



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: 01.20.22
ZBA Review #: _____
Fee Paid: 300.
Hearing Date: _____

Application for Zoning Appeal

Subject Property Address: 18931 Rainbow Court

Subject Property Parcel Number: 40-42-23-201-022

Property Zoning: Residential

Applicant Information

Name: Joan C. Price

Address: 18931 Rainbow Court State: MI Zip Code: 48076

Phone Number: 248-424-9138 Fax: 248-424-9138

Email Address: jcplrp3@sbcglobal.net

Interest in Property: Owner

Property Owner Information

Name: Joan C. Price

Address: 18931 Rainbow Court State: MI Zip Code: 48076

Phone Number: 248-424-9138 Fax: 248-424-9138

Email Address: jcplrp3@sbcglobal.net

Variance Information (Attach Additional Pages as Necessary)

1) Section:	Variance Description:	Installation of 18kw Standby external generator on side of home
2) Section:	Variance Description:	
3) Section:	Variance Description:	

Please State the Reason for Requesting an Ordinance Variance: Installation of a 18kW Standby external generator on the south side of my site condominium unit. Installation requires a clearance of five feet from windows to allow sufficient dissipation of carbon monoxide from the natural gas generator. The windows in the rear of my condominium unit do not allow a sufficient clearance of five feet, which is a safety hazard.

Required Submittal Information

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: Dimensional Variance: Commercial \$500 + \$150/additional; Residential \$300 + \$100/additional; Use Variance (all districts): \$850
- ☒ Actual shape and dimensions of the lot, Drawn to Scale
- ☒ Location and dimensions of all existing and proposed structures
- ☒ 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

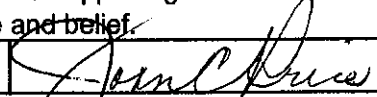
- a) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship will result to the applicant if the strict letter of the regulations are carried out. Mere
- b) The factual circumstances upon which an application for a deviation 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: 		CURTIS C. YOUNCE NOTARY PUBLIC, STATE OF MI COUNTY OF WAYNE		Date: 19 January 2022
Subscribed and sworn to before me this: 18th		MY COMMISSION EXPIRES Jan 16, 2026 IN COUNTY OF WAYNE		Day of January 2022
Notary Public Name: Curtis C. Younce		County of: Wayne		
With Commission to expire on: January 16 2026				

Applicant Signature

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

Name:			
Signature:		Date:	

19 January 2022

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

**STATEMENT OF PRACTICAL DIFFICULTIES THAT PREVENT CONFORMITIES
WITH THE ORDINANCE REQUIREMENTS**

I am requesting a dimensional variance from the generator installation ordinance whereby generators are to be installed at the rear of homes. I have lived at 18931 Rainbow Court, Lathrup Village, Michigan for 25 years (since November, 1996). This was a new construction of detached condominiums - Rainbow Cove Subdivision. This is a wonderful subdivision consisting of eight units.

Over the past 25 years, we have occasional power outages, but nothing to the extent of the most recent one from August 10 through August 15, 2021. During these six days, I lost everything in my stand-alone freezer and my side-by-side refrigerator freezer.

After serious consideration, I decided to purchase an 18 kW standby natural gas exterior generator. I obtained four estimates, and all of the contractors identified a space along the south side of my condominium unit as the most appropriate and safe location for the installation. The reason for this location is that carbon monoxide is expelled from the natural gas generator, and a five feet clearance from the windows is required. There are two windows, a storm door, and a sun room with three sides of windows on the rear of my condominium unit. This space does not provide a five feet clearance where a generator can be installed.

Please note that detached (site) condominiums include limited and general common elements in the site plans. The proposed installation location is within the boundaries of my lot 6. Nevertheless, the Rainbow Cove Condominium Association has granted approval of my request to install the generator (attached). Additionally, my immediate neighbors on the south and north sides also support my request (attached).

A variance from the generator placement ordinance would allow me to safely install the 18kW standby natural gas exterior generator, and provide assurance for continued electricity in future power outages.

Your consideration of my request for a dimensional variance is appreciated.



Joan C. Price

jcplrp3@sbcglobal.net

From: dorothylynn49@gmail.com
Sent: Tuesday, January 18, 2022 12:36 PM
To: Joan C. Price
Cc: dorothylynn49@gmail.com
Subject: Request for Installation of a Generator at 18931 Rainbow Ct.

To: Joan C. Price
18931 Rainbow Ct.
Lathrup Village, MI 48076

From: Rainbow Cove Association
Dorothy Reed, President

Joan C. Price,

Rainbow Cove Association grants approval for the installation of a generator on your property, lot #6, at 18931 Rainbow Ct., Lathrup Village, MI 48076.

