



## **Zoning Board of Appeals**

Bruce Douglas, Chairperson  
Michael Mitchell, Vice-Chairperson  
Dennis Pate, Member

Denise M. O'Connell, Trustee  
Melanie Bartley, Member

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### **ZONING BOARD OF APPEALS SPECIAL MEETING AGENDA July 16, 2025 7:00 p.m.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the By-Laws and Election of Officers
  - a. Hartland Township Zoning Board of Appeals Rules and Procedures (Bylaws)
  - b. Election of Officers
5. Approval of the Agenda
6. Approval of Meeting Minutes
  - a. Special Meeting Minutes of November 15, 2023
7. Public Hearing
  - a. Zoning Board of Appeals Application #25-001  
Applicant: Jeffrey Lawrence, 1831 Lakena
8. Other Matters to be Reviewed by the Zoning Board of Appeals
  - a. 2025 ZBA Meeting Calendar
  - b. 2026 ZBA Meeting Calendar
9. Report from the Planning Commission Representative
10. Call to Public
11. Adjournment

# **Hartland Township Zoning Board of Appeals Rules and Procedures (Bylaws)**

(Adopted July 16, 2025)

The following rules of procedure are hereby adopted by the Hartland Township Zoning Board of Appeals to facilitate the performance of its duties as outlined in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, et seq.

## **SECTION 1: Duties of the Zoning Board of Appeals**

The Zoning Board of Appeals shall perform the following duties:

- A. Act on applications for variances, appeals, interpretations, or other matters as required by the zoning ordinance and Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, MCL 125.3101, et seq.
- B. Provide oversight on the annual budget for the Zoning Board of Appeals' activities.
- C. Attend training sessions, conferences, or meetings as needed to properly fulfill the duties of a Zoning Board of Appeals member, and for which appropriations of funds have been approved by the Township Board, as needed.
- D. Perform other duties and responsibilities as requested by the Township Board or as may be specified in another township ordinance.
- E. Conduct site visits as deemed necessary to evaluate an application and supporting material. Site visits shall be conducted individually.

## **SECTION 2: Officers**

- A. **Selection and Tenure** - At the first regular meeting of each year, the Zoning Board of Appeals shall select from its membership a Chairperson and Vice Chairperson. An elected township official shall not serve as Chairperson. All officers shall serve a term of one year, or until their successors are selected and assume office, except as noted in B and C below. All officers shall be eligible for re-election for consecutive terms for the same office.
- B. **Chairperson** - The Chairperson shall preside at all meetings, appoint committees and perform such other duties as ordered by the Zoning Board of Appeals or Township Board.
- C. **Vice Chairperson** - The Vice Chairperson shall act in the capacity of the Chairperson in his/her absence. In the event the office of Chairperson becomes vacant, the Vice Chairperson shall succeed to this office for the unexpired term and the Zoning Board of Appeals shall select a successor to the office of Vice Chairperson for the unexpired term.

## **SECTION 3: Secretary**

- A. **Duties and Responsibilities** - The Township Clerk shall be responsible for acting as secretary or providing secretarial services for the Zoning Board of Appeals. The secretary shall execute documents in the name of the Zoning Board of Appeals, perform duties hereinafter listed below and shall perform such other duties as the Zoning Board of Appeals may determine.
  1. **Minutes** - The secretary shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records retained by the Township Clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
  2. **Attendance** - The secretary shall be responsible for maintaining an attendance record for each Zoning Board of Appeals member and report those records annually to the Zoning Board of Appeals for inclusion in the annual report to the Township Board.
  3. **Correspondence** - All communications, petitions, reports or other written materials received by the secretary shall be brought to the attention of the Zoning Board of Appeals.

#### **SECTION 4: Township Board Representative**

- A. Duties and Responsibilities** - The Township Board Representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Township Board and update the Zoning Board of Appeals on actions by the Township Board that relate to the functions and duties of the Zoning Board of Appeals.

#### **SECTION 5: Planning Commission Representative**

- A. Duties and Responsibilities** - The Planning Commission Representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.

#### **SECTION 6: Zoning Administrator**

##### **A. Duties and Responsibilities**

- 1. Correspondence** - The Zoning Administrator shall be responsible for issuing formal written correspondence with other groups or persons, **as** directed by the Zoning Board of Appeals. All communications, petitions, reports or other written materials received by the secretary shall be brought to the attention of the Zoning Board of Appeals.
- 2. Notices** - The Zoning Administrator shall issue notices in accordance with the zoning ordinance for all Zoning Board of Appeals' cases.
- 3. Coordination** - The Zoning Board of Appeals shall be assisted by the Zoning Administrator in performing the duties of the Zoning Board of Appeals, as noted in Section 1, including but not limited to, processing applications for review, attending Zoning Board of Appeals meetings, preparing and forwarding written reviews on all applications at least one week prior to the scheduled meeting, prepare an annual budget for the Zoning Board of Appeals' activities and submit to the Township Board and perform other duties as may be directed by the Zoning Board of Appeals.

#### **SECTION 7: Other Professional Services**

- A. Duties and Responsibilities** - The Zoning Board of Appeals may be assisted by other professional or township staff as needed, including the building inspector, township attorney, township engineer or other person or agency.

#### **SECTION 8: Meetings**

- A. Meetings** - The regular meeting of the Zoning Board of Appeals will be held the third Wednesday of every month at a time to be determined by the Zoning Board of Appeals at the meeting in which the regular meeting schedule is adopted or as otherwise designated by the Chair of the Zoning Board of Appeals. When a regular meeting day falls on a legal holiday or when an occasion of special importance takes place, the Chair shall select a suitable alternative day in the same month. Prior to the end of the year, the Zoning Administrator will submit to the Zoning Board of Appeals the regular meeting schedule for the upcoming year, for their approval.
- B. Notice** - Meetings shall be noticed in accordance with the requirements of the zoning ordinance. Meeting notices shall state the purpose, time and location of meetings and shall be posted in accordance with the Open Meetings Act.
- C. Public Records** - All meetings, minutes, records, documents, correspondence and other materials of the Zoning Board of Appeals shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.
- D. Quorum** - A majority of the membership of the Zoning Board of Appeals shall constitute a quorum for transacting business and taking official action for all matters. The Zoning Board of

Appeals shall not conduct business unless a majority of the regular members is present.

- E. Voting** - To pass or deny any variance, appeal or other official action required by the zoning ordinance, an affirmative vote of at least a majority of the total membership of the Zoning Board of Appeals is required. Voting shall be by voice vote; a roll call vote shall be required if requested by any Zoning Board of Appeals member or directed by the Chairperson. Except in the case of conflict, all Zoning Board of Appeals members, including the Chairperson, shall vote on all matters, but the Chairperson shall vote last.
- F. Agenda** - The Chairperson shall be responsible for preparing an agenda for Zoning Board of Appeals meetings. The order of business for meetings shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Meeting Agenda
5. Approval of Meeting Minutes
6. Public Hearing
7. Other Matters to be Reviewed by the Zoning Board of Appeals
  - a. Correspondence Received
  - b. Zoning Board of Appeals Members
8. Report of Planning Commission Representative
9. Call to Public
10. Adjournment

- G. Public Hearings** - All public hearings held by the Zoning Board of Appeals must be held as part of a regular or special meeting of the Zoning Board of Appeals. The following rules of procedure shall apply to public hearings held by the Zoning Board of Appeals:

1. Chairperson opens public hearing and announces the subject.
2. Chairperson summarizes procedures/rules to be followed during the hearing.
3. Applicant presents request.
4. Township Zoning Administrator and/or representative presents a summary or analysis of the request.
5. Persons wishing to comment on the request are recognized.
6. Chairperson closes public hearing and returns to the regular/special meeting.
7. Zoning Board of Appeals deliberates and decides.

