

**Zoning Board of Appeals  
May 25, 2016 Regular Meeting**

**STAFF REPORT**

**ZBA16-013, 2865 Esch Avenue**

**Subject: ZBA16-013, 2865 Esch Avenue**

**Summary:** Igor De Padova is requesting one variance from Chapter 104 (Fences), Section 8:434 (1)(a), in order to permit a 6 foot, 75-100% opaque fence in the front open space; a maximum 4 feet, 50% opacity is permitted.

**Description and Discussion:**

The subject parcel is located on the corner of Esch Avenue and King George Boulevard, and as a result, is subject to two front setbacks. The parcel is zoned R1C (Single-Family Dwelling District), which requires a 25 foot front setback. The house was built in 1966.

The following requirements are excerpts from Chapter 104, Section 8:434(1):

(1) Fences located in residential districts:

(a) In the required front open space shall not exceed 4 feet in height and 50% opacity

(b) Shall not exceed 6 feet in height and 80% opacity in any part which is 25 feet behind the front setback line.

(c) Shall not have a height of greater than 8 feet at locations other than those described in subsections (a) and (b).

The petitioner proposes to construct a 6 foot tall 75 - 100% opaque privacy fence within the required front open space of King George Boulevard. The proposed fence would extend approximately 72 feet 6 inches. Within the 72 linear feet of fencing are five different sections of fencing ranging from 4' and 25% opacity to 6 feet and 50% opacity.

**Standards for Approval (Variance):**

The Zoning Board of Appeals has all the power granted by State law and by Section 5:99, Application of the Variance Power from the City of Ann Arbor Zoning Ordinance. The following criteria shall apply:

***The Zoning Board of Appeals of the City of Ann Arbor may, after a hearing in accordance with the established procedures of the Board, in its sound discretion and in the interests of the public health, safety or welfare of the inhabitants of the community, reduce or remit the requirements of this Chapter in individual cases.***

The subject parcel is located on a corner resulting in 2 front yard setbacks. The parcel is triangular shaped with two sidewalks bordering each street frontage. A four foot high 50% opaque fence could be built in the same area as the subject fence without the need for a variance. The proposed fence is to provide a secured rear yard for the residents of the house and reduce the glare of oncoming lights from vehicular traffic.

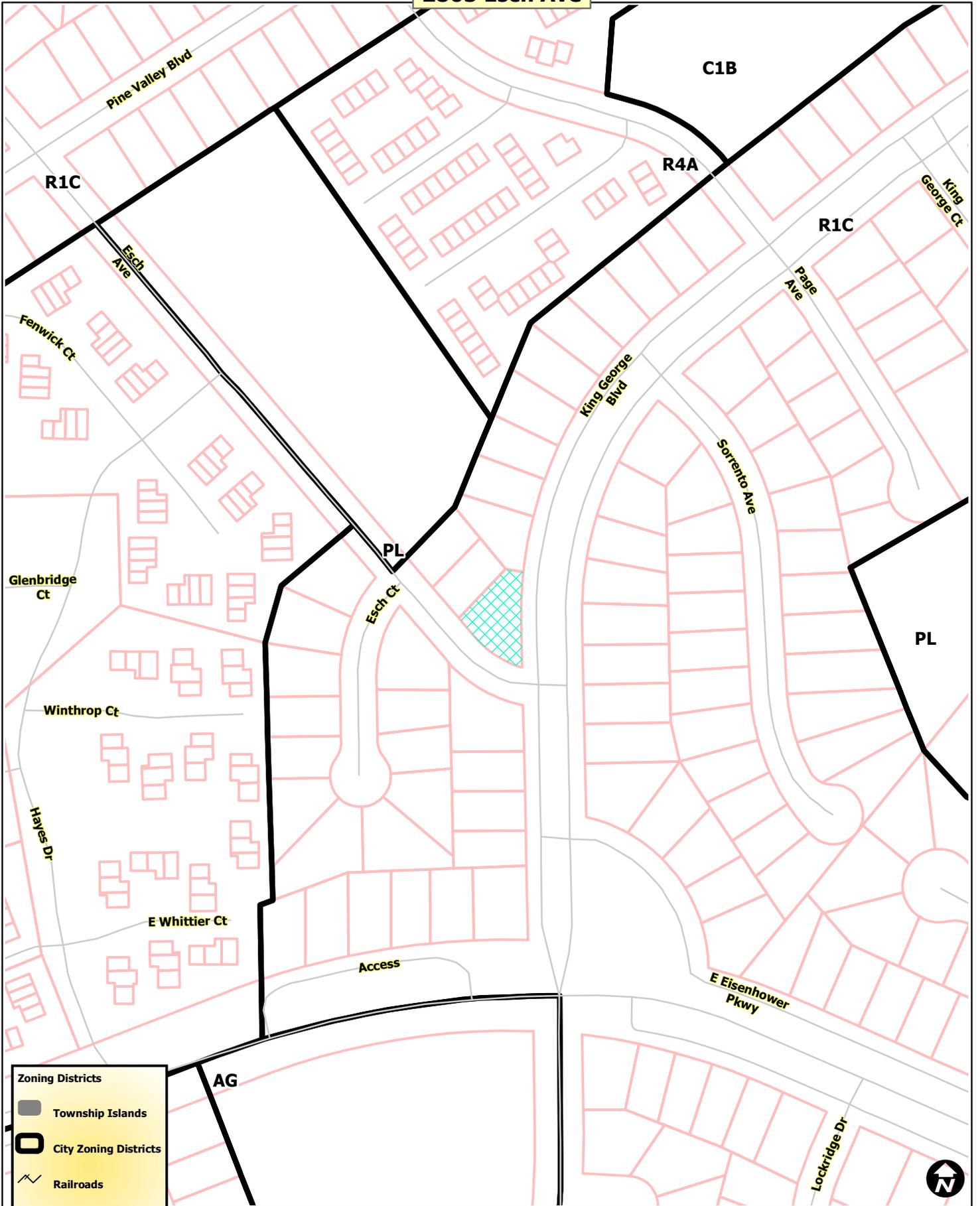
Due to the distance from the intersection of Esch and King George, the fence will not impact the sight lines for that intersection, and will maintain the visual clearance for pedestrian and vehicular traffic. Applicant has submitted six signatures of support from neighborhood residents.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jon Barrett". The signature is stylized with large loops and a cursive script.

