



ZONING BOARD OF APPEALS MEETING

LOCATION: TOWNSHIP ANNEX, 7527 HIGHLAND ROAD, WHITE LAKE, MICHIGAN 48383
THURSDAY, JULY 25, 2024 – 6:30 PM

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

AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF AGENDA
5. CALL TO THE PUBLIC
6. APPROVAL OF MINUTES
 - A. [May 23, 2024](#)
7. OLD BUSINESS
8. NEW BUSINESS
 - A. [Applicant: Suzanne Sanders](#)
[7774 Pontiac Lake Road](#)
[White Lake, Michigan 48386](#)
[Location: 7774 Pontiac Lake Road](#)
[White Lake, Michigan 48386 identified as 12-09-476-008](#)
[Request: The applicant requests to construct an accessory building \(pole barn\), requiring variances from Article 5.7.C, Accessory Buildings or Structures in Residential Districts.](#)
 - B. [Applicant: Michael & Quinn Falzon Trust](#)
[7551 Haley Road](#)
[White Lake, Michigan 48383](#)
[Location: 7551 Haley Road](#)
[White Lake, Michigan 48383 identified as 12-16-401-007](#)
[Request: The applicant requests a variance from Article 5.10, Swimming Pools, which requires that residential swimming pools be fenced on all sides with a minimum 4-foot high, non-ladderable fence, with any gate to be self-closing and latching. In lieu of installing a fence, applicant seeks to utilize a safety cover on the swimming pool.](#)
 - C. [Applicant: Donald King](#)
[3624 Jackson Boulevard](#)
[White Lake, Michigan 48383](#)
[Location: 3624 Jackson Boulevard](#)
[White Lake, Michigan 48383 identified as 12-07-151-028](#)
[Requests: The applicant requests to enlarge and alter a nonconforming structure \(house\), requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.5.E, R1-C Single Family Residential Minimum Side Yard Setback. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures is also required due to the increase in cubic content.](#)



- D. [Applicant: Michael Mocerri, Inc.](#)
[25201 Alexa Drive](#)
[Commerce Township, Michigan 48390](#)
[Location: 2927 Ridge Road](#)
[White Lake, Michigan 48383 identified as 12-18-101-018](#)
[Requests: The applicant requests to construct a single-family house, requiring variances from Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area, Minimum Lot Width, Side Yard Setback, Front Yard Setback, Maximum Lot Coverage, Maximum Building Height.](#)

- E. [Applicant: Wade Paris](#)
[9377 Gale Road](#)
[White Lake, Michigan 48386](#)
[Location: 9090 Buckingham Street](#)
[White Lake, Michigan 48386 identified as 12-14-280-015](#)
[Requests: The applicant requests to construct a single-family house, requiring a variance from Article 3.1.6.E, R1-D Single Family Residential Minimum Front Yard Setback and Minimum Lot Area.](#)

9. OTHER BUSINESS

10. NEXT MEETING DATE: August 22, 2024

11. ADJOURNMENT

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

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS
MAY 23, 2024**

CALL TO ORDER

Chairperson Spencer called the meeting to order 6:30 P.M. She led the Pledge Allegiance.

Roll was called:

ROLL CALL

Present:

Jo Spencer, Chairperson
Clif Seiber
Niklaus Schillack, Vice Chairperson
Debby Dehart, Planning Commission Liaison
Michael Powell, Township Board Liaison

Also Present:

Sean O'Neil, Community Development Director
Nick Spencer, Building Official
Hannah Kennedy-Galley, Recording Secretary

APPROVAL OF AGENDA

MOTION by Member Schillack, seconded by Member Dehart to approve the agenda as presented. The motion carried with a voice vote: (5 yes votes).

APPROVAL OF MINUTES

A. April 25, 2024

MOTION by Member Powell, seconded by Member Seiber to approve the minutes of April 25, 2024 as presented. The motion carried with a voice vote: (5 yes votes).

CALL TO THE PUBLIC

None.

OLD BUSINESS

A. Applicant: Jordan Billet
8874 Arlington Road
White Lake, MI 48386 identified as 12-13-157-006
Location: **8874 Arlington Road**
Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct first and second story additions, requiring a variance from Article 7.23.A, Nonconforming Structures. Variances from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures are also required due to both the value of improvements and the increase in cubic content.

Director O'Neil briefly went over the applicant's request.

Jordan Billet, 8874 Arlington, was present to speak on behalf of his request. His variances requested were reduced from nine to four variances.

Member Powell said the applicant left the shed on the rear of the property and reduced the size of the building.

Member Schillack said he was surprised the applicant chose to reduce the size of the structure, but was happy that the variances requested were reduced.

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

- A. Practical Difficulty
 - Member Powell said the house and the shed were preexisting, and the applicants were trying to make the house the best they could.
- B. Unique Situation
 - Member Seiber said the lot configuration was unique due to the undersized lot width at the road.
- C. Not Self-Created
 - Chairperson Spencer said the owner did not build the house or plat the lot.
- D. Substantial Justice
 - Chairperson Spencer said granting a variance would grant the homeowner substantial justice, similar to what the surrounding neighbors had.
 - Member Schillack said the variances would not infringe on view lines of the neighbors.
- E. Minimum Variance Necessary
 - Member Schillack said the applicant reduced the requested number of variances needed and was grateful for it.

Member Schillack MOVED to approve the variances requested by Jordan Billet from Article 7.23.A of the Zoning Ordinance for Parcel Number 12-13-157-006, identified as 8874 Arlington Road, in order to enlarge and alter a nonconforming house by allowing the second-story addition to encroach 0.5 foot into the required side yard setback and exceed the allowed lot coverage by 1%. A variance from Article 7.28.A is also granted to exceed the allowed value of improvements to a nonconforming structure by 165%. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Division.**
- **In no event shall the projection of any roof overhang be closer than five feet to the side lot lines.**
- **No mechanical units, including HVAC system or generator, shall be placed closer than five feet to any side yard lot line.**
- **A foundation certificate shall be required prior to the backfill inspection by the Building Department.**
- **An as-built survey shall be required to verify the approved setbacks and lot coverage**

**Member Dehart supported, and the motion carried with a roll call vote: (5 yes votes)
(Schillack/yes, Dehart/yes, Powell/yes, Spencer/yes, Seiber/yes).**

NEW BUSINESS

A. Applicant: Vinyl Sash of Flint, Inc.
5433 Fenton Road
Grand Blanc, MI 48507
Location: **9471 Cedar Island Road**
White Lake, MI 48386 identified as 12-35-254-007
Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct an addition, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area and Minimum Lot Width. Variances from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures are also required due to both the value of improvements and the increase in cubic content.

Chairperson Spencer noted for the record 30 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 0 letters were returned undeliverable from the U.S. Postal Service.

Director O’Neil briefly went over the applicant’s request. The septic and well locations were not shown on the survey. The locations would need to be called out on a plan prior to the Building Department issuing permits.

Member Schillack said there was not a dimension measured from the shed to the side yard lot line, nor was there a dimension measured from the house to the front yard property line.

The State Equalized Value was listed on the application as the total value of the property and structure, but the ordinance in this instance only needed to take into account the value of the structure.

Robert Bloss, Vinyl Sash, and the homeowners, Mr. and Mrs. LeShok, were present to speak on behalf on their case. A tree fell on their deck last summer and destroyed their deck. They wanted to rebuild and add a sunroom to the home.

The septic field was located roadside, on the northeast corner of the lot. The well was behind the garage. The shed at the lake was about 3’ from the side yard lot line.

Member Powell asked the applicant if the proposed deck would have the same footprint as the former deck. Mr. Bloss confirmed.

Chairperson Spencer opened the public hearing at 7:01 P.M. Seeing none, she closed the public hearing at 7:01 P.M.

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

- A. Practical Difficulty
 - Member Dehart said the lot was undersized for the current zoning standards, and the house was non-conforming as well.
- B. Unique Situation
 - Member Seiber said the lot configuration was unique due to the narrowness of the lot.
- C. Not Self-Created
 - Chairperson Spencer said the owner did not build the house or plat the lot.
- D. Substantial Justice
 - Chairperson Spencer said granting a variance would grant the homeowner substantial justice, similar to what the surrounding neighbors had.
 - Member Powell agreed.
- E. Minimum Variance Necessary
 - Member Seiber said the width of the addition was minimal.
 - Member Schillack said there weren't any other suitable locations for the sunroom.

Member Powell MOVED to approve the variances requested by Vinyl Sash of Flint, Inc. from Article 7.23.A and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-35-254- 007, identified as 9471 Cedar Island Road, in order to construct an addition that would encroach 3.9 feet into the required west side yard setback and exceed the allowed value of improvements to a nonconforming structure by 140%. A 32-foot variance from the required lot width and a 6,816 square foot variance from the required lot area are also granted from Article 3.1.6.E. This approval will have the following conditions:

- **The Applicant shall obtain all necessary permits from the White Lake Township Building Division.**
- **Prior to issuance of a building permit, the survey shall be updated to provide existing and proposed lot coverage calculations. A separate variance application for lot coverage may be required, as information on lot coverage was not provided and a lot coverage variance was not requested/published.**
- **The addition plans shall be revised for consistency with the surveyor's site plan to the satisfaction of the Building Official, and shall include the septic, well, and setback locations from the west jog of the side yard property line and from the lakeside shed to the side yard property line.**
- **The addition's roof overhang shall be no closer than five feet to the west side lot line.**
- **A foundation certificate shall be required prior to the backfill inspection by the Building Division.**
- **An as-built survey shall be required to verify the approved setbacks.**

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

B. Applicant: Lisa Gulda
5033 Thicket Lane
Clarkston, MI 48346

Location: **Parcel Number 12-16-200-030**

Request: The applicant requests to divide a parcel of land, requiring variances from Article 3.1.1.F, AG Agricultural Minimum Lot Area and Minimum Lot Width.

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

Director O'Neil briefly went over the applicant's request.

Member Dehart asked staff why the applicant did not rezone the property. Director O'Neil said the applicant was made aware of the rezoning process, but did have the right to request the variance if they wanted to go through the Zoning Board of Appeals process.

Member Schillack said the request seemed to be of a zoning matter, not of a variance perspective. Member Powell agreed, and pointed out that the applicant could apply and obtain lot splits for the southern three parcels, and rezoning the top two parcels.

Member Sieber said the Master Plan would support a rezoning to Suburban Farm, and it seemed that the applicant was trying to seek a rezoning through the variance process.

Lisa Gulda, 5033 Thicket Lane, was present. She said she only applied because she was advised to by former staff to proceed in this way as opposed to a rezoning request.

Member Powell said the ZBA is charged with granting variances based on hardship, not personal preference.

Member Seiber asked the applicant to confirm that parent parcel was split in 2021. Ms. Gulda confirmed, and said it was her father's property. When it was split in 2021, her brothers received the bigger parcel, and she received the smaller parcel with 15 acres.

Member Schillack said the applicant's request made sense; but the ZBA had to grant variances based on hardship.

Member Powell stated that he would have been in favor of the request if there were issues with the rezoning of the southernly three parcels.

Chairperson Spencer opened the public hearing at 7:30 P.M. Seeing none, she closed the public hearing at 7:30 P.M.

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

- A. Practical Difficulty

- B. Unique Situation
- C. Not Self-Created
 - Member Powell said the problem was self-created. The southerly three lots would not be impacted either as they could be split now.
- D. Substantial Justice
 - Member Schillack said there wasn't a matter of substantial justice as the applicant could go through the rezoning process.
- E. Minimum Variance Necessary

Member Powell asked staff to confirm that there wouldn't be any variances needed for the three southerly parcels. Director O'Neil confirmed.

Member Schillack MOVED to deny the variances requested by Lisa Gulda for Parcel Number 12- 16-200-030 due to the following reason(s): there was not a proven hardship, the problem was self-created, and substantial justice wasn't withheld from the applicant.

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

- C. Applicant: Connie Barker
 600 Farnsworth Road
 White Lake, MI 48386
 Location: **600 Farnsworth Road**
 White Lake, MI 48386 identified as 12-26-453-014
 Request: The applicant requests to enlarge and alter a nonconforming structure (house) to construct an addition, requiring variances from Article 7.23.A, Nonconforming Structures and Article 3.1.6.E, R1-D Single Family Residential Minimum Lot Area. A variance from Article 7.28.A, Repairs and Maintenance to Nonconforming Structures is also required due to both the value of improvements and the increase in cubic content.

Chairperson Spencer noted for the record 31 owners within 300 feet were notified. 0 letters were received in favor, 0 letters were received in opposition, and 1 letter was returned undeliverable from the U.S. Postal Service.

Director O'Neil briefly went over the applicant's request.

Member Powell asked staff how front, rear, and side yard were determined in this scenario. Director O'Neil said the orientation of the existing surrounding lots made Farnsworth Road the front yard, opposite of the backyard. The neighbor to the north was oriented facing Farnsworth as well. The majority of the houses on Farnsworth faced Farnsworth.

Marlon Fleck, 2840 Eatonville, and Connie Barker, 600 Farnsworth spoke on behalf of the applicant. The alterations would allow Ms. Barker's mother to age in place in her home. The alterations were for handicapped modifications.

Member Powell said he empathized with the applicant's need for their request. He said the existing house looked small from the Farnsworth roadside. He asked the applicant how the additional floor would be adjusted to the existing floor. Mr. Fleck said there would be a foyer in the breezeway, and there would be a chairlift installed. The existing rooms were too small to help and assist.

Member Seiber asked the applicant what the garage was used for. Ms. Barker said vehicles. Member Seiber asked the applicant if they had considered converting the garage for living space. Mr. Fleck said he considered it, but the two-car garage was necessary, especially if there was someone in a wheelchair.

Chairperson Spencer opened the public hearing at 8:07 P.M. Seeing none, she closed the public hearing at 8:07 P.M.

Member Seiber said the surrounding houses did meet the rear yard setbacks, and if a variance were granted, it would be one of the only houses in the area that did not meet the rear yard setbacks. Member Powell added that the subject lot was a corner lot. Member Seiber said there were alternatives presented without needing the rear yard setback, he did not see a case for substantial justice.

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

- A. Practical Difficulty
 - Member Dehart said the corner parcel was a practical difficulty
 - Member Schillack said a corner lot had been recognized as a practical difficulty in the past.
- B. Unique Situation
 - Member Dehart said the corner parcel was a unique situation.
- C. Not Self-Created
 - Member Dehart said the applicant didn't plat the parcel.
- D. Substantial Justice
 - Member Seiber said he did not see a case for substantial justice.
 - Member Dehart said the applicant offered to reduce the addition.
- E. Minimum Variance Necessary
 - Member Dehart said if the applicant were to reduce the addition, there would be less of a variance necessary.
 - Member Schillack appreciated the applicant's offer to eliminate the shed.

Member Powell MOVED to approve the variances requested by Connie Barker from Article 7.23.A and Article 7.28.A of the Zoning Ordinance for Parcel Number 12-26-453-014, identified as 600 Farnsworth Road, in order to construct an addition that would encroach 6 feet into the required rear yard setback (west), exceed the allowed lot coverage by 10%, and exceed the allowed value of improvements to a nonconforming structure by 335%. A 1,110 square foot variance from the required lot area 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 Division.**
- **The shed shall be removed from the property prior to approval of the final inspection by the Building Official.**
- **No mechanical units, including HVAC system or generator, shall be placed in the front yard or closer than five (5) feet to any side yard lot line or rear yard lot line.**
- **A foundation certificate shall be required prior to the backfill inspection by the Building Division.**
- **An as-built survey shall be required to verify the approved setbacks and lot coverage.**

Member Schillack supported, and the motion carried with a voice vote: (4 yes votes) (Powell/yes, Dehart/yes, Spencer/yes, Schillack/yes, Seiber/no).

D. Applicant: Gateway Commons, LLC
600 N. Old Woodward, Suite 100
Birmingham, MI 48009

Location: **6340 Highland Road and 6350 Highland Road**

White Lake, MI 48386 identified as 12-20-402-003 and 12-20-426-003

Request: The applicant requests to construct a commercial/retail center, requiring variances from Article 6.4.C.iii, Minimum Driveway Spacing – Relative to Intersections, Article 4.17.A, Drive-Thru Window Service Front Yard Setback, Article 4.17.B, Drive-Thru Window Service Driveway Setback from Residential Zoning Districts, and Section 5.11.M, Minimum Requirements for Off-Street Parking.

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

Chairperson Spencer said she believed this was the first time she saw these sections of the ordinance come before the ZBA.

Director O’Neil gave a brief report.

Member Seiber asked staff if the drive thru windows were placed on the west side of the property, would a variance be triggered for the additional 10’. Director O’Neil confirmed.

Member Schillack asked staff if there would be disorderly traffic patterns within the parking lot. Director O’Neil said it would most likely be of internal nature, and the developer would need to mitigate that.

Member Schillack commended the developer for working around the natural features setback on the site.

Keith Maziasz, 600 N Old Woodward, Scott Tousignant, 3140 East Howell, and Jake Root, 1644 Ford, were all present to speak on behalf of the applicant. The east end of the building needed the additional stacking for the drive thru customers. The drive location on Bogie Lake Road was the anticipated location preferred by MDOT, which was roughly 70' short of meeting the zoning requirements. The extra 10' needed for the drive thru was for the window, not for the stacking. The west side of the building would not be ideal for a drive thru window as it would not face up to a driver's side window. The topography of the site proved to be a difficulty due to the changes in elevation.

Member Seiber asked the applicant if the building could be shifted westerly to accommodate the 60' front yard set back. Mr. Tousignant said the site proved to be difficult due to the wetlands, and shifting the building would encroach on the drive aisles.

Chairperson Spencer opened the public hearing at 8:52 P.M.

Mary Earley, 5925 Pine Ridge Court, was concerned about traffic cutting through the development.

Chairperson Spencer closed the public hearing at 8:54 P.M.

Member Powell stated that the site was extremely hard to engineer, and the project had seen a lot of planning efforts from the Planning Commission and staff.

Member Schillack said he was looking forward to seeing the site developed.

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

- A. Practical Difficulty
 - Member Dehart said the site had topographical issues.
- B. Unique Situation
 - Member Seiber said there was a M-59 boulevard that impacted the driveway.
- C. Not Self-Created
 - The applicant did not plat or create the lot.
- D. Member Substantial Justice
 - Member Seiber said the variance would provide substantial justice.
 - Member Schillack said seeing a quality design on a difficult site was substantial justice.
- E. Minimum Variance Necessary
 - Member Dehart said it was the minimum variance necessary,
 - Member Schillack said the site would not impact the natural features of the site.

Member Seiber MOVED to approve the variances requested by Gateway Commons, LLC from Article 6.4.C.iii, Article 4.17.A, Article 4.17.B, and Article 5.11.M of the Zoning Ordinance for 6350 Highland Road (Parcel Number 12-20-426-003) and 6340 Highland Road (Parcel Number 12-20-402-003) in order to allow construction of a commercial/retail center. This approval will have the following conditions:

- **The variances shall become effective if and when the final site plan for the development is approved by the Planning Commission.**
- **Approval is in accordance with the preliminary site plan prepared by Boss Engineering dated January 1, 2023 (revision date February 28, 2024).**

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

OTHER BUSINESS

Director O’Neil said he and Building Official Spencer would be at future ZBA meetings until a new staff member was hired and settled.

NEXT MEETING DATE: July 25, 2024 (June’s meeting will be canceled).

ADJOURNMENT

MOTION by Member Schillack, seconded by Member Seiber, to adjourn at 9:09 P.M. The motion carried with a voice vote (5 yes votes).

DRAFT

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Andrew Littman, Staff Planner
DATE: July 8, 2024

Agenda item: 8A
Appeal Date: June 10, 2024
Applicant: Suzanne Sanders
Address: 7774 Pontiac Lake Road
White Lake, MI 48386
Zoning: SF Suburban Farm
Location: 7774 Pontiac Lake Road
White Lake, MI 48386

Property Description

The approximately 10-acre parcel identified as 7774 Pontiac Lake Road is zoned SF (Suburban Farm). The existing 2,179 square-foot single-family home on the property (measuring 2,179 square feet) utilizes a private well for potable water and a septic system for sanitation.

Applicant's Proposal

The applicant, Suzanne Sanders, whose daughter is a competitive equestrian jumper, seeks to construct a private 16,128 square-foot indoor equestrian arena (with stables) as an accessory building to her single-family home. The proposed building would have 16-foot-high walls and a 22-foot-high roof (measured at the midline of the roof).

Planner's Report

Article 5.7.C of the Zoning Ordinance limits the height of roofs and walls of accessory buildings to 18 feet for roofs and 14 feet for walls. Therefore, height variances are being requested of 4 feet for the roof and 2 feet for the walls.

It should be noted that staff has been considering to increase the height limitations for accessory buildings/structures in the AG and SF Districts, provided that there are sufficient setbacks from property lines. In this case the setbacks are substantial, and are as follows (measured from the proposed location of the arena to the respective property line):

- North property line: 92 feet
- East property line: 263 feet
- South property line: 87 feet
- Distance to existing residence (to the west): 478 feet

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 5.7.C	Accessory Buildings in Residential Districts	Maximum wall height of 14 feet	2 feet	16-foot-high walls
2	Article 5.7.C	Accessory Buildings in Residential Districts	Maximum building height of 18 feet	4 feet	22-foot-high building height (measured at midline of roof)

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Suzanne Sanders from Article 5.7.C of the Zoning Ordinance for Parcel Number 12-09-476-008, identified as 7774 Pontiac Lake Road, in order to construct a new accessory building that would exceed the allowable height for the roof by 4 feet and for the walls by 2 feet. This approval is conditional on the applicant obtaining all necessary permits from the White Lake Township Building Division.