To ensure that everyone has the opportunity to speak, the Zoning Board of Appeals may elect to limit the time permitted for each person to speak, except that the applicant may be permitted additional time as the Chairperson allows. The Chairperson may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chairperson, in his/her discretion, may permit additional comments. All comments by the public and the Zoning Board of Appeals shall be directed to the Chairperson.

- H. Special Meetings** - Applicants to the Zoning Board of Appeals may request a special meeting, of which all costs shall be paid by the applicant; if there is more than one applicant, the costs shall be shared equally between all applicants. The business the Zoning Board of Appeals may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act. Special meetings shall also be noticed as required by the Michigan Zoning Enabling Act, as amended, the Open Meetings Act and these bylaws.

## **SECTION 9: Absences, Removals, Resignations, Vacancies and Alternates**

- A.** To be excused, Zoning Board of Appeals members shall notify the Township Supervisor, Zoning

Board of Appeals Chairperson or Zoning Administrator when they intend to be absent from a meeting. Failure to make this notification prior to a meeting shall result in an unexcused absence.

- B. Members of the Zoning Board of Appeals may be removed by the Township Board, after written charges have been prepared and a hearing conducted, for nonperformance of duty, misconduct in office or upon failure to declare a conflict of interest. For purposes of this section, nonperformance of duty shall mean two or more consecutive, unexcused absences. Alternates shall be notified to attend a meeting any time a regular member will be absent for one or more meetings.
- C. A member may resign from the Zoning Board of Appeals by sending a letter of resignation to the Township Supervisor, Township Board or Zoning Board of Appeals Chairperson.
- D. Vacancies shall be filled by the Township Board within one month of resignation or removal of a member of the Zoning Board of Appeals. Successors shall serve out the unexpired term of the member being replaced, with the exception of the Planning Commission representative, whose term shall run consecutively with the term as Planning Commissioner.
- E. The Township Board may appoint not more than two alternates to the Zoning Board of Appeals. The alternate member may be called to sit as a regular member as provided in the zoning ordinance and the Michigan Zoning Enabling Act.

#### **SECTION 10: Conflict of Interest**

- A. Zoning Board of Appeals members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:
  - 1. A relative or other family member is involved in any request for which the Zoning Board of Appeals is asked to make a decision;
  - 2. The Zoning Board of Appeals member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency or association;
  - 3. The Zoning Board of Appeals member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the zoning ordinance or other applicable ordinance, or
  - 4. There is a reasonable appearance of a conflict of interest, as determined by the Zoning Board of Appeals member declaring such conflict.
- B. The Zoning Board of Appeals member declaring a conflict of interest should state the nature of the conflict and whether he/she believes he or she could impartially consider the request before the Zoning Board of Appeals. He/she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may absent him/herself from the room in which the discussion takes place, unless doing so would violate his/her constitutionally protected rights to participate. He/she should not make any presentations to the Zoning Board of Appeals as a representative of the proposal.

#### **SECTION 11: Amendments**

These bylaws may be amended at any meeting by a vote of a majority of the membership of the Zoning Board of Appeals.

*Adopted by the Hartland Township Zoning Board of Appeals at a special meeting on July 16, 2025.*

**Zoning Board of Appeals**  
**Regular Meeting Minutes**  
**Date: November 15, 2023 at 7:00 p.m.**  
**Hartland Township Hall**

**1. CALL TO ORDER:**

The meeting was called to order at 7:00 p.m. by Chairman Douglass.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL:**

Members Present: Chairman Douglass, Bartley, Falter, Mitchell, O'Connell  
Members Absent: None  
Also present: Troy Langer, Township Planning Director  
Jim Bunn, ZBA Alternate Member

**4. APPROVAL OF THE BY-LAWS AND ELECTION OF OFFICERS:**

After a brief discussion in order to not keep the applicant here longer than needed it was suggest to move this item to later in the meeting.

**Move to move Item 4 from tonight's agenda to after the Public Hearing.**

Motion: O'Connell. Second: Bartley. Voice Vote: Motion Carried: 5-0-0.

**5. APPROVAL OF THE MEETING AGENDA:**

**Move to approve the November 15, 2023 Zoning Board of Appeals meeting agenda as amended.**

Motion: O'Connell. Second: Bartley. Voice Vote: Motion Carried: 5-0-0.

**6. APPROVAL OF MEETING MINUTES:**

**Move to approve the August 17, 2022, ZBA meeting minutes as presented.**

Motion: Mitchell. Second: O'Connell. Voice Vote: Motion Carried: 5-0-0.

**7. PUBLIC HEARING:**

**A. Zoning Board of Appeals Application #23-001**

**Applicant:** Jeffrey Lawrence (and Aimee Lawrence)

**Property Owner:** Jeffrey Lawrence (and Aimee Lawrence)

**Present:** Jeffrey Lawrence and Dennis, Architect

**Location:**

The property is located at 1831 Lakena, Hartland, MI 48353 (Parcel ID 4708-27-101-086)

**Variance Requested**

The applicant has applied for a variance from Section 7.2.4C. of the Zoning Ordinance, to add on to a non-conforming structure.

Chairman Douglass opened the Public Hearing at 7:04 pm.

Chairman Douglass invited the Applicant forward to present his variance request. Mr. Lawrence came forward and introduced himself and Dennis, his Architect that submitted the plans before the Board tonight. He stated that he and his wife purchased the residence for garage space down the street from his residence which is a small cabin on Round Lake. He then added a small house on top of the residence as a rental unit to help pay for itself. In the process they decided to move into the house in hopes of getting rid of the cabin and building their forever home on the lake. After moving into the house, they liked the yard space that it offered over the small lakeside lot and the view of the lake from the second story. Now that the house is their forever home, they would like a little more space and additional garage capacity. He stated the house currently has one master bedroom and an extremely small second bedroom and they were looking to add another master bedroom and more space for guests. He stated his new architect's design will give the house more character and curb appeal. Essentially, they are asking for about a four-foot variance from the setback. The one area of the house that is five feet from the lot line was there since they split the lot many years ago. He stated that without the variance they would have to go back to leaving the house as a rental unit and looking elsewhere to build their forever home which he does not want to do because he loves the neighborhood. Dennis stated he was here to field and questions the Board may have and that he was very happy with the way the design came out. He stated that the four-foot exception on Lakena does not interfere with the site lines at all, and that he understands the lot setbacks for a corner lot, but they have taken great care to meet the requirements as best they could but are still requesting a four-foot variance from the setback.

