



# MCKENNA

April 30, 2024

City of Grosse Pointe Woods  
20025 Mack Plaza Dr  
Grosse Pointe Woods, MI 48236

**SUBJECT: 20620 FAIRWAY ZONING REVIEW AND VARIANCE OVERVIEW**  
**ZONING: R-1B ONE-FAMILY RESIDENTIAL**  
**APPLICANT: KATIE AND JONATHON CLARK, PROPERTY OWNERS**

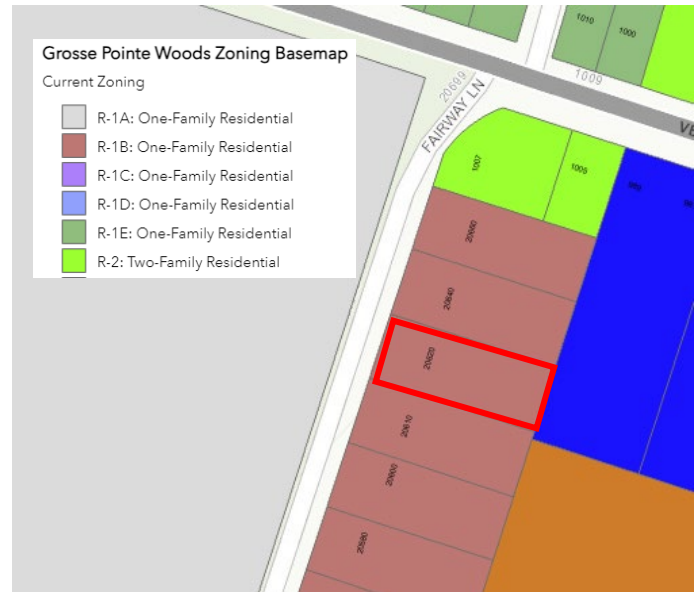
Dear Zoning Board of Appeals:

We have reviewed a site plan prepared by Bailey Built PLLC for an addition to the subject property, a single-family house. The Building Department received a permit application for the proposed work on March 13, 2024. Currently the property includes a detached accessory garage building. As proposed the addition to the house would, per Zoning Ordinance definitions, make the garage part of the principal building and thus subject to the setback requirements for principal buildings in the R-1B district. This review letter details the dimensions of the residential structure, the proposed addition, and the components that do not comply with the R-1B District standards.

### Aerial Image of 20620 Fairway



### Zoning Map



**HEADQUARTERS**  
235 East Main Street  
Suite 105  
Northville, Michigan 48167

☎ 248.596.0920  
☎ 248.596.0930  
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## PLAN DETAILS

This review is based on the revised demo plans and elevation drawings dated October 10, 2023. The proposed project would add 1,561 SF on two levels to the existing 1,731 SF single-family house. The addition makes the existing accessory garage building a part of the principal structure. The application materials indicate that no interior connection is proposed between the two properties. The proposal would significantly alter the garage by modifying the roofline, so the ridge runs north-south instead of east west as it currently exists.

The table below details the components out of compliance with Ordinance requirements.

## DIMENSIONAL REQUIREMENTS

Standard	Requirement	Prior Conditions	New Conditions	Compliance
<i>Minimum Front Setback*</i>	30'	53'	No Change	Yes
<i>Minimum Side Setback</i>	8' for at least one side; 20 feet total of two sides	12' (South), 20'-6" (North)	12' (South), 5'6" (North)	<b>NO</b>
<i>Minimum Rear Setback</i>	28'	>28'	>28'	Yes
<i>Maximum Building Height</i>	2.5 stories or 30'	1.5 Stories, <30'	2 stories, <30'	Yes
<i>Lot Size</i>	8,500 sq.ft., 75 ft. Width	<8,500 SF	No Change	
<i>Lot Coverage*</i>	35%	Unknown	19.8%	Yes
<i>Impervious Surfaces</i>	30% in addition to structures	Unknown	Unknown	Unknown

\*Lot Coverage means the part or percent of the lot occupied by buildings or structures, including accessory buildings or structures and above ground and permanent swimming pools.

## VARIANCE REQUEST

**50-3.1. A R-1B One-Family Residential. 4. Development Standards:** The applicant requests a variance of 2'-6" from the required side yard setback.



## VARIANCE COMMENTS

Per *Section 50-7.15. 1.1* of the Zoning Ordinance, the Zoning Board of Appeals must find that “**practical difficulty**” has been demonstrated and make findings regarding the following standards prior to acting on a proposed variance. 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. The Ordinance outlines the following criteria for consideration in determining a variance. Our comments follow:

**1. The variance must be in harmony with and serve the intent and purpose of the Ordinance, considering the following:**

- a. 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.**

The property is currently built and used for a permitted purpose in a manner that is compliant with all Ordinance regulations, so there is no indication that the restrictions in question unreasonably prevent use of the property.

- b. 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).**

The applicant asserts that the practical difficulty caused by the Ordinance is that executing the proposal in accordance with zoning regulations would cause more expense. The standards for establishing a practical difficulty consider only the circumstances of the property and not the potential cost of compliance.

Though we acknowledge that modifying the garage may well be more expensive than the proposed project, that modification could provide an Ordinance-compliant solution that would not require a variance.

