

TO: Zoning Board of Appeals

FROM: David J. Waligora, AICP, Senior Planner

DATE: May 21, 2026

RE: **4160 Navarra Ct: Rear Yard, Side Yard, and 25-Foot Water Setback Variance Requests**

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

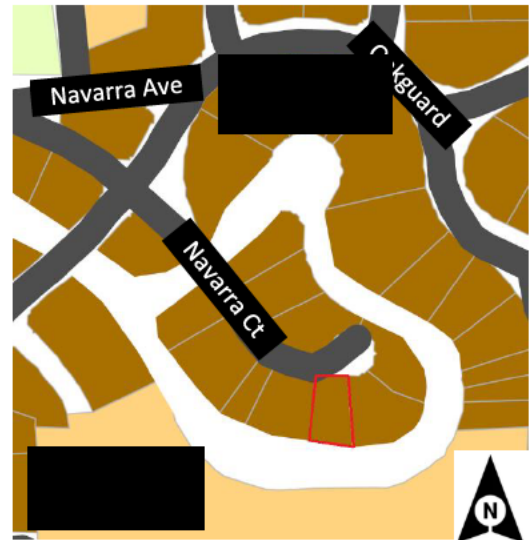
- 1. Application
- 2. Land Survey and Construction Documents



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 under Section 3.10. 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 applicable setback requirements. Staff notes the proposal requires variance relief from the required rear yard setback, side yard setback, and the 25-foot setback under Section 3.11.Q, which states that no building or structure shall be located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake, or like body of water. Therefore, variances are 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 Accessory Building	30 ft	14.9 ft	-15.1 ft
Front Yard Setback Primary Structure	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
Setback from Water Body	25 ft	Approx 16.85 ft	2.7 ft	-14.15 ft	22.3 ft

Conclusion

The applicant is requesting variances to

1. 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;
2. Allow a reduction of the required side yard setback by approximately 1.28 feet based on the location of the proposed roof line relative to the platted property boundary; and
3. Allow a reduction of the required 25-foot setback from a water body to approximately 2.7 feet.

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 through Section 3.10 by permitting uncovered and unenclosed decks to extend into the rear yard and specifically for lakefront/water feature properties, extend up to the water's edge.

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 notes a similar nonconforming awning previously existed on the site but was unpermitted.

Staff notes that the Zoning Ordinance contains provisions that appear to be internally inconsistent with respect to structures located near water. Section 3.10 permits certain decks and similar structures to extend to the water's edge for lakefront properties, while Section 3.11.Q requires that no building or structure be located within 25 feet of a regulated wetland, submerged land, watercourse, pond, stream, lake, or similar body of water. As a result, Section 3.10 may be interpreted as creating a limited exception for uncovered and unenclosed decks to the general 25-foot setback requirement. However, because the proposed structure includes a roof and is regulated as part of the principal structure, staff has evaluated the request as requiring variance relief from both standards.

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, historic platting, and canal-oriented development pattern create a practical difficulty; whether those conditions represent a unique situation relative to other properties in the zoning district; whether granting the requested relief would allow use of the property in a manner consistent with similarly situated canal-front properties; and whether the requested variances represent 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.

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)**, to allow a reduction of the required side yard setback by approximately 1.28 feet, **which recognizes the location of the existing structure and does not increase the degree of side yard encroachment**, and to allow a reduction of the required **25-foot setback from a water body to approximately 2.7 feet (a variance of 22.3 feet)**, 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 beyond what is approved herein into the required rear yard, side yard, or water 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)**, to allow a reduction of the required side yard setback by approximately **1.28 feet**, and to allow a reduction of the required **25-foot setback from a water body to approximately 2.7 feet (a variance of 22.3 feet)**, 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 sufficiently demonstrate a practical difficulty warranting the requested relief, as an at-grade deck is otherwise permitted by right to extend into the rear yard.
2. The circumstances do not sufficiently differ from other canal-front properties to warrant the requested relief.
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, side, and water 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.

