



## MINUTES

### REGULAR MEETING OF THE BOARD OF ZONING APPEALS

Thursday, October 2, 2025

6:30 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

#### 1. Call to Order

The Thursday, October 2, 2025 Regular Meeting of the Lake Orion Board of Zoning Appeals was called to order by Chairperson Mathisen at 6:32 p.m.

#### 2. Roll Call and Determination of Quorum

##### PRESENT

Chairperson Brad Mathisen  
Vice Chairperson Raymond Putz  
Board Member Henry Lorant

##### ABSENT

Secretary Brenton Bailo  
Board Member Mary Chayka-Crawford

##### STAFF PRESENT

Village Planning and Zoning Coordinator Mario Ortega  
Recording Secretary Danielle Smith

#### 3. Approval of Agenda

Board Member Lorant moved, Board Member Putz seconded, to approve the October 2, 2025 regular meeting agenda of the Board of Zoning Appeals, as presented.

**AYES:** Mathisen, Lorant, Putz  
**NAYS:** None  
**ABSENT:** Chayka-Crawford, Bailo  
**MOTION:** Carried

#### 4. First Hearing of the Public

None.

#### 5. Approval of Minutes

**A. Approval of BZA Minutes – June 5, 2025**

Board Member Lorant moved, Board Member Mathisen seconded, to approve the June 5, 2025 regular meeting minutes of the Board of Zoning Appeals, as presented.

**AYES:** Mathisen, Lorant, Putz  
**NAYS:** None  
**ABSENT:** Chayka-Crawford, Bailo  
**MOTION:** Carried

**6. BZA Preface**

Chairperson Mathisen reviewed the meeting procedures.

**7. Public Hearing**

**A. Public Hearing: A-25-004 – 493 Algene Dr. Dimensional Variance Request**

Board Member Lorant moved, Board Member Putz seconded, to open the public hearing for the requested dimensional variance for item A-25-004 at 6:34 p.m.

**AYES:** Mathisen, Putz, Lorant  
**NAYS:** None  
**ABSENT:** Chayka-Crawford, Bailo  
**MOTION:** Carried

Planner Ortega gave a synopsis of the variance request, reviewed the findings of fact and was available to answer any questions from the Board.

FINDINGS OF FACT

1. 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.
  - Compliance with the minimum side yard could be construed as unnecessarily burdensome by resulting in an addition that is not built to modern standards and features.
2. The variance will provide substantial justice to the applicant as well as neighboring property owners.
  - Granting the variance would give substantive relief to the owner of the property involved and be more consistent with justice to other property owners.
3. 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 requested setback variance can be construed to be the minimum variance needed to provide substantial relief.
4. 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 need for the variance is due to the width of the lot and the location of the structure on the lot. While the lot width issue is not entirely unique to this lot, the location of the structure in relation to the side lot line is not always found on adjacent lots. Other lots have had their homes in compliance with the minimum five-foot standard. The existing structure's location encroaching in the required side yard is not something a majority of lake-front property owners must contend with.

5. 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 need for the variance is not self-created. The current property owner did not place the existing structure in its current location.

Michael and Caroline Gillam, applicants, 493 Algene Street, Lake Orion, MI 48362, presented the request and were available to answer any questions from the Board.

Board Member Putz asked whether the neighbors of the applicants have expressed any concern regarding the variance request. The applicants stated their neighbors are in support of the addition and that it won’t obstruct their view(s) of the lake.

There being no further comment, Board Member Lorant moved, Board Member Mathisen seconded, to close the public hearing for the requested dimensional variance for item A-25-004 at 6:47 p.m.

**AYES:** Mathisen, Putz, Lorant  
**NAYS:** None  
**ABSENT:** Chayka-Crawford, Bailo  
**MOTION:** Carried

## 8. Action Items

### A. A-25-004 – 493 Algene Dr. Dimensional Variance Request

Proposal to construct an addition to an existing single family residential structure. The applicant is proposing to construct a 485-square-foot basement and main floor addition on the west elevation in the street/front yard and a 175-square-foot porch addition on the south elevation in the side yard.

