



**ZONING BOARD OF APPEALS MEETING**  
**LOCATION: ELECTRONIC MEETING**  
**THURSDAY, SEPTEMBER 23, 2021 – 7:00 PM**

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

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**AGENDA**

**PLEASE SEE ATTACHED ON-LINE MEETING INSTRUCTIONS**  
**RESIDENTS MAY CALL IN VIA:**

1 312 626 6799 US (Chicago)

1 888 788 0099 US Toll-free

**MEETING ID: 824 3190 0949**

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**

[A.](#) Zoning Board of Appeals Regular Meeting of August 26, 2021

5. **OLD 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 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.

6. **NEW BUSINESS**

[A.](#) Applicant: Ryan Heil  
1600 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.



- 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.
- 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.
- 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.
- E. Applicant: Mark Johnson  
150 Danforth Street  
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.

**7. OTHER BUSINESS**

- A. Next Meeting Date** : October 28, 2021 Regular Meeting

**8. ADJOURNMENT**



### ELECTRONIC MEETING INSTRUCTIONS

**NOTE: THIS MEETING WILL BE HELD ELECTRONICALLY AS AUTHORIZED UNDER THE OPEN MEETINGS ACT, PUBLIC ACT 267 OF 1976, AS AMENDED. MEMBERS OF THE PUBLIC BODY AND MEMBERS OF THE PUBLIC MAY PARTICIPATE ELECTRONICALLY, AS DESCRIBED BELOW.**

#### **Reason for allowing participation by electronic means:**

To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable citizens, in-person contact should be limited. Critical mitigation measures include social distancing and limiting the number of people interacting at public gatherings. This includes public meetings.

Members of the public may access the agenda materials via the Township website – <https://www.whitelaketwp.com/meetings> by end of day, **Thursday, September 16, 2021**, but possibly sooner.

#### **Members of the public wishing to participate in the electronic meeting may do so by:**

Dialing the phone number below and enter the meeting ID when prompted. A password is no longer required for dial in participation.

**Telephone Access:** 1 312 626 6799 US (Chicago) or  
**US Toll-free:** 1 888 788 0099

**Meeting ID:** 824 3190 0949

#### **Where to watch the meeting:**

The meeting will be available to view live on our YouTube Channel which can be easily reached from the live meeting link located on the White Lake Township website home page [www.whitelaketwp.com](http://www.whitelaketwp.com) or by visiting: [https://www.youtube.com/channel/UCYPorjifGrhCNd368R\\_Cyg\\_w/featured](https://www.youtube.com/channel/UCYPorjifGrhCNd368R_Cyg_w/featured). Closed captioning will be available after YouTube fully renders meeting video.

#### **Procedure for public participation by electronic means:**

In order for the Township to allow electronic participation in the meeting, there must be full opportunity for both the general public and the members of the public body to hear, and be heard at appropriate times during the meeting, except during any closed session portions of the meeting. Public participants will be muted upon entry to the meeting, but will have a chance to speak during public comment or at public hearings if one is involved.

**Once connected to the meeting, members of the public wishing to participate in the virtual public comment or virtual public hearing must alert us that they wish to speak by pressing \*9 on their telephone keypad.** Pressing \*9 will activate the “**raise your hand**” feature signaling to us that you wish to comment. Because of limitations with muting and unmuting members of the public, there will only be one public comment period which will be announced by the meeting moderator at the appropriate time. Participants who have “**raised their hand**” to **speak during public comment or public hearings** will be called on one at a time, as would happen during an in-person meeting. When you are unmuted, please introduce yourself by stating your name and address for the record. You will then have (3) minutes to share your comments with the Township board. At the conclusion of your comments or your (3) minutes, you will be muted and removed from the public comment queue.

Participants may also choose to submit written comments that will be read into record during public comment by the Chairperson of the Zoning Board of Appeals. Submit any written comments via e-mail to [Hmicallef@whitelaketwp.com](mailto:Hmicallef@whitelaketwp.com) by **Noon, September 22, 2021**, the day before the meeting.

**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-113 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 VIRTUAL MEETING**

August 26, 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  
Kathy Aseltyne, 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  
Hannah Micallef, Recording Secretary

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES:**

- a. Zoning Board of Appeals Special Meeting of August 12<sup>th</sup>, 2021

**MOVED** by Member Schillack, **SUPPORTED** by Member Powell to approve the Zoning Board of Appeals Special Meeting Minutes of August 12<sup>th</sup>, 2021 as presented.  
The motion **CARRIED** with a voice vote (5 yes votes).

**CONTINUING BUSINESS:**

There was no continuing business.

**NEW 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 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.

Chairperson Spencer asked staff which survey submitted by the applicant was correct, as two were submitted but had different dimensions. Staff Planner Quagliata said the applicant would clarify.

Member Schillack asked staff if there was a deadline to receive all the materials from an applicant if there were missing or incorrect items in the applicant's submittal. Staff Planner Quagliata said he tried to work with the applicant, and there was an application deadline of July 22, 2021. The submittal on July 22 included a plan and survey. For the revised survey dated August 6, 2021, the hard copy was submitted on Tuesday, August 24, and a digital copy of the same plan followed on Wednesday, August 25, 2021.

Member Schillack stated the packets were delivered to the ZBA a week prior to the meeting for their review, and the latest plans were submitted after that.

Member Aselyne asked staff if the shed needed to be moved as it was in the natural features setback. Staff Planner Quagliata said the ZBA could address it.

Member Powell asked staff what the rear yard setback was defined as. Staff Planner Quagliata said the setback from the water was measured from the ordinary high-water mark.

Mike Epley, applicant, was present to speak on his case. Mr. Epley said the original survey was procured by the homeowner; it had the wrong lake on it. He approached the homeowner to request an adjusted survey. He said what he proposed was different than what Grant Ward Surveying showed; the Grant Ward survey had a proposed water line in the rear yard. He said his client wanted a two-car garage and enclosed porch. He positioned the garage in the front of the lot to minimize variances needed in the rear of the lot. He apologized for any confusion.

Member Schillack asked the applicant why the garage was proposed on the east side of the house. Mr. Epley said it was due to the wall but he didn't think the Grant Ward survey showed that. He added the homeowner wanted to keep living space on the west side of the house.

Chairperson Spencer asked the applicant if his clients were aware the ZBA was charged with eliminating and not increasing nonconformities. She said a detached garage could be put on the west side. Mr. Epley said a detached garage would not add the same value as an attached garage.

Chairperson Spencer stated she had not seen a practical difficulty from the applicant's case. She added aesthetics could not be considered for practical difficulty. Mr. Epley said he could adjust the plans for the side yard setback.

Member Dehart stated if the garage wasn't as deep, it could meet the side yard setback. She added she wanted to know where the well was. She said the lot was nonconforming, and the house was nonconforming. Mr. Epley said a 20-foot-deep garage wouldn't fit an extended truck. He said he would prefer to give 1.6 feet on the side yard.

Member Powell stated the lot was a hardship and the architecture of the existing house was a practical difficulty. He said if the north wall was angled, the side yard setback wouldn't need to be considered. Mr. Epley said doing it that way would cause a break in the siding and roof gable, and wouldn't look as nice. Mr. Epley added if the shed was a moveable structure, he would try to have it moved, or pour a new pad in compliance with the setbacks.

Member Aseltyne said she was disturbed by the inconsistency of the plans, and the well and grinder pump being unmarked on the surveys. She added wanting to park a larger vehicle was a self-created issue and could not be considered by the ZBA.

Chairperson Spencer opened the public hearing at 7:49 P.M. Seeing no public comment, she closed the public hearing at 7:50 P.M.

Member Aseltyne said she couldn't entertain the idea of moving the garage to the west side of the lot since the well and grinder pump locations were unknown.

Member Dehart said she saw a hardship due to the style of the existing house, and if the well was on the west side of the lot, there would be an incurred cost to move the well.

Member Powell said if the garage was moved to the west side, it could be made larger. He took more of an issue with the side yard setbacks than the rear yard setbacks. If the garage was made wider and put on the west side, the shed could be eliminated.

**Member Schillack MOVED to table the variance requests of Michael Epley for Parcel Number 12-14-276-014, identified as 9386 Bonnie Briar Drive, to consider comments stated during this public hearing.**

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

- b) Applicant: Raymond Roberts  
10016 White Road  
Linden, MI 48451
- Location: 4590 Braidwood Drive  
White Lake, MI 48383 identified as 12-06-454-054
- Request: The applicant requests to construct a covered porch, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Front-Yard Setback, Minimum Lot Area, Minimum Lot Width, 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.

Chairperson Spencer noted for the record that 28 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. He added the applicant did not submit a certified boundary survey.

Member Powell asked staff about the shed. Staff Planner Quagliata said the shed was encroaching into the front yard setback, and it looked like the fence was in the road right-of-way.

Member Dehart asked staff if a variance was granted for the addition in 1998 since the addition encroached into the front yard setback. Staff Planner Quagliata said no.

Member Schillack asked staff if the applicant was responsible for submitting an accurate survey. Staff Planner Quagliata confirmed.

Chairperson Spencer stated inaccurate documents from applicants put a severe burden on the ZBA to perform due diligence and make decisions on variance requests.

Member Schillack said he had a difficult time making a decision not having all the data in front of him.

Member Powell asked staff if the ZBA was to assume the existing house setback from the front property line. Staff Planner Quagliata said because a mortgage survey was submitted, it was unknown whether the dimensions were accurate.

Raymond Roberts, applicant, was present to speak on his case. He apologized for not having a boundary survey, and said he was contacted by Staff Planner Quagliata and told a boundary survey was needed. He tried to find a cost-effective boundary survey, and would have not had the boundary survey before the deadline for tonight's meeting. He said the existing porch was slab and block, and the material was eroding. He originally was going to repair the erosion or lay over wood, but the natural elements hit the front porch hard. He decided to cover it for longevity purposes, and did not realize attaching the roof of the porch would add to the square footage of the house.

Chairperson Spencer opened the public hearing at 8:23 P.M. Seeing no public comment, she closed the public hearing at 8:23 P.M.

Member Schillack stated it was important for the ZBA to have all of the data before them, no matter the size of the project.

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

- A. Practical Difficulty
  - Chairperson Spencer did not see a practical difficulty.
  - Member Dehart said she could see a practical difficulty since the weather was eroding the front porch.
  - Member Schillack said he could not determine a practical difficulty with an incomplete application.
- B. Unique Situation
  - Member Schillack said he could not determine a unique situation with an incomplete application.
- C. Not Self-Created
  - Member Schillack said he could not determine if the situation was self-created with an incomplete application.
- D. Substantial Justice
  - Member Powell said the homeowner was using their house and therefore, the ZBA was not prohibiting substantial justice.
  - Member Schillack said he could not determine substantial justice with an incomplete application.
- E. Minimum Variance Necessary
  - Member Powell said a boundary survey could prove there was more room in the front yard, and a variance could be eliminated.





**Member Schillack MOVED to table the variance request of Yuanwei (Bill) Lin for Parcel Number 12-23-151-004, identified as 855 Hilltop Drive, to consider comments stated during this public hearing.**

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

- A. Applicant: Derek & Kaitlyn Byerle  
12201 William Randy Court  
White Lake, MI 48386
- Location: **12201 William Randy Court**  
White Lake, MI 48386 identified as 12-15-276-031
- Request: The applicant requests to extend the permit period for the temporary use of a motor home or trailer (camper or travel), requiring a variance from Article 7.21.B, Permit for Temporary Use of Motor Home, Manufactured Home or Travel Trailer.

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 when the temporary use permit would begin. Staff Planner Quagliata said if the variance was granted, the permit would not extend beyond one year.

Kaitlyn Byerle, applicant, was present to speak on her case. She was asking to keep the trailer on their property for stability for their children and to keep an eye on the contractors working on their house. She added the trailer wasn't on the property yet.

Chairperson Spencer opened the public hearing at 9:25 P.M. Seeing no public comment, she closed the public hearing at 9:25 P.M.

The Zoning Board of Appeals determined Condition F applied from Article 7, Section 37 of the ClearZoning Ordinance.

- **Member Schillack MOVED to approve the variance requested by Derek & Kaitlyn Byerle from Article 7.21.B of the Zoning Ordinance for Parcel Number 12-15-276-031, identified as 12201 William Randy Court, in order to extend the permit period for the temporary use of a motor home or travel trailer by 48 weeks. This variance is granted because the applicant's house is uninhabitable as determined by the Building Official, and the Local State of Emergency declared in White Lake Township. This approval will have the following conditions:**

- **The Applicants shall obtain all necessary permits from the White Lake Township Building Department.**
- **The motor home or travel trailer shall be parked in a location that meets the minimum front, side, and rear yard setbacks of the SF (Suburban Farms) zoning district.**
- **The permit shall expire either on August 26, 2022 or when the house becomes habitable, whichever occurs first. Habitability of the house shall be determined by the Building Official.**
- **The Applicants shall provide the Township a status report on the progress of the house repairs no later than February 28, 2022. At that time the property and dwelling shall be available for inspection upon request by the Planning Department, Building Official, or other authorized official. It shall be evident work on the house has occurred to occupy the dwelling.**
- **Upon expiration of the permit, the motor home or travel trailer shall not be occupied. The unoccupied motor home or travel trailer shall be removed from the property, or stored on the property in compliance with the zoning ordinance and Township Code of Ordinances.**
- **The Applicants shall not utilize the motor home or travel trailer for operation of a home occupation.**

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

#### **OTHER BUSINESS**

Member Aseltyne stated Staff Planner Quagliata had done a fine job since coming on board, and the ZBA had shown a new level of professionalism.

#### **ADJOURNMENT**

**MOVED by Member Dehart, SUPPORTED by Member Aseltyne to adjourn the meeting at 9:36 P.M. The motion CARRIED with a voice vote (5 yes votes).**

**NEXT MEETING DATE:** September 23, 2021- 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 23, 2021

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**Agenda item:** 5a

**Appeal Date:** September 23, 2021 (Tabled from August 26, 2021)

**Applicant:** Michael Epley

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

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

**Location:** 9386 Bonnie Briar Drive  
White Lake, MI 48386

## **Property Description**

The approximately 0.269-acre (11,718 square feet) parcel identified as 9386 Bonnie Briar Drive is located within the English Villas subdivision on Pontiac Lake and zoned R1-D (Single Family Residential). The existing house on the property (approximately 1,992 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation. The triple lot (Lots 241, 242, and 243) contains over 180 feet in width at the front property line.

## **Applicant's Proposal**

Michael Epley, the applicant, on behalf of property owners Ron and Stacy Little, intends to complete the following work:

- Enclose existing 4' x 8' (32 square feet) porch slab and make foyer area
- Construct 24' x 24' (576 square feet) two-car attached garage addition

## **Planner's Report**

The existing house was built in 1981 and is nonconforming because it does not meet the 30-foot rear yard setback. As dimensioned on the plan, the garage would be located 8'-9½" from the east side property line. Therefore, the applicant is requesting a 1'-2½" variance to encroach into the side yard. The proposed rear yard setback is 23'-11<sup>7/8</sup>", so a 6'-1/8" variance is requested. It is not clear on the submitted survey if the "water's edge" is the ordinary high-water mark for Pontiac Lake. An accurate representation of the legally established lake level should be required by the Zoning Board of Appeals.

A shed is located two feet from the west property line, and is nonconforming because it does not meet the Natural Features Setback. The canal west of the property is not shown on the survey. Article 3, Section 11.Q of the zoning ordinance prohibits buildings or structures from being located closer than 25 feet to any regulated wetland, submerged land, watercourse, pond, stream, lake or like body of water. The Zoning Board of Appeals may require the shed to become compliant with the ordinance.

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 (\$75,040), the maximum extent of improvements cannot exceed \$37,520. The value of the proposed work is \$45,000. A variance to exceed the allowed value of improvements by 120% is requested.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Side yard setback	10 feet	1'-2½" (east)	8'-9½"
2	Article 3.1.6.E	Rear yard setback	30 feet	6'-1/8"	23'-11 <sup>7/8</sup> "
3	Article 3.1.6.E	Minimum lot size	12,000 sq. ft.	282 sq. ft.	11,718 sq. ft.
4	Article 7.28.A	Nonconforming structure	50% SEV (\$37,520)	120%	\$7,480 over allowed improvements

### Zoning Board of Appeals Options:

**Approval:** I move 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 1'-2½" into the required east side yard setback and 6'-1/8" 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.
- 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.

**Denial:** I move to deny the variances requested by Michael Epley for Parcel Number 12-14-276-014, identified as 9386 Bonnie Briar Drive, due to the following reason(s):

**Table:** I move to table the variance requests of Michael Epley for Parcel Number 12-14-276-014, identified as 9386 Bonnie Briar Drive, to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated July 20, 2021.
2. Survey dated June 8, 2021 (revision date September 1, 2021).
3. Addition plan dated July 2021 (revision date September 7, 2021).
4. Letter of denial from the Building Department dated July 21, 2021.

### 7.37 STANDARDS

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

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
- i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

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

RECEIVED  
JUL 20 2021  
COMMUNITY DEVELOPMENT DEPARTMENT

# CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals APPLICATION

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

APPLICANT'S NAME: MICHAEL EPLEY PHONE: 248-787-1130

ADDRESS: 6075 CARROLL LV. RD., COMMERCE, MI. 48382

APPLICANT'S EMAIL ADDRESS: MIKE@EPLEYCUSTOMDESIGN.COM

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

ADDRESS OF AFFECTED PROPERTY: 9386 BONNIE BRIAR PARCEL # 12-14-276-014

CURRENT ZONING: R1-D PARCEL SIZE: 11,475

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: 3' FRONT  
2' SIDE 3' REAR

VALUE OF IMPROVEMENT: \$ 45,000 SEV OF EXISTING STRUCTURE: \$                     

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

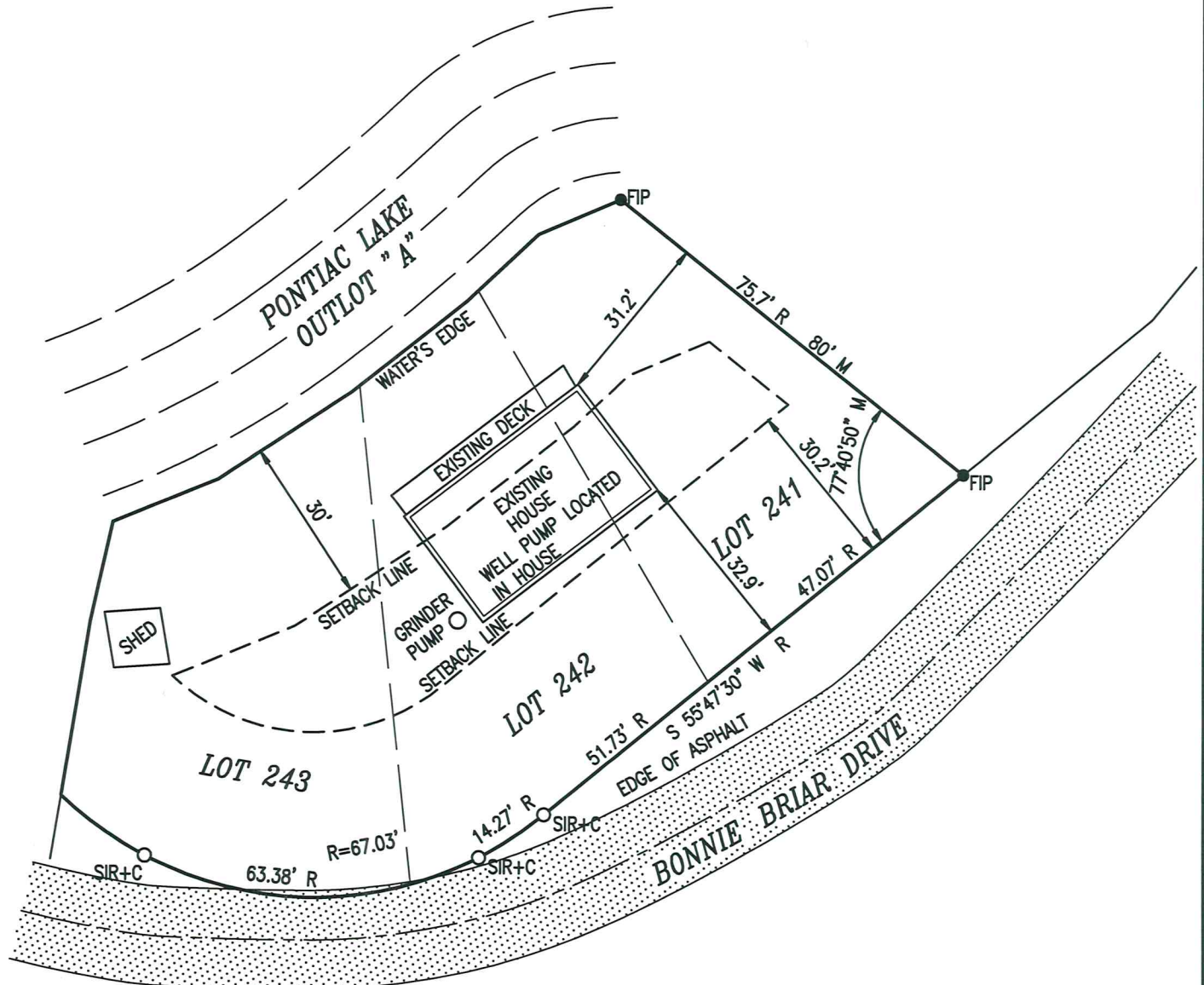
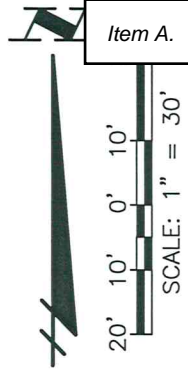
PORCH - EXISTING FRONT FOYER IS TOO SMALL  
THE FRONT DOOR TENDS TO PUSH YOU  
DOWN/UP THE STAIRS (SPLIT LEVEL)

GARAGE - CURRENTLY, THERE IS NO GARAGE. IF  
WE STAY CONFORMING AND PROPOSE SINGLE  
CAR GARAGE, IT IS AESTHETICALLY IMBALANCED  
THE 3' REAR VARIANCE REQUEST IS DUE  
TO THE FACT THAT IT IS CURRENTLY UNCONFORMING

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

APPLICANT'S SIGNATURE: [Signature] DATE: 7-20-21





ZONING R1-D  
SINGLE FAMILY  
RESIDENTIAL

(SETBACKS)  
FRONT - 30'  
SIDES - 10'  
REAR - 30'

LAND DESCRIPTION:

LOT SURVEY OF LOTS 241, 242 AND 243 OF  
"ENGLISH VILLAS SUBDIVISION" AS RECORDED  
IN LIBER 51, PAGES 22 AND 22A OF THE  
OAKLAND COUNTY PLATS.

LOT SURVEY OF PARCEL NUMBER 12-14-276-009.

BEARINGS FOR THIS SURVEY ARE BASED ON THE RECORD.

This survey is valuable and should be filed with the deed and abstract for this property.



