



## ZONING BOARD OF APPEALS MEETING

LOCATION: TOWNSHIP ANNEX, 7527 HIGHLAND ROAD, WHITE LAKE, MICHIGAN, 48383  
(FORMER WHITE LAKE LIBRARY)  
THURSDAY, JANUARY 27, 2022 – 7:00 PM

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*White Lake Township | 7525 Highland Rd | White Lake, MI 48383 | Phone: (248) 698-3300 | www.whitelaketwp.com*

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## AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF AGENDA

5. APPROVAL OF MINUTES

A. Zoning Board of Appeals Regular Meeting of December 9, 2021

6. OLD BUSINESS

7. NEW BUSINESS

A.

Applicant: Meghan & Mike Macy

9396 Beechcrest Drive

White Lake, MI 48386

Location: **9396 Beechcrest Drive**

White Lake, MI 48386 identified as 12-35-201-011

Request: The applicant requests to install a privacy fence exceeding the allowed height, requiring a variance from Article 5.12.D.ii, Fences, Walls and Other Protective Barriers.

B.

Applicant: Michael Epley

6075 Carroll Lake Road

Commerce, MI 48382

Location: **368 Lakeside Drive**

White Lake, MI 48386 identified as 12-22-428-003

Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct a second story addition, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Width. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures is required due to both the value of improvements and the increase in cubic content.



- C. Applicant: David Scalpone  
11071 Beryl Drive  
White Lake, MI 48386  
Location: **11071 Beryl Drive**  
White Lake, MI 48386 identified as 12-33-278-010  
Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct a first and second story addition, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area and Minimum Lot Width. A variance from Article 5.7.A, Accessory Buildings or Structures in Residential Districts is required for the setback between the principal building and accessory building. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures is required due to both the value of improvements and the increase in cubic content.

**8. OTHER BUSINESS**

- A. Zoning Ordinance Discussion - Part 2
- B. Election of Officers
- C. Member Schillack Master Citizen Planner Presentation

**9. NEXT MEETING DATE:** February 24, 2022 Regular Meeting

**10. ADJOURNMENT**

**Procedures for accommodations for persons with disabilities:** The Township will follow its normal procedures for individuals with disabilities needing accommodations for effective participation in this meeting. **Please contact the Township Clerk's office at (248) 698-3300 X-164 at least two days in advance of the meeting.** An attempt will be made to make reasonable accommodations.



**WHITE LAKE TOWNSHIP  
ZONING BOARD OF APPEALS  
REGULAR MEETING  
DECEMBER 9, 2021**

**CALL TO ORDER**

Chairperson Spencer called the meeting to order at 7:00 P.M. She then led the Pledge of Allegiance.

**ROLL CALL**

**Present:**

Clif Seiber  
Debby Dehart, Planning Commission Liaison  
Kathleen Aseltyne  
Michael Powell, Township Board Liaison  
Jo Spencer, Chairperson

**Absent:**

Niklaus Schillack

**Others:**

Justin Quagliata, Staff Planner  
Hannah Micallef, Recording Secretary

**APPROVAL OF AGENDA**

Staff Planner Quagliata stated Agenda Item B should have second story removed from the request as the garage was not planned to be constructed with a second story.

**MOVED by Member Aseltyne, SUPPORTED by Member Dehart, to approve the agenda as amended.  
The motion CARRIED with a voice vote (5 yes votes).**

**APPROVAL OF MINUTES:**

- a. Zoning Board of Appeals Regular Meeting of October 28, 2021

Staff Planner Quagliata wanted to make a change on page 8 regarding the conditions of approval on the monument sign. The word "setback" should be added after the word "foundation."

**MOVED by Member Powell, SUPPORTED by Member Seiber to approve the Zoning Board of Appeals Regular Meeting Minutes of October 28<sup>th</sup>, 2021 as amended.  
The motion CARRIED with a voice vote (5 yes votes).**

**NEW BUSINESS:**

- A.     Applicant:     Nick Trifon/ Signs by Crannie  
                          4145 Market Place  
                          Flint, MI 48507
- Location:     **6707 Highland Road**  
                          White Lake, MI 48383 identified as 12-20-276-014
- Request:     The applicant requests to enlarge and alter a nonconforming structure (sign) within the setback from the road right-of-way and exceeding the allowed size, requiring a variance from Article 7.23.A, Nonconforming Structures.

Chairperson Spencer noted for the record 11 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Powell asked staff if the variances were for the existing sign or for the modifications to the existing sign. Staff Planner Quagliata said the proposed alteration/enlargement required a variance.

Member Dehart asked staff if the applicant could construct a monument sign in the road right-of-way if the existing sign was demolished. Staff Planner Quagliata said the applicant would need approval from the Michigan Department of Transportation (MDOT) and a variance from the ZBA to construct a sign in the Highland Road right-of-way. He added the applicant would need a variance to put another sign in the same location, since the location was not setback far enough from the road right-of-way.

Nick Trifon was present to speak on behalf of his case. He said visibility and safety were the main concerns with being able to modify the existing sign. The restaurant business had been impacted by the COVID pandemic, and an electronic sign would be able to show altered business hours easily. The owners wanted to upgrade to the electronic sign to convey the restaurant was hiring as well. The owners would consider moving the illegal truck, and keeping the electronic portion of the sign the same size as the current nonelectronic changeable sign if the variances were approved.

Member Powell stated the existing sign was almost a landmark type of sign. He added he did not need a sign to know where the restaurant was. He said a practical difficulty was not presented, and the ZBA could not taken into account past decisions or existing signs.

Member Aselyne said the current sign was classic, but there was not a demonstrated practical difficulty.

Member Dehart asked staff if the electronic reader board was replaced to be the same size as the current changeable sign, would the applicant still need a variance. Staff Planner Quagliata stated it would be considered an alteration to a nonconforming structure and still require a variance.

Member Dehart stated she could read the current sign driving down Highland Road (M-59).

Member Seiber stated there were many issues with the existing sign being nonconforming, and the current proposal did not improve the nonconformities. There would be more to consider if the applicant was working to bring the existing sign into compliance.

Chairperson Spencer opened the public hearing at 7:33 P.M. Seeing no public comment, she closed the public hearing at 7:33 P.M.

The ZBA discussed the standards from Article 7, Section 37 of the ClearZoning Ordinance:

- A. Practical Difficulty
  - Chairperson Spencer did not see a practical difficulty.
  - Member Powell said there was not a practical difficulty in regards to the usability of the site.
- B. Unique Situation
- C. Not Self-Created
  - Member Dehart said the applicant's problem was self-created as the request was to alter a nonconforming structure.
- D. Substantial Justice
  - Member Powell said the sign did not correlate with the usability of the site.
- E. Minimum Variance Necessary
  - There was no practical difficulty established.

**Member Aseltynne MOVED to deny the variance requested by Nick Trifon / Signs by Crannie for Parcel Number 12-20-276-014, identified as 6707 Highland Road, due to the following reason(s): Failure to meet the standards from Article 7, Section 37 of the ClearZoning Ordinance.**

**Member Seiber SUPPORTED and the motion CARRIED with a roll call vote (5 yes votes): (Aseltynne/yes, Seiber/yes, Powell/yes, Spencer/yes, Dehart/yes)**

- B. Applicant: Leo Huantes  
68 W. Fairmont  
Pontiac, MI 48340
- Location: **4925 Ormond Road**  
White Lake, MI 48383 identified as 12-07-130-059
- Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct a garage, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures is required due to both the value of improvements and the increase in cubic content.

Chairperson Spencer noted for the record 32 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Seiber asked staff if there was a second floor proposed over the garage addition. Staff Planner Quagliata stated the current garage would be converted to living space and the addition would be the new garage without a second story.

Martin Gojcay, 9312 Oakmond, Clarkston, Michigan, property owner, was present to speak on behalf of the case. He said the existing addition over the garage made the house plain looking. When he spoke to his builder, he was told to put a garage in the front to give the house the desired curb appeal. The septic field was located in the rear of the lot, and the well was in the front yard.

Member Aseltyne asked Mr. Gojcay if the house was currently vacant. Mr. Gojcay confirmed.

Member Powell stated the houses around the subject site were similar as they were not located close to the road. He there was not a practical difficulty demonstrated.

Chairperson Spencer opened the public hearing at 7:56 P.M. Seeing no public comment, she closed the public hearing at 7:56 P.M.

The ZBA discussed the standards from Article 7, Section 37 of the ClearZoning Ordinance:

- A. Practical Difficulty
  - Chairperson Spencer said there were other alternatives.
- B. Unique Situation
  - Member Powell said the house was similar to the others around it.
- C. Not Self-Created
  - There was a self-created problem as there were alternatives.
- D. Substantial Justice
- E. Minimum Variance Necessary

Member Seiber stated the building envelope on the lot had some space for an addition, or taking an addition up could be an option. He added the houses around the subject site were setback in accordance with the ordinance.

**Member Dehart MOVED to deny the variances requested by Leo Huantes for Parcel Number 12- 07-130-059, identified as 4925 Ormond Road, due to the following reason(s): failure to meet the standards from Article 7, Section 37 of the ClearZoning Ordinance.**

**Member Powell SUPPORTED, and the motion CARRIED with a roll call vote (5 yes votes): (Dehart/yes, Powell/yes, Seiber/yes, Aseltyne/yes, Spencer/yes)**

- C. Applicant: NCM Ventures LLC – John Rozanski  
2704 Wabum Road  
White Lake, MI 48386
- Location: **8565 Pontiac Lake Road**  
White Lake, MI 48386 identified as 12-13-328-003
- Request: The applicant requests an extension of the approval period for variances granted on June 24, 2021, requiring a variance from Article 7.39, Approval Periods.

Chairperson Spencer noted for the record 13 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Powell asked staff how long of an extension would be granted. Staff Planner Quagliata stated once the building permit was obtained, the applicant would be working within the time limit of the permit. The variance requested would extend the applicant's time to obtain the permit by six months.

John Rozanski, 2740 Wabum, White Lake, was present to speak on his case. He said he was moving forward on his project, and he had tenants at the existing apartments until April 2022. Soil borings were done at the site. He intended to demolish the existing buildings and pull permits after the current tenants left.

Member Powell asked the applicant if he was at the point to submit plans for review by the Building Department. Mr. Rozanski said he was still looking to get construction estimates and plans prepared, and he had not secured a contractor yet.

Member Powell asked staff if a demolition permit would extend the applicant's time to submit building permits. Staff Planner Quagliata stated the zoning ordinance specifically required "building permit."

Chairperson Spencer opened the public hearing at 8:12 P.M. Seeing no public comment, she closed the public hearing at 8:12 P.M.

**Member Seiber MOVED to approve the variance requested by John Rozanski from Article 7.39 of the Zoning Ordinance for Parcel Number 12-13-328-003, identified as 8565 Pontiac Lake Road, in order to extend the approval period for variances granted on June 24, 2021 by six months, until June 24, 2022. This approval will have the following conditions:**

- **All conditions of previous approvals shall remain in effect.**

**Member Aseltyne SUPPORTED, and the motion CARRIED with a roll call vote (5 yes votes): (Seiber/yes, Aseltyne/yes Spencer/yes, Dehart/yes, Powell/yes).**

- D. Applicant: 4 Corners Square LLC  
29580 Northwestern Hwy STE 100  
Southfield, MI 48034
- Location: **1449 Union Lake Road**  
White Lake, MI 48386 identified as 12-36-476-032
- Request: The applicant requests to construct a building, requiring variances from Article 3.1.13.D, Neighborhood Mixed Use Build-to-Line coverage and Minimum building height. A variance from Article 5.11.P.i, Off-Street Loading Requirements is required for the dimensions of the off-street loading space. A variance from Article 5.9.J.ii.b is required to exceed the allowed number of wall signs.

Chairperson Spencer noted for the record 146 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata presented his staff report.

Member Aselyne asked staff why the previous variances were granted. Staff Planner Quagliata stated part of the issue at the time was contamination on the property. The Township created a Commercial Rehabilitation District to address the site issues. Member Aselyne asked staff if there were remediation compliance documents for the site. Staff Planner Quagliata noted the State had such documentation.

Amar AlKhafaji was present to speak on behalf of the case. He said there was a vision for the subject site years ago when it was first being developed. There was the idea to create urban walkability in a suburban area. In regards to this project, there was originally hopes for a sit-down restaurant, but due to the COVID pandemic, he was unable to find a full-service restaurant tenant. The two proposed fast-food tenants were excited to come to the Township. He wanted to create a physical buffer for residents on the lake, which was why the building was proposed to be setback. To keep the building cohesive with the other shopping center, it would be one-story and use the same materials in construction.

Detroit Wing Company would be closest to Tim Horton's, and Beyond Juice would be closest to Union Lake Road. Detroit Wing Company would like a small sign on the east side of the building to capture customers. The "Welcome to White Lake" sign would be improved, and Mr. AlKhafaji was proposing to build a nicer sign with 4 Corners verbiage included.

The tenants would not receive deliveries from full semi-trucks in the loading area. The depth needed a variance, but the width of the area was wider than required.

Member Powell stated he was hoping to see a sit-down restaurant on the site. Mr. AlKhafaji said there would be indoor seating at both restaurants.

Member Powell asked Mr. AlKhafaji why the loading zone could not be extended west. Mr. AlKhafaji said there was a light pole, as well as landscaping.

Chairperson Spencer opened the public hearing at 8:45 P.M. Seeing no public comment, she closed the public hearing at 9:45 P.M.

Member Seiber asked staff if the Ordinance Officer would ticket a truck delivery at the site if a truck was sticking out of the loading area. Staff Planner Quagliata said it would be more of a Fire Department issue with blocking access.

Member Dehart said the Township Engineer discussed the depth of the loading area at the December 2, 2021 Planning Commission meeting.

Member Powell asked staff about the patio. Staff Planner Quagliata asked Mr. AlKhafaji about the patio surface. Mr. AlKhafaji said it would be concrete.

Member Powell asked Mr. AlKhafaji what signs would be on the south side of the building versus the proposed sign on the east side. Mr. AlKhafaji said the south side would have the three tenant signs, and the east side would have one Detroit Wing Company sign. The tenant was adamant about the sign on the east side.

Member Seiber said the tenants in the adjacent shopping center did not have corner signs, and because of the way the building was situated, the east side sign would not be visible from travelers on the road. He added the floor plan was inconsistent with the elevation as there was a door shown on the east side elevation, but not on the floor plan. Mr. AlKhafaji said a door was not proposed on the east side of the building and the elevation was incorrect.

The ZBA discussed the standards from Article 7, Section 37 of the ClearZoning Ordinance:

In regards to variance #1, regarding build- to-line coverage:

- A. Practical Difficulty
  - Chairperson Spencer said a similar variance for this site was granted before.
  - Member Powell said he liked the building being setback instead of up to the property line.
- B. Unique Situation
- C. Not Self-Created
  - Chairperson Spencer said the problem was not self-created.
- D. Substantial Justice
- E. Minimum Variance Necessary

In regards to variance #2, minimum building height:

- A. Practical Difficulty
  - Chairperson Spencer said none of the other commercial buildings on the site were two stories, so it would be in line with the existing commercial buildings.
- B. Unique Situation
- C. Not Self-Created
- D. Substantial Justice
- E. Minimum Variance Necessary

In regards to variance #3, off-street loading requirements:

- A. Practical Difficulty
  - Member Powell said he did not want a truck to stick out of the loading space.
  - Member Seiber said a 10–15-foot variance would allow a box truck and trash hauler.
- B. Unique Situation
  - Chairperson Spencer said she could see a practical difficulty if the length of the loading space was extended.
- C. Not Self-Created
- D. Substantial Justice
  - By increasing the length of the loading space, adverse impact would be reduced.
- E. Minimum Variance Necessary

In regards to variance #4, maximum number of signs.

- A. Practical Difficulty
  - Chairperson Spencer did not see a practical difficulty.
- B. Unique Situation
  - Member Powell said it was a corner lot, so a sign on the west facade was permitted. He added a sign on the east elevation was not needed.
- C. Not Self-Created
  - Chairperson Spencer said this problem was self-created by the applicant.
- D. Substantial Justice
- E. Minimum Variance Necessary
  - Chairperson Spencer said by eliminating the wall sign on the east elevation, the minimum variances necessary would be granted.

**Member Powell MOVED to approve the variances requested by 4 Corners Square LLC from Article 3.1.13.D and Article 5.11.P.i of the Zoning Ordinance for Parcel Number 12-36-476-032, identified as 1449 Union Lake Road, in order to allow construction of a one-story, 22’–11” tall building with a zero (0) percent build-to-line, and a 10-foot variance from the required loading space length. This approval will have the following conditions:**

- **The exterior elevations be revised to remove the east side door.**
- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **The Applicant shall receive preliminary site plan approval from the Township Board.**
- **For the purpose of administrating the sign ordinance, signs on the subject property shall be treated as those in the RB (Restricted Business) zoning district and meet the requirements of Article 5, Section 9.J of the zoning ordinance.**
- **No additional signage shall be permitted on the building or site, except for the Township’s “Welcome to White Lake” sign. The “Welcome to White Lake” sign is to be designed to meet the requirements of the ClearZoning Ordinance.**
- **Any future modification to signage on the building or site, except for eliminating signage, shall require approval of the Zoning Board of Appeals.**



- **The outdoor seating area (patio) shall at a minimum be stamped, stained, and sealed concrete.**
- **The site plan shall be revised to clearly show the outdoor seating area (patio) as accessible from the parking lot.**
- **There shall be a 14-foot minimum ceiling height inside the building.**

**Member Dehart SUPPORTED, and the motion CARRIED with a roll call vote (5 yes):  
(Powell/yes, Dehart/yes, Spencer/yes, Aseityne/yes, Seiber/yes).**

**Member Powell MOVED to deny the variance requested by 4 Corners Square LLC from Article 5.9.J.ii.b the Zoning Ordinance for Parcel Number 12-36-476-032, identified as 1449 Union Lake Road, for one wall side on the east elevation of the building.**

**Member Dehart SUPPORTED and the motion CARRIED with a roll call vote (5 yes votes):  
(Powell/yes, Dehart/yes, Spencer/yes, Aseityne/yes, Seiber/yes).**

**The Zoning Board of Appeals took a recess at 9:21 P.M. The ZBA returned from recess at 9:23 P.M.**

#### **OTHER BUSINESS**

**A. Zoning Ordinance Discussion**

Member Powell said he brought up amending the zoning ordinance at the Township Board, and it was suggested the discussion begin at the ZBA before taking it up with the Planning Commission. He added Article 7.28.A, Repairs and Maintenance to Nonconforming Structures, was an ordinance section he would like to discuss.

Chairperson Spencer said it was rare for the ZBA to deny a case solely based on Article 7.28.A of the ordinance.

Member Powell mentioned the sign ordinance and would like to review the text and see if there was a more modern way to interpret signs. Member Dehart agreed.

Staff Planner Quagliata said there were other ordinance sections that should be revisited, and the ZBA could take its time and review them individually. He said he would prepare a summary of the cases over the past two-five years, and go from there.

#### **ADJOURNMENT**

**MOVED by Member Aseityne, SUPPORTED by Member Seiber to adjourn the meeting at 10:07 P.M.  
The motion CARRIED with a voice vote (5 yes votes).**

**NEXT MEETING DATE:** January 27, 2022 Regular Meeting

# WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** Zoning Board of Appeals  
**FROM:** Justin Quagliata, Staff Planner  
**DATE:** January 27, 2022

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**Agenda item:** 7a

**Appeal Date:** January 27, 2022

**Appellant:** Meghan & Mike Macy

**Address:** 9396 Beechcrest Drive  
White Lake, MI 48386

**Zoning:** R1-D Single Family Residential

**Location:** 9396 Beechcrest Drive  
White Lake, MI 48386

## **Property Description**

The approximately 0.809-acre (35,240 square feet) parcel identified as 9396 Beechcrest Drive is located on Cedar Island Lake and zoned R1-D (Single Family Residential). The submitted variance application incorrectly lists R1-A (Single Family Residential) as the current zoning.

## **Applicant's Proposal**

Meghan and Mike Macy, the applicants, are requesting variances to install a privacy fence exceeding the allowed height on a lakefront lot and in the front yard of a residence.

## **Planner's Report**

Article 5, Section 12.D.ii of the zoning ordinance states, in part, "On lakefront lots, privacy fences shall be a maximum of 4 feet in height and shall not be located closer than 30' to the shoreline. For purposes of this section, the shoreline is considered the ordinary high-water mark." The zoning ordinance also states in no instance shall a fence over 4 feet high be placed in the front yard of a residence. A survey provided by the applicant dated March 8, 2017 (revision date March 22, 2017) shows a first and second choice for the proposed fence:

- First choice: install a six-foot fence beginning 30 feet from the front property line to 30 feet from the found iron at the traverse line near the lake (see survey drawing, pink and green lines).
- Second choice: install a six-foot fence beginning 30 feet from the front property line to the first large Willow Tree by the lake (pink line on survey).

The applicants provided a written statement dated November 18, 2021 with the application. None of the reasons listed in the letter are valid for satisfaction of the standards in Article 7, Section 37 of the zoning ordinance. Additionally, the ordinance prohibits the Zoning Board of Appeals from considering personal circumstances or economic hardship. There is not a practical difficulty or anything unique about the subject property to warrant modifying ordinance requirements.

## **Zoning Board of Appeals Options:**

**Approval:** I move to approve the variances requested by Meghan and Mike Macy from Article 5.12.D.ii of the Zoning Ordinance for Parcel Number 12-35-201-011, identified as 9396 Beechcrest Drive, in order to construct a privacy fence that would exceed the allowed height by 2 feet. A 30-foot variance to allow a 6-foot fence to project into the front yard of the residence is also granted from Article 5.12.D.ii. This approval will have the following conditions:

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**Denial:** I move to deny the variances requested by Meghan and Mike Macy for Parcel Number 12-35-201-011, identified as 9396 Beechcrest Drive, due to the following reason(s):

**Table:** I move to table the variance requests of Meghan and Mike Macy for Parcel Number 12-35-201-011, identified as 9396 Beechcrest Drive, to consider comments stated during this public hearing.

**Attachments:**

1. Application dated November 24, 2021.
2. Applicants' written statement dated November 18, 2021.
3. Photos provided by the Applicants.
4. Survey dated March 8, 2017 (revision date March 22, 2017).

### 7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.
- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
  - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

# CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: MEGHAN & MIKE MACY PHONE: 248-930-8020

ADDRESS: 9396 BEECHCREST ST, WHITE LAKE, MI 48386

APPLICANT'S EMAIL ADDRESS: MIKEMACY77@GMAIL.COM

APPLICANT'S INTEREST IN PROPERTY:  OWNER  BUILDER  OTHER: \_\_\_\_\_

ADDRESS OF AFFECTED PROPERTY: 9396 BEECHCREST ST PARCEL # 12 - 35-201-011

CURRENT ZONING: R1-A PARCEL SIZE: \_\_\_\_\_

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: \_\_\_\_\_

VALUE OF IMPROVEMENT: \$ 20,000 SEV OF EXISITING STRUCTURE: \$ 277,520

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

PLEASE SEE ATTACHED LETTER AND PHOTOS

\_\_\_\_\_


\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICATION FEE: \$385.00 (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE:  DATE: 11/24/2021

November 18, 2021

Dear Zoning Board of Appeals,

With appreciation for the White Lake Township Ordinances and Zoning Board of Appeals, we respectfully request a variance to place a six foot privacy fence between our property and 9384 Beechcrest St. With careful consideration, and after exhausting all other measures, we believe this request meets practical difficulty clauses A, B and C.

To best explain our circumstances and request, please allow us to address clause C first:

*(C) Whether the plight of the owner is due to unique circumstances of the property:*

When we purchased our home eight years ago, we were unaware of the unique circumstances of the property regarding very hostile relations between previous owners of our home and our neighbor to the east, Mr. Vincent Cytacki. We soon learned that he had a longstanding feud and lawsuit with previous owners of our home. Public record shows that he had numerous lawsuits with multiple people, including neighbors. An employee from the White Lake building department shared that he was even involved in a lawsuit with White Lake Township at one point. This litigious and contentious behavior was unusual to us, as we have always had great relationships with our neighbors and strive to be respectful, courteous, and considerate of others. After eight years, we continue to have positive, friendly relationships with all our other neighbors. We look after our neighbors by shoveling snow, mowing lawns, working together to put in/take out docks, and countless other acts of kind, decent behavior. We had hoped, with time, Mr. Cytacki would see that we were respectful, considerate neighbors. Sadly, our efforts made no ground and we received only rude, disagreeable behavior that has escalated to harassment in the last year.

Last summer, Mr. Cytacki installed outdoor cameras on the west side of his house. We first noticed the main camera in question on April 27, 2020 because it was pointed directly in our living room, in the corner where our two young daughters (1 and 3 years old at the time) play (see photos dated 4/27/2020). While we don't use security cameras ourselves, we respect an individual's right to monitor his property. However, it is entirely inappropriate for a camera to be pointed in the home of young children, especially when the camera comes from a home whose only residents are two adult males. Feeling uncomfortable with this invasive camera, we made the following attempts to communicate and resolve the issue:

April 28, 2020:

- Knocked on our neighbor's door to speak with him about the camera while he was home. We were ignored.

- Asked to speak to him while he was in his backyard. He refused to talk about it, called us degrading names, and behaved aggressively and hostile towards us.
- Out of options and feeling the need to protect our young daughters, we called the White Lake Police Department. The responding officer shared that the camera was legal and encouraged us “to move.”

Feeling helpless, we lived with our blinds closed, limited our time in our backyard, and tried to ignore the camera for over a year.

Time passed, and we noticed the camera would often move to follow our family (including our children) when we were outside, on the deck, or at our playset (it is *not* motion-sensored). The camera’s resting position was usually pointed in our living room, or at our childrens’ playset. It could have been turned closer to his house or pointed just over his yard, especially knowing how uncomfortable it made us. Yet, it remained pointed in our home or in our backyard a great deal of the time. Enclosed are just a sampling of pictures from the last year and a half to support our claim. In addition, camera movement has been witnessed by many friends, family, and other neighbors visiting our home. All have felt uncomfortable with it, especially neighbors and friends who have witnessed the camera pointed at their children.

In addition to inappropriate and invasive use of a security camera, Mr. Cytacki displays aggressive behaviors that contribute to the unique circumstances of our property. The most recent example of this behavior happened this summer when we began construction on a retaining wall between our properties. This was a request Mr. Cytacki made in 2018, as he felt it was a promise a previous owner of our home made to him. In an effort to improve relations between us, we installed the retaining wall on our property, at our cost, and in full compliance with White Lake Codes. Our contractors shared the plans with him beforehand, and he agreed to the project. When construction began, Mr. Cytacki disputed the property line, even though it followed his court agreed settlement with previous owners of our home (recorded in Liber 29541, pages 383-389, Oakland County Records). During this time of construction, Mr. Cytacki displayed the following behavior:

- Daily harassment and badgering of our stone mason, impeding his ability to work
- Harassed and chased off a licensed survey worker who was re-staking the property line in accordance with his lawsuit settlement with previous owners of our home
- Reported us to White Lake Township, who agreed that we were in full compliance with codes
- Called the WLPD, who told him he couldn’t intervene
- Threatened our stone mason, causing him to fear for his own safety

At one point, our landscaper even had to bring in more workers so that our stone mason felt safe on the job. Having witnessed Mr. Cytacki’s hostile behavior, all of the contractors stayed on the



job because they cared for our family and wanted to help us get the privacy we deserved. During this time, other neighbors witnessed his behavior and expressed concerns with it, as well.

During this time of construction, the movement of his camera changed from harassment to stalking, following us nearly every time our family was outside. We again made the following attempts to resolve the situation:

- Sent a registered letter, voicing our concerns with the camera.
- Spoke with White Lake Police Department, who asked him about the camera. The responding officer shared that Mr. Cytacki claims he uses the camera only to monitor his property. Our collections of photos and witnesses since April, 2020 irrefutably dispute this claim.

