



AGENDA

REGULAR ZONING BOARD OF APPEALS MEETING

OAK PARK, MICHIGAN
JANUARY 27, 2026
7:00 PM

1. CALL TO ORDER

2. ROLL CALL

Member Anderson, Member Brown, Member Huston, Member Kleid, Member Lebovic, Member Seligson, Member Steinberg.

3. APPROVAL OF MINUTES

A. Zoning Board of Appeals Meeting Minutes 12-16-25

4. NEW BUSINESS

A. Case #26-01: Jamie Craig, on behalf of Jonathan Weinrach, 25951 Harding Square.

- i. Article 2, Division 2: Section 211 of the Zoning Ordinance permits detached one-family dwellings in the R-1, One-Family Dwelling District. The applicant is requesting to allow a two-family dwelling in the R-1 District.
- ii. Article 2, Division 2: Section 214 of the Zoning Ordinance requires the total side yard setback to be a minimum of 14 feet. The applicant is requesting to allow a total side yard setback of 13 feet.
- iii. Article 2, Division 2: Section 214 of the Zoning Ordinance allows a maximum lot coverage of 35%. The applicant is requesting to allow a lot coverage of 37.6%.

B. Election of officers: Chairperson, Vice Chairperson, Secretary.

5. ADJOURNMENT

The City of Oak Park will comply with the spirit and intent of the American with Disabilities Act. We will provide support and make reasonable accommodations to assist people with disabilities to access and participate in our programs, facilities and services. Accommodations to participate at a Council Meeting will be made with 7-day prior notice.

**CITY OF OAK PARK, MICHIGAN
ZONING BOARD OF APPEALS
DECEMBER 16, 2025
MEETING MINUTES**

The meeting was called to order at 7:00 p.m. by Chairperson Huston in the City Council Chambers, 14000 Oak Park Blvd, Oak Park, MI 48237 and roll call was made.

PRESENT: Commissioner Anderson
 Commissioner Kleid
 Commissioner Seligson
 Chairperson Huston
 Commissioner Lebovic
 Vice Chairperson Brown

ABSENT: Commissioner Steinberg

OTHERS

PRESENT: Economic Development & Planning Specialist, Salam Habhab
 Deputy City Clerk/Director of Elections, Jo Lynn Williams-Elliott

3. APPROVAL OF ZONING BOARD OF APPEALS MINUTES OF OCTOBER 28, 2025

MOTION BY Kleid SECONDED BY Seligson, to approve the meeting minutes of October 28, 2025

Vote: Yes: All
 No: None

MOTION CARRIED

4. COMMUNICATIONS: NONE

5. OLD BUSINESS: NONE

6. NEW BUSINESS:

A. Case #25-10, Casey Coffin on behalf of Barton Malow Co., 13000 and 12992 W. 8 Mile Rd.

- i. Article 3, Division 1: Section 308 Fences, Walls, and Other Protective Barriers Standards of the Zoning Ordinance requires fences not to extend toward the front of the lot farther than the front building line. The applicant is requesting to install a fence that extends beyond the front building line.

Public Hearing was opened at 7:02 pm

Casey Coffin presented to the board, explaining the reason for the request is to provide safety and make the property more secure.

Public Hearing was closed at 7:03 pm

STAFF FINDINGS OF FACT

1. The site is located within the following parcels:
 - a. 13000 W. 8 Mile Rd. Property ID #52-25-32-351-038. The property of 6.37 acres (277,225 square feet) comprises an industrial building, the former Smart Way Recycling. The property has a frontage on 8 Mile Rd and two egress and ingress accesses from 8 Mile Rd. The remainder of the property is developed with a hard surfaced parking area and a landscaped area.
 - b. 12992 W. 8 Mile. Property ID #52-25-32-351-031. The site of 1.94 acres (84,557 square feet) comprises an industrial building, the former Sunbelt Rentals. The property has frontages on 8 Mile Rd and Fern Ave. There is egress and ingress access from 8 Mile Rd. The remainder of the property is developed with parking areas and landscaped areas.
 - c. Two vacant parcels with narrow frontages on 8 Mile Rd. ID #52-25-32-351-032 [30 frontage X 698.32 ft deep] and ID #52-25-32-376-018 [24 ft frontage X 800 ft deep].
2. Barton Malow Co. owns multiple additional parcels in the area, which together function as its campus.
3. The use of a Field Service Facility is permitted by right in the LI, Light Industrial District. The laydown area for the outdoor storage of construction materials and equipment is permitted by conditional land use (CLU), subject to the regulations of Section 544.r (557.j) of the Zoning Ordinance.
4. The applicant proposes to redevelop the site as an extension of Barton Malow Co.'s current campus operation in Oak Park. The redevelopment will house a new office building and warehouse operations to serve as a field services facility. The development will also include a laydown area for the outdoor storage of construction materials and equipment.
5. The proposed building will total 55,943 square feet, comprising 11,125 square feet of office space and 44,818 square feet of warehouse space. The primary site access will be provided from Fern Ave., with additional access from 8 Mile Rd. The remainder of the site will be improved with significant landscaped areas, a parking area along Fern Ave., a stormwater detention pond, and a laydown area.
6. As part of the Site Plan approval, the applicant will combine the project parcels into a single parcel and readdress the parent parcel to 20731 Fern Ave., designating Fern Ave. as the primary frontage of the building.
7. The orientation and design of both the building and the site have been developed with Fern Ave. as the primary frontage, primarily for safety and security purposes.
8. The expansion is part of an ongoing effort to improve operations and overall aesthetics of the campus. This project represents Phase 1 of the development. Phase 2 is anticipated to include the development of the laydown area with an additional building, at which time the laydown area will be removed from this location.
9. Article 3, Division 1: Section 308 Fences, Walls, and Other Protective Barriers Standards of the Zoning Ordinance requires fences not to extend toward the front of the lot farther than the front building line.
10. The applicant proposes to install a fence that extends beyond, and in front of, the primary building line facing Fern Ave. for the purpose of continuing and maintaining a

safe and secure perimeter around the new development, expanding the existing campus footprint.

11. On September 2, 2025, the Planning Commission approved a Site Plan Review for the project with conditions.
12. The Zoning Board of Appeals has at times approved fencing that extends beyond the front building line, given that the proposed variance will not negatively affect the adjacent uses or essentially alter the character of the surrounding area.

STAFF RECOMMENDATIONS

Based on the information submitted by the applicant and the analysis presented in this report, it is the recommendation of the Economic Development and Planning staff to approve the variance requested to allow the installation of a fence that doesn't meet the front fence location requirements.

MOTION BY Kleid, SECONDED BY Anderson to approve the request of case #25-10 Casey Coffin on behalf of Barton Malow Co., 13000 and 12992 W. 8 Mile Rd.

- i. A variance from the requirements of Section 308 Fences, Walls, and Other Protective Barriers Standards of the Zoning Ordinance to allow the installation of a fence that extends toward the front of the lot farther than the front building line facing Fern Ave.