REGISTERED LAND SURVEYORS  
655 Broadway  
P.O. Box 440  
Davisburg, Michigan 48350  
Phone: (248) 634-0700  
Email: GWS@TIR.COM

**LEGEND:**

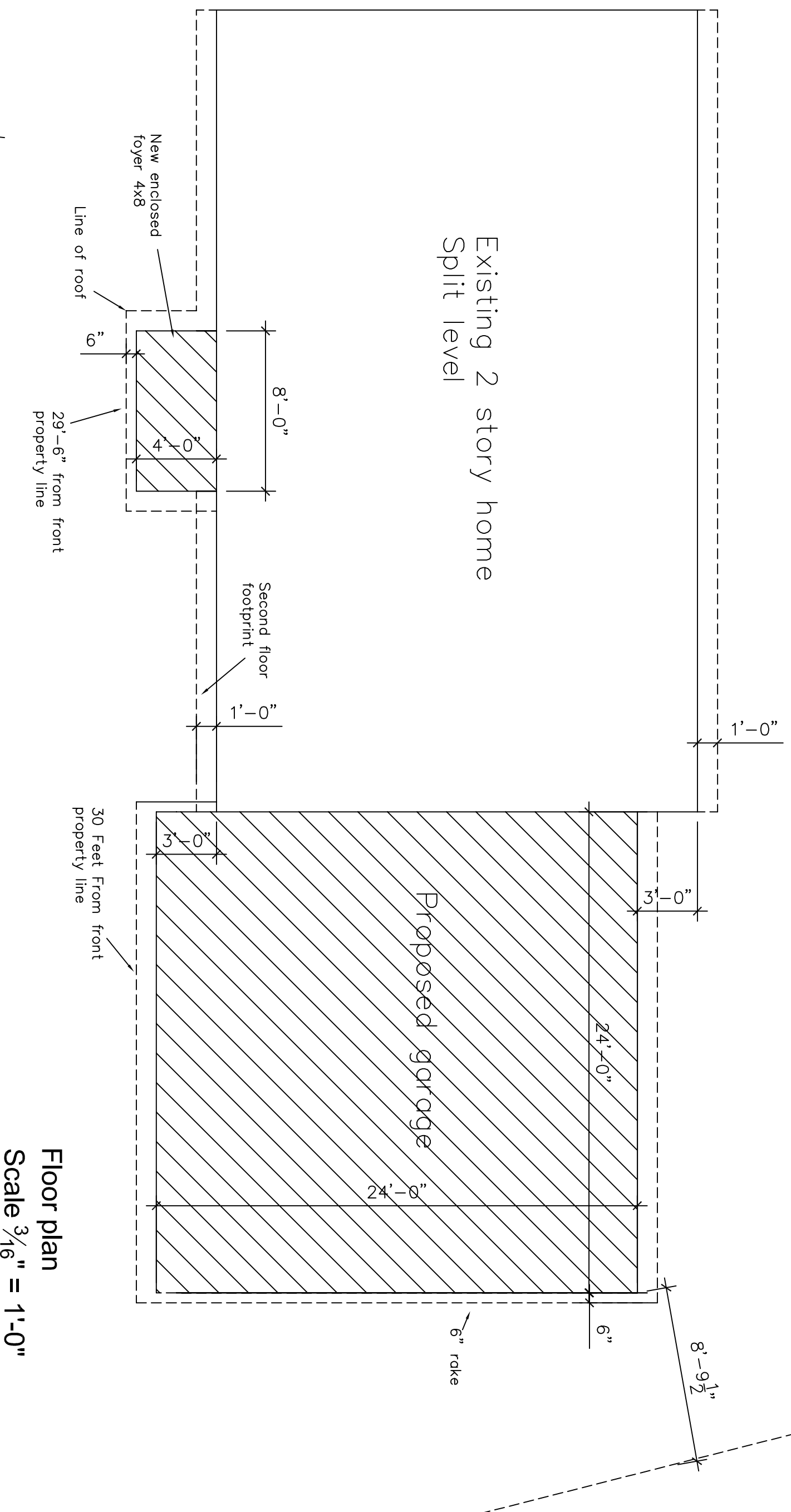
- C - Calculated
  - M - Measured
  - R - Recorded
  - S - Set
  - FIP - Found Iron Pipe
  - FIR - Found Iron Rod
  - ◇ FM - Found Monument
  - FPP - Found Pinch Pipe
  - SIRC - Set Iron Rod and Cap No. 22445
- Date: JUNE 8, 2021 Rev.: SEPTEMBER 1, 2021  
 Job No.: 21-0403 Desc. File: 210403  
 Dwg File: 210403.dwg Data File: 210403P  
 Field Book: \* Sheet: 1 of 1

**SURVEYORS CERTIFICATE:**

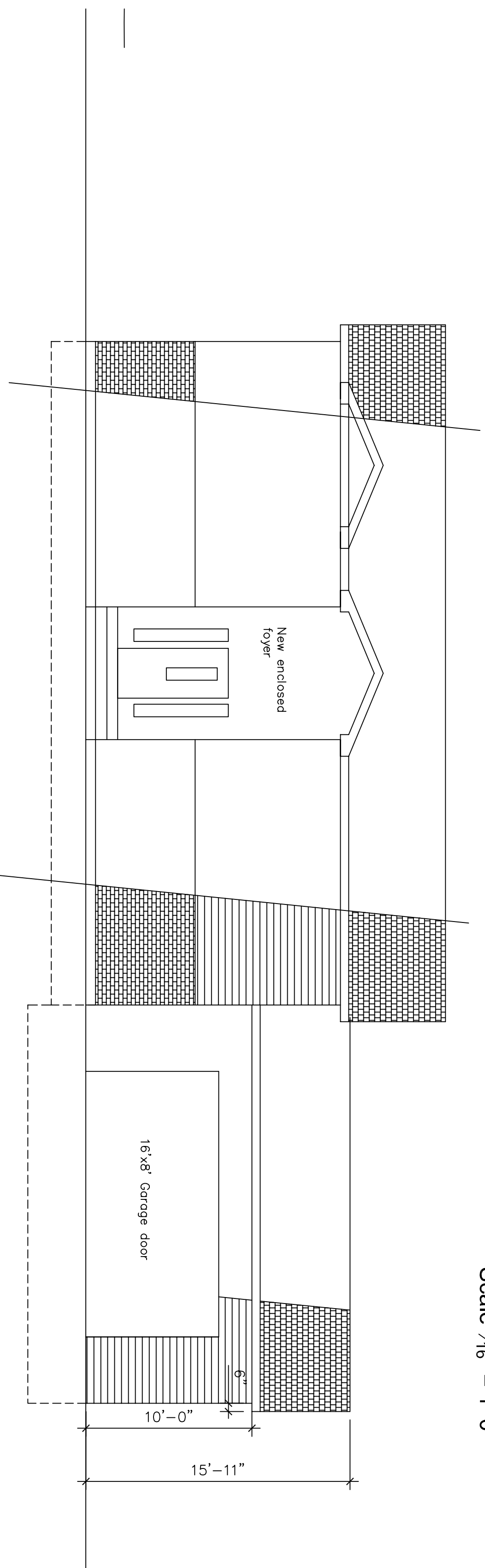
I, Grant J. Ward, Registered Land Surveyor, hereby certify to RONALD W. & STACY C. LITTLE; that on JUNE 8, 2021 I, surveyed and mapped the land herein described.



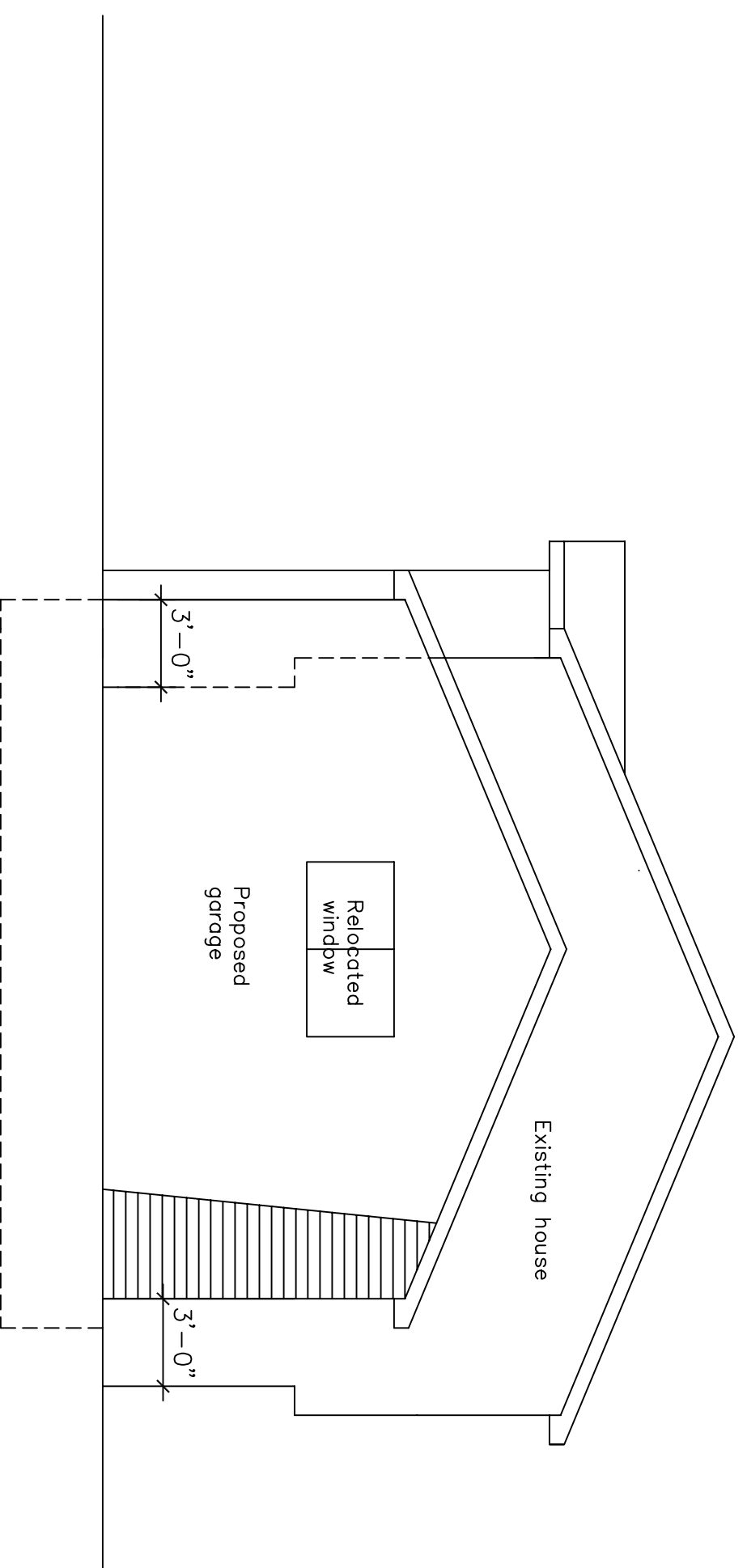
Grant J. Ward, R.L.S.  
License No. 22445



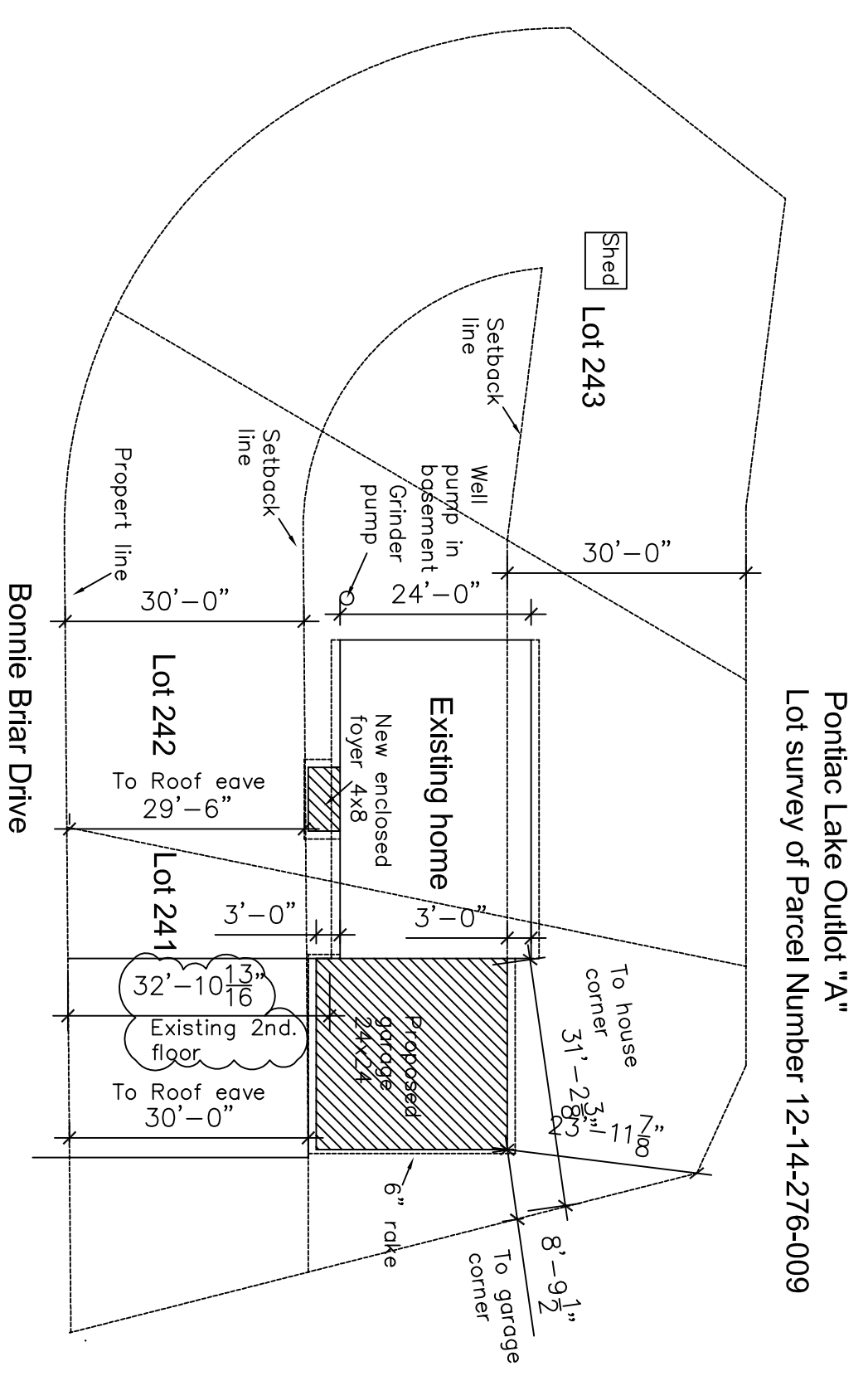
Floor plan  
Scale 3/16" = 1'-0"



South elevation  
Scale 3/16" = 1'-0"



East elevation  
Scale 3/16" = 1'-0"



Site Plan  
Scale 1" = 20'

Land description

Lot survey of lots 241, 242, and 243 of " ENGLISH VILLA SUBDIVISION " as recorded in fiber 51, pages 22 and 22A of the Oakland County Plats  
Zoning - R1-D Single family residential  
Front - 30'  
Sides - 10'  
Back - 30'

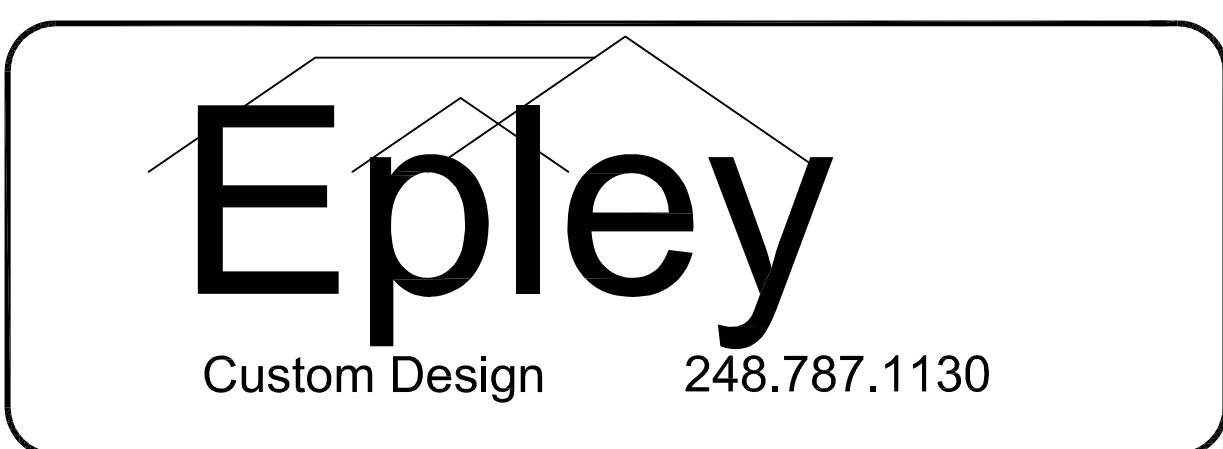
Site plan - Floor plan - Elevations

ISSUE	DATE	ISSUE
		Revised ZBA Document Sept. 7 2021

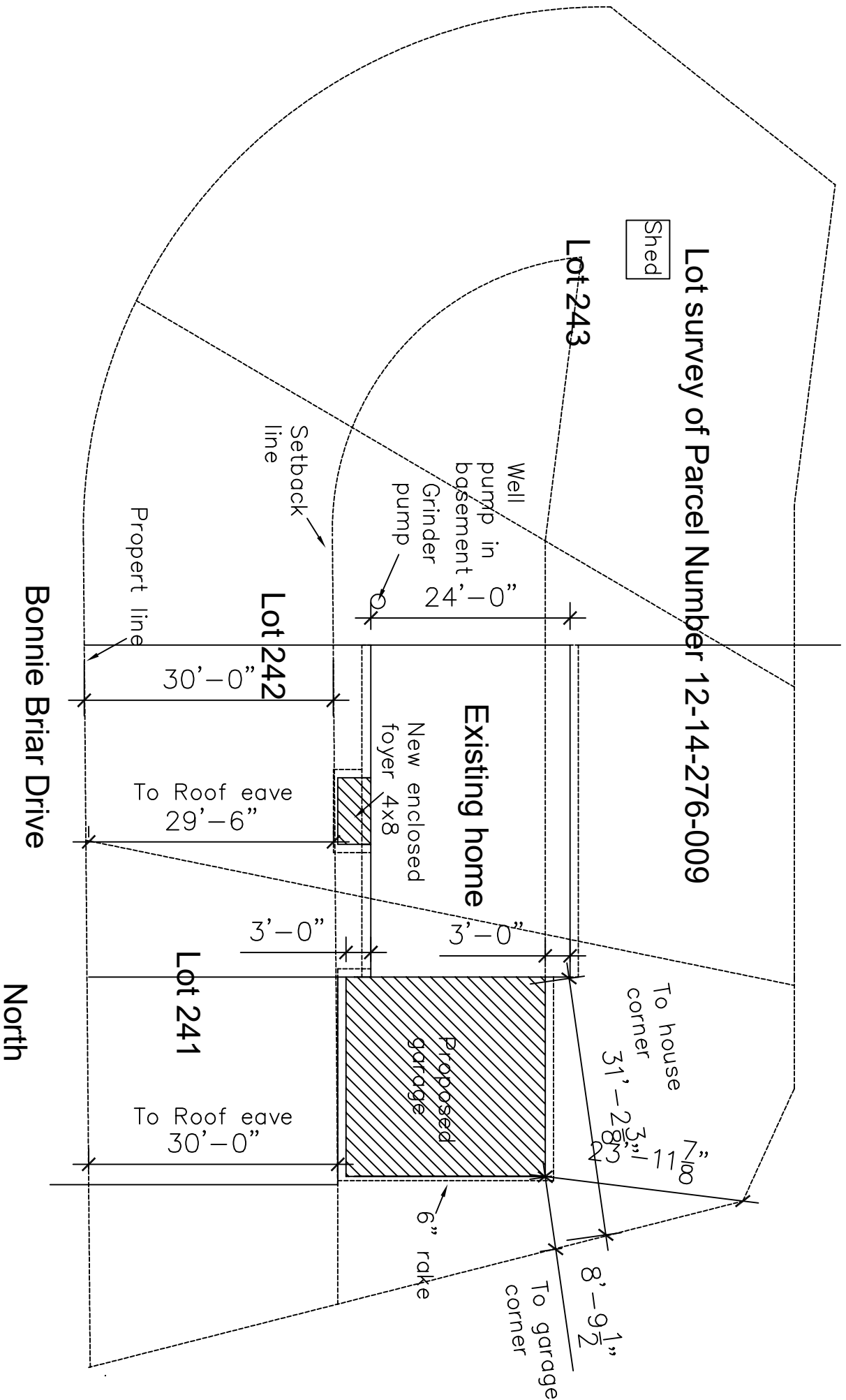
PROJECT  
Designed by Owner  
Proposed Garage addition  
& Enclosed foyer for  
9386 Bonnie Briar Dr.  
Charter Twp. of White Lake ml.

DRAWN  
July 2021

PROJECT No.  
SHEET No.  
A-1



PONTIAC LAKE UNIT "A"



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

July 21, 2021

Ron Little  
9386 Bonnie Briar  
White Lake, MI 48386

RE: Proposed Addition

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

**Article 3.1.6 of the White Lake Township Clear Zoning Ordinance:** Requires a minimum side yard setback of 10 ft, minimum rear yard setback of 30 ft, and minimum lot size of 12,000 sq ft.

The existing structure is legal non-conforming with the 11,718 sq ft lot containing a residential structure; having approximately a 24 ft rear yard setback. The proposed addition would further increase this non-conformity on the east side of the property with an 8 ft side yard setback and approximate 22 ft rear yard setback. The rear yard setback is not dimensioned on the survey and will need to be added by the surveyor.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the August 26<sup>th</sup> Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than July 29<sup>th</sup> at 4:30 PM. **A certified boundary and location survey 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 23, 2021

---

**Agenda item:** 6a

**Appeal Date:** September 23, 2021

**Applicant:** Ryan Heil

**Address:** 11600 Hazel Avenue  
Grand Blanc, MI 48439

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

**Location:** Parcel Number 12-14-282-002  
English Villas Sub Lot 345

## **Property Description**

The approximately 0.12-acre (5,348 square feet) parcel identified as Parcel Number 12-14-282-002 is located on Pontiac Lake and zoned R1-D (Single Family Residential). The public sanitary sewer system is available to serve the site.

## **Applicant's Proposal**

Ryan Heil, the applicant, is proposing to construct a new house on an undeveloped lot.

## **Planner's Report**

The parcel is nonconforming due to a 6,652 square foot deficiency in lot area and a 38-foot deficiency in lot width (42 feet in width at the front lot line); in the R1-D zoning district the minimum lot size requirement is 12,000 square feet and the minimum lot width requirement is 80 feet.

The applicant is proposing to construct a 1,702 square foot one-story house, including a 260 square foot one-car attached garage. The proposed house would be located 15.59 feet from the north (front) lot line, 6.55 feet from the east (side) lot line, and 7.58 feet from the west (side) lot line. In the R1-D zoning district the minimum front yard setback is 30 feet and the minimum side yard setback is 10-feet. A 14.41-foot variance to encroach into the front setback, a 3.45-foot variance to encroach into the east side setback, and a 2.42-foot variance to encroach into the west side setback are being requested. Note the proposed eave overhang is 16 inches, which only leaves 2.6 inches from the required minimum 5-foot setback from the east side property line.

Additionally, the proposed lot coverage is 31.82% (1,702 square feet), which is 11.82% (632.4 square feet) beyond the 20% maximum lot coverage allowed (1,069.6 square feet).

Please also note there was a different site plan prepared by a different surveyor in November 2020. The revised site plan utilized the topographic information from the initial survey, which did not represent the shoreline at the ordinary high-water mark for Pontiac Lake.

Furthermore, the architectural plans show a covered porch on the east side of the house. This porch is not represented on the site plan. The roofed structure is not dimensioned on the elevations, but the projection scales at three feet. When reviewing the architectural plans, note the orientation is reversed from the site plan. A covered or enclosed porch is considered part of the principal structure and therefore subject to the same setbacks as the house. Based on the plans, the covered porch would be located 3.55 feet from the east side property line. Article 7, Section 27.vii of the zoning ordinance prohibits the Zoning Board of Appeals from permitting side yards of less than five feet for safety reasons.