As such, the unique circumstances of our property and the hostile behavior of our neighbor have left us with no other option but to respectfully request a six foot privacy fence between our homes. While the fence won't fully block his second story camera, it would provide us, as parents, great comfort knowing our young daughters have one layer of privacy and protection.

Connected to the reasons above, clause A of Practical Difficulty is also met:

*(A) Whether strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose, or would render conformity unnecessarily burdensome.*

A four foot fence, in compliance with the ordinance, would not provide the privacy our family deserves in order to feel safe and comfortable on our property. Our children have witnessed and overheard his outbursts and aggressive behavior several times, and they are nervous when they see him. A four foot fence would unreasonably prevent us from using our property, patio, yard, and playset with the safety and protection our children deserve.

Finally, our circumstances also meet Clause B of Practical Difficulty:

*(B) Whether a variance would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation would give substantial relief and be more consistent with justice to others.*

In addition to the camera and harassment, we also have a blight and overgrowth issue with our neighbor. Mr. Cytacki has created a fence line between our properties that consists of:

- Piles of rotten wood that attract skunks and other vermin (we smell skunk multiple times a week)
- Landscaping timbers (that push water over on us)

- Evergreen bushes over 8 feet tall
- Weeds that grow 10+ feet tall
- Poison Ivy
- Broken and rusted picnic table
- Broken skeet thrower
- Swim ladder never used or moved
- Unused rowboat
- Neverused jetski hoist
- Paddleboat
- Other discarded items

Enclosed are pictures from different times of the year to show this property line. It's worth noting that the property line on the other side of him is also completely lined with bushes, weeds, trees, and reeds (see photo dated 10/10/2021). These neighbors would be unaffected by our fence, as they cannot see through his property anyway.

Before making this appeal, we contacted the White Lake Township to file complaints. To our knowledge, no changes were enforced.

Substantial justice would be done to us and all neighbors to our west who have to look at this blight and overgrowth. He already has at least six feet of a property line barrier in many places with the items described above. A six foot fence would substantially improve the view for us and all neighbors who see it. A four foot fence would not block the blight, and overgrowth would continue to encroach on our property.

Regarding any question if a six foot fence would block his view of the lake in the open area between our homes: this would be a "self-created" problem for him. He blocks his own view with multiple trees down the center of his yard and 6-10 foot tall natural overgrowth along the property lines (see photo dated 8/3/21). Tree and bush trimming would open up his view, if desired.

In conclusion, we respectfully request a variance for a six foot privacy fence to provide privacy and protection for our young family, and block other neighbors' view of blight and overgrowth. If granted, this variance would have no negative impact on others, as he has a "self-created" problem of overgrown trees, bushes, and weeds. A four foot fence would not do substantial justice, as it would not provide the privacy our children deserve, nor would it cover the blight and overgrowth all neighbors to the West see.

With respect to your process as a Zoning Board, we've included our first and second choice for a variance, if adjustments need to be made.

- First choice: install a six foot fence beginning 30 feet from road easement by utility pole to 30 feet from the found iron at the traverse line near the lake (see survey drawing, pink and green lines).
- Second choice: install a six foot fence beginning 30 feet from road easement by utility pole to the first large willow by lake (pink line on survey).

We appreciate your consideration and welcome you to visit our home to see our circumstances in person. If we can provide further evidence or clarification, please don't hesitate to reach out.

Thank you for your time,

*Meghan & Mike Macy*

Meghan and Mike Macy  
9396 Beechcrest St.  
White Lake, MI 48386

CC: Timothy Patterson  
Booth Patterson PC

4/27/2020

The first day we noticed the camera.

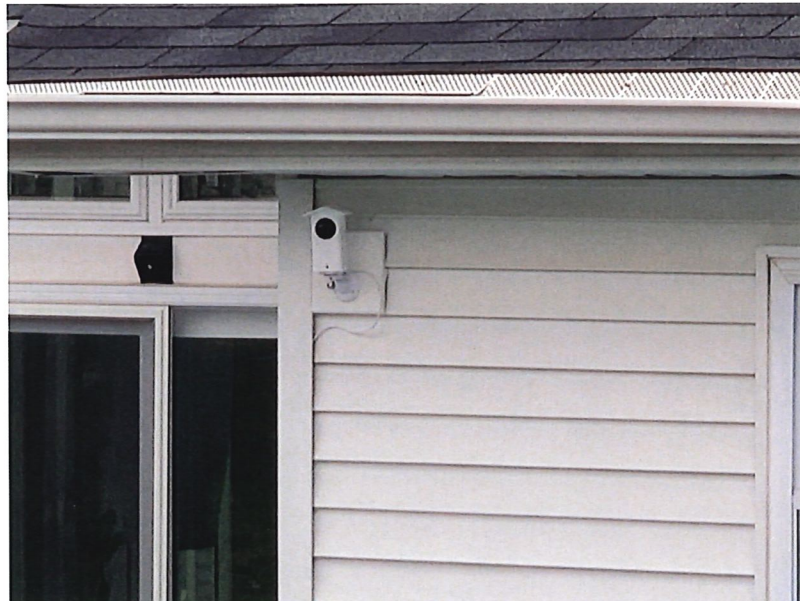
Photo taken from our living room window in our daughters' play area.



4/27/2020

Close up.

See notes in letter about multiple attempts to talk to Mr. Cytacki about the camera on 4/28/2020.



4/3/2021

Camera pointed at our children's playset while they swing.



4/5/2021

Camera pointed at our yard/playset.





4/10/2021

Camera pointed at our deck.



4/14/2021

Camera on the front of his garage, pointed at our driveway.



4/17/2021

Camera pointed at our deck.



6/30/2021

Pointed in our living room.



7/26/2021

Camera pointed at our deck.



8/3/2021

Camera pointed at our yard.





8/12/2021

Camera pointed in living room. .



8/20/2021

Camera pointed in our living room.



8/25/2021

Photo taken from our living room.



9/5/2021

Photo taken from our downstairs patio by our teenage niece. She was disturbed after the camera turned to point as us (twice) while eating dinner on the patio with family.





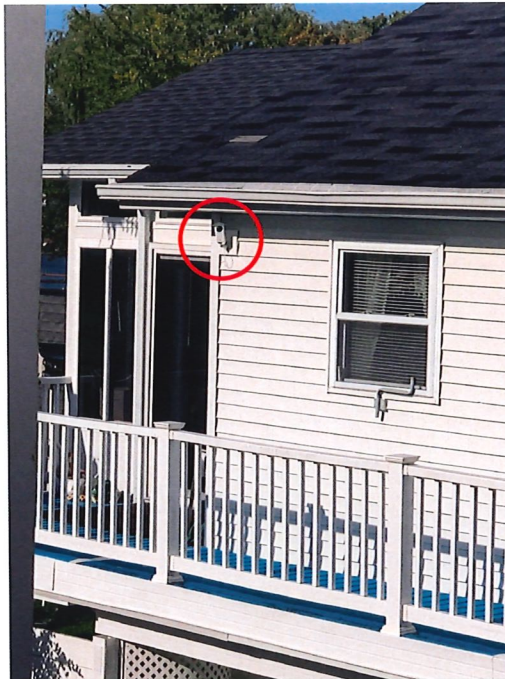
9/25/2021

Camera pointed at our deck/yard.



9/30/2021

Taken from deck, camera pointed into our living room.



10/06/2021

Camera pointed at playset while our daughters played.



10/06/2021

Camera pointed at our backyard.





10/10/2021

Camera pointed at our yard.



10/10/2021

Camera pointed at our yard.



10/10/2021

Same day as the three previous photos.

Camera turned to point at playset while children played.



10/10/2021

Same moment as previous photo, zoomed in.





10/18/2021

Camera pointed in our living room.



10/28/2021

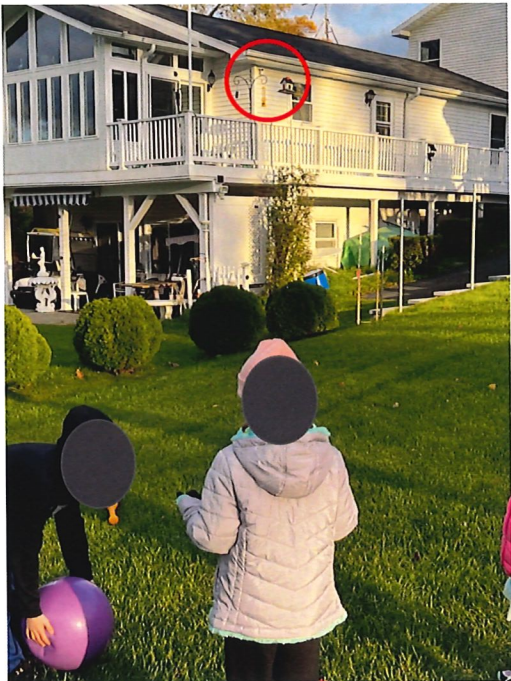
Camera pointed in our living room.



11/01/2021

Camera pointed at our yard while 3 neighborhood children played at our house.

Photo shared with permission from neighbor's parents.



11/1/2021

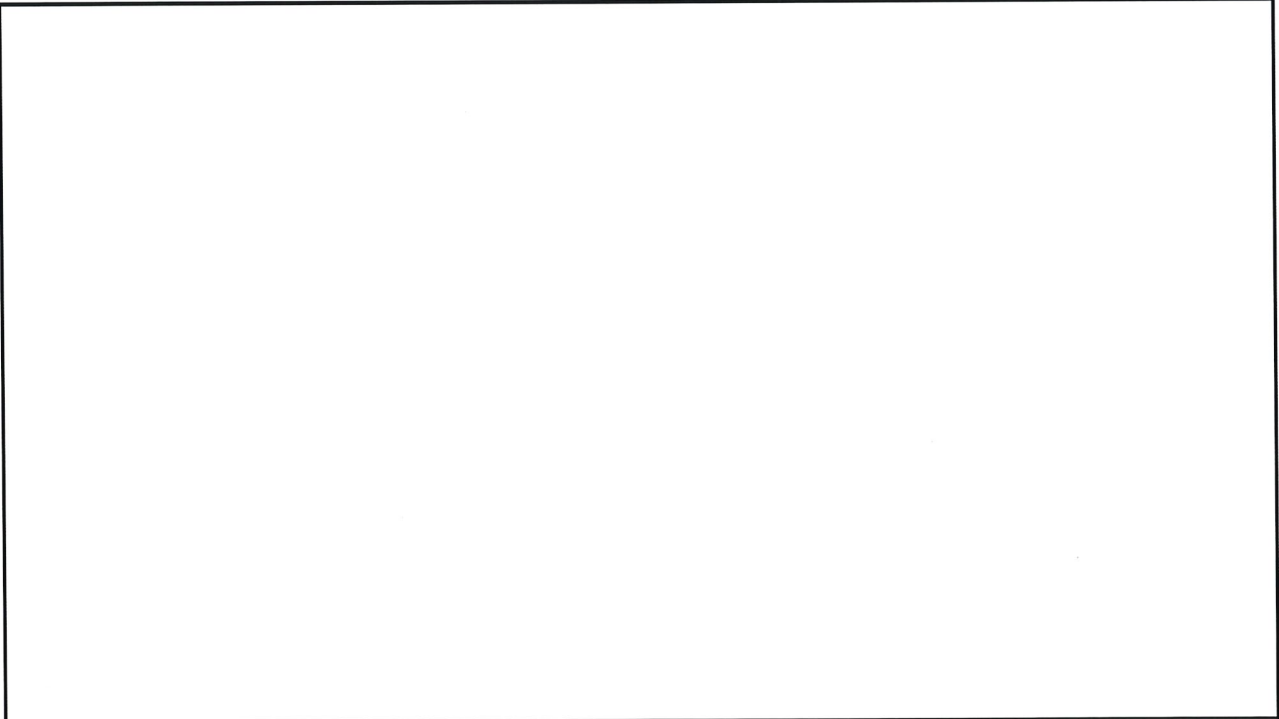
Same moment as above, zoomed in.





11/9/2021

Camera pointed at our yard/patio.



4/21/2018

Rotten wood piles that attract skunks and other vermin. Wood piles often cave over onto our property.

Old boards on top with rusted nails.



4/4/2021

Dead, rotted tree has dropped 3 large limbs on us in the last two years. We hired a tree company to remove one limb that hung over on our property.



7/2/2021

Property line at the lake.



8/12/2021

Landscaping timber and discarded items push water over on us.





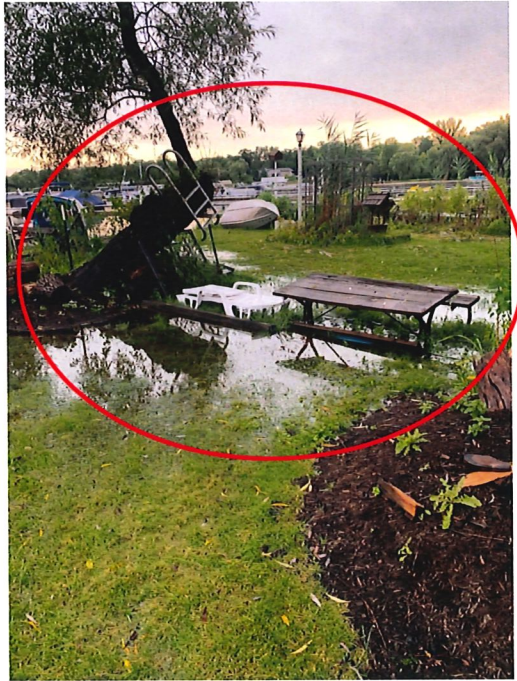
8/12/2021

Items placed on property line. Picnic table is rusted, broken and never used/moved.

Landscaping timbers push water over on us.

Swim ladder hung in tree, never used or moved.

Piece of an old fence, never used or moved.



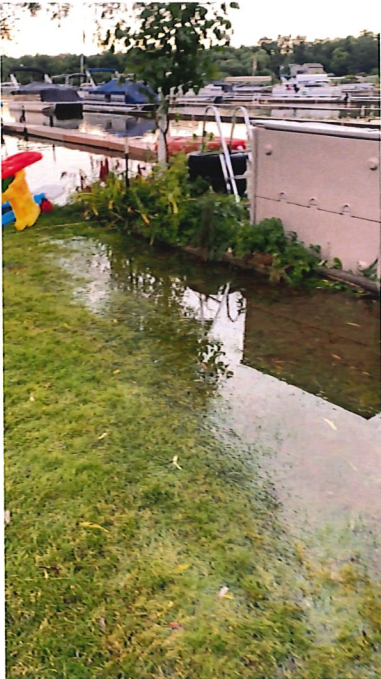
8/12/2021

Other objects placed on property line including a old jet ski hoist (never used or moved).



8/12/2021

View at lake.



8/26/2021

Items placed on property line: Broken, rusted picnic table, discarded lawn chair, broken chain-link fence.





8/15/2021

View down the property line from the lake.



8/15/2021

6+ ft tall weeds and overgrowth, including poison ivy and discarded chair.



8/15/2021

Overgrown evergreen bushes, over 8 feet tall (his).

Cut up logs dumped on property line.



8/3/2021

View of property line, taken from between our houses during construction of retaining wall.





10/10/2021

Weeds, trees, and bushes 10+ feet tall



11/9/2021

Rotten wood pile.





10/8/2021

Weeds and trees growing in front of wood pile, 8+ feet tall.



10/8/2021



10/10/2021

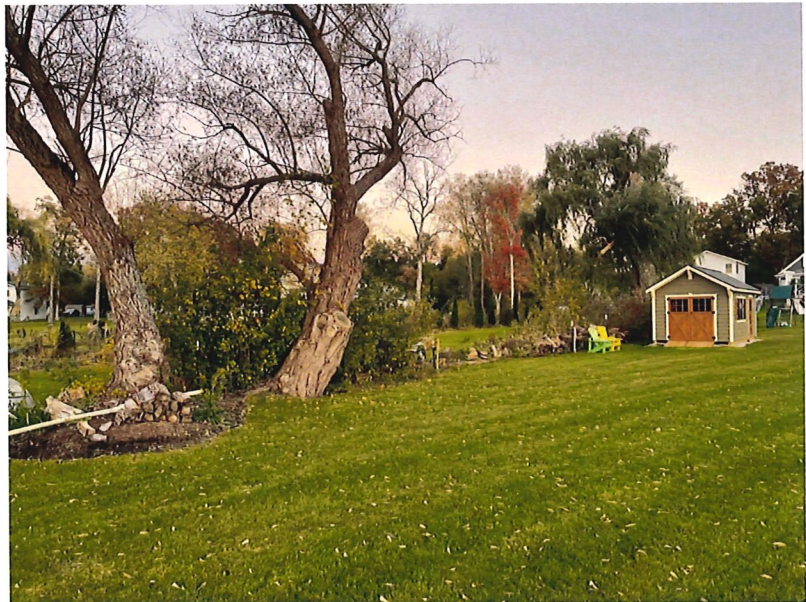
The neighbors on the other side of his property would not be impacted by a 6 foot fence, as they cannot see through his wall of weeds, bushes, and overgrowth.

Picture includes 1 of 5 old boats on property.



10/26/2021

View from our yard.





10/26/2021



10/26/2021

A discarded skeet thrower is mixed in with the wall of weeds and overgrowth.



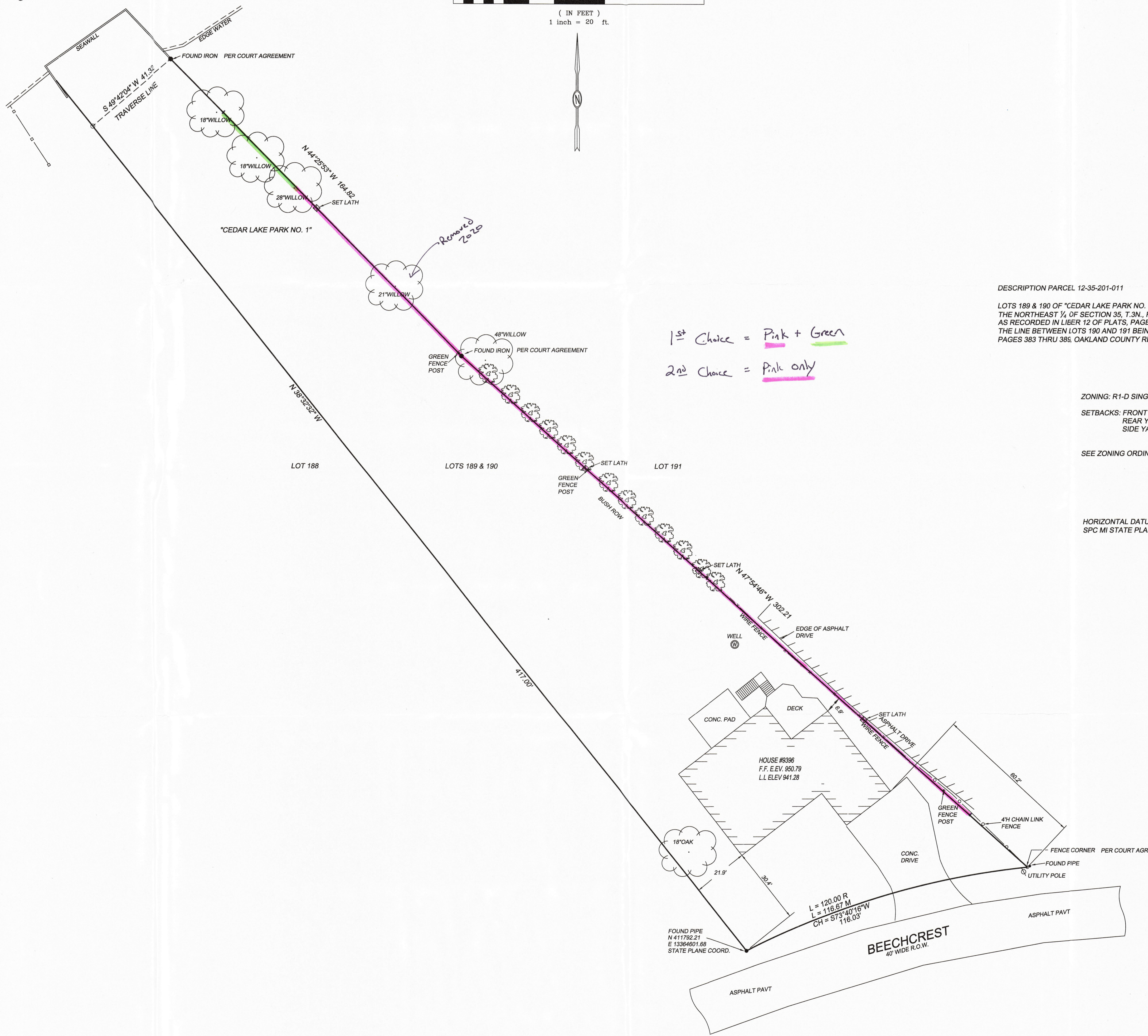
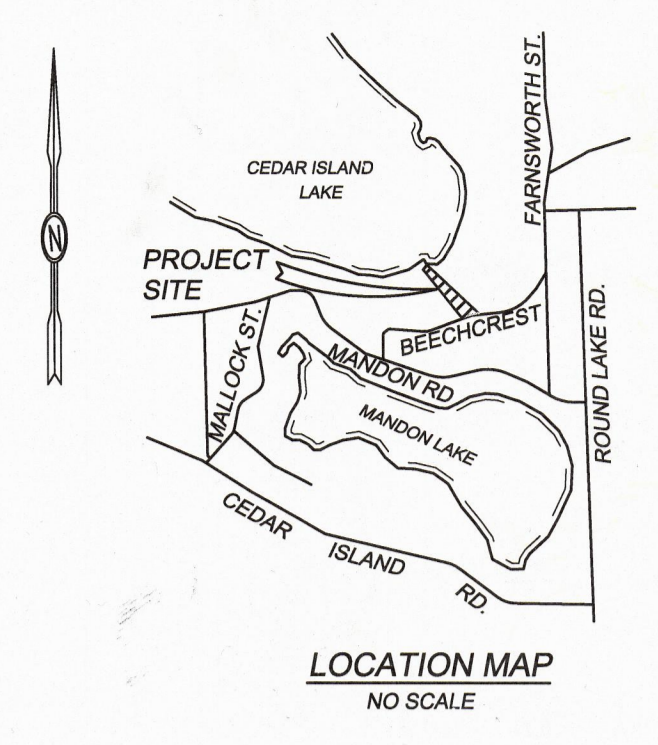
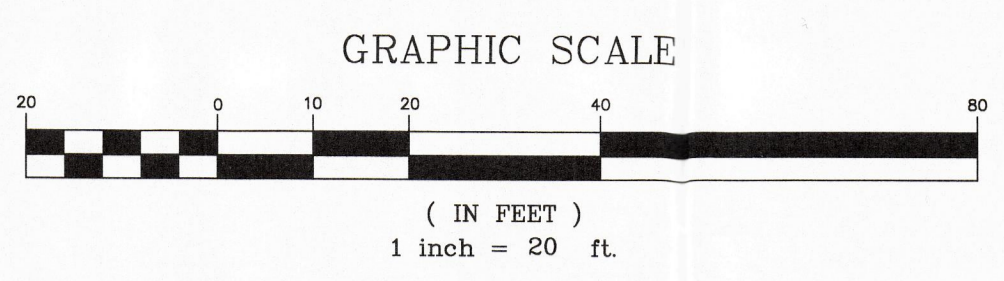
10/26/2021

View of rotten wood piles along property line.





CEDAR ISLAND LAKE



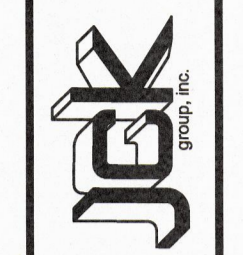
1<sup>st</sup> Choice = Pink + Green  
2<sup>nd</sup> Choice = Pink only

DESCRIPTION PARCEL 12-35-201-011  
LOTS 189 & 190 OF "CEDAR LAKE PARK NO. 1", A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, T.3N., R.8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 12 OF PLATS, PAGE 34, OAKLAND COUNTY RECORDS. THE LINE BETWEEN LOTS 190 AND 191 BEING IN A COURT AGREEMENT RECORDED IN LIBER 29541, PAGES 383 THRU 385, OAKLAND COUNTY RECORDS.

ZONING: R1-D SINGLE FAMILY RESIDENTIAL  
SETBACKS: FRONT YARD - 30'  
REAR YARD - 30'  
SIDE YARD - 10' ONE SIDE  
20' TOTAL OF TWO SIDES  
SEE ZONING ORDINANCE

HORIZONTAL DATUM BASED ON NAD83 (COORS 2011)  
SPC MI STATE PLANE COORDINATE SOUTH ZONE

Consulting Engineers & Land Surveyors  
8615 Richardson Rd., Commerce Twp., MI 48390  
Phone (248) 963-2550 Fax (248) 963-1666



Drawn: LAS/JCK	DESIGNED LOT LINE
Designed: ---	ISSUED FOR
Checked: JCK	DATE
	3/22/17

TOPOGRAPHIC SURVEY

9396 BEECHCREST  
WHITE LAKE TWP., OAKLAND CO., MI.

Scale: 1" = 20'  
Date: 3/8/17  
Job No.: 10497  
Sht. No.: 1 of 1



# WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** Zoning Board of Appeals  
**FROM:** Justin Quagliata, Staff Planner  
**DATE:** January 27, 2022

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**Agenda item:** 7b

**Appeal Date:** January 27, 2022

**Applicant:** Michael Epley

**Address:** 6075 Carroll Lake Road  
Commerce, MI 48382

**Zoning:** R1-D Single Family Residential

**Location:** 368 Lakeside Drive  
White Lake, MI 48386

### **Property Description**

The approximately 0.287-acre (12,501.72 square feet) parcel identified as 368 Lakeside Drive is located on Oxbow Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,846 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

### **Applicant's Proposal**

Michael Epley, the applicant, on behalf of property owners Scott and Lynn Robbins, is proposing to construct a second-story addition on the existing house.

### **Planner's Report**

The existing house was built in 1951 and is nonconforming because it is located 4.03 feet from the north side lot line and 5.11 feet from the south side lot line. A minimum 10-foot side yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 20-foot deficiency in lot width (60 feet in width at the front lot line); in the R1-D zoning district the minimum lot width requirement is 80 feet.

The proposed second-story would be located 5'-3<sup>3/8</sup>" from the north side property line and 6'-4<sup>5/16</sup>" from the south property line. A five-foot variance is being requested to encroach into the north side yard setback and a four-foot variance to encroach into the south side yard setback. The proposed roof overhang (3") is 5'-0<sup>3/8</sup>" from the north side lot line and 6'-1<sup>5/16</sup>" from the south side lot line.

Article 7, Section 28 of the zoning ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any period of twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$82,440), the maximum extent of improvements cannot exceed \$41,220. The value of the proposed work is \$350,000. A variance to exceed the allowed value of improvements by 849% is requested.

Following is a summary of nonconformities and proposed enlargements/alterations:

<b>Nonconformity #</b>	<b>Ordinance Section</b>	<b>Subject</b>	<b>Standard</b>	<b>Request</b>	<b>Result</b>
1	Article 3.1.6.E	Side yard setback	10 feet	5 feet (north) 4 feet (south)	5 feet (north) 6 feet (south)

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming house	Increased nonconformities
2	Article 7.28.A	Nonconforming structure	50% SEV (\$41,220)	849%	\$308,780 over allowed improvements
3	Article 3.1.6.E	Minimum lot width	80 feet	20 feet	60 feet

**Zoning Board of Appeals Options:**

**Approval:** I move to approve the variances requested by Michael Epley from Articles 3.1.6.E, 7.23.A, and 7.28.A of the Zoning Ordinance for Parcel Number 12-22-428-003, identified as 368 Lakeside Drive, in order to construct a second-story addition. A variance from Article 7.23.A is granted to allow the second-story addition to encroach 5 feet into the required setback from the north side lot line and 4 feet into the required setback from the south side lot line. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 849%. A 20-foot variance from the required lot width is also granted from Article 3.1.6.E. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- In no event shall the projection of the roof overhang be closer than five feet to the east and west side lot lines.
- An as-built survey shall be required to verify the roof overhang setback from the north and south side lot lines.
- No mechanical units, including HVAC system or generator, shall be placed closer than five (5) feet to any side yard lot line.

