

**Subject:** Written comments for 1/22/25 ZBA hearing regarding 520 Soule Blvd.  
**Attachments:** Objections to 520 Soule Variance.pdf; 1st floor, existing, annotated.jpg; Postcard, reverse.PDF; NewStructuresPowerlinesBrochure.pdf

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**From:** Leslie Ford  
**Sent:** Wednesday, October 22, 2025 9:53 AM  
**To:** Planning <Planning@a2gov.org>  
**Subject:** Written comments for 1/22/25 ZBA hearing regarding 520 Soule Blvd.

Dear City Planning Staff,

Please see the attached written comments and 3 exhibits for the ZBA hearing this evening regarding 520 Soule Blvd.

Thanks you for your assistance,  
Leslie Ford

**OBJECTIONS TO THE VARIANCE REQUESTED FOR 520 SOULE BLVD.**  
**Submitted for the ZBA Hearing on 10/22/25**

**I. INTRODUCTION AND SUMMARY**

The Applicants want to build a detached ADU structure that violates the law.

The proposed structure would occupy 75% more of the rear open space than is allowed.

The Applicants are asking for a massive exception to the rear-open-space law in order to build their proposed ADU.

An ADU structure can only occupy 35% of the rear open space. But the Applicants want to occupy more than 61% of the rear open space. That is 75% more space than is allowed.

Applicants are asking for a disproportionate and excessive exception to the ordinance that limits how much of the rear yard a detached ADU structure can occupy. The Applicants have made no compelling case for such an enormous variance.

The Applicants have absolutely no need for the proposed ADU structure.

The Applicants claim they want to run their home counseling and massage business from the proposed, detached ADU. The Applicants don't need a detached ADU to run their business from their property. They have many other options:

1. The first floor of the existing house could easily and cheaply be modified to create a work space that is completely separate from the living areas. The Applicants could simply erect a wall between the family room and the kitchen. The resulting space would include a work space, space for a table and chairs, a mudroom, and a bathroom. The resulting space would even have its own separate, exterior door, so that clients could come and go without ever entering any part of the remaining house. The work space would be completely separate from the Applicants' living spaces.

2. Alternatively, the Applicants could reconfigure or expand their existing house to construct an attached ADU inside the house. The Applicants can't build a detached ADU anywhere on their lot without violating many ordinances, laws and regulations. But it appears that they may be able to build an attached ADU inside their existing house, without any need for the massive variances that would be required for a detached ADU.

3. Finally, the Applicants could simply continue to operate their home business from their existing, large house, where only two people live.

No variance should be granted because the difficulties the Applicants cite are self-imposed. In 1995, the Applicants built a substantial addition onto their house. This addition

consumed nearly the entire remaining buildable area of the lot. The Applicants now complain there's nowhere else to build. This problem is of their own creation. The Applicants can't now complain that there's no more room to build.

No substantial justice would result from allowing the variance. The proposed structure would offer no public benefits and would be used solely for a private business. The structure would result in roughly 2500 SF of living space for only two people, which is precisely the type of "low density" occupancy of a large house that city council and the planning commission have repeatedly denounced. A large home housing only two people does not serve the goals of high density. It does exactly the opposite.

The ADU ordinance was intended to provide the public benefit of more housing for people. The Applicants' ADU will not create any housing. It will be used for a private business and for hypothetical, speculative, future uses which may or may not come to pass.

Under Michigan law, property owners are only entitled to a reasonable use of their property. They are not entitled to the greatest use or the highest possible use, or every use they might desire or imagine.

The Applicants have requested an exception to only one ordinance, namely the ordinance limiting footprint size in the rear open space. However, many other ordinances, laws, and regulations would be violated by the proposed structure, and the Applicants haven't even mentioned those other ordinances, laws, and regulations.

Other ordinances and regulations that would be violated by the proposed structure include the following:

1. Ordinances require 6' between the house and the proposed structure, but the space between the proposed ADU and the existing house would be only 4'3". This presents a fire and safety hazard.

2. DTE regulations state that no permanent structures can be built in DTE's 6' utility easement, but the proposed structure would have a permanent brick wall and a fenced-in area for garbage bins that would extend well into the 6' easement and occupy a significant portion of the 6' easement.

3. DTE regulations also require that buildings be at least 15' from the electrical wires. The proposed ADU would be only about 6' from the wires.

4. Ordinances require a 3' setback at the rear lot line, and ordinances state that no permanent structures can be built in the required setback area. The fence structures built into the structure violate the 3' setback ordinances. The brick wall that is planned for the garbage area also appears to violate the 3' setback, but the Applicants have not provided sufficient information to determine this.

5. The fence doors, when opened, would violate the prohibition against building over lot lines and into adjoining lots. In addition, the trash bins would not be able to be accessed or moved without routinely trespassing on adjacent property. If a structure can't be operated without trespassing onto adjoining property, that structure is prohibited.

The Applicants can't build the proposed ADU without seeking and obtaining a variance for each of ordinances that would be violated by the structure.