Denial: I move to deny the variances requested by Suzanne Sanders for Parcel Number 12-09-476-008, identified as 7774 Pontiac Lake Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Suzanne Sanders *to a date certain or other triggering mechanism* for Parcel Number 12-09-476-008, identified as 7774 Pontiac Lake Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated June 10, 2024.
2. Aerial of subject parcel
3. Elevation sketches
4. Sketch plan
5. Roof plans dated May 16, 2024.
6. Letter of denial from the Building Official dated May 21, 2024.

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

Item A.

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

APPLICANT'S NAME: Suzanne Sanders PHONE: 248-229-7396

ADDRESS: 7774 Pontiac Lake Road, White Lake 48386

APPLICANT'S EMAIL ADDRESS: Sanders Kenneth D att.net

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 7774 Pontiac Lake Rd PARCEL # 12-09-476-008

CURRENT ZONING: _____ PARCEL SIZE: 10

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 5.1(c)

VALUE OF IMPROVEMENT: \$ 329,000 SEV OF EXISTING STRUCTURE: \$ _____

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

APPLICATION FEE: 385 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)

APPLICANT'S SIGNATURE: [Signature] DATE: 6-10-24

PAID CASH CHECK# 3072

JUN 10 2024

TREASURER
CHARTER TWP. OF WHITELAKE

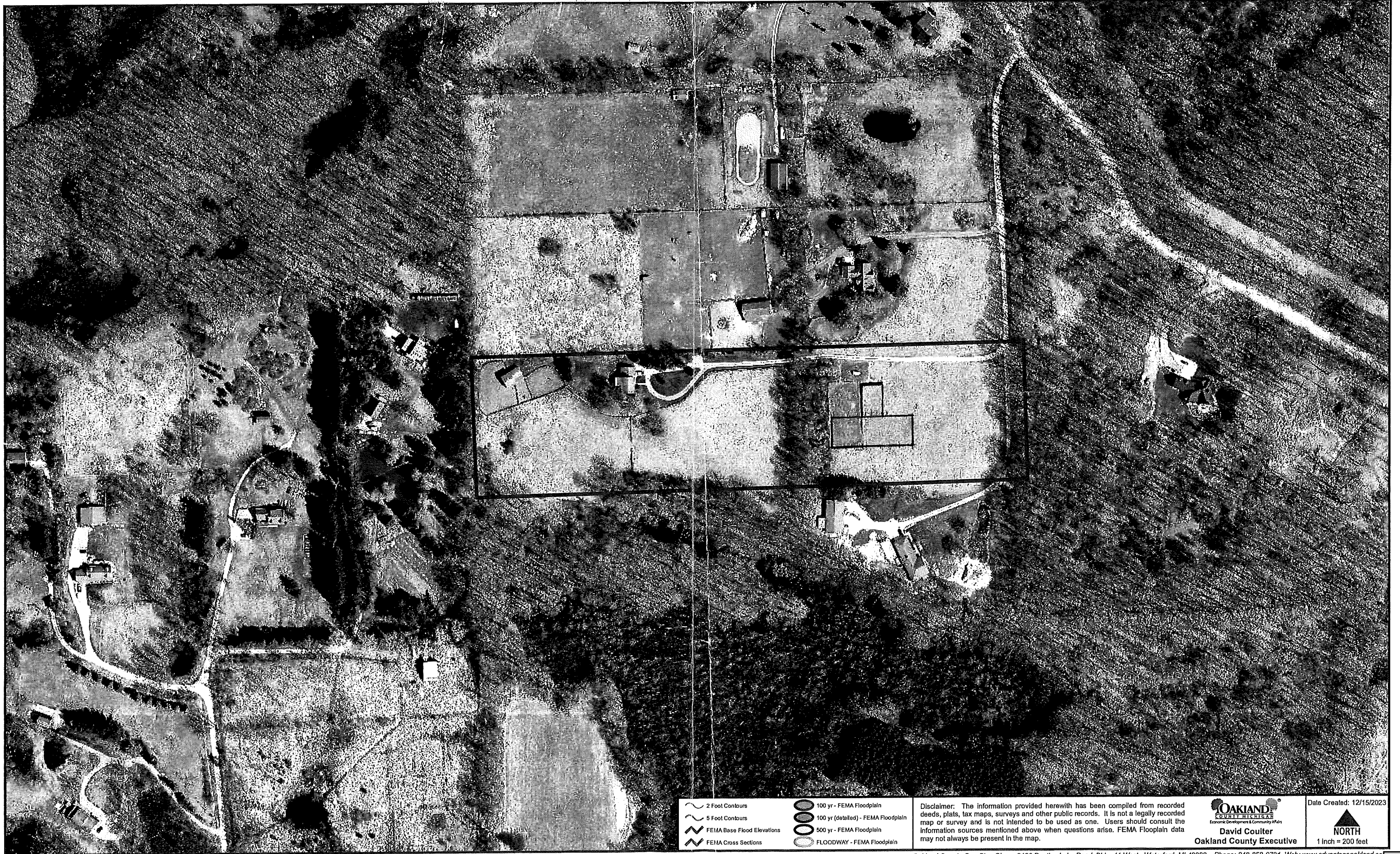
RECEIVED

JUN 10 2024

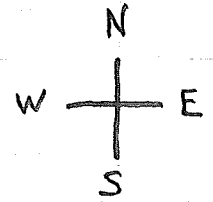
**BUILDING
DEPARTMENT**

7774 Pontiac Lake

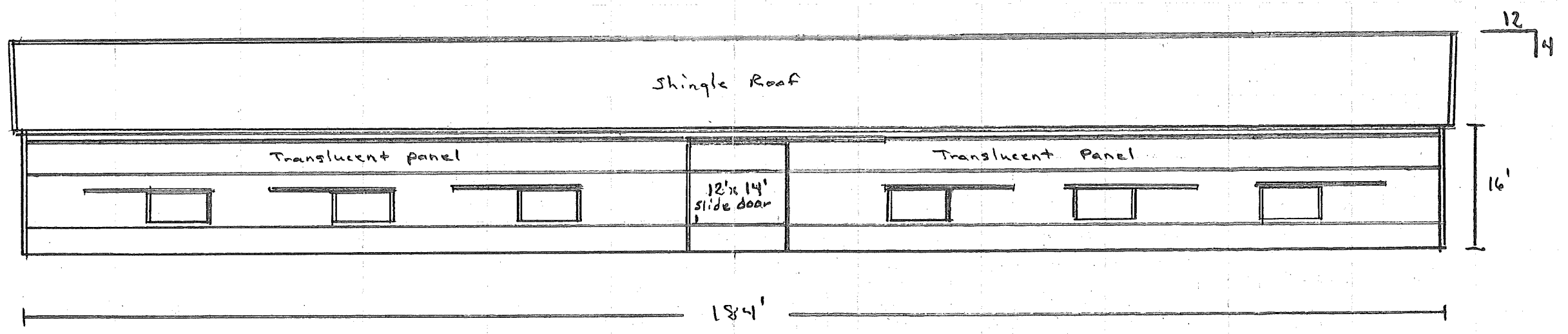
Item A.



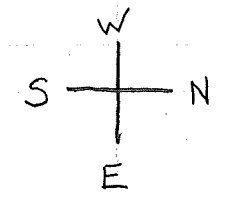
Scale - $\frac{1}{4}'' = 4'$



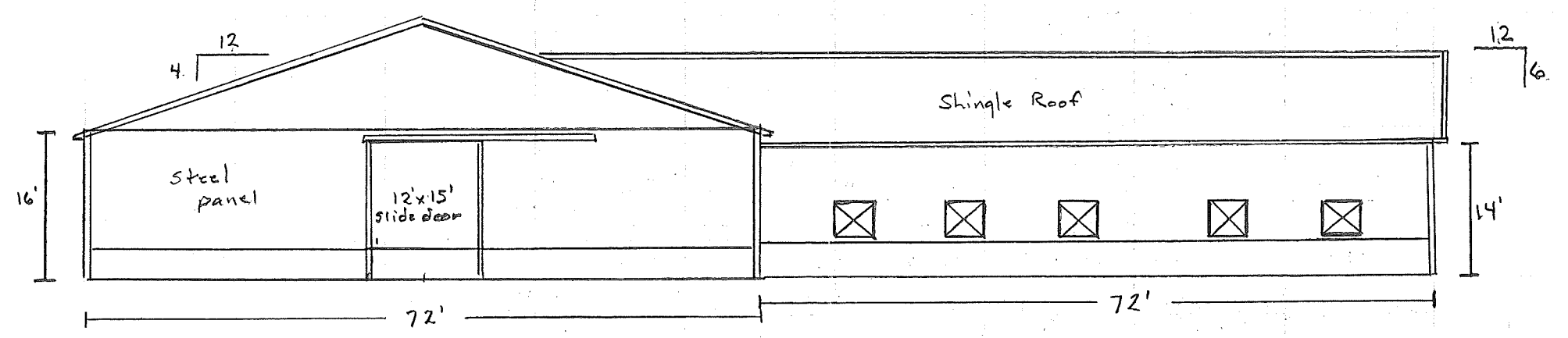
South Elevation



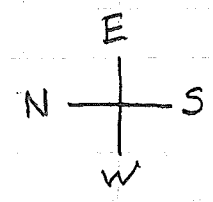
Scale - 1/4" = 4'



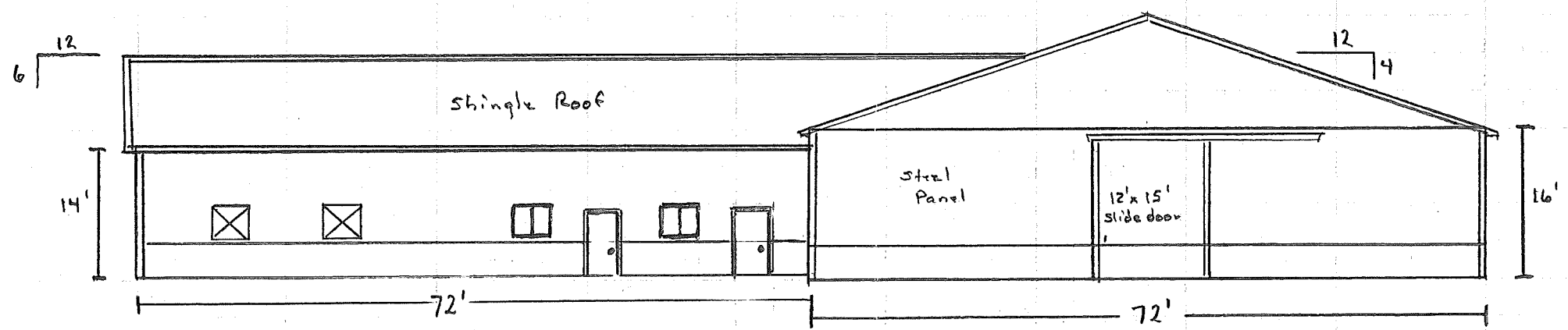
East Elevation

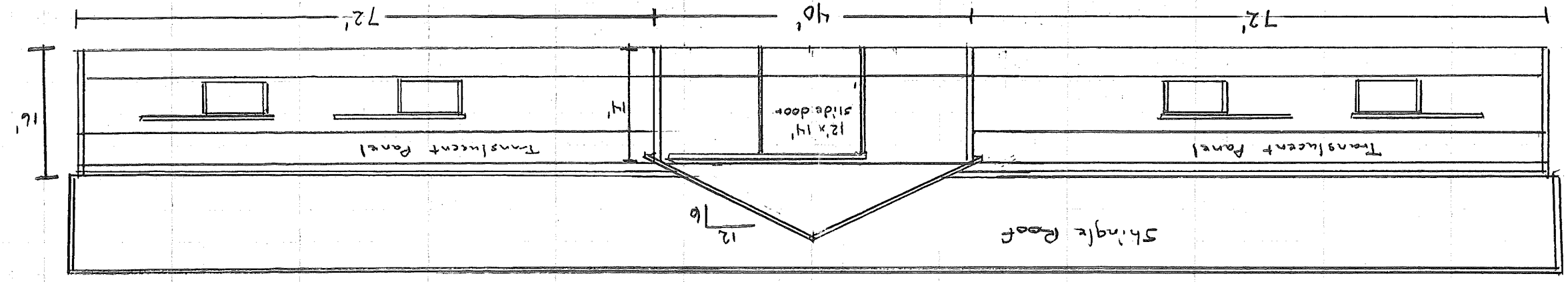


Scale - 1/4" = 4'

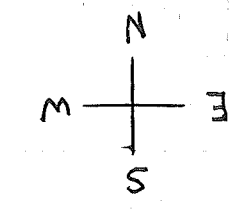


West Elevation

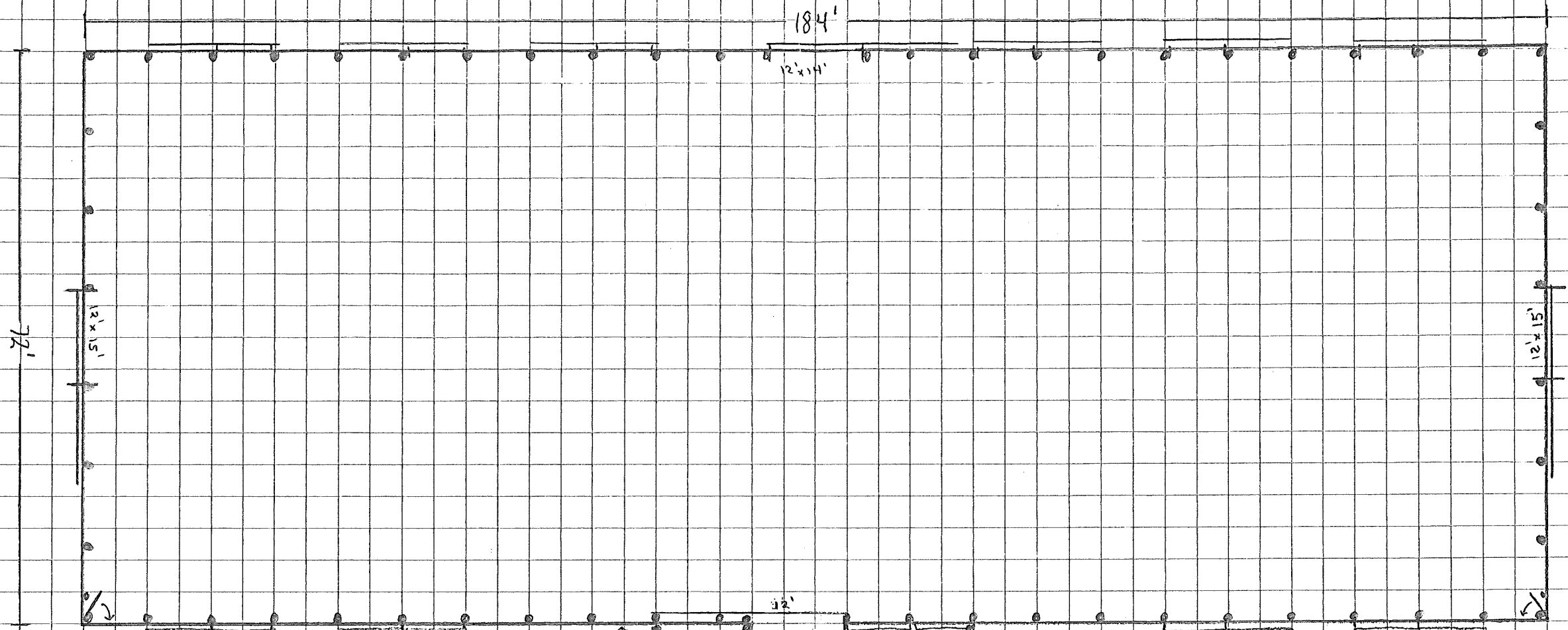




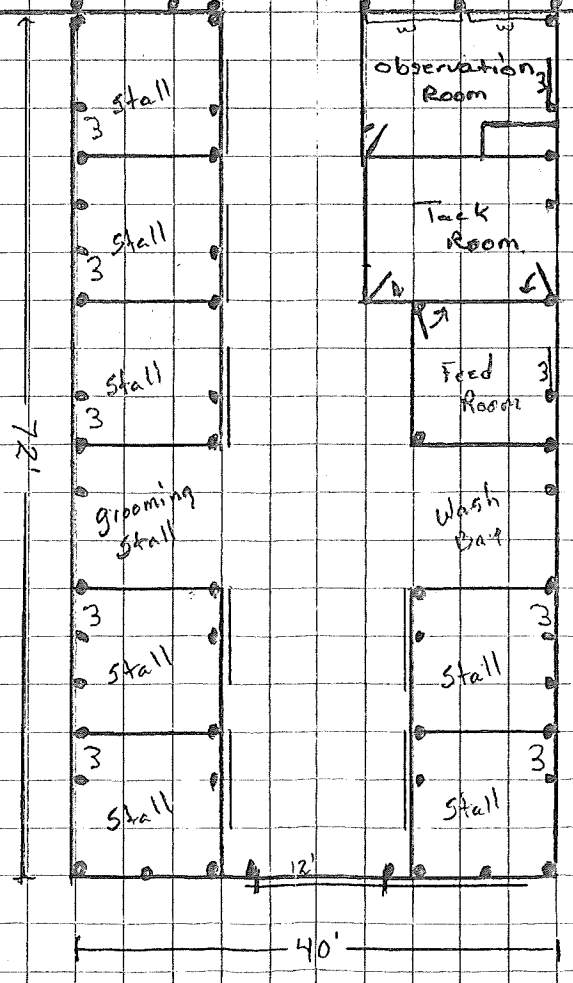
North Elevation



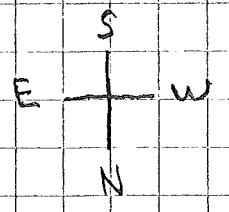
Scale - 1/4" = 4ft



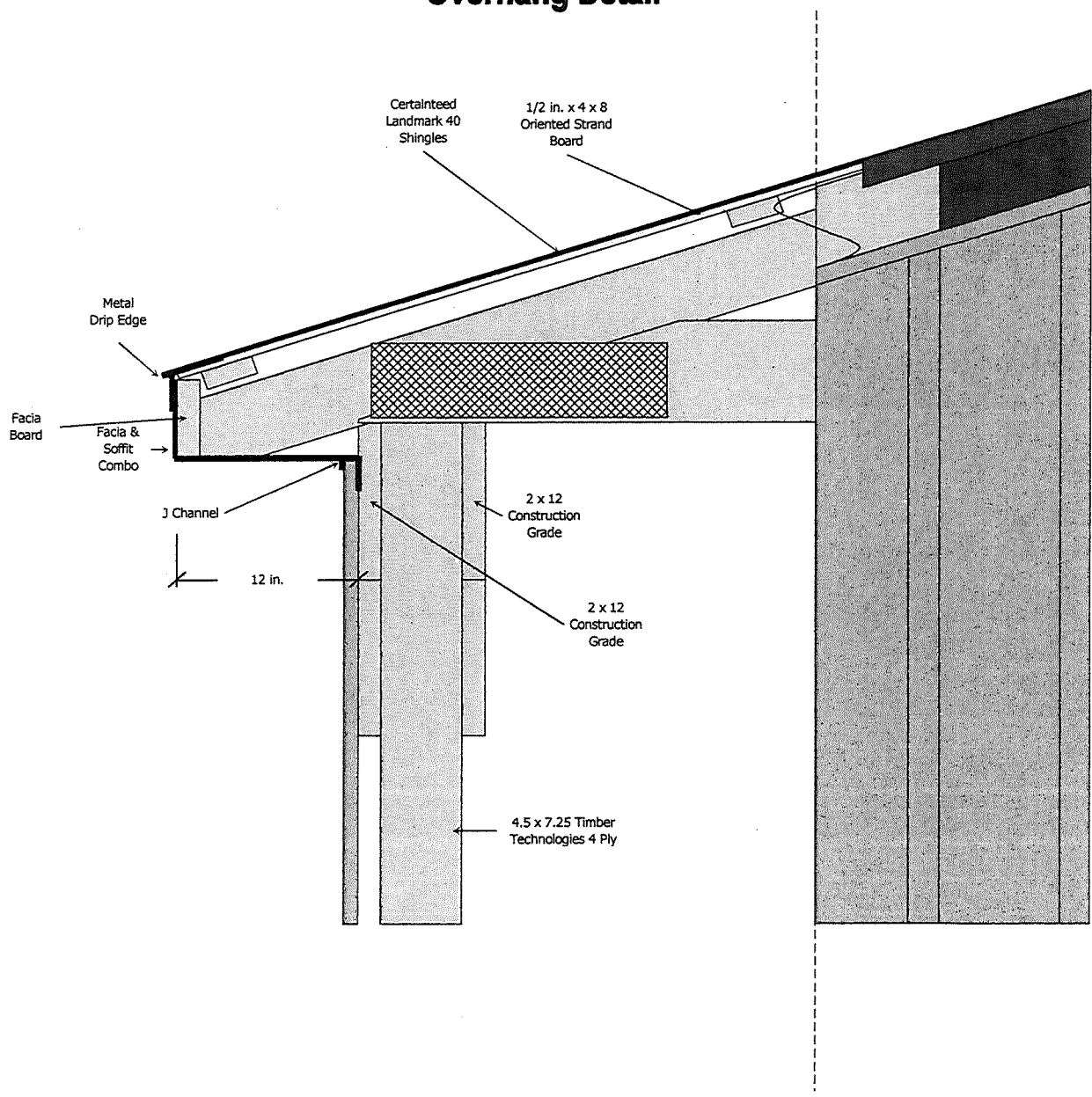
Note: - Sidewall posts shall be set at 8' o.c.,
 - Gable posts shall be set at 10' o.c.



