



# MCKENNA

August 27, 2025

Planning Commission  
Village of Lake Orion  
21 East Church Street  
Lake Orion, Michigan 48362

**Subject:** Pinho Land Division and Combination Review #1 (Application Received July 1, 2025)

**Location:** 658, 664 and 670 Victoria Island – Parcel #s 09-03-480-004, 09-03-480-005 and 09-03-480-003 (Located on the northwest corner of Victoria Island)

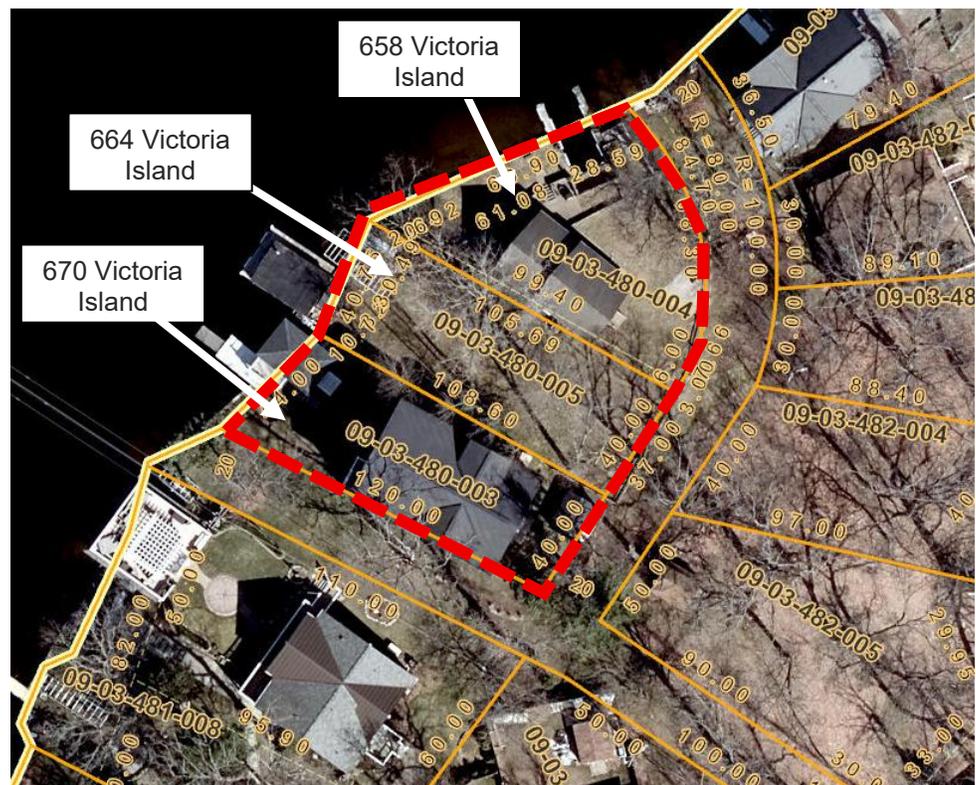
**Zoning:** RL Lake Single Family Residential

Dear Commissioners:

At the Village’s request, we have reviewed the above referenced land division and combination request submitted by Anthony W. Pinho for conformance to the provisions of the Lake Orion Dividing and Partitioning of Land Ordinance (Code of Ordinances: Chapter 157), the Zoning Ordinance, and sound planning and design principles.

### EXISTING CONDITIONS

Parcel 09-03-480-003, more commonly known as 670 Victoria Island, is occupied by a single family structure with an approximate footprint of 1,050 square feet (SF) as well as a shed and a boat house. Parcel 09-03-480-005, 664 Victoria Island does not have a principal residence but does have a shed and boat house. Parcel 09-03-480-004, 658 Victoria Island, is occupied by a single family structure with an approximate 725 SF footprint. All lots are under single ownership by the applicant and all lots are zoned RL, Lake Single-Family Residential. The three existing lots are outlined in a red dashed line on the adjacent aerial photo.



**HEADQUARTERS**  
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**PROPOSED DIVISION AND COMBINATION**

The applicant is proposing to divide 664 Victoria Island (Parcel 09-03-480-005) in two. The northern portion would be combined with 658 Victoria Island (Parcel 09-03-480-004) and the remaining southern portion would be combined with 670 Victoria Island (Parcel 09-03-480-003). The existing and proposed lot areas are summarized below.

| <i>Lot Address and Parcel ID #</i>                | <i>Existing Lot Area</i> | <i>Proposed Lot Area</i> |
|---------------------------------------------------|--------------------------|--------------------------|
| <b>658 Victoria Island</b><br>(PIN 09-03-480-004) | 4,925 SF                 | 5,526 SF                 |
| <b>664 Victoria Island</b><br>(PIN 09-03-480-005) | 3,813 SF                 |                          |
| <b>670 Victoria Island</b><br>(PIN 09-03-480-003) | 4,660 SF                 | 7,945 SF                 |

Per the approval procedures of Sec. 157.24, the Planning Commission shall review the land division application and submit a recommendation to the Village Council, based on the approval standards of Sec. 157.25. After reviewing Planning Commission’s recommendation, the Village Council shall make a final decision on the proposed land division and combination. We offer the following comments for your consideration.

