



BOARD ACTION SUMMARY SHEET

MEETING DATE: June 6, 2024

TOPIC A-24-03 (512 Longpointe) Variance Request

BACKGROUND BRIEF: The applicants propose demolishing an existing two-story single-family home and building a new three-story single-family home. The property is located on the west side of Longpointe Drive and is zoned RL, Lake Single Family Residential. To build the proposed home, the applicants are requesting three (3) variances from the Zoning Ordinance:

ARTICLE 12, SCHEDULE OF REGULATIONS, SECTION 12.02 TABLE – RL ZONING DISTRICT

Lake Front (West) Yard Setback: 25.0 feet minimum required
12.5 feet existing / 13.1 proposed
11.9-foot variance requested

Street Front (East) Yard Setback: 25.0 feet minimum required
0.0 feet existing / 11.7 feet proposed
13.3-foot variance requested

Maximum Building Height 30.0 feet maximum required
25.0 feet existing / 34.3 proposed
4.3-foot variance requested

In April and May 2019 and again in April 2020, different variances had been granted by the Board for this property; the minutes for those meetings are attached. Per Section 19.04(I), Board approval is no longer valid if the approved structures or uses are not established within 12 months. For the current request, a public hearing was scheduled and noticed in accordance with Village Code and the Michigan Zoning Enabling Act.

RECOMMENDED MOTION(S):

To approve a reduced variance from the minimum required street front setback for the proposed single-family home at 512 Longpointe, based on finding that:

- (1) Compliance with the ordinance standard for street front setbacks renders the lot unbuildable, thus preventing the establishment of a principal permitted use.

- (2) Substantial justice would be afforded to the applicant and neighbors by encouraging the construction and establishment of single family homes and uses, thereby enhancing the neighborhood.
- (3) The variance requested is not the minimum possible; the applicant must pursue alternative layouts to achieve no more than a 10-ft. variance from this setback.
- (4) The parcel is prohibitively shallow and is not characteristic of most properties within the same district.
- (5) The need for the variance is not self-created, instead arising from strict compliance with the Ordinance on an originally-platted lot.

To approve a reduced variance from the minimum required waterfront setback for the proposed single-family home at 512 Longpointe, based on finding that:

- (1) Compliance with the ordinance standard for waterfront setbacks renders the lot unbuildable, thus preventing the establishment of a principal permitted use.
- (2) Substantial justice would be afforded to the applicant and neighbors by encouraging the construction and establishment of single family homes and uses, thereby enhancing the neighborhood.
- (3) The variance requested is not the minimum possible; the applicant must pursue alternative layouts to achieve no more than a 10-ft. variance from this setback.
- (4) The parcel is prohibitively shallow and is not characteristic of most properties within the same district.
- (5) The need for the variance is not self-created, instead arising from strict compliance with the Ordinance on an originally-platted lot.

To deny the requested variance from the maximum required building height for the proposed single-family home at 512 Longpointe, based on finding that:

- (1) Compliance with the ordinance standards for maximum building height would not prevent the use of property for a permitted purpose.
- (2) Substantial justice would not be afforded to the neighboring properties or the Village as a whole; minimizing the height and mass of structures on the lake is imperative and variances must pertain to the characteristics of the property itself – not to accommodate additional floors, rooms, or taller ceilings.
- (3) The variance requested is not the minimum possible; the applicant must pursue alternative designs to achieve full compliance.
- (4) The need for the variance is not due to any unique circumstances peculiar to the property.
- (5) The need for the variance is entirely self-created.

ATTACHMENTS:

McKenna review letter