



# MEMORANDUM

To: Zoning Board of Appeals  
From: Kariline P. Littlebear, Zoning Administrator  
Date: September 18, 2024  
Re: ZBA24-20  
1077 Woodruff Lake Dr (Vacant)  
11-09-330-003  
Applicant: Timothy Watts  
Owner: Charles M. Krecek – KRECEK SD IRA LLC

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The subject parcel is zoned LV – Lake and Village Residential District. The total parcel size is approximately 0.288 acres (or approx. 12,545 square feet). Approximately one third of the property is water.

The required setbacks for this parcel are as follows:

Front yard: 30 ft

Ordinary High-water Mark: 52 ft

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

Minimum residential 1<sup>st</sup> floor: 750 sq ft

This request is for a 15-foot variance from the required 30-foot front yard setback to 15-feet provided, a 5-foot variance from the required 10-foot side yard setback to 5-feet provided, a 26-foot variance from the required 52-foot ordinary high-water mark setback to 26-feet provided, and a 116-square foot variance from the required 750-square foot minimum first floor residential square footage to 634-square feet provided for the construction of a house, attached garage, and covered porches.

This request is for a variance from Sections 9.02.B.a., 9.02.B.b., 9.02.D., and 9.02.F. of the Zoning Ordinance.

Variances were granted on this property at the March 16, 2022 ZBA meeting for an almost identical proposal. The proposal in case ZBA22-04 did not include covered porches facing the lake. There have been some changes made to the interior floorplan as well. The epacket for ZBA22-04 is available on the township website for your reference.

The applicant has provided a survey, site plan, floorplans, and elevations. Staff has supplied assessing records, a zoning map, an aerial approximation of the property, approved minutes from ZBA22-04, and Section 9.02. of the Zoning Ordinance.

Case # 24-20

Hearing Date 9/18/24

CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS  
APPLICATION FOR APPEAL

APPLICANT

NAME: TIMOTHY E. WATTS

ADDRESS: 6859 ELIZABETH LAKE RD  
WATERFORD, MI 48327

PHONE: 248-721-3797

EMAIL: trailerman7608@gmail.com

OWNER

NAME: CHARLES M. KRECEK FOR KRECEK SD IRALLC

ADDRESS: 525 HILLWOOD RD.  
WHITE LAKE MI  
48383

PHONE: 989-430-2080

EMAIL: mkrecek1952@gmail.com

PROPERTY ADDRESS: 1077 WOODRUFF LK. DR. (VACANT)

ZONING: LV PROPERTY TAX ID NO: 11-09-330-003

ORDINANCE SECTIONS BEING APPEALED: SECT 9.02, B, C, and 9.02, D + 9.02, B, b.

VARIANCES REQUESTED: FRONT YARD SETBACK FROM 30 FT TO 15 FT.  
ORDINARY HIGH WATER MARK SETBACK FROM 52 FT TO 26 FT.  
Sideyard variance from 10ft to 5ft  
FIRST FLOOR SQ FOOTAGE FROM 750 S.F. TO 634 S.F.

DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY: MEETING REQUIREMENTS OF OAKLAND COUNTY HEALTH DIVISION FOR SEPTIC SYSTEM AND HIGHLAND TOWNSHIP SETBACK REQUIREMENTS.

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: 8/7/24

SIGNATURE OF APPLICANT: [Signature] DATE: 8/7/24

**Signature of applicant must be notarized.**

Subscribed and sworn to before me this 7 day of August, 2024

[Signature] Notary Public  
My Commission expires 12-22-2028

APPLICATION FEE: \$275.00

Receipt# 1.060574 Date Paid 8/7/24

Received by [Signature]

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.

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Lot # 167 of Highland Hills #3 is approximately .3 acres, with an  
irregular shape, almost a wedge.

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

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No. The lot dimensions make it impossible to meet the requirements of the  
Oakland County Health Division for a septic system and the requirements of  
Highland Twp. for front yard and ordinary high water mark setbacks.

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- 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.)

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No. Lot #167 is a lot of record within Highland Hills #3 Sub and is similar to  
lots in the neighborhood.

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

No. The difficulty exists in meeting requirements of multiple governmental agencies.

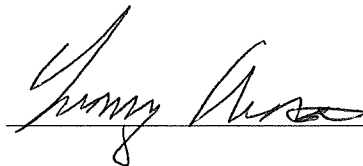
- 5) Will the proposed variance be harmful to or alter the essential character of the area in which the property is located?

No. Applicant seeks permission to build modest 2 bedroom home that will fit in rest of the neighborhood. Current proposal is the same as previously approved by ZBA on March 16, 2022.

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

I believe so. Proposed home is a 2-story home of approximately 1730 sq. ft. with a 2-car attached garage. Building plans were approved in 2023 but I elected not to build at that time. Septic system permit was re-issued on 5/14/24.

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.

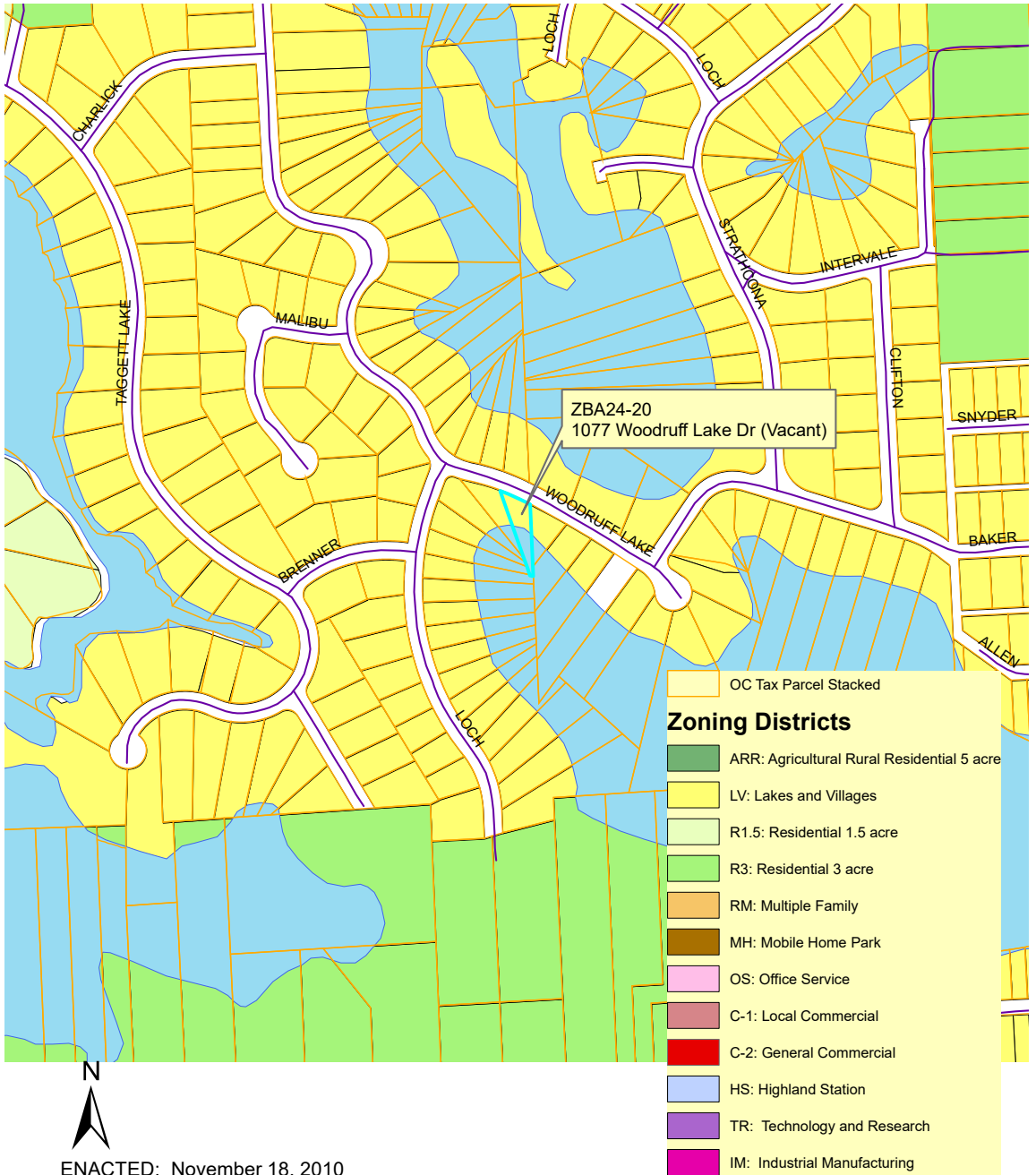
D. *Minimum Setback from the Ordinary High Water Mark.*

- 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:

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- 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 )

