



Village of Lake Orion

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 Lake Orion, Michigan 48362
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BOARD OF ZONING APPEALS – APPLICATION FOR VARIANCE OR REVIEW

PROPERTY INFORMATION

Site Address: 136 North Axford St., Lake Orion, MI 48362-3010 Parcel ID #: 09 02 404 205

Parcel Size (Sq.Ft.): 5,768 sq. ft. Zoning District: RV - Village Single Family

Has the property previously been approved for a variance(s)? Yes / No (If yes, indicate date: none under current ownership)

OWNER INFORMATION

Property Owner Name: Steven A, Overmyer Address: 136 North Axford St., Lake Orion, MI 48362-3010

Property Owner Phone #: 810.287.7917 E-Mail: saovermyer@gmail.com

APPLICANT INFORMATION (If applicant is NOT property owner)

Applicant Name: _____ Address: _____

Applicant Phone #: _____ E-Mail: _____

Applicant is: (i.e. contractor or business owner or architect, etc.) _____

TYPE OF VARIANCE AND/OR REVIEW REQUESTED

Please check one. A request for multiple types of reviews may require a separate form.

____ Appeal of Administrative Order ____ Interpretation of Map ____ Interpretation of Section # _____

Dimensional Variance (required setback, height, lot coverage, lot width, lot size, etc.)

____ Use Variance (specify intended use): _____

____ Variance from Zoning Ordinance Requirement - Section # _____

____ Other (please specify): _____

DIMENSIONAL VARIANCE – REQUESTED DEVIATION FROM REQUIREMENTS

Please complete the table below for each deviation from the dimensional requirements which you are requesting.

Section #	Type of Dimensional Requirement	Existing Distance	Required Distance	Proposed Distance	Variance (=Required – Proposed)
Example: Table 12.02	Front Setback	28 Feet	25 Feet	20 Feet	5 Feet
Section 12.02	Rear Setback		25 ft.	10 ft.	15 ft.
Section 12.02	Lot Coverage [40%]	2,258.78 sq.ft.	2,307.2 sq.ft.	2,419.78 sq.ft.	112.58 sq.ft. [1.95%]

Please only fill out the section for the type of variance or review you are requesting.

**DIMENSIONAL VARIANCES AND VARIANCES FROM ZONING ORDINANCE REQUIREMENTS -
EXPLANATION OF PRACTICAL DIFFICULTIES**

Dimensional Variances, which are deviations from the dimensional zoning requirements, i.e. height, bulk, setback, and variances from other zoning ordinance requirements, such as the amount of investment in a non-conforming property, may only be granted by the Board of Zoning Appeals upon finding that a practical difficulty exists. All of the following conditions must be determined to apply to your case in order to determine that a true practical difficulty exists. (*Attach additional sheets if necessary.*)

Please explain how: Strict compliance with restrictions governing area, setback, frontage, height, bulk, density, or other non-use matters will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.

The existing lot is relatively small with the back of the house only 28.55' from the rear property line. The portion of the existing deck that would be adjacent the placement of the proposed above ground pool extends 8' from the rear of the house. The pool would extend an additional 9' plus an additional 1' for supports and ease of placement, leaving only 10.55' of setback from the rear property line. The pool size of 162 sq.ft. also would result in exceeding lot coverage by 112.57 sq.ft. [1.95%].

Please explain how: Granting the variance will provide substantial justice to the applicant, as well as other property owners.

The requested variances would allow the owner to utilize the 9' X 18' above ground pool that was gifted to him for recreational and theraputic purposes.

Please explain how: The variance requested is the minimum variance needed to provide substantial relief to the applicant and/or be consistent with justice to other property owners.

The requested variances would permit the owner to install the pool for recreational and theraputic purposes. The entire back yard is surrounded by a 6' high wooden fence for privacy and safety. This should not create any disturbance or adverse concerns for surrounding neighbors.

Please explain how: The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.

Please explain how: The problem and resulting need for the variance has been created by strict compliance with the Zoning Ordinance, and not by the applicant or applicant's predecessors; it is not self-created.

In general, the lots in the established neighborhood tend to be small which creates a constraint on the ability to adhere to the dimensional requirements.

Please explain how: Granting the variance will not impair the public health, safety, comfort, or welfare of the inhabitants of Lake Orion.

The entire back yard is surrounded by a 6' high wooden fence for privacy and safety. This should not create any disturbance or adverse concerns for surrounding neighbors.

USE VARIANCES – EXPLANATION OF UNNECESSARY HARDSHIP

A Use Variance is a variance that permits the use of a property that is otherwise not permitted in a zoning district. The Board of Zoning Appeals may grant a requested use variance only upon finding that an unnecessary hardship exists. Explain below how the requirements in Article 19, Section 19.04 D. 2. Use Variance Review Standard of Zoning Ordinance pertains to your site. *(Attach additional sheets if necessary.)*

APPEALS OF ADMINISTRATIVE ORDERS, INTERPRETATIONS OF MAP OR ZONING ORDINANCE SECTIONS

Per Section 19.04(B), when an applicant believes they have been aggrieved by a decision of the Zoning Administrator, they may appeal the decision to the Board of Zoning Appeals. Per Section 19.04(C), the Board of Zoning Appeals has the authority to hear and decide requests for interpretation of the Zoning Ordinance, including the Zoning Map. In the area below, please state the Section relevant to your appeal or interpretation request. Please state any facts or conditions relevant to your application. *(Attach additional sheets if necessary.)*

ADDITIONAL INFORMATION AND REQUIREMENTS

Section 19.04(F) identifies all information required for a complete application.


Please place your initials below next to all items included in your application.

If you believe the information is not relevant please place 'N/A' for not applicable next to the item.

- SAO 1) A completed application signed by the property owner.
- SAO 2) Proof of ownership.
- _____ 3) Property owner authorization for an applicant to act on their behalf.
- SAO 4) Project Narrative – *A letter to the BZA explaining the variance or review request.*
- SAO 5) Land Survey – *A survey prepared by a professional surveyor.*
- SAO 6) Site Plan – *A set of plans to scale which include all property lines with dimensions, setbacks, existing and proposed structures.*
- _____ 7) Architectural plans and elevations – *A set of drawings illustrating the details of any proposed structures.*
- SAO 8) PDF files - *A digital PDF version of all documents must be provided either via media source (CD, DVD, USB drive) or email to the Zoning Coordinator.*
- _____ 9) Payment of fees.

By signing below you acknowledge all of the following:

- The undersigned acknowledges that they have read Section 19.04 of the Village of Lake Orion Zoning Ordinance, has received and read the instructions and understands the application process.
- The undersigned acknowledges that in their opinion they believe the additional information included with this application meets the submittal requirements for a variance or review application and accept all responsibility for any lack of required information.
- The undersigned acknowledges that any lack of information which may result in a delay of the review process is the sole responsibility of the applicant.
- The undersigned deposes that the forgoing statements and answers and accompanying information are true and correct.
- The undersigned hereby authorizes Village representatives to enter the subject property in connection with this application.

Signature of Property Owner: 

Date: 3/31/24

Signature of Applicant: 

Date: 3/31/24