The Applicant's request for a variance should be denied. The request is excessive and extreme, and there is no compelling justification for this expansive and unreasonable variance.

## **II. THE PROPOSED STRUCTURE WOULD OCCUPY 75% MORE OF THE REAR OPEN SPACE THAN IS PERMITTED**

The proposed structure would occupy 75% more square feet of the rear open space than it is allowed to occupy.

Section 5.16.6(d) of the Ann Arbor Uniform Development Code ("UDC") states that detached ADUs cannot occupy more than 35% of the rear required setback area. The Applicants say the rear required setback area is 688.6 SF.  $35\% \text{ of } 688.6 \text{ SF} = 241 \text{ SF}$ . So, under Section 5.16.6(d), they can only build on 241 SF of the rear required setback area.

But the Applicants want to build on 420.6 SF of the rear required setback area, which is 61.08% of the rear setback.  $(420.6 \div 688.6) \times 100\% = 61.08\%$ . (Depicted another way:  $61.08\% \text{ of } 688.6 \text{ SF} = 420.6 \text{ SF}$ .)

420.6 SF is 75% more than 241 SF.  $((420.6 - 241) \div 241) \times 100 = 75\%$

So, the Applicants want to build on 75% more land than they are allowed to.

Applicants aren't asking for a small setback or a de minimis intrusion into the rear open space. They want to build in more than 61% of the rear open space.

The Applicants make a number of mathematical computations that compare the size and placement of the existing, nonconforming garage to the proposed new structure. None of those calculations have any bearing whatsoever on this case. Under the Applicants' proposal, the existing garage will be torn down. The new structure must stand or fall on its own merits without regard to the previous structure.

Any comparisons to the size of the old garage are irrelevant to whether the new structure takes up too much of the rear space in violation of Section 5.16.6, or whether the Applicants are entitled to an exception to Section 5.16.6. The Applicants' comparisons of the

old garage to the new structure are designed to mislead regarding the size and impact of the new building, to distract from the actual legal standard that applies in this case, to obscure the fact that over 61% of the rear lot will be covered with a 2-story building, to distract from the fact that they want to build on 75% more land than they're allowed to, and to sow confusion.

The Applicants' comparisons to the old garage are red herrings. Notably, the city's Planning Staff Report makes no reference to any of the Applicants' calculations comparing the old garage to the new structure. Those calculations are irrelevant, and you should ignore them, just as the Staff Report does.

Comparisons to the old garage would only be relevant if the Applicants were planning to build on the existing, non-conforming garage, which they say they are not. If they were to build on the existing structure, the rules prohibiting any expansion of nonconforming structures would come into play, and those rules would prevent the Applicants from building the structure because the structure would expand the nonconforming structure, create a new nonconformity, have a detrimental effect on neighboring property, and violate other code requirements. See UDC Section 5.32.2, addressing nonconforming structures. The Applicants admit that the proposed structure would have a greater height and footprint than the old, nonconforming garage. If anything, this is another reason why the new structure should be barred. The Applicants' comparisons to the old garage cut against a variance; they do not cut in Applicants' favor.

### **III. THE APPLICANTS ARE NOT ENTITLED TO AN EXCEPTION TO THE REAR REQUIRED SETBACK AREA**

The burden of proof is on the Applicants to show they are entitled to an exception to the rear required setback area. The Applicants have not met their burden.

The test for determining whether a variance is allowed is set forth in UDC Section 5.29.13, which states:

***1. A variance may be allowed by the ZBA only in cases involving practical difficulties after the ZBA makes an affirmative finding that each of these criteria are met:***

***2. That the alleged practical difficulties are exceptional and peculiar to the property of the Person requesting the variance, and result from conditions that do not exist generally throughout the City.***

The Applicants' lot does not have unique or problematic topographical features, such as a steep slope, a water body, a wetland, or some other natural feature that is unusual in the Applicants' zoning district.

The Applicants' lot is a corner lot, but corner lots are ubiquitous and commonplace in the Applicants' neighborhood and zoning district. There is nothing exceptional or peculiar about corner lots. Indeed, 4 out of the 9 lots on the block where the Applicants live are corner lots.

Although *some* corner lots may exhibit peculiar and exceptional problems -- such as, for example, a corner lot that is exceptionally shallow or narrow or has unique or peculiar topographical constraints -- that is not the case here. Indeed, the Applicants' lot is one of the largest and widest lots on the entire block. (See Applicant's Title Sheet and Site Survey, G-001.) There is nothing exceptional or peculiar about this particular corner lot that would justify the exceptionally large variance that is sought.

Likewise, DTE wires, and their easements, run throughout the city and over nearly all lots in the neighborhood.

Similarly, the averaged-front-yard setback rule applies to every residential lot in the zoning district, including all corner lots. All residential homeowners must comply with this rule, which is designed to maintain sight lines. There is nothing special or peculiar about the Applicants' averaged-front-yard setback, or about its application to the Applicants' wide corner lot.

***3. That the alleged practical difficulties that will result from a failure to grant the variance, [sic] include substantially more than mere convenience, inability to attain a higher financial return, or both.***

The Applicants must show something substantially more than mere inconvenience and/or inability to get a higher financial return.

