

March 23, 2020

City of Ann Arbor ZBA

ZBA20-005

Paul and Susan Bass

11 Ridgeway St.

Ann Arbor, MI 48104

Dear Zoning Board Commission,

We are opposed to the variance request from Ms. McKinley and O/X.

In the words of Ms. McKinley in her opposition letter to the ZBA dated 9/28/16 regarding the variance/setback request from 19 Ridgeway:

“ I think he should have **designed a house to fit the lot size and within the zoning parameters. As proposed, the house will loom over the neighbor's homes and dominate the neighborhood.**” *see page 4*

Ms. Carolyn Lepard at 41 Ridgeway echoed this opinion:

“Upon viewing them, I have decided to **oppose his variance as the building is too massive for the lot and our neighborhood. He needs to design it to fit the zoning parameters.**” *see page 5*

Truer words were never spoken. We were naive to have initially supported this variance for 19 Ridgeway. The house towers over ours and has destroyed our privacy (see ZBA # 18-026).

The Harnicks from 4 Ridgeway also opposed the setback variance for 19 Ridgeway. We agree with and apply to 7 Ridgeway their reasons for opposing that variance request. *see page 6*

The current residents of 3, 4, 6, 8, 21 and 25 Ridgeway will be directly affected by any building that occurs on 7 Ridgeway. Their input should be strongly considered when deciding to approve the variance.

#### Concerns with documentation submitted:

The current owner may not be requesting to build right up to the proposed setbacks, but that does not ensure the new owner would not build a house right up to the edges. There is no guarantee of what would be built, unless there is a house being already designed behind the scenes and a sale that is contingent upon the approval of this variance.

The hardship is self-imposed due to the fact that the option of dividing this small lot from 3 Ridgeway was the decision of Ms. McKinley. She was cognizant of the size and topography of the lot. The City of Ann Arbor, Project #9284M18.8 approved the lot buildable within the zoning parameters and thereby able to be divided from 3 Ridgeway. If the zoning wasn't acceptable to Ms McKinley, the lot should not have been divided.

The size and scale of the original and majority of the houses on this isolated street are small by today's standards. Sizes of houses from adjoining neighborhoods should not be taken into account as they are not visible from Ridgeway and the topography is not the same. A small house, ~2100 sq. ft. or less, is appropriate for this lot. Anything more will be a looming behemoth, will further destroy and erode character of Ridgeway St. and will compromise any hope of privacy for the adjacent neighbors.

Terrain Conditions, page 11 - Building a house higher or lower on a property does not ensure privacy. Witness the view from the fronts of 10 and 12 Ridgeway. Either way, privacy would have been/was compromised.

#### Questions

1. Would a new build with the requested setback conform with Ann Arbor City Municipal Code, Table 5.19.1 - 1 street parking space? There is no street parking adjacent to this lot and if my understanding is correct, the City requires one street parking place.
2. Where will construction trucks park? The City needs to consider this thorny issue. The street is very narrow near this lot; there is no street parking. The most recent new construction on our street has taken almost 2 years per house. Trucks on the street will block access to existing homes on west

Ridgeway. Emergency vehicles, delivery trucks and snowplows will not be able to get through, especially if another homeowner is having work done on the East Ridgeway. These scenarios have already happened to us, so this not just a "what if" - this is a serious, real-world concern. Ridgeway St. is crumbling from all the heavy construction traffic and water run-off in the last 4 years. For those of us working from home, the daily disruption borders on construction harassment.

After living at 3 Ridgeway for a number of years and according to her 2016 letter, Ms. McKinley is aware of her former neighbors' feelings about building houses that dwarf the existing homes that change the quiet, charming character of the neighborhood, and ruin the privacy and quality of life of others who have chosen to live here because of the aforementioned traits.

Thank you for considering this opinion,

Susan Bass

Paul Bass

**From:** Margaret McKinley  
**Sent:** Wednesday, September 28, 2016 9:50 AM **To:** Barrett, Jon  
**Cc:** Carolyn Leopard  
**Subject:** Re: opposition to Sandberg Variance

Mr. Barrett,

I came to the same conclusion as Carolyn Lepard after looking at Mr. Samberg's plans and talking with him. As a working architect, he would have known the challenges of the lot when he bought it. I think he should have designed a house to fit the lot size and within the zoning parameters. As proposed, the house will loom over the neighbor's homes and dominate the neighborhood.

I oppose the variance.