WHITE LAKE TOWNSHIP



RECEIVED

FEB 20 2026

ZONING BOARD OF APPEALS APPLICATION

BUILDING DEPARTMENT

APPLICANT INFORMATION

NAME: John Green Builder LLC [REDACTED]

ADDRESS: 1072 Erskine Way Waterford MI 48328

[REDACTED]

INTEREST IN PROPERTY: PROPERTY OWNER BUILDER OTHER: _____

PROPERTY INFORMATION

ADDRESS: 4160 Nardara CT ZONING: _____

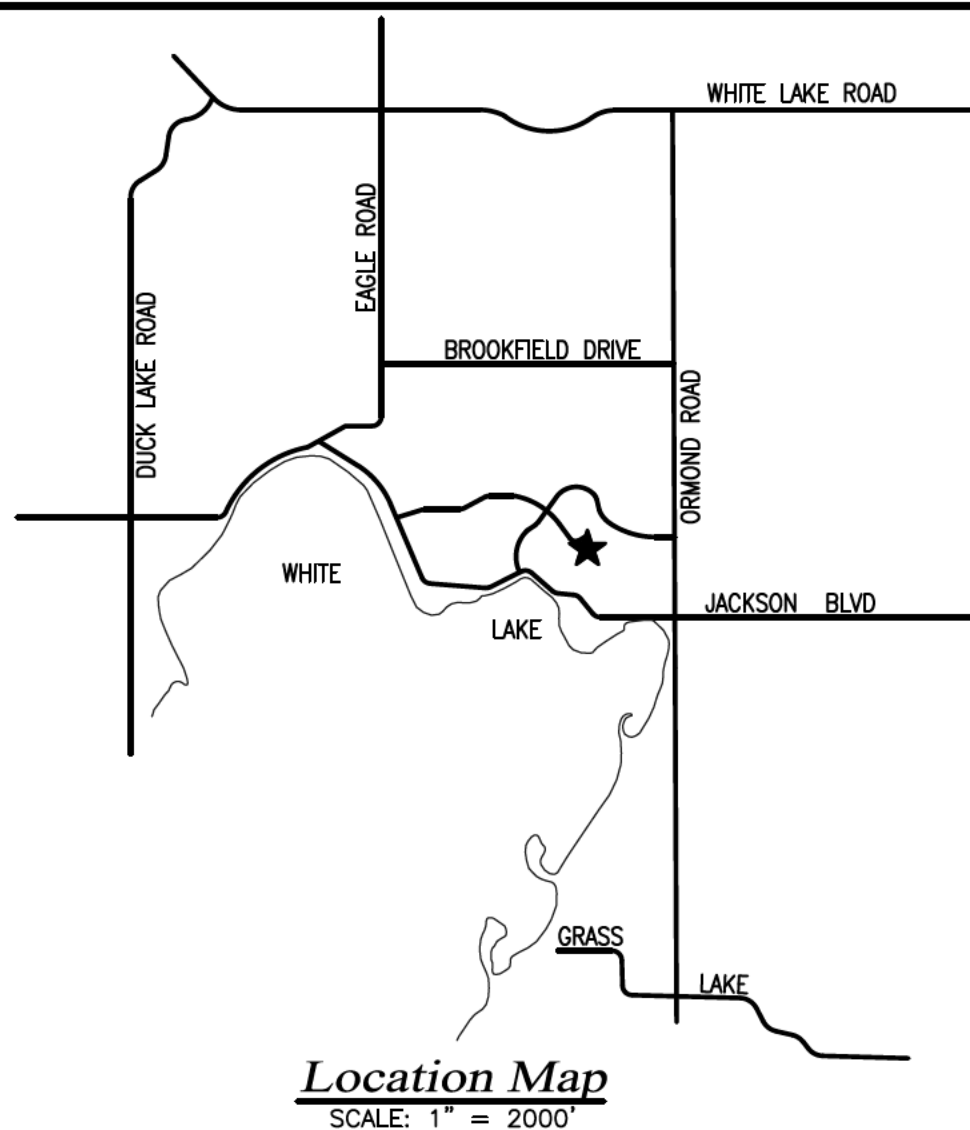
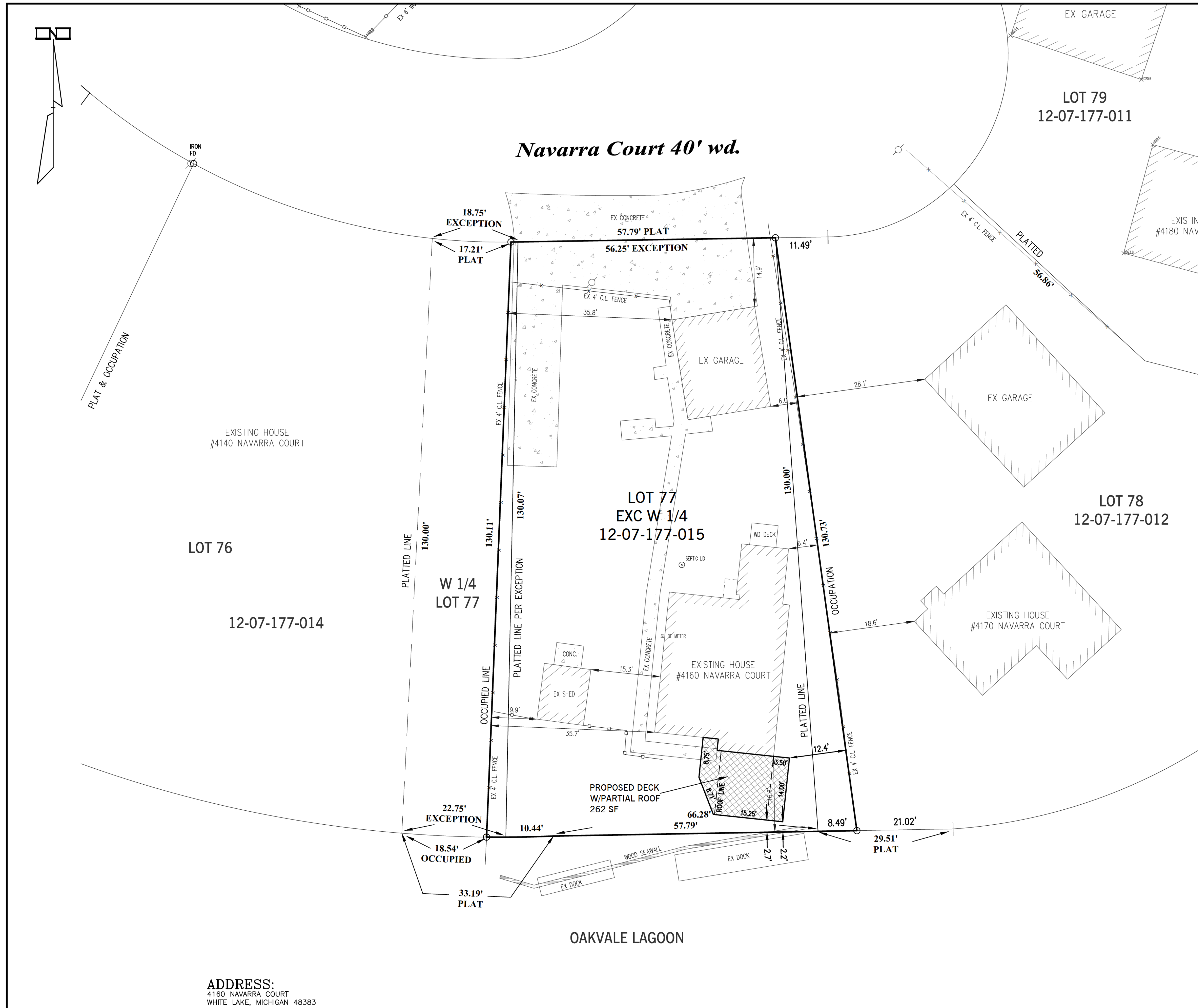
VALUE OF IMPROVEMENT: \$ 20,780 SEV OF EXISTING STRUCTURE: \$ _____