As proposed, the construction of the porch addition on the south elevation in the side yard is in compliance with all zoning ordinance dimensional requirements. The proposed increased square footage from the addition would remove the existing minimum floor area legal nonconformity and make the structure legally conforming to this standard. The location of the proposed main floor addition on the west elevation in the street/front 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

|                            |                  |                 |
|----------------------------|------------------|-----------------|
| Side Yard (North) Setback: | Required:        | 5.0 ft. Minimum |
|                            | Existing:        | 2.1 ft.         |
|                            | Proposed (Ex.):  | 2.1 ft.         |
|                            | <b>Variance:</b> | <b>2.9 ft.</b>  |

Board Member Lorant moved, Board Member Mathisen seconded, to approve the variance request for A-25-004 – 493 Algene Drive.

**AYES:** Mathisen, Putz, Lorant  
**NAYS:** None  
**ABSENT:** Chayka- Crawford, Bailo  
**MOTION:** Carried

## **B. Election of Officers**

Board Member Lorant moved, Board Member Mathisen seconded, to elect Brad Mathisen as Chairperson, Raymond Putz as Vice Chairperson and Dr. Brenton Bailo as Secretary of the Village of Lake Orion Board of Zoning Appeals.

**AYES:** Mathisen, Putz, Lorant  
**NAYS:** None  
**ABSENT:** Chayka- Crawford, Bailo  
**MOTION:** Carried

## **9. Unfinished Business**

None.

## **10. Second Hearing of the Public**

None.

## **11. Board Member Comments**

Board Member Lorant shared that Waterside Social would like to install an 85-foot dock on Lake Orion. He indicated that the Michigan Department of Environment, Great Lakes, and Energy (EGLE) approved the request, but that it has not yet been approved by the Village. Planner Ortega clarified that previous owners of the property had site plan approval for a restaurant, not a dock. He stated that the docks installed by the previous owners were constructed without local zoning approval. Additionally, Planner Ortega said that Waterside Social does not have a preexisting special land use for the docks and that they would have to go before the Planning Commission if that were something they wish to pursue. Lastly, he noted the EGLE permit states that the applicant shall comply with all local zoning ordinances.

Planner Ortega reported that Waterside Social will come before the Zoning Board of Appeals next month with a variance request for an existing pergola.

Board Member Putz stated he submitted a request to update variance standards. Planner Ortega asked Board Member Putz to resubmit his request and he would then investigate it. Additionally, Planner Ortega reported that the Village's engineering standards are being updated with recommendations that various ordinances be amended as some are conflicting.

Board Member Mathisen asked if the Village engineering standard updates would be posted on the Village's website. Planner Ortega said the updates would be posted, pending the Village Council adopts the new standards.

Board Members Putz and Mathisen requested there be training opportunities for Board of Zoning Appeals members. Planner Ortega asked the board what type of training they would be interested in. The consensus was the board would like procedural training with sample motions.

Board Member Mathisen shared that he used to receive the Michigan Planner publications and asked why board members stopped receiving them. Planner Ortega said he would look into getting the board reenrolled.

Board Member Mathisen requested the Board of Zoning Appeals agenda format be revised, changing the order in which items are addressed. Planner Ortega said he can work with the board on amending the bylaws.

**12. Next Regular Meeting – November 6, 2025**

**13. Adjournment**

Board Member Lorant moved, Board Member Putz seconded, to adjourn the meeting at 7:07 p.m.

**AYES:** Mathisen, Putz, Lorant  
**NAYS:** None  
**ABSENT:** Chayka-Crawford, Bailo  
**MOTION:** Carried

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Dr. Brenton Bailo  
Secretary

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Sonja Stout  
Village Clerk/Treasurer

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Danielle Smith  
Recording Secretary

Date Approved: November 6, 2025