Chairman Douglass asked Director Langer to provide input on the variance request. Director Langer provided a brief overview of the project request locating the property on the Zoning Map and he reviewed the survey provided in the agenda package. He pointed out the survey of the existing structure indicated an approximately five-foot variance from the house to the lot line and stated the house and lot were deemed non-conforming for this reason. He stated non-conforming is where the house was approved and built, and the zoning ordinances changed where the building no longer complies with the requirements. This is an important factor, as regardless of where the addition is or whether the addition complies with every other condition, they still have to come before the Zoning Board of Appeals (ZBA) to add to a non-conforming structure. Director Langer then reviewed the new site plan prepared by the Architect showing the existing building, improvements from a prior approved variance request, and the proposed addition. He pointed out the corner point of the addition to the right of way line that did not comply with the required setback. He stated that this is a two-story addition, as the main floor of the existing structure is effectively a garage, with the living area above it. They are adding a two-stall garage with the addition of bedrooms on the second floor. Director Langer stated they did talk with the Applicant

regarding moving the addition around, but there were pros and cons to each of the discussed moves and he felt it would be best to bring this to the ZBA for their decision.

Douglass: Inquired as of the Board as to any questions they may have on this project.

O'Connell: Stated she had no questions and that she did a drive by and felt it would be a nice addition.

Bartley: Stated she noticed in the Applicant's response to the variance criteria that in question B and one of the drawings they stated they 50' front yard setback and that 5.6% of the property is buildable and her question was for a non-conforming residence there is only a 25' setback.

Langer: The Architect was addressing the SR residential standards, and he was correct, however the Township has some standards for non-conforming lots in a different section of the ordinance that have different setback and lot coverage requirements for non-conforming lots. He stated the Applicant was correct in identifying the SR standards, but it is really the non-conforming setbacks and lot coverage standards that would apply. The non-conforming standards were included in the staff memorandum of November 8, 2023.

Bartley: Inquired of Director Langer whether there was any discussion regarding moving the addition back to comply with the spirit of the setback so that it does not obstruct the corner views for safety.

Langer: Stated that discussions with the Planning Department and Applicant were held and instead of having the Applicant spend money to revise the plans, the thought was to not inhibit the applicant from coming to the ZBA and to let the ZBA decide if they wanted to move the addition to meet the 25' setback or if the ZBA would be okay with the encroachment of the setback.

Douglass: Inquired as to the dimensions of the variance being discussed.

Langer: Stated it was 4.4 feet.

Dennis: Stated they did discuss with Martha Wyatt in moving the addition back. He stated there were two reasons for not doing this, one being that it would cause significant connections issues within the house and two, it was pointed out that even if they moved it back, as an addition to a non-conforming structure they would still have to come before the ZBA for approval. There though was to come before the ZBA with the existing plan and have this discussion at that time.

Bartley: Inquired of the Architect whether they knew about the 25' setback when they designed the plan.

Dennis: Stated that he thought the setback was the 50' requirement and was informed by the Planning Department that it was only 25', but the plan would still not meet the setback requirement. He further stated that if he had known about the 25' setback at the start he would have done everything he could to get in compliance.



Douglass: Stated that he noticed in the paperwork that they were trying to match the existing house on the inside and where it would fit regarding door connections to the existing second floor.

Dennis: Stated they everything they did was to make the addition look like it was part of the original idea.

Douglass: Inquired as to whether they were closing off any windows.

Dennis: Stated they would be closing off one window and be re-using it.

Falter: Stated she had no questions and that it was an improvement.

Mitchell: Stated he had no additional questions or comments.

Douglass: Inquired of Director Langer whether it was normal to take a survey of the square footage of homes in the area as was done here.

Langer: Stated when looking at any variance you are looking at what is reasonable on the property so as part of their analysis, they examined the homes that are generally around the property. He stated they looked at the homes immediately surrounding the property. The ZBA has the discretion to grant a variance but limit the square footage of a home to what is reasonable in an area, so this was just to provide additional facts for the ZBA in making any decisions.

Chairman Douglass closed the Public Hearing at 7:25 p.m.

**Move to approve Zoning Board of Appeals application #23-001, a request for a variance to add onto a non-conforming structure, as outlined in Section 7.2.4.C. of the Hartland Township Code of Ordinance, for the property addressed as 1831 Lakena Street, Parcel ID #4708-27-101-086, based on a finding of the following:**

- 1. Strict compliance with the restrictions governing setbacks would unreasonably prevent the owner from constructing an addition, at a size that is usable for residential use.**
- 2. Alternate designs are not practicable to be considered that could provide compliance with the required setbacks and still provide substantial justice to the applicant.**
- 3. Granting a lesser variance will limit the size of the floor area/living space and will not give substantial relief to the applicant or be consistent with justice to other property owners.**
- 4. Unique circumstances exist on the subject site that would restrict the applicant from meeting the required setback standards. The corner lot is a non-conforming lot regarding lot area and the existing building is nonconforming relative to the rear yard setback.**
- 5. The circumstances are not self-created as the lot was created in 1925 and the original building was constructed in 1930 in its current location. The geometry of the lot limits**

**the options additions to the existing building that would be in compliance with required setbacks.**

Motion: Mitchell.                      Second: O'Connell.                      Voice Vote: Motion Carried: 5-0-0.

#### **4. APPROVAL OF THE BY-LAWS AND ELECTION OF OFFICERS**

##### **a. Hartland Township Zoning Board of appeals Rules and Procedures (Bylaws)**

Director Langer stated there were no changes to the Rules and Procedures from the previous year.

**Move to approve the Hartland Township Zoning Board of Appeals Rules and Procedures (By-Laws) as presented on November 15, 2023.**

Motion: Mitchell.                      Second: O'Connell.                      Voice Vote: Motion Carried: 5-0-0.

##### **b. Election of Officers**

Chair Douglass called for nominations for Officers.

**Move to approve Bruce Douglass as Chair and Mike Mitchell as Vice Chair.**

Motion: Bartley.                      Second: O'Connell.                      Voice Vote: Motion Carried: 5-0-0.

#### **8. OTHER MATTERS TO BE REVIEWED BY THE ZONING BOARD OF APPEALS:**

##### **A. 2023 ZBA Meeting Calendar**

**Move to approve the 2023 ZBA Calendar.**

Motion: Douglass.                      Second: Mitchell.                      Voice Vote: Motion Carried: 5-0-0.

##### **B. 2024 ZBA Meeting Calendar**

**Move to approve the 2024 ZBA Calendar.**

Motion: Douglass.                      Second: Mitchell.                      Voice Vote: Motion Carried: 5-0-0.

**9. REPORT OF THE PLANNING COMMISSION REPRESENTATIVE:**

Member Mitchell gave a brief overview of the developments that are underway in the Township, including Redwood Development, with a second phase in the works, the Lockwood of Hartland Senior Assisted Living development, a single-family condominium development behind Bella Vita, and the Hungry Howie's and Hartland Medical building next to Bella Vita. He stated that the Big Boy has closed but there are additional restaurants coming in the Meijer's complex including a Buffalo Wild Wings and Chipotle.

**10. CALL TO THE PUBLIC**

No one came forward.

**11. ADJOURNMENT:**

**Move to adjourn the meeting at 7:40 p.m.**

Motion: Bartley. Second: Mitchell. Voice Vote: Motion Carried: 5-0-0.

