



# MEMORANDUM

To: Zoning Board of Appeals  
From: Kariline P. Littlebear, Zoning Administrator  
Date: August 7, 2024  
Re: ZBA24-15  
881 Dunleavy Dr  
11-15-276-019  
Applicant: Kyle Teagan  
Owner: Allen M. Teagan

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The subject parcel is zoned LV – Lake and Village Residential District. The total parcel size is approximately 0.34 acres (15,000 square feet).

The required setbacks for this parcel are as follows:

Front yard: 37 ft  
Ordinary High-water mark: 61 ft 4 inches  
Side yard: 10 ft

This request is for a 25-foot variance from the calculated 37-foot front yard setback to 12-feet provided and a 26-foot 4-inch variance from the calculated 61-foot 4-inch ordinary high-water mark setback to 35-feet provided for the construction of a 160 square foot covered front porch and a 602 square foot uncovered rear deck. This request is for a variance from Section 9.02.B.b. and 9.02.D. of the Zoning Ordinance.

The main body of the house was built in 1950 with a small addition in the 1970's and a second small addition in the late 1980's. I did not find any evidence of variance granted for these additions. In 1999 the new owner requested a variance for the construction of a garage and a front porch. The ordinance has changed a lot since then thus making the variances granted in 1999 not applicable to this new request. New work was begun on this home in 2021 without permits and the building official put a stop work order on the home when this was discovered. The property owner came in and applied for permits for the interior remodel, new windows, and new siding. The property owner then decided to tear down and rebuild the front porch and began that work without a permit. The building official went to the property for an inspection on the existing permits and saw the porch had been removed and reconstruction had begun. He explained that a permit was needed so they stopped work and came in to apply for a permit. That was when it was discovered that a variance granted by the ZBA would be the only way to obtain a permit for reconstruction of the front porch. The property owner decided to request a variance for a rear deck as well.

The applicant has provided a survey, photos, and construction drawings. Staff has supplied assessing records, a zoning map, an aerial approximation of the property, the enforcement record, approved minutes from ZBA case 99-03, and Section 9.02. of the Zoning Ordinance.

Case # 24-15

Hearing Date 8/17/24

CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS  
APPLICATION FOR APPEAL

APPLICANT	
NAME:	<u>Kyle Teagan</u>
ADDRESS:	<del>2787 Lakeway</del> <u>2787 Lakeway</u> <u>Highland 48356</u>
PHONE:	<u>248 472 6535</u>
EMAIL:	<u>KTeagan51@gmail.com</u>

OWNER	
NAME:	<u>Alan H. Teagan</u>
ADDRESS:	<u>2787 Lakeway</u> <u>Highland, 48356</u>
PHONE:	<u>248-894-9312</u>
EMAIL:	<u>MikeTeagan@hotmail.com</u>

PROPERTY ADDRESS: 881 Donleavy Dr. ZONING: ~~LP~~ LV

PROPERTY TAX ID NO: 11-15-276-019

ORDINANCE SECTIONS BEING APPEALED: 9.02.B.a., 9.02.D.,

VARIANCES REQUESTED: 25ft variance from 37ft front yard to 12ft provided; and 26ft 4inch variance from 61ft 4 inches ordinary high water mark to 35ft provided

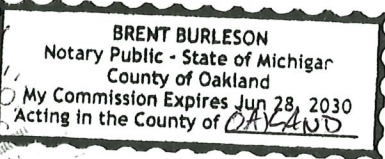
DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY: The existing house is close to the lot line but far from the road. We removed the old damaged porch over the front door to update it. After removal we were told we needed to get a survey and variance to put up the same size awning/porch.

I certify that all required information is shown on the attached plan and included on this form. I acknowledge that by signing this application, I am granting the right of the Zoning Board of appeals members, inspectors and administrators to conduct a site inspection of the subject property. All statements are true to the best of my knowledge.

SIGNATURE OF OWNER: [Signature] DATE: 6/27/24  
SIGNATURE OF APPLICANT: [Signature] DATE: 6/27/24

**Signature of applicant must be notarized.**

Subscribed and sworn to before me this  
27<sup>th</sup> day of JUNE  
BRENT BURLESON, Notary Public  
My Commission expires 6/28/30



APPLICATION FEE:	<u>\$275.00</u>
Receipt#	<u>1.060266</u>
Date Paid	<u>7/1/24</u>
Received by	<u>[Signature]</u>

Form revised 12/21/2015  
S:\Planning Department New Folder\Zoning Board of Appeals\forms\ZBA Application form



CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
WORKSHEET

The worksheet is designed to help you understand the appeal process and to help you submit a complete application for review by the Zoning Board of Appeals. If you have any questions after reading this worksheet you may contact the Planning and Zoning Department for assistance.

**HAVE YOU MET ALL OF THE FOLLOWING CRITERIA?**

- 1) Do the characteristics of the property include exceptional narrowness, shallowness, smallness, irregular shape, topography, vegetation or other similar characteristics? If so, please describe here.

~~Yes~~

Irregular shape. The road, in an area originally cottages, is set off from the house. Looking to put a porch cover over the front door.

- 2) Can the project be redesigned to meet the zoning requirements without the need for a variance?

No

- 3) Is the reason for a variance request of a personal nature? (for example: financial impact, physical and/or mental characteristics of the household members, inconvenience, etc.)

Without the variance the street view of the house is unappealing and not cover for the front door.

Back deck irregular lot

- 4) Has the difficulty been created by the current or previous owner?

We wanted to update the porch/ front door awning. After removing the old damaged structure we were told the new one needed a variance.  
Back deck

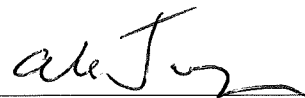
- 5) Will the proposed variance be harmful to or alter the essential character of the area in which the property is located?

It will only improve the current look of the house

- 6) Will the proposed variance be the minimum necessary?

Yes.

Signature



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**Sec. 9.02. LV—Lake and Village Residential District.**

**A. Creation of new lots in the Lake and Village Residential District.**

1. No new Lake and Village Residential Districts shall be created. New parcels within the district may be created through land division and combination, subject to the following:
  - a. Where public sewer and public water service is available the minimum buildable area shall be fourteen thousand (14,000) square feet, provided the lot fronts a street, and twenty thousand (20,000) square feet where the lot fronts a major thoroughfare, and minimum frontage shall be eighty (80) feet:
  - b. Where public sewer and/or public water is not available the minimum buildable area shall be twenty thousand (20,000) square feet, provided the lot fronts a street and twenty-five thousand (25,000) square feet where the lot fronts a major thoroughfare and minimum frontage shall be one hundred and twenty (120) feet:
2. The lot must satisfy all criteria specified in the Land Division Ordinance.
3. No lot shall be divided in such a way as to create a non-conforming lot or to increase the degree of nonconformity already in existence.

**B. Setbacks.**

**a. Front yard setback.**

- a. A front yard setback shall be determined to promote consistency with established patterns within a developed neighborhood. The required setback will range from 30 feet to 40 feet based on analysis of existing houses within 200 feet of the subject parcel, located on the same side of the road as the subject parcel. If there are no homes within 200 feet of the subject parcel, the required front yard setback shall be 40 feet.
- b. In determining the setback, the following method shall be used, utilizing aerial photography and parcel models provided in the Oakland County Geographic Information System:
  - 1) Determine which existing houses shall be considered in the calculations.
  - 2) Determine the distance from each house to the front property line and record the distance.
  - 3) Subtract 30 feet from each measurement and record the difference. For measurements 30 feet or less, enter zero feet for further calculations. For measurements greater than 40 feet, enter ten feet for further calculations.
  - 4) Determine the average difference of all measurements as recorded in step 3) (e.g. add all recorded differences and divide by the number of samples). Add this calculated average to 30 feet. This is the required setback.
- c. The Zoning Administrator may refer any plot plan to the Zoning Board of Appeals for determination of the required setback.

