

MEMORANDUM

To: Zoning Board of Appeals

From: Kariline P. Littlebear, Zoning Administrator

Date: May 15, 2024 Re: ZBA24-11

2225 North St 11-32-476-007

Applicant: Robert Husic

Owner: Robert Husic & Colleen Doherty

The subject parcel is zoned LV – Lake and Village Residential District. The parcel size is approximately 0.313 acres or 13,634 square feet.

The required setbacks for this parcel are as follows:

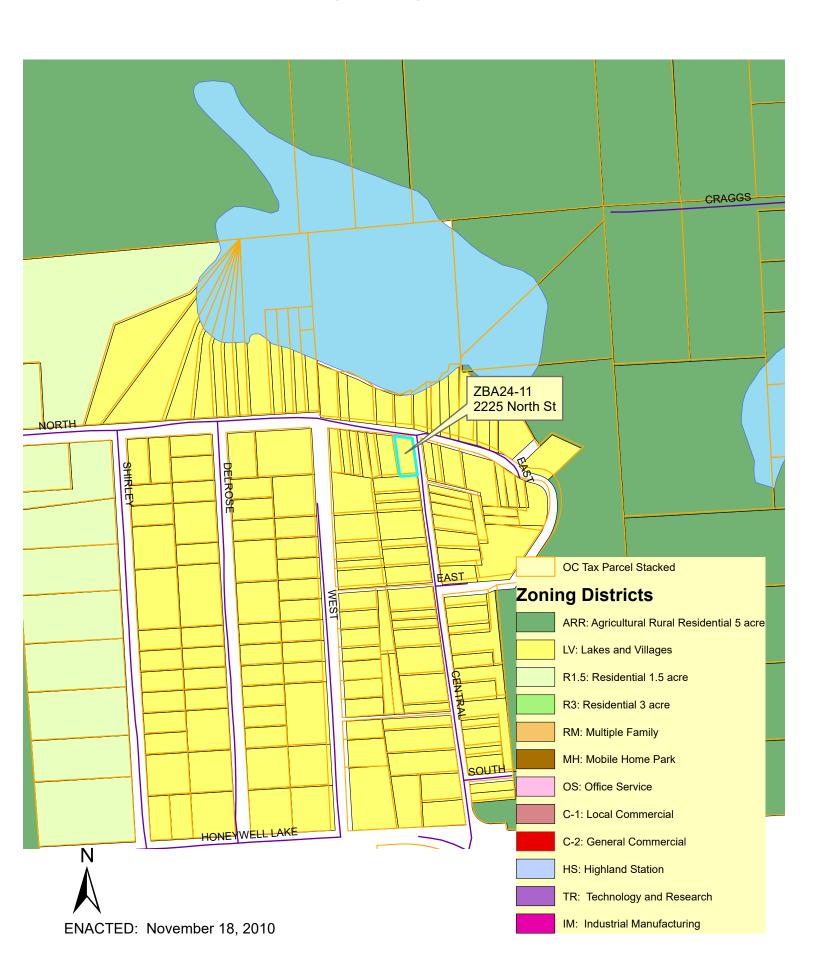
Front yard (North): 35 ft Front yard (Central): 30 ft

Side yards: 5 ft for the west lot line, 10 ft for the south lot line

This request is for a 6.9-foot variance from the calculated 30-foot front yard setback to 23.1-feet provided for the construction of an uncovered deck and stairs. This request is for a variance from Section 9.02.B.a. of the Zoning Ordinance.

The applicant has provided a survey and photos of the property. Staff has supplied assessing records, a zoning map, an aerial approximation of the property, and Section 9.02. of the Zoning Ordinance.