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	14.41 feet	15.59 feet
2	Article 3.1.6.E	Side yard setback	10 feet	3.45 feet (east) 2.42 feet (west)	6.55 feet (east) 7.58 feet (west)
3	Article 3.1.6.E	Maximum lot coverage	20% (1,069.6 square feet)	11.82% (632.4 square feet)	31.82% (1,702 square feet)
4	Article 3.1.6.E	Minimum lot size	12,000 square feet	6,652 square feet	5,348 square feet
5	Article 3.1.6.E	Minimum lot width	80 feet	38 feet	42 feet

**Zoning Board of Appeals Options:**

**Approval:** I move 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 2.42 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.

**Denial:** I move to deny the variances requested by Ryan Heil for Parcel Number 12-14-282-002 due to the following reason(s):

**Table:** I move to table the variance requests of Ryan Heil for Parcel Number 12-14-282-002 to consider comments stated during this public hearing.

## Attachments:

1. Variance application dated August 23, 2021.
2. Site plan dated August 18, 2021.
3. Site plan dated November 20, 2020 (revision date February 20, 2021).
4. Elevations and floor plans dated January 2021.
5. Letter of denial from the Building Department dated September 1, 2021.

### 7.37 STANDARDS

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

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

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



CHARTER TOWNSHIP OF WHITE LAKE  
Zoning Board of Appeals  
APPLICATION

AUG 23 2021

BUILDING  
DEPARTMENT

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

APPLICANT'S NAME: Ryan Heil PHONE: 248-214-1563

ADDRESS: 11600 Hazel Ave, Grand Blanc 48439

APPLICANT'S EMAIL ADDRESS: Ryan\_Heil@yahoo.com

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

ADDRESS OF AFFECTED PROPERTY: \_\_\_\_\_ PARCEL # 12-14-282-002

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

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

VALUE OF IMPROVEMENT: \$ \_\_\_\_\_ SEV OF EXISTING STRUCTURE: \$ \_\_\_\_\_

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

Unusable. Need house.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

APPLICANT'S SIGNATURE: [Signature] DATE: 8/23/21

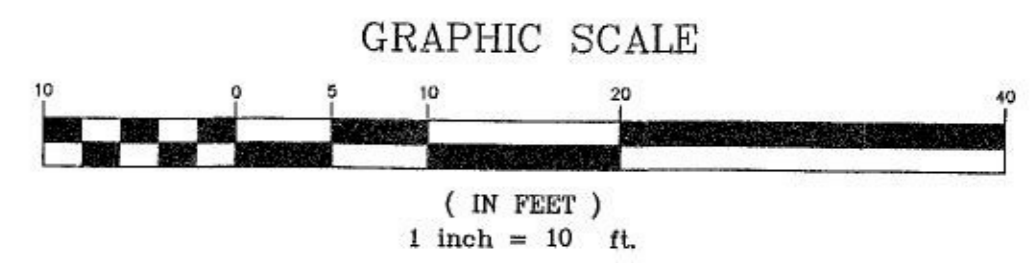
# SITE PLAN

PREPARED FOR:

RYAN HEIL

DESCRIPTION PARCEL #12-14-282-002:

LOT 345 OF "ENGLISH VILLAS SUBDIVISION", A SUBDIVISION OF PART OF SECTION 14, T.3N., R.8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MI, AS RECORDED IN LIBER 51 OF PLATS ON PAGE 22, OAKLAND COUNTY RECORDS.



**LEGEND**

- EXISTING ELEV.
- PROPOSED ELEV.
- AS BUILT
- FLOW DIRECTION
- CONTOURS
- SANITARY
- WATER MAIN
- STM SEWER
- GAS LINE
- OH WIRE LINE
- CHAIN FENCE
- WOOD FENCE
- SILT FENCE
- CMP
- TREE TO BE REMOVED
- FOUND IRON OR PIPE
- SET IRON
- FOUND MONUMENT
- SECTION CORNER
- POWER POLE
- CATCH BASIN
- CENTERLINE OF ROAD
- GATE VALVE WATER
- GAS MARKER
- DOWNSPOUT
- WATER SHUT OFF

**MIN. SETBACK REQUIREMENTS R-1D**

DESCRIPTION	REQ.	PROP.
SIDE YARD (EAST)	10'	6.55'
SIDE YARD (WEST)	10'	7.80'
FRONT YARD (ROAD)	30'	15.59'
REAR YARD (LAKE)	25'	33.78'

(7.58 O.H.)

**BUILD. AREA CALCULATIONS**

	SQ. FT.
HOUSE W/O.H.	1,442
ATTACHED GARAGE	260
<b>TOTAL</b>	<b>1,702</b>
LOT	5,348
COVERAGE	31.82%
MAX COVERAGE ALLOWED	30.00%

**IMPERVIOUS AREA CALC'S**

	SQ. FT.
DRIVE CONC.	216
WALLS	143
CONC. WALK	182
<b>TOTAL</b>	<b>541</b>
LOT	5,348
COVERAGE	10.11%
MAX COVERAGE ALLOWED	30.00%

**TOTAL SURFACE COVERAGE**

	SQ. FT.
BUILD. AREA	1,702
IMPERVIOUS AREA	541
<b>TOTAL COMBINED AREA</b>	<b>2,243</b>
LOT	5,348
COVERAGE	41.94%
MAX COVERAGE ALLOWED	60.00%

**SOIL EROSION SEQUENCE**

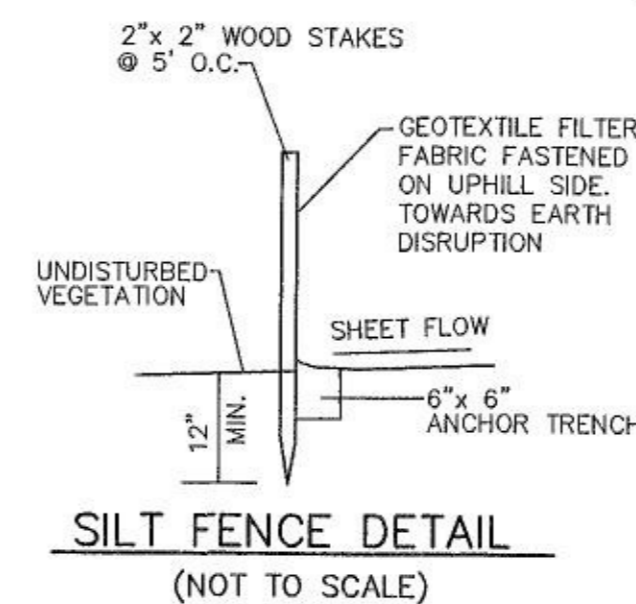
1. INSTALL SILT FENCE AROUND ENTIRE LOT OR AS SHOWN ON DWG., LEAVING AN OPENING FOR THE DRIVE WHICH SHALL HAVE A BASE OF GRAVEL OR CRUSHED CONCRETE INSTALLED PRIOR TO BEGINNING CONSTRUCTION AND CALL TWP. OR CITY FOR INSPECTION.
2. CLEAR AND ROUGH GRADE SITE.
3. EXCAVATE BASEMENT AND INSTALL SANITARY, SUMP, AND WATER LEADS AS NECESSARY AND BACK FILL BASEMENT.
4. INSTALL ALL PUBLIC UTILITIES.
5. COMPLETE BUILDING CONSTRUCTION.
6. FINISH GRADE SITE AND PAVE DRIVE.
7. HOMEOWNERS TO ESTABLISH VEGETATION ON ALL DISTURBED AREAS WITH TOPSOIL AND SEED OR SOD.
8. REMOVE ALL SOIL EROSION CONTROL DEVICES AFTER VEGETATION IS ESTABLISHED.
9. SOIL EROSION CONTROLS SHALL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT.



KAROL L. GROVE  
LICENSED PROFESSIONAL SURVEYOR #39075

8-19-2021

NOTE: THIS SITE PLAN DRAWING WAS ORIGINALLY COMPLETED BY DON DEKEYSER, PS (RETIRED). WE HAVE REVISED THE FOOTPRINT OF THE PROPOSED HOUSE PER THE PROPERTY OWNER'S REQUEST. WE HAVE NOT COMPLETED A BOUNDARY SURVEY OF THIS PROPERTY.



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

**ALPINE**  
Land Surveying, Inc.

FIELD: KG DATE: 08-18-2021  
DRAWN: DJS JOB NO: 21-5586  
CHECKED: KG SHEET: 1 OF 1  
REVISED:

3 WORKING DAYS | BEFORE YOU DIG  
CALL MISS DIG  
1-800-482-7171  
(TOLL FREE) for the location of underground facilities

DESCRIPTION PARCEL #12-14-282-002:

LOT 345 OF "ENGLISH VILLAS SUBDIVISION", A SUBDIVISION OF PART OF SECTION 14, T.3N., R.8E., WHITE LAKE TOWNSHIP, OAKLAND COUNTY, MI, AS RECORDED IN LIBER 51 OF PLATS ON PAGE 22, OAKLAND COUNTY RECORDS.

MIN. SETBACK REQUIREMENTS R-1D

DESCRIPTION	REQ.	PROP.
SIDE YARD (EAST)	10'	6.66'
SIDE YARD (WEST)	10'	8.56'
FRONT YARD (ROAD)	30'	15.96'
REAR YARD (LAKE)	25'	33.78'

(7.58 O.H.)

BUILD. AREA CALCULATIONS

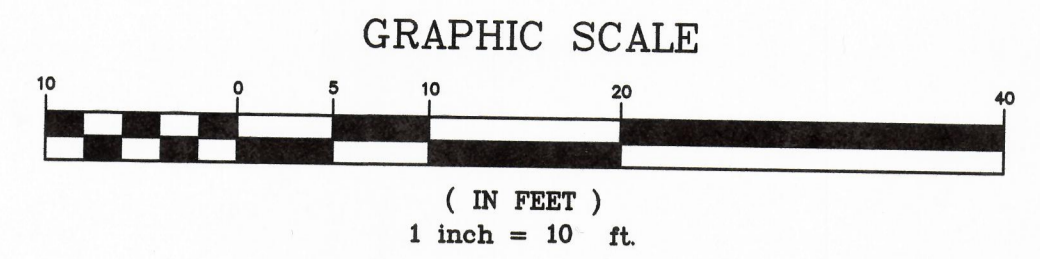
	SQ. FT.
HOUSE W/O.H.	1,163
ATTACHED GARAGE	440
TOTAL	1,603
LOT	5,348
COVERAGE	29.97%
MAX COVERAGE ALLOWED	30.00%

IMPERVIOUS AREA CALC'S

	SQ. FT.
DRIVE CONC.	290
WALLS	143
CONC. WALK	85
TOTAL	518
LOT	5,348
COVERAGE	9.53%
MAX COVERAGE ALLOWED	30.00%

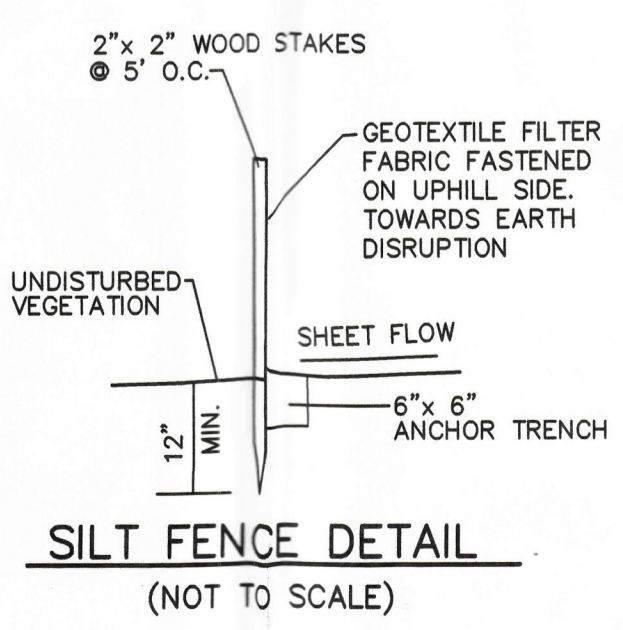
TOTAL SURFACE COVERAGE

	SQ. FT.
BUILD. AREA	1,603
IMPERVIOUS AREA	518
TOTAL COMBINED AREA	2,121
LOT	5,348
COVERAGE	39.66%
MAX COVERAGE ALLOWED	60.00%

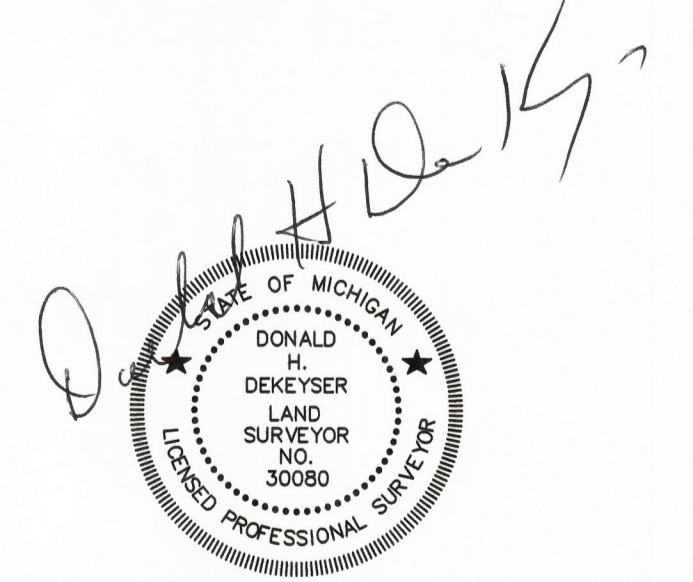


LEGEND

- ○ ○ ○ ○ EXISTING ELEV.
- □ □ □ □ PROPOSED ELEV.
- ▨ ▨ ▨ ▨ ▨ AS BUILT ELEV.
- FLOW DIRECTION
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- ⊕ GATE VALVE WATER
- ▲ GAS MARKER
- ▽ DOWNSPOUT
- ⊙ WATER SHUT OFF



- SOIL EROSION SEQUENCE**
1. INSTALL SILT FENCE AROUND ENTIRE LOT OR AS SHOWN ON DWG., LEAVING AN OPENING FOR THE DRIVE WHICH SHALL HAVE A BASE OF GRAVEL OR CRUSHED CONCRETE INSTALLED PRIOR TO BEGINNING CONSTRUCTION AND CALL TWP. OR CITY FOR INSPECTION.
  2. CLEAR AND ROUGH GRADE SITE.
  3. EXCAVATE BASEMENT AND INSTALL SANITARY, SUMP, AND WATER LEADS AS NECESSARY AND BACK FILL BASEMENT.
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  5. COMPLETE BUILDING CONSTRUCTION.
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  8. REMOVE ALL SOIL EROSION CONTROL DEVICES AFTER VEGETATION IS ESTABLISHED.
  9. SOIL EROSION CONTROLS SHALL BE MAINTAINED WEEKLY AND AFTER EVERY STORM EVENT.



<b>DEKEYSER SURVEYING</b> 6038 NORTHROP, WATERFORD MI. 48329 PH. 248-623-1518		
SCALE: 1"=10'	REV. 2-20-21	DRAWN BY: AB
DATE: 11-20-20	REV.	REV.
JOB DESCRIPTION: SITE PLAN		
CLIENT RYAN HEIL PH. 248-214-1563	DRAWING NUMBER 6842	

**ROOF VENTILATION**

ONE SQ. FT. OF VENTILATION IS REQUIRED FOR EVERY 150 SQ. FT. OF ROOF.

