

To the Ann Arbor Planning Commission:

I am writing in response to the application of the USA Midwest Province of the Society of Jesus, Saint Ignatius Trust, to obtain a special exception use permit for the property located at 1919 Wayne St., Ann Arbor MI. I received notification of this request for special exception by mail from the law firm of Magill and Rumsey (on behalf of the Society of Jesus), which was sent out to all households within 500 ft of 1919 Wayne.

After considerable discussion of this matter with my neighbors, reviewing the information contained in the letter from Magill and Rumsey, and carefully reviewing the city code which outlines the requirements for such exceptions (Chapter 55, Article II, Section 5:7(4)), I feel compelled to express my strong opposition to this request for an exception. The basis for my opposition is as follows:

**1- The group as described does not meet the definition of functional family**

I know from colleagues of mine who have a more detailed understanding of Ann Arbor city government than I, that a great deal of planning and work is reflected in the city code and overall, this code seems to serve the community well. I understand as well that occasionally, "special exceptions" must be made for situations which cannot be handled by the standard codes. In this particular instance, however, I cannot agree that the group of priests or students of the priesthood as described in the letter from Magill and Rumsey and in the project file available through the city web site (<http://etrakit.a2gov.org/Search/project.aspx?activityNo=SEU14-006>) meets the definition as set forth in the city code of a "functional family". The description of the group does not appear to be "permanent and distinct in character" but seems potentially, and understandably, to be far more fluid and even temporary in nature. Some of the individuals proposed to reside at 1919 Wayne are acknowledged to be students. As outlined in the city code, the definition of "functional family" states that it does NOT include "any society, club, fraternity, sorority, association, lodge, organization or group of students or other individuals where the common living arrangement or basis for the establishment of housekeeping unit is temporary". I cannot see how this application does not violate the definition as set forth in the city code and believe, therefore, that the planning commission should reject this application. Moreover, with all due respect, I find the definition of "functional family" very problematic. On what basis should the city allow exception to a group of individuals with common beliefs that happen to be religious in nature, but disallow such exceptions to other "groups" or "associations" who have in common a shared belief in similar strongly-held, and even divine-like perspectives, for example, groups of students who study existentialism, the late 19<sup>th</sup> century philosophical beliefs pioneered by Soren Kierkegaard? It seems to me that the provision in the city code which appears to be carefully crafted, was not designed for the circumstances as set forth in the application from the USA Midwest Province of the Society of Jesus, but instead, was intended for individuals who truly constitute a permanent "family-like" cohesive unit, for example, a group of individuals requiring similar assisted-living.

**2- The ongoing changes in the density of our neighborhood should preclude this special exception**

We moved in to our home at 1929 Lorraine place in 1998 after careful consideration of the surrounding neighborhoods. We paid careful attention to choose a home outside of the line of multi-family and multi-individual housing units that are common closer to the University (of which there are many) as we desired a relative permanence in the neighborhood, and in the individuals constituting our neighbors. Since we have owned our home, we have witnessed a gradual change in the city block around our home which is bordered by Berkshire on the east, Vinewood on the west and Washtenaw on the south. In particular, the Unitarian Church which existed at the corner of Berkshire and Washtenaw is now the "Stone Chalet" Bed and Breakfast. While the church had occasional events which brought large numbers of people and cars to the neighborhood, the Stone Chalet, who are good neighbors, consistently has visitors walking and parking in the area, and with some regularity, has very large gatherings with large numbers of cars lining Lorraine place and large numbers of strangers in the neighborhood (including hired help etc.). At the opposite corner of the block at Wayne and Washtenaw we have the First Church Christ Scientist (also good neighbors) who regularly attract large numbers to their church. Unfortunately, over the past year or so, the large single family residence at the Southeast corner of Wayne and Washtenaw (almost across the street from 1919 Wayne) has been converted into condominiums (1901 and 1905 Wayne among them) and most recently, the final condominium in this unit was sold and is now occupied by 4 individuals. This increase in

density would only be exasperated by allowing an exception for 1919 Wayne. An exception at 1919 Wayne would continue what appears to be an inexorable increase in density inward from the multi-individual structures at the corners of our block toward the center of the block. This is certain to change the neighborhood in ways that today would likely prevent me from buying the very home we live in now.

I am hopeful that the planning commission, in their critical role for safeguarding our neighborhoods, will consider these important issues in making their determination regarding the application for a special exception at 1919 Wayne St.

Thank you for your time and consideration.

Sincerely,

The Oscherwitz family

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