



# MEMORANDUM

To: Zoning Board of Appeals  
From: Kariline P. Littlebear, Zoning Administrator  
Date: September 4, 2024  
Re: ZBA24-17  
1745 La Salle Blvd  
11-13-402-020  
Applicant: Mathew Wells  
Owner: Rennie Wooster

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The subject parcel is zoned LV – Lake and Village Residential District. The total parcel size is approximately 0.264 acres (or approx. 11,500 square feet).

The required setbacks for this parcel are as follows:

Front yard: 35 ft

Rear yard: 38 ft

Side yards: 10 ft minimum for the smallest side yard with a total of 25 feet when both side yards are added together.

This request is for a 14-foot variance from the required 35-foot front yard setback to 21-feet provided and a 4-foot variance from the required 10-foot side yard setback to 6-feet provided for the construction of a 96 square foot front porch.

This request is for a variance from Section 9.02.B.a. and Section 9.02.B.b. of the Zoning Ordinance.

The applicant has provided a site plan and elevations. Staff has supplied assessing records, a zoning map, an aerial approximation of the property, and Section 9.02. of the Zoning Ordinance.

Case # 24-17

Hearing Date 9/14/24

CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS  
APPLICATION FOR APPEAL

APPLICANT

NAME: Matthew Wells

ADDRESS: 3571 Middle Rd  
Highland, MI 48357

PHONE: (248) 521-1267

EMAIL: Steelwells11c@gmail

OWNER

NAME: Rennie Wooster

ADDRESS: 1745 LaSalle Blvd  
Highland, MI 48356

PHONE: (248) 887-1776

EMAIL: —

PROPERTY ADDRESS: 1745 LaSalle Blvd Highland, MI 48356

ZONING: LV PROPERTY TAX ID NO: 11-13-402-020

ORDINANCE SECTIONS BEING APPEALED: 9.02.B.a. and 9.02.B.b.

VARIANCES REQUESTED: 14ft variance from 35ft front yard setback to 21ft provided,  
4ft variance from 10ft side yard setback to 6ft provided

DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY: Existing Porch IS DETERIORATING.  
A Larger porch w/handrails will be safer. Existing House IS not conforming  
Per front yard set back. Any Porch will need a Variance.

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: Rennie Wooster DATE: 7-26-24

SIGNATURE OF APPLICANT: [Signature] DATE: 7/26/24

**Signature of applicant must be notarized.**

Subscribed and sworn to before me this  
26<sup>th</sup> day of July, 2024  
[Signature] Notary Public  
My Commission expires March 6, 2028

AMANDA HEPOLA-GOMEZ  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Mar 6, 2028  
ACTING IN COUNTY OF Oakland

APPLICATION FEE: \$275

Receipt# 1-060488 Date Paid 7/26/24

Received by eje

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 The Property Has exceptional narrowness and  
Shallowness. Existing house is in setback.

- 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.)

NO

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

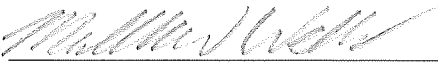
No

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

No

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.

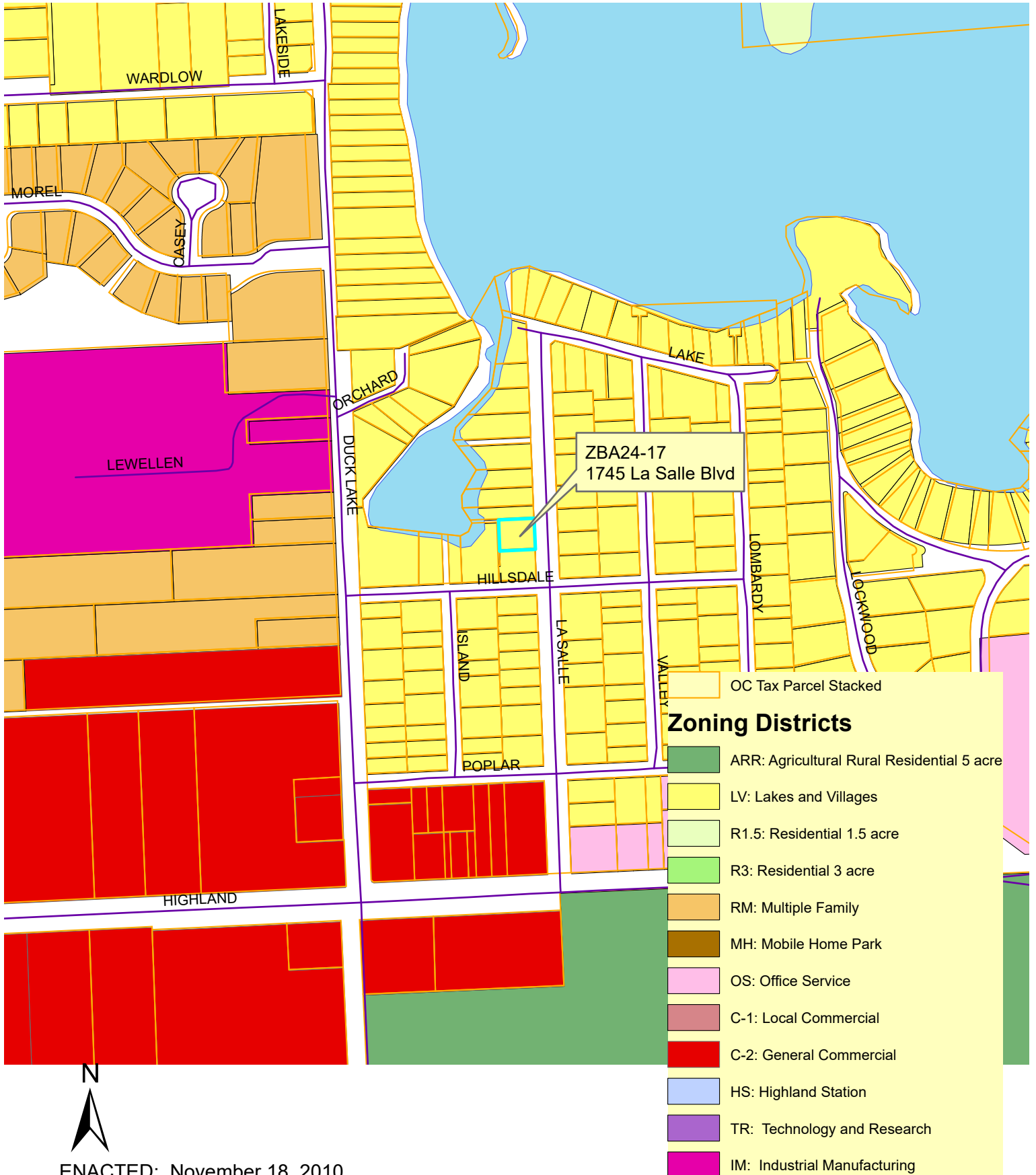
D. *Minimum Setback from the Ordinary High Water Mark.*