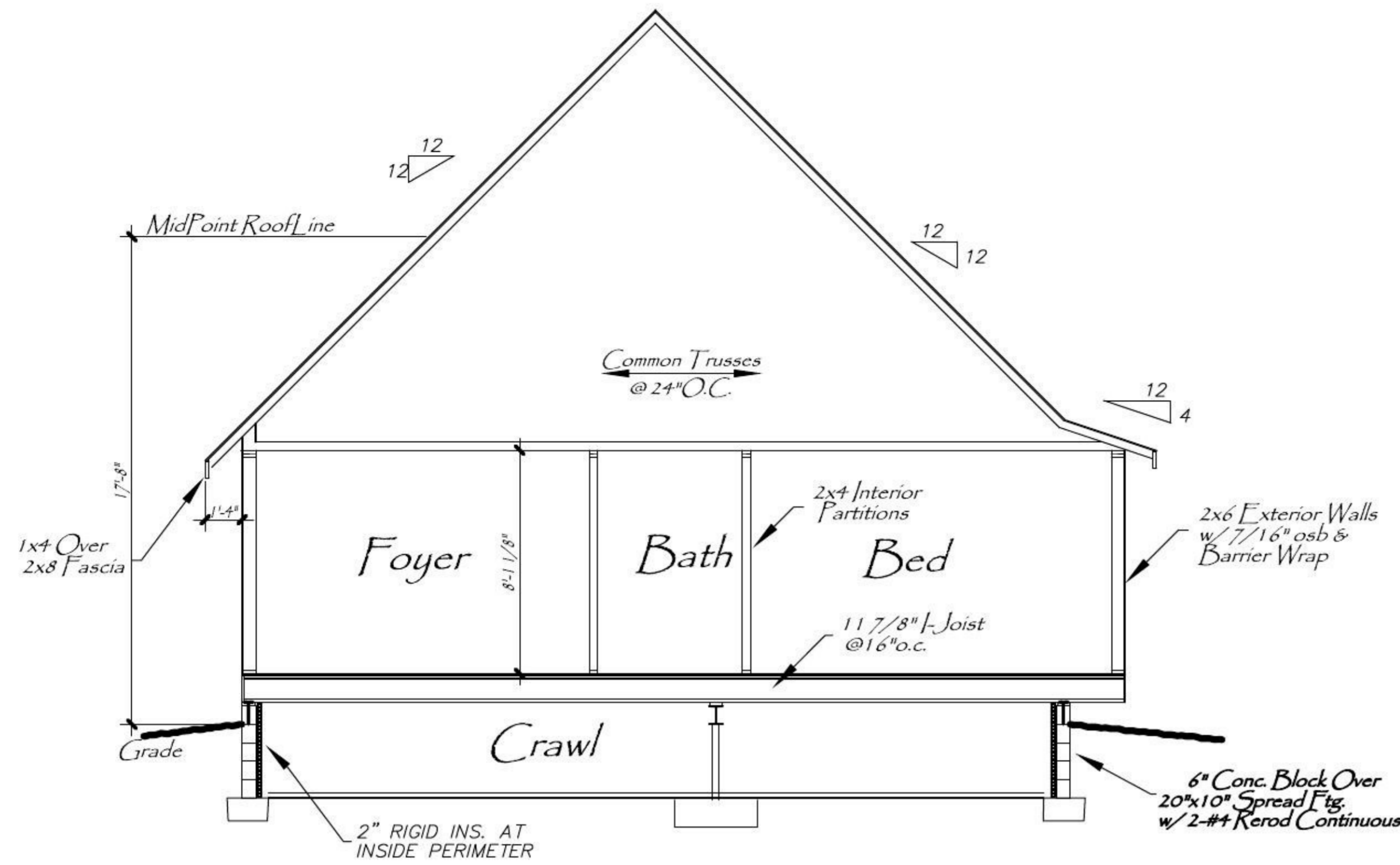
BALANCE VENTILATION FROM EAVE AND UPPER VENTILATED AREA

CONSULT VENTILATION CAPACITIES OF PRODUCTS CHOSEN FOR THIS PROJECT

PERIODIC MAINTENANCE AND CLEANING OF VENTS IS RECOMMENDED

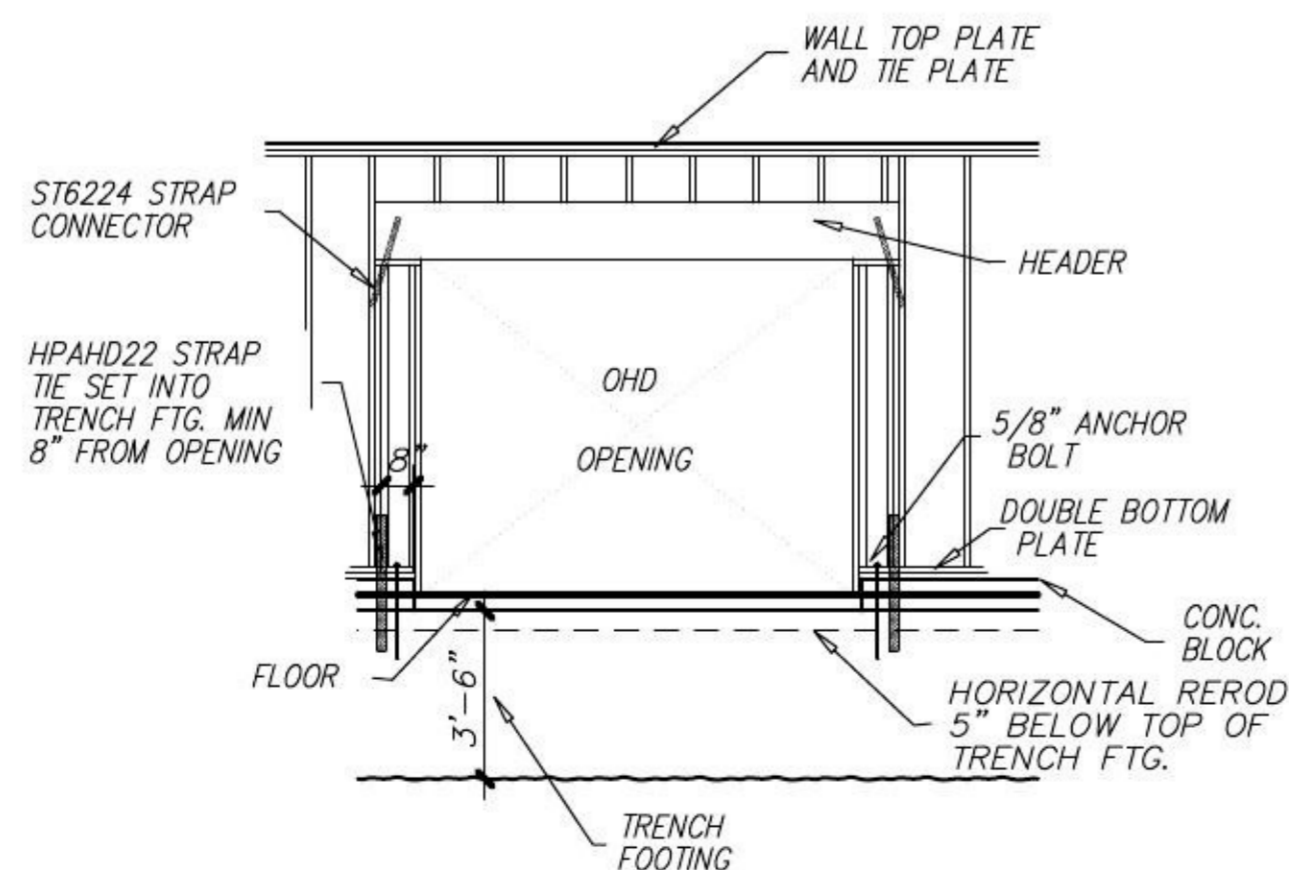
**ATTIC ACCESS**

ATTIC ACCESS TO BE MIN. 22"x30" TO EACH ATTIC SPACE. LOCATION PER BUILDER/OWNER



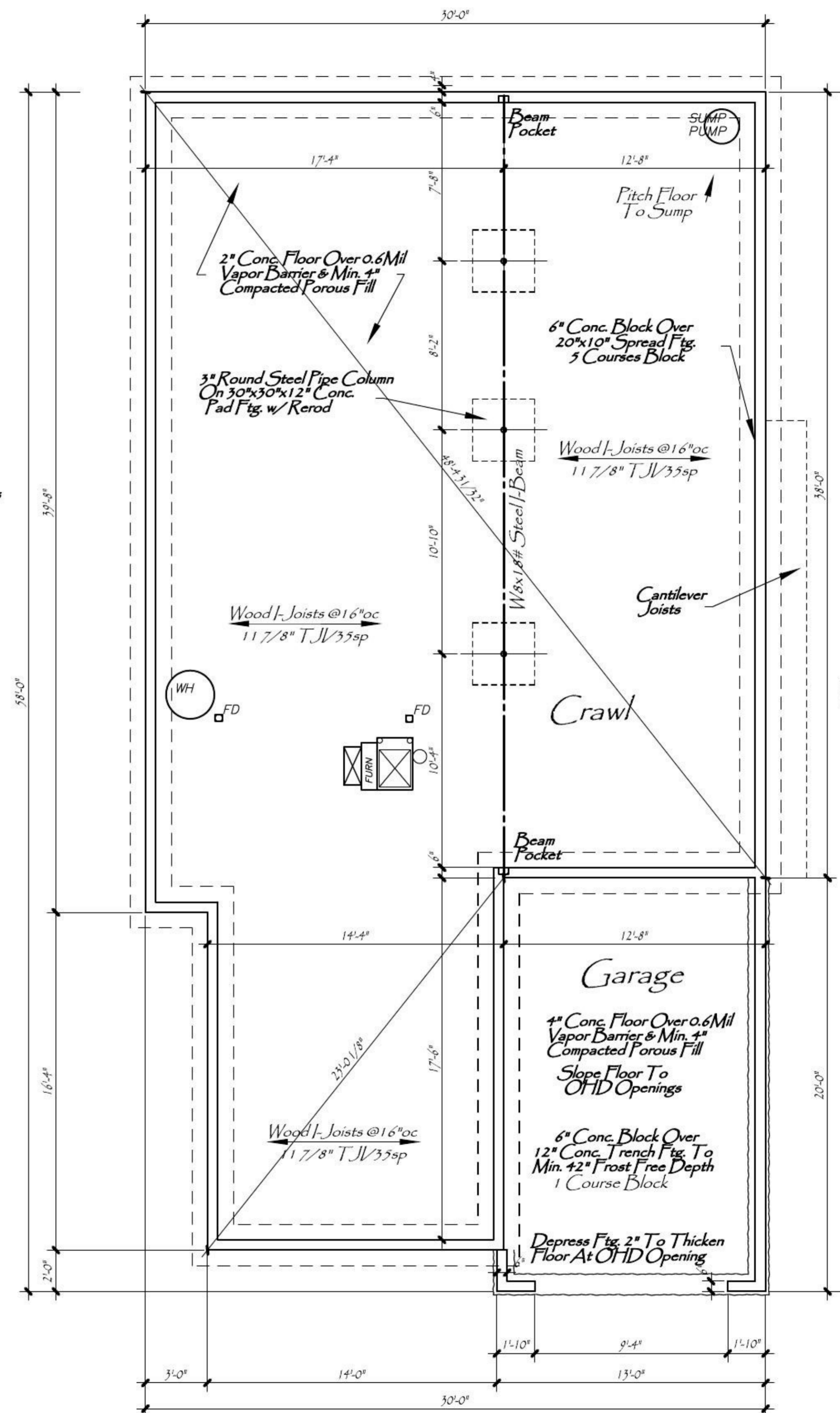
CONDITIONED CRAWL SPACE REQUIRES NO EXTERIOR VENTING MECHANICAL VENTING REQUIRED AT RATE OF ONE CFM PER 50 SQ. FT. AREA. DO NOT INSULATE FLOOR JOISTS

**Section**



**DETAIL**

WALL BRACING WALLS SHORTER THAN 4' GARAGE OHD OPENINGS TYPICAL



**Foundation Plan**

Scale 1/4" = 1'-0"

Note: All Dimensions And Materials Are To Be Checked By The Builder Before Construction Begins

6" Conc. Block Over 12" Conc. Trench Fig. To Min. 42" Frost Free Depth

Vertical Expansion Joints Are Req. in All Concrete Walls 30' Or More In A Single Span Length

Place Sill Ties 6' o.c. Max And 1' Max From Corners / Ends Follow Mfr. Depth Setting

Apply Mastic Dampproof Coating To Exterior Conc. Wall To Grade Line

Perimeter Drain Tile To Be Connected To Footing Bleeders & Covered w/ Min. 12" Peastone Fill

Perimeter Foundation Drain Tile Must Connect To Sump Crock, Even When Exterior Gravity Conditions Exist

Backfill Foundation w/ Clean Loose Fill And Grade Surface To Slope Away From Foundation. Maintain Min. 8" From Top Of Wall

Apply Foam Sill Sealer Tape Between Top Of Conc. Wall & Sill Plate

Wood In Direct Contact w/ Concrete Masonry, And / Or Soils Must Be Pressure Treated

Install Proper Expansion Material At Perimeter Of Interior Conc. Floors

All Work Performed Shall Comply w/ The 2015 Michigan Residential Code, Local Ordinances, And Shall Be Performed To Industry Standards Or Better

Revisions	
Date	

Builder: A

Site Location: Buckingham Road

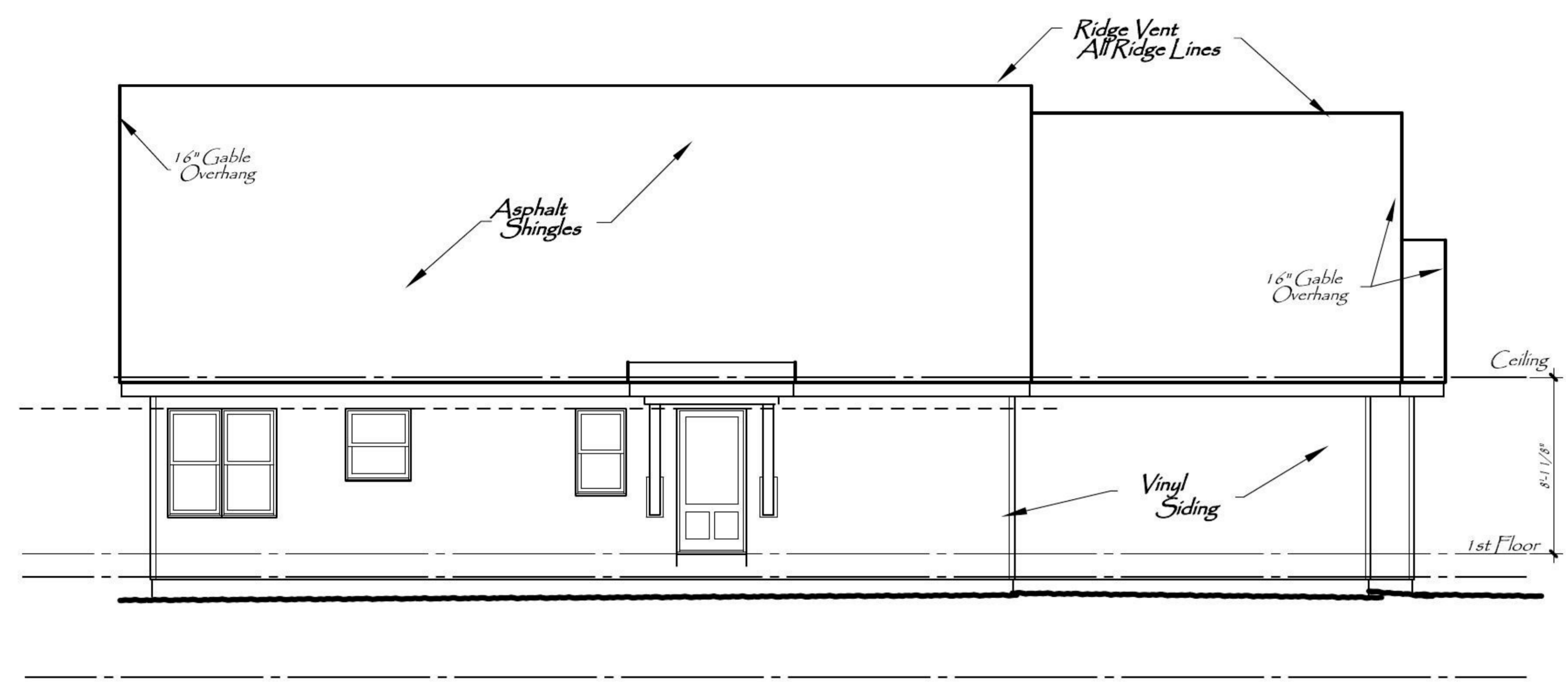
Residence For: Ryan Heil



This drawing is the intellectual property of Home Innovation Design. Authorization is valid only to the named client after final payment is received, and for only one individual site location. Any other use, for whatever purpose is forbidden and in violation of U.S. Copyright Law.

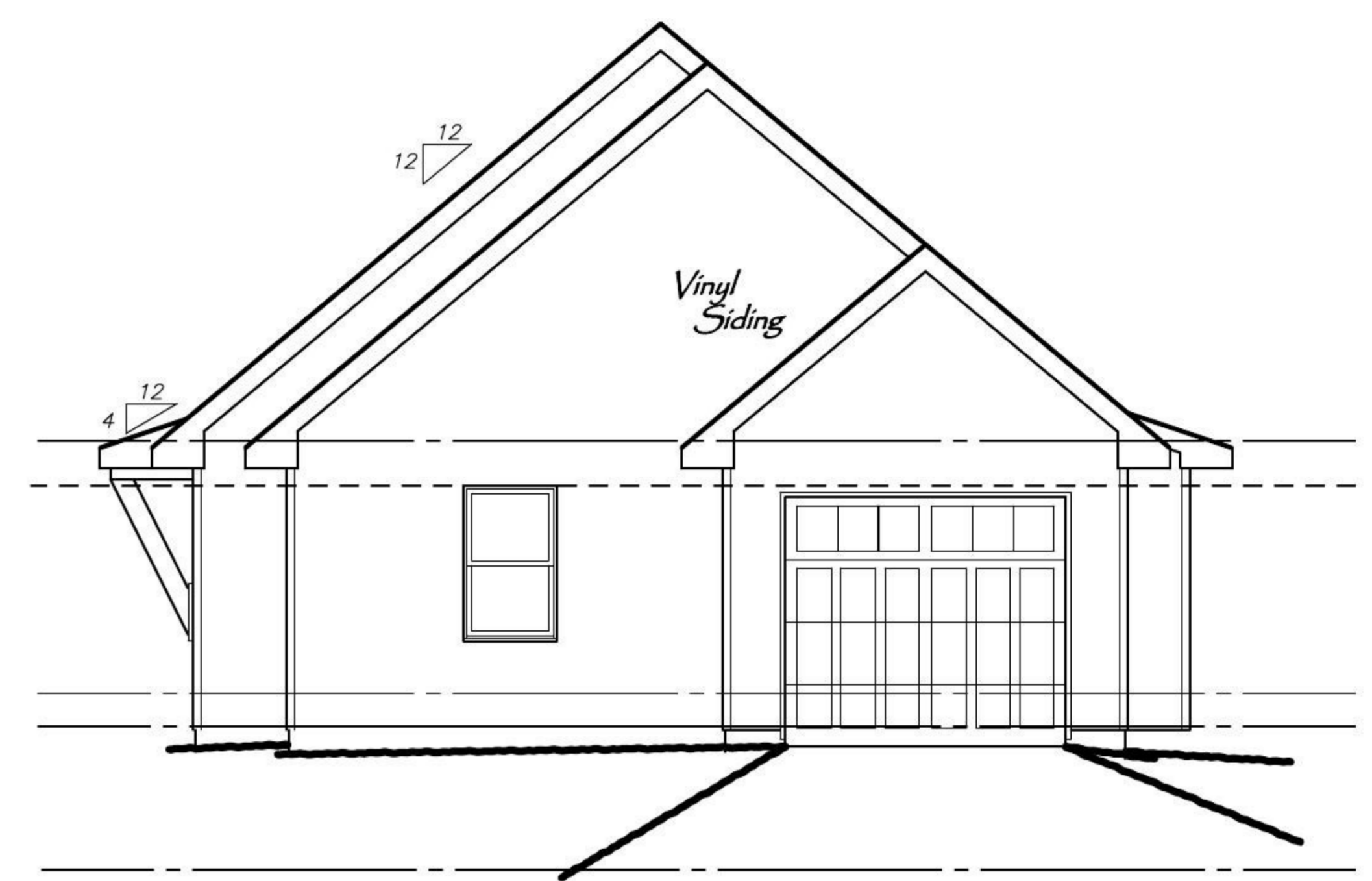
**Home INNOVATION**  
 Design | Construction  
 3392 SHIRLEY ROAD, SUITE 100  
 POWERSVILLE, MICHIGAN 49855  
 517-292-2118

Item A.
Revisions
Date

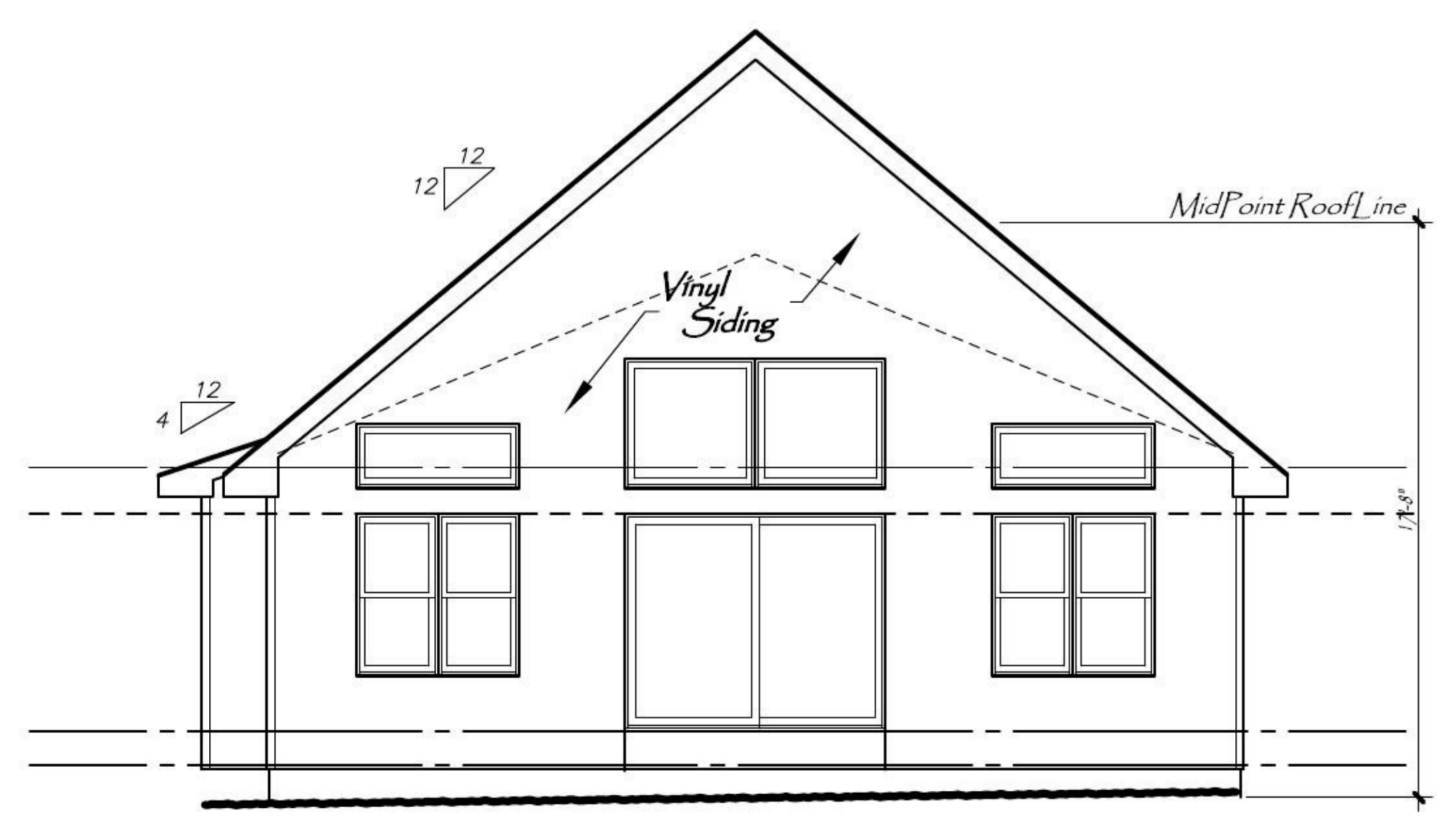


East Elev.

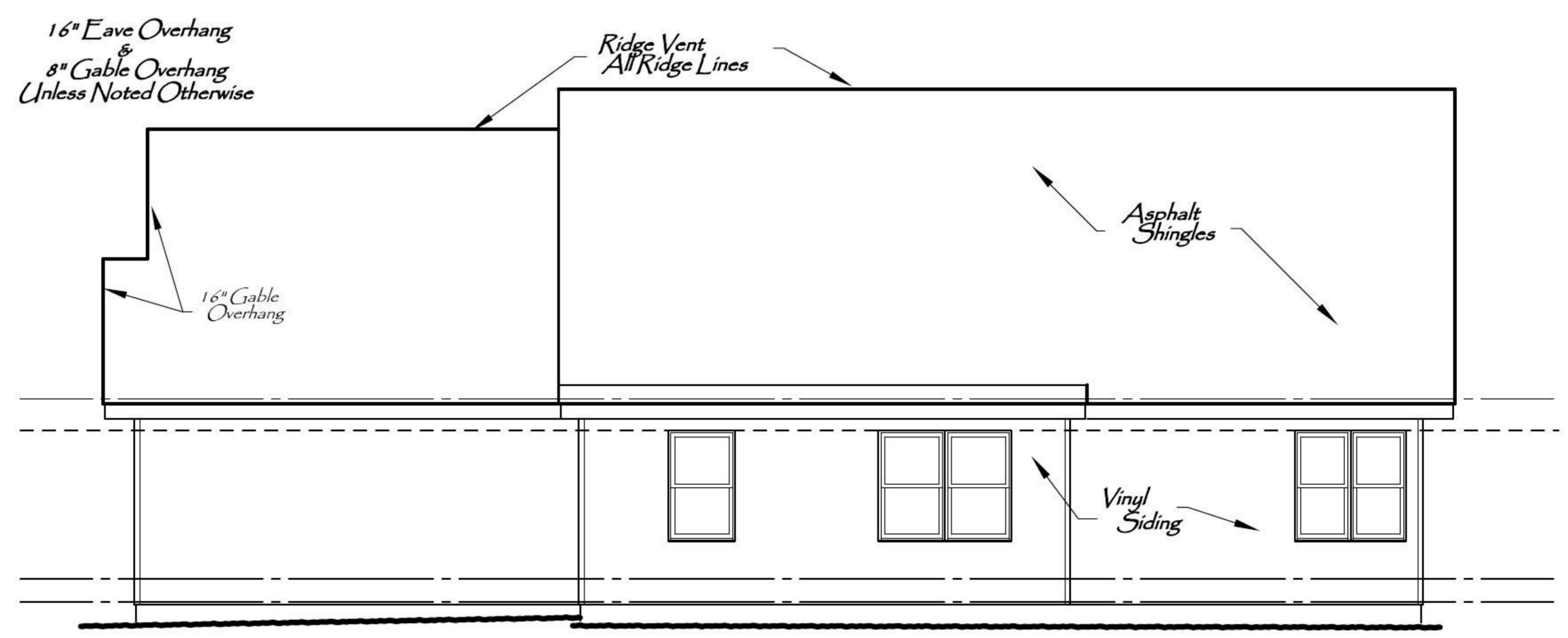
Scale 1/4" = 1'-0"



Street Elev.



Lake Elev.

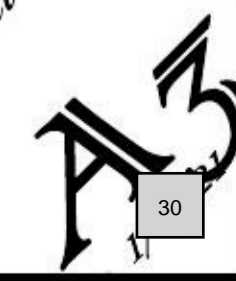


West Elev.

Scale 1/4" = 1'-0"

Builder: X  
 Site Location: Buckingham Road

Residence For:  
 Ryan Heil



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

September 1, 2021

Ryan Heil  
11600 Hazel Ave  
Grand Blanc, MI 48439

RE: Proposed Residential Structure on Parcel # 12-14-282-002 Buckingham

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 front yard setback of 30 ft, minimum side yard setback of 10 ft each side and total of 20 ft, minimum lot area of 12,000 sq ft, minimum lot width of 80 ft, and maximum lot coverage of 20%.

The existing lot is legal non-conforming with an area of 5,348 sq ft and lot width of 42 ft. The proposed residential structure would have a side yard setback of 7.58 ft on the west side and 6.55 ft on the east side, for a combined total of 14.24 ft. The front yard setback is proposed as 15.59 ft. Furthermore, the lot coverage would be 31.82%.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. **A certified boundary and location survey 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 23, 2021

---

**Agenda item:** 6b

**Appeal Date:** September 23, 2021

**Applicant:** Roger Lewis

**Address:** 85 N. Hulbert Street  
White Lake, MI 48386

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

**Location:** 9 Danforth Drive  
White Lake, MI 48386



### **Property Description**

The approximately 0.194-acre (8,450.64 square feet) parcel identified as 9 Danforth Drive is located on Oxbow Lake and zoned R1-D (Single Family Residential).

### **Applicant's Proposal**

Roger Lewis, the applicant, is requesting a post-construction variance for the alteration of a nonconforming structure.

### **Planner's Report**

In December 2017, the applicant received a permit from the Building Department to install new shingles on the roof of the 400 square foot garage. The applicant violated the permit and removed the roof coverings and structure, and proceeded to reconstruct and raise the walls of the building, and increase the roof overhang. This unpermitted work was in violation of initial permit issued, as well as the zoning ordinance. In June 2019, previous staff in the Building Department allowed the applicant to add a house renovation onto the roof permit from 2017. Such modification was not consistent with Township permit policy; a separate permit should have been required. Additionally, the initially granted roof permit expired and was void at the time the work on the garage violated the terms of the permit. Instead of renovating the house, the applicant started demolishing the house. This was done without a demolition permit. In December 2019, the applicant obtained a demolition permit for the house.

Without a principal structure (house), the accessory building is a nonconforming use on the property. Additionally, with the dimensional nonconformities, the garage is not complying with the ordinance in numerous ways. The garage does not meet the 30-foot front yard setback, or the minimum five-foot accessory building setback from the side lot line. At the closest point, the garage wall is located 1.3 feet from the front (east) property line and 2.4 feet from the side (north) property line. The submitted survey does not show the extent of the roof overhang. Based on a visual inspection of the eaves, the roof could be encroaching off the property and into the road right-of-way. Article 5, Section 3 of the zoning ordinance prohibits roofs, gutters, windows, and open balconies from projecting closer than five feet to a lot line. Article 7, Section 27.vii prohibits the Zoning Board of Appeals from permitting side yards of less than five feet for safety reasons.

The legal nonconforming status of the garage was lost when the structure was altered. Furthermore, since the house was demolished, the use of land is now nonconforming. The Township recommends the Zoning Board of Appeals deny the variance request and order demolition of the garage be completed within 45 days.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 7.23.A	Nonconforming Structures	No alteration	Reconstruct and increase wall height and roof overhang	Nonconforming status

### Zoning Board of Appeals Options:

**Approval:** I move to approve the post-construction variance requested by Roger Lewis from Article 7.23.A of the Zoning Ordinance for Parcel Number 12-26-126-035, identified as 9 Danforth Drive, in order to allow the alteration of the garage and nonconforming status for said accessory building. This approval will have the following conditions:

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

**Denial:** I move 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):. Furthermore, the garage shall be demolished by November 8, 2021.