Respectfully Submitted,

Larry N.. Ciofu, Clerk  
Hartland Township



## Board of Trustees

William J. Fountain, Supervisor  
Larry N. Ciofu, Clerk  
Kathleen A. Horning, Treasurer

Brett J. Lubeski, Trustee  
Summer L. McMullen, Trustee  
Denise M. O'Connell, Trustee  
Joseph M. Petrucci, Trustee

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## MEMORANDUM

DATE: July 9, 2025  
TO: Hartland Township Zoning Board of Appeals  
FROM: Planning Department

SUBJECT: Zoning Board of Appeals Application #25-001 requesting to add onto a nonconforming building. The applicant intends to enclose an existing second floor balcony and convert it into a sunroom. The property is located at 1831 Lakena Street Hartland, MI 48353 (Parcel ID# 4708-27-101-086).

### General Information

Applicant/Property Owner: Jeffrey Lawrence

Subject Property: 1831 Lakena Street  
Hartland, MI 48353  
Parcel ID# 4708-27-101-086

### Property Information

The property, addressed as 1831 Lakena Street, is in the Three Lake Subdivision (Lot 86). The residential subdivision was platted in 1925. Lot 86 is a corner lot with approximately 232 feet of frontage (lot width) along Lakena Street and approximately 108 feet of frontage (lot width) along Shoreline Drive. The lot depth along the west property line is approximately 176.9 feet. The property contains approximately 0.440 acres or 19,166 square feet of land. The existing two-story building is approximately 2,800 square feet in size.

### Background Information

The following information gives some background history associated with the subject site.

- Three Lakes Subdivision was platted in 1925. Zoning for this property has included UR-1 (Urban Residential District), HC (Highway Commercial), and SR (Suburban Residential). It is currently zoned SR (Suburban Residential).
- Per the Township Assessing records the original one-story concrete block building was built in 1930 however a land use permit and plans were not found in the Township files. Several additions occurred between 1965 and 1985.
- Historically the building has been used for several types of commercial businesses until 2019 when the building was remodeled for a single-family residential use.
- On April 17, 2019, the Zoning Board of Appeals approved ZBA Case #19-001, for the variance request to add onto the nonconforming building. The project included a second story addition for residential use (kitchen, 2 bedrooms, great room, and bathrooms), with two (2) balconies, and an awning over each of two (2) entrances. The structure was to be used for single-family purposes only.

- On May 1, 2019, Land Use Permit #19-094 was approved for a second story addition to the building as living space, construction of 2 balconies, interior improvements to the first floor (garage), and exterior renovations to the existing building.
- On August 7, 2019, Land Use Permit #19-204 was approved as an amendment to the originally approved floorplan (second floor), to change a ½ bathroom to a mechanical room.
- On October 26, 2020, Land Use Permit #20-247 was approved for the installation of a hot tub (outside), on the south side of the house.
- On November 15, 2023, at a special meeting, the Zoning Board of Appeals approved ZBA Case #23-001, a request to construct a 2-story addition onto the existing nonconforming structure. The addition on the north side of the building includes a 2-stall garage on the first level and living areas on the second floor, with internal connections to the existing house.
- June 3, 2025, Land Use Permit #25-105 was approved for the construction of a 2-story addition onto the north side of the existing structure, with plans that were consistent with the variance granted under ZBA Case No. 23-001.

### Zoning

The property is zoned SR (Suburban Residential). Section 3.1.6.E. outlines the development standards for SR (Suburban Residential), which requires a minimum lot area of 20,000 square feet if on public sewer and water; 32,670 square feet with no public sewer and water. The SR district also requires a minimum lot width of 120 feet. The subject property is served by public sanitary sewer and private well (water).

Under current SR (Suburban Residential) zoning standards the subject property does not meet the minimum lot area of 20,000 square feet (if on public sanitary sewer and water) or lot area of 32,679 square feet (if no public sewer and water). As a result, the lot is considered a nonconforming lot of record.

Section 7.2.3.i. of the Zoning Ordinance (Nonconforming Lots of Record) provides yard requirements for a nonconforming lot as follows: the required front yard setback is twenty-five (25) feet; the required side yard setback is ten (10) feet; and the rear yard setback is fifteen (15) feet. A maximum of thirty percent (30%) lot coverage is permitted for buildings. An additional thirty percent (30%) is permitted for driveway areas, sidewalks, patios or other impervious surface materials. In no case shall there be more than a total of sixty percent (60%) impervious surface on a lot.

The building is considered nonconforming because the building does not meet the required rear yard setback (west) of fifteen (15) feet. The building is approximately 5.5 feet from the rear lot line.

### Background Information of ZBA Case #19-001

Under ZBA Case #19-001, the variance request to add onto a nonconforming building was granted for 1831 Lakena Street. The variance request included a second-floor addition, two (2) balconies on the side of the house facing Shoreline Drive with access from the second floor, and two (2) metal awnings. Both balconies were shown as open (unroofed) decks with railings.

Section 7.2.2. provides regulations that apply to all nonconforming uses, structures, and lots. Regarding the continuation of nonconforming uses and structures, Section 7.2.2.A. provides the following language:

*Any lawful building or structure existing on the effective date of this Ordinance or amendment thereto may be continued and shall not be considered in violation of this Ordinance, provided that, unless otherwise noted in the Article, the building and land involved shall not be structurally altered, enlarged, or moved, unless such modifications conform to the provisions of the Ordinance for the district in which it is located.*

Based on plans submitted with ZBA Case #19-001, the second floor balcony on the south side of the house, near the garage, measured ten (10) feet by sixteen (16) feet. The leading edge of the balcony was shown as approximately twenty-five (25) feet from the Shoreline Drive right-of-way, which complies with the required front yard setback for a nonconforming lot of record. Under ZBA Case #19-001, the size and location of the second story balcony were approved, as a request to add onto a nonconforming building.

On May 1, 2019, Land Use Permit #19-094, was approved for the improvements to the house as approved under ZBA Case #19-001.

#### Variance Request under ZBA Case #25-001

The applicant is requesting to enclose the existing second floor balcony on the south side of the house (nearest the corner of the garage) and convert it into a sunroom. The dimensions of the proposed sunroom are the same as the existing balcony, approximately ten (10) feet by sixteen (16) feet. The roof overhang of the proposed sunroom is approximately one (1) foot in depth. A roof overhang may project into any required yard not more than eighteen (18) inches.

The Zoning Board of Appeals was not presented with a proposal of an enclosed and roofed balcony under ZBA Case #19-001, as in that case the balcony was unroofed. Any modification that would affect the intent of the variances approved under ZBA Case #19-001 would require approval by the Zoning Board of Appeals.

As a result, the applicant has applied for a variance from Section 7.2.4.C. of the Zoning Ordinance, to add onto a nonconforming structure, for the proposed modifications of the existing balcony.

#### Considerations

The Zoning Board of Appeals may grant a dimensional variance only upon a finding by the Board that the spirit of the Zoning Ordinance will be observed, public safety secured, and substantial justice rendered by granting the variance(s). The finding shall confirm that practical difficulties exist, and shall require demonstration by the applicant of all of the following (per Sec. 7.9.3.D of the Zoning Ordinance):

1. Strict compliance with the restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with the Ordinance unnecessarily burdensome.
2. The variance will do substantial justice to the applicant as well as to other property owners.
3. A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.
4. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.
5. The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.