Vote: Yes: Anderson, Lebovic, Seligson, Huston, Brown, Kleid
No: None

MOTION CARRIED

B. Case #25-11, Neil Ganshorn – Rand Construction – on behalf of Wilmos & Lillian Schwarcz Education Center, 25401 Coolidge Hwy and 13630 Balfour Ave.

- i. Article 5, Division 4: Section 557.f.2. Educational Institutions of the Zoning Ordinance requires all buildings to be set back 50 feet from any property line. The applicant is requesting to reduce the new addition yard setback to 42 feet from the north and 10.1 feet from the east.
- ii. Article 5, Division 4: Section 557.f.4. Educational Institutions of the Zoning Ordinance requires all areas for student and staff parking to be set back at least 50 feet from an abutting residential district or use. The applicant is requesting to reduce the new western parking lot setbacks to 2 feet from the west and 2 feet from the north.
- iii. Article 2, Division 2: Section 215.d. Required Conditions of the Zoning Ordinance requires the total area of all impervious surfaces not to exceed 70% of the lot area. The applicant is requesting to increase the impervious surfaces to 77%.

Public Hearing was opened at 7:07 pm

Neil Ganshorn presented to the board, explaining that without the variance, there will only be a 10-foot space for the school expansion.

Public Hearing was closed at 7:12 pm

STAFF FINDINGS OF FACT

1. The site consists of two parcels:
 - a. 25401 Coolidge Hwy. Parcel ID #52-25-19-429-022. The property is zoned R-2, Two-Family Dwelling District. The parcel is 0.66 acres (28,600 square feet) and comprises a school building of 6,745 square feet. The building is situated in the southwest portion of the property, while the northern portion is improved by a parking lot. The property has frontages on Ludlow Ave to the north, Balfour Ave. to the south, and Coolidge Hwy to the east. A one-way drive lane runs along the rear property line from Balfour Ave. to Ludlow Ave. There is a landscaped area in front of the school building along Coolidge Hwy, including a playground that extends to the south of the building along Balfour Ave.
 - b. 13630 Balfour Ave. Parcel ID #52-25-19-429-021. The property is zoned R-1, One-Family Dwelling District. The parcel is 0.269 acres (11,717.64 square feet). The property is improved by a single-family residential building that is proposed to be demolished.
2. The two listed parcels will be combined as a single parcel.
3. The use of educational schools is permitted by a Special Land Use in the R-1 and R-2 Districts.
4. The applicant proposes to expand the school building and build a 4,780-square-foot addition to the north of the school building, for a total of 11,525 square feet.
5. The addition will include four (4) classrooms on the first floor, accommodating an additional 71 students, and one (1) classroom on the second floor, accommodating an additional 15 students. The second floor will also include an exercise room and office spaces. The existing parking lot will be reduced from 24 parking spaces to 8 spaces, including two (2) ADA parking spaces.
6. The western portion of the property will be improved by an additional parking lot with 30 parking spaces. The one-way drive lane will be maintained from Balfour Ave. to Ludlow Ave. A drop-off lane is provided to the rear of the addition.
7. On November 3, 2025, the Planning Commission approved a Special Land Use and Site Plan for the project with conditions.
8. During the same meeting, the Planning Commission recommended approval to the City Council for the rezoning of the property at 13630 Balfour Ave. from R-1 District to R-2 District. While the use of educational schools is permitted by a Special Land Use in the R-1 and R-2 Districts. The rezoning of the property at 13630 Balfour Ave. will establish a single, consistent zoning district once both parcels are combined.
9. The rezoning request will be presented to the City Council for consideration of approval on January 5, 2026.
10. The Zoning Board of Appeals has at times approved such variances to allow private educational institutions to operate, given that the proposed variances will not negatively affect the adjacent uses or essentially alter the character of the surrounding area.

STAFF RECOMMENDATIONS

Based on the information submitted by the applicant and the analysis presented in this report, it is the recommendation of the Economic Development and Planning staff to approve the variances requested to allow the construction of a private school that does not meet the front and side yard building setbacks, the rear and side yard parking setbacks, and the percentage of the impervious surfaces of the total lot.

MOTION BY Kleid, SECONDED BY Seligson to approve all of the requests of Case # 25-11 Neil Ganshorn – Rand Construction – on behalf of Wilmos & Lillian Schwarcz Education Center, 25401 Coolidge Hwy and 13630 Balfour Ave.

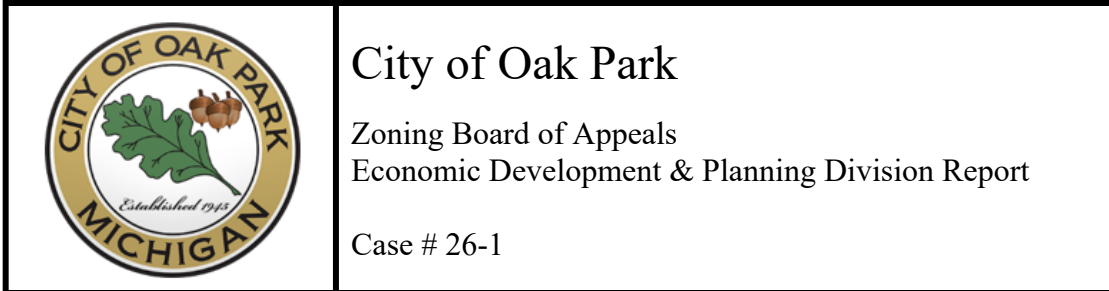
- i. A variance from the requirements of Section 557.f.2. to reduce the new addition yard setbacks to 42 feet from the north and 10.1 feet from the east. The Zoning Ordinance requires 50 feet.
- ii. A variance from the requirements of Section 557.f.4. to reduce the new western parking lot yard setback to 2 feet from the west and 2 feet from the north. The Zoning Ordinance requires 50 feet.
- iii. A variance from the requirements of Section 215.d. to increase the total area of the impervious surface to 77%. The Zoning Ordinance requires a maximum of 70%

Vote: Yes: Anderson, Lebovic, Seligson, Huston, Brown, Kleid
 No: None

MOTION CARRIED

7. ADJOURNMENT: The meeting was adjourned at 7:14 p.m.

Jo Lynn Williams-Elliott, Deputy City Clerk



APPLICANT

Jamie Craig
1502 W. 13 Mile Rd.
Royal Oak, MI 48073

PROPERTY

Jamie Craig, on behalf of Jonathan Weinrach, 25951 Harding Sq., has made an appeal to the Zoning Board of Appeals for a use variance from the provisions of Article 2, Division 2: Section 211 Residential Uses of the Zoning Ordinance, to allow the use of a two-family dwelling in a One-Family Dwelling (R-1) District. The appeal also includes dimensional variances from the provisions of Article 2, Division 2: Section 214 Schedule of Regulations of the Zoning Ordinance, to allow construction of a second dwelling unit that does not meet the lot coverage and total side yard setback requirements.

