## MEMORANDUM

To: Zoning Board of Appeals
From: Kariline P. Littlebear, Zoning Administrator
Date: April 17, 2024
Re: Case 24-06
2345 Oakland Dr
11-12-101-042
Applicant: Stacy Drouillard
Owner: Stacy Drouillard

The subject parcel is zoned LV - Lake and Village Residential District. The parcel size is approximately 0.292 acres.

The required setbacks for this parcel are as follows:
Front yard: 33 feet
Rear yard for primary structure: 38 ft
Side yards: 10 ft for the smallest yard and 25 ft total when both side yards are added together

This request is for a 5 -foot variance from the required 10 -foot side yard setback to 5 -feet provided for the construction of an attached garage and loft storage. This request is for a variance from Section 9.02.B.b. of the Zoning Ordinance.

The applicant has provided a scaled site plan, a floor plan, and elevations. Staff has supplied assessing records, a zoning map, an aerial approximation of the property, and Section 9.02. of the Zoning Ordinance.

## CHARTER TOWNSHIP OF HIGHLAND ZONING MAP



## 2345 Oakland Dr



CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS APPLICATION FOR APPEAL
APPLICANT
NAME: Stacy Drouillard
ADDRESS: $\frac{2345 \text { Oakland }}{\text { Highland, M7 } 48356}$
PHONE: 248-884-9094
EMAIL: drouillards Ofrontier.COM

OWNER ADDRESS: 2345 Oakland Highland, MI 48356

PHONE: 248-884-9094
EMALL: drouillards efrontier.com

PROPERTY ADDRESS: $\qquad$ 2345 Oakland Dr ZONING: $\qquad$ LV

PROPERTY TAX ID NO: $11.12-101 \cdot 042$
ORDINANCE SECTIONS BEING APPEALED: Sec. $9.02 . \mathrm{B} . \mathrm{b}$.a.
variances вrouиsтm: $5^{\prime}$ variance from $10^{\prime}$ to $5^{\prime}$ for side yard

DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY: The property is small and irregularly shaped. The topography is irregular and includes a steep driveway that is lower than the home and sloping front yard. Building within the zoning requirements does Not allow room for stairs to access the home or attic/ storage, nor room for vehicles or sicked door. I certify that all required information is shown on the attached plan and included on this form. I acknowledge that by signing this application, I am granting the right of the Zoning Board of appeals members, inspectors and administrators to conduct a site inspection of the subject
property. All statements are true to the best of my knowledge.
 Subscribed and sworn to before me this 8 day of March $\quad 2024$

JENNIFER BOSH
NOTARY PUBLIC - STATE OF MIC NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND COUNTY OF OAKLAND
My Commission Expires June 16, 2025
Acting in Acting in the County of Oakland


## To Whom it May Concern:

We are requesting a variance of 5 feet into the side lot set back to build a garage and addition that would permit us to protect our vehicles and provide appropriate storage.

The topography of the lot is irregular and presents many difficulties. Specifically, the house sits on a hill in relation to the road, creating a very sloped driveway that is significantly lower than the home. The lot is irregularly shaped, and the position of the home makes the lot small. Building a garage and addition cannot be done within the zoning requirements.

There are many practical difficulties. First, if built without a variance, the space would not be large enough to accommodate the necessary stairs to gain access to the house, nor would there be enough room for necessary safe stairs to access the attic/storage space above the garage. Secondly, there would not be enough room for two vehicles to be parked in the space and allow the doors of the vehicles to be opened to enter or exit the vehicles. Thirdly, a side door would be necessary in the garage. The access door is required to open inward and there would not be enough room for the door to open without hitting a vehicle parked in the garage.

Additional practical difficulties arise due to the position of the home. The home is situated nearly in the center of the lot. This was created by the original builder in 1971. This created a $22.5-$ foot side yard on the west side of the home and a 33.5 -foot side lot on the east side of the home, thus making the lot smaller than it seems. There is no ability to build a garage and addition on the west side of the home. There is more than adequate space to build a garage and addition on the east side with a 5 -foot variance. In addition, the lot is irregularly shaped with significant angles on the front and back property lines which do not allow for the project to be built in a different position on the property.

The lot abuts Highland Hills Golf Course. Every vehicle that we own or have owned previously has sustained damage from golf balls. This included several dents and a broken window. A 5-foot variance would allow us to build a garage that would protect our vehicles.

