



CITY OF MADISON HEIGHTS
COUNCIL CHAMBERS - CITY HALL, 300 W. 13 MILE ROAD
ZONING BOARD OF APPEALS MEETING AGENDA
JULY 11, 2024 AT 7:30 PM

CALL TO ORDER

ROLL CALL

ADDITIONS/DELETIONS

APPROVAL OF MINUTES

- [1.](#) April 4th, 2024 Meeting Minutes

PUBLIC HEARING

- [2.](#) **PZBA 24-03: 27376 Barrington Street**

REQUEST: The applicant and property owner, Magdalena Birriac, requests dimensional variances from Section 10.401 of the Zoning Ordinance pertaining to minimum lot size and minimum building setbacks, as follows: Two (2) variances pertaining to the minimum width of a new lot; two (2) variances pertaining to the minimum area of a new lot; and two (2) variances pertaining to minimum side yard setback. The applicant intends to divide an existing residential parcel into two (2) developable parcels. **NOTE: This request was postponed from the cancelled June 6th ZBA Meeting.**

The subject property is located at 27376 Barrington Street (tax parcel #44-25-14-476-003) and is zoned R-3, One-Family Residential district.

MEETING OPEN TO THE PUBLIC: Items not listed on agenda

UNFINISHED BUSINESS

NEW BUSINESS

PLANNER UPDATES

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

A Regular Meeting of the Zoning Board of Appeals was called to order by Chairman Kimble on Thursday, April 04, 2024, at 7:30 PM at Council Chambers - City Hall, 300 W. 13 Mile Road, Madison Heights, MI 48071

Present: Chair Kimble and members: Aaron, Covert, Fleming, Loranger, Oglesby, and Sagar

Absent: Corbett, Holder, and Marentette

ZBA 01-24. Minutes

Motion made by Mr. Oglesby, Seconded by Ms. Aaron, to approve the November 16, 2023, Meeting Minutes as presented.

Voting Yea: Aaron, Kimble, Loranger, Oglesby, Sagar, Fleming, Covert
Motion Carried.

ZBA 02-24. Excuse member(s)

Motion made by Mr. Oglesby, Seconded by Ms. Aaron, to excuse Ms. Linda Corbett, Ms. Cindy Holder, and Ms. Margaret Marentette from tonight's meeting.

Voting Yea: Aaron, Kimble, Loranger, Oglesby, Sagar, Fleming, Covert
Motion Carried.

ZBA 03-24. Case # PZBA 24-01: 32751 Concord Drive

City Planner Lonnerstater reviewed the staff report provided in the meeting packet, incorporated herein:

REQUEST

The applicant, Aver Sign Company, on behalf of Antoun Property Group LLC (property owner), requests two (2) dimensional variances from Section 10.511(IV)(C) of the Zoning Ordinance pertaining to signage: One (1) variance pertaining to the maximum height of a ground sign; and one (1) variance pertaining to the maximum area of a ground sign. The subject property is located at 32751 Concord Drive (tax parcel #44-25-02-201-026) and is zoned B-3, General Business. The property is located on the east side of Concord Drive, south of W. 14 Mile Road. A new gas station/convenience store is currently under construction on the property.

The applicant requests variances from the following sections of the Zoning Ordinance pertaining to ground signage:

Variance #1: Section 10.511(IV)(C)(2)(a)1: Not over eight feet in height above the adjacent grade; and

Variance #2: Section 10.511(IV)(C)(2)(a)4: A ground sign under this section shall not exceed 0.5 square feet per each lineal foot of lot frontage to a maximum of 60 square feet in area.

The applicant proposes to demolish the existing monument sign on the property (formerly for “Steak ‘n Shake”) and construct one new monument sign with the following dimensions:

9.52-ft. tall (1.52-ft. variance)

63.2 sq. ft. area (3.2-sq. ft. variance)

These variances are detailed individually below.

Height Variance

Per Section Per Section 10.511(IV)(C)(2)(a), ground signs in B-3 zoned districts are afforded a maximum height of eight (8) feet. The proposed sign measures 9.52 feet tall, requiring a 1.52-foot variance. The existing ground sign, to be demolished, is approximately 8 feet tall and meets Ordinance requirements.

The proposed sign features an aluminum cabinet, a 16 sq. ft. digital message board, and a 1.6-foot-tall faux brick base monument.

Area Variances

Per Section Per Section 10.511(IV)(C)(2)(a), ground signs in B-1 zoned districts are afforded a maximum a maximum area of sixty (60) square feet. The existing sign is approximately sixty (60) square feet, meeting Ordinance requirements. The new sign is proposed at 63.2 square feet, requiring a 3.2 square foot area variance. Note that the applicant has included the sign base in the area measurement; however, per the City’s zoning definitions, the sign base does not count towards sign area calculations.

SITE PLAN REVIEW COMMITTEE (SPRC) ACTION

The SPRC discussed the variance request at their November 8th, 2023, meeting. The SPRC did not object to allowing two (2) ground signs on the property but

expressed concern regarding the potential impacts to landscaping as well as allowing a sign so close to the side property line.

ZBA ACTION

Any ZBA motion, including approval and denial, should include findings of fact relating to the variance criteria listed in Sections 10.804(2) and 10.805. In granting a variance, the ZBA may attach conditions regarding the location, character, and other features of the proposed use(s) as it may deem reasonable in furthering the purpose of the Zoning Ordinance. If the ZBA moves to approve the requested variances, staff suggest the following conditions of approval: 1. Landscaping shall be planted around the foundation of each new sign to soften the appearance of the metal base and reduce the visual impact of the added height. 2. The new ground sign shall not obstruct clear vision corners. 3. The ground sign shall feature a decorative brick base, as presented in the variance application.

Applicant Avis Antoun of Antoun Property Group, LLC was present to answer any questions.

Petitioner Brian Stakley, Permit Agent at Aver Sign Company, representing BP at 32751 Concord Drive is requesting the board to approve two sign variances. The height variance of 9.52 feet and the area variance square footage of 76.17. The following are Mr. Stakely's answers to questions from the board: The variances are required to ensure optimal visibility without encroaching on adjacent properties. The flow of traffic from key vantage points, including 14 Mile Road, is distinctive to this property. To effectively and safely capture the attention of vehicular and pedestrian traffic a variance is essential to ensure visibility within the unique traffic patterns. This decision stems from a commitment to promote their brand and business growth. BP franchise requires the monument sign to advertise all grades of gasoline.

Chair Kimble opened the public hearing at 7:52 p.m. to hear comments on application #24-01.

There being no comments on application #24-01, Chair Kimble closed the public hearing at 7:53 p.m.

Motion made by Ms. Aaron, Seconded by Mr. Oglesby, to approve the variance application to allow one (1) new ground sign measuring 9.52 feet in height and 63.2 feet in area at the subject property located at 32751 Concord Drive after the required public hearing, based upon the following findings:

- 1) Section 10.511(IV)(C)(2)(a) of the Zoning Ordinance permits ground signs not over eight (8) feet in height above the adjacent grade and not over sixty (60) square feet in the B-3 Zoning District.
- 2) Based on exceptional shape or area of the specific piece of property in relation to its redevelopment, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.
- 3) The literal interpretation of the provisions of this ordinance deprives the applicant of rights commonly enjoyed by others in the same zoning district.
- 4) The special conditions and/or circumstances are not a result of the applicant.
- 5) The variance is the minimum variance necessary to provide relief to the applicant.

This variance is granted with the following conditions:

1. Landscaping shall be planted around the foundation of the new sign to soften the appearance of the metal base and reduce the visual impact of the added height.
2. The new ground sign shall not obstruct clear vision corners.
3. The ground sign shall feature a decorative brick base, as presented in the variance application.

Voting Yea: Aaron, Kimble, Oglesby, Sagar, Fleming, Covert

Voting Nay: Loranger

Motion Carried.

ZBA 04-24. Public Comment: For items not listed on the agenda.

Seeing no one wished to comment, Chair Kimble opened public comment at 7:52 p.m. and closed the public comment at 7:53 p.m.

ZBA 05-24. Officer Elections: Chair and Vice Chair

Chair Kimble called for nominations for the position of Chairperson and Vice Chairperson of the Board.

Councilman Fleming nominates Mark Kimble as Chair and Toya Aaron as Vice-Chair.

Mark Kimble accepts the nomination for the Chair position and Toya Aaron accepts the nomination for the Vice-Chair position.

Motion made by Councilman Fleming, Seconded by Mr. Oglesby, to approve Mark Kimble as Chair and Toya Aaron as Vice-Chair.

Voting Yea: Aaron, Kimble, Loranger, Oglesby, Sagar, Fleming, Covert
Motion Carried.

ZBA 06-24. City Planner updates

City Planner Lonnerstater gave an update that Ordinance 2198 of the new Zoning Ordinance and Zoning Map, First Reading which will come before City Council for approval at the April 8, 2024, Regular Council Meeting. He announced that Ms. Christina Rodgers resigned effective immediately due to health issues.

ZBA 06-24. Adjournment.

Motion made by Ms. Aaron, Seconded by Mr. Oglesby.

Voting Yea: Aaron, Kimble, Loranger, Oglesby, Sagar, Fleming, Covert
Motion Carried.

There being no further business, Chair Kimble adjourned the meeting at 8:08 p.m.



MEMORANDUM

Report Date: June 27th, 2024
 To: City of Madison Heights Zoning Board of Appeals
 Meeting Date: July 11th, 2024
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Lot Area, Lot Width and Setback Variances
 PZBA 24-03; 27376 Barrington Street.

NOTE: City Council adopted a new Zoning Ordinance and Zoning Map on May 13th, 2024. The effective date of the new Ordinance and Map is May 29th, 2024. The applicant formally submitted the ZBA application on May 13th, 2024, prior to the effective date of the new Zoning Ordinance. Therefore, this request shall be reviewed and acted upon utilizing the prior Zoning Ordinance.

REQUEST

The applicant and property owner, Magdalena Biriic, requests variances from the City's Zoning Ordinance related to minimum lot area, minimum lot width, and minimum building setbacks in order to divide an existing parcel into two (2) parcels and construct two (2) single-family detached structures. The subject property is located at 27376 Barrington Street (tax parcel #44-25-14-476-003) and is zoned R-3, One-Family Residential. The property is approximately 10,080 square feet in area, 76 feet in width, and is vacant. The property is located on the east side of Barrington Street, between University Avenue and Farnum Avenue.