The Applicants haven't even come close to showing this. The purported "practical difficulties" Applicants mention aren't difficulties at all; they are mere inconveniences or hypothetical future uses that might never come to pass.

For example, one of the Applicants states that she has a counseling business. This business could easily be conducted from within the existing house. There are only two people living in the house, a married couple, both senior citizens. Their adult children have all moved out, and to our knowledge, the children all live out of state. The house is 1917 square feet, with 4 bedrooms, 2-1/2 baths, a large living room, large dining room, a kitchen, a family room, a mudroom, an eat-in kitchen area, and a 700 SF basement.

From the architectural drawings, it appears that the Applicant's counseling business, which according to her website includes massage, is already being conducted from one of the existing upstairs bedrooms. One of the bedrooms is labelled in the drawings as the "massage room." (See second story of the existing structure on Applicant's Floor Plans, A-100)

The Applicant states that she would like a space for her business that is separate from the Applicants' living spaces. The 1st floor of the existing house could easily be modified to achieve this. For a few thousand dollars, the Applicants could put a door between the family room and the kitchen and add a small vertical barrier between the kitchen countertop and the cupboards that hang above the countertop. (See first floor of existing structure on Applicants' floor plans, A-100). The resulting space would include a work space, table space, mudroom, bathroom, and it would even have its own separate, exterior door. The space would be completely separate from the remaining house.

Alternatively, the Applicants could reconfigure or expand the rear addition of their house. (See attached annotated copy of the existing 1st floor of the house, which outlines in yellow the area comprising the rear addition.) (See also Applicant's Certificate of Survey, site plan G-002, and floor plans A-100.) Either the first or second floor of a new version of the addition could be turned into an attached ADU. Or the entire rear addition could be rebuilt and enlarged to fill the remaining buildable area of the lot and contain an attached ADU. (See Applicants' site plan G-002, depicting the remaining buildable area.)

Applicants posit a possible future use of the ADU by a caregiver in their old age. Such a use is hypothetical and speculative. It is also unrealistic. We have cared for or overseen the care of 3 elderly family members. When you get to the point when you need on-site care, the caregiver almost always has to be in the same house with you. A caregiver in an ADU can't hear you fall out of bed at night, can't know that your sheets are soiled, can't prevent you from leaving the stove on unattended, and can't stop you from wandering off if you have dementia. Variances cannot be based on hypothetical, speculative, future uses.

Nor can the Applicants' variance be justified by infrequent visits of their adult children or other relatives.

Finally, the Applicants can replace their garage foundation without building an ADU. Many homeowners have built new foundations under their homes in our neighborhood and throughout the Old West Side.

***4. That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the practical difficulties that will be suffered by a failure of the Board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance.***

No justice, substantial or otherwise, will be done by allowing the requested variance. No public benefits whatsoever will be gained by the proposed structure.

There would be no public benefits. All of the benefits of the structure would be privately held. The Applicants intend to use the structure for a home business and solely for their private purposes. The ADU ordinance was intended to offer the public benefit of more housing for people. The Applicants' ADU will not create any housing.

If the proposed structure were built, the Applicants would end up with a new garage and roughly 2500 square feet of living space for only two people. This is precisely the sort of “low density” occupancy of a home that city council has repeatedly said it doesn’t want.

Applicants claim that the public will benefit from the addition of their proposed “small living unit” which “fits discreetly into the neighborhood” and will “be in scale with the original housing stock.”

Applicants’ assertion is nonsensical. It’s hard to see how packing both the large 1995 addition and now an ADU into the rear yard is either “discreet” or “in scale with the original housing stock” in the neighborhood. There is nothing “discreet” or “in scale” about an overbuilt lot crowded with structures, in a neighborhood where the housing stock is mostly small to mid-sized homes without accessory units.

In accordance with the legal test, no substantial justice will be done by granting a variance that provides no public benefits and “impinges on the rights of others whose property would be affected by allowance of the variance.”

The proposed structure would substantially impair the use and enjoyment of our home. It would block light, air, and a view of the sky from our 5 east-facing windows. It would cast a long shadow over our house. We receive a significant portion of our interior daylight from our east facing windows.

A 2-story structure would also create a walled-in, claustrophobic feeling to our house, driveway, and yard. Our house is already unusually close to a home on the west side of our house.

The proposed structure would also impinge on our privacy. The proposed structure has 5 second-story windows on the side facing the east side of our small house. (See Applicants’ Exterior Elevations, A-201.) Those 5 windows will look directly into our kitchen, living room, two bedrooms, and the upstairs hall. The windows will look into more than half the rooms of our house, which is 1456 square feet. The only way to avoid the impact of having occupants and business clients of the ADU gaze into most of our house would be to cover the windows of more than half our rooms with closed curtains or blinds.

The Applicants want it all. They want the benefits of a new garage and ADU, but they don’t want its burdens. Instead, they want to push the burdens of shade, loss of light, and tunneling effect onto our property. And they are asking for an enormous exception to do it.

