



MCKENNA

October 1, 2025

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

Subject: **VLO-25-004 Snug Harbor Orion – Condominium Conversion Review** (Master Deed and Exhibit B Not Dated)

Location: **160 Heights Rd. – Parcel #09-11-403-006** (North side of Heights Rd, west of S. Broadway St.)

Zoning: **MU – Mixed Use**

Dear Commissioners:

At the Village’s request, we have reviewed the above-referenced request to establish a condominium at the above noted location. The applicant is Mocerri Lake Orion, LLC.

LOCATION AND PREVIOUS APPROVAL

The site is approximately 0.289 acres in area and was previously occupied by the Snug Harbor marina. The site is outlined in yellow on the aerial photo below. On May 6, 2024, the Planning Commission granted preliminary site plan approval for the construction of a multiple family structure comprised of two (2) one-story dwelling units and two (2) two-story dwelling units. The building also included two (2) two-car garages and two (2) one-car garages along with rear/waterfront patios and balconies and three (3) docks with capacity for a total of six (6) boat slips. Through the administrative final review process the applicant submitted revised plans and was ultimately granted final site plan/engineering civil construction plan approval in September 2024.

CONDOMINIUM CONVERSION

The original review and approval process was for the four (4) unit multiple family structure to be under single ownership and have the units available on a for-lease basis. The developer/applicant has now requested to establish the structure and site as a condominium to allow for the sale of each to individual owners.

Per Sec. 19.07.B, approval of the site plan and condominium documents by the Planning Commission shall be required as a condition of right to construct, expand or convert to a condominium project. The applicant is proceeding with the site preparation and



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construction under the original approvals. Per the cited zoning ordinance section, the applicant must receive Planning Commission approval to file condominium documents to convert the development and then offer the units for sale.

CONDOMINIUM DEVELOPMENT REVIEW COMMENTS

We have reviewed the application in accordance with the Lake Orion Zoning Ordinance standards and sound planning and zoning principles to provide helpful and constructive feedback on the use's compliance with required standards. Sec. 19.07 outlines the general requirements and approval process for a condominium project. We offer the following comments for your consideration.

A. Permitted Use in the Zoning District. *Each condominium lot shall be located within a zoning district that permits the proposed use.*

Multiple family dwelling units are a permitted use in the MU district. The establishment of residential condominium units on the site would be located within a zoning district that permits the proposed use. The application is in compliance with this standard.

B. Public Street Access. *Each condominium lot shall front on and have direct access to a paved public street or a private street approved by the Planning Commission.*

The four units each have their own dedicated garages. The garages will front on and have direct access to Heights Road. The conversion of the development to a standard condominium will be in compliance with this standard.

C. Subdivision Requirements. *All condominium subdivision plans shall conform to the plan preparation requirements, design, layout, and improvements standards and all other requirements as established in the Village of Lake Orion Subdivision Regulations.*

This standard requires condominium subdivisions to comply with Village subdivision regulations. This standard does not apply to a standard condominium as the proposed configuration of the units, limited common elements and general common elements is for attached units within a single structure and not detached single family dwellings designed as a subdivision. This standard does not apply to the applicant. (We note that the Village zoning ordinance is lacking in establishing requirements for design or configuration standards for attached units within a multiple family structure.)

D. Zoning District Lot Regulations. *Sec. 19.07.A(4) states that for the purposes of this ordinance, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which it is located.*

Similar to the standard above, since this project is four attached units within a single structure, the requirements for condominium lots, found within a condominium subdivision for detached dwellings, do not apply to this project.

E. Consultants Review. *Per Sec. 19.07.C(2), the condominium documents and master deed shall be reviewed by the Village consultants.*

The Master Deed and Exhibit B have been reviewed by the Village consultants with respect to all matters subject to regulation by the Village.



1. **Zoning Ordinance Review.** The Master Deed and Exhibit B are in general compliance with and do not conflict with the standards of the zoning ordinance. However, we note the following:
 - a. **Amendments.** Master Deed Article 10 should be revised to include the requirement that any amendment to the Master Deed or Exhibit B shall be administratively reviewed and approved by the Village in order to determine that no amendment shall conflict with applicable Village ordinances and standards. The Village administration shall reserve the right to require review and approval by the Planning Commission should any amendment proposed by the developer and/or the condominium association potentially conflict with previously granted Planning Commission site plan and/or condominium approvals. We recommend any approval granted by the Planning Commission be contingent upon the Master Deed being revised to include the above noted amendment review and approval requirement.
2. **Engineering Review.** The Village engineer has provided a review letter as well as notes on the Master Deed and Exhibit B documents. We recommend that any approval granted by the Planning Commission be contingent upon revisions made based on the Engineer's comments and their final review.
3. **Fire Marshal Review.** The Township Fire Marshal has conducted a review of the documents and provided comments via email. The Fire Marshal concurs with Master Deed comment 3 of the Engineer's September 29, 2025 review letter. He states that the Fire Department recommends that documents mention the fire suppression system and addresses the maintenance of all life safety components. We recommend that any approval granted by the Planning Commission be contingent upon revisions made based on the Fire Marshal's comments and their final review.

RECOMMENDATION

The request to convert the previously approved multiple family residential project to a condominium is in substantial compliance with zoning ordinance standards. If the Planning Commission determines that the application is in compliance with ordinance standards, we recommend any approval be granted with the following conditions:

1. The Master Deed being revised to include the amendment review and approval requirements as noted in Paragraph E.1.a above.
2. The condominium documents being revised based on the Engineer's comments and receiving their final review and approval.
3. The condominium documents being revised based on the Fire Marshal's comments and receiving their final review and approval.

We look forward to reviewing these findings and recommendations with you. Please feel free to contact us with any questions.

Respectfully submitted,

McKENNA

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