



MEMORANDUM

To: Zoning Board of Appeals
From: Kariline P. Littlebear, Zoning Administrator
Date: May 1, 2024
Re: ZBA24-08
1234 Gleneagles
11-28-152-009
Applicant: Legacy Landscape – Russell Sheridan
Owner: Jill Hardenburg

The subject parcel is zoned R1.5 (RPUD) – Residential Planned Unit Development. The parcel size is approximately 0.475 acres. This is a parcel in Prestwick and has an approved building envelope.

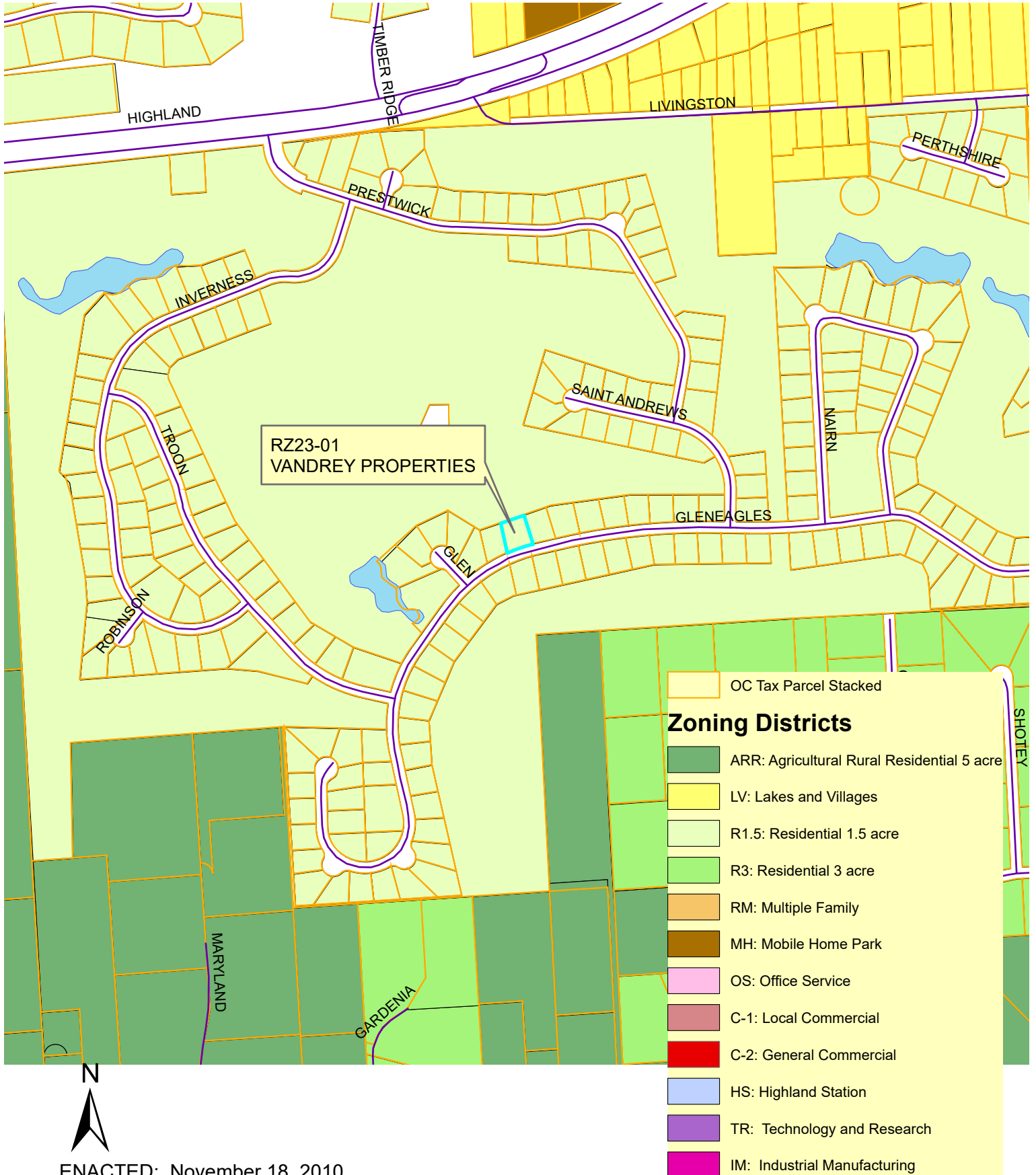
The required setbacks for this parcel are as follows:

Front yard: 40 feet
Rear yard for a structure: 40 ft
Rear yard for an uncovered deck/patio: 30 ft
Side yards: 15 ft

This request is for a 23-foot 9.75-inch variance from the required 40-foot rear yard setback to 16-feet 2.25-inches provided for a 30-foot by 15-foot inground pool with a 3-foot tall 1-foot by 32-foot raised waterfall feature, and a 13-foot 9.75-inch variance from the required 30-foot rear yard setback to 16-feet 2.25-inches provided for an uncovered patio at grade. This request is for a variance from Section 7.02.C.5. of the Zoning Ordinance.









The applicant has provided a scaled site plan and elevations. Staff has supplied assessing records, a zoning map, an aerial approximation of the property, minutes from the October 17, 1996 Planning Commission meeting, the report referenced in that meeting, and Section 7.02. of the Zoning Ordinance.

CHARTER TOWNSHIP OF HIGHLAND ZONING MAP



1234 Gleneagles




-  2 Foot Contours
-  5 Foot Contours
-  FEMA Base Flood Elevations
-  FEMA Cross Sections
-  100 yr - FEMA Floodplain
-  100 yr (detailed) - FEMA Floodplain
-  500 yr - FEMA Floodplain
-  FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.


David Coulter
 Oakland County Executive

Date Created: 4/3/2024


NORTH
 1 inch = 100 feet

1234 Gleneagles



- 2 Foot Contours
- 5 Foot Contours
- FEMA Base Flood Elevations
- FEMA Cross Sections
- 100 yr - FEMA Floodplain
- 100 yr (detailed) - FEMA Floodplain
- 500 yr - FEMA Floodplain
- FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.

OAKLAND COUNTY MICHIGAN
 Economic Development & Community Affairs
David Coulter
 Oakland County Executive

Date Created: 4/3/2024

 NORTH
 1 inch = 50 feet

Case # 24-08

Hearing Date 5/1/24

CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS
APPLICATION FOR APPEAL

APPLICANT

NAME: Legacy Landscape
Russell Sheridan

ADDRESS: 16800 24 mile
Macomb MI 48042

PHONE: (586) 690-5275

EMAIL: Russell@legacylandscape.com

OWNER

NAME: Jill Hardenburg

ADDRESS: 1234 Gleneagles
Highland MI 48357

PHONE: (734) 6460597

EMAIL: readj@umich.edu

PROPERTY ADDRESS: 1234 Gleneagles Highland MI ZONING: R1.5

PROPERTY TAX ID NO: H11 28152009

ORDINANCE SECTIONS BEING APPEALED: (Sec. 7.02.C.5) Residential Planned
Unit Development Approved Building Envelope

VARIANCES REQUESTED: 23' 9 3/4" variance from the
required 40ft rear yard setback to
16' 2 1/4" for inground pool + waterfall feature; And
13' 9 3/4" variance from 30ft to 16' 2 1/4" for uncovered
patio.

DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY: Shallowness of property with
40' set as well as Golf course location will not allow
any use of back yard

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.

SIGNATURE OF OWNER: see docu sign document DATE: _____
SIGNATURE OF APPLICANT: [Signature] DATE: 03/26/24

Signature of applicant must be notarized.

Subscribed and sworn to before me this
26 day of March, 2024
Jennifer Bosh Notary Public
My Commission expires 06-16-2025

APPLICATION FEE: \$275.00
Receipt# 1.059536 Date Paid 3/26/24
Received by: [Signature]

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

Form revised 12/21/2015
S:\Planning Department New Folder\Zoning Board of Appeals\forms\ZBA Application form

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.

OWNER: _____

DocuSigned by:
Jill Hardenburg
D8FF84DD8E9E43F...

DATE: 3/26/2024 SIGNATURE OF _____

SIGNATURE OF APPLICANT: _____ DATE: _____

Signature of applicant must be notarized.

Subscribed and sworn to before me this

APPLICATION FEE: _____

_____ day of _____, 20

_____ 'Notary Public

My Commission expires _____

Receipt# _____ Date Paid _____

Received by _____

Form revised 12/21/2015

S:\Planning Department New Folder\Zoning Board of Appeals\forms\ZBA Application form

CHARTER TOWNSHIP OF HIGHLAND
ZONING BOARD OF APPEALS
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.

Shallowness and Golf course location
make back yard not usable

- 2) Can the project be redesigned to meet the zoning requirements without the need for a variance?

NO

- 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.)

NO

4) Has the difficulty been created by the current or previous owner?

No

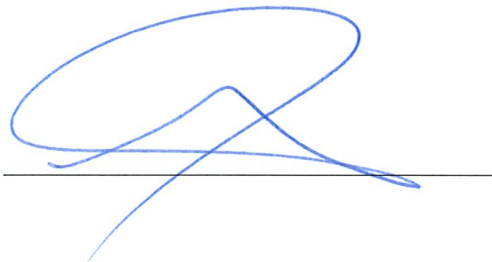
5) Will the proposed variance be harmful to or alter the essential character of the area in which the property is located?

No

6) Will the proposed variance be the minimum necessary?

Yes

Signature

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line and a long, sweeping tail that extends downwards and to the right.

Signature _____

DocuSigned by:
Jill Hardenburg
D6FF01DD0E9E43F...

Revised 08/01/23

Case # _____ Hearing Date _____

CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS
APPLICATION FOR APPEAL

APPLICANT

Russell Sheridan

NAME: _____

ADDRESS: 16800 24 mile Macomb MI 48042

PHONE: (586) 690-5275

EMAIL: Russell@legacylandscapemi.com

OWNER

Jill Hardenburg

NAME: _____

ADDRESS: 1234 Gleneagles Highland Mi 48357

PHONE: 7346460597

EMAIL: readj@umich.edu

PROPERTY ADDRESS: ZONING:

PROPERTY TAX ID NO:

ORDINANCE SECTIONS BEING APPEALED:

VARIANCES REQUESTED:

DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY:

Sec. 7.02. Residential Open Space Planned Unit Developments (RPUD).

- A. *Intent.* The Residential Open Space Planned Unit Development (RPUD) option is intended to provide an alternative to traditional residential subdivision design in a manner that encourages the preservation of rural character, large areas of open space and greenways, protects valuable natural resources, enhances ecological functions, and requires excellence in site design. These regulations are not intended as a device for subverting the zoning regulations and standards of the Township, nor the planning concepts upon which the ordinance is based. Specifically, the RPUD option is intended to achieve the following purposes:
1. Permit flexibility in design and use that will result in a higher quality of development and a better overall project than would be accomplished under conventional zoning, and which can be accommodated without sacrificing established community values.
 2. Foster responsible stewardship of the natural environment resulting in the long term protection and preservation of natural resources and natural features.
 3. Encourage retention of the rural atmosphere including the preservation of historic and cultural resources.
 4. Incorporate design elements that unify the site through public amenities, landscaping, lighting, coordinated signage, and pedestrian walks and pathways.
 5. Encourage the use of naturalized landscape design and architectural design that is compatible with the rural surrounding.
- B. *Eligibility.*
1. RPUD designation of a parcel(s) is an amendment of the official zoning map, subject to the review procedures and standards outlined in Article 19, Changes and Amendments, as well as those of this section. To be eligible for RPUD approval, the applicant must demonstrate that the following criteria will be met:
 - a. The intent of Section 7.02.A, Intent.
 - b. One (1) or more of the following benefits will be provided:
 - i. A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
 - ii. Long-term protection and preservation of natural resources and natural features of a significant quantity and/or quality, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations.
 - c. The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, roads, and utilities.
 - d. The proposed development shall be consistent with the public health, safety, and welfare of the Township.
 - e. The proposed development shall minimize any negative environmental impact on the subject site or surrounding land.
 - f. The proposed development shall minimize any negative economic impact upon surrounding properties.
 - g. The proposed development shall be consistent with the Highland Township Master Plan.

-
- h. All property within the RPUD shall be under the ownership or control of a single entity with responsibility and authority for completing the project in conformity with the approved plan. This provision shall not prohibit a transfer of property ownership or control provided that the Township is notified and that any successors shall be bound by conditions of approval.

C. *Design standards.*

1. *Permitted uses within an RPUD.* Any principal or accessory use allowed by right within the Residential districts as listed in Article 4, District Regulations, Section 4.05, Agricultural and Rural Residential District and Section 4.06, Residential Districts, may be permitted in an RPUD.
2. *Density.* An RPUD project shall not be developed more dense than one (1) dwelling unit per five (5) acres for parcels designated Agricultural and Rural Residential on the Master Plan or one dwelling unit per one and a half (1.5) acres for parcels designated Medium and Small Lot Residential or Open Space Residential in the Master Plan except as may be modified by bonus density granted by the Planning Commission under this Section. The Planning Commission will determine the maximum number of dwelling units for each RPUD based on a review of a sketch parallel plan submitted by the applicant during the preliminary site plan review as described in section 7.02.E.3, Procedures for Review and Approval.
3. *Density bonus for exemplary projects.* The Planning Commission and Township Board may allow a variable density credit pursuant to this section. In order to qualify for such increase in density, the applicant shall demonstrate to the satisfaction of the reviewing body that the proposed project exhibits design excellence and exceeds the minimum standards for RPUD eligibility. The bonus density may be awarded for incorporation of the following design elements or planning principles, up to a maximum of thirty (30) percent, in combination as follows:
 - a. Up to ten (10%) percent: For providing dedicated open space configured to preserve and to protect high quality natural features in a non-fragmented fashion and to provide connectivity both within and beyond the development boundaries. Open space shall not consist of long, narrow strips, unless used to conserve a linear natural feature. The density bonus shall be generally awarded on a scale ranging from three (3%) percent for developments dedicating thirty (30%) percent of the gross site area as open space, up to ten (10%) percent for sites dedicating seventy (70%) percent of the gross site area as open space. No bonus density shall be awarded under this provision for sites dedicating less than thirty (30%) percent open space, or for open space that does not satisfy the standards of Section 7.02.C.3, Density Bonus for Exemplary Projects. The reviewing body may adjust the scale (not to exceed ten (10%) percent) based on the percentage of units which have direct access to open space.
 - b. Up to five (5%) percent: For providing a landscaped perimeter screen in excess of one hundred (100) feet in depth.
 - c. Up to ten (10%) percent: For providing central water and sanitary sewer service.
 - d. Up to ten (10%) percent: For other design strategies which provide a clear benefit to the residents of the RPUD, the surrounding area and the Township as a whole. The percentage of bonus density shall be determined at the discretion of the Planning Commission based on the expected benefit to the community and the preservation of any unique or significant features of the proposed site.