**b. Side yard setback.**

- a. For all principal and accessory buildings and structures, the side yard setbacks are established based on lot width, as follows:

Lot Width (feet)	Least Side (feet)	Total Both Sides (feet)
120 or greater	10	30

90 to 119	10	25
70 to 89	5	20
40 to 69	5	15

c. *Rear yard setback.*

- a. A rear yard setback shall be determined to promote consistency with established patterns within a developed neighborhood. The required setback will range from 30 feet to 40 feet based on analysis of existing houses within 200 feet of the subject parcel, located on the same side of the road as the subject parcel. If there are no homes within 200 feet of the subject parcel, the required rear yard setback shall be 40 feet.
- b. In determining the setback, the following method shall be used, utilizing aerial photography and parcel models provided in the Oakland County Geographic Information System:
  - 1) Determine which existing houses shall be considered in the calculations.
  - 2) Determine the distance from each house to the rear property line and record the distance.
  - 3) Subtract 30 feet from each measurement and record the difference. For measurements 30 feet or less, enter zero feet for further calculations. For measurements greater than 40 feet, enter ten feet for further calculations.
  - 4) Determine the average difference of all measurements as recorded in step 3) (e.g. add all recorded differences and divide by the number of samples). Add this calculated average to 30 feet. This is the required setback.
- c. The Zoning Administrator may refer any plot plan to the Zoning Board of Appeals for determination of the required setback.

C. *Setback exceptions and height restrictions for accessory structures.*

- a. One (1) storage shed not greater than one hundred and fifty (150) square feet in area and not greater than ten (10) feet in height may be permitted as close as five (5) feet to side lot line or rear lot line. All sheds must comply with required front yard setback.
- b. One (1) accessory structure such as a garage, swimming pool, or play structure not greater than two hundred and forty (240) square feet in area and not greater than fifteen (15) feet in height may be permitted as close as ten (10) feet to the rear lot line provided the structure complies with the required side yard setback.

D. *Minimum Setback from the Ordinary High Water Mark.*

- a. The setback from the ordinary high water mark shall be determined to promote consistency with established patterns within a developed neighborhood, while protecting viewsheds of the lake for neighboring properties.
- b. Typically, the setback from the ordinary high water mark is sixty-five (65) feet. The setback may be reduced to as little as thirty (30) feet on lakefront lots, based on an analysis of like structures on parcels within two hundred (200) feet of the subject parcel, located along the lakeshore. This setback reduction may be applied to principle primary structures or to uncovered porches and decks. This setback reduction may not be applied to accessory structures such as garages and boathouses.
- c. In determining the setback reduction, the following method shall be used, utilizing aerial photography and parcel models provided in the Oakland County Geographic Information System:

- 
- 1) Determine which existing primary structures or decks/uncovered porches shall be considered in the calculations. Decks and uncovered porches shall not be used in determining setback reductions for a principle structure, but principle structures may be used in determining setback reductions for decks/uncovered porches.
  - 2) Determine the distance from each structure to the presumed ordinary high water mark and record the distance.
  - 3) For parcels with no structures are closer to the presumed high water mark than sixty-five (65) feet, enter a value of zero for further calculations. For parcels with structures closer to the presumed high water mark than thirty (30) feet, enter a value of thirty-five (35) feet for further calculations. For remaining parcels with structures falling between those two (2) limiting factors, enter the difference between sixty-five (65) feet and the measured distance.
  - 4) Determine the average difference of all measurements as recorded in Step 3 (e.g. add all recorded differences and divide by the number of samples). This result represents the allowable setback reduction.
- E. *Minimum floor area per residential unit.* One thousand (1,000) square feet.
- F. *Minimum first floor area per residential unit.* Seven hundred and fifty (750) square feet.
- G. *Maximum height for principal structures.* Two stories or twenty eight (28) feet.
- H. *Maximum height for residential accessory structures.* Twenty eight (28) feet for all accessory structures which comply with the setback requirements under Section 9.02B, Setbacks. See Section 9.02C, Setback Exceptions and Height Restrictions for Accessory Structures for height restrictions for accessory structures placed under the provisions for setback exceptions.
- I. *Maximum Lot Coverage.* The maximum lot coverage for all building (principal and accessory) is as follows:
- a. For lots with net area less than fourteen thousand (14,000) square feet, the maximum lot coverage shall be forty-five (45) percent.
  - b. For lots with net area of fourteen thousand (14,000) square feet or greater, the maximum lot coverage shall be thirty-five (35) percent.

( Ord. No. Z-006, § 3, 10-14-2015 )

# HIGHLAND TOWNSHIP

# ORDINANCE COMPLAINT

CASE # **EE23-0254**

10/24/23

Type **BUILDING/NO PERMIT**

OFFICER STEVEN TINO/BLDG-INSP

Status **OPEN**

Complaint Address: **881 DUNLEAVY DR**

**H -11-15-276-019**

Owner of Record:  
TEAGAN, ALLAN TRUST

Complainant:

2787 LAKEWAY  
HIGHLAND  
(248) 894 9312

MI 48356-2152

## COMPLAINT

### **BUILDING/NO PERMIT**

Put stop work order, building porch without permit

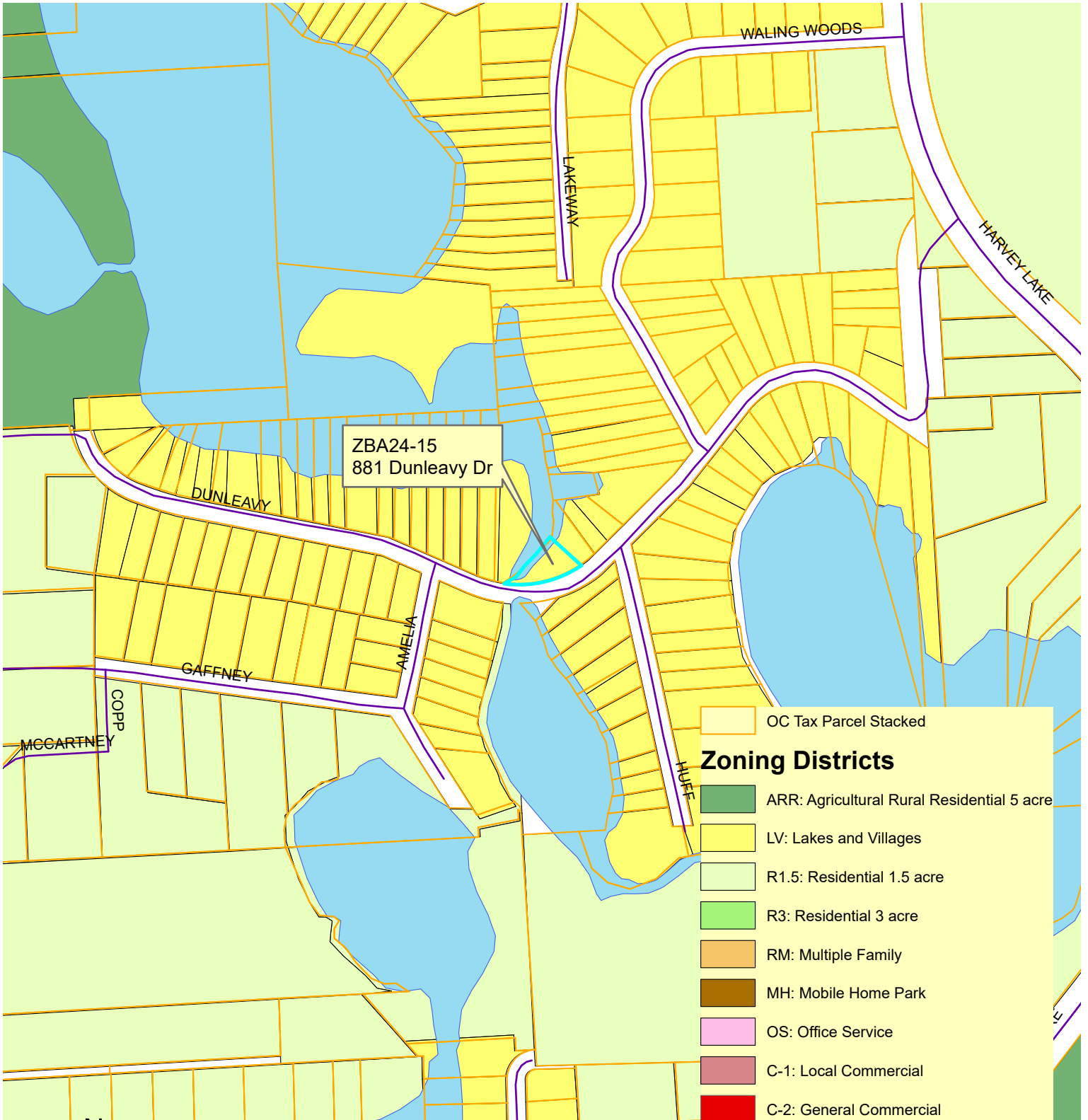
11-7-23 Contractor came to talk about requirements for permits, said he will pull permit soon.