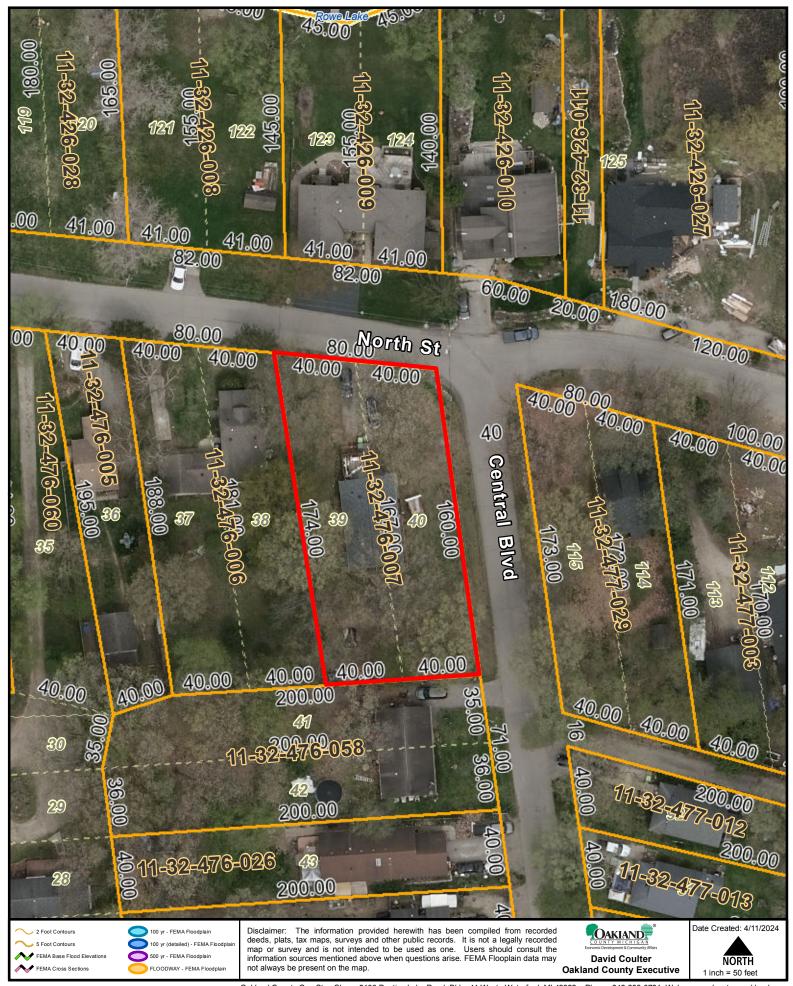
CHARTER TOWNSHIP OF HIGHLAND ZONING MAP



2225 North St



2225 North St



CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS APPLICATION FOR APPEAL

APPLICANT	OWNER
NAME: Robert Husic	NAME: Robert Hosic
ADDRESS: 2225 North Street	ADDRESS: 2275 North Street
M. Iford MI 48380	
771.17014	ž
200 100 0016	PHONE: 248-685-0866
PHONE: 248-685-0866	
EMAIL: Break 1991 @ comeastanct	EMAIL: breakissi @ comeast . Met
PROPERTY ADDRESS: ZZZS NORTH STREET	ZONING: LV
PROPERTY TAX ID NO: H-11-32 -476 -007	
ORDINANCE SECTIONS BEING APPEALED: Sec 9	02 B a
ORDINANCE SECTIONS BEING APPEALED:	.02.0.4.
variances requested: Reduce East Setbo Requesting a 6.9 ft Calculated Fronty	variance from the
describe the Nature of Your practical difficulty: aditionally lestricted to front y Structure is preexisting Existing decks are in disre	_ards.
am granting the right of the Zoning Board of appeals members, ins	I included on this form. I acknowledge that by signing this application, I pectors and administrators to conduct a site inspection of the subject DATE: 4-4-24
SIGNATURE OF APPLICANT:	DATE: 4-4-24
Signature of applicant must be Subscribed and swom to before me this	notarized.
day of April . ,2024	Receipt# 1.0576/2Date Paid 4/8/24
Delica A. Pawlow Kr Notary Public	Received by
My Commission expires 1/31/2029 DEBRA A. PAWL NOTARY PUBLIC, ST COUNTY OF OA MY COMMISSION EXPIRACITING IN COUNTY OF	TATE OF MI Appeals\forms\ZBA Application form KLAND RES Jan 31, 2029

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?

	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 corner lot which causes two front yard setbacks to come into play.
	The current structure is situated in such a manner the front yard
	setbacks will not allow proper entry into the structure in a normal fasion.
	Existry Decks are in disrepair
	Can the project be redesigned to meet the zoning requirements without the need for a variance?
	I don't beleive the project can be redisgned as the existing structure is currently
•	at setback and entry can only be accomplish by encroaching the setback limit.
	The current structure is situated in such a manner the front yard setbacks will not allow
	proper entry into the structure in a normal fashion.
	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.) I don't beleive the request is of a personal nature.

	Has the difficulty been created by the current or previous owner?
	Difficulty was created by the previous owner.
-	
-	
_	
-	
	Will the proposed variance be harmful to or alter the essential character of the area ir which the property is located?
	I don't beleive the variance with alter the essential character
	or be harmful to the area in which the property is located.
	Will the proposed variance be the minimum necessary?
	Yes, the proposed variance will be the minimum necessary for this project.
	Too, the proposed variation will be the miniman recording for the project.

