

**Zoning Board of Appeals
January 28, 2026, Regular Meeting**

STAFF REPORT

Subject: ZBA 25-0035 – 1795 Sheridan Dr

Background:

Location: Northeast corner of Washtenaw Ave and Sheridan Dr
Lot Area (approximate): 26,017 sq ft
Neighborhood: Bader-Ann Arbor Hills
Parcel Identification Number: 09-09-34-413-001
Property Owners/Applicants: Yuan Zhu and Jennifer Head
Zoning District: R1A Single-Family Residential

Request:

A two (2)-foot and fifty (50)-percent variance from Section 5.26.2.B, Table 5.26-1 of the Unified Development Code (UDC) to permit a six (6)-foot-tall, one-hundred (100)-percent opaque fence to remain within a front yard along Washtenaw Avenue where four (4) feet is the maximum height permitted and fifty (50) percent is the maximum opacity permitted. The fence was constructed without a permit.

	Maximum	Proposed
Fence Height	4 ft	6 ft
Fence Opacity	50%	100%

UDC Standards:

Note that per Section 5.18.2 of the UDC, regulations pertaining to the front yard of the zoning district in which a lot is located shall be applied to every lot line abutting a public street.

TABLE 5.26-1: HEIGHT AND OPACITY STANDARDS FOR FENCES					
	RESIDENTIAL DISTRICTS				MIXED-USE, NONRESIDENTIAL AND SPECIAL PURPOSE DISTRICTS
	STREET CORNER TRIANGLE	FRONT YARD	SIDE YARD	REAR YARD	
MAXIMUM HEIGHT	30 in.	4 ft.	6 ft.	8 ft.	12 ft.
MAXIMUM OPACITY	50%	50%	100%	100%	100%

Street corner triangle is the area on a lot within 25 feet of the intersection of two or more Street lot lines.

Variance Standards:

Under State law and the City Charter and Code, the Zoning Board of Appeals (ZBA) has the authority to grant nonuse variances. In considering a variance request, the ZBA shall consider the following criteria in Section 5.29.13.C of the UDC:

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.

APPLICANT RESPONSE: The difficulties are exceptional and unique to our property because our home sits at the major intersection where Stadium Blvd. feeds into Washtenaw Avenue. This intersection is known for significant traffic buildup, congestion, and accidents.

The annual average daily traffic (AADT) for our corridor of Washtenaw Ave. is estimated at 27,675 for 2025. This value is increasing annually toward the pre-pandemic volume of over 37,000 (Source: MDOT TCDS). This is among the highest traffic volumes along a residential corridor in Ann Arbor.

Ann Arbor crash data from 2020-2024 indicates our intersection is among the highest in the city for traffic collisions (Source: Ann Arbor Traffic Crash Map, attached).

The speed limit on our corridor of Washtenaw Ave. is 45mph. There is no other street in Ann Arbor with a higher speed limit, and few that match 45mph. For example, the corridor of Washtenaw Ave. west of Sheridan Dr. has half the traffic volume, and the speed limit drops to 40mph (and then 30mph as it goes through downtown). The speed limit on Stadium Blvd. west of our intersection drops immediately to 35 mph.

In sum, these traffic conditions, to this extreme extent, do not exist generally for other residences throughout the city, and they result in a unique set of challenges for child safety and noise abatement.

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

APPLICANT RESPONSE: The difficulties that will result from failure to grant the variance include deep concern about the safety of our family, namely children and pets. We are expecting our first child within weeks of this application and are concerned about the ability of our child and young visitors to climb a 4' fence. In a study examining the fence climbing ability of children, researchers found that 70% of 2-year-olds could climb a 4.5' chain link fence and 25% of 4-year-olds could climb a 4.5' fence with vertical or horizontal gaps between members (Rabinovich, et al., 1994). Our family has additional reason for concern: at 13 months of age, our nephew (who visits us) climbed a 4' tall fence at his daycare.

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.

APPLICANT RESPONSE: The rights of others will not be affected by granting this variance because there are no neighbors whose views would be adversely affected. The fence would only face the traffic of Washtenaw Avenue. Across Washtenaw Ave. is the forest of County Farm Park. The fence does not obstruct traffic visibility. Finally, there are young trees and non-invasive shrubs growing outside the fenceline, which will reduce the long-term visibility of the fence.