#### Analysis

In examining the criteria for a variance, the Township should only grant variances that meet the criteria outlined above. When applying the applicant's request to those criteria; staff has the following comments:

1. **Strict compliance with the restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with the Ordinance unnecessarily burdensome.** In this case, staff believes that due to the nonconforming status of the lot, the location of the existing nonconforming building, shape of the property and being a corner lot, the applicant is not able to reasonably use the existing structure on the property in a similar manner with other similarly situated properties in the same subdivision. The existing second floor balcony under consideration was approved under ZBA Case #19-001, as a request to add onto a nonconforming structure. The applicant cannot change the status of the nonconforming structure. The proposed modifications of the existing balcony, to convert the space into a sunroom, are minimal. The proposed sunroom will have the same dimensions as the existing balcony, for width and depth. Strict compliance with the zoning standards would be unnecessarily burdensome to the applicant and unreasonably prevent the owner from improving the residential structure.
2. **The variance will do substantial justice to the applicant as well as to other property owners.** In this case, staff believes that the variance request would permit the property owner to use their property in a similar manner to the surrounding residential properties. Per the applicant the existing balcony is positioned so as to not impede any neighbor's view of the lake and the addition of the roof will not change that condition.
3. **A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.** In this case, the proposed conversion of an existing open balcony to an enclosed sunroom is not increasing the footprint of the balcony and is consistent with the dimensions presented under ZBA Case #19-001. A lesser variance will not give substantial relief to the applicant.
4. **The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.** Unique circumstances exist on the site as the lot size does not meet the minimum area standards and is considered a nonconforming lot of record. Additionally, the building is considered nonconforming, thus a modification to the building requires a variance. The subject property is a corner lot, with two (2) front yards, which makes the property unique and further restricts the applicant's ability to improve the existing building and meet the required setbacks.
5. **The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.** In this case, the applicant did not create the shape or size of the subject property; and the applicant did not construct the building originally. As a result, it appears that the design and placement of the building and the shape of the property were all done prior to the applicant acquiring the property. As a result, the need for the variance was not self-created by the applicant. The problem and resulting need for the variance is due to the fact that the building is nonconforming and a variance is required to add onto a nonconforming building.

Based on the analysis of the criteria and based on the evidence that was made a part of this staff memorandum; staff would support and recommend approval of the variance. Variances should only be approved when there is a showing that they meet the criteria for approval of a variance.

The Zoning Board of Appeals may approve the variance application, approve the variance application with conditions, or deny the variance request. Should the Zoning Board of Appeals wish to take one of these actions, the following is offered as recommended motion language:

**Variance request to add onto a nonconforming building:**

- **Move to approve** Zoning Board of Appeals Case #25-001, a request for a variance to add onto a nonconforming structure, as outlined in Section 7.2.4.C. of the Hartland Township Code of Ordinance, for the property addressed as 1831 Lakena Street, Parcel ID #4708-27-101-086, based on a finding of the following:
  1. Strict compliance with the restrictions governing setbacks would unreasonably prevent the owner from converting an existing balcony into a sunroom, at a size that is useable for a residential use.
  2. Alternate designs are not practicable to be considered that could provide compliance with the required setbacks and still provide substantial justice to the applicant.
  3. Granting a lesser variance will limit the size of the floor area/living space and will not give substantial relief to the applicant or be consistent with justice to other property owners.
  4. Unique circumstances exist on the subject site that would restrict the applicant from meeting the required setback standards. The corner lot is a nonconforming lot regarding lot area and the existing building is nonconforming relative to the rear yard setback.
  5. The circumstances are not self-created as the lot was created in 1925, and the building was constructed in 1930 in its current location. The building is considered nonconforming, and the required modification (conversion of balcony to a sunroom) requires a variance.

**Decision of the variance request:**

The approval of the variance was based on the plans, prepared by Arcadian Residential Design, dated July 7, 2025, and materials submitted by the applicant and presented before the Zoning Board of Appeals. Any modification that would affect the intent of the variance would require approval by the Zoning Board of Appeals. The effective date for the variance is July 16, 2025, the date the Zoning Board of Appeals approved the variance.

Appeals of a ZBA decision may be taken to Livingston County Circuit Court at the discretion of the applicant. An appeal to the Livingston County Circuit Court shall be filed within thirty (30) days after the ZBA certifies its decision in writing or approves the minutes of its decision.

If the ZBA denies a request for a variance, the decision of the ZBA shall not be subject to reconsideration for 365 days, whereupon the applicant may submit a new application for the variance. However, the ZBA may waive the one year period if conditions upon which their original decision change, or if information relating to their original decision are found to be incorrect or inaccurate.

In the event that the Zoning Board of Appeals has determined that based on the evidence in the memorandum and/or evidence presented at the meeting, there is not sufficient reason to approve the request, the following motion to approve the request has been provided:

- **Move to deny** Zoning Board of Appeals application #25-001 a request for a variance to add onto a nonconforming structure, as outlined in Section 7.2.4.C. of the Hartland Township Code of Ordinance *(based on a finding of the following...)*

Cc: Jeffery Lawrence



ZBA Case #25-001  
1831 Lakena Street  
July 9, 2025  
Page 6

**Attachments:**

1. Applicant's response ZBA #25-001
2. East Façade Photo
3. South Façade Photo
4. ZBA #19-001 approval letter 04.18.2019
5. ZBA #23-001 approval letter 11.16.2023
6. Site plan and elevations 07.07.2025
7. Perspective views of sunroom 07.07.2025

T:\PLANNING DEPARTMENT\ZONING BOARD OF APPEALS\2025 Zoning Board of Appeals\Applicants\ZBA #25-001 1831 Lakena\Staff reports\ZBA #25-001 staff report 07.09.2025.docx

## Hartland Zoning Variances & Appeals

Jeff & Aimee Lawrence, 1831 Lakena

### Question A:

Strict compliance with the restrictions governing area, setback, frontage, height, bulk, density or other non-use matters, will unreasonably prevent the owner from using the property for a permitted purpose or will render conformity with the ordinance conformity unnecessarily burdensome.

Compliance with the setbacks is not at issue as we have obtained the required dimensional setback variances. The purpose of this variance is to make clear the totality of our plans. We are proposing a roof to cover the existing open deck at the southwest corner of the house.

### Question B:

The variance will do substantial justice to the applicant, as well as other property owners.

This variance will provide substantial justice as it will allow us to use our property in a fashion similar to other property owners. The existing deck is positioned so as not to impede any neighbor's view of the lake and the addition of this roof will not change that condition. We think this improvement to our property can only enhance the perceived value of properties neighboring ours.

### Question C:

A lesser variance than requested will not give substantial relief to the applicant and/or be consistent with justice to other property owners.

A lesser variance request is not practical in this circumstance as a deck is either covered or it is not.

Question D:

The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.

Our variance request is quite unique in that a dimensional variance has been granted, we are simply covering an existing deck. The roofed deck will allow us to view and enjoy the lake despite living across the street from it. Uniquely positioned, this will have no impact on any neighboring property nor a driver's sightline on Shoreline Drive or Lakena Street.

Question E:

The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's predecessors.

