



ZONING BOARD OF APPEALS MEETING

LOCATION: TOWNSHIP ANNEX, 7527 HIGHLAND ROAD, WHITE LAKE, MICHIGAN, 48383
(FORMER WHITE LAKE LIBRARY)
THURSDAY, SEPTEMBER 22, 2022 – 7:00 PM

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

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 July 28, 2022
6. OLD BUSINESS
7. NEW BUSINESS
 - A. Applicant: Alan & Mary Peltier
9522 Cooley Lake Road
White Lake, MI 48386
Location: **9522 Cooley Lake Road**
White Lake, MI 48386 identified as 12-35-380-018
Request: The applicant requests to construct an accessory building, requiring a variance from Article 5.7.A, Accessory Buildings or Structures in Residential Districts. Variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Side-Yard Setback, Minimum Lot Area, and Minimum Lot Width are also required to construct the accessory building and an addition on the dwelling unit.
 - B. Applicant: Ed Phillips/Phillips Sign & Lighting
40920 Executive Drive
Harrison, MI 48045
Location: **8545 Highland Road**
White Lake, MI 48386 identified as 12-24-126-009
Request: The applicant requests to install a wall sign on the side elevation of the building, requiring a variance from Article 5.9.J.ii.a, Wall Signs.
 - C. Applicant: Mark Johnson
150 Danforth Drive
White Lake, MI 48386
Location: 150 Danforth Drive
White Lake, MI 48386 identified as 12-23-376-004
Request: The applicant requests to construct a garage, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback and Maximum Lot Coverage. 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
9. NEXT MEETING DATE: October 27, 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
JULY 28, 2022**

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
Niklaus Schillack, Vice Chairperson
Mike Powell, Township Board Liaison
Debby Dehart, Planning Commission Liaison
Jo Spencer, Chairperson

Others:

Justin Quagliata, Staff Planner
Hannah Micallef, Recording Secretary

6 members of the public present

APPROVAL OF AGENDA

Member Schillack stated item 7A was a post construction variance, therefore, should be moved behind item 7B.

**MOVED by Member Schillack, SUPPORTED by Member Powell, to approve the agenda as amended. The motion CARRIED with a roll call vote: (3 yes votes).
(Schillack/yes Powell/no, Dehart/yes, Seiber/no, Spencer/yes).**

Staff Planner Quagliata recommended removing item 8a from the agenda as staff was not ready to present ordinance language. Member Powell stated a casual discussion would suffice.

APPROVAL OF MINUTES:

- a. Zoning Board of Appeals Regular Meeting of June 23rd, 2022

MOVED by Member Powell, SUPPORTED by Member Seiber to approve the Zoning Board of Appeals Regular Meeting Minutes of June 23rd, 2022 as presented. The motion CARRIED with a voice vote: (5 yes votes).

CONTINUING BUSINESS:

None.

NEW BUSINESS:

- A. Applicant: Wade Paris
9377 Gale Road
White Lake, MI 48386
Location: 9604 Buckingham Road
White Lake, MI 48386 identified as 12-14-201-015
Request: The applicant requests an extension of the approval period for variances granted on February 24, 2022, requiring a variance from Article 7.39, Approval Periods.

Chairperson Spencer noted for the record that 20 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 the previous variances ran with the land. Staff Planner Quagliata confirmed.

Member Powell asked staff if the applicant could build a less nonconforming home. Staff Planner Quagliata confirmed.

Member Schillack asked staff if a new survey would be required. Staff Planner Quagliata said no, and an approval tonight could be conditioned using the previous variance approvals.

Wade Paris, 9377 Gale, was present to speak on his case. He said he bought the property from the previous owner. He wanted to change the layout of the house so there would be an additional four foot the front yard setback, and an additional two feet on the side yard setback. The lot coverage would be improved as well. He needed additional time to complete the architectural plans.

Chairperson Spencer opened the public hearing at 7:14 P.M. Seeing no public comment, she closed the public hearing at 7:14 P.M.

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

- A. Practical Difficulty
- B. Unique Situation
- C. Not Self-Created
- D. Substantial Justice
- E. Minimum Variance Necessary

The ZBA members concurred the variance requested met the standards as per the February 24, 2022 approval.

Member Schillack MOVED to approve the variance requested by Wade Paris from Article 7.39 of the Zoning Ordinance for Parcel Number 12-14-201-015, identified as 9604 Buckingham Road, in order to extend the approval period for variances granted on February 24, 2022 by six months, until February 24, 2023. This approval will have the following condition:

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

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

Member Powell stated the lot was substandard, and the conditions set forth with the last variance approval were the minimum.

- B. Applicant: Ryan Riedel
1499 Hillway Drive
White Lake, MI 48386
Location: **1499 Hillway Drive**
White Lake, MI 48386 identified as 12-34-352-032
Request: The applicant requests to construct an accessory structure, requiring a variance from Article 3.11.Q, Natural Features Setback.

Chairperson Spencer noted for the record that 30 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 Schillack asked staff if approval would have to be conditioned based on the structure being moved five feet away from the side property line. Staff Planner Quagliata confirmed.

Member Schillack asked staff how long he was aware of the situation. Staff Planner Quagliata said the structure had been erected within the last few weeks; the Building Official noticed the nonconforming structure while doing inspections on permits for the house.

Ryan Riedel, 1499 Hillway, was present to speak on his case. He said the current patio down by the lake was ground level but in disrepair. He wanted to create a useable space by the lake. He noticed there were other similar structures around the lake. He was not aware he needed a variance at the time, so he went forth with construction. He spoke with his neighbors prior and was not met with concerns.

Member Seiber asked the applicant if the structure was less than five feet from the north property line. Mr. Riedel said the structure was either 4.5 feet or five feet from the north property line.

Member Powell stated he spoke with the applicant, and the structure was anchored and would need to be disassembled to move.

Chairperson Spencer opened the public hearing at 7:29 P.M. She read one letter of opposition into the record. Chairperson Spencer closed the public hearing at 7:31 P.M.

Member Schillack asked the applicant if there was something about the property that would force the covered porch to be within the Natural Features setback. Mr. Riedel said no, it was an aesthetic choice.

Member Dehart asked staff if a prefab structure would still need a variance. Staff Planner Quagliata confirmed as a prefab structure would still need to be anchored to the ground.

Member Powell asked staff at what height did a patio become a deck, and what defined a structure. Staff Planner Quagliata said a structure was anything constructed or erected which required permanent location on the ground or attachment to something having such location. If a patio was less than 12 inches in height it was not considered a deck.

Mr. Riedel said the roof on the structure was bolted on the posts, but could be removed.

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

- A. Practical Difficulty
 - Member Seiber said there was plenty of room on the property to relocate the structure and remain in compliance with the zoning ordinance. Member Dehart agreed.
 - Chairperson Spencer said she did not see a practical difficulty and there was room to place the structure outside of the Natural Features Setback.
- B. Unique Situation
 - Member Dehart said a practical difficulty was not demonstrated.
 - Chairperson Spencer said there was not a unique situation presented. Member Schillack agreed.
- C. Not Self-Created
 - Chairperson Spencer said the applicant self-created the problem.
- D. Substantial Justice
 - Member Powell said although there were similar nonconforming structures, those circumstances did not allow the ZBA to go against the ordinance for this request.
- E. Minimum Variance Necessary

Chairperson Spencer said no variance was needed.

Member Schillack moved to deny the variance requested by Ryan Riedel for Parcel Number 12- 34-352-032, identified as 1499 Hillway Drive, due to the following reason(s):

- **Failure to meet the standards from Article 7, Section 37 from the ClearZoning Ordinance.**

The Appellant shall remove the accessory structure from the property by September 12, 2022.

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

OTHER BUSINESS

A. Zoning Ordinance Discussion - Part 4

Staff Planner Quagliata had been working on the draft ordinance amendments. He wanted to add and modify definitions. A definition for “ordinary high-water mark” was not currently in the zoning ordinance, and he suggested adding it as the term came up often during ZBA cases. “Right-of-way” was another definition he wanted to include.

Staff Planner Quagliata suggested renaming the “Agricultural” zoning district to “Rural Residential,” as well as renaming “Suburban Farms” to “Suburban Estates.” Raising the maximum lot coverage to 30% in residential districts was also being considered by staff. Staff also crafted standards to clarify modular/manufactured home requirements.

ADJOURNMENT

MOVED by Member Seiber, SUPPORTED by Member Schillack to adjourn the meeting at 8:34 P.M. The motion CARRIED with a voice vote (5 yes votes).

NEXT MEETING DATE: August 25, 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: September 22, 2022

Agenda item: 7a

Appeal Date: September 22, 2022

Applicant: Alan & Mary Peltier

Address: 9522 Cooley Lake Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 9522 Cooley Lake Road
White Lake, MI 48386

Property Description

The approximately 0.219-acre (9,560.83 square feet) parcel identified as 9522 Cooley Lake Road is located on the west side of Cooley Lake Road, south of Round Lake, and zoned R1-D (Single Family Residential). The existing 1.5-story house on the property (approximately 1,398 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant's Proposal

Alan and Mary Peltier, the applicants, are proposing to construct a garage northwest of the house and an enclosed porch addition on the east side of the house.

Planner's Report

The existing house was built in 1938 and is nonconforming because it is located 7.78 feet from the south side property line. A minimum 10-foot side yard setback is required in the R1-D zoning district. The parcel is also nonconforming due to a 2,439.17 square foot deficiency in lot area and an eight-foot deficiency in lot width (approximately 72 feet in width); in the R1-D zoning district the minimum lot area requirement is 12,000 square feet and the minimum lot width requirement is 80 feet.

The proposed 30-foot by 30-foot (900 square feet) garage would be located four feet west of the house and 8.23 feet from the north side property 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. Therefore, the garage would be considered part of the principal building and subject to the 10-foot side yard setback requirement in the R1-D zoning district. A two-foot variance is required to allow the garage to encroach into the north side yard setback. Additionally, the proposed garage is located 20.48 feet from the west property line, which abuts unimproved Orchard Drive right-of-way. A 30-foot front yard setback is required in the R1-D zoning district. Therefore, a 10-foot variance is required to allow the garage to encroach into the west front yard setback.

The proposed enclosed porch would be added to the front (east side) of the house and located 8.63 feet from the south side property line and 24.26 feet from the front (east) property line. Therefore, a 1.5-foot variance is required to allow the porch to encroach into the south side yard setback and a six-foot variance is required to allow the porch to encroach into the east front yard setback.

If the variances are approved, a shed on the property would be removed in order to maintain compliance with the lot coverage standard (20 percent maximum lot coverage). The shed would need to be removed prior to the final building inspection.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	6 feet (east) 10 feet (west)	24 feet (east) 20 feet (west)
2	Article 3.1.6.E	Side yard setback	10 feet	1.5 feet (south)	8.5 feet (south)
3	Article 5.7.A	Accessory building setback	10 feet	2 feet (north)	8 feet (north)
4	Article 3.1.6.E	Minimum lot area	12,000 square feet	2,439.17 square feet	9,560.83 square feet
5	Article 3.1.6.E	Minimum lot width	80 feet	8 feet	72 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Alan and Mary Peltier from Article 3.1.6.E and Article 5.7.A of the Zoning Ordinance for Parcel Number 12-35-380-018, identified as 9522 Cooley Lake Road, in order to construct a covered porch addition that would encroach 6 feet into the required east front yard setback and 1.5 feet into the required south side yard setback, and a garage that would encroach 2 feet into the required the north side yard setback and 10 feet into the required west front yard setback. An 8-foot variance from the required lot width and a 2,439.17 square foot variance from the required lot area are 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.
- An as-built survey shall be required to verify setbacks and lot coverage.
- The shed shall be removed from the property prior to the final building inspection.
- The unlawful fence/screen shall be removed from the property prior to the final building inspection.

Denial: I move to deny the variances requested by Alan and Mary Peltier for Parcel Number 12-35-380-018, identified as 9522 Cooley Lake Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Alan and Mary Peltier to a date certain or other triggering mechanism for Parcel Number 12-35-380-018, identified as 9522 Cooley Lake Road, to consider comments stated during this hearing.

Attachments:

1. Variance application dated August 10, 2022.
2. Certificate of survey dated July 25, 2022.
3. Architectural garage plan dated July 13, 2022.
4. Letter of denial from the Building Official dated August 24, 2022.

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
Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: ALAN + MARY Peltier PHONE: 248-881-6061
ADDRESS: 9522 Cooley Lake Rd White Lake 48386
APPLICANT'S EMAIL ADDRESS: ournanasews@att.net
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9522 Cooley Lk. Rd white LK PARCEL # 12 35-380-018
CURRENT ZONING: R1D PARCEL SIZE: ~~65~~ 9561 sq. FT.

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: 3.1.6
VALUE OF IMPROVEMENT: \$ 20,000 SEV OF EXISITING STRUCTURE: \$ _____
garage

Doc # 20,000 →

STATE REASONS TO SUPPORT REQUEST: (ATTACH WRITTEN STATEMENT TO APPLICATION)

APPLICATION FEE: \$385.00 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: Alan Peltier DATE: 8-10-2022
Mary Peltier

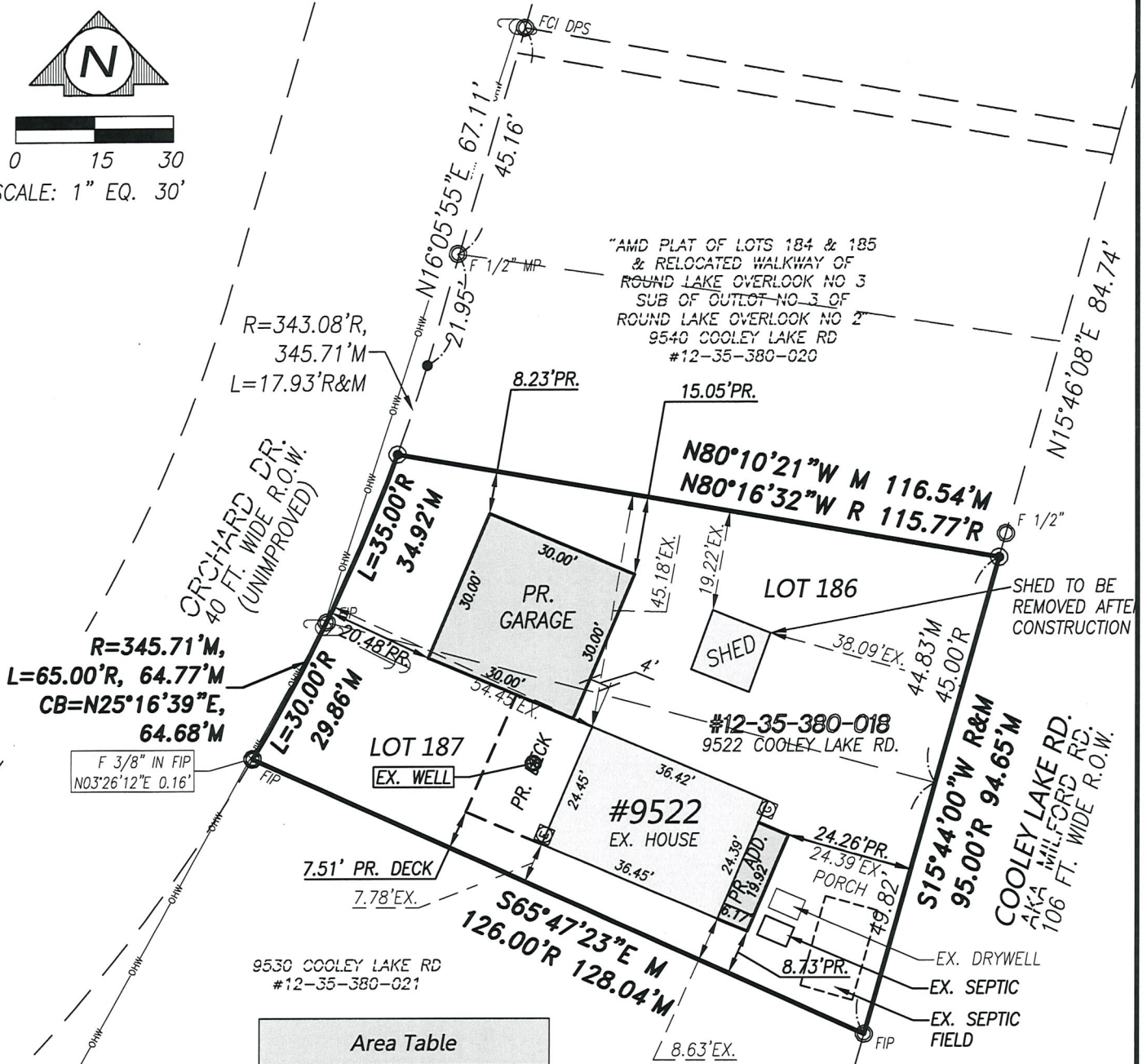
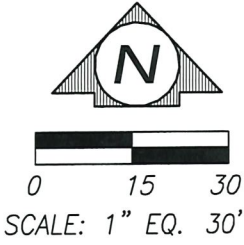
RECEIVED
AUG 16 2022
BUILDING DEPARTMENT

RECEIVED
AUG 2022
BUILDING DEPARTMENT

CERTIFICATE OF SURVEY

LOTS 186 & 187 OF "ROUND LAKE OVERLOOK NO. 3" SUBDIVISION OF OUTLOT NO. 3 OF ROUND LAKE OVERLOOK NO. 2, SECTION 35, T.3N., R.8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN L.46 OF PLATS, P.6, O.C.R.

