

TO: Zoning Board of Appeals

FROM: David J. Waligora, AICP, Senior Planner

DATE: April 10, 2026

RE: 4160 Narra Ct: Rear and Side Yard Setback Variance request to install a Canopy on at grade rear deck

Agenda item: 8A

Appeal Date: April 23, 2026

Applicant: John Green
1072 Erskine Way
Waterford, MI 48328

Owners: Matthew Coleman and Kelli Fisher
4160 Navarra Ct
White Lake, MI 48383

Address: 4160 Navarra Ct
White Lake, MI 48383

Parcel #: 12-07-177-015

Location: West of Ormand Rd, north of
White Lake along the canals.

Zoning: R1-D, Single Family Residential

Attachments

- 1. Application
- 2. Land Survey and Construction Documents



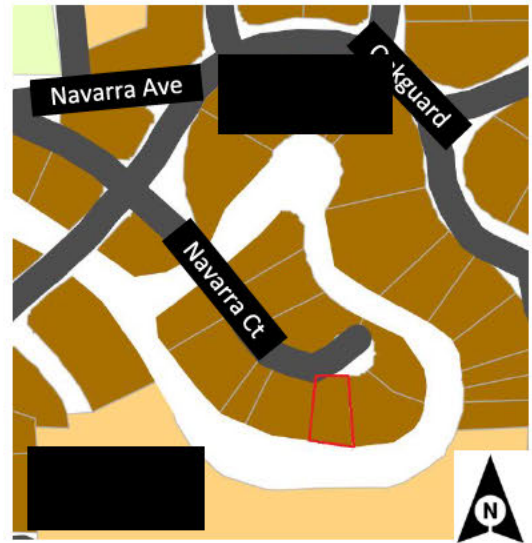
Property Description

The subject property is a 0.186-acre (8,102.16 sq. ft.) parcel (Parcel No. 12-07-177-015), approximately 57.79 feet in width by 130 feet in depth. The parcel is part of a 1927 plat and is located along the White Lake Canal system (also known as the Oakvale Lagoon).

The property is zoned R1-D (Single-Family Residential) and is surrounded by similarly zoned single-family residential properties to the east, west, and north. The property to the south is the White Lake Campground, which is zoned R1-C.

Applicant's Proposal

The applicant is proposing to construct a 262 sq. ft. covered rear deck (roof/canopy addition) on the south side of the existing home, oriented toward the canal.



An at-grade, unenclosed deck is permitted to extend to the rear property line. However, because the proposed deck includes a roof structure attached to the principal building, it is regulated as part of the principal structure and must meet the required 30-foot rear yard setback. Therefore, a variance is required.

Existing Condition Dimensional Review

The property is currently developed with a two-story, single-family home (constructed in 1962), along with a detached two-car garage and a small accessory shed. The home is served by a private well and septic system.

The parcel is legally nonconforming (substandard) with respect to lot size and width under the R1-D zoning requirements.

	Min Required	Current	Nonconforming Deficiency
Lot Area	12,000 ft ²	8,102.16 ft ²	3,898 ft ² (32.48%)
Lot Width	80 ft (min required)	57.79 ft	22.21 ft (27.76%)
Lot Length	150 ft (min required for min lot width)	130 ft	approximately 20 ft
Lot Coverage	25%	20.89%	
Front Yard Setback <i>Accessory Building</i>	30 ft	14.9 ft	-15.1 ft
Front Yard Setback <i>Primary Structure</i>	30 ft	66.76 ft	
Rear Yard Setback	30 ft	16.85 ft	-13.15 ft



*4160 Navarra Ct
Google Maps*



*Realtor Photo from the Internet
on North-side of the house*



*Google Streetview from across the canal on
the White Lake Campground Property*

Proposed Dimensional Review

	Min Required	Current	Proposed	Difference	Necessary Variance
Rear Yard Setback	30 ft	Approx 16.85 ft	2.7ft	-14.15 ft	27.3 ft
Side Yard Setback	10 ft	8.72 ft	8.72 ft	0	1.28 ft