**Jon Barrett  
Zoning Coordinator**

2865 Esch Ave



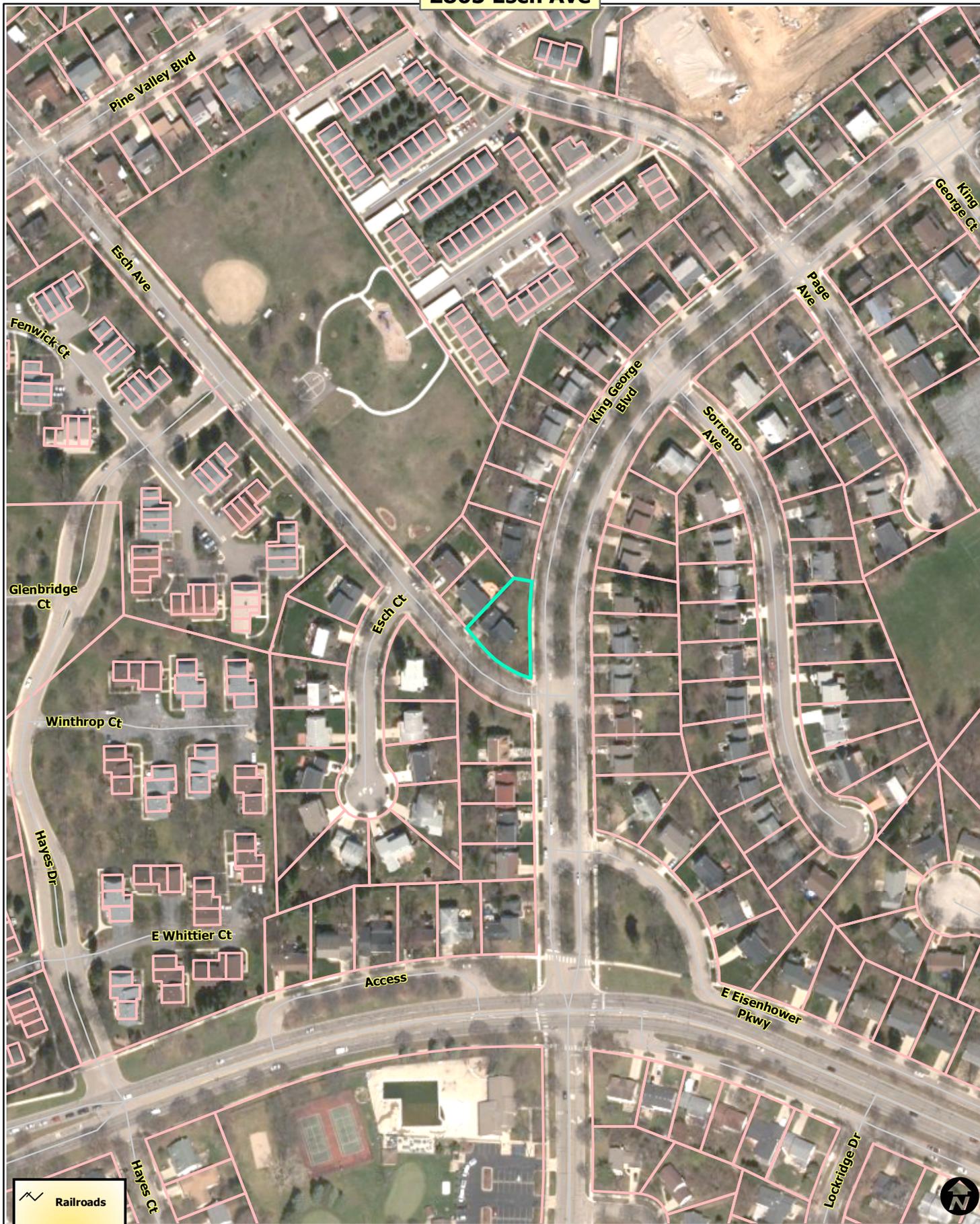
**Zoning Districts**

-  Township Islands
-  City Zoning Districts
-  Railroads
-  Parcels
-  Huron River



Map date 5/5/2016  
 Any aerial imagery is circa 2015 unless otherwise noted  
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# 2865 Esch Ave



- Railroads
- Parcels
- Huron River



Map date 5/5/2016  
Any aerial imagery is circa 2015  
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2865 Esch Ave



-  Railroads
-  Parcels
-  Huron River



Map date 5/5/2016  
Any aerial imagery is circa 2015  
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# APPLICATION FOR VARIANCE OR NON-CONFORMING STRUCTURE ZONING BOARD OF APPEALS

## Section 1: Applicant Information

Name of Applicant: Igor De Padova  
 Address of Applicant: 2865 Esch Ave., Ann Arbor, MI, 48104  
 Daytime Phone: 734 972 8322  
 Fax: n/a  
 Email: idep@umich.edu  
 Applicant's Relationship to Property: Joint Owner

## Section 2: Property Information

Address of Property: 2865 Esch Ave., Ann Arbor, MI, 48104  
 Zoning Classification: Residential  
 Tax ID# (if known): \_\_\_\_\_  
 \*Name of Property Owner: Igor De Padova and Deborah Des Jardins

*\*If different than applicant, a letter of authorization from the property owner must be provided.*

## Section 3: Request Information

Variance

Chapter(s) and Section(s) from which a variance is requested:	Required dimension:	PROPOSED dimension:
<u>chapter 104: fences</u>	<u>4' height, 50% opacity</u>	<u>6' height and 75-100% opacity in some parts</u>
<u>section: 8:434 (1)(a)</u>	_____	_____
_____	_____	_____
<i>Example: Chapter 55, Section 5:26</i>	<i>Example: 40' front setback</i>	<i>Example: 32'</i>

Give a detailed description of the work you are proposing and why it will require a variance (attach additional sheets if necessary)  
 Building a fence ranging from 4' to 6' height and from 50% to 100% opacity along a portion of the north and east property line along the King George Sidewalk. North, east and south property lines are classified FRONT OPEN SPACE

## Section 4: VARIANCE REQUEST (If not applying for a variance, skip to section 5)

The City of Ann Arbor Zoning Board of Appeals has the powers granted by State law and City Code Chapter 55, Section 5:98. A variance may be granted by the Zoning Board of Appeals only in cases involving practical difficulties or unnecessary hardships when ALL of the following is found TRUE. Please provide a complete response to each item below. These responses, together with the required materials in Section 5 of this application, will form the basis for evaluation of the request by staff and the Zoning Board of Appeals. (continued )

**1. Are there hardships or practical difficulties to complying with the ordinance? Are these hardships or practical difficulties an exception or unique to the property compared to other properties in the City?**

Complying to the letter of Ch 104 wouldn't allow for privacy in any part of the property since the lot is shaped like a long triangle with sidewalks on two sides. This puts an unreasonable limitation in the full enjoyment of the property outdoor areas. Also, the use of the indoor space is affected by the view of cars and car lights directed to the family kitchen and dining room

**2. Are the hardships or practical difficulties more than mere inconvenience, inability to obtain a higher financial return? (explain)**

The inability to fully enjoy our family room, our patio and yard, dine outside or use our outdoor space to host a social event and have some privacy, affect our quality of life. We are not aware of any higher financial return we could gain should this variance be approved.

**3. What effect will granting the variance have on the neighboring properties?**

Letters have been sent to the neighboring properties requesting a feedback on our project. As a result of that request, we have involved the interested neighbors in designing the proposed fence. The direct

neighbors north and west of us approved of the project. Similar fences are already present in front lots along King

**4. What physical characteristics of your property in terms of size, shape, location or topography prevent you from using it in a way that is consistent with the ordinance?**

The parcel shape (triangular) and the house location within it, don't allow for a privacy fence screening vehicular traffic or creating a private backyard area accommodating most reasonable family use of the backyard area.

**5. Is the condition which prevents you from complying with the ordinance self-imposed? How did the condition come about?**

We purchased this property as a family home and expected to have the ability to fully use its features.

The house includes a backyard area, a patio and a family room. We learned about the unique set of restrictions imposed on this house and believe these affect this property unreasonably more than the typical corner-lot.

**Section 5: ALTERATION TO A NON-CONFORMING STRUCTURE**

Current use of the property n/a

The proposed change is allowed in accordance with Structure Non-Conformance, Section 5:87 (1) (a) & (b), which reads as follows:

- (1) A non-conforming structure may be maintained or restored, but no alteration shall be made to a non-conforming structure unless one of the following conditions is met:
  - a. The alteration is approved by the Zoning Board of Appeals upon finding that it complies as nearly as practicable with the requirements of this Chapter and that it will not have a detrimental effect on neighboring property.
  - b. The alteration conforms to all the requirements of this Chapter and is made to a building which will be a single-family dwelling on completion of the alteration and is located in an R1, R2, R3, or R4 district.
  - c. The structure is considered non-conforming due to the following reasons

(continued . . .)

Existing Condition

Code Requirement

Lot area \_\_\_\_\_  
Lot width \_\_\_\_\_  
Floor area ratio \_\_\_\_\_  
Open space ratio \_\_\_\_\_  
Setbacks \_\_\_\_\_  
Parking \_\_\_\_\_  
Landscaping \_\_\_\_\_  
Other \_\_\_\_\_

Describe the proposed alterations and state why you are requesting this approval:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The alteration complies as nearly as is practicable with the requirements of the Chapter and will not have a detrimental effect on neighboring property for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Wherefore, Petitioner requests that permission be granted from the above named Chapter and Section of the Ann Arbor City Code in order to permit \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section 6: Required Materials**

The following materials are required for all variance requests. Failure to provide these materials will result in an incomplete application and will delay staff review and Zoning Board of Appeals consideration of the request. The materials listed below must accompany the application and constitute an inseparable part of the application.