**Denial:** I move to deny the variances requested by Michael Epley for Parcel Number 12-22-428-003, identified as 368 Lakeside Drive, due to the following reason(s):

**Table:** I move to table the variance requests of Michael Epley for Parcel Number 12-22-428-003, identified as 368 Lakeside Drive, to consider comments stated during this public hearing.



## Attachments:

1. Variance application dated December 2, 2021.
2. Survey dated April 19, 2021 (revision date January 11, 2022)
3. Site plan and elevations dated November 2021.
4. Letter of denial from the Building Official dated December 3, 2021.

### 7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.
- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
  - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

# CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: Michael Epley PHONE: 248-787-1130  
 ADDRESS: 6075 Carroll Lake Rd. - Commerce, MI.  
 APPLICANT'S EMAIL ADDRESS: mikeepley@hotmail.com  
 APPLICANT'S INTEREST IN PROPERTY:  OWNER  BUILDER  OTHER: \_\_\_\_\_

ADDRESS OF AFFECTED PROPERTY: 368 Lakeside Dr. PARCEL # 12 - 22-428-003  
 CURRENT ZONING: R1-D PARCEL SIZE: 11,500 S.F.

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: 5'0" side variance (N.E.)  
3'4" side variance (S.E.)  
 VALUE OF IMPROVEMENT: \$ 350,000 SEV OF EXISITING STRUCTURE: \$ \_\_\_\_\_

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)  
Existing house and attached garage  
currently is uncomforming on both  
side lots. Our upper story addition, with  
respect to those same side lots, are the  
2 areas we are requesting variances. Modestly  
stepping in the upper story and minimizing overhangs  
are a few way we have attempted to not  
"overask" and still produce a healthy upper story square  
footage.

APPLICATION FEE: \$385.00 (CALCULATED BY THE PLANNING DEPARTMENT)  
 APPLICANT'S SIGNATURE: [Signature] DATE: 12-2-21

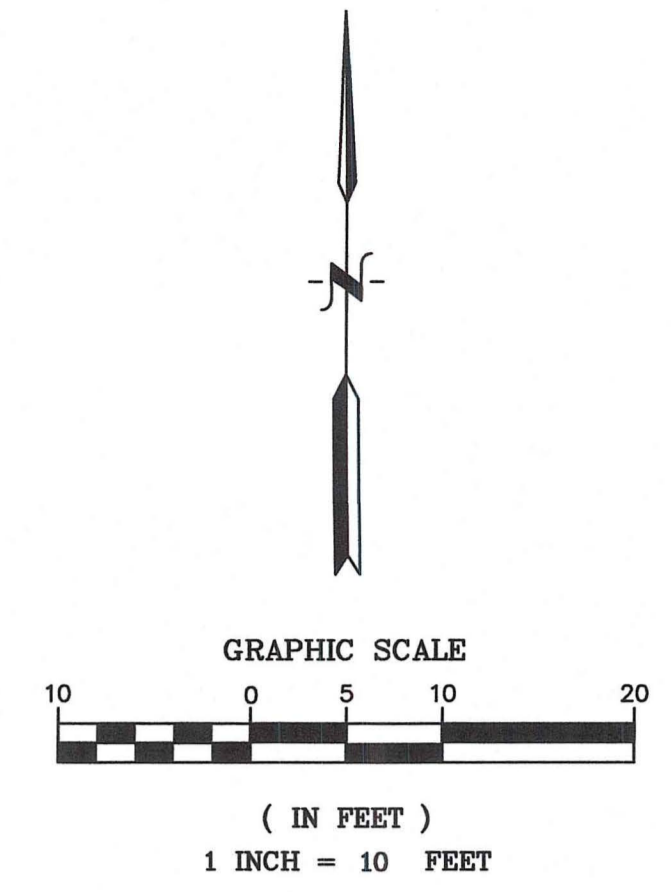
RECEIVED  
 DEC 02 2021  
 BUILDING  
 DEPARTMENT



**SURVEYOR'S CERTIFICATE**  
We hereby certify that we have completed a survey on the property hereinafter described, that there is located entirely thereon, as shown on the attached drawing, a structure or structures within the property lines and that there are no observable encroachments upon the lands and property described unless otherwise indicated.

DESINE INC

  
Travis R. Pratt, P.S. No. 4001062878 Date: 11/11/22



- LEGEND**
- = MISC. STRUCTURE (AS LABELED)
  - = SURVEYOR'S MONUMENTATION (AS LABELED)
  - = WELL / MONITOR WELL
  - = SOIL BORING / BENCHMARK W/IDENTIFIER
  - = LIGHT BASE
  - = UTILITY METERS & BOXES (ELECTRIC METER, GAS METER, WATER METER, PHONE BOX, CATV BOX, MAIL BOX, UTIL. BOX)
  - = AIR CONDITIONER UNIT
  - = UTILITY POLE W/GUY WIRE
  - = OVERHEAD UTILITY LINES (ELECTRIC/PHONE/CABLE)
  - = U/G UTILITY LINES (PHONE/FIBER OPTIC/ELECTRIC/CABLE TV/MISC UTILITIES)
  - = DECIDUOUS TREE W/IDENTIFIER
  - = CONIFEROUS TREE W/IDENTIFIER
  - = ROCKS / ROCK RETENTION WALL
  - = CONCRETE CURB (UNLESS OTHERWISE STATED)
  - = EDGE OF WATER
  - = 1' CONTOUR
  - = 5' CONTOUR

**BENCHMARK**

DATUM BASED ON NGS OPUS SOLUTION REPORT, DATED APRIL 7, 2021 AT 1:03 PM

**BENCHMARK #201**

TOP OF WELL HEAD, LOCATED NEAR THE SOUTHEAST CORNER OF #374 HOUSE. ELEVATION = 947.94 (NAVD 88)

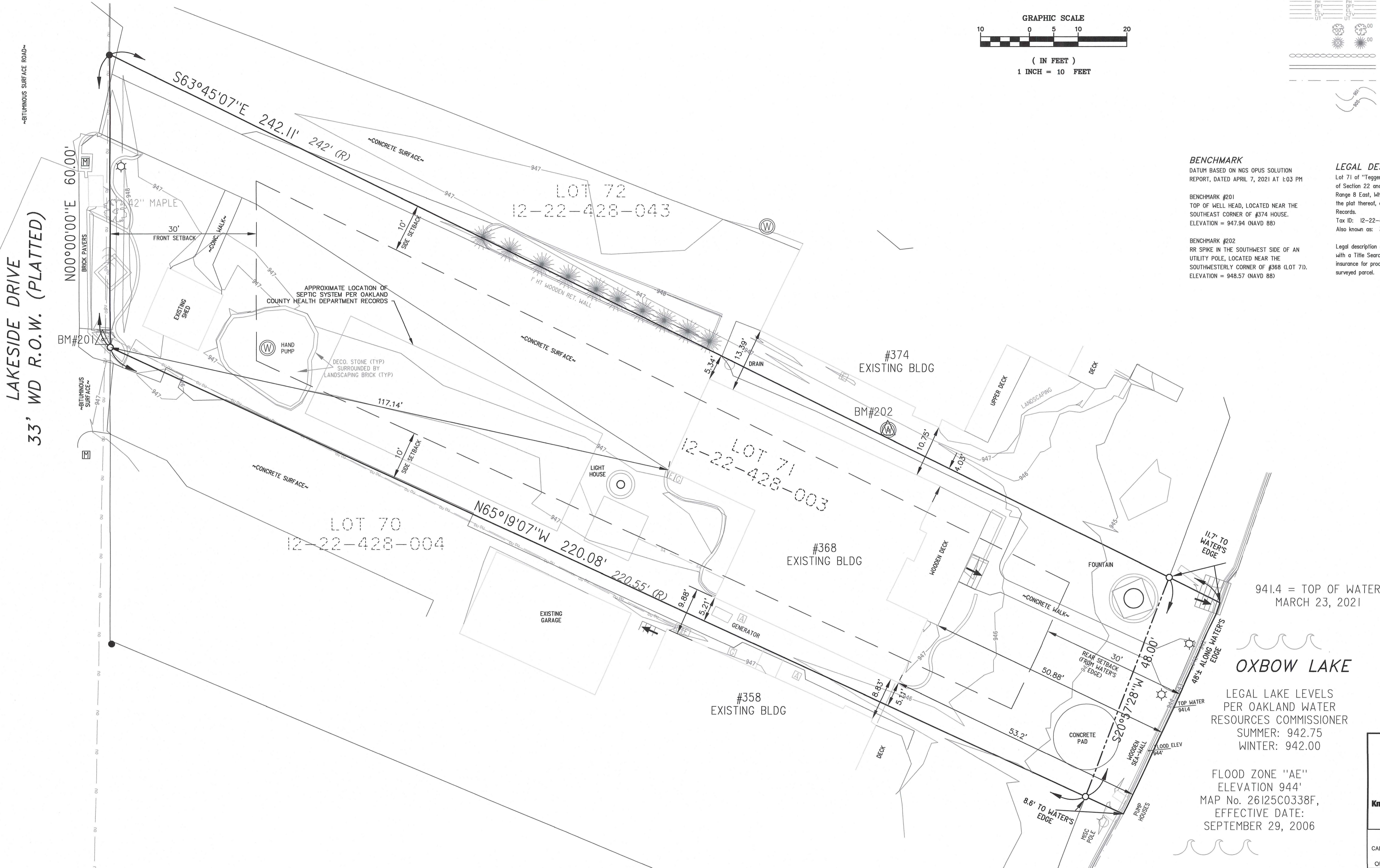
**BENCHMARK #202**

RR SPIKE IN THE SOUTHWEST SIDE OF AN UTILITY POLE, LOCATED NEAR THE SOUTHWESTERLY CORNER OF #368 (LOT 71). ELEVATION = 948.57 (NAVD 88)

**LEGAL DESCRIPTION**

Lot 71 of "Teggerdine Beach," a Subdivision of part of the Southeast 1/4 of Section 22 and part of the Southwest 1/4 of Section 23, Town 3 North, Range 8 East, White Lake Township, Oakland County, Michigan, according to the plat thereof, as recorded in Liber 30 of Plats, Page 16, Oakland County Records.  
Tax ID: 12-22-428-003  
Also known as: 368 Lakeside Drive, White Lake, Michigan

Legal description of record provided by client. Surveyor was not supplied with a Title Search at this time. Refer to the current policy for title insurance for proof of ownership and all encumbrances affecting title to the surveyed parcel.



941.4 = TOP OF WATER  
MARCH 23, 2021

**OXBOW LAKE**

LEGAL LAKE LEVELS  
PER OAKLAND WATER  
RESOURCES COMMISSIONER  
SUMMER: 942.75  
WINTER: 942.00

FLOOD ZONE "AE"  
ELEVATION 944'  
MAP No. 26125C0338F,  
EFFECTIVE DATE:  
SEPTEMBER 29, 2006

(810) 227-9533  
CIVIL ENGINEERS  
LAND SURVEYORS  
2183 PLESS DRIVE  
BRIGHTON, MICHIGAN 48114

REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
1	11-30-21	ADDED SEPTIC SYSTEM PER OAKLAND COUNTY HEALTH DEPARTMENT RECORDS			
2	1-11-22	ADDED NOTE FOR LEGAL LAKE LEVELS			

DESIGN:SVB  
DRAFT: SVB  
CHECK:

**EXISTING  
CONDITIONS**

**LOT 71  
TEGGERDINE BEACH SUB'D.  
WHITE LAKE TOWNSHIP**

CLIENT:  
SCOTT ROBBINS  
211 STONEFREE CIRCLE  
ROCHESTER HILLS, MI 48309

SCALE: 1" = 10'  
PROJECT No.: 214063  
DWG NAME: 4063 PP  
ISSUED: APR. 19, 2021

**EX**



# Epley

Custom Design 248.787.1130

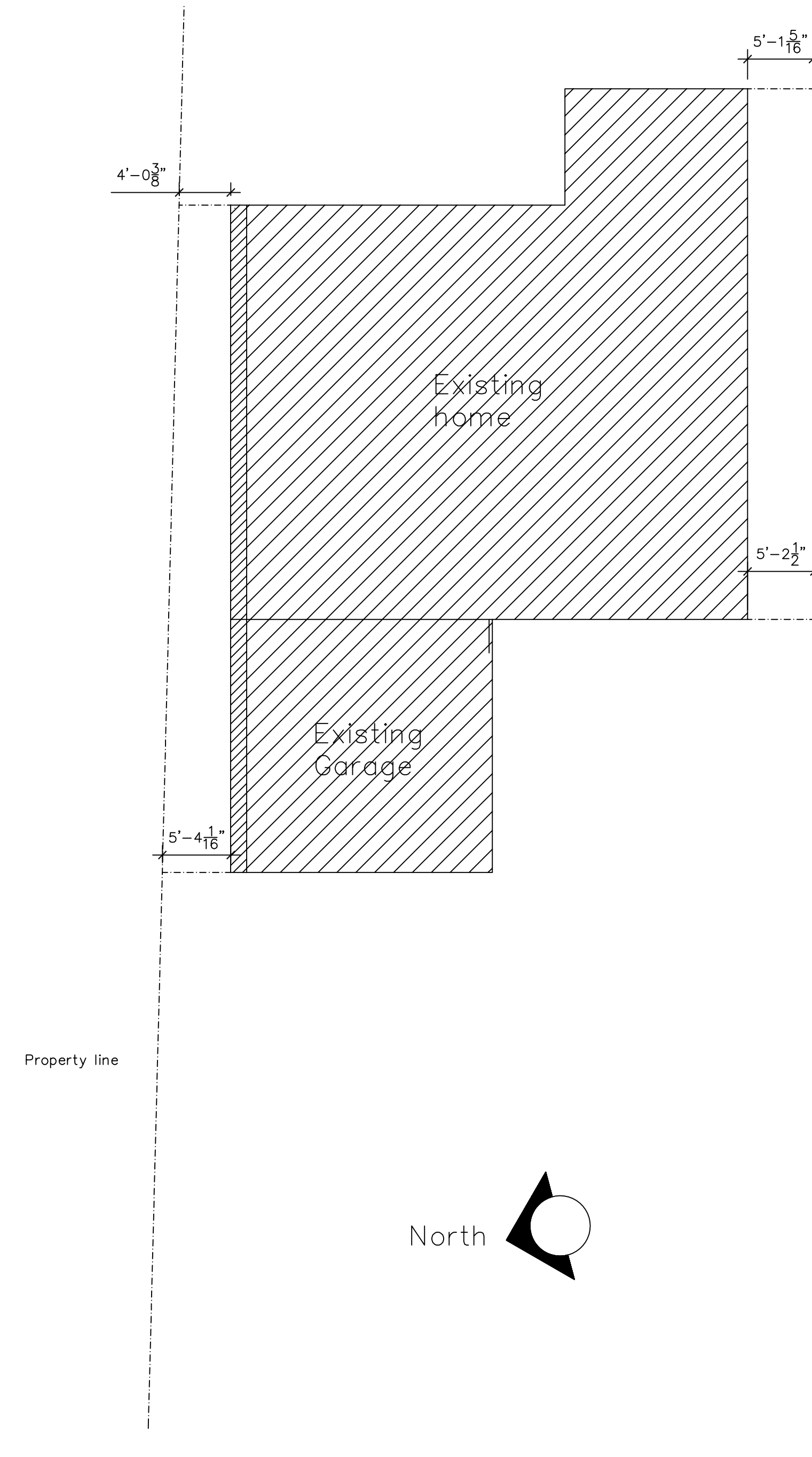
### Site Plan - Elevations

ISSUE	DATE	ISSUE

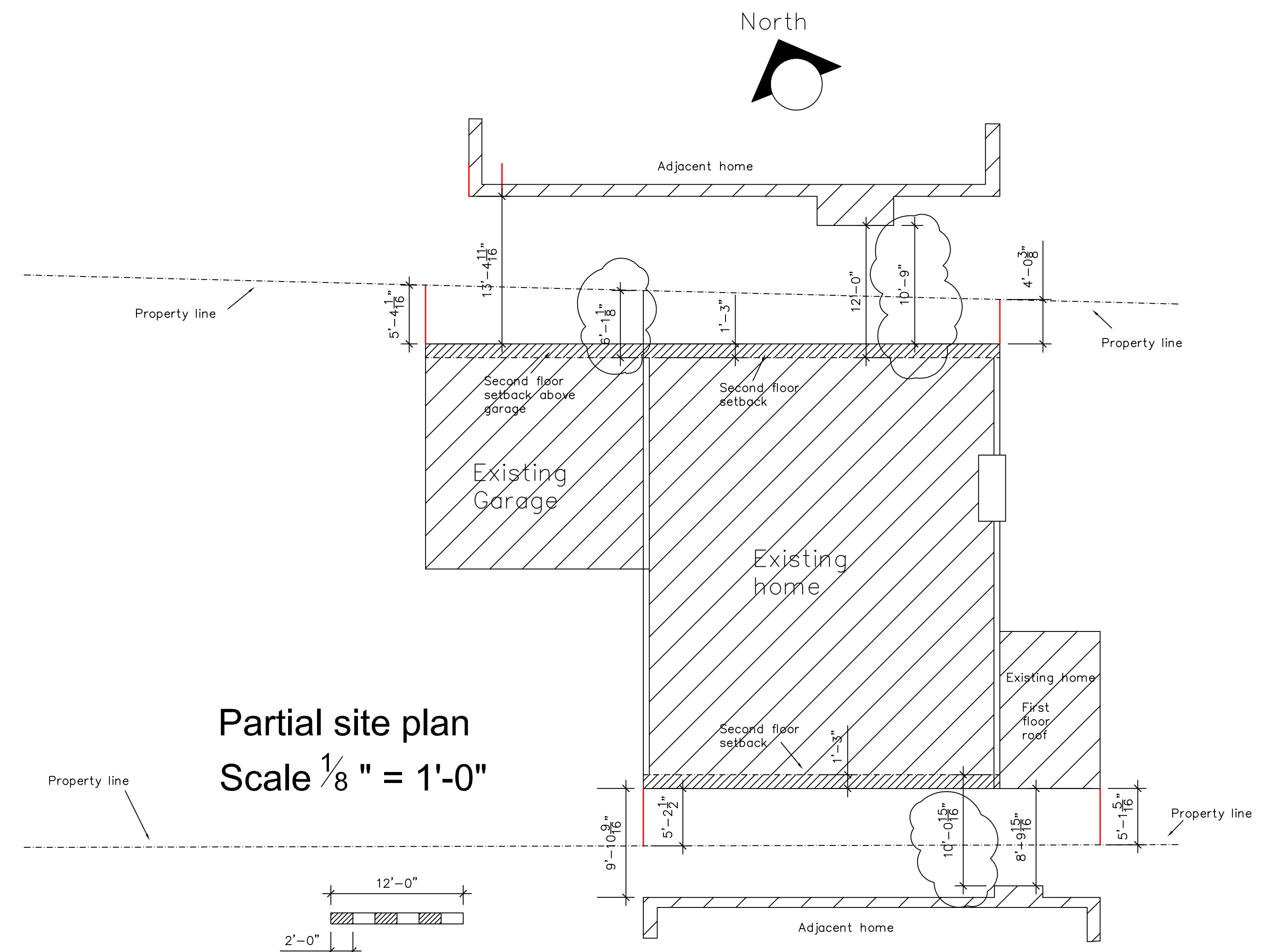
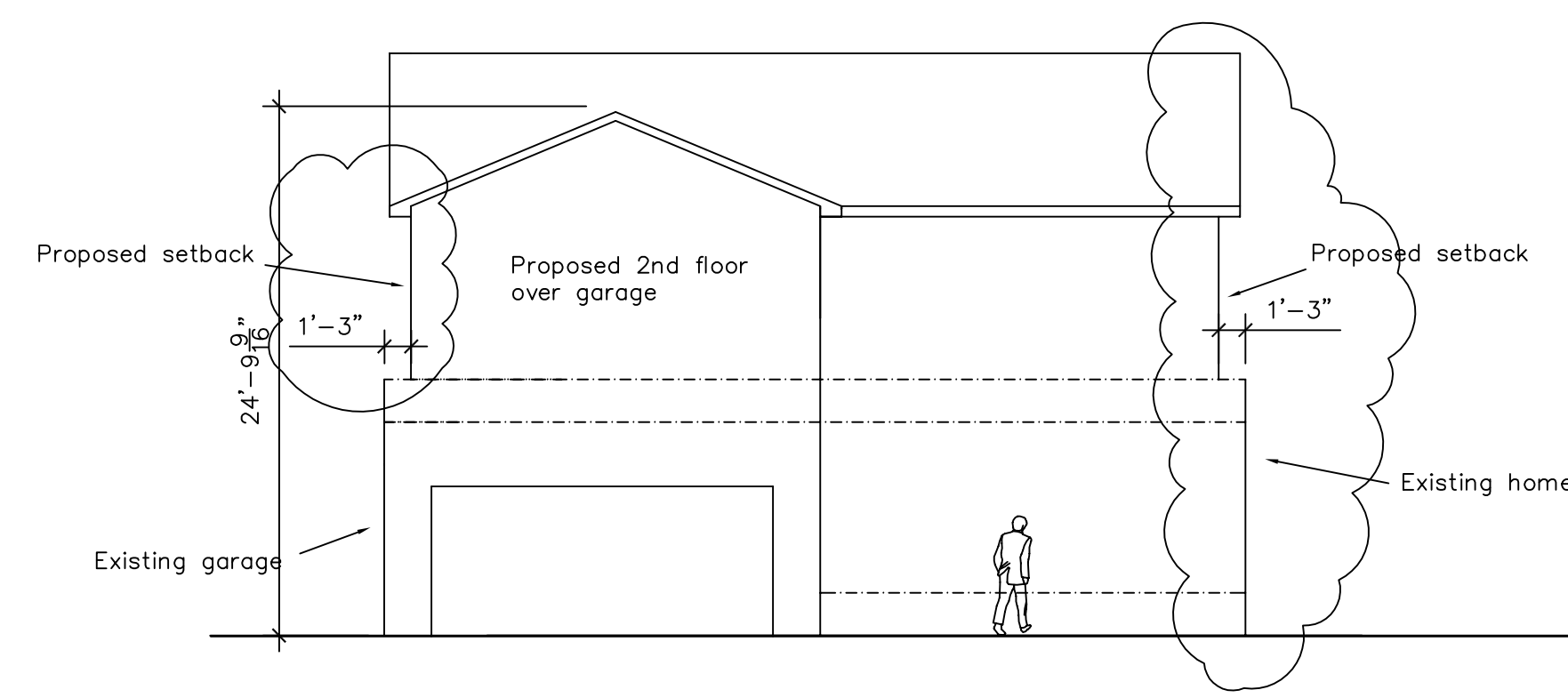
### Proposed additions for 368 Lakeside Dr. White Lake Mi.

APPROVED	Nov. 2021
CHECKED	DRAWING DATE
PROJECT No.	
SHEET No.	

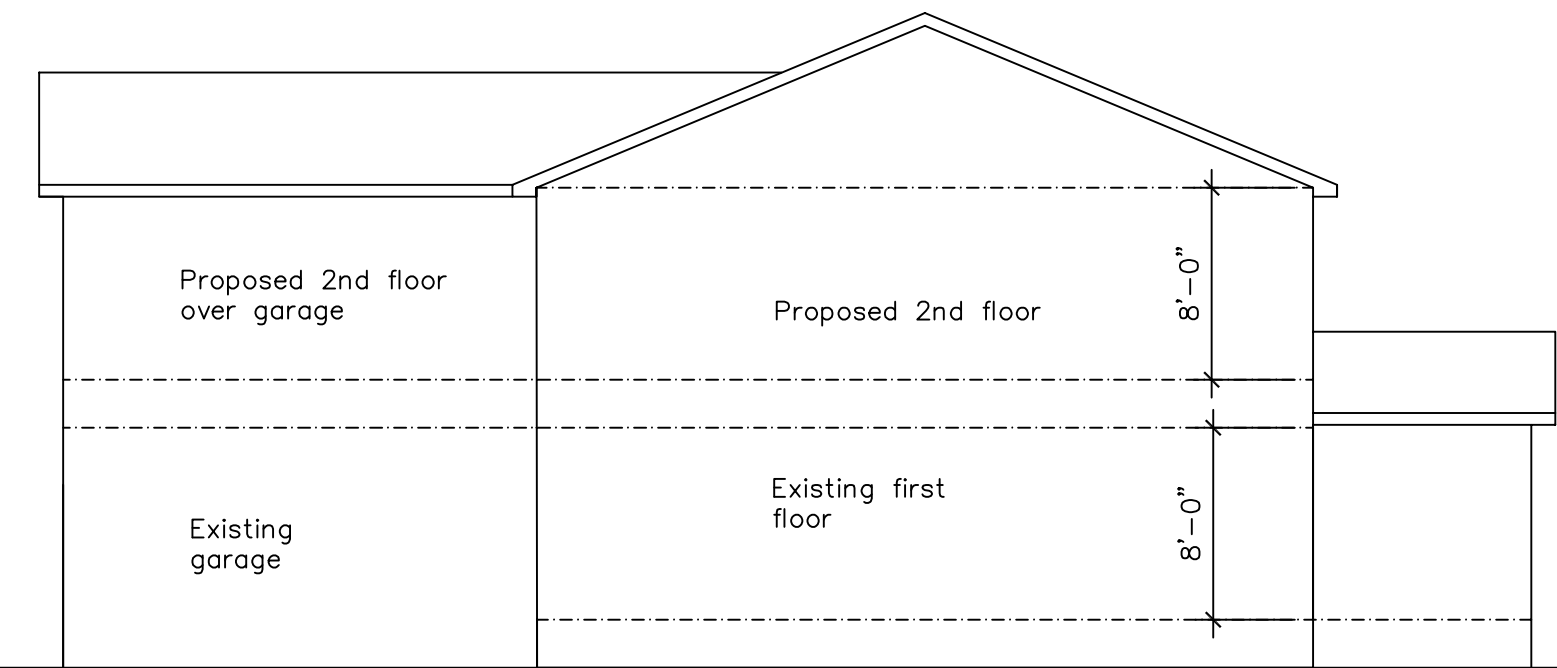
## A-1



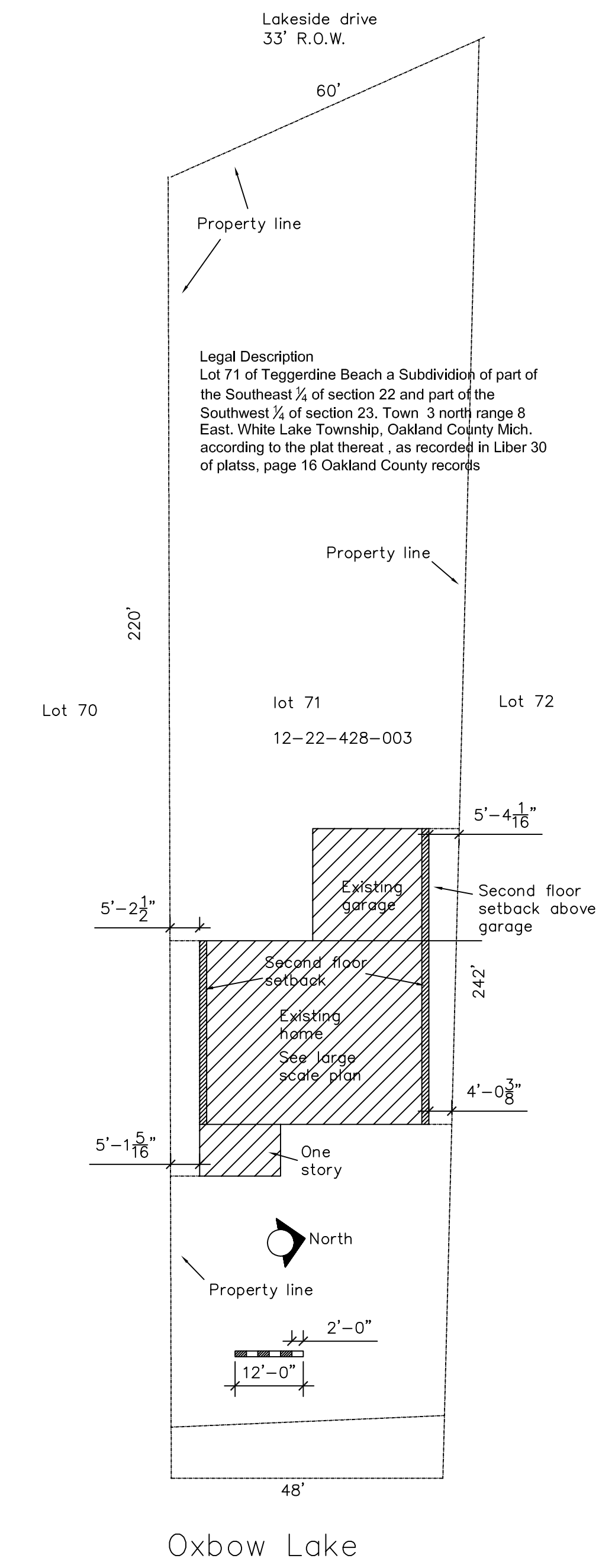
West elevation  
Scale 1/8" = 1'-0"



Partial site plan  
Scale 1/8" = 1'-0"



South elevation  
Scale 1/8" = 1'-0"



Site plan  
Scale 1" = 20'

Rik Kowall, Supervisor  
Anthony L. Noble, Clerk  
Mike Roman, Treasurer



Trustees  
Scott Ruggles  
Liz Fessler Smith  
Andrea C. Voorheis  
Michael Powell

## WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

December 3, 2021

Scott Robbins  
368 Lakeside Dr  
White Lake, MI 48386

RE: Proposed 2<sup>nd</sup> Story Addition

Based on the submitted plans, the proposed residential addition does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

**Article 3.1.6 of the White Lake Township Clear Zoning Ordinance:** Requires a minimum side yard setback of 10 ft each side and total of 20 ft.