The Applicants could have asked for an exception to the front setback along Wakefield Avenue to build a detached garage/ADU on the southeast portion of their lot, next to their house and parallel to the south side of their house, where it wouldn’t cast shade on, block the views of, or invade the privacy of any neighbor’s property. But the Applicants chose not to



build there, because they don't want to block light and cast shade on their own house, or cause a tunneling effect on their own property.

Instead, the Applicants want to shift all the negative impacts of their building onto our property, and to compel us to suffer the loss of use and enjoyment of our house and land.

As a matter of fundamental fairness, the Applicants should not be given an excessive variance to enable them to push the negative impacts of their structure onto others. They can request a different variance that will keep the negative impacts of the structure on their own property, where it belongs. If the Applicants want an enormous variance, they should request one for someplace else on their property, where it won't violate the property rights of others. Alternatively, the Applicants could modify or reconfigure their existing house to create an attached ADU.

Applicants may argue that by situating the proposed structure about 3-1/2' further from our lot line than the existing garage, Applicants are providing a benefit. But this ignores the fact that the new structure as planned would have a larger footprint, an additional story, and extend further toward the front setback. Any "benefit" obtained by building the new structure 3-1/2' further from the lot line would be substantially outweighed by the enormous size of the variance needed to build the proposed structure. Furthermore, as discussed in Section IV below, the proposed structure, when built, would *still* violate the 3' rear setback requirement, because the structure has auxiliary structures, which Applicants have failed to mention, that project into the 3' setback and might even extend across the rear lot line and into our property. (See Site Plan, G-002 and Elevations, A-100.)

***5. That the conditions and circumstances on which the variance request is based are not a self-imposed practical difficulty.***

The conditions, circumstances, and difficulties on which this variance is based are *entirely* self-imposed by the Applicants.

The Applicants bought the house in 1989. In 1995, they built a large rear addition on the house. (See Ann Arbor Building Permit #48487, dated May 22, 1995). The first floor of the addition has an eating space, a family room, a mudroom, a half bath, and an outdoor pergola and patio. The second floor has a master suite, with a full bath, large closet and sitting area.

The 1995 addition filled up almost the entire buildable area of the lot. (See the attached, annotated copy of the architect's diagram of the existing house, which outlines the 1995 addition. See also the city's aerial photo of 520 Soule, and Applicant's Site Plan G-002.)

The Applicants can't now complain that there is nowhere to build a detached ADU. The Applicants have built over nearly all the buildable space on their lot, and they now want a variance to violate the ADU ordinance. The applicants' request is completely unreasonable.

The difficulties of which Applicants complain are self-imposed.

***6. The variance to be approved is the minimum variance that will make possible a reasonable use of the land or structure.***

The Applicants already have a reasonable use of their land. In fact, they have a use that is expansive and accommodating.

No variance at all should be granted, let alone the aggressive and egregiously expansive variance that the Applicants seek. The variance requested is the opposite of a minimum variance. It is excessive.

Property owners are only entitled to a reasonable use of their land or structure. They are not entitled to every possible use or the highest possible use, or every use they might desire or imagine.

The Applicants make misleading statements about the size of the proposed structure, in an attempt to minimize and disguise the unreasonable magnitude of their requested variance. For example, Applicants say they are entitled to an ADU of 800 SF. (See Staff Report submitted by Jon Barrett, p. 2). This statement is misleading. The applicants are not entitled to build a detached ADU of 800 SF on their lot, because it is prohibited by the rear-open-space restrictions and setback requirements. The applicants might be entitled to build an attached ADU of 800 SF *inside* their home, but they have not requested an attached ADU.

The Applicants also misleadingly and confusingly state that the proposed garage would be only 424 SF. (See Staff Report, and also Site Plan calculations on G-002.) Specifically, the Applicants state, as reported in the staff report, “We are requesting a variance to build a single car garage of 424 SF.” In fact, according to the architect’s drawings, the proposed garage footprint would be 613.4 square feet. (See Applicants’ site plan G-002 and Floor Plan A-100.) We have been told by planning staff that the 424 SF figure refers to only a part of the 613.4 SF footprint of the first-floor garage, specifically the part where a car would be situated and excluding the storage area and the area occupied by the stairwell. By carving out the portion of the 1st floor garage where a car might be situated and stating that this area of 424 SF is the size of the new garage, the Applicants mislead readers as to the actual footprint of the 1st floor, which is, by Applicants’ own statements, 613.4 SF. The Applicants’ misleading statements distract from the actual footprint of the structure and attempt to disguise the large magnitude of the variance they request.

Misleading statements concerning the footprint of the proposed garage were also made in the City’s Notice of Public Hearing, which incorrectly states, “The proposed two-story garage (AD) will have a footprint of 420.6 square feet.” (See Notice of Public Hearing, copy attached). In fact, the proposed garage would have a footprint of 613.4 SF, as clearly noted on the Applicants’ architectural drawings.