All materials must be provided on 8 1/2" by 11" sheets. (Continued )

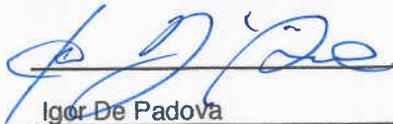
- Survey of the property including all existing and proposed structures, dimensions of property, and area of property.
- Building floor plans showing interior rooms, including dimensions.
- Photographs of the property and any existing buildings involved in the request.
- Any other graphic or written materials that support the request.

**Section 7: Acknowledgement**

**SIGNATURES MUST BE SIGNED IN PRESENCE OF NOTARY PUBLIC**

I, the applicant, request a variance from the above named Chapter(s) and Section(s) of the Ann Arbor City Code for the stated reasons, in accordance with the materials attached hereto.

734 972 8322  
 Phone Number  
 idep@umich.edu  
 Email Address

  
 Signature  
 Igor De Padova  
 Print Name

I, the applicant, hereby depose and say that all of the aforementioned statements, and the statements contained in the materials submitted herewith, are true and correct.

  
 Signature

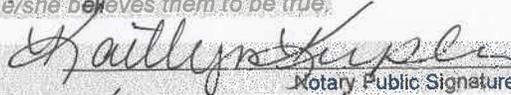
Further, I hereby give City of Ann Arbor Planning & Development Services unit staff and members of the Zoning Board of Appeals permission to access the subject property for the purpose of reviewing my variance request.

  
 Signature

I have received a copy of the informational cover sheet with the deadlines and meeting dates and acknowledge that staff does not remind the petitioner of the meeting date and times.

  
 Signature

On this 29 day of March, 2016, before me personally appeared the above named applicant and made oath that he/she has read the foregoing application by him/her subscribed and knows the contents thereof, and that the same is true as to his/her own knowledge except as to those matters therein stated to be upon his information and belief as to those matters, he/she believes them to be true.

  
 Notary Public Signature

September 22, 2020  
 Notary Commission Expiration Date

Kaitlyn Kupler  
 Print Name

KAITLYN L. KUPLER  
 Notary Public, State of Michigan  
 My Commission Expires Sept. 22, 2020

**Staff Use Only**

Date Submitted: 4/26-16 Fee Paid: \$500<sup>00</sup>

File No.: ZBA16-013 Date of Public Hearing: 5/25-16

Pre-filing Staff Reviewer & Date: \_\_\_\_\_ ZBA Action: \_\_\_\_\_

Pre-Filing Review: \_\_\_\_\_

Staff Reviewer & Date: \_\_\_\_\_

# MORTGAGE SURVEY

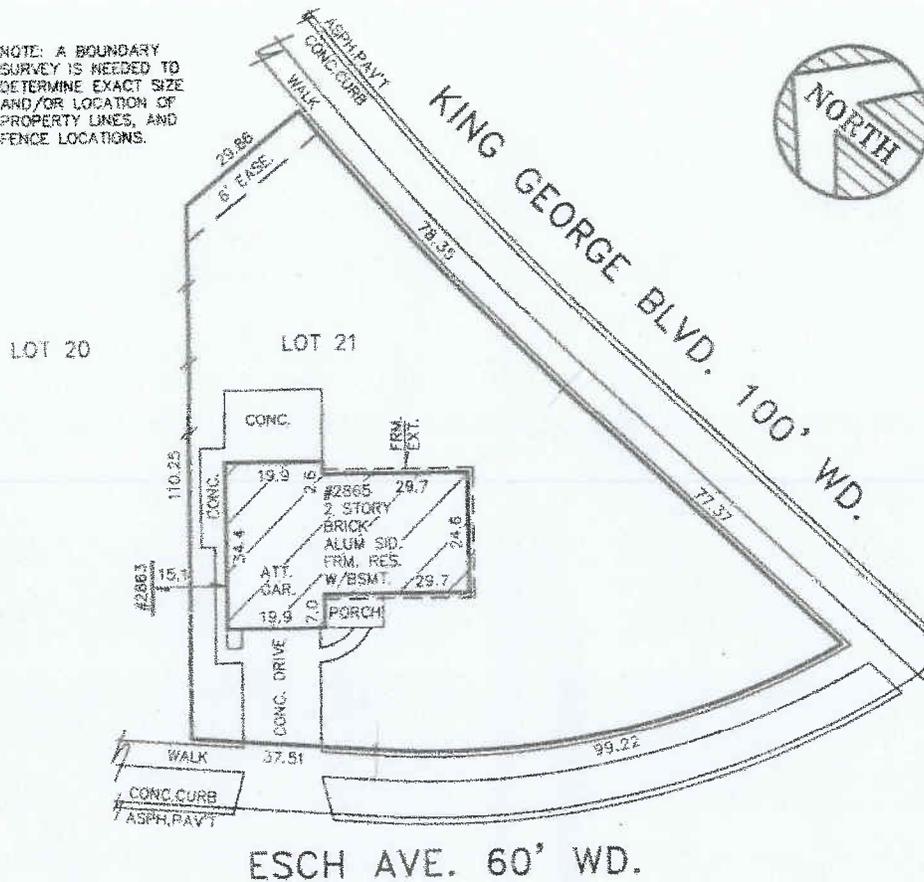
Certified to: BANK OF ANN ARBOR

Applicant: DEBORAH H. DES JARDINS AND IGOR DE PADOVA

**Property Description:**

Lot 21; SMOKLER HUTZEL SUBDIVISION, of part of the S.E. 1/4 of Section 4, and part of the N.E. 1/4 of Section 9, T.3 S., R.6 E., City of Ann Arbor, Washtenaw County, Michigan, as recorded in Liber 17 of Plats, Pages 41, 42 and 43 of Washtenaw County Records.

NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.



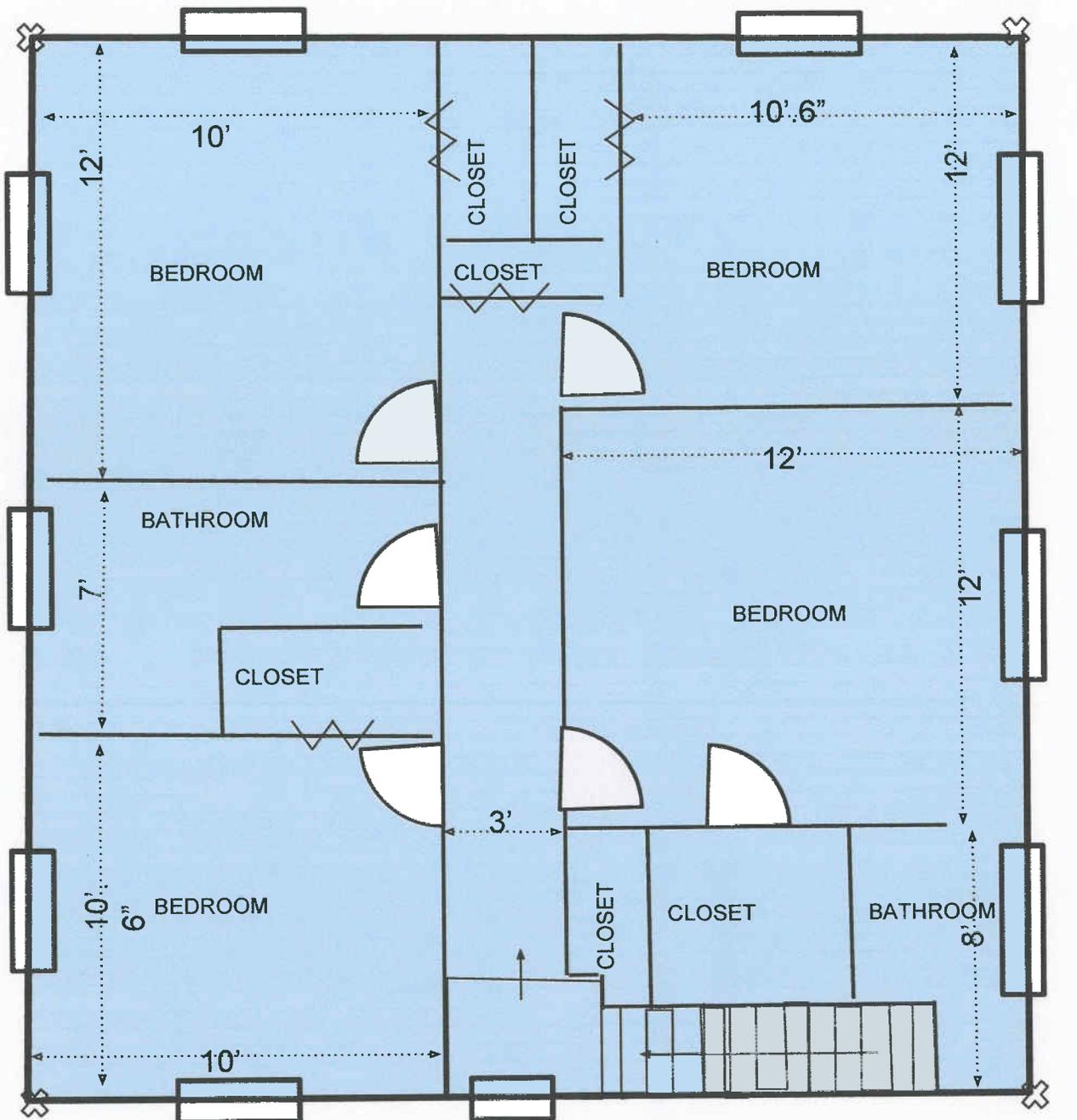
**CERTIFICATE:** We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

