



MEMORANDUM

To: Zoning Board of Appeals
From: Kariline P. Littlebear, Zoning Administrator
Date: November 6, 2024
Re: ZBA24-23
Vacant Meadow Dr
11-09-477-022
Applicant: Curt Mackover
Owner: Curt and Leticia Mackover

The subject parcel is zoned LV – Lake and Village Residential District. The total parcel size is approximately 1.15 acres (or approx. 50,000 square feet).

The required setbacks for this parcel are as follows:

Front yard (North lot line/Meadow Dr): 40 ft
Front yard (West lot line/Sunset Dr): 40 ft
Ordinary High-water Mark (South lot line): 65 ft
Side yard (East lot line): 10 ft

This request is for a 25-foot variance from the required 65-foot ordinary high-water mark setback to 40-feet provided for the construction of a house with a covered front porch and an attached garage; and a 30-foot variance from the required 65-foot ordinary high-water mark setback to 35-feet provided for the construction of a detached accessory structure. This request is for a variance from Section 9.02.D. of the Zoning Ordinance.

This parcel is a result of the combination of four 50 foot wide parcels that was finalized this year.

The applicant has provided a survey, floorplans, 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 # 24-23

Hearing Date 11/6/24

CHARTER TOWNSHIP OF HIGHLAND ZONING BOARD OF APPEALS
APPLICATION FOR APPEAL

APPLICANT

NAME: Curt Mackover

ADDRESS: 658 meadow dr
Highland MI 48357
Zoning LV

PHONE: (248) 318-7602

EMAIL: Curtmackover@yahoo.com

OWNER

NAME: Curt Mackover
Leticia Mackover

ADDRESS: 658 meadow dr
Highland MI 48357

PHONE: 248-318-7602

EMAIL: Curtmackover@yahoo.com

PROPERTY ADDRESS: Meadow Dr Highland MI 48357

ZONING: LV PROPERTY TAX ID NO: 11-09-477-022

ORDINANCE SECTIONS BEING APPEALED: 9.02.D.

VARIANCES REQUESTED: 25ft variance from 65ft to 40ft provided
for the proposed house and
30ft variance from 65ft to 35ft provided
for the proposed outbuilding.

DESCRIBE THE NATURE OF YOUR PRACTICAL DIFFICULTY: Combined lots 44 43 42
41 and after front and side setbacks of 40'
Totals 200ft of setbacks so a variance would be
10ft @ ~~house~~ @ ~~g~~ @ 15ft on out building
on house

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: Curt Mackover / Leticia Mackover DATE: 9/24/2024

SIGNATURE OF APPLICANT: Curt Mackover / Leticia Mackover DATE: 9/24/2024

Signature of applicant must be notarized.

Subscribed and sworn to before me this
24 day of September, 2024
Jennifer Bosh Notary Public
My Commission expires 06-16-2025

JENNIFER BOSH
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF OAKLAND
My Commission Expires June 16, 2025
Acting in the County of Oakland

APPLICATION FEE: \$275.00
Receipt# 1.060969 Date Paid 9/24/24
Received by [Signature]

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

LGB

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 Due To Set Backs
House Cannot Be anywhere Else plus
I Joined 4 Lots into 1 200 x 250
Lot.

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

NO Architect and Surveyor Both
said with the 40FT Set Backs front
and side that totals 180 FT of SetBack
the total Set Backs are 40' x 4 + 40' from Sunset
RD. With all set backs impossible to put House any other
side

- 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.)

Yes as we are putting every cent
we have to build home.

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

NO

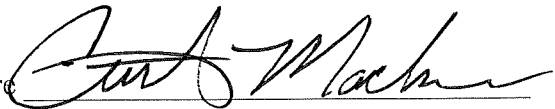
5) Will the proposed variance be harmful to or alter the essential character of the area in which the property is located?

NO Not at all

6) Will the proposed variance be the minimum necessary?

yes

Signature



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.

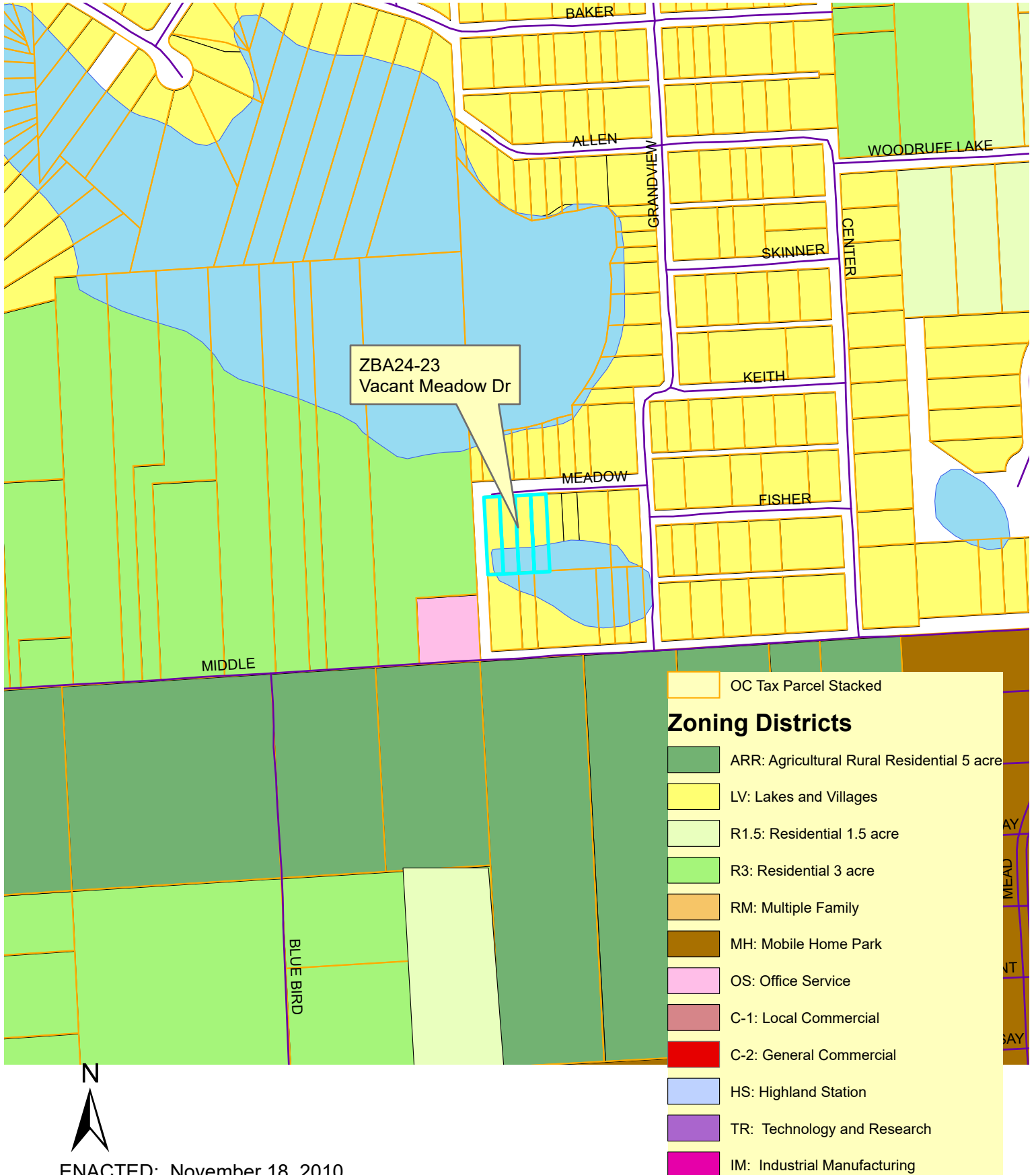
D. *Minimum Setback from the Ordinary High Water Mark.*

- 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.