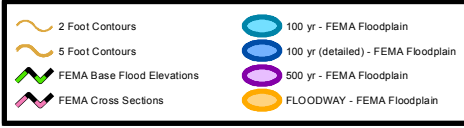
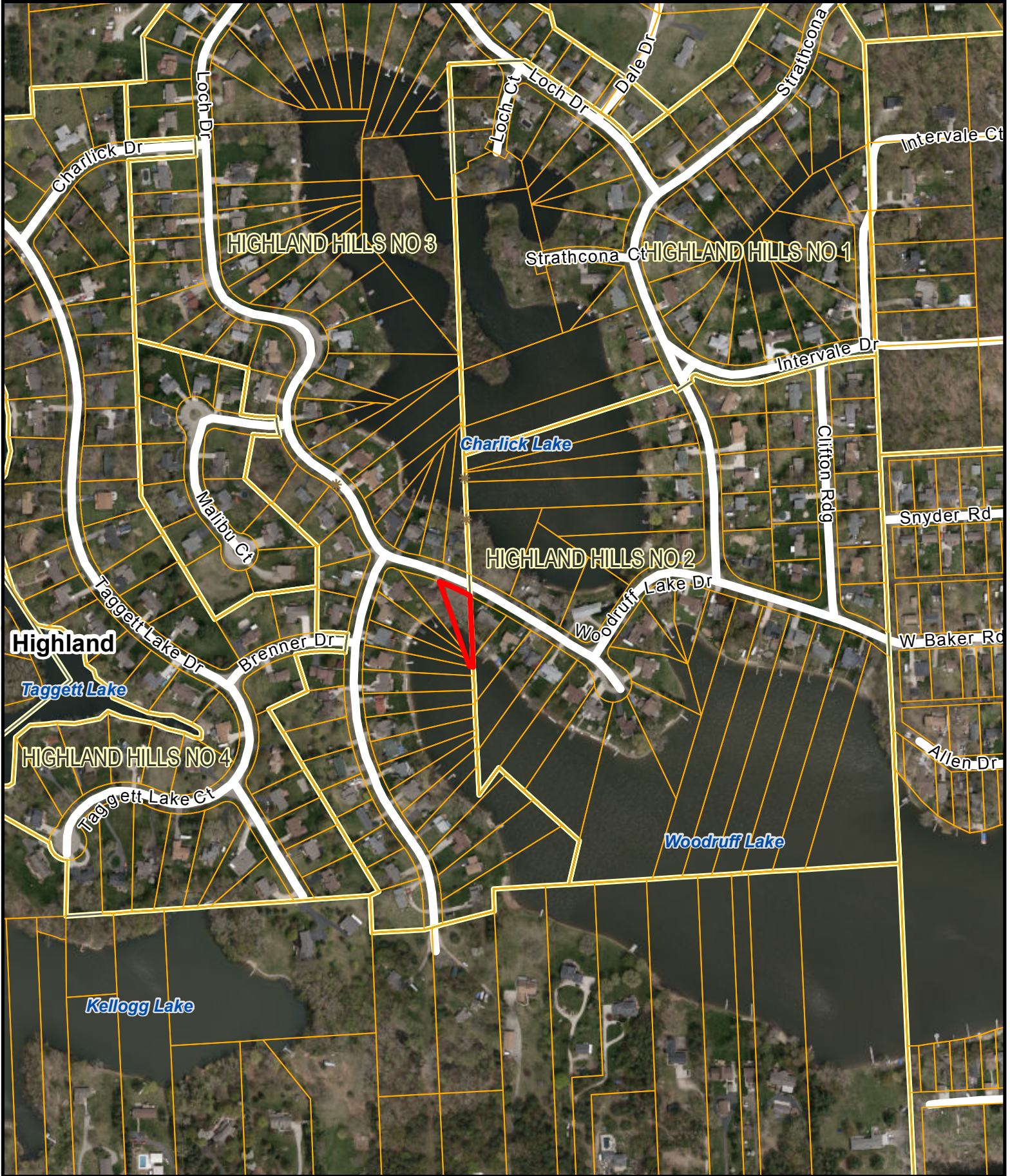
# CHARTER TOWNSHIP OF HIGHLAND ZONING MAP



ENACTED: November 18, 2010



# 1077 Woodruff Lake Dr neighborhood

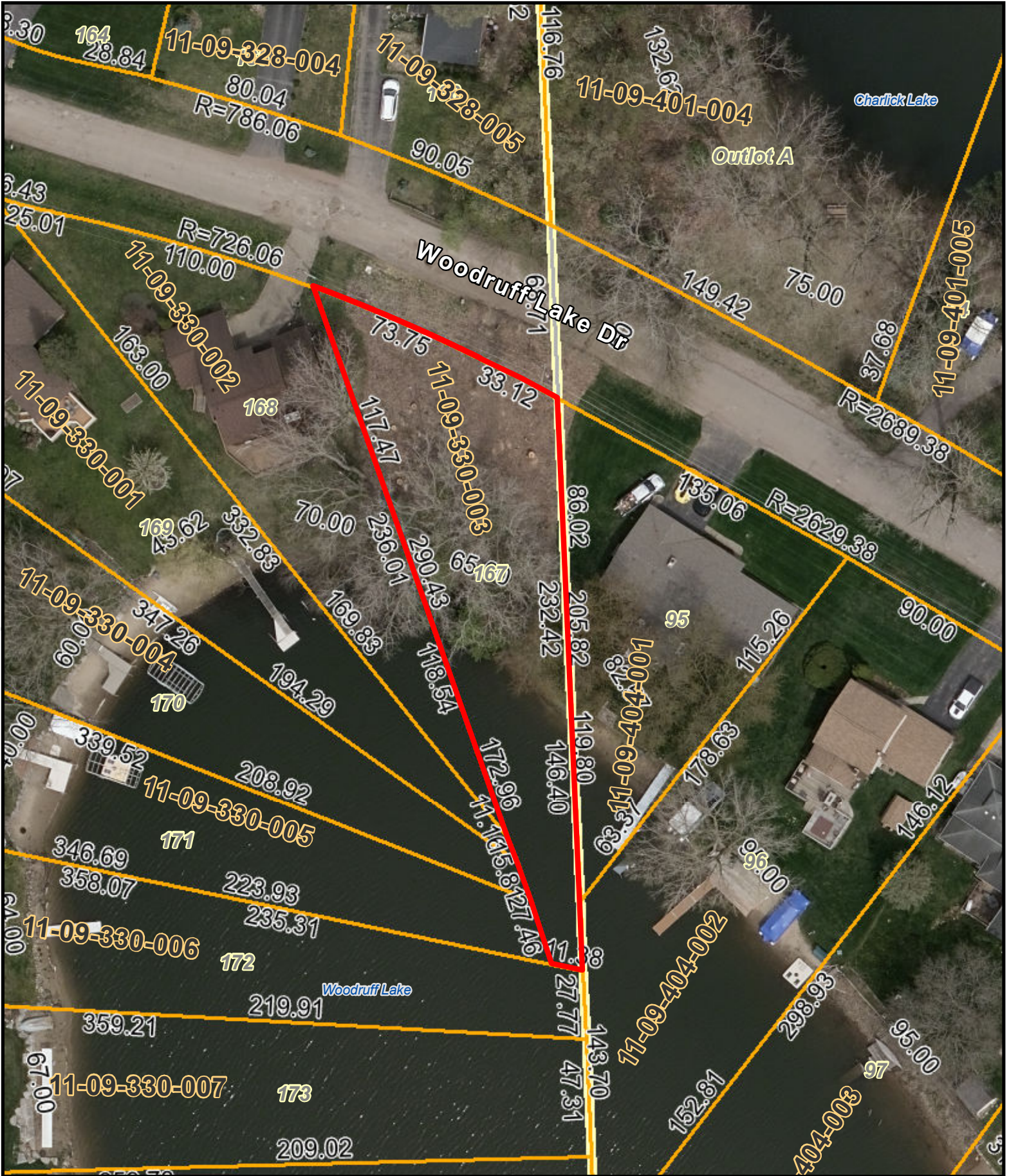


Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. 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: 9/4/2024  
  
 NORTH  
 1 inch = 400 feet

# 1077 Woodruff Lake Dr



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

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

Date Created: 9/4/2024

**NORTH**  
 1 inch = 50 feet

1077 Woodruff Lake Dr  
Highland MI 48357

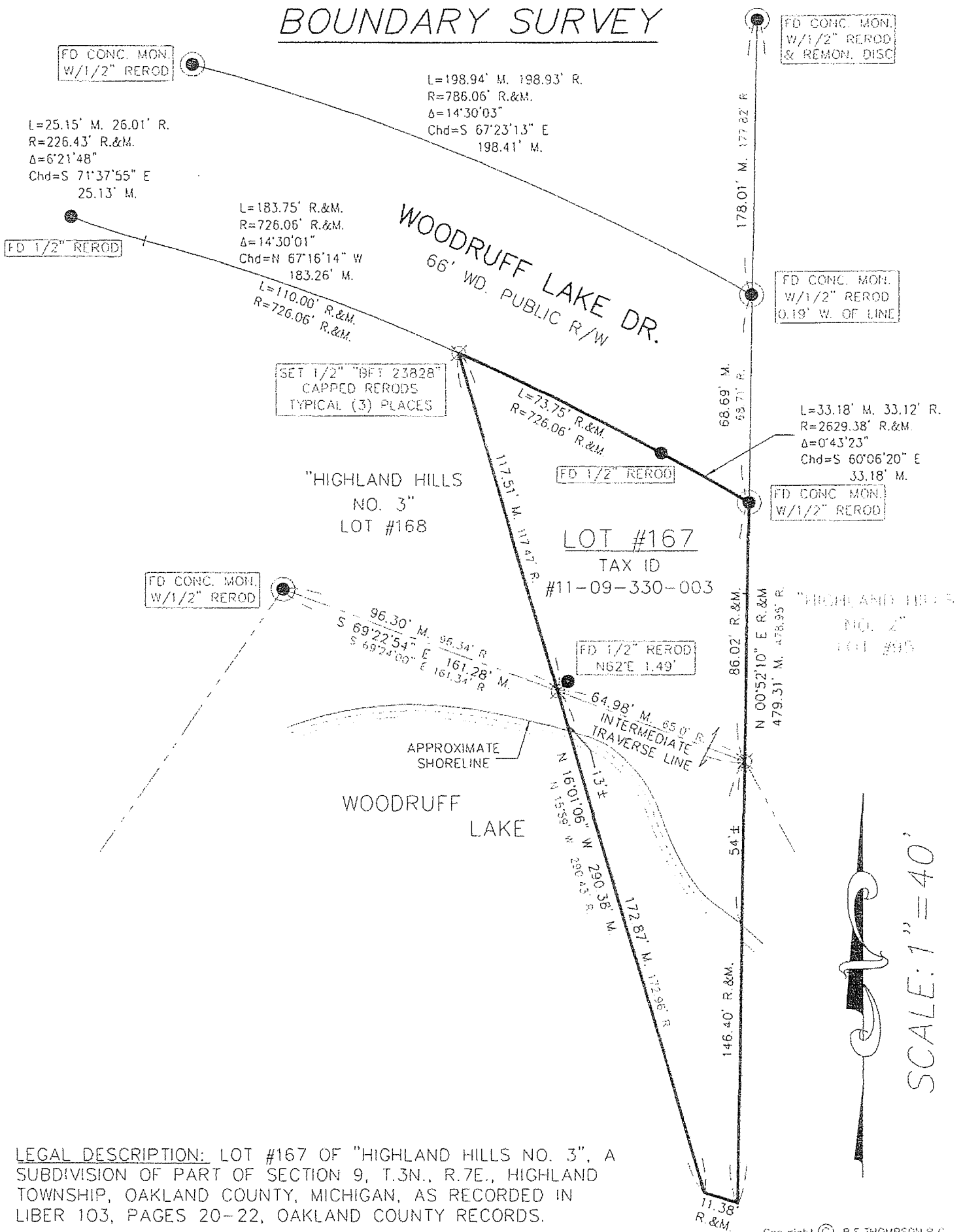
**View:** Front

**Structure:** Primary

**Photo Date:** 07/18/2024



# BOUNDARY SURVEY



**LEGAL DESCRIPTION:** LOT #167 OF "HIGHLAND HILLS NO. 3", A SUBDIVISION OF PART OF SECTION 9, T.3N., R.7E., HIGHLAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 103, PAGES 20-22, OAKLAND COUNTY RECORDS.