Conclusion

The applicant is requesting variances to allow a reduction of the required rear yard setback from 30 feet to approximately 2.7 feet to permit construction of a covered rear deck attached to the principal structure, and to allow a reduction in the required side yard setback based on the location of the proposed roof line relative to the platted property boundary. The requested side yard variance is limited to the location of the existing structure and does not increase the degree of side yard encroachment, but rather recognizes the placement of the home as it currently exists. While an at-grade deck may extend to the rear property line, the addition of a roof causes the structure to be regulated as part of the principal building and subject to applicable setback requirements.

The subject property is a legal nonconforming lot within a historic 1927 plat, with deficient lot area, width, and depth. The canal frontage serves as the primary orientation and amenity for the property, and development patterns in the area commonly prioritize canal-facing outdoor space rather than street frontage. The ordinance partially acknowledges this condition by allowing at-grade decks to extend into the rear yard.

The proposed structure does not extend further toward the canal than what would otherwise be permitted by right as a deck, but instead introduces a roof over that area. Staff also notes that a similar nonconforming awning previously existed on the site.

Based on the information provided, the Zoning Board of Appeals may consider whether the request meets the standards of Section 7.37. In particular, the Board may evaluate whether the property's substandard size and historic platting create a practical difficulty, whether the canal-oriented development pattern represents a unique condition, whether the request allows use of the property in a manner consistent with others in the vicinity, and whether the variance represents the minimum necessary to provide relief without creating adverse impacts on surrounding properties.

The Board should also note that the submitted survey identifies both "occupation lines" and "platted property lines." While occupation lines may reflect long-standing use or fencing patterns, the Zoning Ordinance requires setbacks to be measured from the recorded platted boundaries. As a result, a side yard variance is required even though measurements to the occupation line may appear compliant.

Section 7.37 – Standards (of Review)

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A – E".

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.*
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.*
- C. Not self created: The applicants problem is not self-created.*
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).*
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.*

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

Zoning Board of Appeals Options:

Motion for Approval

I move to approve the variance request for the property located at **4160 Navarra Ct, Parcel No. 12-07-177-015**, from the R1-D District dimensional requirements to allow a reduction of the required rear yard setback from 30 feet to approximately 2.7 feet (a variance of 27.3 feet) and to allow a reduction of the required side yard setback by approximately 1.28 feet to accommodate the proposed roof line as shown on the submitted plans, in order to permit construction of a covered rear deck attached to the principal structure, based on the findings that the request meets the standards of Section 7.37 (A through E), subject to the following conditions:

1. The covered at grade deck shall be constructed in substantial compliance with the plans submitted.
2. No further encroachment into the required rear or side yard setbacks shall occur without additional Zoning Board of Appeals approval.
3. The structure shall remain unenclosed (*for example, no 3-season room conversion*), and any future enclosure of the covered at grade deck will require additional review and approval from the ZBA.
4. All necessary permits shall be obtained prior to construction.

Motion for Denial

I move to deny the variance request for the property located at **4160 Navarra Ct, Parcel No. 12-07-177-015**, from the R1-D District dimensional requirements to allow a reduction of the required rear yard setback from 30 feet to approximately 2.7 feet (a variance of 27.3 feet) and to allow a reduction of the required side yard setback by approximately 1.28 feet to accommodate the proposed roof line, in order to permit construction of a covered rear deck attached to the principal structure, based on the findings that the request does not meet the standards of Section 7.37 (A through E), specifically:

1. The request does not demonstrate a practical difficulty that prevents reasonable use of the property, as an at-grade deck is permitted by right to extend into the rear yard.
2. The circumstances are not unique to the property, as other canal-front properties are subject to the same zoning requirements.
3. The need for the variance is based on the applicant's preference to construct a roofed structure rather than a limitation inherent to the land.
4. Granting the variance would allow a significant encroachment into the required rear and side yard setbacks and may confer a special privilege not enjoyed by other properties.
5. The request has not demonstrated that the variances are the minimum necessary, given that a conforming or less intensive alternative exists.