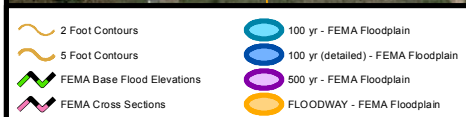
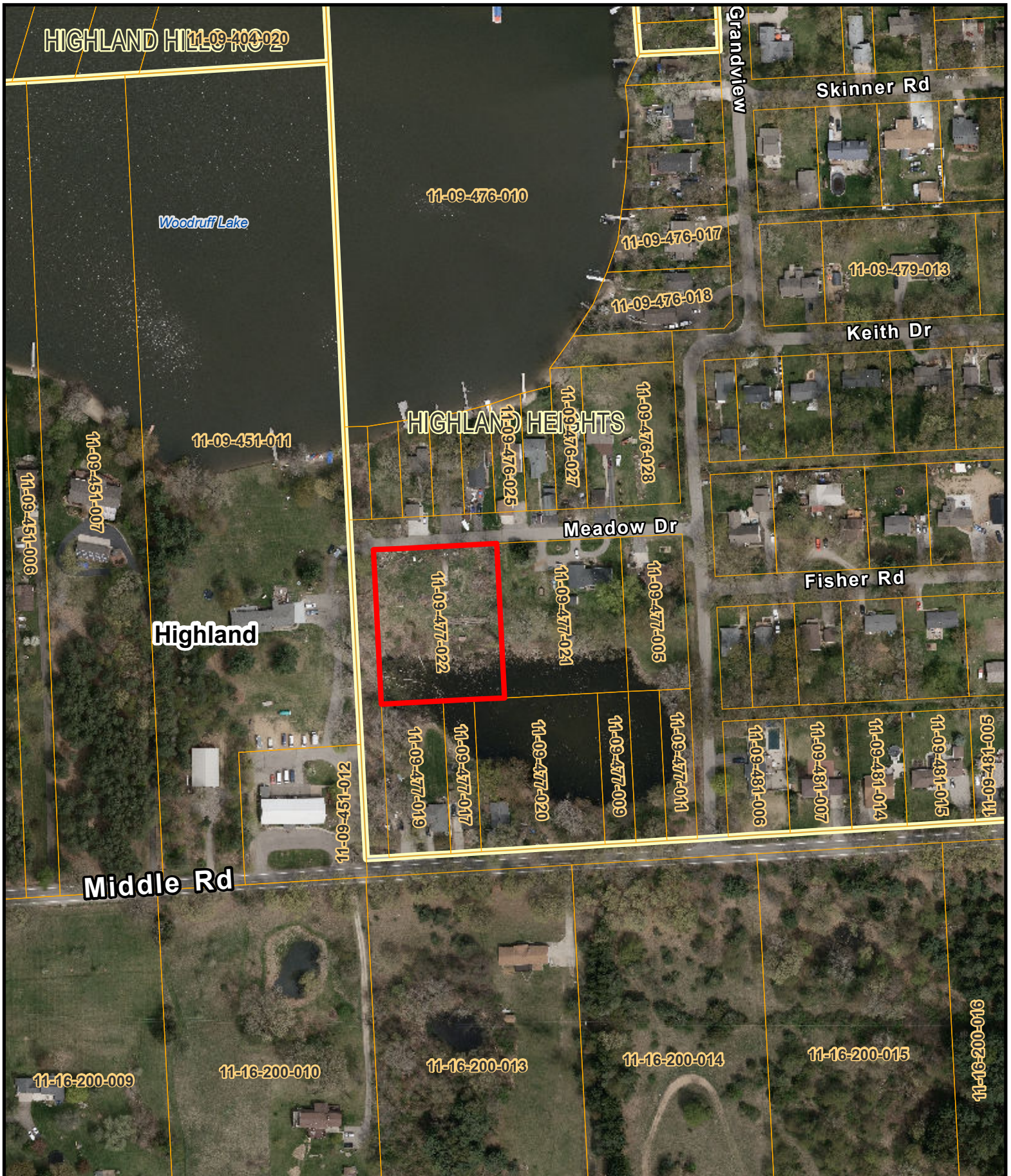
(Ord. No. Z-006, § 3, 10-14-2015)

CHARTER TOWNSHIP OF HIGHLAND ZONING MAP



ENACTED: November 18, 2010

Vacant Meadow Dr



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: 10/9/2024

 NORTH
 1 inch = 200 feet


Vacant Meadow Dr



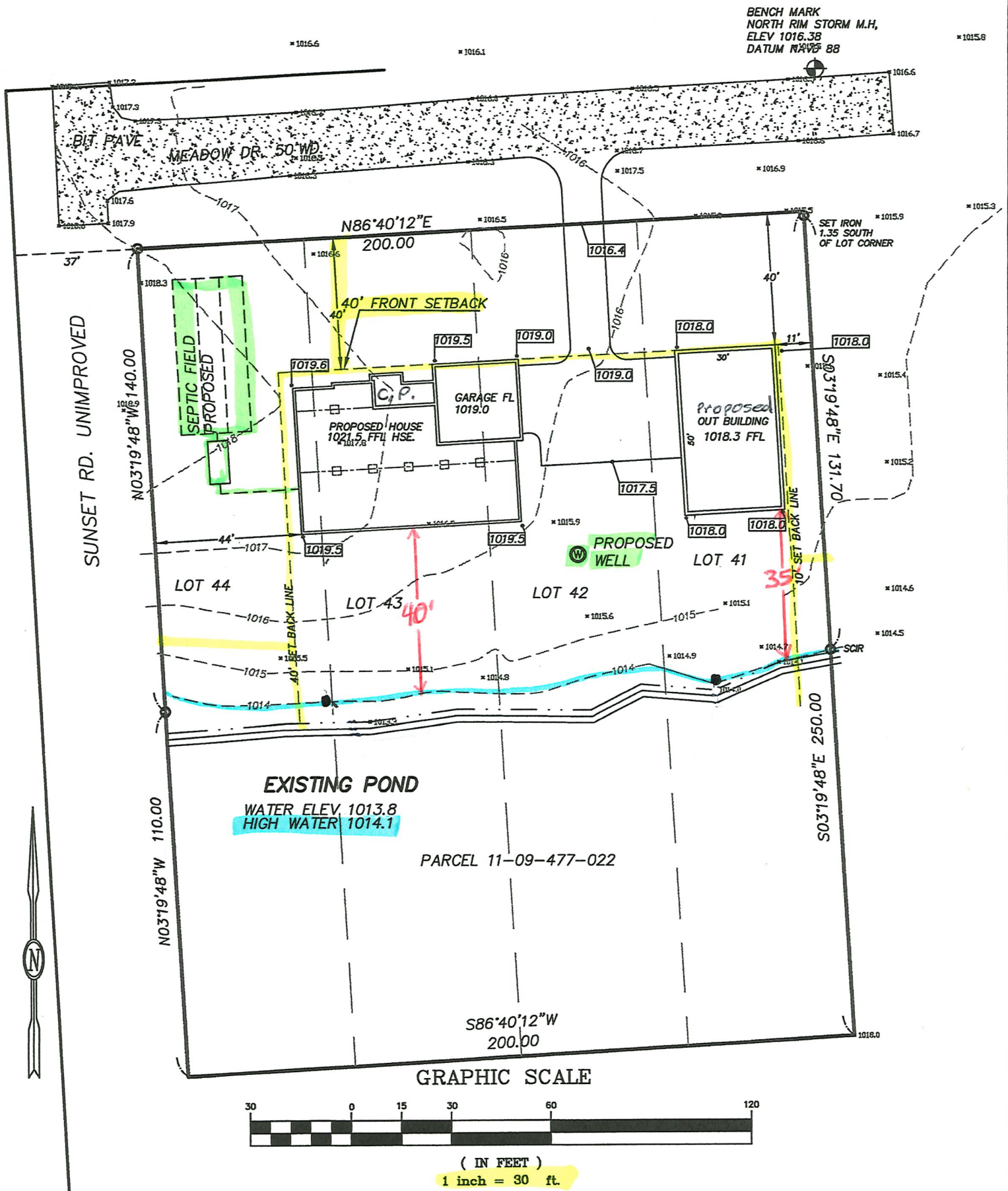
 2 Foot Contours	 100 yr - FEMA Floodplain
 5 Foot Contours	 100 yr (detailed) - FEMA Floodplain
 FEMA Base Flood Elevations	 500 yr - FEMA Floodplain
 FEMA Cross Sections	 FLOODWAY - FEMA Floodplain