The existing structure is legal non-conforming. The approximate 12,500 sq ft lot contains a residential structure; having a 4.03 ft side yard setback on the north side and 5.11 ft setback on the south side. The proposed second story addition would encroach into the north side yard setback 4.7 ft resulting in a 5.3 ft side yard setback, and encroach into the south side yard setback 3.6 ft resulting in a 6.4 ft side yard setback. The total side yard setback would be 11.7 ft of a minimum 20 ft. If approved, in no instance shall any portion of the proposed structure project closer than 5 ft to either side yard lot line.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the January 27<sup>th</sup> Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than December 29<sup>th</sup> at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official  
White Lake Township



**WHITE LAKE TOWNSHIP  
ZONING BOARD OF APPEALS**

**REPORT OF THE  
COMMUNITY DEVELOPMENT DEPARTMENT**

**TO:** Zoning Board of Appeals  
**FROM:** Justin Quagliata, Staff Planner  
**DATE:** January 27, 2022

---

**Agenda item:** 7c

**Appeal Date:** January 27, 2022

**Applicant:** David Scalpone

**Address:** 11071 Beryl Drive  
White Lake, MI 48386

**Zoning:** R1-D Single Family Residential

**Location:** 11071 Beryl Drive  
White Lake, MI 48386

### **Property Description**

The approximately 0.157-acre (6,839 square feet) parcel identified as 11071 Beryl Drive is located on Bogie Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,446 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation. The submitted plot plan shows a proposed grinder pump and connection to the public sanitary sewer system.

### **Applicant's Proposal**

David Scalpone, the applicant, is proposing to construct single- and second-story additions on the house.

### **Planner's Report**

The existing house was built in 1994 and is nonconforming to setbacks; the structure is located 6.4 feet from the east side lot line. A minimum 10-foot side yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 5,161 square foot deficiency in lot area and a 27-foot deficiency in lot width (53 feet in width at the road right-of-way line); in the R1-D zoning district the minimum lot size requirement is 12,000 square feet and the minimum lot width requirement is 80 feet. The applicant is requesting variances to address the area and width nonconformities.

With the proposed second-story addition, the second floor would be 1,274 square feet and overall, the house would be 2,639 square feet in size. The proposed first floor addition is approximately 286.50 square feet in size and would extend three feet off the east side of the rear portion of the house, five feet off the west side of the rear portion of the house and two feet off the west side of the front portion of the house, and three feet off the north (front) of the house (the proposed covered porch is 3' by 9'-10" (29.50 square feet) in size). The addition would maintain the 6.4-foot east side yard (proposed roof overhang 5.4 feet from the side lot line). Article 5, Section 7.A of the zoning ordinance states no detached garage may be located closer than 10 feet to any principal structure or building unless it conforms to all regulations of the ordinance applicable to principal structures or buildings. Based on the submitted plot plan, the 22' by 24' (528 square feet) two-car garage is nonconforming with a two-foot setback from the west side lot line. The garage would be part of the house (7.5 feet between buildings), and therefore subject to the 10-foot side yard setback requirement in the R1-D zoning district. Article 7, Section 27.vii of the zoning ordinance prohibits the Zoning Board of Appeals from granting a variance to permit a setback of less than five feet from a side lot line for safety reasons. A five-foot variance is being requested, which would require the applicant reconstruct the west wall of the garage to be five feet from the side lot line. As the garage is located 10 feet from the front property line, a 20-foot variance is requested to encroach into the 30-foot front yard setback. Additionally, the proposed lot coverage is 27.68% (1,839 square feet), which is 7.68% (525.2 square feet) beyond the 20% maximum lot coverage allowed (1,367.8 square feet).

The plot plan shows the nonconforming shed and concrete pad in the rear yard would be demolished and removed. The plans also show existing mechanical units (including a generator) would be relocated. If the variances are approved, the plans must be revised to show the proposed location for mechanical units.

Article 7, Section 28 of the zoning ordinance states repairs and maintenance to nonconforming structures cannot exceed fifty percent (50%) of the State Equalized Valuation (SEV) in any period of twelve (12) consecutive months. Further, the ordinance does not allow the cubic content of nonconforming structures to be increased. Based on the SEV of the structure (\$80,710), the maximum extent of improvements cannot exceed \$40,355. The value of the proposed work is \$450,000. A variance to exceed the allowed value of improvements by 1,115% is requested.

Following is a summary of nonconformities and proposed enlargements/alterations:

Nonconformity #	Ordinance Section	Subject	Standard	Request	Result
1	Article 3.1.6.E	Front yard setback	30 feet	20 feet	10 feet
2	Article 3.1.6.E	Side yard setback	10 feet	5 feet	5 feet (garage – with rebuild)
3	Article 3.1.6.E	Side yard setback	10 feet	3.6 feet	6.4 feet (house – east side)
4	Article 3.1.6.E	Maximum lot coverage	20% (1,367.8 square feet)	7.68% (525.2 square feet)	27.68% (1,893 square feet)

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming house	Increased nonconformities
2	Article 7.28.A	Nonconforming structure	50% SEV (\$40,355)	1,115%	\$409,645 over allowed improvements
3	Article 3.1.6.E	Minimum lot size	12,000 square feet	5,161 square feet	6,839 square feet
4	Article 3.1.6.E	Minimum lot width	80 feet	27 feet	53 feet
5	Article 5.7.A	Accessory building setback	10 feet	2.5 feet	7.5 feet (from house)

### **Zoning Board of Appeals Options:**

**Approval:** I move to approve the variances requested by David Scalpone from Articles 3.1.6.E, 5.7.A, 7.23.A, and 7.28.A of the Zoning Ordinance for Parcel Number 12-33-278-010, identified as 11071 Beryl Drive, in order to construct an addition. Variances from Article 7.23.A are granted to allow: the addition to encroach 3.6 feet into the required setback from the east side lot line; to allow the garage to encroach 5 feet into the required setback from the west side lot and 20 feet into the required setback from the front lot line; and to exceed the allowed lot coverage by 7.68%. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 1,115%. A 27-foot variance from the required lot width and a 5,161 square foot variance from the required lot size are also granted from Article 3.1.6.E. A 2.5-foot variance from Article 5.7.A is also granted to allow the house to encroach into the required setback from the garage. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- The west side wall of the garage shall be removed and reconstructed to establish a five-foot side yard setback, which shall be measured from the roof overhang of the garage.
- In no event shall the projection of any roof overhang be closer than five (5) feet to the east and west side lot lines.
- No mechanical units, including HVAC system or generator, shall be placed closer than five (5) feet to any side yard lot line.
- A foundation certificate shall be required prior to the backfill inspection by the Building Department.
- An as-built survey shall be required to verify the approved setbacks.
- The nonconforming shed, including the concrete pad, shall be demolished and removed from the property.

**Denial:** I move to deny the variances requested by David Scalpone for Parcel Number 12-33-278-010, identified as 11071 Beryl Drive, due to the following reason(s):

**Table:** I move to table the variance requests of David Scalpone for Parcel Number 12-33-278-010, identified as 11071 Beryl Drive, to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated December 16, 2021.
2. Applicant's written statement received by the Township on December 16, 2021.
3. Plot plan dated November 30, 2021.
4. Architectural plans dated September 20, 2021 (revision date November 16, 2021).
5. Letter of denial from the Building Official dated December 20, 2021.

### 7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.
- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
  - i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.



DEC 16 2021

COMMUNITY DEVELOPMENT DEPARTMENT

# CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals APPLICATION

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x163

APPLICANT'S NAME: David Scapone PHONE: 248-910-2481

ADDRESS: 11071 Beryl Dr. White Lake, MI 48383

APPLICANT'S EMAIL ADDRESS: same as above

APPLICANT'S INTEREST IN PROPERTY:  OWNER  BUILDER  OTHER: \_\_\_\_\_

ADDRESS OF AFFECTED PROPERTY: 11071 Beryl Dr White Lake PARCEL # 12 - 33-278-010

CURRENT ZONING: R1D PARCEL SIZE: \_\_\_\_\_

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: \_\_\_\_\_

VALUE OF IMPROVEMENT: \$ 450,000.00 SEV OF EXISTING STRUCTURE: \$ 116,290.00

STATE REASONS TO SUPPORT REQUEST: (ADDITIONALS SHEETS MAY BE ATTACHED)

\* see attached \*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICATION FEE: \$385.00 (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: [Signature] DATE: 12/16/2021

- The practical difficulty is that the lot is non-conforming and was not self-created.
  - The lot is less than 80 feet wide and is less than 12K square feet.
- As part of the construction the new structure will be tied into the sewer and the current septic will be abandoned.
  - The lake quality will benefit from this.
- As part of the construction, insulation will be increased, a more energy efficient heating system will be installed which will reduce the current carbon footprint being omitted.
  - Current structure is very poorly insulated and has block walls that hold the heat in the summer and cold in the winter.
  - Current heating system is an old boiler that is very inefficient. There is no central air and window air conditioners are run in the summer.
- The current fireplace is in the center of the home and is omitting CO2. During a home inspection it was deemed unusable.
- The second story ceiling height in the bedroom is too low causing individuals to hit their head when walking up the stairs/getting in and out of bed and poses a safety issue.
- The two main floor bedrooms are attached with a jack and jill closet.
- Moving the entry door of the structure to the street side of the home.
  - Current entry door to the structure is a sliding glass door that enters from the side of the home and is unable to be deadbolted. Unable to effectively secure the home with this type of entry.
- The crawl space will be updated during construction with acceptable access.
  - Current crawl space has areas that are unable to be accessed and during a home inspection it was found that mold is potentially present.

The new construction essentially is to bring the structure to be at least 5 feet off the property line and stay within the current birds-eye footprint. It will also bring the 2<sup>nd</sup> story to acceptable ceiling heights and will better the environment, community, and the lake.

RECEIVED  
DEC 16 2021



SOIL EROSION AND SEDIMENTATION CONTROL OPERATION TIME AND SCHEDULE

CONSTRUCTION SEQUENCE	NOV 2021	DEC
TEMPORARY EROSION CONTROL MEASURES	█	
STRIP & STOCKPILE TOPSOIL / ROUGH GRADE	█	
INSTALL ALL OTHER UTILITIES	█	
SITE CONSTRUCTION & PAVEMENT	█	
PERMANENT EROSION CONTROL MEASURES	█	
FINISH GRADING	█	
LANDSCAPING	█	

MAP UNIT SYMBOL	MAP UNIT NAME
12	BROCKSTON AND COLWOOD LOAMS

SITE LEGEND

- PROPERTY LINE
- PROPOSED DRIVEWAY
- ▭ PROPOSED BUILDING
- ▭ PROPOSED CONCRETE PAVEMENT
- - - SETBACK LINE
- LDD — LIMIT OF DISTURBANCE
- SF — PROPOSED SILT FENCE

SITE NOTES

- THE CONTRACTOR SHALL VERIFY AND FAMILIARIZE THEMSELVES WITH THE EXISTING SITE CONDITIONS AND THE PROPOSED SCOPE OF WORK (INCLUDING DIMENSIONS, LAYOUT, ETC.) PRIOR TO INITIATING THE IMPROVEMENTS IDENTIFIED WITHIN THESE DOCUMENTS. SHOULD ANY DISCREPANCY BE FOUND BETWEEN THE EXISTING SITE CONDITIONS AND THE PROPOSED WORK THE CONTRACTOR SHALL NOTIFY KEM-TEC AND ASSOCIATES, PRIOR TO THE START OF CONSTRUCTION.
- THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND ENSURE THAT ALL REQUIRED APPROVALS HAVE BEEN OBTAINED PRIOR TO THE START OF CONSTRUCTION. COPIES OF ALL REQUIRED PERMITS AND APPROVALS SHALL BE KEPT ON SITE AT ALL TIMES DURING CONSTRUCTION.
- ALL CONTRACTORS WILL, TO THE FULLEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD HARMLESS KEM-TEC AND ASSOCIATES, AND ITS SUB-CONSULTANTS FROM AND AGAINST ANY DAMAGES AND LIABILITIES INCLUDING ATTORNEY'S FEES ARISING OUT OF CLAIMS BY EMPLOYEES OF THE CONTRACTOR IN ADDITION TO CLAIMS CONNECTED TO THE PROJECT AS A RESULT OF NOT CARRYING THE PROPER INSURANCE FOR WORKERS' COMPENSATION, LIABILITY INSURANCE, AND LIMITS OF COMMERCIAL GENERAL LIABILITY INSURANCE.
- THE CONTRACTOR SHALL NOT DEVIATE FROM THE PROPOSED IMPROVEMENTS IDENTIFIED WITHIN THIS PLAN SET UNLESS APPROVAL IS PROVIDED IN WRITING BY KEM-TEC AND ASSOCIATES.
- THE CONTRACTOR IS RESPONSIBLE TO DETERMINE THE MEANS AND METHODS OF CONSTRUCTION.
- THE CONTRACTOR SHALL NOT PERFORM ANY WORK OR CAUSE DISTURBANCE ON A PRIVATE PROPERTY NOT CONTROLLED BY THE PERSON OR ENTITY WHO HAS AUTHORIZED THE WORK WITHOUT PRIOR WRITTEN CONSENT FROM THE OWNER OF THE PRIVATE PROPERTY.
- THE CONTRACTOR IS RESPONSIBLE TO RESTORE ANY DAMAGED OR UNDERMINED STRUCTURE OR SITE FEATURE THAT IS IDENTIFIED TO REMAIN ON THE PLAN SET. ALL REPAIRS SHALL USE NEW MATERIALS TO RESTORE THE FEATURE TO ITS EXISTING CONDITION AT THE CONTRACTOR'S EXPENSE.
- CONTRACTOR IS RESPONSIBLE TO PROVIDE THE APPROPRIATE SHOP DRAWINGS, PRODUCT DATA, AND OTHER REQUIRED SUBMITTALS FOR REVIEW. KEM-TEC AND ASSOCIATES WILL REVIEW THE SUBMITTALS IN ACCORDANCE WITH THE DESIGN INTENT AS REFLECTED WITHIN THE PLAN SET.
- THE CONTRACTOR IS REQUIRED TO PERFORM ALL WORK IN THE PUBLIC RIGHT-OF-WAY IN ACCORDANCE WITH THE APPROPRIATE GOVERNING AUTHORITY AND SHALL BE RESPONSIBLE FOR THE PROCUREMENT OF STREET OPENING PERMITS.
- THE CONTRACTOR IS REQUIRED TO RETAIN AN OSHA CERTIFIED SAFETY INSPECTOR TO BE PRESENT ON SITE AT ALL TIMES DURING CONSTRUCTION & DEMOLITION ACTIVITIES.
- SHOULD AN EMPLOYEE OF KEM-TEC AND ASSOCIATES BE PRESENT ON SITE AT ANY TIME DURING CONSTRUCTION, IT DOES NOT RELIEVE THE CONTRACTOR OF ANY OF THE RESPONSIBILITIES AND REQUIREMENTS LISTED IN THE NOTES WITHIN THIS PLAN SET.
- IN NO WAY SHALL SURFACE RUNOFF BE DIRECTED SO AS TO ADVERSELY IMPACT ADJACENT PROPERTIES WITH A FLOODING CONDITION. THE GRADING PLAN SHOULD CONTINUE AS FAR AS STORM SEWER OUTLET OR OTHER NATURAL POINT OF DISCHARGE TO ASSURE PROPER CONTROL OF SURFACE RUNOFF. SURFACE RUNOFF SHALL BE DIVERTED TO A STORM SEWER OR OTHER APPROVED POINT OF COLLECTION SO AS NOT TO CREATE A FLOODING CONDITION.
- ALL CONSTRUCTION SITES ARE REQUIRED TO BE MAINTAINED IN A SAFE CONDITION AND TO BE PROTECTED FROM UNAUTHORIZED ENTRY. ALL EXCAVATIONS EXCEEDING 24 INCHES IN DEPTH, SUCH AS FOR BASEMENTS, CRAWL SPACES, POOLS, AND SPAS MUST BE SECURED THROUGH THE USE OF A 4' HIGH FENCE. CONSTRUCTION TYPE FENCING WILL BE ALLOWED FOR A PERIOD NOT TO EXCEED 30 DAYS. AT SUCH TIME, SHOULD BE PERMITTED WORK STILL PHYSICALLY BE UNABLE TO BE PROTECTED AND SECURED, A CHAIN LINK FENCE IS REQUIRED TO BE INSTALLED AND MUST REMAIN IN PLACE UNTIL ITS REMOVAL HAS BEEN AUTHORIZED BY THE BUILDING OFFICIAL 2015 MICHIGAN RESIDENTIAL CODE - R 104.1 & 2015 - MBC CHAPTER 33.
- SILT FENCE LOCATION, INSTALLATION DETAILS AND TIMING SEQUENCE OF RE-ESTABLISHMENT OF PERMANENT VEGETATION REQUIRED PRIOR TO FINAL BUILDING INSPECTION.
- EX. UTILITIES FROM THE HOME ARE TO REMAIN AND BE REUTILIZED AND BE PROTECTED THROUGHOUT CONSTRUCTION.

**KEM-TEC** PROFESSIONAL ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES  
 A GROUP OF COMPANIES  
 Detroit, MI  
 Eastpointe, MI  
 (800) 265-1222 (888) 964-0001  
 (313) 750-0877  
 www.kemtecgroupofcompanies.com

**PLOT PLAN**  
 PREPARED FOR: SCALPONE RESIDENCE  
 11071 BERYL DRIVE, WHITE LAKE, MI

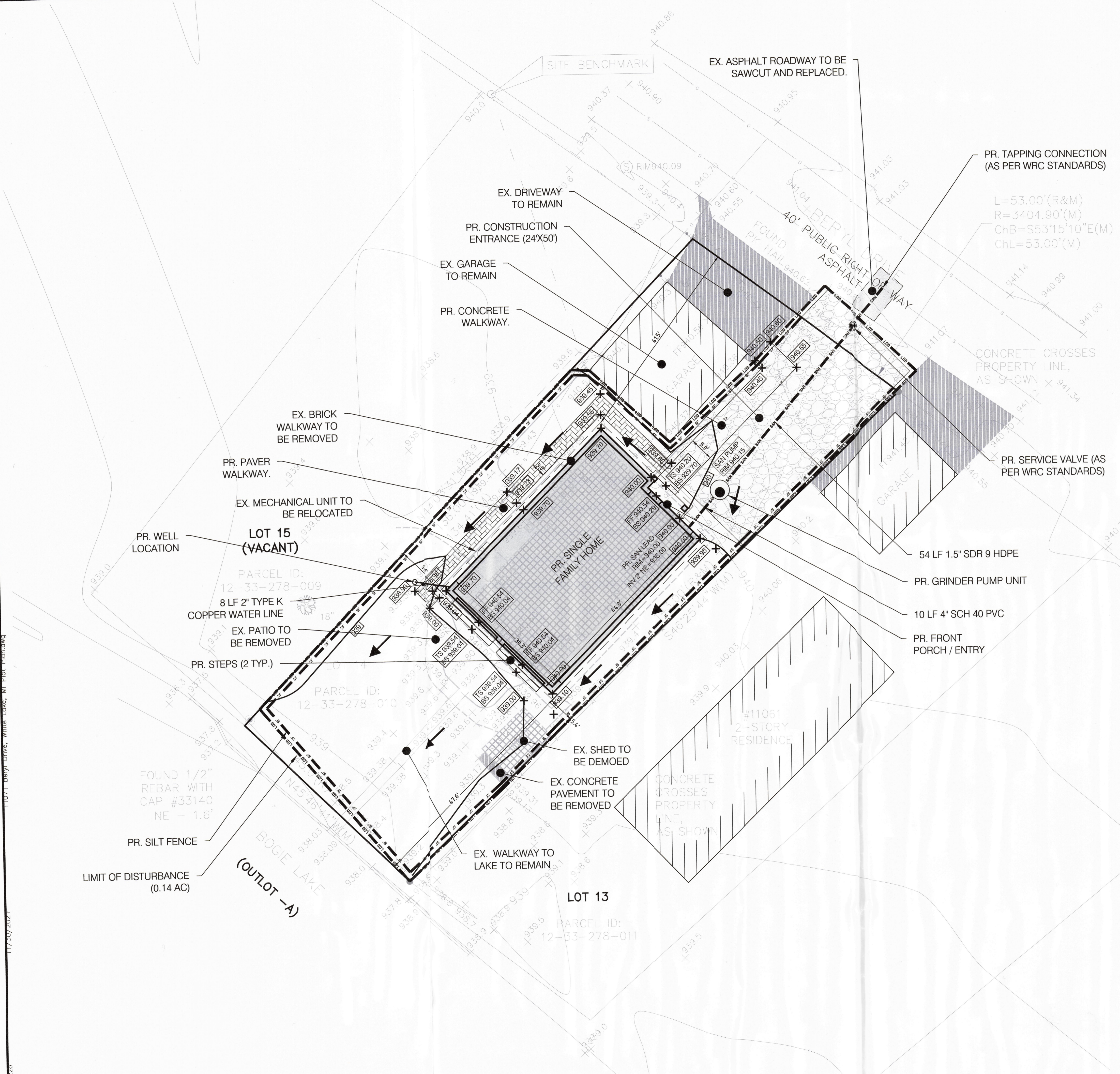
DATE	BY	REVISION	DESCRIPTION
11-30-2021	GAE	1	PLOT PLAN SUBMISSION