Regards,  
Margie McKinley

(Resident at 3 Ridgeway Street)

**From:** Carolyn Lepard  
**Sent:** Wednesday, September 28, 2016 8:43 AM **To:** Barrett, Jon;  
**Cc:**  
**Subject:** Sandberg Variance

Jon: Margie McKinley and I met with Warren Sandberg yesterday and he showed us his plans for the property. Upon viewing them, I have decided to oppose his variance as the building is too massive for the lot and our neighborhood. He needs to design it to fit the zoning parameters. Not too excited about the fact that he plans to have a home office with clients visiting in this small residential area. And that home office is what pushes the building into the setback. cbl

Carolyn Lepard

*The Spirit of Ann Arbor*

Reinhart Realtors

**734-417-2900**

[Resident at 41 Ridgeway Street]

**From:** Gillian Feeley-Harnik  
**Sent:** Saturday, September 24, 2016 4:47 PM  
**To:** Barrett, Jon  
**Cc:** Westphal, Kirk; Taylor, Christopher (Mayor); Alan Harnik  
**Subject:** ZBA 16-022: 19 Ridgeway St. Samberg request. Zoning Board Mtg  
Wed/Sept 28

Mr. Jon Barrett, Zoning Coordinator  
Zoning Board of Appeals  
City of Ann Arbor  
Larcom City Hall – 301 East Huron St.  
Ann Arbor, MI 48104 24 September 2016

**RE: ZBA 16-022: 19 Ridgeway St. Owner Warren Samberg's request for a variance reducing the 40 foot front setback on the west side by roughly half (to 22 feet 1 inch).**

Dear Mr. Barrett,

We live at 4 Ridgeway St. We live just outside the 300-foot radius around 19 Ridgeway that our municipal laws presume to contain the only parties who would be affected by Mr. Samberg's request. We live two houses up from 10 and 12 Ridgeway directly west of Mr. Samberg's property. However we **are** involved in this matter as (1) property owners in this small neighborhood and (2) residents who cherish its unique qualities. We are out of town on Wednesday, September 28<sup>th</sup>, when the Zoning Board of Appeals meets on this matter, whence this letter. We are **WHOLLY OPPOSED** to Mr. Samberg's request for the following reasons.

### **As property owners**

Mr. Samberg's request, if granted, would create a precedent that owners could invoke to make similar changes to other properties in this neighborhood in the future. The consequences would be as bad for us as they will be for our neighbors now west of Mr. Samberg's lot. At 4 Ridgeway we look across to 3 Ridgeway, a double-lot on the ridge above us. We have excellent relations with the owner of 3 Ridgeway. But if that double-lot were ever sold, and if the new owner could draw on a precedent in the Samberg case to build closer to the road, such a structure – or structures on both lots – would have the same **very adverse** effects that Mr. Samberg's request will have on his neighbors: (a) it would block our sunlight from the east; (b) block our now open views to the east; and (c) destroy our privacy on that side of our house. The houses on the ridge in the middle of Ridgeway are much higher than those like our house lower down the ridge on the opposite side of the road. Currently we are all – up and down the ridge – sheltered by bands of trees and bushes. If properties on the ridge were built closer to the road, only a high band of evergreens could shelter our house. Our neighbors now confronting Mr. Samberg's property don't have even that option because their houses are situated on a steeper narrower section of the ridge with no leeway between the road and their housefronts.

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### **As residents**

\* If Kirk Westphal, one of our two representatives of Ward 2 on the City Council and a member of the Zoning Board of Appeals, is at the meeting on September 28/Wednesday, then he can describe the special qualities of our neighborhood at first hand. In case, he is not there:

\* Ridgeway – the narrow street is a cul de sac curving north-south around a ridge from Geddes back to Geddes – is a distinctive neighborhood because most of the houses back onto the University of Michigan's Arboretum, and they are also well separated from one another by large blocks of foliage, providing beauty and privacy. We moved into

this neighborhood in 1998 because it is such a beautiful bit of countryside right close to the University and University Hospital (workplaces for many in the neighborhood, including one of us). We chose to live here

– as opposed to the many other neighborhoods near the University – because those other neighborhoods were filled with huge houses crowded next to one another on small lots, perhaps as a result of such a variance as is being considered here.

\* Owing to the distinctiveness of the neighborhood, we are all long-term residents. We’ve lived at 4 Ridgeway (built in 1941) almost twenty years; our predecessors lived in the same house for at least forty years, and there was only one other owner before them. The Selo-Shevel family, who sold 19 Ridgeway to Mr. Samberg, had occupied their property (a double lot with 11 Ridgeway) for at least forty years before they moved to California last year. It might be noted that their realtor’s description of their house/lot (at # 11) was: “Situated on a hill, this home has treetop views of the surrounding area, including the Arboretum, while giving you total privacy” ([http://www.zillow.com/homedetails/11-Ridgeway-St-Ann-Arbor-MI-48104/24700500\\_zpid/](http://www.zillow.com/homedetails/11-Ridgeway-St-Ann-Arbor-MI-48104/24700500_zpid/), accessed 23 September 2016), privacy and beauty that Mr. Samberg’s request will destroy for his neighbors.

Like our neighbors, we cherish our neighborhood for its distinctive qualities – and we value our good and thoughtful neighbors for caring too. We urge you to hear why – based on all the reasons outlined above – we are **COMPLETELY OPPOSED** to Mr. Samburg’s request for a variance, and we urge you to preserve the zoning laws that have helped to maintain our neighborhood, now his too, and not wear it down with variances.

Sincerely,

Gillian Feeley-Harnik  
Professor Emerita, Anthropology University of Michigan  
Ann Arbor

Alan Harnik President

Notes and Queries Fine Stationary

cc. Kirk Westphal, Council Member for Ward 2, Ann Arbor Christopher Taylor, Mayor, Ann Arbor