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

The applicant asserts that the configuration of the buildings on the property is unique but do not provide any evidence. This standard refers to unique circumstances of the property (e.g., topography, shape of the parcel, etc.), not the improved features on the property. The parcel in question is similarly situated in size and configuration to parcels along Fairway. We are not aware of any unique circumstances of the property in question.

- d. That the petitioner’s problem is not self-created.**

This is a self-created situation in that it is caused by a design solution, or a combination of a previous design solution and the currently desired design solution rather than a feature of the property itself.



## CONCLUSION

Based on the application materials provided, it is not clear that the standards identified in the Grosse Pointe Woods Zoning Ordinance for granting a variance have been met. We recommend the ZBA consider the applicant's justifications of practical difficulty to find whether a practical difficulty has been demonstrated, and thus a variance is warranted.

If you have further questions, please do not hesitate to contact us.

Respectfully submitted,

## MCKENNA

Brigitte Wolf, AICP  
City Planner

Paul Urbiel, AICP  
Senior Principal Planner



March 15, 2024

**Zoning Board of Appeals**

City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods, Mi 48236

**RECEIVED**  
**MAR 15 2024**  
**CITY OF GROSSE PTE WOODS**  
**BUILDING DEPARTMENT**

**Letter of Intent for Zoning Variance**

**Project Title:** Clark Residence  
**Project Address:** 20620 Fairway Lane – Grosse Pointe Woods, Mi 48236  
**Parcel Number:** 009 04 003 000  
**Zoning:** R-1B  
**Permit Number:** PB240093

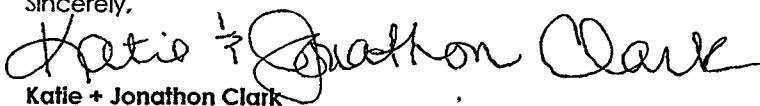
**To ZBA Members:**

We are requesting a variance for the above address to seek relief of the required side yard setback at the North side of our property at 20620 Fairway Lane for reasons listed below. The proposed reduction of the side yard setback would allow the property owner to develop a solution to the need for additional space in the home to support a young, growing family via a proposed addition to the rear of the property. This proposed addition would be in character with the surrounding homes along Fairway Lane and surrounding neighborhoods.

1. Due to the uniqueness of the existing home and the location of the existing detached 2 car garage that is situated less than 3 feet from the NE corner of the existing home, any potential addition or expansion of the home that would continue the same design intent of the existing home would be towards the east of the existing home adjacent to the existing garage. This is the solution that we have proposed with an addition to the east of the existing home, adjacent to the existing garage but without a door from the garage into the interior of the home.
2. Granting the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.
3. The granting of the variance would have no effect on any adjoining properties. This zoning relief requested will not cause any detriment to the common good, as the literal interpretation and strict application of the applicable zoning requirements of this chapter would cause unnecessary hardship to the current property owner not just a casual/discretionary inconvenience to the property owner because any change to the existing garage would not allow for a standard 2 car garage and would involve recreating or rebuilding the garage to accommodate 2 cars in a new format, therefore adding undue expense.
4. The proposed design meets all other Zoning requirements are met for the R-1B Zoning District and the spirit of the ordinance is maintained.

Thanks very much.

Sincerely,



**Katie + Jonathon Clark**  
20620 Fairway Lane, Grosse Pointe Woods, Mi 48236

Prepared by:

**George Bailey, NCARB, Bailey Built, PLLC – Architect for the Clark Residence**

\*\*\*TYPE or PRINT NEATLY\*\*\*

CITY OF GROSSE POINTE WOODS  
20025 MACK PLAZA  
GROSSE POINTE WOODS MI 48236  
(313) 343-2440 - CITY CLERK  
FAX (313) 343-2785  
(313) 343-2426 - BUILDING DEPARTMENT  
FAX (313) 343-2439

RECEIVED  
MAR 15 2024  
CITY OF GROSSE POINTE WOODS  
BUILDING DEPARTMENT

APPLICATION TO THE ZONING BOARD OF APPEALS

1. Address of the Property 20020 FAIRWAY LANE  
(Number and Street)

TO THE ZONING BOARD OF APPEALS

I (We) Katherine Clark 313 618 6531  
Name (Please Print) Phone No. (Daytime)  
20020 FAIRWAY CPW MI 48230  
Address City State Zip

Hereby appeal to the Zoning Board of Appeals for a variance to:

RELIEF FOR THE N SIDE SETBACK  
(EXISTING GARAGE / NEW ADDITION)

2. DESCRIPTION OF CASE (Fill out only items that apply)

- a. Present zoning classification of the property R-1B
- b. Description of property
  - (1) Size and Area of Lot 73' x 170'
  - (2) Is the lot a corner or interior lot INTERIOR

Payment Validation  
**PAID**  
**MAR 15 2024**  
CITY OF GROSSE PTE WOODS

\*NOTE: When answering questions pertaining to use and non-use variances, additional paper may be used.