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



LEGEND

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

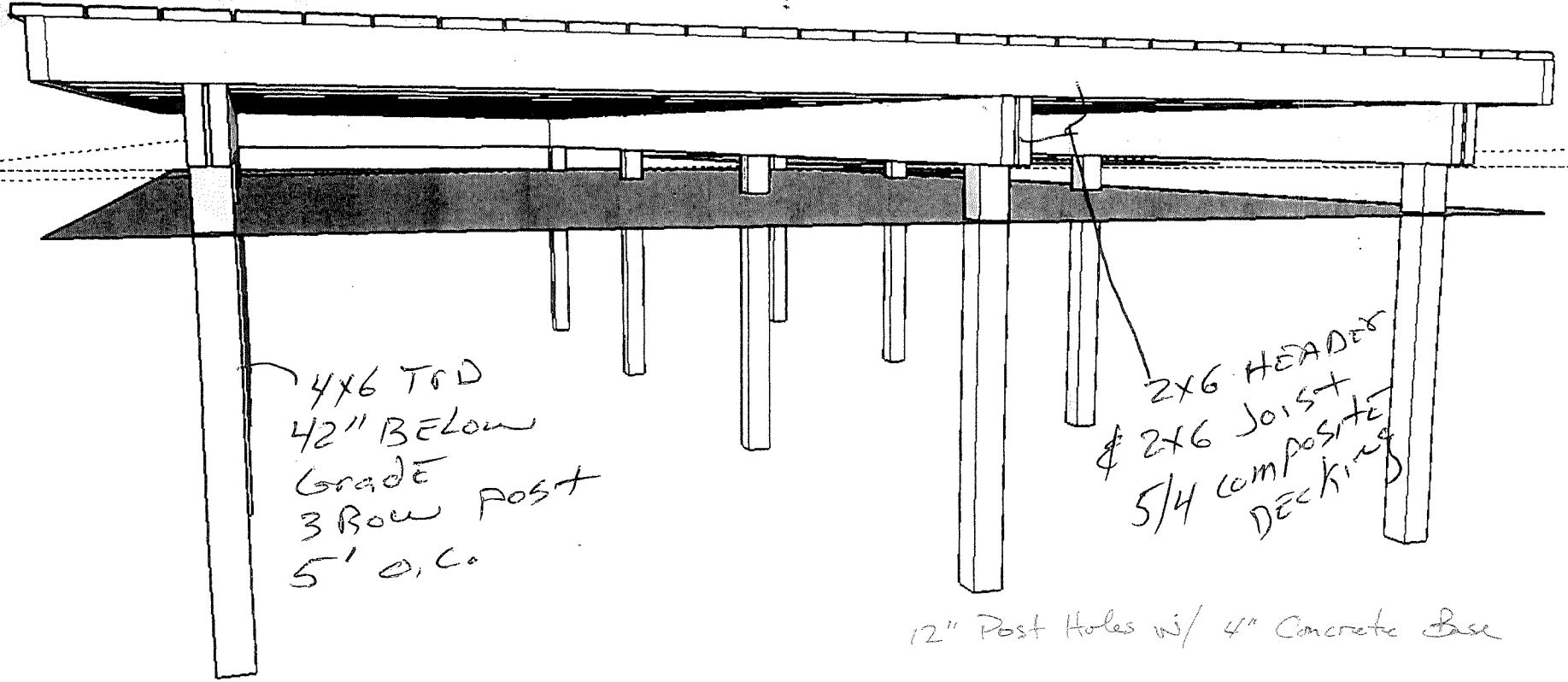
DATE	ISSUE
3-2-2026	ADDED ROOF LINE DIMENSION PER TWP REVIEW