When the end density calculation results in a whole number of units plus a fractional portion of a unit, the fractional portion shall be rounded up to an additional whole number for decimal equivalents equal to 0.50 or larger, and down to zero for decimal equivalents less than 0.50.

4. *Dimensional requirements.* Once the density has been established, the allowable number of dwelling units may be clustered with lot areas and widths reduced below the minimum requirement of the pre-

RPUD zoning district, provided that the open space within the development equals or exceeds the total area of lot area reduction.

5. *Setbacks within the RPUD project.* The setback requirements of the pre-RPUD zoning district shall be used as guidelines for the RPUD. To encourage flexibility and creativity consistent with the intent of the RPUD regulations, the Township may permit specific departures from the requirements of the Zoning Ordinance. A table shall be provided on the site plan that lists all deviations and regulatory modifications. Deviations shall only be approved through a finding by the Planning Commission that the deviation will result in a higher quality of development that would not be possible using conventional zoning standards. Only those deviations consistent with the intent of this Article shall be considered.
6. *Open space.*
 - a. When completed, the development shall have at least twenty percent (20%) of the gross site area in the development devoted to open space, which shall remain in its natural state and/or be restricted for use for active and/or passive outdoor recreational purposes harmonious with peaceful, single-family residential uses in and surrounding the development per the requirements of Section 7.04, Open Space Preservation Provisions.
 - b. Open space shall be provided along the exterior public roads with a depth of at least one hundred (100) feet, either landscaped or preserved in a natural wooded condition.
 - c. There shall be a perimeter setback and buffering, of up to one hundred (100) feet, taking into consideration the use or uses in and adjacent to the development. The setback distance shall be recommended by the Planning Commission, and need not be uniform at all points on the perimeter of the development.
 - d. The Planning Commission may recommend a reduction of the perimeter setback and buffering in cases where the density of the proposed use is compatible with adjacent uses and/or natural features such as woodlands and topographical features provide adequate buffering to protect adjacent uses.
 - e. If natural features, such as woodlands and topographical features, do not provide adequate buffering from adjacent property, the perimeter setback shall include noise reduction and visual screening mechanisms such as landscaping, berms and/or decorative walls.
 - f. The amount of open space, including the area and percentage of the site, shall be specified on the site plan.
 - g. In addition to preservation of the most important natural features, additional open space shall be located and designed to achieve the following: provide areas for active recreation; provide areas for informal recreation and pathways convenient to the majority of the residents within the development; connect into adjacent open space, parks, bike paths or pedestrian paths; provide natural greenbelts along roadways to preserve the rural character as viewed from the roads; and to preserve a buffer from adjacent land uses where appropriate.
- D. *Procedure for review and approval.* Prior to construction of an RPUD project, the applicant shall obtain the required reviews and approvals as described below:
 1. *Pre-application meeting.* Prior to the submission of an application for planned unit development approval, the applicant is required to meet with the Zoning Administrator to review required information and procedures as required in Section 5.03B, Pre-Application Meeting.
 2. *Application submittal.* The applicant shall apply for sketch plan review following the procedures and standards outlined in Section 5.03, Site Plan and Sketch Plan Review Procedures and Requirements. The following supplemental application materials are also required:

-
- a. A parallel sketch plan that meets the requirements set forth in Article 5, Site Plan Review, Procedures and Standards. A parallel plan shall represent a design of the parcel showing the number of lots that could be developed on the site in accordance with the underlying zoning district.
 - b. A Natural Features Inventory and Stewardship Plan as required in Section 15.02, Natural Features and Inventory and Stewardship Plans.
 - c. An area analysis which shows the location of the project in relation to existing and proposed uses in the surrounding area.
 - d. A project narrative report shall also be submitted by the applicant providing a description of the project and proposed uses, the market concept and feasibility of the project, the manner in which the criteria set forth in Sections 7.02.B, Eligibility, have been met, and the known deviations from current Ordinance requirements and standards.
3. *Sketch plan review procedure.*
- a. *Staff/consultant review.* The Zoning Administrator shall submit the application, sketch plan and supporting materials to the appropriate staff, consultants, committees or agencies for review and comment.
 - b. *Planning Commission action.* The parallel sketch plan and all supporting information shall be scheduled for a public hearing and review before the Planning Commission. Notice for the public hearing shall meet the requirements for a zoning amendment, as set forth in Section 3.10, Public Hearing Notice. The Planning Commission shall review the sketch plan and all supporting information and make a recommendation to the Township Board. The Planning Commission shall determine the appropriate number of units, and consider whether the project maintains compatibility with surrounding uses, meets the intent of Section 7.02.A, Intent, and satisfies the eligibility criteria of section 7.02.B, Eligibility.
 - c. *Township Board action.* Upon receiving the recommendation of the Planning Commission, the Township Board shall review the sketch plan and all supporting information and take one of the following actions:
 - i. *Approval.* Upon finding that the sketch plan meets the criteria set forth in Section 7.02.B, Eligibility, the Township Board shall grant preliminary approval. Upon approval, the applicant may proceed to preparation of the site plan, but shall not bind the Township Board to approval of the site plan.
 - ii. *Tabling.* Upon finding that the sketch plan does not meet the criteria set forth in Sections 7.02.B, Eligibility, but could meet such criteria if revised, the Township Board may table action until a revised sketch plan is resubmitted. The Township Board may refer a tabled sketch plan back to the Planning Commission for additional review.
 - iii. *Denial.* Upon finding that the sketch plan does not meet the criteria set forth in Sections 7.02.A, Intent and 7.02.B, Eligibility, the Township Board shall deny preliminary approval.
4. *Site plan review.* Within six (6) months following receipt of Township Board approval of the sketch plan, the applicant shall submit a site plan and supporting materials conforming to this Section. If a site plan is not submitted by the applicant for final approval within six (6) months following the date of the Township Board sketch plan approval, the sketch plan approval becomes null and void. An extension of the sketch plan approval beyond the specified period may be granted by the Township Board if such request is made to the Township prior to the six (6) month expiration period.
- a. *Information required.* A site plan and application for approval of a RPUD shall contain the following information:

-
- i. A site plan meeting all requirements of Article 5, Site Plan Review Procedures and Standards, Site Plan and Table 5.2, Sketch Plan Submittal Requirements.
 - ii. A separately delineated specification of all deviations from this ordinance which would otherwise be applicable to the development proposed in the absence of this planned unit development article.
 - iii. A specific schedule of the intended development including phasing or timing.
 - iv. A specific schedule of the general improvements to constitute a part of the development, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.
 - v. A specification of the exterior building materials for the structures proposed in the project.
 - vi. A draft of the proposed master Deed and Bylaws, if applicable.
 - vii. Signatures of all parties having an interest in the property.
- b. *Staff/consultant review.* The Township shall submit the site plan, and supportive materials to appropriate staff, consultants, committees or agencies for review and comment.
 - c. *Planning Commission review.* The site plan shall constitute an application to amend this Ordinance, and shall be noticed for public hearing as a zoning amendment before the Planning Commission. The Planning Commission shall, to the extent it deems appropriate, submit detailed recommendations relative to the RPUD project including, without limitation, recommendations with respect to matters on which the Township Board must exercise discretion.
 - d. *Township Board review.* After receipt of the Planning Commission's recommendation, the application shall be noticed for public hearing as a zoning amendment before the Township Board. The Township Board shall review and deliberate upon the requested RPUD rezoning and terms of the proposed development agreement. The Township Board may approve, deny or approve with a list of conditions made part of the approval. The Township Board may require a resubmittal of the application reflecting the conditions for approval by the Planning Commission, Planning Director or Township consultants if appropriate.
- E. *Effect of approval.* When approved, the RPUD amendment, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvements and uses shall be in conformity with such amendment. Notice of adoption of the final RPUD plan and development agreement shall be recorded at the Oakland County Register of Deeds. The official zoning map of Highland Township shall be revised to reflect the approval.
- F. *Resolution of ambiguities and ordinance deviations.* The Township Board, based upon the recommendation of the Planning Commission, shall resolve all ambiguities as to applicable regulations using the Zoning Ordinance, the Highland Township Master Plan, and other Township standards or policies as a guide.

Notwithstanding the immediately preceding standards, deviations with respect to such regulation may be granted as part of the overall approval of the RPUD, provided there are features or elements demonstrated by the applicant and deemed adequate by the Township Board upon the recommendation of the Planning Commission designed into the project plan for the purpose of achieving the objectives of this Article.

G. *Conditions.*

1. Reasonable conditions may be required with the approval of an RPUD, to the extent authorized by law, for the purpose of ensuring that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural features, ensuring compatibility

with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner.

2. Conditions imposed shall be designed to protect natural resources and the public health, safety, and welfare of individuals in the project and those immediately adjacent, and the community as a whole; reasonably related to the purposes affected by the planned unit development; and, necessary to meet the intent and purpose of this Ordinance, and be related to the objective of ensuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the record of the approved planned unit development.

H. *Phasing and commencement of construction.*

1. *Phasing.* Where a project is proposed for construction in phases, the planning and design shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area.
2. *Construction progress.* Substantial construction shall be completed within two (2) years following final approval of a residential open space planned unit development per Section 3.10, Expiration of Land Use Approvals, and shall proceed towards completion in accordance with an approved development agreement per Section 3.12, Development Agreements.

I. *Amendment and revision.* A developer may request a change in an approved sketch plan, or an approved site plan. A change in an approved sketch plan or change in an approved site plan which results in a major change, as defined in this section, shall require an amendment to the sketch plan and site plan. All amendments shall follow the procedures and conditions herein required for original submittal and review. A change which results in a minor change as defined in this section shall require a revision to the approved site plan and approval by the Township Board following review by the Planning Commission.

1. The following changes shall be considered major:
 - a. Change in the concept of the development.
 - b. Change in use or character of the development.
 - c. Change in the type of dwelling unit.
 - d. Change in the number of dwelling units (density).
 - e. Reserved.
 - f. Change in lot coverage or floor area ratio of the entire PUD.
 - g. Change in the character or function of any street.
 - h. Change in land area set aside for common space or the relocation of such areas.
 - i. Change in building height.
2. The following changes shall be considered minor:
 - a. Change in residential floor space.
 - b. Minor variations in layout which do not constitute major changes.
3. The Planning Commission shall have the authority to determine whether a requested change is major or minor, in accordance with this Section. The burden shall be on the applicant to show good cause as to any requested change.

Prestwick

Setback for decks
backing openspace

APPROVED

CHARTER TOWNSHIP OF HIGHLAND PLANNING COMMISSION
Minutes of October 17, 1996
Page 6 of 7

Pat Woods, 1583 Highland Park Drive, asked for clarification of the 10% of yard in the ordinance and suggested it be explained in the ordinance.

Bob Lingham, 499 Dunleavy, felt the proposed ordinance was good but setting a number of four would cause more trouble than it was worth. He also felt the nuisance clause was too subjective.

Gary Lauer, 4117 Strathcona, asked if the limit of four covered all yards. He was concerned because he has recreation vehicles stored behind a fence. Mr. Donnellon discussed this with Mr. Lauer.

An unidentified member of the audience suggested that this proposed ordinance be put on the ballot for a vote.

With no further public comment, Chairman Beach thanked the audience for their comments and closed the public hearing portion of the meeting.

Mr. Gorman moved to table this agenda item until the meeting of November 7, 1996. Mr. Beal supported the motion and it carried with a unanimous roll call vote.

WORK SESSION:

AGENDA ITEM #4. Sidwell #: 11-28-100-004 (all parcels in development)
Zoned: R-1B (PRD)
Request: Use Requiring Special Approval for an amendment to the original approval
Applicant: Prestwick Village Assoc. Ltd. Prt.

Mr. Beal gave the report for the Residential Subcommittee: This request by Prestwick Village Associates is to change the rear setback for decks from 40' to 30'. They have realized as the homes are being built that the additional ten feet improves the aesthetics of the property. The subcommittee was in agreement with Mr. Donnellon's report.

Mr. Donnellon reviewed his report dated 10/14/96. He did not object to this change.

This proposed change was discussed by the Commissioners. Mr. Gaddey stated that all plans would still have to be approved by their association. Commissioners were concerned that the decks not extend more than ten feet from the structure to which they are attached and that they not become enclosed.

CHARTER TOWNSHIP OF HIGHLAND PLANNING COMMISSION
Minutes of October 17, 1996
Page 7 of 7

After further discussion, Mr. Brian moved to approve the requested change to the Use Requiring Special Approval Site Plan to allow the expansion of the buildable area to the rear by ten feet to accommodate a deck. Mr. Gorman supported the motion. After discussion and amendment of the motion to read as above, the motion carried with the following roll call vote: Brian - yes Lahring - yes, Irish - yes, Barancek - no, Beach - no, Gorman - no, Beal - yes, Hamlin - yes, Smith - no.

Mr. Beal moved to reimburse the applicant for the unused portion of the fee since a public hearing was not scheduled. Mr. Brian supported the motion and it carried with a unanimous roll call vote.

AGENDA ITEM #5. Discussion: Governmental Buildings/Uses
Commercial Subcommittee to report
Tabled: October 17, 1996

Mr. Donnellon reviewed his report dated October 14, 1996 regarding the zoning analysis for locating governmental buildings and uses.

Commissioners discussed where to locate governmental buildings and uses and how to handle them.

AGENDA ITEM #6. Minutes: October 3, 1996

The review of the October 3, 1996 minutes was postponed until the meeting of November 7, 1996.

INFORMATION:

Items on the information sheet were reviewed.

Mr. Barancek moved to approve for payment Robert K. Swarthout, Inc. invoice #96-80 in the amount of \$1,214.76. Mr. Beal supported the motion and it carried with a unanimous voice vote.