The applicant requests variances from the following sections of the Zoning Ordinance pertaining to minimum lot area, lot width, and building setbacks:

Variance #1: Section 10.401: Minimum lot area (R-3 district): 5,500 square feet.

Variance #2: Section 10.401: Minimum lot width (R-3 district): 50 feet.

Variance #3: Section 10.401: Minimum side yard setback: 3 feet (total of 12 feet).

The applicant proposes to divide the existing residential parcel into two (2) parcels for the purpose of developing two (2) detached single-family homes. The new parcels are proposed as follows:

Parcel A: 5,038 sq. ft. (462 sq. ft. variance); 38 ft. in width (12 ft. variance).

Parcel B: 5,041 sq. ft. (459 sq. ft. variance); 38 ft. in width (12 ft. variance)

The house on Parcel A is proposed to be set back 2.7 feet from the north property line. The house on Parcel B is proposed to be set back 2.7 feet from the north property line. Therefore, both of these structures require a 0.3 foot side yard setback variance.

These variances are detailed individually on the following pages.

Lot Area Variances

Per Section 10.401 (Schedule of Regulations), new parcels created in the R-3 zoning district shall have a minimum lot area of 5,500 square feet. Both new parcels resulting from the proposed land division fail to meet the minimum lot area requirement. However, the subject parcel comprises two historic lots of the Symphony Park No. 1 subdivision which was platted prior to the 1960s. The historic platted lots on the east side of Barrington Street average approximately 5,300 square feet and do not comply with Zoning Ordinance standards. While several historic lots have been combined to create larger compliant parcels (including the subject parcel), there are four (4) existing parcels on the east side of Barrington Street which are legally non-conforming regarding lot size. Additionally, all but one existing parcel on the west side of Barrington Street have non-conforming lot areas.

Lot widths and lot sizes are denoted in the image below:



Lot Width Variances

Per Section 10.401 (Schedule of Regulations), new parcels created in the R-3 zoning district shall have a minimum lot width of 50 feet. As shown in the aerial image above, the historic platted lots of the Symphony Park #1 subdivision have widths of forty (40) feet, which are legally non-conforming to today's zoning standards. Based on information from the Oakland County Register of Deeds, the northern four (4) feet of the subject parcel was sold to, and combined with, the parcel to the north sometime prior to 1986. Therefore, the proposed land division results in two (2) 38 ft.-wide lots as opposed to two (2) 40 ft.-wide lots. A majority of the existing parcels on the east/west sides of this block of Barrington Street have lot widths of 40 feet, which do not conform to Zoning Ordinance standards. At 38 feet, the proposed lot widths are slightly less than the predominant pattern on the block face.

Setback Variances

Per Section 10.401 (Schedule of Regulations), new principal structures in the R-3 zoning district shall have a minimum side yard setback of three (3) feet on one side, with the two side yards totaling twelve (12) feet; as an example, a house with a 3-foot side yard on one side is required to have a minimum 9-foot side yard on the other. Additionally, per Section 10.401(s), the distance between houses located on adjacent lots in the R-3 district shall be at least 12 feet apart.

Due to the resulting narrow lot widths, the applicant proposes a 2.7-foot side yard setback for both homes; this amounts to a variance request of 0.3 feet, or approximately 3.6 inches. The minimum 12-foot distance between structures would be maintained. Per the survey provided by the applicant, the existing home to the south of the subject site is also located approximately 2.7 feet from the property line and is legally non-conforming.

Additional Setback and Dimensional Standards

The applicant has provided a conceptual architectural site plan and floor plan of the two (2) proposed detached single-family homes. If the requested variances (including the setback variances) and the subsequent land division application are approved, the proposed structures will be required to meet all other dimensional zoning requirements and design requirements, including but not limited to maximum lot coverage, maximum building height, minimum setbacks between structures on adjacent parcels, and building code regulations. Additional dimensional variance(s) will be required for any non-compliant aspect of the proposed structures.

VARIANCE FINDINGS AND CRITERIA

Section 10.804(2) outlines criteria for reviewing variance requests, summarized below:

- ***Exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of the Zoning Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property.***
- ***The strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.***

Additional standards for reviewing variance cases, as required per the ZBA application, are outlined below:

- ***The literal interpretation of the provisions of this ordinance deprives the applicant of rights commonly enjoyed by others in the same zoning district.***

- *The special conditions and/or circumstances are not a result of the applicant.*
- *The variance is the minimum variance necessary to provide relief to the applicant.*
- *In the absence of a variance, the property could not be used in a manner permitted by the Ordinance.*

Additional variance review criteria are contained in Section 10.805, listed at the end of this report.

BUILDING OFFICIAL COMMENTS

Per the Building Official, all one-family residential structures, including those with reduced side yard setbacks, shall be built in compliance with Table R302.1(1), *Exterior Walls*, of the Residential Building Code.

STAFF ANALYSIS

The applicant has provided written responses addressing the variance criteria of Section 10.804(2) of the Zoning Ordinance. Per their application, the applicant primarily cites compatibility with adjacent non-conforming parcels as justification for the requested variances.

Practical difficulties relating to dimensional variance requests should generally relate to unique physical constraints on the property, including but not limited to natural features (e.g. wetlands, topography, soil situations) or extraordinary parcel shape. Where physical constraints severely limit the ability to place a legal use or structure on the property, variances may be warranted.

Staff finds that the existing subject parcel is of a regular rectangular shape with adequate lot area, depth, and frontage to accommodate construction of one (1) single-family structure. The dimensions of the existing parcel do not deprive the property owner of rights commonly enjoyed by others in the R-3 zoning district, nor prevent the owner from developing a residential building on the parcel. However, staff notes that the variance requests are minimal when compared with the prevailing historic lot pattern on Barrington Street (40 feet lot widths and 5,225 sq. ft. lot areas). While the variances would result in two lots that are *slightly* smaller and narrower than those existing on the block today, staff does not believe that the variances would result in a substantial detriment to the public good nor significantly alter the character of the neighborhood. Further, while staff cannot verify all the existing building setbacks within the neighborhood, many of the existing homes along this portion of Barrington Street appear to be built very close to the side property lines, including the home directly to the south which is placed 2.7 feet from the property line.

ZBA ACTION

Any ZBA motion, including approval and denial, should include findings of fact relating to the variance criteria listed in Sections 10.804(2) and 10.805. Template approval and denial motions are provided below for the ZBA's consideration. Separate motions should be made for the lot width/area variances and setback variances.

In granting a variance, the ZBA may attach conditions regarding the location, character and other features of the proposed use(s) as it may deem reasonable in furthering the purpose of the Zoning Ordinance. **If the ZBA moves to approve the requested variances, staff suggests the following condition of approval:**

1. Proposed structures on the new residential parcels shall satisfy all other dimensional and design standards contained within the Zoning Ordinance, unless subsequent variances are obtained through the Zoning Board of Appeals, and all pertinent building code regulations.

TEMPLATE MOTIONS – LOT AREA AND LOT WIDTH VARIANCES**APPROVAL**

Move to **APPROVE** the dimensional variance requests to allow a land division at 27376 Barrington Street in the R-3 zoning district resulting in the following parcel dimensions:

Parcel A: 5,038 sq. ft. (462 sq. ft. variance); 38 ft. in width (12 ft. variance).

Parcel B: 5,041 sq. ft. (459 sq. ft. variance); 38 ft. in width (12 ft. variance)

The dimensional variances are granted based upon the following findings:

- 1) Section 10.401 of the Zoning Ordinance requires new parcels in the R-3 zoning district to contain a minimum lot area of 5,500 square feet and a minimum width of 50 feet.
- 2) The strict application of the regulations would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.
- 3) The special conditions and/or circumstances are not a result of the applicant.
- 4) The variances are the minimum variance necessary to provide relief to the applicant.

This variance is granted with the following condition:

1. Proposed structures on the new residential parcels shall satisfy all other dimensional and design standards contained within the Zoning Ordinance unless subsequent variances are obtained through the Zoning Board of Appeals, and all pertinent building code regulations.

DENIAL

Move to **DENY** the dimensional variance requests to allow a land division at 27376 Barrington Street in the R-3 zoning district resulting in the following parcel dimensions:

Parcel A: 5,038 sq. ft. (462 sq. ft. variance); 38 ft. in width (12 ft. variance).

Parcel B: 5,041 sq. ft. (459 sq. ft. variance); 38 ft. in width (12 ft. variance)

The dimensional variances are denied based upon the following findings:

- 1) Section 10.401 of the Zoning Ordinance requires new parcels in the R-3 zoning district to contain a minimum lot area of 5,500 square feet and a minimum width of 50 feet.
- 1) Based on the absence of exceptional shape or area, or physical constraints of the specific piece of property, the strict application of the regulations would not result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property.
- 2) The literal interpretation of the provisions of this ordinance does not deprive the applicant of rights commonly enjoyed by others in the same zoning district.
- 3) The special conditions and/or circumstances are a result of the applicant.
- 4) The variances are not the minimum variance necessary to provide relief to the applicant.

TEMPLATE MOTIONS – SIDE YARD SETBACK

APPROVAL

Move to **APPROVE** the dimensional variance requests related to the required side yard setback at 27376 Barrington Street resulting in the following setbacks:

Parcel A: 2.7 foot setback from northern property line (0.3 foot variance)

Parcel B: 2.7 foot setback from the northern property line (0.3 foot variance)

The dimensional variances are granted based upon the following findings:

- 1) Section 10.401 of the Zoning Ordinance requires new principal structures in the R-3 zoning district to provide a minimum side yard setback of 3 feet.
- 2) The strict application of the regulations would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.
- 3) The special conditions and/or circumstances are not a result of the applicant.
- 4) The variances are the minimum variance necessary to provide relief to the applicant.