*[Handwritten Signature]*

JOB NO: 15-03580      SCALE: 1" = 30'  
 DATE: 09/15/15      DR BY: kk

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FAMILY ROOM  
FIRST FLOOR

GARAGE  
FIRST FLOOR

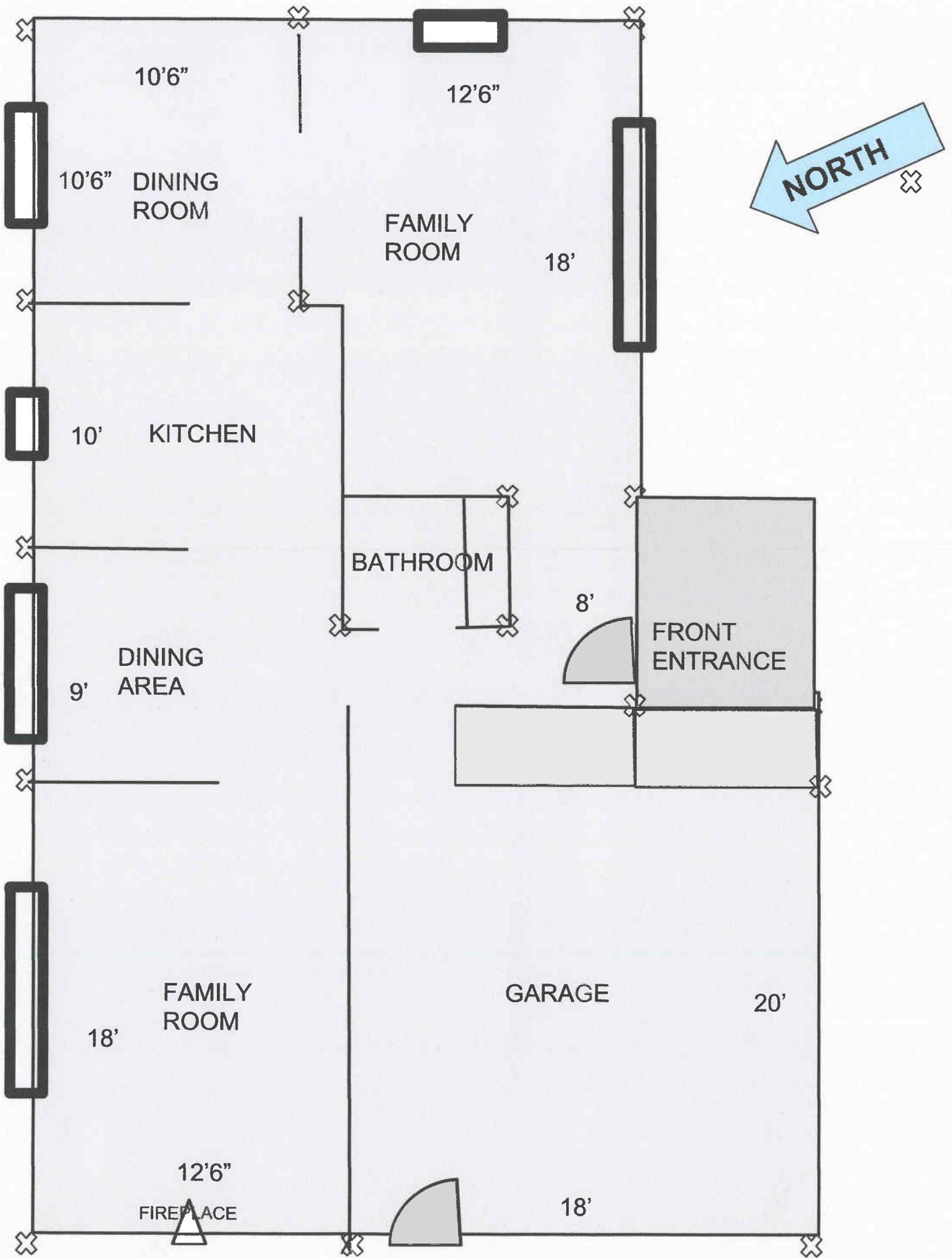


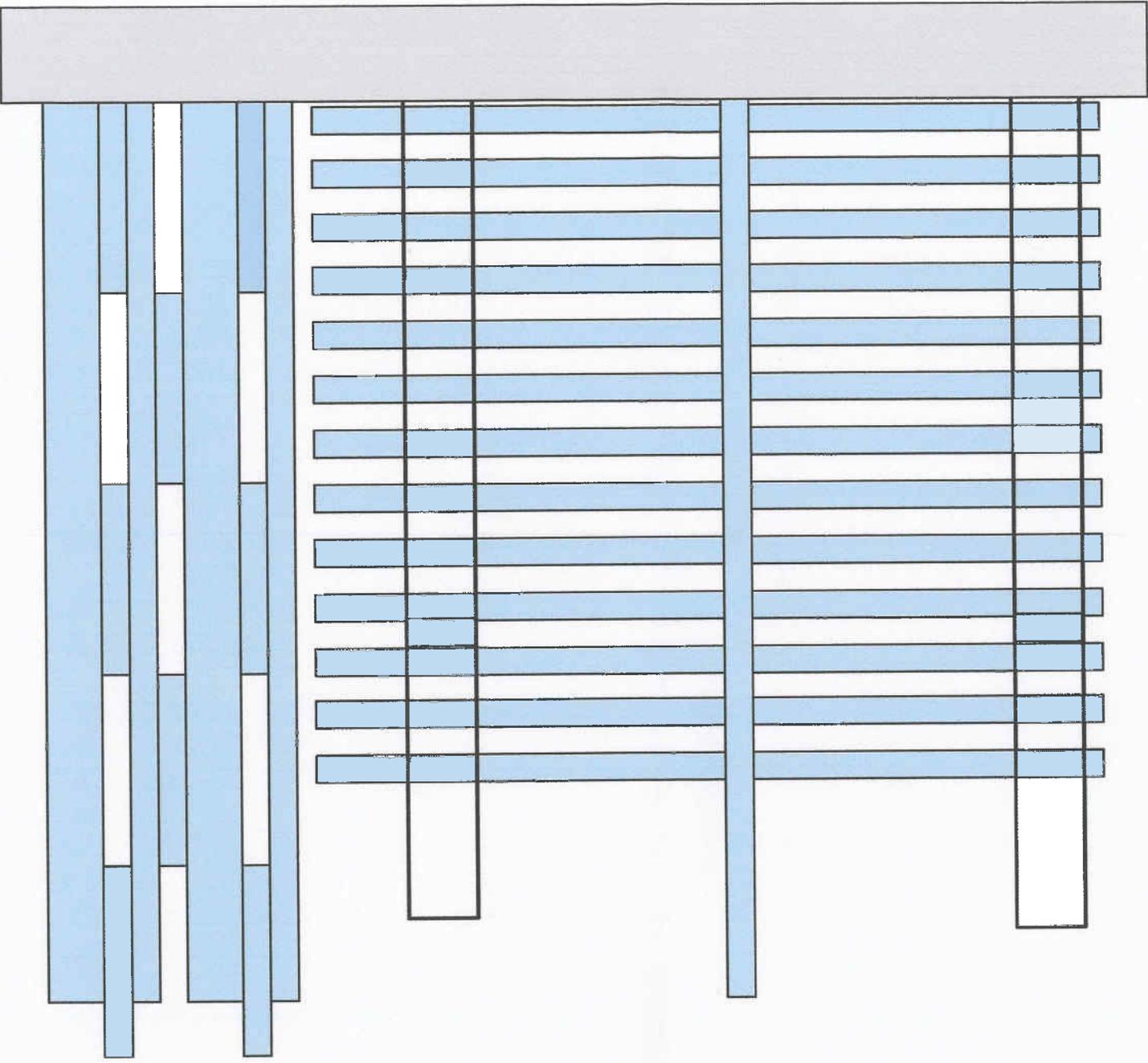
□ = 1 foot

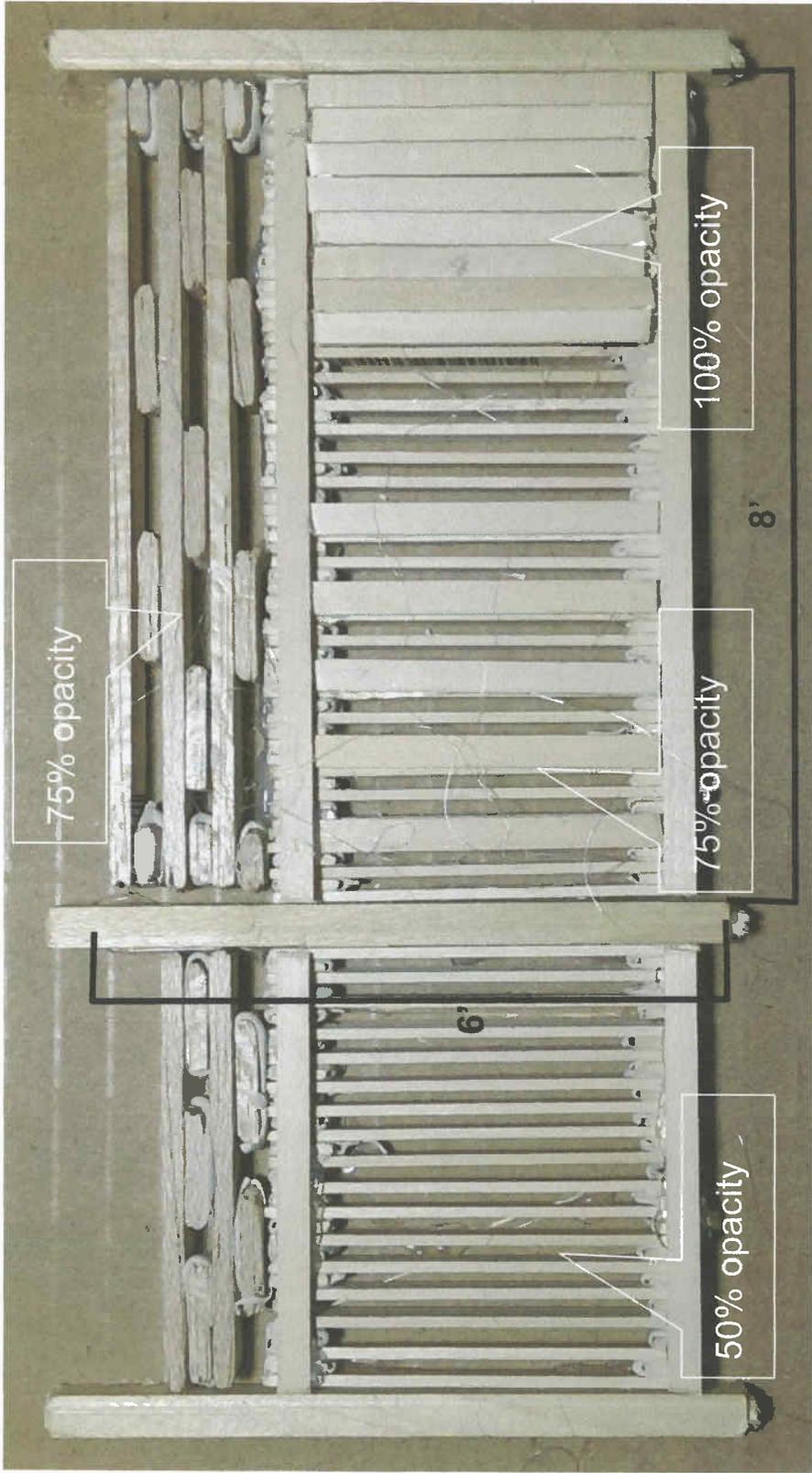
SECOND FLOOR, 2865 ESCH AVE.

