

February 7, 2023

City of Lathrup Village
Zoning Board of Appeals
27400 Southfield Road
Lathrup Village, MI 48076

ZBA Review

Site: 26710 Meadowbrook Way
Applicant: Charles Dotson, Jr.
Plan Date: January 23, 2023
Zoning: R-1 Single-Family Residential
Parcel ID: 24-23-230-037



Dear Zoning Board of Appeals:

We have reviewed the request for variance referenced above and a summary of our findings is below.

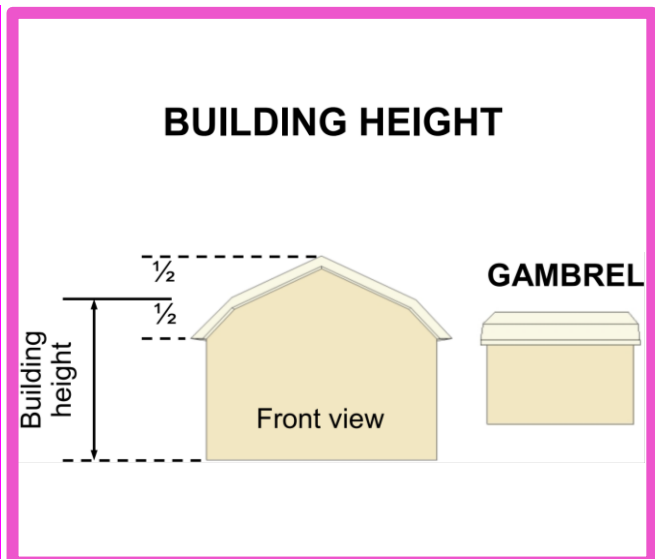
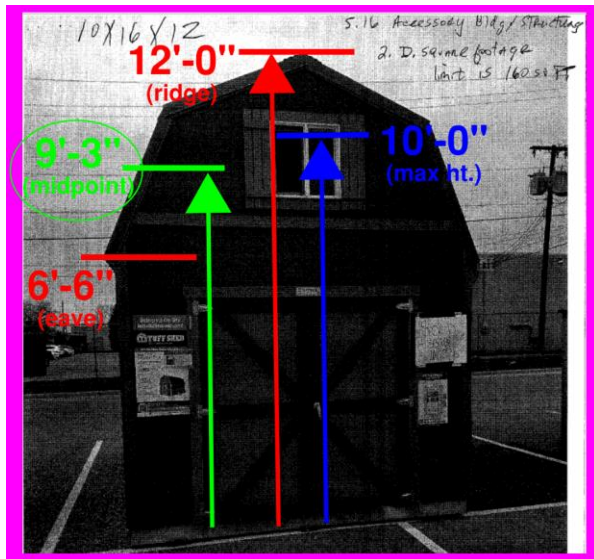
SUMMARY OF FINDINGS

Existing Conditions

- Summary.** The subject property is located west of Southfield Road, south of I-696 and at the southeast corner of Meadowbrook Way and Ramsgate Drive. The property is zoned R-1 Single-Family Residential, contains an existing single-family home, abuts other R-1 zoned parcels, and only takes vehicular access from Meadowbrook Way. The property owner proposes an accessory building (storage shed) on the northeast side of the property.
- Variations Requested.**
 - To allow an accessory building to be (partially) located in a front yard (Sec. 5.16.1.B.).
 - Yard, Front.** An open space extending the full width of the lot, between the front lot line and the front of the main building, and unoccupied from the ground upwards by any structures other than those expressly permitted by this ordinance (see yard determination graphic below).
 - To allow an accessory building of greater floor area than 100 square feet (160 square feet) to not be installed on a 4-inch-thick concrete foundation slab (5.16.1.F.).

3. Dimensional Standards				
Development Standard	Zoning Ord. Section	Required	Provided	Comments
Front setback (Ramsgate Drive)				
District minimum	3.1.2.D.	40 ft.	42 ft.	Compliant ₁
Accessory building	5.16.1.B.	Not in front yard	In front yard	Not Compliant₁
From main building	5.16.1.C.	10 ft. minimum	63 ft.	Compliant ₂
Front setback (Meadowbrook Way)				
District minimum	3.1.2.D.	40 ft.	N/A	Not Applicable
Side setback (east)				
District minimum	3.1.2.D.	5 ft. one side	28 ft.	Compliant ₂
		15 ft. total		
Accessory Building				
Maximum height	5.16.2.C.	10 ft.	9 ft.-3 in.	Compliant ₃
Foundation	5.16.1.F.	Concrete slab	None proposed	Not Compliant₄

- 1) The front yard along Ramsgate Drive extends beyond the 40 ft. minimum setback requirement, as well as the 42 ft. proposed placement of the shed. Therefore, the shed will encroach into the designated front yard along Ramsgate Drive. As required by the ordinance, the proposed shed should be setback no closer to Ramsgate Drive than the existing house which defines the front yard line (see yard determination graphic below).
- 2) The proposed shed is dimensioned to be 63 feet from the main home and 28 feet from the east side property line. Based on the scaled dimensions determined during review, the side setback appears to be greater than 28 feet.
- 3) While the roof ridge of the pre-manufactured shed is 2 feet above the maximum 10 feet permitted, the maximum building height is measured as the midpoint between the roof eave and roof ridge, which is 9'-3". See graphic below.
- 4) The proposed structure must be placed on a 4-inch slab. A form inspection is required prior to installing the required cement slab.



Yard Determination Graphic & Location of Proposed Storage Shed

**The location of the shed is approximate, based on the dimensions provided in the application.*



3. **Standards for Considering Variance Requests.** Section 7.7.14. provides the criteria for the applicant to present and the ZBA to consider when considering variance requests:
 - A. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship will result to the applicant if the strict letter of the regulations are carried out. Mere inconveniences or increased development costs shall not be deemed hardships under the terms of this provision.
 - B. The factual circumstances upon which an application for a deviation is based are unique to the property for which the deviation is sought, and are not applicable to the city generally, or to other property within the same zoning classification.

- C. Any alleged practical difficulty or unnecessary hardship caused by this ordinance has not been created by any persons presently or previously having an interest in the property.
- D. The proposed deviation will not adversely affect the purpose or objectives of this ordinance, nor impair the adequate supply of light and air to adjacent property, nor increase the hazard from fire, flood, and other dangers of said property, nor diminish the marketable value of adjacent lands and buildings, nor increase the congestion in public streets.
- E. The proposed deviation will not otherwise impair the public health, safety, comfort, and general welfare.
- F. The benefit to the applicant will be real and substantial and any detriment to the neighboring property owners and occupants or the community at large is not substantial or is illusory. Benefits and detriments shall be determined in relation to the factors which impair the value and use of properties as related in D & E, above.
- G. The applicant is both willing and able to provide additional amenities beyond those minimally required by this ordinance and/or restrict the use of the property beyond those limitations placed on the property by this ordinance so that the fair market value of neighboring properties will be enhanced beyond the values which would accrue to them if the property were developed and used in strict conformity with the ordinance.
- H. The same or a substantially similar request shall not have been presented to the council in the form of a petition for a zoning amendment and been expressly denied and rejected after a public hearing.
- I. Any special criteria listed for specific deviations in Sections 3.2.2, 4.1.4, and 5.13.15. *This does not appear to apply for this situation.*



The application for zoning appeal includes responses to some of the above items for ZBA consideration.

Staff will be available to discuss this review at the next ZBA meeting.

Respectfully,
Giffels Webster



Jill Bahm, AICP
Partner



Eric Pietsch
Senior Planner