DENIAL

Move to **DENY** the dimensional variance requests related to the required side yard setback at 27376 Barrington Street resulting in the following setbacks:

Parcel A: 2.7 foot setback from northern property line (0.3 foot variance)

Parcel B: 2.7 foot setback from the northern property line (0.3 foot variance)

The dimensional variances are denied based upon the following findings:

- 1) Section 10.401 of the Zoning Ordinance requires new principal structures in the R-3 zoning district to provide a minimum side yard setback of 3 feet.
- 5) Based on the absence of exceptional shape or area, or physical constraints of the specific piece of property, the strict application of the regulations would not result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon, the owner of such property.
- 6) The literal interpretation of the provisions of this ordinance does not deprive the applicant of rights commonly enjoyed by others in the same zoning district.
- 7) The special conditions and/or circumstances are a result of the applicant.
- 8) The variances are not the minimum variance necessary to provide relief to the applicant.

CODE REFERENCES**Sec. 10.804. - Power of zoning board of appeals.**

(2) Variance. To authorize upon an appeal, a variance from the strict applications of the provisions of this Ordinance where by reason of exceptional narrowness, shallowness, shape or area of a specific piece of property at the time of enactment of this Ordinance or by reason of exceptional topographic conditions or other extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this Ordinance. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed uses as it may deem reasonable in furtherance of the purpose of this Ordinance. In granting a variance, the board shall state the grounds upon which it justifies the granting of a variance.

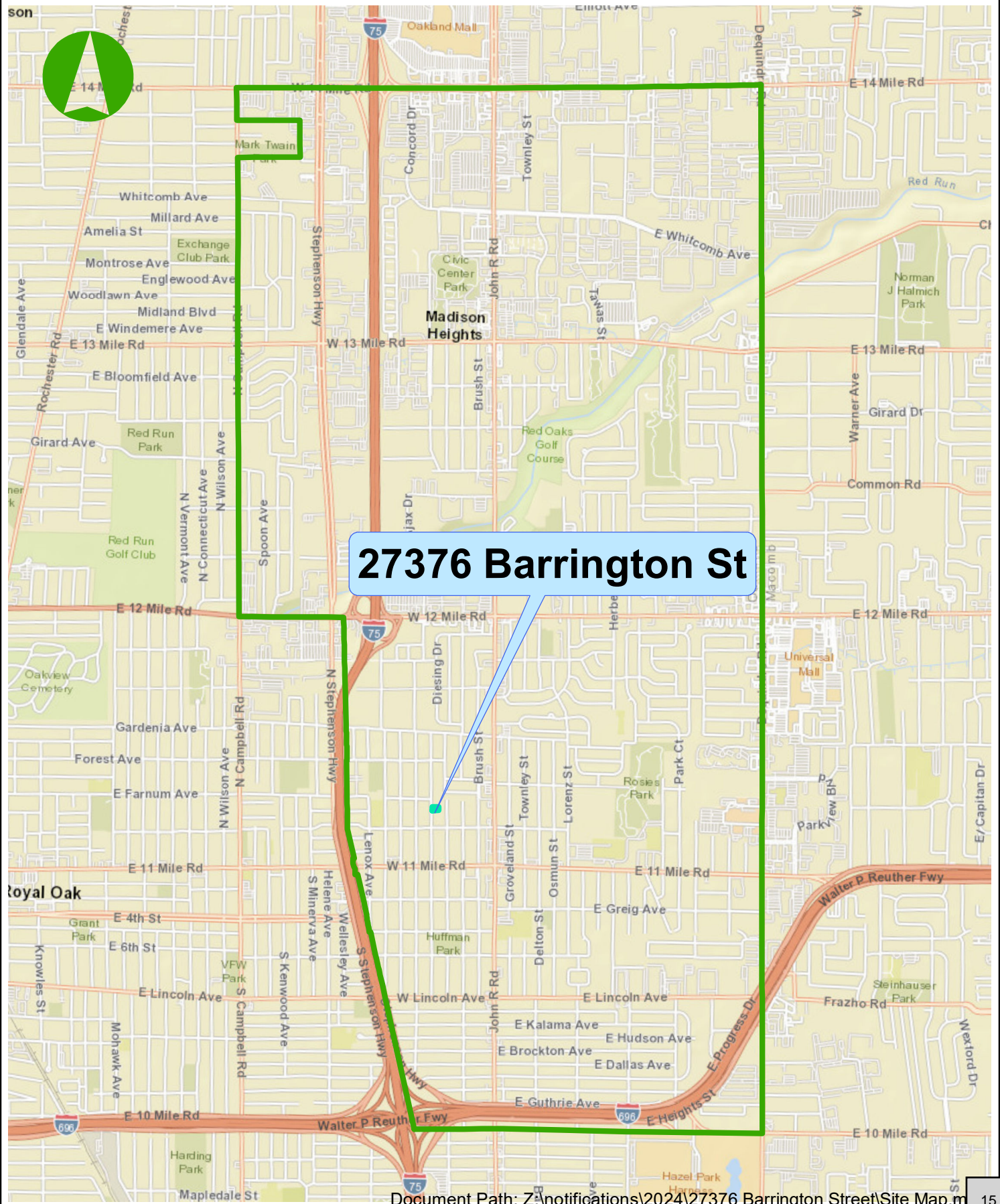
Sec. 10.805. - Standards.

Each case before the city council, zoning board of appeals or plan commission shall be considered as an individual case and shall conform to the detailed application of the following standards in a manner appropriate to the particular circumstances of such case. All uses as listed in any district requiring approval for a permit shall be of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts. Consideration shall be given to the following:

- 1) The location and size of the use.
- 2) The nature and intensity of the operations involved in or conducted in connection with it. (See section 10-319(4).)
- 3) Its size, layout and its relation to pedestrian and vehicular traffic to and from the use.
- 4) The assembly of persons in connection with it will not be hazardous to the neighborhood or be incongruous therewith or conflict with normal traffic of the neighborhood.
- 5) Taking into account, among other things, convenient routes of pedestrian traffic, particularly of children.
- 6) Vehicular turning movements in relation to routes of traffic flow, relation to street intersections, site distance and the general character and intensity of development of the neighborhood.
- 7) The location and height of buildings, the location, the nature and height of walls, fences and the nature and extent of landscaping of the site shall be such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof.
- 8) The nature, location, size and site layout of the uses shall be such that it will be a harmonious part of the district in which it is situated taking into account, among other things, prevailing shopping habits, convenience of access by prospective patrons, the physical and economic relationship of one type of use to another and related characteristics.
- 9) The location, size, intensity and site layout of the use shall be such that its operations will not be objectionable to nearby dwellings, by reason of noise, fumes or flash of lights to a greater degree than is normal with respect to the proximity of commercial to residential uses, not interfere with an adequate supply of light and air, not increase the danger of fire or otherwise endanger the public safety.

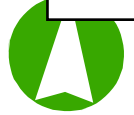
Section 10.401 – Limiting Height, Bulk, Density and Area by Land Use

Use Districts	Minimum Size Lot per Dwelling Unit		Maximum Height of Principal Structures		Minimum Yard Setback (per lot in ft.)				Minimum Floor Area	Maximum Percentage of Lot Coverage
					Sides Least Total					
	Area in Sq. Ft.	Width in Ft.	In Stories	In Feet	Front	One	Two	Rear	Per Unit (sq. ft.)	(area of all buildings)
R-1 One-Family Residential (t)	43,560	150	2	25	25(r)	10	25	50	1,400(b) (p) (q)*	20%
R-2 One-Family Residential (t)	7,200	60	2	25	25(e), (r)	5(a)	14(s)	35	1,200(b) (p) (q)*	30%
R-3 One-Family Residential (t)	5,500	50	2	25	25(e), (r)	3(a)	12(s)	35	950(b) (p) (q)*	35%
R-T Two-Family Residential (t)	4,000	40	2	25	25(c)	10(a)	20	30	650(b)	35%
R-M Multiple-FamilyResidential (t)	(c)	(c)	3	35	25(e)	10	20	30	(c)	35%
O-1 Office Building (u)	—	—	2(h)	30(h)	20(c), (l)	(f)	(f)	20	—	—
B-1 LocalBusiness (u)	—	—	2(h)	30(v)	5(e), (v)	(f), (v)	(f), (v)	20(g), (v)	—	—
B-2 PlannedBusiness (u)	—	—	3(h)	40(h), (v)	75	20(j), (v)	(j), (v)	20(g), (j), (v)	—	—
B-3 GeneralBusiness (u)	(w)	(w)	3(h), (w)	40(h)	5(e), (w)	(f)	(f)	20(g)	(w)	—
M-1 Light Industrial (u)	—	—	—	40(h)	50(e), (l), (j)	20(j), (l)	—	(j), (l)	—	—



27376 Barrington St

Site Address: 27376 Barrington St



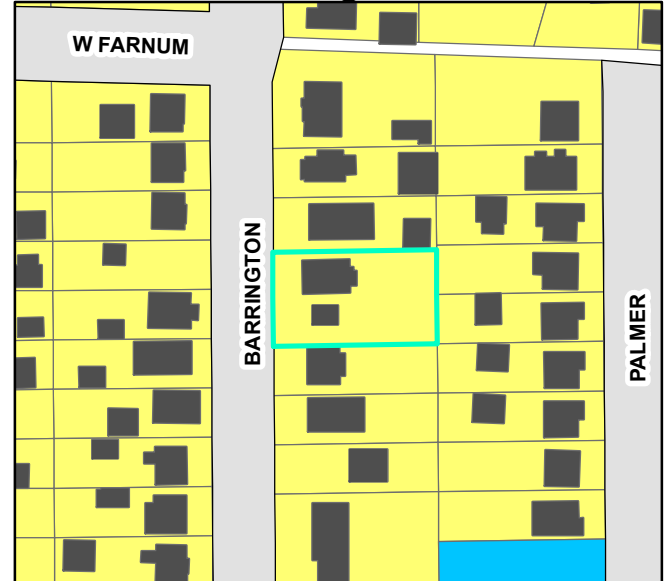
[Click for maps](#)