- 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 )

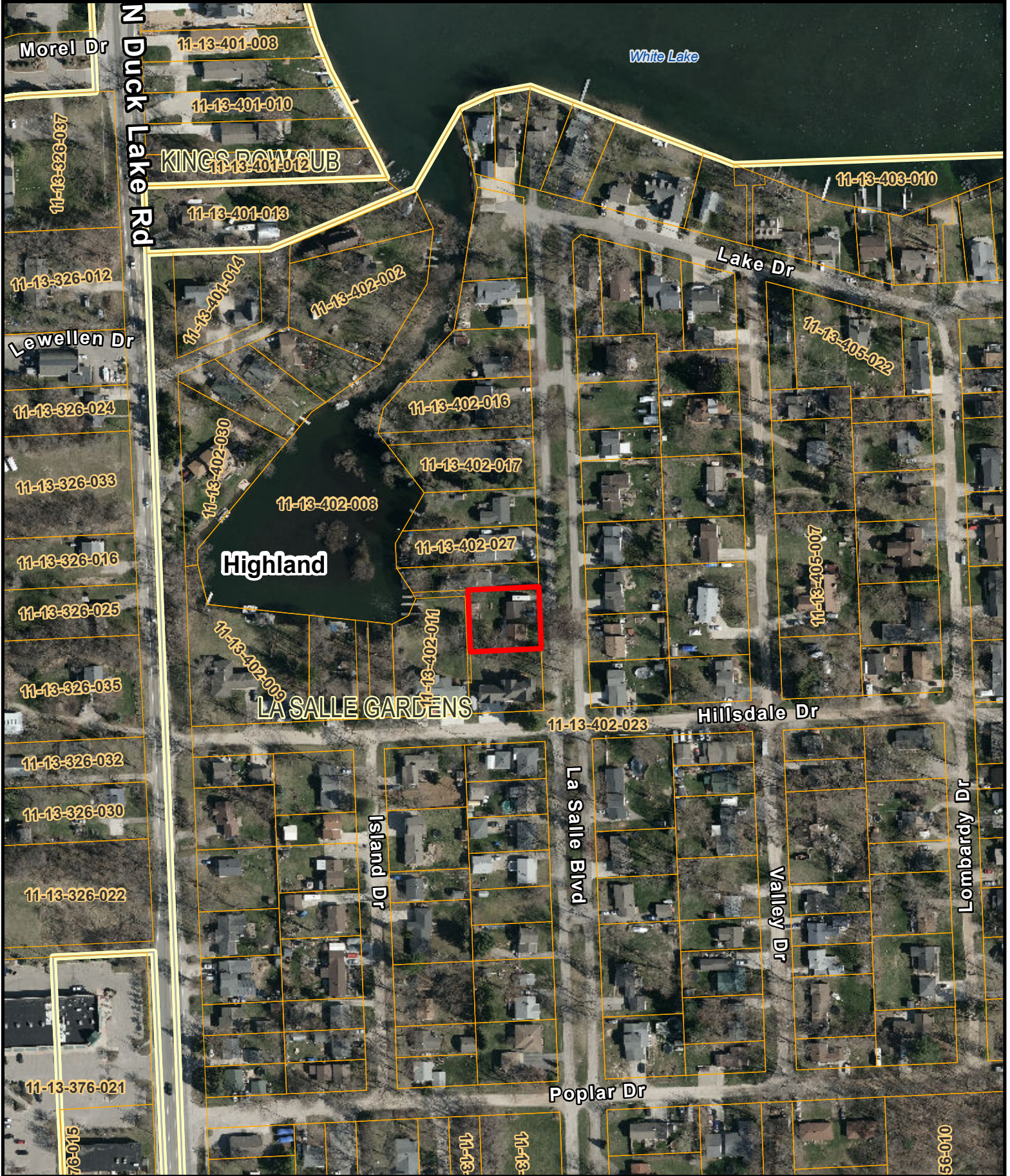
# CHARTER TOWNSHIP OF HIGHLAND ZONING MAP