Scale - 1/4" = 4'



Overhang Detail



GABLE1 CROSS SECTION

ROOF LAYER 1: 1/2 IN. X 4 FT. X 8 FT. ORIENTED STRAND BOARD
ROOF LAYER 2: CERTAINTED LANDMARK 40 COLONIAL SLATE SHINGLES

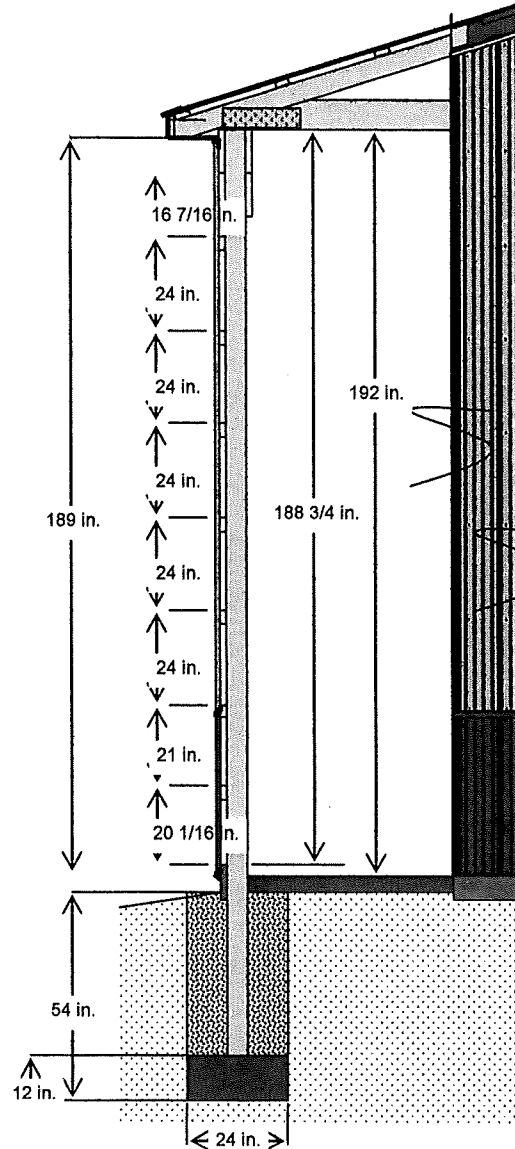
PURLINS: 2 X 4 CONSTRUCTION GRADE FASTENED LAYING FLAT
SUB FACIA: 2 X 6 CONSTRUCTION GRADE
DRIP FLASHING: M W I - STEEL CHARCOAL 10 FT D STYLE DRIP EDGE
FACIA COVERING/UNDEREAVE: DARK GRAY 5-1/2 IN. X 12 IN. X 3 IN. SOF/FAC COMBO 12 IN X 10 FT 0 IN

CORNER POSTS: OHIO TIMBERLAND 3 PLY 4.5 X 5.25
INTERMEDIATE POSTS: TIMBER TECHNOLOGIES 4 PLY 4.5 X 7.25 SPACING 8 FT O.C.
EXTERIOR CARRIER: CONSTRUCTION GRADE 2 X 12
INTERIOR CARRIER: CONSTRUCTION GRADE 2 X 12
EXTERIOR WALL GIRTS: CONSTRUCTION GRADE 2 X 4
WALL LAYER 1: LIGHT GRAY ULTRA 2000 STEEL PANEL

EXTERIOR SKIRT BOARD: TREATED 2 X 10

SIDING BEGINS 2 5/8 IN. BELOW THE TOP OF SKIRT BOARD

EARTH GRADE BEGINS 7 IN. BELOW THE TOP OF SKIRT BOARD



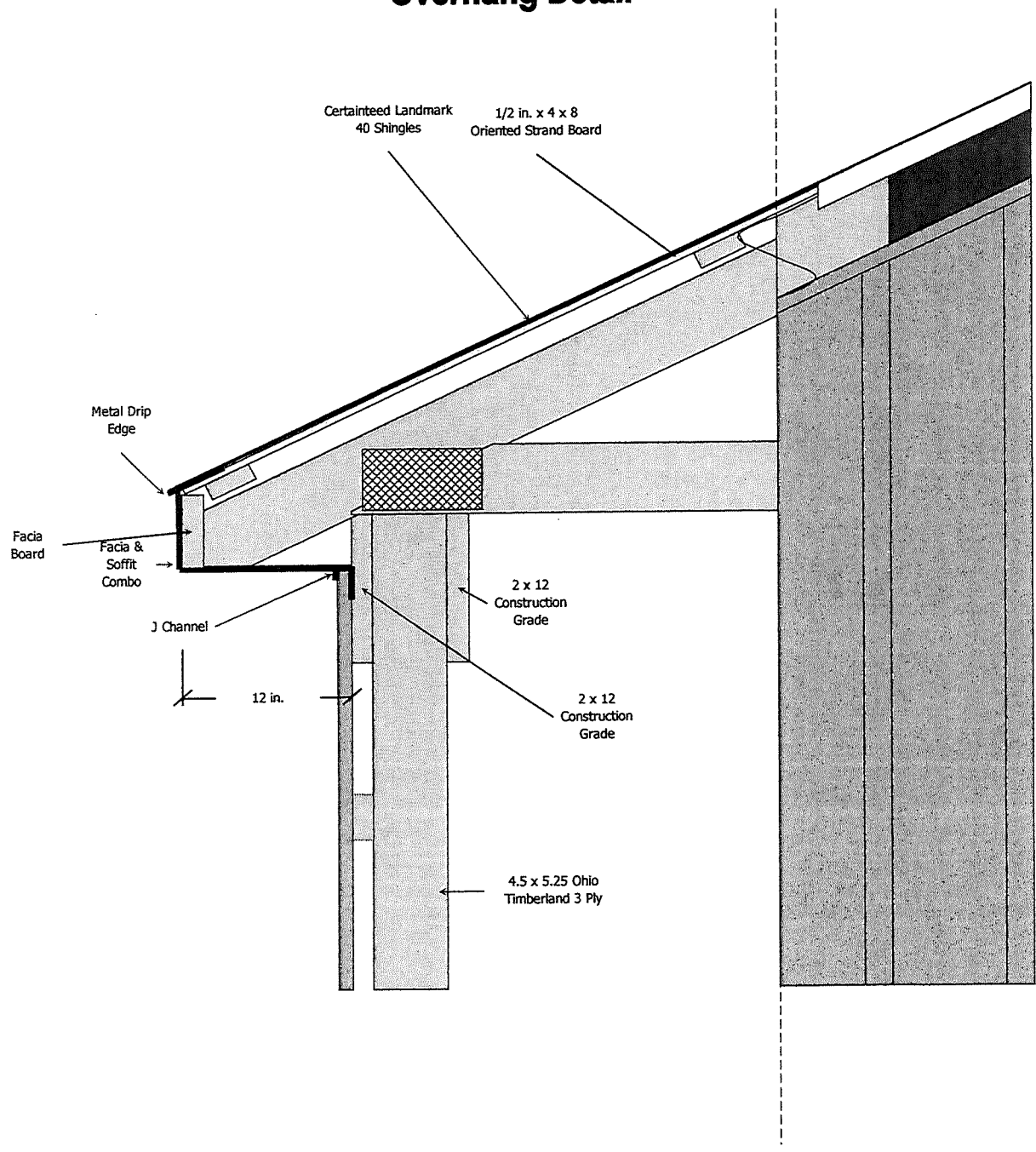
4/12 PITCH TRUSS SYSTEM WITH A STANDARD HEEL (HEEL HEIGHT: 0-5-12 OR 5 3/4 IN.)
TRUSS SPACING: 48 IN. O.C.
TRUSS LOADING INFORMATION: TCDL/BCDL/BCDL 47-7-0-10
TOTAL TRUSS LOADING = 64 P.S.F.
BRACE PER TRUSS MANUFACTURER'S RECOMMENDATIONS

INTERIOR FINISHED FLOOR HT. WILL BE 3 1/4 IN. BELOW THE TOP OF THE SKIRT BOARD
4 IN. CONCRETE FLOOR W/STRUCTURAL STRENGTH - 3500 P.S.I.
UNDISTURBED SOIL OR COMPACTED SAND FILL BACKFILL 24 IN. HOLE WITH SAND/GRAVEL FILL & COMPACT
24 IN. WIDE X 12 IN. THICK PIER FOOTING USING REDI-MIX CONCRETE WITH MINIMUM STRENGTH/2500 P.S.I.

HEADLINE AND POLE FOOTER DETAIL FOR
40' x 72' x 14' Stall Barn

Item A.

Overhang Detail



GABLE1 CROSS SECTION

ROOF LAYER 1: 1/2 IN. X 4 FT. X 8 FT. ORIENTED STRAND BOARD
ROOF LAYER 2: CERTAINTED LANDMARK 40 COLONIAL SLATE SHINGLES

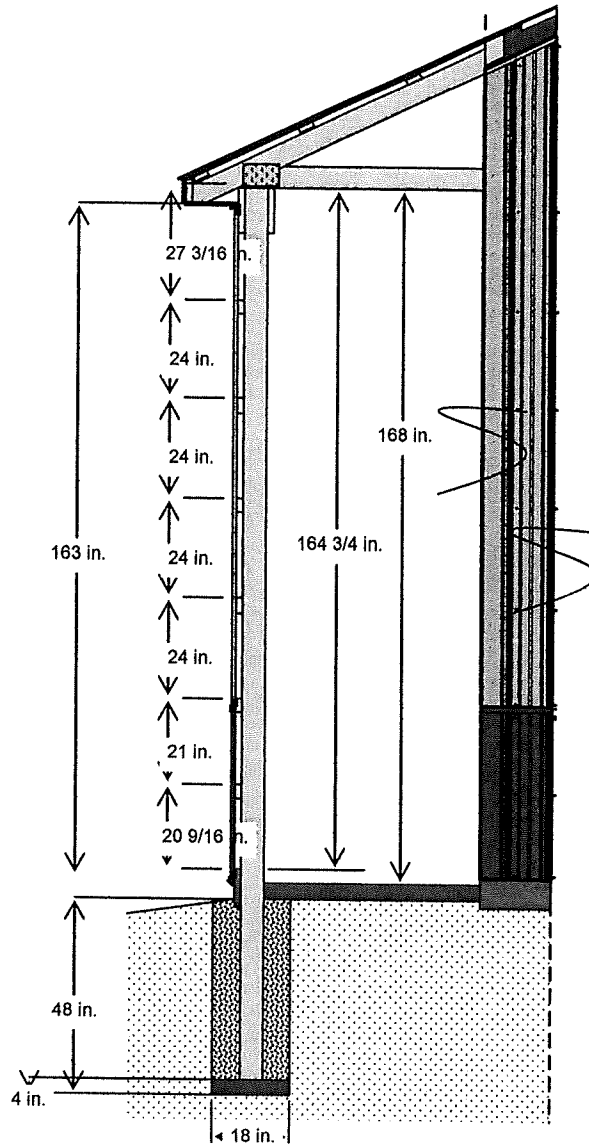
PURLINS: 2 X 4 CONSTRUCTION GRADE FASTENED LAYING FLAT
SUB FACIA: 2 X 6 CONSTRUCTION GRADE
DRIP FLASHING: DARK GRAY 3 IN. X 5 IN. ANGLE 10 FT 0 IN
FACIA COVERING/UNDEREAVE: DARK GRAY 5-1/2 IN. X 12 IN. X 3 IN. SOF/FAC COMBO 12 IN X 10 FT 0 IN

CORNER POSTS: OHIO TIMBERLAND 3 PLY 4.5 X 5.25
INTERMEDIATE POSTS: OHIO TIMBERLAND 3 PLY 4.5 X 5.25 SPACING 8 FT O.C.
EXTERIOR CARRIER: CONSTRUCTION GRADE 2 X 12
INTERIOR CARRIER: CONSTRUCTION GRADE 2 X 12
EXTERIOR WALL GIRTS: CONSTRUCTION GRADE 2 X 4
WALL LAYER 1: LIGHT GRAY ULTRA 2000 STEEL PANEL

EXTERIOR SKIRT BOARD: TREATED 2 X 10

SIDING BEGINS 2 3/16 IN. BELOW THE TOP OF SKIRT BOARD

EARTH GRADE BEGINS 7 IN. BELOW THE TOP OF SKIRT BOARD



6/12 PITCH TRUSS SYSTEM WITH A STANDARD HEEL (HEEL HEIGHT: 0-6-2 OR 6 1/8 IN.)
TRUSS SPACING: 48 IN. O.C.
TRUSS LOADING INFORMATION: TCLK/TCDL/BCLL/BCDL 47-7-0-10
TOTAL TRUSS LOADING = 64 P.S.F.
BRACE PER TRUSS MANUFACTURER'S RECOMMENDATIONS

INTERIOR FINISHED FLOOR HT. WILL BE 3 1/4 IN. BELOW THE TOP OF THE SKIRT BOARD
4 IN. CONCRETE FLOOR W/STRUCTURAL STRENGTH - 3500 P.S.I.
UNDISTURBED SOIL OR COMPACTED SAND FILL BACKFILL 18 IN. HOLE WITH SAND/GRAVEL FILL & COMPACT
18 IN. WIDE X 4 IN. THICK PIER FOOTING USING RED-MIX CONCRETE WITH MINIMUM STRENGTH/2500 P.S.I.

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

May 21, 2024

Kenneth and Susan Sanders
7774 Pontiac Lake Rd
White Lake, MI 48383

RE: Proposed Pole Building

Based on the submitted plans, the proposed building height does not satisfy the White Lake Township Clear Zoning Ordinance for Accessory Structures.

Article 5.1 (C) of the White Lake Township Clear Zoning Ordinance: Maximum building wall height of 14 ft and maximum roof height of 18 ft.

The East Elevation indicates the wall height of the proposed structure to be 16 ft, and midline of the roof to be approximately 22 ft.

Approval of the expansion 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 June 27th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than May 23rd at 4:30 PM. ***Be advised, the ZBA may require a certified boundary and location survey.*** 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: Andrew Littman, Staff Planner
DATE: July 17, 2024

Agenda item: 8B

Appeal Date: May 31, 2024

Applicant: Michael and Quinn Falzon Trust

Address: 7551 Haley Road
White Lake, MI 48383

Zoning: AG Agricultural

Location: 7551 Haley Road
White Lake, MI 48383

Property Description

The approximately 10.11-acre parcel identified as 7551 Haley Road is zoned AG (Agricultural). The existing house on the property (approximately 1,780 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant's Proposal

The applicant, the Michael and Quinn Falzon Trust, seeks to utilize a safety cover on its swimming pool in lieu of enclosing the pool with a fence.

Planner's Report

Article 5.10 of the Zoning Ordinance states that residential swimming pools must be fenced on all sides with a minimum four-foot high, non-ladderable fence, with any gate to be self-closing and latching. This Ordinance provision was designed primarily for the safety of children who could readily wonder onto the property and fall into a swimming pool. Indeed, this is a prime example where the legal doctrine of "attractive nuisance" applies. The self-closing and latching language is particularly important since the enclosure is automatic, and not dependent upon whether or not an individual remembers to close the gate.

On the other hand, a safety cover is dependent upon an individual closing it every time he or she is not present at the pool, which is simply not realistic. A safety cover is clearly not a safe alternative to the requirements of the Ordinance.

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by the Michael and Quinn Falzon Trust from Article 5.10 of the Zoning Ordinance for Parcel Number 12-16-401-007, identified as 7551 Haley Road, to utilize a safety cover on its swimming pool in lieu of enclosing the pool with a minimum four-foot high, non-ladderable fence, with any gate to be self-closing and latching.

Denial: I move to deny the variance requested by the Michael and Quinn Falzon Trust for Parcel Number 12-16-401-007, identified as 7551 Haley Road, due to the following reason(s):

Postpone: I move to postpone the appeal of the Michael and Quinn Falzon Trust *to a date certain or other triggering mechanism* for Parcel Number 12-16-401-007, identified as 7551 Haley Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated May 31, 2024.
2. Applicant's written statement.
3. Letter of denial from the Building Official dated May 16, 2024.
4. Sketch Survey

7.37 STANDARDS

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

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

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

CHARTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION
Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: Michael & Quinn Falzon Trust PHONE: 970-819-5966 ^{Quinn cell #}
666
7551 Haley Rd. White Lake, MI. 48383 ^{Mike cell # 970-846-8930}
ADDRESS: 7551 Haley Rd. White Lake, MI. 48383
APPLICANT'S EMAIL ADDRESS: qfmichigan@gmail.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____
Fully owned (no mortgage)

Pin# 12-16-401-007 7551 Haley Rd. 48383 Y
ADDRESS OF AFFECTED PROPERTY: White Lake, MI. 48383 PARCEL # 12-16-401-007
CURRENT ZONING: AG - Agricultural PARCEL SIZE: 10.11 Acres

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: Article 5.10 of the
White Lake Township Clear Zoning Ordinance (Swimming pool)
VALUE OF IMPROVEMENT: \$ N/A SEV OF EXISTING STRUCTURE: \$ N/A
unknown ^{Barrier} unknown

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

APPLICATION FEE: \$385 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: Quinn Johanna Falzon DATE: 5/31/2024

Supporting Document for Application

From:
 Michael & Quinn Falzon Trust
 7551 Haley Rd.
 White Lake, MI. 48383
 (970) 819-5966

To:
 White Lake Twp. Community Development Dpt.
 Zoning Board of Appeals (ZBA)
 7527 Highland Rd.
 White Lake, MI. 48383

Dear Zoning Board of Appeals (Z.B.A.),

We, Michael & Quinn Falzon, would kindly request to be exempt from the *Article 5.10 of the White Lake Township Clear Zoning Ordinance: swimming pools shall be fenced on all sides with a minimum four-foot high, non-ladderable fence, with any gate to be self-closing and latching* at our residence 7551 Haley Rd. in White Lake, Michigan.

1. We believe that we have a unique circumstance as an AG (Agricultural) Zoning with 10.11 acres.
2. Nearest neighbors are at least 1,000 feet away with wetlands in-between.
3. Our property is heavily wooded in every angle.
4. We do not live in a Subdivision nor have an HOA.
5. Most importantly, we have a CoverStar Automatic Pool Cover. CoverStar automatic cover systems have been tested and meet the safety standards outlined in ASTM F1346-91, which calls for the use of safety devices for pools that meet national regulations. A few ASTM Pool Cover safety specifications are Weight Support (can hold a minimum weight of 485lbs, Perimeter Deflection Test, Surface Drainage Test, Control-Switch Requirements (any device used to control the automatic pool cover has to be permanently mounted in full view of the entire pool). CoverStar automatic pool covers are also UL Listed and Certified to meet industry-wide standards.

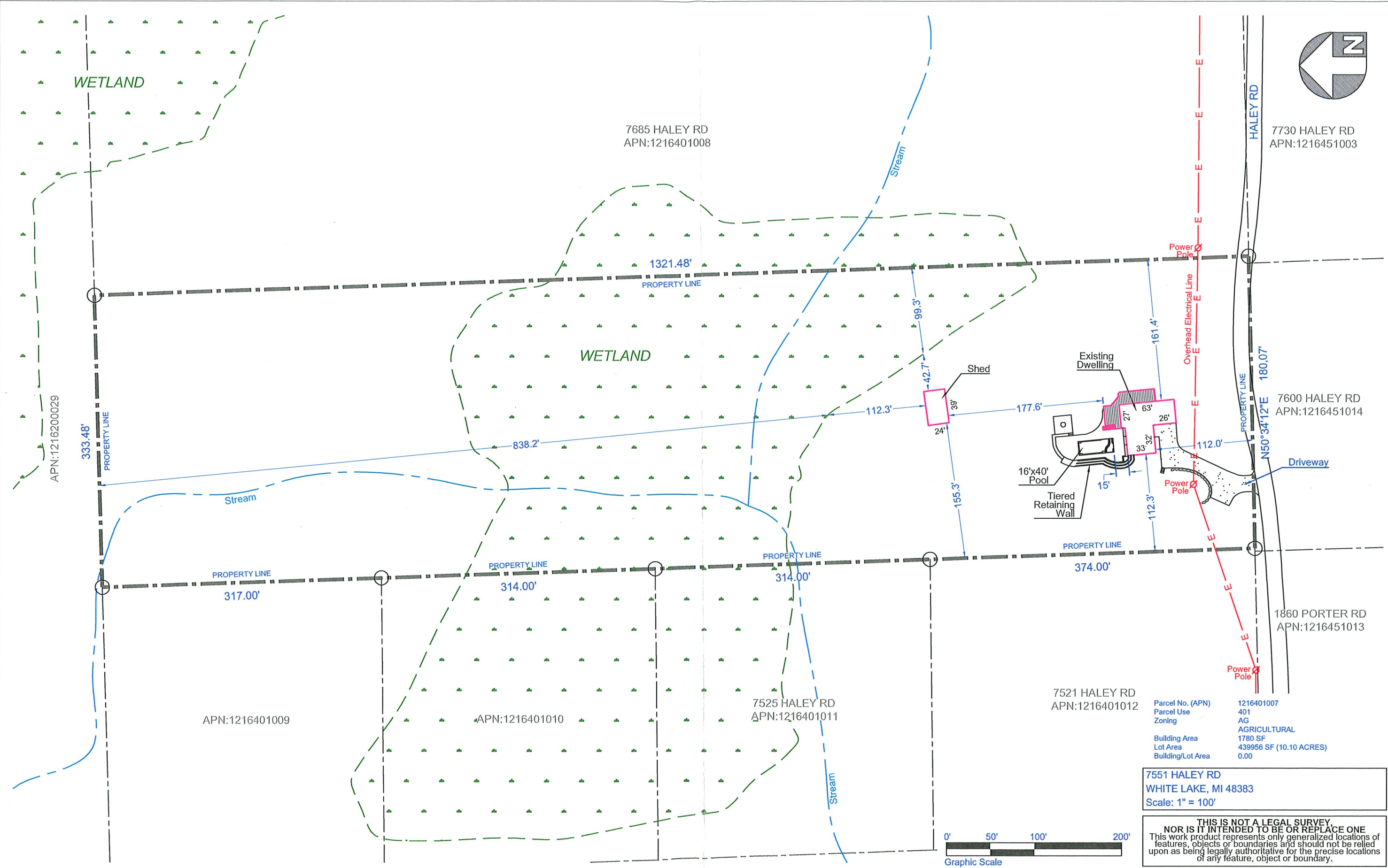
Thank you for your consideration and time in this matter.