Copyright © B.F. THOMPSON, P.C.

**BASIS OF BEARING:** EAST LINE OF "HIGHLAND HILLS NO. 3" = N 00°52'10" E PER PLAT

**NTS=** Not to Scale (R)=Recorded (M)=Measured (C)=Calculated ●=Found Iron ☒=Set Iron \*---\* =Fence

TAX I.D. #11-09-330-003

CERTIFIED EXCLUSIVELY TO: ARTISAN CONTRACTING Closure error: 1/12,334

LOCATION: SW 1/4, SEC. 9, T.3N., R.7E., HIGHLAND TWP., OAKLAND CO.

SCALE: 1"=40' DATE: 9-5-17 BY: NDT JOB# 17-4149 SH. 1 of 1

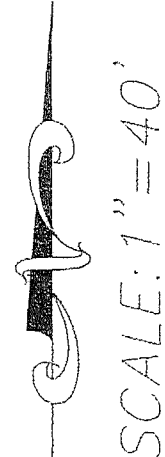
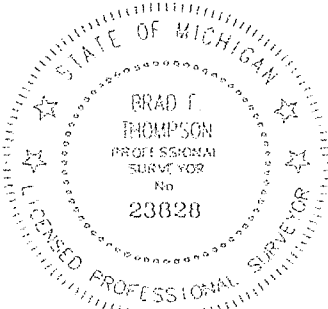
I hereby certify that this survey was prepared by me, or under my direct supervision, and that all of the requirements of P.A. 132, 1970 have been complied with.

When recorded return to:  
B.F. Thompson, P.C.

*Brad F. Thompson*  
Brad F. Thompson, P.E., P.S.#23828

**B.F. THOMPSON, P.C.**  
517/ 548-3142  
FAX 517/ 548-0049

Registered Professional Engineer & Land Surveyor  
1520 Gully Road, Howell, Michigan 48843



- EXISTING SITE CONDITIONS:**
- LOT CONTAINS APPROXIMATELY 0.288 ACRES OF LAND
  - EXISTING PROPERTY USE IS A VACANT LOT
  - PROPOSED PROPERTY USE IS A PROPOSED 2 BEDROOM HOUSE

- SYSTEM DESIGN SPECIFICATIONS:**
- ESTIMATED FLOW OF 2 BEDS @ 150 GPD EACH = 300 GPD
  - APPLICATION RATE =  $\frac{300 \text{ GPD}}{750 \text{ SQ. FT.}} = 0.40$
  - ALL MATERIALS MUST BE OCHD STANDARDS. NO FOAM CORE SCHD 40 PIPE MAY BE USED.
  - WE RECOMMEND PLUMBING FIXTURES BE UPDATED TO MAINTAIN A MINIMUM OF TOILETS @ 1.6 GAL MAXIMUM FLUSH VOLUME AND SHOWERS @ 2.8 GAL MAXIMUM FLOW
  - GARBAGE DISPOSAL IS NOT RECOMMENDED
  - NO WATER SOFTENER EFFLUENT MAY BE PUT INTO SEPTIC FIELD