RECEIVED  
 DEC 16 2021  
 COMMUNITY DEVELOPMENT DEPARTMENT

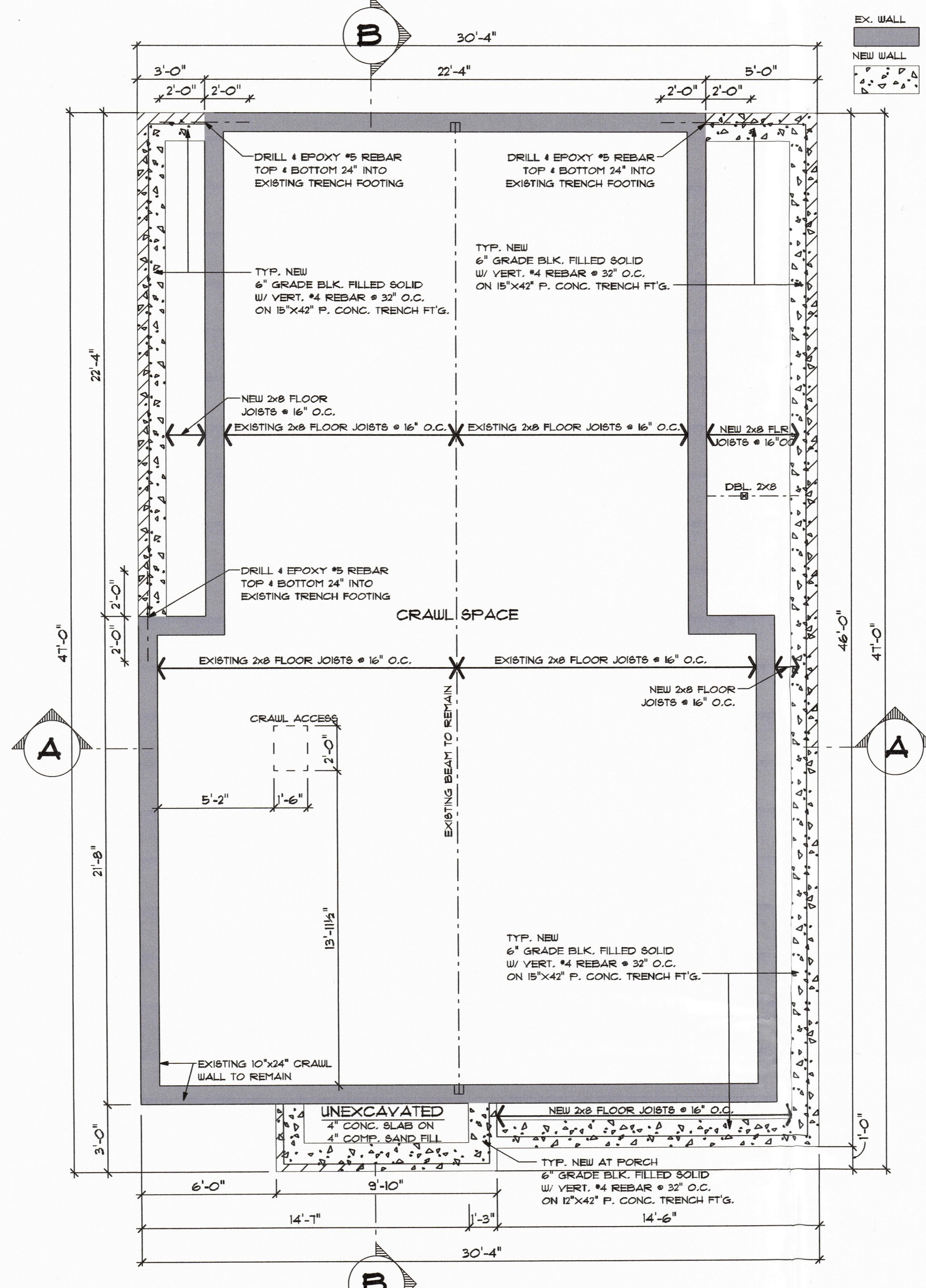


**PLOT PLAN**  
 SCALE: 1" = 10'

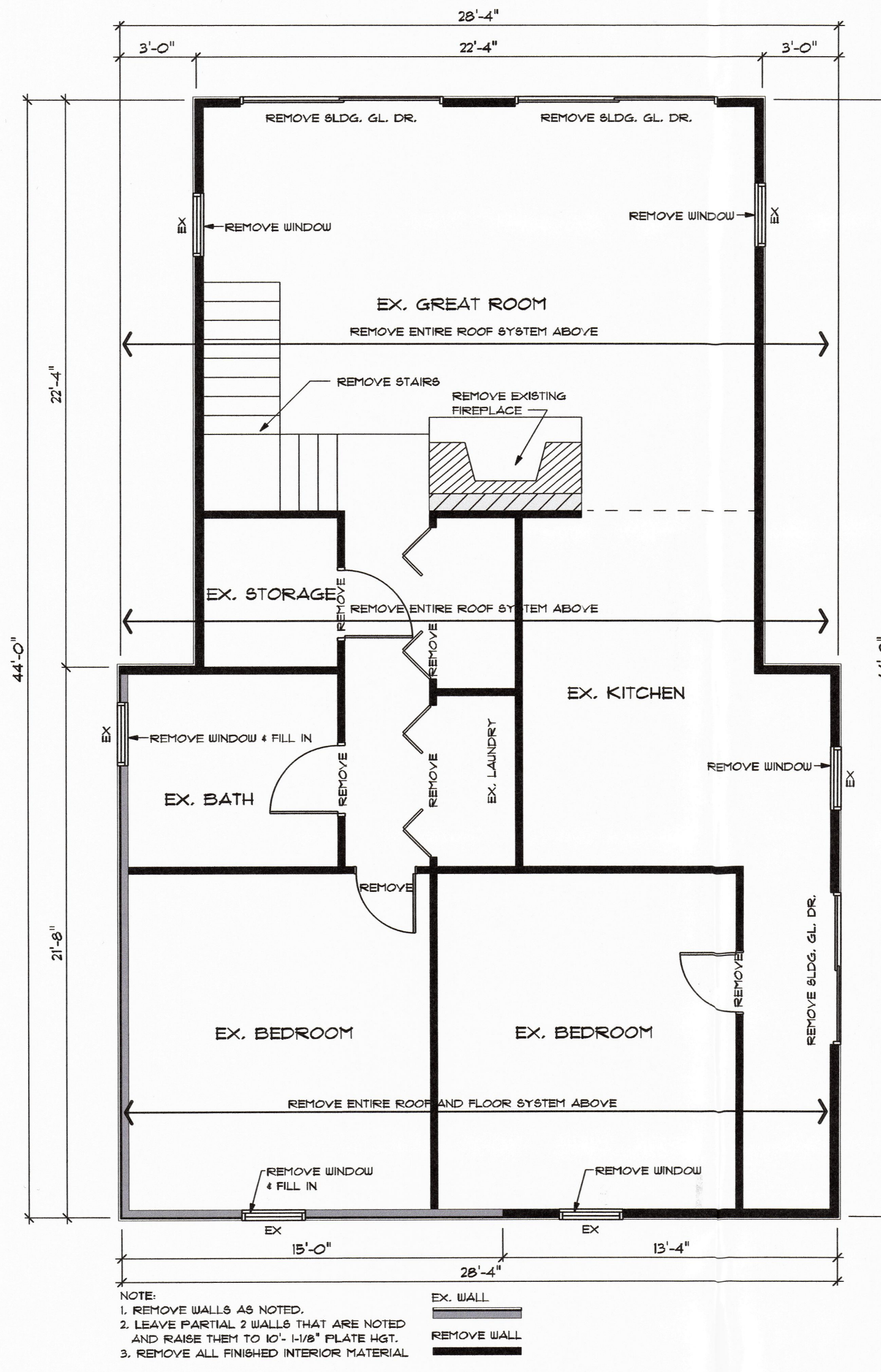


11/30/2021 11:07 Beryl Drive, White Lake, MI Plot Plan.dwg

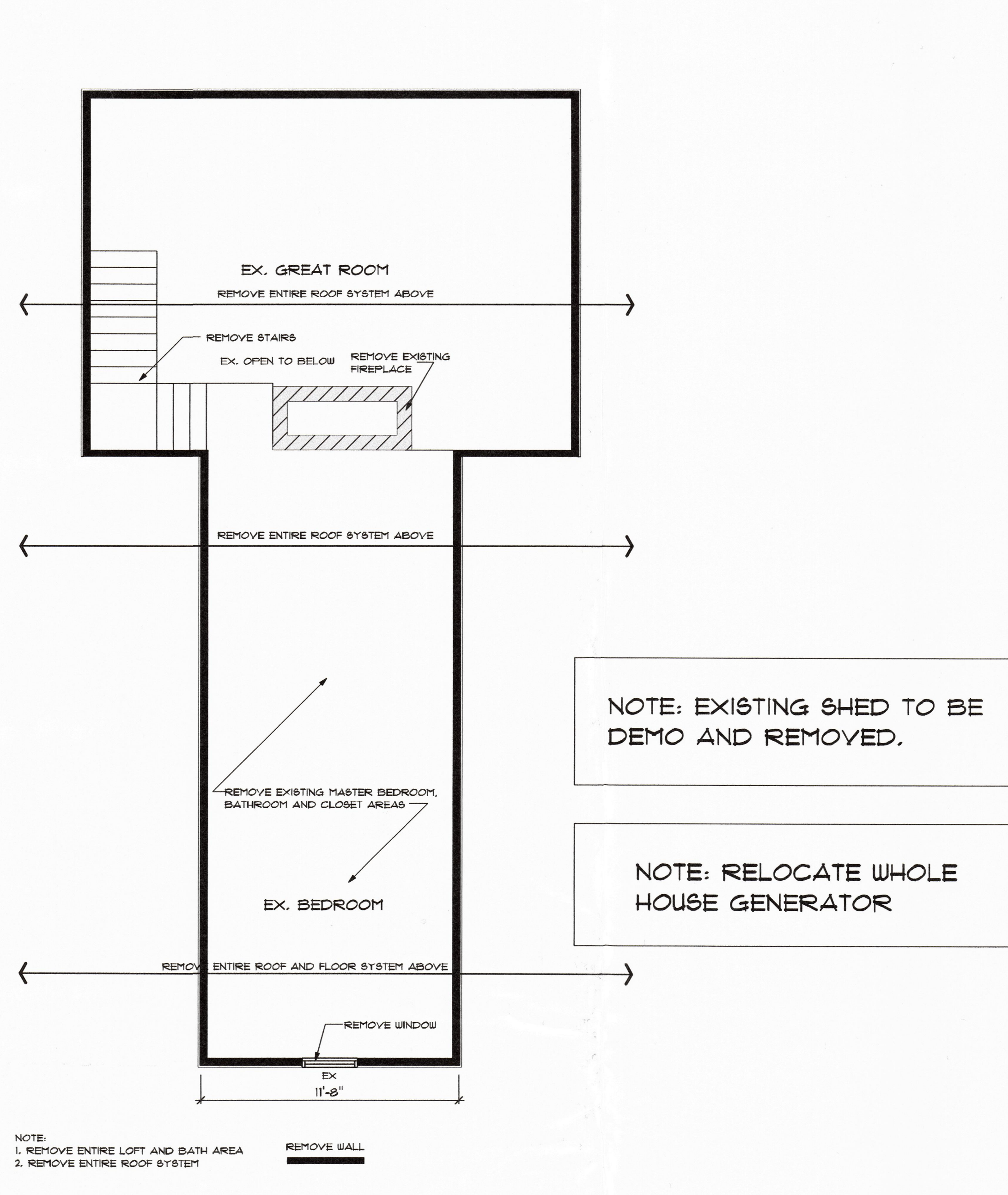




**EX. FOUNDATION PLAN W/ NEW**  
SCALE: 1/4" = 1'-0"



**EX. MAIN LEVEL FLOOR PLAN W/ DEMO**  
SCALE: 1/4" = 1'-0"



**EX. UPPER LEVEL FLOOR PLAN W/ DEMO**  
SCALE: 1/4" = 1'-0"

**FOUNDATION NOTES:**

- REFER TO GENERAL NOTES AND GENERAL CODE REQUIREMENTS ON SHEET 1.
- ALL 8" BLOCK OR POURED CONCRETE WALLS SHALL HAVE A MINIMUM 8"x16" CONTINUOUS FOAM CONCRETE FOOTING.
- ALL 12" BLOCK OR POURED CONCRETE WALLS SHALL HAVE A MINIMUM 8"x20" CONTINUOUS FOAM CONCRETE FOOTING.
- CONCRETE PAD FOOTING TO BE REINFORCED EA. WAY AS FOLLOWS: 30"x30" (3) #5 @ 24" (3) #5 @ 24" (4) #4 @ 24" (5) #4 @ 24" (6) #5
- ANCHOR BOLTS TO BE PROVIDED PER MANUFACTURER'S RECOMMENDED SPACING (6'-0" O.C. MAX.) AND WITHIN 12" (MAX.) OFF EACH CORNER.
- ALL STEEL COLUMNS NOTED ON PLANS ARE SCHEDULE 40 FIXED COLUMNS. ALL STEEL COLUMN SIZES ON PLANS ARE INTERIOR DIAMETER (I.D.)
- ALL PREFABRICATED CONCRETE LINTELS AT FOOTING LEVEL CHANGES SHALL HAVE 8" (MIN.) BEARING AT EACH END.
- ALL STEEL BEAMS ARE DESIGNED FOR 50 KSI STEEL.
- WHEN REBAR IS INSTALLED IN THE FOOTING WALL REINFORCING SHALL BE BONDED TO THE FOOTING REINFORCING.
- WHEN REBAR IS INSTALLED IN THE FOOTING: PER 2009 N.E.C. ARTICLE 250.50: ALL HORIZONTAL REINFORCING RODS IN THE FOOTINGS WHICH ARE GREATER THAN 20" SHALL BE BONDED TO THE SERVICE PANEL WITH THE SAME UL LISTED CLAMP USED FOR THE GROUND ROD #4 SOLID COPPER LONG ENOUGH TO BE TERMINATED AT THE SERVICE PANEL. CONFIRMATION OF THE INSTALLATION SHALL BE DONE AT THE TIME OF FOOTING INSPECTION.
- WINDOW WELLS WITH A VERTICAL DEPTH MORE THAN 44" SHALL BE EQUIPPED WITH A PERMANENTLY AFFIXED LADDER OR STEPS USABLE WITH THE WINDOW IN THE FULLY OPEN POSITION. LADDER OR RUNGS SHALL HAVE AN INSIDE WIDTH OF AT LEAST 12" SHALL PROJECT AT LEAST 3" FROM THE WALL AND SHALL BE SPACED NOT MORE THAN 18" O.C. VERTICALLY FOR THE FULL HEIGHT OF THE WINDOW WELL.
- DRAINS SHALL BE PROVIDED AROUND ALL CONCRETE OR MASONRY FOUNDATIONS THAT RETAIN EARTH AND ENCLOSE HABITABLE OR USABLE SPACES BELOW GRADE. APPROVED DRAINAGE SYSTEMS OR MATERIALS SHALL BE INSTALLED AT OR BELOW THE AREA TO BE PROTECTED AND SHALL DISCHARGE BY GRAVITY OR MECHANICAL MEANS INTO AN APPROVED DRAINAGE SYSTEM. GRAVEL OR CRUSHED STONE DRAINS SHALL EXTEND AT LEAST 1 FOOT BEYOND THE OUTSIDE EDGE OF THE FOOTING AND 6 INCHES ABOVE THE TOP OF THE FOOTING AND BE COVERED WITH AN APPROVED FILTER FIBERGLASS MATERIAL. THE TOP OF OPEN JOINTS OF DRAIN TILES SHALL BE PROTECTED WITH STRIPS OF BUILDING PAPER, AND THE DRAINAGE TILES OR PERFORATED PIPE SHALL BE PLACED ON 2 INCHES (MIN.) OF WASHED GRAVEL OR CRUSHED ROCK AT LEAST ONE SIEVE SIZE LARGER THAN THE TILE JOINT OPENING OR PERFORATION AND COVERED WITH NOT LESS THAN 6 INCHES OF THE SAME MATERIAL.
- FIELD VERIFY THE FINISHED FOUNDATION WALL HEIGHT AT ALL EXTERIOR PORCHES TO PROVIDE A 1/2" (MIN.) TO 3/4" (MAX.) STEP-DOWN AT EXTERIOR DOORS. ADJUST THE FOUNDATION WALL HEIGHT AT PORCHES AS REQUIRED TO ALLOW FOR DESIRED FINISHES AND/OR DETAILS.

**STRUCTURAL NOTES**

- SOILS, FOOTINGS AND SLABS**  
The design soil bearing capacity is 2500 PSF minimum for this structure. The footing sizes detailed herein were based on soils of this capacity or greater. If soils of lesser capacity are encountered at time of excavation, the general contractor/builder and Architect shall be promptly notified. The Architect shall re-design the footings based on the actual soil bearing capacity established by a soils test by a qualified professional. In the absence of a soils test, the soils bearing capacity and the footing design shall be established by Chapter 14 of the current Michigan Residential Code as noted in the Project Codes.  
All footing shall bear on undisturbed soils or engineered fill free from frost and/or organic matter.  
All concrete slabs shall be placed on compacted or self-compacting granular fill base.
- CONCRETE**  
All concrete work and placement shall conform to the latest recommendations of A.C.I. Minimum compressive strength (PSI) at 28 days shall be as follows:  
A. Basement Walls, Footings, and Concrete not exposed to the weather = 3,000 PSI  
B. Basement Slabs and other interior slabs on grade (except garage slabs) = 2,500 PSI  
C. Basement Walls, Foundation Walls, and other vertical concrete work exposed to weather = 3,000 PSI  
D. Porches, Carports, Garage Slabs, and Steps exposed to weather = 3,500 PSI  
NOTE: All concrete exposed to weather (including basement walls without brick) shall be air entrained. Air content shall be between 5 and 12 percent.  
All reinforcing bars, dowels, and ties shall conform to ASTM A615 Grade 60. Reinforcing steel shall be continuous and shall have a minimum 3/8" bar diameter overlap and be fabricated and placed in accordance with ACI recommendations. Reinforced concrete trench footings shall have corner bars at all intersections of the same size and spacing as the main horizontal reinforcing. Provide (2) #5 diagonal re-bars at corners of all wall openings.  
All concrete reinforcing shown in the plans and details herein is recommended to minimize differential settlement of the structure. Plain Concrete (unreinforced) footings and walls may be permitted if constructed in accordance with the prescriptive requirements of the Michigan Residential Code, Section R403, Footings and Table 404.1U Plain Concrete Foundation Walls.
- MASONRY**  
All masonry work shall be done in accordance with the latest ACI and NCHM recommendations and specifications.  
All block masonry shall conform to ASTM C80 or CM8 Type-I(n) Mortar shall be Type-5.  
Provide flashing at top of windows and doors, windows and door sills, chimneys, roof intersections, and at the first course above grade. Unless otherwise noted, use L 5x3-1/2x3/16 L.L.V.; Steel Linel for 4" nominal brick veneer spanning openings up to 8'-0" with two stories above and up to 8'-0" with one story above or up to 10'-0" with no story above. Weep holes shall be placed 3" on center maximum, 3/16" minimum diameter, and be located in the first course above grade and at all through wall flashing. Anchor masonry veneer with metal corrugated ties, minimum 7/8" wide and 22-gauge spaced not more than 24" on center each way, and within 12" of all openings.
- DESIGN CRITERIA**  
Floor Loading:

**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Schematic Design Criteria + B  
Wind Load Importance Factor = 1.1  
Wind Exposure Category = B  
Climate:  
Weathering = Severe  
Frost Line Depth = 42 inches  
Terrestri = Bright to Moderate  
Decay = None to Slight  
Winter Design Temperature = 6-degree Fahrenheit

**WOOD FRAMING SYSTEM**

Bearing wall studs shall be 2x6 engineered sd. studs @ 16" o.c.  
All wall plate material shall provide a minimum of 425 PSI (F<sub>c</sub>) perpendicular to the grain.  
All wood in contact with concrete and/or within 8 inches of soils shall be preservative treated lumber and shall conform to ALUFA standards and be labeled. Provide continuous solid wood blocking or steel beams) and concrete foundation bearing at all point loads and/or built-up columns, see architectural plans and floor joist framing plans with TJI joists.

**ENGINEERED LUMBER**

All laminated veneer lumber (LVL) shall be 1.9 E, 2600 F<sub>b</sub>, 285 F<sub>v</sub> or better. All Glue Lam Beams shall be 24F-V4 DF/DF or better. If a substitution is proposed that does not meet or exceed these specifications, it is the responsibility of the party proposing the substitution to provide documentation and engineering calculations showing sufficient structural capacity for the Architects review and approval prior to making the substitution.

**WALL BRACING**

Install metal strap bracing (Simpson Strong-Tie TUB wall brace or equal) on all exterior walls and interior load bearing walls. Install bracing a minimum of every 25 ft. of wall length in an "X" or "V" configuration at each end of the wall. Fasten metal strap per manufacturer's specifications. Knee walls and cripple walls shall be continuously braced with minimum 7/8" OSB sheathing with nailing per Project Codes.

**ENGINEERED ROOF TRUSSES**

All trusses including roof and floor trusses shall be prepared by a qualified truss manufacturer and bear the seal of a registered engineer. Truss manufacturer shall notify Architect of any additional bearing points and/or increased structural support that may be required for the truss system(s). All trusses shall be installed and braced in accordance with the manufacturer's specifications as indicated in the truss specification package and diagrams to be provided by the manufacturer with delivery of the trusses to the site.  
All trusses shall be attached to the top wall plates with metal strap anchors that resist a minimum of 175 pounds uplift. If any bearing point, structural member, or specification indicated on the Architects plans conflicts with the truss diagram package, the Architect shall be promptly notified to resolve the matter with the truss manufacturer.

All floor joists are to be hung off rim joist using Simpson Jolt hangars as specified in hangar schedule on sheet S101 and fastened to rim joist per details shown on wall sections 23, 4, 4 on sheets A400 and 401.

- SOIL BEARING REQUIREMENTS:**
- All top soil, organic and vegetative material should be removed prior to construction. Any required fill shall be clean, granular material compacted to at least 95% of maximum dry density as determined by ASTM D-1557.
  - Foundations bearing on existing soils are designed for a minimum allowable soil bearing capacity of 3000 psf, u.n.o. The allowable soil bearing capacity must be verified by a registered soils engineer prior to the start of construction and is the responsibility of the owner or contractor.
  - Notify the Engineer/Architect if the allowable soil bearing capacity is less than 3000 PSF so that the foundation can be redesigned for the new allowable bearing capacity.
  - Footings for this project were designed per MRC R403.1(1) guide line for a 1500 psf footing.

- STRUCTURAL STEEL SPECIFICATIONS:**
- Structural steel shapes, plates, bars, etc. are to be ASTM A-36 (unless noted otherwise) designed and constructed per the AISI Specification for the Design, Fabrication and Erection of Structural Steel for Buildings, and the latest edition of the AISI "Manual of Steel Construction".
  - Steel pipe columns shall be ASTM A-501, Fy36 ksi. Structural tubing shall be ASTM A500, Grade B, Fy46 ksi.
  - Welded connections shall conform with the latest AWS D1.1 "Specifications for Welding in Building Construction", and shall utilize E70XX electrodes unless noted otherwise.
  - Bolted connections shall utilize ASTM A-325 bolts tightened to a "snug tight" condition (unless noted otherwise).

- REINFORCING STEEL SPECIFICATIONS:**
- Reinforcing bars, dowels, and ties shall conform with ASTM-A615 GRADE 60 requirements and shall be free of rust, dirt, and mud.
  - Welded wire fabric shall conform with ASTM A-185 and be positioned at the mid height of slabs, u.n.o.
  - Reinforcing shall be placed and securely tied in place sufficiently ahead of placing of concrete to allow inspection and correction, if necessary, without delaying the concrete placement.
  - Extend reinforcing bars a minimum of 36" around corners and lap bars at splices a minimum of 24" u.n.o.
  - Welding of reinforcing steel is not allowed.

**TEMPORARY CONSTRUCTION SHORING:**

Habitat Engineering assumes no responsibility for design or proper installation of temporary building bracing and shoring or the means and methods required to complete this project. The contractor and his engineer are responsible for the design and proper installation of both temporary shoring and bracing required for a safe and structurally sound project. The structural members indicated on these drawings are not self-bracing and shall be considered unstable until attached to the completed structure as indicated by these drawings and specifications. The contractor is responsible for all damages incurred due to improper shoring and bracing during the construction project. Acceptance of the construction project by the contractor is proof of acceptance of the above mentioned items.

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**HOUSE PLAN:**

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TOTAL SQ.FT. (HOUSE BILL 5818)  
**2639.00**

UN-HABITABLE SQ.FT.  
**1153.00**

TOTAL HABITABLE SQ.FT.  
**1486.00**

PROJECT NO.:  
**1271-2021**

SCALE:  
**1/4" = 1' - 0"**

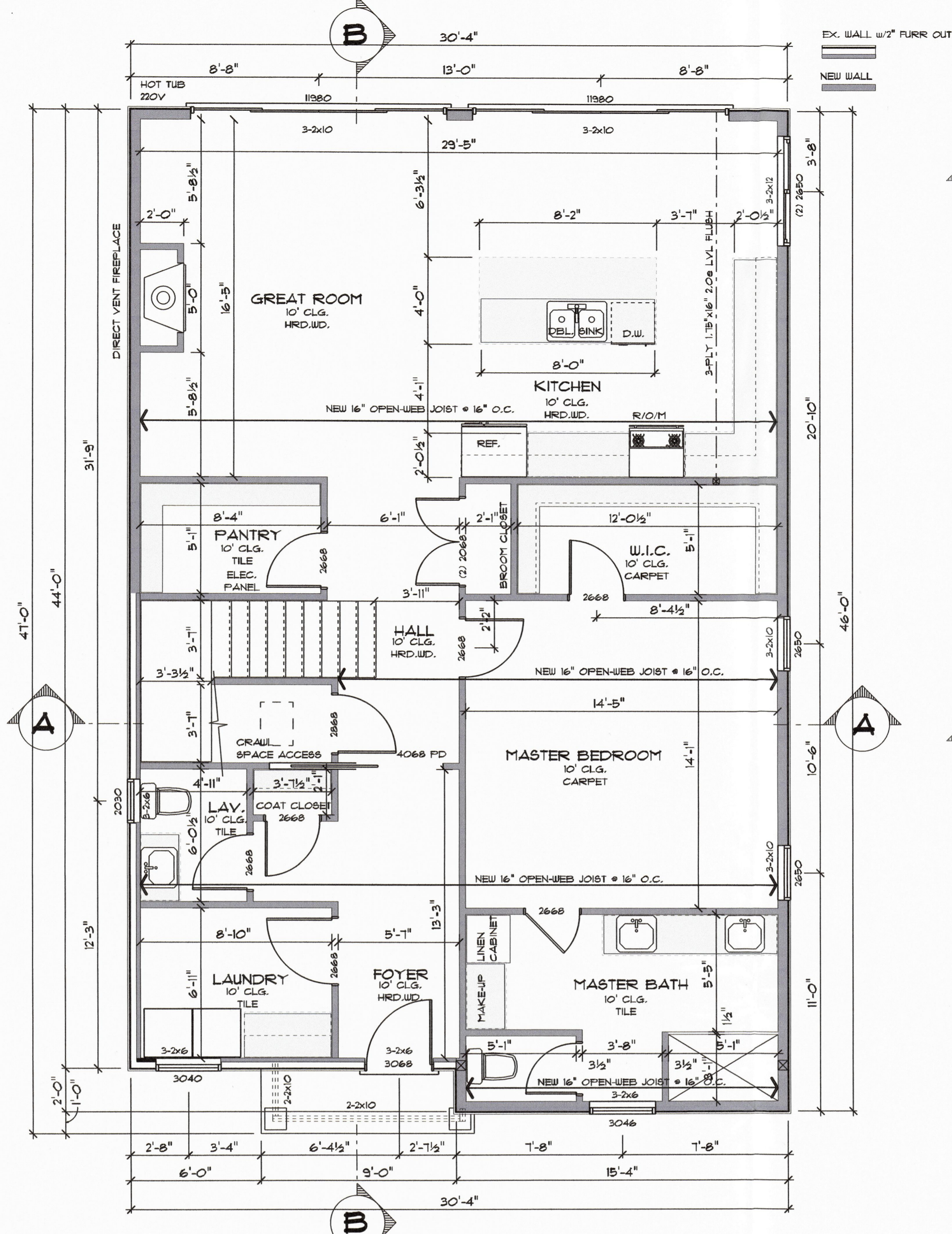
ORIGINAL PLAN SET DATE:  
**09-20-2021**

REVISION PLAN SET DATE:  
**11/16/2021**

SHEET NO.:  
**A-1**

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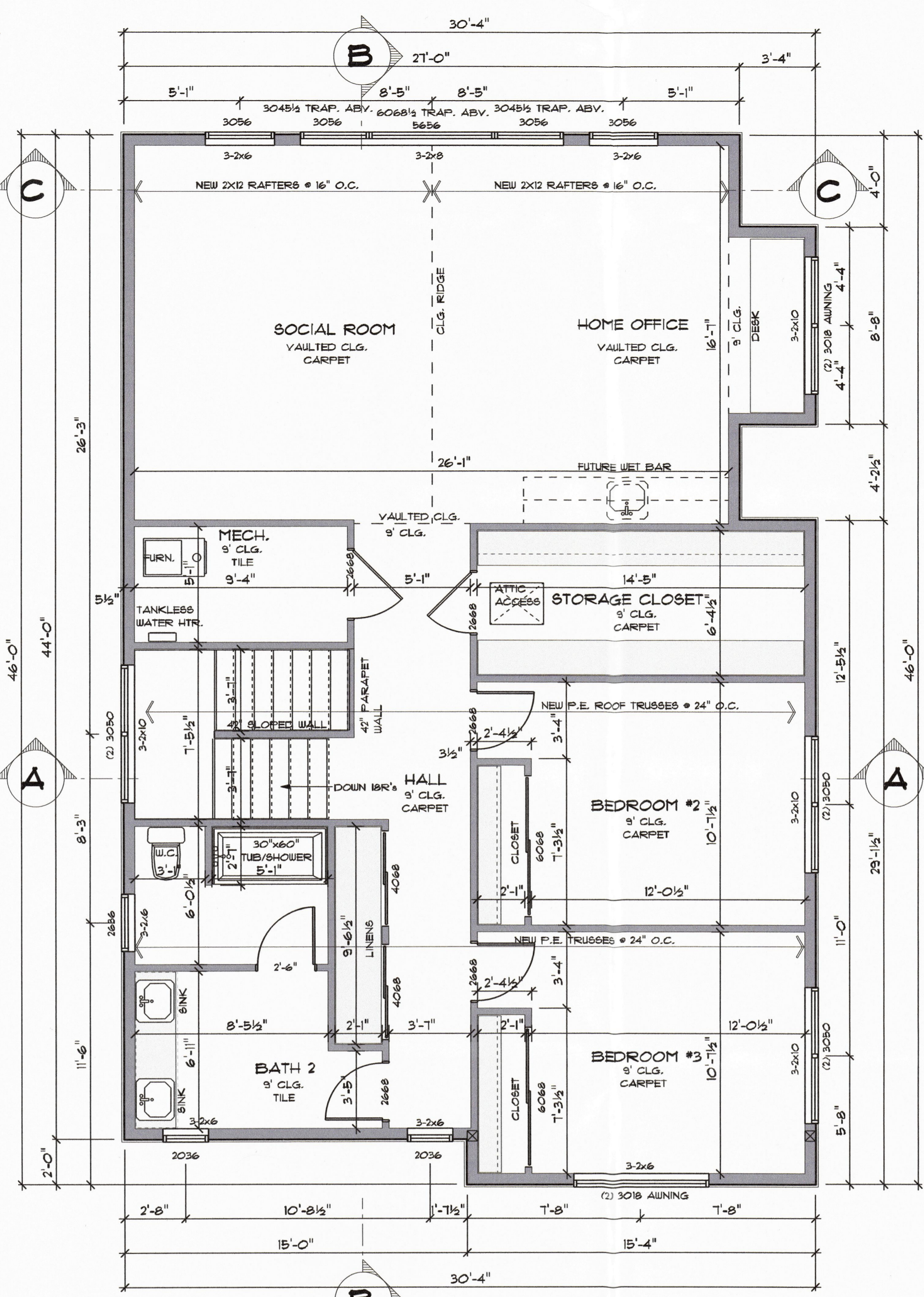
**NEW MAIN FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
MAIN FLOOR SQ./FT. = 1365.00