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David Coulter
 Oakland County Executive

Date Created: 10/9/2024

 NORTH
 1 inch = 50 feet

— Setback Lines
— High Water

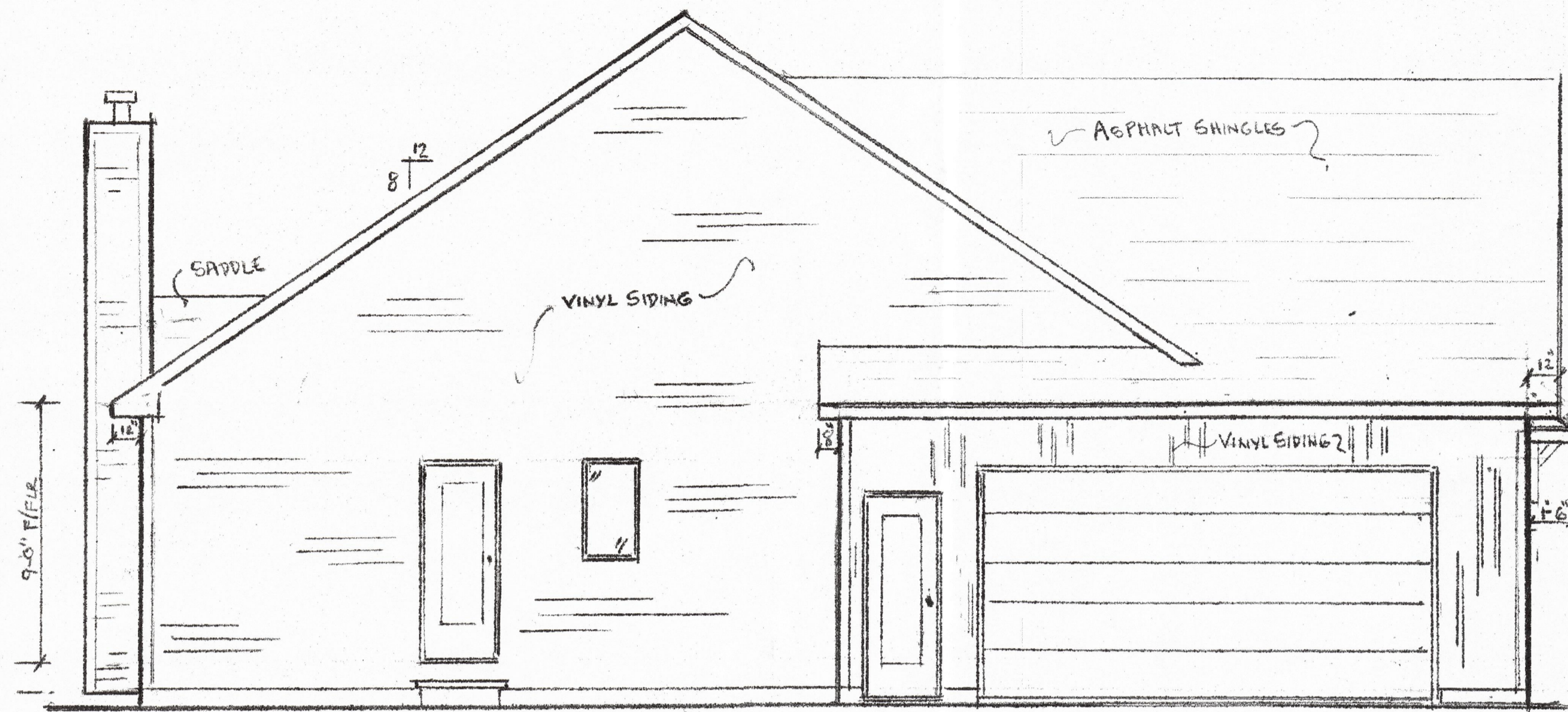


PARCEL 11-09-477-022
 LOTS 41,42,43 AND 44 OF HIGHLAND HEIGHTS, A SUBDIVISION OF PART OF THE EAST 1/2 OF THE S.E., 1/4 OF SECTION 9, TOWNSHIP OF HIGHLAND, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 24, PAGE 18, OAKLAND COUNTY PLATS.

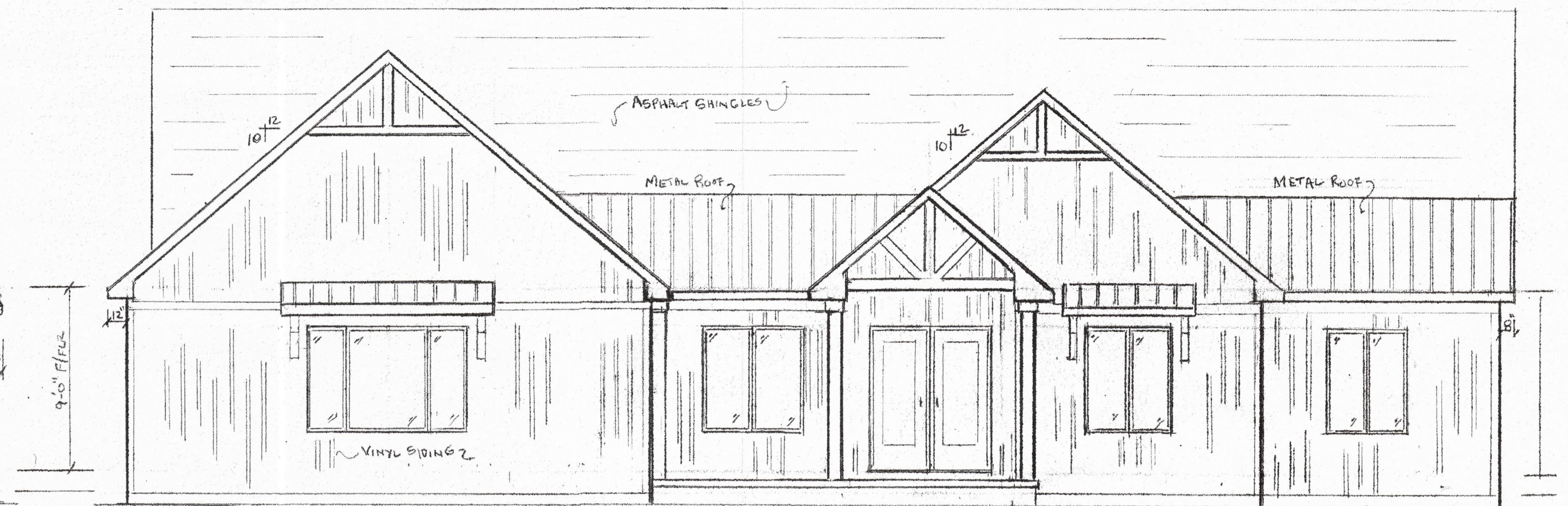
Curt and Leticia Mackover
 658 Meadow
 Highland Mi. 48357