\*\*\*TYPE or PRINT NEATLY\*\*\*

c. Description of EXISTING structures

- (1) Total square footage of accessory building now on premises 1731; of main buildings \_\_\_\_\_
- (2) Uses of building on premises RESIDENTIAL
- (3) Percentage of lot coverage of all buildings on ground level 15 %

d. Description of PROPOSED structures

- (1) Height of proposed structure 23'-6"
- (2) Height and area of existing structure 20'-0"
- (3) Dimensions and area of structure or addition to be constructed 1561 sf on 2 levels
- (4) Percentage of lot coverage of all buildings including proposed 19.8 %

e. Yard setbacks after completion of addition/structure

- (1) Front Yard (measured from lot line) 30 FT
- (2) Side Yard (measured from lot line) 8 + 12 FEET
- (3) Rear Yard (measured from lot line) 28 FT

f. A sketch drawn to scale depicting the above information shall be included herewith.

3. TYPE OF VARIANCE REQUEST: NON-USE – Common regulations subject to non-use variance requests: setbacks, height or parking regulations, lot coverage, bulk or landscaping restrictions. Uniqueness: odd shape, small size, wetland, creek, natural features, big trees or slopes.

The applicant must present evidence to show that if the zoning ordinance is applied strictly, a practical difficulty to the applicant will result, and that all four of the following requirements are met: *(please answer all reasons)*.

- a) That the ordinance restrictions unreasonable prevent the owner from using the property for a permitted purpose.

side setback on north side of property  
@ 8' - existing detached garage overlaps by 30" - any new addition must be adjacent to east of existing home creating attached garage.



\*\*\*TYPE or PRINT NEATLY\*\*\*

- b) That the variance would do substantial justice to the applicant as well as to other property owners in the district, and a lesser relaxation than that requested would not give substantial relief to the owner of the property or be more consistent with justice to other property owners.

The variance would not be detrimental to other owners and would be consistent in form with other properties.

- c) That the plight of the landowner is due to the unique circumstances of the property.

If variance not allowed a new aprage would have to be created causing undue expense.

- d) That the alleged hardship has not been created by any person presently having an interest in the property.

garage is existing and less than 3 feet from existing home.

\*NOTE: When answering questions pertaining to use and non-use variances, additional paper may be used if necessary.

NA

4. TYPE OF VARIANCE REQUEST: USE – A use variance permits a use of land that is otherwise not allowed in that zoning district. The applicant must present evidence to show that if the zoning ordinance is applied strictly, an unnecessary hardship to the applicant will result, and that all four of the following requirements are met (please answer all reasons):

- a) That the property could not be reasonably used for the purpose permitted in that zone.

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**\*\*\*TYPE or PRINT NEATLY\*\*\***

b) That the appeal results from unique circumstances to the property and not from general neighborhood conditions

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c) That the use requested by the variance would not alter the essential character of the area.

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d) That the alleged hardship has not been created by any person presently having an interest in the property.

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**When granting any variance, the Board must ensure that the spirit of the ordinance is observed, public safety secured, and substantial justice done.**

**5. Interpretation of the Zoning Ordinance is requested because:**

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**6. Article and Section of the Zoning Ordinance that is being appealed:**

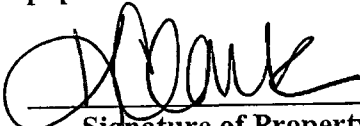
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**\*\*\*TYPE or PRINT NEATLY\*\*\***

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true and correct.

  
\_\_\_\_\_  
Signature of Property Owner

  
\_\_\_\_\_  
Signature of Applicant

Subscribed and sworn to before me this 15<sup>th</sup> day of March 20 24

  
\_\_\_\_\_  
Notary Public

My Commission expires 6/23/2024

**NOTE: The Zoning Board of Appeals meets the first and third Monday of each month at 7:30 PM. The application must be filed with the City Clerk with a fee in the amount of \$375 for residential properties or \$500 for commercial properties a minimum of 14 days prior to council hearing.**



\*NOTE: When answering questions pertaining to use and non-use variances, additional paper may be used.

RECEIVED  
MAR 08 2024  
CITY OF GROSSE POINTE WOODS  
BUILDING DEPARTMENT

CITY OF GROSSE POINTE WOODS  
Building Department  
20025 Mack Plaza, Grosse Pointe Woods, MI 48236  
Ph 313.343.2426/Fax 313.343.2439

**BUILDING PERMIT APPLICATION**  
**ZONING COMPLIANCE AND PLAN REVIEW**  
**COMMERCIAL AND RESIDENTIAL**

**ZONING COMPLIANCE INCLUDES:** Drives, Fences, Accessory Structures/Sheds (less than 200 sq.ft), Awning, Garage Floors, Patios (non-elevated), Play Structures (NOTE: This list is not all inclusive. If you have any questions, please call the Building Department @ 313-343-2426.