Sincerely,


 Michael & Quinn Falzon Trust

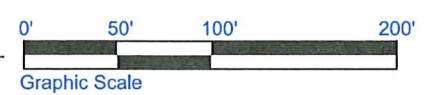
5/31/2024





Parcel No. (APN)	1216401007
Parcel Use	401
Zoning	AG
	AGRICULTURAL
Building Area	1780 SF
Lot Area	439956 SF (10.10 ACRES)
Building/Lot Area	0.00

7551 HALEY RD
 WHITE LAKE, MI 48383
 Scale: 1" = 100'



THIS IS NOT A LEGAL SURVEY.
NOR IS IT INTENDED TO BE OR REPLACE ONE
 This work product represents only generalized locations of features, objects or boundaries and should not be relied upon as being legally authoritative for the precise locations of any feature, object or boundary.

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

May 16, 2024

Michael and Quinn Falzon
7551 Haley Rd
White Lake, MI 48383

Re: Swimming Pool Barrier Requirements

Based on the submitted application, the proposed swimming pool does not satisfy the White Lake Township Clear Zoning Ordinance for swimming pool barriers.

Article 5.10 of the White Lake Township Clear Zoning Ordinance: swimming pools shall be fenced on all sides with a minimum four-foot high, non-ladderable fence, with any gate to be self-closing and latching.

While the swimming pool is proposed to include a code-compliant safety cover as permitted by Section 305 of 2021 International Swimming Pool and Spa Code, it lacks the barrier requirements required by the ordinance.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the June 27th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than May 23rd at 4:30 PM. The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
White Lake Township

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Andrew Littman, Staff Planner
DATE: July 10, 2024

Agenda item: 8C

Appeal Date: June 20, 2024

Applicant: Donald King

Address: 3624 Jackson Boulevard
White Lake, MI 48383

Zoning: R1-C Single Family Residential

Location: 3624 Jackson Boulevard
White Lake, MI 48383

Property Description

The 0.172-acre (7,492 square feet) parcel identified as 3624 Jackson Boulevard is located on White Lake and zoned R1-C (Single Family Residential). The existing two-story single-family home on the property (approximately 1,674 square feet in size) utilizes a private well for potable water and a septic system for sanitation.

Applicant's Proposal

The applicant, Donald King, is proposing to add 2 feet to the height of the roof of his residence, which is a legally nonconforming structure due to having a southern side yard setback of only 2.1 feet.

Planner's Report

The existing single-family home and lot are both legally nonconforming. Article 3.1.5 of the Township's Zoning Ordinance requires a 10-foot minimum side yard setback in the R1-C zoning district, however the existing residence is only 2.1 feet from the southern property line. The parcel is nonconforming due to a 8,508 square foot deficiency in lot area. In the R1-C zoning district, the minimum lot area requirement is 16,000 square feet.

Article 7.23.A of the Zoning Ordinance states that a nonconforming structure may not be enlarged or altered in a way that increases its nonconformity. Moreover, Article 7.28 does not allow the cubic content of nonconforming structures to be increased. Obviously, the proposed roof expansion would violate both Ordinance provisions.

Staff also notes that there is a serious fire safety concern with enlarging a structure that is only 2.1 feet from a property line. Indeed, this fire safety hazard is the basis for the prohibition in Article 5.3 of the Ordinance against any structure projecting closer than 5 feet to a lot line.

The requested variances are listed in the following table

Variance #	Ordinance Section	Subject	Standard	Requested Variance
1	Article 3.1.5	Minimum Side Yard Setback	10-foot minimum side yard setback from property line.	7.9 feet
2	Article 7.23.A	Nonconforming structure	No enlargement or alteration	Enlarge and alter nonconforming structure
3	Article 7.28.A	Nonconforming structure	No increase in cubic content	Increase cubic content of nonconforming structure
4	Article 3.1.5	Minimum Lot Area	16,000 square feet	8,508 square feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Donald King from Article 3.1.5, Article 7.23.A, and Article 7.28 of the Zoning Ordinance for Parcel Number 12-07-151-028, identified as 3624 Jackson Boulevard, in order to enlarge and alter a nonconforming structure that encroaches 7.9 feet into the required side yard setback. A 8,508 square foot variance from the minimum lot area is also granted from Article 3.1.5. This approval is conditional on the applicant obtaining all necessary permits from the White Lake Township Building Division.

Denial: I move to deny the variances requested by Donald King for Parcel Number 12-07-151-028, identified as 3624 Jackson Boulevard, due to the following reason(s):

Postpone: I move to postpone the appeal of Donald King *to a date certain or other triggering mechanism* for Parcel Number 12-07-151-028, identified as 3624 Jackson Boulevard, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated June 20, 2024
2. Applicant's written statement dated June 18, 2024
3. Certified boundary survey dated June 14, 2024
4. Letter of denial from the Building Official dated May 20, 2024
5. Photos of existing roof structure
6. Building Plans received on May 10

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

- 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:

CHARTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION

Item C.

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

APPLICANT'S NAME: Donald J King and Denise King PHONE: 313-820-4526

ADDRESS: 3624 Jackson Blvd

APPLICANT'S EMAIL ADDRESS: donking_mi@hotmail.com

APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 3624 Jackson Blvd PARCEL # 12 - _____

CURRENT ZONING: _____ PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: 7.23(A) 3.1.5

VALUE OF IMPROVEMENT: \$ 50,000 SEV OF EXISITING STRUCTURE: \$ _____

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

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

APPLICANT'S SIGNATURE: Donald J. King / Denise King DATE: 6/19/2024

PAID 3375
 CASH CHECK# _____

JUN 20 2024

TREASURER
CHARTER TWP. OF WHITELAKE

RECEIVED

JUN 20 2024

COMMUNITY
DEVELOPMENT
DEPARTMENT

Tuesday, June 18, 2024

Variance Board Letter for the property listed below:

Donald and Denise King

3624 Jackson Blvd

White Lake, MI 48383

To whom it may concern, we are removing the existing roof because it is unsafe and not constructed to current building codes. See attached pictures of current rafters that have been cobbled together making it an unsafe roof. We are adding approximately 2' to the height of the current ceiling so we can install proper headers over the windows and doorwall that are currently there and have no headers. We have a truss package ready to order once we receive approval to proceed with the variance board approval.

Thank you for your time and consideration!

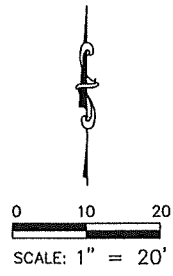
Donald J King

Denise King

SKETCH OF SURVEY

Prepared For: DON KING

Legal Description: PARCEL ID: 12-07-151-028
 Lots 15 and 16 of SMITH AND BROWN
 SUBDIVISION, a subdivision of part of the
 W 1/2 of the NW 1/4 of Section 7, T. 3
 N., R. 8 E., White Lake Township,
 Oakland County, Michigan as recorded in
 Oakland County Records.

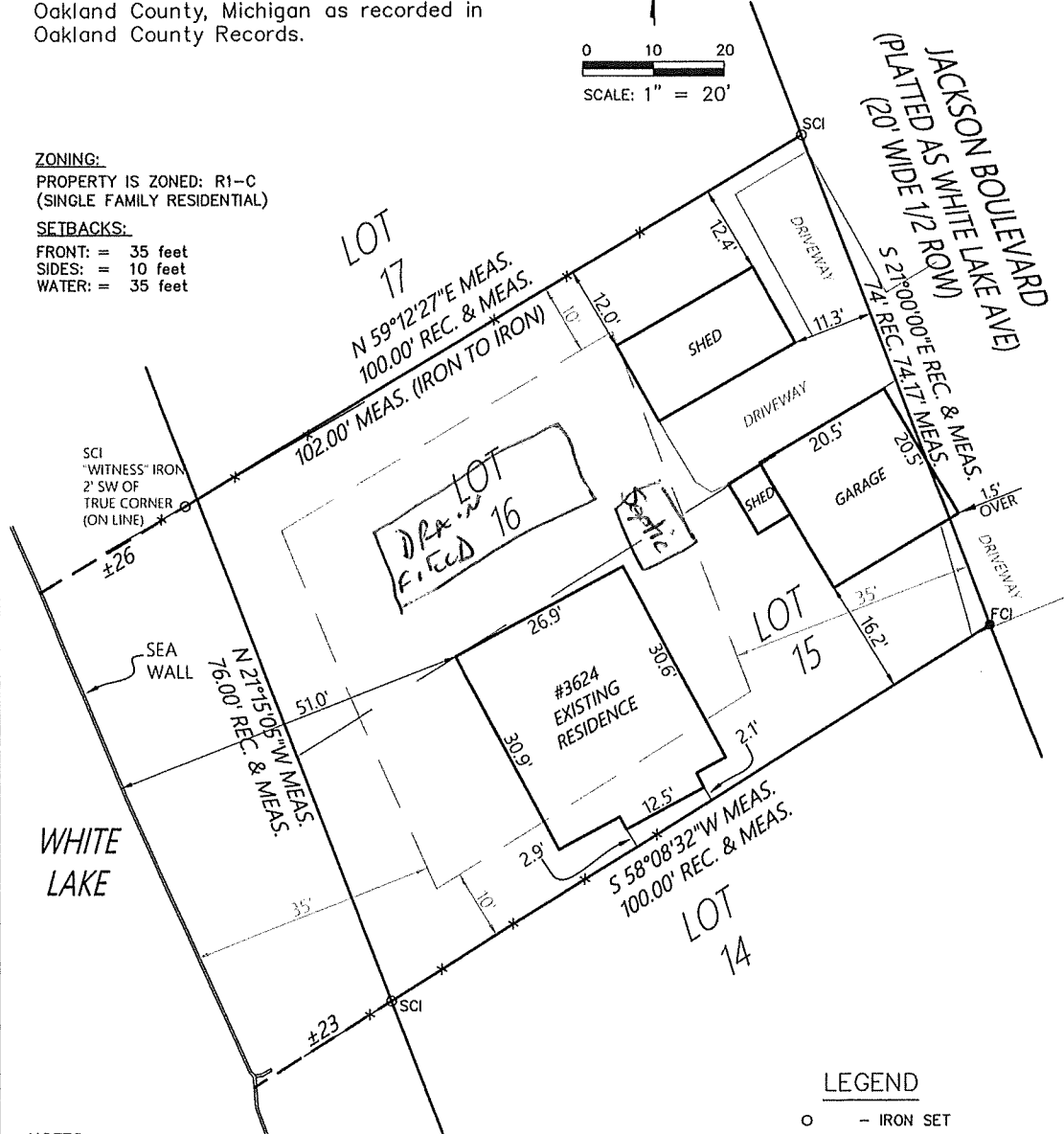


ZONING:

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

SETBACKS:

FRONT: = 35 feet
 SIDES: = 10 feet
 WATER: = 35 feet



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

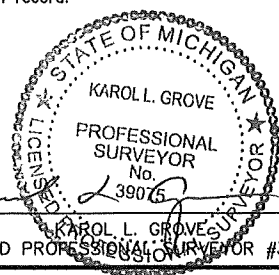
GARAGE CROSSES PLATTED LOT LINE AS
 SHOWN.

BEARING BASIS:
 HELD BEARING ALONG JACKSON BOULEVARD
 AS PER PLAT OF 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
- MEAS. - MEASURED
- REC. - RECORDED
- FCI - FOUND CAPPED IRON
- FIR - FOUND IRON ROD
- SCI - SET CAPPED IRON
- x— - EXISTING FENCE LINE



LICENSED PROFESSIONAL SURVEYOR #39075

<h2>ALPINE</h2> <p>Land Surveying, Inc.</p>		376 BEECH FARM CIRCLE SUITE # 1293 HIGHLAND, MICHIGAN, 48357 PHONE: 810-207-8050	
		FIELD: KG DRAWN: DJS CHECKED: KG REVISED:	DATE: 08-14-2024 JOB NO: 24-6714 SHEET: 1 OF 1

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

May 20, 2024

Donald King
 3624 Jackson Blvd
 White Lake, MI 48383

Re: Proposed Roof Expansion

Based on the non-conforming side yard setback, the roof expansion does not satisfy the requirements set forth by the White Lake Township Clear Zoning Ordinance.

Article 7.23(A) of the White Lake Township Clear Zoning Ordinance: No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity.

Article 3.1.5 of the White Lake Township Clear Zoning Ordinance: Requires a minimum side yard setback of 10 ft

The existing structure and lot are legal non-conforming. The approximate 7,495 sq ft lot contains a residential structure having an approximate 4 ft side yard setback on the south side. The proposed roof expansion would increase the cubic content within the required 10 ft setback. Additionally, Article 5.3 of the ordinance states that in no instance shall any portion of the proposed structure project closer than 5 ft to either side yard lot line.

Approval of the expansion 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 June 27th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than May 23rd at 4:30 PM. ***Be advised, a certified boundary and location survey showing existing structures, proposed structures, setbacks, well and septic locations, and total lot coverage will be required by the ZBA.*** The Planning Department can be reached at (248)698-3300, ext. 5

Sincerely,

Nick Spencer, Building Official
 White Lake Township

Item C.



Item C.



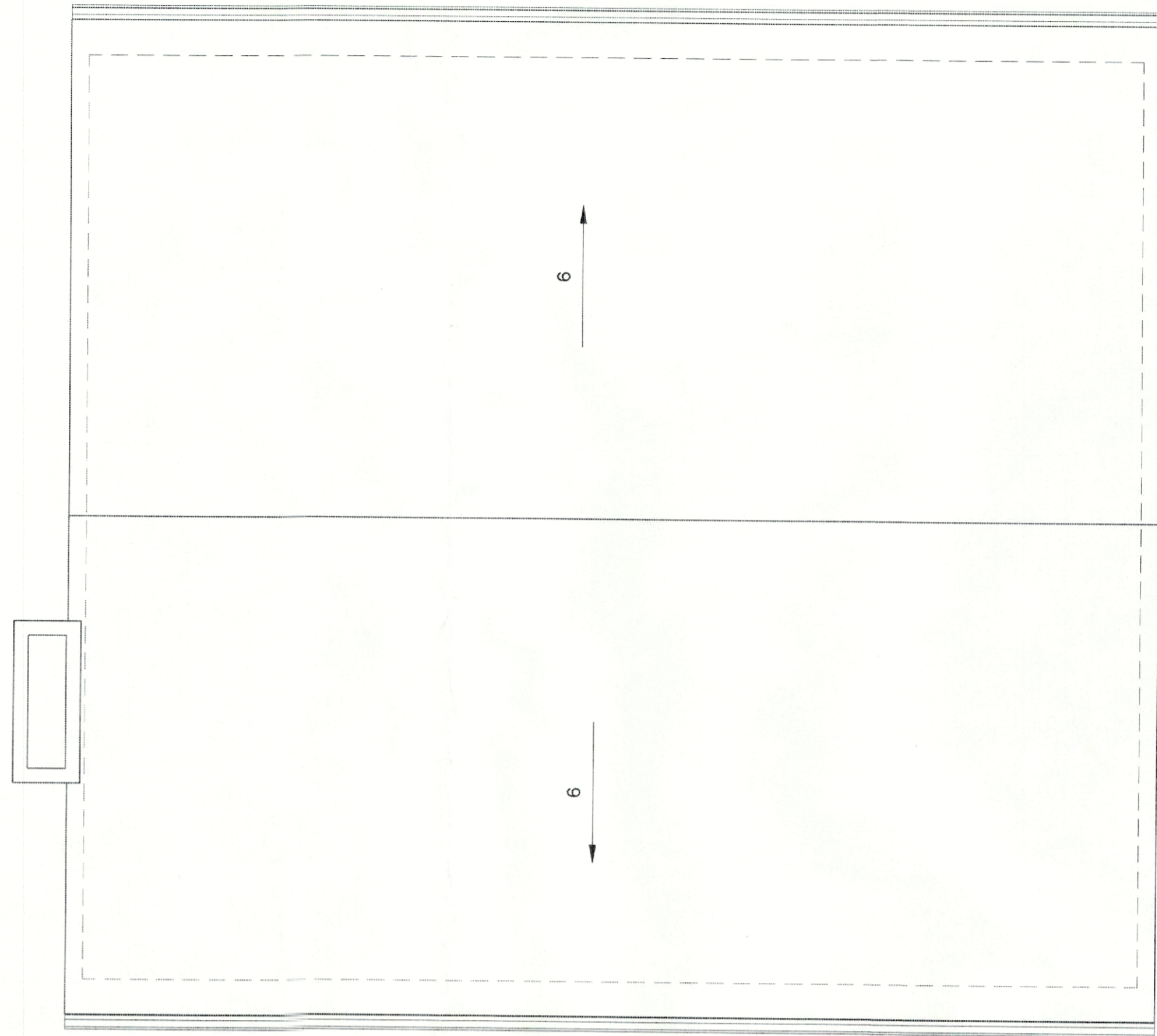
Item C.