ADDRESS: 9522 COOLEY LAKE ROAD, WHITE LAKE, MI 48386; PARCEL#:12-35-380-018



Area Table	
Parcel #	Area
LOTS 186 & 187	9,560.83S.F.
PR. GAR.	900.00S.F.
EX. HOUSE	889.67S.F.
PR. DECK	384.59S.F.
PR. ADDITION	122.97S.F.

PR. LOT COVERAGE
 HOUSE+GARAGE+ADDITION/LOT
 AREA=COVERAGE
 889.67+900+122.97=1,912.65
 1,912.65/9,560.83=
2000 OR 20.00%

LEGEND:

- FOUND IRON
- SET IRON
- R RECORD DISTANCE
- M MEASURED DISTANCE

THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE POLICY OR DEED THEREFORE, ALL EASEMENT OF RECORD AND OTHER FACTORS RELEVANT TO TITLE MAY NOT BE SHOWN. CLIENT PROVIDED DESCRIPTION FOR PROPERTY.

I HEREBY STATE THAT I HAVE SURVEYED AND MAPPED THE LAND PLATTED AND/OR DESCRIBED ABOVE ON JUNE 30, 2022 AND THAT ALL OF THE REQUIREMENTS OF PUBLIC ACT 132 OF 1970, AS AMENDED, HAVE BEEN COMPLIED WITH.

BASIS OF BEARING: THE EAST LINE OF LOTS 186 & 187 PER PLAT

PREPARED FOR:
 ALAN PELTIER
 9522 COOLEY LAKE RD.
 WHITE LAKE, MI 48386
 (248) 914-9586



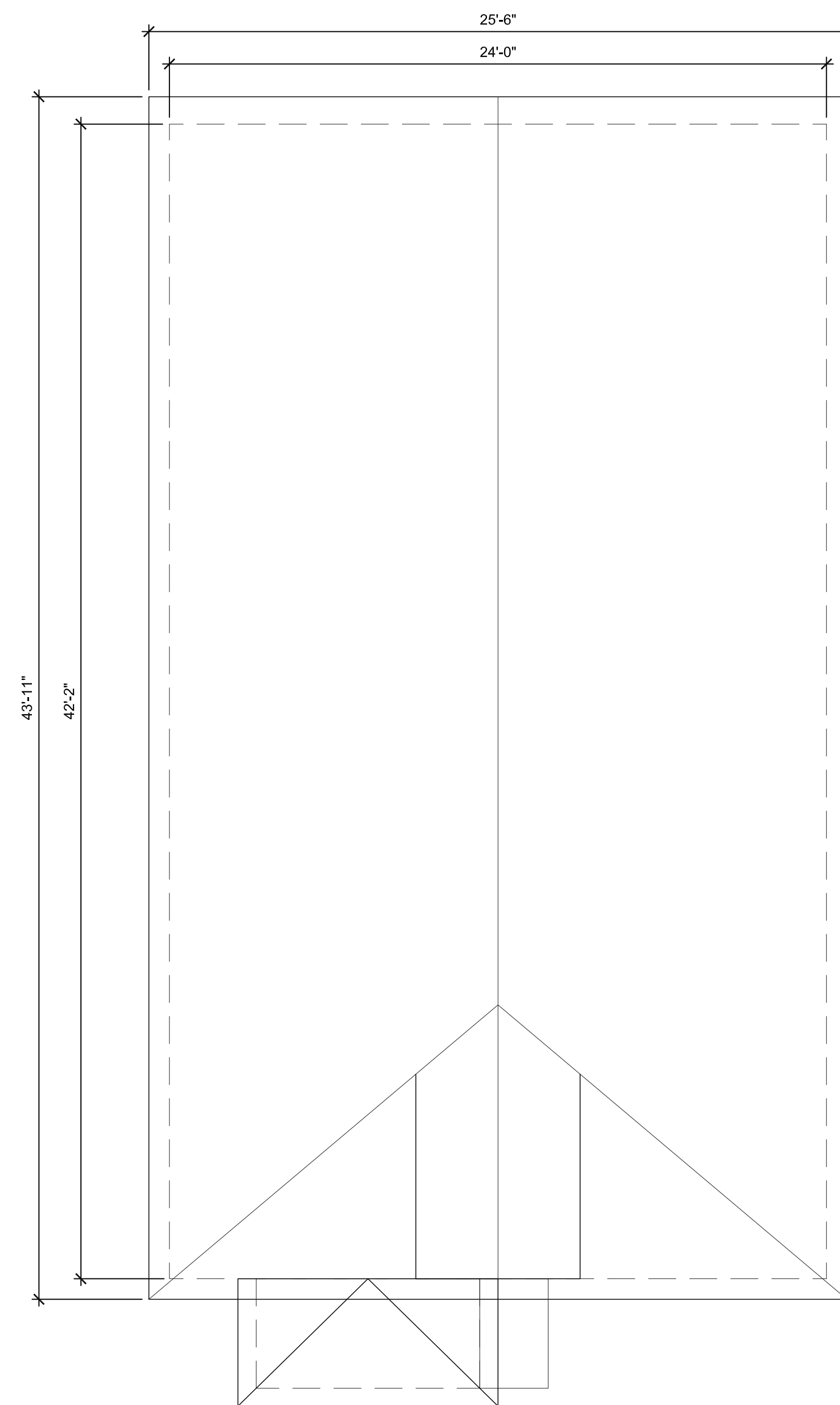
SHEET: 1 OF 1 BRADLEY GEORGE REICHERT P.S. #4001055923

Scale: 1"=30'
 Date: 7/25/22
 Job No. 22-082
 Drawn: B.G.R.

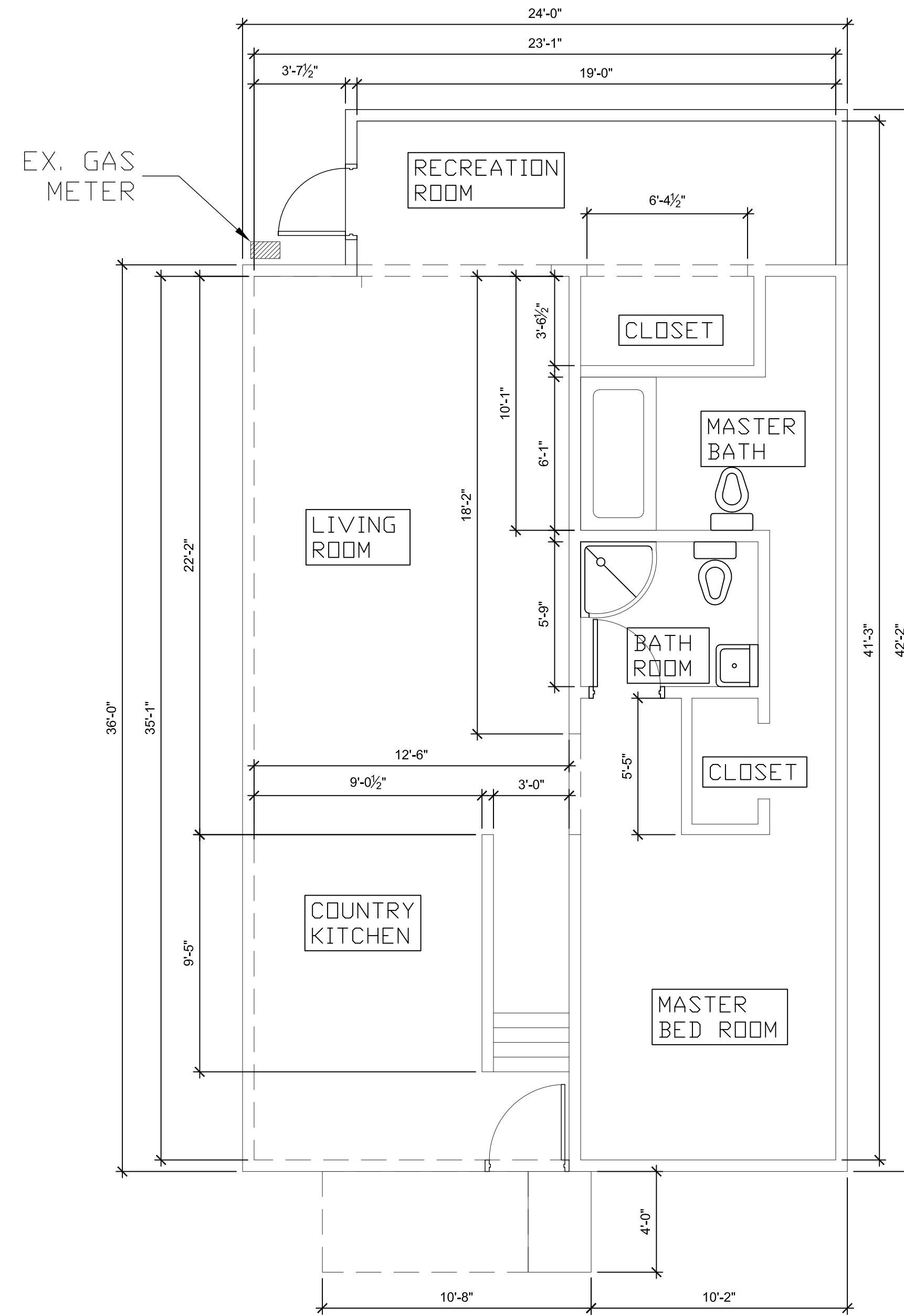


P 248.651.0592 F 248.656.7099
 Mail@ReichertSurveying.com
 140 Flumerfelt Lane - Rochester, MI 48306

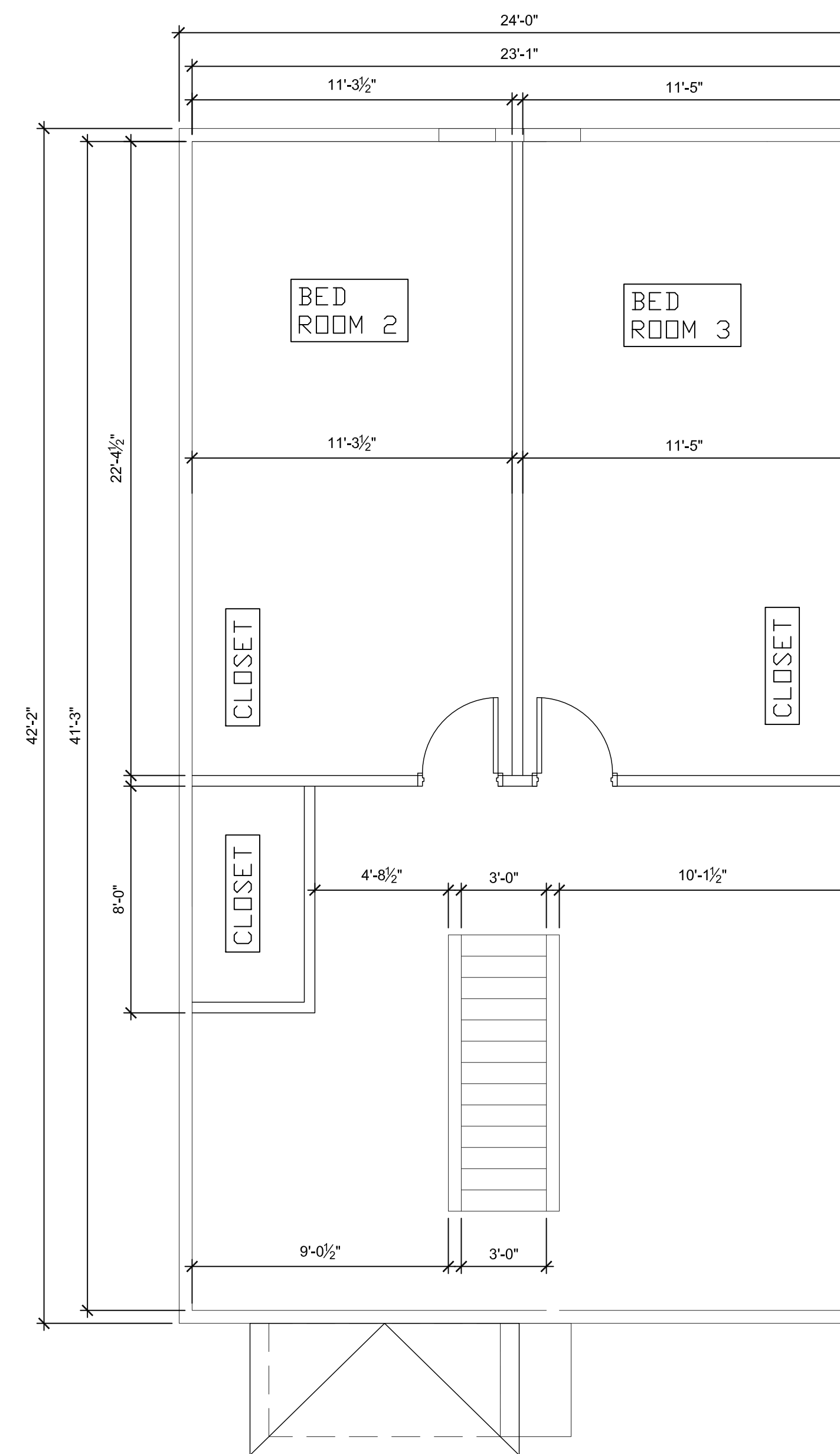
Date:	Rev. By:
7/27/22	BGR



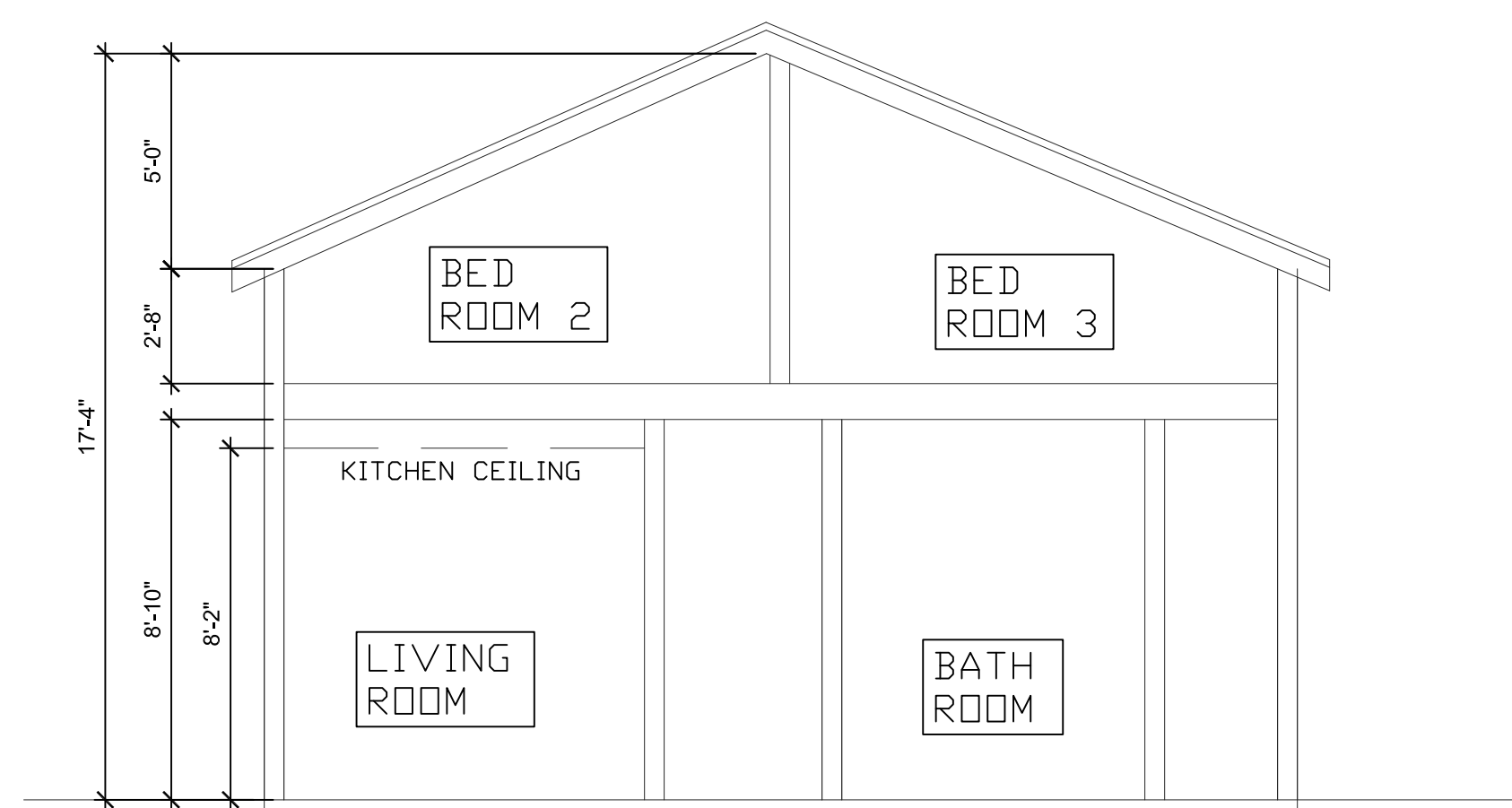
ROOF PLAN
SCALE: 1/4"=1'-0"



FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"



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

NOTES - WINDOWS

- ALL WINDOW NOTES AND CALL OUTS ARE BASED ON MARVIN INTEGRITY WOOD-ULTREX SEIRES.
- ALL WINDOWS SHALL BE ALUMINUM OR FRP CLAD WOOD CONSTRUCTION. INTERIOR WOOD SHALL BE UNFINISHED AND EXTERIOR IS COLORED BRONZE (COLOR MATCH TO MARVIN).
- IN OPENINGS WITH A SERIES OF THREE WINDOWS, THE CENTER WINDOW AND AWNING SHALL BE STATIONARY.
- MULLION KITS SHALL INCLUDE ALL NECESSARY FASTENERS, FILLER BLOCKS, SEALANT FOAM TAPE, INTERIOR MULLION TRIM, MULLION INSULATION AND WOOD TIE. **IN LIEU OF SEPARATE WINDOWS AND MULLION KITS, PROVIDE PRICE ALTERNATE FOR FACTORY ASSEMBLED PICTURE UNITS.**
- CASEMENT SHALL BE PUSH OUT STYLE OPERATION. **PROVIDE PRICE ALTERNATE TO INCLUDE OPERATOR IN LIEU OF PUSH OPEN OPERATION.**
- CASEMENT SHALL HAVE RETRACTABLE SCREEN ON ALL OPERABLE CASEMENT WINDOWS. **PROVIDE PRICE ALTERNATE FOR FACTORY INSTALL INSECT SCREEN.**
- AWNINGS SHALL BE TOP HINGED.
- WINDOW ASSEMBLY SHALL INCLUDE BRICK MOULD WITH SILL.
- WINDOW GRILLES SHALL BE BETWEEN THE GLASS STYLE. 9-LITE COTTAGE STYLE CUT. EXTERIOR BRONZE AND INTERIOR BRONZE. **PROVIDE PRICE ALTERNATE FOR REMOVABLE PINE GRILLES IN PLACE OF THE GRILL BETWEEN GLASS.**

NOTES - DOORS

- DOORS SHALL BE 3'-0" WIDE x 6'-8" TALL.
- DOOR NOTES AND CALL OUTS ARE BASED ON PELLA ENTRY SERIES DOOR, SMALL GLASS PANEL STYLE WITH CRAFTSMAN 3x2 LIGHT.
- DOOR SHALL BE CONSTRUCTED OF FIBERGLASS AND HAVE THE MAHOGANY GRAIN TEXTURE, PROVINCIAL COLOR.
- HINGES SHALL BE FINISHED WITH OIL-RUBBED BRONZE COLOR.

CONTACT STEVE FRENETTE FOR QUESTIONS OR CLARIFICATIONS.

- SFRENETTE@SALIGROUP-ES.COM
- 734.657.1501

IN ASSOCIATION WITH:

PERMIT REVIEW DRAWING
SET IS PLOTTED AT 1/2
SCALE.

REVISIONS

No.	ISSUE	Date

SHEET INFORMATION

DATE	07-13-2022
JOB NUMBER	-
SCALE	AS NOTED
DRAWN	SFRENETTE
CHECKED	-
APPROVED	STEVE FRENETTE

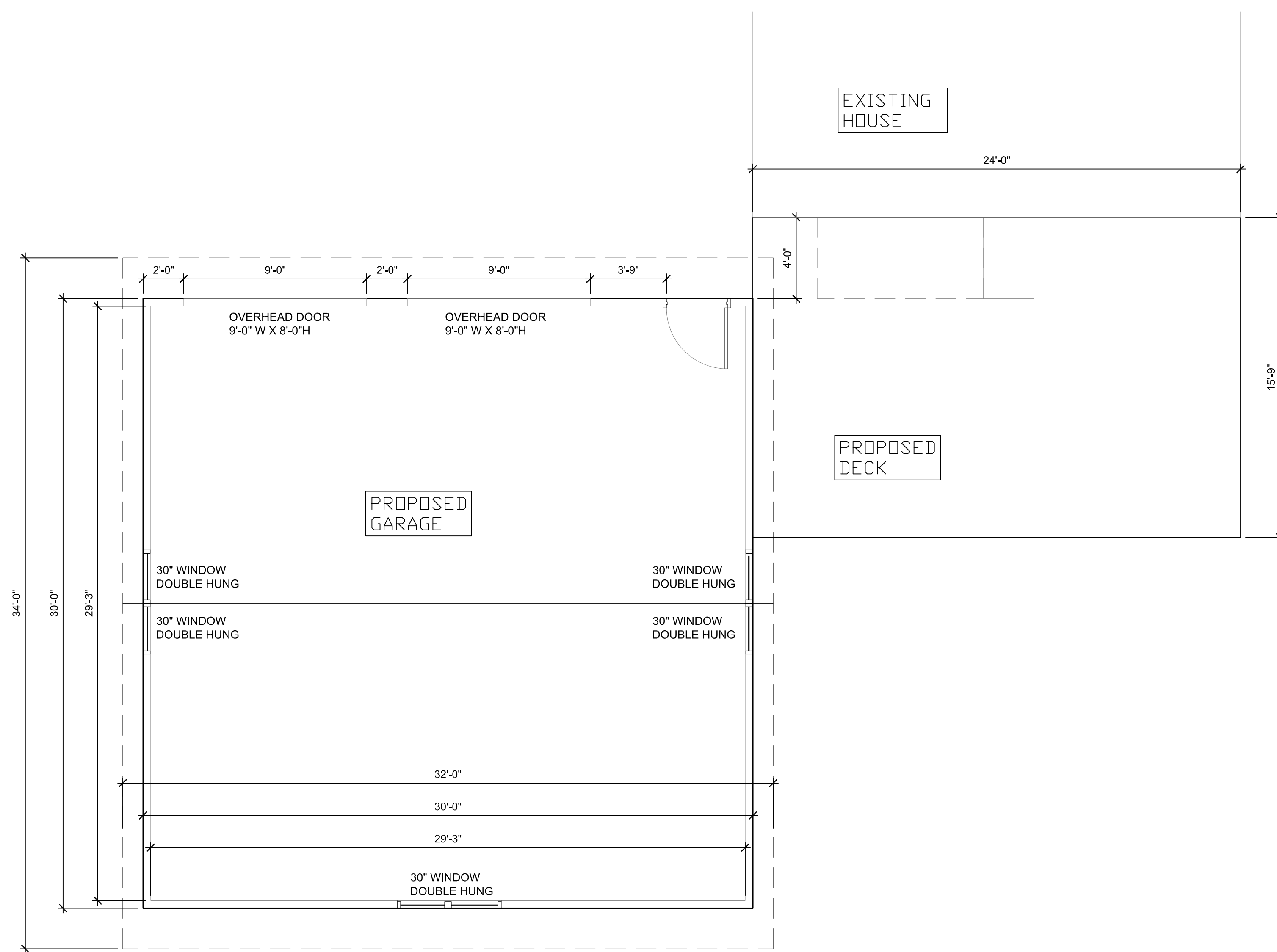
PROJECT
9522 COOLEY LAKE ROAD
COMMERCE TWP, MI
Lot: 09-09-32-229-019

TITLE
ARCHITECTURAL
HOUSE PLAN-PROPOSED

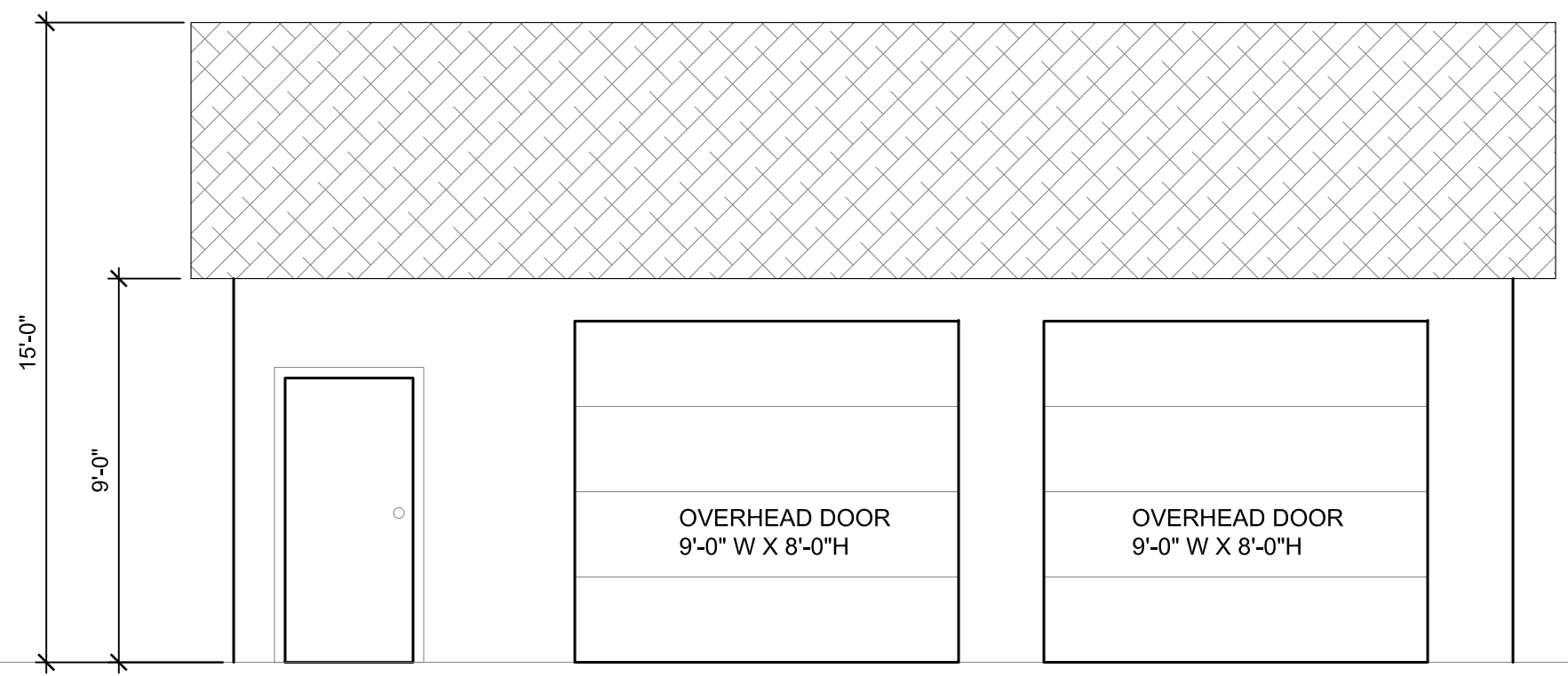
SHEET

FOR PERMIT
REVIEW

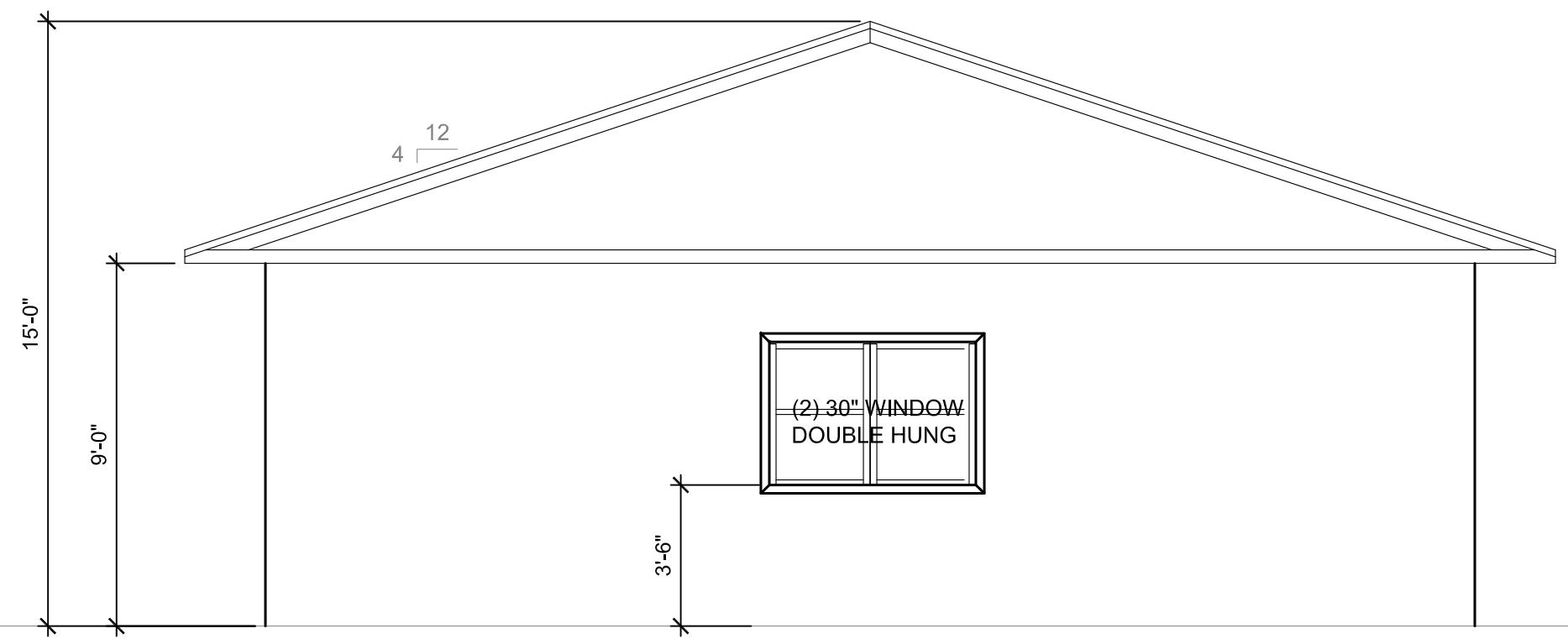
A1.1



PLAN VIEW
SCALE: 1/4"=1'-0"



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



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

FOR PERMIT REVIEW

IN ASSOCIATION WITH:

PERMIT REVIEW DRAWING
SET IS PLOTTED AT 1/2
SCALE.

REVISIONS		
No.	ISSUE	Date

SHEET INFORMATION	
DATE	07-13-2022
JOB NUMBER	-
SCALE	AS NOTED
DRAWN	SFRENETTE
CHECKED	-
APPROVED	STEVE FRENETTE
PROJECT	9522 COOLEY LAKE ROAD WHITE LAKE, MI Lot: 09-09-32-229-019
TITLE	ARCHITECTURAL GARAGE PLAN-PROPOSED

SHEET
A1.2

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

August 24, 2022

Alan Peltier
 9522 Cooley Lake Rd
 White Lake, MI 48386

RE: Proposed garage and addition

Based on the submitted plans, the proposed residential structure 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, minimum lot area of 12,000 sq ft, and minimum lot width of 80 ft.

Article 5.7 (A) of the White Lake Township Clear Zoning Ordinance: No detached garage or accessory building or structure shall be located closer than ten (10) feet to any principal structure or building, unless it conforms to all regulations of this Ordinance applicable to principal structures and buildings.