The agenda for the meeting of November 7, 1996 was reviewed.

At 10:17 p.m. Mr. Brian moved to adjourn. Mrs. Lahring supported the motion and it carried with a unanimous voice vote.

Respectfully submitted,

A. Roscoe Smith,
Secretary

ARS:mlm

2151 Livernois, Suite 320
Troy, Michigan 48083
Telephone (313) 244-2993
FAX (313) 244-2992

October 14, 1996

Planning Commissioners
Highland Township Planning Commission
P O Box 249
Highland, MI 48357

RECEIVED

OCT 15 1996

Dear Commissioners:

HIGHLAND TWP.
Planning Commission

Re: Modification of a PRD
Prestwick Village Association
Sidwell #11-28-100-004

Prestwick Village is well on its way to becoming everything the developer had hoped for when going through the planning approval process. The course is open, many homes are already built, the roads are almost completed and the area is looking very good.

The developer is now going through some growing pains and is requesting an adjustment to the PRD Site Plan. It seems that the houses along the individual holes of the golf course are quite large and/or are being set to the back part of the buildable area of the lot to take advantage of the view of the open space. As a result, the placement of a deck, which is generally not the first thing you think about when designing a new home, is being compromised in order to fit into the buildable area. On the one hand, this predicament should not be of any concern to the Township since the lots are quite generous in size. On the other hand, the developer is only looking for a 10-foot adjustment in rear yard setback for only the deck and not any portion of the home.

The approval of such a modification to a PRD is minor. I see it as a judgment call. If it is not approved, the project will not suffer some irreparable harm. If it is approved, it is a change of convenience. It should be clearly defined, it should be limited to the edge of the deck, it should only be for lots that are adjacent to the edge of a portion of the golf course and not just be a universal adjustment.

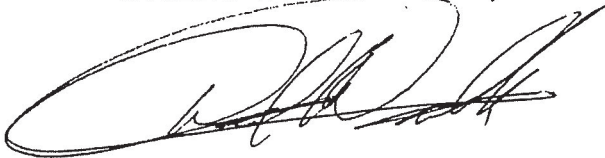
Planning Commissioners
Page 2
October 14, 1996

Because the change is broad based but minor, it is good that it has come before the Planning Commission for consideration. It is a little bit more than should be approved administratively. Because of the nature of the request, however, I do not see the need to have a public hearing. The Planning Commission can authorize the change and the developer can make the revisions to the Master Deed and submit the revised Master Deed to the Township for placement in the file.

This report is being sent to you for your review and consideration. If you have any questions, please feel free to call me.

Cordially yours,

ROBERT K. SWARTHOUT, INCORPORATED

A handwritten signature in black ink, appearing to read 'David Donnellon', written over a horizontal line.

David Donnellon, AIA, AICP

jd

cc: Mrs. Lisa Burkhart
Mr. Michael Powell
Mr. Roy Gaddy

1234 Gleneagles
Highland MI 48357-4782

View: Front

Structure: Primary

Photo Date: 03/29/2013



1234 Gleneagles
Highland MI 48357-4782

View: Rear

Structure: Primary

Photo Date: 07/06/2015



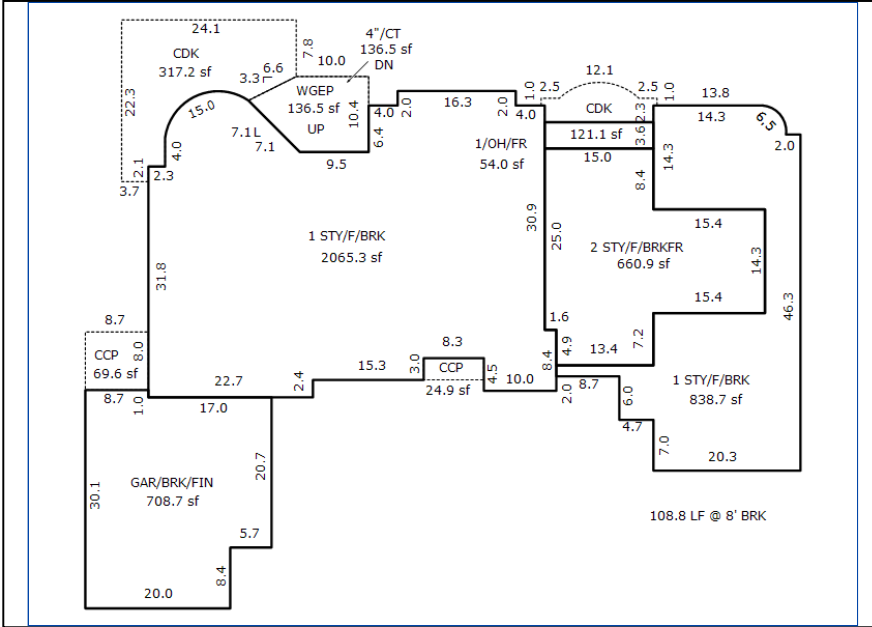
Parcel Sketch View

Charter Township of Highland (H)

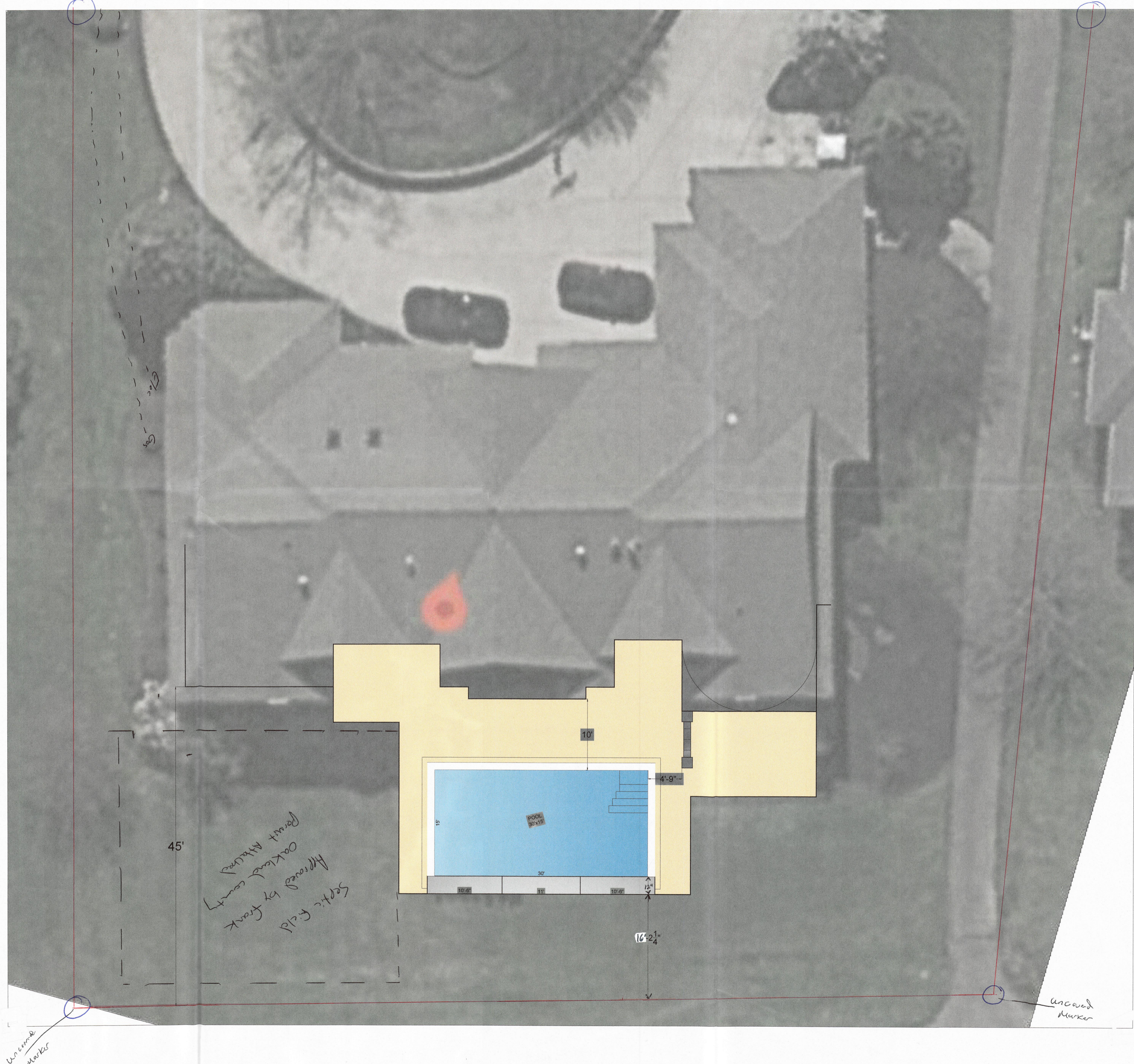
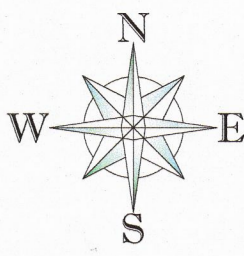
Page Print Layout: 2 per page ▼