Feb 2023 prop owner asked about variance process, said he would hire a surveyor to apply for variance.

07/01/24 Prop owners son, Kyle, applied for a variance for the front porch and a rear deck.



# CHARTER TOWNSHIP OF HIGHLAND ZONING MAP



-  OC Tax Parcel Stacked
- Zoning Districts**
-  ARR: Agricultural Rural Residential 5 acre
-  LV: Lakes and Villages
-  R1.5: Residential 1.5 acre
-  R3: Residential 3 acre
-  RM: Multiple Family
-  MH: Mobile Home Park
-  OS: Office Service
-  C-1: Local Commercial
-  C-2: General Commercial
-  HS: Highland Station
-  TR: Technology and Research
-  IM: Industrial Manufacturing



ENACTED: November 18, 2010

# 881 Dunleavy Dr



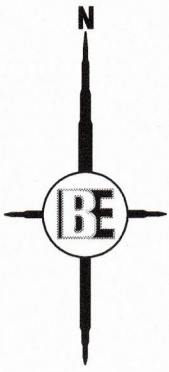
	2 Foot Contours		100 yr - FEMA Floodplain
	5 Foot Contours		100 yr (detailed) - FEMA Floodplain
	FEMA Base Flood Elevations		500 yr - FEMA Floodplain
	FEMA Cross Sections		FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.

**OAKLAND COUNTY MICHIGAN**  
 Economic Development & Community Affairs  
**David Coulter**  
 Oakland County Executive

Date Created: 7/9/2024  
  
 NORTH  
 1 inch = 100 feet

50 0 25 50  
SCALE: 1 INCH = 50 FEET



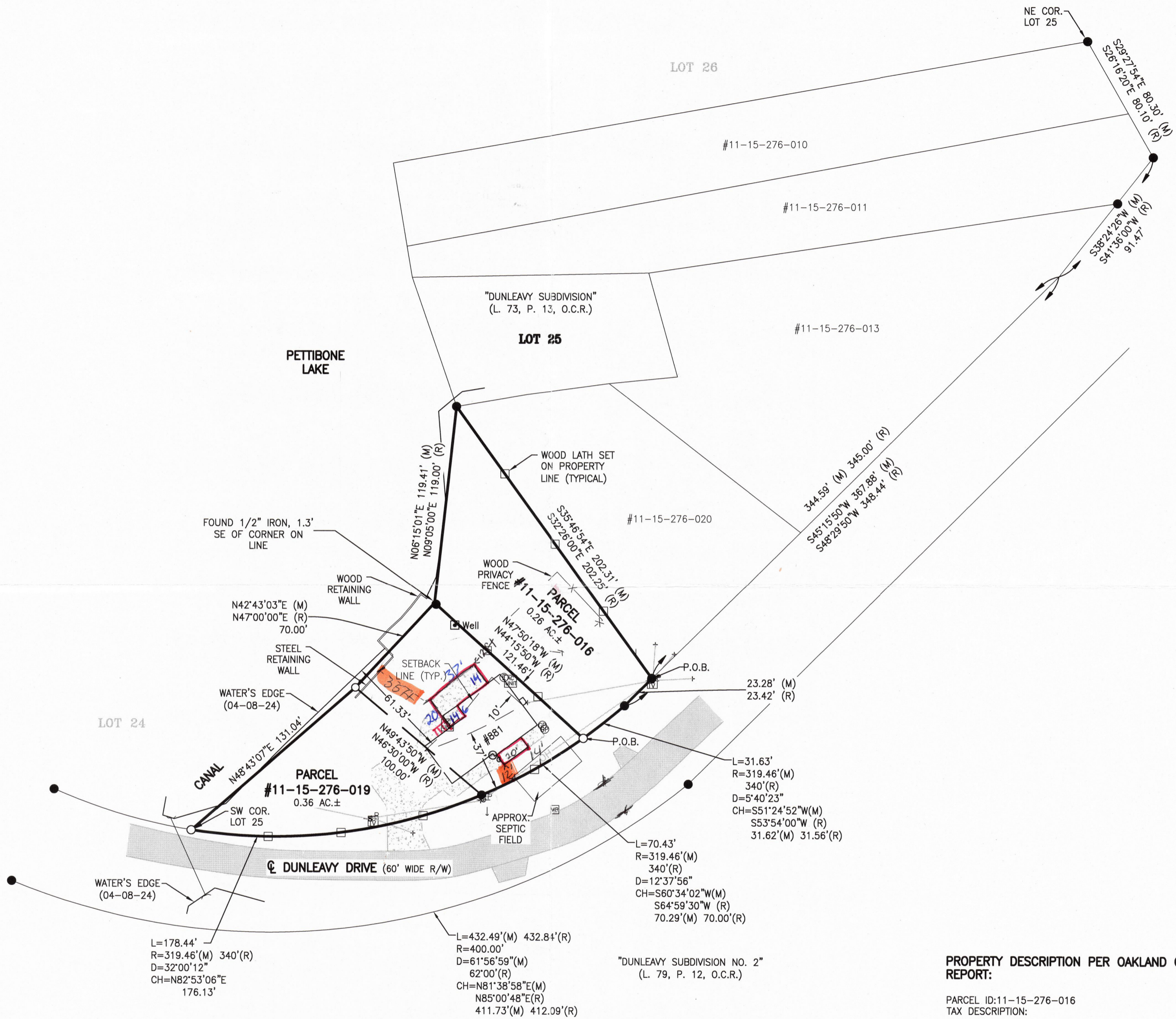
# SURVEY

## LEGEND

- P- POWER POLE
- | GUY WIRE
- ⊗ ELECTRICAL METER
- ⊠ AIR CONDITIONING UNIT
- ⊡ WELL
- ⊙ GAS METER
- ⊞ CABLE TV RISER
- ⊞ MAILBOX
- STEEL ROD SET
- STEEL ROD OR PIPE FOUND
- WOOD LATH SET
- OH- OVERHEAD WIRES
- X- FENCE
- ⊙ GRINDER PUMP
- ⊙ CENTERLINE
- L. LIBER
- P. PAGE
- O.C.R. OAKLAND COUNTY RECORDS
- (M&R) MEASURED AND RECORD
- P.O.B. POINT OF BEGINNING
- ASPHALT
- CONCRETE

## GENERAL SURVEY NOTES:

- BEARINGS ARE BASED ON MICHIGAN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.