**CONSTRUCTION NOTES:**

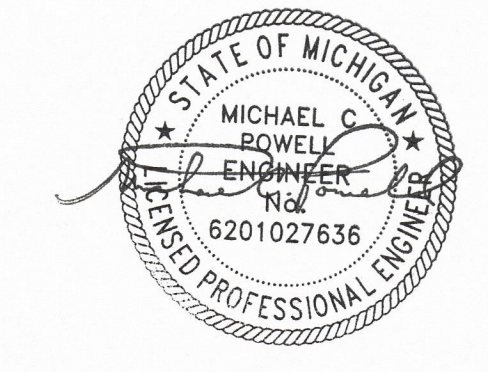
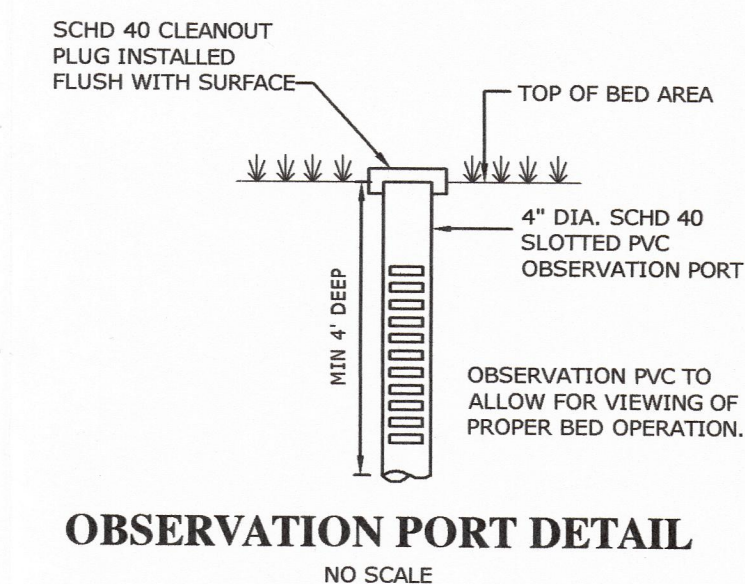
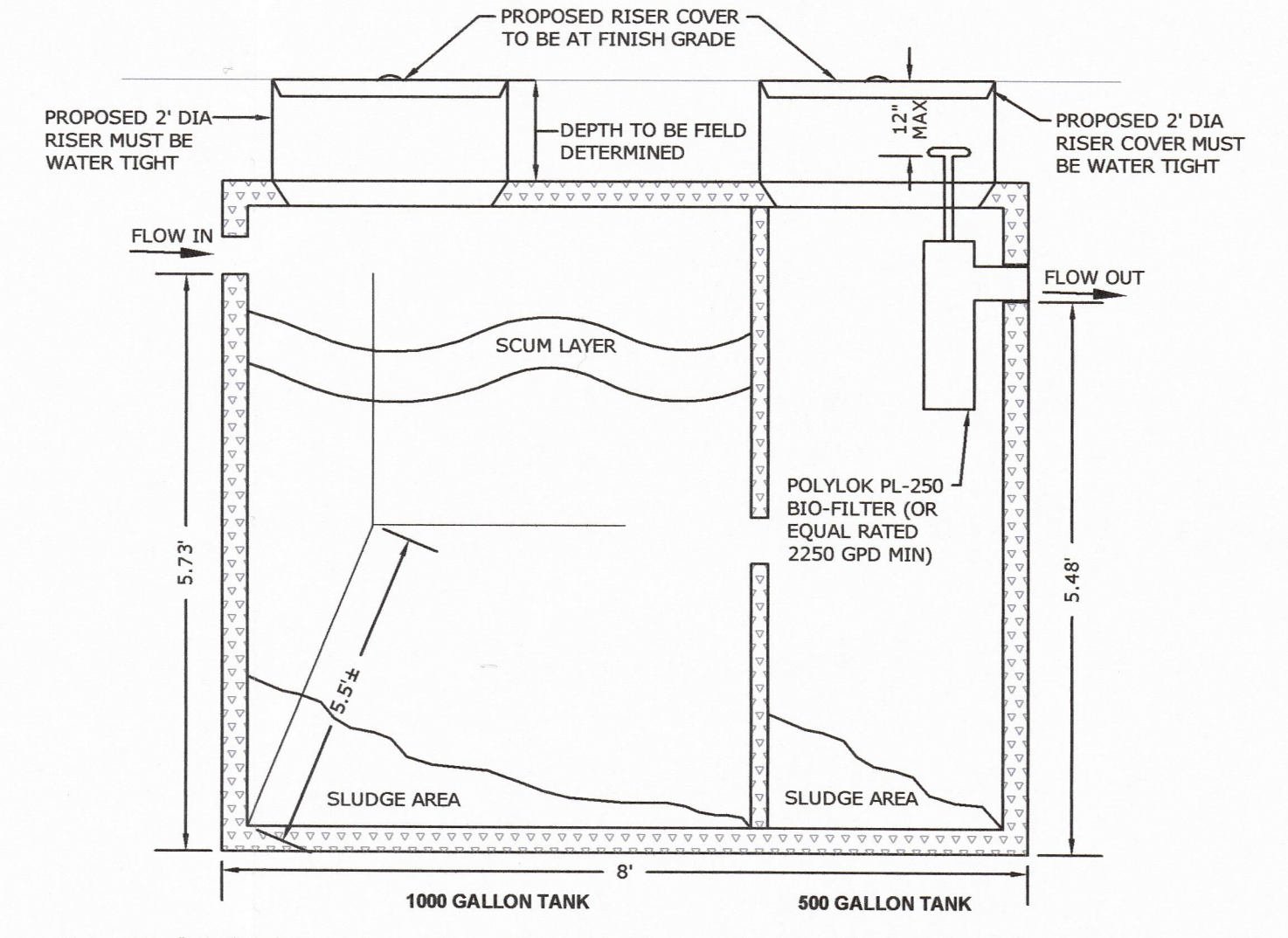
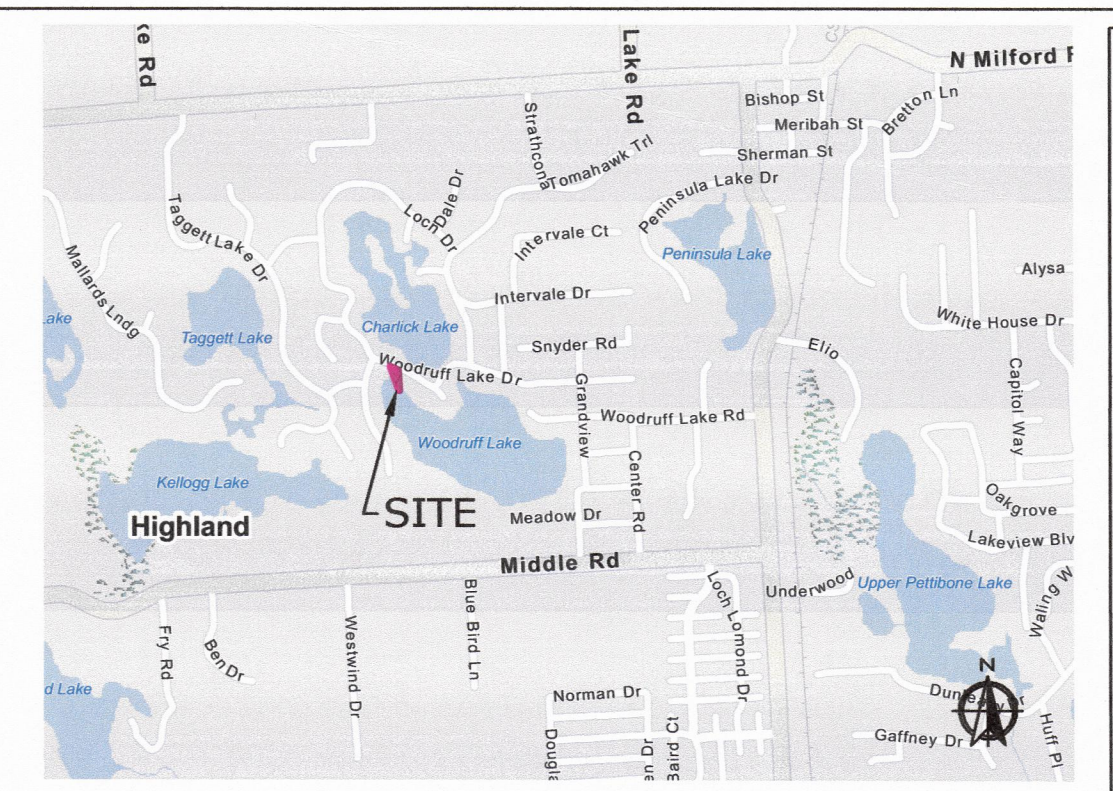
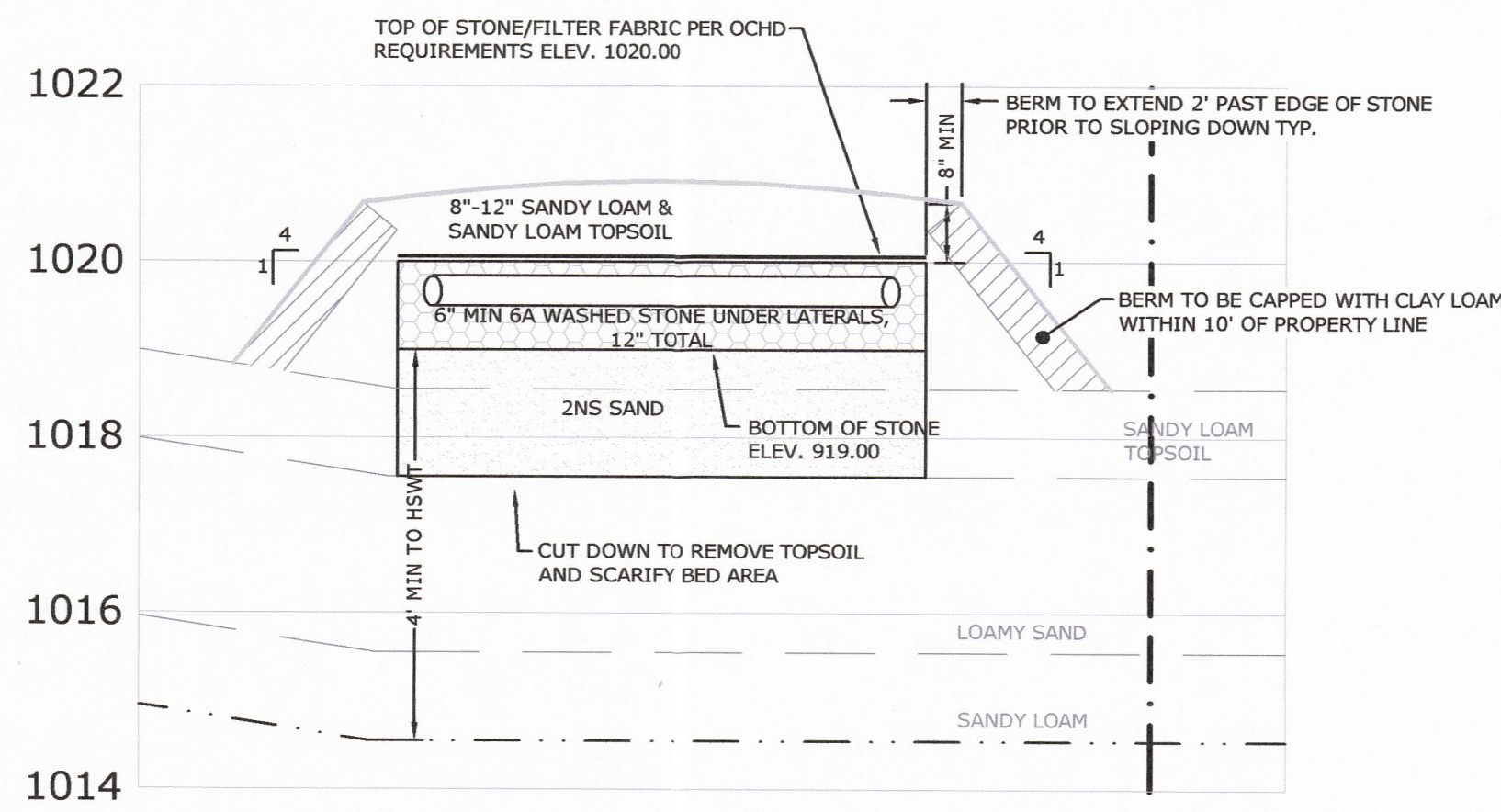
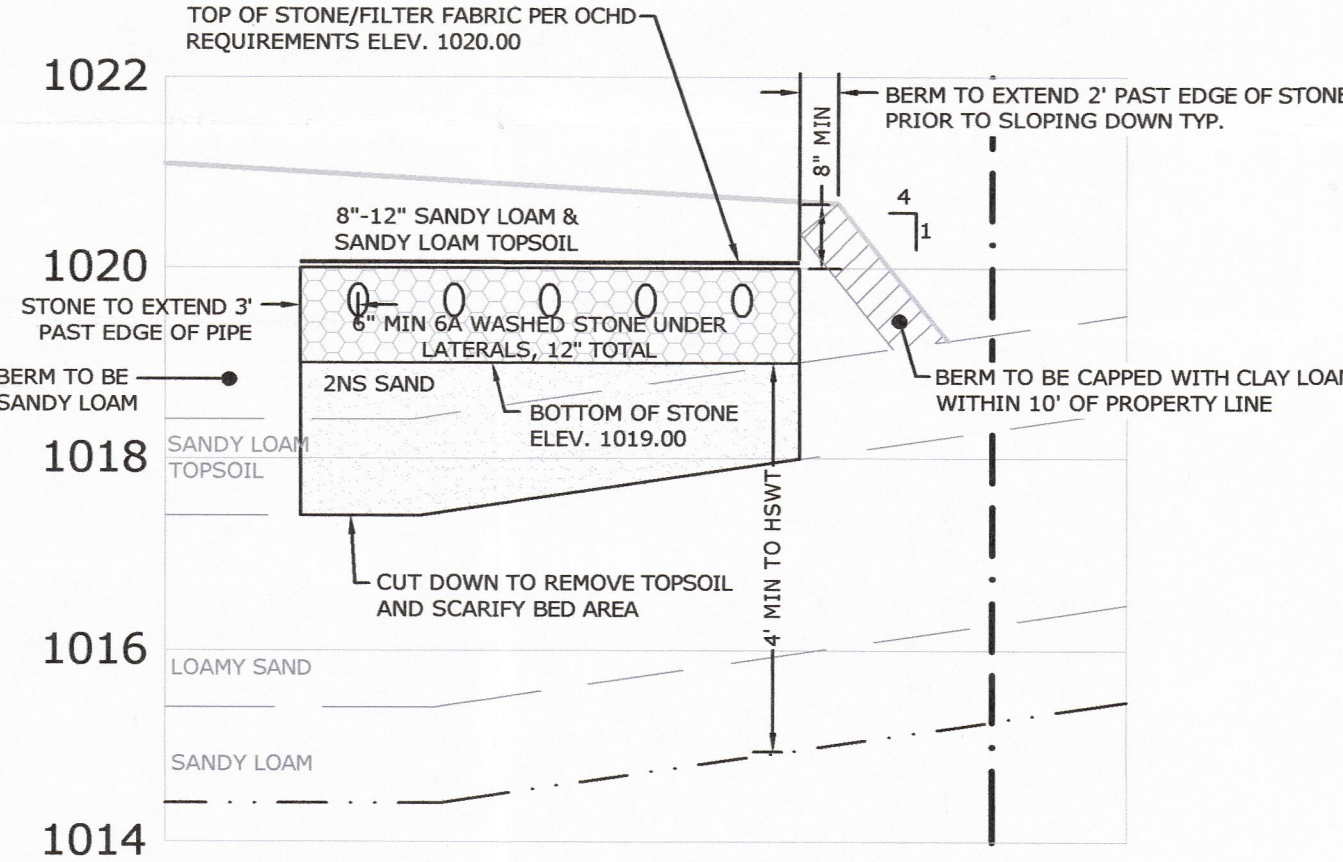
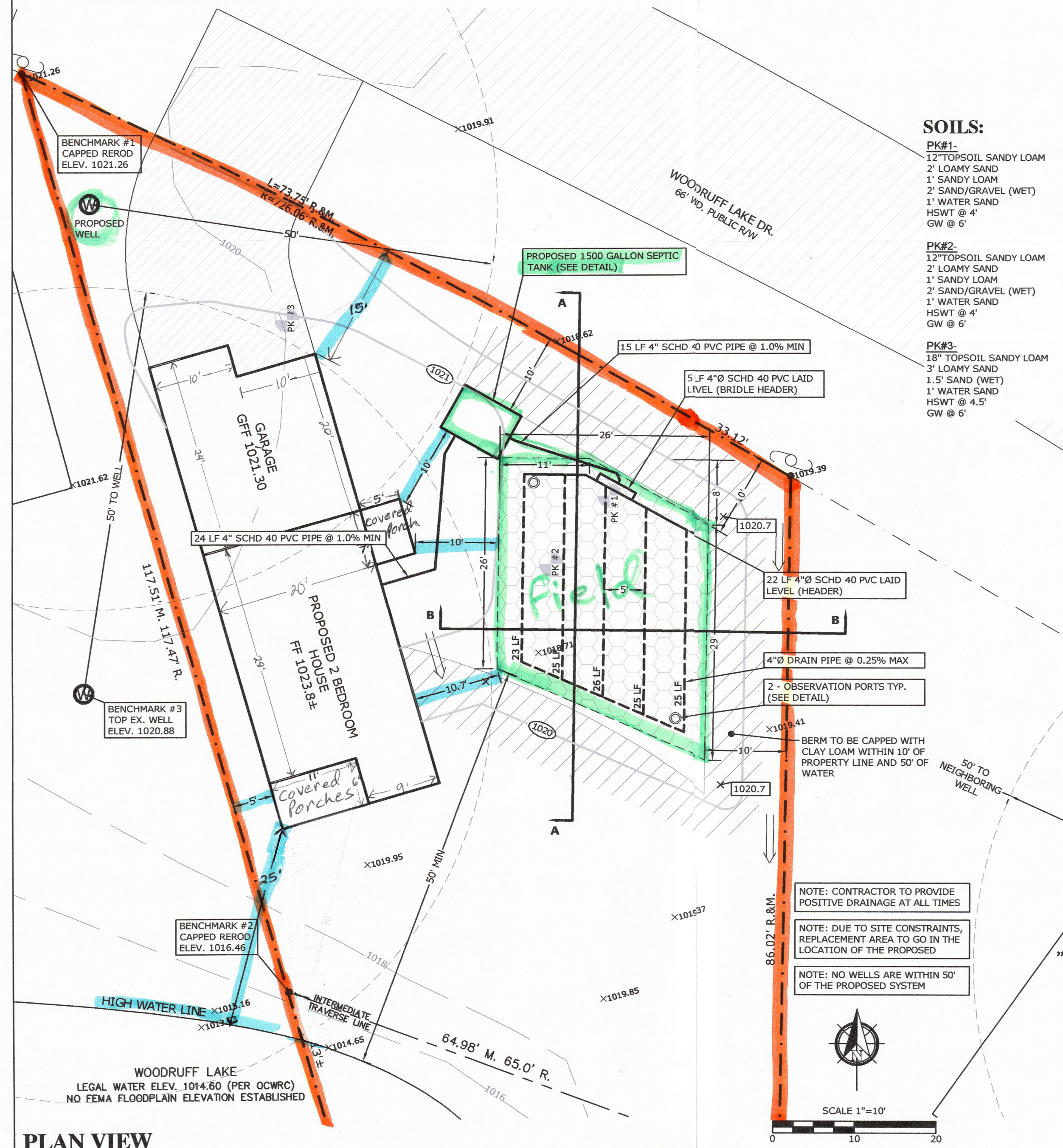
- NOTIFY THIS ENGINEER 48 HOURS (2 WORKING DAYS) BEFORE STARTING CONSTRUCTION OF SEPTIC SYSTEM (249)714-9895.
  - SET PROPOSED SEPTIC AS SHOWN ON PLAN.
  - CUT DOWN TO REMOVE TOPSOIL AND THEN SCARIFY BED AREA. AFTER SCARIFICATION ABSOLUTELY NO CONSTRUCTION TRAFFIC ON FIELD AREA AT ANY TIME.
- NOTE: PRIOR TO ADDING SAND (STEP 4) THIS ENGINEER AND THE OAKLAND COUNTY HEALTH DEPARTMENT MUST INSPECT AND APPROVE CUT DOWN AND SCARIFICATION. NEW TANKS MUST BE VACUUM TESTED FOR WATER TIGHTNESS.**
- FILL PROPOSED SEPTIC FIELD AREA WITH WASHED 2NS SAND TO ELEVATION SHOWN IN CROSS SECTION.
- NOTE: PRIOR TO ADDING STONE (STEP 5) THIS ENGINEER MUST INSPECT 2NS SAND.**
- FILL PROPOSED SEPTIC FIELD AREA WITH 6" GA WASHED STONE AS SHOWN ON CROSS SECTION AND CONSTRUCT PIPING AS SHOWN. COVER PIPING WITH REMAINING STONE TO MAINTAIN A MINIMUM OF 12" GA STONE.
- NOTE: PRIOR TO LAYING FABRIC (STEP 6) THIS ENGINEER AND THE OAKLAND COUNTY HEALTH DEPARTMENT MUST INSPECT AND APPROVE INSTALLATION OF SYSTEM IN ENTIRETY. FILTER FABRIC MUST BE ONSITE DURING FINAL INSPECTION.**
- COVER STONE WITH LIGHT (BREATHABLE) FILTER FABRIC AS SPECIFIED TO MINIMIZE STONE CONTAMINATION. FILTER FABRIC MUST BE NON-WOVEN FABRIC WITH A WEIGHT NOT TO EXCEED 2 OUNCES PER SQUARE YARD, MINIMUM TRAPEZOIDAL TEAR STRENGTH OF 10 POUNDS AND MINIMUM PUNCTURE STRENGTH OF 8 POUNDS.
  - COVER FIELD AREA WITH 8"-12" SANDY LOAM & SANDY LOAM TOPSOIL AS SPECIFIED ON CROSS SECTIONS.
  - SEED AND MULCH (OR SOD) AFTER FINAL GRADING.
- NOTE: IF PROPER NOTIFICATION DOES NOT OCCUR AND REQUIRED INSPECTIONS ARE NOT COMPLETED AS SPECIFIED, THIS ENGINEER RESERVES THE RIGHT TO WITHHOLD APPROVALS UNTIL SATISFACTORY INFORMATION IS PROVIDED TO THE ENGINEER REGARDING INSTALLATION. (EXCAVATION OF FIELD AREA MAY BE REQUIRED)**
- NOTE: IF THERE IS ANY CONFLICT BETWEEN GRADING AND THE CROSS SECTION, THE DETAILS OF THE CROSS SECTION GOVERN.**
- PRIOR TO FINAL APPROVAL OF THE INSTALLED SEPTIC SYSTEM BY THE OAKLAND COUNTY HEALTH DEPARTMENT, THE DESIGN ENGINEER MUST SUBMIT A LETTER CERTIFYING THAT THE SYSTEM WAS INSTALLED IN SUBSTANTIAL COMPLIANCE WITH THIS PLAN.