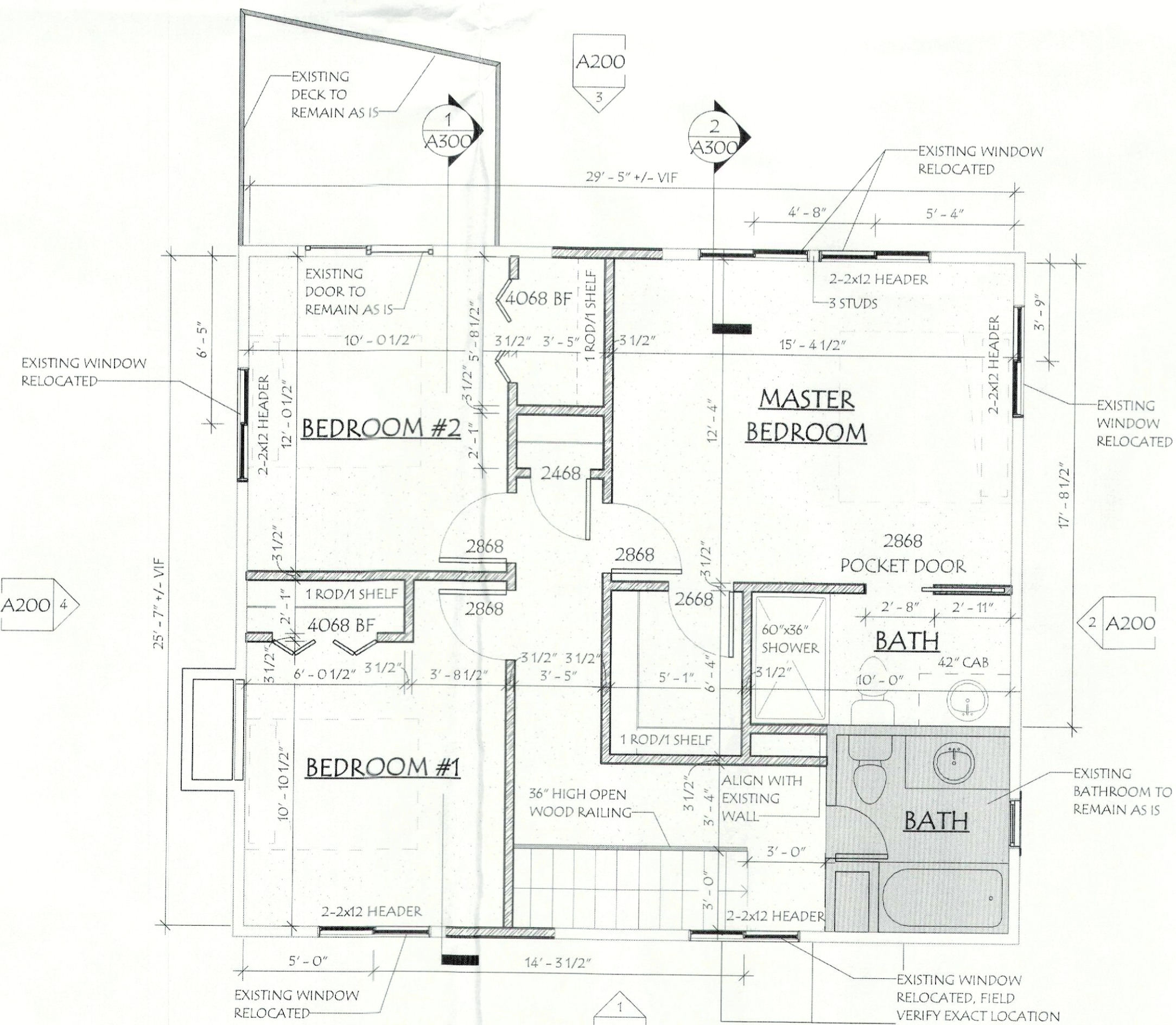
Project #: 001
Job #: 001
Designer:
Draftsman:

KING RESIDENCE

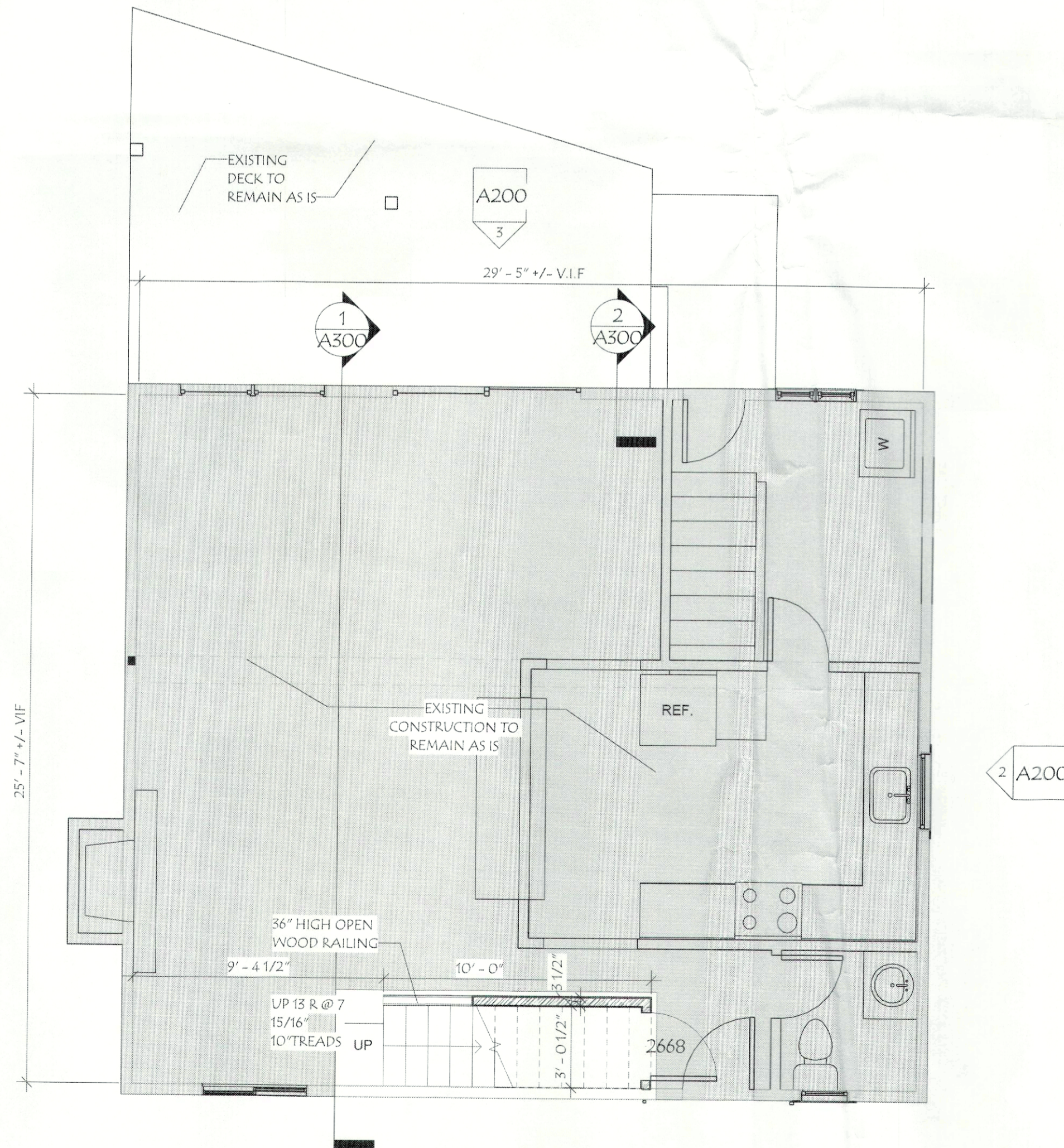
3624 JACKSON BLVD
WHITE LAKE, MI



3 ROOF
A101 1/4" = 1'-0"



2 SECOND FLOOR
A101 1/4" = 1'-0"



1 FIRST FLOOR
A101 1/4" = 1'-0"

FRAMER NOTE:
DIMENSIONS ON DRAWINGS ARE TO ROUGH FRAMING
NOT TO DRY WALL. DRY WALL IS SHOWN ON THE
DRAWING AND IS NOT REFERENCED IN DIMENSIONS.

copyright layout date: 04/15/24 revision date: 08/09/00

project #: 001
job #: 001
designer:
draftsman: Amanda Paladino

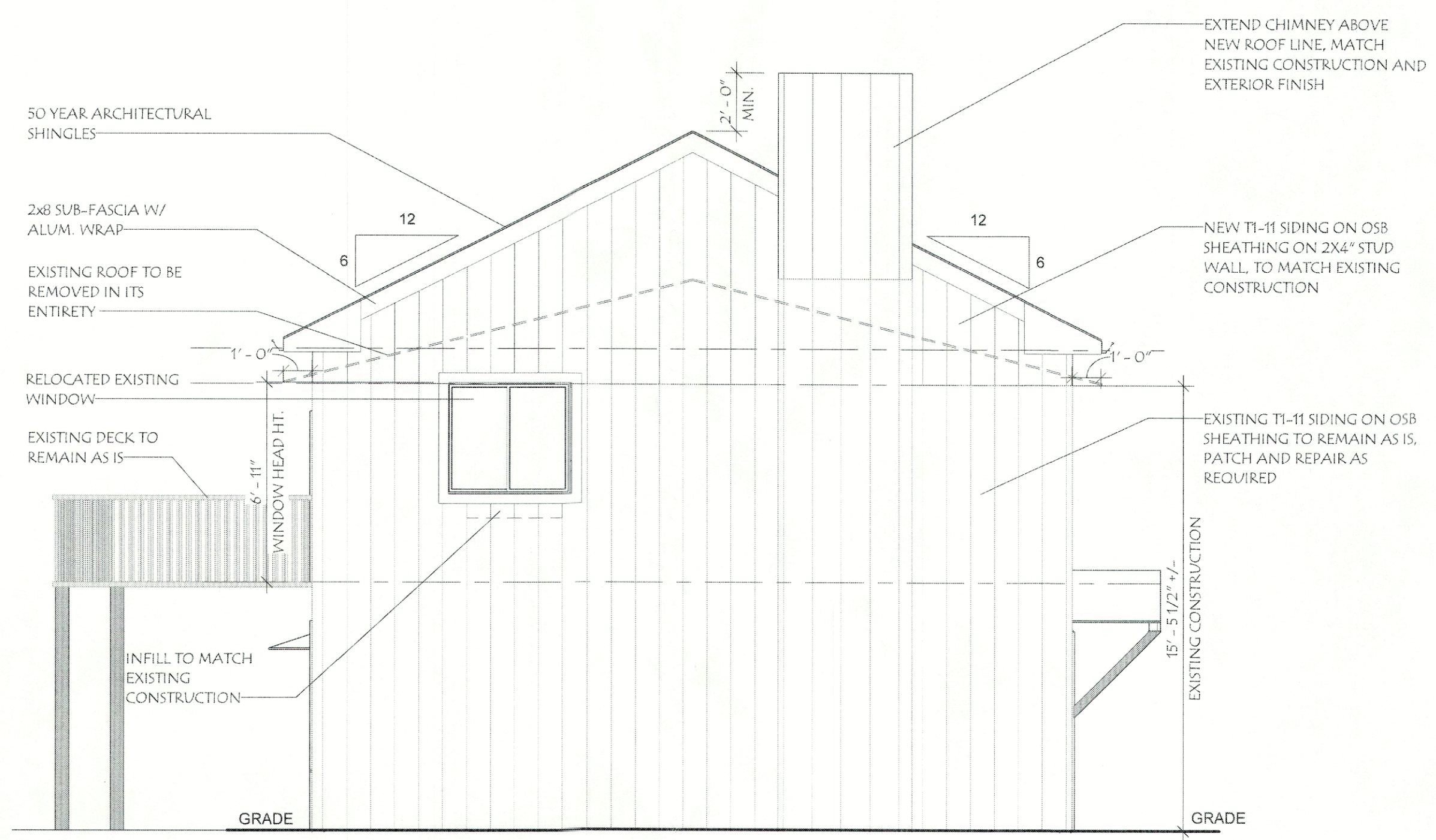
KING RESIDENCE

3624 JACKSON BLVD
WHITE LAKE, MI

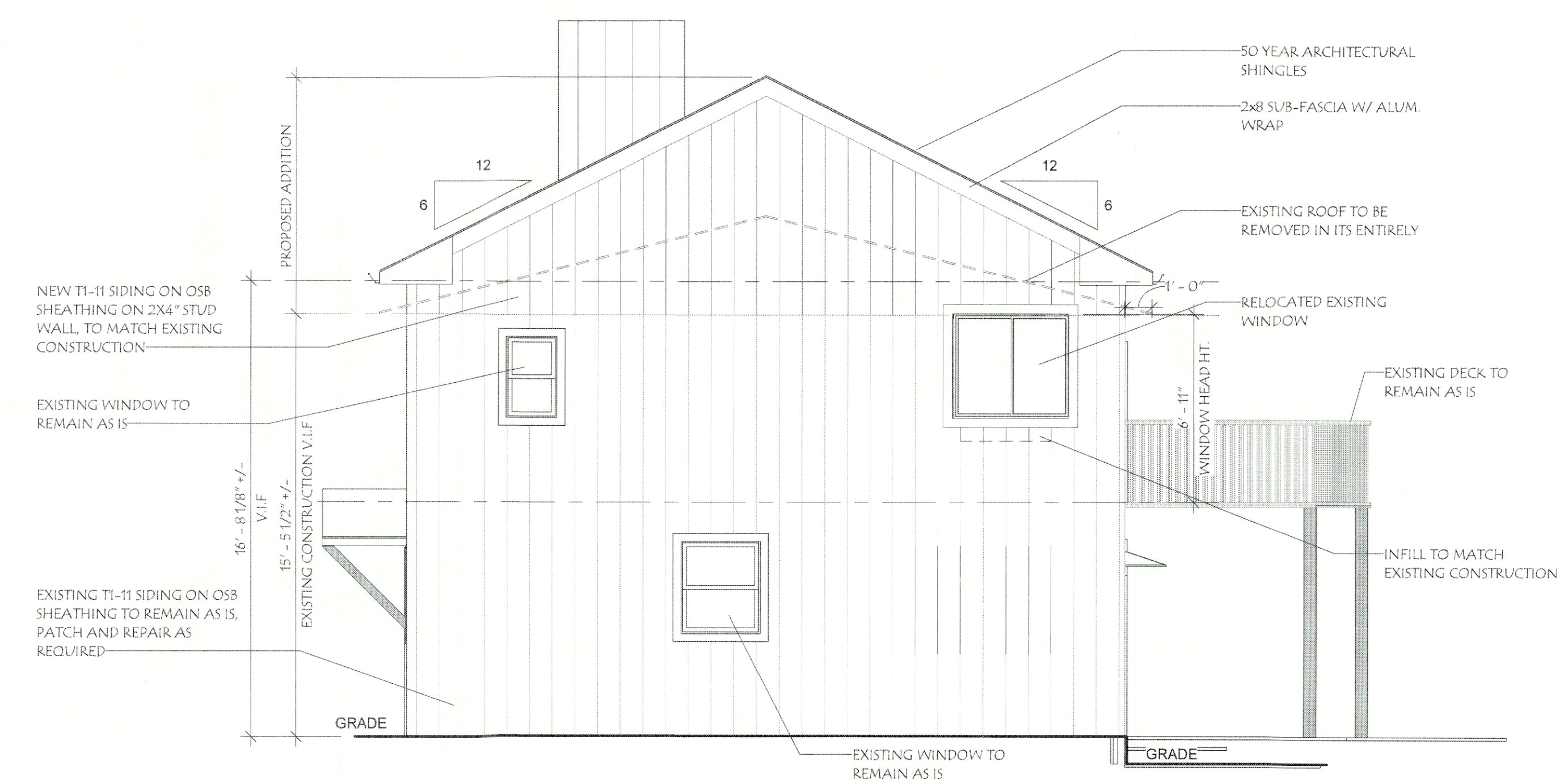
revision date: 01/00/00

construction drawing date: 04/15/24

layout date:
copyright



4 LEFT ELEVATION
A200 1/4" = 1'-0"



2 RIGHT ELEVATION
A200 1/4" = 1'-0"



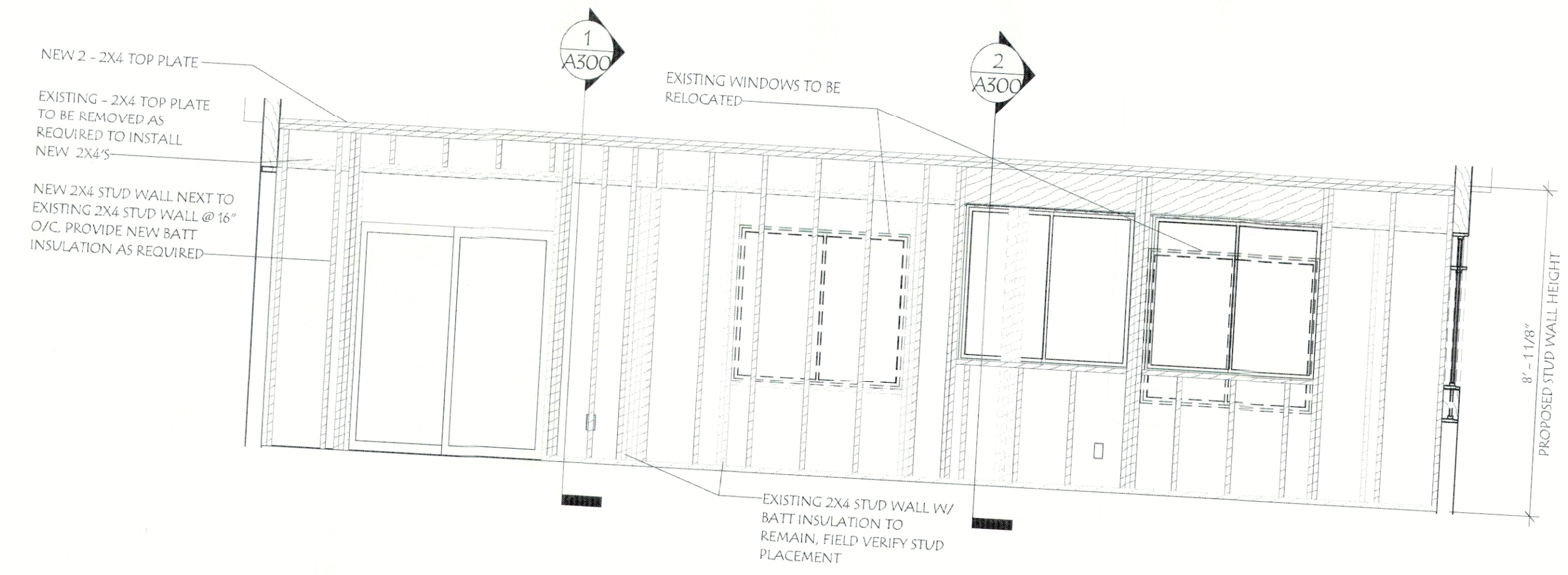
3 REAR ELEVATION
A200 1/4" = 1'-0"



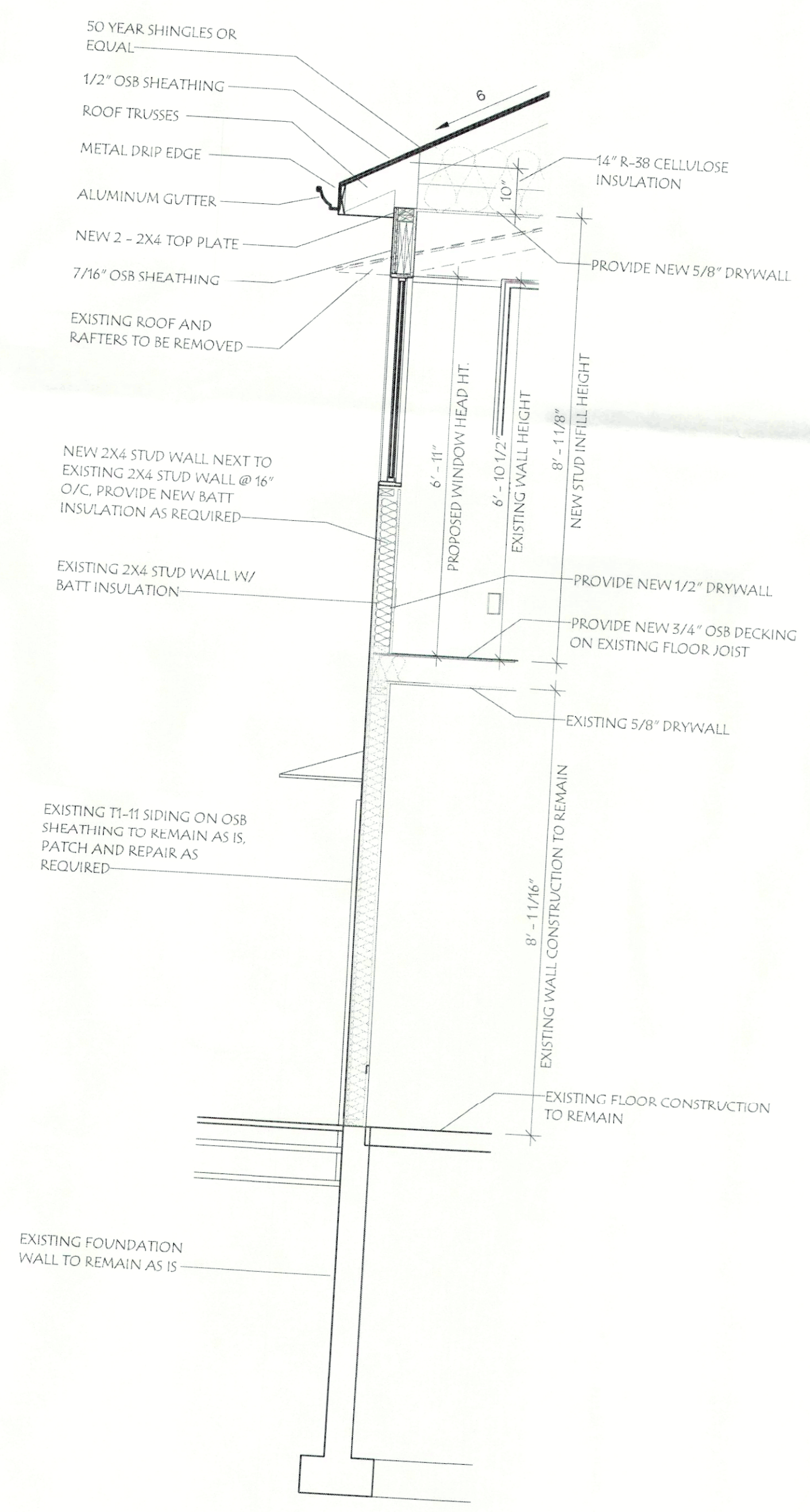
1 FRONT ELEVATION
A200 1/4" = 1'-0"