## PROPERTY DESCRIPTION PER OAKLAND COUNTY PARCEL REPORT:

PARCEL ID:11-15-276-019  
TAX DESCRIPTION:

T3N, R7E, SEC 15 DUNLEAVY SUB PART OF LOT 25 BEG AT PT DIST S 26-16-20 E 80.10 FT & S 41-36-00 W 91.47 FT & S 48-29-50 W 368.44 FT & S 53-54-00 W 31.56 FT FROM NE LOT COR, TH S 64-59-30 W 70.00 FT, TH N 46-30-00 W 100.00 FT, TH N 47-00-00 E 70.00 FT, TH S 44-15-50 E 121.46 FT TO BEG, ALSO PART OF LOT 25 BEG AT SW LOT COR, TH NELY 178.44 FT ALG NLY LINE OF DUNLEAVY RD, TH N 46-30-00 W 100.00 FT, TH SWLY ALG CANAL TO BEG 5-14-98 FR 017 & 018

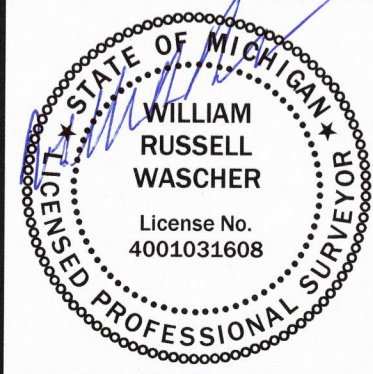
CURRENT ZONING: LV (LAKES AND VILLAGES RESIDENTIAL DISTRICT)  
 MINIMUM SETBACK REQUIREMENTS PER ZONING ADMINISTRATOR:  
 FRONT = 37 FEET  
 SIDES = 10 FEET  
 ORDINARY HIGH WATER MARK = 61 FEET 4 INCHES

## PROPERTY DESCRIPTION PER OAKLAND COUNTY PARCEL REPORT:

PARCEL ID:11-15-276-016  
TAX DESCRIPTION:

T3N, R7E, SEC 15 DUNLEAVY SUB PART OF LOT 25 BEG AT PT DIST S 26-16-20 E 80.10 FT & S 41-36-00 W 91.47 FT & S 48-29-50 W 345.00 FT FROM NE LOT COR, TH S 48-29-50 W 23.42 FT, TH S 53-54-00 W 31.56 FT, TH N 44-15-50 W 121.46 FT, TH N 09-05-00 E 119.00 FT, TH S 32-36-00 E 202.25 FT TO BEG

THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THESE DRAWINGS ARE ONLY APPROXIMATE. NO GUARANTEE IS EITHER EXPRESSED OR IMPLIED AS TO THE COMPLETENESS OR ACCURACY THEREOF. THE CONTRACTOR SHALL BE EXCLUSIVELY RESPONSIBLE FOR DETERMINING THE EXACT LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITY CROSSINGS IN THE FIELD PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY CONFLICTS ARE APPARENT OR IF THE LOCATION OR DEPTH DIFFERS SIGNIFICANTLY FROM THE PLANS.



<b>BEBOSS Engineering</b> Engineers Surveyors Planners Landscape Architects	
3121 E. GRAND RIVER AVE. HOWELL, MI. 48843 517.546.4836 FAX 517.548.1670	
PROJECT	881 DUNLEAVY DRIVE
PREPARED FOR	TEAGAN 2787 LAKEWAY DRIVE HIGHLAND, MI 48356 (248) 894-9312
TITLE	SURVEY
NO. BY	DATE
REVISION	PER
DRAWN BY: TE	
FIELD CREW: TE/PB	
CHECKED BY:	
SCALE	1" = 50'
JOB NO.	24-103
DATE	04-30-24
SHEET NO.	1 OF 1