ENACTED: November 18, 2010




# 1745 La Salle Blvd neighborhood



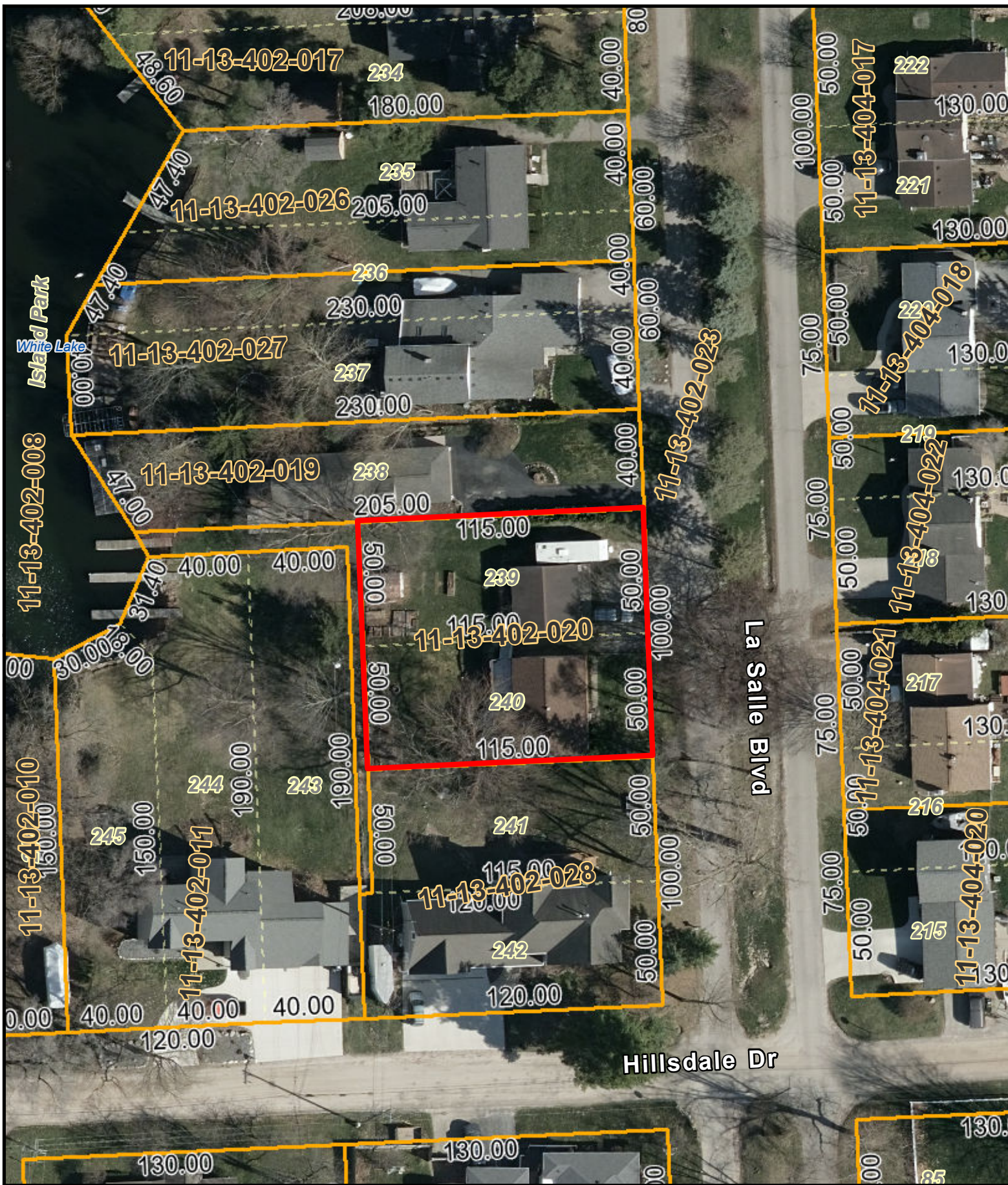
 2 Foot Contours	 100 yr - FEMA Floodplain
 5 Foot Contours	 100 yr (detailed) - FEMA Floodplain
 FEMA Base Flood Elevations	 500 yr - FEMA Floodplain
 FEMA Cross Sections	 FLOODWAY - FEMA Floodplain

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.

  
**David Coulter**  
 Oakland County Executive

Date Created: 8/7/2024  
  
 NORTH  
 1 inch = 200 feet

# 1745 La Salle Blvd



	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

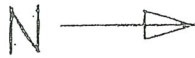
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**OAKLAND COUNTY MICHIGAN**  
 Economic Development & Community Affairs  
**David Coulter**  
 Oakland County Executive

