



MCKENNA

August 18, 2026

Planning Commission
Village of Lake Orion
21 E. Church St.
Lake Orion, MI 48362

Subject: Proposed Rezoning of Parcel # 09-11-252-005

Dear Commissioners:

We have received materials from Matthew Phillips, the applicant, for a proposed rezoning for parcel # 09-11-252-005 (96 Park Island Dr.). The proposed rezoning is to amend the current zoning classification from Multiple Family Residential District (RM) to the (RL) Single Family Residential district.

The subject site is currently occupied by a single-family principal residence. The parcel is currently zoned RM, encompassing approximately 7,875.5 square feet.

BACKGROUND

The applicant is requesting the proposed rezoning of the property from RM to RL to eventually pursue the construction of an addition utilizing the RL setback regulations, rather than the more restrictive regulations of the RM district.

At the July 2, 2026 Board of Zoning Appeals, the applicant received a granted variance request to allow deviation from the front yard setback regulations of the Village's Zoning Ordinance. The request was granted after the Board of Zoning Appeals determined that the front yard variance would allow reasonable improvement of the property while maintaining consistency with the established development pattern along Park Island Drive, which identified the majority of the residential dwellings as having been built with a pattern that did not align with the front setback regulations of the Ordinance. The additional variance requests (side and rear yard) were denied as the Board of Zoning Appeals determined that the applicant should first request a rezoning of the property, consistent with the Village's Master Plan that would eliminate the need for the subsequent variance requests.

We have reviewed the rezoning request for compliance with the Village of Lake Orion Zoning Ordinance, 2022 Lake Orion Master Plan, Michigan Zoning Enabling Act (PA 110 of 2006 as amended), and sound planning principles. We offer the following comments for your consideration.



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SITE CONDITIONS OVERVIEW

Current Zoning: RM - Multiple Family Residential



Zoning Districts:

- RV - Village Single Family Residential
- RL - Lake Single Family Residential
- RM - Multiple Family Residential
- CC - Corridor Commercial
- DC - Downtown Center
- MU - Mixed Use
- PUD - Planned Unit Development
- Height Overlay
- Approved Planned Unit Developments (PUD)

Master Plan Future Land Use Classification: Lake Single-Family Residential



Future Land Use Category

- Lake Single-Family Residential
- Village Single-Family Residential
- Multiple-Family Residential
- Corridor Commercial
- Mixed Use: Downtown
- Mixed Use: Transition
- Mixed Use: M-24 Corridor
- Civic/Institutional/Recreation and Open Space

Intent of the Single Family Residential Districts (Sec. 4.01):

Purpose. The Single Family Residential Districts are established as districts in which the principal use of land is for single family dwellings and related educational, cultural, and religious uses where found appropriate and harmonious with the residential environment. For these Single Family Residential Districts in promoting the general purpose of this Ordinance, the specific intent of this Section is:

1. *To encourage the construction of, and the continued use of the land for single family dwellings.*
2. *To establish zoning districts consistent with the historic development pattern and existing platted lot widths in the Village.*
3. *To prohibit business, commercial or industrial use of the land, and to prohibit any other use, which would substantially interfere with the development or maintenance of single family dwellings in the district.*



4. To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Ordinance.
5. To discourage any land use which would generate traffic on minor or local streets, other than normal traffic to serve the single family dwellings on those streets.
6. To discourage any use which, because of its character or size would create requirements and costs for public services, such as fire and police protection, water supply and sewerage, substantially in excess of such requirements and costs if the district were developed solely for single family dwellings.

Development Standards:

Zoning District	Lot Minimum		Maximum Lot Coverage	Maximum Building Height (feet)	Minimum Setback Requirement (Feet)				Min Floor Area (sq. ft.) per Dwelling Unit ^{b, j}	Max. 1 st Floor Area (sq. ft.)
	Area (sq. ft.)	Width (feet)			Front (Street)	Each Side	Rear	Water Front ^c		
RV, Village Single Family Residential	7,200 ^k	60 ^k	40%	30	25 ^m	10 ^{a, d}	25	--	1,200	--
RL, Lake Single Family Residential	7,200 ^l	60 ^l	40%	30	25	5 ^a	25	25	900	--
RM, Multiple Family Residential	8,000 ^{g, h}	70 ^g	35% ^g	40 ^g	25	25 ^g	25	25	i	--
DC, ...										

RL District Regulations (Sec. 4.03.B)

Minimum Lot Width – 60 ft.
 Minimum Lot Area – 7,200 sq. ft.
 Maximum Building Height – 30 ft.
 Minimum Setbacks:
 Front (Street) – 25 ft.
 Front (Water) – 25 ft.
 Side – 5 ft.
 Rear – 25 ft.
 Maximum Lot Coverage – 40%
 Minimum Floor Area – 900 sq. ft.

RM District Regulations (Sec. 12.04.g)

Requirement	Multiple Family	Duplex	Single Family
Maximum Building Height	40 ft.	30 ft.	30 ft.
Setbacks			
Front	25 ft.	25 ft.	25 ft.
Side (each)	15 ft.	10 ft.	10 ft.
Rear	25 ft.	25 ft.	25 ft.
Maximum Lot Coverage	35%	40%	40%
Minimum Lot Area	*	8,400 sq. ft.	7,200 sq. ft.
Minimum Lot Width	70 ft.	70 ft.	60 ft.



