



MCKENNA

April 16, 2026

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

Subject: Gehrke - Land Combination Review #1 (Application Received March 31, 2026)

Location: 48 and 52 Highland Avenue – Parcel #s 09-03-484-012 and 09-03-484-013 (northwest side of the peninsula)

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 Edward Sabol, applicant, on behalf of John Gehrke, property owner, 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 09-03-484-012, which is 48 Highland, is occupied by a single-family structure with a lot size of 4,677.4 sq ft.

Parcel 09-03-484-013, which is 52 Highland, is occupied by a single-family structure with a lot size of 4,185.9 sq ft.

All lots are under single ownership and are zoned RL, Lake Single Family Residential. The two existing lots are outlined in a red dashed line on the adjacent aerial photo.

The applicant has submitted a Demolition Permit Application to the Village and Orion Township for the house and storage shed at 52 Highland.



HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

O 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



PROPOSED COMBINATION

The applicant is proposing to combine 48 Highland Avenue (Parcel 09-03-484-012) with 54 Highland Avenue (Parcel 09-03-484-013). 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>
48 Highland Ave (PIN 09-03-484-012)	4,677.4 SF	8,863.3 SF
52 Highland Ave (PIN 09-03-484-013)	4,185.9 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:*

- a. Where the proposed division or partitioning of land would reduce the degree of existing non-conformity with Zoning Ordinance standards; or*
- b. 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, 52 Highland has a legally nonconforming lot width and area, and 48 Highland has a legally nonconforming lot area. The lot of 52 Highland has a lot width of 37.03 ft and a lot area of 4,185.9 sq ft. The lot of 48 Highland has an area of 4,677.4 sq ft and a lot width of 40.64 ft.

The proposed combined lot will have a lot width of 77.67 ft and a lot area of 8,863.3 sq ft. With this proposed division and combination of land, 52 Highland will comply with the lot width and area minimum requirements. The combination with 48 Highland 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.*

Does not comply. As of April 15, 2026, 48 Highland has an outstanding utility bill of \$562.09. The amounts due shall be paid before the division or partitioning of land is given final approval.

- D. Depth to Width Ratio.** *Wherever possible, the depth-to-width ratio of a resulting parcel shall not exceed 3-to-1.*

Complies. The combined property does 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. The combination of the two lots will not disrupt the existing or natural flow of water or have an adverse effect on the lake.

- 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. The applicant has submitted the lot combination application on behalf of the property owner of both 48 and 52 Highland. The property deeds have been included in the application materials.

- 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 combination will remove the nonconforming status of the two lots.

- 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.*



Complies. The combination of the two lots will not lead to a loss of parking. When a new principal structure is constructed on the combined lot, it will have to adhere to the parking requirements of the Zoning Ordinance.

- 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.*

Complies. The proposed combined lot will have direct frontage upon Highland Ave.

- 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. The two lots are served by public facilities. 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.

APPLICATION REQUIREMENTS

Per Section 157.23, the following information shall be supplied with the application. The applicant has provided the Village with these documents; we defer to the Village for any additional information requested.

1. Three copies of a sealed 8 ½" x 14" drawing prepared by a Registered Land Surveyor.
2. A legal description prepared by a Registered Land Surveyor of all parcels that would result from the requested division or partitioning of land. The legal description shall be in a form sufficient for recording with the Oakland County Register of Deeds and shall indicate the area of all parcels in square feet and acres.
3. Copies of existing or proposed deed restrictions related to the proposed parcels.
4. If any portion of the land has been part of a previous application for division of land, the applicant shall submit the date(s) of such application(s) and action taken.

RECOMMENDATION

The proposed division and combination of land will reduce the degree of nonconformity for 48 and 52 Highland and make the combined lot 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, contingent on the payment of all outstanding utility bills and the issuance of a Demolition Permit for 52 Highland Ave.



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

Respectfully submitted,

McKENNA

Sommer Nafal, NCI
Assistant Planner