CONSTRUCTION NOTES

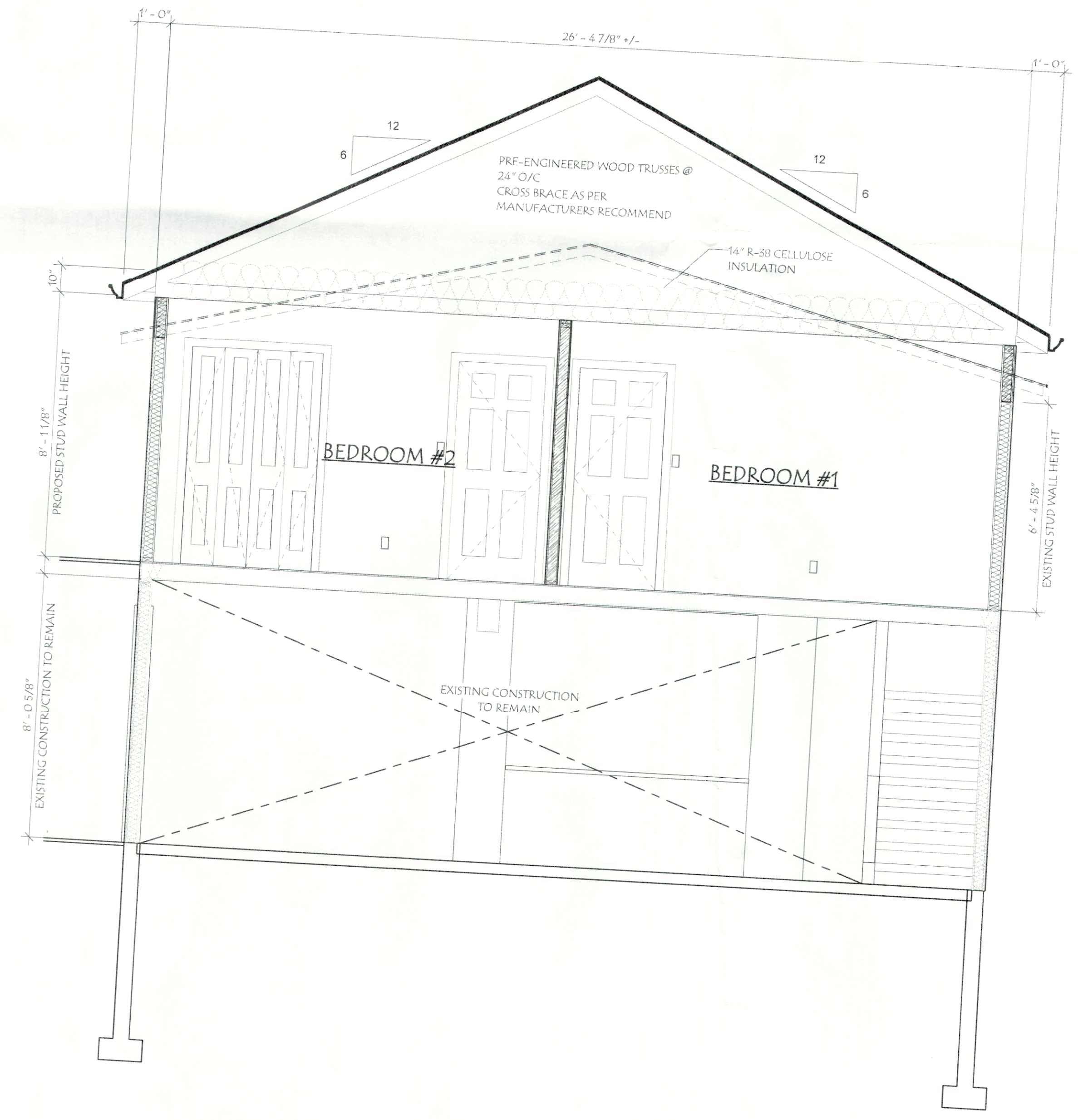
- INTERIOR ROOM DIMENSIONS DO NOT INCLUDE DRY WALL DEDUCT 1" FOR APPROX. FINISHED ROOM SIZES
- USE FINGER JOINTED STUDS IN KITCHEN, BATHROOMS, AND LAUNDRY ROOMS.
- JELDWIN WINDOW SIZES SHOWN
- UNLESS NOTED OTHERWISE, DOOR & WINDOW HEADERS SHALL BE 2-2x12'S
- SHIM ALL WINDOWS & DOORS AFTER INSTALLATION
- UNLESS NOTED OTHERWISE, STANDARD ROUGH-IN DIMENSIONS SHALL BE AS FOLLOWS.
 - SWING DOOR - WIDTH +2 1/2"x6'-11" HIGH
 - BIFOLD DOORS - WIDTH +1 1/4"x6'-10" HIGH
 - POCKET DOORS - 2x DOOR WIDTH +2"x7'-0 1/2" HIGH (SET POCKET DOOR FRAME UP 1/2" A.F.F.)
 - CASED OPENINGS - WIDTH +3"x 6'-11" FOR 8' CEILINGS & 7'-11" FOR 9' CEILINGS
- SINGLE CLOSET ROD & SHELF CLEAT - 66" TO TOP (12" DEPTH)
- DOUBLE CLOSET ROD & SHELF CLEAT 42"/84" TO TOP (12" DEPTH)
- NOTE: DOUBLE CLOSET ROD INCLUDES 1 SHELF ABOVE UPPER ROD
- PANTRY:
 - 1ST SHELF 20" OFF FLOOR W/ 4 SHELVES ABOVE (4 SHELVES @ 16" O.C.)
- LINEN:
 - 1ST SHELF ON HARD SURFACE 20" A.F.F. W/ 3 ABOVE (3 SHELVES @ 16" O.C.)
 - 1ST SHELF ON CARPET AT FLOOR W/ TOE KICK & ABOVE (4 SHELVES @ 16" O.C.)
- CHAIR RAIL (TOP OF CHAIR RAIL) - 36" A.F.F.
- CROWN MOLDING SPACING (2-PIECE CROWN) - 1" HEIGHT
- 2x6 TOWEL BAR - 48" TO CENTER
- 2x6 TOWEL BAR ABOVE TUB DECK - 36" TO CENTER
- 2x6 TOWEL BAR ABOVE STOOL - 30" TO CENTER
- 2x6 TOWEL BAR ABOVE VANITY - 20" TO CENTER
- 2x6 TOWEL RING ABOVE VANITY - 20" TO CENTER
- LIGHT FIXTURE IN BATHROOM ABOVE MIRROR - 80" A.F.F.
- 2x6 TOILET PAPER HOLDER - 26" TO CENTER
- FINISHED STAIR DIMENSIONS SHALL BE AS FOLLOWS:
 - HANDRAILS - 34" TO 38" ABOVE TREAD NOSING W/ 1-1/2" MIN. HAND GRIP WIDTH.
 - BALUSTER SPACING - 4" MAX. CLEARANCE BETWEEN BALUSTERS
 - HEADROOM - 6'-8" MIN. ABOVE TREAD NOSING
- ALL DECKS TO BE FRAMED -3" FROM SPECIFIED SIZE. EXAMPLE 12x12' DECK = 11'-9"x11'-9" FRAMED BOX.



3 TYPICAL WALL FRAMING
A300 3/8" = 1'-0"



2 WALL SECTION
A300 1/2" = 1'-0"



1 LIVING ROOM SECTION
A300 3/8" = 1'-0"

KING RESIDENCE
3624 JACKSON BLVD
WHITE LAKE, MI

Project #: 001
Job #: 001
Designer: Amanda Paladino
draftsman: Amanda Paladino

construction drawing date: 04/15/24
revision date: 00/00/00

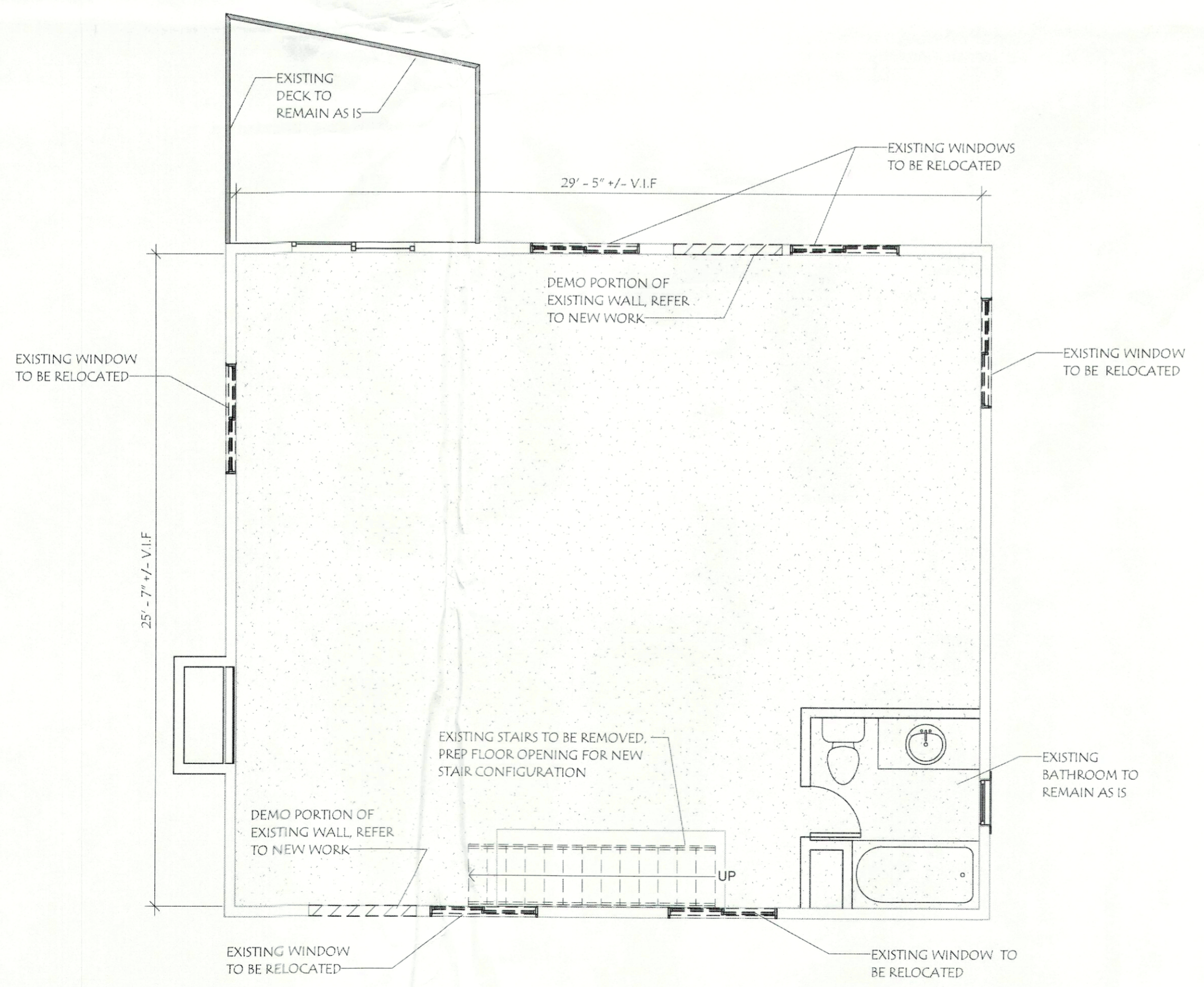
layout date:

copyright

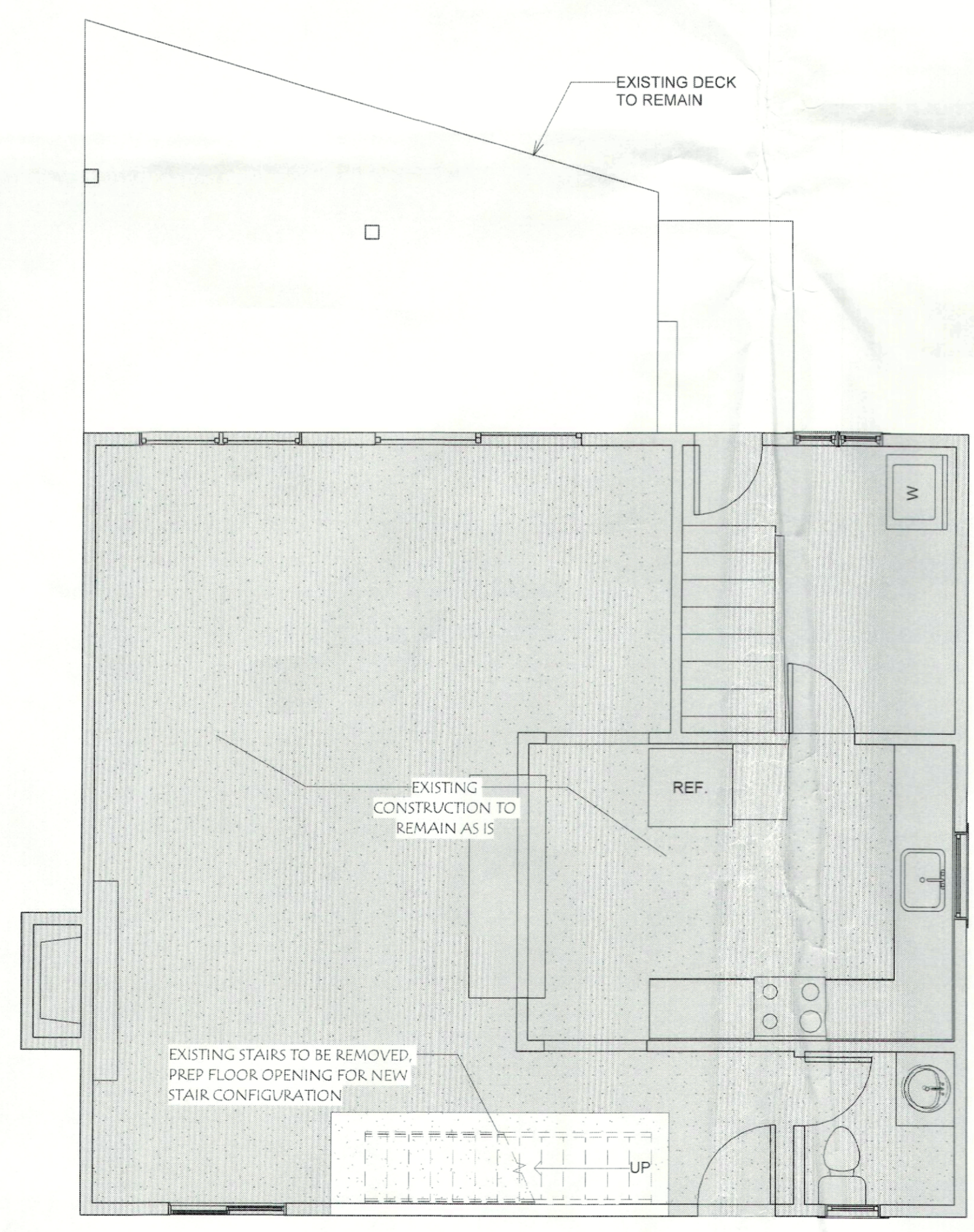
RECEIVED
 MAY 10 2024
 BUILDING
 DEPARTMENT

Project #: 001
 Job #: 001
 Designer:
 Craftsman:

KING RESIDENCE
 3624 JACKSON BLVD
 WHITE LAKE, MI



DEMOLITION - SECOND FLOOR
 2
 D100 1/4" = 1'-0"



DEMOLITION - FIRST FLOOR
 1
 D100 1/4" = 1'-0"

WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

REPORT OF THE COMMUNITY DEVELOPMENT DEPARTMENT

TO: Zoning Board of Appeals
FROM: Andrew Littman, Staff Planner
DATE: July 15, 2024

Agenda item: 8D

Appeal Date: June 25, 2024

Applicant: Michael Mocerri, Inc.

Address: 25201 Alexa Drive
Commerce Township, MI 48390

Zoning: R1-D Single Family Residential

Location: 2927 Ridge Road
White Lake, MI 48383

Property Description

The approximately 0.22-acre (9,424 square feet) parcel identified as 2927 Ridge Road is located on White Lake and zoned R1-D (Single Family Residential). The existing single-family home on the property (which is approximately 1,025 square feet in size) utilizes a private well for potable water and a private septic system for sanitation.

Applicant's Proposal

The applicant, Michael Mocerri Inc., seeks to demolish an existing single-family home and build a new single-family home measuring 30 feet in height, with setbacks of 20 feet for the front yard and 6 feet for the southern side yard, on a 9,424 square foot lot, with a lot width of 52 feet, and a lot coverage of 30.4 percent.

Planner's Report

The applicant is seeking variances for height, the front yard setback, southern side yard setback, lot size, lot width, and lot coverage. These variance requests can be broken down as follows:

- *Request #1 (Height):* The maximum building height in the R1-D zoning district is “25 feet or 2 stories, whichever is less.” Since the applicant proposes to build a single-family home measuring 30 feet in height, a 5-foot variance is required.
- *Request #2 (Front Yard Setback):* The minimum front yard setback in this zoning district is 30 feet. The applicant’s proposed plan has a 20-foot front yard setback, and therefore a 10-foot variance is required.
- *Request #3 (Southern Side Yard Setback):* The minimum side yard setback in this zoning district is “10 feet one side; 20 feet total of two sides.” The applicant is proposing a north side yard setback of 10 feet and south side yard setback of 6 feet. Therefore, a 4-foot variance is required.
- *Request #4 (Lot Size):* The minimum lot size in the R1-D zoning district is 12,000 square feet. Since the subject lot is 9,424 square feet, a 2,576-foot variance is required.
- *Request #5 (Lot Width):* The minimum lot width in this zoning district is 80 feet. The applicant is proposing a lot width of 52 feet, thus a 28-foot variance is required.
- *Request #6 (Lot Coverage):* The new maximum lot coverage percentage in the R-1 District is 25 percent. The applicant is proposing a lot coverage of 30.4 percent. Therefore, a 5.4 percent variance is required.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Maximum Building Height	25 feet	5 feet	30 feet
2	Article 3.1.6.E	Front yard Setback	30 feet	10 feet	20 feet
3	Article 3.1.6.E	Side Yard Setback (Southern)	10 feet one side; 20 feet total of two sides	4 feet	6 feet
4	Article 3.1.6.E	Minimum Lot Size	12,000 sq. ft.	2,576 Sq. ft.	9,424 Sq. ft.
5	Article 3.1.6.E	Minimum Lot Width	80 feet	28 feet	52 feet
6	Article 3.1.6.E	Maximum Lot Coverage	25%	5.4%	30.4%

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Michael Mocerri, Inc. from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-18-101-018, identified as 2927 Ridge Road, in order to build a new single-family home that would encroach 10 feet into the required front yard setback, 4 feet into the southern side yard setback, and exceed the allowable building height by 5 feet. A 28-foot variance from the required lot width, 2,576-square-foot variance from the required lot size, and 5.4 percent variance from the maximum lot coverage 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 Division.
- In no event shall the projection of any roof overhang be closer than five feet to the side lot lines.
- No mechanical units, including HVAC system or generator, shall be placed closer than five feet to any side yard lot line.
- A foundation certificate shall be required prior to the backfill inspection by the Building Department.
- An as-built survey shall be required to verify the approved setbacks and lot coverage.

Denial: I move to deny the variances requested by Michael Mocerri, Inc. for Parcel Number 12-18-101-018, identified as 2927 Ridge Road, due to the following reason(s):

Table: I move to table the variance requests of Michael Mocerri, Inc. for Parcel Number 12-18-101-018, identified as 2927 Ridge Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated June 25, 2024
2. Letter from Hans Bippus and Denise Bippus to ZBA dated June 24, 2024
3. Plot Plan dated June 24, 2024
4. Proposed Plan/Elevation dated June 25, 2024
5. Letter of denial from the Building Department dated June 20, 2024

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

CHARTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION

Item D.

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

APPLICANT'S NAME: Michael Mocerri Inc PHONE: 248-240-3032
ADDRESS: 25201 Alexa Dr Commerce Twp, Mi 48390
APPLICANT'S EMAIL ADDRESS: mocerri.mike@gmail.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 2927RidgeRd PARCEL # 12 -18-101-018
CURRENT ZONING: R1D PARCEL SIZE: 50 x 192 10,411 sq ft

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: section 3.1.6 sideyard from 10' to 5'
3.1.6 Hieght from 25' to 30, 3.1.6 front Yard setback from 30' to 20' , Lt coverge 30.4%
VALUE OF IMPROVEMENT: \$ 800,000 SEV OF EXISITING STRUCTURE: \$ 276,030

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

APPLICATION FEE: _____ (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: [Signature] DATE: 6/25/24

RECEIVED
JUN 25 2024
COMMUNITY DEVELOPMENT DEPARTMENT



Request for Zoning Board of Appeals

Re: 2927 Ridge Rd

Owner:
Hans Eric Bippus & Denise Bippus
15908 Oak Park Ct
Westfield, IN 49074
C/O Ursula Bippus - Owner

Owner has inherited this property from his Mother
Owner has grown up in this house as child
Owner shall be moving back to Michigan and enjoying this new home as their permanent residence
Owner wishes to demolish existing home & construct a new home on this property

In designing a new home several factors were considered.

1. Minimum lot size, owner seeks a variance *per section 3.1.6* from 80' frontage, 12,000 sq. ft. to the existing lot size of 50' frontage 10,400 sq. ft.
2. Minimum side yard set back of 10' *per section 3.1.6* to a setback of 5' to the structure with roof overhang encroaching 1'4 into the 5' setback net set back from Roof overhang to property line 3'-8"
 - a. 2nd floor Cantilevers to extend into the 10' setback areas, max 2'-4" to 7'-8" from property line
 - b. The reasons for 5' set back were to insure a 10' separation between buildings. Code does allow the overhangs to encroach as long they are of fire resistance materials
 - c. Encroach into 10' side yard setback with 4' stairs from deck to grade- net setback 6' at stairs
3. Minimum front yard setback for 30' *per section 3.1.6* to existing front yard setback of 20' garage front lot setback, where 17' currently exists. Based on the slope of the property with the existing retaining walls, owner desires to maintain the existing distance from the rear of house to the top-most retaining wall.
4. Maximum height to mid roof of 25' *per section 3.1.6* to 30' height of new structure
5. Maximum Lot Coverage from *per section 3.1.6* from 20% to 30%

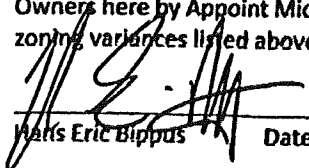
In designing a home of today's standards and amenities these standards could not be met and the owner hereby requests relief from the Zoning Board of appeals in the above matters.