Property Owner Name: Jacob + Katherine Date: 3-8-24  
GP Woods Address: 20620 Parkway LN e-mail: \_\_\_\_\_  
Work#: \_\_\_\_\_ Home/Cell#: 313 618 6531

Contractor/Applicant Name: Edward Martin LLC  
Telephone # (2) 303 0294 Fax # \_\_\_\_\_ Mobile/Cell # \_\_\_\_\_  
Contractor Address: 308 Edgemont Rd G.P. Woods 48236  
MI Builder's License #: 2102203087 MI Driver's License #: H250887189096  
e-mail address: Edwardmartinllc@outlook.com

**SPECIFY NATURE OF PROPOSED WORK:**

Rear two story addition Per Plan  
Wood Frame, Vinyl Siding & Windows

Value of Construction \$ 175,000.00

Section 23a of State Construction Code Act of 1972, No. 230 of the Public Acts of 1972, being Section 125.1523a of the Michigan Compiled Laws, prohibits a person from conspiring to circumvent the licensing requirements of the State relating to persons who are to perform work on a residential building or a residential structure. Violations of Section 23a are subject to civil fines.

Applicant Signature: William G. Jay  
I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and we agree to conform to all applicable laws of this jurisdiction.

**FOR OFFICE USE ONLY**  
Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Zoning Board of Approval Required # \_\_\_\_\_  
Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

# AFFIDAVIT OF PROPERTY OWNERS NOTIFIED

Re: 20620 Fairway Lane  
Katie and Jonathon Clark

State of Michigan    )  
                                  ) ss.  
County of Wayne    )

**I HEREBY CERTIFY that the notice of Hearing was duly mailed First Class Mail on 04/18/24 to the following property owners within a 300 foot radius of the above property in accordance with the provisions of the 2017 City Code of Grosse Pointe Woods.**

**Paul P. Antolin, MiPMC  
City Clerk**

**See attached document for complete list.**

## **City of Grosse Pointe Woods, Michigan**

NOTICE IS HEREBY GIVEN that the City Council, meeting as a Zoning Board of Appeals (ZBA) under the provisions of Michigan Compiled Laws, 125.3101 through 125.3702 as amended, to consider multiple variances for the property located at 20620 Fairway Lane. Variances are required for the side yard setback on the proposed renovation to the house. The ZBA hearing is scheduled for Monday, May 6, 2024, at 7:00 p.m. in the Council-Court Room of the Municipal Building, at 20025 Mack Plaza. The application is available for inspection at the Robert E. Novitke Municipal Center, 20025 Mack Plaza Dr., between 8:30 a.m. and 5:00 p.m. Monday through Friday. All interested persons are invited to attend and will be given opportunity for public comment. The public may appear in person or be represented by counsel. Written comments will be received in the City Clerk's office, up to the close of business preceding the hearing. A group spokesperson is encouraged on agenda items concerning organized groups. Individuals with disabilities requiring auxiliary aids or services at the meeting should contact the Grosse Pointe Woods Clerk's Office at 313 343-2440 seven days prior to the meeting.

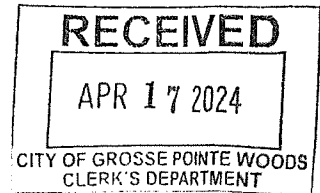
**Paul P. Antolin, MiPMC  
City Clerk**

PARCEL	PROPERTY ADDRESS	PROPERTY ADDRESS 2	OWNER	OWNER ADDRESS	OWNER CITY/STATE/ZIP O
009 04 0006 000	20580 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	REICKERT, CRAIG A	20580 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236
006 99 0011 000	707 VERNIER RD	GROSSE POINTE WOODS, MI 48236	GROSSE POINTE PUBLIC SCHOOL SYSTEM	20601 MORNINGSIDE	GROSSE POINTE WOODS, MI 48236
009 04 0007 000	20564 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	J MICHAEL FREEMAN TRUST	20564 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236
010 01 0264 001	1018 SUNNINGDALE DR	GROSSE POINTE WOODS, MI 48236	LOCHMOOR CLUB	1018 SUNNINGDALE DR	GROSSE POINTE WOODS, MI 48236
010 01 0265 003	1007 VERNIER RD	GROSSE POINTE WOODS, MI 48236	MAREK, STANISLAW-MALGORZATA TRST	1007 VERNIER RD	GROSSE POINTE WOODS, MI 48236
010 01 0265 004	1005 VERNIER RD	GROSSE POINTE WOODS, MI 48236	GARLAPATI, ADINARAYANA	80 N DUVAL	GROSSE POINTE SHORES, MI 48236
006 99 0005 000	941 VERNIER RD	GROSSE POINTE WOODS, MI 48236	ANK ENTERPRISES INCORPORATED	106 KERCHEVAL AVE	GROSSE POINTE FARMS, MI 48236
			OCCUPANT	941 VERNIER RD	GROSSE POINTE WOODS, MI 48236
			OCCUPANT	947 VERNIER RD	GROSSE POINTE WOODS, MI 48236
009 04 0001 000	20660 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	LESLIE, GEORGIA A	20660 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236
			OCCUPANT	891 VERNIER RD	GROSSE POINTE WOODS, MI 48236
009 04 0002 000	20640 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	POLLOCK, ELSIE J	20640 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236
009 04 0003 000	20620 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	CLARK, KATHERINE E	20620 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236
009 04 0004 000	20610 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	DEEB, NASSER M	20610 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236
009 04 0005 000	20600 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	ASHLEY, LANA JO	20600 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236
009 04 0008 000	20558 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236	CUNNINGHAM, JOSEPH C	20558 FAIRWAY LN	GROSSE POINTE WOODS, MI 48236



Select Parcels within 300'  
of 20620 Fairway Ln.