This variance is being driven by the unique characteristics of the lot, certainly not conditions that we have created. We are simply trying to take advantage of the elevated position of the deck to enjoy the lake view.













Board of Trustees

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Matthew J. Germane, Trustee  
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Joseph M. Petrucci, Trustee

April 18, 2019

Jeffrey Lawrence  
1831 Lakena Street  
Hartland, MI 48353

**RE: Zoning Board of Appeals Case No. #19-001  
1831 Lakena Street, Hartland, Michigan**

Dear Mr. Lawrence:

This letter is to inform you that the Hartland Township Zoning Board of Appeals, at their regular meeting on April 17, 2019, voted to **approve** your variance request to add onto a non-conforming structure.

As a result, your request to construct a second story addition onto the existing nonconforming structure, which includes two, second story balconies and an awning over each of two entrance doors, is permitted. The structure shall be used for single-family purposes only.

The granting of the variance was based on the information as submitted by the applicant. The mortgage survey dated December 5, 2018 and house plans, prepared by House-Seaman Architects, PLLC, dated March 4, 2019 shall serve as the official plans. Any modification that would affect the intent of the variance would require approval by the Zoning Board of Appeals. The effective date for the variance is April 17, 2019 the date the Zoning Board of Appeals approved the variance.

The decision by the Hartland Zoning Board of Appeals is a final decision on this matter at the Township. Please feel free to contact me with any questions that you may have, as I would be more than happy to answer your questions.

Sincerely,



Troy Langer  
Planning Director



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November 16, 2023

Jeffrey Lawrence  
1831 Lakena Street  
Hartland, MI 48353

**RE: Zoning Board of Appeals Case No. #23-001  
1831 Lakena Street, Hartland, Michigan**

Dear Mr. Lawrence:

This letter is to inform you that the Hartland Township Zoning Board of Appeals, at a special meeting on November 15, 2023, voted to **approve** your variance request to add onto a non-conforming structure.

As a result, your request to construct a 2-story addition onto the existing nonconforming structure is permitted. The addition includes a 2-stall garage on the first level and living areas on the second floor, with internal connections to the existing house. The structure shall be used for single-family purposes only.

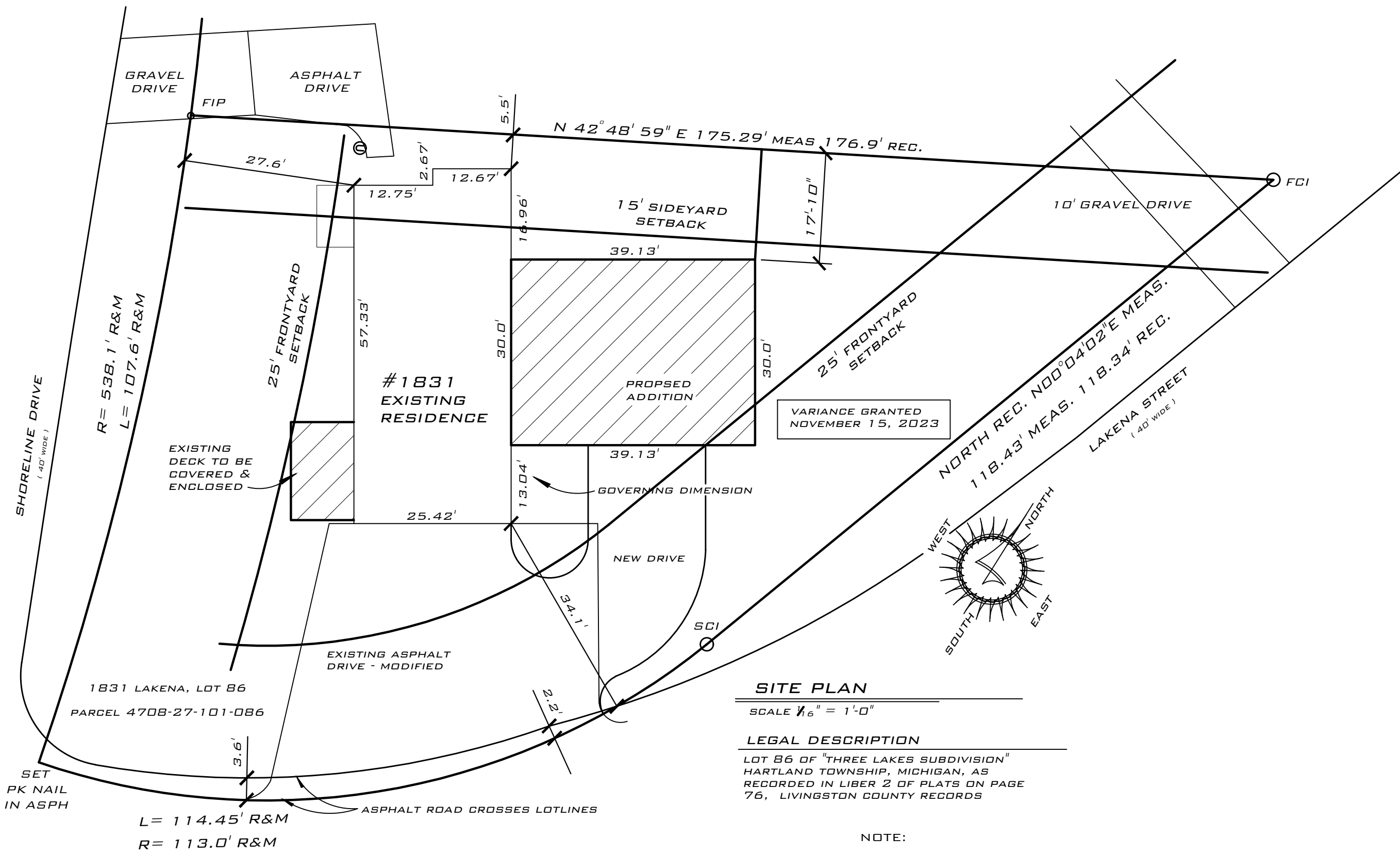
The granting of the variance was based on the information as submitted by the applicant. The site plans and house plans, prepared by Arcadian Residential Design, received by the Township on October 24, 2023, shall serve as the official plans. Any modification that would affect the intent of the variance would require approval by the Zoning Board of Appeals. The effective date for the variance is November 15, 2023, the date the Zoning Board of Appeals approved the variance.

The decision by the Hartland Zoning Board of Appeals is a final decision on this matter at the Township. The next step is to apply for a Land Use Permit. Please feel free to contact me with any questions that you may have, as I would be more than happy to answer your questions.