Regards,

Dorothy Reed
President, Rainbow Cove Association

Sent from Mail for Windows
18931

18941 Rainbow Court
Lathrup Village, MI 48076

January 18, 2022

RE: 18931 Rainbow Ct
Lathrup Village MI 48076

To Whom It May Concern:

I am aware of Joan Price plans to install a standby generator at 18931 Rainbow Ct. Lathrup Village MI 48076 placed on the side of her home near my property, and I/we have no objections.

Cornelius Geerts
Name (printed)

Neil Geerts 1-19-22
Signature & Date

Michael Rosen
Name (printed)

Michael Rosen 1/19/22
Signature & Date

18941 Rainbow Court, Lathrup Village, MI 48076

**18921 Rainbow Court
Lathrup Village, MI 48076**

January 18, 2022

RE: 18931 Rainbow Ct
Lathrup Village MI 48076

To Whom It May Concern:

I am aware of Joan Price plans to install a standby generator at 18931 Rainbow Ct. Lathrup Village MI 48076 placed on the side of her home near my property, and I have no objections.

Charmen Burke
Name (printed)

Charmen Burke 1.19.22
Signature & Date

18921 Rainbow Court, Lathrup Village, MI 48076

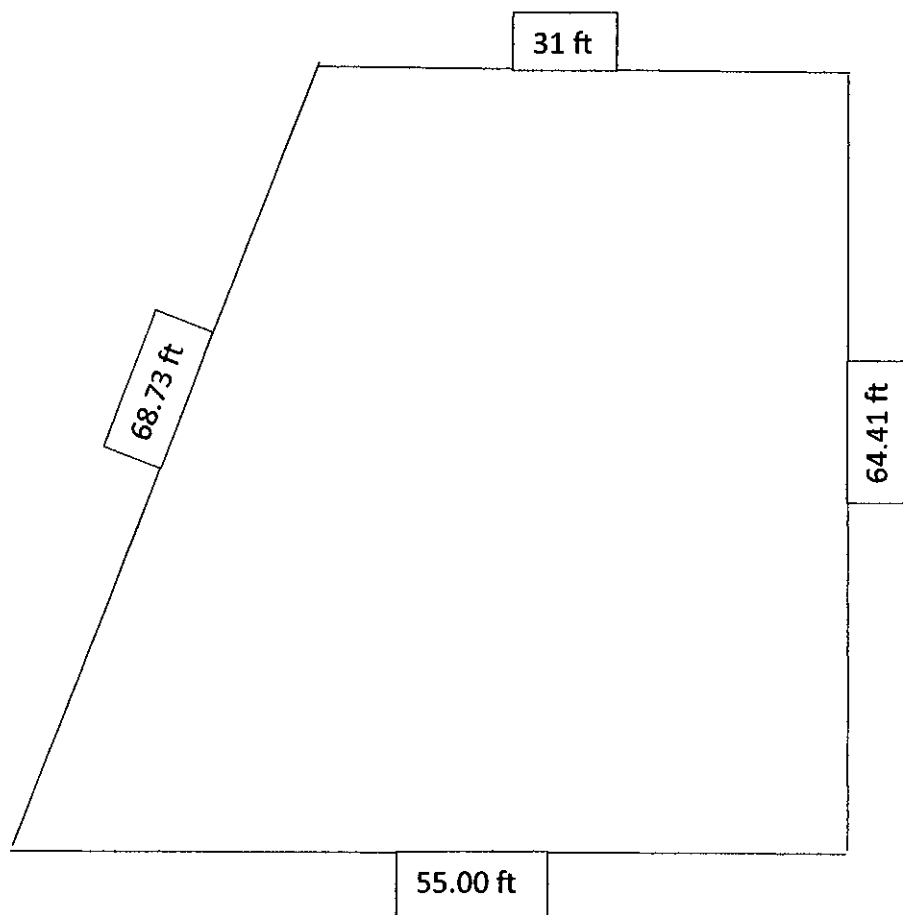
Application for Zoning Appeal – City of Lathrup Village