**DIVISION AND COMBINATION STANDARDS FOR APPROVAL**

The Per 157.25, the following standards shall be used as the basis upon which applications for the division or partitioning of land are reviewed and approved:

- A. Compliance with State Law.** An application shall not be approved unless it complies with the Subdivision Control Act, Public Act 288 of 1967, as amended. The Village may permit the dividing of lots, outlots or other parcels of land into not more than 4 parts; however, any lot, outlot or other parcel of land not served by public sewer and public water systems shall not be further divided if the resulting lots, outlots or other parcels are less than the minimum width and area provided for in Section 186 of the Subdivision Control Act of 1967. A lot which is a part of a recorded plat may not be divided into more than 4 parts in perpetuity. An acreage parcel may be divided or partitioned as provided in Section 102(d) of the Subdivision Control Act of 1967.

*Complies. The lots are within a platted subdivision and have not been subdivided into four or more parts. The new lots will comply within state standards.*

- B. Lot Dimensional Requirements.** All parcels created as a result of the application shall comply with the minimum lot dimensional requirements, including lot size and lot width, minimum yard setback requirements and lot coverage requirements of the current village Zoning Ordinance, adopted in Chapter 158, except in the following circumstances:
  - Where the proposed division or partitioning of land would reduce the degree of existing non-conformity with Zoning Ordinance standards; or
  - Where the non-conforming parcel created as a result of the division or partitioning of land is intended to be combined with additional land for the purposes of creating a building site that conforms with the Zoning Ordinance requirements.

*Complies. In the RL District, the required minimum lot width is 60 feet, and the minimum lot area is 7,200 square feet. Currently, 670 Victoria Island has a legally nonconforming lot width and area and 658 Victoria Island has a legally nonconforming lot area. With this proposed division and combination of land, 670 Victoria Island will comply with the lot width and area minimum requirements. The combination with 658 Victoria Island will reduce the degree of existing legal nonconforming lot area and result in a larger overall lot size. The resulting division and combination will result in greater conformity with the zoning ordinance.*



- C. **Taxes or Assessment Liens.** Any due or unpaid taxes, special assessments upon the property, or any amounts due to the municipality relating to the land which is the subject of the application, such as, but not limited to, charges for water service, sanitary sewer service, and trash collection service, shall be paid before the division or partitioning of land is given final approval. **Complies.**
- D. **Depth to Width Ratio.** Wherever possible, the depth-to-width ratio of a resulting parcel shall not exceed 3-to-1. **Complies.** *Both properties will not exceed the 3-to-1 depth-to-width ratio.*
- E. **Disruption to Flow of Water.** No application shall be approved if subsequent development would result in disruption to the existing or natural flow of water within drainage ditches, natural water courses, or government-maintained drains, unless evidence of a feasible alternate method of drainage is presented. **Complies.** *No water bodies are impacted as part of this application.*
- F. **Consideration of Deed Restrictions.** The effect of proposed division or partitioning of land on deed restrictions shall be considered by the Village Manager, Planning Commission and Village Council in their review of the application. However, such deed restrictions shall not be binding upon the village under this subchapter. **Not applicable.**
- G. **Consent of the Title Holder.** No application shall be approved without the consent of the title or deed holder of the subject parcel. **Complies.**
- H. **Character of Surrounding Development.** In reviewing an application, the Village Manager, Planning Commission and Village Council shall consider the impact of subsequent construction on the character of surrounding development. In evaluating character of surrounding development, the Village Manager, Planning Commission and Village Council shall consider the size, dimensions, and proportions of existing surrounding parcels. **Complies.** *The proposed reconfiguration will not alter the surrounding neighborhood. The division and combination will increase the degree of lot conformity to the remainder of the neighborhood*
- I. **Parking Requirements.** An application shall not be approved if it results in a loss of parking such that development on any of the resulting parcels would be unable to comply with the minimum parking requirements in the Zoning Ordinance. **Not Applicable.** *The lots are a part of Victoria Island which does not have automobile access. No cars are located on the island and no parking is required.*
- J. **Access.** An application shall not be approved unless all resulting parcels have direct frontage upon a paved public road or a private road. Accessibility to each newly created parcel must be directly from the public or private road and not by easement across another parcel or lot. **Not Applicable.** *The lots are a part of Victoria Island which does not have paved roads and does not have vehicle access. We note that the lots both have frontage on a dedicated right-of-way and they are accessible from the public right-of-way.*
- K. **Public Facilities.** An application shall not be approved unless the resulting parcels are served by public facilities, including, but not limited to, water, sanitary sewer, and paved rights-of-way.

Normally, as a condition of approval, the Village Council may require the applicant to install public facilities in accordance with specifications established by the village, or to guarantee the installation of public facilities in the form of a cash performance bond or an irrevocable letter of credit running in the favor of the village, in the amount of the estimated cost of the installation of the public facilities and associated professional reviews and inspections.



In extraordinary situations, as determined by the Village Council, where properties cannot feasibly be served by public facilities, and the Village Council issues a waiver of the requirement of resulting parcels being served by public facilities, then the minimum width and area of resulting parcels as required in Section 186 of the Subdivision Control Act of 1967, as amended. **Complies.** *No change to the existing public utilities is proposed as part of this application; the subject lots will continue to be serviced as they have been.*

### **RECOMMENDATION**

The proposed division and combination of land will significantly reduce the degree of nonconformity for 658 Victoria Island and make 670 Victoria Island legally compliant with lot area and width standards.

*Based on these findings, we advise the Planning Commission to recommend approval to the Village Council for the proposed land division and combination for lots 658, 664 and 670 Victoria Island.*

If you have any questions, please do not hesitate to contact us. Thank you.

Respectfully submitted,

**McKENNA**

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Senior Principal Planner