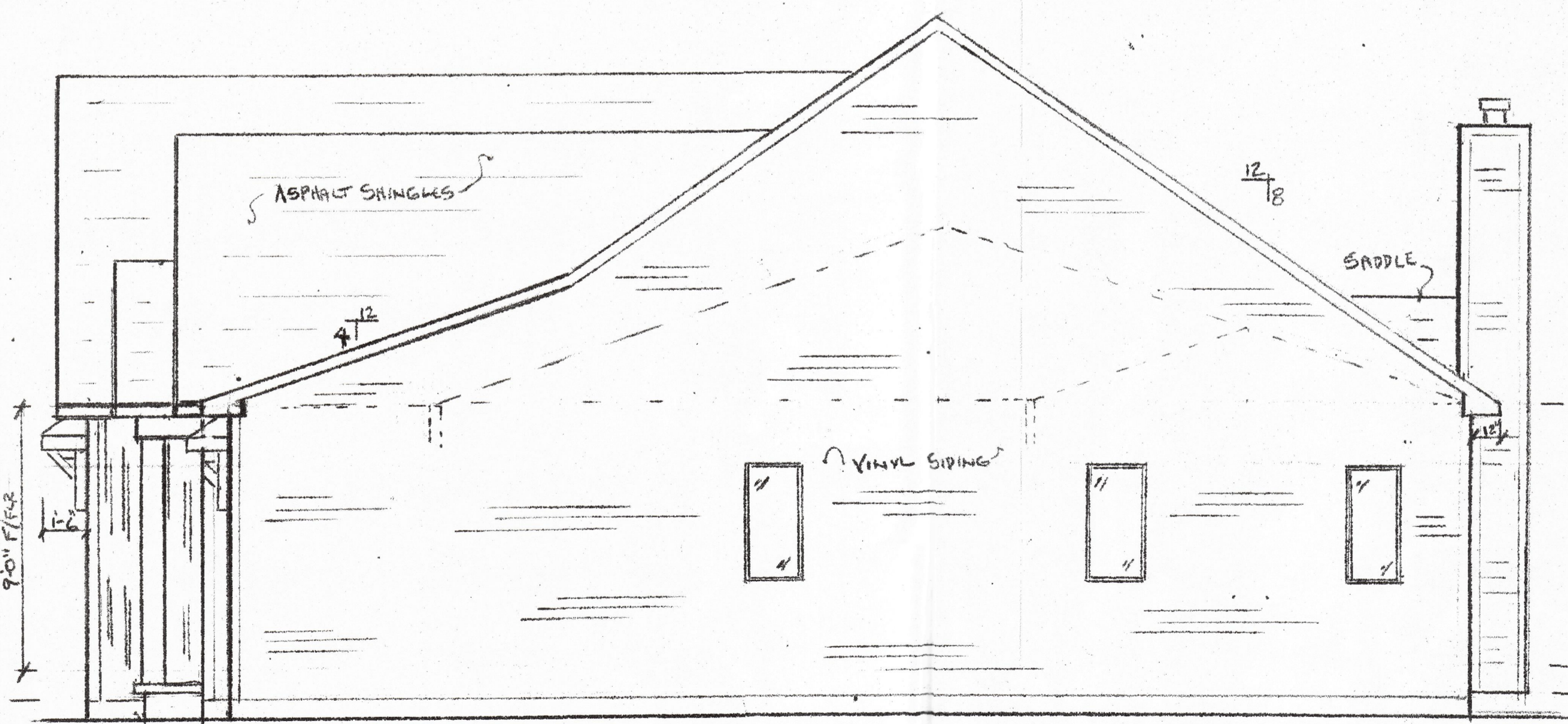
Scale: 1"=30' Date: 6/10/24 Job No.: 11140 Sht. No.: 1 OF 1	LOTS 41 THRU 44 PARCEL 11-09-477-022 HIGHLAND TWP. OAKLAND CO. MICHIGAN	PROPOSED HOUSE LOCATION	TRI-COUNTY SURVEYING, INC. 8615 RICHARDSON RD COMMERCE TWP., MICHIGAN 48390 248-939-2049
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LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RITE SIDE ELEVATION
SCALE: 1/4" = 1'-0"



BACK ELEVATION
SCALE: 1/4" = 1'-0"