AFFIDAVIT OF LEGAL PUBLICATION

# Grosse Pointe News

16980 Kercheval Pl  
Grosse Pointe, Michigan 48230  
(313)882-3500

COUNTY OF WAYNE  
STATE OF MICHIGAN, SS.

Melanie Mahoney

being duly sworn deposes and says that attached advertisement of

CITY OF GROSSE POINTE WOODS

was duly published in accordance with instructions, in the GROSSE POINTE NEWS on the following date: APRIL 18, 2024

#1 20620 FAIRWAY ZBA

and knows well the facts stated herein, and that she is the Administrative Assistant of said newspaper.

*Robert M Ardelan*

*Melanie Mahoney*

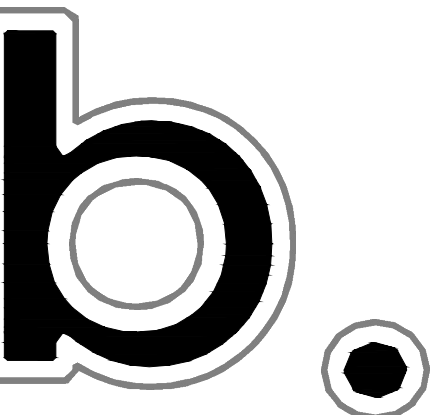
City of **Grosse Pointe Woods**, Michigan  
**NOTICE OF HEARING**

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Paul P. Antolin  
City Clerk

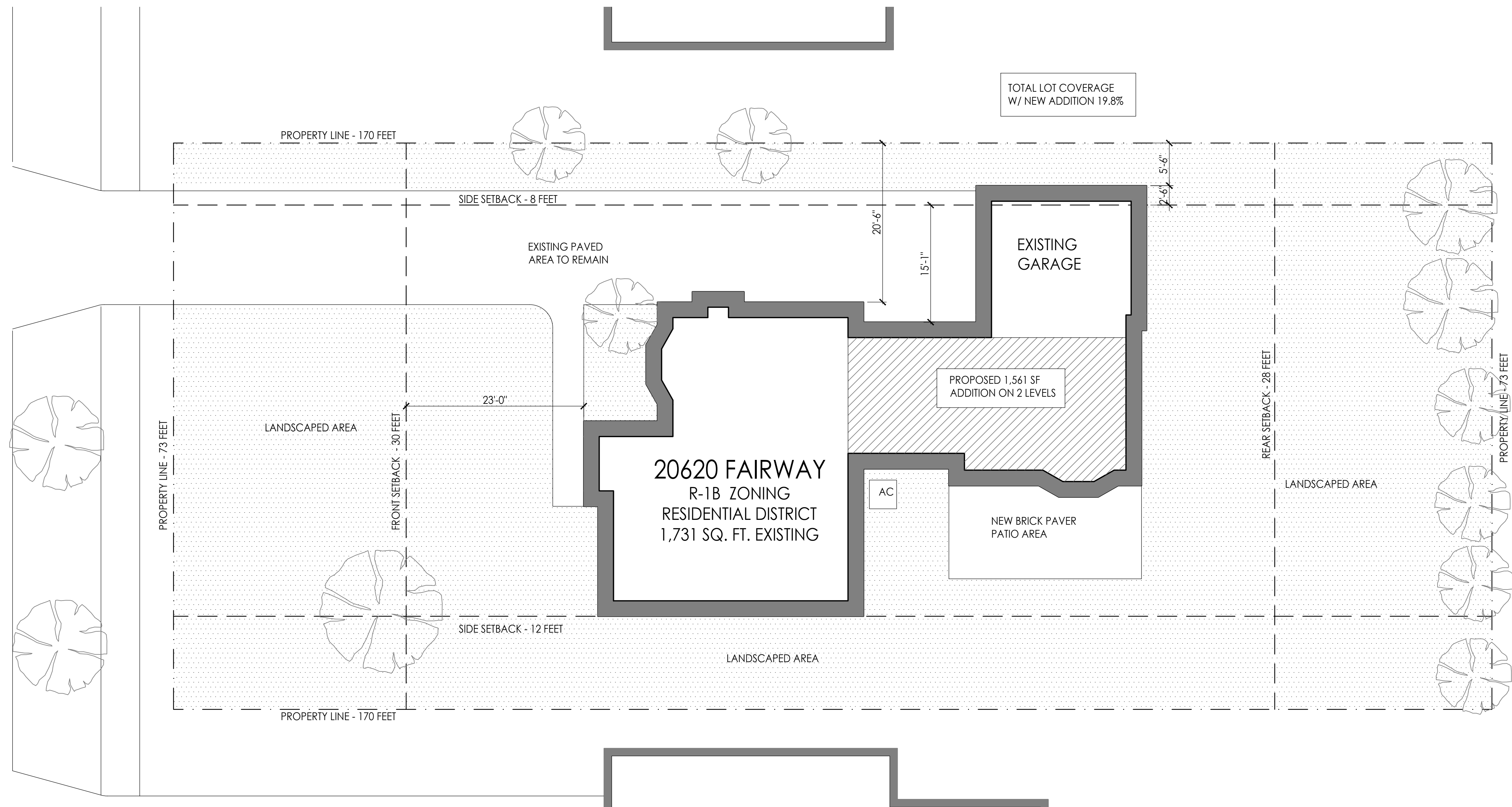
ROBERT M ARDELAN  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF MACOMB  
My Commission Expires October 29, 2028  
Acting in the County of Wayne