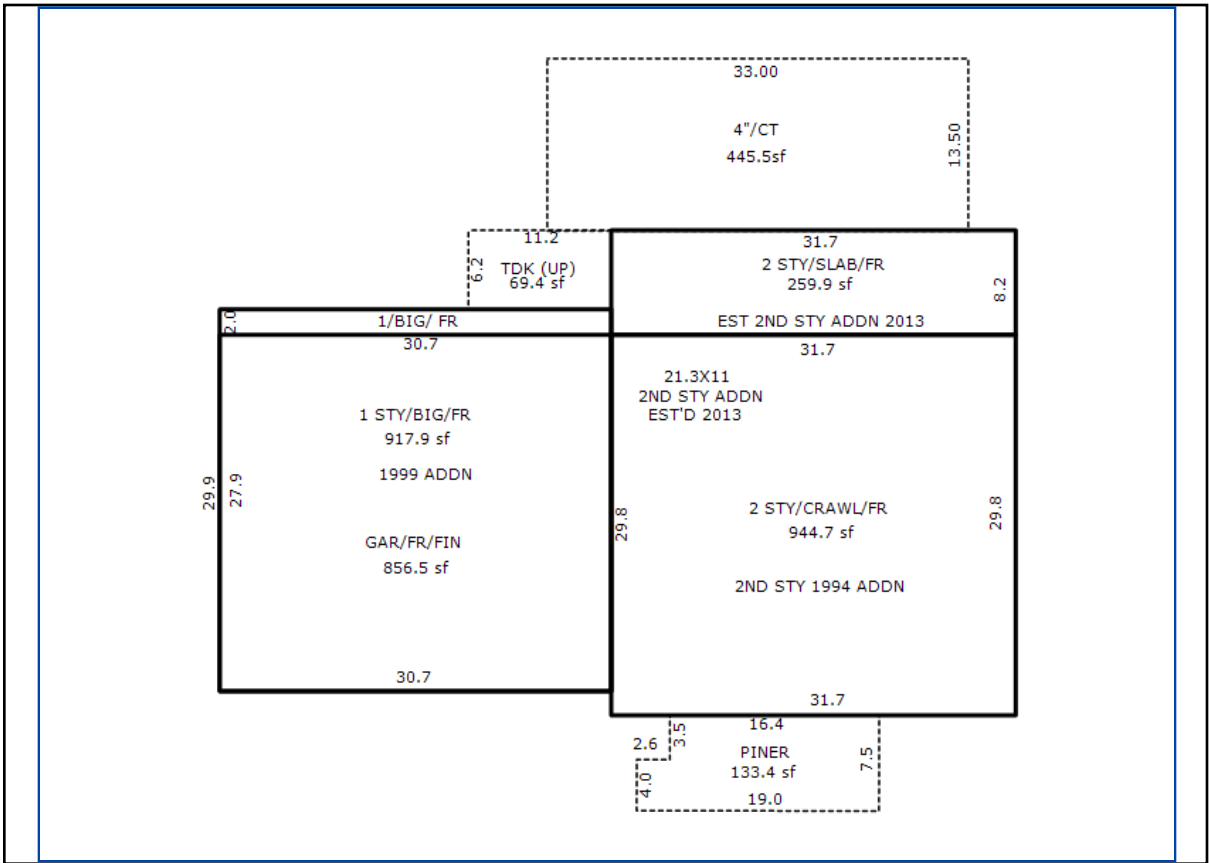
**Parcel Sketch View**

**Charter Township of Highland (H )**

Page Print Layout: 2 per page ▼

**PIN: 11-15-276-019**

**PRINT DATE: 7/9/2024**





Charter Township of Highland (H) 11-15-276-019 Active

Print Date: Date

881 Dunleavy Dr  
Highland MI 48356-2118

View: Front

Structure: Primary

Photo Date: 10/27/2021



# Front Porch



# Front Porch

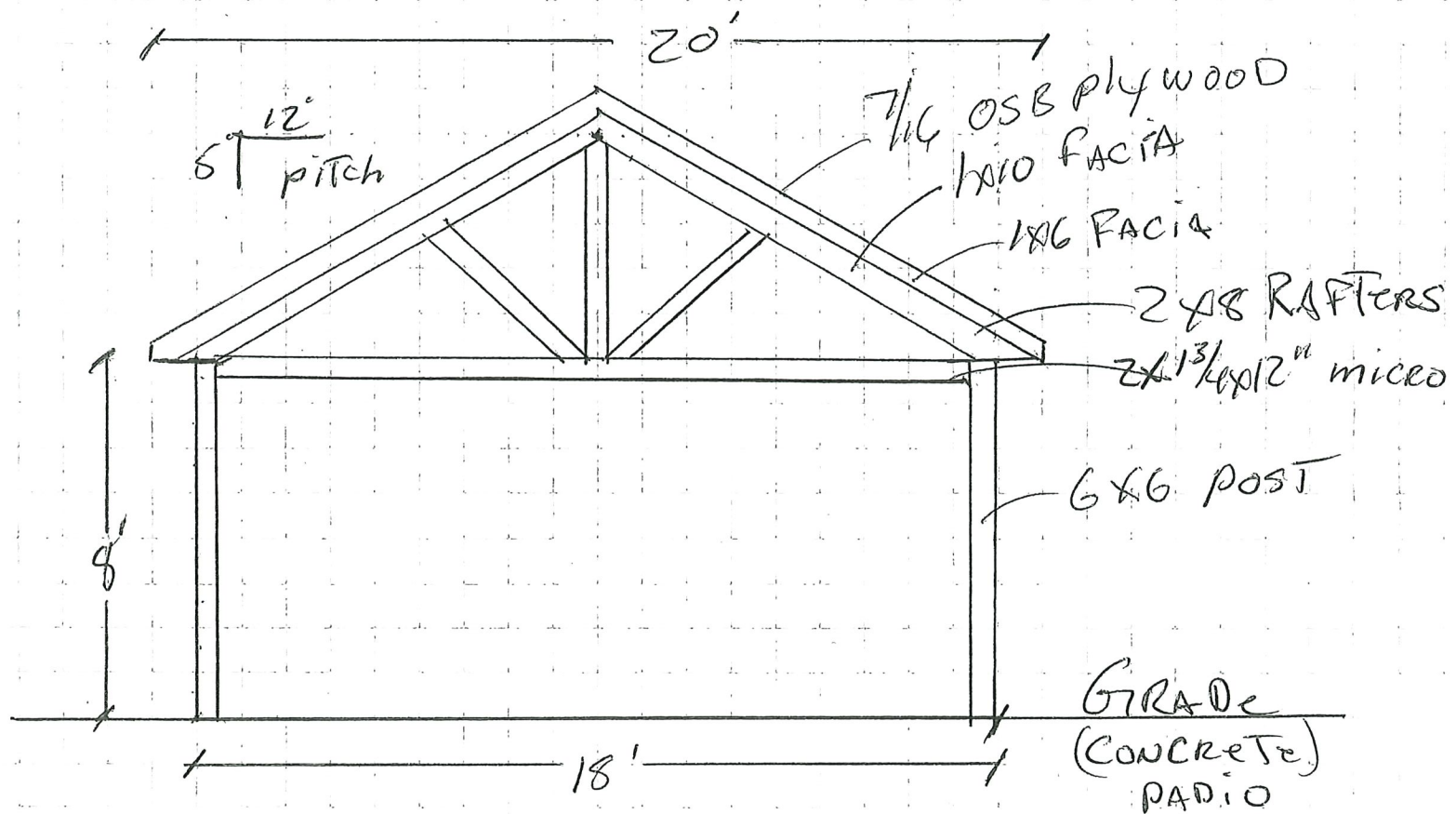


# Front Porch

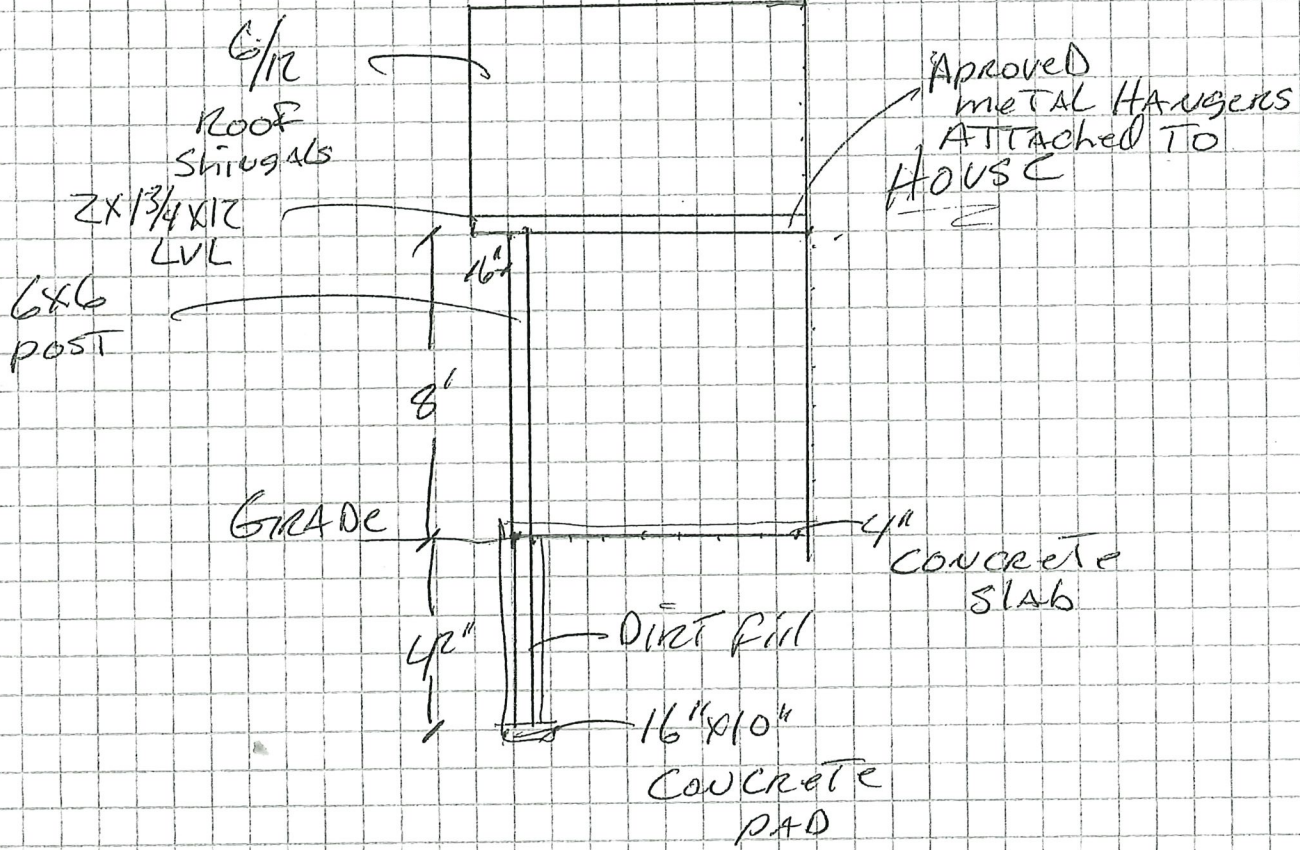




Front porch



\* FRONT PORCH  
side view





Charter Township of Highland (H) 11-15-276-019 Active

Print Date: Date

881 Dunleavy Dr  
Highland MI 48356-2118

View: Front

Structure: Primary

Photo Date: 10/27/2021



# Existing Rear Deck



# Existing Rear Deck



# Existing Rear



# Proposed Rear Deck



five post along far side  
four post along house  
stairs coming down to platform  
then walking back towards house