Aerial



27376 Barrington St
Industrial

Existing Land Use



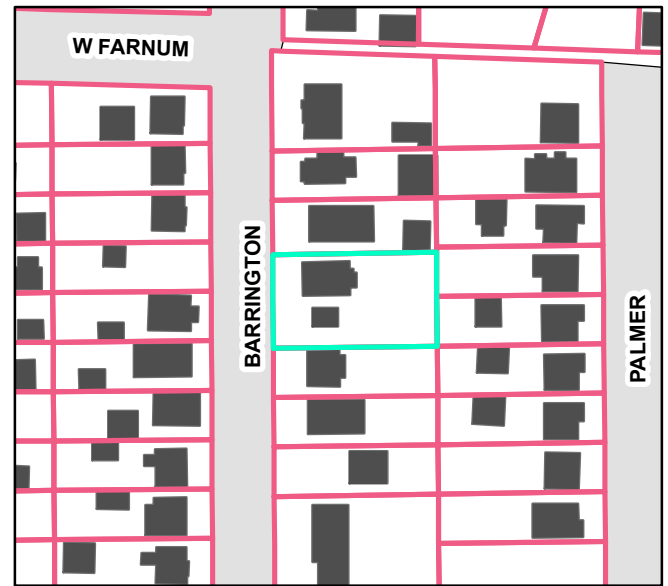
27376 Barrington St Single and Two Family
 Buildings Quasi -Public

Zoning



27376 Barrington St Buildings
Parcels R-3 Residential

Future Land Use

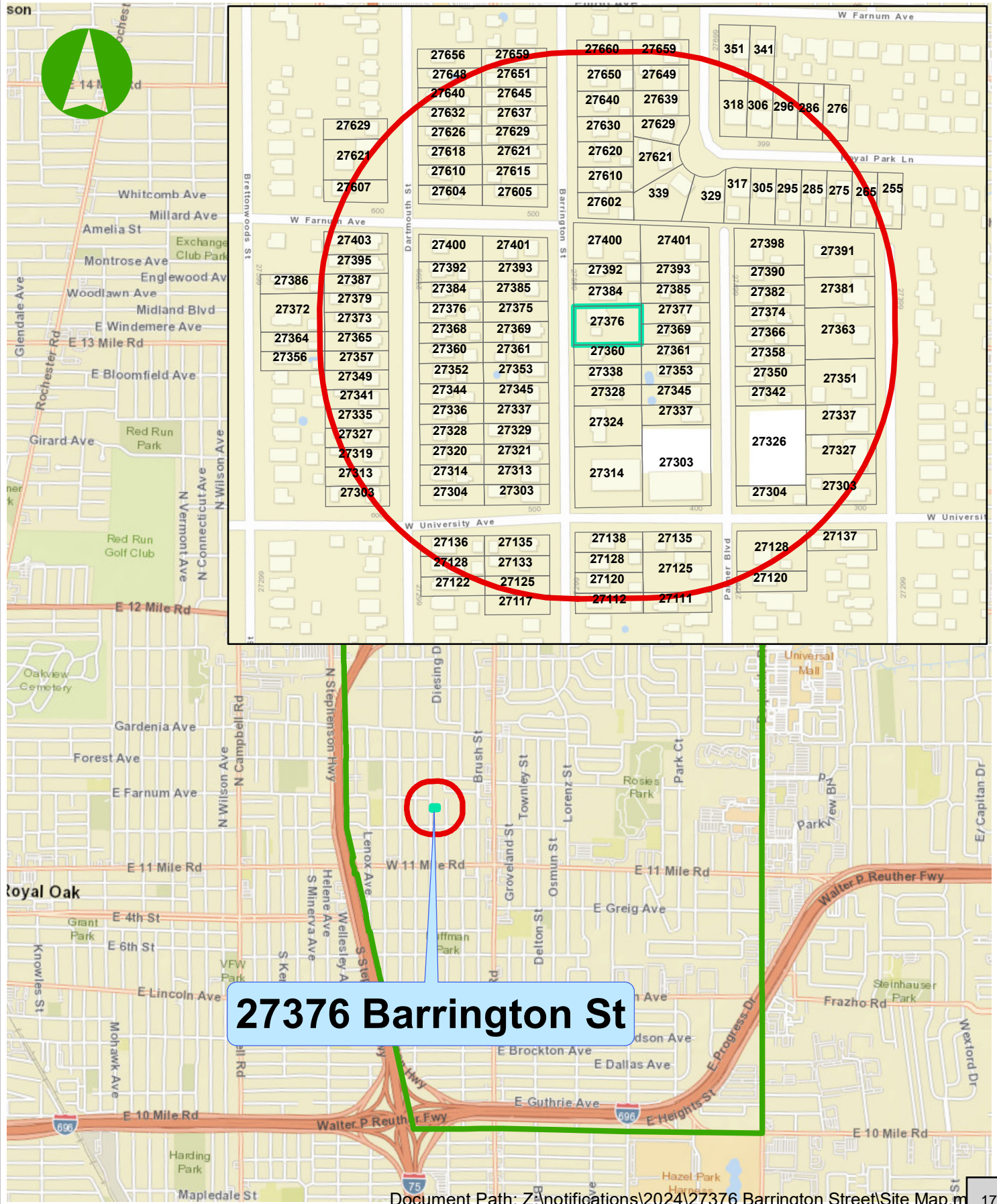


27376 Barrington St Buildings
Parcels Single Family

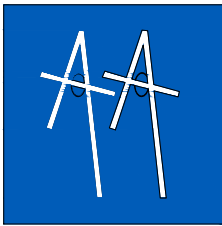
ZBA CASE: 24 - 03

BUFFER 500 FT

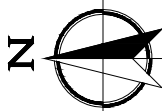
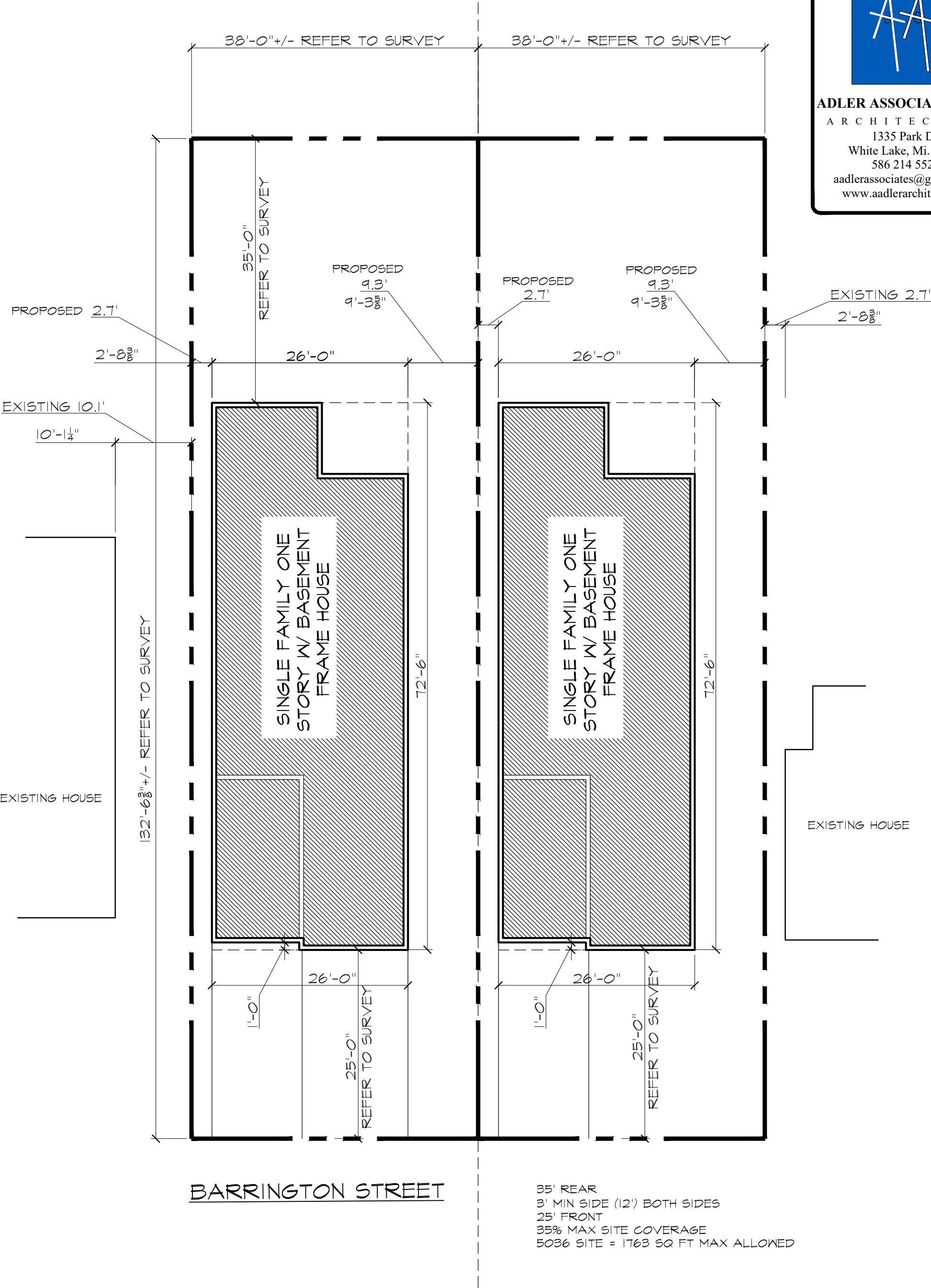
Item 2.



27376 Barrington St



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www.aadlerarchitect.com



ARCHITECTURAL SITE PLAN

scale : 1" = 10' - 0"



FIRST FLOOR PLAN 1400 S.F. HEATED AREA
scale: 3/16" = 1' - 0"

NOTICE OF PUBLIC HEARING

Notice is hereby given that a Meeting of the Madison Heights **Zoning Board of Appeals** will be held in the **City Council Chambers** of the Municipal Building at **300 W. 13 Mile Road**, Madison Heights, Oakland County, Michigan 48071 on **Thursday, July 11th, 2024 at 7:30 p.m.** to consider the following requests:

1. **Case # PZBA 24-03: 27376 Barrington Street**

REQUEST: The applicant and property owner, Magdalena Biriac, requests dimensional variances from Section 10.401 of the Zoning Ordinance pertaining to minimum lot size and minimum building setbacks, as follows: Two (2) variances pertaining to the minimum width of a new lot; two (2) variances pertaining to the minimum area of a new lot; and two (2) variances pertaining to minimum side yard setback. The applicant intends to divide an existing residential parcel into two (2) developable parcels. NOTE: This request was postponed from the cancelled June 6th ZBA Meeting.

The subject property is located at 27376 Barrington Street (tax parcel #44-25-14-476-003) and is zoned R-3, One-Family Residential district.