Sincerely,



Troy Langer  
Planning Director



**SITE PLAN**

SCALE  $\frac{1}{8}" = 1'-0"$

**LEGAL DESCRIPTION**

LOT 86 OF "THREE LAKES SUBDIVISION"  
HARTLAND TOWNSHIP, MICHIGAN, AS  
RECORDED IN LIBER 2 OF PLATS ON PAGE  
76, LIVINGSTON COUNTY RECORDS

**NOTE:**

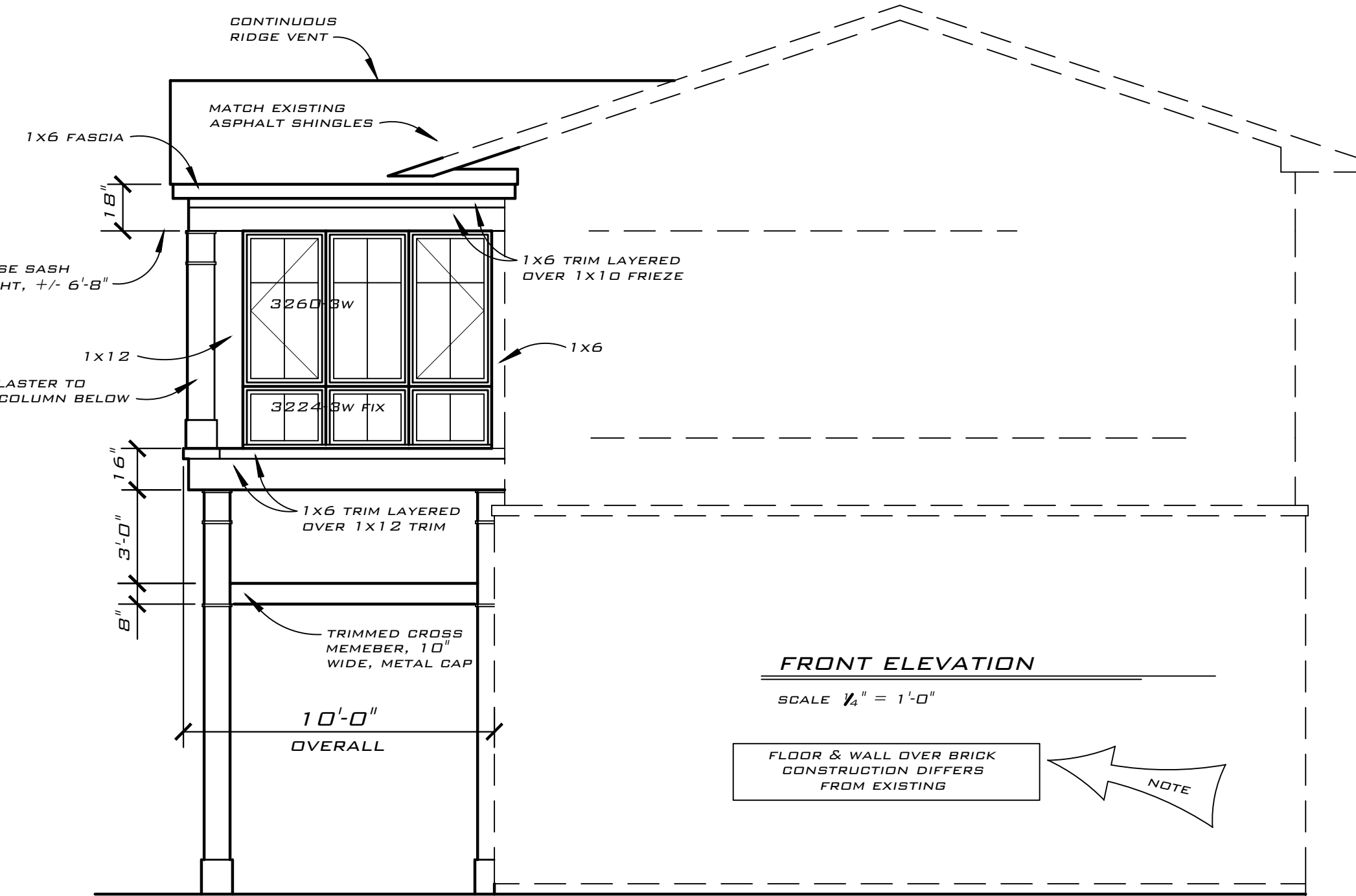
AT NORTH END OF LOT 86, THE NEIGHBOR'S  
GRAVEL DRIVE CROSSES PLATTED LOT LINES  
AS SHOWN.

AT THE SOUTHWEST CORNER OF LOT 86, THE  
ASPHALT DRIVE CROSSES PLATTED LOT LINE  
AS SHOWN.

ASPHALT ROAD CROSSES PLATTED LOT LINE  
AS SHOWN.

**NOTE:**

NO TITLEWORK WAS SUPPLIED  
BY CLIENT, THEREFORE ALL  
EASEMENTS OF RECORD  
MAY NOT BE SHOWN.  
BEARING BASIS:  
HELD DUE NORTH BEARING OF WEST LINE  
ALONG LOTS 87 AND 89 AS PER PLAT.



