



Village of Lake Orion

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BOARD OF ZONING APPEALS – APPLICATION FOR VARIANCE OR REVIEW

PROPERTY INFORMATION

Site Address: 301 PARK AVE. Parcel ID #: OL-09-03-431-012

Parcel Size (Sq.Ft.): _____ Zoning District: LAKE SINGLE FAMILY RESIDENTIAL

Has the property previously been approved for a variance(s)? Yes ☐ No ☒ (If yes, indicate date: _____)

OWNER INFORMATION

Property Owner Name: PAUL TRACEY Address: _____

Property Owner Phone #: _____ E-Mail: _____

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): ADD 2ND STORY WITHOUT CHANGING EXISTING FOOT PRINT OF EXISTING BUILDING. SEE ATTACHED SURVEY.

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

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 REQUEST TO ADD A 2ND STORY WILL NOT CHANGE THE FOOT PRINT TO THE EXISTING BUILDING (I.E. BUILDING STRAIGHT UP) - THE PURPOSE IS TO INCREASE THE SQUARE FOOTAGE FROM 570 TO 1140.

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

GRANTING THE BUILD OF THE 2ND STORY TO THE EXISTING STRUCTURE (STRAIGHT UP) WILL INCREASE THE LIVING SPACE 2X FROM 570 SQ FT TO 1140 SQ. FT. THE OTHER PROPERTY OWNERS WILL EXPERIENCE A MORE UP-TO-DATE EXTERIOR VERSUS A HOUSE BUILT IN 1934.

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 ADDITIONAL 2ND FLOOR STRUCTURE WILL BE BUILT STRAIGHT UP FROM THE EXISTING HOUSE AND WILL STAY WITHIN THE 30 FOOT HEIGHT REQUIREMENT.

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.

THE CURRENT HOUSE (BUILT IN 1934) WAS BUILT ON ONE PROPERTY THAT HAS SINCE BEEN SUB-DIVIDED INTO TWO LOTS (I.E. LOT 65 & LOT 66 SHOWN ON THE ATTACHED SURVEY. THE DIVIDING LINE INCRDACHES THE CURRENT VARIANCE REQUIREMENTS OF BOTH RESIDENCES AS CURRENTLY BUILT.

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.

THE PROBLEM RESIDES WITH THE PROPERTY SUB-DIVIDED INTO TWO LOTS WITH MINIMAL ROOM BETWEEN THE HOUSE AND LOT LINE. THE HOUSES ARE STAGGERED AND THEREFORE ARE NOT NEXT TO EACH OTHER. THE REQUEST TO ADD A SECOND FLOOR DOES NOT ADD TO THE CURRENT SITUATION (I.E. BUILDING STRAIGHT UP ON EXISTING BUILDING).

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

ADDING A SECOND STORY TO THE EXISTING BUILDING (I.E., STRAIGHT UP) DOES NOT CHANGE THE EXISTING FOOT PRINT OF THE BUILDING AND WILL NOT IMPAIR ANY OF THE NOTED CONCERNS

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.)

THE HARDSHIP EXISTS TO ADDING A SECOND STORY TO THE EXISTING RESIDENTIAL BUILDING (BUILDING STRAIGHT UP) TO A HOUSE THAT WAS BUILT IN 1934 ON THE PROPERTY BEFORE IT WAS SUB-DIVIDED INTO TWO LOTS (LOT 65 & LOT 66 AS SHOWN ON THE ATTACHED SURVEY) - THIS HARDSHIP CASE WILL NOT EXPAND THE FOOT PRINT OF THE CURRENT BUILDING BUT WILL INCREASE THE LIVABLE SIZE FROM 570 SQUARE FEET TO 1140 SQUARE FEET.

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.

[Redacted]

1) A completed application signed by the property owner.

[Redacted]

2) Proof of ownership.

N/A

3) Property owner authorization for an applicant to act on their behalf.

4) Project Narrative – A letter to the BZA explaining the variance or review request.

[Redacted]

5) Land Survey – A survey prepared by a professional surveyor.

N/A

6) Site Plan – A set of plans to scale which include all property lines with dimensions, setbacks, existing and proposed structures.

N/A

7) Architectural plans and elevations – A set of drawings illustrating the details of any proposed structures.

N/A

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:

[Redacted]

Date: 6-2-26

Signature of Applicant:

[Redacted]

Date: 6-2-26