25951 Harding Square.
Property IDs: 52-25-19-152-006

ORDINANCE REQUIREMENTS AND REQUEST

The following variances are requested:

- i. Article 2, Division 2: Section 211 of the Zoning Ordinance permits detached one-family dwellings in the R-1, One-Family Dwelling District. The applicant is requesting to allow a two-family dwelling in the R-1 District.
- ii. Article 2, Division 2: Section 214 of the Zoning Ordinance requires the total side yard setback to be a minimum of 14 feet. The applicant is requesting to allow a total side yard setback of 13 feet.
- iii. Article 2, Division 2: Section 214 of the Zoning Ordinance allows a maximum lot coverage of 35%. The applicant is requesting to allow a lot coverage of 37.6%.

BACKGROUND

Site Features

The property of 0.141 acres (6,142 sq. ft.) is improved by a two-story single-family residence (main dwelling) of 3,220 sq. ft. and an attached 433 sq. ft. garage structure. The property is an irregularly shaped lot located at the southeast corner of a cul-de-sac, with approximately 25 ft of frontage along Harding sq. and a depth of approximately 108 ft. There is a concrete patio east of the garage, and the remainder of the property is improved by a landscaped area.

Applicant’s Request

The applicant proposes to construct an addition to the existing dwelling. The proposed addition includes living and dining areas, two master bedrooms: one intended for a live-in caregiver, a kitchenette, a separate exterior entrance with an accessibility ramp, and interior access between the existing dwelling and the proposed addition.

The application materials state the following:

- The proposed addition is to be an “in-law” suite for the owners. The owner would like his parents to live with him. Both parents are in wheelchairs and will require a caregiver.
- For the lot coverage and setback variances: our hardship and request for the variances stem from the angled shape of the lot, which makes it difficult to get an addition that meets setback requirements and is cohesive. If the variance is granted, it will not affect adjacent properties. All adjacent properties have been shown the proposed design and are in full support. The proposed addition backs up to the backyards of several houses that are buffered by heavily wooded trees. The architecture of the proposed addition matches the existing house and is consistent with surrounding houses.
- For the use variance: this should not be considered a two-family dwelling. The “Kitchenette” is not a full kitchen and will only be used for warming food. The reason for the separate entrance is to accommodate a wheelchair.

ZONING ORDINANCE

Section 211. Residential Uses

Table 211.1 Residential Districts Uses					
Use	R-1	R-2	RM-1	RM-2	Add'l Req'ts
Residential					
One-family dwelling, detached	P	P	P	P	
Two-family dwelling, detached		P			
Attached residential/townhomes		P	P	P	
Multi-family dwelling			P	P	
Home occupations	P	P	P	P	Sec. 313

The proposed addition includes living and dining areas, two master bedrooms: one intended for a

live-in caregiver, a kitchenette, a separate exterior entrance with an accessibility ramp, and interior access between the existing dwelling and the proposed addition.

The applicant indicated that the proposed design includes a kitchenette intended solely for warming food, not a full kitchen. The plans submitted do not provide detailed information about appliances and fixtures within the proposed kitchenette. However, the kitchenette area measures approximately 12 ft by 8.5 ft, which is substantial size and typically capable of accommodating independent cooking facilities.

Under Michigan Housing Law (MCL 125.402), a two-family dwelling is defined as a structure “so designed as to provide cooking and kitchen accommodations for two families only.” Based on the inclusion of a second kitchen and the overall layout of the proposed addition, staff finds that the proposal meets the definition of a two-family dwelling.

The property is zoned R-1, One-Family Dwelling District. Per Section 211 of the Zoning Ordinance, the use of a two-family dwelling is not permitted in the R-1 District. The applicant is requesting approval of a use variance to allow an attached two-family dwelling within the R-1 District.

Sec. 214. Schedule of Regulations

Section 214. Schedule of Regulations			
Location	Required	Provided	Notes
R-1 District			
Min. Front Setback (north)	25'	15'	Existing - legal non-conforming
Min. Side Setback, Least (west)	4'	3'	Existing - legal non-conforming
Min. Side Setback, Total (east)	14'	13'	Addition – requires a variance
Min. Rear Setback (south)	30	27.7'	Existing - legal non-conforming
Max. Lot Coverage	35%	37.6%	Addition – requires a variance

The existing main building is considered a legal non-conforming residential building because it does not meet the current front, side, and rear yard setback requirements of the Zoning Ordinance. Nonconforming structures are permitted to be expanded, provided that any addition complies with all other applicable setbacks, lot coverage, and height requirements.

As shown in the table above, the proposed addition does not meet the required total side yard setback and lot coverage standards. The applicant is requesting approval of dimensional variances to allow a total side yard setback of 13 ft (where 14 ft is required) and a lot coverage of 37.6% (where 35% is the maximum permitted).

USE VARIANCE REVIEW CRITERIA

Article 6, Division 3, Section 635 provides the ZBA with the review criteria for granting a use variance. The ZBA may grant a use variance only upon a finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of all the following:

- a) *The property cannot be reasonably used for any purpose permitted in the zoning district without the variance.*

The property is already developed with a single-family residence, which is a permitted use within the R-1 District. The existing home may be reasonably used and expanded in a manner that maintains compliance with single-family residential standards, without introducing a second dwelling unit or separate kitchen facilities. While the applicant's design reflects a specific preference, alternative configuration could provide living space and accessibility features without creating a second dwelling unit or necessitating a use variance.

- b) *The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must prove that there are certain features or conditions of the land that are not generally applicable throughout the zone and that these features make it unreasonable to develop the property without some adjustment.*

The property is irregularly shaped, with limited frontage along Harding Sq., and located on the southeast corner of a cul-de-sac. While these characteristics distinguish the parcel from standard interior lots, similar irregular lots exist on other properties within the cul-de-sac.

These conditions did not prevent the original development of a single-family dwelling on the site and do not preclude reasonable expansion of the existing home, in a manner consistent with single-family use. Therefore, the site characteristics are not so unique as to necessitate a use variance to allow a two-family dwelling.

- c) *The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.*

The need for the requested use variance is self-created, as it results directly from the applicant's proposed design. The addition is larger than necessary, and its layout includes features such as a second kitchen, separate living and sleeping areas, and an independent entrance, which collectively establishes a second dwelling unit. These design choices go

beyond what is necessary to accommodate accessibility and additional living space. The property could reasonably be expanded to meet the applicant's stated need without introducing a second household or requiring a use variance.

- d) *The variance will not alter the essential character of the area. In determining whether the effect the variance will have on the character of the area, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area will be considered.*

The surrounding neighborhood is characterized by low-density, single-family residential development. Granting a use variance to allow a residential use that is not permitted in the R-1 District would introduce a two-family dwelling into an area planned and zoned exclusively for single-family homes. This change would alter the established single-family character of the area and could set a precedent for similar requests on nearby properties. Therefore, the requested use variance would not maintain the essential character of the neighborhood.