**INVERT ELEVATIONS:**

HOUSE OUT	1020.30
NEW TANK IN	1020.05
NEW TANK OUT	1019.80
BRIDLE HEADER	1019.65
HEADER	1019.55
FOOTER	1019.50

**SOILS:**

- PK#1:**  
12" TOPSOIL SANDY LOAM  
2" LOAMY SAND  
1" SANDY LOAM  
2" SAND/GRAVEL (WET)  
1" WATER SAND  
HSWT @ 4'  
GW @ 6'
- PK#2:**  
12" TOPSOIL SANDY LOAM  
2" LOAMY SAND  
1" SANDY LOAM  
2" SAND/GRAVEL (WET)  
1" WATER SAND  
HSWT @ 4'  
GW @ 6'
- PK#3:**  
18" TOPSOIL SANDY LOAM  
3" LOAMY SAND  
1.5" SAND (WET)  
1" WATER SAND  
HSWT @ 4.5'  
GW @ 6'



**PROPERTY INFORMATION:**

T3N, R7E, SEC 9 HIGHLAND HILLS NO 3 LOT 167  
TAX ID: 11-09-330-003  
ADDRESS: 00 WOODRUFF, HIGHLAND, MI 48357

**CLIENT:**

MIKE KRECEK  
525 HILLWOOD ROAD  
WHITE LAKE, MI 48383  
989-430-2080

Consulting Civil Engineers  
"Engineering A Better Michigan"

**Powell Engineering & Associates, LLC**

4700 Comstock Drive, White Lake, Michigan 48383  
P: 248.714.9895 info@powelleng.com

NOTE: AS AN AID TO THE CONTRACTOR, VARIOUS UTILITIES AND UNDERGROUND STRUCTURES ARE SHOWN ON THESE PLANS AND PROFILES. ALL INFORMATION CONCERNING ALL UTILITIES SHOWN ON THESE PLANS AND PROFILES IS TAKEN FROM FIELD LOCATIONS AND AVAILABLE RECORDS. THE OWNER AND ENGINEER DOES NOT GUARANTEE THE LOCATION, DEPTH, OR TYPE OF ANY UTILITIES SHOWN ON THESE PLANS OR PROFILES. IF THE CONTRACTOR DISCOVERS ANY UTILITIES OR STRUCTURES NOT SHOWN ON THESE PLANS OR PROFILES, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE OWNER AND ENGINEER FOR DIRECTION ON HOW TO PROCEED. THE CONTRACTOR WILL BE RESPONSIBLE FOR ALL DAMAGE TO EXISTING UTILITIES. NOTIFY MISS DIG AT 1-800-482-7171, 72 HOURS PRIOR TO THE START OF ANY CONSTRUCTION.