The existing lot and structure are legal non-conforming with a lot area of 9,560.83 sq ft. The proposed garage does not meet the required 10 ft offset from the principal structure to be exempt from meeting the required setbacks. The proposed structure would have an 8.2 ft side yard setback on the north side and 20.4 rear yard setback. Additionally, the proposed addition shown on the survey would have an 8.6 ft side yard setback on the south side and 24.2 front yard setback. If approved, the shed would also need to be removed prior to final building inspection to meet the 20% maximum lot coverage.

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 September 22nd Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than August 25th at 4:30 PM. **A certified boundary and location survey, which should include lot area and coverage, will be required by the ZBA.** 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: September 22, 2022

Agenda item: 7b

Appeal Date: September 22, 2022

Applicant: Ed Phillips/Phillips Sign & Lighting

Address: 40920 Executive Drive
Harrison, MI 48045

Zoning: LB Local Business

Location: 8545 Highland Road
White Lake, MI 48386

Property Description

The approximately 7.3-acre parcel identified as 8545 Highland Road is located on the south side of Highland Road, west of Pontiac Lake Road, and zoned LB (Local Business).

Applicant's Proposal

Ed Phillips/Phillips Sign and Lighting, the applicant, on behalf of property owner Girl Scouts of Southeast Michigan, is proposing to install a wall sign on the side elevation of the building.

Planner's Report

A maximum of one (1) wall sign is permitted for each principal building. The one permitted wall sign must be located flat against the building's front facade or parallel to the front facade on a canopy. The applicant is requesting a variance to install a 33.8 square foot wall sign on the west (side) elevation of the building.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 5.9.J.ii.a	Wall signs	Front Facade	Side Facade (west)	1 wall sign (west facade)

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by Ed Phillips/Phillips Sign and Lighting from Article 5.9.J.ii.a of the Zoning Ordinance for Parcel Number 12-24-126-009, identified as 8545 Highland Road, in order to install a 33.8 square foot wall sign on the west side elevation of the building. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- No additional signage shall be permitted on the building.
- Any future modification to signage on the building, except for eliminating signage, shall require approval of the Zoning Board of Appeals.

Denial: I move to deny the variance requested by Ed Phillips/Phillips Sign and Lighting for Parcel Number 12-24-126-009, identified as 8545 Highland Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Ed Phillips/Phillips Sign and Lighting to a date certain or other triggering mechanism for Parcel Number 12-24-126-009, identified as 8545 Highland Road, to consider comments stated during this hearing.

Attachments:

1. Variance application dated August 22, 2022.
2. Certificate of survey dated April 27, 2016.
3. Sign plan dated May 12, 2022.

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.

CH/) TER TOWNSHIP OF WHIT) LAKE
ZONING BOARD OF APPEALS APPLICATION

Item B.

Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: Ed Phillips/Phillips Sign & Lighting PHONE: 586-468-7110

ADDRESS: 40920 Executive Drive, Harrison Township, MI 48045

APPLICANT'S EMAILADDRESS: janet@phillipssign.com

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: Sign Contractor

ADDRESS OF AFFECTED PROPERTY: 8545 Highland Road PARCEL # 12 - 24-126-009

CURRENT ZONING: _____ PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Request to allow a wall sign on
the parking lot elevation of building

VALUE OF IMPROVEMENT: \$ 1,687.78 SEV OF EXISITING STRUCTURE: \$ _____

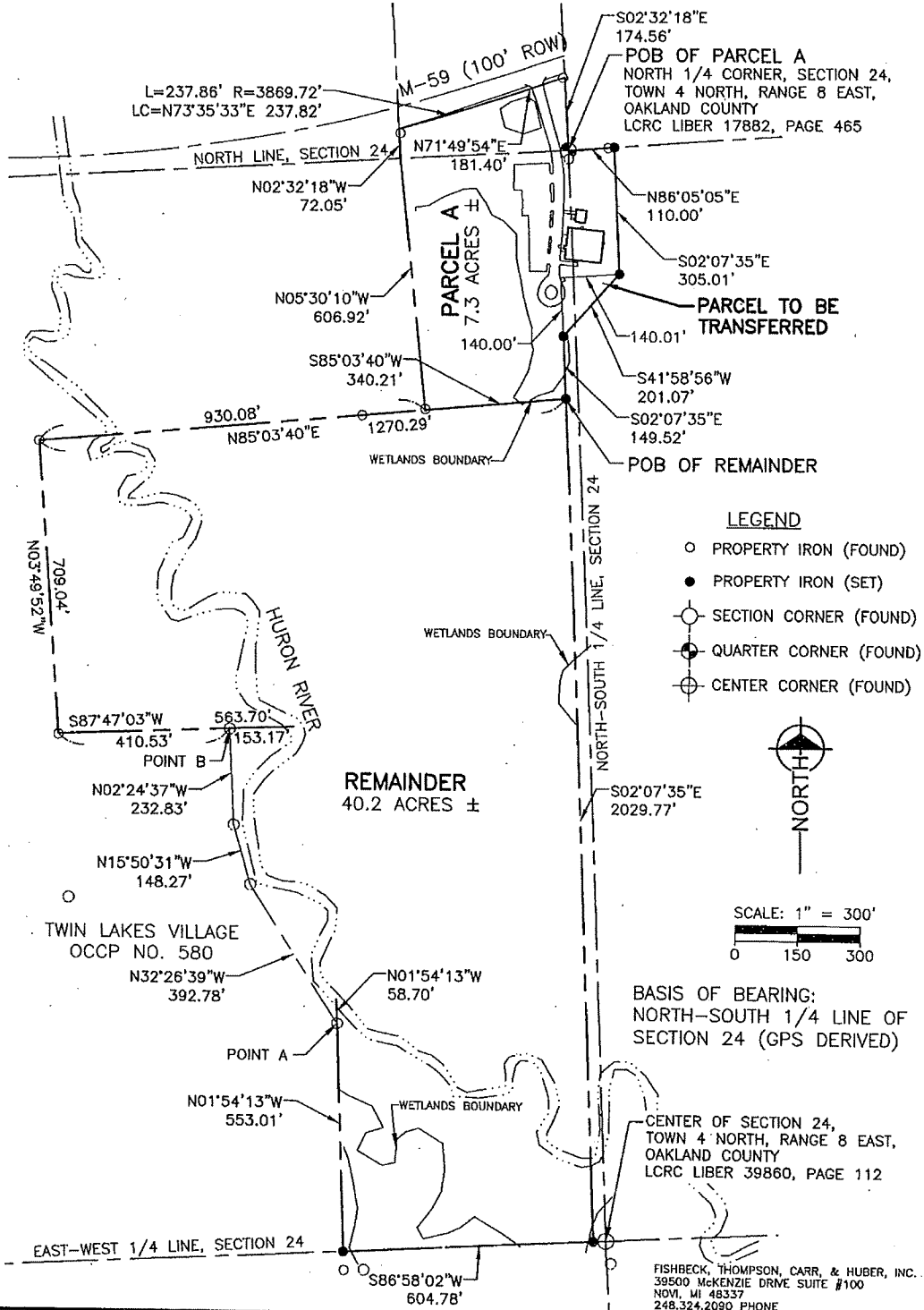
STATE REASONS TO SUPPORT REQUEST: (ATTACH WRITTEN STATEMENT TO APPLICATION)

APPLICATION FEE: 5440.⁰⁰ (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)

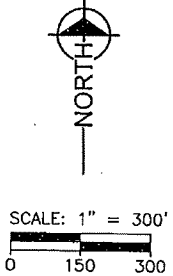
APPLICANT'S SIGNATURE: *Ed Phillips* DATE: 8-22-22

CERTIFICATE OF SURVEY

PART OF THE SOUTHWEST 1/4 OF SECTION 13,
PART OF THE NORTHWEST 1/4 OF SECTION 24,
AND PART OF THE NORTHEAST 1/4 OF SECTION 24,
TOWN 3 NORTH, RANGE 8 EAST,
TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY, MICHIGAN



- LEGEND**
- PROPERTY IRON (FOUND)
 - PROPERTY IRON (SET)
 - ⊙ SECTION CORNER (FOUND)
 - ⊕ QUARTER CORNER (FOUND)
 - ⊗ CENTER CORNER (FOUND)



BASIS OF BEARING:
NORTH-SOUTH 1/4 LINE OF SECTION 24 (GPS DERIVED)

CENTER OF SECTION 24,
TOWN 4 NORTH, RANGE 8 EAST,
OAKLAND COUNTY
LCRC LIBER 39860, PAGE 112

FISHBECK, THOMPSON, CARR, & HUBER, INC.
39500 MCKENZIE DRIVE SUITE #100
NOVI, MI 48337
248.324.2090 PHONE

	engineers scientists architects constructors	Certificate of Survey Oakland County, Michigan Section 13 & 24, Town 3 North, Range 8 East, Township of White Lake, Oakland County, Michigan	PROJECT NO. G150254 FIGURE NO. 1 of 3 04/27/16
	©Copyright 2016 All Rights Reserved. Plot RFD: 232016150254-CAD/SURVEY/150254_PA_132 CERTIFICATE OF SURVEY.DWG. Hard copy is intended to be 9.5"x14" when plotted. Scale(s) indicated and graphic quality may not be accurate for any other size.		fishbeck, thompson, carr & huber, inc.


CERTIFICATE OF SURVEY

PART OF THE SOUTHWEST 1/4 OF SECTION 13,
PART OF THE NORTHWEST 1/4 OF SECTION 24,
AND PART OF THE NORTHEAST 1/4 OF SECTION 24,
TOWN 3 NORTH, RANGE 8 EAST,
TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY, MICHIGAN

PARENT PARCEL (FROM TITLE COMMITMENT 63-15415692-SCM DATED APRIL 8, 2015):

THAT PART OF EAST 405.58 FEET OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 13 LYING SOUTHERLY OF M-59 HIGHWAY, ALSO NORTHEAST 1/4 OF NORTHWEST 1/4 OF SECTION 24, TOWN 3 NORTH, RANGE 8 EAST, TOWNSHIP OF WHITE LAKE, COUNTY OF OAKLAND, STATE OF MICHIGAN, EXCEPT BEGINNING ON NORTH LINE OF SECTION 24 DISTANT NORTH 87 DEGREES 47 MINUTES 00 SECONDS WEST 405.58 FEET FROM NORTH 1/4 CORNER; THENCE SOUTH 01 DEGREES 51 MINUTES 30 SECONDS WEST 605.50 FEET; THENCE WEST 930.07 FEET; THENCE NORTH 01 DEGREES 25 MINUTES 15 SECONDS EAST 646.26 FEET; THENCE SOUTH 87 DEGREES 47 MINUTES 00 SECONDS EAST 916.94 FEET TO BEGINNING, ALSO THAT PART OF EAST 1/2 OF NORTHWEST 1/4 OF SECTION 24 LYING EAST OF CENTERLINE OF HURON RIVER AND WEST OF A LINE DESCRIBED AS BEGINNING AS POINT DISTANT SOUTH 89 DEGREES 47 MINUTES 35 SECONDS EAST 1319.49 FEET AND SOUTH 01 DEGREES 25 MINUTES 15 SECONDS EAST 1332.49 FEET FROM NORTHWEST CORNER OF SECTION 24; THENCE SOUTH 89 DEGREES 48 MINUTES 28 SECONDS EAST 644.96 FEET; THENCE SOUTH 00 DEGREES 16 MINUTES 18 SECONDS WEST 1314.21 FEET TO ENDING, ALSO EAST 1/2 OF SOUTHWEST 1/4 OF NORTHWEST 1/4 OF SECTION 24 EXCEPT THAT PART TAKEN FOR TWIN LAKES VILLAGE, OCCP NO. 580, ALSO EXCEPT BEGINNING AT POINT DISTANT SOUTH 00 DEGREES 37 MINUTES 29 SECONDS WEST 305 FEET FROM NORTH 1/4 CORNER OF SECTION 24; THENCE SOUTH 00 DEGREES 37 MINUTES 29 SECONDS WEST 2318.36 FEET; THENCE NORTH 89 DEGREES 29 MINUTES 17 SECONDS WEST 30 FEET; THENCE NORTH 00 DEGREES 37 MINUTES 29 SECONDS EAST 2318.36 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 17 SECONDS EAST 30 FEET TO BEGINNING, ALSO PART OF NORTHEAST 1/4 OF SECTION 24 BEGINNING AT NORTH 1/4 CORNER OF SECTION 24; THENCE NORTH 88 DEGREES 51 MINUTES 59 SECONDS EAST 110 FEET; THENCE SOUTH 00 DEGREES 37 MINUTES 29 SECONDS WEST 305 FEET; THENCE SOUTH 88 DEGREES 51 MINUTES 59 SECONDS WEST 110 FEET TO NORTH-SOUTH 1/4 LINE; THENCE NORTH 00 DEGREES 37 MINUTES 29 SECONDS EAST 305 FEET TO BEGINNING.

FISHBECK, THOMPSON, CARR, & HUBER, INC.
39500 MCKENZIE DRIVE SUITE #100
NOVI, MI 48337
248.324.2090 PHONE

 engineers scientists architects constructors	Certificate of Survey Oakland County, Michigan		PROJECT NO. G150254
	Section 13 & 24, Town 3 North, Range 8 East, Township of White Lake, Oakland County, Michigan		FIGURE NO. 2 of 3
		04/27/16	

©Copyright 2018 All Rights Reserved. Plot Info: Z:\2018\150254\CAD\SURVEY\150254_PA_132 CERTIFICATE OF SURVEY.DWG. Fishbeck, Thompson, Carr & Huber, Inc.

CERTIFICATE OF SURVEY

PART OF THE SOUTHWEST 1/4 OF SECTION 13,
PART OF THE NORTHWEST 1/4 OF SECTION 24,
AND PART OF THE NORTHEAST 1/4 OF SECTION 24,
TOWN 3 NORTH, RANGE 8 EAST,
TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY, MICHIGAN

PARCEL A (AS SURVEYED):

THAT PART OF EAST 405.58 FEET OF SOUTHEAST 1/4 OF SOUTHWEST 1/4 OF SECTION 13 LYING SOUTHERLY OF M-59 HIGHWAY, ALSO PART OF THE NORTHEAST 1/4 OF NORTHWEST 1/4 OF SECTION 24, AND PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWN 3 NORTH, RANGE 8 EAST, TOWNSHIP OF WHITE LAKE, COUNTY OF OAKLAND, STATE OF MICHIGAN, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF SAID SECTION, N86°05'05"E 110.00 FEET; THENCE S02°07'35"E 305.01 FEET; THENCE S41°58'56"W 201.07 FEET; THENCE PARALLEL WITH THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 24, S02°07'35"E 149.52 FEET; THENCE S85°03'40"W 340.21 FEET; THENCE N05°30'10"W 606.92 FEET TO THE SOUTH LINE OF SAID SECTION 13; THENCE N02°32'18"W 72.05 FEET TO THE THE SOUTH RIGHT-OF-WAY LINE OF M-59 (100' WIDE ROW); THENCE NORTHEASTERLY ALONG THE ARC OF A 3869.72 FOOT RADIUS CURVE TO THE LEFT 237.86 FEET, LONG CHORD BEARING N73°35'33"E 237.82 FEET; THENCE N71°49'54"E 181.40 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 13; THENCE ALONG SAID NORTH-SOUTH 1/4 LINE, S02°32'18"E 174.56 FEET TO THE POINT OF BEGINNING.

SAID PARCEL A CONTAINS 7.3 ACRES, MORE OR LESS.

REMAINDER (AS SURVEYED):

PART OF THE NORTHWEST 1/4 OF SECTION 24, TOWN 3 NORTH, RANGE 8 EAST, TOWNSHIP OF WHITE LAKE, COUNTY OF OAKLAND, STATE OF MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 24; THENCE ALONG THE NORTH LINE OF SAID SECTION, N86°05'05"E 110.00 FEET; THENCE S02°07'35"E 305.01 FEET; THENCE S41°58'56"W 201.07 FEET; THENCE PARALLEL WITH THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 24, S02°07'35"E 149.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING PARALLEL WITH THE NORTH-SOUTH 1/4 LINE OF SAID SECTION, S02°07'35"E 2029.77 FEET TO THE EAST-WEST 1/4 LINE OF SAID SECTION; THENCE ALONG SAID EAST-WEST 1/4 LINE, S86°58'02"W 604.78 FEET; THENCE N01°54'13"W 553.01 FEET TO POINT A; THENCE CONTINUING N01°54'13"W 58.70 FEET, MORE OR LESS, TO THE CENTER OF HURON RIVER; THENCE NORTHWESTERLY ALONG THE CENTER OF HURON RIVER TO A POINT LYING N87°47'03"E 153.17 FEET FROM POINT B; THENCE S87°47'03"W 153.17 FEET TO POINT B, SAID POINT B BEING THE FOLLOWING THREE COURSES FROM POINT A: N32°26'39"W 392.78 FEET; N15°50'31"W 148.27 FEET; N02°24'37"W 232.83 FEET; THENCE S87°47'03"W 410.53 FEET; THENCE N03°49'52"W 709.04 FEET; THENCE N85°03'40"E 1270.29 FEET TO THE POINT OF BEGINNING.