DIMENSIONAL VARIANCE REVIEW CRITERIA

Article 6, Division 3, Section 635 provides the ZBA with review criteria for granting a dimensional variance. The ZBA may grant a dimensional variance only upon a finding that practical difficulties exist. A dimensional variance is a variance from any dimensional standard or requirement of this ordinance, such as, but not limited to, a deviation from density, height, bulk, setback, or parking, landscaping and sign standards and requirements. A finding of practical difficulties shall require demonstration by the applicant of all the following:

- a) *Strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other "non-use" matters will unreasonably prevent the owner from using the property for a permitted purpose or will be unnecessarily burdensome. The variance will do substantial justice to the applicant, as well as to other property owners.*

The applicant has requested dimensional variances for a total side yard setback of 13 ft (where 14 ft is required) and lot coverage of 37.6% (where 35% is the maximum permitted). These variances are driven by the size and configuration of the proposed addition, which exceeds what is reasonably necessary to accommodate the applicant's stated need.

Even if the proposed layout did not introduce a second dwelling unit, the addition could be reduced or reconfigured to provide meaningful expansion and accessibility without the requested variances. Alternative designs could eliminate or significantly reduce the need for variances from total side yard setback and lot coverage requirements.

- b) *A lesser variance than that requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.*

The requested dimensional variances are not the minimum necessary to accommodate the applicant's stated objective of providing living space for elderly parents and a caregiver. The size and layout of the proposed addition exceed what is reasonably required for this purpose. A smaller or reconfigured design could still provide adequate and functional living space while reducing or eliminating the need for the requested setback and lot coverage variances. Such approach would better align with the intent of the ordinance and provide reasonable relief for the applicant.

- c) *The need for the variance is due to unique circumstances or conditions peculiar to the property and not generally applicable in the area or to other properties in the same zoning district such as exceptional narrowness, shallowness, shape, topography or area.*

The property is irregularly shaped, with limited frontage on Harding Sq. and located on the southeast corner of a cul-de-sac. While these physical characteristics distinguish the lot from standard interior parcels, similar conditions exist on other properties within the cul-de-sac and zoning district. These characteristics did not prevent the original development of a single-family dwelling and would not prevent reasonable expansion of the home.

The need for the requested dimensional variances arises primarily from the size and layout of the proposed addition rather than the unique physical conditions of the property. Therefore, the circumstances driving the variances are not inherent to the land but result from the applicant's design choices.

- d) *The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessor may or may not be considered depending upon whether the practical difficulty would have existed regardless of the action.*

The need for the requested dimensional variances is self-created, as it results from the size and layout of the proposed addition. The design exceeds what is reasonably necessary to accommodate the applicant's stated objectives. Alternative layouts or a smaller addition could eliminate or significantly reduce the need for the requested setback and lot coverage variances while still providing adequate living space.

- e) *The variance will not alter the essential character of the area. In determining whether the effect the variance will have on the character of the area, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area will be considered.*

The surrounding area is characterized by single-family residential development.

The applicant's proposed elevations are consistent with the established character in terms of design and appearance. However, the requested dimensional variances are driven by the size of the proposed addition, which exceeds what is reasonably necessary to accommodate the applicant's stated objectives. A smaller or reconfigured design could provide adequate living space while reducing or eliminating the need for these variances, thereby maintaining the physical scale and character of development of the area.

Furthermore, approval of the requested dimensional variances in conjunction with the proposed two-family dwelling would increase the bulk and intensity of development on the site, introducing a use that is inconsistent with the established character of the neighborhood. The irregular lot shape does not mitigate the effect, as similar lots in the area maintain single-family structures. Accordingly, granting the variance would alter the essential character of the area.

f) The granting of the variance will not materially impair the intent and purpose of this Ordinance.

While the Zoning Board of Appeals has previously approved lot coverage and yard setback variances for single-family properties when it was demonstrated that the minimum necessary to accommodate an addition, the size and layout of the proposed addition exceed what is reasonably necessary to meet the applicant's stated objectives. A smaller or reconfigured design could eliminate or significantly reduce the need for these variances, allowing compliance with the ordinance while still providing functional living space. Granting the dimensional variances as proposed would undermine these standards and the overall intent of the ordinance.

Furthermore, granting these dimensional variances in conjunction with a use that is not permitted would conflict with the purpose and intent of the ordinance, which is to preserve single-family character, regulate bulk and density, and maintain consistency within the Zoning Ordinance. Approval of the requested dimensional variances in this context would materially impair the ordinance's intent.

STAFF FINDINGS OF FACT

1. The property of 0.141 acres (6,142 sq. ft.) is improved by a two-story single-family residence (main dwelling) of 3,220 sq. ft. and an attached 433 sq. ft. garage structure.
2. The property is an irregularly shaped lot located at the southeast corner of a cul-de-sac, with a limited frontage of approximately 25 ft on Harding Sq. and a depth of approximately 108 ft.
3. The property is located in the R-1, One-Family District, and is currently developed with a single-family dwelling, which is a permitted use.
4. The applicant proposes to construct an addition to the existing dwelling. The proposed addition includes living and dining areas, two master bedrooms: one intended for a live-in

- caregiver, a kitchenette, a separate exterior entrance with an accessibility ramp, and interior access between the existing dwelling and the proposed addition.
5. The proposed addition is to be an “in-law” suite for the owners. The owner would like his parents to live with him. Both parents are in wheelchairs and will require a caregiver.
 6. Pursuant to Michigan Housing Law (MCL 125.402), a dwelling designed to provide cooking and kitchen accommodation for two families meets the definition of a two-family dwelling.
 7. The applicant indicated that the proposed design includes a kitchenette intended solely for warming food, not a full kitchen.
 8. The plans submitted do not provide detailed information about appliances and fixtures within the proposed kitchenette. However, the kitchenette area measures approximately 12 ft by 8.5 ft, which is substantial size and typically capable of accommodating independent cooking facilities.
 9. Based on the inclusion of a second kitchen and the overall layout of the proposed addition, staff finds that the proposal meets the definition of a two-family dwelling.
 10. Two-family dwellings are not permitted in the R-1 zoning district.
 11. The applicant is requesting approval of a use variance to allow an attached two-family dwelling within the R-1 District.
 12. Additionally, the proposed addition does not meet the total side yard setback and lot coverage requirements of the Zoning Ordinance.
 13. Section 411 requires a minimum of 14 feet for total side yard setback and a maximum lot coverage of 35%.
 14. The applicant is requesting approval of dimensional variances to allow a total side yard setback of 13 feet and lot coverage of 37.6%.
 15. The property is already developed with a single-family residence, which is a permitted use within the R-1 District. The existing home may be reasonably used and expanded in a manner that maintains compliance with single-family residential standards, without introducing a second dwelling unit or separate kitchen facilities. While the applicant’s design reflects a specific preference, alternative configuration could provide living space and accessibility features without creating a second dwelling unit or necessitating a use variance.
 16. The dimensional variances are driven by the size and configuration of the proposed addition.
 17. The requested dimensional variances are not the minimum necessary to accommodate the applicant’s stated objective of providing living space for elderly parents and a caregiver.
 18. The size and layout of the proposed addition exceed what is reasonably required for this purpose. A smaller or reconfigured design could still provide adequate and functional living space while reducing or eliminating the need for the requested setback and lot coverage variances. Such approach would better align with the intent of the ordinance and provide reasonable relief for the applicant.
 19. The irregular shape of the property distinguishes the parcel from standard interior lots. These conditions did not prevent the original development of a single-family dwelling on the site and do not preclude reasonable expansion of the existing home.

