



MEMORANDUM

To: Zoning Board of Appeals
From: Samantha George, Assistant Zoning Administrator
Date: November 19th, 2025
Re: ZBA25-20
3394 Ramada Dr
11-11-377-015
Applicant: Brian & Dayle Rogers
Owner: Brian & Dayle Rogers

The subject parcel is zoned LV – Lake and Village Single-Family Residential District. The total parcel size is approximately 0.42 acres (~6,403 sq ft).

The required setbacks for this parcel are as follows:
Front yard (from property line not road edge): 34 ft
Ordinary High-water mark: 62 ft
Side yards: 10 ft minimum for the smallest side yard with a total of 30 ft minimum when both side yards are added together.

This variance request is for a 62-foot variance from the calculated 62-foot ordinary high-water mark setback to 0-feet provided for the construction of an uncovered deck. This request is for a variance from Section 9.02.D. of the Zoning Ordinance.

There is an open violation enforcement on this parcel for construction of the uncovered deck without permits.

For the variance request, the applicant has provided a scaled site plan with construction drawings and photos. Staff have supplied assessing records, a zoning map, aerial approximations of the property, and Section 9.02. of the Zoning Ordinance.

Case # 25-20

Hearing Date 11/19/25

CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS
APPLICATION FOR APPEAL

APPLICANT	
NAME:	<u>Brian and Dayle Rogers</u>
ADDRESS:	<u>3394 Ramada</u> <u>Highland MI 48356</u>
PHONE:	<u>248-202-7686</u>
EMAIL:	<u>brogers997911@gmail.com</u>

OWNER	
NAME:	<u>Brian and Dayle Rogers</u>
ADDRESS:	<u>3394 Ramada</u> <u>Highland MI 48356</u>
PHONE:	<u>248-202-7686</u>
EMAIL:	<u>brogers997911@gmail.com</u>

PROPERTY ADDRESS: 3394 Ramada Highland MI 48356

ZONING: LV PROPERTY TAX ID NO: 11-11-377-015

ORDINANCE SECTIONS BEING APPEALED: 9.02.D

VARIANCES REQUESTED: Permission to place a deck at the water.

DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY: 9.02.D does not allow a deck at the water.

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: [Signature] DATE: 9/29/25

SIGNATURE OF APPLICANT: [Signature] DATE: 9/29/25

Signature of applicant must be notarized.

Subscribed and sworn to before me this

29 day of Sept, 2025
Jennifer Bosh Notary Public
My Commission expires 06-16-2032

APPLICATION FEE:	<u>\$275.00</u>
Receipt#	<u>1.06398</u> Date Paid <u>9/29/25</u>
Received by	

JENNIFER BOSH
 NOTARY PUBLIC, STATE OF MICHIGAN
 COUNTY OF OAKLAND
 My Commission Expires June 16, 2032
 Acting in the County of Oakland

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.

The property is located on a canal to Duck Lake and we are requesting a variance to

place a dock at the water.

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

No. Being if we place it 62' from the waterline it would be within 15' of our deck at the house.

and therefore pointless.

- 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?

A previous owner built a sea wall and deck in approximately 1988. This fell into disrepair due to a fire
from previous owner and they repaired the deck over the damage. Eventually the deck and sea wall
started to fall into the canal. In 2020, we had the sea wall replaced by The Pond Place. We want to
replace the deck at the water with a smaller one. The deck at the water was one of the deciding factors
when purchasing the house in 2002. Please see photos.

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

No. Many others have decks at and over the water. See photos for reference, only a few of the dozens
on Duck Lake

6) Will the proposed variance be the minimum necessary?

Yes

Signature



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 (feet)	Least Side (feet)	Total Both Sides (feet)
120 or greater	10	30

90 to 119	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:

-
- 1) 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.
 - 2) Determine the distance from each structure to the presumed ordinary high water mark and record the distance.
 - 3) 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.
 - 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). 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)

HIGHLAND TOWNSHIP

ORDINANCE COMPLAINT

CASE # **EE24-0337**

09/18/24

Type

BUILDING/NO PERMIT

OFFICER STEVEN TINO/BLDG-INSP

Status

Complaint Address: **3394 RAMADA DR**

H -11-11-377-015

Owner of Record:
ROGERS, BRIAN D

Complainant:

3394 RAMADA DR
HIGHLAND MI 48356-1868
(248) 202 7686

COMPLAINT

BUILDING/NO PERMIT

While out doing inspections, ST noticed a deck going in, no permit.

