

From: Prasad Phatak
To: Planning
Subject: ZBA 26-0003 comments
Date: Wednesday, February 25, 2026 10:55:59 AM

Dear Planning Staff,

I live at 1001 Aberdeen and am writing in regards to the request for a zoning variance to be discussed at a public hearing this evening. I intend to attend the Zoning Board of Appeals hearing tonight at 6pm, but am also providing written comments re: the request below. I hope to be able to share some of this and more verbally this evening.

I have significant concerns regarding the project and object to the request for a variance:

- 1) What is not obvious from the aerial image of the properties is the steep drop off from 1125 Arlington to 1001 Aberdeen. The change in elevation is at least 15 ft and probably more. I have installed a retaining wall at great expense, partially to support the area and allow for more space for my back yard. The variance requested is dangerously close to the property line and this retaining wall, creating the potential for serious structural issues due to the weight of the proposed structure. Additionally, though it is not clear how deep the footings will need to be, the area around the property line has large concrete rubble buried by a previous homeowner. Any potential digging in that area could significantly impact the structural integrity of the wall and the boundary between the properties.
- 2) If approved by Zoning, this would then become a private matter and would potentially be too late for me. My only recourse, if there were structural considerations, would be some form of a lawsuit between neighbors, which is hardly preferred. I would likely be drowned in legal fees and high priced lawyers by somebody with potentially greater financial means.
- 3) An agreement in advance to alleviate structural issues is not really acceptable. Although a contract can be drawn up, the reality is that should something go wrong there would likely be a debate about the root cause, leading to legal dispute and parties in the contract potentially trying to get out of their obligations. The only certainty is that today the land and property line are stable.
- 4) In addition to structural concerns, I believe the proposed structure will have a significant negative impact on my home and quality of life. The sun rises on one side of the pool and moves towards the other side during the day. Having a 20 foot structure there will very likely impact my sunlight, plantings, etc and significantly impact my view and enjoyable days playing with my two little boys in the back yard. I have no idea what impact this will have on wildlife/birds in the area, but it is hard to argue there is no impact.
- 5) I am unsure of what consequences this may have on my property value. It seems reasonable to believe that this large structure which could significantly impact both views and sunlight is only likely to hurt value.
- 6) The currently proposed structure appears to have a glass facade and roof. I am concerned, given the sun's movement throughout the day, of the significant reflective nature of the structure on my property. Not only could this be a significant negative to my quality of life, but it may actually cause real property damage through the heat and concentrated light from the reflection.
- 7) It seems very likely that the structure will require the removal of existing trees along the property line. This significantly impacts privacy in addition to soil/grade stability.

8) Strangely, the plans indicate that the variance is requested as “both structures are extremely distant from front property line as shown.” I am confused how this is a justification for breaking the rules around SIDE setback minimums. If the comment was relevant, we would not have side setbacks at all.

9) The applicant’s response to practical difficulties from failure to grant the variance are strange. The comment by the applicant is that “the outdoor pool will likely not be used” and that represents a difficulty. This is a pool. The pool was used frequently by the previous owner. I feel confident in saying the vast majority of pools both in Ann Arbor and around the country are NOT enclosed and are still used frequently by their owners. That is absolutely not a practical difficulty. The location of the pool and long-standing set-back rules were also known to the buyer of this property before the purchase.

Ultimately, I am very understanding of a homeowner deciding to build whatever they’d like within the rules. It is every owner’s property right and prerogative. But don’t these rules exist for a reason? In my view, variance from long-standing property rules should only be granted where there is little to no impact on adjacent homeowners or the neighborhood as a whole. A homeowner simply wanting something is not really a reason to allow a variance, and if it were, I wonder why these rules are in place at all and what precedent the zoning board would be setting. In this case, the significant impacts are very clear. In addition to the potential for costly and time-consuming future litigation, there are serious structural and lifestyle concerns and I respectfully request that this variance be denied.

Best,
Prasad Phatak
1001 Aberdeen