**GENERAL CONDITIONS**

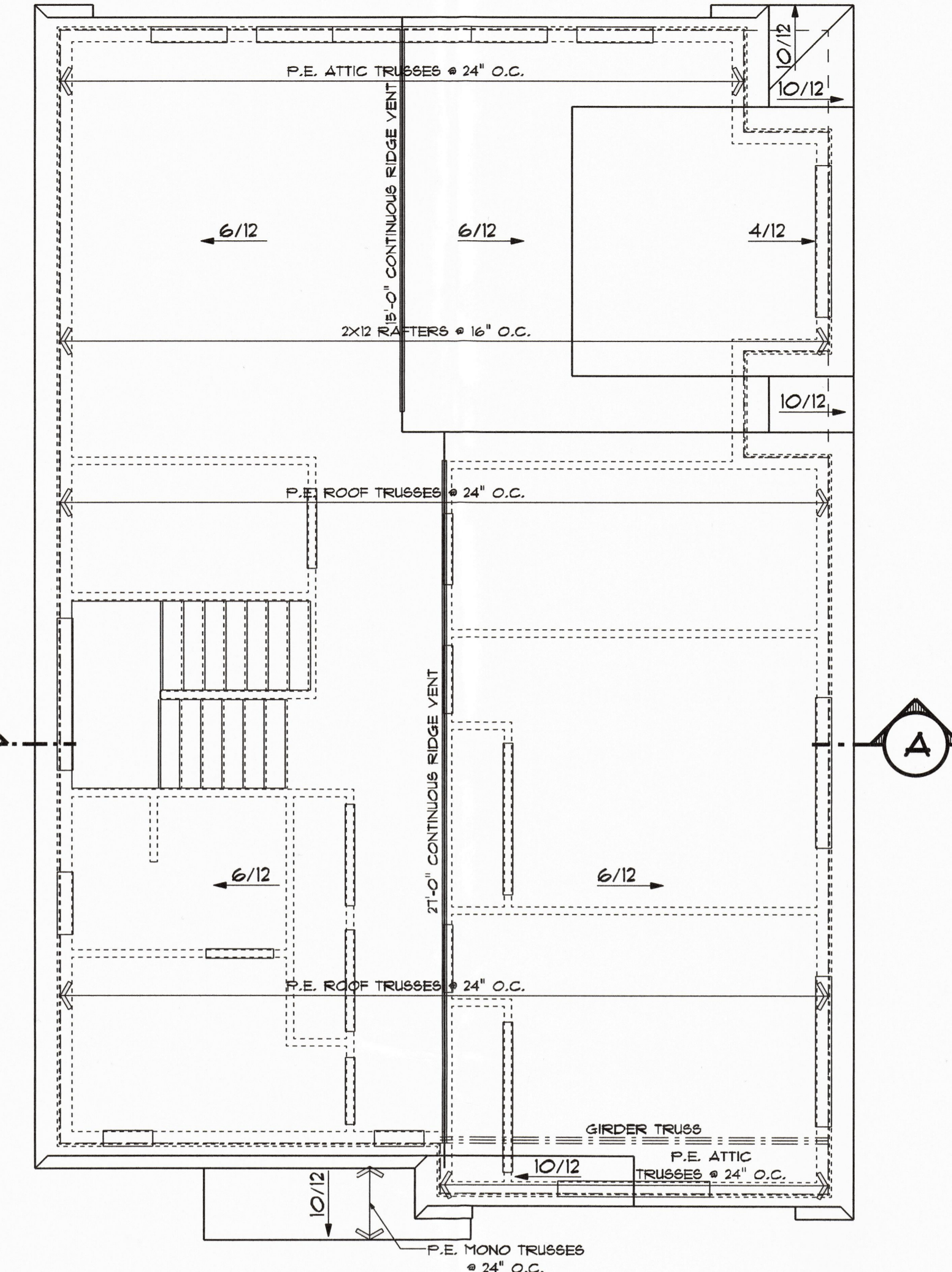
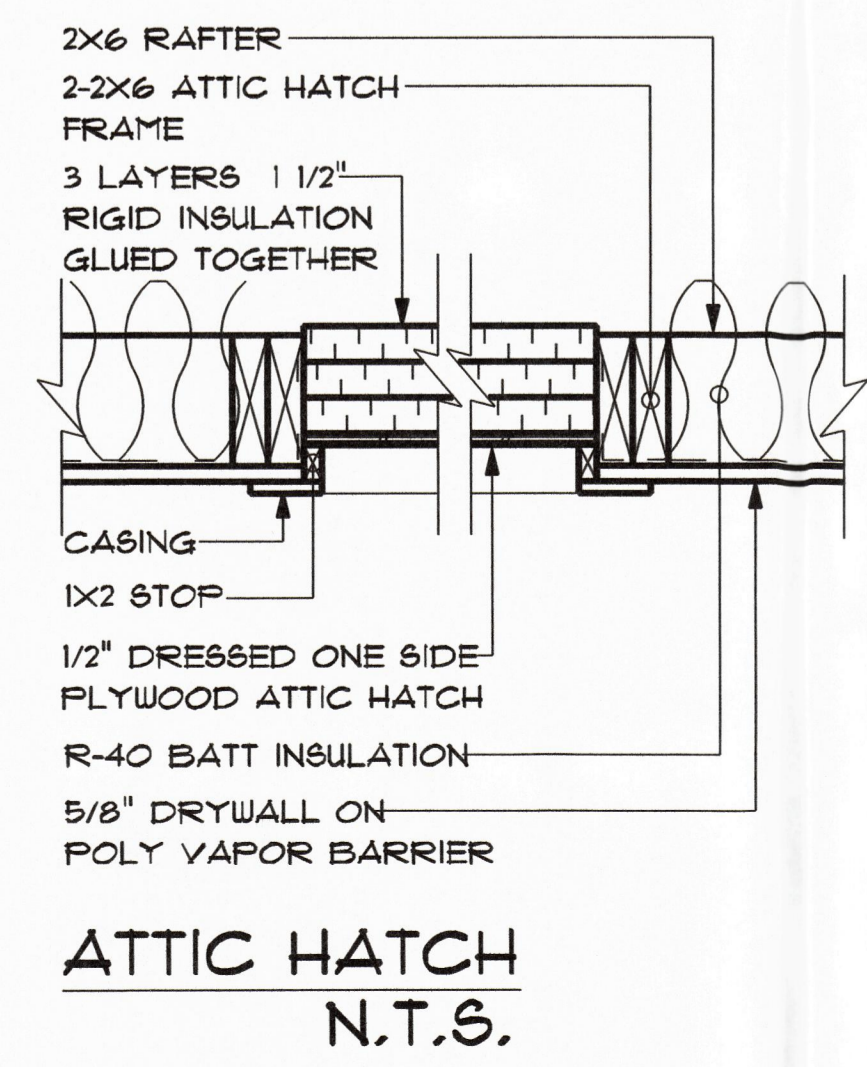
- PROJECT CODES**  
The architectural plans and specifications are intended to be consistent with the following codes, as far as applicable (collectively, the "Project Codes").  
2015 INTERNATIONAL RESIDENTIAL CODE (IRC) FOR A SINGLE-FAMILY DWELING.
- BUILDING OFFICIAL**  
The Building Official is hereby requested (a) to confirm that these plans are consistent with the applicable Project Codes, and (b) to return a signed set of plans to the Applicant upon issuance of any permit, and (c) to correct any errors and omissions that the Applicant, if these plans and specifications are accepted (or deemed) to be inconsistent with the applicable Project Codes.
- SCOPE**  
It is beyond the scope of the architectural plans and specifications to incorporate the full text of the applicable Project Codes and to otherwise detail, verify condition and/or exact terms. All persons, entities, contractors, trades, product suppliers, or others using and/or relying on these plans and specifications are encouraged to review and familiarize themselves with the Project Codes, and all such parties are directed to resolve any code question regarding these plans in favor of the applicable Project Codes.
- NOTES AND SPECIFICATIONS**  
All notes and specifications contained herein, on the specifications sheet (NO), and/or any other individual sheet, shall apply to all the architectural sheets listed in the sheet index on sheet T100.
- CONFLICTING NOTATIONS**  
If any general notation conflicts with any detail notation or note on a plan or elevation from the architect, the architect shall apply. Confirm all conflict resolutions with the architect and/or the Building Official.
- SAFETY REQUIREMENTS**  
The code requirements of 29 CFR 1910.269, OSHA, and its DEO shall be determined and provided true by the Building Official and/or the General Contractor. These safety code requirements shall be enforced by the On-Site Supervisor and shall apply to all persons entering and/or working on the site. The Architect and the Architect's Consultants assume no responsibility for the absence, presence, or adequacy of any safety program, procedure and/or equipment.
- TEMPORARY STRUCTURAL BRACING**  
Temporary bracing, shoring, and/or tie-downs of the structure shall be determined, provided, and maintained by the contractor, sub-contractor and/or the General Contractor and shall be reviewed by the On-Site Supervisor. The Architect and the Architect's Consultants assume no responsibility for the absence, presence, or adequacy of any temporary bracing, shoring and/or tie-downs. All existing structures and/or new work in place that may be affected by the construction shall be adequately protected and/or braced as necessary to prevent any change or settlement.
- CONSULTANT DOCUMENTATION**  
The architectural plans and specifications may be supplemented with additional documentation provided by the contractor, sub-contractor and/or the Owner's consultants. Any additional consultant documentation (collectively, the "Consultant Documentation") shall be the sole responsibility of the consultant providing the documentation, and when professional certification of performance criteria or materials, systems or equipment is required, the Architect shall be entitled to rely upon the accuracy, completeness, and authenticity of such calculations and certification.
- ARCHITECT'S REVIEW AND APPROVAL**  
The Architect may review and approve or take other appropriate action upon submittals such as Shop Drawings, Product Data and Samples, but only for the limited purpose of checking for conformance with information given or the design concept expressed in the architectural plans and specifications. The Architect's review of such submittals is not conducted for the purpose of determining the accuracy and consistency of other details such as dimensions and quantities, or for substantiating instructions for installation or performance of equipment or systems, all of which remain the responsibility of the Contractor. The Architect's approval of a specific item shall not constitute approval of an assembly of which the item is a component nor shall it constitute approval of any safety precautions, construction means, methods, techniques, sequences or procedures.

**BIDDING SPECIFICATIONS**

- ARCHITECTURAL DRAWINGS**  
The architectural drawings are intended to show the general scope and arrangement of spaces, design features, and note the nature of the work and are partly diagrammatic. The drawings are not intended to be located for measurements or estimating material quantities, use of guard dimensions only. The drawings are not intended to replace detailed shop drawings, manufacturer's installation instructions, and on-site supervision, as required and/or referenced herein. In the case of an inconsistency between drawings and specifications, or between plans and details, the greater quantity and better quality shall be bid. The architectural drawings constitute a limited work of the contractor and quality described, applied, or reasonably inferred by them. All sub-contractors are responsible for verifying all applicable requirements/conditions, and to coordinate with the work of others with the Client and/or the Prime Bidder as may be applicable. All sub-contractors agree that minor discrepancies or omissions or failures to include repeated details and/or notations provided in one area and not in another, shall not be cause for a claim for additional charges. Correspondence regarding questions and interpretations for sub-contractors shall be in writing and directed through the Client and/or the Prime Bidder as may be directed by the Client. Architect shall correspond only with the Client and shall issue written responses. If any to the Client for distribution to the Prime Bidder and/or sub-contractors. Any discrepancies, conflicts, and/or errors or omissions in the drawings and specifications shall be reported to the Prime Bidder and Client in order to notify the Architect. Architect shall, at its sole discretion, determine if an addendum is required to be issued.
- PERFORMANCE REQUIREMENTS**  
All work shall be completed and installed in accordance with the applicable Project Codes and/or the latest applicable Residential Construction Performance Guidelines by the NAHB as applicable.
- QUALITY ASSURANCE**  
Materials shall be obtained from reputable and experienced manufacturers of products that provide warranties to the Client. Sample warranties shall be submitted with the bid. To ensure functionality, compatibility, and consistency in color, appearance, and installation, products shall be coordinated through a single source manufacturer where practical. Client reserves the right to accept or reject any proposed product and/or bidder and request a specific product or manufacturer to be bid.
- PRODUCT HANDLING**  
The delivery, storage, and handling of all products and/or materials shall be coordinated through the Client and the Client's General Contractor and shall be the responsibility of the sub-contractors unless otherwise stated in the bid.
- SUBMITTALS**  
Sub-bidders shall provide the following submittals as applicable to the products/materials and/or systems included in the bid:  
1. Product Data, including material description, dimensions, and profiles.  
2. Shop drawings showing layout, location of products/assemblies, dimensions, penetration, trim, supporting structure, blocking required (if any), and installation methods.  
3. Color samples for selection and approval by Owner and Architect.  
4. Samples shall be minimum 4" long or larger pieces showing actual product, color, and finish.  
5. Certificates documenting product/system compliance with applicable Project Codes and requirements.  
6. Copy of the manufacturer's installation instructions.  
7. Copy of warranty as noted above.
- ADDITIONAL REQUIREMENTS**  
The Client and Prime Bidder may include additional requirements, terms or conditions, which shall be in addition to those herein, however if no case shall the requirements noted herein be reduced, or any sub-bidder be relieved of providing any of the submittals required herein.



**NEW UPPER FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
UPPER FLOOR SQ./FT. = 1214.00



OVERHANG DIMENSION: MEASURED FROM EXTERIOR OF FRAMING  
**ROOF PLAN**  
SCALE: 1/4" = 1'-0"

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TOTAL SQ.FT.: (HOUSE BILL BDR)  
2639.00  
UNHABITABLE SQ.FT.  
1153.00  
TOTAL HABITABLE SQ.FT.  
1486.00

PROJECT NO.:  
12711-2021  
SCALE:  
1/4" = 1'-0"  
ORIGINAL PLAN SET DATE:  
09-20-2021  
REVISION PLAN SET DATE:  
11/16/2021  
SHEET NO.:  
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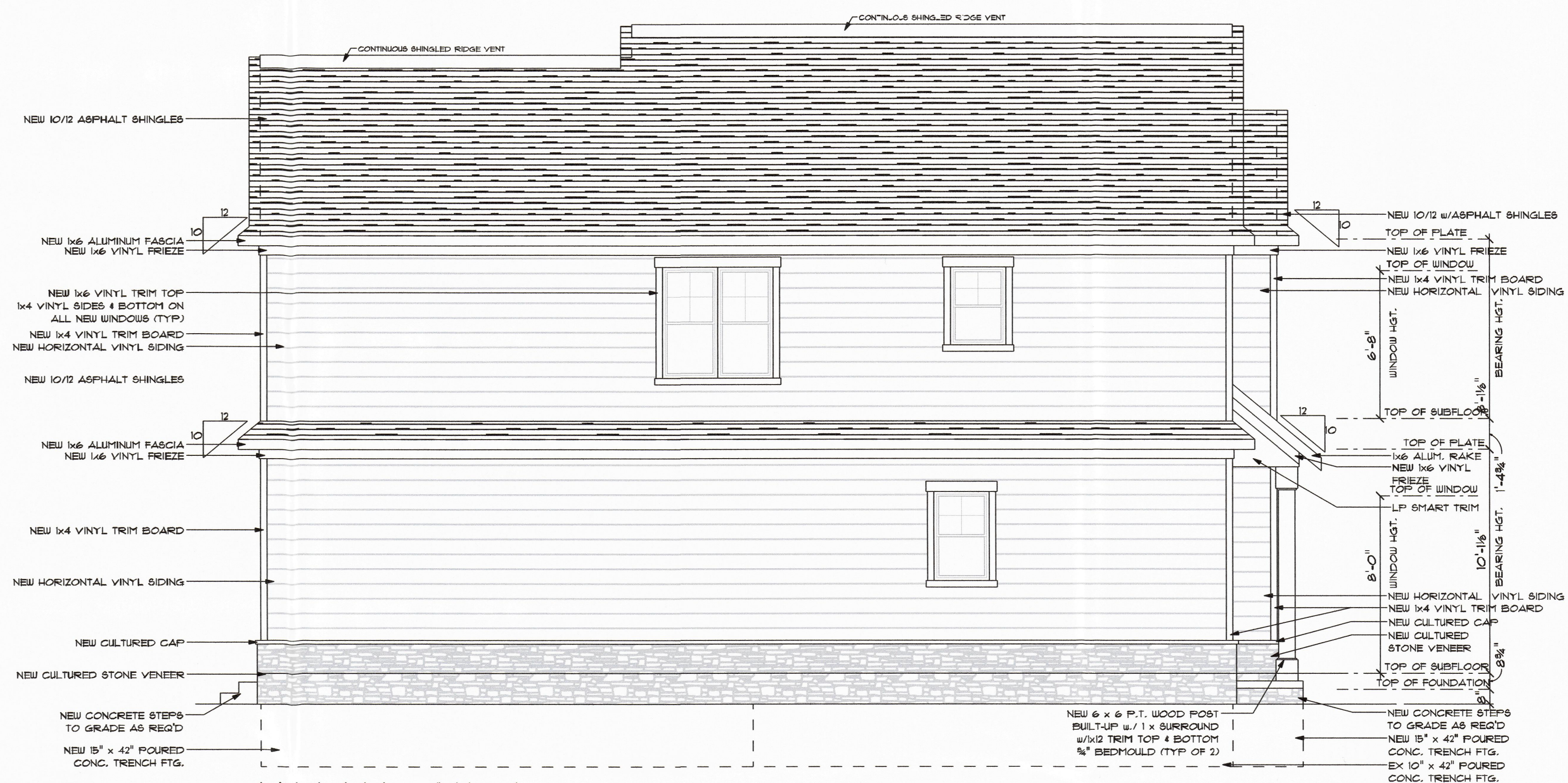
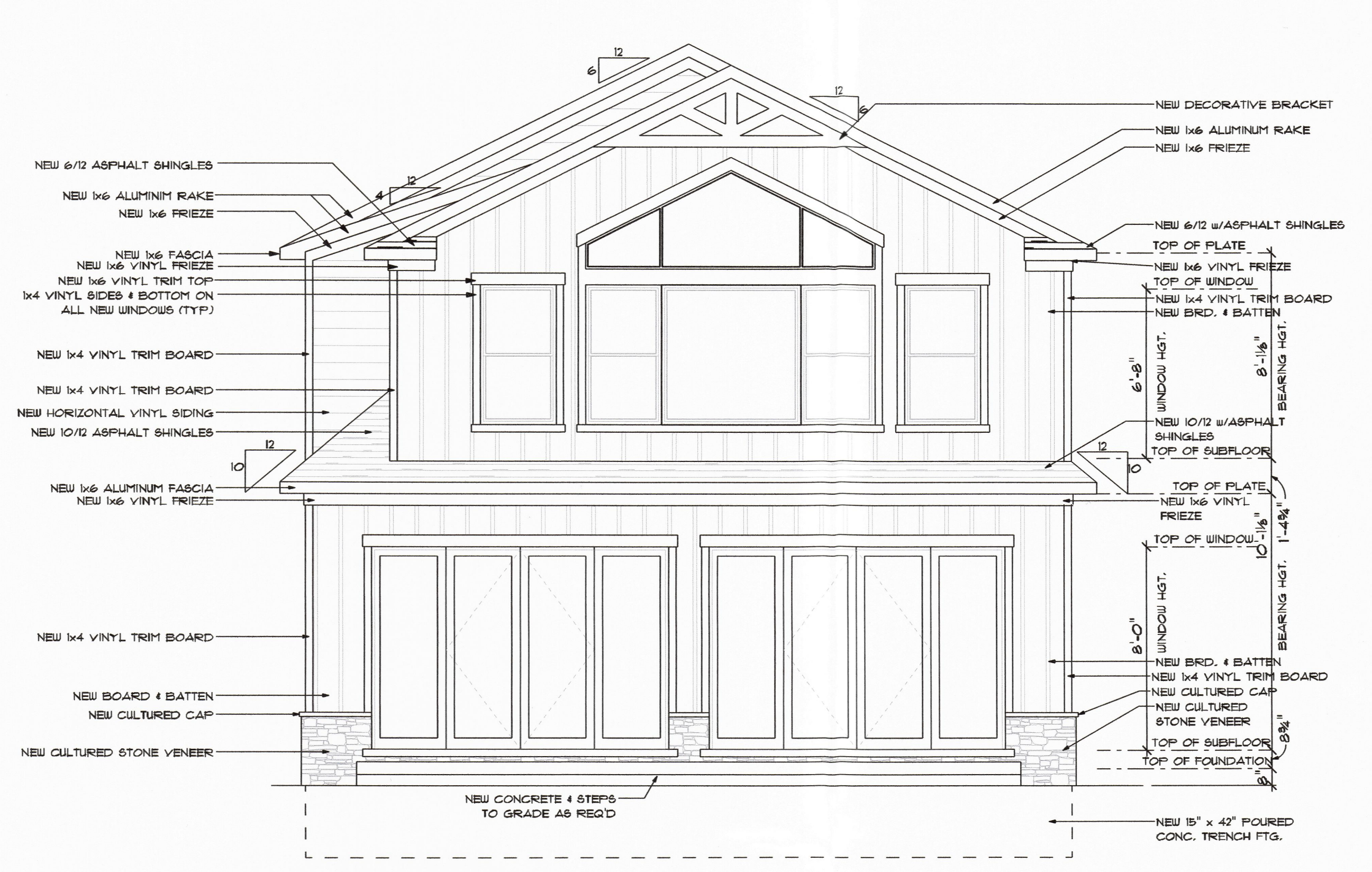
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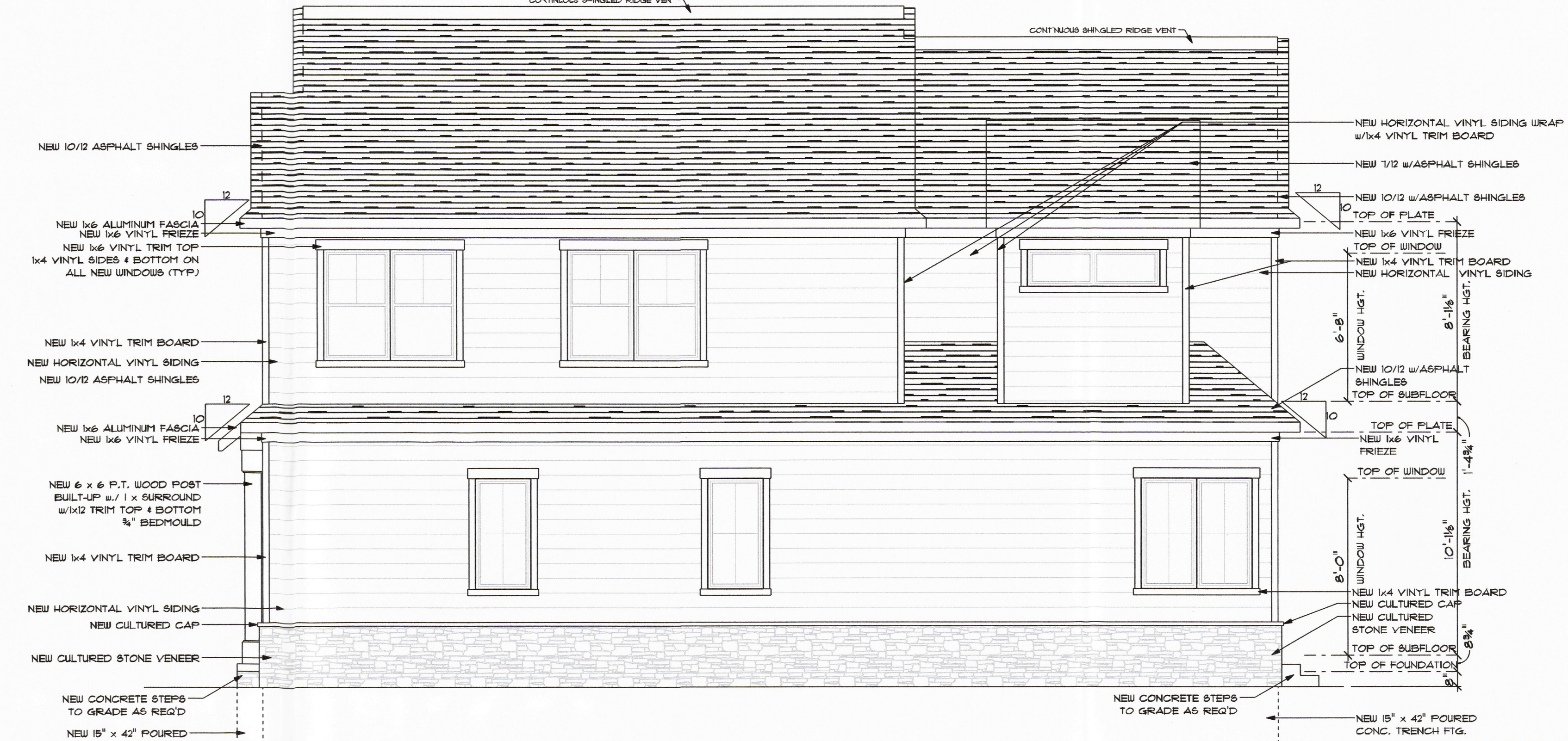
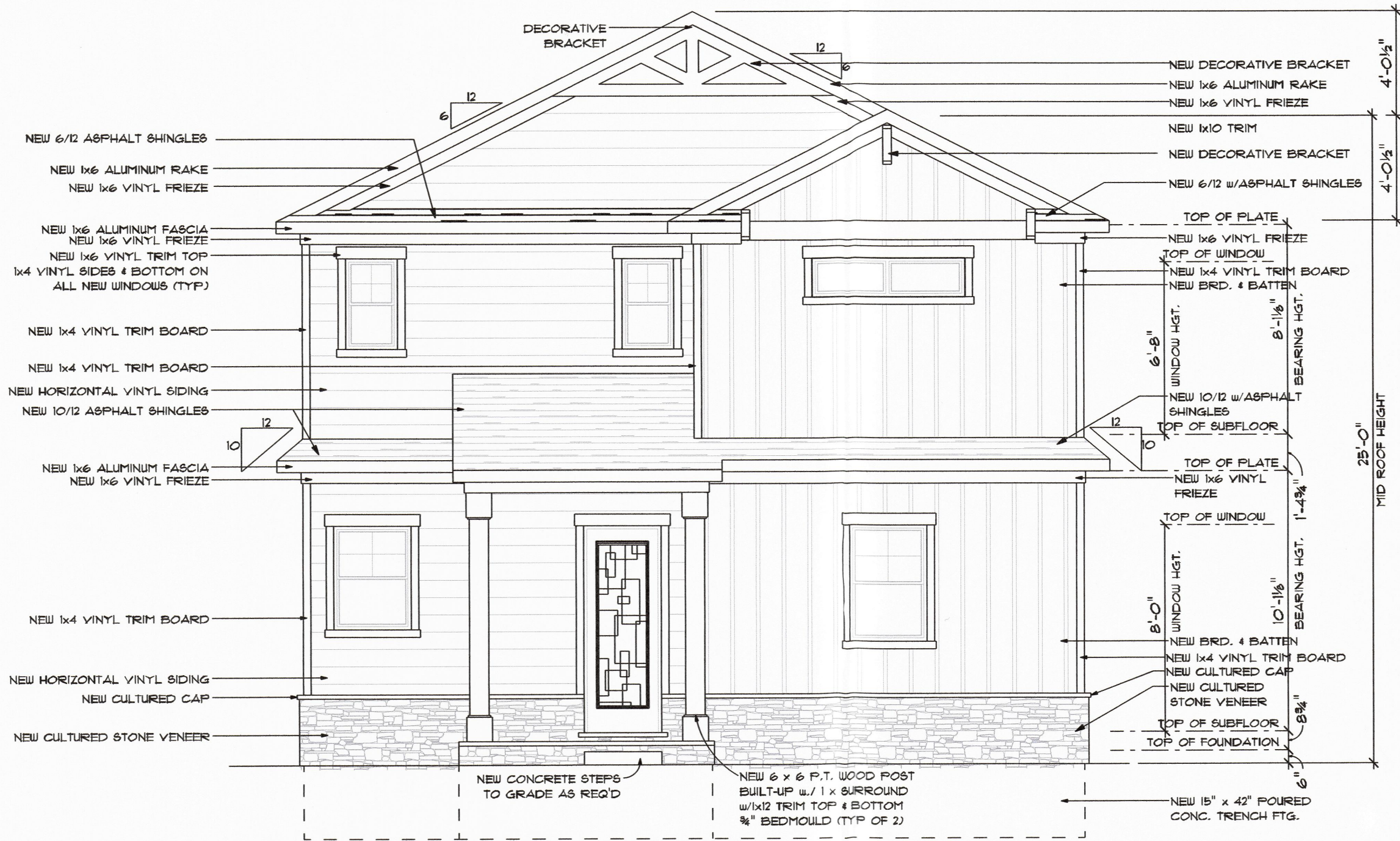
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TOTAL SQ.FT. (HOUSE BILL B015)	2639.00
UN-HABITABLE SQ.FT.	1153.00
TOTAL HABITABLE SQ.FT.	1486.00
PROJECT NO.	1271-2021
SCALE:	1/4" = 1' - 0"
ORIGINAL PLAN SET DATE:	09-20-2021
REVISION PLAN SET DATE:	11/16/2021
SHEET NO.:	A-3



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0"

**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"



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**GENERAL NOTES - MICHIGAN RESIDENTIAL CODE - 2015**

Consult Design Office for meaning of any symbol or abbreviation not defined. The Design Office shall determine governing information if a conflict should occur between various contract documents. Although every precaution has been taken in the preparation of these drawings, the Design Office cannot guarantee against human error and omission. Therefore, the contractor shall verify and use figured dimensions only. Do not scale drawings for construction. Any conflicts or questions that arise due to these drawings should be brought to the attention of the Design Office prior to construction.