20. Similar irregular lots exist on other properties within the cul-de-sac. The site conditions are not so unique as to necessitate the requested variances.
21. While the Zoning Board of Appeals has previously approved lot coverage and yard setback variances for single-family properties when it was demonstrated that the minimum necessary to accommodate an addition, the size and layout of the proposed addition exceed what is reasonably necessary to meet the applicant's stated objectives.
22. Granting the use variance to allow a residential use that is not permitted in the R-1 District would introduce a two-family dwelling into an area planned and zoned exclusively for single-family homes. This change would alter the established single-family character of the area and could set a precedent for similar requests on nearby properties.
23. Granting the dimensional variances as proposed would undermine the standards and the overall intent of the Zoning Ordinance.

STAFF RECOMMENDATIONS

Based on the information submitted by the applicant and the analysis presented in this report, it is the recommendation of the Economic Development and Planning staff to **deny** the use variance to allow a two-family dwelling in a One-Family Dwelling (R-1) District, and the dimensional variances to allow construction of an addition that does not meet the lot coverage and total side yard setback requirements.

BOARD ACTION

The motion should always be stated as a motion to approve. The Board's vote will determine whether the request is approved or denied.

- *Your "Yes" vote is for approval.*
- *Your "No" vote is for denial.*

Based on the information presented in the Staff Report and additional findings of fact discussed during the review of case # 26-01, I move to approve the request

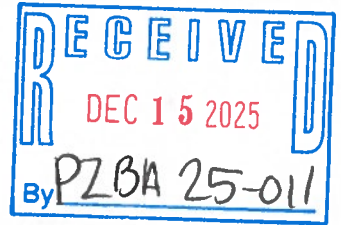
of Jamie Craig on behalf of Jonathan Weinrach, 25951 Harding Sq.

- i. A use variance to allow a two-family dwelling in the R-1, One-Family Dwelling District. Article 2, Division 2: Section 211 of the Zoning Ordinance does not permit two-family dwelling units in the R-1 District.
- ii. A variance to allow a total of side yard setbacks of 13 ft. Article 2, Division 2: Section 214 of the Zoning Ordinance requires a minimum total of side yard setbacks of 14 feet.
- iii. A variance to allow a lot coverage of 37.6%. Article 2, Division 2: Section 214 of the Zoning Ordinance allows a maximum lot coverage of 35%.



CITY OF OAK PARK

Department of Technical & Planning Services
14300 Oak Park Boulevard Oak Park, MI 48237
Phone (248) 691-7450 Fax (248) 691-7165



ZONING BOARD OF APPEALS (ZBA)

Application to File a Variance or Interpretation of the Zoning Ordinance

- This application submission must be accompanied by the application fee and, if applicable, ten (10) folded set of plans shall be filed at the Department of Community and Economic Development, located within the Department of Technical and Planning Services
- The following fee schedule applies to this application
 - Single Family \$500.00
 - Multi-family, Commercial/Industrial \$1,000.00
 - Special: meeting of Board of Appeals \$600.00
- All applications, fee, and pertinent information must be typewritten and filed no later than 5:00 P.M. thirty (30) days prior to the next regularly scheduled ZBA meeting. The ZBA meets on the 4th Tuesday of each month. This deadline is strictly adhered to and no exceptions will be made

NAME OF APPLICANT: JAMIE CRAIG PHONE: 313-585-7852
 APPLICANT ADDRESS: 1502 W 13 MILE RD, ROYAL OAK, MI 48073
 APPLICANT E-MAIL: JAMIE CRAIG @ GMAIL.COM JAMIE CRAIG @ GMAIL.COM
 OWNER: JONATHAN WEINRACH PHONE: _____
 OWNER ADDRESS: 25951 HANDING SQUARE
 ADDRESS OF PROPERTY: 25951 HANDING SQUARE
 CURRENT ZONING: R-1 PROPOSED ZONING: R-1
 PROPERTY IDENTIFICATION: _____

- Describe any unique physical circumstances affecting the property. These can include such things as shape, size, narrowness or shallowness, steep slope, or other conditions that are peculiar to this property:

- Explain if the unique physical circumstance or conditions described in #1 do not exist throughout the neighborhood or district where the property is located:



CITY OF OAK PARK

Department of Technical & Planning Services
14300 Oak Park Boulevard Oak Park, MI 48237
Phone (248) 691-7450 Fax (248) 691-7165

3. Describe why the property cannot be reasonably developed in conformity with the provisions of the Zoning Ordinance, giving consideration to the unique physical circumstances or conditions affecting the property described in #1:

4. Explain who or what has created the hardship, other than the applicant:

5. If the variance is granted, explain how it will not alter the essential character of the neighborhood or district where the property is located and, if the variance is granted, explain how it will not substantially or permanently impair the appropriate use or development of the adjacent property:

In the space below, describe your request in detail for a variance or interpretation of the Zoning Ordinance. If additional space is needed, attach one 8 1/2" x 11" sheet of paper:

Has the Building Inspector examined the plans for the proposed property, and refused a building permit?

NO



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Have previous requests for a variance or interpretation of the Zoning Ordinance involving the property be submitted?

NO

If yes, please state the following:

Date the application was filed: _____

Character/disposition of the application: _____

Attached hereto and made part of the appeal is the letter of authority, or power of attorney, in the case the appeal is made by a person other than the actual owner of the property.

I hereby depose and say that the statements contained in this application are true and correct.

[Signature]
Signature of Applicant

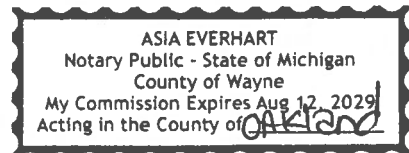
25951 HARDING SQ, OAK PARK 48237
Address

Sworn to before me this 15th day of December, 2025.

Notary Public, Wayne County, Michigan

[Signature]

My commission expires: 8-12-2029





CITY OF OAK PARK
 Department of Technical & Planning Services
 14300 Oak Park Boulevard Oak Park, MI 48237
 Phone (248) 691-7450 Fax (248) 691-7165

LETTER OF AUTHORITY

TO THE CITY OF OAK PARK:

Please be advised that JONATHAN WEINBACH
 (names)

the Owner(s) or Agent(s) of the property identified as _____ located within a
 (circle one) (property ID)

25951 HARDING SQ, OAK PARK Zoning District has no objection to the application
 (property address) 48237

filed by JAMIA CRAIG
 Name of Applicant

Requesting a VARIANCE
 Variance, interpretation of zoning ordinance, or rezoning

[Signature]
 Signature

[Signature]
 Signature

Sworn to before me this 15th day of December, 2025

Notary Public, Wayne County, Michigan

[Signature]

My commission expires: 8-12-2029

ASIA EVERHART
 Notary Public - State of Michigan
 County of Wayne
 My Commission Expires Aug 12, 2029
 Acting in the County of Oakland

1. Describe any unique physical circumstances affecting the property. These can include such things as shape, size, narrowness or shallowness, steep slope, or other conditions that are peculiar to this property:

The property is triangular with a sharp angle on two of the sideyards.