**BEFORE YOU DIG CALL MISS DIG 1-800-482-7171**

**KRECEK SEPTIC SANITARIAN: FRANK RHODES**

KRECEK SEPTIC  
00 WOODRUFF, HIGHLAND, MI 48357

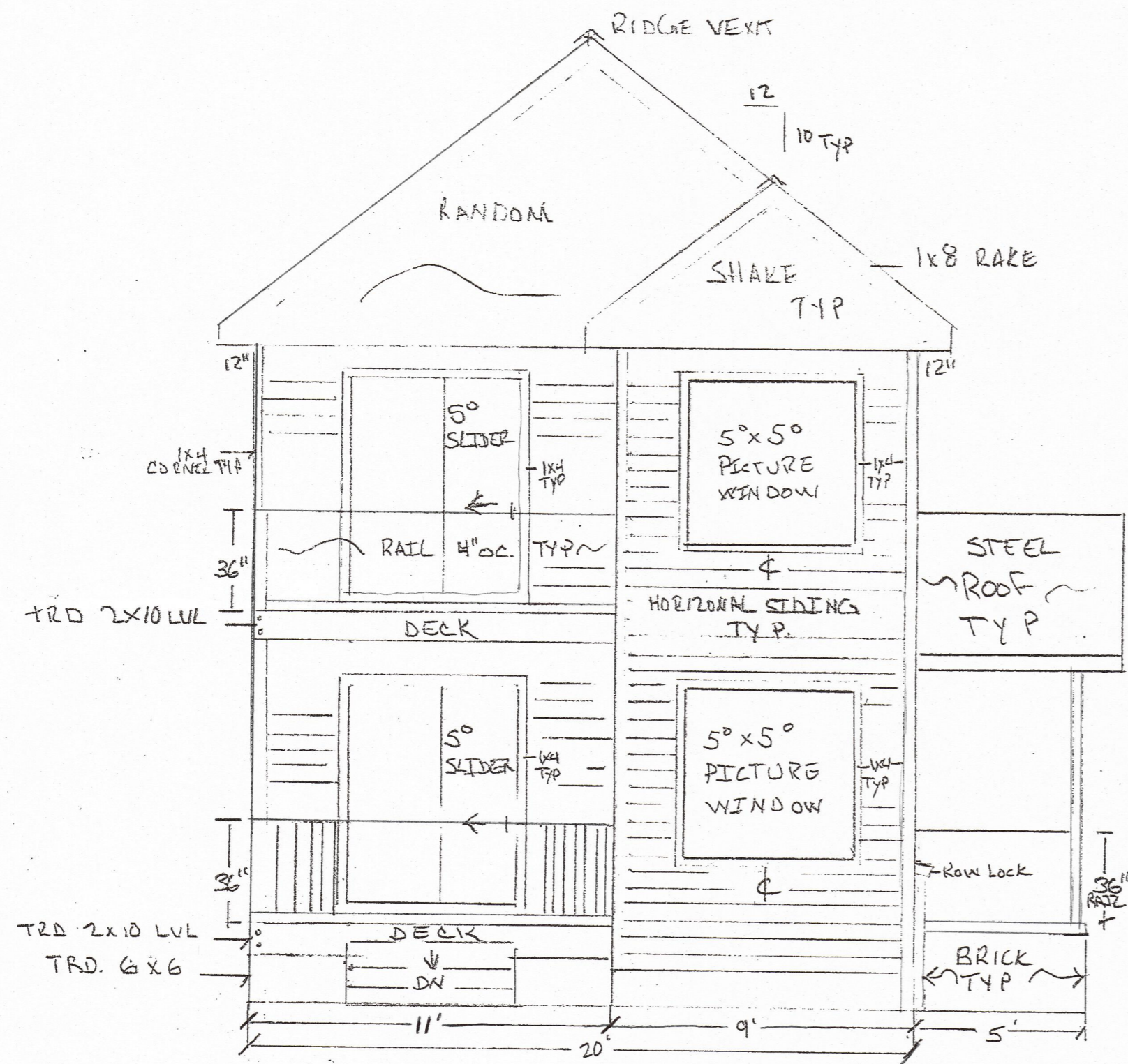
**ISSUE DATES**

OCHD	1/20/2022

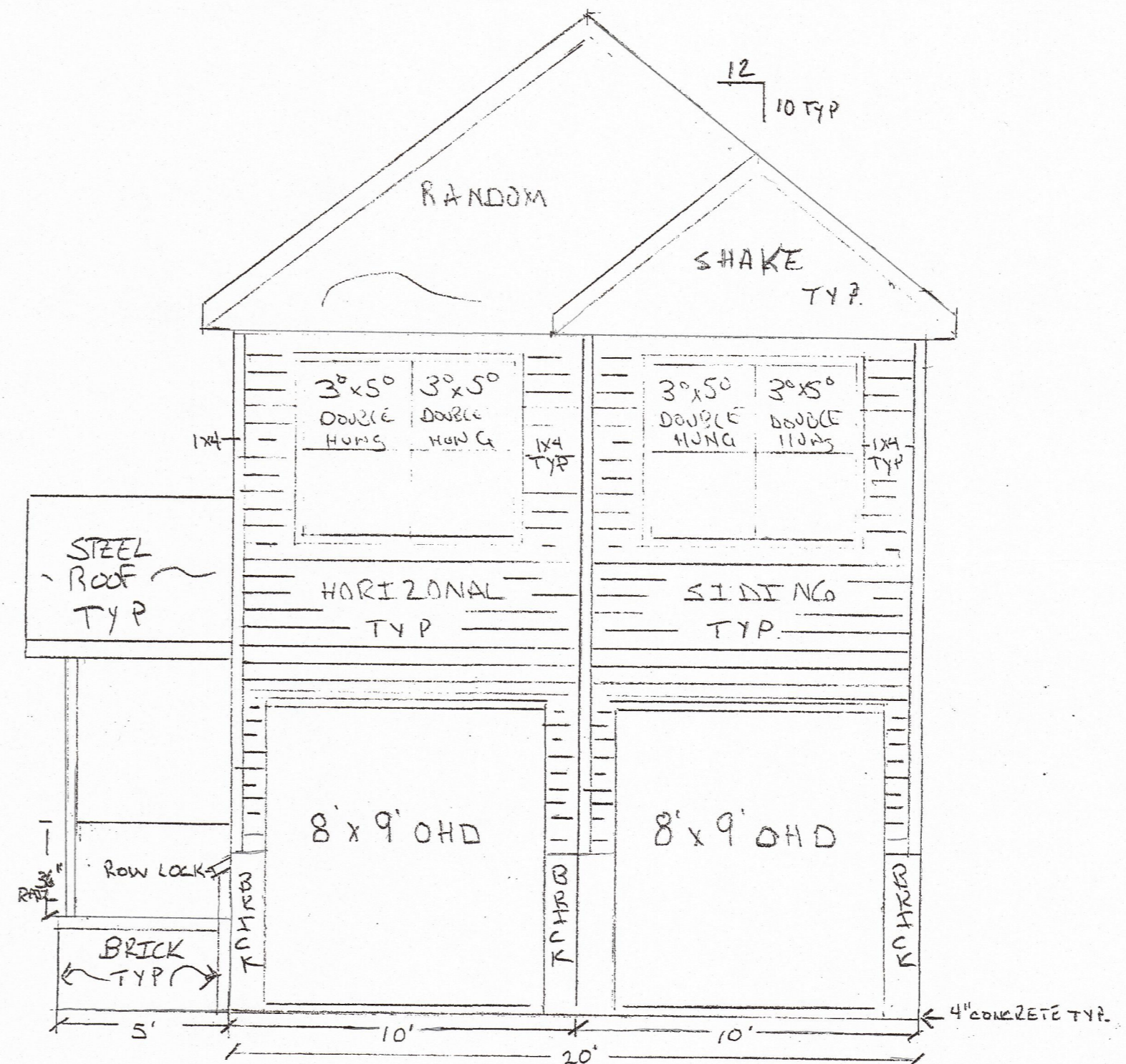
**PROPERTY INFORMATION:**

DRAWN	JFT
DESIGNED	JFT
APPROVED	MCP
P.E. JOB No.	21-525
SCALE	AS SHOWN
<b>1</b>	SEPTIC

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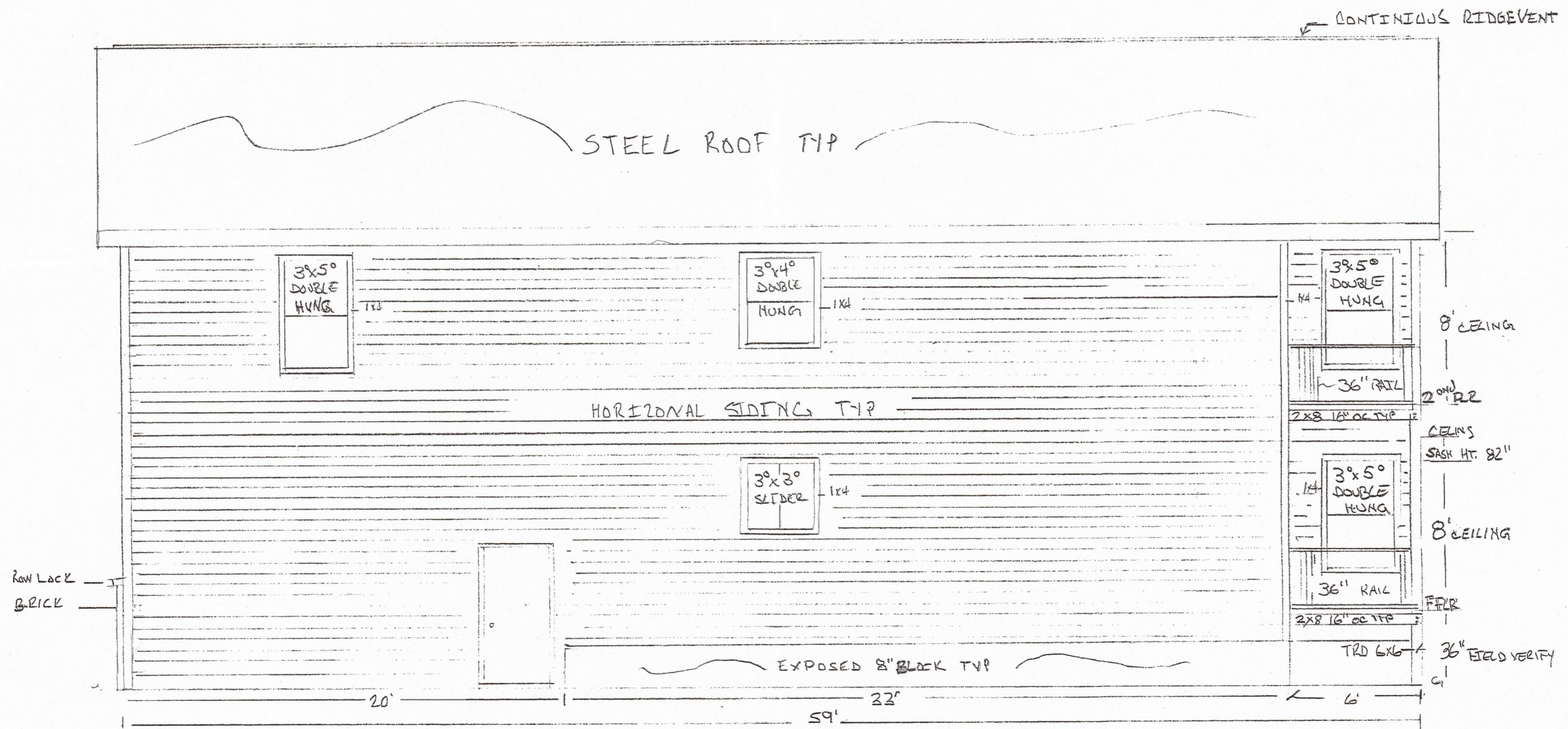