The contractor shall verify all dimensions, elevations, materials, and conditions at the job site and shall notify the Design Office of any discrepancies, omissions, and / or conflicts before proceeding with the work.

All work shall be performed in a thoroughly first class and workmanlike manner by mechanics skilled in their respective trades, and shall conform to the standards of recognized trade associations. The contractor shall visit the site and check all existing conditions prior to commencing his work. The contractor shall be responsible for the coordination of work by all trades involved in the project.

The contractor shall secure and pay for all necessary permits and fees required in the performance of his work.

Unless noted otherwise, (I.N.C.) Dimensions are from finish face to finish face. Nominal thickness dimensions are used for masonry. Interior frame partition thickness to be 4-1/2", (2 X 4 wood stud) I.N.O.

Steel shall be domestic ASTM-36.

Dimensional framing lumber shall be No.1 Douglas Fir-Larch (North) surfaced dry or No.2 Hem-Fir (North) surfaced dry or No.2 Southern Pine kiln dried. Minimum extreme fiber bending stress of 1200 P.S.I.

Structural Laminated Wood Beams (GLU-LAMB) shall be 24F Southern Pine with extreme fiber bending stress of 2400 P.S.I.

MICRO-LAM Beams shall have an extreme fiber bending stress of 2800 P.S.I. as manufactured by "TRUSS JOIST CORP." or equal.

Interior finishes shall be determined by owner or his representative.

R106.1.4 TRUSS DESIGN DATA. As an alternative to the submission of truss design drawings, the truss design data sheet may be provided to the building official as part of the construction documents at the time of application. Truss design drawings shall be submitted to the building official prior to truss installation as required by Section R302.10.1.

R301.5 Live load. The minimum uniformly distributed live load shall be as provide in Table R301.5.

Attics without storage (b): 10 pounds per square foot. Table R301.5

b. Attics without storage are those where the maximum clear height between joist and rafter is less than 42 inches, or where there are not two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high by 2 feet wide, or greater, located within the plane of the truss. For attics without storage, this live load need not be assumed to act concurrently with any other live load requirements.

g. For attics with limited storage and constructed with trusses, this live load need be applied only to those portions of the bottom chord where there are two or more adjacent trusses with the same web configuration capable of containing a rectangle 42 inches high or greater, by 2 feet wide or greater, located within the plane of the truss. The rectangle shall fit between the top of the bottom chord and the bottom of any other truss member, provided that each of the following criteria is met:

1. The attic area is accessible by a pull-down stairway or framed opening in accordance with Section R307.1, and
2. The truss has a bottom chord pitch less than 12/12.

h. Attic spaces served by a fixed stair shall be designed to support the minimum live load specified for sleeping rooms.

R303.1 Ventilation required minimum operable area to the outdoors shall be 4% of the floor area being ventilated.

R305. Minimum ceiling height T-O.

R308.4 GLAZING All windows in which the bottom edge is less than 18" above the floor shall be tempered safety glass as specified in section R308.

R308.4 Hazardous Locations. Safety glazing in doors and adjacent to doors within the same wall space. Safety glazing in fixed panels more than 9 square feet with the lowest edge less than 18" to floor. Safety glass in walls enclosing bathtubs, showers and whirlpool.

R308.6 Safety glazing in skylights, roofs and sloped glazing. Skylights and sloped glazing shall comply with the following tables: R308.6.1 through R308.6.5.

**EMERGENCY ESCAPE AND RESCUE OPENINGS**

R310.1 Emergency escape and rescue required. Basements with habitable space and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section 310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2.

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet. Exception: Grade floor openings shall have a minimum net clear opening of 3 square feet.

R310.1.2 Minimum opening height. The minimum net clear opening height shall be 24".

R310.1.3 Minimum opening width. The minimum net clear opening width shall be 20".

R310.1.4 Operational constraints. Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.

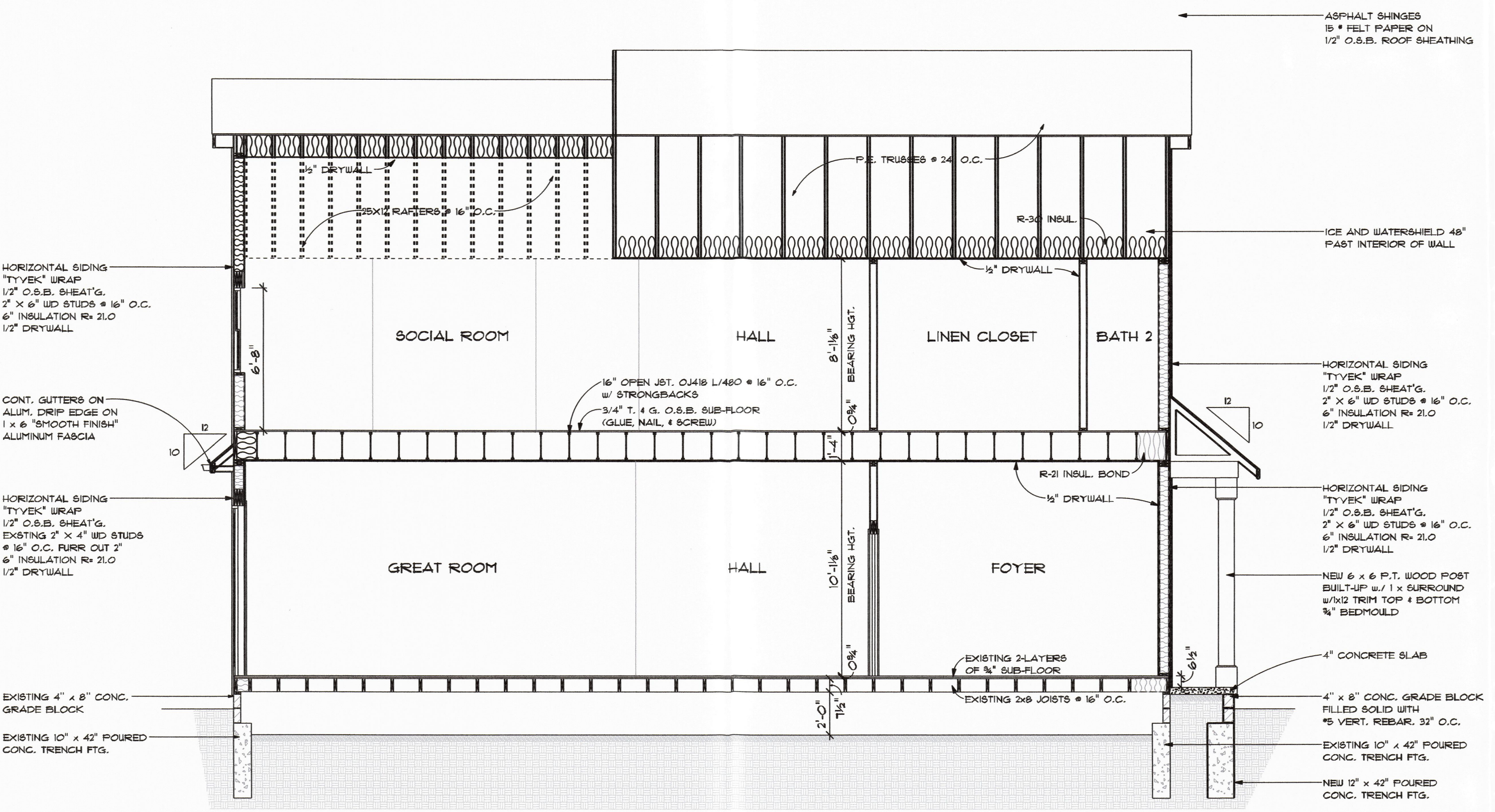
R310.2 Window wells. The Minimum horizontal area of the window well shall be 9 square feet, with a minimum horizontal projection and width of 36 inches. The area of the window well shall allow the emergency escape and rescue opening to be fully opened.

Exception: The ladder or steps required by Section R310.2.1 shall be permitted to encroach a maximum of 6" into the required window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed

R310.2.1 Ladder and steps. Window wells with a vertical depth greater than 44 inches shall be equipped with a permanently affixed ladder or steps usable with the window in the fully opened position. Ladders or steps required by this section shall not be required to comply with Sections R311.4 and R311.6. Ladders or rungs shall have an inside width of at least 12", shall project at least 3" from the wall and shall be spaced not more than 18" on center vertically for the full height of the window well.

R310.3 Bulkhead enclosures. Bulkhead enclosures shall provide direct access to the basement. The bulkhead enclosure with the door panels in the fully open position shall provide the minimum net clear opening required by Section R310.1.1. Bulkhead enclosures shall also comply with Section R311.3.2.

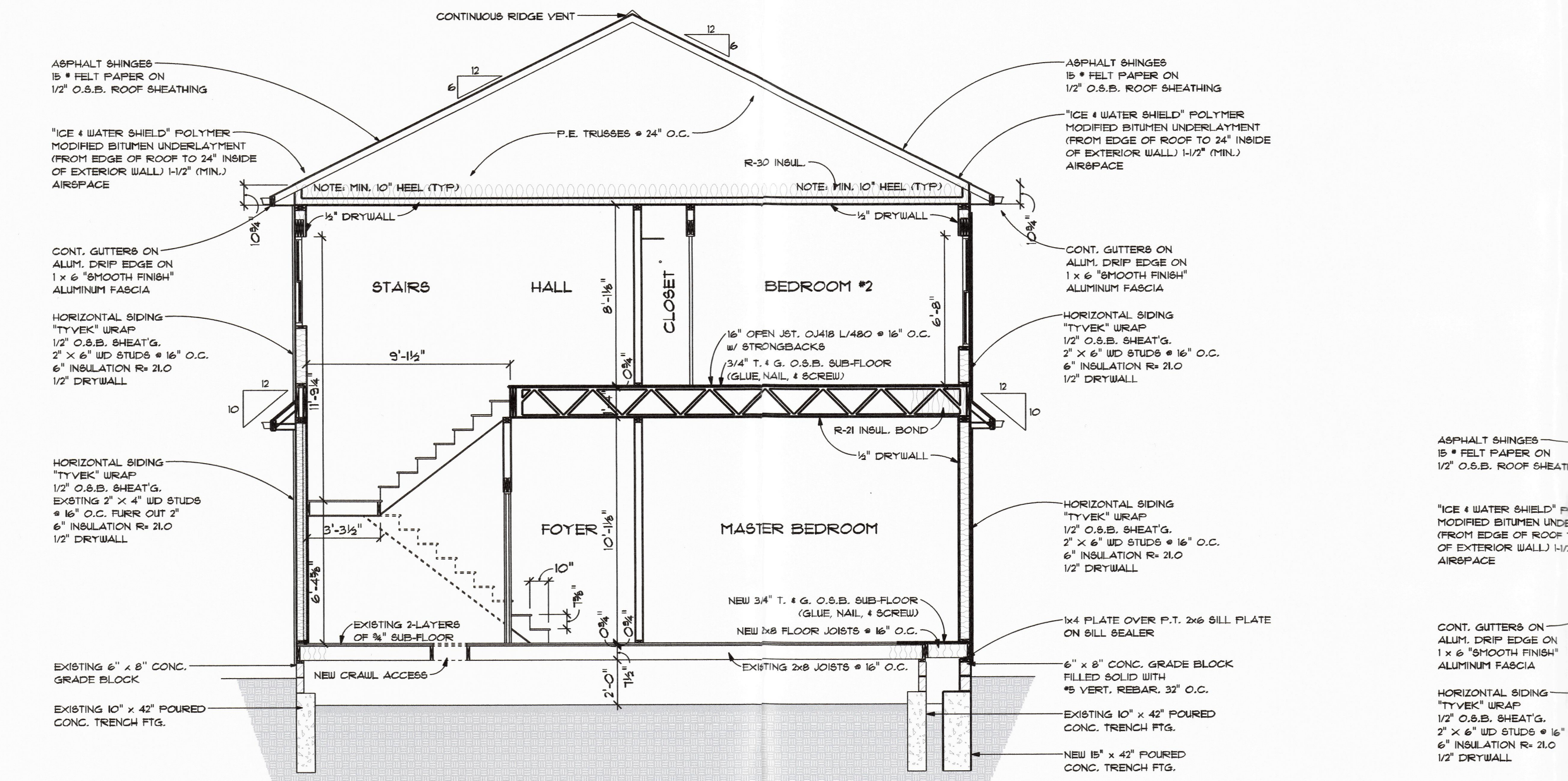
R310.4 Bars, grilles, covers and screens. Bars, grilles, covers and screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided the minimum net clear opening size complies with Sections R310.1.1 to R310.1.3, and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.



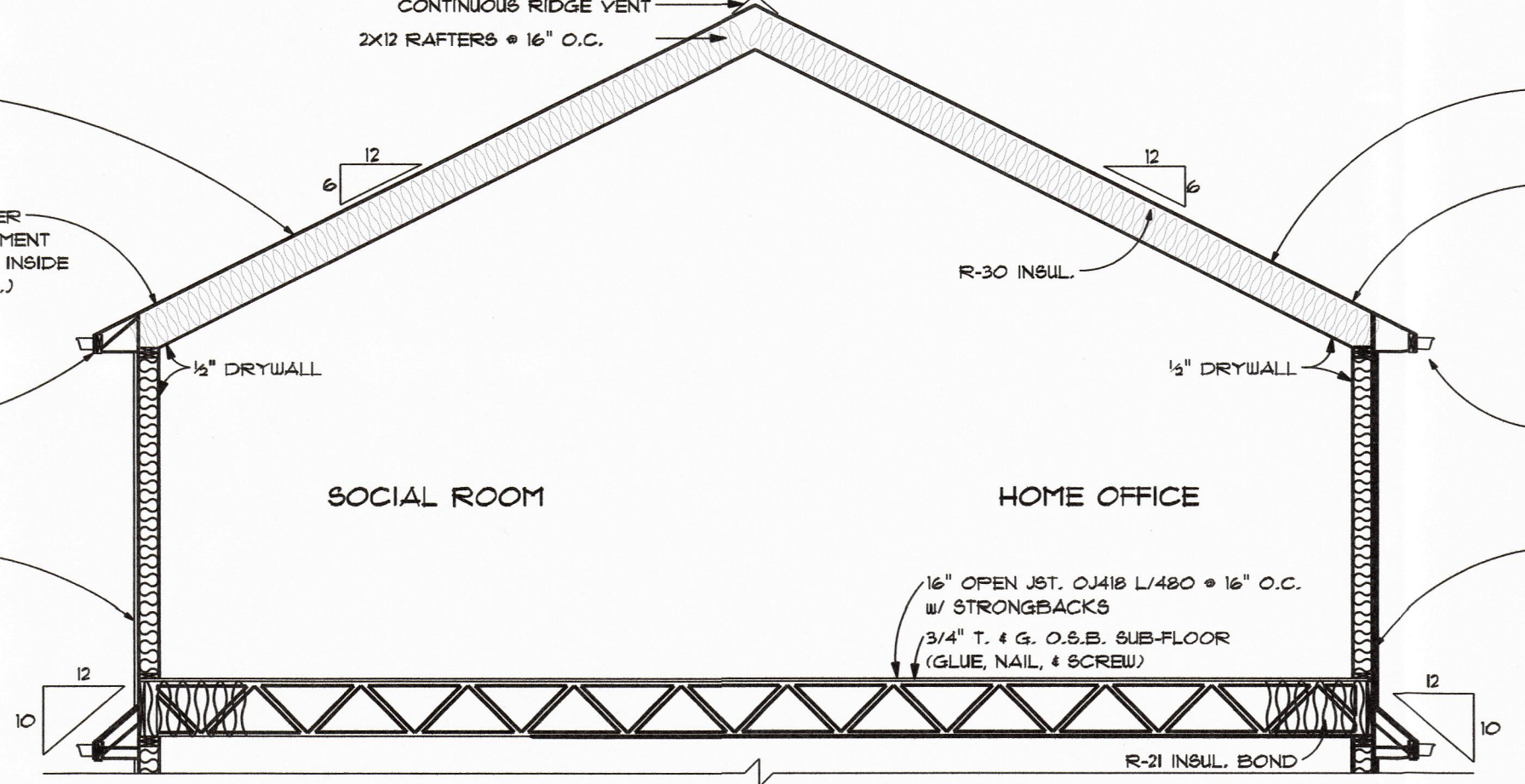
**CROSS SECTION 'B'**  
SCALE: 1/4" = 1'-0"

ROOF ASSEMBLIES SUBJECT TO WIND UPLIFT PRESSURE OF 20lbs. PER FOOT OR GREATER SHALL HAVE ROOF RAFTERS OR TRUSSES ATTACHED TO THEIR SUPPORTING WALL ASSEMBLIES BY CONNECTIONS CAPABLE OF PROVIDING THE RESISTANCE REQUIRED IN TABLE R302.11 OF THE 2015 IRC.

NOTE: 1" THERMAL Baffle REQ'D. FOR VENT CLEARANCE. REFER TO THE 2015 IRC R306.3  
NOTE: HURRICANE TIES AS REQ'D.



**CROSS SECTION 'A'**  
SCALE: 1/4" = 1'-0"



**CROSS SECTION 'C'**  
SCALE: 1/4" = 1'-0"

**BUILDER/OWNER INFO:**  
NOTE: BUILDER TO VERIFY ALL DRAWINGS AND CONDITIONS BEFORE WORK BEGINS. BUILDER TAKES FULL RESPONSIBILITY OF DRAWINGS AND CONSTRUCTION OF BUILDING.  
ALL CONTRACTORS AND SUBS MUST VERIFY TO VERIFY SITE AND PRE-EXISTING STRUCTURES AND/OR GRADES

**RESSLER DESIGN, INC.**  
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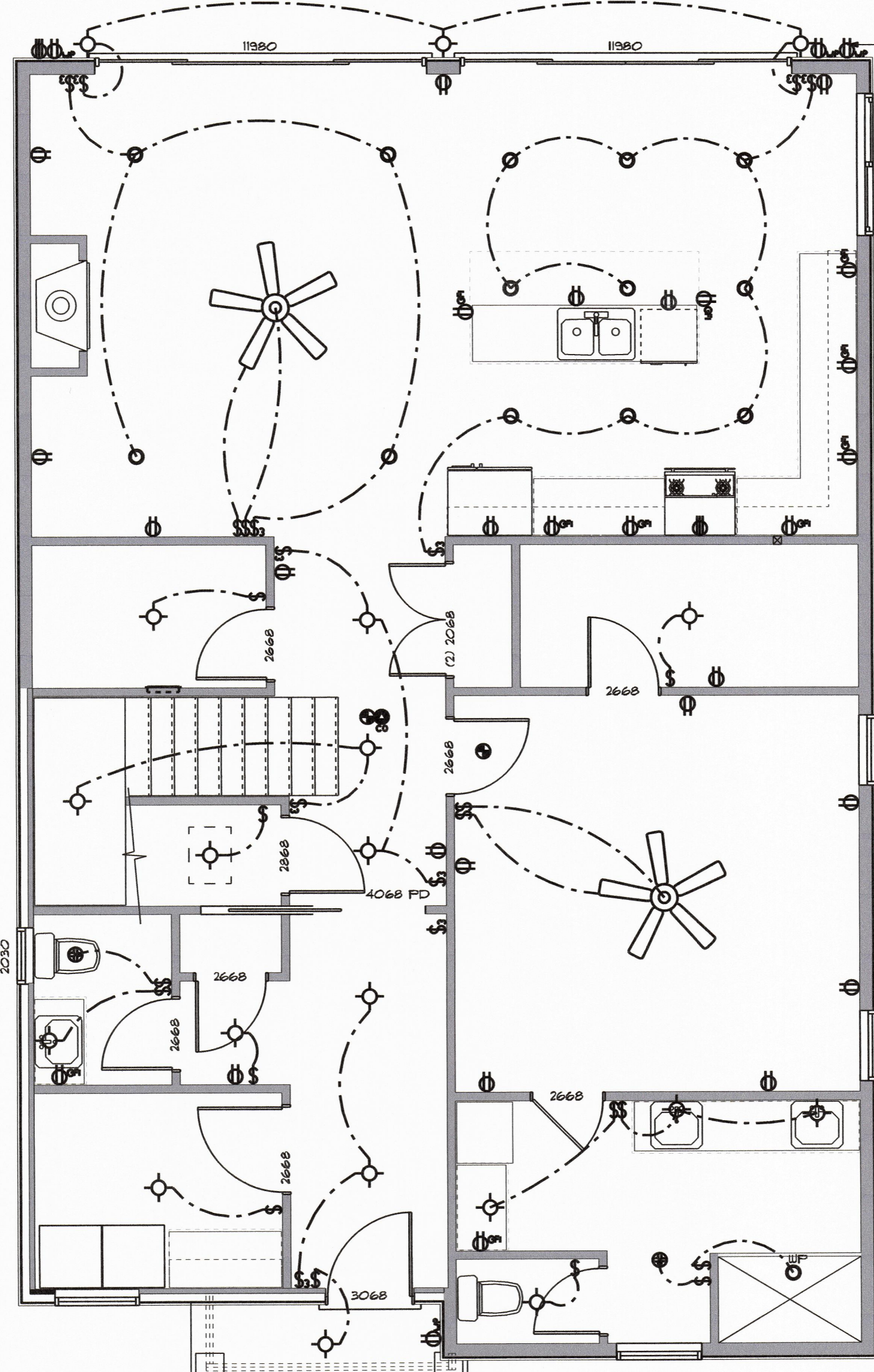
**HOUSE PLAN:**  
**SCALPONE RESIDENCE**

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TOTAL SQ.FT. (HOUSE BILL 5818)	2639.00
UN-HABITABLE SQ.FT.	1153.00
TOTAL HABITABLE SQ.FT.	1486.00
PROJECT NO.	1271-2021
SCALE:	1/4" = 1'-0"
ORIGINAL PLAN SET DATE:	09-20-2021
REVISION PLAN SET DATE:	11/16/2021
SHEET NO.:	A-4

RECEIVED  
DEC 1 6 2021  
COMMUNITY DEVELOPMENT DEPARTMENT





**NEW MAIN FLOOR PLAN - ELECTRICAL**  
SCALE: 1/4" = 1'-0"

NOTE: ELECTRICAL OUTLET FOR BOAT CHARGING. VERIFY.

ELECTRICAL	SYMBOL
ceiling fan 5 blades 01	
can light dimch	
electrical panel	
co detector	
fan	
light	
outlet	
outlet 220v	
outlet gfi	
outlet wp	
smoke detector	
switch	
switch 3 way	
switch 3 way - rocker style	
switch double	

R403 Footings. R403.1 General. All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundation, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil. Footings shall be supported on undisturbed natural soils or engineered fill.

HOLLOW AND SOLID UNREINFORCED MASONRY AND PLAIN CONCRETE. TABLE R404.1 (1) Maximum depth of unbalanced fill for a 10" poured concrete wall, or fully grouted masonry wall is 8 feet. TABLE R404.1 (2) Maximum depth of unbalanced fill for a 10" masonry - hollow - ungrouted wall is 5 feet.

R406.1 Except where required by Section R406.2 to be waterproofed, foundation walls that retain earth and enclose interior spaces and floors below grade shall be dampproofed from the top of the footing to the finished grade.

SUBSOIL DRAINAGE. Subsoil drainage system shall be provided under all basements floors consisting of: R506.2.2 BASE. A 4" thick base course consisting of clean graded sand, gravel, crushed stone or crushed blast - furnace slag passing a 2" sieve shall be placed on the prepared subgrade when the slab is below grade. EXCEPTION: A base course is not required when the concrete slab is installed on soil - drained or sand - gravel mixture soils classified as group 1 according to the unified soil classification system in accordance with TABLE R405.1.

R405.1 Drains shall be provided around all concrete or masonry foundations that retain earth and enclose habitable or usable spaces located below grade. Drainage tiles, gravel or crushed stone drains, perforated pipe or other approved systems or materials shall be installed at or below the area to be protected and shall discharge by gravity or mechanical means into an approved drainage system.

WALL CONSTRUCTION. R403.1.6 When braced wall panels are supported directly on continuous foundations, the wall wood sill plate or cold-formed steel bottom track shall be anchored to the foundation in accordance with this section. The wood sole plate at exterior walls on nonolithic slabs and wood sill plate shall be anchored to the foundation with anchor bolts spaced a maximum of 6 feet on center. There shall be a minimum of two bolts per plate section with one bolt located not more than 12" or less than seven bolt diameters from each end of the plate section. Anchor bolts shall also be located within 12" from the ends of each plate section. Bolts shall be at least 1/2" in diameter and shall extend a minimum of 1" into masonry or concrete. Interior bearing wall sole plates on nonolithic slab foundations shall be positively anchored with approved fasteners. A nut and washer shall be tightened on each bolt to the plate. Sills and sole plates shall be protected against decay and termites where required by Sections R319 and R320. Cold-formed steel framing systems shall be fastened to the wood sill plates or anchored directly to the foundation as required in Section R505.3.1, or R603.1.1. Exception: Foundation anchor straps, spaced as required to provide equivalent anchorage to 1/2-inch diameter anchor bolts.