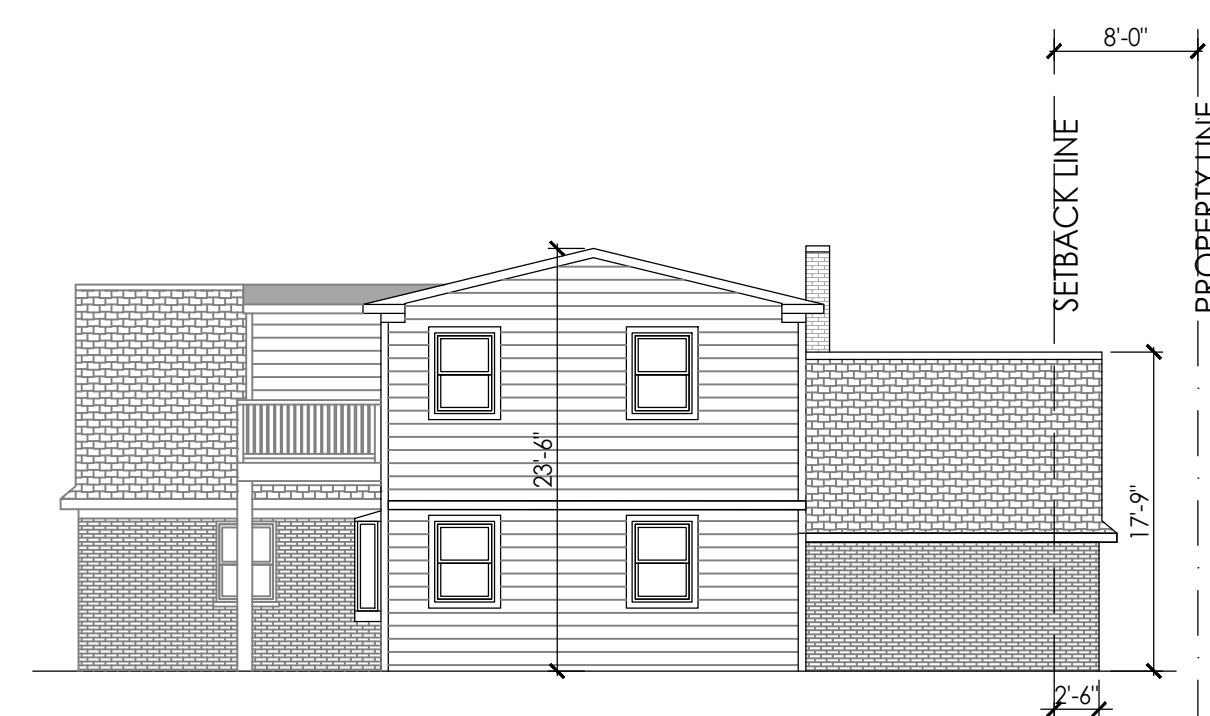
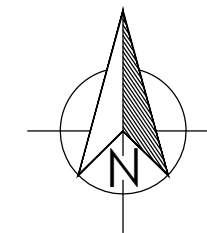


