



MCKENNA

Variance Review

TO: City of Grosse Pointe Woods
FROM: Laura Mangan (Haw), AICP, NCI
SUBJECT: 839 Cook Road (#014-02-0124-002) – Variance Review #1
DATE: June 23, 2026

BACKGROUND AND VARIANCE REQUEST

The applicant, Carolyn Nevi, requests a dimensional variance for the residential lot at 839 Cook Road in order to construct an addition to an existing non-conforming single-unit residence. The proposed addition, however, would encroach into the minimum required rear yard setback.

The subject site is zoned the R-1B, One-Family Residential District and is an interior lot.

The applicant requests the following variance, pursuant to the City's Zoning Ordinance:

Code Section	Ordinance Requirements		Proposed	Requested Variance
Sec. 50-3.1.B	Minimum rear yard setback:	28-feet	23-feet	5-feet

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Variance Criteria and Evaluation

Per Section 50-7.15.I.1, the Zoning Board of Appeals may grant a dimensional variance only upon a finding that compliance with the restrictions governing area, setbacks, frontage, height, bulk, density, or other dimensional provisions would create a practical difficulty. A finding of practical difficulty, based on competent, material, and substantial evidence on the record, shall require the petitioner to demonstrate that all of the five criteria below are met.

Additional information brought forward by the Board, the applicant, and/or during the public hearing should be incorporated into the record prior to the Board making any determination. Our comments follow:

CRITERIA #1:

That strict compliance with the restrictions governing area, setbacks, frontage, height, bulk, density, and other similar items would unreasonably prevent the petitioner from using the property for a permitted purpose or would render conformity with said restrictions unnecessarily burdensome.

Findings:

The subject site is zoned in the R-1B, One-Family Residential District where, per Section 50-3.1.B, the intent of the district is to provide for single-unit dwellings and related community uses. The applicant does not propose changing the use of the property from a detached single-unit dwelling.

The purpose statement of the R-1B District provides:

“The R-1B one-family residential district is established as a district in which the principal use of land is for single-family dwellings and related educational, cultural and religious uses where found appropriate and harmonious with the residential environment. For this single-family residential district, in promoting the general purpose of this chapter, the specific intent of this district is to:

- a. Encourage the construction of and the continued use of the land for single-family dwellings.*
- b. Prohibit business, commercial or industrial use of the land, and prohibit any other use which would substantially interfere with development or maintenance of single-family dwellings in the district.*
- c. Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this district.*
- d. Discourage any land use that would generate traffic on minor or local streets, other than normal traffic to serve the residences on those streets.*
- e. Discourage any use which, because of its character or size, would create requirements and costs for public services, such as fire and police protection, water supply and sewerage, substantially in excess of such requirements and costs if the district were developed solely for single-family dwellings.”*

The construction of the proposed addition aligns with the intent of the district, where single-unit dwellings are a permitted, by-right use.



Strict application of the R-1B District's dimensional standards would severely limit the ability to construct an addition of substantial or functional size. The table below identifies the specific deviation requested in red, underlined font, and also notes where compliance is maintained.

Development Standards	Required	Proposed	Requested Variance
Lot Sizes:			
Min. Lot Size	8,500 square feet	6,222 square feet	Existing nonconforming lot.
Min. Lot Width	75 feet	61 feet	Existing nonconforming lot.
Setbacks:			
Min. Front Yard	30 feet	19-feet, 7-inches	Existing nonconforming lot.
Min. Side Yard	8 feet	8 feet	Complies.
Min. Side Yard (total of two)	20 feet (total)	16 feet (total)	Existing nonconforming lot.
Min. Rear Yard	28 feet	23 feet	5-foot variance requested.
Building Height:			
Max. Number of Stories	2.5 stories	2 stories	Complies.
Max. Height in Feet	30 feet	<30 feet <i>(the new sunroom is only 12 feet in height)</i>	Complies.
Unit Sizes:			
Min. Square Feet: 1-story	1,300 square feet	N/A	N/A
Min. Square Feet: 1.5- to 2-stories	1,820 square feet	1,650 square feet <i>(existing)</i> 1,842 square feet <i>(proposed)</i>	Will comply with this standard should the variance be approved.
Max. Lot Coverage (structures):	35%	26.5% <i>(existing)</i> 29.6% <i>(proposed)</i>	Complies.

The subject lot does not comply with the existing minimum lot size or lot area; however, these are existing legal non-conformities. While this is a smaller lot (comparative to the minimum standards of others in the same R1-B District) the maximum lot coverage is not exceeded; in fact, it is still well within the allowable limit. The result is that the mass of the home is still proportional to the surrounding lots.

Additionally, the proposed addition is only 12 feet in height and will be visually subordinate to the home.

Please note that the existing home is only 1,650 square feet, whereas the minimum square footage for a home in this district is 1,820 square feet. The proposed ±192 square foot sunroom would eliminate an existing nonconformity, resulting in an overall square footage of 1,842 square feet for the home.



CRITERIA #2:

That a variance would do substantial justice to the petitioner as well as to other petitioners in the zoning district; or whether a lesser relaxation of the restrictions would give substantial relief to the petitioner and be more consistent with justice to others (i.e., are there other more reasonable alternatives).

Findings:

If approved as requested, the variance would allow the construction of a roughly 192 square foot (12' by 16') sunroom addition that will comply with the required side yard setbacks. Granting the requested variance would allow the home to be expanded in a way that is consistent with the surrounding neighborhood, where other homes are built on lots of similar size or with comparable dimensional limitations.

A lesser variance would likely result in an addition that does not make efficient or practical use of the lot. The proposed variance appropriately balances the applicant's desire to use the property efficiently with maintenance of overall character of the area. The variance is not anticipated to offer an unfair advantage not available to others.

CRITERIA #3:

That the plight of the petitioner is due to unique circumstances of the property.

Findings:

The property is not significantly unique compared to other residential lots in the area.

CRITERIA #4:

That the petitioner's problem is not self-created.

Findings:

The applicant's problem is not self-created as the home is an existing nonconformity. The applicant is seeking to construct an addition that minimizes visual impact.

CRITERIA #5:

That the spirit of this chapter will be observed, public safety and welfare secured, and substantial justice done.

Findings:

The requested variance supports the intent of the City's Zoning Ordinance by enabling the reasonable expansion of an existing residential use, in a manner that is consistent with the surrounding neighborhood. The proposed addition would not negatively affect public safety or welfare.



Recommendation

Subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we recommend that the Zoning Board of Appeals **approve** the requested rear yard setback of 23-feet (a 5-foot variance) to Section 50-3.1.B based on the following findings of fact:

1. The subject property is an established, nonconforming lot; strictly following the current R-1B zoning requirements for the rear yard setback would prevent the applicant from functionally expanding the single-unit home.
2. The proposed addition is consistent with the intent of the R-1B One-Family Residential District, which encourages single-unit, detached residential development and is a permitted, by right use.
3. The proposed sunroom addition remains proportional to the overall massing of the home and surrounding residences.
4. Approval of the variance upholds the spirit and intent of the Zoning Ordinance, maintains neighborhood character, and maintains public health and safety.

Should you have any questions, please reach out to us. Thank you.