# Proposed Rear Deck





# Proposed Rear Deck



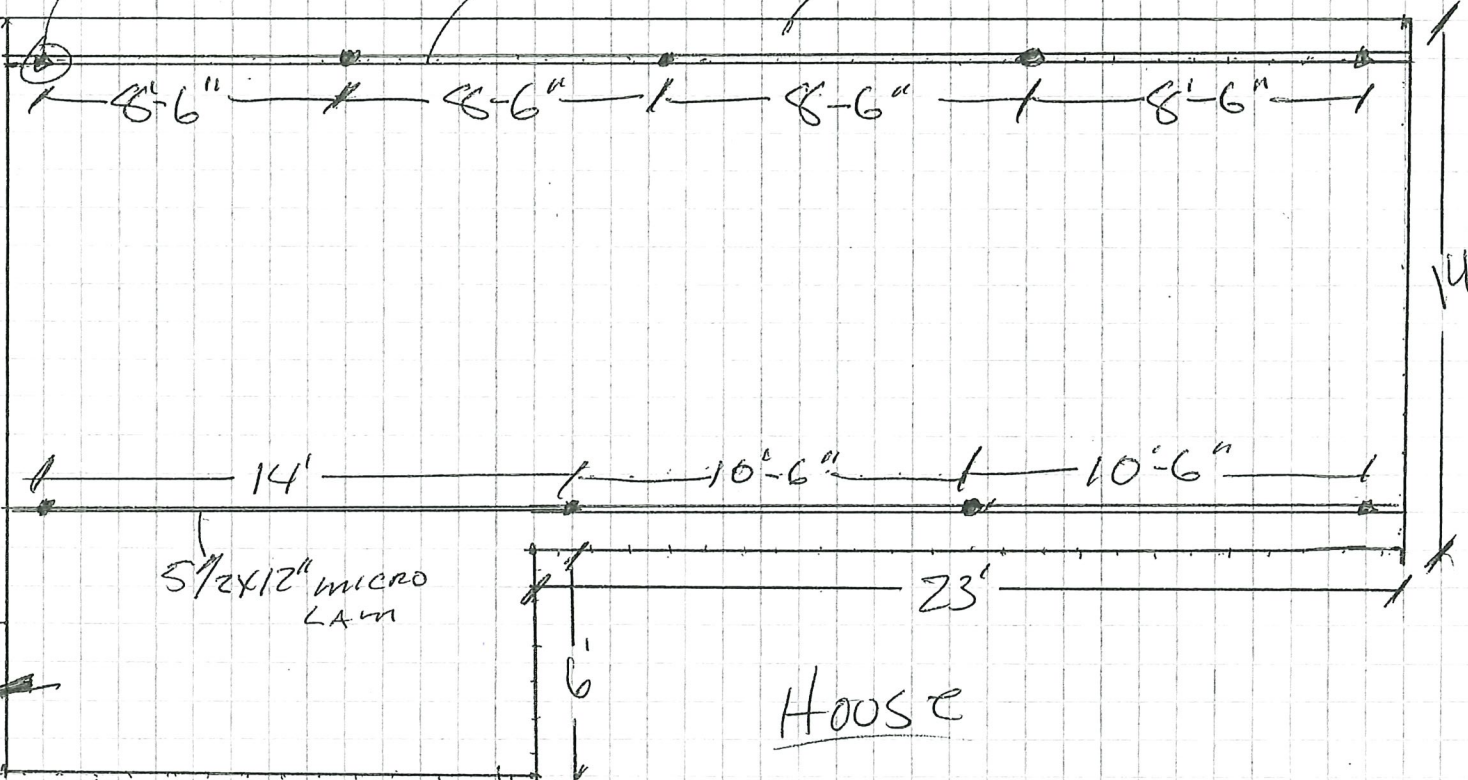
\* Back Deck

37'

6x6 posts  
42" deep

3x2x10 cross  
beams

2x8 Joist 12" o/c



8'-6" 8'-6" 8'-6" 8'-6"

14' 10'-6" 10'-6"

5 1/2 x 12" micro  
LAM

23'

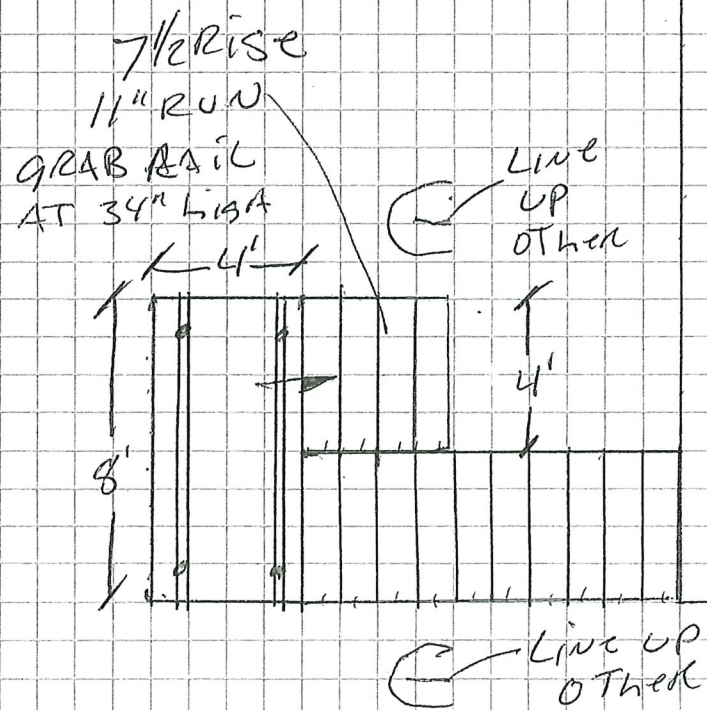
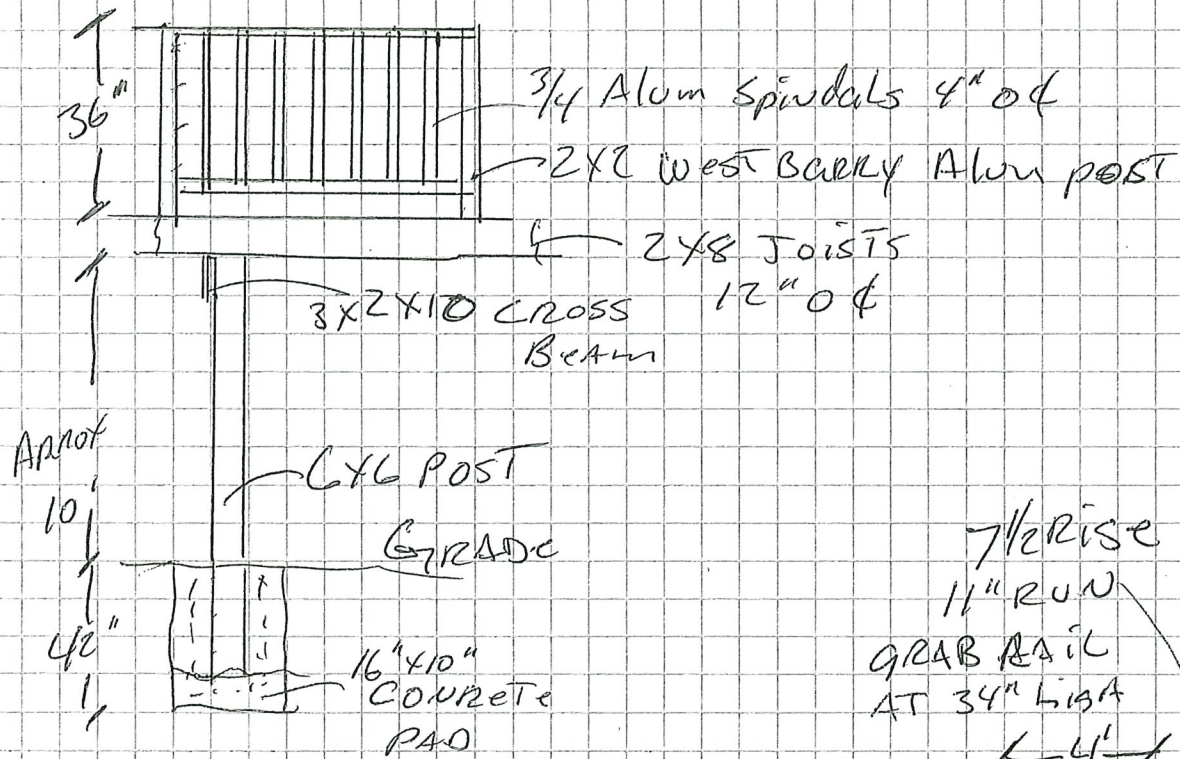
HOUSE