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

APPLICANT RESPONSE: We did not create the conditions that resulted in this corridor having one of the largest traffic volumes, the highest residential speed limit, and the highest collision density. We toured and purchased our home as first time residents of Ann Arbor during the summer of 2023, when traffic was lower. It is one thing to live on a busy street, but it is another to live at this intersection with its unique combination of traffic conditions.

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

APPLICANT RESPONSE: 6-foot tall opaque fences are allowed by city ordinance for side yards. We are proposing that the board allow us to treat the portion of our property facing Washtenaw Ave. as a side yard for the reasons mentioned above, namely, an increase in child safety and usability of the yard for recreational purposes coupled with no significant negative effects for neighbors. Every other area of our property considered a front yard that has fencing conforms with the 4-foot tall 50%-opacity ordinance, as shown in the photographs accompanying this variance application. The proposed 6-foot tall 100%-opaque fence on the Washtenaw-facing portion of our yard is thus the minimum variance that can be proposed to make a reasonable use of the property.

Respectfully submitted,

Erik Perdonik, AICP
Zoning Coordinator

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The annual average daily traffic (AADT) for our corridor of Washtenaw Ave. is estimated at 27,675 for 2025. This value is increasing annually toward the pre-pandemic volume of over 37,000 (Source: MDOT TCDS). This is among the highest traffic volumes along a residential corridor in Ann Arbor.

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In sum, these traffic conditions, to this extreme extent, do not exist generally for other residences throughout the city, and they result in a unique set of challenges for child safety and noise abatement.

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

APPLICANT RESPONSE: The difficulties that will result from failure to grant the variance include deep concern about the safety of our family, namely children and

pets. We are expecting our first child within weeks of this application and are concerned about the ability of our child and young visitors to climb a 4' fence. In a study examining the fence climbing ability of children, researchers found that 70% of 2-year-olds could climb a 4.5' chain link fence and 25% of 4-year-olds could climb a 4.5' fence with vertical or horizontal gaps between members (Rabinovich, et al., 1994). Our family has additional reason for concern: at 13 months of age, our nephew (who visits us) climbed a 4' tall fence at his daycare.

Although as parents, we aim to be very attentive, prevention of hazards in the home environment—where the majority of injuries among children under 5 occur—is emphasized as an effective tool for reducing harm to children, especially given that unintended injury is the leading cause of death among children under 5 (source: CDC). It is a clinical recommendation and often required practice to construct fencing that “is difficult to climb” around swimming pools (Schnitzer, 2006, Thompson & Rivera, 1998). With an AADT of 27,675 cars in 2025 (but > 37,000 pre-pandemic) and a speed limit of 45MPH, we feel that, akin to a swimming pool, our corridor of Washtenaw Ave. poses a hazard to any child who can successfully scale a fence that parallels it. A 6' tall 100% opaque fence would be extremely difficult for a child to climb.

Further, the usability of our yard for recreational purposes (e.g. kids playing comfortably) is more than merely inconvenienced by visible exposure and heightened noise should the variance not be granted. Research shows that young children are uniquely susceptible to harmful health effects of noise. Environmental noise, including traffic noise, can affect learning, cognitive development, sleep, and quality of life (Balk, et al., 2023).

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.

APPLICANT RESPONSE: The rights of others will not be affected by granting this variance because there are no neighbors whose views would be adversely affected. The fence would only face the traffic of Washtenaw Avenue. Across Washtenaw Ave. is the forest of County Farm Park. The fence does not obstruct traffic visibility. Finally, there are young trees and non-invasive shrubs growing outside the fenceline, which will reduce the long-term visibility of the fence. Allowing the variance will result in substantial justice being done by allowing our family safe and reasonable use of our yard. Beyond that, it is reasonable to believe that a 6-foot 100%-opaque fence facing a 6-lane congested roadway is helpful in reducing noise for other homes in proximity to ours.

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

APPLICANT RESPONSE: We did not create the conditions that resulted in this corridor having one of the largest traffic volumes, the highest residential speed limit, and the highest collision density. We toured and purchased our home as first time residents of Ann Arbor during the summer of 2023, when traffic was lower. It is one thing to live on a busy street, but it is another to live at this intersection with its unique combination of traffic conditions.

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