The proposed attached addition to the home and garage with a 5 -foot variance would give us the necessary space to have access into the home from the garage and allow for safe stairs to the attic/storage above the garage. The project cannot be redesigned to meet the zoning requirements without the need for a 5 -foot variance into the side lot.

Thank you for your consideration,


Stacy A. Drouillard

## CHARTER TOWNSHIP OF HIGHLAND <br> ZONING BOARD OF APPEALS <br> WORKSHEET

The worksheet is designed to help you understand the appeal process and to help you submit a complete application for review by the Zoning Board of Appeals. If you have any questions after reading this worksheet you may contact the Planning and Zoning Department for assistance.

## HAVE YOU MET ALL OF THE FOLLOWING CRITERIA?

1) Do the characteristics of the property include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation or other similar characteristics? If so, please describe here.
Yes. The topography is irregular and inclucles a steep driveway that is lower than the home and a sloping front yard. The property is small and irregularly shaped. The property abuts a golf course.
2) Can the project be redesigned to meet the zoning requirements without the need for a variance?

No.
$\qquad$
$\qquad$
$\qquad$
3) Is the reason for a variance request of a personal nature? (for example: financial impact, physical and/or mental characteristics of the household members, inconvenience, etc.)
$\qquad$
$\qquad$
$\qquad$
4) Has the difficulty been created by the current or previous owner? No.
$\qquad$
$\qquad$
$\qquad$
5) Will the proposed variance be harmful to or alter the essential character of the area in which the property is located?

No.
$\qquad$
$\qquad$
$\qquad$
6) Will the proposed variance be the minimum necessary?

$\qquad$
$\qquad$
$\qquad$


## Sec. 9.02. LV—Lake and Village Residential District.

A. Creation of new lots in the Lake and Village Residential District.

1. No new Lake and Village Residential Districts shall be created. New parcels within the district may be created through land division and combination, subject to the following:
a. Where public sewer and public water service is available the minimum buildable area shall be fourteen thousand $(14,000)$ square feet, provided the lot fronts a street, and twenty thousand $(20,000)$ square feet where the lot fronts a major thoroughfare, and minimum frontage shall be eighty (80) feet:
b. Where public sewer and/or public water is not available the minimum buildable area shall be twenty thousand $(20,000)$ square feet, provided the lot fronts a street and twenty-five thousand $(25,000)$ square feet where the lot fronts a major thoroughfare and minimum frontage shall be one hundred and twenty (120) feet:
2. The lot must satisfy all criteria specified in the Land Division Ordinance.
3. No lot shall be divided in such a way as to create a non-conforming lot or to increase the degree of nonconformity already in existence.
B. Setbacks.
a. Front yard setback.
a. A front yard setback shall be determined to promote consistency with established patterns within a developed neighborhood. The required setback will range from 30 feet to 40 feet based on analysis of existing houses within 200 feet of the subject parcel, located on the same side of the road as the subject parcel. If there are no homes within 200 feet of the subject parcel, the required front yard setback shall be 40 feet.
b. In determining the setback, the following method shall be used, utilizing aerial photography and parcel models provided in the Oakland County Geographic Information System:
1) Determine which existing houses shall be considered in the calculations.
2) Determine the distance from each house to the front property line and record the distance.
3) Subtract 30 feet from each measurement and record the difference. For measurements 30 feet or less, enter zero feet for further calculations. For measurements greater than 40 feet, enter ten feet for further calculations.
4) Determine the average difference of all measurements as recorded in step 3) (e.g. add all recorded differences and divide by the number of samples). Add this calculated average to 30 feet. This is the required setback.
c. The Zoning Administrator may refer any plot plan to the Zoning Board of Appeals for determination of the required setback.
b. Side yard setback.
a. For all principal and accessory buildings and structures, the side yard setbacks are established based on lot width, as follows:

| Lot Width <br> (feet) | Least Side <br> (feet) | Total Both Sides <br> (feet) |
| :--- | :--- | :--- |
| 120 or greater | 10 | 30 |


| 90 to119 | 10 | 25 |
| :--- | :--- | :--- |
| 70 to 89 | 5 | 20 |
| 40 to 69 | 5 | 15 |

c. Rear yard setback.
a. A rear yard setback shall be determined to promote consistency with established patterns within a developed neighborhood. The required setback will range from 30 feet to 40 feet based on analysis of existing houses within 200 feet of the subject parcel, located on the same side of the road as the subject parcel. If there are no homes within 200 feet of the subject parcel, the required rear yard setback shall be 40 feet.
b. In determining the setback, the following method shall be used, utilizing aerial photography and parcel models provided in the Oakland County Geographic Information System:

1) Determine which existing houses shall be considered in the calculations.
2) Determine the distance from each house to the rear property line and record the distance.
3) Subtract 30 feet from each measurement and record the difference. For measurements 30 feet or less, enter zero feet for further calculations. For measurements greater than 40 feet, enter ten feet for further calculations.
4) Determine the average difference of all measurements as recorded in step 3) (e.g. add all recorded differences and divide by the number of samples). Add this calculated average to 30 feet. This is the required setback.
c. The Zoning Administrator may refer any plot plan to the Zoning Board of Appeals for determination of the required setback.
C. Setback exceptions and height restrictions for accessory structures.
a. One (1) storage shed not greater than one hundred and fifty (150) square feet in area and not greater than ten (10) feet in height may be permitted as close as five (5) feet to side lot line or rear lot line. All sheds must comply with required front yard setback.
b. One (1) accessory structure such as a garage, swimming pool, or play structure not greater than two hundred and forty (240) square feet in area and not greater than fifteen (15) feet in height may be permitted as close as ten (10) feet to the rear lot line provided the structure complies with the required side yard setback.
D. Minimum Setback from the Ordinary High Water Mark.
a. The setback from the ordinary high water mark shall be determined to promote consistency with established patterns within a developed neighborhood, while protecting viewsheds of the lake for neighboring properties.
b. Typically, the setback from the ordinary high water mark is sixty-five (65) feet. The setback may be reduced to as little as thirty (30) feet on lakefront lots, based on an analysis of like structures on parcels within two hundred (200) feet of the subject parcel, located along the lakeshore. This setback reduction may be applied to principle primary structures or to uncovered porches and decks. This setback reduction may not be applied to accessory structures such as garages and boathouses.
c. In determining the setback reduction, the following method shall be used, utilizing aerial photography and parcel models provided in the Oakland County Geographic Information System:
5) Determine which existing primary structures or decks/uncovered porches shall be considered in the calculations. Decks and uncovered porches shall not be used in determining setback reductions for a principle structure, but principle structures may be used in determining setback reductions for decks/uncovered porches.
6) Determine the distance from each structure to the presumed ordinary high water mark and record the distance.
7) For parcels with no structures are closer to the presumed high water mark than sixty-five (65) feet, enter a value of zero for further calculations. For parcels with structures closer to the presumed high water mark than thirty (30) feet, enter a value of thirty-five (35) feet for further calculations. For remaining parcels with structures falling between those two (2) limiting factors, enter the difference between sixty-five (65) feet and the measured distance.
8) Determine the average difference of all measurements as recorded in Step 3 (e.g. add all recorded differences and divide by the number of samples). This result represents the allowable setback reduction.
E. Minimum floor area per residential unit. One thousand $(1,000)$ square feet.
F. Minimum first floor area per residential unit. Seven hundred and fifty (750) square feet.
G. Maximum height for principal structures. Two stories or twenty eight (28) feet.
H. Maximum height for residential accessory structures. Twenty eight (28) feet for all accessory structures which comply with the setback requirements under Section 9.02B, Setbacks. See Section 9.02C, Setback Exceptions and Height Restrictions for Accessory Structures for height restrictions for accessory structures placed under the provisions for setback exceptions.
I. Maximum Lot Coverage. The maximum lot coverage for all building (principal and accessory) is as follows:
a. For lots with net area less than fourteen thousand $(14,000)$ square feet, the maximum lot coverage shall be forty-five (45) percent.
b. For lots with net area of fourteen thousand $(14,000)$ square feet or greater, the maximum lot coverage shall be thirty-five (35) percent.
( Ord. No. Z-006, § 3, 10-14-2015 )




WDOD TRUSS SPECLELCATOUS DESLIGU INEORMATIA






 (2)


Hop dranimas


2. THEAPPROVED SHDD DRAMWUGS SHAL BE SLIEM TTEDT
3. THE FOLOONING INFORMATION SHLLL APPEAR OU ALL TRLLSS SHCP DRAWIIGGS







REAR ELEVATION


ELECTRICAL

（\％）．Lelne mid ExT LIGT

OCC SNLE EHAB F FXURE W
－RECESED



－SUVFACE MT．SFEAKRER




FLOOR PLAN SaLE NO







INTERIOR WALL ATTACHMENT


$\qquad$



## 山元 $+12.5 z t$ 3 N


SRIEENH L LivERED VENT




SOLEEARNGERQUREMENTS



 $\xrightarrow{\text { LENALO }}$
COUCEETE SPECIFICATITNS:



3. THELSEOF ODDITNESSSCHASEY YSHORCA
 REIIFORCMGG STEL SPECLFICATIONS:




5. WELDNG OF RENFORCING STEEL IS NOT ALOWED.

MSONRY SPECCFICATIONS


2. AL MORTAR SHAL COFFORM TO ASTM CLITO, TTPE MOR S, MUUMMM COMPRE-
3. AL COOCRETE MASOIRYY LIITS SHALL HAVE A MIIMMM PRISM STRENGTH OF
4. EXPALSION BINTS FOR BRICK MASONRY SHLLL BE PRLACED AT $20^{\circ}$ TO $30^{\circ}$ O.C.
5. COUTROL DNTTS FOR CONCRE TE MASONRY SHULL BE PLLACED AT $30^{\circ}$ O.C.
6. AL CONCRETE TYOCK WALS SHAL HAVE RLROMA' OREQUIVLEUT TRUSS







 TREE CORES OF BLOCK BELOW THE BEARNGSHAL BE GROUTED SOLII. $\qquad$
12. ALPOSTS SHAL EXTEMD TO SOLIL REARING. REFEATPOSTS OULONER ROORS






TRENCH TYPE FOOTING (no scaue woon specifications:






7. $\operatorname{ALLUMERR~ATOR~BLLOWGRADE~SHAL~BE~PRESSLIRE~TREATED.~}$


10. NOTCHMG ADDRRIMG OFSTRUCTREAMEMBERS I I PROMBITTED WITHOUT
 ABGREVIATIONS









 MEFPART OF THESTRLCTRRA SPECIFCATITINSSI: $32 \cdot 8^{\prime \prime}$
 $z \stackrel{i n}{\sim}$
 $\infty$
$山$

0 충

| + |
| :--- |
| 0 |
| 0 |
|  | $\begin{array}{r}2 \\ \vdots \\ -\frac{\Xi}{2} \\ \hline\end{array}$ -

$<$
$<$ か $\infty$
$-10$


CRAWLSPACE ANDFOUNDATION PLAN
SCALE: ${ }^{\circ}$





ZONING: LV DISTRICT


## beotion resignation

SHEET ON WHICH THE SECTION
Dreotian THE meotion MS VIEWE





$\square-$ EXILTING CONSTRUCTION


 $\square$

Charter Township of Highland
(H) 11-12-101-042 Active



11-12-101-042
Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

## Owner Information

| Owner(s) | : STACY DROUILLARD |  |
| :---: | :---: | :---: |
| Postal Address | : 2345 OAKLAND DR HIGHLAND MI 48356-1557 |  |
| Location Information |  |  |
| Site Address | : 2345 OAKLAND DR HIGHLAND MI 48356-1557 |  |
| PIN | : 11-12-101-042 Neighborhood Code | : RDL |
| Municipality | : Charter Township of Highland |  |
| School District | : 63220 HURON VALLEY SCHOOLS |  |
| Class Code | : 401 Residential - Improved |  |
| Property Description |  |  |

T3N, R7E, SEC 12 DUCK LAKE PARK SUB LOTS $21 \& 22$ EXC NLY PART DESC AS BEG AT NE COR OF LOT 21, TH S ALG LOT LINE 9.40 FT, TH S 59-43-00 W 96.20 FT TO W LINE OF LOT 22, TH N ALG SD W LINE 50 FT TO NW LOT COR, TH N 59-53-00 E 16.80 FT, TH N 80-13-00 E 65.20 FT TO BEG, ALSO S 100 FT OF E $1 / 2$ OF LOT 23 4-30-90 FR 037 \& 039

| Split/Combination Information |  |  |  |
| :---: | :---: | :---: | :---: |
| Added Status | : Added Parcel |  |  |
| Added Date | : 05/15/1990 | Added From | : FR 037 \& 039 |
| Most Recent Sale Since 1994 |  |  |  |
| Date | : 11/22/2002 |  |  |
| Amount | : \$139,000 | Liber | : 27484:197 |
| Grantor | : HAMILTON, KEVIN R |  |  |
|  | HAMILTON, MARY A | Grantee | : DROUILLARD |

## 11-12-101-042

Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.