APPLICANT

6/3/25

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

SEE ADDITIONAL NOTES ON PLANS AND/OR PERMIT STIPULATIONS

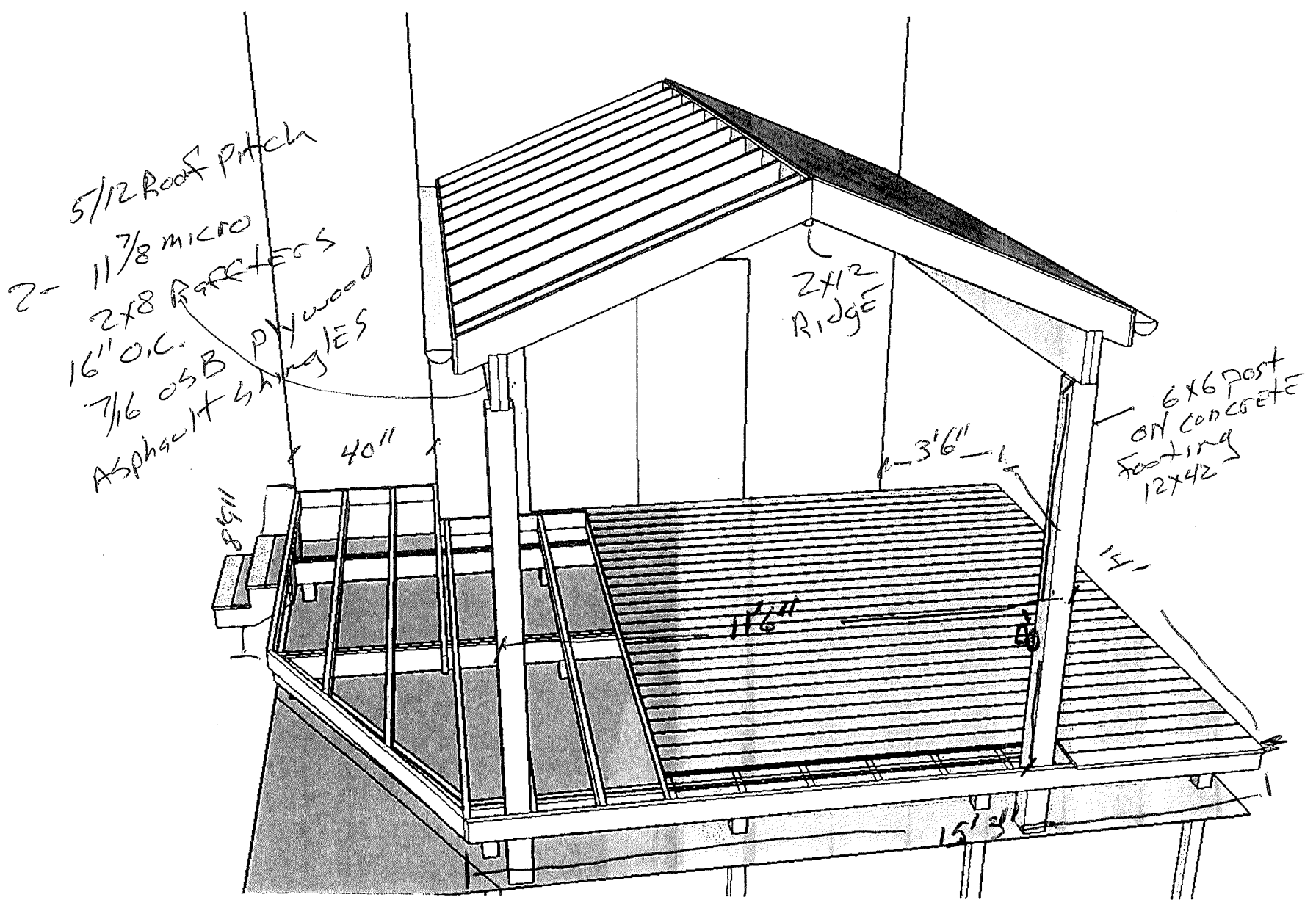


4x6 T&D
42" BELOW
GRADE
3 Row Post
5' o.c.

2x6 HEADER
& 2x6 JOIST
5/4 COMPOSITE
DECKING

12" Post Holes w/ 4" Concrete Base

* Roof Structure over Rear Deck Requires Variance



5/12 Roof Pitch
2- 1 1/8 MICRO
2x8 RAFTERS
16" o.c.
7/16 OSB
PLYWOOD
ASPHALT SHINGLES

2x12
RIDGE

6x6 POST
ON CONCRETE
FOOTING
12x42

8x4

40"

3'6"

14'

11'6"

15'3"