DESIGN BY:
MICHAEL OLIVERY CUSTOM DESIGN (48) 894-7666
11323 DIANA COURT WHITE LAKE, MICHIGAN 48386

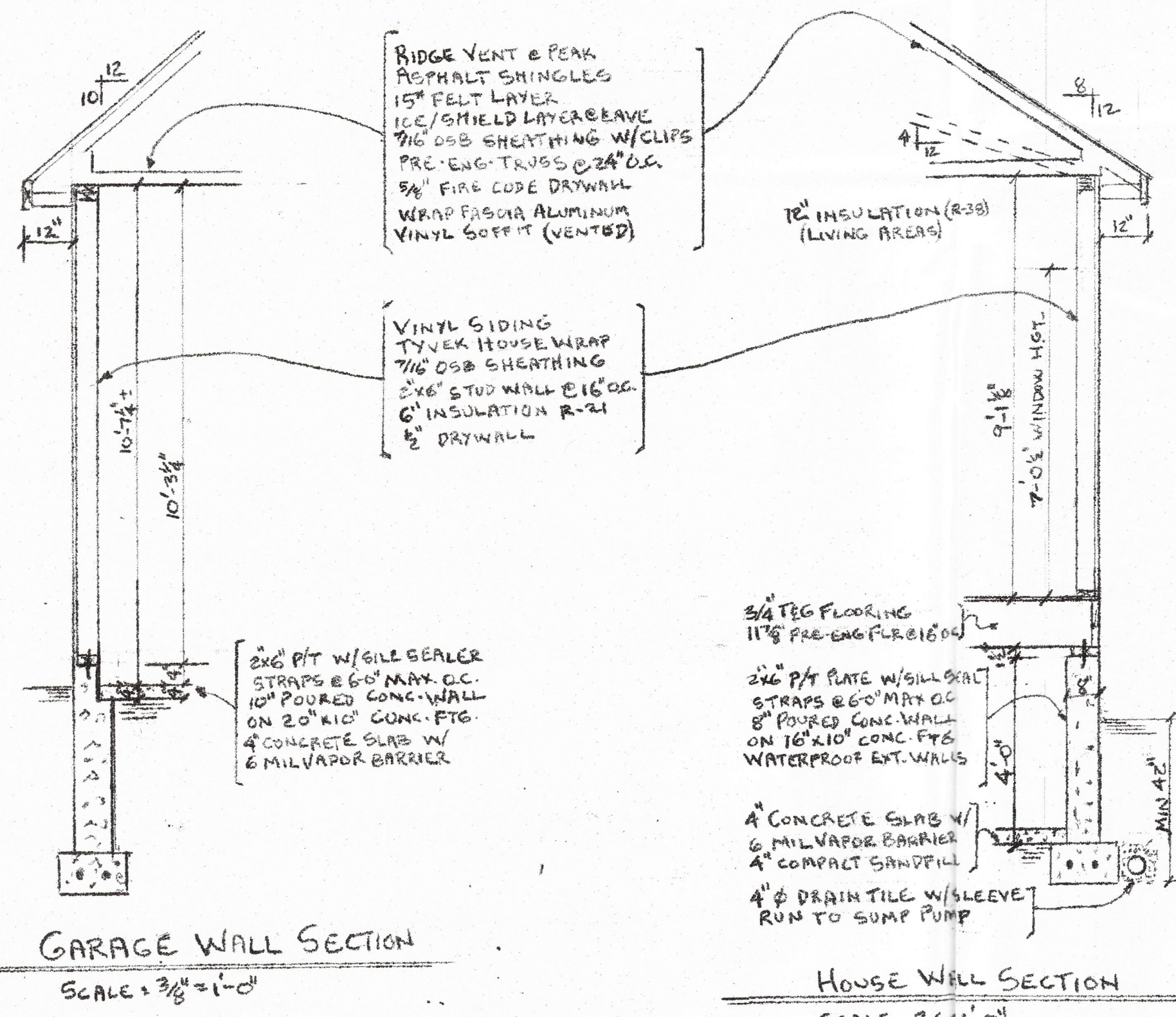
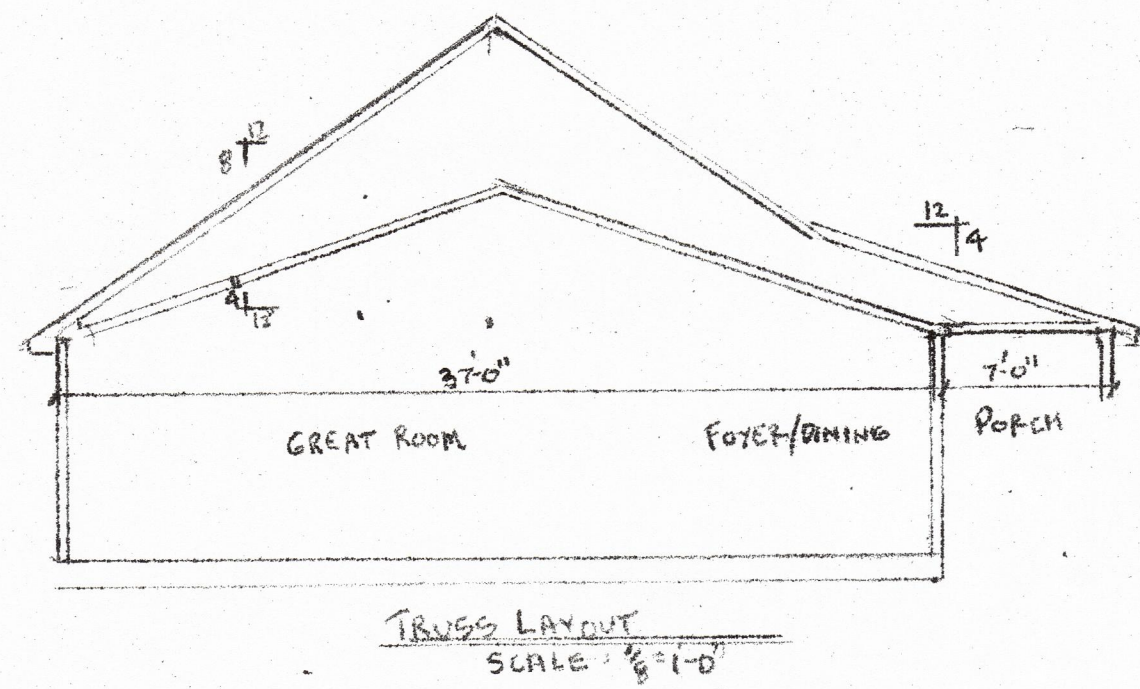
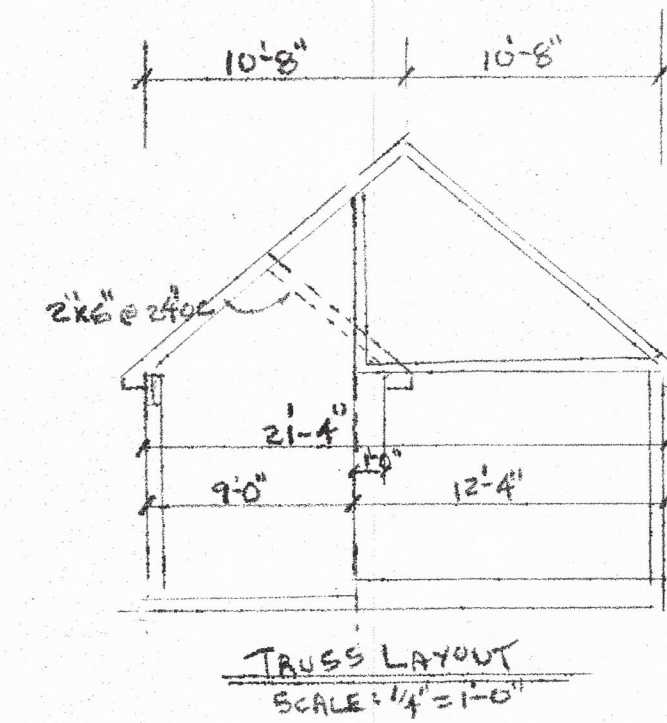
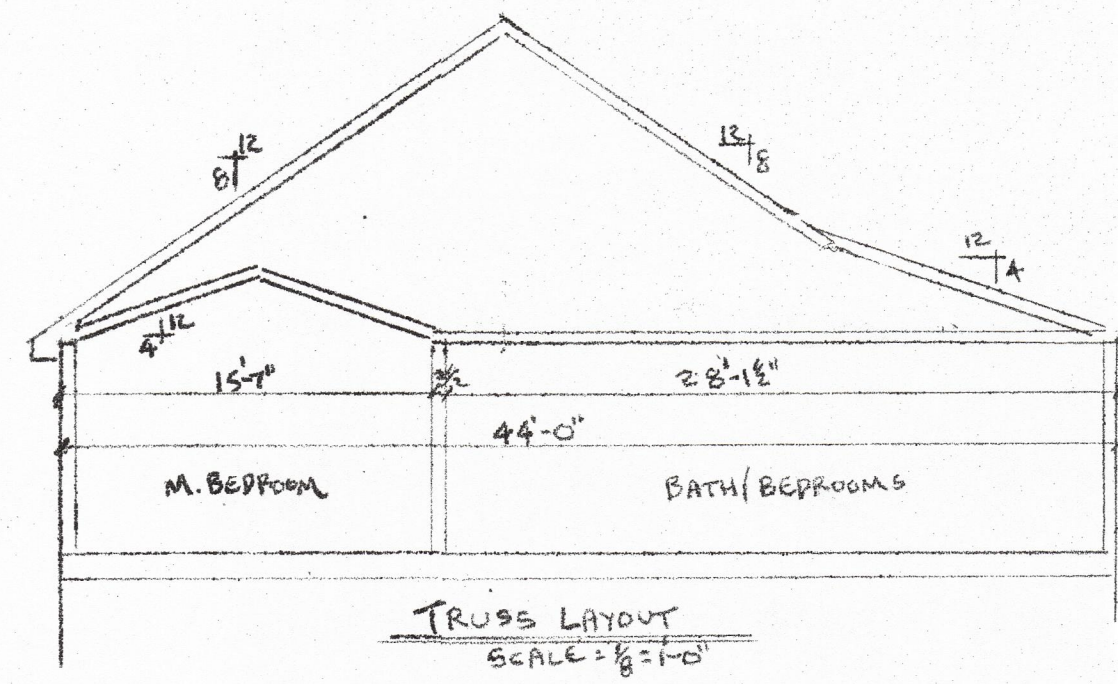
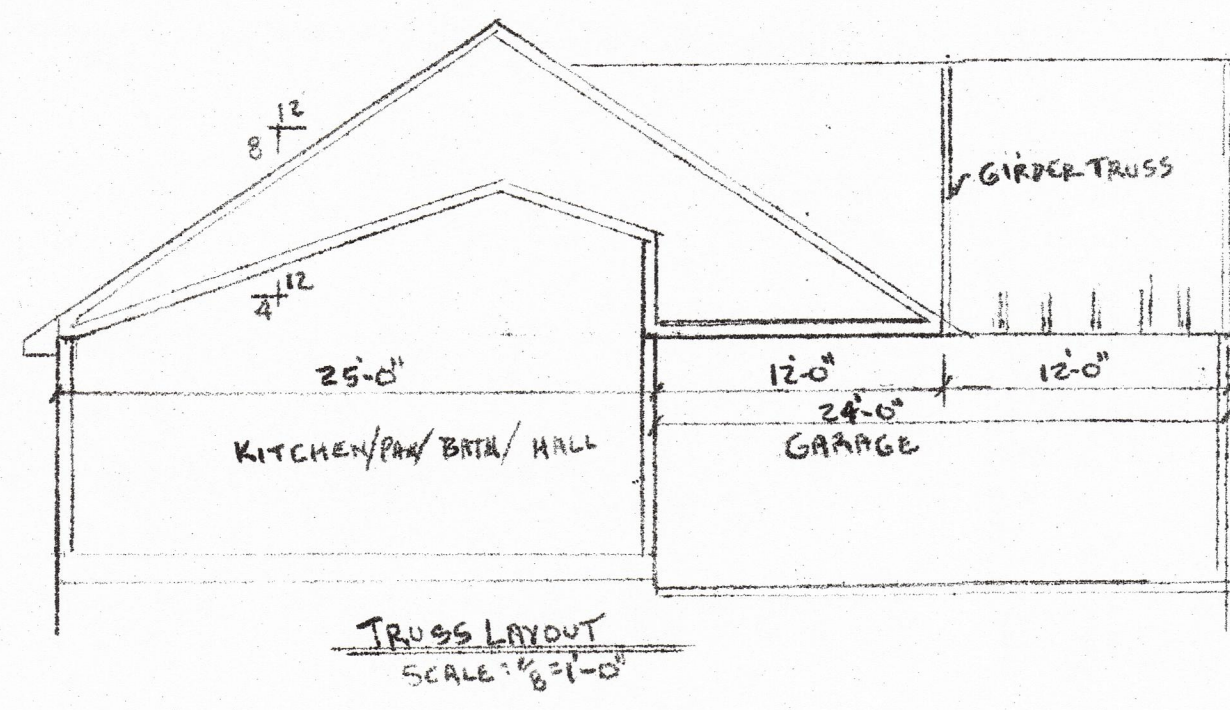
RESIDENCE FOR:
MACKOVER RESIDENCE
MEADOW DRIVE HIGHLAND TWP., MICHIGAN 48357