**CITY OF GROSSE POINTE WOODS**  
**R-1B - ONE-FAMILY RESIDENTIAL ZONING DISTRICT:**

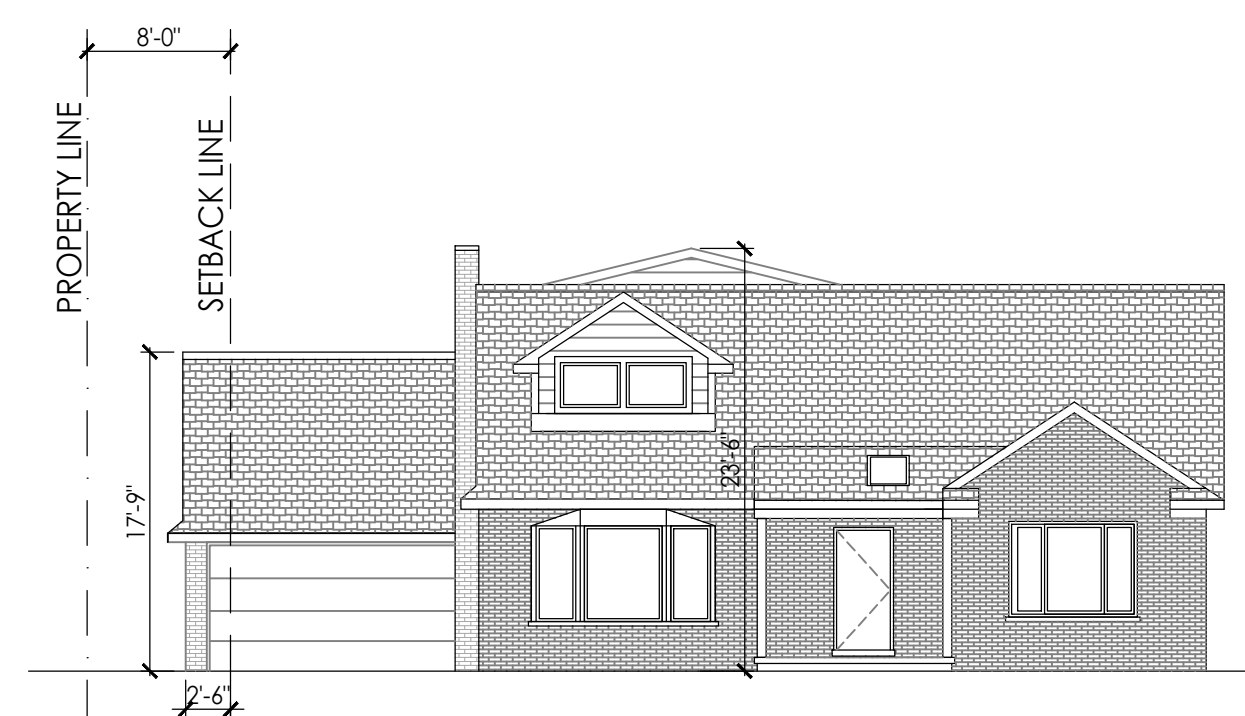
<b>MINIMUM LOT SIZE DIMENSIONS:</b>	EIGHT THOUSAND FIVE HUNDRED (8,500) SF SEVENTY FIVE (75) FT IN WIDTH
<b>FRONT SETBACK:</b>	30 FEET
<b>REAR SETBACK:</b>	28 FEET
<b>SIDE SETBACK:</b>	8 FEET ONE SIDE - TOTAL OF 20 FEET
<b>PARKING REQUIRED:</b>	2
<b>LOT COVERAGE:</b>	35%
<b>HEIGHT RESTRICTION:</b>	30 FEET
<b>LEGAL DESCRIPTION</b>	
PARCEL # 009 04 0003 000 -	WDZYA3 LOT 3 FAIRWAY LANE SUB P C 156 L72 P 21 WCR K 86.72