Joan C. Price
18931 Rainbow Court
Lathrup Village, MI 48076

Rainbow Cove Subdivision, Lot 6

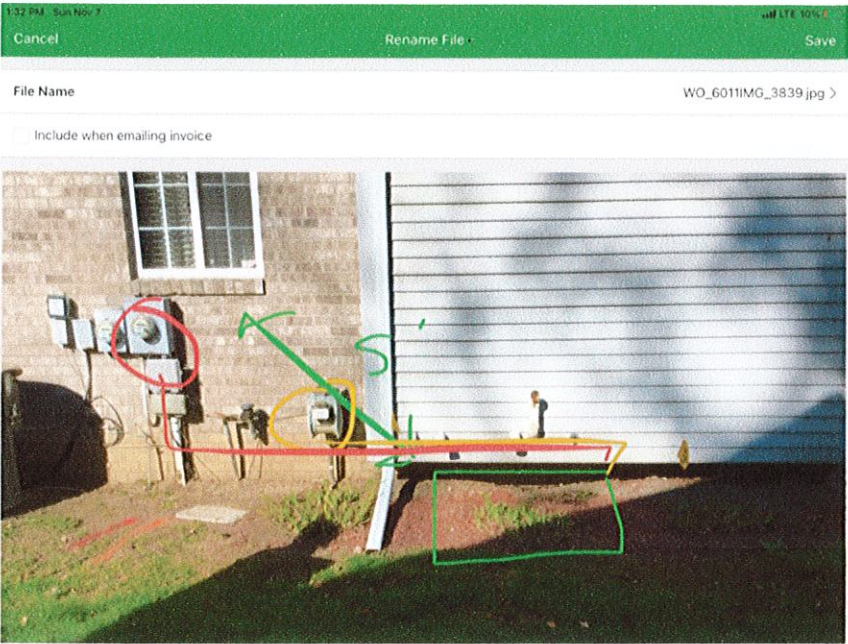
Property Parcel Number 40-24-23-201-022

Lot size: East – 31 ft
 North – 68.73 ft
 West – 55.00 ft
 South – 64.41 ft



Kelley Brothers Heating-Cooling-Generators - 18931 Rainbow Court, Lathrup Village, MI 48076

Site for proposed installation outlined in green. The installation must be at least five feet from a window in order to prevent carbon monoxide from seeping into the window.



18kw Generac Standby Whole Home External Generator

Kelley Brothers Company's birds eye view of installation diagram in green



APPLICATION FOR ZONING APPEAL

Joan C. Price

18931 Rainbow Court, Rainbow Cove Subdivision – Lot 6

Rainbow Cove Condominiums

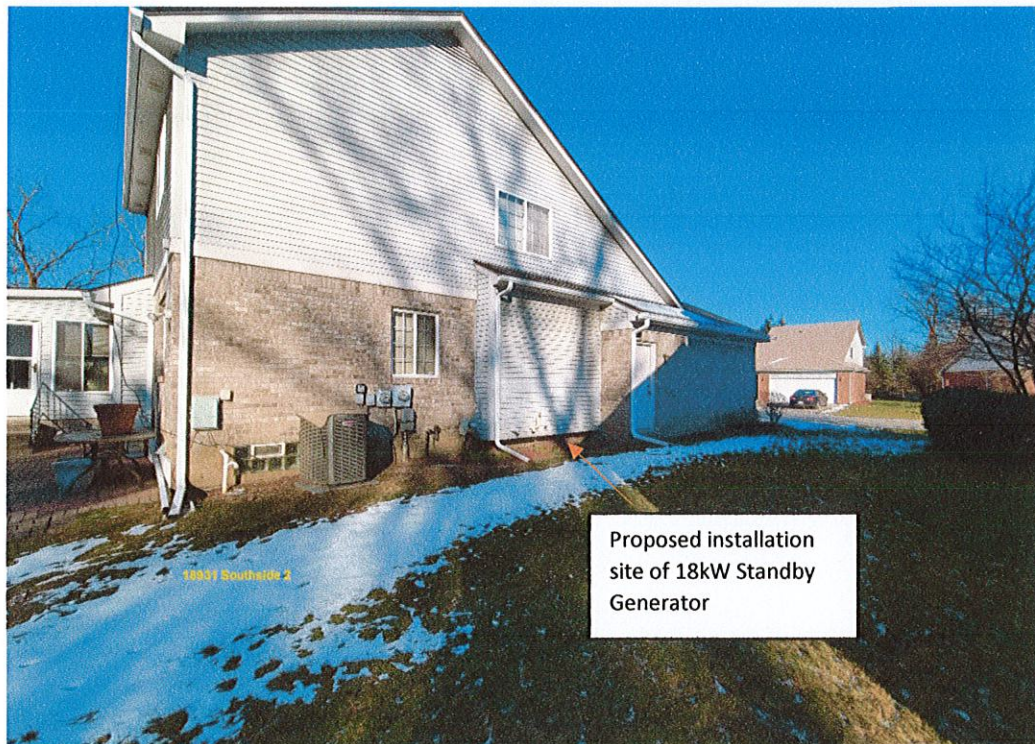
Lathrup Village, MI 48076



Front View

18931 Rainbow Ct., Eastside





Southside of 18931
Rainbow Ct.

Proposed installation
site of 18kW Standby
Generator



Southside of 18931
Rainbow Ct.

Proposed installation
site of 18kW Standby
Generator



Rear of 18931
Rainbow Ct. West side



Rear of 18931
Rainbow Ct. West side



18931 Rainbow Ct.,
North side



18931 Rainbow Ct.,
North side