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PLANNING & DEVELOPMENT SERVICES

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3740 Windemere Dr.
Ann Arbor, MI 48105

May 22, 2023

Zoning Board of Appeals
City of Ann Arbor
301 East Huron
Ann Arbor, MI 48104

Re: Variance Request by Ljubisa Mladenovic
Appeal regarding fence Height at
3720 Windemere Drive

Dear Ladies and Gentlemen:

We are the owners and residents at 3740 Windemere. Our home is adjacent to the property for which this variance is sought. The applicant, Mr. Mladenovic, wants permission to construct a ten foot tall impervious barrier along the lot lines between our properties, blocking both daylight and air movement to the western rooms of our home.

We oppose not only the variance but also the construction any perimeter fence between our two properties.

Our reasons are as follows:

1. Mr. Mladenovic's "need" for this variance is self-imposed. When our home was purchased in April 1992, there was a tall pre-existing landscape barrier of trees/shrubs between our house at 3740 Windemere Dr. and his, at 3720 Windemere Dr. The barrier was intentional and was placed by Mr. Mladenovic's predecessor. It was more than 15 ft tall and extended south approximately 30 ft. between the two houses. This landscaping feature created a visual barrier between the two houses and extended 20 or more feet south past the homes.

Mr. Mladenovic bought his home in January 2002, with the landscape barrier. In October 2021, almost 20 years later, he had it removed, leaving only three Arbor Vitae trees at the northernmost end of the barrier.

2. The Building and Use Restrictions of Earhart Knolls Subdivision do not permit a

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perimeter fence.

While the City is not charged with enforcing the internal rules of the subdivision, it would seem that Mr. Mladovic's request is premature and largely theoretical. The Earhart Knolls Subdivision Restrictions do not permit a perimeter fence and they require approval from an Architectural Control Committee to erect even a decorative or ornamental fence. Their current policy does not permit even an ornamental fence to be more than four feet in height.

Mr. Mladenovic needs a number of variance/permissions from the Subdivision Architectural Control Committee, any one of which could change the nature of his request in which case he would be back before this Board seeking to modify his request.

The ZBA shouldn't take up his request until the Subdivision tells him and the Board exactly what is permitted to be built.

3. The proposed wall of fencing is inappropriate and excessive. It is 10 ft. high and will block all sunlight from entering the west side of our home. Since this fence is solid, it will also significantly interfere with ventilation into the home.

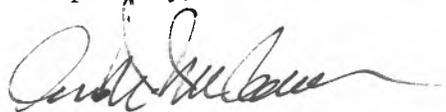
4. Mr. Mladenovic complains in his application that the west side of our house has "intrusive windows". In fact, there is only one window on the west side of our home. The window has two panes each 21 inches wide with blinds sealed within the window. Mr. Mladenovic has one west facing window and our window does not peer into his.

5. Mr. Mladenovic complains that we have "a large patio looking directly in my [his] living room". No one can see into his living room from the patio. The orientation and position of our patio does not allow anyone to see into Mr. Mladenovic's house.

6. Mr. Mladenovic states in his application that denial of the fence and variance "will result in the loss of property value". We believe that the presence of a 10 ft. high 34 feet long wall of fencing will damage the value of both homes.

For these reasons, we ask that the variance be denied.

Respectfully,



Ann M. McCarren



Mary Catherine Spires