□ = 1 foot

# FIRST FLOOR, 2865 ESCH AVE.















4'-0'-75%op

5'-0'-75%op

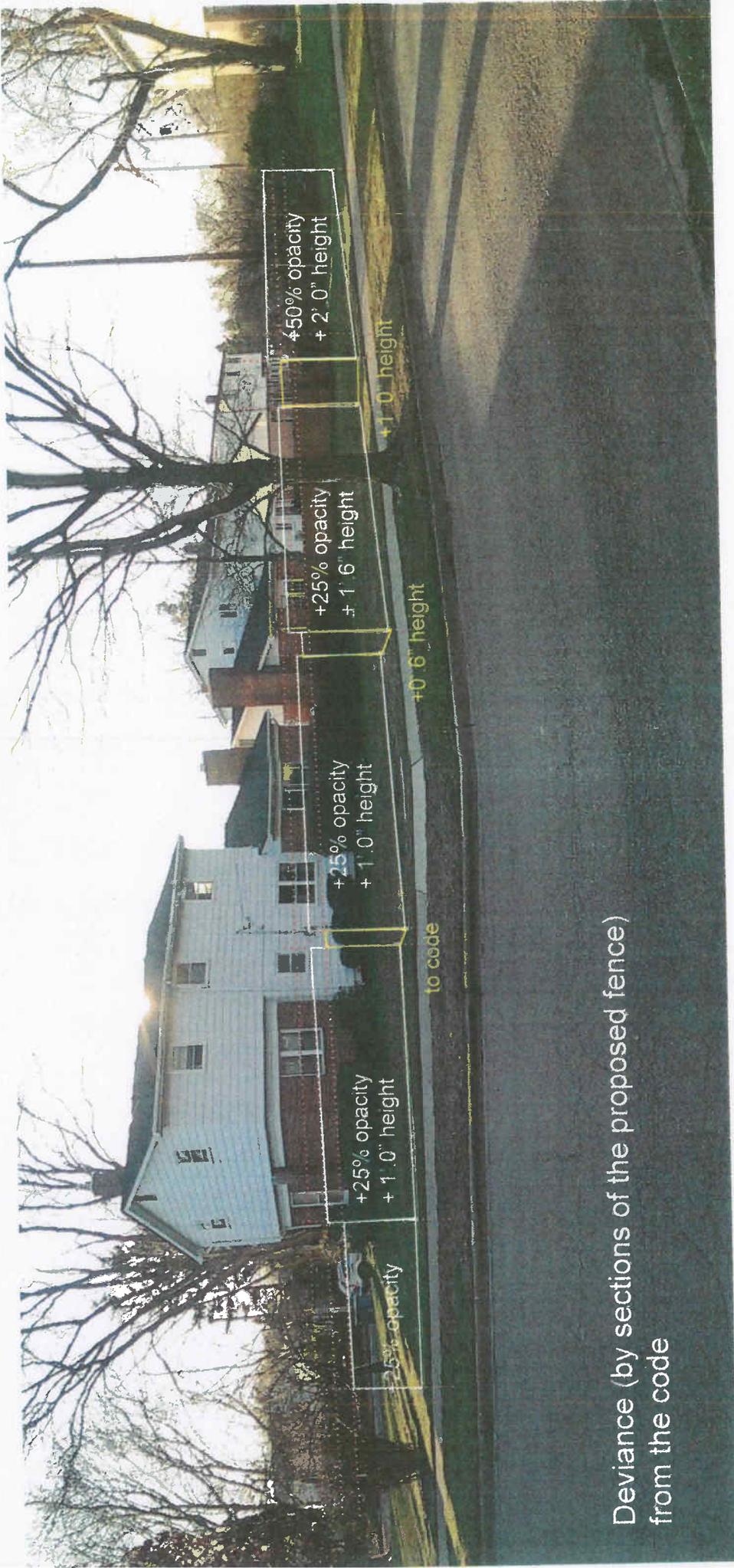
4'-0'-50%op

4'-6\"-50%op

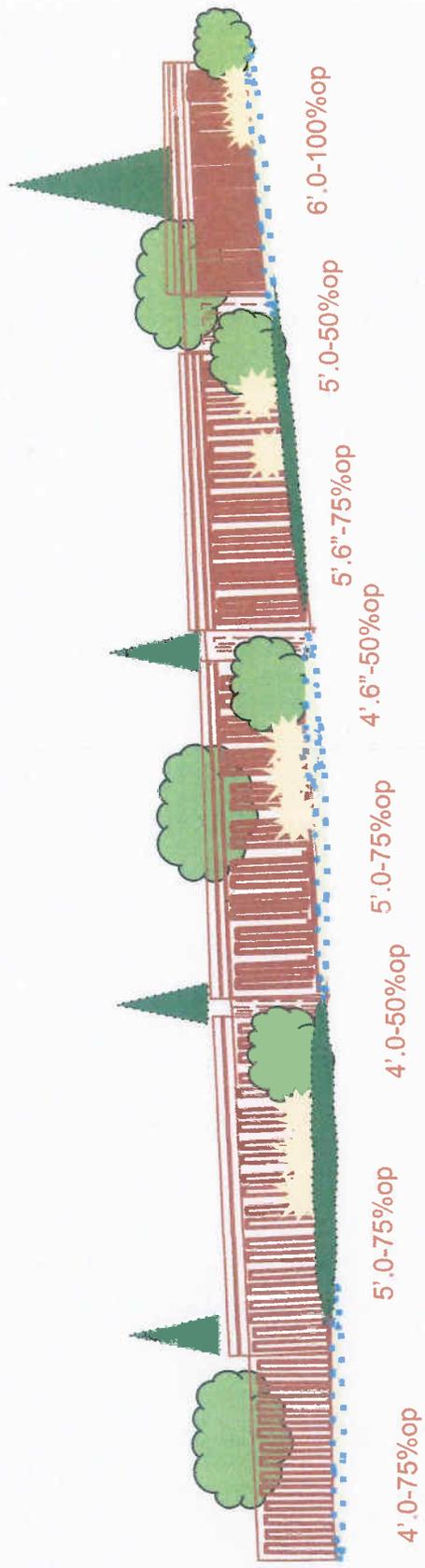
5'-6\"-75%op

5'-0'-50%op

6'-0'-100%op



Deviance (by sections of the proposed fence) from the code



4' 0"-75%op

5' 0"-75%op

4' 0"-50%op

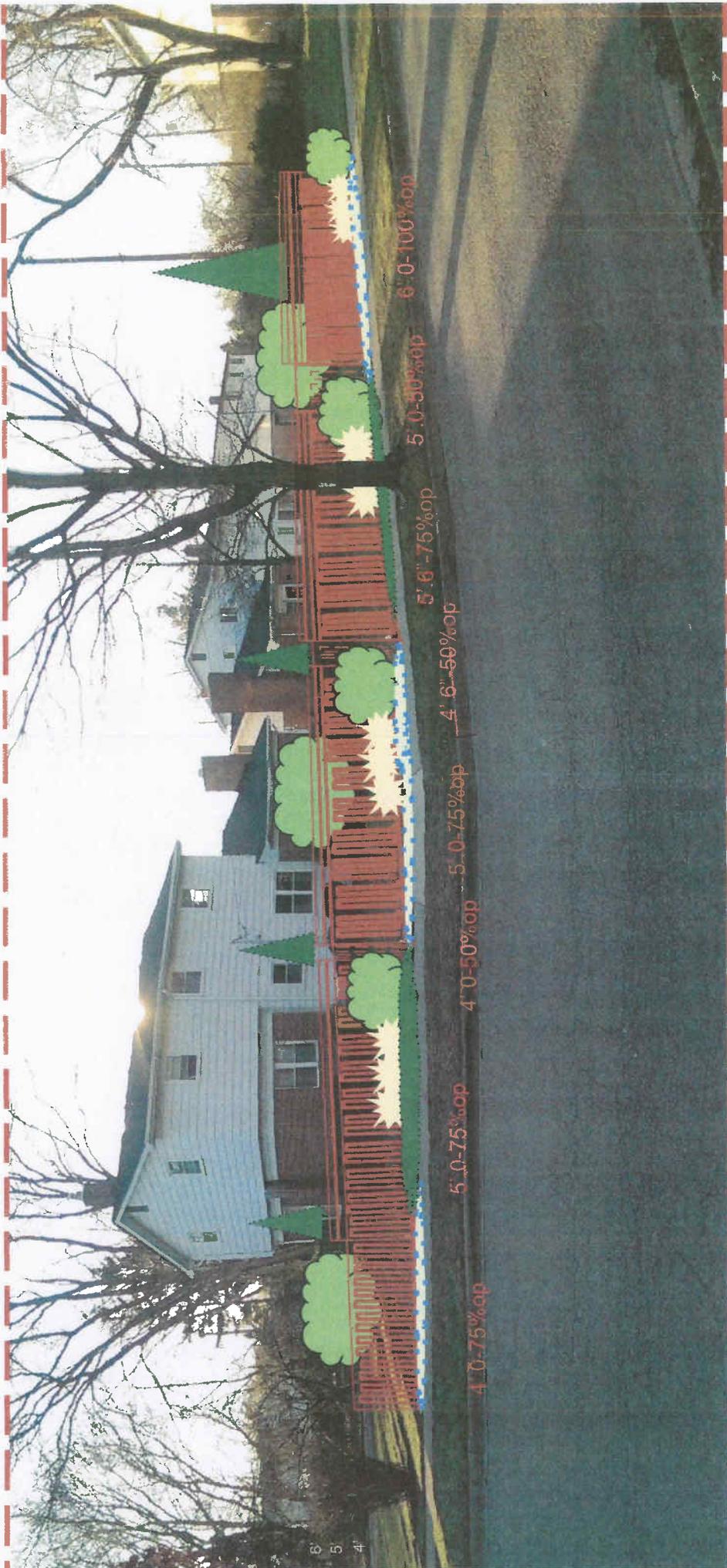
5' 0"-75%op

4' 6"-50%op

5' 6"-75%op

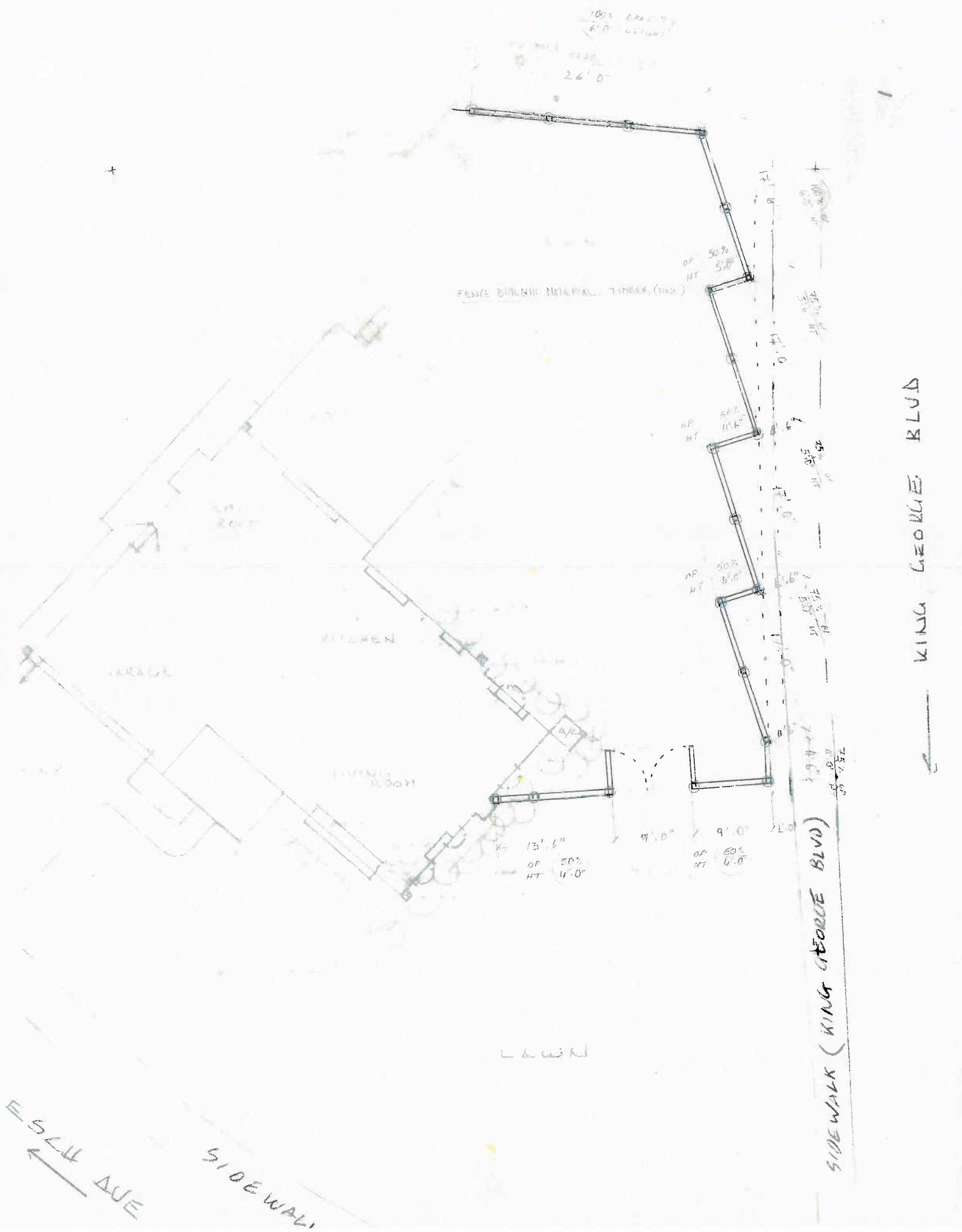
5' 0"-50%op

6' 0"-100%op









100% COVERAGE  
6'0" SETBACK

26'0"

FENCE BUILDING MATERIAL: TIMBER (2x4)

KITCHEN

LIVING ROOM

Garage

13'6"  
OF 50%  
HT 4'0"

9'0"  
OF 50%  
HT 4'0"

50%  
OF HT 8'0"

50%  
OF HT 10'6"

50%  
OF HT 3'0"

KING GEORGE BLVD

SIDEWALK (KING GEORGE BLVD)

ESCH AVE SIDEWALK

LAWN

Dear Neighbour,

My family and I will be moving soon into 2865 Esch after having lived for several years in a condo in this very same neighbourhood.

We would like to create some privacy in our backyard and screen the view of the cars driving south on King George Boulevard. Our "backyard" is entirely exposed to the King George south-bound traffic and we would like to screen our patio and adjacent living room from the traffic and car lights; we also have a son and a small dog that we would like to safely use this back yard area.

Due to the city's more strict regulation of corner lots, we are allowed to only install a 4' tall see-through fence; this would give us neither privacy nor a screening from the south-bound traffic on King George. We would like to work with the city and the neighbourhood to understand if the installation of a taller, more opaque fence on a portion of our backyard, would be an acceptable solution.

If you are in any way opposed to us having this type of fence along King George, we would welcome your feedback before we appeal to the city and pay for a hearing; we are very open to discuss with you the lay-out and the specs of this project and include your input in our design.

Feel free to contact us:

[idep@umich.edu](mailto:idep@umich.edu) or on my cell at 734-972-8322.

Thank you for taking the time to read this note; I am looking forward to meeting you in the neighbourhood.

Igor and Debbie De Padova



4/25/16

We would like to be granted permission from the City of Ann Arbor to build a fence to give us some privacy in our backyard, which is on King George Blvd. Our request would deviate from the City's allowable 4' height and 50% opacity.

Fence Project Description: Installation of a wood fence along the north and east side of our house (2865 Esch Avenue), as represented in the attached design. If approved, this would represent a variance to the existing Ann Arbor code in the following way:

1. Height of the fence on the north and portions of the east side of the property: 6 feet (instead of 4 feet).
2. Opacity of the fence on the north and portions of the east side of the property: 100% (instead of 50%).
3. Opacity of the fence along King George Blvd side: 75% opacity (instead of 50%)

(See the attached design for more details.)