The applications and any supporting documents can be viewed during regular business hours at the Community & Economic Development Department. In addition, the agenda item can be viewed online at www.madison-heights.org in the Agenda Center after 4:00 p.m. on Friday before the meeting.

If you are unable to attend the meeting, you can send your comments via email to: MattLonnerstater@madison-heights.org and your comment will be read into the record at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the meeting.

MADISON HEIGHTS COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
(248) 583-0831

Madison-Park News
June 19th, 2024

Revised letter regarding 27376 Barrington St. (please use this one)

Eve Sandoval <ems.76@live.com>

Wed 6/12/2024 5:52 PM

To: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

Eve Sandoval
27360 Barrington St.

I'm the neighbor directly south of the current empty lot at 27376 Barrington St.
I know the lot is 78 ft and not 80ft, which puts the lot 2 ft short for each home.

I don't necessarily have an issue with two homes if done correctly. I can already see from the plans (which may have been updated since I last saw them) that the home closest to me sits about 5 to 7ft from my property line. From my home to the property, line is approx. 2.5 ft. That would make it uncomfortably close to my bedroom windows.

I also noticed no driveway separating my home from the new one. In our area, and most areas, homes are built with a driveway between each house to give them ideal space and some sense of privacy. This is not the case with these plans.

It would be fine if the home sat not closer than 10 feet from my property line and there was a driveway/garage separation.

Another brief concern is regarding the mature cottonwood tree that sits predominately on my back lot. The new home looks to be quite long and will have a basement. Allowing the driveway and garage to sit closest to me should not interfere with the mature tree and should not have an overhang over any livable structure.



CITY OF MADISON HEIGHTS ZONING BOARD OF APPEALS APPLICATION

(This application must be typed)
SUBMIT TWO ORIGINAL COPIES

Item 2.
Application No.: <u>928A 2403</u>
RECEIVED Date Filed: MAY 13 2024
BY:

1. **Petitioner:** Name: Magdalena Biriac
Address: 370 Powderhorn Ct
City: Rochester Hills State: MI Zip: 48309
Telephone: 248-410-9892 Fax: _____
Email: magdalena.berkowska@gmail.com
2. **Petitioner's Interest in Property:** Owner
3. **Property Owner:** (Attach list if more than one owner)
Name: Magdalena Biriac
Address (Street): 370 Powderhorn Ct
City: Rochester Hills State: MI Zip: 48309
Telephone: 248-410-9892
Email: magdalena.berkowska@gmail.com
4. **Property Description:**
Address: 27376 Barrington St Madison Heights, MI 48071
Tax Parcel #: 44 - 25 - 14 - 476 - 003
Legal Description - Attach if metes and bounds description.
If in a subdivision: Lot #: 295
Subdivision name: Symphony Park
Lot size: 10,106 sq ft
Size of proposed building or addition: Two buildings at 1,400 sq ft
5. **Present Zoning of Property:** R-3 RES **Present Use:** R-3 RES
6. **Action Requested:** (Check the appropriate section and attach response on separate sheets)

☐ **APPEAL OF AN ADMINISTRATIVE DECISION (Administrative Review)**

The applicant requests the Board of Appeals to reverse/modify the _____
decision/interpretation of Article _____, Section _____. The decision should be
reversed/modified because: (On a separate sheet describe in detail the nature of the problem, the
reason for the request and the desired remedy)

PAGE 2

ZONING BOARD OF APPEALS APPLICATION

6. **Action Requested:** (Continued) (Check the appropriate section and attach response on separate sheets)

☒ **VARIANCE**

Request is hereby made for permission to erect ☒ alter ☐ convert ☐ or use ☐ a
Two single family residential properties

Contrary to the requirements of Section(s) 10.401 of the Zoning Ordinance
_____ of the Zoning Ordinance
_____ of the Zoning Ordinance

The following questions must be answered fully on a separate sheet of paper:

- A. Clearly explain the variance desired and how the proposed building and/or use is contrary to the Zoning Ordinance.
- B. Explain the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. (Note: Your district includes all areas of the City sharing a zoning designation with your property. If your zoning classification were B-1 (Local Business) your district would include all City lands zoned B-1.)
- C. Explain why the literal interpretation of the provisions of this ordinance deprives you of rights commonly enjoyed by others in the same zoning district.
- D. Did the special conditions and/or circumstances result from your actions?
- E. Can you use the property in a manner permitted by the Ordinance if a variance is not granted? Is this the minimum variance you need to use the property in the way you want?
- F. Will granting the variance change the essential character of the area?

☐ **TEMPORARY PERMIT**

Applicant is requesting a Temporary Use ☐ and/or a Temporary Structure ☐

Describe in detail the proposed use or structure and the length of time requested.

☐ **INTERPRETATION OF ORDINANCE LANGUAGE IN SECTION _____**

Describe in detail the nature of the requested interpretation.

☐ **PUBLIC UTILITY BUILDING**

Describe in detail the proposed use or structure.

☐ **OTHER ACTION**

Describe in detail action requested.

7. **CASE HISTORY**

Have you been denied a permit for a building, sign or use on this property? Yes ☐ No ☒

Has there been any previous appeal involving these premises? Yes ☐ No ☒

(If yes, provide character and disposition of previous appeals.)

PAGE 3

ZONING BOARD OF APPEALS APPLICATION

Application No.: _____

Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:Signature M. BirilacPrinted Name Magdalena BirilacDate 05-08-2024**FOR THE APPLICANT IF NOT THE OWNER:**

Signature _____

Printed Name _____

Date _____

Note: A notarized letter of authority or a power of attorney may be substituted for the original signature of the owner.

Notices are to be sent to the Applicant ☐ Owner ☒

ATTACHED HERETO, AND MADE PART OF THIS APPLICATION, ARE THE FOLLOWING: (All required items must be submitted with this application)

- ☐ 1. Two copies of drawings of Site Plan (no larger than 11"x 17") drawn to scale and containing all necessary dimensions and all features involved in this appeal, including measurements showing open space on abutting properties. PDF
- ☐ 2. Dimensioned elevations of all buildings involved in the requested variance.
- ☐ 3. All required responses to above items.
- ☐ 4. Building permit application if applicable.
- ☐ 5. Letter of authority if applicable
- ☐ 6. Applicable fees:
 - A. Variance Review (Single Family) \$300.00
 - B. Variance Review (Dimensional) \$400.00 plus \$300 per variance
 - C. Use Variance Review \$1,000.00

OFFICE USE ONLY

APPROVALS

Approved for hearing by City Attorney _____

Approved for hearing by C.D.D. _____

Reviewed by Site Plan Committee _____

INTER-DEPARTMENTAL NOTIFICATION

Community Development Department _____

Fire Department _____

Department of Public Services _____

ZONING BOARD OF APPEALS

APPROVED: _____

DENIED: _____

FEE: \$ _____

PAID: _____

RECEIPT NO. _____

Madison Heights Zoning Board of Appeals Application

6. Action Requested: Variance

- A. The variance desired in this application is for Section 10.401 of the Code of Ordinances. Our request is contrary to the current Zoning Ordinance by requesting a lot width of 38' per lot rather than the current requirement of 50' as well as a request for a lot size of 5,053 sq ft as opposed to the current requirement of 5,500 sq ft per lot. Our plans meet all other requirements set in place by Section 10.401 of the Code of Ordinances.
- B. This residential single family lot at address 27376 Barrington St Madison Heights, MI 48071 is currently a vacant dirt lot in the middle of a fully developed residential neighborhood. The development of single family residences on this lot would enhance the aesthetic and value of the surrounding neighborhood.
- C. The literal interpretations of the provisions of this ordinance would deprive us of rights commonly enjoyed by others in the same zoning district because there have been other properties in the recent past that have been approved for very similar zoning variances as we are requesting. I have attached property listing tickets of the other properties that have been approved for these variances as proof. (Please see attached)
- D. The special conditions/circumstances are not a result of our actions. The property was purchased as a vacant dirt lot in the middle of a fully developed residential neighborhood.
- E. The property may not be used in a matter permitted by the ordinance as it stands currently due to market conditions and projected costs. The project would not be feasible. The variances requested are the minimum variances required in order to successfully complete this project and bring two new single family residences to a highly coveted area that has a large shortage in residential real estate inventory.
- F. If the requested variances are granted, they will not change the character of the area and can only improve upon the current area/neighborhood.

Residential Full

328 W BROCKTON Avenue, Madison Heights 48071-3918

MLS#: **20240022109**
P Type: **Residential**
Status: **Pending**

Area: **02252 - Madison Heights**
DOM: **N/8/8**

Short Sale: **No**
Trans Type: **Sale**
ERTS/FS

LP: **\$350,000**
OLP: **\$350,000**



Location Information

County: **Oakland**
City: **Madison Heights**
Mailing City: **Madison Heights**
Side of Str: **Madison (Madison Hts.)**
School Dist: **John R and Lincoln**
Location: **North of 696, West of John R**
Directions: **North of 696, West of John R**

Parking

Garage: **Yes**
Grg Sz: **2 Car**
Grg Dim: **Attached**
Grg Feat: **Attached**

Lot Information

Acreage: **0.1**
Lot Dim: **40x108**
Rd Front Ft: **40**

Square Footage

Sqft Source: **Assessor**
Est Fin Abv Gr: **1,771**
Est Fin Lower: **692**
Est Tot Fin: **1,771**
Price/SqFt: **\$197.63**

Layout

Beds: **3**
Baths: **2.1**
Rooms: **7**
Arch Sty: **Colonial**
Arch Lvl: **2 Story**
Site Desc:

Contact Information

Name: **BRAD PATRICK**
Phone: **(248) 755-3545**

Waterfront Information

Wtrfrnt Name:
Water Facilities:
Water Features:
Water Frt Feet:

General Information

Year Built: **2021**
Year Remod:

Listing Information

Listing Date: **04/08/2024** List Type/Level Of Service: **Exclusive Right to Sell/Full Service**
Activation Date: **04/11/2024** Srvcs Offered: **Arrange Appointments, Accept/Present Offers, Advise on Offers, Assist with Counteroffers, Negotiate for Seller**
Pending Date: **04/15/2024** Off Mkt Date: **04/15/2024** BMK Date:
Land DWP: Land Int Rate: **%** Land Payment:
Protect Period: **180** Restrictions: Exclusions:
Terms Offered: **Cash, Conventional, FHA, VA** MLS Source: **REALCOMP** Possession: **Close Plus 30 Days**
Includes: Originating MLS# **20240022109**