SAID REMAINDER CONTAINS 40.2 ACRES, MORE OR LESS.

NOTE: THIS ENTIRE REMAINDER PARCEL LIES WITHIN PARCEL NO. Y 12-24-126-008 DATED APRIL 10, 2015.

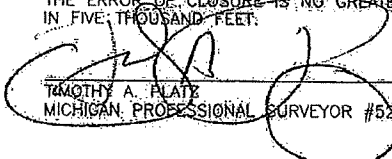
SURVEYOR'S NOTES:

- 1) SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE MAY DISCLOSE.
- 2) SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
- 3) SET IRONS ARE 18" LONG BY 1/2" DIAMETER RE-ROD THAT HAVE YELLOW CAPS INSCRIBED WITH "FTC&H P.S. 52479"

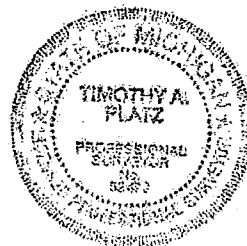
SURVEYOR'S CERTIFICATE:

TO: COUNTY OF OAKLAND, GIRLS SCOUTS OF SOUTHEASTERN MICHIGAN, SEAVER TITLE AGENCY, AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY:


I HEREBY CERTIFY THAT THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF P.A. 132 OF 1970 AS AMENDED, THAT THE CORNERS WERE SET OR FOUND AS SHOWN, AND THAT THE ERROR OF CLOSURE IS NO GREATER THAN ONE FOOT IN FIVE THOUSAND FEET.


 TIMOTHY A. PLATZ
 MICHIGAN PROFESSIONAL SURVEYOR #52479

APRIL 27, 2016



FISHBECK, THOMPSON, CARR, & HUBER, INC.
39500 McKENZIE DRIVE SUITE #100
NOVI, MI 48337
248.324.2090 PHONE

 engineers scientists architects constructors	Certificate of Survey Oakland County, Michigan Section 13 & 24, Town 3 North, Range 8 East, Township of White Lake, Oakland County, Michigan	PROJECT NO. G150254	3 of 3
		FIGURE NO. 04/27/16	

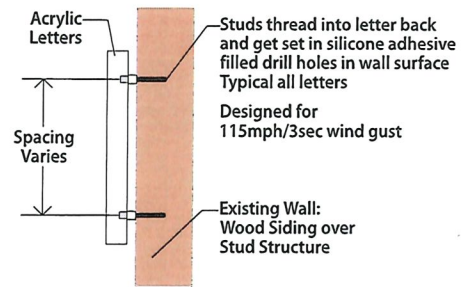
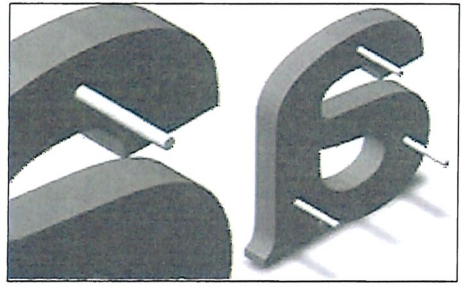
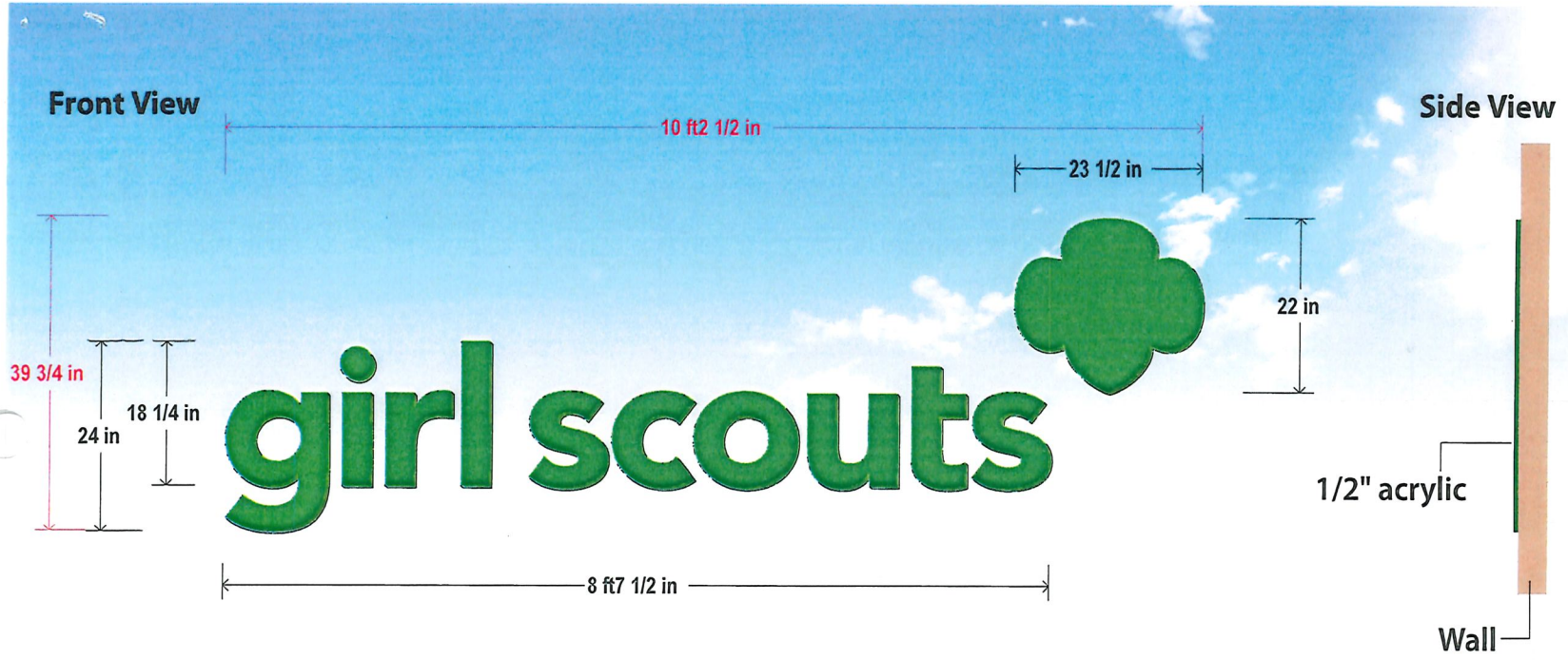
©Copyright 2016 All Rights Reserved. Plot Info: 240019150254CADSURVEY1150254_PA 132 CERTIFICATE OF SURVEY.DWG. Fishbeck, Thompson, Carr & Huber, Inc.

Item Item B.
TOTAL SIGN AREA

Non-Illuminated Dimensional Logo Wall Sign
Qty: (1)

Lead #: P21001269-41222
PROJECT: Girl Scouts White Lake
FILE: 41222-PERMIT
Girl Scouts White Lake-Wall 1
SITE ADDRESS: 8545 Highland Rd., White Lake, MI
LEAD: RG REVISION: -
LAYOUT: KP
Date: 5-12-22

Replace Dimensional Logo: Acrylic Letters / Logo painted per client approved color.



Typical Silicone Adhesive Properties			
Method	Test	Unit	Result
As Supplied	Color		Black, gray, white
MIL-S-8802	Tack-Free Time, 50% RH	minutes	65
	Curing Time 25°C (77°F) at 50% RH	days	7-14
	Full Adhesion	days	14-21
	Flow, Sag, or Slump	inches	0.1
	Working Time	minutes	10-20
	Specific Gravity		1.339
	VOC Content ¹	g/L	30
As Cured – After 7 days at 25°C (77°F), 50% RH			
ASTM D2240	Durorometer Hardness, Shore A	points	40
ASTM D0412	Ultimate Tensile Strength	Psi (MPa)	350 (2.41)
	Ultimate Elongation	%	525
ASTM D0624	Tear Strength, die B	ppi	49
ASTM C0794	Peel Strength	ppi	40
As Cured – After 21 days at 25°C (77°F), 50% RH			
ASTM C1135	Tensile at 25% Elongation	psi (MPa)	43 (0.30)
ASTM C1135	Tensile at 50% Elongation	psi (MPa)	65 (0.43)
	Ultimate Tensile Strength	psi (MPa)	170 (1.17)
ASTM C719	Joint Movement Capability	%	±50

COLOR:
Paint: PMS 355
Finish: Gloss



visit us at phillipssign.com

Approved: RL

Date: 7-13

Permit: DM 7-13-22

40920 Executive Dr
Harrison Twp., MI 48045-1363

West Elevation 77' +- Lin Ft Frontage

Simulated Elevation View



Existing @ Site



Item Item B.
TOTAL SIGN AREA

Non-Illuminated Dimensional Logo Wall Sign
Qty: (1)

Lead #: P21001269-41222	
PROJECT: Girl Scouts White Lake	
FILE: 41222-PERMIT Girl Scouts White Lake-Wall 1	
SITE ADDRESS: 8545 Highland Rd., White Lake, MI	
LEAD: RG	REVISION: --
LAYOUT: KP	
Date: 5-12-22	

Replace Dimensional Logo:
Acrylic Letters / Logo painted
per client approved color.

Designs, details and plans represented herein are the sole property of Phillips Sign & Lighting, Inc. All or any part of these designs (except registered trademarks) are protected. Attempts to duplicate designs without written consent may result in Legal Repercussions.

phillips SIGN & LIGHTING Inc.
PS&L
Ph: 586.468.7110

visit us at: phillipssign.com

Approved: *R/G*

Date: *7-13*

Permit: DM 7-13-22

40920 Executive Drive
Harrison Twp., MI
48045-1363



SITE PLAN Item B.

Lead #: P21001269-41222

PROJECT: Girl Scouts White Lake

FILE: 41222-PERMIT
Girl Scouts White Lake-Wall 1

SITE ADDRESS: 8545 Highland Rd.,
White Lake, MI

LEAD: RG

REVISION:

LAYOUT: KP

Date:
5-12-22

Location of proposed wall sign
to be installed

Designs, details and plans represented herein are
the sole property of Phillips Sign & Lighting, Inc.
All or any part of these designs (except registered trademarks)
are protected. Attempts to duplicate designs without
written consent may result in Legal Repercussions.

phillips SIGN & LIGHTING inc.

PS&L

Ph: 586.468.7110

visit us at: phillipssign.com

Approved: RG

Date: 7-13

Permit: DM 7-13-22

40920 Executive Dr.
Harrison Twp., MI
48045-1363

26

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: September 22, 2022

Agenda item: 7c

Appeal Date: September 22, 2022

Applicant: Mark Johnson

Address: 150 Danforth Drive
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 150 Danforth Drive
White Lake, MI 48386

Property Description

The approximately 0.366-acre (15,922 square feet) parcel identified as 150 Danforth Drive is located on the Huron River/Oxbow Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,008 square feet in size) utilizes a private well for potable water and private septic system for sanitation. The double lot contains 100 feet in width at the front property line.

Applicant's Proposal

Mark Johnson, the applicant, intends to demolish/remove the existing garage and shed, construct an addition including an attached garage towards the road (south) and west side lot line.

Planner's Report

In 2021 the Zoning Board of Appeals approved variance requests from the applicant for the project. Variances are valid for a period of six months from the date of approval, unless a building permit is obtained within such period and the work associated with the variance is started and proceeds to completion in accordance with the terms of the building permit. The applicant did not obtain a building permit within six months of approval so the variances expired and are void. The following variances were previously granted:

- 7.6-foot variance from the front yard setback (17.6-foot variance was requested)
- 102% variance from the allowed value of improvements to a nonconforming structure

The existing house was built in 1976 and is nonconforming because it does not meet the 10-foot side yard setback on the east side. The existing detached garage to be demolished is 480 square feet in size. As proposed, the three-car attached garage would be 1,020 square feet and located 17.7 feet from the front (south) lot line. Therefore, the applicant is requesting a 12.3-foot variance to encroach into the front yard setback. The proposed first floor living space addition is 2,123 square feet in size and the proposed second story is 1,350 square feet. Including the garage, with the addition the house would be 5,501 square feet.

Unlike the request from 2021, a rear addition would not encroach within the east side yard setback. An existing sunroom at the rear of the house is proposed to be removed.

Including the swimming pool (with wading pool and hot tub as indicated on the architectural plans), the proposed lot coverage is 30% (4,730 square feet), which is 10% (1,546 square feet) beyond the 20% maximum lot coverage allowed (3,184 square feet).

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 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 (\$97,870), the maximum extent of improvements cannot exceed \$48,935. The value of the proposed work is \$215,000, with the garage portion approximately \$50,000. A variance to exceed the allowed value of improvements by 102% is requested.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Front yard setback	30 feet	12.3 feet	17.7 feet
2	Article 3.1.6.E	Maximum lot coverage	20% (3,184 square feet)	10% (1,546 square feet)	30% (4,730 square feet)
3	Article 7.28.A	Nonconforming structure	50% SEV (\$48,935)	102%	\$1,065 over allowed improvements

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Mark Johnson from Article 3.1.6.E and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-23-376-004, identified as 150 Danforth Drive, in order to construct a three-car attached garage addition that would encroach 12.3 feet into the required front yard setback, and exceed the allowed lot coverage by 10 percent. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 102%. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Department.
- No mechanical units, including HVAC system or generator, shall be placed within the side yard setbacks.
- A foundation certificate shall be required prior to the backfill inspection by the Building Department.
- An as-built survey shall be required to verify setbacks and lot coverage.

Denial: I move to deny the variances requested by Mark Johnson for Parcel Number 12-23-376-004, identified as 150 Danforth Drive, due to the following reason(s):

Postpone: I move to postpone the appeal of Mark Johnson to a date certain or other triggering mechanism for Parcel Number 12-23-376-004, identified as 150 Danforth Drive, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated August 24, 2022.
2. Site plan.
3. Floor plans (revision date July 29, 2022).
4. Exterior elevations dated July 12, 2022.
5. Email from Alpine Land Surveying dated September 12, 2022.
6. Minutes of the September 23, 2021 Zoning Board of Appeals Meeting.

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.

CHAPTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION

Item C.

Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: Mark Johnson PHONE: 262 685 7160
ADDRESS: 150 DANFORTH ST.
APPLICANT'S EMAIL ADDRESS: Mj.consultations@gmail.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 150 DANFORTH ST. PARCEL # 12-23-376.004
CURRENT ZONING: R1-D PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____

VALUE OF IMPROVEMENT: \$ 250,000 SEV OF EXISTING STRUCTURE: \$ _____

STATE REASONS TO SUPPORT REQUEST: (ATTACH WRITTEN STATEMENT TO APPLICATION)

APPLICATION FEE: 385.00 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)

APPLICANT'S SIGNATURE: [Signature] DATE: 8/24/22

SKETCH OF SURVEY

Prepared For: MARK JOHNSON 150 Danforth St. White Lake, MI 48386 (262) 685-7160

Legal Description:

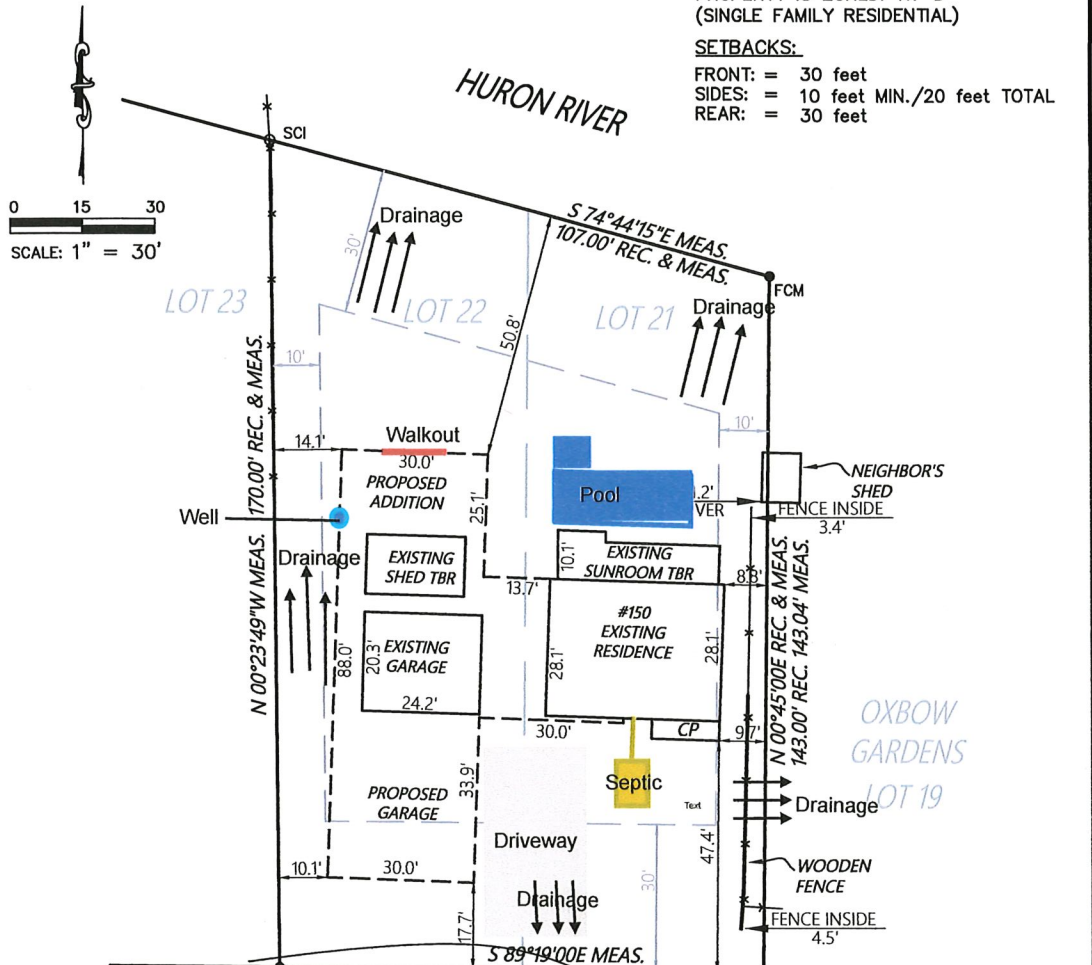
Lots 21 and 22 of OX BOW HIGHLANDS, a subdivision of part of the South East 1/4 of Section 23, and part of the North East 1/4 of the North West 1/4 of Section 26, T. 3 N., R. 8 E., Township of White Lake, Oakland County, Michigan as recorded in Oakland County Records.
 PARCEL ID: 12-23-376-004

ZONING:

PROPERTY IS ZONED: R1-D
 (SINGLE FAMILY RESIDENTIAL)

SETBACKS:

FRONT: = 30 feet
 SIDES: = 10 feet MIN./20 feet TOTAL
 REAR: = 30 feet



NOTE:
 NEIGHBOR'S SHED CROSSES PLATTED LOT LINE AS SHOWN.

GRAVEL ROAD CROSSES PLATTED LOT LINE AS SHOWN.

FENCE CROSSES PLATTED LOT LINE AS SHOWN.

NO TITLEWORK WAS SUPPLIED BY CLIENT, THEREFORE ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.

BEARING BASIS:
 HELD BEARING BASIS ALONG EAST LINE OF PLAT AS PER RECORD.

I hereby certify only to the parties hereon, that we have surveyed, at the direction of said parties, the above described lot, and that we have found or set as noted hereon, permanent markers at the exterior corners of said lot and that all visible encroachments of a permanent nature upon said lot, are as shown on this survey. Said lot subject to all easements and restrictions of record.

LEGEND

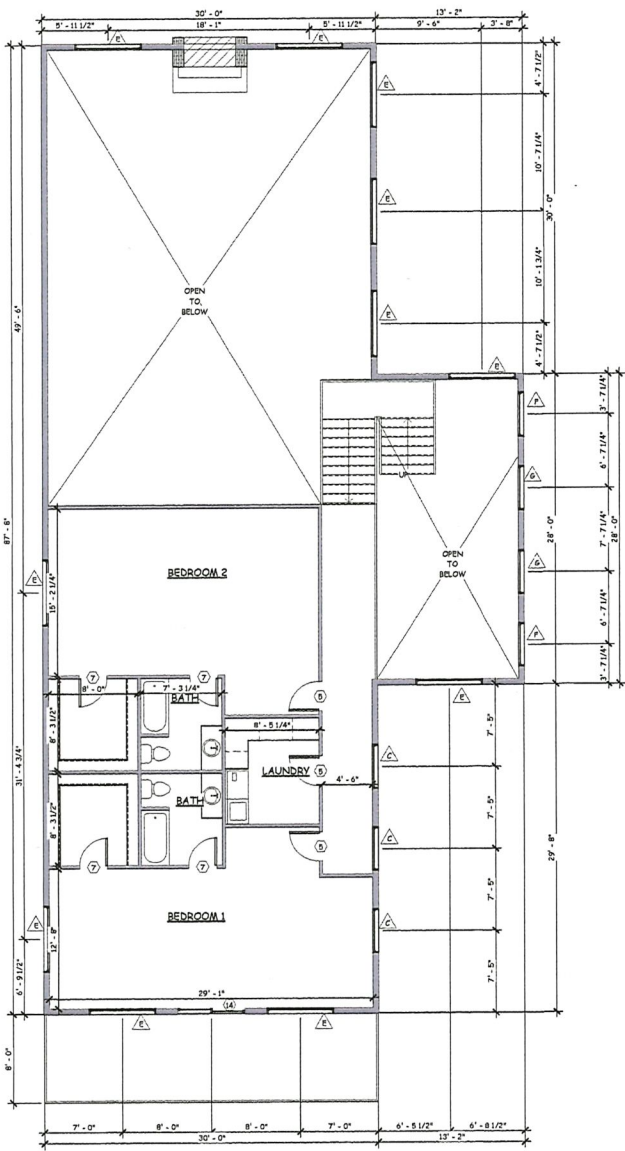
- — IRON SET
- — IRON FOUND
- ⊙ — FOUND CONC MONUMENT
- MEAS. — MEASURED
- REC. — RECORDED
- TBR — TO BE REMOVED
- FIP — FOUND IRON PIPE
- SCI — SET CAPPED IRON
- FCM — FOUND CONC MONUMENT
- X — EXISTING FENCE

ALPINE
Land Surveying, Inc.

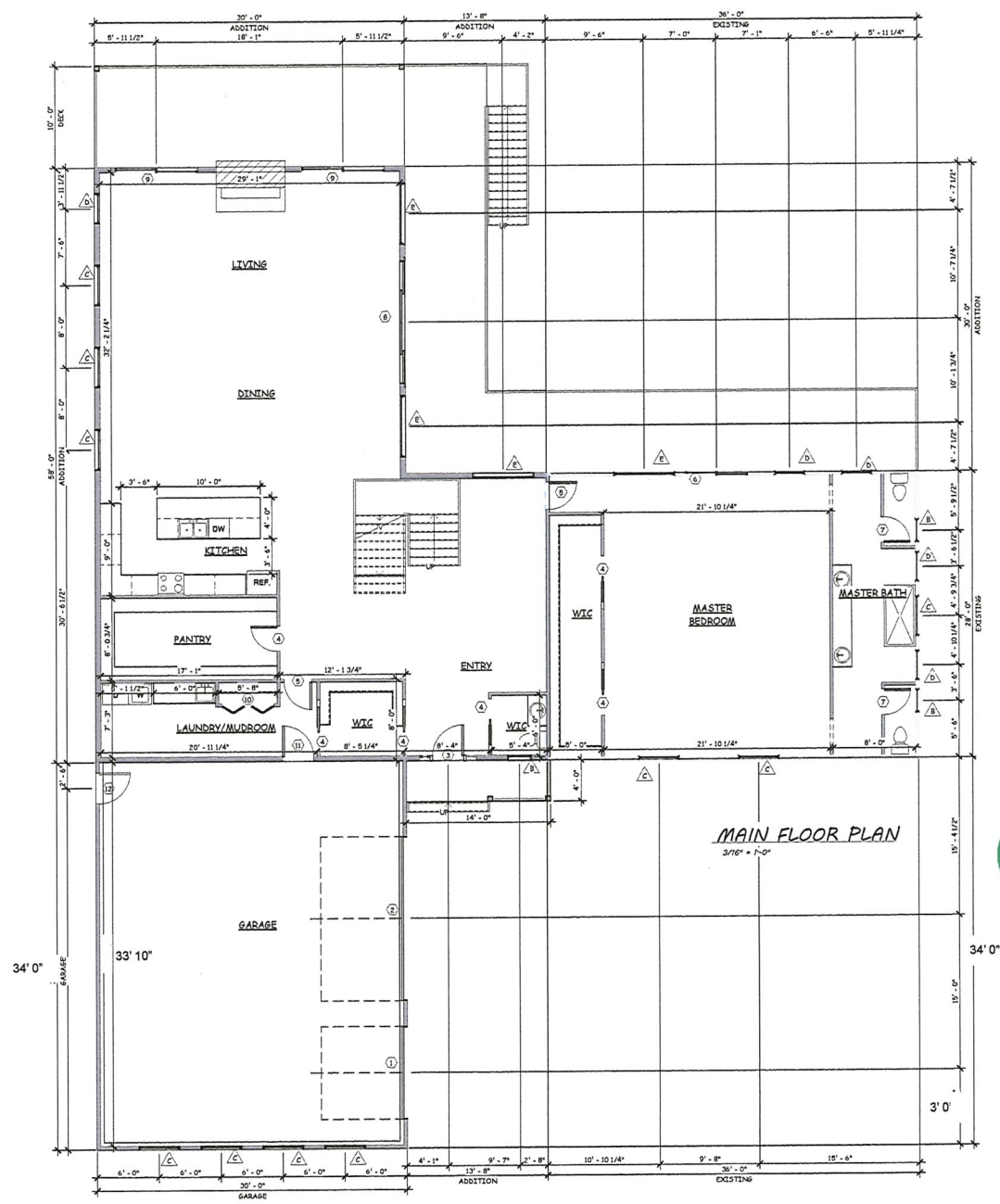
11590 HIGHLAND ROAD, SUITE #100
 HARTLAND, MICHIGAN, 48353
 PHONE: 810-207-8050

FIELD: KG	DATE: 08-25-2021
DRAWN: DJS	JOB NO: 21-5615
CHECKED: KG	SHEET: 1 OF 1
REVISED: 8-11-2022 to revise size of proposed house	

KAROL L. GROVE
 LICENSED PROFESSIONAL SURVEYOR #39075



UPPER FLOOR PLAN
3/16" = 1'-0"



MAIN FLOOR PLAN
3/16" = 7'-0"

HOUSE PLANS FOR
MARK JOHNSON
150 DANFORTH
WHITE LAKE, MI



Project No.
2722

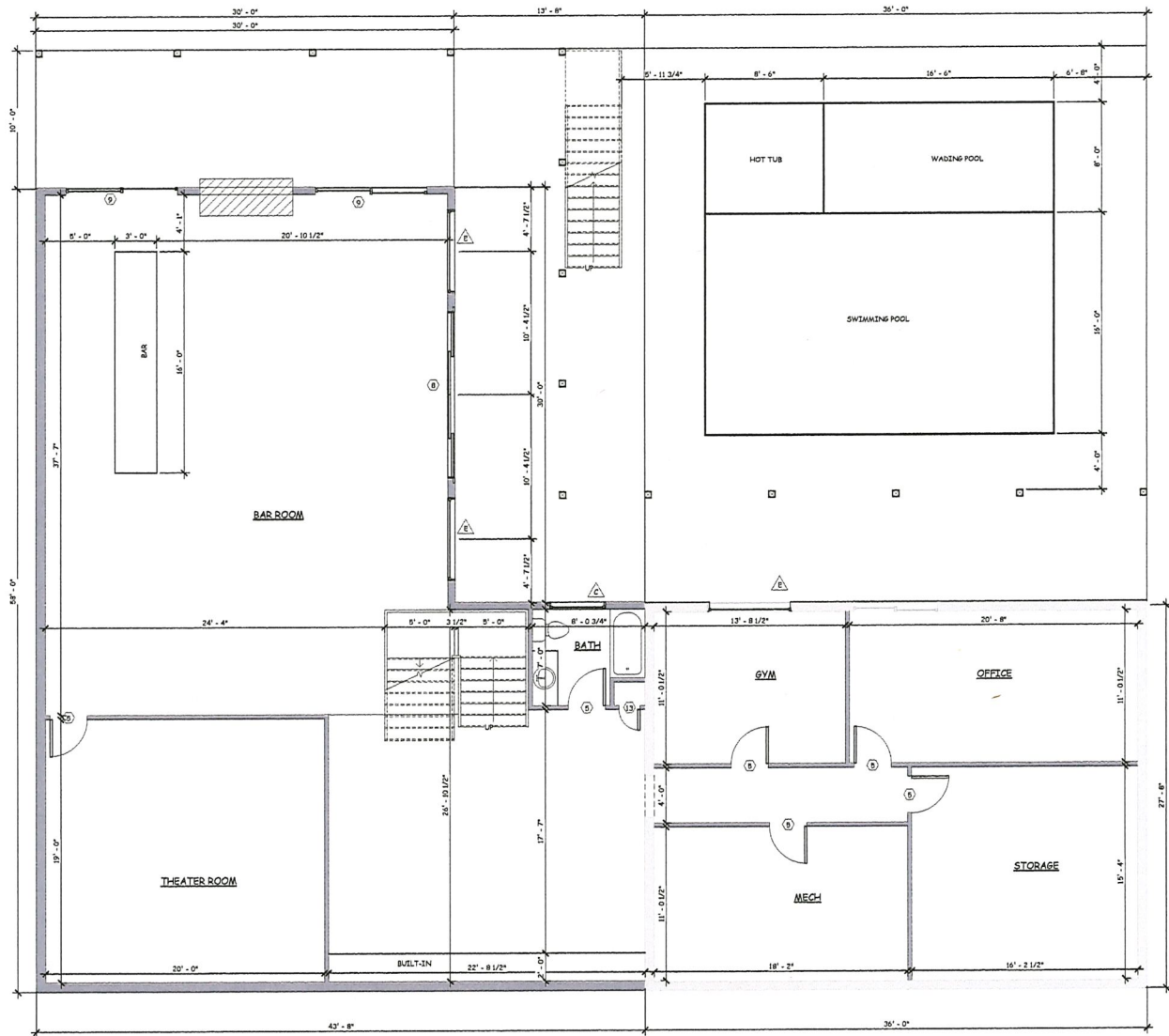
Drawn By: **ALT**

Sheet Title:
MAIN FLOOR PLAN
SCHEDULED
NOTES

A1.0
Sheet Number

DOOR SCHEDULE				
TAG	DESCRIPTION	WIDTH	HEIGHT	REMARKS
1	OVERHEAD	9'-0"	8'-0"	
2	OVERHEAD	16'-0"	8'-0"	
3	EXTERIOR FLUSH w/ LITE	3'-0"	6'-8"	
4	POCKET	2'-6"	6'-8"	
5	INTERIOR FLUSH	2'-8"	6'-8"	
6	SLIDING GLASS	6'-0"	6'-8"	
7	POCKET	2'-6"	6'-8"	
8	FOUR PANEL SLIDER	12'-0"	6'-0"	
9	SLIDING GLASS	8'-0"	8'-0"	
10	BI-FOLD	5'-0"	6'-8"	
11	EXTERIOR FLUSH	3'-0"	6'-8"	
12	EXTERIOR FLUSH w/ LITE	3'-0"	6'-8"	
13	INTERIOR FLUSH	1'-6"	6'-8"	
14	SLIDING GLASS	6'-0"	6'-8"	

WINDOW SCHEDULE				
TAG	DESCRIPTION	WIDTH	HEIGHT	REMARKS
B	AWNING	2'-4"	1'-8"	
C	AWNING	4'-0"	2'-0"	
D	CASEMENT	3'-0"	5'-0"	
E	CASEMENT	6'-0"	5'-0"	EGRESS
F	CASEMENT	4'-0"	5'-0"	
G	CASEMENT	4'-0"	3'-0"	
H	FIXED TRIANGLE	10'-0"	6'-8"	
J	FIXED TRIANGLE	6'-0"	4'-0"	



LOWER FLOOR PLAN
1/4" = 1'-0"