Still open, in 2025 book

CHARTER TOWNSHIP OF HIGHLAND ZONING MAP



ENACTED: November 18, 2010

3394 Ramada Dr



-  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

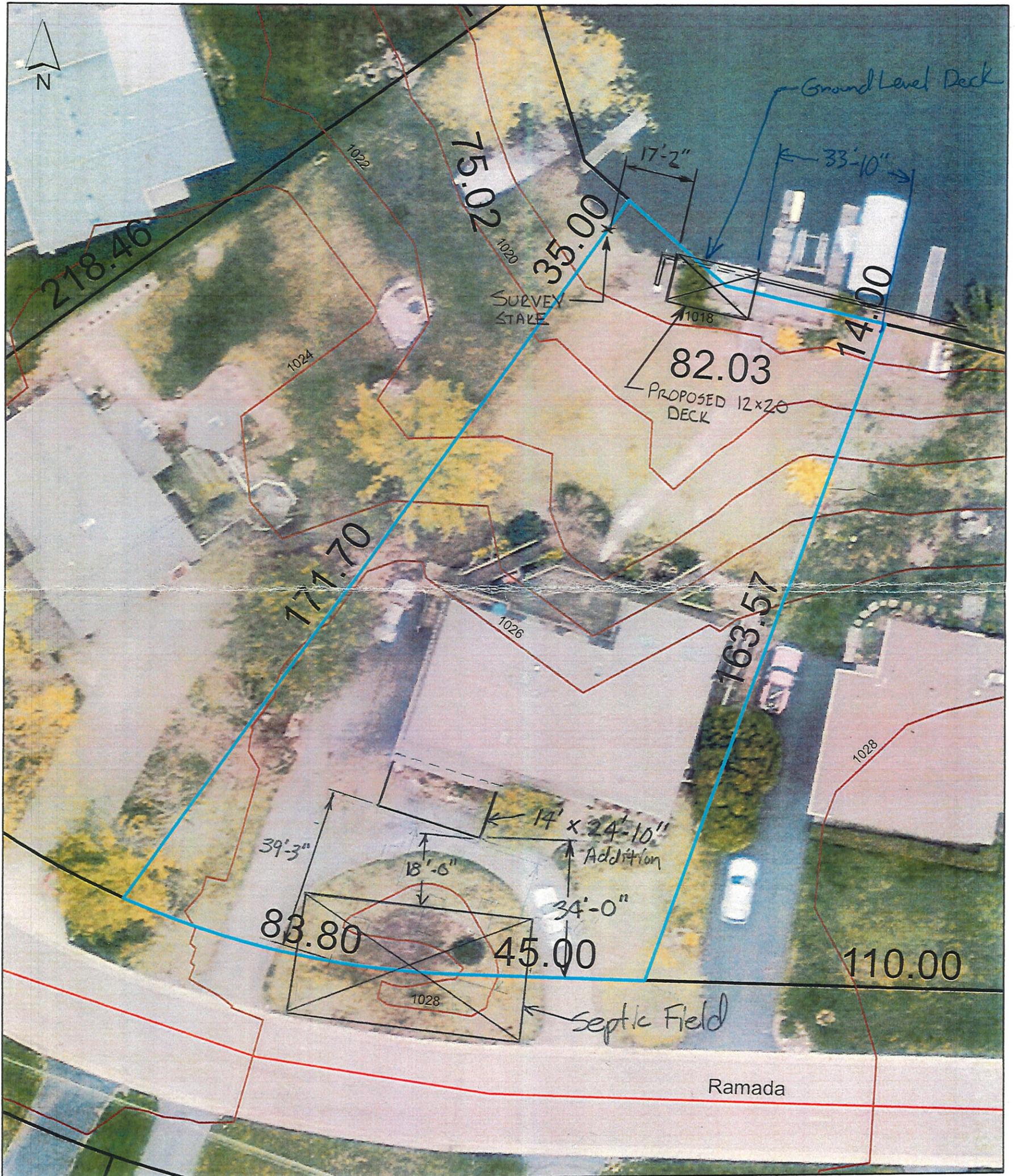
Date Created: 10/2/2025

 NORTH
 1 inch = 50 feet

GOOGLE VIEW FROM 2019
 WHICH SHOWS PREVIOUS DECK (12x30)
 NEW SEA WALL & NEW DECK (12x20)
Ground Level

3394 Ramada Dr

NORTH ↑



30 15 0 30 Feet 1 mm = 1 foot

39'-3"