- 

**Table:** I move to table the post-construction variance request of Roger Lewis for Parcel Number 12-26-126-035, identified as 9 Danforth Drive, to consider comments stated during this public hearing.

### Attachments:

1. Variance application dated August 25, 2021.
2. Survey dated August 24, 2021.
3. Property photos.

### 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

AUG 25 2021

BUILDING DEPARTMENT

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3300 x168

APPLICANT'S NAME: Roger Lewis PHONE: 248 431 2614

ADDRESS: 85 N Hulbert White Lk

APPLICANT'S EMAIL ADDRESS: \_\_\_\_\_

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

ADDRESS OF AFFECTED PROPERTY: 9 DANFORTH PARCEL # 12-26-126-05

CURRENT ZONING: Res. PARCEL SIZE: \_\_\_\_\_

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

VALUE OF IMPROVEMENT: \$ 1,800 SEV OF EXISITING STRUCTURE: \$ \_\_\_\_\_

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

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

APPLICANT'S SIGNATURE: Roger Lewis DATE: 8-25-21



Item B.



06/23/

38

# 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 23, 2021

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**Agenda item:** 6c

**Appeal Date:** September 23, 2021

**Appellant:** Brian McNamara

**Address:** 1801 Bogie Lake Road  
White Lake, MI 48386

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

**Location:** 1801 Bogie Lake Road  
White Lake, MI 48386

## **Property Description**

The approximately 1.63-acre parcel identified as 1801 Bogie Lake Road is located on the south side of Cedar Island Road and zoned R1-C (Single Family Residential).

## **Appellant's Proposal**

Brian McNamara, the appellant, is appealing an order of a Township official regarding a fence erected on the property in violation of the zoning ordinance.

## **Planner's Report**

In the summer of 2020, the appellant inquired at Township Hall about installing a fence on the property. The Staff Planner informed the appellant of the zoning standards and gave him a copy of the relevant ordinance section. The Planning Department Secretary and a Building Department Secretary witnessed the Staff Planner informing the appellant the fence could not be constructed as proposed. In the summer of 2021, the Township became aware a fence was erected on the property in violation of the ordinance. On August 23, 2021 the Building Official ordered the fence be made to conform with the requirements set forth in the ordinance within 14 days. On August 26, 2021 the appellant filed an application to appeal the order to the Zoning Board of Appeals.

Article 5, Section 12 of the zoning ordinance states, "In no instance shall a fence over 4 feet high be placed in the front yard of a residence, or any closer than the minimum front setback line, in the case of a corner lot." The ordinance states front yard setbacks shall be measured from the existing right-of-way or access easement. The subject property is a corner lot, and therefore has two front yards. A previous nonconforming chain-link fence was removed and replaced with a 6-foot-tall privacy fence in the front yard. The fence is in violation of the ordinance for height and setbacks. The Township recommends the Zoning Board of Appeals affirm the order of the Building Official and deny the appeal.

The appellant provided a written statement with the application, received by the Township on September 2, 2021. None of the reasons listed in the letter are valid for satisfaction of the standards in Article 7, Section 37 of the zoning ordinance. Additionally, the ordinance prohibits the Zoning Board of Appeals from considering personal circumstances or economic hardship. There is not a practical difficulty or anything unique about the subject property to warrant modifying ordinance requirements.

In its determination of the appeal, the decision shall be made by a concurring vote of a majority of the members of the Zoning Board of Appeals. The Zoning Board of Appeals may take, but is not limited to, any of the following actions:

1. Affirm the decision of the Building Official with or without modification.
2. Reverse the decision of the Building Official and state its reason therefor.
3. Modify the decision of the Building Official.



**Zoning Board of Appeals Options:**

**Affirm:** I move to affirm the order of the Building Official to require the fence be made to conform with the requirements set forth in the ordinance and deny the appeal by Brian McNamara for Parcel Number 12-33-201-005, identified as 1801 Bogie Lake Road. This order will have the following condition:

- The Appellant shall comply with the requirements of the order by October 8, 2021.

**Reverse:** I move to reverse the decision of the Building Official and approve the appeal by Brian McNamara for Parcel Number 12-33-201-005, identified as 1801 Bogie Lake Road, due to the following reason(s):

**Table:** I move to table the appeal of Brian McNamara for Parcel Number 12-33-201-005, identified as 1801 Bogie Lake Road, to consider comments stated during this public hearing.

**Attachments:**

1. Application dated August 26, 2021.
2. Appellant's written statement, received September 2, 2021.
3. Exhibits submitted by the Appellant.
4. Violation letter from the Building Official dated August 23, 2021.

### 7.37 STANDARDS

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

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
- i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

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

CHARTER TOWNSHIP OF WHITE LAKE  
Zoning Board of Appeals  
APPLICATION

AUG 26 2021

BUILDING DEPARTMENT

White Lake Township Planning Department, 7525 Highland Road, White Lake, MI 48383 248-698-3800 x163

APPLICANT'S NAME: Brian McNamara PHONE: 248 550 5221

ADDRESS: 1801 Bogie Lake Rd

APPLICANT'S EMAIL ADDRESS: gearheadmac@gmail.com

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

ADDRESS OF AFFECTED PROPERTY: 1801 Bogie Lake Rd PARCEL # 12 - 33-201-005

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

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

VALUE OF IMPROVEMENT: \$ \_\_\_\_\_ SEV OF EXISITING STRUCTURE: \$ \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

APPLICATION FEE: 385.00 (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: [Signature] DATE: 8/26/2021

SEP 02 2021

BUILDING  
DEPARTMENT

Zoning Board,

Thank you for reviewing our application.

Sharon and I purchased the property at 1801 Bogie Lake Rd in August of last year as our forever home with the vision and plans to make our perfect home to raise our family in. Sharon is a biology and environmental science teacher who loves plants, animals, and excellently manicured landscaping. I am a veteran, business owner, real estate developer, architect, and designer. It's a unique property with a brick ranch, which we plan on adding on to in a couple years, plus it came with three excellent but neglected outbuildings and a wonderful fenced in backyard that was extremely overgrown. We fell in love with the large lot and could see past all the neglect and overgrowth and envision how beautiful and amazing looking the entire property could be. We then got to work and have been improving the property day after day for almost a year. We have put our blood, sweat, and tears into this house, outbuildings, landscaping, and fence to make it the beautiful property it should be. And we still have a long way to go.

We are the perfect owners for this unique property because we are in the process of making it beautiful and maintaining it to the highest standards. The previous owner ran a business out of the outbuildings and that is not something we will be doing. The outbuildings will be used for our hobbies, our leisure activities, entertaining guests, and storage.

One of our must haves for purchasing our forever home was a fenced in backyard. This property has that and what we have done is replaced a portion of the existing fence with a new and improved fence in the exact same location and dimensions. We also discussed with all our surrounding neighbors before we made any changes to make sure they approved. It is very important to us to have great relationships with our neighbors and be a contributing factor to our neighborhood and community.

**Hardships (All mentioning of "fence" is in reference to the section of fence that is stated by the township to be in violation of section 5.12 and section 5.14 of the White Lake Township zoning ordinance):**

Our rescue dog was escaping through the old fence from holes and damage. She runs towards Bogie Lake Rd and runs along the road. This happened 3-4 times after trying to repair the fence but she continued to find a new way out, including jumping the fence in a few lower sections.

People drive too fast down Cedar Island and we are afraid our children and pets may get hurt or worse. Child and pet safety are our number one. The neighbors have told us numerous stories about vehicles crashing on Cedar Island Rd and ending up in their yard. We cannot live in a home we cannot protect our family from a road running alongside our back yard. We cannot live in a home without a fenced in yard period.

Our property is surrounded by seven other properties that can look into our backyard. This causes anxiety and the feeling that we have no privacy at any point in time without a surrounding fence.

Sharon had an abusive past relationship and an order of protection against her ex. He has stalked her to the point she has anxiety and PTSD. The fence is an important part of her protection and her healing process.

Poison Ivy Removal and extreme allergic reactions. We found after we moved in that our property was infested with poison ivy all along the fence line and throughout the rest of the property. Sharon is extremely allergic to it and now has scars on her legs and arms from the poison ivy. In order to kill the poison ivy we had to remove sections of the fence, dig down, treat, and bury what was left. The fence replacement was part of the process and the removal of poison ivy is still an ongoing process.

Security to our outbuildings and valuables within. Without a fence our outbuildings are vulnerable, open to, and very close to Cedar Island Rd. These buildings as far as we have researched have been here since the 1940s.

Neighbors Lights shining in our back windows. Without the fence our backyard is lit up at night from neighboring exterior lights and shine into our windows.

Vehicle Headlights shining in our back windows. Without the fence our backyard is lit up at night from vehicle headlights and running lights that shine into our windows.

Loud vehicles and recreational vehicles on Cedar Island cause anxiety (PTSD). The fence blocks the noise tremendously.

The liquid the road commission puts on the road smells like sewage and stinks up our backyard for days. The fence blocks the smell.

Dust allergies from dirt road. The fence keeps the dust from blowing into our property and into our home.

We matched the neighbor's fence structure to keep consistency and appearance. The fence that was replaced was an old ugly chain link fence that was completely overgrown with invasive and highly allergenic plants, weeds, and vines. We replaced it with the highest quality material and build quality. It is a full cedar fence with a doubled-up shadowbox plank orientation that gives a high-end appearance and the best structural integrity for durability and longevity. The fence cost us \$25,000.00 to install.

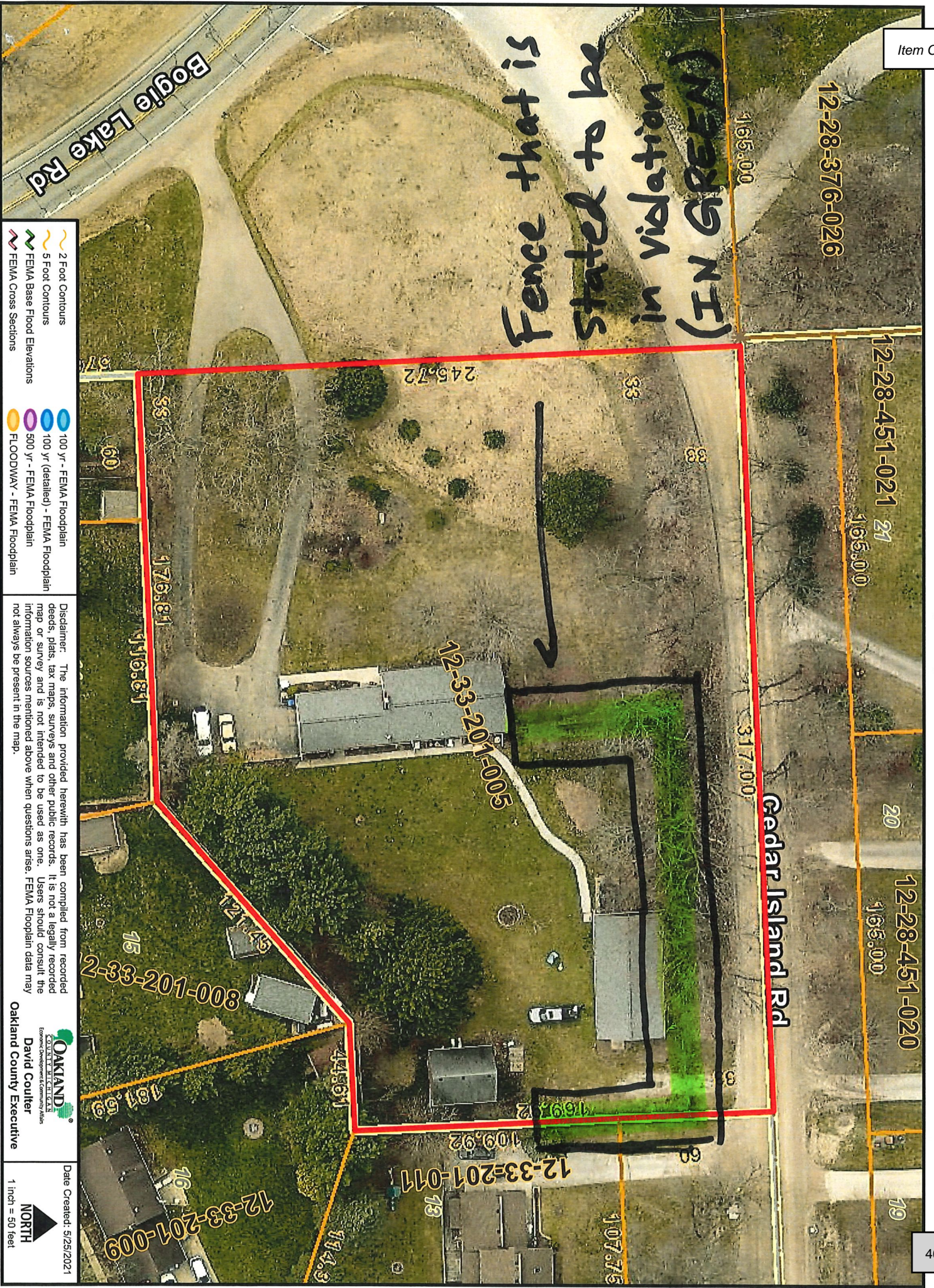
Sincerely,

Brian McNamara and Sharon Rowe

1801 Bogie Lake Rd, White Lake, Mi 48386

# Home L

Fence that is stated to be in violation (NARRIS IN GREEN)



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

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present in the map.

**OAKLAND COUNTY EXECUTIVE**  
 David Coulter  
 Oakland County Executive

Date Created: 5/25/2021  
 1 inch = 50 feet  
 NORTH

1 year ago  
when we purchased  
home/property.



# Current day progress.





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



Tr Item C.  
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 23, 2021

Brian McNamara  
1801 Bogie Lake Rd  
White Lake, MI 48386

Re: Fence

Please be advised that the fence recently erected upon your property is in violation of White Lake Township Clear Zoning Ordinance 5.12 for fence height and setbacks. The fence will need to be made to conform with the requirements set forth in the ordinance within 14 days.

Additionally, it appears the drive opening is prepped for an access gate. Please note that gated accesses are subject to Section 5.14 of the Ordinance with the requirement of a permit and approval from the Building Department.

If you have further questions about this matter in regards to building, please contact the Building Department at ext. 2. If you have further questions about the zoning ordinance, please contact Justin Quagliata in the Planning Department at ext. 177

Best Regards

A handwritten signature in black ink, appearing to read "Nick Spencer", written over a horizontal line.

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 23, 2021

---

**Agenda item:** 6d

**Appeal Date:** September 23, 2021

**Applicant:** Gardner Signs Inc.

**Address:** 1087 Naughton Road  
Troy, MI 48083

**Zoning:** PB Planned Business

**Location:** 3671 Highland Road  
White Lake, MI 48383

### **Property Description**

The approximately 4.62-acre parcel identified as 3671 Highland Road is located on the north side of Highland Road, west of Audubon Drive, and zoned PB (Planned Business).

### **Applicant's Proposal**

Gardner Signs Inc., the applicant, on behalf of property owner Genisys Credit Union, is proposing to install a 46.67 square foot monument sign with a zero-foot setback from the Highland Road right-of-way line.

### **Planner's Report**

The former monument sign for the Credit Union was permitted in error by previous staff in 2012. The sign was installed within the Highland Road right-of-way without approval from the Michigan Department of Transportation (MDOT) and without variances from the Township. The former sign was struck by vehicle and destroyed. The applicant requested MDOT allow a new sign in the previous location and was denied.

In accordance with Article 5, Section 9.J.i.a, freestanding signs shall be setback a minimum of ten (10) feet from the existing right-of-way. For sign size, Article 5, Section 9.J.i.b states the sign area of a freestanding sign is dependent upon the sign's setback from the existing right-of-way and the zoning district within which the sign is proposed. For PB zoning (single-tenant), freestanding signs are permitted two (2) square feet for each one (1) foot of setback, up to a maximum of 50 square feet in area.

Additionally, the property owner has installed a 32-square foot temporary sign with no setback from the road right-of-way line. A representative for the property owner stated approximately three months would be needed for the temporary sign, if the permanent sign received approval. Staff informed the Credit Union approval was required from the Zoning Board of Appeals to maintain the temporary sign in its current location.

The requested variances for the proposed permanent sign are listed in the following table.

<b>Variance #</b>	<b>Ordinance Section</b>	<b>Subject</b>	<b>Standard</b>	<b>Requested Variance</b>	<b>Result</b>
1	Article 5.9.J.i.a	Sign setback	10 feet min.	23.34 feet (46.67 square foot sign)	0 feet
2	Article 5.9.J.i.b	Maximum size of signs	50 square feet max.	46.67 square feet (0-foot setback)	46.67 square feet

The requested variance for the temporary sign is listed in the following table.

<b>Variance #</b>	<b>Ordinance Section</b>	<b>Subject</b>	<b>Standard</b>	<b>Requested Variance</b>	<b>Result</b>
1	Article 5.9.J.i.a	Sign setback	10 feet min.	16 feet (32 square foot sign)	0 feet

**Zoning Board of Appeals Options:**

**Approval:** I move 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 zero-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 zero-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.

**Denial:** I move to deny the variances requested by Gardner Signs Inc. for Parcel Number 12-19-101-037, identified as 3671 Highland Road, due to the following reason(s):

**Table:** I move to table the variance requests of Gardner Signs Inc. for Parcel Number 12-19-101-037, identified as 3671 Highland Road, to consider comments stated during this public hearing.

**Attachments:**

1. Variance application dated August 23, 2021.
2. Applicant's written statement dated August 2021.
3. Sign plans (various dates) received August 31, 2021.

### 7.37 STANDARDS

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

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

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

# CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals APPLICATION

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

APPLICANT'S NAME: GARDNER SIGNS INC. PHONE: 248-689-9100

ADDRESS: 1087 NAUGHTON RD. TROY, MI 48083

APPLICANT'S EMAIL ADDRESS: EVICTOR@GARDNERSIGNS.COM

APPLICANT'S INTEREST IN PROPERTY:  OWNER  BUILDER  OTHER: SIGN CONTRACTOR

ADDRESS OF AFFECTED PROPERTY: 3671 HIGHLAND PARCEL # 12 - 19-101-037

CURRENT ZONING: PB PARCEL SIZE: 488.59' x 989.34'

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: ARTICLE 5.0 SEC. 5.9.J.i

VALUE OF IMPROVEMENT: \$ 44,395.00 SEV OF EXISITING STRUCTURE: \$ \_\_\_\_\_

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

\* SEE ATTACHED SIGN VARIANCE REQUEST \*  
VARIANCE REQUEST FOR SIZE & SETBACK

APPLICATION FEE: \$400.00 (CALCULATED BY THE PLANNING DEPARTMENT)

APPLICANT'S SIGNATURE: Eddie Victor DATE: 8-23-2021



Sign Variance Request  
August 2021

Dear Members of the Zoning Board:

We are pleased to present this information to respectfully request a variance to the White Lake Township sign ordinance.

Genisys Credit Union is committed to improving the lives of our members and contributing to the communities we serve. We have been operating in the White Lake Township area for almost 20 years and currently serve approximately 8,100 members in the area.

**About Genisys Credit Union**

Headquartered in Auburn Hills, Michigan, Genisys is one of the largest credit unions in Michigan with over \$3.9 billion in assets. We have been serving our communities since 1936 and are focused on providing our members with great products & services, convenience and quality service. We have 32 branch locations (28 in Michigan, three in Minnesota and one in Pennsylvania), 6,000 shared branches and over 30,000 surcharge-free ATMs.

**Genisys Financial Profile as of July 31, 2021**

Number of Members:	236,801
Total Assets:	\$3.7 billion
Member Deposits:	\$3.0 billion
Member Loans:	\$2.4 billion

**Genisys Credit Union provides benefits to our members and communities in many ways.**

1. **Community Involvement** – Genisys takes pride in serving our communities and we understand the importance of giving back. Over the many years we have been serving the White Lake community, we have been very happy to sponsor many events. We look forward to continuing these partnerships, and supporting the many events we have sponsored over the years, as well as adding new events as they become available.
2. **Member Value** – Independent rating services give Genisys high marks for value and security.
  - a. *Bauer Financial Group* has given Genisys its highest possible 5-star rating for safety and soundness for more than 20 consecutive years, and we have been considered a “Best of Bauer” credit union the last 10 years. Only 4% of all financial institutions can claim this distinction.
  - b. The *Raddon Financial Group* ranks Genisys in the **99th** percentile for Member Value and Member Giveback. This metric combines safety and soundness, deposit and loan rate value, fee value, and share of wallet metrics. Genisys member value is built on our competitive deposit rates, low cost credit, lucrative Debit and Credit Card Rewards, large branch network, and state-of-the-art mobile and online banking convenience.
3. **Lending Philosophy** – Lending to our members is one of our highest priorities and our goal is to help as many people as possible with their credit needs, even those who may have had credit problems in the past. We look at the whole picture and not just the person’s credit score.
4. **Member Satisfaction** – We deliver great service by building relationships with our members one at a time. Several metrics provide solid evidence of our member satisfaction.
  - a. Members rate their satisfaction with each interaction with Genisys at 96%.
  - b. Genisys scores 92 on the American Customer Satisfaction Index – 7 points over the credit union national average and 15 points over the bank average.



- c. Genisys' Net Promoter Score stands at 81%, 34% points higher than the national average.
5. **Electronic Convenience** – Robust online banking, online deposit, mobile banking, mobile deposit, mobile card controls, secure text communication, and online chat offerings get very high scores from our members and we are committed to continuing to invest in and build these channels in order to serve our members today and long into the future.

## Variance Request to Increase the Size of Monument Sign

### Explanation of the Practical Difficulty of the Property as defined in Article 5.0 Section 5.9.J.i

In our request for a variance to the setback of the monument sign on our site, we have outlined the challenges we face below.

1. Strict compliance with the 25' setback in the current sign ordinance would unreasonably prevent Genisys from having a sign that would be visible enough to passing traffic to allow for recognition of our location, as well as make it impossible to read the electronic portion of the sign due to the speed and distance from the road. This site sits on the North side of the M-59 road and traffic heading West is just coming around a corner where the access to the site is on M-59. Traffic in this area is typically moving at a high rate of speed with a posted speed limit of 55 mph.

Granting this variance request will allow Genisys to have the ability to have a visible monument sign that will allow us to attract new credit union members, which ultimately will allow us to grow and thrive in this location. Our investment in this property is already substantial and includes purchasing the property as well as building the building.

2. Unique to this site is a MDOT right of way that runs about 60' from the edge of the roadway back into the credit union lot. The property line starts at this location. When the property was originally approved for building in 2002 a sign was located at a zero setback from the property line due to this MDOT right of way. Sometime in 2012 a permit was applied for, and approved, by White Lake Township to put the new monument sign in the MDOT right of way. This sign was recently struck by a vehicle and during the permitting process to reconstruct the sign we were made aware that the 2012 permit had been issued in error.

The request for the zero setback from the property line would put the Genisys monument sign back where it was originally approved during the initial development of the site. The 25' setback requirement would actually place the sign in the already developed Genisys parking lot for the building.