***I've seen and understood the proposed project and requested variance and I do not oppose its adoption or implementation.***

Date	Name	Address	Signature
4/25/16	Kafi Laramore-Josey	1445 King George Blvd	Kafi Josey
4/25/16	Annabella Pri	2868 Sorrento Blvd	Annabella Pri
4/25	Michelle Moray	2870 Sorrento	Michelle Moray
4/25	David Moray	1450 King George	David Moray
4/25	DANIEL ELPI	1388 KING GEORGE	[Signature]

**From:** Paul Fossum

**Sent:** Thursday, May 19, 2016 2:53 PM

**To:** Gale, Mia

**Subject:** Zoning Board of Appeals, c/o Mia Gale; 301 East Huron St., Ann Arbor 48104; ref. appeal #ZBA 16-013

Dear Zoning Board of Appeals, Ann Arbor Planning and Development Department,  
c/o Ms. Mia Gale:

We would appreciate a brief acknowledgement of your receipt of this message concerning a nearby neighbor's pending request (2865 Esch Ave.; Parcel ID 09-12-04-404-024; ZBA #16-013) for a variance from Chapter 104, section 8:434 (1) (a)--regarding fences. We received your post-card message sent to our home on King George Boulevard, dated May 10, regarding this request for variance. Your communication invited comments from us as property owners residing within 300 feet of the property for which variance is sought, and we are providing our comments here via e-mail in line with the avenues you described for providing input about the Board's pending decision on the matter.

Some concerns we would like the Board to bear in mind on the proposal are as follows:

1) Although some aesthetic considerations may be intended by the statute in question, **the major intent of Chapter 104, section 8:434 (1) (a) seems to be that fence height and opacity is controlled particularly on corner lots due to traffic concerns.** Our specific understanding is that it is deemed necessary to regulate fences on corner lots for safety's sake, so that cars approaching an intersection can better observe cars approaching the intersection from other directions. **Are there things about the intersection of Esch Ave. and King George Blvd. that make it less necessary to regulate fence height and opacity in this case--that make good traffic visibility less necessary? Is there something that makes safety concerns less pronounced in this instance?**

2) We don't have access for reference to plans regarding the proposed project. Plans may have been provided, but nothing particular in these regards accompanied your card, and we are unable to find supporting material at the [a2.gov](http://a2.gov) website. **Are there specific things that have been proposed as part of the project in order to make up for visibility otherwise diminished via other features of the project (specifically the taller and more opaque fence)?**

3) King George Boulevard seems to curve from the northeast to a due-south bearing as it approaches its intersection with Esch Avenue. This tends to pitch the view of southbound King George traffic (and the attentions of drivers) in different directions (i.e., where one is, plus where one is headed). **Obscuring**

**effects associated with an oversize and more opaque fence could be exaggerated by these phenomena** specific to the course of the roads. It's hard to be certain without a plotting at hand.