Arguably, the false statement in the city's Notice of Public Hearing renders this entire hearing invalid, especially when considered in light of the misleading statements made by the Applicants, which were quoted in the Staff Report and posted on the city's website. Both the city's Notice of Public Hearing and the Applicants' statements significantly understate the actual footprint of the proposed structure.

Lastly, the Applicants have not explained how they arrive at the 585 SF figure for the size of the ADU, and we have been unable to compute it from the limited information in the drawings.

#### **IV. IN ADDITION TO VIOLATING THE REAR OPEN SPACE LIMITATIONS, THE PROPOSED STRUCTURE ALSO VIOLATES OTHER ORDINANCES, REGULATIONS, AND LAWS**

The proposed structure violates more than just the ordinance relating to footprint limitations in the rear open space. It also violated other ordinances, regulations, and laws. The Applicants have failed to mention those other violations.

##### **A. The distance between the house and the proposed structure is required to be 6', but with the proposed structure, the distance would be only 4'3"**

Section 5.17-1[C][a] of the UDC states in pertinent part:

Where more than one residential *structure* is to be constructed on a *lot* in the R1 districts, the minimum spacing between buildings shall be twice the minimum *side required setback* dimension of the zoning district in which the lot is located.<sup>1</sup>

The minimum side required setback in the zoning district for 520 Soule (R1D) is 3 feet (see UDC, Table 5.17-1). Twice that is 6 feet.

So, the minimum spacing between the house and the proposed garage/ADU must be 6'.

But the proposed structure would be only 4'3" from house. (See Applicants' Site Plan, G-002).

The fact that the proposed structure is only 4'3" from the house underscores how crowded and overbuilt this lot is. Violating the 6' ordinance creates a fire and safety hazard. The Applicants have already had a large fire in their house. The whole house had to be gutted and re-built. The unlawful proximity of the house to the proposed structure increases the risk of a fire spreading between the two structures and also to adjacent neighbors. The narrow

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<sup>1</sup> "Residential structure" is not defined. But "structure" is defined, and an ADU is clearly a residential structure. It is not a commercial structure, it is a residential structure, and it is a residential dwelling.

passage between the ADU and the houses would also make it difficult for firefighters to access the buildings.

**B. The proposed plan would violate DTE's prohibition against installing permanent structures in DTE's 6' utility easement. It may also violate DTE's rule requiring that buildings be at least 15' from the electrical lines.**

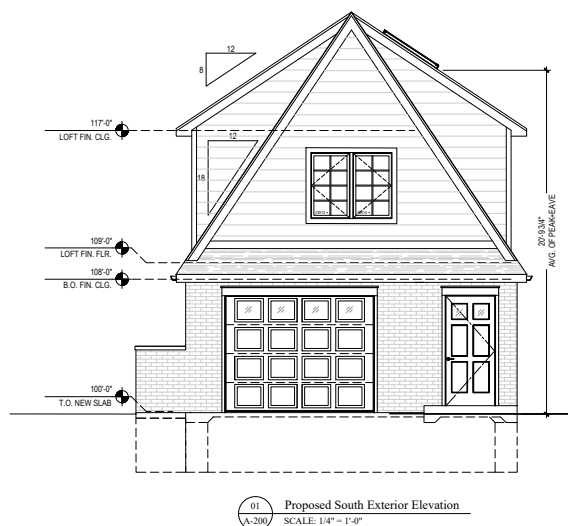
The Applicants state that DTE has a utility easement on their lot that extends 6' from the rear lot line into their lot. (See site plan, G-002.)

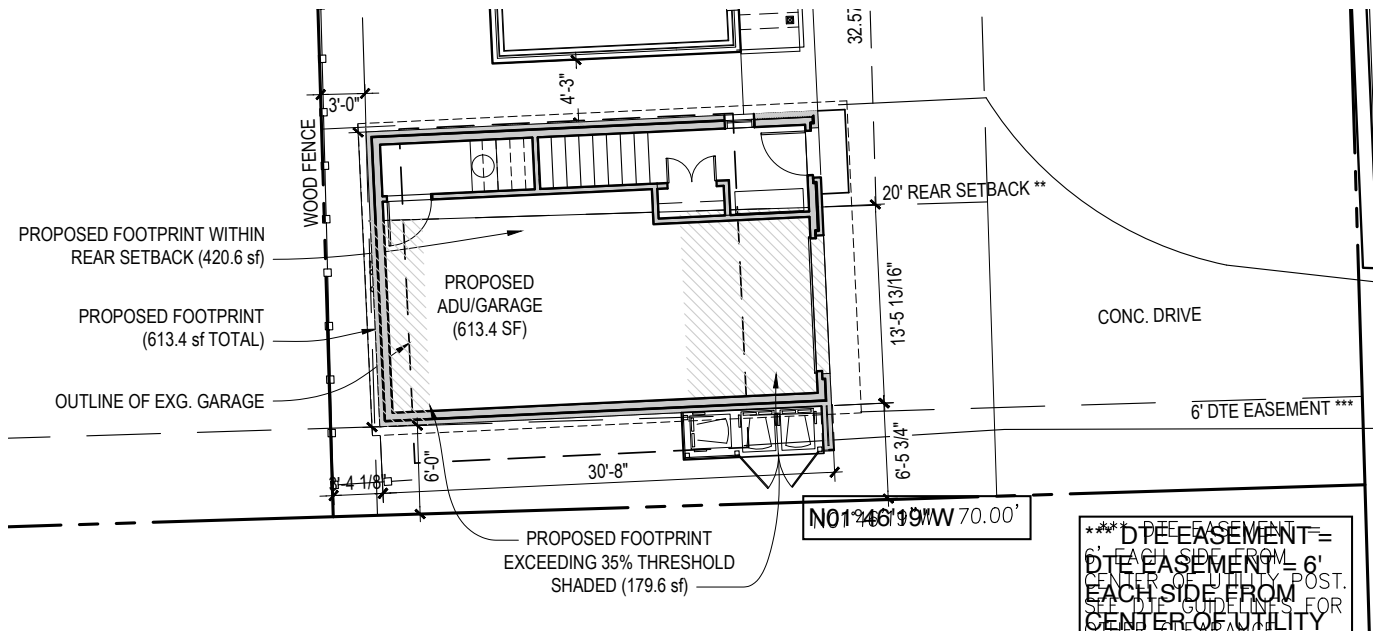
DTE rules prohibit Applicants from installing any permanent structures in DTE's 6' easement.