HOUSE PLANS BY
MARK JOHNSON
150 DANFORTH
WHITE LAKE, MI

OWNER/ARCHITECT
PERMISSION REQUIRED
REVISED 01/10/12

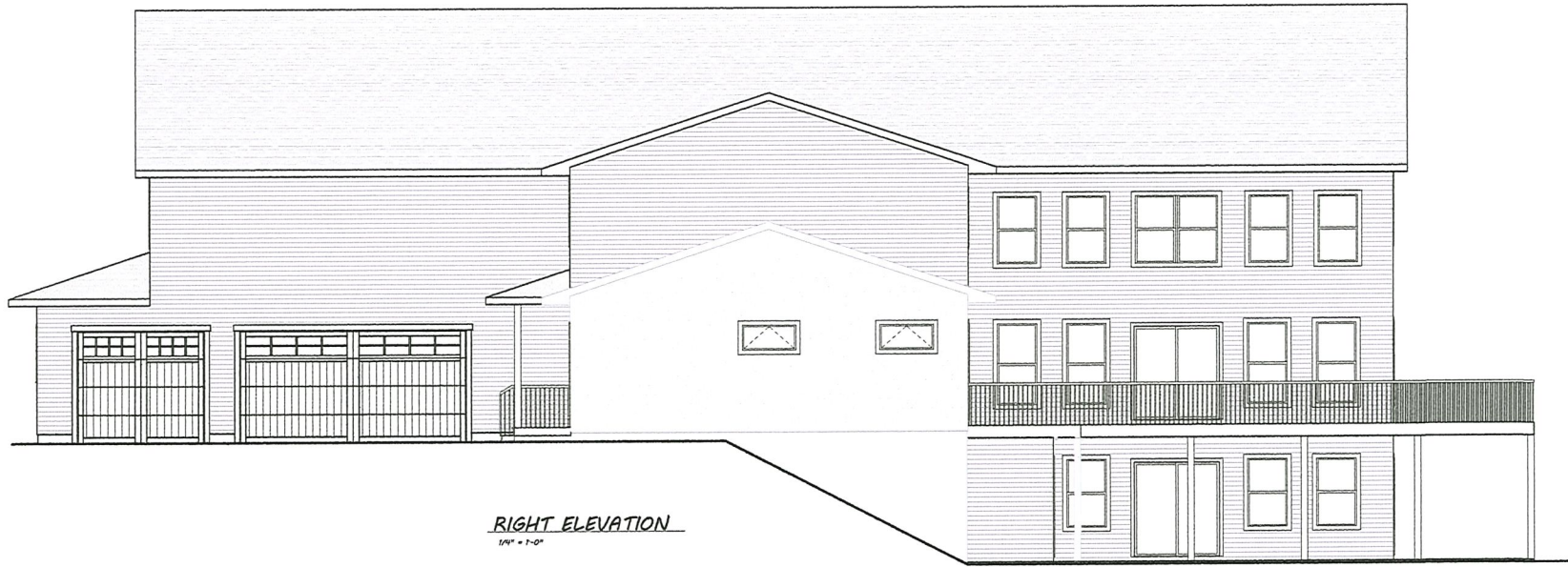


Project No.
2722

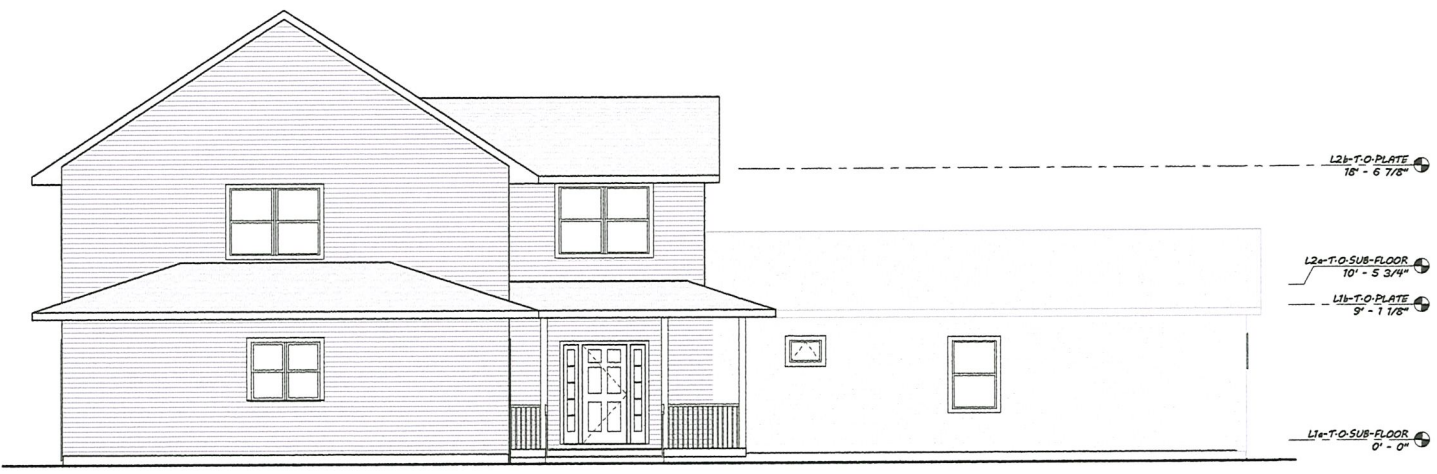
Drawn By: **ADP**

Sheet Title:
LOWER FLOOR PLAN
SCHEDULES

A1.1
Sheet Number



RIGHT ELEVATION
1/4" = 1'-0"



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

- L2^e-T.O-PLATE
16' - 6 7/8"
- L2^e-T.O-SUB-FLOOR
10' - 5 3/4"
- L1^e-T.O-PLATE
9' - 1 1/8"
- L1^e-T.O-SUB-FLOOR
0' - 0"
- L0^e-T.O-FOOTING
-4' - 2 1/8"
- L0^e-T.O-FOOTING
-9' - 11 7/8"

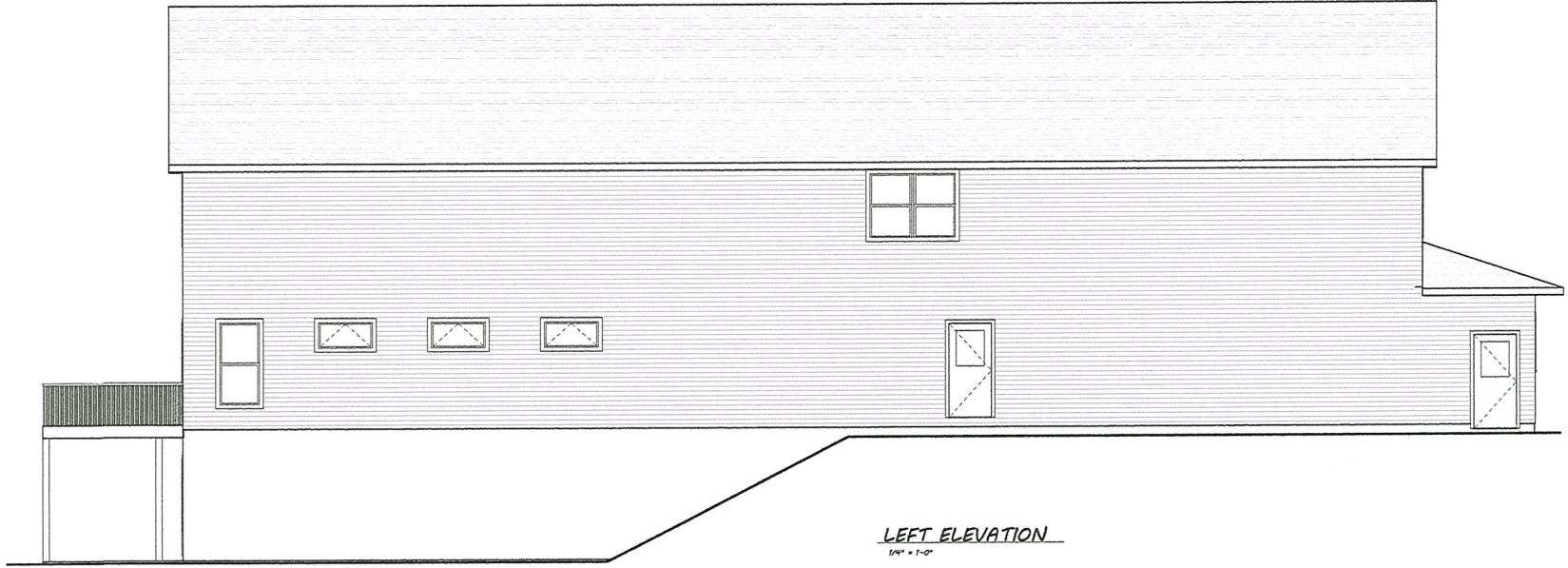
HOUSE PLANS FOR
MARK JOHNSON
 150 DANFORTH
 WHITE LAKE, MI

GENERAL NOTES
 PERMANENT STAIRS



Project No.
2722
 Drawn By: *mt*

Sheet Title
 EXTERIOR ELEVATIONS
A2.0
 Sheet Number



LEFT ELEVATION
1/4" = 1'-0"



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

HOUSE PLANS BY
MARK JOHNSON
350 DANFORTH
WHITE LAKE, MI

Copyright © 2014
Mark Johnson



Project No.
2722
Drawing By: *AMM*

Sheet Title
ARCHITECTURAL ELEVATIONS
A2.1
Sheet Number

Begin forwarded message:

From: Karol Grove <alpinesurv@aol.com>
Subject: 150 Danforth - lot coverage calculations
Date: September 12, 2022 at 4:21:18 PM EDT
To: "mj.consultations@gmail.com" <mj.consultations@gmail.com>
Reply-To: Karol Grove <alpinesurv@aol.com>

Hello Mark,

As requested, the total area of 150 Danforth (Lots 21 and 22 of Ox Bow Highlands) is 15,922 sq. ft.

The total area of the existing residence/garage with the proposed addition (excluding the sun room to be torn down) is 4130 sq. ft.

Lot coverage is $4130/15,922 = 26\%$.

If you add a swimming pool (300 sq. ft.), the lot coverage would be $4430/15,922 = 28\%$.

Please contact our office if any further information is required.

Regards,

Darcy

c/o

Karol L. Grove, PS, CFM
Your Flood Zone Expert
Licensed Professional Surveyor
Certified Floodplain Manager
Alpine Land Surveying, Inc.
11590 Highland Road, Suite #100
Hartland, MI 48353
O: 810-207-8050 C: 248-807-1456
www.FloodZoneExpert.com

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
REGULAR VIRTUAL MEETING
September 23, 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:

Debby Dehart, Planning Commission Liaison, present in White Lake, MI
Michael Powell, Township Board Liaison, present in White Lake, MI
Nik Schillack, present in White Lake, MI
Jo Spencer, Chairperson, present in White Lake, MI

Absent:

Dave Walz, Vice Chairperson

Others:

Justin Quagliata, Staff Planner
Nick Spender, Building Official
Hannah Micallef, Recording Secretary

APPROVAL OF AGENDA

MOVED by Member Schillack, SUPPORTED by Member Dehart, to approve the agenda as presented. The motion CARRIED with a voice vote (4 yes votes).

APPROVAL OF MINUTES:

- a. Zoning Board of Appeals Regular Meeting of August 26th, 2021

Member Schillack clarified language regarding the fourth case presented in the minutes to reference a state of emergency was also declared by the State.

**MOVED by Member Powell, SUPPORTED by Member Dehart to approve the Zoning Board of Appeals Regular Meeting Minutes of August 26th, 2021 as amended.
The motion CARRIED with a voice vote (4 yes votes).**

CONTINUING BUSINESS:

- A. Applicant:** Michael Epley
6075 Carroll Lake Road
Commerce, MI 48382
- Location:** **9386 Bonnie Briar**
White Lake, MI 48386 identified as 12-14-276-014
- Request:** The applicant requests to construct an enclosed porch and attached garage, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Side-Yard Setback, Rear-Yard Setback, and 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 that 22 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 Schillack stated the parcel number on the new survey was incorrect. Staff Planner Quagliata confirmed. He added there was a survey that showed the existing boundaries and structures, and a builder prepared plot plan.

Chairperson Spencer said the surveyor's certificate dated June 8, 2021 had a signature and the certificate with the revision dated September 1, 2021 did not. Member Powell said the surveyor provided an existing survey which did not include anything being proposed. The survey was used to complete the proposed plan by the applicant. He added he personally spoke with the applicant's surveyor, Grant Ward. The first survey dated June 8, 2021 used the present shoreline for the rear lot line, but the elevation of the water was not shot that day. The ordinary high-water mark was not represented on the June 8, 2021 survey; the line represented the edge of the water. The water was 4 inches higher than the ordinary high-water mark on June 8, 2021. Grant Ward went back to the site today, and the shoreline was steep. A drop in 4 inches of vertical elevation was not horizontal, and where the ordinary high-water mark was drawn was worst case scenario.

Member Schillack stated the survey received a week ago was dated September 1, 2021, and the survey received today had the same date. Staff Planner Quagliata said there could have been a revision date on the new survey. Member Powell added the label for the ordinary high-water mark had been revised.

Member Dehart asked if the interior well pump went bad, what was the guideline on relocating it. Member Powell said the Oakland County standard was 50 feet from a grinder pump, but sometimes deviations were granted if the 50 feet was not achievable.

Michael Epley, applicant, was present to speak on his case. He said he noticed the survey did not utilize the verbiage “ordinary high-water mark.” He had to go back to the surveyor. He said the shed was notated on the survey. He added his clients said the shed was there when they bought the lot, and they would like to keep it. The roof overhang on the proposed structure was shifted, and minimized the variance from the side yard lot line.

Staff Planner Quagliata stated he informed the applicant about the water’s edge notation on the survey on September 15, 2021, and the revised survey was received September 17, 2021.

Chairperson Spencer opened the public hearing at 7:37 P.M. Seeing no public comment, she closed the public hearing at 7:37 P.M.

Staff Planner Quagliata went through the standards from Article 7, Section 37 from the ClearZoning Ordinance:

A. Practical Difficulty

- Chairperson Spencer said the side yard setback did not pose a practical difficulty, and ensuring 10 feet on the side yard was crucial for health, safety, and welfare. Member Powell agreed.
- Member Powell said the lot was substandard and narrow, and locating an addition was difficult. There was also a topographic issue on the west side of the lot, and an existing architectural issue with the current house. Member Dehart agreed.

B. Unique Situation

- Chairperson Spencer said there was no practical difficulty, so there was not a unique situation in regards to the side yard setback.
- Member Schillack said there was a unique situation with the topography and shape of the lot.

C. Not Self-Created

- Chairperson Spencer said the request was self-created in regards to the side yard, as the garage width could be reduced to meet the side yard setback. Member Schillack agreed.
- Member Schillack said there was also a self-created hardship in regards to the homeowner’s wanting to keep the shed.

D. Substantial Justice

- Chairperson Spencer said if the side yard setback variance was denied, a smaller garage could be built in compliance with the ordinance.

E. Minimum Variance Necessary

- Chairperson Spencer said reducing the garage on the east side would be the minimum variance.
- Member Schillack added removing the shed would also be the minimum variance necessary.

Member Powell MOVED to approve the variances requested by Michael Epley from Article 3.1.6.E and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-14-276-014, identified as 9386 Bonnie Briar Drive, in order to construct a two-car attached garage addition that would encroach 0' into the required east side yard setback and 6.5' into the required rear yard setback, and exceed the allowed value of improvements to a nonconforming structure by 120%. A 282 square foot variance from the required lot size 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.**
- **The applicant shall submit a sealed survey prior to the issuance of a building permit that clearly defines the distance between the legal water elevation of Pontiac Lake to the outside edge of the finished surface of the garage, and it shall not exceed the variance of 6.5 feet.**
- **An as-built survey shall be required to verify the approved setbacks.**
- **The shed be moved 25 feet off the edge of any natural area.**
- **A foundation certificate shall be submitted prior to framing the proposed garage addition.**

Member Schillack SUPPORTED, and the motion CARRIED with a roll call vote: (4 yes votes): (Powell/yes, Schillack/yes, Dehart/yes, Spencer/yes)

NEW BUSINESS:

- A. Applicant: Ryan Heil
11600 Hazel Avenue
Grand Blanc, MI 48439
- Location: **English Villas Sub Lot 345**
White Lake, MI 48386 identified as 12-14-282-002
- Request: The applicant requests to construct a house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Side-Yard Setback, Maximum Lot Coverage, Minimum Lot Area, and Minimum Lot Width.

Chairperson Spencer noted for the record that 22 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 gave his staff report.