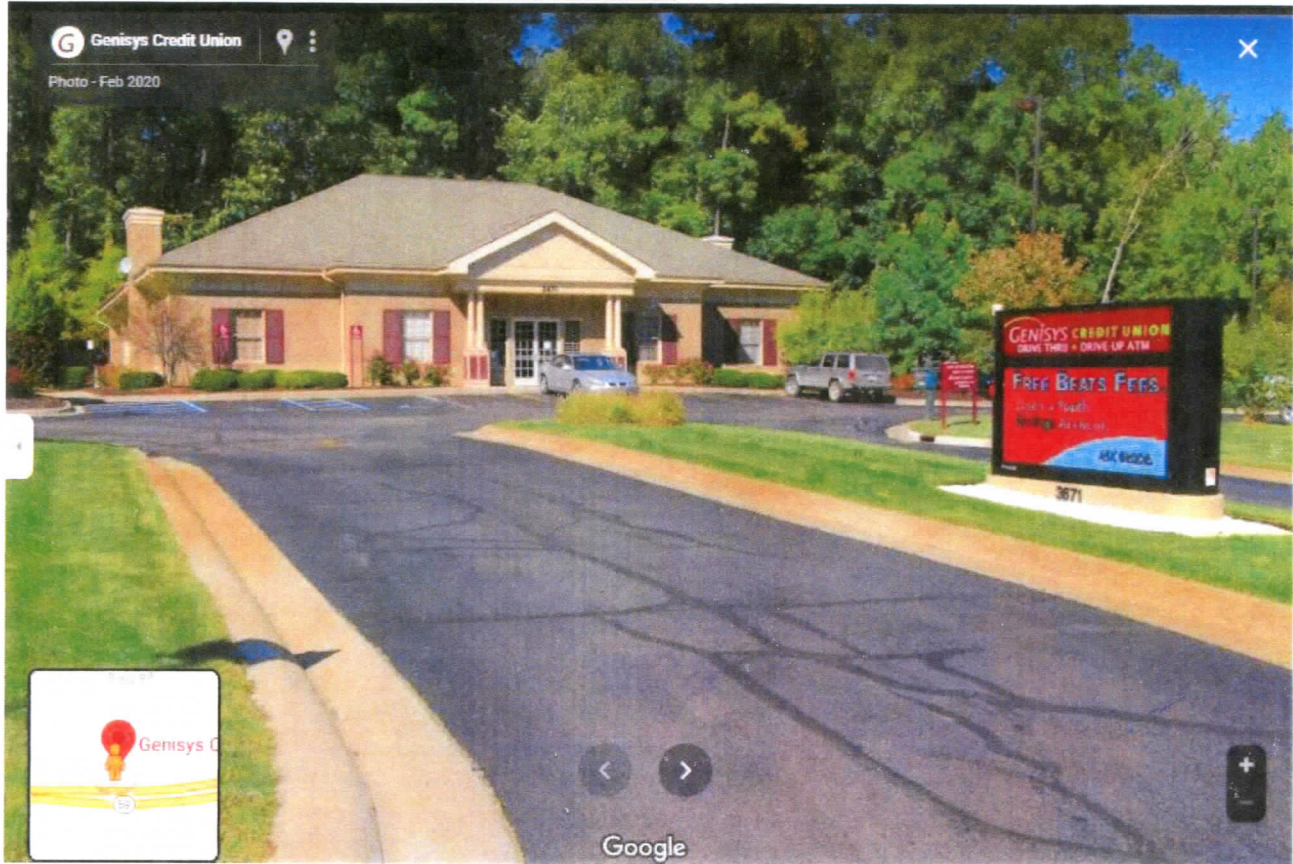
MDOT has already been contacted and they will not allow the sign to be placed in the location approved in 2012.

Please see supporting photos on the following pages

Approved sign from 2012 closer to M-59, daylilies closer to parking lot show original sign location



**Clouser view of 2012 sign and original sign location**



**Heading West on Google Street View**





**Heading East on Google Street View**



Thank you for your consideration of this important variance request and for the opportunity to serve the White Lake Township community.

Sincerely,

*Jackie Buchanan*

Jackie Buchanan  
President & CEO  
Genisys Credit Union  
Where *You* Come First!

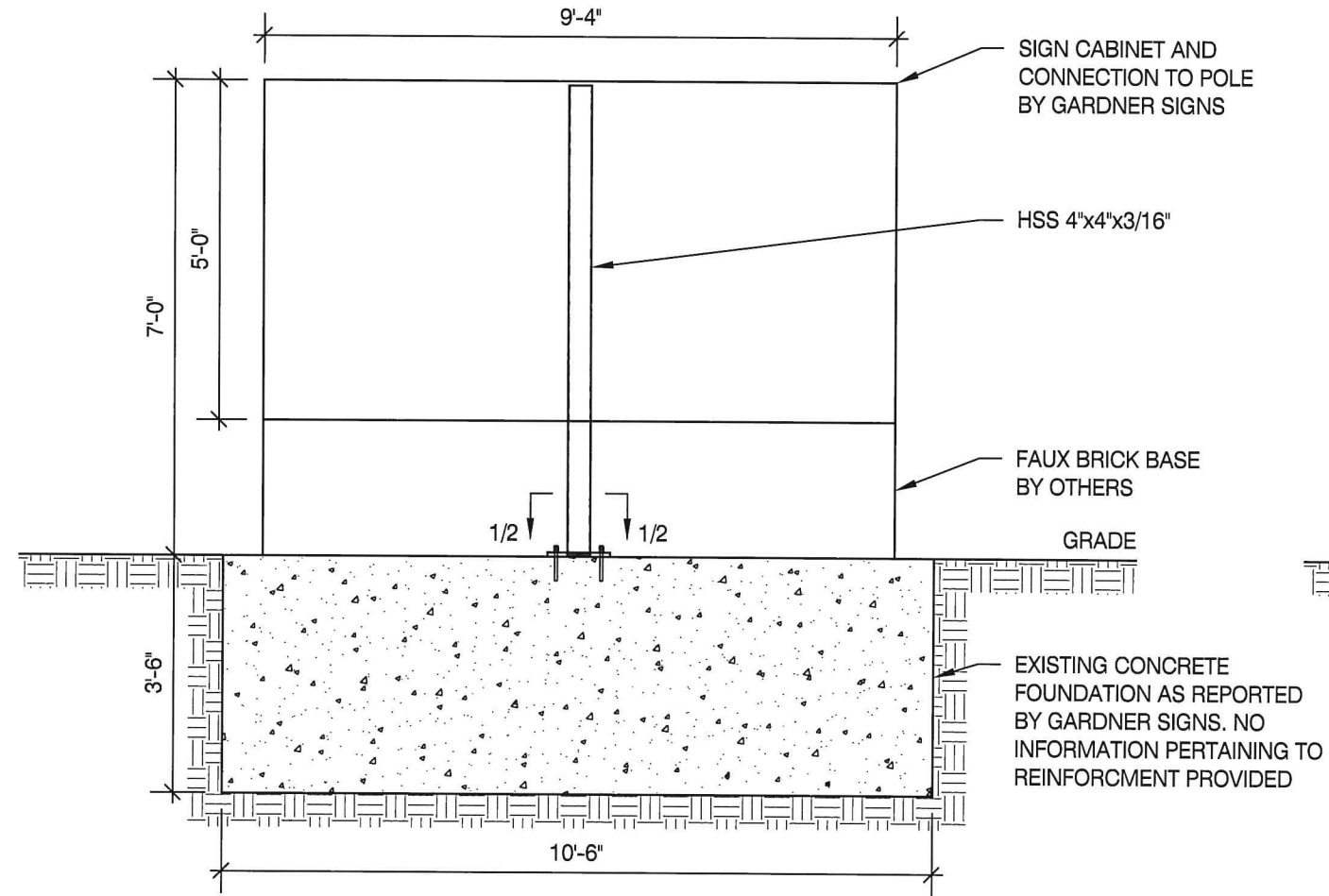
**GROUND SIGN DESIGN SPECIFICATIONS:**

1. REFER TO SIGN COMPANY'S DRAWINGS FOR MORE DETAILS. ALL DESIGNS, DETAILING FABRICATION AND CONSTRUCTION SHALL CONFORM TO:  
2015 IBC  
ACI  
AISC  
AMERICAN WELDING SOCIETY  
LOCAL BUILDING CODES & ORDINANCES
2. CONCRETE: 2500 PSI @ 28 DAYS
3. STD. STEEL PIPE SECTION: ASTM A53 GRADE B (Fy=35 KSI), U.N.O.
4. STEEL PIPE SECTION (> 20" Ø): ASTM A252 GRADE 3 (Fy=42 KSI MIN.) U.N.O.
5. HSS ROUND SECTION: ASTM A500 GRADE B (Fy=42 KSI) U.N.O.
6. HSS SQUARE/RECTANGULAR SECTION: ASTM A500 GRADE B (Fy=46 KSI)
7. W SHAPES: ASTM A992 (Fy = 50 KSI)
8. ANCHOR BOLTS: ASTM F1554 GRADE 36 U.N.O. (ALTERNATES GRADE 55 & 105)
9. CONNECTION BOLTS: ASTM A325
10. THREADED RODS: ASTM A193 GRADE B7
11. STEEL ANGLES, CHANNELS, STRUCTURAL SHAPES & PLATES ASTM A36
12. REINFORCING: GRADE 60 ASTM A615
13. PROVIDE A MINIMUM OF THREE INCHES OF CONCRETE COVER OVER EMBEDDED STEEL.
14. THE CONTRACTOR (INSTALLER) IS RESPONSIBLE FOR THE MEANS & METHODS OF CONSTRUCTION IN REGARDS TO JOBSITE SAFETY.
15. NO FIELD HEATING FOR BENDING OR CUTTING OF STEEL SHALL BE ALLOWED WITHOUT THE ENGINEER'S APPROVAL.
16. WELDING ELECTRODES: E70XX
17. ALLOWABLE SOIL BEARING PRESSURE ASSUMED: 2000 PSF
18. ASSUMED HORIZONTAL (PASSIVE PRESSURE) ASSUMED AT 150 PSF/FT OF DEPTH. ISOLATED LATERAL BEARING FOUNDATIONS FOR SIGNS NOT ADVERSELY AFFECTED A 1/2" MOTION AT THE GROUND SURFACE DUE TO SHORT TERM LATERAL LOADS SHALL BE PERMITTED TO BE DESIGNED USING TWO TIMES THE TABULATED CODE VALUES.
19. ALL FOOTINGS SHALL BEAR ON FIRM UNDISTURBED RESIDUAL SOIL AND/OR ENGINEERED EARTH.
20. FILL COMPACTED TO 98% OF ITS MAXIMUM DRY DENSITY AS PER ASTM D 698-70 (STANDARD PROCTOR) UNLESS NOTED OTHERWISE. THE SOIL BEARING CAPACITY IS TO BE VERIFIED BY A GEOTECHNICAL ENGINEER PRIOR TO CONSTRUCTION. IF ALLOWABLE BEARING AND/OR LATERAL PRESSURE IS LESS THAN THE ABOVE ASSUMED AND/OR CALCULATED PRESSURES, THE ENGINEER SHOULD BE CONTACTED FOR RE-EVALUATION.
21. EXCAVATION SHALL BE FREE OF LOOSE SOIL BEFORE POURING CONCRETE.
22. WELDERS SHALL BE CERTIFIED FOR THE TYPE OF WELDING.
23. ADEQUATELY BRACE POLE(S) UNTIL CONCRETE HAS SET UP FOR 14 DAYS.
24. GROUT UNDER BASE PLATES WITH NON-SHRINK GROUT.
25. THIS ENGINEER DOES NOT WARRANT THE ACCURACY OF DIMENSIONS FURNISHED BY OTHERS.
26. ALL EXPOSED STEEL SHALL BE PAINTED WITH AN ENAMEL PAINT TO INHIBIT CORROSION.
27. THIS DESIGN IS FOR THE INDICATED ADDRESS ONLY, AND SHOULD NOT BE USED AT OTHER LOCATIONS WITHOUT WRITTEN PERMISSION OF THE ENGINEER.
28. DESIGN OF DETAILS AND STRUCTURAL MEMBERS NOT SHOWN, BY OTHERS.

**NOTES**

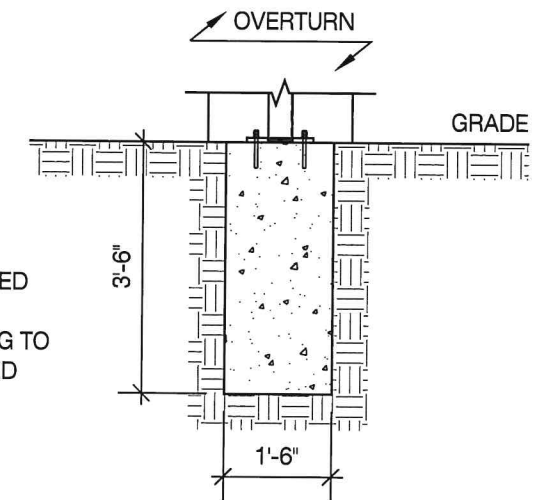
- 1.) SEE MANUFACTURERS DRAWINGS FOR ADDITIONAL DETAILS AND DIMENSIONS.
- 2.) SIGN CABINET AND CONNECTION BY GARDNER SIGNS.

- \* CLIENT - GARDNER SIGNS
- \* 2015 IBC
- \* RISK CATEGORY II
- \* 115 MPH WIND SPEED, EXP. C
- \* (1) POLE, (1) FOOTING



FRONT ELEVATION W/EXISTING CONCRETE FOUNDATION

SCALE: N.T.S.



1



MBI COMPANIES INC.  
299 N. WEISGARBER RD.  
KNOXVILLE, TN 37919  
PHONE 865.584.0999  
SIGN-ENGINEER.COM

PROJECT:  
3671 Highland Road, White Lake, MI 48383

DRAWING TITLE:

GENISYS CREDIT UNION

DRAWN BY: DEW  
CHECKED BY: FCM  
COMM. NO. 210427.012

DATE: 08/26/21

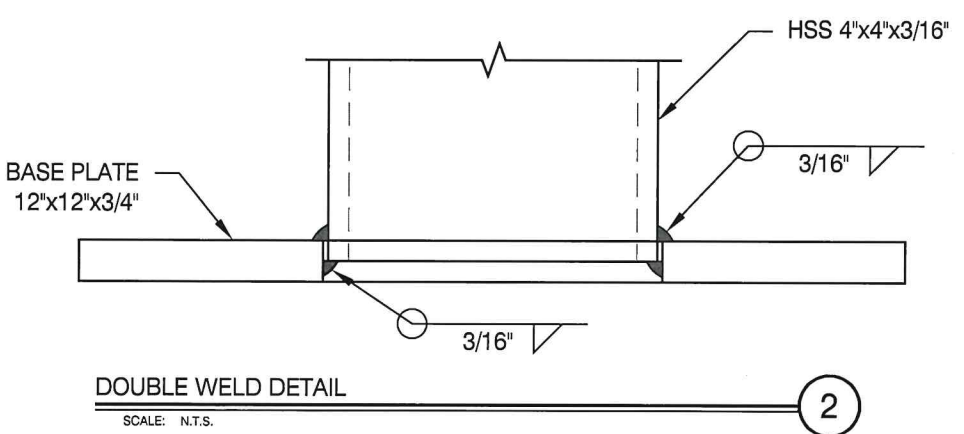
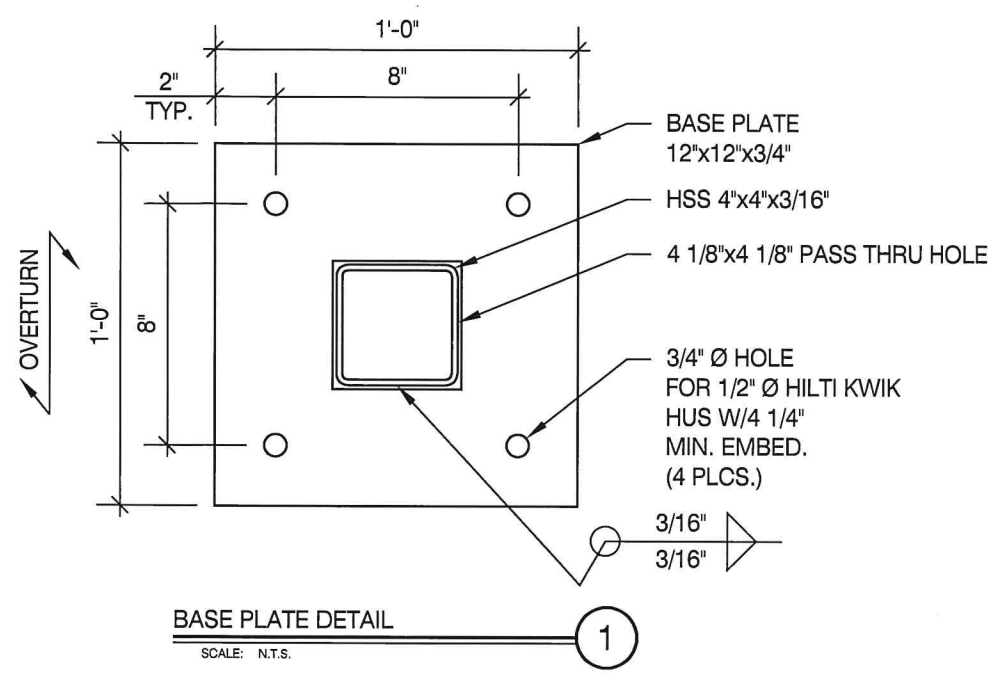
DRAWING NO.

DWG.

1

REV #	DATE	DRAWN BY





**WIND DATA**

Building Code	2015 Michigan Buil	Importance Factor, I	1.0	Damping Ratio, $\beta$	0.005
Wind Load Criteria	ASCE 7-10	Directionality Factor, $K_d$ (2)	0.85	Natural Frequency, $n_1$	3.52 Hz
Wind Speed, V	115 mph	Topography Factor, $K_z$	1.0	Gust Effect Factor, G	0.85
Exposure Category	C	Base Pressure, $\psi(q_z/K_z)$	17.3 psf	ASD Wind Load Factor, $\gamma$ (3)	0.6
Wind Pressure Override per Jurisdiction Requirement	0 psf	Notes: (1) Loading values in chart below are based upon average $K_z$ values for each segment. Actual values are calculated on hidden sheet using derived V-M equations. Chart is provided for information purposes only. (2) Wind directionality ( $K_d$ ) factor is 0.95 for Single Pole (Round) segments instead of 0.85. The $C_f$ value from Fig. 6-21 has been increased by 0.95/0.85 to account for this variation. (3) Wind pressures listed below have already been multiplied by the ASD Wind Load Factor, $\gamma$ .			

**DEFLECTION ANALYSIS**

Deflection Limit	H/60
Deflection at 0.7*W	0.41 in
Deflection Ratio	H/206

**GEOMETRY INPUT (1)** Monument: Yes

Section	Location	Type	Height	Width	Horiz. Offset	Area	Top Elev.	Centroid	$K_z$	$C_f$	Wind Press.	Support Pole Loads			Footing Loads		
			ft	ft	ft		ft	ft				psf	Trib. Factor	Shear kips	Moment k-ft	Trib. Factor	Shear kips
1	Base	Single Pole w/ Cabinet	7.00	9.33		65.3	7.0	3.9	0.85	1.44	17.9	1.0	1.2	4.5	1.0	1.2	4.5
2		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
3		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
4		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
5		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
6		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
7		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
8		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
9		None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
10	Top	None				0.0	7.0	7.0	0.85	1.46	18.2	0.0	0.0	0.0	0.0	0.0	0.0
Overall Height: 7.00 ft												Summation based upon averages above:		1.2	4.5	1.2	4.5
												Actual base reactions based upon V-M equations:		1.2	4.5	1.2	4.5

**SUPPORT POLE DESIGN SUMMARY** MATERIAL = STEEL

Base Elev. ft	Section	Axis	Required Strength Values (ASD)				Allowable Strength Values (ASD)				Unity Ratios				Interaction Ratios		Status
			$V_r$ kips	$M_r$ kip-ft	$T_r$ kip-ft	$P_r$ kips	$V_c$ kips	$M_c$ kip-ft	$T_c$ kip-ft	$P_c$ kips	$V_r/V_c$	$M_r/M_c$	$T_r/T_c$	$P_r/P_c$	P-M	P-M-V-T	
0.00	HSS4X4X3/16	Strong	1.2	4.5	2.2	0.7	22.3	8.4	7.0	32.2	5.2%	53.4%	31.2%	2.2%	55.6%	68.9%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓
0.00	None	Strong	1.2	4.5	2.2	0.7	0.0	0.0	0.0	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	✓

**ELEMENT DESIGN LOCATIONS, LOADS AND DISPLACEMENTS**

Element	Elev. ft	Type	$V_r$ kips	$M_r$ kip-ft	$T_r$ kip-ft	$P_r$ kips	$0.7*V$ radians	$0.7*V$ in	Element	Elev. ft	Type	$V_r$ kips	$M_r$ kip-ft	$T_r$ kip-ft	$P_r$ kips	$0.7*V$ radians	$0.7*V$ in
1	0.00	Base Plate	1.2	4.5	2.2	0.7	0.0	0.0	3	0.00	Match Plate 2	1.2	4.5	2.2	0.7	0.000	0.00
2	0.00	Match Plate 1	1.2	4.5	2.2	0.7	0.0	0.0	4	0.00	Torsion Tube	1.2	4.5	2.2	0.7	0.000	0.00

**PLATE DESIGN SUMMARY**

Type	Plate Dimensions				Number	$d_b$ in	$N_{edge}$ in	$B_{edge}$ in	Circle Diamete in	Material	Embed in Caisson / Vertical Slab in	Embed in in	Weld		Status
	N in	B in	D in	t in									Size in	Gussets	
<input checked="" type="checkbox"/> Rectangular Base Plate	12	12	--	0.75	4	0.5	1.5	1.5	--	F1554 Grade 36	24	N/A	0.188	No	OK
<input type="checkbox"/> Circular Base Plate															
<input type="checkbox"/> Match Plate 1 (Lower)															
<input type="checkbox"/> Match Plate 1 (Upper)															
<input type="checkbox"/> Match Plate 2 (Lower)															
<input type="checkbox"/> Match Plate 2 (Upper)															

**FOUNDATION DESIGN SUMMARY**

Type	Diameter ft	Width ft	Thickness ft	Length ft	Depth ft	Volume CY	Reinforcing	Status	Allowable Soil Pressure
<input type="checkbox"/> Caisson									
<input checked="" type="checkbox"/> Vertical Slab	--	10.50	1.50	--	3.50	2.04		OK	300 psf/ft
<input type="checkbox"/> Spread									

**NOTES**

- SEE MANUFACTURERS DRAWINGS FOR ADDITIONAL DETAILS AND DIMENSIONS.
- SIGN CABINET AND CONNECTION BY GARDNER SIGNS.