The proposed structure would violate DTE's rule, because the permanent structures surrounding the garbage cans would extend well into DTE's 6' easement. The structures that would extend into DTE's 6' easement include the brick wall that projects westward from the front of the garage, the fences surrounding the refuse cans, and the fence doors. (See site plan G-002, and the Proposed South Exterior Elevation shown on A-200 and A-201.)

The Applicants are therefore prohibited from building the proposed projecting brick wall, the fence walls, and the fence doors.

The proposed structure may also violate DTE's requirement that all buildings be situated at least 15' away from the electrical lines. (See attached DTE brochure.) We contacted DTE, and they confirmed the 15' requirement. The proposed structure would be only about 6' from the wires instead of the stated 15'.





**C. The fence doors would violate the prohibition against building over lot lines and into adjoining lots (UDC Section 5.26.2).**

Fences may abut a lot line, but they may not cross a lot line. UDC, Section 5.26.2.

The garbage area would have fence doors which, when fully opened, would appear to cross the rear lot line and extend into our adjacent lot. The Applicants do not show the full reach of the fence doors when opened. Nor do the Applicants disclose the dimensions of the fence doors or the dimensions of the short side of the fence.

Details like this matter, especially when a structure appears to improperly cross a lot line.

No variance can be granted unless and until the Applicants disclose the dimensions of the side fence walls and the fence doors, and also provide an opportunity for neighbors to evaluate and comment upon those dimensions.

**D. The fence doors would violate both: (1) the 3' setback ordinance (UDC 5.16.6(d)), and (2) the prohibition against permanent structures in the 3' setback (UDC 5.18.1(A)).**

UDC Section 5.16.6(d) states that accessory buildings situated in rear setback areas cannot be closer than 3 feet "to any lot line." In addition, UDC Section 5.18.1(A) states, "Except as provided in this chapter, required setback areas shall be open, unoccupied, and unobstructed by any permanent structure or any part of a structure from ground to sky."

The proposed fence doors would violate both the 3' setback ordinance (UDC 5.16.6(d)) and also the ordinance prohibiting permanent structures in the setbacks (UDC 5.18.1(A)).

**E. The projecting brick wall and fence walls, as proposed, may also violate both the 3' setback ordinance (UDC 5.16.6(d)) and the prohibition against permanent structures in the 3' setback (UDC 5.18.1(A)).**

The Applicants have provided insufficient information to determine whether the projecting brick wall and the fence walls violate the 3' setback ordinances of 5.16.6(d) and 5.18.1(A). It appears from the diagram that they may. We know that the footprint of the existing garage violates the 3' setback, and the drawings depict the projecting brick wall and fence walls as extending even further west than the western edge of the old garage. If this is true, then the brick wall and fence walls would extend even further into the 3' rear setback than the old garage.

A variance cannot be granted unless and until the Applicants share all relevant information with the public, and until neighbors are notified of that information and have an opportunity to comment.

**F. The proposed garbage area is so close to our lot line that it cannot possibly be utilized without the Applicants trespassing onto our property every time they access or move the trash bins, thereby destroying a significant part of our established garden and violating our property rights.**

It is implausible to think that the Applicants can utilize the garbage area without coming onto our property and trampling on our garden every time they attempt to move the bins in and out of the space. Refuse bins do not turn at 90-degree angles. They require more space to be maneuvered than the proposed design allows.

The tightness of the refuse area is more evidence that the lot is too built out.

There isn't even enough room for waste bins on the lot.