Signature Hddk 4-5-24
2225 North Shreet

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

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

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

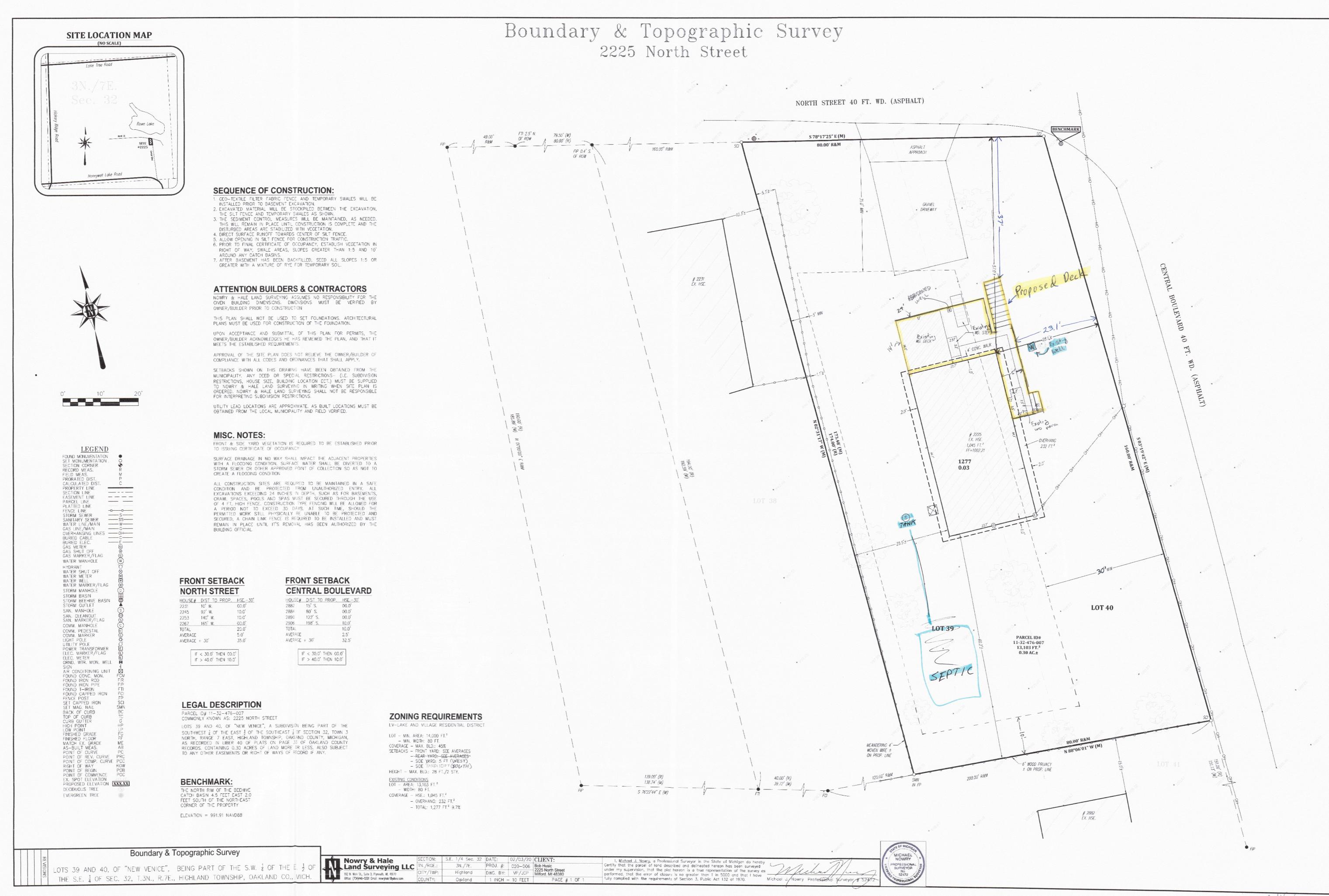
c. Rear yard setback.

- 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:

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- 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)





Warren Hinzman 9155 Highland Road Suite C White Lake, MI 48386 Oakland: (248) 887-1030 Macomb: (586) 486-7843 Mobile: (248) 255-2110 Email: warren@michigansbest deckbuilders.com	Client:	Date: Deck specificalization Deck specificalization Sq 11 Grant Child Grant Child Sq 11 Grant Child G
	334	Remarks to the same of the sam

Proposal for dect



Warren Hinzman 9155 Highland Road Suite C White Lake, MI 48386

Oakland: (248) 887-1030 Macomb: (586) 486-7843

Macomb: (586) 486-7843 Mobile: (248) 255-2110

Email: warren@michigansbest

deckbuilders.com

City:

Client: BoB Husic

Email:

248-685-0866

Address: 2225 North 5T

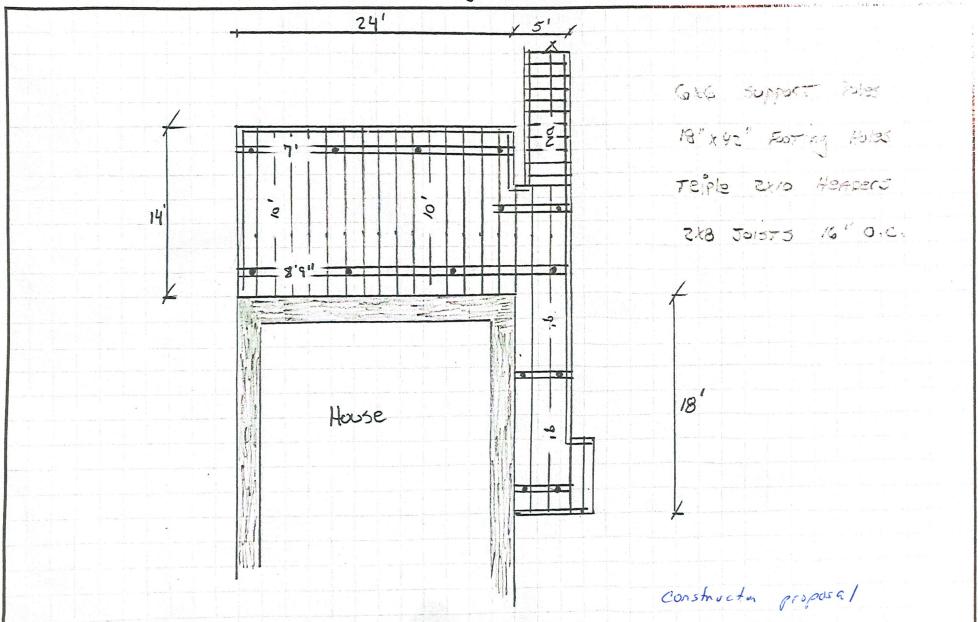
Highland

Date: 4-1-24

Deck specifications:
Tear Out: Keep Frame:
Sq. Fix: Love Steet

Grade Electric Steet

Rail Length .___ Post ive.





East looking west

Reprensetation of proposed dect

Hiustration

2225 North Street No to Soule



Illustration of propose deck
North looking South

2225 North Street Not to Scale



N. East looking & west Corrent Condition of property

2225 North Street

2225 NORTH ST MILFORD MI 48380-2234

OAKIAND COUNTY MICHIGAN PROPERTY GATEWAY

3 beds / 1 full baths / 0 half baths / 1063 sq ft

Residential Property Profile

: 0.313 ACRES

11-32-476-007

Description

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.

local community where the data originated.				
Owner Information				
Owner(s)	er(s) : COLLEEN DOHERTY & ROBERT HUSIC			
Postal Address	Postal Address : 2225 NORTH ST MILFORD MI 48380-2234			
Location Information				
Site Address : 2225 NORTH ST MILFORD MI 48380-2234				
PIN	: 11-32-476-007 Neighborhood Code : RNV			
Municipality	pality : Charter Township of Highland			
School District	: 63220 HURON VALLEY SCHOOLS			
Class Code	: 401 Residential - Improved			
Property Description				

T3N, R7E, SEC 32 NEW VENICE LOTS 39 & 40

Most Recent Sale Since 1994				
Date	: 10/22/2012			
Amount	: \$1	Liber	: 45121:034	

Grantor : HUSIC, ROBERT L

: LEVEL

HUSIC, COLLEEN M Grantee : HUSIC, ROBERT L

DOHERTY, COLLEEN M HUSIC, COLLEEN M

Tax Information				
Taxable Value	: \$56,410	State Equalized Value	: \$105,520	
Current Assessed Value	: \$105,520	Capped Value	: \$56,410	
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	: \$1,152.24	Summer	: \$1,209.65	
Winter	: \$654.83	Winter	: \$721.82	
Village	:	Village Lot Information	:	

Area

2225 NORTH ST MILFORD MI 48380-2234



3 beds / 1 full baths / 0 half baths / 1063 sq ft

Residential Property Profile

11-32-476-007

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,				
Primary Structure				
Structure	: Ranch	Living Area	: 1063 SQ FT	
Ground Floor	: 1063 SQ FT	Year Built	: 1986	
Effective Year	: 1987	Remodel Year	: 0	
Stories	: 1 Story	Rooms	: 5	
Bedrooms	: 3	Full Baths	: 1	
Half Baths	: 0	Fireplaces	: 0	
Ext Walls	: Alum., Vinyl	Basement	: YES - FULL	
Garage	: None	Heat	: Forced Air w/ Ducts	
Fuel Type	: Gas	Central Air	: No	
	Basement	Information		
Finish	: UNFINISHED	Area	: 0 SQ FT	
Porch Information				
	Туре		Area	
	WPP		22 SQ FT	
	WPP		22 SQ FT	