Features

Pets Allowed:
Foundation: **Basement**
Basement: **Unfinished**
Exterior Feat: **Fenced**
Exterior: **Vinyl**
Out Buildings:
Appliances: **Built-In Gas Oven, Built-In Refrigerator, Dishwasher, Gas Cooktop**
Heat & Fuel: **Natural Gas, Forced Air**
Wtr Htr Fuel:
Water Source: **Public (Municipal)**
Entry Location: **Ground Level**
Fndtn Material: **Poured**
Cnstrct Feat:
Fencing: **Back Yard**
Cooling: **Central Air**
Road: **Paved**
Sewer: **Public Sewer (Sewer-Sanitary)**

Room Information

Room	Level	Dimen	Flooring	Room	Level	Dimen	Flooring
Bath - Full	Second	5 x 10		Bath - Lav	First/Entry	8 x 3	
Bath - Primary	Second	9 x 12		Bedroom	Second	10 x 12	Carpet
Bedroom	Second	10 x 12	Carpet	Bedroom - Primary	Second	13 x 14	Carpet
Dining Room	First/Entry	5 x 14	Laminate	Kitchen	First/Entry	15 x 12	Laminate
Laundry Area/Room	Second	8 x 5		Living Room	First/Entry	14 x 14	Laminate

Legal/Tax/Financial

Property ID: **2523429037** Subdivision: **JOHN R HITCHMAN'S GARDENS**
Ownership: **Standard (Private)** Occupant: **Owner**
Tax Summr: **\$6,611** Tax Winter: **\$649** Homestead: **Yes** Oth/Sp Asmnt: **0.00**
SEV: **\$155,540** Taxable Value: **\$155,540** Existing Lease: **No** Home Warranty: **No**
Legal Desc: **T1N, R11E, SEC 23 HITCHMAN'S JOHN R GARDENS LOT 242**

Agent/Office Information

The listing broker's offer of compensation is made only to participants of the MLS where the listing is filed and to participants of any data share partner MLS.
Sub Ag Comp: **Yes: 2.5%**
Buy Ag Comp: **Yes: 2.5%**
Trn Crd Comp: **Yes: 1%**
Compensation Arrangements:
List Office: **Oak and Stone Real Estate** List Office Ph: **(248) 266-0584**
List Agent: **BRAD M PATRICK** List Agent Ph: **(248) 266-0584**
Access: **Appointment/LockBox** LB Location: **Side Gate**

Public Remarks: **Contemporary 2021 colonial in Madison Heights featuring an open-concept design, 3 bedrooms, 2.1 baths, convenient second-floor laundry, brick paver patio, fenced yard, and an attached garage for ultimate comfort and functionality. Sale is contingent on seller finding a home**

REALTOR® Remarks: **Contemporary 2021 colonial in Madison Heights featuring an open-concept design, 3 bedrooms, 2.1 baths, convenient second-floor laundry, brick paver patio, fenced yard, and an attached garage for ultimate comfort and functionality. Sale is contingent on seller finding a home**

96 W GUTHRIE Avenue, Madison Heights 48071-3930

MLS#: 2220036269
P Type: Residential
Status: Sold

Area: 02252 - Madison Heights
DOM: N/2/2

Short Sale: No
Trans Type: Sale
ERTS/FS

LP: \$259,900
OLP: \$259,900
SP: \$260,000

Item 2.



Location Information

County: Oakland
City: Madison Heights
Mailing City: Madison Heights
Side of Str: Madison (Madison Hts.)
School Dist: S of 11 Mile Rd/W of John R
Location: John R, W on W Roland, S on Alger, E on W Guthrie
Directions: John R, W on W Roland, S on Alger, E on W Guthrie

Parking

Garage: Yes
Grg Sz: 2 Car
Grg Dim: Detached
Grg Feat: Detached

Lot Information

Acreage: 0.1
Lot Dim: 40.00X105.00
Rd Front Ft: 40

Square Footage

Sqft Source: Plans
Est Fin Abv Gr: 1,200
Est Fin Lower:
Est Tot Lower: 1,200
Est Tot Fin: 1,200
Price/SqFt: \$216.58

Layout

Beds: 3
Baths: 2.0
Rooms: 6
Arch Sty: Ranch, Craftsman
Arch Lvl: 1 Story
Site Desc: Sprinkler(s)

Contact Information

Name: MARY JANE MATTERA
Phone: (586) 899-8136

Waterfront Information

Wtrfrnt Name:
Water Facilities:
Water Features:
Water Frt Feet:

General Information

Year Built: 2022
Year Remod:

Listing Information

Listing Date: 05/13/2022
Activation Date:
Pending Date: 05/15/2022
Land DWP:
Protect Period: 30 days
Terms Offered: Cash, Conventional, FHA, VA
List Type/Level Of Service: Exclusive Right to Sell/Full Service
Srvcs Offered: Arrange Appointments, Accept/Present Offers, Advise on Offers, Assist with Counteroffers, Negotiate for Seller
Off Mkt Date: 05/15/2022
Land Int Rate: %
Restrictions:
BMK Date:
Land Payment:
Exclusions: No
MLS Source: REALCOMP
Contingency Date:
Land Cntr Term:
Possession: At Close
Originating MLS#: 2220036269

Features

Pets Allowed: Yes
Foundation: Basement
Foundation Feat: Sealed Foundation, Sump Pump
Basement: Unfinished
Exterior: Brick, Wood, Shingle Siding
Porch Type: Porch - Covered, Porch
Roof Material: Asphalt
Appliances: Dishwasher, Disposal, ENERGY STAR® qualified dishwasher, Free-Standing Gas Range, Free-Standing Refrigerator, Microwave, Stainless Steel Appliance(s)
Interior Feat: ENERGY STAR® Qualified Door(s), ENERGY STAR® Qualified Exhaust Fan(s), ENERGY STAR® Qualified Light Fixture(s), Programmable Thermostat, Carbon Monoxide Alarm(s), Egress Window(s), ENERGY STAR® Qualified Window(s)
Heat & Fuel: Natural Gas, Forced Air
Wtr Htr Fuel: Natural Gas
Water Source: Public (Municipal)
Entry Location: Ground Level
Fndtn Material: Poured
Cnstrct Feat: New Construction, Model for Sale, Quick Delivery Home
Cooling: Central Air
Road: Paved, Pub. Sidewalk
Sewer: Public Sewer (Sewer-Sanitary)

Room Information

Room	Level	Dimen	Flooring	Room	Level	Dimen	Flooring
Bath - Full	First/Entry	10 x 7	Ceramic	Bath - Primary	First/Entry	9 x 5	Ceramic
Bedroom	First/Entry	14 x 9	Carpet	Bedroom	First/Entry	12 x 10	Carpet
Bedroom - Primary	First/Entry	16 x 12	Carpet	Great Room	First/Entry	16 x 18	Laminate
Kitchen	First/Entry	11 x 18	Laminate	Laundry Area/Room	Basement		Concrete

Legal/Tax/Financial

Property ID: 2523483027
Ownership: Standard (Private)
Tax Summer: \$168
SEV: \$8,000
Legal Desc: T1N, R11E, SEC 23 SLATER PARK SUB LOT 93 3-1-04 FR 010
Subdivision: SLATER PARK SUB
Occupant:
Homestead: No
Existing Lease: No
Oth/Sp Asmnt: 0
Home Warranty: No

Agent/Office Information

The listing broker's offer of compensation is made only to participants of the MLS where the listing is filed and to participants of any data share partner MLS.
Sub Ag Comp:
Buy Ag Comp: Yes: 3%
Trm Crd Comp:
Compensation Arrangements:
List Office: Gateway Realty Associates Inc
List Agent: MARY JANE MATTERA
Access: Lock Box
List Office Ph: (586) 899-8136
List Agent Ph: (586) 899-8136
LB Location:
Remarks:

Public Remarks: Don't Miss this Brand New Craftsman Inspired Home just built in 2022! Upon entering the Front Door notice the Cathedral Ceilings in the Kitchen & Great Room & all the Windows bringing in the Natural Light. Kitchen includes Stainless Steel Refrigerator, Dishwasher, Stove & Microwave. Down the Hallway to the 3 perfectly sized Bedrooms & Closets to the 2 Beautiful Full Bathrooms with Crisp White Shaker Cabinets and Granite Countertops throughout. The Full Basement offers plenty of storage or finish it as you would like. 2 Car Detached Garage features a side service door for easy access. Complete with Sod, Sprinklers & Landscaping! Close to Freeways, downtown, Schools, Shopping & more.

REALTOR® Remarks: Don't Miss this Brand New Craftsman Inspired Home just built in 2022! Upon entering the Front Door notice the Cathedral Ceilings in the Kitchen & Great Room & all the Windows bringing in the Natural Light. Kitchen includes Stainless Steel Refrigerator, Dishwasher, Stove & Microwave. Down the Hallway to the 3 perfectly sized Bedrooms & Closets to the 2 Beautiful Full Bathrooms with Crisp White Shaker Cabinets and Granite Countertops throughout. The Full Basement offers plenty of storage or finish it as you would like. 2 Car Detached Garage features a side service door for easy access. Complete with Sod, Sprinklers & Landscaping! Close to Freeways, downtown, Schools, Shopping & more.

Sold Information

Sold Date: 06/03/22
3rd Party Appr:
Selling Office: @properties Christie's Int'l R.E. Birmingham
Selling Agent: Chad R Hooks
Co-Selling Agent:
Sell Concession: Yes
Sold Price: \$260,000
Finance Code: CONV Sale
Short Sale: No
SP/SqFt Abv: \$216.66
SP/LP: 100.04%
SP/OLP: 100.04%
Selling Office Ph: (248) 850-8632
Selling Agent Ph: (248) 766-2161
Co-Selling Agt Ph:
Concession Type: Other
Concession Amt: \$5,000.00

• 26593 HAMPDEN Street, Madison Heights 48071-3541

MLS#: 20230062329
P Type: Residential
Status: Sold

Area: 02252 - Madison Heights
DOM: N/98/98

Short Sale: No
Trans Type: Sale
ERTS/FS

LP: \$349,000
OLP: \$379,000
SP: \$345,000

Item 2.



