



MCKENNA

October 29, 2025

Board of Zoning Appeals
Village of Lake Orion
21 E. Church Street
Lake Orion, Michigan 48362-3274

Subject: **Single Family Residence Addition – Variance Review** (*Plans received October 2025*)

Location: **694 Victoria Island – Parcel ID# 09-03-481-009** (*west side of Victoria Island*)

Zoning: **RL Lake Single Family Residential**

Board Members:

We have reviewed the above-referenced variance application submitted by Edward Sabol (the “Applicant” and builder) on behalf of the property owner and residents of the cited residence, Kevin Reiner. The applicant is proposing an addition to the existing principal structure.

LOCATION AND PROPOSED PROJECT

The lot is approximately 9,260 square feet (SF) in area and is occupied by a 936 SF one-story single family principal residence, a 454.9 SF attached rear deck, and a 96 SF detached accessory structure (shed). The lot has a legal nonconforming southeastern rear yard/road setback. It is located on the west side of Victoria Island. The site is zoned RL Lake Single Family Residential. An aerial photo of the subject site and the surrounding area is provided for context.

The applicant is proposing for the residence to be 1,965 SF after proposed demolitions/additions, with an area of 503 SF in wood decks, and a 454 SF new patio, for a total lot coverage of 2,922 SF (34.18%).



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ZONING ORDINANCE STANDARD AND REQUESTED VARIANCE

As proposed, the construction of the addition on the southeast elevation in the rear yard is in compliance with all zoning ordinance dimensional requirements except for one. The location of the proposed addition on the southeast elevation in the street/rear yard would require one (1) variance from the dimensional standards of the zoning ordinance. The applicant is requesting the following variance from the Zoning Ordinance:

ARTICLE 12, SCHEDULE OF REGULATIONS, SECTION 12.02 TABLE – RL ZONING DISTRICT

Rear/Road Setback:	Required:	25.0 ft. minimum
	Existing:	39 ft. 4 in.
	Proposed (Ex.):	14 ft. 7 in.
	Variance:	10 ft. 5 in.

VARIANCE STANDARDS FOR APPROVAL

Per the *Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended*, the Board must, prior to acting on a requested variance, consider and make findings regarding several factors. Specifically, in Section 19.04.D.1 of the Village’s Zoning Ordinance, the Board may grant a dimensional variance upon a finding that a practical difficulty exists. A finding of practical difficulty exists when the applicant has demonstrated that all of the zoning ordinance criteria exist. Each of the required standards is described below followed by an analysis of whether those conditions exist in this particular case.

A. 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 site is zoned for single-family residential use, and it was initially designed and used as a vacation home. Over time the residential use has increased in duration. The applicant is proposing renovations to allow for a residential structure built to accommodate modern living standards.

The distance from the rear property line to the water line is 62 ft 11 in. When the lakefront and rear yard setbacks are deducted from this (25 ft + 25 ft = 50 ft), the remaining building envelope available is 12 ft 11 in. The applicant states this space is too narrow for a modest home addition. Conformity with the minimum twenty-five (25) foot rear yard setback would require a reduction in the width of the proposed addition. Conformance would also require a reduction in the size of the rooms in the addition. The proposed rooms of the addition are modest in nature and do not appear to be excessive in features.

The addition would provide rooms that reflect modern living standards, unlike the older cottage style homes which are now considered small and inefficient. The addition the floor plan also appears to provide hallways and entrances built to accessibility standards. Compliance with the minimum rear yard would be unnecessarily burdensome by resulting in an addition that is not built to modern standards and features.

B. The variance will provide substantial justice to the applicant as well as neighboring property owners.

Granting the variance will maximize the neighboring waterfront site lines, while preserving ample space behind the structure for utility maintenance. The applicant has indicated that it is the intention of the property owner to preserve as many mature trees as possible while maintaining neighboring views.



The majority of lake front homes in the immediate area are larger than the existing home. If the addition were to be constructed as proposed the resulting residence would still be smaller than most of the other lake front homes. These homes have been built to modern standards and have features comparable to current residential trends and expectations. Granting the variance would give substantive relief to the owner of the property involved and be more consistent with justice granted to other property owners who were allowed to create homes built to modern standards.

C. 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 proposed structure addition is 18'-8" in depth. The proposed improvements are not extraneous and will allow for the existing home to be used as living room/kitchen great room while the addition would be for two bedrooms with bathrooms. The improvements are in compliance with the sideyard setback requirements and would not crowd any of the neighboring properties. The site would be in compliance with the lot coverage allowance at 34.18%.

D. The need for variance(s) 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.

The property, which is zoned RL, is in a unique location where property owners are asked to conform to an RL zoning. RL assumes a street on one side of the parcel and waterfront on the other. Although Victoria Island does have some platted streets, none of them abut this parcel. The location of the waterline towards the interior of the site on the south reduces the building envelope area. These circumstances are somewhat unique to the property and the applicant hopes the conditions will encourage the BZA to extend special consideration.

E. 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.

The existing home is 938 square feet, making it the smallest home on Victoria Island. Based on available information, the applicant did not influence the platting of the lot and the resulting lot size and minimal building envelope. The applicant also did not construct the home on the site in this location. The physical characteristics of the lot and structure resulting in the need for the variance were not created by the applicant. The need for the variance is due to the specific circumstances that pertain to the parcel, and not the small, proposed improvement.

RECOMMENDATION

The Board of Zoning Appeals shall only grant a variance from the requirements of the Zoning Ordinance upon finding the criteria described above have been met for the variance requested. In making your determinations relative to the requested variance, the BZA shall specify the grounds for the decision. Subject to any additional information presented and discussed by the applicant, Board, and/or the public during the public hearing and incorporated into the record prior to any findings being made, we find the proposed development satisfies the requirements of the ordinance criteria and recommend the BZA grant the variance as requested based on the cited findings of fact.

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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Assistant Planner

cc: Village Clerk: Sonja Stout, 21 E. Church Street, Lake Orion, MI 48362
Property Owner: Kevin Reiner, 219 W. Broadway, Granville, OH 43023
Applicant: Edward Sabol, 2 Highland Ave, Lake Orion, MI 48362