SOUTH ELEVATION



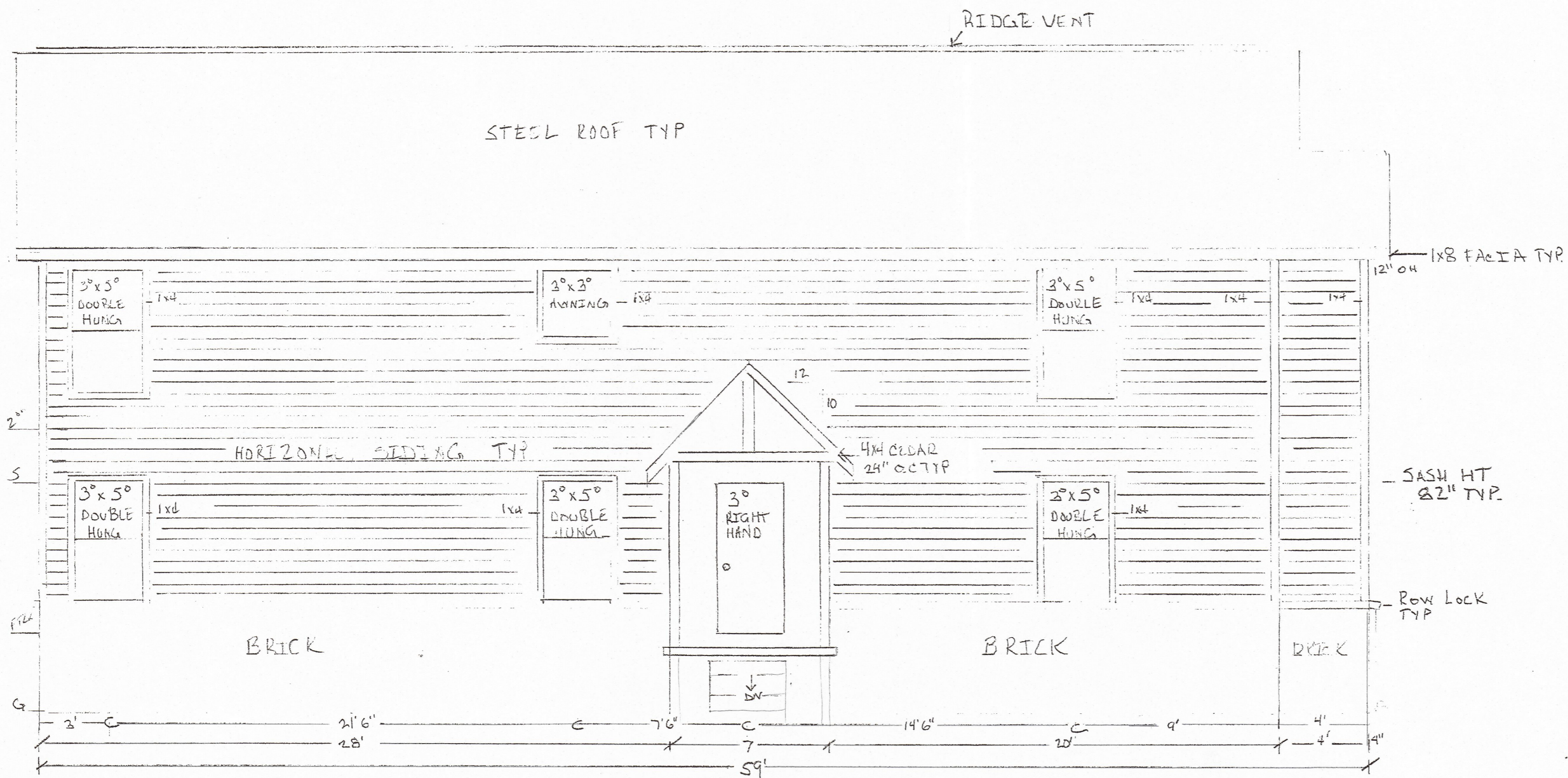
NORTH ELEVATION

KRECEK RESIDENCE  
11-09-330-003



1/4" = 1' SCALE

WEST ELEVATION  
 KRECEK RESIDENCE  
 11-09-330-003



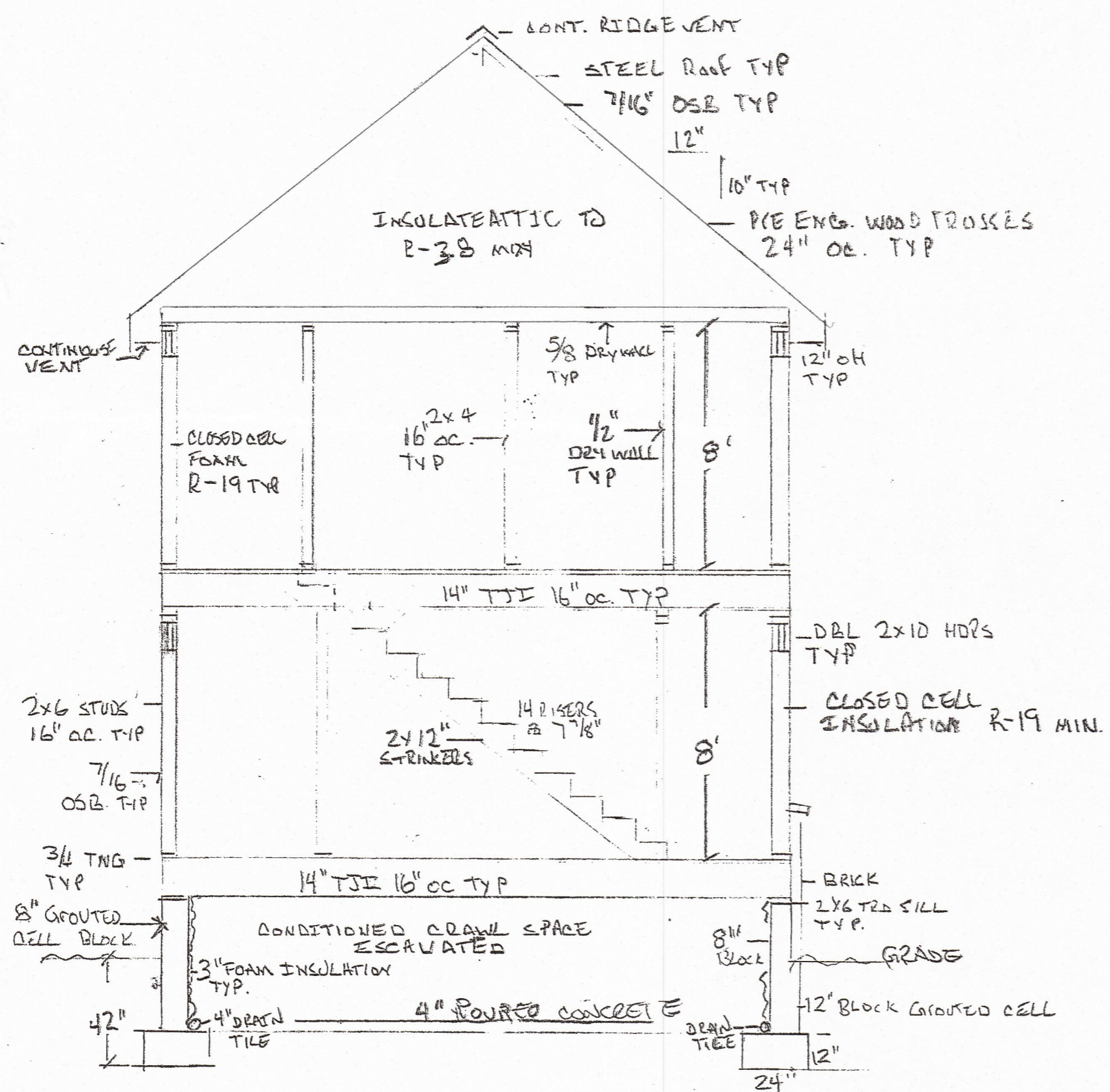
1/4" = 1' SCALE

EAST ELEVATION  
 KRECEK RESIDENCE  
 LOT 167 HIGHLAND HILLS NO. 3  
 11-09-330-003  
 WOODRUFF LAKE DR.