34'-0"

36'-7"

Avg

69'-3" & 65'-0"
 From Existing to inside of curb

FINAL INSPECTION

INDICATE WHEN APPLICABLE THE FOLLOWING

- (a) Received engineer's signed affidavit regarding inspection and approval ()
 (b) Surveyor's level used to check inches of fall in tile lines (List fall on sketch or plan) ()

(A) SEPTIC TANK

- (1) Septic tank size EXIST gals. (2) Outlet "T" or "L": checked _____ (3) Tank level, _____
 (4) Tank/cover free of cracks _____ (5) Outlet sealed 360° _____ (6) Isolation distances:
 (a) Well _____ (b) Foundation _____ Remarks: _____

(B) TILE FIELD

- (1) Header level _____ (2) Header installed on compact sand _____ (3) Number of drain lines _____
 (4) Drain line length _____ ft. (5) Footer _____ ft. (6) Total lineal _____ ft.
 (7) Trench width _____ in. (8) 2" stone over and 6" under tile _____ (9) Stone clean _____
 (10) Stone installed at least 4 ft. above water table _____ (11) Grade of tile lines not greater than
 3"/100 ft. _____ (12) Cutdowns to required depth _____ Remarks: _____

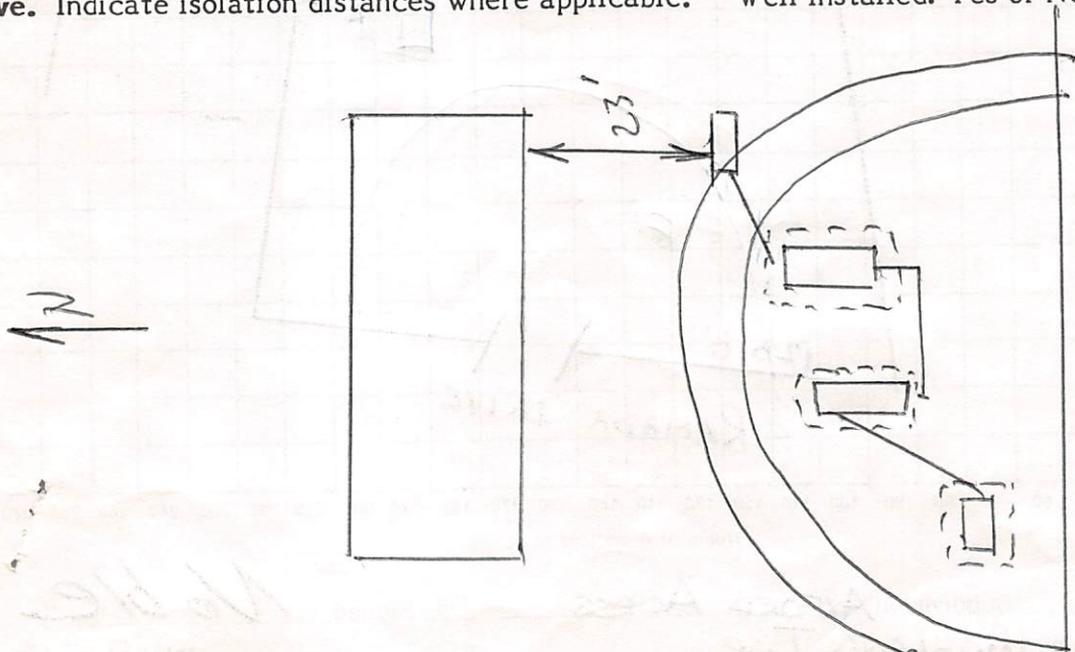
(C) DRAINAGE BED

- (1) Dimensions _____ ft. X _____ ft. (2) Total _____ sq. ft. (3) Header level _____
 (4) Tile lines 6' on center 2-3 ft. from edge of bed _____ (5) 2" stone over & 6" under
 tile _____ (6) Stone clean _____ (7) Cutdown depth approved _____ (8) 2 ft. sand
 over shelf for cutdown installations _____ (9) Proper sand fill _____ (10) Stone installed 4 ft.
 above water table _____ Remarks: _____

