

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

Phone: (248) 557-2600
Fax: (248) 557-2602

Office Use Only

Date Submitted: _____
ZBA Review #: _____
Fee Paid: _____
Hearing Date: _____

Application for Zoning Appeal

Subject Property Address: 27000 Southfield Road, Lathrup Village, MI
Subject Property Parcel Number: 24-13-359-007 (-054, -052, -007, -016, -061 are part of Discount Tire Property as well)
Property Zoning: Residential - Single Family (007) (Adjacent parcels are Commercial-Vehicular (054, 052), Mixed Use (016, 061))

Applicant Information

Name: Joseph Westerbeke, PE
Address: 4063 Grand Oak Dr STE A109, Lansing, MI State: MI Zip Code: 48911
Phone Number: (517) 887-1100 Fax: _____
Email Address: westerbekej@engdot.com
Interest in Property: Owner's Engineer

Property Owner Information

Name: Halle Properties, LLC
Address: 20225 N Scottsdale Road, Scottsdale, AZ State: AZ Zip Code: 85255
Phone Number: (480) 606-6193 Fax: _____
Email Address: _____

Variance Information (Attach Additional Pages as Necessary)

1) Section:	7.8.11	Variance Description:	Nonconforming Use of Residential Parcel
2) Section:		Variance Description:	
3) Section:		Variance Description:	

Please State the Reason for Requesting an Ordinance Variance: We're requesting
determination of nonconforming use class. The parcel is currently being used for
discount tire parking and contains the site's trash enclosure, and the Owner would like to
expand parking on this parcel.

Required Items

Prior to **30 Days** before next scheduled regular meeting of the Zoning Board of Appeals the applicant is required to file **3 copies** of plans containing the following items with the Clerk's Office:

- ☐ Application fee
- ☐ Actual shape and dimensions of the lot, Drawn to Scale
- ☐ The location and dimensions of all existing structures and the location and dimensions of the proposed change (i.e. new structure or alteration of existing one).
- ☐ Existing and intended use for each building or part thereof.
- ☐ Statement of practical difficulties that prevent conformities with the Ordinance Requirements
- ☐ Description of any unique circumstances regarding the property (i.e. parcel shape, location, building, etc)

Application for Zoning Appeal

The Zoning Board of Appeals has the responsibility for making the decision to approve or deny your appeal. Information such as photographs, evidence that you have discussed your appeal with your neighbors, detailed plans, examples of the type of building, structure or the like will provide a better basis for review and understanding of your appeal. Failure to provide adequate specifics and details will result in a refusal by the City staff to accept your application and delay your appearance before the Zoning Board of Appeals.

Standards Used by the Zoning Board of Appeals for Granting Variances

The Zoning Board of Appeals will use the following standards for granting variances. The Applicant is encourage to review Article 7.0 of the Zoning Ordinance prior to appearing before the Board.

Article 7.0, Section 7.7(14) Deviations and Standards

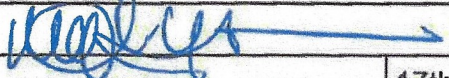
- a) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship will result to the applicant if the strict letter of the regulations are carried out. Mere
- b) The factual circumstances upon which an application for a deviation 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 an 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 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) and (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 elsewhere in this ordinance.

Verbatim Minutes

If any party desires that a verbatim record be kept, \$200.00 shall be paid by the requesting party before the evidentiary portion of the hearing commences. The city shall refund such amount of the fee paid as exceeds the city's actual costs when the proceedings have been completed.


Owner's Affidavit

The undersigned being duly sworn, deposes and says that the foregoing statements and answers herein contained and supporting information and data are in all respects true and correct to the best of the Owner's knowledge and belief.

Signature:		Date:	3/17/2021
Subscribed and sworn to before me this:	17th	Day of	March 2021
Notary Public Name:	Donna M Warner	County of:	Maricopa
With Commission to expire on:	4/6/2024		

Applicant Signature

I/We do hereby swear that the above stated information is accurate and complete.

Name:	Joseph Westerbeke, PE		
Signature:		Date:	3/19/2021