\* CLIENT - GARDNER SIGNS  
 \* 2015 IBC  
 \* RISK CATEGORY II  
 \* 115 MPH WIND SPEED, EXP. C  
 \* (1) POLE, (1) FOOTING



**MBI COMPANIES INC.**  
 299 N. WEISGARBER RD.  
 KNOXVILLE, TN 37919  
 PHONE 865.584.0999  
 SIGN-ENGINEER.COM

PROJECT:  
 3671 Highland Road, White Lake, MI 48383

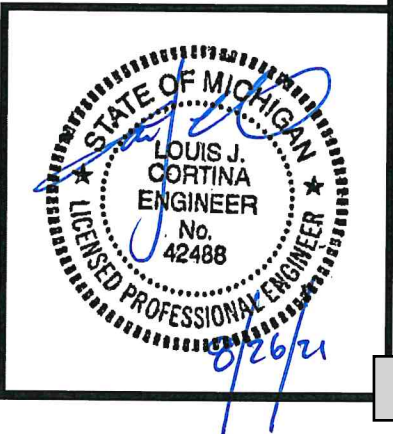
DRAWING TITLE:  
**GENISYS CREDIT UNION**

DRAWN BY: DEW  
 CHECKED BY: FCM  
 COMM. NO.: 210427.012

DATE: 08/26/21

REV #	DATE	DRAWN BY

DRAWING NO.  
 DWG.  
**2**



**Ground Sign Replacement - Genisys Credit Union 3671 Highland Rd-White Lake, MI 48383**

- Client to Provide Electric Connection to Sign Location
- GSI to Fabricate New Sign with EMC
- GSI to Install New Sign onto Existing Concrete Foundation from Previous Sign and Connect to Provided Electrical Source

**Illuminated Double-Sided Monument Sign - 46.67 SqFt**

1/2" = 1'-0" Scale

**I.D. Cabinet:**

Aluminum Wide Body Extrusion with Hinged 1" Retainers, and Radius Ends  
 3/16" Lexan Face with 1st Surface Translucent Vinyl Application  
 Prime and Paint Cabinet with Matthews Acrylic Polyurethane (Black)  
 Internal White LED Illumination

**LED Message Center**

Full Color 11mm LED Graphic and Text Message Display with Remote Programming Capability  
 Paint Cabinet Black

**Shroud**

All Aluminum Construction with Faux Brick Cladding - Burnt Orange Color to Match Credit Union Building

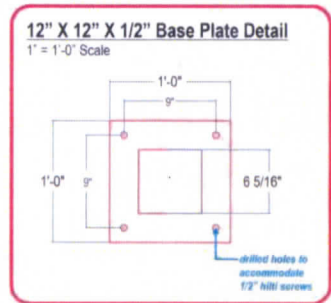
**Address Numerals - 2 Sets**

6" White FCO Sintal Address Numerals  
 Install to Each Side of Shroud

**Installation**

Install New Sign onto Existing Concrete Foundation from Previous Sign and Connect to Provided Electrical Source

Color Key	
<span style="display:inline-block; width:10px; height:10px; background-color:#800000;"></span>	PMS 209C Dark Red
<span style="display:inline-block; width:10px; height:10px; background-color:#FF4500;"></span>	Oracal 8500-030 Dark Red
<span style="display:inline-block; width:10px; height:10px; background-color:#008000;"></span>	PMS 375C Green
<span style="display:inline-block; width:10px; height:10px; background-color:#008000;"></span>	Oracal 8500-063 Lime Tree Green



Note: This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and /or other applicable local codes. This includes proper grounding and bonding of the sign.



**Proposed Sign Elevation - nts**



PROPOSED LOCATION OF NEW SIGN USING A PREVIOUS EXISTING SIGN FOUNDATION  
 LOCATION OF PREVIOUS SIGN - SIGN HAS BEEN REMOVED

**SEE NEXT PAGE FOR SITE PLAN INFORMATION  
 DETAILING NEW SIGN PLACEMENT**

**Gardner signs**

<b>MICHIGAN</b> 1087 Naughton Dr Troy, MI 48083 (248)689-9100 T (248)689-9101 fax	<b>OHIO</b> 3800 Airport Hwy Toledo, OH 43615 (419)385-6669 T (419)385-7046 fax
---	---

www.gardnersigns.com

<b>CLIENT:</b>	Genisys Credit Union
<b>PROJECT:</b>	Replacement Ground Sign
<b>LOCATION:</b>	3671 Highland Rd White Lake MI 48383
<b>SCALE:</b>	Noted
<b>SALESPERSON:</b>	Mia Asta
<b>DESIGNER:</b>	dmf
<b>DATE:</b>	08/05/2021
<b>REVISIONS:</b>	08/19/2021
<b>FILE:</b>	Genisys Credit Union/Genisys Credit Union 367

<b>SALES AUTHORIZATION</b>	
<b>SIGNED BY:</b>	
<b>DATE:</b>	
<b>DESIGN AUTHORIZATION</b>	
<b>SIGNED BY:</b>	
<b>DATE:</b>	Highland Rd-White Lake MI 48383

<b>PRODUCTION AUTHORIZATION</b>	
<b>CLIENT APPROVAL:</b>	
<b>DATE:</b>	
<b>PRODUCTION APPROVAL:</b>	
<b>DATE:</b>	

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COLORS CONTAINED WITHIN THIS RENDERING MAY VARY SLIGHTLY FROM THE ACTUAL FINISHED PRODUCT DUE TO COMPUTER AND PRINTER OUTPUT LIMITATIONS.



**Site Plan Showing Proposed Sign Placement - Genisys Credit Union 3671 Highland Rd-White Lake, MI 48383**

**Replacement Ground Sign**

New, illuminated, Double-Sided, Ground Sign to be Installed within 0'-0" to 3'-0" from R.O.W. to Leading Sign Edge per City Code

**Proposed Location of New Sign**



**Recently Removed Sign**



**Proposed Location of New Sign**

**Proposed Location of New Sign**



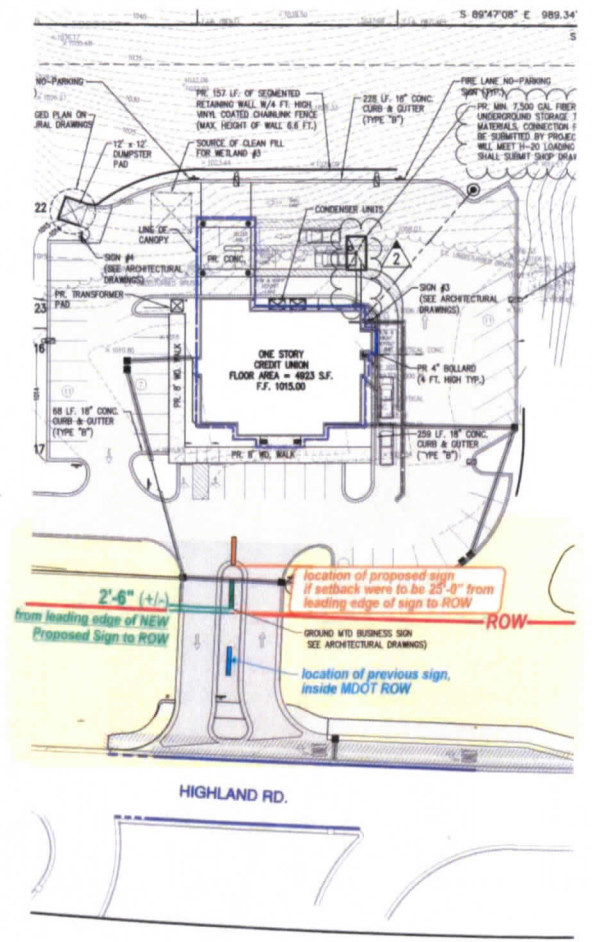
**Proposed Sign Installed - Artist's Concept**



**Aerial View of Site Plan**



**Architectural Site Plan Detail Showing Proposed Sign Site - 1/64" = 1'-0" Scale**



**Ground Detail of Proposed New Sign Placement**



**Gardner signs**

**MICHIGAN**  
1087 Naughton Dr  
Troy, MI 48083  
(248)689-9100 T  
(248)689-9101 fax

**OHIO**  
3800 Airport Hwy  
Toledo, OH 43615  
(419)385-6669 T  
(419)385-7046 fax

www.gardnersigns.com

**CLIENT:** Genisys Credit Union  
**PROJECT:** Replacement Ground Sign  
**LOCATION:** 3671 Highland Rd  
White Lake MI 48383  
**SCALE:** Noted  
**SALESPERSON:** Mia Asta  
**DESIGNER:** dmf  
**DATE:** 08/05/2021  
**REVISIONS:** 08/19/2021  
**FILE:** Genisys Credit Union/Genisys Credit Union 367

**SALES AUTHORIZATION**

**SIGNED BY:**  
**DATE:**

**DESIGN AUTHORIZATION**

**SIGNED BY:**  
**DATE:** Highland Rd-White Lake MI 48383

**PRODUCTION AUTHORIZATION**

**CLIENT APPROVAL:**  
**DATE:**

**PRODUCTION APPROVAL:**  
**DATE:**

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COLORS CONTAINED WITHIN THIS RENDERING MAY VARY SLIGHTLY FROM THE ACTUAL FINISHED PRODUCT DUE TO COMPUTER AND PRINTER OUTPUT LIMITATIONS

# 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 23, 2021

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**Agenda item:** 6e

**Appeal Date:** September 23, 2021

**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 0.359-acre (15,650 square feet) parcel identified as 150 Danforth Drive is located on 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 connect the garage to the house and construct an addition on the garage towards the road (south) and west side lot line. An addition to the rear side of the house is also proposed.

### **Planner's Report**

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 is 480 square feet in size. As proposed, the three-car attached garage would be 1,200 square feet and located 9.9 feet from the west side property line and 12.4 feet from the front (south) lot line. Therefore, the applicant is requesting a 0.1-foot variance to encroach into the side yard and a 17.6-foot variance to encroach into the front yard setback. The proposed first floor living space addition is 1,464 square feet in size and the proposed second story is 996 square feet. Including the garage, the house would be 4,668 square feet with the addition. As proposed, a portion of the rear addition would be located 8.6 feet from the east side lot line. A 1.4-foot variance to encroach on the east side yard is being requested.

Additionally, the proposed lot coverage was not submitted. Based on a calculation by staff, the proposed lot coverage is approximately 23.46% (3,672 square feet), which is 3.46% (542 square feet) beyond the 20% maximum lot coverage allowed (3,130 square feet). A variance from the lot coverage standard was not requested or published.

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	Side yard setback	10 feet	1.4 feet (east) 0.1 feet (west)	8.6 feet (east) 9.9 feet (west)
2	Article 3.1.6.E	Front yard setback	30 feet	17.6 feet	12.4 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 0.1 feet into the required west side yard setback and 17.6 feet into the required front yard setback, and exceed the allowed value of improvements to a nonconforming structure by 102%. A 1.4-foot variance is also granted from Article 3.1.6.E to allow the house addition to encroach 1.4 feet into the required east side yard setback. 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.

**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):

**Table:** I move to table the variance requests of Mark Johnson 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 25, 2021.
2. Survey dated August 25, 2021.
3. Architectural plans.
4. Letter of denial from the Building Department dated July 21, 2021.

### 7.37 STANDARDS

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

- A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.
- B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

- C. Not self created: The applicants problem is not self created.
- D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).
- E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.
- F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:
- i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;
  - ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

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

PAID  
CASH CHECK#

AUG 27 2021

TREASURER  
CHARTER TWP. OF WHITE LAKE

### CHARTER TOWNSHIP OF WHITE LAKE Zoning Board of Appeals APPLICATION

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

APPLICANT'S NAME: 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 - 23376004

CURRENT ZONING: R1-D PARCEL SIZE: .816 acres

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: ARTICLE 3.1.6

VALUE OF IMPROVEMENT: \$ 100,000 SEV OF EXISTING STRUCTURE: \$ \_\_\_\_\_

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

(SEE VIDEO) Other residences have garages built right on the road. In order to utilize the parcel to its full potential, allowing this variance will create a garage space appropriate for this property.

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

APPLICANT'S SIGNATURE: [Signature] DATE: 8/25/2021

# SKETCH OF SURVEY

Item E.

Prepared For: MARK JOHNSON

**Legal Description:**

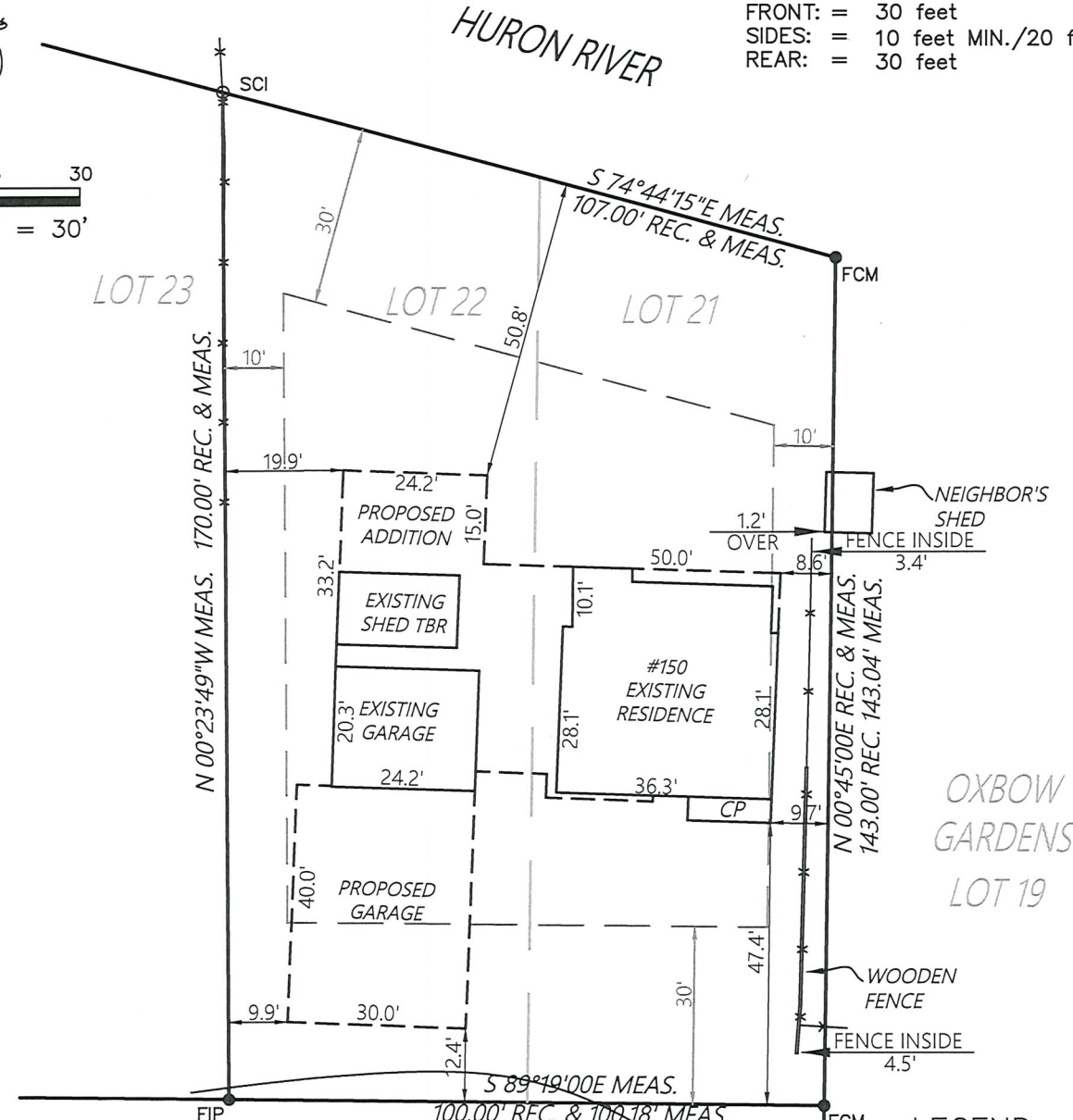
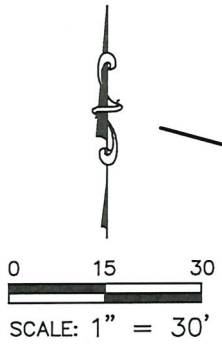
Lots 21 and 22 of OX BOW HIGHLANDS, a subdivision of part of the South East 1/4 of Section 23, and part of the North East 1/4 of the North West 1/4 of Section 26, T. 3 N., R. 8 E., Township of White Lake, Oakland County, Michigan as recorded in Oakland County Records.  
 PARCEL ID: 12-23-376-004

**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.

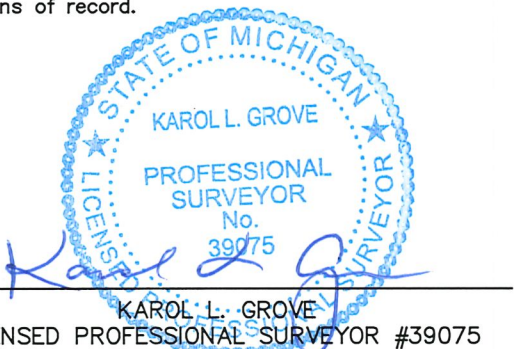
NO TITLEWORK WAS SUPPLIED  
 BY CLIENT, THEREFORE ALL  
 EASEMENTS OF RECORD  
 MAY NOT BE SHOWN.

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

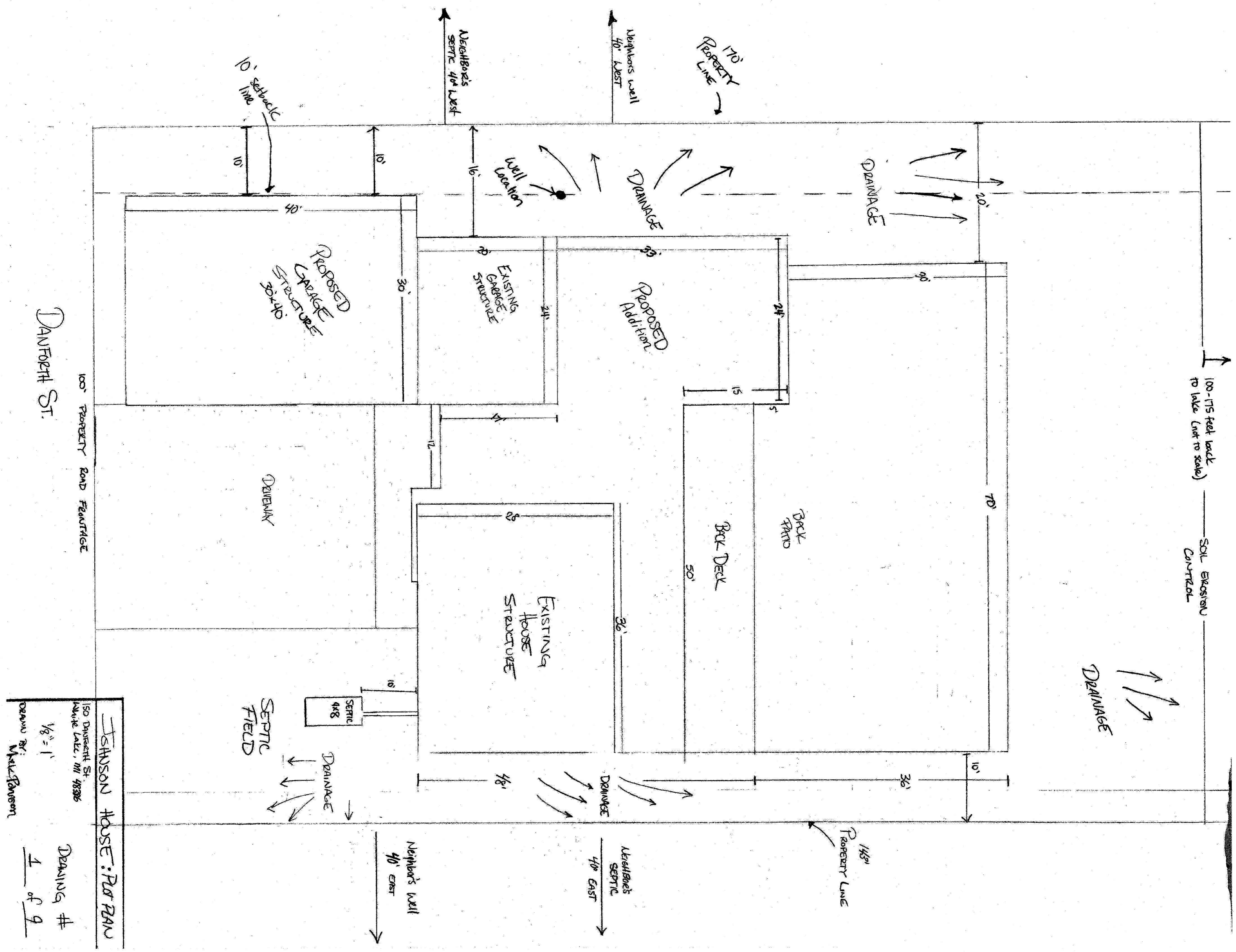


**ALPINE** 11590 HIGHLAND ROAD, SUITE #100  
 HARTLAND, MICHIGAN, 48353  
 PHONE: 810-207-8050

Land Surveying, Inc.

---

FIELD: KG	DATE: 08-25-2021
DRAWN: DJS	JOB NO: 21-5615
CHECKED: KG	SHEET: 1 OF 1
REVISED:	



DANFORTH ST.