Location Information

County: Oakland
City: Madison Heights
Mailing City: Madison Heights
Side of Str: NW
School Dist: Madison (Madison Hts.)
Location: Hampden, Grieg
Directions: S off 11 Mile E of I-75

Parking

Garage: Yes
Grg Sz: 2 Car
Grg Dim: Detached
Grg Feat:

Lot Information

Acreage: 0.12
Lot Dim: 40.00 x 126.00
Rd Front Ft: 40

Square Footage

Sqft Source: Builder
Est Fin Abv Gr: 1,550
Est Fin Lower:
Est Tot Lower: 752
Est Tot Fin: 1,550
Price/SqFt: \$225.16

Layout

Beds: 3
Baths: 2.1
Rooms: 4
Arch Sty: Colonial
Arch Lvl: 2 Story
Site Desc:

Contact Information

Name: PAUL DYHDALO
Phone: (248) 255-1977

Waterfront Information

Wtrfrnt Name:
Water Facilities:
Water Features:
Water Frt Feet:

General Information

Year Built: 2023
Year Remod:

Listing Information

Listing Date: 07/27/2023 List Type/Level Of Service: Exclusive Right to Sell/Full Service
Activation Date: 07/28/2023 Srvc Offered: Arrange Appointments, Accept/Present Offers, Advise on Offers, Assist with Counteroffers, Negotiate for Seller
Pending Date: 11/01/2023 Off Mkt Date: 11/01/2023 BMK Date:
Land DWP: Land Int Rate: % Land Payment:
Protect Period: 180 days Restrictions: No Exclusions:
Terms Offered: Cash, Conventional, FHA MLS Source: REALCOMP Possession: At Close
Originating MLS# 20230062329

Includes:

Features

Pets Allowed:
Foundation: Basement
Basement: Unfinished
Exterior: Vinyl
Roof Material: Asphalt
Appliances: Gas Cooktop
Interior Feat: Cable Available, Egress Window(s), ENERGY STAR® Qualified Window(s), Other
Accessibility: Accessible Doors
Heat & Fuel: Natural Gas, ENERGY STAR® Qualified Furnace Equipment, Cooling: Ceiling Fan(s), Central Air
Wtr Htr Fuel: Natural Gas
Water Source: Public (Municipal)
% Wooded: % Tillable:
Entry Location: Ground Level w/Steps
Fndtn Material: Poured
Cnstrct Feat: New Construction
Road: Paved
Sewer: Public Sewer (Sewer-Sanitary)
% Tiled: Soil Type: clay mix

Room Information

Room	Level	Dimen	Flooring	Room	Level	Dimen	Flooring
Bath - Full	Second	10 x 8	Ceramic	Bath - Lav	First/Entry	5 x 5	Luxury Vinyl Tile
Bath - Primary	Second	10 x 8	Ceramic	Bedroom	Second	11 x 10	Carpet
Bedroom	Second	11 x 10	Carpet	Bedroom - Primary	Second	14 x 13	Carpet
Kitchen	First/Entry	13 x 10	Luxury Vinyl Tile				

Legal/Tax/Financial

Property ID: 2523205015
Ownership: Agent Owned (Broker/Agent)
Tax Summer: \$647 Tax Winter: \$156
SEV: \$12,500 Taxable Value: \$12,500
Legal Desc: T1N, R11E, SEC 23 BRETTON WOODS SUB LOT 187
Subdivision: BRETTON WOODS SUB
Occupant: Vacant
Homestead: No
Existing Lease: No
Oth/Sp Asmnt: 0.00
Home Warranty: Yes

Agent/Office Information

The listing broker's offer of compensation is made only to participants of the MLS where the listing is filed and to participants of any data share partner MLS.
Sub Ag Comp: Yes: 2.5%
Buy Ag Comp: Yes: 2.5%
Trn Crd Comp:
Compensation Arrangements:
List Office: Daimler Corporation
List Agent: PAUL W DYHDALO
Access: Appointment/LockBox
List Office Ph: (248) 255-1977
List Agent Ph: (248) 255-1977
LB Location: Front Door

Remarks

Public Remarks: OPEN SUNDAY 12-2pm ATT: Mortgage rate 5.98% to qualified borrowers// Enjoy two first floor living areas in this home! Separate living and family areas. Remarkable new construction in Madison, steps from Royal Oak. Unique colonial features 1550 sf, 3 spacious bedrooms and 2.5 baths. Custom quality with designer white kitchen, granite and stainless appliances. Front living room, rear great room with dining and family area. Second floor primary bed has studio ceiling, WIC, and private att. bath with shower, linen closet. Main bath has tub/shower and large linen closet. Laundry area in hall second floor. Full basement w future bath. Show today! Builder/owner/broker - Daimler Homes

REALTOR® Remarks: Attention: Mortgage rate is 5.98% to qualified buyers/ Rate is paid down by buyer

Sold Information

Sold Date: 12/01/23 Sold Price: \$345,000 Short Sale: No SP/LP: 98.85%
3rd Party Appr: Finance Code: CONV Sale SP/SqFt Abv: \$222.58 SP/OLP: 91.03%
Selling Office: KW Domain
Selling Agent: Edinam Moten
Co-Selling Agent:
Sell Concession: Yes Concession Type: Financing Concession Amt: \$4,000.00
Selling Office Ph: (248) 590-0800
Selling Agent Ph: (248) 227-6077
Co-Selling Agt Ph:

38 E DALLAS Avenue, Madison Heights 48071-4006

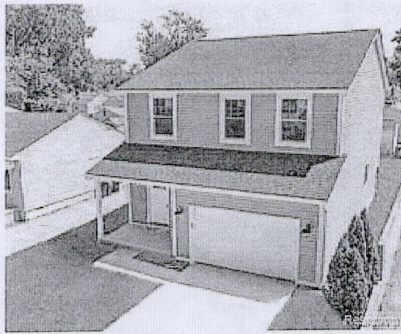
MLS#: 20221008203
P Type: Residential
Status: Sold

Area: 02252 - Madison Heights
DOM: N/8/8

Short Sale: No
Trans Type: Sale
ERTS/FS

LP: \$349,900
OLP: \$349,900
SP: \$349,900

Item 2.



Location Information

County: Oakland
City: Madison Heights
Mailing City: Madison Heights
Side of Str: S
School Dist: Madison (Madison Hts.)
Location: John R and Lincoln
Directions: John R Road south from Lincoln Ave, East onto Dallas Ave. Property is on the Right.

Parking

Garage: Yes
Grg Sz: 1.5 Car
Grg Dim: Direct Access, Door Opener, Attached
Grg Feat: Direct Access, Door Opener, Attached
Layout: 3
Beds: 2.1
Rooms: 7
Arch Sty: Colonial
Arch Lvl: 2 Story
Site Desc:

Lot Information

Acreage: 0.09
Lot Dim: 40.00 x 101.00
Rd Front Ft: 40

Square Footage

Sqft Source: Builder
Est Fin Abv Gr: 1,671
Est Fin Lower:
Est Tot Lower: 600
Est Tot Fin: 1,671
Price/SqFt: \$209.4

Layout

Beds: 3
Baths: 2.1
Rooms: 7
Arch Sty: Colonial
Arch Lvl: 2 Story
Site Desc:

Contact Information

Name: GEORGE D THOMAS
Phone: (248) 727-3856

Waterfront Information

Wtrfrnt Name:
Water Facilities:
Water Features:
Water Frt Feet:

General Information

Year Built: 2022
Year Remod:

Listing Information

Listing Date: 06/21/2022
Activation Date: 06/24/2022
Pending Date: 06/28/2022
Land DWP:
Protect Period: 180
Terms Offered: Cash, Conventional, FHA, VA
List Type/Level Of Service: Exclusive Right to Sell/Full Service
Srvcs Offered: Arrange Appointments, Accept/Present Offers, Advise on Offers, Assist with Counteroffers, Negotiate for Seller
Off Mkt Date: 06/28/2022
Land Int Rate: %
Restrictions:
BMK Date:
Land Payment:
Exclusions:
MLS Source: REALCOMP
Contingency Date:
Land Cntr Term:
Possession: At Close
Originating MLS#: 20221008203

Includes:

Features

Pets Allowed:
Foundation: Basement
Basement: Unfinished
Exterior Feat: Lighting
Exterior: Vinyl
Porch Type: Porch - Covered, Porch
Roof Material: Asphalt
Heat & Fuel: Natural Gas, Forced Air
Wtr Htr Fuel: Natural Gas
Water Source: Public (Municipal)
Entry Location: Ground Level w/Steps
Fndtn Material: Poured
Cnstrct Feat: New Construction
Cooling: Central Air
Road: Paved
Sewer: Public Sewer (Sewer-Sanitary)

Room Information

Room	Level	Dimen	Flooring	Room	Level	Dimen	Flooring
Bath - Full	Second	8 x 5	Ceramic	Bath - Lav	First/Entry	8 x 3	Wood
Bath - Primary	Second	14 x 6	Ceramic	Bedroom	Second	10 x 12	Carpet
Bedroom	Second	10 x 12	Carpet	Bedroom - Primary	Second	16 x 16	Carpet
Dining Room	First/Entry	13 x 11	Wood	Kitchen	First/Entry	10 x 13	Wood
Laundry Area/Room	Second	6 x 6	Ceramic	Living Room	First/Entry	21 x 13	Wood

Legal/Tax/Financial

Property ID: 2524351006
Ownership: Standard (Private)
Tax Summer: \$165
SEV: \$7,850
Legal Desc: T1N, R11E, SEC 24 JOHN R PARK LOT 332
Subdivision: JOHN R PARK
Occupant: Vacant
Homestead: Yes
Existing Lease: No
Oth/Sp Asmnt: 0.00
Home Warranty: Yes

Agent/Office Information

The listing broker's offer of compensation is made only to participants of the MLS where the listing is filed and to participants of any data share partner MLS.
Sub Ag Comp: Yes: 2.5%
Buy Ag Comp: Yes: 2.5%
Trn Crd Comp:
Compensation Arrangements:
List Office: DOBI Real Estate
List Agent: GEORGE D THOMAS
Access: Appointment/LockBox
List Office Ph: (248) 385-3350
List Agent Ph: (248) 727-3856
LB Location: Front Door

Public Remarks: Welcome home to this New Construction Colonial with an open-concept floor plan. Bright kitchen includes an abundance of cabinets, quartz counters and island with seating. Hardwood flooring throughout the first floor, for a seamless living space. Upstairs, a primary suite perfect for a king-size bed includes a walk-in closet. Ensuite bathroom has Italian porcelain tile, dual vanity and a walk-in shower. Two additional bedrooms leave plenty of room for family or a perfect work-from-home space. Second floor laundry with a fun, modern tile tops off the functional floor plan. Generous basement space, with egress window, allows for additional storage, or future living space. High efficiency mechanicals, Jeld-Wen windows and Visual Comfort Lighting throughout. Great location with ease of highway access for commuters or travel. One Year Builder Warranty. Possession at Close.