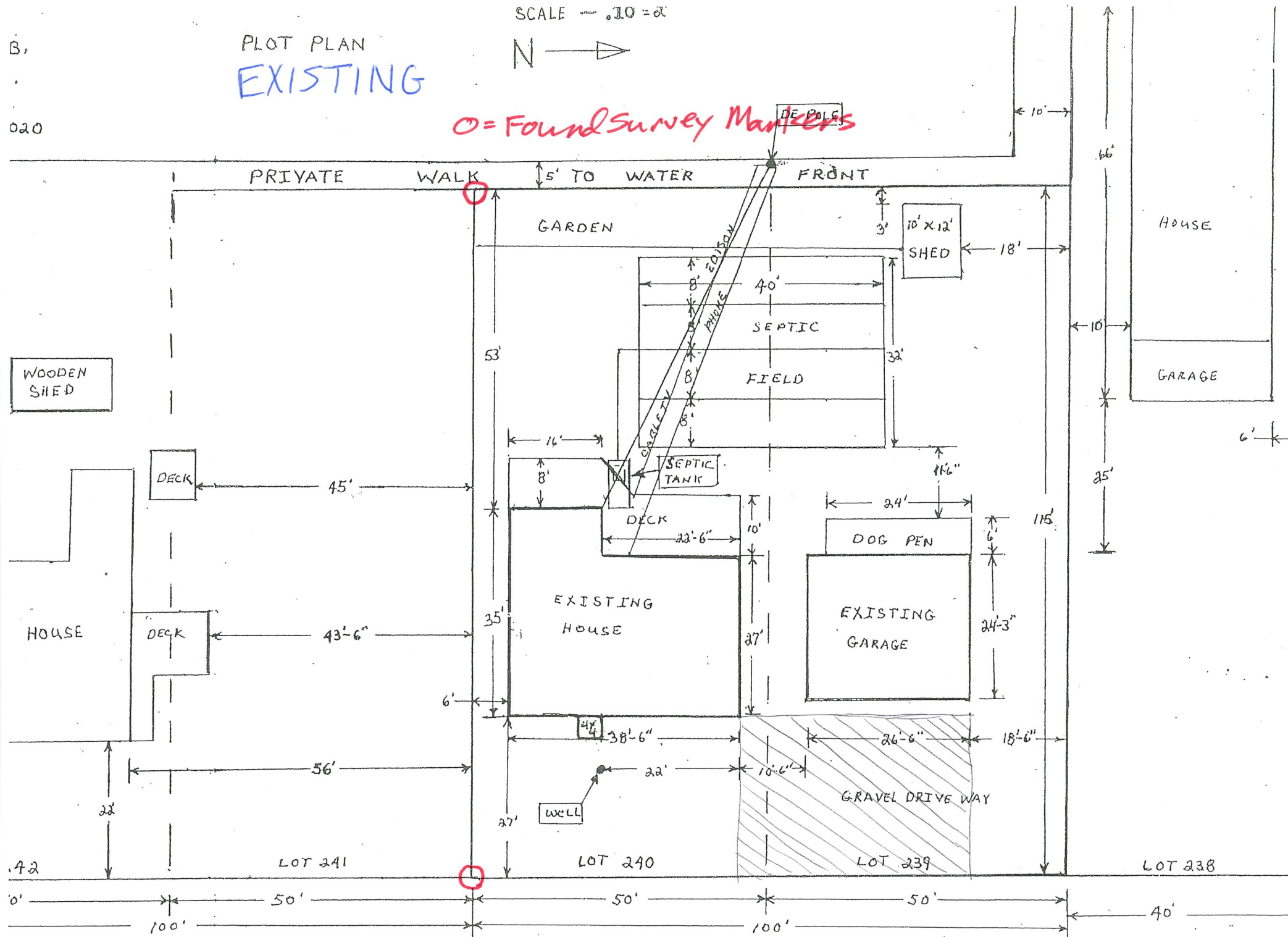
Date Created: 8/7/2024  
  
 NORTH  
 1 inch = 50 feet

PLOT PLAN  
EXISTING

SCALE = .10" = 1'



O = Found Survey Markers



1745 LASALLE BLVD

1745 LaSalle Blvd  
Highland, MI 48356  
11-13-402-020

DTE  
pole

West

50.00

50.00

over Head  
Electric  
Wire

Septic  
Field

EXISTING

South

North

115.00

16

22'6"

35'

House  
1745 LaSalle Blvd

Garage

27

34'5"

38'6"

26'6"

4 Porch  
4

Sidewalk

22'

Well  
9'6"

Gravel  
Drive Way

27'

LOT 240

LOT 239

East

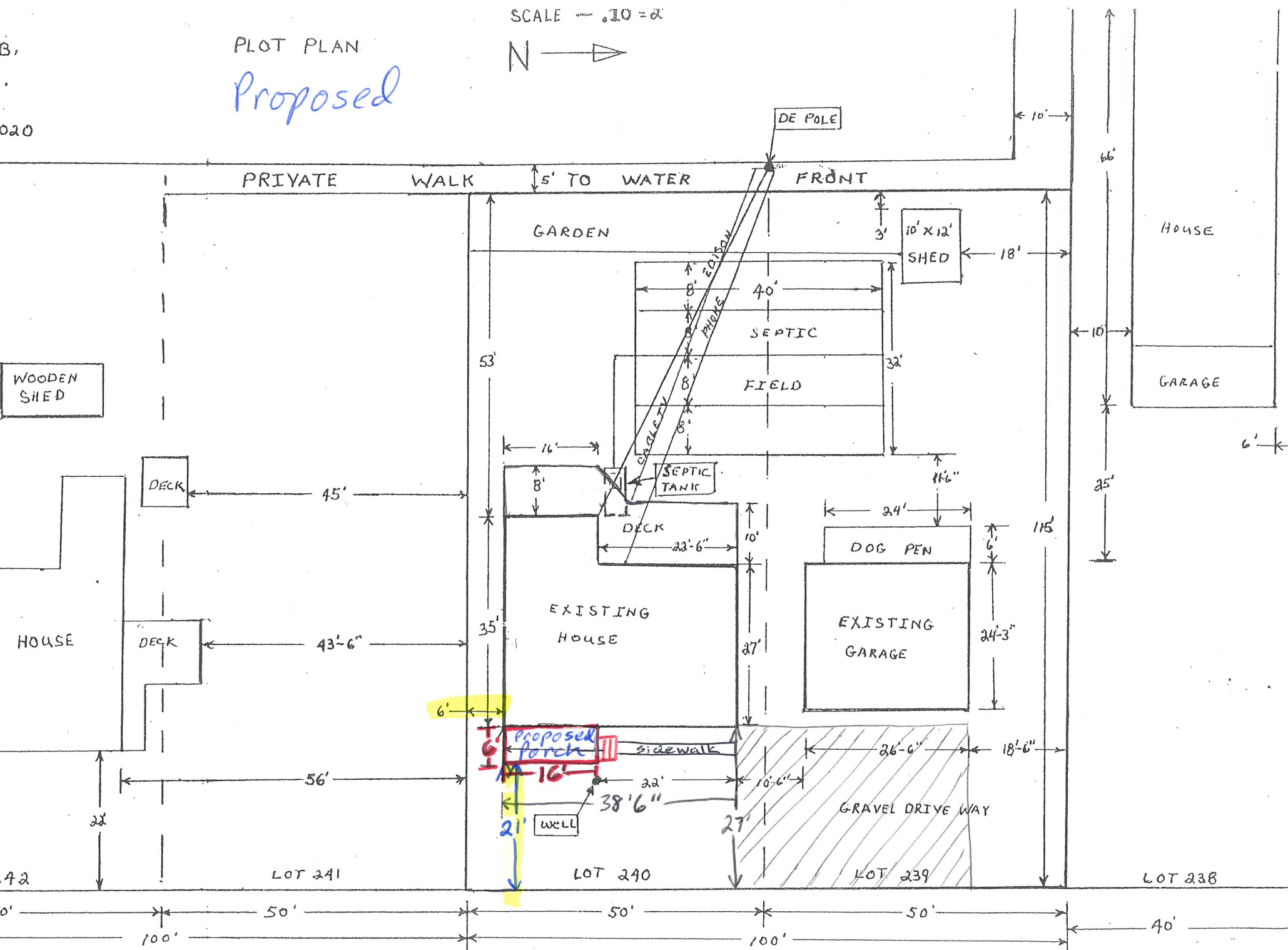
SCALE - .10" = 1'