2. Explain if the unique physical circumstance or conditions described in #1 do not exist throughout the neighborhood or district where the property is located:

Most of the adjacent lots are rectangular and not triangular. This shape of lot does not exist in the general area, and is unique.

3. Describe why the property cannot be reasonably developed in conformity with the provisions of the Zoning Ordinance, giving consideration to the unique physical circumstances or conditions affecting the property described in #1:

Due to the drastic angles on the sides, the property is difficult to add to since the existing house is not parallel to the angles sideyards.

4. Explain who or what has created the hardship, other than the applicant:

The hardship is a function of the shape of the lot and not created by the homeowner.

5. If the variance is granted, explain how it will not alter the essential character of the neighborhood or district where the property is located and, if the variance is granted, explain how it will not substantially or permanently impair the appropriate use or development of the adjacent property:

The variance requested are for:

- 1. Lot coverage, Max. 35%, proposed 37.6%***
- 2. Total Sideyard setback, 14' Req's, 13' proposed***
- 3. Use variance – two-family dwelling.***

Proposed impervious surface = 47.2% < 70%

The proposed addition is to be an “In-Law” suite for the owners. The owner would like his parents to live with him. Both parents are in wheel chairs and will require a caregiver.

For the lot coverage and setback variance: Our hardship and request for the variance stems from the angled shape of the lot; which makes it difficult to get an addition that meets setback requirements and is cohesive. If the variance is granted, it will not affect adjacent properties. All adjacent properties have been shown our proposed design and are in full support. The proposed addition backs up to the backyards of several house that are buffered by heavily wooded trees. The architecture of the proposed addition matches the existing house and is consistent with surrounding houses.

For the use variance: This should not be considered a two-family dwelling. The “kitchenette” is not a full kitchen and will only be used for warming food. The reason for the separate entrance is to accommodate a wheelchair.



CITY OF OAK PARK

DEPARTMENT OF ECONOMIC DEVELOPMENT
& PLANNING

Mayor
Marian McClellan
Mayor Pro Tem
Julie Edgar
Council Members
Stephanie Crawford
Solomon Radner
Shaun Whitehead
City Manager
Erik Tungate

NOTICE OF PUBLIC HEARING CITY OF OAK PARK ZONING BOARD OF APPEALS

Notice is hereby given that the City of Oak Park Zoning Board of Appeals will hold a PUBLIC HEARING on Tuesday, January 27, 2026, at 7:00 p.m., or thereafter, held in City Council Chambers, 14000 Oak Park Blvd., Oak Park, MI.

The Public Hearing will consider:

Case #26-01, Jamie Craig on behalf of Jonathan Weinrach, 25951 Harding Sq., Property ID #52-25-19-152-006, has made an appeal to the Zoning Board of Appeals for a use variance from the provisions of Article 2, Division 2: Section 211 Residential Uses of the Zoning Ordinance, to allow the use of a two-family dwelling in a One-Family Dwelling (R-1) District. The appeal also includes dimensional variances from the provisions of Article 2, Division 2: Section 214 Schedule of Regulations of the Zoning Ordinance, to allow construction of a second dwelling unit that does not meet the lot coverage and total side yard setback requirements.

The variance requests can be reviewed at the Municipal Services - Economic Development and Planning Office located at 14300 Oak Park Blvd. The public may appear at the Public Hearing in person or by counsel. Written comments should be addressed to: Chairperson, Zoning Board of Appeals, 14300 Oak Park Blvd., Oak Park, MI 48237, and must be received prior to the Public Hearing.

Ed Norris, City Clerk
City of Oak Park

WALL LEGEND	
EXISTING WALL	=====
DEMOLITION WALL	-----
NEW WALL	=====
BRICK	//////
MASONRY BLOCK	XXXXXX

REVIEWED UNDER:
**2015 MICHIGAN RESIDENTIAL CODE &
 2015 MICHIGAN UNIFORM ENERGY CODE**

NOTES:

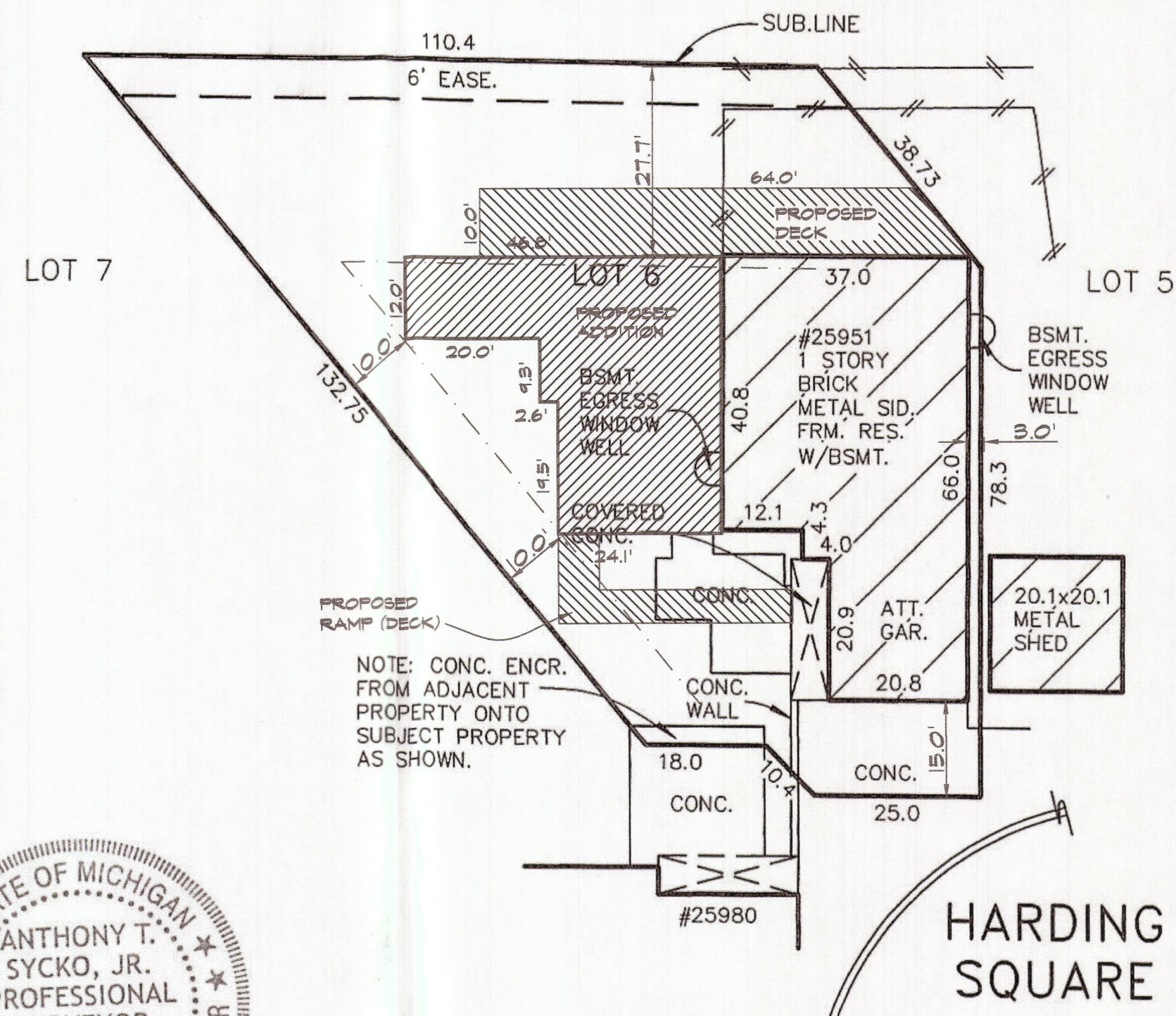
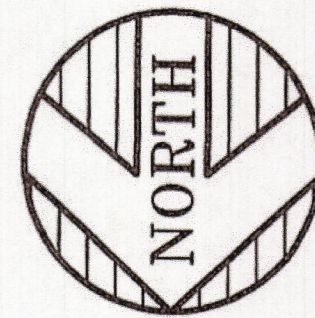
1. SMOKE ALARMS TO CODE: ALL SMOKE ALARMS TO BE ELECTRONICALLY INTERCONNECTED WITH A BATTERY BACKUP
2. *R315.1 Carbonmonoxide alarms.* For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in *dwelling units* within which fuel-fired *appliances* are installed and in dwelling units that have attached garages.
3. ELECTRICAL TO CODE