REALTOR® Remarks: One Year Builder Warranty. Possession at Close. Please remove shoes when walking on carpet, or stay on floor covering. Please observe all current Covid19 guidelines. Buyers agent to verify all information. Please use Offer summary form in posted documents to submit initial offer information, Listing agent will provide builder's purchase agreement. Send Offer summary form with pre-approval letter by email to George@WeAreDobi.com and LeahVanderhoff@WeAreDobi.com

Sold Information

Sold Date: 08/31/22
3rd Party Appr:
Selling Office: Good Company
Selling Agent: Randall B Hambright
Co-Selling Agent:
Sell Concession: Yes
Sold Price: \$349,900
Finance Code: CONV Sale
Concession Type: Financing
Short Sale: No
SP/SqFt Abv: \$209.39
Concession Amt: \$600.00
SP/LP: 100.00%
SP/OLP: 100.00%
Selling Office Ph: (248) 733-5811
Selling Agent Ph: (248) 288-3500
Co-Selling Agt Ph:

Re: 27376 Barrington St - Updated Floor Plan

Martino Thomas <martinothomasre@gmail.com>

Thu 6/13/2024 10:20 AM

To: Matt Lonnerstater <MattLonnerstater@madison-heights.org>

Good morning Matt,

My apologies sir, I know I was supposed to email you regarding the additional variance request we need for 27376 Barrington Dr on Tuesday. The variance we are requesting is for an allowed side setback of 2.7 ft rather than the minimum 3 ft in the requirements. The total side setbacks for both sides of the proposed lot would still equal 12+ feet. The neighbor to the south of us also has a side setback of 2.7 ft which is why we had to shift our structures to the north. The survey I have submitted reflects this. Also, we will not be touching the tree in the corner of the lot and can assure the neighboring homeowner of this. We really appreciate the help you and the rest of the planning department have provided us. Anything else we can do to help with this process please let us know.

With gratitude,
Martino Thomas

On Tue, Jun 11, 2024 at 10:09 AM Martino Thomas <martinothomasre@gmail.com> wrote:

Good morning Matt,

Yes I will swing by today after lunch to add that to our application. Thank you for the reminder

On Tue, Jun 11, 2024 at 10:05 AM Matt Lonnerstater <MattLonnerstater@madison-heights.org> wrote:

Good morning, Martino & Magdalena:

This is confirmation that we will be considering the variance request at our July 11th Zoning Board of Appeals meeting.

Based on the revised site plan, the following additional variances would be necessary:

Setback variance from minimum 3 ft. side yard setback requirement to allow side yard setbacks of 2.7 feet.

Would you like to add this setback variance request to your ZBA application?

If so, we will need a revised project narrative sheet (The "Action Requested" sheet from your previous submittal) to include the new variance.

Thank you!



Matt Lonnerstater, AICP
 City Planner
 City of Madison Heights
MattLonnerstater@Madison-Heights.org
 Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: Martino Thomas <martinothomasre@gmail.com>
Sent: Monday, June 3, 2024 12:23 PM
To: Matt Lonnerstater <MattLonnerstater@madison-heights.org>
Subject: Re: 27376 Barrington St - Updated Floor Plan

Hi Matt,

Please see updated Architectural Site Plan that would allow for 12 ft + of space between all structures. Thank you

Best,
 Martino Thomas

On Thu, May 30, 2024 at 10:39 AM Matt Lonnerstater <MattLonnerstater@madison-heights.org> wrote:

Good morning, Martino.

In reviewing the conceptual architectural site plan and the survey for the proposed land division, I wanted to bring something to your attention.

Per [Section 10.401\(s\)](#), the minimum distance between houses located on adjacent lots in the R-3 district shall not be less than twelve (12) feet.

Per the survey, the the existing house located to the south at 27360 Barrington Street (to the south of proposed Parcel B) is only 2.7 feet from the property line. Therefore, the proposed house on Parcel B would need to be located a minimum of 9.3 feet from the southern property line. As proposed, the house would only be set back 5 feet from the property line, failing to meet the 12 foot separation requirement between structures.

Please be aware that if the variance for the land division is approved, we could not approve the plot plan for the new homes as presented. A separate variance would be required at a different Zoning Board of Appeals meeting, or the plans would need to be modified to meet Ordinance standards.

Please let me know if you have any questions.

Best,



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: Martino Thomas <martinothomasre@gmail.com>

Sent: Wednesday, May 22, 2024 12:58 PM

To: Matt Lonnerstater <mattlonnerstater@madison-heights.org>

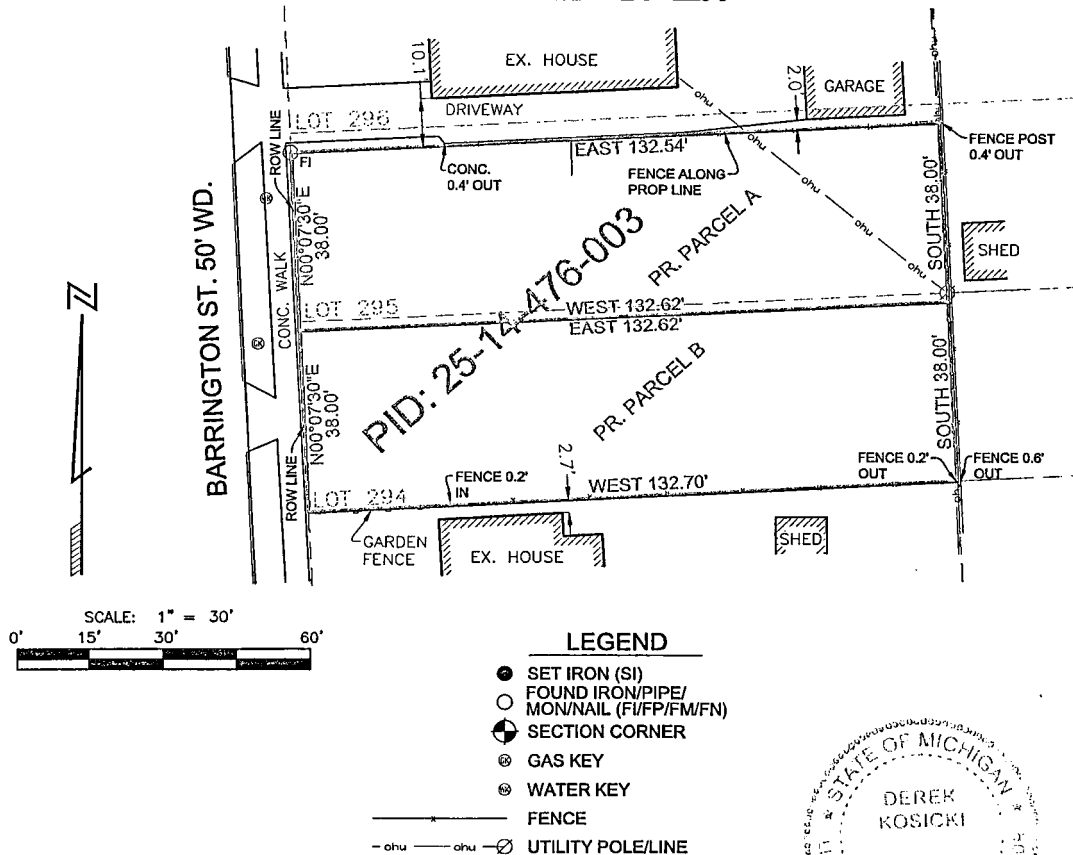
Subject: [27376 Barrington St](#) - Updated Floor Plan

Hi Matt,

Here is the updated floor plan for [27376 Barrington St](#). The architect corrected the issue and now has the garage sitting slightly behind the front of the house. Please let me know if you have any questions or if you need anything else from me. Thank you

Best,
Martino Thomas

PROPOSED SPLIT



EXISTING PARCEL PID: 25-14-476-003

(From Warranty Deed; Unrecorded; Dated September 30, 2022)

South 36 feet of Lot 295 and all of Lot 294, Symphony Park Subdivision No. 1, as recorded in Liber 31 of Plats, Page 7, Oakland County Records.

PROPOSED PARCELS

Parcel A

The North 2.00 feet of Lot 294 and the South 36.00 feet of Lot 295, Symphony Park Subdivision No. 1, as recorded in Liber 31 of Plats, Page 7, Oakland County Records. Containing 5,038 sq. ft.

Parcel B

Lot 294 except the North 2.00 feet, Symphony Park Subdivision No. 1, as recorded in Liber 31 of Plats, Page 7, Oakland County Records. Containing 5,041 sq. ft.

SURVEYOR'S NOTES

1. This Survey and corresponding Descriptions are subject to municipal approval, state division laws and local ordinances.
2. Since our Survey work does not include a Title Search, there may be easements and/or encumbrances upon the land which are not shown on our Survey at this time.

CERTIFICATION

I hereby certify that I have surveyed and mapped the land above platted and described on 03/27/2024; And that the relative positional precision of each corner is within limits accepted by the practice of professional surveying.

Derek Kosicki
 Derek Kosicki, P.S.#4001043058
 Professional Surveyor
 Derek.K@MichiganSurveying.com

**ADDRESS: 27376 Barrington St.,
 Madison Heights, MI 48071**

CLIENT: MAGDALENA BIRIAC	JOB NO. 24-0138
MICHIGAN SURVEYING, INC. 37637 Five Mile Rd., Suite 364 Livonia, MI 48154 tel. (734) 542-9088 www.MichiganSurveying.com	DATE 04/04/24
	SCALE 1"=30'
	SHEET 1 OF 1