

March 24, 2023

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

ZBA Review

Site: 27701 Southfield Road
Applicant: The Event House
Plan Date: March 17, 2023
Zoning: VC Village Center District
Parcel ID: 24-14-432-009



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

1. **Summary.** The 1.04-acre site is zoned VC – Village Center District and is located along the west side of Southfield Road, between Sunset Drive to the north and Goldengate Drive to the south. The existing building consists of one floor and two tenant lease spaces with a total area of 10,954 square feet. The second lease space is occupied by a FedEx Office store and is 5,954 square feet. One driveway along Southfield Road provides vehicular access to the site. The adjacent parcel to the south provides shared access to one additional driveway along Southfield Road as well as two driveways accessible via Goldengate Drive. The abutting properties on all sides are zoned VC – Village Center, however, the lots west of the site exist as single-family residential. The subject site's previous use was a sporting goods/clothing retail store. No additional square footage is proposed to be added to the existing 5,000 square foot tenant space.

Proposed

2. **Variance Requested.** The applicant intends to renovate the interior of the existing tenant space for a change in use from retail commercial to a meeting and events center space. The hours of operation will be 7:00 am to 11:00 pm. Sunday through Thursday, as allowed by the ordinance under the use standards of section 4.7. On Friday and Saturday, the applicant is requesting a variance to remain operable an additional hour, until 12:00 am midnight.

The proposed use as a meeting and event center is not specifically included in the permitted uses of the Village Center District, however, it does fall into the category of "Recreation, Education, and Assembly" uses and be permitted with a special land use permit. The applicant is pursuing a Special Land Use application simultaneously with the variance to extend the hours of operation. Should the Zoning Board of Appeals approve the request, the applicant will be required to obtain site plan approval from the Planning Commission and Special Land Use approval from the City Council.

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.*

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

Respectfully,

Giffels Webster



Jill Bahm, AICP
Partner



Eric Pietsch
Senior Planner