PIN: 11-28-152-009

PRINT DATE: 4/3/2024



DATE	BY	REVISIONS	REV. BY
8/1/2023	A	INITIAL RELEASE	AJ
12/20/2023	B	PROPERTY LINES, EASEMENT ADDED	AJ
		SEPTIC FIELD ADDED	
		POOL RESIZED & RELOCATED	
		SEPTIC FIELD ADDED	
		PATIO TOUCHUP	
1/6/2024	C	MOVE SUNSHELF, ADD STAIRS	AJ
1/8/2024	D	SUNSHELF SIZE - WAS 10x6, NOW 10x8	AJ
2/8/2024	E	REVISED SEPTIC FIELD	AJ
2/16/2024	F	SEPTIC BACK TO S FROM HOUSE	AJ
		REMOVE PAVERS FROM SEPTIC AREA	
3/25/2024	G	MOVE POOL, ADJUST PROPERTY	AJ
		ADD COLOR VIEW, ADD POOL SECTION	



HARDENBURG
RESIDENCE



DESIGNER
D. SOULLIERE

DRAWN BY
AJARZ

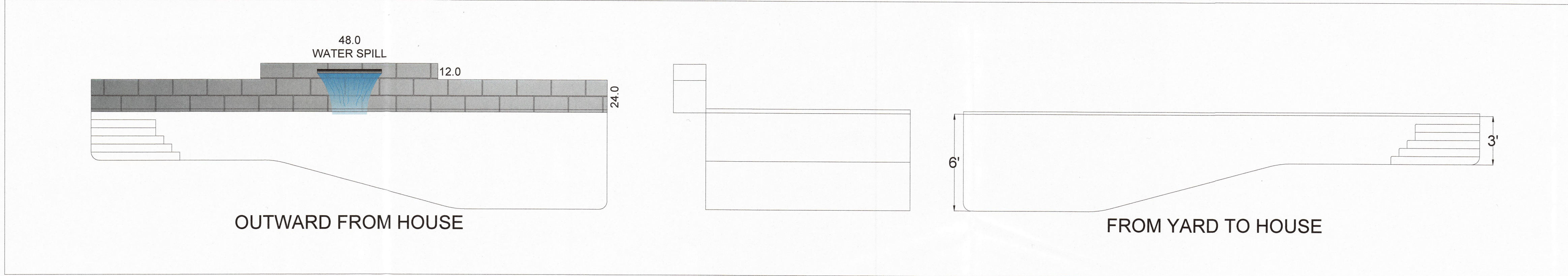
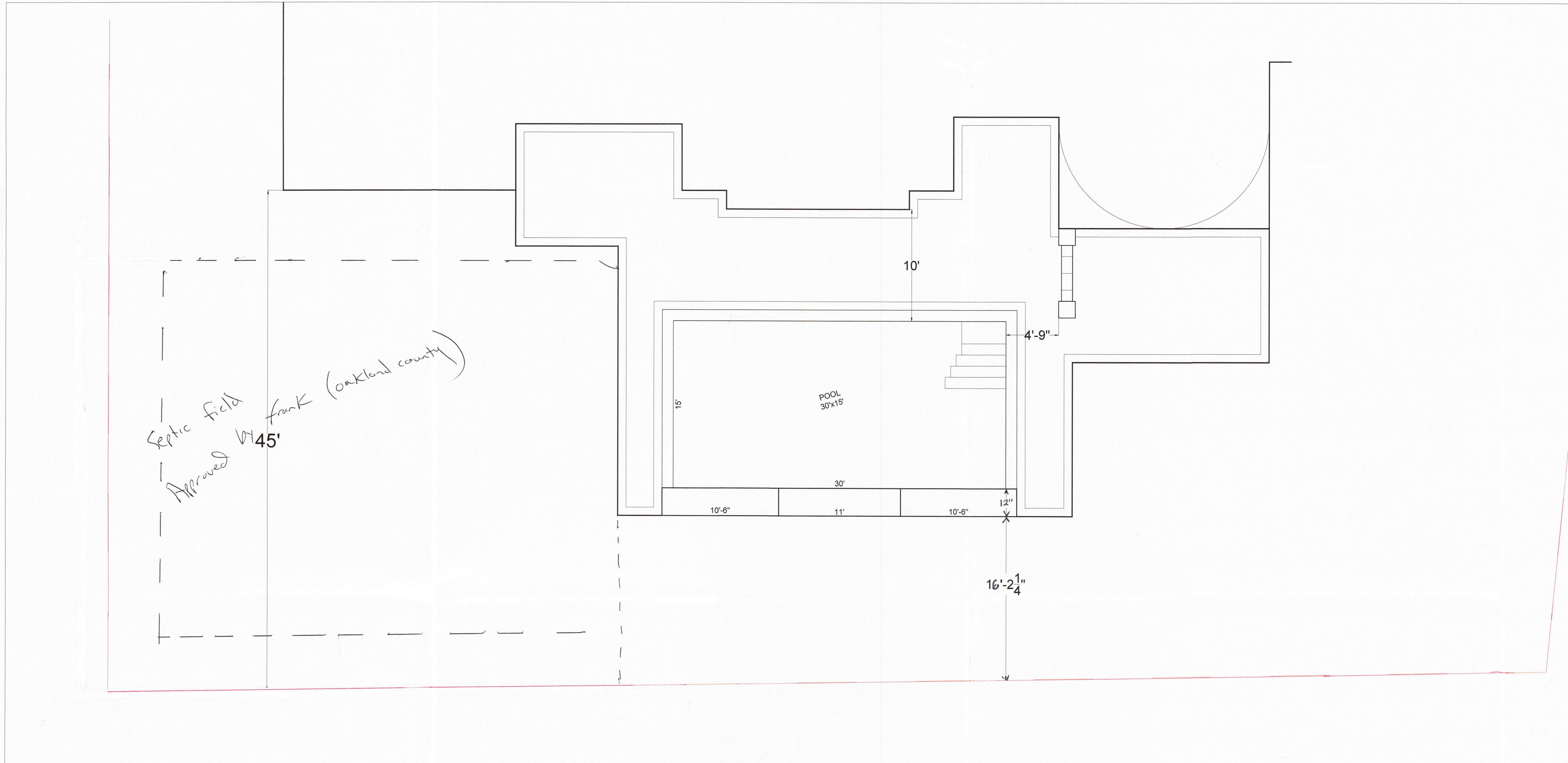
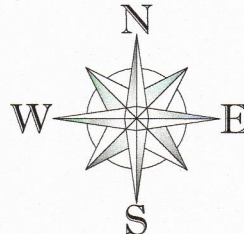
DATE DRAWN
12/20/2023

