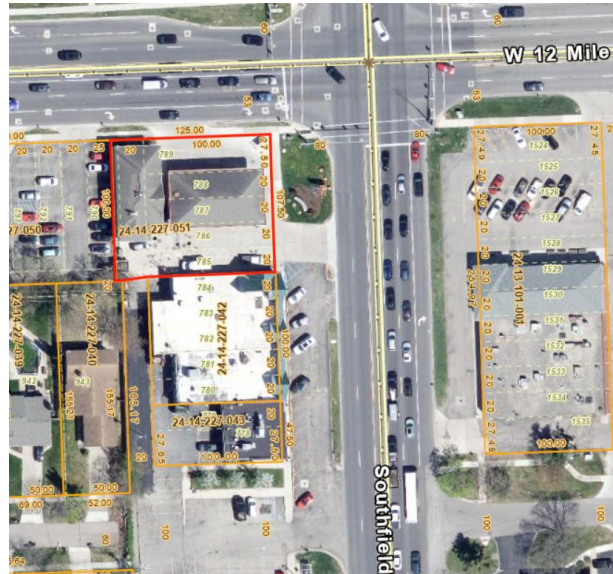


October 1, 2026

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

ZBA Review

Site: 28939 Southfield Road
Applicant: Lathrup Village Convenience, Inc.
Plan Date: October 1, 2026
Zoning: CV Commercial Vehicular District
Parcel ID: 24-14-227-051



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 0.31-acre site is zoned CV – Commercial Vehicular District and is located at the southwest corner of Southfield and 12 Mile Roads. In 2013, the City approved a Special Land Use (SLU) request for the site to operate as a gas station. The existing building consists of one floor and a 2,123 square foot tenant space used as convenience store retail in tandem with the adjacent 12-pump, covered fuel stations. The 2013 City Council resolution approved the SLU with the explicit condition that the hours of operation are limited to 7:00 A.M. – 11:00 P.M. Monday – Sunday, as established in in Section 4.7 of the zoning ordinance. Approval of the Special Land Use did not include permission to sell alcohol at the site. The site is accessible from driveways along both Southfield and 12 Mile Roads, and the abutting properties on all sides are zoned CV – Commercial Vehicular, except the parcel north of 12 Mile Road, within the City of Southfield, is zoned B2 – Planned Business.

Proposed

2. **Variance Requested.** To allow an existing gas station and convenience store to operate within the hours of 6:00 A.M. and 12:00 A.M., Monday through Sunday, in lieu of the ordinance-required 7:00 A.M. – 11:00 P.M.

In addition to the variance request to operate the business with extended hours, the applicant is simultaneously seeking a Special Land Use request to sell alcohol within the existing convenience store. The request for extended operating hours is independent of the City's approval or denial of the Special Land Use request to sell alcohol. The applicant states that if both the request for extended hours and the request to sell alcohol are approved, the business will not sell alcohol outside of the 7:00 A.M. – 11:00 P.M. allowable operating hours established by Section 4.7 of the zoning ordinance. No changes to the 2013-approved site plan are proposed with these requests.

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. **The applicant's responses to the nine criteria are provided in *italics* below:**

- 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.

This is a small, fully built fueling site on a seven-lane road carrying roughly 51,800 vehicles a day next to a freeway interchange. Because of where it sits and what it is, the ordinance hours keep the station closed during the early morning and late evening traffic that this particular road generates.

- 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.

The situation is unique to this property. It is the northernmost station in the city, on the city's busiest frontage, and at the boundary with Southfield, where competing stations keep longer hours. Other properties in the CV district and elsewhere in the city are not in that position.

- 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.

Nothing I, or any prior owner did, created the difficulty. The site, its access, and its location were established long before I operated the station.

- 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.

Granting the variance will not work against the purpose of the ordinance. No construction is proposed, so there is no effect on light or air. Lighting, access, and the building stay as they are, and two additional hours of an existing business does not change the value of neighboring property. The traffic during those hours is a small share of a road that already carries more than 50,000 vehicles a day.

- E. The proposed deviation will not otherwise impair the public health, safety, comfort, and general welfare.

The variance will not harm public health, safety, comfort, or welfare. The station is staffed, lit, and covered by security cameras whenever it is open. An open, lit, and staffed business on the corridor early in the morning and late at night helps safety rather than hurting it.

- 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.

The benefit to my business is real: I can serve the traffic on my own frontage during the hours that traffic is there. The harm to anyone else is not real. Those same vehicles are already on Southfield Road at those hours. The only question is whether they stop inside the city or just outside of it.

- 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.

I am willing to accept conditions beyond what the ordinance requires. I will keep exterior lighting aimed away from neighboring property and no brighter during the extra hours, keep security cameras running, make recordings available to the Lathrup Village Police Department on request, allow no outdoor display, outdoor seating or loitering at any hour, schedule fuel and merchandise deliveries outside the extra hours, and pick up litter on the site and along the road daily.

- 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.

No petition for a zoning amendment asking for the same or a similar change has been presented to the Council and denied after a public hearing.

- I. Any special criteria listed for specific deviations in Sections 3.2.2, 4.1.4, and 5.13.15.

I am not aware of any other criteria in the ordinance that apply to a deviation from Section 4.7.

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

Respectfully,

Giffels Webster



Eric Pietsch
Senior Planner