PLOT PLAN

Proposed

B.  
020



1745 LASALLE BLVD.

1745 LaSalle Blvd  
Highland, MI 48356  
11-13-402-020

DTE  
pole

West

50.00

50.00

over head  
electric  
wire

Septic  
Field

Proposed

South

North

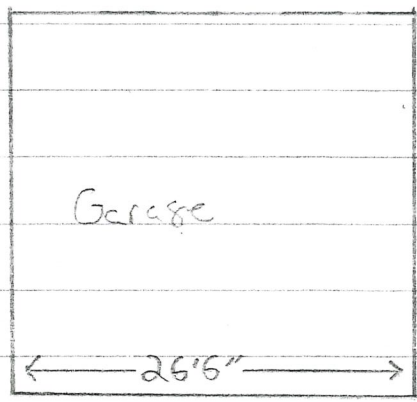
115.00

35'

16'

22'6"

House  
1745 LaSalle Blvd



Garage

24'6"

25'6"

27'

38'6"

6'

Proposed  
Patch

Sidewalk

16'

Well

9'6"

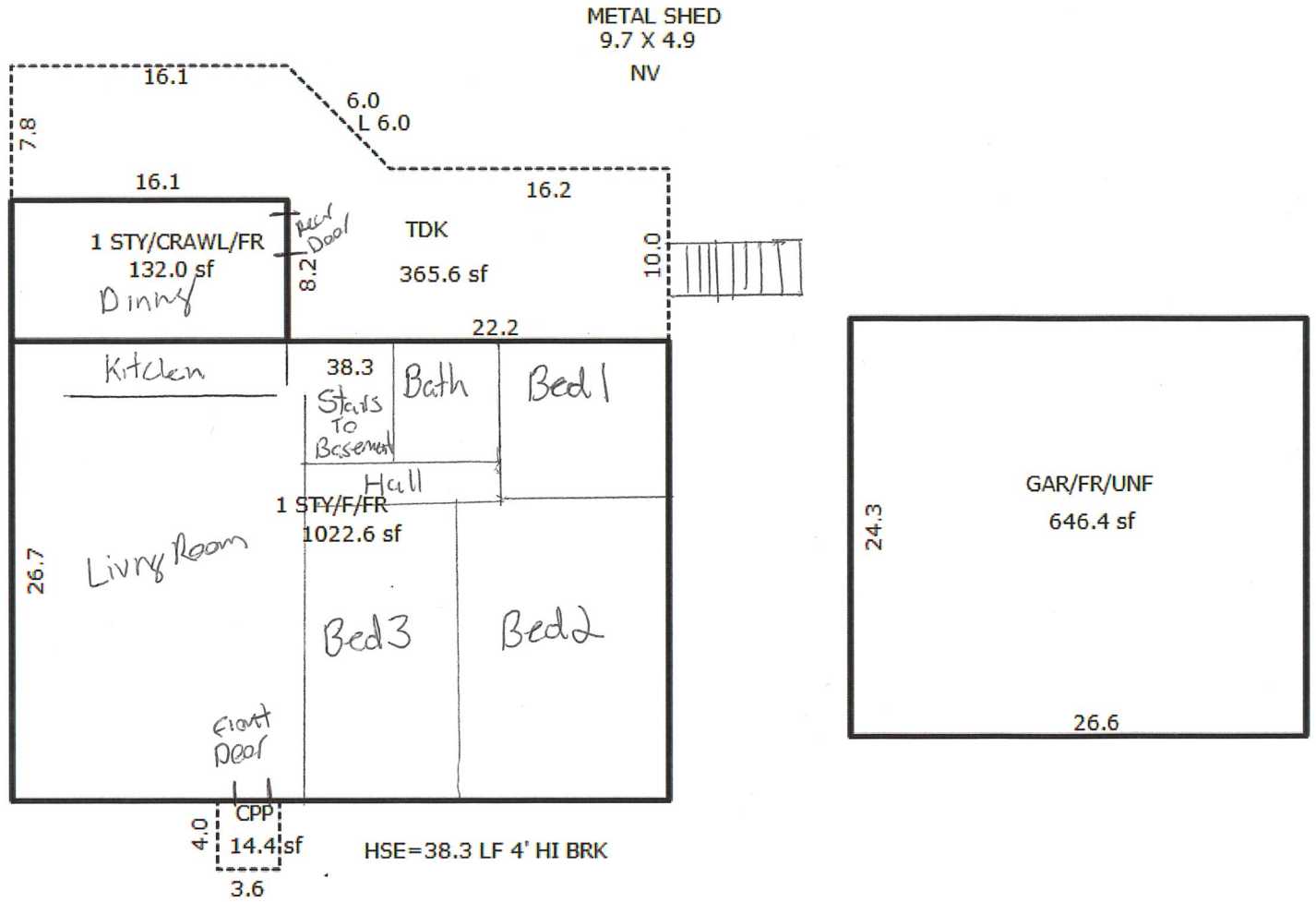
LOT 240

Gravel  
Drive Way

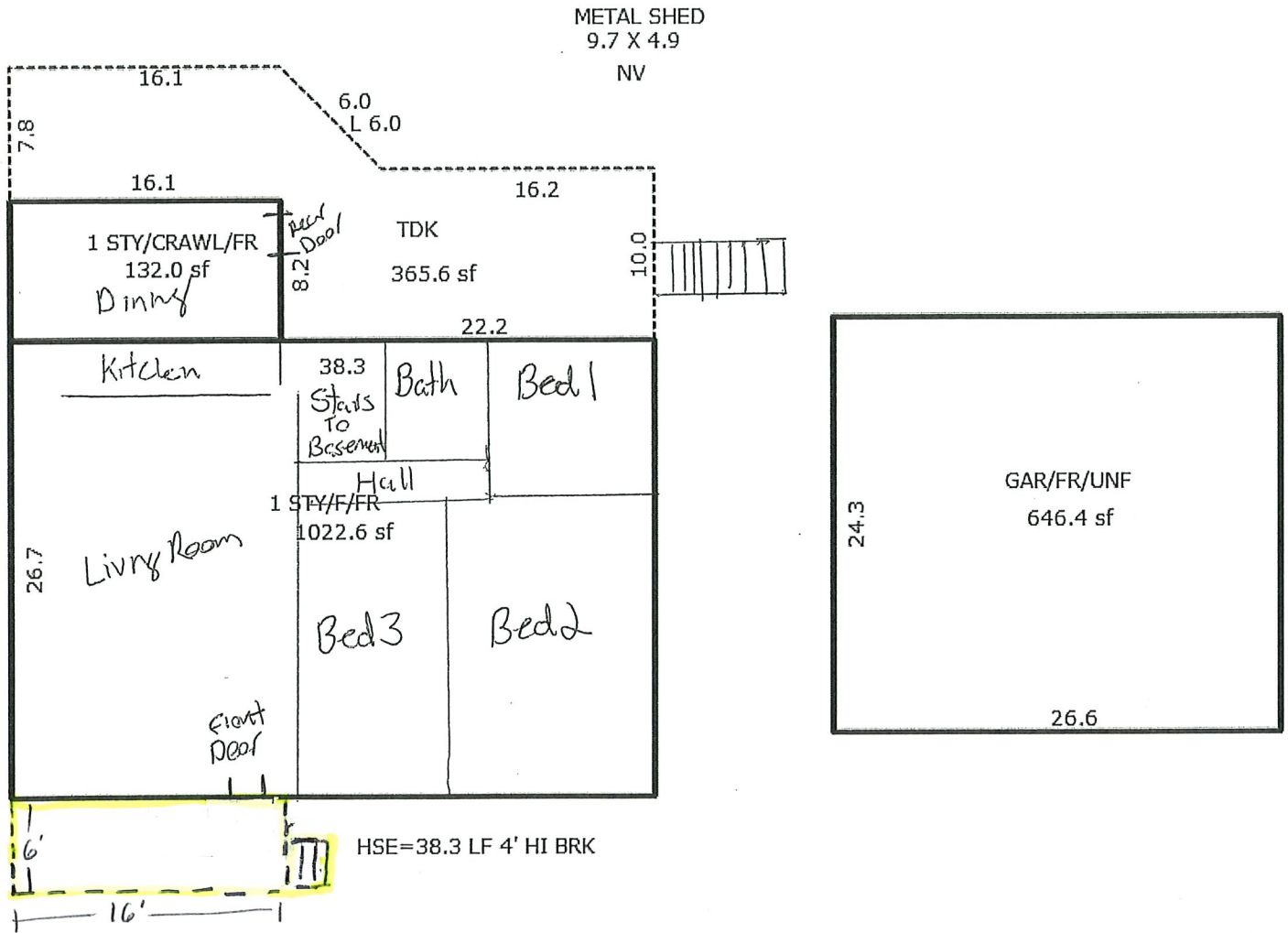
LOT 239

East

# EXISTING

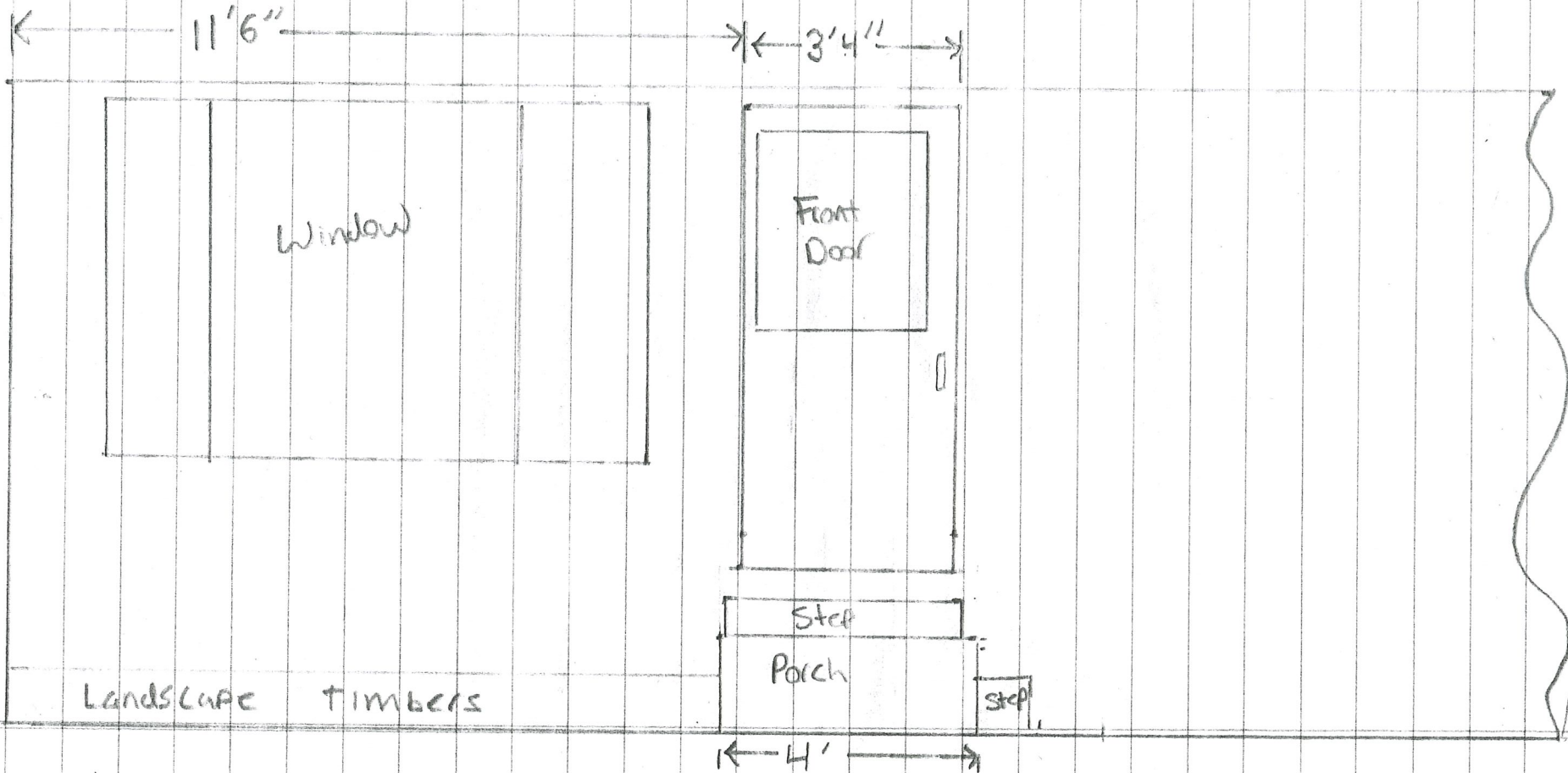


# Proposed

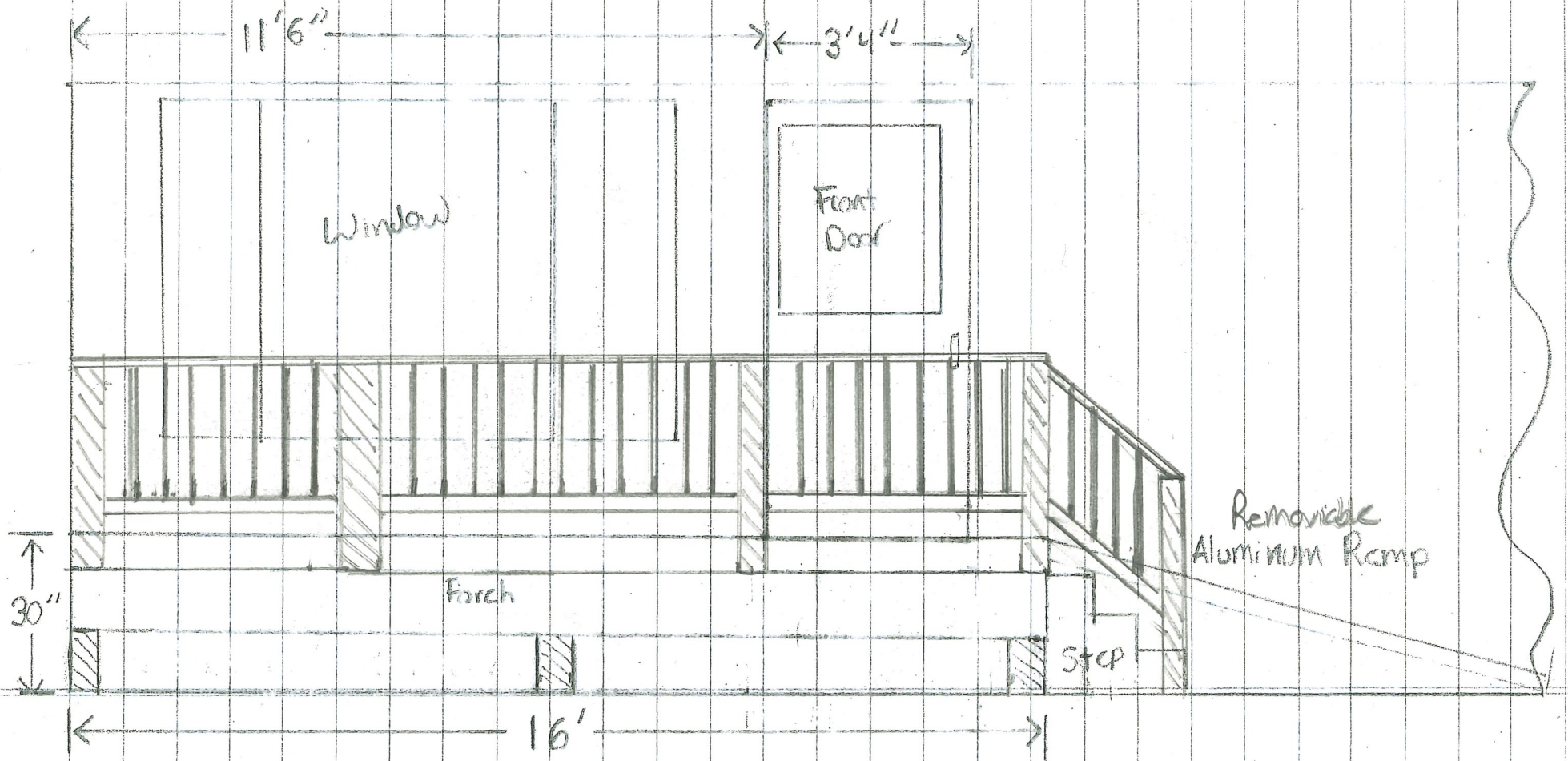




# EXISTING



# Proposed (Front)



Proposed (side)

W

E





Charter Township of Highland (H) 11-13-402-020 Active

Print Date: Date

1745 La Salle Blvd  
Highland MI 48356-2749

View: Front

Structure: Primary

Photo Date: 04/04/2013



1745 La Salle Blvd  
Highland MI 48356-2749

**View:** Rear

**Structure:** Primary

**Photo Date:** 10/13/2014



CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS

APPROVED  
OCTOBER 20, 1999

FACTS:

1. The lot size is consistent with the zoning classification.
2. The lot is approximately 16,500 square feet.
3. There are no topographical issues.
4. This is a corner lot.
5. The proposed variances are for Grandview frontage.

FINDINGS:

1. A privacy fence can be erected without a variance.
2. There is sufficient play area in the side and rear yard, without that portion of the required front yard.

MOTION:

Mr. Gruber made a motion in Case #99-48, per the agenda, that a variance be granted from Section 1708-3 to permit a six-foot high privacy fence in the required front yard (from Grandview Blvd.). This is per plans submitted with the application. Mrs. Lauridsen supported the motion. The motion failed, all members voting no. The variance was denied.