ZONED: R-1 (ONE-FAMILY RESIDENTIAL)
 LOT AREA: 9,010 SF (6,000 SF MIN)
 EXISTING LOT COVERAGE: 23.9% (35% ALLOWED)
 PROPOSED LOT COVERAGE: 37.6%
 FRONT SETBACK: 25' REQ'D 15.0' EXISTING
 REAR SETBACK: 30' REQ'D 27.7' EXISTING
 SIDE SETBACKS: 4' TOTAL OF 14' 3.0'/10.0' = 13.0' TOTAL PROPOSED

Property Description:

Lot 6; HARDING SQUARE SUBDIVISION, part of the E. 1/2 of the W. 1/2 of the N.W. 1/4 of Section 19, T.1 N., R.11 E., City of Oak Park, Oakland County, Michigan, as recorded in Liber 112 of Plats, Page 9 of Oakland County Records.

NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE THE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, TO DETERMINE THE EXACT AMOUNT OF ENCROACHMENT AND/OR TO DETERMINE THE EXACT LOCATION OF FENCES.



PROPOSED SITE PLAN
 SCALE: 1"=20'-0"

REVISIONS

NO.	DATE	ADDENDUM/BULLETIN

A PROPOSED INTERIOR RENOVATION/ADDITION FOR:

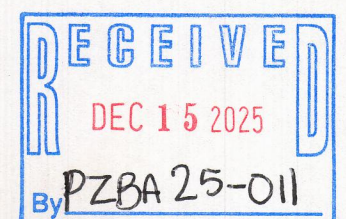
WEINRACH RESIDENCE

25951 HARDING SQUARE
 OAK PARK, MICHIGAN 48237

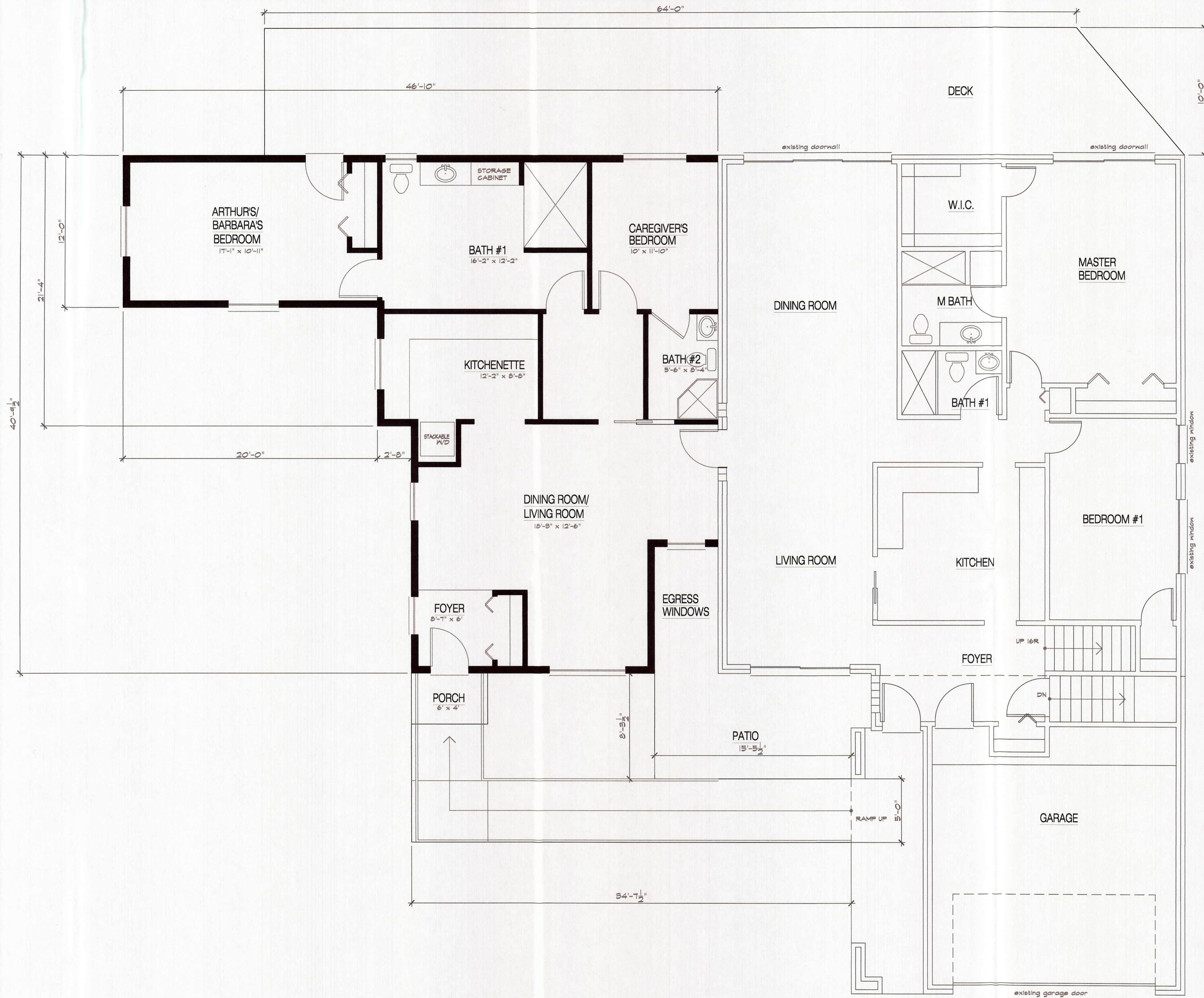
ZACK M OSTROFF & ASSOCIATES
 RESIDENTIAL COMMERCIAL DESIGNER/PLANNER
 MEMBER AIA
 BD
 web: www.zoaarchitecture.com
 email: zack@zoaarchitecture.com
 PH: 248.425.4190