REZONING ANALYSIS

As a conventional rezoning, the Planning Commission's responsibility is to hold a public hearing and make a recommendation for the rezoning proposal to the Village Council. A rezoning is also considered a zoning map amendment, which, as part of the Village's Zoning Ordinances, equates to an ordinance amendment which the Council has authority to approve as the governing body.

To help the Planning Commission evaluate the appropriateness of rezoning requests, McKenna staff has provided the following questions for consideration. These questions are meant to help the Planning Commission evaluate whether the rezoning is appropriate; they are not standards that must be met for approval.

- 1. Is the requested rezoning consistent with the goals, policies and future land use map of the Master Plan? Or, has applicant demonstrated conditions have changed significantly since the Master Plan was developed, and request is demonstrably consistent with the development trends in the area?**

The proposed rezoning is consistent with the Village's Master Plan. The existing zoning is RM. The Future Land Use designation for all of the nearby, waterfront parcels located along Park Island Dr. is Lake Single-Family Residential. Rezoning the property to the RL zoning district would align directly with the Village's Zoning Plan.

The existing land use, current zoning, and Master Plan future land use designations for the subject site and for the surrounding parcels is provided in the following table as a reference.

Location	Existing Land Use	Current Zoning	Future Land Use Designation
Subject Site	Single-Family Home	RM – Multiple Family Residential	Lake Single-Family Residential
North	Multi-Tenant Residential	RM – Multiple Family Residential	Lake Single-Family Residential
East	Multi-Tenant Residential	RM – Multiple Family Residential	Village Single-Family Residential
West	NA (Lake)	NA	NA
South	Single-Family Home	R-M Multiple Family Residential	Lake Single-Family Residential

- 2. Are all the potential uses allowed in the proposed zoning district compatible with surrounding uses in terms of land suitability, density of use, environmental impacts, nature of use, traffic impacts, aesthetics, infrastructure and maintenance of property values?**

Yes, given that the Future Land Use plan calls for the site to eventually align with the Lake Single-Family Residential District, we find that the permitted uses are suitable and similar in nature to.



3. Has the applicant demonstrated that he/she cannot receive a reasonable return on investment through developing the property with at least one (1) of the uses permitted under the current zoning?

We do not feel this question is applicable as the proposed zoning is consistent with the Future Land Use designation, and both the current and proposed zoning are primarily for single-family residential use only.

4. Is the capacity of the infrastructure and municipal services, including public schools, adequate to accommodate the uses permitted in the requested zoning district without compromising the “health, safety and public welfare”?

We believe that municipal services adequately accommodate uses permitted.

5. Is the rezoning necessary to avoid exclusion of a lawful land use?

Yes. The applicant intends to construct an addition to the existing garage. The proposed plans would not conform to setback requirements of the RM district, however, if the property were to be rezoned, as supported by the Village’s Master Plan, the applicant would conform to the regulations of the RL district and a variance would not be necessary to proceed.

6. Is the rezoning establishing a desirable zoning trend policy for similar or identical lands?

The proposed rezoning would move the parcel zoning closer to the Future Land Use map, while permitting similar uses to those that exist in the vicinity. This would be a desirable trend for similar parcels to follow where the development style is appropriate. Additionally, the majority of principal structures located along the western (waterfront facing) side of Park Island Drive are currently single-family residential.

7. Are the boundaries of the requested rezoning reasonable in relationship to surroundings and ability to meet the dimensional regulations in the zoning ordinance?

The surrounding properties near the subject site are generally developed in a similar fashion as described in the application as the intended use. The RM district would continue to impose more strict regulations on the property, which has been demonstrated over the years by the volume of variance requests along Park Island Dr. Therefore, we believe the rezoning is appropriate.

8. If a rezoning is appropriate, is the requested zoning district more appropriate from the community’s perspective than even some other zoning district?

As previously stated, the existing zoning is RM to the north, east, and south. The Future Land Use designation for the waterfront properties is Lake Single-Family residential, and the property to the east is designated for Village Single-Family Residential. We find that due to the compatibility of the single-family districts, waterfront features of the property, and alignment with the Master Plan, that RL Lake Single Family Residential would be the most appropriate for this site.

9. If the request is to permit a specific use, is rezoning the land (changing the map) more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use changing the text?

Yes. Both the existing and proposed district permit single-family residential uses. The RM district imposes stricter regulations than the RL district based on the same single-family residential use.

10. Does the requested zoning correct an error in the zoning map? or zoning text?

No, the rezoning is not necessary to correct a zoning map or text error.



RECOMMENDATION

As the findings above dictate, the requested rezoning is compatible with the Village's Master Plan, existing land uses and the intent and purpose of the Zoning Ordinance. We recommend that the Planning Commission make a recommendation of **approval** for the rezoning to the Village Council.

If you have any questions regarding this case, please do not hesitate to contact us.

Respectfully submitted,

McKENNA

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