BUILDER:
NAME:
ADDRESS:

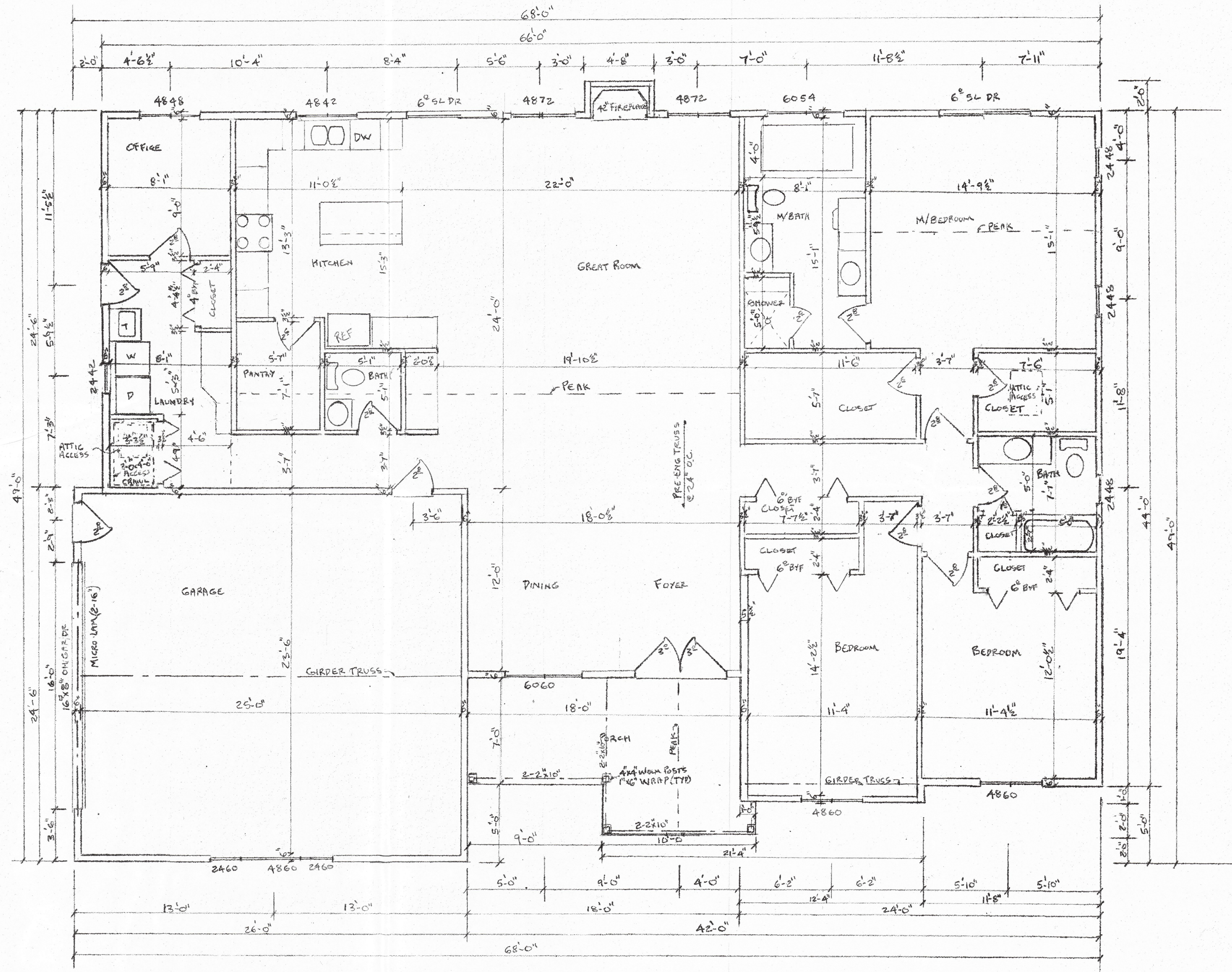
REVISIONS:

DATE:
2024

SHEET
A-3



- GENERAL NOTES
- 1) ALL WORK SHALL BE DONE IN STRICT CONFORMANCE WITH ALL STATE (MRC 2015) AND LOCAL ORDINANCES
 - 2) BUILDER TO VERIFY ALL SITE CONDITIONS/DRAWINGS PRIOR TO START OF CONSTRUCTION
 - 3) PRE-MANUF. TRUSSES/FLOOR SYSTEM/BEAMS TO BE ENGINEERED W/ SPECS PROVIDED TO JOB SITE
 - 4) SMOKE ALARMS TO BE INSTALLED PER CODE
 - 5) ALL WINDOWS/DOORS TO BE INSTALLED PER CODE
 - 6) EXTERIOR HEADERS TO BE 2-2X12 UNLESS NOTED



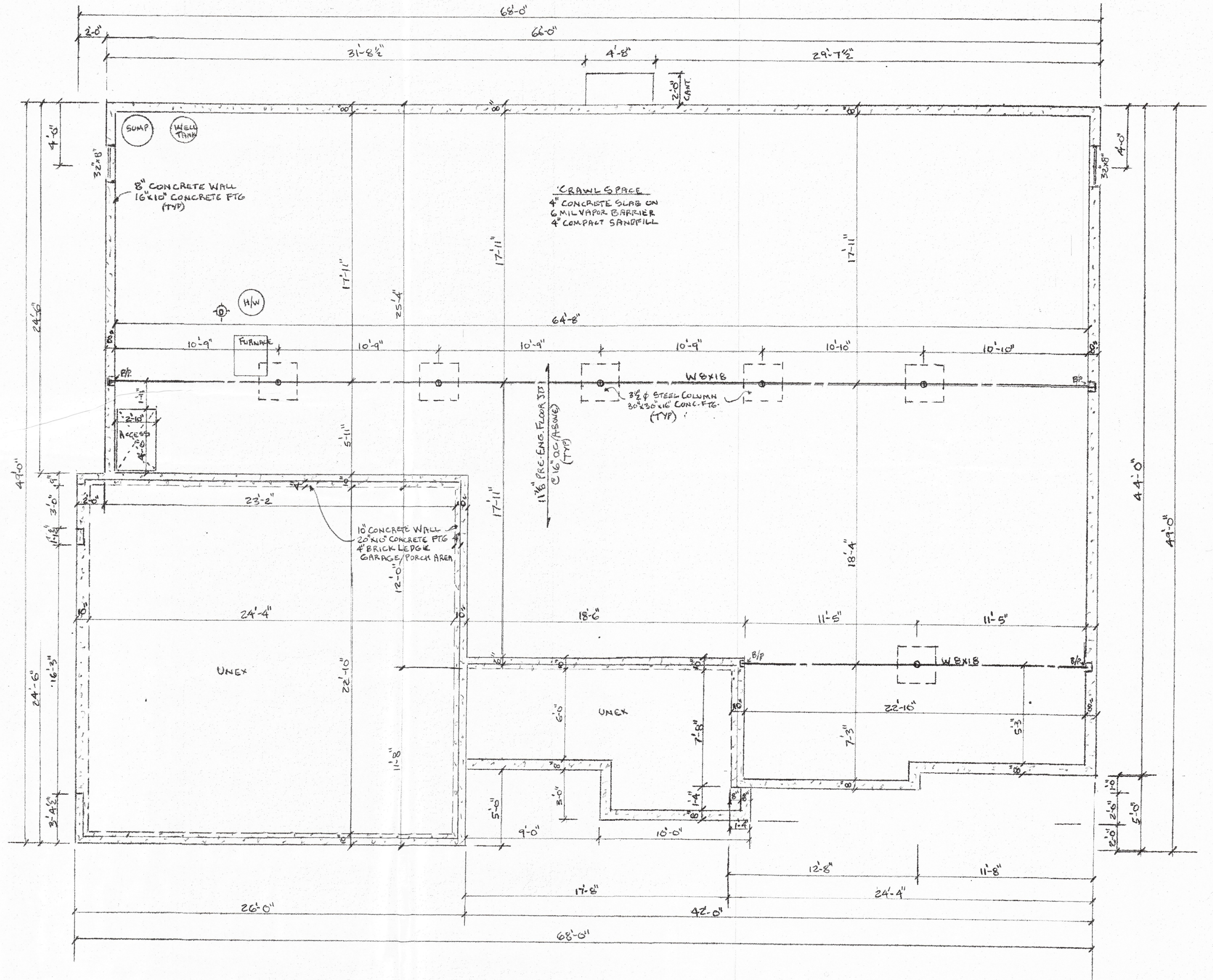
DESIGN BY: MICHAEL OLIVER / CUSTOM DESIGN (248) 894-7606
11223 PIANA COURT WHITE LAKE, MICHIGAN 48386

RESIDENCE FOR: MACKOVER RESIDENCE
MEADOW DRIVE HIGHLAND TWP, MICHIGAN 48357

BUILDER NAME: _____ ADDRESS: _____

REVISIONS:

DATE: 2024
SHEET A-2



FOUNDATION PLAN
SCALE = 1/4" = 1'-0"

DESIGN BY:

MICHAEL OLIVER / CUSTOM DESIGN (248) 894-7606
11323 PIANA COURT WHITE LAKE, MICHIGAN 48386

RESIDENCE FOR:

MACKOYER RESIDENCE
MEADOW DRIVE HIGHLAND TWP, MICHIGAN 48357

BUILDER NAME:

ADDRESS:

REVISIONS:

DATE:
2024

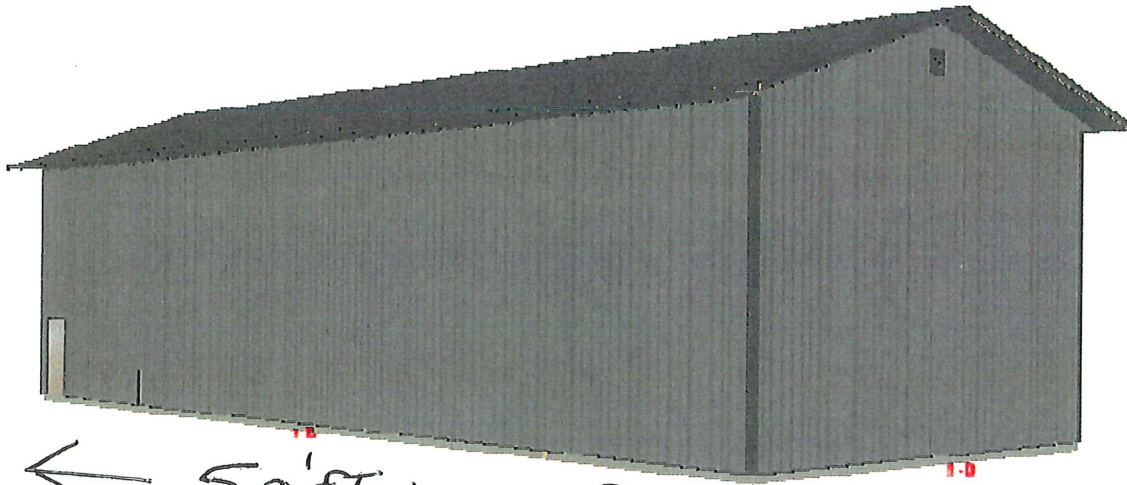
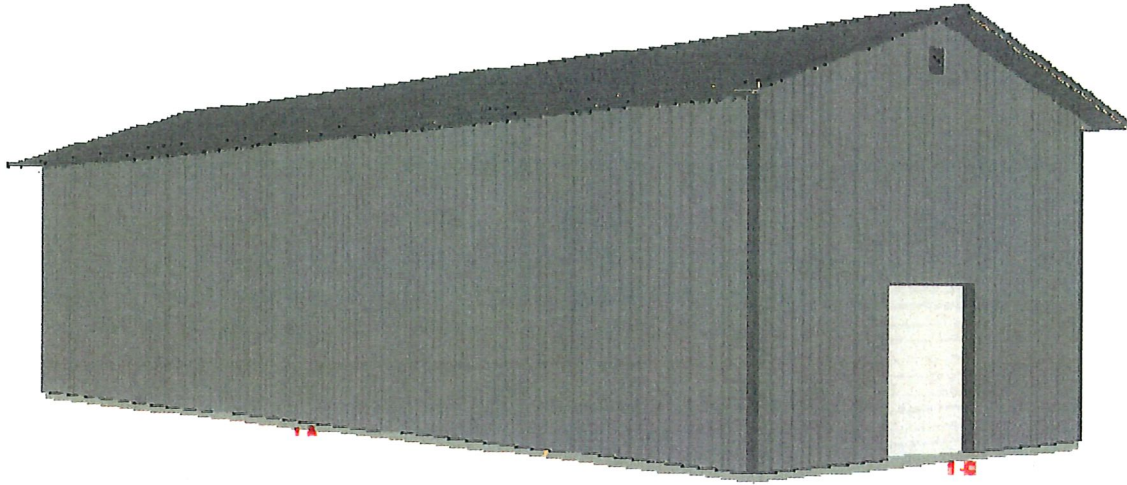
SHEET
A-1

Design #: 336252892298
Estimate #: 36565
Store: BLOOMFIELD HILLS



Post Frame Building Estimate
Date: Mar 19, 2022 12:39:32 PM

Elevation Views



← 50' ft L. →

← 30' W. →



Design #: 336252892298

Estimate #: 36565

Estimated price: \$42,537.48 *

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

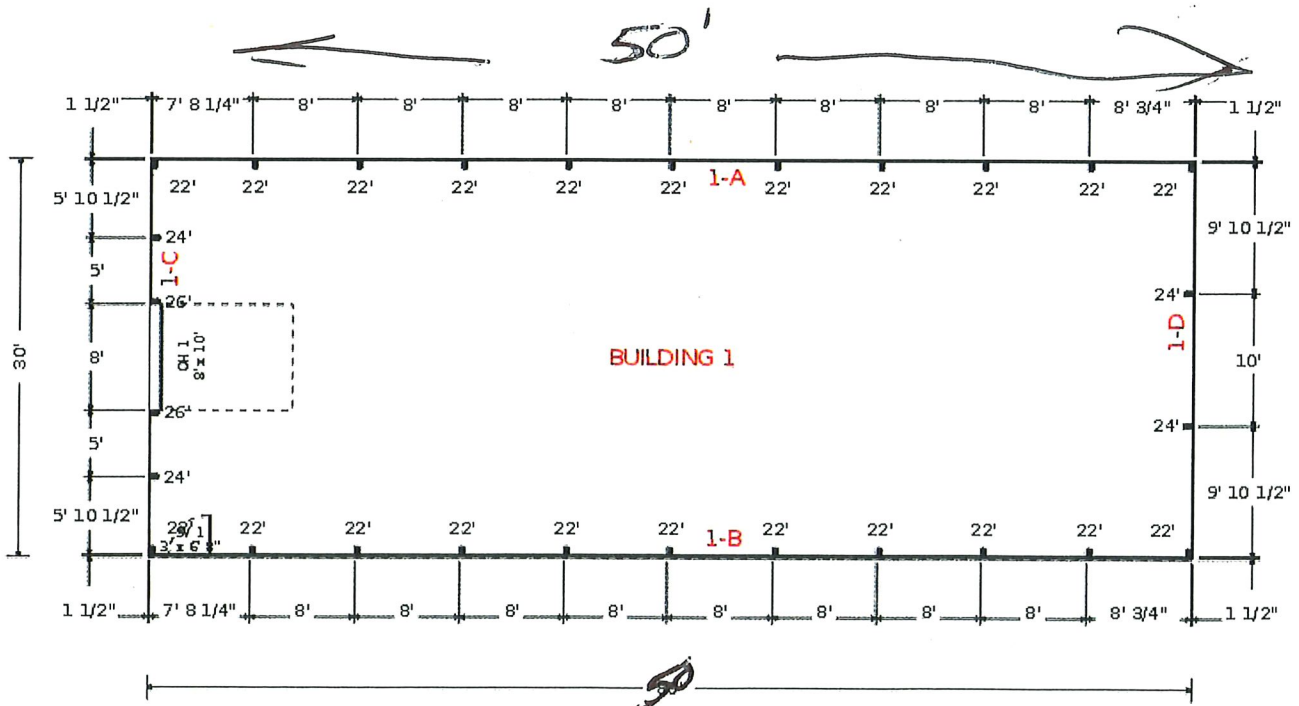
How to purchase at the store

1. Have a building materials team member enter the estimate number into System V to print SOC's.
2. Take the SOC to the register and pay.

How to recall and purchase a saved design at home

1. Go to Menards.com.
2. Log into your account.
3. Go to Saved Designs under the Welcome Login menu.
4. Select the saved design to load back into the estimator.
5. Add your building to the cart and purchase.

FLOOR PLAN



No property address available

beds / full baths / half baths / sq ft



Residential Property Profile

11-09-477-022

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) : **CURT MACKOVER**
Postal Address : **658 MEADOW HIGHLAND MI 48357-3535**

Location Information

Site Address : **No property address available**
PIN : **11-09-477-022** Neighborhood Code :
Municipality : **Charter Township of Highland**
School District :
Class Code :

Property Description

T3N, R7E, SEC 9 HIGHLAND HEIGHTS LOTS 41 TO 44 INLC 6-28-24 FR 012 TO 015 INCL

Split/Combination Information

Added Status : **Added Parcel**
Added Date : **07/05/2024** Added From : **FROM 1109477012
1109477013 1109477014
1109477015**

No Sales Since 1994

Tax Information

Taxable Value	:	State Equalized Value	:
Current Assessed Value	:	Capped Value	:
Effective Date For Taxes	:	Principal Residence	: N/A
		Exemption Type	
Summer Principal Residence Exemption Percent	:	Winter Principal Residence Exemption Percent	: 0%

Taxes

Summer	:	Summer	:
Winter	:	Winter	:
Village	:	Village	:

Lot Information

Description : Area : **ACRES**