R502.6 Bearing. The ends of each joist, beam or girder shall not have less than 1.5 inches of bearing on wood or metal and not less than 3 inches in masonry or concrete except where supported on a 1-inch-by-4-inch ribbon strip and nailed to the adjacent stud or joist.

R502.6.1 Floor systems. Joists framing from opposite sides over a bearing support shall lap a minimum of 3 inches and shall be nailed together with a minimum three 10d face nails. A wood or metal splice with strength equal to or greater than that provided by the joists shall be used.

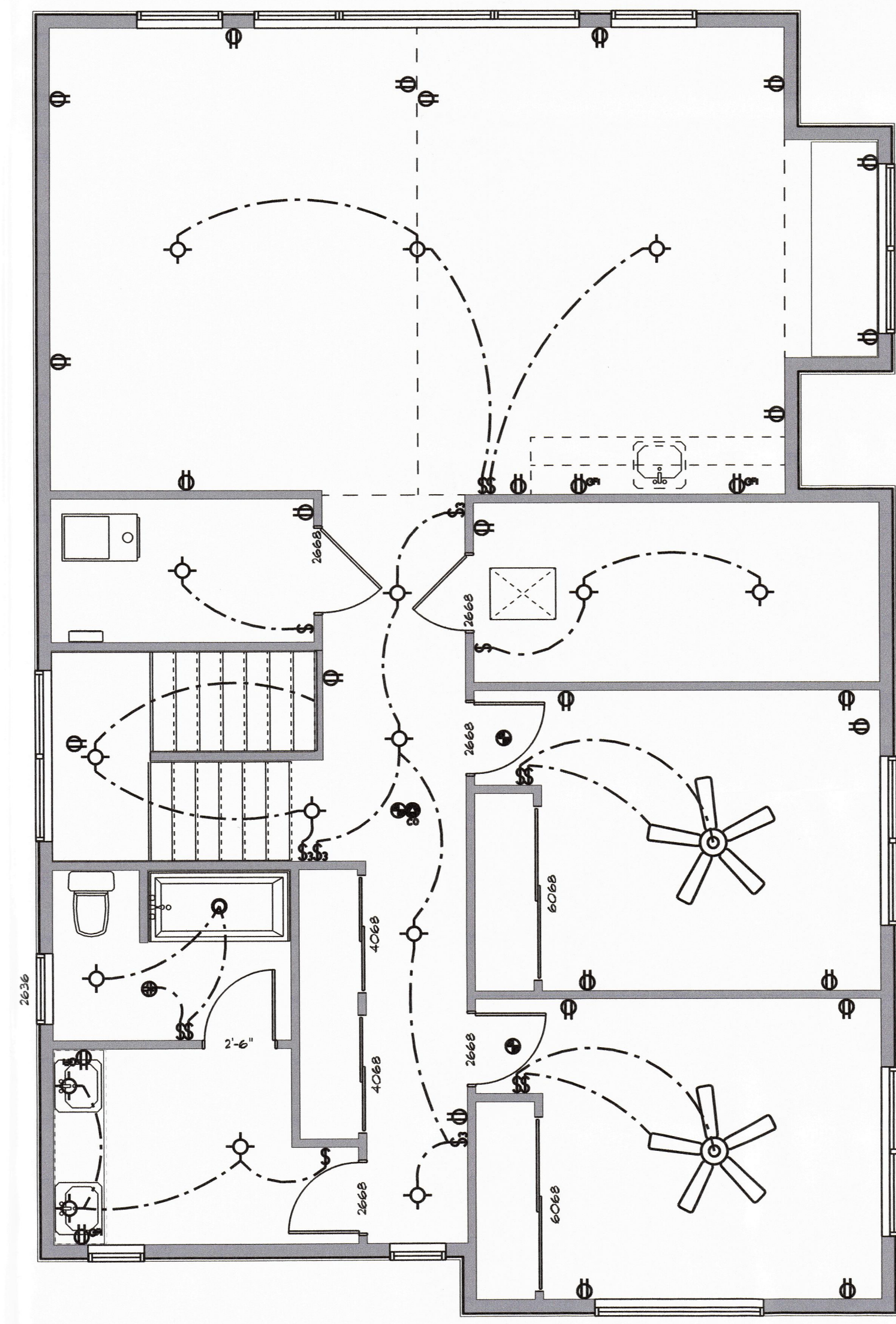
R502.6.2 Joist framing. Joists framing into the side of a wood girder shall be supported by approved framing anchors or on ledger strips not less than 2 inches by 2 inches.

R502.8 Drilling and notching. Structural floor members shall not be cut, bored or notched in excess of the limitations specified in this section. See Figure R502.8. R502.8.1 Span lumber. Notches in solid lumber joists, rafters and beams shall not exceed one-sixth of the depth of the member, shall not be longer than one-third of the depth of the member and shall not be located in the middle one-third of the span. Notches at the ends of the member shall not exceed one-fourth the depth of the member. The tension side of members 4 inches or greater in nominal thickness shall not be notched except at the ends of the members. The diameter of holes bored or cut into members shall not exceed one-third the depth of the member. Holes shall not be closer than 2" to the top or bottom of the member, or to any other hole located in the member. Where the member is also notched, the hole shall not be closer than 2 inches to the notch.

R502.8.2 Engineered wood products. Cuts, notches and holes bored in trusses, laminated veneer lumber, glue-laminated members or I-joists are not permitted unless the effects of such penetration are specifically considered in the design of the member.

R506.2.3 Vapor retarder. A 6 mil polyethylene or approved vapor retarder with joints lapped not less than 6 inches shall be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists. Exception: A 6 mil polyethylene or approved vapor retarder with joints lapped not less than 6 inches shall be placed 1. From detached garages, utility buildings and other unheated accessory structures. 2. From driveways, walks, patios and other flat work not likely to be enclosed and heated at a later date. 3. Where approved by the building official, based on local site conditions.

All walls 14'-0" and beyond in height and supporting a roof only to be continuous 2 x 6 studs. Refer to Table R602.3.1



**NEW UPPER FLOOR PLAN - ELECTRICAL**  
SCALE: 1/4" = 1'-0"

**GENERAL ELECTRICAL NOTES**

- ELECTRICAL CONTRACTOR MUST VISIT JOB SITE AND BECOME FAMILIAR WITH THE EXISTING CONDITIONS. FAILURE TO DO SO WILL NOT CONSTITUTE GROUNDS FOR ANY DEFENSES.
- ALL ELECTRICAL WORK MUST CONFORM TO THE LATEST APPROVED EDITION OF THE NATIONAL ELECTRIC CODE AND ANY STATE OR LOCAL REGULATIONS.
- THE ELECTRICAL CONTRACTOR SHALL OBTAIN ALL ELECTRICAL PERMITS. PAY ALL ASSOCIATED FEES AND ARRANGE FOR ALL ELECTRICAL INSPECTIONS. AT THE COMPLETION OF THE JOB, THE ELECTRICAL CONTRACTOR SHALL FURNISH A CERTIFICATE OF FINAL INSPECTION AND APPROVAL TO THE OWNER AND GENERAL CONTRACTOR.
- THE ELECTRICAL CONTRACTOR MUST FIELD VERIFY ALL LOCATIONS AND HEIGHT REQUIREMENTS OF DEVICES, DISCONNECTS AND OTHER ELECTRICAL ITEMS WITH THE OWNER AND OTHER TRADES.
- ALL ELECTRICAL MATERIALS SHALL BE NEW AND BEAR THE "UL" LABEL. THE ELECTRICAL CONTRACTOR WILL FURNISH AND INSTALL ALL LIGHT FIXTURES AND LAMPS AS SHOWN ON THE DRAWINGS ACCORDING TO THE FIXTURE SCHEDULE, U.L.C.O. UNLESS OTHERWISE MARKED BY GENERAL CONTRACTOR.
- ANY NEW ELECTRICAL PANELS SHALL BE PANEL BOARD CONFIGURATION AND WILL HAVE BOLT ON CIRCUIT BREAKERS.
- ELECTRICAL PANEL SCHEDULE SHALL BE CLEARLY MARKED USING TYPEWRITTEN OR EQUAL IDENTIFICATION FOR EACH CIRCUIT.
- ELECTRICAL CONTRACTOR MUST FIELD VERIFY THE LOCATION HEIGHT AND ELECTRICAL REQUIREMENTS OF ALL KITCHEN EQUIPMENT WITH THE OWNER AND EQUIPMENT SUPPLIER PRIOR TO COMMENCEMENT OF WORK.
- CARBON MONOXIDE ALARMS MUST BE INSTALLED IN THE IMMEDIATE VICINITY OF SLEEPING AREAS IN UNITS WITH FUEL FIRED APPLIANCES AND/OR ATTACHED GARAGES.
- RECESSED LIGHTS MUST BE INSULATION-CONTACT RATED AND SEALED AT CEILING PRESENTATION PER CODE.
- A MINIMUM OF 50% OF ALL PERMANENTLY INSTALLED LIGHTING FIXTURES MUST USE CFL OR OTHER HIGH EFFICIENCY LAMPS.
- ALL 125 VOLT, 15 & 20 AMP RECEPTACLES INSTALLED IN GARAGES AND UNFINISHED BASEMENTS MUST HAVE GROUND-FAULT CIRCUIT INTERRUPTER PROTECTION.
- ARC-FAULT PROTECTION FOR BRANCH CIRCUITS SHALL INCLUDE ALL HABITABLE SPACES EXCEPT KITCHENS, INCLUDING HALLWAYS, CLOSETS, LAUNDRY ROOMS, BATHROOMS AND SIMILAR SPACES.
- ALL 125 VOLT, 15 & 20 AMP RECEPTACLES INSTALLED IN DWELLING UNITS, ON THE OUTSIDE OF DWELLING UNITS AND IN ATTACHED GARAGES SHALL BE LISTED TRIPPLE RESISTANT RECEPTACLES.

R602.6 Drilling and notching - studs. Any stud in an exterior wall or bearing partition may be cut or notched to a depth not exceeding 25 percent of its depth in exterior partitions may be notched to a depth not to exceed 40 percent of a single stud width. Any stud may be bored or drilled, provided that the diameter of the resulting hole is no greater than 40 percent of the stud width, the edge of the hole is no closer than 5/8" to the edge of the stud, and the hole is not located in the same section as a cut or notch. See Figures R602.6(1) and R602.6(2).

Exceptions: Approved stud shoes may be used when installed in accordance with the manufacturer's recommendation.

R602.6.1 Drilling and notching of top plate. When piping or ductwork is placed in or partly in an exterior wall or interior load bearing wall, necessitating cutting, drilling or notching of the top plate by more than 50 percent of its width, a galvanized metal tie not less than 0.054 inch thick (16 gauge) and 1.5 inches wide shall be fastened to each plate across and to each side of the opening with not less than eight lead nails at each end or equivalent. See Figure R602.6.1. Exception: When the entire side of the wall with the notch or cut is covered by wood structural panel sheathing.

R602.10 WALL BRACING. All exterior walls shall be braced in accordance with this section. In addition, interior braced wall lines shall be provided in accordance with section R602.10.1.

R602.10.1 BRACED WALL LINES. Braced wall lines shall consist of brace wall panel construction methods in accordance with Section R602.10.3. The amount and location of bracing shall be in accordance with Table 602.10.1 and the amount of bracing shall be the greater of that required by the Seismic Design Category or the design wind speed. Braced wall panels shall begin no more than 12.5 feet from each end of a braced wall line. Braced wall panels that are counted as part of a braced wall line shall be in line, except that offsets out-of-plane of up to 4 feet shall be permitted provided that the total out-to-out offset dimension in any braced wall line is not more than 8 feet.

R602.10.3 BRACED WALL PANEL CONSTRUCTION METHODS. The construction of braced wall panels shall be in accordance with the following methods:

6. Particle Board wall sheathing panels installed in accordance with Table R602.3(4). 6. 1/2" particle board wall sheathing w/ n-2 exterior glue.

R602.10.6 Alternate braced wall panels. Alternate braced wall lines constructed in accordance with one of the following provisions shall be permitted to replace each 4 feet of braced wall panel as required by Section R602.10.4:

1. In one-story buildings, each panel shall be sheathed on one face with 3/8" - minimum thickness wood structural panel sheathing nailed according to 2d common or gable roof nails in accordance with Table R602.3(3) and blocked at all wood structural panel sheathing edges. Two anchor bolts installed in accordance with Figure R403.1(1) shall be provided in each panel. Anchor bolts shall be placed at panel quarter points. Each panel end stud shall have a tie-down device fastened to the foundation, capable of providing an uplift capacity of at least 1800 pounds. The tie-down device shall be installed in accordance with the manufacturer's recommendations. The panels shall be supported directly on a foundation or on floor framing supported directly on a foundation which is continuous across the entire length of the braced wall line. This foundation shall be reinforced with not less than one No. 4 bar top and bottom. When the continuous foundation is required to have a depth greater than 12", a minimum 12" x 12" continuous footing or turned down slab edge is permitted at door openings in the braced wall line. This continuous footing or turned down slab edge shall be reinforced with not less than one No. 4 bar top and bottom. This reinforcement shall be lapped 15" with the reinforcement required in the continuous foundation located directly under the braced wall line.

2. In the first story of two-story buildings, each braced wall panel shall be in accordance with item 1 above, except that the wood structural panel sheathing shall be provided on both faces, at least three anchor bolts shall be placed at one-fifth points, and tie-down device uplift capacity shall not be less than 3,000 pounds.

R702.4.2 Gypsum backer. Gypsum board utilized as the base or backer board for adhesive application of ceramic tile or other nonabsorbent finish material shall conform with ASTM C 630 or C 1176. Water-resistant gypsum backing board shall be permitted to be used on ceiling where framing spacing does not exceed 12" on center for 1/2" thick or 16" for 5/8" thick gypsum board. Water-resistant gypsum board shall not be installed over a vapor retarder in a shower or tub compartment. All cut or exposed edges, including those at wall intersections, shall be sealed as recommended by the manufacturer.

POINT LOADS: ALL POINT LOADS SHALL BE SUPPORTED BY MINIMUM 4 STUDS U.L.C.O.

R703.2 WEATHER - RESISTANT SHEATHING PAPER. A minimum of one layer on No. 15 asphalt felt complying with ASTM D 226, as listed in chapter 43, for type 1 felt or other approved weather-resistive materials shall be applied over sheathing of all exterior walls. See TABLE R703.4.

Notes: R703.1.4 Anchorages. Masonry veneer shall be anchored to the supporting wall with corrosion - resistant metal ties. Where veneer is anchored to wood backings through the use of corrugated sheet metal ties, the distance separating the veneer from the sheathing material shall be a maximum of 1". Where the veneer is anchored to wood backings through the use of metal strand wire ties, the distance separating the sheathing material shall be maximum of 4 1/2". Where the veneer is anchored to cold - formed steel backings, adjustable metal strand wire ties shall be used. Where veneer is anchored to cold - formed steel backings, the distance separating the veneer from the sheathing material shall be a maximum of 4 1/2".

R703.1.4.1 Size and spacing. Veneer ties, if strand wire, shall not be less in thickness than No. 9 U.S. gauge wire and shall have a hook embedded in the mortar joint, or if sheet metal, shall be not less than No. 22 U.S. gauge by 7/8" corrugated. Each tie shall be spaced not more than 24" on center horizontally and vertically and shall support not more than 2.67 square feet of wall area.

R703.4.1.1 Veneer ties around wall openings. Additional metal ties shall be provided around all wall openings greater than 16" in either dimension. Metal ties around the perimeter of openings shall be spaced not more than 3 feet on center and placed within 12" of the wall opening. Additional metal ties shall be provided around all wall openings greater than 16" in either

R703.8 Flashing. Approved corrosion - resistant flashing shall be applied shingle-fashion in such a manner to prevent entry of water into the wall cavity or penetration of water to the building structural framing components. The flashing shall extend to the surface of the exterior wall finish. Approved corrosion-resistant flashings shall be installed at all of the following locations:

- Exterior window and door openings. Flashing at exterior window and door openings shall extend to the surface of the exterior wall finish or to the water-resistive barrier for subsequent drainage.
- At the intersection of chimneys or other masonry construction with frame or stucco walls, with projecting lips on both sides under stucco copings.
- Under and at the ends of masonry, wood or metal copings and sills.
- Continuously above all projecting wood trim.
- Where exterior porches, decks or stairs attach to a wall or floor assembly of wood - frame construction.
- At wall and gully intersections.
- At built-in gutters.

R806.2 Roof Ventilation. Minimum area. The total net free ventilation area shall not be less than 1 to 150 of the area of the space ventilated except that the total area is permitted to be reduced to 1 to 300, provided at least 50 percent and not more than 80 percent of the required ventilating area is provided by ventilator located in the upper portion of the space to be ventilated at least 3 feet above eave or cornice vents with the balance of the required ventilation provided by eave or cornice vents. As an alternative, the net free cross-ventilation area may be reduced to 1 to 300 when a vapor barrier having a transmission rate not exceeding 1 perm is installed on the warm side of the ceiling.

R807.1 Access to attic minimum 22' x 30'.

R309.2 SEPARATION REQUIRED. The garage shall be separated from the residence and its attic area by not less than 1/2" gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than 5/8" inch Type X gypsum board or equivalent. Where the separation is a floor - ceiling assembly, the structure supporting the separation shall also be protected by not less than 1/2" inch gypsum board or equivalent. Garages located less than 3 feet from a dwelling unit on the same lot shall be protected with not less than 1/2 inch gypsum board applied to the interior side of exterior walls that are within this area. Openings in these areas shall be regulated by Section R309.1. This provision does not apply to garage walls that are perpendicular to the adjacent dwelling unit wall.

ASPHALT SHINGLES. R309.2.1 UNDERLAYMENT APPLICATION. For roof slopes from 2 units vertical in 12 units horizontal (17 percent slope), up to 4 units vertical in 12 units horizontal (33 percent slope), underlayment shall be two layers. For roof slopes 4 units vertical in 12 units horizontal (33 percent slope), or greater, underlayment shall be one layer. See 309.2.8.2 for more details.

R313.3 POWER SOURCE. In new construction, the required smoke alarm shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. In new construction, the required smoke alarm shall receive their primary power from the building wiring when

401.4.1 Geotechnical evaluation/tilt of a complete geotechnical evaluation, the load-bearing values in Table R401.4.1 shall be assumed. Soil bearing pressure assume to be 3,000 P.S.F. If poorer soil conditions are found, the Design Office shall be notified prior to footing construction.

402.2 Concrete shall be 3,000 p.s.i. at 28 days testing. Concrete shall have a minimum specified compressive strength as shown in Table R402.2

R305.2.1.1 ICE BARRIER. In areas where there has been a history of ice forming along the eaves causing a backup of water as designated in Table R302.1(1), an ice barrier that consists of a least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet, shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least 24 inches inside the exterior wall line of the building.

R1001.2 FOOTINGS AND FOUNDATIONS. Footings for masonry fireplaces and their chimneys shall be constructed of concrete or solid masonry at least 12 inches thick and shall extend at least 6 inches beyond the face of the foundation or support wall on all sides. Footings shall be founded on natural undisturbed earth or engineered fill below frost depth. In areas not subjected to freezing, footings shall be at least 12 inches below finished grade.

E3802 Provide ground fault circuit - interrupters at all exterior electrical outlets and interior outlets adjacent to water sources.

R-2 Wall Requirement: If R-2 wall requirement is in effect at time of construction, then use 1" rigid insulation over structural sheathing. In addition to R-19 insulation.

A Flashing inspection will be required prior to installing the full wall of brick.

R703.1.6 FLASHING. Approved flashing shall be installed beneath the first course of masonry above finished grade above the foundation wall or slab and at other points of support, including structural floors, shell angles and lintels when masonry veneers are designed in accordance with SECTION R703.1 of the code. See section R703.8 of the code for additional requirements.

R703.1.6 WEAPHOLES. Weapholes shall be provided in the outside wythe of masonry walls at a maximum spacing of 33" on center. Weapholes shall not be less than 3/16" in diameter. Weapholes shall be located immediately above and directly on the flashing.

BUILDER/OWNER INFO. NOTE: BUILDER TO VERIFY ALL DRAWINGS AND DIMENSIONS BEFORE WORK BEGINS. BUILDER TAKES FULL RESPONSIBILITY OF DRAWINGS AND CONSTRUCTION OF BUILDING. ALL CONTRACTORS AND SUPPLIER TO VERIFY SITES AND PRE-EXISTING STRUCTURES AND/OR GRADES.

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Designing Where People Live, Work and Play!

**HOUSE PLAN:**

**SCALPONE RESIDENCE**

TOTAL SQ.FT. (HOUSE BILL 5019)	2639.00
UN-HABITABLE SQ.FT.	1153.00
TOTAL HABITABLE SQ.FT.	1486.00
PROJECT NO.	1271-2021
SCALE:	1/4" = 1' - 0"
ORIGINAL PLAN SET DATE:	09-20-2021
REVISION PLAN SET DATE:	11/16/2021
SHEET NO.	A-5



Rik Kowall, Supervisor  
Anthony L. Noble, Clerk  
Mike Roman, Treasurer



Trustees  
Scott Ruggles  
Liz Fessler Smith  
Andrea C. Voorheis  
Michael Powell

## WHITE LAKE TOWNSHIP

7525 Highland Road • White Lake, Michigan 48383-2900 • (248) 698-3300 • www.whitelaketwp.com

December 20, 2021

David Scalpone  
11071 Beryl Dr  
White Lake, MI 48386

RE: Proposed 1<sup>st</sup> and 2<sup>nd</sup> Story Addition

Based on the submitted plans, the proposed residential addition does not satisfy the White Lake Township Clear Zoning Ordinance for R1-D zoning district.

**Article 3.1.6 of the White Lake Township Clear Zoning Ordinance:** Requires a minimum lot width of 80 ft, minimum side yard setback of 10 ft each side and 20 ft total, minimum front yard setback of 30 ft, minimum lot size of 12,000 sq ft, and maximum lot coverage of 20%.

The existing structure and lot are legal non-conforming. The approximate 6,840 sq ft, 53 ft wide lot contains a residential structure; having a 6.4 ft side yard setback on the east side which would be maintained on the proposed 2<sup>nd</sup> story. The proposed 1<sup>st</sup> and 2<sup>nd</sup> story addition would expand the building footprint to a 12.1 ft setback on the west side, for a total side yard setback of 18.5 ft. This expansion would also increase the total lot coverage to 27.6%. Additionally, the existing garage is setback approximately 10.5 ft from the front yard lot line. The proposed expansion to the front of the home would decrease the distance between the home and garage to approximately 7.5 ft. Article 5.7 of the ordinance requires a minimum of 10 ft between principle and accessory structures unless the structures conform to all of the regulations of the ordinance.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the January 27<sup>th</sup> Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than December 29<sup>th</sup> at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official  
White Lake Township

# WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** Zoning Board of Appeals

**FROM:** Justin Quagliata, Staff Planner

**DATE:** January 27, 2022

**RE:** Zoning Ordinance Discussion – Part 2

Staff has prepared a summary of cases in 2020 and 2021. This information shows what variances have been granted for commercial and residential properties.

Following is a case count from the previous three years:

- 2019 – 16 cases
- 2020 – 34 cases
- 2021 – 47 cases

A breakdown of the 2020 variances requested is as follows:

Residential

- Side yard setback – 17
- Front yard setback – 15
- Lot size – 15
- Lot width – 14
- Value of improvement to nonconforming structure – 12
- Lot coverage – 10
- Accessory structure – 6
- Rear yard setback – 3
- Natural features setback – 2
- Building height – 1
- Appeal of administrative action – 1
- Signs – 1

Commercial

- Building Height – 1

A breakdown of the 2021 variances requested is as follows:

Residential

- Side yard setback – 20
- Lot width – 20
- Front yard setback – 15
- Lot size – 15
- Value of improvement to nonconforming structure – 14
- Lot coverage – 8
- Accessory structure –
- Rear yard setback – 3
- Building height – 2
- Natural features setback – 2
- Appeal of administrative action – 2
- Nonconforming structure – 2
- Dumpster/trash enclosure – 2
- Parking – 2
- Signs – 1
- Number of animals – 1
- Minimum floor area – 1
- Swimming pool – 1
- Curb and gutter – 1
- Permit period for temporary use of motor home – 1
- Extension of approval – 1

Commercial

- Signs – 7
- Build-to-line coverage – 1
- Building Height – 1
- Outdoor lighting – 1
- Off-street loading area – 1

Following are staff suggested zoning ordinance revisions (more staff suggestions for additions/modifications forthcoming for future discussions):

*Nonconforming Lots – consider adopting one of the following standards.*

- If two or more contiguous nonconforming lots are held in common ownership as of or after the effective date of the amendment to this Ordinance that added this subsection, such nonconforming lots shall be combined, developed and used to the extent necessary to conform or more nearly conform to the district requirements for area, width, or both. The combined nonconforming lots shall be considered as a single zoning lot and must otherwise comply with the district requirements of this Ordinance. The provisions of this paragraph are not avoided by conveying one or more contiguous nonconforming lots to separate ownership after the effective date of the amendment to this Ordinance that added this subsection.
- Where vacant lots have in the aggregate a continuous frontage on the same side of a street of one hundred sixty (160) feet or more under common ownership, the requirements for lot size and development standards for residential uses, as specified in Article 3, may not be reduced.



*Modular home – staff recommends adopting all of the following standards.*

A modular home may be approved if certain conditions are met:

- The dwelling shall be attached to a permanent foundation. The foundation shall be constructed in accordance with the state construction code, and attachment of the dwelling to the foundation shall meet all applicable building codes and other state and federal regulations.
- The dwelling shall not have exposed wheels, towing mechanism, undercarriage, or chassis.
- The dwelling shall be certified by the manufacturer or builder to be:
  1. Designed only for erection or installation on a site-built permanent foundation;
  2. Not designed to be moved once so erected or installed;
  3. Designed and manufactured to comply with the state construction code, as adopted by the Township;
  4. Not intended to be used other than on a site-built permanent foundation.
- The dwelling shall meet all standards of the state construction code and all other applicable Township ordinances.

Note: A basement or crawl space foundation would be required. A pier foundation or slab on grade are not considered a permanent foundation for a modular home.

*Ordinary high-water mark – staff recommends adopting the following definition.*

- **ORDINARY HIGH-WATER MARK.** The line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. On an inland lake which has a level established by law, it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high-water mark.



# WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

## REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** Zoning Board of Appeals

**FROM:** Justin Quagliata, Staff Planner

**DATE:** January 27, 2022

**RE:** Election of Chair and Vice-Chair

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The Zoning Board of Appeals bylaws require at the first regular meeting each calendar year the Board must select from its members a Chair and Vice-Chair. In accordance with Article 7, Section 32.B of the zoning ordinance, an elected official of the Township cannot serve as Chair or Vice-Chair of the Zoning Board of Appeals. The general duties of each position are as follows:

**Chair:** The chair shall preside at all meetings, authorize calls for special meetings, and perform such other duties as may be specified by the Zoning Board of Appeals.

**Vice-Chair:** The vice-chair shall act in the capacity of the chair in the chair's absence. In the event the office of the chair becomes vacant, the vice-chair shall succeed to this office for the unexpired term.

At the meeting on January 27, 2022 the current Chair will request nominations for the officer positions listed above. Once nominations are made the Zoning Board of Appeals will vote on each office. The Board member receiving the most votes will serve in that position. The elected officer will begin serving immediately after being selected and will remain in office for the remainder of the year. Current officers may be re-elected.