**01** architectural site plan  
1/8" = 1'-0"



EAST ELEVATION



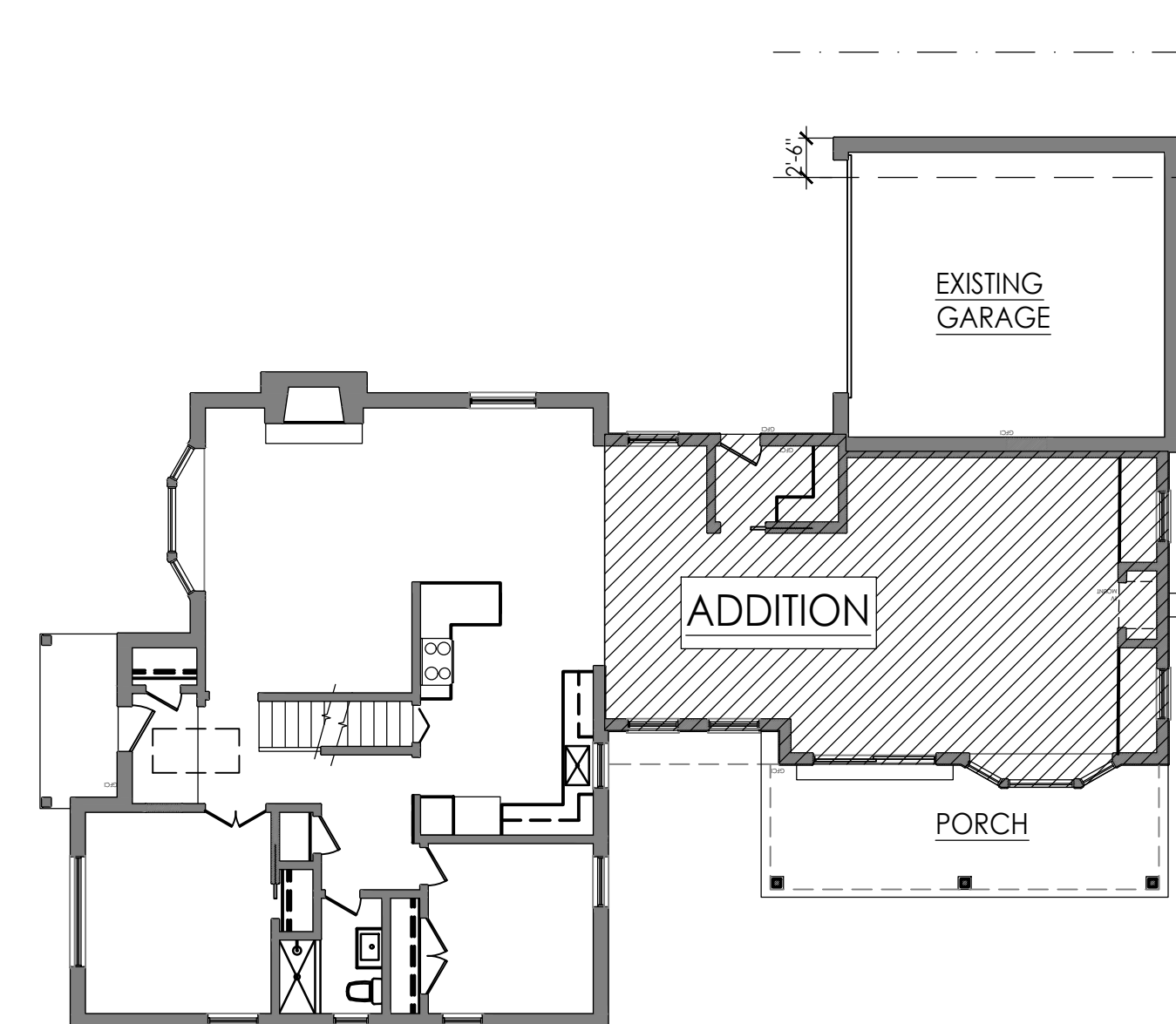
WEST ELEVATION



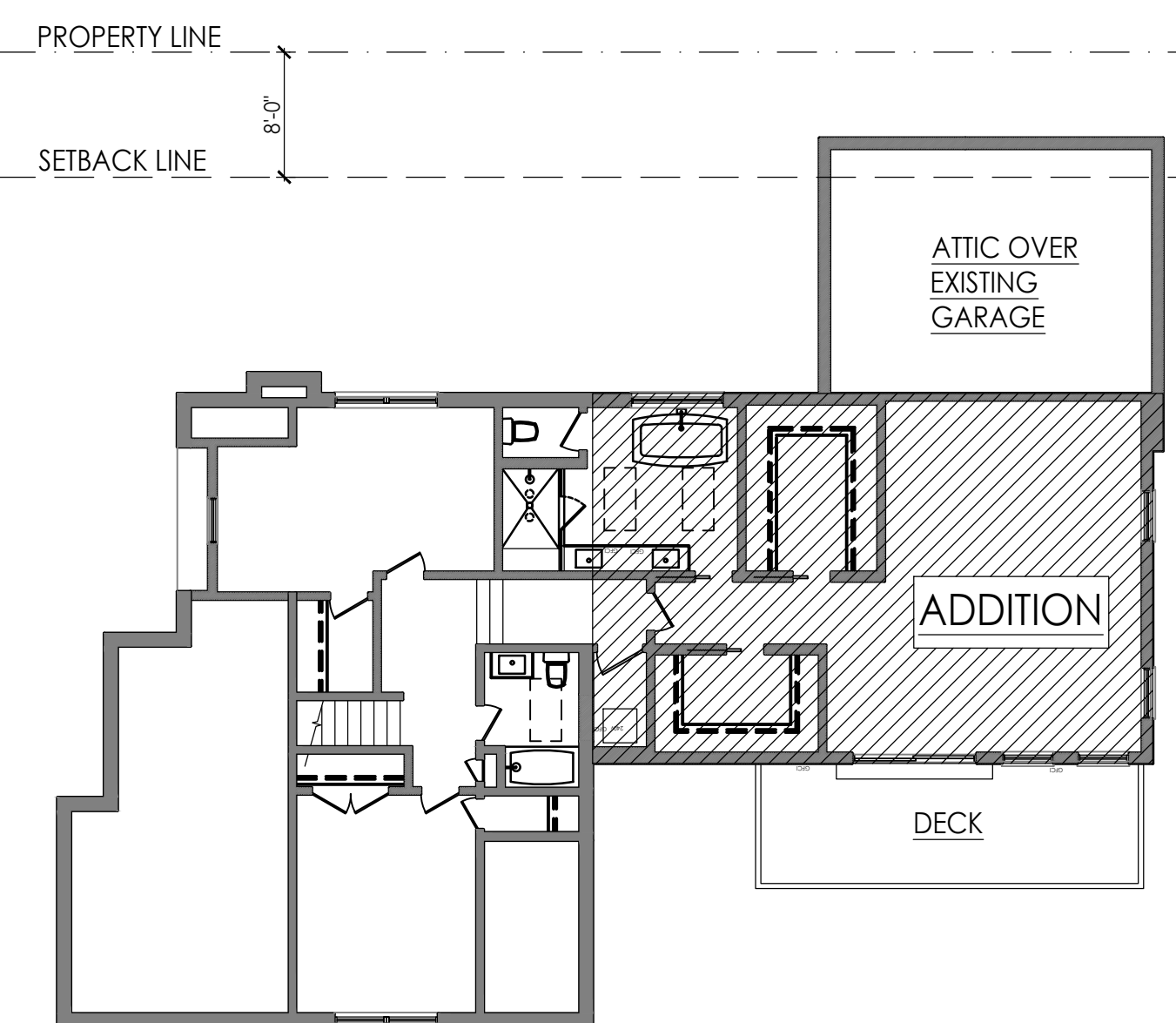
SOUTH ELEVATION



NORTH ELEVATION



MAIN LEVEL FLOOR PLAN



UPPER LEVEL FLOOR PLAN

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