NEW BUSINESS:

2. CASE NUMBER: 99-61  
COMPLAINT #: 99000336  
ZONING: R-1D  
SIDWELL: 11-13-402-020  
PROPERTY ADDRESS: 1745 LaSalle Blvd.  
APPLICANT: Verne C. Wooster  
OWNER: Same  
ORDINANCE SECTION: 509-4a(2)  
509-4b(3)  
VARIANCE REQUESTED: 4 ft. Variance for the Side Yard Setback  
from 10 ft. to 6 ft.  
7 ft. Variance for the Rear Yard Setback from 10  
ft. to 3 ft.  
This variance is for a deck and a shed.

Mr. Wooster was present and stated that he did not know he needed a variance or a permit to replace the deck or shed. Mrs. Judy Topik was present. She stated that she is the neighbor on the shed side of the lot. She supports the request. Mrs. Topik stated that any other location for the shed would detract from her yard and block her view. She stated that the deck is even with the edge of the home, tastefully done and well built.

Mr. Happel noted that there is a violation record on file, case #99-000336.

Mr. Wooster stated further, that there is a five-foot easement for access to the water along the side of the shed. He also stated that there is a little hill, and to move the shed forward would block the natural drainage.

CHARTER TOWNSHIP OF HIGHLAND  
ZONING BOARD OF APPEALS

APPROVED  
OCTOBER 20, 1999

Mrs. Guertin made a motion to separate the deck and shed issues. Mr. Gruber supported the motion and it carried with a unanimous voice vote.

The members discussed the age of the home. Mr. Wooster stated that the home was built in 1957. Mr. Gruber questioned if there is any consideration given for enclosing the deck. Mr. Wooster stated that this would be an open deck with a rail with stairs at the north end. Mr. Barancek noted that the home to the south has a window that overlooks the deck, but without walls, their view would not be impacted.

FACTS:

1. The lot is substandard in area and width.
2. Some topographic features, but not in the area of the deck.

FINDINGS:

1. The proposed deck addition is at the same elevation as the previous deck.
2. The proposed deck does not appear to obstruct views from the south.
3. The improvement does not affect the house to the southwest.
4. The deck is of open construction, without walls or a roof.

MOTION:

Mr. Barancek made a motion in Case #99-61, information per the agenda, that a variance be granted from Section 509-4a(2) for a 4-foot variance for the south side yard setback from 10 feet to 6 feet for a deck, with the stipulation that there is no roof or enclosing walls. Mr. Fanfair supported the motion. The motion was approved with a unanimous roll call vote. The variance was approved.

Mr. Barancek noted that the shed is 120 square feet. Mr. Wooster stated that the shed was erected five years ago and he did not realize that he needed a building permit. Mr. Wooster stated that the shed that was removed was on the property line and that the new placement improved that condition.

FACTS:

1. There was a preexisting shed, before the placement of this shed.
2. There are drainage issues to the east.
3. There is a 5-foot easement west of the rear property line.
4. There are topographic features, to the east, that make placement cumbersome.
5. The structure does not present visual obstructions.
6. The particular location is in the lowest area of the lot, lessening the visual impact.

MOTION:

Mrs. Lauridsen made a motion in Case #99-61, information per the agenda, that a 7-foot rear yard set back variance be granted from Section 509-4b(3), from 10 feet to 3 feet. This is for a shed at the west end of the lot and restricted to the structure currently in place. Mrs. Guertin supported the motion and it carried with a unanimous roll call vote. The variance was approved.

3 beds / 2 full baths / 0 half baths / 1155 sq ft

**Residential Property Profile**

11-13-402-020

**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) : **RENNIE WOOSTER**  
 Postal Address : **1745 LA SALLE BLVD HIGHLAND MI 48356-2749**

**Location Information**

Site Address : **1745 LA SALLE BLVD HIGHLAND MI 48356-2749**  
 PIN : **11-13-402-020** Neighborhood Code : **LWS**  
 Municipality : **Charter Township of Highland**  
 School District : **63220 HURON VALLEY SCHOOLS**  
 Class Code : **401 Residential - Improved**

**Property Description**

**T3N, R7E, SEC 13 LA SALLE GARDENS LOTS 239 & 240**

**Most Recent Sale Since 1994**

Date : **09/01/2017**  
 Amount : **\$1** Liber : **51031:507**  
 Grantor : **WOOSTER, RENNIE E** Grantee : **WOOSTER, RENNIE E**

**Tax Information**

Taxable Value : **\$58,880** State Equalized Value : **\$132,790**  
 Current Assessed Value : **\$132,790** Capped Value : **\$58,880**  
 Effective Date For Taxes : **07/01/2024** Principal Residence Exemption Type : **N/A**  
 Summer Principal Residence Exemption Percent : **100%** Winter Principal Residence Exemption Percent : **100%**

<b>2023 Taxes</b>		<b>2024 Taxes</b>	
Summer	: <b>\$1,262.54</b>	Summer	: <b>\$1,323.52</b>
Winter	: <b>\$776.49</b>	Winter	:
Village	:	Village	:

**Lot Information**

Description : **ROLLING** Area : **0.264 ACRES**



3 beds / 2 full baths / 0 half baths / 1155 sq ft

Residential Property Profile

11-13-402-020

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.

Primary Structure

Structure	: Ranch	Living Area	: 1155 SQ FT
Ground Floor	: 1155 SQ FT	Year Built	: 1960
Effective Year	: 1973	Remodel Year	: 1973
Stories	: 1 Story	Rooms	: 4
Bedrooms	: 3	Full Baths	: 2
Half Baths	: 0	Fireplaces	: 0
Ext Walls	: Pine/Cedar	Basement	: YES - FULL
Garage	: SEPARATE - 2 car (646 SQ FT)	Heat	: Forced Air w/ Ducts
Fuel Type	: Gas	Central Air	: No

Basement Information

Finish	: RECREATION ROOM FINISH	Area	: 468 SQ FT
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Porch Information

Type	Area
CPP	14 SQ FT
Treated Wood	367 SQ FT