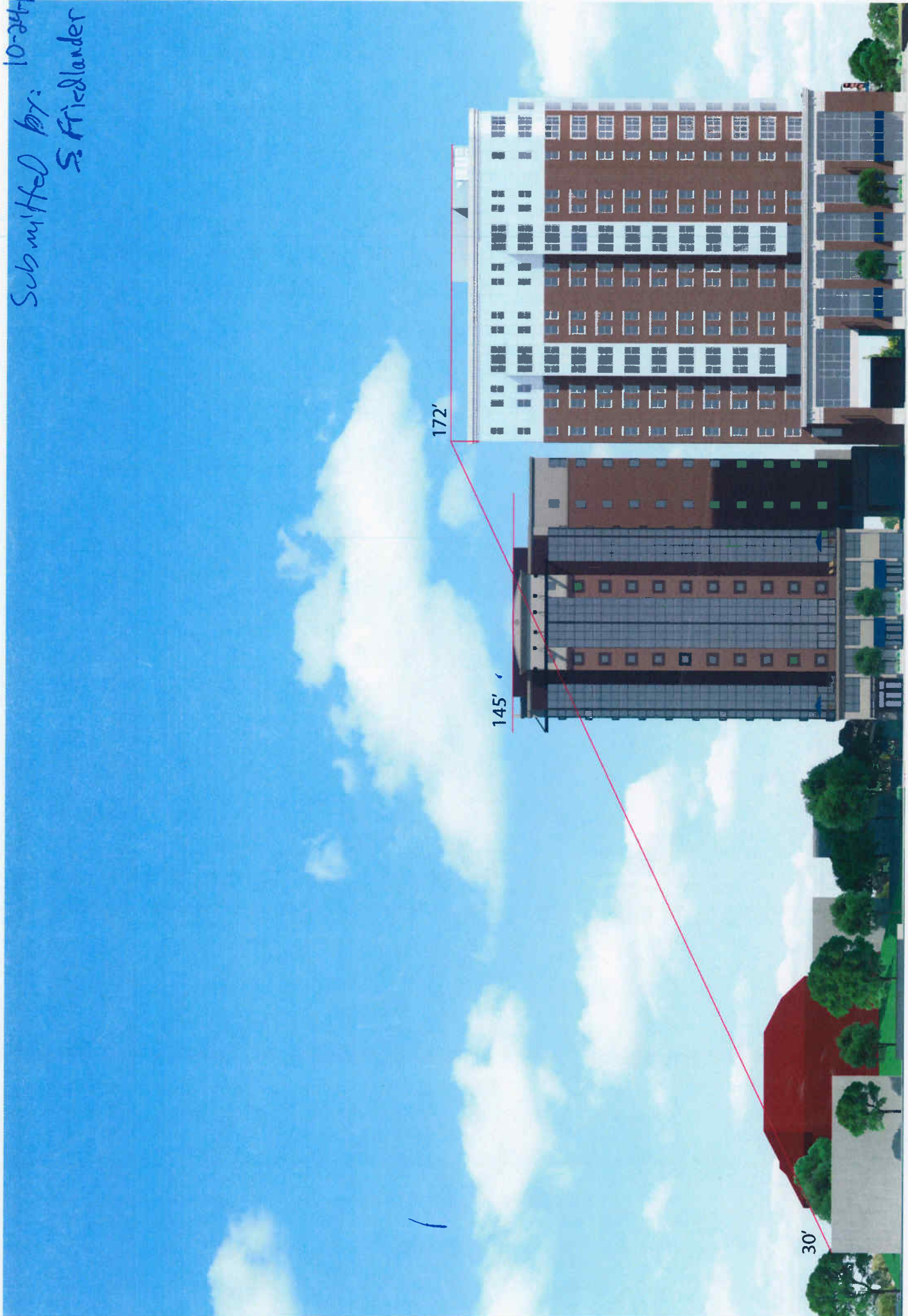


Submitted by: 10-24-11  
S. Friedlander



172'

145'

30'

Comments to the Zoning Board of Appeals Concerning  
ZBA 12-020, 1320 South University  
Eleanor Linn  
October 24, 20120

I am Eleanor Linn. My husband and I live at 1321 Forest Court, a residential property that we have owned and lived in for more than 30 years. I am adamantly opposed to this zoning variance request for the following reason.

Granting this request would result in a grave injustice to me. By denying me the required buffers that R-zoned residential properties are entitled to have under the A2D2 zoning ordinance, my house would be squashed up against a very large (145 feet high) building only 6 feet away from my property. The petitioners outrageously claim that the trees in my back yard already serve as a buffer and that the short distance between my house and my back fence is sufficient for providing an interface with anything that might be built on their property. MY PROPERTY CHARACTERISTICS HAVE NOTHING TO DO WITH FULFILLING THEIR ZONING REQUIREMENTS.

The staff report rightly states that "if the variance is approved...[there would be no] transitional buffer between the D1 and the lower density housing to the south and east.

Approval of this appeal would therefore not "result in substantial justice being done," in the language of criteria c), it would result in substantial injustice to "the rights of others [namely me] whose property would be affected by the allowance of the variance."

For the Board to approve a zoning appeal, you must find that the five criteria have all been affirmatively met. Since this request does not by any means meet criteria c), their request should be soundly rejected by all of you.

The staff report for the application for zoning variances at 1320 S. University clearly and systematically demonstrates that this application does not meet the standards for approval.

Although the applicant alleges that the zoning causes hardships unique to the property, staff shows that the parcel is large enough to allow substantial redevelopment or that the existing building may continue to be used or renovated.

The applicant asserts this property is unique, but all other D2 zones in the city serve the same purpose that D2 serves in this case: to provide a buffer between a higher density and a lower density zone. Each area may be unique, but the intent is the same in every D2 zone.

The two parcels zoned D2 in the S. University Character District and subject to the 40-foot setback requirement and 60-foot height limit are very deliberately included in the lower density D2 zoning to provide a buffer to the residential character of Forest Court and Washtenaw Avenue. Forest Court and Washtenaw Avenue have the scale and character of single-family residential areas whether rental, group, or owner occupied. It is this scale and character of the adjoining "R" zones that the D2 zoning is intended to protect.

This is the correct zoning for this parcel and does not place an undue hardship on the owner. The variances requested are essentially a zoning change and should not be granted.

Ellen Ramsburgh  
1503 Cambridge Road