Member Dehart asked staff if the seawall and dock on the site were allowed since the Township did not permit them. Staff Planner Quagliata said yes, as long as a permit from the Michigan Department of Environment, Great Lakes, and Energy (EGLE) was obtained.

Chairperson Spencer asked staff if the Township verified EGLE permits had been obtained. Staff Planner Quagliata said the applicant could use the property for recreational purposes, but could not store items or camp on a vacant lot for an extended period of time.

Ryan Heil, applicant, was present to speak on his case. He confirmed both of the sheds were not his. He said he had the survey redone by Alpine, and Alpine verified the topographic data from the previous Dekeyser survey. He added the covered porch for the east door would be excluded. He wanted to build a house for his family that fit in with the surrounding houses.

Member Powell stated the westerly setback was proposed at 7.58 feet from the center of the house, but there seemed to be a narrower setback on the north end of the 2-foot overhang, making 6.56 feet the narrowest setback on the west side of house.

Chairperson Spencer the public hearing at 8:25 P.M. Seeing no public comment, she closed the public hearing at 8:25 P.M.

Staff Planner Quagliata went through the standards from Article 7, Section 37 from the ClearZoning Ordinance:

A. Practical Difficulty

- Member Dehart said there was a practical difficulty with the lot as it was nonconforming. Chairperson Spencer and Member Schillack agreed.

B. Unique Situation

- Chairperson Spencer said the lot was small and undersized, and when it was platted years ago, it was most likely meant for part time cottage living.

C. Not Self-Created

- Member Dehart said the applicant did what they could to work with the practical difficulty of the lot.

D. Substantial Justice

- Member Schillack said the applicant made an attempt to line his proposed house with the other surrounding homes.

E. Minimum Variance Necessary

- Chairperson Spencer said the applicant was asking for minimum variances, especially since the applicant was removing the covered porch.

Member Dehart MOVED to approve the variances requested by Ryan Heil from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-282-002 in order to construct a new house that would exceed the allowed lot coverage by 11.82%, encroach 14.41 feet into the required front yard setback, and encroach 3.45 feet into the required east side yard setback and 3.44 feet into the required west side yard setback. A 38-foot variance from the required lot width and 6,652 square foot variance from the required lot size are 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.**
- **The site plan shall be revised by a registered land surveyor to accurately reflect the location the rear yard setback is measured.**
- **The covered porch on the east side of the house is not permitted and shall be removed from all plans.**
- **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 and lot coverage.**
- **All HVAC mechanicals including generators shall not be placed on the sides of the house.**
- **The setbacks shall be measured from the exterior cladding of the building.**

Member Schillack SUPPORTED and the motion CARRIED with a roll call vote: (4 yes votes) (Dehart/yes, Schillack/yes, Spencer/yes, Powell/yes)

B. Applicant: Roger Lewis
85 N. Hulbert Street
White Lake, MI 48386

Location: **9 Danforth Drive**
White Lake, MI 48386 identified as 12-26-126-035

Request: The applicant requests a post-construction variance for the alteration of a nonconforming structure, requiring a variance from Article 7.23.A, Nonconforming Structures.

Chairperson Spencer noted for the record that 40 owners within 300 feet were notified. 0 letters were received in favor, 1 letter was received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Staff Planner Quagliata gave his staff report.

Member Powell asked staff what the previous Building Official did with this issue. Building Official Spencer said he spoke with the applicant earlier today while he was on site. He added the applicant had submitted a building permit for a new house, and the Building Department would include stipulations for when construction of the house needed to commence, if the permit was approved.

Member Dehart asked staff if a permit was issued to reconstruct the garage and raise the walls. Building Official Spencer said the permit submitted was for roof shingles, not the reconstruction of the garage. The proper permit was not obtained for the garage alteration.

Member Schillack asked staff if a demolition permit was approved for the house. Building Official Spencer said the renovation was added on to the roof permit, and that wasn't proper procedure. The "add on" permit was for a remodel, but when Building Official Spencer went to inspect the site, the house was over 50 percent demolished. At that time, Building Official Spencer required the applicant apply for a demolition permit. Since then, the applicant had not started construction of the new house.

Roger Lewis, applicant, was present to speak on his case. He said the garage was built long ago, and the walls were raised to accommodate current day vehicles.

Member Schillack asked the applicant what the value of improvement listed on his application was for. Mr. Lewis said it was for engineering and topographical services.

Chairperson Spencer opened the public hearing at 9:09 P.M. She read a letter into the record addressed to the Township Board regarding the blight on 9 Danforth. She then closed the public hearing at 9:15 P.M.

Member Dehart asked staff if the garage was demolished and the permit for the house was approved, would the applicant have room to construct a detached garage. Staff Planner Quagliata said there was approximately 50 feet between the existing garage wall and the proposed house wall, so if setbacks and lot coverage standards were met, a new garage could be constructed.

Staff Planner Quagliata went through the standards from Article 7, Section 37 from the ClearZoning Ordinance:

A. Practical Difficulty

- Chairperson Spencer said she did not see a practical difficulty as there was no principal structure on the site.
- Member Schillack said it seemed there would be room for a new garage, and the garage was reconstructed without a permit, making the request post-construction. The ZBA did not have the authority to approve roof overhangs within 5 feet of the lot lines.

- B. Unique Situation
 - Chairperson Spencer said she did not see a unique situation because there was no practical difficulty.
- C. Not Self-Created
 - Member Dehart said there was a self-created hardship as the garage height was raised without a permit.
- D. Substantial Justice
 - Chairperson Spencer said a house and garage could be built within the required setbacks.
 - Member Powell said removing the garage would improve the standard for the entire street.
- E. Minimum Variance Necessary
 - Chairperson Spencer said she didn't find a practical difficulty, so this standard didn't apply.

Member Schillack MOVED to deny the post-construction variance requested by Roger Lewis for Parcel Number 12-26-126-035, identified as 9 Danforth Drive, due to the following reason(s): failure to meet the standards listed in Article 7, Section 37 of the ClearZoning Ordinance. Furthermore, the garage shall be demolished or legally moved by November 8, 2021.

Member Dehart SUPPORTED, and the motion CARRIED with a roll call vote: (4 yes votes) (Schillack/yes, Dehart/yes, Powell/yes, Spencer/yes)

- C. Applicant: Brian McNamara
1801 Bogie Lake Road
White Lake, MI 48386
- Location: **1801 Bogie Lake Road**
White Lake, MI 48386 identified as 12-33-201-005
- Request: The applicant, under Article 7.36, Powers of Zoning Board of Appeals Concerning Administrative Review and Variances, is appealing a determination made by Township officials in the enforcement of Article 5.12 for fence height and setbacks.

Chairperson Spencer noted for the record that 21 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 gave his staff report.

Member Powell asked staff what the definition of front yard setback. Staff Planner Quagliata said the setback was measured from the road right-of-way line, and for the subject parcel's zoning, R1-C, the setback was 35 feet. Member Powell asked staff if the accessory structures were in compliance with the zoning ordinance. Staff Planner Quagliata said the northerly accessory structure was nonconforming.

Brian McNamara, the appellant, and his wife, Sharon, were present to speak on their case. Sharon said they had replaced an older chain link fence, and since they bought the house, they had been working to improve the property. She added the neighbors were supportive of the fence, and had asked the surrounding neighbors before replacing the fence. Brian McNamara said he bought the property last year, and said he came into Township Hall to discuss the fence several times.

Staff Planner Quagliata stated the applicant removed a four-foot chain link fence and erected a six-foot slat wood privacy fence.

Chairperson Spencer opened the public hearing at 10:04 P.M.

Eric Shotwell, 11516 Cedar Island Road, spoke in support of the applicant's request.

Frank Bell, 11476 Cedar Island Road, spoke in support of the applicant's request.

Tom Gaddis, 11548 Cedar Island Road, spoke in support of the applicant's request.

Dan Malek, 11485 Cedar Island Road, spoke in support of the applicant's request.

Chairperson Spencer closed the public hearing at 10:11 P.M.

Member Dehart asked staff if the house was not on a corner lot, would the applicant be able to have a 6-foot fence in the side yard. Staff Planner Quagliata said they would be able to have 6-foot fence in a side yard, but they would still only be allowed a 4-foot fence in the front yard.

Member Powell asked staff what the difference of location would be in regards to a 4-foot fence versus a 6-foot fence. Staff Planner Quagliata said a fence in the front yard could not exceed 4 feet in height and would need to meet the front yard setback.

Member Dehart asked staff if the parcel was platted or metes and bounds. Staff Planner Quagliata said it was metes and bounds.

Member Dehart asked staff if a landscape screen would have been an issue. Staff Planner Quagliata said no. He added the applicants replaced a nonconforming fence with a more nonconforming fence; the replacement was not like for like.

Member Powell asked staff if a nonconforming structure could be maintained, but not replaced. Staff Planner Quagliata confirmed.

Staff Planner Quagliata went through the standards from Article 7, Section 37 from the ClearZoning Ordinance:

- A. Practical Difficulty
 - Member Powell said if the Township held the fence to the ordinance, it would diminish the applicant's use of their yard, and it would be a hardship for the applicant. Member Dehart agreed.
 - Chairperson Spencer did not see a practical difficulty.
- B. Unique Situation
- C. Not Self-Created
 - Chairperson Spencer said the erection of the fence in violation of the ordinance was self-created.
- D. Substantial Justice
 - Member Powell said other homeowners on Cedar Island Road had backyards they could enjoy.
- E. Minimum Variance Necessary

The ZBA recessed at 10:43 P.M. to attend to technological issues. The ZBA returned from recess at 11:01 P.M.

Member Powell stated he could entertain allowing the existing fence to remain to the east end of the accessory building, and all fencing east of the existing building must be removed, as well as any new fencing meeting ordinance requirements. Staff Planner Quagliata said a survey was not provided to show property lines or setbacks.

Member Dehart asked staff if a fence permit was required. Staff Planner Quagliata said not for residential zoning.

Member Schillack asked staff if a permit would have been needed for the gate. Staff Planner Quagliata confirmed.

Member Powell MOVED to reverse the decision of the Building Official and approve a modified order for Brian McNamara for Parcel Number 12-33-201-005, identified as 1801 Bogie Lake Road, due to the following reason(s): there was a non-self-imposed hardship and a practical difficulty in maintaining privacy and use of their yard and accessory buildings. The order is modified to allow a section of the existing fence to remain as constructed as long as a certified survey proves the fence is located outside of the road right-of-way from a line extended westerly from the easterly most accessory building that parallels Cedar Island Road. All fencing east of the east face of said accessory building shall be removed and only fencing that meets ordinance requirements shall be installed east of that point.

**Member Dehart SUPPORTED, and the motion with CARRIED with a roll call vote (3 yes votes):
(Spencer/no, Schillack/yes, Dehart/yes, Powell/yes)**

D. Applicant: Gardner Signs Inc.
1087 Naughton Road
Troy, MI 48083
Location: **3671 Highland Road**
White Lake, MI 48383 identified as 12-19-101-037
Request: The applicant requests to install a monument sign within the setback from the road right-of-way and exceeding the allowed size, requiring variances from Article 5.9.J.i.a and Article 5.9.J.i.b.

Chairperson Spencer noted for the record that 18 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 gave his staff report.

Member Schillack asked staff if the lumens of the proposed sign was increased on the revised drawings. Staff Planner Quagliata said no.

Member Powell asked staff if the ordinance required reduction of light output in the evening. Staff Planner Quagliata confirmed.

Mia Asta was present to speak on behalf of the applicant's case. The new sign would be replaced with something similar to what was previously there. If the sign was placed in compliance with the setbacks, it would be in the parking lot. There was no signage on the building. There would be an emergency shut-off switch on the outside of the sign.

Member Schillack asked the applicant if the sign had a breakaway feature if it were to be struck by a vehicle. Ms. Asta said the faux brick on the base would come apart and dent a vehicle. The sign would be engineered for wind load. It would collapse, but it would not crumble.

Chairperson Spencer opened the public hearing at 11:46 P.M. Seeing no public comment, she closed the public hearing at 11:47 P.M.

Staff Planner Quagliata went through the standards from Article 7, Section 37 from the ClearZoning Ordinance:

A. Practical Difficulty

- Chairperson Spencer said she saw a practical difficulty in regards to the temporary sign; without a sign there was no indication Genisys was a financial institution. In regards to the permanent sign, she saw a practical difficulty as a sign was needed, and it would be farther from the road right-of-way than the previous sign.
- Member Powell said moving the sign any further north would make the sign a traffic impediment internally on the site.

B. Unique Situation

- Member Powell said the Highland Road right-of-way was very wide in this area, and to put the sign out of the road right-of-way necessitated an increase of the sign size.

C. Not Self-Created

- The applicant did not design the Highland Road right-of-way.

D. Substantial Justice

- Member Schillack said customers needed to be able to see the sign.

E. Minimum Variance Necessary

- Chairperson Spencer said the new sign would be farther from the road right-of-way than the previous sign.

Staff Planner Quagliata said he spoke to the applicants, and they would need the temporary sign for three months.

Member Schillack MOVED to approve the variances requested by Gardner Signs Inc. from Article 5.9.J.i.a and 5.9.J.i.b of the Zoning Ordinance for Parcel Number 12-19-101-037, identified as 3671 Highland Road, in order to install a 46.67 square foot monument sign with a 0-foot setback from the Highland Road right-of-way line. The Building Department is also authorized to issue a permit for a temporary banner sign with a 0-foot setback from the Highland Road right-of-way line. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**

- **The permit for the temporary banner sign shall expire on January 1, 2022.**

**Member Dehart SUPPORTED, and the motion CARRIED with a roll call vote: (4 yes votes)
(Schillack/yes, Dehart/yes, Spencer/yes, Powell/yes)**

The ZBA recessed at 11:58 P.M. The ZBA returned from recess at 12:02 A.M., September 24, 2021.

E. Applicant: Mark Johnson
150 Danforth Drive
White Lake, MI 48386
Location: **150 Danforth Street**
White Lake, MI 48386 identified as 12-23-376-004
Request: The applicant requests to construct a garage, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback and Side-Yard Setback. 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 that 23 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 gave his staff report.

Member Powell asked staff if the subaqueous area on the north side of the house was considered. Staff Planner Quagliata said he believed that was how the rear setback from the house was represented.

Member Schillack asked staff where the natural features setback would be. Staff Planner Quagliata said the setback was 30' from the boundary.

Mark Johnson, applicant, was present to speak on his case. He said when he originally put his plans together, he was under the impression the lot was larger. He was amiable to offset the addition on the westerly and easterly sides to meet setback requirements. He was in the process of purchasing the property to the east as well.

Member Schillack asked the applicant if he was planning on combining the properties. Mr. Johnson said no; the lot to the east would be an investment property.

Member Powell suggested a two-car garage would reduce the setback from the southern and western property lines.

Chairperson Spencer opened the public hearing at 12:24 A.M. Seeing no public comment, she closed the public hearing at 12:25 A.M.

Staff Planner Quagliata went through the standards from Article 7, Section 37 from the ClearZoning Ordinance:

- A. Practical Difficulty
 - Member Dehart said she saw practical difficulty due to the topography of the lot.
- B. Unique Situation
- C. Not Self-Created
 - Chairperson Spencer said reducing the size of the garage would eliminate some of the variances requested and be less self-created than what was currently proposed.
 - Member Powell suggested reducing the size of the car garage would reduce the setback from the southern and western property lines.
- D. Substantial Justice
 - Chairperson Spencer said reducing the garage would serve substantial justice.
- E. Minimum Variance Necessary

Member Powell MOVED to approve the variances requested by Mark Johnson from Article 3.1.6.E and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-23-376-004, identified as 150 Danforth Drive, in order to construct an attached garage addition that would encroach 0 feet into the required west side yard setback and 7.6 feet into the required front yard setback, and exceed the allowed value of improvements to a nonconforming structure by 102%. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Department.**
- **The Applicant shall reduce the size of the garage or house addition to comply with the lot coverage standard, or request a variance from the Zoning Board of Appeals.**
- **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 and lot coverage.**
- **No HVAC units including generators shall be placed in the side yard setbacks.**

Member Dehart SUPPORTED, and the motion CARRIED with a roll call vote: (4 yes votes) (Powell/yes, Dehart/yes, Spencer/yes, Schillack/yes)

OTHER BUSINESS

Staff Planner Quagliata stated in-person meetings would resume beginning in October.

ADJOURNMENT

MOVED by Member Schillack, SUPPORTED by Member Dehart to adjourn the meeting at 12:51 A.M., September 24, 2021. The motion CARRIED with a voice vote (4 yes votes).

NEXT MEETING DATE: October 28, 2021 Regular Meeting