4) **There are unknowns regarding traffic patterns affecting the neighborhood in the very near future** that the Board may be advised to bear in mind. Packard Square, now underway (at Packard at King George Blvd. with additional driveway access to the complex very near Page Ave. at King George Blvd.), will have both retail space and residential space that seems apt to increase traffic on southbound King George Blvd. and perhaps also on Esch Ave. **The Packard Square development seems bound to make the need to retain optimum visibility more pronounced**--at least until such time as the traffic patterns precipitated by the development are better known and understood.

These understandings of the intent of the statute in question, unknowns about the project in question, and uncertainties about traffic in the neighborhood make it harder for us to feel supportive of this request for variance.

Thanks for considering these things in your deliberations. Again, we would appreciate an acknowledgement of your receipt of this message. Thanks for the opportunity for comment.

-- Resident

King George Boulevard

Paul Fossum

1391 King George Blvd

**From:** Liz  
**Sent:** Monday, May 16, 2016 5:32 PM  
**To:** Gale, Mia  
**Cc:** Marc Margolis  
**Subject:** RE: 2865 Esch Avenue - Appeal ZBA 16-013

Dear Ms. Gale,

Thank you for allowing us to comment on the proposed variance for Fences, Section 8:434 (1(a) of the City of Ann Arbor for 2865 Esch Avenue.

We would like to stress our opposition to this variance. We have lived on King George Blvd. for over 20 years and we object to the proposed placement of this fence which will cause limited site allowance at the corner of Esch and King George and create an unsightly closed space around the property if the owner is allowed to basically enclose their entire side and back of their house.

When the owners first purchased this house they sent out a letter to all neighbors asking for their support of this request. The owners stated concern for their dog and child next to King George Blvd. We believe these concerns should have been addressed during the decision-making process of purchasing this home and not solved by asking for a variance to build a 6 foot fence.

We are also wondering why Chapter 104, Fences of the city code is even open to a variance? If it is part of the code why allow variance requests.

Thank you again for the opportunity to speak out about this proposal as we strongly oppose the construction of a 6 foot fence on this property in our neighborhood.

Sincerely,

Liz Nowland-Margolis  
Marc Margolis  
1389 King George

**From:** David Porter  
**Sent:** Sunday, May 15, 2016 2:22 PM  
**To:** Gale, Mia  
**Subject:** 2865 Esch Avenue

1465 King George Blvd  
Ann Arbor, MI 48104  
734-677-2247  
May 15, 2016

Zoning Board of Appeals  
City of Ann Arbor  
Ann Arbor, MI 48104

Dear Ms Gale,

I am writing with regard to ZBA16-13, a variance request for 2865 Esch Avenue to be discussed at a Public Hearing on May 25. I will not be able to attend this meeting, but as a neighbor of the property in question, I would like to have my views on the variance request represented to the Zoning Board of Appeals.

I take walks in the neighborhood twice each day which take me down King George Blvd and then right on Esch Avenue, so I regularly pass the house and the yard in question. One of the delightful features of this block is the wonderful sense of open space and natural greenery provided by the median in the center of King George Boulevard, the open yards, the mature trees, and Esch Park. We purchased a home on this block 20 years ago and have stayed here ever since, walking around the block every day for health and relaxation, in large part because of the striking outdoor beauty of the surroundings.

A tall fence abutting the sidewalk at the corner of King George and Esch would negatively impact walkers' experience of this neighborhood and significantly diminish the over-all sense of openness and natural beauty that characterize this block in particular. Such a fence has previously been erected next to the sidewalk up at the north end of King George Boulevard on the east side of the street, and it creates a very unpleasant, unsightly, closed-off experience when walking past it. I treasure the sense of expansive openness down on our end of the street, and feel very strongly like it should be preserved.

I understand my neighbors' desire for privacy. However, they presumably knew about the yard and the zoning regulations when they purchased the house; they could have purchased a house with a more private back yard had they wished. I would suggest that, if they wish to stay in this house, they erect either a short picket fence next to the sidewalk to keep in pets or a taller screening fence closer to the back of their house to provide more privacy. Neither of these arrangements would detract from their neighbors' experience of the neighborhood.

A tall, opaque fence abutting a public sidewalk in a residential neighborhood inevitably creates an eyesore for everyone passing by, and particularly impacts the experience of local residents who walk on the sidewalk every day. I strongly urge that the Zoning Board of Appeals deny this variance request in order to preserve the uniquely appealing character of our Esch Park neighborhood.

I would be happy to provide more information about my concerns if desired.

Sincerely yours,  
David Porter

**From:** ellen porter  
**Sent:** Sunday, May 15, 2016 10:48 AM  
**To:** Gale, Mia  
**Subject:** 2865 Esch Ave Appeal # ZBA16-013

Hello,

Thank you for sending the post card to inform me of the upcoming meeting. I am unable to attend due to my work, but feel strongly that this proposed fence would seriously block visibility at the corner of Esch & King George. **Please do not allow this exception to Chapter 104, Fences 8:434. It would pose a serious hazard and block visibility at the corner.**

Parcel I.D. 09-12-14-404-024  
Appeal # ZBA16-013  
Re: 2865 Esch Avenue

Thank you,

Ellen Porter  
M.Ac., L.Ac., Dipl. Ac(NCCAOM)  
734 845-2166  
[www.AcuThrive.org](http://www.AcuThrive.org)

**From:** Marcia Turkington  
**Sent:** Friday, May 13, 2016 5:36 PM  
**To:** Gale, Mia  
**Subject:** ZBA16-013; 2865 Esch Avenue

Dear Mia,

I live at 1440 King George directly across the street from 2865 Esch. I wish to file a formal complaint against the requested variance for a 6 foot 75-100% opacity fence. I have met twice with Igor De Padova and expressed my opinion both times. Such a fence will have a negative impact on our neighborhood and likely affect property values in the future. I may not be able to attend the meeting on May 25 so please treat this as a formal complaint or appeal.

Thanks in advance, feel free to contact me at any time.

Marcia Turkington  
1440 King George Blvd.  
Ann Arbor, Mi 48104

734-995-4273 Home  
734-214-4782 Work

**From:** [weaverchas@gmail.com](mailto:weaverchas@gmail.com) **On Behalf Of** Charles Weaver  
**Sent:** Friday, May 13, 2016 2:45 PM  
**To:** Gale, Mia  
**Subject:** Appeal ZBA 16-013

We support the request for the variance ZBA 16-013 of the request of 2865 Esch Avenue to build their fence.

We live directly across the street from this property.

Tamar and Charles Weaver  
1390 Esch Ct  
Ann Arbor, MI 48104

**From:** [jweyher07@comcast.net](mailto:jweyher07@comcast.net)

**Sent:** Friday, May 13, 2016 7:35 PM

**To:** Gale, Mia

**Subject:** Appeal ZBA16-013

Mia Gale: I recently received a postcard regarding the fence variance request for 2865 Esch Avenue (Appeal #ZBA16-013, Parcel ID: 09-12-04-404-024). It is my opinion that a six-foot fence with high opacity is not suitable for this corner lot. Fencing of this type is unnecessary and unattractive, especially since it is on a highly visible corner. I use this Esch Avenue corner intersection often, and high fencing may impeded visibility for walking and driving. I do not believe that visible six-foot fencing is appropriate for the neighborhood. I do not support the variance request.

Jane Weyher,  
2628 Fenwick Ct.  
AA 48104.

**From:** Mark Yagerlener  
**Sent:** Friday, May 20, 2016 10:26 AM  
**To:** Gale, Mia  
**Subject:** ZBA16-013

To Whom It May Concern,  
I understand the our neighbor at 2865 Esch Avenue is seeking to install a six foot fence on their corner lot along King George Blvd.

I am concerned about the traffic safety issue at that corner. King George is the major access point to our neighborhood. The vehicle traffic will only increase with much anticipated opening of the Packard Square development later this summer. I expect those residents will use King George to access points south including the State Street corridor and I94. I am very concerned a six foot fence without proper setbacks will block sight lines at the King George and Esch Avenue intersection. Given the proximity of Esch Park, Esch Ave and King George is a major pedestrian route for our community members out for a walk. I ask the ZBA to take the safety of our community into account in making this decision about the height, opacity, and setback of the proposed fence.

Respectfully  
Mark Yagerlener  
1391 Esch Court