(D) DRYWELLS

- (1) To calculate the effective absorption area of one rectangular dry well, measure the two sides and
 the two ends of the excavated area and multiply the sum of these four sides by the water depth of the
 well + 6 inches. Side 14 ft., end 17 ft., depth 4.5 ft. Absorption area 279 sq. ft.
 No. of wells 3. Total absorption area 837 sq. ft. (2) 1/6" stone under _____
 (3) Drainage slots open (4) Stone 4 ft. above water table Remarks: _____

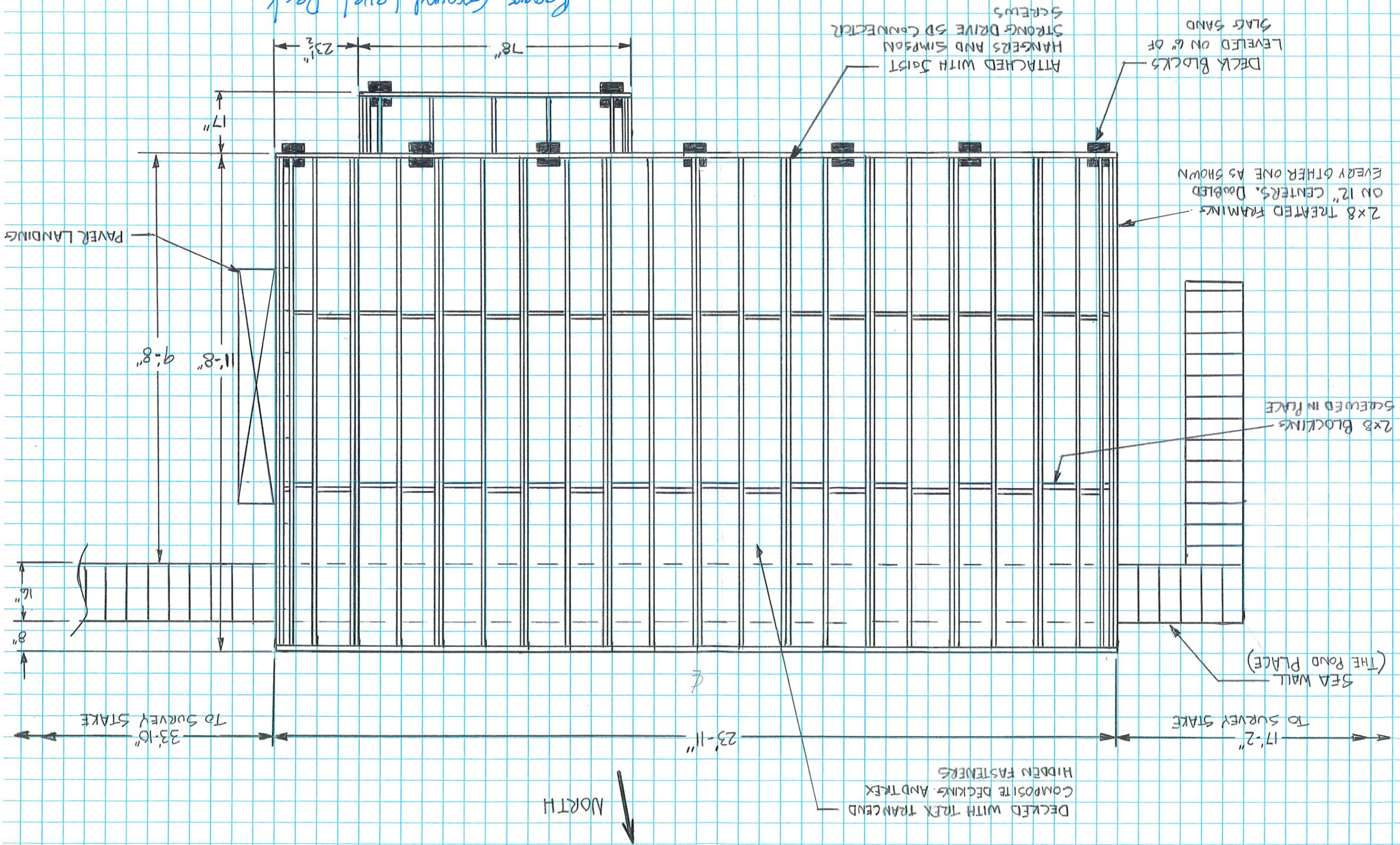
Sketch plan of installation showing house, street, North, water well by X, any lake, stream and A, B, C, D above. Indicate isolation distances where applicable. Well installed: Yes or No MAIN SELL:



Approved Disapproved _____
 Installer Tim Brendel

Date: 12-17-90
 Environmentalist [Signature] 161

Rogers Ground Level Deck



3394 Ramada Dr
Highland MI 48356-1868

View: Front

Structure: Primary

Photo Date: 08/22/2014



3394 Ramada Dr
Highland MI 48356-1868

View: Front

Structure: Other

Photo Date: 08/22/2014



3394 Ramada Dr
Highland MI 48356-1868

View: Rear

Structure: Primary

Photo Date: 08/22/2014





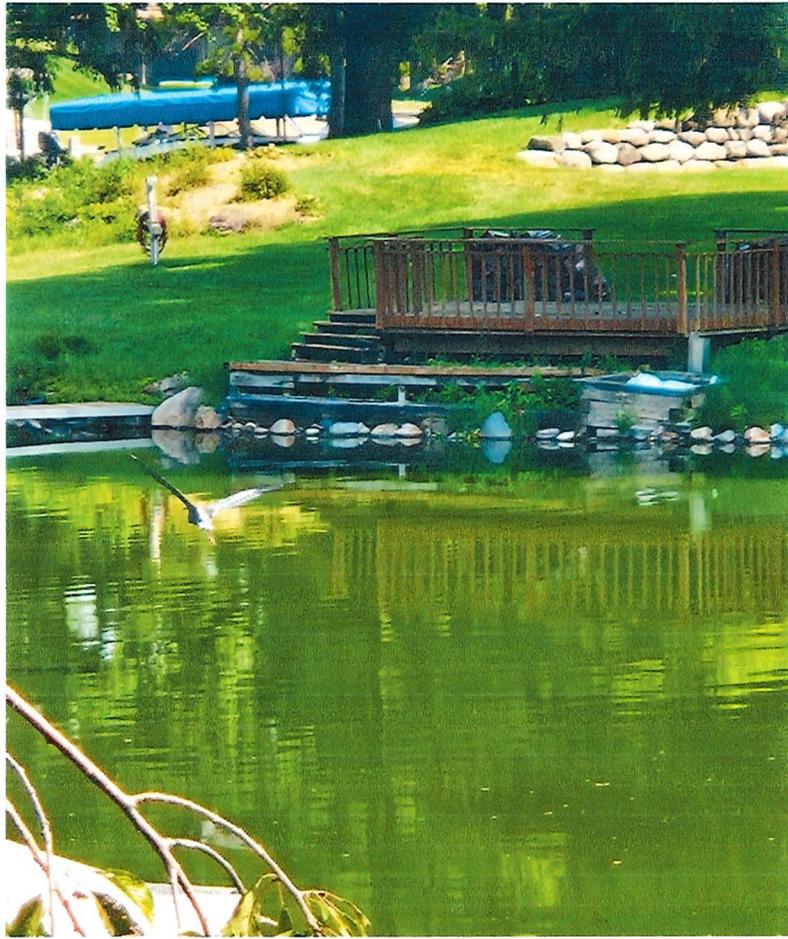














Michelle Spurgeon
3370 Ramada Dr
Highland, MI 48356

Highland Township
205 N John St
Highland, MI 48357

My neighbors, Brian and Dale Rogers, are applying for a variance to build a deck. I understand their vision and I think that it is a great idea.

Together, we contracted The Pond Place to put in a new seawall and it was completed in the summer of 2020. There was an existing deck in the Roger's yard that was in very poor condition, it was removed during the installation of the seawall. The new deck is simply replacing the deck that was previously there.

I agree that the variance should be approved. Please feel free to contact me if I can be of any help.

Thank you,

Michelle Spurgeon

A handwritten signature in black ink that reads "Michelle Spurgeon". The signature is written in a cursive, flowing style.