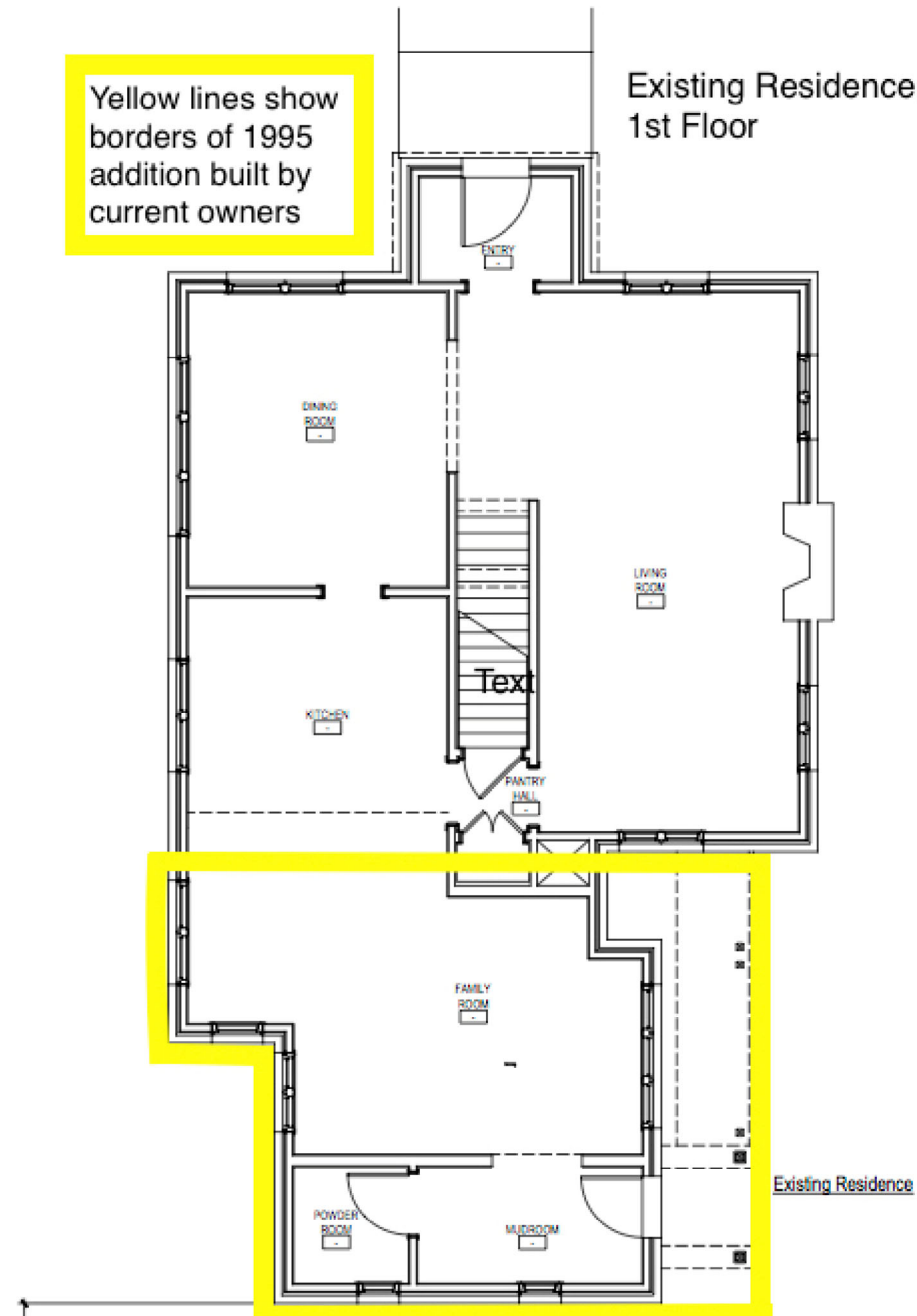
## **V. THE REQUEST FOR A VARIANCE SHOULD BE DENIED**

Please deny this request for a variance. The request is excessive and extreme, and there is no compelling justification for this expansive variance. It would also be a waste of taxpayer funds for the city to spend valuable time and money trying to revise this fatally flawed plan which will never meet the legal standard for a variance.

Gregg Crane and Leslie Ford  
1404 Wakefield Ave.  
Ann Arbor, Michigan

Yellow lines show  
borders of 1995  
addition built by  
current owners

Existing Residence,  
1st Floor





## Leave room for safe maintenance

No matter where your building is located, keep in mind that window washers, brick masons or other contractors may need to safely work on the outside. The Michigan Occupational Safety and Health Act (MIOSHA) requires that workers, and their tools, be located at least 10 feet away from overhead power lines. Before beginning construction, it's a good idea to verify the required clearances for the type of work necessary on the outside of your structure. Visit the MIOsha web site ([michigan.gov/lara](http://michigan.gov/lara)) for more information.

DTE Energy looks forward to working with you to ensure that your construction or renovation is both successful and safe in the future.



# NEW STRUCTURES AND POWER LINES

When you're building or renovating a structure, it's important to consider safety first. This includes considering the location of nearby overhead power lines. Keeping an appropriate distance between your building and DTE Energy power lines is a vital part of ensuring the occupants of your building are safe. It will also help you avoid future mistakes and delays.