WHITE LAKE TOWNSHIP



RECEIVED

FEB 20 2026

ZONING BOARD OF APPEALS APPLICATION

BUILDING DEPARTMENT

APPLICANT INFORMATION

NAME: John Green Builder LLC PHONE: [REDACTED]

ADDRESS: 1072 Erskine Way Waterford MI 48328

[REDACTED]

INTEREST IN PROPERTY: PROPERTY OWNER BUILDER OTHER: _____

PROPERTY INFORMATION

ADDRESS: 4160 Nadass CT ZONING: _____

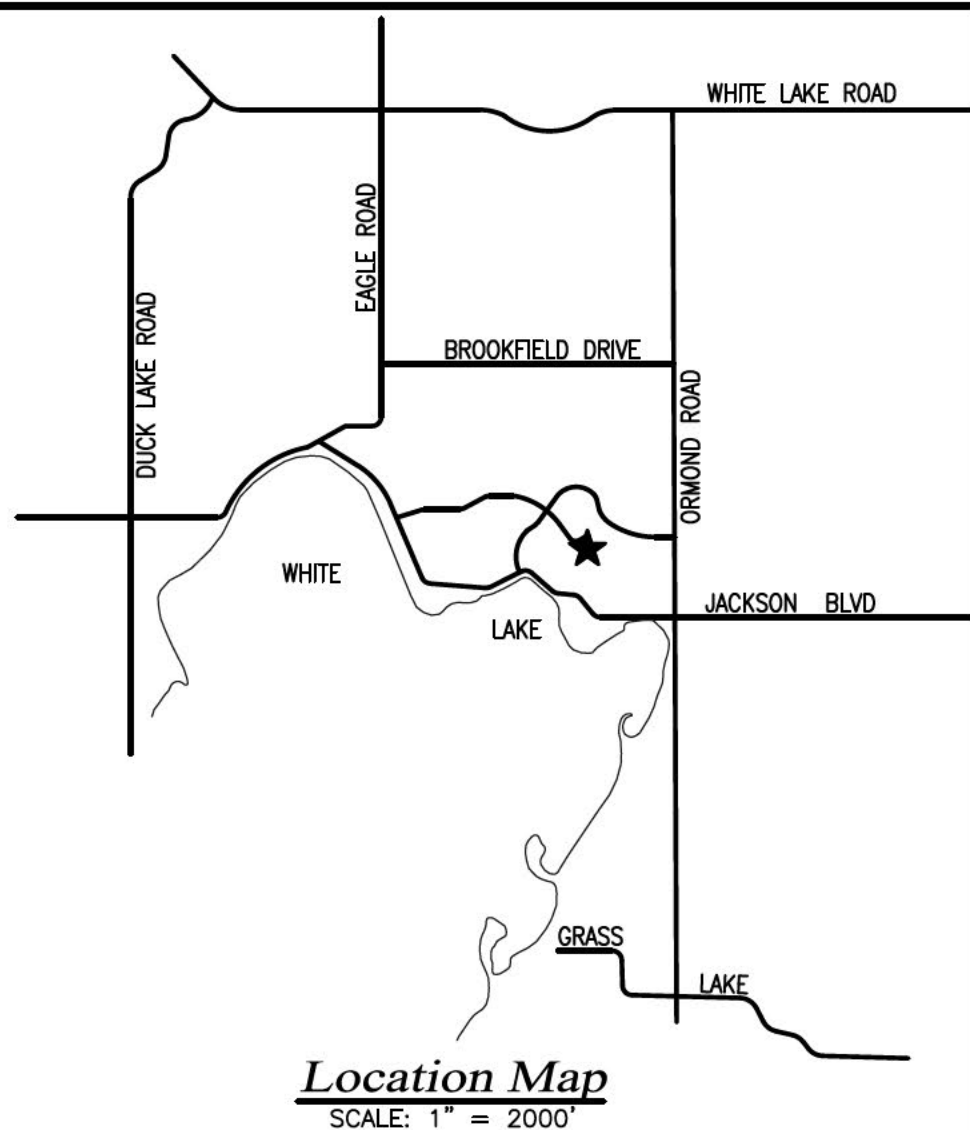
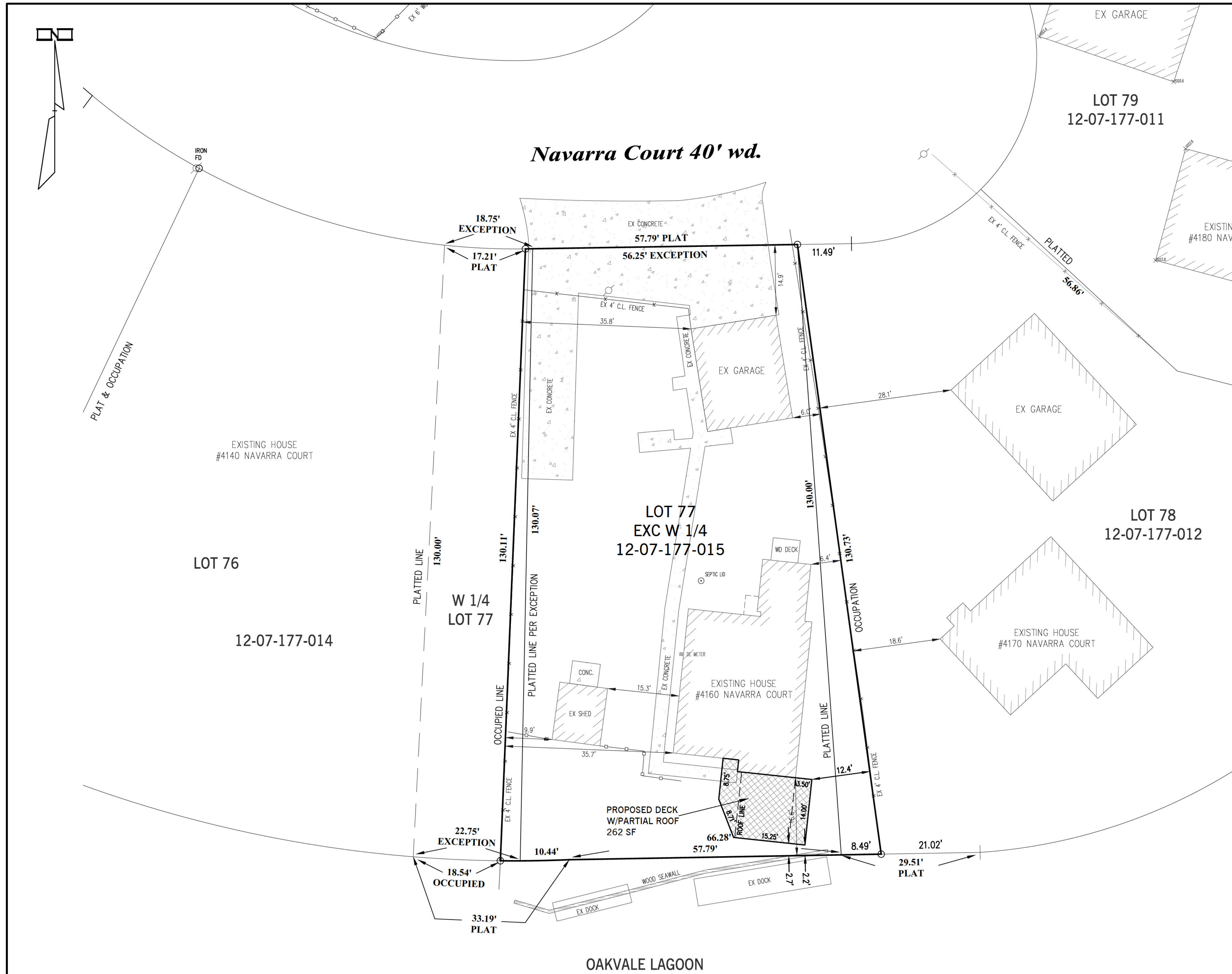
VALUE OF IMPROVEMENT: \$ 20,780 SEV OF EXISTING STRUCTURE: \$ _____