A preliminary plan is attached with a concept home elevation which will be incorporated into the design.

A Topographical survey is also attached showing the existing structure.

A preliminary plot plan will be submitted before the meeting deadline with the proposed house staked per ZBA requirements

Owners here by Appoint Michael Mocer Inc, Construction Manager to act in our behalf in securing the zoning variances listed above and on the application.


Hans Eric Bippus Date 6-24-24


Denise Bippus Date 6/24/24

Authorization Letter

Item D.

Ursula Bippus
2927 Ridge Road
White Lake, Michigan 48383

June 24, 2024

White Lake Township
Zoning board
7525 Highland Rd
White Lake, Michigan 48383

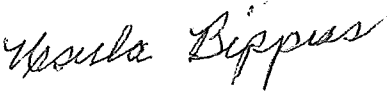
Dear White Lake Township,

I, Ursula Bippus, hereby authorize Hans Eric Bippus to do the following: Conduct zoning board variance approval process for address 2927 Ridge Rd, White Lake, MI 48383.

The parties have entered into a purchase agreement pending zoning board approval

Thank you in advance for your assistance, and I appreciate your cooperation on this matter. Should you need any further information from me regarding the same, I can be reached at 810.263.1084. This authorization is effective from June 24, 2024 through October 01, 2024.

Best,

By: 
Ursula Bippus

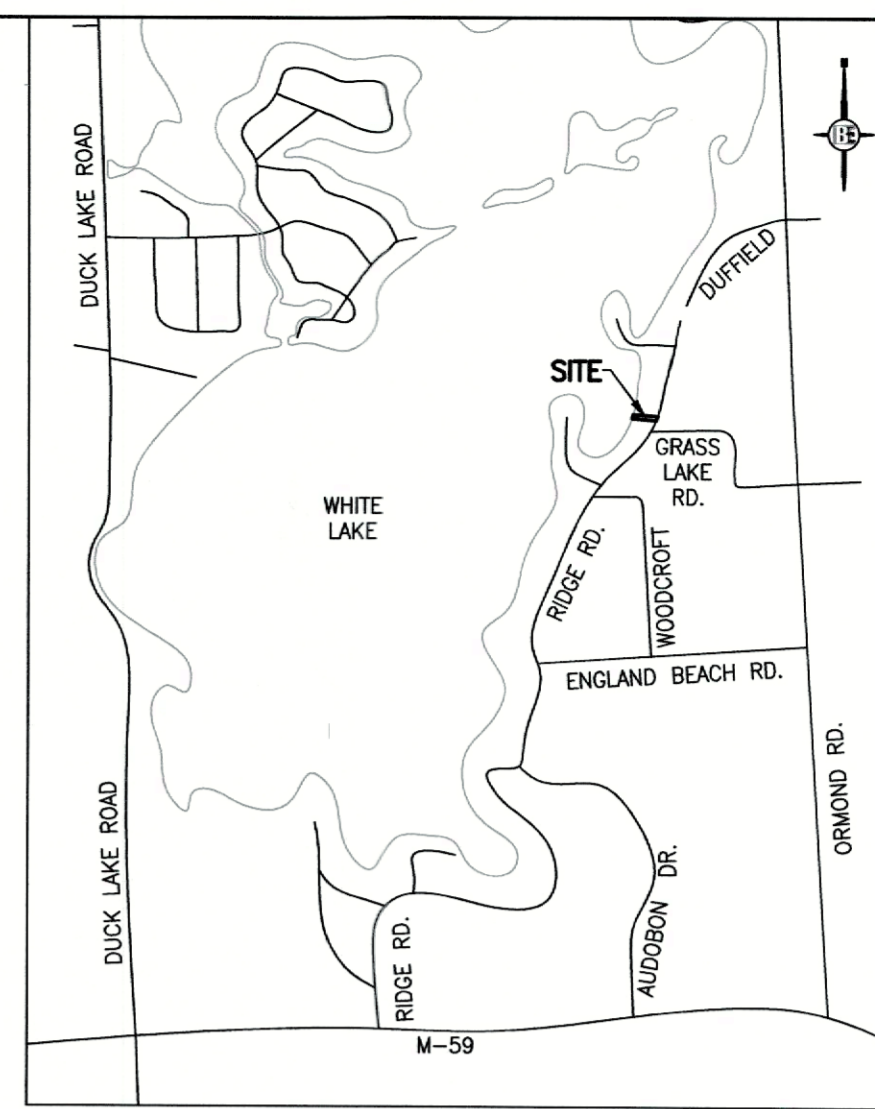
Date: 6/24/24

PLOT PLAN

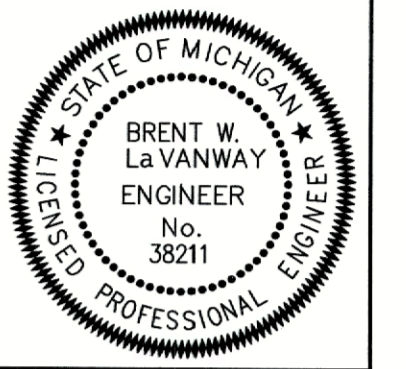
HOUSE AND FLOOR TO FLOOR DIMENSIONS ARE TO BE VERIFIED WITH DETAILED ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION.

PROPERTY DESCRIPTION PER OAKLAND COUNTY TAX ROLL:
T3N, R8E, SEC 18 ROLLING ACRES NO 1 LOT 50

SEPTIC BASIS OF DESIGN:
2 BEDROOM HOME X 150 GAL PER BED = 300 GAL/DAY
ASSUMED SOIL = SANDY LOAM = 0.35 GAL PER SF
300/0.35 = 857 FT²
PRETREATMENT REDUCTION 40% = 514 FT²
430 FT² PROVIDED
WASTE STRENGTH - DOMESTIC EFFLUENT



THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND UTILITIES AS SHOWN ON THIS PLAN ARE BASED ON THE RECORD DRAWINGS OF SUCH UTILITIES EITHER EXPRESSED OR IMPLIED TO BE THE RESPONSIBILITY OF THE ACCURACY OF THE INFORMATION PROVIDED TO THE ENGINEER. THE ENGINEER HAS NOT CONDUCTED A FIELD SURVEY TO VERIFY THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND PROPOSED UTILITIES SHOWN IN THIS PLAN. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND ELEVATION OF EXISTING UTILITIES AND CONTACTING THE APPROPRIATE AGENCIES FOR THE LOCATION OF DEPTH UTILITIES. THE ENGINEER ASSUMES NO LIABILITY FOR DAMAGE TO OR INTERFERENCE WITH ANY UTILITIES OR STRUCTURES CAUSED BY THE LOCATION OF DEPTH UTILITIES SHOWN ON THIS PLAN.



BEBOSS Engineering
Engineers Surveyors Planners Landscape Architects
3121 E. GRAND RIVER AVE.
HOWELL, MI. 48843
517.546.4836 FAX 517.548.1670

PROJECT: **LOT 50, ROLLING ACRES NO. 1**
PREPARED FOR: **BIPPUS**
15908 OAK PARK COURT
WESTFIELD, MI 48074
765-639-5233

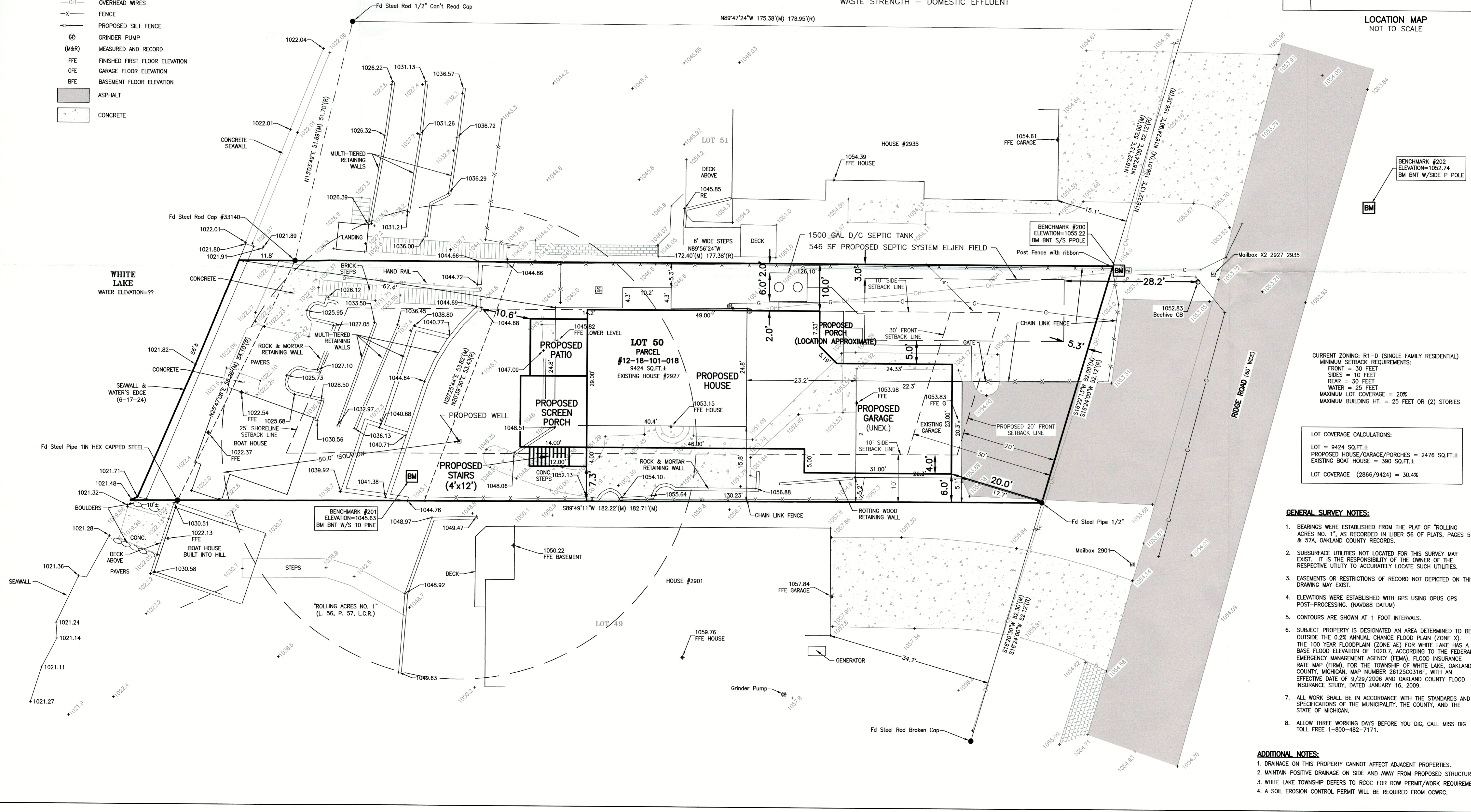
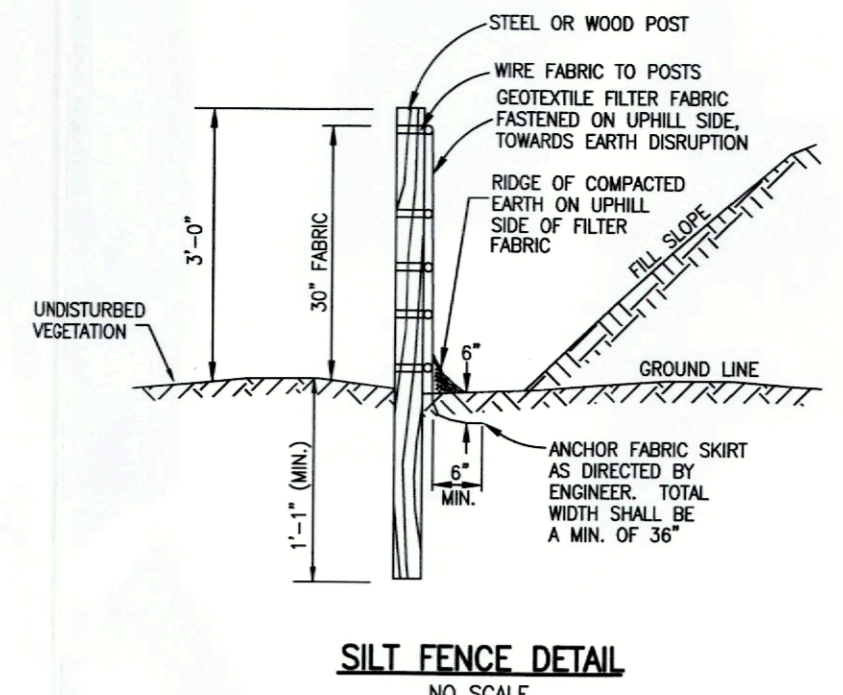
TITLE: **PLOT PLAN**

NO	BY	REVISION	PER	DATE

DRAWN BY: AEB/BW
FIELD CREW: RR/EL
CHECKED BY:
SCALE: 1" = 10'
JOB NO. 24-203
DATE 6-25-24
SHEET NO. 1 OF 1

LEGEND

- FG 971.0 PROPOSED SPOT ELEVATION
- 900 PROPOSED CONTOUR
- 900 EXISTING CONTOUR
- 922.00 EXISTING SPOT ELEVATION
- BM BENCHMARK
- STORM DRAINAGE FLOW
- POWER POLE
- ELECTRICAL METER
- AIR CONDITIONING UNIT
- WELL
- SEPTIC RISER
- TELEPHONE RISER
- GAS METER
- CABLE TV RISER
- MAILBOX
- STEEL ROD SET
- STEEL ROD OR PIPE FOUND
- GAS MAIN
- OVERHEAD WIRES
- FENCE
- PROPOSED SILT FENCE
- GRINDER PUMP
- (M&R) MEASURED AND RECORDED
- FFE FINISHED FIRST FLOOR ELEVATION
- GFE GARAGE FLOOR ELEVATION
- BFE BASEMENT FLOOR ELEVATION
- ASPHALT
- CONCRETE



CURRENT ZONING: R1-D (SINGLE FAMILY RESIDENTIAL)
MINIMUM SETBACK REQUIREMENTS:
FRONT = 30 FEET
SIDES = 10 FEET
REAR = 30 FEET
WATER = 25 FEET
MAXIMUM LOT COVERAGE = 20%
MAXIMUM BUILDING HT. = 25 FEET OR (2) STORIES

LOT COVERAGE CALCULATIONS:
LOT = 9424 SQ.FT.±
PROPOSED HOUSE/GARAGE/PORCHES = 2476 SQ.FT.±
EXISTING BOAT HOUSE = 390 SQ.FT.±
LOT COVERAGE (2866/9424) = 30.4%

GENERAL SURVEY NOTES:

- BEARINGS WERE ESTABLISHED FROM THE PLAT OF "ROLLING ACRES NO. 1", AS RECORDED IN LIBER 56 OF PLATS, PAGES 57 & 57A, OAKLAND COUNTY RECORDS.
- SUBSURFACE UTILITIES NOT LOCATED FOR THIS SURVEY MAY EXIST. IT IS THE RESPONSIBILITY OF THE OWNER OF THE RESPECTIVE UTILITY TO ACCURATELY LOCATE SUCH UTILITIES.
- EASEMENTS OR RESTRICTIONS OF RECORD NOT DEPICTED ON THIS DRAWING MAY EXIST.
- ELEVATIONS WERE ESTABLISHED WITH GPS USING OPUS GPS POST-PROCESSING. (NAVD83 DATUM)
- CONTOURS ARE SHOWN AT 1 FOOT INTERVALS.
- SUBJECT PROPERTY IS DESIGNATED AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN (ZONE X), THE 100 YEAR FLOODPLAIN (ZONE AE) FOR WHITE LAKE HAS A BASE FLOOD ELEVATION OF 1020.7, ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), FLOOD INSURANCE RATE MAP (FIRM), FOR THE TOWNSHIP OF WHITE LAKE, OAKLAND COUNTY, MICHIGAN, MAP NUMBER 26125C0316F, WITH AN EFFECTIVE DATE OF 9/29/2006 AND OAKLAND COUNTY FLOOD INSURANCE STUDY, DATED JANUARY 16, 2009.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE MUNICIPALITY, THE COUNTY, AND THE STATE OF MICHIGAN.
- ALLOW THREE WORKING DAYS BEFORE YOU DIG, CALL MISS DIG TOLL FREE 1-800-482-7171.

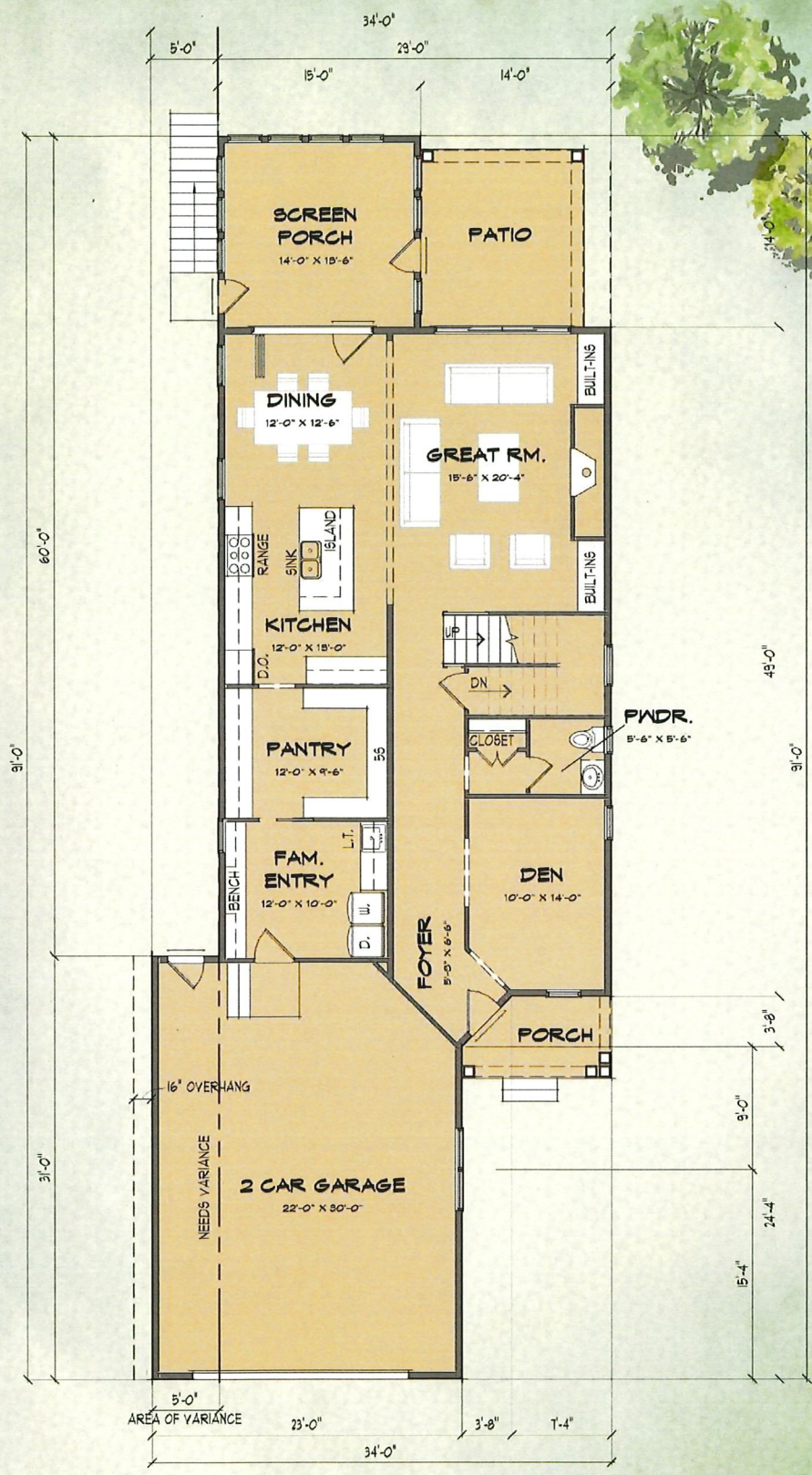
ADDITIONAL NOTES:

- DRAINAGE ON THIS PROPERTY CANNOT AFFECT ADJACENT PROPERTIES.
- MAINTAIN POSITIVE DRAINAGE ON SIDE AND AWAY FROM PROPOSED STRUCTURES.
- WHITE LAKE TOWNSHIP DEFERS TO RCOC FOR ROW PERMIT/WORK REQUIREMENTS.
- A SOIL EROSION CONTROL PERMIT WILL BE REQUIRED FROM OCWRC.