100' PROPERTY ROAD FEATURE

100-175 feet back (not to scale)

SOIL EROSION CONTROL

JANSON HOUSE: PLOT PLAN

150 Danforth St.  
Munich Lake, MI 48306

1/8" = 1'

Drawn by: Mark Ranson

Drawing # 1 of 9

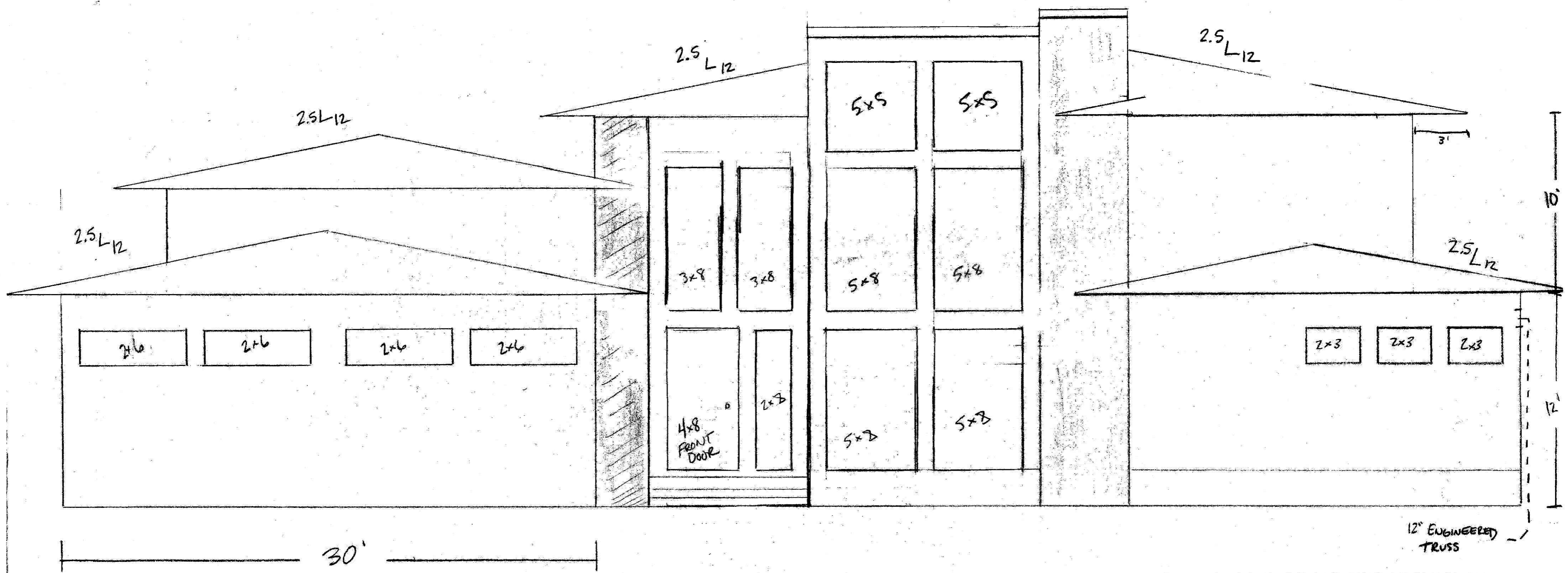


2.5 L/12 Roof Pitch Metal Roofing System

BUILDER'S NOTES:

- Roof
  - Continuous Ridge Vents Used
  - Trusses & Beams Pre-engineered
  - Metal Roofing System - Lifetime
  - 1x6 Wood Facia Board (not shown)
  - 7/16" OSB Under Metal

- Siding
  - Stone & Wood Siding
  - House Wrap
  - 7/16" OSB Sheathing
  - 2x6 Exterior Studs @ 16" O.C.
  - Spray Foam Insulation Closed Cell @ ± 50% Wall Capacity (2.5")
  - 1/2" Drywall

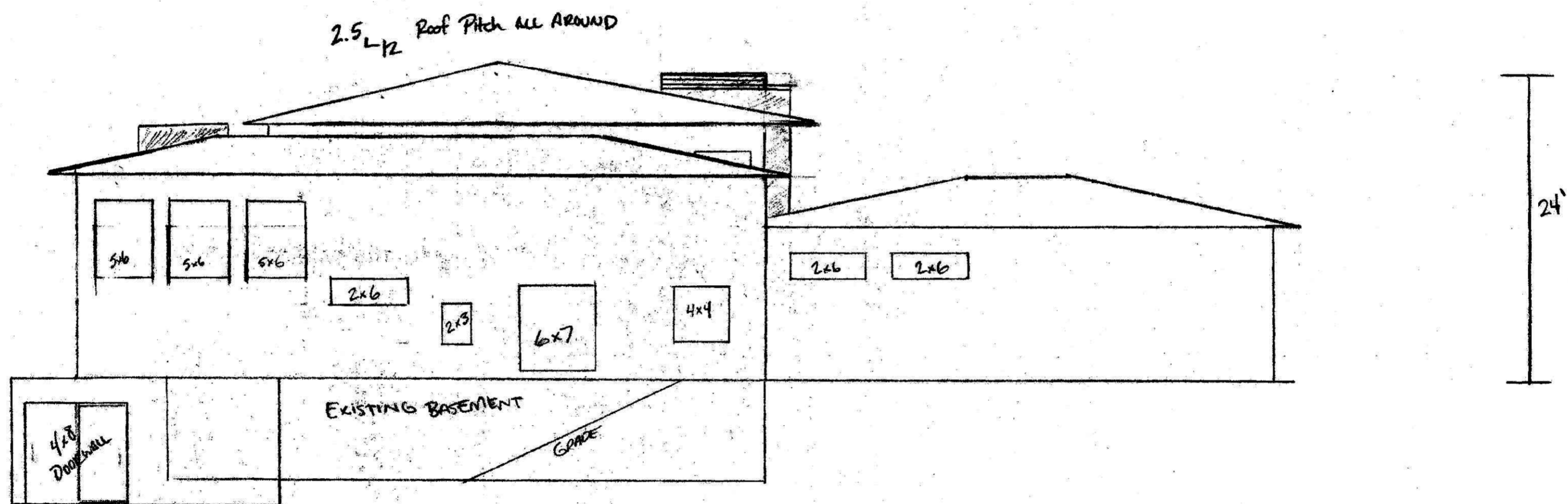


JOHNSON HOUSE: Front Elevation

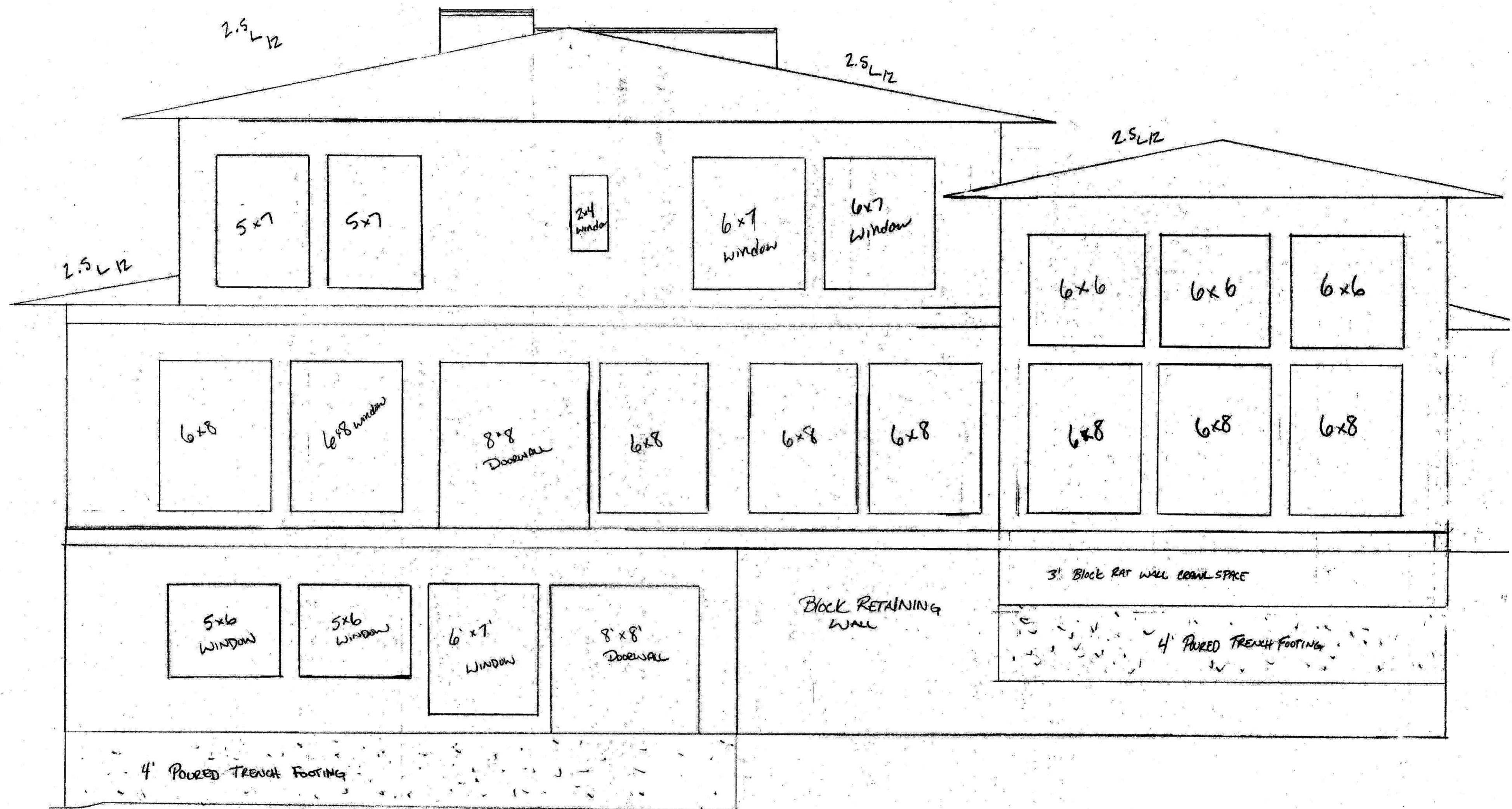
150 DANFORTH ST.  
WHITE LAKE, MI 48886

DRAWING #  
2 of 9

SCALE: 1/4" = 1'



JOHNSON HOUSE : WEST ELEVATION  
150 DANFORTH ST.  
WHITE LAKE, MI 48386  
SCALE: 1/8" = 1'  
DRAWING #  
3 of 9



BUILDER'S NOTES:

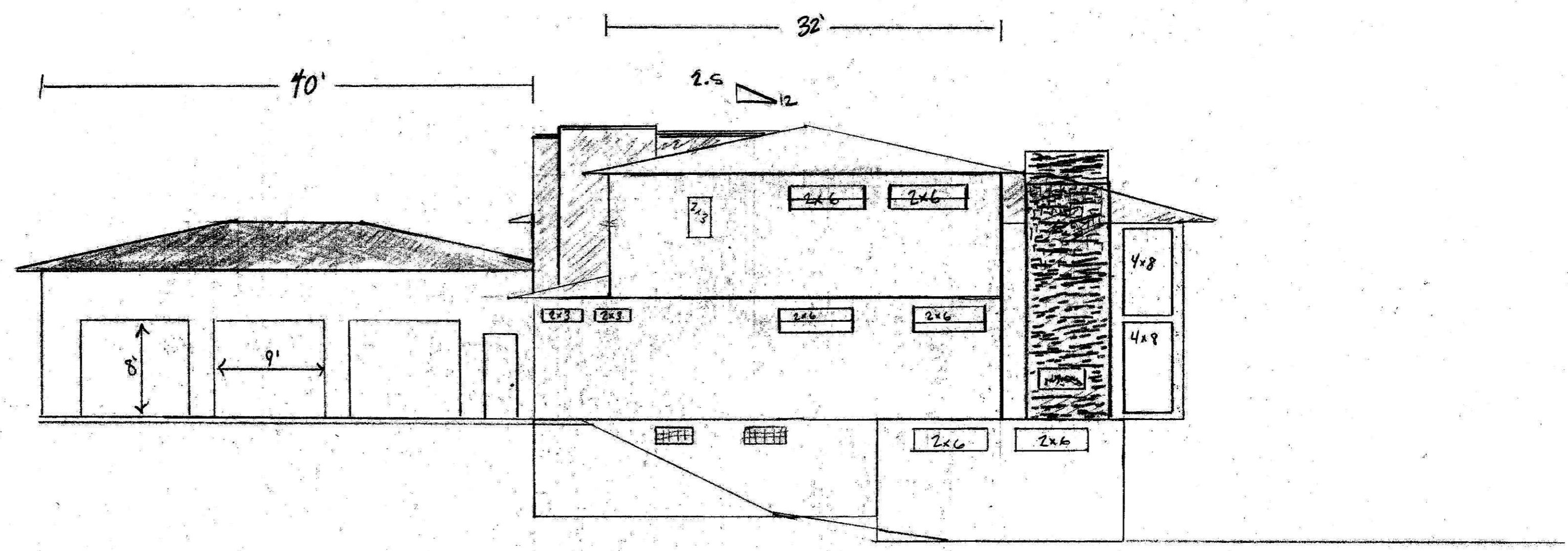
- ALL FOUNDATIONS AT MINIMUM will have
- 1 course 8x8x16 SOLID BLOCK
- 12" wide x 42" Deep Poured Concrete Trench
- Footing w/ #4 dowel & #5 rebar (top & bottom)

JOHNSON HOUSE: REAR Elevation View

150 DANFORTH ST.  
WHITE LAKE, MI 48386

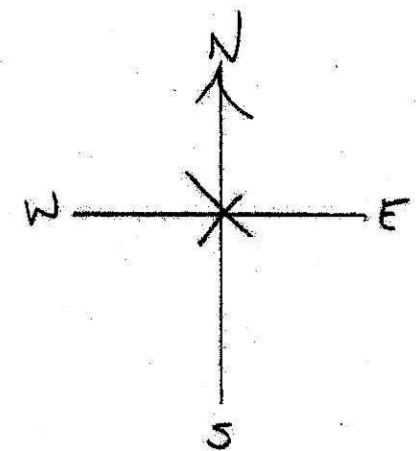
SCALE:  
1/4" = 1'

DRAWING #  
4 of 9



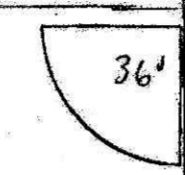
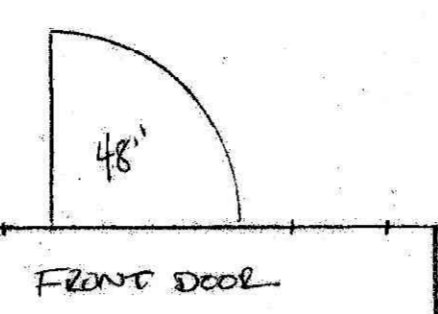
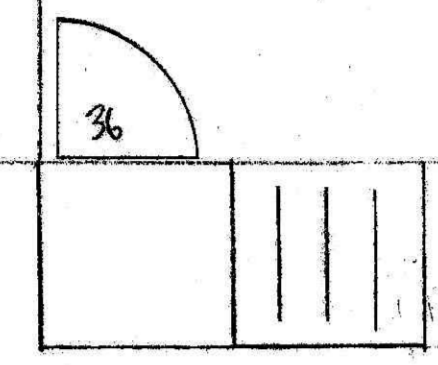
JOHNSON HOUSE: EAST ELEVATION  
150 DANFORTH ST.  
WHITE LAKE, MI 48386  
DRAWING #  
5 of 9  
1/8" = 1" SCALE





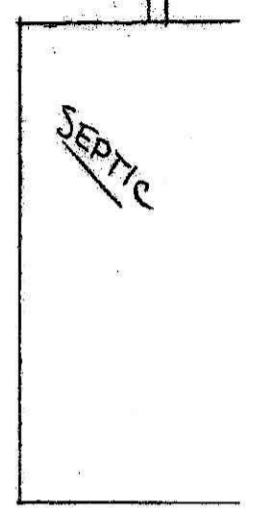
EXISTING STRUCTURE

EXISTING STRUCTURE



GARAGE  
30x40  
1200 sq ft.

DRIVEWAY



40'

30'

DANFORTH ST.

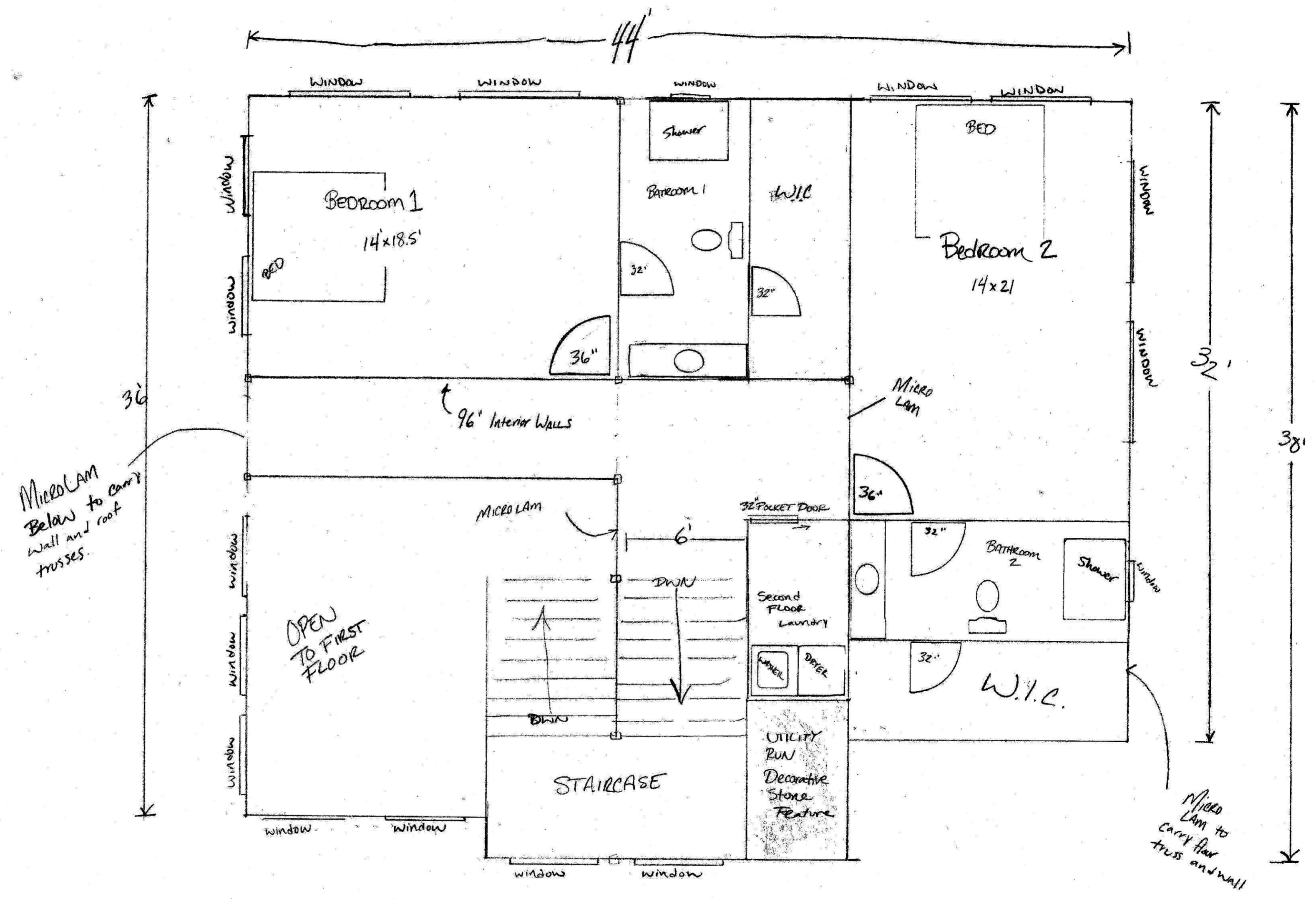
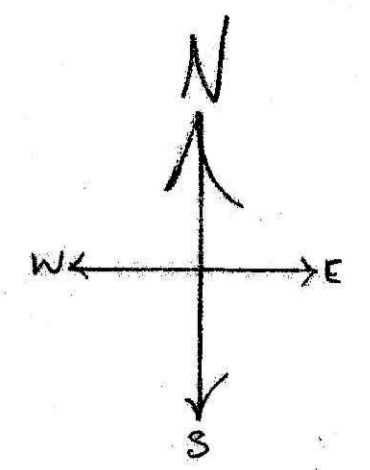
MAIN LEVEL FLOOR PLAN DRAWING #2  
- FOCUS ON GARAGE  
- FOR MORE DETAILED HOME, SEE PAGE 6

Johnson House

150 DANFORTH ST.  
White Lake, MI 48386

1/4" = 1'  
DRAWING #  
7 of 9

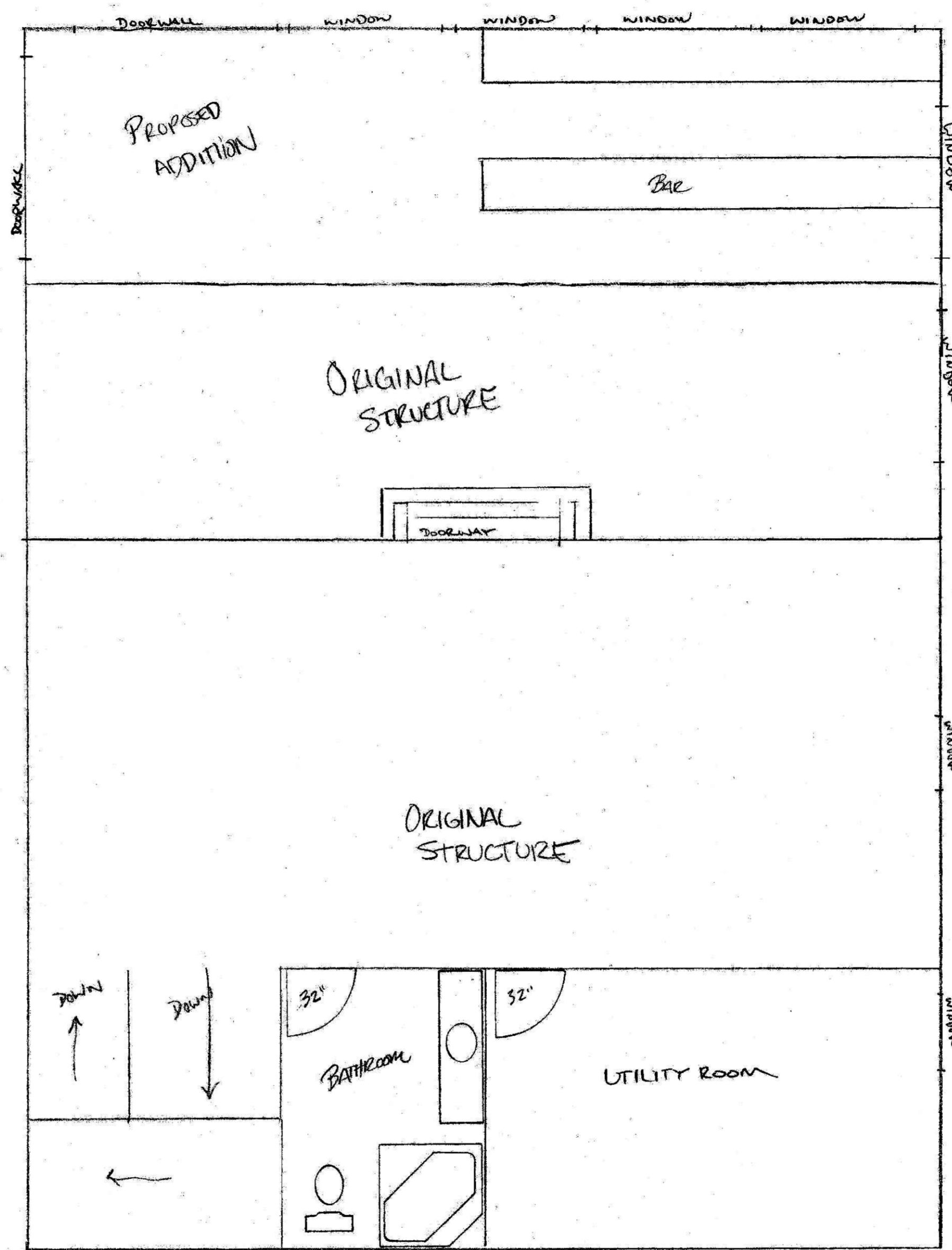
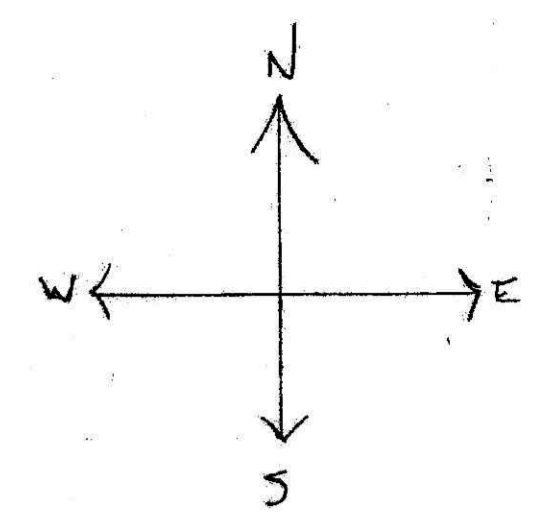
# SECOND STORY FLOOR PLAN



MicroLam  
Below to carry  
wall and roof  
trusses.

MicroLam to  
carry floor  
truss and wall

Johnson House ; Second Story Floor Plan  
 150 DANFORTH ST.  
 WHITE LAKE, MI 48386  
 Scale = 1/4" = 1'  
 □ = 1 sq. ft.  
 DRAWING #  
 8 of 9



BASEMENT FLOOR PLAN

---

JOHNSON HOUSE

---

150 DANFORTH ST.  
WHITE LAKE, MI 48386

1/4" = 1"

DRAWING #  
9 of 9



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

July 21, 2021

Mark Johnson  
150 Danforth St.  
White Lake, MI 48386

RE: Proposed Addition

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

**Article 3.1.6 of the White Lake Township Clear Zoning Ordinance:** Requires a minimum front yard setback of 30 ft.

The existing residential structure is legal non-conforming, having approximately a 5 ft side yard setback on the east side. The proposed addition would further increase this non-conformity on the south side of the property with an approximate 10 ft front yard setback. The submitted plans do not accurately reflect the setbacks of the existing and proposed structures.

Approval of the building plans would be subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the August 26<sup>th</sup> Zoning Board of Appeals (ZBA) meeting, application must be submitted to the White Lake Township Planning Department no later than July 29<sup>th</sup> at 4:30 PM. **A certified boundary and location survey 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