DRAWN BY: RAN RATLIFF BUILDER  
 4340 SPRINGFIELD ST. BUNTON  
 586-531-2000  
 LICENSE # 2101129906 EXP 05/31/2024

PAGE 1 OF 5





CROSS SECTION

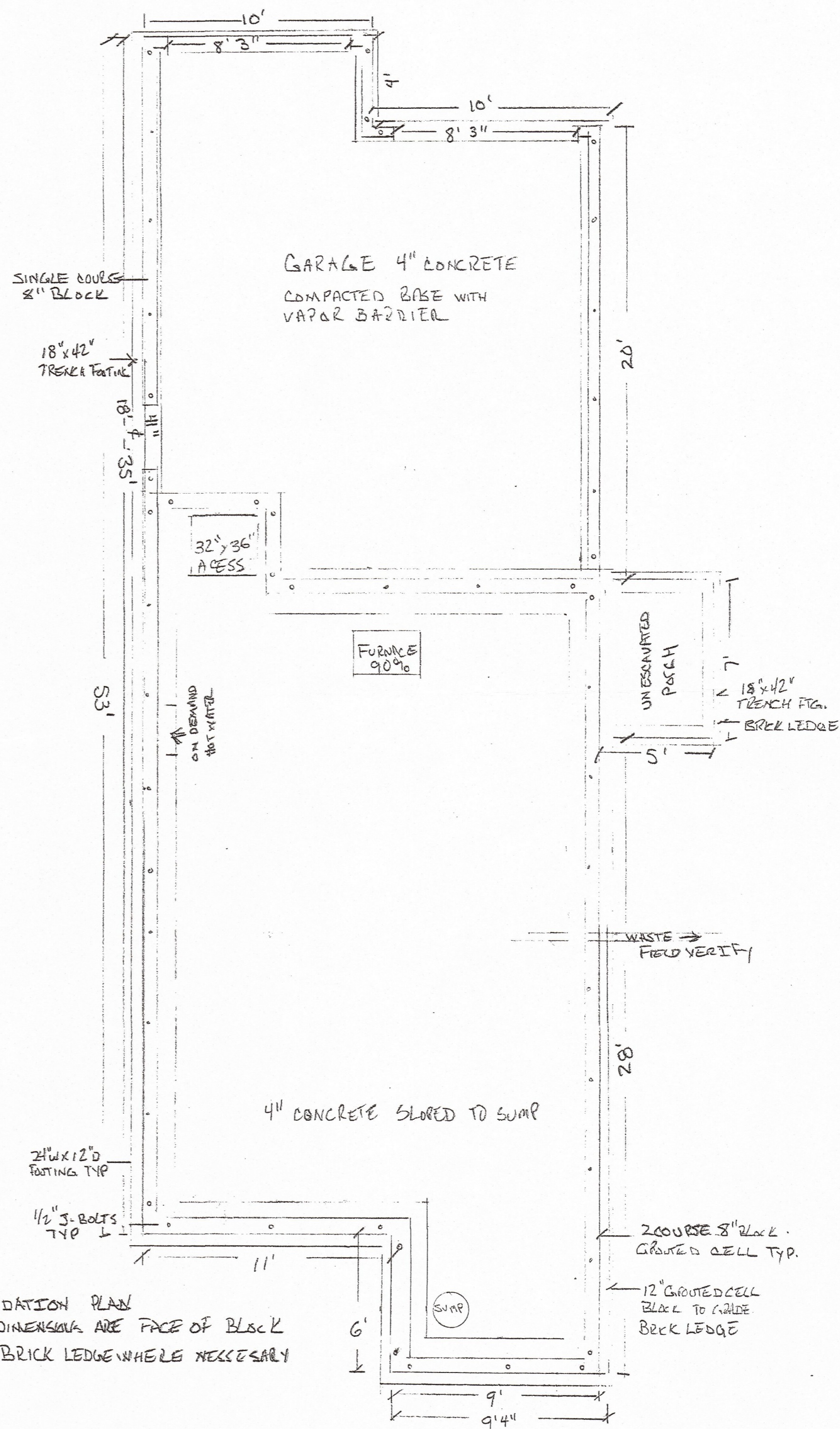
SEE REVISED CROSS

ADD ONE COURSE OF BLOCK ABOVE GRADE

1/4" = 1' SCALE

KRECEK RESIDENCE

11-09-330-003



FOUNDATION PLAN

ALL DIMENSIONS ARE FACE OF BLOCK

ADD BRICK LEDGE WHERE NECESSARY

purpose. Mr. Whelan stated that the equipment is being moved to a site on Milford Road north of M-59.

Mr. Borg asked if there were previous variances. Mrs. Burkhart stated that she did not discover any previous variances. Mrs. Burkhart stated that the house shows up in the 1940 aerial photos.

Mr. Eichinger asked how long Mr. Blevins has lived next door. Mr. Blevins indicated that he has lived there about 10 years. Mr. Green questioned the configuration of the lot, whether there is a road easement and if there was an opportunity to purchase a portion of the adjacent parcel. It did not appear so.

Mr. Whelan stated that the house is exiting and that in the design the additions were places further away from the lot line than the existing house.

**Motion:**

Mr. Hoffman made a motion in Case 22-03, Parcel #11-06-100-013, 4455 Twin Oaks Dr. to grant an 84-foot rear yard setback variance from required 100 feet to 16 feet provided per Table 4.15 for a garage and second story addition to an existing house per plans submitted.

Mr. Hoffman offered the following facts and findings:

- The addition will enhance the value of the property.
- The curb appeal will be improved.
- The house is existing at that location since at least 1940.
- The existing structure is non-compliant.

Mr. Eichinger supported the motion. Roll Call Vote: Mr. Raimondo-no, Mr. Gerathy-yes, Mr. Borg-no, Mr. Hoffman-yes, Mr. Green-no, Mr. Jickling-no, Mr. Eichinger-yes (4 no votes and 3 yes votes) The motion failed, and the variance was denied.

**NEW BUSINESS:**

2. CASE NUMBER: 22-04  
COMPLAINT #:

ZONING:	LV - Lake and Village Residential
PARCEL #:	11-09-330-003
PROPERTY ADDRESS:	Vacant Parcel Lot 167 Highland Hills #3 on Woodruff Lake Dr
APPLICANT:	Michael Krecek
OWNER:	Grant Charlick
VARIANCE REQUESTED:	a 15-foot front yard setback variance from 30 feet required to 15 feet, a 22-foot variance from the ordinary high-water mark from 52 feet required to 30 feet, and a 90-foot reduction in the required first floor square footage from 750 sq feet to 660 sq feet (Table 4.15 – Schedule of Regulations) These variances are for the construction of a new home.

Chairman Gerathy introduced the case and asked the applicant if he had any new information not included in the application.

**Discussion from the Applicant:**

Mr. Grant Charlick, 349 McPherson, Highland, MI, the property owner was present. He stated that he purchased the property from the original owner approximately 5 years ago. At that time, he reported that he obtained variances to build but could not get a permit for a septic system based on those plans. Mr. Charlick stated that the applicant's plan is more conservative than the original plan and a septic permit has been issued.

Mr. Michael Krecek, the applicant, was present. He reported that the proposed house was down sized from the original plans with an engineered system for the septic approved by Oakland County Health Division. Mr. Krecek thought the shape of the parcel proved a practical difficulty. He concluded that it would not be possible to meet both the Township zoning requirements and the Health Department regulations. Mr. Krecek stated that the parcel was platted in 1971 and is a pre-existing lot of record. He stated that the proposed house is modest, the soils appear to meet the requirements of the Health Department and that the lot is not in the flood plain.

**Discussion from the Public:**

Ms. Miriam Walsh, 1089 Woodruff Lake Dr., was present. She asked about the number of variances requested. She asked what is the guarantee that the house would stay two bedrooms. She questioned the required setback requirements from the side lot line. Ms. Walsh felt that a two-bedroom home would not fit into the neighborhood. Mr. Gerathy felt that character more particularly goes to the design and size of the house.

Chairman Gerathy noted that a letter was received from Susan Zajac, 1039 Woodruff Lake Drive, expressing concern about flooding in the area. Mr. Hoffman reminded the members that grading plans, etc. are required when obtaining a building permit. Mr. Green felt that poorly maintained road drainage seems to be a problem.

The Chairman closed the public hearing.

**Discussion from the Board:**

Mr. Borg asked about whether undersized lots are addressed in the Master Plan. Mrs. Burkhart stated that Zoning Ordinance talks about undersized LV lots very specifically. The Ordinance does not allow the creation of new lots under 20,000 sq. ft.; however, does permit undersized lots to be built on if septic approval is obtained.

Mr. Eichinger asked about the proposed reduction in living area. Mr. Krecek did not realize he needed a variance for the area until Township staff notified him. Mr. Charlick stated that changing the size of the garage to accommodate living space would not change the character of the house.

**Motion:**

Mr. Raimondo made a motion in Case 22-04, Parcel #11-09-330-003, to grant a variance from Table 4.15 for a 15-foot front yard setback variance from 30 feet required to 15 feet, a 22-foot variance from the ordinary high-water mark from 52 feet required to 30 feet, and a 90-square foot reduction in the required first floor square footage from 750 sq feet to 660 sq feet. These variances are for the construction of a new home.

Mr. Raimondo offered the following facts and findings:

- The proposed variance is the minimum necessary for a modest sized 2-bedroom house.
- The proposed variance will not impair the public health, safety, comfort or welfare of the neighborhood.
- The Zoning Board of Appeals approved a similar variance on October 18, 2017.

- There are exceptional characteristics such as smallness, irregular shape and topography that would make it difficult to build any structure.
- Construction will be subject to architectural drawing approved by the Township.

Mr. Hoffman supported the motion. Roll Call Vote: Mr. Jickling yes, Mr. Raimondo-yes, Mr. Gerathy-yes, Mr. Borg-yes, Mr. Green-yes, Mr. Eichinger-yes, Mr. Hoffman-yes, Mr. Jickling-yes, (7 yes votes). The motion carried and the variance was approved.

**MINUTES:**

Mr. Eichinger made a motion to approve the minutes of March 2, 2022, as corrected. Mr. Borg supported the motion and it carried with a voice vote; Mr. Jickling abstained.

**ADJOURN:**

Mr. Raimondo made a motion to adjourn the meeting. Mr. Gerathy supported the motion and it carried with a unanimous voice vote. The meeting adjourned at 8:39 p.m.

Respectfully submitted,

Anthony Raimondo  
Secretary  
AR/lgb

beds / full baths / half baths / sq ft

Residential Property Profile

11-09-330-003

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) : KRECEK SD IRA LLC
Postal Address : 525 HILLWOOD WHITE LAKE MI 48383-2958

Location Information

Site Address : 1077 WOODRUFF LAKE DR HIGHLAND MI 48357
PIN : 11-09-330-003 Neighborhood Code : LWT
Municipality : Charter Township of Highland
School District : 63220 HURON VALLEY SCHOOLS
Class Code : 402 Residential - Vacant

Property Description

T3N, R7E, SEC 9 HIGHLAND HILLS NO 3 LOT 167

Most Recent Sale Since 1994

Date : 04/15/2022
Amount : \$40,000 Liber : 57714:651
Grantor : CHARLICK, GRANT Grantee : KRECEK SD IRA

Next Most Recent Sale

Date : 12/27/2017
Amount : \$38,000 Liber : 51471:753
Grantor : CHURA, PATRICK
CHURA, INEZ Grantee : CHARLICK, GRANT

beds / full baths / half baths / sq ft

**Residential Property Profile**

11-09-330-003

**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>\$18,290</b>	State Equalized Value	: <b>\$19,000</b>
Current Assessed Value	: <b>\$19,000</b>	Capped Value	: <b>\$18,290</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>\$705.74</b>	Summer	: <b>\$740.33</b>
Winter	: <b>\$655.61</b>	Winter	:
Village	:	Village	:

**Lot Information**

Description	: <b>ROLLING</b>	Area	: <b>0.288 ACRES</b>
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