BIPPUS RESIDENCE

PROPOSED PLAN/ELEVATION
6-25-2024

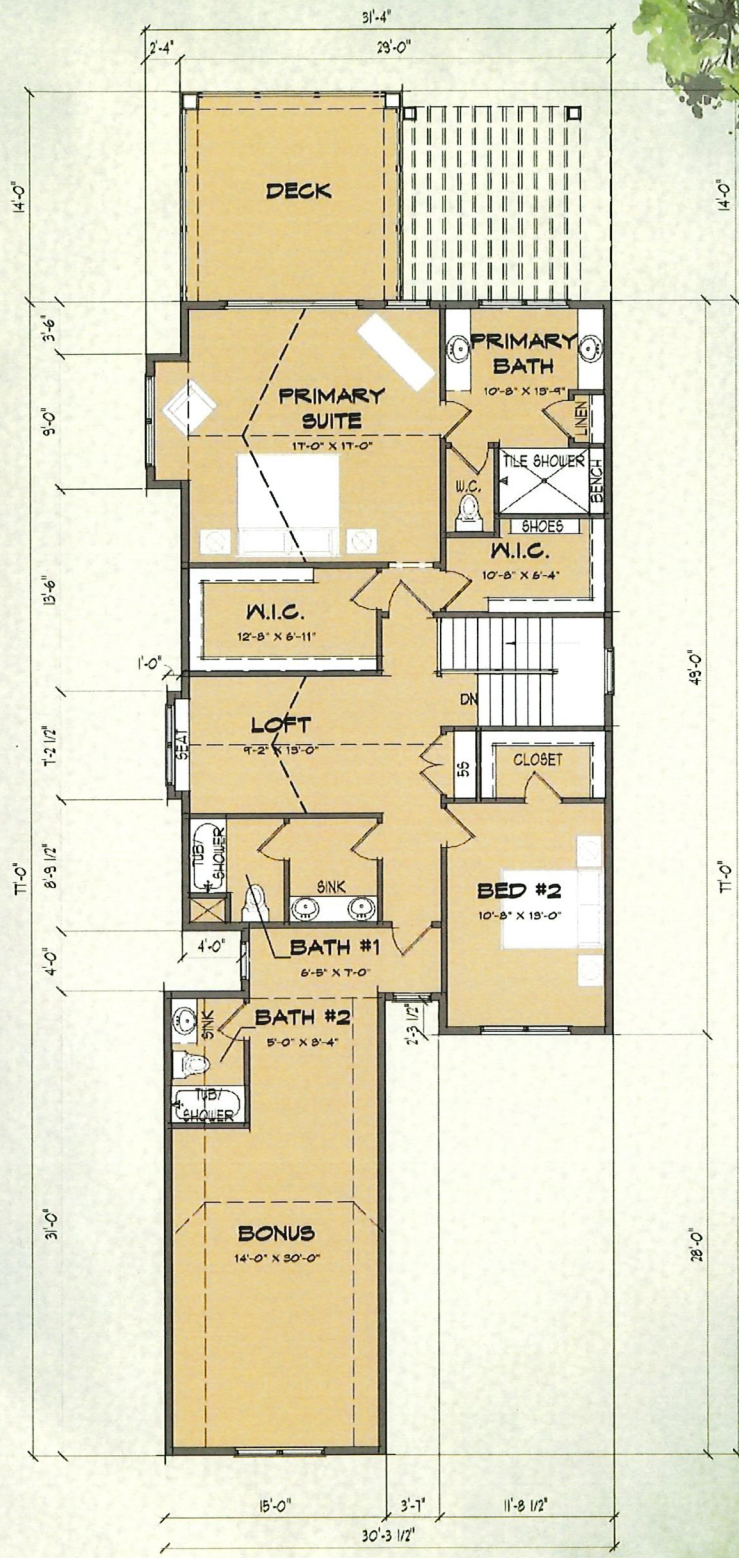




FIRST FLOOR PLAN

10'-1 1/8" CLG. HT.
 2 X 6 EXTERIOR WALLS
 1616 SQ. FT.

LOT COVERAGE
 ALLOWED: 1874 SF. (20%)
 PROPOSED: 2512 SF. (27%)



SECOND FLOOR PLAN

8'-1 1/8" CLG. HT.
2 X 6 EXTERIOR WALLS
1391 SQ. FT.



PROPOSED LAKEFRONT ELEVATION

ROOF LINES MAY VARY ONCE IN CONSTRUCTION DRAWINGS

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

June 20, 2024

Hans Eric Bippus
15908 Oak Park Ct
Westfield, IN 46074

Re: Proposed Residential Structure at 2927 Ridge

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

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

The existing lot and structure are legal non-conforming. The approximate 10,106 sq ft lot contains a residential structure which is planned to be demolished. The submitted permit application for the proposed new structure, indicates a side yard setback of 5 ft on one side, for a total side yard setback of approximately 15 ft. Be aware, **Article 5.3 of the White Lake Township Clear Zoning Ordinance** indicates that any newly constructed projection must not extend into the 5 ft side yard setback. It is not clear from the submitted plans if the proposed structure encroaches the required 30 ft front yard setback, or if it will encroach the required 10 ft separation from the non-conforming accessory structure in the front yard.

Please note that the septic and well for this property must be approved by the Oakland County Health Division before any permits are issued. Also, other than cosmetic, no structural or physical changes can be made to the non-conforming lake house.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. To be eligible for the July 25th Zoning Board of Appeals (ZBA) meeting, complete application must be submitted to the White Lake Township Planning Department no later than June 27th at 4:30 PM. **Be advised, a certified boundary and location survey showing existing structures, proposed structures, setbacks, well and septic locations, and total lot coverage will be required by the ZBA. The survey must be submitted to the Planning Department a minimum of 3 weeks prior to the meeting.** 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: Andrew Littman, Staff Planner
DATE: July 15, 2024

Agenda item: 8E

Appeal Date: June 26, 2024

Applicant: Wade Paris

Address: 9377 Gale Road
White Lake, MI 48386

Zoning: R1-D Single Family Residential

Location: 9090 Buckingham Street
White Lake, MI 48386

Property Description

The approximately 0.23-acre (10,106 square feet) parcel identified as 9090 Buckingham Street is located on Pontiac Lake and zoned R1-D (Single Family Residential). The existing single-family home on the property (which is approximately 1,025 square feet in size) utilizes a private well for potable water and the public sanitary sewer system for sanitation.

Applicant's Proposal

The applicant, Wade Paris, seeks to construct a new single-family home.

Planner's Report

The existing lot and single-family home are legally nonconforming, as the lot is 8,837 square feet and the front yard setback is roughly 15 feet. Per Article 3.1.6.E of the Zoning Ordinance, in the R1-D district, the minimum lot size is 12,000 square feet and minimum front yard setback is 30 feet. The proposed new single-family home is planned to have a 24-foot front yard setback, requiring an 6-foot variance.

Staff would like to note the unique development challenges posed by this area's geography, and also that the front yard setback from the traveled portion of the road is roughly 32.5 feet.

The requested variances are listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 3.1.6.E	Minimum Lot Size	12,000 square feet	3,163 square feet	8,837 square feet
2	Article 3.1.6.E	Front yard Setback	30 feet	6 feet	24 feet

Zoning Board of Appeals Options:

Approval: I move to approve the variances requested by Wade Paris from Article 3.1.6.E of the Zoning Ordinance for Parcel Number 12-14-280-015, identified as 9090 Buckingham Street, in order to build a new single-family home that would encroach 6 feet into the required front yard setback. Additionally, a 3,163 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 Division.

- No mechanical units, including HVAC system or generator, shall be placed closer than five feet to any side yard lot line.
- A foundation certificate shall be required prior to the backfill inspection by the Building Department.
- An as-built survey shall be required to verify the approved setbacks and lot coverage.

Denial: I move to deny the variances requested by Wade Paris for Parcel Number 12-14-280-015, identified as 9090 Buckingham Street, due to the following reason(s):

Table: I move to table the variance requests of Wade Paris for Parcel Number 12-14-280-015, identified as 9090 Buckingham Street, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated June 26, 2024.
2. Preliminary Site Plan dated July 9, 2024.
3. Letter of denial from the Building Department dated July 2, 2024.

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

- 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

CHARTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION

Item E.

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

APPLICANT'S NAME: Wade Paris PHONE: 248-820-9087
ADDRESS: 9377 Gale Rd
APPLICANT'S EMAIL ADDRESS: Parispropertyholdings@yahoo.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: _____

ADDRESS OF AFFECTED PROPERTY: 9090 Buckingham PARCEL # 12-14-280-15
CURRENT ZONING: R1-D PARCEL SIZE: 8146 SQ FT

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: FRONT SET BACK variance to 22' = 8' variance
VALUE OF IMPROVEMENT: \$ 700,000 SEV OF EXISITING STRUCTURE: \$ 0

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

APPLICATION FEE: \$305 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: [Signature] DATE: 6-26-24

RECEIVED

JUN 26 2024

COMMUNITY DEVELOPMENT DEPARTMENT

PAID CASH CHECK# 1309

JUN 26 2024

TREASURER
CHARTER TWP. OF WHITE LAKE

PRELIMINARY SITE PLAN

Prepared For: WADE PARIS

LEGAL DESCRIPTION: PARCEL ID: 12-14-280-015
 LOTS 111 AND 112 OF "ENGLISH VILLAS SUBDIVISION", A
 SUBDIVISION OF PART OF SECTION 14, T. 3 N., R. 8 E., WHITE
 LAKE TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED
 IN LIBER 51 OF PLATS ON PAGE 22, OAKLAND COUNTY
 RECORDS.

SITE BENCH MARK

TOP OF FOUND CAPPED IRON LOCATED AT
 SOUTHWESTERLY CORNER OF LOT 112 (AS SHOWN)
 ELEVATION = 965.54' (NAVD 1988)

ZONING:

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

SETBACKS:

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

MAXIMUM LOT COVERAGE = 20%

LOT COVERAGE	
	AREA
PR HOUSE	1280
PR GARAGE	672
TOTAL	1952
ENTIRE LOT	8,837
1952/8837	=0.22
TOTAL LOT COVERAGE = 22%	

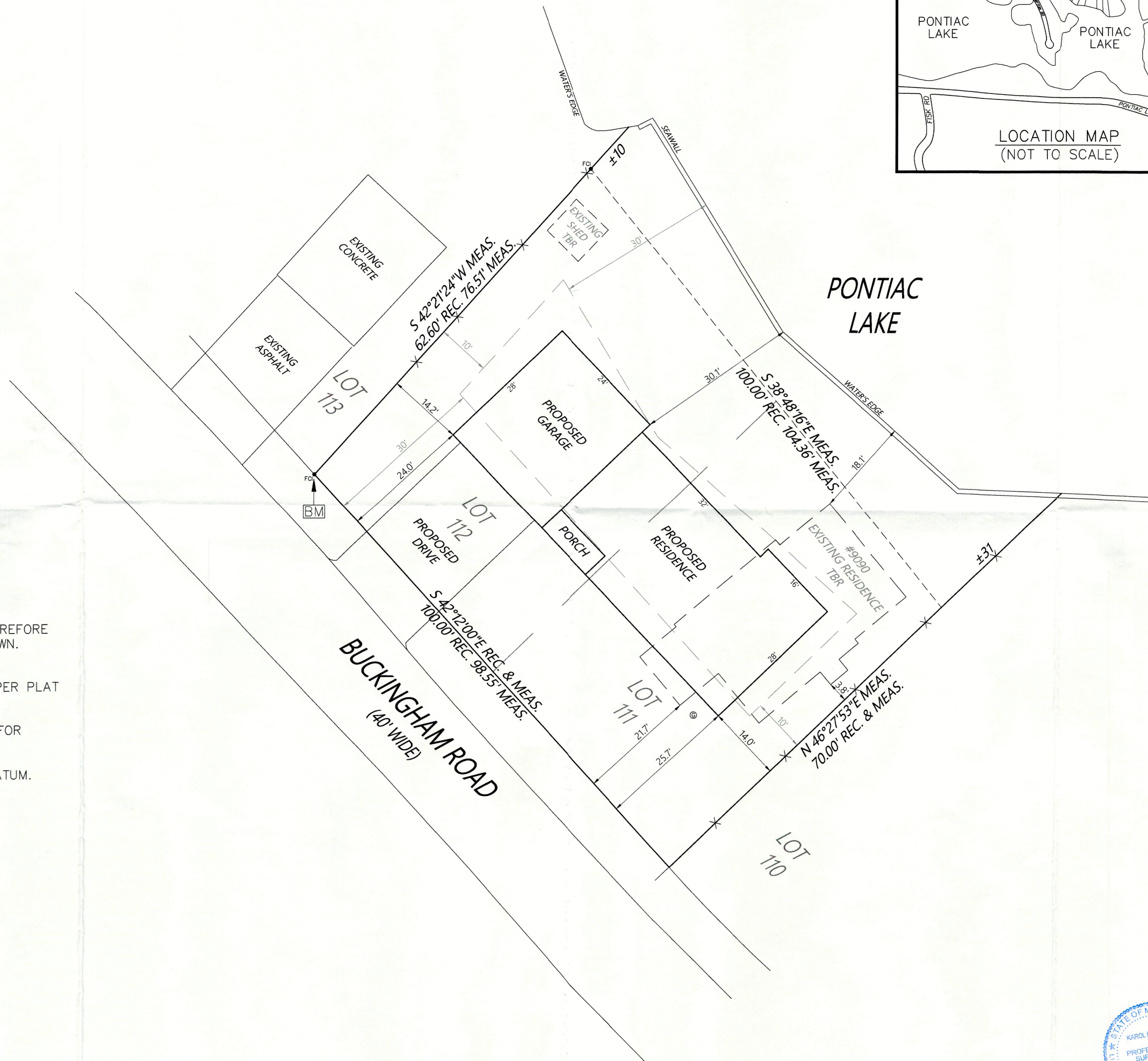
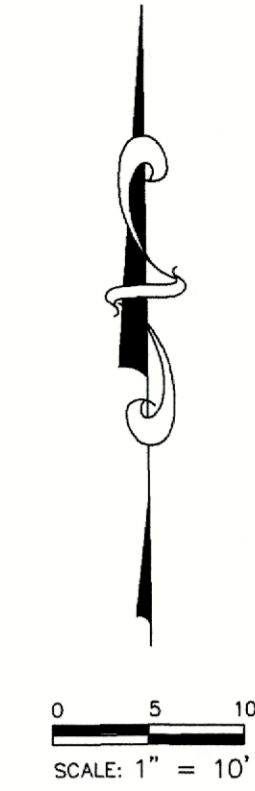
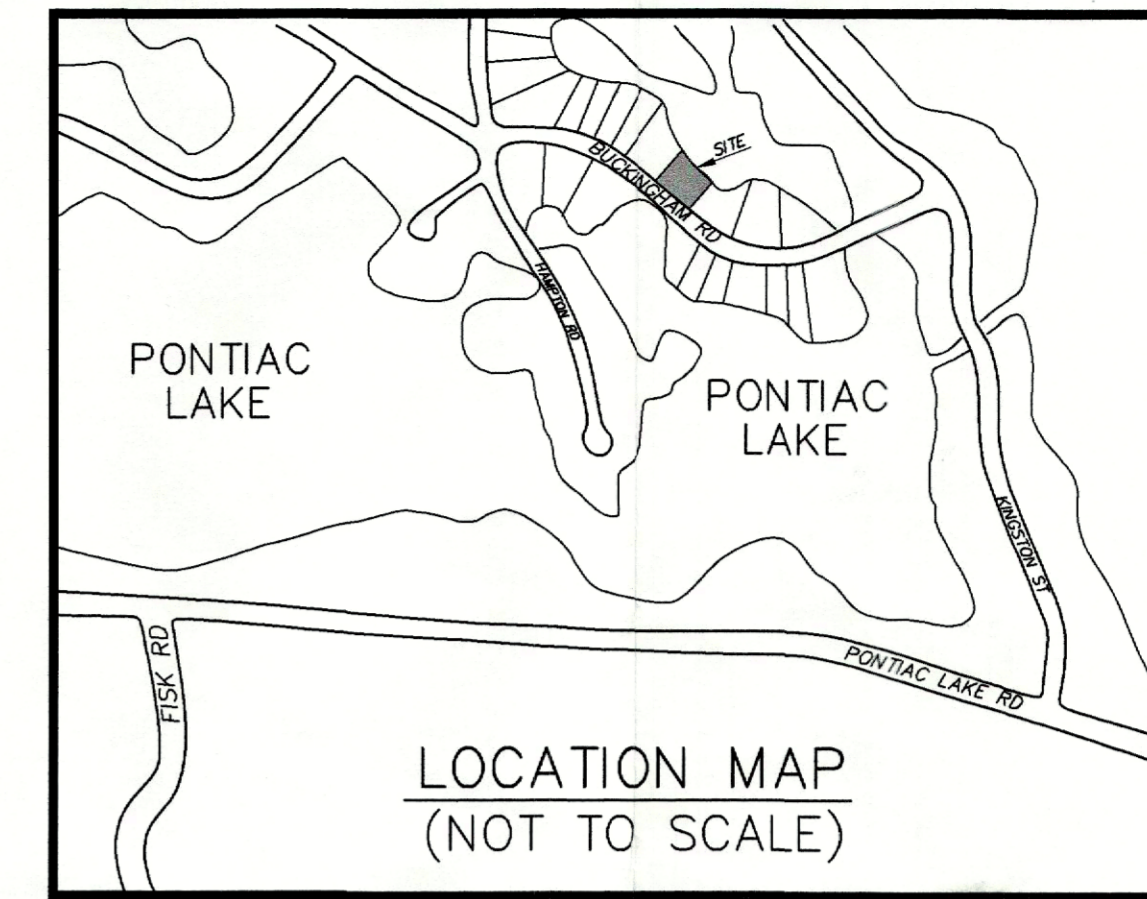
NOTES:

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

BEARING BASIS:
 HELD BEARING ALONG BUCKINGHAM ROAD AS PER PLAT
 OF RECORD.

THE FEMA 100-YEAR BASE FLOOD ELEVATION FOR
 PONTIAC LAKE = 964.8' (NAVD 1988)

ALL ELEVATIONS ARE SHOWN IN NAVD 1988 DATUM.



LEGEND:

- ⊙ STORM SEWER & MANHOLE
- ⊙ SANITARY SEWER & MANHOLE
- ⊙ WATER MAIN, HYDRANT, & VALVE
- ⊙ GAS MAIN & VALVE
- ⊙ BURIED TELEPHONE & MANHOLE
- ⊙ UNDER GROUND ELECTRIC & MANHOLE
- ⊙ OVERHEAD ELECTRIC, POLE, & GUY WIRE
- ⊙ CATCH BASIN (CURB & ROUND)
- ⊙ FENCE
- ⊙ GUARD RAIL
- ⊙ GRINDER PUMP
- ⊙ BENCHMARK
- DRAINAGE ARROW
- EXISTING ELEVATION
- PROPOSED ELEVATION
- ⊙ PROPOSED WELL
- ⊙ EXISTING PERK TEST
- ⊙ SILT FENCE
- FLOOD ZONE LINE
- (MEAS.) - MEASURED
- (REC.) - RECORDED
- (CALC.) - CALCULATED
- ⊙ - SEC. CORNER FOUND
- - IRON SET
- - IRON FOUND
- ⊙ - MONUMENT SET
- ⊙ - MONUMENT FOUND
- FCI - FOUND CAPPED IRON
- FIR - FOUND IRON ROD
- SCI - SET CAPPED IRON
- TBR - TO BE REMOVED

UTILITY WARNING

UNDERGROUND UTILITY LOCATIONS AS SHOWN ON THE
 PLAN, WERE OBTAINED FROM UTILITY OWNERS AND
 WERE NOT FIELD LOCATED.
 A MINIMUM OF 3 WORKING DAYS PRIOR TO BEGINNING
 CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY
 "MISS DIG" AND HAVE ALL UNDERGROUND UTILITIES
 STAKED BEFORE ANY WORK ANY DEEPER.
 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE
 PROTECTION AND OR RELOCATION OF ALL UTILITIES
 THAT MAY INTERFERE WITH CONSTRUCTION.



KAROL L. GROVE - M.L.P.S. #39075
 7-9-24 REVISED HOUSE LOCATION

07-09-2024
 DATE

Scale:
 1"=10'
 Date:
 06-27-2024
 Job No.:
 24-6704
 Sht. No.:
 1 of 1

**PRELIMINARY
 SITE PLAN**

WADE PARIS (248) 820-9087
 #9090 BUCKINGHAM ROAD
 LOTS 111 AND 112
 OF "ENGLISH VILLAS SUBDIVISION"
 WHITE LAKE TOWNSHIP,
 OAKLAND COUNTY, MI

Drawn: JDS
 Designed: KG
 Checked: KG

ALPINE
 Land Surveying, Inc.
 376 BEECH FARM CIRCLE SUITE # 1293
 HIGHLAND, MICHIGAN 48357
 PHONE: 810-207-8050

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 2, 2024

Wade Paris
9377 Gale Rd
White Lake, MI 48386

Re: Proposed Residential Dwelling at 9090 Buckingham

Based on the submitted plans, the proposed residential dwelling 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 and lot area of 12,000 sq ft.

The existing lot and residential structure are nonconforming; with a lot area of approximately 8,146 sq ft, and setbacks that do not conform on 3 sides. While the existing structure is planned to be demolished, the proposed structure will have a front yard setback of approximately 25 ft.

Approval of the building plans is subject to a variance to the schedule of regulations, Article 7 of the White Lake Township Clear Zoning Ordinance. The Planning Department can be reached at (248)698-3300

Sincerely,

Nick Spencer, Building Official
White Lake Township