REASONS TO SUPPORT REQUEST (ADDITIONAL SHEETS MAY BE ATTACHED):

Building NEW grade LEVEL DECK
want to put ROOF OVER NEW DECK

APPLICATION FEE: \$440 \$550

APPLICANT'S SIGNATURE: John Green DATE: 2/20/26



Location Map
SCALE: 1" = 2000'

LEGEND

EXISTING	
[Symbol]	STORM SEWER
[Symbol]	SANITARY SEWER
[Symbol]	WATERMAIN
[Symbol]	GAS MAIN
[Symbol]	ELEC. TELE. CABLE
[Symbol]	EXISTING OVERHEAD
[Symbol]	WETLAND LIMITS
[Symbol]	25' NATURAL FEATURES SETBACK
[Symbol]	STORM MANHOLE
[Symbol]	CATCH BASIN
[Symbol]	INLET
[Symbol]	REARYARD CATCH BASIN
[Symbol]	END SECTION
[Symbol]	SANITARY MANHOLE
[Symbol]	GATE VALVE AND WELL
[Symbol]	HYDRANT
[Symbol]	CONTOURS
[Symbol]	POWER POLE
[Symbol]	LIGHT POLE
[Symbol]	GRADE
[Symbol]	SOIL BORING

- Notes:**
- ALL EXISTING UTILITIES SHOWN ON THIS TOPOGRAPHIC SURVEY HAVE BEEN TAKEN FROM VISUAL OBSERVATION, AND RECORD MAPPING, WHERE AVAILABLE. NO GUARANTEE IS MADE, OR SHOULD BE ASSUMED, AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITIES SHOWN ON THIS DRAWING. PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY THE ACCURACY AND COMPLETENESS OF OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES.
 - ARCHITECT/BUILDER IS RESPONSIBLE FOR CONFIRMING BUILDING SETBACKS.
 - SEE BUILDER/CONTRACTOR FOR SPECIFIC DEMOLITION REMOVAL, RELOCATE, REUSE AND MAINTAIN INSTRUCTIONS.

**Property is Zoned R-1D
Single Family Residential**

SETBACKS:
FRONT - 30 FEET
SIDES - 10 FEET, TOTAL 20 FEET
REAR - 30 FEET

Parcel 12-07-177-015:
LOT 77 EXCEPTING W 1/4, "WHITE LAKE GROVE SUB" OF PART OF NW 1/4, SECTION 7, T3N, R8E, WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 47 OF PLATS, PAGE 41, OAKLAND COUNTY RECORDS.

ADDRESS:
4160 NAVARRA COURT
WHITE LAKE, MICHIGAN 48383

BUILDER:
JOHN GREEN BUILDER LLC
1072 ERSKINE WAY
WATERFORD, MICHIGAN 48328
(248) 505-4357

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KIEFT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346
PHONE (248) 625-5251 www.kiefteng.com FAX (248) 625-7110

DATE 2-17-2026 CKD. BY DATE
DRAWN GF
DESIGN WJN
SECTION 7 T-3 -N- R-8 -E



Proposed Deck Site Plan
PARCEL NO. 12-07-177-015
PART OF THE NW 1/4 OF SECTION 7, T3N, R8E,
WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN

