



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: 493 ALGENE STREET Parcel ID #: 09-11-257-006

Parcel Size (Sq.Ft.): 6,911 SF Zoning District: RL - Lake Single Family Res.

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

OWNER INFORMATION

Property Owner Name: Michael & Caroline Gillam Address: 493 Algene Street, Lake Orion, MI 48362

Property Owner Phone #: (248) 709-1170 [Michael] E-Mail: michaelgillam20@gmail.com
(248) 709-4043 [Caroline] cmmgillam@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) |
|--|---------------------------------|-------------------|-------------------|-------------------|---------------------------------------|
| 4.03 | | | | | |
| <i>Example:</i> Table 12.02 | Front Setback | 28 Feet | 25 Feet | 20 Feet | 5 Feet |
| Lot Width's & Side Yards Page 34 of the Zoning Ord. | Side Setback | 2.1' or 2'-2" | 5'-0" | 2.1' or 2'-2" | 2'-10" (NO CHANGE TO EXISTING) |

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 current home has a side setback of 2'-1" on the north side of the home. The proposed addition is making a new side setback of 1'-9" on that same side, requiring a variance of 3'-3" to achieve the required 5'-0" side setback.

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

The current home has a setback that does not meet the required ordinance. The site itself is irregular and smaller than the required minimum square foot area. The home has small bedrooms and limited space to easily move about. The proposed addition, and granting of the variance, would allow for an expanded footprint to the home offering larger areas throughout and creating a home that would be appropriately sized for today's housing market versus the "cottage" that was built years ago as a second home.

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 variance being requested is the same condition as currently exists, we are not asking for anything new for the property in order to expand the home appropriately per the enclosed floor plan (sheet A102).

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.

As noted above, the property itself is smaller than the current ordinance requires. It's an older home that was originally built as a second residence / cottage. The home is at the corner of Algene & Heights and a majority of the surrounding properties do not meet the current ordinance standard of 7,200 sf.

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.

As noted above, the current setback does not meet the ordinance standard of 5'-0". The home was not built by the applicants and they are simply trying to maximize the ability to add onto their home, by requesting that the existing variance be maintained and this non-conforming condition remains.

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

Granting of this variance will not impact public safety, health, comfort or welfare for the inhabitants of Lake Orion.

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.

- MG 1) A completed application signed by the property owner.
- MG 2) Proof of ownership.
- N/A 3) Property owner authorization for an applicant to act on their behalf.
- MG 4) Project Narrative – *A letter to the BZA explaining the variance or review request.*
- MG 5) Land Survey – *A survey prepared by a professional surveyor.*
- MG 6) Site Plan – *A set of plans to scale which include all property lines with dimensions, setbacks, existing and proposed structures.*
- MG 7) Architectural plans and elevations – *A set of drawings illustrating the details of any proposed structures.*
- MG 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.*
- MG 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: *Michael J. Hill, Caroli Sillan* Date: *9-2-25*

Signature of Applicant: *Michael J. Hill, Caroli Sillan* Date: *9-2-25*

Dear BZA

We are asking for a 2'10" side variance for a home addition. The addition will follow the current home footprint. We are not asking for more than the current setback. The current setback is 2'1". We are planning to add a small addition to make the rooms more accessible due to aging and health conditions. The current home was built as a cottage with small rooms. The addition will make the house more appropriately sized.

Thank you in advance for your consideration.

Sincerely,

Michael & Caroline Gillam