REVISION
E

SCALE
1/4" = 1'

SHEET
D SIZE-LS

DATE	SYM	REVISIONS	REV'D BY
8/1/2022	A	INITIAL RELEASE	AJ
12/20/2023	B	PROPERTY LINES, EASEMENT ADDED	AJ
		SEPTIC FIELD ADDED	
		POOL RESIZED & RELOCATED	
		SEPTIC FIELD ADDED	
		PATIO TOUCHUP	
1/8/2024	C	MOVE SUNSHELVE, ADD STAIRS	AJ
1/8/2024	D	SUNSHELVE SIZE - WAS 10x8, NOW 10x6	AJ
2/8/2024	E	REVISED SEPTIC FIELD	AJ
2/19/2024	F	SEPTIC BACK TO 5' FROM HOUSE	AJ
		REMOVE PAVERS FROM SEPTIC AREA	
3/28/2024	G	MOVE POOL, ADJUST PROPERTY	AJ
		ADD COLOR VIEW, ADD POOL SECTION	



HARDENBURG
RESIDENCE



DESIGNER D. SOULLIERE	DRAWN BY AJARZ	DATE DRAWN 12/20/2023	REVISION E	SCALE 1/4" = 1'	SHEET D SIZE-LS
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The Prestwick Village Neighborhood Association Application for Approval Form

(Revised 5-5-2022)

Property Owners Name: Jeff and Jill Hardenburg Date: 1-10-24

Property Address: 1234 Gleneagles, Highland Mi 48357

Unit Number: 52 (?) Prestwick Village: (or) Woods of Prestwick:

Owners Address: Same

Phone #: 734-646-0597 or 810-250-6780 Fax: _____

E-mail: readjourmich.edu

Work Requiring Approval:

- New House Plans
- Landscaping
- Play Set / House
- Deck / Patio
- House Addition
- TV Antenna / Dish
- Flag pole
- All external changes to unit.
- External Paint Change
- Swimming Pool
- Fencing (including decorative)

Please submit appropriate drawing, picture, color charts, site plan, etc. to explain the work to be done. Blueprints must include elevations. Include Builder's Name with House plans and additions

Work to be done: Inground pool and surrounding patio

pavers. 48" tall aluminum fence along the perimeter of the pavers.
* Lesach Landscape 586-449-5894

Please continue on the reverse side of this form or use additional sheets.

Starting Date: 4-14-24 Completion Date*: 6-10-24

This application and the necessary information must be submitted to JL Gardel via email at office@JLGardel.com. If necessary, samples and/or plans can be left with the Office Manager (Connie Sikma) at the Prestwick Village Golf Clubhouse, but this must also be communicated to JL Gardel via email at office@JLGardel.com.

*Property owners failing to meet the Completion Date are subject to fines as outlined in the Bylaws unless an extension is requested by contacting JL Gardel. Failure to seek approval may result in abatement/fines as outlined in the Bylaws.

.....
The following to be completed by the Architectural Committee and signed by two committee members.

Project Approved: Project Denied: Additional Info Required:

Signature: [Signature] Date: 1-13-24

Signature: _____ Date: _____



HEALTH DIVISION

Leigh-Anne Stafford, Health Officer
(248) 858-1280 | health@oakgov.com

PERMIT TO INSTALL AN ON-SITE SEWAGE DISPOSAL SYSTEM

PERMIT #: EHSI-2024-00032

Issue Date: 03/08/2024

PARCEL ID #: 1128152009

APPLICATION RECEIPT DATE: 01/22/2024

PROPERTY ADDRESS:

1234 Gleneagles, Highland, MI 48357

No. of Bedrooms: 4

SEPTIC INFORMATION: Proposed Use and Type:

Residential Repair

OWNER:

Name: JEFFERY HARDENBURG, JILL SOUTHWICK
Address: 1234 GLENEAGLES
HIGHLAND, MI 48357

Phone:

APPLICANT:

Name: LEGACY LANDSCAPE II LLC
Address: 19351 27 MILE RD
RAY, MI 48096

Phone: 158-669-0527

PERMIT APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

Tank:

Size of Septic (Gallons)	No. of Compartments	Tank Type
1500	2	Septic Tank (Concrete)

Soil Absorption System:

Trench system 250 lineal feet, Trench Width 36 Inch ;7 Feet C-C; OR
Drainage bed consisting of 1500 sq. ft.

Stipulations:

Locate absorption system over soil borings one (1) and two (2).
Cut all trenches three (3) feet to coarse sand/remove old field if encountered.
Cut drainage bed 100% three (3) feet to coarse sand/remove old field if encountered.
Backfill with 2NS sand to absorption system grade

Pre-Final Inspection:

Call when work begins
Bed-Call for midcut inspection prior to backfilling

THIS PERMIT IS VOID AFTER TWO (2) YEARS FROM DATE OF ISSUE

Sanitarian: Frankie Rhodes

Supervisor: Joseph Kaighen

SEE NEXT PAGE FOR ADDITIONAL INFORMATION AND REQUIREMENTS

PERMIT#: EHSI-2024-00032
Parcel ID: 1128152009
Property Address:
1234 Gleneagles, Highland, MI 48357

Minimum Isolation Distances to be Maintained:

50 feet from storm drains and catch basins designed to divert surface waters	Not less than twenty-five (25) feet. See special conditions.
10 feet from municipal water service line	
10 feet from building foundations	Not less than five (5) feet. See special conditions.
10 feet from property lines	Not less than five (5) feet. See special conditions.
10 feet from swimming pools	Not less than five (5) feet. See special conditions.