Bolted to Board

Live  
UP  
OTHER  
PAGE

Live  
UP  
OTHER  
PAGE

**\* BACK Deck  
STAIR + Landing**



# APPROVED

## CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS January 20, 1999

Mr. Happel asked if Ms. Schang or a representative was present for this case. With no response, Mr. Barancek suggested this case be moved to the last item on tonight's agenda.

### MOTION:

Mr. Stimbert moved in case #98-65, that this case be moved to the last item on the agenda. Mr. Fanfair supported the motion and it carried with a unanimous voice vote.

### AGENDA ITEM #2:

Case Number:	99-03	Tabled from 01-06-99
Complaint #:		None
Zoning:		R-1D
Sidwell #:		11-15-276-019
Property Address:		881 Dunleavy
Applicant:		Doug Bourgeois
Owner:		Same
Ordinance Section:		509-4a(1) 509-4a(4)
Variance Requested:		12 ft. Variance for the Front Yard Setback from 30 ft. to 18 ft. 12 ft. Variance for the Subaqueous Setback from 65 ft. to 53 ft. This variance is for an attached garage with a 2 <sup>nd</sup> story and front porch.

### MOTION:

Mr. Stimbert moved to remove case #99-03 from the table. Mrs. Lauridsen supported the motion and it carried with a unanimous voice vote.

Mr. Happel noted the receipt of a letter dated January 15, 1999, from Mr. Bourgeois. Mr. Happel stated the letter is requesting case #99-03 be tabled until the meeting of February 17, 1999. Mr. Happel noted this was a Xerox copy and not an original.

### MOTION:

Mrs. Lauridsen moved to table case #99-03, until the meeting of February 17, 1999. Mr. Fanfair supported the motion and it carried with a unanimous voice vote.

# APPROVED

## CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS Minutes January 6, 1998-1999

### AGENDA ITEM #2:

Case Number: 99-03  
Complaint #: None  
Zoning: R-1D  
Sidwell #: 11-15-276-019  
Property Address: 881 Dunleavy  
Applicant: Doug Bourgeois  
Owner: Same  
Ordinance Section: 509-4a(1)  
509-4a(4)  
Variance Requested: 12 ft. Variance for the Front Yard Setback  
from 30 ft. to 18 ft.  
12 ft. Variance for the Subaqueous Setback  
from 65 ft. to 53 ft.  
This variance is for an attached garage with  
a 2<sup>nd</sup> story and front porch.

Mr. Happel stated he has received a letter explaining the applicant would like to have his case tabled until the meeting of 01-20-99, to submit updated measurements.

### MOTION:

Mrs. Guertin moved to table case #99-03, until the meeting of 01-20-99. Mr. Gruber supported the motion and it carried with a unanimous voice vote.

### MINUTES:

Mr. Stimbert moved to approve the minutes of December 16, 1998, as corrected. Mr. Fanfair supported the motion and it carried with a unanimous voice vote.

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,



Judith Guertin, Secretary

JG:dmb

# APPROVED

CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
February 17, 1999

Chairman Happel called the meeting to order at 7:30 p.m.

ROLL CALL: Herbert Happel, Chair  
Roger Stimbart, Vice Chair  
Judith Guertin, Secretary  
Joseph Barancek  
Michael Fanfair  
Richard Gruber  
Holly Lauridsen  
Dawn Bockelman, Recording Secretary

Chairman Happel reviewed the procedures for addressing the Board. He noted all motions are made in the affirmative, variances granted have a six-month time limit, and all property must be properly staked before a case will be heard.

## TABLED BUSINESS:

### AGENDA ITEM #1:

Case Number:	99-03	Tabled from 01-20-99
Complaint #:		None
Zoning:		R-1D
Sidwell #:		11-15-276-019
Property Address:		881 Dunleavy
Applicant:		Doug Bourgeois
Owner:		Same
Ordinance Section:		509-4a(1) 509-4a(4)
Variance Requested:		12 ft. Variance for the Front Yard Setback from 30 ft. to 18 ft. 12 ft. Variance for the Subaqueous Setback from 65 ft. to 53 ft. This variance is for an attached garage with a 2 <sup>nd</sup> story and front porch.

Mr. Happel asked if Mr. Bourgeois or a representative were here for tonight's case. There was no response. Mr. Barancek explained he spoke with Mrs. Bourgeois and she stated there was a problem with the drawing. Mr. Barancek suggested tabling this case no longer than 6 months from the original hearing date.

# APPROVED

## CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS February 17, 1999

### MOTION:

Mr. Barancek moved in case #99-03, to table without date, but no later than 6 months from 01-06-99. Mrs. Guertin supported the motion and it carried with a unanimous voice vote.

### NEW BUSINESS:

#### AGENDA ITEM #2:

Case Number:	99-08	
Complaint #:		None
Zoning:		R-1A
Sidwell #:		11-18-451-003
Property Address:		(vacant) Addaleen
Applicant:		Kurt & Theresa Sheppard
Owner:		Same
Ordinance Section:		506-4a(2)
Variance Requested:		10.38 ft. Variance for the North Side Yard Setback from 40 ft. to 29.17 ft. 6.58 ft. Variance for the South Side Yard Setback from 40 ft. to 33.42 ft. This variance is for a house & attached garage.

Mr. Sheppard explained this is a pie shaped lot and that he is requesting a north and south side yard variance. He felt that the setbacks create too small of a building envelope. He noted the home would be approximately 1800 sq. ft., for 1<sup>st</sup> and 2<sup>nd</sup> floors combined.

Mr. Happel noted the discrepancy in the numbers requested for variances. Mr. Sheppard explained the architect figured the required distances and requests. Mr. Barancek suggested continuing with the agenda, Mrs. Guertin and Mr. Gruber agreed.

Mr. Stimbert noted that a variance request of 10.38 ft. from the required 40 ft. leaves a setback of 29.62 ft., not 29.17 ft. as the agenda states. Mr. Happel noted the discrepancy in numbers on the north side.