THIS DRAWING AS AN INSTRUMENT OF SERVICE IS AND SHALL REMAIN THE PROPERTY OF THE DESIGNER AND SHALL NOT BE USED IN ANY WAY WITHOUT THE PERMISSION OF THE DESIGNER.
 THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF HIS WORK.

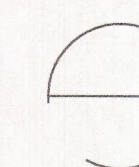
SHEET TITLE
SITE PLAN
 SHEET SCALE
AS NOTED
 PROJECT NO.
25-108
 DATE
12.01.25
 SHEET NUMBER
A-1



WALL LEGEND	
EXISTING WALL	
DEMOLITION WALL	
NEW WALL	
BRICK	
MASONRY BLOCK	



TOTAL 1,233 sf



MAIN LEVEL
PROPOSED FLOOR PLAN

SCALE: 1/4"=1'-0"

REVISIONS

NO.	DATE	ADDENDUM/BULLETIN

A PROPOSED INTERIOR RENOVATION/ADDITION FOR:

WEINRACH RESIDENCE

25951 HARDING SQUARE
OAK PARK, MICHIGAN 48237

ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL COMMERCIAL DESIGNER/PLANNER
MEMBER
A I B D
web: www.zoarchitect.com
email: zack@zoarchitect.com
PH.248.425.4190

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SHEET TITLE
PROPOSED FLOOR PLANS

SHEET SCALE
AS NOTED

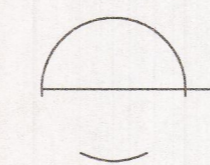
PROJECT NO.
25-108

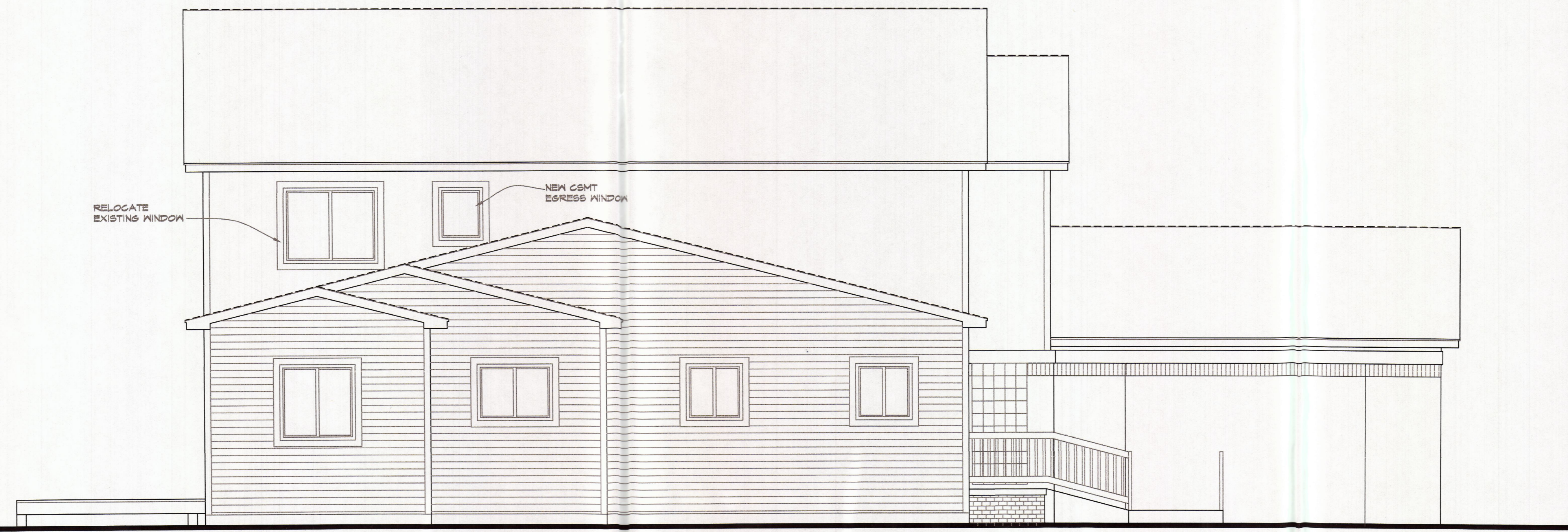
DATE
12.01.25

SHEET NUMBER
A-2

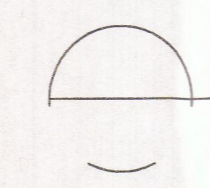


← PROPOSED existing →

 NORTH (FRONT) ELEVATION
SCALE: 1/4"=1'-0"



← PROPOSED existing →

 EAST ELEVATION
SCALE: 1/4"=1'-0"

REVISIONS		
NO.	DATE	ADDENDUM/BULLETIN

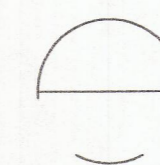
A PROPOSED INTERIOR RENOVATION/ADDITION FOR:
WEINRACH RESIDENCE
25951 HARDING SQUARE
OAK PARK, MICHIGAN 48237

ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL COMMERCIAL DESIGNER/PLANNER MEMBER
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SHEET TITLE	EXTERIOR ELEVATIONS
SHEET SCALE	AS NOTED
PROJECT NO.	25-108
DATE	12.01.25
SHEET NUMBER	A-3




SOUTH (REAR) ELEVATION
 SCALE: 1/4"=1'-0"

← existing → PROPOSED →

REVISIONS		
NO.	DATE	ADDENDUM/BULLETIN

A PROPOSED INTERIOR RENOVATION/ADDITION FOR:
WEINRACH RESIDENCE
 25951 HARDING SQUARE
 OAK PARK, MICHIGAN 48237

ZACK M OSTROFF & ASSOCIATES
 RESIDENTIAL COMMERCIAL DESIGNER/PLANNER MEMBER

 web: www.zoarchitect.com
 email: zack@zoarchitect.com
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SHEET TITLE
EXTERIOR ELEVATIONS

SHEET SCALE
AS NOTED

PROJECT NO.
25-108

DATE
12.01.25

SHEET NUMBER
A-4