SCALE 1" = 10'
SHEET 1 OF 1
KE 2025.141

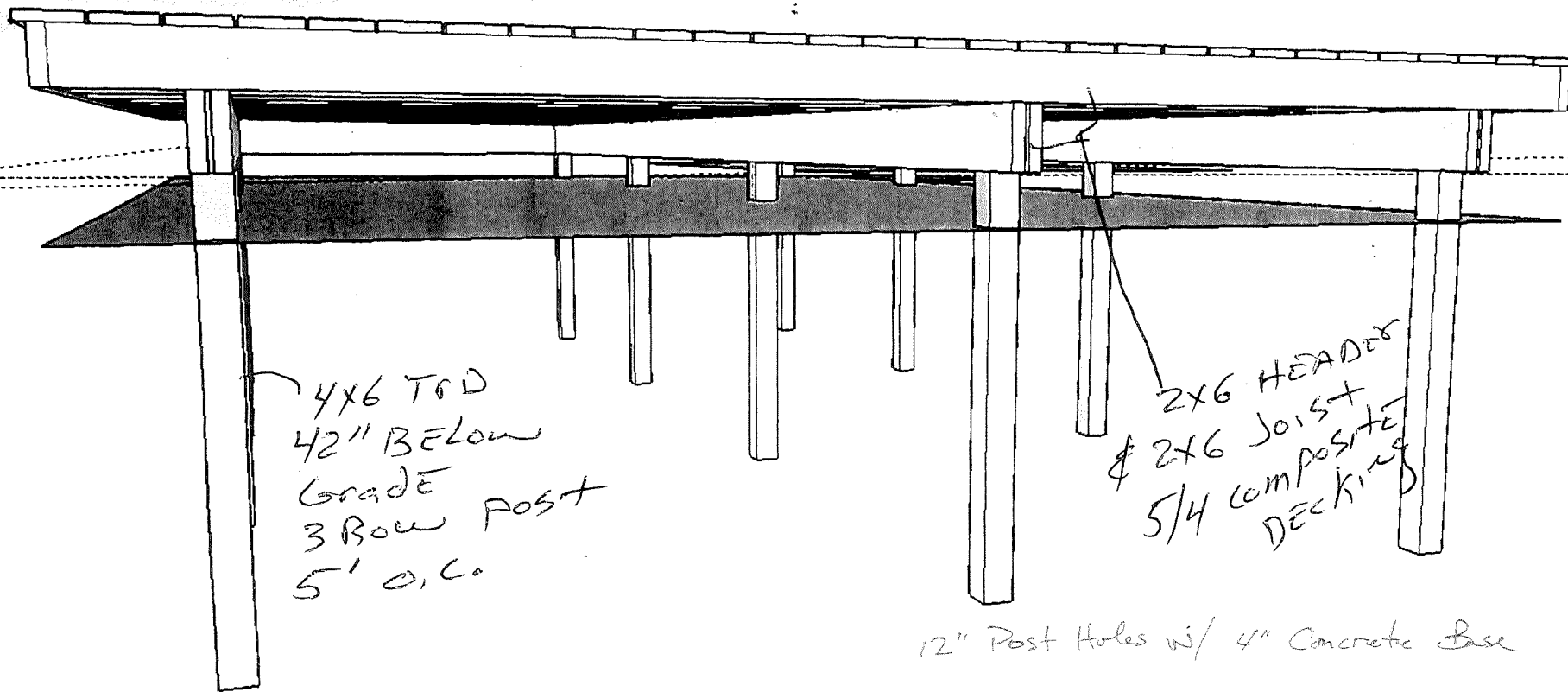
DATE	ISSUE
3-2-2026	ADDED ROOF LINE DIMENSION PER TWP REVIEW

APPLICANT

6/3/25

Approved Plans & Truss Layout must be on site for rough inspections.

SEE ADDITIONAL NOTES ON PLANS AND/OR PERMIT STIPULATIONS



* Roof Structure over Rear Deck Requires Variance