Special Conditions:

- A soil entrapping barrier shall be provided. Acceptable cover shall be non-woven fabric with a weight not to exceed two (2) ounces per square yard, minimum trapezoidal tear strength of ten (10) pounds, and minimum puncture strength of eight (8) pounds.
- IF A NEW SEPTIC TANK IS NEEDED AN APPROVED EFFLUENT FILTER SHALL BE INSTALLED. Effluent filters shall meet NSF/ANSI Standard 46. Effluent filters shall be rated by the manufacturer with a minimum daily flow rate of one and one-half (1.5) times the total required septic tank capacity.
- Sewer lines to and from all tanks and between a tank and head or distribution box shall be constructed of solid pipe with sealed joints, Schedule 40 PVC (solid).
- Final cover shall be eight (8) to twenty-four (24) inches over the soil absorption system.
- In no case shall any driveway, parking area, paved surface, swimming pool, stockpiled material or building be placed over the Onsite Wastewater Treatment System.
- Per site plan provided by LEGACY LANDSCAPE; Dated 12/20/2023
- Risers shall be a minimum of twenty-four (24) inches in diameter, water tight and tamper resistant with a locking mechanism or boltheads that need specialized tools for access.
- The following Article III variance has been approved by OCHD: Section: 7.3
Variance to Section 7.3 requiring a minimum of fifty (50) feet between absorption system and a storm sewer is approved. This is based upon storm sewer construction utilizing premium joints. Isolation to be not less than twenty-five (25) feet.

The following Article III variance has been approved by OCHD: Section 7.3
Variance to Section 7.3 requiring a minimum ten (10) feet between the septic tank/absorption system and building foundation, property lines and swimming pool is approved. Septic system encroachment to building foundation, property lines and swimming pool to be not less than five (5) feet.

PERMIT#: EHSI-2024-00032

Parcel ID: 1128152009

Property Address:

1234 Gleneagles, Highland, MI 48357

Comments:

The existing 1,500 gallon 2CT may be utilized if in sound condition. If not, then properly abandon the septic tank and replace with a new 1,500 Gallon 2CT with approved filter. Verify the septic tank outlet tee or ell is in place and shall be replaced if missing or damaged.

Replacement Area:

Adequate replacement available?: Yes, over existing field

STANDARD PERMIT REQUIREMENTS:

- Must install system in accordance with OCHD Sanitary Code, Article III and/or Michigan Criteria for Subsurface Sewage Disposal.
- Required isolation distances must be verified by the installer.
- Call to schedule all necessary inspections prior to the completion of the installation.
- Call to schedule a final inspection prior to covering the system.
- Act 53, P.A. 1974 requires the applicant to notify the public utilities prior to excavation. In addition, you must call 1-800-MISS-DIG to locate public underground utilities.
- This Onsite Wastewater Treatment System Permit does not ensure an Onsite Well Permit. An Onsite Wastewater Treatment System installation may reduce or eliminate an approved well area resulting in denial of an application for an Onsite Well Permit.

HEALTH DIVISION

Leigh-Anne Stafford, Health Officer
(248) 858-1280 | health@oakgov.com

PERMIT#: EHSI-2024-00032
 Parcel ID: 1128152009
Property Address:
 1234 Gleneagles, Highland, MI 48357

APPROVED BORINGS:

Boring # 1 Soils Observed by: rhodesf

Boring Label	HSWT Observe	HSWT Indicator	Depth HSWT	Ground Water	Depth of Water	Captured Date	Captured By
1	No			No		02/05/2024	rhodesf

Texture(s)

Depth	Depth Units	Size	Wetness	Soil Info	Topsoil Texture	Color
12	Inch			Topsoil	Sandy Loam	
1	Feet			Sandy Loam		
1	Feet		Dry	Old Field		
5	Feet	Coarse		Sand		

Boring # 2 Soils Observed by: rhodesf

Boring Label	HSWT Observe	HSWT Indicator	Depth HSWT	Ground Water	Depth of Water	Captured Date	Captured By
2	No			No		02/05/2024	rhodesf

Texture(s)

Depth	Depth Units	Size	Wetness	Soil Info	Topsoil Texture	Color
12	Inch			Topsoil	Sandy Loam	
1	Feet			Sandy Loam		
1	Feet		Dry	Old Field		
5	Feet	Coarse		Sand		

Disclaimer : The Oakland County Health Division will not deny participation in its programs based on race, sex, religion national origin, age or disability. State and federal eligibility requirements apply for certain programs.

1234 GLENEAGLES HIGHLAND MI 48357-4782



4 beds / 4 full baths / 1 half baths / 4280 sq ft

Residential Property Profile

11-28-152-009

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) : JEFFERY HARDENBURG & JILL SOUTHWICK
Postal Address : 1234 GLENEAGLES HIGHLAND MI 48357-4782

Location Information

Site Address : 1234 GLENEAGLES HIGHLAND MI 48357-4782
PIN : 11-28-152-009 Neighborhood Code : KPW
Municipality : Charter Township of Highland
School District : 63220 HURON VALLEY SCHOOLS
Class Code : 407 Residential Condominiums

Property Description

T3N, R7E, SEC 27, 28 & 29 OAKLAND COUNTY CONDOMNIUM PLAN NO 875 PRESTWICK VILLAGE UNIT 52
L 14881 P 253 8-24-94 FR 100-003

Split/Combination Information

Added Status : Added Parcel
Added Date : 10/14/1994 Added From : FR 100-003

Most Recent Sale Since 1994

Date : 05/21/2021
Amount : \$900,000 Liber : 56395:452
Grantor : RAMOS, TATIANA Grantee : SOUTHWICK, JILL
RAMOS, MARK HARDENBURG, JEFFREY

Next Most Recent Sale

Date : 04/12/2018
Amount : \$900,000 Liber : 51737:648
Grantee : RAMOS, TATIANA
Grantor : UMLOR, WES LEE RAMOS, MARK
OWENS

4 beds / 4 full baths / 1 half baths / 4280 sq ft

Residential Property Profile

11-28-152-009

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.

Tax Information

Taxable Value	: \$453,790	State Equalized Value	: \$514,230
Current Assessed Value	: \$514,230	Capped Value	: \$453,790
Effective Date For Taxes	: 12/01/2023	Principal Residence Exemption Type	: N/A
Summer Principal Residence Exemption Percent	: 100%	Winter Principal Residence Exemption Percent	: 100%
2022 Taxes		2023 Taxes	
Summer	: \$9,266.92	Summer	: \$9,730.26
Winter	: \$4,104.90	Winter	: \$4,538.63
Village	:	Village	:

Lot Information

Description	: ROLLING	Area	: 0.475 ACRES
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Primary Structure

Structure	: Ranch	Living Area	: 4280 SQ FT
Ground Floor	: 3565 SQ FT	Year Built	: 1999
Effective Year	: 2000	Remodel Year	: 0
Stories	: 1 Story	Rooms	: 15
Bedrooms	: 4	Full Baths	: 4
Half Baths	: 1	Fireplaces	: 2
Ext Walls	: Brick/Siding	Basement	: YES - FULL
Garage	: ATTACHED - 3 car (709 SQ FT)	Heat	: Forced Heat & Cool
Fuel Type	: Gas	Central Air	: Yes

Basement Information

Finish	: LIVING AREA FINISH	Area	: 3565 SQ FT
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Porch Information

Type	Area
CCP (1 Story)	25 SQ FT
CCP (1 Story)	70 SQ FT
WGEP (1 Story)	137 SQ FT
Red Wood/Cedar	317 SQ FT
Treated Wood	121 SQ FT