## Understanding the safety buffer

The National Electric Safety Code (NESC) requires that all structures - including homes, buildings, garages, signs and billboards - be located a minimum safe distance away from overhead power lines in every direction. The NESC rules provide the standard for safety around electrical lines. DTE Energy, and all of its customers, must follow these rules.





## Avoid delays, call before you build

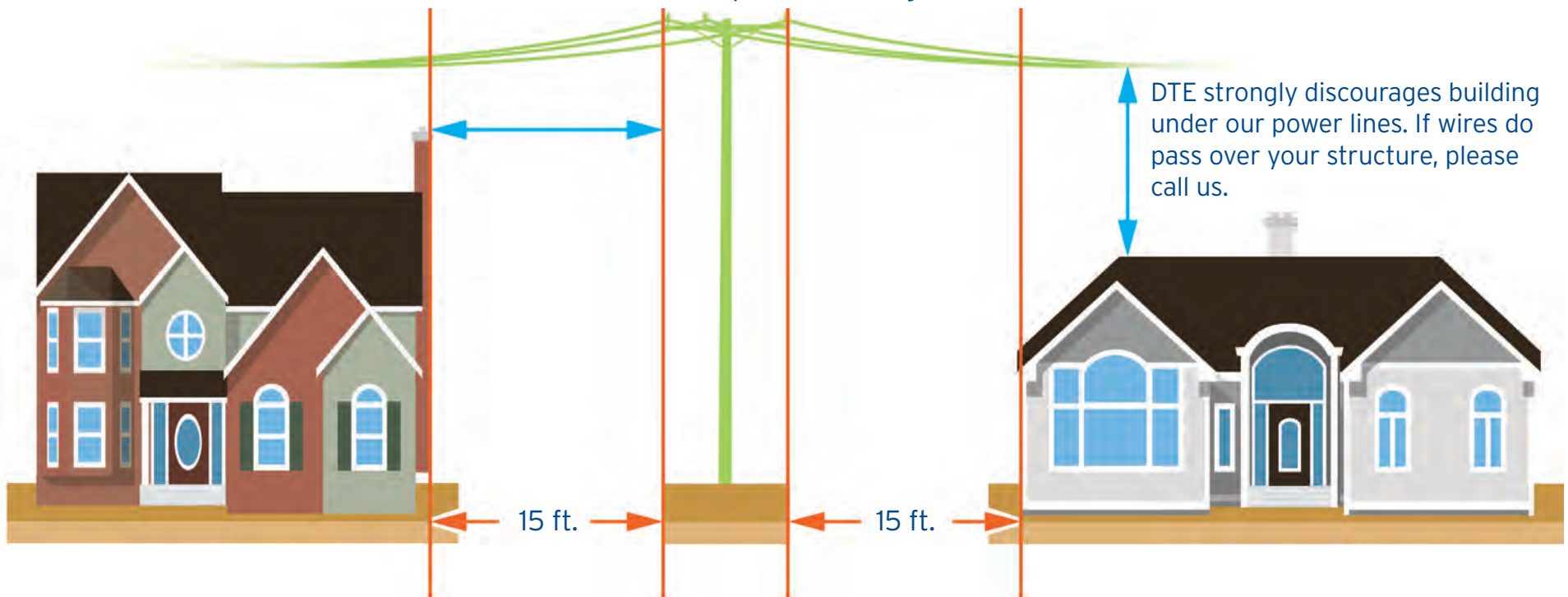
As part of its commitment to provide safe and reliable electrical service and comply with national regulations, DTE Energy will not energize structures that violate NESC clearances. To avoid future delays, we recommend you contact DTE Energy at 800-477-4747 under the following circumstances:

- If you are planning to build or renovate any structure located closer than 15 feet horizontally from an overhead power line.
- If any portion of your structure or building will be located underneath a power line.

DTE Energy wants to make sure your building process goes as smoothly as possible. Don't let assumptions interfere with your future timeline. Contact us if you have any questions or are unsure about the distance between power lines and your structure. DTE Energy will meet with you and your local municipal electrical inspector to provide guidance.

### Clearance of Wires from Building

If less than 15 feet horizontally from building or structure then call





## NOTICE OF PUBLIC HEARING

On **Wednesday, October 22, 2025 at 6:00 PM** in the Council Chambers of City Hall at 301 E Huron St. the Ann Arbor Zoning Board of Appeals will hold a public hearing then decide on the request below.

### **ZBA25-0032; 520 Soule Boulevard**

Theresa Angelini, representing the property owner, is requesting a variance of 179.6 square feet from Section 5.16.6 (D) Accessory Uses and Structures. If granted, the variance will allow a two-story detached garage with an Accessory Dwelling Unit (ADU) above to exceed the allowable 35% rear open space requirement for accessory buildings and structures. The maximum allowed building footprint in the rear open space on this corner lot is 241 square feet. The proposed two-story garage (AD) will have a footprint of 420.6 square feet. The property is zoned is zoned R1D, Single-Family Residential.



This notice has been mailed to all property owners, occupants, and registered neighborhood associations within 300 feet of the request.