Mrs. Guertin asked if the 38' by 22' structure would be a garage. Mr. Sheppard stated this was correct, this would be a three-car garage. Mrs. Guertin asked what the 12' by 12' structure would be used for. Mr. Sheppard stated this would be a sunroom.

CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
MAY 19, 1999

APPROVED

TABLED BUSINESS CONT.

2. Case #99-03 Tabled from 2/17/1999  
Complaint #: None  
Zoning: R-1D  
Sidwell: 11-15-276-019  
Property Address: 881 Dunleavy Drive  
Applicant: Doug Bourgeois  
Owner: Same  
Ordinance Section: 509-4a(1) 509-4a(4)  
Variance Requested: 13 ft. variance for front yard setback from 30 ft. to 17 ft.  
13.20 ft. variance for subaqueous setback from 65 ft. to 51.8 ft.  
This variance is for attached garage with 2nd story and front porch.

Motion Stimbert, second Gruber to remove case #99-03 from table. Motion carried.

Christine Bourgeois was present and explained her request to the Board. The variance would be for a 2 car garage with second story for storage and recreation room. She stated setback from the water is less than the drawing shows. Current subaqueous setback is 49.6 ft.

FACTS:

These are lots of record as discussed in application. (lots # 17&18)  
Lots are irregular in shape and configuration.  
Principal structure is pre-existing on lot today and already encroaches into front yard setback.  
Principal structure is already encroaching on subaqueous setback as it exists today.

FINDINGS:

Irregular shape of lot allows very small enlargement of principal structure either subaqueous or front yard setback. That is because front yard is on inside curve of platted subdivision.



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CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS  
MAY 19, 1999

case #99-03 cont.

FINDINGS:

Maximum depth of lot only exceeds 120 ft. at its widest point with setback requirements in district from subaqueous and front road requiring at least 90 ft. of any depth to meet the minimum requirements.

The lot at the location of proposed garage appears to be only 90 ft. in depth.

Proposed garage would not restrict the view from any angle of any neighbor.

Motion Barancek, second Lauridsen, information per agenda, case #99-03, ordinance section 509-4a(1) and 509-4a(4) to grant a 13 ft. front yard variance from 30 ft. to 17 ft. and subaqueous setback of 13.20 ft. from 65 ft. to 51.8 ft. This variance is for attached garage with second story, per drawings of April 28, 1999, signed and dated by Mrs. Bourgeois.

Roll Call Vote: Barancek Yes, Laurisen Yes, Gruber Yes, Fanfair Yes, Guertin Yes, Stimbert Yes, Happel Yes. Motion Carried.

3. Case #99-22 Tabled from 5/5/1999  
Complaint #: None  
Zoning: R-1D  
Sidwell: 11-15-276-002  
Property Address: Dunleavy Court (vacant)  
Applicant: William Mirabatur  
Owner: Chuck Mirabatur  
Ordinance Section: 509-4a(2)  
Variance Requested: 2.5 ft. variance for south side yard setback from 10 ft. to  
7.5 ft.  
7.5 ft.  
2.5 ft. variance for north side yard setback from 10 ft. to

This variance is for new home.

# 881 DUNLEAVY DR HIGHLAND MI 48356-2118



3 beds / 2 full baths / 1 half baths / 3328 sq ft

## Residential Property Profile

11-15-276-019

**Note:** Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.

### Owner Information

Owner(s) : TEAGAN, ALLAN TRUST  
Postal Address : 2787 LAKEWAY HIGHLAND MI 48356-2152

### Location Information

Site Address : 881 DUNLEAVY DR HIGHLAND MI 48356-2118  
PIN : 11-15-276-019 Neighborhood Code : LOH  
Municipality : Charter Township of Highland  
School District : 63220 HURON VALLEY SCHOOLS  
Class Code : 401 Residential - Improved

### Property Description

T3N, R7E, SEC 15 DUNLEAVY SUB PART OF LOT 25 BEG AT PT DIST S 26-16-20 E 80.10 FT & S 41-36-00 W 91.47 FT & S 48-29-50 W 368.44 FT & S 53-54-00 W 31.56 FT FROM NE LOT COR, TH S 64-59-30 W 70.00 FT, TH N 46-30-00 W 100.00 FT, TH N 47-00-00 E 70.00 FT, TH S 44-15-50 E 121.46 FT TO BEG, ALSO PART OF LOT 25 BEG AT SW LOT COR, TH NELY 178.44 FT ALG NLY LINE OF DUNLEAVY RD, TH N 46-30-00 W 100.00 FT, TH SWLY ALG CANAL TO BEG 5-14-98 FR 017 & 018

### Split/Combination Information

Added Status : Added Parcel  
Added Date : 06/08/1998 Added From : FR 017 & 018

### Most Recent Sale Since 1994

Date : 10/02/2012  
Amount : \$68,250 Liber : 44831:440  
Grantor : CERTIFICATEHOLDERSO  
F CWALT INC  
ALTERNATIVE Grantee : ALLAN TEAGAN TR

### Next Most Recent Sale

Date : 08/23/2011  
Amount : \$226,495 Liber : 43325:141  
Grantor : FERRIER-BOURGEOIS,  
CHRISTINA  
BOURGEOIS, DOUG  
BOURGEOIS, CHRISTINA Grantee : BANK OF NEW YORK  
MELLON

3 beds / 2 full baths / 1 half baths / 3328 sq ft

**Residential Property Profile**

11-15-276-019

**Note: Please be advised the data included in Property Gateway originates from multiple local municipalities. Data, in regard to properties, may be classified and updated differently by municipalities. If you have any questions, please contact the local community where the data originated.**

**Tax Information**

Taxable Value	: <b>\$98,820</b>	State Equalized Value	: <b>\$217,200</b>
Current Assessed Value	: <b>\$217,200</b>	Capped Value	: <b>\$98,820</b>
Effective Date For Taxes	: <b>07/01/2024</b>	Principal Residence Exemption Type	: <b>N/A</b>
Summer Principal Residence Exemption Percent	: <b>0%</b>	Winter Principal Residence Exemption Percent	: <b>0%</b>
<b>2023 Taxes</b>		<b>2024 Taxes</b>	
Summer	: <b>\$3,813.15</b>	Summer	: <b>\$4,000.07</b>
Winter	: <b>\$1,129.16</b>	Winter	:
Village	:	Village	:

**Lot Information**

Description	: <b>LEVEL WATERFRONT</b>	Area	: <b>0.335 ACRES</b>
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**Primary Structure**

Structure	: <b>Colonial/2Sty</b>	Living Area	: <b>3328 SQ FT</b>
Ground Floor	: <b>2123 SQ FT</b>	Year Built	: <b>1950</b>
Effective Year	: <b>1972</b>	Remodel Year	: <b>1999</b>
Stories	: <b>2 Story</b>	Rooms	: <b>8</b>
Bedrooms	: <b>3</b>	Full Baths	: <b>2</b>
Half Baths	: <b>1</b>	Fireplaces	: <b>0</b>
Ext Walls	: <b>Wood Siding</b>	Basement	: <b>NO - CRAWL SPACE</b>
Garage	: <b>ATTACHED - 2 car (856 SQ FT)</b>	Heat	: <b>Forced Heat &amp; Cool</b>
Fuel Type	: <b>Gas</b>	Central Air	: <b>Yes</b>

**Basement Information**

Finish	: <b>UNFINISHED</b>	Area	: <b>0 SQ FT</b>
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**Porch Information**

Type	Area
<b>Treated Wood</b>	<b>133 SQ FT</b>
<b>Treated Wood</b>	<b>69 SQ FT</b>