(no subject)

1 message

Dayle Rogers <drogers1029@gmail.com>
To: Dayle Rogers <drogers1029@gmail.com>

Thu, Sep 25, 2025 at 1:50 PM

September 9, 2025

RE: 3394 Ramada
Highland,MI

Highland Township

My name is Ronald Rinkinen and my wife Linda and I have lived at 3424 Ramada Drive since 1984.

Our next door neighbors at that time, the Langley's, living at 3394 Ramada Drive, did some extensive landscaping sometime during the late 1980's.

It included a very large deck on the rear of the house,

a brick paver walkway to a large deck on the waterfront and docking for their watercraft. The waterfront deck included some type of fire pit.

At some point during the 1990's the residents had an evening fire on the waterfront deck, and sometime during the night the deck caught on fire....causing quite a bit of damage to the wood decking.

Extensive repairs were made to the deck.

More recently, during the 2000's

the deck heaved causing sections of the deck to be unsafe.

This year, the current owners, the Rogers's replaced the damaged waterfront decking. They put the new waterfront deck in exactly the same place the old damaged decking was located.

My wife and I have no problem with the location of the waterfront deck at 3394 Ramada Drive. It looks beautiful, and many residents along the waterfront have similar waterfront decks.

Sincerely,

Ronald Rinkinen
3424 Ramada Dr

248-240-6030

3394 RAMADA DR HIGHLAND MI 48356-1868



4 beds / 3 full baths / 1 half baths / 3629 sq ft

Residential Property Profile

11-11-377-015

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) : BRIAN D ROGERS & DAYLE J ROGERS
Postal Address : 3394 RAMADA DR HIGHLAND MI 48356-1868

Location Information

Site Address : 3394 RAMADA DR HIGHLAND MI 48356-1868
PIN : 11-11-377-015 Neighborhood Code : LAD
Municipality : Charter Township of Highland
School District : 63220 HURON VALLEY SCHOOLS
Class Code : 401 Residential - Improved

Property Description

T3N, R7E, SEC 11 AXFORD ACRES NO 9 LOT 204

Most Recent Sale Since 1994

Date : 08/26/2024
Amount : \$1 Liber : 59600:543
Grantor : ROGERS, DAYLE J
ROGERS, DALE J Grantee : ROGERS, DALE J
ROGERS, BRIAN D ROGERS, BRIAN D

Next Most Recent Sale

Date : 09/17/2001
Amount : \$409,000 Liber : 26316:798
Grantor : VANOVERBERGHE, MICHAEL Grantee : ROGERS, BRIAN D
VANOVERBERGHE, KAREN ROGERS, DAYLE J

3394 RAMADA DR HIGHLAND MI 48356-1868



4 beds / 3 full baths / 1 half baths / 3629 sq ft

Residential Property Profile

11-11-377-015

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	: \$270,534	State Equalized Value	: \$507,070
Current Assessed Value	: \$507,070	Capped Value	: \$270,534
Effective Date For Taxes	: 07/01/2025	Principal Residence Exemption Type	: N/A
Summer Principal Residence Exemption Percent	: 100%	Winter Principal Residence Exemption Percent	: 100%
2024 Taxes		2025 Taxes	
Summer	: \$5,898.39	Summer	: \$6,064.77
Winter	: \$3,297.74	Winter	:
Village	:	Village	:

Lot Information

Description	: ROLLING HIGH WATERFRONT	Area	: 0.42 ACRES
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Primary Structure

Structure	: Colonial/2Sty	Living Area	: 3629 SQ FT
Ground Floor	: 2079 SQ FT	Year Built	: 1978
Effective Year	: 1981	Remodel Year	: 0
Stories	: 2 Story	Rooms	: 10
Bedrooms	: 4	Full Baths	: 3
Half Baths	: 1	Fireplaces	: 1
Ext Walls	: Brick/Siding	Basement	: YES - FULL
Garage	: ATTACHED - 2 car (1006 SQ FT)	Heat	: Forced Heat & Cool
Fuel Type	: Gas	Central Air	: Yes

Basement Information

Finish	: RECREATION ROOM FINISH	Area	: 1275 SQ FT
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Porch Information

Type	Area
CPP	134 SQ FT
CGEP (1 Story)	156 SQ FT
Treated Wood	138 SQ FT
Treated Wood	742 SQ FT
Treated Wood	50 SQ FT
Roof Cover Only	43 SQ FT