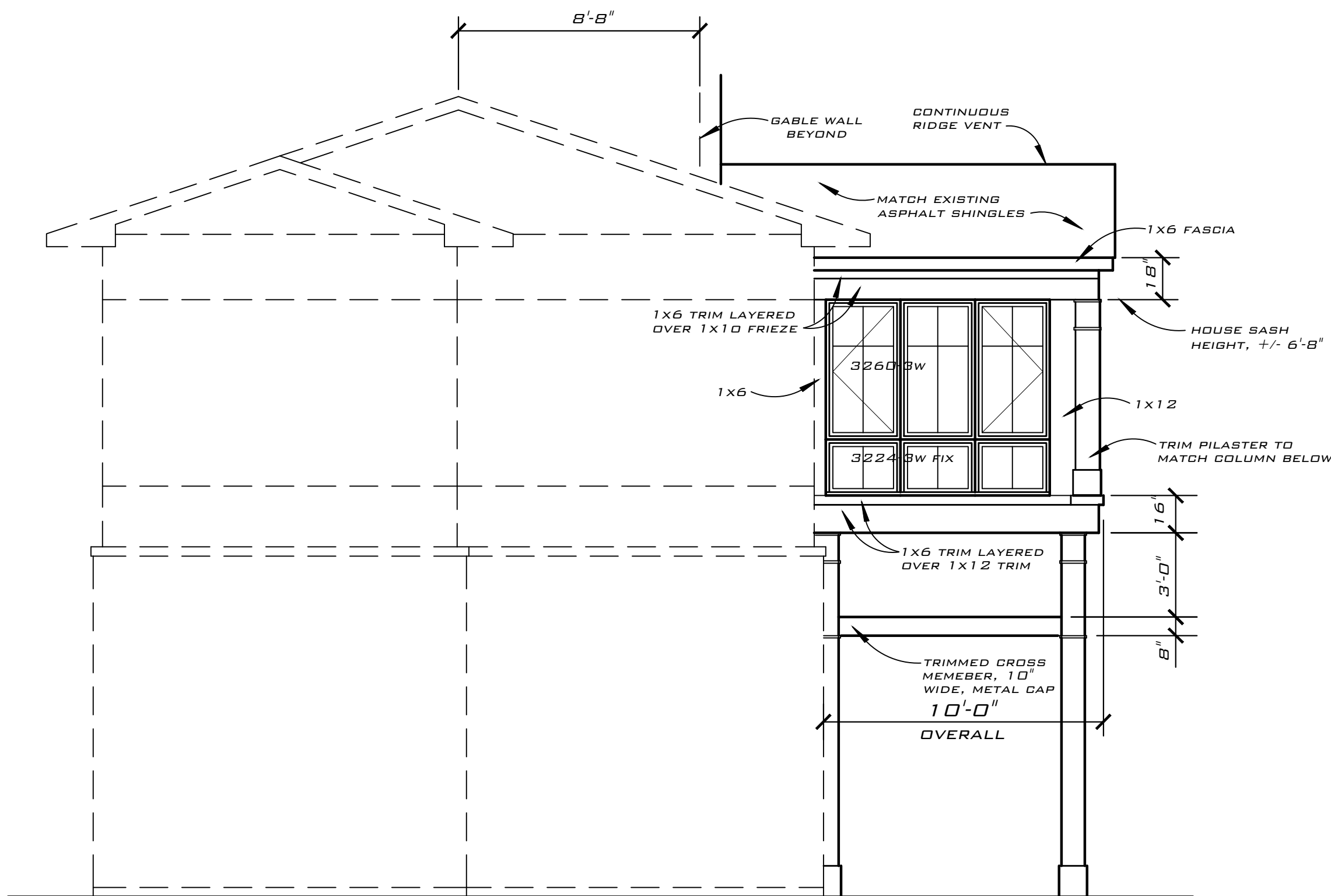
**FRONT ELEVATION**

SCALE  $\frac{1}{8}" = 1'-0"$

FLOOR & WALL OVER BRICK  
CONSTRUCTION DIFFERS  
FROM EXISTING

**LEGEND**

--- EXISTING TO REMAIN  
=== NEW CONSTRUCTION

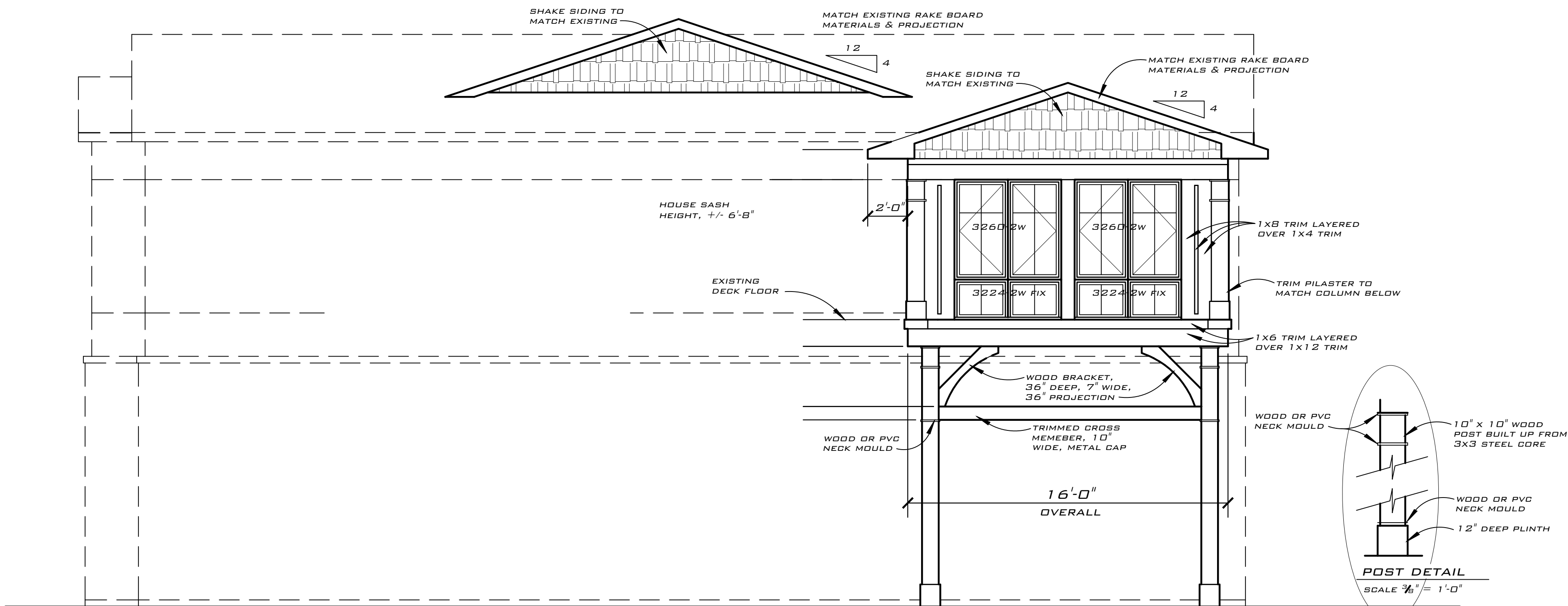


**REAR ELEVATION**

SCALE  $\frac{1}{8}" = 1'-0"$

**LEGEND**

--- EXISTING TO REMAIN  
=== NEW CONSTRUCTION



**LEFT SIDE ELEVATION**

SCALE  $\frac{1}{8}" = 1'-0"$



DENNIS DINSER

7091 Augustine Court

Fenton, MI 48430

517-540-9960

www.arcadiandesign.net

**LAWRENCE  
RESIDENCE**

DRAWN DD

CHECKED DD

DATE 7-7-25

SHEET NUMBER

1 of 1

PROJECT NUMBER

250118





DENNIS DINER

7091 Augustine Court  
Fenton, MI 48430

517-540-9960

www.arcadiandesign.net

LAWRENCE  
RESIDENCE

DRAWN DD

CHECKED DD

DATE 7-7-25

SHEET NUMBER

SKETCHES

PROJECT NUMBER

250118





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## HARTLAND TOWNSHIP ZONING BOARD OF APPEALS 2025 MEETING DATES

The Hartland Township Zoning Board of Appeals will hold their regular monthly meetings on the following dates, if requested. All meetings are open to the public.

January 15, 2025  
February 19, 2025  
March 19, 2025  
April 16, 2025  
May 21, 2025  
June 18, 2025  
July 16, 2025  
August 20, 2025  
September 17, 2025  
October 15, 2025  
November 19, 2025  
December 17, 2025

Regular meetings are typically held the third (3<sup>rd</sup>) Wednesdays of every month if requested, beginning at 7:00 PM in the Hartland Township Hall, located at 2655 Clark Road, Hartland, MI.

If an applicant has not requested a Zoning Board of Appeals meeting for any given month, the scheduled meeting for that month will be canceled.

Any questions regarding the Zoning Board of Appeals may be directed to the Hartland Township Planning Department at (810) 632-7498.



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Summer L. McMullen, Trustee  
Denise M. O'Connell, Trustee  
Joseph M. Petrucci, Trustee

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## HARTLAND TOWNSHIP ZONING BOARD OF APPEALS 2026 MEETING DATES

The Hartland Township Zoning Board of Appeals will hold their regular monthly meetings on the following dates, if requested. All meetings are open to the public.

January 21, 2026  
February 18, 2026  
March 18, 2026  
April 15, 2026  
May 20, 2026  
June 17, 2026  
July 15, 2026  
August 19, 2026  
September 16, 2026  
October 21, 2026  
November 18, 2026  
December 16, 2026

Regular meetings are typically held the third (3<sup>rd</sup>) Wednesdays of every month if requested, beginning at 7:00 PM in the Hartland Township Hall, located at 2655 Clark Road, Hartland, MI.

If an applicant has not requested a Zoning Board of Appeals meeting for any given month, the scheduled meeting for that month will be canceled.

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